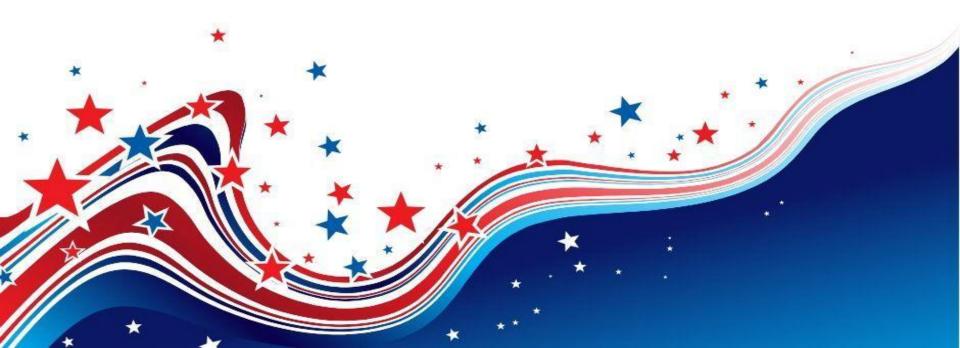


LWVO Statehouse Day

March 3, 2021



LWVO's History of Fighting Gerrymandering & Why This Year Matters



Ann Henkener, LWVO Redistricting Specialist

Jen Miller, LWVO Executive Director (moderator)



Timeline of Ohio Redistricting Reform History



Ohio Redistricting Reform History

1967

Ohio Constitutional amendment adopted authorizing the Apportionment Board to draw boundaries for Ohio House and Senate districts. The amendment did not address congressional districts and they continued to be drawn by the Ohio General Assembly.

1981

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

The Democrats performed

2005

placed a redistricting initiative on the ballot, along with three other election reform initiatives. Under the redistricting initiative, 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.

Reform Ohio Now (RON)

2009-2010

2012

Representatives of the

League of Women Voters

of Ohio, Common Cause

Ohio and others filed a

redistricting reform on

the ballot. Under the

commission would

ensure districts were

compact, competitive

and reflective of the

The initiative failed.

political values of voters.

getting 37% of the vote.

proposal an independent

petition to place

The Republicancontrolled 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.

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.

1 1

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.

2006

2001

The Republicans

performed the

fourth partisan

under the 1967

gerrymander

amendment

1999

The League of

Women Voters of

failed, to place a

Ohio attempted, but

redistricting reform

amendment on the

ballot. The proposal

used a mathematical

formula to assure

compact districts.

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 bailot and passed by 71.5%. The League, Common Cause and others began work on adding Congressional redistricting to the reform agenda.

2018

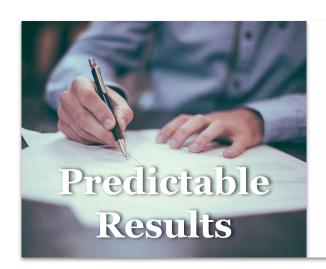
Grassroots work of petition signature collectors precipitated negotiations between legislators and the Fair Districts campaign, leading to the passage SJR 5, which put congressional redistricting reform on the May ballot as Issue 1. It would create a 3-step process to ensure bipartisan support for a 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.

Additional Resources on Redistricting

You can read reports and more on the Fair Districts website:

https://www.fairdistrictsohio.org/additional-resources











Ohio Statehouse Map Making

Dr. David Niven, University of Cincinnati

Dr. Michael Li, Brennan Center for Justice

Catherine Turcer, Common Cause Ohio (moderator)

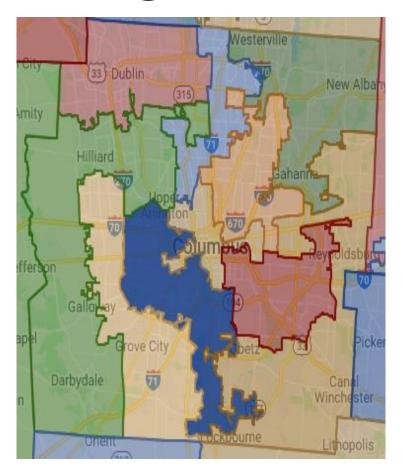


Ohio Statehouse Map Making

Dr. David Niven, University of Cincinnati



Gerrymandering Shapes the Ohio Legislature



State House Districts, Franklin County

U.S. House District 15 overlaps with...

State House Districts: OH-17, OH-18, OH-20, OH-21, OH-22, OH-23, OH-24, OH-26, OH-72, OH-74, OH-77, OH-78, OH-91, OH-92, OH-93, OH-94

After 'do something' chants, DeWine says that's exactly what he's going to do

'Do something!' Those mourning Ohio shooting victims shout down Gov. Mike DeWine

> 'Do Something!': mourners at Dayton vigil urge Ohio governor to act on gun control

Crowd chants 'do something' as Ohio governor speaks during vigil for Dayton shooting victims

Poll: Ohioans support stricter background checks for all gun sales

90% of Ohio residents are in favor of gun background checks, poll shows

Ohioans want new gun restrictions, statewide poll from Baldwin Wallace finds

OHIO

Poll says 90% of Ohioans support gun background checks

Ohio Gov. DeWine reverses course on veto, signs 'stand your ground' bill eliminating duty to retreat

The "stand your ground" bill eliminates a duty to retreat before firing in self-defense at any place, including businesses, places of worship, or protests.

www.nrapvf.org > grades > ohio :

NRA-PVF | Grades | Ohio

Grades & Endorsements not yet posted, please check back for updates. Make A Difference. Get involved on the grassroots level by becoming an **NRA** volunteer ...











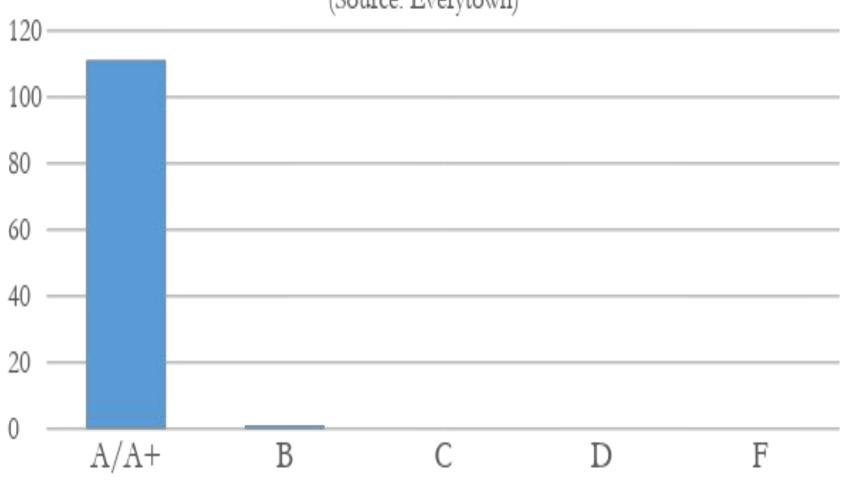
RESOURCES

NRA Grades Archive

6.14.2018

NRA "Grades" for Republican Members of Ohio General Assembly

(Source: Everytown)



Ohio Legislative Redistricting

Michael C. Li Senior Counsel, Democracy Program March 3, 2021



It's Complicated





Who Draws the Maps



Ohio Has a New System!

- Seven member bipartisan commission that will be 5-2
 - Governor (R)
 - State Auditor (R)
 - Secretary of State (R)
 - House majority leader pick (R)
 - Senate majority leader pick (R)
 - House minority leader pick (D)
 - Senate minority leader pick (D)



The Rules for Drawing Maps



The Rules

- Federal requirements:
 - Comply with the U.S. Constitution.
 - Comply with the Voting Rights Act of 1965.
- State requirements:
 - Must be contiguous (single non-intersecting line).
 - Must follow a series of county-based rules, including rules on splits.
 - Must follow rules on population deviations: District cannot be larger than 105% or smaller than 95% of target population.



Lots of Rules on Counties

- Key part of reforms:
 - If county is not smaller than 95% or larger than 105% of target population, it gets its own district.
 - If county is *larger than 105%* of target population, it is divided into districts, with excess population going into one adjoining district.
 - Rest of state is combined into districts, with instructions to split the fewest number of municipal corporations and townships.



Partisan Fairness

- Plan cannot be "drawn primarily to favor or disfavor a political party."
- Statewide proportion of districts "shall correspond closely to the statewide preference of the voters of Ohio."

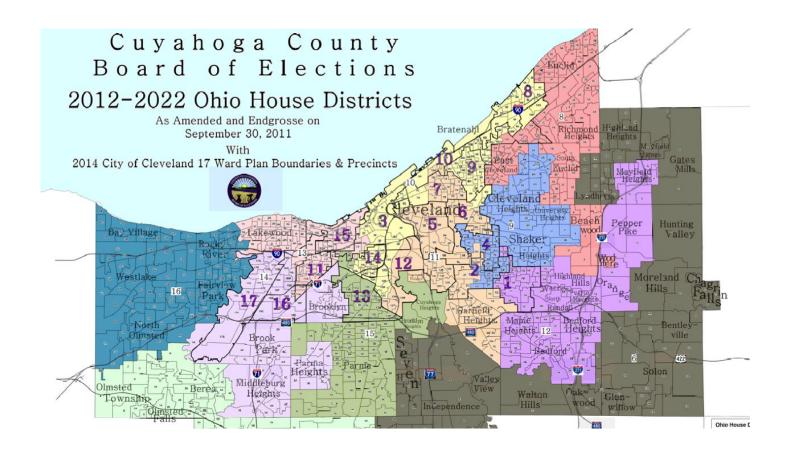


What's Not in the Rules

- Communities of interest (rules assume political subdivisions are the most important communities to Ohioans).
- State-law rules on protecting communities of color.



Still a Lot of Decisions to Be Made





Passing Maps



Rules for Passing a Map

- Two routes for passing a map:
 - OPTION 1: Map gets votes from a least two members of each major party (i.e., both Democrats in this case). Good until after 2030 census.
 - OPTION 2: Map passes on a majority basis. Good only for 2022 & 2024 elections and then must be redrawn for 2026 election.
- Deadlock less likely under this system, but maps will not last whole decade.



Challenging Maps



Ohio Supreme Court Hears Redistricting Cases





Cases Also Can Be Brought in Federal Court





When Maps Will Be Drawn



Census Delays

	Census Step	Old Date	New Date
	Apportionment counts delivered to POTUS	Late December 2020	April 30, 2021
BRENNAN CENTER FOR JUSTICE	Block-level redistricting data delivered to states	Mid-February to March 31, 2021	September 30, 2021 - or maybe (but probably not) later

And Data Delivery is Only the Beginning

- Data will need to be processed to conform to the geography used by states to draw districts.
- Process can take a couple of weeks but can be a month or more.
- Means maps won't be able to pass until Late Fall at the earliest.



Redistricting Deadlines: Ohio - State Legislative

Ohio - State Legislative (Republican Control)

Legislative Session: January 4 - December 31, 2021

Event	Deadline	
Redistricting	September 1, 2021 (final state legislative plans)	
Backup Redistricting	September 15, 2021 (final state legislative plans, which must then be redrawn after 2024)	
Primary Election	Candidate filing: February 2, 2022	
	Ballots finalized: February 22, 2022	
	Election: May 3, 2022	
General Election	Ballots mailed: September 24, 2022	
	Election: November 8, 2022	



Delays Will Create a Real Crunch

Data delays □



☐ Election schedule



Ohio Statehouse Map Making

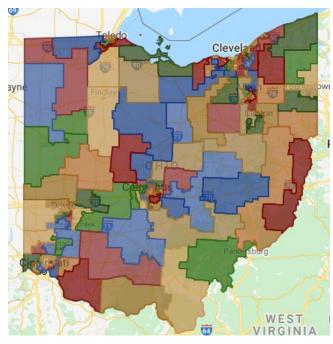
Catherine Turcer, Common Cause Ohio







Ohio House of Representatives (99 districts)







Ohioans want Fair maps!

- State legislative redistricting reform was overwhelmingly supported in 2015 and garnered over 72% of the vote
- Both reforms passed in ALL 88 of Ohio's counties
- Ohioans understand what gerrymandering is and why it is bad. They won't be hoodwinked this time around!
- Let your Ohio Representative and Senator know you are paying attention and demand fair maps for fair representation.



Ways to be involved: bit.ly/FairDistrictsJoinUs

- Community Map-making: Join as a facilitator or community member
- Fair Districts Speakers Bureau: Spread the word about how the new rules work and how to get involved
- Map-making Competition: Starting in the fall

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Congressional Map Making

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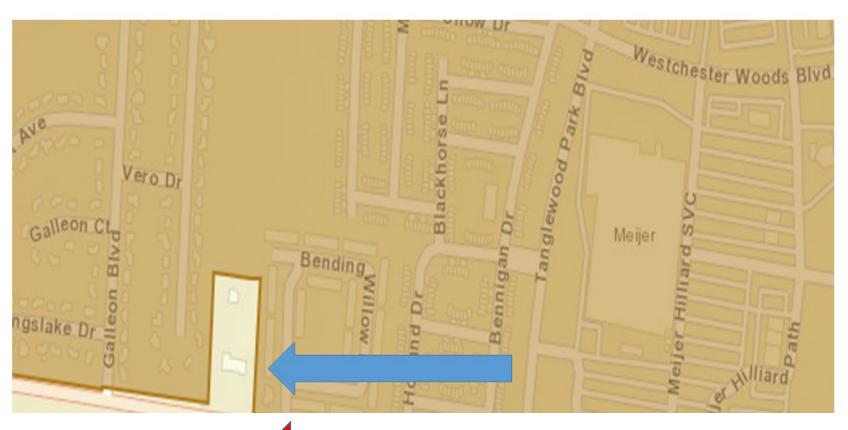
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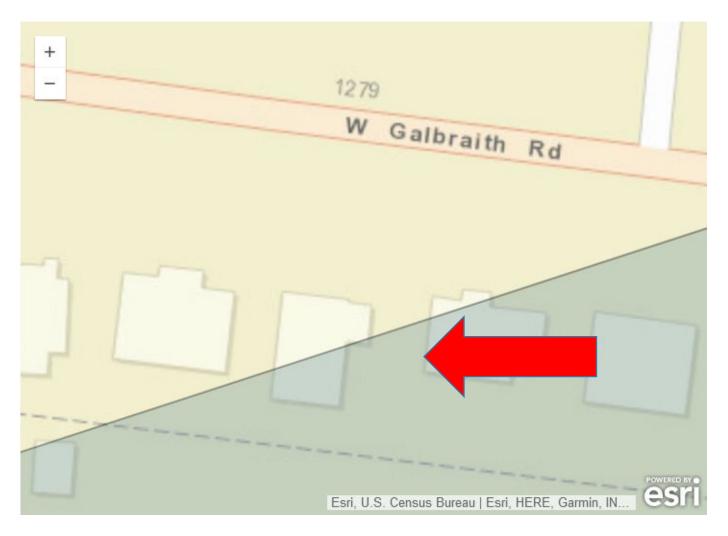
Your Own Personal Congressional District 5800 Renner Road, Columbus.

Shaded area 3rd District. Unshaded 15th District.



Your Own Personal Congressional District 1277 W. Galbraith Road, Cincinnati

Shaded area 1st District. Unshaded 2nd District.



The Map is Undefeated

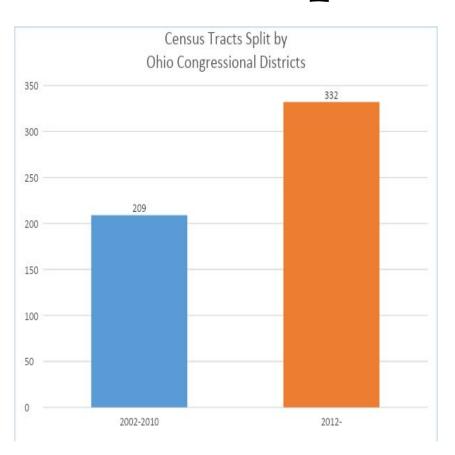
•Number of House districts that have switched hands over the ten year life of the map: **ZERO**

The Map is Undefeated

 Number of House districts that have switched presidential support over the ten year life of the map:

ZERO

Gerrymandering and Representation



59% increase in split Census Tracts in Ohio (from 2001 to

2011 Ohio Congressional Districts)

Gerrymandering and Representation

•Study: Split neighborhoods decrease recognition of incumbent and challenger candidates for Congress by about 12%

Ohio Congressional Redistricting

Michael C. Li Senior Counsel, Democracy Program March 3, 2021



It's Complicated

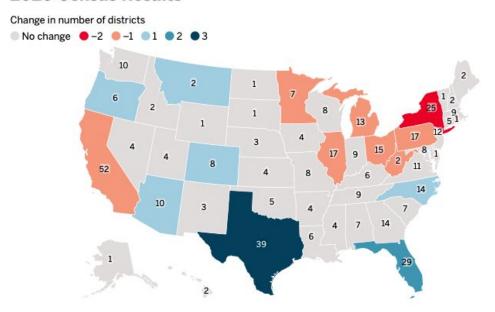




Ohio is Projected to Lose a District

FIGURE 6

Projected Gains and Losses in Congressional Districts After 2020 Census Results



Source: Brennan Center calculation based on the U.S. Census Bureau's Annual Estimates of the Resident Population of the United States, Regions, States, and the District of Columbia, April 1, 2010 to July 1, 2020



Who Draws the Maps



Ohio Has a New System!

- Three steps:
 - First Pass: Legislature can pass with 3/5 supermajority, including 1/2 of minority party (Ds in this case). *Valid 10 years*.
 - Second Pass: Backup commission can pass map with support of at least two members from each major party. Valid 10 years.
 - Third Pass: Legislature can pass map with simple majority.
 Maps only good for 2022 & 2024 election.



The Backup Commission

- Seven member bipartisan commission that will be a 5-2 GOP majority:
 - Governor (R)
 - State Auditor (R)
 - Secretary of State (R)
 - House majority leader pick (R)
 - Senate majority leader pick (R)
 - House minority leader pick (D)
 - Senate minority leader pick (D)



The Rules for Drawing Maps



The Rules

- Federal requirements:
 - Comply with the U.S. Constitution.
 - Comply with the Voting Rights Act of 1965.
- State requirements (not ranked):
 - Must be contiguous (single non-intersecting line).
 - Must be compact.
 - (Very) detailed rules on counties



Lots of State Rules on Counties, Cities, and Townships

- Key part of reforms:
 - 65 counties cannot be split.
 - 18 counties may be split once.
 - 5 counties may be split twice.
 - Mapdrawer determines what counties fall into which category.
 - Limits on splitting cities and townships, including large cities.
 - Large cities/townships shall form "significant portion" of districts.
 - Cities >100k but smaller districts cannot not be split except under certain circumstances.



Partisan Fairness

- If plan is passed by <u>simple majority</u>, a plan:
 - May <u>not</u> unduly favor or disfavor a political party or its incumbents
 - May <u>not</u> <u>unduly split governmental units</u> (counties, townships, and municipal corporations in <u>that</u> order)
 - Compactness not required (becomes aspirational)



Whew!





What's Not in the Rules

- State-law rules on protecting communities of color.
- General rules on communities of interest.



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Possible Federal Reforms?



Potential Federal Reforms

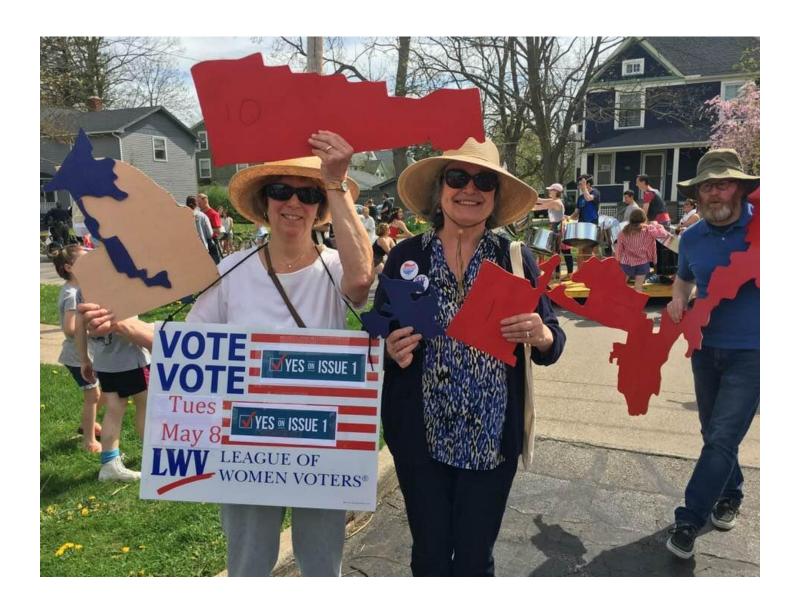
- For the People Act (H.R. 1/ S.1)
 - Ban gerrymandering
 - Set uniform national rules for drawing of congressional districts
 - John R. Lewis Voting Rights Advancement Act (H.R. 4)
 - New Section 5 preclearance formula
 - Alabama, California, Florida, Georgia, Louisiana, Mississippi, New York, North Carolina, South Carolina, Texas, and Virginia

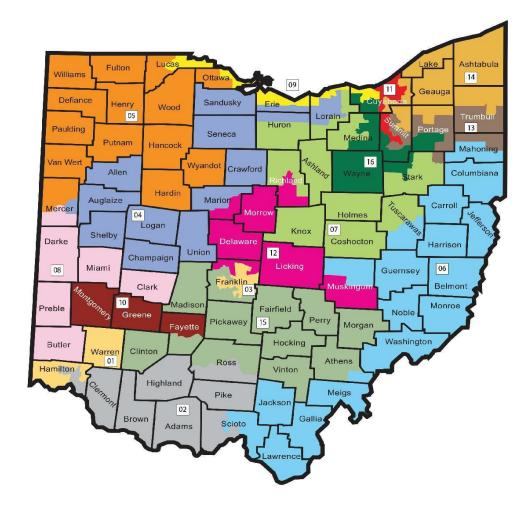


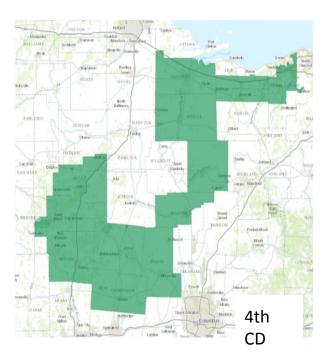
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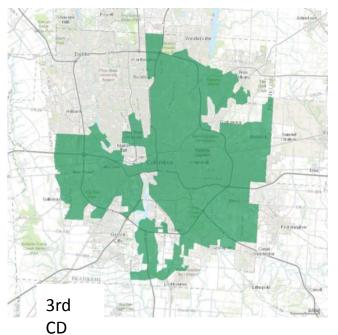
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Thank You!

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