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**Co-Chair Sen. Vernon Sykes** [00:00:00] Will the staff please call the roll.

**Staff** [00:00:03] Speaker Cupp.

**Co-Chair Speaker Bob Cupp** [00:00:04] Present.

**Staff** [00:00:05] Co-Chair Senator Sykes.

**Co-Chair Sen. Vernon Sykes** [00:00:07] Present.

**Staff** [00:00:07] Governor DeWine.

**Governor Mike DeWine** [00:00:08] Here.

**Staff** [00:00:09] Auditor Faber.

**Auditor Keith Faber** [00:00:09] Here.

**Staff** [00:00:10] President Huffman.

**Senate President Matt Huffman** [00:00:11] Here.

**Staff** [00:00:12] Secretary LaRose.

**Sec. of State Frank LaRose** [00:00:12] Here.

**Staff** [00:00:13] Leader Russo.

**House Minority Leader Allison Russo** [00:00:14] Here.

**Co-Chair Sen. Vernon Sykes** [00:00:16] A quorum is present. We will meet as a full committee. In your folders, you have a copy of the minutes of the February 22nd meeting. Is there a motion to accept the minutes?

**Co-Chair Speaker Bob Cupp** [00:00:29] I'll move the minutes be accepted.

**Co-Chair Sen. Vernon Sykes** [00:00:31] Is there a second?

**Senate President Matt Huffman** [00:00:34] Second.

**Co-Chair Sen. Vernon Sykes** [00:00:35] Minutes have been moved and seconded. Are there any additions or exceptions to the minutes. Any objections to the minutes? If not, we'll accept the minutes as presented. One item that we have is to pay some bills for the commission. We do have a budget and it's $11,125.79 to the Dispatch Media Group and $5,087.55 to the Inquirer Media Group. This is for the November public notice of the adopted General Assembly plan, that the commission should pay based on rule number 11. Is their motion to approve these expenditures?

**Co-Chair Speaker Bob Cupp** [00:01:36] Mr. Chairman, I'll move to approve the expenditures.

**Co-Chair Sen. Vernon Sykes** [00:01:40] Is there a second?

**House Minority Leader Allison Russo** [00:01:42] Second.

**Co-Chair Sen. Vernon Sykes** [00:01:45] Any discussion? Will staff please call the roll.

**Staff** [00:01:56] Speaker Cupp.

**Co-Chair Speaker Bob Cupp** [00:01:57] Yes.

**Staff** [00:01:57] Seqqnator Sykes.

**Co-Chair Sen. Vernon Sykes** [00:01:59] Yes.

**Staff** [00:01:59] Governor DeWine.

**Governor Mike DeWine** [00:02:00] Yes.

**Staff** [00:02:02] Auditor Faber.

**Auditor Keith Faber** [00:02:02] Yes.

**Staff** [00:02:03] President Huffman.

**Senate President Matt Huffman** [00:02:04] Yes.

**Staff** [00:02:05] Secretary LaRose.

**Sec. of State Frank LaRose** [00:02:05] Yes.

**Staff** [00:02:06] Leader Russo.

**House Minority Leader Allison Russo** [00:02:08] Yes.

**Co-Chair Sen. Vernon Sykes** [00:02:11] The motion is adopted. At this time, the commission will hear public testimony from sponsors of complete state wide congressional plans. These proceedings will be recorded and broadcast by the Ohio Channel so that the board, in its deliberations, may consider things said here today. We asked our audience today to refrain from clapping and other loud noise out of respect for the witnesses and persons watching the proceedings remotely. If you are here to testify, piece complete a witness slip and give it to one of our staff. If you have written testimony, please give a copy to our staff so they can include it in the official record of the proceedings. A witness slip, a witness may testify before the commission for up to 10 minutes, subject to the limitations that may be placed by the co-chairs. Witnesses should limit their testimony to, their testimony should be complete and deal with statewide congressional plans that they have submitted. At this time, we will begin with the testimony. We have four persons that have submitted written testimony only and we have at this time three persons that will want to testify in person. The first person to testify will be Mr. Gary Gale. Mr. Gary Gale. [indecipherable] I understand he is on his way and we'll will hopefully pick him up later in the in the meeting. The next speaker is Mr Paul Miller. Mr. Miller, you come forward, please state, and spell your name clearly, for the record. You have 10 minutes.

**Paul Miller** [00:04:21] Paul Miller, P-A-U-L M-I-L-L-E-R.

**Co-Chair Sen. Vernon Sykes** [00:04:24] Thank you.

**Paul Miller** [00:04:27] Members of the commission, at the hearing at the end of October, I presented you a map which was completely free of any kind of gerrymandering. I explained what gerrymandering actually entails and provided a sound mathematical metric for determining the amount of gerrymandering in any given redistricting plan and assign numerical values to a variety of plans presented before you so you could judge objectively. I argue that, as I was the only person to submit a map without partisan bias, you had no other choice but to accept my proposal as it was, or to hand the baton over to the General Assembly, which you did. While are the liberal activists proclaimed you would not do the right thing and that you were actually incapable of it, I stood here and predicted that you would. You did the right thing then, and I believe you will do the right thing again. Only this time, the right thing for you to do is to follow the Supreme Court's order to produce a map. And while the court has no authority to tell you how you should go about it, the intent of the constitutional amendment, which was put to referendum in which created the ORC was to make it a transparent and public process, so the court's suggestion that you adopt a plan from the public is merited, although not binding. And that brings us back to where we started. Once again, your choices are to adopt my proposal or draw your own map in an expeditious manner so that it will go into effect not more than 90 days in advance of May 3rd, which we all know is not going to happen because the minority parties demonstrated that it is obsessed with partisan gerrymandering overreach and has no desire either to compromise or to adhere to the rules set down in the Constitution. In effect, nullifying the purpose of the commission and vacating any plan which it could produce. The activists have already told you that they won't stop fighting until they get what they want, and what they want is anything but fairness. They're doing it because they believe they can legislate from the bench as part of a national nationwide strategy orchestrated under their party's national redistricting committee, As I've already expose and explain several months ago. But Ohio is a predominantly Republican state, and those of us who voted in favor of the referendum to end gerrymandering did not vote to enable the Democrats to gerrymander our legislative and congressional districts maps in their favor, We voted to prevent it. The questions you need to consider are these: 1) What are the statewide preferences, how do we evaluate them and what does it mean to closely follow them? 2) How many seats for each party can be artificially created within the bounds of fairness before it becomes an unconstitutional partisan gerrymander? And 3) which constitutional criteria should be sacrificed to meet the goal of following the statewide preferences? As for how the statewide preferences should be evaluated, my opinion is that the Constitution is too ambiguous on this point to be of any use, and voters who saw the ballot initiative were too uninformed to properly consider the ramifications. So while the court has ruled this way in the present, it would be a terrible precedent for the ORC to completely overhaul the process as being actually the least essential and most open to interpretation of all the constitutional criteria. The court will surely reverse its opinion the moment the matter comes before it again, when the balance has tipped in favor of textualist, which could easily happen before the next cycle. In other words, don't throw caution to the wind. Also, for congressional races, you should be looking at elections data which exclude presidential elections and focus on midterms where the congressional race is top of the ticket. Otherwise, you're liable to make a mistake, which will determine the outcome in a close race. The court has also made suggestions, but has no say in the process and didn't give you any specific guidelines to follow. So because it arbitrarily made the same determination with regard to the congressional redistricting process outlined in Article 19, as it did with the General Assembly process outlined in Article 11, the court has interpreted its role in each situation interchangeably, which means it is limited under Article 11, Section 8, paragraph C-2, to ordering remediation for legal defects, which it has identified but shall include no other changes to the previous plan other than those made in order to remedy those defects. The court's majority offered an opinion about how you might go about this, but the portion which is binding is the limitation on the court's role. The media can tell us that the plan, which the General Assembly passed as Senate Bill 258, has been struck down. But this is not the case. Only the portion of the plan which the court decided doesn't follow the Constitution, is invalid. That is, changes cannot be made to SB 258 other than those which are necessary to fix the problem and to argue otherwise is to present an argument other than the one which the court ruled on. The Democrat activists, however, have taken it upon themselves to redraw the map altogether, with the court's ruling as a blanket justification. Yet the Constitution doesn't allow this. For instance, while SB 258 breaks up District 9 snake on the lake, but gives the incumbent a 50-50 chance to retain her seat in Toledo, the Democrats have gerrymandered the district to give it an unfair advantage. One could argue that this is still within the bounds of fairness based on the court's ruling. However, in order to do it this way, they've all decided that the other constitutional criteria don't apply. There are a lot of Democrats in Wood County, so it's easy to include Wood with Lucas to keep District 9 safe for the Democrats. But to do that, you have to move Bob Latta out of his District 5 into a safe Democrat district. This clearly unnecessarily unduly does favors both a political party and one of its incumbents. But that's not enough for them. They also want to force Congressman Warren Davidson and Jim Jordan, both popular Freedom Caucus members, into a primary against each other in Bob Latta's district, the seat of either of which is some 116 miles from the residents of Pioneer who've been gerrymandered into their backyard. In other words, the Democrats want to illegally, illegally create another situation which created the snake on the lake while denying half the state's residents representation. At best, they're encouraging carpetbagging, which is bound to become a problem for both of the major parties and as much of a concern for Ohio voters as gerrymandering ever was. And they've also done the same in the southeast by pitting Bill Johnson and Troy Balderson against each other. Both fair districts Ohio and the Ohio Citizens Redistricting Commission intend for you to adopt the plan, which necessarily just favors half the Republican incumbents because it's the only way for them to achieve their aim of hijacking requisite number of congressional seats, which is all they've ever truly cared about. Even the plans submitted by David Helmick, which he billed as a compromise and allows the Democrats no more than five seats, makes the same mistake of writing Congressman Latta out of his district and forcing Jordan and Davidson to either move, retire or run against each other. The answer to the question of how many seats for each party can be artificially created within the bounds of fairness before it becomes an unconstitutional partisan gerrymander? Is zero. And the answer to the question of which constitutional criteria should be sacrificed to meet this goal is none. You're either following the Constitution or you're not following the Constitution. The court's order only applies as far as the Constitution limited, which is to say, the upper bound of fairness in favoring the Democrats. When I testified in October, I gave you a map which set the lower bound at two safe Democrat seats, as that's what they're entitled to, and anything beyond that is a deviation from the rest of the state wide margin, favoring Republicans by nearly 20 points. And you can't legally break up the urban to rural concentration gradient. As Senator Huffman rightly pointed out last week, racial gerrymandering is illegal, and as Auditor Faber pointed out, the Democrats' plan use cracking and packing to even at the margins. This is inevitable for what you want. But let's assume that the Supreme Court's majority opinion invalidates the Voting Rights Act or that an excuse can be made for it. For example, I've opened up a new safe democratic district outside Cleveland's District 11 for Chantelle Brown. So the inevitable racial gerrymandering is offset for African-Americans in the east of Cuyahoga County by virtue of the fact that they already have representation there should her party reelect her. I think this is a good solution to a difficult problem. In any case, the lower bound of fairness for safe Democrat districts is clearly two. But the upper bound, which the court has forced you to consider, is four. Four is exactly the number of seats which the Democrats should have by a strict adherence to the statewide preferences as determined by the last 10 years of elections. Anything beyond this is an intentional gerrymander, especially since Ohio is losing a seat and the GOP has to suffer it. But highly competitive districts, which neither favor nor disfavor the incumbents, are also fair. So we can add two more of those within the bounds of fairness, which gives the Democrats a chance to secure between four and six seats fairly assuming these other elections are not rigged, which is already an assumption which the majority of Republican voters in Ohio are not willing to make given the recent elections. Republicans will only, however, have one congressional seat in the state of Oregon because Democrats don't believe in fairness or even in proportionality. They won't give up. Any of their 14 out of 17 districts in Illinois, which is only 55 percent Democrat or any of their nine out of nine seats in Maryland. But don't expect the League of Women voters to challenge them because their cause is as partisan and disingenuous as it is unjust. A nine to four spread with two hyper competitive districts is a great, is as great a concession as the GOP can make without blatantly violating our state's constitution in several ways. And that's what I have given you. If the Democrats are smart, they will take it and be happy with the victory. If not, then the commission still needs to produce a map, which means it'll be up to the Republican majority to do what they think is best without caving in to the other party's intransigence. After all, it motivated Republican might challenge a map proffered by the Democrats on the grounds that it is necessarily unconstitutional. I've given you everything you need in the part of my testimony that I don't have time to read. You have an explanation of the rationale, which I've used to determine how the districts should be drawn and an itemized list of how I've drawn each district in accordance with these steps, so that you can include a statement explaining what the commission determined to be a statewide preferences of the voters of Ohio. Another, and neither party can cry foul when there is no foul, or otherwise be left in the dark. I've done everything painstakingly by the book, and I honestly don't care which party gets the upper hand. But let's not continue to give people a reason to mock Ohio by our elected officials pursuit of corrupt political practices, including partisan gerrymandering. If you decide there's a better map for your consideration than the one I've given you or that you can do better yourselves, that's fine. But it's time for you to choose so we can all move on with our lives. Thank you. That's all I ever say. Any questions?

**Co-Chair Sen. Vernon Sykes** [00:14:05] Thank you, Mr. Miller. Are there any questions?

**Co-Chair Speaker Bob Cupp** [00:14:09] I'm going to have a few questions. Good, thank you, Mr. Chairman, I just want to ask some questions in regard to the constitutional standards, which I would intend to ask to anybody that is presenting a map. The first relates to the congressional ratio of representation. And as I'm sure you're aware, Article 19, section 282 of the congressional ratio of representation is 786,630 person s. So did you apply a standard of strict mathematical equality for the population of each district? Or did you deviate from the ratio of representation for any district?

**Paul Miller** [00:14:54] Yes, Chairman, I used the plus or minus one population deviation as my guide in each district.

**Co-Chair Speaker Bob Cupp** [00:15:00] One, one person.

**Paul Miller** [00:15:01] One person. And that accounts for the the splits, there are four precincts they're split in 13 counties and uses minimal amount of splits as I could, but some to get the population deviation to within one or zero. I had to make some splits.

**Co-Chair Speaker Bob Cupp** [00:15:22] All right. Let me let me pursue that a bit. Prior to drawing district, did you determine which counties had population that exceeded the ratio of representation pursuant to Article 19 section 2b4?

**Paul Miller** [00:15:35] Yes, and right here it says single county districts max possible, three, that's the Hamilton. Franklin and Cuyahoga each have their own district.

**Co-Chair Speaker Bob Cupp** [00:15:44] And in any of those counties, were there any cities or townships whose population exceeded the congressional congressional ratio of representation?

**Paul Miller** [00:15:53] Columbus, yeah.

**Co-Chair Speaker Bob Cupp** [00:15:56] And did you follow the rules under 2B-4A to include significant a significant portion of that political subdivision in one district?

**Paul Miller** [00:16:04] Yes, I did. It's basically the southeast corner of Franklin County.

**Co-Chair Speaker Bob Cupp** [00:16:11] All right. I'm returning to the continue with the county that is population exceeded the racial representation. Were there any cities or townships that were larger than a hundred thousand persons, but less than the congressional ratio of representation?

**Paul Miller** [00:16:24] I'm not sure about the populations of of Hilliard and the other cities in Franklin County, but I kept them all intact in District 15. The only ones that are the exception are are the ones that are within the bounds of Columbus.

**Co-Chair Speaker Bob Cupp** [00:16:42] So did you follow the rule under 2B-4B by not splitting that political subdivision?

**Paul Miller** [00:16:49] Correct.

**Paul Miller** [00:16:50] The only municipalities that I split are there are three of them. They're all under population of 20,000 Cuyahoga County, and I think it was Warren or or Dayton, around Dayton.

**Co-Chair Speaker Bob Cupp** [00:17:05] Can you tell me how many counties in your plan are whole and in one congressional district?

**Paul Miller** [00:17:13] The answer to that is written here somewhere. I've split 13 counties, 14 times, the only county that is split twice as Cuyahoga. So that means that there are minus 13 from 88. So 75.

**Co-Chair Speaker Bob Cupp** [00:17:37] Well, let me just kind of take these one at a time. How many counties in your plan are split once?

**Paul Miller** [00:17:43] 12.

**Co-Chair Speaker Bob Cupp** [00:17:43] OK? And how many counties in your plan are split twice?

**Paul Miller** [00:17:47] One.

**Co-Chair Speaker Bob Cupp** [00:17:49] And how many counties in your plan are split more than twice.

**Paul Miller** [00:17:53] Zero.

**Co-Chair Speaker Bob Cupp** [00:17:53] And is it your assertion that these numbers comply with Article 19 section 2B-5 regarding counting splits?

**Paul Miller** [00:18:03] Yes.

**Co-Chair Speaker Bob Cupp** [00:18:05] Does your plan comply with Article 19 section 2B-6 in that if a district contains only part of a county, the part of the district that lies in that district is contiguous with the boundaries of that county.

**Paul Miller** [00:18:21] Yes.

**Co-Chair Speaker Bob Cupp** [00:18:27] Prior to drawing your district, did you determine which counties had populations that exceeded 400 thousand persons?

**Paul Miller** [00:18:34] Yes.

**Co-Chair Speaker Bob Cupp** [00:18:35] And can you tell us what those are?

**Paul Miller** [00:18:38] To wit, under their apportionment or just above, 400,000.

**Co-Chair Speaker Bob Cupp** [00:18:45] Exceeded 400,000.

**Paul Miller** [00:18:46] So Hamilton, Franklin, Cuyahoga, Lucas, Summit, and Stark, I think.

**Co-Chair Speaker Bob Cupp** [00:18:56] What about Montgomery?

**Paul Miller** [00:18:58] Oh, I'm not very familiar with Montgomery. Yeah, I did not split Montgomery.

**Co-Chair Speaker Bob Cupp** [00:19:05] So does your plan comply with Article 19 section 2B-7 that in that no two Congressional District shall share portions of the territory of more than one county, except for those counties whose population exceeds 400,000.

**Paul Miller** [00:19:19] Yes.

**Co-Chair Speaker Bob Cupp** [00:19:22] And did you attempt to include at least one whole county in each congressional district?

**Paul Miller** [00:19:27] I did include one county in each congressional district, with the exception of of the the districts that were entirely within one county.

**Co-Chair Speaker Bob Cupp** [00:19:38] All right. Thank you.

**Co-Chair Sen. Vernon Sykes** [00:19:43] Senator Huffman,

**Senate President Matt Huffman** [00:19:46] Thank you, chairman. So, Mr. Miller, I'm looking at your testimony. And is there a paper hand out of your map? I guess, it's on the website we can look at if we need to

**Paul Miller** [00:19:59] It's or is it it's on the website. And unfortunately, I don't have a paper handout.

**Senate President Matt Huffman** [00:20:03] Yeah, that's fine. That's fine. I think I was able to look at it on the phone there

**Co-Chair Speaker Bob Cupp** [00:20:07] Senator, we have one copy there.

**Senate President Matt Huffman** [00:20:09] Oh, OK, thank you.

**Senate President Matt Huffman** [00:20:13] Yeah, somebody want to make copies of that? So I was looking on the back page. This just a statistical summary or I guess, gerrymandering, proof of proof of gerrymandering. And you didn't go over that your testimony, did you? Or at least you didn't read this part, right?

**Paul Miller** [00:20:29] I went over it in October, so I assume that you're familiar with it. I'd be happy to read.

**Senate President Matt Huffman** [00:20:35] Yeah. And and to the extent that it would be helpful. So explain explain these ratings, and I'll just draw attention to commission members to the last page of the testimony. And it appears to be a ranking of. Well, I guess you call it the range of fairness for these, these various plans. Could you explain how you how this was created? What what's the math that goes into it?

**Paul Miller** [00:21:05] In order to establish a gerrymandering index, as I described in my first paragraph here?

**Senate President Matt Huffman** [00:21:10] Mm-Hmm.

**Paul Miller** [00:21:11] I use statistical variance as in with regard to the margins of the districts for a congressional plan. For example, you have a normal would be Republican. Fifty two Democrat. Forty five. That would be a margin of seven points. You plug all of those values in the 15 districts into a standard deviation calculator. It gives you statistical variance, which is evidence of artificial manipulation.

**Senate President Matt Huffman** [00:21:40] And so in terms of what you plugged into, is this the information that's available on the public websites that that's where you plugged it into the Dave's Redistricting or whatever it is?

**Paul Miller** [00:21:52] I've used the the official. So the Ohio House GOP and Senate GOP and Democrats plans are available on Dave's Redistricting, and I use the the statistical data from from that site. But I had to create and that's why I said the fair district Ohio proposal that they've submitted recently is approximate because I couldn't couldn't get the map to load on that, so I had to recreate it by myself. So that's not exact, but it's fairly close.

**Senate President Matt Huffman** [00:22:20] OK. So according to your I guess, the these the statistics, the actual math, if if what we're saying is fairness is based on the actual results of the election where it goes, the fair district Ohio proposal is the most unfair of all the plans that we have seen. Is that what your testimony is?

**Paul Miller** [00:22:44] Of the ones that I've evaluated? Certainly, yeah. But I can't speak on ones that I haven't looked at. Yeah.

**Senate President Matt Huffman** [00:22:49] Well, I'll just I mean, the ones that we have there's there's eight of these listed and in the the least fair, according to your statistical analysis, the four least fair out of these eight are the Ohio Senate Democrats Plan and Senate Bill 237, the Ohio House Democrats Plan House Bill 483 the the redistricting commission's proposal, the previous one, and then the least fair is the Fair District Ohio proposal, and I guess the current Ohio Senate plan is ranks second to House apparently beat us out as being more fair. Congratulations. Speaker Cupp but then your plan is is ranked third, or just about the same as the Ohio Senate GOP plan a GOP plan. Can you comment just on how, I guess, you know, fairness is always in the eye of the beholder and clearly the Fair District Ohio plans is by far the least unfair of all of these plans. But do we need to get better than the ranking, the 608 ranking in order to get fairness in order to be a good map, an acceptable map, a policy map that is acceptable to Ohioans?

**Paul Miller** [00:24:16] So the reason I included my original proposal was to provide a standard for what in a completely un-gerrymandered map will look like if it's done right. So the value, which is almost identical to Senate Bill 258, I think, is shows that 258 was fine the way that it is statistically, but the deviation that you have to apply to the map in. In order to get the proportionality that the court has ordered is it means you have to necessarily gerrymander, it means you necessarily have to to break up a good map by necessity. So the extent to which you can do that, which is still within the bounds of fairness, I think based on, you know, my months of of doing this, I think is approximately what I wind up with here. Now you could argue, maybe that, like I mentioned, the David Helmick plan that has one less hyper competitive district, which leans Republican than than my plan. I would consider that a good map, except for the reasons that I've already outlined.

**Senate President Matt Huffman** [00:25:24] Does the fact that the House plan have a lower score in your mind mean it's more fair?

**Paul Miller** [00:25:31] No, I don't actually like the House plan very much. I don't. I'm from, I'm from Lucas County. I don't think Lucas County should be split, and they split Toledo right down the middle. But it's, that's not my decision to make so.

**Senate President Matt Huffman** [00:25:45] Sure. Well, yeah, I know there's always discretion in here. That's why we got elected to do these jobs, I guess. One final question if I could, Mr. Chairman, I guess I find it remarkable that your original proposal, the standard of fairness is almost an identical score to the current Senate GOP plan. Is that Senate Bill 258 or both 608 and .8 or .9? Could you just respond to that? How? I don't think you are working with our map makers. It just happened to be that way. Is that right?

**Paul Miller** [00:26:16] It happened to be that way. And I can't get Senator McCaulley to talk to me about it either. So,.

**Senate President Matt Huffman** [00:26:20] Oh, that's-

**Paul Miller** [00:26:21] But no, I in response to that question, Senator. Yeah, I think that it was a good map. I was actually surprised when I saw it because at the time I thought I had the best maps submitted to the ORC. And I think that was a better map than the one that I originally produced. So I had to up my game and do fewer county splits and fewer township splits. But it was that map that proved to me that it could be done.

**Senate President Matt Huffman** [00:26:44] OK, thanks. Thank you very much, Mr. Chairman,.

**Co-Chair Sen. Vernon Sykes** [00:26:49] Leader Russo.

**Minority Leader Rep. Allison Russo** [00:26:52] Thank you, Mr. Chairman. Thank you, Mr. Miller, for being here. I want to go back to this gerrymandering proof that you presented on the back. What is the source of this proof? Can you explain to me a little bit about how you came up with this? Is this yours? Is it something that you are using from an accepted measure of fairness? I'm just trying to understand your calculation

**Paul Miller** [00:27:23] Leader Russo, statistical variance is used by people in academia, by mathematicians and statisticians and scientists, and I'm familiar with it because of my educational background. But it's applied in a large variety of academic fields, and I felt that it would be appropriate to address this issue because there's so much uncertainty about what gerrymandering is, what it entails, what it looks like on a map versus what it really is, which is the intentional favoring or dis favoring of political party or its incumbents. So I decided that I would try to use this objective measure in this situation.

**Minority Leader Rep. Allison Russo** [00:28:02] So quick follow up. I understand what statistical variances. But am I understanding correctly that this your addition of statistical variances from individual districts? This is a measure that you have created as a measure of quote unquote fairness, as am I understanding that correctly?

**Paul Miller** [00:28:22] No, I have not created standard deviation formulas. I've just applied them here.

**Minority Leader Rep. Allison Russo** [00:28:30] But your overall measurements, for example, 549, 608, et cetera. You took statistical variances from individual districts correct in each of these maps.

**Paul Miller** [00:28:43] Yes.

**Minority Leader Rep. Allison Russo** [00:28:43] And in you've added those up.

**Paul Miller** [00:28:46] The margins. Yes.

**Minority Leader Rep. Allison Russo** [00:28:47] So your measure that you're using is a proof that you have created. It's not something that other that is widely used by other mapmakers, correct?

**Paul Miller** [00:28:57] Probably not widely used no. But but I didn't. I would say that I didn't create it. It's just something that was there and hasn't been utilized.

**Minority Leader Rep. Allison Russo** [00:29:05] A quick follow up. But but I guess I'm asking, is this your method for evaluating?

**Paul Miller** [00:29:12] I don't know how to answer that. I don't. I don't claim it as mine. So.

**Minority Leader Rep. Allison Russo** [00:29:16] OK

**Paul Miller** [00:29:16] I would I would like to see more people use it because because it's an objective measure.

**Minority Leader Rep. Allison Russo** [00:29:21] OK, thank you. One other quick follow up and I understand it because I don't have the statistics. I don't think for your districts, am I understanding correctly that there are four quote unquote Democratic safe districts, 10 Republican district or no how many nine? Can you talk to me a little bit about the breakout you have 4 safe Democratic seats? One. Two.... I think nine.

**Paul Miller** [00:30:00] OK, so the the argument that has been put forth to this committee, I know Senator Huffman asked everyone who was up here in the fall to my to my memory about about what a what a what competitive means and numerically. And so the consensus is anything within three points of of a margin of 50 for either party is competitive. Some people extend that out to maybe five percent. Dave's Redistricting includes that as competitive scores. And so the Senate Bill 258 does not provide Democrats a close enough margin in different districts in the ones that would be considered competitive for them to actually be competitive. The expectation is that the Democrats will lose all of those elections except for, you know, three and 11. So my solution to that is if we really want fairness to make them 50 50 right down the middle. So what I've done in District 15, Mike Carry's spot because because I don't want to disfavor an incumbent and he's an incumbent instead of creating a safe Democrat district there, I've just made it 50-50 right down the middle. Senate Bill 258 already did that with District nine, so those are two hyper competitive districts. Instead of arguing about is a 52 percent advantage for Republicans, a competitive district. Let's just make it 50-50.

**Minority Leader Rep. Allison Russo** [00:31:34] OK, so quick follow up. So I'm understanding that this you essentially have nine Republican leaning districts, four Democratic leaning districts and then, two quote unquote competitive in your measured competitive, is 50-50.

**Paul Miller** [00:31:46] That's correct.

**Minority Leader Rep. Allison Russo** [00:31:47] OK, thank you.

**Co-Chair Sen. Vernon Sykes** [00:31:52] Are the other question. Just one. Just one follow up to Leader Russo, the method that you're using to determine fairness. You indicated that it wasn't frequently used. Do you know if anyone else is using this method?

**Paul Miller** [00:32:10] To my knowledge, no. And I would also add that the methods that are being used by other people are also not accepted. The proportionality argument has never been accepted, it's just used.

**Co-Chair Sen. Vernon Sykes** [00:32:23] Any additional questions? Yes.

**Auditor Keith Faber** [00:32:26] So help me understand your numbering system because the map that we got, I can't figure out which districts are which. So can you walk me through how you numbered your districts on the map?

**Paul Miller** [00:32:36] OK, so that's in this portion

**Auditor Keith Faber** [00:32:40] Let's just start, number 1, is that the Cincinnati district?

**Paul Miller** [00:32:43] Yes. And the thinking in that is that the the referendum, because the only the only city that would change or the only district that would change be flipped by the referendum, that part of the referendum that deals with the population of the city with a certain population, the only one that would change the district is Cincinnati. So the intent of the referendum, at least part of it was to give Democrats a safe district in Hamilton County. That's my belief. And I think probably that's what all of the the activist groups would also contend.

**Auditor Keith Faber** [00:33:16] Which ones is number 2?

**Paul Miller** [00:33:18] The one on the bottom there in order to keep a seat for a Bill Johnson, I had to move what was District six. His seat is now in the south, where -

**Auditor Keith Faber** [00:33:30] So two is just southern Ohio district?

**Paul Miller** [00:33:32] Yes

**Auditor Keith Faber** [00:33:32] What's 3?

**Paul Miller** [00:33:34] In Columbus.

**Auditor Keith Faber** [00:33:38] Which one Columbus?

**Paul Miller** [00:33:40] Sorry, the blue one there.

**Auditor Keith Faber** [00:33:41] Your map colors are different than the map colors we have on the copy.

**Paul Miller** [00:33:46] This one here.

**Auditor Keith Faber** [00:33:46] So it's the-

**Paul Miller** [00:33:47] Democrat District in Columbus.

**Auditor Keith Faber** [00:33:48] So that's 3? What's 4?

**Paul Miller** [00:33:53] This purple one here to the west of Franklin.

**Auditor Keith Faber** [00:33:55] What's 5?

**Paul Miller** [00:33:57] This red one.

**Auditor Keith Faber** [00:34:00] 6?

**Paul Miller** [00:34:08] I'm sorry, I misspoke. Sorry, what was, 2, is now 6.

**Auditor Keith Faber** [00:34:14] OK, what's 2?

**Paul Miller** [00:34:16] Up here

**Auditor Keith Faber** [00:34:17] All right. So 3, 4, 5, 6...7?

**Paul Miller** [00:34:24] 7, is this orange one. That's Lorain and Medina and part of Wayne and Cuyahoga.

**Auditor Keith Faber** [00:34:32] 8?

**Paul Miller** [00:34:34] Same as before.

**Auditor Keith Faber** [00:34:34] Historically, that's the Warren Davidson district.

**Paul Miller** [00:34:37] Yes.

**Auditor Keith Faber** [00:34:41] 9?

**Paul Miller** [00:34:42] Northwest.

**Auditor Keith Faber** [00:34:45] Marsha Kaptur. 10?

**Paul Miller** [00:34:47] Montgomery and Warren.

**Auditor Keith Faber** [00:34:52] 11?

**Paul Miller** [00:34:54] That's historic. Cleveland, yes.

**Paul Miller** [00:35:01] And that's the one you made minority influenced.

**Paul Miller** [00:35:05] One of the two. Yeah, it depends on what your definition of minority influence is. The courts historically have regarded 50 percent as majority minority district, but anything over thirty five percent is is usually regarded as that. So I've got I've got four that are above thirty and two that are above 40.

**Auditor Keith Faber** [00:35:27] 12?

**Paul Miller** [00:35:31] The green one there.

**Auditor Keith Faber** [00:35:32] 13?

**Paul Miller** [00:35:37] That's Summit and a portion of Cuyahoga.

**Auditor Keith Faber** [00:35:41] 14?

**Paul Miller** [00:35:42] Lake and upper Ashtabula.

**Auditor Keith Faber** [00:35:45] And 15? Probably the only one left to see in Columbus.

**Paul Miller** [00:35:53] The orange one.

**Auditor Keith Faber** [00:35:53] And that one you've got going, Columbus, Franklin County, Delaware County? And it looks like Knox County, no-

**Paul Miller** [00:36:01] That's Morrow County.

**Paul Miller** [00:36:06] OK, so 15 is Delaware, Knox, or Delaware, Morrow and part of Franklin?

**Paul Miller** [00:36:12] Yes.

**Auditor Keith Faber** [00:36:15] OK. Mr. Chairman, let's follow up. They've asked you a lot about your statistical variance calculations. How did you? Could you walk me through that calculation so that we can have some understanding of it? I think that's essentially what I interpreted other questions trying to get to to see how you did that calculation. But could you walk us through how you calculated it? Did you do it by district and then aggregate it for the maps? Or how did you come up with that conclusion?

**Paul Miller** [00:36:45] District for each district, there's a margin add all the margins in the district, plug them into a standard deviation calculator to give you an answer.

**Auditor Keith Faber** [00:36:55] How do you calculate the margin for a district?

**Paul Miller** [00:36:58] As I said, if you have a 52 percent Republican voter turnout and 45 percent Democrat, that would be a seven point margin for for the Republicans.

**Auditor Keith Faber** [00:37:10] OK, so so if if you had a district that was seven, you'd then calculate that against the standard deviation.

**Paul Miller** [00:37:20] If you had if every district was about seven, then there would be very little deviation. It would be it would be a perfectly homogeneous map

**Auditor Keith Faber** [00:37:31] and your benchmark for an election turnout was the last ten years or was it what was the what was the benchmark for elections?

**Paul Miller** [00:37:38] The statistical summaries that I that I these are numbers that I calculated mostly back in in the fall, and I used the statistical summaries on Dave's Redistricting app. Generally, their composite scores are 2016 to 2020. So the last prior three elections, I had to, I did this index as a as a rough estimate and I did not, it was not part. It was not my intention to use this gerrymandering index to draw up a new map.

**Auditor Keith Faber** [00:38:12] So one of the problems that we've all seemed to be finding, and I think both the Republicans and the Democrats, all of us in drawing the maps is is that there's just not real good election data beyond 2016,.

**Paul Miller** [00:38:25] Right? Because things changed a lot in the last few years.

**Auditor Keith Faber** [00:38:28] And I'm not sure the data was kept by precinct level data. It's my understanding talking to map drawers that it's virtually impossible to find valid data beyond that time period. So we seem to have all agreed on this somewhat shortened time period. So you used the 2016 to 2020 period?

**Paul Miller** [00:38:48] Mostly yes, where it was available.

**Auditor Keith Faber** [00:38:54] All right. If you could, it would be helpful to the at least to me, submit to the committee as a follow up your sample calculations and reaching your your maps here so that we can see them and flow through them to understand where the data that you came in for the comparison was. I don't need it today if you can just submit it to the redistricting site so that we can understand that for future reference.

**Paul Miller** [00:39:21] I could do it.

**Auditor Keith Faber** [00:39:22] All right. Thank you, Mr. Chairman.

**Co-Chair Sen. Vernon Sykes** [00:39:28] Any other questions? Mr. Miller, thank you very much. I believe Mr. Gary Gale is in the room at this time, sir.

**Gary Gale** [00:39:55] Mr. Chairman, err, co-chairman. I didn't get here on time because I was takes a little while to get it from Massolin. And we had a client come in at one o'clock.

**Co-Chair Sen. Vernon Sykes** [00:40:05] So if you state your name and spell, please for the record

**Gary Gale** [00:40:12] G-A-R-Y G-A-L-E What is the time limit? So I.

**Co-Chair Sen. Vernon Sykes** [00:40:13] 10 minutes.

**Gary Gale** [00:40:14] Ten minutes. OK, I will try not to be a fast talking lawyer today. My name is Gary Gale and I live in Stark County. I am appearing on behalf of the Stark County Democratic Party and its chairman, Sam Ferruccio Jr.. Prior to drafting this testimony, I consulted yesterday afternoon with both Chairman Ferriccio and Representative West of Democrat of Canton. On October 26, 2021, I submitted a 15 district statewide congressional map to the commission, and I believe that under those, I don't know what was laid out in the announcement. I met the prerequisites to testify. OK, so I've testified before the commission three times. All of you have heard twice before and before several House committees, except for Leader Russo, who has never met me. I'll try not to be too too verbose. I originally drew a map that included three counties that in northeast Ohio that were similar in education economics problems. But after receiving the, the decision and reviewing it in the Adams case, we decided that that was no longer feasible because the Adams case required, at least by our reading of it, that there would not be a splitting of some of Summit County at all and that there would not be a splitting of Cuyahoga County more than once. So we gave up on what we were doing. We looked at all of the other maps and decided from our standpoint, the best alternatives that we could find were the Democratic House and Senate caucus map presented on February 22 and on the OCRC Unity map. Not the Fair Districts model congressional map. I'm going I'm presenting you with an inconvenient truth. That the Akron based districts 13 in the Fair Districts model map due to the power of incumbency in the power of money is not a competitive district, as it's claimed. And how that can be remedied. I'll explain to you why that is what we believe. First, the Fair District map is out of compliance with the wording in Pages 37 through 39 of the Adams vs. DeWine decision, because that map splits Cuyahoga County three times now twice into three separate districts and splits Summit County once at least my reading and I will defer to the former Supreme Court justice, who's probably much better at reading decisions than I am that that is impermissible. There were five Summit County precincts in the Clinton area in the southern border of some accounting that were placed in the rural dominated 7th District in the Fair Districts map. And then there were five precincts around Chagrin Falls from Cuyahoga County. They were placed in the Akron based district. We think that when you violate a court order, you violate a court order. It's just like you can't be a little bit pregnant. Stark County is the only single county adjacent to Summit other than Cuyahoga. There's a large enough population to provide the two hundred forty five thousand eight hundred fifty eight residents that, when combined with Summit County, would be necessary to reach the desired district population of 786,630 and is more compact than the model map of Summit Portage and Geauga, and therefore is a better meets the requirements of Article 19. Where the black community in Geauga counties, county is virtually nonexistent, 1.2 percent, and the Portage County is only four point one eight percent, with Stark County's population being eight percent black. As a result, the black population when Stark County is included in the Akron district is twenty one thousand greater 289 people than when you have a black population from Geagua. Portage and Summit reducing the black population in that district from fifteen point seven percent to thirteen point oh percent and the five hour gerrymandering course I took from the NAACP this past summer. That's an example of what they would call cracking. It would be a violation of the Voting Rights Act Section two. Additionally, the black community in Stark is more compact than that of Portage. There would not appear to me, many, if any, black majority precincts making it much more difficult to organize. If you put Portage and Geauga in the district with Akron as opposed to Stark where it's more concentrated. in Stark County, there are there are black elected leaders, including Representative West, who not only is a member of the House, but as the assistant minority leader in the House and the president of the Ohio Black Legislative Caucus. Like that, right? Thank you. There are also three black members of the Canton City Council and one black member of the Canton City School Board. When you have local elected officials, it is easier to organize. Take it from someone who's run campaigns. Summit County and Clark in Stark County also have close governmental, educational, medical, economic and charitable ties. The Akron-Canton Airport, is governed by the airport authority, which is a political subdivision of the state of Ohio, with trustees appointed. From each county, Stark state has a location in Akron, both Akron Children's and Crystal Clinic locations in Stark, the Akron Canton Area Agency in Aging is designated as an aging disability resource. By the Ohio Department of Aging, and then there was the Akron-Canton Food Bank. Additionally, the Fair Districts Model Map Akron-anchored district errects a significant obstacle to to a competitive district because it is the home county and base of Congressman Dave Joyce and the county where where before going to Congress, he was elected prosecutor. I know you don't get Cleveland TV down here, but the Cleveland NBC affiliate this week is running twice a day. Stories about the Chardon School massacre that Congressman Joyce handled when he was a state prosecutor in Geauga County. And even even with the Democratic success in 2018, in the last four election cycles nationally, ninety four and a half percent of all congressmen who ran for reelection won here in Ohio, it's been a hundred percent. Congressman Joyce, according to a February 3rd, 2022 edition of Cleveland.com. Per the most recent FEC filings, has one million, three hundred and seventy nine thousand one hundred ninety seven dollars cash on hand as of the end of last year. How would any of you like to start a campaign against somebody sitting at one point four million? Congressman Joyce has for the last decade won in two hundred and five precincts in the new congressional district. If you follow the model maps configuration again, that would give them a significant advantage against any anyone else running against him in a general election you had. He has identified voters. For the complication in electing an opponent is a disparity in turnout, using the 2020 turnout as the basis for comparison, Geauga County, where Joyce is from and where he's been elected county prosecutor prior to going to Congress. He had an eighty three point seven percent turnout rate, compared to seventy six point six six percent in Portage and seventy four point six seven percent in Summit. That is in contrast to the turnout, and Stark with a turnout is only seventy five point six percent, which is more in line with the turnout in Summit. There is no advantage between the counties that way and was also explained why Stark County does not want to be sequestered in the Fair Districts' 7th Congressional District When I interned for Lou Stokes and was a staffer for Arnold Pinckney's second mayoral race. I learned that in America, race matters. We've learned nothing else in the past few years, up to and including the civil rights case in Georgia that was decided yesterday. That is still the case. Despite Stark having an eight percent population and eight percent black population were placed in a congressional district in the Fair Districts' map with a paltry four point eighty six percent black voting age population, the fourth least of any congressional district in the state of Ohio. In comparison, the Democratic caucus map puts sixty five percent of our population in a district that is fifteen point seven percent black and the remaining 35 percent of the district's targets.

**Co-Chair Sen. Vernon Sykes** [00:50:00] Mr. Gale, you have a few seconds left.

**Gary Gale** [00:50:06] Ok, Our problem is that we feel that the district they were in, besides the fact that the Akron based district would not be competitive. We feel that the district that we are being shoved into by the fair districts map would be, racist. Brass tacks. There was no other county in there. It has more than 1.6 percent black. Well, despite intent or lack of intent, a racial gerrymander is a racial gerrymander.

**Co-Chair Sen. Vernon Sykes** [00:50:38] Thank you. Thank you. Thank you very much. Are there any questions to Mr. Gary Gale? We had some technical difficulties with this map and we don't have a copy in front of us

**Gary Gale** [00:50:52] it was an e-mail from my law office earlier today. There were maps of the kind of the counties I understand. The map that I drew earlier because of the Adams decision was not going to work and I did not draft a new one in the interim.

**Co-Chair Sen. Vernon Sykes** [00:51:11] Ok. Are there any questions? Hearing and seeing none, thank you so much.

**Gary Gale** [00:51:19] Thank you.

**Co-Chair Sen. Vernon Sykes** [00:51:19] Appreciate it. The last witness we have so far that is signed up is Miss Catherine Turcer. Hello. Would you pronounce and spell your name, please?

**Catherine Turcer** [00:51:39] Sure My name is Catherine C-A-T-H-E-R-I-N-E, Turcer, T-U-R-C-E-R I don't know if you remember Vanna from the last time we were here in October. This is this is Trevor. So one of the Trevor Martin, T-R-E-V-O-R M-A-R-T-I-N and we're both here from Fair Districts Ohio. And the reason Trevor is with me is our map is a product of a bunch of different people, and there may be things that I will have some challenges answering. So he is here to help you with that. And do you want me to go ahead?

**Co-Chair Sen. Vernon Sykes** [00:52:13] Yes, please.

**Catherine Turcer** [00:52:13] All right. Well, thank you. I just once again wanted to say thank you for this opportunity to talk to you. Minority Leader Russo, I did a map in October 28th where I basically went over the three winning maps for the Fair District competition. And you know, this was an opportunity, you know, before they took it up in the state legislature to talk about, you know, what made these maps good and why they would be worth considering as congressional maps? And there were pros and cons. You know, you as you go go back and forth between the three, their pros and cons for each of them. And I don't know about you, but I got super tired of waiting and I realize you're part of the redistricting commission. But for the congressional map, when there was this redraw, I thought, OK, this is an opportunity. This is this wonderful opportunity, and it just never happened in the state legislature. And once they had made this announcement, you know that there was a bill that was just an intention to create a congressional map. I said, OK, well, I've gotten tired of waiting. And I brought together a bunch of Fair Districts folks who had done maps to take the three congressional maps that were winners in our map making competition and to merge them into one. The whole notion of Hey, let's give you an opportunity to look at what we consider to be the best model map. Now the folks you know, folks from all over Fair D istricts actually had conversations about these maps. But the key mapmaker is a guy named Paul Nieves. Now Paul is from Yonkers, New York. He's part of the Princeton Gerrymandering Project. It's, you know, there's a mapping core. So he won second place for both the state legislative map making competition and the congressional. And then we have folks like Mike A'Hearn, who you often will see here, who's from Blacklick. He works in zoning. And he was very interested in like, Well, how do we take these maps and think about them as the way you would think about regional planning? So let's think about rural planning organizations. Let's think about metropolitan planning organizations. Let's see how this all map matches up. Trevor focuses on community map making. So in other words, all through 2021, he went through this process where he heard from different folks about like, Well, what makes you know what makes for a good map? You know, yes, you're going to have district lines. Sometimes you're not going to like those district lines, but you have to focus on population. So let's have a conversation if you're going to divide a county. Let's talk about how you want to keep your community together. And so as we look at this map. So you should both have a bigger map, which I think is useful if you're somebody like me that wants to take a deeper dive, the Bitlee, the Bitlee/Model map, you can actually go in and you can get down on Dave's Redistricting app. Now, you know, Dave has been very helpful to all of us citizen map makers. And so, you know, as we went into this, we were really focused on, you know, keeping those counties whole as building blocks. Now we know that in this in these districts, as you look at this, there are 14 counties that are split. We focused on creating, how can we think, coherent representation. So the goal here was as much as possible to keep communities together. And clearly population is going to divide some things. But we were really focused on making sure that communities as much as possible were kept together and regions were kept together. So you'll see that the greater Toledo area, including Wood County and the western Erie shoreline, is is a district. You'll notice the north central Ohio region, including the cities of Tiffin, Mansfield and Marion. They're all in the same congressional district. And then we focus on keeping the Appalachian area as well together. So you're talking about that southeastern portion right along the Ohio River Valley. Now, as we all know, I think the last time I saw Speaker Cupp was talking about how it's hard to make these maps. I think that's true. But we fortunately, we're not talking about 99 better than thirty three, and this is going to be much simpler. So, you know, as we look at this, we focused on keeping the population basically as close to the same as possible, so we have the difference of one person. So some of them are seven hundred and eighty six thousand six hundred twenty nine, some seven hundred eighty six thousand six hundred thirty. But they're as much as possible equal population. Now, in order to avoid favoring and dis-favoring incumbents. This map was drawn blind, meaning we didn't include the knowledge or consideration of incumbents or challengers addresses. We said, Well, this way the chips fall where they're going to. We know that you can't favor disfavor candidates. Let's just do that blind. I wanted to highlight that the Fair Districts model map is compact. It was rated good by our friend Dave, and I included the scores on REAC and the pompously paper as well in your written material. We focused, of course, on thinking about representational fairness for many of us. We know this is not part of what's a requirement for the congressional maps or what is an aspirational, you know, an aspirational criterion for making these congressional maps. But it is a good criteria for identifying gerrymandering. And so as we looked at this, you will see that the district lines are, I'm going to pull this up. You'll look at this chart. You can actually see that there's good proportionality, meaning representational fairness. So the districts are about, you know, eight Republicans to some of the Democrats, maybe nine Republicans to six Democrats. There are six districts that are around three points. I think we can have some debates about what exactly is competitive. I think Dave gives a broader sense of what's competitive, but there are three that are within three points. And now on to the sections. I'm going to start with Franklin County. So what we did with Franklin County is it's divided into two districts. You know, this is going to happen. Every single one of the maps Just because of population, we focused on keeping a minority communities of western and southern sections of Franklin County together to create an opportunity district. With Congressional District 12, we adjoined to the neighboring counties of Union and Delaware. This division keeps the northern suburb of of Dublin, which is where I'm from, all in the same congressional district and keeps the school district intact. It also keeps nearby Hilliard, Worthington and Powell in the same congressional districts. Now, one of the things that I think is important to us, you're looking at this is to also think about the other side. So you've got the northwestern section in the north eastern section where Westerville is, it keeps Westerville whole at the center, includes all of Westerville city schools, straddles Franklin and Delaware counties and includes adjacent Genoa and Blendon townships, Minerva Park and parts of Northeast Columbus. On to Hamilton County. So in Hamilton County, this has just districts that is wholly and Franklin, I'm sorry, wholly in Hamilton County and keeps the city of Cincinnati whole. And it's something that advocates really passionately called for minority communities in the northern part of the county, including North College Hill, Forest Park, Springdale, Woodlawn and Lincoln Heights are kept together, ensuring a strong opportunity district. And then let's move on over to Cuyahoga County now. You know, we've often heard when you see you can look at gerrymandering, you're going to know it just by looking at it because it's kind of

**Co-Chair Sen. Vernon Sykes** [01:00:38] You've got approximately a minute left.

**Catherine Turcer** [01:00:40] Ok, Oops. So to wrap this up, I would encourage you to go through the different areas here and to take a look and see the different ways that we created this so that we were reflecting what it was that different folks around Ohio said that they wanted. We looked at these community maps. I included links. And when you get to the, you know, the documents on electronic rather than written so you can actually look at the district maps as well. And so I am hopeful that you will consider this map and thank you.

**Co-Chair Speaker Bob Cupp** [01:01:19] Yes, Mr. Chairman, if I might, I want to ask the technical questions here, you touched on some of them, but maybe you can repeat them if necessary. The first the congressional ratio of representation, as you know, Article 19, Section 2A-2 the congressional ratio of representation is seven hundred eighty six thousand six hundred and thirty. And I think you touched on this. But if you would maybe repeat it, did you apply a standard of strict mathematical equality for the population of each district? Or did you deviate from the ratio of representation for any district?

**Catherine Turcer** [01:01:57] So we did our absolute best to be absolutely even. Now, of course, that's nearly impossible. So some will have one extra person or one less person.

**Co-Chair Speaker Bob Cupp** [01:02:08] So plus or minus one person?

**Catherine Turcer** [01:02:10] Plus or minus one person.

**Co-Chair Speaker Bob Cupp** [01:02:11] All right. And what objective were you trying to reach by deviating?

**Catherine Turcer** [01:02:20] By one person?

**Co-Chair Speaker Bob Cupp** [01:02:21] Yeah.

**Catherine Turcer** [01:02:23] Um, so -.

**Co-Chair Speaker Bob Cupp** [01:02:24] Just referring to the Supreme Court case?

**Catherine Turcer** [01:02:27] Oh I'm sorry. So, so I looked at so. So one of the things that we know is that as much as possible, you want to have equal population one person, one vote. Now, sometimes there are circumstances where there might not be exactly equal because there might be a real benefit to a community or to a district. And let's say you hear testimony you it doesn't, you know, you don't have to be absolutely perfectly even. But it seemed to us that if we presented a map to you where the population was as close to equal, it would give you a good place to start.

**Catherine Turcer** [01:03:06] What a legitimate state objective. Were you attempting to achieve by population deviation? I mean, if you give example, you said you had some words.

**Catherine Turcer** [01:03:18] Of one person, OK, we seriously we tried to be. We tried. I'm sorry. Sorry. co-chair, I we tried to be as much as possible as close to one person, one vote if there was a difference of one person in the district. It's because we couldn't achieve it. For example, let's take let's take Senator Sykes. He lives in a house with his wife. She might be that additional person. So that's our objective was to be as equal as possible. But sometimes you couldn't do it.

**Catherine Turcer** [01:03:50] All right. That's fine And district requirements and splits of political subdivisions under Article 19, Section 2B-4 prior to drawing districts did you determine which counties had populations that exceeded the ratio of representation pursuant to that article.

**Catherine Turcer** [01:04:05] So, so yes, thank you, co-chair. One of the things that the mappers spent a lot of time doing is making sure that this as much as possible was matching the ratio of representation that the splits were appropriate. Now I think as your go ahead thinking about your congressional map, I think the I think that as you look at our map, it may be helpful as you think about how to do splits.

**Catherine Turcer** [01:04:33] Do you know which counties exceeded the ratio of representation that you had to focus?

**Catherine Turcer** [01:04:37] OK, so OK? He says the three C's I was like, All right, Franklin County, Hamilton County and Cuyahoga.

**Co-Chair Speaker Bob Cupp** [01:04:48] In any of those counties, were there any cities or townships where whose population exceeded the congressional ratio of representation?

**Catherine Turcer** [01:04:55] Oh, Columbus.

**Co-Chair Speaker Bob Cupp** [01:04:58] And did you follow the rules to include a significant portion of that political subdivision in one district?

**Catherine Turcer** [01:05:04] Yes, as much as possible.

**Co-Chair Speaker Bob Cupp** [01:05:06] And returning to the counties whose populations exceeded the ratio of representation? Were there any cities or townships? There were larger than 100000 persons, but less than the congressional ratio of representation.

**Catherine Turcer** [01:05:22] Here I'm going to have Trevor.

**Trevor Martin** [01:05:26] No, co-chair

**Co-Chair Speaker Bob Cupp** [01:05:31] And district requirements and counties splits how many counties in your plan are whole and in one congressional district.

**Catherine Turcer** [01:05:38] It's funny. I have the I have the 14 memorized, so I guess we just have to do the math.

**Co-Chair Speaker Bob Cupp** [01:05:45] How many counties in your plan are split once?

**Catherine Turcer** [01:05:48] 14.

**Co-Chair Speaker Bob Cupp** [01:05:49] How many counties in your plan are split split twice?

**Catherine Turcer** [01:05:52] Oh, 13 and one. I'm sorry. My apologies.

**Co-Chair Speaker Bob Cupp** [01:05:56] So split once it's 13. OK and twice as one, correct? Do you believe that these numbers comply with Article 19 section 2B-5 regarding county splits?

**Catherine Turcer** [01:06:07] I do believe that this map does meet those requirements

**Co-Chair Speaker Bob Cupp** [01:06:12] and contiguity of split counties. Does your plan comply with Article 19 section 2B-6 in that if a district contains only part of a county, the part of the district that lies in that district is contiguous with the boundaries of that county?

**Catherine Turcer** [01:06:27] Yes. One of the things that we did with this is, you know, I was praising Dave's redistricting app, but one of the things that we did is we worked with Common Cause National that has access to Maptitude for Ohio. And so, you know, one of the things we know is they don't always exactly align. And so we did use Maptitude to ensure that we were not somehow missing something.

**Co-Chair Speaker Bob Cupp** [01:06:51] We've discovered that Maptitude and Dave's Redistrict don't always align. And that's correct. That's our experience as well. Portions of the territory of more than one county prior to drawing the districts did you determine which counties had population that exceeded 400000 in population.

**Catherine Turcer** [01:07:08] Yes.

**Co-Chair Speaker Bob Cupp** [01:07:09] And can you tell us which ones you've discovered determined?

**Catherine Turcer** [01:07:14] I'm sorry. I'm sorry. I did not come with the list of the counties, and that is my apology.

**Co-Chair Speaker Bob Cupp** [01:07:20] That's all right. We're just trying to get the technical requirements on the record here, so.

**Catherine Turcer** [01:07:24] And one of the things that I can do is I can follow up in writing with any anything that you feel like. We didn't sufficiently answer and my apologies

**Co-Chair Speaker Bob Cupp** [01:07:31] That would be fine. Does your plan comply with Article 19 section 2B-7 in that no two Congressional District shall share portions of the territory of more than one county, except for those counties whose population exceeds 400,000.

**Catherine Turcer** [01:07:46] Yes.

**Co-Chair Speaker Bob Cupp** [01:07:49] Portions of the territory of more than one county did you attempt to include at least one whole county in each congressional district in compliance with Article 19, Section 2B-8?

**Catherine Turcer** [01:08:00] Yes.

**Co-Chair Speaker Bob Cupp** [01:08:00] Were you successful?

**Catherine Turcer** [01:08:02] Yes.

**Co-Chair Speaker Bob Cupp** [01:08:04] All right. And that is all the questions I have for you at the moment.

**Catherine Turcer** [01:08:08] Thank you so much for your patience.

**Co-Chair Sen. Vernon Sykes** [01:08:12] Thank you for your answers. Are there any additional questions? If not any additional information you'd like to share with us, please send it to the co-chairs and the website. We thank you so much.

**Catherine Turcer** [01:08:29] Thank you so much, I appreciate it

**Co-Chair Sen. Vernon Sykes** [01:08:35] Well, that concludes all of the witnesses and testimony we have today, are there any other witnesses present that would like persons present that would like to testify? On a complete state map, yes. If none, as noted, we have four witnesses that submitted a written testimony that will be published on the website. One question that I have as we go into any other business to be brought before the committee, um this meeting was scheduled, initially two meetings for today and tomorrow for the purpose, we thought, of presenting a map for the state district. And so just wondering if the progress is being made on that or if the map is going to be introduced tomorrow.

**Co-Chair Speaker Bob Cupp** [01:09:46] Mr. Co-Chair, work is continuing on that. I believe progress is being made and the map will be made available as soon as possible and we are trying to do that soon.

**Co-Chair Sen. Vernon Sykes** [01:10:04] Is soon tomorrow?

**Co-Chair Speaker Bob Cupp** [01:10:06] I don't know. I do not know.

**Co-Chair Sen. Vernon Sykes** [01:10:11] OK.

**Co-Chair Speaker Bob Cupp** [01:10:11] Maybe somebody else has an idea.

**Co-Chair Sen. Vernon Sykes** [01:10:12] Leader Russo.

**Minority Leader Rep. Allison Russo** [01:10:17] Thank you, Mr. Chair. I would also note that in the briefs that were filed today by the Speaker and the President of the Senate, that it was noted that we would, as a commission, be in a position to vote on a new plan for the state legislative districts this week. And so if there is work being done on a map, I would ask that the majority caucuses please make their staff available to us and for our staff to be able to meet to discuss what these maps may look like. And I would also ask if it's anticipated if we will be meeting Friday, Saturday, Sunday to meet what was stated in the brief that was filed today with the court.

**Co-Chair Sen. Vernon Sykes** [01:11:12] Any clarifications?

**Co-Chair Sen. Vernon Sykes** [01:11:13] To be, to be determined, Mr. Chair, if I might ask a question - is are you aware of any map that may be in in process or in anticipation of being presented to the commission?

**Co-Chair Sen. Vernon Sykes** [01:11:35] No. Is there any other business at this time? Seeing no further business, what we're going to do is recess until tomorrow at 11:30, so we stand at recess until 11:30 a.m. tomorrow.