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BEFORE THE OHIO APPORTIONMENT BOARD

- - -

In the Matter of the :  
Establishment of the Ohio :  
General Assembly District :  
Lines in the State of :  
Ohio. :

- - -

PROCEEDINGS

before Auditor David Yost, Vice Chair; Mr. Michael  
Grodhaus, Governor's Designee; Ms. Halle Pelger,  
Secretary of State's Designee; Mr. Troy Judy,  
President Niehaus's Designee; and Representative  
Kathleen Clyde, Leader Budish's Designee; the Ohio  
Apportionment Board, at the Marietta College, Andrews  
Hall, Great Room #203, 211 5th Street, Marietta,  
Ohio, called at 3 p.m. on Wednesday, August 24, 2011.

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1 name and the office that they represent if they are a  
2 designee.

3 MS. MANN: Representative Clyde.

4 REPRESENTATIVE CLYDE: Representative  
5 Kathleen Clyde representing Minority Leader Armond  
6 Budish.

7 MS. MANN: Mike Grodhaus.

8 MR. GRODHAUS: Present representing  
9 Governor Kasich.

10 MS. MANN: Auditor Yost.

11 AUDITOR YOST: Present.

12 MS. MANN: Troy Judy.

13 MR. JUDY: Present representing President  
14 of the Senate Tom Niehaus.

15 MS. MANN: Halle Pelger.

16 MS. PELGER: Present representing  
17 Secretary of State Jon Husted.

18 AUDITOR YOST: Thank you. The record  
19 will reflect all five Constitutional officers are  
20 represented for this hearing in Marietta, Ohio.

21 I would first like to thank Marietta  
22 College for hosting this today, particularly  
23 President Jean Scott, the Board of Trustees, Laurie  
24 McKain, and Lois Arnold. I would also like to thank  
25 Lisa Griffin from the House staff for all of her work

1 in making this run so smoothly today.

2 I would also like to remind everyone the  
3 purpose of having this hearing is gathering  
4 information, comments, input regarding the upcoming  
5 House and Senate district models. The Apportionment  
6 Board and panel before you does not draw the  
7 Congressional district lines. That will be a matter  
8 for the State General Assembly and will be put in  
9 place by a bill that will be voted on by both houses  
10 and sent to the Governor for a signature or possible  
11 veto.

12 We would ask all witnesses present today  
13 to keep their comments and testimony to the matters  
14 before this Board, that is, the Ohio House and Ohio  
15 Senate districts.

16 We are here to listen today. We are not  
17 here to debate you or to debate each other. We are  
18 here to get input from Ohioans about the  
19 apportionment process and how it impacts your  
20 communities and your representation in the Ohio  
21 General Assembly. Today we have two hours scheduled  
22 for this hearing, and I believe we should be able to  
23 finish up in time.

24 The legislative reapportionment process  
25 in Ohio, of course, happens after each decennial

1 census in a year ending in 1. According to the  
2 current census the population of Ohio is 11,536,504  
3 people. Ideally the population in the 99 House  
4 districts would then be 116,530 people and each of  
5 the 33 Senate districts would be 349,590 people.

6 Anyone who has researched or undertaken  
7 to actually draw the lines for legislative districts  
8 knows there's a lot more involved than simply putting  
9 about the right number of people in each district.

10 The Ohio General Assembly districts must  
11 conform to traditional redistricting principles and  
12 other requirements that are enumerated in Article XI  
13 of the Ohio Constitution including some -- several  
14 areas of somewhat complex requirements.

15 Additionally, under the Ohio Constitution  
16 the Board must also comply with federal law, notably  
17 the Voting Rights Act, and sometimes those  
18 requirements from various places are in contention or  
19 conflict with one another.

20 Because these hearings are held for the  
21 purpose of receiving your input in the process we are  
22 not going to go into the details of those laws but we  
23 do have copies of Article XI available for you as  
24 well as information regarding demographics,  
25 population available. These are the rules and the

1 information that this Board will be relying on to do  
2 its duty.

3 At this time since we would like  
4 everybody to understand those rules and how complex  
5 this process can be, I would like to turn it over to  
6 the representative of the Secretary of State Halle  
7 Pelger to explain to us a unique, exciting program  
8 they have set up to involve the people of Ohio.

9 MS. PELGER: Thank you, Auditor Yost. A  
10 few weeks ago Secretary of State Jon Husted with the  
11 support of the Legislative Task Force on  
12 Redistricting as well as the Apportionment Board  
13 launched a website. The website is [reshapeohio.org](http://reshapeohio.org).  
14 The goal of this website is to provide an open and  
15 interactive process whereby Ohioans can get online  
16 and learn more about the proceedings here, the  
17 process of redistricting, reapportionment, and also  
18 try their hand at a map.

19 As the Auditor mentioned, drawing the map  
20 isn't as easy as you think. It's often quite time  
21 consuming. But 10 years ago the Apportionment Board  
22 set up computers and software across the state at  
23 libraries and government buildings. Now, technology  
24 has allowed us to create this website where you can  
25 work on a map from your own home at any time of day.

1           The website will also help you if you  
2 would like to submit a map that would help you follow  
3 those guidelines to submit a map to the Apportionment  
4 Board for consideration that will be following the  
5 Board-adopted guidelines. Those are available on the  
6 website as well as the table in the back if you are  
7 interested.

8           The goal of all of this is to promote  
9 transparency and openness in the process and promote  
10 as much public input as possible. So far we've had  
11 more than 350 sign up to use the website, and we hope  
12 to have more in the future so we hope you will get on  
13 to reshapeohio.org and try it yourself. Thank you.

14           AUDITOR YOST: Thank you, Halle.

15           A few other housekeeping items. This  
16 process is being transcribed by a court reporter so  
17 we would ask that anybody that does testify keep your  
18 voice up so that both the court reporter and the  
19 members of the panel can hear you. The testimony  
20 will be available on the Secretary of State's website  
21 reshapeohio.org and transcripts will be made for the  
22 Board so they can use what we hear today during the  
23 process of their deliberations.

24           With that I think we are ready to  
25 commence taking testimony. Our first witness is Meg

1 Flack of the League of Women Voters of Ohio.

2 MS. FLACK: Actually if I may request  
3 your indulgence, Caroline Putnam, the Co-President of  
4 the League of Women Voters of Marietta/Washington  
5 County is here to co-testify with me.

6 AUDITOR YOST: Wonderful. Which of you  
7 would like to go first? Let the record reflect  
8 Caroline Putnam is at the podium.

9 MS. PUTNAM: We are having technical  
10 arrangements up here. Let's see, can you hear me?  
11 Everybody hear me? Oh, good.

12 Good afternoon. I'm Caroline Putnam,  
13 Co-President of the League of Women Voters of  
14 Marietta/Washington County. I want to thank you for  
15 the opportunity to provide public testimony on this  
16 important issue. While it is important to hold this  
17 series of public hearings before the Apportionment  
18 Board selects the proposed Ohio House and Senate  
19 maps, it is even more important to get public input  
20 on proposed maps before they are finalized. It is  
21 impossible to imagine every possible map that could  
22 be drawn and comment on it now. Therefore, I  
23 strongly recommend that the Apportionment Board  
24 publish proposed maps and again hold regional  
25 hearings for public input on these proposed maps.

1 Marietta's current Ohio House and Senate  
2 districts are fair districts. Their political  
3 composition reflects the political values of this  
4 area of southeast Ohio. They are relatively compact  
5 and include whole counties for the most part. So I  
6 urge you to keep these same values in mind while  
7 drawing new districts this year.

8 People in Marietta and Washington County  
9 are directly represented by the representative and  
10 senator we vote for and elect. However, Ohio's laws  
11 are made by a majority vote of all the people in the  
12 Ohio House and Senate. So it is also important that  
13 they, in the aggregate, represent the people of Ohio.  
14 That will not happen if districts are drawn to  
15 unnaturally favor one political party. Ohio voters  
16 are pretty evenly divided between the two major  
17 political parties, so it would make sense that the  
18 districts be drawn to reflect that even division. In  
19 addition, so far as possible, districts should also  
20 be drawn to be competitive and compact.

21 The League of Women Voters of Ohio, along  
22 with other good government groups, is currently  
23 sponsoring a competition, Draw the Line Ohio, to show  
24 that it is possible to draw maps that comply with all  
25 legal requirements and that also fairly represent

1 Ohioans and have more competitive districts than  
2 currently exist.

3 I'm proud to have with me today Meg  
4 Flack, Co-President of the League of Women Voters of  
5 Ohio. The competition's winning maps for the General  
6 Assembly were announced this morning, and  
7 Co-President Flack will share with you the winning  
8 maps for the Ohio House and Senate.

9 Thank you for your attention and I'm  
10 happy to answer any questions you may have with Meg's  
11 help.

12 AUDITOR YOST: Are there any questions  
13 from the members of the Board?

14 Thank you very much for your testimony.

15 MS. PUTNAM: Thank you.

16 AUDITOR YOST: Next witness is Meg Flack.

17 MS. FLACK: Thank you. Good afternoon.

18 I'm Meg Flack, Co-President of the League of Women  
19 Voters of Ohio. The League, a nonpartisan  
20 organization, recognizes the redistricting is a  
21 fundamental issue that goes to the very heart of our  
22 democratic system of government and affects every  
23 other issue. And, next, I would like to reiterate  
24 Caroline Putnam's request that additional regional  
25 meetings be held after the Apportionment Board

1 proposes General Assembly maps. Only then can the  
2 public give you concrete feedback on the strengths  
3 and weaknesses of the proposed maps.

4 This morning the League of Women Voters  
5 of Ohio was proud to announce the contest winners of  
6 the Draw the Line Ohio legislative redistricting  
7 contest. These were for the General Assembly maps  
8 which most closely met our criteria for maps that  
9 further the public interest. Under these measurable,  
10 objective criteria, maps need to: Comply with the  
11 Ohio Constitution and federal law, including the  
12 Voting Rights Act.

13 Maps should have numerous competitive  
14 districts, while keeping in mind other good  
15 government values. Our democracy thrives when the  
16 marketplace of ideas is truly competitive, especially  
17 on election day. This measure seeks to maximize the  
18 number of legislative districts that could be won by  
19 either party, thereby providing Ohioans with a  
20 stronger voice in choosing their representatives.

21 Second, the maps should be  
22 representationally fair and reflect the fairly evenly  
23 divided partisan political values of Ohioans. This  
24 counterbalance for competitiveness encourages plans  
25 in which the number of districts which favor each

1 political party reflects the statewide political  
2 balance based on the real world voting history of  
3 Ohioans.

4 Third, the maps should have districts  
5 that are compact, sometimes referred to as the "look"  
6 of a district. Compactness discourages  
7 bizarrely-shaped legislative districts that  
8 unnecessarily spread voters apart.

9 Finally, the maps should preserve county  
10 boundaries and minimize the number of counties which  
11 are unnecessarily split into separate districts.  
12 This helps to keep communities of interest together  
13 and makes it easier for citizens to understand in  
14 which district they live.

15 The top two maps of the Ohio House and  
16 Senate are attached to my testimony. I recognize  
17 that direct comparison to the current legislative  
18 maps has limitations, for example, the population has  
19 shifted over the past 10 years and computer  
20 technology is vastly improved. However, the winning  
21 maps are markedly better on all of the public  
22 interest criteria than the current House and Senate  
23 district maps. Additional information and detailed  
24 analysis is available on our mapping website  
25 [www.drawthelineohio.org](http://www.drawthelineohio.org).

1           Finally, I want to note that it is also  
2 remarkable that the top two maps for the House and  
3 the top two maps for the Senate are different in many  
4 ways, although all strongly reflect the public  
5 criteria. This is because a higher score on one  
6 criterion may lead to a lower score in another area.  
7 Thus, there are likely to be a number of other ways  
8 to draw maps that are in the public interest and are  
9 fair to Ohio voters.

10           Our hope is that the Apportionment Board  
11 considers these maps and proposes maps that are  
12 equivalently in the public interest and are equally  
13 fair to voters.

14           Thank you for your attention and I am  
15 happy to answer any questions you may have.

16           AUDITOR YOST: Thank you for your  
17 testimony. Are there questions from the Board?

18           Representative Clyde.

19           REPRESENTATIVE CLYDE: Thank you, Auditor  
20 Yost.

21           And thank you very much to the witness  
22 for your testimony and for sponsoring the contest  
23 that I understand had lots of participation from the  
24 public across the state. My understanding is the  
25 winners of the contest beat the current map that's in

1 place in every way that you can significantly  
2 evaluate a map. They are more competitive districts,  
3 they are more proportional, they are more compact,  
4 and also in keeping communities together.

5 Meg, can you lay out for us the steps by  
6 which a fair map like the ones that won your contest  
7 could be adopted by this Board?

8 MS. FLACK: Well, the plans were created  
9 using the same census and political data as the  
10 Apportionment Board will be using. And while there  
11 is not a process that has been adopted there is no  
12 prohibition for the Apportionment Board using the  
13 same criteria.

14 AUDITOR YOST: Any further questions?  
15 I have a couple. The bullet points on  
16 the first page of your testimony outlining the  
17 criteria, are -- first of all, can you help me to  
18 understand the difference between the second and the  
19 third bullet point, competitiveness and fairly evenly  
20 divided partisan?

21 MS. FLACK: Representation,  
22 representational fairness.

23 AUDITOR YOST: Yes.

24 MS. FLACK: Competitiveness is a measure.  
25 They are both based on a political index that is a

1 measure, and the formula is frankly beyond me, but  
2 Jim Slagle, our project manager, would be able to  
3 talk with you. But it's based on an index created  
4 out of the partisan voting in the 2008 Presidential  
5 election and the 2010 Gubernatorial, Secretary of  
6 State, and Auditor's election to get a sense of what  
7 Ohio is really like.

8           The competitiveness, then those dis --  
9 one of the measures is how heavily competitive a  
10 district is, how generally competitive a district is,  
11 how noncompetitive a district is, and how heavily  
12 noncompetitive. So there is a range of scores for  
13 each district. Each district has one score in this  
14 range on this particular one of how competitive it  
15 is. And the maps that score higher are those that  
16 have more competitive districts.

17           AUDITOR YOST: Okay.

18           MS. FLACK: The representational  
19 fairness, this compares a statewide partisan index  
20 with percentage of districts which favor one party  
21 over the other giving the most weight to those  
22 districts which strongly favor one party. It  
23 discourages plans which provide an advantage to one  
24 political party inconsistent with how the votes are  
25 cast.

1           So, in other words, Franklin County, for  
2 example, is about 50/50, it is currently split into  
3 three districts, all of which go to the same party.  
4 That does not reflect Franklin County's voters values  
5 so a plan would -- that would honor that would score  
6 higher.

7           AUDITOR YOST: Two different ways, they  
8 sound like you are describing two different ways of  
9 looking at the same criteria.

10           MS. FLACK: They are a counterbalance to  
11 each other, yes, because I don't think -- you know,  
12 just to make a district competitive is not the answer  
13 to all the problems, to all the questions. Some  
14 districts won't be competitive. You can't make -- we  
15 shouldn't try to force competitiveness on districts  
16 that are not competitive.

17           AUDITOR YOST: Thank you. And my other  
18 question here is of these four or five bullet points,  
19 depending on how we count them, do you list these in  
20 priority order of importance?

21           MS. FLACK: No. Those are listed -- they  
22 all have equal weight.

23           AUDITOR YOST: They all what?

24           MS. FLACK: Have equal weight.

25           AUDITOR YOST: Where they are in conflict

1 how should this Board proceed to determine which to  
2 give preference to?

3 MS. FLACK: That is a very good question,  
4 Auditor Yost, because we have found that it's  
5 difficult to adhere to all the Constitutional  
6 requirements because if you fulfill some, you may not  
7 fulfill the others, so I believe -- well, that did  
8 not happen with these cri -- with these four criteria  
9 but should happen with the Constitution. I will  
10 leave that up to you, you and the Supreme Court. I  
11 don't -- I don't want to speak with any legal  
12 expertise whatsoever.

13 AUDITOR YOST: Anyone else?

14 Thank you so much for your testimony.

15 MS. FLACK: Thank you.

16 AUDITOR YOST: We appreciate you being  
17 here and appreciate the League sponsoring this  
18 contest.

19 MS. FLACK: Thank you. And, well,  
20 September 11 is the deadline for the Congressional  
21 redistricting contest but that's -- that's not yours.

22 AUDITOR YOST: Actually I do have another  
23 question. How many entries did you receive in the  
24 state version?

25 MS. FLACK: I actually did not count

1 them, I'm sorry to say. I think there were about 10  
2 or 11.

3 AUDITOR YOST: 10 or 11?

4 MS. FLACK: For the legislative  
5 districts.

6 AUDITOR YOST: Yes. Okay. Thank you.

7 We have no more witness forms in. We  
8 would love to hear you. We drove down here because  
9 we want to hear from the community. So if there is  
10 anyone else that has anything whatsoever to share  
11 with this Board, we invite you at this time to please  
12 come to the podium and help us understand what's on  
13 your mind.

14 Thank you. Please state your name for  
15 the record and any organization you may or may not  
16 represent.

17 MS. SINGER: My name is Dana Singer. I  
18 am not officially affiliated with a group. I am  
19 running for local office though, and I am also an  
20 unemployed veteran that served in both wars.

21 AUDITOR YOST: Thank you for your  
22 service.

23 MS. SINGER: I just want to implore you  
24 however you do this it's done where no one can  
25 question the integrity of the government. So many

1 people have lost faith in what our government is  
2 doing. So your role is that much more important  
3 because this redistricting is going to mean so much  
4 in the next elections that are coming up, so it  
5 really has to come across that neither party is being  
6 favored.

7 I moved here from Florida, and Ohio and  
8 Florida are both no strangers when it comes to  
9 problems in the government, and it's time to move  
10 forward. So I just implore you however you do this  
11 it's done as fairly as possible so no one can  
12 question the integrity of the decisions that were  
13 made.

14 AUDITOR YOST: Thank you.

15 Is there anyone else?

16 Well, hearing no further witnesses, is  
17 there a motion to adjourn pursuant to our meeting  
18 tomorrow at the University of Dayton tomorrow at 10  
19 a.m.? Is there a motion to adjourn?

20 MS. PELGER: Motion.

21 AUDITOR YOST: Is there a second?

22 MS. MANN: Second.

23 AUDITOR YOST: Without objection we're  
24 adjourned.

25 (Thereupon, the hearing was adjourned at

1 3:26 p.m.)

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CERTIFICATE

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I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on Wednesday, August 24, 2011, and carefully compared with my original stenographic notes.

\_\_\_\_\_  
Karen Sue Gibson, Registered  
Merit Reporter.

(KSG-5401b)

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