

Opponent Testimony of Timothy P. O’Hanlon on Senate Bill 258

Subject: Congressional Redistricting

Madame Chairwoman and Members of the Ohio Local Government and Elections Committee

Good Afternoon.

My name is Tim O’Hanlon. We live in the sliver of Columbus that was “cracked” into the meandering and very gerrymandered 15th Congressional District, a district that meanders over 12 counties. Thanks to extreme gerrymandering, we have been disenfranchised for a decade. And now, the Congressional map proposed by the Ohio Senate creatively cracks us into a gerrymandered District 4, with folks from seven rural counties to the northwest. The Senate Bill 258 map goes farther than the House version by separating us from the citizens of Grandview Heights with whom we share churches, grocery stores, a library, restaurants, a main commercial street and a zip code. The Senate’s map would disenfranchise us for another ten years. Both maps propose 2 democratic leaning seats, reducing Ohio’s Democratic Congressional delegation from 4 to 2.

In last week’s testimony on the Congressional map proposed by the House, witness after witness testified that a proportional Congressional map would produce 8 Republican leaning seats and 7 Democratic leaning seats. These assertions were based on voting patterns in statewide elections over the previous ten years. All

told, around 54% of votes were cast for Republican candidates and approximately 46% for Democratic candidates.

Following my testimony, I was asked if the Title XIX of the Ohio Constitution required proportional representation. Now, that was a very revealing question. Unlike Title, XI, the section of the Constitution that addresses the establishment of state legislative districts, Title XIX does not contain specific language requiring proportional representation or a formula for getting there.

I replied that Title XIX did specify that Congressional maps may not “unduly” favor one political party over another, that a map which proposed 13 Republican leaning seats out of 15 districts and was designed to reduce the Democratic Congressional delegation from 4 members to 2 two clearly violated this Constitutional requirement of its face.

The question was revealing because it exposed a pattern of deflection and disingenuousness that has characterized the entire redistricting process. The goal of the Constitutional Amendment approved by over 70% of Ohio voters in 2018 was to curtail gerrymandering. The most obvious evidence of gerrymandering was the unshakeable 12 to 4 or 80% seat majority held by Republicans in Ohio’s Congressional delegation.

Citizens and political scientists recognized that proportional representation, as determined by statewide voting patterns for the two majority parties, was a valid indicator, perhaps the clearest single indicator of the degree of gerrymandering, progress toward representational fairness and, ultimately, toward representative democracy in Ohio.

The majority leadership of the Ohio General Assembly also recognizes that proportional representation represents the biggest threat to gerrymandering and super legislative majorities. The majority leadership has advanced alternate criteria for representational fairness which no one else accepts as legitimate, such as the percentage of statewide elections won by Republicans. They have emphasized compliance with certain formal requirements such as maintenance of political subdivisions, all the while refusing to honestly engage the issue which launched the Constitutional reforms in the first place, the outrageous advantage in Republican seats which is all out of proportion to votes cast by the two parties.

In practice, the majority leadership has abandoned all pretense of representational fairness and come up with maps that are designed to reduce Democratic legislative seats even further. I understand the challenge. How can we draw our way to even bigger Republican legislative majorities, regardless of whether it betrays the will of Ohio voters and entire thrust of the Constitutional reforms they put in place? I will join my fellow citizens in fighting against that corrupt ambition.