

Ohio Redistricting Commission Testimony

Timothy O'Hanlon

September 14, 2021

Co-Chairmen Speaker Cupp and Senator Sykes and members of the Commission.

Good morning,

My name is Tim O'Hanlon and I am here today to express my strong opposition to the state legislative district maps adopted by the Commission on September 8 and described by the majority members as just "first drafts" in need of intensive work. These so called "first drafts" have not been revised at all and continue to reflect the ongoing efforts by majority members of the Commission to diminish the importance of Section 6 B of Article XI of the Ohio Constitution. Why? Because the Section 6 B requires proportional representation, which poses the most direct threat to the gerrymandered Senate and House districts we have been living with for the past decade.

Not surprisingly, the Commission's current map ignores Section 6 of Article XI of the Ohio Constitution. According to Dave's Redistricting, the software program used by Republican Caucus staff who introduced the map, "the average map-wide Democratic two-party vote share is 46.38%, the Republican 53.62%" in statewide elections over the previous decade. Dave's Redistricting, in analyzing this Commission map, determined "the number of Democratic seats closest to proportional in the Ohio Senate is 15. But, the likely number of Democratic Senate seats is 10.03 or 30%.

This projected outcome of a 70 to 30% Republican Senate supermajority falls far short of the proportional representation required in the Ohio Constitutional amendments of 2015.

The Commission's House Map, adopted last Thursday, projects even fewer Democratic seats than the current gerrymandered map, according to the Dave's Redistricting site. Dave's analysis concludes "the number of Democratic House seats closest to proportional is 46. The likely number of Democratic House seats is 32.64." That projection would result in a loss of two Democratic seats, strengthening the Republican's veto proof supermajority from 64 seats to 66 out of the 99 total House seats

Members of the Commission majority have casually dismissed the Constitutional requirement for proportional representation in Section 6 B as merely "aspirational," apparently because it states the Commission "shall attempt" to draw proportional Senate and House maps.

The overwhelming majority of citizen witnesses understand that the Ohio Constitution does not literally contain the term representational fairness. They do know, however, that proportional representation, based on actual statewide election results, provides the most reliable formula for representational fairness that we are likely to see. And they know that the Commission maps before us clearly show that there was no attempt to establish proportional representation in any meaningful understanding of that term.

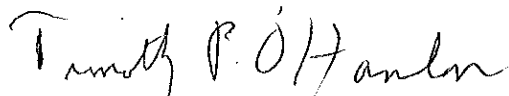
The 2015 amendment to the Ohio Constitution was sufficiently concerned with proportional representation in the Ohio House and Senate, that failure to do so constitutes grounds for the Ohio Supreme Court to order the Commission to draw a brand new map. Paragraph (D) (3) (c) of Section 9, stipulates that in cases when state legislative redistricting plans are approved solely

by majority vote, (which seems where we are heading), the Ohio Supreme Court shall order to Commission to “adopt a new general assembly district plan if both of the following are true.

- (i) The plan significantly violates those requirements in a manner that materially affects the ability of the plan to contain districts whose voters favor political parties in an overall proportion that corresponds closely to the statewide political party preferences of the voters of Ohio, as described in division (B) of Section 6 of this article.
- (ii) The statewide proportion of districts in the plan whose voters, based on statewide state and federal partisan general election results during the last ten years, favor each political party does not correspond closely to the statewide preferences of the voters of Ohio.

The current Commission maps fail on both counts. Proportional representation in the Ohio Senate and House Seats is not aspirational and the current Commission maps are out of compliance with the plain language of the Ohio Constitution.

Thank you,



Timothy P. O'Hanlon