

Ohio Redistricting Commission 9-26-2023 all

<https://www.ohiochannel.org/video/ohio-redistricting-commission-9-26-2023>

Co-Chair Auditor of State Keith Faber [00:00:00] Well, good morning, everybody. Just a little housekeeping before we get started. Leader Russo is in transit. Most of the members had a very late night last night up in Punderson. I didn't leave there until after 11. The commissioners were actively negotiating and trying to find bipartisan accord. And so I don't know whether I can tell you it was successful, but I know there's going to continue to be negotiations today. I think that there is, as I summarized it I said the plane certainly see the aircraft carrier, the seas still may be stormy and the deck may be tossed, but there is certainly an allied glide path to a possible something. Whether the planes, land or crash into the sea is still yet to be seen. So with that, we are going to impanel and start as a committee for testimony, but you may see members leaving to continue negotiations and having conversations to see if there's a path to bipartisanship. Having said that, a couple of other housekeeping rules if received testimony is posted on the website members can access that testimony on the devices on your desk. It's pulled up in front of you just need to click on the appropriate testimony. They say that that will work well. I don't know how used I am to have not having paper having on the laptop, so we'll see. I ask that the audience please refrain from clapping and cheering as it interferes with the broadcast as an issue for those hard of hearing. We will also remind witnesses that we are operating the three minute time clock and that we do have a request that you talk about the maps. If you want to talk about whether there should be some other redistricting system in place, God bless you, but that's really not what today's testimony is for. So in that regard, we will try and keep on topic and on point and keep this testimony moving. With that, would the clerk call the roll, please?

clerk [00:02:11] Co-Chair Faber?

Co-Chair Auditor of State Keith Faber [00:02:12] Yes.

clerk [00:02:13] Co-Chair Antonio?

Co-Chair Senate Minority Leader Nickie Antonio [00:02:14] Here.

clerk [00:02:15] Governor DeWine?

Governor Mike DeWine [00:02:17] Here.

clerk [00:02:18] Secretary LaRose?

Secretary of State Frank LaRose [00:02:18] Here.

clerk [00:02:19] Senator McColley?

Senate Majority Leader Rob McColley [00:02:20] Here.

clerk [00:02:20] Representative LaRe?

Rep. Jeff LaRe [00:02:22] Here.

clerk [00:02:22] Leader Russo?

Co-Chair Auditor of State Keith Faber [00:02:24] On her way. We have a quorum. Do we have minutes to approve? We'll do minutes later. So with that, is there anything else housekeeping wise from the members before we get started? Hearing nothing. I think we're ready to move on to public testimony at this time. The commission will hear public testimony the Ohio Channel will record these proceedings of the Commission and its deliberation may consider public input on the proposed maps. Please refrain from clapping, loud noise, out of respect for the witnesses who are hard of hearing and persons watching the process remotely. If you here to testify, please provide our staff with a completed witness slip and any written testimony. If you haven't already submitted it, will be included in their official records of the proceedings. So with that, our first witness is Daniel Hogg. Mr. Hogg, thank you for being first.

Daniel Hogg [00:03:22] Well, and thank you for pronouncing my name correctly. It doesn't rhyme with dog. It's just. Anyway, good morning. My name is Dan Hogg. I live in Beavercreek, near Dayton. I retired from LexisNexis after 33 years with a very rewarding career as an I.T. manager. I have voted for Republicans, I have voted for Democrats, and, like most intelligent voters, make my choice based on those which most align with my views. And choice, that's really what it's about. That's what issues, that's what it is at issues, fair districts are what voters expect. Fair districts that are competitive. All districts should be competitive. All of them, not one of them should be reserved for one party or another. When the party in the majority uses its authority—and notice that I didn't say power—the authority given to you by the voters, to secure for itself gross advantages over the minority at the expense of voter choice, the majority has lost its, its moral authority. And this is what has happened over the last period with these maps. This is what the Ohio Republican-controlled Redistricting Committee has done. This is what you have done, gentleman. Nearly power drunk, you draw districts that disenfranchise voters by reducing and effectively eliminating competitive districts. And when caught at it, in order to produce maps by the courts, he delayed, ignored, prevaricated and ran out the clock so voters are stuck with it, for now. 16 months have passed with no action. And now with the clock running out, now you want to get together and have a vote and have have maps that essentially disenfranchise 50, 46% of the voters of this state. It doesn't seem to me you have much respect for voters and our voice. And this is why politicians should not be drawing districts. I won't go into any further into that. You may well extend your games through 2024, but voters and I speak with a lot of voters. I have a Uber business and I don't talk politics, they talk politics to me. And they are not happy with their lack of choice. They are not happy with constantly being not in the back seat, just not on the bus at all. So you have a chance to reach the very bottom rung of expectations, at the very least, the minimum of fairness and by implication, integrity. I'm a skeptic, I'd be delighted to find out I'm wrong. Delighted to see maps that are equitable. I do have low expectations. I am a skeptic. Prove me wrong, please. I want you to prove me wrong. Draw fair districts. Thank you.

Co-Chair Auditor of State Keith Faber [00:06:39] Thank you, Mr. Hogg. Any questions or comments for the witness?

Daniel Hogg [00:06:43] I didn't mean to walk away.

Co-Chair Auditor of State Keith Faber [00:06:45] It's all right. You're not a regular. So that's, we all learn.

Daniel Hogg [00:06:50] This is the first.

Co-Chair Auditor of State Keith Faber [00:06:51] Thank you, and thank you for taking the time to come in today.

Daniel Hogg [00:06:54] Thank you for having.

Co-Chair Auditor of State Keith Faber [00:06:55] Hearing no— no questions. Thank you, sir.

Co-Chair Senate Minority Leader Nickie Antonio [00:06:56] Thank you.

Co-Chair Auditor of State Keith Faber [00:06:58] Our next witness is Andrea Yagoda, Ms. Yagoda does have testimony on the website.

Andrea Yagoda [00:07:10] Good morning, co-chairs. Faber, Antonio, members of the commission. My name is Andrea Yagoda, I've been a resident of Ohio for 49 years. I'm editing my testimony because it's eight pages. I'm not here today in the hopes that anything anyone has to say will encourage you to produce fair constitutional maps reflecting any semblance of proportionality. History has proven you just will not do so. I am here today to welcome you to the Hall of Shame. You can join federal judges Thapar and Beaton who not only rewarded you for your bad behavior, but incentivized its continuance. As Judge Marbley warned in his dissent, "Indeed, the Republican commissioners will benefit directly from a crisis they created and which the Ohio Supreme Court has attributed squarely to them." His whole quote is in my testimony. Shame on you for violating the oath you took when seated on this commission. Shame on you, Frank LaRose, for admitting in a private text that the maps and statement and support thereof were asinine. And yet you voted for them anyway. Shame on you for not providing us, failing to provide us with the tools to evaluate your maps, draft our own, and then claim when citizens do draw or criticize your map using the only tools available to us, Dave's Redistricting, claim our data does not match that used by you or complain that we are not here talking specifically about your maps. Shame on you for costing, shame on you or those that conspired and coordinated with Mike Gonadakis to file his complaint in federal court on February 18th, less than 24 hours after your failure on the 17th to produce a new fair map. I do not believe in coincidences like that, especially when pleadings need to be drafted. Shame on you for costing taxpayers over \$20 million for a special primary election in 2022, due to your refusal to follow the Ohio Constitution and the demands of Ohioans. Shame on you for trying to erase a constitutional right Ohioans have had for over 100 years an attempt to thwart measures to remedy the redistricting process because you had failed so miserably. Shame on you for trying to shift the blame for the debacle Ohioans have been left with on to the Ohio Supreme Court because you lacked the courage to look in the mirror and admit you were the cause for where we are today. And shame on you, Frank LaRose, for publicly calling for an impeachment of a justice with whom he did not agree. Shame on you for waiting for the last minute to appoint independent mapmakers, then placing obstacles in their way to delay the mapmaking process, and shame on you for failing to permit them to complete their task or having them complete the process, during the interview since May 28, 2022 through the present. And shame on you for once again wasting hard earned taxpayer dollars. Shame on you for failing to convene the O.R.C. sooner. The Federal Court issued its decision on April 20th, declaring if a constitutional map was not adopted by May 28th, one would be adopted for one election cycle. And you are under an order from the Ohio Supreme Court to draft a new map, which order was unaffected by the federal court decision. So you have had at least since May to convene this commission to work on maps. You refused to do so, at least publicly. Shame on you for calling a meeting

on September 13th, knowing you had not named a chair for the Ohio revised Commission. I am going to finish and shame on you for having waited a week to do so.

Co-Chair Auditor of State Keith Faber [00:10:40] Ma'am do you have comments ma'am about the maps that are presented?

Andrea Yagoda [00:10:43] Why don't you give me a tool Mr. Faber? So that I could have reviewed the maps. Why did you put an app on the website you had since May 28th, so that every single person in this room could have used your data, could have used your app, and you could have shown us how to use that app. Shame on you. For all of you Republicans on the Ohio Redistricting Commission, shame on you for drafting a map with no input from the minority, springing it on them and on the public on September 21 with no data for anyone to even try to ascertain.

Co-Chair Auditor of State Keith Faber [00:11:15] Thank you for your testimony, ma'am

Andrea Yagoda [00:11:16] I have for each of you a certificate, that I would like to give you a certificate of shame for each of you that shamelessly put in your offices. If I could hand this to you? Shame on you! I bet you, last time I was here to do the right thing and you still have shown that you cannot and will not do it for the citizens of this state. Shame on you, all of you.

Co-Chair Auditor of State Keith Faber [00:11:42] Any questions for the witness hearing, none? Thank you, ma'am, for your testimony. Our next witness is Michael Ahern. Mr. Ahern?

Michael Ahern [00:12:03] Hi there. Before I get started, I also have something to hand you, but it is a map.

Co-Chair Auditor of State Keith Faber [00:12:07] Thank you. The staff will help you distribute that. Please proceed, Sir. Sir, did you submit us testimony?

Michael Ahern [00:12:38] I did, it's online. I submitted online and I submitted the supplemental map this morning after I heard the comments yesterday criticizing citizens who were not talking about the map.

Co-Chair Auditor of State Keith Faber [00:12:51] Thank you.

Michael Ahern [00:12:52] You're welcome. "We can kind of do what we want." Those are the words of Senate President Matt Huffman to the Columbus Dispatch in 2022. In earlier testimony, Katherine Turcer of Common Cause stated in her testimony that, quote, "The manipulation of district lines is the manipulation of elections. The manipulation of elections is the manipulation of public policy. Manipulating districts to favor one party over the other manipulates all sorts of important decisions that are made at the Statehouse." "We can kind of do what we want." Boy, doesn't that just reflect and echo Huffman's words? The manipulation of district lines is the manipulation of elections, the 2015 reforms demanded that voters choose their electors. We have gotten so far with this commission, just the opposite. Manipulating districts to favor one party over the other manipulates all sorts of important decisions made at the Statehouse. I cite say just one example. House Joint Resolution 1 Senate Joint Resolution 2, which resulted in Issue 1 in August. One party, in this case a super majority of Republicans, railroaded through the legislation that led to Issue 1. "We can kind of do what we want." The words of Senator Huffman pervade that

legislation, as a result, supermajority in both chambers of the legislature established through the manipulated district lines, foisted a \$20 million August special election on Ohio voters because public support for reproductive choice in the state is 54 to 46%. Republican to Democrat split in statewide elections does not align with the legislation on abortion passed by the gerrymandered supermajority in the Statehouse. As Secretary LaRose plainly stated during that campaign, quote, "This is 100% about keeping a radical pro-abortion amendment out of our Constitution. The left wants to jam it, jam it in there this coming November." End quote. Issue 1 was an effort by the gerrymandered legislature to move the goalposts for all future citizen initiative initiated ballot measures. Ohio voters saw it for what it was, a legislative power grab, but the driver for the legislation to take such radical action is rooted in partizan gerrymandering that replaces the will of the People with the will of the party in power. When district lines are manipulated for partizan purposes, the power of the voter is stolen. In my opinion, it is the most insidious form of stealing an election. It is also a form of taxation without representation. As an interested voter who has attended almost every commission hearing traveled to Rio Grande during the very first round, it is frustrating that the working maps the Commission has voted to use as a draft this time are again develop behind closed doors and proposed at the 11th hour. And apparently there are negotiations going on in secret, not in these hearings. That's a violation of a constitutional requirement. The majority of members are fooling no voters that this manufactured crisis and hidden mapmaking like the one that imposed the illegal maps we are currently voting on is not intentional. At the end of the last round of map drawing, the Commission spent significant tax dollars to hire two independent consultants who hashed out proposed maps in public view, a process required by the Constitution. Their proposed house map was presented to the Commission, and the Senate map was almost completed. But at the 11th hour, Senator Huffman declared that time had run out, and a map drawn by a Republican map maker behind closed doors was introduced and passed on a partizan basis. I continue to urge the current members of the commission to give real, actual consideration of the testimony of Catherine Turner, who highlighted the work of Jeff Wise, Pranav Padma nabhan and Paul Nieves to conform to the standing decision of the Ohio Supreme Court based on vote shares at the district level to provide competitiveness and proportionality. I'm happy to take your questions on the map that I submitted this morning. Thank you.

Co-Chair Auditor of State Keith Faber [00:16:57] Question for the witness. Sir, what are you specifically? And the map you submitted, What would. Since you didn't give much testimony on it, can you tell me what the point of the map is that you submitted yet?

Michael Ahern [00:17:08] In the 3 minutes I had you're right. I did not focus on that at all.

Co-Chair Auditor of State Keith Faber [00:17:11] Not more about process. But go ahead and talk about your math.

Michael Ahern [00:17:14] So this is an area just focusing on northeastern Franklin County, Western Licking County. It's an area that, as you all know, is growing significantly. It's going to be the future growth of this region for the next 50 to 100 years. There's a lot of money going into that region. And what we have here on the map that I have that I have from Dave's Redistricting, if I have the correct one, is the McColley map that's been introduced and has Senate District 25, 23, 15 and 16 identified. And I have the area where Intel, Amgen, Acxiom and a whole host of other corporations are going to be locating over the next probably 25 years. And if you look at the splits of Democrats and Republicans, 25 is a 65 to 32 Democrat to Republican split 20 is a 35 to 62, so almost the opposite split. And then down in, I highlighted District 3, which is my current freshman senator's district,

which is a 55/42. You've talked, Chair, you've talked about pushing the balloon and things pop out and you're trying to figure out ways of achieving some sort of balance. And in my estimation, in my opinion, I think that as long as you have a rational basis for the decisions that you make, then you're going to win in court. If the map is challenged, this is an area that I think if you were to reconfigure the Senate districts of 25 and 20, you could result in a district that better reflects the future growth for the state of Ohio in this region. And you could also end up with districts that are more competitive as a result as you reconfigure around that. So that is my recommendation.

Co-Chair Auditor of State Keith Faber [00:19:15] So and I appreciate understanding what your map says. So what you're suggesting is, is that you want to bring both of those two districts into a more competitive or tighter range, or you want to make them favor one side or another. What, what is the goal of that?

Michael Ahern [00:19:32] My, my primary reason for providing this is as you're looking at whether or not you have over in the plan overall proportionality. This is an area where you have two very uncompetitive districts and it's an area that is changing. And so you could actually create because splits are allowed and Columbus requires a split, actually. This is an opportunity to take part of Licking County and part of Franklin County and create a district that reflects what's going to be occurring in the state over the next 50 to 100 years. And as a result, have an opportunity to reconfigure such that these two existing districts, which are very noncompetitive, the results of the one that's created, or maybe the ones are surrounding them, are more competitive.

Co-Chair Auditor of State Keith Faber [00:20:30] All right, other question for the witness.

Michael Ahern [00:20:34] Thank you.

Co-Chair Auditor of State Keith Faber [00:20:34] Thank you, sir, for coming. Thank you for your testimony. Our next witness is Mike Halaiko. Mike is with the Thursday Action Group.

Mike Halaiko [00:20:52] Good morning.

Co-Chair Auditor of State Keith Faber [00:20:54] Mr. Halaiko.

Mike Halaiko [00:20:55] Halaiko. Yes, thank you very much. Co-Chair Faber, co-Chair Antonio and members of the Ohio Redistricting Commission. My name is Mike Halaiko and I am a retired Ohio public school administrator and teacher with over 40 years of service in this state. Here is a summary of what many voters like me in Ohio observe about the Commission's timeline, timeline to date, this year. The Ohio Redistricting Commission held its first meeting in 16 months on Wednesday, September 13th. On that day, 2 hours after the scheduled meeting, start time with all seven members present and no official meeting started during that time that the Governor took the gavel and announced to the press and the public in attendance that the super majority could not decide on a chairman and the two member minority had not chosen a co-chair. The governor then proposed a possible meeting two days later, on Friday, September 15th. He also announced that if they were still undecided by Thursday evening, September 14th, there would be no Friday meeting. If there was a meeting. It wasn't well publicized. The first not well publicized regional public meeting held by the Redistricting Commission was held at remote Deer Creek State Park on Friday, September 22nd, during many citizen's work day. The second not well publicized regional quote unquote public meeting was held yesterday, Monday, September

25th, at Punderson State Park at 10 a.m.. It's obvious the Republican supermajority on the Commission are using the same delay and obfuscate tactics that they have used all along and have no interest in real democracy or serving the public good. In the meantime, Ohio taxpayers continue to foot the bill. But the people of Ohio have asked for several times at the ballot box in the last eight years is simple and direct. End all gerrymandering to favor any political party. So I urge you to stay focused. It's not what the people currently holding office want that rules the day. It's what the voters of Ohio have overwhelmingly voted for. Draw districts that do not favor one political party over another. So we have free and fair elections in Ohio. Thank you for the opportunity to testify today, and I am open for any questions you may have.

Co-Chair Auditor of State Keith Faber [00:24:04] Thank you, sir. And thank you for getting your testimony right in, apparently on time. Thank you, sir. Do you have any specific comments about any of the specific areas in the map?

Mike Halaiko [00:24:12] I don't, because when I walked in the room, that's when I saw those maps. That's why I can't comment.

Co-Chair Auditor of State Keith Faber [00:24:19] On other questions for the witness. Leader Antonio.

Co-Chair Senate Minority Leader Nickie Antonio [00:24:24] Thank you, thank you so much for coming. And I'm also a process person, so I appreciate your coming in, voicing your frustration with process, which is what I think I heard. I did want to give one point of clarification. From the very beginning, the Democrats knew exactly who our co-chair would be. So I just want to clarify that for the record. We were waiting for our colleagues, but we were very clear on choosing our co-chair. It took us about this long. So thank you very much, though, for coming today. I think a lot of folks share your frustration with process. And I guess I want to ask you. What do you think the best way forward would be, given your frustration with the process?

Mike Halaiko [00:25:16] To the chair, and representative Antonio. Thank you for that question and I want to make a comment on the first thing that you mentioned at the September 13th meeting. The governor stated, and so that's what I'm going on, that, you know, we have no chairman and the minority has no chairman. So I, I appreciate that, and I agree with you, it wouldn't have taken a long time to decide the—okay, the next part of your question. Would you repeat that for me too, please?

Co-Chair Senate Minority Leader Nickie Antonio [00:25:55] I just said, what do you think is a better way forward?

Mike Halaiko [00:25:58] I think, you know, that's a great question. This is really in my mind and in the public's mind, a sham of a bipartisan commission. Okay, to have two minority leaders, two minority leaders and five supermajority leaders. And every time I've come to these meetings, I've observed when a good idea comes up from a minority leader, somebody on the supermajority shuts it down. That's very frustrating. And I think we could do a lot better than that. I think one other thing I want to say, I think that the idea that the redistricting commission is run by people that have vested interests in those districts is really a mistake and it's not going to work. So thank you for your question. I really would like to see the supermajority be a little more really bipartisan with the minority. Thank you.

Co-Chair Senate Minority Leader Nickie Antonio [00:27:07] Thank you. Thank you, Chair.

Co-Chair Auditor of State Keith Faber [00:27:09] Other comments or questions for the witness? Thank you, sir. Thanks for joining us. Our next witness is Gary Gale. Mr. Gale is a member of the executive committee, Stark County Democratic Party, it looks like. Good to see you again, Mr. Gale. You've been to one of our prior hearings, at least one.

Gary Gale [00:27:32] I think five. But I'm sure I'm not going to get the type of questioning I got from the Senate president Huffman previously. I have here a copy of the map, the map that we had, I was, I didn't have the electronic sophistication to turn it into—I apologize that the map that I sent originally was not something that was in the proper format. And but we did have one of our paralegals put it in the zip file that you wanted, but that was not until yesterday afternoon. I handed over a copy of my written testimony that was submitted online. I will also tell you that I have changed my written testimony modestly to incorporate the encouraging comments from Auditor Faber that were in Cleveland.com. And the only other thing before I get started is that I thought this was about maps and numbers, not about process. So I have no comments on process because I am representing a group and I'm not going to try to get the mayor of Massillon and City Council, president of Canton, on the phone to ask them what they want me to say about process. So given all that, okay. My name is Gary Gale, and I'm here on behalf of the Stark County Democratic Party concerning the proposed GOP legislative map for the three districts entirely within our county and offer an alternative that keeps people of the same economic circumstances and race together. This is in line with what co-chair Faber told Cleveland.com that it's quote, "it's important to try to ensure that communities are represented by someone who shares their interests, especially as Ohioans with same political bent clustered increasingly because clustered geographically." And that he was, quote, "not going to draw maps people inherently where they don't feel like the representative represents them." That was in Cleveland.com and the Plain Dealer on the 22nd of this month. In Stark county the map being offered by the GOP is essentially the same as the one that we used in 2022. One of the results of that map is that for the first time in 32 years, Ohio's eighth largest county does not have a Democratic legislator, and for the first time in six years, not a black legislator. We are not asking you to do anything radical, we are instead presenting a map, it is essentially the same as the map that was in effect from 2012 to 2020. In that map, our urban working class populations were in one district and more affluent populations were in a second and more agrarian populations were in a third. We would like to return to a map that gives everyone a voice and ensures that everyone's needs are addressed. In the current proposal, our largest city, Canton, is put in with wealthy Jackson Township. Based on the 2020 census, Canton has a median household income of only \$32,735. A median home value of \$73,300 is 24.3% black and has a poverty rate of 30.6%. Jackson Township, on the other hand, has a median household income of \$85,053, which is 2.6 times that of getting a median home value of \$224,200; 3 times that of Canton and it's only between 4% and 5% black, depending on where you're looking. I could find no data on poverty in Jackson Township. There clearly is no community of interest between Jackson Township and Canton. We know that the poorest of among us are those who need help from the government the most. Stark County community that is most like Canton, is our second largest city, Massillon. Massillon is the second largest black percentage in Stark County, at 7.9%, its median home value was \$110,000 and the median household income is \$50,239. Our poverty rate there is 14.5%. I proposed Canton-Massillon district in blue, in the map that I submitted would be 53.9% Democratic and 43.3%. Should I continue?

Co-Chair Auditor of State Keith Faber [00:32:09] Continue, sir.

Gary Gale [00:32:09] Okay. Thank you, sir. And 43.3% Republican. The Stark County community that is most like Jackson Township is North Canton, where the population is 91% white, 2.41% Asian, and 2.35% black. The median home value in North Canton is \$160,100, and the median housing household income is \$60,473. The reported poverty rate is 8%. Our proposed Jackson Township-North Canton district in green in the map that I presented would be 40.1% Democratic and 57.7% Republican. The eastern portion of Stark County, including Lewisville, Alliance and a number of smaller communities, as well as the more rural parts of the county, is more conservative and less diverse. I propose Lewisville-Alliance District in yellow when the attached map would be three at 34.9% Democratic and 62.7%. I should say that there is a small portion of our county which is in a district that goes into Tuscarawas County, and I did not touch that at all because I was not prepared to redraw an entire statewide map. I will be happy to answer any questions you have.

Co-Chair Auditor of State Keith Faber [00:33:22] Thank you. Question for the witness. Sir, thank you for your very learned testimony and your detail. I appreciate it. This is the kind of stuff that helped me understand your community better.

Gary Gale [00:33:35] And thank you for the comments in the paper that shows that we can be reasonable.

Co-Chair Auditor of State Keith Faber [00:33:39] Thank you, Leader Russo.

House Minority Leader Rep. Allison Russo [00:33:42] Thank you, Chair. Good to see you, Mr. Gale, again and again, thank you for your, I think, very thoughtful testimony about this and talking about communities of interest and also proposing a potential fix here for Stark County. You know, you are in Stark County. You know, the the dynamics there within the communities, including this the city of Canton, out of curiosity, do you have an assessment as to why the district was drawn and continues to be drawn the way that it is proposed in the proposed map as well as the current map?

Gary Gale [00:34:22] That would require speculation, and they taught me in law school that we're not allowed to have speculation as testimony.

House Minority Leader Rep. Allison Russo [00:34:28] Fair enough. Fair enough. All right. Thank you.

Co-Chair Auditor of State Keith Faber [00:34:38] Leader, er— leader co-chair.

Co-Chair Senate Minority Leader Nickie Antonio [00:34:41] Thanks again for your testimony, and just so you know, we also, your electric filing did work and we do have it also.

Gary Gale [00:34:48] Thank your office for the assistance,.

Co-Chair Senate Minority Leader Nickie Antonio [00:34:51] Yes.

Gary Gale [00:34:52] And it was just I was not in the office because of Yom Kippur and I had to do it on the weekend. And I did not have the normal support I get from the paralegals.

Co-Chair Senate Minority Leader Nickie Antonio [00:35:02] Okay. Well, thank you. I just wanted to let you know it all. It all worked.

Co-Chair Auditor of State Keith Faber [00:35:06] I said, this is all perfect. This is.

Gary Gale [00:35:08] Well, except that the copy that we handed out does not include your comments from the Cleveland newspaper.

Co-Chair Auditor of State Keith Faber [00:35:15] This would be the one we put in the thing and all the testimony is being recorded. So.

Gary Gale [00:35:19] All right, perfect.

Co-Chair Auditor of State Keith Faber [00:35:20] We don't have to be, we don't have to have the right, look, I like to do stuff with paper. Maybe it's just my anti-technology bias, but.

Gary Gale [00:35:28] I share the same bias. It's my brother who went to MIT. Okay. Anything else?

Co-Chair Auditor of State Keith Faber [00:35:35] Thank you, sir, for your testimony. I appreciate you coming in. I appreciate this. And I will study this as well.

Gary Gale [00:35:40] Like I said I appreciate your comments that I read.

Co-Chair Auditor of State Keith Faber [00:35:43] Thank you. Our next witness is Senator Paula Hicks Hudson. Sorry, I got ahead of myself. Senator, good to see you.

Sen. Paula Hicks Hudson [00:35:58] Good morning.

Co-Chair Auditor of State Keith Faber [00:35:58] Welcome to the commission.

Sen. Paula Hicks Hudson [00:35:59] Thank you, Mr. Chair, Madame Vice Chair and co-chairs and members of the Commission, I stand before you today pretty tired, because last night we had a town hall meeting in Lucas County to have reaction from the citizens of Northwest Ohio. Unfortunately, we did not have a lot of time in which to get the word out like we did once before. But of those 45 to 50 people who showed up, there were a lot of questions about the process, a lot of angst about this process and in the fact that once again, the other Ohio, or northwest Ohio was omitted from being able to have a more thoughtful, more robust conversation. As you know, we did the last time that this commission met to to create maps. There is certain axioms in the law that we hear, some of those come from from Latin, some are Anglo-Saxon idioms. But the one idea that I keep thinking about is what's called the spirit of the law versus the letter of the law. And while this redistricting commission may be looking at maps that reflect the letter of the law, many of the people last night are very much concerned about the spirit of this creation of these maps. When the first redistricting commission was was impaneled, there was a there was more time and there was ability for the various communities throughout the state of Ohio to be able to engage and to have robust conversation about the maps. Unfortunately, this time with less than seven days, in fact, we were talking last night about that, these maps are only five days old. And one of the comments that was made by one of the presenters last night was that the resolution on the website was very difficult to be able to get to the granular part of these maps and so that required those who had more expertise and more

time to be able to look at these maps and raise questions about whether or not they are they are drawn for like communities, whether there are parts of these maps that really reflect the idea that you are representing the individuals in these communities versus allowing for and many of them set for the maps to reflect the representative and not the people to be represented. I invited members of the Lucas County delegation to be present with me last night, and two of them, myself and Rep. Rogers, were the only one that were able to do it because of time commitments and other responsibilities. But we did have an opportunity to talk and share our thoughts about this map. And while one representative felt that the maps were good for his district and the other representatives felt that these maps were not necessarily good for his district. So we have the the yin and yang about how these maps were created for community. One of the young people that spoke last night talked about that if we had had more opportunities that within the city of Toledo, there's a particular part of the city that has been divided. In fact, there are various communities and neighborhoods that have been divided. And in those division of these communities, there is concern as to whether or not the representative will be able to truly represent those citizens within those neighborhoods. I'm speaking particularly about East Toledo, Central Toledo, and those are neighborhoods that are are vibrant up and coming because there's been a lot of local and in- investment. However, there's not been a lot of investment in terms of the civic engagement. And one of the things that that one of the comments last night was that is that how do you get poundcake out of marbles? We are working off something that was unconstitutional in the first place. How do we undo this? That's the comment from one of the speakers last night. You are you are representing people that you don't really know because you end up not even really living in the community you represent. How can we as representatives be able to push back against those kinds of thoughts and those types of comments? There was another person who lived in Wood County and she talked about that the, the direc- districts aren't even up to the constitutional criteria. If you have voters in very disparate districts, what issues are they going to have in common? How are all of them being effectively represented in practice? They won't be. She pointed to parts of two tiny bites taken from Huron County that would make up District 2 ,the Senate District 2. And the question is, what is the logic when we must split the county? And if you are going to do it, do it in a sensible way, she further talks about and she was the one that talked about the low resolution of the maps and not being able to have enough time to really delve into them and to come up with some solutions and some ideas on how to make the maps better. And I think that's the reason why I'm here today, because they they asked me to ask you if there's an opportunity for more time for them to be able to really look into these maps, to really be able to give meaningful discussion, meaningful criteria and suggestions on how to make these maps meet not only the letter of the law, but also the spirit of the law. I'm going to conclude my remarks because, as I say, you have the synopsis of the of the testimony last night. Again, it was informal. It was really quick hurry up to try to get the word out to the citizens in northwest Ohio to let them know that they are not forgotten here in Columbus, that their that their votes and their being. Their being part of the state of Ohio is extremely important. So in conclusion, I believe that the people of Ohio want us as their representatives to carry out not just the letter of the law, but also the spirit of the law. And that spirit is based upon the fundamental belief that we represent the interest of all the people within our legislative districts. Ohioans believe in fairness, openness and meaningful discussion of the issues. And unfortunately, last night, many of the comments were that they felt that their voices were not being part of this discussion and not being heard. So I conclude my testimony. If there's any questions you want to ask me, I stand ready to answer them.

Co-Chair Auditor of State Keith Faber [00:43:24] Thank you. Questions for the Witness?
Leader Russo

House Minority Leader Rep. Allison Russo [00:43:27] Thank you. Thank you, Mr. Chair. Thank you, Senator, for being here. And I just want to personally say thank you for hosting a forum to give people in your community and the larger northwest Ohio region and Toledo, specifically people who work and have jobs during the day and can't get to our remote state parks, an opportunity to provide their feedback on these maps. I only regret that we as commissioners were not there to be a part of that and to hear that. I would note that, you know, in our urban counties, this is the only public hearing that we're having for the public here in the Statehouse where we force people to come, park, during the middle of the day. And that has been, you know, a missing element. While we did have a forum last night at 4:30 yesterday afternoon at 4:30 3.

Co-Chair Auditor of State Keith Faber [00:44:24] 5:30

House Minority Leader Rep. Allison Russo [00:44:24] 5:30, sorry, on a major Jewish holiday in a state park that was still difficult to get to. Thank you for providing that opportunity. I do just want to hear back from you. If there was, you know, some specific things, especially, you know, recognizing for downtown Toledo in particular, or the core of Toledo, specific things that you might that you heard from constituents.

Sen. Paula Hicks Hudson [00:44:52] Mr. Chair, Representative Russo, if I may. Yes. The the the major question that was asked, I would say that there were concerns, but they came out in terms of questions. And that question was, how do you divide up the central city where you have a historically majority minority district that is divided up and then you also on the east side of Toledo, which is a community in and of itself, how do you divide that community up where you would have two potentially two different representatives for a specific neighborhood or a neighborhood or a community? And there were concerns about and that's where the comments were about how will someone be able to represent them that may not even live within that district. And so one of the ideas was to to look at and maybe redraw that the map, so that and I think it's 41 does not go circling around the the the city and the county and that you look at maybe looking at it in a way in which it's more compact or geographically placed together. There was one comment also that there's a strip of of land and the reference was made to the old congressional map of the snake along the lake that there's now a very tiny strip, I think, going around the Maumee River or across the Maumee River. That is a major division for one of the districts. So those were the comments that were made. And again, you know, we did not have enough time to have our folks to try to take the requirements and redraw a map that might meet all of the requirements are necessary for the constitutional amendment.

Co-Chair Auditor of State Keith Faber [00:46:39] Other questions. Leader Antonio.

Co-Chair Senate Minority Leader Nickie Antonio [00:46:43] Thank you. Thank you, Senator, for again, I'll echo comments from my colleague, certainly for holding the meeting in the community and also having this opportunity to bring back bring back to the commission as well. I think it was you've you've shown us what leadership looks like when when the people are expect– they have expectations. I mean, one of the things we've heard from a lot of the folks that have come and testified is what their expectation is for leadership. And part of it is having a two way conversation and having communication. And so I really appreciate your efforts towards making that happen. I happen to live in the district that was part of the snake on the lake, and I know in my community how people felt

being so very thinly and very distantly connected to their congressperson, a wonderful person, but just so very far away from from our community in Greater Cleveland. Did some of your community members that participated, I mean, did they talk a little bit about how it feels when they're in a district like that? What what are some of the results for them in terms of then what is their voter engagement, activity, all of that? Did they talk about that at all?

Sen. Paula Hicks Hudson [00:48:26] Mr. Chair, to the members of the commission, yes. In fact, there was one young woman who got up and spoke about, again, I'm going to talk very locally about the city of Toledo, but she talked about how that the way the map is drawn, that it is going to have even a more chilling effect on the ability of the voters to connect with their representative and then be able and then be even more engaged in the in the democratic process. She said that, she said, don't you think it's interesting that everything is split why matches up against each other? You cannot only give attention to our area if you vote, if we vote for you, you need to give us attention because it's your job. So they. So this, this, and again, I'm taking it directly from what this young woman talked about because she's an activist in North Toledo. And the concern is always about being engaged with her elected officials and the elected officials feeling the need to be engaged in that community. And the comments throughout was about how these maps will may prevent that elected official from thinking that they need to even to do that. One comment that we've heard all along is that, you know, the maps are not for the citizens, but they're they're the maps were created for the representatives. My belief more than anything else, why I did this is that we do have to, as I say, look at the spirit and the letter of the law and it did require public opportunities for comments and you can't really do that, as you said earlier, when people are working and they're trying to live their lives but also be actively engaged in this process. We in Ohio have an opportunity to set the record straight, and unfortunately, we are not looking very good, too, in the eyes of of the nation. I have friends who are very much engaged in their jurisdictions where they live, and they call me and ask me what's going on. I have a daughter who is in Florida and she says, Mom, you might as well just move here because we're becoming like Florida. Some may think it's good because of the weather, but many think that it may not be good because of the way that, you know, the politics are there. So my task was to implore you all that before you do these maps, that you provide an opportunity for the citizens to be able to have the time to really look at these maps granularly and make sure that they're that there will be a real ability for that representative to represent, understand that community and that that community is a compact, like-minded community so that truly there's not a split between, you know, whether I live in a rural community and I represent an urban community or vice versa. There are things that we have in common, but there are also things that are very special, and they require, you know, that representation, that specialized representation that we're all are are are required to do. So long answer, but thank you.

Co-Chair Auditor of State Keith Faber [00:51:52] Senator McColley.

Senate Majority Leader Rob McColley [00:51:57] Thank you, Chair Faber. Good morning. Senator Hicks Hudson, good to see you, and if I missed it, I apologize, I had to step out briefly, but could you talk a little bit about the importance or I assume you would agree with this, the importance of having Toledo within one Senate district and the importance that that that brings for representation, the importance that that brings for the county and the various communities within it. If you disagree with it, that's fine. Let me know why you disagree with it. But I would assume you and I may be on the same page as far as that Senate emphasis is concerned.

Sen. Paula Hicks Hudson [00:52:37] Thank you, Mr. Chair. Senator McColley. Thank you for that question. In part I agree that the way the district is drawn is better than it was, the current district, because it does include Toledo in it. But I do challenge the fact that I believe that while the city of Toledo is a major part, the county as a whole could do really well by having a representative that understands and lives within that county and be able to advocate for the county as a whole. As the mayor, and I'll just use an example, when I was the mayor of the city of Toledo, it was very important for me as the mayor to make sure that the executives of Sylvania, Ohio, of Maumee, of White House in Waterville with that, and Maumee, that we, and Oregon, that we all were able to communicate and really see where the likenesses were. So while, as I said, I agree that this map is better than the current map, I would also argue that it makes sense that the Lucas County would be represented by a person that lives in Lucas County and is able to understand the nuances of. And I'll just also say that one of the comments that were made looking at the House seats was that they felt that Northern Wood County was closer in likeness and economic development and thought, to be part of Lucas County as opposed to being, you know, contiguous, I mean, as part of Fulton and Ottawa County. So, I mean, so when we look at this question, it's really instead of us looking at it from Columbus down, we need to look at it from the communities up and look at it in ways in which those communities feel that they have been listened to and that their voices are being heard.

Senate Majority Leader Rob McColley [00:54:34] Thank you.

Sen. Paula Hicks Hudson [00:54:35] Thank you.

Co-Chair Auditor of State Keith Faber [00:54:36] And just as a follow up on that, my understanding is, is that Lucas County has 4? am I right 4 state?

Sen. Paula Hicks Hudson [00:54:44] Yes, sir. There are 4, if I may, they're 4 House districts.

Co-Chair Auditor of State Keith Faber [00:54:49] So if we don't, if we're going to keep Lucas County together and Lucas County, I mean, sorry, Toledo can be 3 House districts?

Sen. Paula Hicks Hudson [00:54:58] The way that the map is drawn, that there are parts of Toledo that that are I think there are couple that are truly just city of Toledo districts, and then there's others that combine like Oregon, and Maumee, White House and and divide it up a little bit.

Co-Chair Auditor of State Keith Faber [00:55:15] So if you're going to have 4 state rep. districts in Lucas County, or parts of Lucas County, it's not big enough to have four completely within is it?

Sen. Paula Hicks Hudson [00:55:25] Correct.

Co-Chair Auditor of State Keith Faber [00:55:25] So one of them has to go outside the county. By its very nature, you have one state senator that under this proposed map would be from Lucas County. So Lucas County is going to have at least one state senator, right?

Sen. Paula Hicks Hudson [00:55:38] That's correct.

Co-Chair Auditor of State Keith Faber [00:55:40] Okay, and so the the input you heard is, is that they would like to have the second chance for that second state senator also to be from Lucas County. Is that the part that I heard?

Sen. Paula Hicks Hudson [00:55:50] What you heard was not the this the position as it is the of whether it's a Senate, a person from that lives within that Senate district, but more whether or not that senator is going to be able to represent the people within that district. So when you look at, you know, the development and the economic development in northern Wood County is moving more urban and less less agricultural. And so if you so if you're thinking about making something more like community, then it makes sense to move that line a little further south for the Senate districts. When we're talking about the House districts, it is within those districts that the concern by the citizens that spoke last night was that you're going to divide up neighborhoods that may or may not have like interests. I know that your challenges are very difficult because of the of the requirements of the of the commission in drawing the maps. I am reporting to you the concerns that the citizens have.

Co-Chair Auditor of State Keith Faber [00:56:57] That transcend the commission requirements that go beyond the commission requirements. Okay. That's fair. I'm just making sure I understood. Sure. And I do appreciate you sharing. My my assumption is you've also shared those concerns with your minority leader directly?

Sen. Paula Hicks Hudson [00:57:13] Say it again.

Co-Chair Auditor of State Keith Faber [00:57:14] You shared your concerns directly with your minority leader?

Sen. Paula Hicks Hudson [00:57:17] I have not had a—I'm telling you, last night we, st— our meeting started at 6:30 and they had to throw us out of the public library at 8:00 because people were still wanting to have conversation. My staff got back to Columbus this evening last well, this morning after midnight, and they spent more time putting together these comments. And so while I've talked to the minority leader for the Senate in broad categories, the purpose of me being here, the purpose is to bring you what the citizens say. And I've always said from last the last dra— map drawing to this map drawing it is the concerns of the people of the district and that I bring before each and every one of you and to the leader, not my personal concerns, but what the citizens are saying.

Co-Chair Auditor of State Keith Faber [00:58:12] And that's what I appreciated hearing.

Sen. Paula Hicks Hudson [00:58:13] Thank you.

[00:58:14] So thank you for coming in and other questions for the witness. Thank you, Senator.

Sen. Paula Hicks Hudson [00:58:19] Thank you. Thank you for allowing me to speak. Take care.

Co-Chair Auditor of State Keith Faber [00:58:27] Our next witness is Kathleen Clyde. And Kathleen Clyde is with the Citizen's Redistricting Commission, former legislator.

Kathleen Clyde [00:58:40] Co-chairs of the Commission together, and we're planning to do our testimony together, Greg Moore?

Co-Chair Auditor of State Keith Faber [00:58:47] Thank you. Please feel free to do that. I ask that you keep your comments directed towards the map and not as much on the process or what you want to change. Please proceed.

Greg Moore [00:59:00] Thank you. Co-Chair. My name is Greg Moore. First co-chair. Antonio.

Co-Chair Auditor of State Keith Faber [00:59:05] Mr. Moore did you fill out a witness slip?

Greg Moore [00:59:06] Yes, we did.

Co-Chair Auditor of State Keith Faber [00:59:08] Okay. All right.

Greg Moore [00:59:12] Co-Chair Antonio and co-chair Faber and members of the Ohio Redistricting Commission. My name is Greg Moore and Kathleen Clyde. We serve as co-chairs of the Ohio Citizen's Redistricting Commission. Our commission was convened by the NAACP of Ohio, the A. Philip Randolph Institute Of Ohio and the Ohio Organizing Collaborative. Our charge was to serve as an independent model Citizen's Commission to gather input through a statewide process public process, draw maps based on public input and on the requirement of the Ohio Constitution. Then submit those maps to the Ohio Redistricting Commission, which we did. Our commission citizen's commission was made up of 16 volunteers, including advocates, political scientists, community leaders, current and former elected officials, attorneys and more. The members were deliberately selected to reflect the diversity of Ohio and included persons of color, persons of all ages and backgrounds, persons from the LGBTQ community and persons from different regions of the state. Some members of the Commission, including myself, helped to craft and strongly supported the constitutional amendments that the Ohio voters approved in 2015 and 2018, in an effort to end the partizan gerrymandering that have plagued our state for so long. Our purpose was to show that members of the Ohio Redistricting Commission that what we contemplated in 2015 and 2018 amendments could in fact be done so long as there was a will to do it. Just as the amendments require, our citizen's commission had a robust public process. We had six hearings across the state, it was during COVID, so they were virtual, but we were able to focus on each region of the state, and we drew constitutional maps that reflected the political preferences of the voters of the state. Our group of committed volunteers, not supported by taxpayer dollars, not full-time politicians, many of us do have day jobs and numerous obligations, but taking time out of our schedules in 2021 and early 2022 because of the deep commitment to fairness and the rule of law and upholding our increasingly fragile democracy. So we were we were able to listen to the public input and draw our constitutional maps. And it is stunning to us and to Ohioans all over the state just how epic this failure has been by the commission to do the same. The commission violated the Constitution at every turn, the process was a failure, the maps were a failure. So the maps violated the Constitution amendment that 71% of Ohioans approved. This is not what democracy looks like. And again, we submit it, and our submitting our Constitution maps to the commission ahead of this hearing. They can also be found in the report that we submitted to this commission on our website, OhioRedistrict.org, and they ensure equal population, representative fairness, minimal splitting of communities and fair minority representation. And now our Kathleen, my co-chair, will give the details of the map we've submitted.

Kathleen Clyde [01:02:14] Thanks, Greg. Thank you. Co-Chairs. Having followed the public debate of the Republican working maps being considered by this body, we have the following feedback: 1.) The partizan breakdown of these maps very clearly violates the Ohio Constitution. That is unacceptable. Averaging the last ten years of data in statewide races as the Constitution requires would produce maps that create 56 Republican leaning House districts, 43 Democratic leaning House districts, 19 Republican leaning Senate districts and 14 Democratic leaning Senate districts. Instead of this 56 to 43 and 19 to 14 partizan breakdown, the Republican working maps have a 62 Republican to 37 Democratic seat break down in the House and a 23 Republican, 10 Democratic seat partizan breakdown in the Senate. These maps heavily favor Republicans with no connection to the partizan choices of Ohio voters. These maps are an obvious violation of the Constitution and a slap in the face to the overwhelming majority of Ohioans who voted for a new way, for fair maps that are easily achievable. It was central to the reform that our maps would have partizanship that mirrored the state of Ohio. After five unconstitutional maps, this partizan commission still refuses to comply with that critically important democratic principle. 2.) Desiring to create proportionality within counties instead of proportionality across the state is something that we've heard as a defense to the Republican working maps. Representative Seitz has said that Hamilton County seat should be drawn based on the partizanship within Hamilton County rather than reflective of the state. First of all, the absurd concept of proportionality within counties is not in the Ohio Constitution. County proportionality is not required full stop. And if Republicans want to make that point, it's absurd because there are many, many more counties where tens of thousands of Democratic voters have zero Democratic leaning seats. Anyone who looks at the proposed map can see that almost all rural Democrats are forced to be represented by Republicans. The Republicans are trying to deflect from the unconstitutional maps with nonsensical arguments that have nothing to do with the actual law. We can't allow ourselves to be distracted by that tactic, we deserve constitutional maps. These are not constitutional maps. Republicans are making bad faith arguments about competitiveness as a part of their defense of these unconstitutional working maps. First of all, competitiveness is not required by the Constitution. Competitiveness as a criteria was discussed thoroughly during the drafting of the constitutional amendments, and it was not included. Republicans like Senator Matt Huffman were in fact the biggest opponents of competitiveness. Second of all, the competitiveness of so many Democratic leaning districts compared to one or two marginally competitive Republican leaning districts violates multiple court orders and the Ohio Constitution, which requires true partizan fairness. Again, the Republicans are trying to distract and deflect criticism of the blatantly unconstitutional maps by pretending competitiveness is a required criteria. And let me be clear there's nothing wrong with competitiveness on its face, but this map puts most of the risk on Democratic districts while creating safe, noncompetitive Republican districts. Competitiveness for thee, not for me. This is not what democracy looks like. In conclusion, the Ohio Citizen's Redistricting Commission showed you how it could be done. But like the will of so many Ohioans who worked on and passed constitutional amendments demanding fair districts, our voices were ignored. But despite all the efforts in Ohio to erode it, this still is a democracy. These working maps and this commission so far has been a sham. This is not what democracy looks like. Please do better and please give Ohioans the districts that they deserve. And if you do not, the people will fix it. This American experiment in democracy, government for the people, by the people is not over. Thank you.

Co-Chair Auditor of State Keith Faber [01:07:06] Thank you. Questions for the witnesses. Leader Antonio.

Co-Chair Senate Minority Leader Nickie Antonio [01:07:12] Thank you. Thanks, both of you for coming here and testifying today. I'm I'm looking through your testimony. Did you say you did submit a map as well?

Kathleen Clyde [01:07:26] We submitted maps. We had a little trouble with the technology that we had to engage in this shorted process.

Co-Chair Auditor of State Keith Faber [01:07:31] They're under the name—

Kathleen Clyde [01:07:32] but yes,

Co-Chair Auditor of State Keith Faber [01:07:34] Staff tells me they're under the name Janice Brock.

Co-Chair Senate Minority Leader Nickie Antonio [01:07:37] Okay. Oh, okay.

Greg Moore [01:07:40] She was our vice-chair.

Co-Chair Senate Minority Leader Nickie Antonio [01:07:40] She's on the commission. Okay. And can you can you just say very, because clearly we're here to talk about maps. Can you give a summary of of the improvements or not, or the differences between the map that you're proposing and the one that has been proposed?

Kathleen Clyde [01:08:06] The key to it— thank you, Co-Chair, and to the other members of the commission. The key difference between our map as submitted during the prior process is that it simply has the partizan fairness that is required by the Constitution. It breaks down the districts, there's been a slight change in data depending on which dataset you look at. If you look at the ten years start in the clock, currently the look back of ten years, our our leaning has gotten slightly more Republican, not as Republican as the working maps would would portray it, but our maps are in line with the partizanship of Ohio and they follow the other requirements that were laid out in the Constitution. Again, we're under the previous data set, but with a bit of time and work we could update the maps to the current partizanship ratio that I laid out in the testimony. So the key differences ours as have partizan fairness. These Republican working maps are not reflective of the partizanship of Ohio.

Co-Chair Senate Minority Leader Nickie Antonio [01:09:25] Thank you. Thank you.

Co-Chair Auditor of State Keith Faber [01:09:26] You wanted to add something, sir?

Greg Moore [01:09:28] Mr. Co-Chair and Madam Co-Chair. The main difference also was that we had hearings across the state that were virtual. Everybody who was testify was asked to submit their ideas about compactness and as well as the communities of interest. And then we listened to the people and we based our maps on that feedback. So I think that's the biggest difference. We listened to the people who came and shared their views.

Co-Chair Senate Minority Leader Nickie Antonio [01:09:51] Thank you. Thank you, Co-Chair.

Co-Chair Auditor of State Keith Faber [01:09:53] Other questions or comments.

Co-Chair Senate Minority Leader Nickie Antonio [01:09:55] Leader Russo.

Co-Chair Auditor of State Keith Faber [01:09:56] Leader Russo.

House Minority Leader Rep. Allison Russo [01:09:58] Thank you, Chair. Thank you both for being here. Good to see you again. So just a couple of and I have a couple of follow ups from this, but a couple of questions. So is my understanding correct, that the ten year period that you looked for the proportion of partizan breakdown in your math, 56/43 for the House districts, 19/14 for the Senate districts? What was the ten year period that you used for that?

Kathleen Clyde [01:10:26] Our maps have the ten year period that doesn't include the 2022 cycle.

House Minority Leader Rep. Allison Russo [01:10:31] Does not.

Kathleen Clyde [01:10:32] Exactly. But then in the testimony I updated to include that ten year dataset that would include 2022. So our maps, as submitted two years ago in this commission are presented work, had the did not have the 22, the 22 cycle hadn't happened yet.

House Minority Leader Rep. Allison Russo [01:10:51] Sure.

Kathleen Clyde [01:10:51] So didn't include that. But we discussed a ratio that does include the 2022 data from that election.

House Minority Leader Rep. Allison Russo [01:11:01] And follow up. And where did that land out of curiosity?

Kathleen Clyde [01:11:05] That's that's where we broke down the 56/43, 19/14.

House Minority Leader Rep. Allison Russo [01:11:11] Okay, so that..

Kathleen Clyde [01:11:12] ...versus this map, which is the 62/37, 23/10.

House Minority Leader Rep. Allison Russo [01:11:17] Okay, and follow up? In the map, and I'm sorry, I can't, I have your testimony here, but I can't put my hands on it. I believe you define toss up within +/- 2 of 50%. Can you talk about, do you have the numbers easily for the toss up breakdown within how the map broke down? So in terms of how many were toss up Democratic seats, how many were toss up Republican seats, is that something you put your fingers on quickly?

Kathleen Clyde [01:11:48] I apologize. I do not have that..

House Minority Leader Rep. Allison Russo [01:11:50] That's okay, I'll look for it.

Kathleen Clyde [01:11:51] ...at the tip of my fingers. But we can certainly provide that to the commission. And I'll say and, you know, again, we wanted to highlight the discrepancy and the Republican working map of the large number of the Democratic competitive seats versus the small number marginally competitive Republican seats, and that was very far from the constitutional provisions and from the map that we submitted to the commission. And we can get those exact numbers for you and follow up.

House Minority Leader Rep. Allison Russo [01:12:26] Thank you. And it may be in the package. I just haven't had the chance to dig into it.

Kathleen Clyde [01:12:30] Sure.

House Minority Leader Rep. Allison Russo [01:12:31] That's it. Thank you.

Co-Chair Auditor of State Keith Faber [01:12:34] Other questions. Thank you both for joining us.

Kathleen Clyde [01:12:37] Thank you.

Co-Chair Auditor of State Keith Faber [01:12:41] Our next witness is Trevor Martin.

Unidentified [01:13:12] [inaudible, away from mic]

House Minority Leader Rep. Allison Russo [01:13:22] Oh, thank you. Thank you.

Co-Chair Auditor of State Keith Faber [01:13:34] Mr. Martin, welcome to the committee.

Trevor Martin [01:13:36] Thanks, sir. Co-Chairs, members of the commission. Just first like to confess that I almost did not bother to come today. I have a three year old and a seven month old at home. Whom I much, much rather be spending my time with. They're more attentive, better disciplined, just plain old, better company. I had thought, why bother? It's not going to make a difference. Your minds are made up. Then I was watching and I saw and heard the testimony from all our dedicated and determined citizens of Ohio over the last few days who thought it necessary to come and share with you. And I felt as if I would be letting them down if I did not come and do the same. So I just want to thank them, thank you to all our fair map advocates and democracy fighters that have not and will not stand down. My name is Trevor Martin and I am a community organizer and advocate. I have contracted with several individuals and organizations over the years to provide strategic planning and training coordination for a variety of issues and campaigns. In 2021, I was tasked with recruiting and training volunteers to create community maps and then help integrate those with neighboring communities into larger proposed district maps. Many of those volunteers submitted their community maps to the commission along with their testimony. Many more were shared and used in collaboration with the Fair Districts Ohio competition winners, as well as the Ohio Citizen's Redistricting Commission's Unity Maps. I was very excited to see the level of interest in public enthusiasm back then around what was happening, and when we first started this process two years ago, I went and participated in several of the eight public hearings across Ohio in the fall. I remember in one, particularly Toledo, I think it was where I was calling attention to the inadequacy of PDF printouts while analyzing district maps because it was the only data that was available to the public at the time. I'm pointed to the insufficient measures taken to ensure an open and transparent process. However, I do recall it, at least at that time, the minority members of the Commission had had access to and had seen the proposed maps. But were going backwards, this time they too were in the dark when Republicans unveiled their working plan and put it up for a vote. And I kind of wanted to harp on process and product here, but I'm just going to refer to my friend and colleague Andrea Yagoda as testimony as far as process. And just to add, you know, there is no transparency, no openness, the public has been shut out and the commission is using the redistricting commission as an arena to jockey for speakership. You know, the process is a sham and the product is a scam. Ohio is rigged. We have some of the most

gerrymandered statehouse and congressional maps in the nation. That's just facts. Michael Lee is senior redistricting counsel for the Brennan Center for Justice at New York University School of Law, has said Ohio has some of the most problematic maps in the nation. Richard Gunther, professor emeritus of political science at OSU, has said Ohio is one of the worst actors in gerrymandering by multiple standards, and just last August 2022, an article in The New Yorker, written by Jane Meyer, describes gerrymandering in Ohio, referring to the GOP dominated legislature as a center of extremist legislation and radically out of sync with Ohio constituents. And that was echoed by some of the witnesses yesterday that were testifying. And I see them already over time. But I did include some metrics and breakdowns of the, I didn't want to go back over the last two years, these are maps that have been submitted to the current redistricting commission. There's the McColley/LaRe, the Antonio/Russo, there is the Bennett petitioners that have resubmitted the independent mappers and corrected some things. There's the Unity maps and then there's a map in there from of Andrew Green, who testified yesterday. I believe he wasn't sharing his maps, he instead shared a modified version of the McColley map. But this is something that he produced a while ago, a couple of months ago, that he shared on Twitter, which I believe was one of the most fair and reasonable maps that I had seen to date. So I have not had time to submit my testimony, but I will include links to all those maps. When I, when I get—

Co-Chair Auditor of State Keith Faber [01:18:43] Will include the things you just submitted as well.

Trevor Martin [01:18:46] Appreciate it.

Co-Chair Auditor of State Keith Faber [01:18:48] Thank you. Questions for the witness? Leader Russo.

House Minority Leader Rep. Allison Russo [01:18:53] Thank you, Mr. Chair. Thank you, Mr. Martin, for being here again. I know you've you've been here throughout the process and see a lot of familiar faces actually out in the audience who've been here throughout the process. And and that takes quite a bit of dedication. And I always appreciate that from the citizens who have shown up and submitted testimony and been part of this process as much as you could, because admittedly citizens have been shut out for most of this. As I'm going through, because I do have your spreadsheet here that I'm looking at, and I am just curious, you know, as we look through the current map, the the McColley/LaRe proposed map that we're considering, the Antonio/Russo map, etc., you've got several laid out here. You've got likely seat count, toss ups, I presume that that probably came from Dave's Redistricting, I'm just wondering what the thresholds are for those categorizations, if you don't mind explaining that.

Trevor Martin [01:19:57] Yes. So all of my data is from Dave's and pretty much the only thing that's available to the public without going into my bank account. So, yeah, everything's in Dave's, and the thresholds there for the tossups are, as the Unity described them, +/- 2 so anything under 52% would be considered a toss up.

House Minority Leader Rep. Allison Russo [01:20:34] Follow up. And then in terms of likely Dem seats, is that at or likely GOP seats, is that as categorized by Dave's Redistricting? What is the metric there.

Trevor Martin [01:20:48] That's on on Davis redistricting.

House Minority Leader Rep. Allison Russo [01:20:51] So it's using their metrics.

Trevor Martin [01:20:52] Yeah, the data sets that they have. And then I just counted the districts that fell below 52%. So the McColley/LaRe there we have 26 likely Democratic seats and 11 of those, and 11 more that are under 52%. So a total of 37, 11 of those are under 52%.

House Minority Leader Rep. Allison Russo [01:21:24] Okay, great. Thank you. Thanks for that clarification.

Trevor Martin [01:21:28] I also did want to clarify, um, you know, all the all the analytic readings for the proportionality, compactness, competitiveness, splitting and minority representation are also all from Dave's and I had heard Auditor Faber discussing about the tradeoffs that you make when you try to raise that proportionality. Um, you know, he, he specifically referred to the independent members about how that messes with compactness. I did want to point out that the Johnson/ McDonald map and the Unity map are both more compact than the current map and the proposed maps. That's according to Dave's Redistricting, again, I don't have the same data sets as Maptitude, but that's what Dave's shows so.

Co-Chair Auditor of State Keith Faber [01:22:35] Other questions? Here none, thank you, sir, for your testimony. Our next witness is Jeff Jacobson, former state senator.

Jeff Jacobson [01:23:05] I will only ask forgiveness for my somewhat failing eyesight. Members of the Commission you can have an outcome that is not proportionate without the reason being, gerrymandering, for example, don't turn it over yet, that's right. For example, Republicans get 20% of the vote in the city of Cleveland, but they hold zero seats. That's not because of gerrymandering. It's because it's impossible to draw a Republican majority seat on the Cleveland City Council. And 26% of Ohioans live in small counties, though those that are not big enough to have their own House seat. Proportionality says Democrats should have 8 of the 26 seats, but they get because they get 33% of the vote in those counties, according to the index. The problem is you can't draw a majority Democratic seat in rural Ohio. In fact, the Republicans couldn't, the Democrats couldn't, the independent mapmakers couldn't, the Citizen's Redistricting Commission couldn't, and no one else could either. So that's not gerrymandering. That's the rules that we agreed to about how to draw lines. And I want to highlight, though, that the best they could come up with was a 0.02 marginal gain for a marginal lead for Democrats in one rural district. That's it. And to do it, they had to partizan gerrymander that district. But the award for the worst gerrymander I've seen in my career, can't tell that's tilted or not, but tilted as appropriate, is this 12th, the all this pink here, this 12th Senate district that was drawn in the Democratic map. I have never seen anything like it in my 40 years and six redistrictings, I've had some involvement in going back to 1981. I should amend that, it's the most egregious other than the Citizen's Redistricting Commission, which skipped Dayton and went all the way up to Van Wert County along the Ohio border, two thirds of the way up. In modern Ohio history, no redistricting has ever taken the House district from one of one of Ohio's three C's and put it in a Senate district in another region. One third of Cincinnati, the greater Cincinnati's clout in the Senate, has been effectively ceded to Dayton. I'm from Dayton, and I can tell you that since there's a majority here, we're not voting, we're not going to nominate or elect anyone from Cincinnati to represent us at the statehouse. There's that kind of a, shall we say, chip on the shoulder between the two regions. I like Senator Blessing, but too bad. They created this district, Democrats created this district after packing all of Hamilton County Republicans into this one House

district. Democrats couldn't win two Cincinnati Senate seats without offloading this district to Dayton, whereas a Citizen's Commission did to Van Wert. We are looking at a partisan gerrymander in violation of 6, Section 6, not of subsection B about proportionality, but subsection A about drawing district plans primarily to favor or just favor of a political party. I know that because I led the detailed drafting negotiations on the constitutional amendment on behalf first of the Speaker Pro Tem Huffman and thereafter for Senate President Faber. Representative Sykes was my counterpart for the Democrats in those drafting negotiations. Section 6 does not require proportionality and does not prohibit gerrymandering, requires the Commission to do its best on both. It's not an excuse to gerrymander, as the Democrats and the OCRC and the plaintiffs and their experts and so many other maps have done in multiple instances. As I've said, none of the 26 can be rural, can be Democratic majority, nor can the two required single county districts. So that means to be proportional. All 44 or 45 Democratic seats would therefore have to come from the larger counties. There's one problem Democrats proportionality of the vote in those large 22 counties is a mere 50.08 or 50.6%. That means of the 71 seats that the large counties should have, if you could draw them all entirely within the counties, they would deserve 36 compared to 35 for Republicans. And under the either the D or the R map, the Democrats proportional share of districts that include all or part of one of those large counties is 37 seats, because when you add territory from the rural areas, that's more Republican, and you have to do that to round out the big county seats. And the Democrats gave themselves 41 large county seats instead of 37, including two leaners. That's 4 more than proportional. The majority map awards them 34 majority and three lean Democratic districts, exactly what proportionality would require. And I did not bring a copy of my spreadsheet, but I am happy to share it and explain it to the members. I'm happy to share it also and the work behind it. For all the hot air over gerrymandering, the only differences between the two maps are in five large counties Democrats with 58% index and Franklin gerrymandered themselves 11 of 11 districts instead of the 7 proportionality would give them in Hamilton County with a 52% Democratic index. They gerrymandered 6 of 7 instead of 4, but to get that 6th seat, they had to break Cincinnati into 6 pieces, unprecedented and in any other setting, but this ridiculousness about proportionality, it would have been an outrage to have taken away the clout of the residents of the third largest city in the in the state by spreading them to help elect partisans, to be sure, but in other areas, even Summit with 54% Democrats, they gave themselves 3 of 4. Montgomery is 52% Republican, yet Democrats gave themselves 3 of the 4 seats, 5 seats gerrymandered in total, plus one rural. Even with all the gerrymanders, the best Democrats could manage was 42 seats, as did the Citizen's Redistricting Commission. 3 of the Democrat Senate seats in their maps are likewise gerrymanders above proportionality one each In Franklin, the Cuyahoga/Summit combine and Hamilton County. Aspiring to proportionality is good. That's why the negotiators then passed by you all, then passed by the voters, made it aspirational, said shall attempt and they also said shall not gerrymander. Gerrymandering, cheating to accomplish proportionality is not what the voters voted for and it's not what the Constitution demands. In January '22, the Democrats released a new map at the time with a tweet by Represent Russo saying, "We understood the assignment," to which former Representative Stefanie Howse, also a Democrat, tweeted back and here's her quote. "To what extent, as the vacant House District 11 (highest concentration of black people and highest concentration of poor people was eliminated).....Representation for who?" Property— proportionality above all forgets that representation is for real people with individual and community needs. It's not for armies of political partisans. I have a lot more in my written testimony, but I'd be happy to answer any questions. Thank you for indulging me.

Co-Chair Auditor of State Keith Faber [01:31:38] Thank you, Senator. Questions or comments for Senator Jacobson. I just have one that I've asked to most people who come in and talk specifically about maps and these processes. You hit a lot on political geography. And the reality is this and we've heard from experts on both sides that Ohio's political geography is such that to draw anything proportional to hit what I have called the magical mystery ratio is going to require some kind of gerrymand if you're going to try and dilute the Republican rural areas into the urban core centers. What factor does that have in a proportionality number? If you had to pick a number that Ohio could feasibly hit?

Jeff Jacobson [01:32:30] Thank you.

Co-Chair Auditor of State Keith Faber [01:32:31] Without doing that.

Jeff Jacobson [01:32:32] Yeah. Thank you, Senator Faber, or I'm sorry. Auditor Faber. The the easy answer is that you can't gerrymander in the way that proportionality would like. Can't do it as they would like because the constitution says you can't violate line drawing rules. You can't cross county boundaries as many times as you want. You can't stick little pieces of of an urban county with little pieces of a rural county three counties away, except you could here, couldn't you? And the reason and this is a Senate seat, couldn't for a House seat in this way. The problem is that the court decision effectively and unfortunately, I believe, erroneously elevated proportionality to match the other, but they still didn't allow people or didn't require people to violated the—If the Independent Redistricting Commission proposal was adopted, you will see districts like this as the norm because it is the only way to deal with the fact that Republicans live together in rural areas without many Democrats, at least since Reagan and Obama are excuse me, sorry, Trump and Obama. Freudian slip there, Trump and Obama before that, Democrats could win in rural areas. After that, they no longer could. They could in 2014 when we negotiated. They can't in 2022. In in urban areas, Democrats live together for in greater numbers, in urban settings. And so proportionality was invented as a method to basically stop people from using community of interest. Because community of interest would say, you're in an urban county, you deserve an urban district. You have urban issues that you care about above all. And same thing true of rural, but proportionality says, oh, no, no, these people don't deserve someone who represents them. And these people in Cincinnati are superfluous. Just draw some Republican districts, stick them all together, they all will survive. But nobody in this district is going to feel like they have a real voice. If this is bad again, the Van Wert leaning, version of this is on steroids. It's a cynical manipulation of a misguided court decision, not any way to achieve democracy, which again, is giving people a voice. And the last thing I'll say is we think only a voice in terms of the votes you've given the Statehouse, but I can tell you from my experience, your legislator is often the person who is most likely to speak up back home, or in DC or anywhere else about issues that matter to you. When I got in office, I had for the first time the rural parts of Montgomery County, in one district. We had been ignored for decades and we were about to have a landfill put right over the aquifer among our farms. And because I was their representative, I pushed back and we actually beat it. I think that's what Stefanie Howse represented, former Representative Howse was referring to when she made this tweet. People deserve representation. People not politicians, not political parties.

Co-Chair Auditor of State Keith Faber [01:35:59] Leader I'm sorry. Senator McColley.

Senate Majority Leader Rob McColley [01:36:04] Thank you chair Faber, we had a we had somebody come in and testify and talk about, I think the analogy that he made was, was the goalposts that needed to be split between 6A and 6B talking about, no General

Assembly district plan shall be drawn to primarily favor one party or the other, and then the proportion of districts, I guess I would posit that it's not a goalpost with two uprights, it's a goalpost with three uprights because and I think you've highlighted that as well as that the 6C says General Assembly districts, not General Assembly maps. General Assembly districts shall be compact. And if I understand you correctly and certainly from from the points that you're illustrating, the compactness of districts, maybe not the map measures as a whole, but the compactness of districts in an effort to achieve pure proportionality, the compactness of districts inevitably suffers in areas outside of the urban areas. Is that your take as well?

Jeff Jacobson [01:37:13] Thank you, Senator McColley. First of all, we called all these three aspirational, we said, shall attempt. Why did we do it? Because they're in tension which each other, they don't work together. You can be, as I said, proportional, if you can violate all the rules about, you know, gerrymandering. Compactness is a substitute for communities of interest, which is very nebulous, but often it's the same thing. For example, the Democrats gerrymander to achieve the 0.02 partisan lean in Southeast Ohio was accomplished by splitting Chillicothe and splitting Athens counties, was unnecessary. You could have done, you could have accomplished that district while only splitting one of the two counties or even zero if you had made instead of, as it turned out, three pancakes, one on top of the other, the middle of which is a gerrymander. You could have easily had three eggs, one on each side and two upright, and you wouldn't have had to violate any rules and you would have had real communities of interest. Circleville and Chillicothe have more in common than either does, for example, or with, you know, with Athens. And it was unnecessary to do that. So the problem is that all intention and just to note that they are all in there are all aspirational and not required because of the Constitution in the enforcement article, which I believe is 8 or 9, I forgot my copy, leaves out section 6, excuse me, Section 8 leaves out or— section 6 as one of the ways for which the court can get involved and impose remedy.

Co-Chair Auditor of State Keith Faber [01:39:04] Thank you. Other questions, Leader Russo.

House Minority Leader Rep. Allison Russo [01:39:07] Thank you, Chair. Thank you, Mr. Jacobson, for being here, certainly interesting testimony. We don't agree, the two of us, on everything. And there's a lot to dissect there. But I am curious to know, you spend a lot of time talking about this district that goes from the west side of Hamilton County up to I think that's Preble County at the top, but it's hard, I think the colors are slightly different there, and into Dayton. And yeah, there are certainly different ways that you can draw that. I would push back on the Hamilton County needing two Republican senators as opposed to one, but that's an argument for another day. But, but I think some of the points that you make there, I'm just curious, in the McColley/LaRe proposed map, there is a Senate district, there are a couple of very concerning Senate districts that frankly have been drawn to to favor the incumbent, but one in particular, you know, picks up the west side of Lucas County, snakes its way along the Maumee, I joke you can take a canoe from one side to the other, into Ottawa County and then down into Wood County. Now, certainly you can make an argument there's some similarities between Wood County, the northern part of Wood County and southern Lucas County, but I wonder if the the same sort of criticism you have of a map like this or a Senate district like this would also apply to a Senate district that, you know, literally snakes along a river to cut through Toledo, to get to the other side, to get to Ottawa County, presumably to keep that Senate district more favorable to the Republicans.

Jeff Jacobson [01:41:08] Thank you. First of all, my, sorry, Representative Russo for first of all.

House Minority Leader Rep. Allison Russo [01:41:16] It's Leader Russo.

Jeff Jacobson [01:41:16] Leader Russo. Thank you. My comment about the two House districts here and the two Senate districts was not that you needed to give one needed to give Republicans both, the problem was that the goal was to give Republicans neither Senate district and in order to accomplish that, they had to pull all the Republicans out because or not give Republicans 2 House districts. Once you decide to give Republicans 2 House districts, when again, proportionality says they should have 3 in Hamilton County, once you give them 2 House districts, you either have to split those House districts between the Senate districts, which could be done, but then they've gotten an extra House district compared to what your map gave them, or you have to put them in the same Senate district, and if you do that, then it's almost impossible to win both of the Senate districts. So the only way to gerrymander the House and the Senate together was to extract this. If it was on the east side, you could do what they've always done, which is what people have always done, which is take one district out to one of these counties. But because the West is where the Republicans were congregated enough that they could all be stuffed into one House district, you had to go up the west side of the state and that's why you had it. As for the, is that the 2nd District? Yea, the 2nd District. The 2nd District has looked remarkably the same for decades. It's always been the western suburbs of Toledo, Wood County and some combination that involved Ottawa as far back as I can recall, off the top of my head, I would have to look back to the eighties, I believe the nineties even did it that way. The difference is in the House district, which has a thin connector between the west and the east suburbs of Lucas County that you described and then has a little bit of Ottawa and a little bit of Wood. And what I would, excuse me, has a little bit of Wood as well, what I would point out to you is that you draw in ways that protect the city and make sure that the city is entitled to elect a senator of their choosing, and this map, as I said, accomplishes nothing different than maps for a long time before it, and, you know, when you look at the breakdown of the people who live in that territory, it is one district is Democratic majority, one district is Republican majority. And it would not be proportional to have awarded both districts to Democrats no matter how you combined it. There just aren't enough Democrats in Northwest Ohio to get themselves 2 Senate districts through proportionality.

House Minority Leader Rep. Allison Russo [01:44:22] So one quick follow up, if I may,.

Co-Chair Auditor of State Keith Faber [01:44:26] Leader Russo.

House Minority Leader Rep. Allison Russo [01:44:26] And thank you for that discussion. I will push back on your assertion that proportionality is by county and the requirements under 6B of the Constitution are by county, and this has been debated extensively. The Court agrees with this that the proportionality requirement applies to the map in totality, not at county level, and in fact, if we were using that logic, a county like Athens County would in fact have a Democratic House seat, and it doesn't. I mean, so we could do this county by county and look at proportionality and play that exercise, and in fact, Democrats would have more seats and other counties, but the reality is, in the the debate that we've had through the courts and when the courts have weighed in on this and it's been interpreted by the courts, it has been very clear that that the proportionality requirement is not specific to Hamilton County or specific to Franklin County or specific to

Lucas County. It is in totality for the entire map. So I will push back on that. But thank you again for being here and for your comments.

Jeff Jacobson [01:45:33] Thank you. If I may respond. First of all, there is an old quote of Dickens that says something to the effect of if that's what the law requires, the law is an ass. Again, I'm not singling out any entity, but I'm saying the law would be in an ass if that's what it required. I believe that the court was incorrect in its interpretation, but moreover, the everyone who presented testimony through the form of affidavits glossed over the fact that in order to try to achieve proportionality, they had to gerrymander. It was glossed over. It was assumed that magically one could draw 44 districts in Ohio in an area of the state that only has 37 worth of Democrats in it. So if you recall, during the serial litigation, there got this point of absurdity where plaintiffs were claiming that the Democrats seats were thinner than the Republican seats in terms of their margin, and that was unconstitutional. Well, let me ask you, if you've got 30, it should be 44 cupcakes and only 37. Worth of icing, are you? Is your icing going to be generous or is it going to be thin? It's going to be thin. The requirements, the proportionality to the observed level, those who have submitted maps would require it. It cannot be done. You couldn't even do it. Nobody has done it. They could nobody could get beyond 42. That's not because you're gerrymandering or they're gerrymandering. It's because of the Constitution's line drawing rules do not allow it to happen because we, we value other things in Ohio. Other than proportionality, we value that. People in rural areas should have people who represent them and their issues which are different than issues even two counties away. We value that people in urban settings should have representatives who are accountable to them and support them and champion their issues.

House Minority Leader Rep. Allison Russo [01:47:41] Mr. Faber,.

Andrea Yagoda [01:47:42] Follow up Leader Russo.

House Minority Leader Rep. Allison Russo [01:47:42] Sorry, Chair Faber, one quick follow up. While I respect that your opinion is that these independent maps are more gerrymandered and that is certainly your opinion. The reality is when we look at unbiased metrics of what defines what is gerrymandered and whether or not maps in districts have met the requirements of the Constitution, the simple fact is, of most of the maps that have been submitted either independently or other groups that do actually meet the proportionality requirement of the Constitution. When you look at them in terms of these metrics, they are far better than any of the maps voted on by this commission. And so that is, you know, again, we can all have our opinion about what is a district that looks funny as gerrymandered or not. But when we look at actual measures that define what is something that is gerrymandered, what is a district that is less compact, it just the data are not there to support your assertion. So thank you again for being here.

Jeff Jacobson [01:48:53] So, Leader Russo. Just to respond, as I said in the very first line of my testimony, [inaudible background chatter] you can have an outcome that is not proportionate without the reason being gerrymandering. We have conflated the two issues. Gerrymandering is how you draw the lines. Proportionality is the outcome. Section A is is proportionality, excuse me, is gerrymandering, Section B is proportionality. Mixing them up allows us to make these wild assertions. But the fact is drawing 44 seats in an area that only has 37 seats worth of a political party is a gerrymander. You can't accomplish it any other way.

Co-Chair Auditor of State Keith Faber [01:49:38] Leader Antonio.

Co-Chair Senate Minority Leader Nickie Antonio [01:49:39] Yes. Thank you. Thank you so much for this stimulating debate. I think one of the things that has been made clear, certainly to me and probably to a lot of other people is what a wonderful illustration this is of how people who have any kind of extra stake in the game, extra skin in the game, any kind of bias should not be the ones drawing the maps. And actually it should be independent people drawing them.

Co-Chair Auditor of State Keith Faber [01:50:11] To answer a question there.

Co-Chair Senate Minority Leader Nickie Antonio [01:50:13] Do you agree?

Jeff Jacobson [01:50:15] I appreciate the question very much. I think the problem is that it is a fool's errand to think that uneducated individuals, unsophisticated in how districts and how politics work can suddenly be plopped in front of it and make a qualified decision. They can't. And where this has been adopted, the gerrymanders have gotten worse. The proportion balance in California got much worse after the adoption of the independent commission. In fact, even though Republicans were getting, for example, 38% of the vote regularly in California, their congressional district level dropped to 18% under the supposedly independent commission. There's a series by the liberal magazine ProPublica...[audience chatter],

Co-Chair Auditor of State Keith Faber [01:51:04] Excuse me. I'm going to ask the crowd to keep your comments out. People have heard testimony from people they agree with or just disagree with. Respectfully, I will insist upon ma'am, I will insist upon that in this room. Thank you. Please continue.

Jeff Jacobson [01:51:22] As I said, the liberal publication ProPublica, which is no friend to Republicans, reported on the California experience and it was an exposé of how the California Democratic Party manipulated the Citizen commission by arranging for testimony that would say, for example, the Vietnamese community in the area of Los Angeles deserve representation, but the Korean didn't. And the reason was because the Vietnamese community would yield maps, highlighting that would yield maps that favored Democrats. In Ohio. If this were adopted, you would have people with a marginal knowledge and they would come in and the commission staff would manipulate them and they would use big words like proportionality, and they would end up with an entire state of this and whether or not you could achieve proportionality, you have ruined the concept of representation because someone who if 99 districts have a piece of urban, a piece of suburban and a piece of rural in it, they will end up in a situation where no one represents anyone.

Co-Chair Auditor of State Keith Faber [01:52:28] Thank you. Other questions? Thank you, Senator Jacobson. Our next witness.

Unidentified [01:52:34] [inaudible]

Co-Chair Auditor of State Keith Faber [01:52:38] Our next represent— or testimony, we've got 2 left before we will take a recess, mark Gavin, Senior. Mr. Gavin. Thank you, Mr. Gavin. Please proceed.

Mark Gavin Sr. [01:53:03] Chair Faber, co-Chair. Antonio. Co-Chair, I'm sorry, co-Chair Antonio, co-Chair Faber, and to each member of the Commission. Thank you for having

me today. My name is Mark Gavin Sr., and I'm director of Outreach and Senior strategist at Black Environmental Leaders and Black Environmental Leaders Action Fund.

Co-Chair Auditor of State Keith Faber [01:53:19] Mr. Gavin, I don't see any written testimony on the website. Is that our oversight or should we not be found?

Mark Gavin Sr. [01:53:26] I asked earlier. They told me, not this.

Co-Chair Auditor of State Keith Faber [01:53:28] You're good.

Mark Gavin Sr. [01:53:29] I just I'll make sure all of your office is have it though.

Co-Chair Auditor of State Keith Faber [01:53:32] Just making sure if it was there, we found it. If not, I wanted to make sure.

Mark Gavin Sr. [01:53:35] Understood, I'll make sure your office's get it.

Co-Chair Auditor of State Keith Faber [01:53:36] Thank you.

Mark Gavin Sr. [01:53:40] My name is Mark Gavin Sr. and I'm the Director of Outreach and Senior Strategist at Black Environmental Leaders and Black Environmental Leaders Action Fund. I stand before you today to oppose the maps and process put forward by your committee by your commission, because they are a gerrymandered mess. If Secretary of State, or Secretary LaRose's thought last year maps were asinine, I'd love to know what he has to say about the maps that are in front of us today. I wonder if he thinks he should vote no again. All Ohioans deserve to pick their legislators and not the other way around. But most Ohioans don't even know that we're here today. The only part, the only part of this process more compressed than the timeline or the districts that you're put in front that you put in front of us less than a week ago. I would love to comment on the details of the maps, but there isn't, there isn't, there hasn't been enough time to study them. This commission has had the better part of the past year to hear from Ohioans and propose better maps, instead, some of you forced all Ohioans to focus on on an illegal August special election, the second August election in two years. The last one also caused by this commission. Ohio voters passed redistricting reform across all demographics twice, and the actions of some members of this commission show that they believe they know better than the voters and that they are above the law. Thank you and I am happy to take your questions.

Co-Chair Auditor of State Keith Faber [01:55:03] Thank you, sir. Question for the witness? Seeing none, thank you for coming in and sharing your testimony.

Mark Gavin Sr. [01:55:09] Thank you.

Co-Chair Auditor of State Keith Faber [01:55:10] Our next witness is Armando Telles. Mr. Telles, thank you for joining us. Mr. Telles, I'm looking, do I see testimony?

Armando Telles [01:55:21] Not yet, sir.

Co-Chair Auditor of State Keith Faber [01:55:22] All right. I'm just making sure we're not looking for something that I don't see it. So thank you. Please proceed.

Armando Telles [01:55:27] I appreciated it, it's pronounced tay-ess, by the way. Buenas tardes señor y miembros de este comité. Me llamo Armando Télles. En este momento yo hablo en inglés porque no tengo las palabras, no la gramática, que puede que yo puedo hablar con por el mensaje por este comité. Good afternoon, Sir and members of this committee. My name is Armando Telles and I am the Chair of the Hispanic Latino Caucus of the Ohio Democratic Party. But aside from that, I spoke in Spanish on behalf of those who in Ohio, which represent more than 500,000 Ohioans, to remind us, unlike the gentleman before us, though we many not speak English, we are very educated. We are also very informed, but we only are only as informed as the information we have access to. And so for all members of this committee, both Republicans and Democrats, I'm going to encourage while we have these very intricate focuses on the differences of these districts, to be able to have absolute community input, the language has to be available in multiple languages. Here in Ohio, we have a Hispanic population, identities that range from like myself, Mexican, Puerto Rican, as well as Dominican, those of Spain from Spain, also Guatemalan and Salvadorian, in addition to others who we may simply may not be aware of statistically. But still the same, these types of rigged representative efforts affect those who often are not seen or heard. Today, you caught me here on a workday, you see me on in my attire, where I go to a 9 to 5 job doing as I do, as many of my peers do, who cannot participate in a place like the statehouse to have discussions or engage in discussions regarding matters like this because the information, first and foremost, was never really made available for us to be included, let alone to be aware. When we speak of representation, where is our representation? Who is representing us? When we referred to the impact that these maps will have, the way that is going to have an impact economically, the way it's going to have an impact on who are representative is as well, was how laws are passed in those regional areas. I ask, where is our representation? And so although I may be the chair of the Hispanic Latino Caucus or the Ohio Democrat Party, I am here there though, as the checklist showed, as in here as an individual, for other people like me, regardless of the party affiliation. For many people like me who are also here in Ohio, but yet we may not have been the generational Ohioan. We are here, we vote, we're part of the economy, we're residents, we're part of every system in the state and yet I would argue we are probably of the populous that has the greatest impact when it comes to not being included in the processes, nor being provided materials to be properly informed. And yes, like the gentleman mentioned earlier, there might be rhetoric that might trigger some response when it comes to voting or taking sides, there is a great need for 505,000 plus Hispanics in Ohio to have more information available to them than just loaded rhetoric, more than just the taglines of social media for social media post, but even more so to make ourselves as a body inclusive of the working class, to ensure that materials are translated in a way to where everyone is included, I encourage this body to consider. Thank you. I'll take any questions.

Co-Chair Auditor of State Keith Faber [01:58:52] Thank you, sir, for coming in and joining us. Other questions for the witness. Yes, Leader Antonio.

Co-Chair Senate Minority Leader Nickie Antonio [01:58:58] Thank you. Gracias, buenas tardes. Thank you so much for coming and highlighting how important it is to focus on many of the people that certainly we did not see in this room before. Thank you for being here and also reminding us that no matter what language people speak, no matter what level of formal education they have, does not in any way take away or illustrate what their intelligence level is or their ability to grasp concepts, complex concepts. I think we have the ability at all levels to do that. So thanks for bringing that. My question to you is there's been a lot of debate certainly in this room, but outside of this room as well, about the best way forward for how we do this process and from where you

stand, what do you think is the best, best way forward for us to accomplish a fair map for the state of Ohio?

Armando Telles [02:00:09] I thank for that question, representative, to the chair and to the members of the committee as a new Ohioan, therefore not a generational Ohioan, I've come to the state in a general sense of becoming familiar with regional representative entities, many of whom are not political or rather not partizan. They are still we all are political, just may not be, we may not just classify as partizan political. I would highly encourage the engagement of those representative, representative entities. Here locally I know off hand we have the Ohio Hispanic Coalition that's a statewide entity, I know in Dayton there is the Puerto Rican American Caribbean organization, and I know that there are others throughout the state that have a standing in the community with the representative constituents and the same time to be able to discuss these matters in a nonpartisan fashion I believe that we would earn and garner the listening ear to have materials also available to their constituents would meet them in the middle. It's one thing to approach any entity and say, hey, we need you to talk about these matters and these issues, it's another thing to be provided materials, but it's another to participate in that process with them, not just handing it off, not just expecting other people to pick up the materials as simple in form as it may be, to be able to process it and therefore to be able to translate it or relay that to the constituents where their knowledge of political structures in general, even just down to the fundamental responsib— civic responsibility of voting requires time and process which we are not afforded at this moment when it comes to timelines. But in the grand scheme, in the big picture, that's what my approach is and what I would encourage is to include these representative entities statewide in these matters. That does not have to always be about the party, party affiliation because these matters affect everyone here in Ohio.

Co-Chair Auditor of State Keith Faber [02:02:08] Thank you.

Co-Chair Senate Minority Leader Nickie Antonio [02:02:09] Gracias.

Co-Chair Auditor of State Keith Faber [02:02:11] Any other questions or comments? The Witness Thank you, sir, for coming in and thank you for your taking time today to be here.

Armando Telles [02:02:18] Absolutely. Thank you.

Co-Chair Auditor of State Keith Faber [02:02:19] That concludes our our testimony for this morning. Is there a motion? Senator McColley.

Senate Majority Leader Rob McColley [02:02:31] Thank you, Mr. Chair. I move that the commission stand in recess at the call of the chair.

Secretary of State Frank LaRose [02:02:36] Second.

Co-Chair Auditor of State Keith Faber [02:02:37] We have a motion at a second. Is there any objection to the motion or the second? I hear none. Do I need to call a vote or can we take this by acclamation? Hearing no objection, we will take a by acclamation. For the public's, the members will continue to discuss options and see if there can be a proposal. It would possibly be that later today we may have proposed amendments or alternative adjustments to the maps that are being worked on and based on the testimony and the member's proposals. So please stay tuned. Thank you.

RECESS [02:03:21] [RECESS]

Co-Chair Auditor of State Keith Faber [02:03:22] Subsequent to recess, the clerk will call the role on the committee after recess.

clerk [02:03:29] Co-Chair Faber?

Co-Chair Auditor of State Keith Faber [02:03:30] Yes.

clerk [02:03:31] Co-Chair Antonio?

Co-Chair Senate Minority Leader Nickie Antonio [02:03:32] Yes

clerk [02:03:33] Leader Russo?

House Minority Leader Rep. Allison Russo [02:03:34] Yes.

clerk [02:03:35] Governor DeWine?

Governor Mike DeWine [02:03:36] Yes.

clerk [02:03:37] Secretary LaRose?

Secretary of State Frank LaRose [02:03:38] Here.

clerk [02:03:39] Representative LaRe?

Rep. Jeff LaRe [02:03:40] Here.

clerk [02:03:41] Senator McColley?

Senate Majority Leader Rob McColley [02:03:42] Here.

Senate Majority Leader Rob McColley [02:03:43] The record reflect all members are present, we have a quorum. In your packet in front of you are the minutes from the 2 September 25th meetings at 10 a.m. and 5:30 p.m. Do I have any additions or corrections to the minutes? Hearing none, do I have a motion to approve the minutes?

Secretary of State Frank LaRose [02:03:58] So moved.

Co-Chair Auditor of State Keith Faber [02:03:59] Moved by Secretary LaRose.

Rep. Jeff LaRe [02:04:01] Second.

Co-Chair Auditor of State Keith Faber [02:04:02] Seconded by Representative LaRe. Any objection to the motion to approve the minutes? Hearing none the minutes stand approved. Is there anything to come before the committee? Chair?

Senate Majority Leader Rob McColley [02:04:17] Chair Faber?

Co-Chair Auditor of State Keith Faber [02:04:19] Senator McColley.

Senate Majority Leader Rob McColley [02:04:20] Thank you. Thank you, Chairman. I would make a motion to introduce a map as the new working map of the committee. It should be uploaded as the bi– unified bipartisan redistricting commission map that should be uploaded, and if it's not uploaded now, it should be uploaded to the website. And I believe that map is going to be put on easels and put in front of the crowd just now.

Co-Chair Auditor of State Keith Faber [02:04:50] We have a motion is their second to accept a modified map for the Commission's working map?

Co-Chair Senate Minority Leader Nickie Antonio [02:04:56] Second.

Co-Chair Auditor of State Keith Faber [02:04:57] Seconded by Senator Antonio. Any objection to the motion? Hearing none the clerk will call the roll on the motion to accept the modified map as the working map for the Commission.

clerk [02:05:08] Co-Chair Faber?

Co-Chair Auditor of State Keith Faber [02:05:09] Yes.

clerk [02:05:10] Co-Chair Antonio?

Co-Chair Senate Minority Leader Nickie Antonio [02:05:11] Yes.

clerk [02:05:12] Leader Russo?

House Minority Leader Rep. Allison Russo [02:05:13] Yes.

clerk [02:05:14] Governor DeWine?

Governor Mike DeWine [02:05:14] Yes.

clerk [02:05:15] Secretary LaRose?

Secretary of State Frank LaRose [02:05:16] Yes.

clerk [02:05:18] Representative LaRe?

Rep. Jeff LaRe [02:05:19] Yes.

clerk [02:05:19] Senator McColley?

Senate Majority Leader Rob McColley [02:05:21] Yes.

Co-Chair Auditor of State Keith Faber [02:05:22] Having unanimity, the map is accepted as the working map for the Commission.

Senate Majority Leader Rob McColley [02:05:29] Co-Chair Faber, I would ask that the committee stand at ease for a period of about 60 seconds so we can put the maps up for the people in the audience to be able to view.

Senate Majority Leader Rob McColley [02:05:38] The staff will go ahead and present and put the maps up for people to review and we will remain at ease for a few seconds.

AT EASE [02:05:44] [AT EASE]

Senate Majority Leader Rob McColley [02:07:49] These are just index files.

Co-Chair Auditor of State Keith Faber [02:07:53] At least I think it's on the website.

Secretary of State Frank LaRose [02:07:56] It is, it's on the website

Co-Chair Auditor of State Keith Faber [02:08:23] When he starts next, thanks, when he starts to explain it,.

clerk [02:08:27] I'm sorry I couldn't hear you?

Co-Chair Auditor of State Keith Faber [02:08:29] When he starts to explain it.

clerk [02:08:30] Yes, sir.

Co-Chair Auditor of State Keith Faber [02:08:31] All right. It looks like we're ready to proceed. Is there discussion on the proposed map? Senator McColley.

Senate Majority Leader Rob McColley [02:08:40] Thank you, chair Faber. In front of, in front of you, you have a map that is the product of a number of hours of negotiations. Some great conversations with the members of the Commission and into some late hours of the night on several occasions. And so you have in front of you a map that the primary changes, I will go through right now, comparatively speaking, to the initial map that was adopted as the working document of the commission. First, there are some House district changes in the Hamilton County House districts. Those House district changes are primarily limited to the 27th and 28th House District, I believe. And it's primary, some, primarily some exchange of geography between the two that will result in some minor index changes for those. Lucas County, the Senate district remains unchanged, the 11th Senate district. However, the 41st, 42nd and 43rd Senate district geographies will be changed in that in that Lucas County district. Already touched on Hamilton County. There are some changes in Summit and Geauga County. In Summit and Geauga County and Portage County, there is a minor change to the 27th Senate District and to what I believe is the 40 or excuse me, the 32nd House District, the 32nd House District now adds New Franklin to its geography. Barberton has been removed from that geography. New Franklin now will become part of the 28th Senate District in Summit County. The index of the 28th Senate District is immaterial in it's change. The index of the 32nd House District will now be a 53% Republican index. The 31st House district as a result will be a 49.5%, roughly plus or minus on some of these indexes. And then the index going in to Geauga County, the 35th House District index. Let me make sure I get this correct. Will be a 51.53%. The 72nd district index would be a. 51.66%. Index both within the two point competitive range in those districts. Some of those districts ended up trickling up into what would be the 32nd House district and or excuse me, 32nd Senate District, the 99th House District changed a little bit and its geography as a result. Montgomery County that you're you can look at there, there are some changes in the indexes in that district. Primarily the index of the 38th District is now a 52.8% Republican index. Actually, I think I might have that backed up. That the one of the middle district, if you will, of that 6th Senate district will become a 52.8% Republican index, the 6th Senate District, as a result of some of the changes that

have been made will lower down to approximately 45.8% Republican index. Franklin County, there were several changes that were made, primarily when you look at the 10th House District. The index in that House district will drop now below 50% and become a Democrat leaning House district. That district index would be about a 49.7-ish index. The other changes are the pairings of the Senate districts are changing. So you now have a Senate district that includes House Districts 1, 2, and, 3. That will be the 15th Senate District. You have a Senate district that will include districts 8, 9, and 11, that will be the new 16th Senate district with an index around 44% and some change on the Republican index. And you have a Senate district that will be 6, 7, and 10 House districts. That will be the new 25th Senate index or Senate districts that will be a secure Democrat district. And the 16th district, as in the proposal that was adopted as the working map earlier, will be a safe Democrat district compared to what it is right now. Lorraine, There are some changes in Lorraine and some switching geography between two House districts. They involve the switching of Amherst Township and Sheffield between the two House districts. That would leave the index for the for the Avon-centered House district at 49% and some change on the Republican side, but would take the other House district index down by one percentage point. There is a change in Delaware County in the way the House districts are drawn. Primarily, if you look at the current maps for Delaware County, you're going to see a House district that is primarily one on the east side of the county that goes and spills out into Knox County and so on and so forth. And then one on the west side of the county. It has been reconfigured to more broadly feature some of the more suburban population at the southern part of the county that will be on the western side district and then go and wrap up around Delaware. That index would be 56.5%. The index for that would be the 60th District, 61st District would now be a 63%. Cuyahoga County is where there have been a number of changes, and I'll kind of go through these a little bit more expediently. From a Senate district perspective, there's been some some shuffling of some House districts. The 18th Senate District will now have an index as a result of some of those changes of a— okay, all right —a 48.72%. I believe the 50 uh, the the that would be the 24th, excuse me. The 18th Senate District would have an index of 51.28%. I apologize. The 24th Senate District would have an index of 48.67% as a result of the shuffling. The House districts also changed a little bit, as well as a product of some bipartisan discussions in those communities to try and help out putting communities together that were a little bit more like minded as a result of that there are some changing indexes in those districts, many of them go down on the Republican index side to become safer Democrat districts. However, one of the districts ends up going up. The 17th House District would now be a 53.5 Republican index district down in the southwest corner of Cuyahoga County, notably the district that was at the eastern, excuse me, the western side of Lake County, now spills over into Cuyahoga County and goes from about a 53% index in the introduced map down to about a 49.8 or 0.9% index in that map going into— What else have I missed on the map? —So going into we already discussed Lorraine. So I think those are most of the changes Auditor Faber just based off the notes I have.

Co-Chair Auditor of State Keith Faber [02:16:54] Any other discussion of the proposed maps? Questions for the member. All right.

House Minority Leader Rep. Allison Russo [02:17:13] Chair Faber, if I may? Thank you. Just to clarify these and I know these are uploaded to the commission website for the public to view. I'm sorry, did you say that they were also available? Dave's Redistricting for the public to take a look at as well? Yes. And do we know how long they have been up?

Co-Chair Auditor of State Keith Faber [02:17:41] I don't know that answer.

House Minority Leader Rep. Allison Russo [02:17:42] 11? Is that what you said? Right. Okay. And I think to the members of the public, you know, I just want to say that this is not at all ideal that you are seeing these changes, you know, in a short period of time. And I want to acknowledge the fact that this proposed map has now been made publicly available. And no one from the public is getting the opportunity to to evaluate this, comment on this, and weigh in on this, and this is an unfortunate part of this process. So I do want to acknowledge that piece.

Co-Chair Auditor of State Keith Faber [02:18:27] Other comments? Other comments, suggestions, discussion? I'd just like to point out that this was the, this map is the result of an awful lot of hours of of discussion, consideration, negotiation, mediation and more discussion and negotiation. And both sides have been working on this. We're trying to hit Secretary LaRose's deadline or as close to it as we could. And it certainly there are things in any map that everybody likes and certainly things in every map that everybody doesn't like. And in that regard, what is the will of the committee?

Senate Majority Leader Rob McColley [02:19:16] Mr. Chairman, if I could make that comment as well?

Co-Chair Auditor of State Keith Faber [02:19:20] Senator McColley.

Senate Majority Leader Rob McColley [02:19:22] Thank you, Mr. Chairman. I would like to echo those comments. I'd like to thank a number of staff members who also put in some late nights. I would like to thank the commission members who have done the same thing. Leaders Russo and Antonio as well, for engaging in what I would classify as very good faith discussions where we didn't always agree, but there were always open doors to have those discussions. And I appreciate that on behalf of myself and I'm sure the other commission members on the commission. And so I would would urge a passage of this map.

Senate Majority Leader Rob McColley [02:20:00] Leader?

Co-Chair Senate Minority Leader Nickie Antonio [02:20:00] Co-Chair.

Co-Chair Auditor of State Keith Faber [02:20:02] Co-chair Antonio?

Co-Chair Senate Minority Leader Nickie Antonio [02:20:03] Thank you. Well, I too, would like to thank the staff. There were some late nights. I'd also like to thank my colleagues on the on the commission. I really want to thank the members of the public who, on a moment's notice, dropped everything to attend hearings, share their thoughts about the proposed legislative maps. I appreciate the efforts of our redistricting commission. We worked hard to find a compromise, and it's illustrated by the amended maps that we have before us today. But one of the things that's been made clear to me by the cycle of redistricting is that this process does not belong in our hands. Rather, the people should be choosing their representatives. Unfortunately, right now, it's the other way around. We have to do better. This is an attempt and I believe we have a step forward in doing a better job. But ultimately, we experience the people, experience some in-fighting, even though we made every effort to communicate and negotiate, we were on a rush timeline. Certainly, as many have testified, we should have started the process much earlier. We could have held additional hearings that were meaningful to engage the public and thoughtfully consider their suggestions. I have to say some of the suggestions, even though they were late in the game, were considered in these maps that you see before

you. So in spite of the deficits, we've arrived at an agreement that is more fair than the original commission map that we began the work on, and it does provide a pathway for an increased number of Democratic Senate seats, something that I was that was very important to me because I felt like we were out of balance right now. But our determination is to get fair maps for Ohioans. We don't believe that's been in vain. There has been collective perseverance. It's brought us steps closer. Today, the redistricting commission is adopting a map that is more proportionally representative of Ohio voters. It doesn't achieve the ideal statewide proportionality ratios, but it provides a meaningful opportunity to elect more Democratic legislators in line with their comparable communities than the current map. We think there will be more competitive races. We hope there will be more competitive races because when there's competitive races, all the people in the state of Ohio win. Ohioans are going to have legislators that better represent their constituents view. So, I'm pragmatic, I believe our best path forward in the long run, as I've said, is to further amend our process and to strengthen the rules and the process that govern redistricting to ensure that whomever draws Ohio's map follows our Constitution, but puts that in the hands of the people rather than the people that hold these seats like we do right now. So we collectively produced better and fair maps for the people of Ohio, and I am very hopeful that in the future the people will help us do a better job even than we did today. Thank you.

Senate Majority Leader Rob McColley [02:23:47] Thank you, Co-Chair. Other comments?

House Minority Leader Rep. Allison Russo [02:23:52] Co-chair Faber?

Co-Chair Auditor of State Keith Faber [02:23:54] Leader Russo.

House Minority Leader Rep. Allison Russo [02:23:57] Thank you, Chair Faber. And to fellow members of the Commission. As been stated many times before, as we've gone through this process, fair districts means better representation, and better representation means better, more responsive government for the people. This process is not at all what the people want. And many of you are rightfully asking if this is what the Constitution demands. In my opinion, it is not. And if you feel like this process has been a sham as we've gone through the last week, it has. And if you feel that the process is rigged and as long as it remains in the hands of politicians, you are correct. You are not wrong about that. We have had 16 months to get this process right. Yet this commission once again waited until the last minute to bring us together following announcements of a very expedited timeline, again, to create a sense of urgency. And here we are again at a moment where maps are likely to be passed that have had hardly any public input, in fact, the map that you see before you has had no public input as it is proposed. And at the end of the day, we are not achieving what I believe the voters of Ohio wanted us to achieve when they passed reforms in 2015. And when we did finally come together once again, this process has fallen victim to some political infighting, the process has been rushed, it has not given the people ample opportunity to have their voices heard in a way that is meaningful and rightfully so, you all feel that this process is rigged before it even begins. The harsh reality is that in order to un-gerrymander a gerrymandered map, the party in control has to give up seats. And that has proved to be extremely difficult in this particular environment. Every negotiating tactic that we have been through over the last few days, the last week, honestly has a political angle to it and it shouldn't. That is not how this process was designed to work. Nor is it what the people want. On August 8th of this year, I believe that the voters spoke out loud and clear that when government tries to grab power from the people, they reject that strongly and they did reject it. And the message of the

people was clear then, but I don't believe we as a commission have listened clearly to it. Once again, we're in a position where we have maps before us, that I believe put politics over the people and the interest, political interest above the interest of the people. And when politics and power continues to be a motivator, not our constituents or the Constitution, the system is clearly broken. So I will tell you today that my vote on these maps, and I intend to vote yes on these maps, to me, it's not a vote, because I think that these maps are fair, or that this process works the way that it was supposed to. My vote, quite simply, is to take this process out of the hands of this commission. And I believe that in the future it will be the voters who will have the final say in this and whether or not this process should remain in the hands of a commission that is made up of politicians. The fate of these maps will undoubtedly be debated by citizens and perhaps even the legal system again. But ultimately, again, I believe that this process will be determined by the people of Ohio and where it belongs. I often say to many of the members of my caucus, when the issue of redistricting has come up, that as elected officials, we have to remember that these are not our districts. These are the people's districts. They are the voters districts. And as the voters have shown us before, and I believe undoubtedly they will show us again that when politicians become unresponsive to what the will of the people actually is, and they made it very clear in 2015 and 2018, the people will ultimately have the final check on that power. Thank you.

Co-Chair Auditor of State Keith Faber [02:29:28] Other comments? What is the will of the committee?

Senate Majority Leader Rob McColley [02:29:35] Chairman?

Co-Chair Auditor of State Keith Faber [02:29:36] Senator McColley.

Senate Majority Leader Rob McColley [02:29:40] Thank you, Mr. Chairman. I move that the redistricting commission approve the unified bipartisan redistricting plan as the redistricting plan for the State of Ohio going forth in the elections to come. Thank you.

Co-Chair Auditor of State Keith Faber [02:29:58] Is there a second?

Co-Chair Senate Minority Leader Nickie Antonio [02:30:00] Second.

Co-Chair Auditor of State Keith Faber [02:30:00] Seconded by Senator Antonio, discussion on the motion. I would just mention that I think that compared to the last time, this process worked differently and better. I think it was clear that the parties wanted to find a resolution in a bipartisan fashion. And I want to commend all of my colleagues for that effort. I think that there were hard suggestions offered at the time, from time to time, which made everybody consider other people's perspectives. And I appreciated that from my colleagues. I appreciated that from the witnesses who testified. And ultimately, there isn't rarely going to be a map that everybody would like. There are certainly things in this map that I don't like, and if I had my way, I would have changed and have made suggestions to change sometimes vigorously, and I see my colleagues smiling in some of those regards, but in the end, I think this map meets the constitutional test. It certainly does what we indicated should be done and allows people to be represented by people who share their views and values. And it keeps communities together, certainly where possible. With that would the clerk call the role?

clerk [02:31:22] Co-Chair Faber?

Co-Chair Auditor of State Keith Faber [02:31:24] Yes.

clerk [02:31:25] Co-Chair Antonio?

Co-Chair Senate Minority Leader Nickie Antonio [02:31:26] Yes.

clerk [02:31:27] Leader Russo?

House Minority Leader Rep. Allison Russo [02:31:28] Yes.

clerk [02:31:29] Governor DeWine?

Governor Mike DeWine [02:31:30] Yes.

clerk [02:31:31] Secretary LaRose?

Secretary of State Frank LaRose [02:31:33] Yes.

clerk [02:31:34] Representative LaRe?

Rep. Jeff LaRe [02:31:35] Yes.

clerk [02:31:36] Senator McColley?

Senate Majority Leader Rob McColley [02:31:37] Yes.

Co-Chair Auditor of State Keith Faber [02:31:39] With a vote of 7/0, the maps are adopted as the Redistricting Commission's maps. Other issues to come before the committee? I don't think since it was unanimous vote, we need a statement? Is that correct? Council? I think then the maps are approved. I would like to make a or, ask Senator McColley to make a motion to schedule an additional Redistricting Commission hearing for 1 p.m. on Friday for the sole purpose of considering any technical amendments, should there be any technical or descriptive amendments necessary to put the maps in the final proposal and to get the metes and bounds type descriptions correct. If there are any technical issues described by either one of the staff, I believe both the 2 map drawers have agreed that they will continue to run these through traps and make sure that there isn't any half laying open districts or the like. We do not anticipate needing that meeting because we believe they've done their quality control checks, but as they have a little bit of extra time to run through them and run them through the verification systems. Is there a second on the motion to schedule an additional meeting on Friday at 1 p.m.?

Co-Chair Senate Minority Leader Nickie Antonio [02:33:05] Second.

Co-Chair Auditor of State Keith Faber [02:33:06] No, I'm sorry. I entertained the motion from Senator McColley.

Senate Majority Leader Rob McColley [02:33:11] Thank you. Senator Faber, I move that we schedule an as needed meeting for 1 p.m. on Friday at the call of the chair for purely technical amendments if necessary.

Co-Chair Senate Minority Leader Nickie Antonio [02:33:22] Second.

Co-Chair Auditor of State Keith Faber [02:33:23] Is there a second? Seconded by Leader Antonio co-Chair.

Senate Majority Leader Rob McColley [02:33:26] If I could make a comment, I would agree with, with the Chairman. I don't anticipate that these meetings are going to be necessary. There have been a number of quality control checks already done, but we just want to be doubly sure that in the event that anything comes up, we as a commission can rectify that issue as quickly as possible, hence the need for the meeting.

Co-Chair Auditor of State Keith Faber [02:33:47] Any objection to scheduling that meeting? Hearing none that will be on the schedule. We will advise as soon as possible if we can cancel it. But right now, that's that's the next scheduled meeting of the Commission. Is there anything else to come before the commission? Hearing none, is there a motion? I'm sorry.

Unidentified [02:34:05] [inaudible].

Co-Chair Auditor of State Keith Faber [02:34:06] Yeah. The meeting will be here in this room, Senate Finance hearing room. Is there anything else to come before the Commission? Hearing nothing, is there a motion to adjourn?

Senate Majority Leader Rob McColley [02:34:18] So moved.

Co-Chair Auditor of State Keith Faber [02:34:19] I have a motion from Senator McColley, seconded by co-chair Antonio. Would you call the roll on adjournment of the commission?

clerk [02:34:26] Co-Chair Faber?

Co-Chair Auditor of State Keith Faber [02:34:27] Yes

clerk [02:34:28] Co-Chair Antonio?

Co-Chair Senate Minority Leader Nickie Antonio [02:34:29] Yes.

clerk [02:34:30] Leader Russo?

House Minority Leader Rep. Allison Russo [02:34:31] Yes.

clerk [02:34:32] Governor DeWine?

Governor Mike DeWine [02:34:33] Yes.

clerk [02:34:34] Secretary LaRose?

Secretary of State Frank LaRose [02:34:35] Yes.

clerk [02:34:36] Representative LaRe?

Rep. Jeff LaRe [02:34:38] Yes.

clerk [02:34:38] Senator McColley?

Senate Majority Leader Rob McColley [02:34:39] Yes.

Co-Chair Auditor of State Keith Faber [02:34:42] We are adjourned.