

May 4, 2022

To the Ohio Redistricting Commission:

The *Bennett* Petitioners hereby submit for the Commission's consideration the attached Corrected Independent Map Drawers' Plan (the "Corrected IMD Plan"), which is the same plan that was filed in *Gonidakis v. LaRose*, No. 2:22-CV-0773 (S.D. Ohio), on April 8, 2022, and in *Bennett v. Ohio Redistricting Commission*, No. 2021-1198 (Ohio), on April 12, 2022. Counsel for the Commission, Governor DeWine, Secretary LaRose, Auditor Faber, Senate President Huffman, House Speaker Cupp, Senator Sykes, and Leader Russo—all of whom are parties to one or both of those cases—were also served with data files for the Corrected IMD Plan by April 12, 2022.

The Corrected IMD Plan's census block assignment files are available at <<https://www.dropbox.com/scl/fo/um6dwnnbq0vy227csq5uj/h?dl=0&rlkey=5096h23h85hnux1sndqvs4iye>>, and links to view the maps on "Dave's Redistricting App" are copied below:

- Corrected Independent Map Drawers' Plan – House: <https://davesredistricting.org/map#viewmap:0f491073-dc37-44d5-818a-0be53d16db0f>.
- Corrected Independent Map Drawers' Plan – Senate: <https://davesredistricting.org/map#viewmap:b1fb3054-ff7e-4490-8490-9301c2cc924e>.

Upon request, the *Bennett* Petitioners also stand ready to provide shape files, most populous county designations, and draft legal descriptions for the Corrected IMD Plan.

As explained in court filings accompanying the submission of the Corrected IMD Plan, the Corrected IMD Plan makes minor edits to the "Original IMD Plan," which was drawn by the Commission's consultants, Dr. Douglas Johnson and Dr. Michael McDonald, and published on the Commission's website as "Johnson McDonald Independent Plan 328 Final" on March 28. All changes to the Original IMD Plan were made for the purpose of ensuring compliance with the constitutional requirements regarding political subdivision splits and numbering of districts for House Maps. *See* Ohio Constitution, Article XI, Section 3(C)(3) & 3(D)(3). The Senate Map followed directly from the House Map and required no additional changes. *See id.*, Section 4. The corrections do not affect the performance of the plan, as compared to the Original IMD Plan, with respect to compactness, number of split counties or vote tabulation districts (VTDs), or expected partisan seat share—including proportionality and symmetry. Furthermore, the Corrected IMD Plan places 99.9% of Ohio residents in the same district as in the Original IMD Plan.

The Corrected IMD Plan fully complies with Article XI. If the Commission believes the Corrected IMD Plan has any technical violations, we welcome the Commission's feedback and invite the Commission to make any further adjustments it believes are constitutionally required. Attached is a detailed list of all edits from the Original IMD Plan made in the Corrected IMD Plan.

Sincerely,



Ben Stafford

Counsel for *Bennett* Petitioners

Attachment:
Corrected Independent Map Drawers' Plan
Edits to Johnson McDonald Independent Plan 328 Final

- 1. Ohio Constitution, Article XI, Section 3(C)(3) provides that “no county shall be split more than once.”**
 - In the Original IMD Plan, House District 60 keeps the small village of Green Springs whole, even though Green Springs traverses the Seneca County boundary. The Corrected IMD Plan moves the portion of Green Springs in Seneca County to House District 56 to avoid splitting Seneca County more than once.
- 2. Ohio Constitution, Article XI, Section 3(D)(3) provides that “[w]here [Section 3’s line-drawing] requirements . . . cannot feasibly be attained by forming a representative district from whole municipal corporations and townships, not more than one municipal corporation or township may be split per representative district.”**
 - In the Original IMD Plan, House District 12 splits Columbus and Hilliard. The Corrected IMD Plan moves 2 people from House District 12 to House District 11 to avoid splitting Hilliard.
 - In the Original IMD Plan, House District 34 splits Copley Township and Hudson. The Corrected IMD Plan moves 15 people from House District 34 to House District 33 to avoid splitting Hudson.
 - In the Original IMD Plan, House District 35 splits Akron and Copley Township. The Corrected IMD Plan moves 5 people from House District 35 to House District 34 to avoid splitting Copley Township.
 - In the Original IMD Plan, House District 38 splits Dayton and Beavercreek. The Corrected IMD Plan moves an unpopulated census block from House District 38 to House District 37 to avoid splitting Beavercreek.
 - In the Original IMD Plan, House District 39 splits Dayton and Union. The Corrected IMD Plan moves 11 people from House District 39 to House District 40 to avoid splitting Union.
 - In the Original IMD Plan, House District 54 splits Perry Township and North Canton. The Corrected IMD Plan moves an unpopulated census block from House District 54 to House District 53 to avoid splitting North Canton.
 - In the Original IMD Plan, House District 60 splits Jerry City and Weston. The Corrected IMD Plan moves an unpopulated census block from House District 60 to House District 82 to avoid splitting Weston.
 - In the Original IMD Plan, House District 9 splits Columbus, Grove City, and Franklin Township. The Corrected IMD Plan moves an unpopulated census block from House District 9 to House District 10 to avoid the split of Franklin Township, and it moves 8 people from House District 10 to House District 9 to avoid splitting Grove City.

- In the Original IMD Plan, House District 40 splits Dayton and Carlisle. The Corrected IMD Plan moves an unpopulated census block from House District 40 to House District 42 to avoid splitting Carlisle.
- In the Original IMD Plan, House District 11 splits Columbus and Prairie Township. The Corrected IMD Plan moves the portion of Prairie Township in House District 11 to House District 10 to avoid splitting Prairie Township.
- In the Original IMD Plan, House District 67 and House District 68 each split Berkshire Township, Delaware City, and Sunbury. House District 68 also splits Harmony Township. The Corrected IMD Plan reconfigures those two districts so that they each include only one split of a municipal corporation or township, while also being within the 5 percent population deviation required by the Ohio Constitution.
- Because Section 3(D)(3) also prefers that House Districts be comprised of whole municipal corporations and townships where feasible, the Corrected IMD Plan also makes the following changes:
 - The Corrected IMD Plan moves an unpopulated census block from House District 99 to House District 98 to avoid splitting West Jefferson.
 - The Corrected IMD Plan moves an unpopulated census block from House District 48 to House District 49 to avoid splitting St. Clair Township.
 - The Corrected IMD Plan moves 8 people from House District 78 to House District 80 to avoid splitting Baltimore.
 - The Corrected IMD Plan moves 6 people from House District 55 to House District 54 to avoid splitting Perry Township.
 - The Corrected IMD Plan moves 225 people from House District 82 to House District 60 to avoid splitting Jerry City.
 - The Corrected IMD Plan moves 1232 people from House District 62 to House District 63 to avoid splitting Middletown.

3. Ohio Constitution, Article XI, Section 3(C) provides an order of priority for the creation and numbering of House Districts:

- (1) Proceeding in succession from the largest to the smallest, each county containing population greater than one hundred five per cent of the ratio of representation in the house of representatives shall be divided into as many house of representatives districts as it has whole ratios of representation. Any fraction of the population in excess of a whole ratio shall be a part of only one adjoining house of representatives district.
- (2) Each county containing population of not less than ninety-five per cent of the ratio of representation in the house of representatives nor more than one

hundred five per cent of the ratio shall be designated a representative district.

(3) The remaining territory of the state shall be divided into representative districts by combining the areas of counties, municipal corporations, and townships. Where feasible, no county shall be split more than once.

- In the Original IMD Plan, the House District numbers were not consistent with the order set forth in Section 3(C). The following table sets forth the original House District numbers (left) shaded in gray and the correct House District numbers (right) in bold. The House District numbers referenced in earlier sections of this attachment are the *original* numbers, to maintain an apples-to-apples comparison between the Original IMD Plan and the Corrected IMD Plan.

Original	Correct
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
10	10
11	11
12	12
15	13
16	14
17	15
18	16
19	17
20	18
21	19

22	20
23	21
24	22
13	23
31	24
25	25
26	26
27	27
28	28
29	29
30	30
35	31
32	32
33	33
34	34
75	35
39	36
40	37
41	38
42	39

38	40
43	41
44	42
46	43
45	44
48	45
49	46
50	47
47	48
53	49
54	50
55	51
64	52
58	53
59	54
57	55
62	56
63	57
14	58
65	59

66	60
67	61
68	62
71	63
70	64
72	65
73	66
76	67
77	68
79	69
78	70
37	71
36	72
80	73
81	74
97	75
82	76
60	77
61	78
51	79

52	80
56	81
69	82
83	83
84	84
85	85
86	86
87	87
88	88
89	89
90	90
91	91
92	92
93	93
94	94
95	95
96	96
74	97
98	98
99	99