



## **RANK UNIVERSITY HEIGHTS**

March 24, 2025

Senate General Government Committee  
Opponent Testimony on Senate Bill 63

Chair Roegner, Vice Chair Gavarone, Ranking Member Blackshear, and members of the Senate General Government Committee:

We, Rank University Heights, are a nonpartisan local ballot issue committee formed in July 2023 by University Heights residents to organize community support for an amendment to the city’s charter implementing ranked choice voting (RCV) for city elections.

In 2023, the city’s charter review commission (CRC) recommended ten charter amendments to our city council, including one providing for ranked choice voting for city elections. During their review, the CRC consulted the National Civic League’s Model City Charter, which now recommends that local governments consider adopting instant runoff voting. *See* NATIONAL CIVIC LEAGUE, MODEL CITY CHARTER (9th ed. 2021). Until 1964, it had also recommended proportional representation as the preferred method of electing city councils, which they continue to say “provides the greatest equity in representing all sectors of the community.” *Id.*

RCV is designed to give voters more choices and allow them to fully express their preferences, which will result in better local elections and better local government. In our mayoral elections, RCV will serve as an instant runoff when no candidate receives a majority of the votes. This will reduce wins by a plurality without a low-turnout runoff election or the added cost of a primary election and help protect majority rule. RCV can also improve elections with multiple winners, like University Heights’s non-partisan, at-large city council elections in which larger fields of candidates can easily distort representation due to vote-splitting between similar candidates. With RCV,

council members would be elected in proportion to their share of votes, making our city council more accurately representative of us.

RCV limits the problems of vote-splitting, spoiler candidates, wasted votes, and strategic voting. Many voters are often faced with the dilemma of holding their noses and voting for an acceptable candidate who seems more electable rather than the candidate whom they truly prefer. RCV gives voters more meaningful choices and allows them to vote their consciences. It provides a fairer electoral process that can improve democratic legitimacy and civic participation and help elect city officials with broad support throughout the community.

Almost 30 years ago, Professor Kathleen L. Barber – Professor Emerita and former Chair of the Political Science Department at John Carroll University in University Heights, Ohio, and former councilmember on Shaker Heights City Council – published a book examining the history of proportional representation in the United States, including case studies of five Ohio cities (Ashtabula, Cleveland, Cincinnati, Hamilton, and Toledo) that elected their city councils by ranked choice voting between 1915 and 1960. In that book, Professor Barber concluded, “[Proportional ranked choice voting in Ohio] did what it was supposed to do, that is, facilitate the representation of minorities of various sorts. \* \* \* Ethnic, religious, and racial minorities, the partisan minority in single-party-dominant cities, and, in many cases, women were elected to council seats for the first time.” KATHLEEN L. BARBER, *PROPORTIONAL REPRESENTATION & ELECTION REFORM IN OHIO* (1995), 65-66.

University Heights is not a homogenous community; it is diverse, which is one of our strengths and a benefit to us who live here in our community. Yet, like many other cities, ours has geographic concentrations of certain minority communities of interest – racial, religious, ethnic, social, economic, or cultural – who may be underrepresented in our local government with our current winner-take-all, first-past-the-post at-large elections. RCV raises the threshold of votes needed to win elective office and incentivizes candidates to pursue second and third-choice votes. As a result, candidates must appeal to broader segments of the electorate, including minority groups. Furthermore, more candidates from such minority groups can run in the same election without the risk of their taking votes away from each other, and voters can vote for such candidates without the risk of their handing an election to

a candidate whom they dislike. Our city is a mosaic of interests and groups entitled to participate in the making of public policy. Bringing RCV to University Heights will help facilitate better representation of various minority communities of interest.

Senate Bill 63 uses the state's spending power to punish municipalities for exercising their constitutional home rule powers. Senate Bill 63 violates the spirit of municipal home rule. Home rule in Ohio allows cities and villages to enact local laws and govern themselves more autonomously without interference from the state government. This gives them greater flexibility in addressing local issues and tailoring regulations to their specific needs. The benefits of home rule include fostering local democracy, responsiveness to community needs, and the ability to innovate and experiment with policies. Senate Bill 63 furthers the erosion of municipal home rule by restricting municipalities' powers of local self-government in addition to the power to adopt and enforce local police, sanitary, and other similar regulations.

The Ohio Supreme Court has upheld cities' constitutional right to adopt RCV as an exercise of municipal home rule and emphasized the importance of allowing cities to govern themselves freely. In *Fitzgerald v. City of Cleveland*, Justice James G. Johnson wrote:

The method of electing municipal officers would seem to be a matter peculiarly belonging to the municipality itself. The very idea of local self-government, the generating spirit which caused the adoption of what was called the home rule amendment to the Constitution, was the desire of the people to confer upon the cities of the state the authority to exercise this and kindred powers without any outside interference.

88 Ohio St. 338, 348 (1913). In *Reutener v. Cleveland*, Justice Florence E. Allen

[T]he Hare system of proportional representation outlined in the amendment is valid under the unlimited powers of local self-government given to charter cities in the Ohio Constitution \* \* \* After all, is not the purpose of the home rule amendment to the Constitution exactly this: That progress in municipalities shall not be hampered by uniformity of action; that communities acting in local self-government may work out their own political destiny, and their

own political freedom, on their own initiative, and in their own way; and, with this purpose in mind, should not the enactment of political alterations in the structure and substance of a charter government be given every possible presumption of validity?

107 Ohio St. 117, 141 (1923).

There are only about 573 registered Republicans in University Heights compared to about 2,253 registered Democrats. That is why former Representative Gene Krebs (R-Preble County) argues that opposing RCV would hurt Republicans in urban counties, like Cuyahoga County. *See* Gene Krebs, Op-Ed, *Can Ranked Choice Voting Catch Mice?*, CLEVELAND.COM (Sept. 17, 2023). Howard Wilkinson, *Analysis: Why Would Republicans Want to Ban an Election System That Could Help Them?*, WVXU (July 26, 2023); Karen Kasler, *Bill Seeks to Punish Ohio Communities That Pass Ranked Choice Voting*, IDEASTREAM (July 25, 2023); Sabrina Eaton, *Republican Ohio Senator Wants to Ban Ranked Choice Voting*, CLEVELAND.COM (July 21, 2023). There is also a growing Orthodox Jewish community here in University Heights who share common interests and goals. *See* Jeff Piorkowski, *Council Committee Discusses Changes Brought About by Growth of University Heights' Orthodox Jewish Community*, CLEVELAND.COM (Dec. 10, 2021). RCV would better afford to such minority groups the opportunity to have their voices heard in local government.

For the foregoing reasons, we respectfully request that this Committee defeat Senate Bill 63 and allow Ohio's cities to continue to exercise all powers of local self-government as afforded by the Ohio Constitution.

Respectfully,  
H. Lee Crumrine, Chair  
Rank University Heights  
University Heights, Ohio