

AS PREPARED REMARKS
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REDISTRICTING PRESS CONFERENCE
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Good morning.

I am talking today about redistricting and efforts to end gerrymandering in Ohio.

The voters passed our current redistricting constitutional provisions by a large vote with bipartisan support. Despite this, my personal experience with our current procedure is that it simply does not work very well.

And, it needs to be changed.

There will be an amendment on this fall's ballot to change the Ohio Constitution in a way that its proponents say would eliminate gerrymandering in Ohio.

It doesn't.

Gerrymandering is generally understood to occur when politicians manipulate geographic borders and split cities, counties, and townships -- all to maximize the elected seats for a particular political party. The *New Oxford American Dictionary* defines *gerrymandering* as “[changing] the size and borders of an area for voting in order to give an unfair advantage to one party or group in an election.”

If this amendment were to be adopted, Ohio would actually end up with a system that mandates -- that compels -- map drawers to produce gerrymandered districts. In fact, Ohio would have gerrymandering in the extreme.

Further, I'm afraid that if this amendment passes, in a relatively short time, after seeing the results, seeing the districts that have been produced, voters would once again demand change and would be even more disillusioned with the whole mess. We would have to start all over once again.

We must put an end to gerrymandering once and for all. We must give the voters a system that they can trust and have confidence in.

The only way to do this is to take politics completely out of the drawing of the maps.

Ohio must have a constitutional provision that instructs the map makers that they cannot consider past voting data that the map drawers know will lead to a predetermined partisan outcome. Maps should be drawn based on population, with no consideration of past partisan voting patterns.

And, the maps should try to avoid the splitting of political subdivisions (cities, counties, villages, townships). In Ohio, as we all know, services are delivered at the local, county, village, city, and township level.

That's why it is so important that they not be split unnecessarily.

What I have just described is not a new concept. In fact, Iowa has been doing it this way for four decades and with success.

I believe Ohio should adopt the Iowa plan.

Now, let me explain in more detail why I believe the current ballot proposal must be defeated.

This constitutional ballot issue, if passed, would result in districts that surprise and disappoint the voters of those districts.

One of the reasons that voters will be unhappy with the maps that the amendment will produce is that the fall ballot proposal makes "proportionality" king and must supersede everything else.

And what exactly is proportionality?

It simply means looking at past statewide partisan elections, figuring out what percentage each party got on average, and then drawing each district so it favors one party or the other, so that the total districts drawn in favor of each party matches that party's statewide average in previous elections.

The amendment says that besides the obvious requirement that districts must be contiguous and comply with federal law, proportionality trumps every other consideration. In fact, the amendment says that application of all other criteria "does not permit adoption of a redistricting plan that violates" proportionality.

So, proportionality must be adhered to and is more important than and must supersede the following:

1. Proportionality must supersede the importance of respecting county, village, city, and township lines;
2. Proportionality must supersede the importance of keeping "communities of interest" together;
3. Proportionality must supersede -- and let me quote from the ballot amendment -- "the equal functional ability of politically cohesive and geographically proximate racial, ethnic and language minorities to participate in the political process and to elect candidates of choice;" and
4. This amendment says that proportionality must even supersede the requirement that -- and I quote -- "districts for the same office shall be reasonably equal in total population."

Now, the idea of proportionality sounds fair -- however, we have seen how requiring the map drawer to draw districts -- each of which favors one political party, with each district having a predetermined partisan advantage and requiring a certain number of districts to favor each party -- obliterates all other good government objectives.

Here is what such a state map might look like.

[SHOW FULL STATE MAP]

Where did this map come from? Well, when “Dave’s Redistricting” -- which is considered to be a non-partisan, objective website -- was asked to choose the map that was the closest to proportionality in Ohio, this is the map they chose!

Let’s take a look at this map that comes closest to proportionality. You will see some rather strange and unsettling things!

[SHOW NEW MAP]

District 60 in this map is reminiscent of the infamous, much-maligned “snake by the lake” congressional district, but smaller. It connects Sandusky and Lorain -- which traditionally have been in separate house districts -- for the purpose of creating a district with a predetermined partisan outcome.

[SHOW NEW MAP]

Now, take a look at Districts 15 and 24 in western Cuyahoga County: District 15 is literally scooped out of District 24. It needlessly splits parts of Bay Village. It splits parts of Rocky River. And, it splits other communities in Cuyahoga County.

[SHOW NEW MAP]

The map does the exact same thing in eastern Cuyahoga County, where District 10 is scooped out of District 9. The City of Cleveland is split. East Cleveland is split. Cleveland Heights is split. Shaker Heights is split. Mayfield Heights is split. Highland Heights is split. Richmond Heights is split. Euclid is split. Beachwood is split. And, Pepper Pike is split. That is ten city-splits in one district!

[show new map]

To the south of that, District 11 takes remaining parts of Cleveland, Cleveland Heights, and Shaker Heights, and connects it by a very thin strip of land across eastern Cuyahoga County to connect it to all of Geauga county. It is hard to think of a more textbook gerrymander.

[SHOW NEW MAP]

In the Toledo area, District 85 splits the City of Sylvania and connects it not just to most of Wood County, but also to the eastern half of Henry County. As can you see, this results in Henry County being split into three separate house districts.

[SHOW NEW MAP]

Let's take a look at the Mahoning Valley. Districts 66 and 65 both cross the Mahoning and Trumbull County lines. District 66 splits both the city of Youngstown and the City of Warren in half.

[SHOW NEW MAP]

Down in the Miami Valley, District 87 splits the City of Springfield into three districts and crosses the Greene County line to connect it to Fairborn.

Again, this was a citizen-drawn map created with the explicit purpose of being proportional, and an independent analysis considered it the most proportional map submitted. As you can see, emphasizing proportionality compelled the map drawer to engage in extreme gerrymandering to achieve the highest proportionality score possible.

He got a Dave's Redistricting proportionality score of 100 out of 100! Such incentives to gerrymander will only be worse under the proposed constitutional amendment. Remember, under that amendment, proportionality must supersede all other goals.

Now, let's look at another proposed map -- this time from professional map drawers.

[GO TO FULL STATE MAP]

Where did this map come from? It was the map proposed by the democrats on the Ohio redistricting commission in January 2022, after the Ohio Supreme Court ordered a map that emphasized proportionality. Let's look at it.

[SHOW NEW MAP]

I will again note that this map uses the same "snake by the lake" method to connect Sandusky and Lorain.

[SHOW NEW MAP]

In this map, the drawer used a similar strategy in southeast Ohio, where the proposed District 85 was drawn to connect the Cities of Athens and Chillicothe. A good government map drawer would 99 times out of 100 give Athens and Chillicothe their own districts, but this map drawer testified to the commission that he was forced to draw this district to achieve proportionality.

[SHOW NEW MAP]

Back up in Cuyahoga County, the map connects the southeastern suburb of Chagrin Falls up through Moreland Hills, Hunting Valley, and Gates Mills into Lake County, where it connects to Willoughby and Eastlake, and then straddles a thin strip in the southern half of Mentor to connect it to Painesville.

[SHOW NEW MAP]

In western Cuyahoga County, you see that in what is labeled as District 16, Westlake and Rocky River are connected to the west side of Cleveland. Just south of there, Districts 14 and 20 split the City of Brook Park in half.

[SHOW NEW MAP]

In Summit County, the map manages to connect the westside suburb of Fairlawn to the far eastside suburb of Mogadore, by going around the north border of Akron and splitting Cuyahoga Falls in half.

[SHOW NEW MAP]

The map takes Portage Lakes and Green in southeast Summit County to the eastern half of Portage County, then up to Bainbridge and South Russell in southwest Geauga County. This was done to create a new partisan-leaning district in western Portage.

[SHOW NEW MAP]

Lastly, this Delaware County district connects areas of the county bordering Columbus to the City of Delaware by a thin strip of land, while strangely carving out the City of Powell.

Again, this was a map that was proposed specifically to comply with proportionality, and it yielded clearly gerrymandered results.

Yes, you can draw a statewide map where proportionality is mandated, but in doing so, all the other things people say they want in district maps go away! Proportionality wins, but everything else loses.

Using proportionality as your guiding north star means your map will divide communities of interest -- will tear up counties, cities, villages, and school districts. Further, our citizens, when they see the strangeness of their own district, will wonder how this ever took place and will become even more disillusioned with their government.

Proportionality is the ultimate in gerrymandering by manipulating each district, so it favors one party or the other. Every voter will be in a partisan district, drawn for the specific reason of favoring one party.

This also results in the disenfranchisement of many voters. Most elections will be predetermined, resulting in the election really occurring in the primary.

Thus, if you are an independent voter who can't vote in a primary, using proportionality to draw these districts will totally disenfranchise you!

Further, this will result in those running focusing only on the primary, which in turn will cause republicans to worry about a candidate on their right and democrats to worry about a candidate on their left, causing even more polarization in our legislature.

There must be a better way -- and there is a better way!

I believe the Iowa system provides us with an example of a system that takes politics out of map drawing. Map drawers are, in fact, prohibited from looking at past voting patterns. The Iowa system is clean, simple, and has been used successfully to achieve the good government objectives we associate with reform.

Here is how it works:

1. Districts are required to be reasonably compact;
2. Districts cannot be drawn to favor a political party, incumbent legislator, or member of congress; and

3. The map drawer is prohibited from using:

***The addresses of incumbent legislators or members of congress;

***Political affiliation of registered voters;

***Previous election results; and

***“Demographic information, other than population head counts, except as required by the Constitution and the laws of the United States.”

The Iowa plan is simple.

It is clear.

And it takes politics out of the map drawing forever.

In conclusion, the proposal on the Ohio ballot this fall will make things worse, will lead to much greater gerrymandering, and will soon have to be replaced once again.

We need to end this writing and rewriting of our Ohio Constitution.

And, we must defeat this misguided ballot initiative.

After we defeat this inherently flawed proposal, I will work with the General Assembly to introduce a resolution in the next session, vet that proposal, hold hearings on it, hear from citizens on all sides, and approve the resolution to place an initiative on the ballot for voters to approve -- the way the process should be.

I am happy to take questions.