

TESTIMONY
Ohio Redistricting Commission
Testimony of Mindy D. Hedges, Private Citizen

Co Chairs Senator Sykes and House Speaker Cupp, and members of the newly formed Ohio Redistricting Commission Governor Mike DeWine, House Minority Leader Emilia Sykes, Secretary of State Frank LaRose, Senate President Matt Huffman, and Auditor Keith Faber, thank you for allowing me to testify today. My name is Mindy Hedges.

I live in a rural area of Ohio, in one of the fastest growing, richest counties in our state. Most people would be thrilled to live here, but it creates many problems for those of us who still cherish rural living. The growth is coming at us fast and furious. The zoning issues in our county have gone crazy, and are overwhelming our farming communities. As a result, we have no one watching out for our farms, or our natural preserves, or our environment, or our beautiful farm communities. Our representatives are not fighting for us, as it appears what they care about is the riches and the growth.

But Ohio is failing in that also. Our population is shrinking because many of our young don't see Ohio for its job opportunities or as a state that has laws that are democratic or that take ALL OHIOANS INTO ACCOUNT. Because of the way we are gerrymandered, our laws only serve one party, only serve to enrich that party, and only serve to enlighten **their** businesses and **their** passions; not those that have made Ohio the beautiful state we are.

When a state is gerrymandered as badly as Ohio, there is a vastly uneven voting history which leans one way towards one party, regardless of how that state is aligned politically. Presently, Ohio should align similar to how the results of the last gubernatorial election – 50.4%

Republican to 46.7% Democrat. This is how the state should be districted. Currently, Ohio is split 75-25% Republican to Democratic representation, which is nowhere near the public's voting record or to their desired outcomes for legislative actions.

In addition, the public drastically notices that our representatives know they no longer have to campaign, nor even ask their constituents how we feel about issues like vaccines, voting rights or redistricting, as their positions are actually secured not by the voters but by their gerrymandered seats. This is not how our country was designed, nor formulated. Partisan gerrymandering is inconsistent with the democratic ideals enshrined in the Constitution since the founding generation vehemently denounced it. In the extreme form it takes today, with districts drawn to give the controlling party a stranglehold on power, gerrymandering represents an unprecedented threat to our democracy.

Patrick Henry, for example, crafted a district to separate James Madison from his political supporters. But newspapers decried Henry's scheme as a violation of the right of a free people to choose their representatives. In the action that gave gerrymandering its name, Massachusetts Gov. Elbridge Gerry in 1812 signed a districting bill designed to give his party a decisive political advantage. Opponents objected that the law "inflicted a grievous wound on the Constitution" — it "subverts and changes our Form of Government" and "silences and stifles the voice of the Majority." The machinations of Henry and Gerry, adamant opponents of the Constitution, hardly exemplified its spirit.

The next two centuries saw continued objections to partisan gerrymandering as a violation of our core constitutional principles. For example, in 1870, Representative and future president James Garfield criticized the practice and objected that "no man, whatever his politics, can justly defend" it. In 1891, President Benjamin Harrison condemned gerrymandering as a form

of political robbery. He declared that its “overthrow of majority control by the suppression or perversion of the popular suffrage” represented “our chief national danger.”

Our framers were keenly aware of the corruption of the English system of parliamentary elections, in which they referred to them as “rotten boroughs”. Americans in the revolutionary age scorned the British, in which defenders claimed Parliament would act wisely even if it was not directly representative. Instead, our Founders embraced actual representation as a central principle of the Constitution. Elected representatives would have close ties to their constituencies, and they would be responsive to the popular, democratic will. Their commitment to actual representation was to be unimpeded by contrived barriers between the electorate and its representatives. This was fundamental and widely shared. When colonists shouted, “No taxation without representation,” they were stating a view of legitimate governance very much relevant to anti-gerrymandering. And nobody thought that “representation” meant a government-imposed permanent minority status of a gerrymandered system!

Madison understood the abuses that could come from state legislators trying to entrench their own faction. Madison said: “Whenever the state legislatures had a favorite measure to carry, they would take care so to mold their regulations as to favor the candidates they wished to succeed,” he warned at the Constitutional Convention. Inequality in legislatures would lead to inequality in congressional representation. He continued: “It was impossible to foresee all the abuses that might be made of the discretionary power.”

Partisan gerrymandering violates the framers’ core principle of actual representation. It likewise conflicts with the First Amendment right to meaningful political speech and association, and with the 14th Amendment’s extension of constitutional responsibilities to

the states. Viewed through history, partisan gerrymandering is not an accepted feature of our American system. And the extreme gerrymanders we see today go dramatically further than anything we have seen in the past. They sabotage fundamental constitutional values. For those defending partisan gerrymanders, contrary to their sweeping claims, history is not on their side, and it should not be on the side of any of our elected officials.

Ohioans are leaving our state in droves, in part, because of the partisan way Ohio is gerrymandered. Let's fix this together now!

I ask you to consider my testimony to ensure fair maps are drawn to include all mapping submitted to the Commission as a whole unit.

Thank you for your time and consideration of my request.

I will now take any questions you may have.