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

1967
Ohio Constitutional amendment adopted authorizing the Appointments 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 Democrats performed 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 vote.

1999
The League of Women Voters of Ohio attempted, but failed, to place a redistricting reform amendment on the ballot. The proposal used a mathematical formula to assure compact districts.

2005
Reform Now Ohio (RON) 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.

2009-2010
The Republican-controlled Senate and Democrat-controlled House each passed a redistricting reform initiative. The Senate version incorporating HR 13 and the House version establishing a public competition. The two resolutions could not be reconciled, and no proposal passed both chambers.

2012
Representatives of the League of Women Voters of Ohio, Common Cause Ohio and others filed a petition to place redistricting reform on the ballot. Under the proposal, an independent commission would ensure districts were compact, competitive and reflective of the political values of voters. The initiative failed, getting 37% of the vote.

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 30-year district plan, tightened requirements for keeping political subdivisions together, and 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.

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...

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

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

Cuyahoga County Board of Elections
2012-2022 Ohio House Districts
As Amended and Engraisse on September 30, 2011
With 2014 City of Cleveland 17 Ward Plan Boundaries & Precincts
Passing Maps
Rules for Passing a Map

- Two routes for passing a map:
  - **OPTION 1**: Map gets votes from at 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

<table>
<thead>
<tr>
<th>Census Step</th>
<th>Old Date</th>
<th>New Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apportionment counts delivered to POTUS</td>
<td>Late December 2020</td>
<td>April 30, 2021</td>
</tr>
<tr>
<td>Block-level redistricting data delivered to states</td>
<td>Mid-February to March 31, 2021</td>
<td>September 30, 2021 - or maybe (but probably not) later</td>
</tr>
</tbody>
</table>
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

<table>
<thead>
<tr>
<th>Event</th>
<th>Deadline</th>
</tr>
</thead>
<tbody>
<tr>
<td>Redistricting</td>
<td>September 1, 2021 (final state legislative plans)</td>
</tr>
<tr>
<td>Backup Redistricting</td>
<td>September 15, 2021 (final state legislative plans, which must then be redrawn after 2024)</td>
</tr>
<tr>
<td>Primary Election</td>
<td>Candidate filing: February 2, 2022</td>
</tr>
<tr>
<td></td>
<td>Ballots finalized: February 22, 2022</td>
</tr>
<tr>
<td></td>
<td>Election: May 3, 2022</td>
</tr>
<tr>
<td>General Election</td>
<td>Ballots mailed: September 24, 2022</td>
</tr>
<tr>
<td></td>
<td>Election: November 8, 2022</td>
</tr>
</tbody>
</table>
Delays Will Create a Real Crunch

Data delays

Election schedule

How to find more time?
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: \url{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

Upcoming events:
\url{fairdistrictsohio.org/upcoming-events}

Promote transparency:
\url{bit.ly/UrgeVirtualTestimony}
Congressional Map Making

Dr. David Niven, University of Cincinnati

Dr. Michael Li, Brennan Center for Justice

Catherine Turcer, Common Cause Ohio (moderator)
Congressional Map Making

Dr. David Niven, University of Cincinnati
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

Change in number of districts
- No change
- -2
- -1
- 1
- 2
- 3

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 be split except under certain circumstances.
Partisan Fairness

- If plan is passed by *simple majority*, a plan:
  - May **not** unduly favor or disfavor a political party or its incumbents
  - May **not** unduly split governmental units (counties, townships, and municipal corporations in *that* 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.
Challenging Maps
Ohio Supreme Court Hears Redistricting Cases
Cases Also Can Be Brought in Federal Court
When Maps Will Be Drawn
## Census Delays

<table>
<thead>
<tr>
<th>Census Step</th>
<th>Old Date</th>
<th>New Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apportionment counts delivered to POTUS</td>
<td>Late December 2020</td>
<td>April 30, 2021</td>
</tr>
<tr>
<td>Block-level redistricting data delivered to states</td>
<td>Mid-February to March 31, 2021</td>
<td>September 30, 2021 - or maybe (but probably not) later</td>
</tr>
</tbody>
</table>
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 Fall at the earliest.
# Redistricting Deadlines: Ohio - Congressional

## Ohio - Congressional (Republican Trifecta)

Legislative Session: January 4 – December 31, 2021

<table>
<thead>
<tr>
<th>Event</th>
<th>Deadline</th>
</tr>
</thead>
<tbody>
<tr>
<td>Redistricting</td>
<td>September 30, 2021 (final congressional plan)</td>
</tr>
<tr>
<td>Backup Redistricting</td>
<td>October 31, 2021 (backup commission passes final congressional plan)</td>
</tr>
<tr>
<td></td>
<td>November 30, 2021 (legislature passes final congressional plan)</td>
</tr>
<tr>
<td>Primary Election</td>
<td>Candidate filing: February 2, 2022</td>
</tr>
<tr>
<td></td>
<td>Ballots finalized: February 22, 2022</td>
</tr>
<tr>
<td></td>
<td>Election: May 3, 2022</td>
</tr>
<tr>
<td>General Election</td>
<td>Ballots mailed: September 24, 2022</td>
</tr>
<tr>
<td></td>
<td>Election: November 8, 2022</td>
</tr>
</tbody>
</table>
Delays Will Create a Real Crunch

Data delays

Election schedule

How to find more time?
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
Congressional Map Making

Catherine Turcer, Common Cause Ohio
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

**Upcoming events:**
[fairdistrictsohio.org/upcoming-events]

**Promote transparency:**
[bit.ly/UrgeVirtualTestimony]