

February 15, 2022

To the Ohio Redistricting Commission:

The *Bennett* and *League of Women Voters* Petitioners hereby submit the attached, updated version of the state legislative plan created by Dr. Jonathan Rodden (the “Rodden III Plan”).

Dr. Rodden made very slight changes to his earlier plan in order to address “zero-population splits,” meaning instances in which a district technically divides a township or municipality, but only by splitting a completely unpopulated area from the populated area of a township or municipality. Because a zero-population split does not affect population, it can be “remedied” simply by reallocating the unpopulated area from one side of the “split” to another. Notably, no voters were reassigned to a different district as a result of these changes.

As explained in their objections to the state legislative plan adopted by the Commission on January 22, 2022 (the “Remedial Plan”), the *Bennett* Petitioners do not understand zero-population splits to pose a concern under Article XI, Section 3(D)(3). *See Bennett Pet’rs’ Objections* at 20 n.6. For that reason, while the *Bennett* Petitioners objected to the Remedial Plan on the basis of certain other political subdivision splits, they did not challenge the Remedial Plan on the basis of the multiple instances in which Census blocks with a population of zero were separated from their municipal corporations and townships. *See id.* at 15-20 & n.6; Affidavit of Jonathan Rodden (Jan. 25, 2022) ¶ 37 & n.5. And although Mr. Raymond DiRossi alleged that the “zero-population splits” in Dr. Rodden’s plan were constitutional violations, he did not similarly count (or even mention) his own zero-population splits in the list of technical violations committed by the Commission in the Remedial Plan. *See Affidavit of Raymond DiRossi* (Jan. 28, 2022) ¶ 27-28. Nonetheless, in an effort to avoid any unnecessary disputes as to the significance of zero-population splits, the Rodden III Plan makes minor, technical adjustments to address and eliminate such splits.

For consistency, the Rodden III Plan also corrects certain instances where district lines had been drawn to follow township boundaries instead of municipal boundaries.

The Rodden III Plan fully complies with Article XI, Section 3’s line-drawing requirements. It also fully complies with Article XI, Section 5’s requirements for the numbering of state Senate districts. Furthermore, as required by Article XI, Section 6(B), the Rodden III Plan more closely corresponds to statewide proportionality than the state legislative plans adopted by the Commission in September 2021 or January 2022.

If the Commission believes the enclosed plan has any technical violations, we welcome the Commission’s feedback and invite the Commission to use the map as a starting point and make any further adjustments it believes are constitutionally required.

Sincerely,



Ben Stafford  
Counsel for *Bennett* Petitioners



Freda Levenson  
Counsel for *League of Women Voters* Petitioners