

EQUAL. DISTRICTS

Drawing Our Future

Ohio House Government Oversight Committee
House Joint Resolution 6 - Opposition Testimony
December 7, 2022

Chairman Wilkin, Vice Chair Swearingen, Ranking Member Brown, and members of the House Government Oversight Committee:

My name is Katy Shanahan. I serve as an Advisor to the Equal Districts Coalition, a group of more than 30 prominent labor, civil rights, issue-based, and community organizations who originally came together to fight for fair maps during our redistricting process. Our focus has since shifted to more broadly include democracy defense work. I am here to offer testimony on behalf of our coalition and its members in strong opposition to House Joint Resolution 6 (HJR 6), the latest in the effort to undermine the power of our votes and deny Ohioans a real voice in our political future.

For more than 100 years, Ohioans have enjoyed our right to amend the state constitution through majority rule votes with ballot initiatives that have delivered real wins for our communities. In recent years, Ohioans have codified restrictions on partisan gerrymandering, protected our state against federal encroachments on access to affordable healthcare, and exacted term limits on state legislators. Stated another way, in recent years, the people of Ohio have been provided an essential path — through majority rule — to set the policy agenda in this state and to enshrine rights otherwise denied to us.

But now, Representative Stewart and Secretary LaRose have proposed HJR 6, an intentional effort to make it more difficult for a majority of Ohioans to pass ballot initiatives by requiring supermajority support for constitutional amendments.

Representative Stewart and Secretary LaRose are insultingly asking the majority of Ohioans to bend to the will of the minority. In America, that's not how our democracy works. Our elections are based on a simple principle that the will of the majority prevails. That is also the standard by which each of the committee members here today were elected to office.

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In the initial press conference to announce HJR 6, Secretary LaRose said that, "Unfortunately the constitution has been used as a tool by special interests...that seek to permanently change our form of government to fit their interests." We find this observation particularly rich coming from an elected official who - despite having sworn an oath to uphold it - just violated that same constitution six times with his votes to adopt illegally gerrymandered maps to fit the special interests of his own party over those of the more than 70% of Ohio voters who demanded fair maps, our reform language enshrined in the constitution, the state Supreme Court, and the rule of law.

The gerrymandered nature of our legislature actually underscores just how imperative it is to protect our right — through majority rule votes — to amend our state constitution. After all, the history of why Ohioans even have the right to pass initiated statutes or amendments, or to overturn legislative bills via referenda votes, lies in an important interest in ensuring that it is the people — not politicians — who have the ultimate say in the direction of state politics.

Republican President Teddy Roosevelt visited Ohio during its 1912 Constitutional Convention to lend his support for these people-forward proposals, saying poignantly, "I believe in the initiative and the referendum, which should be used not to destroy representative government, but to correct it whenever it becomes misrepresentative. Here again I am concerned not with theories but with actual facts. ... In actual practice it has been found in very many states that legislative bodies have not been responsive to the popular will. Therefore I believe that the state should provide for the possibility of direct popular action in order to make good such legislative failure."

It's disappointing that more than a century later, Roosevelt's words still hold true here in Ohio. The ballot initiative process is one of the few remaining ways that Ohioans have the ability to actually impact policy in this state, given how misrepresentative our legislature is. To deny us the ability to protect the decision-making power of the people is to deny us the full power of our votes and a right to direct democracy we have enjoyed for generations.

We see HJR6 for what it is: a brazen power grab and an attempt to change the rules because, quite simply, some politicians don't like it when voters tell them what to do.

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As it stands, there is nothing wrong with the system by which Ohio voters can amend the state constitution except, perhaps, that we will use it to enshrine rights that our leadership does not want us to enjoy.

We adamantly oppose HJR 6 and commit to working diligently to defeat it — whether in the waning weeks of this legislative session, if it is rushed through committee and chamber votes, or (as admitted by Representative Stewart in his own sponsor testimony last week) on the “sleepy May primary” ballot on which this amendment is being rushed to appear.

Thank you for the opportunity to submit testimony today, I'd be happy to take any questions you may have.