Testimony of Benita Kahn
Before
The Senate Government Oversight and Reform Committee
January 24, 2018

Good morning. Mr. Chairman and members of the Committee, thank you for the opportunity to comment today regarding SJR5, the proposed congressional redistricting plan introduced by Senator Huffman. My name is Benita Kahn and I live in Bexley, Ohio, where I have lived since 1989. This means that I live in the 3rd Federal Congressional District and I am currently represented by Joyce Beatty. Because of the way the Congressional Districts were drawn in Ohio in the last redistricting process, I have spent the last year learning about gerrymandering and how to prevent it. SJR5 does not and will not resolve the gerrymandering issue in Ohio. Thus, I am opposed to SJR5 for this and the other reasons noted below.

Over the last year, I have collected signatures from registered voters to place an issue on the ballot to address gerrymandering in Ohio. In talking to many hundreds of voters during this time, what became clear to me is that people want the redistricting map drawn in a fair and bipartisan manner. The voters expressed that they want to stop allowing politicians to choose their voters and want to start having the voters choose their politicians. They want to be assured that the Congressional Districts will result in Ohioans having votes that count. This does not exist now in Ohio's Congressional Districts and SJR5 does not provide the process to resolve these issues.

Currently, there are 16 Congressional Districts in Ohio. As a result of the drawing of the districts after the last census, 12 of these Districts are heavily leaning Republican and 4 are heavily leaning Democrat --- a 75%/25% split between the parties. A review of the presidential election results in Ohio going back to 1960 shows that during these 57 years no statewide election ever resulted in this same percentage split between Republicans and Democrats. In fact, in almost half of these elections, the spread between the votes for the Republican and Democratic candidates was less than 5%. Thus, a drawing of the Congressional Districts in Ohio to have Republican-leaning vs. Democrat-leaning Districts with a 75/25 split does not reflect the electorate in Ohio and results in many Ohioans not really having a vote in Congress.   There is no

assurance SJR5 will resolve this issue for several reasons, including that it does not include any requirement for representational fairness.   More important, electoral races should be contests of ideas. Gerrymandering results in races where ideas and positions need not be debated or defended. Without the honest exchange of truly competitive races, our citizens are short changed, and our democracy is demeaned.

Any redistricting proposal should be truly bipartisan with a goal of creating more competitive races. Due to the clear self-interest, the map should not be drawn by the General Assembly. SJR5 starts by having the General Assembly draw the redistricting map after the next census. While this drawing is to be approved by 3/5ths of the House and Senate, based on the current makeup of each, 3/5ths can be achieved with only Republican representatives and senators. The proposal includes a requirement for an approval vote of 1/3rd of the members who are not members of the majority party. This is not a solution, but rather a token provided apparently to appease the minority members.

Based on the current members of the House, only 11 members of the minority party would be required and with current Senators, only 3 Senators from the minority party would be needed. But this could be even worse when the districts are drawn. It is possible that at that time there would be members of the Senate or House who are independents or members of third parties. If those members could be persuaded to approve a proposed map, then a ten-year map could be put in place, with the approval of a much smaller fraction of the minority caucus. This is not a bipartisan approach when the election results for the last 57 years are taken into consideration.

And, if the General Assembly cannot get the necessary approval, then the Redistricting Commission would be tasked with drawing the map. Under SJR5, a simple majority of the Commission could approve the map.   Once again, based on the current elected officials who are members of the Commission and the persons appointed by the Speaker of the House and President of the Senate, the simple majority would be controlled by one party. This map could be used for four years (two general elections of the U.S. House of Representatives) without any

2

approval of the General Assembly. These provisions are a clear demonstration that the plan proposed by Senator Huffman is not bipartisan.

In addition to the clear problem with the current split between Republican-leaning and Democrat-leaning Congressional Districts in Ohio, the manner in which counties have been split into too many districts also results in voters not being fairly represented. By way of example, Franklin County is split into three Congressional Districts --- 3, 12 and 15. Those announcing to run for the vacant seat in District 12 include people in Columbus and Zanesville which is two counties away from Franklin County. There are significant differences in what issues are of concern to the citizens of these two cities. For large cities like Columbus and large counties like Franklin, it does appear that SJR5 will resolve this type of issue.

It is also very telling that maps would be passed by the General Assembly as resolutions, and not as bills. This would likely mean only the courts could review the maps. It would not be possible for the Governor to veto the maps. This is one more clear sign that there is no intent for SJR5 and the map drawing to be bipartisan. It is time that the redistricting process is brought out into the open rather than a rushed process mostly occurring behind closed doors. Lawmakers should slow down to allow voters to have true input into this proposal. No more backroom deals that benefit politicians over voters.

Thank you for the opportunity to comment today.