**Ohio Redistricting Commission - 2-17-2022 - part 1**

<http://ohiochannel.org/video/ohio-redistricting-commission-2-17-2022>

*note: due to technical difficulty, audio is not available for the first 1 minute and 18 seconds of this meeting*

**House Minority Leader Allison Russo** [00:01:18] With modifications made to the maps based on feedback that we received that day from the commissioners here in this room today, we filed this map with the court on January 28th and we have since done additional minor cleanup that moved 84 people into different districts. We asked for additional feedback from commissioners to be sent to us by 9:00 a.m. this morning and we did not receive any. We did receive an email from staff of the auditor's office, but it did not show any constitutional violations. The block assignment files for these maps are under consideration in this motion are on the commission website. The proportional breakdown of these maps is 45 Democratic leaning and 50 for a Republican leaning House districts and 15 Democratic leaning and 18 Republican Republican leaning Senate districts. This closely corresponds to the statewide voter preferences of Ohio, as required by Section 6B, the court said. The 54 46 ratio is a foundational ratio created not by this court or by any particular political party, but instead etched by the voters of Ohio into our Constitution. All other requirements of the Constitution are met. No one has shown constitutional violations in these maps, so I urge a yes vote for adoption of the maps that have been proposed in this motion.

**Co-chair Sen. Vernon Sykes** [00:02:54] Any questions or comments?

**Co-chair Speaker Bob Cupp** [00:02:58] Mr. Chairman, are is there a copy of the map in the folder? I don't have a computer here, so I can't see the map.

**Co-chair Sen. Vernon Sykes** [00:03:07] We stand at these until the copies are distributed.

**Senate President Matt Huffman** [00:04:38] Mr. Chairman, one one question, I know that there was a map produced a few weeks ago and then also a map revealed at the end of last week. And then about 24 hours ago, changes to that map. So is the is the motion regarding the map from yesterday?

**House Minority Leader Allison Russo** [00:05:01] Through the co-chair to the Senate president, the map that we have proposed that you see before you is the map. With all changes incorporated, you receive this map via again, it's been posted on the commission website. The the. We specified the small changes that were made. Again, those changes resulted in 84 voters moving.

**Senate President Matt Huffman** [00:05:33] Well, to be clear, my guess, my question is just so we know which version of the map. These are the final version is the map that we got that was posted or changed yesterday. Is that correct?

[00:05:44] The co-chair to the Senate president. Yes, that is correct.

**Senate President Matt Huffman** [00:05:48] OK, very good. I have a series of questions about the map. I'm not sure if Mr. Glassburn is going to be here today, or I should pose those to Leader Russo or some other individual or set of individuals.

**Co-chair Sen. Vernon Sykes** [00:06:01] Leader Russo, please.

**Senate President Matt Huffman** [00:06:03] OK, very good. The first requirement in the Constitution is. In Section six, of course, is Section 6A, and based on our analysis of the map, there is a pairing of incumbents, house incumbents in the map. Five House districts are drawn so that five or 10 House Republicans are drawn together. In a sixth district, there's also a Republican incumbent drawn into a district that is drawn into a Democratic district. There is no such treatment for any of the Democratic House members that appears to favor the Democratic Party. How does that comport with Section 6A?

**House Minority Leader Allison Russo** [00:07:03] Through the co-chair. Thank you, Mr. Senate President, for that question. First, let me be clear again that our map is compliant with Sections two, three, four or five and seven and also complies with Section six. No one has shown a constitutional violation. Specifically, Section 6A says no General Assembly district plan, meaning the entire plan, shall be drawn primarily to favor or disfavor a political party. It does not specifically speak to an individual district, or the composition of a district is certainly entirely constitutional to have Democratic districts and Senate districts, and certainly the Constitution, I believe, remains silent on pairing of incumbent.

**Senate President Matt Huffman** [00:07:52] Was the drawing -- may I continue, Mr. Chair, without going through the chair each time?

**Co-chair Sen. Vernon Sykes** [00:07:57] Absolutely.

**Senate President Matt Huffman** [00:07:58] Thank you. Is the drawing of house districts that only pair Republican incumbents either against themselves or into Democratic districts, doesn't that in fact disfavor the Republican Party?

**House Minority Leader Allison Russo** [00:08:13] Through the co-chair to Mr. Senate president. Again, six, section 6A of the Constitution says no General Assembly district plan, meaning the plan in its entirety shall be drawn primarily to favor or disfavor a political party. Our plan that is submitted does not favor or disfavor a political party. It meets the proportional requirement of 54 46.

**Senate President Matt Huffman** [00:08:42] And I understand the holistic statement, but to examine whether the entire plan favors or just favors the party. You have to look at individual elements, and I'm asking on this individual element where this plan only pairs Republican incumbents against other Republican incumbents or Republican incumbents into Democratic districts in the House. Doesn't that portion of your plan disfavor the Republican Party and favor of the Democratic Party?

**House Minority Leader Allison Russo** [00:09:13] Through the co-chair again to the Senate president. We are - the question is, does this map meet constitutional requirements?

**Senate President Matt Huffman** [00:09:23] It's not my question.

**House Minority Leader Allison Russo** [00:09:24] Well, then you and I will disagree that it favors or disfavors one party over the other based on one singular district.

**Senate President Matt Huffman** [00:09:33] Well, to be clear, I'm not asking about one singular district. I'm asking about six districts in this element of your plan. And if your conclusion is that doesn't favor or disfavor a party, I'll accept that as an answer and let the public decide whether 6, 11 Republicans drawn in against each other against into a Democratic district incumbents, whether that favors or just favors a party. So let me let me --.

**House Minority Leader Allison Russo** [00:09:59] Mr. co-chair. I'd like to respond to that. Please, if I may.

**Co-chair Sen. Vernon Sykes** [00:10:01] You may.

**House Minority Leader Allison Russo** [00:10:02] Thank you, Mr. Co-Chair. In response to your statement, President Huffman, when there is a gerrymander that must be undone, which is currently the situation we are under in the maps as they exist today, some of the unfavorable -- unfairly favored members will lose their seats. That is part of undoing a gerrymandered map and districts.

**Senate President Matt Huffman** [00:10:29] And then I guess I would say Mr. Chairman and to Leader Russo. The map that is currently in place was approved by the Ohio Supreme Court in 2011, so we can use the term gerrymander, but in fact was found to be constitutional not only by the Ohio Supreme Court, but in several lawsuits in federal court over the past 10 years. Let's turn a little bit to the the Senate map also, and if we could get for the commission's purposes, the map of Northwest Ohio, which includes Lucas County. And in particular, Leader Russo I want to draw attention to a set of changes, some would it maybe be easier for the commission if it was closer to the podium? If you were just, you know, pick that up and move it over. And the members of the commission, you may, may or may not know that Senator Rob McColley, who is happens to be the majority whip in the Ohio Senate right now, is from Henry County. And if you look at Henry County, it's the second line of what's actually in the future look looking district, the county that has the number two in it. Senator McColley's current district goes south to Putnam County, Paulding County, Van Wert and the district would, now pairs Senator McColley and Senator Gavarone in the same district. Senator Gavarone, of course, is an incumbent. It is not up for election for two years. Senator McColley is would essentially be able be unable to run because the district would now be in would be occupied by a current senator who's in the middle of their four year term. Of course, under the Constitution is allowed to continue. So this district itself eliminates Senator McColley from being able to run. Isn't that true, Leader Russo?

**House Minority Leader Allison Russo** [00:12:40] Through the co-chair to the Senate president, is there a constitutional violation that you are asserting?

**Senate President Matt Huffman** [00:12:46] No, I'm asking a question. Doesn't this drawing of this district eliminate Senator McColley from being able to run in 2022?

**House Minority Leader Allison Russo** [00:12:56] Through the co-chair to the senator. I have not assessed whether or not individual members of the General Assembly can run or not run.

**Senate President Matt Huffman** [00:13:05] OK, well, I guess I'll represent to the commission. That's true if there's someone who comes up with different information during the time of this hearing. Senator McColley lives in Henry County, the county with the two on it. And because under this map, he would now be in a district that is occupied by senator in the middle of a four year district. He's eliminated from running. And I would submit, clearly disfavors a member of the Republican Party, a Republican incumbent. If if we could show the statewide map now and this is also an interesting change of districts. Yeah, the entire statewide Senate map Senate District 27 currently is the is a district that is occupied by Senator Kristina Roegner, who's from Hudson, Ohio, in Summit County, which is just south of Cuyahoga County. The new Senate District, 27, now exists in Greene County and part of Montgomery County. So question again to Leader Russo, and maybe you've already answered this that you haven't examined that, but was Senate District 27, now in Greene County in Montgomery County, Senator Roegner would also be eliminated from running for reelection. Isn't that true?

**House Minority Leader Allison Russo** [00:14:28] Through the co-chair to the Senate president again, I will remind you this is the discussion, not a deposition. And I again, what is the constitutional violation that you are asserting here? Because so far, you know, the fact that certain members of the General Assembly are not able to run is not a violation of the Constitution and does not speak to how our map does not meet the constitutional requirements of Section six.

**Senate President Matt Huffman** [00:14:59] I disagree because we're discussing, I'm discussing Section 6A, which again says, no General Assembly district plan - and a plan is made up of many elements - some of the elements I'm discussing right now, no General Assembly District Plan shall be drawn primarily to favor or disfavor a political party. And if comprehensively this district plan favors or disfavors a political party, it is unconstitutional because it does not meet the requirements of Section 6A. So as we go through these multiple changes to this map that overwhelmingly disfavor the Republican Party and favor the Democratic Party, we can see the lack of constitutionality. Now if you said.

**House Minority Leader Allison Russo** [00:15:45] Mr. Co-chair, could I please respond, please?

**Senate President Matt Huffman** [00:15:45] I'd like to finish my statement if I could, Mr. Co-Chair

**Co-chair Sen. Vernon Sykes** [00:15:48] Yes, Mr. President.

**Senate President Matt Huffman** [00:15:49] Yeah thanks. So I simply like want to go through now if if what what the, Leader Russo would like me to do is just simply have a narrative and not be able to respond to these things individually. I'm happy to do that. I don't know that that's much help for the public, but I'm happy to not question, alright? It looks like Mr. Glassburn, the map drawer is not here today, and or is here? And if Leader Russo is going to be the person answering and she'd rather have me do a narrative on this, that's fine. It really doesn't make any difference to me. I would just want to make sure that that these points are made.

**Co-chair Sen. Vernon Sykes** [00:16:26] Yeah, you may continue.

**Senate President Matt Huffman** [00:16:28] All right. So do you want me to stop individually? Or if Leader Russo does not want to answer questions about that, that's fine.

**Co-chair Sen. Vernon Sykes** [00:16:36] Leader Russo?

**House Minority Leader Allison Russo** [00:16:38] I'm happy to answer questions.

**Co-chair Sen. Vernon Sykes** [00:16:39] she's here to answer them.

**Senate President Matt Huffman** [00:16:40] OK, so, so so returning to my last question, I'm talking about Section 6A, where we can either politically disfavor or favor a party, doesn't moving District 27 to a different part of the state and therefore making it impossible for Senator Roegner, who doesn't live there and hasn't filed petitions or doesn't have signatures from folks in Greene County and Montgomery County. Doesn't that disfavor a Republican incumbent?

**House Minority Leader Allison Russo** [00:17:09] Through the co-chair, I do not believe that that disfavors the Republican Party. In fact, I would, you know again, because this is a discussion of the commission of the map, I would ask to you, how many people did your map move that you proposed the last time from an odd to an even number district or vice versa? And certainly, we have examples on the House side where Democratic members were drawn out of Democratic-leaning districts into Republican-leaning districts. Is that what you are putting forward as defining unconstitutional?

**Senate President Matt Huffman** [00:17:45] Yeah. Well, I don't know the answer to the first question that was there. Secondly, we had a long discussion about that map when it was passed originally. And at the moment, we're trying to get to the bottom of of this map that's being proposed today. So that's why I'm asking questions about that. So I guess everyone can make their own conclusion regarding Senator Roegner and how she could run in Greene County or Montgomery County. But, isn't it, isn't it also true that under the current scenario where we had petitions signed by a certain date, we passed a legislation to make sure that all of these signatures, either in a county or close by, counted. There's no one who has filed petitions in Senate District 27 that have signatures from those two counties that are that are currently valid. I'm correct on that, aren't I?

**House Minority Leader Allison Russo** [00:18:48] Through the co-chair, to the Senate president. I don't know the answer to that question. However, I'll remind you that the the adjustment to the petitions that we passed a couple of weeks ago number one, don't hold individuals at fault for having the wrong district number. They're still the window to move into a district and certainly by election law that currently exists, there is the opportunity for write in candidates.

**Senate President Matt Huffman** [00:19:18] OK, well, we could solve it with all write-in candidates, I guess. But OK, another senator, Republican senator, Senator Jerry Cirino, currently represents the Senate District 18. He lives in Lake County. Senate District 18 has now been moved down into, I think it's Portage County in southern Summit County at least I think that's what the map shows. So Senator Cirino, who is former Lake County commissioner, he has nine kids and thirty five grandkids, and I'm told they all live in Lake County. He he will also represent a district that he was not elected in and would have to move in in two years to to run for. Isn't that right?

**House Minority Leader Allison Russo** [00:20:10] Again, through the co-chair, Mr. President Huffman, again have not followed individual candidates. I think it was you who indicated during the last commission meeting when we were talking about State Representative Dan Troy that if you've got a great candidate, a great candidate can compete in any district.

**Senate President Matt Huffman** [00:20:34] Yeah. Well, it would certainly have to be a district that maybe at one point he lived in or ran for office. So we'll see how well Senator Cirino can do down in District 18. The last senator, I guess I to draw attention to is Senator Antani in his district is now, which is District six. He no longer lives in his district, either. Is that correct? In Montgomery County.

**House Minority Leader Allison Russo** [00:21:00] I'm sorry, through the co-chair, which district was that again?

**Senate President Matt Huffman** [00:21:04] Senate District six and Montgomery County, the red one.

**House Minority Leader Allison Russo** [00:21:06] I can't see the entire map from here.

**Senate President Matt Huffman** [00:21:07] OK, well, the map, I think you have your own hand out here. It should it should be seen on your handout that you just passed out to the commission.

**House Minority Leader Allison Russo** [00:21:30] Again, I'm sorry, can you repeat your question?

**Senate President Matt Huffman** [00:21:32] The question is, is it true that Senate Senator Antani is now drawn out of his district and does not live inside the District, Senate District six that he was elected in?

**House Minority Leader Allison Russo** [00:21:42] Again through the co-chair, president Mr. President Huffman? Again, I do not follow individual candidates. What is the constitutional violation again that you are alledging?

**Senate President Matt Huffman** [00:21:55] Well, all of these questions, as I'll repeat again, have to do with Section 6A that a plan, which is made up of many elements, cannot favor or disfavor a political party. And I'm submitting to the commission and Leader Russo cares to respond or any other commission members care to respond that as it relates to 6A, this map only, not only primarily, but only favors Democratic, the Democrat Party, and only disfavors the Republican Party, which I think certainly meets the category of primary. So that's my response regarding those are my questions and my statement regarding.

**House Minority Leader Allison Russo** [00:22:37] Mr. Co-chair, can I respond?

**Senate President Matt Huffman** [00:22:38] Constitution, Section 6A.

**Co-chair Sen. Vernon Sykes** [00:22:41] Yes, leader.

**House Minority Leader Allison Russo** [00:22:42] Thank you. Thank you, Mr. Co-Chair, Senator, President. Mr. President Huffman, sorry, I will again disagree with your assertion. Again, we have created an entire plan that meets the proportional requirements. As a consequence of meeting that requirement there will be some elected representatives who may not have a district to run in or be in a district that does not favor their party. That is a consequence of drawing a proportional map. And again, I will restate that our map meets all sections that are required sections two, three, four, five and seven and fully complies with section six, including both the not favoring or disfavoring the proportional requirements, as well as I'm sorry, I'm losing my place, as well as the compactness.

**Senate President Matt Huffman** [00:23:46] And so it's just coincidental that all of the candidates, all of the incumbents that are disfavored here, which are total of 15, all of them are Republicans, that's just a coincidental, coincidental portion of this map that's being presented today.

**House Minority Leader Allison Russo** [00:24:04] Through the co-chair through President Huffman. If your standard is the current set of maps which favor the Republicans or the maps that you have proposed in the last commission meeting that have been thrown out by the courts, both the last set of maps and the original set of maps that you proposed. If that is the standard that you were using, then yes, some Republicans are going to lose seats.

**Senate President Matt Huffman** [00:24:29] So if I may continue, Mr. Chair, so if the if the goal is to sacrifice other portions of the Constitution 6A or 6C in order to meet 6B. One, return your attention to Northwest Ohio. Section, or District 11 in Lucas County, District 2 which is to the southwest and south and District 26, make up much of northwest Ohio. District 2 is is a 60 percent Republican district. District 26 six is 60 percent Republican District. District 11 is a 40 percent Republican district and in essence, two Republican and one Democratic districts. That same land area is also in the current map, and all of the proposed maps have basically the same draw. There are two 60 percent Republican districts and one 40 percent Republican, or Democratic, district. What this map does, however, of course, is for the first time in decades, split the city of Toledo into a district that goes off to the south east and but doesn't affect proportionality at all. In fact, it keeps proportionality the same. The one effect it does have is to eliminate Senator McColley. So how does splitting the city of Toledo for the first time in, I think, 30 years in taking that into a different district? How does that, and how does that help your proportionality argument?

**House Minority Leader Allison Russo** [00:26:16] Through the co-chair, President Huffman, I'm not entirely clear what your question is because there was a lot in there. But again, you know? I will say that our map meets the constitutional requirements, including all requirements of Section six. And are you proposing that it is your goal to sacrifice sections of the Constitution, including 6B in order to meet 6A and C?

**Senate President Matt Huffman** [00:26:49] Yeah, I'm I'm asking questions about your map. And it appears the reason since the proportionality did not change in northwest Ohio for the districts that are there, except the one thing that did change is the exclusion of Henry County into a different district. The the appearance is that we're trying to eliminate Senator McColley from the Ohio Senate because you're not changing anything as it relates to 6B.

**House Minority Leader Allison Russo** [00:27:21] Again, through the co-chair, President Huffman of what is your constitutional violation that you are asserting?

**Senate President Matt Huffman** [00:27:28] Well.

**House Minority Leader Allison Russo** [00:27:29] Other than that, you are unhappy that there is an incumbent who perhaps will be running in a district that is more difficult for him to win.

**Senate President Matt Huffman** [00:27:38] With the exception of my wife, my happiness is not constitutional to anybody. I would say that 6A to do with favoring or just favoring a political party. And if that's what you're trying to do by eliminating Senator McColley, I think that's unconstitutional.

**House Minority Leader Allison Russo** [00:27:56] Again, through the co-chair to President Huffman, the requirements are for the entire district plan, not an individual district. And again, there will be districts that are Republican leaning and Democratic leaning in order to meet 6B.

**Senate President Matt Huffman** [00:28:20] Very good, well let's.

**House Minority Leader Allison Russo** [00:28:20] And that is not violating 6A to do that.

**Senate President Matt Huffman** [00:28:24] All right. Thank you. Thank you. So very good. Let's move to violations of Section 6B. In the second Supreme Court opinion, the court remarked that, and used the term symmetry when defining Democratic districts that were very close to 50 percent and proposed and suggested for the first time, it's not in the Constitution. It wasn't in the court's first decision, but is in the court's second decision that the Democratic districts that are between 50 and 51 percent aren't truly Democratic leaning districts. Yet, this map has six districts that are in that percentage. Two Senate and four House districts. So doesn't that in fact violate the court's symmetry proposal that is, in their opinion, to have districts in that 50 to 51 percent bracket.

**House Minority Leader Allison Russo** [00:29:29] Through the co-chair President Huffman? No, it does not. What the court discussed on the issues of symmetry is if those those districts that are between 50 and 51 are completely out of whack for one party versus the other. In your previous map, those numbers will speak to the house districts. You had 12 of those districts that were between 50 and 51 percent, no Republican districts that were between 50 and 51 percent. So essentially toss up districts. And this map, there are five House seats that are between 50 and 51 percent in three Senate seats between 50 and sorry, 50 and 52 percent and two seats that lean Republican, so in the opposite direction, that are under 54 percent.

**Co-chair Sen. Vernon Sykes** [00:30:30] Mr. Huffman, if we could maybe allow another member a chance to ask the question, we can come back to you.

**Senate President Matt Huffman** [00:30:36] Certainly.

**Senate President Matt Huffman** [00:30:40] Are there any of the questions by any other members?

**Co-chair Speaker Bob Cupp** [00:30:43] Mr. Chairman, what? Well, we're having a pause. I would, I think that the Leader Russo made a statement that in the last map, the Republicans paired Democrats together. In the last, in sort of a systematic way and in large numbers. And I would just point out in the final map, we had one District, one district, with two returning incumbents that were paired. One was Republican and one was a Democrat in a Democrat leaning district, by the way. So, so I'm not sure what's at play here, whether this is just an attempt to throw Republicans together, but accusing what we did say and what we did in the second map is inaccurate. In fact, there was a deliberate attempt not to put incumbents together because of either party.

**House Minority Leader Allison Russo** [00:31:42] Sure.

**Co-chair Sen. Vernon Sykes** [00:31:43] Leader Russo.

**House Minority Leader Allison Russo** [00:31:43] Through the co-chair Co-Chair Cupp, thank you for that correction. My apologies. What I was saying was that there were certainly members, current members who were put from competitive districts into Republican leaning districts. And my apologies for misspeaking there.

**Co-chair Sen. Vernon Sykes** [00:32:04] Auditor Faber?

**Auditor of State Keith Faber** [00:32:05] Thank you. I want to pick up on just two things that were asked before and help me understand. In the map, and I apologize, I just did this quickly. So if my numbers are a little off to whoever wants to answer this. I noticed that you drew a number of competitive seats, and I have stated publicly that I've always thought the answer to this map drawing dilemma we have is to draw more competitive seats, not less. And so first of all, I want to understand what you viewed as a competitive index for the purposes of this map. Dave's uses a 10 point spread, and I think in my prior conversations with with my Democratic colleagues, we've all agreed that that may be too broad. So I have looked at a 48 52 kind of range, so it's a little tighter spread. I don't know which one you guys are looking at for your spread. If you could just tell me what your spread on the competitive ratio is, it would help me understand that.

**House Minority Leader Allison Russo** [00:33:06] Thank you. Through the co-chair, Auditor Faber. As a reminder, there is no definition of competitiveness. In fact, I don't believe that this commission has defined that, nor is competitiveness mentioned in the Constitution.

**Auditor of State Keith Faber** [00:33:25] I appreciate that leader. So what you're telling me is you guys don't care about competitiveness?

**House Minority Leader Allison Russo** [00:33:32] Through the co-chair, through the, or to Auditor Faber. What we care about is meeting constitutional requirements.

**Auditor of State Keith Faber** [00:33:42] As do I. But going back to my question on competitiveness, you're telling me that you and your map drawer didn't care about competitiveness or didn't consider competitiveness when you're drawing the maps? Because you would, I think, agree that you're required to meet certain constitutionality, others attest, but you can also draw other things, that we had. I think it was about 80 hours of testimony coming before this body from various interested parties talking about the merits of competitive districts and the foibles of having hyper anti-competitive districts? If you guys didn't consider that and you don't think that's important. I think it's important for the public to hear that. But if if that's not your position, in all candor, I think it's a good argument it isn't your position, but if that is your position, I'd like to know.

**House Minority Leader Allison Russo** [00:34:33] Through the co-chair, through Auditor Faber while I appreciate the question. It is at least my position that when you draw maps that are constitutional and meet the requirements of the Constitution, you will inherently have some competitive districts.

**Auditor of State Keith Faber** [00:34:51] All right. So my next follow up question, Mr. Chair, is looking at your maps. I think you mentioned, Leader, when you were discussing the prior maps that there were a number of competitive Republican, I mean, competitive districts drawn. And in the court's notation, they indicated that those favored primarily, or those were primarily Democrat districts, which were the competitive ones. In this map, my quick count is is that you have eight Democrat competitive seats and one Republican competitive seat in the range that I talked about. Is there a reason that you chose to draw competitive districts to be Democrat seats, leaning Democrat, versus Republican leaning competitive seats when you made your decisions in drawing the maps?

**House Minority Leader Allison Russo** [00:35:40] Again through the co-chair Auditor Faber. We did not draw these seats. The Constitution does not require competitive competitiveness, nor does it mention it. We draw these, drew these maps to meet the requirements of the Constitution. Inherently, there will be, quote unquote some competitive seats. What I consider competitive, what you consider competitive may be different. As a commission, we have not agreed upon what that means. But again, the requirements of the court in the Constitution is to meet these sections, and that is what we did in drawing these maps.

**Auditor of State Keith Faber** [00:36:17] Well, Leader Russo, I appreciate you giving me the same answer back again to whatever question I ask on this topic, but I want to go back and ask the point very clearly. The Supreme Court made a big deal in its last opinion, emphasizing that the competitive districts seem to only be placed in districts that leaned Democrat and would be counted in the Democrat totals and not in areas that lean Republican. In your map, this map that you're proposing that we accept you've done exactly the same thing. And so when I count numbers. I'm just curious why, because if, if. If it could be done another way, I presume you'd have done it another way because you don't care about competitiveness.

**House Minority Leader Allison Russo** [00:37:03] Again, Mr. co-chair, through the co-chair, Auditor Faber, again, I believe what the court was said in its decision was that when there is large asymmetry in districts that are between 50 and 51, that that seems to indicate that a map favors one particular party. You know, again, we can draw more competitive seats for Republicans. If you would like to give us the districts that you think that that's appropriate and we are happy to make that happen for you.

**Auditor of State Keith Faber** [00:37:44] Leader Russo But therein lies the problem. I don't know that you can get more competitive seats for Republicans and hit a 54 or 55 or 56 or a 57 target because the way you got to your target was by doing something called cracking and packing. And we've all had a lot of conversations about cracking and packing and the way you get to the map numbers you've got because of the geography in Ohio, it's by packing Republicans and cracking Democrats. But I go back to another question that's related to this.

**House Minority Leader Allison Russo** [00:38:15] Mr. Co-Chair, can I reply to that?

**Co-chair Sen. Vernon Sykes** [00:38:17] Yes.

**House Minority Leader Allison Russo** [00:38:17] Senator, on Auditor Faber. With all due respect, that is simply false. In fact, there are more competitive Republican seats. If if you would like to add more, that can be drawn, for example, in Hamilton County and Franklin County, that is possible. So what you are asserting is just simply false, and we will agree to disagree on that.

**Auditor of State Keith Faber** [00:38:42] But Leader Russo, if I were to draw a more competitive Republican seats in Franklin County, I would love to do that, but that decreases the number of Democrat seats in Franklin County or eligible Democrats.

**House Minority Leader Allison Russo** [00:38:52] No, it increases.

**Auditor of State Keith Faber** [00:38:53] I don't think that's right, because looking at your map, I'm not sure that there are many other seats that you could get in those areas, but we'll agree to disagree. Let's go back and talk just about one of the provisions you talked about in Toledo. My understanding is, is that you split the city of Toledo. Could you have drawn a district keeping the city of Toledo wholly within, wholly within a number of districts?

**House Minority Leader Allison Russo** [00:39:28] Yeah, OK, thank you. Through the co-chair, Senator, Auditor. The city of Toledo is larger than a house district, so it is not possible to draw an entire house district within the city of Toledo.

**Auditor of State Keith Faber** [00:39:43] How about three house districts within the city, Toledo? Right. I got it.

**House Minority Leader Allison Russo** [00:39:58] Through the co-chair, through the auditor, I'm not entirely sure what constitutional violation violation you are asserting with this question, but I will point out that the current map that you have before you divides Toledo four times and the map that was voted on by this commission in our last meeting. Toledo was divided five times.

**Auditor of State Keith Faber** [00:40:24] Could you have drawn the city of Toledo totally within one Senate district?

**House Minority Leader Allison Russo** [00:40:30] Again, through the co-chair, Auditor Faber, one of the constitutional requirements is that a Senate district incorporates three House districts and as I noted before Toledo, it's not possible to draw just one House district for Toledo.

**Auditor of State Keith Faber** [00:40:48] So leader Russo, first of all, do you believe the Constitution requires you to draw Senate districts wholly within a city, if you can do that?

**House Minority Leader Allison Russo** [00:41:02] Through the co-chair to Auditor Faber, the commission has not taken a position on that, and if that is something that you wish for this commission to agree upon. You know, certainly we can all evaluate that and the impacts of it and how to make adjustments to this map.

**Auditor of State Keith Faber** [00:41:22] So. So you're telling me it's whatever the commission agrees on is what you determine as constitutional?

**House Minority Leader Allison Russo** [00:41:27] Through the co-chair to Auditor Faber. No, the constitution is pretty clear and what the requirements are to be constitutional. But there are some components, technical requirements that certainly we could have further discussion on, that the court has remained relatively silent on that. If we take a position as a commission is fair, but we have not done that.

**Auditor of State Keith Faber** [00:41:56] As a follow up. Would you agree with me that generally it's a good idea to have people represented by people who have a continuity of interest with them? Let me and let me translate that. Would you agree with me that generally you should have cities generally being able to be represented by people in cities and rural areas, generally represented by people from rural areas? That there is a interest in any redistricting effort to try and keep communities of interest, at least together where you can,

**House Minority Leader Allison Russo** [00:42:31] Through the co-chair through Auditor Faber. Again, the the point of this discussion is to discuss the maps that are in front of us. Again, what is the constitutional violation that you are asserting?

**Auditor of State Keith Faber** [00:42:45] I am asserting simply that we heard a lot of testimony in front of this committee over the process of this, this process about how important it is and how people can feel. Disenfranchized If you intentionally take steps to have them represented by somebody who doesn't think or necessarily vote like them merely for a political outcome, that's something that we've heard defined as gerrymandering. I'm just asking you whether you think that's the right thing for us to be trying to avoid. And by the way, we can ask questions about your maps. It's not just technically whether you believe they're constitutional or not. If you don't want to answer the question, you don't have to answer the question. But ultimately, we're supposed to consider a lot of things when we decide whether we like a map or not. And in that process, certainly whether or not you're going to take an inner city area and link it with a rural area for the purposes of drawing a particular district outcome is something that I think we ought to consider.

**House Minority Leader Allison Russo** [00:43:44] Through the co-chair, through Senator, Auditor Faber. I would love to have these discussions and have public input. If you have a map to propose that achieves this or suggestions to propose that address some of these concerns that you have, again, so far I have not seen a constitutional violation just because you disagree with some decisions that were made. We certainly can consider those as a commission and I would welcome and I'm sure the public would welcome any input on a map that you want to put forward that achieves this.

**Auditor of State Keith Faber** [00:44:25] Thank you. One one question before I yield back. I was really confused by the dialog between you and Senator Huffman. Specifically about the ability to adversely impac individual partisan issues in a district, and somehow that doesn't then aggregate into the maps taking a side. So is it your opinion that you can favor or disfavor a political party in some parts of the map and that's OK?

**House Minority Leader Allison Russo** [00:45:11] Through the co-chair, Auditor Faber, I think that's an interesting question. Again, I think the Constitution is pretty clear and it says no General Assembly district plan, meaning a statewide plan shall drawn, be drawn primarily to favor or disfavor a political party. It does not address individual districts. Certainly, following the technical requirements of the Constitution will mean that there will be Republican districts and Democratic districts. I will remind you there are Democrats who live in Republican leaning districts and who are currently represented by Republicans. That will happen within the state of Ohio.

**Auditor of State Keith Faber** [00:45:54] I absolutely agree with that, and I've taken that position for a long time. However, going back to how much can you? And how many districts can you intentionally favor or disfavor a political party before you reach an aggregate of disfavoring or favoring a political party for the purposes of a map under 6A?

**House Minority Leader Allison Russo** [00:46:18] Through the co- through the co-chair, Auditor Faber again, Section 6A of the Constitution says no General Assembly district plan shall be drawn primarily to favor or disfavor a political party. And it is referring to the statewide plan. There will always be Republican districts and Democratic districts.

**Auditor of State Keith Faber** [00:46:40] Can you tell me a single instance in your map where you drew a district primarily to favor a Republican member of the General Assembly or the Republican Party?

**House Minority Leader Allison Russo** [00:46:50] Through the co-chair to Auditor Faber. There were certainly decisions that were made to, that we could have made differently, for example, in Hamilton County, for the total number of House seats. There could be six Democratic seats drawn and one Republican. We and this map have five and two. In Franklin County, there could be 12 Democratic seats. We have drawn 11 and one. So there were certainly decisions that were made that took that into account.

**Auditor of State Keith Faber** [00:47:35] For the purposes of passing, go ahead and pass at this point, Mr. Chairman.

**Co-chair Sen. Vernon Sykes** [00:47:39] Are there any other questions or comments? Mr. President, back to you

**Senate President Matt Huffman** [00:47:45] bThank you very much, Mr. Co-Chair, so Leader Russo, or I assume this is also Senator Sykes or anyone else. It's appropriate to answer. So far, we've talked about violations that I believe in are in both 6a and 6b of the Constitution. I'd like to talk now, talk about violations and the constitution of Section 6C. And for purposes of doing that, we have some maps that we want to show of the of the individual districts, the as as indicated, or I'll just simply read section Article six, section six, excuse me, Article 11, Section 6C. Very simple language. General Assembly districts shall be compact. General Assembly districts shall be compact. So first, we'll look at the districts that have been drawn in and around Summit County. And I think we just put them up numerically the first one and the as it relates to Section 6C. Leader Russo, is this a compact district?

**House Minority Leader Allison Russo** [00:49:06] Through the co-chair, President Huffman, our maps are compact and meet all requirements of the Constitution.

**Senate President Matt Huffman** [00:49:13] To be clear, I'm not asking about the map because the map itself doesn't change. That's the map the state of Ohio. This language says General Assembly districts shall be compact. My question is as to your proposed District 31, is this district compact in your estimation?

**House Minority Leader Allison Russo** [00:49:37] Through the co-chair, President Huffman. Yes, it is.

**Senate President Matt Huffman** [00:49:39] OK, let's take a look at 32. And I presume these are all viewable by the commission and anyone who happens to be watching on TV. So let's take a look at District 32. And this district is also in Summit County. And is this a district that you think is compact ?

**House Minority Leader Allison Russo** [00:50:05] Through the co-chair, President Huffman, yes.

**Senate President Matt Huffman** [00:50:07] Yeah. Let's take a look at 34 then. And you think this district is compact?

**House Minority Leader Allison Russo** [00:50:21] Through the co-chair, President Huffman. Yes.

**Senate President Matt Huffman** [00:50:24] And these districts also ultimately split the city of Akron, don't they?

**House Minority Leader Allison Russo** [00:50:40] Through the co-chair, President Huffman our map splits Akron into two House districts, the previous map that was thrown out by the court and adopted by this constitution last meeting split Akron three times.

**Senate President Matt Huffman** [00:50:58] And well, let's let's take a look at Section or House District 35 then. Now, tis is a district that I think includes the city of Akron, has a whole southern part there. Summit County. Does kind of a sprint around the outer edges of Portage County and ends up with a couple of townships up in Geauga County. Well, in part of another one kind of an a c clamp, I think version. Is this district compact in your estimation?

**House Minority Leader Allison Russo** [00:51:40] Through the co-chair, President Huffman, I will correct to you that this district does not include the city of Akron.

**Senate President Matt Huffman** [00:51:47] Okay?

**House Minority Leader Allison Russo** [00:51:47] And yes, it is compact.

**Senate President Matt Huffman** [00:51:49] So a district that has a little bit of Summit County, some of Portage County and all the way up to Geauga County, in your estimation, is a compact district.

**House Minority Leader Allison Russo** [00:52:03] Through the co-chair. To President Huffman, yes, this is compact. I will remind you that in the last math that was thrown out by the court and that was passed by this commission, there was a district that was very similar to this that I believe included Summit, Cuyahoga and Geauga.

**Senate President Matt Huffman** [00:52:30] Yeah, well, I guess, Mr. Mr. Chairman, you know, we're not looking at the last map. There's there's no motion here to pass the we're we're asking the consideration of this map. So comparison to the previous --.

**Co-chair Sen. Vernon Sykes** [00:52:45] I will remind you, Mr. President, as Auditor Faber has indicated that, you know, we're asking questions and answering questions about any and all of this. And so it's not just limited to the map.

**Senate President Matt Huffman** [00:52:58] Oh, very good. Very good. We'll talk about everything we've talked about before then. We'll get to public testimony later in my my questioning. So if you if it's your testimony here today that this district is is compact and therefore meets the requirements of Section 6C, all I can say is that I heartily disagree and we'll let let the public decide about that one. Let's let's take a look at House Districts 16 and 14. If we could, please. And these districts for the commission's benefit are in Cuyahoga County. So, Leader Russo, can you see the Green District, District 16 under your map that's on this board?

**House Minority Leader Allison Russo** [00:54:29] Yes, I can see it.

**Senate President Matt Huffman** [00:54:31] OK. And it appears to start on the far western edge of Cuyahoga County and then reaches in an elongated fashion into neighborhoods deep into Cleveland with a narrow line kind of almost in the shape of a dog or maybe a dinosaur. Is is, do you think that this complies with section 6C of Article 11 of the Constitution?

**House Minority Leader Allison Russo** [00:55:01] My apologies. Can you repeat your question?

**Senate President Matt Huffman** [00:55:03] Sure. Do you think Section, district 16 that you're proposing, comports or complies with Article 11 6C of the Constitution, which requires that General Assembly districts shall be compact?

**House Minority Leader Allison Russo** [00:55:19] Through the co-chair President Huffman? Yes, I do. I believe that's North Olmstead. That is the arm that goes out.

**Senate President Matt Huffman** [00:55:27] Okay, but do you think this is a compact district?

**House Minority Leader Allison Russo** [00:55:29] Yes.

**Senate President Matt Huffman** [00:55:30] OK. How about District 14? Is that also a compact district, in your estimation?

**House Minority Leader Allison Russo** [00:55:36] Yes.

**Senate President Matt Huffman** [00:55:36] Okay. And in the since we talk about some of the other maps, we've had proposal. There were no districts that were drawn like this in the previous map that that in Cuyahoga County, where there?

**House Minority Leader Allison Russo** [00:55:51] Through the co-chair, Senate president, which maps are you referring to? The

**Senate President Matt Huffman** [00:55:55] The previous map that you were referring to the most previous map,

**House Minority Leader Allison Russo** [00:55:58] the one that was thrown out by the court?

**Senate President Matt Huffman** [00:56:00] The most recent map that the commission approved? That's correct.

**House Minority Leader Allison Russo** [00:56:02] The unconstitutional map?

**Senate President Matt Huffman** [00:56:04] I think it is constitutional, but if you if we need to go to act back the date and time and all of that we can. Do the minutes reflect the last meeting. For purposes of Leader Russo's question, we could look and see what the date is so that she can be clear.

**House Minority Leader Allison Russo** [00:56:18] But to be clear, you are talking about the map that was passed by the commission, correct

**Senate President Matt Huffman** [00:56:23] At the last. The second map that was passed by the commission. I do We can get them the date when we passed it, if it's helpful.

**House Minority Leader Allison Russo** [00:56:31] I don't have a photographic memory, so I don't entirely remember what the districts look like. But again, the the court threw out that map and determined it to not meet the requirements of the constitution.

**Senate President Matt Huffman** [00:56:43] Let's look at House District 55. If we could. And. So this District, Senate or House district proposed to House District 55 stretches out along Lake Erie from part of Lorain County, I think that is and into Erie County and all along the lakeshore. Kind of in the shape of a bat and you might recall the name snake on the lake from from the last congressional map. That was a district that was created at the request of Democratic congressional members back in 2011. This appears to suffer from some of the same criticisms that the snake on the Lake did a long, elongated district along the lake. Generosity want me to repeat the question or.

**House Minority Leader Allison Russo** [00:57:47] Good through the co-chair through to President Huffman, if you're asking me if this map or if this is compact. Yes, it is. And and I would ask back to you. Are you conceding that sections section six of the Constitution is mandatory?

**Senate President Matt Huffman** [00:58:03] Section 6C is what I'm asking you about about specifically. My answer to that question, my my conclusion is no. The reason I know that or I believe that is not only did I introduce this legislation in 2014, I helped campaign for it along with many of the petitioners and the in fact, the purpose of this is as long as all of the other requirements that are listed are followed, then section C is not something. This is aspirational nature. Folks don't want to believe a Republican from Lima. They can ask former state representative and Secretary of State candidate Kathleen Clyde, who testified on the floor of the House that Section C is aspirational. So the court has concluded that, and that's all that really matters. So my question as it relates to House District 55 is is 60 a compact district in your estimation

**House Minority Leader Allison Russo** [00:59:03] through the co-chair President Huffman? Yes, I believe this district is compact and agree with the court that Section six is mandatory.

**Senate President Matt Huffman** [00:59:17] OK, very good. I'd like to continue on it if I may, chairman.

**Co-chair Sen. Vernon Sykes** [00:59:21] How much longer do you think you?

**Senate President Matt Huffman** [00:59:23] Well, it kind of depends on what answers come out Mr. Chairman, but I probably 10 minutes or so, I think.

**Co-chair Sen. Vernon Sykes** [00:59:29] All right.

**Senate President Matt Huffman** [00:59:30] Can I continue?

**Co-chair Sen. Vernon Sykes** [00:59:31] Please.

**Senate President Matt Huffman** [00:59:31] Yeah. And then, Mr. Chairman, for purposes of these questions, I want to make clear and I think Auditor Faber, part of our Auditor Faber's points are that we do have to follow the Constitution, but that's not the only requirement when we're drawing maps. If that were true, it would not have been necessary to have public input. And as I know, it was very important to Senator Sykes that we have many, many public hearings and we allow as many people to testify about those things. There are other also other

**Co-chair Sen. Vernon Sykes** [01:00:05] I'm surprised that you put emphasis on public hearings, your side of the aisle has been fighting on them this whole time, so I'm surprised that you put on emphasis on that.

**Senate President Matt Huffman** [01:00:13] Well, we had them. I know that Senator Sykes and we wanted to hear from what those folks had to say. So there's a lot of public testimony. There are also other laws in the state of Ohio and there are federal laws, and we'll get to those in a moment. But when comments that Senator Faber made regarding the division of political subdivisions, there are constitutional requirements. But even so, if the constitutional requirements are met, there are. We've had much public testimony. There have been many editorials talking about the importance of keeping cities together, keeping counties together. So the questions I'm going to ask you here are not about constitutional violations. The questions are what I think are important public policy when drawing maps, as expressed to us. This. These are map making, map line drawing elements that have been important for for decades and even centuries. And of course, part of our public testimony, and part of editorials and other opinion that the public have given to us.

**Co-chair Sen. Vernon Sykes** [01:01:27] So just for clarification? Yeah. Mr. President, are you saying that you have completed all of your constitutional questions about the map?

**Senate President Matt Huffman** [01:01:35] I'm saying for purposes of the next several questions I'm going to ask, I'm not asking about constitutional violations.

**Co-chair Sen. Vernon Sykes** [01:01:41] But, you plan on going back to that?

**Senate President Matt Huffman** [01:01:43] To constitutional issues?

**Co-chair Sen. Vernon Sykes** [01:01:46] Yes.

**Senate President Matt Huffman** [01:01:47] Unlikely.

**Co-chair Sen. Vernon Sykes** [01:01:46] Unlikely.

**Senate President Matt Huffman** [01:01:47] But it depends on what the answers are or any other testimony. There may be. So may I continue?

**Co-chair Sen. Vernon Sykes** [01:01:53] Yes.

**Senate President Matt Huffman** [01:01:54] Thank you very much. So the in the house map, the first house map, democratic map, I should say, the this is what Democrats submitted right at the beginning. It split the four cities of Toledo, Cleveland, Dayton and Cincinnati into 12 house districts. There were only 12 house districts in those, and thus more compact and more cohesive in terms of those cities. This map, as I understand it, divides those cities into, there are 19 house districts into those cities. And I think if you could put back up, I think District 16, you can see one of these, actually the other one, if you could, 14. You can see one of these elongated districts, but isn't keeping these cities. Isn't keeping these cities from being divided up, isn't that an important element of drawing districts again, not constitutional as long as the other, the city dividing rules are followed?

**House Minority Leader Allison Russo** [01:03:16] Through the co-chair, President Huffman, again, I would welcome any public input, and if that's what you're proposing today to have the public's input from individuals who live in that community to weigh in on this, I would certainly welcome that and thank you for putting that forward.

**Senate President Matt Huffman** [01:03:36] You know, I'm not proposing additional public input, so let me re-ask the question. The public, I think, has weighed in quite clearly that they don't. They want minimal divisions of cities and other subdivisions. So much so when we wrote this in 2014 that we actually had requirements about making sure that local divisions aren't divided up. Again, not submitting the constitutional violations. But this map divides those districts, those cities even more than the original Democratic map that was submitted back in September, doesn't it?

**House Minority Leader Allison Russo** [01:04:15] Through the co-chair, President Huffman, if you would like for us to propose that map from September because you think that is a better map? We certainly can make a motion to do that as well.

**Senate President Matt Huffman** [01:04:27] OK. I really just want to get to the point that you're dividing cities up more than the original democratic map. Isn't that true?

**House Minority Leader Allison Russo** [01:04:35] Through the cut through the co-chair, President Huffman, I think they are both good maps. If you prefer the first map over the second map and wish to have the public weigh into this more, I would welcome that.

**Senate President Matt Huffman** [01:04:48] Yeah. Well, I guess the point is all we have is this map here now being considered. So I'm going to submit to the commission and they can go look at the original democratic map that the cities of Toledo, Cleveland, Dayton and Cincinnati, where those four cities there were only 12 house districts drawn within those cities. This map divides those cities, up almost 50 percent more, or more than 50 percent more by adding in additional part parts of seven house districts from that original map. And on the Senate map, the original Democratic map took the five major cities of Cleveland, Toledo, Cleveland, Akron, Dayton and Cincinnati, and there were six Senate districts within those cities. This doubles the number of divisions within those cities on the Senate district map to 12. So this is the kind of of dividing up of local communities that has been sort of a hallmark of this reform much of our public testimony has been about. And and that's why I think this is an appropriate part of this. You know, appropriate part of what we should be doing here is dividing all these cities. In Akron and Summit County, if we could get the Akron Summit County, especially as it relates to Senate District 28, the in the first two commission maps and these are the maps that were proposed and passed by the commission. But for one reason or another, and I think mostly having to do with Section 6B, those maps were the Supreme Court ruled that those were unconstitutional. But in Akron and Summit County, the new map here again, the city of Akron was whole. And you know, we heard from folks in Summit County and newspapers and that part of the state that. Why are they why are they in some of the previous iterations, why is the city of Akron divided? It should all be in one district. And so those first two commission maps did that. This map, however, actually essentially divides Akron in half in a Senate District. Senate District 18. Forty two percent of Akron is in one Senate district, and 58 percent of it is in Senate District 28. So those who were wanted Akron together and testified about that and wrote editorials about it in letters and newspaper, you'll be disappointed by this map. It's not, in fact, divides it up. And more to the point is that 42 percent of Akron that that's taken out of the in into a different district. It no longer even stays in Summit County. It's now going to be paired with all of Portage County and part of Geauga County. And again, we heard much testimony about this. This is a, are the people who live in the city of Akron, do they have a common interest in on public policy issues, for the most part with people who live in Portage County and Geauga County? So I would say, I guess. Pairing Summit County Senate district and about half of Akron with Portage and Geauga County is certainly a unique way of doing this, and maybe pairing Summit County with part of Portage and Geauga County is not new, but having the core city of Akron leave and go into the city of Akron be paired with these other districts is in fact unique. And do you have do you have the map to look at or we don't have that? Yeah. The Summit Senate District 28 Summit County Map. We don't have one of those. OK, well, we'll find a chair.

**House Minority Leader Allison Russo** [01:08:54] So may I respond to that? I'm not sure if these are questions or not.

**Co-chair Sen. Vernon Sykes** [01:08:58] But let me. Since this is Akron, if I could before you speak. Mr. President, uh, you know, we have solicited input from you, from your side, from the majority. And the only thing we've been able to to get for the most part has been to schedule this meeting on the last day. But if you have suggestions that you'd like us to consider and we made an appeal as late as yesterday with the deadline of getting your input in today, you know, please, we want to work with you. It has been a directive of the court that we in fact have a commission map and not a minority majority, in order to do that. We have to work together in order to do that. Sure. Sure, we have to exchange information and ideas, and that just hasn't taken place to the extent that it should, and we're hopeful that this may be the beginning of something.

**Senate President Matt Huffman** [01:10:04] Yeah. Well, I think I recall in our last go round here in the not the last one, but the one before. In September, I spent about three days trying to set up meetings, one in Akron on the way to our our meeting and two days worth of phone calls to you and to other commission members trying to meet trying to get a resolution and that that didn't happen. And the other, the other maps that we are, I think, are our majority proposals to one degree or another. And I guess we're here talking about this map right now, and I have criticisms of the map, not only constitutional criticisms, but public policy and traditional map making criticisms of that. And that's what this is is about. So if you look at Senate District twenty three, which excuse me, twenty eight, right? Yes, Senate district, I think it's Senate District 18 now. It includes a portion, again portion of the city of Akron. Kind of swoops down. You can see House District 31, the C Clamp District, which is House District 35 and then House District 72. And again, taking the city of Akron out of summit and pairing it with essentially rural counties out to the east is, I don't think, is what the the folks who have testified in our traditional map making proposals.

**Co-chair Sen. Vernon Sykes** [01:11:47] Mr President, that is a house map.

**Senate President Matt Huffman** [01:11:49] I understand that. Do we have a district map for the Senate? Yeah. And your district, I guess if you can refer to the one that the that you passed out. If you look at House District, seventy two, fifty five and thirty one, I believe is your Senate map. Oh, there we go. Right. 18 is is 72, 55 and 31 combined. That's correct. I believe so, yeah, so my my point is that with all of the emphasis on keeping these cities whole as much as possible, sometimes you can't because the city is bigger than a house district. So we understand those divisions. But dividing it within city, within Senate districts is is a different story. And certainly dividing up a large city like Akron and taking it into a rural area doesn't seem to comport with the the wishes of the public. And again, traditional map making proposals. So. So that's my point. I mean, we can argue it if we want to, but if not, I'd like to move on to Toledo and Lucas County if I can. If you could bring those maps up and put in so.

**House Minority Leader Allison Russo** [01:13:11] Mr. Co chair?

**Co-chair Sen. Vernon Sykes** [01:13:11] Leader Russo?

**Senate President Matt Huffman** [01:13:15] Thank you. President Hoffman, I appreciate your comments. I'm not sure if there are questions in there, but you know, I would remind you that these maps and the files were provided to your staff. They've had them for days. We have asked for feedback from them. If you have a proposal that you would like to put forward that addresses these concerns, I think this commission would be more than happy to consider that. Is that your plan today to put forward a proposal?

**Senate President Matt Huffman** [01:13:48] I have. I have to ask the rest of my questions. We'll see how this goes. But I believe the first question that you answered was that the final version of this was delivered yesterday, about 24 hours ago. And I'd like to finish without being interrupted, although

**Co-chair Sen. Vernon Sykes** [01:14:04] I'm sure, I will correct you that there were some census blocks moved --

**Senate President Matt Huffman** [01:14:06] If I could finish without being interrupted, Mr. chairman I would appreciate that --

**House Minority Leader Allison Russo** [01:14:08] moved 84 people to --

**Senate President Matt Huffman** [01:14:09] I promise not to interrupt Representative Russo if she won't interrupt me, would that be ok?

**Co-chair Sen. Vernon Sykes** [01:14:14] Yes, sir.

**Senate President Matt Huffman** [01:14:15] All right. Thanks very much. So I understand that there's you like proposals in response to what you want. I can only respond to what's being presented to me here today. And if there are, there are a lot of different possible proposals we can have. But again, we have to have one that at least four members of the commission will support. We've had that twice already. We now have a new requirement that the Supreme Court put on us in the last decision. We're trying to figure that one out, too. So I'd like to move on to the Toledo and Lucas County area, if I can at this time. So in the first two commission maps that were proposed and in both of the maps by Professor Roden, which the Supreme Court decided, the city of Toledo is wholly within Senate District 11. Which is wholly inside Lucas County, as it has been for the last 30 years, and is currently that that Senate District 11 is inside Lucas County. Under the map that's proposed all or part of the city of Toledo, a full 20 percent of Toledo is sliced off and put into a rural Senate district, which will be represented by Senator Reineke in the middle of his four year term. And as you can see, Mr. Chairman that heads east out of Lucas County and Toledo is now paired with Erie, Ottawa, Sandusky, Seneca, Huron and all the way down at the bottom there, Crawford County in Bucyrus, Ohio. At least that's it's really Bucyrus, but that's what they say and that that new Senate district would include the part of Toledo where currently Senator Fedor actually lives. So my statement to the commission, you can be in the form of a question if folks want it to be. We can make whatever response you want to. But my statement to the commission is this is a completely unique, even by democratic standards division of the city of Toledo, taking a large swath of it and a significant swath for other reasons out of and therefore the city of Toledo is no longer whole. It's no longer within Lucas County and is now part of a heavily Republican district. Some would surmise that that had to do with eliminating Senator McColley, but my statement is that as it relates to keeping cities, including major cities, whole. This proposal violates certainly that tenet of mapmaking. So that's my statement. You can respond however you want if you think it's appropriate.

**House Minority Leader Allison Russo** [01:17:04] Thank you, co-chair. Thank you, President Huffman, for those comments. Again, I will say that our math is compliant with Sections two, three, four or five and seven and also complies with section six of the Constitution. Thus far, I don't believe that there are clear violations of the Constitution that have been shown. If you would like to go back to the democratic map that was proposed in September, certainly I would entertain proposing that map for this commission to again consider if you have your own proposal to put forward. I would love to see that, as I'm sure other members of this commission would, but I appreciate your input.

**Senate President Matt Huffman** [01:17:50] All right. Well, thank thank you very much. And so again, my concern is the slicing and dicing as the term is often been used of cities and counties.

**Co-chair Sen. Vernon Sykes** [01:18:01] Mr. Huffman I think your ten minutes is just about up.

**Senate President Matt Huffman** [01:18:04] OK. I have. I have another set of questions I think are very important, Mr. Chairman. And I'll try to go through. And if I don't think it's necessary to have repeated that, the leader thinks the issue is is the map is constitutional. We understand that position. So I'm going to talk about something else that is not part of the Ohio Constitution, but it also is a legal requirement for this commission to understand, OK. In 1996, the United States Supreme Court decided a case called Bush vs. Vera, and I hope everyone would agree that the rule the law set out by the United States Supreme Court is binding upon this body, and that case arose out of a challenge to districts that had been drawn by the state of Texas. And in short, the case says that when drawing legislative districts, the Fourteenth Amendment to the U.S. Constitution prohibits a state from using race as a proxy for the political fortunes of one party over another. Doing so is what has become known as racial gerrymandering. OK, so the first thing first of these and we're going to have all three of them displayed at the same time. Now these are the districts we've been able to look at and analyze in the brief time that we've had this new map. And the first one is Senate District 25. So in Senate District 25, you will see that. They're doing their best. They did not train under Vanna White, but. They were hired for their brains, not their map making or map presenting ability, but they're doing a great job under difficult circumstances. But let's take a look at Senate District 25, and you will see that Lake County, which is a about a 56 percent Republican county, reaches into Cuyahoga County and extracts portions of East Cleveland, which are heavily African-American areas. It's very clear that the east side of the city of Cleveland has those areas. Why don't we just do one at a time, guys? And that, of course, attaches into Lake County. That district was drawn and and clearly uses race to the benefit of one political party. This district right here, Senate District 25, is a textbook version of racial gerrymandering and that is prohibited by Bush v. Vera United States Supreme Court, not addressed by the Ohio Supreme Court. But this this kind of district is prohibited in this district, and therefore the map itself will be struck down by, in any case, that deals with racial gerrymandering. So that's that's a particularly dramatic example. We've got a couple of other examples which put forty four up, then also Adam? I'm going to put in for more sturdy easels for all of us. Now, we just talked a little bit about Senate, the Senate district that now pulls out inner city wards in Lucas County, which are also heavily African-American, takes those down in all the way down to Crawford County. But this house district? Oh, and by the way, the Senate District 25 we just talked about is now drawn as a Democratic district, because once you add those those portions of East Cleveland into twenty five, it becomes a democratic district. So we're we're doing this. Clearly, this racial gerrymandering is being done to benefit and make sure that a Democrat can get elected from that district. This House district does the same thing. Its House District 44. And it reaches in to these inner city neighborhoods in Toledo and takes them out into Ottawa County. And in order to create a district where Democrats can win. It cracks the city of Toledo and gets those historically African-American populations in and attaches them into Ottawa County, I think this district was also drawn by using race to benefit one political party. Again, a textbook example of racial gerrymandering. Let's let's look at Senate District 18, if we can. We've talked a little bit about this as a district that probably is not compact and also violates traditional map making rules by taking, splitting cities and taking them, in this case, the city of Akron. So what you see here is you have Senate District 18, Portage County, a portion of Geauga County, a rural area in the bottom portion of the city of Dayton. This cracks the city of Akron. It takes historically African-American populations, attaches them to Portage and Geagua County, and this is done to create clearly to create a Democrat leaning district. Again, textbook example of racial gerrymandering done to benefit one political party. So I'm not asking anybody any questions about that. Anybody would like to respond to that. They can go ahead and do it. But I don't think this can be dismissed as well. It doesn't mean, it doesn't violate some part of the Ohio Constitution because this is required under federal law as dictated by the United States Supreme Court. Now these examples are just some of the very dramatic that we were able to find in the short time that we've had this map. I'm certain if you go through, there are multiple other ones because the reason these things are done is to take African-American voters who are reliably Democrat voters, cracking them into different districts and pairing them with suburban Democrat voters someplace else. Now you may think, Well, that's what we need to do to make it proportional or your version of fair or whatever it is. But in the end, it's racial gerrymandering. It's illegal. And that's why this map is not appropriate. So that's the extent of my comments. Mr. Chairman, if someone else has something in response to that, I'd like to be able to respond. But at this time, I will turn it over to any of the other commissioners.

**Senate President Matt Huffman** [01:24:50] Are there any other questions or comments? Secretary LaRose.

**Secretary of State Frank LaRose** [01:24:56] Thank. you Mr. Chair. Obviously, we've got challenging scenarios. I think it's important that we consider all the options on the table, and Leader Russo made a comment a few moments ago that really caught my attention. She offered to reintroduce the map that had been proposed originally by our Democratic colleagues in September. Did you do you believe Leader that that map that was proposed in September is a constitutional map?

**House Minority Leader Allison Russo** [01:25:22] Through the co-chair Secretary LaRose that's a good question. I will remind you I was not a commissioner when that was originally proposed, so I haven't dug into the details. But certainly if there are members of this commission who believe that that is a better map or at least a starting point of a map, and it requires some tweaks and you have concerns about constitutional violations that you would like for us to adjust. We can do those quickly and consider those.

**Secretary of State Frank LaRose** [01:25:50] Leader, do you recall in that map that the Democratic members of the commission proposed how many Republican House seats there were?

**House Minority Leader Allison Russo** [01:26:02] Through the co-chair, secretary LaRose, I do not recall.

**Secretary of State Frank LaRose** [01:26:05] The number was 58. All right, thank you.

**Co-chair Sen. Vernon Sykes** [01:26:11] Are they any of the questions? If not, we have a motion on the floor. Would the secretary called the role on the motion.

**Co-chair Speaker Bob Cupp** [01:26:25] Will you restate the motion?

**Co-chair Sen. Vernon Sykes** [01:26:28] Will you restate the motion please?

**House Minority Leader Allison Russo** [01:26:32] Mr. Co-Chair, the motion was a move that the commission adopt the Sykes Russo February 15th House and Senate maps.

**Co-chair Sen. Vernon Sykes** [01:26:46] Call the roll please.Karl Rove was

**Clerk** [01:26:48] co-chair, Speaker Cupp.

**Co-chair Speaker Bob Cupp** [01:26:49] No.

**Clerk** [01:26:49] Co-chair, Senator Sykes.

**Co-chair Sen. Vernon Sykes** [01:26:51] Yes.

**Clerk** [01:26:53] Governor DeWine.

**Governor Mike DeWine** [01:26:53] No.

**Clerk** [01:26:53] Auditor Faber.

**Auditor of State Keith Faber** [01:26:55] No.

**Clerk** [01:26:55] President Huffman.

**Senate President Matt Huffman** [01:26:58] no.

**Clerk** [01:26:59] Secretary LaRose

**Secretary of State Frank LaRose** [01:27:00] no.

**Clerk** [01:27:00] Leader Russo.

**House Minority Leader Allison Russo** [01:27:01] Yes.

**Clerk** [01:27:04] 5-2, co chair.

**Co-chair Sen. Vernon Sykes** [01:27:06] Five, two, the motion is not approved. At this time are there any other items could be brought before the commission?

**House Minority Leader Allison Russo** [01:27:18] Mr co-chair?

**Co-chair Sen. Vernon Sykes** [01:27:19] Yes.

[01:27:20] I'd also like to make a motion that any commissioner with an allegation that the Sykes RussoFebruary 15th map, the allegation that it violates the Constitution, that you put that allegation forward on the record in writing.

**Co-chair Sen. Vernon Sykes** [01:27:37] Second the motion. Any questions on the motion?

**Co-chair Speaker Bob Cupp** [01:27:44] Mr. Chairman,.

**Co-chair Sen. Vernon Sykes** [01:27:45] Yes,.

**Co-chair Sen. Vernon Sykes** [01:27:47] I understand if one was to invite members to do that, but they have a motion to compel them to do that. I think that is beyond the courtesy that should be accorded to members of this commission. So I would oppose it.

**Co-chair Sen. Vernon Sykes** [01:28:04] Any other comments?

**Senate President Matt Huffman** [01:28:06] Mr. Chairman, I agree with Senator Cupp, one time Senator Cupp. Speaker Cupp, I guess I've tried to make clear what I think my objections are and there are there are different reasons that that folks may have, but it's, you know, in this context. Like it or not, the commission speaks as the commission and we determine that by the votes that we have and not individuals, we have to act collectively just as the General Assembly does. We certainly don't force members of the General Assembly to stand up and explain their yes or no vote on each occasion. So I also would oppose the motion.

**Co-chair Sen. Vernon Sykes** [01:28:52] Any other comments,

**House Minority Leader Allison Russo** [01:28:55] Mr. Co-Chair, I would respectfully disagree with that. The court has been very clear that it would like for us to put forward a plan that addresses the issues that it raised in the decision that is constitutional. We have put forth a map again that we believe is compliant with Sections two, three, four or five and seven and also complies with Section six. I think that it is entirely appropriate that if we are either not going to adopt this map or put forward any proposal in response to the court, that we should be very clear and writing why it was that this map that was put forward for consideration by the commission was not constitutional, if that is the allegation by some members of this constitution. I mean, this commission.

**Co-chair Sen. Vernon Sykes** [01:29:55] Any other comments? Will the secretary call the roll on the motion.

**Clerk** [01:30:03] Co-Chair Speaker Cupp.

**Co-chair Speaker Bob Cupp** [01:30:05] No.

**Clerk** [01:30:06] Co-chair, Senator Sykes.

**Co-chair Sen. Vernon Sykes** [01:30:07] Yes.

**Clerk** [01:30:07] Governor DeWine.

**Governor Mike DeWine** [01:30:10] no.

**Clerk** [01:30:10] Auditor Faber.

**Auditor of State Keith Faber** [01:30:10] no.

**Clerk** [01:30:11] President Huffman.

**Senate President Matt Huffman** [01:30:12] No.

**Clerk** [01:30:13] Secretary LaRose.

**Secretary of State Frank LaRose** [01:30:16] no.

**Clerk** [01:30:16] Leader Russo

**House Minority Leader Allison Russo** [01:30:16] Yes.

**Co-chair Sen. Vernon Sykes** [01:30:20] The motion is not approved. Are there any other comments to be made today?

**Co-chair Speaker Bob Cupp** [01:30:28] Mr Co-Chair, if unless there is somebody that wants to make a statement at this time, I would move that we adjourn for, let's say, 30, I'm sorry. Yeah, recess for 30 minutes more or less so that members can think about what we've seen and heard and has been presented here today and then reassemble no more than 30 minutes. It's got, I don't want it to stretch to three hours.

**Co-chair Sen. Vernon Sykes** [01:30:56] Is there any further discussion on the recess? Any objections?

**Auditor of State Keith Faber** [01:31:02] I didn't hear the time of 30.

**Co-chair Sen. Vernon Sykes** [01:31:05] 30 minutes at 3:40. We're now recessed until 3:40.