



Ohio Environmental Council

Comments of the Ohio Environmental Council To the Ohio Redistricting Commission September 25, 2023

The Ohio Environmental Council, as a fifty-four year old organization dedicated to ensuring clean air, land, and water for all who call Ohio home, knows all too well the need for a fair redistricting process as well as fair maps. Our membership of over three-thousand people spans the entire state, from the Ohio River to Lake Erie, and they care passionately about the future of Ohio both for its environment and its future residents. To achieve these goals, every community, no matter their defining characteristics, must see itself represented in the Ohio General Assembly.

The OEC provides its testimony to supplement and support the maps submitted by the Ohio Citizens' Redistricting Commission and the combined map submissions of the Bennett, LWV, and OOC Petitioners, all maps presently submitted to this Commission within the last week and [available on its website](#).¹

The Ohio Supreme Court has made the mandate of Article XI, Section 6 abundantly clear: the Ohio Redistricting Commission must **attempt** to create a map that proportionally represents the partisan voting patterns of Ohioans over the past ten years. The Commission must **attempt** to make a map that does not favor one party over another. In other words, according to the Ohio Supreme Court:

“If it is possible for a district plan to comply with Section 6 and Sections 2, 3, 4, 5, and 7, the commission must adopt a plan that does so.” *League of Women Voters v. Ohio Redistricting Commission*, ¶ 88.

The Ohio Redistricting Commission must account for the will of the people as communicated through Article XI and subsequent Supreme Court decisions. A set of maps for both the Ohio House and Ohio Senate would keep communities together and account for shared characteristics while achieving the partisan fairness requirements of Article XI, Section 6. Based on the most recent election data, a fair map would feature 14-15 Democratic seats (18 - 19 Republican seats) for the Senate, and 44 - 45 Democratic seats (54 to 55 Republican seats) for the House. Unfortunately, the maps submitted by Senator Rob McColley & Representative Jeff LaRe do not

¹ We note that the OEC is one of the “OOC Petitioners,” and our organization’s general position regarding maps submitted in this process is that the Commission should utilize either a citizen-created map as a starting point—or the map pioneered during the 2022 court-mandated process that utilized two independent mapmakers.

pass the test.² Not only do they fail to maintain a partisan balance as dictated by Ohio Supreme Court precedent, they divide communities haphazardly to achieve that undue partisan advantage.

Below, we discuss a non-exhaustive list of examples of how the McColley/LaRe maps miss the mark. Above all else, a fair map for Ohio must prioritize keeping communities together based on shared characteristics, especially environmental experiences, and the proposed maps prioritize partisan advantage as an organizing principle, rather than community representation.

Northeast Ohio

- The design of districts in Summit County appears intentionally designed to dilute the number of Democratic seats in the county. The McColley/LaRe map provides two seats that lean toward Democrats, yet data indicates that three districts would be possible in Summit County that lean Democrat.
- In the Mahoning Valley, Trumbull County has been cut vertically instead of horizontally, which doesn't make sense given the southern portion of the county's closer relationship to Youngstown. The House and Senate Democratic Caucuses' proposed map illustrates an alternative where District 64 contains much of southern Trumbull County—and creates a district that leans Democrat. The Ohio Citizens' Redistricting Commission house map similarly constructs a district in southern Trumbull County.
- Canton can have a district that leans Democrat if the district maintains its shape primarily around the city itself, rather than spread northwest toward the Summit County border.

Southeast Ohio

- The district containing Athens has no logical reason for extending northeast all the way to Cadiz, Ohio. Athens County has a distinct character that should exist within its own district and extend briefly into neighboring counties to meet populational requirements by similar communities with which to pair the district. The Ohio Citizens' Redistricting Commission provides a good example of how such a district could be constructed through its District 92, a district that also very slightly leans Democrat (thus helping with the partisan fairness requirements).

Southwest Ohio

- In the McColley/LaRe map, Hamilton County is constructed to provide Republicans with an additional district in the county while making eastern county districts competitive districts Republicans could flip. The Democratic Caucuses' map demonstrates how six relatively compact districts can favor Democrats in Hamilton County, rather than five, while maintaining a compact Republican district for the western portion of Hamilton County. The Ohio Citizens' Redistricting Commission map constructs Hamilton County

² The OEC notes that the Ohio Senate and House Democratic Caucuses have also submitted maps into the process, which appear to meet the partisan fairness criteria and would serve as additional alternative starting points for maps, alongside the OCRC and Petitioner-submitted maps. For the purposes of this written testimony, our comments focus on the McColley/LaRe maps given how significantly they miss the mark on what a good map should look like.

similarly.

Central Ohio

- Delaware County has been cut in half vertically, rather than horizontally, splitting apart the communities that are connected to each other as northern suburbs of Columbus. The Democratic Caucuses' map demonstrates how you could draw southern Delaware County to create a seat that leans Democrat

These examples illustrate how the McColley/LaRe maps appear intentionally designed to favor the Republican Party, rather than to ensure communities are represented correctly while achieving partisan fairness. For these reasons, the OEC strongly discourages all Ohio Redistricting Commission members from voting yes on the McColley/LaRe map. Instead, we encourage Commissioners to consider either the Ohio Citizens' Redistricting Commission's maps, the maps developed by the independent mapmakers (and submitted by the petitioners), or the map developed by the House and Senate Democratic caucuses. Any of these maps will serve Ohio more effectively.

Considering Environmental Justice

Throughout the 2021 and 2022 redistricting process, the OEC emphasized the importance of considering environmental justice impacts resulting from statehouse and congressional maps. Specifically, the OEC provided both the Commission and the public with information regarding how partisan gerrymandering often divides communities experiencing shared environmental injustices. Whether it was the work of our [staff analyzing actual map impacts](#) or [our amicus briefs](#) submitted to the Ohio Supreme Court in congressional lawsuits, it became clear that partisan gerrymandering dilutes the power of already marginalized communities from representing themselves in Columbus or in Washington.

We urge this Commission to consider how its final map divides environmental justice communities before finalizing any given map. Regardless of what map the Ohio Redistricting Commission adopts, the OEC's team will be analyzing its environmental justice implications and educating the public accordingly.

Conclusion

The OEC once again urges this Commission to reject the McColley/LaRe map in favor of one that accurately reflects Ohio's incredible diversity. The people of Ohio must see themselves in the maps and in the process. Partisan gerrymandering must end, whether by the act of this Commission or through the people exercising their will at the ballot in the future.

Respectfully submitted,

Chris Tavenor
Managing Director of Democracy Policy
Ohio Environmental Council
ctavenor@theoec.org



SPONSOR TESTIMONY OF:

Chris Tavenor

1145 Chesapeake Avenue Suite 1, Columbus, OH 43212

IN SUPPORT OF:

Maps proposed by the Ohio Citizens' Redistricting Commission
submitted to the Ohio Redistricting Commission

[Columbus, Ohio] Chris Tavenor, Staff Attorney, Ohio Environmental Council
Commission Member, Ohio Citizens Redistricting Commission

Co-Chair Antonio, Co-Chair Faber, and all honorable members of the Ohio Redistricting Commission, thank you for the opportunity to submit testimony for your consideration. I am Chris Tavenor, Staff Attorney for the Ohio Environmental Council. Ten years ago, when Ohio last considered its legislative district maps, I wasn't even yet old enough to vote. I came of age during a tumultuous economic recession, watching the impacts of perpetual war overseas while becoming increasingly worried about the looming threat of the climate crisis. With those thoughts in mind, I'm particularly excited to testify in the 2021 redistricting process.

The OEC specifically opposes the current map under consideration by the Ohio Redistricting Commission, as originally proposed by the Ohio Senate President. Instead, we urge this Commission to adopt the Ohio Citizens' Redistricting Commission's (OCRC) Unity Maps, maps designed to follow all of the rules outlined in Article 11 of the Ohio Constitution. I was fortunate enough to be a member of the OCRC over the past few months.

The OEC opposes any form of gerrymandering designed to support particular political parties. To that end, we believe the most important rule included in the 2015 constitutional amendment is its commitment to proportional partisan representation. Ohio's legislative maps must represent communities, lived experiences, and geographies, while also creating a legislature that does not favor one party over another through district design.

The map currently under consideration violates these principles, as written in Article 11, Section 6, with 66 Ohio House districts favoring the Republican Party (>50% Republican partisan lean),

and 31 districts favoring the Democratic Party (>50% Democratic partisan lean), and two districts where both parties have less than 50% partisan lean, one slightly favoring Republicans, the other slightly favoring Democrats.

In contrast, the OCRC's map upholds the constitutional requirement of proportional representation. It creates a map with 55 districts with >50% Republican partisan lean and 44 districts with >50% Democratic lean.

To further illustrate how the Redistricting Commission's proposed districts were drawn to favor a particular political party, it's also worth noting which districts have more or less than 119,186, the number it would take to have every Ohio district precisely equal. That's not strictly possible, but it's a constitutional requirement to get close. 16 Democratic-leaning districts have more than that 119,186 number, while 36 Republican districts (more than the total number of Democratic-leaning districts in the entire map) have less than 119,186, with fourteen Republican districts having populations 4% less or more than that 119,186 number. This is almost as many districts that have been given to the Democrats with greater than 119,186. By creating more Republican-leaning districts with less population, gerrymandering has been made to be much easier.

The map currently under consideration also fails to maintain compact districts.

I live in Columbus. Central Ohio and Franklin County have plenty of examples illustrating how the proposed map fails the compactness requirement of Article 11, Section 6. The senate district proposed to be made up of districts 4, 5, and 6, for instance, loops from the Hilltop area all the way through Groveport, up to New Albany, and eventually ends in Westerville. Similarly, the senate district composed of Districts 10, 11, and 12 covers Grove City and Darby Dale, scoops up Hilliard, Upper Arlington, and Dublin, and stretches all the way to Marysville.

We can get more granular, noting the way Western Columbus is divided to pull sections of Norwich Township into House District 10. District 10 oddly stretches from Bexley all the way down Sullivant Avenue to Westgate. These districts are drawn in oddly shaped ways to achieve particular partisan purposes, most likely the Republican-leaning senate district dominating the western half of Franklin County in these proposed maps.

The OCRC's map makes much more sense for Franklin County when considering how the people who live here actually define our communities. Similar communities, like Hilliard and Dublin, are included in one house district, alongside Upper Arlington and Worthington in their own house district. As a speaker noted in their testimony on Thursday, the OCRC districts are mathematically more compact than the map currently under consideration by a significant degree.

Ohio voters deserve an explanation from the supporters of the map currently under consideration. Section by section, we need to see the math and work done that shows how it satisfies the requirements of the Ohio Constitution.

The Unity Map of the OCRC upholds the spirit and literal language of the 2015 constitutional amendment, creating a district map furthering the will of Ohio voters. And the OCRC also submitted a report outlining specifically how it satisfies the constitutional requirements of Article 11. Thus, the OEC urges the commissioners to reject the current map under consideration and adopt the OCRC maps.

Thank you for your consideration of my testimony on behalf of the Ohio Environmental Council.