

Written Testimony of Dan Vicuna, Common Cause National Redistricting Manager, on SJR 5

Senate Government Oversight and Reform Committee
House Government Accountability and Oversight Committee

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The General Assembly should reject SJR 5 because it would do nothing to stop legislators from manipulating congressional districts for political advantage. Volunteers across Ohio are gathering signatures for a ballot initiative that would ban partisan gerrymandering and implement strong protections against one-party dominance of Ohio's congressional redistricting process. After years of advocacy to convince the General Assembly to pass much-needed reforms, it became clear that citizens needed to take matters into their own hands. Ohioans deserve fair districts that do not manipulate their vote and yet, with the Fair Congressional Districts for Ohio campaign in full swing, SJR 5 is a far cry from the democracy reform Ohioans deserve.

Under current law, there are two important checks on the legislature's power to draw districts that SJR 5 would eliminate. First, citizens can gather signatures to put a referendum on the ballot and give voters the chance to strike down a map. Second, the governor can veto a map. By removing both safeguards, SJR 5 would allow legislators to manipulate congressional districts with even greater freedom than before. In addition, SJR 5 allows the drawing of congressional districts that advantage a candidate or party. Ohioans passed a ban on the gerrymandering of General Assembly districts with 71% of the vote in 2015. The Fair Congressional Districts proposal would extend that prohibition to congressional redistricting. SJR 5 hits Ohioans with an undemocratic one-two punch by keeping the power to draw districts in the hands of legislators and allowing them to gerrymander.

We are concerned that the goal of SJR 5 is to discourage Ohioans from gathering signatures for the Fair Congressional Districts proposal. If that is the case, the drafters of the bill have missed the mark. If SJR 5 is the best the General Assembly can do to address the fundamental threat to democracy that gerrymandering represents, Ohioans must redouble their efforts to put the Fair Congressional Districts initiative on the ballot.

In addition to adding a ban on gerrymandering congressional districts to the Ohio Constitution, the citizen initiative would empower the bipartisan Ohio Redistricting Commission already in the Ohio Constitution to draw congressional districts. This commission consists of four legislators – two of each major party – but also includes the governor, auditor, and secretary of state. To ensure fairness, two members of both political parties must support a map for it to pass. The initiative also requires the commission to draw districts that reflect Ohioans’ political preferences. There is no reason that the fair and bipartisan process that Ohioans overwhelmingly approved for General Assembly districts should not also apply to congressional redistricting.

Representational fairness was put into the Ohio Constitution in 2015 address state legislative redistricting reform. And yet, this important protection is not included in SJR 5. Additionally, SJR 5 treats more populous counties differently than rural ones, potentially institutionalizing the “packing” and “cracking” that makes gerrymandering possible.

Mapmaking must be a bipartisan process and clear nonpartisan rules that put voters first must guide that process. SJR 5 fails on both counts. Ohioans will not settle for sham reform designed to derail a strong bipartisan approach that is gaining momentum around the state. The people of Ohio deserve fair representation and the ability to hold our elected officials accountable on Election Day. We urge legislators to reject SJR 5 and ask voters to sign a petition to get the Fair Congressional Districts initiative on this year’s general election ballot so the people can do what the General Assembly will not:

give Ohioans the democracy we deserve. If there are any questions related to our position, please feel free to contact me at 213-623-1216 or dvicuna@commoncause.org.

