

TESTIMONY SB258
Senate Local Government and Elections Committee

Testimony of Mindy Hedges, Private Citizen

Chair Senator **Gavarone**, Vice Chair O'Brien and members of the Local Government and Elections Committee, thank you for allowing me to testify today. My name is Mindy Hedges.

I live in a rural area of Ohio, in one of the fastest growing, richest counties in our state. Most people would be thrilled to live here, but it creates many problems for those of us who still cherish rural living. The growth is coming at us fast and furious. The unemployment issues in our county are low. Our economy is booming. This situation is not true for 6 of the 8 counties you placed us with on this map. In addition, a majority of our workforce is highly educated. The other 6 counties are not. In fact, many of these counties have issues with transportation, work, and yes, even food. Their concerns for our Congressional Representative would be quite different than ours, but just as important. But yet, the current Representative in District 4 is from a rural community himself, and would be likely ignoring one area to help the other. For example, does he push legislative action to help the big business owner in my county, or the worker who is out of a job and needs more public support to feed his family. This type of governing doesn't work, and won't work for Ohio. And what is the tail of blue that goes down into Franklin County. It almost doesn't even border any other area in District 4. This appears very much as if it was taken out of Franklin County to reduce a Party's vote there by diluting it in a more rural district.

When a state is gerrymandered as badly as Ohio, there is a vastly uneven election history which leans one way towards one party, regardless of how that state is aligned politically. Presently, Ohio should align similar to how the results of our statewide elections, but has been considered to use the figure of 50.4% Republican to 46.7% Democrat. This is how the

state should be districted. This follows voters wants by how their votes swing. No one can predict the future, but we can see the trends. Using this figure as a guide is Democracy. During the hearing last week, these figures were requested, so there can be no misunderstanding as to how voting patterns have been in Ohio for Statewide and Senatorial candidates:

Position	Year	Name	Party	# Voters	%
Senator	2018	Renacci	Republican	2,063,963	46.6
		Brown	Democrat	2,053,963	53.4
	2014	Portman	Republican	3,118,567	58.03
		Strickland	Democrat	1,996,908	37.16
	2012	Mandel	Republican	2,435,744	44.70%
		Brown	Democrat	2,762,766	50.70%
Governor	2018	DeWine	Republican	2,235,825	50.39%
		Cordray	Democrat	2,070,046	46.68%
	2014	Kasich	Republican	1,944,848	63.64%
		FitzGerald	Democrat	1,009,359	33.03%
	2010	Republican	Kasich	1,889,186	49.04%
		Democrat	Strickland	1,812,059	47.04%
	2006	Republican	Blackwell	1,474,285	36.65%
			Strickland	2,435,384	60.54%
Attorney General	2018	Republican	Yost	2,226,368	52.4
		Democrat	Dettelbach	2,021,194	47.6
	2014	Republican	DeWine	1,882,048	61.5
		Democrat	Pepper	1,178,426	38.5

	2010*	Republican	DeWine	1,821,414	47.5
		Democrat	Cordray	1,772,728	46.2
Ohio State Auditor	2018	Republican	Faber	2,110,073	49.9
		Democrat	Space	1,946,544	46.1
	2014	Republican	Yost	1,711,927	57.0
		Democrat	Carney	1,149,305	38.3
	2010	Republican	Yost	1,882,010	50.6
		Democrat	Pepper	1,683,330	44.6
Lieutenant Governor	2018	Republican	Larose	2,166,125	52.1
		Democrat	Clyde	1,987,916	47.9
	2014	Republican	Husted	1,811,020	62.7
		Democrat	Turner	1,074,475	37.2
	2010	Republican	Taylor	1,889,180	51.0
		Democrat	McGee Brown	1,812,047	49.0
Ohio State Treasurer	2018	Republican	Sprague	2,257,955	53.5
		Democrat	Richardson	1,960,075	46.5
	2014	Republican	Mandel	1,724,060	56.6
		Democrat	Pillich	1,323,325	43.4
	2010	Republican	Mandel	2,050,142	57.3
		Democrat	Boyce	1,525,912	42.7

In the Congressional Redistricting vote, over 70% of Ohioans said that Ohio's Congressional districts need to:

Be compact

Be contiguous

Contain equal population

Preserve existing political communities

Have partisan fairness

Have racial fairness

The map introduced by SB 258 lacks in most of these requirements. In fact, the Princeton Gerrymandering Project gave this map an **F** for having a significant Republican advantage. The Columbus Dispatch said "Even Gov. Mike DeWine, a Republican, said there's some work to do on maps that could give the GOP as much as a 13-2 advantage in a state that voted for then-President Donald Trump with 53% of the vote in 2020.

I would have loved the time to discuss every missed requirement, and in my mind, opportunity, but I don't have time, nor sadly do I think you would listen. But you need to listen to the majority of the voters who voted for these requirements, and who also may have voted for you and told you, in their vote, that they trusted you would do what you said you would when you said you would uphold the law of Ohio. **THIS IS THE LAW!**

Aside from the description above regarding District 4, here is what I found lacking or misdirected, overall, with this map:

The Senate GOP map incorporates large areas of Republican territory into Toledo Democratic Marcy Kaptur's district, effectively rendering it a Republican district. This is obvious Gerrymandering.

The Senate map splits Hamilton, Franklin and Cuyahoga counties into three districts. Why? Democrats would likely hold the advantage in the city centers but Republicans would have the majority advantage in the respective other two districts including parts of each county. This is obvious Gerrymandering.

This map also moves a Democratic portion of Franklin County into Jim Jordan's district. This is obvious Gerrymandering.

Racial data was skipped in the GOP map, something Republicans were criticized for in the legislative map-drawing process.

The Senate GOP map also includes most of Montgomery County, home of Dayton, and Warren County, a Republican stronghold. This dilutes, again, a stronger Democratic area, thereby diluting the votes of that major metropolitan area in Ohio. Dayton is also a very diverse city, with many urban issues, such as a mass shooting and more recently

police brutality. These are quite different from issues that affect their rural neighboring county.

It appears as if this map was designed to not only prefer one party, but to ensure that votes in Ohio do not count. This was intentional and does not, I repeat, does not, attempt to create districts that are compact, contiguous, contain equal population, preserve existing political communities, have partisan fairness and racial fairness. This map is nowhere near the public's voting record or to their desired outcomes for legislative actions.

As my final point, I want to remind you that gerrymandering is not how our country was designed, nor formulated. Partisan gerrymandering is inconsistent with the democratic ideals enshrined in the Constitution since the founding generation vehemently denounced it. In the extreme form it takes today, with districts drawn to give the controlling party a stranglehold on power, gerrymandering represents an unprecedented threat to our democracy.

Patrick Henry, for example, crafted a district to separate James Madison from his political supporters. But newspapers decried Henry's scheme as a violation of the right of a free people to choose their representatives. In the action that gave gerrymandering its name, Massachusetts Gov. Elbridge Gerry in 1812 signed a districting bill designed to give his party a decisive political advantage. Opponents objected that the law "inflicted a grievous wound on

the Constitution” — it “subverts and changes our Form of Government” and “silences and stifles the voice of the Majority.” The machinations of Henry and Gerry, adamant opponents of the Constitution, hardly exemplified its spirit.

The next two centuries saw continued objections to partisan gerrymandering as a violation of our core constitutional principles. For example, in 1870, Representative and future president James Garfield criticized the practice and objected that “no man, whatever his politics, can justly defend” it. In 1891, President Benjamin Harrison condemned gerrymandering as a form of political robbery. He declared that its “overthrow of majority control by the suppression or perversion of the popular suffrage” represented “our chief national danger.”

Our framers were keenly aware of the corruption of the English system of parliamentary elections, in which they referred to them as “rotten boroughs”. Americans in the revolutionary age scorned the British, in which defenders claimed Parliament would act wisely even if it was not directly representative. Instead, our Founders embraced actual representation as a central principle of the Constitution. Elected representatives would have close ties to their constituencies, and they would be responsive to the popular, democratic will. Their commitment to actual representation was to be unimpeded by contrived barriers between the electorate and its representatives. This was fundamental and widely shared. When colonists shouted, “No taxation without representation,” they were stating a view of legitimate

governance very much relevant to anti-gerrymandering. And nobody thought that “representation” meant a government-imposed permanent minority status of a gerrymandered system!

Madison understood the abuses that could come from state legislators trying to entrench their own faction. Madison said: “Whenever the state legislatures had a favorite measure to carry, they would take care so to mold their regulations as to favor the candidates they wished to succeed,” he warned at the Constitutional Convention. Inequality in legislatures would lead to inequality in congressional representation. He continued: “It was impossible to foresee all the abuses that might be made of the discretionary power.”

Partisan gerrymandering violates the framers’ core principle of actual representation. It likewise conflicts with the First Amendment right to meaningful political speech and association, and with the 14th Amendment’s extension of constitutional responsibilities to the states. Viewed through history, partisan gerrymandering is not an accepted feature of our American system. And the extreme gerrymanders we see today go dramatically further than anything we have seen in the past. They sabotage fundamental constitutional values. For those defending partisan gerrymanders, contrary to their sweeping claims, history is not on their side, and it should not be on the side of any of our elected officials.

I ask you to consider my testimony to ensure a democratically discussed, fair map be negotiated and reached by consensus with both Parties that will ensure the Voters demands are met as drawn up in the Amendment to our Ohio Constitution.

Thank you for your time and consideration of my request.