IN THE SUPREME COURT OF OHIO

Regina C. Adams, *et al.*, ***Relators*,** ***v.*** **Governor Mike DeWine, *et al.*,** ***Respondents*.**	**Case No. 2021-1428** **Original Action Filed Pursuant to Ohio Const., Art. XIX, Sec. 3(A)**
League of Women Voters of Ohio, *et al.*, ***Relators*,** ***v.*** **Governor Mike DeWine, *et al.*,** ***Respondents*.**	**Case No. 2021-1449** **Original Action Filed Pursuant to Ohio Const., Art. XIX, Sec. 3(A)**

AFFIDAVIT OF ALEXANDER THOMSON
EXHIBITS APPENDIX A - HEARING TRANSCRIPTS
Volume 1 of 2

(Counsel listing on next page)

Abha Khanna (PHV 2189-2021)
Ben Stafford (PHV 25433-2021)
ELIAS LAW GROUP, LLP
1700 Seventh Ave., Suite 2100
Seattle, WA 98101
(206) 656-0176
akhanna@elias.law

Aria C. Branch (PHV 25435-2021)
Jyoti Jasrasaria (PHV 25401-2021)
Spencer W. Klein (PHV 25432-2021)
Harleen K. Gambhir (PHV 25587-2021)
ELIAS LAW GROUP, LLP
10 G St. NE, Suite 600
Washington, DC 20002
(202) 968-4490
abranch@elias.law

Donald J. McTigue (0022849)
Counsel of Record
Derek S. Clinger (0092075)
MCTIGUE & COLOMBO, LLC
545 East Town Street
Columbus, OH 43215
(614) 263-7000
dmctigue@electionlawgroup.com

Counsel for Adams Relators

Freda J. Levenson (0045916)
Counsel of Record
ACLU OF OHIO FOUNDATION, INC.
4506 Chester Avenue
Cleveland, OH 44103
(614) 586-1972 x125
flevenson@acluohio.org

David J. Carey (0088787)
ACLU OF OHIO FOUNDATION, INC.
1108 City Park Avenue, Suite 203
Columbus, OH 43206
(614) 586-1972 x2004
dcarey@acluohio.org

Dave Yost
OHIO ATTORNEY GENERAL

Bridget C. Coontz (0072919)
Julie M. Pfeiffer (0069762)
Michael A. Walton (0092201)
Assistant Attorneys General
Constitutional Offices Section
30 E. Broad Street, 16th Floor
Columbus, OH 43215
(614) 466-2872
bridget.coontz@ohioago.gov

Counsel for Respondent Ohio Secretary of State Frank LaRose

Phillip J. Strach (PHV 25444-2021)
Thomas A. Farr (PHV 25461-2021)
John E. Branch, III (PHV 25460-2021)
Alyssa M. Riggins (PHV 25441-2021)
NELSON MULLINS RILEY & SCARBOROUGH, LLP
4140 Parklake Ave., Suite 200
Raleigh, NC 27612
(919) 329-3812
phil.strach@nelsonmullins.com

Counsel for Respondents House Speaker Bob Cupp and Senate President Matt Huffman

Julie A. Ebenstein (PHV 25423-2021)
AMERICAN CIVIL LIBERTIES UNION
125 Broad Street
New York, NY 10004
(212) 519-7866
jebenstein@aclu.org

Robert D. Fram (PHV 25414-2021)
Donald Brown (PHV 25480-2021)
David Denuyl (PHV 25452-2021)
Joshua González (PHV 25424-2021)
Juliana Goldrosen (PHV 25193-2021)
COVINGTON & BURLING, LLP
Salesforce Tower
415 Mission Street, Suite 5400
San Francisco, CA 94105-2533
(415) 591-6000
rfram@cov.com

James Smith**
L. Brady Bender (PHV 25192-2021)
Sarah Suwanda**
Alex Thomson (PHV 25462-2021)
COVINGTON & BURLING, LLP
One CityCenter
850 Tenth Street, NW
Washington, DC 20001-4956
(202) 662-6000
jmsmith@cov.com

Anupam Sharma (PHV 25418-2021)
Yale Fu (PHV 25419-2021)
COVINGTON & BURLING, LLP
3000 El Camino Real
5 Palo Alto Square, 10th Floor
Palo Alto, CA 94306-2112
(650) 632-4700
asharma@cov.com

Counsel for League of Women Voters Relators

*** Pro Hac Vice Motion Forthcoming*

EXHIBITS APPENDIX A - HEARING TRANSCRIPTS
Volume 1 of 2

Index of Documents

ITEM	DESCRIPTION	BATES RANGE
1	11/3/2021 House Government Oversight Committee Hearing	HRG_0001 - 35
2	11/3/2021 Senate Local Government and Elections Committee Hearing	HRG_0036 - 52
3	11/4/2021 House Government Oversight Committee Hearing	HRG_0053 - 156
4	11/4/2021 Senate Local Government and Elections Committee Hearing	HRG_0157 - 206
5	11/8/2021 Senate Local Government and Elections Committee Hearing	HRG_0207 - 24
6	11/9/2021 Senate Local Government and Elections Committee Hearing	HRG_0225 - 56

Chair Wilkin (00:00:00):
I now call the November 3rd House Government Oversight Committee to order. Clerk will take the roll.

Speaker 1 (00:00:06):
Chair Wilkin.

Chair Wilkin (00:00:07):
Yes.

Speaker 1 (00:00:08):
Vice Chair White.

Vice Chair White (00:00:08):
Yes.

Speaker 1 (00:00:09):
Ranking Member Brown.

Ranking Member Brown (00:00:10):
Here.

Speaker 2 (00:00:10):
Representative Abrams.

Representative Abrams (00:00:10):
Here.

Speaker 2 (00:00:10):
Carfagna.

Carfagna (00:00:10):
Here.

Speaker 2 (00:00:10):
Galonski.

Representative Galonski (00:00:10):
Present.

Speaker 1 (00:00:10):
Ginter.

Ginter (00:00:13):

Here.

Speaker 1 (00:00:17):
Hicks-Hudson.

Representative Hicks-Hudson (00:00:17):
Present.

Speaker 1 (00:00:17):
Howse.

Representative Howse (00:00:17):
Present.

Speaker 1 (00:00:20):
Jones.

Jones (00:00:20):
Here.

Speaker 2 (00:00:20):
Kelly.

Representative Kelly (00:00:20):
Here.

Speaker 1 (00:00:20):
Plummer.

Plummer (00:00:20):
Here.

Speaker 1 (00:00:20):
And Seitz.

Seitz (00:00:20):
Here.

Male (00:00:26):
[inaudible 00:00:26] everybody.

Chair Wilkin (00:00:28):

With quorum being present, we will operate as a full committee. This time, the chair moves to approve the minutes of the October 28th meeting. If there are no objections, we will accept the minutes as presented. Hearing none, the minutes are approved.

Couple of quick housekeeping things before we get going. If there are no objections, our new Ranking Member, Representative Brown will be appointed as the Secretary. Hearing none. Congratulations and welcome, Representative Brown.

For our audience, if you plan to record or video, please make sure you fill out a slip. There should be right down there on the table, if you need one. With that said, at this point, I would like to call up House Bill 497 for its first hearing. And right now the Chair recognizes Representative White for a motion.

Vice Chair White (00:01:27):

Thank you, Mr. Chairman, I move to adopt the substitute bill L1342114. This substitute bill replaces the current placeholder legislation with the new proposed plan.

Representative Galonski (00:01:37):

Objection.

Chair Wilkin (00:01:41):

We have an objection, but I will ask that as we go through this sub bill any questions be saved and directed to the bill sponsor, Representative Oelslager.

Ranking Member Brown (00:01:52):

Mr. Chair?

Chair Wilkin (00:01:52):

Yes.

Ranking Member Brown (00:01:53):

May I make a statement on the record?

Chair Wilkin (00:01:55):

Sure.

Ranking Member Brown (00:01:56):

Thank you. At 10:42 AM, a map was uploaded. We have not had any time to review this map in any meaningful way. We never saw the map until approximately 10:42 AM. With regard to the sub bill, we're seeing it now for the first time on our iPads here in the committee hearing room, no opportunity to see it prior to this moment.

We would ask that the majority hold off on taking action on the sub bill at this time. It's our goal and desire as the Democratic caucus to get a 10 year map. However, seems to me that perhaps we're getting off on the wrong foot by at the last minute, offering a map and a sub bill, which we have not had an opportunity to review in any kind of meaningful way and have had no opportunity to have any discussions with anyone, including the majority with regard to these matters.

So we would simply ask that the majority agree voluntarily not to offer the sub bill at this time. If the majority desires to proceed forward, then we would have to formally object to the sub bill. Thank you.

Chair Wilkin (00:03:14):

Thank you, Ranking Member Brown. I believe I did hear an objection already with Representative White's motion on the floor. We will proceed to vote on that motion. Again, this is sponsor testimony on the bill only, and we have another committee's hearing set for tomorrow. So at this point, there is an objection and I do not know who object.

Representative Hicks-Hudson (00:03:40):

Representative Galonski objected. [inaudible 00:03:42].

Chair Wilkin (00:03:42):

Chair recognizes Representative Hicks-Hudson.

Representative Hicks-Hudson (00:03:45):

Thank you, Mr. Chair. My point of order is that as Ranking Member has just said, I believe that we do need to have further discussion before this bill and an opportunity to examine it in all manner because as we are looking at trying to put forward a 10 year map, it is incumbent upon all of us, the weight and the seriousness of it. And we have been waiting, the public has been waiting, the citizens of Ohio have been waiting for a fair opportunity to examine and to be able to look at the ramifications of what's being proposed. And with just having received it less than 20, 30 minutes ago, it is really a major issue for us as part of this caucus, as part of being citizens. And when we look at procrastination on the part of the majority and this process before us has now created in my estimation, a constitutional crisis. And we need to be very careful moving forward, that we, number one, maintain the will of the people that created this process for us. And number two, that we use all of our resources and due diligence in order to be sure that what is presented and ultimately voted on reflects the will of the people of the state of Ohio.

And so, therefore I think that before there is a vote, there needs to be further discussion about this and that this bill, the substitute bill, should be held in advance until all of us are able to review it carefully. Thank you.

Representative Galonski (00:05:20):

To the chair, since I was the one to make the first objection, may I please speak to my objection?

Chair Wilkin (00:05:25):

Chair recognizes Representative Galonski.

Representative Galonski (00:05:27):

Thank you to the Chair.

Chair Wilkin (00:05:28):

If you guys can, can you speak up or raise your hand? Because I had no idea who objected.

Representative Galonski (00:05:32):

Sure. Thank you to the Chair. And so, I did object to the offering of the sub bill. And my question then is I think the Chair just stated that we were going to have testimony from the sponsor, Oelslager, on 479. 479 has two sentences. The sub bill is 300 pages. What exactly would he be testifying to? Would it be 479 as it is or the sub bill?

Chair Wilkin (00:05:57):

Representative Galonski, my understanding is Chairman Oelslager will be testifying to the sub bill, and we are only voting on accepting the sub bill at this time. So with a motion on the floor, the clerk will take the roll.

Speaker 1 (00:06:14):

Chair Wilkin.

Chair Wilkin (00:06:15):

Yes.

Speaker 1 (00:06:16):

Vice Chair White.

Vice Chair White (00:06:17):

Yes.

Speaker 1 (00:06:17):

Ranking Member Brown.

Ranking Member Brown (00:06:19):

No.

Speaker 1 (00:06:19):

Representative Abrams.

Representative Abrams (00:06:20):

Yes.

Speaker 2 (00:06:21):

Carfagna.

Carfagna (00:06:22):

Yes.

Speaker 2 (00:06:23):

Galonski.

Representative Galonski (00:06:24):
No.

Speaker 2 (00:06:24):
Ginter.

Ginter (00:06:25):
Yes.

Speaker 2 (00:06:26):
Hicks-Hudson.

Representative Hicks-Hudson (00:06:27):
No.

Speaker 1 (00:06:27):
Howse.

Representative Howse (00:06:28):
No.

Speaker 1 (00:06:29):
Jones.

Jones (00:06:30):
Yes.

Speaker 1 (00:06:31):
Kelly.

Representative Kelly (00:06:31):
No.

Speaker 1 (00:06:32):
Plummer.

Plummer (00:06:33):
Yes.

Speaker 1 (00:06:34):
Seitz.

Seitz (00:06:34):

No.

Chair Wilkin (00:06:38):

Eight to five. With a vote of eight yeas and five nays, the motion is approved and we will now be operating off of the new sub bill. This time, the Chair will call up Representative Oelslager to provide sponsor testimony. I'd like to note, there's a full image of the proposed plan, close-ups of urban counties at the homepage and at the bottom of your iPads.

Representative Howse (00:07:00):

Mr. Chair? Question.

Chair Wilkin (00:07:05):

Let's let Representative Oelslager start.

Representative Howse (00:07:06):

That's my question. Where is his testimony?

Chair Wilkin (00:07:13):

We do not have testimony uploaded on the iPads at this time. Mr. Oelslager, you may begin when you're ready.

Representative Howse (00:07:20):

Excuse me. Excuse me. Sorry, sorry, sorry, sorry. Usually, we have sponsored testimony so that we can actually read and see what's going on or am I missing something? Can you clarify for me, Mr. Chairman?

Chair Wilkin (00:07:35):

Representative Howse, I understand that. We try and do the best we can on that, but is not required by the rules.

Representative Howse (00:07:40):

Okay, [crosstalk 00:07:40]. Okay, great.

Chair Wilkin (00:07:40):

Therefore, at this time, Mr. Oelslager-

Representative Howse (00:07:41):

Okay, great.

Chair Wilkin (00:07:41):

... please proceed.

Representative Howse (00:07:42):

Great. Appreciate it.

Chair Wilkin (00:07:46):

This time, Mr. Oelslager, you may proceed when you're ready.

Representative Oelslager (00:07:48):

Thank you, Mr. Chairman. First of all, I'd like to congratulate Representative Howse. I understand there was a victory yesterday in your community, so congratulations to you. Chairman Wilkin, Vice Chair White, Ranking Member Brown, and the members of the committee, thank you for the opportunity to present a substitute version of House Bill 479, a congressional redistricting plan. Provided with my testimony is an image of the full plan, close-ups of urban counties with geographical boundaries of cities, townships, and villages, and a block assignment file, which should be on your iPad on the committee website.

As you know, Ohio voters and the General Assembly partnered to pass and approve a constitutional reforms to Ohio's redistrict process and ultimately the make of future redistricting plans. I am happy to share with you today a congressional redistricting plan that meets all mandatory requirements of Article 19 of the Ohio Constitution. The plan also achieves certain aspirational sections of Article 19.

I'd like to share with you some highlights of the proposal highlights of the proposal. First, I'll talk about congressional district population. This past decade, Ohio's population grew at a slower pace compared to the rest of the country. For at least the next decade, Ohio will have 15 representatives to Congress down from 16 over the past decade. Ohio's population is 11,799,448. And when divided by 15 equals 78, excuse me, 786,629.8. To achieve the lowest deviation from 786,629.8, the plan before you consists of 13 districts with a population of 786, 630 and two districts with a population of 786,629.

I'll now share about the bill's impact on Columbus, Cleveland, and Cincinnati. Article 19, Section 2(B)(4)(a) specifies a congressional district plan shall attempt to include a significant portion of any municipal corporation or township in a single district that qualifies with criteria in that section, which today only applies to Columbus. In determining the population of Columbus, this section specifies that subdivisions circumscribed by the jurisdiction are to be included in the population count. I am proud to say approximately 70% of Columbus is within one congressional district, a percentage of cited, excuse me, a percentage cited in public testimony before the Ohio redistricting commission.

Article 19, Section 2(B)(4)(b), which today applies to Cleveland and Cincinnati, specifies that neither city may be split into more than one congressional district. The plan before you today complies with that section. Cincinnati is wholly contained in congressional district one. And Cleveland is wholly contained in congressional district 11.

I'll now share about county and county subdivision splits. Section 2(B)(5) of Article 19 requires 65 counties to be wholly contained in a congressional district and permits 18 counties to be split once, meaning a portion of the county boundary is included in two districts. Five counties may be split twice, meaning a portion of the county boundaries included in three districts. The plan before you is constructed with 75 whole districts, excuse me, whole counties and 13 split counties. Three counties, Franklin, Cuyahoga, and Hamilton, all of which have a population of greater than one ratio, must be split due to population requirements.

Another aspect of this proposal that I am proud of is all 15 congressional districts consist in part of at least one whole county. The congressional district plan in place today splits 23 counties, with two counties being with two counties being split into four congressional districts. Substitute House Bill 479 splits 16 subdivisions, mainly due to the balancing of districts down to the precincts, excuse me, down to the person, which is about the half the number of subdivision splits that exist in the current

congressional map. It is important to note the Ohio Constitution clarifies subdivision boundaries that perforate multiple counties and are considered to be separate subdivisions and are not split. The same applies to any non-contiguous portions of a subdivision.

Substitute House Bill 479 is a constitutionally compliant congressional plan, which is always the primary factor, but also a plan that focuses on maintaining whole communities within congressional districts. Thank you for your opportunity to testify, and I'm happy to do the best I can to answer your questions. Thank you, Mr. Chairman.

Chair Wilkin (00:12:37):

Thank you, Representative Oelslager. At this time, I will recognize Representative Galonski.

Representative Galonski (00:12:45):

Thank you to the Chair and thank you Representative Oelslager for testifying here today. It seems to me that you were reading your testimony and I was wondering if you would be amenable to having that uploaded so that we could evaluate it. And then I'd like to make a motion for a recess so that we could have time to evaluate your testimony before asking questions.

Representative Oelslager (00:13:07):

I would yield to the Chairman decision on that issue.

Chair Wilkin (00:13:08):

At this time, we're going to go through. I already have a list of people that have questions. At this time, we're going to proceed with questions for the bill sponsor. Is there any follow-up? Representative Hicks-Hudson. Representative Hicks Hudson?

Representative Hicks-Hudson (00:13:48):

Thank you, Mr. Chair. Thank you for your testimony. Although, you've made various assertions, and I'd like to know some of the basis. You mentioned in your assertion about that the map goes down to the precinct level in terms of districts. What do you mean by exactly precincts? Are you talking about individual precincts? Are you talking about combinations? How were these precincts decided in terms of creating this particular map?

Representative Oelslager (00:14:23):

Mr. Chairman, Representative Hicks-Hudson, I said precinct, but then I corrected myself as it should have been person, down to the person.

Representative Hicks-Hudson (00:14:29):

Okay. I didn't hear person, so thank you for that clarification.

Representative Oelslager (00:14:29):

Sure. Certainly.

Representative Hicks-Hudson (00:14:33):

Follow-up, if I may.

Chair Wilkin (00:14:35):

Follow-up.

Representative Hicks-Hudson (00:14:35):

Thank you. Thank you, Mr. Chair. And thank you for that clarification. You also talk about, again, going back and making reference to the constitution. I'm just trying to understand how, for example, in looking at district... I really want to talk about district nine, which is mine, but I'm looking at district... Well, let's talk about district nine in particular. How does that particular drawing specifically comply with your testimony?

Representative Oelslager (00:15:16):

Mr. Chairman, Representative Hudson, that is more of a technical question that if you leave your question with the Chair, I'll respond. I cannot answer that question at one time.

Representative Hicks-Hudson (00:15:29):

Follow-up and statement.

Chair Wilkin (00:15:30):

Follow-up.

Representative Hicks-Hudson (00:15:32):

Thank you, Mr. Chair, and thank you for your candor as it relates to my question. But your answer really does highlight the need for us to slow this process down for us to be able to look at this and not react in less than 30 minutes. And so, I would like not only for you to be able to give us the answer to, as I talked about district four, but will you be able to give us that specificity for all of these districts is how this map was drawn? And bless your heart. My last question is to you, who actually put this map together for you?

Representative Oelslager (00:16:15):

Mr. Chairman, Representative Hicks-Hudson, Mr. Blake Springhetti drew this map. He is the author of the map.

Representative Hicks-Hudson (00:16:27):

Thank you. Thank you, Mr. Chairman.

Chair Wilkin (00:16:32):

Thank you. Representative Kelly.

Representative Kelly (00:16:34):

Thank you, Mr. Chairman. I wanted to start out with a question about Hamilton County because that's where I'm from. People are frustrated now with the way that the district has been split. And so, I was hopeful but not optimistic that folks in Hamilton County would be able to really see the result of an intentional process that stayed true to what the people asked for when they passed redistricting reform.

I just, when you were giving your testimony, kept thinking of this thing that my mom always says was just because you can, doesn't mean you should. And so, I understand that the cities have been kept wholly together, but I guess my question is, how did you determine what like communities stayed together on this map, specifically in Hamilton County and across the state?

Representative Oelslager (00:17:36):

Thank you, Mr. Chairman, Representative Kelly. The goal here of this particular plan was to talk about regionally [inaudible 00:17:45] districts. And by taking it down to the person, follow historically what Ohio has done in that regard. Now, as I said in my testimony, Cincinnati is wholly contained in congressional district one. And as far as the technicality of what you're saying, that again is something I can't answer today that I'd have to ask you to ask the Chairman to your question and we can get back to you.

Chair Wilkin (00:17:36):

Follow-up.

Representative Kelly (00:18:17):

Yes. Thank you, Mr. Chairman. I guess my other question, and I don't know if this is a question that's best directed to you or not, but I mean, I think that again, when the redistricting reform was passed, it was because people were mad that they felt like they weren't being heard, they felt like the process was being rigged against them, and that by rigging the lines, their voices aren't heard, their issues aren't taken seriously, whether it's in the halls of the state legislature or in the halls of Congress.

And so, I'm just wondering, we got this map today at 10:42. We've got folks coming in tomorrow. Can we expect better in terms of people's ability to have a transparent, accessible process in order to talk about what these maps actually mean to them?

Representative Oelslager (00:19:15):

Mr. Chairman, Representative Kelly, as the Chairman mentioned, he's going to have some hearings. Also, the constitution requirement actually when there's a joint committee, I believe it requires two hearings in that process too. But it's up to the Chair then to decide how the committee process will go. I'm just here to present the bill.

Chair Wilkin (00:19:38):

Any follow-up? Representative Brown.

Ranking Member Brown (00:19:45):

Thank you, Mr. Chair.

PART 1 OF 4 ENDS [00:20:04]

Mr. Chairman (00:20:00):

Representative Brown.

Representative Brown (00:20:03):

Thank you, Mr. Chair. Thank you representative for your testimony. The audit constitution article 19, section 02, paragraph B, subparagraph two and three, provide that every congressional district shall be both compact and contiguous. With regard to the compact aspect, I'm looking at the map on my phone and it looks like there's a purple anaconda stretching from Trumbull County along the Ohio river to Lawrence county. Taking in virtually every county along the Ohio river on the Eastern and Southeastern part of the state. How is compactness being defined by this map? Is this some kind of a vision test, some kind of an aesthetic measure, or was this an algorithm or a measure perimeter used to arrive at the compactness issue? Thank you.

Chairman Schlager (00:20:59):

Thank you, Mr. Chairman. Representative Brown, counselor. That's a very good research you've done there. That would be something I'd have to yield also since it's a more technical question, and I just shared, I was not the map maker to get that back through the chair.

Representative Brown (00:21:14):

Follow up chair.

Mr. Chairman (00:21:16):

Please.

Representative Brown (00:21:16):

Thank you. Thank you representative for your remark. Appreciate it. Is it the intent of the majority caucus to have a 10-year congressional map, or are you predisposed to arriving at a four-year congressional map?

Chairman Schlager (00:21:35):

Mr. Chairman represent Brown, that's actually a decision that I'm not have not been involved with. I have not had any discuss with anybody and I believe that will be a decision made above my pay grade in this process. And I'm sure though, there will be justice discussions as this bill proceeds it's way through the legislature of both parties. Probably a leadership getting together and sitting down and see what they can work out.

Representative Brown (00:22:01):

Thank you representative.

Mr. Chairman (00:22:03):

Representative house.

Representative House (00:22:06):

Thank you to the chair, to the other chair, thank you for the congratulations. Couple of questions. Do you believe the map that was presented today, is the expectation from Ohioans who voted for congressional district, do you think this is the map that they wanted?

Chairman Schlager (00:22:28):

Mr. Chairman representative house, this map we firmly believe meets all the constitutional requirements and the public did vote for this constitutional amendment. So I'd have to say in the abstract sense, certainly, since they voted for this constitutional amendment and this map, sure, I would say yes.

Representative House (00:22:44):

Okay. Follow up.

Mr. Chairman (00:22:45):

Follow up.

Representative House (00:22:45):

Through the chair to the chair in your testimony you talked about, is that the intention to keep communities whole, that's correct, right? And so if you can actually define, what is your definition or what was the definition of community in designing and developing these maps?

Chairman Schlager (00:23:07):

Thank you, Mr. Chairman representative house. Again, I was not the map maker, that would be one that we'd have to get the information on and try to get back to you.

Representative House (00:23:16):

Follow up.

Mr. Chairman (00:23:16):

Follow up.

Representative House (00:23:17):

Thank you. Through the chair to the chair sponsor. So just get into my question, as you indicated in your testimony that if I'm not mistaken, 75 counties were made whole, 13, no, 75 counties are made whole, 13 counties are split once and then three counties were split twice, is that correct? Is that what you told me?

Chairman Schlager (00:23:50):

Mr. Chairman, representative house, I'm looking back through to make sure I have that before me. Yes. I'll repeat my testimony if that's all right, representative house.

Representative House (00:24:02):

Sure.

Chairman Schlager (00:24:02):

The plan before you is constructed with 75 whole counties and 13 split counties.

Representative House (00:24:08):

Okay. Oh, it's 13. Okay. Because I was like, that the math was off. Okay. That's what is, 13 split counties. Can I follow up.

Mr. Chairman (00:24:18):

Follow up, please.

Representative House (00:24:20):

Do the chair to the sponsor, the bill. So I always go in the context of who we are serving, right? And so as I have conversations about what we're doing and if we want regular Ohioans to understand this. We have been presented with a map that is really hard to see. And I'm looking at the Cuyahoga County map, which has been split into three. What is the expectation of a regular citizen to be able to interpret these maps? How was that put into a place in this presentation?

Chairman Schlager (00:25:04):

Okay. Mr. Chairman representative house. If I don't answer your question, tell me I didn't answer question and get back to me there. I'm sure as we speak, the maps that are before you are probably being sent out throughout the state through news media Oregon, through interest group Oregons and so on, and interested party Oregons, you just name it. Political organs, they'll have it before them. So they'll certainly have opportunities before this bill moves through the both chambers and this chamber to have so opportunity for input. So, that's the best I can. I hope that answers your question.

Representative House (00:25:40):

I mean, no. So clarification on my question through the chair to the sponsor of the bill, and this will be my last point for the moment. So as we have new census numbers, if you look at who is the atypical average Ohioan, what is their education level and how they are able to interpret what we're doing? Because again, I don't think that we should just do stuff just for us to understand, we're doing a map that's supposed to be for all of us and having something that basically the average Ohioan can understand was that taken into account when presenting this information. Because like I said, it's hard to digest when you just received it less than an hour ago.

Chairman Schlager (00:26:24):

Mr. Chairman representative house, I would say again, I think these maps will certainly engender deep discussions throughout. And those groups and individuals who wish to interpret the map to take a good, I think there's going to be plenty of opportunities through different mediums for them to do that. Also this is my fifth time through redistricting as a member of the legislature. I do know that phone calls and now emails and et cetera will coming into your offices from all sorts of our great Ohio folks that are very interested in this. Also, I'm sure you're, we're all going to hear from our congressional members. As they take a look at this map, they will be making statements and they will probably be, if history's a guide, they will be having people call us and take a look also. So I do believe that there'll be plenty of opportunity for that average Ohioan and it's my hope that they do take a good look at this and give us their input.

Representative House (00:27:17):

Thank you

Mr. Chairman (00:27:17):

Representative Klonsky.

Representative Klonsky (00:27:21):

Thank you to the chair, and thank you so much representative Bloce Schlager for testifying here today. To follow up on representative house's question, when exactly will the people, and will we receive the shape files? We've been given a PDF, when will we expect day and hour? When will we receive the shape files so that we can analyze those? And I have a follow up question.

Chairman Schlager (00:27:45):

Thank you.

Mr. Chairman (00:27:45):

Representative Bolce Schlager.

Chairman Schlager (00:27:46):

Mr. Chairman, representative Klonsky, that'd be something I'd have to ask staff about. That's not something I've been formed of or what the decision making that I was involved with.

Mr. Chairman (00:27:58):

Follow up.

Representative Klonsky (00:27:59):

Thank you to the chair, and thank you, representative Bolce Schlager. Can you explain to us whether or not your maps. Again, thinking about how we are trying to achieve a 10 year map and following along with the constitution, can you explain how the map that you presented today either duly or unduly shows partisanship? What are your thoughts with regard to the map?

Chairman Schlager (00:28:27):

Mr. Chairman, Representative Klonsky, are you asking me to explain perhaps the partisan breakdown of the map?

Representative Klonsky (00:28:37):

Yes.

Chairman Schlager (00:28:37):

Okay. Thank you, Mr. Chairman. The map issued before you today is made up of eight, five, and two. Eight districts are leading Republican, five districts are competitive, and two districts are leading Democrat.

Mr. Chairman (00:28:57):

Follow up. Representative Kelly.

Representative Kelly (00:29:05):

Thank you, Mr. Chairman, actually rep Klonsky's question about the partisan breakdown was a brilliant question and one that I was going to ask, but can you talk about what your definition is of competitive?

Chairman Schlager (00:29:17):

Mr. Chairman, representative Kelly. As explained to me, the competitive district is between 45 and 55%, one way or another. And that is something that, as you know, from your experience, with the right candidate, right organization, right issues, is winnable by either party. The, the guy looking at you right now has always been in a district that falls within those categories. So it's quite possible in those competitive districts with 45 to 55, given all the rest circumstances, that either party could win them.

Mr. Chairman (00:29:52):

Follow up.

Representative Kelly (00:29:54):

Thank you, Mr. Chairman. I mean, the reason to ask, and is because I think throughout this process, people have different definitions of competitive. So I just want to make sure that we're clear on that. My other question was just about how this map complies with the voting rights act. I wasn't sure if you could further enumerate on that.

Chairman Schlager (00:30:11):

Certainly

Mr. Chairman (00:30:11):

Chairman Schlager.

Chairman Schlager (00:30:12):

Chairman representative Kelly, this map absolutely conforms to the civil rights voting, excuse me, the voting rights act. As someone who lived through all that, all those different issues which are wonderfully passed, I get confused with what they're called. Showing my age. I know.

Mr. Chairman (00:30:29):

Representative Kelly.

Representative Kelly (00:30:30):

Sorry, Mr. Chairman and chairman Schlager. Would you mind to talk a little bit about how it complies? Not just whether it complies, so how does it comply with the voting rights act?

Chairman Schlager (00:30:40):

Mr. Chairman representative Kelly, discussing again with the map maker, he assured me that it does comply with the voting rights act. And this about all I can only I can really answer unless you have a follow up question for me. I mean, that's the best I can do

Mr. Chairman (00:30:59):

Representative house.

Representative House (00:31:02):

Thank you to the chair to sponsor. Question on and moving, which I hope is the intention of this body or the leadership or the people that make decisions with the higher pay rate, the decision to have a 10 year map. If you can kind of go through for those that are in the minority party, what expectations or engagement opportunity is being presented for this body for engagement, and what does that look like, right? Because we just got this map about an hour ago, right? And now we have to look into it, but where do we go from here? Where do we go from here to get to a tenure map?

Chairman Schlager (00:31:48):

Certainly. Mr. Chairman representative house.

Representative House (00:31:52):

And kind of a clarification. And I'm one of those people talking real talk, I know about constitutional things, but actual and practice. What does it look like? What is the work? What is the work to get to a 10-year map?

Chairman Schlager (00:32:09):

I did hear the last phrase. I'm sorry.

Representative House (00:32:10):

What is the work? W-O-R-K. I know we have this constitutional requirement, but the actual work to getting a bipartisan map that includes work. So what does that look like to you?

Chairman Schlager (00:32:23):

Thank you, Mr. Chairman representative house. As with any bill that was before us, there'll be give and take between the different parties. And I think in this case, especially since I've been informed that in the Senate, there will be a proposal from the democratic party and a proposal from the Republican party in the Senate. So that in its by definition will start gender a conversation that both sides will recognize the nuances of both of their maps. And I to fully participate again, especially in this level at your committee hearing tomorrow, and however many there are that there'll be a give and take. You will have testimony from people that are from different spectrums of the political spectrum to come in and share their views. And I'm sure that there'll be discussions amongst leadership of the majority and minority parties. That's how I anticipate. That's what I've seen in the past if past is prologue. But again, I personally would not be planning a schedule or determining that, but that's how I would foresee it happening.

Representative House (00:33:32):

Thank you.

Mr. Chairman (00:33:36):

Just a quick note from the chair. I believe it was representative Klonsky that asked about the block assignments if you scroll all the way it down. Okay. Well, I just want to make sure that everybody knows the block assignment file is at the very bottom. Okay. All right. Representative Brown.

Representative Brown (00:34:03):

Thank you, Mr. Chair, representative, you previously responded to a question that concerned the concept of competitiveness. And you were asked to define that, which you did. The term competitiveness, however, is not used in the Ohio constitution with regard to redistricting of congressional districts. Instead, there is a phrase which is found, which is unduly favor. So I want to ask the question with a more direct connection of the constitution, which is, does this map unduly favor Republicans?

Chairman Schlager (00:34:38):

Mr. Chairman, representative Brown. I do not have the constitution under the case law or anything before me. Once again, you're being a great trial lawyer cross examining somebody that's your job, but I would have to yield to further investigation before I respond to the constitution, something that's been decided by or is in the constitution without seeing it myself.

Mr. Chairman (00:34:57):

Follow up.

Representative Brown (00:34:58):

Thank you, representative. Thank you chair. Another question. And I think hopefully you can answer this. I think you will. Do you plan to be here in the committee room tomorrow for tomorrow's hearing on this sub bill,

Chairman Schlager (00:35:15):

Mr. Chairman representative Brown. If the chair would like me to be here, I could possibly be here. I don't know, it might have to look at to just determine that for sure, but I'm sure you're going to have plenty of other witnesses and I I'm really feeling that I'm answering your questions today and that's my responsibility sponsor not to be answering questions after the sponsor's testimony and sitting in the audience.

Mr. Chairman (00:35:41):

Follow up.

Representative Brown (00:35:51):

I do but it's actually, it's a better question for the chair when we're done. So that's all, thank you, sir.

Mr. Chairman (00:36:02):

Representative Kofanya.

Representative Kofanya (00:36:05):

Thank you Mr. Chairman, more of an observation slash comment, but it builds on what representative Klonsky had talked about with trying to get more detailed, you know, the shape files. And I'm just looking back and forth between the actual maps that have been presented, but I'm also reconciling it with the sub bill. And my suggestion is, for folks that live in any of the 13 split counties, and you're wondering, where am I falling into and it's kind of hard when I zoom in on these maps. If you pull up the sub bill as I just did, I live currently in the 12th district in Delaware county, it's now going to become the fourth district and it looks like there's a portion of Franklin county. And as I scroll down the sub bill, it

breaks out and specifically lists all of the precincts in Franklin county that are going to be proposed within the new fourth district.

So for example, for folks that live in Plain Township, Precinct Day, it's listed right here, Plain Township Precinct Day, as well as New Albany, Westville, assorted Columbus Precinct. So if that's helpful to just members of the public that may be following along with this, and they want a little bit more detailed information, I highly suggest that you just opened up the sub bill. Obviously it's a long bill, it's 300 plus pages, but really a lot of it involves just listing out those specific precincts. So if that's helpful, I just wanted to get that information out there as I'm observing this myself. Thank you Mr. Chairman.

Mr. Chairman (00:36:05):

Representative Klonsky.

Representative Klonsky (00:37:30):

Thank you to the chair. And thank you representative Carine, and thank you representative. I'm not a map artist or a specialist in maps, but in order for proper analysis to happen, we do need the shape files. And thank you very much. So turning back to representative Schlager, I heard your testimony about how other people would be here to testify, and would it be your position that they don't need to provide their written testimony either that they should just be able to come in and make their statements? And if so, to the chair, will you agree to waive the requirement that they had provide their testimony more than TW within 24 hours? Because the hearing is tomorrow at 10 and that doesn't seem right.

Mr. Chairman (00:38:22):

Representative Klonsky the chair will be as flexible as they possibly can. Any follow up? representative Hicks Hudson.

representative Hicks Hudson. (00:38:34):

Thank you, Mr. Chair. And again, thank you representative Schlager for being the sponsor that brought this bill to us today. My, my question really more is to you Mr. Chair, and it's kind of a follow up to what representative Klonsky asked in terms of process and procedure. And it really is that, what is the plan for us going forward? I know we're scheduled for committee hearing tomorrow and that's for testimony, is that for all testimony, proponent testimony, opponent testimony, you've just said that you'll be flexible, but that flexibility will allow for some members of the public to not have their testimony submitted on time or whatever on time actually means at this point. So if your flexibility will allow for testimony that will be written just as how representative did this morning.

Mr. Chairman (00:39:35):

So representative Hicks Hudson, I hope you know from our last meeting in here, when I admitted that I made the mistake and did not get testimony uploaded, that we took a break and got that uploaded. The chair will do their best to get everything up...

PART 2 OF 4 ENDS [00:40:04]

Chairman (00:40:00):

... and got that uploaded. The chair will do their best to get everything uploaded that we can, as it comes in. It probably will depend on volume. And then as far as further hearings goes, it'll be dependent on how the hearing goes tomorrow.

Rep. Paula Hicks-Hudson (00:40:13):

I appreciate that. Thank you, Mr. Chair.

Chairman (00:40:16):

Representative Howse. I'm sorry, Representative Hicks-Hudson, did you have any follow up?

Rep. Paula Hicks-Hudson (00:40:20):

No.

Chairman (00:40:21):

Okay. Thank you. Representative Howse.

Rep. Stephanie Howse (00:40:24):

Yes. Through the Chair, I guess, just a question. Representative Carfagna had talked about the precinct data. Can someone explain to me where that is? Or maybe ... Am I missing it?

Rep. Carfagna (00:40:37):

Mr. Chairman, may I?

Chairman (00:40:41):

Representative Carfagna? Yeah.

Rep. Carfagna (00:40:42):

Representative Howse, if you pull up the actual bill itself on the iPads, as we all have access to here, as I just scroll down here, it essentially lists each of the new proposed districts and then breaks it down underneath each of those. So trying to get to the ... Scroll up to the beginning of where my district starts. So on mine, it's Section 3521.014, the 4th congressional district contains the following territory. And then it lists out, Allen County, all, Auglaize, all, Champaign County, all, Clark County, which a portion of that's in there. And it breaks down the specific precincts that are in there because that's a split county. Delaware County, where I live, it's listed as all.

So those are easy if you're part of the all, but if you're part of the split county, at least, for me, trying to understand what my proposed district looks like. As I scroll down here, I can observe, "Okay, these certain Columbus precincts are going to be in this district, these certain Westerville precincts," and so on and so on. So just pointing that out. It just really just takes a lot of scrolling, but they do list each of the specific districts and then underneath delineate which counties and then which precincts in the split counties are in that district. I hope that I hope that helps Mr. Chairman, Representative.

Chairman (00:42:11):

Representative Howse?

Rep. Stephanie Howse (00:42:12):

Yeah. Thank you. Through the Chair to the Representative, thank you for that again. So clarification, so this was in the subamendment that was approve ... That information is in the subamendment, is that what we're talking about? The sub- bill ... To the Chair.

Chairman (00:42:33):

Representative Carfagna?

Rep. Carfagna (00:42:35):

Chairman, I'm ... Yeah. I mean, I'm-

Rep. Stephanie Howse (00:42:38):

So this ... No, because I'm looking at this. So like ...

Chairman (00:42:42):

Representative Howse, I'll give you a chance to finish the answer and I'll come back to you.

Rep. Stephanie Howse (00:42:45):

Thank you.

Rep. Carfagna (00:42:45):

Yeah. So I'm just trying to figure out where I originally clicked on, on the iPad here. It's the amendment. So when you go to the front page for committee, scroll down, it says an amendment [L134 2114 00:43:02], and that is the amendment that we adopted. That is the new sub-bill. That is 307 pages on the iPad. So that is what I'm referring to and we all have access to that.

Rep. Stephanie Howse (00:43:11):

Right. Right. So this is a point of clarification. To the Chair, and asking. So I'm looking at ... So this is to the sponsor. On page 137, it has Cuyahoga County and it says point D ... Or we'll go to go to point E. Point E Cuyahoga, Middleburg Heights, 2A, and then it has this list of numbers. What are the list of numbers? Is that the precincts? Is that what that is? Is that what that means?

Chairman Schlager (00:43:48):

Mr. Chairman, Representative Howse, I do not have the bill in front of me, so I can't affirmatively answer your question. I just don't know without looking-

Chairman (00:43:56):

[crosstalk 00:43:56] we will decipher that and distribute it to the committee.

Rep. Stephanie Howse (00:43:59):

So this is my point, right? So I have a full master's degree and I'm looking at a bill that I'm supposed to evaluate and there are numbers on here and I'm like, "What does this actually mean?" And I'm going to always go back to, what the average Ohioan be able to decipher from a legislative body that is creating

the rules for the average Ohioan. If they cannot understand it, how are they going to be able to understand or believe their government is working for them? So thanks.

Chairman (00:44:33):

Representative Howse, I was just informed those are census blocks and tracts. Those numbers. Is what they represent.

Rep. Stephanie Howse (00:44:39):

Okay. Through the Chair, okay this is blocks and tracts, but I'm going to still go back to how would regular folks know that?

Chairman (00:44:46):

Thank you. Representative Galonski.

Rep. Galonski (00:44:49):

Thank you to the Chairman. Thank you, also, Representative Oelslager. Back in your testimony, I'm pretty sure that you gave testimony about the population deviation. Could you please repeat that? Because I missed it. You were giving detail-

Chairman Schlager (00:45:04):

Certainly.

Rep. Galonski (00:45:04):

Thank you.

Chairman Schlager (00:45:05):

Mr. Chairman, Representative Galonski. If it's okay, I think to answer your question, I need to kind of read the whole ... Couple sentences of that, is that all right with you?

Rep. Galonski (00:45:14):

Absolutely.

Chairman Schlager (00:45:15):

Okay. Thank you. It's under the section I mentioned, congressional district population. This past decade, Ohio's population grew at a slower pace compared to the rest of the country. For at least the next decade, Ohio will have 15 representatives to Congress, down from 16 over the past decade. Here's I think where you want me to go. Ohio's population is 11,799,448 and when divided by 15, equals 786,629.8. To achieve the lowest deviation from 786,629.8, the plan before you consists of 13 districts with a population of 786,630, which means it's rounded up from the previous number, and two districts with a population of 786,629, which just taking out the point 0.8.

Rep. Galonski (00:46:14):

Just a follow up, which two districts are those that comply with the last thing that you said?

Chairman Schlager (00:46:23):

Let's see. I don't know if I have that. Mr. Chairman, I'd have to get that information. I don't have that before me either.

Rep. Galonski (00:46:31):

Okay.

Chairman (00:46:31):

That's fine, Representative, just provide that through the chair and we'll distribute it to the committee.

Rep. Galonski (00:46:34):

Thank you. Just a follow up if I could.

Chairman (00:46:36):

Yes, please.

Rep. Galonski (00:46:37):

Thank you. So through the Chair and to Representative Oelslager, originally, when I was asking you about unduly partisan, et cetera, from your point of view, does a map with 86% are Republican districts unduly favoring Republicans?

Chairman Schlager (00:46:58):

Mr. Chairman, I'm not sure I get the gist of her question.

Rep. Galonski (00:47:03):

It's pretty simple. If a map has 86% are Republican districts, does that not, in fact, unduly favor Republicans?

Chairman Schlager (00:47:16):

Mr. Chairman, Representative Galonski. I'll go back, again, to the eight, five, and two, and explain, again, that yes, there are eight districts that are 55% or above Republican, five competitive districts, 45 to 55%, which I've shared I believe are very competitive districts, and two that have at least 55% Democrat districts.

Chairman (00:47:41):

Any follow up?

Rep. Galonski (00:47:43):

Just, sorry, if I could briefly. Going back to the question about population deviation, what is exactly the deviation number?

Chairman Schlager (00:47:55):

If it's okay with you, Mr. Chairman, Representative Galonski, I'll read that sentence again, so I make sure I get it right. If that's all right with you? To achieve the lowest deviation from 786,629.8, the plan before you consists of 13 districts with a population of 786,630, so that deviation would be rounding up from the 0.8 to 30, and two districts with a population of 786,629, which would be a rounding down of the 0.8 to get to the baseline figure of 786,629. It's the best way I can answer your question.

Chairman (00:48:39):

Representative Seitz.

Rep. Bill Seitz (00:48:42):

Thank you, Chairman, Oelslager, for your testimony. In response to Representative Kelly's question, and [inaudible 00:48:50], you indicated that the definition of competitive is a district that is within 10 points on a 55-45 scale. My question to you is, do you find validation in that definition from the fact that in the state of Virginia, President Biden won that state by 10 points, but yesterday the Republican gubernatorial candidate won it by two points, showing that in the space of about a year, there was actually a 12 point switch in political preferences in the state of Virginia. And similarly, the state of Virginia House of Delegates, which is their House of Representatives, was formerly 55 to 45 in favor of the Democratic party, and as of this morning, that has flipped, and so it is now 51 to 49 Republican. So given that very recent example, which is hot off the presses, does that not tend to validate the use of a 55-45 standard as being a good definition of competitive?

Chairman Schlager (00:49:54):

Mr. Chairman, Representative Seitz, yes, it does. And I also use myself as an example that the districts I've had the privilege of serving have been easily in those competitive ranges.

Chairman (00:50:07):

Representative Seitz, any follow up?

Chairman Schlager (00:50:10):

No.

Chairman (00:50:10):

Representative Brown.

Rep. Brown (00:50:13):

Thank you. Thank you, Chair. You previously testified, Representative Oelslager, that this map that we're talking about, that was uploaded at 10:42 AM, showed what you believe were eight districts Republican, two Democratic districts, and five competitive districts. Can you identify, for me please, by number, the five competitive districts?

Chairman Schlager (00:50:47):

Thank you, Mr. Chairman, Representative Brown, I cannot because, again, I was not the map drawer and talking with the map drawer, that's just the numbers he was giving to me.

Rep. Brown (00:50:57):

So as we are here today, you don't have that info?

Chairman Schlager (00:51:01):

Mr. Chairman, Representative Brown, I do not.

Rep. Brown (00:51:03):

Okay, thank you.

Chairman (00:51:03):

Follow up?

Rep. Brown (00:51:08):

Yeah. One follow up, Mr. Chair. Thank you. With regard to Representative Seitz's question concerning the Virginia race and the results of yesterday compared to the prior presidential election year. It seems that turnout in a presidential year is going to be significantly different than turnout in a non-presidential year, and wouldn't that have an effect upon the percentages, et cetera. So is it really a true apples to apples comparison?

Chairman (00:51:51):

Representative Brown, is that a question for Representative Oelslager?

Rep. Brown (00:51:56):

That's a question for Representative Oelslager. Yes. The question is, is the suggestion by Representative Seitz, in your view ... You responded to the question and said it was a fair comparison. Is that, in fact, in your view, an apples to apples comparison?

Chairman Schlager (00:52:11):

Mr. Chairman, [inaudible 00:52:12], I think it verifies what I said earlier about competitive districts. The [inaudible 00:52:17] Representative Seitz named 51 49, those district lines did not change since it was 55-45 Democrat control. Secondly, part of the ebb and flow, as I mentioned to Representative Kelly, all things, pieces of the puzzle coming together, that makes a point, I think, that there are competitive districts because the ebb and flow of politics is such as that, that there is. I'm not a political operative in Virginia. I don't know what the breakdown, as far as turnout was in those particular districts. I don't know what the breakdown in Virginia as a whole was. But I think it makes the point that competitive districts, the lines are the same, the outcome was different, and that's just the way our politics work.

Rep. Brown (00:53:00):

Thank you.

Chairman (00:53:01):

Representative Ginter.

Rep. Timothy Ginter (00:53:05):

Thank you, Chairman. Thank you, Representative Oelslager, for introducing this bill and beginning this process. And you thought that our biennial budget was difficult. You have entered into another level of difficulty here and we appreciate your patience and I appreciate your willingness to carry this bill. Many of the questions that I had, and I was going to ask you to repeat, have already been asked by my colleagues, but I would in reviewing the policy and the process that we have put into place, and actually the public voted into place recently, and confirm that which the legislature had voted to place upon the ballot. And I think it's important that Ohioans note that because often I have been reminded that Ohioans voted for this process to be put into place and I have to remind them that the reason they had an opportunity to vote on the process is because the Republican majority legislature forwarded that to them to be put onto the ballot. And we indeed are interested in making sure that we develop maps that are fair and balanced.

So my question would be, is I'm looking through the process, I note that there are many items on the checklist that we have to check off in the development of maps. Population equality, which has recently just been discussed and was going to be one of my questions. And then also contiguity, compactness, that has been touched upon and that is a question that I have for you and if you could repeat for me so that I better understand. I know Representative Brown asked this question regarding compactness and he questioned, I believe it was District 6 on the map and the fact that it looked as if it was not a compact district. In comparison, though, I pulled up the current congressional map and, again, with our goal being to improve that, which we have, of course we have the obligation to reduce the number of districts due to the change in population, but also to improve, if possible.

I noticed that it was formally 13 counties with five portion counties. District 6 formally was 13 counties, with five portion counties, equaling 18 counties in the last district map. This current proposed map that we have in front of us has 10 and a half counties. So it seems to me that there has been a significant reduction and indeed a compacting, if I may use that term, of that particular district that was alluded to by my colleague. Would you agree then that, at least in District 6, and the others that I have reviewed during the course of this hearing, it seems to me that we have taken a step in the right direction of compactness and meeting that requirement, according to the constitutional standards that have been given to us?

Chairman Schlager (00:56:18):

Mr. Chairman, Representative Ginter, as I said earlier, I think this just confirms that this map does comply with Article 19 of the [inaudible 00:56:26] Constitution.

Rep. Timothy Ginter (00:56:27):

If I may follow up, Chairman.

Chairman (00:56:29):

Follow up.

Rep. Timothy Ginter (00:56:29):

One other point would be that it must not favor or disfavor a political party and also must not unduly split governmental units. And I believe early in your testimony, you said that there had been a drastic reduction of political subdivisions. And if I compared to what we currently have, I believe it was almost a reduction by half of the splits of political divisions. I hate to put you on the spot, but am I correct on that?

Chairman Schlager (00:57:08):

Mr. Chairman, Representative Ginter, the only thing I can see is two things, I'll read again. The plan before you is constructed with 75 whole counties and 13 split counties. The congressional district plan placed today splits 23 counties, with two counties being split into four congressional districts. It splits 16 subdivisions, mainly due to balancing of districts down to the person, which is about half the number of the subdivision splits that exist in the current congressional map.

Rep. Timothy Ginter (00:57:36):

Thank you, Representative, and thank you, Chairman. So then indeed, that is an improvement over the current map. And I thank you for clarifying that for me. Thank you. Thank you, Chairman

Chairman (00:57:48):

Representative Hicks-Hudson.

Rep. Paula Hicks-Hudson (00:57:52):

Thank you, Mr. Chair. I just want to go back to a question, and it's really for you, Mr. Chair, as opposed to ... So I'm giving you a break, Representative. And my question is, going back to the map and the form that we're going to get, because I also appreciate Representative Carfagna talking about using the precinct listing in the bill, but in order to be able to really make ... We become creatures of electronic and computer generated information. I'm just wondering, are we going to get the shape map for us to be able to look, and also for other citizens to be able to look, and respond to what has been presented this morning?

I'll use a lawyer thing, if you know.

Chairman (00:58:50):

Representative Hicks-Hudson, we will get you as much information as we can when the Chair receives it.

Rep. Paula Hicks-Hudson (00:58:56):

Thank you.

Chairman (00:59:04):

I'm just making sure ... I'm trying not to miss anyone here. Right now, I have Representative Howse.

Rep. Stephanie Howse (00:59:10):

Thank you. This is actually a question for you, to the Chair, or even the sponsor. So we've asked questions and we have not gotten answers to the questions, and so I really would like to know when can we expect to receive answers to our question? Will they happen before we meet tomorrow, next week, by the end of this month ... Can we be provided with clarity on when we will get responses to our questions that were unable to be answered?

Chairman (00:59:43):

Representative Howse, as I just mentioned, the Chair will distribute the information as soon as he receive-

PART 3 OF 4 ENDS [01:00:04]

Speaker 3 (01:00:00):

Representative Howse, I just mentioned the chair will distribute the information as soon as he receives it.

Rep. Howse (01:00:06):

No tomorrow. We are not going to have it by tomorrow? Clarification?

Speaker 3 (01:00:11):

Representative Howse, if I get it this evening, we will get it out as quickly as possible.

Rep. Howse (01:00:15):

Okay. Second question. Follow up.

Speaker 3 (01:00:18):

Follow up to me or to Representative Oelslager?

Rep. Howse (01:00:19):

This is a... Sure it can be... Well, no, it's going to be to the sponsor. Okay. To the chair, to the sponsor [inaudible 01:00:27]. I know we had this question earlier that Rep Galonski asked about the breakdown because you indicated that there is a split of eight Republican districts, five competitive districts into democratic. And when she asked the question about, do you know which numbers they are? You said you didn't have it. We just got this list, right? And this is Dave's. And I've talked about... I'm like, I don't know who Dave is, but I'm appreciative of Dave of providing this information that the whole entire leadership of the Ohio Republican caucus cannot present us. I'm appreciative of Dave, but based on Dave's information, the... What is it called?

The eight Republican leading districts are 2, 4, 5, 6, 8, 9, 10, and 15. The competitive ones that you said use this competitive definition are all leaning Republican, which are seven... I think it's 7, 9, 10, 13, and 14. And then the two are three and 11, but my larger point, and this was something that I did testify, regarding as a government body if Dave could have did it in 10 minutes, why can we not provide this information? We are utilizing the people's money and the people deserve better. This is just unacceptable to say, as a sponsor and a statesman that's been here so long, to come and present information and you can't answer these questions. It's unfair and it's not right. And I just really... We just got to do better for people. And I will say this and we just have to do better. It should not be the expectation to get something on some random website when we got a full staff here.

And I just would hope moving forward, we can do better and not depend on Dave. I want to depend on the staff here at the Ohio House of Representatives to provide information so me, as a legislator, can make informed decisions. My question is... Hopefully you can work to answer these questions before tomorrow. Do you think you can help to answer the questions before tomorrow or by tomorrow that went unanswered? Because if Dave did it in the hour, hopefully you could do it in 24 hours and answering our questions. Do you think that is possible and can you work toward that?

Chairman Schlager (01:03:11):

Mr. Chairman. Representative Howse, the key I believe to that will be if you would make sure your particular question that I did not have the information immediately gets to the chair immediately so the chair then has an opportunity to have the staff do the research.

Rep. Howse (01:03:28):

Bet. Cool. Thank you.

Speaker 3 (01:03:31):

Representative Brown.

Rep. Brown (01:03:32):

Thank you, Chair. Representative Oelslager, getting back to the serpentine district number six on the proposed map that I had referenced earlier, Representative Ginter pointed out in his question to you that compared to the existing district in that general vicinity of Ohio, it appears to be more compact than the new proposed district six. That's like saying Montana is more compact than Alaska. Neither are compact so the question is, isn't the constitutional standard, not relative compactness, but compactness. In other words, every congression district shall be compact and it's not shall be compact compared to something that isn't compact. Isn't that the constitutional standard?

Chairman Schlager (01:04:19):

Mr. Chairman. Representative Brown, once again, I'm not in a position to debate constitutional interpretations to you, but all I can say is we fully believe that this map complies with article 19.

Speaker 3 (01:04:32):

All... [crosstalk 01:04:32]

Rep. Brown (01:04:32):

[inaudible 01:04:32] Thank you.

Rep. Howse (01:04:33):

Representative Kelly.

Rep. Kelly (01:04:36):

Thank you, Mr. Chairman and Representative Oelslager, I just want to follow up on another question that somebody else had asked. And I was looking at some of the old stuff from when the ballot initiative came up about creating a fair bipartisan and transparent process when drawing congressional districts that will make politicians more accountable to the voters. And so [inaudible 01:05:07] I know that this was something that the legislature had opted to put on the ballot, but to the best of my recollection, and I wasn't in the legislature at the time as you were, but I thought that that was in response to people pushing for a ballot initiative. And so instead of the legislature just saying, hey, we suddenly believe in drawing fair districts. And we think this is a great idea. This was something that the people had really pushed for and the legislature acknowledged, Hey, you know what? Fair and transparent processes to draw these lines every 10 years is a good thing. I was just hoping that you could refresh my memory about how all of that transpired with the amendment?

Chairman Schlager (01:05:56):

Mr. Chairman. Representative Kelly. I think you've just explained very jointly how the system works. We listened to our constituents. We listened to what the people are asking us to do, and the legislature did respond.

Rep. Kelly (01:06:12):

Mr. Chairman, could I ask a follow up?

Chairman Schlager (01:06:13):

Follow up.

Rep. Kelly (01:06:14):

Thank you, Mr. Chairman. And I know in your previous response you had said that you felt that this complied with the constitutional requirements, this map that's being presented. But do you think it follows the spirit of what the people were demanding when the legislature ultimately decided to put this on the ballot? And when people said, we want a process where we can participate, we want a process that's fair. And we want a process that results in representatives of our choosing instead of elected people choosing their voters.

Chairman Schlager (01:06:49):

Mr. Chairman. Representative Kelly, shoot the question. I'm not sure. I got your comment, but I'm not sure I got your question.

Speaker 3 (01:07:00):

Please.

Rep. Kelly (01:07:00):

Thank you, Mr. Chairman. My question is, you say that this man follows the constitution, but do you think it follows the spirit of the reforms that the people demanded?

Chairman Schlager (01:07:10):

Mr. Chairman, Representative Kelly, the process that will be holding here in the general assembly will allow for people to come in to express their views. This is not just a one hearing an out bill. This is a process, and that'll be a lot of give and take, I'm sure, on both sides of the aisle, as far as discussions, probably amongst leadership. The system is transparent in the sense of the structure in the process here is going to allow people to have their input.

Speaker 3 (01:07:45):

Representative Galonski.

Rep. Galonski (01:07:46):

Thank you to the chair and thank you again, Representative Oelslager for answering these questions, for being the sponsor today. And as we move away from 2011 and toward a 10-year map, would you have

any objection at all to the person you continued to mention, Blake Springhetti, being here to testify about the map on the details that you're not able to answer? Would you have any objection to that?

Chairman Schlager (01:08:11):

Mr. Chairman, Representative Galonski, that's a decision that will be made by leadership above me and counsel.

Speaker 3 (01:08:17):

Follow up.

Rep. Galonski (01:08:22):

Thank you to the chair. And what counsel? Do you mean lawyers?

Chairman Schlager (01:08:27):

Yes.

Rep. Galonski (01:08:27):

And which lawyers are those?

Chairman Schlager (01:08:29):

Mr. Chairman, Representative Galonski, I'm assuming it's going to be our chief counsel and others that are involved in both in this process. As you know, both sides have lawyered up on this issue. And so before a decision like that... It's not my decision to make, as far as whether he... There's a decision that's going to be made by leadership and council and co-councils and others.

Rep. Galonski (01:08:52):

Okay. Just to clarify, I'm not aware of any litigation about the congressional maps. My question was, would Blake Springhetti be available to answer the technical questions about the maps that you haven't, that you said that that person produced this map and you haven't been able to answer, and I guess we wouldn't expect you to, but would you have any objection to them being here for testifying about the map that they made?

Chairman Schlager (01:09:19):

Mr. Chairman, Representative Galonski, I will say again, that isn't a decision for me to make, that's a decision that litigators will make. And I think we both know that, in all likelihood, there's a lot of lawyers involved in this. And so it's not my decision to make.

Rep. Galonski (01:09:34):

Forgive me, but again, I'm personally not aware of any litigation with regard to the congressional maps, and I just needed to state that for the record. Thank you.

Speaker 3 (01:09:43):

Representative Hicks-Hudson.

Rep. Hicks-Hudson (01:09:46):

Thank you, Mr. Chair. And I want to follow up with the question that was asked by Representative Ginter to you about compactness, and as you were reading and referencing the Ohio Constitution and during your testimony and agreeing that district six is, I'm going to use air quotes, compact. There's language from the members brief on redistricting in Ohio, which was done by our legislative budget office.

And it talks about compactness and it uses the terminology that a district is considered compact if it has a minimal distance between all parts of its territory. When we look at district six, how does that particular drawing comply with this particular statement about it having a minimal distance, if you look at from the north all the down to the south of district six? If you can answer that and if not, that is one of the questions I'd like to be answered tomorrow, or the next day that we have a committee hearing because I'm looking at this, and this is, to me, a different version of the snake on the lake. The snake is just moved east, as far as I can tell and looking at this south and east so if you could respond. I appreciate it.

Chairman Schlager (01:11:14):

Mr. Chairman, Representative Hicks-Hudson, once again, I do not have that language in front of me, but I do, again, I've been informed and I'm confident that this map complies with article 19.

Rep. Hicks-Hudson (01:11:27):

Follow up if I may, Mr. Chair?

Speaker 3 (01:11:29):

Follow up, please.

Rep. Hicks-Hudson (01:11:30):

Thank you. Do you know the distance, the mileage, and if not, this is another question for tomorrow, the distance, the mileage from the northernmost part of district six to the southernmost part of district six? If you know it today, and if not, that's a question I'd like to be answered tomorrow, please.

Chairman Schlager (01:11:49):

Mr. Chairman. Representative Hicks-Hudson, I do not know the mileage.

Rep. Hicks-Hudson (01:11:53):

Thank you. That's all I had.

Speaker 3 (01:11:58):

Chairman Oelslager, had you known that mileage, I would've been incredibly impressed.

Chairman Schlager (01:12:02):

I've probably driven it, Mr. Chairman.

Speaker 3 (01:12:05):

Representative Carfagna.

Rep. Carfagna (01:12:07):

Thank you, Mr. Chairman. In the continued interest of trying to be helpful, and I know Representative Howse had mentioned earlier had questions about census blocks and looking at that, as I'm looking at the sub bill, and I'm just going to take, for example, it lists the second [inaudible 01:12:23]... I'm looking at the bottom of page 22. Second congressional district contains the following territory and the top of page 23, there's three columns. The first column is titled county. And that lists the counties. The middle column is voting districts, which will be the individual precincts. And the third column is titled census blocks. And that's where you get those long obscure numbers that I know Representative Howse had inquired about. And I thought she raised a good point about census block. She says, I certainly wouldn't know what census block I live in.

In playing around here during the Q and A, if one were to... Well, first off, I would hope you even know your precinct as a registered voter, just so you can find your appropriate voting polling location. And if not, you can always contact your county board of election to determine your precinct. But for communities listed here that maybe are subdivided precincts, and you don't know your census block, if you could Google census geo coder or go to it's geocoding.geo.census.gov.

It's a page off the US census website, and you can enter in your address under find geographies. I clicked on parsed address processing and I entered in my address and it brought up the latitude, the longitude, and it brought up my geo ID, which is my census block. Again, I know that's a lot of things to click through and just playing around here right now in committee, I was able to find this. For members of the public, maybe members of the media, if you're trying to drill down specifically where you are located in some of these split areas, if you can go there and determine your census block, you can reconcile with the census blocks that are listed here. In the interest of trying to be helpful, I thought I would throw all of that out. Thank you.

Speaker 3 (01:14:12):

Thank you. Representative Carfagna. Representative Howse.

Rep. Howse (01:14:16):

Thank you to the chair, to the representative. I appreciate the clarification on how the bill is outlined and labeled. I'm going to do a... Well, the issue is that when you receive something and again, I truly try to be diligent and try to be an informed lawmaker, right? It is hard to do that when you get a 300 plus bill, and then you're supposed to trying to make some type of decisions or have a subject of conversation and is pages and pages and pages long, where you just don't have that information. And I always will ask, who are we working for? If I can't figure it out and I'm here and what do you think the average of Ohio is going to do? On top of that, even listing what you listed about what people had to do to find their census block.

That's cool, but it really isn't cool because we are the resource people. We should make it easy for people to get this information. And this is not hard. We are in a technology age, but it is like, we are just committed to keeping people uninformed and making them go through hoops just to find basic information. Congress people have so much influence on our lives. You know what I'm saying? And to think that a parent that... Anyway, I'm just... We got to do better and no. No, people should not have to Google their census block. The legislature, if we are putting legislation up like this, we should have the links where people can go. And we should not require that of a everyday Ohioan. They don't get paid to do that. We are and we got resources. Don't do that to people. It's unfair. And we need to do better.

Chairman Schlager (01:16:04):

Mr. Chairman, interruption of Howse. The only way I'll respond to that is not the only hearing and there'll be plenty of time. This is not a bill that's going to be passed this week or whatever. There'll be plenty of opportunity for those who are interested to try to equate themselves with the bill. And so there'll be plenty of time. They'll be plenty of time for you too, to ask the insightful questions that you always do, whether this committee or my committee to try to pull out some information.

Rep. Howse (01:16:32):

Follow up.

Speaker 3 (01:16:32):

Follow up.

Rep. Howse (01:16:32):

Thank you to the chair, to the sponsor. And again, I appreciate that. I know we're going to have more hearings, but I would hope the leadership of this legislative body would be more proactive in presenting information in a user friendly way. We owe that to the people. Again, majority of Ohioans, they're not lawyers. Why would we expect and putting all this stuff in information that's not digestible, even if we would look and again, and it's about the framework. Okay, we talking about congressional redistrict here. It's 15 districts. Okay, what's the profile of the people in these 15 congressional districts, right?

Again, when you look at the 11th congressional districts, one is a fourth district in this nation. How can someone in the 11th congressional district look at this and understand it? You got to think about that just as well as somebody that's in congressional district four. We designed stuff from the onset where people can understand it. That's what I'm asking. I know it's not the standard, but we can do that in the 21st century with technology at our hand and not require somebody to Google something that we can present from the very beginning. Dave did it in an hour. We can do it from the onsite. Thank you.

Speaker 3 (01:17:40):

Representative [inaudible 01:17:41] [crosstalk 01:17:41].

Rep. Howse (01:17:40):

It wasn't a question.

Speaker 3 (01:17:41):

I'm sorry. Did you want to respond Representative Oelslager?

Chairman Schlager (01:17:46):

[inaudible 01:17:46].

Speaker 3 (01:17:46):

Representative Galonski.

Rep. Galonski (01:17:46):

Thank you to the chair and thank you again Representative Oelslager. You've been really patient and we appreciate you being here, but I'm going to go back to your comment that people above your pay grade can answer these questions. Would you object to them coming forward to testify? And don't you think that they should?

Chairman Schlager (01:18:02):

Mr. Chairman, Representative Galonski, again, that is not my decision to make. My job is to present the bill here today and hopefully be a facilitator as it goes forward.

Rep. Galonski (01:18:11):

And a final follow up.

Speaker 3 (01:18:12):

Follow up.

Rep. Galonski (01:18:13):

Do you think the governor would sign this bill in its current form or veto it?

Chairman Schlager (01:18:19):

Mr. Chairman, Representative Galonski, I have not discussed this with the governor.

Speaker 3 (01:18:27):

Any other follow up? Any other questions for the witness? Seen none. With no further [inaudible 01:18:35], the committee stands adjourned.

PART 4 OF 4 ENDS [01:18:55]

Sen. Gavarone (00:00):
... committee will now come to order. Will the clerk please call the role?

Speaker 1 (00:03):
Chair Gavarone?

Sen. Gavarone (00:03):
Here.

Speaker 1 (00:04):
Vice chair O'Brien?

Vice Chair O'Brien (00:06):
Here.

Speaker 1 (00:07):
Senator [inaudible 00:00:09]. Senator Kunze?

Sen. Kunze (00:07):
Present.

Speaker 1 (00:09):
Senator Maharath?

Sen. Maharath (00:10):
Here.

Speaker 1 (00:10):
Senator Sykes?

Sen. Vernon Sykes (00:15):
Here.

Sen. Gavarone (00:16):
And we have a quorum. Members, a copy of the minutes on from the October 19th meeting of the committee is on your iPads. The question is, shall the minutes be agreed too? Without objection, the minutes are agreed too. I want to start off today by just setting a few ground rules as we go through the next few committees. These committee hearings are being structured in a way that allows us to hear from as many citizens from Ohio as possible on a really important issue. Testimony should be sent to my office no less than 24 hours in advance of the committee time. We're going to be hearing a lot of testimony, so if you do not submit it to my office, at least 24 hours in advance, it is unlikely you'll be testifying that day.

However, there will be additional hearings on these bills. We'll only be accepting a hearing testimony on the bill up for consideration at that time. In other words, there will not be dual testimony. You won't be testifying on both bills at the same time. We'll testify on one and then the other. If you want to testify on both bills, you need to submit testimony and witness slips for each bill. And I understand people are passionate about the issue before our committee, however, everyone is expected to keep decorum.

During these hearings, we want to get through as many people as possible and cheering, applause, booing, heckling prevents us from doing that and it just will not be permitted. Finally, any video or pictures cannot be taken without the permission of the Chair. If you want to take video or pictures, we have a media form available for you to fill out for the Chair to consider. That said, the first order of business is the first hearing on Senate Bill 237. We have Senator Sykes and Yuko here to give sponsor testimony. Good afternoon.

Sen. Kenny Yuko (02:13):

Well, good afternoon. Nice to be here in sunny Columbus this afternoon. Thanks for having us.

Sen. Gavarone (02:20):

Yes.

Sen. Kenny Yuko (02:20):

Chair Gavarone, Vice Chair O'Brien, ranking member Maharath and the members of this committee, thank you for allowing us to provide sponsored testimony for Senate Bill 237. Working alongside my friend and colleague Dr. Vernon Sykes, Senate Bill 237 was drafted to lay out the Senate democratic caucus proposal for congressional district maps. The plan we are presenting today is fair. It keeps communities together and it doesn't gerrymander our State. Most importantly, it complies with all principles outlined in the Ohio constitution, including ensuring that the map doesn't favor or disfavor any political party. I'm hopeful that this can be a starting point for the creation of a bipartisan map that will guide Ohio through the next 10 years.

The map we are presenting here today does not just represent the dedicated work of Senator Sykes and our staff, but years of hard work across our great State. As I consider this plan, I often think of the hard working Ohioans who voted to end gerrymandering back in 2015. And then again, back in 2018, I'm also reminded of the current and former members that a general assembly who worked so hard and in good faith to achieve our compromise on the constitution reforms back in 2018. Over the last few months, I've also been inspired by the spirited, passionate testimony we heard from Ohioans at the redistricting commission meetings across the State.

This process and our work here today should represent the best of us. It should reflect how the will of the voters and the spirit of our constitution and the strength of an American democracy that spans hundreds of years as a beacon across this world. As elected leaders, we owe it to our constituents to produce fair maps. Let's work together and let's get this mission accomplished. We have too much to lose by just complaining or withdrawing to our separate corners. I thank you for your full fair consideration of this plan, and at this point, I'll turn this over to my colleague and my friend, Senator Vernon Sykes.

Sen. Vernon Sykes (04:32):

Chair Gavarone and members of the committee, Senate Bill 237 established new congressional districts based on the results of the 2020 census, starting next year, Ohio will have 15 congressional seats down from the current 16 members. As you will see, our map is fair because it keeps communities together and does not unduly favor or disfavor a political party. A map also complies with the spirit of the constitutional reforms to ending gerrymandering that was overwhelmingly supported by the voters in 2018. Thank you for this time. And at this point, I'd like to introduce Randall Rout, policy advisor for the Senate democratic caucus, who will provide more details on the proposed map.

Randall Rout (05:22):

Thank you Senator. As leader Yuko and Senator Sykes mentioned already, the congressional redistricting plan presented to you today was created in compliance with, and in the spirit of the constitutional reforms to Ohio's congressional redistricting process that voters overwhelmingly adopted in 2018. As such, Senate Bill 237 seeks to maximize compliance with Article 19 of the Ohio constitution, which outlines the process for the creation of congressional districts in Ohio. Each district in our proposed plan, also adheres to the applicable provisions of the Ohio constitution and the United States constitution as well as federal laws, including federal laws protecting racial minority voting rights.

Each district is compact and composed of contiguous territory. In addition, the boundary of each district is a single non-intersecting continuous line. As you know, section two division, A4A of the article 19 requires the drawing of a district that includes a significant park of the City of Columbus in Franklin county district. One of Senate 237 was the first to be drawn, fulfills this requirement. Section 2A also requires the drawing of districts preserve municipal corporations, townships whose populations exceed 100,000 people, but are less than 786,630 people. This requirement applies to the cities of Cleveland and Cincinnati, under our plan none of these cities are split. Section 2B5 requires that 65 counties be contained entirely within a district.

18 counties are not split more than once, five counties be split not more than twice, 237 significantly exceeds this standard by preserving 77 counties splitting only 11 counties once and 0 counties twice. Section 2B6 requires the drawing of contiguous districts within counties. All districts created by Senate 237 satisfy this requirement. Section 2B7 requires that no 2 districts can share portions of Ted territory more than one county, but allows for one exception. 0 districts and Senate Bill 237 share more than one County. Section 2B8 requires congressional redistricting plans, shall attempt to include at least one whole county in each congressional district, unless the district is contained entirely within one county.

Once again, all districts in our plan satisfy this requirement. Section 2C1 describes how splits are to be counted. Senate Bill 237 contains three districts, 1, 3, and 5, which are entirely contained within a county and 0 County splits. Senate Bill 237 also contains 11 additional districts that splits 11 counties and do not split any townships and municipalities. District 12 is composed entirely of whole counties and with 0 splits of any kind. Finally, there are a couple small technical issues involving splits in one township and district 1, in one precinct in district 6 that leader Yuko and Senator Sykes will amend in the next meeting of this committee.

Article 19 of the constitution is silent on the requirements of population variants. In Tenant vs. Jefferson County, 2012, the U.S. Supreme Court ruled that the U.S. constitution permits population deviations to achieve a legitimate state objective, such as preservation of political subdivisions. In this case, a deviation of 0.79 was deemed acceptable preserved counties. Our amended plan contains significantly lower population variants of 0.2, 2% in order to preserve counties and municipalities, townships to promote communities interest together and to respect anti-gerrymandering purpose of

the 2018 constitutional amendment. As you know, should the Ohio general assembly not adopt a plan with sufficient bipartisan support, additional standards apply.

Section 13 article 19 contains provisions shall apply in such circumstances. Senate Bill 237 satisfies all these standards as well. In particular, a plan that is adopted without sufficient bipartisan support is required under section 13A to not unduly favor or disfavor a political party or its incumbents. To determine what qualifies as favoring or disfavoring a political party, we use a simple vote of each partisan statewide election from 2012 to 2020. This resulted in a ratio of 45.9% Democratic and 54.1 Republican. This means that a congressional map does not unduly favor or disfavor a political party, which would include seven Democratic and eight likely Democratic seats in Senate Bill 237. We're not including toss ups or competitive, we're just doing what's over 50%. That's what we factored that on.

Okay. Section 13B requires that the adopted plan without sufficient bipartisan support does not unduly split governmental units with an order preference. Senate Bill 237 minimizes splits only to 11 counties with 0 municipal and township splits. Finally, section 13C requires that maps adopted without sufficient bipartisan support, so attempt to be compact, Senate Bill 237 preserves governmental units and makes districts compact. In conclusion, our proposed congressional map fulfills the spirit of the reforms passed overwhelmingly by Ohio in 2018 and adheres to the provisions of article 19 of the Ohio constitution in all possible circumstances.

It complies with all applicable provisions of both Ohio and U.S. constitution and to federal law, including provisions concerning protection of minority voting rights. This is merely a starting proposal by the members of the Senate democratic caucus. We welcome all improvements and suggestions. As I mentioned already, Senator Sykes will be introducing an amendment to address the technical issues I addressed earlier. At this point, we'll be happy to answer any questions.

Sen. Gavarone (12:14):

Thank you very much. I'm going to start off with a few questions. In your testimony, you explained that there are a couple small technical issues involving splits that you intend to amend at the next committee meeting?

Randall Rout (12:25):

Yes.

Sen. Gavarone (12:25):

Just so the committee members know, are those issues simply user errors or are they geography based issues that all of us need to know about?

Randall Rout (12:34):

There are a couple precincts that were inadvertently put in the wrong precinct related we put it in the incorrect district. So we attempted to address that error, so we consider that a technical error.

Sen. Gavarone (12:50):

Okay. Thank you. And this is not a question, but merely a point that I noticed reviewing your 10 years worth of election data that you provided. The total votes you listed for the 2020 election under the ...

PART 1 OF 4 ENDS [00:13:04]

Sen. Gavarone (13:00):

Total votes you listed for the 2020 election under the Biden/Trump election need to be updated. Biden received 75,484 more votes than what you listed, while Trump received 80,416 more votes... 80,416 more votes than what you listed. I just wanted to make you aware so you can update the information in your files.

Randall Rout (13:26):

Thank you.

Sen. Gavarone (13:27):

Okay. In your testimony, you briefly touched upon the issue of population variance.

Randall Rout (13:34):

Correct.

Sen. Gavarone (13:34):

For the benefit of the public. What that's referring to is a fundamental one man, one vote rule set forth in the US Supreme Court approximately 50 years ago. And in particular, the question about to what degree any congressional district can differ from the ideal population threshold. If you don't mind, I'd like to dig into the issue just a little bit further. As you know, this decade, the ideal population of each of the 15 congressional districts in Ohio is 786,630. In your map, all 15 districts that you drew, they vary and rather significantly in population from one district to the next. For example, in District 13, there are 743 more people than the ideal population of 786,630, while your District Six has 498 fewer people than the ideal population threshold. In fact, I think from what I saw, not one of your 15 districts is within one person of the ideal population of 786,630. So can you help the committee better understand why that is?

Randall Rout (14:51):

We used the standard that was established in the tenant decision. We talked about the preservation of political subdivisions. So we did that. We kept political subdivision. We did not split townships, we did not split municipalities. And we felt that was in overriding legitimate state objective for having that population variance.

Sen. Gavarone (15:15):

So do you believe that it's not possible to preserve the boundaries of counties, cities and townships in Ohio, unless there are such significant population deviations, like the one you have in your proposed map?

Randall Rout (15:27):

Again, you cannot minimize splits of counties, townships, and municipalities and keep an absolute zero equal population. It's impossible. You have to have some level of split. And that's why you see maps with multiple splits that has equal population, because you're splitting townships, you're splitting municipalities, you're splitting communities. We attempt to keep communities together in our map, and we think that's an overriding state objective.

Sen. Gavarone (16:03):

Are you aware of that having been a problem in the past when constructing congressional districts in Ohio? And the reason I ask, is because from what I saw looking back over at least 30 years worth of maps in Ohio, the largest deviation has been in a district with seven more people than the ideal population.

Randall Rout (16:26):

It is our belief that using the tenant decision, once again, Chairwoman, is that we believe an overriding legitimate state objective would be to keep communities together and minimize splits of counties, municipalities, and townships. So we believe in this center that was established in the Supreme Court decision in 2012. And we think we are on good, solid ground on that with our map.

Sen. Gavarone (16:55):

Are you aware that Oregon, Nebraska, Maine, Colorado, Indiana, Iowa and Texas have all successfully enacted congressional maps within the last couple weeks with near absolute population equality?

Randall Rout (17:10):

I'm not aware. But what I'm referring to is the splitting of communities to achieve that purpose. Now, I don't know if they did or not. I'm not aware of that.

Sen. Gavarone (17:21):

Okay. Of the current incumbents in Congress, which would be paired in the same district in your proposed map, do you know which ones would be paired in the same district?

Randall Rout (17:34):

When we originally drew the map, we were unaware of the pairings. But since leading up subsequently up to this date, we were aware of the pairings more recently. So we do understand in a couple of cases of that we're aware of, like in Cincinnati for example, Chairwoman, that two Congresspeople are within the same district. While boarding to the Constitution, we have to keep the entire city of Cincinnati together. If both Congresspeople live in the city of Cincinnati, that becomes something that we have to look into this. Because we have to keep the city of Cincinnati within the same congressional district irrespective of where... And we believe we did not unduly favor, disfavor any incumbent in the drawing of our map.

Sen. Gavarone (18:29):

Okay. Based on my review of the map, it looks like you pair the following in the same district, Steve Chabot and Brad Wenstrup, Bill Johnson, Troy Balderson, and Bob Latta, and Warren Davidson. Is there a reason why only Republicans were bunked together in your proposed map?

Randall Rout (18:46):

Well, one is there's only four Democrats statewide, so it would be really difficult to pair Democrats in the same district. Because especially the locations of where they're from. So that may be something to do with that. So, geography.

Sen. Gavarone (19:05):

And you explained that your map would supposedly provide for eight Republican seats versus seven Democrat seats. And coming to that result, you calculated a ratio that look back over the past 10 years of statewide partisan elections in Ohio. Do you agree that Article 19 of the Ohio Constitution does not mention anything about that 10-year look back, unlike Article 11 for legislative redistricting?

Randall Rout (19:32):

We're aware of it. And the quest to unduly favor one party over and over, we thought the standard established was a solid standard to use in order to look at, in terms of defining districts. Not unduly favoring one party or another, using the standard established there would be an adequate standard to use.

Sen. Gavarone (20:01):

When do you believe that the unduly favoring language in Article 19 applies?

Randall Rout (20:06):

Well in our drawing our districts, we believe that because the map closely adheres to the statewide voting preference of the voters over the past 10 years, that would be a sign that that's not unduly favoring one party or another, because our math reflect that.

Sen. Gavarone (20:34):

Thank you. Are there any other questions for members of the committee? Senator Maharath.

Tina Maharath (20:41):

Thank you, Chair. And thank you, bill sponsors and Randall for coming in to testify today. I really appreciate your time to provide us an insight of what we, as our caucus, are specifically looking to achieve today. The questions could be directed towards Randall as well, since all three of you have some extensive experience here in a general assembly. But has this process so far met your expectations of how congressional redistricting process should be?

Randall Rout (21:07):

I will defer.

Sen. Kenny Yuko (21:09):

You'll defer? Can I take?

Randall Rout (21:10):

Go ahead.

Sen. Kenny Yuko (21:10):

Appreciate it. Oh. No, it hasn't. I think what's happened is in 2011, there was a lot of conversation amongst a lot of people, not just legislators. And the conversation... Madam, I'm sorry. I should have addressed to you first. Would be simply for fairness. That's what they asked for. And that was the conversation we had back in 2011. Roll the calendar down a few years. And then 2015, as you know, we addressed the state seats in 2015. And it was done in a process where the Democrats and the

Republicans in the Senate and the House all worked together and took it to the vote of the people, which they voted on overwhelmingly. 71%, I believe, in 2015. Then you continue that path down to 2018. And again, we're going to take on congressional redistricting. And as a member of the Ohio Senate, I was very proud of the fact that our vote was 33 to nothing on that particular date. Meaning that we got together as Democrats and Republicans in the Ohio Senate, we worked very hard, we worked very diligently.

I mean, we worked so hard it got to the point where we got a phone call from Arnold Schwarzenegger to have a drink with us, because we made that type of impression on the nation as to the work that we did. And what did they want? They wanted to make fairness. They wanted to make sure that we had fair maps, that we had fair opportunity, that there's transparency, that the will of the people in Ohio would be best represented by the maps that we would be drawing in the next general assembly's opportunity, which is 2021 now. We passed that. Again, in 2018, we passed it with 74% of the vote, I believe. And like I said, passing it out of the Senate 33 to nothing, I think, was most impressive and a tribute to everybody who served in the Ohio Senate at that time.

And because of it, I think we gave hope to a lot of people that what we're going to see is a new process in Ohio. One that would be fair and offer us fair districts. And that's what people have been asking for for a long time. And when you look at the numbers and you look at the way we did things in the past, compared to what the new regulations were established in the constitutional amendments that we passed in 2015 and 2018, I think we gave us a tremendous opportunity to do just that. My hopes and my prayers were that we would all work together once again and establish something like this. I realize the impact on our political parties. I realize that as Senate minority leader, my job might have been less tenuous than what Senator Matt Huffman, the Senate president would be going through trying to explain what the potential of all this was.

I understand that. But I also stand that we represent 11.7 million people in Ohio who voted after reaching out to so many people. And I can't tell you how many meetings we attended in 2015 and in 2018 to discuss this with large groups of people. The interest was there, the passion was there, Ohio was there. And they rely on us as their elected leaders to be their voice. And we take an oath of office. And that oath of office begins with our name and our promise to uphold the Constitution of the United States, and our promise to uphold the Constitution of the state of Ohio. And with that being said, if we take everything we put into fruition in the constitutional Amendments of 2015 and 2018. What we're doing here in 2021, I would think would have some very strict guidelines which we would be expected to follow. Our attempts here with our maps and our conversations is to follow just that.

And I realize that there's a lot at stake here, I'm not trying to minimize it. And it's not pretty, and it's not going to make anybody particularly happy. But it's the fact, and it's the reality of how things work. And I think what we've done, and we've done our due diligence, and it's hard to draw a map that's fair and doesn't duly favor or unfavor one political party or another, because I know that's been probably the strongest argument I've heard about. How can you say that with a straight face, because it does unduly favor one party or another when you're making these types of significant changes.

But with that being said, that's what the people of Ohio asked for. Not once, but twice. And as you know, they've been out and very passionate in most recent times. We've seen it when we did the 10 city tour, and we've heard some tremendous testimony, and we've seen it in committees, we've heard it in our offices, we've gotten stacks of postcards. If we all put our postcards on the table in front of you on the counter, we wouldn't see you because there are so many of them. That's because this is what the people are asking for, and this is what we're trying to deliver. Thank you.

Sen. Vernon Sykes (26:01):

Additionally, I'd like to say that in part...

PART 2 OF 4 ENDS [00:26:04]

Sen. Vernon Sykes (26:01):

Additionally, I would like to say that part of the proposed constitutional provisions provide for a negotiation between the parties, with the aspirational goal of the parties coming together and negotiating a bipartisan plan for a 10-year period. It's been difficult to do that because the majority has not really presented a map up to now. We're at this third stage of this process and fortunately looked like today, was starting out the first November we're starting out hopefully with the plan and maybe we'll be better able to negotiate a bipartisan deal.

Tina Maharath (26:50):

Chair, followup? Thank you, Chair. Well, all three of you attended the Redistricting Commission Meetings, so what was the common theme that Ohioans were picking up for those meetings? I'm trying to just get a better understanding of what we can do over in Ohio Senate so that way we can deliver the message that we were promising Ohioans essentially from these meetings.

Sen. Kenny Yuko (27:14):

Thank you Senator, and to the Chair and to Senator Maharath. Senator Gavarone, I think you were there in Toledo with us.

Sen. Gavarone (27:22):

Yeah.

Sen. Kenny Yuko (27:22):

We had a full house at the Toledo Library. And for those of you who are unfamiliar with the facility, it's a gigantic facility, there was room for tons of people, and we did a great job of filling the room. We've heard the testimony, and I think it was overwhelmingly in favor of us creating fair districts that are truly representative of the vote of the people in the state of Ohio. That was our obligation, that was our commitment, and that's what they expect us to do.

When we don't comply with that, Senator Maharath, then the question comes back to us, "If you can't listen to us, what are you doing? And why? Why is it so difficult to create fair maps? Why is it so easy to draw a gerrymandered map and try to make excuses for it?" Because there is no excuse for it. It's wrong in every sense of the way. We have an obligation to represent the people and what their requests are. The requests have been overwhelmingly in favor of us creating fairer maps, and that's where our intentions are.

Sen. Vernon Sykes (28:23):

Additionally, the people really want more transparency. They want to be able to understand what the issues are, what the considerations are and they'd like to be involved in the process. So the hearing process helped us to a certain extent, but still many of the decisions were made behind closed doors and they need and would like to have more transparency.

Sen. Gavarone (28:49):

Are there any further questions? Seeing none, that concludes the first hearing on Senate bill 237.

Sen. Vernon Sykes (28:56):

Thank you, Chair.

Sen. Gavarone (28:57):

Committee will stand at ease. Committee will come back to order. The second order of business is the first hearing on Senate Bill 258. We do have a substitute bill to accept as the working document of the bill. The Chair recognizes Senator O'Brien for a motion.

Speaker 2 (30:47):

Chair Gavarone, I move that we accept 113421062 as a substitute bill.

Sen. Gavarone (30:58):

Is there any discussion?

Tina Maharath (31:00):

Yes, Chair. We are just now seeing this bill. This is the first time reviewing this map, so I'd like for objection to this bill, please.

Sen. Gavarone (31:12):

Okay. Will the clerk please call the roll?

Speaker 3 (31:15):

Chair Gavarone?

Sen. Gavarone (31:16):

Yes.

Speaker 3 (31:22):

Wait a minute. You need to make a-

Sen. Gavarone (31:24):

Pardon me?

Speaker 3 (31:24):

... motion. You have to make the motion [inaudible 00:31:27] yeah, yeah. Just stand at ease. Stand at ease. Stand at ease.

Sen. Gavarone (32:21):

Stand at ease.

Committee is back in order. The question is, will we accept the substitute bill? Will the clerk please call the roll?

Speaker 3 (32:31):
Chair Gavarone?

Sen. Gavarone (32:31):
Yes.

Speaker 3 (32:33):
Vice Chair O'Brien?

Vice Chair O'Brien (32:33):
Yes.

Speaker 3 (32:34):
Senator [Manning 00:32:35].

Sen. Manning (32:35):
Yes.

Speaker 3 (32:35):
Senator Kunze?

Sen. Stephanie Kunze (32:36):
Yes.

Speaker 3 (32:37):
Senator Maharath?

Tina Maharath (32:38):
No.

Speaker 3 (32:39):
Senator Sykes?

Sen. Vernon Sykes (32:40):
No.

Sen. Gavarone (32:42):
With the vote of four to two, the substitute bill is adopted.

Senator McCauley is here to give sponsor testimony.

Sen. Rob McColley (32:50):

Thank you. Chairwoman Gavarone, Vice Chair O'Brien, ranking member Sykes and members of the Local Government and Elections Committee for allowing me to present testimony today for Senate bill 258, I suppose substitute Senate bill 258, which seeks to fulfill the Ohio General Assembly's responsibility under the Ohio Constitution for redistricting of United States congressional maps within this state.

I would like to start by providing an explanation of Article 19 of the Ohio Constitution regarding congressional redistricting and then I will go on to describe the proposed congressional map in substitute Senate bill 58.

As you will recall, Article 19 of the Ohio Constitution was added in 2018 by the voters of the State of Ohio after the Ohio General Assembly voted to put the proposed amendment on the ballot. Article 19 prescribes the process by which congressional redistricting shall occur in Ohio. The Article is divided into three sections. And of course, this process is conducted with United States census data gathered in the most recent decennial census relative to Ohio's population, which also determines how many seats the state will be apportioned under Section 2, Article 1 of the United States Constitution.

Section 1 of Article 19 describes the methods for adopting a congressional districting plan. From a timeline perspective, there are up to three opportunities to pass a congressional redistricting plan.

The first opportunity to pass a congressional redistricting plan shall occur not later than the last day of September ending in year ending in the numeral one. In order to pass a 10-year map at this stage, the Ohio General Assembly must secure the votes of three fifths of the members of each chamber, including the affirmative vote of at least one half of the members of each of the two largest political parties.

If the General Assembly is unsuccessful at passing a map by the last day of September, the Redistricting Commission comprised of the Governor's Secretary of State, Auditor of State and a majority and minority party delegate from each chamber shall have the next opportunity to pass a congressional redistricting plan. Just as with the state legislative districts, a plan would require the vote of at least four members of the seven-member commission, including two members from each of the two largest political parties making up the General Assembly in order to create a 10-year map. The Redistricting Commission shall have until the last day of October to do so.

If the Redistricting Commission is unsuccessful, the responsibility returns to the General Assembly where the bill must be passed not later than the last day of November. At this stage, a 10-year map can be passed with three fifths of the members of each chamber and at least one third of the members of the two largest political parties in the General Assembly.

Alternatively, if the General Assembly passes a congressional redistricting plan with a simple majority from each chamber and not in accordance with the vote threshold previously described, there are several requirements that must be met. The plan shall not unduly favor or disfavor a political party or its incumbents, the General Assembly shall not unduly split governmental units, and the General Assembly shall attempt to draw districts that are compact.

Additionally, Section 1 of Article 19 requires a joint committee of the General Assembly to hold at least two public committee hearings regarding a proposed plan.

Section 2 of Article 19 specifies additional requirements for the drawing of congressional districts. First, the plan shall comply with the Constitution of Ohio and the United States and federal laws, including federal laws protecting racial minority voting rights. Second, all districts shall be compact. Third, every district shall be continuous and have a non-intersecting continuous line. It's worth noting that there is an exception to the compactness requirement in the event that a four-year map is passed under that section of the Constitution.

Most of the remaining requirements in this section deal with the splitting of political subdivisions in the map. One term to become familiar with is the ratio of representation. This is determined by dividing the state's population determined by the census by the number of congressional seats apportioned to the state. In this case, Ohio's population divided by 15 seats that Ohio was apportioned to turns out to be 786,630 people with some slight rounding in there. I believe it's 786,629.8, if we're being exact.

Below is a description of permissive splits of political subdivisions. If a county's population exceeds the ratio of representation, it is of course going to be split in some fashion because it will have too many people to form one congressional district. If such a county exists, which in Ohio's case includes only Cuyahoga, Franklin and Hamilton Counties, the following rules apply. If a city or township within that county also exceeds the ratio of representation, the drawing authority shall attempt to include a significant portion of that city or township in a single district. Currently only the City of Columbus would meet this criterion. If a city or township in that county has a population of greater than 100,000 and it is the largest city or township in that county, the city or township cannot be split. The two cities that meet this criterion are Cleveland and Cincinnati.

The remaining criteria regarding splitting up political subdivisions deal with the splitting of counties. Those requirements are as follows, 65 of Ohio's 88 counties shall not be split, 18 counties may be split not more than once and five counties may be split not more than twice. The parts of a congressional district within one county shall be contiguous. No two counties shall be split among the same two districts, unless one of the counties has a population of greater than 400,000. The drawing authority shall attempt to have at least one whole county in each district where possible.

Lastly, Section 3 of Article 19 deals with the legal process of channeling a constitutional redistricting plan.

Next, I would like to describe the proposed map in substitute Senate bill 258. Only 14 counties are split. You will recall we are permitted to split up to 23 counties, comparatively speaking-

PART 3 OF 4 ENDS [00:39:04]

Sen. Rob McColley (39:00):

... Are permitted to split up to 23 counties. Comparatively speaking, the 2011 map split 23 counties. This is also the lowest number of split counties in at least 50 years. The 11 counties split once are Delaware, Licking, Lorraine, Lucas, Montgomery, Pike, Portage, Ross, Stark, Summit, and Washington. Only three counties are split twice. We are permitted to have up to five of those such counties. Comparatively speaking, the 2011 map had five such splits. The three counties split twice are Cuyahoga, Franklin and Hamilton. It is worth noting that each county would be required to be split at least once due to its population.

Every district that is not contained in entirely within one county has an entire county within it. This map truly balances one person, one vote with 13 districts having exactly 786,630 people and two districts having 786,629. That is as close as we can get as possible to one person one vote and that 786,630 person ratio representation. Our goal for this map was to draw districts that are compact while also keeping Ohio's largest cities whole. It is worth mentioning that the compactness requirement does not only apply to district comprised of urban and suburban areas. It also applies to rural districts.

While rural districts will generally be geographically larger than those in urban and suburban areas, the primary reason we decided to split some of the most populous counties in Ohio was to ensure geographic compactness of all districts in accordance with the Ohio constitution. However, even though

we split some of the larger counties, we made it a point to keep the largest cities in those counties and the largest cities in the state whole with exception to Columbus, which had to be split because of its population, and with exception to Dublin and Middletown, which straddle county lines, and therefore do not count as splits under the Ohio constitution.

Each of the 25 most populous cities in the state of Ohio are kept whole within the proposed map. In fact, only seven municipalities and nine townships within the entire state are split in this proposed map. The map before you complies with the requirements placed upon the general assembly under the Ohio constitution. It is the product of a deliberate effort to draw compact districts while keeping Ohio's largest cities whole. Thank you to Chairwoman Gavarone, Vice Chair O'Brien, ranking member Sykes, and members of the local government and elections committee for allowing me to present testimony on substitute Senate bill 258 and the proposed congressional district map contained therein.

I will be happy to take any questions at this time.

Sen. Gavarone (41:47):

Thank you. Are there any questions for members of the committee? Senator Maharath.

Tina Maharath (41:52):

Thank you, Chair. And thank you, bill sponsor. I do want to make a correction on your sponsor testimony though. It is I who's the rank member of this committee in that Senator Sykes, but ...

Sen. Rob McColley (42:01):

I apologize.

Tina Maharath (42:04):

Yes. So I did want to ask who drew these maps or where did the data come from?

Sen. Rob McColley (42:09):

So to the Chair, to the ranking member, these maps were drawn primarily through consultation with Senate staff. They are the product of the concepts, I suppose, of a congressional map developed by me. And then those concepts were relayed to Ray DeRossi and he put them through the computer program that we have to draw these maps.

Tina Maharath (42:35):

Follow up?

Sen. Gavarone (42:36):

Go ahead.

Tina Maharath (42:37):

Can we expect Ray DeRossi or any members of the Senate staff who drew up the maps for us to come in and testify?

Sen. Rob McColley (42:44):

To the chair, to the ranking member, I feel I have a pretty good grasp of the map and the different attributes of it, which is why I'm the one here testifying today. And so I would not expect Ray. It's not out of the question I wouldn't say necessarily, but I would expect that it's probably just going to be me.

Tina Maharath (43:03):

Okay. And follow up?

Sen. Gavarone (43:04):

Follow up.

Tina Maharath (43:05):

So what is the partisan breakdown of this map in front of us today then?

Sen. Rob McColley (43:11):

Well, part of the reason we didn't include it in the testimony is because as you saw all during the redistricting commission hearings, there are many ways to define competitive, what's not competitive. There are many ways to assign an index to a district based on different data, I would say. So I didn't want to necessarily draw a bright line on that. But I will say this, I can speak with some level of confidence that the the map that's drawn and is proposed in front of you is much more competitive than the current map that we have right now.

And the map that is in front of you depending on which index you use, and like I said, there could be a variety of indexes people use to describe whether a map is competitive or not. But depending on which index you use, it could be as many as up to seven or eight districts that would be considered competitive. And so that would potentially leave it up to five Republican seats, eight competitive seats and two solidly Democrat seats.

Tina Maharath (44:24):

One last follow up?

Sen. Gavarone (44:25):

Follow up.

Tina Maharath (44:26):

So did you use any racial data as well into drawing your maps? I'm just trying to get a better understanding of where did his data come from exactly and how did we use any political data if any consideration was placed into these maps?

Sen. Rob McColley (44:40):

So under most circumstances, we are prohibited from using racial data and drawing and composing districts. And the reason for that is court precedent and federal law states that unless there is legally significant racially polarized voting patterns within the state, and that there has been a presentment of some sort of evidence that that is the case in the state of Ohio. We are not aware of any such evidence and therefore we did not use racial data in drafting these maps.

Tina Maharath (45:19):

Thank you.

Sen. Gavarone (45:19):

Yeah. Senator Sykes.

Sen. Vernon Sykes (45:19):

Thank you, Madam Chair. Thank you for your testimony. Just a question about the maps themselves. Have these map been uploaded to the website for the petitioning commission?

Sen. Rob McColley (45:34):

To the Chair, to the representative, the plan I believe, and was for to have them uploaded to the website of this committee that we're in, given that we are running this process now through the committee that we are in front of right now, the redistricting commission at this point doesn't have anything to do with the drawing of these maps. And so, it's my understanding that they are potentially already uploaded onto the committee website. And if they aren't, they will be uploaded very shortly.

Sen. Vernon Sykes (46:04):

[inaudible 00:46:04]. Follow up?

Sen. Gavarone (46:04):

Follow up.

Sen. Vernon Sykes (46:06):

Do you have available or make available the shape files or equivalency files so that the public can analyze, have more accessibility to analyze the maps?

Sen. Rob McColley (46:18):

To the Chair, to the Senator, we will make those files available.

Sen. Gavarone (46:25):

Follow up.

Sen. Vernon Sykes (46:27):

The whole campaign dealing with fair districts, the constitutional provisions that were overwhelmingly supported by the people, how does that concept of fairness, how do you incorporate that or present that in your map? What's fairness to you and how is this map fair?

Sen. Rob McColley (46:52):

To the Chair, to the Senator, primarily what we were looking at when we crafted this map was abiding with the terms of the constitution. The terms of the constitution at this stage in the game primarily have two requirements. One is that we draw compact maps and the other is that we don't have non-contiguous areas within that map. I know there's been some discussion about whether it unduly favors

or disfavors a political party or its incumbents. That is not a requirement unless we were to draw a four year map.

Additionally, I would say that our goal and our hope is that we get the opportunity to draw a 10-year map. And I think I would applaud frankly the Democrat Caucus in the Senate for proposing their own map and putting that out into the open and this is our proposal as well. And I expect a robust dialogue to occur regarding what we could possibly come up with that could lead to a 10-year map. And I think that's where we come down to whether or not a map is fair is ultimately what we come up with in the confines of the constitution as it was voted on by the voters.

And we hope to have that opportunity to do that with bipartisan support.

Sen. Vernon Sykes (46:52):

Thank you.

Sen. Gavarone (48:12):

Thank you. Are there any other questions about the bill? Seeing none. Thank you very much.

Sen. Rob McColley (48:19):

Thank you.

Sen. Gavarone (48:19):

And this concludes the first hearing of Senate Bill 258. Is there any other business before the committee? Hearing none. We are adjourned.

PART 4 OF 4 ENDS [00:48:28]

Chair Wilkin (00:00:00):
Good morning, everyone. I now call the November 4th House Government Oversight Committee to order. Will the clerk take the role?

Clerk (00:00:08):
Chair [Wilkin 00:00:08]?

Chair Wilkin (00:00:09):
Yes.

Clerk (00:00:10):
Vice Chair White? Ranking Member Brown?

Ranking Member Brown (00:00:12):
Here.

Clerk (00:00:12):
Representative [Zebross 00:00:13]?

Rep. Zebross (00:00:13):
Here.

Clerk (00:00:14):
Carfagna?

Carfagna (00:00:15):
Here.

Clerk (00:00:16):
[Galanski 00:00:16]?

Galanski (00:00:16):
Present.

Clerk (00:00:18):
Ginter? Hicks-Hudson?

Hicks-Hudson (00:00:18):
Present.

Clerk (00:00:19):
House?

House (00:00:20):
Here.

Clerk (00:00:20):
Jones?

Jones (00:00:20):
Here.

Clerk (00:00:22):
Kelly?

Kelly (00:00:22):
Here.

Clerk (00:00:23):
Plumber?

Plumber (00:00:24):
Here.

Clerk (00:00:24):
And Swearingen?

Swearingen (00:00:25):
Here.

Chair Wilkin (00:00:27):
With a quorum present, we will operate as a full committee. The chair moves to approve the minutes from the November 3rd meeting. If there are no objections, the minutes will be approved as presented. Hearing none, the minutes are approved. Just a little housekeeping before we get started. If you are here and you wish to testify and you're not listed, I need you to pick up a witness form and fill that out and then we will add you to the end of testimony. And also, I have discussed with the ranking member and while we do not want to limit testimony, we do ask that with the amount of witnesses that we have, that you be concise and to the point on your comments and stick to the bill that is in front of us to be reviewed. With that said, I would like to call up Substitute House Bill 479 for its second hearing. And the chair would call up... And I apologize if I mess this last name up, Carrie Coisman to provide testimony. How bad did I do on the name?

Carrie Coisman (00:01:38):
Perfect. Coisman it is.

Chair Wilkin (00:01:41):

One in a row.

Carrie Coisman (00:01:42):

I have amended testimony. And I apologize, Ranking Member Brown, I wrote Ranking Member O'Brien, as things were being shuffled as I was writing testimony.

Chair Wilkin (00:02:02):

You may begin when you're ready.

Carrie Coisman (00:02:03):

All right. Chair Wilkin, Vice Chair White, Ranking Member Brown and all other members of the government oversight committee, my name is Carrie Coisman and I'm the Ohio digital organizer for All On The Line, a grassroots advocacy organization that's working to end gerrymandering. I'm here today testifying, not only on behalf of myself, but also on behalf of All On The Line's numerous volunteers and activists who cannot attend today's hearings, due to the timing at which they are held and the short notice that we knew they would be happening. Today I'm going to speak in strong opposition to HB-479 and our future congressional map, potential future congressional map. I'll be talking about what a fair redistricting process actually looks like and what a fair congressional map must look like to adequately represent Ohioans in Congress. I will also be speaking directly to the map in question.

Carrie Coisman (00:02:56):

I'm going to firstly speak about the redistricting process. In September, I testified before the Ohio Redistricting Commission, the body responsible for our state legislative redistricting process, and the body that held the pen during the month of October for the congressional redistricting process. The Ohio Redistricting Commission set a poor precedent for a fair and transparent redistricting process, and then the Ohio General Assembly, this body followed suit when you refused to host hearings or propose any maps before your first deadline of September 30th. I hope that this committee, the Ohio House and the entire Ohio General Assembly will honor the reform measures that Ohioans overwhelmingly voted on in 2018, that codified a fair and transparent process.

Carrie Coisman (00:03:40):

However, just beginning with the scheduling of these hearings this week, I'm given grave concern. The public must have their testimony submitted 24 hours before committee commence, as according to rules. Unfortunately, the sponsor hearings for proposed Democratic and Republican maps were happening within that 24 hour window, meaning Ohioans were required to submit testimony on yet to be publicized maps from Republican leadership. That made it impossible for Ohioans to analyze the maps and to submit testimony speaking to those maps before today's hearing. I was present in this room yesterday, as Rep Oshlinger gave his testimony about the sub bill of HB-479, and I'd like to express my gratitude at this time to Representatives House, Brown, Galanski, Hicks-Hudson and Kelly for your insightful questioning into the nature of how this map came into fruition.

Carrie Coisman (00:04:32):

I'm also grateful at this time to be able to do this work on redistricting full time. I'm not a parent or a family caregiver. I'm thrice vaccinated and I am not immunocompromised and I live only 10 minutes away from Cap Square. All of these factors make my testimony here today possible. But the way that

these hearings continue to be conducted excludes the voices of thousands of Ohioans. The Ohio General Assembly has the opportunity and the duty to host robust and accessible hearings over the next 26 days. Yesterday's hearing was not what Ohioans voted on in 2018 and it is unconscionable that a map was presented yesterday, less than 24 hours before this hearing, without being made available to the public in an accessible manner for them to review.

Carrie Coisman (00:05:18):

These hearings were again scheduled outside of daytime work hours. They were not scheduled around the state, there were not maps and there are not virtual testimony options. The Ohio assembly must not keep maps in the can until the last possible moment, with the intent to exclude Ohioan's voices. Again, this is not what we overwhelmingly voted on in 2018. Hiding behind excuses of a census delay or legal action are also not valid, as there have been dozens of maps submitted in people's hearings, hosted by Ohioans and organizations like mine. How are everyday citizens able to do this process so much more efficiently and fairly than the people elected to protect democracy and serve Ohio's constituents on the taxpayers' dollar?

Carrie Coisman (00:05:59):

Gerrymandering is political cheating, but it is a solvable problem. Constitutional maps are more than possible and nothing less will be accepted. And to take a word from Secretary of State LaRose, especially when what's happening is through an asinine process run by two legislative leaders that exclude Ohioans at every turn, and then result in an unfair map that continues to dilute the political power of Ohioans. I'll now speak to the map. A truly fair map reflects Ohio's partisan balance, provides real pathways to representation for communities of color and keeps our communities together. Ohioans have voted, across the decade, in a rough split of 46% Democrat and 54% Republican partisan.

Carrie Coisman (00:06:40):

Our current congressional delegation has a partisan split of 25% Democratic and 75% Republican, ensuring that thousands of Ohioans are not having their voices heard in Washington. Ohioans have been grossly misrepresented in Congress, due to the surgical gerrymandering that happened 10 years ago in 2011. The proposed GOP map that we saw yesterday would give 87% of our congressional representation to the Republican party, in a state that, again, votes 46% Democratic and 54% Republican, with 13 Republican seats, two Democratic seats and no competitive seats.

Carrie Coisman (00:07:16):

While some may claim a deviation of 10 points between 45% and 55% makes a seat competitive, I would argue that a smaller range of 48% and 52% makes a seat competitive, which is a deviation of four points. There are no seats within this range on the map. In order to guarantee real representation as promised by our 2018 reform measures, a fair map should include seven Democratic congressional seats and eight Republican seats, like the map proposed by the Senate Democratic Caucus. These numbers reflect how Ohioan's actually vote. Ohio is a purple state, with voters who have supported both Democratic and Republican voters statewide, as reflected in the reality that we have a Republican Senator and a Democratic Senator, close gubernatorial elections throughout the decade, and different Electoral College showings in 2012 and 2016.

Carrie Coisman (00:08:04):

Our district should reflect how Ohio's communities vote, including some areas with truly competitive seats in that 4% deviation, instead of entrenching our political future by cracking and packing certain communities. Rather than diluting certain communities' political power, the map should anchor Ohio's major cities and their own districts, ensuring that our communities of color, urban communities and new American communities are able to access the promise of democracy. My home city of Columbus should include as much of our urban core as possible, especially the communities inside of the 270 Outer Belt, some of which are currently drowned out into more rural and suburban districts, like Ohio 12 and Ohio 15.

Carrie Coisman (00:08:42):

My own community of Clintonville, which again is only 10 miles north of the state house and Ohio state's campus, is pulled up into my hometown of Mansfield and out into the Eastern city of Zanesville. It is absurd that I vote in the same congressional district as my grandparents, who live on the Richland and Morrow county line. While I maintain a lot of fondness for my hometown, I do not need, nor should I vote with them. While yesterday's proposed map by Republicans keeps Clintonville with the Columbus Anchor District, it pulls out similar communities that should be kept in the same Columbus Anchor District. Those communities include German Village, Hungarian Village and the South Side.

Carrie Coisman (00:09:16):

Those communities are pulled into a district that is anchored by Newark in Licking County. Again, these communities do not belong in the same congressional district. Rather, the Columbus Anchor District should include as much of the urban core as possible, protecting especially the Black and LatinX populations on the south, east and northeast sides of the city for being needlessly gerrymandered. There should also be a second Ohio Congressional District that should contain, in its entirety, the growing Asian-American and Pacific Islander and new American communities in North and Northwestern Franklin County, instead of being pulled out into a rural district that is anchored by Lima. There is no reason that my alma mater of Otterbein University in Polaris Mall and suburban Westerville should be in the same district as Urbana, Bellefontaine and half of Springfield.

Carrie Coisman (00:10:03):

Additionally, our cities of Cincinnati, Cleveland, Akron, Toledo and Dayton should also anchor their own districts with as much of the surrounding counties or counties as possible. The Republican proposed map splits Hamilton County, home of Cincinnati, into three separate districts with almost all of suburban Warren County. Cuyahoga County, home of Cleveland, is also split into three separate districts, pulling some of Cleveland's suburbs into Holmes County, which is home of the majority of Ohio's Amish communities, Summit County, home of Akron is split into three districts, one of which includes the Hocking Hills region, Lucas County, home of Toledo, is split into two districts, pulling the eastern half of Toledo into a district that docks into Knox County, a central Ohio rural county.

Carrie Coisman (00:10:42):

Finally, while the Dayton Anchor District keeps Montgomery and Greene County whole. It splits neighboring Springfield into two, diluting the political representation of Black communities in each city. These intentional and surgical decisions in every single one of Ohio's major metropolitan areas demonstrates the Republican party is truly more interested in maintaining power than listening to Ohioans, by upholding the 2018 constitutional reform measures. For the past decade, Ohio has lived under some of the most gerrymandered maps in the country, but this proposed map is somehow worse.

Ohio is a unique, beautiful state full of diversity and people who want a future that is bright, safe, and full of promise.

Carrie Coisman (00:11:20):

This body has the opportunity to right the ship of democracy for the next decade by drawing districts that reflect our values, instead of districts that ensure partisan power, gained not through democracy, but through the manipulation of political geography. Ohioans deserve both a fair process and a fair map, and we made that clear at the ballot box in 2018. If we have any hope of maintaining our democracy, Ohioans deserve a map that reflects the true partisan makeup of our state, which means our future maps must include seven Democratic congressional seats and eight Republican seats. These numbers reflect how Ohioans actually vote, and we will accept nothing less.

Chair Wilkin (00:12:00):

Thank you for your testimony. Are there any questions? Representative Kelly?

Kelly (00:12:06):

Thank you, Mr. Chairman. Thank you for coming in today. From your testimony, I would presume to think that you do not believe that these maps actually follow the anti-gerrymandering rules that are in the constitution, and so I'm wondering, especially in Hamilton County, which is now split into three districts, aside from keeping Cincinnati whole, are there other improvements that you think that we can make in the Southwest corner of the state? I, for instance, wonder if my friends who live in Amberley would think that they had a lot in common with folks who live in Vinton County?

Carrie Coisman (00:12:46):

Mm-hmm (affirmative). With our major populous counties, so Hamilton, Franklin, and Cuyahoga in particular, the Cincinnati district should be the core of that district, and then your suburban communities should also core a district. I don't know where the specific community in Cincinnati is that you're talking about, but Hamilton County should only be split twice, with Cincinnati making up its own district, and the other half of that county being anchored with suburbs that make more sense, rather than dragging them out into that district that kind of moves along the western border of the state. It should be much more compact, and the way that this current map exists, is it's pulling out a variety of suburbs into those three separate districts, instead of keeping them together as like-minded communities, and that's very purposeful.

Chair Wilkin (00:13:38):

Followup?

Kelly (00:13:39):

Thank you, Mr. Chairman. Amberley Village is actually located in the greatest State House District in the entire state of Ohio, the 31st House, present 31st House District, but it's about 15 minutes from downtown Cincinnati. And so it would seem to me that that would be a more natural alignment, and then I thought you said that in your testimony, that a probably more accurate breakdown of the voting behavior in Ohioans would be an eight-seven map. Was that accurate?

Carrie Coisman (00:14:06):

Yeah, eight Republican, seven Democrat.

Chair Wilkin (00:14:08):

Representative Kelly, did you want to clarify who represents Amberley Village?

Kelly (00:14:17):

Mr. Chairman, I am privileged to represent Amberley Village in the State House.

Chair Wilkin (00:14:22):

Do you have any other followup? Representative Swearingen?

Swearingen (00:14:27):

Thank you, Mr. Chairman. Thank you for your testimony today. Several questions; does All On The Line receive funding for its operations?

Carrie Coisman (00:14:35):

Yes.

Swearingen (00:14:35):

Where does it receive its funding from?

Carrie Coisman (00:14:37):

We're a project of the National Democratic Redistricting Committee.

Swearingen (00:14:40):

Okay. Where do you get your money-

Chair Wilkin (00:14:42):

Excuse me one second, Representative Swearingen, before we get into back and forths, make sure we are going through the chair.

Swearingen (00:14:46):

Yep, thank you, Mr. Chairman.

Chair Wilkin (00:14:48):

Asking for followups, and if you don't mind, if you would... Just so we don't get into these back and forth conversations?

Swearingen (00:14:52):

Yep.

Chair Wilkin (00:14:53):

Thank you both very much.

Swearingen (00:14:54):

Thank you, Mr. Chairman. Followup question. Where does the National Democratic Group get its money from?

Carrie Coisman (00:15:01):

All On The Line gets its money through grassroots donations. Sorry, through the chair, to the representative.

Swearingen (00:15:08):

Mr. Chairman, followup question?

Chair Wilkin (00:15:09):

Please.

Swearingen (00:15:11):

Is it safe to say that All On The Line represents Democratic interests?

Carrie Coisman (00:15:17):

To the chair, to the representative, All On The Line is committed to fair redistricting. I think it's safe to say that Democrats, as a party, do not need to gerrymander to win. It is obvious that in this state we do have a partisan balance that leans Republican. My goal and interest is not to dilute the political power of Republicans, but rather to ensure that all Ohioans have access to equal representation as codified.

Swearingen (00:15:49):

Okay. Thank you. Followup question, Mr. Chairman?

Chair Wilkin (00:15:52):

Followup.

Swearingen (00:15:53):

Are you in any other states?

Carrie Coisman (00:15:56):

To the chair to the representative, yes.

Swearingen (00:15:58):

Followup question, Mr. Chairman?

Chair Wilkin (00:16:00):

One more.

Swearingen (00:16:01):

What states are those?

Carrie Coisman (00:16:03):

To the chair, to the representative, All On The Line exists in Ohio, Georgia, Wisconsin, North Carolina, Texas. I'm missing a few states. Colorado, Florida and there's another, but I can't remember at this time.

Swearingen (00:16:22):

Okay, thanks. No further questions.

Chair Wilkin (00:16:25):

Representative Galanski?

Galanski (00:16:26):

Thank you to the chair and thank you, Ms. Coisman for coming in and testifying today, and also for trying to help us get to a 10-year map and actually to get to a map that's constitutional. Looking at the 13-2 map that was presented by the GOP yesterday, could you tell me, what, if any benefit there would be to splitting the city of Akron and the county so much? Can you talk to me about that?

Carrie Coisman (00:16:54):

Through the chair to the representative, there is no benefit to splitting Akron into three separate districts. Akron is a unique city in Ohio with a rich history, with a strong minority community that is obviously being split apart to ensure that they don't have adequate representation in congresses. This is not a new attempt at diluting Akron's political power. You can see with the current districts that Akron is still diluted and it is of my opinion that all major Metro cities should anchor their own district, as they are home to the majority of Ohioans, and that includes Summit County and Akron.

Galanski (00:17:34):

Followup?

Chair Wilkin (00:17:37):

Please.

Galanski (00:17:39):

Thank you to the chair, and again, thank you to the witness for testifying. And so as we move toward 10-year map, I've heard that Hocking Hills is beautiful, but can you see any relationship at all, from between Hocking Hills and Akron? And then my final question goes back to something from the Representative Swearingen, again, any relationship at all, as far as you know, between Hocking Hills and Akron?

Carrie Coisman (00:18:04):

Mm-hmm (affirmative). Through the chair to the representative, no. Akron is a Rust Belt city with a rich history of industry, home of tires and rubber and LeBron James, and I agree that the Hocking Hills are a beautiful region, however, they are a rural, Appalachian region with industry existing in tourism and logging and other things that happen when you are not a major metropolitan area. No, I don't think there's any like community of interest between the two areas, and the fact that they are drawn into one congressional district, by snaking through the state of Ohio, is not fair representative of the folks that live in those two districts.

Galanski (00:18:50):

And finally, Chair, if I might?

Chair Wilkin (00:18:52):

Please.

Galanski (00:18:53):

Thank you. And again, I'm really grateful for you being here, helping us get to a 10-year map. And so just related to Representative Swearingen's questions, which are valid, didn't I hear you say in your testimony that in fact your proposal is that there would be eight Republican seats and seven Democrats, thus indicating that no matter where your funding is from, you're actually very interested in what Ohioans want, which is fairness. Would that be fair to say?

Carrie Coisman (00:19:25):

Through the chair, to the representative, yes, that would be fair. How I came to those numbers is the fact, the political reality that this state votes 45% Democratic and 55% Republican. We should not send a congressional delegation to Washington that is 87% Republican. That is discounting massive, hundreds of thousands of Ohioans, from having their voices heard in congress. I would also argue, and will die on this hill, sorry to be informal, that all Ohioans should have equal access to the ballot box, regardless of their political affiliation. I love many Republicans. I come from a strong Republican family from rural Ohio. I want them to have the same access to the ballot box that I have. I moved to Columbus to go to school and to start my career and there is no reason why I should be voting in the same district as my grandparents, who have completely different political interests that I do, therefore ensuring that their vote matters more than mine does, based on the way that districts are drawn, now that I live in a progressive community and they live in a rural community.

Chair Wilkin (00:20:40):

Any followup?

Galanski (00:20:40):

No, thank you.

Chair Wilkin (00:20:42):

Representative Hicks-Hudson?

Hicks-Hudson (00:20:45):

Thank you, Mr. Chair, and thank you so very much for being here to give your testimony. I want to turn your attention to your comments about Toledo and Lucas County and the proposed District Nine. And in your comments, you talked about the differences between the city of Toledo and Knox County. I want to just, if you can, zero in on the configurations, if you know, of how this map is drawn and the lines within the city of Toledo, and how that section of, if you know, that section of Toledo is in comparison with, say, Knox County.

Carrie Coisman (00:21:24):

Sure. I don't have where the line is in Toledo, but I do know that it splits the urban core in half. Where that exact split is, I would need my laptop right here, but I'm happy to find out exactly where that line is for you. Knox County, whose county seat is Mount Vernon, has a humble population of maybe 40,000 people. It is home to a small Nazarene university. Sorry, 60,000.

Carfagna (00:21:54):

41,060.

Carrie Coisman (00:21:55):

I'm so sorry, Rep Carfagna. He's like, "Don't get it twisted." I almost played volleyball at Mount Vernon Nazarene, I should know too. It's a small, rural also community with a small city with Amish communities nearby. It is not similar to Toledo, again, an illustrious, industrious city in Northwest Ohio. There's no reason that the city of Toledo should be split in a way where half of it is drawn into the same district as Knox County.

Hicks-Hudson (00:22:28):

If I may followup, Mr. Chair?

Chair Wilkin (00:22:31):

Followup?

Hicks-Hudson (00:22:32):

Thank you. And still looking at not District Nine, but looking at District Five, which also would pick up a portion of Toledo and Southern Lucas County, and it already has Western Lucas County, how do you compare those communities the Southern part of Toledo and the other part of the urban core with the other parts of District Five?

Carrie Coisman (00:23:00):

Yeah. Again, you see a city being drawn out into a rural farming community in Northwest Ohio. There is no reason that one city, Toledo, is being split into a Northwest rural region and then a Central Ohio rural region. Toledo should be anchoring its own district. It should be in like communities, and what you're doing is taking Toledo and cracking it apart to dilute the political power of those folks that live in Toledo, by pulling them into two districts; the potential districts in Northwest Ohio and Central Ohio. Those communities are also different and should not be together. Toledo should not be the thing that gets split apart and drawn out into two very different parts of the state, as just one Metro area.

Hicks-Hudson (00:23:52):

And last question, if I may, Mr. Chair?

Chair Wilkin (00:23:53):

Please, Representative.

Hicks-Hudson (00:23:54):

Thank you, Mr. Chair, and thank you for those comments. Could we conclude fair analysis of just Lucas County, Toledo, those two different congressional districts, that they do not meet the constitutional requirements of keeping communities together and having like minded folks... And I don't want to say like minded, per se, but like interests such as urban versus rural, neither one bad, neither one better than the other, but more the dealing with those issues that is what representative government is supposed to do. Is it your conclusion that the current map proposed by the house that's collected to House Bill 479 is not constitutional?

Carrie Coisman (00:24:41):

Through the chair to the rep, yes, that's my conclusion.

Hicks-Hudson (00:24:43):

Thank you. Thank you, Mr. Chair.

Chair Wilkin (00:24:45):

Thank you. Representative Brown? I'm sorry, Ranking Member Brown. Sorry. Excuse me.

Ranking Member Brown (00:24:49):

Thank you, Chair. Ms. Coisman, thank you for traveling all the way from Clintonville to be here today.

Carrie Coisman (00:24:55):

It was a trek. There was actually traffic this morning. It was-

Ranking Member Brown (00:24:58):

It was horrible, I'm sure, to get here, but thank you for being here. It is certainly the desire of the Democratic House Caucus to see that we have a 10-year map that gives fair representation to all of Ohioans. But if by some chance we are not able to arrive at such a map and have to have a map that passes by a simple majority and turns into a four-year map, the Ohio Constitution requires, in Article 19, Section 01, subsection C3, that any such map shall not unduly favor or disfavor a political party or its incumbents, shall not unduly split government of units, giving preference to keeping whole counties, townships and municipal corporations, and that districts should be compact and there should be able to be a demonstration of a reasonable and legitimate attempt to keep districts compact. Based upon your review of the map proposed yesterday that we're discussing today, are any of those constitutional requirements met?

Carrie Coisman (00:26:05):

Through the chair to the representative, no.

Chair Wilkin (00:26:09):

Followup? Representative Jones?

Jones (00:26:15):

Thank you, Mr. Chairman. Thank you for your testimony. I've found some of your comments to be interesting. One of the comments that I keep hearing is like minded individuals in districts. Is that one of the requirements of the new maps that we're supposed to have?

Carrie Coisman (00:26:35):

Through the chair to the representative, it's not like minded, it's like communities. I would never argue that we should lump people together based on how they think. I do think it's important to keep communities together. I think it's important that this body receive community feedback, like the one that I've given about my own community, about what that means, in the sense that my community of Clintonville, which has a certain community element to it, does not mean that we all agree on every issue or share a brain, should not be pulled into a community that doesn't look the same, doesn't work the same, doesn't live the same kind of... I live a very urban, metropolitan life. My grandparents live a very rural, simple country life. Those are two very different realities. And by lumping us together, you're ensuring that someone is not able to be adequately represented, because they're just so vastly different.

Chair Wilkin (00:27:30):

Followup?

Jones (00:27:31):

Thank you, Mr. Chairman. Through the chair, well, you made a comment in your testimony that we're a purple state, which I find a little bit amusing, in the fact that it's appeared to be red, based upon our past elections, and with your comments that you've made, you state that we vote 46% Democratic and 54% Republican. If that's the sign of a purple state, then the 45 to 55% split are competitive seats that we're talking about. Why is there such an issue with that?

Carrie Coisman (00:28:05):

Through the chair to the representative, a couple of things; one, we are a rigged state, which is why this body is so overwhelmingly one party, because the political power of people in their State House districts are so gerrymandered, so to that point. Secondly, to the point about the 45-55% split, that is by taking statewide elections over the last decade, which includes a presidential election that went to President Obama, two presidential elections that went to President Trump, the 2014 gubernatorial election, which the Republican party won in a landslide, the elections of Sherrod Brown and Senator Portman in... Did I say close gubernatorial elections? That is an average across the decade. It's not picking certain races to get that number. If we just picked the 2012 Obama race, we would be a blue state.

Carrie Coisman (00:28:59):

If we just picked the 2014 Kasich race, we would be a Republican state. It's important to look at this data across the decade. And then to your question about the 10% versus the 4% competitive ratio, how we vote and what is considered competitive are two different numbers. In Ohio, they happen to be the same, in the sense that 45% Republican, 55% Democrat, and then making the seat defined competitive as that 10%, that's just a coincidence. It's not actually... They're not same numbers. They're different. That 4% number is actually indicative of a swing race, and that 4% is much closer in terms of if you start to look at specific races within that span of a decade. It's just math.

Chair Wilkin (00:29:55):

Followup?

Jones (00:29:55):

Mr. Chairman, thank you, and through the chair, I guess I'm going to dispute some of your information or some of your thought process, which is okay, but I'm reading directly from your testimony, "Ohio is a purple state."

Carrie Coisman (00:30:09):

And that is what I argue.

Jones (00:30:10):

But you just said it was a red state.

Carrie Coisman (00:30:12):

I said it was a rigged state. Rigged. R-I-G-G-E-D.

Jones (00:30:16):

Rigged? Oh, I'm sorry. I wanted to clarify, sorry, Mr. Chairman. And one followup, if I may?

Chair Wilkin (00:30:24):

Please.

Jones (00:30:25):

Thank you. And this will be my last one. I hear your concerns about splitting communities, and I think one of the challenges we have in the state of Ohio, and you've already mentioned it, is the diversity of our state. We have a lot of diversity, and coming from a rural part of Appalachia, we've been left out for a long, long time, if you want to get real technical about it. And the thing about it is, is talking about voices being heard, we have a lot more struggles than those people that live in urban and suburban areas, and we choose to live where we choose.

Jones (00:30:57):

I take offense to the fact that you're sitting here saying that we have to split. Well, sometimes it comes down to population numbers. We have to do things that we don't want to, because, let's face it, Eastern Ohio and Southeastern Ohio makes up 25% of our land mass, but only has, I think, about 19% of the population. We have to do things like that, let's be realistic with each other, to get the numbers where they need to be. And I guess that was more of a statement, Mr. Chairman, but do you have any explanation of how you would fix that?

Carrie Coisman (00:31:33):

To the chair, to the representative, yes, I agree, and it is a fact that Southeastern Ohio has a small population and a large land mass. The city of Toledo has a small land mass and a large population, so why is it being split into two sprawling districts, as opposed to centralizing its own district and keeping its population as together as possible if that population is closer together? If a population is spread far apart, then the district is going to be a little bit bigger, but in metropolitan cities, people live close

together. That is the nature of the city. There is a constitutional requirement that districts be as compact as possible. I agree with your statement that Southeast Ohio's district might be in a bigger land mass or by area than our metropolitan districts, but there is no reason that our cities are pulled out into these sprawling districts when they have the populations within them and their suburbs to make up their own districts.

Chair Wilkin (00:32:34):

Representative Hicks-Hudson?

PART 1 OF 9 ENDS [00:33:04]

Mr. Chair (00:33:03):

Representative Hicks-Hudson.

Representative Hicks-Hudson (00:33:05):

Again thank you, Mr. Chair. I want to ask you some questions in regards to the statements and questions that you were just asked by Representative Jones. Have you had an opportunity to look at the proposed population numbers attached to the proposed map?

Carrie Coisman (00:33:31):

I'm sorry, through the chair to the representative. The rule is 710,000, there are a couple of numbers not there, and I don't have them in front of me. There have been a lot of numbers over the last 24 hours. And for that, I apologize.

Carrie Coisman (00:33:45):

It is true that districts have to be equal in population, there is a deviation allowance that allows some of those to wiggle around. And that is how you get into those conversations of ensuring that districts are not cracked and packed. So packing would mean taking that population requirement to the absolute limit of the deviation in terms of how many people that can be there, as opposed to other districts that might be taken to the other limit. And they should really be as close together as possible while keeping communities together, and that is possible to do so, but there will be some deviation because we can't draw in perfect even squares with perfect population and the constitution has an allowance for that.

Representative Hicks-Hudson (00:34:32):

Follow up if I may follow up.

Mr. Chair (00:34:33):

Follow up.

Representative Hicks-Hudson (00:34:33):

Thank you. And so, I understand what you're saying that each district has to be as close to a certain number as each other, correct?

Carrie Coisman (00:34:45):

One person, one vote.

Representative Hicks-Hudson (00:34:45):

And then have you been able to look at these districts that have been proposed to determine the leanings Democrat versus Republican? Have you had a chance to do that yet?

Carrie Coisman (00:34:57):

Yes. I have looked at them. We, being my boss. Through the chair to the representative. Though how that ends up looking is certain districts, and you can see this all on everyone's favorite tool Dave's Redistricting, where you can see the partisan breakdown of the districts and in the two democratic leaning districts, as proposed in this map, the partisan breakdown is 70% democratic and 30% Republican, which I would argue is not fair, first of all, and ensures that other districts swinging the other way. And really, they need to be closer together, they need to be competitive districts. Of those 13 districts that lean Republican there aren't any within that 4% swing deviation that I talked about.

Representative Hicks-Hudson (00:35:57):

And one last question, Mr. Chair, if I may.

Mr. Chair (00:35:59):

Please.

Representative Hicks-Hudson (00:36:00):

Thank you, Mr. Chair. I appreciate that statement, because I think it does two things and you can correct me if I'm wrong. One, it puts your organization and yourself in a position of truly trying to implement what the citizens voted on to have maps that would be reflective of their voting preferences. Correct?

Carrie Coisman (00:36:25):

Mm-hmm (affirmative).

Representative Hicks-Hudson (00:36:26):

Is that a yes?

Carrie Coisman (00:36:27):

Yes.

Representative Hicks-Hudson (00:36:28):

And then secondly, again, I'm going to ask this. Based upon your answers to my question, dealing with the issue about the population, as well as the partisan leaning between each and every one of these proposed districts. Is this map constitutional?

Carrie Coisman (00:36:48):

Through the chair to the representative, no.

Representative Hicks-Hudson (00:36:50):

Thank you. Thank you, Mr. Chair.

Mr. Chair (00:36:54):

Representative House.

Representative House (00:36:58):

Thank you. So, I'm struggling, but can you hear me?

Carrie Coisman (00:37:02):

Yes.

Representative House (00:37:03):

Okay. All right. Through the chair, thank you so much for your testimony. One of our colleagues indicated that the Appalachian Southeast Ohio portion, their voice is being lost and they're really struggling. Point of clarification, I've been here, this is my fourth term and we had speaker Rosenberger, Speaker Smith, Speaker [inaudible 00:37:42], which we're all from Appalachian region. Being the speaker of the house, if nothing else you have the ultimate voice. Would you think that it's clear to say if someone is a speaker of the house, they probably have some concern from the place they represent?

Carrie Coisman (00:38:00):

Yes.

Representative House (00:38:00):

Okay. And then in looking at your testimony, you talked in Cuyahoga County where we have the Western part of Cuyahoga County that's also split down into Holmes County, which I believe you indicated they are just not have similar interests, correct?

Carrie Coisman (00:38:26):

Yes.

Representative House (00:38:26):

Okay. All right. Thank you so much.

Mr. Chair (00:38:30):

Representative Brown.

Representative Brown (00:38:32):

Thank you, Mr. Chair. I was looking at proposed district number two and spans from the Eastern and Northeastern suburbs of Hamilton County and includes Claremont, Clinton, Highland, Brown, Adams, Pickaway, Ross, Pike, Scioto, Jackson, and Vinton Counties. Now, I represent Southeastern Franklin County, the Canal Winchester area, which is the most rural part of Franklin County. There are corn fields literally 50 yards from my house. Plus, I grew up in Lawrence County, Ohio down on the river near Ironton, So I know a little bit about Southeast Ohio and its economy and its people and what they're all about. I have family that lives in Vinton County, family that lives in Morgan County, friends and relatives

that live in Jackson County. So I have quite a bit of familiarity with the Southeast Ohio, even though some think of me as a Columbus representative.

Representative Brown (00:39:39):

Now, in your view, what do the folks who live in the suburb of Indian Hill and suburbs of Kenwood and Madeira in Hamilton County, Indian Hill has million dollar homes, what do those folks have that is in common with the good and hardworking folks of Vinton County?

Carrie Coisman (00:40:06):

Through the chair to the representative, I don't think much, that they don't have a lot in common. Again, I think that we need to ensure that as many of those voices are able to be heard about these districts as possible. But, I also not from Indian Hills I'm from more of a corn field like region, and I would not want my community being paired if from Indian Hills or from Canal Winchester being paired together, Canal Winchester, and Pickaway County, those kind of outer Columbus counties should be more paired with central Ohio, they're central Ohio counties.

Representative Brown (00:40:41):

Follow up chair.

Mr. Chair (00:40:43):

Please.

Representative Brown (00:40:44):

Thank you, Mr. Chairman, thank you for the answer. Do the folks in Eastern and Northeastern Hamilton County share the same hospitals, are they involved in the same local economies as the folks in Vinton County?

Carrie Coisman (00:41:03):

Through the chair to the representative, no.

Representative Brown (00:41:11):

Is it in your... I'm sorry.

Mr. Chair (00:41:14):

Follow up.

Representative Brown (00:41:15):

One last follow up. Mr. Chair, thank you for your indulgence. In your estimation is district number two compact and does it keep communities together?

Carrie Coisman (00:41:27):

Through the chair to the representative, no

Mr. Chair (00:41:32):

Representative Swearingen.

Representative Swearingen (00:41:36):

Thank you, Mr. Chairman, and thank you for your continued testimony. One question we're talking about the constitutionality of these maps has All On The Line received an opinion from a constitutional lawyer as to the lawyer as to the constitutionality of the maps?

Carrie Coisman (00:41:50):

Through the chair to the representative, no.

Representative Swearingen (00:41:53):

Mr. Chairman followup question.

Mr. Chair (00:41:55):

Follow up.

Representative Swearingen (00:41:56):

The testimony here from All On The Line is that the maps should be eight to seven congressionally. How do you arrive at those numbers specifically in terms of the math?

Carrie Coisman (00:42:08):

Through the chair to the representative, so that first of all includes some competitive districts and those numbers are how we get closer to representing, because some of those democratic, I will add, districts are in that 4% swing number. So if the voters choose a Republican representative, it is way more plausible that they would be able to choose a representative based on elections rather than map drawing. So let me just start there. But then when you question, when you divide seven by eight, you are closer to actual representation then you are when you divide two by 13. So it's again, math and percentages.

Representative Swearingen (00:42:52):

Two follow up. Two follow up questions, Mr. Chairman.

Representative Swearingen (00:42:56):

Did All On The Line take into its analysis, the track record at the state level, state Senate, state House, Ohio House, the statewide races. I know we've talked about the presidential race is which is I think important. However, the Democratic Party has not held the Ohio Senate since the 80s, there's a brief period from '08 to 2010, where the Democrats held the House and for the majority Republicans have won statewide in Ohio for a long time, going back to the 90s. Was any of that taken into account in formulating the eight to seven number?

Carrie Coisman (00:43:34):

Through the chair to the representative, the numbers through statewide elections, which include the fact that we have a Democratic and Republican Senator, and the fact that in 2012, we went to Obama, in 2016, 2020 we went to President Trump. This redistribution process is not about what happened in the

'80s or the '90s, it's about what has happened since the 2010 census and the political realities of Ohioans over the past decade. So I take objection to the point about the '80s and the '90s and who held the Ohio House. And I will refer back to my comment that I made to Rep. Jones about statewide electoral data over the last decade has been dramatically influenced by the gerrymandering that took place during the 2011 redraw, which is how we got into the situation in the first place.

Carrie Coisman (00:44:22):

So the short answer to your question is the numbers are from statewide elections over the last decade, because that is a more accurate representation of Ohio as a whole than looking at specific districts in specific elections across the last decade, or going back 20, 30 years at this point.

Representative Swearingen (00:44:42):

One follow up Mr. Chairman.

Mr. Chair (00:44:44):

Please.

Representative Swearingen (00:44:45):

This is anecdotal evidence only, I come from a district that was held by Democrats and then switched to Republican. And when I was knocking on doors, there are many Democrats in my district who are now voting Republican, and I'm from one of those more rural districts. And the comment made was we feel left behind by the Ohio Democratic Party. That's the trend in my district. And I feel like that's the trend in districts like Southeast Ohio and other parts of the state that used to be democratic strongholds. I mean, Speaker Riffe was from Southeast Ohio. Do you at All On The Line see this trend across Ohio and have you factored that trend into your analysis of the eight, seven split?

Carrie Coisman (00:45:25):

To the chair to the representative, if that trend is accurate, that this body should not be afraid of a map that is seven eight with competitive districts.

Mr. Chair (00:45:37):

Any further followup? Representative Jones.

Representative Jones (00:45:43):

Thank you Mr. Chairman, and thank you again for your testimony. What is our current percentage of state officeholders today in the state of Ohio? Republican to Democrat [crosstalk 00:45:59]-

Carrie Coisman (00:45:59):

I'm sorry, through the chair to the representative, I need another cup of coffee, the statewide holders right now are Republican.

Representative Jones (00:46:06):

Mr. Chairman, follow up.

Mr. Chair (00:46:08):
Follow up.

Representative Jones (00:46:08):
Thank you. But what is the percentage?

Carrie Coisman (00:46:12):
I don't know the exact percentage.

Representative Jones (00:46:15):
Follow up.

Mr. Chair (00:46:16):
Please.

Representative Jones (00:46:17):
So in building off of my colleague's comments, I think that's something that we have to look at. I mean, I understand, I mean, everybody wants an eight to seven, that levels the playing field, but what happens if you get your eight to seven and it still doesn't turn out eight to seven, are we going to have to redraw the lines again?

Carrie Coisman (00:46:36):
Through the chair to the representative, if the maps are drawn eight seven, and those are fair maps and things shake out in those swing districts where Republican wins, then fairness is what we are aiming for. And if that is what the people of Ohio want, then that's what the people of Ohio want, what I want and what All On The Line wants is the opportunity for Ohioans to pick their elected officials and for elected officials to not pick their voters.

Carrie Coisman (00:47:07):
In follow up to the statewide comment about our governor, secretary of state, auditor, et cetera. Those races are closer than the races that take place in gerrymandered districts, because Ohio is actually more of a swings state than you are giving it credit for because you are taking your information from gerrymander districts that were drawn in 2011.

Mr. Chair (00:47:36):
Representative Kelly.

Representative Kelly (00:47:38):
Thank you, Mr. Chairman. Thank you for coming in. I just have one question. So in if Hamilton County for example, my colleagues sort of anecdotal data is how that district is trending. But I think it further rates the importance of fair districts because in Hamilton County, for example, we are trending more democratic and right now we are drawn into two Republican districts and this map proposes to draw us into three Republican districts. And so I think to have a county whose communities have been split and whose voting preferences do not appear to be taken into account to draw into three separate districts,

seems like something that unduly splits a community and unduly favors a party. So I just wasn't sure if you would agree with that assessment.

Carrie Coisman (00:48:44):

Through the chair to the representative, I would agree with that assessment and I will go back to the point I just made moments ago where if a map with competitive seats is so distressing to one party then that is evidence that this map is gerrymandered to maintain partisan control.

Mr. Chair (00:49:07):

Follow up. I would've lost the bet, I thought for sure you would have a follow up. Representative Galonski.

Representative Galonski (00:49:13):

Thank you to the chair. And again, thank you for being so patient with us as we tried to reach a 10 year map. And specifically, I just wanted to say that I was struck by your testimony when you talked about not operating out of fear. And so with the fear base 13 two map, would you agree that the whole reason that we're here is not about the 20 to 30 years of what happened before, but specifically because we had a census and that we are duly obligated under that census to redraw these lines, would you agree with that? And can you expound on it?

Carrie Coisman (00:49:53):

Through the chair to the representative, yes we are looking at data from 2010 to 2020, not data from the '80s and '90s. I'm not here to have a political science conversation about the way that parties are trending throughout the nation, or even historically in Ohio. We are talking about what is happening right now. And the reality of what is happening right now is, one, Ohio's population is not growing as quickly as other states of the nation, which is why we lost a seat. Ohio cities, especially Columbus, are growing. Southeastern Ohio, unfortunately, is losing population for a variety of reasons. People move around, we are not stationary animals. I moved from a rural area to a city because I grew up and went to college, my younger brother moved out of state. And so what we have to ensure happens is that where people live now, that those districts represent who they are, that they are fairly represented in Congress. And that we don't try to manipulate the lines to ensure that things do not become reflective of partisan desires instead of actual democratic selection of representatives.

Mr. Chair (00:51:13):

Follow up?

Representative Galonski (00:51:13):

No.

Mr. Chair (00:51:13):

Did you say no?

Representative Galonski (00:51:17):

No.

Mr. Chair (00:51:20):

Representative Brown.

Representative Brown (00:51:22):

Thank you, Chair. Nowhere in the Ohio constitution is the party affiliation of state office holders a criteria for drawing congressional maps in Ohio. Isn't that true?

Carrie Coisman (00:51:39):

Through the chair to the representative, yes.

Representative Brown (00:51:41):

Follow up.

Mr. Chair (00:51:42):

Please.

Representative Brown (00:51:43):

So that comment from Representative Jones asking about the affiliation of state office holders, party affiliation, has no significance or relevance to the question of drawing of fair congressional maps in Ohio. Does it?

Carrie Coisman (00:51:59):

Through the representative to the chair, correct. Additionally, I have not argued today that Ohio is a democratic state. I have said that Ohio is a swing state, I understand that because we have a 45-55 split that may mean that we will have a Republican governor, secretary of state, auditor, et cetera. What I am arguing and advocating for is that people that live in democratic strongholded metropolitan areas should be adequately represented in Congress, including communities in Hamilton County, Cuyahoga County, Lucas County, Franklin County, Green and Montgomery Counties. The places where Ohioans live. A lot of Ohioans live in cities, a lot of Ohioans live in rural areas, but what happens is people who live in certain geographies are overrepresented because people who live in cities are pulled out of their communities and drown out into those rural district in order to make up that population variance, as opposed to keeping them together and anchoring districts with that equal population requirement in the city. And that leads to inadequate federal representation for Ohioans.

Mr. Chair (00:53:09):

Follow up. Representative Ginter.

Representative Ginter (00:53:19):

Thank you, Chair. Thank you for your testimony. I'd like to go back if I could, to proportionality. You mentioned that in the last 10 years, you've taken into account the state law into account the statewide races. Can you tell me what numbers you arrived at when you combined those statewide races over the last decade?

Carrie Coisman (00:53:38):

Yeah. So that's how we get to that 45-55 numbers. So over the last decade, Ohioans have voted through those races, 45% democratic and 55% Republican.

Representative Ginter (00:53:49):

Do you have a sample map? You have, over the course of the hearing here talked about eight, seven, do you have a sample map as to what that would look like?

Carrie Coisman (00:54:01):

Through the chair of the representative, the Senate Democratic Caucus Map.

Representative Ginter (00:54:04):

Democratic caucus map. Okay.

Carrie Coisman (00:54:06):

Through the Senate.

Representative Ginter (00:54:06):

So that then would have into consideration all of the other qualifications and the other standards that are required by the constitution, [crosstalk 00:54:18] as far as separation of subdivisions, proportionality, contiguity, compactness, all those different standards?

Carrie Coisman (00:54:31):

Through the Chair to the representative, yes. I would also just like to say that I'm not testifying on the Senate democratic map right now, I'm testifying on HB 479.

Representative Ginter (00:54:42):

Follow up.

Mr. Chair (00:54:43):

Follow up, please.

Representative Ginter (00:54:44):

I'm very well aware of that, but it would be helpful for this committee to see what you're talking about when you're arguing so strenuously on behalf of eight seven, and that would help us then to get a picture of it. Thank you, chair.

Mr. Chair (00:55:00):

Representative Carfagna.

Representative Carfagna (00:55:03):

Thank Mr. Chair. Thank you for your patience. I've been up at podium for a long time, so I admire the endurance and the good answers.

Representative Carfagna (00:55:13):

You had mentioned in your testimony. You know, there, there's no reason why Polaris Mall and suburban Westerville should be in the same district as Urbana. So I represent the Polaris Mall in Northern Westerville, I guess it's Columbus, excuse me, Northern Columbus. I've got multiple maps in front of me, I know you don't. When I look at Champaign County, so that's where Congressman Jordan lives, Jim Jordan, who would under this house map be the proposed congressperson for Delaware County and portions of Franklin County. When I'm looking at the map, there's one county separating Delaware County in Champaign County. When I juxtapose that against the Senate Democrats map, and I know you just said you're not here to testify on that, they're actually tethering Perry County and Hawking County in with Champaign County. So I understand you said it's not appropriate to roll Polaris Mall and Southern Delaware County in with Champaign County, but there's a one county separation there, it's two counties over.

Representative Carfagna (00:56:16):

The Senate Democrat map, on the other hand, has four counties over into Southeast Ohio tethering Champaign County in with Perry County. So I guess my first question is, does it make sense to tether a rural Western Ohio county like Champaign County and with a rural Appalachian county, like Perry County? That's first question.

Carrie Coisman (00:56:40):

To the Chair to the representative, what I will say about Polaris, Westerville, being paired with Urbana. I lived in Westerville for four years, I love Westerville, proud alum of Otterbein University.

Representative Carfagna (00:56:51):

Great college.

Carrie Coisman (00:56:54):

It does not have anything in common with Urbana. Urban doesn't even have a college anymore, sadly. When it comes to rural Appalachia and rural Western Ohio. I think what is important is to keep districts as compact as possible. With this, again, I'm not testifying about the Senate democratic map. I would argue though that the people of Northern Franklin County and Westerville have more in common with Delaware County than they do with Urbana. In terms of electoral data, culture, all the things that go into like-minded communities, I don't feel comfortable speaking directly to Southeastern Ohio up into Urbana County, outside of the fact that they live in rural. I understand that there is a significant cultural difference between those two places. And I would, in terms of compactness, like Representative Jones mentioned earlier, it is just difficult to get 710, 000-ish people into a district when you're talking about rural areas. So I am more comfortable making a strong argument about where you live being paired with Delaware County than I am making an argument about a map that I'm not testifying on that pairs Southeastern Ohio with Champaign County.

Representative Carfagna (00:58:22):

Follow Mr. Chair.

Mr. Chair (00:58:24):

Follow up.

Representative Carfagna (00:58:25):

Yeah. My commentary on that would be, I don't think that all rural counties are the same. I think the rural needs in Western Ohio are drastically different from the rural counties in Appalachia. And I think anyone that would conflate any rural county's rural is rural is rural is sadly mistaken. So I appreciate that.

Carrie Coisman (00:58:44):

Can I make a follow up?

Representative Carfagna (00:58:46):

Yeah. Go ahead. I'm sorry.

Carrie Coisman (00:58:47):

I would make the same argument that Westerville and Urbana are vastly different and pairing a quickly growing, Westerville's growing incredibly fast, and Urbana as like-minded communities is just as equally, if not more egregious as saying rural is rural is rural.

Representative Carfagna (00:59:09):

Mr. Chairman, follow up?

Mr. Chair (00:59:10):

Please.

Representative Carfagna (00:59:10):

Yeah. No. Thank you for agreeing with my critique of the Senate Democrats map. I guess, based off your answer. If the argument that has been out there, and I'm picking on Congressman Jordan, I mean, just because they're proposing to roll him into where I live instead of Troy Balderson. If the argument has been that Congressman Jordan has been able to retain office so long because he has a gerrymandered district, he has a deeply red district. And if we are now introducing as part of this map purple and blue areas into areas that were previously deep red. Is that not the point of trying to make these districts more competitive? Does not Jim Jordan's political power, so to speak, be now weakened by introducing areas that have more progressive precincts, more purple areas, more blue areas into what was previously a deeply red district? Isn't that not the point of trying to make areas more competitive? I mean, I've heard lots of chatter, there are people in New Albany and Westerville and Northern Franklin County and Southern Delaware County like, oh my gosh, don't tie us in with Jim Jordan. But is that not the only way to make things more competitive is to find democratic voters in some of these areas and try to roll them into these deep red districts?

Carrie Coisman (01:00:38):

Through the Chair to the representative, I find your logic flawed in the sense that you can make districts competitive without pairing Northern Columbus with Champaign County, so that Jim Jordan who represents a rural part of... I will Jim Jordan's district, most of it, is red and should be represented by Jim Jordan. Whereby I take issue is that his district goes up into Lorraine County, diluting the power of people in Lorraine County. And when you pull his district over into Westerville, sure he has more progressive voters but that deviance that I was talking about is not a swing fair, competitive deviance.

All it does is take that community, your community, which is trending, if we're going to talk about political trends, more progressive and drown out into a district that is paired with Lima. Westerville and Lima are not like communities and should not be represented by the same person in Congress.

Representative Carfagna (01:01:47):

So final follow up, Mr. Chairman.

Mr. Chair (01:01:48):

Please.

Representative Carfagna (01:01:50):

Just so I understand, so even though there is a one county separation between Champaign County and Delaware County, what I'm hearing is that in this situation, it is better to leave Jim Jordan's district as a deeply red district, then to try to introduce more competitive areas into that to make it a more fairer district?

Carrie Coisman (01:02:13):

Through the Chair to the representative, what I am saying is that Jim Jordan, where he lives, where he represents, what his district should look like will be, because of, as I've said, the political realities of Ohio, where we do have a majority Republican state. Not all districts because of the way that Ohio is laid out with where our people live are going to meet that competitive requirement. What I am asking for is a fair shot for our metropolitan areas to not be drowned out into districts that dilute their political power. There are going to be rural district that vote strongly Republican, because that is just how the cookie crumbles. But we should not be splitting up Columbus and its suburbs, Cleveland and its suburbs, Cincinnati and its suburbs, and cracking them apart and pulling them in rural areas in saying that you are making things more competitive. You're not making things more competitive for Jim Jordan by giving him 50,000 progressives that live near the Polaris Mall. What you're doing is you're diluting the political power of those people that live near the Polaris Mall by pairing them with Jim Jordan and having this body pick his voters for him, rather than the voters being able to pick who they send to Congress.

Representative Carfagna (01:03:34):

Okay. Thank you.

Mr. Chair (01:03:35):

Representative House.

Representative House (01:03:38):

Thank you. Through the chair to Miss Coisman. I want to thank you for taking time to testify today. As an everyday Ohioan, you have talked more informative than the actual sponsor of the bill. And I want Ohioans to pay attention, from a long term statesman who indicated he has done this for a long time. So you should be applauded for that.

Representative House (01:04:09):

As we talk about keeping communities together, larger counties together, large cities together, the one thing people have, in looking at this map, the new proposed congressional district 14, which is for the

people that live in Parma, I'm going to say, I'm sorry. Because Parma has been taken through the ringer. Currently they are represented by Congresswoman Kaptur, great Congresswoman, whatever, but is Cuyahoga County connected to Lucas County, that don't make sense. But now, we have a map that proposes to move Parma from Cuyahoga, Geauga County, Lake county, and [inaudible 01:04:59] and do you believe this proposed congressional district 14 is in the spirit of the constitution in keeping communities together?

Carrie Coisman (01:05:08):

Through the chair to the representative, no.

Representative House (01:05:11):

Thank you.

Mr. Chair (01:05:14):

Representative Swearingen.

Representative Swearingen (01:05:16):

Thank you Mr. Chairman. I just have one question pertaining to the constitutional language around congressional redistricting. For redistricting the congressional lines were directed as a legislature to look at article 19 of the constitution. And I think it's-

PART 2 OF 9 ENDS [01:06:04]

Speaker 1 (01:06:00):

Look at Article 19 of the constitution. And I think it's fair to talk about some of the statewide results, et cetera, like we've done today. However, is there anything in Article 19 in the language of the constitution that requires the general assembly to look at statewide results?

Rep. D.J. Swearingen (01:06:19):

Through the Chair, to the Representative, I don't have the constitution in front of me, so I don't want to answer that question right now, but I will get back to you with the answer. Yes.

Wilkin (01:06:31):

Representative Hicks-Hudson.

Hicks-Hudson (01:06:34):

Thank you, Mr. Chair. Promise, last question, unless something else comes up.

Hicks-Hudson (01:06:38):

Thank you so much for being here and for withstanding... Because you've been up for over an hour and we appreciate your comments. I want to kind of piggyback off of what my colleague on the other side of the aisle talked about in terms of, for example, Jim Jordan's District and the ability of those voters being able to have a representative that reflects their political leanings. My question to you is; in looking at Toledo Lucas County, if you know, and looking at the fact that it is predominantly a democratic leaning

town, but not necessarily so, and looking at the voting results at the statewide races, what can this map do to those voices and those voters in Lucas County, if this map goes forward? Will their voices be diluted? Will their issues be heard and represented in the halls of Congress or what do you see will be happening based upon this map for the citizens in Toledo Lucas County, Ohio?

Rep. D.J. Swearingen (01:07:54):

Sure. To the Chair, to the Representative, I have had lots of conversations with a woman who lives on the far Eastern side of Lucas County. And she is gravely concerned about being pulled out of a District that is represented by Congresswoman Kaptur because when the ACA, the affordable care act was up to be repealed, her husband died of cancer. And she was also diagnosed with cancer within a couple of weeks of his passing. He was the holder of their insurance, and she was gravely concerned about being ineligible for state sponsored insurance because of having a preexisting condition. And she was in almost a panic because she was like, Representative Lada does not support and did not support the affordable care act. I live in Toledo, near Toledo. I have lived here my entire life and having my political voice diluted by who represents me in Congress could have life or death consequences for me and for members of my community. And we're going to hear more and more stories like this if an unfair map passes for Ohioans. Not only is it egregious in terms of what we say is democracy as a concept, this is taking democracy and splitting it into half and throwing it in the garbage. It also has impacts for people who live and work in this state and deserve adequate political representation.

Hicks-Hudson (01:09:44):

Thank you. Mr. Chair, just as a follow up real quickly. So if I understand, you are relaying the story of this lady, is she in District 5 or in District 9?

Rep. D.J. Swearingen (01:09:59):

She's in Marcy Kaptur's District.

Hicks-Hudson (01:10:01):

Okay. And so, and because she's in District 9, she believes that she has been heard by her representative?

Rep. D.J. Swearingen (01:10:10):

Yes, and she was so concerned that she would be pulled into a District represented by somebody who does not care about the interest of Toledo based on the proposed map here today.

Hicks-Hudson (01:10:21):

Thank you very much. Thank you, Mr. Chair.

Wilkin (01:10:26):

Thank you. This time there are no more questions. Thank you for your testimony.

Rep. D.J. Swearingen (01:10:27):

Thank you...

Wilkin (01:10:41):

I just want to say again for both sides, if we can keep the questions very concise and to the point and as well, if we can keep the answers that way, that would be very much appreciated by all the committee, I believe.

Wilkin (01:10:54):

So the chair at this time next would call up Andrea [Yugodo 01:11:00]. I've probably messed that one up too.

Mindy Hedges (01:11:07):

Thank you. My name is actually Mindy Hedges. Andrea Yugodo is in the other hearing right now and she's requested that I speak for her if that's okay.

Wilkin (01:11:17):

That will be fine. Just please make sure you fill out a witness form for us.

Mindy Hedges (01:11:20):

Thank you. Chair Wilkin, vice chair, Crutono, ranking member Brown, members of the House Government Oversight Committee, thank you for affording me the opportunity to testify today on House Bill 479. My name, although not Andrea Yugodo, is Andrea Yugodo and I have been a resident of Ohio for 47 years. I am testifying today as a private citizen. I was advised that this testimony was to be submitted by 10:00 AM on November 3rd, 2021, however, as of that time, there is no substance to House Bill 479. So my testimony will be general in nature until such time is the substance of said bill is released to the public. I want to say that I object to the process being employed here, as I believe it is unconstitutional. Article 19.01, section F3G of the Ohio constitution provides in pertinent part, before the general assembly passed a congressional District plan under any division of this section, a joint committee of the general assembly shall hold at least two public committee hearings concerning a proposed plan.

Mindy Hedges (01:12:33):

It is now November 3rd. And to date, there has not been a map submitted by the Republicans in the state house, although we just had that submitted less than 24 hours, nor has there been any public hearing scheduled by a joint committee on a proposed plan as required by the constitution. Clearly this section of the constitution anticipated that before the hearings, maps and plans would have been circulated amongst the general assembly and that there would be a consensus on whether the general assembly will be able to proceed with a bipartisan plan and map under Articles 19.01B2 approved by three fifths of the general assembly, including one third from each party or a plan under article 19.01B3, passed by a simple majority. I emailed this, November 2nd in the evening. There is proof of the confusion asking whether this is unduly favors or disfavors and whether that kicks in and the representative [inaudible 01:13:46] referred to two hours by the joint committee. So if no joint committee has, what's required, we're just really confused.

Mindy Hedges (01:14:05):

Sorry.

Mindy Hedges (01:14:07):

The constitution did not anticipate there would be maps by the different parties and separate hearings rather than hearings conducted by a joint committee on a proposed map. There have been four hearings scheduled for three bills; House Bill 237 submitted by the Democrats in the general assembly with a congressional plan and map and House Bill 479, Senate Bill 258, which have no proposed plans and maps submitted by the Republicans in the general assembly. The first hearings would be the sponsor introductory hearings, and I assume it will not constitute one of the public hearings prescribed by the Ohio constitution. The second hearings for testimony are in conflict. Senate Bill 237 and Senate Bill 258 are scheduled on November 4th at 9.30 in the morning in the Senate and House Bill 479 scheduled in another hearing room at 10:00 AM in the house. Citizens will, in all likelihood be unable to attend and testify at both hearings. Hence, that's why I'm here.

Mindy Hedges (01:15:16):

This is clearly not what was intended by the Ohio constitution, nor did the constitutional mandate for two hearings anticipate that the citizens of Ohio would have maybe 24 hours to see the proposed plan and map before having to testify. In my opinion, this is another showing of bad faith and an unwillingness by the super majority in the Ohio general assembly to follow the mandates of the Ohio constitution. Under the constitution, all plans and maps must comply with the requirements of Article 19.02, except compactness changes under a simple majority. If a map passes by a simple majority, the requirements of Article 19.02 apply and said plan must not unduly favor or disfavor one party over another nor incumbent, so that's an answer to your question, ...nor incumbents that's C3A and said plan and map may not unduly split counties, municipalities, townships, that C3B and the legislators must attempt to keep Districts compact, that's C3C. Further the general assembly must submit an explanation of how the planned map complies with Articles 19.01 C3A to C. The hearings are meaningless unless Ohio citizens know which requirements are to be applied as to the proposed plan and map. If the plan and map is intended to only pass by a simple majority, citizens have the right to see the explanation of how said plan and map comports to the constitutional requirements. Since, the general assembly ignored the first two deadlines enunciated in the constitution Article 19.01, we are back to the general assembly. There are two avenues at this point, a map that passes with three, five and a third requirements or one that passes with a simple majority. Which map is a general assembly proposing at the hearing schedule for November 3rd and 4th? As of November 2nd, Ohioans have no idea. How can these hearings be meaningful?

Mindy Hedges (01:17:35):

So article 19.01, section F3H, also provides the general assembly in the Ohio districting commission, shall facilitate and allow for the submission of proposed congressional District plans by members of the public. The general assembly shall provide by law, the manner in which members of the public may do so. Although the reDistricting commission did provide for an avenue for citizens to provide maps, the general assembly has failed to do so. This is mandatory constitutional requirements. The constitution did not merely state that the reDistricting commission shall facilitate a maps submitting process. It specifies the demands that both the commission and the general assembly facilitate the submission of maps. The general assembly has failed to do so. To this point, Senator McCauley, when asked whether the map accompanying House Bill 479 was uploaded to the reDistricting commission. He said, "no, since the commission is no longer involved." Since this general assembly gave no way to submit maps, I would ask that this committee incorporate all maps submitted as part of this hearing today.

Mindy Hedges (01:18:58):

There was an abundance of testimony at the reDistricting hearings of the state maps about the voting records of Ohioans. Over the last decade, Ohioans have voted approximately 46% democratic and 54% Republican. Yet our present congressional maps on unduly favor the Republicans with a 75% Republican versus 25% democratic Districts. This is not a fair map. The present map dilutes the votes of Ohioans, wastes our votes and silences our voices. By way of example, in 2018, DeWine got 50.39% of the vote versus Cordray at 46.38% of the vote. Faber, 49.66% versus Space, 49.28. LaRose, 50.65 versus Clyde, 46.98. I want a plan and a map that reflects the voting patterns of Ohioans, a map that reflects the 54 46 split so that all Ohioans can be represented. Their voices heard for accountability of our congressional representatives in Washington, no more cracking and packing.

Mindy Hedges (01:20:13):

A fair map should include at least six democratic seats, seven Republican seats, and two toss-ups seats. This reflects how Ohio's actually vote. Ohio's constitution requires major cities to be protected against gerrymandering. Cleveland must remain whole within one congressional District. Cleveland should be the anchor for a District that rests fully within Cuyahoga County. Cincinnati must remain whole within one congressional District. Cincinnati should be an anchor for a District that rests fully within Hamilton County. Hamilton County is too big to be contained within just one District, so we should keep similar communities together. The County's west side rural area should be connected to other rural folks in neighboring counties, in answer to the rural area. And by the way, I live in a rural area as well, so I understand.

Mindy Hedges (01:21:07):

Columbus is too big to fit into one congressional seat. It has to be split, but Franklin County should only be split into two Districts. One seat including Columbus, so it contains as much of its urban core and surrounding areas as possible. One central Ohio seat that contains the remainder of Franklin County and goes up into Delaware County. Given the population, this seat would lean democratic. In a fair map, Toledo, Akron, and Dayton, Ohio's fourth, fifth and sixth largest cities, should all be kept whole. They should anchor their own congressional districts. Right now, none of these large cities have their own districts. They're all packed and cracked to weaken the power of voters within those committees. It would be cheaper and much shorter process if the GOPs just purged all Democrats from the voting roles as a GOP maps effectively do just that. Thank you. Any questions?

Wilkin (01:22:17):

Representative Abrams.

Abrams (01:22:19):

Thank you, Chairman.

Abrams (01:22:20):

I know that you're reading this for someone else. So thank you for being here and your testimony, but just to correct something. There is a website that the public can submit their maps, and that was actually an amendment specifically in House Bill 92, that the governor signed and specifically it required the reDistricting commission to create a website where the public can come and they can upload maps. They can also mail the maps here to the commission here at the state house. So again, the public can submit their maps and it's reDistricting.ohio.gov. Just for clarification.

Abrams (01:22:56):
Thank you, chairman.

Mindy Hedges (01:22:57):
Thank you, may I respond?

Wilkin (01:22:59):
Thank you. Are there any other questions?

Wilkin (01:23:01):
I see none.

Mindy Hedges (01:23:02):
I'm sorry. May I respond?

Wilkin (01:23:03):
Sorry.

Chris (01:23:04):
She answering.

Wilkin (01:23:05):
Oh, I'm sorry.

Mindy Hedges (01:23:07):
Thank you. Representatives Abrams, Chair.

Mindy Hedges (01:23:13):
We have seen the maps on several different sites. We have not seen them all consolidated. And in reality, as of three days ago, there was no consistency. And so I understand that they may now all be on there, but they were not as of two or three days ago and for this particular issue. They were for the state. I do understand that, but they were not for the congressional.

Wilkin (01:23:42):
Representative Abrams.

Mindy Hedges (01:23:43):
They may now be on there and I appreciate your information. Thank you.

Abrams (01:23:47):
Okay, thank you, chairman. Again, my point was, it was mentioned that there's no way for the public to submit their maps. Yes, there is. You mentioned that there is no way for the public to submit their maps and I am informing you and the public here in Ohio that yes, you can, through this official website or you

can mail your map here. That's all I was just trying to correct and let the people know that yes, they can send their maps to us through this website. So thank you.

Wilkin (01:24:15):

Any other questions? See none. Thank you for your testimony. And I apologize. I didn't know that you were still answering. I'm sorry.

Mindy Hedges (01:24:21):

That's all right. Thank you.

Wilkin (01:24:21):

The chair would now call up Julia, is it Katano?

Wilkin (01:24:41):

Hopefully I didn't mess it up that bad that she doesn't recognize what I'm trying to say. All right. We will move on. We'll check again, but the chair would now call up Tony Dambrosio. We'll give just a second in case either one of those are in the overflow room.

Wilkin (01:25:06):

If not, the next one that would be ready is Chris Travenor. Chris, how did I do with your name? Close?

Chris (01:25:17):

Close. Tavener

Wilkin (01:25:20):

Tavener?

Chris (01:25:22):

Yes.

Wilkin (01:25:23):

Oh, there is no R, I'm sorry.

Chris (01:25:24):

It's a common mistake. No worries.

Chris (01:25:28):

Thank you, chair Wilkin, Vice chair, Katrada, Ranking Member Brown and members of the house government oversight committee. My name is Chris Tavener, staff attorney for the Ohio Environmental Council Action Fund. I appreciate the opportunity to provide opponent testimony on Ohio House Bill 479. Without significant changes, we strongly urge you all to vote "no," on House ill 479. The OEC action fund believes a healthy democracy is foundational to securing protections for the environment. We engage in advocating for policies surrounding reDistricting specifically because partisan gerrymandering can skew representation in government to the degree that Ohioans views on environmental issues are

no longer reflected in decision making bodies, such as Congress or the state legislature. Overwhelmingly Ohioans want clean water, healthy air, vibrant public green spaces and progress on clean energy. A gerrymandered District map is one example of an unhealthy democracy that leads to environmental harm and impacts to public health regardless what party did the gerrymandering.

Chris (01:26:29):

From the outset of our testimony, we want to emphasize one particular point. A fair map should be the aim for all members of the Ohio general assembly. Unlike other legislation, where compromise means a bit of give and take until a resolution is reached, this legislation calls for a higher bar. When one party negotiates only to be to benefit the interest of its party, the other party has no obligation to budge from its position in order to create a compromise. ReDistricting should be a collaborative bipartisan effort to create congressional Districts, truly representative of all Ohioans from the Ohio river to Lake Erie. My written testimony that you may already have before you, originally focused on process, but that was submitted prior to the maps associated with House Bill 479 that were released yesterday. I will quickly summarize my points on process and then offer reactions and recommendations on the draft maps.

Chris (01:27:18):

When it comes to legislative reDistricting in Ohio, process is everything. By an overwhelming majority, Ohio voters approved two constitutional amendments that sent a very clear signal. Ohioans, want a fair process in drawing new maps. They want fair maps and they want fair representation in the Ohio general assembly in US Congress. All along the way, the OEC action fund has been advocating for five key elements in this process to ensure a fair process and a fair outcome. Our full thoughts on process are in the original testimony, but I will summarize them here.

Chris (01:27:48):

Hold hearings and community list sessions immediately throughout Ohio and before and after an official map is proposed. Can't hold those now. We now have an official map, but hopefully there will be additional hearings. I hear that there will be.

Chris (01:28:01):

Uplift the narratives of communities, especially communities of color and communities significantly impacted by environmental injustices.

Chris (01:28:07):

Create a map reflective of the partisan makeup of Ohio, approximately eight Republican congressional Districts and seven democratic congressional Districts. The map proposed definitely unduly favors one party over another right now.

Chris (01:28:19):

Pursue a bipartisan map, only if the map actually reflects the rules outlined in the constitution and the spirit of Ohio's reDistricting reforms and consider utilizing citizen submitted maps as a starting point, rather than a map drawn by partisan interests. There's still time to reverse course on that. For instance, the Ohio citizens reDistricting commission map presents a great map for consideration that was designed to keep communities together.

Chris (01:28:40):

So as the discussion on this bill and the draft maps ensue, I urge you to keep these key principles in mind. But now we have a map to discuss and I've quickly put together some immediate thoughts. We've only had about 24 hours, so bear with me. Simply put the map is a textbook case of gerrymandering, and it does not follow the direction given by the Ohio constitution. Article 19, I think you all have heard a number of times, so I'm not going to read through it all again, but I turn to the requirements of Article 19, Section 1C3, because the presumption is, a map that receives bipartisan support will achieve those objectives. That's why they're there, if a map does not receive bipartisan support.

Chris (01:29:18):

So for this plan in each of its Districts, the general assembly should have an explanation explaining how it leans into these values, especially if we are to achieve a bipartisan map. The most infamously gerrymandered Districts in Ohio's history, like the snake on the lake, are now in good company with the map proposed in House Bill 479. The snake on the lake pulls the Eastern sections of Toledo and combines them with sections of Cleveland all along the Lake Erie shoreline dissecting a number of counties and communities along the way. It was specifically designed to combine two democratic Districts into one Democrat District.

Chris (01:29:51):

In this conversation though, about House Bill 479, I'm not even going to talk about what Districts might lean toward which political party. I think the District speak for themselves, when you look at them. Drawn to divide particular communities and push them into Districts with wildly different geographic experiences, perspectives, in order to achieve a particular objective. So the map raises many questions to me, and I would just like to share some of these.

Chris (01:30:17):

Let's start with District one. It contains Cincinnati. Why does it sneak through the Northeast corner of Hamilton County to include Warren County? What rationale is there for this District that makes a Hamilton County snake? District two dives into Hamilton County. District eight, similarly dives into Hamilton County. Why isn't the Eastern half of Hamilton County, now in District 2, included in District 1 and then Warren County included in District 2, just for possible ways to change things.

Chris (01:30:42):

District 10 is drawn to separate Springfield and Dayton. Over the past year, I've conducted a lot of trainings and listening sessions with people from across Ohio and everyone from that region has echoed the idea that Dayton and Springfield should be in the same District. So what rationale is there for separating these two connected communities? District 6 stretches from Ironton at the Southern end of the state, all the way to Youngstown. I'm not so certain that the people of Youngstown and Ironton want to be represented by the same representative in Washington, DC. It might be important to go ask the community members of those two places. So why were Youngstown and Ironton included in the same District?

Chris (01:31:15):

In District 15, why are Columbus' Western suburbs, Hilliard and Dublin and Southern Columbus represented by the same person as Newark and Lancaster? District 3 is potentially reasonable as a

District, if it wasn't so clearly drawn so District 15 and District 4, can each pull sections out of Franklin County? Why is Franklin County drawn to include three Districts when it could easily include just two? Why does District 4 stretch from Westerville to Springfield, to Lima, to Mount Gilead? District 5 and District 9 together divide Toledo, when Lucas County could easily be entirely within its own District. District 9 could include all of Lucas County while some portions of District 9 join the rest of District 5. So why divide that area? District seven, 11 and 14, all divide Cuyahoga County in haphazard ways, with District 14, also dissecting Summit County. Like District 3 and Columbus, District 11 could possibly make sense for Cuyahoga County, if it wasn't clearly drawn to allow District 7 and 14 to both scoop sections of the County, like Franklin County in Hamilton County, why is Cuyahoga County being divided into three Districts.

Chris (01:32:16):

In District 12, the people of Logan and Hawking County are now represented by the same person who represents portion of Akron. And finally District 13 goes from just south of Ashtabula down to Warren and over to Eastern Akron in Cuyahoga Falls, joining District 14 and 12 and dividing Summit County. Why is summit County being divided into three Districts?

Chris (01:32:34):

Many of these new Districts are just simply new versions of the snake on the lake. They are deliberately drawn not to keep communities together. Ohio can do better, Ohioans are watching this process and for good reason, expecting the fair process and outcome that they voted for in 2018. The easiest path to ensuring a fair process, fair maps and fair representation is to listen to Ohio communities, especially communities of color, to identify logical divides that would ensure communities stay together. Similarly, we encourage a close consideration of environmental justice concerns. Many Ohio communities face significant risks from present and legacy environmental harms. Maps dividing these communities apart significantly exacerbates the difficulty of these communities to advocate to an elected representative for a solution to harms they face. Without substantial changes, the Ohio Environmental Council Action Fund strongly urges a no vote on HB479.

Chris (01:33:21):

Thank you for allowing me to submit this testimony today. I'd be happy to answer any questions at this time.

Wilkin (01:33:26):

Thank you very much for your testimony. Are there any questions? Representative Hicks-Hudson.

Hicks-Hudson (01:33:32):

Thank you, Mr. Chair. Thank you so much for sitting through the first part of this hearing. And then for your testimony.

Hicks-Hudson (01:33:39):

Yesterday, I asked a question about what one of my constituents called; "the new snake in the state," and you were talking about from Ironton to Youngstown or vice versa. Do you have any idea how far in mileage or how do get there from here? So to speak.

Chris (01:34:04):

Chair, Wilkin, Representative Hicks-Hudson, that's a very good question. So Ironton all the way up to Youngstown, a good portion of that District does have one interesting shared feature, which is the Ohio river. The curve from Pittsburgh stops well south of Youngstown. But I think, looking at it, just eyeballing it, I have a version here, that has to be at least 200 miles, probably closer to 300 miles just by eyeballing it considering that it's three fourths of the height of the state, so.

Hicks-Hudson (01:34:45):

Follow up if I may, Mr. Chair.

Wilkin (01:34:46):

Please.

Hicks-Hudson (01:34:47):

Thank you. So you made reference to the constitution and other things, and yesterday in some of the testimony and conversation about that particular district, they talked about; it is better compact than it than the previous district. My question is; compactness is not just being connected necessarily, but the ability to be closer together. Do you believe that that this particular district meets that criteria of compactness?

Chris (01:35:29):

Chair, Wilkin, Representative Hicks-Hudson, I would say it's not particularly compact. I'm looking at this map and I see Districts 2, 12 and 6, they all contain significant portions of Appalachia. And now I have issues with some of the ways that District 2 goes into Cincinnati and District 12 goes into Akron, but generally speaking, those three districts together are Appalachia. And you could have three different shapes that are much more compact, composed of those three districts without the parts that are clearly scooping into other communities and have districts that are much more compact and representative where you've got a center point where one representative is able to go to different parts of those districts, much more reasonably than Ironton to Youngstown. I think the best way to get there would be to take 23 up to Columbus and then probably 71 up to Akron and across.

Hicks-Hudson (01:36:29):

Just one follow up, if I may.

Wilkin (01:36:31):

Provided there's no more driving directions.

Hicks-Hudson (01:36:32):

No more driving directions, I promise.

Hicks-Hudson (01:36:35):

Thank you, Mr. Chair.

Hicks-Hudson (01:36:37):

Thank you for that because you gave me cities or points to look at, so I was happy for that. My question goes back to your area of expertise, which is environmental, and I'm going to say environmental justice. Do you see that this map in all of its permutations today, meeting that requirement for the citizens of environmental justice, because of the differences between urban brownfields and things like that and contamination in rural areas that are now clumped together?

Chris (01:37:13):

Chair Wilkin, representative Hicks-Hudson, thank you for that question.

Chris (01:37:16):

I think one of the important things to think about, a good example for your question is that many cities have significant air pollution concerns, because when you have cities that are lots of people together, lots of cars, industry, factories, there's going to be a lot more air pollution because of the density. And so that is a very particular environmental risk that those communities experience that are not necessarily experienced by people like my parents who live up in Marow County, north of Mount Gilead, where it's fairly clean air, they live near a lake. They don't have those sorts of air pollution concerns. And so when you think about those sorts of risks that come with increased air pollution, cancer risks, all those sorts of things, those are discreet different experiences. And ensuring that those people that live near those air pollution concerns, those environmental justice communities, especially communities of color that are significantly more impacted by those risks should have a representative that is more focused on those issues for them than someone who has a tiny portion of their district being their community and then it's spread out across larger area.

Chris (01:38:24):

And that goes for the issue as well, that rural areas should have a representative who is solely focused on their issues as well. There are different environmental legacy justice issues for rural communities, as well as you may...

PART 3 OF 9 ENDS [01:39:04]

Chris Tavenor (01:39:00):

... as well. There are different environmental legacy justice issues for rural communities, as well, as you mentioned.

Speaker 2 (01:39:06):

Thank you. [inaudible 01:39:07].

Chair Wilkin (01:39:06):

Thank you. Representative Brown.

Rep. Richard D. Brown (01:39:10):

Thank you, Mr. Chairman. Thank for your testimony. I'm going to direct your attention to the proposed district number six, which I think, yesterday I referred to as the purple anaconda. I said purple, not because of the makeup of the constituents of the proposed district implying a closeness of democratic and Republicans, but because it was depicted on the map we were given at a purple hue. These are

generally pretty deeply red counties that we're talking about. Maybe a better description would be the Sliver On the River, I'm not sure, but the point is these are all rural counties, except the county where Youngstown is, Mahoning. The rest of them have small county seats, they're river communities, they're river towns. They have the Ohio River and connection. They're rural. They have that in common. They have the river in common, of course.

Rep. Richard D. Brown (01:40:10):

They have a lot of small town notions. High school football is important in those areas. Very important in Ironton, where I grew up. So there is some connection in that sense, but in addition to the connectivity of communities, which is one of the requirements, there's also a requirement of compactness. If you look at article 19 of the Ohio Constitution Section 02, Paragraph (B)(2), it says, "Every congressional district shall be compact." And speaking as one who rode a bus from Ironton to Steubenville once, where the Fighting Tigers played the Steubenville Big Red, it was like going to a foreign country. It took seemingly weeks and that's a long drive. And if you get on State Road 52 and or 7 behind a cement truck, you may still be driving. I don't know. So would you say that that is a district which is compact?

Chris Tavenor (01:41:08):

I would say District Six is not compact.

Chair Wilkin (01:41:13):

Any follow up? Representative Swearingen?

Rep. D.J. Swearingen (01:41:21):

Thank you, Mr. Chairman and thank you, Mr. Tavenor for your testimony here today. Just a couple questions. What is the... Is it safe to say the mission of the OEC is to promote clean water, healthy air, green spaces, clean energy in Ohio? Is that safe to say?

Chris Tavenor (01:41:39):

Yes, the Ohio Environmental Council Action Fund, that would be our mission. Yes.

Rep. D.J. Swearingen (01:41:42):

Okay. Quick follow up, and this is in line with what Representative Hicks-Hudson said, which was a good question, do you think that this current map would meet that mission?

Chris Tavenor (01:41:55):

Apologies, this is my first time testimony. So Chair Wilkin-

Rep. D.J. Swearingen (01:41:58):

You're fine.

Chris Tavenor (01:41:58):

... Representative Swearingen, I would say that this map cracks apart and packs communities in a way that would make it more difficult for those communities to adequately pursue those objectives.

Rep. D.J. Swearingen (01:42:15):

Follow up, Mr. Chairman, why?

Chris Tavenor (01:42:20):

Chair Wilkin, Representative Swearingen, so I think it... We can focus on a bit of a history actually in thinking about what has happened over the past 10 years. There are definitely a member... OEC Action Fund is a bipartisan organization. We work with both Republican and Democrats on a variety of different issues. However, we can look at the past 10 years to see the effect of gerrymandered maps on in both the state house here, but in this context, we were talking about the congressional maps. So at the Representatives from Ohio who go to represent us in Washington and we can look at their positions and how they vote on issues and compare those to the aggregate of how people in Ohio care about those issues.

Chris Tavenor (01:43:04):

So when you poll them, when you ask them, go talk to them and say, "Hey, what are your perspectives on renewable and clean energy, for instance?" And 70% of Ohioans, roughly, I think that's about the number in the most recent data, it says 70% of Ohioans support increase in access to renewable energy, but we don't necessarily see that sort of desire from a wide number of Ohioans reflected in the votes and actions of our Representatives, whether here in Ohio or in Washington.

Rep. D.J. Swearingen (01:43:35):

Follow up. Follow up, Mr. Chairman. So your testimony is that this map does not meet Ohioan's objectives when it comes to environmental issues?

Chris Tavenor (01:43:44):

Yes.

Rep. D.J. Swearingen (01:43:45):

Follow up, Mr. Chairman.

Chair Wilkin (01:43:47):

Please.

Rep. D.J. Swearingen (01:43:48):

And that's because there's more Republicans and Democrats on the map?

Chris Tavenor (01:43:52):

Chair Wilkin, Representative Swearingen, not necessarily, no. I think it's the reality that these districts are being cracked in a way that the communities that are most impacted by these environmental issues will not have adequate representation. Now, there may be... There are Republicans who advocate for environmental issues. There are Democrats who advocate for environmental issues. There are also both sides who do not. In many cases, historically it has been that there are maybe more Democrats that advocate for environmental issues, but we don't care about the partisan makeup as much as we do

about ensuring that Ohioans are being represented. Now, we do have a constitutional requirement for not unduly favoring one party over the other.

Chris Tavenor (01:44:33):

And when you have one party that has such an overwhelming sway, then that skews the ability of all Ohioans, whether they are Republicans or Democrats to be properly represented. So that is the philosophy going on that if you have a map that is fairly designed so that it is actually representing people and the communities that they live in, then no matter the issue, they will have an adequate pathway toward representation. When you have maps that are pulling people out of their communities and dividing them in such ways that they can essentially be ignored by their Representative, then that is the sort of thing that is not good for our democracy here in Ohio.

Rep. D.J. Swearingen (01:45:10):

Final follow up, Mr. Chairman.

Chair Wilkin (01:45:11):

Final one.

Rep. D.J. Swearingen (01:45:13):

So isn't it possible though? My district, for instance, I have rural agricultural. I have the lake, I have industry and we have industry that's left and as a result, we have many brown fields that we need to clean up. Isn't it possible for a Representative to care about all of those issues regardless of party and represent his or her constituents adequately?

Chris Tavenor (01:45:35):

Chair Wilkin, Representative Swearingen, sure.

Chair Wilkin (01:45:43):

Representative Jones.

Rep. Don Jones (01:45:47):

Thank you, Mr. Chairman, and thank you for your testimony. I find it a little bit surprising that you're this concerned, and I will share some of my enthusiasm with my colleague over here talking about the 6th congressional district, as everyone seems to be so worried about it, but that trip from Ironton to Steubenville is the same if you make it from Steubenville to Ironton, Representatives. But with that being said, [crosstalk 01:46:16].

Chair Wilkin (01:46:16):

Representative Jones, let's keep this between you and the witness.

Rep. Don Jones (01:46:18):

What's that?

Chair Wilkin (01:46:19):

Keep this between you and the witness.

Rep. Don Jones (01:46:20):

You're right. I'm sorry. I'm sorry, Mr. Chairman, but just a point, but anyhow, the standards of general assembly must follow if a map is not... The plan is not passed by bipartisan support, it just says, "The general assembly must attempt, but is not required to draw districts that are compact." And I'm going to focus on the 6th District, which I'm a part of and I represent part of. Currently, the 6th District is made up of 18 counties, 13, which are full counties and five, which are partial county counties. The proposed map cuts it from 18 to 11, which 10 are full and one is a half. Would that not be considered a more compact district in your opinion?

Chris Tavenor (01:47:07):

Chair Wilkin, Representative Jones, while something may be more compact in the number of counties, the shape also matters. But also just because something is more compact doesn't necessarily it meets the criteria of compactness. So you could have something that is... One of the crazy snakes that we've seen in some other states and also here in Ohio, such as the snake on the lake, you could have those crazy designs and everything, and then make it a little bit less bad, but that doesn't mean it's not still bad.

Rep. Don Jones (01:47:45):

Follow up. Thank you. Thank you. So I appreciate your thought, but I mean, let's be truthful, the current map has the 6th district going from Mahoning County clear over to Scioto. The new one is from Trumbull, which is just a little further north, I'm going to say probably less than 10 to 15 miles and only goes down to Lawrence County. So it is more compact than what the current... I mean, we go from 18 counties to 11 and the distance from top to bottom gets smaller. How is that not more compact?

Chris Tavenor (01:48:18):

Chair Wilkin, Representative Jones, I think I've already answered that question that even if it is more compact, that doesn't mean that it's sufficiently compact.

Rep. Don Jones (01:48:28):

Thank you.

Chair Wilkin (01:48:31):

Representative Brown.

Rep. Richard D. Brown (01:48:33):

Yeah. The constitution requirement found in Article 19 Section 02 (B)(2) is that every congressional district shall be compact. Now, that requirement is not provisional compactness or comparatory compactness or relative compactness. Isn't it compactness?

Chris Tavenor (01:48:56):

Chair Wilkin, Representative Brown, yeah, I think that's another way of phrasing the discussion that has been occurring here, that I believe the Dave's Redistricting app, as we all heard that name the past few months, has a mathematical formula for determining compactness. Now, I haven't had the chance to

run each of these districts through that sort of formula. I know... So it would be interesting to see how it rates this particular district, but you're absolutely right that it's either compact or not compact.

Rep. Richard D. Brown (01:49:32):

Follow up, Chair.

Chair Wilkin (01:49:34):

Please.

Rep. Richard D. Brown (01:49:34):

Thank you. The fact that there is a change in the existing district, which would correspond with the new proposed District Six and the new District Six, whereby the new District Six is slightly less compact than the ridiculously non-compact existing district doesn't mean that district Six is now compact. Does it?

Chris Tavenor (01:50:03):

Chair Wilkin, Representative Brown, I think... Can I restate your question to you to make sure [crosstalk 01:50:11].

Rep. Richard D. Brown (01:50:11):

I withdraw the question. If I may ask another question, would you consider the state of Alaska compact? Yes or no?

Chris Tavenor (01:50:20):

Chair Wilkin, Representative Brown, other than its little edges, yes. It's got those islands that to go very far out.

Rep. Richard D. Brown (01:50:31):

All right. Well, the notion of compactness is one of size and distance, correct?

Chris Tavenor (01:50:42):

Chair Wilkin, Representative Brown, yes.

Rep. Richard D. Brown (01:50:45):

Yes. But you don't have specific information as we are here today with regard to the specific mileage or distances from one far point of sixth to the new furthest point of sixth. Is that right?

Chris Tavenor (01:51:03):

Chair Wilkin, Representative Brown, no.

Rep. Richard D. Brown (01:51:05):

Okay.

Chair Wilkin (01:51:06):

If I can interject, it's five hours and 20 minutes, according to someone in this room.

Rep. Richard D. Brown (01:51:11):
Driving?

Chair Wilkin (01:51:12):
Apparently.

Rep. Richard D. Brown (01:51:14):
That sounds about right.

Chair Wilkin (01:51:16):
But I did like his answer that Alaska is compact.

Rep. Richard D. Brown (01:51:20):
Okay. Well, I didn't.

Chair Wilkin (01:51:23):
Go ahead, Representative.

Rep. Richard D. Brown (01:51:27):
The point is that the constitution requirement is that a district be compact. Correct?

Chris Tavenor (01:51:35):
Chair Wilkin, Representative Brown, correct.

Rep. Richard D. Brown (01:51:37):
And the standard is not relative compactness or compactness of a district compared to a prior district. Correct?

Chris Tavenor (01:51:46):
Chair Wilkin, Representative Brown, correct.

Rep. Richard D. Brown (01:51:47):
So that's not a relevant consideration. Would it be?

Chris Tavenor (01:51:51):
Chair Wilkin, Representative Brown, yes.

Rep. Richard D. Brown (01:51:52):
No further questions.

Chair Wilkin (01:51:54):

Okay. At this point, the chair is going to interject and just say that we agree that we disagree on the compactness of... My favorite was the Sliver by the River. I don't remember what the other ones were, but so we can leave that at rest for the rest of the witnesses. There's a disagreement on if more compact now is better than it was, or if it's compact. At this time, the chair would recognize Representative Ginter.

Rep. Timothy Ginter (01:52:22):

Thank you, Chair. Well, actually I was going to read the definition of compactness, so from the guidance and the direction from the constitution. So I will not pursue that. I was also going to pursue the Democrat's proposed constitution, or excuse me, congressional map of the Senate, and I was going to look at this District 12 and compare District 12 of the proposed answer to all of our problems that has been submitted by the Democrat map. And I was going to say that there are 16 counties and that between Batavia and Jerusalem, it's Ohio. It's 250 miles. So I would have, had I asked the question, asked how that met the criteria of compactness, but I will not ask that and I will yield, Chairman-

Chair Wilkin (01:53:20):

Thank you.

Rep. Timothy Ginter (01:53:21):

... to the next person.

Chair Wilkin (01:53:22):

Representative Hicks-Hudson.

Rep. Paula Hicks-Hudson (01:53:25):

Thank you, Mr. Chair. And again, this is my last set of questions, or maybe I'll just make it a compound complex question for you for in this. And it goes to more and to more or less, the idea that we're supposed to be looking at and comparing these maps and the map that is presently before us is the House's GOP map not comparing necessarily what the Senate is doing just yet. That I think should be left up to the conference committee when we get through our due diligence here, but in looking at the map that has been presented to us as attached to the House Bill 497, does it keep our largest counties whole?

Chris Tavenor (01:54:16):

Chair Wilkin, Representative Hicks-Hudson, no, it does not.

Rep. Paula Hicks-Hudson (01:54:20):

And does it ensure that communities are similar in the ways that they operate and the issues that they face? Does this map keep those together?

Chris Tavenor (01:54:34):

Chair Wilkin, Representative Hicks-Hudson, no, it does not.

Rep. Paula Hicks-Hudson (01:54:37):

And lastly, does it... I'm sorry, through the chair. I did my preliminary things. Please forgive me.

Chair Wilkin (01:54:45):

I know you wrote it all.

Rep. Paula Hicks-Hudson (01:54:47):

And then lastly, does this map really reflect the voters' preference that got us here in the first place with this process?

Chris Tavenor (01:54:58):

Chair Wilkins, Representative Hicks- Hudson, on that question over the past six or seven months or so, I've actually had the privilege to be a member of the Ohio Citizens Redistricting Commission, where we spent many months listening to Ohioans from across the state, talk about what they wanted to see in their congressional districts. And I would encourage the general assembly to consider holding more hearings out in the state to hear those sorts of things. We had to do them virtually because of the pandemic, but my point being that all of the things that we heard from all of those people over the past six months, and I've tried to channel some of those thoughts into my testimony here today, this map does not reflect what Ohio voters expected in 2018 when they voted for a new redistricting reform measure.

Speaker 2 (01:55:43):

Thank you. Thank you, Mr Chair.

Chair Wilkin (01:55:45):

Thank you. Are there any other questions? Seeing none, thank you for your testimony.

Chris Tavenor (01:55:48):

Thank you.

Chair Wilkin (01:55:49):

Chair would now call up Aaron Ryan. If you're wondering why I'm not waiting for anybody from the overflow room is I peeked in, there's no one in there, in my last check. So is Aaron Ryan available? Committee, just stand at ease for a second. We will now call government oversight after a short break, back to order. I think the last name I said was Aaron Ryan and I know there may be some testimony going on in other places, when we finish, if they're here, we will circle back. Is Aaron here? Aaron Ryan? The only easy name they've given me so far and they're not here. Sha'Tisha Young or Sha'Tisha, probably. I bet messed that one up.

Sha'Tisha F. Young (02:05:36):

It's Sha'Tisha. You were close to that. I'm used to it. You're fine. All right.

Chair Wilkin (02:05:41):

Welcome, and you may begin when you're ready.

Sha'Tisha F. Young (02:05:44):

So in 2015, in 2018, Ohioans across all 88 counties voted for creating a fair and transparent system for redrawing our heavily gerrymandered district lines. We expected honesty and swift action from our lawmakers, but that is not what you all have given us so far. I live in a predominantly white, conservative, rural community, yet the people elected to represent my community also represent parts of Dayton. Dayton, one of the largest cities in Ohio, does not anchor its own district, but is instead packed and cracked into the surrounding predominantly conservative area as a means of weakening Dayton's voting power, as our many Democratic leaning cities like it. The maps and ideas I have seen thrown around by certain members of our legislature, particularly those most recently proposed in House Bill 479 would only worsen the issue and weaken some communities even further.

Sha'Tisha F. Young (02:06:37):

The currently proposed maps in HB 479 are somehow worse than our currently gerrymandered districts, giving 13 seats to Republicans and only two to Democrats. This is unacceptable and flies in the face of what we voted for. The laws we've seen pushed by Republicans so far this year, including my own state Representative, have only served to highlight the critical need for fair maps and fair representation in this state. From blatant attempts to restrict voting rights to our school board's recent decision to repeal an anti-racism measure with no pushback from the majority of our lawmakers, it is clear that the elected officials in this state do not represent the majority of Ohioans. The majority of Ohioans support basic tenements of gun control, abortion rights, and climate action, and we need lawmakers and maps who will truly reflect that. Ohioans deserve this. We did the legwork in 2015 and 2018. Now, it's time for our lawmakers to uphold their end of the bargain. A fair map will include at least six Democratic seats and two toss-up, with a maximum of seven Republican seats.

Sha'Tisha F. Young (02:07:46):

This is my second time testifying on this matter now, because while our lawmakers continue to let us down, this matter remains critically important to Ohioans. We will continue to watch the situation closely, and we expect to see maps that truly reflect the way that Ohioans vote and that keep communities together rather than cracking them apart to fit the needs of one political party or another. Thank you.

Chair Wilkin (02:08:09):

Are there any questions? Thank you. Member Brown?

Rep. Richard D. Brown (02:08:15):

Thank you, Chair. Thank you, chair. Can you tell me what county that you currently reside in?

Sha'Tisha F. Young (02:08:22):

Yes, I live in Green County.

Rep. Richard D. Brown (02:08:24):

Green?

Sha'Tisha F. Young (02:08:24):

Yes.

Rep. Richard D. Brown (02:08:24):

Could you say thank you? Follow up, Chair.

Chair Wilkin (02:08:26):

Please.

Rep. Richard D. Brown (02:08:29):

It's the desire of house Democrats to see a bipartisan tenure map that we would like to see that and one that would keep our largest counties whole, one that would ensure that communities that live and work together stay together, one that is compact and districts that reflect the preferences of Ohio voters. Do you believe that the map that we're talking about today doesn't does any of those things?

Sha'Tisha F. Young (02:08:55):

No. I did the research on the voting demographics of each of the counties that would be in my district in this proposed map and Montgomery would be severely weakened in terms of who they're paired with. The surrounding counties are all heavily Republican, whereas they lean Democrats. So they would again have their vote weakened.

Chair Wilkin (02:09:21):

Follow up? Representative Kelly.

Rep. Brigid Kelly (02:09:25):

Thank you, Mr. Chairman. Thank you for coming in. So I thought I heard you talking about how communities have been split unnecessarily in your response to Representative Brown. So do you have other specific suggestions on the 10th congressional district and how you think it could be more Representative of the folks who live in that part of the state?

Sha'Tisha F. Young (02:09:51):

Yeah. I mean, I think the short answer would be being mindful of the types of community that are going to be included. So for example, Green, Clark, and Fayette County are all more rural, whereas Montgomery is obviously more urban, leans more towards Black and Brown populations. So anything that would pay mine to that would be better.

Chair Wilkin (02:10:19):

Follow up.

Rep. Brigid Kelly (02:10:20):

Thank you, Mr. Chairman. Thank you for that. So in splitting apart some of these communities, how do you feel like that... This isn't a congressional map that's going to last one election cycle. This is map that could last four years. It could last 10 years. What kind of impact do you think that that will have on the people who live in your community if they have been unduly cracked apart and placed with communities that are perhaps, disparate from them? What do you think the impact will be on your community?

Sha'Tisha F. Young (02:11:01):

Yeah. One issue that always immediately comes to mind because this is what I grew up in and my organizing was around abortion. So for example, there is one planned parenthood clinic in Montgomery County, and the majority of the voters in Montgomery County do support abortion rights and things like that, whereas again, in the surrounding Green and Fayette County, you see those conservative, rural ideas. So for me, personally, I'm very worried that the beliefs of this-

PART 4 OF 9 ENDS [02:12:04]

Speaker 3 (02:12:00):

Personally, I'm very worried that the beliefs of this conservative community will impact the reproductive health of people in Montgomery County.

Chairman Wilkin (02:12:12):

Okay. Representative Gillansky.

Representative Gillansky (02:12:16):

Withdrawn.

Chairman Wilkin (02:12:20):

Representative Hicks-Hudson.

Representative Hicks Hudson (02:12:24):

I have to give you a special wave so you can see me. Thank you. Thank you, Mr. Chair. Thank you for your testimony. So you live in Green County, is that correct?

Speaker 3 (02:12:33):

Yes.

Representative Hicks Hudson (02:12:35):

Looking on your written statement, it says Xenia, Ohio.

Speaker 3 (02:12:39):

Yes.

Representative Hicks Hudson (02:12:39):

Okay. So when we look at the proposed map for District 10... I don't want to put it real flippant, but why do you care about Montgomery county or Dayton, per se, since you're in Xenia, Green County?

Speaker 3 (02:12:56):

So I actually spent a large portion of my childhood in Dayton, Ohio, and moved to Xenia when I was about 12. So I'm very intimately aware of the differences in those communities, their needs, their interests, their resources, things like that.

Speaker 3 (02:13:14):

And I'm very familiar with the people in Xenia, Ohio. And so I think that sometimes people in my community hold ourselves back from progress, and I don't want us to do that to other communities, if that makes sense.

Representative Hicks Hudson (02:13:33):

It does. Thank you. Follow up, Mr Chair, please.

Chairman Wilkin (02:13:35):

Follow up.

Representative Hicks Hudson (02:13:36):

And just one real last question. The way that this district map is created, do you think that the exclusion of City of Springfield in... Is that Clark?

Speaker 3 (02:13:53):

Yes, Clark.

Representative Hicks Hudson (02:13:53):

I forget, because I used to live in Xenia as well. But that the exclusion of Springfield from this particular district... Do you think that Springfield is closer to Montgomery County, Dayton, Ohio, and then parts of Green County... Because of Wright-Patt, is what I'm trying to get to.

Representative Hicks Hudson (02:14:15):

So can you give me your reaction to, how is this keeping the way this map is really keeping like communities together?

Speaker 3 (02:14:24):

Yeah. I will say from my personal experience, I see a lot more overlap between the communities in Clark County, say like Springfield, Ohio, with places like Xenia, Fairborn, places in Fayette County, like Washington Courthouse.

Speaker 3 (02:14:41):

I see a lot more similarity there, in terms of, again, their needs, their interests, the resources available. And also just the voting records. When you look at the voting breakdown, just in the presidential election only, Fayette, Clark and Green County are all in a much closer range than Montgomery County.

Speaker 3 (02:15:08):

And again, in terms of demographics and populations, there's a lot of similarities there as well.

Representative Hicks Hudson (02:15:13):

And one last question, if I may?

Chairman Wilkin (02:15:15):

Please.

Representative Hicks Hudson (02:15:16):

And I do mean this is the last question. Not like I'm a preacher or anything, but my question is, in looking at the... You mentioned demographics... There is, I would say, in terms of racial demographics... Could you respond or react to the way that this map is looking, versus Montgomery County, Xenia, and some of the minority populations in those areas?

Speaker 3 (02:15:43):

I will be honest. I did not get these maps with enough time to really dive into all of those different aspects, and what pieces of data the Republicans use to draw those.

Speaker 3 (02:15:57):

But again, I will say that Montgomery County has a much higher black and brown population than these other three counties that are being lumped in together. And so that, for me, raises a lot of concerns, in terms of who's representing us.

Chairman Wilkin (02:16:13):

Any other questions? See none. Thank you for your testimony.

Speaker 3 (02:16:16):

Thank you.

Chairman Wilkin (02:16:18):

Chair would now call up Desiree Tims. Welcome to committee. Did I get that correct, the first name?

Desiree Tims (02:16:32):

It's Desiree. Close.

Chairman Wilkin (02:16:33):

I even thought say Desiree.

Desiree Tims (02:16:35):

Close. It's French.

Chairman Wilkin (02:16:36):

Two E's threw me off. You may begin when you're ready.

Desiree Tims (02:16:40):

Thank you. Chairman Wilkin, Vice Chair [inaudible 02:16:45] Ranking Member Brown, and members of the house government oversight committee, thank you for allowing me to testify today.

Desiree Tims (02:16:52):

My name is Desiree Tims, and I am a native Daytonian, and currently serving as president and CEO of Innovation Ohio. Innovation Ohio is proud to be a member of the Equal Districts Coalition.

Desiree Tims (02:17:06):

The Equal Districts Coalition is a unified group of over 30 advocacy organizations, labor unions, and community leaders, fighting for fair maps. It is our goal to see an end to a gerrymandered Ohio.

Desiree Tims (02:17:22):

Over the past 10 years, Ohio has voted about 55% for Republicans and 45% for Democrats. Seats in government should reflect this breakdown. A fair map that is representative of the people would consist of about seven Democratic seats and eight Republican seats.

Desiree Tims (02:17:43):

Ohio's current congressional map has been gerrymandered to give unearned power to one party. Gerrymandering is defined by the Brennan Center for Justice as the practice of drawing districts to favor one political party or a racial group. It skews election results, makes races less competitive, hurts communities of color and thwarts the will of the voters.

Desiree Tims (02:18:09):

Gerrymandering leads many Americans to feel their voices do not matter. My question for legislators and map drawers is, why do you feel that certain Ohioans' voices matter more than others?

Desiree Tims (02:18:27):

Under the maps proposed by Republicans yesterday, Republicans would likely end up with about 87% of Ohio's congressional seats, even though Republicans only win 55% of the votes. That is flagrant partisan gerrymandering, and it is despicable.

Desiree Tims (02:18:48):

It is also inadequate to draw a few token districts where and brown voters are packed together, to stifle their power. And it is inadequate to intentionally divide black and brown communities, in order to secure an outcome that is the opposite of representation for this group.

Desiree Tims (02:19:07):

The solution is simple. Draw fair districts that give black and brown Ohioans a real shot at representation all over the state. Under the Republicans' proposed maps, voters in Akron would be cracked apart and combined with voters all the way down with areas like Hawking Hills.

Desiree Tims (02:19:28):

Draw fair districts that represent and that respect voters' wishes by keeping communities with similar needs and interests together. Ohio's major cities should be the anchors of their own congressional districts.

Desiree Tims (02:19:41):

Cleveland should be the anchor for a district that rests fully within Cuyahoga County. Cincinnati should be the anchor for a district that rests fully within Hamilton County. Toledo, Akron and Dayton, Ohio's fourth, fifth, and sixth largest cities should each anchor their own congressional districts as well. There is no excuse for breaking up major population centers, but for cheating.

Desiree Tims (02:20:07):

For 10 years, Ohio's congressional districts, the second worst gerrymandered congressional map in the nation, have suffocated the voices of millions of Ohioans. Our current map is a stain on history and an insult to democracy.

Desiree Tims (02:20:24):

The founders and framers of the constitution would shame you for continued efforts to reverse democracy, as do I. Thank you again for the opportunity to testify today. Any questions?

Chairman Wilkin (02:20:39):

Thank you for your testimony. Are there any questions? Representative Kelly.

Representative Kelly (02:20:43):

Thank you, Mr Chairman. Thank you for coming in. I thought you mentioned it in your testimony, but could you say testimony, but could you say again, what do you think a more fair split would be between the number of districts?

Representative Hicks Hudson (02:20:54):

It should be about 8/7, which is the 55/45 split.

Chairman Wilkin (02:21:00):

Follow up.

Representative Hicks Hudson (02:21:01):

Thank you, Mr Chairman. And I know that you had also mentioned the idea of cities anchoring their own congressional districts. Can you talk about how this idea of cracking apart like communities, specifically, suburbs, exurbs, that I think are much more similar to the cities that anchor them than some of the places where they've been drawn out? I mean, especially in a place like Hamilton County, for example.

Desiree Tims (02:21:35):

Sure. Chairman and Rep. Kelly. So I can talk about Cincinnati because I'm a proud Xavier alum.

Representative Hicks Hudson (02:21:42):

Me too.

Desiree Tims (02:21:45):

And it's so important that we think about people who live in communities, where they go to church, where they go grocery shopping. And so people in Norwood or people downtown Cincinnati may shop

at a Kroger that's in OTR, or one that's in Western Hills, and people who are in Mason may go to the Kroger in Mason or Westchester, and vice versa.

Desiree Tims (02:22:10):

None of those people are driving, or getting a taxi or a friend to take them 45 minutes outside of the city for groceries. And so when I think about keeping communities together, I'm thinking about the activities that people participate in on a day-to-day basis.

Desiree Tims (02:22:29):

Suburban communities like in Dayton, for example, the Fairfield Commons Mall is in Beaver Creek. People in Dayton drive to the mall. People who work at Wright-Patt live in Dayton and vice versa. But no one who lives in Dayton is driving out to Washington Courthouse for groceries. Is it is unlikely.

Chairman Wilkin (02:22:52):

Follow up. Any other questions? I'm waiting on the special wave. Representative Hicks-Hudson.

Representative Hicks Hudson (02:23:02):

Thank you, Mr Chair. Thank you again for being here and for your testimony. I don't know if you heard my previous question about Montgomery County being connected to the other counties, and what that effect will have on communities of color.

Representative Hicks Hudson (02:23:22):

If you know, could you give your reaction to how that particular map for... I think it's District 10... I'm not sure.

Desiree Tims (02:23:31):

Sure, Chair Wilkin and Rep. Hicks-Hudson, so when we look at Montgomery County... Montgomery County went blue for Joe Biden... When we look at the different school districts that are located within Montgomery County, Dayton Public Schools is primarily students of color, or working class, or underprivileged backgrounds.

Desiree Tims (02:23:54):

When I look at communities in Xenia, for example, in Green County, we have two historically black colleges and universities, Central State and Wilberforce.

Desiree Tims (02:24:02):

And when I look at communities in Springfield, a lot of commonality with Wright-Patt Air Force Base, but also we all watch Channel 7 News, right? But when you travel out to Fayette County, Washington Courthouse, for example, they don't see Channel Seven News. It's very different.

Desiree Tims (02:24:26):

And so when we're looking at districts, and we're looking at how we talk to people, and how we get the resources to them, that they need, and information to them, to black and brown communities, to poor communities, to communities who lack access to broadband and internet, it's, how are we going to

communicate to them in the best way possible? And so much as a news update would be the difference. A tornado warning would be the difference.

Desiree Tims (02:24:53):

And so it is very important that we think about people, and how they live their everyday lives. Again, where they worship, where they go to school, where mom and dad work, where they go see grandma, where they pick up groceries. All of these things are important. And imagine if every time you travel to another area to run an errand on a weekend, there's a different member of Congress.

Desiree Tims (02:25:17):

Or if you live in Fayette County, for example, and you don't have adequate transportation, if you want a meeting with your member of Congress, you have to get a ride all the way to Dayton... Downtown Dayton, to be exact... For that meeting.

Desiree Tims (02:25:34):

And so it is a hardship on both sides. That is why gerrymandering does not discriminate based on party affiliation or identification. It is based on fairness for all people.

Representative Hicks Hudson (02:25:46):

Thank you, Mr Chair.

Chairman Wilkin (02:25:49):

You're welcome. Representative Plumber.

Representative Plumber (02:25:54):

Thanks, Chair. Thank you for testifying today. We're hearing you loud and clear about fairness. People that think alike, vote alike should be together. But can you explain to me how, if this is about the people, the people of certain districts, why do we have so much outside of the State of Ohio money coming in, trying to influence these elections?

Desiree Tims (02:26:16):

Chairman Wilkin and Representative Plumber, outside money coming in to influence elections happens all around the country, but that doesn't have anything to do with redistricting. When we are talking about redistricting, we're talking about a process where all people can be heard.

Desiree Tims (02:26:35):

When you look at voter roles, you actually see people who are registered as Democrats and Republicans, and a lot of people independents, right? It is important that we give everyone a fighting chance to choose who represents them and not the other way around.

Chairman Wilkin (02:26:50):

Follow up.

Representative Plumber (02:27:09):

[inaudible 02:27:09] outside the state of Ohio. [inaudible 02:27:10] people think like you, with policies like yours [inaudible 02:27:13] state of Ohio [inaudible 02:27:13] like Ohioans?

Desiree Tims (02:27:12):

Chairman Wilkin, Representative Plumber, I ran for Congress because I'm a proud Daytonian. I grew up in West Dayton. I'm the granddaughter of sharecroppers. Half of my family grew up on a farm and the other half in the city.

Desiree Tims (02:27:29):

I was fortunate enough to work my way through college and law school, knocked doors for President Obama in Cincinnati and Middletown in Dayton. And when I came home after freshman year of college, I saw all the jobs leaving my town.

Desiree Tims (02:27:47):

When I ran for Congress, it was about helping people, helping people in my neighborhood who worked at General Motors, making 25, $30 an hour in the nineties, get back on their feet. We are not there yet. I am not wealthy. I do not come from wealth. I don't have family members who I can call for a max out donation. I raised money from everyday people across Ohio and in Dayton because they also had the same vision I had.

Desiree Tims (02:28:18):

I am not advocating here today for a congressional district that is drawn around the city of Dayton. It wouldn't be enough people to make that legally possible. I am advocating here today for a congressional district in a map across Ohio that allows everyday people like me to have a fighting chance at choosing who represents them, and not the other way around.

Desiree Tims (02:28:46):

That is what this is about. This is about looking at a map right now that was submitted very late, last minute, before we were able to... Our testimony was due prior to looking at the maps... And we have maps that don't reflect the true diversity and values of our communities across the state, values for people like me and my family, who believe in this state, the power of community, and our ability to move forward, bring those good paying jobs back, make sure everyone has access to someone who represents them, freedom to vote, freedom to walk down the street, and live, a good education, good healthcare, quality jobs. The same thing that everyone here wants for their families.

Desiree Tims (02:29:29):

This is not a Republican or democratic issue. This is about justice, and it is about fairness is about fairness.

Chairman Wilkin (02:29:35):

Follow up.

Representative Plumber (02:29:37):

Follow up. Like you, I grew up in Dayton and represent a good part of Dayton right now. And I've seen the demise of Dayton also. I've seen jobs leave, I've seen our schools failing, I've seen crime increase.

Representative Plumber (02:29:48):

Unfortunately it's under single party rule. So I think we need to be honest with ourselves. If we're going to think like each other, act like each other, have the same philosophies and beliefs, we need to work together.

Representative Plumber (02:30:01):

But working together should include members of your system finance you, not members of outside of the state of Ohio, finance certain elections. [crosstalk 02:30:12] Do you agree with that?

Speaker 4 (02:30:13):

Point of order.

Representative Kelly (02:30:14):

Excuse me. I'm not finished with my question.

Speaker 4 (02:30:16):

My point of order is that the purpose of this meeting is to talk about [inaudible 02:30:23]

Representative Kelly (02:30:22):

Chair, can I finish my question?

Chairman Wilkin (02:30:24):

At this point I want to make sure that we are sticking to the topic at hand, which is House Bill 479, please.

Speaker 4 (02:30:31):

That's all I wanted. Thank you.

Representative Kelly (02:30:33):

Okay, let me let regroup here since I was rudely interrupted during my question. So like you, I grew up in Dayton. We want what's best for Daytonians, right? We can agree on that.

Desiree Tims (02:30:44):

Chairman Wilkin, Representative Plumber, I absolutely want the best for Daytonians and Ohioans all over the state.

Representative Kelly (02:30:51):

Okay. Well, I'm with you on that. Thank you.

Chairman Wilkin (02:30:56):

Representative Brown.

Representative Brown (02:31:00):

Thank you, Chair. The Democratic caucus at the house Democrats and we believe most Ohioans would like to see a bipartisan ten year map, one that keeps our largest counties whole, one that ensures communities that work and live together stay together, one that has districts that are compact, and a map that reflects the preferences of Ohio voters. Do you believe that the map which has been proposed with regard to Sub Bill 479 embraces those desires and concepts?

Desiree Tims (02:31:41):

Chairman Wilkin, Representative Brown, I think the map that the Republicans submitted is a map that will cheat Ohioans out of democracy. It waters down communities' voices.

Desiree Tims (02:31:57):

For example, the maps that we've been dealing with the last 10 years, there's a woman in Cincinnati where the district lines are drawn down her home, in her living room. And so she votes for one person on her district, but when she needs services and resources, and constituent services, they're sending her to someone else who wasn't even on her ballot because of the way the lines are drawn.

Desiree Tims (02:32:19):

They're drawn so unfairly that people don't have an opportunity to meet and talk to the people who represent them. And that's what a representative democracy is all about, and Ohioans deserve to have one.

Chairman Wilkin (02:32:31):

Follow up. Representative Swearingen.

Representative Swearingen (02:32:35):

Thank you, Mr Chairman, and thank you for your testimony today. I have two questions. One in regards to your testimony. What provisions of Article 19 of the constitution did you rely upon for formulating your testimony here today?

Desiree Tims (02:32:51):

Chair Wilkin, Representative Swearingen, my testimony is based on my assessment of what's been happening in the state, and where we need to go. When we look at the vote share of people, we know that it's 55/45.

Desiree Tims (02:33:12):

What we continue to see is the voices of people who don't have the same party affiliation as you, their voices are drowned out, watered down, cracked apart, packed together, disassembled and ignored.

Chairman Wilkin (02:33:32):

Follow up.

Representative Swearingen (02:33:33):

[crosstalk 02:33:33] Mr Chairman. You mentioned the vote share, and the split between eight seats and seven seats congressionally. What portions of Article 19 did you rely upon to come to that conclusion?

Desiree Tims (02:33:47):

So this is about looking at how Ohioans vote, right? And so we have, for example, Senator Sherrod Brown and Senator Rob Portman. In 2012, Ohio voted for president Barack Obama. In '16, President Trump.

Desiree Tims (02:34:10):

This is about making sure that we are listening to voters. And I am coming and approaching this process, not as a legislator or a lawmaker or a map drawer. That's your job. My job as a citizen, as an Ohioan, is to voice concern about the maps that I've been seeing ,from Republicans, that doesn't replicate resonate with the way Ohioans vote, and our values. That is what this is about.

Desiree Tims (02:34:41):

Anything with map drawing, and drawing the lines, and following the guidelines, that's on you. My job is to hold you accountable, and to voice concerns based on what I think, and what I feel, and based on my community. So I am up here in my individual capacity, as a citizen, as a resident of Ohio, as the president and CEO of a think tank public policy organization, to tell you that the map that it is presented by Republicans is unsatisfactory.

Chairman Wilkin (02:35:21):

Follow up.

Representative Swearingen (02:35:24):

One final follow up, Mr Chairman. The notion that we have to consider the statewide vote... That may be your opinion, and I understand that... Is it actually in the text of Article 19 of the Ohio constitution?

Desiree Tims (02:35:38):

Chairman Wilkin, Representative Swearingen, the maps and the vote share doesn't match what you all presented. What I'm talking about is not one congressional district. I'm talking about the entire state. The maps that you have presented does not represent the values and the voting pattern of the people of Ohio.

Representative Gillansky (02:36:13):

Thank you to the chair and thank you so much for being here. And of course, as you know, and so Representative Swearingen certainly knows that it's actually Section 1C3, unduly partisan, that talks about whether or not we should have the 13 2 [inaudible 02:36:32] map, which is unconstitutional.

Representative Gillansky (02:36:33):

And so without necessarily knowing what section... And I don't have the constitution in front of me either... Wouldn't you agree that we are charged, as legislators, with actually developing a map, looking toward a 10 year map, that would act indicate that we are not unduly partisan? And wouldn't you agree that that's our goal, whether or not you know a section number?

Desiree Tims (02:36:57):

Chairman Wilkin, Representative Gillansky, I don't have the constitution in front of me. And I assume, given that the wrong number was cited, your colleague doesn't have the constitution in front of him, and you don't have the constitution in front of you. And I'm not a legislator or a lawmaker. I am simply here advocating for a fair map.

Desiree Tims (02:37:17):

And I would agree that a map that is drawn for 10 years, that is fair, that represents the vote share of Ohioans is something that we all want. We all want fair maps. I'm not advocating for an entirely blue map or an entirely red map. I'm advocating for a fair map. And that is what we all want.

Chairman Wilkin (02:37:35):

Follow up.

Representative Gillansky (02:37:35):

Thank you, no.

Chairman Wilkin (02:37:39):

Representative Brown, do you have a question?

Representative Brown (02:37:39):

Yes, I do.

Chairman Wilkin (02:37:41):

Representative Brown.

Representative Brown (02:37:41):

Thank you, Chair. I do have the constitution in front of me. And it's Article 19, entitled Congressional Redistricting, Section 01, Method of Adopting Congressional Redistricting Plan, Section C, Paragraph Subsection 3.

Representative Brown (02:38:03):

'In situations where a plan is passed by a simple majority of the house, where there's not a bipartisan map, the general assembly, if a pass by simple majority, the map shall...' Well, it says, 'All of the following shall apply.'.

Representative Brown (02:38:24):

So these three criteria must apply when there is a four year map that's been proposed and passed. 'The general assembly shall not pass a plan that unduly favors or disfavors a political party or its incumbents. There shall be no undue splitting of political subdivisions, with a preference to keeping counties whole, and then townships and municipal corporations. And then there should be an attempt to draw compact congressional districts.'.

Representative Brown (02:38:58):

So those are the constitution requirements of a four year map. In your estimation, would this proposed Republican map accomplish any of those things?

Desiree Tims (02:39:10):

Chairman Wilkin, Representative Brown, the Republican map does not accomplish any of those because it is a map that waters down the voices of Ohioans across the state. It is not a map drawn for compactness, to make sure people and communities of color, of similar interests, are considered. It is a map drawn to cheat.

Representative Brown (02:39:31):

Thank you. No further questions.

Chairman Wilkin (02:39:36):

Any other questions? See none. With a wife that is a former Xavier grad as well, as representing Kelly and yourself, thank you for your testimony.

Desiree Tims (02:39:42):

Thank you.

Chairman Wilkin (02:39:45):

Chairman now call up Kobie Christian. Mr Christian, please tell me I got that one right.

Kobie Christian (02:39:58):

You did.

Chairman Wilkin (02:39:59):

Welcome to committee. You may begin when you're ready.

Kobie Christian (02:40:01):

Thank you. Good afternoon. My name is Kobie Christian, communications director for For Our Future Ohio, a member of the Equal Districts Coalition. We do a lot of work around the state, and we've been doing a lot of work around the redistricting process. And you know, we're not here asking for much, just that we stop being cheated. We're asking for [crosstalk 02:40:23].

Chairman Wilkin (02:40:23):

Mr Christian, if I can interrupt you just for one second, is there any way to get the mic just a little closer? I'm having trouble hearing.

Kobie Christian (02:40:29):

There we go. Is this better? No? Is this better?

Chairman Wilkin (02:40:33):

Yes. Thank you.

Kobie Christian (02:40:34):

There we go. We're asking for congressional maps that reflect Ohio's partisan balance, that allow for pathways of representation for communities of color, and that keep those communities together. We just want fair maps.

Kobie Christian (02:40:47):

What do we mean by fair? Well, the first thing is that it would reflect Ohio's partisan balance. I don't think that a party with fewer votes should have more seats, but I also don't think that a party should get more seats than the voting outcomes would reflect.

Kobie Christian (02:41:03):

That means in Ohio a fair map would give Democrats seven seats and Republicans eight seats. More than just one of these seats should be competitive. The people of Ohio have suffered for 10 years under the maps resulting from partisan gerrymandering carried out by Republicans.

Kobie Christian (02:41:19):

How do we know they were gerrymandered? Because Republicans are somehow able to hold 75% of the current congressional seats while only winning about 55% of the votes. And the recently proposed maps are even worse. They would give Republicans about 87% of congressional seats, with only 55% of the vote.

Kobie Christian (02:41:41):

Now, that's not representative of the will of Ohio's voters. It forces me to wonder whose will it is representative of. We all know Ohio is a purple state with voters who have supported both Democratic and Republican candidates state wide.

Kobie Christian (02:41:56):

Districts would reflect how Ohioans vote, and that would make some real competitive seats. But as it stands, Ohio isn't a red state, it's a rigged state. Ohio is more purple than unfair maps allow it to be. And it's not just unfair to the other side.

Kobie Christian (02:42:11):

If Republicans can just give themselves an extra 20, or in the new maps, 30% or more seats than the voting results gave them, that allows them to escape accountability from all voters.

Kobie Christian (02:42:24):

It's important that fair maps provide communities of color with pathways to political representation. We can do this by reversing the current gerrymandering that dilutes the voting powers of communities across the state.

Kobie Christian (02:42:37):

There are some specific characteristics that a fair map would have. I live in Columbus. Columbus is too big to fit in just one congressional seat, so it has to be split, but Franklin County should only be divided into two districts, one seat anchored in Columbus that contains as much as the urban core and

surrounding areas as possible, protecting especially the black and Latinx populations from being needlessly gerrymandered. The second central Ohio district needs to hold the entirety of the growing AAPI and new American communities in north and northwestern Franklin County.

Kobie Christian (02:43:11):

I used to live in Cincinnati. The Cincinnati anchored district should include black communities in the eastern half of the county, like Forest Park, Woodlawn, and Lincoln Heights, to ensure they're paired together with similar communities around Cincinnati.

Kobie Christian (02:43:25):

Fair maps would keep our communities together. They do not divide and separate us to weaken our voices and our votes like our current congressional maps, which crack and pack our big cities. This absolutely needs to be reversed because it's essential for adequate political representation.

Kobie Christian (02:43:41):

By making sure communities are kept together in our two major metro areas, map drawers would achieve the statewide ideal of a partisan fairness, a world in which the number of seats a party holds reflect the number of votes they've won.

Kobie Christian (02:43:55):

House Republicans unveiled their proposed maps just before this hearing. It doesn't take an expert to see that these maps are even worse than the gerrymandered maps Ohioans have been living under.

Kobie Christian (02:44:07):

These maps fail to meet the simple qualities of a fair map that I've already mentioned. They dilute the representation of communities of color, crack apart communities of interest, and they do not reflect Ohioans' partisan makeup at all.

Kobie Christian (02:44:21):

It's plain to see these maps heavily favor Republican politicians over Ohio voters. And I'll say it again. We're not asking for much, just fair maps. Thank you.

Chairman Wilkin (02:44:32):

Are there any questions? Representative Kelly.

PART 5 OF 9 ENDS [02:45:04]

Rep. Shane Wilkin (02:45:00):

Are there any questions? Representative Kelly.

Rep. Brigid Kelly (02:45:04):

Thank you, Mr. Chairman, and thank you for coming in. By the sound of your testimony, it sounds like ... Are you of the opinion that this map unfairly takes apart communities?

Speaker 5 (02:45:21):
The Republican proposed maps?

Rep. Brigid Kelly (02:45:21):
Yes.

Speaker 5 (02:45:21):
They do. Yes.

Rep. Brigid Kelly (02:45:22):
Okay. Mr. Chairman, could I just follow up?

Rep. Shane Wilkin (02:45:24):
Follow up.

Rep. Brigid Kelly (02:45:26):
I was struck by some of the neighborhoods that you mentioned in Hamilton County. Being from Cincinnati myself, I thought it was interesting some of the places that you had mentioned. Forest Park, which would move into the new eighth congressional district is, and since Rep Hicks-Hudson isn't here, I'm going to steal her thunder on some of her questions, 55.9% African American population. Going to a district that includes Butler County, 9.2%, Preble County 0.8%, Darke County, 0.7%, Miami County 2.4%, and Shelby County, 2.3%. Then we also have Lincoln Heights, which is 86.67% African American and Woodlawn, which is 55.42% African American going to the new first congressional district, which is shared between one of the three portions of Hamilton County and Warren County. That district is 18.88% Black. My question is, how do we go to those people and say, "Oh, yeah. You're definitely going to be represented fairly and these maps are fair for you," when we have something like this, where they're clearly being lumped in with communities that are very dissimilar to their own?

Speaker 5 (02:46:57):
I think it'd be very difficult to convince them that they're being represented adequately.

Rep. Shane Wilkin (02:47:05):
Please.

Rep. Brigid Kelly (02:47:07):
Thank you, Mr. Chairman. Given the fact that you've lived in Cincinnati, you know what Hamilton County is like, you've said that communities have been unfairly split apart. Do you think that people in Hamilton County are being best served by having it split into three separate congressional districts?

Speaker 5 (02:47:24):
Absolutely not.

Rep. Shane Wilkin (02:47:28):
Any other questions? Hearing none. Thank you for your testimony.

Speaker 5 (02:47:31):

Thank you.

Rep. Shane Wilkin (02:47:35):

Just a real quick note as we go through our testimony. I do believe that Cincinnati proper is located in one district, although it is not in just one county. Cleveland is in one district, all in Cuyahoga County. Then, as the gentleman just mentioned, Columbus is too big to be in one, but it is as much as they could. At this point, I would call up Gary [Gale 02:48:01].

Rep. Stephanie Howse (02:48:01):

Clarification. Chairman, Chairman-

Rep. Shane Wilkin (02:48:04):

Yes, ma'am.

Rep. Stephanie Howse (02:48:04):

Yeah. As you just noted about Cuyahoga County, when looking at the map again, and as I've indicated, where both Cleveland and Parma, which are next to each other, which Parma I believe is the seventh largest city in the state of Ohio.

Rep. Shane Wilkin (02:48:31):

I'm going to ... I'm having a very difficult time understanding you.

Rep. Stephanie Howse (02:48:35):

I said, Parma is the seventh largest city, seven, and they're right next to each other in the same county. But Parma, according to this map, is now a part of four counties: Cuyahoga County, Geauga County, Lake County, and Ashtabula County. Ideally, you would think two cities that are next to each other, where you have communities and the people who live in Cleveland and Parma do a lot of things together, that they would be in the same congressional district. We are advocating, and which should be the intention, is to have communities together. Again, our larger counties, cities, communities together, not separated and apart. I just wanted to put that clarification. As you mentioned, Cleveland, there's Parma here too, and there are other communities that are separated and it is not in the spirit in the vein of redistricting.

Rep. Shane Wilkin (02:49:42):

Thank you. Gary Gale.

Gary Gale (02:49:46):

Bear with me just a moment. Having a little bit of technical difficulties. I did bring a paralegal today. I think I got that right yet. No. Fortunately, it's my brother who went to MIT. Okay I could [inaudible 02:50:04] map. Would you prefer the map ... That's good. [inaudible 02:50:20] There we go. Would you prefer the map faces the committee, or the audience? Your choice.

Rep. Shane Wilkin (02:50:24):

I ask, if you're going to refer to the map, committee's going to need to see it.

Gary Gale (02:50:29):

Okay. My map was included with the-

Rep. Shane Wilkin (02:50:36):

Sir, you're going to have to get to the mic because I don't think the committee knows the-

Gary Gale (02:50:37):

I'm terribly sorry about that. I should know better. I have testified a number of times before. Now I lost the question. Okay. We'll start this way and I can turn it later. This is the map that I authored. It was sent to the committee. I see that the young lady who was staffing the commission at their hearings last week is here. She would've received it last week as well. I do a congressional map that ... Okay, I ought start again. My name is Gary Gale and I live in Stark County, which was butchered in the last congressional redistricting. We hear a lot about the people from Summit County complaining about how they were butchered, but since they have 200,000 more people than we do and they were in four districts, whereas we were at three, I would maintain that our butchering was worse.

Gary Gale (02:51:43):

I testified earlier this year before the districting commission in Akron on a three county congressional map favored by my local Democratic party leadership, which was Stark, Mahoning, and 90% of the voters in Trumbull. We share common ancestry. We share common economic malaise. We share job loss. We share educational attainment the same. If you're talking about a community of interest, this is us. We would like you to refer to our prior testimony about that. I will move on from the one district that I actually know something about. I, unfortunately, was working yesterday so I did not see the map until when I arrived in my hotel last night in Columbus. I don't really have anything that is not included in any of my written things. I would like to clear up a few things that I've heard today as I was sitting here.

Gary Gale (02:52:44):

I've heard Mr. Swearingen talk about people's Democratic roots. For 36 years, I voted in Republican primaries. I was elected as the delegate at a state convention, as a delegate to the Republican Convention ... No, excuse me, as an electoral college elector in 2016. One year I had a motion passed at the state Republican Convention, because the Democrats were refusing to redraw the Illinois Supreme Court, which is done by districts. They did not redraw it for 50 years, which was clearly excessive. Most of those 36 years, I was an active Republican involved in Republican campaigns, electing Republicans. Most times. Sometimes we lost. However, that was then. I moved back to Ohio after about an absence of 47 years.

Gary Gale (02:53:58):

The map that I drew has five Democratic districts, six Republican leaning districts, and four competitive districts, with two of the competitive districts having Republican votes of 51.33 and 52.55, and two having Democratic votes of 50.44 and 50.29. Whether that would be 10 to five, six to nine, depends on the election, depends on the campaigns that you run. There are always things beyond anybody's control in a campaign. The map that I drew split none of Ohio's 65 congressional districts, because I took the release from State Senate President Huffman, and Speaker pro tempore the time Kirk Schuring, who was my current State Senator of January 29th, 2018 saying when they needed to think that they were enhancing protections for regions, cities, and counties by keeping counties from being split more than

twice. In fact, the updated plan calls for at least 65 counties to be kept whole and allows only five counties to be split twice. The proposals are required the cities of Cleveland and Cincinnati be kept whole inside districts in Columbus to be the base of its own district. I did that.

Gary Gale (02:55:40):

If you are protecting communities and protecting regions, it stands to reason that you need to protect the smallest. The idea that you are going to split counties with 25,000 people, the Republican House map split two counties with less than 50,000 people, excuse me, with less than 50,741 people and 131,259 people, whereas there was no need to do that. If I could draw a map that didn't split any of the 65 counties, the Ohio Republican Caucus should be able to do so. I also know we've had a lot of talk about Article 19, which in my testimony is referred to as Ohio Senate Joint Resolution 5, about how we're not supposed to unduly split government units, given preference, keeping in whole in the ... But nobody today has used the phrase, which is in the legislation, in the order named: counties, then townships, and municipal corporations. When I looked through the maps that I've seen online, I have found nearly universally that there was a splitting of counties and then municipal. That they they kept counties intact and they kept municipal corporations intact, but for the people like me who live in townships, they didn't care.

Gary Gale (02:57:15):

When I asked the young man from the Environmental Council last week, "Which part of Stark County were put into their district that they paired with Summit," I was told, "Canton and North Canton." When I told them that there was 157,000 more people according to the numbers needed, the staffer who was with him gave me this deer in the headlights look. I have no confidence at all that if you look at their maps, did they follow township lines. Cities they followed, counties they followed. The rest of us, they didn't seem to give a damn. I think there's a violation of Article 19. Also, Article 19 does not allow for the favoring of either a political party or its incumbents. As of earlier this week, there was a new incumbent in the 11th Congressional District. Most of the districts that I've seen unduly favor the newly elected Congressman, Shontel Brown, over the person that she beat in the primary, Nina Turner.

Gary Gale (02:58:27):

Precincts where Shontel Brown lost to Nina Turner are not in this new district. Nina Turner carried the Summit County portion in that district. It's gone. Instead, they added precincts that were in the far eastern end of Cuyahoga County, which are currently in the 14th Congressional District, which are adjacent to and in some cases in the same suburbs as communities where Shontel Brown won by 50 points. That, in my view, is favoring something. I will admit that I contributed to Shontel Brown and not Nina Turner. But I am offended by the attempt by some people within the Democratic party, and given who drew the map that then we ... I won't go there. I think that you know who drew the prize winning map from the fair districts. I think you know his background. I think that you understand the fact that Shontel Brown is the Chairman of the Chicago County Democratic Party, that there was what we call in personal injury lawyer, a secondary gain motive. But that's [crosstalk 02:59:55]-

Rep. Shane Wilkin (02:59:54):

Sir, if you can just do me one favor and stick straight to the bill that we're talking about.

Gary Gale (02:59:59):

Oh, okay. Thank you. All right. Going back to your map, my map had 100% ... All right, I'm getting myself lost here. I apologize. Proportionality, the House map that I read on online last night at the hotel room had a 0% proportionality. I find it hard to believe that that was not intentional. I think that I split 10 counties, they split 12. That's not a significant difference. I don't understand why they found it necessary to split 63 precincts that, if you follow what was in the memorandum from Senate President Huffman, and then Speaker pro tempore Schuring, now Senator Schuring, that it was not necessary to have complete numerical equality. They did it that way. That did not make any sense to me. I don't think that it was necessary to split 63 precincts.

Gary Gale (03:01:13):

Anything else of use here? Okay. I don't know how I ended up splitting one. I don't think that the Senate map ... Excuse me. I don't think that the House map as introduced, nor the GOP Senate map, is actually a good representation of Ohio's political divide which, let's face it, is not a racial divide, but is an urban/rural divide. I would certainly hope that counties like mine which, according both to the USOMB and the map put out by the State of Ohio as an urban county, should be immersed in a rural county as it was in the current map that we have today, where 171 of our 220 precincts are in a primarily suburban district where the congressman is the former chair of the U.S. House of Agriculture, excuse me, the Ohio Farm Bureau. My mistake. All right. Any questions? I'm done.

Rep. Shane Wilkin (03:02:20):

Any questions?

Gary Gale (03:02:21):

None?

Rep. Shane Wilkin (03:02:22):

Seeing none. Thank you for your testimony.

Gary Gale (03:02:23):

Thank you.

Rep. Shane Wilkin (03:02:26):

Chair now calls David [Helmick 03:02:28]. Mr. Helmick here? Chair will then call Sandy [Balzinias 03:02:36].

Sandy Balzinias (03:02:36):

Balzinias, yes. Yes.

Speaker 6 (03:02:48):

[inaudible 03:02:48].

Rep. Shane Wilkin (03:02:48):

Making it rough on a poor guy from Southern Ohio, that name.

Sandy Balzinias (03:02:52):

Even my family-

Rep. Shane Wilkin (03:02:53):

All the names I've got. Welcome to committee. You may begin when you're ready.

Sandy Balzinias (03:02:56):

Thank you. Even my family doesn't say it all the same way, pronounce it all the same. Anyway, thank you for holding this hearing today, and I mean that, and welcoming my testimony. My name is Sandy Balzinias and I'm here to urge you to give democracy a fighting chance in Ohio because in a democracy it is vital that the people are fairly represented. I am not here to argue for districts that will give decisive victories to any one party. My focus is ensuring that Ohioans, wherever they live, rural areas, cities, townships, have maps with districts that fairly represent the people and their issues and concerns. I believe that is possible in S.B. 237, whose map meets the criteria that Ohioans have overwhelmingly demanded time and time again. This includes districts along lines of how Ohioans tend to vote while avoiding a few carved out token districts for people of color.

Sandy Balzinias (03:03:59):

Then there's S. B. 258 which, I'm sorry to say, looks like a desperate attempt to retain heavily gerrymandered districts. It inevitably invites questions about the influence of ALEC and other big money enterprises over the interest of the people. It also invites, to our detriment, distrust of the democratic process in Ohio. Look at our current districts right here. S.B. 258 is even more heavily gerrymandered than that. We, in this room and really across the state, challenge you to do what is right. Really, that's the whole thing here. Please do what is right. Please vote on a map in which Ohioans may choose our representatives and not our representatives choose their voters. Again, clearly, the latter is the point of this last map and the new one proposed.

Sandy Balzinias (03:05:11):

I just don't know how to impress upon you any more than these others speakers who have had far more in depth discussions than I have. But I don't know how to impress upon you how this momentous responsibility, that's laid upon you, deserves the most integrity, putting aside any kind of donors, and thinking about the people of Ohio, the future of Ohio, for that matter future of this nation. Without a fair and democratic process, Ohioans do not have a government of, by, and for the people. That's what I understood, since I was a little kid, that's what made this country a great place to live. But there's lots of doubts right now. I'll end it there. Thank you very much.

Rep. Shane Wilkin (03:06:13):

Thank you very much for your testimony. Representative Galonski.

Rep. Tavia Galonski (03:06:16):

Thank you to the Chair and thank you for coming in to testify. Have you had the opportunity to review Amended House Bill 479 and the maps proposed, 13-2 map proposed by the Republicans?

Sandy Balzinias (03:06:34):

I've looked at. I've got some papers here. I was looking at it. Again, before I wrote my testimony, I was looking for both maps. I saw the one that was put forward by the Democrats. Believe me, for me it's not a Democrat Republican thing. It's about fairness. If fairness meant that most of the people in Ohio voted against what I feel is what I would like, you know what, power to the people.

Rep. Tavia Galonski (03:07:08):
I really appreciate that. Just a follow up.

Rep. Shane Wilkin (03:07:10):
Follow up.

Rep. Tavia Galonski (03:07:12):
Are you able to say here today, for the room, if you believe that the map presented under House Bill 479 is fair?

Sandy Balzinias (03:07:24):
What I saw, it was highly more gerrymandered than this map.

Rep. Tavia Galonski (03:07:29):
Would that be a no, it's not fair?

Sandy Balzinias (03:07:31):
Right.

Rep. Tavia Galonski (03:07:31):
I don't want to put words in your mouth.

Sandy Balzinias (03:07:33):
It is no.

Rep. Tavia Galonski (03:07:33):
Thank you.

Sandy Balzinias (03:07:35):
Thank you.

Rep. Shane Wilkin (03:07:38):
Any other questions? Seeing none. Thank you for your testimony.

Sandy Balzinias (03:07:42):
Thank you very much.

Rep. Shane Wilkin (03:07:46):

Chair now calls up Susan O'Donnell. Susan here? The Chair would then call up Whitney and I am not going to make an attempt at the last name. Help me out.

Whitney Sadiqi (03:08:06):

It's not as hard as it looks. It's Siddiqi.

Rep. Shane Wilkin (03:08:10):

Siddiqi. Okay. Sorry.

Whitney Sadiqi (03:08:11):

Yeah. It's okay. Thank you.

Rep. Shane Wilkin (03:08:13):

Welcome to committee. You may begin when you're ready.

Whitney Sadiqi (03:08:15):

All right. All right. Thank you. Good afternoon now, Chair Wilkin, Vice Chair White, Ranking Member Brown, and members of the House Government Oversight Committee. My name is Whitney Siddiqi and I'm the community affairs director for the Ohio chapter of the Council on America and Islamic Relations known as CAIR Ohio. I'm from Cincinnati, the 31st District. Representative Kelly is my representative. I am here today testifying on behalf of CAIR Ohio. Thank you for the opportunity to appear before you to present this opposition testimony for H.B. 479. CAIR is America's largest civil liberties and advocacy organization for American Muslims. At CAIR Ohio we defend the rights of Ohio Muslims, including their voting rights. That is why we have been working since the beginning of summer to fight for fair maps. It is critical, as a community that so often experiences institutional discrimination and is so often either ignored or vilified by elected officials, that we have access to fair representation and our votes are not diluted through gerrymandering. Yet, despite these efforts and despite the reforms Ohioans overwhelmingly voted for to secure a fair redistricting process this year, our leaders have failed us. The state legislative redistricting process was bad enough, but the congressional map drawing process has proven to be a complete failure thus far: ignoring constitutional deadlines, giving very little notice to the public for these hearings, ensuring they are not accessible to the majority of Ohioans and allowing the public and mapping experts less than 24 hours to review one of the proposed maps before, again, the poorly scheduled hearing. These are just a few of the most egregious examples. I just want to state that I'm here on behalf of CAIR Ohio. I am not an attorney. I'm not an expert on population and redistricting and a constitutional expert, but I don't think you have to be an expert to look at this map and see the issues. I also don't think you have to be an expert to come before this committee and present concerns.

Whitney Sadiqi (03:10:35):

The redistricting process has crucial implications for future elections and policies that fundamentally shape our lives as Ohioans. Such an important responsibility necessitates a thorough engagement process that is measured, not rushed, with perspectives from everyday citizens who know their communities best and third party mapping experts who understand the constitutional criteria under which to draw maps. I would ask at that point, also, if we can have more hearings. I would ask the committee to please schedule additional hearings so that all those who could not be here today would be able to be present. Unfortunately, the map proposed in H.B. 479 violates the constitutional criteria

and the reforms Ohioans passed to limit gerrymandering. Districts are gerrymandered in this map to favor one party overwhelmingly over another. When we look at what a fair map would be, we believe this map would have eight Republican leaning seats and seven Democratic leaning seats, because that is consistent with the way that Ohioans vote.

Whitney Sadiqi (03:11:48):

This map also divides Hamilton County, where I live, into three congressional districts and lumps Cincinnati in with Warren County. Another question I would ask the committee is why. Much of Warren County, and then Cincinnati, are quite a bit different in terms of issues, voting preferences, demographics. By doing that, again, as in the current congressional map, Cincinnatians and people across Hamilton County, their voting power will be diluted, especially communities of color. Furthermore, that proposed district, District 1, as well as proposed District 14 are not compact as required by the constitution. Near Columbus, Hilliard and Dublin, where one of Ohio's largest mosques is located and a large Muslim community lives in neighborhoods around that mosque, and I will note party control is a bit of a toss up in those areas, have been lumped in with communities like Breman over an hour away. It's 94% white and 73% voting Republican, according to good old Dave's redistricting.

Whitney Sadiqi (03:13:10):

With just a few hours to analyze this map and prepare this testimony because, of course, I think many of us worked a full day yesterday. We saw the news come out about the map. We rushed to look at it as best as we could and put this together. I drove from Cincinnati early this morning. I've spent my work day here. Again, I haven't had the time to do a deep dive into the map but, just by looking at it, clearly Toledo, another area where a large Muslim community lives, and other areas across the state have been gerrymandered in this map. I think we can all see the pattern here. No matter which party you or your community is affiliated with, your vote should have the same power as your neighbors', your colleagues', your family members'. But this map suppresses the votes of too many people, too many in urban areas, people of color, and those voting against the party which is currently in power.

Whitney Sadiqi (03:14:06):

It is clear this map was drawn with one goal, to keep one party in power, not to create districts in which voters choose which party receives power. I've shared this before in previous testimony, but I will say it again. We are constantly hearing about the extreme divides in America. I don't believe this would be the case if our districts were drawn fairly, if our elections were truly competitive, if every vote, especially those of marginalized communities like the Muslim community, had equal voting power. Advocates and Ohioans like myself are tired and we're frustrated, but we're not giving up. I oppose this map and any gerrymandered map that violates the Constitution and suppresses Ohioans' voting rights. Again, I would ask this committee to put forth for public feedback and pass a 10 year bipartisan map to please schedule additional hearings so that you can hear from Ohioans across the state. Thank you for your time. That concludes my testimony.

Rep. Shane Wilkin (03:15:12):

Thank you for your testimony. Representative Kelly.

Rep. Brigid Kelly (03:15:15):

Thank you, Mr. Chairman. Thank you for being here. I wanted to talk about what you said about Hamilton County. To the Chairman's point, the City of Cincinnati is kept together. But just because the

City of Cincinnati is kept together, doesn't mean the community hasn't been split apart. In a place like Hamilton County, where we have Cincinnati in one district that also includes all of Warren County, but then you have suburbs like North College ... Well, they wouldn't consider themselves a suburb, for the record. North College Hill, Mount Healthy, Springfield Township, going in a district that goes clear up the west side of the state, and then you've got communities like Amberley, Silverton that are in a district that goes farther east. Can you talk about the impact that that's going to have? Because while the City of Cincinnati may be kept whole, the community is split apart.

Whitney Sadiqi (03:16:14):

Yes. Chair Wilkin and Representative Kelly, I think that it's important to, when looking at this map, look at all of the issues present at once. It's not just that Cincinnati is together so this district is great. It's also how we're combining communities with other communities. Combining Cincinnati, although it's kept whole in this, with Warren County just does not make sense. It dilutes the voting power of Cincinnatians. Cincinnatians have felt for some time that they're not being represented in Congress adequately. We are currently split apart but with a similar goal to dilute those votes from the past round of redistricting. By either splitting apart communities or combining communities with other areas who do not share the same issues, who do not have the same interest, or even just logically those are not similar communities, they're not connected in those ways, it dilutes the voting power of those people. When we're talking about Cincinnati, which is urban area, it has much larger communities of color combined with something like-

PART 6 OF 9 ENDS [03:18:04]

Speaker 7 (03:18:00):

As much larger communities of color, combined with something like Warren County, or to some of those counties to the east, completely different. Those counties are majority white. They're voting majority Republican.

Speaker 7 (03:18:12):

And so by doing that again, you're taking away people's voting power and kind of cracking and packing, like everyone's been talking about today. I don't know if that answered your specific question.

Chairman Wilkin (03:18:25):

Follow up.

Speaker 8 (03:18:26):

Thank you, Mr. Chairman. No, thank you for that. So I guess my follow up would be, do you think that the citizens of Hamilton County would be better served to have a Cincinnati anchored congressional district that includes most of Hamilton County? Or by a district that splits the county into three separate districts, as is being proposed right now?

Speaker 7 (03:18:52):

Sure. [inaudible 03:18:53] Representative Kelly. I do not think Hamilton County is best served by splitting up the county, and combing them with different communities that do not share the same interest.

Chairman Wilkin (03:19:09):

Any other follow up? Are there any other question... Representative Swearingen, sorry.

Rep. D.J.Swearingen (03:19:11):

Thank you, Mr. Chairman, and thank you for your testimony today. One question specifically in your testimony that's written at the top of page two, it says, "Constitutional criteria states that districts must be proportionally consistent with vote totals." Where in Article 19, does it say that?

Speaker 7 (03:19:32):

Yes, Chair Wilkin and Representative Swearingen. So, I do have an amended copy of my testimony, which I will email to you all. And the emailed copy, that does include that. I did not state that verbally today because it is missing a point about the four year map.

Speaker 7 (03:19:50):

And so I think what we've already achieved in this room of landing on the actual constitutional criteria is that if a bipartisan ten year map cannot be passed, and a four year map is passed with simple majority vote, then the constitutional criteria does state that the maps cannot unduly favor one party over another.

Speaker 7 (03:20:18):

And so that is an edit in my testimony that I will submit an amended written version. I would argue that that goal, either way, remains the same. So either a 10 year bipartisan map needs to be passed, or a four year map that does not unduly favor one party over the other. And so either way, when we're looking at this map right now, I don't believe it's going to be passed through a bipartisan vote. And I do believe that it unduly favors one party over another.

Speaker 7 (03:20:53):

And so if that were to be the case for this map to be passed for this map to be passed for four years, I do believe it would then be violating constitutional criteria. I'm not a constitutional lawyer, but that is my understanding of the criteria.

Chairman Wilkin (03:21:07):

Follow up.

Rep. D.J.Swearingen (03:21:07):

Quick, follow up Mr. Chairman. When it comes to article 19 in the four year map, if that Was a route that this happened to go, constitutionally, can one party be favored over another, under that map?

Speaker 7 (03:21:24):

Sorry, Chair Wilkin, Representative Swearingen, can you repeat the question?

Rep. D.J.Swearingen (03:21:28):

Under Article 19, if there's a four year map, it says that you can't have anyone a party unduly favored, but wouldn't that be fair to that one party can be favored?

Speaker 7 (03:21:40):

Chair Wilkin, Representative Swearingen. Yes, so I believe that if it reflected Ohioans voter preferences, then yes, one party would be favored slightly, the Republican party. And so that is all many advocates are asking for is just that it reflects the state's voter preferences, that it is fair.

Speaker 7 (03:22:03):

It's not that Democrats should have more over Republicans. It's not that Republicans should have more than Democrats. It's just that it is fair. And so fair based on our state's history, our voter preferences, would be that Republicans would be slightly favored over Democrats.

Chairman Wilkin (03:22:22):

Representative Jones.

Re. Don Jones (03:22:26):

Thank you, Mr. Chairman, and thank you for your testimony. I've got a couple questions and I think they're straightforward questions. As I've read through your testimony, and we've heard so many numerous times, everybody wants to keep like-minded people together. And I've asked a question, is that a criteria for drawing maps? Yes or no?

Speaker 7 (03:22:53):

Chair Wilkin and Representative Jones. So I don't know that I actually specifically said like-minded. If we have recording, someone can correct me. I do know that what we've been advocating for is that communities have shared interest. Communities with shared issues, who for instance, might have an issue of pollution in their community. That's a shared interest, right? And so that may not just be this neighborhood, that could be this neighborhood over here.

Speaker 7 (03:23:26):

And so, you're looking at many different criteria. I did not say that is necessarily a constitutional criteria. But what we've been advocating for is when we're talking about fair maps, and districts that represent the people of Ohio, and that fulfill the spirit of reforms that Ohioans overwhelmingly voted for, we are looking at keeping communities of shared interest together. Making sure that especially people of color are not cracked apart. I would argue that intentionally, and strategically, cracking apart communities of color would go against the Voting Rights Act. Again, I'm not a lawyer. And so I would have to get more into that. But I would argue that that would be a true issue to deal with because communities of color have to have the right to elect representatives of their choosing, right?

Speaker 7 (03:24:22):

And if we are strategically and intentionally cracking apart, packing different communities, drawing the lines in that way, then that does go against the Voting Rights Act. But to sum it up, I would just say that we can argue all day long about what like-minded means, or if that's the correct phrasing to use. I don't think I used that phrase.

Speaker 7 (03:24:43):

But it would be very disappointing, I think, if this committee and the joint committee that ends up coming together to hopefully pass this map, if we simply try to get by with the bare minimum of what is required.

Speaker 7 (03:25:03):

And even still, there are many of us who don't think that a map like this would meet those requirements in other ways. So for instance, several districts are not compact. That is a clear, constitutional criteria, and listed.

Speaker 7 (03:25:22):

But if that is all we're looking at, if we don't care about drawing a map that fairly represents Ohioans, that allows Ohioans to truly pick who represents them to elect their officials, not the other way around then I think that presents a situation that that is really disheartening. And is not what this committee should be aiming for.

Chairman Wilkin (03:25:50):

Follow up.

Re. Don Jones (03:25:51):

Thank you, Mr. Chairman, through the chair of the witness. That was, I guess, a drawn out... You may not have said like-minded people in your testimony. I will clarify that and give you that. But one of my frustrations as I've listened to testimony today, we found reasons not to agree what's fair.

Re. Don Jones (03:26:11):

And you've brought up a point about the positioning of mosques, and different communities of faith, which I respect. But, I think we can all agree that we can sit here and have conversations all day long. We're not going to meet all these criteria that we are making up. And there are a bound set of criteria that was passed by the voters.

Re. Don Jones (03:26:32):

And I think we're getting away from that. And we're trying to let our personal preferences muddy the water, so to speak. But my question to you is this, and this is one that's been burning in me. If you would take a poll of most of the people in the state of Ohio, and ask let's say 10 people who their US Congressman is, how many do you think would know who their Congressman is?

Speaker 7 (03:26:57):

Chair Wilkin, Representative Jones. I have no idea what people would respond to that. That's a... I'm not sure what that has to do with the map at hand. I'm just not sure. I don't want to speculate. It depends on who you talk to.

Re. Don Jones (03:27:13):

Follow up, Mr. Chairman?

Chairman Wilkin (03:27:15):

Please.

Re. Don Jones (03:27:16):

Well, I guess my point is this, I mean, we all are here today for the sake of trying to get fair maps, or what we believe are fair maps. And I think we can all agree that we're going to disagree. And my question of asking you that is in my time I've spent, most people do not even know who their state representatives are, if you're out on the street asking that question.

Re. Don Jones (03:27:37):

And I'm saying this in terms of this, we can set here and split hairs all day. We can have disagreements. But we have to remember, there are criteria that we have to adhere to. And sitting here saying, we want to be able to keep communities together. I agree with all that, but sometimes it is totally impossible to make these lines the way we want them to be.

Re. Don Jones (03:27:59):

And that's just the reality. And I think we're getting too far away from that. And I mean, in your testimony, you bring up some very valid points and I respect them. But I think the point I'm asking is where do we stop and say, "Look, this is the best we're going to get based upon what we have. How much time can we spend?"

Speaker 7 (03:28:20):

Chair Wilkin, Representative Jones. I understand that not every single community or Ohioan will be pleased with the outcome of any map. That's not, I think, what any of us here are asking for today. Well, first, I think we can start with actually just presenting a map that meets constitutional criteria. That has not happened yet.

Speaker 7 (03:28:50):

At the very basic level, we can start with that. But following that, the process itself has been a failure. I think when we are talking about, well, we just need to talk it up to not, everyone's going to be satisfied. We've been working for months to try to make this a better process to actually help this committee and whatever committee comes together to pass this map to have real data, to have community input.

Speaker 7 (03:29:26):

Not to please every single person, but to do this in a transparent, fair, well thought out, strategic way, which is what Ohioan's voted for. That has not happened.

Speaker 7 (03:29:42):

And so we're not here asking draw the map exactly this way to please every single person in Ohio. But there have been no good faith efforts made, to be honest. Like no good faith efforts have been made on the part of our leaders to put forth a map that even attempts to draw districts that fairly represent Ohioans.

Speaker 7 (03:30:11):

And so I just think that that is a scapegoat to say, we can't please everyone. And we need to move on. This map at hand does not even attempt to fairly represent Ohioans. It clearly violates constitutional

criteria. There are at least two districts. Again, I haven't had the time to like dive in immensely into the map, but there are at least two districts, including Cincinnati's district that are not compact. I mean, that's like basic constitutional criteria, 101, right there, just need to be compact.

Speaker 7 (03:30:46):

Okay, well, we already aren't meeting that. And then we look at what other things do we need to meet? It may not be spelled out exactly there, that communities of color don't need to be split up. But it does say that communities of color, in the Voting Rights Act, need to be able to elect people of their choice.

Speaker 7 (03:31:05):

If we are gerrymandering the state of Ohio, people of color, can't do that. And so that is violating the Voting Rights Act. And so I don't know how else to convince or to present why it is needed, that we actually make a good faith effort to draw these districts in a fair way. But drawing the districts in a way in which some analysis say 13, two, different analysis, but overwhelmingly are favoring one party. And they're drawn strategically to do that. That is gerrymandering. And that is what Ohioans voted against.

Chairman Wilkin (03:31:50):

Representative Jones, I'll give you one more follow up. Now, please be concise in your question and concise in your answer.

Rep. D.J.Swearingen (03:31:55):

No, no, no. Thank you. Mr. Chairman.

Chairman Wilkin (03:31:58):

Representative Brown.

Rep. Richard D. Brown (03:31:59):

Thank you, Chair. I'll be brief. Our Constitution Article 19, Section 01, Section C, paragraph three, subparagraph B, states, essentially that in a four year map, there shall not be an undue split of governmental units, giving preference to keeping whole counties, then townships, and municipal corporations.

Rep. Richard D. Brown (03:32:26):

So just focusing on the county's part of this, does the proposed map keep Hamilton County, whole?

Speaker 7 (03:32:34):

Chair Wilkin and Representative Brown. I believe, no, it does not. It splits Hamilton County into three districts.

Rep. Richard D. Brown (03:32:41):

And follow up, Chair. Does the map keep Summit County whole?

Speaker 7 (03:32:47):

Say that again?

Rep. Richard D. Brown (03:32:48):
Does the map keep Summit County whole? Akron?

Speaker 7 (03:32:51):
Chair Wilkin, and Representative Brown. I believe it does not. No.

Rep. Richard D. Brown (03:32:54):
Does the map keep Cuyahoga County whole?

Speaker 7 (03:32:57):
No.

Rep. Richard D. Brown (03:32:58):
No further questions.

Chairman Wilkin (03:33:02):
Any other questions? See none. Thank you for your testimony. Chair now calls Tim O'Hanlan. Is Tim here? Chair recalls Susan Cavanaugh.

Susan Cavanaugh (03:33:14):
Thank you. I do have... Oops. I do have testimony to hand out. Can I have a different mask to put on? Oops. Excuse me. You checked everybody, but also wanted you to hear. So testimony-

Chairman Wilkin (03:33:41):
Please just hand them to the first Representative, or... Thank you, Fred. Ma'am, welcome to committee. You may begin when you're ready.

Susan Cavanaugh (03:33:54):
Yes. Thank you. Chair Wilkin, Ranking Member Brown, and members of the Ohio House Of Representatives, Government Oversight Committee. Well, first I should say I'm Susan Cavanaugh, C-A V-A-N-A-U-G-H. Thank you for the opportunity to testify regarding redistricting and House Bill 479. And I'll also add, I'm here as a citizen.

Susan Cavanaugh (03:34:20):
I'm a lifelong resident of Ohio. Born in a small town. Grew up on a small farm. Lived in a medium sized city. And for the past 45 years, I have lived in the Downtown Columbus zip code of 43215. For many of those years, I lived in a community called Victorian village in District Three, 2.1 miles from where I am now standing. Then I moved to the short north, a half mile closer. Imagine my surprise, when a farmer outside of Chillicothe, and a city council member from Athens, Ohio, started writing to me wanting to be my congressional representative.

Susan Cavanaugh (03:35:09):
I had moved to their district. Now, I live about a 12 minute walk Southwest of the Capitol, and I'm back in district three. I refer you to addendum one, to see these current gerrymandered districts. I've heard a

lot about, I don't understand what jury don't understand what gerrymandering is. Well, just look at the shapes of these. This is gerrymandering.

Susan Cavanaugh (03:35:41):

I was among those who worked hard on redistricting; collecting signatures. I was skeptical when told that the Republicans were taking care of it for the congressional district and that they, too, wanted to end gerrymandering. Seeing the map introduced yesterday tells me I was right to doubt that you were serious. This proposed map is totally dismissive of all those who worked to end gerrymandering. It is totally dismissive of anyone living in any city in Ohio.

Susan Cavanaugh (03:36:18):

If you look at addendum two, you'll see how House Bill 479 splits Franklin County into three districts. And the shapes of those three districts. Now, the population of Franklin County is over 1.3 million, that could equal 1.8 representatives in Congress. It would be very easy to add two to 300,000 people by looking at any number of bedroom communities that surround Columbus.

Susan Cavanaugh (03:36:57):

Instead, your map makes one Democratic District and divides the rest of Franklin County into two other districts. Adding enough rural counties to each to ensure two Republicans are elected. This is gerrymandering. By looking at the map, I can't tell if I'll be in district three, urban, or 15, with farmers in Licking and Fairfield counties.

Susan Cavanaugh (03:37:24):

It makes no sense to me that, I, living in the middle of the largest city in the state could be in a farming district. It's worse for my friends who live in the Northeast part of Franklin County. Their new district would extend to Lima, Wapakoneta, and Mount Gilead. This is gerrymandering.

Susan Cavanaugh (03:37:46):

I won't go into detail, but if you look at the Republican map in addendum three... Oops, [inaudible 03:37:54] that up there, it's clear that Cleveland, Cincinnati, Toledo, Akron, Akron Canton, have all been gerrymandered. It's contemptuous of anyone living in an Ohio city. Telling me this map is fair, tells me you think I'm stupid, and I'm not.

Susan Cavanaugh (03:38:18):

Now, if your plan... And I just thought about this kind of walking over here this morning. I thought maybe there is a reason. If your plan is for Ohio to continue to lose population, especially among young people, and how the brain drain increase, I think you'll succeed with this map. I thank you for the opportunity to testify. I hope you'll have more hearings, and I'd be happy to answer any questions.

Chairman Wilkin (03:38:45):

Any questions? See none. Thank... Oh, Representative Hicks-Hudson.

Rep. Paula Hicks-Hudson (03:38:54):

Thank You, Mr. Chair. I want to just thank you for your testimony, for being here at the very beginning, sitting through where we are today. And I do agree with your analysis and looking at how these maps affect you as a citizen. So I just wanted to say thank you for that.

Susan Cavanaugh (03:39:17):

You're welcome.

Chairman Wilkin (03:39:19):

Thank you for your testimony.

Susan Cavanaugh (03:39:20):

Thank you.

Chairman Wilkin (03:39:20):

The Chair would now call up Michael Ahern.

Michael Ahern (03:39:34):

Hi, I'm Michael Ahern. I live in Blacklick and I do know who my state representative is. Before I get started with my testimony that I had prepared. I do want to say that the process associated with considering this bill seems to me to be extremely rushed when it does not need to be. I really want to have additional hearings on this bill, particularly in other parts of the state.

Michael Ahern (03:40:07):

Those of us that live in Central Ohio, at least we can get here with 24 hours notice. But if you want meaningful public input, which I think the reforms that are in our constitution really are driving towards in terms of process, you certainly are not meeting that bar through the process that has unfolded so far. And I think it's very disappointing and it does a service to the voters of Ohio; and actually all citizens, whether they vote or not.

Michael Ahern (03:40:42):

In addition, one other item, procedurally, through the redistricting commission process, there were an awful law of excellent maps that were submitted by very thoughtful people with rational arguments, for why they drew the maps, the way that they did. In the 24 hours that I've had to take a look at the map that we're talking about today here, I can't find much rationality, other than gerrymandering in that map.

Michael Ahern (03:41:13):

If you are really interested in meeting the requirements, and the spirit, of the redistricting reforms, then you would have a portal for citizens to be able to submit the maps. I heard yesterday that the commission's portal at this point in the process is not the mechanism to submit maps. It's not going to be considered by the legislature. Those maps aren't going to be considered. The arguments, the underlying documentation, and so forth is not going to be considered by the legislature, and that needs to occur and is part of the process.

Chairman Wilkin (03:41:46):

If can I interrupt for just one second, if you can just please address the House Bill in front of us right now? Anything to do with the commission is not part of this right now. It's just the bill.

Michael Ahern (03:41:56):

Correct. And I'm only mentioning that in context, that there was a process and a portal for the public to meaningfully participate. Whereas, right now associated with this bill, there is not. Now, to go to my testimony. For the past couple years, I've been a poll worker, and I'm an unaffiliated voter. So I'm not part of either of your parties. And I end up having to vote for whoever makes it through your primary, through gerrymandered districts. But at the board of elections across Ohio, there are Republicans and Democrats, and unaffiliated people like myself. And we go there and we make the sausage of the voting process. And we do that in a nonpartisan fashion.

Michael Ahern (03:42:56):

They take their hats off. They watch each other. They're together throughout all the steps of the process. And they make sure that every vote counts, literally. But in gerrymandered districts, it's a foregone conclusion for some voters before they even enter the voting booth. This is the only part of our voting process across the nation where partisanship seems to take precedence over the vote of any individual. And that is what the redistricting reforms we're trying to address.

Michael Ahern (03:43:40):

I want to show you this picture here. Okay? And I know it's difficult for you to see. You can't tell the two people who were suited up last November at the Franklin County Board Of Elections for early voting. You can't tell which one is the Democrat and which is the Republican. Whether I brought it right up to you, or not, okay?

Michael Ahern (03:44:01):

They did their job in a nonpartisan fashion. They put their lives on the line so that people could come and vote. And so that the votes could count. You should do the same thing here. You should take your party hats off, and act as legislators, and draw fair maps and district maps and districts that are competitive, that are compact, represent communities. And the map associated with substitution House Bill 479 does none of that, in my opinion.

Michael Ahern (03:44:31):

Now, I would love to be able to give you some detailed comments on that map, but because of this rushed process, I'm not able to do that. Because of the fact that when the maps were first introduced, it was just a PDF file and not the shape files. I'm not able to do that analysis and give you good input. So I'm here today to represent the average Ohioan that wants to be involved in this process, that wants their vote to count. That wants fair maps that are consistent with the reforms. And so I'm here to ask you, in fact, demand of you, to do your jobs under the requirements of the reforms. Thank you.

Chairman Wilkin (03:45:16):

Are there any questions? See none. Representative Howse.

Rep. Stephanie Howse (03:45:23):

It's getting worse. So, okay. What if I whisper? Can you hear me better? Nevermind. I'm trying to get through the Chair. To the sponsor of the Bill, earlier in testimonies, I thought I heard a representative say that people can send a map to the State House or go to the redistricting website. Was that correct, Chair? I just wanted to get some clarity.

Chairman Wilkin (03:45:57):

I don't recall for sure.

Rep. Stephanie Howse (03:45:58):

Okay. Well, I'm pretty certain, it was Representative Abrams who indicated that people can go to the Redistricting.Ohio.gov website or just send it in. And when you go to this website, it doesn't talk anything about the congressional maps.

Rep. Stephanie Howse (03:46:15):

And so I just want to reiterate what you said. There is no opportunity, even though we voted on an amendment to allow Ohioans, to submit maps. We have not established a process for people to do that. And so I guess through the Chair, can you explain how can Ohioans fully participate in this process and to submit maps for this process?

Chairman Wilkin (03:46:44):

Representative Howse. I misunderstood. I thought you said the bill sponsor said that yesterday.

Rep. Stephanie Howse (03:46:47):

Well, I was talking about today.

Chairman Wilkin (03:46:49):

Do you believe that Representative Abrams did make a comment today and I'll recognize Representative Abrams to answer that question.

Rep. Cindy Abrams (03:46:55):

Thank you, Chairman. Through the Chairman to the Representative. If you go to Redistricting.Ohio. gov, you go to the menu, you'll click on public input. Then at the top, in a red button, contact the commission or submit map.

Rep. Stephanie Howse (03:47:15):

Through the Chair. This is regarding the redistricting commission. The process for congressional maps is through the Ohio general assembly, not through the redistricting commission. So clarification through the Chair, again, how are people supposed to know when it is not stated through the congressional process, again, for the Ohio General Assembly, which is a different process than the redistricting commission.

Chairman Wilkin (03:47:44):

Representative Howse, if I can, I would say, sir, if you have a map to present, you can send that through the Chair's Office and we'll distribute it to the committee.

Re. Don Jones (03:47:52):

Thank you, Chair. Sorry.

Chairman Wilkin (03:47:55):

Representative Abrams.

Rep. Cindy Abrams (03:47:56):

Thank you, Chairman. Just to clarify. Again, if you go to the... When you click submit your map, you can choose general assembly or congressional. Okay? On the computer here. Furthermore, we all voted on this. It was an amendment to House Bill 92 that was signed by the governor.

Rep. Cindy Abrams (03:48:12):

Again, to be able to have the public input on this. So, everybody in the room here voted for that. Again, House Bill 92. So the public can submit right here. I'm looking at it, again, on the website that we both agreed to, the same one; Redistricting.Ohio.gov.

Rep. Stephanie Howse (03:48:29):

Point of clarification. Again, I am on the website. You had the Redistricting Commission, which was responsible for the process regarding our legislative house districts. We are now still in the phase where the Ohio General Assembly is supposed to be collecting input, right?

Rep. Stephanie Howse (03:48:53):

As me, as a State Legislator, how am I supposed to get access to these maps? I'm not a part of the Redistricting Commission, and this is not what this says. It is not outlined like that for everyday Ohioans. And the sponsor just indicated that again, it was communicated to people that they are not considering the maps submitted on this commission website. So clarification and the question to the Chair, how is it outlined? And what are Ohioans supposed to do to submit their ideas of how Ohio's congressional maps should be done?

Chairman Wilkin (03:49:30):

Representative Howse, I've just made the offer. If he would like to submit a copy of a map to us, we will distribute it to the committee. Are there any questions for the witness?

Rep. Stephanie Howse (03:49:37):

A point for clarification, what about everybody else? What about Ohio's?

Chairman Wilkin (03:49:42):

I'm sorry?

Rep. Stephanie Howse (03:49:43):

What about... I understand the sponsor. I mean, the gentleman, I appreciate you, and he can submit it to the Chair. What about all other Ohioans and how are we communicating that in the public forum to submit their maps?

Chairman Wilkin (03:50:00):

I think I've been clear in saying if they want to submit it to us through the Chair, we will do our best to get everything out.

Rep. Stephanie Howse (03:50:05):

Can we get that on-

Chairman Wilkin (03:50:06):

Actually, the Chair is going to move on. Sir, are there any questions for the way the witness? Hearing none. Thank you for your testimony.

Michael Ahern (03:50:15):

Thank you, sir. Chair would now call, is it Katie Shanahan?

Katie Shanahan (03:50:29):

Good afternoon, Chairman Wilkin. I appreciate the opportunity to testify today. I didn't realize that I'd be able-

PART 7 OF 9 ENDS [03:51:04]

Katie Shanahan (03:51:00):

I appreciate the opportunity to testify today. I didn't realize that I'd be able to do both the Senate and the House so I appreciate my late submission and I will follow up with an email to your office with my testimony in writing. Just a very quick point about the... Oh, I'm sorry.

Chair Wilkin (03:51:15):

Can I interrupt you just one second? And this is only because I forgot. If anybody that has came in and just signed up. If you have your testimony, you wish to email to make it part of the record of my office, we will do that. So thank you for reminding me.

Katie Shanahan (03:51:26):

Thank you. Just a quick point to follow up on Representative House's questions. The website that you're pointing to says at the top the Ohio Redistricting Commission and so I would just note that it's perhaps confusing to everyday Ohioans who travel to that despite the bill that you passed to set up that as a technical way for people to submit maps. Perhaps it could be updated to reflect where the process is now, which is not in the redistricting commission, which is disbanded as of Sunday, but could perhaps reflect that it's actually to the Ohio legislature that people are submitting maps. Just a tip, perhaps to make the process more accessible for everyday Ohioans. I appreciate that people could either mail it to the state house or to email it to you, Chair Wilkin. My name is Katie Shanahan and I'm the Ohio State Director for All On the Line, a grassroots advocacy organization that's working to restore fairness to our redistricting process and to end gerrymandering.

Katie Shanahan (03:52:20):

For the last decade, Ohioans have lived under some of the most gerrymandered congressional districts in the country. Our district lines carve apart our neighborhoods, dilute our political voice and diminish the power of our votes. Our current map is not fair, but this year you all have a chance to rectify that. In fact, you have a duty to do so. Unfortunately, the Republican proposed map is even more gerrymandered than our current one. It is, to borrow a word from Secretary of State LaRose, asinine to suggest that it complies with either the promise of our 2018 reform measure or the letter of the law. The Republican proposed map is not a fair one and it should be rejected wholesale. What does a fair map for Ohio actually look like? To us at All On the Line, a fair map is one that keeps our communities together.

Katie Shanahan (03:53:08):

It provides real pathways to political representation for Ohio's communities of color, and it reflects how we actually vote. A fair map, like I said, would keep Ohio's communities together as much as possible, particularly those in and around the state's largest cities to ensure adequate political representation for everyone. Our current map does a masterful job at carving apart especially our big cities with the purpose of undercutting our political power. My own congressional district is a perfect example of this practice. I live in Clintonville, which is an urban and progressive Columbus neighborhood, about a 10 minute drive from the state house here. And the bulk of my life revolves around Columbus. I grew up here. I went to school here. I work in and around downtown Columbus and it's surrounding suburbs, but my congressional district lines take me out of Columbus and into a seat that stretches an hour north to Mansfield and an hour east to Zanesville. That is otherwise a district that is rural and conservative. Under the Republican proposed map, my community is packed into just one of the three democratic congressional seats for Franklin County, a county that is overwhelmingly Democratic, and yet would only be represented with one Democratic congressional member and two others who are Republicans. In a wild twist, another Franklin County district includes the Ohio State House, which is in central downtown Columbus with cities like Newark and Lancaster.

Katie Shanahan (03:54:33):

I can't imagine anyone with a straight face can argue that that map lives up to what Ohioans demanded when we asked in 2018 for new maps that actually protect our communities. The proposed map splits Columbus into three different districts despite language in the Ohio Constitution calling on all of you to keep most of the city hall. The map also pairs Dublin, a Columbus suburb with Lancaster. Other parts of suburban Columbus with Lima. Akron with Hawking Hills. Lorraine, a city on Lake Erie with Millersburg. Cincinnati with Portsmith. And Shelby County or Warren County, depending on which of the three districts Hamilton County is carved up in. It splits Toledo in half paring it with Mercer County in one district and Knox County in another.

Katie Shanahan (03:55:19):

And it splits Cuyahoga and Hamilton into three districts and some into four districts, again, relegating it to another decade of no representation. That level of cracking is surgical in nature and with cruel in intention, to drive us apart, to deny our community's real representation and to dilute the power of our vote. A fair map would reverse that sort of cracking. It would anchor congressional districts in each of Ohio's major cities: Cleveland, Cincinnati, Columbus, Toledo, Dayton, and Akron, to ensure that each of them is represented wholly and not just in part. It would minimize county splits to maximize community representation and special attention should also be paid to their surrounding suburban areas to avoid what happens under current lines with them being cracked apart and drowned into otherwise rural

districts. By prioritizing keeping communities together in these Metro areas, map drawers will also be able to achieve the statewide ideal of partisan fairness. By not cracking and packing these areas, a new map would help ungerrymander the currently enacted map and provide real representation that is more in line with the state of Ohio.

Katie Shanahan (03:56:29):

Additionally, it's important that a future map ensures that each Ohioans vote is fully realized. To live up to the constitutional promise of one person, one vote, our district should be drawn so that no one person's vote holds any more or less power than any other person's vote. But redistricting is a balancing act. There are always multiple important issues at it, sorry important interests at issue, but ultimately maximizing community representation is key. Any attempt to use one person, one vote as a smoke screen for an unfair map actually defeats the goals of fair representation behind one person, one vote. A fair map would also provide communities of color real pathways to political representation by reversing the current gerrymandering that dilutes their voting power across the state. Anchoring districts in and around especially our major cities will not only better serve those communities overall, but it also serves as an important protection against gerrymandering for communities of color.

Katie Shanahan (03:57:32):

Unfortunately, the Republican proposed map also fails in this regard. For example, the black and Latino communities in Cuyahoga County are packed into just one district while the AAPI communities are cracked apart into separate ones. Franklin County's black communities are split into three different districts. Toledo's black communities are split into two different districts. Black communities in Springfield are carved apart from more similar communities in Dayton and Montgomery County. And the map split apart Cincinnati's black and AAPI communities into different districts. Again, that sort of surgical carving apart of communities causes grave concern because the ultimate impact is that it dilutes the political power of Ohio's communities of color and denies them real pathways to political representation. Special attention must also be paid to the areas in our state where we have seen considerable growth and shifts in especially immigrant and new American communities like the Somali and East Asian communities in and around my hometown of Columbus. Where we have seen the biggest growth in population and in diversity, we should also see a growth in real political representation.

Katie Shanahan (03:58:38):

It's also important to note that fair districting does not require us to be color blind. A fair congressional map for Ohio is one that actually reflects the diversity of our state. And just as going outside in a thunderstorm with your eyes closed won't keep you from getting wet, drawing maps with racial data turned off won't keep you from being held responsible if ultimately your map dilutes the political power of communities of color. Fair redistricting must include the acknowledgement of how diverse communities actually need and want to be represented. As part of the work that you all are doing to develop district maps that are both responsive to and reflective of our communities. As mentioned before, our current congressional map is one of the most gerrymandered in the country. Despite the fact that Republicans have only won 54% of the statewide share of our votes in the last decade, they occupy a staggering 75% of our congressional seats. That sort of discrepancy between how we actually vote and who gets elected means that we as voters are essentially taken out of the political equation.

Katie Shanahan (03:59:40):

It is not we the people who elect our representatives, it is our gerrymandered maps that do so. That's not how democracy should work. The Republican proposed map also fails in this regard, as it would award 13 of our 15 seats to Republicans giving them 87% of our congressional seats and even more gerrymandered district lines than the ones that we have now. The map additionally fails to reflect the competitive nature of our state, affording no competitive seats that fall within a 48 to 52% range that would favor one party over the other. All in all, this map, again, puts politicians over people, manipulating district lines to serve partisan interests and not those of the communities these lines are meant to serve. A fair map would rectify partisan gerrymandering and would instead reflect our partisan balance with seven Democratic seats and eight Republican seats. Among those, the map would also contain multiple competitive seats to actually reflect where in our state we actually have swing votes.

Katie Shanahan (04:00:43):

Ohio is a purple state with voters who have voted for both Democratic and Republican candidates statewide across the last decade. And our district should reflect how we actually vote, including some areas with truly competitive seats. For more than two years, my job has been to lead our organizing efforts to prepare Ohioans to engage at every step of the redistricting process because redistricting is after are all ultimately about the people, which means it's all of us who should be centered in any conversation that you have about what our districts look like that will impact our political future for the next decade. Unfortunately, this hearing is inaccessible to most Ohioans. We were all required to submit testimony before even seeing the Republican proposed map. Nevertheless, Ohioans have met and will continue to meet the moment to continue to show up and fight for the fair process and maps that we deserve.

Katie Shanahan (04:01:38):

Our activists, many of whom would've loved to have been here today but couldn't given time and location constraints, are dedicated to a future in Ohio where our government works for, serves and actually represents all of us. They are committed to fighting for our communities to ensure that they have the political representation that they deserve and that ultimately our democracy in Ohio is strong. From day one, All On the Line and our activists have advocated for just two things: an open, transparent redistricting process and fair maps for Ohio, maps that keep our communities together, that provide real pathways to political representation for communities of color. And that actually reflect how we vote. In other words, we are asking for maps that look nothing like our current ones or like the ones that the Republicans proposed yesterday. Our congressional redistricting process to date has been, to put it lightly, disappointing.

Katie Shanahan (04:02:34):

Despite the resounding message that Ohio's voters delivered to all of you in our 2018 reform, this process has not been open. It has not been transparent. It has not been accessible to most Ohioans. And I fear that ultimately the outcome will not be a fair map. In 2018, Senate President Matt Huffman said that he was "confident that all of you could develop a process that reflects the will of Ohioans and provides a way for everyone to be fairly and equitably represented in Congress."

Katie Shanahan (04:03:01):

That is not what you all have done to date, either with the process for drawing maps or in the map that you have proposed. Drawing maps behind closed doors without any real regard for public input and with incredibly gerrymandered lines does not reflect the will of the 75% of Ohio's voters who demanded a

fair map in 2018. And a 13-2 map is certainly not one that provides a way for Ohioans to be fairly and equitably represented in Congress. In the next 26 days, though, you all have an opportunity to deliver for Ohio, to offer robust public engagement opportunities through hearings with accessible maps across the state, outside of daytime working hours, and with virtual testimony options to deliberate in the open about how best to draw maps that reflect our communities and to adopt a map that is fair, not just for one party or the other, not just for a group of special interests, but for all Ohioans. We will be here fighting every step of the way.

Katie Shanahan (04:03:59):

And we ask only that you join us in the fight for fair maps. Thank you. I'm happy to take any questions.

Chair Wilkin (04:04:04):

Are there any questions? Representative Hicks-Hudson.

Paula Hicks-Hudson (04:04:09):

Thank you, Mr. Chair. Before you gave your testimony, you talked about maybe a suggestion as to how we can get the public could have a stronger input into this process. Do you have any ideas as, I mean, there's been some confusion I think about the Ohio redistricting commission and whether or not their website is doable or not. Do you have a suggestion that we might be able to use in addition to having maps or testimony sent to the chair on how this might be an easier way to do?

Katie Shanahan (04:04:47):

Through the chair, to the representative, I would repeat my request that the header of that website be changed to actually reflect the body that's now in charge of the redistricting process, which is not the disbanded redistricting commission, but the Ohio legislature. And I would also encourage that there be a place for people to leave, not just maps, but also public comment on the maps. Drawing maps is not something that is accessible to everybody. I'm paid to do this work, and I don't even draw maps. So having a way for people to engage in this process that is not just relegated to either showing up in person at the state house during daytime working hours or in drawing a map that gets submitted to a portal that we hope you all are also looking at, even though it was originally made for the commission. There needs to be real accessible ways for folks to give input in various medium.

Chair Wilkin (04:05:34):

Follow up?

Paula Hicks-Hudson (04:05:37):

Follow up, but it's more to the chair. And I really was hoping not for us to talk so much about process today, but I think that this is highlighting another need for us as this committee to be moving forward. So I'd ask the chair to see if there is a way that we can do two things. One, which is to be able to, which I don't know if we can, since the commission has, I won't say they've decommissioned themselves, but I'm not really sure if we can have access to that information as members of this committee. That's number one. If we can find that out and if so to make it available both ways for the public to be able to give us that information that we need and that we also have access to it so that we can look at it in the middle of the night if we need to in preparation for our hearings that are coming up next week.

Chair Wilkin (04:06:37):

I [inaudible 04:06:38] Hicks-Hudson. My understanding that House bill 92 has set up that domain for the public.

Paula Hicks-Hudson (04:06:43):

So is there any way that we can get that information out to the public and to us members so that we can spread this information around please? Because this is the first time I've heard anything about that. And I know that this is only our second committee hearing, but we need to be really engaged in such a way so that while we're dealing with these maps and we have differences of opinions as to their gerrymandering and their validity and meeting with the constitution, but we should be on the same page with the same hope of having input from the citizens on these maps, on this process, so that we can do our jobs and that we can also be prepared. So thank you, Mr. Chair for that.

Chair Wilkin (04:07:29):

Thank you. Are there any other questions for the witness? Representative House?

Representative House (04:07:35):

Thank you, through the chair. So I don't have a question for her. You know what? I don't have a question for her. I'm going to wait till after the witnesses because I would like to engage in this conversation regarding the website, but I'm going to wait till after the witnesses and go back to it because we need to get some understanding. Would you like for me to do it now or would you like for me to wait?

Chair Wilkin (04:07:53):

I'm not even a hundred percent sure what you said.

Representative House (04:07:54):

Okay. So let me say this. When we look at the process that we have outlined for congressional redistricting, as it is stated in outline, the general assembly had an opportunity by September 30th to pass a map. After that point, the Ohio redistricting commission had up until October 31st to come up with a map, which we did not do. Today is November 4th, right? Which is now the responsibility of the Ohio general assembly. At this moment, when we talk about the redistricting website, which you have indicated the Ohio redistricting commission is not in existence anymore. So A, Mr. Chairman, I am going to ask if you can work with whoever the Republican party or Republican leadership to get an updated website that articulates we are now in the process with the Ohio general assembly dealing with congressional maps and people need to submit the information however we going to submit it.

Representative House (04:09:12):

And to ensure that all of us as legislators can have access to that information because it is not a thing as what happened during the redistricting process, to our understanding, the Democratic members didn't have access to stuff at the same time. And as a member of the Ohio general assembly, it is my expectation, I'm not going to be a backup singer. We all sing it at the same time. And so we need to have the information at the same time. So if you can help do that based on where we are on November 4th and where we're supposed to be in this congressional redistricting process, that would be really helpful to allow Ohioans to fully participate and then give input to congressional maps.

Chair Wilkin (04:09:57):

Representative House, based off of House bill 92, that domain is set up and you are welcome to send that information out. It's available to everyone. You're welcome to send that information out.

Representative House (04:10:06):

I'm sorry. Chairman, how is that domain, this domain, this website set up for congressional redistricting when the redistricting commission is not in existence anymore? How?

Chair Wilkin (04:10:21):

The website is still available though, is it not representative?

Representative House (04:10:22):

Again, how is this website available to Ohioans when the redistricting commission is not in existence anymore? And we are now in a process, congressional redistricting is the responsibility now of the Ohio general assembly.

Chair Wilkin (04:10:40):

Representative House, House bill 92 specifically kept that domain open. That's what we voted on.

Representative House (04:10:45):

It might have kept the domain open, it does not state that. Constitutionally, the Ohio general assembly is responsible. And this is not what it states on the website. I can read. Let me read it to you because-

Chair Wilkin (04:10:57):

Representative House, I'm not going to get into a back and forth anymore on this.

Representative House (04:11:00):

You don't have to get into a back and forth.

Chair Wilkin (04:11:02):

Representative House, I'm not going to get into a back and forth.

Representative House (04:11:04):

Chairman [crosstalk 04:11:05].

Chair Wilkin (04:11:04):

Moving on, are there any questions for the witness?

Representative House (04:11:09):

I'm sorry. Point of order.

Chair Wilkin (04:11:10):

Chair recognizes Representative Galanski.

Representative House (04:11:12):

Well, no, point of order, because again-

Chair Wilkin (04:11:14):

Point of order is not recognized.

Representative House (04:11:16):

Okay, well we have to come up with something. Because again, how are we... People are not being able to communicate.

Representative House (04:11:22):

(silence).

Chair Wilkin (04:11:54):

That website is still open. There were things sent in from a gentleman who testified today and there's one I believe was sent in yesterday. Thank you, Representative [inaudible 04:12:03] for that information. At this time, the chair has recognized Representative [crosstalk 04:12:06].

Representative House (04:12:05):

Point of order. Chairman, the website says if you are testifying in person and are submitting [inaudible 04:12:12] testimony for our regional hearing of the redistricting commission, email a completed witness information form to testimony every district in ohio.gov. We are not at a regional hearing. We are here.

Chair Wilkin (04:12:25):

Representative Galanski, do you have a question?

Representative House (04:12:28):

Again, just because you don't like what I'm saying, you can't ignore me, like seriously, like how people supposed submit the information. This is what the website say Chairman.

Chair Wilkin (04:12:39):

Committee's going to stand at ease.

Chair Wilkin (04:12:40):

(silence).

Chair Wilkin (04:13:29):

Committee will come back to order. At this time, representative Galanski, do you have a question for the witness? See none. Thank you for your testimony. Is there anyone else here to testify on House bill? I was told Tim O'Hanlon has arrived.

Tim O'Hanlon (04:13:49):

Thank you. I will dispense with the lengthy salutations due to the time crunch here and just say Mr. Chairman, members of the committee, good afternoon. My name is Tim O'Hanlon. We live in the sliver of Columbus that was cracked into the meandering and very gerrymandered 15th congressional district, a district that meanders over 12 counties. Thanks to extreme gerrymandering, we've been disenfranchised for a decade. And now, as a further insult to representative democracy, our Congressman for the next year will be a Murray Energy coal lobbyist who is at the table when notorious House bill 6 was taking shape. Needless to say, ah, you'd have to look pretty hard to find any kind of common interest between the people in my community and our soon to be representative. The only transparency in the redistricting process thus far has been the blatant defiance of constitutional mandates voted by over 70% of Ohio voters in the 2015 and 2018. The congressional map, and I'm referring to the House map here, I didn't even find the Senate one until a few hours ago.

Tim O'Hanlon (04:15:37):

That magically appeared on November 3rd, offers a new variety of disenfranchisement by gerrymandering. This time we, and I'm referring to myself and my family and neighbors, would be packed into an overwhelmingly Democratic district three, almost impossible to lose there, in exchange for reducing Ohio's democratic congressional delegation from 4-2. A fair and proportional congressional map would reflect the percentage of Republican and Democratic voters in statewide elections over the past 10 years. It's a pretty yardstick. A proportional Ohio congressional map at minimum would produce eight Republican leaning districts and at least six districts that lean Democratic. The remaining district might be, would be a highly contested one with a slight Democratic tilt, but clearly winnable by the most effective candidate from either party. That would be proportional representation.

Tim O'Hanlon (04:17:06):

And despite the parade of disingenuous public statements, the leaders of the majority party in the Ohio Senate and House are well aware that political scientists commonly employ the percentage of Republican and Democratic votes in analyzing the degree of proportional representation in state legislative and congressional district maps. It's a commonly used, almost unanimously used, there are other little statistical wrinkles, but that is the standard definition of proportional representation. To pretend otherwise is simply to deny reality. Have a lot of that going on. But as with the Ohio Senate and House maps, the majority leadership is either advancing a bizarre definition of proportionality that no one else besides them recognizes as valid, witness the assertion that proportional representation didn't reflect the percentage of votes by the two major parties, but the number of elections won, the percentage of elections won over the past 10 years.

Tim O'Hanlon (04:18:25):

Now nobody that I've read in the political science community accepts that as a reasonable definition of proportional representation. And I dare say that the Republican majority leadership, some of whom were present during the crafting of these amendments, constitutional amendments, are well aware of that. To say otherwise, as I mentioned, is just disingenuous. It's either that, that they're honestly to advance the same sort of strange criteria for proportionality or just shamelessly abandoning any pretensive democratic representation altogether. Now the two are not mutually exclusive so I suspect it's a little or a lot of both. Like the Ohio Senate and House maps, this newly hatched congressional map represents nothing less than an attempt by the Republican leadership to draw their way to a congressional majority where issues that matter to the of Ohioans can safely be ignored and the only people that need to be listened to are a vocal minority. This has been going on for a decade. I remain

hopeful that we can produce something in the way of representative democracy for the next 10 years. Thank you very much.

Chair Wilkin (04:20:12):

Any questions for the witness? Representative Plummer.

Representative Plummer (04:20:16):

Thanks Chair. Sir, thanks for your testimony here, but let's talk about reality. So in your testimony, which is a public record, you indicated that we have a Congressman who was at the table during the corruption and House bill 6. Now being elected officials, do you have any evidence to back up this claim, sir?

Tim O'Hanlon (04:20:38):

Well, this is my own reading. I'm not, and perhaps it's good that you ask that question. I'm certainly not accusing the recent Congressman elect of any kind of corrupt activity. I do know from news reports that he was involved in when that bill was being formulated. The extent of his involvement beyond that, I don't know. I was offering that as an example of when you create a district that wanders over one third of the state, you don't get commonality of interest and we've been represented. We've been stuck in a district that has very little to do with daily life in my part of Columbus.

Chair Wilkin (04:21:33):

Follow up?

Speaker 9 (04:21:34):

Follow up.

Representative Plummer (04:21:36):

Well, sir, just for the record, we have all read every public document pertaining to the House bill 6. We've seen numerous people indicted. I fail to see this particular Congressman's name in any indictment. So just for the record, your statement is you're not implicating him in any criminal activity, you're just using this as an example?

Tim O'Hanlon (04:21:56):

Of course not. I don't know that. And I'm sorry if I insinuated that. I know that Murray Coal and he is a lobbyist was engaged with energy issues.

Chair Wilkin (04:22:13):

Excuse me, sir. At this point, we are going to stick to House bill 479. If you want to address specifically that, that's what we're going to talk about.

Tim O'Hanlon (04:22:21):

I apologize to the chair and to the committee if I insinuated. I was trying to illustrate the lack of common interests in our newly minted congressional representative for the next year. That's all. Point well taken, Representative Plummer.

Chair Wilkin (04:22:47):

Any there any other questions? Representative Swearingen.

Representative Swearingen (04:22:52):

Thank you, Mr. Chairman, and thank you, sir, for your testimony today. Two questions. You mentioned proportional representation and commonality of interest. Where in article 19 of the Constitution that governs the congressional district map making does it say those things?

Tim O'Hanlon (04:23:11):

Unlike the constitutional amendment that governed the creation of state, Senate and House legislative districts, there is no specific requirement for proportional representation.

PART 8 OF 9 ENDS [04:24:04]

Speaker 10 (04:24:00):

... requirement for proportional representation, as operationalized by the percentage of the two parties' votes in statewide elections over a period of time. I was making two points there. There is no gerrymandering provision in the constitutional amendment dealing with... It said it should not favor one party over another. I do believe that is in both constitutional amendments. So I was trying to make that point, that a 13 to two ratio of the Republican delegation to Democratic, on its face, is suspect in terms of proportional representation.

Speaker 10 (04:24:59):

And there's evidence. I've had two hours to go over this map. So there's a lot that needs to be unpacked here. But, clearly, the two majority Democratic districts are a prime example of what political scientists refer to as packing, where you've got majorities, Democratic majorities, of 70% or more. That is a tactic used to dilute or to pack all of the opposition into one district, essentially, or a few districts.

Speaker 10 (04:25:45):

So based on that... Oh, and the third point was that, in looking at proportionality... I know there are various... It's far beyond my expertise, but, in looking at the way proportionality, proportional representation, is operationalized by political scientists who are involved in this area, the percentage of statewide voting patterns between the two parties is commonly used in determining the degree of proportionality. Now, there are other criteria as well, but not the percentage of electoral wins by one party over another. I've never seen that.

Speaker 10 (04:26:52):

So those were my points. That's my reason for saying that, certainly by implication, the constitutional amendment implies proportional representation, even though it doesn't say it is explicitly, as the 2015 constitutional amendment referring to state legislative districts does. But to say that a 13 to two party lean in any way reflects the expectations in that constitutional amendment, given that no gerrymandering, no advantage to one party over another, or no unfair advantage or whatever it says... On its face, that is a non-proportional map, in [inaudible 04:28:06], to actually lead to the reduction in a Democratic delegation from four out of 16 the two out of 15. And you can say, just on the face to it, the

way it was done... As I say, this popped up on November 3rd, so I really haven't had much time to look at things like majority opportunity areas and other things and compactness and all the rest. But-

Chair (04:28:39):

Sorry. If I can interrupt for just a second. Representative Stewart, has he answered your question?

Representative Stewart (04:28:41):

I think it's a "no" to my question.

Chair (04:28:43):

Okay. Do you have another follow up? All right. Representative Golanski?

Representative Golanski (04:28:49):

Thank you to the chair, and thank you, sir. I just wanted to thank you for your testimony. And also, if I can bring it down here, when you were describing where you live in the Columbus area and based upon the maps that have been proposed and amended 479, would you say that the 13/2 map offered by our colleagues is actually unduly partisan?

Speaker 10 (04:29:19):

Oh, sure. Of course. Of course, I would. It'd be nice for all 70% of us to contact our representative about issues we care about, but in a delegation of 13 to two, the ability of my congressman to be under this map would be quite limited in terms of influence with a 13 to two Republican majority. That is no way representational, proportionally.

Chair (04:29:59):

Follow up?

Representative Golanski (04:30:01):

No, thank you. Thank you.

Chair (04:30:03):

Any other questions for the witness? Seeing none...

Speaker 10 (04:30:08):

Thank you.

Chair (04:30:08):

Representative Ginter?

Representative Ginter (04:30:09):

Thank you. Thank you for your patience. Thank you for your testimony. I would just like to talk with you for a moment if I could and ask a question. I listened to your concern about public input, and I've heard that over the last four hours and a half, roughly, that we have listened to testimony and interacted with individuals from the state of Ohio. As you well know... It sounds like you're very learned in the process.

You recognized that the redistricting commission had until the 31st of October to complete or come up with some type of a map. That is on Sunday. That kicked it over, then, to the Ohio legislature. And it seems to me that we did not waste any time, nor did leadership, in beginning the process that is required of us, that we move forward with the development of a map.

Representative Ginter (04:31:02):

So October 31st was Sunday. November 3rd was the first hearing. We kept within the timeframe. My understanding was, in the announcement that is required for public hearings in the state house, that was followed. And so, I guess my question to you is how could we have, following the process that has been laid out for us, of which we are following, and within mind, that we moved as quickly as possible from the 31st to a first hearing on the 3rd, a Wednesday, which is a normal hearing day for a committee in the state of Ohio, how could we have moved any quicker to have brought the public and the public in and public comment into this process of which, again, I would remind you is going on for several hours now at this point?

Speaker 10 (04:31:57):

And I really appreciate that. I was to be here this morning, but family emergency. And I appreciate the opportunity. I know you've been here for a long time. I guess, first of all, I was saying there's... The first two iterations of the first two deadlines, there were no maps at all. There was one produced by the Democrats, but there were no maps, period.

Speaker 10 (04:32:27):

This time... and this has come up several times... My experience was that a hearing is announced before there's an available map to look at. And so, finding out there was a hearing, I had no immediate access to a map that was presented. I wanted to participate, so I threw in some general remarks. Then I found out, later in the day, oh, whoops, there is a map. But the testimony is about that map tomorrow.

Speaker 10 (04:33:07):

And so, I think it's a matter of... I don't know if it's possible. Someone, this morning... I was watching on Ohio Channel... mentioned a joint legislative committee that could have some dialogue in presenting a map. And mainly, that maps be available to the public with a sufficient amount of time... and I'm not talking about weeks. I'm talking about days... to coincide with the hearing. It's almost backwards. You find out about a hearing, but there's no map. And then there's a map, but it appears at the 11th hour, and people feel caught off guard. They have to amend their testimony. So that's the primary thing. It's great that... And I think you're to be commended, the legislature to be commended, for getting on this right away because God knows that hasn't happened in the first two rounds of this. But somehow, and I think this point was made earlier by Representative Howse, if people could have access to maps with sufficient time so their testimony would be more targeted toward the actual map that's being produced.

Representative Ginter (04:34:44):

Mr. Chair, may I follow up?

Chair (04:34:48):

Please.

Representative Ginter (04:34:48):

Thank you. So thank you. And so, I guess a yes or no would be helpful in light of the time. You do understand that we have until November 30th for this process to bear itself out?

Speaker 10 (04:35:03):

Yes.

Representative Ginter (04:35:04):

Very good. And do you feel that you have had sufficient opportunity to voice your opinion in this process and your opinion regarding the current proposed map?

Speaker 10 (04:35:14):

Yes and no. I'm grateful for the openness because I know God knows you must be tired of hearing people like me yak all day. On the other hand, I felt there wasn't enough time to prepare for this, really, in any kind of depth.

Representative Ginter (04:35:39):

Sir, unless you're tied up from now until November 30th, then you have more days and weeks to provide input into this process. You do understand that? Correct?

Speaker 10 (04:35:51):

May I ask you a question? Not to prolong this, Representative Ginter, through the chair. I guess a lot of us picture an ongoing dialogue here. I know everything can't be public, but an ongoing dialogue where... Is this going to be the final version of the map that the majority is going to insist on? Or is it going to be amended along the way? So there would be a kind of dialogue. I realize time is short, but you really don't know. Several times, something has been proposed, and then it completely disappears until the 11th hour. And we don't know what's going on in terms of is it being amended? Who's being listened to? Is this a second iteration of this? How do you like it now? Better? Worse?

Speaker 10 (04:37:10):

And then, obviously, the decision has to be made, 10-year map, four-year map. But this has been lacking all along, a kind of progressive... Okay, you got a good earful about what people who oppose a map don't like about it. Now, what's going to happen? There's no sense of what's going to happen next. Is this going to, now, disappear until November 29th, which has happened? The whole commission thing was like that. It was like peek-a-boo. It popped up on the very day of the deadline.

Speaker 10 (04:37:52):

Or is there going to be something else produced now, as a result of these hearings, where feedback, whether it's in the form of public hearings or not, so that the public is carrying on some sort of a dialogue? This is so important. I mean, my God, it's 10 years. The public is carrying on a dialogue with the legislature. And you've got the power. You don't have to... All we can do is try and persuade. But, at least, to know where things stand before it's too late. And that's been our unfortunate history so far. It becomes too late to do anything about. And it ends up with the Supreme Court.

Chair (04:38:43):

Representative Ginter, I'll let you address that. And then we're going to move on.

Speaker 10 (04:38:46):

Okay. Thank you for your indulging me. I appreciate that.

Chair (04:38:49):

Go ahead, Representative Ginter.

Representative Ginter (04:38:51):

Thank you, chair. I will say this, that this is a process. There's been no indication that this input is not being evaluated nor will not have any impact. And so, I will tell you that, again, there is nothing that is being set in stone at this point. And so your input is being heard.

Speaker 10 (04:39:14):

Thank you. And the reason for... It hasn't happened to this point. This would be a refreshing change because the previous legislative maps... That clearly did not happen. And it's made witnesses very wary of the process. I'm sure you heard an earful of that today. So, if some sort of back-and-forth dialogue could take place, it would enhance things greatly. Thank you. And thank you for indulging me to time. I really appreciate that.

Chair (04:39:53):

Sir, I think we have one more question. Representative Howse?

Representative Howse (04:39:56):

Thank you to the chair. Good afternoon. So a quick question.

Chair (04:40:01):

Sir?

Speaker 10 (04:40:04):

[crosstalk 04:40:04].

Representative Howse (04:40:04):

Yes, it is for you. Just a quick question. Did you hear about the general assembly inviting Ohioans to submit maps in September to meet the original deadline of September 30th?

Speaker 10 (04:40:22):

Oh, yeah.

Representative Howse (04:40:23):

You heard... did we go through this... Was there a map released for congressional redistricting?

Speaker 10 (04:40:29):

Well, the Ohio Democrats have got a map in right before the deadline. The problem... our experience with... once again, this is the 2015 constitutional amendment and the Ohio redistricting process... was that there were a boatload of alternative maps submitted. People were invited to submit maps, but there was no public debate about any of them, their merits and demerits. So I have no idea what happened to them. There was an Ohio citizens redistricting commission, which has all sorts of academics and other on it.

Chair (04:41:22):

Sir, once again, if I can interrupt, we just want to make sure we stay on 479. And I want to give Representative Howse a chance for a follow-up.

Speaker 10 (04:41:28):

So, yeah, I did. But the question in our minds is does anybody pay attention to those?

Representative Howse (04:41:35):

Yes.

Speaker 10 (04:41:35):

We don't know whatever happens to those.

Representative Howse (04:41:37):

Yes. So, through the chair to the gentleman. I'm sorry. As you were indicating, the map that was released was from the Ohio... like a caucus... and not officially through the Ohio general assembly. And so this process that we are just now going on, we missed two deadlines and are just now engaging in a process 60 days later. So I just wanted to point that out, that, as we are starting this week, November 3rd and November 4th, we, as the general assembly, have failed Ohioans by not engaging in this process in September, which we should have done. That's all. But thank you.

Speaker 10 (04:42:25):

I'd love to see a discussion of the two maps, side by side. We would really benefit for that. What would the arguments be? And neither one of them might be acceptable, but it would really be instructive to the public, which has such a huge stake in this. And thank you. Once again, I should [crosstalk 04:42:52] out of here.

Chair (04:42:52):

Thank you for your-

Representative Howse (04:42:53):

Thank you.

Chair (04:42:53):

Thank you. The chair would now call Joseph [Bluebaugh 04:43:04].

Joseph Bluebaugh (04:43:03):

Thank you. Good afternoon.

Chair (04:43:05):

Welcome to committee.

Joseph Bluebaugh (04:43:06):

My name's Joseph Bluebaugh. I live in North Canton, Ohio. So my Senator is Senator Schuring. My representative is Oelslager. Last night, I realized I had time today to drive down from North Canton for this hearing. Workwise, I was able to move stuff around. And so I was just playing with the numbers. And I just wanted to mention I'm testifying in opposition to the House Bill 479. The constitutional amendments that were voted on overwhelmingly by Ohioans a number of years ago, the idea was that no party would be unduly favored by the maps. And I think it's pretty clear that Ohioans are pretty much, 55/45 split... 55 Republican, 45 Democrat... in the past 10 years. So the goal would be to get somewhere around 55/45, I would think, to follow that idea of unduly favoring a party.

Joseph Bluebaugh (04:44:18):

And the map that was presented by this committee is 13 to two. So doing the math, that comes out to 87% Republican, which is 32% more than the 55 that it should be. And whereas the Senate Democrats submitted a map that, based on my calculations... I'm not a expert on this... but it's leaning... Which districts are leaning Republican or Democrat and then which ones are more competitive are kind of just split between the different parties. And so, when I come up with that Senate Democrat map that was presented, by my calculations, comes out to about 60% Republican, 40% Democrat, which is still 5% above what it should be, Republican, and 5% below what it should be, Democrat.

Joseph Bluebaugh (04:45:11):

But if y'all could just discuss that Senate Democrat map that was presented and vote on it, I think most of the people in the state would be satisfied that you've achieved what we voted on in... whenever that was... 2015, with the constitutional amendments. I think we'd all be satisfied with a 60 40 split, even though the goal is 55/45. So I'd just like to ask you to do that. Thank you.

Chair (04:45:43):

Thank you very much for your testimony. Are there any questions? Seeing none, thank you for your testimony. At this time, is there anyone else that wishes to provide testimony on House Bill 479? All right. Seeing none, the chair recognizes ranking member Brown.

Representative Brown (04:46:00):

Chairman, there's one housekeeping matter I'd like to point out before we talk about the other issue. If you look at the iPad or tablet or whatever these things are, there are seven written testimonies listed, for the record.

Chair (04:46:15):

That's correct. I'll get to that.

Representative Brown (04:46:20):

And one of them is the written testimony of Dr. Mark Ryland, and it's listed as proponent testimony. And I understand why it's listed that way because he typed on the top of his form, on the top of his statement, "proponent testimony." But it's proponent testimony of Dr. Ryland in support of Fair Maps in Redistricting. And if you look at the body of his testimony, he comments that "You should be ashamed of yourselves. I personally feel your inaction has been intentional and guided by partisan politics and ultra-conservative beliefs, and that you should all resign." So I take it that he is probably an opponent, and I would ask that this be clarified and corrected to show him as an opponent.

Representative Brown (04:47:06):

And then, with regard to the other matter, the issue of maps and where folks can see them and present them for the consideration of this committee. We were directed by Representative Abrams... There was a mentioning of redistricting.ohio.gov. And when you go to that website, it says... At the bottom, there are some icons you can click on. One is public input. You click on there. And it says, "If you're testifying in person and/or submitting written testimony for a regional hearing of the redistricting commission, email a completed witness information form to such and such." And then there's a link below, submit your map. And you can submit your map with your name, your last name, and the organization. And then submit the map in a zip file form, indicating either whether the map pertains to a congressional map or a map for the state legislature.

Representative Brown (04:48:18):

And, of course, the Ohio Redistricting Commission is no longer in existence. We are now the Ohio general assembly. So the question that I have, and I think was attempted to be communicated before, was, if you're a citizen out in the state of Ohio, and you're interested in commenting upon House Bill 479, and if you have a map that you would wish to submit for consideration of this body, of this committee, can you still do so by utilizing this ohioredistricting.gov website? And will we then see it and be able to see it? And if the answer is yes, that's fantastic. But then the question is, how do folks out there know that they can do this? Because they may be confused. I can see where the folks may be confused, saying, "Well, wait a minute. I know the redistricting is over. The commission part is over. You guys are the GA." Would they know to go to this website? That's the question that I think folks are trying to understand.

Chair (04:49:22):

Thank you, ranking member Brown. And I am happy to give you your fantastic answer of yes. They can. And I will follow up with leadership and make it clear that the redistricting website, that the same website, has been designated by law in House Bill 92 for the public to submit congressional maps. And I would encourage any representative, as far as communicating that out there through their districts, to do so.

Representative Brown (04:49:47):

Mr. Chair, I appreciate that clear answer. And I think that does clarify things. And for anyone who may be watching on the Ohio Channel, please feel free that you can use this website to download your maps. And we will, pursuant to House Bill 92 law, be able to see them. They will be considered by this body, and you do have an input into this process. So, thank you, Mr. Chair.

Chair (04:50:13):

Thank you, ranking member Brown. Seeing there's no one else to testify on House Bill 479 and with no further business, committee is adjourned.

PART 9 OF 9 ENDS [04:50:46]

Chair Gavarone (00:00:00):
Elections committee will now come to order. Will the clerk please call the roll?

Speaker 1 (00:00:03):
Chair Gavarone?

Chair Gavarone (00:00:04):
Here.

Speaker 1 (00:00:05):
Vice chair [inaudible 00:00:06]?

Speaker 2 (00:00:06):
Here.

Speaker 1 (00:00:06):
Senator Serena?

Speaker 3 (00:00:07):
Here.

Speaker 1 (00:00:07):
Senator [inaudible 00:00:10]?

Speaker 4 (00:00:10):
Here.

Chair Gavarone (00:00:12):
And we have a quorum. Members, a copy of the minutes from the November 3rd meeting of the committee is on your iPads. The question is shall the minutes be agreed to without objection? The minutes are agreed to. The first order of business is the second hearing on Senate Bill 237. And we have several people here to testify today. But before that, I'm going to go over some ground rules. Some of them are repeats from yesterday, but I want to make sure we're all on the same page on how the proceedings are going to go forward. So first, these committee hearings are being structured in a way that allows us to hear from as many citizens from Ohio as possible on an important issue. There will not be standing by the public in the committee room. So if you don't have a chair to sit it, if it fills up, they will be directed to go to the north hearing room for overflow seating. And that room is directly across the hall.

Chair Gavarone (00:01:06):
Testimony should be sent to my office no less than 24 hours in advance of committee time. Any testimony submitted after the 24 hour deadline will be accepted at my discretion. Today, I was more lenient than usual because the first hearing on the bills started yesterday inside the 24 hours accepted testimony. We accepted testimony up until last night. If you did not submit testimony by last night, it's

unlikely that we'll be hearing your testimony today. For all future hearings, if testimony is not submitted to my office at least 24 hours in advance, it is unlikely that you'll be able to testify that day. It's important for committee members, staff, and Ohio citizens watching today on the Ohio Channel to have a clear understanding as to which bill people are testifying to. That's why there's a hearing for both Senate Bill 237 and Senate Bill 258 today.

Chair Gavarone (00:01:56):

We'll only be accepting and hearing testimony on the bill that's up for consideration at that time. In other words, we're not allowing anyone to speak on both bills at the same time. If you want to testify on both bills, you'll need to submit individual testimony and witness slips for each bill and we will call you up for each hearing. In order to get to everyone, we'll be setting a time limit of five minutes for each witness. The timer is going to be located on the monitor right there so everyone can refer to that. And I'll give you a 15 second warning to wrap up your comments. Testimony will end today no later than 1:00 PM. For planning purposes, this committee will take a brief 10 to 15 break around 11:30.

Chair Gavarone (00:02:39):

I understand people are passionate about the issue before a committee. However, everyone will be expected to keep decorum during these proceedings. We want to get through as many people as possible. And cheering, applause, booing, heckling prevents us from doing that and it will not be permitted. Also no video or pictures should be taken without permission of the chair. If you want to take video or pictures, we have a media form available for you to fill out for the chair to consider. And finally, we have an incredible set of serjeant-at-arms and highway patrol here today, and they're going to be around the room and the building and they keep everyone safe and they'll be here to assist members, staff, and citizens in attendance. And I'd like to thank them for everything they do. That said, we have a list of witnesses and we can get started. The first witness is Gary Gale. Good morning, Mr. Gale. Welcome to committee.

Gary Gale (00:03:49):

Good morning. I want to thank the committee and the chairwoman and the chairwoman's staff. Mr. [inaudible 00:03:54] was quite helpful to me in the numerous emails we did yesterday. I want to preface this with the comment that because I met the 24 hour guidelines of when things were due, I had not yet seen either the Senate or the House GOP maps, but since we are talking only about 237 right now, I will keep my comments to that. Okay. I will try not to be too much a fast talking lawyer. My name is Gary Gale. I live in Stark County, which was butchered in the last congressional redistricting. Earlier this year, I testified at the redistricting commission's [inaudible 00:04:32] hearing on a street county map favored by my local democratic party leadership. On October 28th, I testified concerning a 15 district congressional map that I submitted to the commission's portal on October 26th.

Gary Gale (00:04:46):

My earlier testimony was on behalf of my county democratic party. Today I'm only representing myself. I would ask that you take a look at my earlier testimony, however, where there was a three county map: Stark, Mahoning , and Trumbull, where the counties share a common educational level, economic status, ethnicities, forms of local governance, and both a common economic malaise, and concomitant population loss. Before I go further, I'd like to add while I am not a practicing attorney in Ohio, I continue to maintain my law license in Illinois. I am rated AV 5.0 over 5.0 by Martindale Hubble. And earlier this year, in anticipation of litigation, I took the NAACP's five hour gerrymandering CLE course, a course

offered by the Southern Poverty Law Center. And I was at a CLE course where one of the speakers was the legal consult from the Michigan Independent Redistricting Commission.

Gary Gale (00:05:51):

My expectation when I opened Senate Bill 237 was like virtually all the maps I have seen. They were drawn disregarding the wording of Ohio Senate Joint Resolution Five and the January 29th, 2018 joint release by Senate President Huffman, and then speaker pro tempore regarding the purpose of Senate Joint Resolution Five, when it was explicitly stated that it was done for the purpose of enhancing protections for regions, counties, and cities by keeping counties from being split more than twice. In fact, the updated plan calls for at least 65 counties to be kept whole and allow only five counties to be split twice, and eliminating strict equal protection requirements for districts. I was then questioned by Senator Huffman and I am familiar with currently Senator Schuring, as he is the state Senator where I live. He has been in our law office, and I have discussed reapportionment with him. He's an honorable man and I believe that had he not been swept up in the Obama tsunami in 2008 and had been elected to Congress, my county would not have been butchered in 2011 redistricting.

Gary Gale (00:07:10):

When I opened up the Yuko Sykes map, which is Senate Bill 237, that it met the goals of Senate Joint Resolution Five. And it is the best map I've seen with a total attorney lack of honesty with the exception of my own. Yuko Sykes maps with only one of Ohio's 65 smallest counties and had a commendable 0.16% deviation from the ideal district population, instead of going on a jihad against common sense and against the wording, at least as I read it, in the January 29th, 2018 release by Senator Schuring, who was then Speaker Schuring, and Senator Huffman, who talked about that it was not necessary to have exact population equality.

Gary Gale (00:08:10):

I specifically want to note that when we got to Stark County, my county, unlike other maps I had reviewed in the Yuko Sykes map, I can actually see that both township and municipal boundaries were respected, as is required by Senate Joint Resolution Five. While the Yuko Sykes map does not put all of Stark County in new district where their concerns are being listened to and they will -

Chair Gavarone (00:08:37):

15 second.

Gary Gale (00:08:38):

- 18 seconds?

Chair Gavarone (00:08:38):

Yeah.

Gary Gale (00:08:38):

Well, I've submitted this in writing. I'm going to ask you all to read it. If you're not going to take my map, please take these Sykes', the Yuko map. And I also want to commend them, unlike most of the maps I'm seeing, that we -

Chair Gavarone (00:08:51):

Thank you very much for your testimony.

Gary Gale (00:08:52):

Okay, I'm done. Thank you.

Chair Gavarone (00:08:54):

Are there any questions for members of the committee? Seeing none. Thank you very much for testifying today. Again, to clarify, we are hearing testimony on Senate Bill 237. Next to testify is Lucy Bishop. Good morning and welcome to committee.

Lucy Bishop (00:09:20):

Good morning. Thank you for giving me the opportunity to speak today. My name is Lucy Bishop. I am a first year student at Columbus State Community college, as well as a lifelong resident of Columbus, Ohio. I'm also a redistricting fellow with the Fair Election Center's campus vote project, an organization empowering college students to have a voice in their state's redistricting process. I will be speaking today in regards to redistricting on college campuses. Students on college campuses have many things in common. They come together to learn, participate in athletic competitions, form new relationships, and chart their futures. Even the most diverse college campus communities come together or rally around their school spirit. From financial aid and student loan forgiveness, to housing affordability and gainful employment, students also share similar interests and policy concerns. However, there is one major thing many campuses in our state do not share, which is being kept together as communities of interests and having proper representation in government.

Lucy Bishop (00:10:19):

Far too many campuses are being split between two or more districts at a congressional level. For example, the largest university in Ohio, and one of the largest in the country is The Ohio State University. Despite the campus's significance to our state, OSU is divided. While Ohio's third congressional district represents a majority of the campus, Ohio's 12th and 15th congressional districts also represent areas of the campus and the community. This is not simply an issue with large campuses. Xavier University, for example, is a much smaller campus, and despite its smaller size, is split between Ohio's first and second congressional districts. It is clear that this is not an isolated issue. Divided campuses bring major issues for a school. When a school, especially a public institution, has an issue they need to bring to the government's attention, it is hard to know who to turn to. A school may be sent back and forth between representatives or have issues when a small section of their student population is not within a certain representative's limits.

Lucy Bishop (00:11:17):

Another issue due to a divided campus is the dilution of student voting power. Divided campuses make it much harder for students to become politically active, because on some of these campuses, a student dorm that is only a five minute walk from another is in a completely separate district. This means different elected officials, different ballots, and different polling places. For students who change dorms during their college experience, that becomes even more challenging to navigate. Looking at the map proposal for Senate Bill 237, there's still work to be done in order to ensure all campus communities are kept together.

Lucy Bishop (00:11:50):

For example, while this proposal does a good job of keeping the Ohio state university and Xavier University together, it splits my campus, Columbus State Community College. I stress this because my campus was not previously split, so I'm concerned that this proposal does so. Please review this proposal further and address any and all campuses that are divided between multiple congressional districts. Campus communities must be kept together in any congressional map that is approved. Student voices are just as important as all others, and we deserve to be heard as such. Thank you for your time, consideration, and service to the state of Ohio.

Chair Gavarone (00:12:24):

Thank you very much for your testimony.

Lucy Bishop (00:12:26):

Thank you so much.

Chair Gavarone (00:12:26):

Are there any questions for members of the committee? Seeing none.

Lucy Bishop (00:12:30):

Thank you.

Chair Gavarone (00:12:31):

Thank you. Next to testify, we have Katie Shanahan Good morning. Welcome to committee.

Katie Shanahan (00:12:50):

Good morning, chairwoman Gavarone, ranking member [inaudible 00:12:53], and other committee members. My name is Katie Shanahan. I'm the Ohio state director for All On the Line, which is a grassroots advocacy organization that's working to restore fairness to our redistricting process and to end gerrymandering. We are also proud members of the Equal District's Coalition, which is an organization with more than 30 labor advocacy, civil rights, and community groups. For the last decade, Ohioans have lived under some of the most gerrymandered congressional districts in the country. Our current district lines carve apart our neighborhoods, dilute our political voice, and diminish the power of our vote.

Katie Shanahan (00:13:27):

Our current map is not fair, but this year you all have a chance to rectify that. In fact, you have a duty to do so, but what does a fair map actually look like for Ohio? To us, a fair map is one that keeps our communities together, it provides real pathways to representation for communities of color, and it reflects how we actually vote. By all counts, the Senate democratics proposed map does this, offering us a really good place to start community led conversations about how best to serve Ohio under a new congressional map. A fair map, like I said, would keep Ohio's communities together as much as possible, particularly those in and around the state's largest cities, to ensure adequate political representation. Unfortunately, our current map does a masterful job at the exact opposite, carving apart especially our big cities.

Katie Shanahan (00:14:16):

My own congressional district is a perfect example of that practice. I live in Clintonville, an urban and progressive Columbus neighborhood about 10 minutes away from here, and the bulk of my life surrounds Columbus. I grew up here, I went to school here, I work in and around downtown Columbus and it's surrounding suburbs, but my congressional district takes me out of Columbus and into a seat that goes in hour north to Mansfield and an hour east to Zanesville, into a district that's otherwise rural and conservative. The Senate democratic map, though, prioritizes keeping communities together. And it does the exact thing that we want to see, reversing the sort of cracking that we see under our current maps. It anchors congressional districts in each of Ohio's major cities: Cleveland, Cincinnati, Columbus, Toledo, Dayton, and Akron, to ensure that each of them is adequately represented wholly and not just in part.

Katie Shanahan (00:15:07):

It minimizes county splits to maximize community representation. A fair map would also pay special attention to the surrounding suburban areas around our big cities to avoid what happens under our current lines, where they're cracked apart and drowned into rural districts. By prioritizing keeping communities together in these Metro areas, map drawers will also be able to achieve the statewide ideal of partisan fairness. By not cracking and packing these areas, a new map would un-gerrymander the currently enacted map and provide representation that is more in line with the state of Ohio. Again, the Senate democratics map protects our communities by keeping them together in sensible, representative districts. A fair map would also provide communities of color real pathways to political representation, by reversing the current gerrymandering that dilutes their political power across the state. Anchoring districts in and around our major cities not only better serves those communities as a whole, but also serves as an important protection against gerrymandering, specifically communities of color.

Katie Shanahan (00:16:06):

Special attention must also be paid in the areas of our state where we have seen considerable growth or shifts in especially immigrant and new American communities, like the Somali and East Asian communities in and around my hometown of Columbus. Where we have seen the biggest growth in population and in diversity in our state, we should also see the biggest growth in political representation. Again, here the Senate democrats map does that, not just by relegating Ohio's communities of color to just a couple of token districts, but by opening up new and real pathways to deserved political representation. Our maps must also reflect how we actually vote. Our current one, like I said earlier, is one of the most gerrymandered in the country. Despite the fact that Republicans have won just 54% of the statewide share of our vote across the last decade, they occupy a staggering 75% of our congressional seats, a proportion that hasn't changed across the entire decade. That sort of discrepancy between how we vote and who actually gets elected means that you are essentially taking voters, the people, out of the political process.

Katie Shanahan (00:17:08):

It is not we, as voters, who elect our representatives. It's our gerrymandered lines that do so. That's not how democracy should work. A fair map would rectify partisan gerrymandering and would instead reflect the actual partisan balance of our state, with seven democratic seats and eight Republican seats. The map would also contain multiple competitive seats among those to actually reflect the swing nature

of certain parts of our state. Ohio is a purple state, a hill I'm willing to die on, or just a rigged and gerrymandered one.

Chair Gavarone (00:17:37):

15 seconds.

Katie Shanahan (00:17:40):

The Senate democratic map actually reflects how we vote, by creating districts that are reflective of and responsive to the will of the voters. I will reserve the rest of my comments for the other bill, so I'm happy to take any questions at this time.

Chair Gavarone (00:17:53):

Thank you. Are there any questions from members of the committee? Seeing none. Thank you very much for your testimony.

Katie Shanahan (00:18:02):

Thanks.

Chair Gavarone (00:18:03):

Next to testify, we have Amina Badhumi. Good morning. Welcome to committee.

Amina Badhumi (00:18:15):

Good morning. Thank you so much for the opportunity. My name's Amina Badhumi good morning, chair Gavarone and vice chair O'Brien and members of the local Government Elections Committee. My name is Amina Badhumi. I'm the outreach director for the Ohio chapter of the Council on American Islamic Relations, known as CAIR Ohio. I'm also a member of the Ohio Citizens Redistricting Commission. Thank you for the opportunity to appear before you and present testimony related to Senate Bill 237. CAIR is America's largest civil liberties and advocacy organization for American Muslims. At CAIR Ohio, we defend the rights of Ohio Muslims, including their voting rights. And this is why, as an organization, we have made a concerted effort to fight for fair maps here in Ohio. It is critical as a community that so often experiences institutional racism, institutional discrimination, and either ignored or vilified by elected officials that we have access to fair representation, that our votes are not diluted through gerrymandering.

Amina Badhumi (00:19:23):

This is why I've also been part of the Ohio Citizens Redistricting Commission, where we worked to model a thorough and robust public engagement process, and developed and demonstrated citizen-driven principles of redistricting. We put forth our own congressional map in September, with districts that reflected voter preferences and were based on community input and feedback, the very duties the Ohio General Assembly abandoned and neglected in September. The OCRC congressional map has been attached to this testimony for reference. The state legislative redistricting process was bad enough, but this congressional map process has also proven to be a complete failure thus far, ignoring constitutional deadlines, giving little notice for the public for these hearings, ensuring that they are not accessible to the majority of Ohioans, and allowing the public less than 24 hours to review, let alone provide testimony or even attend these hearings.

Amina Badhumi (00:20:25):

These are just a few of the most egregious examples. Fair maps cannot be achieved without a fair process. The map at hand proposed by SB 237 is a starting point for reflecting voter preferences with proportional seat count of eight Republican leaning seats and seven Democratic leaning seats. It provides a pathway for communities of color to be represented. It's a good start, and improvements, however, can certainly be made. For instance, it makes much more sense, as the testimony right before me, to include Columbus State and Ohio State University and surrounding areas up into Clintonville to be part of the Columbus anchored congressional district three, rather than shifting those areas to the new congressional district 15. The redistricting process has crucial implications for future elections and policies that fundamentally shape our lives as Ohioans.

Amina Badhumi (00:21:20):

Such an important responsibility necessitates a thorough engagement process that is measured, not rushed, clear, and not convoluted or confusing, with perspectives from every citizen, who know their communities best, and additionally, with third party mapping experts who understand the constitutional criteria under which to draw the maps. Such a diligent process cannot be facilitated in a matter of weeks, with hearings scheduled during work hours for most Ohioans, with the incredibly short notice for preparation or for testimony. And with that, I thank you for your time and I'll reserve the rest of my testimony for the next Senate Bill.

Chair Gavarone (00:21:57):

Thank you very much for your testimony. As a point of clarification, there will be more hearings and there'll be plenty of opportunity for people to testify.

Amina Badhumi (00:22:07):

Thank you for that clarification. We look forward to that information so that citizens from across Ohio can come here to testify and have ample time to prepare.

Chair Gavarone (00:22:15):

Absolutely. Are there any questions for members of the committee? Seeing none. Thank you very much for your testimony. Next to testify, We have Richard Topper. Welcome to committee.

Richard Topper (00:22:41):

Thank you very much and good morning. And thank you for allowing me to testify, chair Gavarone, vice chair O'Brien, and ranking member [inaudible 00:22:50]. Since drafting my original testimony, so you might as well not follow it, we got the Republican maps in yesterday, so things have changed quite a bit. So I'm going to skip a lot of the things I would normally talk about, but at first I'd like to address the division of districts in Ohio as a whole, in senators Yuko and Sykes. And I appreciate your providing your maps timely to us back in September, early October. Regarding the statewide congressional maps, I think Senator Sykes and Yuko were more than generous. They took into consideration 2012 through 2020.

Richard Topper (00:23:36):

Now we know what happened in 2014. Statistically, it was an outlier. We had a person running for governor with foibles and without an Ohio driver's license. And as a result, we didn't have very many

people at all participate in that election. In fact, 2.9 million people participated in that election, versus 4. 5 million in 2018, which is probably more statistically significant. In 2018, as a matter of fact, Richard Courtright, the democratic candidate, got 100,000 more votes than John Kasik in 2014. Sherrod Brown won by seven percentage points. So I appreciate your willingness, Senator Syke, and also Senator Yuko, to take that into consideration because it shows a good deal of good faith in coming about with these maps. And I'd like to address Franklin County, which is where I live. And in Franklin county in 2011, we had, despite being a heavily democratic district ... and I want to tell you, Joe Biden won 64.7% to Donald Trump's 33.4% in 2020. In that same year, 60% of Franklin County residents voted for democratic congressional candidates.

Richard Topper (00:25:04):

That has been the way since 2012. And despite this, the old map, the 2011 map, we had three congressional districts. My congressional district was Troy Balderson, the 12th, and I live inside 270, very close to the state house here. Troy Balderson made a comment when he was running against Danny O'Connor that the last thing we want is to be represented by anybody in Columbus. Well, wait a minute, Mr. Balderson, Columbus is 34.5% of your district. It shows the disconnect when you divide communities of interest. As Ohioans, we are drawn together by commonality, by want for jobs, by want for our children, by want for education, by want for health, but we also have differences. I mean, for instance, in the Appalachian area in Southeast Ohio, there are different wants in the communities involving infrastructure, involving high speed internet, involving healthcare, involving coal and other fossil fuels than you have in Franklin County.

Richard Topper (00:26:29):

I'm sure every one of you in your districts, I mean you're proud of your districts and you know your constituents and you know what they want, but let's face it. People in Napoleon and Bowling Green have different wants and needs than people in inner city Cleveland or Akron. And that's why we are a great diverse state, but it's important, because compact doesn't mean looking at a map and saying "Wow, that's a long drive," or, "A lot of counties in that compact map." No. Compact, the theory behind compact is keeping communities together. And that's exactly what Senator Sykes and Senator Yuko in SB 237 does. It keeps Franklin County together in two districts, not three, in sharp contrast to ... and I'm not going to get into it because I'll talk about that later, but 258, which once again, chops Franklin County into three districts. Thank you very much. I appreciate it. And I appreciate your time and I'll be back to testify about 258. Thank you very much, chair Gavarone.

Chair Gavarone (00:27:41):

Are there questions from any members of the committee? Seeing none. Thank you very much for your testimony.

Richard Topper (00:27:47):

Thank you very much.

Chair Gavarone (00:27:49):

Next to testify is Andrea Doter.

Andrea Doter (00:27:57):

Chair Gavarone, vice chair O'Brien, ranking member [inaudible 00:28:00], and members of the committee, thank you for affording me the opportunity to testify today on Senate Bill 237. My name is Andrea Doter. I've been a resident of Ohio for 47 years and a resident of Delaware County in the same home for the last 44 years. I'm testifying today as a private citizen. I was advised that my testimony had to be submitted by 9:30 on November 3rd, so obviously at the time I submitted this, there was no GOP map, but we did have 237. Let me say at the outset, I do support 237 and I appreciate the democratic caucus submitting that map. As Delaware ... I won't get into 258, but let me just say at this point that I object to the process being employed here, as I believe it's unconstitutional. Article 19, section F3, [inaudible 00:28:52] of the Ohio constitution provides in pertinent part, before the general assembly passes a congressional district plan under any division of this section, a joint committee of the general assembly shall hold at least two public committee hearings concerning a proposed plan.

Andrea Doter (00:29:12):

It's now November 3rd, which is when I submitted my testimony. And to date, there's been no map submitted by the Republicans in the state House, nor has there been any public hearing scheduled by a joint committee on a proposed plan, as required by the constitution. Clearly this section of the constitution anticipated that before the hearings, maps or plans would've been circulated amongst the general assembly, and there would be a consensus on whether the general assembly will be able to proceed with a bipartisan map under article 1901B2, approved by three fifths of the general assembly, including one third from each party, or a plan under article 19.01B3, passed by a simple majority. Proof of the confusion can be seen by Senator Gavarone asking yesterday when the factor -

PART 1 OF 5 ENDS [00:30:04]

Andrea Doter (00:30:03):

Be seen by Senator Gavarone asking yesterday when the factor of unduly favor or disfavor comes into play and Representative Oelslager referring to two hearings before the joint committee. So if there is no joint committee, how many hearings are we entitled to and who decides that issue? The constitution did not anticipate that there would be maps by the different parties and separate hearings rather than hearings conducted by a joint committee on a proposed map. There have been four hearings scheduled for three bills. House bill 237 submitted by the Democrats in the general assembly did contain a congressional map. House bill 479, Senate bill 258 had no at the time I did this proposed plans admitted by the Republicans. The first hearings would be the sponsor introductory hearing, and I assume it will not constitute one of the public hearings prescribed by the Ohio constitution.

Andrea Doter (00:30:57):

The second hearings for testimony are in conflict. House bill 237 and 258 are scheduled today at 9:30 while house bill 479 is scheduled in another hearing room at 10:00 AM. Citizens will in all likelihood be unable to attend and testify at both hearings. This is clearly not what was intended by the Ohio constitution. I'm going to skip over testimony and go to the fact that section 1901F3H also provides the general assembly and the redistricting commission shall facilitate and allow for submission of proposed congressional district plans by members of the public. The general assembly has failed to provide this avenue. In fact, yesterday during testimony, Senator McColley, when asked by Senator Sykes, whether or not he submitted his 479 amendment to the Ohio redistrict and commission website, he said, "No, because that is not in play, and so that is not the proper place to file."

Andrea Doter (00:31:59):

I would ask this committee to take all the maps, congressional maps that were submitted to the higher redistricting commission and file them as part of this committee's record because they were submitted in good faith. And we have no way to do this. Under the procedure now I cannot today go file a map. It's not going to be filed if there's not a hearing scheduled. That is not what the constitution requires. You do not have a portal. And I suggest you get one up and running before we come back next week for additional hearings. There was an abundance of testimony at the redistricting hearings on congressional maps that somewhat, maybe some people might have preferred over Senate bill 237. Difficulty also in finding this amendment, I could barely find it yesterday because I cannot go...

Chair Gavarone (00:32:53):

10 seconds.

Andrea Doter (00:32:53):

I cannot go to the bill. I have to go to your committee in order to find that, which is not accessible to the public. Again...

Chair Gavarone (00:32:59):

Thank you very much

Andrea Doter (00:32:59):

I endorse 237.

Chair Gavarone (00:33:02):

I'd like to start off just by clarifying that there will be more hearings, plenty of opportunity to testify. And there will be a joint committee hearing the proposed map. Are there any questions for members of the committee? Yes, Senator Maharath.

Senator Maharath (00:33:20):

Thank you, Andrea. And thank you chair. So I just want to also clarify as well that as what Senator McColley had indicated yesterday, that technically this is a standing committee. So the maps that he presented yesterday and what we presented as our caucus in September it is available on ohiosenate.gov and our committee notes have been uploaded. So we will make sure they are accessible because the Ohio Senate website is accessible to the public, but do feel free to continue to express your concerns, because I really appreciate your testimony. I can understand the frustration that you're feeling right now.

Andrea Doter (00:33:55):

My concern is that citizens by the constitution that the general assembly was mandated by the constitution to the actual language of the constitution requires that the general assembly shall provide by law the manner in which members of the public may do so. It says "It shall facilitate and allow for the submission." There is no way that we can submit unless we submit testimony. And if there isn't a hearing scheduled, I find this all the time is if I submit testimony, the committee will say, "Well, if there's no hearing it doesn't get posted anywhere." And that's my concern. That's contrary to the mandates of the constitution. And I think that as part of the record, people have been submitting to the commission

because there's no other place to do it, that those maps should be as part of this bill or part of this committee, those maps that have been submitted should be allowed an avenue to do so before this committee.

Chair Gavarone (00:35:02):

Thank you for your testimony. As a point of clarification, you can reach out to your senator or house member to discuss submitting a map as a bill, since it's now part of the legislative process.

Andrea Doter (00:35:16):

Senator Gavarone, just to respond to that, I cannot do anything with either my representative or my senator because they have never once responded to any phone calls, any emails, any written communication, and actually my senator's voicemail and his email specifically tell me that I should not expect him to respond to my emails or my phone calls. So no, that is not an option. And that is not an option for many of us in the state because of the gerrymandering that's taken place in the past. But I do appreciate your suggestion, but believe me, I've tried many times to communicate with my supposed representatives and have gotten nowhere.

Chair Gavarone (00:36:02):

Any further questions. Thank you. Seeing none. Thank you for your testimony. And next to testify we have Shatisha Young. Is there a Shatisha Young? Okay. Then we'll move on to Sandy Bolsingis. Good morning and welcome to committee.

Sandy Bolsingis (00:36:49):

Good morning. And thank you very much. And also for your aid, I'm not sure who I was communicating with, but they were very generous with me. So thank you. All right. So my name is Sandy Bolsingis. Thank you for holding this hearing today and welcoming my testimony. I am here to urge you to give democracy a fighting chance in Ohio. We all know how vital it is for a democracy that the people are fairly represented. You can't have democracy if that's not the case. I am not here to argue for districts that will give decisive victories to Democrats or Republicans or Libertarians or Greens or the new People's Party or any other partisan group. My focus is ensuring that Ohioans have maps with districts that fairly represent the people and their issues and concerns. And I've had that same experience with representatives too that the other lady spoke about.

Sandy Bolsingis (00:37:45):

I believe that this is possible in SB 237, whose map meets the criteria that Ohioans have overwhelmingly demanded. This includes districts along lines of how Ohioans tend to vote while avoiding a few carved out token districts for people of color. Then there is this other bill. I forget the number of it, came out yesterday, very late. The whole thing to be honest, makes a mockery of the entire process of deciding districts. And it's an obvious attempt, an obvious, desperate attempt to retain seats that would otherwise in a fair election not be retainable. I challenge all of you to do what is right for democracy to thrive in Ohio because it's not thriving. In fact, it's dying in Ohio. I realize that you may feel that your way is the best way for Ohioans. Don't we all? And I congratulate you if it's sincere, if it's not for the big money, but for the real people, I congratulate you for your interest in our state.

Sandy Bolsingis (00:38:49):

However, if the only way you can accomplish your goals is through gerrymandered districts, then what's point. This legislature is supposed to represent the people of Ohio, not just the ones in districts organized to deliver the voters who agree with you. How is that democracy? You must be aware that without a fair and democratic process, Ohioans do not have a government of, by, and for the people. I hope you also understand how very dangerous a precipice that is for all of us to stand if we do not have a democracy of, by, and for the people. I thank you for your time. Any questions?

Chair Gavarone (00:39:33):

Thank you very much for your testimony. Are there any questions? Yes, Senator Cirino.

Senator Cirinio (00:39:37):

Thank you, Chair Gavarone. Ms. Bolsingis, just a general question. You make a pretty bold statement that democracy is dying in Ohio.

Sandy Bolsingis (00:39:47):

Oh yeah.

Senator Cirinio (00:39:48):

And demonstrate that for us with some factual information.

Sandy Bolsingis (00:39:52):

Well, I would even... Of course there is Ohio's pretty well divided by Republicans and Democrats and no chance for any other party to get involved. And yet, and I wonder if even the lower voters, the lower number of voters for Democrats is a result of being in districts where they know they have no chance of winning even if they do vote, never having their chance to have their thoughts taken seriously. I have also dealt with people across the state and it's really difficult... The other lady was right. You call up, you try to express opinion. You cannot get through. The voicemails are full, whatever. And people are not listening to us.

Sandy Bolsingis (00:40:44):

The rules that are being passed here are fundamentally opposed, being passed in our legislature. There's a lot of anti protest legislation going on. I mean, the people here, I can name issue after issue, the environmental issues, so many things are being passed that are dangerous to the state. And in the last 10 years, I mean, we can go down in education, in healthcare, in so many things, even before COVID, and our state is falling behind in so many these areas. And I'm afraid that when we try to have citizen initiatives, they get blocked time and time and time again, because really by big money.

Senator Cirinio (00:41:31):

Follow up.

Chair Gavarone (00:41:32):

Follow up.

Senator Cirinio (00:41:33):

Well, just for the record, I don't think any of the information you just presented really supports the statement that democracy is dying in Ohio. We've had...

Sandy Bolsingis (00:41:41):

May I give you an...

Senator Cirinio (00:41:42):

We've had... May I finish please?

Sandy Bolsingis (00:41:43):

Sorry. Yeah.

Senator Cirinio (00:41:44):

We've had record turnout at the polls in our past elections, certainly over the last 10 years and very recently. We continue to spend lot of dollars from the state budget for education. We have premier healthcare facilities and healthcare delivered around this state by some of the best in the country. And everybody has a representative. The fact that some of them might not return calls, that's another issue to deal with, but I just can't can't stand by and let you make the statement that democracy is dying in Ohio because there is absolutely no evidence in front of us that suggests that. So thank you very much.

Sandy Bolsingis (00:42:28):

May I respond because I was giving a lot of examples, but I can give you... First of all, a lot of the money's being spent for charter schools, which is taking money out of the public schools, and it's going to schools for profit. Healthcare is a real issue. My sister, my niece in-law, her sister was in a terrible accident a couple weeks ago. I just talked to her last night. They're trying to salvage her house. She was in an accent, not her fault. She may lose her house. She's got a little two and a half year old boy who was in the accident too. This is the kind of thing that people who do not have good healthcare insurance, and who even have healthcare insurance. She does, but it's not going to pay for her.

Sandy Bolsingis (00:43:10):

And she just got out of a coma a couple days ago and her, anyway. So you can imagine how tragic this is for the entire family. As far as a good example about how what's happening in our state. I'm part of the Columbus Community Bill of Rights. We're trying to protect our city from fracking waste, which is just north of us being stored. Just actually, it's not even being stored. It's being thrown to the ground. We know this fracking waste is going to make its way into Columbus in our watershed because so much of it is in our watershed. We had three petitions, three citizen initiatives, each time they were stymied by different legislatures. The last one we had everything. It was going to the board of elections, which the board of elections is supposed to just say, "Okay, here, it's on the ballot."

Sandy Bolsingis (00:44:02):

That's their job. At the last minute after everything was done at the very last minute, the Ohio legislature got together and said, "Oh, we're going to give the board of elections new powers, four people, two Dems, two Republicans, but four people said, "Oh no, this does not meet the criteria." It met the criteria all along. We had it approved by everybody going along. And at the last minute they say, " No." And if you want more examples, I can give them to you. But it is real. Maybe from your position

you're not seeing it, but from the people who are really trying to bring democracy, and I might add, we don't get paid. No one's paying us. We're the ones putting the money out, putting our resources in. We are dedicated.

Sandy Bolsingis (00:44:48):

This whole reason we're having this is because people are dedicated to democracy and are saying, "We're not going to give up on this," but it's hard when we have a gerrymandered legislature who puts forth maps at the very last minute, double books hearings so that not all of us do it and so soon. I mean, please understand that we are for democracy. We ought to be on the same side. And if you're for democracy, we certainly are.

Chair Gavarone (00:45:21):

Well.

Sandy Bolsingis (00:45:22):

I'll get off my high horse.

Chair Gavarone (00:45:24):

And again, I don't control the house calendar, but our hearings and there will be additional opportunities, but I think we overwhelmingly do a really good job of governing here. We passed a budget, 32 to one this year, and last general assembly, 33 to nothing. I've worked with other senators on the other side of the aisle and worked with both sides, Republicans and Democrats, and the vast, vast majority of the legislation that we passed is done in a bipartisan manner. And many of it's unanimous. Is that not important to you?

Sandy Bolsingis (00:46:03):

Of course that's important to me, but right now, what I would hope to have is that our representatives... I'd like to have fair districting. It all comes down to fair districting. And then we can have these things in a much more robust manner. But I appreciate that.

Chair Gavarone (00:46:18):

Senator Kunze.

Senator Kunze (00:46:21):

Thank you chair. And thank you for being here. I was just going to question, I know we were talking though about the congressional maps. So we're talking about legislation and things that would be happening at the federal level. And I think you've really highlighted a lot of things that you're frustrated about maybe at the state level. So I don't know if there's something else that you wanted to circle back on, as far as the testimony that we're hearing today is really not on the state reps or state Senate maps. It's on the congressional federal legislation that our federal 15 representatives in Washington are working on. So I don't know if there's frustration with the delegation from Ohio at the federal level that you might want to comment, but I felt like a lot of the comments that you were in a lot of the issues that you were raising were more frustration maybe with state rep and state Senate maps.

Sandy Bolsingis (00:47:16):

It was. And I apologize for that. Well, I think there's a connection, but I thank you for setting me straight on that. And yes, I am concerned. Obviously we have... It's about 50 50 in the state and three quarters are of one party and one quarter's of the other party that are elected to go to Congress. So that's not giving Ohioans the fairest representation that we need to have for a genuine democracy. It's all about democracy.

Chair Gavarone (00:47:53):

Any further questions? Seeing none. Thank you very much for your testimony.

Sandy Bolsingis (00:47:57):

Thank you very much.

Chair Gavarone (00:48:01):

Next. We have Kobe Christian. Welcome to committee.

Kobe Christian (00:48:19):

Thank you. Good morning. And thank you for the opportunity. My name is Kobe Christian. I'm the communications director for For Our Future Ohio, a member of the equal districts coalition. We do a lot of work around the state, and we've been doing a lot of work around the redistricting process. We're not asking for too much just that we stop being cheated. We're asking for congressional maps that reflect Ohio's partisan balance, that allow for pathways to representation for communities of color and keep our communities together. We just want fair maps. What do we mean by fair? Well, the first thing is that it would reflect Ohio's partisan balance. I don't think that a party with fewer votes should have more seats, but the same sense of fairness that allows me to say that leads me to say that a party shouldn't hold more seats than what the voting results would reflect.

Kobe Christian (00:49:10):

That means that in Ohio, a fair map would give Democrats about seven seats and Republicans about eight. More than just one of these 15 seats would be competitive. The people of Ohio have suffered for 10 years under maps resulted from partisan gerrymandering carried out by Republicans. How do we know these maps were gerrymandered by Republicans? Because they somehow hold 75% of current congressional seats while only winning 54% of the votes. Recently proposed maps would be even worse. They would give Republicans about 87% of the congressional seats with roughly 55% of the votes.

Kobe Christian (00:49:47):

Now that's not representative of the will of Ohio voters. I wonder whose will it might be representative of? We all know that Ohio is more of a purple state with voters who have supported both Democratic and Republican candidates statewide. Districts should reflect how Ohioans vote and that would make some real competitive seats. As it stands, Ohio's at a red state. It's a rigged state. Ohio is more purple than unfair maps would allow it to be, and it's not just unfair to the other side. If Republicans could give themselves an extra 20% or 30% in recent proposals seats, then they've actually earned by votes, that allows them to escape accountability from all voters.

Kobe Christian (00:50:32):

It's important that fair maps provide communities of color with real pathways to promote political representation. We can do this by reversing the current gerrymandering that dilutes voting powers of communities of color across the state. There's some more specific characteristics that maps would have. I live in Columbus. Columbus is too big to fit in one congressional district. So it has to be split, but Franklin County should be divided once into two districts. One seat anchored in Columbus that contains much of the urban core surrounded by its surrounding areas as possible, protecting especially the black and LatinX populations from being needlessly gerrymandered. The second central Ohio district needs to contain the entirety of the growing AAPI and New American communities in north and northwestern Franklin County. I used to live in Cincinnati. The Cincinnati anchor district should include black communities and the eastern half of the county like Forest Park, Woodlawn and Lincoln Park and Lincoln Heights to ensure they are paired together with similar communities in and around Ohio. Fair maps will keep our communities together.

Kobe Christian (00:51:40):

They do not divide and separate us to weaken our voices and our votes like our current congressional maps, which crack and pack our big cities. This absolutely needs to be reversed because it's essential for adequate political representation. By making sure communities are kept together in our major metro areas, map drawers could achieve the statewide ideal of partisan fairness, a world in which the number of seats a party holds reflect the number of votes that they've won. As it happens, house Republicans unveil their proposed maps just before this hearing. It does not take an expert to see that these maps are even worse than the gerrymandered maps Ohioans have suffered in for the past 10 years. These maps fail to meet the simple qualities of fair maps that I've already mentioned. They dilute the representation of communities of color, crack apart our communities of interest, and they don't reflect Ohio's partisan makeup. So plan to see these maps heavily favor Republican politicians over Ohio voters. I'll say it again. We're not asking for much, just fair maps. Thank you.

Chair Gavarone (00:52:42):

Thank you very much for your testimony. Are there any questions? Seeing none. Thank you very much. Thank you. And next to testify, we have Michael Ahern.

Michael Ahern (00:53:01):

Could I ask someone to hold this up for me?

Chair Gavarone (00:53:03):

Absolutely.

Michael Ahern (00:53:07):

I meant to bring some tape and forgot that, so.

Chair Gavarone (00:53:09):

Absolutely. And welcome to committee. Good morning.

Michael Ahern (00:53:10):

Thank you very much. So I will say from the outset that I am in support of the map associated with Senate bill 237. I think that it meets both the technical and the aspirational aspects of the

gerrymandering reforms that were passed. Before I get into my testimony. I do need to, I think, address a couple of the questions by Senator Cirino and Kunze, excellent discussion I think. Question was from Senator Kunze about the issues being brought up that were related mostly at the state level versus at a congressional level, which is what these maps are associated with that we're talking about today. And I see a direct relationship because you have a gerrymandered legislature with overwhelming power of one party that draws maps and back in 2011, drew maps that resulted in gerrymandered congressional districts, where you had no switch in party over all of the elections at the congressional level, showing that there was an imbalance of power.

Michael Ahern (00:54:22):

So you have a party in power that with impunity draws federal congressional districts, that result in misrepresentation or imperfect representation at the federal level for the voters of Ohio in Congress. With respect to Senator Cirino, I think that there are quite a few instances where... I'm going to run out of time here, so I'm going to just do this real quick. This picture right here is a picture from last November. It is a picture of poll workers, and poll workers, as you all know, everyone in the elections process works in a nonpartisan fashion, Democrats, Republicans, and unaffiliated individuals such as myself. And last year, they risked their lives, literally because we didn't have a vaccine available. We had people that were sick that couldn't come into the polling location for early voting, due to other medical conditions because of concerns about COVID and so forth. And we have dedicated fellow Ohioans that risked their lives so that people could vote out. And they did this in a nonpartisan fashion. This process is the only partisan process in our entire election system.

Michael Ahern (00:55:59):

Under the redistricting reforms, the attempt was to try to remove the partisan influence in drawing our maps. And from what I've seen so far from the GOP submitted maps in the past 24 hours, you are, the folks that have submitted those maps, have completely disregarded those reforms. You are politicians when you're running. You're legislators when you're sitting in those seats right there. You need to take your party...

Chair Gavarone (00:56:34):

Just remind you, we're talking about Senate bill 237.

Michael Ahern (00:56:37):

Yes. Yes. And I think that Senate bill 237 and the map associated with that actually does meet those requirements. The people that drew those maps took their party hats off and they put their legislature hats on and they did their best to meet the reforms. So I'm asking you, I'm here today to ask you to please, please honor everyone else in this system by drawing fair maps. That's all we need. Just fair maps. The other portion of my testimony relates to, again, the lack of representation in Congress. So you asked about the representation in Congress. We have gerrymandered congressional districts now. We have gerrymander Jordan. What do I see with him on TV all the time? All I see is him posturing at the federal political level.

Michael Ahern (00:57:41):

I look at the legislation he's introduced. I don't see a lot that represents Ohioans. Yesterday or in the election this week, we have representative Kerry I heard on TV, what his comments were about the

things he was going to do as soon as he got to Washington. Well, he is going to focus on the border. Well, that does not concern me in Ohio.

Chair Gavarone (00:58:02):

15 seconds.

Michael Ahern (00:58:03):

Does not concern me at all. And I'm very concerned that gerrymandered districts will lead to additional events like we saw on January 6th. So let's avoid that and let's draw fair maps in competitive races. Thank you very much.

Chair Gavarone (00:58:18):

Thank you very much for your testimony. Are there any questions from members of the committee? Yes. Senator Sykes.

Senator Sykes (00:58:25):

Thank you. madam chair. Thank you for your testimony. I just want to be clear on what do you mean when you say fair maps? How do you define that?

Michael Ahern (00:58:35):

So there are different criteria established in the constitution, but essentially in general terms, districts that are compact, that represent communities of interest, that are competitive. I personally, I would prefer as competitive maps as possible. So if you look at the past 10 years and what the split of Democrats and Republican vote counts were, that districts should closely align with that split so that we end up having races that are competitive, where people are winning based on their ideas, not through cheating because the district lines are drawn away to favor one party over the other so much that no matter what the argument is from the minority candidate or the one that is not favored in the district, that there is the opportunity to have robust debate during that process of running for office so that the voters can choose the representative and not rather the party in power choosing the voters well before the election ever occurs.

Chair Gavarone (00:59:59):

Any further questions? Seeing none. Thank you very much.

PART 2 OF 5 ENDS [01:00:04]

Chair Gavarone (01:00:03):

Any further questions? Seeing none. Thank you very much.

Speaker 5 (01:00:04):

Thank you very much.

Chair Gavarone (01:00:06):

And next to testify, we have Susan O'Donnell.

Susan O'Donnell (01:00:24):

Good morning. My name is Susan O'Donnell, and I thank you for the opportunity to be here today. I'm here to support the concept and ideas proposed in 237. Ohioans love sports: OSU football, Indians and Reds baseball, Crew soccer, Blue Jackets hockey, et cetera. We admire great athletes, appreciate well-executed plays, and give credit to exceptional coaching. What we cannot stand is cheating in athletic contests. We boo it, we complain about it, and we blog it. Yeah, you can start that. Okay. Why then should we tolerate gerrymandering in politics? If Ohio's gerrymandered districts were football, the end zone for Republicans would start at midfield, and the one for the Democrats would be buried at the back of their own end zone. And Ohioans would boo and call foul. In fact, they did. In 2015 and 2018, Ohio voters passed ballot mandates for redistricting to reduce gerrymandered districts that produce unfair elections and unbalanced representation.

Susan O'Donnell (01:01:52):

More than 70% of Ohioans voted for Issue 1 in 2018. Ohioans want fair districts, districts that represent their wishes and opinions of the citizens of Ohio. According to Pew Research, 42% of Ohioans are Republican or lean Republican, while 40% are Democrat or lean Democrat, and that leaving 18% as independents. When Ohio voters are not trapped in gerrymandered districts, they elect one Republican and one Democrat senator, which reflects a balanced electorate. Realistically, a fair map would be more likely to produce eight Republican and some seven Democrat representatives in the Congress. That's what bill 237 does. Fair districts might produce more competitive districts, which benefits the voters with candidates of both parties having to pay closer attention to their constituents.

Susan O'Donnell (01:03:12):

Ohio used to be considered a swing state, because we have large cities with unions and agrarian rural areas, a mix of Democrats and Republicans. Now we are a red state. Why? Because of gerrymandering. Gerrymandering is the manipulation of districts to provide more representatives for one party than another. Fair is fair, and Ohioans are fair. Which is why regardless of which party does it, gerrymandering is cheating. No redistricting that continues to produce districts like District 12, District 15 can be called fair. Trust the voters. Give us a level playing field. Be heroes for democracy. Give us fair maps. Thank you.

Chair Gavarone (01:04:09):

Thank you for your testimony. If you hold on one second, there may be questions. Yes, Senator Cirino.

Senator Cirinio (01:04:15):

Sorry. Couldn't get away fast enough.

Susan O'Donnell (01:04:18):

That's okay.

Senator Cirinio (01:04:19):

Madam Chair, thank you. You mentioned the federal Senate seats in Ohio. So just a curiosity that I-

Susan O'Donnell (01:04:29):

No, I said federal House seats.

Senator Cirinio (01:04:31):

I know, but you mentioned the two senators from Ohio.

Susan O'Donnell (01:04:34):

Yes, correct.

Senator Cirinio (01:04:36):

And which... Right now, we have one Democrat and one Republican. Would Ohio having two Republican senators be inherently unfair?

Susan O'Donnell (01:04:45):

No, not necessarily, because it's a whole state voting. And what the difference is, to be really clear, is that when we're gerrymandered, then you're not getting the real opinions and the people in the state of Ohio. It's that 18% that are independent that swing one way or the other. So it's not that there are so many more Republicans than Democrats in the state of Ohio. In fact, we're reasonably evenly split. I've seen 54% being one of the calculations that's done. And the concern is not that we couldn't elect Republicans in the statewide. That's why we have a Republican governor. But when we get to the Electoral College, folks, then we're looking at... If we have gerrymandered maps for Congress, that throws off our count for the Electoral College. And that's significant. We saw this last year. And we cannot continue to allow our own affiliations to switch democracy from an actual evolution, because we're an evolutionary democracy.

Susan O'Donnell (01:06:08):

We're not what we were in 1776, so our positions change. Republicans... Because I was one. Now, I'm an independent. But one of the things that happens is we were the party that was very influential, in many regards, early on with reform. Universal healthcare proposed by President Nixon. The case for many other things, like the EPA, that was under the Nixon administration. I guess what I'm saying is we are a party of great ideas and reasonable fairness, and reached out to communities of color. Now what we're doing is trying to take away their power, and we're not being who we could be. And I'm so disappointed that our legislators don't seem to care. And I hope I'm wrong. I hope you really do care about what... Because we can all be better, but we got to be better together, so that I can vote for a Democrat here and a Republican there, and I don't know, Green Party if I need to. But thank you. And anything else?

Senator Cirinio (01:07:32):

Follow up?

Chair Gavarone (01:07:33):

Follow up.

Senator Cirinio (01:07:34):

You mentioned the Electoral College, and either I misheard you or one of us has it wrong, that gerrymandering would in some way influence the Electoral College. The Electoral College votes from the state of Ohio are determined by the sheer number of representatives that we have, regardless of their party.

Susan O'Donnell (01:07:52):

Oh, well that's true. But what I am saying is that we are in a situation where at this point, we are not representing the people of Ohio in Congress. And my apologies for that, yeah. I got you.

Senator Cirinio (01:08:09):

Thank you.

Susan O'Donnell (01:08:10):

Yeah, not every state does this the same. You're right, thank you.

Chair Gavarone (01:08:15):

Any further questions? I'd like to ask you to submit a written testimony to my office, and we'll go ahead and distribute that.

Susan O'Donnell (01:08:23):

Okay. And I did.

Chair Gavarone (01:08:25):

Okay.

Susan O'Donnell (01:08:26):

Yeah, it's been submitted.

Chair Gavarone (01:08:28):

My office just has a slip. I mean, I'm referring to the written testimony.

Susan O'Donnell (01:08:33):

Yeah, I sent it, and I got a response from your office actually.

Chair Gavarone (01:08:38):

Okay. We'll-

Susan O'Donnell (01:08:38):

Saying they didn't have a chance to read my email, but hey.

Chair Gavarone (01:08:42):

We'll be checking on that. So anyways-

Susan O'Donnell (01:08:46):

Certainly, I will do that.

Chair Gavarone (01:08:47):

Thank you very much for your testimony today. Next to testify is Steve Castro. Welcome to committee.

Steve Castro (01:09:01):

Thank you. Good morning. Thank you, Chair, for the opportunity to speak. I want to talk about compactness, the constitutional requirement that every congressional district shall be compact, and that the General Assembly shall attempt to make every district compact. So back in February, I did an analysis based on this paper from 2010. It was a way of measuring the compactness of districts. I just wanted to see how would I measure it, and then how could I figure out what's a good level of compactness. Because it seems somewhat subjective, and I wanted to bring some objectivity to it. I know that Senator Sykes has heard me testify about this a little bit before. And so basically, I'll just try to summarize how this works. I think this 2010 paper is much more intuitive than a lot of the other measures of compactness. Basically, you pick two random locations within a district and then draw a line between them, and you check if that line exits the district.

Steve Castro (01:10:06):

And then you just do that 10,000 times with a computer, and then you come up with a percentage of how often are you leaving the district just by connecting these lines. And so you come up with percentage. And so if you had a completely square district, then that would be 100% compact. And I actually analyzed the original gerrymander from 1812. I think it was Massachusetts. That one was 44% compact. So that kind of gives us a sense that that's generally considered... Gerrymandered is named after it, so we want to generally try to go above 44%. 100% is pretty unrealistic, because there's geography, and all of that. And I actually was able to look at the entire history of the congressional maps, which I thought was really cool. Somebody made all these available.

Steve Castro (01:10:55):

And this is a chart from the very beginning of geographic districts, and this is... I start this graph at 50% up to 100% here. And basically, for the entire history, the average compactness... This is convexity, is the technical term, the way it's measured. The average compactness was consistently above 81% average across the entire map, all the way up until about, I think, 1973 or something like that. And then, it basically starts to drop steadily. Decade by decade, we've gotten less and less and less compact maps. And that's concerning to me, because basically I think I want to be able to meet in the center of the district with fellow constituents, have conversation, and for people to reasonably be able to show up and talk about whether or not we're being well represented. And when you're really far apart and it's all strung along, I just think it makes it harder to be able to be well represented.

Steve Castro (01:11:59):

So basically, right here, we are currently about 62% compact on average, and the median's even lower because of some of the lower-end ones down into the... I think I have it to 57%. So I just want to say... Now, we're talking about the Democrats' map proposal, right? The compactness is better than the last couple of decades, so that's good. We're kind of moving an upward trend. I'll say briefly that both the Democrats' and the Senate Republicans' map are both around the 75% mark for average convexity or compactness. So I'm happy that we're seeing an improvement on both sides, but I'd like to see it even higher. I recommended that we get the number all the way up to 80%, and there's a historical precedent for that being realistic. Not only is there a historical precedent for that, but other groups like the Ohio Citizens' Redistricting Commission, they've been able to exceed the standards. Now, I came up with these standards back in February. I didn't even know how many districts we would have at that time. We thought it might be 15, but we weren't sure.

Steve Castro (01:13:11):

But back then, I was looking at... FiveThirtyEight had put together some information. They put together some gerrymandered maps. They put together compact maps, competitive maps. And from analysis there, I saw that they were still able to gerrymander maps at 75%. And that's basically where both the Republicans' and the Democrats' maps are in terms of compactness, and so I like to see that raised even higher. Now, I did my own experiment, and this is the way I did it. I went into Dave's Redistricting, and I just said, "I'm going to make zero partisan adjustments at all." And I just said, "I just want to make really compact-"

Chair Gavarone (01:13:48):

15 seconds.

Steve Castro (01:13:49):

Okay. "I just want to make really compact map," and what I came up with exceeded the expectations. It was very compact, very easily. I didn't even try that hard. And not only that... And I'll say this finally.

Chair Gavarone (01:14:03):

Thank you for your testimony.

Steve Castro (01:14:04):

Final point, if I may. No? Okay.

Chair Gavarone (01:14:09):

But are there any questions from members of the committee?

Sen. Sykes (01:14:12):

One question.

Chair Gavarone (01:14:13):

Yes, Senator Sykes.

Sen. Sykes (01:14:14):

What else did you want to tell us?

Steve Castro (01:14:19):

Thank you for that question, Senator Sykes. So I just want to show this very briefly. The number of low convexity districts below 50% used to be zero, and it has only climbed up and up. And I just want to say that the map that I experimented with, I actually came up with... Without trying any partisan objectives at all, I came up with a 10 Republican and 5 Democratic map, without even trying. And so personally, I would really like to encourage both Republicans and Democrats to shoot for that. I think it's a pretty good compromise. I mean, I do think that 8-7 is ideal. I do think that it's proportional and representative, but realistically, this is about compromise, and I think 10-5 is a good compromise. It's what I came up with just accidentally, without even trying.

Steve Castro (01:15:11):

And whereas 13-2, I think that unduly favors Republicans, and strongly disfavors the Democrats. So the last thing I will just say is I think the Democrats' map is pretty good. It has 11 county splits, which is the best of any proposal I've seen. And I do appreciate that, but I really would like to see this District 4 to be improved. This is the least compact district here. A lot of the other groups have come up with a different way to kind of arrange the Cleveland Area that I think is much more compact. And so that would be my recommendations for the Democrats' map. Thank you for that question. I very much appreciate it.

Chair Gavarone (01:15:53):

Thank you. Any further questions? Yes, Senator Manning.

Sen. Manning (01:15:57):

Thank you for your testimony, very interesting. I don't know if you're able to provide that chart to the committee, but that would be great. And I agree with you with District 4. I'm from Lorain County, so I'd like to see that cleaned up in this Senate Bill 237 as well. You said both these maps are 75%. I think I missed... Did you say what the 2010 map or the current map is, I guess? What percent that was?

Steve Castro (01:16:22):

The current map is 62% compact.

Sen. Manning (01:16:26):

So both of these are-

Steve Castro (01:16:27):

Both are improved.

Sen. Manning (01:16:28):

... significant improvements.

Steve Castro (01:16:28):

Both are better than the last two decades, but still less than the historical precedent, yeah. So I do appreciate the improvement.

Sen. Manning (01:16:37):

Thank you.

Steve Castro (01:16:38):

You're welcome. Thank you for the question.

Chair Gavarone (01:16:39):

Are there any further questions? If you could submit any written testimony to the chair, as well as any of the charts you had there, very interesting.

Steve Castro (01:16:50):

Sure, I'd be happy to do that. Didn't have a lot of time to submit something, and I'll be happy to follow up on that.

Chair Gavarone (01:16:55):

Great. And also, I believe Melissa will be coming around to get a witness slip-

Steve Castro (01:17:00):

Okay.

Chair Gavarone (01:17:00):

... from you.

Steve Castro (01:17:02):

All right.

Chair Gavarone (01:17:02):

Thank you very much.

Steve Castro (01:17:03):

Thank you.

Chair Gavarone (01:17:03):

And now I'd like to try again for [Sha'Tisha Young 01:17:09]. And I don't see Sha'Tisha here, so... Okay. Members, please also note that there is written-only testimony that you have on your iPads, and that concludes the first hearing on Senate Bill 237.

Steve Castro (01:17:31):

Sorry. Can I just give you this to go with my testimony? I meant to give you that.

Chair Gavarone (01:17:39):

Thank you very much. The second order of business is a second hearing on Senate Bill 258. We have several witnesses here today, and we'll get started with Christine Corba.

Senator Kunze (01:18:00):

Good morning.

Chair Gavarone (01:18:01):

Good morning. Welcome to committee.

Senator Kunze (01:18:03):

Thank you very much, Chairwoman Gavarone and the members of the Ohio Senate Local Government and Elections Committee. Good morning, and thank you for the opportunity to testify. I too would like

to thank your aide, who was very wonderful yesterday. So thank you very much [inaudible 01:18:21] Teresa? Thank you.

Chair Gavarone (01:18:22):

She's amazing.

Senator Kunze (01:18:24):

I'm Christine Corba, the executive director of the League of Women Voters of the Greater Dayton Area. The League of Women Voters has introduced and supported initiatives to place redistricting reform on the ballot for over 40 years. In 2018, after years of hard work and overwhelming approval of voters across the state, a long-awaited constitutional amendment that defined new rules for congressional redistricting with the explicit purpose to end gerrymandering was adopted. This fall, we and thousands of other Ohioans believe that the Ohio Redistricting Commission would in good faith follow the legal requirements put forth in the amendment as they created district maps for the Ohio General Assembly. Unfortunately, instead of using a fair, transparent process that would result in maps truly representative of all citizens, the Redistricting Commission approved a highly partisan map that does not honor the spirit of the amendment and its intended goal to end gerrymandering.

Senator Kunze (01:19:23):

Now, the November 30th deadline to redraw the congressional map is looming. Two deadlines have come and gone for both the Ohio state legislature and the Ohio Redistricting Commission with no opportunity for citizens to review and respond to maps. The ball is back in the legislature's court, and it's your duty to ensure that the new congressional maps meet the letter of legal requirements outlined in the Constitution. We know that it's possible to create fair maps, but once again, we are witnessing a process that is not in step with what was intended when citizens approved the constitutional amendment. Less than 24 hours was given to citizens to prepare testimony, and the Republican-drawn House and Senate maps were introduced just before and during their respective hearings, giving legislators and constituents little time to study and respond to them.

Senator Kunze (01:20:13):

The map presented by Senator McColley demonstrates a partisan lean, and was given a failing grade by the Princeton Gerrymandering Project, and by his admission, drawn without using demographic information to ensure that provisions in the Fair Rights Act are upheld. It is clear there is much work to be done to assure that a thoughtful, fair congressional map is produced. On behalf of the League of Women Voters of the Greater Dayton Area, I ask that legislature do the right thing: Give us a map that follows the letter and the spirit of the law, guarantees that all citizens' voices are heard, and ensures that we are represented by politicians invested in our needs and interests for the next 10 years. Thank you.

Chair Gavarone (01:20:58):

Thank you for your testimony. Are there questions from members of the committee? Yes, Senator Maharath.

Senator Maharath (01:21:04):

Thank you, Chair, and thank you for providing some testimony today. I really appreciate your insight on this issue. By any chance, did you even get a chance to review the partisan breakdown? I know we got the maps less than 24 hours ago.

Senator Kunze (01:21:18):

I didn't get a chance to do that. Actually, I just saw the maps last night at about 8:00. I saw the first one for the House about 11:00 in the morning. My husband texted it to me to let me know what was going on, but I didn't get a chance to see the Senate one until last night.

Senator Maharath (01:21:37):

Follow up?

Chair Gavarone (01:21:38):

Follow up.

Senator Maharath (01:21:39):

Thank you. So what measures do you think that we should be taking then to ensure that these maps aren't... They're not unduly favoring or disfavoring a political party? Because I know the question of the partisan breakdown was not able to get answered yesterday by the sponsor testimony. So I'm trying to see from a professional standpoint, especially since you've been in this field, how should we be taking those measures serious?

Senator Kunze (01:22:07):

I think really by taking a look at what's gone on in the past 10 years. Senate Bill 237 does take into account the way that citizens have voted over the past 10 years. And if you take a look at that, we can see that it should break down to about a 54%-46% balance. And if we do that, I think that that would be the way to go.

Sen. Sykes (01:22:33):

Oh, okay. Thank you.

Senator Kunze (01:22:35):

Thank you for your question.

Chair Gavarone (01:22:36):

Are there any further questions? Yes, Senator Sykes.

Sen. Sykes (01:22:41):

Thank you. Thank you, Madam Chair. Thank you for your testimony. One thing that I think would be helpful for me... If you would have some suggestions or ideas about how these maps or this map in particular could be amended, that could be helpful. In just stating you want fairness, that's subjective.

Senator Kunze (01:23:07):

I understand that, and I honestly haven't had the opportunity to take a look at it and for us to really determine where that could happen. So I apologize, I can't answer that question.

Sen. Sykes (01:23:16):

I realize that... Madam chair, I'm just... I realize that, and I'm not being critical.

Senator Kunze (01:23:22):

Oh, okay.

Sen. Sykes (01:23:23):

I'm just making a suggestion when you have time to review that it might be helpful if you had some suggestions on how to improve the maps.

Senator Kunze (01:23:30):

Thank you very much.

Chair Gavarone (01:23:33):

And you can feel free to respond in writing to my office if you have any suggestions.

Senator Kunze (01:23:37):

Thank you. I appreciate the opportunity.

Chair Gavarone (01:23:40):

Thank you. Are there any further questions? Seeing none. Thank you very much for your testimony. Next, we have Chris Tavenor. Good morning, and welcome to committee.

Chris Tavenor (01:23:58):

Good morning. Apologies, I was just running back over here from the House. All right. Chair Gavarone, Vice Chair O'Brien, Ranking Member Maharath, and members of the Senate Local Government and Elections Committee, my name is Chris Tavenor, staff attorney for the Ohio Environmental Council Action Fund. I appreciate the opportunity to provide opponent testimony on Ohio Senate Bill 258. Without significant changes, we strongly urge you all to vote no. The OEC Action Fund believes a healthy democracy is foundational to securing protections for the environment. We engage in advocating for policies surrounding redistricting, specifically because partisan gerrymandering can skew representation in government to the degree that Ohioans' views on environmental issues are no longer reflected in decision-making bodies such as Congress or the state legislature. Overwhelmingly, Ohioans want clean water, healthy air, vibrant public green spaces, and progress on clean energy.

Chris Tavenor (01:24:58):

A gerrymandered district map is just one example of an unhealthy democracy that leads to environmental harm and impacts to public health, regardless what party the gerrymandering. From the outset of our testimony, we want to emphasize one particular point: A fair map should be the aim for all members of the Ohio General Assembly. Unlike other legislation where compromise means a bit of give and take until a resolution is reached, this legislation calls for a higher bar. When one party negotiates

only to benefit the interests of its party, the other party has no obligation to budge from its position in order to create a compromise. Redistricting should be a collaborative bipartisan effort to create congressional districts representative of all Ohioans, from the Ohio River to Lake Erie. My written testimony that you may already have originally focused on process, but that was submitted prior to the maps associated with Senate Bill 258 were released yesterday.

Chris Tavenor (01:25:50):

I will quickly summarize my points on process, but then offer some reactions and recommendations on the draft maps. So it is important to... When it comes to legislative redistricting in Ohio, process is everything. By an overwhelming majority, Ohio voters approved two constitutional amendments that sent a very clear signal: Ohioans want a fair process in drawing new maps. They want fair maps, and they want fair representation in the Ohio General Assembly in US Congress. Our thoughts on process are in the original testimony we submitted if you would like to see in more detail. But now, I'm here to talk about the map proposed by the Senate Republicans, which is clearly designed to gerrymander Ohio in all sorts of nonsensical ways. Simply put, the map as a textbook case of gerrymandering, and it does not follow the direction given by the Ohio Constitution. Article 19, section 1C3 outlines the requirements if a congressional district plan if it does not receive bipartisan support.

Chris Tavenor (01:26:45):

I turn to these requirements because the presumption is a map that receives bipartisan support will achieve these objectives. In particular, Article 19, section 1C3 mandates "General Assembly should not pass a plan that unduly favors or disfavors a political party or its incumbents." Other words, no partisan gerrymandering. "General Assembly shall not unduly split governmental units, keeping preference in the order named, counties, townships, and municipal corporations." In other words, keep communities together. "General Assembly shall attempt to draw districts that are compact." And then the General Assembly is also required to include an explanation if it is not a bipartisan map. Thus, for this plan, in each of its districts, the General Assembly should be ready to explain how it leans into these values if we're to achieve a bipartisan map.

Chris Tavenor (01:27:31):

So the most infamously gerrymandered districts in Ohio's history, districts like the Snake on the Lake, are now in good company with this map. The Snake on the Lake pulls the Eastern sections of Toledo and combines them with sections of Cleveland all along the Lake Erie shoreline, bisecting a number of counties and communities along the way. It was designed to combine two Democrat districts into one Democrat district. In this conversation though, I'm going to avoid talking about which districts might lean toward which political party. In some, the district speaks for themselves, drawn to divide particular communities and push them into districts with wildly different perspectives and experiences in geographic realities in order to achieve particular objective. The plan raises a bunch of questions that I'm going to try and go through quickly, because I only have a minute left, in my mind that I would like to share.

Chris Tavenor (01:28:13):

So let's start with the interplay between Districts 1, 2, and 10 in Hamilton County. Why is Hamilton County divided into three districts? Similarly, District 8 scoops out tiny section of Montgomery County for an unknown reason, while District 10 sneaks down into Hamilton County. Over the past year, I've conducted a lot of trainings and listening sessions with people from across Ohio, and everyone from that

region has echoed the idea that Dayton and Springfield should be in the same district. Why aren't these two connected communities in the same district? District 3 is designed to almost fully encircle the city of Columbus, including the Southern sections of Columbus and its Western, Southern, and Northern suburbs. Then District 4 sneaks from Allen County, down through Southern Delaware County into the Northeast corner of Franklin County to steal what looks like Ohio State. District 15 spreads from Ironton all the way up to Downtown Columbus. What is the logic? I have more that I can provide later, but overall, the easiest path is fair maps and fair representation. Without substantial changes, we strongly urge a no vote on Senate Bill 258.

Chair Gavarone (01:29:09):

Thank you very much for your testimony. Are there any questions from members of the committee?

Senator Cirinio (01:29:13):

I have a question.

Chair Gavarone (01:29:14):

Yes, Senator Cirino.

Senator Cirinio (01:29:15):

Thank you, Chair Gavarone. Mr. Tavenor, I have two questions for you. One is you make reference in your testimony about environmental injustices that would result from structures of the districts in Ohio. What kind of environmental injustices are you talking about, and how do they really relate to how representation is determined?

Chris Tavenor (01:29:37):

I'm really glad you asked that question. So the idea is that... Okay, so when we structure districts, they are fundamentally geographically bound, and environmental issues are also often very geographic in nature. So a district that has a river flowing through it for a significant portion of it, so we could use Franklin County as an example, has five major watersheds that all flow into the side of the river. And so when you have a district that has all that same sort of-

PART 3 OF 5 ENDS [01:30:04]

Chris Tavenor (01:30:03):

... out of river. And so when you have a district that has all that same sort of environmental issue, if you have two districts that are splitting across those environmental issues, you are actually diluting the power of the people affected by that environmental issue to advocate for change. So if you have 100,000 people who are all impacted by one environmental harm, if they're all in one district, then that's 100,000 people that are able to advocate to one representative for help in Congress in this instance. If you're dividing it between two districts, yes, maybe they've got those 50,000 people in one, 50,000 in another. They might have two representatives that are pertaining, but that takes a lot of effort to organize to two separate representatives. They have a lot less people to advocate beside them to one representative. 100,000 people is a lot more impacting one congressional representative than 50,000. So that's the basic idea.

Senator Cirinio (01:31:00):

Follow up.

Chair Gavarone (01:31:01):

Follow up.

Senator Cirinio (01:31:01):

Thank you. So we have many rivers of different sizes in the state of Ohio that straddle different communities and different districts and so and so. I'm not sure how we could logically follow through with that in terms of deciding how we district the state of Ohio. So I guess what I really didn't hear was what you have referred to as environmental injustices. Obviously, there are some issues of dilution if a river goes through two different congressional districts, right? Versus staying in one. But geographically, that's not really going to be possible in most cases. My second question is just out of curiosity, your organization, where did your organization... What position did they take, if any, in some of the efforts in the last couple of years to save and maintain our nuclear power plants in Ohio?

Chris Tavenor (01:31:55):

The Ohio Environmental Council Action Fund opposed House Bill 6.

Senator Cirinio (01:31:59):

So you're not for all clean energy.

Chris Tavenor (01:32:04):

We are against propping up legacy generation at the expense of other forms of generation and using taxpayer dollars to bail out forms of energy that... In favor of one form of energy over others.

Senator Cirinio (01:32:20):

Follow up.

Chair Gavarone (01:32:20):

Follow up.

Senator Cirinio (01:32:20):

So is nuclear power green energy in your organization's view?

Chris Tavenor (01:32:27):

I do not believe we have an official position on nuclear energy, specifically. The importance is that we... And also apologies. This is my first time testifying. Chair Gavarone, Senator Cirino. We do not have an official position on nuclear energy as a whole.

Senator Cirinio (01:32:46):

Thank you.

Chair Gavarone (01:32:47):

Thank you. Senator Kunze.

Senator Kunze (01:32:49):

Thank you chair. And thank you for being here. We've heard a little bit this morning about this theme about when communities or situations are divided. And I just have a question for you being someone from Columbus, really the Columbus way is a real thing. It's a Harvard business course. I saw Senator Craig, not to point him out here, but one of my favorite people to work with in our delegation here at the state Senate, but we've also seen at our congressional level, our partisan representatives work together on a number of issues to really enhance and support our region.

Senator Kunze (01:33:28):

Is there an advantage at all to have... I mean, I'm not saying... Obviously Franklin County has to be split. It's a large county. But I have actually seen it an opportunity when we have a Democrat in Congress and a Republican in Congress from the same region who work together on issues, because we see at the federal level, obviously a change in power in parties all the time. And so is there also an argument to be made about the opportunity that exists sometimes when you do have different representatives, whether it's on an environmental issue, whether it's something advocating for Ohio State University? Lots of different things here in our region. I think sometimes there is an advantage. Do you agree or disagree or do you want to comment on that? I'd like your thoughts.

Chris Tavenor (01:34:13):

So Chair Gavarone, Senator Kunze the Ohio Environmental Council Action Fund is a bipartisan organization. We definitely agree that it is important to have voices from all different perspectives and places. And obviously when there are opportunities, when there are members of two parties who agree on issues, they should 100% be working together on those issues. However, I don't think that forming a map in order to ensure that central Ohio has a Republican representative is necessarily the way to go about that. Now, there are ways in which you could structure central Ohio that has two districts where I know I've seen some maps where it's Southern Franklin County into big chunks of Columbus is a strongly Democrat based on the partisan indexes.

Chris Tavenor (01:34:59):

And then north there in Franklin County up into Delaware County and parts of other counties is a... I think that the way that it lays out is 50%, 50-50. So it could be a district that could be won by either party. And that by making a district that is designed two districts in that way that are firmly planted in central Ohio, you could have that opportunity still. But the goal is to make those two districts that are firmly planted in central Ohio representing central Ohio's interests.

Chair Gavarone (01:35:32):

Follow up.

Senator Kunze (01:35:33):

And just for the record, I wasn't saying that we should draw them in a certain way. I'm just saying the result that we've seen regardless of how they were drawn well before my time in the legislature, it's not always a negative to have somebody from a different party representing a similar region.

Chris Tavenor (01:35:55):

Chair Gavarone, Senator Kunze, I mean, if that's the way the card's crumbled, definitely. If those two people are able to work together.

Chair Gavarone (01:36:02):

Thank you. Are there any further questions. Seeing none, thank you very much for your testimony.

Chris Tavenor (01:36:07):

Thank you.

Chair Gavarone (01:36:09):

And next we have Michael [inaudible 01:36:13]. Welcome back.

Michael (01:36:19):

Thank you very much. I will make this very brief and that is that I stand here to express my opposition to passing Senate Bill 258.

Chair Gavarone (01:36:34):

Thank you. Are there any questions from members of the committee. Seeing none, thank you very much. And next we have to testify Julia [inaudible 01:36:48]. Is there a Julia? Next we have Andrea Yagoda.

Andrea Doter (01:37:04):

Good morning. Chair Gavarone, Vice Chair. O'Brien, Ranking Member Maharath and members of the committee, I want to incorporate my objections to the process. As far as this bill goes for 258. I did see the bill late yesterday. I didn't have a chance to really study it, but I do have some grave concerns. I own 28 acres in Southern Delaware County and I've lived there for 44 years. And in all the maps that I have seen submitted, this is the biggest loser map in my opinion. It takes the Southern part, the two fastest growing counties in the state, which is Delaware and Union and primarily it's the Southern part of Delaware County, which is where I live. And it's the only map that puts me with Logan, Champagne, Shelby, Auglaize, Allen and I can't figure out other than the fact that Union County and Delaware County are growing, our demographics are changing.

Andrea Doter (01:38:10):

I'm sure the map maker who did 258 was aware of that. So in my opinion, that the only reason why he took me to Auglaize and Allen County is to tell the loo my vote. My vote has been diluted now for 44 years. I'm tired of being silenced. And Senator Cirino, yes, democracy dies when you have a 46, 54 split in the vote and 75% of the representation is going to one party. My understanding with 258, and excuse me, if I'm confusing it with 479, watching both those hearings. But it's like eight Republican, two Democrat, five competitive, which lean Republican. So honestly, I don't know how we get to eight Republican and two Dems. Why don't we just say two Dems, two Republicans and the rest make them competitive, both Democratic and Republican? But that's not the way the breakdown is here. If you look at the results in 2018 at our state offices, DeWine have got 50.39% of the vote.

Andrea Doter (01:39:21):

Yost got 52.16. Spray got 53.26, Faber got 49.66, LaRose got 50.65. That was in 2018. When we people really were voting for Congress as well. And there was a drop off there. So there can be no justification for doing a congressional map where Republicans get over 80% of the votes. Most of us are tired. We're tired of not being heard. We're tired of not being represented. When I see this map, I had hoped there'd be some good faith. To me this shows that there's a lack of good faith from the Republican side of the aisle. When you introduce this kind of map to me, it's like almost extortion. Either take this horrendous map, or we're going to give you one or two seats and say we compromise. That is not a compromise. The way I see it is this map and the other map, 479, why don't you just take all Democrats and just purchase all from the roles of Ohio so we can't vote?

Andrea Doter (01:40:28):

Because realistically my vote under 479 will be cracked, it'll be diluted by all the Republicans counties that you're joining me with. And so my vote will not count. And you know what? When my vote doesn't count and when it's diluted, democracy dies because people become apathetic and they stop voting. In the redistricting commission for the-

Chair Gavarone (01:40:53):

Excuse me. I just like to mention you are referring to the House bill. We're talking about the Senate bill.

Andrea Doter (01:40:58):

Well, I'm talking about the same with the Senate bill, both these bills.

Chair Gavarone (01:41:01):

They're different bills though.

Andrea Doter (01:41:02):

But they both dilute my vote. They both take me to Auglaize County. In the 47 years I've lived in this state, I've never been to Auglaize County. I've never been to Allen County. I have nothing in common with those people and someone representing Jim Jordan, representing those people does not represent my interest and my concerns for what's happening in the state of Ohio. And by linking me with all of these and by linking Clintonville with all of these, no. This is the only map that does that. And there were what? 50 maps. There's been an abundance of congressional, the Ohio, a citizens redistricting commission 237 does not group me through here. The two fair maps and the three contestants that won do not extend us through Auglaize county. I'd love to ask the map maker why they split Delaware County, took the Southern part of Delaware County out and moved us to Auglaize County.

Chair Gavarone (01:41:59):

10 seconds.

Andrea Doter (01:42:01):

Again, Miriam Webster defines compact as closely and neatly packed together and dance. And that is not what this Senate bill does. It just spreads us out to dilute my vote.

Chair Gavarone (01:42:13):

Thank you very much for your testimony. Are there any questions? Seeing none, thank you very much. Next to testify is Kobe Christian. And next to testify is Shatisha Young. Next is Amina Barhumi. Welcome to committee.

Amina Badhumi (01:42:44):

Thank you again. Again, my name's Amina. I'm the Outreach Director at CAIR-Ohio. I'm going to skip over all my prior comments with regards to issues with the process. I stand in strong opposition if S.B. 258 as does CAIR-Ohio. Only late last night have I had the chance to be able to take a look at the map for all the reasons that others have mentioned. The map proposed by S.B. 258 violates all the criteria and the reforms that Ohioans have passed to limit gerrymandering. Districts are gerrymandering to favor the Republican Party with at least my initial analysis that this map may allow Democrats only two seats. Constitutional criteria states that the districts must be proportionally consistent with vote totals, which means a fair map would have eight Republican leaning seats and seven Democratic leaning seats. This map also needlessly divides Ohio's urban and three largest counties, including Hamilton, Franklin, and Cuyahoga into three congressional districts each.

Amina Badhumi (01:44:02):

It splits and lumps Cincinnati and with counties that vote predominantly Republican. Once again, even though a majority of Cincinnati and Hamilton County in general vote Democratic. Furthermore, the Muslim community in greater Cincinnati, which is predominantly made up of people of color and spans the Clifton neighborhood, Mason and Westchester, Butler County has been split into three congressional districts. Each of them lumped into majority white districts. The east side of Columbus with a large black and immigrant communities, including the Somali Muslim community, which vote majority Democratic has been split up and lumped into districts with surrounding rural counties that vote majority Republican. Toledo also which comprises a large Muslim community and votes majority Democratic is lumped with white Republican counties, therefore diluting voting power.

Amina Badhumi (01:44:57):

And so as you all can see that you see the pattern here. I am not an expert map maker, but I think just by preliminary analysis, I think this map that's been proposed is the definition of what gerrymandering is. And so no matter which party that one's community is affiliated with a vote, my vote, everyone else's vote, my neighbor's vote should have the same power as anyone else's. And this map suppresses the votes of way too many people. And this is how democracy dies. Too many urban areas, people of color, and those voting against the party, which is currently in power. It is clear that this map was drawn with one goal and one goal only to keep one party in power and to not to create districts in which voters choose which party receives power.

Chair Gavarone (01:45:59):

Excuse me, I want to remind you to talk about the Senate map.

Amina Badhumi (01:46:04):

I am talking about the Senate map. So this is S.B. 258. It refers to the map that was released last night. So it's in reference to that. And we're constantly hearing about divides in America, stark divides. And I would say that this would not be the case if our districts were drawn fairly and if our elections were truly competitive and that if every vote, especially those in marginalized communities, including the Muslim community had equal voting power. So I would strongly oppose S.B. 258 and its corresponding map and

any gerrymandered map for that matter, which violates the constitution and suppresses our voting rights. And so thank you for your time that concludes-

Chair Gavarone (01:46:55):

Thank you very much for your testimony. Are there any questions? Yes, Senator Maharath.

Senator Maharath (01:47:00):

Thank you, chair. Thank you Amina for coming in today. I really appreciate both of your testimonies.

Amina Badhumi (01:47:05):

Thank you.

Senator Maharath (01:47:06):

So are the total votes of each partisan statewide election from the last 10 years lays a good metric to use, to try to define or ensure a map isn't unduly favoring, or disfavoring a political party, or even an incumbent?

Amina Badhumi (01:47:25):

I would say yes to that question. And I will prop up because I also sat as a member of the Ohio Citizens' Redistricting Commission. And as part of this particular testimony, I also did submit the report and the corresponding unity congressional maps along with it. And so with that, I do say yes.

Chair Gavarone (01:47:48):

Are there any further questions. Seeing none, thank you very much.

Amina Badhumi (01:47:52):

Thank you.

Chair Gavarone (01:47:54):

Next to testify we have Katy Shanahan.

Katie Shanahan (01:48:12):

Good morning again. Like everyone else, I was required to submit testimony before actually seeing the Republican proposed bill. So I've shared with you amended testimony to reflect that. And I will try to speak very quickly because five minutes is fast. First, I will just say that on all three counts of how we define a fair map. One that keeps communities together provides real pathways to representation for communities of color and that reflects how we vote, the Republican proposed map fails. Unfortunately, the Republican proposed map is even more gerrymandered than our current one. It is, to borrow a word from our illustrious Secretary of State LaRose, asinine to suggest that it complies with either the promise of our 2018 reform measure or the letter of the law. The Republican proposed map is not a fair one and it should be rejected wholesale. Under the Republican proposed map, my community is again cracked apart from the rest of Columbus and Franklin County, and instead relegated to a district that spans all the way to rural Northwest Ohio. In a wild twist, the district pairs the Ohio state House in central downtown Columbus with the City of Lima. I can't imagine anyone can argue with a straight face that a

map that does that is one that lives up to what Ohioans demanded when they asked for fair maps that actually protect our communities. The proposed map, additionally splits Columbus in into three different districts, despite language in the Ohio constitution calling on you to keep most of the city whole. The map pairs to the Columbus Airport with the Ohio river and Wayne National Forest down in Lawrence County. It pairs Akron with Amish country in Holmes County. It takes Cincinnati out of Hamilton County and pairs it with port Smith.

Katie Shanahan (01:49:46):

It splits Toledo in half, pairing it with Mercer County in one district in Morrow County and the other. It splits apart Cuyahoga and Hamilton County into three different districts. Each that level of cracking is surgical in nature and with cruel intention to drive us apart, to deny our community's real representation and to dilute the power of our vote. Additionally, it's important that any future map ensures that the power of each Ohioan's vote is fully realized. To live up to the constitutional promise of one person, one vote, our district should be drawn so that no one person's vote is any more or less powerful than any other person's vote. But redistricting is a balancing act. There are always multiple important interests at issue, but ultimately maximizing community representation should be key. Any attempt to use one person, one vote as a smoke screen for an unfair map, actually defeats the goals of fair representation behind that guarantee of one person one vote.

Katie Shanahan (01:50:43):

The Republican proposed map also fails to provide pathways to representation for communities of color. It cracks apart the black and Latino communities in Cuyahoga County. I'm sorry, it packs those communities into just one district while cracking apart Cuyahoga County's AAPI communities. Franklin County's black communities are split into three districts. Toledo's black communities are split into two districts. Black communities in Springfield are carved apart from more similar ones in Dayton and Montgomery County. The maps also split apart Cincinnati's black and AAPI communities into different districts. Again, that sort of surgical carving apart of communities causes grave concern because the impact is that it dilutes the political power of Ohio's communities of color and denies them any real shot at deserved political representation. And it's also important to note that fairly redistricting does not require us to be color blind. A fair congressional map in Ohio is one that actually reflects the diversity of our community.

Katie Shanahan (01:51:38):

Just as going outside in a thunderstorm with your eyes closed won't keep you from getting wet, drawing maps with racial data turned off doesn't mean you won't still be held accountable for diluting the voting power of communities of color. Fair redistricting processes must include the acknowledgement of how diverse communities want and need to be represented as part of the work that you all are doing to develop maps that are both responsive to and reflective of the communities in our state. The Republican proposed map also fails to reflect how we vote as it would award 13 of our 15 seats to Republicans giving them a staggering 87% of our seats in an even more gerrymandered district map than the one we have now. The map additionally fails to reflect the competitive nature of certain parts of our states by only affording us actually one real competitive seat that falls in a 48 to 52% range that favors one party or the other.

Katie Shanahan (01:52:32):

All in all, this map, again, relegates us for another decade of putting politicians over people, manipulating our lines to serve partisan Republican interests and not those of the communities these lines are meant to serve. For more than two years my job has been to lead our organizing efforts to prepare Ohioans to engage at every step of this redistricting process. Redistricting is after all, all about the people, which means that all of us Ohioan should be centered in any conversation you have about what's at stake for our political future in the next decade. Unfortunately, my job has been made immeasurably more difficult because of lackluster attempts to host the open-

Chair Gavarone (01:53:07):

10 seconds.

Katie Shanahan (01:53:08):

... transparent and people powered process that Ohioans clearly demanded through our reforms and that our state constitution requires. Nevertheless, Ohioans have met and will continue to meet the moment and continue to show up to fight for fair maps. It's a shame that you're limiting our testimony today.

Chair Gavarone (01:53:23):

Are there any questions from members of the committee? Yes, Senator Maharath.

Senator Maharath (01:53:28):

Thank you chair. And thank you, Katy. I'm sorry that we weren't able to fully hear your verbal testimony, but we do have your written testimony here. All of the members did receive this. So can I confirm that your definition of competitive seat based on your written testimony is that it's within a 48 to 52% range favoring one party over the other?

Katie Shanahan (01:53:46):

Through the chair to the senator, yes ma'am.

Senator Maharath (01:53:48):

Thank you. Follow up.

Chair Gavarone (01:53:49):

Follow up.

Senator Maharath (01:53:51):

So based off of the information that we pulled through our caucus staff, it looks like Senate Bill 258 will have 10 Republican seats, three competitive seats and two Democratic seats. So would you think that that map unduly favors or disfavors a political party?

Katie Shanahan (01:54:09):

Through the chair to the senator, yes. I think that... Well, not think, across the last decade, Ohioans have voted just 54% for Republican candidates. A party that awards itself more than 54% of the votes by manipulating district lines is showing that the map is unduly favorable to that political party. Our map

should reflect how we actually vote and one that awards more than 54% of the seats to Republicans unduly favors Republicans.

Chair Gavarone (01:54:36):

Thank you. And I'd like to comment, you mentioned in your testimony that Toledo's black communities are split into two districts. Under the Senate map, Toledo is not split. Under the House map, there may be a split, but not in the Senate map that we're referring to right now.

Katie Shanahan (01:54:51):

My apologies for that mistake. It's hard to keep track of two bills and two chambers with two hearings on the same day at the same time.

Chair Gavarone (01:54:57):

Are any further questions? Yes. Senator Manning.

Sen. Manning (01:55:01):

Thank you, chair. Thank you for your testimony. I am surprised that you believe this map is more gerrymandered than the current map. We heard testimony on Senate Bill 237 about compactness. And I know we all have different definitions of fair maps and everything. But both of these maps, according to his data had the same compactness, 75%. And it was a pretty big increase from the current map of 62%. And I understand we might have difference of opinion on what compactness means. But at least the eye test to me, I think this map looks a lot better than the current map. And also, I know there's different, I guess, indexes we can look at on what these districts are. But Dave's, that a lot of people has referenced, I think, six Republican, two Democrat and seven competitive, which is another big definition on what is fair is competitive, which I think is a huge improvement under the current map. So I'm just curious given the compactness, given the competitive nature of this current map, how is this worse than, not the current, of the proposed map, how is this in the current map?

Katie Shanahan (01:56:08):

Through the chair to the senator, first and foremost, like I said earlier, redistricting is a balancing act. There are multiple different interests that have to be weighed when you're looking at how best to draw districts, but also in judging what the maps impact actually is. So yes, looking to see if districts are compact, which my colleague, Mr. Topper earlier testified is not just necessarily, is it a small district, but is it actually centralized around communities it's supposed to represent? I would argue that the Republican proposed map does not do that. It also... I would not agree with the Dave's Redistricting or the Republicans offer definition of competitive of being between 45% and 55%. If anyone wins an election with 55% of the votes, that's not a competitive win.

Katie Shanahan (01:56:52):

That is a decisive win. That's nearly three fifths of the vote. And I don't think that looking at the electoral reality that anyone would look at a district where Democrats are 45% of the seat and actually say that's a competitive seat where Democrats could win. That's just not the electoral reality in the state. Additionally, if you're looking at what the actual partisan impact is of the maps that we're drawing, Franklin County can be split into just two districts. It instead is split into three districts under the Senate proposed map. And despite the fact that Franklin County is an overwhelmingly Democratic county, it

would be represented by two Republican congressional members and just one Democratic one. The same is true for Hamilton county. A seat that went nearly 60% for president Biden in the last election, but instead would be relegated to three Republican congressional members.

Katie Shanahan (01:57:39):

Cuyahoga County, one of the biggest bases for Democratic voters in the state would have just one Democratic congressional representative and two Republican congressional representatives under this map. That is not a fair map. And with our definition of what we consider competitive seats, there is just one competitive seat under the Republican proposed map. It leans Republican. And so that's why we've said that this map would offer Republicans likely 13 of our 15 seats. If that's actually how the election shapes up, that means that Republicans would be awarded 87% of our seats as compared to the 75% of their seats that they hold now. That's why I said the proposed map is more gerrymandering than our current one.

Chair Gavarone (01:58:21):

Follow up.

Sen. Manning (01:58:22):

And I apologize, you might have said this already. What's your definition of competitive versus-

Katie Shanahan (01:58:27):

It's between 48 and 52%.

Sen. Manning (01:58:30):

I appreciate that comment. There might be a few of us on this committee that maybe would disagree on the competitiveness because we've had districts where we've overcome a bigger margin of that. But thank you.

Chair Gavarone (01:58:43):

We had Senator Sykes.

Senator Sykes (01:58:45):

Thank you, madam chair. Thank you for your testimony. If you could just briefly summarize. Again, you said there were three standards or criteria you used to evaluate these plans and how does this meet up to those standards?

Katie Shanahan (01:58:59):

On the line, we define a fair map as one that keeps our communities together, that provides real pathways to political representation for communities of color and that actually reflects how we vote on each three of those measures. In our mind, the Republican proposed map fails.

Senator Sykes (01:59:17):

[inaudible 01:59:17]

Chair Gavarone (01:59:17):

Follow up.

Senator Sykes (01:59:18):

Just as I indicated, the representative for legal women voters, if you had any suggestions or proposals, amendments to this map, I'd appreciate if you could get that to the chair.

Katie Shanahan (01:59:32):

I'm happy to actually go into detail. I have it in my testimony. Unfortunately wasn't be able to speak through it with the five minute limit that we didn't know about until the committee started. So if you would allow, I'm happy to go through those details now about how you could improve the map.

Chair Gavarone (01:59:47):

If it's in your written testimony, then the members of the committee do have that. If you can summarize briefly.

Katie Shanahan (01:59:54):

Sure. So what I would say is that each of the major cities in Ohio, Cleveland, Cincinnati, Columbus, Toledo, Dayton, and Akron should each anchor their-

PART 4 OF 5 ENDS [02:00:04]

Katie Shanahan (02:00:03):

Cincinnati, Columbus, Toledo, Dayton, and Akron should each anchor their own districts. We should undo the cracking and packing, especially of our major metropolitan areas, but should also pay attention to the suburban areas around them to ensure that they're not just cracked apart and drowned into otherwise, rural and conservative districts. We should also pay a special attention to where Ohio has seen the biggest growth, not only in population, but also in the diversity of our communities to ensure that those new areas of growth and diversity are actually given increased representation, which is actually the whole point of redistricting and redistricting is simply an act of redrawing district lines to reflect how population has shifted or changed in the last decade. So that's what we should do moving forward. Also, the district lines should be drawn to ensure that they actually reflect how we vote, and that doesn't necessarily mean that there are 15 solidly blue or solidly red districts, but that there are also competitive seats to represent where there are competitive areas across the state.

Chair Gavarone (02:01:00):

Thank you. Senator Cirino.

Senator Cirinio (02:01:03):

Thank you, Chair. Shanahan, just... There have been a couple of comments made in here in the testimony for both bills relative to mixing of communities is one of the criteria either officially or unofficially. And I mean, Ohio's a very diverse state. We have urban, suburban, we have rural farms, we have Amish communities. I have two large Amish communities in my district, and I'd just like to get your thoughts on how you see that. I mean, how you see the districting process, the redistricting process accounting for the diversity of communities. It seems like I heard some testimony earlier that we

shouldn't be mixing certain types of communities. We shouldn't be putting the urbans with the Amish communities and that to me, that strikes me as not recognizing the diversity that we can have and should have within a district. So do you have any thoughts on that?

Katie Shanahan (02:02:07):

Through the Chair to the Senator, I think you're right to point out that we are a state that has a lot of different types of communities. Each of those communities deserve real representation. The way that you do that though, is by centralizing districts around actual communities. Now, of course, there's lots of definitions about how you define that. It's not just my neighborhood. It's not just my city, it's my county. It's where I work, live and play. I think that there's... You can't look at the map that's been proposed and say that what you're doing is justice to providing each of Ohio's diverse set of communities a real pathway to representation. Of course, our rural communities deserve real representation. They deserve to be represented in their entirety in districts that centralize the needs, wants, and concerns of rural communities. Pairing them by cracking apart parts of urban communities drowns out the voices of those people who live in urban communities.

Katie Shanahan (02:03:02):

For example, the congressional district that's in my community takes out Clintonville, which is just a 10-minute drive from here. It takes out Lindon, a historically black neighborhood. It takes out the Ohio Statehouse and claims that we have the same interests as the people who live in Lima. Now, I don't have anything against the fine people who live in Lima, but I do not have a lot in common with those folks, aside from maybe my love for Kewpee burgers, but we should not be in the same congressional district. I just don't see how that's actually serving the interests of our diverse communities. Our district should actually reflect who those districts are meant to serve. And if we're trying to serve communities, it means communities should be represented wholly and not just in part.

Senator Cirinio (02:03:40):

Okay. Thank you.

Chair Gavarone (02:03:42):

The Ohio constitution approved by the voters allows a constitutional map to split up the five counties into three districts. But your testimony and comments seem to indicate that you feel that any county being split into three districts is unacceptable. Can you reconcile these two thoughts?

Katie Shanahan (02:04:01):

Sure. Chairwoman Gavarone, I would say that just because you can do something doesn't mean that you should. Yes, you're right that the constitution allows a certain level, a number of counties rather to be split into three different districts, but if that's not necessary, why should we do it? And if we're looking at which counties that you all are splitting that many times, we also have to look at the impact of what those splits do. So Franklin County can only be split with one line splitting it into two different districts. If we can actually achieve that, like the Senate Democratic proposal does, why would we settle for splitting it into three districts, minimizing the ultimate political power of the county as a whole?

Katie Shanahan (02:04:44):

Summit County is a county that could be contained in its entirety within a congressional district with the Senate Democratic Proposal does. The Republican proposed map splits it. Why is it splitting it? Is it perhaps because there are Democratic hub cities inside summit county that you want to dilute? That's what we have to look at. So when we're talking about how best to represent our communities, I will, again, repeat that minimizing county splits, minimizing community splits maximizes community representation and we should all be after maximizing community representation.

Chair Gavarone (02:05:17):

Senator Kunze.

Senator Kunze (02:05:19):

Thank you, Chair, and thank you for being here. I have... So I agree with you when you talked about just a few minutes ago in your comments about the reason we are doing redistricting is due to shifts in population, population growth, and I think one of the challenges, and I want to know if you agree with me, is that our population growth is in the portions of counties that are maybe trending one party versus another, and we're losing population in other parts of the state. So one of the challenges in my mind for drawing the maps is really how do we keep districts compact, where we're losing population and then also be fair and equitable keeping communities together where we're gaining population? Can you maybe touch on that first?

Katie Shanahan (02:06:05):

Sure. Through the Chair to the Senator, I will repeat that in the areas of the state where we are seeing the biggest growth in population, we should also see a growth in representation and that those areas of growth happen to be in places that are trending to one party or the other shouldn't matter. We should be drawing districts that actually reflect that bigger growth. So of course, every community deserves a real pathway to representation. If there are areas in the state... I will also just say that it is unavoidable that there will be parts of Ohio that you have sprawling districts, because there are low population rural areas, and of course, all the districts have to have a certain number of people in them.

Katie Shanahan (02:06:45):

So it's unavoidable to have some districts that look like they're incredibly sprawling across different parts of the state. Still, you can draw districts that represent regions of the state. Even in Appalachian Ohio, you can draw a large district that meets the population requirement, but doesn't unnecessarily dilute the power of any other region's voters by bringing them into a district that otherwise, doesn't make sense. So I think that there's a way to meet the objective of responding to where we've seen growth in population, but also in ensuring that all areas of the state have the same equitable access to real political representation.

Senator Kunze (02:07:22):

Follow up, follow up. Thank you, Chair. So in the Senate Bill 237, congressional map, I know that Franklin County is split twice. And the parts of Franklin County that are tied into the two northern counties, I think some of the arguments that I've made today, also that the district that I represent, my Senate seat, might not have as much in common with those two northern portions of the county. Can you speak to that as well?

Katie Shanahan (02:07:54):

Sure. Senator Gavarone, or through the Chair to Senator Kunze, I think that the Senate Democratic proposed map more adequately reflects central Ohio by providing one obviously Democratic seat and one Democratic leaning seat. I think that better represents how we actually vote in Central Ohio. Still, I think there's room for improvement on how we're actually reflecting Central Ohio. I would argue though that while yes, you are not going to find commonalities with every single person who lives in your district, I do actually think that their map is more representative of Central Ohio than what's being proposed under Senate Bill 258.

Senator Kunze (02:08:35):

One last follow up, so do you believe it is more fair to have eight Republican drawn districts, seven Democrat drawn districts, or do you believe it's more fair to have maybe a couple of Republican, a couple of Democrat, and then in the middle, the competitive 45 to 52 or whatever percentage you were saying, lean? Which one is more fair? Because we've heard testimony today from folks that say they want eight and seven, we've heard people say they want competitiveness, which do you believe?

Katie Shanahan (02:09:09):

Through the Chair to the Senator, our definition of a fair map is eight seats that lean Republican and seven seats that lean Democratic and among those, competitive seats on both sides where both parties can actually compete reflective of how the voters actually cast their ballots.

Chair Gavarone (02:09:29):

Are there any further questions? Seeing none, thank you very much.

Katie Shanahan (02:09:35):

Thanks.

Chair Gavarone (02:09:35):

All right. And next to testify we have Sandy Bolzenius. I don't see Sandy. Susan O'Donnell. All right. And then Steve Castro? Welcome back.

Steve Castro (02:10:06):

Thank you. Thank you, Chair. So I want to say that I appreciate that this map is more compact than the current map that we have and that both of the proposals are more compact, but it's still one of the least compact of some of the proposed major proposals that have been out there. So I just want to point that out that we can do much better and I think we should, and there are other measures besides compactness. I've focused on that personally a lot just because I find it interesting, but I want to point out that this map, I believe splits 14 counties a total of 17 times, and this is the highest number of county splits that I've seen of any of the major proposals. The Democrat's proposal has 11 total splits, which is the best, I've seen 12, 13 splits. 17, I think, is unnecessary, and I think, especially when we look at Hamilton County and Franklin County, these are unnecessary twice splits.

Steve Castro (02:11:08):

A lot of the other proposals don't do that. So I think that in my view, splitting these two counties twice is unnecessary. I think it's a choice. I think it's a choice that speaks to the unconstitutional favoring of Republicans, and I think it's no accident that this map is likely to be 13 Republican and two Democrat. I

care about the constitution. I consider myself to have taken a personal oath to the constitution. I'm not an elected official, but I consider myself obligated to oppose this bill because many other proposals have demonstrated that we don't... There's nothing inevitable. There's nothing required. It's not even accidental that you would just happen upon a map that's 13 to two likely seats. And because this proposal is likely 13, two, I think it unconstitutionally disfavors the minority party.

Steve Castro (02:12:12):

So I will say that one of the least compact districts is here on six over here on the side. So just to give a little bit of a specific recommendation, the fact that it strings up makes it not very compact, but I think it also ends up... It has the effect of pushing district 14 up and over, which pulls out of Cleveland. And I think just that whole process is unnecessary. So basically if you were to make district six more compact, it would have the result, hopefully if you care about compactness of making the northeast corner itself a lot more compact and it ends up... Just having gone through the process of designing a map myself, it lends itself to the Cleveland area to be a little bit more representative, just naturally. So I would recommend that, but yeah. I think when we have a district 15 that goes all the way from the south tip in Lawrence County, all the way up in the German Village, I mean, that seems very intentionally to favor Republicans.

Steve Castro (02:13:20):

I think if we care about the constitution, we hear rhetoric like, "Oh, but The First Amendment, The Second Amendment." I'm talking about the U.S. constitution, but I think we need to hold a similar regard for the Ohio constitution. If we're going to say this constitution matters and we need to rally around constitution, these constitutions should be a thing that binds us as Americans, as Ohioans, and I think if you're saying, "Well, yeah," says you shall attempt that, but we're not actually going to attempt that, then I think you're skirting the constitution. You're saying, "Well, I know the constitution says that, but I'm just going to see what I can get away with." I just think that's not a good message that binds Ohioans. I mean, if you have a citizen that's saying, "Well, I know the law says and I know the constitution says I should or shouldn't do this, but I'm going to just see what I can get away with," I think that's bad for the country. I really think it's bad for Ohio, and I think this map is unconstitutional and that's why I oppose it. Thank you.

Chair Gavarone (02:14:24):

Thank you. Are there any questions from members of the committee? Seeing none, thank you very much.

Steve Castro (02:14:29):

Thank you.

Chair Gavarone (02:14:33):

And I just wanted to make comment. I know I talked about a break earlier, but we're wrapping things up here soon. We need to make sure we're hearing from everyone so that we can be done by one o'clock. So we'll just keep going through. Next to testify is Richard Topper.

Richard Topper (02:15:03):

Thank you again, Chair Gavarone.

Chair Gavarone (02:15:04):

Welcome back.

Richard Topper (02:15:06):

Senator O'Brien, ranking member Maharath. Senator Cirino, I disagree with some of the comments. I don't believe democracy is dead in Ohio. I saw the live and well in Franklin County when 72% of the people in Franklin County resident registered voters came out to vote. I saw in the early vote in 2020, and I've been doing voter protection in the state of Ohio since 2004, there were 130,000 people. Many people in Senator Maharath's district came to early vote. It was incredible. You saw Butani and you were also there, Senator Kunze. I saw [Yuvitani 02:15:53] and Napoli and Somali immigrants for the first time and they asked me to take pictures. They were there voting. It was incredible. They were so proud to be Americans. It was just amazing. But that's why I think although democracy is not dead, it is on a... We need a lifeline and the lifeline is we need to draw their districts.

Richard Topper (02:16:25):

When I was there, I talked about the disconnect. When Troy Balderson said, "We don't want to be represented by somebody in Ohio," and he said this to a Muskingham County group, well, maybe they don't, but people in Franklin County don't think they're getting fair representation in Congress with Troy Balderson. Look at the 15th district, Senator Steve Stivers. He was a off-the-cuff sarcastic remark, but he said, "It's not like I really want to represent Athens County." Well, you know what? That's part of the district and that's the disconnect we're trying to prevent. For instance, let's say in Lima, we have Lima and for some odd reason, which is probably not going to happen, a person gets elected in Franklin County for the 4th district. And that person, whoever it may be, votes against a certain kind of farm subsidy or pollution bill that affects farmers. How do you think the people in Lima, in Harden County and all those other rural counties would feel about that representative?

Richard Topper (02:17:35):

How about if a person in the 15th district, which is part of Franklin County, for some odd reason, gets elected and they vote against coal subsidies. They vote against fossil fuel. So the people in Appalachia that their representative in Columbus is voting against what their interests are, and that's why when we talk about compact districts, we're talking about connecting people together, keeping people together as a community so that their interests can be represented. I look at this 4th district and it is incredible. All right. I live in the proposed third district on 258, and I live right off the Olentangy River Road. I'm in your district, Senator Kunze. And if I go on the bike trail and walk right across the river to my friends in beach wall, to my friends in Clintonville, if I run down the bike trail and I go to my friends on campus or in downtown Columbus, they're in the Jim Jordan District under the Republican map.

Richard Topper (02:18:47):

These are people that I share parks with it, that I share schools with, that I share highways, that I share everything with, places to shop, retail. All right? How do they feel about the disconnect with them in Columbus, a heavily Democratic district, by the way, having Jim Jordan as a representative? Same with the 15th district, which has Burwick, which has Becksley, which has Whitehall, which is in Senator Maharath's district. All of those with the Appalachia County Southeast Ohio, how do they feel? They feel like they don't have a voice. See, there are different people in Ohio. We have different things, ways of looking things. We have different ways in looking things in terms of healthcare, in terms of a tax code for

the wealthy and corporations over the average Ohio with response to COVID. What happened to our democracy on January 6th, with women's rights and LGBT equality-

Chair Gavarone (02:19:52):

15 seconds.

Richard Topper (02:19:52):

... with minority rights, with social and environmental interest? We need to get together as a group to show Ohioans that we can do better, that we can draw credible districts. Districts fair to everybody. I know you can do it.

Chair Gavarone (02:20:09):

Thank you very much for your testimony.

Richard Topper (02:20:11):

Thank you very much. I appreciate that.

Chair Gavarone (02:20:12):

Are there any questions from members of the committee? Seeing none, thank you very much.

Richard Topper (02:20:18):

Thank you.

Chair Gavarone (02:20:23):

Next to testify is Jasmine Henderson. Welcome to committee.

Jasmine Henderson (02:20:34):

Thank you. Hello, Chairman Gavarone, vice chair O'Brien and ranking member, Maharath. My name is Jasmine Henderson. I'm the director of policy and social impact for the Ohio Women's Alliance Action Fund and I am strongly opposed to Senate bill 258. Thank you for allowing me to testify today. My organization is a grassroots organization that focuses on the needs of BIPOC women, queer, trans and disabled Ohio women. The ability to vote in my family has only been available to us since 1965. When the 1965 Voting Rights Act was passed at the federal level, my grandmother was the first person in my family to vote. She was born in the Jim Crow South. That makes me the third person in my family to ever vote. In my lifetime, which is just 31 year years, I've almost never lived in a state that didn't gerrymander my ability to vote. And that's been Ohio.

Jasmine Henderson (02:21:35):

And the same voting rights that my family fought for, that my grandmother fought for before she died in 2002 is now under attack in Ohio with the voter suppression bills that are currently in the house that is moving through the government oversight committee of your colleagues. The reason why I strongly stand up against Senate bill 258 is because it continues to split the collective voting power of areas where BIPOC voters live, including Franklin, Hamilton, Cuyahoga County and Montgomery County. I am not a map drawing expert, but I am an expert on what it means to be oppressed and I am expert on

what it means to be a black woman. And I am an expert on voting because I have been doing so since I was 18 and I've registered almost 2000 people to vote.

Jasmine Henderson (02:22:19):

With that being said, some of the things that I strongly oppose against Senate bill 258 is what it does to Montgomery County. Montgomery County is 19. 8% black, and it is currently grouped in with Warren County, which is only 3.3% black, instead of being grouped in with Clark County, which holds Springfield. So they have about the same demographic. Springfield is a bit higher when you look at the demographics of Springfield, and that is about... Sorry, I lost my place to my testimonial, also about 19.8%. Also, when you look at other sociological issues that impacts voting patterns, such as socioeconomic status and income, that is disproportionately represented in the current bill, that is 258, when we're talking about the collective voting powers of by BIPOC people in Montgomery County, which is the fourth largest municipality versus Warren County, which is significantly smaller.

Jasmine Henderson (02:23:17):

So for example, the average media income in Warren County is about $41,000. The average media income for a city like Dayton in 2019 was $19,000. The average media income home for a place like Springfield is about $22,000. If you look at the sociological factors that impacts voting, you would understand that these factors also contributes to how people vote. That means when I show up to my precinct in Dayton, Ohio, which is a city that is redlined, which is a city that is a food desert and which is a city that is an emerging medical desert, has very different needs than the people who live in Warren County. This is just one example of how Senate bill 258 is not representative of BIPOC voters in Ohio. Senate bill 237 is actually a bill that takes into accountability the voting patterns in Ohio.

Chair Gavarone (02:24:12):

Excuse me, we are keeping the testimony to Senate bill 258.

Jasmine Henderson (02:24:15):

Yeah, but I'm giving context. So with that context, Senate bill 258 just does what I said. It acknowledges that 45% of people vote for a particular party that is not represented in Senate bill 258, which is about 57%. My community and other communities like mine use voting as a form of harm reduction to overcome oppression and practice self-determination. This legislative body doesn't have the ability to tell me what representation looks like when I'm self-determined. It's only job it as the governing body when it comes to redistricting is to make sure that my one vote is weighted and equal to everyone else's vote. And right now, Senate bill 258 in the current redistricting model does not reflect that for BIPOC voters. In fact, it only seems that Senate bill 237 does that. So those are some of the reasons that I am strongly opposed to Senate bill 258 and I am now open for questions.

Chair Gavarone (02:25:10):

Thank you very much for your testimony.

Jasmine Henderson (02:25:12):

You're welcome.

Chair Gavarone (02:25:12):

Are there any questions? I don't see any questions, but I do want to mention, I understand you had difficulty submitting your testimony. I think my [crosstalk 02:25:22].

Jasmine Henderson (02:25:21):

She gave it to me already. Thank you.

Chair Gavarone (02:25:23):

Terrific. Thank you so much. Thanks for coming in today.

Jasmine Henderson (02:25:25):

You're welcome.

Chair Gavarone (02:25:26):

Thanks. Next to testify is Gary Gale. And we're going to go back and see if Julia Cardenio is here. Kobe Christian? Shatishe Young? Sandy Bolzenius? Susan O'Donnell? Okay. Well, members, please note that the written-only testimonies we have on the iPads and that concludes the second hearing on Senate bill 258. I'd like to know that there will be hearings next week and that the information will be given out shortly. Is there any other business before the committee? Hearing none, we are adjourned.

PART 5 OF 5 ENDS [02:26:28]

Senator Gavarone (00:00):
... come to order. Will the clerk please call the rule.

Speaker 1 (00:02):
Chair Gavarone.

Senator Gavarone (00:02):
Here.

Speaker 1 (00:02):
Vice Chair O'Brien.

O'Brien (00:03):
Here.

Speaker 1 (00:03):
Senator [inaudible 00:00:04]

Speaker 2 (00:03):
Here.

Speaker 1 (00:04):
[inaudible 00:00:04] Senator [inaudible 00:00:04]. Ranking Member Maharath.

Maharath (00:05):
Here.

Speaker 1 (00:06):
Senator [inaudible 00:00:12]

Speaker 3 (00:11):
Here.

Senator Gavarone (00:13):
And we have a quorum. Members a copy of the minutes from the November 4th meeting of the committee is on your iPads. Please take a moment to take a look. The question is, shall the minutes we agreed to. Without objection, the minutes are agreed to. I'd like to start off the committee again as I will for each of the hearings, restating the ground rules. First, these committee hearings are being structured in a way that allows for us to hear from as many citizens from Ohio as possible on an important issue. There'll be no standing by the public in the committee room. If you don't have a chair to sitting, you'll be directed to go to the north hearing room for overflow seating. And that room is directly across the hall. Testimony and witness slips should have been sent to my office no less than 24 hours in advance of the committee time.

Senator Gavarone (00:58):

Committee notices for today and tomorrow were sent out at or 4:29 PM Friday. So that means people wishing to testify had nearly three days to submit testimony for today and more than three and a half days to submit testimony for tomorrow's hearing. As such, it's unlikely that anyone who did not meet the deadline will be able to testify. It's important for committee members, staff, and Ohio citizens watching today on the Ohio channel to have a clear understanding as to which bill people are testifying to. That's why there's another hearing for both Senate Bill 237 and then Senate Bill 258 today. We will only be accepting and hearing testimony on the bill up for consideration at that time. In other words, we're not allowing anyone to speak on both bill at this same time. If you want to testify on both bills, you'll need to submit individual testimony of witness slips for each bill and we'll call you up for each hearing.

Senator Gavarone (01:50):

In an effort to stay consistent and to allow for as much testimony and questions from members as possible, we'll continue to Institute a five minute time limit. We're putting the time on a screen at my left, and I will give you a 15 second warning to wrap up your comments. In reviewing the number of people testifying today, I do not suspect this will go for too long, but for planning purposes, the committee will be stopping no later than 6:00 PM. I understand people are passionate about the issue before the committee today. However, everyone will be expected to keep decorum through these hearings. We want to get through as many people as possible and cheering, applause, booing, et cetera, prevents us from doing that and will not be permitted.

Senator Gavarone (02:33):

No video or pictures should be taken without the permission of the chair. If you want to take pictures or video, we'll have a media form available for you to fill out for the chair to consider. And finally, we have an incredible set of sergeant at arms here and highway patrol in the room around the building who are here to keep everyone safe and assist the member staff and citizens in attendance. And I'd like to thank them again for everything they do. Thank you. The first order of business is the third hearing on Senate Bill 258. We have several people to testify today and we're going to start off with Susan Cavanaugh.

Susan Cavanaugh (03:11):

Thank you.

Senator Gavarone (03:12):

Welcome to committee.

Susan Cavanaugh (03:13):

Thank you. Chair Gavarone, Vice Chair O'Brien, Ranking Member Maharath and members of the Ohio Senate, local government and elections committee, thank you for the opportunity to testify regarding redistricting and Senate Bill 258. Gerrymandering has been an extremely important issue for me since learning about it in high school government. It's the main reason I've been an independent for most of my life. Both parties want to claim me. I'm a lifelong resident of Ohio born in a small town, grew up on a small farm, lived in a medium sized city. And for the past 45 years, I've lived in the downtown Columbus zip code of 43215. For many of those years, I lived in Victorian village in district three, 2. 1 miles from where I'm now standing. Then I moved to the short north, a half mile closer. Imagine my surprise when

a farmer outside of Chillicothe and a city council member from Athens, Ohio started writing to me wanting to be my congressional representative.

Susan Cavanaugh (04:18):

I had moved to their district. Now I live about a 12 minute walk, on normal days, Southwest of the capital. And I'm back in district three. I refer you to addendum one, to see these current gerrymandered districts, the shapes speak for themselves. I was among those who worked hard on redistricting, collecting signatures. The S.B. 237 proposed map is totally dismissive of the thousands of volunteers who worked to end gerrymandering. It is totally dismissive of anyone living in any large Ohio city. It is totally dismissive of the 75% of Ohio voters who voted for the constitutional amendment to end gerrymandering. Think about how angry Ohioans were with the current map to evoke that kind of action. And your response is to put forward S.B. 2 58 that's even more unfair. Now, the population of Franklin County is over 1.3 million. That could equal 1.8 representatives in Congress.

Susan Cavanaugh (05:26):

The Columbus Ohio metropolitan statistical area is over 2 million. It would be very easy to create two compact districts and addendum two shows a possibility. Let's move on to addendum three. It shows how S.B. 258 divides Franklin County into three districts. District three is wholly in Franklin County. The rest of the county is divided between districts four and 15. And now let's look more closely at those in addendum four. Districts four and 15 stretch west to near the Indiana border in Mercer County, south to Ohio southernmost tip in Lawrence County and Southeast along the Ohio River and Ohio's border with West Virginia. This is gerrymandering and I do wonder how you could have such total disdain, if not hatred for your fellow Ohioans who live in your state's capital. I heard some Republicans in the House government Oversight Committee talk as if they really did not understand gerrymandering.

Susan Cavanaugh (06:29):

I was reminded of an important lesson from Sunday school, do unto others as you would have others do unto you. And I thought that perhaps you would understand how unfair this is if you saw what it might look like if some of your communities were treated this way. I refer you to addendum five showing parts of north Ridgeville, Ashtabula and Kirtland put into predominantly urban districts in Columbus. I would not do this to you and I'm astounded that you want to do this to me. Now, if your real goal is to make Ohio so unfriendly to 45% of its population that they continue to leave, then I think you're onto something. Perhaps your legacy can be to move Ohio from a state with 16 districts to one with 14, or maybe go for 10, 12. We're number six in the country in brain drain. Perhaps you want to try for the top three. But if you really care about Ohio and Ohioans, you'll start working across the aisle to create a fair map for all. And I really hope you will. Thank you.

O'Brien (07:37):

Thank you, Susan, for your testimony. Do we have any questions from the committee? Seeing none, thank you again. Next we'll call up Julia Cattaneo. Begin when you're ready, Julia.

Julia Cattaneo (08:03):

May I take off my mask?

O'Brien (08:04):

Certainly you may.

Julia Cattaneo (08:05):

I am vaccinated.

O'Brien (08:06):

You're good.

Julia Cattaneo (08:07):

Okay. All right. Thank you for this opportunity to testify today. My name is Julia Cattaneo and I've met a number of you before. All my life I have been community and politically aware and active. I'm a retired social worker and about 20 years ago held an elected position in Pennsylvania. I'm here to testify for legal, fair maps and equal districts. Today, I'm not going to speak specifically about bill S.B. 258, or I am going to speak specifically. After reviewing this congressional district map, I strongly oppose adopting it. I'm not going to propose a map. There are others testifying with better legal maps to consider. And I hope you do that. What I will do is remind you that drawing of district maps is a great honor and responsibility. These maps are not... I mean, these maps are the foundation of our democracy. The ones that are drawn or not. They protect the right for our votes to count, our voices heard and our legislators to fairly represent Ohioans.

Julia Cattaneo (09:41):

The people of Ohio felt so strongly about these responsibilities that in 2018 they voted in huge numbers to add a fair, transparent redistricting process to our state constitution. But the redistricting commission given this great responsibility has failed Ohioans. I'm sorry to say. During my years of advocating for my community or families as a social worker or the school districts that I lived and worked in, I know how damaging gerrymandering is. It robs those communities and families, a fair invested representation and service. It is shameful that this is a deliberate thought out process us to harm, silence and disenfranchise individuals. Those legislators that support gerrymandering are taking away what makes America great and the oath that they have taken. District match not be drawn to support a party, but to support we, the people. Voting is one of our greatest rights as Americans. The maps should not break up communities. They should represent the true percentage of how Ohioans vote, not drawn to give one party an unfair advantage as we see in the proposed maps, as well as the new illegal Ohio State district map. I ask you to consider my testimony carefully. I ask you [crosstalk 00:11:40]. I ask you to honor the responsibility you have been given and protect our democracy. Please show you have integrity, honesty, and respect for the Ohio constitution and the legal process it and the Ohioans demand, fair districting. I ask you to fairly, legally, honestly, respect we, the people and not we, the party. We cannot settle for anything less than a fair representative map. Thank you. And again, for the opportunity to testify. I just want to point out a couple of things that I have. If you look at Franklin County and Columbus in particular, I live in Dublin. Even Dublin is by your map split. There is a section of Columbus that is largely an area of people of color. They are pulled out of their community and put into district 15.

Senator Gavarone (13:12):

Thank you for your testimony.

Julia Cattaneo (13:13):

Thank you. Do you have any questions?

Senator Gavarone (13:15):

Are there any questions for members of the committee. Seeing none, thank you very much for your testimony.

Julia Cattaneo (13:22):

Thank you. And once again, I hope you have integrity and honesty.

Senator Gavarone (13:29):

Next to testify is Mike Halaiko. Good afternoon, Mike. Welcome to committee.

Mike Halaiko (13:37):

Good afternoon. Thank you. Chair Gavarone, Vice Chair O'Brien, Ranking Member Maharath and members of the Ohio Senate, local government and elections committee, my name is Mike Halaiko and I'm a resident of Pickerington, Ohio, and a lifetime retired educator now.

PART 1 OF 4 ENDS [00:14:04]

Mike Halaiko (14:02):

[inaudible 00:14:00] retired educator now. I taught for 40 years or worked in the New Lexington City Schools District. I come before you today to urge and demand that you live up to your oaths and as Ohio representatives, senators, and follow the letter and spirit of the Ohio Constitution in creating fair maps, that ensure that all of our votes count. I know what you do is arduous work. I know sitting in meetings, and listening to people is really hard to do, but I appreciate you being here, and I hope that everything that people are saying today doesn't fall on deaf ears because this is serious. There are many more voters that have worked tirelessly much more than I have in the last decade and even longer for fairness of district maps, at all levels. And you must not turn your backs on them, and ignore the over overwhelming will of the voters that have presented you with a mandate to create maps that will be honest and fair. Voter suppression through partisan gerrymandering is the death knell of any hope for democracy. Please rise above any proclivities to maintain power, and create fair maps that ensure a more just, more representative government. And what I am referring to in the Ohio Constitution is article 19, and I think we're right about C1 right now, but under C3 (a), "The general assembly shall not pass a plan that unduly favors or disfavors a political party or its incumbents."

Mike Halaiko (16:24):

Now, when I looked at those maps, and we're talking about Senate bill 258 today, I'm opposed to that, because every time I took my arrow over the district, it said, on most of the district 70% of the majority party and 30% of the minority party. The number one issue here should be creating a plan that doesn't favor or disfavor a political party. That's hard work, but that's what the people voted for in May of 2018, overwhelmingly. So I hope you will hear me, and hear everyone here. There are here that have worked for decades on this and I admire them. So I thank you for this opportunity to testify, and I hope you will ask me some questions.

Senator Gavarone (17:35):

Thank you for your testimony. Are there any questions for members of the Committee? Seeing none, thank you very-

Senator Sykes (17:46):

I have a question.

Senator Gavarone (17:46):

Oh yes. Sender Sykes.

Senator Sykes (17:46):

You indicated you were a teacher?

Mike Halaiko (17:48):

Yes.

Senator Sykes (17:49):

What did you teach? I taught what used to be called Industrial Arts and became Technology Education, and I also taught English at the high school level. I was in the classroom for 20 years, and then I was Assistant Principal at the middle school and evolved to Technology Director for the district. Well, we certainly appreciate you and all of the other people that testify, and we are taking it to heart.

Mike Halaiko (18:18):

Thank you very much. We appreciate what you're doing too. Thank

Senator Gavarone (18:22):

You. Thank you very much. Are there any further questions? Seeing none, next to testify? We have Tara Copeland. Good afternoon, and welcome Committee.

Terry Copeland (18:41):

Thank you so much to this fine committee and the chair. My name is Terry Copeland. Do I need to spell it for you? You're good?

Senator Gavarone (18:48):

Nope, I've got it. Thank you very much. You

Terry Copeland (18:51):

You have a copy of my testimony. I had to make some changes to it, but if you would beer with me, I'm just a regular person here, I've never done this before. As I was getting ready to do this last night, I came across this quote and I think it's, germane here, "One doesn't have to operate with great malice to do great harm. The absence of empathy and understanding is sufficient." Ohioans want a fair 10 year congressional map. And as I look at this, these are Ohio voters, what is wrong with this map? And is the map produced by Senate bill 258.

Terry Copeland (19:34):

I would invite your attention to my testimony. You should have a block with the breakdown, a close up of Lucas County, Toledo, Lucas County, and I think that this is an insult to the minority Ohioans in Lucas County and Toledo. It splits the minority population of the city in half, almost straight down Monroe Street and combines each half with two different rural areas of Ohio. While some concerns are universal among all people, urban areas, and especially those along the lake have very different interests, and we deserve representatives who are attentive to our specific concerns. This split would not make community needs of shared interests. Many of the precincts I saw were near 80% minority, are now split into two different districts.

Terry Copeland (20:26):

One half of Lucas County... And you can turn that over now, Anne, is now connected to moderately red Fulton, Williams, Defiance and Henry counties on with deep red Putnam, Paulvy and [inaudible 00:20:40] counties. To the east, Lucas is connected with Sandusky, Seneca, Huron, Morrow, [inaudible 00:20:47]; all deep red communities. Deep red, rural communities. The obvious reason to me for this totally new association is to weaken Democratic voices. Toledo is the only large urban area in this district on the lake. There would be minimal voice to speak for the residents along Miami River and the lake as to how to nurture Lake Erie's economic impact. I understand that Toledo Port Authority has an opportunity to increase the law volume there due to COVID initiated supply chain issues, and I would like a representative who would be super attentive to that.

Terry Copeland (21:26):

Development of this map seems to be an irresponsible use of taxpayer money, when directed by 70% of Ohio voters to develop a fair map, this is what you present. If anyone performed their job like this in a regular environment in the office, they would be fired. My choice for a map, and this was completed by someone who doesn't even live in the area has no skin in Ohio games. This one that fear districts may apps by JH, I think he lives someplace, I'm not even sure where, but he's an American Patriot, who offered to spend unpaid time to develop a map compliant with The Voters Act and with minimal gerrymandering as requested by over 70% of Ohio voters. The map also speaks exceptionally well to proportionality, splitting compactness and minority representation.

Terry Copeland (22:25):

On Dave's fair districting app, he notes that compact districts aren't always fair, to the extent that a state's political geography has a significant urban, rural political divide, maps with more compact districts tend to be less proportional, and maps that are more proportional, tend to have less compact districts. I do not want to leave this floor without commenting specifically on your decision to gerrymandering away the 9th District held for 32 years by Marcy Kaptur. This seems needlessly mean spirited. She has been overwhelmingly reluctant to her seat, signaling strong approval by her constituents. She has been a leading advocate for veterans affairs for all Ohioans. She shepherded the legislation to begin the Honor Flights for World War II veterans to Washington, DC, among many other accomplishments. She is well known for being a kind and civil public servant. This gerrymandered move to deliberately end a record breaking tenure of a female politician-

Senator Gavarone (23:34):

10 seconds.

Terry Copeland (23:35):

In Ohio on such a sour note, in my opinion is disgraceful. Thank you.

Senator Gavarone (23:43):

Thank you very much for your testimony. Are there questions for members of the committee? Yes. Senator Sykes?

Senator Sykes (23:50):

Thank you. Madam Chair. Ms. Copeland. Thank you so much, we appreciate the in depth and analysis that you've done in Bach tours and presented to us. Did you look at any other sections of the map, any other sections of the state, or would you main concerned or focus just on the Toledo area?

Terry Copeland (24:08):

I'm a lifelong Toledo resident and that's why I focused on that.

Terry Copeland (24:10):

Well, thank you. We appreciate it.

Senator Gavarone (24:13):

Sir. Oh, I have a question for you. Do you have any problems or concerns with the current Snake on the Lake District Nine, which was created to help Marcy Kaptur stay in office?

Terry Copeland (24:29):

You created that to help Marcy Kaptur stay in office?

Senator Gavarone (24:31):

I wasn't in office at that time, but that's my understanding; the Snake on the Lake. Do you have any problems with that district? District Nine? The way it currently is stretching from Toledo to Cleveland?

Terry Copeland (24:42):

Certainly.

Senator Gavarone (24:44):

You do have a problem with that.

Terry Copeland (24:45):

Mm-hmm (affirmative).

Senator Gavarone (24:45):

Okay. Thank you. Are there any further questions? Thank you very much. Next to testify. We have [Andrea Yagota 00:24:56].

Andrea Yagota (25:02):

I took this out because I think we might be needing it again; this is my clipboard from our last efforts to amend the constitution with the nightlight, so people at night could sign. Chair [inaudible 00:25:13], Vice Chair O'Brien, ranking members of the Senate, Local Government Elections Committee, thank you for affording me the opportunity to testify against Senate Bill 258. My name is Andrea Yagota, I've been a resident of Ohio for 47 years, 44 of which have been in Delaware County. I'm testifying as a private citizen and I'm here today to strongly oppose Senate Bill 250. The introduction of this redistricting plan has confirmed my belief that the Republican and the Ohio legislature are not acting in good faith, and further that they never intended to abide by the mandates voted for overwhelmingly by the Ohio electorate. The introduction of a congressional map, which only awards two seats to the minority party, while awarding itself effectively 13 is unconscionable and reminiscent of 2011.

Andrea Yagota (26:02):

As someone who was a domestic lawyer for many years, I understand how negotiations work. When one side starts with extreme demands, chances are on negotiations will fail, because only one party is actually compromising. The map introduced by Republicans is not a real starting point. They have to know it's a non-starter. An extremely gerrymandered map, like 258 forces the Democrats to negotiate against themselves, when they have proposed a map in good faith. When a map like that of 258 is proposed, I confident, sadly so, that we will have a four year map. The mere fact that 258 started with a map that guarantees its party's 13 seats tells me all I need to know. Senator Kunze, When I throughout the two:two and prior testimony, I was being facetious. In his testimony, Senator McColley said that the 258 map was more competitive than the present map. To make any comparison with our present map, a gerrymandered map on steroids, is disingenuous at best.

Andrea Yagota (27:06):

Finally, Senator McColley admitted that based upon one definition, this map has five safe Republican seats. Dave Redistricting says six, two safe Democrats and eight safe seats, and eight competitive seats. He did not explain why he started with a five:two split when voting in the state is approximately 54, 46%. This would by my calculation be a four:three split, nor did he give us his definition of, "Competitive." But we're what the good Senator failed to disclose was that these alleged competitive seats, all being Republican, according to to Dave's Redistricting, obviously this is not at all surprising to me. It's demonstrated to me, not only by this map, but by the statements of the Senator, that the sponsors believe that unduly favoring/disfavoring element does not come into play unless we have a four year map. I believe this is a misrepresentation of Article 19 of the Ohio Constitution. The change to the Constitution presumes if a bipartisan map is reached, it will be fair to both part-

PART 2 OF 4 ENDS [00:28:04]

Andrea Yagota (28:03):

... presumes if a bipartisan map is reached, it will be fair to both parties. The rationale is that the minority party would not agree otherwise. In the past, they would be stuck with a 10 year map, now a four year map, so they do have more power. The fact that a nonpartisan map is put to the unduly favor/ disfavor test demonstrate that this factor is to be considered in any map, and the failure of the Republicans to consider this in any map they draw will result in a four year map.

Andrea Yagota (28:28):

Thus, the starting point for any congressional map should take into consideration the duly/unduly factor. When Republicans have complained that they could not get maps done to time constraints, if time were truly an issue, they would start with the unduly factor to speed up the process.

Andrea Yagota (28:47):

District four includes my home. Basically, my home is here, easy to see. The right angle where Delaware County meets Union County is my house, my 28 acres. District four includes my home, which goes from my home to [inaudible 00:29:03] in Ellen county is 72.8 miles. Of all the maps I've given you, I've submitted five maps to you, not one of them stretches my district and from my home that far.

Andrea Yagota (29:16):

258, of all the five maps I submitted, has the most splits. I have a chart on the last page of testimony. It has the most splits and counties of all the six maps that I've submitted. As far as population, every map that I submitted is within the 0.079, which has been approved by the US Supreme Court in the tenant case, which I will provide in my next testimony.

Andrea Yagota (29:43):

There's clearly no reason why my district should stretch over 72.8 miles, other than the fact that you are trying to dilute the Democrat votes. I live in Delaware County, but most of my business occurs in Franklin county.

Senator Gavarone (30:00):

15 seconds.

Andrea Yagota (30:01):

In this map, although Franklin County is included with my part portion of Delaware, it also dilutes the vote by stretching us out all the way to Allen County. I would ask you please to vote no on this map and show your good faith. Thank you.

Andrea Yagota (30:16):

Any questions?

Senator Gavarone (30:18):

Thank you for your testimony. Are there questions from members of the committee?

Andrea Yagota (30:24):

Thank you.

Senator Gavarone (30:25):

Excuse me. I have a question for you. You were talking about the competitiveness of maps. Would it surprise you that when analyzed by independent sources and media outlets, it appears that in comparison, Senate Bill 258, McColley's plan is the most competitive proposal with seven competitive districts?

Andrea Yagota (30:46):

Senator Gavarone, I don't know what their statistics are, but what I can say is this. When you start with five safe seats for one party versus two safe seats for the other party, it doesn't matter to me how many competitive... You've already put us at a disadvantage and you're diluting our votes. I don't know how they define competitive. I think 10 points is not competitive.

Senator Gavarone (31:08):

Thank you. Are there any further questions? Thank you very much.

Andrea Yagota (31:12):

Thank you.

Senator Gavarone (31:13):

Next to testify, we have Catherine Turcer.

Senator Gavarone (31:26):

Good afternoon. Welcome to Committee.

Catherine Turcer (31:28):

Hello, and thank you. I'm glad to have this opportunity to talk to you about Senate Bill 258. As the Chair said, I am Katherine Turcer with Common Cause Ohio, and like many folks that are here, I'm here to remind you that the newly revised Ohio constitution requires you to do better this year than in 2011.

Catherine Turcer (31:48):

I was thinking about that snake on the lake that Senator Gavarone identified, which starts in Cleveland, works its way to Toledo, and it basically put [Casinache 00:31:59] and [Amarcicaptor 00:32:02] in the same district in 2011. So as we think about the kinds of games that happened in 2011, whether it's the weird duck district or just communities being divided, I'm here today to talk to you about my concerns about Senate Bill 258 because it does divide counties in a really inappropriate way.

Catherine Turcer (32:25):

Now, one of the things that I thought was really good about issue one of May 2018 is it focused on counties as the building blocks for congressional districts. I think this makes sense. Counties are not a perfect proxy for compactness. They're not a perfect proxy for a community, but they are a way of keeping communities together and encouraging map making that doesn't manipulate the districts, because Ohio voters want to participate in meaningful elections.

Catherine Turcer (32:58):

When you see all this passion, it's because people want to part in meaningful elections. Now, I'm going to take, because of time, I'm going to focus on a few examples. I did want to hit Franklin County. Now, Franklin County is split every which way, and I think this is really important to look at. But before we go any further, I wanted to highlight the number of people that will live, if Senate Bill 258 is approved, the number of people that will live in a county that are split. It hits nearly a third of Ohioans. I think that's an important way to think about the splits.

Catherine Turcer (33:38):

Now, as we look at Franklin county, it's divided into three congression districts. There's really no compelling reason for the way that the county is actually divided. This made me look to see, well, let's see what all this dividing is doing. Unfortunately, what it does is it creates a situation in which there are all of these divisions, which predominantly impact a minority population area of Franklin County. So this is the area north and east of downtown Columbus, literally in three separate at districts. This means that there isn't an opportunity district the way that there is in the map that was created in 2011.

Catherine Turcer (34:26):

In a closer examination, and I included just one neighborhood just to give you an example, all you have to do is look at it and say, "Whoa, wait a second. Why does it look like that?" So the eyeball test only takes you so far, but using the eyeball test, let's look at congressional district three, which is entirely in Franklin Count, which while entirely in Franklin county, you go from to congressional district four, which starts in the heart of Columbus, and then it goes through a series of counties. It includes all or part of eight counties, Allen, Auglaize, Champagne, Delaware, Franklin, Logan, Shelby, and Union.

Catherine Turcer (35:06):

Then you get to congressional district 15, and this includes 13 counties. So some of the counties are kept whole. So you have Athens, Hawking, Jackson, Lawrence, Meigs, Morgan, Perry, Vinton, and then five of them are split. So the Franklin, Licking, Pike, Ross, and Washington. In other words, if you start at the heart of where we are right now, we have districts that are going to be working their way all the way to the Northwest, where Lima is, and then all the way to the Southern most county in the State of Ohio, Lawrence.

Catherine Turcer (35:41):

Now, I also want to encourage you to just look at what happens with Hamilton County as well. When you think about the cracking that goes on there, it's very important as we have these conversations and we focus on what works best for voters that we think about keeping communities together. Now, some of this is just it's better for voters to easily identify who their representative is, and then we want representative, whoever we send to Washington, to not just represent us, but to represent our neighbors and our community. Now, it's very difficult to draw district lines and move-

Senator Gavarone (36:23):

15 seconds. 15 seconds.

Catherine Turcer (36:25):

It's very difficult to move district lines, and it's like a domino effect. So I did include some maps for you to consider so that you could look at, well, what does it look like when you keep these counties together? What are the implications for that?

Senator Gavarone (36:40):

Thank you very much. Thank you for your testimony and for the materials that you provided the committee. I have a question for you. Are there more or less county splits than the constitution allows in Senate Bill 258?

Catherine Turcer (36:58):

Thank you very much, Chair. So one of the things that I think we should look at is when we passed issue one of May 2018, we did provide space in case we needed to divide counties more. The reason that there was a decision to allow for some splittings of counties is when you amend the Ohio constitution, you're not just looking at 2021; you're looking at 2031 and '41. So we wanted to ensure that there was space for that. So yes, you can slow and dice this way. I urge you not to do so, because just because you can do it doesn't make it good public policy, doesn't make it good for the voters.

Senator Gavarone (37:48):

But does 258 have more or less county splits than the constitution allows?

Catherine Turcer (37:56):

Chair, so what your question is is can you actually do this map, just looking at splits, not looking at other things, just the splits? You can. You can choose to do that under the Ohio constitution. You shouldn't.

Senator Gavarone (38:13):

But does Senate Bill 258 have have more or less county splits than the constitution allows?

Catherine Turcer (38:21):

Chair, so the question is about does the constitution allow more splits than are in this? Yes.

Senator Gavarone (38:31):

So you're saying this has fewer splits than the constitution allows?

Catherine Turcer (38:38):

That is correct. What I would highlight is it doesn't necessarily make it good public policy. The focus on creating districts that focus on those counties and keeping those communities whole is good public policy. All you have to do is look at other districts and look at other maps and think about how you could create a district that keeps Franklin County into two counties, for example, and doesn't do the meandering. There's no reason to repeat what happened in 2011 just because there isn't a rule prohibiting it.

Senator Gavarone (39:14):

Are there any further questions from members of the committee? Seeing none, thank you very much for your testimony.

Catherine Turcer (39:20):

Thank you.

Senator Gavarone (39:22):

Next to testify, we have Donna Herman. Is Donna here? Okay. Members, please note that there's written-only testimony that you have available on your iPads, and I encourage you to read those. That concludes the third hearing on Senate Bill 258. The second order of business is the third hearing on Senate Bill 237. The Chair recognizes Senator Sykes with an amendment.

Senator Sykes (40:01):

Thank you. Madam Chair, move to amend. Amendment number is 2163.

Senator Gavarone (40:10):

Thank you. Please explain the amendment.

Senator Sykes (40:13):

The amendment makes some technical changes in population changes and prevents some splits and precincts for districts one, two, and six.

Senator Gavarone (40:26):

Thank you. I have a few questions for you at a high level, from a high level view. So just if the committee needs any details, we'd be happy to utilize your staff, but just from a high level, at the first hearing on your bill last week, it was mentioned that there were some non-substative, minor technical issues that you intended to make to your bill. Is your amendment today solely making those minor technical issues?

Senator Sykes (40:51):

Yes, Madam Chair.

Senator Gavarone (40:53):

For what I see, though, it looks like your amendment is either removing or adding certain precincts from specific proposed congressional districts. Can you explain why those precincts are being moved and how those are merely technical changes?

Senator Sykes (41:06):

If I could then relate to staff?

Senator Gavarone (41:10):

Just as an overall view before we engage staff?

Senator Sykes (41:15):

Yes. Yes. Could he speak to this, please?

Senator Gavarone (41:19):

Sure. Go ahead.

Senator Gavarone (41:31):

[crosstalk 00:41:31]

Speaker 4 (41:42):

Chair Gavarone, Senator Maharath, Committee, in the [inaudible 00:41:51] introduced version of Senate Bill 237, precincts in Blendon township were in senate congressional district one. In our evaluation of the map-

PART 3 OF 4 ENDS [00:42:04]

Speaker 5 (42:02):

District one and our evaluation of the map after introduction, we believe Blendon Township should be wholly contained in congressional district two. We made a few swaps where we moved a few Columbus precincts, 30B, 30C, 10E into congressional district one. And I think there's a map. I should have provided a map to the committee that you can see where those changes were made. And that was primarily those changes for as much population balancing, and I also had some statistical analysis, as I said, that the partisan index was roughly the same by making those changes.

Speaker 5 (42:46):

Additionally, we made a few changes in congressional district six and congressional district nine, specifically in the introduced version of Senate Bill 237, a portion of Bellbrook was placed into congressional district nine. Again, the amendment moves a portion of Bellbrook into congressional district six with the rest of Bellbrook. That was our original intent, put all Bellbrook. We had a portion, so we moved the portion into congressional district six to accommodate the change. We moved from a population and statistical partisan balancing.

Speaker 5 (43:29):

We moved a portion of New Jasper into congressional district nine. And that's pretty much it. I don't know if you have any other questions why we did what we did, but we wanted to keep Bellbrook all within one congressional district. And we wanted to keep all of Blendon Township into its congressional district in Franklin County.

Senator Gavarone (43:55):

Well, for me, the bigger issue with amendment is a point that you heard me raise last week. Your amendment actually increases the deviations in population of the districts even more so than how you constructed them in your previous as introduced version. How do you think these increased deviations from the ideal population threshold would survive constitutional scrutiny under one man, one vote?

Speaker 5 (44:18):

Our for you is that we believe it's a higher priority to keep communities together and minimizing splits. And we believe we did that with the amendment, and it's still under the US Supreme Court decision in Tennant, where there is a state reason for keeping counties together, communities together that is a viable way to address the equal population concern.

Senator Gavarone (45:02):

Thank you for your explanations, Senator, like last week with Senator McColley's sub bill, I'm not going to object to accepting this amendment to your as introduced bill, since it's simply the working document in front of the committee. Are there any objections to Senator Sykes' amendment to his bill? Seeing none. Thank you.

Speaker 5 (45:20):

Thank you.

Senator Gavarone (45:25):

Is there any other discussion? The question is shall the amendment become part of the bill? Without objection, the amendment will become part of the bill. We have one person to testify here in person today. Andrea Yugoda.

Andrea Yagota (45:43):

Back so soon.

Senator Gavarone (45:43):

Welcome back.

Andrea Yagota (45:43):

Thank you. Chair Gavarone, Vice Chair O'Brien, Ranking Member Maharath and members of the Senate Local Government Elections Committee, thank you for affording me the opportunity to testify today on Senate Bill 237. My name is Andrea Yugoda. I've been a resident of Ohio for 47 years, 44 of which have been in Delaware County. I'm testifying as a private citizen, and I am testifying in supporting Senate Bill 237. I believe that Senate Bill 237 not only follows the dictates of the constitution, but is a good faith effort to follow the will of the people when they work to put this amendment on the ballot and voted for it.

Andrea Yagota (46:20):

Although not perfect, it's much better than those contained in the two other Republican bills, which have been introduced and is the best map submitted for a good starting point and perhaps an ending point as well when compared to the other map submitted. Senator Gavarone, when Senate Bill 237 was introduced, you questioned the populations of each district as if to infer that there can be no population deviations. In Tennant versus Jefferson County, I give you the site, the United States Supreme Court held that a variance of 0.79% is no more or less vote dilution today than in 1983 when this court said that such a minor harm could be justified by legitimate state objective.

Andrea Yagota (47:02):

Minimal splitting of counties, keeping communities together are just some of the legitimate state interest. I would also say producing a map that does satisfy the unduly favored disfavor element would be another consideration. Senate Bill 237 has a very small deviation of 0.16%, well below what was minor in Tennant. The map contained in Senate Bill 237 has the least cuts of most of the maps I have seen when compared to 258, I'm sorry. It should say, yeah, when compared to 258, this map has six less counties splits and no counties are split more than once versus 258, which 17 splits to it, 14 counties split with three of them split twice.

Andrea Yagota (47:46):

Another favorable aspect to Senate Bill 237 is that it does take into account the unduly favor, disfavor requirement of a four year map. Senator Gavarone, when introduced, you in quiet as when the unduly disfavor element comes into play. This led me to think that you believe it only comes into play when a map is passed by a simple majority. I disagree with this analysis. I believe this is a misinterpretation of article 19 of the Ohio Constitution. The change to the constitution presumes if a bipartisan map is reached, it will be fair to both parties.

Andrea Yagota (48:21):

The rationales that the minority party would not agree otherwise. The constitution does not say that unduly favor disfavor cannot be considered, but if a map is passed by a simple majority, the majority must prove that that map does not unduly favor or disfavor, which implies that no map passed by the General Assembly, should unduly favor or disfavor a party or incumbent. The fact that a nonpartisan map is put to the unduly favor disfavor test demonstrates that this factor is to be considered in any map.

Andrea Yagota (48:54):

Thus, the starting point for any congressional map should take into considerate the unduly favor, disfavor element. Personally, unlike the other map submitted by the General Assembly, this map does not extend my district 72 miles from my home to dilute my vote. A congressperson cannot adequately represent my interest along with those 72 miles away. Under Senate Bill 237, I would be in the second district, which is comprised of two full counties and part of Franklin County. Many of us in the Southern part of Delaware County deem ourselves as part of Franklin County.

Andrea Yagota (49:29):

I went to law school there. My practice of 37 years was there. All my doctors are there. The hospital I was rushed to for emergency care was in that part of the county. My art classes are there. I have nothing against those in counties like Allen, Auglaize, Shelby, Hardin, Logan, but I've never been there and their interests do not align with mine. This map keeps Franklin and Delaware together without diluting our votes. It's compact. 237 is compact, contiguous, meets the other constitutional demands. I would urge this committee to vote yes on 237, although I have no real belief this will be the case.

Andrea Yagota (50:08):

You see, I have lost all faith in this process and the Republican Party. I would ask you to prove me wrong, but I've given up on such futile exercise. Thank you. Take any questions.

Senator Gavarone (50:19):

Yes. I have a question. You mentioned that you believe that Senate Bill 237 is compact. It looks like three of the four largest stretches of the district are in Senate Bill 237. Congressional district 14 stretches 124 miles from Logan to Medina. District 15 stretches 133 miles from Michigan nearly to Dayton and district 12 measures in at 195 miles long from Claremont County to West Virginia. Do you consider Senate Bill 237 to being more compact than Senate bill 258? And if so, and after considering these long districts proposed in 237, why would that be the case?

Andrea Yagota (51:06):

Well, I believe that the difference is that in 258, things are strung out to dilute votes. I don't feel that 237 has done that. I believe that if it's compact, it's to keep communities together, to keep counties whole. And so I think there is a big difference. They have less splits. They have less splits of precincts. I think 258 has, I have it on the chart I gave you for 258, has 50 splits for precincts. And I believe 237 maybe has, I did five of them. I think they maybe have 38 splits. I'm not sure about that. It would be in my chart for my testimony for 258.

Andrea Yagota (51:48):

So I think compactness is just not necessarily. I think there's also a reason for why things are stretched out.

Senator Gavarone (51:56):

Other questions from members of the committee? Seeing none.

Andrea Yagota (52:01):

Thank you.

Senator Gavarone (52:02):

Thank you very much for your testimony. Members, please also note written testimony is contained in your iPads. Please look over that testimony. And that concludes the third hearing on Senate Bill 237. Is there any other business before with the committee? Hearing none. We are adjourned.

PART 4 OF 4 ENDS [00:52:21]

Senator Gavarone (00:00:00):
Elections committee will now come to order. Will the clerk please call the role?

Clerk (00:00:10):
Chair Gavarone.

Senator Gavarone (00:00:11):
Here.

Clerk (00:00:11):
Senator [inaudible 00:00:11].

Speaker 1 (00:00:11):
Here.

Clerk (00:00:11):
Senator Cirino [inaudible 00:00:11], Senator [inaudible 00:00:12].

Speaker 2 (00:00:11):
Present.

Clerk (00:00:12):
[inaudible 00:00:12].

Speaker 3 (00:00:12):
Here.

Clerk (00:00:12):
Senator [inaudible 00:00:12].

Speaker 4 (00:00:12):
Here.

Senator Gavarone (00:00:13):
And we have a quorum. Members, a copy of the minutes from the November 8th meeting of the committee is on your iPads. Please take a moment to take a look. The question is, shall the minutes be agreed to? Without objection, the minutes are agreed to. And as I do for each of these hearings, I'm going to restate the ground rules. First, these committee hearings are being structured in a way that allows us to hear from as many Ohio citizens as possible on an important issue. There will be no standing by the public in the committee room. If you do not have a chair to sit in, you'll be directed to go to the north hearing room for overflow seating, and that room is directly across the hall.

Senator Gavarone (00:00:52):

Testimony and witness [inaudible 00:00:53] should have been sent to my office no less than 24 hours in advance of the committee time. The committee notice for today was sent out at 4:29 PM on Friday, so that means people wishing to testify had more than three and a half days to submit testimony for today's hearing. As such, it's unlikely that anyone who did not meet the deadline will be able to testify. It's important for committee members, staff, and Ohio citizens watching today on the Ohio Channel to have a clear understanding as to which bill the people are testifying to. That's why there's another hearing for both Senate Bill 237 and 258 today. We will only be accepting and hearing testimony on the bill up for consideration at that time. In other words, we're not allowing anyone to speak on both bills at the same time. If you want to testify on both bills, you need to submit an individual testimony and witness slip for each bill, and we'll call you up for each hearing.

Senator Gavarone (00:01:45):

In an effort to stay consistent and to allow for as much testimony and questions from members as possible, we'll continue to Institute a five minute time limit. We're putting time on the screen to my left, and we'll give you a 15 second warning to wrap up your comments. In reviewing the number of people testifying today, I do not suspect that it'll go for this long, but for planning purposes, the committee will be stopping no later than 12:30 PM. I understand people are passionate about the issue before the committee today; however, everyone will be expected to keep decorum during these hearings. We want to get through as many people as possible and cheering, applausing, booing, heckling, et cetera, prevents us from doing that and just will not be permitted. No video or pictures will be taken without the permission of the chair. If you want to take videos or picture, we have a media form available for you to fill out for the chair to consider.

Senator Gavarone (00:02:36):

Finally, we have an incredible set of sergeant at arms and highway patrol around the building today, who will keep everyone safe and assist member, staff, and citizens in attendance, and I'd like to, again, thank them for everything they do.

Senator Gavarone (00:02:50):

The first order of business is the fourth hearing on Senate Bill 237. We have one person here to testify today, and that is Ann [Schroer 00:03:04].

Senator Gavarone (00:03:07):

And I don't see Ann Schroer today. So members, please note, there's written only testimonies that we have on the iPad. And this concludes the fourth hearing on Senate Bill 237.

Senator Gavarone (00:03:19):

The second order of business is the fourth hearing on Senate Bill 258. We have several people to testify in person today, and the first to testify is Jen Miller.

Senator Gavarone (00:03:30):

Okay. The next to testify, we have [Anne Light Hoke 00:03:42]? Hoke?

Anne Light Hoke (00:03:43):

Hoke.

Senator Gavarone (00:03:43):

Thank you. [crosstalk 00:03:46] Welcome to committee.

Anne Light Hoke (00:03:50):

Thank you.

Anne Light Hoke (00:03:56):

Good morning. My name is Anne Light Hoke. I currently live in Congressional District 3 on the east side of Columbus and Precinct 27-A. I live on Mayfair Boulevard in Columbus, zip code 43213. The Senate map in Senate Bill 258 moves me from District 3, a compact, urban district, which represents Columbus and Franklin County to District 15, a sprawling, mostly rural district. District 15 represents a sliver of East Columbus, Franklin County, Fairfield, Perry, Hocking, Athens, Meigs, Jackson, Galion, Lawrence and parts of Pike and Washington Counties.

Anne Light Hoke (00:04:49):

If you look at the map, you can see that it's like a little snake head taken out of part of District 3. That's how it's shaped. The new District 15 is not a compact district. For example, Ironton, which is in Lawrence County, is approximately 116 miles from Columbus. New Lexington in Perry County is approximately 55 miles from Columbus. New Lexington is approximately 102.2 miles from Ironton as the crow flies, but to drive there in the fastest route, according to Google, is Ohio 93 North, and it takes two and a half hours.

Anne Light Hoke (00:05:41):

Since I live in Columbus, I have urban concerns, like public transportation. I'm going to be taking the bus home today on 10, Cota 10, good libraries, clean unpolluted air from all the exhaust from all the cars, traffic congestion, electric charging stations. My son just got a Tesla, and now when he drives, he's always looking for charging stations. Crime, obviously a concern about crime, open carry laws and police brutality.

Anne Light Hoke (00:06:16):

Although I was born in a small town, I no longer have small town concerns. Not worrying about broadband access, not worrying about access to sewer systems. Previously, where I lived, we didn't have access to sewer systems, and water systems, burning trash, and fracking. I am a white person, and I live in Precinct 27-A, which is approximately 70% African American. The racial composition of the counties that I will be moved into are overwhelmingly white. So obviously specific concerns of black people will be a minority interest unlike in current District 3 and might not be addressed. For these reasons, I want to remain in District 3 or an equivalent urban district, and I ask you to please vote against Senate Bill 258. Are there any questions?

Senator Gavarone (00:07:17):

Thank you very much for your testimony.

Anne Light Hoke (00:07:18):

Thank you.

Senator Gavarone (00:07:19):

Are there any questions from members of the committee? Seeing none, thank you very much.

Anne Light Hoke (00:07:26):

Thank you. And thank you for having me first.

Senator Gavarone (00:07:28):

Oh, absolutely. Next to testify, we have Wendy Dyer. Good morning and welcome to committee.

Wendy Dyer (00:07:40):

Good morning. My name is Wendy Dyer, and I live at 3813 Callaway Court in Belbrook, Ohio. When I decided to testify, I fully intended to discuss all the various details of the maps proposed in SB 258. Unfortunately, when I examined the map in detail, I realized the proposed map is not a conversation starter, it is a conversation ender. what's wrong with the map? Well, let's start with the fact that eight of the 10 largest counties are obviously split for partisan reasons, not to meet the requirements of apportionment. Further, some of these counties appear to be split with the intention to crack and pack communities of color. I remind this committee that racial gerrymandering is illegal.

Wendy Dyer (00:08:22):

The reality is the map itself and the questions asked by Chairperson Gavarone to [Catherine Tersery 00:08:31] yesterday made it clear to me that the majority party proposed this map to follow the letter of the law, not the spirit of the law. Last week when this bill was introduced, I thought the Republicans started with an extreme position so they had room to move to the middle. However, as today is the fourth public hearing and there have been no changes to the map, I can only assume that the hearings are yet another example of the majority party trying to follow the letter not the spirit of the law. If this committee was serious about having a transparent process, it would have a hearing, make amendments to address the issues citizens and their colleagues have identified, then hold follow hearings so the public can address the changes. It would also have hearings at times and locations that more people could attend.

Wendy Dyer (00:09:20):

Further, SB 258, combined with the committee's failure to do anything in September to fulfill its constitutional directive, signals that the majority party's plan is to wait out the clock and design a four year map. There have been some discussion about whether the requirement that a map must not favor one party or incumbent over another applies only to a four year map. On this issue, I must agree with the point [Miss Yagoga 00:09:50], I'm sorry if I'm pronouncing her name wrong, made yesterday. The minority party has no incentive to negotiate if the map they're going to get is worse than the one they would get if they wait out the clock. Thus, by introducing a map that does not at least meet all of the requirements of a four year map, the majority party made it clear that it is not interested in collaborating with its colleagues across the aisle.

Wendy Dyer (00:10:17):

I want this committee to know that I am one of thousands of volunteers who worked on gerrymandering in Ohio. In 2017 and '18, we got over 200,000 signatures to get redistricting reform on the ballot. This is not easy. Most signature campaigns deal with issues that voters are motivated to sign with a simple sentence, such as sign this petition to end animal cruelty. This campaign required us to have serious

conversations with voters. Usually we needed to educate them about the redistricting process itself, gerrymandering and the problems that it caused. We then had to explain how our proposal would hopefully help this and make things better, all in about three minutes.

Wendy Dyer (00:11:08):

In addition to collecting signatures, I attended trainings to learn about the ways gerrymandering is hurting our communities, our state, and our nation. Excuse me. I traveled to the Statehouse in 2018 for a hearing like this. I met with my state representative, Rick Perales, to discuss the differences between the constitutional amendments Fair Districts was proposing and the original legislation that the Republicans had proposed. Maybe I was naive, but when I learned in early February of 2018 that the Senate had come to a bipartisan agreement with the help of the Fair District Coalition and that it had unanimously passed resolution to put a compromise on the ballot, I thought Ohio had really accomplished something. Now I really just feel stupid that I honestly believed that my government would do the right thing. Sorry that I'm upset, so upset.

Senator Gavarone (00:12:14):

Are there questions from members of the committee? Seeing none, thank you very much for your testimony today.

Senator Gavarone (00:12:23):

Next to testify, we have Tim O'Hanlan. Next we have Dr. Tommier Radd. Welcome to committee Dr. Radd.

Dr. Tommier Radd (00:12:46):

Thank you so much better. Better lower this mic.

Senator Gavarone (00:12:49):

Oh sure.

Dr. Tommier Radd (00:12:50):

Okay. Chair Gavarone, Ranking Member [Mel Roth 00:12:56], and committee members, my name is Dr. Tommier Radd, and I'm a strong opponent of the Republican Senate map and am in support the Democratic Senate map. I worked with thousands of Ohioans to pass the 2018 Constitutional Amendment Issue One to reset Ohio and the Congress to preserve and protect our Constitutional Democratic Republic. The map submitted does not follow the letter and spirit of the constitutional amendment, and is an insult to the over 70% of Ohio voters who expect a fair voting process based on representative fairness and partisan balance that reflects how we vote, minority representation with real pathways for minority votes to be kept together and not cracked apart, communities kept together with common legislative needs and priorities.

Dr. Tommier Radd (00:13:50):

My community Gahanna is a diverse community of approximately 36,000 people, evenly split along party lines with many independent voters. Gahanna residents voted with 81% of the vote for a congressional map that meets those criteria. Four of every five Gahanna voters overwhelmingly said enough is enough. This is a democracy issue and one of fairness and representation. The Republican

congressional map fails Gahanna in all three areas. The proposed Republican map moves Gahanna into Congressional District 15, a sprawling district from Fairfield County to the Ohio River. Gahanna, in the Democratic Senate map, is in Congressional District 1 and keeps us in the metropolitan area with voters with common legislative issues and priorities.

Dr. Tommier Radd (00:14:44):

Two, the proposed Republican map splits our growing Somali community from other like minority voters, diluting their voice and vote. The Senate district map keeps our growing minority community as part of the greater Columbus area, while still keeping Gahanna together. The proposed Republican map cracks Franklin County into three Congressional districts with no representative fairness. This impacts Gahanna and others in Franklin County. Instead, the Democratic map splits Franklin County into two congressional districts.

Dr. Tommier Radd (00:15:18):

Based on 10 years of voting data, statewide proportional representation indicates that a fair, new congressional map would have seven Democrat districts and eight Republican districts, with competitive districts having no more than a four point partisan differential in the vote. The proposed Republican map is so gerrymandered. It is obvious and blatant cheating to maintain a supermajority of congressional districts in Republican power and control with a 13 Republican to two Democrat districts. Constitutional Amendment 1 was passed to stop this cheating and protect voters so they could vote for congressional representation who will listen to constituents and respond to needs.

Dr. Tommier Radd (00:16:07):

When my community's story is replicated statewide, the impact is that the Ohio representation sent to Washington DC does not represent me, my community, and Ohio. You have an opportunity to work in a bipartisan way now to follow the will of Ohioans. I'm a lifelong educator. How would you go into a school parent conference and justify your child's behavior if blatantly found cheating? What example are you setting? Let's be clear. The Republican Senate congressional map is cheating my community and Ohioans. Your grab for power and control, cheating to get what you want, and blatant disregard for the will of Ohioans is unaccepted and needs to stop.

Dr. Tommier Radd (00:16:56):

You have time to change this. What will your legacy be? Thank you for the opportunity to speak today, and I hope that you will adjust this map for fairness as the voters requested. This is what you've given up us. This. This does not represent Gahanna. This is a disgrace and an embarrassment to the communities I live in, as well as the state of Ohio and all of us who work very hard for just a fair voice in our democracy. This is the way we have an impact in the lifelong of democracy. This is not right. And I'm asking for that to be changed. And I know my time is up, and I'm happy to respond to any questions.

Senator Gavarone (00:17:46):

Are there questions from members of the committee?

Dr. Tommier Radd (00:17:48):

Yes.

Senator Gavarone (00:17:48):

Yes. Senator Cirino.

Senator Jerry Cirino (00:17:49):

Thank you, Chair. Dr. Radd, thanks for your testimony, and thanks for your work on the constitutional amendment back in 2018. Just curious, I'm not sure which other groups you might be. I know you're here testifying on your own.

Dr. Tommier Radd (00:18:04):

Absolutely.

Senator Jerry Cirino (00:18:04):

Right. And that's great. But were you aware that in 2018, at the very time that the amendment was being considered by the voters in the primary. It was in May. I forget the exact date. Early May. And the [inaudible 00:18:22] in that amendment, which I think got 76% of the vote, 75, 76% in Ohio, that while that was going on, the Ohio League of Women Voters, the ACLU, and a number of Democratic individuals joined together and filed a lawsuit, a federal lawsuit, in order to change the congressional districts in time for of the 2018 election. That lawsuit was being worked on while those groups were also pushing for the adoption of the constitutional amendment. Were you aware of that number one, and number two, do you find that that was disingenuous on their part?

Dr. Tommier Radd (00:19:06):

What I find is just-

Siri (00:19:08):

I don't have an answer for-

Dr. Tommier Radd (00:19:10):

Siri doesn't have an answer for that. I want you to understand that was not my plan right there.

Senator Jerry Cirino (00:19:15):

Okay.

Dr. Tommier Radd (00:19:16):

My concern is this. I have-

Siri (00:19:20):

I'm not sure I understand.

Dr. Tommier Radd (00:19:21):

I don't either, Siri. I'm going to have to try to turn her off. She's just being so efficient today.

Senator Jerry Cirino (00:19:27):

And Chair, I have a question for Siri. [crosstalk 00:19:30]

Dr. Tommier Radd (00:19:29):

Well, the main thing is this, the voters went in good faith to trust our legislation and legislators that you would follow through on our intention to get fair districts that are nonpartisan in base, where we have a fair opportunity to get representative fairness. I am not an attorney. I do not know what you're getting at with your question. I do know the impact of what you're doing now, on me, my community, and all of the work that has been done for fair districts over the decade. And we want a better opportunity for democracy to thrive in our state and not upfront create a supermajority based on something that you're going at back in 2018 that has legislation that was done that does not impact what we're dealing with right now.

Senator Jerry Cirino (00:20:27):

Follow.

Senator Gavarone (00:20:28):

Follow up.

Senator Jerry Cirino (00:20:30):

I'll I'll clarify the question. Perhaps I didn't state it correctly, but what I was really getting at was the just disingenuous intent on the part of those litigants to, while pushing for the constitutional amendment, which overwhelmingly was adopted by voters of Ohio, that they were looking to interrupt that process that it would normally go through in subsequent elections in districting activities, and filing lawsuit to upend it into effectively gerrymander something for the 2018 elections.

Dr. Tommier Radd (00:21:06):

Well, Senator.

Senator Jerry Cirino (00:21:08):

And I understand you're not an attorney, so I'm not asking you for a legal opinion.

Dr. Tommier Radd (00:21:10):

Please don't because I don't want to wear that hat today. The main point here is that the impact of this map is detrimental to the intention of that amendment, first of all. Second of all, the last map that you drew in a secret place over at a hotel was so bad and so blatant I can't even imagine now we're getting put in front of us a map that's even worse, and that's why we're here. And that's why this has to change. And this is your legacy. This is cheating. It's blatant cheating.

Senator Jerry Cirino (00:21:56):

Thank you. Thank you, Chair.

Senator Gavarone (00:21:58):

Yes. I have a question. Now that the plans are being analyzed by independent sources and media outlets, it appears that Senate Bill 258 is the most competitive. Its most competitive proposal was seven

competitive districts, according to [inaudible 00:22:19] redistricting as well as other news outlets like WOSU and Cleveland Plain Dealer. Does that surprise you?

Dr. Tommier Radd (00:22:29):

Senate Bill 237 is the one that's competitive. Senate Bill 258 is not.

Senator Gavarone (00:22:38):

Would it surprise you that that is contradictory to what independent media outlets are reporting?

Dr. Tommier Radd (00:22:45):

I am not a part of the independent media outlet. I'm talking about the impact that your map has on me, my community, and this state, and the result that would occur for our national representation in Washington DC. That's what I'm here to discuss, and that impact is very detrimental to all the goals that I outlined in my testimony.

Senator Gavarone (00:23:11):

Any further questions? Yes, Senator Maharath.

Senator Maharath (00:23:14):

Thank you Chair. And thank you, Tommier, for coming over to the Statehouse today to testify. We really appreciate your time and your passion on the subject. As your current State Senator, I do understand the needs of Gahanna directly. I'm looking at the proposed maps, and I know firsthand that this congressional map will not satisfy the needs of the community, but do you have any specific recommendations or any suggestions that we can make for the congressional district so that way we can keep our community together?

Dr. Tommier Radd (00:23:44):

Yes. Senator Maharath, and I really appreciate your representation. My recommendation is that, not because it's a partisan democratic map, but the map that was presented by the Democratic caucus, Senate group-

PART 1 OF 4 ENDS [00:24:04]

Dr. Tommier Radd (00:24:03):

... by the democratic caucus, Senate group splits our county in two. It keeps communities together and it pairs us with where it does need to split because of numbers up toward Delaware. And those people come more into Columbus than any of these other counties that they're trying to put us with. So I would recommend that the democratic map be put forward, if at all possible, and then have that as a part of a beginning discussion. Because what I see happening now is just downright splitting our county into three parts that are just strategically carved out for all partisan gain, and that's a concern. So that would be my first recommendation.

Dr. Tommier Radd (00:24:56):

The other recommendation is when the groups pull together with the bipartisan hearings, I need to know when are those happening. Is there going to be an adjustment to maps from all of our input from

across the straight written, as well as presented in public? And that's the main thing. I want to know, what are our options and when are we going to meet to really see something viable? Because this is not even close. And I hope that responds to your question and I'm happy to do anything I can to advance our democratic process to end up with a fair map with representative fairness based on the voters and our needs.

Senator Gavarone (00:25:40):

Are there any further questions? Seeing none. Thank you very much.

Dr. Tommier Radd (00:25:44):

Thank you very much for your time, and hopefully your action now.

Senator Gavarone (00:25:51):

Next to testify, we have Mindy Hedges-Self. I hope we got your name right there.

Mindy Hedges (00:26:04):

It's very easy. It's hedges like in bush. Chair Senator Gavarone, Ranking Member Maharath, and members of the local government and election committee, thank you for allowing me to testify today. My name is Mindy Hedges. I live in congressional district 12 in zip code 43066, Radner, Ohio. I live in a rural area of Ohio in one of the fastest growing, richest counties in our state. Most people would be thrilled to live here, but it creates many problems for those of us who still cherish rural living. The growth is coming at us fast and furious. The unemployment issues in our county are low. Our economy is booming. The situation is not true for six of the eight counties you placed us with on this map. In addition, a majority of our workforce is highly educated. The other six counties are not. In fact, many of these counties have issues with transportation, work, and yes, even food.

Mindy Hedges (00:27:02):

Their concerns for our congressional representative would be quite different than ours, but just as important. But yet the current representative in district four is from a rural county himself and would be likely ignoring one area to help the other. For example, does he push legislative action to help the big business owner in my county or the worker who is out of a job and needs more public support to feed his family? This type of governing doesn't work and won't work for Ohio. And what is the tail of blue that goes down into Franklin County? It almost doesn't even border any other area in district four. This appears very much as if it was taken out of Franklin County to reduce a party's vote there by diluting it in a more rural district. When a state is gerrymandered as badly as Ohio, there is vastly uneven election history, which leans one way towards one party, regardless of how that state is aligned politically.

Mindy Hedges (00:27:55):

Presently, Ohio should align similar to how the results of our statewide election, but has been considered to use a figure of 50.4% Republican to 46.7% Democrat. This is how the congressional redistricting vote, over 70% of Ohioans said that Ohio's congressional districts need to be compact, be contiguous, contain equal population, preserve existing political communities, have partisan fairness and have racial fairness, which it does not do. The map introduced by SB 258 lacks in most of these requirements. In fact, the Princeton, in answer to Senator Gavarone's question, the Princeton gerrymandering project gave this map an F for having a significant Republican advantage. The Columbus

Dispatch said, "Even Governor Mike DeWine, a Republican, said there's some work to do on maps that would give the GRP as much as 13 to two advantage in a state that voted for then President Donald Trump with 53% of the vote in 2020."

Mindy Hedges (00:29:02):

I would've loved the time to discuss every missed requirement, and in my mind opportunity, but I don't have time, nor sadly do I think you'll listen, but you need to listen to the majority of the voters who voted for these requirements and who also may have voted for you and told you in their vote that they trusted you to do what you said you would, when you said you would uphold the law of Ohio. This is the law. Sorry. Aside from the description above district four, here's what I found lacking and misdirected overall with this map. The state GOP map incorporates large areas of Republican territory into Toledo democratic Marcy Kaptur's district, effectively rendering it a Republican district. This is obviously gerrymandered. The state map splits Hamilton, Franklin and Cuyahoga Counties into three districts. Why? Democrats would likely hold the advantage in the city centers, but Republicans would have the majority advantage in the respective other two districts, including parts of each county. This is obviously gerrymandering. This map also moves a democratic portion of Franklin County into Jim Jordan's district. This is obviously gerrymandering. Racial data was skipped in the GOP map, something Republicans were criticized for in state legislative map drawing process. This is obviously gerrymandering and very illegal.

Mindy Hedges (00:30:27):

The Senate GOP map also includes most of Montgomery County, home of Dayton and Warren County, a Republican stronghold. This dilutes again, a strong democratic area, thereby diluting the votes of that major metropolitan area in Ohio. Dayton is also a very diverse city with many urban issues, such as mass shootings and a more recently police brutality issue. These are quite different from issues that affect their rural neighboring county. It appears as if this map was designed to not only prefer one party, but to ensure that voters of Ohio do not count. This was intentional. It does not-

Senator Gavarone (00:31:05):

13 seconds.

Mindy Hedges (00:31:06):

... I repeat, does not attempt to create districts that are compact, contiguous, contain equal population, preserve existing political communities, have partisan and racial fairness. This map is nowhere near-

Senator Gavarone (00:31:18):

Thank you for your testimony.

Mindy Hedges (00:31:19):

... the public's voting record-

Senator Gavarone (00:31:20):

Are there questions from members of the committee?

Mindy Hedges (00:31:21):

I'm sorry.

Senator Gavarone (00:31:24):

Senator-

Mindy Hedges (00:31:24):

I have some more that's in the writeup though. So do you have any questions?

Senator Gavarone (00:31:29):

Thank you very much. The committee members all have access to the written testimony. I encourage everyone to read that. Senator Cirino.

Senator Jerry Cirino (00:31:37):

Thank you, Chair. Ms. Hedges, just a quick question. You have mentioned in your testimony, we heard this last week in several other individuals who testified in groups that were represented, this question of diversity in districts. Of course, as we all know, Ohio has a very diverse set of communities, from Amish to very large cities to very rural farming communities and so on. And I know in my district, in my state Senate district, we have some very large cities. We have two huge Amish communities and lots of things in between. And some of the testimony that we heard last week, and I think you alluded to as well, that there's an assumption made that a congressional representative would not do an adequate job representing communities that have disparate descriptions, I guess, would be a good way to put it. So is it a fair assumption to make that a Congressman or woman would not be able to fairly represent the interests of a diverse community and that we should lump communities together and actually go against diversity?

Mindy Hedges (00:32:57):

I'm not suggesting that a representative could not fairly represent a diverse community. What I'm suggesting is that when the diversity is so expansive as the ones I've described in my testimony, that becomes extremely difficult. And I agree, in fact, I feel very strongly that it becomes almost impossible. Because first of all, you have to understand the community you're representing. And oftentimes, for example, if we put you into an all black community, that would be very difficult for you to understand their issues. It just would be. You didn't grow up there. You are not a person of color, and you do not really intimately understand how it is that they have to live and they have to communicate and they have to survive. And that is all very, very, very important to the way that you create laws, the way that you vote on laws, the way that you even support your community. So yes, I do believe that it's important that they are.

Senator Jerry Cirino (00:34:08):

Brief follow up.

Senator Gavarone (00:34:09):

Follow up.

Senator Jerry Cirino (00:34:10):

So, I wouldn't agree with that. I mean, I didn't grow up in an Amish community and I like to think I do a good job of representing the Amish communities. And I don't know that there's a case to be made for

that even on an expansive basis, to just presume the lack of ability to properly represent, just because there's diversity in the community. So that's, I guess a difference of opinion that we have. Thank you.

Senator Gavarone (00:34:39):

Any further questions? Seeing none. Thank you very much for your testimony. Next to testify, we have Deborah [Dolkey 00:34:51].

Deborah Dolkey (00:34:55):

That's correct.

Senator Gavarone (00:34:55):

Good morning, and welcome to committee.

Deborah Dolkey (00:34:57):

Thank you. I want to thank you for allowing me to testify. My name is Debbie Dolkey and I live in Bowling Green. The Ohio constitution has specific instructions for splitting counties, townships, et cetera, into different districts. Now the spirit behind this requirement is to keep communities intact. And I want to first address the importance of doing so. Bowling Green is about 25 miles south of Toledo, and I go to Toledo to shop, to eat, to listen to music and enjoy the parks. In 2014, a toxic algae bloom contaminated the drinking water in Toledo. Although the water in Bowling Green was still safe to drink, I was concerned and personally impacted by what was happening in my neighboring city.

Deborah Dolkey (00:35:40):

About four years ago, my mother-in-law suffered a potentially life ending stroke. We took her to the emergency room in Bowling Green, but the ER staff said she needed to go to Toledo. I mean, this is understandable. A small town hospital can't be equipped to handle every type of medical crisis. She went to Toledo and she survived. Regardless of political party, the people in Bowling Green rely on Toledo to fulfill some type of need. We want our political leaders to advocate for Toledo, although we may disagree about which policy is best.

Deborah Dolkey (00:36:16):

Bowling Green and Toledo are also connected through their investment in higher education. Professors from institutions in Toledo and Bowling Green sometimes collaborate and support each other's programs. Residents of Toledo and Bowling Green could more effectively advocate for their mutual interests if they were in the same congressional district. However, the maps proposed by the Senate separate these communities. Senate Bill 258 also unnecessarily splits Lucas County, severing communities that border the western edge of Toledo from the city itself. The bedroom community of Ottawa Hills is disconnected from the city that provides many of its resources. Toledo's Congressional district, district nine, sprawls east to Erie County, and then south to Morrow County. It is not compact, and so is more likely to include communities that rarely interact.

Deborah Dolkey (00:37:14):

People in Morrow County, unlike the residents of Bowling Green and Ottawa Hills, are unlikely to be impacted by contaminated water in Toledo or to travel to Toledo for emergency medical care. District nine also does not appear to be contiguous. I am also extremely concerned about the constitutional

requirement that district plans not favor a political party. Senate Bill 258 is said to have six districts that could be won by either party, but Republicans outnumber the Democrats in all of these districts, all of them. One is very close. In the last 10 years, about 45% of Ohioans voted for the democratic candidate, but Republicans have the advantage in 13 of the 15 proposed congressional districts. Can you seriously claim that this build does not favor a political party? You are nearly silencing the voice and the preferences of about half of Ohioans.

Deborah Dolkey (00:38:17):

Now the redistricting process has not realistically allowed for public input. It's been difficult to get really specific information on the maps, meetings rescheduled with little advanced notice, and you do have that 24 hour requirement, so that adds to it. Senate Bill 258 was not made available to the public until after it was introduced in committee. We've had little time to evaluate the maps and prepare for testimony. Even with the delay in the census data, 47 citizen constructed congressional maps were submitted to the redistricting commission by September 30th. If private citizens could meet this constitutional deadline, why couldn't the general assembly do so? Submitting a rudimentary map by this date would've allowed for much more time for debate and revision.

Deborah Dolkey (00:39:08):

As you move forward, please consider the maps that were submitted by the public, the three winners of the fair district map making competition. And I won't mention their names because I'm afraid of mispronouncing them, but they are in the testimony. They all created districts that keep my community together, greater Toledo together, and they also receive good marks from meeting the constitutional requirements. Don't travel the path taken by the redistricting commission and create maps that are doomed to be contested in the Ohio Supreme Court. Thank you. Questions?

Senator Gavarone (00:39:43):

Thank you for your testimony. I would like to point out that the maps are available on the committee website. And also I think you reached out to my office and my office sent it to you as a PDF, so you could zoom in on it.

Deborah Dolkey (00:39:57):

I couldn't zoom in on it.

Senator Gavarone (00:39:58):

I believe my office sent it to you as a PDF.

Deborah Dolkey (00:40:01):

Yeah. She's been spectacular, by the way.

Senator Gavarone (00:40:04):

Yes.

Deborah Dolkey (00:40:05):

She's been extremely helpful when I've talked to her. She's passionate about the government. So if you run for office, she'll get my ear, but I could not zoom in on those maps. I had to relay ... She's saying that

maybe I could, so perhaps that's my ineptitude, but it's still, when you're trying to get this done and trying to, because I wanted to testify yesterday, but I couldn't meet that deadline of getting the testimony in.

Senator Gavarone (00:40:31):

I'm so glad you were able to come today, and I did want to point out that we've had multiple hearings on both bills and there has been three and a half days notice to meet the 24 hour deadline for today. And I'm really glad you were able to come in today. I'm also from Bowling Green.

Deborah Dolkey (00:40:48):

Yes, I know. All right.

Senator Gavarone (00:40:50):

Are there questions from members of the committee?

Deborah Dolkey (00:40:53):

Thank you.

Senator Gavarone (00:40:54):

Seeing none. Thank you very much. Next to testify, we have Deborah Saunders. Welcome to committee.

Deborah Saunders (00:41:07):

Thank you.

Senator Gavarone (00:41:07):

Thank you.

Deborah Saunders (00:41:10):

To Chair Gavarone, Vice Chair O'Brien, Ranking Member Maharath and members of the Ohio Senate, local government and elections committee, good morning. I am Deborah Saunders. I reside in Northwest Columbus, having a Dublin address. I'm in congressional district 15, State Senate 16 and House 21. I was born and raised in Lima and lived there for my first 28 years. My father was a civil servant, serving his entire career as a police officer within the Lima Police Department. I have family that continues to reside in the area. Senate Bill 258 vexes me. A carve out of the center of Columbus that falls within the proposed fourth district, the same district as Lima, creating a strange C-shaped formulation of the western side of Franklin County, where I live, appears to have purposeful intention.

Deborah Saunders (00:42:18):

Living in Columbus, I'm aware that in the past, I've been called the big shot from the city by some of my family. And please know that hasn't created rifts at Thanksgiving or other holiday meals. We still talk to one another. But it does reflect the perceived differences that people in this state, that constituents hold within this state that are forged through lived experiences where we are, functional needs required for a quality of life based on where we live, and even perhaps a different worldview molded from our collective as communities in which we find ourselves. I stand here before you, our Ohio Senate

members. Your Senate body is led by a president from Lima and the Ohio House is led by a Speaker from Lima. With Senate Bill 258, this Ohio State House falls within the same district as Lima, adjoining Lima again to the center of government in our state. Please know that Lima remains a very special place to me. It was my beginnings and my family is there, but a central urban area of a capital city is very different on many levels from a municipality, the size and structure of Lima. Our vote is our voice. Many experts have stated that Senate Bill 258 demonstrates extreme gerrymandering, and gerrymandering is designed to diminish and impact and influence our vote, reducing it to benefit those in power. Most affecting those with limited voice, communities of color, communities of economic distress, those who are marginalized. These communities have always had to work harder to be heard.

Deborah Saunders (00:44:28):

Will the voices of residents and voters in the east side of Columbus be heard as strongly by their US representative as those in the small towns and rural areas of the proposed fourth district? I wonder that. I urge you to oppose Senate Bill 258. There are many excellent examples of maps drawn that abide by the Ohio constitution and provide greater representation of the voters here in this great state. Certainly Senate Bill 237 is an alternative option, and I urge this committee to approve that as a guide by which congressional district maps are drawn. Thank you for the opportunity to speak to you today.

Senator Gavarone (00:45:12):

Thank you for your testimony. Are there questions from members of the committee? Seeing none. Thank you very much.

Deborah Saunders (00:45:20):

Thank you.

Senator Gavarone (00:45:22):

Next to testify, we have Colin [Morotsi 00:45:25]. Welcome to committee. Good morning.

Colin Morotsi (00:45:35):

Good morning. Le me see if we can ... Well, thank you Chairwoman Gavarone, Vice Chair O'Brien, Ranking Member Maharath, and the members of the Senate local government and elections committee for the opportunity to provide opponent testimony to substitute Senate Bill 258. My name is Colin Morotsi, and I'm the Deputy Policy Director for the ACLU of Ohio. The ACLU of Ohio stands in opposition to the congressional districts proposed in Senate Bill 258, as they will not accurately reflect the people of Ohio in Congress. Instead of crafting a congressional district map that accurately reflects the diverse political attitudes of Ohioans, Senate Bill 258 artificially inflates partisan control of Ohio's congressional delegation to one political party at the expense of another. This is achieved by needlessly exploiting allowable splits that crack urban areas into districts that dilute their voting power. Districts 1, 2, 3, 4, 5, 7, 9, 10, 14, and 15 are examples of this tactic.

Colin Morotsi (00:46:50):

Article 90, section 1C1, requires the general assembly pass a new congressional district map in the form of a bill. This was an encouraging aspect of the 2018 reform law, because it was one more way to bring this historically secretive process out of the shadows. Traditionally, bills are presented as a solution to a problem, where sponsors of the legislation present their bill in detail and describe their decision making

process, and then elaborate on the choices made in crafting the legislation. Supporters of the legislation then come and testify as to how that particular bill will make their life better. Senate Bill 258 has not followed this template. Instead, zero justification has been given for the choices made when drawing this map, and there has yet been a single supporter of this legislation. Article 19 allows broad discretion with only limited rules on the number of allowable county splits and keeping major cities whole, or as close to whole as possible.

Colin Morotsi (00:47:55):

With discretion comes choice, and the people of Ohio have been left completely in the dark when trying to understand the choices made in creating Senate Bill 258.

PART 2 OF 4 ENDS [00:48:04]

Colin Morotsi (00:48:03):

Trying to understand the choices made in creating Senate bill 258, choices about which, the people of Ohio deserve to know more. Map drawers need to show their work and justify the decisions they made when drawing these lines. They need to justify why in district seven, metropolitan Summit County was paired with rural parts of the region, like Deerfield, Apple Creek, and Killbuck, rather than more similar areas, like Canton, Massilon or Kent.

Colin Morotsi (00:48:28):

What was so compelling to the map drawers, that they decided to pair Toledo and Lake Erie border counties, with central Ohio, rural farmlands in Morrow and Ashland counties, in district nine. In Columbus, I personally live in district three, work in district 15 and socialize in district four, a 17 mile round trip that takes no more than 30 minutes of drive time. What characteristics do Lawrence County and east Columbus share, or Lyndon and Wapakoneta, that warrants their inclusion in the same congressional district?

Colin Morotsi (00:49:06):

We've heard for a decade, how the people of Hamilton County can't get a phone call back from either of their two current congressional representatives. Why did the map drawers think adding a third would improve this? The fact of the matter is, is that every line in Senate bill 258 points in the same direction, which is this map unduly favors candidates of the Republican party.

Colin Morotsi (00:49:29):

The ACLU of Ohio, urges the general assembly to consider all congressional district maps submitted through the redistricting website, as well as the four officially introduced maps by each Chamber's caucuses, and then hold a deliberate and transparent amendment process during the constitutionally mandated joint committee proceedings. The people of Ohio deserve nothing less.

Colin Morotsi (00:49:51):

The deadline for a new congressional district map is still three weeks away. There is still time to reach a bipartisan 10 year map, as long as there is the will to get there. Thank you to the committee. And I'm happy to try to answer any questions.

Senator Gavarone (00:50:07):

Thank you for your testimony. I would like to point out that the sponsor of Senate bill 258, Senator Rob McColley, did give an explanation and detailed testimony when he presented his map and every member of the committee had every opportunity in the world to ask questions of him while he was here testifying. Are there questions for members of the committee? Yes, Senator Maharath

Senator Tina Maharath (00:50:30):

Thank you, chair. And thank you Colin for coming back to the state house again. I appreciate your time to provide us a testimony today, especially in opposing this bill. Now the constitutional principle of one person, one vote, seeks to ensure political equality amongst groups so it prevents them from diluting their votes. Do you believe that these maps are diluting any votes of a particular community of interest by any chance?

Colin Morotsi (00:51:02):

Through the chair to Senator Maharath, I certainly do believe that they are diluting the votes of a number of different regions. However, there has been pretty strict compliance with the one for one, equal one person, one for out. However, if you look at the map, it's obvious that the choices, well, I would say that's not obvious what the reasoning for the choices were, but the effect of the choices made when drawing these lines, are to silence or dilute the voices of voters in Ohio's most urban counties, particularly Lucas County, which does not warrant a split, due to its population, neither does Summit county, neither does Portage County.

Colin Morotsi (00:51:51):

So you can see across the state in this map, that there were decisions made. I can't speak to the intent of those decisions. However, I think this gets to what I was referring to in my testimony, when the sponsor did provide, that this was an effort to create a compact map, a map that's compact for all districts, not only urban and suburban, but also rural.

Colin Morotsi (00:52:16):

I still think there needs to be, and I think the people of Ohio deserve to hear justification for specific districts, not just the map in general. And I think that this committee process is a fantastic venue for that conversation to have, and I hope that the committee will engage in that conversation in future proceedings.

Senator Gavarone (00:52:38):

Since you raised the issue of dilution of vote, I've got to ask, do you have problems with the large deviations that are presented in Senate bill 237?

Colin Morotsi (00:52:51):

Well, I haven't looked at the population variations in detail. However, I know that the tenant decision from 2012 was cited as an allowable variance. In that case, it was 0.79% of a congressional ratio of representation, which roughly equates to 6,200 votes, 6,200 people.

Colin Morotsi (00:53:13):

Senate bill 237, to my recollection, does not come anywhere close to that number. So I think when you have a compelling state interest, of say, adhering to not only the letter, but the spirit of a reform law that garnered 75% of the vote of the public, I think that speaks to an allowable variance within reason, within that 0.079% threshold that was identified in the tenant decision.

Senator Gavarone (00:53:43):

Senator Cirino.

Senator Jerry Cirino (00:53:44):

Yes. Thank you, Chair. Mr. Marozzi, this is actually probably more of an information request, because you may not know the answer and of out of fairness to you, I don't want to put you on the spot, but perhaps you might. But it has to do with the organization you represent and what the national scope is and interest because we know there's these discussions going on elsewhere than in Ohio.

Senator Jerry Cirino (00:54:12):

And if you could find out, I'd like to know what the ACLU activity is in the state of Illinois. Illinois has done a series of maps in the last several weeks and they were so bad, they received an F grade from the Princeton Gerrymandering Project. And I would just be curious to know if the ACLU, I assume you have a counterpart organization in Illinois, right? What level of activity, and they are expending to counter that F grade. So if you could get back to the committee with that information, I would very much appreciate it.

Colin Morotsi (00:54:53):

Through the Chair to Senator Cirino, I certainly will. And if I could, I'd like to say, the redistricting plans that are occurring in Illinois, this is not the first time that we've heard members of the previous body that was considering congressional maps, this was alluded to as well. I think that again, begs the question as to what is the intent of this bill in front of us, and similar proposals?

Colin Morotsi (00:55:21):

Is it to adequately and accurately reflect the will of Ohio voters? Or is it to compensate for what other states are doing? There's no keeping up with the Jones' clause in article 19. Now, granted, from what I've seen, that map does certainly skew one political way and I'd be happy to look into that and provide that information to the Chair.

Senator Jerry Cirino (00:55:42):

Thank you very much.

Colin Morotsi (00:55:43):

Thank you.

Senator Gavarone (00:55:43):

Yeah. Thank you. If you provide to the Chair, I'll make sure members of the committee get a copy of that. Are there any further questions seeing? Seeing none, thank you very much for your testimony.

Colin Morotsi (00:55:53):

Thank you.

Senator Gavarone (00:55:55):

And next to testify, we have Benita Kahn. Good morning and welcome to committee.

Bonita Kahn (00:56:06):

Good morning, Senator Gavarone and good morning to the committee members. So my name is Bonita Kahn and I live in Bexley, Ohio, which is currently in Congressional district three. It's probably less than three miles from here to my home and I'm testifying-

Senator Gavarone (00:56:27):

Excuse me. Can you pull the microphone down a little bit so we can hear you a little better? Thank you.

Bonita Kahn (00:56:32):

Okay. Yeah, I guess I am a little bit shorter than the last guy. I'm testifying today because of the impact that proposed congressional map introduced in Senate bill 258, will have on my community. Because of the gerrymandering practices used by Ohio legislature when drawing the 2010 maps, in 2018, the Ohio voters passed by 75% an amendment to the Ohio Constitution to impose requirements that would limit that gerrymandering.

Bonita Kahn (00:57:04):

However, the proposed map in Senate bill 258, demonstrates that the Senate has not complied with article 19 of the Ohio Constitution. The voters in Ohio, voted for the creation of districts that are compact, contiguous and have limited splitting of counties, municipalities, and townships. Article 19, further specifies that if a municipality is to be split, it may be included with other municipalities or townships in the same county, if the residents have similar interests.

Bonita Kahn (00:57:38):

As this process has now moved back to the general assembly, it requires approval of any plan by 3/5 of the members of each house, including 1/3 of the members of each of the two largest political parties represented in each house. Without this, a simple majority can pass a plan for four years, but that plan may not unduly favor or disfavor a political party or its incumbent.

Bonita Kahn (00:58:07):

Against the clear will of the voters and article 19 of the constitution, the Senate has introduced a bill with a congressional district plan that fails to comply with these requirements. On a statewide basis, the gerrymandered districts are skewed heavily in one political direction, with 13 of the proposed districts, favoring Republican candidates, and two favoring democratic candidates. This will result in many Ohioans, including myself, similarly to what I've experienced for the last 10 years, having our voting power limited and our voices lost at the US House of Representatives.

Bonita Kahn (00:58:50):

This 13/2 congressional district split is an 87% Republican, 13 per percent. Democrat representation for Ohio. Ohio has been a swing state for many years, as shown by statewide presidential elections. Just even going back to 1960, you can go back further, but what is clear if you go back to 1960, is that these

statewide presidential elections have never seen a result that is even close to an 87/13 split. Based on the last decade, a fair map would include eight Republican and seven democratic congressional seats.

Bonita Kahn (00:59:35):

To turn to the impact on my voting rights of the proposed congressional district for Bexley, is also clear. Bexley is four miles from downtown, maybe not even that far. Other communities closely surrounding or a part of Columbus have common interests and concerns with Bexley, such as Clintonville, upper Arlington, Grandview. They're all six to 10 miles from Bexsley, yet the proposed plan in Senate bill 258, would put these communities in three different congressional districts.

Bonita Kahn (01:00:05):

Rather than being included with these similar communities. Bexsley is cracked out into a district, with 13 other counties. Communities in these counties are over 120 miles from Bexley and all of these counties are rural. There's little doubt that the interest and concerns that these communities are different from Bexley. Rural, urban, suburban have very different interests. Bexley has consistently voted for democratic candidates. But with Senate bill 258, it would be forced into an overwhelmingly Republican voting district.

Bonita Kahn (01:00:43):

Bexley should have the same congressional representative as similar communities in Franklin County. We need a congressional representative who lives in our community and understands our issues and provides the constituent-

Senator Gavarone (01:00:56):

15 seconds.

Bonita Kahn (01:00:56):

With an opportunity for meaningful input. And there is no real reason to split Franklin county into three districts. The population in the 2020 census was 1,000,003. Your districts in this map show [crosstalk 01:01:11].

Senator Gavarone (01:01:11):

Thank you very much for your testimony. Are there questions from members of the committee? I'd like to note, that your written testimony is in the iPads and available for all members of the committee.

Bonita Kahn (01:01:24):

And I will just say, I voted for over 50 years, mostly in Ohio. So my vote is very important to me and I really want to see it protected.

Senator Gavarone (01:01:33):

And I agree, every vote is important. Absolutely.

Bonita Kahn (01:01:36):

Well, not based on this map.

Senator Gavarone (01:01:38):

Any questions, seeing none? Thank you very much for testifying.

Bonita Kahn (01:01:44):

Next to testify is Ann [Shroyer 01:01:47]. Okay. And we'll double back. I saw that Jen Miller stepped in earlier to testify. Good morning and welcome to committee.

Jen Miller (01:02:10):

Good morning. Thank you. Chair, Vice Chair, ranking member, esteemed committee, it's so good to see all of you today. I am the Executive Director of the League of Women Voters of Ohio. We are formed in 1920 out of the Ohio Woman Suffrage Association. Voters of all ages, races, zip codes, and beliefs are our priority.

Jen Miller (01:02:31):

I'm here on behalf of my members. I have members in all 16 congressional districts, every state Senate district, and all but five House districts. One of the things I included in the testimony that hopefully you see, is the last page, which talks about our history of working on gerrymandering, that goes back to the seventies.

Jen Miller (01:02:52):

From 1978 to 2001, we worked with lawmakers every year to propose redistricting reform constitutional amendments. None of those were passed through a general assembly session. A lot of our first work was with Joan Lawrence, who at one point, was president Ohio league, central Ohio, Republican lawmaker.

Jen Miller (01:03:16):

One of the things I just want to point out is that here in Ohio, we've been fighting against partisan gerrymandering, both when it has been rigged for the favor of Democrats and Republicans, and also in court cases. We have support court cases that challenged partisan gerrymandering for both, in maps that were democratic leaning and Republican leaning.

Jen Miller (01:03:40):

We are opposed today and I'm not going to go through all of this. I'm going to talk about a few things, because I think we've had some questions. The first is about competition, which is not actually in the Ohio Constitution or federal law. But even if you're looking at competition, it's only slightly better than the democratic map or the winners of our own nonpartisan competition.

Jen Miller (01:04:06):

In the meantime, this map is scored far worse in splitting compactness, minority presentation and proportionality, or thinking about the concept of being unduly, favoring, one party over the other. Those actually all are in the constitution or required in federal law to be upheld. I wanted to just point out this concept of the efficiency gap. There's many different ways to measure if something is unduly partisan.

Jen Miller (01:04:34):

One of them that has been used a lot, is this idea of how much weight does each vote have? And unfortunately, in this GOP proposed Senate map, democratic votes are 16.2% less efficient. So it takes far more democratic votes to change seats. It's also not proportional, which is another way to measure this. There's many different ways to measure gerrymandering, when that is done with Dave's redistricting or with plan score or other trusted social science measurements. This map continues to show that it is partisan gerrymandered.

Jen Miller (01:05:20):

Yesterday, my colleague, Katherine Teer of Common Cause, testified to the inappropriate splitting of counties and communities in this proposed map. I'm not going to go into all that, but I do want to make sure we note that we completely agree with her on that. To demonstrate this point, I thought I would just talk about a few spots.

Jen Miller (01:05:36):

One is Scioto Audubon Park. So a blue Heron could land in the Northwest corner of Scioto Audubon Park, here in south Columbus, the German village area. One foot could be in the 15th district, one could be in the fourth and its beal could reach out and spear some lunch in the third. There's absolutely no reason for that kind of slicing and dicing. Similarly, we have these kinds of issues all over. Palmer Township, Washington county, 550 people.

Jen Miller (01:06:06):

One of the things that we do ask for is to keep political subdivisions together as much as possible, but for some reason, a little community of 550 people is getting split. And part of that community, is getting put with Columbus' German village. And again, I do hear this idea that lawmakers can represent very different communities, but it's much better for Palmer to have one lawmaker, than to be split and have their voices and needs diluted with all these other areas.

Jen Miller (01:06:38):

But the bottom line is this, these jagged lines and split up communities can be found throughout this map, without any good public policy justification. It would be incredibly difficult to use this as a starting place. We encourage you to consider a different starting place, whether that's our maps, the democratic map, which we are-

Senator Gavarone (01:06:58):

15 seconds.

Jen Miller (01:06:59):

Okay, great. We are neutral on and I would like a minute to discuss the lawsuit that was questioned earlier.

Senator Gavarone (01:07:08):

Five seconds. Thank you very much for your testimony. The members do have your testimony on their iPads and it's available on the website. Yes. Senator Kunze.

Senator Kunze (01:07:23):

I just have a question for you. We do like to describe the lawsuit that you just referenced.

Jen Miller (01:07:29):

Thank you, Senator. Thank you chair. Yeah, absolutely. So first off, it would not have impacted the 2018 election or the 2022 election. So this idea that it was interrupting the process, the constitutional amendment was for starting in 2022. This was only about the congressional map as in 2020.

Jen Miller (01:07:53):

Here's what matters to us. And I think we all say this all the time, that every election matters. Every election, from local judge to Congress, every election matters. And we had an opportunity because of how the legal conversations around partisan gerrymandering had been changing. We had the opportunity to challenge the congressional map for the 2020 election.

Jen Miller (01:08:18):

Every election matters. Bottom line, we had a three judge bipartisan panel who declared all 16 congressional districts unconstitutional and partisan gerrymandered. We would've had a new map only for 2020, which we would've seen as a victory, except that the state had appealed to the US Supreme Court.

Jen Miller (01:08:41):

But let me say this about the negotiations that were finalized well in advance of our lawsuit and the victory of more than 75% also happened before we filed our lawsuit. Let me just say this, we kept walking away from the negotiating table, over and over and over again because our concern, and this is from our leaders who are Republican, Democrat and Independent, anything we do is supported by our members across the state, is that when politicians are in charge of making maps, that personal interest will end up polluting that process.

Jen Miller (01:09:21):

And so we wanted an independent commission, we kept walking away. We finally agreed to put down our clipboards. We didn't didn't agree to not sue, we didn't agree to not work on something else. We agreed to put down our clipboards, which is what the general assembly, the Ohio Republican party, the Ohio Democratic party wanted us to do. Because we had a much stronger initiative that was going to go to the people.

Jen Miller (01:09:46):

There's nothing disingenuous about saying, when we've been working on ending gerrymandering in Ohio since the 1970s, that we're going to take every opportunity we can, including a lawsuit at that time. And quite frankly, unfortunately this process has proven to us that gerrymandering can still happen, that we can still have processes that are not transparent, that are not respecting the people when we blow through deadlines.

Jen Miller (01:10:19):

So unfortunately, our worst concerns about that, seem to be playing out here, and I hope not. I'm appealing to you now, to consider a different map. I'm appealing to you now to put the people of Ohio first. I'm appealing to you now to have lots of hearings with experts that can talk about things like

competition and gerrymandering, that have no political agenda whatsoever. And so that's a little bit about the lawsuit. Thank you.

Senator Gavarone (01:10:50):

I'd like to ask you about, if you can explain what happened in Virginia with the independent commission, because my understanding is that they had significant struggles and ended up giving up.

Jen Miller (01:11:03):

Thank you, Chair Gavarone, we are doing our own research right now on independent commissions and there are lots of different ways, just like anything else we do in elections, which you know well, there's lots of different ways to do things. And so we are doing our own research on independent commissions.

Jen Miller (01:11:18):

Now I cannot speak to Virginia. I will say that, unfortunately we're seeing both parties and states really use this opportunity to rig maps, which is just heartbreaking to me. And I think it should be for all of us. And so, but we are still looking at independent commissions as a policy.

Senator Gavarone (01:11:43):

Okay. Are you familiar with what happened in Virginia?

Jen Miller (01:11:46):

So what I don't want to do, thank you, Chair. What I don't want to do is misspeak. And so I'd be happy to follow-up with you, but we have actually hired an independent academic to look at how independent commissions are working right now across the state.

PART 3 OF 4 ENDS [01:12:04]

Jen Miller (01:12:00):

... across the state.

Senator Gavarone (01:12:05):

Thank you. Yes, Senator Maharath.

Senator Tina Maharath (01:12:07):

Thank you chair, and thank you, Jen, for coming in to testify today. We appreciate your presence here at the Statehouse. So the Ohio Constitution gave us a new criteria in terms of drawing congressional maps. Some of them that you've already brought up, which was the anti-split rules. Can you explain from a academic, social science perspective of why it's important to keep the communities of interest together? I know in your testimony, your written one, I saw that you brought up the importance of why it's important at the split communities township. So I want to seek about opinion on the communities of interest now.

Jen Miller (01:12:44):

So I don't know if any of you saw, but national CBS News actually covered our current congressional map yesterday, and I got the chance to walk down the street, a street in Clintonville, where one side is one congressional district, and one side is another congressional district for no really good reason. One of the things that was interesting, is while we were shooting that, which was about a month ago, it just aired, was that the neighbors all came out and were very frustrated because they felt like their neighborhood was not respected or that they couldn't get through to their congresspeople. But the other thing, they didn't feel for example, that they had much in common economically with Cambridge, but this community that was split in half actually had their own phone tree. So they were close enough to have their own phone tree about reminding people when recycling was, or to have their own block party every year, but too big to get put into two different congressional districts. That's something minor, but I thought it was really interesting, but let's think about the Snake on the Lake. Marcy Kaptur's district.

Jen Miller (01:13:50):

If you go across that county, county by county, the major employers are diametrically different. So you have Cleveland where there's absolutely almost no farming whatsoever. Then you have Ottawa, that's mostly tourism, but then you have counties on either side that are more farming than anything, and it is hard for a lawmaker to really represent such very big differences. I think we could talk about Congressional District 15 right now, if we think about the pandemic and the difference between parts of Appalachia and Central Columbus in terms of the infrastructure they might have had to deal with the pandemic, or not have to deal with the pandemic, whether it's broadband access for schools, whether it's access to hospitals, it is very difficult, even if a lawmaker really wants to, when these communities are split willy-nilly, it is very difficult to really represent the needs versus when it's more compact, and you're really talking about an economy that's more similar, and employers and infrastructure, culture, all those things are more similar.

Senator Gavarone (01:15:04):

Yes. Senator Sykes.

Senator Vernon Sykes (01:15:06):

Thank you, Madame Chair. Thank you for your testimony. This issue about competitiveness, been mentioned a lot. What do you see the range for competitive districts?

Jen Miller (01:15:19):

So thank you Chair. Thank you, Senator Sykes. I'm not going to get into the range today. I actually have some experts looking on that too, and I would love to have experts come in and talk about that. But I will say that Dave's redistricting just because it's 55-45 doesn't mean that that is what we should take as Ohioans, but I'm going to punt for now because I really am waiting on my experts on that. I think that's a little too generous. I think once you're at the 55% range, you're probably just really winning that seat.

Senator Vernon Sykes (01:15:53):

One additional question...

Senator Gavarone (01:15:54):

Follow up.

Senator Vernon Sykes (01:15:55):

You've also mentioned the need to have experts come in. Are you suggesting that we solicit, or ask, or you think they should just come to speak?

Jen Miller (01:16:07):

Thank you Chair. Thank you. Senator Sykes. So 10 years ago we did actually... The map makers did bring in experts to talk about everything from equal population to the Voting Rights Act, to best practices for map making. So we didn't really do that this round. We didn't really do the deliberative approach that I think is really important. Again, I think there's a lot of experts, whether it's in map making, or economics, or law that could be telling us things that we could all be considering together. My concern both at the state process in this process is that we really didn't work to have universal definitions or a process where the public and map makers work together to iron out some of these sticky issues. The way we would prefer it actually is that we have the map up right here, and that we're actually talking line-by-line, district-by-district about, does that really make sense for the people of Ohio?

Jen Miller (01:17:07):

That would be a really robust conversation, and that's not what we're seeing. I think it's hard for experts to, and I do appreciate you Senator Gavarone for pointing out that we have had, Chair Gavarone, that we've had many hearings, but it's hard for experts, 24 hours notice, especially because these maps are... Actually analyzing them by PDF really doesn't work. So we didn't really have a lot of time to... Even those of us that are in Columbus, and this is what we do full time, it wasn't that easy to get to these hearings in a timely way. So I think that's going to be even more so if you're talking about experts coming from across the state.

Senator Vernon Sykes (01:17:46):

Follow up, please.

Senator Gavarone (01:17:48):

Follow up.

Senator Vernon Sykes (01:17:51):

Yeah. There's been a lot of discussion and you were involved to a certain extent with the negotiations, putting this plan together, these constitutional provisions, and there's some discussion about complying with technical aspects like compactness or contiguousness. Do you think those are the only considerations that you need to comply with in order to incorporate the will of the people?

Jen Miller (01:18:21):

Thank you, Chair. Thank you Senator Sykes. No. I think that's one of the interesting things is we keep talking about competitiveness. That's not actually in the constitution, but we're not talking about whether something is unduly partisan or not, and how we would measure that. The same with the splits. No, those were not aspirational. Those are required in law. The aspirational parts, I think where we've missed, or I guess the spirit has been missed in that we are just now getting to talking about this, even though we've blown through deadlines, that we are still confused about the process tomorrow, in terms of what map are we even supposed to be talking about? So I think the spirit has been blown through,

but when we say the letter and spirit, the letter are those legal concepts of splitting and compactness, and unduly partisan.

Senator Gavarone (01:19:15):

Yes. Senator Cirino.

Senator Jerry Cirino (01:19:17):

Thank you, Chair. Ms. Miller, thanks for your testimony. I've asked several others that have testified about this question of diversity, and can diverse areas be properly represented in Congress by an individual. I really... All other issues regarding the maps aside for a second here, that's one that just really, I struggle to really try to appreciate why it is presumed to be impossible or ineffective for a representative in Congress to represent a diverse set of communities. I don't... Everyone has been talking about it in testimony as though it's presumed to be difficult, or impossible, or you can't do it well. Well, I'd like to know what evidence there is that that has proven to be that ineffective. A good representative is going to do their best presumably to represent their farming communities, their concentrated urban centers, and those in between. I just struggle with that assumption, and wanted to give you an opportunity to maybe respond a little bit on your viewpoint on that.

Jen Miller (01:20:35):

Thank you, Senator. Thank you Chair. I think I did give a couple examples. I think it is very difficult. You can have legislation, we all know this, we've all seen this, that's really good for one community and really not for another. If you think about industries, there's a lot of industries that have very different public policy needs, and then you have a lawmaker who's trying to balance the very different and often competing policy needs and stuck trying to figure out how to navigate the sausage making process. But I will just say a few other things. All you have to do is talk to Ohio voters, which is why this has been a priority for the League for almost half a century. Ohio voters are so frustrated. They do not feel... Republican and Democrat and Independent do not feel like they have a voice in Congress, and partisan gerrymandering is part of that.

Jen Miller (01:21:26):

Why? Because let's look at even just the last decade where didn't matter if Republicans were winning statewide or at the national level here in Ohio, or if Democrats were. We had a perfectly gerrymandered map. Our emails show that the map maker's goal was a 12 4 map. That that was their goal. It performed perfectly whether Obama won the state, whether Trump won the state. That is a kind of frustration that voters have, because they will tell you that they don't think their votes matter. That they don't count, because even when we have blue waves or red waves, nothing changes. I'll give you one more example, which I think again is about the voters. Right now in Ohio's Congressional map three and a half million Ohioans live closer to a Congressional District office that is not held by their congressperson. Three and a half million Ohioans live closer to a Congressional office.

Jen Miller (01:22:30):

So that means we have people that maybe are driving an hour to get to their congressperson, but they have another office that's 20 minutes away. That is because what we've done is sliced and diced. Yes, we're going to have to draw lines. Yes, there's going to have to be some splitting, but the goal here, and we have hundreds, if not thousands of pages of documents from this past map, was to partisan gerrymander. We see that completely the case. Unfortunately, even after we have 75% of the Ohioans

in all 88 counties asking for change, we're seeing a map that mirrors all of the worst, and perhaps is even worse in terms of the partisan gerrymandering.

Senator Jerry Cirino (01:23:20):

Follow up, just briefly.

Senator Gavarone (01:23:22):

Follow up.

Senator Jerry Cirino (01:23:22):

So again, I don't think I heard an answer to my question in terms of evidence that voter dissatisfaction, and that always exists in voters of all parties and all philosophies, wonder from day to day whether they're being represented in Congress adequately and so on. But that in and of itself is not evidence that it's impossible for a congressperson to do an effective job representing a diverse set of communities. I just... Everybody's been assuming that, and other than opinions, there is no evidence that that is the case. I will just submit that if there's evidence, I just haven't heard it yet.

Jen Miller (01:24:02):

So thank you Chair. Thank you Senator. Chris Warshaw, George Washington University, looked at every congressional race starting in 1972 to today and looked... used these measurements that we talk about to improve partisan gerrymandering, and what he showed was, the more partisan that Congress got, so as we got more and more gerrymandered, Congressional office holders were less likely to work across the aisle, to the point that now there's almost none of that. So what I would say is, I guess maybe we disagree on evidence because I think there's a lot of evidence on the fact that Southeast Ohio and Columbus had very different needs in the pandemic, or that it's really unfortunate that people have to drive so far away. It's not just hard for the lawmaker, but for the general public, when they might have to drive an hour and a half versus 15 minutes down the road to get to their congressperson.

Jen Miller (01:25:09):

So maybe you disagree on that. But the bottom line is it is completely proven that partisan gerrymandering begets more partisan gerrymandering. So the more gerrymandered a map is, the more the next one is, the more the next one is, the more the next one is, and that's been happening throughout Congress, and that is fueling our partisan divides, and it's meaning we are not seeing Republicans and Democrats as lawmakers crossing over the aisle and working on as many things. That in itself is a weaker representation.

Senator Gavarone (01:25:44):

Any further questions?

Senator Vernon Sykes (01:25:45):

Just a comment if I could, Madame Chair.

Senator Gavarone (01:25:47):

Yes. Senator Sykes.

Senator Vernon Sykes (01:25:49):

Just in response Senator, when you talk about keeping communities together, some of the objectives of why you want to do that, and minority interests in particular, is not just us representing them. It's also them selecting us. When you have a larger mass, you have more ability to select a candidate of your choice. If you take the minority community and you split them off into five or three or four districts, they don't have as much ability to select a candidate that they might select. Also, when you have a mass all in one district, you tend to get more attention from the legislator, regardless of who is there. You have more ability to have influence. So it's not just us representing them. It's also them selecting us.

Senator Gavarone (01:26:43):

Thank you. Are there any further questions?

Jen Miller (01:26:47):

Thank you so much.

Senator Gavarone (01:26:48):

Thank you very much for your testimony. Just for the committee's reference, there have been several states that have tried and even failed to complete independent commissions for redistricting. I was able to pull up what happened in Virginia, and when they tried to go through an independent commission, they were at an impasse and ended up going to the Supreme Court for the House and Senate. Then for Congressional redistricting, they also were unable to complete the redistricting there. So just something to think about going forward, if there were proposals to take redistricting out of the hands of Ohioans and their elected officials. Next to testify, Tim O'Hanlon. Welcome to committee.

Tim O'Hanlon (01:27:49):

Thank you. I'm going to dispense with the more formal salutations in the interest of time. So I'll just say Madame Chairwoman Gavarone, and members of the local government and elections committee. Good morning. My name is Tim O'Hanlon. We live in a sliver of Columbus that was cracked into the meandering and very gerrymandered 15th Congressional District, a district that wanders over 12 Ohio counties. Thanks to extreme gerrymandering, we have been effectively disenfranchised for the past decade. Now the Congressional map proposed by the Ohio Senate creatively cracks us into a gerrymandered fourth district, or District 4 with folk from seven rural counties to the northwest of us. Moreover, the Senate bill goes farther than its house counterpart by separating us from the good citizens of Grandview Heights with whom we share a great deal in our patterns of our daily lives. For example, churches, grocery stores, a library, restaurants, a main commercial street, and a zip code.

Tim O'Hanlon (01:29:14):

The Senate's map would disenfranchise us for another 10 years. Something not to look forward to. Both maps, the House and the Senate, proposed two Democratic leaning seats, reducing Ohio's Democratic Congressional delegation from its present four to two. In last week's testimony, on the Congressional map proposed by the House, witness after witness testified that a proportional Congressional map would produce eight Republican leaning seats and seven Democratic leaning seats. These assertions were based on voting patterns in statewide elections over the previous 10 years. All told, around 54% of those votes were cast for Republican candidates and approximately 46% for Democratic candidates-

Senator Gavarone (01:30:08):

Excuse me, please direct your comments to Senate Bill 258 and not the House Bill.

Tim O'Hanlon (01:30:13):

Well, I'm using that to contrast, to focus in on Senate Bill 258.

Senator Gavarone (01:30:20):

Okay, go ahead.

Tim O'Hanlon (01:30:24):

There's a method here, if I can continue. Thank you. Following my testimony, I was asked if Title 19, and that's where... Of the Ohio Constitution required proportional representation. This is very relevant to the current bill. Now that was a very revealing question. Unlike Title 11, section of the Constitution which focuses on state legislative redistricting, Title 19 does not contain specific language requiring proportional representation or a formula for getting there. I replied that Title 19 did specify the Congressional maps may not unduly favor one political party over another, that a map which proposed 13 Republican leaning seats out of 15 districts and was designed to reduce the Democratic seats from four to two was a violation of that provision on its face, pretty obviously. The question was revealing because it exposed a pattern of deflection and disingenuousness that has characterized the entire redistricting process.

Tim O'Hanlon (01:31:40):

The goal of the constitutional amendment approved by over 70% of Ohio voters in 2018 was to curtail gerrymandering. That was its primary purpose. The most obvious evidence of gerrymandering was the unshakable 12 to 4, or 75% seat majority held by Republican candidates. Witnesses just testified how unshakable that has been. Ordinary citizens and political scientists recognize that proportional representation as determined by statewide voting patterns for the two major parties was a valid indicator. Perhaps the clearest single indicator, not the only one, but the clearest single indicator of the degree of gerrymandering in a state map, progress toward representational fairness, and ultimately toward representative democracy in Ohio. The majority leadership of the Ohio General Assembly also recognizes-

Senator Gavarone (01:32:43):

10 seconds.

Tim O'Hanlon (01:32:45):

May I continue? I got stopped a little bit because of the...

Senator Gavarone (01:32:50):

Please continue, your time is almost up. Are there questions from members of the committee? Seeing none, thank you very much for your testimony and your written testimony is available to all members of the committee. Next I'd like to see if [Anne Shroyer 01:33:14] is here. Okay. Members, please note that written only testimonies is available on your iPads, and that concludes the fourth hearing on Senate Bill 258. Is there any other business before the committee? Hearing none, we are adjourned.

PART 4 OF 4 ENDS [01:33:39]

CERTIFICATE OF SERVICE

I, Alexander Thomson, hereby certify that on this 10th day of December, 2021, I caused a true and correct copy of this appendix to be served by email upon the counsel listed below:

Bridget C. Coontz, bridget.coontz@ohioago.gov
Julie M. Pfeiffer, julie.pfeiffer@ohioago.gov
Michael Walton, michael.walton@ohioago.gov

Counsel for Respondent Ohio Secretary of State LaRose

Phillip J. Strach, phil.strach@nelsonmullins.com
Thomas A. Farr, tom.farr@nelsonmullins.com
John E. Branch, III, john.branch@nelsonmullins.com
Alyssa M. Riggins, alyssa.riggins@nelsonmullins.com

Counsel for Respondents House Speaker Robert R. Cupp and Senate President Matt Huffman

/s/ Alexander Thomson
Alexander Thomson (PHV 25462-2021)

Counsel for Relators

IN THE SUPREME COURT OF OHIO

Regina C. Adams, *et al.*, ***Relators*,** ***v.*** **Governor Mike DeWine, *et al.*,** ***Respondents*.**	**Case No. 2021-1428** **Original Action Filed Pursuant to Ohio Const., Art. XIX, Sec. 3(A)**
League of Women Voters of Ohio, *et al.*, ***Relators*,** ***v.*** **Governor Mike DeWine, *et al.*,** ***Respondents*.**	**Case No. 2021-1449** **Original Action Filed Pursuant to Ohio Const., Art. XIX, Sec. 3(A)**

AFFIDAVIT OF ALEXANDER THOMSON
EXHIBITS APPENDIX A - HEARING TRANSCRIPTS
Volume 2 of 2

(Counsel listing on next page)

Abha Khanna (PHV 2189-2021)
Ben Stafford (PHV 25433-2021)
ELIAS LAW GROUP, LLP
1700 Seventh Ave., Suite 2100
Seattle, WA 98101
(206) 656-0176
akhanna@elias.law

Aria C. Branch (PHV 25435-2021)
Jyoti Jasrasaria (PHV 25401-2021)
Spencer W. Klein (PHV 25432-2021)
Harleen K. Gambhir (PHV 25587-2021)
ELIAS LAW GROUP, LLP
10 G St. NE, Suite 600
Washington, DC 20002
(202) 968-4490
abranch@elias.law

Donald J. McTigue (0022849)
Counsel of Record
Derek S. Clinger (0092075)
MCTIGUE & COLOMBO, LLC
545 East Town Street
Columbus, OH 43215
(614) 263-7000
dmctigue@electionlawgroup.com

Counsel for Adams Relators

Freda J. Levenson (0045916)
Counsel of Record
ACLU OF OHIO FOUNDATION, INC.
4506 Chester Avenue
Cleveland, OH 44103
(614) 586-1972 x125
flevenson@acluohio.org

David J. Carey (0088787)
ACLU OF OHIO FOUNDATION, INC.
1108 City Park Avenue, Suite 203
Columbus, OH 43206
(614) 586-1972 x2004
dcarey@acluohio.org

Dave Yost
OHIO ATTORNEY GENERAL

Bridget C. Coontz (0072919)
Julie M. Pfeiffer (0069762)
Michael A. Walton (0092201)
Assistant Attorneys General
Constitutional Offices Section
30 E. Broad Street, 16th Floor
Columbus, OH 43215
(614) 466-2872
bridget.coontz@ohioago.gov

Counsel for Respondent Ohio Secretary of State Frank LaRose

Phillip J. Strach (PHV 25444-2021)
Thomas A. Farr (PHV 25461-2021)
John E. Branch, III (PHV 25460-2021)
Alyssa M. Riggins (PHV 25441-2021)
NELSON MULLINS RILEY & SCARBOROUGH, LLP
4140 Parklake Ave., Suite 200
Raleigh, NC 27612
(919) 329-3812
phil.strach@nelsonmullins.com

Counsel for Respondents House Speaker Bob Cupp and Senate President Matt Huffman

Julie A. Ebenstein (PHV 25423-2021)
AMERICAN CIVIL LIBERTIES UNION
125 Broad Street
New York, NY 10004
(212) 519-7866
jebenstein@aclu.org

Robert D. Fram (PHV 25414-2021)
Donald Brown (PHV 25480-2021)
David Denuyl (PHV 25452-2021)
Joshua González (PHV 25424-2021)
Juliana Goldrosen (PHV 25193-2021)
COVINGTON & BURLING, LLP
Salesforce Tower
415 Mission Street, Suite 5400
San Francisco, CA 94105-2533
(415) 591-6000
rfram@cov.com

James Smith**
L. Brady Bender (PHV 25192-2021)
Sarah Suwanda**
Alex Thomson (PHV 25462-2021)
COVINGTON & BURLING, LLP
One CityCenter
850 Tenth Street, NW
Washington, DC 20001-4956
(202) 662-6000
jmsmith@cov.com

Anupam Sharma (PHV 25418-2021)
Yale Fu (PHV 25419-2021)
COVINGTON & BURLING, LLP
3000 El Camino Real
5 Palo Alto Square, 10th Floor
Palo Alto, CA 94306-2112
(650) 632-4700
asharma@cov.com

Counsel for League of Women Voters Relators

*** Pro Hac Vice Motion Forthcoming*

EXHIBITS APPENDIX A - HEARING TRANSCRIPTS
Volume 2 of 2

Index of Documents

ITEM	DESCRIPTION	BATES RANGE
7	11/10/2021 House Government Oversight Committee Hearing	HRG_0257 - 316
8	11/10/2021 Joint Committee on Congressional Redistricting Hearing	HRG_0317 - 50
9	11/12/2021 Joint Committee on Congressional Redistricting Hearing	HRG_0351 - 96
10	11/16/2021 Senate Floor Debate	HRG_0397 - 433
11	11/16/2021 Senate Local Government and Elections Committee Hearing	HRG_0434 - 460
12	11/17/2021 House Government Oversight Committee Hearing	HRG_0461 - 492
13	11/18/2021 House Floor Debate	HRG_0493 - 543

Chair Wilkin (00:00:01):
I will now call the November 10th Government Oversight Committee to order. The clerk will take the role.

Clerk (00:00:08):
Chair Wilkin?

Chair Wilkin (00:00:09):
Yes.

Clerk (00:00:09):
Vice Chair White?

Vice Chair White (00:00:10):
Yes.

Clerk (00:00:11):
Ranking Member Brown?

Ranking Member Brown (00:00:12):
Here.

Clerk (00:00:12):
Representative Abrams?

Rep. Abrams (00:00:14):
Here.

Clerk (00:00:14):
Galonski?

Rep. Tavia Galonski (00:00:14):
Present.

Clerk (00:00:14):
Ginter?

Rep. Ginter (00:00:14):
Here.

Clerk (00:00:14):
Hicks-Hudson?

Hicks-Hudson (00:00:14):
Present.

Clerk (00:00:19):
House Jones?

Rep. Don Jones (00:00:21):
Here.

Clerk (00:00:21):
Kelly?

Rep. Brigid Kelly (00:00:22):
Here.

Clerk (00:00:23):
Plummer?

Rep. Plummer (00:00:23):
Here.

Clerk (00:00:24):
Seitz?

Rep. Bill Seitz (00:00:26):
Here.

Clerk (00:00:26):
Swearingen?

Rep. Swearingen (00:00:26):
Here.

Chair Wilkin (00:00:27):
With quorum present, we operate as a full committee. First order of business is to approve the November 4th minutes. If there are no objections, the minutes will be approved as presented. Hearing no objections, the minutes are approved. Quick housekeeping thing real quick, we have a lot of committees that have been going on today. So at 5:00 to 10:00, we will take a 10-minute recess just for everybody to go check in to other committees they need to run to. So that'll make it a little easier and quick bathroom break or whatever might be needed by those here and committee. At this point, the chair will bring up House Bill 483 for its first hearing, but before we do, the chair recognizes Representative Brown for a motion.

Rep. Richard D. Brown (00:01:14):

Thank you, Mr. Chair. I move that amendment L134 2139-1, which is sub-House Bill 483, be accepted and considered by the Government Oversight Committee this morning.

Chair Wilkin (00:01:30):

We have a motion. Are there any objections to accepting the sub bill? Hearing none, we will now operate off the sub bill for House Bill 483. At this time, the chair calls up Representative Brown and Representative Galonski for sponsor testimony.

Rep. Tavia Galonski (00:01:59):

Thank you.

Chair Wilkin (00:02:02):

And even though you're both old pros at government oversight, I welcome you to the committee and you may begin when you're ready.

Rep. Tavia Galonski (00:02:07):

Thank you. Chairman Wilkin and members of the committee, thank you for allowing us to present sponsor testimony on House Bill 483, a compromised congressional map that sets the framework for a clear path to what the voters of us, a bipartisan tenure map. We know what Ohioans want to see because they've told us. They demanded fair districts at the ballot box, overwhelmingly passing constitutional reforms in 2015 and 2018 that mandate how we should draw districts that fairly represent our state. Just last week, we heard hours of testimony from Ohioans concerned with the partisan map in House Bill 479, that unduly favors Republican candidates, 13 to two, splits up our largest counties, and isn't very compact. Ohioans want to the extent possible under the constitution to see our largest counties kept whole with our largest cities as anchors to those districts. They want a map that ensures that communities that live, work and play together, stay together.

Rep. Tavia Galonski (00:03:15):

They ask for a compact map with easily understood boundaries. And finally, Ohioans told us they want to see a map that reflects the preferences of voters, not just the voters whose candidate want statewide office, but also reflective of the 45% of Ohio voters who consistently prefer a different candidate. We heard those concerns and we believe our map under House Bill 483 lives up to these principles. This map is fair, compact, and keeps communities together. It meets the requirements laid out in the constitution for drawing a congressional map. It protects the idea of one person, one vote, with zero population deviation in nearly all districts, with 13 districts, having populations of exactly 786,630 and two districts having a deviation of less than one person. It complies with the Ohio constitution and federal laws, including laws protecting racial and minority voting rights.

Rep. Tavia Galonski (00:04:13):

While Ohio will no longer have a majority-minority district, this compromise map does include three minority opportunity districts because we drew boundaries that are compact, that keep our largest cities whole and do not break apart communities where black Ohioans live, as in the partisan Republican map. At every point, we were intentional about addressing the concerns shared by Ohioans. We were

thoughtful in how we approached splits and at every step, considered how we could create a proposal that could put us on a clear path to our and Ohioans' ultimate goal of a bipartisan tenure map.

Rep. Tavia Galonski (00:04:49):

Our map is not partisan. It does not contort our districts to maximize partisan advantage. It is a compromise, one that ensures Ohioans who share a community can decide who represents them. That's what Ohioans wanted when they overwhelmingly passed reforms in 2015 and 2018. That's the opportunity this map affords them. It is our hope that our final map lives up to that expectation. The last thing we need is the majority party rushing through a partisan four-year map that invites a veto from the governor or a referendum by the more than 70% of voters who twice demanded fair districts. We have to get this right. This is the compromise to get us there. With that, I will turn it over to my colleague and joint sponsor, Rep Brown, to walk through more aspects of our proposal.

Rep. Richard D. Brown (00:05:45):

Chair Wilkin, members of the committee, I too thank you for the opportunity to testify here today on our compromised map sub-House Bill 483. As was said before, this proposal is a direct response to the many concerns Ohioans testified about during our committee hearings last week. It also is responsive to concerns thousands of Ohioans have expressed to Democratic congress members via email, texts, and phone calls over the last six months. Upon the presentation of the Republican map in House Bill 479, red flags went up among some Ohioans who saw that many of our large counties were carved up and communities with many shared interests, splintered away from each other in the proposal that was presented last week. Ohioans told us in 2015 and again, in 2018 in no uncertain terms that they wanted to see communities stay together, especially cities in our largest counties. Splitting them apart does not allow for better representation. In fact, it prevents communities from having the representation they deserve.

Rep. Richard D. Brown (00:07:01):

Our map, corrects these issues and complies with all of the technical requirements included in the Ohio constitution with regard to splits. Under our proposal, our largest cities, including Cleveland, Cincinnati, Toledo, Dayton and Akron are kept whole and anchor congressional districts as Ohioans desired and intended. Article 19, Section (2)(B)(4)(a) of the Ohio constitution requires that if a city is located in a county that exceeds population of a congressional district, a significant portion of that city must be contained in a single congressional district. This provision currently applies only to Franklin County. Under our proposal, District three in Franklin county meets this requirement by including over 60% of Columbus, comprising 550,256 residents. Additionally, Article 19, Section (2)(B)(4)(a) also states that the district may include other municipalities or townships within the county that have similar interests, meaning they are communities that live, work and play together.

Rep. Richard D. Brown (00:08:18):

Article 19, Section (2)(B) (4)(b) of the Ohio constitution requires that based on their population, there are two cities, Cincinnati, and Cleveland that must remain whole within a congressional district. This is accomplished in our map with district one, which includes all the City of Cincinnati, as well as the surrounding communities with shared interest. Again, allowing communities that live and work together to stay together and be represented together. District 11 does this with regard to Cleveland. Again, also including communities with shared interests to be represented together. Article 19, Section (2)(B) (5) of the Ohio constitution requires that 65 counties cannot be split. 18 counties may be split once and five

counties may be split twice. Our map exceeds these goals by keeping 74 counties whole, splitting 14 counties once and splitting no counties twice.

Rep. Richard D. Brown (00:09:28):

Article 19, Section (2)(B) (6) of the Ohio constitution requires that parts of a district within a county be contiguous. Our map complies with this requirement. Article 19, Section (2)(B) (7) of the Ohio constitution requires that no two districts can have the same two counties split unless one of the counties has a population of 400,000. None of our districts have this. Article 19, Section (2)(B) (8) of the Ohio constitution requires that when possible, one whole county must be included in every district. 74 counties in our map are kept whole, including the largest counties of Lucas, Montgomery and Summit. Franklin cannot be kept whole. Our map also lives up to the spirit of the redistricting reforms that the voters voted on in '15 and '18 and provides greater balance among districts according to the preferences of Ohio voters. Our map is a nine, six Republican to Democratic map, based on Dave's Redistricting app composite index of six races from 2016 to 2020.

Rep. Richard D. Brown (00:10:45):

The races included are the Ohio Senate race in 2016, the presidential race in '16, the Ohio attorney general race in '18, the gubernatorial race in '18, the Ohio Senate race in '18, and the presidential race in 2020. Our map is also significantly more compact than the House Republican proposal, which sees a number of districts contorting themselves in unnatural directions and includes a sprawling district along Ohio's Eastern border congressional district six, the so-called Sliver On the River that clearly does not pass the eye test or any other measure of compactness. Every one of our districts passes the eye test, as you can see by looking at our map. And when you get into the numbers, this compactness is confirmed. There are a large number of measures of compactness. Two of the most common used are Reock and Polsby-Popper. The Reock test is the ratio of the area of the district to the area of the minimum and closing circle, that is the smallest circle that can entirely contain the district.

Rep. Richard D. Brown (00:11:58):

The measure ranges from zero to one, with one being the most compact. The Polsby-Popper test is similar. It is based on the ratio of the district area to the area of a circle with the same perimeter as the district. This measure also ranges from zero to one, with one being the most compact. We rank compactness reports on both of these plans using the Maptitude for redistricting software package. And these measures confirm what our eyes have already told us that the democratic proposal is dramatically more compact than the House GOP map. Using the Reock test where higher scores are better, our plan is an average of 0.43 compared to 0.38 in the Republican plan. Our worst district under the Reock test is our congressional district nine with a score of 0.28, which is more than twice the score of the worst district in the Republican plan, congressional district six with a Reock score of 0.13. The results are similar using the Polsby-Popper test.

Rep. Richard D. Brown (00:13:10):

Again, higher scores are better. Our average score is 0.21 compared to 0.12 in the Republican plan. Our worst district using this test is congressional district seven with a score of 0.21. The worst district in the Republican plan is once again, congressional district six, with a score of 0.12. Another other common sense way of measuring compactness is by computing driving distance between the two furthest points apart in the district. The average drive distance in our map is 95.4 miles. The average drive distance in the Republican map is 116.3 miles. In our map, the district with the longest drive distance is

congressional district five at 183.5 miles. In the Republican map, the longest drive distance is in congressional district six at 286.7 miles, more than 100 miles more. Now, we're under the gun to pass a bipartisan tenure map. To get there, we're going to need to compromise. The proposed map in House Bill sub-bill 483 is in fact, a compromise. It's fair, it's compact, it keeps communities together.

Rep. Richard D. Brown (00:14:37):

Our proposal meets the constitutional standards voters set for us without unduly favoring one party over another. Democrats listened to our voters. We incorporated their feedback and we have a realistic compromise that can and should pass with bipartisan support. What we do in the coming weeks will shape our politics for the next decade or more. Moving forward with a compromise map, protects against a veto from the governor. It protects against voter referendum on the map. It protects against districts that unduly favor one party over another at the expense of all Ohioans. This process only works with compromise. Again, Chair Wilkin and members of the committee, we thank you for your time to today, and we welcome questions that you may have with regard to the Democratic compromise proposal.

Chair Wilkin (00:15:40):

Thank you for your testimony. Are there any questions? Representative Seitz.

Rep. Bill Seitz (00:15:48):

Thank you, Mr. Chairman. Thank you, colleagues, for your testimony. I heard the word compromise about 25 times in your testimony and my question is, since a compromise implies that you actually compromised with somebody, can you identify the Republicans with whom you crafted your compromise?

Rep. Richard D. Brown (00:16:11):

To the chair and to Representative Seitz, thank you for the question. The compromise actually was with other Democrats, in large part, those who wanted 8-7 or more in a map. Our map is 9-6. Frankly, there were some other party, which there were more. So in that regard, it's certainly a compromise. And if I'll let my colleague respond further.

Rep. Tavia Galonski (00:16:40):

And through the chair, thank you, Rep. Seitz for the question. Really, this represents a compromise with Ohio voters, whether they are Democrats or Republicans. There were Republicans who also wanted fair districts and I didn't ask any of the people who sought the referendums in 2015 and 2018, whether they were Democrats or Republicans. Overwhelming amounts of support, want a fair map, a fair district, and that's a compromise

Chair Wilkin (00:17:11):

Follow up? Representative Kelly.

Rep. Brigid Kelly (00:17:15):

Thank you, Mr. Chairman. Thank you for your testimony. I was really pleased to see particularly, congressional district one in Hamilton County. We heard before about the idea of the City of Cincinnati staying together, but in other maps, while the City of Cincinnati was indeed together, it was disparate

from other communities that surrounded. So I was just wondering if you could talk a little bit about how in Cincinnati and in some of the other particularly major Metro areas in the state that you were able to one, keep the cities, the big cities together, but two, to also keep the communities surrounding them together so that communities where people live, work, attend the same schools, go to same hospitals, et cetera, were actually able to be kept together.

Rep. Tavia Galonski (00:18:13):

Thank you so much to the Representative for the question and through the Chair to the Representative, thank you for the question because it gives me an opportunity to quote the esteemed Senator Schuring in saying that the Metro area of Summit and Stark, the area that Summit and just the portion of Stark that includes Canton is an economic development area and it should stay together. And we did similar things also in Cuyahoga County, in Hamilton County, and we also decided to put communities together that identify with each other in the Mahoning area with Trumbull, so that we've got Youngstown carried into through Trumbull. So that's an example of what we try to do.

Chair Wilkin (00:19:08):

Follow up?

Rep. Brigid Kelly (00:19:10):

Thank you. The other question that I had was also in terms of just how you put these districts together, because I know that we had heard before, depending on who made the maps, some people take racial and demographic information into account, others don't. So I was wondering, did you, and if so, how?

Rep. Tavia Galonski (00:19:33):

So, thank you again for the question, through the Chair to the Representative. Voters have said time and again, that they want to honor the spirit and the letter of the 1964 Voting Rights Act. And what we did was we didn't crack apart neighborhoods that included blacks and other minorities. In fact, we raised... We were able to create three minority opportunity areas just in this work and it wasn't very difficult because we weren't trying to dilute the vote and this is a result in our map.

Rep. Richard D. Brown (00:20:10):

If I could add to that, through the Chair and to the questioner, we heard from voters as well that in some specific areas, they felt like minority groups had been split apart unnecessarily and unduly, and one thing we heard repeatedly was with regard to the splitting up of the Dayton area and the Springfield area, where there are both significant minority populations. So one of the things in our map is in proposed district 10, we have Springfield and Dayton in the same district, which makes sense. It makes sense for the communities there and it keeps them together as they desired and as they should be.

Chair Wilkin (00:20:58):

Follow up? Representative Swearingen.

Rep. Swearingen (00:21:04):

Thank you, Mr. Chairman, and thank you for your testimony today, representatives. First question is why are so many of the townships split in this map instead of the cities?

Rep. Richard D. Brown (00:21:19):

Through the chair and to Representative Swearingen, the constitution, and if I may refer to it somewhere, indicates that we should try to keep counties whole, municipalities and township. Whenever you split, there are difficult decisions to make and there are no easy answers. The fewer splits you have, the better representation you get. So we are trying to minimize splits in order to maximize representation, and it was our goal to try to keep the largest counties that can remain whole whole, keep the large cities in those counties whole, which we did, and keep those cities as anchors for those districts. And a lot of effort was made to try to avoid splits whenever possible, but splits are unavoidable and decisions have to be made.

Rep. Richard D. Brown (00:22:33):

We believe that our map has fair districts, where to the extent there are splits, they are fair and they are not undue splits, but necessary splits for population purposes, trying to keep the districts, the same population, et cetera. And we achieve that because all of our districts, I think save two, have the identical population and two have one less person in them. So we are trying to keep the population the same as Republicans do with their map so that we can show that you can keep the populations identical in all the districts and still have fair districts.

Chair Wilkin (00:23:14):

Follow up?

Rep. Swearingen (00:23:15):

Yes, Mr. Chairman, follow up. House Bill 479, [inaudible 00:23:20] by Representative Oelslager splits 13 counties, which is down from 23 county splits under the current map and also splits 16 political subdivisions. How many counties does your map split?

Rep. Richard D. Brown (00:23:33):

Through the Chair and through the Representative, our map splits 14 counties one more than the Republican map, but it splits those counties once only. Representative Oelslager's map split nine counties once and four counties twice. Our map splits no counties twice. So for example, in Hamilton County, there's one split, [inaudible 00:23:58], one split, Franklin, one split. And in the Republican map, all those counties were split twice so that there were three districts in each. Summit County was kept whole, the Republican map split Summit County, and in fact, split Akron in half. So again, we were trying to keep the [inaudible 00:24:17] together for economic purposes, because it is an economic development area that the Senator speaks of fondly and repeatedly and we agree that it should be kept together. So that's what we were trying to accomplish and we think we did.

Chair Wilkin (00:24:34):

Follow up?

Rep. Swearingen (00:24:36):

Follow up, Mr. Chairman. Yep. The Oelslager map also splits 16 political subdivisions. How many does yours split?

Rep. Richard D. Brown (00:24:44):

I don't have the information off the top of my head. I apologize. We can get that information to the committee, however.

Rep. Swearingen (00:24:51):

Follow up, Mr. Chairman.

Chair Wilkin (00:24:52):

Follow up.

Rep. Swearingen (00:24:54):

Under your map, seven of this 12 sitting Republican congressmen get put into three districts. Wouldn't you consider that to unduly disfavor Republican incumbents?

Rep. Richard D. Brown (00:25:06):

Through the Chair to the Representative, no. We don't think our map unduly favors or disfavors either party. We think it is fair to both parties. There was absolutely no consideration of incumbency or incumbents of who is where, who's running against who, et cetera. This map was based upon population, it was based upon the desire to keep our large counties whole, our big cities whole, to keep communities that live, work, and play together together, and to reflect the preferences of the Ohio voters as expressed in the polls in '15 and '18.

Rep. Swearingen (00:25:43):

Follow up, Mr. Chair.

Chair Wilkin (00:25:44):

Follow up.

Rep. Swearingen (00:25:46):

53% of your districts favor a political party by more than 60%. What's the reason for the partisanship in this map?

Rep. Richard D. Brown (00:25:55):

Well, through the chair to the representative, our map is not partisan. It is as nonpartisan as a map to be essentially, and it pales in comparison to the 13-2 partisanship of the Republican map.

Rep. Swearingen (00:26:14):

Follow up, Mr. Chair.

Chair Wilkin (00:26:16):

Give one more follow up then we're going to... I think we'll come back later. What's the justification for maintaining the snake on the lake in this map in district nine?

Rep. Richard D. Brown (00:26:26):

Well, through the Chair and to the representative, the snake in the lake is not a snake in the lake. If it is, it's certainly not as large as the prior district was. It is compact, and again, it keeps together Lucas County as a whole county. It doesn't split it like the Republican map did it. It keeps Ottawa area and Lorain counties together on the lake. They have common interests with lake issues that are relevant to all. We think it is compact. We know it is compact. It is certainly more compact than most of the districts in the Republican map.

Chair Wilkin (00:27:09):

Representative Swearingen, we can come back if you have more questions, but I'm going to go to Representative Jones right now.

Rep. Don Jones (00:27:16):

Thank you, Mr. Chairman. Thank you for your testimony this morning. I can't see your map there. So I'm trying to read it on my iPad, but I've heard this conversation in a lot of the testimony we've heard about keeping communities together that work and play and grow together, and I had some calls from my constituents over the weekend that disagreed with this map whenever they saw it come out over the weekend. And quite frankly, I'm disappointed in the fact that I represent Appalachia, Ohio and you've got Appalachia split up about four or five different ways. You're putting us with people that don't have anything in common with us. So it's apparent that you're concerned about the bigger areas of the state of Ohio and less about the rural areas. I'm going to look at district six, you go from the Ohio River, almost clear to Columbus. How can you tell me that that's a compact district and that there are similarities in people in Monroe County versus people in Lincoln County?

Rep. Tavia Galonski (00:28:19):

Through the Chair and to the Representative, thank you for the question. In following the constitution and in making as few splits as necessary in cities, we did come up with a fair map and it is a compromise. And part of that compromise is that we have to try to keep together areas that have more in common. And this map does that, and it does it better than the 13-2 map and it does without undue deference to some communities over the others. But certainly, district six on our map is a better representation than what was provided under the GOP 13-2 map, which had Akron and Hawking Hills in the same district, which didn't make any sense. Just looking at this map, you can see that it is much more compact and...

Rep. Don Jones (00:29:14):

Follow up, Mr. Chairman.

Chair Wilkin (00:29:15):

Please.

Rep. Richard D. Brown (00:29:16):

May I just [inaudible 00:29:18].

Rep. Don Jones (00:29:18):

Sure.

Rep. Richard D. Brown (00:29:19):

Through the Chair and to Representative Jones, thank you for the question. I do disagree with the premise of your question that we don't don't care about rural Ohioans. We do. I'm very concerned as you. As I've stated before and you know I grew up in Lawrence County. [inaudible 00:29:34] and I'm well aware of the problems and issues and economic problems that folks in the rural parts of the state have. I've seen it with my own eyes. I grew up with it. So we are not unconcerned about rural areas. And we think that the splits that we made fairly represent the areas that encompasses those districts. They are compact. We believe that there are similarities and commonalities of interest. I mean, folks [inaudible 00:30:02] and a lot of similar concerns and issues. And they're all in the foothills of Appalachia, including these river counties, but also, [inaudible 00:30:14], they're Appalachia counties, and all of these are [inaudible 00:30:18]. So we believe that there is a commonality of interest. We don't believe it's unfair and we don't believe that we have unduly split folks and damaged their representation.

Chair Wilkin (00:30:33):

Follow up?

Rep. Don Jones (00:30:33):

Thank you, Mr. Chairman. Through the Chair, I mean, we're just going to have to respectfully agree to disagree because I can tell you there's a lot of differences between Noble county, Ohio and Lincoln County, Ohio. We have people in Noble County that don't even have running water because of the infrastructure issues and I hate to say it and I've said it before and I'll say it again, whenever you get to East of Zanesville and south of Route 30, there's a lot of difference in Ohio. Most people don't recognize it. I respect the fact you're from Lawrence County. You do have some, but I think this map is... And I'm going to go back to my colleagues. The compromise was within yourselves. I think if there was a compromise, it needs to be with both parties, but I think we need to look at and keep Appalachia with Appalachian counties rather than trying to connect them, because they don't want to be with those big metropolitan urban areas, any worse than what those metropolitan areas want to be with urban areas. So we need to find that common ground. Thank you, Mr. Chairman.

Rep. Tavia Galonski (00:31:29):

Through the Chair-

Chair Wilkin (00:31:29):

Please.

Rep. Tavia Galonski (00:31:31):

... and to Representative Jones, I appreciate part of what you just stated in that you seem to indicate that a compromise with all of us sitting down together would be a good eye idea. And I would encourage the members of the majority, we're happy to do that with you. This is a starting point and you're right. Compromise is important. Thank you.

Rep. Richard D. Brown (00:31:55):

And if I may respond as well, through the Chair to the witness or... I'm sorry, I'm the witness, but you are the questioner.

PART 1 OF 6 ENDS [00:32:04]

Rep. Richard D. Brown (00:32:00):

I'm sorry. I'm the [inaudible 00:32:01] But here's the question. The Republican map, for what was also district six stretched all the way from [inaudible 00:32:11] County, snaking along the [inaudible 00:32:17]. But I can tell you, people in [inaudible 00:32:17] County have absolutely nothing in common with people in [inaudible 00:32:21] County at all, except maybe they both like high school football. That's about it. No matter what district is drawn, you can always cite an example or a few examples, but that's the way it is in any district. This is a big state. These are pretty good sized districts. They all are, but they're compact districts by compactness standards and they're fair districts. And we don't believe that they're undue or unfair. We understand people can disagree on some things, which is why we really need to sit down together and talk and try to reach a compromise that we can all live with and get a tenure map instead of a four year.

Chair Wilkin (00:32:58):

Representative Hicks-Hudson.

Rep. Hicks-Hudson (00:33:00):

Thank you, Mr. Chair. And I want to thank my colleagues for presenting this map, which I do think is a compromise for what the citizens of Ohio have asked for. I want to turn your attention to district nine and which is the district that I would be represented by the... Thank you. And my colleague tried to say that this is similar to the current map of the snake on the lake. If you could and if you know, can you provide any more details about, number one, the composition of this particular proposal versus the proposal that was given by the Republican map if you can?

Rep. Tavia Galonski (00:33:46):

Thank you for the question to the representative through the chair. Without having their map here, I don't remember what they did in the 13-2 map, but what we've tried to state is that instead of snaking all around and cutting Lucas County, this map is more compact and still allows the representative to do what they should, which is to represent the lake area. And so that was the goal. Again, this is a compromise. It's obviously not a snake and yet keeps those lake counties together. But again, without having a previous map.

Rep. Hicks-Hudson (00:34:24):

Follow up, if I may.

Chair Wilkin (00:34:26):

Please.

Rep. Hicks-Hudson (00:34:26):

Thank you. Well, if I were to say that the Oelslager map began partially in the city of Toledo, and then went down south to just north of central Ohio. Would you say that original map did all the things? One, kept counties together, kept large cities together and kept communities of like interest together versus what this particular map shows?

Rep. Tavia Galonski (00:34:58):

Thank you, the representative and through the chair. It didn't. In fact, the 13-2 map was not at all representative of what those counties that we've put together in our map who have more in common and again, have that community understanding of lake living, et cetera. It's very different from what was offered by our colleagues.

Rep. Hicks-Hudson (00:35:21):

Thank you very much. And if I may, I just have two more questions to ask.

Chair Wilkin (00:35:25):

Please.

Rep. Hicks-Hudson (00:35:25):

Thank you. There was a comment made about the percentages of districts, Republican versus Democrat. If you know, again, and I think it was in your testimony, the number of potential democratic leaning districts versus the number of Republican districts and that comparison between our map... Am I getting too complicated for you guys? Okay. And the comparison between your map and the Republican map?

Rep. Richard D. Brown (00:35:59):

To the chair and to the representative, our map is a considered a 9-6 map. The Republican map was a 13-2 map.

Rep. Hicks-Hudson (00:36:11):

And last question, Mr. Chair.

Chair Wilkin (00:36:14):

Please.

Rep. Hicks-Hudson (00:36:15):

And do you know whether or not a congressional candidate must live in the district that they would run in so the issue about whether or not a district is leaning or not leaning one way or another should not prevent a candidate for running if he or she chooses to run?

Rep. Tavia Galonski (00:36:34):

Thank you to the representative through the chair. And no, in fact, they don't need to live in the district just for them to be able to run.

Rep. Hicks-Hudson (00:36:43):

Thank you, Mr. Chair. Thank you for your answers.

Chair Wilkin (00:36:48):

Representative Swearingen.

Rep. Swearingen (00:36:50):

Thank you, Mr. Chairman. I'm glad we're talking about district nine, because that's where I'm at. To say that, yes, Erie and Ottawa Counties do have concerns about the lake. But we heard last week from the Ohio Environmental Council, that cities are a bit worried about pollution, et cetera. And all those types of issues, Erie and Ottawa counties doesn't have the same types of issues as Lucas County. In fact, we get blamed for much of the pollution in the lake because of our farmers. There's a lot of finger pointing that actually goes on up there on that lake, which is why I think Erie and Ottawa counties has more in common with Sandusky and Huron counties than Lucas County. But we get our fingers pointed at with the phosphorus runoff so we have to deal with that. What does Toledo have in common with Erie and Ottawa counties other than lake issues?

Rep. Richard D. Brown (00:37:48):

Through the chair and to the representative. I'm not from that area. You are obviously. You know more than I do about that. And my answer is they have lake issues in common for sure. And issues that are common to a lot of folks along the north coast. Other than that, to coin, to borrow phrase from Representative Oelslager, I think that's above my pay grade.

Chair Wilkin (00:38:13):

Follow up? Representative Abrams, did you have a question? Oh, sorry about that. I wasn't sure.

Rep. Abrams (00:38:22):

It's okay. Thank you, chairman. We've discussed district nine enough so I'll let that alone. I draw your attention to district two. From memory, I do believe when we looked at the first map introduced, there was discussion about things not being compact. And I look at district two and there's 16 counties to cover there. How do we justify that that's compact?

Rep. Tavia Galonski (00:38:53):

Thank you for the question. Through the chair and to representative Abram's, as you know, the whole point of redrawing the districts is to take in mind the population. And so those 16 districts have that 786,000 number that I was listing out, that's how you get to that. The fact that Ohio, again, in its diversity has some areas with high population, some areas without that entire area includes the population number we went for. And again, keeping communities together that work together, play together.

Rep. Richard D. Brown (00:39:30):

And through the chair and to Representative Abrams, if I may. By compactness standards and measures, this is a compact district. It is. And our measures that the people, the professionals that do these maps define this as a compact district. It certainly is not as compact as three. That's because of the population density. Obviously in rural Ohio, the fewer folks you have, the more area you have to get into a district in order to have that population, the ideal population. And that's what was being driven for is to keep the population the same in all the districts. And we're able to do that with two districts with one less person. That is a district by these types of measurements for the professional folks to do these things. Sorry, I apologize.

Chair Wilkin (00:40:30):

Representative [inaudible 00:40:31], we appreciate you trying to wrangle the lawyer to the mic.

Rep. Tavia Galonski (00:40:32):

Yes.

Rep. Richard D. Brown (00:40:33):

I apologize, chair. I'll try to speak.

Rep. Abrams (00:40:38):

Yes.

Rep. Richard D. Brown (00:40:39):

Speak into the machine as [inaudible 00:40:41] Thurman said.

Chair Wilkin (00:40:42):

Representative Abrams, you have a follow up.

Rep. Abrams (00:40:43):

Yes. Thank you, chairman. As you were explaining to me that this is compact, you're smiling and I'm smiling also back at you. How long would it take that representative to get from the west side of Claremont County all the way over out to the very farthest point of let's say that Southern Washington County, just drive time? Do we know?

Rep. Richard D. Brown (00:41:10):

Through the chair and to the representative, I personally don't know. I haven't driven that. I know it's a lot less time than it would've taken for someone to drive from Lawrence County to [inaudible 00:41:21] County in the commercial district six of the Republican map. And I indicated the numbers of my testimony, our maps do have shorter drive time on average. And so I would point out as well that the Republican map had Hamilton County split into three and the Eastern suburbs of Hamilton County on the Republican map included Kenwood, [inaudible 00:41:48], Indian Hill. And it extended all the way over to Vinton County, as I remember, which is equally long, if not longer distance, in addition to being totally different cultures of folks. Short answer is I don't know exactly how long it is, but it's not as long as it is in many of the Republican districts.

Rep. Abrams (00:42:09):

Okay. Thank you.

Chair Wilkin (00:42:10):

Follow Up?

Rep. Abrams (00:42:11):

No, no follow up. Just one more question and I'll be finished chairman.

Chair Wilkin (00:42:15):

That would be a follow up?

Rep. Abrams (00:42:16):

Oh yes. Follow up. One more, but I'm letting this go about nine and two. That's fine. Okay. My next question and my final question is you mentioned the people that drew your map. Who drew this map?

Rep. Richard D. Brown (00:42:28):

Through the chair and to Representative Abrams, Haystack.

Rep. Abrams (00:42:33):

Okay. Thank you.

Chair Wilkin (00:42:38):

Representative Hicks-Hudson. Representative Kelly, did you have a question also or is it just Representative Hicks-Hudson?

Rep. Kelly (00:42:44):

Yeah. It's two hours and 21 minutes from Amelia to Athens.

Chair Wilkin (00:42:50):

Thank you. Representative Hicks-Hudson.

Rep. Hicks-Hudson (00:42:53):

Thank you, Mr. Chair. My question is in response to the statement made by my colleague from Northwest Ohio. Would you agree that keeping districts that have certain geographical areas together also would lead to having like interests together, whether it's rural or urban because of just the nature of where these different districts lie?

Rep. Abrams (00:43:27):

Through the chair to the representative, yes.

Rep. Hicks-Hudson (00:43:30):

That's my only question. Thank you, Mr. Chair.

Chair Wilkin (00:43:41):

Representative Howse, do you have a question?

Rep. Howse (00:43:46):

Thank you to the chair and to the sponsors. Thank you for presenting this map today. I just really wanted to, again, I know in having the conversation with the sponsor of the other Republican map, it was indicated that the Voting Rights Act was taken into consideration in drawing the map. But when you looked at the details, specifically communities of color, it looked like they were intentionally split apart all across Ohio. And so just really wanted to go back... I know you've talked about it, but there in looking at this map that was presented today, there were some intentionality to keep communities of color together so that we can have at least have some competition when it looks to having communities of interest and competitiveness when it looks at this congressional map. That is what you all said, correct?

Rep. Tavia Galonski (00:44:47):

Through the chair to the representative, that is what we said. And just looking back in my testimony, just to make sure, although Ohio will no longer have a majority minority district, this compromise map does include three minority opportunity districts because we drew boundaries that are compact and that kept city whole. We did take into a consideration as you should when redrawing the congressional maps to be in compliance with the law. Thank you.

Chair Wilkin (00:45:15):

Follow up?

Rep. Howse (00:45:19):

Thank you to the chair, to the sponsors. Well, I know many communities of color are very appreciative of that, specifically I know you talked about the Springfield area, those in Youngstown area, those are communities that I know aren't... Yeah. People may not intentionally look at them, but like I said, the intentionality that it seemed that the Republican party to break those communities apart. And even when you look at what was done to Indian Hills in Hamilton County, again, there's appreciation to think of communities of color and we appreciate it. Thank you.

Chair Wilkin (00:45:59):

Are there any other questions for the witnesses? Or the sponsors, I'm sorry. I'm taking after you saying witnesses. This is one, you mentioned Haystack, is that correct?

Rep. Richard D. Brown (00:46:11):

That's correct, Chair.

Chair Wilkin (00:46:12):

As to who drew the map? Where are they located at? Do you know?

Rep. Richard D. Brown (00:46:15):

My understanding is Washington DC.

Chair Wilkin (00:46:17):

Okay. Thank you. Any other questions for the sponsors? See none. This concludes the first hearing on... What was your bill number? 483. At this time, the chair will bring up House Bill 479 for its third hearing. I'd like to call up Gene Henderson. All right, we'll come back. Next to the chair, we'll call up Mike Halaiko. I hope I got that right. Welcome to committee, Mr. Halaiko, and you may begin when you're ready.

Mike Halaiko (00:47:29):

Good morning Chair Wilkin, Vice Chair White, ranking member Brown and members of the Ohio house government oversight committee. My name is Mike Halaiko. I'm a resident of Pickerington, Ohio, and a lifetime educator who is retired after 40 years of teaching, administrating and coaching in Ohio schools, beginning in Akron, then Cleveland and with the majority of my service in New Lexington City schools in Perry County. I come before you today to urge and demand as lifetime Ohio voter that you live up to

your oaths as Ohio representatives and follow the letter and spirit of the Ohio constitution in creating fair maps that ensure that all of our votes count.

Mike Halaiko (00:48:32):

There are many more voters that have worked tirelessly in the last decade and even longer for fairness of district maps at all levels. And you must not turn your backs on them and ignore the overwhelming will of the voters that have presented you with the mandate to create maps that will be honest and fair. Voter suppression through partisan gerrymandering is the death [inaudible 00:49:03] of any hope for democracy. Please rise above any propensity to maintain power and instead create fair maps that ensure a more just and more representative government. Now what I'm referring to is Article nine of the... Article 19, excuse me, section C3A that reads, the general assembly shall not pass a plan that unduly favors or disfavors a political party or its incumbents. To me, that is why voters went in overwhelming numbers to the polls and voted for that resolution. Please, I hope that all of this testimony is not just a front, a facade. We are heard people speak. We let them speak. What we have to say is important and I hope you're listening.

Chair Wilkin (00:50:20):

Thank you very much for your testimony. Is there any questions?

Mike Halaiko (00:50:23):

I have several copies of my testimony if anybody would like [inaudible 00:50:26] [crosstalk 00:50:26].

Chair Wilkin (00:50:26):

We've got them here on the iPad.

Mike Halaiko (00:50:28):

Okay.

Chair Wilkin (00:50:29):

See none. Thank you for your testimony. Chair would now call up Andrea Yagoda.

Andrea Yagoda (00:50:44):

Close. You go. My mom used to say, you can remember it by you go to hell. Not you. That's how she would say to remember it. I was not [inaudible 00:18:56] [crosstalk 00:50:56].

Chair Wilkin (00:50:55):

Well, hopefully that concludes your testimony then.

Andrea Yagoda (00:50:59):

Chair Wilkin, Vice Chair [inaudible 00:51:01], ranking member Brown and members of the house government oversight committee. Thank you for affording me the opportunity to testify today on House Bill 479. My name is Andrea R. Yagoda And I have been a resident of Ohio for 47 years, 44 of which have been in Delaware County. I'm testifying today as a private citizen. I'm here to here today to oppose House Bill 479. I brought with me today, I took from my basement, my clipboard from 2018 to let you

know that I'm not going to stand for an unfair map. I'm ready to go. I've got my clipboard and I'm ready to go if need be. The introduction of this redistricting plan has confirmed my belief that the Republicans and the Ohio legislature are not acting in good faith and further that they never intended to abide by the mandates voted for overwhelmingly by the Ohio electorate.

Andrea Yagoda (00:51:51):

The introduction of a congressional map, which only awards two seats to the minority party while awarding itself effectively 13, is unconscionable and reminiscent of 2011. In 2011, Democrats were at the mercy of Republicans. They could suffer with an egregious map or one barely less egregious for 10 years. The law has changed. Now the minority party can remain strong and suffer along with all Ohioans with a four year map, which the Republicans must justify in writing. The Republican tactics in my mind have remained the same. As someone who was a domestic lawyer for 37 years, I understand how negotiations work. When one side starts with extreme demands, chances are negotiations will fail because only one party is actually compromising. The map introduced by Republicans under 479 is not a real starting point. They had to know it was a non-starter. An extremely gerrymandered map like House Bill 479 forces the Democrats to negotiate against themselves when they have proposed a map in good faith.

Andrea Yagoda (00:53:01):

When a map like that of House Bill 479 is proposed, sadly, I am confident we will have a four year map because that is what the Republicans want. The mere fact that they have started with a map that all but guarantees its party 13 seats tells me all I need to know. Representative Oelslager, not sure if I'm pronouncing his name right, testified he was proud that House Bill 479 has less splits than their current map. To make any comparison, without present map, a gerrymandered map on steroids is just disingenuous at best. Upon inquiry Representative Oelslager testified that 479 has eight Republican leaning districts, two Democrat leading districts, and five competitive districts. He defines competitive as within 10%. I disagree with that, but according to today's redistricting, this map is as close to zero competitiveness as one can get and comes in with a score of 2.17%.

Andrea Yagoda (00:54:02):

He did not explain why the bill started with an eight, two split when voting in this state is approximately 54, 46%. Obviously, this is not at all surprising to me. It's demonstrated to me, not only by this map, but by the statements made by Representative Oelslager that Republicans believe that unduly favoring disreaving element does not come into play unless we have a four year map. I believe this is a misinterpretation of Article 19 of the Ohio Constitution. The change to the constitution presumes if a bipartisan map is reached, it will be fair to both parties. The rationale is that the minority party would not agree otherwise, especially under the nude constitutional amendment where they do have more bargaining power. The fact that a nonpartisan map is put to the unduly favor, disfavor test demonstrates that this fact... I'm sorry. The fact that a nonpartisan map is put to the unduly favor, disfavor test demonstrates that this factor is to be considered in any map and the failure of the Republicans to do so will result in a four year map.

Andrea Yagoda (00:55:10):

Thus, the starting point for any congressional map should take into consideration the unduly favor, disfavor factor, especially when Republicans have complained that they could not get maps done due to time constraints. If time were truly an issue, they would start with the unduly favor, disfavor factor to

speed up the process. District four, and I apologize in my statement, I had district three, includes my home. I've attached to my testimony five maps, and I've starred where my home is. It's real easy to find. Where the right angle is, where Union County meets Delaware County, that's my 28 acres in Southern Delaware County and some of my acreage extends into Union County. From my home to Lima and Allen County, and I don't even know where Lima is actually in that county so I don't know how far it is to the end of the County line, is 72.8 miles.

Andrea Yagoda (00:56:06):

You can compare this to the map submitted in Senate Bill 237, attachment A, map proposed by OCRC, append attachment B. The three winners of the fair map, C, D and E. None of them have me stretched 73 miles from my home. Honestly, in my four years of living in Ohio, I've never been to Shelby, Allen, Logan, [inaudible 00:56:31] nor Harden counties. I generally do not participate in activities in counties which are greater than a one hour drive from my home. Why is it that only in House Bill 459 is my district extend 72.8 miles? Representative Jones and Representative Swearingen, I ask you. What do I, a resident of Southern Delaware County, one of the fastest growing parts of this state of Ohio, what do I have in common with people in Allen County, [inaudible 00:57:00] County, Logan County, Harden County, or Shelby County? Nothing. Gerrymandering is why my district has been stretched all the way to Allen County. Dilute my vote.

Andrea Yagoda (00:57:13):

Why on 459 map are Franklin, [inaudible 00:57:18] and Summit counties split twice while on all the other maps I submitted, they are only split once. Gerrymandering. House Bill 479 has more split counties than any of the other maps that I attached. [inaudible 00:57:33] versus Jefferson County, the US Supreme court held that a variance of 0.79% is no more or less vote dilution today than in 1983 when this court said that such a minor harm could be justified by legitimate state objective. Minimal splitting of counties, keeping communities together are just some of the legitimate state interests. However, this map has the greatest number of counties splits of most maps that I've seen submitted. It arguably can be found to have unduly split counties. And yet the population deviation according to today's redistricting is 39.02%. District one is 24.21%. District 12 is 9.41%. And district 13 is 14.80% deviation.

Andrea Yagoda (00:58:25):

And it's interesting to note that district 12 and 13 contains parts of Summit County in both of those districts. House Bill 479, in my statement, I think I had 63 splits, but going by today's redistricting, I think it said had 66 precinct splits, which is the highest number of splits of any of the other maps that I have seen for precinct splits. And it affects 24.89% of the Ohio population far greater than any of the maps I referenced. I attached a map in my statement. I urge this committee to vote no on House Bill 479. Honestly, I've lost all hope and faith in this Ohio legislature and I have lost all hope that Republicans remember how to act in good faith and no hope that we will have a 10 year map.

Andrea Yagoda (00:59:21):

I come here today and I try to show my respect to this body. And yet I'm here today because the Republicans have showed a total disrespect for me and the... Let me get the number... The 1,178,467 other voters that voted for fair maps in 2018. I ask you to step up, try to find your moral ground and do the right thing. Fair maps is what we wanted. That's what my thing says. It says... And gerrymandering. Not to perpetuate it, not to make it worse than what we already have. I demand that my vote count. I am a tax payer and I have a right as every American citizen. One person, one vote means my vote carries

as much weight as anyone else. Thank you for the opportunity to testify today. And I would gladly take any questions.

Chair Wilkin (01:00:16):

Thank you for your testimony. Are there any questions? See none. Thank you.

Andrea Yagoda (01:00:21):

Thank you.

Chair Wilkin (01:00:21):

Chair now calls up Mia Lewis. Welcome Ms. Lewis. You may begin when you're ready.

Mia Lewis (01:00:34):

Thank you Chair Wilkin, Vice Chair White, ranking member Brown. My name's Mia Lewis and I'm the associate director of Common Cause Ohio. Common Cause Ohio has worked on redistricting reform for 40 years and we have been looking forward to this year's map making. But I'm here today to testify in opposition to House Bill 479. Ohio's newly revised constitution requires you to do better this year than the Ohio general assembly did in 2011. Ohioans overwhelmingly pushed back against the very gerrymandered 2011 congressional map and passed issue 1 of May, 2018 by nearly 75% of the vote. Ohio voters want to participate in meaningful elections. And the best way to ensure meaningful elections is by keeping communities together. The Ohio constitution focuses on counties as the building blocks of congressional districts. While counties are not a perfect proxy for communities, the rules against splitting them are meant to ensure that communities are kept together so that the folks we send to Washington truly represent us.

Mia Lewis (01:01:36):

While some splits are permitted under the Ohio constitution, it doesn't make sense to split counties and divide communities more than necessary. While we recognize that House Bill 479 does keep the majority of counties whole, the mapmakers repeatedly and unnecessarily sliced and diced the most populous counties. 12 counties are split a total of 16 times. These county splits impact nearly a quarter of Ohioans, 24.93%. The result by design is a map that overtly favors the political party in power. Let's look at some specifics and I apologize that the folks in the audience here don't have a beautiful chart that I could show them. But when we look at district one in Southwest Ohio, we can see that the shape of this district shouts gerrymander. In the three commonly used mathematical measurements of compactness that Representative Brown talked about earlier, this district, when scored out of a hundred, this district earns a score of nine on one measure, eight on another measure and zero on the third measure.

Mia Lewis (01:02:48):

And that measure is called the you know it, when you see it measure and I think that we do actually know it when we see it. It's clear that the goal for the map makers who drew House Bill 479 was not compactness. What then were they going for? This district awkwardly, painfully connects the city of Cincinnati with Warren County to the Northeast. Why? The answer is for political gain. Let me explain. African-American and other minority groups in Cincinnati account for nearly half of the total city population. And just under three out of four voters in Cincinnati, vote democratic.

Mia Lewis (01:03:25):

By combining the city with overwhelmingly white and Republican Warren County, map makers intentionally made it unlikely that the people of Cincinnati would be able to elect a representative of their choice. The result is that district one, which includes the city of Cincinnati, ends up with a slight Republican voting advantage. This is particularly distressing given the historic ways that people of color have been intentionally harmed by gerrymandering. It's not so much a failure to create a compact district as it is a success at creating a gerrymandered district, expert slicing and dicing to make sure that the voting...

PART 2 OF 6 ENDS [01:04:04]

Mia Lewis (01:04:03):

... expert slicing and dicing to make sure that the voting power of the opposing party is neutralized, and in particular, that the voices of minority voters are not heard. Beyond District 1, there is simply no legitimate reason for the map makers to divide Hamilton County and its neighborhoods into three separate congressional districts, no legitimate reason, but a very strong partisan motivation. Other counties in addition to Hamilton are also needlessly split. "Needlessly," is not really the best word, since in fact, in order to achieve the goal of a successful partisan gerrymander, they do need to be split. It's impossible to end up with this partisan skew without splitting the most populous counties more than once. Franklin County, Cuyahoga County, and even Summit County have each been split between three districts. The first two could be divided into just two districts and Summit County could be in a single district.

Mia Lewis (01:04:55):

To be clear, these counties are not required to be split multiple times to achieve equal population or to comply with other redistricting criteria. In fact, if we are seeking to preserve the voting power and the voice of the Ohio people, they should not be split. But for those who created House Bill 479, preserving the voice and voting power of all Ohioans was clearly not the goal. Under the new redistricting rules, the cities of Cincinnati and Cleveland may not be split apart, but the requirement does not extend the city of Akron, which in this map is split right down the middle. This means for example, students living in residence halls on the University of Akron campus are in District 13, while students living in off-campus housing apartments directly across East Exchange Street are in District 12. To have two halves of the same campus represented by different people in Congress, is patently ridiculous and something we typically associate with extreme gerrymandersen states like North Carolina, Georgia, or Texas.

Mia Lewis (01:05:57):

Again, why did the map makers choose to split Akron this way? Akron is more than 40% minority, and leans democratic by nearly 70%. But by cutting the city in half, they successfully dilute the voting power of minority vote and create a partisan advantage for the Republican Party in both districts 12 and 13. And beyond those two districts slicing and dicing the city of Akron, Summit County is divided by yet another district. District 14 is another example of a district that fails the, "You know it when you see it," test of compactness. By dividing Summit County, the residents of Norton in Southern Summit County are thrown together with the good people of Conna in the Northeast corner of the state. And it isn't just the big cities and heavily populated counties that bear the brunt of these purposeful slices and dices, there are several less populous counties that have met the same fate.

Mia Lewis (01:06:50):

Take a look, for example, at Trumbull County, there is no legitimate reason for map makers to split Trumbull County. In fact, the counties of Northeast Ohio are naturally aligned. It makes far more sense to combine Trumbull County with Mahoning County in one district, than it does to split Ashtabula County. And the end result of that split being that the people in Conna are combined with people multiple counties away in Southern Summit County. Why aren't Trumbull and Mahoning counties in the same district? Could it be that the map makers needed to ensure that the people of Warren, 34% minority, were not combined with the people of Youngstown, 55% minority? It is a legitimate question and one to which the people of Ohio deserve an honest answer. Fair districts are compact and keep communities together. Fair districts may mean one party is likely to win more seats than another, but only because that's the way the people vote, not because of overt manipulation or packing and cracking.

Mia Lewis (01:07:51):

Fair districts mean that all Ohioans have an equal opportunity to elect a representative of their choosing, regardless of race, ethnicity, or zip code. House Bill 479 falls down on all these measures of fairness. But again, it's not so much that it fails to achieve fairness, but simply that fairness was not the goal of the map makers. Maps don't magically appear. It takes time, effort, and skill to craft a congressional map such as this one. At every step, map makers must make decisions. Where they choose to place each line affects population, number of splits, et cetera. And every decision is guided by the map maker's end goal. For House Bill 479, that goal was a rigged partisan super majority of congressional seats. The wishes of the Ohio voters be damned. I'm going to skip some of the testimony that you have in my submitted remarks and draw to a conclusion, and say that drawing fair maps that keep communities together goes hand in hand with drawing maps that have a fair and proportional outcome.

Mia Lewis (01:09:04):

If you choose a congressional district plan that unnecessarily divides counties and communities, you are also choosing to purposefully rig the result of the elections to maintain power for the majority power. Do not deny millions of Ohio voters the opportunity to cast a meaningful vote. All Ohio voters deserve to have their voices heard. District lines should not be manipulated to favor the majority party or the political party in power. It is also important to note that maps that fulfill both the letter and the spirit of the constitutional criteria and manage to minimize splits and protect communities, are not an unattainable holy grail. Included in my testimony are three examples of maps which do just that. Each of these maps, not only split Franklin County and Hamilton County only once, in addition, each results in a more proportional 8R7D partisan split, abides by all the requirements in the Ohio Constitution, and has a population variance well within what is allowed. Each of these maps also score higher in Dave's Redistricting App than House Bill 479. Thank you very much for this opportunity to testify.

Chair Wilkin (01:10:15):

Thank you for your testimony. Are there any questions? See none. Thank you for being here. Chair now calls up Jacob Benner. Chair will call up David Pepper.

David Pepper (01:10:31):

Thank you, Chairman Wilkin, members of the committee. It's honor to be here today. Mr. Sites isn't here right now. He's an old friend from Cincinnati. Great to see you Representative Kelly. I am a proud Cincinnatian. I was actually, no one knows this, but named most likely to be president at one point of

the Cincinnati Board of Tourism, because I always talk about Cincinnati. I grew up just north of the city. I was a City Council member. I was a County Commissioner. And I am here to tell you, knowing and loving Cincinnati like I do, that this map does not in any way represent Hamilton County or Cincinnati. Not in any way. I look at this map and I wonder what is it representing? And Mia Lewis covered some of this. What is this supposed to represent? Who does it represent?

David Pepper (01:11:36):

And this can be said about other parts around the state. I won't get into those. Others know their communities better. But this map does not represent this community. Who does it represent? It took me a while to figure it out. But I think as sort of like a raw shaz test. This map represents the people who drew it and those who will support it. And what it really represents, in this shape, is fear, fear of voters, fear of this community speaking with one voice, fear of this very large intact community, that I can tell you as the County Commissioner... and you would know it, Representative Aden, we get along on some things, we don't on others. But Hamilton County is sort of its own place.

David Pepper (01:12:29):

This map represents the fear of people like Steve Shabet, those who he convinced to draw this map, that if the citizens of this community actually come together and speak as one, that someone like a Shabet is all of a sudden having to fight for a seat. He may even lose that seat. That's what this shape represents. Fear of voters, fear of democracy, fear of the voters of communities like Cincinnati, we heard about Akron. Fear is drawing these maps and it's a shame. Abject fear, really. Steve Shabet has represented part of this county with this very bizarre land bridge to Warren County for a long time. And I believe that he knows that if he were to actually face the real voters of Hamilton County, as they would organize themselves as the County really is, he would be in trouble. Across Ohio, I worry that fear is driving all of this. Fear of what would happen if we actually had a real democracy. That's what drove the map that is now being in court challenged for yourselves. And it's also the fear driving this map.

David Pepper (01:13:44):

And so I'm here today to ask what is the cause of this fear? Why is everyone so afraid of voters speaking as the communities in which they're in? Why is everyone so scared? You are actually, all of you are elected officials, quote unquote, "Elected." Your whole job is to win these elections and represent those communities. You're representatives. Some of you, Representative White, I think you were in a pretty close election for the State House. You know what it feels the like to go out and make the case. It wasn't scary. When you go out and make the case in a relatively representative district, it's actually uplifting. It's how you are legitimate here. It's how Congress people are legitimate. You go out, you represent the community and they vote for or against you.

David Pepper (01:14:37):

Don't let fear drive this process. Don't let fear drive this process. I know that for many of you, some of you have been directly involved... Oh, by the way, representative Jones, since you came back. I won't go through everything, but this map does not represent Cincinnati, our community. But you've mentioned, your concerned that rural parts were being combined with urban parts in a way you didn't like. Well, look at what they've done here. They've done that three times. They've taken one part of Hamilton County, the part not too far from our group, and drawn it all the way to Shelby County. Then they took another part of Hamilton County and drew it to Warren County. Then they took another part of Hamilton County and drew it far, far to the east. So if your concern is that they're jamming together

these larger urban suburban areas with rural counties, you should be as appalled as I am by what they've done to Hamilton County.

David Pepper (01:15:35):

Now, some of the leaders of this body have themselves never been through real election. So I understand why they're afraid of voters, but I hope that you won't be. I see Senator Sites has returned. Senator Sites, I have not seen you anywhere in Cincinnati, not being bold enough to go up and try and win someone over to your cause. You and I have done that on the sidewalks outside your law firm. You're ready to go to bat and argue. So why would you be so afraid of real districts that you'd want to deprive voters of a choice to have both sides actually have to fight for their vote? So let me just close by saying, I know that this is being drawn and done by larger powers than those in this room.

David Pepper (01:16:19):

I hope when this is all said and done, and you look at this map and you see how outrageously unconstitutional it is. When you look at the spirit and letter of the law, I hope you'll tell Senate President Huffman, Speaker Cup, tell the congresspeople who are no doubt excited to have a 13 2 map, no matter what the voters do, tell them don't fear the voters, embrace these communities. Don't fear democracy, it's what gives you the legitimacy to sit here in the first place. It means your voice actually means something because it represents a community that hasn't been sliced and diced to water down that voice. Bill, if Steve Shabet says, "Well, I'm worried about a new district." If you actually followed the rules, I'm going to have to really sweat out my next race. Bill and bridge it.

David Pepper (01:17:12):

Bill and Bridget, I'll tell them the same thing, tell them get to work, represent this community, go win a real race. Don't rely on the gerrymander to get you reelected. You'll be better for it. If you win, you'll be more legitimate. And if you lose, guess what? That's politics, the voters spoke and you weren't the one that they chose to represent their community. And lastly, what I would say to Senator Huffman, Speaker Cup, these Congress people that are very excited about a 13 2 gerrymander, is that you actually value your oath to the Ohio Constitution, that you value that oath. If you took that oath, I'm sure very seriously and you take it seriously now. So tell them don't let their fear of democracy lead you to violate your oath for such an egregiously unconstitutional plan. It's not worth it to violate your oath because they're afraid of communities like Hamilton County and Summit County and other counties coming together.

David Pepper (01:18:14):

Tell them you believe in elected democracy and you don't want to take another dramatic step, which the state continues to take against a robust democracy. I really appreciated the Democrats coming forward today. Representative Sites, the compromise is actually the baseline should be 87. That's represents the partisan breakdown of the State of Ohio. Going to 96 is moving in your direction. That's a compromise. You should be happy with that. The Senate map is 87, and it splits fewer districts than your guys' house map. So I appreciate that they came forward in good faith to try and compromise. So I hope all of you, I ask all of you, appreciate your attention, please do the right thing. Work with Democrats to create a map that respects the voters, that respects communities across the state, respects and follows our constitution and supports democracy as opposed to further tearing it down. Thank you very much.

Chair Wilkin (01:19:11):

Thank you for your testimony. Representative Plummer?

Representative Plummer (01:19:14):

Thanks, Chair. Thanks Mr. Pepper for your testimony. I'd like to discuss fear versus reality, fear versus reality. You gave us an excellent explanation of your resume, but you forgot to admit that you used to be the former State Democratic Party Chair. Kind of forgot that off your resume. So fear versus reality is... You're pretty astute with elections. We all want to talk about people that look like us, act like us, live by us, compactness. Let's talk about the State of Ohio. The voters in the state of Ohio. How many statewide elections did you win?

Chair Wilkin (01:19:47):

Plumber, at this point, we're going to talk only about the bill in front of us.

David Pepper (01:19:56):

I actually ran in 10 and 14, didn't win either. Yeah. Any more follow ups?

Chair Wilkin (01:20:04):

Representative Swearingen.

Rep. Swearingen (01:20:07):

Thank you Mr. Chairman. Thank you for coming in Mr. Pepper. I think it's important for Ohioans to understand the context, the politics, the money that's behind these congressional maps. I think you have some insight into that. As former party chairman, when you're considering these maps and these maps were at issue in the 2020 election. Did you have any conversations with the National Democratic Redistricting Commission, former Attorney General Eric Holder, former President Obama regarding maps and political spending in Ohio for candidates in the maps?

David Pepper (01:20:40):

No. What I would tell you is the driving force of this change came from some of the people in this room who were grassroots leaders, who were tired of folks rigging elections for themselves all decade. The average margin of victory of a super majority of this body is double digits. That's not a real democracy. And also we have 12 members of Congress after 16, who literally wouldn't respond to calls to even meet. And so some of the people room who I know, they didn't start out with a petition drive. They started out trying to get their Congress people already gerrymander, 12 4, to meet with them. And no one would meet. And that's when Mia Lewis and others said, "We're in a rigged system and these people never listened to us." So what drove the change that passed 70% twice, but especially the one on Congress, were the people in this room.

David Pepper (01:21:38):

The only thing I'd say that people around the country focused on very late in the game, was once they had done that work, they said, "Hey, this is a good idea. Let's try an unrig Ohio." Because 12 4 did not represent this state. Obama wins Ohio by 4 or 5, 12 4. 2018, 52% of Ohioans voted for a Republican for Congress, 47% for Democrat, 12 4, didn't matter. That's fear. People are afraid. Steve Shabet is afraid that his voters get a real choice. So he's begging you to draw the eighth halfway down Hamilton County to carve out the Eastern side of Hamilton County, so that when you add Cincinnati, which you have to do

under these new rules, he's offsetting that new democratic vote by moving other Democrats to another county, that's fear. That's the fear of democracy. So this was not driven by the DNC or Eric Holder.

David Pepper (01:22:32):

They understood it was an opportunity. This was driven by the people sitting behind me who represented thousands of petition gatherers all over the state. And clearly they're here all these hearings at 8:00 in the morning, sometimes speaking to empty chairs, begging you to listen to the 70% mandate to actually end this really broken system. So, no, it wasn't about national forces. Joe Biden decided halfway through 20 that he wasn't going to win Ohio. You didn't see some big surge in Ohio expending from national Democrats, did you? I was Chair, I didn't. They went to Georgia and they went to other states. But we did win Supreme Court races and that's obviously got us a place where I think we will have a fair court strike down any attempt to ignore the Ohio Constitution.

Chair Wilkin (01:23:21):

Before we get to a follow up, let's refrain from any finger pointing on any issue we're talking about.

David Pepper (01:23:26):

From doing what?

Chair Wilkin (01:23:27):

Please don't be pointing your finger at members.

David Pepper (01:23:29):

I'm sorry. I'm used to Cincinnati City Hall where it gets a little wilder.

Chair Wilkin (01:23:33):

We're not going to do that here.

David Pepper (01:23:34):

Okay. I appreciate it.

Chair Wilkin (01:23:37):

Representative Swearingen, follow up?

Rep. Swearingen (01:23:38):

Mr. Chairman, yes. So my question's about the spending from the National Democratic Redistricting Committee in State House races.

David Pepper (01:23:46):

Right. I have no idea what they did. I didn't pay attention up

Chair Wilkin (01:23:52):

Representative Hudson?

Rep. Hicks-Hudson (01:23:54):

Terry, you just ruled that we are supposed to be discussing the maps. And so this line of questioning is I think out of order.

Rep. Swearingen (01:24:05):

Mr. Chairman, can I explain why it's totally in order?

David Pepper (01:24:08):

You could ask me any question.

Chair Wilkin (01:24:09):

So I'm going to tell you that I was writing down the next representative so I did not hear the question. So if you'll repeat your question, I'll go from there. Representative Swearingen.

Rep. Swearingen (01:24:19):

Yeah. My question is about the spending behind these maps. It's a fact, the National Democratic Redistricting Commission was spending money in Ohio races, whether that's in the State House or at the Supreme Court level. We have a Supreme court justice sitting there who-

Chair Wilkin (01:24:38):

Representative Swearingen, if you can, I need you to tie this to 479.

Rep. Swearingen (01:24:41):

Yes. So I'm talking about the spending behind state house races to vote on the congressional maps, that measure. Did that exist or did it not exist in Ohio?

Rep. Hicks-Hudson (01:24:51):

Point of order. You've already ruled, Mr. Chair, that we're to discuss House Bill 479. That question does not go to house bill 479.

Rep. Swearingen (01:25:02):

I can tell you why it does.

Rep. Hicks-Hudson (01:25:04):

Well, then you should ask the question that specifically refers to House Bill 479, not to spending from 2020.

Rep. Swearingen (01:25:12):

Ohioans have a right to know the money that was driving behind votes, who would eventually vote on Congressional and State House maps.

Chair Wilkin (01:25:18):

For all involved, we are going to stick to 479. Please make your questions precise and concise to the point.

Rep. Swearingen (01:25:25):

Was there spending politically in Ohio at the Supreme Court level and at the State House level, for the purpose of expounding maps?

Rep. Hicks-Hudson (01:25:36):

Mr. Chair?

Chair Wilkin (01:25:39):

One moment. Are you talking about House Bill 479?

Rep. Swearingen (01:25:43):

Yes.

Chair Wilkin (01:25:45):

So you you're specifically asking if they're spending on House Bill 479?

Rep. Swearingen (01:25:50):

Yes.

David Pepper (01:25:53):

I can't speak to what was spent in individual house races. Of course, everyone knew the sakes of these elections. But again, the state reps running in 20 were running on a gerrymandered map. I think Representative White was in a race where when you went to your victory party, you were actually celebrating a victory you weren't sure you were going to have. Most folks weren't. Most folks here knew they were going to win well in advance because the districts guarantee it. So yes, people are trying to win races. That's nothing new. But the idea that, that sheds light on a blatantly unconstitutional map to Represent Hicks Hudson point, that has nothing to do with the fact that this 13 to atrocity violates the Ohio Constitution. And I believe when it gets to the court, which it no doubt will, unless you compromise with the Democrats, that is going to be the ruling they make.

Chair Wilkin (01:26:47):

Follow up, Representative Swearingen.

Rep. Swearingen (01:26:49):

So just yes or no, was there spending in Ohio for the purpose of voting on Congressional and State House maps when that candidate arrived in the State House.

Rep. Hicks-Hudson (01:27:00):

Point of order.

David Pepper (01:27:02):

All I can tell you is one side here, I believe from the presentation, is actually trying to of follow the Constitution of the State of Ohio and the other side is not. This map, for all the reasons pointed out, is simply a violation. By the way, know you take your oath seriously. You're not supposed to willfully violate your state's constitution. If you go through the depositions from the prior process that drew your maps, Huffman literally told the map makers, "Don't even pay attention to the new Ohio Constitution." That was in the deposition. That is completely inappropriate. And I'm trusting you won't do the same thing here. But the point is all the Democrats are saying, and I think in the end you're going to have a majority on the Supreme Court saying the same thing, just follow the constitution. The way this was done in 11 is no longer legal. And doing things like this to Hamilton County is no longer legal. And I appreciate questions. People were running for office in 20. You were, Democrats were. Of course, we were not the focus of big national money, I can tell you that.

David Pepper (01:28:13):

I was begging till late in the campaign for more net money, because I thought we could win it for Biden. We didn't. The money didn't come. But of course it was an election. That's besides the point. Carl Rove was writing letters for Justice French saying, please help her. We need a gerrymander for 10 more years. So yeah, people were talking about it. On our side, all we said was follow the Ohio Constitution. And that's all we're asking for now. When you come here with a 13 2 map, it'd be as if Bridget Kelly came here with an 11 4 map favoring Democrats. That's how out of whack your map is with the 8 7. They didn't come here with an 11 4, 12 3 map. Sorry, Tavi Kawaski, she didn't come here with some 12 3, 11 4 democratic map that was clearly partisan, like your 13 2 map. She came here with a map that said you get nine seats, even though you're only supposed to get eight. That's an attempted compromise. That's an attempt of following constitution. This map clearly is not that.

Chair Wilkin (01:29:18):

Representative Swearingen, and follow up.

Rep. Swearingen (01:29:21):

Thank you, representative.

Chair Wilkin (01:29:24):

Representative Kelly.

Representative Kelly (01:29:27):

Thank you, Mr. Chairman. My original question was around the fact that you sort of buried the lead at the end of your testimony, because I was going to ask if you thought that this map was constitutional and if so, how? And if not, how?

David Pepper (01:29:43):

Sure. So it hasn't come up here as much today, but it came up in the Senate hearings, was the defense that this map is constitutional is coming from an assumption that it's a 10 year map. This is not going to be a 10 year map folks. This is clearly a four year map. You can't come to a one side and say, "We've drawn a map in secret 13 2, and we think you're going to vote for it." That's almost offensive to the other party that you think they would ever agree to a map that was 13 2. Just as if a democrat on this committee came not with a 9 6 map, but if they came to you with a 12 3 map and said, it's a 10 year

map, Bill Sites would be laughing. You would never agree to that. No, one's going to agree to this map. That's 13 2 and splits communities in the way it does Hamilton County, which means you're walking into the Supreme Court of Ohio with an egregiously unconstitutional map. Because once it's a four year map, what kicks in? You cannot unduly split counties. This is unduly splitting a county, for no reason whatsoever as Mia Lewis explained. Actually for one reason, you have unduly split Hamilton County to lead to an unduly partisan result. So you violate the Ohio constitution two different ways. And let me just be very clear, it's not an excuse to say, "Well, we violated it, but that's because we thought we were going to have a 10 year map." I drop my kids off at school most mornings. There's a school zone, you're supposed to slow down. You know it's there. If you're driving 50 and you go through the school zone and it's 20, and you're pulled over, you don't get to say, "Well, when I was before the sign, I was following the law."

David Pepper (01:31:31):

That's what you'll be doing if you walk into the Supreme Court of Ohio with this map, which will be a four year map saying, "Well, we drew it thinking it would be a ten year map." You have not gone through any of the process or compromise necessary to expect a 13 2 map to be a 10 year. How many of you think a 13 2 map will be a 10 map? Can one of you raise your hand and say to me, "Yes, it will be a 10 year map?" Nobody. That means you know you're going to be faced with a four year map, which means the criteria that will be applied to your map will guarantee it gets struck as unconstitutional. Why would you walk into this process knowing you're violating the constitution? That's why the Democrats have done you a favor, begun a conversation about compromise and whether it's working with Senator Sites with an 8 7 map, which actually splits less time than your map or whether it's the map presented today. That's the way you can actually follow the constitution as well as not get struck down by the Supreme Court.

Chair Wilkin (01:32:34):

It that an answer to your question in there, Representative Kelly?

Representative Kelly (01:32:35):

Yes. But I would also like to ask a follow up, if I may.

Chair Wilkin (01:32:37):

Please. Concise answers please.

Representative Kelly (01:32:40):

Yeah. Thank you Mr. Chairman. So my follow up is specifically about Hamilton County and about the City of Cincinnati. You took some time in your testimony to talk about the issues with the map as it is. And we've heard well, Cincinnati is whole, so that should satisfy the requirements. Can you talk about why that is not a sufficient way or not a sufficient measure of whether a community is being kept together?

David Pepper (01:33:08):

Sure. What you have here, again, this is fear. This is the fear of Steve Shabet. And my guess is there's fear all over the map all over the state.

Representative Ginter (01:33:19):

Point of order, Mr. Chairman. Point of order.

Chair Wilkin (01:33:21):

Representative Ginter.

Representative Ginter (01:33:22):

So this is the fourth time that our witness has mentioned specifically a congressperson. I believe this is about 479, this is not about an individual congressperson. So I believe that we need to keep our remarks. I would request remarks be kept generic and stop referring to a specific congressperson. Thank you chairman.

David Pepper (01:33:43):

Thank you.

Chair Wilkin (01:33:44):

As I've said in the past, let's do our best to stick strictly to 479.

David Pepper (01:33:48):

I'm literally pointing to the map from 479 and referring to the congressperson that's in the first district. I don't know how else to do it. So the incumbent, this is basically if you follow the rules that are especially required of its four year map, the first district should be whole within the county. It should not be split three ways going to multiple different rural areas. Representative Jones, as you expressed concern about, it's doing it three different times, which you should not like based on what you've said earlier. Hamilton County is essentially the size of a congressional district. And if you were to make it whole within a county, it's a little smaller so you have to carve out something somewhere, we all know that. But you don't have to draw it three different ways. And if you make it whole within the county, that is a district that has a large urban near suburban population that makes probably a lean D but somewhat competitive district.

David Pepper (01:34:55):

What they've done here by drawing in the eighth district, I won't name a person, but the eighth district, is they have taken the risk to the incumbent in one faced by having to add all Cincinnati and by facing a largely intact county. And they've drawn down to include communities like Forest Park to pull them out of that district, so it negates the risk to him that comes from actually the rules that were passed by the voters. So it's a very clever, but somewhat blatant attempt to protect someone who otherwise would be in deep trouble based on the new rules. And these communities... again, I could probably answer almost any question about how far is one drive to the next. I've been all over the state. I love this state. Going to Marietta from Clermont County isn't that far. I've done it a lot. So I don't say this to be negative at any place. Because all these places are beautiful places. Where you're from are great communities. But to draw Forest Park into Darke County, that just makes no sense.

PART 3 OF 6 ENDS [01:36:04]

David Pepper (01:36:03):

...Darke County. This just makes no sense. That doesn't make any sense whatsoever. And my fear is that the great people of [Northern Hamilton 01:36:10] County will never see... They don't see the current congressman, but they'll certainly never see one, the heart of the district is that far away, representing rural Ohio.

Chair Wilkin (01:36:21):

Representative Kelly, you have any more follow up?

David Pepper (01:36:21):

And by the way, I want to just go back to Representative Jones real quick. I believe that one of the reasons that we have... And you mentioned your community desperately needs infrastructure. I agree with that. I actually think one of the reasons why rural Ohio is struggling so badly is precisely because of gerrymandering, and almost every single gerrymandered congressperson in the state of Ohio just the other day voted against the infrastructure that those communities need. And I think gerrymandering is a big part of it.

Chair Wilkin (01:36:48):

Representative Kelly? Representative Seitz.

Bill Seitz (01:36:50):

Thank you, Mr. Chairman. Thank you, Mr. Pepper. As I understand the basis of your contention, that the map should be eight-seven, you're basing it on the statewide vote for 2016 to 2020 various elections, as the Democrat bill sponsors indicated. But all politics is ultimately local, and for example, in Hamilton County, since you've made that the focus of your testimony, Biden beat Trump 58% to 42% last time and Cordray beat DeWine 53% to 43% in the last gubernatorial election. I haven't studied the congressional maps, but I have given a fair amount of study to the legislative maps. And as you know, we have seven House of Representative seats in Hamilton County, of which four are held by Democrats, three by Republicans, for a 57% to 43% majority favoring Democrats. So that of course is representational fairness in Hamilton County given those statistics, 58-42, 53-43, it's about 55-45. The maps for the state general assembly in Hamilton County, the focus of your testimony, the Democrats' maps gave the Democrat five of the seven seats, 71% of the seats in a county that gives Democrats only 55% of the vote.

Speaker 1 (01:38:33):

Point of order.

Bill Seitz (01:38:35):

[crosstalk 01:38:35]. And the expert hired by the plaintiffs in the lawsuit-

Speaker 1 (01:38:39):

Point of order.

Chair Wilkin (01:38:39):

One moment.

Bill Seitz (01:38:40):
Mr. Chairman, I move we overruled the plaintiff order. I'm tired of being interrupted.

Chair Wilkin (01:38:46):
There's a motion to-

Bill Seitz (01:38:48):
Mr. Pepper has talked about state general assembly maps throughout his conversation.

David Pepper (01:38:52):
I mentioned it one time.

Bill Seitz (01:38:53):
He talked about... No, you didn't. You talked about all of us running, you talked about Representative White's victory party that almost wasn't. So...

David Pepper (01:39:01):
That's true.

Bill Seitz (01:39:01):
I move we overrule the point of order and get on with my question.

Chair Wilkin (01:39:07):
At this point, we'll recognize the motion to overrule the point of order via roll call vote.

Speaker 2 (01:39:13):
Chair Wilkin.

Chair Wilkin (01:39:14):
Yes.

Speaker 2 (01:39:15):
Vice Chair White.

Andrea White (01:39:16):
Yes.

Speaker 2 (01:39:17):
Ranking member Brown.

Richard Brown (01:39:18):
No.

Speaker 2 (01:39:19):
Representative Abrams.

Cindy Abrams (01:39:19):
Yes.

Speaker 2 (01:39:19):
Galonski.

Tavia Galonski (01:39:19):
No.

Speaker 2 (01:39:21):
Ginter.

Tim Ginter (01:39:24):
Yes.

Speaker 2 (01:39:24):
Hicks-Hudson.

Paula Hicks-Hudson (01:39:24):
No.

Speaker 2 (01:39:26):
Howse. Jones.

Don Jones (01:39:28):
Yes.

Speaker 2 (01:39:29):
Kelly.

Brigid Kelly (01:39:29):
No.

Speaker 2 (01:39:29):
Plummer.

Phil Plummer (01:39:29):
Yes.

Speaker 2 (01:39:29):

Seitz.

Bill Seitz (01:39:29):
Yes.

Speaker 2 (01:39:29):
Swearingen.

D.J. Swearingen (01:39:30):
Yes.

Chair Wilkin (01:39:36):
Eight to four, the motion carries, and please tie this to 479 as quick as we can.

Bill Seitz (01:39:41):
We are. And I was interrupted, but let me go back to where I stopped. The map submitted by the Democrats for Hamilton County gave them 71% of the seats in a county that gives Democrats 55% of the vote, and the expert hired by the plaintiffs in one of the lawsuits before the Supreme Court, you've talked about the Supreme Court lawsuits quite a bit, claims that fair maps would give Republicans only one of the seven Hamilton County seats, which would be an 86% to 14% advantage to the Democrats. So tell me, why is an 86% to 14% advantage to the Democrats in Hamilton County fair, but a 13 to two congressional map is unfair?

David Pepper (01:40:27):
Because the constitution is very clear overall that you are supposed to try and represent the overall breakdown of voting in an unduly partisan way statewide. I mean, that case is being litigated, the Supreme Court of Ohio, Matt Huffman literally told them not to follow the constitution. Frank LaRose called it asinine. I think that that fate is probably set, and we'll be back re-litigating that one, we can have that argument then. 13-2 is wholly out of whack with the basic breakdown. I mentioned eight-seven. We all know that it's somewhere in the mid 50s, mid 40s. Eight-seven is the closest approximation of what it should be. So when you ask Representative Brown or Galonski what's the compromise, they gave you another seat beyond eight-seven already that the Senate Democrats haven't even given you. So that's a compromise right there. If you actually were trying to follow the constitution, you'd see that as an opportunity.

David Pepper (01:41:24):
But the state constitution says very clearly that it should reflect the overall 10 year breakdown of partisan split statewide, and that's why 13-2 is, I think you all know, you must know that 13-2 is laughable. It's laughable. You know that. Be honest about it with yourselves and everyone else. To look at your colleagues and myself and try and act like 13-2 is remotely reasonable is absurd. And when you go to the Supreme Court of Ohio, Representative Seitz, and try and make the argument, " Well, we did 13-2 because they did this in one county," that's not going to convince them you didn't violate the constitution. So the constitution is very clear about what you need to do statewide and a 13-2 map clearly does not do that.

Chair Wilkin (01:42:15):

Follow up.

Bill Seitz (01:42:16):

Thank you, Mr. Chairman. Thank you, Mr. Pepper. Just to be clear about what you're saying, 13-2 is absurd, asinine-

David Pepper (01:42:25):

Do you not agree with that?

Bill Seitz (01:42:25):

But-

Chair Wilkin (01:42:25):

Let the representative finish. Don't interrupt.

David Pepper (01:42:28):

Okay. I mean, he has to agree with that.

Chair Wilkin (01:42:29):

Well, just hold on till he finishes up with his question, sir.

Bill Seitz (01:42:31):

My question is, your statement is 13-2 is absurd, asinine, et cetera, but 86% to 14% for the Democrats in Hamilton County, when the Hamilton County is about 55-45, that's fine.

David Pepper (01:42:48):

Wait, are you talking about the Democratic map that wasn't passed?

Bill Seitz (01:42:51):

Yeah.

David Pepper (01:42:52):

So you're literally arguing with the map that you are going to pass about a map that never even passed? What's the map that the current Supreme Court do with Hamilton County? I mean, this is silly. You're arguing that a map that isn't even an issue-

Bill Seitz (01:43:07):

I can answer that question. The map before the Supreme-

Chair Wilkin (01:43:09):

Hold on a second. For both parties. [crosstalk 01:43:12]. Hold on a second. Sir, sir. Hold on.

David Pepper (01:43:14):
Okay.

Chair Wilkin (01:43:14):
You will go through the Chair when you're talking to the representative.

David Pepper (01:43:16):
Sorry [crosstalk 01:43:17].

Chair Wilkin (01:43:16):
You've not done it the entire time and I've let it go.

David Pepper (01:43:18):
Go ahead.

Chair Wilkin (01:43:19):
Second, I do not want to get in a back and forth with any member, either side, at any time.

David Pepper (01:43:24):
We've known each other for years, so it's easy for us to-

Chair Wilkin (01:43:26):
And that is no concern of mine in this chamber right now.

David Pepper (01:43:28):
Okay, fair enough.

Bill Seitz (01:43:30):
And Mr. Chairman, the map before the Supreme Court for Hamilton County is either a four to three split in favor of the Democrats, which is 57 to 43, which closely tracks the percentages in Hamilton County, or five to two Democrats, which is even more disproportionate in favor of the Democrats. And that's the map before the Supreme Court in the case of Hamilton County.

David Pepper (01:43:52):
And what does that map do statewide? It's also way out of-

Chair Wilkin (01:43:56):
Mr. Pepper. Mr. Pepper.

David Pepper (01:43:56):
He asked me a question.

Chair Wilkin (01:43:57):

Yes, and you're going to go through the Chair.

David Pepper (01:43:59):

I'm sorry, Mr. Chairman. That map, whatever you do with Hamilton County, the statewide breakdown in state House and state Senate is also absurd, because they tried to explain it by saying they had won a certain, like Representative Plummer did, that somehow winning a certain percentage of the seats represents the partisan breakdown. That was the theory that Frank LaRose called asinine. So the overall breakdown in the state House map is equally absurd [crosstalk 01:44:25] and I think won't last very long in the Supreme Court.

Chair Wilkin (01:44:28):

Any other questions? Seeing none, committee will stand at ease as I said earlier for about 10 minutes.

David Pepper (01:44:33):

Thank you.

David Pepper (01:44:33):

(silence).

PART 4 OF 6 ENDS [02:08:04]

Chair Wilkin (02:08:59):

I will now call Government Oversight back to order. As you can see, we have people that have scrambled to other committees that they have votes in, so looks like it's... Ranking Member, it's you and I right now, but they will be coming back and forth. So with that, we will call up our next witness, Jeniece Brock. Is Jeniece here? Ms. Brock, welcome to committee. You may begin when you're ready.

Jeniece Brown (02:09:26):

Thank you. Chair Wilkin, Vice Chair White, Ranking Member Brown, and members of the Government Oversight Committee, thank you so much for the opportunity to come and speak before you today. My name is Jeniece Brock. My pronouns are she/her. I'm the Policy and Advocacy Director for the Ohio Organizing Collaborative, a health scientist, and the Vice Chair of the Ohio Citizens Redistricting Commission.

Jeniece Brown (02:09:56):

My testimony today is offered in support of the congressional map submitted to you by the Ohio Citizens Redistricting Commission, affectionately known as the OCRC. The OCRC maps reflect the true diversity of Ohio, with eight Republican-leaning districts and seven Democratic-leaning districts. There are almost two million Black and brown Ohioans who are too often left disaffected and apathetic to our political process because they don't see themselves represented.

Jeniece Brown (02:10:32):

In Akron, where I'm from, there are over 30% of the population that is Black, and I believe that this committee needs to include and uplift their voices when drawing the maps. With fair maps, we can make sure that people from Akron, Toledo, Columbus, and Dayton have fully-funded schools, vibrant

neighborhoods, excellent public transit and quality healthcare that they deserve. Over and over again, during our hearings for the Ohio Citizens Redistricting Commission, we heard constituents from every corner of the state of Ohio, frustrated with the unreasonable district lines splitting apart, their neighborhoods, their campuses, and their communities.

Jeniece Brown (02:11:22):

Now, we know our lives are shaped by regular, everyday interactions at our schools, our libraries, places of worship, recreational centers, corner stores, and our post offices. Our Congressional maps should reflect the communities that are bound together through these incredibly meaningful shared experiences.

Jeniece Brown (02:11:48):

It's important that no matter who you are or where you are from, we all deserve an equal footing when it comes to having a say in who gets to represent us in Congress. We finally have a chance to keep our communities together and allow all of us to have a equal say in how our futures will be drawn, but this only happens if we have fair maps.

Jeniece Brown (02:12:12):

Now, the Ohio Citizens Redistricting Commission modeled an open, transparent, and inclusive process and drew maps that meant the Constitutional requirements. We kept communities together. We considered the extent to which minority voters could meaningfully influence elections. We are calling on the Government Oversight Committee to do the same. Thank you so much for your consideration and I'm open for any questions.

Chair Wilkin (02:12:41):

Thank you very much for your testimony. Ranking Member Brown, do you have any questions?

Ranking Member Brown (02:12:47):

Thank you, Chair. I just wanted to thank you for coming here today and expressing your point of view, and for your becoming involved in this important issue for the people of Ohio. So, thank you.

Jeniece Brown (02:12:59):

Thank you.

Chair Wilkin (02:13:01):

Thank you much for your testimony.

Jeniece Brown (02:13:02):

Thank you so much, Mr. Chair. Have a good day.

Chair Wilkin (02:13:05):

You do as well. Chair would now call Jen Miller.

Jen Miller (02:13:23):

Good morning, Chair and Vice Chair. So glad you're both here with us. I am the Executive Director of the League of Women Voters of Ohio, which was formed in 1920 from the Ohio Women's Suffrage Association.

Jen Miller (02:13:37):

Thank you for allowing me to testify on behalf of our members who live in every Congressional district, every state district and all but five House districts. We're fiercely nonpartisan. We don't endorse candidates or parties. The League doesn't take funds from parties or governmental entities. High-profile organizational leaders like myself and our voter service chairs also have limits on various activities.

Jen Miller (02:14:01):

So for example, I don't make political contributions or vote in primaries. We seek a democracy, a democratic republic that works for all of us, which is why we have opposed actively gerrymandering since the 70s. At the end of this testimony, you will see a document that shows our history, to show that we have indeed opposed maps that have favored both Republicans and Democrats here in Ohio.

Jen Miller (02:14:27):

We use every tool in our toolbox from court cases to legislative lobbying to petition campaigns and because we envision a process that is truly transparent, public, bipartisan, and deliberative that results in a Congressional district plan that keeps communities together and does not favor parties or candidates, we are also proud leaders of Fair Districts Ohio. You heard from one of my colleagues at Common Cause. Fair Districts Ohio is the leading nonpartisan redistricting group of advocates and experts.

Jen Miller (02:15:05):

Again, we've been doing this work for over 70 years and we worked with the Ohio General Assembly, both political parties to craft the bipartisan reforms that passed by 75% of the vote in 2018 that quite frankly, don't seem to be respected or upheld at this time. I wanted to share and I did send you guys an updated, because I had mislabeled a few things in my testimony.

Jen Miller (02:15:31):

So make sure you see the one that says updated, but I did want to share that we used Dave's Redistricting app to look at both maps that have been proposed to this body, so from the Democrats and from the Republican lawmakers. And I just want to point out that when you look at the overall score, if you look at competitiveness, compactness, which was something we were talking about before, splitting proportionality, minority representation, the Democratic map, using Dave's Redistricting analysis far exceeds this map in terms of fairness.

Jen Miller (02:16:10):

The compactness is... The way that they measure that is through REAC and [inaudible 02:16:14], which is not something I talked about in my testimony, because I know we're going to talk about that, but those are developed by independent nonpartisan academics. And so we trust that. Let's keep in mind that the Constitution says that the General Assembly shall not pass a plan that unduly favors or disfavors a political party or its incumbents. That's the gerrymandering language. I have two different measures that are often used to look at that.

Jen Miller (02:16:40):

And both prove that this map does unduly favor a political party, which we would argue harms every voter regardless of their party status. First, proportionality, the state proportion of districts afforded to each major party must closely correspond to the statewide vote counts. This is not about individual districts, which was what was happening earlier. This is about the overall state plan and how that corresponds with the overall state counts.

Jen Miller (02:17:08):

So we should see about 55% of the seats going to Republicans, which we do not see. So we can clearly argue that it's partisan gerrymandered in that way, but we can also do so with the efficiency gap. The efficiency gap, we used a program called PlanScore to look at that. So the idea being that when politicians manipulate the redistricting process to protect to their own power or expand it, the power of the people's votes is diminished.

Jen Miller (02:17:40):

So we can measure this through efficiency gap. That's the idea of both packing and cracking produced votes that are inefficient, in the sense that they do not contribute to a candidate's election. So if a candidate's election is 50% plus one, then let's look at how each of these districts is expected to go in terms of the predictive analysis using past voting history. And what we see here is actually out of the four maps that are being discussed this afternoon and on Friday, that the efficiency gap is really extreme on this one.

Jen Miller (02:18:19):

Democrats' votes are wasted significantly more than Republicans'. And so that means it would actually take more votes, 17% more votes by Democrats to potentially win a seat, but let's zoom in. I have a couple. We talked a little bit about... Others have talked about other parts of the state. Sheffield Township and Ashtabula County has a population of 1,578 and is divided between the 13th and 14th district.

Jen Miller (02:18:47):

There's no reason for that. This is a quintessential small town, like the one I grew up in. The minutes of the last township trustee meeting on October 4th include a thank you to a local resident who provided cider and donuts at the Township Festival. So let's take a walk down Sheffield Road, 2000 block is in Congressional District 14, 2500 block is in Congressional District 13. The 3000 block of Sheffield, if you're on one side, it's in the 13th, the other, you're in the 14th.

Jen Miller (02:19:16):

This is a very short street, just a few homes in a township that literally could fit inside one Congressional District 498 times. The Valley Parkway, there's a Only In Your State tourism website that has called the Valley Parkway a dreamy road that carves up the loveliest parts of Northeast Ohio. But Cuyahoga County is carved up so much, it is impossible for residents to easily make sense of the Congressional boundaries. Driving south down the Valley Parkway, you'll start in District 11, then go to 14, then 7, 14, 7, 14, 7, 14, and then back to 7.

Jen Miller (02:19:56):

So drivers making a four-mile trek on the same road in the same county will cross three different Congressional districts at least eight times. Bottom line, these jagged lines and nonsensical community splits can be found throughout this map without any good public policy justification. It would be incredibly difficult to create a map that truly serves the people of Ohio if this is the starting place. Instead, I encourage you to consider some of the other maps like those from our nonpartisan Fair Districts Ohio competition, thinking about the Ohio Citizens Redistricting Commission, the map from the Democrats.

Jen Miller (02:20:33):

But here's the bottom line that needs to happen, and I did appreciate this earlier. We need to have the map up on a screen and we need to go deliberately through it, district by district, line by line, to make sure that we are honoring both the letter and spirit of that Constitutional amendment that passed by almost 75% of the vote. And with that, I say thank you and I would be happy to answer questions.

Chair Wilkin (02:21:04):

Thank you very much for your testimony. Do we have any questions for the... Representative House.

Rep. Howse (02:21:13):

Through the Chair to the speaker, good afternoon. Thank you so much for coming and presenting your testimony. I think I find it insightful of you taking... I know we've had conversations about townships and splitting them up, and now we are seeing what these implications are. And so hopefully, the Republican Party as well as our Democratic Party, looking into those things and having a robust conversation about what these new Congressional lines will mean.

Rep. Howse (02:21:50):

So I just want to thank you for providing your insight today, in a true nonpartisan way. So, thank you so much.

Jen Miller (02:21:58):

Thank you, Rep. House. Thank you, Chair. I'll just say that a larger percentage of the Ohio population is split, is affected by county or subdivision splits in this map than the other three being proposed.

Chair Wilkin (02:22:16):

Okay. Thank you. Are there any other questions? Seeing none, thank you for your testimony.

Jen Miller (02:22:19):

Thank you.

Chair Wilkin (02:22:28):

Chair would now call up Anne [Schroyer 02:22:30]. Micheal Ahern? Welcome to committee.

Michael Ahern (02:22:47):

Thank you.

Chair Wilkin (02:22:47):

You may begin when you're ready.

Michael Ahern (02:22:48):

Thank you. Before I start my testimony, I just want to say, the conversation before the break was fascinating about fear and having vigorous debate in races. I'm an unaffiliated voter and I would love to have the ability to vote on two candidates that have had to debate vigorously, because they have a competitive district that they're trying to to win. So I'm also not a big donor. I'm just an individual.

Michael Ahern (02:23:29):

And I think the 75% of voters that voted for this redistricting reform would agree with my sentiments. Good morning, Chair Wilkin, and members of the House Government Oversight Committee. My name is Michael Ahern. I live in Blacklick and Ranking Member Brown is my State House Representative. I'm registered as an unaffiliated voter and I've voted for members of each of your parties over the years.

Michael Ahern (02:23:54):

I'm here this morning as an opponent to the Congressional District map embodied in House Bill 479. And there are many issues associated with this map statewide. However, I will predominantly focus on my district and my community of interest, which is the Columbus area and Central Ohio. My district is District 3 in the proposed map.

Michael Ahern (02:24:17):

I will start with the positive. Unlike the current Congressional district that I live in that meanders over Zanesville, and I've heard that my current Congressional Representative has made comments akin to not being concerned about the area of his district that is in the Columbus region. District 3 in this map is wholly contained in Franklin County. However, as nice as that is, it is part of a coordinated effort to pack and crack the Columbus and Central Ohio community.

Michael Ahern (02:24:51):

The county is split across three districts with no logical basis. These splits undermine strong representation in Congress. Districts 4 and 15 are so sprawling, the Congressional Representatives would be hard-pressed to adequately represent the divergent interests of say, New Albany, and Lima. And that's in District 4, or Downtown Columbus and Newark, District 15, let alone advocate for those portions of their districts that land in Franklin County and Central Ohio.

Michael Ahern (02:25:22):

Why is this bad? Aside from tearing apart representation of key historic Columbus communities, this map is bad for Central Ohio businesses. As you are aware, Columbus is booming. The Columbus way combined with excellent educational opportunities and a highly mixed business community require focused representation in Congress. Unlike the Brown [Golansky 02:25:46] map, the House Bill 479 map does just the opposite.

Michael Ahern (02:25:51):

Additionally... Pardon me. Additionally, sound planning is needed to meet the challenges that this growth is spurring and will continue to spur. Fundamental to meeting those challenges are basic

infrastructure, roads, bridges, water, wastewater. Members of Congress are tasked with many duties as I'm sure you're aware, including advocating for their districts when it comes to spending federal money or allocating federal money.

Michael Ahern (02:26:21):

In fact, federal funds make up approximately 37% of the state budget and are the largest single source of funds. One of the most tangible applications of those funds is through the transportation planning and infrastructure projects, where they constitute almost half of the Ohio Department of Transportation's budget.

Michael Ahern (02:26:40):

Our transportation infrastructure is literally the economic lifeline to wider national and international markets that Ohio competes in. ODOT supports this vital infrastructure through transportation projects. These projects are based on transportation infrastructure plans implemented by ODOT, in conjunction with long range transportation planning, developed by metropolitan planning organizations, like the Mid-Ohio Regional Planning Organization, or MORPC. MORPC serves as the US Department of Transportation's designated metropolitan planning organization for the Columbus urban area.

Michael Ahern (02:27:21):

This means they identify where and how transportation investments occur in the region to address the growth. Specifically within the MPO boundary, this map, 479, ignores the importance of focused advocates in Congress that align with the majority of the MORPC area of jurisdiction, particularly the high-growth areas of Northeastern Franklin and Southern Delaware Counties.

Michael Ahern (02:27:47):

These two high-growth areas have business needs and priorities that are completely different, completely different from Wapakoneta and Lima. This map does a strong disservice to all the business communities unfortunate enough to be in District 4, not just the ones that are in New Albany, but also the ones that are in Lima. When these communities suffer as a result, so too does Ohio in population retention, job growth, and many other economic parameters.

Michael Ahern (02:28:15):

It also puts Ohio at an economic disadvantage, because our goods and services won't be able to get to the markets they need to get to. And finally, District 3 and District 15 split apart another significant central Ohio economic driver. The vital interests of the Columbus Regional Airport Authority are diluted by this map.

Michael Ahern (02:28:37):

Poor Columbus is located in District 3, where Rickenbacker Airport is sited and... I'm sorry, poor Columbus is located in District 3 while Rickenbacker Airport is sited in District 15. Strong, focused community-based representation in Congress for these vital logistics resources is extremely important as the region continues to expand. These two foundational economic infrastructure resources interact with and are directly affected by the military, federal programs, federal regulation, and other legislation.

Michael Ahern (02:29:14):

The map associated with House Bill 479 undermines the ability of the state and the Columbus Regional Airport Authority to rely on focused representation in Congress. That's bad for business. That's bad for Central Ohio, and that's bad for Ohio in the competition of regional and worldwide markets. For these reasons alone, and there are many others, as other people have testified, I urge you to reject the map embodied in House Bill 479. Thank you and I'd be happy to take any questions.

Chair Wilkin (02:29:40):

Thank you for your testimony. Are there any questions? Representative Jones.

Rep. Don Jones (02:29:47):

Thank you, Mr. Chairman, and thank you for your testimony. So I apologize, I got in here at the end, but I found your testimony. I followed along. Explain to me I mean, your last paragraph, you talk about Columbus Regional Airport being in one district and Rickenbacker in another. Wouldn't two voices in DC be stronger than just one?

Michael Ahern (02:30:09):

Through the Chair to the Representative, thank you very much for the question. The issues associated with addressing expanding growth and all the very, very complex factors, regulations, interests nationwide versus the Central Ohio region, I think are better served by a Congressional member that is from the community, that represents the community, and is able to focus more on Central Ohio specifically than the very far outlying areas of the two districts that it's split across right now.

Chair Wilkin (02:31:01):

Follow up?

Rep. Don Jones (02:31:01):

Thank you, Mr. Chairman. So I guess you've lost me, because I mean, you're sitting here trying to tell me that one person could do a better job representing two facilities, and I'm not getting that.

Rep. Don Jones (02:31:18):

I mean, why wouldn't you want two people advocating for both of these areas? I mean, as a representative, don't you think they should represent both of those areas, and two voices are stronger than one?

Michael Ahern (02:31:32):

To the Chair and to the Representative, thank you very much for the question. The Regional Airport Authority is one entity, although the facilities are two, and it's looking comprehensively at those. It's representing those two facilities. So it's one entity representing two different facilities.

Michael Ahern (02:31:52):

And if two versus one would be better, I would think that the Regional Airport Authority would be split into two different authorities, and it's not, because it's the Central Ohio region that these resources are located in. So, no, I would disagree with you. I think one representative in this particular case is the correct way to go.

Chair Wilkin (02:32:17):

Any other follow up? Representative [Swearingen 02:32:19].

Rep. Swearingen (02:32:20):

Thank you, Mr. Chairman. Thank you for your testimony today. One question, since we're talking about the Central Ohio area, do you think it makes sense to have a community like Upper Arlington in the same district as a community like Mount Gilead?

Michael Ahern (02:32:37):

To the Chair and to the Representative, I appreciate that question. I am not familiar with Mount Gilead, so I'm focused on the Central Ohio area and primarily, the growth in Franklin County. I think that the growth that is occurring in Central Ohio is occurring on the Eastern portion, the New Albany area and the airport area, and it's heading northeast. It is an area that is receiving an awful lot of interest in the past five to 10 years.

Michael Ahern (02:33:26):

You have Google, you have Facebook out towards those areas. And I think as that growth continues, there's going to be an expansion northward and eastward.

Chair Wilkin (02:33:38):

Follow up? Are there any other questions? Thank you very much for your testimony.

Michael Ahern (02:33:42):

Thank you.

Chair Wilkin (02:33:46):

Chair would now call Collin Marozzi. I get that right?

Colin Marozzi (02:34:00):

Close enough, but I'm used to it.

Chair Wilkin (02:34:02):

Marozzi?

Colin Marozzi (02:34:02):

Marozzi, like a T-S.

Chair Wilkin (02:34:06):

Welcome to committee. You may begin when you're ready.

Colin Marozzi (02:34:09):

Well, thank you, and good morning to the committee. Thank you, Chairman Wilkin, and Vice Chair White, Ranking Member Brown, and the members of the House Government Oversight Committee for

the opportunity to provide opponent testimony to Substitute House Bill 479. My name is Collin Marozzi, I'm the Deputy Policy Director for the ACLU of Ohio.

Colin Marozzi (02:34:32):

The ACLU of Ohio stands in opposition to the Congressional districts proposed in House Bill 479, as they will not accurately reflect the people of Ohio in Congress. Instead of crafting a Congressional district map that accurately reflects the diverse political attitudes of Ohioans, House Bill 479 artificially inflates partisan control of Ohio's Congressional Delegation to one political party at the expense of another.

Colin Marozzi (02:34:58):

This is achieved by needlessly exploiting allowable splits that crack urban areas into districts that dilute their voting power. Article 19, Section 1C1 requires the General Assembly pass a new Congressional district map in the form of a bill. This was an encouraging aspect of the 2018 reform law, because it was one more way to bring a historically secretive process out shadows.

Colin Marozzi (02:35:24):

Traditionally, bills are presented as a solution to a problem, where sponsors of the legislation present their bill in detail and describe their decision making process and then elaborate on the choices made in crafting the legislation. Supporters of that legislation then come and testify as to how that particular bill will make their life better. House Bill 479 has not followed this template.

Colin Marozzi (02:35:49):

Instead, zero justification has been given for the choices made when drawing this map and there has yet been a single supporter of this legislation. Article 19 allows broad discretion with only limited rules on the number of allowable county splits and keeping major cities whole or as close to whole as possible. With discretionary choice and the people of Ohio have been left completely in the dark when trying to understand the choices made in creating House Bill 479, choices about which the people of Ohio deserve to know more.

Colin Marozzi (02:36:23):

Map drawers need to show their work and justify the decisions they made when drawing these lines. They need to justify why in District 12, the cities of Akron and Canton are paired with rural counties in the Appalachian in southern regions of the state. What was so compelling to the map drawers that they decided to crack half of Toledo with western border counties and the other half with Central Ohio rural farmlands in Knox and Marion Counties, in Districts 5 and 9?

Colin Marozzi (02:36:53):

In Franklin County, House Bill 479 cracks apart African American neighborhoods on the county's east side, between the 3rd and 15th districts. Additionally, District 4 slices into the northeast corner of the county and pulls those residents into a Congressional district that spans as far southwest as Springfield and northwest to Lima.

Colin Marozzi (02:37:15):

The 2020 Census showed that Columbus and Franklin County are the main population drivers in our state and they will remain so for the foreseeable future. Why dilute their voice in Congress by splitting

the county twice when you don't have to? I hope the answer is more convincing than, "We could." We've heard for a decade how the people of Hamilton County can't get a phone call back from either of their two current Congressional representatives.

Colin Marozzi (02:37:42):

Why did the map drawers think adding a third would improve this? The fact of the matter is that every line in House Bill 479 points in the same direction, which is this map unduly favors candidates of the Republican Party. The ACLU of Ohio urges the General Assembly to consider Congressional District maps submitted through the redistricting website, as well as the four officially introduced maps by each Chambers' caucuses, and then hold a deliberate and transparent amendment process during the Constitutionally-mandated joint committee proceedings.

Colin Marozzi (02:38:17):

The people of Ohio deserve nothing less. The deadline for a new Congressional district map is still three weeks away. There is still time to reach a bipartisan 10-year map, as long as there's the will to get there. Thank you to the committee and I'm happy to try to answer any questions.

Chair Wilkin (02:38:38):

Thank you for your testimony. Representative Swearingen.

Rep. Swearingen (02:38:42):

Thank you, Mr. Chairman. Thank you for your testimony today. Do you think that under the proposed map under House Bill 479 that civil liberties in Ohio are threatened?

Colin Marozzi (02:38:53):

Well, through the Chair to the Representative, I guess in terms of having an equal vote in Congress, I would say that this map does infringe on members of Ohio who live in certain areas of the region. It dilutes their voting power by not allowing them to elect a candidate of their choice.

Colin Marozzi (02:39:20):

Now, I can't really speak in a hypothetical to additional issues that may arise, but I would say in terms of having their voice heard by electing a member of Congress of their choice, yes, this does take that power away.

Chair Wilkin (02:39:35):

Follow up?

Rep. Swearingen (02:39:35):

Yes, Mr. Chairman. I think did you mean to say a member of their party? Because you get a choice each election, regardless of which district you live in. Do you mean to say party or political ideology?

Colin Marozzi (02:39:51):

Through the Chair to Representative Swearingen, I would say that I would argue the fact that some gerrymandered districts, as we've seen in the previous 10-year map, and in the districts here is that it does remove meaningful choice.

PART 5 OF 6 ENDS [02:40:04]

Speaker 3 (02:40:03):

The districts here is that it does remove meaningful choice. You do have the option of choosing one of any number of candidates that filed a run for a certain race, but when district lines are shaped and manipulated in such a fashion, it eliminates meaningful choice from the decision. We've seen that over the course of time when elections and all 16 current congressional districts are essentially one in the primary.

Speaker 3 (02:40:25):

Now, I know Ohio has an open primary system, so you could switch parties to vote in that party's primary if you were to do so. So I guess I would respond that way.

Chair Wilkin (02:40:39):

Follow up.

Speaker 4 (02:40:40):

And that's the basis for the allegation that it violates civil liberties. Is what-

Speaker 3 (02:40:46):

Well, I don't want to make, through the chair to the representative, I don't want to make any conclusions. However, from what I see on this map, there's a reasonable expectation that it would eliminate voters and select areas of the state from electing a candidate of their choice. Through, and either, I would say organizing, running a very aggressive campaign. The political makeup of a district has significant sway over a candidate's ability to be elected.

Chair Wilkin (02:41:20):

Follow up.

Speaker 4 (02:41:21):

And therefore it's the opinion of the ACLU that that's a civil liberties violation?

Speaker 3 (02:41:28):

If you minimize the power of one, through the chair to the representative, if you minimize the power of one person's vote in relation to another, yes.

Speaker 4 (02:41:36):

No further questions.

Chair Wilkin (02:41:39):

Are there any other questions? See none. Thank you for your testimony.

Speaker 3 (02:41:41):

Thank you.

Chair Wilkin (02:41:43):

So at this time, this concludes all the listed testimony I have. However, I do want to give the opportunity if there's anybody here that wants to speak or provide testimony on House Bill 479. If you'll make sure you fill out a witness slip, I need you to do that. And also, if you can, if you're backing up what's already been said, if you can just let us know that and keep your testimony as concise as possible, I would appreciate that and I know the committee members would as well. So at this time, ma'am in the front, I'll call on you. If you would just state your name for the record.

Nancy Larson (02:42:20):

I'm Nancy Larson. I did fill out a witness testimony form. Thank you to Chair Wilkin and the rest of the committee for having this hearing and letting us speak to you.

Nancy Larson (02:42:33):

I come from the Toledo area and drove down this morning to express my displeasure with the fact that Toledo is split into two different pieces in this GOP version of the map. To me, that's unacceptable. I am a member of the League of Women Voters, and I worked hard as a worker bee to get the two ballot initiatives passed. And I know that the 75-some percent of people that voted for that expect that their effort and their work would be rewarded by the way that these maps are going to be drawn and decided.

Nancy Larson (02:43:13):

I don't want to repeat what everybody has said already. I was thinking what kind of spin from my own experience could I put on this thing? I'm a retired social worker by training and I worked for 12 years in the probation department doing counseling with convicted felons. I've done a lot of couples therapy, a lot of family therapy, and I know a great deal about power in human relationships and the abuse of power in those relationships.

Nancy Larson (02:43:44):

And this process, if we could focus some on not the outcome, but the process, and how this process has been conducted, is sick. It's not healthy. In a family, when you have one of the partners who seizes power and tries to act as if that power and the use of that power to the detriment of listening to the other partner's voice, if they think that that's going to produce a happy marriage, a happy family, they're wrong. And a great deal of the people that I worked with only came to me after they had been slapped upside the face by the criminal justice system, to tell them that this was wrong and it was not going to be tolerated. You are facing the same thing with this map drawing process.

Nancy Larson (02:44:42):

In 2019, a three judge panel, federal judge panel, decided after looking at the last decade of how elections had gone in Ohio, that everything that was happening with the maps as they were drawn at the last census was blatantly unconstitutional.

Nancy Larson (02:45:05):

They looked at how, no matter what the minority, the Democrats, how they voted, there was no way in heck that they could get more than the minority, the 33%. in the last decade, Republicans have held onto 75% of the seats, not a single seat flipped from one party to the other, despite the swing nature of our state. And you all want to think that we're not a swing state, because like those abusive people that I dealt with who did not understand that their power was and should be limited, that there was in fact another person on the other side who deserved to have a voice and to be represented.

Nancy Larson (02:45:57):

This is a swing state. You do not have the right to exercise your power any more than those sex offenders that I worked with had the right to take advantage of their victims. You don't have that right. And I am asking you, understand that our state will continue to go downhill as long as we do not have people being able to put their voices together. We were fifth in education in the seventies. Now we're 35th. There's measure after measure. 46 in terms of health quality.

Nancy Larson (02:46:41):

This is the result of a state that does not listen to everybody and bring people together to work for the good of all. My two children were part of brain drain. They moved to Colorado and Massachusetts. They don't want to live in what they consider a backward state of Ohio. I would prefer that they have an environment here where they would be able to flourish. But I agree with them, we don't have that now.

Nancy Larson (02:47:12):

And gerrymandering and putting in the ability of us to control who it is that supposedly represents us, is key to making these changes happen. What I'm asking you to do is to follow the will of the Ohio people, to do your duty and uphold your oath to the constitution. Get past your need, as David Pepper said, to be afraid of this process of democracy. You don't deserve these seats if you don't win them fair and square. Lying and cheating and stealing to maintain your power is a hollow victory and it's not going to help us as a state. Thank you.

Chair Wilkin (02:48:06):

Thank you very much for your testimony. Is there any questions? See none. Thank you. Sir, if you'd like to approach the podium?

Richard Topper (02:48:14):

Yeah.

Chair Wilkin (02:48:18):

I don't know if you filled out a witness sheet or not, but if you haven't, please fill one out and get it to the clerk.

Richard Topper (02:48:22):

Oh yeah, I definitely will, Chair. I actually emailed my testimony in and sent in the witness information, but sometimes you know what happens to email. So hopefully it'll show up sooner or later, but I definitely will fill out an information form. Chair Wilkins, and-

Chair Wilkin (02:48:38):

If you would state your name for us, sir, I'm sorry.

Richard Topper (02:48:40):

I'm sorry?

Chair Wilkin (02:48:41):

Just state your name for us.

Richard Topper (02:48:42):

Oh, sure. It's Richard Topper and I've live in Columbus, Ohio. And I have been of Columbus, Ohio residence for 40 years and I'm a retired, semi-retired attorney. Sometimes I'd like to retire, but it's a little bit difficult. So, and ranking member Brown, also a government oversight committee.

Richard Topper (02:49:06):

I'd like to talk briefly about the state in general, regarding 479. Then I'd like to talk about Franklin County, which is where I live. And in the state in general, my understanding, it was great that we heard the presentation by ranking member Brown and it was really, really good. And it gave everybody an opportunity on this committee to question them.

Richard Topper (02:49:34):

Now, I watched on the Ohio channel, my colleague, lawyer, Scott Oelslager, testify on Wednesday, last Wednesday. But unfortunately he couldn't give any information other than the split, which according to Dave's Redistricting is wrong. And I wasn't involved in the testimony on Thursday. I've heard it was mostly opponent testimony and interested party testimony, but I still don't know some of the reasons that were given for 479, which we really like. And everybody on this committee, everybody here needs to know, has to have an opportunity about what decisions were made.

Richard Topper (02:50:17):

I'm not a real tech guy, and I'm telling you what, I tried to work Dave's Redistricting and that is really hard. So I know there are experts out there, but being a boomer and not relying on GPS all the time, I know maps, and I know how to read maps. And I know how to read that Dave's Redistricting said, 13 to two for Republicans versus the other, the six to four, I believe, under the democratic map.

Richard Topper (02:50:48):

And the interesting thing is, none of the districts in Dave's Redistricting fall within the 45 to 55 competitive range. I used to represent a lot of individuals against insurance companies. And people come to me and first thing they want is they want their car taken care of. They want the damages paid.

Richard Topper (02:51:12):

So we do the research. We go to Kelley's Blue Book, we go to dealers, we go to everybody else. And we figure out that the value of the car is $25,000. We go to the insurance company. Insurance company says, "I'll pay you 7,500," expecting us to negotiate. You know what we call that in law? Not really law. We call it a non-starter.

Richard Topper (02:51:39):

And the unfortunate thing, and Representative Sykes talked about compromise. All right? I look at one side as compromising and one side giving a non-starter. And the non-starter is 479 House Bill. And the non-starter is Senate Bill, also which, Representative Wilkins, you will be going over it. Thank you for your service on that joint committee. Especially with regard to Franklin County.

Richard Topper (02:52:06):

It does not meet constitutional standards. And this is regarding Franklin County, I'm going to talk about this. First of all, I don't know why. And I really would like to know why Franklin County is split into three districts like we were in 2011, as opposed to two, which we should be. The fourth district, all right? In Franklin County, under 479, has a 69, 27 advantage for Republicans. The 15th has a 59, 36. These are sure win districts for Republicans.

Richard Topper (02:52:48):

And I want to tell you about Franklin County. We are a blue county. We're dark blue. All right? We voted for Biden 64. 7 to 33.4%. We elected Congress people and actually voted for Congress people, some of them living outside the county, near Licking County. And we voted 60% for our congressional representatives in 2020. But that was really pretty what's the same for 2012, 2014 and 2018.

Richard Topper (02:53:26):

I got to tell you about Franklin County. We have a significant minority population. All right? We're closing in to 40%. We have a lot of immigrants. I'll tell you what was absolutely amazing. I used to, I've worked the early vote a lot. We have 130,000 people that vote at the early vote. These people are so excited to vote, you wouldn't believe it. We have Nepali immigrants voting for the first time. People from Bhutan, Somali's, they are so excited to be Americans.

Richard Topper (02:53:57):

But my fear with 479, my fear with the Senate Bill, is that these folks are not going to be able to have their vote count. And that is the worst thing I ever like to hear when I'm working voter protection, "Rick, I don't think my vote counts." Well, your vote should count.

Richard Topper (02:54:14):

So what is Franklin County? Franklin County has a major university. It has a large community college. It has three private colleges. The industry is healthcare, retail, education, hospitality, finance and insurance. The agricultural part of Franklin County, 0.0%. The oil and gas, people involved in oil and gas, 0.1%. Now I'm not saying... We have a significant LBGT community. We have all the urbans and suburban needs all associated with everything.

Richard Topper (02:54:55):

And I think Mr. Ahern did a phenomenal job talking about the infrastructure needs of Franklin County, which we need taken care of. If you want two, okay, give us two representatives. But give us two representatives from Franklin County, not one from Franklin County, one from Licking County, one from Muskingum County, give them from all from Franklin County.

Richard Topper (02:55:21):

So when it comes time to districts and we talk about compact districts and it's really communities of interest, right? That's really what we look at. We look at Southeast Ohio, all right? That community of interest is rural highways, internet access, farming, fossil fuel. I would hate to have somebody from Columbus, somebody from Cincinnati, tell Southeast Ohio what to do. By the likewise, I don't want somebody from Southeast Ohio telling us what is good for Columbus. We all live in different districts. We have, I'm sure, let's say the needs in Highland, Pike and Clinton County are much different than we have in Franklin County. They're much different than we have in Cincinnati, in Cleveland. We, Ohio, we have a great state. We really do. We have a lot of good, hard working people, but we have different interests. We have different needs according to our community. And we shouldn't be splitting and cracking these communities for political advantage.

Richard Topper (02:56:38):

Now, going back to mine. In the fourth district, all right? We are paired Franklin County, New Albany... I don't... If you know New Albany, New Albany's in the Northwest side of the county, near Easton Mall, if any of you have better ever been there. Westerville, which is where Otterbein University is. And then two Columbus districts are thrown into the fourth district, which comprises of nine rural counties and the exurb, Delaware. All right? In Northwest, Ohio.

Richard Topper (02:57:12):

Interests that are vastly different from those in Franklin County. And you know what you have to do to get from the fourth district? Well, you have... Let's say you're coming from on 161. I don't know if everybody, anybody who's ever driven 161, it's a major highway that goes all the way through Franklin County. You get in the Western County or a Madison County or Champaign County, you start on 161, you go through the, let's see, the 15th district, and you go to the third district. And then you finally get to the fourth district, even though the fourth district is in Northwest.

Richard Topper (02:57:50):

And I want to tell you the difference in these communities. All right? 55% of New Albany voters voted for Joe Biden. 55% of Westerville voters voted for Joe Biden. The two Columbus wards, districts making up of 73 and 82 precincts. All right? That's number 73 [ABCD 02:58:18], 82 ABCD, voted almost two to one for Joe Biden. Their infrastructure needs are different.

Richard Topper (02:58:26):

We have Port Columbus, which we talked about, is right near, I mean, it's not in the fourth district, but it's right next to the fourth district. And it's vital for everybody in Franklin County, yet, although President Trump wanted infrastructure because we had crumbling airports, crumbling highways and crumbling bridges. What did we have from the fourth district representative when it came time to vote on infrastructure? A no vote. What do we have from the 15th district representative to Congress on the infrastructure, which we really need? A no vote.

Richard Topper (02:59:05):

I don't know. I'm not going to mention him by name from Champaign County, but I guarantee you that he does not have the interest of mine and the caring for New Albany, for Westerville and for those Columbus districts.

Richard Topper (02:59:22):

Look at that, there's a significant Asian community in New Albany. What would they think? Or what did they think? Or what would they think if they're in that district and they'd know about the vote in 2020, that he made a no vote for a resolution condemning anti-Asian sentiments.

Richard Topper (02:59:44):

Now I'm telling you what too, let's say that a Democrat from Westerville or New Albany got elected to that district that comprises of nine rural counties, and it came time for a vote. And the Democrat said, "I'm going to vote against a water pollution matter. I'm going to vote for that. It's going to affect farmers. I know they're in my district, but they're going to affect farmers." All right?

Richard Topper (03:00:11):

What about farm subsidies? Let's say there's a vote against that by a democratic. Nobody would like that, would they? By the same token, nobody in New Albany, Westerville and other parts of Franklin County would like the votes they're getting from the representative in Champaign County. Let's go to the 15th district. It has Columbus communities of German Village, Marion Village, which is right below German Village and you all maybe have known, maybe have been out to dinner in German Village before, Downtown Columbus. And what's really interesting is really, this is the cracking and packing that's done.

Richard Topper (03:00:50):

Okay, you all know where Long Street is, all right? Well, if you drive on High Street, north from Long Street, okay? Going toward the Short North. You get on the left side of the road and you're in the third district. You get on the right side of the road, you're in the 15th district. And guess who else is in the 15th district now? Joyce Beatty, head of the Black Caucus.

Richard Topper (03:01:15):

She has been a representative from the third district for a long time, a stellar member of Congress who's place was in the third district. Now, and under 479, is in the 15th district. Why is this done? We all... I mean, I know, but I would like to hear from the map drawers. [Blake Springgetty 03:01:45], or whatever his name is and the people who were involved in the maps.

Richard Topper (03:01:49):

Okay. Why is it? Why did you include Westerville, New Albany in the fourth? Why did you include all these communities in Columbus, including a lot of African- American communities on the Southeast side, with Licking County and Fairfield County, which are not suburban Columbus, except for one little part in Pickerington in Fairfield County? Why did you include those? I'd like to know. But we haven't heard. So just please tell us that.

Richard Topper (03:02:20):

Now, I don't want to say, I know Licking County is different from Southeast County, and sounds like nobody wants Licking County, but I remember back in the day, believe it or not, my father was the Republican chair of Ashland County back in the sixties. And we used to have John Ashbrook in our, I don't know if you all remember John Ashbrook, it's a long time ago, but he used to come to our house and he was from Johnstown in Licking County.

Richard Topper (03:02:46):

Those maps were drawn fairly to include Licking County with Ashland County, with Holmes County and other counties. They all made sense. They don't now. And if you can tell me one good reason why these maps were drawn other than to make sure you dilute the voice of Franklin County, I would like to know.

Richard Topper (03:03:07):

And please tell me also what German Village and Downtown Columbus and the African-American communities of the Southeast side of Columbus have in common with Licking and Fairfield County voters. Please tell me this. I think we deserve that information from the map drawers of 479.

Richard Topper (03:03:29):

We, like I say, we have a great state, but we have a lot of different beliefs. People vote differently in Ohio and they have all different types of view with regard to healthcare, with regard to a tax code, favoring the wealthy in corporations over the average Ohioan. With response to COVID. With regard to what happened to our democracy on January 6th. With women's rights, LBGT rights, with minority rights. Social and environmental issues. With infrastructure, as I mentioned, we got the no votes.

Richard Topper (03:04:06):

90% of Ohioans believe in reasonable registration bill for firearms, but not one of the 12 Republican congressmen that came to power as a result of the 2011 [inaudible 03:04:22] has ever, ever put that bill on, despite the murder, the rampage that took place in Dayton in 2019. Where Governor DeWine stood right next to Nan Whaley and promised a registration bill.

Chair Wilkin (03:04:44):

Sir? Sir?

Richard Topper (03:04:46):

I'm finishing up here. We have an opportunity here. We have an opportunity to get credible districts together. It's going to require one side compromising more than they've done right now. Excuse me, is that? Okay. One side compromising more than another. But it can be done. We do not want this to go to four year maps. We want 10 year maps. We want 10 year maps that are reasonable to Franklin County, Cuyahoga County, Hamilton County and all the counties in our state. Thank you very much. And I'll be happy to take any questions.

Chair Wilkin (03:05:30):

Thank you for your testimony. Are there any questions? See none. Thank you.

Richard Topper (03:05:34):

Thank you very much.

Chair Wilkin (03:05:36):

Is there anybody else that wishes to testify on 479? Just come to the podium. I need you to fill out a witness slip.

Ann Shroyer (03:05:44):
I actually did. I was at another hearing earlier.

Chair Wilkin (03:05:44):
Okay.

Ann Shroyer (03:05:47):
But I can give you one for this one too.

Chair Wilkin (03:05:49):
Nope. As long as we have one on file.

Ann Shroyer (03:05:51):
Yeah.

Chair Wilkin (03:05:51):
And I would ask if you have similar comments to what we've heard since eight o'clock this morning that you re... We don't need to review all of those.

Ann Shroyer (03:06:00):
I hopefully won't. I should be a wee bit shorter. Chair Wilkins, vice chair, white ranking member Brown and members of the committee, thank you for allowing me to present this testimony in opposition to House Bill 479. My name is Ann Shroyer. I'm a resident of Delaware County and current resident of the 12th congressional district, a gerrymandered marvel that stretches like an L from Mansfield to Zanesville with a tail mill made of Clintonville, just to take their votes.

Ann Shroyer (03:06:26):
I oppose the current maps because it is utterly ridiculous that my city of Westerville, a little similar to the previous gentleman, on the Northeast side of Columbus should be included in a district that stretches to include my hometown of Wapakoneta on the west side of the state, down to Champaign County, all with the benefit of continuing to elect Jim Jordan to Congress, where gerrymandering has allowed him to be re-elected repeatedly while actually producing nothing for constituents, other than repeated yelling sound bites.

Ann Shroyer (03:06:50):
He held up the Farm Bill for his own grandstanding, the Farm Bill, in a district I grew up in and that I drove through on Sunday night and watched combines and fields in the dark taking off the remaining soybeans and corn from fields dried from a fortunate week of no rain. And he doesn't even support the Farm Bill and consistently and for his district. So he doesn't even serve his current district adequately because he doesn't have to, because he gets re-elected easily. And now my community will be lumped into his incompetence.

Ann Shroyer (03:07:18):

Gerrymandering has very real effects on the lives of Ohioans as I witnessed in house committees in the past few weeks and this morning. Where even though Ohio is above average in the increase in gun violence deaths in this country, our Ohio state legislature is focused on training teachers to shoot and kill our school children. Gun violence is not addressed at the state-

Chair Wilkin (03:07:37):

Ma'am? Ma'am?

Ann Shroyer (03:07:37):

Yes?

Chair Wilkin (03:07:38):

We're going to stick to 479. If you want to talk specifically about the bill and the map, we're happy to hear it. If not, we're going to have to move on.

Ann Shroyer (03:07:43):

Well, I'm talking about why the map is important, because of the gerrymandering, our votes, our voice is not heard. [crosstalk 03:07:49] obvious-

Chair Wilkin (03:07:49):

[crosstalk 03:07:49] I don't think there's one single member here that supports anyone shooting school children.

Ann Shroyer (03:07:52):

Then why [crosstalk 03:07:54]?

Chair Wilkin (03:07:54):

[crosstalk 03:07:54] So if you want to speak to the map, we're happy to have it here in committee, but we're not going to go down that road. Thank you.

Ann Shroyer (03:08:00):

All right. So like I said, because of the gerrymandered maps and because of the consistent re-election of members, they don't have to answer to voters, they don't have to answer to people that come and testify in committee because the true constituents of these districts are often the lobbyists and the people that provide them with money, whether it's independent expenditures or direct payments to their campaigns. So I would ask you to vote no on these proposed districts as mine is just one small example of taking one voice, taking the voice from voters, and dividing communities to continue to allow lobbyists and corporate money to be the true constituents of our elected officials. Vote no for gun violence victims alone, I realize we don't care about that here.

Chair Wilkin (03:08:49):

[crosstalk 03:08:49] Ma'am. Ma'am. Ma'am.

Ann Shroyer (03:08:49):

[crosstalk 03:08:49] representative, nor the governor partially because [crosstalk 03:08:53].

Chair Wilkin (03:08:53):
[crosstalk 03:08:53] The committee will stand at ease.

PART 6 OF 6 ENDS [03:08:55]

Co-Chair Gamrone (00:00:00):
And congressional redistricting will now come to order. Will the clerk please call the role?

Speaker 1 (00:00:06):
Co-chair Gamrone.

Co-Chair Gamrone (00:00:12):
Here.

Speaker 1 (00:00:12):
Co-chair Wilkin.

Co-Chair Wilkin (00:00:13):
Yes.

Speaker 1 (00:00:13):
Senator [inaudible 00:00:13].

Speaker 2 (00:00:13):
Here.

Speaker 1 (00:00:13):
Representative [inaudible 00:00:13].

Speaker 3 (00:00:13):
Here.

Speaker 1 (00:00:13):
Senator [inaudible 00:00:13].

Speaker 4 (00:00:13):
Here.

Speaker 1 (00:00:14):
Representative [inaudible 00:00:14].

Rep. Beth Liston (00:00:14):
Here.

Co-Chair Gamrone (00:00:15):
And we have a quorum. I'd first like to start this a meeting with some ground rules to make sure everyone's on the same page. First, these committee hearings are being structured in a way that allows us to hear from as many citizens from Ohio as is possible on a really important issue. There'll be no

standing by the public in the committee room. In order for the committee to run smoothly, we will request the chairs in the room be reserved for people testifying today. If you do not have a chair to sit in, you'll be directed to go to the north hearing room for overflow seating and that room is directly across the hall.

Co-Chair Gamrone (00:00:50):

Witness slips and testimony should have been sent to either my office or co-chair Wilkin's office prior to today's committee beginning. However, we're going to offer the opportunity for anyone who wants to test in person today to complete a witness slip within 10 minutes. Anyone who has not submitted a witness slip after those 10 minutes will have the opportunity to testify on Friday. For Friday's committee, we'll be accepting witness slips and testimony no later than 24 hours in advance of Friday's hearing, which means the deadline will be 10:30 tomorrow morning. In an effort to stay consistent and to allow for as much testimony and questions from members as possible, we'll be instituting a five minute time limit. We're putting the time on the screen to my left, and we'll give you 15 second warning to wrap up your comments.

Co-Chair Gamrone (00:01:38):

I understand that people are passionate about the issue before the committee today. However, everyone will be expected to keep decorum during these hearings. We want to get through as many people as possible to ensure that people watching online can understand clearly and follow along. Cheering, applause, booing, heckling prevents us from doing that and will not be permitted. No video or pictures will be taken without the permission of the co-chairs. If you want to take video or pictures, we have a media form available for you to fill out for the chairs to consider. Finally, we have an incredible set of Sergeant at Arms and highway patrol in the room and around the building today who keep everyone safe and assists the members, staff, and citizens and attendance. And I'd like to, again, thank them for everything they do.

Co-Chair Gamrone (00:02:23):

And with that...

Rep. Beth Liston (00:02:24):

Point of order, chairwoman. I've had a number of constituents ask about previous testimony that has been submitted on these four bills. Would you be able to clarify what this committee's procedure and consideration of that testimony would be so that those who are here know how to treat it?

Co-Chair Gamrone (00:02:43):

This a new committee that's been formed, a joint committee, so we'll be hearing testimony as a newly formed committee.

Rep. Beth Liston (00:02:53):

Follow up. So should people who have previously testified want that testimony to be considered, they need to resubmit to your office either an hour or before the next hearing, just correct?

Co-Chair Gamrone (00:03:06):

If they would like the testimony considered by this committee, then they are welcome to submit a witness slip in written testimony.

Rep. Beth Liston (00:03:14):

Thank you.

Co-Chair Gamrone (00:03:18):

All right. And our first witnesses are Senate Minority Leader, Kenny Yuko. And we also have Senator Vernon Sykes.

Kenny Yuko (00:03:41):

Thank you to our co-chairs for having us this afternoon.

Co-Chair Gamrone (00:03:46):

Good afternoon. Welcome to committee.

Speaker 2 (00:03:46):

Well, we were here just it seemed like yesterday. I guess it was last week already. We kind of told you what we've done so far, what we hope to accomplish. I think what we've done has been duly supported by the vote of the people, not once, but twice going back to 2015, 2018. They're entrusting us to get it right. And just as I indicated in my floor speech on the Senate floor a few minutes ago, it's time to work together and, and I'm asking you to please do this. Let's work together. Let's listen to what the folks have voted on in 2015 and '18, what we've tried to accomplish, what our intent is. Okay.

Speaker 2 (00:04:27):

And I realize this is a difficult subject for some people to digest. I understand that and I respect that, but I also respect the will of the people. It's not just the Democrats. It's Democrats and Republicans. Because when you get over 70% of the vote twice, I wish I had 70% of the people in my caucus, but I don't, it's time for us to really, let's get this job done. And I'm going to turn it over to Senator Sykes. Thank you.

Vernon Sykes (00:04:54):

Thank you, Madam Chair.

Co-Chair Gamrone (00:04:55):

Good afternoon.

Vernon Sykes (00:04:57):

Appreciate it. The map that we are presented today was design to respond to the majority's concern for about equal population, emphasizing our commitment to negotiating in good faith. The proposal sub bill has been shared with Chair Gamrone's office and was posted on the redistricting commission website. We're hoping to have it formally considered by the state, the Senate, local government and elections committee soon.

Vernon Sykes (00:05:28):

Like our previous proposal, this plan is fair, keeps communities together and doesn't gerrymander Ohio. It again complies with all principles outlined in the Constitution, including ensuring that the map doesn't favor or disfavor a political party. By not splitting minority populations, our proposal also protects the voting rights of racial minorities.

Vernon Sykes (00:05:52):

I'd like to make a few observations about the map that we're presenting today. As I mentioned, the plan seeks to achieve equal population. This means that 13 districts have populations of 786,630 Ohioans. And two districts include one fewer person or 786,629 people. To make this adjustment, we had to make some changes in our previous map. However, the proposal does still comply with all of the Constitutional requirements regarding community splits. In our map presented today, 74 counties are not split at all. 14 counties are split only once and no counties are split twice. All districts are contiguous. All districts include at least one whole county. No townships are split at all. The plan does not unduly favor or disfavor in the political party. Eight districts lean Republican and seven districts lean Democrat. Our proposal today demonstrates that fairness is not in conflict with the principle of equal population. We can draw a congressional map that achieves equal populations while being fair representative of Ohio's communities. I thank you again for this opportunity to present this new version of our plan.

Co-Chair Gamrone (00:07:25):

Thank you. Thank you, senators. I have a few higher level questions I'd like to ask the sponsors. If the committee needs clarification of your staff, we can ask, but let's see. First this sub you explained has not been presented to my Senate standing committee, correct?

Vernon Sykes (00:07:45):

It has been presented to your office.

Co-Chair Gamrone (00:07:46):

Oh right. But it didn't go before the Senate committee.

Vernon Sykes (00:07:49):

It didn't go before the committee yet. We had just got it produced with LSC and didn't have enough time to get it to you before the committee yesterday.

Co-Chair Gamrone (00:07:58):

Sure. And as we've discussed in committee several times, the maps you presented had significant deviations and population across all districts, the ones that did go before the Senate committee. The proposal before us today changed those deviations. What was the impetus to change those for this hearing today.

Vernon Sykes (00:08:21):

The main concern was trying to meet you part way as far as negotiation. We don't believe that the changes, the deviations that we had in our plan violated the Constitution or were permissible because we had some other rationale for making sure that we comply with the Constitutional requirements. So we are trying to show that we are coming your way on this particular issue.

Co-Chair Gamrone (00:08:51):

Thank you. And we've been hearing for a while now with the problems that people have had with so-called snake on the lake, the ninth congressional district. That was seemingly created to keep an incumbent in office. But looking at this map, instead of a snake on a lake, it looks like an alligator on the lake. Do you think that your proposal addresses the concerns we've heard from so many people about the shape and partisan composition of that particular district?

Vernon Sykes (00:09:22):

To give you a short answer, we do.

Co-Chair Gamrone (00:09:24):

Okay. Then can you elaborate more on why you think this addresses the concerns of so many people?

Vernon Sykes (00:09:40):

Well, one of the issues, particularly with the majority map, is that you have so many splits in the larger counties and that's splitting communities of interest apart. And what we've done is to try to keep those communities together and have less splits in those counties. For instance, Summit County, you've got three splits and we keep Summit County whole altogether. So we believe that we are complying with some of the wishes that expressing all the hearings we've had on the congressional district so far to try to keep those communities together.

Co-Chair Gamrone (00:10:22):

Okay. We've heard from a whole lot of people who have a problem with the supposed lack of competition in Ohio's current congressional districts. And looking at the information you provided, there are only four competitive seats. Do you think your plan addresses the concerns from voters about maps being uncompetitive by only having four competitive seats? Only four seats are within 10%.

Randall (00:10:52):

We believe that our map is competitive. We have two seats that are within 48, 52 range, which is highly competitive. We have the 14th district which surrounds Cuyahoga County. And I believe it's the 11th district that's in the four point range, highly competitive. Additionally, our map, unlike the majority map, we have one district that leans Republican that's competitive. All the Republican maps lean in one direction competitively. Additionally, we have six districts, if you want to use your 10 point margin that are within that 10 point margin. So it's not like it's that far off.

Co-Chair Gamrone (00:11:45):

You have four districts out of the 15 that are within 10%.

Randall (00:11:50):

Okay. The distinct difference is, is that the majority of all of your competitive seats lean in one direction. They all lean Republican. Ours don't. So our competitive seats, one of our competitive seats leans Republican. The other three of them lean Democratic. But again, we have a fair proportionality that doesn't unduly favor or disfavor any political party with our seats. Again, the Constitution speak to competitiveness, it talks about unfairly or unfairly favoring, one party or another.

Co-Chair Gamrone (00:12:28):

While looking over the data submitted by your staff, it appears that six of the eight Republican seats in your map would have a margin of victory of 28 points or more while only two Democrat seats would have a margin of victory of 20 points or more. Based on those numbers, it looks like Republicans are packed into districts while Democrats are dispersed into other districts. How does that create the type of competitive districts that the public is demanding and asking for?

Randall (00:13:00):

If you look at the statewide voter preferences last 10 years, 54, 40, 54% Republican, 46% Democratic, our maps fairly identify that and we keep communities together. We have 14 splits, and they're all single splits, whereas the Republican maps do multiple splits. They crack communities apart. We don't do that. So in effect, while you're separating urban communities and municipalities, we're keeping them together as they should be. And the fact is the communities of interest in rural counties are much like in our map together, whereas rural counties are together and urban counties are together. So to me, that more fairly articulates what is the interest of the public than the Republican maps.

Co-Chair Gamrone (00:14:00):

It appears that 11 out of the 15 congressional seats are, are predetermined one party or the other under this map. Can you address that concern?

Randall (00:14:15):

Well, we are following the Constitution in terms of keeping the most strict criteria of the Constitution on lack of splits, keeping communities together, and adhering to the unfairly, but fairly keeping communities together based on political preference.

Co-Chair Gamrone (00:14:35):

Thank you. And Randall, I apologize. You've got testimony here. I apologize. Please feel free to testify.

Randall (00:14:45):

Okay. As you know, article 19 of the Ohio Constitution outlines the process for creating congressional districts in Ohio. The plan presented today seeks to maximize compliance of these provisions while achieving equal population in each district. All districts in our map include 786,630 people except for two, which includes 786,629. Our new proposal also adheres to all applicable provisions of the Constitution of Ohio and the United States as well, as well as the federal law, including the federal law protecting voting rights of racial minorities. Each district is composed of contiguous territory. In addition to boundary of each district is a single non-intercepting continuous line. Section 2(4)A of article 19 requires the drawing of a district that includes a significant part of the city of Columbus. District one in our plan was the first to be drawn, fulfills this requirement.

Randall (00:15:52):

Section 2(4)B requires a drawing of districts to preserve municipal corporations or townships whose populations are larger than 100,000 people, but smaller than 786,630 people. This requirement applies to the cities of Cleveland and Cincinnati. Under our plan, none of these cities are split. Section 2(B)5 requires the 65 counties contained entirely within the district, 18 counties, not split more than once, five counties split no more than twice. Our plan significantly exceeds this standard by preserving 74

counties, splitting 14 counties once, and we split zero counties twice. Zero counties are split twice. Section 2(B)6 required drawn contiguous districts within counties, all districts in our proposal satisfied this requirement. Section 2(B) requires no two districts share proportions of territory more than one county, but allow for one exception. Zero districts in our plans share more than one county. Section 2(B)8 requires that the congressional districts shall [inaudible 00:17:04] to at least one county, whole county in each congressional district unless the district is contained within one county. Again, all districts in our plan satisfied this requirement.

Randall (00:17:17):

Section 2(C)1 describes how splits are to be counted. The plan presented today contains three districts, one, three, and five, which are entirely contained within one county and contains zero splits. In addition, 14 counties, 14 municipalities, zero townships were split. May I repeat, zero townships are split on our map. It is worth noting that article 19 of the higher constitution is silent on requirements for population variance. However, to respond to Republican concerns about equal population, the map presented here today complies with the absolute equal population, as I already mentioned, features 13 districts that are exactly the same population, equivalent to the population ratio of 786,630, two districts with one fewer person.

Randall (00:18:10):

If the general assembly fails to adopt a plan with sufficient bipartisan support, the Ohio Constitution requires adopted maps must comply with a number of additional standards. Section 1(3) article 19 contains provisions that shall apply in circumstances. Senate bill 237 satisfies all these additional standards. In particular, the plan adopted without sufficient bipartisan support is required under section 1(3)A not to unduly favor or disfavor a political party or its incumbents. To determine what qualifies disfavor in political party, we use a simple vote tolls in each partisan statewide election from 2012 to 2020. This result in the ratio 45.9 Democratic and 54.1 Republican. This means that a congressional map does not unduly favor or disfavor a political party. Would include seven likely Democratic seats and eight Republican seats.

Randall (00:19:12):

Senate bill 237 includes seven districts that favor Democrats and eight districts of favor Republicans. Section 1(3)B requires that a plan adopted without sufficient bipartisan support does not unduly split governmental units. With the order of preference, our plan minimizes splits to only 14 counties, 14 municipality splits, and may I repeat, zero township splits. Of all congressional districting plans introduced, only our plan has followed the prioritized community preservation, the order of county township and municipalities. Finally, section 1(3)C requires that maps adopted without sufficient bipartisan support shall attempt to be compact. Our plan preserves governmental units and makes districts compact.

Randall (00:20:02):

In conclusion, our plan proposed congressional map fulfills the spirit of the reforms pass overwhelmingly by Ohio voters in 2018. It adheres to the provisions of article 19 of the Ohio Constitution in all possible circumstances. It complies with all applicable provisions of the Ohio and US Constitutions and to federal law, including provisions concerning the protection of minority voting rights. It was designed to respond to Republican concerns about equal population, proving our commitment to negotiating in public and in good faith. As that's what the plans presented by our co caucus during redistricting process, this

proposal is intended as a starting point and we welcome improvements. At this point, I'd be happy to any questions.

Co-Chair Gamrone (00:20:52):

Thank you very much. Are there any questions for members of the committee?

Rep. Beth Liston (00:20:56):

Question.

Co-Chair Gamrone (00:20:56):

Yes.

Rep. Beth Liston (00:20:57):

Thank you, chairwoman. Thank you gentlemen. I appreciate the testimony and obviously the commitment to following the Constitution as the citizens have asked us to do. I just wanted the opportunity to clarify a couple things. I know that people have talked about the snake on the lake and what I see and what know as our current map has portions of five counties, including Toledo and Cuyahoga, connected by a road that my understanding is sometimes underwater. So you can't even drive. I hear it being applied to this map, but in no way to me does it look similar. So I wanted to see if you guys could maybe talk about how the area on the lake differs from what people have been really concerned about in the past with that particular district.

Randall (00:21:47):

Chair, representative, let me see that [inaudible 00:21:53]. Here it is. Yeah. Our district 10, which has historically then referred to the snake on the lake, if you look at our map, and we can give you a blow up, doesn't connect by a land bridge. We actually connected using Sandusky County. So it's connected by land mass from Toledo all the way to Lorain county. So there is a connective base there and we believe that is a lake based connective community that we think adheres to what we're talking about with avoiding that snake on the lake issue.

Rep. Beth Liston (00:22:34):

But I see five whole counties in a portion of one other, and it doesn't include both Toledo and Cleveland.

Randall (00:22:39):

It doesn't go into Cuyahoga county at all.

Rep. Beth Liston (00:22:46):

Right.

Randall (00:22:46):

It stops at Lorain.

Rep. Beth Liston (00:22:48):

Okay. And thank you. And then I look at the words of the Constitution and I see the unduly. I don't see the competitive, and I know that this unduly favoring or disfavoring a political party or incumbent's going to be a conversation that we continue to have. So just, I want to give you the opportunity to maybe in sentence or so clarify how this map represents that and what is the interpretation that you guys are using with it, unduly favoring a political party or not?

Randall (00:23:17):

I think we believe that by having a map that adheres to the statewide voter preferences over the past 10 years and kind of mirror that, we believe by doing that while keeping communities together, we kind of follow by not favoring one party or another, because we follow what was passed in 2018 while keeping communities together and making sure that our proportionality is reflective of the past 10 years of voter preferences.

PART 1 OF 4 ENDS [00:24:04]

Randall (00:24:03):

... reflective of the past 10 years of voter preferences. So we think we do that. And then we're also open, like the senators here said, if we feel like we need suggestion or changes, we're more than open to any changes that maybe addressed any problems that exist within our map.

Rep. Beth Liston (00:24:21):

So that seven out of 15 roughly matches with the 46%-

Randall (00:24:27):

Exactly.

Rep. Beth Liston (00:24:27):

... of what the people have voted?

Randall (00:24:29):

Correct.

Rep. Beth Liston (00:24:31):

Wonderful. And I have one more, one question as a maptitude question, and I feel like I have the opportunity here because you're the expert in front of me. So I know maptitude has the ability to do these ensembles. You put in specific parameters and have it run a number of different maps.

Randall (00:24:54):

Reports.

Rep. Beth Liston (00:24:54):

So I've done that a little bit and played with it and I guess, would it surprise you to know if you put in the 15 districts and had it, has Maptitude asks it to create 25,000 different maps, that zero of them result in a 13 to two split in terms of the proportionality of-

Randall (00:25:16):

I was not aware of that. I do know that has the capability of mass producing maps, but I wasn't aware that if you ran that scenario, none would produce a 13, 2 map, which I find interesting.

Speaker 5 (00:25:27):

I haven't heard of it, but I'm not surprised by it. Let's put it that way.

Rep. Beth Liston (00:25:31):

Right. Thank you, gentlemen.

Co-Chair Gamrone (00:25:34):

Are there any further questions? Yes, Senator McColley.

Senator Rob McColley (00:25:39):

Thank you. And I have a question. You all keep referring to the statewide voter preferences over the past 10 years, which is fine. But I just want to know your reasoning and your thoughts behind that being the... Because it's not required in Article 19. I think we can all, we all acknowledge that's not an Article 19. It deals with the state redistricting, but it's not an Article 19 dealing with the congressional redistricting. So why do you think it's important to comply with the 10 year voter preferences?

Speaker 5 (00:26:20):

It's a fairness standard, standard. It has been set by the previous section.

Vernon Sykes (00:26:30):

Senator. Previous section 11 of the Constitution, as we relate to and deal with state House seats and Senate seats. So it's setting a litmus test and some guidance on how to make sure that you're not unduly favoring one party or another. And to look at, historically, what has been the trend of voting patterns and preferences expressed by the people of the state to determine what parameters you should stay in, stay within. And that's why we're using it. You're correct. It's not specifically identified, but it's something that we're using to help guide us, the same guidance that we use with these state districts.

Senator Rob McColley (00:27:16):

Follow up?

Speaker 6 (00:27:18):

Sure.

Senator Rob McColley (00:27:21):

So, I guess if I could summarize, you're saying 10 years allows for a combination of a changing tide of political circumstances over the course of that time. Would you agree with that statement?

Vernon Sykes (00:27:36):

Yes. To try to deal with outliers or you may have anything may happen under any particular year. But if you average the years out, it will give a better indication of what the preferences of the people might be.

Senator Rob McColley (00:27:51):

Okay. Follow up?

Co-Chair Gamrone (00:27:52):

Follow up.

Senator Rob McColley (00:27:53):

So I guess my question then would be, why did you choose, when trying to score the partisan lean of your map, 16, 18, and 20, which were two nine point presidential wins for the Republican candidate and a win for the Republican statewide candidates as well? Why wouldn't you use tenure data with that?

Randall (00:28:22):

That's a good question, Senator. We, back in August when we were collecting this data, I was working with your legal counsel to get the data for all 10 years for all the elections, '12, '14, '16, '18, and '20, because Ohio University only gave was '20. Now we were able to collect the data for '16 and '18. But the data for subsequent years... On our side, we weren't able to get '12 and '14.

Randall (00:28:58):

And I remember having conversation with Frank [Sugari 00:29:01] about the '12 and '14. '12 was probably the best democratic year. Obama won. Jed Brown won. So that was our high point. The Republican high point was '14, which was really a bad year. To me, they offset. So we thought, well, those two, I thought those two offset. So '14, '16, '18, we had reliable data. So we thought those four election seasons with every statewide election would be the best we can do in getting an average, which isn't far off from the 10 year average. If you look at '14, '16 and compare that average to the 10 year average, it's pretty close.

Vernon Sykes (00:29:46):

I also want to make a distinction here when we talk about voter preferences. We're looking at statewide elections. And we looked and we were able to count all of the statewide elections in the last previous years to come up with that percentage. So it didn't have anything to do with what year. All the years were counted. We counted up from the Secretary of State's records we were able to count up the results, the persons that the number of votes that were cast for Republican candidates and those cast for Democratic candidates. So that's how we came up with the 54% and 46%.

Senator Rob McColley (00:30:28):

And I understand your 10 year argument. What I don't understand is I guess what I see as some apples and oranges here that are being used. One is the 10 year argument to prescribe what you feel the seats should shake out to be.

Senator Rob McColley (00:30:49):

And then the other is using an arguably Republican biased index taking three statewide Republican elections, two of which would be considered Republican presidential landslide elections in the state of Ohio. Taking three of those elections and using them as the basis for your indexing and your scoring of the, of what the partisan lean in each of these district is.

Senator Rob McColley (00:31:20):

I guess, I don't understand why when you can go back and figure out this data, if you'd like, and there were also funds available to your caucus that have been appropriated that if you needed to pay somebody to figure out that data for you, you could have. Why would you narrow it down to just the three, three of the best Republican elections really in the last 10 years? Not the best necessarily, but three of the best?

Randall (00:31:52):

From our vantage point, we wanted to make sure we were on equal footing. So it wasn't data that was given to us by Republicans or Democrats. We wanted nonpartisan data. That's why we got the data from CRUD that we were supposed to use. That's why in conjunction with the Republicans, we got the '16 and '18 data. I wanted to make sure that the data we received was universally accepted by both sides.

Randall (00:32:19):

No one presented me with universally acceptable data for '12 and '14. If I was given that data, I would've utilized it. But no one provided to me on a nonpartisan basis that data. So we didn't use that.

Senator Rob McColley (00:32:34):

May follow up?

Co-Chair Gamrone (00:32:34):

Follow up.

Senator Rob McColley (00:32:36):

I guess my question is, if it's so important to look back 10 years, why would there never have been a request for that data?

Vernon Sykes (00:32:51):

Well, in a different capacity, you co-chair another, a task force dealing with... There's been several requests being made to that committee, the task force, and to the leadership of both the House and Senate to get this process started a lot earlier and to provide more resources so that we could address some of those issues, but that was not done in the timely basis. And when we finally got additional dollars that we needed, it was to hire and retain the consultants to just produce on a timely basis. And it was, we were able only at the last minutes to produce maps on, in a timely basis. So we not, could not comply with that timeframe.

Co-Chair Gamrone (00:33:38):

Hello.

Senator Rob McColley (00:33:43):

If I could, the census data didn't come out until August. I think we can all agree with that. By that point, we had a pending deadline that was looming pretty heavily. The money from this task force is money that's been being dolled out since the beginning of the summer to help pay for this sort of stuff. And so I guess if somebody had the capability through their GIS capabilities or otherwise, or any of the consultants you've hired, or if there were a program that had to be produced to try and make it apples and apples where you're lining up 10 year indexes for each of these districts with the 10 year voting preferences rather than saying the 10 year index should inform how many seats should go each way or another.

Senator Rob McColley (00:34:38):

The 10 year voting preferences should inform which seats go either way or another, but we're going to use a three year index to say whether they're a Republican or a Democrat seat. I mean, I personally think that there could have been a request or an effort made to do that. That could have informed what the index of each of these seats are, because I think it's a Republican bias index that's in front of us right now.

Randall (00:35:06):

I believe we're working with the data that was given to us. Now, Ohio University was tasked with providing the data. That was their job. We're just working with the data that was provided to us. We believe in order to sit, work on an equal playing field, we need to work with the data. Now, if the majority has data that they want to share with us that we can augment our maps, we're welcome to receive that data. So welcome to give it to us. That way we can work on an equal playing field.

Vernon Sykes (00:35:38):

And we are offering this, we're willing to, with the bias that you've indicated, we're willing to present and accept the data that we have.

Co-Chair Gamrone (00:35:48):

Follow up.

Senator Rob McColley (00:35:49):

Yep. Thank you. I'm good.

Rep. Beth Liston (00:35:52):

Follow up?

Co-Chair Gamrone (00:35:52):

Yes, representative.

Rep. Beth Liston (00:35:54):

Thank you. This one's quick. It is my understanding that the Secretary of State's office doesn't maintain shape files for 2014 and 2012. And so to apply it in map making is not possible based on what the SOS has kept in terms of records.

Randall (00:36:09):

That is correct. And that's my understanding.

Rep. Beth Liston (00:36:11):

Thank you.

Co-Chair Gamrone (00:36:13):

Are there any further questions? Yes, co-chair Wilkin.

Co-chair Shane Wilkin (00:36:18):

Thank you very much. Thank you gentlemen for being here in chairing the committee for about five hours this morning on this very same issue. Some of the terms that came up was talking about the compactness, and I'm very impressed with a couple of the names that we've heard from other maps, the Sliver by the River and the Snake by the Lake. So in reference to the Ohio State University and where I would be living, I'm curious about the U around the Shoe? How has that one come to be derived?

Randall (00:36:54):

We believe that districts one and two started in Franklin County. We started drawing with the most populous county. And we started with district one in Franklin County. Then we took the remainder and drew the second district. And we believe that we're having that district in Delaware, going into Union County is a proper bringing together the second district. And so we went from most populous counties to on down in terms of drawing our maps. That's the methodology we used.

Co-chair Shane Wilkin (00:37:32):

Follow up?

Co-Chair Gamrone (00:37:34):

Follow up.

Co-chair Shane Wilkin (00:37:37):

So I guess my interest in is more in the 13th district where you've got them split apart. It's a challenge for people in my... That would be the district that I live in.

Randall (00:37:51):

I understand. That is the point taken. But we started based on constitutional standards by keep going from the largest to the smallest. And we drew based on keeping populations together, minimizing splits, and that's was our task. And we drew these maps.

Co-chair Shane Wilkin (00:38:17):

One more follow up, please?

Co-Chair Gamrone (00:38:18):

Follow up.

Co-chair Shane Wilkin (00:38:19):

Then I would go down to what would make up some of my, the current district, which would be the 12th, making up 16 counties. When we talk about compactness, can you talk a little bit about that particular lineup? Or is it the same as we just looked at populations? And as some of us would argue you in Appalachia, we often get very overlooked.

Randall (00:38:39):

In our original map as introduced map, which was an equal population, those were whole counties. And we had one, I think one split that looks like in this map. So we keep counties together pretty good and pretty sufficiently in the 12th district. And they all fall around for the most part, the Ohio river. So it makes sense. And you got to understand in these rural counties, the populations are smaller. So by necessity, they have to be larger.

Co-Chair Gamrone (00:39:07):

Follow up?

Co-chair Shane Wilkin (00:39:08):

Yeah. I live in the rural county, so I very well do understand that. I guess my thought process is just you've changed and I think made this district even substantially larger. So I guess when I listen through hours and hours of testimonial compactness, these two do not seem very compact to me. So thank you.

Co-Chair Gamrone (00:39:29):

Yes, Senator McColley?

Senator Rob McColley (00:39:32):

A point of clarification what we were talking about earlier while I'm not sure whether the Secretary of State's office would have shaped files for '12 and '14 or not. My understanding as it's been explained to me is that we have statewide GIS election data that's available going all the way back 10 years. And there are programs that could be made available that could overlay geography such as a district shape over that, and then put out a calculation based on a 10 year look back period. I just wanted to make that clear.

Randall (00:40:13):

Senator, if that's available, I would be happy to accept that. Again-

Vernon Sykes (00:40:20):

Precinct [inaudible 00:40:20].

Randall (00:40:20):

... Hmm?

Vernon Sykes (00:40:21):

Not at the precinct.

Randall (00:40:22):

Not at the precinct level. Yeah. I mean, but it could have the boundary lines, which I get. I asked specifically the Secretary of States office if they had that data, they said they didn't have it. So I just took them at their word.

Senator Rob McColley (00:40:35):

If I may?

Co-Chair Gamrone (00:40:35):

Follow up.

Senator Rob McColley (00:40:36):

And I'm not saying that the Secretary of States would be the ones who have it, but it, there are methods of getting it, I guess, is what I'm saying. And we can talk offline if you want to talk further about it.

Randall (00:40:46):

My point is, the majority... We're willing to, since the very beginning to work with the majority, to get a common set of data to work with. That's never been an issue for us.

Speaker 5 (00:40:55):

Do you have it, please share it?

Co-Chair Gamrone (00:40:59):

Are there any further questions? Seen then. Thank you very much.

Speaker 5 (00:41:03):

Thank you.

Co-Chair Gamrone (00:41:05):

And next to testify, we have Michael Ahern. And a reminder that we'll have a five minute limit on testimony. Thank you very much.

Michael Ahern (00:41:18):

And which bill is this one on? Because I'm speaking on multiple ones.

Co-Chair Gamrone (00:41:23):

I'm sorry, which bills are-

Michael Ahern (00:41:24):

Is there just one after the other?

Co-Chair Gamrone (00:41:25):

... You can just testify to whatever bills you'd like to testify to before the committee right now.

Michael Ahern (00:41:30):
So five minutes for all the bills or five minutes per bill?

Co-Chair Gamrone (00:41:34):
Five minutes, total.

Michael Ahern (00:41:36):
Total. Okay.

Speaker 7 (00:41:37):
There's two submitted testimonies?

Michael Ahern (00:41:40):
I did submit testimony on two separate bills. So it's still five minutes total?

Co-Chair Gamrone (00:41:47):
We do have a five minute limit and the testimony is available on the website for the committee members to see. It's available on their iPads.

Michael Ahern (00:41:56):
Okay. Then I will speak on Senate bill 237. Good afternoon members of the Joint Committee on Congressional Redistricting. My name is Michael Ahern. For those committee members who have not heard me testify, I hope you'll give my prior testimony consideration. I will testify specifically on House bill 43 later. And this testimony touches on a key aspect of considering Senate bill 237.

Michael Ahern (00:42:20):
As an unaffiliated voter, I am concerned about this process. Up to this point, there's been no debate within the respective committees on the proposed maps. One of the reasons the reforms were passed in 2018 was because the 2011 map was drawn in a private room out of public view and was passed with little public debate and no public input. Simply put, the voters demand out of public and transparent process.

Michael Ahern (00:42:43):
I hope that this joint committee will meet the letter and the requirements of the redistricting reforms and the art and desire of the public to be witness to the sausage making process that will result in either a 10 or four year map. Consistent with the 2018 redistricting reform requirements, as a citizen I should be able to listen to your debate, ideally provide input on a final map considered by this joint committee before it is passed if it is different from the formats presented in the two legislative committees.

Michael Ahern (00:43:11):
Similarly, this joint committee should be allowed to ask questions. The committee members should be allowed to ask questions of the actual map makers, which we did actually see here for the first time in the joint committee. So that those questions and responses are conducted in the open. For example,

representative Oelslager was asked questions about House bill 479 by the house committee members. And his responses were that he would have to get back to them because he was not the map maker.

Michael Ahern (00:43:39):

I assume the answers have been provided to the House committee members, but those answers are not part of the public record and have not been presented in a committee hearing. As a member of the public, so far, I am not privy to those responses, and I have not been privy to any of explanation by the actual mapmaker of the choices that resulted in the House Republican map.

Michael Ahern (00:43:56):

In fact, I felt bad for representative Oelslager because it seemed like at times he had introduced legislation that he was familiar with only on a cursory level. When a critical part of the process is developed behind closed doors and key information is relayed only amongst the parties, those actions strike at the heart of the concerns that Ohio voters had with the prior map making process and exactly what they were trying to reform in the current map making process.

Michael Ahern (00:44:22):

And just so it's clear that I'm not speaking from a partisan perspective, even representative Brown this morning indicated that he had to defer to the map maker in response to a question that was posed in that committee. The only map where the map maker was made available was the Senate Democrats' map, Senate bill 237 and that presentation today.

Michael Ahern (00:44:41):

It was particularly helpful when the map maker was allowed to respond directly to the questions posed by two different Republican committee members. In that instance, when he was asked questions, he was able to provide specific answers in public the way the reform is intended. We are here today to consider a congressional map.

Michael Ahern (00:44:56):

When Congress, the people employed through the map that you approve drafts legislation, they bring in and question the experts in public hearings. Map making is a complex process. And of course it makes sense that experts are relied upon by the members of this body to initially draw proposed maps. But is this legislative body less interested in public expert testimony than even Congress?

Michael Ahern (00:45:21):

It is vitally important to this committee and the public the members of this committee are able to directly query the assumptions and decisions that the map makers made in drafting the four maps that you are considering. Doing so helps you make a more informed decision and strengthens public confidence in the process and resulting map.

Michael Ahern (00:45:38):

Finally, a word and a nod toward the dedicated Ohioans who have officially submitted maps to both the redistricting commission and these committees. From what I have observed during the committee meetings, there has been zero focus or consideration by committee members on these maps. I hope to

hear discussion and consideration of these maps and even a request for those map makers to come back and explain their maps as part of this joint committee process.

Michael Ahern (00:46:05):

I have 52 seconds. House bill 43 testimony. I live in district three in the proposed map. The district is wholly contained in Franklin County. The remainder of Franklin County is contained in district 12. The combination of these two districts minimize the split of the central Ohio Columbus area, and to just two districts and reflect the general development patterns in Franklin and Delaware counties.

Michael Ahern (00:46:27):

This is a vast improvement over House bill 479 and the Senate bill 258 map, which carved this area into unrecognizable bits and pair it with communities as far flung as those along the Ohio river and Senate president Huffman Stronghold in Lima. There are many other good aspects of this map, and I've chosen to focus on just a few, it's in my written testimony. And I urge you to approve or consider House bill 43 as a starting point. Thank you.

Co-Chair Gamrone (00:47:06):

Thank you very much. Are there questions for members of the committee? Before we go to questions, I do want to point out that Senator McColley, which is the map maker of the Senate Republican map testified in my Senate committee and answered every question that was asked of him. And he testified in great detail. So there certainly was testimony from the map maker.

Michael Ahern (00:47:29):

He was the map maker in that case? Okay.

Co-Chair Gamrone (00:47:29):

On the Senate Republican map. Absolutely. Are there any questions for members of the committee? Yes. Representative Liston?

Rep. Beth Liston (00:47:39):

Thank you, Chairwoman. Thank you for your testimony and your passion. Would you mind just spending a minute or two talking about what was important to you in the map that you support? What were the key features that made it, that addressed, I guess the reform that we're trying to enact here in our constitutional changes?

Michael Ahern (00:47:58):

Sure. So the maps that I support reflect-

PART 2 OF 4 ENDS [00:48:04]

Michael Ahern (00:48:03):

... that I support reflect, in my opinion, in my layman's understanding, compactness. They represent communities. Community is extremely important. When you have a member of the house of representatives at the federal level representing a portion of Ohio, I think it's really important that that member reflects the views, the life, the experience of the people that they're representing. And when

you have a gerrymander district, that makes it much more harder. It also does a disservice to the disparate areas that are in that gerrymandered district.

Michael Ahern (00:48:40):

So I'm looking for members of Congress that are going to represent my community. And my community is primarily Franklin County in central Ohio. And the development pressures in Franklin County and central Ohio are very different from some of the rural areas. And House Bill 483 specifically, I think for me in my community it does a great job. Because there is significant development pressure that's happening up in New Albany, and that development pressure is going from that area north and east. It's not going south and west. And that is reflected by, I think, careful consideration of planning.

Michael Ahern (00:49:27):

In my testimony, just so you're aware, I do have maps related to the Mid-Ohio Regional Planning Commission. MORPC is tasked with guiding ODOT in terms of federal funding, federal highway funds, road projects for regional planning purposes. And the House Bill 483 map reflects this planning agency, their sole focus. When they get together, they're getting together with citizens, elected officials here locally, and businesses, and they're coming up with a policy associated with development. That's what House Bill 483 reflects. And I think that's why I support that one in particular so much.

Co-Chair Gamrone (00:50:16):

Thank you. Are there any further questions? [inaudible 00:50:25].

Michael Ahern (00:50:24):

Thank you.

Co-Chair Gamrone (00:50:25):

Thank you very much. And we're going to stand at ease for a moment.

Co-Chair Gamrone (00:50:27):

(silence)

Co-Chair Gamrone (00:53:06):

... testify is Trevor Martin. Good afternoon and welcome to committee.

Trevor Martin (00:53:18):

Good afternoon. Thank you, chair, committee. And chair. My name is Trevor Martin. I'm a Columbus resident, community organizer, activist, an independent contractor. I've worked with a number of organizations over the years: nonprofit, nonpartisan, good governance organizations. I don't have any testimony prepared as I just heard that you were accepting public comment. I will have something prepared for Friday.

Trevor Martin (00:53:56):

But really, I mean, I just would like to express my disappointment in the proposed bills, specifically those from the Republicans. And it's just my disappointment comes from the disregard for the process and for

bringing ... Like I said, I'm a community organizer, so all everything I do, I'm trying to get more folks involved in the political process. And I would think as legislators, you'd want to do the same. But the kind of barriers that have been put up to prevent people from participating, and then the outright disrespect that is shown to folks who do testify. I mean, most folks do not get follow up questions, but when they do, it's often just to point out where they got specific articles incorrect, or they misinterpreted something, or ...

Trevor Martin (00:55:13):

I had heard in committee the other day going on about a young lady who had ran for Congress here in Ohio, and going on about her campaign contributions. Here's a young woman who who's trying to run for ... a young black woman who's trying to run for office to trying to represent her community, and she's testifying on important legislation, and you're going off on her campaign contributions. I mean, if you're advocating to end Citizens United or advocating for public funding of elections, then I'm all for it. But that wasn't the point.

Trevor Martin (00:56:03):

And it is just the ... Chair, excuse me, like you've brought up a couple times now in committee about how we were doing Marcy Kaptur a favor by drawing the Snake on the Lake. Come on, it's so ... It's no secret that that district was drawn to put two Democrats together in a primary, Dennis Kucinich and Marcy Kaptur. That's open knowledge. Everybody knows that. That's the kind of dirtiness that is involved with gerrymandering. You weren't doing her a favor trying to get her a strong constituency. And then some of these maps that are proposed now deliberately cut her community in half to make sure that no person like her represents that community.

Trevor Martin (00:57:08):

And to me, again, community is really the most important thing about this process, the folks that you're supposed to be representing, your constituency. And fair districts, this reform was passed throughout the state in all 88 counties and in all of your districts. All of your constituents wanted this know fairness. And the scheduling committee hearings at the same time on the separate bills in the middle of the day, telling folks that they need to resubmit everything now, because this is a new committee and all your other testimony doesn't mean anything, and all these ...

Trevor Martin (00:57:57):

What I did was train folks how to use the mapping software in order to create community maps, and then integrate those into a district map and what they would think a fair district looks like. And I worked with folks all over the state. Many communities, Republican, Democrat, conservative, liberal, urban, rural, and they all wanted the same thing: fairness. They wanted fair representation. They wanted a representative that would listen to their concerns instead of donor concerns and party priorities, you know? And again I've got so much to say, and I just didn't know where to start. I mean, it's-

Co-Chair Gamrone (00:58:48):

15 seconds.

Trevor Martin (00:58:50):

It's just very disheartening and downright disrespectful.

Co-Chair Gamrone (00:58:57):

Thank you. Thank you very much for your testimony. Are the questions of the committee? Seeing none, thank you very much.

Trevor Martin (00:59:08):

Thank you.

Co-Chair Gamrone (00:59:09):

Next to testify. We have Kristos E ... I'm going to butcher this last name. Eowan?

Kristos Eowanu (00:59:22):

It's [Kristos Eowanu 00:59:25]. It trips me up too. Sorry about that.

Co-Chair Gamrone (00:59:27):

Thank you for helping with that. I apologize.

Kristos Eowanu (00:59:29):

Oh, no problem.

Co-Chair Gamrone (00:59:30):

Welcome to committee. Good afternoon.

Kristos Eowanu (00:59:31):

Good afternoon. It's good to be here. And I just had a little flashback to high school. Anytime we had a substitute teacher, I could always tell when they got to me, because it just went silent for a second. But I want to thank you all for holding this hearing. I, unlike some of the people speaking today, I'm not an expert in map making. I'm not too much of a numbers guy. But what I am is a citizen of the state of Ohio, and that's what I'm here speaking as. My name again is Kristos Eowanu. I'm currently a political science student at Capital University, so this is a quick little 15-minute drive for me to get over here after class. And I'm 20 years old.

Kristos Eowanu (01:00:05):

I am one of the younger people in the room, I'd presume. And it's funny that P people assume young folks just go ahead and kind of tune out and that we're generally apathetic towards this sort of stuff, because I just want to let you know today I've been keeping up with the process, I know plenty of other kids who have been keeping up as well, and we are paying attention. And frankly, a lot of us are really disappointed with what we're seeing. These maps were out really late, much later than they should have been. And even then, when the maps were finally presented, there were some very egregious gerrymanders.

Kristos Eowanu (01:00:42):

I heard somebody up here mention earlier that Trump won the state in the landslide twice. In 2016, he won with 51% of the vote. In 2020, with 53 of the vote. One of the proposed maps, the Senate GOP map, would give the Republicans 86% of the congressional district. If Trump won Ohio with 86%, then I

would not be up here saying that's not right. But frankly, that's not right. Even the current maps as is, 75% of the seats are going to the GOP. And we passed the reforms forms in 2018 hoping to get something out of it. And it looked like we might, and I'm much more optimistic than I should be. And I frankly was very disappointed and continue to be very disappointed.

Kristos Eowanu (01:01:32):

And I wanted to go ahead and speak on, too, there's really no communities of interest in the Senate GOP map. Because again, I said, I go to school over at Capital. I'm still registered up in Cleveland. But if a capital student wanted to register to vote at Capital University, they'd be voting with the same kids who go to Ohio University in that 15th district there. The fourth district lumps in Columbus suburbs with Urbana. It goes all the way out there west. The second district, Cincinnati, goes all the way along the Ohio River to go ahead and lump in more GOP votes there. And then that sixth district just comes all the way down the east side of the state.

Kristos Eowanu (01:02:15):

And there's a difference between compactness and going ahead keeping together communities of interest and making sure that like voters are with each other. Because otherwise, what we're getting is borderline disenfranchisement. And it's really upsetting to see. Because the democratic process, I wholly believe, is one of the greatest things on earth and it should be so easy to get a home run here. Just go ahead, pass some fair maps, everybody looks good. And instead, it's being dragged out and we're just given a whole bunch of just bad maps and it's upsetting to see.

Kristos Eowanu (01:02:56):

And again, as a young person, I don't want more young people to go ahead and become more apathetic towards this. I want us to pay attention. I want us to get involved, because I want there to be reason to get involved. But there's no reason to get involved if you go ahead and get lumped in with a bunch of voters who don't vote the same way as you do, because what's the point? Does your vote even have a meaning there anymore?

Kristos Eowanu (01:03:18):

And I know I've spoken against the Senate GOP map. I'd like to just quickly say that the Senate Democratic map does a good job of, for the most part, communities in interest ... There's that one, it goes around like Cuyahoga County. That one's a little iffy, but for the most part, most of the districts there are much more compact. They do a good job keeping communities of interest together. And it's competitive. And I think that's the main thing I'm not asking, hey, draw 15 democratic seats here, because first off, that's not possible. Second off, I don't think that would be fair. I don't think it's fair what they're doing out in Illinois. It's about making competitive seats so that the people who can have their voice heard ought to have their voice heard.

Kristos Eowanu (01:04:02):

And I'd just like you to take my words into consideration. Again, I'm no expert on this stuff, but I'm a voter and I care and I think that should matter. Thank you.

Co-Chair Gamrone (01:04:13):

Thank you very much for your testimony. Are there questions from the committee? Seeing none, thank you very much.

Kristos Eowanu (01:04:20):

Thank you.

Co-Chair Gamrone (01:04:22):

Next to testify. I have Julia Cataneo.

Julia Cataneo (01:04:28):

It's Cataneo, but that's okay.

Co-Chair Gamrone (01:04:31):

Welcome to committee.

Julia Cataneo (01:04:32):

Hi, I'm going to take my mask off, if that's okay. And I was here Monday. But ...

Co-Chair Gamrone (01:04:40):

Welcome back.

Julia Cataneo (01:04:40):

Yeah. So yeah, my name is Julia Cataneo. All my life, I have been a community and politically aware and active. I'm a retired social worker and 20 years ago had an elected position in Pennsylvania. I am here to testify for legal, fair maps and equal districts. I'm not giving the same testimony. Some of the points I will from Monday. But I'm here to speak basically on all the four bills. I'm not here to propose a map. Should I wait? Or ... Okay.

Julia Cataneo (01:05:25):

I'm not here to propose a map, as there are others testifying with better legal maps to consider, those that do not take focus on the parties. What I will do, first of all, is talk about transparency. Some of you here know that I am pretty active and very resourceful in finding information. This has been under a blanket. There's been no transparency. How does a regular ... I hate to say regular, but say your normal, everyday person find out about these hearings, the maps? And I will say I've also contacted our local news agencies, because they're responsible, too. But I have called most of your offices to find out what this process is. When? What's next? How do I get the information? How do I get the copy of the maps?

Julia Cataneo (01:06:35):

I get shifted different places by different people. I know about a legislator.ohio.gov, and it does not have dates. It does not have, unless am not seeing the right place, I cannot find the information so that I can think out and submit to testify so that you're not hearing the same thing each time. So I'm asking you, as we move forward in this process, to be more transparent, to get the information out there. I know you have people who do your public relations. This subject is so important and it was disappointing when they did the state maps, because we had the same issue, although they did have a website that was

much better that you could work from. So I ask you to please think about that. And I would help, if you want. I have no problem with that. In any way that I can.

Julia Cataneo (01:07:50):

So the other other thing I will say is I'm here to remind you, and I know the drawing of these maps are difficult, and I'm not saying that they're easy, but it's a great honor that you've all been given. And the maps are the foundation of democracy. They protect the right of our votes to count, our voices heard, and the legislation to fairly represent Ohioans. In fact, people felt so strong that in 2018, which you all know, legislation was added to the constitution for the transparency in the process. I will say that of all the maps, I agree most with Senate Bill 237, but I'm going to switch back to why gerrymandering is so harmful.

Julia Cataneo (01:08:52):

As a social worker and advocating for my communities, I've known how damaging gerrymandering is. Okay. It robs these communities and families of fair, invested representation and service. And it's shameful that this is a deliberate, thought-out process to harm, silence, and disenfranchise individuals.

Co-Chair Gamrone (01:09:25):

15 seconds.

Julia Cataneo (01:09:27):

Okay. So maps should be drawn to support "we the people" and not "we the party." And once again, I ask that you consider this and the transparency.

Co-Chair Gamrone (01:09:44):

Thank you very much for your testimony.

Julia Cataneo (01:09:46):

Thank you.

Co-Chair Gamrone (01:09:46):

I do want to point, before we open this up to questions, that you can get a copy of the maps if you go into legislature.ohio.gov-

Julia Cataneo (01:09:55):

I have the maps, but I don't have the meeting times, where the meetings are, when testimony-

Co-Chair Gamrone (01:10:04):

All of that should be available on this. You go into legislature.ohio.gov, committees, the committees tab, then going to joint committees, joint committee on redistricting. And then you can go into documents.

Julia Cataneo (01:10:19):

That's for this one. What about the others?

Co-Chair Gamrone (01:10:21):
Yeah, this is the joint committee on redistricting. So I want to make sure that you have that available.

Julia Cataneo (01:10:25):
Okay. And you don't have to know the Senate bill numbers?

Co-Chair Gamrone (01:10:31):
I believe all the documents would be available if you know the committee. Yeah. It's under the joint committee.

Julia Cataneo (01:10:37):
Okay. And how would I know that you were meeting under joint committee?

Co-Chair Gamrone (01:10:40):
Pardon?

Julia Cataneo (01:10:41):
How would I know that this process was going on?

Co-Chair Gamrone (01:10:46):
This has been very public, that we were having joint committees meeting today-

Julia Cataneo (01:10:51):
Public in what way?

Co-Chair Gamrone (01:10:55):
... and Friday.

Julia Cataneo (01:10:57):
Public in what way?

Co-Chair Gamrone (01:11:00):
We can add your name to the distribution list if you'd like notifications sent to you.

Julia Cataneo (01:11:04):
I would love that. Okay, but I'm one person. How does everybody else know that this is going on?

Co-Chair Gamrone (01:11:15):
Notices have been sent out and there's been extensive media coverage on this as well.

Julia Cataneo (01:11:21):
Yeah, I did see it on the news, but in the news, it doesn't state how you get this information. And as far as when the meetings are, it just shows ... And that's not your fault. But what I'm saying is if I didn't have

the contacts that I have and the resources I have and the persistence that I ... I think Representative [inaudible 01:11:51] can tell you, I am pretty persistent ... that I would not have known about this.

Co-Chair Gamrone (01:11:59):

You certainly can contact your senator or representative.

Julia Cataneo (01:12:03):

I contacted-

PART 3 OF 4 ENDS [01:12:04]

Co-Chair Gamrone (01:12:03):

You certainly can contact your Senator or Representative to get information legislature.

Julia Cataneo (01:12:06):

I did. I've contacted the office of Representative Wilkin, Senator McColley, Cupp, and I forget who the other one was, and Representative Beth Liston's office, which your office is the one they told me about today. Most of the others said they weren't familiar, the office aids, familiar with the process. They didn't really know. They directed me to the legislator.ohio.gov, which I've been on. That's how I found the maps.

Co-Chair Gamrone (01:12:51):

There's a Schedule tab on that as well. It will give you a schedule of what's happening.

Julia Cataneo (01:12:56):

Okay. But that was me doing a lot of work to find it. With something this important, there should be a better way. If you want transparency, if you're really living up to transparency, there should be a better way. Why would you not just have the maps out in public and the dates?

Co-Chair Gamrone (01:13:26):

Just for your reference, if you go onto that website, this information is all available. It's been downloaded to the website.

Julia Cataneo (01:13:31):

I understand that.

Co-Chair Gamrone (01:13:32):

And there is a Schedule tab. You can always contact your legislature.

Julia Cataneo (01:13:36):

Once again, I said, I've done that.

Co-Chair Gamrone (01:13:41):

Thank you very much. I'm really glad you were able to find information about today's hearing and participate in the testimony today.

Julia Cataneo (01:13:47):

Thank you. Any other questions?

Co-Chair Gamrone (01:13:50):

Are there any other questions for members of the Committee? Yes, Representative Liston?

Rep. Beth Liston (01:13:54):

Thank you, Senator. I'm just going to be asking this of many people, just to maybe highlight the things that are most important to them about the map that they're supporting. You mentioned that it was the Senate Bill 237, I think.

Julia Cataneo (01:14:11):

Yes.

Rep. Beth Liston (01:14:12):

And if you just wouldn't mind just sharing why that particular map is representative of you and your community?

Julia Cataneo (01:14:22):

One of the reasons is it doesn't break up Franklin County or Columbus in a way, I have to think back because I've been looking at all the maps, that I think it only breaks it up twice where most of the others break it up more and the Republican Senate map actually breaks up, if you look, if you go through the forms and everything on the website, you can actually see where it's breaking up people of color. And I think all the maps that I've seen coming from this process do favor, in a way, parties. I just think that, that map favors parties less and has better representation.

Rep. Beth Liston (01:15:28):

Thank you. And thank you for your persistence and I'm sorry it's been hard. I appreciate you being here and everyone [crosstalk 01:15:34].

Julia Cataneo (01:15:34):

Thank you.

Rep. Beth Liston (01:15:35):

Thank you.

Co-Chair Gamrone (01:15:36):

Are there any further questions? Seeing none, thank you very much.

Julia Cataneo (01:15:39):

Thank you.

Co-Chair Gamrone (01:15:41):

And next to testify, we have Jen Miller and Catherine Turcer. Thank you very much. And since there are two people testifying, we'll give 10 minutes total. Welcome to Committee.

Jen Miller (01:15:57):

Thank you so much, Chairwoman Gaborone, and the entire Committee. Thank you for your time. We're actually going to talk about all four maps, and I did almost rewrite the witness slip because I said maybe you wouldn't be able to read my writing. Clearly, that happened. Okay, we together are Fair Districts Ohio, so we are Ohio's leading on partisan redistricting advocates and experts. We've been working on fair maps since the '70s. Our organizations have used direct advocacy, grassroots pressure, ballot initiatives, and court cases to oppose partisan gerrymandering in maps that have favored both Republicans and Democrats. So we are truly nonpartisan in that we just want the best maps for voters. We would like to advocate that this body do a district by district line by line analysis where you really get to hear from local community members about the splits that make sense.

Jen Miller (01:16:51):

But we do have a high level analysis by Dr. Chris Cusack that we think could help this body decide which of the four maps could be a starting point for deeper discussion. Dr. Cusack is a professor emeritus of geography at King State. He's a Fulbright Scholar. His master's and PhD are from the University of Akron. He has family in Ohio. With more notice, we could have gotten him here, but in the meantime, we can go through some things. We're going to talk about several different measures of these four maps, proportionality, splitting, compactness, and minority representation are all considerations that have some legal, whether it's in the Ohio Constitution or in federal law. Competitiveness does not, but that is also looked at. Just so you know, this first slide here, House Dem proposal, House GOP proposal, Senate Dem proposal, Senate GOP proposal, this is scoring on those four measures.

Jen Miller (01:17:47):

Each of those areas is out of 100 points. And so the higher the score, the better the map. So out of that, and this is the former Senate Democratic proposal, has the most points for being the most proportional, splitting the fewest communities, being the most compact, having the best minority representation. And the competitiveness, when you add all those together, the competitive score, just so you know, the indexing is the 2008, 2012, 2016, 2020 Presidential races, U.S. Senate data from the elections of 2016, 2018 and 2020, and then Ohio Governor, Ohio Lieutenant Governor, and AG from 2018. And so now, it's off to Catherine.

Catherine Turcer (01:18:36):

So one of the things that I have testified a lot about has to do with focusing on keeping communities whole, and one of the ways to think about how the district's impact all of the meandering around and the changing of district lines or the slicing and dicing is how it actually impacts competitiveness. So there should be a page in front of you that goes through the House Democratic map. That's House Bill 483. And then the Senate Dem, which is 237. And then you have the House GOP, which is 479. And then you have Senate Bill 258. And the way to read this that I can best explain it, there's some challenges about figuring out what competitiveness is. So for some folks, let's say [inaudible 01:19:25] say competitiveness is within 10 points, but when you think 10 points, that's a really big difference.

Catherine Turcer (01:19:34):

So you'll notice that there are some that you can look at and say, "Okay, these are competitive." So, clearly, if you look, we'll start with the House Democratic one, you can see there are clearly six Republican districts, and then there are some that are in that category. Some lean Republican. Some are a little more competitive. They're closer in that three point range. And then you have four hard Democratic districts. And so that gives you a sense to compare. It's one of the ways to compare it. And I think as we're thinking about accountability, competition is connected to accountability but, of course, when we're thinking about the values that Ohioans have, we want our communities to be together. Now, these things are not always in conflict, but it's worth thinking about this as just one value. Now, at this point, Jen's going to talk about some other values to consider and weigh as you look at all four maps.

Jen Miller (01:20:35):

So the concept of unduly partisan or favoring one party over another is in the Ohio Constitution. That can be measured a couple of different ways. I think proportionality is the one that we've been hearing the most about. The idea here being that, as Ohio goes about 55% Republican, just slightly over half of the seats for Congress should go Republican. So we went through and we just encourage you to look at that. Again, this is the former state Democratic proposal, but we'd be happy to analyze that or actually have our expert do so. But looking at proportionality, some of these are clearly, especially the House GOP and the Senate GOP, are not proportional and we would argue are unduly partisan. Catherine did talk a little bit about competitiveness. You have a slide there that we hope you'll look at. And then I think splitting is so critical and so I'm going to ask my dear colleague to talk about that.

Catherine Turcer (01:21:34):

Well, they thank you very much. So one of the things that when I look in a map that I'm always looking at is, are the counties the building blocks? So one of the things that is clear in the Ohio Constitution is that the counties are the building blocks. There are rules against splitting. And, of course, keeping those counties whole, it's not a perfect proxy for community of interest, it's not a perfect proxy for compactness, but it is a way to focus on how well we're actually keeping communities together. And so if you take the House Democratic map, 12 counties are split, that's a total of 12 splits, and 11% of folks in Ohio are impacted by those splits.

Catherine Turcer (01:22:22):

Now, the other way to look at this as you go through are some of the precinct level splits. So I talked about the House Democratic. You can work your way over to the House GOP map where there are 12 counties that are split 16 times and it impacts nearly a quarter of Ohioans. And so then let's go to the Senate GOP map where there are 14 counties that are split, 17 times there are splits, and you're up to almost a third of Ohioans that live in counties that are impacted by these splits.

Jen Miller (01:23:00):

Thank you. Compactness, there's two scores that are often used by experts, nonpartisan experts. One's called REOC, one's called Polsby–Popper. And so if you see here, you can see, and there is also the, does it look funky test? I'll know it when I see it test. But this is two scores that you can see here in terms of which are better in terms of compactness, with the House GOP being the weakest in that regard, the former Senate Dem and the Senate GOP being somewhat close, along with the House Dems. Minority representation is particularly important. We would encourage this body to do its analysis, so actually

racially polarized voting analysis that would help how to best comply with the Voting Rights Act. But we do have some thoughts here.

Catherine Turcer (01:24:05):

So I would highlight that there is a difference between the Democratic maps and the Republican maps when it comes to minority representation. So one majority minority district, and that's the one that we usually think about, that is Congressional District 11 up in Cleveland, it works its way down to Akron. We used to call it Lebron's District. So there's one minority majority district in all four of the maps, but when you look at the Democratic maps, they also have two additional opportunity districts. And this has to do with not carving up Franklin County and Hamilton County. By keeping those counties whole, you actually can create an opportunity for minorities to elect the representative of their choosing. There are a lot of different ways you could possibly define an opportunity district. 35% of voting age population of minorities can be a way to actually do that. You could say Black voting age, non-White is another way to do that.

Jen Miller (01:25:10):

Thank you. The efficiency gap is another way of looking to see if a map is unduly favoring one party over another. We talked about this earlier today, but in the case of cracking, where you're splitting up the candidates for the losing candidate, it's those votes for the losing candidate that are inefficient. In the case of packing, it's all the votes cast for the winning candidate beyond the 50% plus one threshold. So it's really thinking about how inefficient votes are.

Co-Chair Gamrone (01:25:42):

15 seconds.

Jen Miller (01:25:45):

And so if you will look at these slides, and we hope that you will look at them, because you now have them, thank you so much, you can see the efficiency gaps for the House Dem is about 4% of votes for Democratic candidates are wasted versus the House GOP at about 17%.

Co-Chair Gamrone (01:26:07):

Thank you very much for your testimony.

Jen Miller (01:26:09):

Great.

Co-Chair Gamrone (01:26:09):

And thanks for submitting the analysis.

Jen Miller (01:26:12):

So two more quick things I just wanted to mention, if your folks want to find the maps, we do have this here for you so that if someone's calling so that they can find it in Dave's Redistricting, which will be easier than a PDF.

Co-Chair Gamrone (01:26:25):

Thank you very much. Are there questions from members of the Committee? Yes, Representative Liston?

Rep. Beth Liston (01:26:31):

Thank you, Senator. Thank you. This was wonderful and so I think helpful visually to seethe measures that we're talking about. I actually have one or two clarifications because I think we've been all using some of these terms a little bit differently. Proportionality, when we look at these, you're defining the seven, eight as actually what is the goal as defined by the outcomes in those previous elections that you guys put as '16, '18 and '20, ones that we've already said actually may be more over performance. When we look at these, that left side of each of the maps is the goal. You're not calculating the proportionality. You're saying, "If we assume that we want an eight to seven based on the voter preferences," and then the right side is comparing, is that correct? I just want to make sure, because it took me a few seconds to decide that.

Jen Miller (01:27:26):

Yes, ma'am. And this was again created using Dave's Redistricting App, and so we did talk about the indexing that they use. Oh, I'm so sorry, through Senator Gaborone. When I get into the graphs, I get all nerdy and I forget about my manners. I apologize. But thank you, Chair Gaborone. So we're looking at indexing that actually spans from 2008 through 2020 for Presidential, for example. So I think that the indexing here in Dave's really is fair and balanced. And yes, you'll see proportional, if you think about that, about 55%, and then the likely outcome is how that map would score in terms of that proportionality and how far away it is.

Rep. Beth Liston (01:28:19):

Thank you. One follow-up.

Co-Chair Gamrone (01:28:21):

Follow-up.

Rep. Beth Liston (01:28:22):

And then just clarifying, when I go to the efficiency gap, I think that's something that's really important for us to be thinking about because obviously one person, one vote. We want to make sure people's votes are heard. But what's striking to me, and, again, I want to make sure I'm interpreting this correctly, is all of the maps actually favor the Republicans for efficiency, that there are Democratic votes wasted. Even the Democratic maps have that are skewed. Am I right on that?

Jen Miller (01:28:53):

Thank you, Chair. Thank you, Rep. Liston, and I'll let you jump in if you want, but I'll just say this much, yes. And when we asked our academics, there would be a little bit of an efficiency gap potentially because of the geography of Ohio, but the idea being you want to make that efficiency gap to be zero. You want every vote to carry the same amount of weight. When you see efficiency gaps like the House GOP at 17% or the Senate GOP at 16%, what that means is that it's going to take far more Democratic votes than Republican votes for the map to move.

Rep. Beth Liston (01:29:30):

Or even 17% of people's votes don't matter.

Jen Miller (01:29:34):

They're 17% weaker.

Catherine Turcer (01:29:37):

And if I may, Chair. So, for me, I hear efficiency gap and I think, okay, the numbers. The thing that I think is useful with using the efficiency gap is to understand how much packing and cracking, because that's really what the efficiency gap is measuring. So, yes, you can read all of the details and have conversations with political scientists, but it's a really good measure of how much packing and cracking is going on.

Co-Chair Gamrone (01:30:08):

Thank you. Are there any further? Yes, Senator Sykes.

Senator Vernon Sykes (01:30:13):

Thank you, Madam Chair. Thank you so much for your testimony, but also for your commitment over the years to this effort. When you look at the letter and the spirit of the Constitution, as it relates to Congressional districts, do you think this proportionality concept is a goal, particularly with the 10 year plan? Is it a goal?

Catherine Turcer (01:30:38):

Chair, Senator Sykes, I do believe that the proportionality can help you consider the best way forward. Now, it's a measure. It's to help you guide what works best for Ohioans. So I'm really hoping that you all have really good conversations about each and every district, that you're looking at things like, well, how compact are they? Are they dividing neighborhoods? Are they keeping the counties whole? And the proportionality can help you assess, okay, we're doing all these things, but are we somehow unfairly advantaging one party or the other? So I would see it as a measure that's good for a backup, but at the end of the day, what you want is a map that keeps communities together.

Catherine Turcer (01:31:19):

What Ohioans struggle with is the manipulation of district lines that manipulate our vote. And we're going to have some red districts and we're going to have some of our districts, it's when they're unduly manipulated that it's problematic. And so this goes back to the packing and cracking and thinking about the kind of gerrymandering that we all don't want to see and that we know that Ohioans came out in 2015 and 2018 and pushed back and said, "Hey, we deserve better." And so I'm really glad that you have this opportunity to draw district lines that focus on communities.

Senator Vernon Sykes (01:31:59):

Thank you.

Co-Chair Gamrone (01:31:59):

Are there any further questions? Seeing none, thank you very much for your testimony.

Catherine Turcer (01:32:07):

Thank you.

Jen Miller (01:32:07):

Thank you.

Co-Chair Gamrone (01:32:08):

And the Chair recognizes Senator McColley for a motion.

Senator Rob McColley (01:32:11):

Thank you, Madam Chair. In light of some discussions we've had with people on both sides of the aisle on this Committee, in the desire of people to want to see their testimony previously submitted in the various Committees of each chamber, I would move that we allow for each of the Chairs of those Committees, which are also the Co-Chairs of this Committee, so that'd be the Government Oversight and Reform Committee in the House, in the Senate, Local Government and Elections Committee in the Senate to compile into a packet all the testimony that was gathered on all the bills related to the drawing of House maps, where they had a map submitted in them over the past several hearings or several weeks in those Committees, and to submit them in the record as an exhibit, for lack of a better term, at the next hearing, and to be identified as such. So they're not identified as testimony submitted in this Committee, but they're identified as testimony that was submitted in the previous Committee to be submitted in the record of this Committee as well.

Co-Chair Gamrone (01:33:23):

Is there any discussion? Is there any objection? Seeing none, the motion is approved.

Senator Rob McColley (01:33:31):

Thank you.

Co-Chair Gamrone (01:33:32):

Is there any further business to come before the Committee? Seeing none, we are adjourned.

PART 4 OF 4 ENDS [01:33:41]

Representative Shane Wilkin (00:00:00):
Good morning everyone. At this time the meeting of the Joint Committee on Congressional Redistricting will now come to order. The clerk will please take the role.

Clerk (00:00:14):
Chair Wilkin?

Representative Shane Wilkin (00:00:15):
Yes.

Clerk (00:00:15):
Chair Gavarone?

Senator Theresa Gavarone (00:00:16):
Here.

Clerk (00:00:17):
Senator McColley?

Senator Rob McColley (00:00:18):
Here.

Clerk (00:00:18):
Representative Oelslager?

Representative Scott Oelslager (00:00:19):
Here.

Clerk (00:00:20):
Senator Sykes?

Senator Vernon Sykes (00:00:21):
Here.

Clerk (00:00:22):
Representative Liston?

Representative Beth Liston (00:00:23):
Here.

Representative Shane Wilkin (00:00:23):
So we have a quorum, we'll operate as a full committee. At this time we need to approve the minutes from Wednesday's meeting. If there's no objections they will be approved as presented. Hearing none

the minutes stand approved. Quickly for this, so that everyone's aware, we used a set of rules so that we can hear the maximum amount of testimony from everyone here. We will be operating on those same rules. Essentially it's five minutes to testify per person. We understand that this is a very passionate issue for a lot of people, so please maintain proper decorum; no signs; no hooting and hollering, as we would say from my part of the state; booing or et cetera. If you do wish to take video or pictures please fill out a form, so we can have that. That will be considered by me and my co-chair. I want to thank you all for attending.

Representative Shane Wilkin (00:01:22):

At this time we will get started. Our first witness that I would like to call up is ... And before I do please state which bill you'll be testifying to. And within your five minutes. We'll give you a warning toward the end to wrap it up. Then we will open for questions. At this time I would call up Mindy Hedges. Is Mindy here?

Andrea Yagoda (on behalf of Mindy Hedges) (00:01:55):

I'm not Mindy but she's-

Representative Shane Wilkin (00:01:56):

And I absolutely know how to remember your name.

Andrea Yagoda (on behalf of Mindy Hedges) (00:02:00):

But she's asked me to speak on her behalf today because she's unable to be here. Members of the Joint Committee on Congressional Redistricting thank you for allowing me to testify today. My name is Mindy Hedges and I live in Ragnar, Ohio Congressional District 12. I want to submit testimony in all four of the hearings today, as they should all get a personal assessment.

Andrea Yagoda (on behalf of Mindy Hedges) (00:02:18):

In reality all the maps submitted should get a fair assessment from this committee. I am concerned that those submitted by your citizens, your voters, and your supporters, who are not associated with either party or any group, have not been given any fair hearing. That is unconscionable, thoughtless, unethical, indecent, sneaky, and unprincipled. Please let us know after this testimony what your plans are to review all of the maps submitted for consideration. These maps can be, and should be, reviewed for comparisons to see which elements can and should be used as a portion of the final approved map. It's important to remember that not one map needs to be used. Maps can be combined or pieces and parts used in combination to create the most effective, operative, and overall acceptable congressional map for our state.

Andrea Yagoda (on behalf of Mindy Hedges) (00:03:04):

Needless to say many have requested that the strategy behind these maps should also be reviewed and discussed in public forum, as the law included in its passage in 2018. The maps should never be made behind closed doors without public knowledge or input. This secretive type of strategy loses public trust and support.

Andrea Yagoda (on behalf of Mindy Hedges) (00:03:25):

As far as Senate Bill 237 is concerned this map is so much better than 258. It has met most, if not all, of the requirements set up in the amendment to our higher constitution. The conditions overall required that the districts be compact, contiguous, contain equal population, preserve existing political communities, have partisan fairness, and have racial fairness. This map establishes six Republican seats, four Democrat seats, and five competitive seats. My understanding is this map shows a partisan index of between 45% and 55%. In the Cincinnati area House Democrats would have one district out of most of Hamilton County, putting the western edge in a district with Butler, Preble, Warren, and parts of Greene and Clinton counties. The Republican maps have kept Cincinnati whole, as required by the Ohio Constitution, but split Hamilton County among three districts and included more Republican-leading communities to the north or east. The maps for safe Democrat seats are in Franklin, Hamilton, Lucas, Cuyahoga counties, which is logical to their voting patterns. The map creates two Democratic leaning districts, one with the northern half of Franklin County, Delaware, part of Jerome and Union County, and the other with Summit County and Northwestern Stark County. This also coincides with how these regions have been moving in their voting patterns over the recent voting history. Summit County district would be the most competitive with a 41/56% partisan index.

Andrea Yagoda (on behalf of Mindy Hedges) (00:04:53):

This map, much more than 258, keeps Ohio's largest communities together; has compressed district lines; keeps communities together to work, play, and live. This was the intention of law and the intention of Ohio voters. Thank you for your time and consideration of my request.

Representative Shane Wilkin (00:05:10):

Thank you for your testimony. Are there any questions?

Andrea Yagoda (on behalf of Mindy Hedges) (00:05:13):

Thank you.

Representative Shane Wilkin (00:05:14):

I see none. Thank you. Next we have Pat Krummrich.

Pat Krummrich (00:05:20):

If I can get this off without straggling myself. I've had to give up wearing earrings for the duration of the pandemic because every time I take them off they become a dangerous missile, and I didn't want to be accused of assaulting anybody in this room.

Representative Shane Wilkin (00:05:51):

I've done the same.

Pat Krummrich (00:05:52):

Oh really? I've always thought that about you.

Representative Shane Wilkin (00:05:57):

Welcome to committee and you may begin when you are ready.

Pat Krummrich (00:05:59):

Thank you. Co-chairman Gavarone, Co-chair Wilkin, and members of the committee thank you for allowing me to testify. My name is Pat Krummrich. I would like to speak to HB 427. My husband and I have been residents of the Akron-Canton area for more than 25 years. I am retired from Akron Children's Hospital and before I became a speech pathologist I was a small business owner for 10 years. My husband was an executive in the business development area for the Timken Corporation, before that he spent the first half of his career working for the Koch brothers in Wichita, Kansas. And in retirement he mentors entrepreneurs for a national non-profit.

Pat Krummrich (00:06:48):

I'm here to testify for fair maps and equal districts. An unfair redistricting map is bad for Ohio's small businesses. In 2020 small businesses with fewer than 20 employees accounted for 99.6% of all businesses in our state. Many of the barriers that exist to starting up a business can be overcome, or at least lessened, with fair representation at the state and local level. For instance, hiring is often a problem for small business startups. They may have difficultly hiring workers if the workers don't have access to medical care, which can be a matter of public policy. Infrastructure can certainly impact the success or failure of a business, and is certainly often controlled by state programs and budgets. And unsafe locations have been shown with research to hurt businesses. Neighborhood level data reveals that an increase in gun violence is accompanied by decreases in the number of establishments, sales, and employment in small local businesses. My husband often finds that banks are reluctant to loan startup funds or operating capital to businesses that are in underserved and dangerous areas because they're more likely to fail.

Pat Krummrich (00:08:27):

The best way to build a business- friendly neighborhood is by allowing voters to have a fair voice in the laws and finances of their districts. Small business owners and employees know what their neighborhoods need. Last month I went furniture shopping with my husband and we went out to Holmes County. We live in Canton, went to Holmes County because we really wanted a handcrafted piece of furniture. Found something we love, dealt with the business owner, got it on order. And then we were treated to a rather strongly put, and lengthy, discussion of how women should be at home with the children and not working. And that the owners of that business none of them allowed their wives to work. That was a difficult conversation for me to not ... I wanted that bedstead, so I bit my tongue until it almost bled, okay? But I guarantee you the needs and the wants of that business community in Holmes County are not the same as the needs, and the wants, of small businesses in Akron, Canton, and Cleveland. Where, by the way, a large chunk of new businesses are being started by women, particularly by black women.

Pat Krummrich (00:09:57):

Today Ohioans are still living with the partisan gerrymandering of the past. Republicans have won just 54% of our vote in the last decade, yet the occupy a whopping 75% of our current congressional seats. After the redistricting cycle of 2010 the Ohio voters voted overwhelmingly to pass reform measures but the Republican maps, and the process to date, fail to meet the process of the reform measures and they ignore our state constitution. They are unconstitutional for that reason.

Pat Krummrich (00:10:37):

Living in Northeast Ohio I see the effects of the gerrymandering splintering in these current maps, and how it's going to effect the section of the state where I live and work. Under the House Republican

proposed redistricting map Akron is paired with Hocking Hills. [crosstalk 00:10:55] So I'm sure you're familiar and other speakers will probably address some of those specific areas where major urban business centers are being pulled apart, their influence and voice is being diluted, and overridden by the rural areas that they are paired with. So I ask you to make these maps fair, help Ohio grow. I think we can do better than just average growth for our GDP, which is what we're experiencing right now. I urge you to reconsider. Keep our business centers together. Thank you.

Representative Shane Wilkin (00:11:31):

Thank you for your testimony. Are there any questions? No applause please. See none, thank you. The chair would now call up Andrea Yagoda.

Andrea Yagoda (on behalf of Mindy Hedges) (00:11:52):

It worked, didn't it? Co-Chairs Gavarone, Wilkin, members of the Joint Committee thank you for affording me the opportunity to testify today on Senate Bill 237, Senate Bill 258, and House Bill 479. My name is Andrea Yagoda. I'm a resident of Ohio for 47 years; 44 years a resident of Delaware County; testifying today as a private citizen in support of 237, and against 258 and 479. As 237 is my preference over 438 I will limit my oral testimony to that Democrat bill but I have filed proponent testimony on 483.

Andrea Yagoda (on behalf of Mindy Hedges) (00:12:27):

Senate Bill 237, unlike 258 and 479, does not extend my district 72 miles from my home to dilute my vote. My area is one of the largest growing areas in Ohio. Under Senate Bill 237 I would be in the second district, which is comprised of Delaware, part of Union, and part of Franklin counties. The part of Union County included in this district includes Huron Township, which is about one and a half miles from my home. It, like the southern part of Delaware County, is growing at a very rapid pace. This area of Union County is also growing commercially and things like grocery stores built there will be closer to my home.

Andrea Yagoda (on behalf of Mindy Hedges) (00:13:05):

Many of those residents work at Honda or in the Columbus area. We share nextdoor Jerome Road, Home Road, Dublin Road, Route 33, and Route 42 to get to and from our homes to work, entertainment, and food shopping. Our roads are mainly two lanes, so we share the same infrastructure concerns due to the rapid development in this area, as does the city of Marysville. Senate Bill 237 keeps Westerville and Dublin together, although both span more than one county. Many of us in the southern part of Delaware County we work, we play, we attend classes, we receive medical care in Franklin County.

Andrea Yagoda (on behalf of Mindy Hedges) (00:13:42):

I have nothing against counties like Allen County, Auglaize, Shelby, Hardin, Logan, but have never been there, and their interests and needs do not align with mine. A large portion of Delaware County, Jerome Township, Marysville, Westerville, Dublin are not rural areas. Even Northern Delaware County is now being developed. House Bill 479 and 258 incorporate these areas with rural counties. Republican Jones at the November 10th hearing on House Bill 483 complained that Appalachia rural counties were incorporated with counties that were non-rural, recognizing that the needs of those different counties cannot be satisfied with the same representative. With this I agree. I'm no expert in geography, nor on the Appalachian counties, but I believe Senate Bill 237 may actually do the best job of maintaining those counties in one to two districts. I believe it's districts eight and 12.

Andrea Yagoda (on behalf of Mindy Hedges) (00:14:34):

Senate Bill 237 is compact overall, contiguous, and meets all the constitutional demands. Senate Bill 237 contains only 11 county splits, not one county is split more than once. Its splits effect 14.16% of the population of the state, significantly less than House Bill 479, which has 16; three counties, Franklin, Hamilton, Summit split twice, effecting 24.93% of the population. And Senate Bill 258, which has 17 splits; Franklin, Hamilton, Cuyahoga split twice; and effects 31.265% of Ohio's population. Senate Bill 237 has no deviation in the population for any district, compared to House Bill 479, which has deviations in District 1, 12, and 13; goes from minus 1480 up to plus 2421 deviation. Coincidentally two of these districts contain parts of Summit County. We all know what a stickler Senator Gavarone is for equal populations in every district. These deviations are well beyond the 0.79% faced by the US Supreme Court in [Tenant 00:15:44] versus Butler County.

Andrea Yagoda (on behalf of Mindy Hedges) (00:15:45):

Senate Bill 237 achieved the highest score in days redistricting for compactness. Representative Abrams, on November 10th, criticized House Bill 834 for District 2, which contains 16 counties. However, Senate Bill 258 District 5 has 16 counties and Senate Bill 237 District 12 contains 16 counties, which includes the Appalachian counties discussed previously. In order to determine what is unduly favoring/disfavoring a good starting point is the voting patterns of the electorate over the last 10 years, which has been 54/46%.

Andrea Yagoda (on behalf of Mindy Hedges) (00:16:19):

In my opinion 237 is the most competitive of the three bills. It starts with six strong Republican-leaning districts, three strong Democratic-leaning districts. Of the remaining six districts two lean Republican, four lean Democratic; versus 258, which starts with six strong Republican districts, two strong Democratic districts, the remaining seven districts lean Republican; versus House Bill 479, which starts with nine strong leaning Republican districts, two strong leaning Democratic districts, the remaining four districts leaning Republican. Unlike the plan submitted by Republicans the Democrats did at least include Republican-leaning districts in what would be competitive districts versus Republicans in their two bills, which gave all districts not deemed strong for either party a Republican advantage. Democrats have strived for a 8/7 split, whereas Republicans are pushing for a 13/2 split.

Andrea Yagoda (on behalf of Mindy Hedges) (00:17:13):

Most of us who have testified agree if we lose fairly we're okay with it but we resent, and we will not stand for, sending our candidates in with a number 2 lead pencil in a gunfight. I'm asking you to do the right thing, do what we pushed for. Many of us worked tirelessly for months. In fact, my Facebook page yesterday popped up and said, "I'm on my way out to the Veteran's Day parade in Delaware to get my signatures on my petitions for gerrymandering." That was 2017. I'm asking you to do the right thing. And Mr. McColley if you did not, after Wednesday's hearing ... I'm sorry Senator McColley, provided 2012 and 2014 data to Randell I would ask that you do so, so he can adjust his maps because chances are it will not have a substantial effect-

Representative Shane Wilkin (00:18:01):

Okay, we're going to need you to wrap up, so we can keep it even with everyone.

Andrea Yagoda (on behalf of Mindy Hedges) (00:18:03):

Thank you. I ask you to support Senate Bill 237.

Representative Shane Wilkin (00:18:06):
Are there any questions?

Andrea Yagoda (on behalf of Mindy Hedges) (00:18:07):
Sorry.

Representative Beth Liston (00:18:09):
Chairman?

Representative Shane Wilkin (00:18:11):
Representative Liston.

Representative Beth Liston (00:18:11):
Thank you. Thank you so much for being here and being tireless in your advocacy. I know that you've been to a lot of different meetings and obviously are speaking for not just yourself directly in the testimony but all of those 200,000 people that signed those petitions. I know many people cannot be here with a couple days notice in a middle of the day and take off work to come in, and so I know that a lot of this falls on your shoulders. But you've been doing this for so long I wanted to just give you maybe a little bit of time to maybe share with us some of that process by which all of that mobilization occurred, where there were 200,000 signatures and 75% of Ohioans voted for the amendment that we're working to address. As someone who's been involved for many years can you share the energy and what you've felt the motivations of all of those Ohioans were at the time?

Andrea Yagoda (on behalf of Mindy Hedges) (00:19:10):
I think most of us, who have testified and shown up to support fair maps, we wrote postcards, we made phone calls. And most of us that worked tirelessly to obtain signatures on petition we stood on street corners, we went to street markets, we went to parades, we went to tree lightings, we were everywhere.

Andrea Yagoda (on behalf of Mindy Hedges) (00:19:36):
There are those of us, including myself ... I worked five days a week in the Fair District's office. We reviewed every single petition that came into that office to make sure there was no errors on them. If there were errors we sent them back with what the errors were. We verified that everybody was a legitimate voter. If we thought someone had gotten married and changed their name, if we thought that person had moved, we sent them a postcard. I believe I was doing almost 200 postcards a week, at my own expense, sending out postcards. We entered data to keep track. We sent postcards to those I said thought they moved. There is no question that we were working for fair maps to end gerrymandering, to ensure that each and every vote counted, and counted equally. And that the only way to do that was to draw maps that reflected how Ohioans voted.

Andrea Yagoda (on behalf of Mindy Hedges) (00:20:30):
And I know this because I was one of those people who worked seven days a week to get this done. So I know everyone thought a fair map, that did not unduly favor, would be a split that reflected how our voting patterns have been over the last 10 years.

Representative Beth Liston (00:20:51):

Quick-

Representative Shane Wilkin (00:20:51):

Do you have followup? If-

Representative Beth Liston (00:20:54):

Yeah, a followup.

Representative Shane Wilkin (00:20:54):

Republican Liston if you do have a followup let's direct it specifically to the map and not how we got to this point. We want to talk directly about the map in front ... If there's a specific map you have a question on.

Representative Beth Liston (00:21:10):

So in what ways, when you look at this map, do you feel that you might have ... Sorry, it's difficult for me to ask a followup on her question that incorporates those changes. Okay. I guess the specific question is knowing the hundreds of thousands of people that were engaged do you feel like the map that has been presented by the Republicans in the Senate and the House fit the will of the people that you spoke with in this process?

Andrea Yagoda (on behalf of Mindy Hedges) (00:21:51):

Through the chair, Representative Liston, I think I gathered close to 3,000 signatures. I can say without a doubt that 258 and ... God, I can't even remember anymore. And 479 do not reflect the will of at least the 3,000 people I got signing petitions but it's more than just the people that signed my petitions. I mean, all the other people I can speak for them as well. They all had the same impression, that the will of the people is, whether they are Republican, Democrat, Independent was, "We want a voice. We want every vote to count and that cannot happen unless the map is reflective of how we have voted in this state."

Representative Beth Liston (00:22:40):

Thank you.

Andrea Yagoda (on behalf of Mindy Hedges) (00:22:41):

Thank you.

Representative Shane Wilkin (00:22:41):

Any other questions? I see none. Thank you for your testimony. The chair now calls John Gray. Mr. Gray here? We'll come back in case he shows up. The chair would now call Sue Lewis. Welcome to committee and you may begin when you're ready.

Sue Lewis (00:23:12):

Thank you. My name is Sue Lewis. My family has lived on the west side of Cuyahoga County for 100 years, in Westlake, Bay Village, North Olmsted, Fairview Park, and Rocky River, and Lakewood. These are

suburban communities near Lake Erie and 20 minutes from Downtown Cleveland. We work, shop, see physicians, attend church and other venues, and activities of life here. Today I'm talking about House Bill 479 and also Senate Bill 258 as well.

Sue Lewis (00:23:50):

House Bill 479 map joins my community with the communities of Orrville, Wooster, Holmes, Millersburg, Amherst. Beautiful land-rich communities that are not suburban and have different concerns, and different solutions, which government can address. For my community this map looks like cracking and packing. It shows a lack of tolerance and respect for the law, and for the democratic process, and for the voters of Ohio. Gerrymandered districts have given us one-party rule. One-party rule has given us corruption and tolerance of corruption. It leaves our problems unsolved, pollution of the lake, gun violence, climate change effects on communities, public school funding failures. Gerrymandering drains the energy that Ohio needs to solve its problems. Unsolved problems discourages young people from moving here for good jobs and young Ohioans from staying here for good jobs. There are good redistricting maps that you can choose. Maps that meet the criteria in the Ohio Constitution for fairness. Maps that show tolerance and respect for the democratic processes. Please get a redistricting map that does not favor one party or the other, a fair map that meets the constitutional requirements that Ohio votes want for their government to function and to solve Ohio's problems. Thank you.

Representative Shane Wilkin (00:25:30):

Thank you very much for your testimony. Are there any questions? I see none. Thank you. The chair would now call up Kathleen Clyde.

Kathleen Clyde (00:26:10):

De-masked? Co-chair Senator Gavarone, Co-chair Representative Wilkin, and members of the Joint Committee on Congressional Redistricting I am Kathleen Clyde of Kent, Ohio, co-chair of the Ohio Citizens' Redistricting Commission here to testify today in opposition to Senate Bill 258 and House Bill 479, and compare that to the proposal that our Ohio Citizens' Commission developed.

Kathleen Clyde (00:26:59):

As a former State Representative I've served on the Legislative Committee in 2011 where the congressional map was considered. I also served on the Ohio Constitutional Modernization Commission where the 2018 congressional reform process started. And worked on passing the reform in the Legislature and at the ballot in 2018. I also am an attorney with expertise in voting rights and election law. It has been a true pleasure to co- lead the Ohio Citizens' Redistricting Commission along with Greg Moore of Cleveland, a strong voting rights leader who we worked closely with in 2017 on the legislation that became our constitutional amendment.

Kathleen Clyde (00:27:44):

The Ohio Citizens' Redistricting Commission is an independent, diverse, nonpartisan commission made up of 16 volunteer members, including interested citizens, academics, community leaders, current and former elected officials, attorneys, and more. Members were deliberately chosen to reflect the diversity of Ohio and include persons of color, persons of all ages and backgrounds, persons from the LGBTQ community, and persons from different regions of the state. Some members of the commission helped to craft the constitutional amendment that Ohio voters approved in 2018 and that spells out the criteria

upon which the commission's unity map is based. The Citizens' Commission developed an in-depth report summarizing our work that we submit today, along with our testimony, to this Joint Committee. This report can also be found on our website at ohredistrict.org, and a listing of our members can be found on pages six and seven of the report. The Citizens' Commission is sponsored by the Ohio Organizing Collaborative, the Ohio Conference of the NAACP, and the A. Philip Randolph Institute of Ohio.

Kathleen Clyde (00:28:59):

The Citizens' Commission had three main goals. First to model a thorough and robust engagement process for developing legislative districts, including reaching out specifically to minority and underrepresented communities to develop, and demonstrate, citizen derived principles of redistricting and to draw unity maps; meaning maps based on constitutional requirements, citizen derived principles on redistricting, and an aggregation of a wide variety of preferences that came out of public input. The Citizens' Commission partnered with the Ohio State University and Tufts University for data collection, analysis, and community mapping; and with more equitable democracy for district mapping and analysis; and with Skylight for our web-based community engagement.

Kathleen Clyde (00:29:50):

The vice chair of our commission, Jeniece Brock, will talk to you today about the public process that our commission undertook. Members Dick Gunther, Amina Barhumi, and Chris Tavenor will discuss our ...

PART 1 OF 5 ENDS [00:30:04]

Kathleen Clyde (00:30:03):

Amina Barhumi and Chris Tavenor will discuss our map proposal and compare it to the Republican map proposal Senate bill 258 and House bill 479. Member Sam Gresham or maybe pinch hitting for him [Aki Butler 00:30:15] will conclude with our perspective on the importance of minority representation in our map. Thank you so much for the opportunity to be here with you today. It's nice to be back in the State House and to see all of you. We would like to hold any questions that you have for our members until the end of our presentations if the committee will allow it. Thank you so much again co-chairs and members of the committee.

Representative Shane Wilkin (00:30:39):

Thank you for your testimony. Co-chair Gavarone does have a comment.

Kathleen Clyde (00:30:44):

Please.

Sen. Theresa Gavarone (00:30:44):

Yes, absolutely. Since this can be confusing to some people since we are the Joint Committee on Congressional Redistricting, I just want to clarify that the Ohio Citizens' Redistricting Commission is a separate and unaffiliated with Ohio's state government.

Kathleen Clyde (00:31:01):

Correct Thank you.

Sen. Theresa Gavarone (00:31:02):
Just for full disclosure for people watching on TV, want to make sure we're clear on that.

Kathleen Clyde (00:31:07):
Thanks senator.

Representative Shane Wilkin (00:31:09):
Thank you for that clarification chairman Gavarone. So is Jeniece Brock in your?

Jeniece Brock (00:31:18):
Yes.

Representative Shane Wilkin (00:31:19):
So did I have it wrong the other day? I don't think I had Jeniece.

Jeniece Brock (00:31:22):
No you said it right.

Representative Shane Wilkin (00:31:22):
Did I?

Jeniece Brock (00:31:28):
Yeah, you got it right.

Representative Shane Wilkin (00:31:29):
All right I'm getting better.

Jeniece Brock (00:31:29):
Co-chair Wilkin, co-chair Gavarone and the members of the Joint Committee on Congressional Redistricting, thank you for the opportunity to be here today. My name is Janiece Brock, my pronouns are she/her. I am the policy and advocacy director at the Ohio Organizing Collaborative health scientist. The vice chair of the Ohio Citizens' Redistricting Commission. This testimony is offered in support of the maps that were submitted to you by the Ohio Citizens' Redistricting Commission. The OCRC model an open, transparent and inclusive process and drew maps that met the constitutional requirements, kept communities together and considered the extent to which minority voters can meaningfully influence elections. On Wednesday May 12th, the formation of the membership of the OCRC was announced to the general public, along with information about upcoming public hearings and ways for the public to get involved in the redistricting process. The OCRC hosted 11 public hearings virtually throughout the state to receive feedback on what Ohioans would like to see happen in the 2021 redistricting process, as it relates to their communities or their region of the state. The OCRC was interested in how communities and particularly minority and underrepresented communities have been impacted for the last decade under gerrymandered districts, and hear their feedback about specifically what witnesses would recommend moving forward to have a better political engagement and representation. I can speak from experience, I'm from Summit County and Summit County is currently split into four congressional

districts, and we have not had a Congress member that has actually lived in the county of Summit for the last 10 years. As the fourth largest county in this state you can't tell me that that's fair. You can't tell me that we are fully represented when no one has actually lived in our county.

Jeniece Brock (00:33:41):

There were over 500 Ohio citizens that registered to attend our public hearings, many of these citizens came representing large subgroups or membership lists of other citizens. A lot of the recordings of all of our public hearings can be viewed on our website, so if everyone just want to visit ohbdistrict.org, you can see recorded sessions of every single public hearing we have held. One way Ohioans could provide input to our commission, to the OCRC the Citizens' Commission was through community mapping project. We partnered with the Ohio State University and Tufts University to develop a free community web tool called district R that enabled Ohioans to create community of interest maps, paired with narratives about their community issues, community needs and what's important to their community. There were over 2000 submissions, specifically 2,350 submissions received through that portal. On September 24th, the OCRC released a proposed congressional map to the public for comment and input.

Jeniece Brock (00:34:59):

The unity map was based on the constitutional requirements, citizen driven principles of redistricting, and an aggregation of a wide variety of preferences that came out of public input. The unity map incorporated the 2020 census data released on August 12th, and the input requested at the two public hearings were received via email. The OCRC had envisioned a process that will allow folks to engage and be able to share their thoughts on our maps. A final report in our congressional unity map was adopted unanimously by the OCRC and submitted to the Ohio General Assembly on September 30th for the first official deadline under the constitutional deadline in article 11 of the newly amended Ohio constitution. As you continue to hear from my colleagues, you will hear about an inclusive process that aimed to uplift the voices of those who traditionally have been underrepresented and have a desire to be heard through this Ohio redistricting process. Thank you for the opportunity to come and present to you today. We are happy to answer any questions at the end of our presentation if the committee would allow.

Representative Shane Wilkin (00:36:16):

Thank you very much for your testimony.

Jeniece Brock (00:36:17):

Thank you.

Representative Shane Wilkin (00:36:19):

Next within the group I believe is Richard Gunther. Welcome to the committee, you may begin when you're ready.

Richard Gunther (00:36:33):

Good morning. I'm Richard Gunther, professor emeritus in political science at Ohio State University. I've been active in working towards redistricting reform for 16 years, and I'm one of the five negotiators who produced a draft of what is now article 11 of the Ohio constitution. I'm here in my capacity as a political scientist with considerable experience in redistrict, as well as co-author of the OCRC map that we are

presenting today. I'd like to focus my remarks on two aspects relevant to this map, as well as the others that have been submitted. First, the assumption that districts must be exactly equal in population size, and second, the partisan biases of some of the maps that have been proposed will be my closing remarks.

Richard Gunther (00:37:27):

Let's deal first with the equal population requirement. The US constitution does not require that each Ohio congressional district contain exact 786,630 individuals. The one person one vote decision by the US Supreme Court in its 1964 Reynolds versus Sims decision, concluded that the equal protection clause of the US constitution requires that the population residing in each congressional district should be substantially equal. This is subsequently misinterpreted as requiring that districts must be exactly equal or divergent by at most one person. In its Tennant versus Jefferson County commission decision of 2012, a copy of which all of you have as the appendix to my submitted remarks, the US Supreme Court rejected this misinterpretation and clarified this criterion by finding that a West Virginia congressional map whose district magnitudes varied between the largest and smallest districts by an average of 0.79% was constitutional if such divergences were necessary to meet other legitimate goals. That decision specifically mentioned avoiding excessive splitting of political boundaries.

Richard Gunther (00:38:52):

Citing Wesberry versus Sanders its 1964 decision, Tennant stated, " The as nearly as practicable standard does not require that congressional districts be drawn with precise mathematical equality, but instead the state must justify population differences between districts that could have been avoided by a good faith effort to achieve equality." Citing its 1969 Karcher decision, Tennant concluded, "If a state wishes to maintain whole counties, it will inevitably have population variations between districts reflecting the fact that its districts are composed of unevenly populated counties." Accordingly, Ohio's congressional districts could range between 780,416 and 792,844 in population. Now this is important because it makes it possible to avoid excessive splitting of counties, townships and cities, as well as providing some flexibility for drawing districts that more fairly reflect the preferences of the voters of Ohio.

Richard Gunther (00:40:07):

The map proposed by the OCRC meets this constitutional standard. All of its proposed districts deviate from strict population equality by less than 0.39%, that is half of the limit set by the US Supreme Court in its Tennant decision. Now with regard to partisan bias, my remarks are based on the assumption that neither of the maps proposed by the Republican House and Senate caucuses will receive support from at least one third of the democratic minorities in the legislature, and that we will therefore deal with a four year map. Indeed, I see no reason why any democratic legislature would vote for these outrageously biased maps, which are even worse than our current map.

Richard Gunther (00:40:51):

Both of them would give 87% of our congressional delegation to Republican candidates in a normal election year. That compares with 54% of the votes cast for Republican candidates in statewide offices over the previous decade. Now the sponsors of these bills claim that both maps have a substantial number of swing districts that would result in partisan shifts from one election to the next. But the House map contains only two districts that I would regard as competitive as defined by a margin of victory of four percent or less.

Representative Shane Wilkin (00:41:26):
Sir I appreciate your testimony, we're going to have to move on to the next person in your group.

Richard Gunther (00:41:29):
Okay. I will be happy to fill in the blanks in response to questions from the members of the commission.

Representative Shane Wilkin (00:41:42):
Is it Amina?

Amina Barhumi (00:41:46):
Yes.

Representative Shane Wilkin (00:41:47):
Give me the last name.

Amina Barhumi (00:41:49):
It's Amina Barhumi.

Representative Shane Wilkin (00:41:51):
Okay. Welcome to the committee, you may begin when you're ready.

Amina Barhumi (00:41:54):
Thank you co-chair Wilkin, co-chair Gavarone and members of the joint committee. My name's Amina, I'm the outreach director for the Ohio Chapter of the Council on American-Islamic Relations known as CAIR Ohio, but I am here today as a member of the Ohio Citizens' Redistricting Commission. The Ohio Citizens' Redistricting congressional districts, I'm here today to talk about congressional districts and how they should be drawn to protect Ohio's communities by keeping them together as much as practically that is possible. The importance of not unduly splitting apart communities in these congressional maps. The overwhelming consensus of opinion throughout the public hearings that we convened as part of the Citizens' Commission to discuss how maps should be drawn to the greatest extent possible, it was shared with us that district boundaries should keep communities together.

Amina Barhumi (00:42:52):
According to Citizens' Commission map that we drew, district boundaries in a manner that minimized the splitting of counties, cities and townships in accord with the constitutional requirements. Under article nine section two, the Ohio constitution specific rules apply to keep communities together for any congressional district plan. So first the cities of Cleveland and Cincinnati must not be split apart. Our Citizen's Commission map meets this requirement as you all can see. Second, while Columbus is too big to include in just one congressional district, it must be split responsibly to protect communities of interest. Our Citizen's Commission map contains 69% of Columbus within one district and the remaining 31% in a second full district. The district boundary line splitting the portion of Columbus honors the recognized neighborhood boundaries. Care was taken to not break apart communities of interest within Columbus.

Amina Barhumi (00:43:50):

In contrast, the Senate and House Republican proposed maps unnecessarily split the city of Columbus into three congressional districts. This is in direct contrast to the testimony that we heard from the public about the importance of keeping their cities together. Third, Akron, Dayton and Toledo should not be split. Our Citizens' Commission mapped does not split any of these cities and meets this requirement. While in contrast, the House Republican map unduly splits Akron and Toledo in violation of the Ohio constitution. Finally, statewide 65 counties must be kept whole, 18 counties may be split once and five counties may be split twice. While the criterion allow for 23 county splits, it should be noted that doing so is neither required nor necessary.

Amina Barhumi (00:44:40):

So for instance, our map meets this requirement by keeping 75 counties whole splitting 13 counties once and splitting zero counties twice. No cities are split except for Columbus because it's too large. The House Republican map House bill 479 unduly splits nine counties once, four counties twice and five cities are split into nine fragments. The Senate Republican map SB 258 unduly splits 11 counties once, three counties twice, and five cities are split into 10 fragments. Under article nine section one F three B of the Ohio constitution, a congressional map and I quote, "Shall not unduly split governmental units, giving preference to keeping whole in the order named counties, then townships and municipal corporations." Like the partisan fairness criterion this criterion is located in article nine section one F three and therefore goes into effect if a map is passed in the absence of a constitutionally mandated level of bipartisan support. So essentially this means that no congressional map should be drawn that unnecessarily cracks apart Ohio's communities.

Amina Barhumi (00:45:45):

So relying on public input about how best to protect communities of interest across the state is key to understanding how bet to protect against undue splitting. Hundreds of witnesses testified before the Citizens' Commission about the importance of keeping their neighborhoods together. As shared before qualitative community of interest data was collected to put together these unity maps. Under article nine section B three of the Ohio constitution, the territory of each congressional district should be compact and must be contiguous with the boundary of each district being a single non intersecting continuous line. Each district in our proposed citizen map is 100% contiguous, I'll repeat 100% contiguous. Our map scores 70% on Dave's redistricting app compactness analysis for a good rating. In contrast, the House Republican map has two districts that may not be contiguous and scores 40% as bad rating. I thank you for the opportunity to be able to explain the importance of unduly splitting apart our communities.

Representative Shane Wilkin (00:46:47):

Thank you for your testimony. Next in the group would be is it Chris Tavenor?

Chris Tavenor (00:46:54):

You were closer this time Tavenor.

Representative Shane Wilkin (00:46:55):

Tavenor. Welcome to the committee, you may begin when you're ready.

Chris Tavenor (00:47:02):

Thank you. Co-chair Senator Gavarone, co-chair Representative Wilkin and the members of the Joint Committee on Congressional Redistricting. I'm Chris Tavenor staff attorney for the Ohio Environmental Council Action Fund. Thank you for the opportunity to testify today on Ohio's future congressional redistricting plan. I also had the opportunity and privilege to serve on the Ohio Citizens' Redistricting Commission this year. So I will briefly speak to the concerns of the OEC Action Fund Then discuss the proposed map in the context of the OCRC's map. The OEC Action Fund believes a healthy democracy is foundational to securing protections for the environment. We engage in advocating for policies surrounding redistricting specifically because partisan gerrymandering can skew representation in government to the degree that Ohioans views on environmental issues are no longer reflected in the decision-making bodies such as Congress or the state legislature.

Chris Tavenor (00:47:48):

The maps created by Senate bill 258 and HB 479 are textbook examples of gerrymandered districts. Since the release of these proposed maps, dozens maybe even hundreds of people at this point have testified for the Senate Local Government and Elections Committee, the House Government Oversight Committee. They have near unanimously, possibly unanimously condemned these maps for dividing communities, scooping communities out and for unduly favoring one political party over another. Accordingly, the OEC Action Fund, wearing that hat for a second, urges all committee members and all members of the general assembly to soundly reject the maps proposed in Senate bill 258 and HB 479.

Chris Tavenor (00:48:28):

Personally, I'm in this fight because of the climate crisis. We do not have much time left to act. Many communities across Ohio and the country, especially BIPOC communities and low-income communities and other marginalized groups are already experiencing the direct impacts of climate change. My generation, those who have come of age during the past two decades, are acutely aware of the shifting climate and how it will affect our futures. When we know we must act on climate change, when we know we must act on racial justice, when we know we must act on so many other issues impacting people across the state, it's profoundly disappointing to see maps designed to do silence our voices. To silence communities like mine in Central West Columbus in Senate bill 258, by scooping it into a district with Lima. Or to split apart communities significantly impacted by environmental injustices.

Chris Tavenor (00:49:15):

Over the past few hearings, there have been questions asked to clarify the way gerrymandering contributes to environmental injustice. Environmental injustice is the disproportionate exposure to communities of color and low-income communities to environmental hazards such as air pollution, toxic wastewater and lead exposure. One way this committee could integrate environmental injustice considerations is to rely on proven tools to shed light on how gerrymandered districts crack apart communities experiencing collective environmental harms. For example, EJSCREEN is an environmental justice mapping tool that combines demographic indicators with environmental hazard indicators to illustrate on the map where low-income people of color live in communities with environmental risk exposure. For example, we can see the impacts of gerrymandering in House bill 479 district one. It is shaped like a dumbbell with the center containing many low-income communities of color who face the highest exposure to cancer risk, toxic respiratory hazards, wastewater discharge and particulate matter in the air.

Chris Tavenor (00:50:08):

There is a stark line, a stark contrast where the population goes from low-income people of color with the highest exposure scores in the 80th to 100th percentile, to predominantly white communities with exposure less than the 50th percentile. There's a stark contrast between these communities at the center and the rural communities in the entirety of Warren County to the Northeast and west of Price Hill to the Indiana border. By creating a district that divides Hamilton county in such a hazardous way, HB 479 dilutes the voices of the few who already have the least representation in our government and overwhelms them with the many who do not face the same environmental injustices. That's why the opportunity to work alongside the other members of the Ohio Citizens' Redistricting commission this past year has been the most important work I've done.

Chris Tavenor (00:50:48):

We spent the time listening to people from across Ohio, learning how they envisioned to their state housing congressional districts. We worked with academics to use consistent methodologies to appropriately build districts that kept communities together and reflected Ohio's partisan makeup. This shouldn't be a difficult issue. District maps should be designed to serve voters not politicians and political parties. The maps in Senate bill 258 and HB 479 under consideration by this Joint Committee on Congressional Redistricting ignore voters and their communities entirely. They break apart communities from Franklin County to Hamilton County, to Summit County, to Cuyahoga County and beyond. The proposed maps disregard the will of Ohio voters.

Chris Tavenor (00:51:25):

Ohio is a wonderfully diverse place and every one of those voices deserves representation in Congress. That's the ethic we instilled in our OCRC map, it's why we called it a unity map. The OCRC produced a representative map with a population deviation range negative 0.13% to 0.38% all within the US Supreme Court's margin. All together the OCRC map is just a better map using a collaborative listening process over many months. The Joint Committee in Congressional Redistricting owes Ohioans a better map too. Imagine what collaborative map could be created if a bipartisan group of lawmakers had spent months listening to Ohioans, providing multiple rounds of draft maps, intentionally incorporating feedback and-

Representative Shane Wilkin (00:52:04):

Thank you for your testimony.

Chris Tavenor (00:52:05):

Thank you.

Representative Shane Wilkin (00:52:08):

Next we have Sam Gresham is that...

Sen. Theresa Gavarone (00:52:18):

Sam good morning.

Samuel Gresham Jr. (00:52:23):

[German 00:52:23]. Since you don't hear us I decided German for the beginning. My name is Sam Gresham, and I am chairman of Common Cause, I am a member of OCRC. A key consideration of the Citizens' Commission to the extent which congressional maps could provide an opportunity for people of color to be fairly represented. The Ohio Citizens' Commission carefully reviewed our maps to understand the extent to which minority voters can meaningfully influence elections. Members of commerce, the following county and political subdivisions we allow communities a role to be the lines to be drawn in a compact district. At the same time, we avoided packing and cracking minority districts diluted by packing and cracking were avoided.

Samuel Gresham Jr. (00:53:28):

Packing is when minority voters are artificially concentrated into a small number of districts so that they overall electoral influences weaken, cracking and splitting minority communities and splitting minority voters thinly into districts in which they have little note political influence. Our map has three districts where minority voters have a substantial opportunity to be represented. Exhibit B on page 19 of our report provides black voting age population, BVA numbers, and those in three districts. The people of color voting age population [inaudible 00:54:17] color maps. This Senate Republican maps has only one minority opportunity district and cracks other minority communities across multiple districts to dilute minority voting power.

Samuel Gresham Jr. (00:54:39):

The House of Representatives is slightly better with two minority opportunity districts, but some communities are cracked, packed along diluting their political force. We conducted testimony all over the state of Ohio and the redistrict committee. Together we show the public and officials map drawers were possible to understand the constitutional reforms. We covered a group of 16 citizens expert. A diverse cross-section of our country and our state to get input from thousands of Ohioans. In 11 meetings, they told our commission over and over they told as they've told you the legislators, they voted overwhelmingly to reform. They wanted districts that the language of the newly reformed constitution shall not unduly favor or disfavor a political party. They want districts again in the language of the newly reformed constitution shall not unduly split government units. Unduly means undo unnecessarily and disproportionately. Our purpose is to unity maps to follow the guidelines as clearly as laid out out in the Ohio constitution. The Republican proposed map does not follow and it splits people of color. The general assembly map must go back to the drawing board and for the proposed map. Members of the Citizen's Redistricting Commission stand ready and willing to work with you to help with public input. We have the testimony, We have the congressional district maps. We've met the requirements and strongly support an amendment to our constitution. The people spoke and the partisan gerrymandering must come to an end. Please Ohio deserves better than that. I didn't hear that buzzer so I must have been under the time. Any questions from the committee?

Representative Shane Wilkin (00:56:56):

This time I believe that is the last person so we will entertain questions. Co-chair Gavarone.

Sen. Theresa Gavarone (00:57:04):

Thank you, this question is for Kathleen Clyde. Again for full disclosure for Ohioans at home and because you're a former elected official, could you please state for us the party you were affiliated with when you were in office and when you ran for office?

Kathleen Clyde (00:57:19):

Thank you chair Gavarone. Yes I'm with the Democratic Party currently and when I was a state representative here in the legislature.

Representative Shane Wilkin (00:57:29):

Are there any other questions? Senator Sykes.

Sen. Vernon Sykes (00:57:38):

Thank you Mr. Co-chair. Thank you all for your presentation and your work over these last several months to produce this fine document here. It seems that the most contentious issue is the concept of fairness. That seems to be the most. The majority presented a map or present maps that fall within the split requirement, competitiveness requirement or goals, but fall down on the fairness issue. So just how important is this concept of fairness to the constitution and to the spirit and letter of the constitution?

Kathleen Clyde (00:58:28):

Thank you Senator Sykes. I'd like to call on our member Dick Gunther to help me answer this question, I know he was going into this in his testimony. I would say that is the key to the constitutional reform the partisan fairness. That is put in the language with the requirement that no political party shall be unduly favored or disfavored by the drawing of these congressional districts. That language is absolutely key. It was important to the reformers, to the legislators who passed it on, to the voters who then overwhelmingly supported it. The maps that have been drawn by the House Republicans and the Senate Republicans do not meet that requirement, and they unduly favor the Republican Party, a political party in violation of that language in the Ohio constitution. Again, that language is the key language here. You look at the partisanship of Ohio over the last 10 years, it's generally a 54-46 split. These maps are far from that type of fair partisan split that is reflected by Ohio voters. Thank you for that question and Dick I'd like you to chime in as well.

Richard Gunther (00:59:59):

Yes, I absolutely agree with Kathleen that fairness is the-

PART 2 OF 5 ENDS [01:00:04]

Richard Gunther (01:00:03):

Absolutely agree with Kathleen that fairness is the centerpiece of the reforms that we participated in 2015 and 2018. I was involved in both of those campaigns. And I can assure you that the most important point that was delivered to voters was that we would be putting an end to gerrymandering and that we would be bringing about fair maps that accurately reflect the preferences of the voters of Ohio. And this was key to the victory of that campaign in 2015, which was approved by over 71% of the voters and, in 2018, by 75% of the voters. And to return to the old ways of gerrymandering at this point is bait and switch. We need to be loyal to the voters who amended the Ohio Constitution in those two years. And that involves bringing about fairness in representation

Vernon Sykes (01:01:05):

Follow, please.

Representative Shane Wilkin (01:01:05):

Follow up?

Vernon Sykes (01:01:06):

Yeah. Would you then say that the major shortcomings of the Republican maps and proposal is that they fail to address the issue of fairness?

Richard Gunther (01:01:18):

I certainly agree with that, yes. The idea that if you take a look at the projected votes, based upon Dave's Redistricting app, we find that 87% of the congressional delegation of Ohio would go for the Republican party's candidates. And this is in the face of a popular vote that has averaged 55% Republican over the past decade. I don't see how that is remotely reflecting the preferences of the voters of Ohio.

Speaker 1 (01:01:55):

Senator, may I chime in? I also think the partisan redistricting is obvious, and that's against the constitution of the state of Ohio, but you have another problem. They've discriminated against African Americans. That's against the federal law, section five of the Voting Rights Act. You can't do what you have done in these maps. They have discriminated. They have not created opportunity, not only partisan, but racial gerrymandering is illegal.

Kathleen Clyde (01:02:22):

Let me just chime in too and say that the map that we presented, in a normal election year, would produce eight Republican districts. That means eight districts that are over 50% Republican on average, and seven districts that lean 50%, plus one or more, towards the Democratic Party. An eight-seven split is reflective of the 54-46 split of Ohio voters, as shown in statewide elections, over the last 10 years. A 12-3 split or a 13-2 split as we see looking at the Dave's Redistricting app and the two Republican proposals, is a far cry from a fair map and, again, unduly favors a political party in violation of the Ohio Constitution and the reform that was passed.

Vernon Sykes (01:03:25):

Mr. Chairman, just one additional vote comment.

Representative Shane Wilkin (01:03:27):

Please.

Vernon Sykes (01:03:28):

Thank you. The constitution is explicit, if you have a four-year plan, that you can't unduly favor or disfavor. Is it the assumption that, with the 10-year plan and bipartisanship agreement that, with the bipartisanship agreement, it would not unduly favor either party?

Speaker 2 (01:03:54):

That is correct.

Kathleen Clyde (01:03:54):

That is correct, Senator. And that is our hope. We also believe that that language is there to guide the 10-year map process, that that is a key consideration, again, that was put before the Ohio voters to not unduly split communities apart and not to unduly favor or disfavor a political party. So, yes, I think that considering that language, even though it pertains to the four-year process, is key in coming to a bipartisan decision on a 10-year map. Thank you.

Vernon Sykes (01:04:37):

Thank you, Mr. Chairman.

Representative Shane Wilkin (01:04:37):

Senator McColley.

Sen. McColley (01:04:41):

Thank you, Chairman. Thank you for submitting your map. I do appreciate it. As somebody who loves looking at these types of maps, I like to see where people are coming from on it, but I have some observations I'd like to point out and get your thoughts on. Number one, we've had an awful lot of discussion about population deviations and whether it's permitted and whatnot. And everybody, who's trying to be in favor of a slight deviation, seems to be pointing to the Supreme Court precedent, in the Tenet decision, to justify it. I think, in the case of Ohio, we have to look at what our constitution states. And I would argue that there's a very strong implication, if not expressly stated, that there shall not be a population deviation. When you look at article 19, section two, A two, it says, "The whole population state, as determined by the federal decennial census, essentially shall be divided, and that shall be the ratio of representation." There was no wiggle room put in there for delineation one way or the other.

Sen. McColley (01:05:52):

And then I think when you combine that with the language that contemplates... Although we're all talking about splitting counties, but when you talk about... And you combine that with the language that allows for splits of counties, potentially up to two times more than the number of districts we have, it seems to very strongly imply, if not build on, a potential express implication, depending on how you read that section, that the language says, "We shall be as close as possible to one person, one vote." So that's the first observation that I would point out.

Sen. McColley (01:06:26):

But should we take the Tenet decision and say that it doesn't? The Tenet decision says that you can do these slight variations in order to comply with a legitimate state objective, okay? And you guys, I believe your position to be that your legitimate state objective would be to keep communities whole, okay? Again, we have to look at the constitution to guide us on what those objectives are. It seems clear through the limitation... But the allowance of a certain amount of county splits, but the limitation put there on that they want us to try as hard as practical to keep counties whole. And then it says, to the extent practical, to keep townships and cities whole but also acknowledges and places no limitation on townships or cities, which I would argue builds into the interpretation that we need to be to one person, one vote. But it also acknowledges in that decision that the protecting incumbents is a legitimate state objective. And we've talked a little bit about the four-year map requirement that you cannot favor or

disfavor a party or its incumbents. And Kathleen, former Representative Clyde mentioned that she felt that guides us in a 10-year map as well.

Sen. McColley (01:07:44):

In your map, there are potentially, and I might be off by one or two... There's potentially 10 incumbents placed in districts with each other. Four of them, or I guess 2 of them... We'll start with this. Two of them, I believe, live in Cincinnati. The constitution says we cannot split a city of Cincinnati that size. We shouldn't count that against anybody. But when we're looking at the others, there are four Republicans that are placed in districts with each other in combinations that are not required. There are Democrats that are not placed in districts with each other. And I understand, geographically, that'd be difficult, but nevertheless, one could make an argument that the burden of incumbents being put together in the districts having to find new representatives goes against what we would say in the constitution, expressly, if we were to pass a four-year map, it would. But if you believe that it's in the spirit to guide a 10-year map, you could also make an argument in that regard. I'd like to get your thoughts on... That's a lot of stuff, but I'd like to get your thoughts on that.

Richard Gunther (01:08:50):

I got a couple comment.

Kathleen Clyde (01:08:50):

Go ahead.

Richard Gunther (01:08:53):

I was a member of the working group that negotiated what became article 11 of the Ohio Constitution that is concerning the redistricting for the state legislature. One of the very first decisions we made... In fact, I believe it was the first decision that we made was that there would be no protection of incumbents that would be part of the Ohio Constitution. This was a very conscious decision because otherwise, once gerrymandered, always gerrymandered. What you're arguing is, in order to protect people who were elected according to a gerrymandered map, we have to respect that in perpetuity. At what point do we actually move to reflecting the preferences of the voters of Ohio? Is it going to be the next decade after-?

Representative Shane Wilkin (01:09:45):

No applause.

Richard Gunther (01:09:48):

The point that I would like to make is that this is a very flawed argument that leads to the preservation, in perpetuity, of a gerrymandered map. And I think that is not what the voters of Ohio had in mind. Secondly, with regard to equal population size, Ohio was part of the United States. And the Supreme Court of the United States made it absolutely unequivocally clear that representing the wishes of the voters of states, in congressional races, should involve flexibility that makes possible the preservation of political units, such as counties, townships, and cities. And I think we need to bear that in mind in terms of understanding how we are to ago about implementing article 19 of the Ohio Constitution.

Sen. McColley (01:10:42):

Follow up.

Representative Shane Wilkin (01:10:42):

Senator McColley.

Sen. McColley (01:10:43):

Thank you, Chairman. It is true, obviously, that Ohio is part of the United States, but the Tenet decision refers to what the legitimate state interests are. And so it refers to what the states feel the interest is. My argument is the state constitution makes it clear, one person, one vote is the state interest. And so the Supreme court opinion, in Tenet, does not override the Ohio Constitution. That's number one.

Sen. McColley (01:11:11):

Number two, you talked about article 11 of the Constitution dealing with state legislative districts. Article 11 has nothing to do with article 19, which is what we are operating under right now. And the word incumbents is expressly written in article 19. 'You cannot unduly favor or disfavor a party or its incumbents." I'm not saying-

Richard Gunther (01:11:32):

I'm sorry, that's not the language.

Sen. McColley (01:11:32):

I'm not saying that you can't disfavor at all unduly. My argument would be that by four Republicans being put together and no Democrats being put together, you could make an argument that all of the disfavorment is being felt on one side and not the other is the point I'm trying to make. I'm not saying you can't do it at all. I'm saying a point could be made that by combining four when, by my estimation, you could have avoided combining them and put them in districts that were open, or at least competitive districts, potentially, you could have avoided it. That's the only point I'm trying to make. I'm not saying that they're all protected into perpetuity.

Richard Gunther (01:12:18):

If I could just make one final-

Representative Shane Wilkin (01:12:20):

Let's hold it down. Let's hold it down, or we're going to end up doing some things we don't want to do. So we want everybody in here. Sir, would you like to respond?

Richard Gunther (01:12:28):

I'd just like to make two additional comments. One of them, the other parts of the constitution... Article 19 of the constitution make it absolutely clear that the preservation of political units, cities, counties, et cetera, is a paramount concern of the redistricting that should go forth under the terms of article 19. So what we have here is language concerning being fair to incumbents versus language that is arguing that we need to protect the integrity of political units. And, in fact, we even list what those units are in various parts of article 19 of the constitution. And I think that really cannot be ignored.

Representative Shane Wilkin (01:13:11):

You had a follow-up? Representative Liston.

Kathleen Clyde (01:13:15):

Can I just quickly respond to the population point. And I understand, Senator, what you're trying to say on the equal population. I think that's a tortured reading of the Ohio Constitution and the Equal Population Standard. I think the one person, one vote standard is defined by the Supreme Court decisions. And that's why we chose to view equal population as we did. Again, it's very close. And we were well under that Tenet standard that was set by the Supreme Court in defining one person, one vote in regards to equal population for redistricting in the states. So understand the point that you're trying to make. We, as a commission, respectfully disagree and read the Constitution, I think, in a less kind of convoluted way to come up with our Equal Population Standard. And also trying to, again, not unduly split Ohio communities, as we said, repeatedly, was a key consideration of ours. Thank you.

Representative Shane Wilkin (01:14:34):

Representative Liston.

Representative Beth Liston (01:14:37):

Thank you, Chairman. Thank you all for your testimony and for providing so many different viewpoints and aspects of fair maps. So I have a couple of questions, but I'll start with the last topic a little bit. And I am not the lawyer, but I am a health person. I think about it in terms of health and wellness. And so when I think about population, when we talked about a Census from 2020 that we're now applying, I think about the fact that, in 2020, 139,000 people died and 139,000 babies were born, and people moved in and out of the state and moved around to different areas. So when I think about equal population, I think that taking a number from a year ago and assuming that it is static down to the man doesn't make sense to me as sort of not the legal person. And I wonder if the reason behind some of the Supreme Court decisions that did not take that number is exact and static was because it is not exact and static in reality. And I just want to see is that a component of those decisions, thinking about what the one person, one vote means from a practical perspective?

Kathleen Clyde (01:15:53):

[inaudible 01:15:53].

Richard Gunther (01:15:53):

No, go ahead.

Kathleen Clyde (01:15:55):

Okay. Thank you, Representative Liston. That is, I think, part of the reasoning behind not going down to the individual person when calculating equal population. And I think that health perspective makes sense. It is in line with some of the reasoning from the court. And again, we encourage you, to the extent that you have time, to check out that Tenet decision and some of the rationals provided there. And again, constitutional language, there is room for interpretation. And I think this equal population definition, is it exactly equal? Is it substantially equal? There's room there, in constitutional language, to define that using things like federal law and the federal constitution and the Supreme Court's interpretation. So that is part of our thinking of why... It's not that it's unimportant. It is very important,

but not down to the single person but to that ratio allowed by the court. And again, we didn't even go up to that mark. We stayed about how halfway from zero to that ratio provided by the Supreme Court.

Representative Shane Wilkin (01:17:19):

Representative Liston.

Representative Beth Liston (01:17:20):

Thank you, Chairman. This is a different direction because just so I don't want to get lost in this, I do want to ask Ms. Brock a question because I think her testimony very much reflected all of the work that has been done by your group to ensure that there was community input. And I was struck by the fact that you had indicated that there were 2,350 map submissions and, presumably, representing what the community intended with much of the ballot initiative that now became the constitutional amendment. And I would love to know if, in those 2,350 submissions, there was anyone that interpreted fairness to mean there would be 13 Republican districts into Democratic districts?

Speaker 3 (01:18:06):

Absolutely not. Well, thank you so much, Representative, for your question through the Chair. Absolutely not. No one thought that they would come out of this process where it would be a 13-2 map. If nothing else, we heard over and over again that they wanted our maps to be reflective of the reforms that were passed, be reflective of the true political representation here in the state of Ohio. So 55-45 split, they expected that, rather, it was in the state legislature, or if it was for congressional maps, that that would be upheld at every point.

Representative Shane Wilkin (01:18:43):

Follow-up?

Representative Beth Liston (01:18:43):

Thank you. Okay. Final grouping of questions. So not 100% a follow-up, but it's for Richard Gunther, who I know is such an expert, and we are lucky to have as part of the conversation. So thank you very much for your testimony. And I do think that you can provide a little bit of, I don't know, clarity because I think sometimes we get lost in numbers. And through this commission sometime or committee, we've talked a little bit about what years we should use. Should we be using 10 years to think about what the partisan preferences of Ohio is? But I guess, I would love to ask and get your perspective, obviously, because I bet you know these numbers, is there any time period during which the voters of Ohio, in statewide elections, had had an 87-13% split in terms of their partisan voting patterns?

Richard Gunther (01:19:35):

No.

Representative Beth Liston (01:19:38):

So regardless of what numbers, whether we use the 2020 Election, whether we use all of the elections from 2010 to 2020, is there any point at which that would even be remotely close? And, yeah.

Richard Gunther (01:19:54):

I'm sorry, I missed part of it.

Kathleen Clyde (01:19:57):
Just [inaudible 01:19:57] in the election in Ohio how has [crosstalk 01:20:02]-

Representative Shane Wilkin (01:19:57):
Any other questions?

Kathleen Clyde (01:19:57):
...the majority?

Representative Beth Liston (01:20:02):
Just I want to make sure that the witness had the opportunity to answer. I'm happy to clarify or...

Richard Gunther (01:20:08):
I'm sorry, would you mind repeating your question? I have hearing difficulties.

Representative Beth Liston (01:20:12):
I apologize. I think that sometimes we get caught up in how we measure what the partisan preferences of the state are so that we can look at whether something is unduly. And so I wanted to ask if there was any numbers that one could take such that the partisan preference of Ohio reflects the 87-13 split that is been proposed in Senate Bill 258 or House Bill 459.

Richard Gunther (01:20:42):
No. Clearly not.

Representative Beth Liston (01:20:44):
Okay. Thank you.

Representative Shane Wilkin (01:20:48):
Are there any other questions?

Speaker 1 (01:20:49):
Closing comments, please.

Representative Shane Wilkin (01:20:51):
Sir.

Speaker 1 (01:20:54):
We spent a long time doing what we have been doing, and something was just said, "2, 500 maps were put in, and none of those maps did what you did." I think that's an interesting observation. "None of them did what you did." And that's about intentionality. That's about collegiality. That's about the ability to work with each other. The foundation of the Constitution is based on cooperation and compromise. We are at a reflection, as a country, is that really the base principle of the Constitution? I'm not sure anymore, and I'm concerned about my country. I'm concerned about my state. I'm concerned about

how these things are being done. We hate each other. We intimidate each other. We threaten each other across... Where are we at now?

Speaker 1 (01:21:47):

Now, I'll finish with this. It won't be every 10 years we'll be back here. We'll be back here again, in 36 months, after we go through the Supreme Court ruling and you do whatever the court tells you to do. We will be here again, 36 months, not 10 years. I made a mistake last time out here. We're going to be here arguing and arguing and arguing. Your strategy is not sustainable. The law of probability says we are going to continue to be here. We're going to continue to be here. I've been here 20 years, and we're finally going to get what we want. Black people taught you that lesson. We were in slavery for 247 years, and we didn't give up. Thank you, Mr. Chairman.

Representative Shane Wilkin (01:22:32):

Thank you. Just so you know that I was listening, I would say Donka and [inaudible 01:22:38].

Speaker 1 (01:22:40):

[inaudible 01:22:40]. Ice breaker [inaudible 01:22:42].

Representative Shane Wilkin (01:22:43):

Cline. [crosstalk 01:22:46]. Next witness is Michael Ahern.

Richard Gunther (01:22:56):

Thank you.

Representative Shane Wilkin (01:22:58):

Welcome to committee. You may begin when you're ready.

Michael Ahern (01:23:00):

I'm going to wait til they-

Kathleen Clyde (01:23:00):

I'm sorry about-

Michael Ahern (01:23:03):

No, no, don't rush, that's fine.

Kathleen Clyde (01:23:06):

[crosstalk 01:23:06] when they took over-

Michael Ahern (01:23:08):

Good afternoon, members of the Joint Committee on Congressional Redistricting. My name is Michael Ahern, and I live in Blacklick, about 17 miles from here and in the northern most portion of the district that I've been drawn into, in District 15, under proposed Senate Bill 258. The southernmost town in the same district is Burlington, Ohio, along the Ohio River. Now, I'm sure the folks of Burlington are great

people, but we have almost nothing in common. Between that community and mine, like the communities of Jackson, Athens, Nelsonville, Logan, New Lexington, Piketon, Waverly, Lancaster, and a portion of Chillicothe , the small end road of this proposed district that comes into Franklin County is largely Democratic leaning, while the vast majority of the rest of the district is Republican leaning, with the exception of the Athens area. While the district is competitive, according to Dave's Redistricting, it is one of the three districts that carve Franklin County. Franklin County, in the city of Columbus, are part of the community that I live and work in.

Michael Ahern (01:24:08):

The Southeastern portion of Ohio has little in common with the needs of Central Ohio. Here's but one tangible and impactful way to understand this. Members of Congress are tasked with many duties, including advocating for their districts when it comes to spending federal money. In fact, federal funds make up approximately 37% of the state budget and are the largest single source of funds. One of the most tangible applications of those funds is through transportation planning and infrastructure projects, where they constitute almost half of the Ohio Department of Transportation's budget. Our transportation infrastructure is literally the economic lifeline to the wider national and international economy. ODOT supports this vital infrastructure through transportation projects. These projects are based on transportation infrastructure plans that are implemented by ODOT, in conjunction with long-range transportation planning, developed by metropolitan planning organizations and regional planning organizations based on regional growth projections.

Michael Ahern (01:25:09):

This proposed district map will hamstring Central Ohio in meeting the existing and projected explosion of growth in Central Ohio by spreading my community's congressional representation across at least five transportation or planning organization jurisdictions. In fact, the southernmost planning organization is the KYOVA Interstate Planning Commission. The KYOVA is the metropolitan planning organization for the tri-state area of West Virginia, Kentucky, and Ohio. That is not Central Ohio. Proposed District 15 of so large that whoever represents the district will have a very difficult time reconciling the very different needs of citizens within this vast district, both geographically and economically. How is a representative in Congress reasonably expected to advocate for and represent such divergent interests and focus? I submit that they simply can't. Finally, rather than providing for strong representation in Congress for the Central Ohio region, this map also dilutes the power of representation by splitting Franklin County into three separate districts. In short, the splits in the resulting districts are illogical. Splitting Franklin County into three separate districts makes no sense economically but, based on partisan carving of the county, seems to make sense to the GOP map drawers, politically. In fact, the political focus of the mapmaker is highlighted in five precinct splits that I observed in District 15. Each of those splits, the precincts carve Democratic-leaning areas of the precinct from Republican-leaning areas of the precinct, even though all voters within each of those precincts have the same transportation needs and share the same community interests. Such carving violates the letter and intent of the 2018 redistricting reforms to keep communities whole.

Michael Ahern (01:26:53):

I urge you to not consider the map embodied in Senate Bill 258 and instead support approval of the map embodied in Senate Bill 237. And just a word with respect to fair maps in general. I also was involved in the gathering of signatures and the verification of signatures during the 2018 process. And the whole campaign was fair districts, fair elections. We have fair elections. It's been proven over and over again

through audits. What we're looking for is fair districts, not districts that unduly favor Democrats versus Republicans. We're looking for fair districts that represent voters. Thank you very much.

Representative Shane Wilkin (01:27:37):

Thank you very much for your testimony. Are there any questions? See none. Thank you.

Michael Ahern (01:27:47):

Thank you.

Representative Shane Wilkin (01:27:47):

Chairman now call Charlie Sutkamp. Welcome to committee. You may begin when you're ready.

Charlie Sutkamp (01:28:00):

Thank you for having me. My testimony is in regard to all four bills today. The United States was founded on the idea of being a representative democracy so people in a congressional district know their elected representative truly represents their interests. It is only common sense to know that people living in the same community and/or city have more common and have the same issues of problems than people that live hours apart. For example, I live in Cincinnati, Ohio, which is located in Hamilton County. We have a number of city and county issues that are constantly being debated. When I vote, there are candidates and issues on the ballot that affect the people of the City of Cincinnati in Hamilton county. However, we never hear about, nor vote on, issues affecting people living in Portsmouth or Eastern Ross or Pike County, because towns in those counties can be 100 miles from Cincinnati.

Charlie Sutkamp (01:28:56):

If I wanted to drive to Portsmouth, it would take at least two hours. And yet, it is in my congressional district. But my county, and even my city, are divided into two districts and could be divided even more if the proposed maps pass. This does not make sense, and it is certainly not how a representative democracy is supposed to work. Cincinnati must be kept whole and reside within a district that encompasses all or most of Hamilton County. Unfortunately, my district is not the exception, but rather the common example of how congressional districts are drawn in Ohio. So why does this situation of congressional districts that contain people living hours apart and have little in common exist? The most obvious answer is power. The Republican Party controls the Ohio General Assembly and therefore controls the creation of the congressional maps of our state. And they have used the majority at the state level to give themselves more power at the federal level. Instead of trying to keep communities together that share common interests, they have sliced and diced cities and counties to give the Republican Party dominance in the Ohio delegation for the US house of...

PART 3 OF 5 ENDS [01:30:04]

Charlie Sutkamp (01:30:03):

... give the Republican Party dominance in the Ohio delegation for the US House of Representatives without concern for how communities are represented. I believe that Madison, Franklin, and Washington would be horrified to learn that Republicans in the state of Ohio, that have garnered 54% of the popular vote over the last 10 years, have drawn congressional maps to allow them to occupy 75% of

the congressional seats. As recently as November 2020, Donald Trump won Ohio with 53% of the vote, but the Ohio Senate Republicans have proposed a map that would give them 87% of the seats. This is not what the framers intended. The reason the colonists rebelled in 1776 was because they felt their interests were not being represented. So men had drafted the US constitution created a country to give representation, allowing people to have their voices and concerns be heard. Let's keep that our guiding principle when drawing new congressional maps for Ohio. Thank you.

Representative Shane Wilkin (01:31:02):

Thank you for your testimony. Are there any questions? Seeing none. Thank you, sir. Chair calls Paul Miller. Welcome to committee. You may begin when you're ready.

Paul Miller (01:31:19):

Thank you. Just to confirm, do you have the graphs in my statement? All right, thank you. Okay, Ohio voters want fair districts. That's a given. That's why we're here. We just don't all agree on what's fair or even what constitutes gerrymandering. But gerrymandering can be qualified and quantified, and since no one else ever made a serious attempt at either one, I took it upon myself to do both, which makes me literally the only expert of this newly-emerging field and the issue which we are here to consider. Unfortunately, I don't have the time which would be needed to explain my statistical methods in any amount of detail, much less debunk the arguments presented by the Democrat activists here. That said, what you have before you is a series of graphs, which represent the data I've compiled for statistical analysis from each of the four district maps proposed by legislative bills, and which I will now explain as hastily as I can.

Paul Miller (01:32:13):

For comparison, I've also added the map which I submitted to the [RC 01:32:18] last month as the ideal, as I believe it meets the constitutional criteria overall better than any of the maps proposed in these bills, and certainly better than any of the others submitted by the general public. Exhibit A shows the statistical variance of the voting margins by party of each plan's proposed districts. The more compact the graph, the better, and overlap between the two parties' graphs demonstrates the extent of the possibility or perhaps the intent of gerrymandering. The dots represent outliers, which are necessary for the creation of majority-minority and opportunity districts favoring the minority party, which outside of these districts only garners about 41% of the vote statewide. In short, the Republican plans pass my variance test. The Democrat plans do not, and the House Bill 479 plan is the only one which is ideal.

Paul Miller (01:33:04):

Exhibit B shows the two party margins in ascending order. A negative value on the Y-axis favors Democrat candidates, and a positive value favors Republicans. Ideally, you'd have two Democrat districts representing Cleveland and Columbus, a few non-competitive majority districts to balance it out on the other end, and the rest nearer the statewide average, which historically has favored Republicans by about six or seven points, as we know. Again, the Republican plans fit this curve nicely, the House GOP plan being the slightly better of the two, and the Democrats' graphs show deliberate polarization and dilution of Republican votes in order to selectively bring down the margins in historically Republican districts. This is a smoking gun proving the intent to favor one political party and disfavor the other, which is our Constitution's definition of an unlawful gerrymandering. Exhibit C shows the randomness of the probability of each of the district margins on a normal distribution curve.

Paul Miller (01:33:56):

The Republican plans are somewhat evenly distributed, while the Democrat further demonstrate the trend shown in exhibit B, which is to throw as many Republican voters into the same few districts as possible in order to dilute their party's votes in other districts, and flip those districts. Exhibit D is an overlay of the distribution curves from exhibit B, along with a graph representing the data that you just saw from the OCRC's plan. I've done this to show how the OCRC's ostensibly nonpartisan activism is nothing more or less than the brainchild of Eric Holder and part of the Democrats' overall strategy to subvert elections across the country, but only in red states where they stand to gain. As I testified to the RC last month, this is not a coincidence, but a mathematical necessity for achieving this objective. That jump between the 9th and 10th data points on the X-axis, where the lines all overlap, is a gap of about 20 points.

Paul Miller (01:34:50):

No one in their right mind will argue that that's random. Exhibit E shows where each of the four proposed maps would fit in my congressional district's gerrymandering index if flipped districts are included in the count of competitive districts, which is the formula that I've used for that. As you can see, either of the Democrats' proposed plans will make Ohio the most gerrymandered state in the union, while either of the Republican plans could be better, but puts us comfortably in the bottom half of the pack. Exhibit F shows where each of the proposed maps would fit in my congressional districts corruption index. Note that the better of the Democrats' two plans is nearly twice as egregious as the most corrupt state in the union, New Jersey, and that the Senate Democrats' plan is more than 10 times as much as the next one down after that. This is totally unacceptable.

Paul Miller (01:35:37):

The Republicans' plans, on the other hand, rank at the bottom, because they're fair. In summary, the plan proposed in House Bill 479 is the best among the four by each of my statistical metrics, which is to say that it is objectively the one which the legislature should give the most consideration, and that passing it is the right thing to do because it needs to be done very soon. Even if a third of the Democrats and our legislature can't find it within themselves to be reasonable, that's on them, and giving us a four-year map means you will have done your jobs. Moreover, the fact that this plan meets all the constitutional criteria means you will win when the court weighs in on their frivolous lawsuits. And I just want to add that [Ms. Barumi 01:36:17] just said that Toledo can't be split. It can. Article XIX, section two, paragraph B4 lays it out very clearly that in order for a city with a population over 100,000 to not be split, it has to be in a county that's above the congressional apportionment. Thank you.

Representative Shane Wilkin (01:36:40):

Thank you for your testimony. Are there any questions? Seeing none. Thank you for testimony. Chair would now call [Stewart Wilms 01:36:52]. Mr. Wilms, Welcome to committee. You may begin when you're ready.

Stewart Wilms (01:37:00):

Thank you. Co-chairs Gavarone and Wilkins, members of the committee, thank you for this opportunity to address you today. My name is Stewart Wilms. I live in Westerville. I do not represent or belong to any political advocacy group. I came today as a concerned citizen. I speak today in opposition to map drawn by House Bill 479. I live in Northeast Franklin County. House Bill 479 places me in proposed District 4. I would share this district with residents of Auglaize and Allen Counties, the cities of Lima and

Wapakoneta less than 20 miles from the Indiana border. I do not believe that we have a lot in common for an elected official to represent us in Congress. It's difficult to consider this a compact district. I can understand why rural districts may need to cover a large area to meet population requirements, but I don't believe urban areas should be cracked to dilute or negate their interests.

Stewart Wilms (01:38:05):

This map splits cities and urban areas including Columbus, Cincinnati, Cleveland, and others in order to do exactly that. It packs Democrats into 2 of the 15 districts, resulting in 68 and 78% Democratic majorities in those districts. In the 2020 congressional election, Ohio voters cast 45% of their votes for Democratic candidates. It seems absurd to me that 11 of 15 districts would be drawn solidly Republican, and only 2 districts being at all competitive, although they also lean Republican. In a democracy, I feel it's important that both parties are fairly represented in Congress. Maps drawn under House Bill 479 and Senate Bill 258 do not do this. To me, that contributes to the [inaudible 01:38:56] and non-participation of our citizens in the electoral process. It's my view that the map drawn under 237 best accomplishes the goal of the amendment, and provides for equitable representation in Congress. Thank you.

Representative Shane Wilkin (01:39:20):

Thank you very much for your testimony. Are there any questions? Seeing none. Thank you for your testimony. Chair now calls Lynn Buffington. Ms. Buffington, welcome to committee. You may begin when you're ready.

Lynn Buffington (01:39:43):

Thank you. Co-chairs Gavarone and Wilkin and members of the committee, thank you for the opportunity to testify today. I'm from Beavercreek in Greene County, 73rd House District, 10th Senate District, and you have my written testimony. As I drove here today from Beavercreek, I thought maybe I'd talk about something a little bit different than what I wrote. Like many of us, I spent some time yesterday and in the car today reflecting upon Veterans Day. My stepfather was a veteran who served during the Korean War. I wasn't really close to him, because my dad died when I was 50 and my mom married my stepdad when she was 74. Nevertheless, I spent quite a bit of time with him, especially over the last few years. Poignantly, he died on Veterans Day, two years ago yesterday.

Lynn Buffington (01:40:46):

His view of his service and of the United States' role was probably well-epitomized by the motto popularized by the King Arthur legend, " might for right." He believed in the power of the US. He believed in using that power for right, and I think most of us would agree with that aspiration. Driving here, it struck me that the Republicans in the Ohio Assembly, the majority party, has a lot of might. You have a super majority. If you're unified, you can pass whatever legislation you like. If you're unified, you can overturn the governor's veto if he chose to veto something. So you have a lot of might. Now, how about the other part of the motto, "might for right"? Now, of course, "right" is a very complicated word with a lot of different dimensions about what is right.

Lynn Buffington (01:41:49):

I would say that, and most would agree I think, that what is right is not just what is legal. Certainly the Ohio Assembly, the dominant party, can legally pass either of the two Republican maps which have been submitted, so that's legal. I suggest that it wouldn't be right. It wouldn't be constitutional. And you've heard a lot of arguments about why many people consider that neither of those maps is constitutional,

mainly revolving around the unduly favoring of one party. So I believe that approving either of those maps would be using might for wrong, and I think it would be offensive to our veterans. It should be offensive to our veterans, including my stepdad. Now, my husband and I are the parents of two young adult children, and I'm sure that many of you are also parents. And I'm sure that especially as fall advances, many of you will be gathering around the dinner table, either daily or on Sundays, or maybe Thanksgiving if you have young adult children like mine, or even older than young adult, that you'll be gathering with, or friends.

Lynn Buffington (01:43:07):

So I ask you to think about: What will you share about your work during those conversations? Wouldn't you like to talk about your redistricting work, and say that you used your might for right, that you followed the Constitution? Or will you find yourself in the position of having to avoid the conversation, frankly, about how you abused your power, about how you used might for wrong? Now, there are some more practical considerations beyond these sort of perhaps lofty words. Not that I'm pretending my own words are lofty, but the concepts of might and right and constitutionality are certainly lofty concepts, and that is just the practical things. The people of Ohio really don't want to be back here in four years. And it's not just all of this that the more involved people are participating in. It's the spending of money and time and confusion as the districts get drawn again and again. It's the work that the boards of elections have to do.

Lynn Buffington (01:44:22):

It has been rightly said that Ohio can be proud of how our elections have gone, thanks to all the work of our boards of elections and to our secretary of state, who did a great job on running the elections. So that's another practical aspect of that. Please don't take us down that road of having to do this again in four years. Since I haven't heard the buzzer go off, I can add a little bit from my written testimony, which I think it's clear that I oppose the two bills HB 479 and SB 258. In particular, I mentioned that SB 258, which has also been mentioned, would favor the Republican Party with only two clearly Democratic districts, only 14% Democratic representation resulting. Now, I know that it has been said over and over that some of the other districts are competitive, but as you know, in those bills, all the competitive districts lean Republican. So this is clearly unduly favoring one party. And maybe I'll break precedence and end early. I'd be happy to take any questions.

Representative Shane Wilkin (01:45:35):

Thank you very much for your testimony. We have any questions? Senator Sykes.

Sen. Sykes (01:45:40):

Mr. Chairman, thank you so much. Not so much a question, but just a comment. We really appreciate you and really all of the presenters for coming up here, and you gave us some sage advice and wisdom shared with us today. We certainly appreciate it. Thank you.

Lynn Buffington (01:45:57):

Thank you, Senator Sykes.

Representative Shane Wilkin (01:45:59):

Thank you. Any questions? Seeing none. Thank you very much for your testimony, and thank you for your stepdad's sacrifice to the country.

Lynn Buffington (01:46:07):

Thank you.

Representative Shane Wilkin (01:46:10):

Chair now calls [Deborah Saunders 01:46:11]. Welcome to committee. You may begin when you're ready.

Deborah Saunders (01:46:23):

Thank you. To co-chair Gavarone, co-chair Wilkin, and members of the Joint Committee on Congressional Redistricting, I am Deborah Saunders. I reside in Northwest Columbus, having a Dublin address, current congressional District 15, state Senate 16, state House 21. I stand in opposition to Senate Bill 258 and House Bill 479, and in support of Senate Bill 237. Senate Bill 258 demonstrates extreme gerrymandering. A bizarre C-shaped formulation of proposed District 3 on the Western side of Franklin County, where I live, appears to have purposeful intention of packing the vote within one district, while a carve-out of the center of Columbus that falls within the proposed District 4, the same district as Lima on the far north, serves the purpose of diluting votes, particularly minority votes. Many experts have stated that Senate Bill 258 and House Bill 479 demonstrate extreme gerrymandering.

Deborah Saunders (01:47:29):

And gerrymandering, as we've heard repeatedly and we need to keep saying, is designed to diminish the impact and influence of our vote to benefit those in power, most affecting those with limited voice: communities of color, communities of economic distress, those who are marginalized. These communities have always had to work harder to be heard. Will the voices of residents of the East side of Columbus be noticed by their US representative versus voters in Lima, where both Ohio Senate President Matt Huffman and Ohio House Speaker Bob Cupp reside and from where both are elected? Why should the Ohio Statehouse be in the same district as Lima? It makes no sense. I lived in Lima the first 28 years of my life, born and raised there. So I know Lima, and how different the needs and priorities are for voters in a small municipality from voters who reside in the central urban area of a capital city.

Deborah Saunders (01:48:39):

It appears there's an intent in having the Ohio Statehouse in the same district as Lima, creating the perfect trifecta: state Senate president, state House speaker, a US congressional representative. When 75% of voters in Ohio said to stop the partisan gerrymandering that diminishes votes, the current majority legislative bodies have shown disregard to the letter and spirit of the law, the Ohio Constitution. There are so many examples of the drawing of fair maps that truly represent what Ohio voters want and stated in our ballot mandate in 2018. The egregious nature of the maps presented with a 13 to 2 supermajority imparts to us that there's contempt for the voters of Ohio.

Deborah Saunders (01:49:32):

We expected the majority to come to the table with at least a starting point from which to negotiate toward the creation of a fair map. But to date, it has not been shown. There's a willingness to do so.

There remains time to do this right. Please show us you will. Thank you for the opportunity to voice my opposition to Senate Bill 258 and House Bill 479 and support of Senate Bill 237, and I urge you as members of this joint committee to do the same.

Representative Shane Wilkin (01:50:08):

Thank you for your testimony. Are there any questions? Seeing none. Thank you very much. Chair would now call Trevor Martin. Welcome to committee, and you may begin when you're ready.

Trevor Martin (01:50:25):

Thank you, sir. Good afternoon, Chair Wilkin, co-chair Gavarone, members of the committee. My name is Trevor Martin, resident of Columbus. I'm a community organizer and activist who has worked for nearly two decades in both a paid capacity and voluntary capacity for multiple good governance organizations, nonprofits, along with both candidate and issue campaigns. It's my desire and goal to help communities recognize the skills and resources within their own communities, organize and utilize those skills and resources to create power and leverage to be a force for change and be included in the decision-making and policy choices that affect their day-to-day lives. As legislators, I would hope that you would want the same for your communities and your constituents. I would hope that you would want an educated, informed, and engaged constituency. However, everything I've seen over this process has shown me otherwise.

Trevor Martin (01:51:25):

I'm a coalition member of Fair Districts Ohio, as contracted by Common Cause Ohio, to train volunteers on mapping software to draw community maps. However, I'm here today to speak on my own behalf as a private citizen who has spent many of my own hours training these folks, teaching and helping them to understand the role of community and redistricting, to draw community maps, and then show how those maps fit into the process. I've trained over 80 individuals throughout Ohio on community mapping software. I have taught dozens of webinars and in-person seminars all over the state. I've sat in on both virtual and in-person mapping sessions in Cleveland, Akron, Kent, Dayton, Athens, Cincinnati, Toledo, Columbus, and other communities. Now, I don't know the partisan makeup of these meetings, but I do know there was folks from both sides of the aisle there, because there was disagreement, and there was disagreement on the issues that were a priority to their communities.

Trevor Martin (01:52:19):

There was disagreement on how they should be treated, and there was disagreement on who would be better to address those issues. But after all these sessions, we were always able to walk out with a map that the majority of members were comfortable with and felt that fairly represented their community. How did we do this? Well, we looked at the priorities of the community and what good representation looks like. What were these priorities? Well, I heard over and over again: keeping communities together and fair representation. People want a representative from their community that understands the issues that are affecting them, community and fairness. Now, not partisan politics. I've been taught that politics is power. Who has it? How is it distributed? And how is it being wielded? In a just and democratic society, power belongs to of the people.

Trevor Martin (01:53:11):

Instead, this body, other committees, the Redistricting Committee, have all concerned themselves more with the power of party, the preservation and accumulation of that power. And the people have said

"Enough." I'm here to speak in opposition to both GOP-proposed bills, because I know there's no intention of passing the Democratic-proposed maps. Though I will say that the Democratic maps are more fair and treat communities with more respect, I also believe that the Democrats are the only ones making a good faith effort at this process by producing their maps earlier, making them available to the public, open to questions, making themselves available, and then making adjustments to appease concerns. And I want to throw a bone to Senator Sykes, as I was... Attended most of the Redistricting Commission hearings, and he's the only member who was there at every single one of them.

Trevor Martin (01:54:10):

It's my opinion that the GOP-proposed bills should just be completely scrapped, and the body should instead focus on either of the Dem maps and make adjustments that you believe necessary. The Democrats have already shown willingness to engage, willingness to be open, take suggestions, and willingness to compromise. And compromise is what is required for this process. Compromise is what the people voted on. The people of Ohio voted for a bipartisan process, and the GOP has been unwilling to do so. Now, to an outside observer, both of these proposed maps by the GOP... It's obvious that they favor Republicans heavily. Even the Democratic-proposed maps to an outside observer looks to favor Republicans, and as they should. Ohio voter preferences show that Ohio is indeed slightly favor Republicans. And especially with the geographics of Ohio being the way that they are, we will inevitably see districts that favor one party over the other.

Trevor Martin (01:55:05):

This is fair. It's fair that Republicans will have a slight advantage in some of Ohio districts, because it reflects and respects the voters of Ohio. However, what is not fair is gerrymandering, and gerrymandering is the intentional manipulation of district lines to manipulate elections. And that's exactly what both of these proposed maps by the GOP intend to do. Now, I have submitted in my testimony a list of community maps that were produced by citizens that are available on the Ohio Citizens Redistricting Commission-

Representative Shane Wilkin (01:55:39):

Okay, we're going to have to wrap up.

Trevor Martin (01:55:40):

[crosstalk 01:55:40] Fair Districts Ohio. And I encourage that you look at those, because not a single one of them reflects what the GOP has proposed.

Representative Shane Wilkin (01:55:47):

Thank you for your testimony. Are there any questions? Seeing none. Thank you. Chair would now call Katy Shanahan.

Katy Shanahan (01:56:10):

Good afternoon, co-chairs Gavarone and Wilkin, and other members of the joint legislative committee. Apologies in advance for talking fast, but five minutes is short. My name's Katy Shanahan, and I'm the Ohio state director for All On The Line. This is my third time testifying before legislative committee about proposed congressional maps. I've attended each of the seven hearings that have taken in place in just the last two weeks, and I've listened to other Ohioans testify before you, sometimes through

tears, asking for fair maps and for a delivery on what we demanded in 2018. So I have to be honest, I'm having a tough time knowing what else there is left to say about our pleas for a fair map. Still, as we find ourselves at the end of this week's five-hearing blitz, I'm left with lingering questions about what comes next. For example, the co-chairs of this committee and the speaker of the House suggested that the role of this committee was just to collect information.

Katy Shanahan (01:56:57):

So does that mean that the committee itself won't be putting forward its own map for final review? Does it mean that these hearings this week were merely for show? Does it mean that you will take into consideration anything that we've provided in testimony either on Wednesday or today? If this process is to turn next to the chamber-specific committees, is that where we could expect to see amended Republican maps? Do you think that those amendments will take into account the now, as of today, nearly 170 pieces of [inaudible 01:57:24] testimony that have come into your offices? Will we get another chance to actually offer input on those amended maps? And if not, why not? If additional hearings get scheduled, will you commit to providing actually ample notice for the public to solicit comment? As a reminder, the public got just four and a half hours' notice that we could provide testimony before this joint committee on Wednesday. That's not enough.

Katy Shanahan (01:57:45):

I say often that Ohioans sent a clear message on redistricting when we passed our reforms. We wanted an open, transparent redistricting process and a fair map. Unfortunately, we've gotten neither so far. Will that change in the remaining time left in this process? Will you commit to being more transparent about what we can expect next as advocates? Will you commit to adopting an actually fair map? Quote, "We've heard the concerns of Ohioans to ensure that the process for drawing congressional district lines is fair and equitable, no matter which party is in the majority." That was Senate President Matt Huffman and what he had to say in 2018, when you all landed on the compromise that would eventually go on the ballot in 2018 for our vote. Do you think that you've lived up to that description? Have Ohioans been afforded equitable access to this process when all of these hearings occur on weekdays, in person, during daytime working hours?

Katy Shanahan (01:58:36):

Is it fair after months of inaction and two missed constitutional deadlines to schedule five hearings, three of which got scheduled on Monday, sometimes overlapping hearings in two different chambers at the same time on the same issue? Is it fair to limit our testimony today before this joint committee on four map proposals to just five total minutes? Senator Huffman also said in 2018 that he was quote "confident that the legislature can develop a process that reflects the will of Ohioans, and provides a way for everyone to be fairly and equitably represented in Congress." Do you think that all Ohioans will be fairly and equitably represented in Congress under maps that give 87% of the seats to Republicans, when they only earn about 54% of our votes?

Katy Shanahan (01:59:19):

Do you think Ohio's communities of color specifically, whose voting power you undermine when you split them apart into two, three or four different districts, will be? Can you not see how Ohioans, no matter who we are or where we live, will be denied fair and equitable representation when you crack apart our communities, denying us the opportunity to speak with a unified voice at the ballot box to elect leaders who actually represent us and our values? I said at the top that I wasn't sure what there

was left to say about these maps. To me, I think it speaks volumes, volumes that nearly 170 pieces of testimony have come in to your committees in opposition to the Republican-proposed maps, and at least on my understanding, there's just one person who's said anything in favor of those maps, somebody-

PART 4 OF 5 ENDS [02:00:04]

Katy Shanahan (02:00:03):

... one person who's said anything in favor of those maps, somebody who testified here today. Ohioans have sent you a clear message, so we're left wondering whether you'll actually hear us and deliver the fair map that we deserve.

Katy Shanahan (02:00:12):

When redistricting, map drawers have a clear choice to either preserve their own political power or to preserve our democracy. So my final a question to you is which one you all are choosing in the final map that you adopt. Are you choosing to relegate Ohio to another decade of Republican and politician chosen power? Or will you actually stand up for our democracy and for a future in this state where all of us, from Lake Erie to the Ohio River, from Dayton to Marietta, and from Napoleon to Portsmouth, stand on equal footing in our ability to elect representatives of our choosing? I hope it's the latter. I'm happy to take any questions at this time, though in all honesty, I'd actually prefer some answers.

Representative Shane Wilkin (02:00:57):

Thank you for your testimony. Are there any questions? Representative Liston.

Representative Beth Liston (02:01:04):

Thank you for your dedication and advocacy. I know you've been here at all of these hearings, many of which are very quick. I know that a lot of what people have been testifying is about some of the community maps that have been submitted. We heard about Mr. Martin had several that he had suggested that we look at. I know Ms. Brock talked about 23,950, and I know that you guys have been doing that, and that those have not been reflective of that 87/13 split. In fact, none of them have. But I know that you guys have the Maptitude and have looked more broadly at the likely outcomes if you really just put in the parameters. So I was hoping that you might share information about what a selection of possible maps looks like and how the maps presented in Senate Bill 258 or House Bill 459 compare.

Katy Shanahan (02:01:59):

Sure. Through the chairs to the representative. Yes, we have access to Maptitude, which is the mapping software that you all as legislators have access to. And we conducted what's called an ensemble analysis, which is where a computer generates randomized maps. The collection was 25,000 maps. Of those 25,000 computer generated maps, 99% of them would give five to eight seats to Democrats; 1% of them would give Democrats just four seats; and zero of them would give them just two seats. From that analysis, the conclusion is that the only way that you get a map that gives 13 of our 15 seats to Republicans and just two to Democrats is through intentional partisan gerrymandering. And I think that what can obviously be offered by the community maps that were gathered by OCRC, those that were gathered by the Fair Districts Coalition, the more than 70 proposed maps that have come in through the

portal, is that almost no one else drew a 13:2 map, right? Almost all of them sat around an 8/7 split because that's actually what's reflective of Ohio.

Representative Shane Wilkin (02:03:08):

Follow up.

Representative Beth Liston (02:03:09):

No. Thank you.

Representative Shane Wilkin (02:03:11):

Any other questions? Senator Sykes.

Vernon Sykes (02:03:15):

Thank you, Mr. Chairman. Thank you so much for your advocacy. You are well read on this particular issue and involved. I'd just like to know, what do the public think about all of this as it relates to these maps? And as it relates to these maps, do you know what the purpose and/or objective of this committee is?

Katy Shanahan (02:03:38):

Through the chairs to the Senator. What I will say is for the last more than two years, my job has been to organize around the issue of redistricting, and our volunteers overwhelmingly feel despondent and dejected by this redistricting process. Excuse me...

Katy Shanahan (02:04:25):

Because Ohioans spoke clearly in 2015 and in 2018 when we went to the ballot and overwhelmingly adopted those measures. And our volunteers spent their own time and energy and effort getting trained about the nuances of this complicated process. That so many of them even know the multi-step process that exists in Ohio is thanks to their dedication to getting it right. And when they come into these committees, overwhelmingly, they send a clear message to all of you about what they expect to see in our maps, and that is not reflected. And they call us crying, asking us what the point is in engaging in this process if ultimately, the message that you all are sending is that you don't care about what any of us have to say. You don't care when we go to the ballot-

Representative Shane Wilkin (02:05:29):

No applause.

Katy Shanahan (02:05:36):

You don't care when we go to the ballot and send a message through our democratic process. You haven't cared in the last decade to listen to our causes and concerns because you don't have to because of gerrymandering. And now you suggest that we should accept another decade of that. So the ultimate feeling of Ohioans is exasperation about what else we have to do to make clear about what we want out of this process and what we want our democracy to look like in Ohio.

Katy Shanahan (02:06:11):

Now, I don't actually know what the point is of this committee. From my reading of the Constitution, this joint committee should have been formed actually back in September when the Legislature initially had responsibility over the congressional process. And should have been the committee, one committee, where all testimony was routed. It's the committee that should have its name on the redistricting website so people know that the committee to whom they can send their input or the maps. I know that that was addressed in a legislative bill, but that bill was about a completely unrelated topic about reporting military abuse in military families. So it's not a shock that the public wouldn't even know that that website was set up with the intention of the Legislature to accept maps about the congressional process. And that this joint committee would've held hearings, hopefully, that were actually accessible to Ohioans. So modeling what you all did during the state legislative process where you went around the state, you held hearings outside of daytime working hours.

Katy Shanahan (02:07:12):

But I don't actually know what the function of this body is in the form that it's taken now. I think it's just to hold the bare minimum two hearings that are contemplated in the Constitution. And then at least from comments that I've heard from Speaker Cupp and Senate President Huffman, this will then retreat back to the chamber specific committees. But that's the only understanding that I've got from their comments to the press.

Representative Shane Wilkin (02:07:36):

Follow up.

Vernon Sykes (02:07:37):

Follow up. Thank you. Thank you for that. Did you think that this committee would, or if it should, take any actions or make any recommendations or consider, show some indications that it considered the input from the public?

Katy Shanahan (02:07:57):

Through the chairs to the Senator, like I just said, it was my understanding from the reading of the Constitution that this committee would've been who was in charge of the congressional process when the Legislature was in charge, so that it would act in a similar way to the redistricting commission being in charge of the state legislative process. In that regard, to me, it would've made sense then for this joint committee to then have voted to adopt a single map that would then get sent to the respective chambers for their subsequent vote, just like any other normal legislative process. So that's what I anticipated when I was training folks in the last two years about what this process would look like. But I don't actually think that that's the purpose of this committee or what the actions would be.

Katy Shanahan (02:08:44):

And then certainly, of course, it is always our expectation that anytime we come into the Legislature to give testimony about any piece of legislation, whether it's congressional maps that will shape our political future for the next decade or any other issue that you all discuss, that you will take into consideration what we have to say because you all are here to serve us. We all are who should be powering this process. So it would be my hope, and I presume that that is true of others who are here today, that you would seriously take into consideration what we've had to say in any final adopted map.

Representative Shane Wilkin (02:09:25):

Any follow up?

Vernon Sykes (02:09:26):

Just the last comment. I apologize. I'm sorry that you and the public are disappointed about this process.

Representative Shane Wilkin (02:09:34):

Are there any other questions? Seeing none. Thank you for your testimony. At this point, I want to remind everyone, we set the rules out early on. Applause, cheers, boos will not be tolerated. We have people at home listening. They have trouble hearing when that's going on. I've asked our Sergeant at Arms to come into the room. Anybody violating that will be asked to leave. Steve Castro is our next witness. Welcome to the committee. You may begin when you're ready.

Steve Castro (02:10:09):

Thank you, co-chairs. My name's Steve Castro. I'm from Reynoldsburg. I began researching district compactness back in January and February. I like compactness because I think it's a nonpartisan criteria. And so a lot of the partisan criteria, there's a lot of subjectivity and it's back and forth. I like compactness because it speaks for itself. It's not about parties or how people vote. It's just about, is it a square or not? And so I began researching this back then and I've been advocating for it ever since.

Steve Castro (02:10:43):

I've attended before three different committees advocating for compact maps, and I've actually offered criticism of every map in the state, legislative, and congressional processes. Every map that was presented by either party, I've offered criticism for not being as compact as they could be. We know that we can make very compact maps that have been demonstrated by the Ohio Citizens Redistricting Commission. If the map they had presented today had been up for serious consideration, I would've actually supported of that because it's very compact. We know that we can make compact maps.

Steve Castro (02:11:22):

And so I will say that looking at what's feasible, looking at what's historic, the historical precedent, I came up with a standard of compactness based on convexity coefficient, different than what a lot of other people look at. So based on these standards, I was very pleased to find that there is one bill before this committee today of the four bills that actually achieves a high level of compactness, and that bill is HB 483, the Brown Galonski map. This map, according to this convexity coefficient, is 83% compact. I had suggested that we achieve 85%, and so this is very nearly achieving a very high level of compactness. We can do that. Their minimum is 60%. What we're trying to achieve is if a square is 100% and if the Elbridge Gerry's original gerrymander is 44%, I think 60% is a minimum that we should hit. And this Brown Galonski map exceeds that minimum. And so I offer proponent testimony for HB 483 because of its compactness, because it does not unduly disfavor either party.

Steve Castro (02:12:40):

I also want to testify on HB 479. This is actually the least compact of the four bills before us. For that reason, I am opposed to that bill. It has a district that is only 41% compact. That's below the minimum that I propose. It also splits Akron unnecessarily. I don't see any legitimate reason for splitting a city like Akron in half.

Steve Castro (02:13:05):

I wanted to focus on the House Bills mainly because I previously testified on the Senate Bills. But just before this committee, I will reiterate that the Yuko Sykes plan, SB 237, it also has a district which is 40% compact. The amended version did not improve that district, and so I consider that subpar. The SB 258, this bill is actually decently compact, but we can do so much better, and many have demonstrated that we can be much more compact, and so I oppose that map. Not to mention the fact that, as many people have mentioned, both of the Republican maps unduly favor the Republicans, I'm not going belabor that point.

Steve Castro (02:13:52):

So that's the majority of my testimony. But I just want to end on a question. We have 132 state legislators. Can we just get one pair of a Democrat and a Republican to just work in a bipartisan way? Just one pair. If they could rally around either a map, or at the very least, a set of principles of what is constitutional, what is fair, what are the criterias that we're striving to meet and exceed to best serve the people of Ohio? As of right now, I have pretty low confidence that we can even get a single pair of a Democrat and a Republican to come together to back a bill, or even the principles of fairness. I would love it if even one pair would come forward. That we can say at the very least, if all else fails, we have these two people that are trying to achieve a 10 year map in a bipartisan way. Thank you for the opportunity to speak. I'll answer any questions.

Representative Shane Wilkin (02:14:55):

Thank you for your testimony. Are there any questions? Hearing none. Thank you. Chair would now call Julia Cattaneo. Am I close? Welcome to the committee. You may begin when you're ready.

Julia Cattaneo (02:15:24):

Thank you for allowing me to testify today, co-chairs and members of the joint committee. My name is Julia Cattaneo. I have been community and politically aware and active for years. I am here to testify and support the adoption of a legal fair map and fair district. In short, a map without gerrymandering.

Julia Cattaneo (02:15:52):

Today, I would like to compare all of the maps that are proposed by the Senate and House: Senate Bill 258, Senate Bill 237, House Bill 479, and House Bill 483. After reviewing these maps and doing some additional research, I strongly oppose Senate Bill 258 and House Bill 479. Now, I will say in reviewing these maps, my focus was per county and community division. I did not review other fair maps that have been presented by individuals with no political party loyalties, but I hope that you will.

Julia Cattaneo (02:16:40):

I'm going to go off testimony here a little bit, or it's actually I submit a part two. So the testimony that I had originally prepared is what we all know. The GOP bills, SB 258, HB 479, do not reflect how Ohioans really vote. They are gerrymandered. The Democrats' bill, SB 237, reflects well on how the true Ohioan voting percentage, 55% to 45%, with districts six to four with five competitive. The Democrats' House Bill 483 reflects the percentage and is more compact and community friendly. And that's six six, and then competitive three.

Julia Cattaneo (02:17:42):

But I have to tell you, I woke up in the middle of the night last night with thoughts running through my head, and that's why I've changed this to be a little more personal. I'll try to get through it without getting upset. Yesterday morning, I was on the floor playing with my 11 month old granddaughter, and I would much rather be doing that. I have a total of four grandchildren I love spending time with. I have fibromyalgia, and today is a very bad fibromyalgia day, which makes any energy spent precious. This testifying is taking its toll.

Julia Cattaneo (02:18:28):

The point is, these maps are that important. They affect everything. Not only my life, but everybody else's. It affects how my energy is needed. Do I need to be more politically active? Do I need to be more of a community activist? Do I have to a fight to protect healthcare and personal rights? And how it affects me getting back to time that I can spend with my grandchildren. But that's why I'm here, because my grandchildren deserve to have a democracy and have it protected. So I will be here. And I hope that you think of your children and what you want in their democracy.

Julia Cattaneo (02:19:32):

And once again, going back to the veterans, my father was a veteran. We did not always have the same beliefs when it came to politics. But he always told me that he fought for my right to say my opinion and my right to protest and my right to have a democracy, and support my democracy just as he did. I do have better breakdown of each bill, if time allows. But I ask you to please consider my testimony carefully. I ask you to honor the responsibility you have been given and protect our democracy. Please show you have integrity and honesty and respect for the Ohio Constitution and Ohioans. To respect we, the people and not we, the party. Do not settle for anything less than a fair representative map. You can do this. I know you guys can. I know you've heard a lot of people losing faith. I'm not going to lose faith.

Representative Shane Wilkin (02:21:00):

Thank you for your testimony. Are there any questions? Hearing none. Thank you.

Julia Cattaneo (02:21:05):

Thank you.

Representative Shane Wilkin (02:21:08):

Chair will now call Collin Marozzi. Are you written only?

Collin Marozzi (02:21:18):

Yes.

Representative Shane Wilkin (02:21:19):

Okay. Is there anyone else here that wishes to testify on behalf of the bills? Please come to the podium, state your name. Make sure you fill out a witness slip.

Susan Cavanaugh (02:21:35):

I did. I sent it to both chairs yesterday around 7:15 AM, within the 24 hours. I'm my name is Susan Cavanaugh, S-U-S-A-N C-A-V-A-N-A-U-G-H. I'm a citizen. Co-chairs Wilkin and Gavarone and members of

the Joint Committee on Congressional Redistricting, thank you for the opportunity to testify regarding Senate Bills 258 and 237 and House Bills 479 and 483.

Susan Cavanaugh (02:22:07):

I live in downtown Columbus, the largest city in Ohio. We even grew by 100,000 since the last census. All four maps create one full district in Franklin County. The law doesn't give you any leeway on that part. But Franklin County has more than 1.3 million residents. What did you do with the more than half a million that were left over? The two democratic maps keep them together and adds enough citizens from other counties in the Columbus Metropolitan statistical area to create a second district. They are reasonably compact. The two Republican maps slice the rest of the county and add counties far from the statistical district. They draw from near the western border with Indiana clear to the southernmost point of the state in Lawrence County, and along the Ohio River and the border with West Virginia to the southeast. There's only one reason to do this, to create two solid Republican districts and dilute the votes of a half a million Franklin County residents.

Susan Cavanaugh (02:23:19):

Ohio is a 55:45 Republican to Democratic state. Addendum I shows what this should look like on a pie chart. This is fair. The Democratic maps settle themselves short a bit, but they approach this split. The Republican maps ask for an 87:13 split. Addendum II shows what that looks like on a pie chart. This is unfair. It's wrong. It's what 75% of Ohioans voted to end. And the shape is very familiar. It's an iconic gobbling character. If it were in yellow, I think you'd recognize it. What are you trying to gobble up? Power? The rights of others? Democracy itself? It's greed, gluttony, and avarice. It says I'll take my share and I'll take your share too. It's cheating this system. It's the opposite of any Christian values I learned in Sunday School. It's what gives politicians a bad name. It leads to distrust in government. It leads to extremists on both ends of the political spectrum.

Susan Cavanaugh (02:24:44):

If more districts were competitive and if the partisan split was 45:55, I think lawmakers would come up with reasonable solutions to some big problems. You want a system where it's impossible for you to lose now. And some even think if you do lose, you should just claim victory. I wonder what you think makes America great. Is it the right to spread a deadly virus if you want to by not wearing a mask in public places? Thou shout kill? Is it the right to stalk your fellow man with an assault weapon and if he returns to protect himself, to shoot and kill and yell self defense? Again, thou shout kill?

Representative Shane Wilkin (02:25:27):

Ma'am, I'm going to ask you to stick to the bill.

Susan Cavanaugh (02:25:30):

Pardon? Okay. Well, this is why I am so concerned about gerrymandering. This is exactly why. Well, let me go on. I'm here to testify against the two Republican bills because they so obviously gerrymander. And I want to say it as a citizen, since I still have some time here. I'm not here because I don't have anything better to do. I'm on a work deadline. I'm going to have to work a lot longer weekends and nights in order to get the work done in the next couple weeks. I'm not here just because I think this is fun to do. I was diagnosed with an ulcer two weeks ago, and this morning, I found on an ultrasound that I probably have gallbladder surgery coming up soon. So I'm not here for the fun of it. I'm here because these two Republican bills so obviously disenfranchise my community, my county.

Susan Cavanaugh (02:26:42):

It makes me almost want to cry to think that I live so close to the Statehouse, and that you would put me in a rural district. It doesn't make sense. And it isn't because I don't have any knowledge of some of the rural districts. I grew up on a farm. Thank you for the opportunity to testify. I hope that you'll do the right thing.

Representative Shane Wilkin (02:27:07):

Thank you for your testimony. Are there any questions? Seeing none. Thank you.

Jean Berge (02:27:10):

I have a question, sir.

Representative Shane Wilkin (02:27:15):

Yes.

Jean Berge (02:27:19):

My name's Jean Berge and I'm from Dayton, Ohio. I was wondering if you agreed with Mr. Macauley's-

Representative Shane Wilkin (02:27:27):

Excuse me, ma'am. I thought you had a question for me. You're not here to question the witness.

Jean Berge (02:27:33):

I was going to ask her a question.

Representative Shane Wilkin (02:27:33):

You can ask her a question afterwards.

Jean Berge (02:27:34):

Okay.

Representative Shane Wilkin (02:27:35):

So is there anybody else here to testify? Seeing none, no further business for the committee. We stand adjourned.

Representative Beth Liston (02:27:41):

Chairman?

Vernon Sykes (02:27:41):

Chairman, Chairman.

Representative Beth Liston (02:27:41):

Point of orders. I would love to ask some of the questions that came up earlier regarding the next process. Do we know if this committee is going to continue to meet and if there's going to be a unified proposal coming before the committee?

Representative Shane Wilkin (02:27:53):

Me and the co-chair will be discussing that after this meeting, and we will let everyone know as quickly as possible.

Representative Beth Liston (02:27:59):

How will we know?

Representative Shane Wilkin (02:28:01):

At this point, we'll get it out just like we have everything else. At this point, committee stands adjourned.

PART 5 OF 5 ENDS [02:28:08]

Mr. President (00:00:00):

The Senate will come to order. We invite our guests to please rise as we open with prayer. We will be led in prayer by State Senator Kristina Roegner, followed by the pledge of allegiance to the flag and the Republic. Senator.

Kristina Roegner (00:00:17):

Thank you. In the book of Isaiah, chapter 41, verse 10, we read, "So do not fear for, I am with you. Do not be dismayed for I am your God. I will strengthen you. I will help you. I will uphold you with my righteous right hand." Please bow your heads and pray with me.

Kristina Roegner (00:00:36):

Heavenly father, Lord, you are such an awesome God. You're a mighty God, Lord, and you comfort us with these words that we find in your scripture. Lord, today, I pray that you will settle our hearts and you'll clear our minds, Father, as we deliberate and consider the things that you've put before us today. Father, I pray that you would grant us wisdom. Lord, I pray a blessing upon every member of the Senate here today, all of our staff, and all those that are gathered in attendance. Thank you, Lord Jesus. We long for the day when our faith becomes sight, when we are in your kingdom and you are on the throne. And it's the name of Jesus Christ, I pray. Amen.

Group (00:01:13):

Amen.

Group (00:01:15):

I pledge allegiance, to the flag of the United States of America, and to the republic for which it stands. One nation under God, indivisible, with liberty and justice for all.

Kristina Roegner (00:01:26):

Thank you.

Mr. President (00:01:31):

The clerk will read the journal of the previous day

Clerk (00:01:34):

Senate chamber, Columbus, Ohio, Wednesday, November 10th, 1:30 PM. 10 bills were considered at the second time, three bills were considered at the third time and passed. Two resolutions were offered and adopted, one resolution was offered and referred to committee, on the motion of Senator Hottinger. Senate adjourned until Tuesday, November 16th, at 1:30 PM.

Mr. President (00:01:51):

The question is, shall the journal be agreed to without objection? The journal is agreed to reports of reference and bills for second consideration.

Clerk (00:02:01):

Senator Matt Huffman reports in the standing committee on rules and reference recommend the following resolution, stay in order for second consideration, be referred to the committee as recommended and the report is properly signed.

Mr. President (00:02:11):

The question is, shall the report be agreed to? Without objection, the report is agreed to. Reports of standing and select committees, Senator Hackett with a report.

Clerk (00:02:20):

Senator Hackett submitted the following report, the standing committee insurance, to which was referred House Bill Number 188. Representative Lampton, Cross and others have the same consideration, reports it back, recommended its passage.

Mr. President (00:02:31):

Senator Gavarone with a report

Clerk (00:02:33):

Senator Gavarone submitted the following report, the standing committee and local government and elections to which is referred Senate Bill 258, Senator McCauley, having the same consideration, reports back a substitute bill and recommends its passage, and both reports are properly signed.

Mr. President (00:02:46):

The question is, shall the reports be agreed to? And without objection, the reports are agreed to. Bills for third consideration.

Clerk (00:02:53):

Amended House Bill number 215, representative Wilkins, Cross, and others to enact the section of their revised code, enact the Business Fairness Act.

Mr. President (00:03:01):

The question is, shall the bill pass? The chair recognizes Senator Rulli or Senator Lang. The chair recognizes Senator Lang.

Senator George Lang (00:03:12):

Thank you Mr. President for allowing me the opportunity to speak to amended House Bill 215, otherwise known as a Business Fairness Act. House Bill 215 is a companion bill to Senate Bill 134, which I introduced and was passed unanimously out of the Senate back in May of this year. This bill is identical to the Senate Bill, with the exception of it does not contain an emergency clause. This bill is also a key vote by the NFIB. And I'm proud to say that a lot of members of this Senate are small business owners. For some of us, the restrictions were devastating to our business. For some of us, our businesses were allowed to remain open. We flourished and prospered. But for every small business owner in this room, I thank you for your commitment, whether you were able to enjoy the benefits of the restrictions or suffer the consequences to be supportive of this bill.

Senator George Lang (00:04:11):

House Bill 215 is fundamental and necessary piece of legislation. It seeks to bolster Ohio's economic recovery, specifically small businesses, which we all know are the backbone of our state's economy. They're also the heart and soul of each one of our districts. Specifically, House Bill 215 permits any business that was required to close or minimize their operations due to state health orders to remain open so long as they can demonstrate their ability to meet safety protocols that were required of businesses that were deemed essential and that were allowed to stay open during the pandemic. I believe each and every business owner in Ohio knows better how to protect their employees and their customers than a bureaucrat in Columbus.

Senator George Lang (00:05:03):

Many businesses labeled as non-essential were forced to close because of government orders issued in March of 2020, thereby denying them the opportunity to adjust their health and safety procedures and remain open and operating. And I'm sure we can all attest to, in each of our districts, some business that was forced to shut down, and some that were unable to reopen after the restrictions were lifted. And I always appreciate Senator Roegner's definition of an essential business, any business that the owner or the employees rely on to feed their family.

Senator George Lang (00:05:44):

House Bill 215 was passed out of both the House and the Senate committees unanimously, gives small businesses a chance to remain operating under the appropriate guidelines. It ensures the protections and livelihoods for business owners and workers alike, and it signals to our entrepreneurs that we trust them to make the respectful and wise decision to protect their employees, their clientele, and communities, all while continuing to provide jobs to contribute to the state of economy. Ohio businesses, specifically small businesses, cannot survive another shutdown. I encourage my colleagues to support the passing of House Bill 215.

Senator George Lang (00:06:26):

Mr. President, I'd like to thank Chair Rulli for the work that he did on this. I'd like to thank Representatives, Wilkin and Cross. I'd like to thank my friend, Senator Sykes, for pointing out me how important this bill is to minority and women-owned business as well. And Mr. President, I'd like to thank you for bringing this bill to the floor.

Mr. President (00:06:46):

Thank you, Senator Lang. Chair recognizes Senator Antonio.

Senator Nickie Antonio (00:06:52):

Thank you, Mr. President. I rise in support of this bill. We've been here before in supporting the bill, and I love on the days when we can all agree. This is one of those areas we start off the day agreeing that the small businesses, especially in our own home communities, not only are the foundation of our sustainability, but as my colleague has already pointed out, they also are the source of sustainability for the business owners, for the families, especially women owned businesses, minority owned businesses, and they took a desperate hit, devastating to many communities and to many of the businesses. And so I stand in support of reaffirming that we all in this room that vote yes on this bill are champions of our small businesses. Thank you.

Mr. President (00:07:54):

Thank you, Senator. The Chair recognizes Senator Rulli.

Senator Michael Rulli (00:08:00):

Thank you, Mr. President. I rise in today's support of House Bill 215. And I just want to put a little bit of a personal aspect on this bill. I think in a civilized society, and Ohio is that, and this is the Senate floor, I think we need to analyze who got hurt when you picked winners and losers in this pandemic. And a lot of small business owners, they got hurt. And I have a couple different scenarios I want to talk to you about business owners who have reached out to me in the last two years. Landscape companies, shoe repair companies, people that own small theaters that actually have plays in them, bookstores, construction workers, gyms, barbers, florists, local mechanics, sewing shops.

Senator Michael Rulli (00:08:48):

And I'm going to end by a little story of a good friend of mine who owns a restaurant, and a couple people in my caucus have heard this story before. One of my friends I went to high school with gives me a call in June in the middle of the night, says he wants to kill himself. He has a restaurant that was forced to close. Bank foreclosed on his restaurant, his wife left him, and that day he gets notice in the mail that the banks going to foreclose on his life ... Well, it is his life, on his house. So he loses everything like the Book of Job, because Ohio chose winners and losers.

Senator Michael Rulli (00:09:24):

We have to do better. We never saw this pandemic before, so we're learning. We're on the learning curve and that's what this bill is about. I love seeing bipartisan support for this bill because the small business owners of Ohio are the backbone. I urge the Senate to vote for House Bill 215. Thank you, Mr. President.

Mr. President (00:09:41):

Thank you, Senator. The question is, shall the bill pass? Please call the roll.

Clerk (00:09:50):

Anthony?

Anthony (00:09:51):

Yes.

Clerk (00:09:52):

Antonio.

Senator Nickie Antonio (00:09:52):

Yes.

Clerk (00:09:53):

Blessing.

Blessing (00:09:53):

Yes.

Clerk (00:09:54):
Brenner.

Brenner (00:09:55):
Yes.

Clerk (00:09:55):
Cirino.

Cirino (00:09:56):
Yes.

Clerk (00:09:56):
Craig.

Craig (00:09:57):
Yes.

Clerk (00:09:57):
Dolan.

Dolan (00:09:59):
Yes.

Clerk (00:09:59):
Gavarone.

Senator Threresa Gavarone (00:09:59):
Yes.

Clerk (00:10:01):
Hackett.

Hackett (00:10:02):
Yes.

Clerk (00:10:02):
Hoagland.

Hoagland (00:10:03):
Yes.

Clerk (00:10:03):
Hottinger.

Hottinger (00:10:04):
Yes.

Clerk (00:10:04):
Steve Huffman.

Steve Huffman (00:10:05):
Yes.

Clerk (00:10:06):
Johnson.

Johnson (00:10:07):
Yes.

Clerk (00:10:07):
Kunze.

Kunze (00:10:08):
Yes.

Clerk (00:10:09):
Lang.

Lang (00:10:09):
Yes.

Clerk (00:10:09):
Maharath.

Maharath (00:10:09):
Yes.

Clerk (00:10:11):
Manning.

Manning (00:10:12):
Yes.

Clerk (00:10:12):

McCauley.

McCauley (00:10:14):
O'Brien.

O'Brien (00:10:14):
Yes.

Clerk (00:10:15):
Peterson.

Peterson (00:10:16):
Yes.

Clerk (00:10:16):
Reineke.

Reineke (00:10:17):
Yes.

Clerk (00:10:18):
Roegner.

Kristina Roegner (00:10:18):
Yes.

Clerk (00:10:20):
Rulli.

Senator Michael Rulli (00:10:21):
Yes.

Clerk (00:10:22):
Schaffer.

Schaffer (00:10:23):
Yes.

Clerk (00:10:23):
Schuring.

Schuring (00:10:24):
Yes.

Clerk (00:10:24):
Sykes.

Sykes (00:10:26):
Yes.

Clerk (00:10:26):
Thomas.

Thomas (00:10:26):
Yes.

Clerk (00:10:27):
Williams.

Williams (00:10:28):
Yes.

Clerk (00:10:28):
Wilson.

Wilson (00:10:30):
Yes.

Clerk (00:10:30):
Yuko.

Yuko (00:10:30):
Yes.

Clerk (00:10:31):
Matt Huffman.

Matt Huffman (00:10:32):
Yes.

Mr. President (00:10:35):
With 31 yeas and zero nays, the bill is passed and entitled.

Clerk (00:10:39):
A bill to enact the section of the revised code to enact the Business Fairness Act.

Mr. President (00:10:45):

The question is, shall the title be agreed to? Any member would like to add their name to the title, please do so now. The title is agreed to. Bills for third consideration.

Clerk (00:11:00):

Substitute Senate bill 210, Senator Gavarone to amend sections of the revised code regarding agreements affecting legal relationships between spouses, domestic violence, protection orders, and dating relationship, and courts maintain social security numbers, parties in divorce, disillusionment, or spousal support proceedings.

Mr. President (00:11:02):

The question is, shall the bill pass? And the chair recognizes Senator Gavarone.

Senator Threresa Gavarone (00:11:02):

Thank you, Mr. President. I'm excited to have Senate Bill 210 on the floor today, which would allow married couples to enter into a postnuptial agreement, or to amend or terminate the terms of a prenuptial agreement. Here in Ohio, a couple can enter into a prenuptial agreement before they marry, but they can't alter or enter into a postnuptial agreement. They can't make a single change to a prenuptial agreement after that agreement's made. Both of these facts prevent couples from entering into legal agreements after they marry, or modifying one if circumstances change. Instead, the only option that exists for a married couple, at this point in Ohio, to contractually alter their marriage is by divorce, dissolution, or legal separation.

Senator Threresa Gavarone (00:11:02):

In life, circumstances change. They change over time. Sometimes prenuptial agreements are no longer fair or what the parties want. Couples move, jobs change, children are born, and priorities shift. Other states, by law, understand this fact and grant reasonable flexibility to allow married couples the ability to change their marital agreements. Right now, Ohio is one of only four states that do not allow postnuptial agreements, and we're one of only two, Iowa's the other, that statutorily prohibit postnuptial agreements. Senate Bill 210 would bring Ohio in alignment with the vast majority of other states and give couples much needed flexibility for the sake of their marriages.

Senator Threresa Gavarone (00:11:02):

According to the Ohio State bar Association, which is in support of the bill, there's a growing demand and necessity for these agreements, including thinking of children from previous marriages or tax law modifications to name a few. Senate Bill 210 would directly alleviate these concerns for married couples who want to enter in either of these agreements. Couples could address all the or worries and life changes without the fear of issues arising later that could impact these agreements. Married couples would also have another option to address their marital agreements besides divorce or separation, which can be healthier for them and supportive of their families. Moreover, married couples who wish to move to Ohio can have the confidence that our law will allow to make changes to their prenuptial agreements or enter into postnuptial agreements new. The legislation will also give Ohio attorneys the confidence to counsel their clients on these agreements. Importantly, Senate Bill 210 also ensures that any agreement is entered into freely without fraud, duress, coercion, or overreaching, all of which would invalidate the agreement.

Senator Threresa Gavarone (00:11:02):

During the committee process, we also made modifications that came to us from domestic relations judges and the Ohio judicial conference that's going to help protect confidential information and young people. First, we amended the bill to repeal the requirement in code that requires social security numbers be included on record of actions for divorces, dissolutions, annulments, or spousal support. Current law requiring social security numbers on these records contradicts court rules and states that this information should be redacted.

Senator Threresa Gavarone (00:11:02):

The second change closes a gap that prevents judges from granting dating violence protection orders to minors who are dating adults. The scenario often comes up with a teenager who's dating an 18, 20 year old, and they later need a protection order from the ex. The way the law currently stands, both petitioner and respondent must be adults for a civil protection order to be granted. Since the respondent's an adult, the petition cannot be filed in juvenile court either. We fixed this in Senate Bill 210 to close the gap, to allow our judges to keep our young people safe. The Ohio State Bar Association and their expert practitioners are supportive of the bill, and so is the Ohio Judicial Conference. No opponents came out during the committee process either, and the bill was reported out of the Senate Judiciary Committee with bipartisan support.

Senator Threresa Gavarone (00:11:02):

I'd like to thank Scott Lundgren and Susan Racey from the Ohio State Bar Association for their work on this bill, as well as the Ohio Judicial Conference, and domestic relations judges for their input. Thank you to members of the Senate Committee Judiciary Committee, Chair Manning and his staff, Heather and Lexi, for their work on getting the bill to the floor. I'd like to thank my staff, Andrew and Theresa for their many hours of work. Mr. President, thank you for bringing Senate Bill 210 to the floor today for a vote, and I urge support or this bill.

Mr. President (00:11:02):

Thank you, Senator. The question is, shall the bill pass? The clerk will call the roll.

Clerk (00:11:02):

Anthony.

Anthony (00:16:03):

[inaudible 00:16:03]

Clerk (00:16:03):

Antonio.

Senator Nickie Antonio (00:16:03):

Yes.

Clerk (00:16:03):

Blessing.

Blessing (00:16:03):

Yes.

Clerk (00:16:03):
Brenner.

Brenner (00:16:03):
Yes.

Cirino (00:16:03):
Cirino.

Mr. President (00:16:03):
Yes.

Clerk (00:16:03):
Craig.

Craig (00:16:03):
Yes.

Clerk (00:16:03):
Dolan.

Dolan (00:16:03):
Yes.

Clerk (00:16:03):
Gavarone.

Senator Threresa Gavarone (00:16:03):
Yes.

Clerk (00:16:03):
Hackett.

Hackett (00:16:03):
Yes.

Clerk (00:16:03):
Hoagland.

Hoagland (00:16:03):
Yes.

Clerk (00:16:03):
Hottinger.

Hottinger (00:16:03):
Yes.

Clerk (00:16:03):
Steve Huffman.

Steve Huffman (00:16:03):
Yes.

Clerk (00:16:03):
Johnson.

Johnson (00:16:03):
Yes.

Clerk (00:16:03):
Kunze.

Kunze (00:16:03):
Yes.

Clerk (00:16:03):
Lang.

Lang (00:16:03):
Yes.

Clerk (00:16:03):
Maharath.

Maharath (00:16:03):
Yes.

Clerk (00:16:03):
Manning.

Manning (00:16:03):
Yes.

Clerk (00:16:03):

McCauley.

McCauley (00:16:03):
Yes.

Clerk (00:16:03):
O'Brien.

O'Brien (00:16:03):
Yes.

Clerk (00:16:03):
Peterson.

Peterson (00:16:03):
Yes.

Clerk (00:16:03):
Reineke.

Reineke (00:16:03):
Yes.

Clerk (00:16:03):
Roegner.

Kristina Roegner (00:16:03):
Yes.

Clerk (00:16:03):
Rulli.

Senator Michael Rulli (00:16:03):
Yes.

Clerk (00:16:03):
Schaffer.

Schaffer (00:16:03):
Yes.

Clerk (00:16:03):
Schuring.

Schuring (00:16:03):
Yes.

Clerk (00:16:03):
Sykes

Sykes (00:16:03):
Yes.

Clerk (00:16:03):
Thomas.

Thomas (00:16:03):
Yes.

Clerk (00:16:03):
Williams.

Williams (00:16:03):
Yes.

Clerk (00:16:03):
Wilson.

Wilson (00:16:03):
Yes.

Clerk (00:16:03):
Yuko.

Yuko (00:16:03):
Yes.

Clerk (00:16:03):
Matt Huffman.

Matt Huffman (00:16:03):
Yes.

Mr. President (00:16:03):
With 30 yeas, and 1 nay, the bill is passed unentitled.

Clerk (00:16:03):

A bill to amend sections other revised code regarding agreements affecting legal relationships between spouses, domestic violence, protection orders, and dating relationship, and courts maintain social security numbers of parties in divorce, dissolution, annulment, or spousal support proceedings.

Mr. President (00:16:03):

The question is, shall the title be agreed to? Any member would like to add their name to the title, please do so now. The title is agreed to. Bills for third consideration.

Clerk (00:17:20):

Substitute Senate Bill 258, Senator McCauley to enact a section of the revised code to establish congressional district boundaries for the state based on the 2020 decennial census and to delay certain deadlines related to the 2022 congressional primary election.

Mr. President (00:17:35):

Question is, shall the bill pass? The chair recognizes Senator McCauley.

McCauley (00:17:39):

Thank you, Mr. President. I rise today in support of Substitute Senate Bill 258, which satisfies the general assembly's obligation under the Ohio Constitution to draw congressional maps for the next period of time, whether it be a 4-year or a 10-year period of time. The map before us is a map that we came up with and worked very hard at, after considering multiple maps from all the caucuses, both the House and Senate Democrats, and the House and Senate Republicans, and coming to an agreement between the chambers, as far as the Republican caucuses are concerned after consulting with each other and consulting with the opinions of the public that were made apparent throughout the hours and hours of testimony on these maps.

McCauley (00:18:25):

The map in front of you is not only constitutionally compliant, but is also the most competitive map offered by any caucus to date. It also splits the least counties out of any map that's been introduced in the Ohio General Assembly, and it keeps Ohio's largest cities whole. And it does so while maintaining compact districts and implementing many of the changes that were asked for throughout testimony on the maps.

McCauley (00:18:52):

To start, Article 19, section 2B5 is what governs the splitting of counties when we are drawing congressional maps throughout the General Assembly process. In essence, the General Assembly or any other body may split up to 23 counties when drawing their maps, 18 counties may be split once and five counties may be split twice. The map in front of you splits only 12 counties: 10 counties, once 2 counties twice. The counties that are split once are Clark, Fairfield, Franklin, Holmes, Lorraine, Ross, Shelby, Summit, Washington, and Wood, and the counties split twice are Hamilton and Cuyahoga County.

McCauley (00:19:32):

Notably, for the first time, since a map was passed, 30 years ago, Lucas County is kept whole in this map. Notably for the first time, since a map pass 20 years ago, Stark County is kept whole in this map. And the impact on several of Ohio's other large counties has been minimized as well, with both Franklin and

Summit County having the least splits since the maps were passed 30 years ago. This map also endeavors to comply with Article 19, Section 2B8, which says that the legislature, the general assembly, when drawing these maps, shall attempt to place an entire county within each district. We've done that with 13 districts on this map.

McCauley (00:20:21):

Additionally, as I mentioned before, we are endeavoring to keep Ohio's largest communities whole, with exception to the city of Columbus, which must be split as a result of it being larger than the congressional ratio of representation, and with exception to cities that straddle county borders, and therefore do not count as a split under the Ohio constitution. 98 of Ohio's largest cities are kept whole within this map, 98. In total, only eight townships and six municipalities in the entire map are split. We did this to comply with Article 19, Section 1C 3B. That requirement, that the general ...

PART 1 OF 4 ENDS [00:21:04]

McCauley (00:21:03):

... 1C3B, that requirement that the general assembly must not unduly split governmental units. Article 19, Section 2b2 also requires that districts be compact. This is not a requirement for a four year map. Nevertheless, the map before you presents districts that are compact, especially when we compare it to maps that have been passed previously in the general assembly.

McCauley (00:21:28):

Finally, I want to talk to you about what I feel is one of the most important features of this map, and that is the competitiveness of this map. Gone are the days where we're going to be passing maps, where we simply decide okay, we're going to divide up these seats and give them to one side. We're going to divide up these seats and give them to the other side. We're all going to walk away, and leave nothing left up to the voters to decide in a general election.

McCauley (00:21:54):

The map before you is the most competitive map we've had in decades, and how can we measure that? With exception to 2006, every single statewide election for statewide Constitutional office holders has been won by Republicans since 1994; every single one has been swept during that period of time. However, anybody in this room knows that Ohioans clearly have a habit and a tendency to bifurcate between federal elections and state elections. This is evidenced by the fact that in the past four presidential elections, Ohioans have voted twice for a Democrat presidential candidate, twice for a Republican presidential candidate, and to this day we are represented by both a Democrat and a Republican in the United States Senate.

McCauley (00:22:40):

When evaluating this and recognizing this fact, we thought it important not just to look back at '16, '18, and '20 election results to try and come up with an index that really represents what the voting patterns are in the state of Ohio. Instead, we looked at the last 10 years worth of federal elections to make sure that we are truly capturing Ohioans voting tendencies in federal elections, and also insulating ourselves from potential outliers during that timeframe.

McCauley (00:23:10):

When looking at this, and when defining a competitive seat as a seat that's between 46% and 54% on a Republican index, an 8% window, and I know there are people in this room who have won seats on probably either side of the aisle, but I know there are some, especially in my caucus, who have won seats with Republican indexes far less than 46%.

McCauley (00:23:35):

Nevertheless, we're going to stick with 46% to 54% for the purposes of this. When we look at that, and we define that as competitive, which I believe is competitive, six seats lean Republican, seven seats are truly competitive seats, and two seats lean Democrat. What does that mean? That means a plurality of the seats in this map are going to be decided during the general election subject to the voters, and their preferences as it concerns the important issues of the day, and the quality of the candidates on the ballot.

McCauley (00:24:12):

That's something that is not true with our current Congressional map where only two seats would fall into this range, and it's something that's not true of any other map that was introduced in the general assembly. In fact, the most competitive seats offered by any other map, offered in the general assembly as a Congressional map, was five. This has seven.

McCauley (00:24:36):

Article 19, Section 1C3a also states that a map shall not unduly favor or disfavor a party, or its incumbents. There have been some, as I mentioned before, that have suggested that the only way to do that is to simply take the 15 seats, you take your eight, you take your seven, we walk away and nobody really has competitive districts across the state of Ohio, and that somehow that matches up with the spirit of what the voters pass in 2018. I strongly disagree with that.

McCauley (00:25:10):

What matches up with the spirit of what the voters passed in 2018, is that voters want competitive districts. The voters want districts that are going to be subject to the changing political wins, and the changing political tides, of what's going on in the State of Ohio, and this map does that. We would not participate in a contest as athletes where the final score was already predetermined before we even stepped out on the field, and we shouldn't pass a Congressional map that does the same either.

McCauley (00:25:43):

Further, it's also worth mentioning that despite the fact that some people may not like it, the word, or incumbents, is in the Constitution. The Constitution says we can neither favor nor disfavor a party or its incumbents. We've done that in this map by combining no two incumbents who are running for reelection with exception to two that would be required to be combined by virtue of both living in Cincinnati that cannot be split under the Constitution. The map before you is Constitutionally compliant, it is compact, and it is competitive in compliance with the Constitution.

McCauley (00:26:29):

I'd like to thank Senator Gavarone, and her staff, for all their help in chairing this through the process. I'd also like to thank my staff members, and members of the Senate Local Government and Elections

Committee, [Raider Rossi 00:26:42] and Frank Strigari, as well, for their help, and of course, President Huffman and speaker [Cup 00:26:48]. I urge passage of substitute Senate Bill 258.

McCauley (00:26:51):

Thank you, Mr. President.

Speaker 1 (00:26:52):

Thank you, Senator. The Chair recognizes Senator Maharath.

Sen. Maharath (00:26:57):

Thank you, Mr. President. I actually rise to voice my opposition to substitute Senate Bill 258. For decades Ohioans have demanded fair Congressional districts. After years of going unheard, the people of Ohio took action, and they passed an amendment to our Constitution to enact a process to draw these fair maps.

Sen. Maharath (00:27:20):

However, I've been dismayed by the rush, and lack of transparency, that has tainted this process from the very beginning. Ohioans have been rushed throughout this whole process, trying to submit testimony with just little notice, only to have of their opinions ignored. Then at the final hour, the Senate released these most recent maps that we're reviewing today, that was released less than 24 hours ago, for the people of Ohio to study it. It doesn't give them much room to provide any feedback.

Sen. Maharath (00:27:53):

What's the rush? We've got two weeks. In two weeks we could have had more testimonies. We could have listened to more Ohioans to get their feedback and their input, and Ohioans wanted us to work together in a bipartisan manner, but we haven't really made that effort. I'm eager to negotiate. I'm eager to work across the aisle, but we haven't started discussions in a bipartisan way.

Sen. Maharath (00:28:20):

Even if these maps had satisfied Constitutional requirements, the way this process was managed should have given us all a pause for a second. Moreover, these maps are far from meeting the requirements laid out in the Ohio Constitution. Maps that are passed by a simple majority must not unduly favor a political party. It's painfully clear that a map designed to produce 12 Republican districts out of 15, does unduly favor one party.

Sen. Maharath (00:28:51):

I appreciate the discussion around competitive districts, but these maps are not competitive. Competitive districts aren't Constitutional requirements, their maps are Constitutional requirements. In addition, this new map also dilutes the voting power of minorities by cracking and packing communities of color. Franklin County's black communities are packed in just one district, while it's Latinos and the API communities are split into different ones. We see a similar trend around Cleveland and Cincinnati.

Sen. Maharath (00:29:25):

Ohioans are demanding fair representation in Congress, but we're not providing them that fair representation with these maps. The Ohio Constitution does require fairness and this map is not fair and I encourage my colleagues today to vote no. Thank you.

Speaker 1 (00:29:43):

Thank you, Senator. The Chair recognizes Senator Gavarone.

Mr. President (00:29:49):

Thank you, Mr. President. Thanks for the opportunity to talk briefly about Senate Bill 258. Everyone knows how we got here. Back in 2018, when many members of this body including me, sent a ballot issue to reform Congressional redistricting in Ohio, that voters subsequently approved.

Mr. President (00:30:06):

Today is the culmination of that work. Led by President Huffman and Senator McColley, we have a map before us today that takes the thoughts of Ohioans into consideration, and reflects our beliefs. The proposal up for consideration is a result of five committee hearings in local government elections committee, where we heard hours of testimony from countless Ohioans who wanted their voices heard. Then those same Ohioans had the opportunity to participate in another two hearings held by the Joint Committee on Congressional Redistricting. We heard those people who testified.

Mr. President (00:30:41):

Senate Bill 258 has undergone significant changes since the as-introduced version. This is a map that includes fair and competitive districts, and I'm proud of the work, and the process that we went through to get to this map. Before we proceed, I'd like to thank our hardworking staff in my office, Andrew and Theresa, and other members' offices, and our respective caucuses and LLC for their efforts throughout the process.

Mr. President (00:31:08):

I'd like to thank the members of my committee, both Republican and Democrats, for their work and thoughtful consideration and the work that they were tasked do on behalf of Ohioans. As you can imagine, this was a massive undertaking and I think Senator McColley did a phenomenal job. I thank you for your hard work on this.

Mr. President (00:31:27):

I'd also like to thank all Ohioans who participated and made this process better, as well as our outstanding Sargent at Arms and highway patrol for the role that they played. Finally, Mr. President, I'd like to thank you for your leadership during this time, and I'd encourage all members to vote yes on Senate Bill 258. Thank you.

Speaker 1 (00:31:45):

Thank you, Senator. The Chair recognizes Senator Sykes.

Sen. Sykes (00:31:51):

Thank you, Mr. President, and ladies and gentlemen of the Senate. Today we come here and we come to an important crossroads in our attempt to comply with the new Congressional provisions adopted to

modify Congressional redistricting. There are several guidelines, written and unwritten, embodied in the spirit and letter of the new provisions; concepts like compactness, limiting splits, keeping communities together, competitiveness, contiguous, population deviations, and so forth.

Sen. Sykes (00:32:31):

All of these criteria have one objective, and that is fairness. Fairness, not only in the way we draw the lines, but ultimately to produce fair Congressional maps. Not just fair methods or fair criteria, but a fair outcome. A fair map. Fair does not mean equal. It is acknowledged that in Ohio, Republican candidates have a slight advantage. You know that when we examine the voting preferences of Ohio voters in statewide partisan elections, that over the last 10 years, Republicans have a 54/46 edge.

Sen. Sykes (00:33:15):

This partisan proportions of our Congressional map should reflect this Republican advantage. The people of the State approved the Constitutional amendment with 75% of the vote. They wanted a change. They wanted a fair proportion of Democrat and Republican districts, and incorporated in the Constitution provisions two guardrails.

Sen. Sykes (00:33:47):

The first, is in order to get a 10 year map, you have to have bipartisan approval. This is an assumption embedded in that, that the minority party would not participate, and not support, a map that would disfavor them. That's an important guardrail that promotes fairness. This map that we have, we don't consider fair, and that's why we're voting for it today.

Sen. Sykes (00:34:16):

The second guardrail, is that in case you have a four-year map proved just by the majority, that you can't unduly favor or disfavor political party. So we come right back to that fairness issue. The fairness is a critical ingredient here that we have to comply with. Currently, we have 12 Republican-leaning districts and four Democratic-leaning districts. The people wanted a fair distribution. Senate Bill 258 offers 12 Republican-leaning districts, and three Democratic-leaning districts. It's less fair than we have today, and the people wanted more fairness, and you are trying to offer them less. The map is not an improvement. The map is not fair, and that's why I urge you to vote no on 258.

Speaker 1 (00:35:10):

Thank you, Senator. The Chair recognizes the Senator Serino.

Sen. Serino (00:35:16):

Thank you, Mr. President. I rise today in favor of Senate Bill 258. Senators McColley and Gavrone have done an excellent job of explaining the rationale behind it, and the benefits of it. As they stated so clearly, it does produce competitive districts, let the best candidate win. They are compact, and they are, in fact, compliant with the Ohio Constitution.

Sen. Serino (00:35:44):

During this process, with all of the various committees, input has been received from many constituents around the state, both officially at the many hearings, but also all of us as members have received lots of input through social media, through direct contact with our offices. We have heard people's ideas, and

many modifications have been made as a result of the input and testimony that we received. Because of the broadness of that, I can tell you today that, in my opinion, democracy is alive and well in the State of Ohio, with the adoption of this map and this Bill.

Sen. Serino (00:36:27):

I'd like to thank the President for his leadership on this important issue, Senators McColley and Gavarone for their leadership, as well, all the members of the committee and the staff for their hard work in putting this together, and I urge passage. Thank you.

Speaker 1 (00:36:42):

Thank you, Senator. The Chair recognizes Senator [Craig 00:42:02].

Sen. Craig (00:36:48):

Thank you, Mr. President, ladies and gentlemen of the Senate. This is an extremely important issue with long term implications. As elected officials, we have the duty to ensure that no vote has more weight than another. Unfortunately, the map in front of us today gives one party an unearned advantage. This will leave to unfair representation for our state, and in Washington, DC.

Sen. Craig (00:37:29):

I am very disappointed, and know that as a body we should have worked harder. We should have worked harder to get to a fair 10-year map. Redistricting is such an important issue, because it impacts every other issue addressed in Congress and at the State House. It is vitally important that our districts reflect the diversity of Ohio's communities. Ohio's map drawers must also ensure that communities of color, and it's already been stated, and rightly stated, have adequate political representation. In 2018, Ohioans overwhelmingly approved the Constitutional amendment to create a fairer process to draw maps and end gerrymanders.

Sen. Craig (00:38:25):

Unfortunately, the map in front of us today does not honor the spirit of those reforms. There is a real, and I might add significant, concern that these maps were designed without transparency, or accessibility to the general public. Ohioans did not have the ability to properly vet these proposed maps, and understand how it will impact their communities.

Sen. Craig (00:38:54):

In the past three months, as many of you know, hundreds of Ohioans have come to testify on State Legislative and Congressional maps, using their voice to demand that they, and their communities, are represented fairly. I want these people to know that their efforts were not gone unnoticed, or unheard. I urged them to continue their advocacy for fair and equal districts.

Sen. Craig (00:39:25):

As the wise, and late, John Lewis said, and I quote, " The vote is precious. It is the most powerful non-violent tool we have in our democracy." Really the most important person in a democracy is the voter. The voters have spoken. I'm deeply troubled by this map, and urge a no vote on Senate Bill 258. Thank you very much, Mr. President.

Speaker 1 (00:40:02):

Thank you, Senator. The Chair recognizes Senator [Antoni 00:40:07].

Sen. Antoni (00:40:08):

Thank you, Mr. President, for allowing me to rise in favor of the bill we have in front of us today. Before talking about the map, Mr. President, I think we have to acknowledge another reality that we are facing today, and that is we are voting on a map with 15 Congressional districts, and not 16, and not 18, and not 20, and certainly not the 24 that Ohio once had.

Sen. Antoni (00:40:37):

While there is clear division in this body today about this map, I hope that we all can redouble, and commit to an effort, over the next 10 years, so that in 10 years we don't lose another seat, and that we start changing the tide here in Ohio back to getting to a place of restoring the influence, the numbers, in our Congressional delegation.

Sen. Antoni (00:41:09):

This is not an Ohio problem, for sure, it is a problem all across the Midwest. I hope we, Democrat or Republican, urban or suburban or rural, can commit today to doing what it takes, doing what is necessary, so that when we vote on a map in 10 years, we are voting on a map that has 16 districts, or 17, or 18. That is vitally important, Mr. President.

Sen. Antoni (00:41:43):

I want to talk about, specifically, the Dayton region in this map, Mr. President. We all represent our individual communities. Yes, we're voting on a statewide map, but we all represent, certainly, our individual communities and this map, Mr. President, is good for the Dayton region. With respect to my friends, and...

PART 2 OF 4 ENDS [00:42:04]

Sen. Antoni (00:42:03):

... is good for the Dayton region. With respect to my friends in Cincinnati, Senator Blessing and Senator Thomas and Senator Wilson, Dayton is not Cincinnati. Dayton is Dayton, and Dayton's congressional seat should reflect that. And Dayton perhaps is unique in our state with Wright-Patterson Air Force Base, which is split between Montgomery County and Green County and my friend Senator Hackett. And it is incredibly important for Wright-Patterson Air Force Base and all of the military men and women who serve on that base, which is Ohio's largest single site employer, federal or state, public or private, to have a single regional advocate in Congress. And this map accomplishes that. And so this map is good for the military men and women at Wright-Pat, it is good for the Dayton region, and I look forward to supporting it. Thank you, Mr. President.

Sen. Chair (00:42:56):

Thank you, Senator. The Chair recognized as Senator Antonio.

Senator Nickie Antonio (00:43:02):

Thank you, Mr. President. I rise in opposition to this map. This bill subverts the will of the people and the will of the voters, I believe. They demanded the legislature and partisan gerrymandering in 2015 and 18. Over 70% of Ohioans expected that we would keep communities of interest together, limit the carving up of our counties, our largest counties, and keep the state's largest cities together. Senate Bill 258, while it achieves the goal of keeping the seven largest cities in Ohio whole, kudos with the exemption exception of Columbus. And we know why. But it falls short on meeting the other important criteria for constitutionality, in my opinion. And the interesting thing is, we all have an opinion about whether or not this is a constitutional map, whether or not it follows the spirit, the rules that were set out by the people, the spirit of what the people wanted. But I believe it falls short.

Senator Nickie Antonio (00:44:19):

The map doesn't keep communities of interest together. One example can be found in District 5, a district that runs from Lorraine County to the Indiana border. The citizens, businesses, and cultural groups of Lorraine County must stretch to find common interest with the citizens of Mercer, Van Wert, and Paulding counties, just different. These are enormously different from the cultural, economic, and geographic needs for each of the counties incorporated into the district. Metro Cleveland is vastly different from the rural counties and communities of Western Ohio. They're just different. I could go into a lot of other details about this, but I'll spare you. Just to say unhappiness for myself across the map. But per the Ohio Constitution, every congressional district shall be compact, not may Senate Bill 258 does not in good faith achieve this criteria.

Senator Nickie Antonio (00:45:25):

It was my hope that we, and this has been stated already by many of my colleagues, that as elected officials, we would've put aside partisan goals and aspirations to achieve a 10 year congressional map, a plan through cooperation and bipartisanship. It's now evident that regardless of the hope and optimism, a tenure map has not materialized. This is not the outcome that the petitioners who stood in the cold collecting signatures, talking to their neighbors, it's not the outcome that the numerous Ohioans who submitted maps, wrote testimony, showed up to testify, many of them are with us in the chamber here today. They gave their valuable time. They were so positive and so engaged in the process and I think it's commendable.

Senator Nickie Antonio (00:46:19):

I haven't seen part anticipation like this for a really... All right, to put it any other way, it's a very nerdy issue. For some people, they start to fall asleep the minute you start talking about redistricting. But there were citizens across the State of Ohio who really gave a lot of their time and talent to participate in this democratic process. And I applaud that. But we still came up short with achieving the goal that I think all of them wanted, not specifically, what did a map look like? But the goal of a fair map, the goal of a map that would show constituents and voters choosing their representatives, rather than policymakers picking their people, which is where we still are today. I think it undermines our democracy and it really subverts the voice of the people and dilutes what their wishes are. We see their wishes when we have national elections. That's been mentioned before.

Senator Nickie Antonio (00:47:35):

Do I believe it's destroyed our democracy? Absolutely not. Because I have full faith in our democracy. I have faith in the people who had faith in us, but we've come up short. And as far as how we increase our numbers in the State of Ohio, maybe we could start with listening to the people when they come in

front of us, when they work on something like a Bowland Initiative, and tell us what they want us to do, tell us how to do the work. And then we come up short in the result for them. Perhaps if we listened a little bit more to them, to the majority of people, respected all people in the State of Ohio, all families, all races, all nationalities, and a lot of other things that would move us forward, perhaps then Ohio would see her numbers increase. I urge a no vote on this bill. Thank you.

Sen. Chair (00:48:45):

Thank you, Senator. The Chair recognizes Senator Thomas.

Sen. Cecil Thomas (00:48:52):

Thank you, Mr. President. I stand in opposition to this bill. This congressional map does not reflect my constituents in my county, not at all. We talk about fairness and competitiveness. I keep hearing that coming from some of our members. I find it hard to believe how you can say that with a straight face when 12 districts favor one side and three favor the other side. Anybody in here listening, if that's fair, God bless you. I asked my staff to take a look at the countywide voting party preferences in Hamilton County from 2016 to 2020, which covers the data being used to draw the maps. When they looked up two presidential elections, five statewide offices, and 20 county offices, the voters chose 21 Democrats and six Republicans between 2016 and 2020. Basically, what that's saying is that the people of Hamilton County is a Democratic county. The county has been hacked into three districts, none of which accurately represents their voting preferences. The supposed competitive district leans Republican by more than three points. Now, think of it, by more than three points. But we talk about fairness and competitiveness and all this silliness, making it an automatic uphill battle for the Democrat running. Now I've already said, 2016 and 2020, the numbers clearly reflect. So this is clearly a method by which we're gerrymandering Hamilton County. The other two districts completely void Hamilton County votes by going into a total of 18 other counties. Y'all know about the snake on the lake. Come on. This is no different.

Sen. Cecil Thomas (00:51:56):

The harm done to minority communities in the county, in my county is significant. The line between District 1 and District 8 cuts right through the middle of the black population. It's right here. Take the time to look at it. Cuts right through the middle of the black population that wasn't accidental, that was intentional. I'll give you an example. Most of the folks down my way know of the community called Lincoln Heights. Lincoln Heights is a predominantly African American village. It's the largest African American village in Hamilton County, with a 95% black population.

Sen. Cecil Thomas (00:52:54):

Lincoln Heights is included in the same district... Now, hear me now. Lincoln Heights is included in the same district as a community called [Esanya 00:53:10]. I don't even know where Esanya is, but it's a community in the State of Ohio. And it's in Darke County. I don't even know where Darke County is, but I believe the Presidents represents Darke County at the state level. But I can almost guarantee the President of this body here has no a clue where Lincoln Heights is. It's an hour and 45 minutes from Hamilton County. But that's fair. The people came and they spoke. Those that had an opportunity to come and speak, they spoke and said, "Please give us fair districts." But all I'm hearing here today is exactly what we already have and you all know it. We pray and we do all these other things, but you know when you look at this, this is not fair. So I'm saying to all of you, you all are considered my friends, we laugh and we talk. But when you look in the mirror and you look at what's going on here, it's obvious

and you all know it. I urge you, the people have spoken via the Constitution of the State of Ohio. The criteria is in place in the Constitution. And no, these maps do not meet the criteria of the Constitution. I beg to differ with my good friend, Senator McColley. It does not. So with that, folks, I urge a no vote on this particular bill. Thank you.

Sen. Chair (00:55:26):

Thank you, Senator Chair recognizes Senator Schuring.

Sen. Kirk Schuring (00:55:32):

Thank you Mr. President. Ladies and gentlemen of the House, I rise in support of Senate Bill 258. And I want to start off by thanking Senator McColley, Senator Gavarone, our Senator President, and most importantly, Senate staff who spent endless hours on making this map work. I submit to you this afternoon, this map is constitutional. I remind everybody that, that constitutional amendment was offered by The General Assembly in a strong bipartisan way back in February of 2018, and then ratified by the voters. But it was us to put together that constitutional amendment. And I respect those who worked on it, on this particular map for adhering to that constitutional amendment. I also remind everybody that as it relates to my neck of the Woods, Stark County. Stark County is now a whole entirely in one congressional district for the first time. The last time was 20 years ago, that Stark County was carved out that way. And I think that is something very important to the people I represent.

Sen. Kirk Schuring (00:56:40):

I also would tell you that there are strong communities of interest. Because the district I'm referring to now includes Wayne County, Ashland County, parts of Holmes County, and yes, even stretches up to parts of Summit County, which is part of the Akron-Canton Metroplex. This is a fair map. It is a map, and I'll use again, the map that we have before us today for my part of the state, is very similar to the map that was won by a Democrat in 2008, and then won by a Republican in 2010. It is fair, and I would urge this body to support Senate Bill 258.

Sen. Chair (00:57:25):

Thank you, Senator. The Chair recognizes Senator Williams.

Mr. President (00:57:29):

Thank you, Mr. President. Years ago, I supported the constitutional amendment that changed the way we drew congressional districts. But at that time I knew then what we know now, that those districts were not going to come out fair. I knew that, but I had hope that one day we would actually do the right thing in this chamber. We also know that our constituents had hope that we would do the right thing, but as I often tell people, who gives up power? And in order for these districts to be fair, somebody has to give up power. And I don't know anybody in politics who would give up the majority or the lead that you all have on us right now, just because. And that just because is the voters in Ohio told us they wanted something better.

Mr. President (00:58:18):

Now, the people in Senate District 21, they are highly disappointed. They don't believe the process was fair. They don't believe they had a great opportunity for comment, even though we had two hearings on this map. They don't believe that negotiations were taken into consideration. They are highly

disappointed. They don't believe their voice is heard. Now, the 11th congressional district, we're okay. But the people in the 11th congressional district weren't just worrying about the 11th congressional district, they were worrying about everybody in the state. And we all know that based on these numbers, this district, our districts, are not fair. And we just hope that you all will negotiate within the next two weeks to give us something a little bit better than what we have today. Thank you.

Sen. Chair (00:59:07):

Thank you, Senator. The chair recognizes Senator McColley.

McCauley (00:59:16):

Thank you, Mr. President. I would like to start by saying, I do appreciate this debate, and I do appreciate everybody's passion on this issue. I appreciate my friend from Hamilton County. But I think what we have to look at when we are debating and crafting these maps, is we have to look at the plain language of the Ohio Constitution. I think if we went around and we asked everybody, "Do you agree with fairness?" Most of us would say, "Yes." "Do you agree with competitiveness?" Most of us would say, "Yes." The truth is neither word appears in article 19 of the Ohio Constitution. And so what are we left to do? We're left to look at the actual language of the Ohio Constitution that in there, that are in there to be the guiding principles of how we draft this map, that are in there to instruct us as to what is expected and what is not expected of us as we draw these maps.

McCauley (01:00:24):

And so when we look at the talk of splitting counties or whether we should do that or not, the language is clear. You have a cap on how many counties you can split. This map is well below that cap, nearly half, almost half of that cap. When we talk about the language of unduly splitting communities, the term communities of interest is not in the Ohio Constitution article 19. It's not in there. So the question becomes, have we unduly split communities or governmental units? As I stated before, 98 out of 100, 98 out of 100 of Ohio's largest cities, with exception to Columbus, which had to be split, we all acknowledge that, I think we all agree with that, with exception to Columbus and with exception to cities that are across the county border. It don't count, it's expressly in the Constitution. Those don't count as splits. With exception to those types of cities, only two out of the top 100 most populous cities are split. And in total, 14 in the entire State of Ohio, however many political subdivisions there are, 14 combined cities and townships are split.

McCauley (01:01:47):

And so we have to look at the plain language and try to avoid injecting subjectivity unless necessary. And so when we look at the requirement about compactness, I would agree with my friend, Senator Antonio, the language is in there that says the districts shall be compact. There's one exception built in for four year maps, that there shall be an attempt to draw compact districts. Now, seeing as how compactus is not defined, sometimes we have to dig into what the common usage of the word would be. The common usage of the word, as far as I would be concerned, would be things that are tightly organized. And it says that's supposed to be happening for all districts, not just districts in suburban and urban areas, but all districts. And I get it if you represent that area, but when there's frustration that some of these larger counties are split, understand that part of the major reason that, that happens is to ensure that all-

PART 3 OF 4 ENDS [01:03:04]

McCauley (01:03:03):

... That that happens is to ensure that all districts are compact and we don't have districts containing, especially when you look down at Southeast Ohio, where our friends down there live in some counties that are 14,000 people. Especially when you look at that part of the state. If we don't put some of those communities and some of those counties with counties of large population, those districts are going to be massive. They're going to be massive. And we made an effort in this map, a cognizant effort, to be compact. One thing I would like to point out is that one way to draw compactness is drawing the length from one part of the district away to the furthest part of the district away from it. When you look at the map in front of you, congressional district five is 167 miles tip to tip. One thing I'd like to point out is the Senate Democrat proposal for district 12 is 175 mile else from tip to tip.

McCauley (01:04:05):

I don't blame either side for that. One thing we have to acknowledge as well is that Ohio's geography has very large counties and it has counties that are not populous at all, or that don't have very much population. Somehow, some way every one of these districts has to have 786,630 people in it. And as a result of that, you're going to have districts that are large. You're going to have districts that stretch across a good chunk of the state. But there needs to be an effort to draw compact districts and we have done that.

McCauley (01:04:46):

And so as I would close, I would say this. When it comes down to it, this is the first time we've done this. I understand there may be frustration, but at the same time, when we are evaluating what we are allowed to do and what we are not allowed to do, we must look at what is the plain reading of the constitution. What does it say?

McCauley (01:05:11):

And when it comes to an opportunity for us to inject our own interpretation into that, we can't be subjective about it to the point where it's a hard to define, hard to grasp terminology. We have to use metrics by which we can actually point to and defend. That is going to be a requirement if we pass a four year map and it's something that's actually already in this bill, how do we not unduly favor or disfavor a party or its opponents?

McCauley (01:05:45):

The way that we have to define that, the way that we have defined it, is through making a plurality of Ohio's districts competitive below the 54% threshold and benchmark that people like to point to as Ohio's voting preferences and right around the 50% margin districts that we all know in this room and we all know examples that you can be in that eight point window surrounding 50% and a district could go either way, depending on how the prevailing winds are going at that moment in time.

McCauley (01:06:19):

And so with that, I would say this. I know this is something that is engendered an awful lot of discussion. I know it's something that's engendered an awful lot of passion, but it's something that I do believe the map that's before us is a map that is constitutional and it's a map that I urge passage for. Thank you.

Matt Huffman (01:06:40):

Thank you, Senator. The chair recognizes Senator Thomas.

Sen. Cecil Thomas (01:06:48):

Thank you, Mr. President. I'll make this my last time and I won't be long. I appreciate the comments from my good friend, Senator McColley. However, a lot of what he conveyed, it did not have to happen. Hamilton County did not have to be divided the way it was. Hamilton County is a population of 817,000 people. 817,000. And as you indicated, the number is 786,630 to make up a congressional district. Why then would you split the county the way it's split?

Sen. Cecil Thomas (01:07:43):

The city of Cincinnati municipality could not be split. So what did you do? You took 300 and some thousand people and put them somewhere else. You took them out of Hamilton County. So, I'm saying clearly that as my good friend, Senator ... Sandra. I'm so used to calling her by her first name. Senator Williams, as she said, power is not conceded without a fight.

Sen. Cecil Thomas (01:08:23):

And you all clearly, those in argument of supporting these maps, have obviously created an environment where there will be a fight and obviously it would probably be in the courts. But it did not have to be. The Democratic maps that were presented. It gave at, one map, a seven eight. Advantage Republicans, seven, eight. Another one was nine, six, advantage Republicans. The fact of the matter is that those were what all of us in here would agree on fair maps that addressed the will of the people of the state of Ohio.

Sen. Cecil Thomas (01:09:11):

And keep in mind when they voted in 2015 and '18, it wasn't just Democrats. It was the people of the state of Ohio. Republicans, Democrats all said, "Cut out the nonsense, let the voters pick the candidates and not the candidates picking the voters." And that's what they said. And here we are now standing here debating a map that's clearly a gerrymandered map. So, I urge again, a no vote on this particular legislation. Thank you.

Matt Huffman (01:09:53):

Thank you, Senator. The chair recognizes Senator Yuko.

Kenny Yuko (01:09:58):

Thank you, Mr. President. You know, it seems like it seems like a long time ago, but the year is 2018. And actually we started in 2017 talking about what we need to do to fix redistricting in Ohio. In 2015, we had already done a pretty good job with the state races for state Senate seats and for state House seats. But now this is a whole new ballgame. And Senator Peterson, Senator Shering, Senator Heidinger, President Huffman, many times you walked into the president [inaudible 01:10:35] office and you saw me sitting there with papers spread all over his desk and his table in his office, trying to ... Meaningful discussions about what we're looking at. How we can do this. How we can do this with an area of compromise so we can make things happen. And then what we did was we took that to the people.

Kenny Yuko (01:10:56):

Now I have to believe that the people I represent in the 25th Senate district are really just very much like the people you represent. And I listen to them. They come to me, they came to my home, they came to my office, I attended their meetings, they wrote me letters. They're on social media corresponding with me. They're much like the people we have visiting us here today because they're interested in what we do as their representatives.

Kenny Yuko (01:11:24):

But it's important to remember that, you know what? They choose us to be their representatives. It's not our job as representatives to choose them as our constituents. And sometimes I figure that's what this map does. Now believe me when I tell you, I fully understand what a complex issue this was. I truly understand that from President Huffman's position, it was not an easy task to do. Because at one point in time, he's sitting there looking and saying, "Okay, how can I preserve what we already have?"

Kenny Yuko (01:12:03):

Because as it was already noted, nobody wants to give up when you got that power. Nobody does. But we work for a different boss. There's 11.7 million of them and they spoke loud and clear. I've heard often people saying, "Well, it's just you are Democrats are crying and complaining because you're not in the majority."

Kenny Yuko (01:12:26):

Well, you know what? When we represent 46% of the Ohioans and when 75% vote for congressional redistricting, I can only hope that somewhere there's an error and I actually represent 75%. But I know that's not a reality. It just isn't. We talk about all the complex issues that we had to take into consideration to put into this redistricting process. But with Thanksgiving coming up, I think about it almost like making stuffing. You have a recipe. You got bread, you got onions, you got celery. Senator Rulli, I got to rely on you for the rest of it. But knowing you and your business, you'll probably give me 10 items to buy for that doggone stuffing.

Kenny Yuko (01:13:08):

But everybody who makes that stuffing can add the ingredients at a different rate and it comes out differently. I think the same thing we're talking about is right here. We can take your map. We could have taken our maps. We could have tweaked them either way and come across with something. We can say, "Hey, listen, this is 100% constitutionally compliant. We did everything we did. And we did the best we could do."

Kenny Yuko (01:13:33):

But there's a difference. When we do it, we come out a little bit ahead. When you do it, you come out a little bit ahead. But again, our true bosses are 11.7 million strong. They're not shy. They're not bashful. They travel. We did a listening tour, or so it was called. Cleveland, Youngstown, Lima, Toledo, Akron, Mansfield, Cincinnati, Dayton, Rio Grand, Zanesville. They often said, "Hey, these are all held during the day and we can't come out."

Kenny Yuko (01:14:12):

Hundreds of people came out to every city, except for two. But eight of 10 cities, we had hundreds of people come out. But we did hold one night version. We held it in Cleveland at Tri-C and we had a

gigantic crowd. And my memory's, I'm not the young guy I used to be, maybe my memory's going a little bit, but I can only remember one person saying, "Hey, we like the way things are right now."

Kenny Yuko (01:14:43):

The rest of the people all said, "We have to do better. We have to do better." And I was hoping we could do better. I was hoping at the end of the day, we could do better. I was hoping as I called President Huffman over the weekend, I says, "Come on, my friend, we can do this. We can make this happen. But we got to work together."

Kenny Yuko (01:15:05):

We spoke to Senator Sykes on the phone this morning. He says, "Leader, we can do this. We still got two more weeks. We can make this happen." Am I right, Senator Sykes? But we got here today and we said, "No, it's not going to work out that way. We're done. We did this. We got this."

Kenny Yuko (01:15:24):

We do. You can accept it. We have to be forced to accept it. But what about our constituents? Will they accept it. Do they have to accept it? Do we let them down? Do we hear their voices? They were loud. They were strong. They were consistent. They never stopped. We went from city to city, to city, to city. We saw the signs. We saw the outrage. We saw the tears. These weren't people putting on a show, folks. These were people speaking from their hearts. Why? Because sometimes they felt like their government was letting them down. And none of us, none of us ran for office because we said, "You know what? If we got elected, we can help let these people down." We never said that. We've campaigned on the fact that we can do better. We can make things better. We can improve your quality of life, if you let us. That's what we tell you. And if you believe us, we can do that.

Kenny Yuko (01:16:28):

But if you believe us and you elect us and we don't do it, what happens? And that's the sad part. Again, I know the tough position everybody was in. I was hoping for a little bit more compromise. I was hoping that there would've been a little bit more conversation. It didn't happen and accordingly, I am going to request a no vote on this bill. But thank you. Thank you, Mr. President.

Matt Huffman (01:16:54):

Thank you, Leader Yuko. We question is, shall the bill pass? Clerk will call the role.

Clerk (01:17:02):

Antani.

Niraj Antani (01:17:04):

Yes.

Clerk (01:17:04):

Antonio.

Nickie Antonio (01:17:05):

No.

Clerk (01:17:06):
Blessing.

Louis W. Blessing, III (01:17:06):
Yes.

Clerk (01:17:06):
Brenner.

Andrew Brenner (01:17:06):
Yes.

Clerk (01:17:08):
Cirino.

Jerry Cirino (01:17:09):
Yes.

Clerk (01:17:09):
Craig.

Hearcel Craig (01:17:10):
No.

Clerk (01:17:11):
Dolan.

Matt Dolan (01:17:13):
Yes.

Clerk (01:17:13):
Gavarone.

Theresa Gavarone (01:17:14):
Yes.

Clerk (01:17:15):
Hackett.

Robert Hackett (01:17:16):
Yes.

Clerk (01:17:16):
Hoagland.

Frank Hoagland (01:17:17):
Yes.

Clerk (01:17:17):
Hottinger.

Jay Hottinger (01:17:18):
Yes.

Clerk (01:17:18):
Steve Huffman.

Steve Huffman (01:17:20):
Yes.

Clerk (01:17:20):
Johnson.

Terry Johnson (01:17:21):
Yes.

Clerk (01:17:21):
Kunze.

Stephanie Kunze (01:17:22):
Yes.

Clerk (01:17:22):
Lang.

George Lang (01:17:23):
Yes.

Clerk (01:17:24):
Maharath.

Tina Maharath (01:17:25):
No.

Clerk (01:17:25):

Manning.

Nathan Manning (01:17:26):
Yes.

Clerk (01:17:26):
McColley.

McCauley (01:17:27):
Yes.

Clerk (01:17:28):
O'Brien.

Sandra O'Brien (01:17:28):
Yes.

Clerk (01:17:29):
Peterson.

Bob Peterson (01:17:31):
Yes.

Clerk (01:17:31):
Reineke.

Bill Reineke (01:17:31):
Yes.

Clerk (01:17:31):
Roegner.

Kristina Daley Roegner (01:17:31):
Yes.

Clerk (01:17:35):
Rulli.

Michael Rulli (01:17:35):
Yes.

Clerk (01:17:37):
Shaffer.

Tim Schaffer (01:17:37):
Yes.

Clerk (01:17:37):
Schuring.

Kirk Schuring (01:17:37):
Yes.

Clerk (01:17:39):
Sykes.

Vernon Sykes (01:17:40):
No.

Clerk (01:17:41):
Thomas.

Sen. Cecil Thomas (01:17:41):
No.

Clerk (01:17:42):
Williams.

Sandra Williams (01:17:43):
No.

Clerk (01:17:44):
Wilson.

Steve Wilson (01:17:45):
Yes.

Clerk (01:17:45):
Yuko.

Kenny Yuko (01:17:46):
No.

Clerk (01:17:47):
President Huffman.

Matt Huffman (01:17:48):

Yes.

Matt Huffman (01:17:51):

With 24 yays and seven nays, the bill is passed and entitled.

Clerk (01:17:55):

A bill to enact and repeal sections of their revised code to establish congressional district boundaries for the state based on the 2020 decennial census and to delay certain deadlines related to the 2022 congressional primary election.

Matt Huffman (01:18:07):

The question is, shall the title be agreed to? Any member who would like to add their name to the title, please do so now. The title is agreed to. The chair recognizes Senator McColley for a motion.

McCauley (01:18:26):

Mr. President, I move that the senator's absent the week of Sunday, November 14th, 2021 be excused so long as a written explanation is on file with the clerk pursuant to Senate rule 17.

Matt Huffman (01:18:35):

Without objection, the motion is agreed to introduction and first consideration of bills.

Clerk (01:18:41):

Senate Bill 263. Senator Maharath to amend sections of the revised code to remove gender specific references to statewide office holders.

Clerk (01:18:49):

Senate Bill 264. Senators Brenner, Maharath to amend the section of advised code to regulate remote work by mortgage loan originators and other persons working for entities subject to the residential Mortgage Lending Act.

Clerk (01:19:02):

Senator Bill 265. Senator Schaffer and others to amend sections of revised code exempt the sales and use taxes, the sale of certain firearms and ammunition.

Clerk (01:19:11):

Senator Bill 266. Senator Schaffer to amend sections of the advised code to generally grant civil immunity for certain injuries to a person who acts in self defense or defense of another during the commission or eminent commission of an offense of violence, protect the members or guests of a nonprofit corporation under certain circumstances.

Clerk (01:19:27):

Senator Bill 267. Senator Williams to amend a section of their advised code to require a tiered disciplinary procedure and student instruction on preventing harassment, intimidation, or bullying in a school and to create the offense of aggravated bullying as a third degree misdemeanor.

Matt Huffman (01:19:43):

Stands this first consideration. Offering of resolutions. The question is, shall the resolutions listed under the president's prerogative be adopted? And without objection, the resolutions are adopted. Message from the House.

Clerk (01:19:56):

Mr. President. I'm directed to inform you that the Speaker of the House or Representative has signed the following bill: House Bill 177, substitute Senate Bill 36, Senator Manning, Steve Huffman.

Matt Huffman (01:20:07):

Message from the president.

Clerk (01:20:08):

Pursuant to section 490602 of the revised code, presidential assignment, temporarily remove Senator Hottinger and appoint Senator Cirino for the purpose of the November 18th, 2021 meeting on the Power Citing Board.

Matt Huffman (01:20:21):

Board message from the president.

Clerk (01:20:22):

According to One Ohio memorandum of understanding entered into by governor Mike DeWine and Attorney General Dave Yost on behalf of Ohio citizens and pursuit to Section D4 of the one Ohio memorandum understanding. The president of Senate selects Senator McColley to serve as a board member on the foundation created in section D of the One Ohio memorandum of understanding.

Matt Huffman (01:20:43):

Communications from the governor.

Clerk (01:20:45):

I, Mike DeWine, governor of the state of Ohio, do hereby appoint Joshua Otten and others and witness whereof, signed Mike DeWine, governor.

Matt Huffman (01:21:01):

To the committee on rules and reference. Announcement of committee meetings. Senator Blessing.

Louis W. Blessing, III (01:21:07):

Thank you, Mr. President. The Senate Ways and Means Committee will reconvene at 3:05. Thank you.

Matt Huffman (01:21:12):

Thank you. Appreciate the very precise time. Senator Hackett.

Robert Hackett (01:21:17):

Thank you, Mr. President. The Senate Insurance Committee will meet tomorrow and we're going to meet an hour earlier. It's at the Senate Finance Room and it's at 1:30, not 2:30, and we will have a vote. Thank you.

Matt Huffman (01:21:29):

Thank you, Senator. Senator Schaffer.

Tim Schaffer (01:21:31):

Thank you, Mr. President. The Agriculture Natural Resources Committee will meet at 4:00 PM in the south hearing room.

Matt Huffman (01:21:37):

Thank you. Senator Rulli.

Michael Rulli (01:21:38):

Mr. President, Small Business Committee will meet tomorrow morning at 10 o'clock.

Matt Huffman (01:21:43):

All right. Thank you. The chair recognizes Senator Hottinger for a motion.

Jay Hottinger (01:21:46):

Mr. President, I move that the Senate having completed its business for today adjourn until Wednesday, November 17th at 9:30 AM.

Matt Huffman (01:21:53):

Thank you. The question is shall the motion be agreed to and without objection, the motion is agreed to. The Senate stands adjourned.

PART 4 OF 4 ENDS [01:22:02]

Senator Gavarone (00:00:00):
The elections committee will now come to order. Will the clerk please call the role.

Clerk (00:00:04):
Chair Gavarone.

Senator Gavarone (00:00:05):
Here.

Clerk (00:00:05):
Vice Chair O'Brien.

Senator O'Brien (00:00:06):
Here.

Clerk (00:00:07):
Senator Manning.

Senator Manning (00:00:07):
Here.

Clerk (00:00:07):
Senator Cirino.

Senator Cirino (00:00:07):
Here.

Clerk (00:00:07):
Senator Kunze.

Senator Kunze (00:00:07):
Right here.

Clerk (00:00:07):
Ranking Member Maharath.

Senator Maharath (00:00:07):
Here.

Clerk (00:00:08):
Senator Sykes.

Senator Sykes (00:00:09):

Here.

Senator Gavarone (00:00:09):

And we have a quorum. Members, a copy of the minutes from the November 9th meeting of the committee is on your iPads. Please take a moment to look at it. Look it over. The question is, shall the minutes be agreed to? Without objection, the minutes are agreed to. I'd like to start off with a few ground rules for the committee today. So these committee hearings have been structured in a way that allows us to hear from as many citizens from Ohio as possible on an important issue. At 11:40, we'll take a brief recess if we're still in committee, so that Senator Kunze, Maharath and I can attend the rules and reference committee. There'll be no standing by the public in the committee room. In order for the committee run smoothly, we'd request that chairs in the room be reserved for people testifying today. And if you don't have a chair to sit in, you'll be directed to the north hearing room for overflow.

Senator Gavarone (00:01:10):

Witness slips and testimony should have been sent to my office prior to today's meeting. However, we're going to offer the opportunity to anyone who wants to testify in person today to complete a witness slip. In an effort to stay consistent and allow for as much testimony and questions from the members as possible, we'll be instituting a five minute time limit. We're putting the time on the screen to my left right over here, so that you can keep track of your time. I'll give a 15 second warning to wrap up your comments. I understand people are passionate about the issue before the committee today. However, everyone will be expected to keep decorum during these hearings. We want to get through as many people as possible and ensure that people watching online can understand clearly and follow along. So applause, booing, heckling prevents us from doing that and will not be permitted. No video or pictures should be taken without the permission of the co-chairs. And if you want to take video or pictures, we'll have a media form available for you to fill out for the chair to consider.

Senator Gavarone (00:02:14):

And finally, I want to thank our Sergeant at Arms for being around the building and the room today to help and assist staff and citizens in attendance. And I'd like to, again, thank them for everything they do.

Senator Gavarone (00:02:28):

The first order of business is the fifth hearing on Senate Bill 258. The chair recognizes Senator O'Brien for a motion.

Senator O'Brien (00:02:35):

Chair Gavarone, I move that we accept 1-134-2106-3 as a substitute bill.

Senator Gavarone (00:02:47):

And to explain the substitute bill, Senator Rob McColley is here. Good morning, Senator McColley.

Senator Rob McColley (00:02:55):

Good morning.

Speaker 1 (00:02:56):

Two of the slips. So after you call these guys, obviously not [inaudible 00:03:13].

Senator Gavarone (00:03:12):

Perfect. Thank you.

Senator Rob McColley (00:03:24):

Thank you, Chairwoman Gavarone, Vice Chair O'Brien, Ranking Member Maharath, and members of the local government and elections committee for allowing me to present testimony today for substitute Senate Bill 258. After considering multiple maps presented by Democrat and Republican caucuses in both the House and the Senate and listening to the public's input on all of those maps, we offer this map that is not only constitutionally compliant, but the most competitive map offered by any caucus to date. It is also a map that splits the least counties of any map offered by any caucus, keeps Ohio's largest city's whole, installs compact districts, and implements many of the requested changes we heard in testimony.

Senator Rob McColley (00:04:06):

Article 19, section 2B5 of the Ohio Constitution describes the process that must be followed when splitting counties in a congressional map. In essence, a map may have up to 23 split counties, with up to 18 being split once and up to five being split twice. The counties that are split once ... This map splits only 12 counties with only two of those counties being split twice. The counties that are split once are Clark, Fairfield, Franklin, Holmes, Lorraine, Ross, Shelby, Summit, Washington, and Wood. The counties split twice are Hamilton and Cuyahoga. Notably for the first time since the map passed 30 years ago, Lucas County will be whole, and for the first time since the map passed 20 years ago, Stark County will be whole. The impact on several of Ohio's other large counties is also minimized by Franklin and Summit County having the least splits since the map passed 30 years ago.

Senator Rob McColley (00:05:07):

Finally, the map complies with article 19, section 2B8, by including an entire county in each district where possible. If passed, this map would have the least county split in over 50 years. Additionally, this map splits two less counties than both the House and Senate Democrat proposals.

Senator Rob McColley (00:05:27):

Since the introduction of Senate Bill 258, we have maintained that it is important to keep Ohio's largest cities whole. With the exception to Columbus, which much be split under the constitution, and cities that straddle county lines, and therefore do not count as a split under the constitution, 98 of Ohio's 100 largest cities are kept whole in this map. The two exceptions to that are Rocky River and Cuyahoga Falls. In total, only eight townships and six municipalities are split in this proposed map, which more than adequately complies with article 19, section 1C3B's requirement that the general assembly not unduly split governmental units. Article 19, section 2B2 also requires that districts be compact. The requirement is not applicable to a four year map, however, under section 1C3C. In such an instance, the general assembly shall attempt, but is not required to draw compact districts. Nevertheless, the districts presented before you are compact.

Senator Rob McColley (00:06:32):

Finally, the map before you is the most competitive map offered by any caucus to date and the most competitive Ohio congressional map in decades. Ohio is subject to swings in voter preferences, particularly in federal elections. Even though with exception to 2006, Republicans have swept every

election for statewide constitutional offices since 1994, Ohio has voted for both a Democrat and a Republican for president in the past four presidential elections, and continues to be represented by both the Democrat and Republican in the United States Senate. Clearly, Ohioans are bifurcating between federal and state elections and issues. Therefore, because the map before you is for United States congressional districts, it makes sense to judge the competitiveness based upon statewide federal elections over the last 10 years. This allows us to capture the true nature of Ohio's voting tendencies in federal elections and to insulate from outliers, when evaluating these districts in the federal statewide context and defining a competitive district as one with a 46% to 54% Republican index.

Senator Rob McColley (00:07:38):

This map has six seats that lean Republican, seven seats that are competitive, and two seats that lean Democrat. The indexes are in the table in my testimony for your review. Article 19, section 1C3A states that a map not unduly favor or disfavor a party or its incumbents. No sporting event should ever favor or disfavor a team by some predetermined final score before either team walks on the field. A congressional map should not be judged to favor or disfavor either party that way either. Rather it should be judged based upon how many districts are going to be determined by the various important issues and candidates in that election. This map embodies that belief by ensuring a plurality of the districts will be competitive in any given cycle. Its seven competitive districts are two more than any House or Senate Democrat proposal and five more than the map passed in 2011.

Senator Rob McColley (00:08:33):

Further, this map neither favors nor disfavors either party's incumbents. It accomplishes this by only combining two incumbents who are required to be combined through the prohibition against splitting of Cincinnati incumbents that are going to be running for reelection. The map before you complies with the requirements placed upon the general assembly under the Ohio constitution. It is the product of a deliberate effort to draw compact districts, minimize county splits, keep Ohio's largest cities whole and ensure a plurality of Ohio's congressional districts will be competitive.

Senator Rob McColley (00:09:05):

Thank you, Chairwoman Gavarone, Vice Chair O'Brien, Ranking Member Maharath, and members of the local government and elections committee for allowing me to present testimony on substitute Senate Bill 258, and the proposed congressional district map contained therein. I would be happy to take any questions at this time.

Senator Gavarone (00:09:24):

Thank you very much. Are there any questions from members of the committee? Yes, Senator Maharath.

Senator Maharath (00:09:31):

Thank you, Chair, and thank you, bill sponsor for, or substitute bill sponsor now for presenting these maps to us today. When did the drawing process begin for this map today in front of us?

Senator Rob McColley (00:09:44):

To the Chair, to the Ranking Member, so there were discussions that happened primarily between the Speaker and the Senate President as to what the maps should ultimately look like and how to reconcile

some of the differences between the maps and take into consideration some of the testimony we've heard and suggestions that have been given. So those discussions were conceptually happening over the last week, and I believe the maps were finalized at some point Friday.

Senator Maharath (00:10:19):

Follow-up?

Senator Gavarone (00:10:20):

Follow-up.

Senator Rob McColley (00:10:21):

Well, let me refrain, if I could. I believe that conceptually, the maps may have been presented at some point Friday, but I don't know that they were finalized. Obviously there's some fine tuning that has to go on anytime you present a map. I don't know that they were finalized until probably some point yesterday.

Senator Maharath (00:10:41):

Thank you, because I didn't have any discussion around these maps. I'm not sure with our leadership team either. So we're just trying to get a better idea of what changes were being made, since we were presented with this information this morning, let alone, we saw the map last night with the media. Were there any racial data taken in consideration with these maps?

Senator Rob McColley (00:11:04):

To the Chair, to the Ranking Member, we did not consider any racial data because federal law prohibits us from doing so unless there is legally significant racially polarized voting trends in the state of Ohio, of which we've been presented with no evidence of such a thing.

Senator Maharath (00:11:19):

Another follow-up.

Senator Gavarone (00:11:19):

Follow-up.

Senator Maharath (00:11:20):

Thank you. So you've mentioned some of the political data news, which was the federal election from 2012 to 2020. Were there any other additional political data sources used to try to draw these maps?

Senator Rob McColley (00:11:36):

To the Chair, to the Ranking Member, the primary political data source we used was federal elections data. I don't even have other indexes in front of me because we felt that that one best represented what we're trying to accomplish here. I know there's been an awful lot of discussion about trying to reflect the voting trends of the population of the state of Ohio over the past 10 years. So that's one reason we decided to go with the 10 years. As I explained in my testimony, there seems to be a

bifurcation that actually leans Democrat in federal elections. So, we decided that that would be the appropriate way to look at the data as well as we were going forward.

Senator Maharath (00:12:25):

Last follow-up.

Senator Gavarone (00:12:26):

Follow-up.

Senator Maharath (00:12:26):

Thank you, Chair. So, one last final question, since we're still trying to process all this information. So with the data source that was presented to us committee members, will that information be available to the public, like in the Dave's Redistricting app today?

Senator Rob McColley (00:12:43):

To the Chair, to the Ranking Member, we have no plans of putting it in a Dave's Redistricting app, but if history has been any guide, I'm sure somebody already has it in the Dave's Redistricting app. So I would anticipate it will be available shortly. Correct me if I'm wrong, Chair, but I believe the shape files are available on the committee website as we speak.

Speaker 1 (00:13:03):

I think so.

Senator Gavarone (00:13:07):

I believe that's the case. Those will be on the website, but they've been sent to the committee members. Thank you. Are there any further questions? Yes, Senator Sykes.

Senator Sykes (00:13:28):

Thank you, Madam Chair. Thank you for your testimony. Appreciate it. Just wanted to find out. Are you all still open for negotiations? I know we just got this. This is the first time I've seen it. So I hadn't been involved in any conversations about what your druthers were about maps. I know this bill is a bill and it has to go to the House and the Senate and reconcile any differences, it has to be approved by both Houses. So it's starting the process here. Are you still open to any suggestions or negotiations?

Senator Rob McColley (00:14:09):

To the Chair, to the Senator, I can't speak for the president or the speaker who, as I mentioned before, were the two that largely conceptualized the map that's before you right now. But I think that question would be best asked of either President Huffman or Speaker Cupp.

Senator Sykes (00:14:29):

Okay, thank you.

Senator Gavarone (00:14:32):

Are there any further questions? Is there any discussion?

Senator Maharath (00:14:38):
Chair?

Senator Gavarone (00:14:38):
Yes.

Senator Maharath (00:14:39):
Can I request for us to have a recess for the purpose of a Democratic caucus?

Senator Gavarone (00:14:56):
We'll allow for a 30 minute recess.

Senator Maharath (00:14:59):
Thank you, Chair.

PART 1 OF 4 ENDS [00:32:04]

Senator Gavarone (00:46:21):
The committee is back in order. I'd like to start off by mentioning that I sent a copy of the map to every member of the committee, also to every member of the Senate, and every staffer last night, and a release was sent to the media at 8:12 last night. And now, is there any discussion on the sub bill? The question is, "Shall the substitute bill be adopted?" Without objection.

Speaker 2 (00:46:50):
Object.

Senator Gavarone (00:46:52):
There is an objection. The question is, "Shall the substitute bill be adopted?" Will the clerk please call the role?

Clerk (00:46:58):
Chair Governor?

Senator Gavarone (00:46:59):
Yes.

Clerk (00:47:00):
Vice Chair O'Brien?

Vice Chair O'Brien (00:47:01):
Yes.

Clerk (00:47:02):

Senator Manning?

Senator Manning (00:47:03):
Yes.

Clerk (00:47:03):
Senator Cirino?

Senator Cirino (00:47:03):
Yes.

Clerk (00:47:03):
Senator Kunze?

Senator Kunze (00:47:03):
Yes.

Clerk (00:47:03):
Nickie Antonio?

Nickie Antonio (00:47:03):
No.

Clerk (00:47:09):
Senator Sykes?

Senator Sykes (00:47:09):
No.

Senator Gavarone (00:47:11):
With a vote of five to two, the substitute bill is adopted. We have several people in person to testify today. The first is Tiffany Rumbalski. Please approach the podium. Good morning and welcome to committee.

Tiffany Rumbalski (00:47:33):
Thank you. Thank you for having me. I'll be brief. I am not here because I believe... And you already voted, so nothing I would've said would've changed anyone's mind. Your mind was already made up about a map that was dropped at 8:12 last night. That was supposed to have times for the public to see it, to analyze it. And for the minority party, that did not happen.

Tiffany Rumbalski (00:48:09):
I am here for the more than 75% of the voters who voted for Issue 1 back in 2018. Because this is what we believed. We believed that because of Issue 1, we'd get fairness, transparency. Back in 2010, when

these maps for the next 10 years that were adopted, it was all done in private. That happened again. We believed that we would be represented. The last 10 years my congressional vote in Hilliard, Ohio has been diluted. It has not carried the weight that it should have because of the way that maps were drawn.

Tiffany Rumbalski (00:49:06):

So we believed that the people entrusted with the maps would take the data and at least attempt to make things fair instead of manipulate it for their own political game, which is what just happened. We believe in real competition. Because when we have competitive races, people at our State House, listen, that's not what we're getting. That's not what we've had for 10 years. And it looks like we're not going to get it for another four years. We believed in transparency and honesty, but that's not what we're getting. Instead, our voices continued to be diluted. And what we're shown is disdain, disrespect, and disregard.

Tiffany Rumbalski (00:50:15):

And the voters feel it. I feel it. I don't spend much time in the State House, so I'm not in this bubble. I'm out working. I'm out taking care of my kids. And voters are disgusted. Democrats, Republicans, Independents. They're disrespected because you are supposed to be better than this. So I'm here today not because anything I say or would've said would make one bit of difference. I'm here because I care. I've got other things to do this morning. This is not my job. I care a lot. I care about making Ohio a state that doesn't just work for the privileged few, the people with money, the people connected to power.

Tiffany Rumbalski (00:51:22):

And I'm here to say this is wrong. It's really wrong. This process is wrong. This map is wrong. And your vote for it is just wrong. It is a betrayal of public trust. I told people to vote for Issue 1. I told my Republican neighbors, I told my Republican family. I said, "Look, this is our chance to work together, which didn't happen. And get something that's fair for all of us. We deserve so much better than this. We deserve a lot better than what you've given to us. We deserve a lot better from you, senators. That's all I got to say. Thank you.

Senator Gavarone (00:52:12):

Thank you. There may be questions. I wanted to start off by saying the vote that was just taken was to accept the substitute bill as the working document. The bill hasn't been voted on yet.

Tiffany Rumbalski (00:52:24):

That's good to know.

Senator Gavarone (00:52:25):

Are there any questions from members of the committee? Seeing none. Thank you very much for your testimony.

Tiffany Rumbalski (00:52:31):

Thank you.

Senator Gavarone (00:52:33):

Next to testify is Mia Lewis. Good morning and welcome to committee.

Mia Lewis (00:52:44):

Good morning. Thank you. Thank you, Chair Gavarone, Vice Chair O'Brien, ranking member Maharath. My name's Mia Lewis. I'm Associate Director of Common Cause Ohio. Common Cause Ohio has worked on redistricting reform for 40 years. I'm here today to testify in opposition to this amended Senate bill 258. I did submit testimony yesterday about yesterday's map, but that was yesterday. Today we're looking at a totally different map, one that no one in Ohio had ever seen before late last night. Well, no one, but a handful of committed partisan operatives.

Mia Lewis (00:53:21):

It's kind of amazing that I was even able to submit testimony in time to make it onto the witness list today at all. An email was sent out at 9:40 AM yesterday, and luckily I happened to see it soon afterwards. I scrambled to get my testimony in before 10:30 AM to meet the required 24-hour in advance supposition, which I know you have suspended, but that is the regular rule. I hit send at 10:26 AM, with just minutes to spare. I was being careful to comply with the rules and procedures of this committee.

Mia Lewis (00:53:59):

If only the sponsor of Senate bill 258 had the same respect for the rules for the Constitution and for the people of Ohio. Because dropping a new map late in the evening, just hours before a vote with no opportunity or even possibility for in-depth analysis or discussion, that is disrespect. The exact opposite of the process that Ohioans voted for overwhelmingly and made part of the Ohio Constitution. We demanded and won an open, bipartisan transparent process with meaningful opportunities for public input. So what's up with that? We are left to wonder, do you want a public and transparent map-making process? Have you read the new rules? Do you care if you're breaking them? What about your oath to uphold the Constitution? Does that matter? Has a rigged partisan outcome become so urgent that you feel emboldened to put that ahead of your duty to serve the people of Ohio? It's a shame.

Mia Lewis (00:55:04):

About the new map, I read the press release put out at 8:17 PM yesterday evening, where Senator McColley is quoted as saying the map is the best thing since sliced bread. I'm so glad the senator is letting us know less than 24 hours before a vote with no detailed analysis available that this unknown quantity is perfection itself. I'm sure based on everything that's happened in this process, we all feel comfortable leaving the future of Ohio's voting districts in the hands of those who have demonstrated time and time again their disdain for the process, the people, and the rules.

Mia Lewis (00:55:38):

No, I don't have a detailed analysis. I can't have one. But even a quick glance shows that like the previous SB 258, this map divides communities in order to rob them of their ability to elect a representative of their choice. It robs them of their political power and voice in order to ensure a rigged partisan outcome, benefiting those drawing the lines. That's called gerrymandering. Counties, not municipalities are the building blocks of congressional map-making, established in the Ohio Constitution for 10 year maps. And the most populous counties have been unnecessarily divided.

Mia Lewis (00:56:12):

Just look at Hamilton County, split into three districts, broken up and paired with Butler, Warren, and Claremont counties. Do you think that's what the voters of Cincinnati want? Look at Cuyahoga County. Again, split into three districts. Is Congressional District 14 even contiguous? I need a magnifying glass to tell. Looks like someone in a west side Cleveland inner-ring suburb is in the same district as the residents of Connacht. I'm sure the map-makers, whoever they are, have demonstrated their slicing and dicing skills throughout Ohio, expertly wielding the knife to abide by some of the rules in the Ohio Constitution, while still dividing communities in order to deprive them of their political power and voice and ensure a rigged outcome. This map is being touted as the most competitive. If your measure is a competition that falls within 10 points, well, that's true. But let's look a little deeper.

Mia Lewis (00:57:05):

For a district to be truly competitive, it has to fall into a much narrower split. I'm sure when the dust has settled, we'll find that most of the competitive districts that lean R do so within a safe margin. I'll bet that the competitive districts that lean D do so by just a sliver. The bait and switch of having hearings on one map and then switching to a new version without bipartisan debate and deliberation over district lines-

Speaker 3 (00:57:31):

15 seconds.

Mia Lewis (00:57:32):

Violates the spirit and letter of the Ohio Constitution. This move demonstrates the reason we wanted the new rules in the first place. It's simply two powerful a temptation to tilt the scales in your own favor when you have the power to do so. I urge everyone to vote no on this bill and any other gerrymandered district voting bill.

Senator Gavarone (00:57:54):

Thank you for your testimony. Are there questions from members of the committee? Seeing none. Thank you very much.

Mia Lewis (00:58:02):

Thank you.

Senator Gavarone (00:58:03):

Next to testify, we have Trevor Martin. Good morning. Welcome to committee.

Trevor Martin (00:58:12):

Good morning. Thank you. Chair Gaverone, committee members. I really don't know what to say. And I have no idea what I'm looking at. So it's basically five minutes of me complaining and telling you how disappointed I am. Again, once again, it's like you don't even hear us. It's infuriating. We've come in again, and again, and again, asking for some openness, some transparency. We've been arguing over... Well, the committee has been discussing different things about what the good people of Ohio had voted on in 2018, whether we wanted fairness or whether we wanted competitiveness. But one thing that we can be sure of, every single one of you can be sure of, it's in the bill texts.

Trevor Martin (00:59:28):

We know over 75% of the folks who voted, a majority of every single one of your districts voted in favor of this bill. It reads in the text that we want a transparent and public process. It's right there. Right at the beginning. Open, public, transparent process. Two public hearings on any proposed map in the joint committee. I mean, this is a new map. This looks nothing like the old 258. It's completely different. This is a completely different map.

Trevor Martin (01:00:12):

And we can't even really get into the specifics. Again, we got this map last night. We got a notification at 9:40 AM yesterday. Again, less than an hour to prepare testimony and submit that, and general guidelines. And then you don't even know what's on your website. You said, "Oh, we released the shape files." No, you didn't. No, you didn't. We have no idea what we're looking at. We're looking at a mess, is what we're looking at. I mean, a PDF file doesn't tell you anything. All this does is give you the eye test, and it fails that. I mean, look at District 5. There's no reason... Right here. Mercer, Wood, Lorraine, all in the same county? Arguing about compactness, I mean, there's nothing compact about that. Your competitiveness, again, I sat last night and I eyeballed this map, and sat down with the redistricting, and I got maybe a good idea. District 10 might look pretty decent to me, because like I said, I done a lot of community mapping with folks, and I hear a lot of folks that want Montgomery County with Springfield. Oh, maybe that looks good. I have no idea, though, what the partisan lean is, what the minority representation is in that district.

Trevor Martin (01:02:03):

Again, going back to competitiveness, the reason why a lot of these districts are so competitive is for some... Well, we know the reason. You take urban centers, and instead of keeping them with the county that they're in, with the suburbs that surround them, you drag the district all the way out into rural Ohio, and to specifically dilute those urban and minority votes. That's the only reason. The only reason that that could be... Makes no sense. That's the only reason it could be done, and right in our faces. I mean, I did a bunch of mapping sessions with folks right here in Northern Hamilton, North College Hill, College Hill, Mount Healthy. I know damn well they don't want to be with Dark up there. I mean, they want to be with Cincinnati. There's no reason for District 1 to go outside of Hamilton County, other than to dilute votes. And this is the exact opposite of what the people in Ohio voted for. And I encourage every single one of you to vote in opposition of this map. But I hope to God Democrats don't vote for any of these maps.

Senator Gavarone (01:03:23):

Thank you very much for your testimony. I would like to point out that we did suspend the rules on having testimony in 24 hours in advance for this here.

Trevor Martin (01:03:32):

Well, how can folks still come in and testify? You think I could tell my boss, "Hey, I'm going to testify tomorrow. I can't come in."

Senator Gavarone (01:03:41):

Well, we had the committee notice out in the required time.

Trevor Martin (01:03:45):

It's not enough.

Senator Gavarone (01:03:46):

Is there any question from members of the committee? Yes. Senator Cirino?

Senator Cirino (01:03:49):

Yes. Thank you. Thank you, Chair. Mr. Martin, so you chose not to address your submitted testimony, right?

Trevor Martin (01:03:58):

You know what? I wasn't even home when I got that message. I got home. I had 15 minutes.

PART 2 OF 4 ENDS [01:04:04]

Speaker 4 (01:04:03):

I wasn't even home when I got that message. I got home. I had 15 minutes. I submitted a fact sheet, a paper on prison gerrymandering. It's from, I don't know, over a decade ago. These issues are compiling. Pardon me, Chair Gavarone keeps going on about one person, one vote. No one's ever addressed [inaudible 01:04:31] about prison gerrymandering. The current district 15 has over 14,500 inmates in that district alone that do not reside in that district. They go home to another zip code and you're talking about one person, one vote. That's just not true.

Jerry Cirino (01:04:47):

Chair. If I might, I asked the witness to, just question to, you chose not to go over your testimony. That was not an opportunity to go over your testimony now that since your time has expired, but I did have just one question. You made the comment that the current map that we have before us is completely different from the map of last week. Nothing like it, completely different, doesn't even resemble it. Now that you're looking at this map, are you telling me that you literally see nothing that is improved in this map versus last week's map?

Speaker 4 (01:05:26):

I did not say that.

Jerry Cirino (01:05:29):

Well then I'd like to know what improvements you see.

Speaker 4 (01:05:32):

Well, I don't know. I don't know what I'm looking at.

Senator Gavarone (01:05:36):

Please direct your answer to the Chair.

Speaker 4 (01:05:39):

Through the chair to the good Senator, I don't know what the hell I'm looking at.

Jerry Cirino (01:05:44):

Okay. Then I guess Madam chair, I guess your comments are not relevant since you don't know what you're looking at. So thank you.

Senator Gavarone (01:05:52):

Thank you. We'll need to take a brief recess so that Senator Cunsey, Senator Maharath and I can go to rules and reference committee. Will be re-adjourning 15 minutes more or less. Elections committee will reconvene. Next to testify, we have Zach McCune. Is there a Zach McCune here? Okay. Next to testify. We have Michael Ahern.

Michael Ahern (01:28:07):

I always have to find my reading glasses.

Senator Gavarone (01:28:09):

Good morning. Welcome to committee.

Michael Ahern (01:28:18):

Morning members of the Senate, local government and elections committee. My name is Michael Ahern. I live in Black lick. I am registered as an unaffiliated voter and I have been to all but two of the legislative hearings related to redistricting and all, but three of the redistricting commission. I'm here this morning as an opponent to amended Senate bill 258, even in its revisions. Throughout history, small groups of men, mostly white men, have politically carved up land to ensure control over the greater mass of people they ruled over. From Kings and their courts to the allied powers that carved up Europe after World War I and the middle east after World War II. This map and its counterpart in the house follow in this tradition. A handful of white men carving up Ohio in order to maintain power. Diluting the voting power of minority communities in the Cincinnati area, packing registered voters of the democratic party and those who naturally reside in democratic leaning communities like Franklin county, into districts politically authored to ensure continued dominance of the Republican party.

Michael Ahern (01:29:32):

This is not what our founding fathers envisioned. It is what they fought against. The tyranny of King George and his court has been replaced by the tyranny of a few partisan actors who are choosing their voters through this process, rather than as the constitution, court precedents and American ideals demand, one person, one vote, the voice of the people through true representative democracy. Anyone on this committee who votes to approve amended Senate bill 258, actively mocks their title as a legislator in this body. The map embodied by amended Senate bill 258 is a gerrymandered map drawn by a gerrymandered state legislature to ensure that the Republican party maintains power at the state house and in the battle to control the US house of representatives.

Michael Ahern (01:30:24):

In this case, this map was drawn as directed by two White men from the same area of the state who hold the two most powerful positions in the legislature. Rather than looking to ensure Ohio communities are fairly represented as demanded by the 2018 redistricting reforms, this map seeks

overwhelmingly to represent political power, the power of the Republican party in Ohio. This to the detriment of my community, my family and for some relegating them to taxation without true representation. George Washington, the legitimate icon of all the hopes of representative democracy that the United States constitution embodies, stated in his farewell address on September 19th, 1796 and I quote "however political parties may now and then answer popular ends, they're likely in the course of time and things to become potent engines by which cunning ambitious and unprincipled men will be enabled to subvert the power of the people and to usurp for themselves the reigns of government, destroying afterwards the very engines which have lifted them to unjust dominion."

Michael Ahern (01:31:41):

With passage of this map, you will have achieved the prescient words of George Washington and consigned yourselves to the long list of cunning ambitious and unprincipled people in power. My only hope as an unaffiliated voter who has voted for Republicans and Democrats in the past is now to rely on the fidelity of the Ohio Supreme court to their constitutional obligation to strike down the final version of the map that you are considering in this committee. Members of this committee and the companion House committee who vote for a final heavily gerrymandered version of this map will forever be known as weak people with weak ideas who cheated because they could usurp for themselves the rein of government. And just as a final word, hanging down in the museum is this phrase, all political power is inherent in the people. If you pass such a gerrymandered map, that should come down in the state house museum. Thank you. I'd be happy to answer any questions.

Senator Gavarone (01:32:48):

Thank you for your testimony. Are there any questions from members of the committee. Seeing none, thank you very much.

Michael Ahern (01:32:54):

Thank you.

Senator Gavarone (01:32:55):

Next to testify. We have Andrea Yagoda.

Andrea Yagoda (01:33:05):

Chair Gavarone, Vice Chair O'Brian, Ranking member Harris, I'm here today to oppose amended Senate bill 258. Yesterday, I attended a public meeting at the Delaware county board of elections wherein they were considering whether to approve or exclude absentee and provisional ballot, which presented with problems. I was truly impressed with the efforts of the board to try and resolve these problems to ensure every vote counts. I wish the Republicans in the Ohio general assembly had the same mission, but Senate bill 258 as amended is the total antithesis of such a goal. For the first time this morning, the Republicans are now claiming unduly is based on our federal elections, but the Senator failed to disclose what the breakdown was. What is he claiming the percentages of Dems versus Republicans in the data that he utilized? My district four, which contains Delaware and Union county is the FA two of the fastest growing counties in the state.

Andrea Yagoda (01:34:10):

Some of them, they may even be the fastest growing in the country and yet they're spread out over 70 miles to include Allen, Orglaze, Shelby, Harden, et cetera. Why? To dilute our vote because the fastest growing counties, our demographics are changing. Republicans don't like that so they put us in with rural counties. District 15 makes almost a donut out of district three. District one dealing with Hamilton county, district 11, dealing with Cuyahoga county, clearly show this is a gerrymandered map. Republicans are keen on crying election fraud, even when it merely appears they may lose an election. Well, in my opinion, Senate bill 258 constitutes election fraud.

Andrea Yagoda (01:34:56):

It's fraud to claim that Senate bill 258 as amended reflects the testimonies of all these individuals that came in over the last few weeks. It's fraud to claim it reflects the demands of the Ohio electorate. 1,178,468 of us who voted and demanded fair maps. Reflective of our voting patterns, a transparent process, and an end to gerrymandering. It's fraud to claim Senate bill 258 is some sort of compromise to the maps admitted by the Democrats. It's fraud to crack and pack to dilute our votes and our voices. We are tired of being silenced. It's fraud to even think Senate bill 258 will encourage and further democracy. It's fraud to claim equal population equals one man, one vote, when we are cracked and we're packed and now votes do not have the same effect as the Republican vote. Senate bill 258 is akin to striking all democratic voters from the roles.

PART 3 OF 4 ENDS [01:36:04]

Andrea Yagoda (01:36:03):

58 is akin to striking all democratic voters from the rolls. Why let us vote at all if our votes will not count? Yesterday at the board of elections, I had a conversation with a 10 year poll worker who now will no longer work the polls, she's given notice. Because why should she when her vote is suppressed and not counted, why should she help Republicans vote? You're going to see a decrease of Democrats willing to help you when you gerrymander us like this. This bill gives 1,178,468 Ohioans the finger and tells us you don't give a damn about what we voted for. You don't care what we have to say. I am asking you not to give us what I call the F you four year map. Do what's right. Do your job. Do how we voted. We voted, we demanded. You are elected officials. You are supposed to follow the voters. Thank you.

Senator Gavarone (01:37:01):

Thank you for your testimony. Are there any questions? Seeing none. Thank you very much.

Andrea Yagoda (01:37:07):

Thank you.

Senator Gavarone (01:37:09):

Next to testify, we have Julia [Cattaneo 01:37:12]. Welcome to committee.

Julia Cattaneo (01:37:18):

Hi. Thank you, Chair and members of the Senate committee. Once again, I'd like to thank you for allowing me to testify today. My name is Julia Cattaneo. I live in Columbus, Ohio, and have family members in Toledo, Dayton, Cincinnati, as well as other communities in this state.

Julia Cattaneo (01:37:42):

Family is the main reason I moved back to Ohio from Pennsylvania. Family is also the reason a fair map with fair districts, I'm sorry, without gerrymandering is so important to me. The second is that I believe in the republic of America and our democratic process. Actually, I'm extremely passionate about it. Ohioans demand fair maps, and we've talked about what is fair. Is it communities, is it balance? Basically, it's our votes need to count, and each vote needs to count. My testimony, as everybody's here, I think, is totally torn apart due to the fact that the late new map that came out. But anyway, after reviewing the map, I strongly oppose Senate Bill 258, and I also am very upset with the lack of transparency, and the fact that this came out when it did. I prepare for each time I've come to testify. I look at the maps, I go through it. I look at all the different parts because I don't want to waste your time. I know time is precious. I've mentioned it, time and energy, before is very precious. Our time balance so that we can have time with family and other things that we do. This is your job. This is not my job.

Julia Cattaneo (01:39:40):

Anyway, in reviewing the maps, I did not review other fair maps that may have been presented by individuals with no political party loyalties. I hope you have taken those into consideration, because it looks like where we're headed is down the same path and I'm extremely disappointed that we're going to go to court. I feel it's a waste of tax dollars. It's disappointing because, like I said, I have a strong belief in democracy and the people that we voted for, and I believe that when you take on this position of service... Should I wait?

Senator Gavarone (01:40:29):

Go ahead.

Julia Cattaneo (01:40:30):

So when you take on this position of service, it is a service that you're doing, and it should be done with integrity, and it should be done following your oath.

Julia Cattaneo (01:40:45):

The new SB 258 is gerrymandering and a deliberate effect to limit invested representation by dividing up communities. This makes me wonder if the lack of transparency and difficulty getting information is also deliberate. You have one more chance to give me hope, and that would be to vote no on Senate Bill 258. I ask you to please show you have integrity, honest and respect for the Ohio constitution and Ohioans; to respect we the people and not we the party; do not settle for anything less than a fair representative map. And thank you again for this opportunity, and I hope you don't disappoint. I don't think that you will. I have confidence. Any questions?

Senator Gavarone (01:41:43):

Thank you for your testimony. Are there any questions for members of the committee? Seeing none. Thank you very much.

Julia Cattaneo (01:41:50):

Thank you.

Senator Gavarone (01:41:51):

Next to testify, we have Katy Shanahan.

Katy Shanahan (01:42:04):

Good afternoon to room and Gavarone and ranking member Maharath. My name's Katy Shanahan. I'm the Ohio state director for All On The Line, and I'm also here as a proud member of the Equal District's Coalition, which is a coalition of more than 30 prominent labor advocacy and civil rights organizations. We are here for a serendipitously timed lobby day at the state house with so many of our advocates, many of whom were here earlier before going to head out to meet with others of your colleagues ahead of today's votes in this week's vote on final maps.

Katy Shanahan (01:42:35):

And we hadn't initially planned for our lobby day to be on the same week as the final votes. And I just feel like it would be helpful, perhaps, for me to share the remarks that I shared this morning at our press conference about why we're here today, and with a final plea that you all do the right thing and deliver for Ohioans.

Katy Shanahan (01:42:54):

When Ohioans went to the ballot in 2018, we sent a clear message on redistricting. We wanted an open, transparent process and a fair congressional map. I'll repeat testimony that I've given previously that to us, a fair map is one that actually reflects how we vote, that keeps our communities together in sensible representative districts, and that importantly empowers communities of color with new and real pathways to political representation. Unfortunately, the Republicans have throughout the entirety of this process sent Ohioans a much different message: that you don't care. You don't care about our reform measure, you don't care about our constitution, and you certainly don't care about our democracy.

Katy Shanahan (01:43:38):

When redistricting, map jurors are faced with a clear choice: to either preserve their own political power or to preserve our democracy. The Republicans with sub Bill 258 have clearly chosen to preserve and actually add to their political power, and to relegate Ohio, probably not to a decade, maybe just four years, under an even more gerrymandered congressional map than the one that we have now. And one where we voters are shut out of the political process, and where our communities are denied any real say in who represents us. Your proposed map, which would at best be a 12:3 map, but at worst a 13:2 map, released publicly just 14 hours before its first scheduled vote hearing and without any of the underlying data to provide us the ability to thoroughly analyze its impacts on our communities, is an insult and a clear showing that you as Republicans have never entered this redistricting conversation in good faith.

Katy Shanahan (01:44:36):

It should be our collective driving purpose to ensure that all Ohioans from Lake Erie to the Ohio River, from Dayton to Marietta and from Napoleon to Portsmouth, stand on equal footing in our ability to elect representatives of our choosing. That's what we demanded in our reform. It's what we've continued to demand throughout the entirety of this redistricting process. How shameful that you all have and continue to ignore us. But no matter what happens this week with the final votes, our fight for fair maps marches on, and we will continue advocating for a future and a democracy in Ohio that works

for and actually serves all of us. We will not stop until we win on redistricting and until you all stop cheating us out of the fair process and the maps that we deserve. Thank you.

Senator Gavarone (01:45:26):

Thank you for your testimony. Are there questions from members of the committee? Yes, Senator Cirino.

Jerry Cirino (01:45:30):

Senator Cirino. Thank you, Chair Gavarone. Just a quick comment, really. So in several of the testimonies that we have heard and in yours as well, so the Senate has been, or not maybe all of us, but some of us, have been accused of not acting in good faith, giving Ohioans the finger, disregarding the constitution, disregarding the democracy that we live in, and you called us cheaters. So I just want to comment that I find that a unique method of persuasion on the part of those who are opposing this bill, and it will have the effect that you that you probably intend. Thank you, Madam Chair.

Katy Shanahan (01:46:12):

May I respond?

Jerry Cirino (01:46:14):

You may respond.

Katy Shanahan (01:46:14):

To the Chair, to the Senator, with all due respects, you all have shown us quite clearly that it doesn't actually matter what any of us have to say, no matter how polite we are or how stern we are in our pleas.

Katy Shanahan (01:46:26):

As voters, Ohioans, not just Democrats, Ohioans across the political spectrum, including your own leader, President Huffman, came out and overwhelmingly supported a ballot reform measure that demanded fair maps. And the first thing that you all did was propose a 13 to 2 map that would give your party nearly 90% of our congressional delegation. That is a showing of bad faith. You cannot argue with a straight face that that is showing respect to a congressional redistricting process that Ohioans demanded be better than what we saw 10 years ago.

Katy Shanahan (01:47:04):

Your map was drawn in a bunker, behind closed doors. It was released hours before it's going to be voted on. It's already been starred for a vote in the other chamber in the house, sending a very clear message that it doesn't matter what any of us have to say. You all are on one mission, and that mission is to preserve your own political power over the interest of Ohio and our democracy. So you're right. A lot of what you're hearing today is exasperation, it's frustration, and it's righteous anger that we have to stand here and beg you to care enough about our democracy to do the right thing and deliver on your campaign promises to give us a fair map and a fair redistricting process.

Jerry Cirino (01:47:50):

Thank you.

Senator Gavarone (01:47:52):

Are there any further questions?

Julia Cattaneo (01:47:54):

[inaudible 01:47:54] asked a question [crosstalk 01:47:54]. I'm sorry.

Senator Gavarone (01:47:57):

Excuse me. We have a witness here. That's fine, though. Are there any further questions? Seeing none. Thank you very much for your testimony.

Julia Cattaneo (01:48:08):

I'm sorry [crosstalk 01:48:10]...

Senator Gavarone (01:48:11):

Next...

Julia Cattaneo (01:48:13):

... all of our testimonials, everyone. So do I have the right to respond?

Senator Gavarone (01:48:18):

We are going to go with the next witness, which is Jen Miller. And welcome to committee.

Jen Miller (01:48:30):

Thank you. Thank you so much, Chair Gavarone and esteemed committee. I am still pulling together my analysis, but I wanted to make a couple points. Again, I'm the director of the League of Women Voters of Ohio. We have been fighting for fair maps for the people of Ohio since the seventies, both against maps that are rigged for both Democrats and Republicans, and in court cases have fought partisan gerrymandering that would benefit both parties. Gerrymandering always harms voters.

Jen Miller (01:49:08):

A couple things. First, I just wanted to mention, Chair Gavarone, I do appreciate that you are trying to help the general public kind of understand the legislative process. I would like to demystify a little bit of the map making process, which is that a PDF means nothing. You cannot under any circumstance really analyze a PDF. The shape files were not provided to the public, or my understanding, even the minority party until right before this hearing started. Like, minutes before this hearing started. I did not get them until I was sitting in this room.

Jen Miller (01:49:44):

And so this appears to be a new map of, yes, it's an amended bill, but it appears to be a new map, so I'm going to ask for more hearings. I, like everyone else, would really like to get to my Thanksgiving, but you know what I want more. I want fair maps for the people, and I want to process that really honors and respects the people. So I'm going to ask for more time on this.

Jen Miller (01:50:08):

A couple things that I think are interesting. Again, competition is not, is not in the constitution. But when I look at substitute 258, it's actually less competitive than the original. So the only way that you can say it's more competitive is if you do some funky stuff with the indexing. But if you use the same numbers that we've been using in Dave's redistricting, the general SB 258 scored a 52 out of 100. The updated score's a 41. So again, that is not a requirement of the Ohio constitution, but I wanted to point that out there.

Jen Miller (01:50:52):

It's interesting that indexing, there's this idea to change indexing. First off, you may or may not remember that earlier this year I was complaining that there was no hearings on indexing. So 10 years ago, even when we didn't have constitutional requirements and votes from a mandate from the people to be transparent, we actually had hearings about what races would be considered for political indexing. This time that was done completely behind closed doors, and what races you pick really determines how you understand the map. Including 2012 results but not 2014 is going to make the map look like it's better than previous versions, just because 2012 was probably the strongest year for Democrats with both Obama and Sherrod Brown winning the state, but excluding 2014, which was a very strong year, probably the strongest year, for Republicans.

Jen Miller (01:51:50):

So I'm not going to go into too much detail because I can't. And I think it's interesting that Senator Cirino was kind of pushing back on another person testifying saying that maybe their testimony wasn't that helpful. Bottom line is, we can't be helpful when we don't actually have shape files in time to analyze for these hearings. And so what I can say is that this map does not appear to be more fair. It appears to have all kinds of weird squiggly splits designed for partisan outcome only. And bottom line, if this is going to be our starting point, then let's have the time to look at it, district by district, line by line.

Jen Miller (01:52:37):

It does matter how the entire map performs statistically when it comes to splits and partisan lean and all that, but it also matters in terms of each district and how compact that is and how easy or hard it is for a Congress person to represent those voters. And with that, I thank you for your time.

Senator Gavarone (01:52:58):

Thank you for your testimony. Are there questions? Yes, Senator Maharath.

Senator Maharath (01:53:04):

Thank you, Chair, and thank you, Jennifer, once again, providing us some insight into your perspectives on the updated maps. I appreciate your willingness to come in. I understand you're frustrated with the process and the information that's being relayed in a delayed matter, but I do appreciate still attempting to analyze the data.

Senator Maharath (01:53:26):

So with what information you were able to analyze, I understand that the sub bill sponsor had indicated that racial data was not any factor in these maps. Can you provide some insight of why it should be, because it looks like for Hamilton County, it looks like there's a heavy racial gerrymandering going in. But

I just want to get your professional perspective on if there should be some racial data put into perspective on these new maps?

Jen Miller (01:53:55):

Yeah. So there should be... Oh, I'm sorry. Thank you, Chair. Thank you, Senator. Yeah, we should be doing racially polarized voting analysis. This idea that we can't consider race when we're making congressional maps is a convenient excuse. Bottom-line is, we should be doing racially polarized voting analysis, which actually look at all of the three Cs and look at if the Voting Rights Act would be triggered, and if so, then how to comply.

Jen Miller (01:54:29):

And so, I do have a concern that the state isn't doing that, but the bigger concern I would argue is that this body has refused to invite experts on the Voting Rights Act or minority representation to even be part of this process. We are as a state so behind in this entire process. Hearing should have started in January, February, March, where we could be talking about, come to a common understanding of how it is... Like, best practices for minority representation, as well as overall compliance with the federal law.

Senator Maharath (01:55:11):

Thank you.

Senator Gavarone (01:55:16):

Are there any further questions? Yes, Senator Cirino.

Jerry Cirino (01:55:17):

Thanks, Chair Gavarone. Just a quick question. You just were, in response to Senator Maharath's question, you said that not looking at the racial data was a convenient excuse. A convenient excuse for what?

Jen Miller (01:55:33):

Thank you, Chair. Thank you, Senator Cirino. I'm saying that this claim that you shouldn't look at racial data, that's a convenient excuse for really not considering best practices, and probably convenient excuse for gerrymandering, and for actually splitting and cracking and packing communities of color. So the bottom line is, we as a state, we should bring in voting rights experts to do the analysis that should be done called racially polarized voting analysis. And that would help us know if we are really in compliance with Voting Rights Act or not. It also would help us know if we are maximizing the opportunity for minority communities to elect people of their choice.

Senator Gavarone (01:56:24):

Thank you any further questions. Seeing none. Thank you very much.

Jen Miller (01:56:29):

Thank you.

Senator Gavarone (01:56:30):

Next to testify is Deidra Reese.

Deidra Reese (01:56:36):

Thank you, Madam Chair and members of the committee. I am here on behalf of the Ohio Unity Coalition, National Coalition on Black Civic Participation, and I really was not going to testify because I did not feel that I had time to analyze with a new bill coming out. But as I sat and I listened, my heart just felt compelled to get up.

Deidra Reese (01:56:56):

Anyway, the coalition is a group of many organizations from across the state that primarily represent African Americans, but we have other members who are involved as well. Churches, civic organizations, civil rights organizations, just a lot of people who really care about making certain that we engage Black folks, primarily Brown folks, so that they understand their right to participate in the electoral process and that they understand how to build power.

Deidra Reese (01:57:26):

So, we have worked hard for years in the state for people to understand that their power is in their vote. And what we have been witnessing through this process is really feeling like our voice and our vote doesn't matter. When we were in the process for developing the legislative maps, I listened to a staff person get up and say just what we were just talking about when Jen was up, that they did not consider race as they were developing the maps.

Deidra Reese (01:57:56):

And if I could sort of respond to what was said before, we should consider race. Not because it's a primary reason, but to protect the state for making certain that we do not violate the Voting Rights Act. It is very important. We have had states who have been dinged very heavily and hard, and I stand here before you, as a person who had a family member who was lynched after the Voting Rights Act was passed because they went to vote. It's real, right? Maybe that's not happening in 2021, but that's in my personal family history. That's a horrible thing. And when we are passing laws and we are setting policy that diminish people's right to vote, and it's happening when you are cracking their districts, you are telling them that their voice doesn't matter when we had millions of people, over a million people go out and vote to say we want a process that's open, fair, transparent, that gives them an opportunity to come and engage; and we put out a map less than 24 hours for people to actually analyze, digest, we don't have the data to actually look at.

Deidra Reese (01:59:07):

I care about this stuff. I'm watching it. I'm paying attention. But I didn't have a chance to analyze it and look at it. I'm sitting here because I have a good friend... I used to work here. I sat here. I staffed right here in this building. So I have access to what probably other people sitting in this room don't have access to, and I'm looking here at Hamilton County, and I see what is happening with the split with the African American community in Hamilton county. Now, I was already taken aback with the fact that the district was split into three different counties, and I'm going, "How is that happening?" But in Hamilton county alone, you've got the African American community split three different ways. That's diluting their voice and their power.

Deidra Reese (01:59:59):

So how can I go out as unity coalition and encourage these people to get involved and engaged. It's kind of like the child that goes to their parent, they know mom's going to give me everything I want so I don't have to pay attention to dad. What if that happens with the legislature? So you've got somebody you've got this county and 17 other counties included, how are they going to represent them well? They don't always understand their interests. They don't have common interests.

Deidra Reese (02:00:26):

So we got to make certain that we're paying attention to those things, but you got to make certain this is a representative government. And we say we want a better system in terms of how we develop our districting system. And you all are here to represent us. And we've been coming in here by the hundreds, talking to you hour after hour after or hour. And what we're hearing from you by your actions, by your deeds is that you're really not hearing us. You're really not paying attention to us because you're giving us nothing in return, minimal things. And then even when questions are asked of the witnesses, it's almost like a gotcha thing.

Deidra Reese (02:01:07):

You don't see anything different in the map. I barely can tell you if there's anything different. I don't have any data. You didn't give me a chance. Of course, there are some things that are the same, but it's not enough. If I look at a map and I see a donut, that's a problem.

Deidra Reese (02:01:24):

Please listen. Please care. We want this right. That's what we ask for. Good faith. That's all we...

Senator Gavarone (02:01:30):

10 seconds.

Deidra Reese (02:01:31):

... need is good faith. Please, please. I'm begging you. I'm imploring you. Represent us and not your party. It's the people, not the party. Thank you.

Senator Gavarone (02:01:40):

Thank you very much for your testimony. Are there any questions from the committee?

Jerry Cirino (02:01:44):

Just a quick, quick question. Yes, Senator Cirino.

Senator Gavarone (02:01:46):

Thank you, Chair Gavarone. This is not a gotcha question. It's a legitimate question as all of mine have been. You mentioned that this bill would diminish the right to vote in Ohio. And I'm curious to know why you think that this map or any map diminishes the right to vote. Technically, I mean, this is a portionment here. This is not about voting rights. And Ohio has had a tremendous growth in turnout of voters and systems in place to help, everybody gets a vote and everybody should have a vote. So I just want to clarify your statement that the right to vote is diminished by this bill.

Deidra Reese (02:02:33):

Madam Chairman, Senator. That was probably a misstatement I'm passionate. However, everything is impacted by redistricting because how we district impacts who gets elected. And there are people sitting in this chamber and your companion chamber that actually have introduced legislation that would create barriers. And if you continue this trend of extreme districting that will allow extreme people will to be elected, that right could be taken away. And if you look across the nation, there are bills all over the place that are diminishing the right to vote. So that could happen, but I probably did misspeak in my statement. [crosstalk 02:03:13].

Jerry Cirino (02:03:15):

Thank you for clarifying. Thank you, Madame Chair.

Senator Gavarone (02:03:18):

Thank you. Are there any further questions? Thank you very much for your testimony. I'd like to see if Zach [McHume 02:03:23] is here to testify. Okay.

Senator Gavarone (02:03:28):

Members, please also note the written only testimonies you have on your iPads. What is the pleasure of the committee? The Chair recognizes Senator O'Brien to make a motion.

Sandra O'Brien (02:03:39):

Chair, I move that we favorably report Senate Bill 258 to the committee on rules and reference and leave the role open at the discretion of the Chair.

Senator Gavarone (02:03:51):

Is there any discussion? Okay.

Senator Gavarone (02:03:59):

I want to thank everyone for their comments. The proposal before you today is a culmination of a lot of work, time and opinions. This committee has held five hearings on the topic and heard hours of testimony from numerous witnesses. I co-chaired the joint committee on congressional redistricting, and there we heard additional testimony from the public during those two hearings.

Senator Gavarone (02:04:25):

Some people may not agree with the work this committee has produced, but I think it's clear that the testimony from the countless Ohioans has had an impact. And the system the voters approved in 2018 was a success.

Senator Gavarone (02:04:39):

Before we proceed, I'd like to thank our hardworking staff, including Lexi and Maggie, Nick, and Isaac for manning the timer during these meetings. I'd like to thank both in the members' offices, the staff that's worked many hours on this process. In our respective caucuses, the LSC for their efforts and all their work during these hearings. I'd also like to thank members of my committee, both Republicans and Democrats, for their work and thoughtful consideration of the work that we were tasked to do on behalf of Ohioans. I'd also like to point out the work by Senator McColley, as you can imagine, this was a massive undertaking, and I think you did a really great job.

Senator Gavarone (02:05:32):

I'd like to thank all Ohioans who participated and made the process better, as well as our amazing surgeon at arms and highway patrol for their role in the committee hearings. The map before us today is drastically different than the first version of Senate Bill 258 that was presented to this committee, and that's because of the efforts for many of you today. The result of this map will be fair in competitive districts across the state of Ohio. That being said, will the clerk please call the role?

Clerk (02:05:59):

Chair Gavarone.

Senator Gavarone (02:06:01):

Yes.

Clerk (02:06:02):

Vice-chair O'Brien.

Sandra O'Brien (02:06:03):

Yes.

Clerk (02:06:04):

Senator Manning.

Nathan Manning (02:06:05):

Yes.

Clerk (02:06:06):

Senator Cirino.

Jerry Cirino (02:06:06):

Yeah.

Clerk (02:06:07):

Senator Kunze.

Stephanie Kunze (02:06:08):

Yes.

Clerk (02:06:09):

Ranking member Maharath.

Senator Maharath (02:06:09):

No.

Clerk (02:06:11):
Senator Sykes.

Senator Vernon Sykes (02:06:12):
No.

Senator Gavarone (02:06:14):
With a five to two vote, Senate Bill 258 is reported to the committee on rules and reference. All members, please make sure that you sign the roll, and that concludes the fifth hearing on Senate Bill 258. Is there any further business before the committee? Seeing none. We are adjourned.

PART 4 OF 4 ENDS [02:06:32]

Chair Wilkin (00:00:00):
Good morning, everyone. I will now call the November 17th government oversight committee to order. The clerk will take the role.

Speaker 1 (00:00:11):
Chair Wilkin.

Chair Wilkin (00:00:12):
Yes.

Speaker 1 (00:00:13):
Vice chair White.

Vice Chair White (00:00:13):
Yes.

Speaker 1 (00:00:14):
Ranking member Brown.

Ranking Member Brown (00:00:15):
Here.

Speaker 1 (00:00:16):
Representative [Carfagna 00:00:17].

Rep Carfagna (00:00:17):
Yes, here.

Speaker 1 (00:00:18):
Representative [Galonski 00:00:19].

Representative Galonski (00:00:19):
Present.

Speaker 1 (00:00:20):
Representative Ginter.

Rep Giner (00:00:21):
Here.

Speaker 1 (00:00:22):
Representative Hicks-Hudson.

Rep Hicks-Hudson (00:00:23):
Here.

Speaker 1 (00:00:24):
Representative Howse.

Rep Howse (00:00:25):
Here.

Speaker 1 (00:00:26):
Representative Jones.

Rep Jones (00:00:28):
Here.

Speaker 1 (00:00:28):
Representative Kelly.

Rep Kelly (00:00:30):
Here.

Speaker 1 (00:00:30):
Representative Plummer.

Rep Plummer (00:00:31):
Here.

Speaker 1 (00:00:31):
Representative Seitz.

Rep Seitz (00:00:32):
Here.

Speaker 1 (00:00:34):
Representative Swearingen.

Rep Swearingen (00:00:35):
Here.

Chair Wilkin (00:00:39):
With quorum present, we will operate as a full committee. First order of business is to approve the November 10th minutes. They are on your iPad. If there are no objections, they will be approved as presented. Hearing no objections, the minutes are approved. Before we get going today, I do apologize

for the delay. We had members coming from other committees as well where there were votes, but we do have a stop at noon. And then because of that, I will ask you to keep your questions concise and directed to the bill in front of us. And while I realize there's a lot of passion on this, please maintain decorum in the committee to where there's no cheers, no boos, applause, or signs. We do have a Sergeant in the back that will be with us I believe, for the remainder of the committee, that if that does happen, we will have to deal with it. So at this point, the chair would like to bring up Senate bill 258 for its first hearing. And the Chair recognizes Senator McColley to begin when you're ready. Welcome to committee.

Ranking Member Brown (00:01:43):

Excuse me, Mr. Chair.

Chair Wilkin (00:01:47):

Representative Brown.

Ranking Member Brown (00:01:49):

I would like to move to amend Senate bill 258 with amendment number 134- 2299.

Speaker 2 (00:02:01):

I second.

Chair Wilkin (00:02:01):

At this time the chair will rule the amendment out of order, since we are not scheduled for amendments.

Ranking Member Brown (00:02:05):

May I make a brief statement about why we wanted to offer the amendment?

Chair Wilkin (00:02:09):

Yes.

Ranking Member Brown (00:02:10):

Thank you, Chair. I know it's not on the iPads. And I apologize, my microphone is not functioning well, but I have the amendment here. Basically, the deadline to get congressional maps is the end of November. Today's November 17, so there is still time to have discussion and compromise with regard to congressional maps. The Democratic Caucus believes there should be a discussion of these maps and these issues. There really hasn't been any discussion or compromise with the Republicans on this issue. It has always been the Democratic Caucus's desire to have a ten year map that keeps our largest counties whole, keeps our communities of interest together, makes compact districts, and reflects the voting preferences of Ohio voters.

Ranking Member Brown (00:03:12):

And toward that end, we offered amendment 134-2299, which would replace sub Senate bill 258's congressional district plan with a different congressional district plan, remove language from the bill

stating certain findings of the general assembly concerning the bill's congressional district plan, and replace it with a different statement of legislative intent. So it was our desired to offer this amendment. I understand that it has been ruled out of order, but I just wanted to make the record as to the rationale and purpose behind the request. Thank you, Chair.

Chair Wilkin (00:03:50):

Thank you, Ranking Member Brown. The Chair maintains his decision of the amendment is out of order. At this time, Representative McColley, you may begin.

Senator McColley (00:04:00):

Good morning. Thank you Chairman Wilkin, Vice Chair White, Ranking Member Brown and members of the government oversight committee for allowing me to present testimony today on substitute Senate bill 258. After considering multiple maps presented by Democrat and Republican caucuses in both the house and the Senate and listening to the public's input of all those map, we offer this map that is not only constitutionally compliant, but the most competitive map offered by any caucus to date. It is also a map that splits the least counties of any map offered by any caucus and keeps Ohio's largest cities whole and it installs compact districts and implements many of the requested changes we heard in testimony.

Senator McColley (00:04:41):

Article 19, section 2b5 of the Ohio constitution describes the process that must be followed when splitting counties in a congressional map. In essence, a map may have up to 23 counties split, with 18 of them being split once and five being split twice. This map splits only 12 counties with only two of those counties being split twice. The counties that are split once are Clark, Fairfield, Franklin, Holmes, Lorain, Ross, Shelby, Summit, Washington, and Wood. The counties split twice are Hamilton and Cuyahoga County. Notably for the first time since the map was passed 30 years ago, Lucas county will be whole. And for the first time since the map passed 20 years ago, Stark county will be whole.

Senator McColley (00:05:23):

The impact on several of Ohio's other large counties is also minimized by Franklin and Summit County having the least splits since the maps passed 30 years ago. Finally, the map complies with article 19, section 2b8 by including an entire county and each district where possible. If passed, this map would have the least counties split in over 50 years. Additionally, this map splits two less counties than both the House and Senate Democrat proposals.

Senator McColley (00:05:52):

Since the introduction of Senate bill 258, we have maintained that it is important to keep Ohio's largest cities whole with exception to Columbus, which must be split under the constitution and cities that straddle county lines and therefore do not count as a split under the constitution. 98 of Ohio's 100 largest cities are kept whole in this map. The two exceptions being Rocky River and Cuyahoga Falls. In total, only eight townships and six municipalities are split in this proposed map, which more than adequately complies with article 19, section 1c3b's requirement that the general assembly not unduly split governmental units.

Senator McColley (00:06:33):

Article 19, section 2b2 also requires that districts be compact. This requirement is not applicable to a four year map however, under section 1c3c. In such an instance, the general assembly shall attempt, but is not required to draw compact districts.Nevertheless, in light of the requirements and the spirit of the amendment, the districts presented before you are compact.

Senator McColley (00:06:57):

Finally, the map before you is the most competitive map offered by any caucus to date and the most competitive Ohio congressional map in decades. Ohio is subject to swings and voter preferences, particularly in federal elections, even though with exception to 2006, Republicans have swept every single election for statewide constitutional offices since 1994, Ohio has voted for both a Democrat and a Republican for president in the last four presidential elections and continues to be represented by both a Democrat and Republican in the United States Senate.

Senator McColley (00:07:29):

Clearly Ohioans are bifurcating between federal and state elections and issues. Therefore, because the map before you is for the United States congressional districts, it makes sense to judge competitiveness based upon statewide federal elections over the last 10 years. This allows us to capture the true nature of Ohio's voting tendencies in federal elections and to insulate from outliers. When evaluating these districts in the federal statewide context and defining a competitive district as one with a 46% to 54% Republican index, this map has six seats that lean Republican, seven seats that are competitive, and two seats that lean Democrat. The indexes are as follows and you can see that in the testimony before you.

Senator McColley (00:08:14):

Article 19, section 1c3a states that a map shall not unduly favor or disfavor a party or its incumbents. There have been some that have suggested that we simply take the 15 seats and split them up and simply divide them, eight districts to one side of the aisle and seven districts to the other side of the aisle and that somehow that captures the spirit of what the voters voted for in 2018. I strongly disagree with that sentiment. What captures the spirit of what the voters passed in 2018 is competitive districts that are subject to the changing political winds and changing tides of what is going on in the state of Ohio.

Senator McColley (00:08:53):

No sporting event should ever favor or disfavor a team by some predetermined final score before either team walks on the field. A congressional map should not be judged to favor or disfavor either party that way either. Rather it should be judged based upon how many districts are going to be determined by the various important issues and candidates in that election. This map embodies that belief by ensuring a plurality of the districts will be competitive in any given cycle. Its seven competitive districts are two more than any House or Senate Democrat proposal and five more than the map proposed in 2011.

Senator McColley (00:09:29):

Further, this map neither favors nor disfavors either party's incumbents. It accomplishes this by only combining two incumbents who were required to be combined through the prohibition against splitting the city of Cincinnati.

Senator McColley (00:09:42):

This bill also addresses the quickly approaching filing deadline for congressional candidates. The current filing deadline is February 2nd, 2022. Recognizing this process has been delayed due to the census data being late, we have moved the filing deadline to March 4th to allow for candidates ample time to collect the required number of signatures filed for the election. It's also worth noting that the effective date of this legislation at this point could very well be after the February 2nd filing deadline. Thus, the reason for moving it back 30 days.

Senator McColley (00:10:15):

The map before you complies with the requirements placed upon the general assembly under the Ohio constitution. It is the product of a deliberate effort to draw compact districts, minimize county splits, keep Ohio's largest cities whole, and ensure a plurality of Ohio's congressional districts will be competitive. I am pleased to say substitute Senate bill 258 passed the Senate with a vote of 24 to seven. Thank you to Chairman Wilkin, Vice Chair White, Ranking Member Brown, and members of the government oversight committee for allowing me to present testimony on substitute Senate bill 58 and the proposed congressional district map contained therein. I would be happy to take any questions at this time.

Chair Wilkin (00:10:55):

Thank you, Senator McColley. I just wanted to start off with, I know you sat on the joint committee as well, and I've heard from the Senate committee that heard the [inaudible 00:11:07]. You've obviously seen some of the things and read some of the testimony from the house committee here in government oversight as well, as well as the hours of testimony we heard in the joint committee. Is this map based off of all that testimony that we have heard?

Senator McColley (00:11:19):

Chairman, yes, the map is based off of all that testimony. And frankly, there are some examples of this map where we've accepted suggestions that we heard in testimony. One of them is that we keep the Mahoning Valley whole, as you can see, Trumbull, Mahoning, Columbiana County, and some of the surrounding areas are kept within one district. Another suggestion was that we keep Stark County whole. Stark County has been split arguably almost more than any other county over the last several decades due to the fact that you obviously have an interesting population mix up in Northeast Ohio. Stark County is kept whole. We also heard testimony that people wanted Lucas county to be kept whole. Lucas County is kept whole in this map. Additionally, people wanted Montgomery County and the city of Dayton to be combined with the city of Springfield. That change is also reflected in this map, just to give a few examples.

Chair Wilkin (00:12:20):

Thank you. This time Chair recognizes Ranking Member Brown.

Ranking Member Brown (00:12:24):

Thank you, Chair. Thank you Senator for your testimony. I heard the word competitiveness, I don't know, 15 times or so, I didn't count exactly in your testimony. The fact is competitiveness is not a word found in article 19 of the Ohio constitution, is it?

Senator McColley (00:12:43):

To the Chair, to the Representative, no, the word competitiveness is not in article 19 of the Ohio constitution.

Ranking Member Brown (00:12:51):

And competitiveness...

Senator McColley (00:12:52):

If I could, Mr. Chairman, I'd like to answer the question. Competitiveness is not found within the Ohio constitution, but as you are aware, there is a section of the Ohio constitution that dictates how we are unduly favoring or disfavoring a political party. And so you could, in our view, rather than the view that's been proffered by some that we simply should have seven districts that clearly favor one party and are not subject to the prevailing winds of the political landscape at that time, and eight districts that favor the other party by the same measure. In our view, the way you ensure that a map does not unduly favor or disfavor a political party is by drawing competitive districts in a plurality of those districts, which will allow for the voters in those districts to decide based upon the important issues and candidates that are present in those elections.

Ranking Member Brown (00:13:47):

Follow up, Chair.

Chair Wilkin (00:13:48):

Follow up.

Ranking Member Brown (00:13:49):

Thank you, Chair. So competitiveness is not a constitutional criteria. When people voted in 2015 and 2018 overwhelmingly for constitutional amendments to modify the redistricting system, they were voting for fairness in maps, weren't they?

Senator McColley (00:14:07):

To the Chair, to the Representative. Does fairness appear in article 19 of the Ohio constitution?

Ranking Member Brown (00:14:12):

I'm asking the question, Senator. The question is they were voting for fairness, weren't they? You can either agree or disagree.

Senator McColley (00:14:17):

Well, I'll answer the question. To the chair, to the Representative, it can't be said that the citizens were voting for quote, unquote, fairness. As I stated in my testimony on the floor, or my speech on the floor yesterday in the House, neither the word competitive or fairness appears in the Ohio constitution.

Ranking Member Brown (00:14:37):

So when people are sitting in the audience with shirts that say Fair maps, you're saying their shirts are misnomers and they got a bad deal on the shirts.

Senator McColley (00:14:45):

To the chair, to the representative, that's not what I'm saying. What I'm saying is that the point that you're trying to make that the term competitiveness does not appear in article 19 of the constitution... The point I'm trying to make is that neither does the word fairness. And so when we're looking at this, we must be guided by the plain reading and the plain language of the constitution. And we have to look when there are areas that we are required to inject some level of our own interpretation, we should look to things that we can readily and easily define by metrics. And that's what we are doing with competitiveness. Fairness, while I think if you asked everybody in this room, whether you agree with the general concept of fairness, I think everybody would say that they do. However, it leads to much more of a subjective interpretation when you're applying it in light of the language that is in the constitution.

Chair Wilkin (00:15:41):

Okay. And one second, before we go any further, I want to make sure that we maintain going through the Chair and not getting in back and forths between the witnesses and the committee members for all involved.

Ranking Member Brown (00:15:51):

Follow up, Chair.

Chair Wilkin (00:15:52):

Follow up.

Ranking Member Brown (00:16:00):

Is this a compromised map?

Senator McColley (00:16:02):

To the Chair, to the Representative, can you clarify what you mean by that question?

Ranking Member Brown (00:16:08):

Were there compromises that the Republican caucus in both and/or the House and/or the Senate made with anybody to come up with this map in 253?

Senator McColley (00:16:23):

To the Chair, to the Representative, to my knowledge, the map before you is one that made a number of changes that were suggested in the testimony and that that were suggested throughout our conversations with various members of our caucus and even members of the minority caucuses. Some of them I detailed earlier in one of my previous responses. Was there a compromise reached between the House and Senate Democrats, and the House and Senate Republicans? To my knowledge, there was not.

Chair Wilkin (00:17:00):

Representative Kelly.

Rep Kelly (00:17:03):

Thank you, Mr. Chairman. I was just wondering how many people have come in to testify in favor of this particular map?

Senator McColley (00:17:13):

To the Chair, to the Representative, I'm not aware of that number, but I don't know how many it's been.

Rep Kelly (00:17:20):

Follow up, Mr. Chairman.

Chair Wilkin (00:17:23):

Follow up.

Rep Kelly (00:17:24):

Thank you, Mr. Chairman. I have some concerns because I know that you had said that you had listened to a lot of testimony, but I think when we're talking about something like this, it's really helpful for people to have the specific map that is being considered in order to offer concrete feedback. And I know that you said that you had taken a lot of that into account, but being from Hamilton county, people in Hamilton county are already unhappy because they're split twice. The city of Cincinnati is kept whole. I recognize that you can split Hamilton county twice. It doesn't mean that you should. And I think especially when we talk about economic development areas and keeping communities of interest together, I'm just wondering if you could talk a little bit about why you made the decision to split Hamilton county the way that you did?

Senator McColley (00:18:16):

To the Chair, to the Representative, part of the reason that we did that was to comply,, and if I could, I'm going to try and find the specific constitutional section. And part of the reason we did that was to comply with the language set out in article 19, section 2b8 of the constitution in that essentially the way we read it, where possible, each district should have an entire county within it. And so in the case that we are presented with and kind of the difference I feel between the third district, you...

PART 1 OF 4 ENDS [00:19:04]

Senator McColley (00:19:02):

Between the 3rd District, you could argue the third dis... And 3rd District, 11th District, and then of course, Hamilton County. The 3rd District, there's other language in there that says that if a city is over the ratio population, you need to include a substantial portion of that within a district. And so the 3rd District complies with that. The 11th District, obviously Cuyahoga County, as a whole, is well over a million people. Much larger than Hamilton County, and so the practicality of being able to meet that requirement within the Constitution, to attempt to put a county in each district, would've been much more difficult.

Senator McColley (00:19:46):

But in the case of Hamilton County, where Hamilton County is a county of about 830,000 people, more or less, whereabouts, the language that was set out in Article 19, Section 2B8 of the Constitution was

language that actually could be followed at that point. And so part of the reason was we wanted to ensure that as many districts as possible had an entire county within them.

Chairman Wilkin (00:20:14):

Follow up.

Rep Kelly (00:20:16):

Thank you, Mr. Chairman. But you don't have to... Oh, sorry, through the Chairman. But the question is you don't have to necessarily split Hamilton County twice. You could only split Hamilton County once, and I noticing you reference in your testimony that there are two incumbent congresspeople, both in the city of Cincinnati. And so again, I really take exception to this because... I guess my question is, do you have to split it twice, or could you have split it once?

Senator McColley (00:20:52):

To the Chair, to the Representative, the Constitution, in our reading, I think it's pretty clear, allows us to split up to five counties twice. In the map you have before you, two of them are split twice, Cuyahoga and Hamilton County. Moreover, our reading of Section 2B8 of Article 19, in our reading, it basically says where possible, that you have to include a county, a whole county, in each district. And I know it reads, "You shall attempt to do this," but we view that the attempt portion of that as mandatory. We need to show that we made a good faith attempt. And since the population of Hamilton County is what it is, compared and relative to Franklin County, the city of Columbus, and Cuyahoga County, we viewed this as something that we had to do to comply with Section 2B8 of the Ohio Constit... or 2B8 of Article 19 of the Ohio Constitution.

Chairman Wilkin (00:21:58):

Follow up. Representative Swearingen.

Rep Swearingen (00:22:05):

Thank you, Mr. Chairman, and thank you, Senator McColley, for being here today. I think it's necessary to clarify what is the language of Article 19, and you kind of alluded to that. Is the word fairness in Article 19 of the Ohio Constitution?

Senator McColley (00:22:19):

To the Chair, to the Representative, no, the word fairness is not in Article 19 of the Ohio Constitution.

Rep Swearingen (00:22:27):

Thank Mr. Chairman. Is community of interest in Article 19 of the Ohio Constitution?

Senator McColley (00:22:32):

To the Chair, to the Representative, no.

Chairman Wilkin (00:22:36):

Follow up.

Rep Swearingen (00:22:37):

And then we've heard this concept of, oh, well, Ohio's voted 55% for certain candidates and 45% Democrat for certain candidates. Is that breakdown of statewide percentages in Article 19 of the Ohio Constitution?

Senator McColley (00:22:51):

To the Chair, to the Representative, no, it is not.

Speaker 3 (00:22:53):

The question, Mr. Chairman.

Chairman Wilkin (00:22:57):

Follow up.

Rep Swearingen (00:22:58):

To talk about compromise, the House Democratic maps had seven Republican incumbents paired together in primary races. This map has two, and no Democrat incumbents paired together. Would you consider that a compromise of sorts?

Senator McColley (00:23:18):

To the Chair, to the Representative, and it's worth pointing out that the two that are paired together, it was unavoidable, because they both live in the city of Cincinnati and the Constitution would prohibit a city the size of Cincinnati from being split. And so whether people like the language or not, we have to abide by the language. We can't just simply decide, "Well, we don't like that so we're not going to follow it." And the language reads, you cannot unduly favor or disfavor a political party or its incumbents. And the incumbents part is still just as much a part of that as anything else. And so we viewed our duty in drawing this map to ensure that no incumbents who are running for reelection would be combined in any district with any other incumbent with, of course, the exception of the city of Cincinnati, where we had no choice.

Chairman Wilkin (00:24:13):

Follow up.

Rep Swearingen (00:24:14):

Two more, Mr. Chairman. You spoke about the public input portion of this map. I can see that Montgomery County being paired with Springfield was part of the public input process. Could you speak to that at all?

Senator McColley (00:24:29):

To the Chair, to the Representative, there were a number of people from the Dayton area, the Dayton region, who came in and expressed opposition to the way the map was composed as it concerned that part of the state. And primarily, their part of the opposition was we wanted Springfield to be in the same district as Dayton. And actually, the district that we came up with in the map, before you try to get a reference point here, if I could, the House Democrat district is similar, albeit not the same, in that the

difference being the House Democrat district kind of had a flipped image of Clark County and Greene County, in that the House Democrat district had all of Montgomery County, all of Clark County, and then a portion of Greene County over here. Instead, what we had decided to do was have Montgomery, Greene, and then a portion of Clark, largely that the aspirational goal in doing that would've been making sure that the city of Springfield is included within that district.

Chairman Wilkin (00:25:47):

Follow up.

Rep Swearingen (00:25:48):

Last one, Mr. Chairman. And then Senator McColley, I don't know how the process was over in the Senate, but at least in the House, are you aware that people have come in to testify on these maps paid by partisan interest groups?

Senator McColley (00:25:59):

To the Chair, to the Representative, I'm not aware of that. I never really inquired whether these people were paid by partisan interest groups. I do know, or at least have been told by people who probably would know, that there is an awful lot of activity, primarily from some groups that are funded by Eric Holder, former Attorney General Eric Holder. But aside from that, I don't really know a whole lot about that. Thank you.

Chairman Wilkin (00:26:31):

Representative Hicks-Hudson.

Rep Hicks-Hudson (00:26:36):

Thank you, Mr. Chair, and through the Chair, thank you, Senator for presenting this map. I'm going to start with the question that you were just asked by my colleague. Do you know whether or not the people that appeared before you and testifying were Ohio ones?

Senator McColley (00:26:53):

To the Chair, to the Representative, I don't know where their residence was. I know some of them would state where they were from. It's also worth noting that I was not on the committee, other than the joint committee. I was not on the actual Senate committee hearing this legislation. So I wasn't physically in the room for all the testimony.

Rep Hicks-Hudson (00:27:15):

May I follow up, Mr. Chair?

Chairman Wilkin (00:27:17):

Please.

Rep Hicks-Hudson (00:27:17):

So therefore, your comment about whether or not that folks were tied to Eric Holder's group or not is not something that you have firsthand knowledge of, is it?

Senator McColley (00:27:28):

Well, to the Chair, to the Representative, I alluded as much in my response-

Rep Hicks-Hudson (00:27:33):

I just-

Senator McColley (00:27:33):

... by saying I've been told by people that that was the case, but I don't have independent knowledge. That'd be fair.

Rep Hicks-Hudson (00:27:38):

Thank you. Follow up, if I may?

Chairman Wilkin (00:27:40):

Please.

Rep Hicks-Hudson (00:27:41):

You also mentioned, just kind of as a passing, aspirational goals, or I don't know if you used the word, but you said aspirational. So I'm wondering whether or not you believe that the map that you have presented is aspirational, or that it follows the Constitutional requirements that you've made reference to throughout your testimony.

Senator McColley (00:28:02):

To the Chair, to the Representative, I have the utmost confidence that it follows the constitutional requirements laid out in Article 19.

Rep Hicks-Hudson (00:28:10):

Follow up, Mr. Chair?

Chairman Wilkin (00:28:11):

Please.

Rep Hicks-Hudson (00:28:12):

Thank you. And so therefore, you talked about the various sections of the Ohio Constitution. Did you, or any of the folks that helped you create this map, consider at all the Voting Rights Act and how it may have impact upon communities of color?

Senator McColley (00:28:31):

So to the Chair, to the Representative, Supreme Court precedent has stated that unless there is legally significant racially polarized voting patterns, that it is illegal and unlawful under federal law to consider race as a factor in determining the makeup of districts. And so race was not considered when we made the districts the way they are.

Rep Hicks-Hudson (00:28:59):

Thank you. Follow up if I may?

Chairman Wilkin (00:29:02):

Follow up.

Rep Hicks-Hudson (00:29:03):

Thank you. I want to turn your attention now to Congressional District 9, which you mentioned, and you talked very proudly about, keeping the city of Toledo whole for the first time, and I appreciate the comment. But could you give me the data and the, not so much the Constitutional requirement application, but the data and the information that was used to determine, to remove Lorain County and move the district further west to the western border of the state of Ohio?

Senator McColley (00:29:35):

To the Chair, to the Representative, primarily, we looked at it and decided that it made sense to keep Lucas County, not just the city of Toledo, but all Lucas County, as a whole county. And we also wanted to do it in a manner that was compact. And so I know there have been some attempts in other maps as to what this could look like, or what it should look like. For example, one of the reasons, and obviously the name that we've heard for the 9th District over the last 10 years, has been on the snake on the lake. Now, neither you nor I were here when that was drawn, but looking at some of the proposed maps, it appears that the snake on the lake wasn't something that some people wanted to get rid of. We, and on the other hand, wanted to draw a map that was compact, a map that was competitive, and a map that eliminated the snake on the lake.

Chairman Wilkin (00:30:45):

Follow up.

Rep Hicks-Hudson (00:30:45):

Yes, please. I'm not sure if you answered my question, because I was asking really about data and not just the idea about removing the snake on the lake, per se. So if there's not the actual data, numbers and things like that, that's fine. And if I may move on to another question, I'm if-

Senator McColley (00:31:03):

If I could clarify, Chairman?

Rep Hicks-Hudson (00:31:05):

Okay, please.

Senator McColley (00:31:06):

What type of... What do you mean by... Could you expound on that? What type of data are you talking about?

Rep Hicks-Hudson (00:31:11):

If I may?

Chairman Wilkin (00:31:12):

Please.

Rep Hicks-Hudson (00:31:13):

And I'd usually ask questions rather than try to answer them because you, as the map drawer, decided to create these maps the way that you did, and the districts the way that you did. And so I'm trying to understand what numbers, what demographics, what voters, what were you trying to capture in creating this district? And as you know, because I assume you're also a lawyer, and so we take the law and we apply the facts to the law. So I'm trying to get to the factual basis as to how you created Congressional District 9.

Senator McColley (00:31:50):

Okay. Thank you.

Rep Hicks-Hudson (00:31:50):

If that helps you.

Senator McColley (00:31:51):

Thank you. To the Chair, to the Representative, thank you for that explanation. Whenever you're drawing one of these districts, obviously there are multi-layered considerations. The first one, obviously, is population. We've endeavored in this state, over the past several decades at the very least, to draw it down to one person. And so that's something that you take into account when you're drawing this. And so population, I guess, would be the first base-level of data that you take into consideration when you're drawing one of these maps.

Senator McColley (00:32:20):

As I mentioned before, one of the other things we endeavored to do was to draw competitive maps. And so we're also looking in these counties, we're looking at what the vote breakdown has been in these federal elections over the last 10 years, and using that to inform us whether it meets our goal of drawing competitive districts, or whether it does not meet our goal of doing that. And so I guess to answer your question, the two primary and probably, the really, the two only pieces of data we used, was the population figures in each of these counties, and then also what the vote breakdown had been over the last 10 years in federal elections. Federal statewide elections, I should clarify.

Rep Hicks-Hudson (00:33:06):

Thank you. And just two more questions for follow up, if I may? When you say that "we" created, who is the "we" that you're talking about it? Is it the Royal "we," meaning you, or is it a group of folks? And if so, who are they, if you could name them?

Senator McColley (00:33:26):

Yeah. To the Chair, to the Representative, the first iteration of the map, and we kind of touched on this in the Senate but I'll reiterate it here. The first iteration of the map was a map that, in concept, was developed by me, and was then put into place and implementation through our staff, particularly Ray Dirossi, who has the map software that we've relied upon, and who really kind of fine-tuned a lot of that

and made sure that we were able to balance the population with the concept that was in place. And there were some differences that were, some would argue, somewhat significant between the two.

Senator McColley (00:34:06):

The map you have before you is the product, primarily, of a negotiation and a discussion between, or I should say a negotiation in several discussions, I'm sure, between the President of the Senate and Speaker of the House as to how to, not only reconcile the differences between the House and the Senate map, but also to make some improvements upon the map to ensure that we have competitive Districts within the map, and then also to ensure that we are implementing some of the changes that we've detailed before.

Rep Hicks-Hudson (00:34:38):

Okay. Thank you. My last question, if I may?

Chairman Wilkin (00:34:41):

Last one.

Rep Hicks-Hudson (00:34:43):

So therefore, the negotiation, the collaboration, the compromise, has really been just between the Senate and the House Republican Caucuses. Is that a fair statement?

Senator McColley (00:34:53):

To the Chair, to the Representative, I've been told that there have been conversations between... And I can't speak for the Speaker. I've not spoken with the Speaker about this. The Senate President has told me that he's had conversations with the minority leader over in the Senate. I don't know the answer to how those conversations went over in the House. But at the same time, it would be speculation for me to speculate, or to say in any manner, how many of those conversations happened, how long they were, when they happened, or anything like that. But I do know those conversations did happen, to one an extent or another, over in the Senate.

Rep Hicks-Hudson (00:35:35):

I just have-

Chairman Wilkin (00:35:36):

Representative Hicks-Hudson, I will allow you one more.

Rep Hicks-Hudson (00:35:37):

I just have to, because I want to be real clear about your answer. You're saying to me, that based upon your previous response to my question about who helped you to create the maps, and that it was primarily the discussion between the Senate President and the Speaker of the House, and that there may have been conversations, but you are not privy to those conversations. I see you're shaking... You're not shaking your head, but you were shaking your head before. So you are not privy to those conversations between the Senate minority leader, but that... So I think my question to you is that primarily, the drawing of substitute Senate Bill 258 is done through the negotiations, the compromised collaboration, of the majority party leaders. Is that a fair statement? Yes or no.

Senator McColley (00:36:39):

To the Chair, to the Representative, one of the reason I was kind of guarded in my response is because you are correct. I was not part of the conversations between Minority Leader Yuko and Senate President Huffman. And so, as an attorney, you'll understand I wouldn't be able to testify in court with, under the rules of evidence, saying I know how this conversation went if I wasn't in the room. And so that's one reason why I'm being relatively guarded about it.

Chairman Wilkin (00:37:13):

Representative Seitz.

Rep Seitz (00:37:15):

Thank you, Mr. Chairman. Thank you, Senator, for your testimony. Granting that the words "communities of interest" are not in the constitutional provision we're talking about today, but following up on Representative Kelly's desire that communities of interest be kept together as part of this process, wouldn't you agree with me that the very explicit, constitutional commands, that limit our ability to split counties, and cities, and townships actually achieve the goal of keeping communities of interest together? Because presumably-

PART 2 OF 4 ENDS [00:38:04]

Rep Seitz (00:38:02):

... communities of interest together, because presumably, if it is a city, they have a community of interest by reason of being in that city. If it is a county, they have a community of interest by reason of being all in the same county. If it is a township, same is true.

Rep Seitz (00:38:20):

So wouldn't you agree that because this map has fewer jurisdictional splits than any congressional redistricting map in the last 50 years, at least, and fewer jurisdictional splits than either of the maps submitted by the minority party, that we have actually, through your good work, done a marvelous job of keeping communities of interest together?

Senator McColley (00:38:48):

To the Chair, to the Representative, I would agree with your statement because I think we, as I stated before, we have to look at the plain meaning and the plain language in the Constitution. I would agree with you that you correctly pointed out that rather than put a term in there and leave it undefined, the drafters of this constitutional amendment that was then subsequently approved by the voters, puts in place guardrails to assure the goals stated are together. And in my view, we absolutely did comply with those guardrails, because as has been pointed out, we could split up to 23 counties, 18 counties once, five counties twice. We've only split 12 counties with two of them being split twice, which is the least county splits out of any map proposed as a bill in the general assembly.

Senator McColley (00:39:50):

We've also kept 98, as I mentioned before, other than cities that straddle county lines and don't count as a split, expressly stated in the Constitution don't count as a split. And then, of course, the city of Columbus, which doesn't count as a split because it's over the ratio of representation. We've also kept

98 out of 100 of the most populous cities in Ohio, whole. And that's been something that's been important for us as far as the Senate Republican map, even at the initial introduction. So that's something that we did in this map and I believe requires what the constitutional requirement placed upon us.

Chairman Wilkin (00:40:35):

Do you have follow-up?

Rep Seitz (00:40:36):

No, Senator.

Chairman Wilkin (00:40:41):

Representative Galonski.

Rep Hicks-Hudson (00:40:44):

Thank you to the Chair, and thank you, Senator McColley, for being here today. Sir, if you can, what bad would happen if everyday Ohioans would be allowed to come in here and testify either for or against substitute Senate Bill 258?

Senator McColley (00:41:01):

To the Chair, to the Representative, Ohioans were... These were public hearings. They could have came in and testified. I don't know what you're getting at.

Rep Hicks-Hudson (00:41:11):

Follow-up?

Chairman Wilkin (00:41:12):

Follow-up.

Rep Hicks-Hudson (00:41:12):

Through the Chair and to Senator McColley, so it sounds like you would agree that the people that are here today to testify about substitute Senate Bill 258 should be allowed to do that.

Senator McColley (00:41:23):

To the Chair and to the Representative, I know there have been a number of hearings in both chambers as it concerns multiple sets of maps. I think the chairs of those committees have allowed for that type of testimony to occur. As far as the individual procedure in any given hearing, I would defer to the Chair on that.

Rep Hicks-Hudson (00:41:45):

Follow up.

Chairman Wilkin (00:41:46):

Follow up.

Rep Hicks-Hudson (00:41:47):

Through the Chair and to Senator, thank you. But as you know, no one saw this map. None of the public saw this map before 8:30 on Monday night, is that accurate?

Senator McColley (00:41:59):

To the Chair, to the Representative, the map was released to both caucuses in the Senate and to the public via our comms team around 8:12, but yes, more or less.

Rep Hicks-Hudson (00:42:12):

17 minutes. Thank you. Follow up?

Chairman Wilkin (00:42:14):

Follow up.

Rep Hicks-Hudson (00:42:16):

Thank you. So just turning then to Summit County and the split there of Summit County in your 13-2 map, I see that you have split Summit County, even though Summit County, as you know, it has under 600,000 voters. And so can you explain to us why there would have been that split and why you were okay with dividing the very historical, Senator Schuring, Akron, Canton Metroplex economic development area?

Senator McColley (00:42:51):

To the Chair, to the Representative. First, I would disagree with you that this is a 13-2 map, but looking at the district the way it is right now, I think whenever you put a district like this together, especially when you're trying to balance to the one person, especially in Northeast Ohio, where clearly, if you look at a quadrant of the state, you're going to have more populous counties in Northeast Ohio than you're going to have anywhere else. And so, in some cases, with the county splitting rules and things of that nature, presents an interesting challenge when you're trying to draw this and balance it to the person.

Senator McColley (00:43:31):

And so the reason that we divided Summit County the way we did was to ensure that we could balance it to one person while also keeping... We wanted Stark County to be whole, as we mentioned before, but we also wanted Akron to be kept whole and also Akron to be more so part of the Cleveland area and the Cleveland Metro area in the map. And so that's the decision that was made in drawing both the 13th and the 7th district.

Chairman Wilkin (00:44:03):

Follow up.

Rep Hicks-Hudson (00:44:04):

Thank you to the Chair, and thank you, Senator. So the different question then related to the 13-2 map, would it be fair to say that you included the intent language regarding unduly or duly partisan, because you know that you haven't been working toward a 10 year map?

Senator McColley (00:44:25):

To the Chair, to the Representative, I would not say that we haven't been working toward a 10 year map. Our hope all along was that this would be a 10 year map. And unfortunately, we did not have the votes in the Senate to obtain a 10 year map at this point. And so, as far as the statement required, the statement is actually part of the bill. It's in the uncodified language at the end of the bill, where it talks about how this map does not unduly favor or disfavor a party or its incumbents.

Chairman Wilkin (00:44:55):

Follow up. Representative Howse.

Rep. Howse (00:45:08):

Good morning. Oh, I don't know if you can hear. Hello? Can people hear me? Okay. I wonder if the people on my camera, it don't even matter. Okay. So through the Chair to the sponsor bill, thank you so much. I know we've had a lot of conversations and I just really think about things in very practical matters. So I'm going to take a step back to what people actually voted on. So when we go back to 2018 and we look at the statewide issue, this is, "I, John Houston, certify that printed below are the full text, ballot language, explanation, and arguments that were certified to me by the Ohio Ballot Board, or filed with the Secretary of State as prescribed by law for the constitutional amendment proposed by the Ohio General Assembly." And this was done on the 15th of April.

Rep. Howse (00:45:52):

When you look at the ballot language, "Creates a bipartisan public process for drawing congressional districts, propose constitutional amendment, proposed by joint resolution of the General Assembly to amend the version of Section One, Article..." Is that 11? "11, that is scheduled to take effect January 1st, 2021. And to enact Sections 1, 2 and 3 of Article 19 of the Constitution of the state of Ohio to establish a process for congressional redistricting. A majority yes vote is necessary for the amendment to pass. The proposed amendment would end the partisan process for drawing congressional districts and replace it with the process with the goals of promoting bipartisanship, keeping local communities together and keep having district boundaries that are most compact. Ensure a transparent process to requiring public hearings and allowing public submission of proposed plans. Require the General Assembly or the Ohio District of Commission to adopt a new con new congressional district by a bipartisan vote for the plan to be effective for the full 10 year period. Require that if a plan is adopted by the General Assembly, without significant bipartisan support, it cannot be effective for the entire 10 year period and must comply with explicit anti gerrymandering requirements."

Rep. Howse (00:47:01):

"If passed the amendment will become effective immediately. Shall the amendment be approved, yes or no?" In the proposed constitutional amendment, "Approval for issue one. Vote yes on issue one. A fair bipartisan and transparent process. Vote yes on issue one. A yes vote will create a fair bipartisan and transparent process when drawing congressional districts that will make politicians more accountable to the voters. Issue one is supported by an overwhelmingly bipartisan majority of legislators, as well as non-partisan advocates. Currently it is too easy for one political party to gerrymander safeties in Congress, by dividing local communities and drawing a map without bipartisan support."

Rep. Howse (00:47:46):

"Voting yes on issue one will limit gerrymandering by requiring that congressional districts be drawn with bipartisan approval or utilizing strict anti gerrymandering criteria. It would also keep communities together by limiting splits of counties, townships, and cities, and promote geographically compact districts, fair. Voting yes on issue one will establish fair standards for drawing congressional districts through its requirement of bipartisan approval or use of strict anti gerrymandering criteria. Voting yes on issue one will help keep our communities together by limiting the number of splits of counties, cities, and townships, bipartisan. Voting yes on issue one will require significant bipartisan support to adopt new congressional districts for 10 years, transparent. Voting yes on issue one will require multiple public meetings before adopting a proposed plan for congressional districts. Voting yes on issue one will guarantee public participation by allowing members of the public to submit a plan for congressional districts. Voting yes on issue one will preserve citizens rights to referendum and to veto power of the governor when the General Assembly passes the plan for congressional districts. Make your vote count. Vote yes on issue one."

Rep. Howse (00:48:56):

Prepared by Senators Matt Huffman and Vernon Sykes and Representative Kirk Schuring and Jack Cera. This is what was presented to Ohioans in 2018. Is that the map that would, based on this, is this the map that's the product of what citizens in Ohio voted on?

Senator McColley (00:49:14):

To the Chair, to the Representative, the map before you complies with all the constitutional requirements that were acted in that election in 2018.

Rep. Howse (00:49:23):

Okay.

Senator McColley (00:49:24):

And so therefore, I would say that the map, while it didn't have the desired outcome that we hoped it would of a 10 year map and the Constitution contemplates that, and basically says that the party enacting the map or the amount of people who are enacting the map, are going to have to deal with the detriments of a four year map. It, as contemplated in the Constitution, it does comply with the Constitution as it was voted upon by the voters.

Rep. Howse (00:49:54):

Follow up.

Chairman Wilkin (00:49:54):

Follow up.

Rep. Howse (00:49:55):

Through the Chair, to the sponsor of the bill, I will absolutely tell you what you presented from us is absolutely nothing, nothing in the spirit, in the vein of, not only what voters voted yes on issue one for and what was outlined, outline and the actual, what a actual your spin. It is not fair, bipartisan or transparent. But my second question to you, what were your responsibilities as a co-chair for the

redistricting, re-apportionment and demographics research? Because you was a co-chair, right? So can you tell me what your responsibilities were?

Senator McColley (00:50:28):

To the Chair, to the Representative, are you talking about the legislative task force?

Rep. Howse (00:50:33):

You were the co-chair of the task force on redistricting, reapportionment and the demographics research was pre all of this other stuff. So when we were beginning to start things off, getting information off, what was your responsibility?

Senator McColley (00:50:50):

To the Chair, to the Representative, typically that committee was a committee that would go around and conduct hearings primarily after the census data had been released, as far as the historical precedent of that, after the census data had been released. And then it was also a committee responsible for allocating money that had been appropriated for the redistricting process, for the various caucuses within the Ohio General Assembly. Unfortunately, we did not receive the census data until August 15th. And so there really wasn't an awful lot for us to base our hearings off of. However, throughout the course of the summer, we were regularly approving of allocations of money for the caucuses to assist them in their redistricting efforts. And to my knowledge, nothing was ever denied as part of that.

Rep. Howse (00:51:45):

Okay. Follow up. Follow up.

Chairman Wilkin (00:51:47):

Follow up.

Rep. Howse (00:51:47):

Through the Chair, to the sponsor, so in your responsibility as the co-chair of the task force for redistricting, reapportionment and demographic research, can you explain to us how you operated in a fair, bipartisan and in a transparent way, as the co-chair of the task force?

Senator McColley (00:52:06):

To the Chair, to the Representative, are you saying in relation to this bill, or are you saying-

Rep. Howse (00:52:16):

It's a part of the process, it's all a part of the process that led us to this bill right now, substitute Senate Bill 258.

Senator McColley (00:52:22):

To the Chair, to the Representative, I don't view my role as the co-chair as one and the same with my view as the sponsor of this bill. I didn't even know I was going to be sponsoring this bill until shortly before it was introduced. And at that point, the redistricting process had largely, like I mentioned

before, the census data was not released until August. And at that point, the deadlines were upon us. And so it didn't make a whole lot of sense for the legislative task force on redistricting to be meeting, while at the same time, the redistricting commission was starting its work on state legislative maps, and the timeline was upon us as far as the other issues were concerned. And so I don't view them as one and the same between the two.

Rep. Howse (00:53:16):

Follow up.

Chairman Wilkin (00:53:17):

Follow up.

Rep. Howse (00:53:17):

Yes. Through the Chair, to the sponsor, again, this was the beginning process. I'm just trying to figure out how, even starting off as a co-chair of a task force, how you operated. Did you operate in the spirit of fair and transparent and bipartisanship... But I'm going to switch Cuyahoga County because I know the time is coming to an end. So looking at Cuyahoga County, our district is in three different areas. So you have district 11, district 14. So can you tell me why you chose to split Oakwood, which is a predominantly black community, compared to... Let's look at all of the... No. Just tell me why you chose to split Oakwood?

Senator McColley (00:54:08):

To the Chair, to the Representative, as I stated before, racial data was not considered in any of this. And so as far as why Oakwood was split, I couldn't answer the question to that. This was what was agreed upon, as I stated before in my response to Representative Hicks Hudson. But I will say the balancing of population is primarily the decision, or is primarily driving many of these decisions when we are coming up with these maps. And so it was an issue of what cities, especially in the case of Cuyahoga County, where mostly all of Cuyahoga County is incorporated, what cities or villages could we put together that would adequately get us to 786,630 people without unduly splitting too many communities.

Senator McColley (00:55:06):

And so we're contemplating not only population, but we're also contemplating, if we were keep this community in, does it mean we have to split two communities rather than one in order to keep the population? Now this is me just talking generally. I don't know the actual answer as to why Oakwood was or was not included in one district or another. But generally speaking, that's what's guided the decision as we've discussed some of this.

Rep. Howse (00:55:32):

Follow up.

Chairman Wilkin (00:55:34):

Follow up.

Rep. Howse (00:55:34):

Thank you. Through the sponsor, to the Chair, so you talked about what was agreed to, so I guess I'm just trying to get a clarified for who agreed to it and who can answer the question on why Oakwood was split?

Senator McColley (00:55:46):

To the Chair, to the Representative-

Rep. Howse (00:55:47):

Since you can't do it as a sponsor.

Senator McColley (00:55:50):

To the Chair, to the Representative, the decision to include Oakwood, I can tell you this, I'm sure it was guided by the principles that we've used this entire time as we've been redistricting is what communities can we put together that will get us to 786,630 people in a compact district and that also minimizes the splits of other communities across the entire map, not just in one instance. And so I think that's, frankly, probably the answer you're going to get from anybody as it concerns why Oakwood was included or was not included in one district or another. But as I mentioned before, the map before you was the product of discussions and negotiations, primarily between the Speaker and the Senate President. But it was a map that they have obviously took in whatever input they were getting throughout the process from members of their caucus and I'm sure members of the opposing caucuses as well. And so, that's how we came to the map that we are in front of us. But I will reiterate, I support the map in front of us and I wholly believe that it is-

PART 3 OF 4 ENDS [00:57:04]

Senator McColley (00:57:03):

... Iterate. I support the map in front of us and I wholly believe that it is constitutional.

Rep. Howse (00:57:06):

Follow up. Last question.

Chair Wilkin (00:57:07):

Follow up.

Rep. Howse (00:57:08):

Thank you. Through the chair to the sponsor. You gave your thoughts on why you kind of think Oakwood was split, but you don't know definitively how Oakwood was selected versus anything else, which is a predominantly African American community. But as you talked about who agreed to it, which you've talked about was the president of the Senate, and the speaker of the house, which did not include the minority leader here in the house, who received the map on Monday, like everyone else, which is not fair, transparent, or bipartisan, if you're supposed to give input.

Rep. Howse (00:57:50):

So it would be really helpful if you can, like ... I guess we need to ask a question to the president of the Senate, and the speaker at the house regarding this map, which is not fair, which is not transparent,

which is not bipartisan, which is what people voted in 2018. We have failed the people of Ohio, and I hope Ohioans are paying attention and we should deal with the consequences accordingly. So thank you.

Senator McColley (00:58:15):

To the chair, to the representative, I would not frame my response as not giving an answer. Not that you were saying that, but I would not frame it as not giving an answer, because what I can tell you is that the principles that I outlined in my previous response to you are what guided us throughout this entire process, as we were coming up with this district map. And so, I would argue, the response is as simple as I laid it out. There really isn't anything more to it than that. And so, I don't know that there would be anything that we should be searching for necessarily, as to why it would be included or not.

Rep. Howse (00:58:58):

Okay. Follow up, because you responded.

Chair Wilkin (00:59:00):

Final one.

Rep. Howse (00:59:01):

Yes. Through the chair to the sponsor. So the reason why I break up Oakwood, because you could have picked Minerva, Wintersfield, Richfield, Northfield, South Russell, Gulf [inaudible 00:59:12], North Baltimore, Galapalos, Green Hills, but Oakwood was chosen, which is a black community split in half. So I'm just trying to figure out why. And I know you can't answer that question, but again, even when you look at the populations, down to the one person, they could have selected another community, but they chose Oakwood, the majority black community to split. So appreciate that though. Thank you.

Chair Wilkin (00:59:39):

Would you like to respond?

Senator McColley (00:59:40):

I've answered the question.

Chair Wilkin (00:59:41):

Representative Brown.

Rep. Brown (00:59:43):

Thank you, Chair. You mentioned earlier, Senator, that Republicans were responsive to public input about certain decisions. And I think, as an example, you mentioned, I believe, it's district 10 where Springfield was included with Dayton and Montgomery County, is that correct? That was one of your examples.

Senator McColley (01:00:08):

To the chair, to the representative. Yes.

Rep. Brown (01:00:09):

Follow up, Chair.

Chair Wilkin (01:00:10):

Please.

Rep. Brown (01:00:11):

My question is, was public input part of the decision to include the Eastern [inaudible 01:00:19] county suburbs of Loveland, Montgomery, Indian Hill, Madeira, Fairfax, Marymont, Newtown, in district two with the good folks in Hawking, Vinton, Megs, Jackson, and Gaia counties? Was public input part of that decision?

Senator McColley (01:00:38):

To the chair, to the representative, as we are interpreting the constitutional provisions, particularly those concerning compactness, the compactness requirement applies to all districts in a 10-year map. In a four year map, it says you shall attempt to draw compact districts. The way we look at it is compact districts requires that these districts not be massive districts, geographically speaking. Now, that's unavoidable, as anybody who's attempted to draw a map will know. In some parts of the state, you're going to get districts that are long, you're going to get some districts that are big, because you need 786,630 people. And some of these counties are just small. And so, one way to ensure, and to view any of this in a silo, where one district doesn't affect any of the other districts is not really indicative of how this process goes.

Senator McColley (01:01:42):

And so you look at the size of the second district in this map. A lot of these counties are very, very, very small, okay? Vinton County, I think, may have 13-14,000 people. Somebody down there might be able to tell me. And so naturally, you need to put some of these districts in areas with higher population to ensure that these districts are able to be geographically-compact. Doing that allowed us to have a 12th district that is a compact district, doing that allowed us to have a sixth district that is about as compact as you could ask, when you're going up the Ohio River like that.

Senator McColley (01:02:19):

The alternative, as we've seen, even in the current map and in some other maps that have been submitted is, for example, even the House Republican map that went all the way from Lawrence County, all the way up into Trumble County.

Senator McColley (01:02:41):

And so, when you're evaluating your requirement under the Ohio constitution to draw compact districts, it's not that you can just simply say, "We're going to draw a compact district for this district, but we're going to let this district be as massive as it could possibly be." You have to take that into account as to what the geographic lines and population density in every district is going to impact other districts. And naturally, you're going to wind up with some areas that are less compact than others, but it's something that we to take into consideration.

Rep. Brown (01:03:17):

Follow up, Chair.

Chair Wilkin (01:03:18):

Follow up.

Rep. Brown (01:03:20):

I appreciate the conversation regarding compactness. Unfortunately, my question was not about compactness. My question was, was there public input that was part of the decision to include the Eastern suburbs of Hamilton County into district two. Now, if the answer is, "We considered compactness issues." That's the answer, but my question was, did public input play a role in the decision to include the Eastern suburban communities of Hamilton County into district two?

Senator McColley (01:03:55):

To the chair, to the representative, you would be correct in pointing out that people didn't want Hamilton County split twice. People also didn't want Franklin County split twice. We were able to make that work in large part because Franklin County is combined, or surrounded rather, by a number of much more populous counties that allow us to maintain compact districts in either direction. We did take that into consideration, but at the same time, at the time, we were hoping to have a 10-year map, which would've required compact districts. And that's something that is, if you're going to pass a 10-year map, is non-negotiable within the Ohio constitution.

Senator McColley (01:04:32):

And so the way we looked at, especially down here, where you get into these small counties, the way to accomplish that is that you draw them into potentially counties that have greater population, which anything that we did in that regard, I would argue is also contemplated within the Ohio constitution, by allowing us to split counties twice, independent of their population, which would allow us to potentially use that provision to draw compact districts.

Rep. Brown (01:05:05):

Follow up, Chair.

Chair Wilkin (01:05:05):

Follow up.

Rep. Brown (01:05:07):

Being a lawyer, I usually like to get an answer to my question, and I'm going to ask it again. The question is, was public input part of the decision made with regard to putting the Eastern suburbs of Hamilton County into district two? That's the simple question. Was the public input part of that decision? If it was not, then the answer is no, if it was, the answer is yes, which was it.

Senator McColley (01:05:33):

To the chair, to the representative. I'll try to summarize my answer in a better fashion to maybe answer your question better. Public input was made as to whether we should do that or not, but we viewed the more important requirement that was placed upon us by the Ohio constitution was to draw compact districts.

Rep. Brown (01:05:51):

Okay. Final, if I may follow up, Chair.

Chair Wilkin (01:05:54):

One more.

Rep. Brown (01:05:58):

With regard to District 15, was public input part of the decision to put these Franklin County suburbs of Westerville, Dublin, Hilliard, et cetera, into a district with Clinton County, Fayette Pickway, Ross, Medicine, part of Clark, was public input part of that decision?

Senator McColley (01:06:27):

To the chair, to the representative. I don't know that there was public input specifically referencing which counties. I know there were some people who preferred that it go up to Delaware County, but at the same token, public input, primarily as it concerned Franklin County, was don't split it twice. And due to, as I mentioned before, the fact that we have some fairly populous counties surrounding Franklin County, that gave us the opportunity to still draw compact districts without having to split Franklin County twice. And so, I would argue that public input was taken into account when drawing both the 15th and the third.

Chair Wilkin (01:07:09):

Representative Swearingen. And representative Swearingen, before we get started, I will cut you off at five, if there's that many.

Rep Swearingen (01:07:16):

I've got three.

Chair Wilkin (01:07:18):

Better.

Rep Swearingen (01:07:19):

Thank you, Mr. Chairman. And thank you, Senator McCauley, for your continued testimony today. Does a four-year map under article 19 of the constitution have to be bipartisan?

Senator McColley (01:07:28):

To the chair, to the representative. No, it just simply requires a simple majority.

Chair Wilkin (01:07:34):

Follow up.

Rep Swearingen (01:07:35):

So it's fair to say, Senator McCauley, that the voters who voted on article 19 in 2018 included a provision in there with leniency to a nonpartisan aspect of the process.

Senator McColley (01:07:49):

To the chair, to the representative. It appears that article 19 was crafted in such a way to recognize that, like other issues, there are periods of impasse within the legislature, and at the end of the day, we have to have maps. And that is the release valve or fail safe, or whatever you want to call it.

Rep Swearingen (01:08:08):

Last question, Mr. Chairman.

Chair Wilkin (01:08:09):

Please.

Rep Swearingen (01:08:10):

Did you use any firms out of Washington DC to draw your maps?

Senator McColley (01:08:14):

To the chair, to the representative. No.

Rep Swearingen (01:08:16):

No further questions.

Chair Wilkin (01:08:18):

Representative Hicks Hudson.

Rep Hicks-Hudson (01:08:22):

Thank you, Mr. Chair. Thank you again for standing here, answering our questions. I want to draw your attention to page 901 of the bill, under section three, where if you recall, and you've been reciting much of the sections of the constitution. So I draw your attention to article 19, section 1C3D, which requires that the bill provides the general assembly shall include, and this is a quote, in the plan, an explanation of the plans compliant with division C3A to C of this section.

Rep Hicks-Hudson (01:09:02):

So when you look at section three of the actual bill, the language here just repeats, "The congressional district plan does not unduly favor or disfavor a political party or its incumbents. The plan contains six Republican-leaning districts, two Democratic-leaning districts, and seven competitive districts." And it continues on. So I need you to explain to me, how do you believe that this particular section of the bill is truly in compliance with the constitutional requirement of an explanation. The mere regurgitation of what is contained in the bill to me is not an explanation. So could you explain to me how this particular section complies with the constitutional requirement of a true explanation?

Senator McColley (01:09:50):

To the chair, to the representative. I do believe it complies, in large part because we have to, as you pointed out, talk primarily about how it doesn't favor or disfavor a political party or its incumbents. In doing that, obviously, this is the first time we're doing this. There may or may not be a court interpreting those provisions. And so, when we're looking at that, as far as whether it favors or disfavors incumbents,

I think we were pretty clear in that section, the way we decided to do that was simply not combine any of them that are running for reelection.

Senator McColley (01:10:26):

Now, as it concerns, whether it favors or disfavors a political party over the other, I don't know that you have to get any more detailed than your analysis as to what the breakdown of the map is. I think, if the Democrats were to have passed a map, their explanation would've been this is an eight to seven map, and that would've been their explanation as to whether it favors or disfavors a political party. And so, I don't know that it has to be a voluminous 40-page report or anything like that, but it is something that we feel adequately complies with the constitution, and does so in a succinct manner.

Chair Wilkin (01:11:09):

Follow up?

Rep Hicks-Hudson (01:11:09):

Yes. Thank you. And I'll be very brief because we have to go, myself and the ranking member have to go. I respectfully disagree with your statement, because I believe that what we need to understand is how, at one part of your discussion, you're able to cite chapter and verse of the constitution, and then here, when it's a requirement for, I believe, not only just the regurgitation of the maps, but actually, as I talked earlier about data and information. So my question continues to be, how do you say that this map complies, when it doesn't really have, in my opinion, the factual data, information, and it maybe should be a 40-page explanation of section three, to comply with the constitutional requirement that I just read before you. And thank you, Mr. Chair.

Chair Wilkin (01:12:13):

Thank you

Senator McColley (01:12:14):

To the chair, to the representative. As I stated before, particularly when we are interpreting a provision of the constitution for the first time, we have to take it at its plain meaning. If the constitutional provision requiring us to contain an explanation does not require us to do the things that you're asking of us to do. And I respectfully disagree with you. I understand that that's what they teach us in law school. Reasonable minds can differ, but I would say that what we put in place is compliant with the constitution.

Chair Wilkin (01:12:53):

Thank you. This time, the chair would recognize Representative White for a motion.

Rep. White (01:12:58):

Thank you, chair. I move that we favorably report Senate bill 258 to the committee on rules and reference.

Chair Wilkin (01:13:03):

Clerk will take the role.

Clerk (01:13:06):
Chair woken.

Chair Wilkin (01:13:07):
Yes.

Clerk (01:13:07):
Vice Chair White.

Rep. White (01:13:08):
Yes.

Clerk (01:13:09):
Ranking Member Brown.

Brown (01:13:10):
No.

Clerk (01:13:12):
Representative Carvanaugh.

Rep. Carvanaugh (01:13:13):
Yes.

Clerk (01:13:13):
Representative Galansky.

Rep. Galansky (01:13:13):
No.

Clerk (01:13:14):
Representative Ginther.

Rep. Ginther (01:13:14):
Yes.

Clerk (01:13:20):
Representative Hicks Hudson.

Rep Hicks-Hudson (01:13:22):
No.

Clerk (01:13:22):

Representative House.

Rep. House (01:13:24):
No.

Clerk (01:13:24):
Representative Jones.

Rep. Jones (01:13:26):
Yes.

Clerk (01:13:26):
Representative Kelly.

Rep. Kelly (01:13:27):
No.

Clerk (01:13:28):
Representative Plumber.

Rep. Plumber (01:13:29):
Yes.

Clerk (01:13:30):
Representative Sykes.

Rep. Sykes (01:13:32):
No.

Clerk (01:13:32):
And representatives Sweard.

Rep. Sweard (01:13:34):
Yes.

Chair Wilkin (01:13:37):
With eight Yays and five Nays. The bill passes and will be referred favorably to rules and reference. Is there any further business to come before the committee? See none. Committee stands adjourned.

PART 4 OF 4 ENDS [01:13:49]

Speaker (00:00:06):

The house will please come to order. With the core being present, I invite everyone to please rise and join with our members in the opening prayer, and to remain standing for the Pledge of Allegiance to the flag of the United States.

Thomas Hall (00:00:25):

Thank you, Mr. Speaker. I'm honored today to have my pastor, Lamar Farrell with us today. After moving from the nation's capital in 1984, Lamar graduated from Milton Christian High School. He and his wife Maryanne have been Middletown, Ohio residents since 1996. After graduating with a degree in Zoology and a pre-med from Miami University in 1992, Lamar knew that God was calling him into full-time vocational ministry. He received his Masters of Divinity degree from Mid-America Seminary in Memphis, Tennessee in 1996. That was one year after I was born. He is and has been the lead pastor of Berachah Church in Middletown for 25 years.

For 16 years, Lamar has served his community as the lead police and fire chaplain in and around the Middletown area. He's the founder and chairman of the Master's Mission Golf Tournament, which is raised over $350,000 to help children locally and globally by the theme of "Play golf, save lives." Lamar will be married to his lovely life Maryanne, who has joined us today for 25 years in April, and they both serve as advocates for families with special needs. They are proud Middletown Middie Parents and have a 22 year old college graduate and recently engaged son named Luke, and a 19 year old high school graduate daughter named Ellie, who is born with spina bifida, which opened their beautiful world of ministry to the most unreached people group, which are families of children's with disabilities and special needs.

One of the highlights of their married life is organizing an annual special needs prom called One Special Night, which is open to 10 different school systems in Butler and Warren counties. Pastor Lamar's, passion is helping people while shepherding. His hobbies include golfing, traveling, watercolors, and cheering on the Ohio State Buckeyes. Go Bucks.

Lamar Berachah (00:02:15):

It's an honor to be here today. And I can say this. This isn't preacher speak. I feel at home here. I really do. Thank you to Mr. Speaker. Thank you to Representative Hall for this high honor on this day. I feel like saying this, "Mama, I've made it." Or I feel like saying, "Thank you, Jesus." One or the other. But I want to say that today I stand here just to represent the goodness of God. Every good and perfect gift comes from the Father. 24 years ago today, my wife reminded me this morning, my father passed away. He was my mentor, my friend, my father, and my pastor. 24 years ago today, I became the pastor of Berachah Church. Nothing happens by accident. And I believe I'm here today on the request of Representative Hall, but I believe today that God has allowed me this high esteemed privilege. Thank you for your service. Thank you for your commitment to this state. And I say it. We are blessed to live here in this great state of Ohio. And with God, all things are possible. Pray with me.

Lord, today we understand and realize that we are blessed to live in these United States. Today we are honored to stand in this sacred hall. And to each of the members, wow, they have extreme pressure. They have a very difficult job, and yet they have the wonderful opportunity to serve the people of this state. May you give them the humble leadership of Moses. May you give them the faith of Abraham. May you give them the determination of Nememiah to continue building. May you give them the courage of Queen Esther, to stand in the face of adversity. May you give them a heart of concern like Jeremiah. May you give them the judging acumen of Deborah. May you give them the wisdom of

Solomon, the serving passion of Martha, the encouragement of Barnabas, and may above all, you give them the loving heart of you, Jesus.

Bless them, protect them, provide for their families, we do pray. And we ask on this long day that you would give them endurance. We praise you. We bless you. And we thank you today. In the name that's above every name, the name of our Lord and Savior Jesus Christ. Amen.

All (00:05:09):

I pledge allegiance to the flag of the United States of America and to Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

Speaker (00:05:39):

At this time, we'd like to recognize the guests in our gallery.

Speaker 2 (00:05:43):

In the west gallery, a guest of Representative Miranda is her daughter, Gabriela Miranda. Please rise and receive a welcome from the house.

In the west gallery, guests of Representatives Schmidt and Denson is Michelle Young. Please rise and receive a welcome from the house.

In the west gallery, guests of Representative Click is Blake Frank. Please rise and receive a welcome from the house.

In the west gallery, guests of Representative Hall are the members of Berachah Church. Please rise and receive a welcome from the house. In the west gallery, guests of Representative Mary Lightbody are Dr. Tommy Radd and Al Navarro from Gahana. Please rise and receive a welcome from the house.

In the west gallery, guests of Representative Lightbody is Mike Ahern. Please rise and receive a welcome from the house.

Speaker (00:06:57):

Clerk will read the journal of the preceding legislative day.

Speaker 2 (00:07:00):

103rd day, Hall of the House of Representatives, Columbus, Ohio, Wednesday, November 17th, 2021 at 9:00 AM. The house might present to adjournment on motion of Representative Brent, with the house of adjourn until Thursday, November 18th, 2021 at 9:00 AM.

Speaker (00:07:10):

Without objection, the journal will be approved. Hearing no objection, the journal is approved. Introduction of bills, consideration of Senate amendments, reports of conference committees, reports of standing and select committees and bills for second consideration.

Speaker 2 (00:07:27):

Representative Brent submitted the following report. The standing Committee on Agriculture and Conservations, which was referred House Bill Number 321.

Representative Kick, Young, Dean, and all having had the same under consideration reports back with the following amendments and recommends its passage, and so amended.

Representative Kelly submitted the following report. The standing committee on state and local government, to which was referred House Resolution Number 147 rescinds stoles fees, having had the same under consideration reports it back and recommends its adoption.

Representative Smith K submitted the following report, the standing committee on public utilities, which is referred House Bill Number 389.

Representatives Leland, Sykes, and all having had the same under consideration reports back to substitute bill and recommends pass.

Representative Upchurch submitted the following report. Standing committee on Economic Workforce Fulfillment, which is referred to Amendment Supplement Bill Number 166. Senator Reineke and all having had the same under consideration reports back the subsequent bill and recommends passage.

Representative Upchurch submitted the following report. Standing committee on Economic and Workforce Development, which was referred sub Senate Bill Number 105. Senator Sykes, Schuring, and all having had the same under consideration reports back that the following amendments and recommends passage, and so amended.

Representative Smith M submitted the following report. Standing committee on [inaudible 00:08:20], which was referred House Bill Number 218, whereas Cutrona and all having had the same under consideration reports back the substitute to bill and recommends its passage.

Speaker (00:08:29):

Motions and resolutions. The chair recognizes Representative Jones for an absence motion.

Representative Jones (00:08:34):

Thank you, Mr. Speaker. I move that majority party members asking leave to be absent or absent the week of Wednesday, November the 17th, 2021 be excused so long as written request is on file in majority leadership offices.

Speaker (00:08:46):

Without objection, the motion will be agreed to. Hearing no objection, the motion is agreed to. Chair recognizes Representative Hicks-Hudson for an absence motion.

Representative Hicks-Hudson (00:08:56):

Thank you, Mr. Speaker. I move that minority party members asking leave to be absent or absent the week of Thursday, November 17th, 2021 be excused, so long as a written request is on file in the minority leadership office. Thank you.

Speaker (00:09:09):

Without objection, the motion will be agreed to. Hearing no objection, the motion is agreed to. Bills for third consideration.

Speaker 2 (00:09:17):

Sub Senate Bill Number 258, Senator McColley and others to enact and repeal section of advised cut to establish congressional district boundaries for the state based on the 2020 decennial census and delay certain deadlines related to the 2022 congressional primary election.

Speaker (00:09:27):

Question is shall the bill pass? The chair recognizes Representative Wilken.

Shane Wilken (00:09:35):

Thank you, Mr. Speaker. I rise in support of Substitute Senate Bill 258. As the chair of the government oversight and co-chair of the Joint Committees, we have heard hours of testimony. For our legislative districts, for note in process, there were 15 total hearing, with 10 of those being held across the state for public input. The remaining five exceeded the constitutional requirement. For these congressional maps there have been a total of 17 hearings, including the Redistricting Commission, the Joint Committee, the House Committee, and the Senate Committee, meeting and exceeding all constitutional requirements.

For the government oversight, there's no time limit imposed on testimony or questions when we had a committee, and many people testified multiple times through different committees. And I know we hear a bunch of terms as we go through this redistricting process. And I just want to focus in on one that I talked about in the Joint Committee. And that term is fair. And we heard that a lot throughout this process, is, "What is fair?" And I think all of our colleagues can agree, everybody has a different interpretation of what fair actually means.

So in this specific one, I'm going to focus in on my district that I brought up in the Joint Committee. And let's look at Appalachia, Ohio. Appalachia, if you look at a Wikipedia map, runs from Claremont County all the way around to Ashtabula County. 32 counties, to be exact. Now, within 32 counties, how many congressional districts should that be? Now my good friend across the aisle, Representative Kelly is probably going to talk to you later today about Hamilton County, and how part of that is part of the Second District. Well, my question back, "Then how big should the Second District be?" As it stands right now, the Second District on these maps is 12 full counties and two partial counties. So representing 14 counties. How many counties should one Congressman or Congresswoman represent? Should it be 16, 18, 20? Does that not dilute the voice of those of us in Southern Ohio who often get left behind, and Southeastern Ohio who are often not heard, get the leftovers? I think it's fair to say that every county affects other counties. Every district line is going to affect another district. Substitute Senate Bill 258 has the lowest amount of county splits of any map presented. It keeps all of our major cities in one district, except for the city of Columbus, which is two and not three, which it started off, and has the least amount of subdivision splits. Speaker, my colleagues will follow up with more details on these maps. But this is the best map I have seen, and I urge concurrence, or support of the maps. Thank you.

Speaker (00:12:37):

The question is, shall the bill pass? Chair recognizes Representative Galonski?

Tavia Galonski (00:12:45):

Mr. Speaker, move to amend with amendment number 1342314.

Speaker (00:12:56):

The chair has the amendment. Amendment is in order. The representative may proceed.

Tavia Galonski (00:13:00):

Thank you. Permission to speak to the amendment?

Speaker (00:13:02):

Representative may proceed.

Tavia Galonski (00:13:03):

Mr. Speaker, I rise today to ask my colleagues to support amendment AM 1342314. This amendment replaces the 13/2 map proposed by my colleagues across the aisle. And it proposes to replace all of it with Representative Brown and my introduced map earlier this month. Ohioans told us in no uncertain terms that they wanted to see communities stay together, especially cities in our largest counties. In its current form, SB 258 does the exact opposite. Splitting communities apart doesn't allow for better representation. In fact, it prevents communities from having the representation they deserve. Ohioans expect us to create a bipartisan tenure map. To accomplish that, we're going to need to compromise. The proposed map in this amendment is a compromise. It's fair, compact, and keeps communities together. It adheres to all constitutional requirements voters set for us. It reflects not only the preferences of the voters whose candidate wins statewide office, but also the preferences of the 45% of Ohio voters who consistently prefer a different candidate.

Unlike the map proposed, that is the 13/2 map, this replacement map is not partisan. It does not contort our districts to maximize partisan advantage. It is a compromise, one that ensures Ohioans who share a community can decide who represents them. The amendment supplants the 13/2 map that had no public testimony with a fair 9/6 map that reflects what our voters want. It was developed in the light of day, not behind closed doors, and received ample public agreement. What this body decides today will shape our politics for the next decade or more. Moving forward with a compromised map protects against a veto from the governor. It protects against a voter referendum on the map. It protects against districts that modify unduly favor one political party at the expense of all Ohioans. Mr. Speaker, thank you again for giving me the opportunity to speak on this amendment. I urge my colleagues to vote in support AM 1342314.

Speaker (00:15:26):

Question is, shall the amendment be agreed to? Should I recognize this representative's words?

DJ Swearingen (00:15:32):

Thank you Mr. Speaker, and I appreciate the intent behind this amendment. However, I ask for opposition to this amendment for several reasons today. When we say the word compromise, that implies that there's two parties at the table. There was only one party at the table when this map was drafted. And that party was a consulting firm out of Washington DC, who drew this map that's being offered on this amendment. In addition, when we talk about splitting counties and political subdivisions, which I'll get to in my future floor remarks, this map presented to you today, Senate Bill Number 258, offered by Senator McColley keeps together a record number of counties, local political subdivisions, including our biggest cities. And for those reasons, I would offer opposition to the amendment and it should be tabled.

Speaker (00:16:18):

Question is, shall the amendment be agreed to? Chair recognizes Representative Sykes.

Speaker 1 (00:16:23):

Thank you, Mr. Speaker. I move we lay the amendment upon the table.

Speaker (00:16:26):

Motion is to lay the amendment upon a table. The house will prepare and proceed to vote. Have all members now voted? Clerk will take the role. 59 affirmative votes, 32 negative votes. The motion has been agreed to, and the amendment is laid upon the table. The question is, shall the bill pass? Chair recognizes Representative Brown.

Richard D Brown (00:17:10):

Thank you, Mr. Speaker. I rise in opposition to Senate Bill 258. In 2015 and 2018 Ohioans went to the ballot, and overwhelmingly voted for constitutional amendments that were intended to reform the process of how we draw district maps for both the state, house, and congressional districts. Ohioans voices were loud and clear. They voted for fair districts that fairly represent the preferences of Ohioans. Ohioans wanted maps that kept our largest county's whole with our largest cities as anchors of those districts. Ohioans voted for reforms to ensure that communities that live and work together stay together. Ohioans voted for reforms that would result in the most compact districts possible, with easily understood boundaries. And Ohioans voted overwhelmingly for constitution reforms that result in districts that reflect the preferences of the voters, including the 45% of voters who in the last 10 years in statewide elections have voted for democratic candidates.

The Republican congressional map of Senate Bill 258 does not meet the letter of the constitution or the spirit of the reforms of 2015 and '18. Hamilton County, for example, is split two times in this map, creating three districts in Hamilton County. Geauga County is also split two times, resulting in three districts in Geauga county. Summit County is split into two districts. And the map that Democrats proposed, House Bill 483, the so-called Brown-Galonski map, Hamilton and Cuyahoga counties were split only once, resulting in two districts in each. And Summit County was not split at all. The multiple splits in the Republicans map under consideration here today have Hamilton and Cuyahoga counties and the splitting of Summit County are not necessary, and are therefore undue splits. Article 19, Section 1C3B of the Ohio Constitution mandates that in a four year map, which what the map in question undoubtedly is, the GA shall not pass the plan that unduly splits governmental units, giving preference to keeping whole counties, and then townships and municipal corporations.

The map in question unduly splits Hamilton, Cuyahoga, and Summit counties, and therefore violates this provision of the Ohio Constitution. Article 19, Section 1C3A of the Ohio Constitution mandates that in a four year map, the general assembly shall not pass a map that unduly favors or disfavors a political party. Dave's redistricting describes the map in question as a 13/2 map. And it is, not withstanding Republican claims to the contrary.

This map clearly unduly favors Republicans and disfavors Democrats, and therefore violates this provision of the Ohio Constitution. Now in testimony, yesterday before the Government Oversight Committee, the Senate sponsor of Senate Bill 258 claimed that this map was in part the product of input from the public, and that the map reflected the concerns of Ohioans. I directed the sponsor's attention to the eastern portion of Hamilton County, which includes the greater Cincinnati suburbs of Loveland, Montgomery, Madeira, Mariemont, and Indian Hill among others. In District 2, which is a sprawling district with stretches to the east across all of Southern Ohio, to include Appalachian counties like Meigs, Vinton, Hawking, Jackson, and Lawrence to name some.

I asked the sponsor whether public input was part of the mapmaker's decision to include the Eastern Cincinnati suburbs in the district with these Appalachian counties. The sponsor gave a lengthy monologue about the issue of compactness. I did not ask him about compactness. So his answer was completely nonresponsive. So I asked the sponsor a second time whether public input was part of the mapmaker's decision to include the Eastern Hamilton County suburbs of greater Cincinnati into District 2, which again extends all the way across southern part of the state. The sponsor again responded with a torrent of words that were not responsive at all to my question. So I asked the sponsor a third time whether public input was part of the mapmaker's decision to include the Eastern Cincinnati suburbs in the district with these Appalachian counties. And finally, the sponsor answered the question. He testified that the mapmakers knew that folks in Hamilton County and elsewhere around Ohio did not want the county split twice and did not want the eastern suburbs to be in the district with these Appalachian counties. However, the mapmakers apparently ignored this desire and created this sprawling suburban/rural district anyway. Why? Why ignore the public input from these folks in Hamilton County? Was it to create a district that cracks apart people with similar interests and concerns and to weaken the votes of Democrats in the packed District 1 of Cincinnati? I'll leave that to all of those here to determine that answer. In other words, in my view, this was done for purely partisan political advantage, which is classic gerrymandering. Now, when I gave testimony in the Government Oversight Committee about the democratic Brown-Galonski map proposal, I was questioned by a Republican member of this body about one of our districts, which he felt had grouped disparate Appalachian counties together. He noted that Noble County and Lincoln County were two totally different counties, which were both included in our District 6, any thought that they should not be grouped together.

The member further criticized our map, stating that, "We need to look at and keep Appalachia with Appalachia counties," which we in fact had done. He just didn't like which counties we included together. And then this member stated that the Appalachian counties, "Don't want to be with these big metropolitan areas." And yet the map in question does the very thing that this Republican member said we should not do, lumping Appalachian counties in with a big metropolitan area, specifically District 2.

Now the map in question also unduly splits Summit County, and places Akron and Canton in separate districts. In the Brown-Galonski map, Summit County was not split at all. It was kept whole. And Akron and Canton were placed in the same district. We did this in response to the well known desire of many of the area's business leaders, most of whom I assume my Republican, and others like Senator Kirk Schuring, who for years have been advocating for the development and branding of the area as the "Akron-Canton Metroplex." There is even a magazine called the Akron-Canton Metroplex Magazine, extolling the economic virtues and advantages of combining metropolitan statistical areas, MSAs for a variety of business and economic reasons like increasing tourism and creating larger markets, which give all of the communities in the metroplex greater power to compete for new businesses, new industries, and jobs.

The map at issue today tears asunder the Akron-Canton metroplex economic development areas in terms of congressional representation, and ignores the needs and desires of the people of this area. And again, demonstrates the fallacy of the sponsors claim that the mapmakers drew districts in part in response to public input.

Finally, since the sponsor yesterday wanted to talk about compactness, even though no one asked that question, I'd be derelict if I failed to mention compactness. Now, one way of measuring compactness, a common sense way, is to compute the drive time and driving distance between the two furthest points in the district. Comparing the democratic Brown-Galonski map to the map in question today, it is clear that the districts in the subject map are not nearly as compact as those in the Brown-Galonski map. The average driving distance in the Brown-Galonski map of all the proposed districts

together and averaged is 95.4 miles. But the average driving distance in the map at issue is 108.7 miles. The maximum driving distance in the subject map is longer in 11 of the 15 proposed districts, compared to the Brown-Galonski map. Many of the districts in the subject map are not compact, such as District 5, which starts with the north coast Lake Erie County of Lorraine and stretches westward all the way to the Indiana border, including the rural farming counties of Paulding, Van Wert, and Mercer.

Now the exchange I had yesterday with the bill's sponsor is a microcosm of the entire process, which has unfolded regarding both the state house maps and the congressional maps. There has been a lack of transparency in the process. There has been deflection, distortion, and at times deception about these maps. This map in question violates certain constitutional provisions. It is unfair. It does not comply with the letter of the law or the spirit of the reforms Ohioans overwhelmingly voted for in 2015, in 2018. It unduly splits Cuyahoga and Hamilton counties twice. It unduly splits Summit County. It tears apart the Akron-Canton metroplex. It carves out downtown Columbus from District 3, and places it in District 15 with rural counties like Clark, Fayette, Madison, Clinton, Pickaway, and Ross. And all of this is done clearly for partisan political advantage. It is sad and unfortunate that we are here at this point today. The people of Ohio deserve so much more. I urge a no vote.

Speaker (00:28:24):

Question is, shall the bill pass? Chair recognizes Representative Swearingen.

DJ Swearingen (00:28:30):

Thank you, Mr. Speaker. And there's an old saying in the legal profession that when the law is on your side, pound the law. When the facts are on your side, pound the facts. And when neither are on your side, pound the table. Well, the day proponents of this bill are going to be pounding the law and pounding the facts because we have absolutely no reason to pound the table, or in some cases, our desks. When you look at the plain language of Article 19 Section 1 and Section 2, pertaining to the maps, this map satisfies the plain meaning of that text. This is what the voters voted on in 2018 when they went to the voting booth, and we've satisfied their intent in that regard. The first subsection, like my colleague mentioned, you cannot pass a plan that unduly favors or disfavors a political party or its incumbents.

This map does not unduly favor or disfavor a political party or their incumbents. Under this map, utilizing the federal election data over the last 10 years for the state of Ohio, there are six lean Republican seats. Seven districts are competitive districts, meaning the index is plus or minus four points. And there are two lean Democrat seats. When you look at the text of Article 19 and the rules provided for the mapmakers, and you look at the population in Ohio, there are only about three to four counties, and the Trump election indicated this. There are only about three to four counties from which mapmakers have to pick Democrat population.

So you go into those counties as well to also make the districts competitive. And thus, you have the map before you, you have of today. If you have the right candidate on the right issues, you can win a competitive district. Whereas the democratic map that was offered in the house offered a predetermined outcome. And I think Senator McColley said it best in his sponsor testimony. "What captures the spirit of what the voters passed in 2018 is competitive districts that are subject to the political wins of Ohio." Again, if you have the right candidate with the right message, you can win a competitive district. And this is the way that we make sure that the maps do not unduly favor or disfavor a political party. This map only puts two incumbents against each other in the same district. They are Republicans, and no Democrats are double bunked in the same district.

However, if you look at the map that was offered by the House Democrats, seven Republicans are put into three districts to run against each other, thus unduly favoring Democrats and disfavoring Republican incumbents, which violates the text of Article 19. Moreover, this map only has 40% of the seats at a partisan index above 60%. That's less than half of the seats. Whereas the house democratic map that was offered has 53% of the seats, over half, at a partisan index of 60% or more. And we have to talk about the federal election data. It's proper to use the 10-year federal election data on this issue. Because Ohioans distinguish between state issues and federal issues, and their vote pattern indicates accordingly. So since 1994, Republicans have won every statewide constitutional elected office save for 2006. But they voted for Republicans and Democrats at the federal level for president, for senator. So you can see that using federal data is more indicative of where Ohioans are at on federal issues. So the federal data was used. This map is the most competitive map offered in the general assembly to date.

The next element, the general assembly shall not unduly split government units. Let's look at the county splits. The proposed map includes 76 whole counties, which is more whole counties than any Ohio congressional plan in over 50 years. The proposed map splits less counties than both the house and senate Democrat proposals. The Ohio Constitution allows for 23 splits currently. However, this plan only splits 12 counties. The map approved in 2011 actually split 23 counties, and we've gone from 23 to 12. Each congressional district that is not wholly contained in a single county also includes at least one whole county within the congressional district boundary.

Let's move on to the subdivision splits. The proposed map has 14 political subdivision splits the house Democrat plan split 21 subdivisions, most of them Republican townships. Columbus, approximately 70% of Columbus in the subdivisions are within Congressional District 3, which is a higher percentage than both Democrat proposals. The population of Columbus is greater than the target population for a congressional district, so it had to be split. Cleveland, it was first split in congressional plans in the late 1800s. Cleveland is wholly contained within Congressional District 11 under the proposed plan. Cincinnati is also wholly contained within one congressional district for the first time in over 100 years. Akron.

PART 1 OF 6 ENDS [00:34:04]

DJ Swearingen (00:34:00):

District for the first time in over 100 years. Akron, currently divided into two congressional district is also wholly contained within congressional district 13. Dayton, wholly contained within congressional district 10 and it's also paired with Wright-Patterson Air Force Base. Toledo, which is currently divided into two congressional districts, is also who contained within congressional district nine. Only three of the top 100 most populous cities are split. Thus, the general assembly by voting yes on this map today has satisfied the constitutional requirement in article XIX that county and political subdivisions are not unduly split. You also at this point must attempt compactness. That's the direct verbiage contained in article XIX, attempt compactness. Now this map, just looking at it, it's all on our laptops, it satisfies the eye test. You look at it, there's no snakes. There's no ducks. There's no slivers on the river. Or my favorite, there's no Us around the shoe.

These maps are as compact as you can get when you're required to fit 786,629 people into congressional districts which include very rural areas of Ohio. It keeps together political subdivision counties, like we just explained. And that in and of itself is evidence of the fact that these indeed satisfy the criteria for compactness. Last, you have to have an explanation for your plan, which is also included, and you can feel comfortable voting on today. Now, I want to talk a little bit about the process that I witnessed as a member of the government oversight committee. And yes, there were people that came

in and we had public hearings. However, we have to call out to Ohioans the special interests that were involved in influencing this congressional map. First off, there were special interest groups themselves that represented various industries in our state. That's fine. You have free speech rights. You can come in and testify, but as their testimony went on, it became obvious that they were less concerned about the maps themselves and a little more concerned about getting a map that satisfied their preferred policy preferences. And that itself is not in article XIX of the Ohio Constitution. We have to call out the National Democratic Redistricting Commission that came in and funded groups to influence the maps. And these are the same organizations that gave to political candidates in the 2020 race. They supported Ohio Supreme Court justices that also ran on a message of further attempting to influence the maps. These organizations are in states like Ohio, Georgia, Wisconsin, North Carolina. They're curiously absent from states like Illinois, New York, and New Jersey. However, after the last election, they might put New Jersey on the list. The map drawn by the Ohio Democrats which was just offered before you as an amendment was not a compromise map. No Republicans were around the table. We weren't invited to be around the table when it was drawn. It was drawn with a consulting firm out of Washington, DC. So when we talk about who's sitting around the table, compromise, and who's invited to testify, let's be clear about that. This map before you does have input from the public. It's a good map. It satisfies, most importantly, article XIX of the constitution. And I would urge a yes vote today.

Robert R. Cupp (00:37:34):

Question is, shall the bill be agreed to? Chair recognizes Representative Hicks-Hudson.

Paula Hicks-Hudson (00:37:40):

Thank you, Mr. Speaker. Permission to speak to sub bill Senate bill 578?

Robert R. Cupp (00:37:45):

The representative may proceed.

Paula Hicks-Hudson (00:37:47):

Thank you, Mr. Speaker. I rise in opposition and to give voice to the Ohioans who expressed their will in 2015, 2018, and 2021. I'm going to talk about two things, not only the voice that was silenced by this process, but also my colleague ended his conversation to us discussing the constitutionality of this particular piece of legislation. I choose to disagree and strongly disagree with that statement. And specifically, I want to reference Article XIX subsection 1C 3d, which states, "The general assembly shall include in the plan an explanation of the plan's compliance with division C3 A2c of this particular section." He glossed over that particular statement in his remarks just a minute ago, because if you look to page 901 of this bill, it is not an explanation. It is merely a regurgitation, a description of what this plan does, how it exists, but not explaining why it exists or how it became part of this bill.

So therefore on its face, this particular section shows that this bill is not constitutional. And we can go into the other parts, but I think that my colleague in his explanation really pointed out the problems that this legislation has. But more importantly, let's talk about those citizens who voted to create this process. Let's talk about those citizens from the beginning of this year until this week who came before us at different times and different venues and different times to talk about what they expected of us. So today, as we vote upon this bill, it is a truly, a sad day in Ohio. The people of Ohio put their faith in the Ohio legislature, into us, when they voted for what they thought would be an open and fair process for creating the congressional maps. Instead of fair representation, we are looking at a 13-2 map. I don't care how you parse it. It is a 13-2 map.

Unfortunately, this legislature has failed and this legislation has failed and it is a disgrace. It does not represent the will of the people. What is before us today is a map that was not based upon listening to the Ohioans who came from around the state to offer input on how they wanted to choose their representatives. Further, this is a map that is not constitutional and rather that is merely saying that it is unconstitutional. It is a map that was not public until Monday night, November 15th, 2021. We did not get the official shape map until Wednesday morning, because I too serve on government oversight to actually review and evaluate the data behind this map. And I raise the issue about data because it is so important. We talk about the basis for why we do these things.

And unfortunately, the basis for this particular map is not founded in data. And one of the things we know that we can look at different things and come up with different conclusions. But the true fact remain that the citizens of Ohio expected us to put together a map that reflected what they believe was important. I will not talk about the farce that occurred in the Senate that resulted in this bill, but I will talk to you about the farce that occurred in our own House. We should no longer call this The People's House because the people's voices were not listened to nor were they heard nor given an opportunity to speak on this particular piece of legislation. The sponsor said that this bill reflects the voices of the people who did testify. I strongly disagree. In fact, I don't know how the statement can be made since no regular Ohioan was given the opportunity to react or respond to this legislation that we're voting on.

I have before me proponent testimony, there was only one proponent and I put that air quotes, from a Dr. Mark Rylan, who spoke before our committee in support of and his proponent testimony is titled, "In support of fair maps and redistricting." He says he is from Stow, Ohio. And I'm just going to read the last part of his testimony. "Despite this overwhelming opinion of Ohio voters for legislators to act and come up with a fair map and three years to do it, nothing of any real meaning or value has been done. The legislators and the Redistrict Commission has failed the people miserably and should be ashamed of themselves. You do not deserve our votes and you do not deserve our respect. I personally feel your inaction has been intentional and guided by partisan politics and ultra-conservative beliefs, and you should all resign. We deserve better from our elected officials."

This past Friday, Friday a week ago, I had the opportunity to speak to a number of students in Toledo Public Schools about the maps that they had drawn, the congressional maps that they had drawn as part of an exercise to learn about democracy, to learn about voting, to understand how important it is to be participating in our government. When they showed me their maps and compared their maps to the maps that we were just talking about, we didn't have this map for me to be able to show it to them for them to react. The one question that I heard over and over from these young people, the people that are supposed to look up to us were saying, " How could this be? We looked at the rules. We followed the rules. We did the best that we could to put together a map. And our map does not look anything like this map. How is this map fair?" So I had to try to explain to them what's important and how things are and whether or not it is fair.

So Mr. Speaker, it is important that we today be real clear about why we're voting the way we do. And I do urge a no vote on this map because it does not reflect the will or the voices of the people. So we should no longer call this The People's House. I'm not sure exactly what we should call it, but I do know that this is a sad day for Ohio and it's a sad day for all of us and for those who vote in favor of this map. Thank you.

Robert R. Cupp (00:44:54):

Question is, how the bill pass? Chair recognizes Representative Howse.

Stephanie Howse (00:44:59):

Thank you, Mr. Speaker. Permission to speak on sub SB number 258?

Robert R. Cupp (00:45:03):

Representative may proceed.

Stephanie Howse (00:45:04):

Okay. Thank you. One of the things, we were in committee yesterday, and there's all these conversations about what is in the bill and we're sticking to the constitution. And I always like to take a step back to figure out, how did we get there if this was a vote of the people? And this thing, I took a step back and went to 2018 to figure out, "Well, what did people actually vote on?" So we want to read it.

"I, Jon Husted, certify the printed below are the full text, ballot language, explanation, and arguments that were certified to me by the Ohio Ballot Board or filed with the Secretary of State as prescribed by law for the constitutional amendment proposed by the Ohio General Assembly, pursuant to article XVI, section one of the Ohio constitution. This was done on the 15th in April in 2018, the actual ballot language which people voted on. Issue one, creates a bipartisan public process for drawing congressional districts, proposed constitutional and amendment proposed by joint resolution of the general assembly to amend the version of section one of article 11 that is scheduled to take effect January 1st, 2021. And to enact sections one, two, and three of article XIX of the constitution of the state of Ohio to establish a process for congressional redistricting. A majority yes vote is necessary for the amendment to pass. The proposed amendment would, one, end the partisan process for drawing congressional districts and replace it with a process with the goals of promoting bipartisanship, keeping local communities together, and having district boundaries that are more compact.

"Number two, ensure a transparent process for requiring public hearings and allowing public submission of proposed plans. Point three, require the General Assembly or the Ohio Redistricting Commission to adopt new congressional districts by a bipartisan vote for the plan to be effective for the full 10-year period. Point four, require that if a plan is adopted by the general assembly without significant bipartisan support, it cannot be effective for the entire 10-year period and must comply with explicit anti-gerrymandering requirements. If passed, the amendment will become effective immediately. Shall the amendment be approved? Yes or no?

" When you go to the explanation, vote yes on issue one, a fair bipartisan and transparent process. Vote yes on issue one, a yes vote will create a fair bipartisan and transparent process when drawing congressional districts that will make politicians more accountable to voters. Issue one is supported by an overwhelmingly bipartisan majority of legislators, as well as nonpartisan advocates. Currently it is too easy for one political party to gerrymander safe seats in Congress by dividing local communities and drawing a map without bipartisan support. Voting yes on issue one will limit gerrymandering by requiring that congressional districts be drawn with bipartisan approval or utilizing strict anti-gerrymandering criteria. It will also keep communities together by limiting splits of counties, townships, and cities, and promote geographically compact districts. Fair. Voting yes on issue one will establish fair standards for drawing congressional districts through its requirement of bipartisan approval or use of strict anti-gerrymandering criteria. Voting yes on issue one will help keep our communities together by limiting the number of splits of counties, cities, and townships. Bipartisan. Voting yes on issue one will require significant bipartisan support to adopt new congressional districts for 10 years. Transparent. Voting yes on issue one will require multiple public meetings before adopting a proposed plan for congressional districts.

"Voting yes on issue one will guarantee public participation by allowing members of the public to submit a plan for congressional districts. Voting yes on issue one will preserve citizens' right to referendum and to veto power of the governor when the General Assembly passes the plan for congressional districts. Make your vote count. Vote yes on issue one, prepared by Senators Matt Huffman and Vernon Sykes and Representatives Kirk Schuring and Jack Cera." On May 8th, 2018 Ohioans overwhelmingly voted to support issue one to the tune of 1,178,468 people. That was 74%. When you look even further, every single county in Ohio voted to support issue one. The smallest gap was in Benton county at 59%. The largest county in support was in Cuyahoga County at 82%. Now I asked the sponsor of the bill yesterday, "Do you think the people that voted on May 8th, 2018, wanted what we got and what we are voting on today?"

And I will tell you, unequivocally no. Absolutely not. That is not what people voted for. And I will go through the ways when you talk about in the partisan process for drawing congressional districts and keeping communities together. One of the things I asked is, "Oh, we know we have to do splits somewhere." And I asked again the sponsor of this bill, "Well, how did you decide to split Oakwood Village, which is a predominantly black community?" "Oh, we had to do it to the number." And I said, "Well, why didn't you choose some of the other communities?" "Oh, we didn't look at race." Well, that's really problematic because I know there are some violations of the Voting Rights Acts. Then when you look at, ensure a transparent process by requiring public hearings and allowing public submission. When you look at this process, this bill in and of itself came to us, it came in the Senate on October 27th. So first, it was never an intention of this body to try to get bipartisanship because we had a first deadline of September 30th and none of us even met.

So it was never the intent of this body to do bipartisanship. When we talk about public submission and public participation, when we had the meeting on... The House got our version on November 3rd, and then it was the following week where we had conversations about the public being able to participate in this process. On November 10th, we still didn't have a venue for public individuals to submit their votes. And it wasn't until I brought it up that they actually changed the language actually on the website for people to do. Today is November 18th. So we think it suffice, And you think people back in 2018 voted to have public participation for seven days? Absolutely not. So let's not fool ourselves, just not convince ourselves that we are working, or let me be very explicitly clear that the Republican party is working on behalf of people. Absolutely not. I always talk about, let's just keep it 100. Let's keep it real. It's even word that many of y'all was having a hissy fit because Jim Jordan wasn't going to be your Congressman. So let's be for real, that is not what people voted for on May in 2018. They deserve better. We need to do better and we need to absolutely vote this mess down. Absolutely vote no on sub bill Senate bill number 258. Thank you, Mr. Speaker.

Robert R. Cupp (00:52:32):

Question is, shall the bill pass? The chair recognizes Representative Kelly.

Brigid Kelly (00:52:36):

Thank you, Mr. Speaker, we've heard from people who've spent their own time collecting signatures, trying to put reform on the ballot. And we've heard from some of them in hearings. We've heard from some of them via calls and emails to our offices. And why have we heard from them about this? Because they're sick and tired of gerrymandered maps and elective representatives who choose their voters instead of voters having the opportunity to actually elect someone of their choosing. What else did we hear from these people? That this process and these maps do not live up to the language outlined in the ballot initiatives, that this process and these maps are not what people demanded when they amended

the Constitution for fair maps. When you have a process that's cloaked in secrecy and maps pulled out of the can at the last minute, it's hard to imagine us anywhere but where we are right now.

And Mr. Speaker, this map drawing process reminded me a little bit of playing Monopoly with my dad when we were little. Every time we played Monopoly, my brothers and I would always think that we had a shot at winning. We'd always think that maybe he'd make a deal with us so that we'd be able to prevail. But eventually we understood that when it came to Monopoly, my dad just failed to follow the rules. So today this is way more important than our family game nights. When Ohioans came together to change the constitution and end political gerrymandering, they expected us to follow the rules. They voted for a process they expected to be fair, bipartisan, and transparent, but it appears that citizens have gotten none of these. This process was not created to provide a loophole for one party to draw maps, railroad them through and say, "Well, we couldn't get the other side to agree on our 13-2 map, so we really had no choice but to do this by ourselves. We had to negotiate ourselves instead of making a good faith effort to get to a 10-year bipartisan map."

Instead of providing transparency by releasing maps in a timely fashion and real accessibility so that people could come testify on actual maps, not on hypothetical lines, not on mystery maps. The map was released just 14 hours before its first scheduled vote and without any of the underlying data necessary to perform a thorough analysis on its impact on our communities. As you heard, I asked in committee about how many people came to testify on this particular map, came to testify in favor of this particular map, and as you've heard, the answer is zero. Now, if we were actually committed to a fair, transparent bipartisan process, people would've had time to analyze the maps. The maps wouldn't have come out of the can at the last minute with no time for people to come in and testify on this specific map.

And now I know that folks will say that we fulfilled the requirements. We had a sufficient number of public hearings, but it doesn't mean you made the process transparent and accessible to people. Holding hearings in the middle of the work day in the middle of the work week can hardly be calling this process transparent. Announcing committee meetings at the last minute, having hearings at the same time, and also providing zero opportunities for members of the public to testify on the maps on which we are voting today is not transparent. We could have worked together. We could have worked together in a bipartisan way to build a fair map that keeps communities together and does not unduly favor one political party. But here we are with a 13-2 map that's more of the same old gerrymandering we've had in the state for the last decade.

The Princeton Gerrymandering Project does nonpartisan analysis to understand and eliminate partisan gerrymandering on a state by state level. So on a scale from A to F the Princeton Gerrymandering Project gave Senate bill 258 an F, that's the worst, on its partisan fairness scale, even though the people's constitutional reform requires partisan fairness by prohibiting unduly favoring a political party or its incumbents. This map unduly favors the Republican political party and its incumbents in violation of article XIX, section 1C 3a. A fair map would keep Ohio's communities together as much as possible, particularly those in and around the state's largest cities, in order to ensure adequate political representation. A fair map limits county splits as much as possible. And while the constitution allows for a certain number of county splits, it's not necessary to use all the allowable splits. Not only is it not necessary, unduly splitting political subdivisions is prohibited by article XIX Section 1C 3b, but this map does it anyway.

Not to mention that no one has really been able to explain why they made the decisions they did on these maps, only that the decisions were made. And of course, I'm going to talk about Hamilton County, the biggest loser on these maps. Cincinnati is kept whole, but just because the city is kept whole doesn't mean the community is kept whole. Splitting Hamilton County twice was a choice.

Neighborhoods in Cincinnati are paired with Warren county instead of with its own exurbs and suburbs. Some of those exurbs and suburbs, including the predominantly black communities of Forest Park, Woodlawn, and Lincoln Heights have been put together with Butler County, Preble County, Darke County. The remaining neighborhoods, including places like Silverton, Indian Hill, Madeira, haven't been grouped together with Warren or Preble County, but have been shuffled into a district that includes 13 rural counties to the east. How are these people actually able to elect representatives of their choice?

Now, some people say that Hamilton County should be thrilled to have three congressional representatives, but when you crack communities apart and group them with dissimilar areas, you don't end up with three representatives. You effectively end up with zero representatives. Now, some might say it's a small example, but I think it's illustrative of why people in Hamilton County are so frustrated. "We're already cracked apart now. We're going to be cracked apart in this map. We are home to one of the worst bridges, one of the most dangerous bridges in the entire nation, perhaps you've heard of it, the Brent Spence Bridge, and neither of the congressional representatives in Cincinnati voted for the infrastructure bill which actually gives us a shot at fixing our bridge, nor did the third representative who will under this map represent the North central part of the county."

Now I'm going to borrow some words from my constituent Whitney Sadiki who said, "Gerrymandering is a complex subject, but as soon as people understand how redistricting has diluted their voting power and rigged our elections in Ohio, people become frustrated, appalled, and passionate about this subject. This is not the democracy our community members studied in civics class or learned about when immigrating to the United States. It is critical that as citizens, we understand how redistricting has pushed our nation and specifically Ohio to the political extremes, leading to predictable election outcomes and disengaged voters, and perhaps most significantly how it has diluted the voting power of marginalized communities by splitting our communities. No matter what party you're affiliated with, you deserve adequate political representation. My hope for this round of redistricting is that Cincinnati will not be split up in such a way that it dilutes the collective voting power of this community." Mr. Speaker, it seems like some folks want to make this process about everything else except for what it actually is. These maps, this process has failed to deliver on the promise of real reform to the people of Ohio. It is a failure to deliver fair districts to the people of Ohio. It is a failure to create a pathway for Ohioans to elect voters of their choosing instead of politicians choosing their voters. We can do better. We should do better. Ohioans trusted us to do better. We have the power to do a lot of good for the people in this state, and we have the power to strengthen our democracy if we actually have the courage to use it. I urge a no vote on this gerrymandered map.

Robert R. Cupp (01:01:14):

Question is, shall the bill pass? Chair recognizes Representative Brinkman.

Thomas Brinkman, Jr. (01:01:26):

Thank you, Mr. Speaker. I stand here with a smile as wide as the Ohio river that that bridge faithfully crosses because Hamilton County is now going to have three congressmen representing it in the US Congress. Think about that. 800,000 people will have three congressmen fighting for all their issues up in Congress. That's as many as the state of Wyoming, the state of Delaware, and take your pick of one of the states of the Dakotas. I think it's a great thing. And we will have an outsized representation up in the US House of Representatives. And I want to thank the folks who drew those maps because it's really going to help Hamilton County. As a lifelong resident, I think these are great maps. We've heard how well they were drawn and I think they will withstand the court muster. Thank you very much. Please vote yes.

Robert R. Cupp (01:02:24):

Question is, shall the bill pass? Chair recognizes Representative West.

Thomas West (01:02:28):

Thank you, Mr. Chairman. Mr. Speaker, I think when they first came and started speaking out about redistricting, that the conversation was that African Americans, black and brown people wasn't thought of in this process. But Mr. Speaker, I think that's wrong. I believe that we were, and I think this was all about color. As the president of the Ohio Legislative Black Caucus, this whole redistricting process was about color. It was about red and blue and it was about black and white. And we see it played out in this map. The black and brown communities were diluted, which means that our voice is not as strong as it is today. That's not okay. We had one job to do, just one job, and that was to create fair maps. And if you ask some of the children in our schools today, is 13-2 fair map, they would tell you no. At every level of our grade or education system would tell you, 13-2 is not a fair map.

It's time for us to get back to the table and draw the map that people asked us to do. Whether you are of the majority of the minority party, we were supposed to come together and create a map that was strong for Ohio. It was not about red, and it's not about blue. It's about making certain that Ohio is fairly represented in this house and in this state house. It reminds me of the little story. Whenever there's an important job to be done, there was sure that somebody would do it. Anybody could have done it, but nobody did it. When nobody did it, everybody got angry because it was everyone's job. Somebody thought that everybody would do it. Nobody thought anybody would do it. I forgot the whole statement. But at the end of the day, nobody did what the people asked them to do.

And it's important for us to get back to the table and do what's right for all of our communities, Cincinnati, Cleveland, Hamilton County. Everybody in Ohio deserves to be heard and they deserve to have representation that meets their needs. That's why we're here. That's why each and every one of us are here. Let's stop talking about colors. Let's deal with the issues. I think that's what we want to do when we get here. Let's stop playing games with Ohio. Let's make Ohio the greatest state on this earth, but we do that by drawing fair districts. Not by packing, not by cracking, not by diluting voices, not by saying we did it when we really didn't. Let's stand tall for the American people for Ohio, and let's make certain that all voices are heard. So with that being said, I would not support this bill. Thank you.

Robert R. Cupp (01:06:01):

Question is, shall the bill pass? Chair recognizes Leader Sykes.

Emilia Strong Sykes (01:06:07):

Thank you, Mr. Speaker. "Marked by impartiality and honesty, free from self-interest prejudice or favoritism." That is the definition of fair, based on Merriam Webster's dictionary. That is not substance in bill 258, nor the process by which we got here. But if you do look a little bit further in that definition of fair in the Merriam Webster dictionary, there's another definition that I do think is much more appropriate, and it is, "not very good or very bad." That is what substitute Senate Bill 258 is. And so as we talk about what is fair, I guess we can consider what definitions we're looking at because there is a definition. "Impartiality, honesty, free from self-interest, favorability, or prejudice" is what people voted for in 2018. It's what my colleague alluded to from that certification from our then Secretary of State, now Lieutenant Governor Jon Husted about what would be on the ballot.

But instead this bill gives people another definition of fair, not very good or very bad. And if you think that is what the reforms from 2018 intended to do, you, my friends are sadly, sadly mistaken. I

have been a part of this redistricting process, whether through the redistricting commission or as leading in this caucus, and had the benefit of listening to a lot of people across the state of Ohio. And they had an awful lot to say, because quite frankly, what I heard in these hearings, what I read in the letters and emails and thousands of postcards that I've received over the past year or so-

PART 2 OF 6 ENDS [01:08:04]

Emilia Strong Sykes (01:08:00):

... in thousands of postcards that I've received over the past year or so, is that people are sick of politicians fighting about literally everything. People want a government that works for them. They want to be able to believe in democracy and believe of the ideals of the founding of this country, that all men are created equal, that we all have the ability to pursue life, liberty, and the pursuit of happiness. But unfortunately, people in suits and dresses get in the way, because politics and power becomes more important than the people. And when the people of the state said that they are fed up, they took the law into their own hands, using the state constitution and helped us get a constitutional amendment that would allow for us to stop fighting, so they thought.

We had people come in and talk about literally every policy matter under the sun. And I heard in response, "What does that have to do with the maps?" It has everything to do with the maps, because the most predictable thing, the thing that predicts an outcome of an election, a legislative election, is how the maps are drawn, how the lines are drawn. That is the biggest predictor of any election. So when we hear things about, "You all just aren't good enough. You all don't do this right. You all have the right wrong candidates," that is a simple, easy distraction for the reality that the lines drawn are the single highest predictor of an outcome of an election.

And what people have come to see and notice is that that decision that we make the year after the census is conducted will determine our destiny at the state and federal level for the next 10 years. And it simply was not working for the people of this state to continue down the path we had gone down before war. So we are here on this floor today, and we have an opportunity to work for the people who elected us to be here and to do the exact thing that they asked us to do in 2018, when they voted overwhelmingly in support of that institutional amendment. But that again is not what we're doing today, because those fair maps that they voted for were the ones marked by impartiality and honesty, free from self interest in prejudice or favoritism, but instead, what they're getting is not very good or very bad.

It doesn't take a rocket scientist to understand the irony, if you will, of the fact that this bill was being threatened by members of the Republican super majority to pass another bill that is extreme, unnecessary, and one that people don't even want in this state, in order to pass congressional maps. This process, perhaps the most consequential thing that we will do, it is the most consequential thing that we will do in this general assembly, but that was even hijacked by the fact that we have already gerrymandered maps, which allows political extremism to take precedence over public policy.

And now we are voting on not very good, very bad maps, and we will then later vote on an even worse bill that was used to hijack this process. So it's pretty clear where we are today with this. This bill will likely pass, unfortunately, on party lines. So I will reserve the remaining parts of my comments, not to this chamber, not to the members who are here, but to those who are watching on the Ohio channel and our esteemed governor, because this is a bill, and the executive branch has the ability to veto a bill that he, and maybe one day she, sees as inappropriate. And when our current governor Mike DeWine was running for governor, he said in 2018, "The rules are pretty clear. The voters said that the

redistricting process should be done in a bipartisan way. And when I am governor, there will be an expectation that the new district maps honor the voters' wishes."

I think it's worth reading that again. "The rules are pretty clear. The voters said that the redistricting process should be done in a bipartisan way. And when I am governor," said Mike DeWine, "There will be an expectation that the new district maps honor the voters' wishes." Governor DeWine, I do hope that you honor your words from 2018, or even your words from just a couple of weeks ago where you said, "I think it's pretty clear neither one of these maps, the 13:2 maps are going to fly." Substitutes into Bill 258 is a redesign of the 13:2 map that you said quote, "It's pretty clear neither one of these maps are going to fly." I think that the governor has made his own case for vetoing these maps. Mr. Governor, I would 100% support you in that. And you will receive a letter shortly.

But in the event that the governor DeWine does not have the fortitude to stand up to the Republican super majority and does not give you the definition of fair, which is impartial, honest, free from self-interest, prejudice, or favoritism, I am going to talk to the voters of the state of Ohio, because the state of this constitution, this state's constitution also allows for referendum of bills if they are offensive to the public. Now, 10 years ago, another Senate bill ... and we think that the Senate is our superior 10. That's what they say, but here we are again on the precipice of another referendum. Senate Bill five, 10 years ago was voted on because it was an awful terrible bill for the future of our state. And the people said, "We are getting rid of this." The people of the state have the opportunity to do that again. Now I know, you shouldn't have to. And I am very sorry that we are here at this point. And if there is anything I can do to apologize for that, I will take on the burden of apologizing. And I apologize to you that the Republican super majorities failed to live up to what they were supposed to do for you and decided that they did not have to work for you and will not be accountable to you, but you can still make them accountable. And I hope that the voters of the state are not fatigued and overwhelmed with despair so much so that they give up this fight, because it is not over. For all of you who came to committee hearings and you shared with us about your communities, you shared with us about your common interests, you talked about how beautiful certain neighborhoods were and how much you loved living here, why you moved here, why you stayed here, why you want to see your grandchildren raised here, even those of you who laughed with us, those of you who cried in front of us, those of you who even yelled at us, and some of you all called us names, your voices are, and still are, very, very important. And you can still get the government that you want and the government that you deserve.

Our government is created by and for the people. And sometimes the people have to rise up and tell the elected officials when they're doing things wrong. I hope that you maintain that mustard seed of faith and you keep fighting, because I recall telling all of you that I keep a mustard seed of faith. Even in this position as a Democrat in the super minority, I get my faith from a much higher power than any man in this room or others. And while I may not have any faith that the Republican leadership will do the right thing, I do have faith in the people of this state. And I do have faith that things will work out for all of us in the end, in the way that they are supposed to.

So I am encouraging every single Ohioan who happens to be tuned into the Ohio channel this lovely fall afternoon, and reminding them that there are people who are willing to work for them. And we are willing to work with you to get the results that you deserve in this state, because it is just that important. So ladies and gentlemen of this chamber, again, I encourage you all to vote no on substitutes into Bill 258. Ohioans deserve better than not very good or very bad, which this bill is. Governor DeWine, I am asking you personally to veto this map. And to the people of the state, I am encouraging you to keep fighting for your Ohio promise of better lives and brighter features in an economy that works for everyone. Thank you, Mr. Speaker.

Speaker (01:18:37):

Question is, shall the bill pass? The chair recognizes representative Seitz.

Bill Seitz (01:18:41):

Thank you, Mr. Speaker. We've had a lively debate this afternoon and we've heard a lot about how we, the citizens of Ohio, are tired of having the politicians pick their voters rather than the voters pick their politicians. During all the public testimony, which I would remind everyone we had far many more meetings and public opportunities for input this time around than we did 10 years ago when I was here, we heard all those voices. Some of the loudest were from the former chairman of the Ohio democratic party, who said that neither most of the Republican congressmen in Ohio, nor most of the Republican members in this chamber could ever win election but for gerrymandered districts. The whole problem is gerrymandered districts. He called us hacks, he called the former Justice of the Supreme Court a hack, he called Senator Huffman a hack. He called many of you hacks, couldn't win without gerrymandered districts, but he, and those that expressed that point of view never fessed up to an interesting fact.

If it's all about gerrymandered districts, then tell me why the governor of Ohio is a Republican, the lieutenant governor of Ohio is a Republican, the Secretary of State of Ohio is a Republican, the attorney general of Ohio is a Republican, the treasurer of state is a Republican, the auditor of state is a Republican. Is the whole state gerrymandered, or have we become a red state? Perhaps those arguing for fairness might next propose a constitutional amendment that we somehow reach up and draw Detroit down into the state of Ohio to make it more fair, or to draw Pittsburgh over the Ohio river to make it more fair, but I'm sure the democratic parties of Michigan and Pennsylvania would have something to say about that. We've heard a lot about the 13 to 2 map. 13 to 2 map, 13 to 2 map. Says who? Dave? Who's Dave? Predictions are predictions and predictions often turn out to be wholly untrue.

Let me give you exhibit A, the state of Virginia, which voted for Joe Biden by over 10 points in last year's presidential election, and yet a scant couple weeks ago elected a Republican governor in something on the order of a 12 to 14 point reversal of fortunes. And while they were at it, they elected their first African American lieutenant governor, Republican, and their first Latino attorney general, Republican. So all statewide offices to be elected in Virginia this past year turned on a dime, overcame a 10 point deficit, and are now Republicans. Exhibit B, the state of New Jersey, 16 points last year, victory for President Biden over Trump. And yet the democratic governor of New Jersey held on by a scant two points. Again, a 14 point reversal of fortune in one year. Exhibit C, just two days ago, Columbia, South Carolina, in a county that voted by Joe Biden in South Carolina by over 40 points last year, 40, not four, 40, just elected their first Republican mayor on a 52% to 48% victory, their first Republican mayor in the city of Columbia in over 30 years.

Now how does exhibits A, B, and C stack up against the so called 13 to 2 map? Well, my expert here, Mr. Swearington tells that in nine of the 15 districts in the map before you today, the partisan index is 8% or less, something on the order of 54 to 46. And in seven of the 15, it is 4% or less. Well folks, the red wave is a coming at you like a freight train, and we've seen it in Virginia and we've seen it in New Jersey and we see it in Columbia, South Carolina. And if we can overcome 10 points, 16 points, 40 points in one year, you can too. It certainly isn't because of bad leadership on the part of the democratic party. Mr. Pepper was chairman during all that time the Republicans won all those seats.

Now we've heard a lot about Hamilton County, and I feel compelled to talk about Hamilton County because I've lived in Hamilton County longer than anybody else in this room here today has lived in Hamilton County. And I can tell you that my part of Hamilton County, we are pleased as punch to be allied with our great friends in Warren County, representative Zeltwanger, representative Lips, Senator

Wilson. We all work together to get good capital projects for our region. We have a lot more in Greene Township and Delhi Township, Harrison, Colerain Township, Crosby Township, Whitewater Township. We got a lot more in common with the good folks of Deerfield Township and Mason and Springboro and some of those other ... South Lebanon, Lebanon, and Ronnie [mag 01:25:15]. I remember all the great people from Warren County. So the idea that everybody in Hamilton County is mad is fiction.

The Democrats are mad. And the Democrats are mad because it was their single-handed objective for these maps to create a map in which Congressman Shavit would lose, would lose. Those of you that talk about fair, impartial, honest need to review the history of Congressman Shavit. Congressman Shavit defeated two incumbent congressman over his career, Mann and Drehouse, four Cincinnati mayors over his career, Mann, Cranley, Quals, and Peraval, four. And in every one of his elections, it's always been within a whisker. He has had more competitive elections than anybody else in Ohio in Congress over the last 25 years.

And guess what? The map before us today creates a district that according to Dave or the eggheads at Princeton favor Shavit by a point or two, at best. One or two points. One or two points. Is he calling us up, "Oh, oh, you're really hurting me?" No, he's took on those of fights for 25 years. He's going to take it on again, but he wasn't going to put up with the rigged map that the Democrats submitted. They're just mad because they haven't been able to beat him. And I have every reason to believe it'll be a spirited contest and that we have, in this map that we've proposed, far more competitive districts than the Democrats did with far fewer jurisdictional splits than the Democrats' map showed. We're doing what the city of Cincinnati always wanted. Shavit had 75% of the city of Cincinnati before. Now he's got a hundred percent of the city of Cincinnati. Instead of them doing somersaults and saying, "Well, you finally did what we wanted," no, they moved on to something else to complain about.

In closing folks, there's been enough hypocrisy around this whole issue to fill a Texas-sized outhouse. We drew maps that keep communities of interest together, because the best definition of what a community of interest is, is a city boundary or a township boundary or a county boundary. And as I said a minute ago, the maps we're about to vote on have fewer jurisdictional splits than any other map that was presented and fewer jurisdictional splits than any map in the last 50 years. So we kept that community of interest together. We did a marvelous job of keeping communities of interest together.

And to show you just how hypocritical this is, about 45 minutes ago on the little Twitter feed, I saw a Twitter from the Equal Districts, which is one of the allied liberal organizations that came down here and beat the drums for what they called fair maps, and they said, "These maps would give Republicans 80- 87% of Ohio seats in Congress, even though Republicans only win 55% of the vote. Stop cheating us." That's what they said. But when the state redistricting commission considered maps for the general assembly a few weeks ago, they looked at the map submitted by the democratic members of that commission, which would've taken the seven house seats in Hamilton County, a county which lately votes 55% Democrat, 45% Republican based on the results of DeWine versus his opponent and Trump versus Biden, 55% Democrat, but the democratic map submitted to the redistricting commission gave the Democrats at least five of the seven seats.

71% of the seats would go to Democrats in a county that votes 55% Democrat. Somehow that's not cheating, but what we're about to do is cheating. And one of the expert witnesses filed an affidavit on behalf of the people suing the redistricting commission in the Supreme court. And in that affidavit, some professor whose name is Latiner, I believe, said that the fair map for Hamilton County would be six Democrat seats and one Republican seat. Six Democrat seats and one Republican seat. Guess what folks? That's 86% of the seats in Hamilton County, a county that votes 55% Democrat. Oh, but that's fair. Fair, ladies and gentlemen, is in the eyes of the beholder. We have followed the constitution. We have

done our duty. We have listened to the people. Listening to them does not mean agreeing with them. We are prepared to forge ahead in eager anticipation of the election results in 2022. I urge a yes vote.

Speaker (01:31:16):

Question is, shall the bill pass? The House will prepare and proceed to vote. Have all members now voted? Clerk will take the role. 55 affirmative votes, 36 negative votes. Having received a required constitutional majority, the bill is hereby pass and entitled.

Speaker 3 (01:31:55):

Enact to an act section of the [inaudible 01:31:56] code to establish congressional district boundaries for the state based on the 2020 decennial census delay, certain deadlines with it to the 2022 congressional primary election.

Speaker (01:32:04):

Question is, shall the title be agreed to? Representative Wilkin moves to amend the title. If you wish to add your name to the title, please do so at this time. Without objection, the title will be agreed to. Hearing no objection, the title is agreed to. Bills for third consideration.

Speaker 3 (01:32:27):

[inaudible 01:32:27] household number 292, representative [inaudible 01:32:28] and others to amend to a section of the advised code to create a temporary sales tax exemptions for electric vehicle production parts and to create the electric vehicle commission.

Speaker (01:32:35):

Question is, shall the bill pass. The chair recognizes representative Sobecki.

Rep. Sobecki (01:32:40):

Thank you, Mr. Speaker. Permission to speak to the bill?

Speaker (01:32:42):

Representative may proceed.

Rep. Sobecki (01:32:44):

Thank you, Mr. Speaker. I urge my colleague support House Bill 292 in its current form, which establishes an electric vehicle commission. First I'll explain what is in the bill. And then second, I will tell you why we need it. House Bill 292 is actually a true bipartisan piece of legislation that establishes the electric vehicle commission and creates a temporary sales tax exemption for electric vehicle production parts. The commission consists of 10 people, four current lawmakers, two from the Senate and two from the House, each one split between the majority and minority caucuses. The governor that appoints six members, one to each represents the following local governments: organized labor, operating in the automotive industry, the automotive industry itself, the Ohio Automobile Dealers Association, the electric vehicle charging station of manufacturing industry, and Clean Fuels Ohio. The commission is responsible for evaluating the impact on jobs related to electric vehicle production, trading, research and development, and the effectiveness of the tax exemption.

The commission is required to submit an annual report to the Department of Transportation and leadership of each chamber. House Bill 292 also creates a temporary exemption on the sales tax for qualifying property. The [inaudible 01:34:30] expiration is December 31st, 2026. The definition of qualified property is narrow. It is for parts specifically designed for electric vehicle production. It does not include car parts, such as tires or radios that are also used for combustion engine vehicles. The commission is modeled after similar legislation in Indiana, which was passed and enacted in April of this year. Additionally, five of our fellow states in the Midwest created a regional Electric Vehicle Coalition, of which we were not a part of. These are examples of what other states are doing to prepare for the onset of electric vehicle industry. If they prioritize this issue, we as state need to prioritize this issue too.

Establishing an Electrical Vehicle Commission is critical to Ohio's future. Ohio has a long history as a powerhouse in the automotive industry, from the creation of the electric starter by Dayton native Charles Kettering, to Cleveland's Alexander Winton, who created the first horseless carriage. The buckeye state has always been home to automotive innovators. It's time for us to take the next step. Companies like Ford, GM, and Honda have each declared their intent to begin producing new electric vehicles, each with aggressive plans for new technologies. Ohio must be in the center of this new innovation. As a number one producer of engines in America and historic home to the auto industry, we must ensure Ohio is prepared to make this shift to greener vehicles. Like many other states with large auto industries, we must be prepared for this shift to new technologies and must assure Ohio remains competitive in the changing industry.

We must evolve and coordinate workforce development, infrastructure, and supply chain operations to support an emerging industry that has created well paying jobs for Ohioans. By taking a look at how Ohio can adapt and grow, we can be the center of a revolution in the electric vehicle technology. House Bill 292 is favorably reported by the House Transportation Committee 11 to one. And I want to thank members of the House Transportation and public safety committee, including Chair Baldridge. Thank you, my friend, and ranking member Representative Sheehy for their support. I want to thank my joint sponsor, Rep. [inaudible 01:37:32], his legislative aid, Zen Taylor. Thank you for our policy advisor for Transportation Committee, the minority policy director, Nick Mutuo. Thank you to the LSC staffers who worked on the bill. And most importantly, I thank my legislative aid, Benjamin Lynn. Thank you Mr. Speaker for bringing House Bill 292 to the floor for a vote today and by establishing an Electric Vehicle Commission, House Bill 292 thrust Ohio forward into overdrive, an electric vehicle future. I urge a vote on House Bill 292.

Speaker (01:38:12):

Question is, shall the bill pass? The chair recognizes representative Cutrona.

Rep. Cutrona (01:38:16):

Thank you, speaker. And I'd also like to reiterate that this is really an essential bill for the state of Ohio. We must stay competitive, and that's exactly what this piece of legislation does. And my joint sponsor had mentioned exactly what this bill does and I won't waste any additional time. And I know we're all busy, but it does show that we can work together, doesn't it? And that's what this legislation will accomplish. And Ohio is a manufacturing place and we will continue to do that. And we need to let the rest of the country know that we are here, we are open to manufacturing these EV vehicles. As we start producing those, this will continue to make us competitive amongst bordering states. I urge a yes vote, and I'd like to thank you, Mr. Speaker, for allowing this to hit the House floor and for chairman Baldridge.

Speaker (01:39:07):

Question is, shall the bill pass? The chair recognizes representative Sheehy.

Rep. Sheehy (01:39:11):

Thank you, Mr. Speaker. I rise today in support of House Bill 292, which will establish the Electric Vehicle Commission within the Department of Transportation and authorizes the temporary sales and use tax exemption for certain parts used in the production of electric vehicles. The Electric Vehicles Commission study will make recommendations related to the EV production in Ohio. This body will help position Ohio retain its dominant role future of the automotive industry. Through House Bill 292, we can assure that the transition into the electric vehicle benefits all consumers, supports American workers, and enhances our state and national competitiveness and national security. House Bill 292 will not have any opponents that passed ... did not have any opponents and passed through the Transportation and Public Safety Committee 11 to one. I want to thank Representative Subeky and Representative [inaudible 01:40:20] for their work on this bill, chairman Baldridge, again, for his leadership in the committee, and all the members of the Transportation Committee and Public Safety Committee for their careful consideration on House Bill 292. And you Mr. Speaker, again, thank you for bringing this bill to the floor. I urge passage.

Speaker (01:40:38):

Question is, shall the bill pass? The House will prepare and proceed to vote. Have all members now voted? Clerk will take the role. 78 affirmative votes, 10 negative votes. The bill has received the required constitutional majority and the bill is hereby passed and entitled.

Speaker 3 (01:41:14):

[inaudible 01:41:14] section of the advised to create a temporary sales tax exemption for electric vehicle production parts and to create the Electric Vehicle Commission.

Speaker (01:41:19):

Question is, shall the title be agreed to? Representative Subecky moves to amend the title. If you wish to add your name to the title, please do so at this time. Without objection, the title be agreed to. Hearing no objection, the title is agreed to. Bills for third consideration.

Speaker 3 (01:41:42):

House Bill number 371, Representative Schmidt and others to amend section revised code to amend the laws governing coverage of screening mamography and patient notice of dense breast tissue.

Speaker (01:41:49):

Question is, shall the bill pass? The chair recognizes representative Schmidt.

Rep. Schmidt (01:41:53):

Thank you, Mr. Speaker. I rise today and ask for you to support House Bill 371, which will bring breast cancer screening into the 21st -

PART 3 OF 6 ENDS [01:42:04]

Jean Schmidt (01:42:00):

Which will bring breast cancer screening into the 21st century. This bill allows for the use of modern technology, which will increase breast cancer screening accessibility and early detection for patients. Mammography is the first line of breast cancer detection. In years ago, when I was in this body, I fought to make sure insurance companies would pay for our mammographies. Today, our fight continues. I became aware of this needed legislation when my close friend, Michelle Young found out she had advanced stage breast cancer. In 2014, her mammogram showed she had dense breasts, but the image failed to show a small tumor was lurking inside. Four years later, the tumor grew large enough to be detected with that 20 year old technology. The cancer spread and costly aggressive treatments were used. Using modern technology coupled with additional screenings could have caught that tumor in its earliest stage. The surgery, the chemotherapy, and the radiation would have been unnecessary.

House Bill 371 allows all women and men to have tomosynthesis during all visits, which is an improvement in mammography technology. Women of any age will be eligible for a mammogram every year and not limit it based on age or risk factors or multi-year waiting periods. If dense breast are detected, they will receive an updated letter describing the underlying risks they have and suggest they may need additional screenings. And that it is up to them and their healthcare providers to decide which additional screenings may be needed. Digital breast tomosynthesis is like a mammogram, but provides better quality images for more accurate diagnosis, which is included in the definition of a mammogram in this bill. This bill also ensures that women who are diagnosed with dense breast tissue will have full access to primary and supplemental breast cancer screenings and be made more aware of the risks we face.

Supplemental breast screenings or any additional screening deemed necessary by their healthcare provider in accordance with the American College of Radiology, including MRIs, ultrasound or other molecular breast imaging. Women and their primary caregivers will decide what screenings are necessary, not insurance companies. Commercial insurance companies, and Medicaid will be required to cover the cost for these supplemental life saving screenings for adult women and men, who have dense breast tissue or have a primary history of breast cancer or have ancestral or genetic predisposition to breast cancer as determined by their healthcare provider. One out of eight women will get breast cancer and 95% will have had no prior breast cancer history in their family. Women with dense breast will have a greater risk. We know early detection is the key to survival. We know it reduces costs and hopefully finds a complete cure. Most importantly, we know that the human cost to families, to the employers, to society, when a woman fights for her life is enormous.

We have the advanced technology to identify cancer at its earliest stage. This bill will make sure we are using it. I would like to thank the medical team at the University of Cincinnati Hospital that helped both Representative Denson and myself with this bill, including doctors Brown, Lauer and Mahoney. I also want to thank my former aide, Steven Caraway, my current aide, Tyler Harmon, my intern, John [Oche 01:46:37] for their help and for chairman Manchester and the Committee On Family And Aging for unanimously voting this to this floor. I also want to finally thank my very dear friend, Michelle Young for bringing this to my attention, this life saving bill and I urge your support. Thank you.

Speaker (01:47:01):

Question is, shall the bill pass? The chair recognizes representative Denson.

Sedrick Denson (01:47:05):

Permission to speak to the bill.

Speaker (01:47:07):

Representative may proceed.

Sedrick Denson (01:47:08):

Thank you, Mr. Speaker. I want to go and add a little bit more to this bill. Representative Schmidt gave a lot of details, but I want to talk about some other things that you may not know. Compared to other types of cancer, breast cancer causes one of the highest rates of cancer related deaths amongst women. Among all of the fighters we have lost, African American women have breast cancer mortality rate higher than any other racial ethnic group at 31%. White and black women are amongst the racial and ethnic group that are most affected by breast cancer. However, the mortality rate for black women diagnosed with breast cancer is over 40% higher than that of white women. Improvements in follow up of abnormal screening tests treatment for breast cancer for black women is critical as we continue to address racial disparities. We must also empower women who often feel marginalized by our medical system.

By improving the way we notify women with dense breast tissue. This bill will increase one's ability to advocate for themselves and push for the necessary screening. Increasing accessibility to that supplemental screening by expanding what is covered by Medicaid and commercial plans for women will allow for more women to be diagnosed and receive treatment earlier. The bottom line is, measures to ensure access to quality breast cancer care and the best available treatments for all women diagnosed with breast cancer can help with racial disparities. This is a huge part of why House Bill 371 is so important. Today, we are in a position to do something that is very important and that save lives. We do a lot of things in these chambers, we just spent some time working on one issue, but today we have the option to do something that is going to be along the lines of preventative healthcare. It can also mean the difference of whether a mother comes home to her family.

It could simply mean the difference of whether a mom is sitting at a dinner table with her family. It could mean the loss of a conversation with a loved one. I get emotional about it, but because as the representative Schmidt mentioned, my dear friend, Michelle Young made me aware of this and she courageously stepped forward when she didn't have to. And she found out that she was lucky enough to save herself, but not everyone is. When she made us aware of this bill, we got busy and she was right there along the way. Michelle, I love you. You're our hero today. Thank you. I'd like everybody to please acknowledge her.

She was going to make sure I got this bill passed one way or the other. She's been working on this hard. But I also want to thank my co-sponsor, joint sponsor, Representative Schmidt, I've learned so much from you working on this. Thank you for being there along the way with me and making sure we got this over the finish line. I want to thank Rep Manchester for getting this through committee during breast cancer month. I want thank my aide, Felicia White and I want to thank my illustrious minority leader, Leader Sykes. And you Mr. Speaker for bringing this to the floor today. I hope my colleagues will join us in supporting this bill today. Thank you.

Speaker (01:50:34):

Question is, shall the bill pass? The house will prepare and proceed to vote. If all members now voted, Clerk will take the role.

Clerk (01:51:02):

87 affirmative votes, no negative votes.

Speaker (01:51:04):

Vote is 87 affirmative votes, no negative votes. Having received the required constitutional majority, the bill is here by passed and entitled.

Speaker 4 (01:51:12):

An act to enact section and revised schedule of the laws governing coverage of screening mammography and patient dense breast tissue.

Speaker (01:51:18):

The question is, shall the title be agreed too? Representative Schmidt moves to amend the title, if you wish to add your name to the title, please do so at this time. That objection title be agreed too. You're in objection, the title is agreed too. Bills for third consideration.

Speaker 4 (01:51:41):

Sub House Bill number 218, Representatives Cutrona and others to amend to enact section advice cut to address medical requirements for employees and students to address qualified immunity, regarding certain coronavirus's authorized emergency medical technicians to administer COVID-19 tests to expressly cover COVID-19 vaccine injuries under the worker's compensation system and to repeal section of the revised code on September 30th, 2025.

Speaker (01:52:00):

Question is, shall the bill pass? The chair recognizes Representative Cutrona.

Al Cutrona (01:52:05):

Thank you, Speaker. I wish I could take credit for this bill here on the house floor, but that wouldn't be right. The reason being is that there's so many different members and this caucus that worked diligently to provide a good solid bill that would provide the necessary medical freedoms and the individual rights for so many Ohioans. With that being said, a lot of people here have already heard my background. They're familiar with it. They know that I run an infectious disease medical practice. They know that. And I can down that long line of the medical background, but the truth is this piece of legislation has absolutely nothing to do with the validity of the COVID-19 vaccination and how it works. What this is, is a bill that balances the individual freedoms and balances businesses. We're doing this weighing option right now.

And at the end of the day, the people must come first. And so that's what this piece of legislation is looking to accomplish. And how does it do that? You might ask. It does it with the use of exemptions. We've seen these exemptions, the religious and medical exemptions. Those are exemptions that are just being codified, that are already given through the federal government. We're codifying that here. Additional added into this piece of legislation is the antibody test and naturally just being able to object on your own grounds for the reason not taking it.

Additionally, this piece of legislation has passport vaccination talked in into this. Now this is a piece of legislation that I had worked very hard on with HB 253 and was able to implement this in this piece of legislation. But like I mentioned, so many members had also saw this as a concern for so many Ohioans. And what that will do is prevent people from having whether the public or private prevent them from entry due to their vaccination status. A step further, we do not want to discriminate against our children. They should be afforded the opportunity to have an education and not be treated

differently based upon their or vaccination status. That is exactly what this piece of legislation does, prevents discrimination.

And I want to also note that this piece of legislation will leave no healthcare worker cut and hung out to dry. They work so diligently and so hard to save so many folks during this pandemic. There's no reason that they should lose their job, their employment, based upon this COVID-19 vaccination. With that being said, I would also like to point to the fact that this bill has teeth to it, which is essential for this piece of legislation to be used and to be enforceable. A lot of people ask why now, why this at this point, why this time. Well, what better time than now? OSHA says that they are going to go ahead and agree with what the federal courts have said, this is perfect timing. Let's get this legislation through and do what we can do for Ohioans. That's important. We need to take a stand on that.

Now, frankly, as far as I'm concerned, Ohio medical decisions should not be held hostage rather by the radical left or by special interest groups. I refuse to let that happen, as so many of my colleagues here, they have been fighting hard, so many of us. And you can see that, that this is truly the voice of the people here of Ohio, by all the amounts of legislation, from all across the state of Ohio. Listen, I have heard from them and I have spoken to them. At the end of the day, I do not want this piece of legislation to get a bunch of red herrings out there and just go down a path of the validity of vaccinations. I want this piece of legislation to look at the fact that we are protecting Ohioans' jobs. We are protecting Ohioans' individual freedoms for their medical decisions. I urge support and I'm sure that we're going to have a lot of folks here stand up and talk, because this is an important issue for the state of Ohio. I urge passage of sub bill 218. Thank you, Speaker.

Speaker (01:56:58):

Question is, shall the bill pass? The chair recognizes Representative Stein.

Dick Stein (01:57:04):

Thank you, Speaker. Thank you, Speaker cup for the opportunity to speak favor of House Bill 218. But before I make my remarks on the bill, I feel compelled to offer a special thanks to you and the leadership team. And especially the members are caucus, who collaborated together for the good of all Ohioans. This is an emotionally charged issue, and yet a compromise through teamwork. We have taken a monumental step in restoring the personal freedoms of our citizens. To Bob Reed, to Pat Tully, to Christine Mortenson, whom I've talked to in the last few days more than my wife, thank you for your professionalism and support. We would not be here without you. House Bill 18 is a bill about trust and putting trust in the people of Ohio and their right to make personal healthcare decisions that will have long life consequences for themselves and their families.

This legislation is not as was mentioned, anti-vaccs bill, many of us on both sides of the aisle have been fully vaccinated, including myself. No, House Bill 218 is about individual personal freedom of self-determination and the American principle of freedom to exercise our free will. House Bill 218 is based on the concept that have been discussed here for several months in multiple committees and incorporates members amendments from the most recent version of House Bill 435 with three principle additional provisions. One, fairness for our school children, regardless of their vaccination status. Two, equal access to businesses for all citizens, regardless of their vaccination status. And three, that a good faith effort by our hospital administrators to assign our healthcare professionals working as our heroes in our ICUs and children hospitals to alternate departments when they are unable, due to medical or personal reasons of conscience, from receiving the COVID-19 vaccination. This bill is a collaboration of the possible, not the perfect. The time has come to pass this bill. The urgency of our constituents has grown louder and more visceral. As I mentioned earlier, House Bill 218 is a bill about restoring the trust

in a broken system that has created doubt in the mind of our constituents. In the beginning, we were told we need to close non-essential businesses just for a few days to slow the curve, to keep us safe, to keep us alive. Early on, we are told no need to mask. They don't help. No, wait, wear a mask, keep us safe, slow the curve. It'll keep us alive. Don't give hugs. Don't touch. Don't shake hands. Don't shop online or go to church online, go to school online. We need to slow the curve to keep us safe. Don't look at the data on increased depression or suicides or drug overdoses or how our children's education is declining.

We need to keep us safe. Some things are unavoidable. Government knows best. Trust us. We'll keep you safe. All of us, show all of us the data, we said to our government. It's complicated. Trust us. We're the government and we're here to help. We need to slow the spread to keep you alive and keep you safe. Finally, we have a vaccine, it's safe. Trust us. You can stop masking. No, wait, keep masking. It's not for you. We need to reach herd immunity to keep us safe. Big Pharma, the government tells us that natural immunity is not a thing. Only the vaccination can stop the pandemic. No, wait. You may might need a booster. Okay, for sure. Those that have risk and comorbidities. Well, okay. Everybody should get a booster. It's for your own good. It'll keep you safe.

Finally, Washington admits. Well, if you're vaccinated for COVID-19, yes, you can still be hospitalized. You can still die. You can still spread it. Go back, wear a mask, keep your distance. Don't touch your face. Stay away from your loved ones during the holidays. And remember we're all in this together. Who do you trust? Do you trust Washington? Do you trust your state? How about Big Pharma? Do you trust them? Should Ohioans trust our employers to make personal healthcare decisions on our behalf? Trust is earned. Ask yourself, have they earned our trust? House Bill 218 is a bill that allows individual personal freedom to choose to opt out of the vaccine merry-go-round, to work with your healthcare providers to decide what is the best path forward, for you, your family, your loved ones, anyone who is a part of your life. Federal, state, or business mandates will never rebuild the trust of this broken system. Only the freedom to choose through an informed and educated decision will ever accomplish this goal. In closing, we are the representatives of over 11 million Ohioans, who today must decide who do we trust, our federal government, our state government, Big Pharma, or our families, the individuals we were elected to serve. I trust the people and ask you to join me in supporting 218. Thank you.

Speaker (02:03:44):

Question is, shall the bill pass? The chair recognizes Representative Brent.

Juanita Brent (02:03:50):

Thank you, speaker. I may speak to the bill.

Speaker (02:03:53):

Representative may proceed.

Juanita Brent (02:03:54):

Thank you so much. This bill, House Bill 218 is a straight bait and switch. If you look at the original bill, it was a straight up liquor bill. It was a liquor bill. I was not excited about, had one hearing some months ago, looked like a bill that they like forgot about. And then it was a straight baiting switch with this anti-vaccine bill. So when the sponsor of the bill came to the Florida house and said, "Oh, this is something from the radical left." You calling the Chamber of Commerce, the radical left? These cybers, Republican

former congressmen, are you calling the Ohio Manufacturers' Association the radical left? Ross McGregor, who's a former Republican state rep. We could keep on going on. Because those groups in particular are against this House Bill 218, House Bill 435.

We could keep on going on because it impedes when it comes to businesses being able to do their job and that's to have a safe work environment for people. It has to be a combination of healthcare and make sure we have access to businesses. This does not do that at all, at all. When businesses are taking the advice of the CDC, the World Health Organization, our public health organizations within the state, they are not being led by what we individually are telling them to do. They're being led by science and public health to make sure that our spouses, our children, our loved ones, our constituents can go to a safe workplace. And this bill is impeding against that, completely. Now, if somebody doesn't want to get it, they want to work at a hospital, most hospitals right now have you take at least 25 vaccines just to be a nurse, physician.

Even if you want to change the trash, you have to have some type of form of immunization within our hospital system. Because that's what's needed to work there. Even coming here to the State House, there are certain rules that all of us have to have to work here. It's called standards. Every workplace has its own standards. When you go to the cafeteria, what does the person wear who's serving your food? A hair net, because that's their standard to have a safe work environment. So what we're seeing in this situation is that safety, the public health and what employees are saying was best, so they can be able to make sure that people can still go home and make their paycheck, is not important. We are putting people in legal obligations... Legal problems, not legal obligations, but making legal problems for businesses. They don't need those situations at all.

We are not mixing between being pro-business, pro-science and pro-people with this at all. It's not working. Like I said at the beginning, this is a straight bait and switch. There was not time for us to really go over this bill. I'm not done. When it comes to all of this, it's just very problematic. And as much as somebody says, "Well, my business does this," was it like you and two other people in your business, you all probably live in the same house, you don't have to worry about those standards, but people who are going to a business, they want to make sure that when people leave and come out, their health is not being jeopardized with that. Maybe this job might have to implement six feet away, or it might have to implement, you can test it for whatever reason you cannot get vaccinated, but it has to be something of that.

But this is not where this bill is going. And this is very problematic for the state of Ohio. And enough is enough. If people say they really want to care about Ohio, then help try to bring some more people to this state. This is why people don't want to live here. We just pass a congressional map with 15 congressional districts because we lost population. People don't want to stay here because of stuff like this. And it keeps on happening over and over again with the things that are coming, our state is becoming less and less populated, where people are going to other states, Michigan, for one, they're even going to Pennsylvania, they're going to Georgia. They're going anywhere but Ohio, anywhere. And it's reflective of what we do right here in this chamber and addressing public health and making sure that businesses can stay open, which is a priority.

I hope he don't respond to me because he not even listening. He over talking to somebody else. But if we're just saying, we're just so pro-business, then let's listen to the authorities of business. And that's a Chamber Of Commerce. The Ohio Manufacturers' Association, the Hospital Association, where their entity is protecting people and making sure that people can have a job and a paycheck. So I advise everyone to vote no, if you really are concerned about being pro-business, pro-public health and making sure that businesses have a real pathway, that they can make the decisions, not the state, they can

make the decisions that's best for their business. No for House Bill 218. Please, somebody else stand up, so he don't talk. Thank you.

Speaker (02:09:08):
Question is, shall the bill pass? The chair recognizes Representative Russo.

Allison Russo (02:09:14):
Thank you, Mr. Speaker, move to amend amendment number 2332.

Speaker (02:09:22):
The chair has the amendment. The amendment is in order and you may proceed.

Allison Russo (02:09:25):
Thank you. Permission to speak to both the bill and the amendment.

Speaker (02:09:29):
Representative may proceed.

Allison Russo (02:09:29):
Thank you. Mr. Speaker, here we are again, debating bad public policy that undermines public health trust in science and the vaccine and puts the lives of Ohioans at risk. All for the sake of a vocal minority who represents a very extreme view on this COVID-19 virus. And let me start by saying, very firmly, that vaccines, including the COVID-19 vaccine, they are safe and effective, and we know that they are the fastest way for us to get out of this pandemic and to reduce our chances of going into another surge. And it's no accident that as we're talking about this on the floor today, we get news that Ohio is probably on the precipice of going into another surge of the Delta variant. We have one of the lowest vaccination rates in the country. We are in the bottom 10 of states in terms of the percent of our population that is vaccinated. We are extremely vulnerable to continued surges.

If we want to move past this, if we want to keep our businesses open, if we want to keep kids in schools as much as possible in the classroom, we need to increase our vaccination rates. And what is the consequence of us not having high vaccination rates? I wrote some of these comments by the way, at the end of September, when we were in the middle of the last Delta variant surge. And when we thought House Bill 435 was going to be coming onto the floor for a vote. And at that point we had full ERs, many of them were on diversions. We had full ICUs, we had hospitals right here in Columbus and Franklin County, where we have some of the highest concentration of medical centers at full capacity. We had children that were in ICU at all of our children's hospitals across this state because of COVID-19 and children on ventilators. And in addition to that, I wrote down the number of Ohioans who had died on that date on September 29th.

The last time we thought we were going to be on the floor, talking about this bill, and it was 21,945. Today after the Delta variant surge, which we came out of, may possibly be going into another one, we're 4,000 deaths higher. A month and a half later a 25,813 Ohioans who have died because of this virus. And here we are again in this chamber today, voting on a bill whose language was first seen this morning at 9:10. And it is based, I will remind you, on language, that the health committee did not see until less than 24 hours before it got voted out of committee. We had no proponent testimony, no opponent testimony for either one of these bills, House Bill 435 or Substitute House Bill 218, no

testimony. It's a bill whose own original sponsors, because this is a version of House Bill 435 when they were in front of the Health Committee testifying, admitted that they had no input from doctors, nurses, patient groups, aging advocates, schools, labor groups. And most importantly, the public.

Even the small groups of organizations that they purported to include in their discussions, business groups in the hospitals have both on September 29th and today said that they do not support this bill and they have issued statements against this bill. As was mentioned, the Ohio Chamber Of Commerce, the Ohio Manufacturers' Association, the Ohio Hospital Association, the Ohio Children's Hospital Associations, as well as dozens of other organizations and patient groups. Now, Mr. Speaker, in reading the details of this bill, I will admit it's not as bad as some other bills that we've seen on this topic, but it is absolutely not a balanced bill. It is still lipstick on a pig. It still continues to give vaccine disinformation a platform. It still creates confusion when businesses and organizations have to navigate conflicting requirements. So, the amendment that I have put forward specifically tries to address some of this confusion that is created, specifically with regards to exempting healthcare providers from this bill in totality, because we've heard when the original version of this bill came forward, as well as the substitute bill, that the limited carve outs of children's hospital and critical care units are arbitrary in protecting our most vulnerable patients. There are many units within hospitals and with facilities that have very vulnerable patients, not just ICUs and not just children's hospitals. This also creates confusion because it directly conflicts with current rules, for Medicare and Medicaid payment. That just went into effect on November 5th, that says that all eligible Medicare and Medicaid providers who get payment from those programs...

PART 4 OF 6 ENDS [02:16:04]

Rep. Allison Russo (02:16:00):

... providers who get payment from those programs, which is every single healthcare provider in this state and facility, has to have their staff vaccinated or they become ineligible. We are now putting at risk payment to every single hospital, long-term care facility, provider, et cetera, because of this language that directly conflicts with that. And so, I urge that you accept this amendment into the bill to reduce that confusion and eliminate it. And if you don't, I urge a no on this legislation.

Speaker (02:16:43):

Question is shall the amendment be agreed to? Chair recognizes Representative Cutrona.

Rep. Al Cutrona (02:16:48):

Thank you, Speaker. The only confusion is on the other side of the aisle. I'm going to clear up some of the misinformation that's being spread. First of all, bait-and-switch is not occurring at all. This piece of legislation has had very... has been debated countless hours. We've had similar legislation that talks on these very points in Health Committee. We've had the same conversations in Commerce and Labor. The bill is almost identical, but yet you guys want to sit there and say you didn't have enough time. I think you did have the time. You know how I know? Because I sat in those, both in the Health Committee and Commerce and Labor. I'm a really lucky guy.

First of all, on that point, that is wrong. And then when we refer to groups, radical left, I am not referring to necessarily the Chamber. I think if you listen to what I said, I said radical left and special interest groups. We represent the people, the people, and this bill is for the people. Now, I would like to also rectify the confusion with regards to population. Ohio did not lose population. It just didn't grow as fast as other states. Now, you know what states did grow? Texas and Florida. Now, they've enacted

legislation very similar to this. Heck, you know what I think? Perhaps Ohio should start acting a lot more like Florida and perhaps we'd be better off.

And you know what? I'm glad though that we can admit on some things that you have seen similar legislation, because we have seen this in committee. I hope that this would hope... I hope that this would help rectify that. This legislation is good as it stands. We have no need for any additional amendments. And I hope that we can somehow move forward and I urge a yes vote on the bill without this amendment. Folks, no on the amendment, yes on the bill. And hopefully, we can get out of here soon enough and get back to our district so we can continue to represent our constituents. And I plan on doing that all day long and twice on Sunday.

Speaker (02:19:25):

Question is shall the amendment be agreed to? Chair recognizes Representative Seitz.

Rep. Seitz (02:19:31):

Thank you, Mr. Speaker. I move we lay the amendment upon the table.

Speaker (02:19:34):

Motion is to lay the amendment upon the table. The House will prepare and proceed to vote.

Have all members now voted? Clerk will take the roll.

Clerk (02:20:02):

55 affirmative votes. 30 negative votes.

Speaker (02:20:04):

Vote is 55 affirmative votes.

Clerk (02:20:06):

30 negative.

Speaker (02:20:07):

30 negative votes. The motion is agreed to and the amendment is laid upon the table. The question is shall the bill pass? Chair recognizes Representative Liston.

Rep. Beth Liston (02:20:23):

Thank you, Mr. Speaker. I suspect you are not surprised that I rise in opposition yet again talking about public health and trying to keep the Ohio House from meddling in science that it doesn't understand, which I think has become clear as people talk and give a lot of confusion that they're voicing.

We are living in this time of distrust and misinformation and it is up to us as elected representatives to lead, to stand up for good policy and not undermine the recommendations of real experts and cause that confusion. Yet, here we are. Bills such as these that give credence to fear over the real world safety data are harmful and prioritizing the imagined possible risks related to the COVID vaccine over the clear and immediate risks of the COVID pandemic is deadly. The talk of civil liberties rings hollow in our state that doesn't even provide protections for LGBTQ individuals and won't recognize the harmful impacts of racism on public health.

Yesterday in Ohio, over 6,000 people got sick and several hundred were hospitalized. Every day, dozens of Ohioans are dying from a disease that we can prevent. We should not pander to extremist groups and conspiracy theorists who have led the charge in pushing anti-vaccine bills. And we should not get in the way of experts, businesses, schools, and community efforts to get... to provide safety and get things back to normal. And this bill gets in the way. This isn't government overreach... Excuse me, this isn't addressing government overreach, this bill is preventing businesses and schools and communities from doing what they believe they need to do to keep their customers and communities safe.

I have been taking care of COVID patients since March of 2020. I have seen hundreds of patients, adults, and children admitted to the hospital with COVID 19. I have seen no one admitted with a COVID vaccine reaction. Ask any hospitalist you can find and they will tell you the same thing. I work with hundreds of well-informed doctors. We are all vaccinated. We should be focusing on energy on protecting people from COVID, not protecting people from an incredibly safe vaccine and undermining public health recommendations. This is a bill that will prolong the pandemic, worsen the confusion and all of the problems that we see from that while leading to more people dying in our state. I urge a no vote. Thank you.

Speaker (02:23:30):

Question is shall the bill pass? The chair recognizes Representative Gross.

Rep. Jennifer L. Gross (02:23:34):

Thank you, Mr. Speaker. The Ohio Constitution in Article I Section 1 specifically states that all men are by nature free, independent, and have certain inalienable rights, among which are those of enjoying and defending life, liberty, acquiring and possessing and protecting property, and seeking and obtaining happiness and safety. Safety for an individual Ohioan could mean getting a vaccine. It could also mean not choosing to be vaccinated. Article I Section 7 goes on to say, and this is the section regarding reasons of conscience and religion, that no person shall be compelled to attend, erect or support any place of worship or maintain any form of worship against his consent, and no preference shall be given by law to any religious society nor shall any interference with the rights of conscience be permitted. Now, I'm not an attorney, but I do understand that our fallible law created by us, the legislature and the ORC, is always trumped by the constitution, sir.

And so, though H.B. 218 is not H.B. 248, which was the anti... The Vaccine Choice Anti-Discrimination Act, that bill, which was heard in the Ohio Health Committee was seen and witnessed and witnessed by over 1,350 Ohioans. I know of no other bill that within the matter of six months received that many witness statements. Some of my colleagues on the other aisle say we did not listen to the people of Ohio. My office has received thousands of emails, public records request me and voicemails by the hundreds as well. And I know that all of you have received them. And I apologize for requiring you to listen to your constituents, but the fact of the matter is this is an emotional thing and it does require an opportunity for us to understand that we have inalienable rights and that's the right to our body and decide what goes in our bodies. In our bodies, not with another body.

I am pleased that my colleagues have put forth this bill to help protect Ohioans against discrimination. I recognize that vaccination is a personal choice for a variety of reasons not all Ohioans want to receive a vaccine, and I believe that protecting the freedom of Ohioans is our role as legislators. We need to protect Ohioans from forced vaccination whether it comes from the government, a school, our employer, or a local retailer. I am an advocate of informed choice, which most healthcare providers

give. We explain to people, this is what's good for you, this is what we believe is right for you, but it's always your decision to make. It's not mine.

H.B. 248 was about unalienable rights, which may be... those are rights that cannot be removed by us, they were given to us by God and they are supported by the US Constitution, and as you heard, our Ohio Constitution. They are not given based on our acceptance of a medical product. The concept that a state would allow any individual or any entity, public or private, to compel an invasive medical intervention on another individual through coercive tactics or mandate sets a very dangerous precedent for us in Ohio. With that being said, I want to thank Representatives Ferguson, Representative Cutrona, the Ohio Health Committee, which has spent many, many days and many hours hearing this to the tune of more than 1,350 Ohioans, more than any other bill besides the heartbeat bill, which took nine years to pass.

I want to thank Commerce and Labor and especially Chairman Stein. He has been well-balanced, unemotional and very steadfast. And for that, I honor you, sir. This bill offers protections for Ohioans that are absolutely needed. I stand before you conflicted, however, because our Constitution already provides the rights and the freedoms for which we stand to make a law to support our Constitution, so for me, I don't even know how I'm going to vote right now. Am I going to vote red or green? I've supported you and I do support all that you're doing, but our Constitution already provides these rights for which we're going to codify. And if it conflicts with our Constitution, whether it's our federal or our state Constitution, then I stand before you unsure and I apologize I didn't speak in caucus, but I'm not really sure.

I want to give a special thanks to my aide. We have walked through this for eight months. This is so hard. I'm a clinician and I love people and I love Democrats and I love Republicans. This is not easy, but freedom matters, always freedom and that is always what has driven me no matter what you read in the paper. It is freedom that our soldiers died for. It is freedom that our soldiers would say do not quit. And even if this bill does not achieve that which we are trying to achieve, then I would ask that we continue to go back because I never believe that as Americans or Ohioans that it can't be done. I ask you to vote according to your conscience for this bill. If you're leaning left and you're leaning not to vote, then don't vote on this bill. If you are leaning in support of this bill, then vote for it, but vote according to the Constitution. And I appreciate your time and I thank you, sir, for the opportunity to speak.

Speaker (02:30:22):

Question is shall the bill pass? Chair recognizes as Representative Smith.

Rep. Monique Smith (02:30:28):

Thank you, Mr. Speaker. Permission to speak to the bill.

Speaker (02:30:30):

Representative, you may proceed.

Rep. Monique Smith (02:30:32):

Thank you. As a new person around here, I just thought I would share a couple of things that I think it might be helpful for the public to know about sort of how this process worked because it was out of the ordinary and I am in the committee where this bill ended up. This is the Labor and Commerce Committee, which I have loved serving on because it's usually non-controversial and love the rapport that we have in that committee. And I think we ask good, smart, hard questions about business. And

then all of a sudden, a few weeks ago, H.B. 435 lands in our committee. It is a healthcare bill that all of the language for 218 that we are voting on now was taken from, and we were called on very short notice to informal committee meetings.

And so, we got childcare. We dropped what we had to do and we came up for those hearings. And I heard questions that were leading questions to the witnesses in healthcare and business, asking about all the problems that they might experience if they mandate vaccines in healthcare settings or in certain business settings. And what we heard from in the testimony was that actually, businesses are trying to avoid vaccine mandates at all costs because they're smart and they don't want to lose employees. What they're really trying to do is they're trying to do everything they can up to having to do a vaccine mandate. There's actually no crisis with mandates. In the healthcare world, my husband was an employee of the Cleveland Clinic in the IT department. He had to get vaccines. That was what you understood if you were going to work at that place.

And so, we heard that there is no mandate pressure on most employees. We heard that there's no crisis. And we also heard a lot of misinformation. Last night, we were brought into committee to talk about H.B. 218, which as Rep. Brent told us was a bill on hours of operation for bars. And that's what we came in thinking we were voting on last night. We were then told that we would not adjourn the meeting, but we would just go into recess so that we could be called back at a time to be determined who knows when. And we would be then voting on who knows what. And so, we were called back this morning from recess and we were told at 9:00 AM that we would be voting on 218, not knowing what was in 218. When we came into the room this morning, we were told that 218 would have all of this content about vaccines. And we were almost about to take the vote until thankfully, Rep. Brent said, "Well, wait a minute. I'm confused. Does it also still have the information about bars and liquor?" We wouldn't have even known what we were voting on if she hadn't stopped the vote and asked that question. We literally had no idea. It was then that we were told, oh no, all of that liquor information was taken out of the bill and now, 218 is just about vaccines. I tell you all that to say, I might be new, but I know that this is not how we should do business. This is not how we should do business in Ohio. This is not how we should do business in this chamber. No wonder people in the public get confused and have a tough time following politics. We can do better than this, you guys. This breaks down our trust in here and I hope that going forward, we can follow a standard process. We can be open and transparent to the public and just tell people what we're actually doing, because this is very confusing. I want to urge a no vote on this for many reasons, including process reasons. Thank you.

Speaker (02:34:21):

Question is shall the bill pass? Chair recognizes Representative Miller.

Rep. Joe Miller (02:34:25):

Mr. Speaker, rise to speak to Sub House Bill... Sub House Bill 218. I don't usually get up here that often. Twice in one week is even more rare than Representative Fraizer over there, but I will make this brief, I promise. And I had gotten some calls, hey, your name's on House Bill 218. And I'm thinking in my mind, well sure. I, as my colleagues know, if they've got a good bill across the aisle, I will reach across the aisle, listen to it, I'll hear from them, and I'll get in full support if I think it's going to help my neighbors, my constituents, our fellow Ohioans. That's what I promised I would do down here that I would work with both sides, my caucus, your caucus, anybody out there that could give us good information to put good policy together. I'm kind of pragmatic about that.

You know I will do that, and of course, I'm on here with a few of my colleagues that who I respect and I was on this because this was a good original bill. I mean, it was not only just pro-business. I

mean, we were in the middle of a pandemic and I want to remind that I'm not going to speak to that lane right now and I think my colleagues and everybody here can speak to it much more eloquently and knowledgeably than I can, but it was a good bill because it was going to help... help business owners in the restaurant and bar industry. It was going to help them. And therefore, it was going to provide an opportunity for them to help their employees and help their customers. This was a good bill. It's a positive pro Ohioan bill.

And now, it's not. It's actually taking away from businesses opportunities to keep their employees and their customers safe. And I think that we need to leave it up to them to make that decision. You go make an agreement with an employer and you hope that you can come to an agreement of what that was working conditions are. I'm not going to get into labor relations. I'm not going to get into vaccines or the anti-vax movement. I will say this, and I'm stealing this from somebody else, when I make my decisions, I trust in God. Everybody else, bring data. And right now, the data shows that we need to be listening to this and we need to be making vaccinations a priority. Thank you for the chance to speak to this. And I urge a no vote.

Speaker (02:37:06):

Question is the bill pass? Chair recognizes Representative Carruthers.

Rep. Sara Carruthers (02:37:10):

Mr. Speaker, I think there are a couple things that need to be clarified about at least this side's choice on vaccines. This has nothing to do with whether or not we believe in vaccines. As a matter of fact, an interesting point is that minority groups tend not to get the vaccines. I'm fully vaccinated. I haven't had a booster, but Moderna doesn't seem to require a booster right now. I am pro-vaccine and I believe many of the members in this house are. What I'm against is someone forcing that on anyone. I do not like mandates. Mandate is the key word here, I think. And that is something that this bill handles. And that is the selling point for me. Now, I agree with Rep. Liston or Dr. Liston. I believe in vaccination. However, how many of those people that you spoke about that are very sick in the hospital were fully vaccinated and still got corona?

You see, it's a little difficult to say that that's the end all be all. We know that's a possibility. Unfortunately, doesn't seem to work as well as we had hoped. There was a promise that if you were fully vaccinated, you didn't have to wear that mask. Remember those days? God, that was good. Wasn't it? But the thing about it is it's the mandate. It's the force. And I have had good friends that have lost their jobs and that just doesn't seem right to me because they're good people and they needed those jobs and they believed in vaccines, but they just weren't sure. Now, that's not me, that's them, but I respect them. I urge you to vote yes, because of those people. Thank you.

Speaker (02:39:33):

Question is shall the bill pass? Chair recognizes Representative Liston.

Rep. Beth Liston (02:39:38):

Sorry, I'll be brief. I just invite my colleagues to take a look the information on the vaccination versus non-vaccinated COVID rates are very clear. It is I think somewhere in the range of 4% of people who are vaccinated are the ones that are hospitalized, whereas 96% of those not vaccinated are the ones that are hospitalized, but if... You don't have to trust me, because I'm doing the math briefly off the top of my head. It is on our coronavirus.ohio.gov. The specific numbers are on the website, I invite you to take

a look because vaccines are incredibly effective. They save lives and I want everyone to know that. I just wanted to answer that question. I appreciate it.

Speaker (02:40:21):

Chair recognizes Representative Brent.

Juanita Brent (02:40:23):

Thank you, Speaker. I'm to speak to the Bill H.B. 218. Thank you. It's been a lot of things that's been discussed here on this floor, but what we're not going to try to do is try to justify people's will [inaudible 02:40:39] for this bill because minorities or particularly, we're just going to say Black people that you're trying to refer to are not getting vaccinated. This bill is having to do with businesses and I understand what the person did say on the floor is true. There is a disparity in numbers when it comes to particularly African Americans and Black and Brown people who are getting the vaccine, but you got to look at the reason behind it. When people come up here and say, "Well, Black people are not..." Excuse me, the person said minorities, so I want to make sure I'm quoting the person correctly.

You got to look at the back history of that and that's a mistrust of information that's going out. And it's in multiple times in history where African Americans were treated as guinea pigs as a whole. Don't shake your head. We not even cool like that, because when people come up here and try to give information on validation for against something, you got to give the whole story of the mistrust when it comes to the Tuskegee experiment or when it comes to processes on the OBGYN department on how Black women were experimented upon to figure out how do things happen or you talk about people using our tissue to determine on credibility of different things.

Black people have been experimented upon for many different things, so there's a lack of trust. And there was a lack of investment when it came to this whole process within our state. When we received all that money, when it came to the dollars to put out marketing information, the other side decided to do a lottery. They decided to do a lot other things instead of putting boots on the ground to educate people on the importance of this vaccine.

When you talk about people, particularly minority people, Black can Brown people, African Americans, not receiving the vaccine, you got to look at the lack of investment and the lack of concern to even get them to get vaccinated. There has not been that type of investment at all. And I'll just say from having a neighbor who just passed from COVID having three people who live across the street from me, who just passed away from COVID, no one was coming to our community to get us to get vaccinated. And even there were places that people were telling us to go get vaccinated were not accessible because, we as a state, took away the necessary funding for public transit. When you talk about minorities not being vaccinated, why is that?

It's because it's things that we have done right here in this chamber that has chipped away the trust that Black people who are enslaved in our country for 400 years, for Mexican and for Brown people who were disregarded within our workplace system, who are still getting treated should decide are not being paid fairly within our state because we don't want to increase the minimum wage should be a livable wage, that all builds up on the thing of trust. When you say a statement, you got to understand the full depth of why statistics are like that are showing up within our system as a whole.

And I do agree with myself and I'm going to double down on this, that this was a bait-and-switch that when you show up with a sub bill at 9:10 in the morning for a 10:00 committee, yes, people at home, we received the bill at 9:10 today, not yesterday. And you're expecting us to have amendments, testimony. What do you think this is? Burger King? You couldn't have it your way. Well, I guess you could

because you did, but how is that trying to say we're trying to engage with the public when we're doing things in such a quick way, when you do an informal hearing and my colleague sitting behind me did a great job explaining. When you have informal hearings, you cannot do amendments. You cannot do a sub bill, because exactly that, informal. All we did was listen to testimony. That's it. The Bill was never... The original House Bill 435 was never formally assigned to Commerce and Labor, so that's why I say it's a bait-and-switch.

You didn't want a process where people could actually come in and testify and be able to do amendments and to be able to just changes in committee, it was a bait-and-switch. You had some of the liquor people come in there to committee thinking we were going to talk about the liquor hours, and it was a bait-and-switch for a whole different subject. Bait-and-switch.

This has been a whole hot mess within our state. And so, it is looking like it's being very who's side are you on, the vaccine or the unvaccine? When we got to just figure out how we can get back to a new normal, where people can have a good quality of life, people can keep their jobs and be secure, and that people can have trust in the decisions that we are making, because those vaccines numbers are just telling us they don't trust what we're pumping out. And I'm not in the majority, so people, the decisions that are being pumped out are not coming from the caucus I belong to. This is a bait-and-switch. This is a hot mess and I highly suggest you guys vote no. If you are here for public health, for science, for medicine, and if you're pro-business, then you'll be voting no. Thank you, Speaker.

Speaker (02:46:12):

Question is shall the bill pass? The House will prepare and proceed to vote. Have all members now voted? The clerk will take the roll.

Clerk (02:46:45):

58 affirmative votes, 32 negative votes.

Speaker (02:46:46):

The vote is 58 affirmative votes, 32 negative votes. Having received the required constitution majority, the bill is hereby passed and entitled...

Speaker 4 (02:46:55):

An act to enact section of the Revised Code to address medical requirements for employees and students to address qualified immunity regarding certain coronaviruses to authorize the emergency medical technicians, to administer COVID-19 tests, to express and cover COVID-19 vaccine injuries under the workers' compensation system and to appeal sections of the Revised Code on September 30, 2025.

Speaker (02:47:11):

The question is shall the title be agreed to? Representative Cutrona moves to amend the title. If you wish to add your name to the title, please do so at this time.

Any objection to the title be agreed to? Hearing no objections. Title is agreed to. Bills for third consideration.

Speaker 4 (02:47:33):

Sub Senate Bill number 58, Senators Antonio, Brenner and others to amend into an act section of the Revised Code to permit a resident of the long-term care facility to conduct electronic monitoring of the resident's room, to designate this act as Esther's Law.

Speaker (02:47:42):

Question is shall the bill pass? The chair recognizes Representative Manchester.

Rep. Susan Manchester (02:47:47):

Thank you, Mr. Speaker. I rise today in support of Substitute Senate Bill 58, legislation that would enact Esther's Law to allow residents of long-term care facilities to have electronic monitoring of their rooms. This bill was named after Esther Piskor, who was a resident of a nursing home in Ohio. After her family became concerned about unexplained bruising on her body, they placed video cameras in her room and caught extensive footage of her being physically abused by multiple healthcare professionals. Esther's story is unfortunately one of many in our state. In recent years, aides and nurses from across Ohio have been charged with elder abuse, neglect, and manslaughter. In 2019, an aide in Dayton was caught violently jerking a woman into sitting and standing positions when she could not get up on her own. In 2017, seven nurses in Franklin County were charged with involuntary manslaughter and patient neglect. Because of a lack of monitoring and accountability, there are many more cases like this that happen today.

As chair of the Families, Aging, and Human Services Committee, we heard proponent testimony from a number of people with family members that had gone through horrific elder abuse and neglect in nursing homes. We heard from Esther's son, Steve Piskor, who shared the details of her abuse and how his placement of cameras in her room was necessary to catch her abusers and stop further neglect. Multiple other witnesses had lost their loved ones as a result of such abuse and they advocated for this bill because electronic monitoring would have likely saved lives. During the committee process, an amendment was added that permits the Department of Health to adopt rules as necessary to implement the requirements of the bill as opposed to imposing rule making requirements. This amendment was supported by the stakeholders of the bill as well as the sponsors. We also added another amendment that adds an exemption from the provisions of this bill of an electronic monitoring devices installed by a law enforcement agency. This amendment was supported by the sponsors and the Attorney General's Office.

The purpose of this legislation is to give family members of residents in long-term care facilities peace of-

PART 5 OF 6 ENDS [02:50:04]

Rep. Susan Manchester (02:50:00):

... give family members of residents in long-term care facility's peace of mind by allowing electronic monitoring devices to be placed in a fixed position within resident rooms. Family members would be able to remotely check in on them and protect the resident from any abuse or neglect. This bill takes into account privacy, as well as protection of the residents. It is an important piece of legislation that is a step forward in supporting the aging citizens of Ohio and making sure that they are treated with dignity and respect. Illinois, Louisiana and New Jersey already have this type of law in place, and seven other states have introduced similar legislation. Substitute Senate Bill 58 was unanimously voted out of the House Families, Aging and Human Services Committee. I'd like to thank the committee members, the

sponsors of the bill and the Senate for working so diligently on this. And to everyone in this House, I urge you to vote yes on this. Thank you, Speaker.

Speaker (02:50:57):

Question is, shall the bill pass? The Chair recognizes Representative Brent.

Juanita Brent (02:51:01):

Thank you, Speaker. I'm speaking to Substitute Senate Bill 58. I think God laughed at our plans. And for those who do or not know the journey of Esther's Law, I introduced this last general assembly and this journey of even getting here was just very fulfilling from talking to our union members at SEIU to going to numerous long-term facilities, care facilities, to going to nursing homes to even being invited to a couple people's churches. Wherever someone had a concern, I showed up. Senator Antonio showed up. And we became this duo of two kick rocking people from Cuyahoga County working on this bill. But this bill, like our Chairwoman just said, came from the inspiration of Esther Piskor who dealt with something that no one ever wants to experience, and that's abuse.

And so this bill in particular, it sheds a light on how we have to take care of our most vulnerable population. That's our children and that's our senior citizens. All of us at one time were young. Some of us are still young. And all of us, if God spares us and bless us, will get old and we will have somewhere, no matter if it's your own home or it might be a long care facility. You going to get old too. And wherever we decide to go, people want to retire with safety and security, because that's our Ohio's promise of how we protect people and why people will want to stay here in Ohio. Remember that's the goal, and that's keeping people in Ohio, having more people to retire here in Ohio within this.

And it does something just real easy. It allows people, especially if you have a roommate... People always ask me when it comes to this bill, "What if they have a roommate and their roommate doesn't want the camera?" Try to work with the roommate as much as possible to make sure that the camera itself that's going to be put in the room can be adapted that it does not show them, or you have to be in a place where you won't be able to have it at all, but it has to be some type of compromise between the two different roommates.

And also it works with the actual resident themselves that if that's something they want, then there can be accommodation that would be made so that can be put in their room. It's completely the resident's responsibility to get the camera, to get it installed and make sure that's all together. But this is a huge step, because there's so many things that happen to senior citizens besides abuse. Sometimes it could be a fall. If you are over the age of 60 and live in a long care facility, you are 50 to 75% more likely to have a fall within that time period.

So I know there's been a [inaudible 02:53:51] emphasis on this bill when it comes to abuse, but there's also a thing of just protecting people sometimes from themselves, sometimes from family. During this journey, I had numerous people tell me how they were robbed by family members being in long-term care facilities. Could you believe that? It's crazy. But stuff like that is really happening where people do not feel protected. They do not feel heard and they do not feel seen. But I tell you with the passing of this bill, and it's going to the Governor's office, there's so many people that are going to feel very seen because Ohio is getting ready for a silver tsunami, where we're going to have more people that are getting ready to retire than we have kids that are being born here within our state.

So this is a great direction as we are looking to protect one of our most vulnerable populations, and that's our senior citizens, and doing it in a respectable way, that they are working with the facility that if you come to your grandma's or your cousin's place, there's a sign outside of their door that's

saying, "This room has electronic monitoring." It's no, "Got you," joke going on. People fully know what's going on within that room. Everyone needs to feel protected because thank goodness, God bless us all, we all get old. So thank you, Esther. Thank you, Steve. And thank you for all the advocates and union members all across the state who were advocating to make sure that Esther is not just a name we know from the news, but form of protection that all of us can have here within Ohio. And with that, I ask for a yes vote.

Speaker (02:55:27):

Question is, shall the bill pass? Chair recognize Representative Crossman.

Jeffrey Crossman (02:55:33):

Thank you, Mr. Speaker. Permission to speak to the bill?

Speaker (02:55:35):

Representative may proceed.

Jeffrey Crossman (02:55:36):

Thank you, Mr. Speaker. I just want thank the good work on this bill, this good bipartisan bill, by Senator Brenner and Senator Antonio and my colleague, Representative Brent. As she mentioned, this bill came out of a tragic situation that happened actually to one of my constituents in the Cleveland area, Mr. Piskor and his family. And this is just a great example of what can happen when we truly listen to our constituents about the issues and the needs that they have in their communities. So I want to applaud Representative Brent for taking the lead on this in this House chamber and listened to Mr. Piskor and others, like Paula Mueller, and other advocates for the elderly that really advocated for this piece of important legislation.

It's only a shame we didn't get this done a little bit sooner with COVID. I think it would've been nice to have these cameras in the rooms to give people some comfort that their loved ones were being well taken care of. This bill is not a perfect bill. There's no such thing, I think. There's going to be some enhancements, I think, that are going to be needed in the long-term. There's certain facilities that are not included in this piece of legislation. But I don't want to let perfect be the enemy of the good here. We're going to pass this bill today. We're going to get it to the Governor and we're going to keep working to protect our elderly in Ohio. So thanks to everybody for their great work on this bill. And I urge you yes vote

Speaker (02:56:52):

Question is, shall the bill pass? The House will prepare and proceed to vote. Have all members now voted? Clerk will take the roll.

Speaker 5 (02:57:15):

87 affirmative votes, no negative votes.

Speaker (02:57:19):

The vote is 87 affirmative votes, no negative votes. The bill has received the required constitutional majority and is hereby passed and entitled.

Speaker 6 (02:57:24):

An act to enact section of the Revised Code to permit the resident of a long-term care facility to conduct electronic monitoring of resident's room and to designate this act as Esther's Law.

Speaker (02:57:32):

Question is, shall the title be agreed to? Representative Manchester moves to amend the title. If you wish to add your name to the title, please do so at this time.

Without objection, the title will be agreed to. Hearing no objection. The title is agreed to. Bills for third consideration.

Speaker 6 (02:57:52):

Senate Bill Number 115, Senator [inaudible 02:57:54] and others to amend section of Revised Code to make changes to the Ohio Pooled Collateral Program.

Speaker (02:57:58):

Question is, shall the bill pass? Chair recognizes Representative Jordan.

Kris Jordan (02:58:03):

Thank you, Mr. Speaker. Senate Bill 115 makes the needed changes to the Ohio's Pooled Collateral Program to ensure that public deposits are in compliance and public deposits are properly collateralized. By way of background, it's important to note that public deposits are not insured in the same way that private deposits are under the FDIC. In Ohio, a financial institution that is a public depository can provide security for the repayment of public deposits in one of two ways. A financial institution may either secure the public deposits made by each public depositor or by spreading the risk through pledging the collateral within a pool of public deposits managed by the Treasurer of State.

This program is known as the Ohio Pooled Collateral Program. Under the Pooled Collateral Program, when a financial institution that is a public depository accepts additional funds, it must pledge additional securities to match the market values of the deposit. Senate Bill 115 clarifies and gives better guidance to the financial institution to ensure that they are in compliance with the program by giving them two business days to pledge additional securities to the pool in accordance with the amount stipulated by the Treasurer of State. These new standards will protect public treasurers and depositors who deal with public depositories and most importantly ensure that the public dollars are safe, secure and properly collateralized.

This bill had no opponents and passed unanimously in the House Financial Institutions Committee, as well as in the Senate Financial Institutions and Technologies Committee and on the Senate floor. It's endorsed by the Ohio Bankers League, the County Treasurers Association of Ohio and the Ohio Treasurer of State. I urge passage of Senate Bill 115. Thank you, Mr. Speaker.

Speaker (03:00:00):

Question is, shall the bill pass? Chair recognizes Representative Crossman.

Jeffrey Crossman (03:00:04):

Thank you, Mr. Speaker. Permission to speak to the bill?

Speaker (03:00:06):

Representative may proceed.

Jeffrey Crossman (03:00:07):

Thank you, Mr. Speaker. The Chairman accurately and perfectly explained this bill. It's about good fiscal responsibility for our state treasuries. It's endorsed by all the folks that matter. And it had no opposition this term nor in the last term when we all supported this bill. So I urge a yes vote. Thank you.

Speaker (03:00:27):

Question is, shall the bill pass? The House will prepare and proceed to vote.

Have all members now voted? The clerk will take the roll.

Speaker 5 (03:00:48):

82 affirmative votes, no negative votes.

Speaker (03:00:51):

Vote is 82 affirmative votes, no negative votes. The bill has received the required constitutional majority and is hereby passed and entitled.

Speaker 6 (03:00:55):

An act to enact section of the Revised Code to make changes to the Ohio Pooled Collateral Program.

Speaker (03:00:59):

Question is, shall the title be agreed to? Representative Jordan moves to amend the title. If you wish to add your name to the title, please do so at this time.

Without objection, the title will be agreed to. Hearing no objection. The title is agreed to. Bills for third consideration.

Speaker 6 (03:01:18):

Sub. Senate Bill number 229, Senator Blessing and others to amend to enact section of the Revised Code regarded blending remote learning models for the 2021-2022 school year. The State Report Card Emergency Management Plans withdrawal of untested students from internet or computer based schools. The Third Grade Rating Guarantee, High school Financial Literacy Instruction, Educational Choice and Cleveland Scholarship payments, operating subsidies for educational service centers and to declare an emergency.

Speaker (03:01:40):

Question is, shall the emergency clause remain a part of the bill? The chair recognizes Representative Manning.

Gayle Manning (03:01:47):

Mr. Speaker, thank you. And may I speak about the amendment first? No? Emergency clause.

Speaker (03:01:56):

Yeah. Representative may speak to the emergency clause.

Gayle Manning (03:01:58):

Okay. As we know, this is a bill that is very important to the schools and it will give them some coverage when it comes to blended learning. So that's why we need the emergency clause and need it immediately. So...

Speaker (03:02:14):

Question is, shall the emergency clause remain a part of the bill? The House will prepare and proceed to vote.

Have all members now voted? Clerk will take the roll.

Speaker 5 (03:02:36):

77 affirmative votes, four negative.

Speaker (03:02:38):

77 affirmative votes, four negative votes. The emergency clause remains as part of the bill. The question is, shall the bill pass as an emergency? Chair recognizes Representative Manning.

Gayle Manning (03:02:50):

May I speak to the amendment?

Speaker 5 (03:02:52):

She'll need to move to amend first.

Speaker (03:02:54):

If you move to amend, you may.

Gayle Manning (03:02:57):

Move to amend 2322.

Speaker (03:03:02):

Chair has the amendment is in order, and you may proceed to speak to the amendment.

Gayle Manning (03:03:06):

This amendment does two things. It clarifies that the decision to retain or promote a student involves a parent or a guardian and it also makes a date correction. So [inaudible 03:03:17] fix.

Speaker (03:03:21):

Question is, shall the amendment be agreed to? Without objection, the amendment will be agreed to. Hearing no objection. The amendment is agreed to. Chair recognizes Representative Manning.

Gayle Manning (03:03:34):

Thank you, Mr. Speaker. I rise in support of Substitute Senate Bill 229. The bill gives our schools necessary flexibility as they navigate the school year in the midst of the coronavirus pandemic. To help children stay safe while ensuring education continues, Senate Bill 229 provides an extension to April 30th, 2022 for a school to notify ODE of its intent to operate a blended learning model for the school year. In addition, the bill lays a framework a district must follow for operating a blended learning model in addition to filing the requirements of the Ohio Revised Code. The framework includes ensuring students have an internet access and devices necessary to access online content, monitoring and assessing achievement and progress and reporting the number and duration of students participating in a blended and learning environment.

Senate Bill 229 also requires each school district to submit a remediation plan to address the learning lost due to the pandemic. Under a previous version of this bill, districts were required to create a new remediation plan to submit to ODE, but through compromise, districts are now able to submit a local use of funds plan or an extended learning plan to satisfy this provision of the bill.

Other amendments that we've accepted during committee include, one, permitting rather than requiring a student to participate in the online learning school for the duration of the student's quarantine, two, requiring a district to submit quarterly instead of monthly data of students participated in blended learning, three, adds individuals to the Report Card Study Committee, four, corrects a drafting error from Senate Bill 1 that relates to our financial literacy instruction, five, removes a provision that relates to the purchases of real property leased to a community STEM or non-public school, six, includes an amendment that ensures educational service centers would receive adequate funding for the additional students they serve, and lastly, the committee accept an amendment that would for 2021-2022 school year exempt public and chartered non-public schools from retaining a student under the Third Grade Reading Guarantee based solely on the students score on the Third Grade English Language Arts Test.

This provision is an extension of the flexibility the general assembly gave school districts for the 2019-20 year and the 2021 school year. Many parents have shared concerns about their students being retained based on one score of a high stakes test. The flexibility offered by this provision gives parents an opportunity to be involved with their classroom teacher and the principal in the decisions to promote or retain a student.

I would like to thank members of the Primary and Secondary Education Committee on their diligence and thorough work. I would like to thank the suggestions from the interested parties and their willingness to work together to make this a better bill for Ohio students. I would also like to thank the sponsor of the bill, Senator Blessing and Chair Brenner for helping us to make this a better bill. And I would also like to thank Brianna Austin, my LA, and also LSC for all the due diligence that they did to make sure that we could get these amendments in. Mr. Speaker, I would like to lastly, thank you for bringing this to the floor. And I ask for everyone's support.

Speaker (03:07:21):

Question is, shall the amended bill pass as an emergency measure? Chair recognizes Representative Robinson.

Phillip Robinson (03:07:27):

Thank you, Mr. Speaker. Permission to speak to the bill?

Speaker (03:07:30):

Representative may proceed.

Phillip Robinson (03:07:31):

Thank you. I'll be very brief. Chairwoman Manning covered it very well. This bill does three things in particular. I just want to double down on one. It provides local control so schools and their school boards know best what to do with children who are learning and recovering from the pandemic. And it's great that public, chartered and private schools all will have to follow the same rules and regulations there. Second and Third Grade Guarantee is really important. And in fact, Representative Manning and I hope to have something soon for you regarding working further on this. This is a good stop-gap measure for this year, but moving forward a third grade guarantee. And then also additionally, [inaudible 03:08:07] want to make sure that some of the measures on the report card, including chronic absenteeism and also adjusting for the graduation rate over four years, has also been eliminated from being held on this report card.

Also like to thank Senator Blessing and Senator Brenner for allowing for this, all the members on both sides of the aisle who work to make amendments to the sub bill. And finally, I want to thank Chairwoman Manning. Working together, we were able to make a compromise that we think works on behalf of all children, which helped renews Ohio promise. Thank you.

Speaker (03:08:36):

Question is, shall the amended bill pass as an emergency measure? The House will prepare and proceed to vote.

Have all members now voted? The clerk will take the roll.

Speaker 5 (03:09:01):

81 affirmative votes, two negative votes.

Speaker (03:09:03):

Vote is 81 affirmative votes and two negative votes. The amended bill has received the required constitutional majority and the bill is hereby passed and entitled as an emergency measure.

Speaker 6 (03:09:10):

An act to an act section of the Revised Code regarding blending learning or remote learning models for the 2021-2022 school year, the State Report Card Emergency Management Plans withdrawal in untested students from internet or computer based schools, Third Grade Reading Guarantee, High School Financial Literacy Instruction, Educational Choice and Cleveland Choice Scholarship payments, operating subsidies for educational service centers and to declare an emergency.

Speaker (03:09:30):

Question is, shall the title be agreed to? Representative Manning moves to amend the title. If you wish to add your name to the title, please do so at this time.

That objection to title be agreed to. Hearing no objection. The title is agreed to. Bills for third consideration.

Speaker 6 (03:09:51):

House Concurrent Resolution number 36 [inaudible 03:09:54] Young and others to urge a federal proposal to require financial institutions and other financial service providers to report most customer service net account inflows and outflows not be passed or implemented by government officials.

Speaker (03:10:03):

The question is, shall the title be agreed to? Representative Young moves to amend the title. If you wish to add your name to the title, please do so at this time.

That objection to title be agreed to. Hearing no objection. The title is agreed to. The question is, shall the resolution be adopted? The Chair recognizes Representative Young.

Bob Young (03:10:32):

Thank you, Mr. Speaker. Permission to speak.

Speaker (03:10:35):

Representative may proceed.

Bob Young (03:10:37):

I rise today in support of H.C.R 36, a concurrent resolution to urge non-passage of a proposal originally inserted in the House Version Budget Reconciliation Bill allowing for the Internal Revenue Service to monitor the net inflows and outflows of bank accounts of average American citizens. While I agree tax cheating is not right, fair or legal, I believe this proposal goes beyond the scope of vision of the current White House administration and creates a virtual drag net in which millions of innocent Americans will find their selves caught.

While the current version of the Budget Reconciliation Bill has removed this provision, and I'm thankful for that, we, the general assembly, need to take a stand. The first reason being the Budget Reconciliation Bill has not yet become law, thus this provision could be reinserted at any time. Secondly, we, the general assembly, need to take a stand for the privacy and data security of Ohioans, and lastly, against government overreach and send a message to any future administration that this is unacceptable. While this provision, meant to pay for trillions in federal debt spending, is essentially a banking surveillance program. The program amounts to an unfunded mandate for financial institutions and is estimated the cost $79 billion to implement.

Every financial institution from huge corporate banks to small community banks and credit unions will now have an onerous workload added to them to flag everyday customer's accounts if its accumulative inflows and outflows are valued above $10,000. Numerous sources have testified a government program like this will deteriorate the trusting relationship an individual has what their financial institution.

I want to take a second and thank our interested parties who help support this resolution, the Ohio Treasurer's office, the Attorney General's office, the Ohio Banker's League and the Ohio Credit Union League. Also, I'd like to say thank you to Chairman Jordan and the members of the Financial Institutions Committee for their work and support on this resolution. I'd like to take a moment and thank my legislative aid, Amanda Magneto, for her hard work on this resolution. She helped bring this to my attention. I'd also like to say thank you to you, Mr. Speaker, for bringing this resolution to the House floor today. Colleagues, today, I'm asking this general assembly to stand for the banking privacy and security rights of our citizens. I'm asking the general assembly to stand up for constitutional principles of

due process, probable cause, not allowing unreasonable searches and seizures, innocent until proven guilty. And I'm asking my fellow members to take the stand today and vote yes on H.C.R 36.

Speaker (03:13:30):

Question is, shall the resolution be adopted? Chair recognizes Representative Crossman.

Jeffrey Crossman (03:13:36):

Thank you, Mr. Speaker. I move to refer this resolution back to rules and reference. And with your indulgence, Mr. Chair, I would like to speak to that motion.

Speaker (03:13:45):

Representative may proceed.

Jeffrey Crossman (03:13:47):

Great. Thank you, Mr. Speaker. I often wonder whether these House resolutions that we consider have any value. I mean, they're not binding in law and all they really are messages to whoever we decide send these resolutions to. But the prerequisite for these resolutions, if we want them to be effective, should be that they should be accurate and they should be honest and truthful. And so I think in looking at this resolution, there is a point here. There is a point here. It just misstated in this resolution. And we tried in committee before this was voted out of committee to work with the majority caucus to come with a better revised version that everybody could get behind, because we are also concerned about privacy issues. We're also concerned about the practical effects on lenders having to report a lot of data to the government for a threshold of $600, but we're also concerned about finding ways, legitimate ways, to find people that aren't paying their fair share of taxes. There's billions of dollars left on the table every year because people are just not reporting their income accurately.

So we shared some concern about the proposal, as did many of our colleagues in Washington DC. That's why this proposal is not among the reconciliation provisions included in the current version of the bill. It's completely unlikely that this would ever make its way into any Senate version, especially given the fact that moderate Democrats are opposed to this. So we did draft a revised version. It was not accepted in committee. We even offered to continue working on this to come up with bipartisan language that would be acceptable to everybody. And I think we passed this quite frankly, Mr. Speaker, a little prematurely. So as I said, if we're going to pass resolutions that want to be considered, they should at least be accurate. Otherwise, they're going to be just ruled out of hand to begin with. And so, all right, I would respectfully urge us to send this back to committee for some additional work. Thank you, Mr.... Otherwise, Mr. Speaker, I would say no on this. Thank you.

Speaker (03:15:58):

The question is, shall the motion to re-refer be agreed to? The Chair recognizes Representative Sykes.

Speaker 7 (03:16:05):

Thank you, Mr. Speaker. I move we lay the motion upon the table.

Speaker (03:16:09):

Question is, shall the motion be laid upon the table? The House will prepare and proceed to vote.

Have all members now voted? Clerk will take the roll.

Speaker 5 (03:16:28):

54 affirmative votes, 26 negative votes.

Speaker (03:16:29):

Votes is 54 affirmative votes, 26 negative votes. The motion has been laid upon the table. And the question is, shall the resolution be adopted? The House will prepare and proceed to vote.

Have all members now voted? Clerk will take the roll.

Speaker 5 (03:16:56):

54 affirmative votes, 27 negative votes.

Speaker (03:16:57):

The vote is 54 affirmative votes, 27 negative votes. The resolution is adopted. Yep. Hold on. Bills for third consideration.

Speaker 6 (03:17:11):

House Resolution number 147, Representative Stoltzfus and others to urge The United States Congress and President of the United States with haste to take action to bring home the missionaries who have been taken hostage in Haiti.

Speaker (03:17:20):

The question is, shall the title be agreed to? Representative Stoltzfus moves to amend the title. If you wish to add your name to the title, please do so at this time.

Without objection, the title will be agreed to. Hearing no objection. The title is agreed to. The question is, shall the resolution be adopted? The Chair recognizes Representative Stoltzfus.

Reggie Stoltzfus (03:17:49):

Thank you, Mr. Speaker. It's been 34 days since 17 missionaries were taken hostage in Haiti on October 16th by the 400 Mawozo gang. The hostages consist of one Canadian and 16 Americans from Ohio, Pennsylvania, Wisconsin, Oregon, Michigan and Tennessee. They range in age from 48 to eight months old. The kidnappers have stated they will kill all the hostages if their demands of $1 million per person ransom are not met. The mission organization, Christian Aid Ministries, is based in Ohio, right here in Holmes County. About two weeks ago, I stopped hearing about this situation and I wondered if these hostages had been released. The news media had stopped reporting on the story. So I did some digging and some research, and I found out the situation had just become old news.

So I felt the need to bring to light this situation so that these folks are not forgotten about. So I wrote an op-ed and a few newspapers picked it up. And I thought to myself, "What more could I do to bring attention to this situation?" And I thought a House resolution would be appropriate. This is by no means a partisan resolution. This is an Ohio resolution. It is a simple way for this body to help bring attention to this situation and ultimately help bring home these folks.

I cannot imagine what these people are going through at this moment in time. Do they have food? Do they have shelter? Are they all still alive? I also cannot imagine what the family members here

are dealing with having a loved one being held hostage for over a month in a foreign country. Friends, we must intervene now. These are Ohioans and Americans. They need our help. And we are duty bound to provide them with assistance. This resolution is to urge the US Congress and the President to take action to bring these 17 missionaries home as soon as possible. The intent of this resolution is not to tell the federal government how to do their job or by what means to use to free the hostages. They have experts in that field who can handle that. The resolution only urges the federal government to act swiftly and bring these folks home to their family.

Proverbs chapter 3 verse 27 says, "Do not withhold good from those to whom it is due when it is within your power to act." These hostages deserve our attention and our efforts to act on their behalf. This resolution passed unanimously yesterday in state and local. I want to thank Chairman Wiggam for his help. And I want to thank you, Mr. Speaker, for bringing it to the floor today and bringing attention to this situation. Please join me in bringing attention and awareness and support this resolution to bring these Ohioans and Americans home.

Speaker (03:21:13):

Question is, shall the resolution be adopted? Pursuant to House Rule 57, Representative Adam Miller is excused from voting. The question is, shall the resolution be adopted? The House will now prepare and proceed to vote. Have all members now voted? Clerk will take the roll.

Speaker 5 (03:21:48):

78 affirm votes, no negative votes.

Speaker (03:21:51):

78 affirmative votes, no negative votes. The resolution is adopted. Message from the Senate.

Speaker 6 (03:21:56):

Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has refused to concurrent the House Amendments to amend its Sub. Senate Bill number 19, Senator Schaffer.

Speaker (03:22:03):

Chair recognizes Representative Merrin.

Speaker 8 (03:22:09):

Mr. Speaker, I move that the House insists on its amendments to amended Substitute Senate Bill 19, and I ask for a committee of conference.

Speaker (03:22:17):

Without objection, the motion will be agreed to. Hearing no objection. The motion is agreed to. Message from the Speaker.

Speaker 6 (03:22:24):

Pursuant to House Rules 1328 and 30, the Speaker hereby makes the following changes to the House Standing Committee on Commerce and Labor, remove Representative Romar, appoint Representative

[inaudible 03:22:32], remove Representative Lepore-Hagan, appoint Representative Sobecki as ranking member.

Speaker (03:22:36):

Announcement of committee meetings. The Chair recognizes Representative Fowler Arthur at this time for a point of personal privilege.

Sarah Fowler Arthur (03:22:50):

Thank you, Mr. Speaker. I just wanted to acknowledge and welcome from Northeast Ohio Asheville County auditor, David Thomas, for coming down and watching our proceedings today. Thank you.

Speaker (03:23:08):

The Chair recognizes Representative Ginter.

Tim Ginter (03:23:12):

Thank you, Mr. Speaker. I moved that the House now stand in recess until a time to be determined for the purpose of a non-voting session.

Speaker (03:23:18):

Without objection, the House stands in recess.

PART 6 OF 6 ENDS [03:23:22]

CERTIFICATE OF SERVICE

I, Alexander Thomson, hereby certify that on this 10th day of December, 2021, I caused a true and correct copy of this appendix to be served by email upon the counsel listed below:

Bridget C. Coontz, bridget.coontz@ohioago.gov
Julie M. Pfeiffer, julie.pfeiffer@ohioago.gov
Michael Walton, michael.walton@ohioago.gov

Counsel for Respondent Ohio Secretary of State LaRose

Phillip J. Strach, phil.strach@nelsonmullins.com
Thomas A. Farr, tom.farr@nelsonmullins.com
John E. Branch, III, john.branch@nelsonmullins.com
Alyssa M. Riggins, alyssa.riggins@nelsonmullins.com

Counsel for Respondents House Speaker Robert R. Cupp and Senate President Matt Huffman

/s/ Alexander Thomson
Alexander Thomson (PHV 25462-2021)

Counsel for Relators