**TESTIMONY OF**

**JACQUELINE F. BIRD**

regarding

**SENATE JOINT RESOLUTION 5**

**January 24, 2018**

Good morning, Chairman Coley, Vice Chairman Uecker, and members of the committee. Thank you for the opportunity to address this topic. My name is Jacqueline Bird, and I am her today representing myself as an Ohio voter since 1975. I am testifying in OPPOSITION to SJR 5.

SJR 5 is clearly and overtly a rush to preempt a citizen’s referendum to end the democracy-killing practice of gerrymandering—the ability of the dominant party in power to draw voting districts such that they “safely” favor one party and are noncompetitive. It is the party choosing their voters and not the voters choosing their representatives.

Yes, this practice, which was never a good idea in the first place, has been on-going since the beginning of our republic. However, with the advent of computers able to parse each voter’s political preferences it is a monster fed even greater power. And both major parties have, are, and will continue to do it.

Like most, I’ve watched this transpire most of my life. I recall my mother, aunts, and uncles all bemoaning the fact that their votes simply didn’t count because of the way Congressional districts were drawn. Nevertheless, our elders set the example by continuing to vote and taking their children to the polls and into the voting booths with them because they still believed in democracy—even if their voice was being nullified by a bastardized procedure. But how many others are discouraged from exercising their right to vote when—because of a rigged system—their vote won’t matter? Gerrymandering likely contributes to the problem of low voter turnout. So that is why I testify today.

Gerrymandering is insidiously destructive to a vibrant democracy. Democracy with a small “d” considers all voices and develops reasonable COMPROMISES. The very essence of a democracy is the ability to debate, consider and compromise; we are fast losing that. A representative republic gives the majority control of the government, but it is not ever intended to shut out the voices or needs of the rest.

In fact, that is exactly what gerrymandering does. Representatives from safe districts now only need to pay attention to their primary races. It isn’t the moderates—those interested in negotiating reasonable compromises—that matter, but the extremes on either end of the political spectrum that rule. Thus, those from safe districts tend to be extremists who not only will not negotiate with those of the other party—or even moderates of their own party (look at today’s Congress). They tend to consider themselves not as colleagues across the aisle but enemies. If you recall, it was Senator Bob Dole during his presidential campaign who admonished someone making ad hominin statements about his opponent, “He is my competitor, not my enemy.” Would that we had such statesmen today. The moderates are being driven out of the political process to the detriment of all but smaller and extreme segments of society at either end of the spectrum, and gerrymandering is a huge cause.

We are fast headed towards a one-party nation (and state). Please not that other one-party states are the Russian Federation, the People’s Republic of China, Democratic People’s Republic of North Korea, etc. It is no little bit ironic that these one-party dominant countries use the words “people’s,” “democratic,” and “republic.” Yes, they are socialist, communist, and essentially dictatorship forms of government—but they are all one-party. And it is an apocryphal warning of where our democracy can head.

However, in our form of representative democracy, the founders were smart enough to incorporate a safety valve called a public referendum. Grass roots public referendums generally occur only when the legislature has repeatedly failed to address an issue of importance to the populace. The bar to get a referendum on the ballot for a vote of ALL the electorate is rightfully set high and takes a LOT of work and commitment—thus precluding frivolous matters.

The issue of gerrymandering is hardly new, and the General Assembly—past and present—has had a very long time (decades) to address and fix it. It has failed. In fact, what it has done and continues to do via SJR 5 is try to preserve the system of safe districts and one-party rule.

The original referendum of just two years ago incorporated redistricting of both Ohio General Assembly AND Ohio Congressional districts. However, the Congressional districts were stripped out of the 2015 referendum on a debatable pretext. Nevertheless, the issue addressing General Assembly districts appeared on the ballot and was passed by 71 percent of the electorate! That had to be a bi-partisan vote from citizens from both major parties and probably from a few minor ones as well. That is a very LOUD statement.

After that significant vote, the General Assembly could have taken note of the original full intent and addressed the matter of Congressional redistricting. It didn’t, again. So the electorate has mobilized—again—via a public referendum effort to finish the job and put it back to the people to decide this November 2018.

Now the present party in power is rushing to preempt this effort with a plan that will institutionalize the practices of gerrymandering into the Ohio Constitution. Yes, some improvements are there, but SJR 5’s huge flaw is that it still allow for the drawing of predominantly safe, one-party districts rather than a preponderance of competitive districts. Any redistricting process needs to be conducted in the open and include members of both majority and minority parties.

SJR 5 is a very thinly veiled attempt to keep the status quo at the expense of democracy. This is little more than rearranging the deck chairs on the Titanic; it won’t solve the problem at hand. It will draw voters’ attention away from the Fair Districts Ohio referendum and likely will confuse them into thinking the problem is solved when in fact it is exacerbated by the codification of gerrymandering into the Ohio Constitution.

The Fair Districts Ohio referendum proposes very simply to add Congressional districts to the process approved by 71 percent of the voters in 2015 and now established in law.

Why is the General Assembly seeking to establish a separate process for Congressional districts? And why the rush if not to confuse and/or preclude a lawfully conducted public referendum? This is poor governance.

Please put the welfare of the electorate, this country, and our democracy over that of the power of a given political party. That power rightly resides with the electorate. You are most respectfully urged to reject SJR 5 and LET THE PEOPLE DECIDE the matter at the polls this November 2018.

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