

Members of the Ohio Redistricting Commission, thank you for allowing me to speak to you today. My name is Tim Clarke. Around August 31, I submitted a General Assembly redistricting proposal to the commission. I had hoped to discuss my proposal last Thursday, but I had a previous commitment which I could not re-schedule on one day's notice.

When Ohio voters adopted the General Assembly redistricting amendment in 2015, a number of changes were made. Some were technical or procedural in nature, but there was an important linchpin in the new scheme. For the first time in the state's history, there was an express obligation to create districts that fairly represented the voters of the state. Specifically, no plan could be drawn primarily to favor or disfavor a political party, and the statewide proportion of districts favoring each political party must correspond closely to the statewide preferences of the voters of Ohio. What the majority of this commission has proposed does not come close to meeting these standards.

The democratic share of the two-party vote is approximately 46%. To comply with Section 6(B) would require 45 of 99 state House districts and 15 of 33 state Senate districts favoring Democrats. Instead, the commission's proposal includes only 32 Democratic-leaning House districts and a mere 8 Democratic-leaning Senate districts. This can only be described as a complete failure to comply with this provision.

It's not as if this was necessary. It is possible to draw 45 House districts favoring Democrats. I know. I did it. And it is possible to draw 15 Senate districts favoring Democrats, or at least come very close. I know. I did it.

The Commission's proposal may well meet the technical requirements of Sections 3 and 4. It follows the rules for the number of House and Senate districts in large counties. It does not divide any small county more than once. It does not divide the cities of Lorain, Parma, Canton, Youngstown, or Hamilton. I would expect nothing less. I followed these rules as well. As for other municipalities and townships, the Commission's proposal contains the same number of splits as in my proposal. None of this justifies the blatant violations of Section 6.

Taking this a step further, I am going to have to bore you with a few numbers. Whenever I have spoken to a redistricting panel, I have stressed how fundamental it is to our democracy that if a majority of voters support a particular party in an election, that party should be given the opportunity to govern. As such, I looked at two measures. Without going into grotesque details, the seats bias provides an estimate of the percentage of seats each party would receive if each party received 50% of the two-party vote. The Commission's House proposal has a seats bias of 9.19%, meaning that even if Democrats received half the votes, they could only expect to receive 40.8% of the seats, about 40 or 41 of the 99 seats. Democrats could receive half the vote and be left, not just in the minority, but a substantial minority. The Senate seats bias is even worse, suggesting Democrats would receive just under 40% of the seats with half the vote, about 13 of 33 seats. For the record, under my proposal, Democrats would expect to receive about 46.4% of the seats in the House and 48.1% of the seats in the Senate with half the vote.

The other measure is the votes bias. This estimates the percentage of the vote necessary for each party to receive half of the seats. In my proposal, Democrats would need 51.8% of the vote for half the seats in the House and 50.9% of the vote for half the seats in the Senate. I was somewhat disappointed in the former figure, but this pales in comparison to the Commission's proposal: 53.1% in the House and 52.9% in the Senate. In modern political terms, 53% is virtually a landslide, and yet Democrats could receive nearly 53% of the vote and not have the opportunity to govern.

In elementary school, one of the first things we are taught about our government is that majority rules, and yet the Commission's proposal does all it can to subvert this principle, suggesting that the only majority who should rule is the majority of this Commission.

My proposal may not be perfect, but if I, working on my own in two-and-a-half weeks, can come up with a plan that complies with all of the sections of Article XI, in the spirit in which they were intended, then surely legislative staff, with all of their resources and four weeks, could do as well or better. The only conclusion is that there was no intention of complying with Section 6.

The Commission's proposal is an insult to democracy and an insult to those who supported the reform proposal six years ago. I urge this Commission to reject this proposal and select another option. Naturally, I would recommend my own. If I am unable to persuade the majority of this Commission, then I would urge the Democratic members of the Commission to reject the majority's proposal, and we can do this all over again in 2025, if not sooner.

I thank the members for their time and attention.