



Opponent Testimony on HB 479—*Establish Congressional Districts*
House Government Oversight Committee
By Jen Miller, League of Women Voters of Ohio
November 10, 2021

Chair Wilkins, Vice-Chair White, Ranking Member Brown, and Esteemed Committee Members:

I am the Executive Director of the League of Women Voters of Ohio, which was formed in 1920 from the Ohio Woman Suffrage Association. Thank you for allowing me to testify today on behalf of our members, who live in every Congressional District, each State Senate District, and all but five Ohio House Districts. Voters of all ages, races, zip codes, and beliefs are our priority.

We are fiercely nonpartisan. LWVO does not endorse candidates or parties nor does the League take funds from parties or governmental entities. High profile organizational leaders, like myself, also have limits on certain activities. For example, I cast an issue-only ballot during primaries and do not make political contributions.

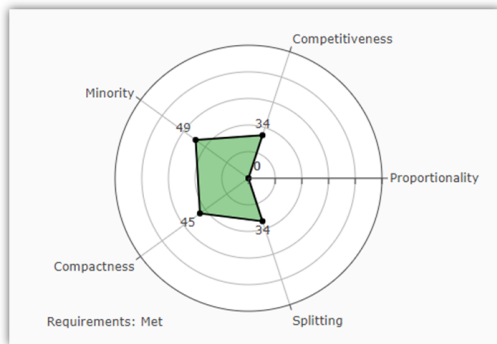
We seek to ensure that our democratic republic works for all of us, and that is why we have actively opposed gerrymandering for nearly a half century. At the end of this testimony, I've included a timeline of our redistricting work, because I want to make clear that this has been and will remain a priority for LWVO until voters truly have maps that fairly represent them, rather than be rigged for parties or individual candidates. We have used every tool in the toolbox in our long campaign to end partisan gerrymandering including direct legislative advocacy, ballot initiatives, and the courts.

We have stood in opposition to maps and redistricting processes that favor both major political parties in Ohio, because we firmly believe that every voter and our great state suffer when districts are drawn for the short-sighted and selfish interests of politicians and parties. Instead, 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.

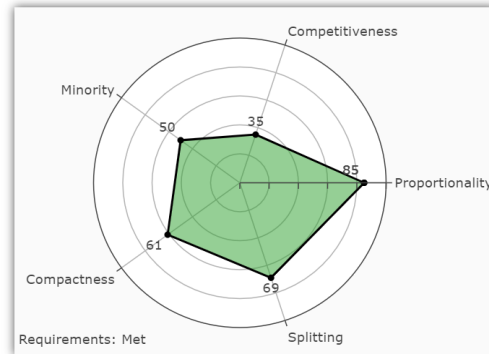
We are also the proud leaders of Fair Districts Ohio, with our colleagues at Common Cause Ohio. As Ohio's leading nonpartisan redistricting advocates and experts, our members and volunteers have collected ballot initiatives signatures, educated voters on the ills of gerrymandering, filled hearing rooms, and made their own maps. Without our efforts, in partnership with the Ohio General Assembly and both major political parties, the bipartisan reforms for Congressional Redistricting that passed with nearly 75% of the vote in 2018 would

not have been possible.

Using Dave's Redistricting App, we can analyze the two maps that have been proposed by the Ohio House Republicans and Democrats. Please note that requirements regarding splitting, compactness, proportionality, and minority representation are in the Ohio Constitution and/or federal law. Each area is scored out of 100, so the higher the points the stronger the map.



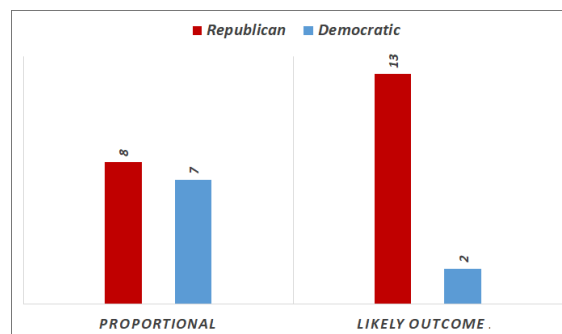
House GOP Proposal
162 Points



House Dem Proposal
300 points

Per Article XIX, Section 1, C3A of the Ohio Constitution: *“The general assembly shall not pass a plan that unduly favors or disfavors a political party or its incumbents.”* In other words, drawing voting districts that give unfair advantage to one political party or incumbent is illegal per the Ohio Constitution. I am going to share two different ways to measure partisan gerrymandering: proportionality and the efficiency gap.

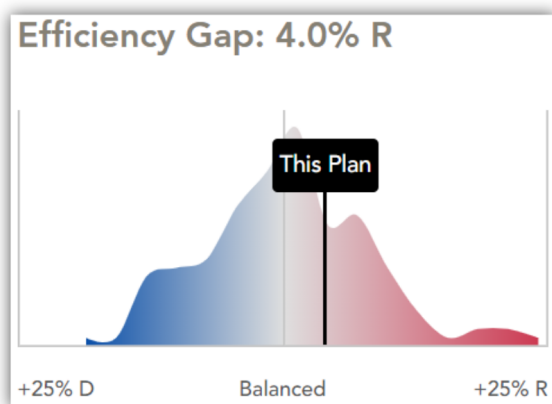
First proportionality: the statewide proportion of districts afforded to each major party must correspond closely to the statewide vote counts. Given that Ohioans roughly cast 55% of votes for Republican candidates, we should see roughly 55% of the seats going to Republicans. Unfortunately, this map is highly unfair as demonstrated through a lack of proportionality.



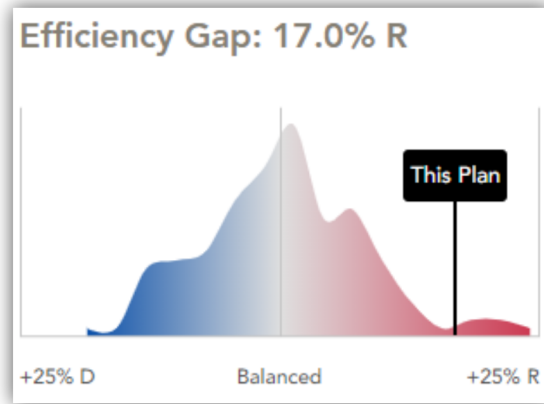
House GOP Proposal

When politicians manipulate the redistricting process to expand or protect their own power, the power of the people's votes is diminished. Another means of mathematically measuring gerrymandering is through an analysis called the efficiency gap. Because partisan gerrymandering is always carried out by cracking a party's supporters among many districts, in which their preferred candidates lose by relatively narrow margins; and/or by packing a party's backers in a few districts, in which their preferred candidates win by enormous margins.

Both cracking and packing produce votes that are inefficient in the sense that they do not contribute to a candidate's election. In the case of cracking, all votes cast for the losing candidate are inefficient. In the case of packing, all votes cast for the winning candidate, above the 50% (plus one) threshold needed for victory, are inefficient. The efficiency gap is calculated by taking one party's total inefficient votes in an election, subtracting the other party's total inefficient votes, and dividing by the total number of votes cast.

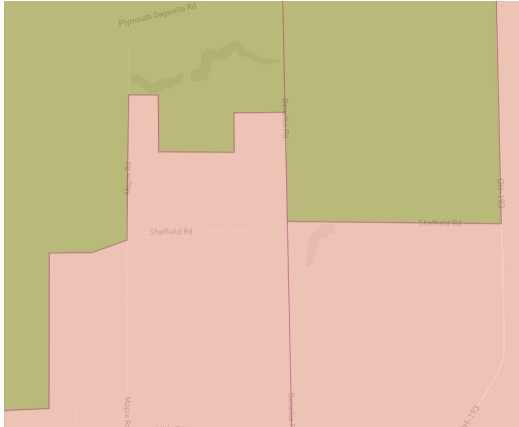


House Dem: Votes for Republican candidates are expected to be inefficient at a rate **4.0% lower** than votes for Democratic candidates



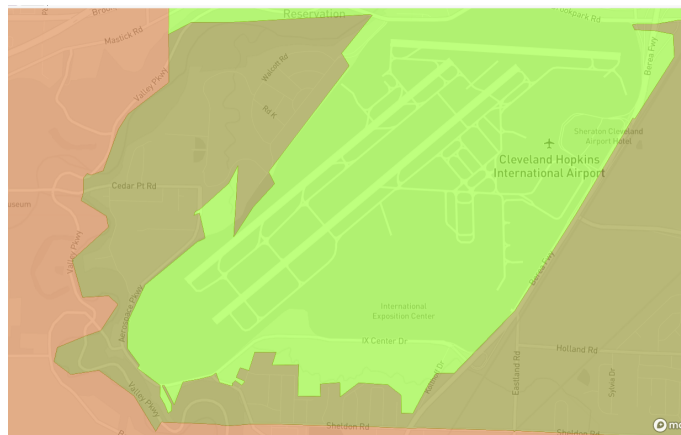
House GOP: Votes for Republican candidates are expected to be inefficient at a rate **17.0% lower** than votes for Democratic candidates

But let's actually zoom into some communities, like Sheffield Township in Ashtabula County, which has a population of 1,578 people and is divided between the 13th and 14th Districts. This is a quintessential small-town in Ohio -- the minutes of the last township trustee meeting on October 4, 2021 include a thank you to a local resident who provided cider and donuts at a township festival. So let's take a walk down Sheffield Road -- the 2000 block of Sheffield Road is in CD 14, the 2500 block of Sheffield is in CD 13, and then at the 3000 block of Sheffield Road, the even numbered houses are in the 13th, the odd in the 14th. All this on a short street, with just a few homes, in a township that could fit inside one congressional district 498 times over.



**Sheffield Road, Sheffield Township,
Ashtabula County 13th District below/red**

The Valley Parkway has been described by the Only In Your State tourism website as a “dreamy road that carves through the loveliest parts of Northeast Ohio.” But Cuyahoga County is carved up so much, it will be impossible for residents to easily make sense of the congressional boundaries. Driving south down the Valley Parkway, you’ll start your journey in the 11th District, then enter the 14th, then the 7th, then back to the 14th, back to the 7th, back to the 14th, back to the 7th, back to the 14th, and then, yes, back to the 7th. So drivers making this four-mile trek, on the same road in the same county, will change congressional districts eight times between three different districts.



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 our starting place. Instead, I encourage you to consider starting with one of the maps from our Fair Districts Ohio Competition. Once we pick a better foundation for mapmaking, we can deliberately go through district by district, line by line, to create districts that honor both the letter and spirit of the 2018 Constitutional Amendment that passed by nearly 75% of the vote.

Thank you for your time today. You can reach me at director@lwvohio.org or 614-563-9543.



LEAGUE OF WOMEN VOTERS®
OF OHIO

Ohio Redistricting Reform History

1967
The Democrats controlled the Ohio Constitutional Amendment Board and performed the first partisan gerrymander under the new amendment.

1981
The Democrats performed the second partisan gerrymander. The League of Women Voters of Ohio supported an Ohio Constitutional amendment that provided for competition between redistricting plans and required approval of the plan that provided for the most compact districts. The Ohio Republican Party supported the amendment; the Democrats opposed it. The amendment failed, getting only 42% of the vote.

1999
The League of Women Voters of Ohio attempted, but failed, to place a redistricting reform amendment on the ballot. The proposal used a mathematical formula to assure compact districts.

2005
Reform Ohio Now (RON) placed a redistricting initiative on the ballot, along with three other election reform redistricting initiatives. Under the plans could be submitted by the public and the plan that created the most competitive districts would be chosen. Neither state party supported the initiative. The proposal received 30% of the vote.

2009-2010
The Republican-controlled Senate and Democrat-controlled House each passed a redistricting initiative, the Senate version mirroring HJR 13 and the House version establishing a public competition. The two resolutions could not be reconciled, and no proposal passed both chambers.

2012
Representatives of the League of Women Voters of Ohio, Common Cause Ohio and others filed a petition to place redistricting reform on the ballot. Under the proposal an independent commission would ensure districts were compact, competitive and reflective of the political values of voters. The initiative failed, getting 37% of the vote.

2014
The Constitutional Modernization Commission couldn't reach consensus. During the lame duck session, Rep. Vern Sykes (D) and Rep. Matt Huffman (R) negotiated a compromise plan for redistricting the General Assembly that overwhelmingly passed both the Ohio House and Senate. It required bipartisan support to adopt a full 10 year district plan, tightened requirements for keeping political subdivisions together, stated districts could not be drawn for partisan gain, and required more transparency and public input.

2017
The Fair Districts campaign launched a petition initiative to apply the rules from Issue 1 in 2015 -- a bipartisan commission protecting communities and limiting partisan gerrymandering -- to congressional redistricting, attempting to place it on the November 2018 ballot. The legislature created a bipartisan working group to study congressional redistricting.

1971
The Democrats controlled the Apportionment Board and performed the first partisan gerrymander under the new amendment.

1991
The Republicans controlled the Apportionment Board and performed the third partisan gerrymander under the 1967 amendment.

2001
The Republicans performed the fourth partisan gerrymander under the 1967 amendment.

2006
A Republican legislator introduced a redistricting reform initiative, HJR 13. It emphasized compactness of districts and keeping communities together. The resolution narrowly failed to receive the required 60% vote from both the House and Senate to be placed on the ballot.

2011
The Republicans performed the fifth partisan gerrymander. Concurrently, the Ohio Campaign for Accountable Redistricting led by the League of Women Voters of Ohio and Ohio Citizen Action, held a competition in which citizens could draw maps. Those maps were more compact, more competitive, fairer to both political parties and respected county and municipal boundaries. All were better than the ones adopted. OCAR also issued a "Transparency Report" showing that maps were drawn in secret to the specifications of politicians.

2013
Although Joint Resolutions were introduced in the legislature, the focus of redistricting reform turned to the Ohio Constitutional Modernization Commission.

2015
The legislature's plan was Issue 1 on the November ballot and passed by 71.5%. The League, Common Cause and others began work on adding Congressional redistricting to the reform agenda.

2018
Grassroots work of petition signature collectors precipitated negotiations between legislators and the Fair Districts campaign, leading to the passage SJR 5, which put congressional redistricting reform on the May ballot as Issue 1. It would create a 3 step process to ensure bipartisan support for a 10-year plan or a temporary partisan plan that must comply with strict anti-gerrymandering rules.

* From 1978 through 2001, there was a proposed redistricting reform constitutional amendment introduced in each General Assembly Session — none passed.