Supreme Court of Ohio Clerk of Court - Filed October 22, 2021 - Case No. 2021-1193

IN THE SUPREME COURT OF OHIO

LEAGUE OF WOMEN VOTERS OF OHIO, *et al.*, *Relators*, *v.* OHIO REDISTRICTING COMMISSION, *et al.*, *Respondents*.	Case No. 2021-1193
BRIA BENNETT, *et al.*, *Relators*, *v.* OHIO REDISTRICTING COMMISSION, *et al.*, *Respondents*.	Case No. 2021-1198
THE OHIO ORGANIZING COLLABORATIVE, *et al.*, *Relators*, *v.* OHIO REDISTRICTING COMMISSION, *et al.*, *Respondents*.	Case No. 2021-1210

DOCUMENTS PRODUCED IN DISCOVERY ─ APPENDIX OF EXHIBITS Volume 3 of 13

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From: Blessing, Heather
Sent: Friday, May 7, 2021 8:05 PM
To: 'Wiley, Robert'
Subject: RE: Split blocks

Dear Mr. Wiley:

During the DVST process, I assume this is where we eliminated the split census blocks?

My understanding was that one of issues from the last redistricting cycle is that ward lines split census blocks. We had to respect the ward lines (which are set by cities, not by boards of election) in existence in 2010 since they split census blocks.

I presume we still have the requirement to follow the ward lines as they are in existence in 2020 – do those wards still split blocks, or do they create new census blocks?

Additionally, for the data layers for election results, it is my understanding that Maptitude only allows 10 characters per heading. The nomenclature we used last time was very illustrative for those 10 character limits. G08TTV, etc. Do you have any sense of how those columns are going to be named?

Sincerely,
Heather Blessing

***
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From: Wiley, Robert <wileyr1@ohio.edu>
Sent: Wednesday, May 05, 2021 10:30 AM
To: Blessing, Heather <Heather.Blessing@ohiohouse.gov>
Cc: Finney, Michael <finney@ohio.edu>
Subject: Split blocks

There should be no more split blocks but we are rechecking the Census geography against the files we sent them in March 2020.

Rob Wiley

Sent from Mail for Windows 10

From: Heather.Blessing@ohiohouse.gov
Sent: Wednesday, May 5, 2021 9:08 AM
To: Wiley, Robert

Cc: Finney, Michael; Jolley, Jason
Subject: RE: help with explanation

Thank you very much! This is exactly the kind of summary I was looking for. So, does this mean there are no more split census blocks?? If so, hallelujah!

***

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From: Wiley, Robert <wileyr1@ohio.edu>
Sent: Wednesday, May 05, 2021 8:56 AM
To: Blessing, Heather <Heather.Blessing@ohiohouse.gov>
Cc: Finney, Michael <finney@ohio.edu>; Jolley, Jason <jolleyg1@ohio.edu>
Subject: RE: help with explanation

Ms. Blessing:

GVS will create the final Common Unified Redistricting Database (CURD) by linking the PL94-171 Census Data to the final geography files at a precinct and block level. We will also link the results of the 2020 election statewide races and the statewide races for the last five biennial races to precinct level data in one or more datasets known as "shapefiles". We will provide a data dictionary for those using the datasets. We will also provide limited training for those participating in redistricting on an as requested basis; however, we will not participate in the redistricting process at any level.

There should be no block splitting this time because of the iterative processes of block, precinct and boundary revisions completed over the past four years. We will not conduct any reformatting except to shorten candidate or issues names to fit limited database column widths.

We are in the process of linking the election results data to the geography data files now and intend to be ready when the PL94-171 data arrives to quickly create the final CURD. This last effort should require about two weeks or less to conduct quality control and link the files, as long as the received PL94-171 is in the identical to the example data recently provided by the Census Bureau for Providence RI.

Please contact me if you have additional questions.

OHIO UNIVERSITY | VOINOVICH SCHOOL OF LEADERSHIP AND PUBLIC AFFAIRS

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Sent from Mail for Windows 10

From: Heather.Blessing@ohiohouse.gov
Sent: Tuesday, May 4, 2021 12:34 PM
To: Finney, Michael; Wiley, Robert
Subject: help with explanation

Dear Mr. Finney and Mr. Wiley:

I hope you are doing well. I was wondering if you could help me with a quick summary about what reformatting or processing OU does with the census data once it's received and before it's passed on to LSC.. I know that for state redistricting, the data is reformatted so that the lowest level is the split census block, but I didn't know what specifically was done for the congressional district database and what other services/work OU does with the data for (1) state redistricting (2) congressional redistricting. I was looking for some kind of summary in case I am asked specifically when the data is released in non-tabulated format in mid to late August by the census.

Sincerely,
Heather Blessing

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Progress Reporting:

Redistricting 2021 – Develop the Ohio Common and Unified Redistricting Database

Progress Reports

Compiled by Robert L. Wiley, Redistricting Project Manager
Voinovich School of Leadership and Public Affairs
June 27, 2019
Prepared for the Ohio Legislative Services Commission (LSC)

Project Purpose and Background

The purpose of this project is to develop a common unified database for redistricting in the State of Ohio after the 2020 U.S. Census. The database unifies population and election result data with geographic data containing Census political boundaries, block boundaries as well as election precincts for the State. This unified mapping database provides all interested parties the geographic and tabular data they need to create new Congressional and General Assembly districts for the State.

This document is a compilation of periodic reports prepared to record key activities to achieve the project purpose for the period between November 2016 and June 2019. There are eight (8) reports included;

- Report number 1 covers the period from the inception of the work in November 2016 through September 2017 and covers initial work flow organization through the first phase of the Block Boundary Suggestion Project (BBSP).
- Report number 2 includes the period October 2017 through December 2017 and includes validation of voter data and working with the Census Bureau to prepare for the 2018 Phase 1 Voting District Phase 1 program.
- Report number 3 is for the period January 2018 through March 2018 and includes activities in preparation for the first phase of voting district rectification, the Voting District Project (VDP).
- Report number 4 covers the period April 2018 through June 2018, the completion of the VDP and submittal to the Census Bureau of new shapefiles representing the contributions of counties.
- Report number 5 is for the period July 2018 through September 2018
- Report number 6 includes activities between October 2018 and the end of December 2018 in preparation for the Voting District Program Phase 2 (VTDP), primarily development of a web-based mapping tool to assist counties in participating in the second phase of voting district rectification.
- Report number 7 covers the period of January 2019 through March 2019 and includes the beginning of the Census VTDP Phase 2 voting district revisions.

- Report number 8, April 2019 through June 2019, sees the completion of the Phase 2 voting district revision process.

There are 6 primary tasks included in this project.

Task I – Work with the Census Bureau to develop accurate Census Block Geography files

Task II – Develop Initial Precinct Boundary Mapping Database.

Task III – Adjust Precinct Boundaries as County BOE's Provide Data.

Task IV – Prepare the Common Unified Mapping Database.

Task V --Train Users of the Common Unified Mapping Database.

Task VI --Project Management and Reporting

Subtasks are listed in the scope of work attached to the contract for this work. Tasks and subtasks were completed sequentially or simultaneously, as necessary and efficient. Completion schedule timing is roughly linked to the phases and schedules provided by the U.S. Census Bureau in preparation for the 2020 nationwide Census.

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Report 1: November 2016 - September 2017

Key Project Events during the Report Period

1. Presidential election November 2016
2. Completion of US Census Phase 1 Block Boundary Suggestion Project (BBSP) verification May 31, 2017

In preparation for redistricting in 2021, the U.S. Census Bureau requires that states choosing to participate in its 2020 Redistricting Data Program (RDP) provide data on the boundaries of their voting districts, i.e. election precincts. Ohio declared its intention to participate in the Census Bureau's program and Ohio University is participating in the program on behalf of the State. The early phase of the 2020 RDP includes States submitting suggested changes to Census block boundaries, called the Block Boundary Suggestion Project (BBSP). More details on the US Census 2020 RDP can be found here: https://www.census.gov/rdo/program_phases/2020_census_redistricting_data_program.html

Work Performed During the Report Period

Between November 2016 and September 2017, Ohio University staff have to date, performed work on tasks I, II, and VI under this project (out of the 6 tasks identified in the project scope of work).

Work performed during the report period included participation in Phase 1 of the US Census 2020 RDP, the BBSP, and initial work on evaluating county BOE voter registration files.

Block Boundary Suggestion Project (BBSP)

- Made initial contact with county BOEs to acquire Voter Registration and Precinct Boundary databases – November 2016 to March 2017
- OU staff attended US Census Bureau Block Boundary Suggestion Program (BBSP) training and webinars, and directly coordinated with US Census staff
- Built a Statewide address locator database to geo-locate voter registration lists provided by county BOE and Statewide voter registration database from Ohio Secretary of State (SOS) - November 2016 to February 2017
- Meeting and presentation to Ohio Secretary of State staff and Ohio Legislative Services Commission (LSC) Representative – March 23, 2017
- Drafting and Coordination of Advisory letter from Ohio Secretary of State Office to county BOEs – February to April 2017. Advisory signed and distributed - April 4, 2017
- OU staff formed teams to approach the work during this reporting period that included a Data Gathering and Management Team, BBSP Map Preparation Team, BBSP Assessment Team, and the BBSP Submission Team to submit the suggested changes to Census using their Geographic Update Partnership Software (GUPS)
- Contacted all 88 county Boards of Election to acquire current Voter Registration and Precinct Boundary database files – April/May 2017
- Conducted a quality review of all voter registration files provided by counties. Corrected precinct names to match county precinct maps where they differed.
- Conducted a quality review of all county provided voter precinct maps (GIS files, PDF files, and paper maps). Compared county provided precinct maps to existing 2010 US Census GIS files. If 2010 GIS files were used (See Table 1 below), then any changes to precinct boundaries provided

in PDF or paper maps were updated in 2010 data to reflect the current precinct boundaries according to provided maps.

- Developed detailed Geographic Information Systems (GIS) methods, procedures, and tools to identify discrepancies in US Census 2020 proposed block boundaries, Ohio county precinct boundaries, and jurisdictional boundaries. Utilized voter registration files and precinct boundaries as collected and updated in process steps above along with US Census proposed 2020 block boundaries, and jurisdiction boundary data as available.
- Analyzed US Census Bureau Redistricting Data Program Proposed block boundaries as part of BBSP (2020 RDP Phase 1). We utilized GIS data, tools, and software to identify where block boundaries are split by precinct boundary lines, jurisdiction lines, or otherwise in arbitrary configurations, cataloged and provided suggested updates to Census using their GUPS software.

Voter Registration Database Review

- As discussed during the March 23, 2017 meeting, in June 2017, OU staff began testing methods to identify and evaluate inaccuracies in county voter registration databases. We developed procedures that will identify addresses that do not match the county-level Location Based Response System (LBRS) and street centerline databases, missing precinct name, incorrect precinct, address outside county, zip code mismatch, and city name mismatch.

Results of the Work

The chart (Figure 1) below show the results of the effort to collect precinct maps from the Ohio counties from both efforts prior to and after the distribution of the SOS Advisory dated April 4, 2017. For details on the county response, see Table 4.

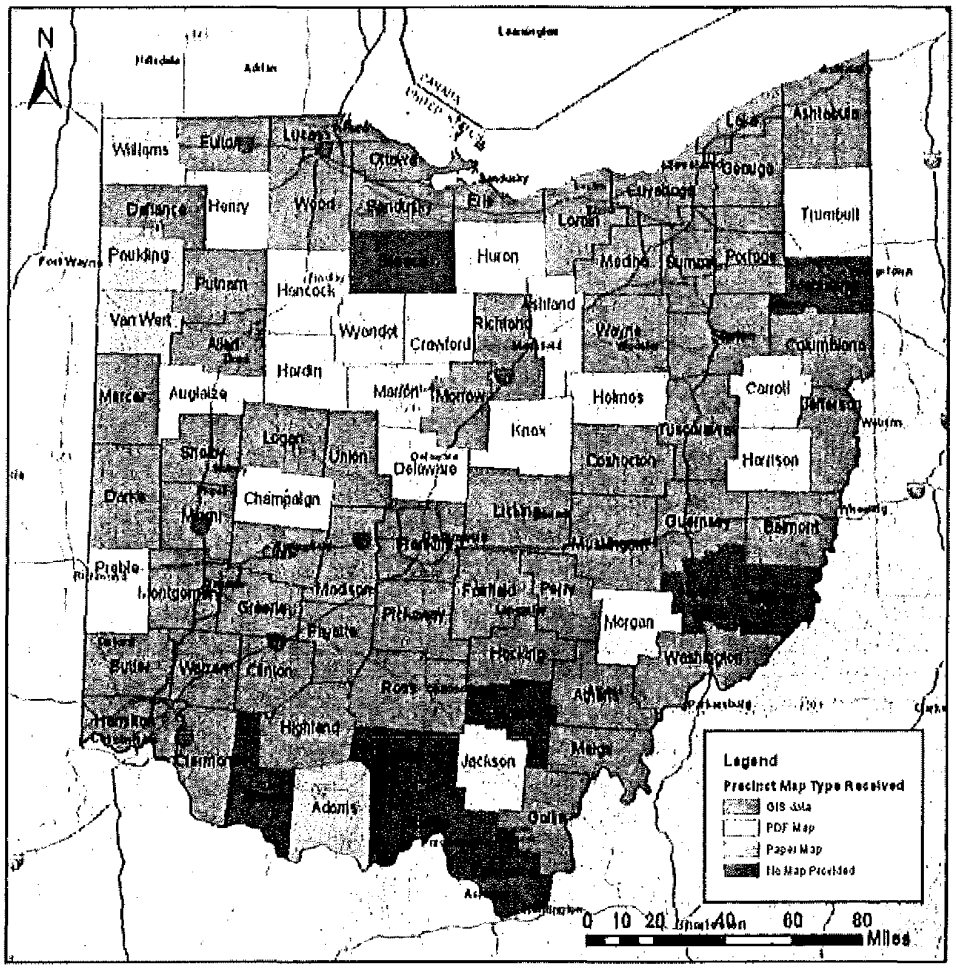
- Fifty-six (56) counties provided precinct maps in GIS file format.
- Twenty (20) provided precinct maps in Portable Document Format (PDF) digital format that required review and comparison to the 2010 US Census precinct GIS data files. In most cases, the PDF precinct maps provided by counties had not been updated since prior to the development of the 2010 Census Redistricting map file development.
- Three (3) counties provided only paper copies of precinct maps, which were compared to the 2010 Census Redistricting GIS map files and adjusted as required.
- Nine (9) counties did not respond to the call for precinct maps or did not have any information that they could provide.

Note that PDF maps in most cases are created from GIS format map files. If a precinct map in PDF format was provided by a county to OU in order to meet the Secretary of State (SOS) Advisory request, then this likely means that the work to develop the precinct map in GIS was performed by an outside contractor or other county office that has not provided the GIS map files to the county BOE staff.

Additionally, six (6) counties (6.8%) provided precinct maps weeks after the April 14, 2017 deadline suggested by the SOS in the Advisory memorandum (see Table 4 Notes column for details).

For the 32 counties that did not provide precinct maps in GIS format, we utilized the 2010 US Census Redistricting map files, being careful to check any PDF or paper maps provided and make updates to the 2010 data as required.

Figure 1. Results of the effort to collect precinct maps from the 88 Ohio counties. If maps were not provided by the county staff by May 31, 2017, the deadline for submitting Block Boundary Suggestions to the US Census, then they are listed as "No Map Provided."



Updates and submission to Census Bureau under project Tasks I and VI.

- We analyzed all 88 counties for potential suggested adjustments to Census proposed 2020 block boundaries under the BBSP project. We identified and reported 692 suggested changes in 48 counties (see list in Table 2 below).
- BBSP coordination work with US Census Bureau included work performed between November 2016 and 31 May 2017.

Table 1. Number of suggested changes to block boundaries as submitted to US Census under BBSP in May 2017 (Phase 1 of the 2020 Census RDP).

County	Number of Suggested Changes	County	Number of Suggested Changes
Adams	0	Licking	46
Allen	23	Logan	1
Ashland	10	Lorain	16
Ashtabula	0	Lucas	77
Athens	18	Madison	1
Auglaize	2	Mahoning	28
Belmont	1	Marion	10
Brown	0	Medina	0
Butler	9	Meigs	0
Carroll	0	Mercer	3
Champaign	3	Miami	17
Clark	0	Monroe	0
Clermont	2	Montgomery	5
Clinton	1	Morgan	0
Columbiana	0	Morrow	0
Coshocton	0	Muskingum	1
Crawford	0	Noble	0
Cuyahoga	10	Ottawa	1
Darke	0	Paulding	0
Defiance	18	Perry	0
Delaware	5	Pickaway	5
Erie	2	Pike	0
Fairfield	10	Portage	3
Fayette	3	Preble	6
Franklin	204	Putnam	2
Fulton	1	Richland	0
Gallia	0	Ross	1
Geauga	1	Sandusky	16
Greene	17	Scioto	0
Guernsey	0	Seneca	0
Hamilton	2	Shelby	13
Hancock	0	Stark	19
Hardin	0	Summit	0
Harrison	0	Trumbull	1
Henry	0	Tuscarawas	0
Highland	0	Union	0
Hocking	10	Van Wert	1
Holmes	0	Vinton	0
Huron	0	Warren	0
Jackson	0	Washington	1
Jefferson	3	Wayne	10
Knox	0	Williams	0
Lake	1	Wood	51
Lawrence		Wyandot	

Project Schedule by Task (see Table 3 for details)

- Task I – September 1, 2016 through May 31, 2018
- Task II – September 1, 2016 through May 31, 2018
- Task VI – September 1, 2016 through December 31, 2021

Table 2. Active task status summaries.

Task I – Work with the Census Bureau to develop accurate Census Block Geography files	
Subtask	**Status**
A. Contact BOE's to request precinct maps – preferably GIS files.	Initial acquisition of precinct files **Completed May 2017**
B. Review precinct maps for urban counties to identify issues with new block boundaries being suggested by the Census Bureau as part of the Redistricting Data Program (RDP).	**Completed May 2017**
C. Work with the Census Bureau to complete "Phase 1 of the Census Bureau's RDP and the Block Boundary Suggestion Program (BBSP)" by May 31, 2017. Submit data to the Census Bureau to tell the Bureau what Census data features should be kept as block boundaries because the feature is a precinct boundary.	**Completed May 2017**
D. Review precinct maps for rural counties to identify issues with new block boundaries being suggested by the Census Bureau.	Review October – December 2017
E. Work with the Census Bureau to complete "Phase 3 of the Census RDP and the BBSP" by May 31, 2018. Submit data to the Census Bureau to tell the Census Bureau what Census data features should be kept as block boundaries because the feature is a precinct boundary.	Expected completion May 2018
F. Work with county board of elections (BOE) to assist with the counties responses to the Census Bureau's Boundary and Annexation Survey (BAS) as needed. It is very important that the Census Bureau is aware of annexation changes in municipal and township boundaries so that new releases of Census block boundary geographic files reflect these annexation changes. Annexation changes also directly impact precinct/ward boundaries.	Begin work October – December 2017
G. Ohio University has already completed the first stage of the Census Bureau's RDP by researching and certifying that there have been no changes in the 114th Congressional district boundaries. Ohio University did not participate in Phase 1 of the Census Bureau's RDP BBSP which was due May 31, 2016.	**n/a**
Task II – Develop Initial Precinct Boundary Mapping Database	
Subtask	**Status**
A. Request precinct boundary geographic files from each BOE.	Completed April 2017
B. Request most recent voter registration files from each county BOE.	Initial completed April 2017, refresh November 2017

C. Geocode voter registration files and identifies voters by precinct.	In-progress as of June 2017
D. Encourage BOE's and counties to communicate annexation changes to the Census Bureau's BAS program.	October – December 2017
F. Conflate BOE precinct boundaries to Census block boundaries.	October – December 2017
G. Communicate with BOE's to resolve precinct boundary questions.	Begin January 2018
H. Develop and implement quality assurance/quality control (QA/QC) procedures for precinct and ward boundaries difference resolution and verification.	January – Mar 2018
Import voter registration files from each county.	Initial completed May 2017, refresh November 2017
Task VI: Project Management and Reporting	
Subtask	**Status**
A. Provide overall management of the project.	On-going
B. Prepare quarterly project reports to the Legislative Services Commission.	On-going

Next Report Period - Work to be Performed (October-December 2017)

Next Key Milestones and Task Targets

- Refresh of Voter Registration and Precinct databases from county BoE November-December 2017
- Completion of Task I – May 31, 2018
- Completion of Task II – May 31, 2018
- Phase 2 Voting District Project by May 31, 2019
    - Initial provision of voting districts - December 2017 through May 31, 2018

1. Sent letter to Census confirming Ohio participation in Phase 2 of the Voting District Project (VTDP) by December 15, 2017.

2. Review and refresh of voter registration and precinct files November-December 2017. As voter registrations have been updated for the 2017 fall election, we will gather the updated files and use the new data for the Voter Registration Database Review by county. **(Tasks IIB and IIH)**

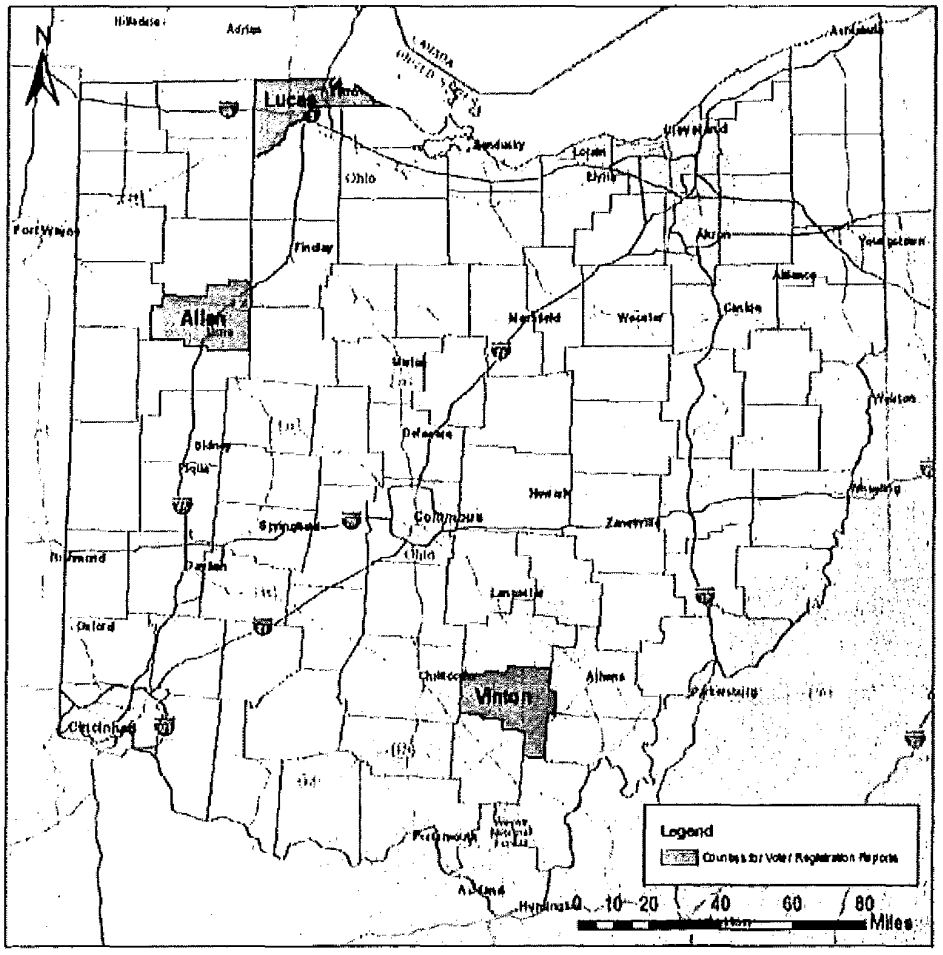
3. Conduct voter registration database analysis by county. As discussed with SOS staff and the Legislative Services Commission Representative during the March 23, 2017 meeting.In June 2017, OU staff have initiated procedures that will identify addresses that do not match the county-level Location Based Response System (LBRS) and street centerline databases, i.e., missing precinct name, precinct mismatch, address outside county, ZIP code mismatch, and city name mismatch. **(Task IIC)** During the next report period, we will fully review the voter registration databases for three (3) representative Ohio counties and provide reports on each county to SOS and Legislative Services Commission (LSC). If desired, we will schedule a follow-on meeting with SOS and LSC to present our results and discuss the initial review of the three county's voter registration databases. We are

proposing to use Allen, Lucas, and Vinton Counties for the initial review and reports as representative of urban, suburban, and rural areas. See Table 4 and Figure 2 below.

Table 3. Characterization of three counties selected for Voter Registration Database Analysis and Reporting.

County	Characterization	Population (2016)	Population/mi²	Registered Voters (Spring 2017)
Allen	urban/rural mix	103,742	264.2	68,299
Lucas	urban/suburban mix	432,488	1,296.2	300,638
Vinton	rural	12,921	32.6	8,363

Figure 2. Map showing three counties selected for Voter Registration Database Analysis Report.



4. Review precinct maps gathered from the previous reporting period to identify issues with new block boundaries being suggested by the Census Bureau. We will identify precinct boundaries that bisect proposed 2020 Census block boundaries and provide a report with results. **(Task ID)**

5. Begin preparation for providing updated precinct and ward boundaries to Census under Redistricting Phase 2 Voting District Project. Provisional voting districts are due to Census by May 31, 2018.

6. Work with county board of elections (BOE) to assist with the counties' responses to the Census Bureau's Boundary and Annexation Survey (BAS) as needed. Data will be accepted January 11 through May 31, 2018. Meet with SOS to discuss how to encourage and assist the Counties in submitting boundary and annexation updates to Census or for OU to gather data and submit to Census. **(Tasks IF and IID)**

7. Additionally, OU staff prepared, attended and participated at the Ohio Association of Election Officials (OAEO) Winter Conference in January 2018.

Table 4. Results of effort to collect precinct maps from the 88 Ohio counties. If maps were not provided by the county staff by May 31, 2017, the deadline for submitting Block Boundary Suggestions to the US Census, then they are listed as "No Map Provided."

County	Precinct Map Type Received	Notes
Adams	Paper Map	Used 2010 GIS file
Allen	GIS data	Delivered late
Ashland	PDF Map	Used 2010 GIS file
Ashtabula	GIS data	
Athens	GIS data	
Auglaize	PDF Map	Used 2010 GIS file
Belmont	GIS data	
Brown	No Map Provided	Used 2010 GIS file
Butler	GIS data	
Carroll	PDF Map	PDF map converted to GIS file
Champaign	PDF Map	Used 2010 GIS file
Clark	GIS data	Delivered late
Clermont	GIS data	
Clinton	GIS data	
Columbiana	GIS data	
Coshocton	GIS data	
Crawford	PDF Map	Used 2010 GIS file, edited as required
Cuyahoga	GIS data	
Darke	GIS data	
Defiance	GIS data	
Delaware	PDF Map	Used 2010 GIS file
Erie	GIS data	
Fairfield	GIS data	
Fayette	GIS data	Delivered late
Franklin	GIS data	
Fulton	GIS data	
Gallia	GIS data	

Geauga	GIS data	
Greene	GIS data	
Guernsey	GIS data	
Hamilton	GIS data	
Hancock	PDF Map	Used 2010 GIS file
Hardin	PDF Map	Used 2010 GIS file
Harrison	PDF Map	Used 2010 GIS file
Henry	PDF Map	Used 2010 GIS file
Highland	GIS data	
Hocking	GIS data	
Holmes	PDF Map	Used 2010 GIS file
Huron	PDF Map	Used 2010 GIS file
Jackson	PDF Map	Delivered late, maps old, used 2010 GIS file
Jefferson	GIS data	
County	Precinct Map Type Received	Notes
Knox	PDF Map	Used 2010 GIS file
Lake	GIS data	
Lawrence	No Map Provided	Used 2010 GIS file
Licking	GIS data	
Logan	GIS data	
Lorain	GIS data	
Lucas	GIS data	
Madison	GIS data	
Mahoning	No Map Provided	Used 2010 GIS file
Marion	PDF Map	Used 2010 GIS file
Medina	GIS data	
Meigs	GIS data	
Mercer	GIS data	
Miami	GIS data	Delivered late -
Monroe	No Map Provided	Used 2010 GIS file
Montgomery	GIS data	
Morgan	PDF Map	Used 2010 GIS file
Morrow	GIS data	
Muskingum	GIS data	
Noble	No Map Provided	Used 2010 GIS file
Ottawa	GIS data	
Paulding	Paper Map	Used 2010 GIS file
Perry	GIS data	
Pickaway	GIS data	
Pike	No Map Provided	Used 2010 GIS file
Portage	GIS data	
Preble	PDF Map	Used 2010 GIS file
Putnam	GIS data	Errors in GIS, corrected
Richland	GIS data	
Ross	GIS data	Merged multiple GIS files
Sandusky	GIS data	Old data provided, used 2010 GIS file
Scioto	No Map Provided	Used 2010 GIS file
Seneca	No Map Provided	Used 2010 GIS file

Shelby	GIS data	
Stark	GIS data	
Summit	GIS data	
Trumbull	PDF Map	Used 2010 GIS file
Tuscarawas	GIS data	
Union	GIS data	
Van Wert	Paper Map	Paper maps same as 2010, used 2010 GIS file
Vinton	No Map Provided	Used 2010 GIS file
Warren	GIS data	
Washington	GIS data	
Wayne	GIS data	Delivered late
Williams	PDF Map	Used 2010 GIS file
Wood	GIS data	GIS files merged, cleaned
Wyandot	PDF Map	Used 2010 GIS file

Report 2: October 2017 - December 2017

Key Project Events during the Report Period

1. Began gathering updates of post-election voter registration data from counties
2. Began refresh of county Location Based Response System (LBRS) address data and road centerline road data from counties
3. Coordination and preparation with US Census Bureau on next steps for Phase 2, Voter District Project, of the 2021 Redistricting Program
4. Coordination with the Ohio Association of Election Officials to attend and participate at the OAEO 69th Annual Winter Conference in Columbus, Ohio.

In preparation for redistricting in 2021, the U.S. Census Bureau requires that states choosing to participate in its 2020 Redistricting Data Program (RDP) provide data on the boundaries of their voting districts, i.e. election precincts. Ohio declared its intention to participate in the Census Bureau's program and Ohio University is participating in the program on behalf of the State. On November 28, Dr. G. Jason Jolley, the officially designated Ohio State Redistricting Liaison, provided notification to US Census Bureau that Ohio will be participating in Phase 2 of the Voting District Project under the 2020 Redistricting Data Program. See attached letter titled *Ohio Census VRDP Phase 2 Letter*, dated 27 November 2017.

Work Performed During the Report Period

Between October 2017 and December 2017, Ohio University staff performed work on tasks I, II, and VI under this project (out of the 6 tasks identified in the project scope of work).

Work performed during the report period included gathering updated copies of the County BOE voter registration databases, coordination with Census Bureau, participation in Phase 1 of the US Census 2020 RDP, and initial work on evaluating county BOE voter registration files.

Voter Registration Database Review

- As discussed during the March 23, 2017 meeting, in June 2017, OU staff continued to identify mismatches between LBRS and street centerline databases, missing precinct name, incorrect precinct, address outside county, zip code mismatch, and city name mismatch.

Results of the Work

- No results during this reporting period.

Project Schedule by Task

- Task I – September 1, 2016 through May 31, 2018
- Task II – September 1, 2016 through May 31, 2018
- Task VI – September 1, 2016 through December 31, 2021

Table 1. Active task status summaries.

Task I – Work with the Census Bureau to develop accurate Census Block Geography files	
Subtask	**Status**
A. Contact BOE's to request precinct maps – preferably GIS files.	Initial acquisition of precinct files **Completed May 2017**
B. Review precinct maps for urban counties to identify issues with	**Completed May 2017**

new block boundaries being suggested by the Census Bureau as part of the Redistricting Data Program (RDP).	
C. Work with the Census Bureau to complete "Phase 1 of the Census Bureau's RDP and the Block Boundary Suggestion Program (BBSP)" by May 31, 2017. Submit data to the Census Bureau to tell the Bureau what *Census data features should be kept as block boundaries* because the feature is a precinct boundary.	**Completed May 2017**
D. Review precinct maps for rural counties to identify issues with new block boundaries being suggested by the Census Bureau.	Review February - May 2018
E. Work with the Census Bureau to complete "Phase 2 of the Census RDP" by May 31, 2018. Submit data to the Census Bureau to tell the Census Bureau what Census data features should be kept as block boundaries because the feature is a precinct boundary.	Expected completion May 2018
F. Work with county board of elections (BOE) to assist with the counties responses to the Census Bureau's Boundary and *Annexation Survey (BAS) as needed. It is very important that the* Census Bureau is aware of annexation changes in municipal and township boundaries so that new releases of Census block boundary geographic files reflect these annexation changes. Annexation changes also directly impact precinct/ward boundaries.	Include in presentation to County BOEs at Ohio Association of Elected Officals,(OAEO) Winter Conference
G. Ohio University has already completed the first stage of the Census Bureau's RDP by researching and certifying that there have been no changes in the 114th Congressional district boundaries. Ohio University did not participate in Phase 1 of the Census Bureau's RDP BBSP which was due May 31, 2016.	**n/a**

Task II - Develop Initial Precinct Boundary Master Database

Subtask	Status
A. Request precinct boundary geographic files from each BOE.	**Completed April 2017**
Request most recent voter registration files from each county BOE.	Initially **completed April 2017,** *refreshed November-* December 2017
B. Geocode voter registration files and identify voters by precinct	January – May 2018
Encourage BOE's and counties to communicate annexation changes to the Census Bureau's BAS program.	October – December 2017, presentation to County BOEs at OAEO Winter Conference (January 2018)
C. Conflate BOE precinct boundaries to Census block boundaries.	October – December 2017
Communicate with BOE's to resolve precinct boundary questions.	January – May 2018
D. Develop and implement quality assurance/quality control (QA/QC) procedures for precinct and ward boundaries difference resolution and verification.	January – Mar 2018
E. Import voter registration files from each county	Initially **completed May 2017,**

	refresh November - December 2017
Task III – Maintain Currency and Update Precinct Boundaries	
Subtask	**Status**
Various subtasks	2019
Task IV – Prepare the Common United Mapping Database	
Subtask	**Status**
Various subtasks	2020 – 2021
Task V – Train in Use of the Common United Mapping Database	
Subtask	**Status**
Various subtasks	2021
Task VI – Project Management and Reporting	
Subtask	**Status**
A. Provide overall management of the project	On-going
B. Prepare quarterly project reports to the Legislative Services Commission	On-going

Next Report Period - Work to be performed

January – March 2018

Next Key Milestones and Task Targets

- *Completion of Task I – May 31, 2018*
- Completion of Task II – May 31, 2018
- Phase 2 Voting District Project by May 31, 2019
    - Initial provision of voting districts - December 2017 through May 31, 2018

1. *Confirm any changes for 115th Congressional District Boundaries with Census Bureau in January 2018.*
2. OU staff continue to apply procedures that identify addresses that do not match the county-level Location Based Response System (LBRS) and street centerline databases, missing precinct name, precinct mismatch, address outside county, and legislative districts incorrectly identified in database (US Congressional, State House, and State Senate districts).
3. We will review the voter registration databases for three (3) representative Ohio counties and provide reports on each county to SOS and LSC. *We hope to meet with the SOS staff to present* the results of the voter registration database reviews for the three counties by March 2018. We are proposing to use Allen, Lucas, and Vinton Counties for the initial review and reports as representative of urban, suburban, and rural areas. See Table 2 and Figure 1 below. **(Task IIC)**

4. Review precinct maps gathered from the previous reporting period to identify issues with new block boundaries being suggested by the Census Bureau. We will identify precinct boundaries that bisect proposed 2020 Census block boundaries and provide a report with results. **(Task ID, IE)**
5. Review and provide updated precinct and ward boundaries to Census Bureau under Redistricting Phase 2 Voting District Project. Provisional voting districts are due to Census Bureau by May 31, 2018. **(Task ID IE)**
6. Work with county BOEs to assist with the counties' responses to the Census Bureau's Boundary and Annexation Survey (BAS) as needed. Data will be accepted January 11 - May 31, 2018. Meet with SOS to discuss how to encourage and assist the Counties in submitting boundary and annexation updates to Census or for OU to gather data and submit to Census. **(Tasks IF and IID)**
7. OU staff prepared, attended and participated at the OAEO Winter Conference in January 2018. **(Tasks IID, VI)**

Report 3: January 1 to March 31, 2018

Key Project Events During the Report Period

1. Completed gathering of post-election voter registration data updates from counties.
2. Completed refresh of county Location Based Response System (LBRS) address data and road centerline road data.
3. Notified Census Bureau that there have not been any changes for Ohio's 116th US Congressional District Boundaries, as per Craig Forbes of the Ohio Secretary of State's Office. The Ohio State Redistricting Liaison, Dr. G. Jason Jolley, responded to Census Bureau via fax containing the letter from Census requesting update, dated November 30, 2017, and the response faxed to Census on January 26, 2018.
4. Continued coordination and preparation with US Census Bureau on next steps for Phase 2, Voter District Project, of the 2021 Redistricting Program. Project manager attended Census Bureau webinar on Phase 2 – Voter District mapping using the GUPS GIS software.
5. Presentation to Ohio Association of Election Officials at their 69th Annual Winter Conference in Columbus, Ohio, January 10, 2018. The PowerPoint is a very large document, so will be provided upon request.

In preparation for redistricting in 2021, the U.S. Census Bureau requires that states choosing to participate in its 2020 Redistricting Data Program (RDP) provide data on the boundaries of their voting districts, i.e. election precincts. Ohio declared its intention to participate in the Census Bureau's program and Ohio University is participating in the program on behalf of the State.

Work Performed During the Report Period

Between January 1, 2018 and March 31, 2018, Ohio University staff performed work on tasks I, II, and VI under this project (out of the 6 tasks identified in the project scope of work).

Work performed during the report period included gathering updated copies of the County BOE voter registration databases, coordination with Census Bureau, participation in Phase 2 of the US Census 2020 RDP, the Voting District Project, and initial work on evaluating county BOE voter registration files.

Voting District Project (VTD)

- Made contact with county BOEs to acquire Voter Registration and Precinct Boundary databases November 2017 to March 2018
- Ohio Redistricting Technical Liaison, Robert Delach, attended US Census Bureau Voting District Project (VTD) webinar, and directly coordinated with US Census staff
- Updated Statewide address locator database (previously developed in 2017) with current LBRS data acquired from the counties to geo-locate voter registration lists provided by county BOE
- Contacted all 88 county Boards of Election to acquire updated Precinct Boundary database files, if available
- Conducted a quality review of all voter precinct files provided by counties. Corrected precinct names to match county precinct maps where they differed
- Reviewed Census Phase 2 VTD procedures and use of the Census provided Geographic Update Partnership Software (GUPS) for review of voting district boundaries

- Prepared workstations for VTD project work, including installation and configuration of Census provided GUPS software
- Developed detailed Geographic Information Systems (GIS) methods, procedures, and employed a quality control review tool to conflate county provided precinct boundaries to follow US Census block boundaries. Utilized voter registration files and precinct boundaries as collected and updated in process steps above along with US Census proposed 2020 block boundaries, and jurisdiction boundary data as available
- Began review and conflation of the 88 Ohio county precinct boundary datasets to Census block boundaries

Results of the Work

- OU staff conducted geocoding of three counties as part of a pilot in January and February 2018. The three counties were Allen, Lucas, and Vinton Counties. The pilot confirmed our geocoding process, and initial methods to detect errors and inconsistencies in the county-level voter registration databases for the pilot counties. Geocoding address match rates were very high for the three counties, in the 98 to 99% rate
- We conducted an initial test of the methods we developed to evaluate the accuracy of county voter registration databases in February 2018
- OU staff began initial Voting District Project (VTD) reviews of precincts in March 2018. During this time period no counties were finalized or submitted to Census Bureau

Project Schedule by Task

- Task I – September 1, 2016 through May 31, 2018
- Task II – September 1, 2016 through May 31, 2018
- Task VI – September 1, 2016 through December 31, 2021

Table 1. Active task status summaries.

Task I - Work with the Census Bureau to develop county Census Block Geography files	
Subtask	**Status**
A. Contact BOE's to request precinct maps – preferably GIS files.	Initial acquisition of precinct files **Completed May 2017**
B. Review precinct maps for urban counties to identify issues with new block boundaries being suggested by the Census Bureau as part of the Redistricting Data Program (RDP).	**Completed May 2017**
C. Work with the Census Bureau to complete "Phase 1 of the Census Bureau's RDP and the Block Boundary Suggestion Program (BBSP)" by May 31, 2017. Submit data to the Census Bureau to tell the Bureau what Census data features should be kept as block boundaries because the feature is a precinct boundary.	**Completed May 2017**
D. Review precinct maps for rural counties to identify issues with new block boundaries being suggested by the Census Bureau.	Review February - May 2018
E. Work with the Census Bureau to complete "Phase 2 of the Census RDP" by May 31, 2018. Submit data to the Census Bureau to tell the Census Bureau what Census data features should be kept as block boundaries because the feature is a precinct boundary.	Expected completion May 2018

F. Work with county board of elections (BOE) to assist with the counties responses to the Census Bureau's Boundary and Annexation Survey (BAS) as needed. It is very important that the Census Bureau is aware of annexation changes in municipal and township boundaries so that new releases of Census block boundary geographic files reflect these annexation changes. Annexation changes also directly impact precinct/ward boundaries	Included in presentation to County BOEs at OAEO Winter Conference
G. Ohio University has already completed the first stage of the Census Bureau's RDP by researching and certifying that there have been no changes in the 114th Congressional district boundaries. *Ohio University did not participate in Phase 1 of the Census Bureau's RDP BBSP which was due May 31, 2016.*	n/a

Task II – Develop Initial Precinct Boundary Mapping Database

Subtask	Status
A. Request precinct boundary geographic files from each BOE.	**Completed April 2017**
B. Request most recent voter registration files from each county BOE.	Initially **completed April 2017**, refreshed November-December 2017
C. Geocode voter registration files and identify voters by precinct.	January – May 2018
D. Encourage BOE's and counties to communicate annexation changes to the Census Bureau's BAS program.	October – December 2017, presentation to County BOEs at OAEO Winter Conference (January 2018)
E. Conflate BOE precinct boundaries to Census block boundaries.	October – December 2017
F. Communicate with BOE's to resolve precinct boundary questions.	January – May 2018
G. Develop and implement quality assurance/quality control (QA/QC) procedures for precinct and ward boundaries difference resolution and verification.	January – Mar 2018
H. Import voter registration files from each county.	Initially **completed May 2017**, refresh November - December 2017

Task III – Maintain Currency and Update Precinct Boundaries

Subtask	Status
Various subtasks.	2019

Task IV – Prepare the Common Unified Mapping Database

Subtask	Status
Various subtasks.	2020 – 2021

Task V – Train Users of the Common Unified Mapping Database

Subtask	Status

Various subtasks.	2021
Task VI: Project Management and Reporting	
Subtask	**Status**
A. Provide overall management of the project.	On-going
B. Prepare quarterly project reports to the Legislative Services Commission.	On-going

Next Report Period - Work to be Performed

April 1 – June 30, 2018

Next Key Milestones and Task Targets

- Completion of Task I – May 31, 2018
- Completion of Task II – May 31, 2018
- Phase 2 Voting District Project by May 31, 2019
    - Initial provision of voting districts - December 2017 through May 31, 2018

8. Review precinct maps gathered from the previous reporting period to identify discrepancies with precinct boundaries and Census Bureau proposed block boundaries. We will identify precinct boundaries that bisect proposed 2020 Census block boundaries, conflate those boundaries to the nearest Census Block boundary, and propose block boundary cuts as needed to minimize impacts to registered voters. **(Task ID, IE)**

9. Review and provide updated precinct boundaries to Census under Redistricting Phase 2 Voting District Project. Provisional voting districts are due to Census by May 31, 2018. (Task ID IE)

Report 4: April 1 to June 30, 2018

Key Project Events during the Report Period

1. Continued coordination with US Census Bureau for Phase 2, Voter District Project (VTD) of the 2021 Redistricting Program.
2. Delivery of the initial provision of voting districts for all 88 Ohio Counties to Census Bureau under the Phase 2 – Voting District Project.

Work Performed During the Report Period

Between March 1, 2018 and June 30, 2018, Ohio University staff performed work on tasks I, II, and VI under this project.

Work performed during the report period included coordination with Census Bureau, participation in Phase 2 of the US Census 2020 RDP, the Voting District Project, and continued work on evaluating county BOE voter registration files.

Voting District Project (VTD)

- Ohio Redistricting Technical Liaison, Robert Delach, directly coordinated with US Census Bureau Redistricting Data Program staff via email, telephone conversations, and in a virtual meeting on May 8, 2018.
- Completed the quality review of all voter precinct files provided by counties that was begun in March 2018.
- Finalized Geographic Information Systems (GIS) methods, procedures, and quality control (QC) review procedures for Census Phase 2 VTD and use of the Census provided Geographic Update Partnership Software (GUPS) for review and provision of voting district boundaries.
- Utilized voter registration files and precinct boundaries as collected and updated in process steps above along with US Census proposed 2020 block boundaries, and jurisdiction boundary data as available.
- Completed review, provision, and quality control review of the 88 Ohio county precinct boundary datasets to Census block boundaries, and delivered the resulting county-level precinct GIS data layers to Census Bureau.

Voter Registration Database Review

- Recompiled statewide address locator database (previously updated in January 2018).
- Updated address geocoding procedures for county voter registration database review and assessment reports.

Results of the Work

- OU staff began initial Voting District Project (VTD) reviews of precincts in March 2018. From April through June 11, 2018, we reviewed precinct data for all 88 counties, conflated to match Census block boundaries, quality reviewed and finalized, and submitted results to Census Bureau. Note that the original deadline to submit provisional precinct boundaries to Census Bureau under the Phase 2 Voting District Project (VTD) of May 31, 2018 was extended to June

11, 2018. Our team identified 1,438 locations across all 88 counties that required cutting blocks or where decisions not to cut blocks impacted voters that were already registered to vote. There were three main types of issues encountered during the initial provisioning of precincts, here is a summary of those three:

  - Cutting blocks in order to avoid impacting current voter precinct registrations.
  - Assigning a block that was split by a precinct boundary to a precinct, when the result would impact voters currently registered to a precinct.
  - Areas where outdated Boundary and Annexation data impacted precinct boundaries and may change voter precinct assignment (registration).

- During our work conducting the initial provisioning of precinct boundaries for under the Phase 2 VTD Project, we encountered a number of counties where the provided precinct map data was significantly outdated and did not match current voter precinct assignments. In some cases this involved splitting of precincts and in others, consolidation of precincts. In order to provision the areas where precincts have been updated by the counties, but where the maps were not updated, we assigned areas to precincts using the current voter registration database for each county. In some cases, this required re-allocating upwards of 40 to 50 precincts in counties such as Franklin and Butler.
- OU staff continued updating the statewide address geocoder and testing with the three counties as part of the pilot begun in January and February 2018. The three counties were Allen, Lucas, and Vinton Counties.
- We continued the testing of the methods we developed to evaluate the accuracy of county voter registration databases in June 2018.

Project Schedule by Task

- Task I – September 1, 2016 through June 11, 2018.
- Task II – September 1, 2016 through May 31, 2018, Items D & F on-going through September 2018.
- Task VI – September 1, 2016 through December 31, 2021.

Table 1. Active task status summaries.

Task I – Work with the Census Bureau to develop accurate Census Block Geography files	
Subtask	**Status**
A. Contact BOE's to request precinct maps – preferably GIS files.	Initial acquisition of precinct files **completed May 2017**
B. Review precinct maps for urban counties to identify issues with new block boundaries being suggested by the Census Bureau as part of the Redistricting Data Program (RDP).	**completed May 2017**
C. Work with the Census Bureau to complete "Phase 1 of the Census Bureau's RDP and the Block Boundary Suggestion Program (BBSP)" by May 31, 2017. Submit data to the Census Bureau to tell the Bureau what Census data features should be kept as block boundaries because the feature is a precinct boundary.	**completed May 2017**
D. Review precinct maps for rural counties to identify issues with	Review February - May 2018,

new block boundaries being suggested by the Census Bureau.	completed June 11, 2018
E. Work with the Census Bureau to complete "Phase 2 of the Census RDP" by May 31, 2018. Submit data to the Census Bureau to tell the Census Bureau what Census data features should be kept as block boundaries because the feature is a precinct boundary.	**completed June 11, 2018**
F. Work with county board of elections (BOE) to assist with the counties responses to the Census Bureau's Boundary and Annexation Survey (BAS) as needed. It is very important that the Census Bureau is aware of annexation changes in municipal and township boundaries so that new releases of Census block boundary geographic files reflect these annexation changes. Annexation changes also directly impact precinct/ward boundaries.	Included in presentation to County BOEs at OAEO Winter Conference, **completed January 10, 2018**
G. Ohio University has already completed the first stage of the Census Bureau's RDP by researching and certifying that there have been no changes in the 114th Congressional district boundaries. Ohio University did not participate in Phase 1 of the Census Bureau's RDP BBSP which was due May 31, 2016.	n/a

Task 3: Develop Initial Precinct Boundary Mapping Database

Subtask	Status
A. Request precinct boundary geographic files from each BOE.	**completed April 2017**
Request most recent voter registration files from each county BOE.	Initially **completed April 2017**, refreshed November-December 2017
B. Geocode voter registration files and identify voters by precinct.	January – May 2018, **initial geocoding completed January 2018**
C. Encourage BOE's and counties to communicate annexation changes to the Census Bureau's BAS program.	October – December 2017, presentation to County BOEs at OAEO Winter Conference January 10, 2018 Coordination with Counties On-going
D. Conflate BOE precinct boundaries to Census block boundaries.	January – June 2018, **completed 11 June 2018**
E. Communicate with BOE's to resolve precinct boundary questions.	On-going
F. Develop and implement quality assurance/quality control (QA/QC) procedures for precinct and ward boundaries difference resolution and verification.	January – Mar 2018, **completed March 2018**
G. Import voter registration files from each county.	Initially completed May 2017, refreshed November 2017 – February 2018

Task III – Maintain Currency and Update Precinct Boundaries	
Subtask	**Status**
Various subtasks.	2019

Task IV – Prepare the Common Unified Mapping Database	
Subtask	**Status**
Various subtasks.	2020 – 2021

Task V – Train Users of the Common Unified Mapping Database	
Subtask	**Status**
Various subtasks.	2021

Task VI – Project Management and Reporting	
Subtask	**Status**
A. Provide overall management of the project.	On-going
B. Prepare quarterly project reports to the Legislative Services Commission.	On-going

Next Report Period - Work to be Performed

July 1 – September 30, 2018

Next Key Milestones and Task Targets

- On-going work on Task II, Item D & F – September 2018.
- Phase 2 Voting District Project by May 31, 2019.
    - Verification of voting districts - December 2018 through May 31, 2019.

1. Coordinate with county board of elections (BOE) and other county entities to encourage and assist data updates and response to the Census Bureau's Boundary and Annexation Survey (BAS). It is very important that the Census Bureau is aware of annexation changes in municipal and township boundaries so that new releases of Census block boundary geographic files reflect these annexation changes. Annexation changes directly impact precinct/ward boundaries (**Task II D**).
2. Coordinate with BOE's to review precinct boundary adjustments made under Phase 2 VTD precinct provisioning. (**Task II F**).

Table 2., Results of Phase 2 Voting District Project (VTD) Initial Provisioning of Ohio Voting Districts.

County	Number of Issues Identified and Corrected	County	Number of Issues Identified and Corrected
Adams	2	Licking	8
Allen	6	Logan	2

Ashland	12	Loraln	22
Ashtabula	9	Lucas	71
Athens	27	Madison	0
Auglaize	8	Mahoning	10
Belmont	41	Marion	9
Brown	2	Medina	1
Butler	135	Melgs	12
Carroll	7	Mercer	6
Champaign	0	Miami	11
Clark	22	Monroe	0
Clermont	38	Montgomery	104
Clinton	5	Morgan	0
Columbiana	16	Morrow	0
Coshocton	5	Muskingum	3
Crawford	0	Noble	1
Cuyahoga	121	Ottawa	0
Darke	3	Paulding	0
Defiance	12	Perry	10
Delaware	73	Pickaway	0
Erie	11	Pike	9
Fairfield	27	Portage	6
Fayette	2	Preble	0
Franklin	124	Putnam	4
Fulton	17	Richland	1
Gallia	11	Ross	8
Geauga	4	Sandusky	14
Greene	19	Scioto	10
Guernsey	2	Seneca	1
Hamilton	55	Shelby	1
Hancock	3	Stark	50
Hardin	0	Summit	18
Harrison	0	Trumbull	15
Henry	2	Tuscarawas	6
Highland	2	Union	6
Hocking	2	Van Wert	6
Holmes	0	Vinton	6
Huron	2	Warren	44
Jackson	9	Washington	1
Jefferson	27	Wayne	14
Knox	0	Williams	2
Lake	53	Wood	14
Lawrence	13	Wyandot	3

Report 5: July 1 to September 30, 2018

Key Project Events during the Report Period

1. Continued coordination with US Census Bureau for Phase 2, Voter District Project (VTD) of the 2021 Redistricting Program.
2. Review and reorganization of data used and created thus far in the project.

Work Performed During the Report Period

Between July 1, 2018 and September 30, 2018, Ohio University staff performed work on tasks II, and VI under this project.

Work performed during the report period included coordination with Census Bureau and data reorganization and project management.

Voter Registration Database Review

- Recompiled statewide address locator database (previously updated in January 2018).
- Updated address geocoding procedures for county voter registration database review and assessment reports.

Results of the Work

- OU staff began preparing the existing and created data for use in development of web map based presence that would be used by counties to assess and amend their voting districts under the Phase 2 VDTP.

Project Schedule by Task

- Task I – Completed.
- Task II – September 1, 2016 through May 31, 2018, Items D & F on-going through September 2018.
- Task VI – September 1, 2016 through December 31, 2021.

Table 1. Active task status summaries.

Task II – Work with the Census Bureau to develop results for Census Block Geography Files	
Subtask	**Status**
A. Contact BOE's to request precinct maps – preferably GIS files.	Initial acquisition of precinct files completed May 2017
B. Review precinct maps for urban counties to identify issues with new block boundaries being suggested by the Census Bureau as part of the Redistricting Data Program (RDP).	**completed May 2017**
C. Work with the Census Bureau to complete "Phase 1 of the Census Bureau's RDP and the Block Boundary Suggestion Program (BBSP)" by May 31, 2017. Submit data to the Census Bureau to tell the Bureau what Census data features should be kept as block boundaries because the feature is a precinct boundary.	**completed May 2017**

D. Review precinct maps for rural counties to identify issues with new block boundaries being suggested by the Census Bureau.	Review February - May 2018, **completed June 11, 2018**
E. Work with the Census Bureau to complete "Phase 2 of the Census RDP" by May 31, 2018. Submit data to the Census Bureau to tell the Census Bureau what Census data features should be kept as block boundaries because the feature is a precinct boundary.	**completed June 11, 2018**
F. Work with county board of elections (BOE) to assist with the counties responses to the Census Bureau's Boundary and Annexation Survey (BAS) as needed. It is very important that the Census Bureau is aware of annexation changes in municipal and township boundaries so that new releases of Census block boundary geographic files reflect these annexation changes. Annexation changes also directly impact precinct/ward boundaries.	Included in presentation to County BOEs at OAEO Winter Conference, **completed January 10, 2018**
G. Ohio University has already completed the first stage of the Census Bureau's RDP by researching and certifying that there have been no changes in the 114th Congressional district boundaries. Ohio University did not participate in Phase 1 of the Census Bureau's RDP BBSP which was due May 31, 2016.	n/a

[illegible] Develop initial Precinct Boundary Mapping Database

Subtask	Status
A. Request precinct boundary geographic files from each BOE.	**completed April 2017**
B. Request most recent voter registration files from each county BOE.	Initially **completed April 2017**, refreshed November-December 2017
D. Geocode voter registration files and identify voters by precinct.	January – May 2018, **initial geocoding completed January 2018**
E. Encourage BOE's and counties to communicate annexation changes to the Census Bureau's BAS program.	October – December 2017, presentation to County BOEs at OAEO Winter Conference January 10, 2018 Coordination with Counties On-going
F. Conflate BOE precinct boundaries to Census block boundaries.	January – June 2018, **completed 11 June 2018**
G. Communicate with BOE's to resolve precinct boundary questions.	On-going
H. Develop and implement quality assurance/quality control (QA/QC) procedures for precinct and ward boundaries difference resolution and verification.	*January – Mar 2018*, **completed March 2018**
Import voter registration files from each county.	Initially completed May 2017, refreshed November 2017 – February 2018

Task III – Maintain Currency and Update Precinct Boundaries	
Subtask	**Status**
Various subtasks.	2019
Task IV – Prepare the Common Unified Mapping Database	
Subtask	Status
Various subtasks.	2020 – 2021
Task V – Train Users of the Common Unified Mapping Database	
Subtask	Status
Various subtasks.	2021
Task VI Project Management and Reporting	
Subtask	**Status**
A. Provide overall management of the project.	On-going
B. Prepare quarterly project reports to the Legislative Services Commission.	On-going

Next Report Period - Work to be Performed

October 1 – December 31, 2018

Next Key Milestones and Task Targets

- On-going work on Task II, Item D & F – September 2018
- Phase 2 Voting District Project by May 31, 2019
    - Verification of voting districts - January 2019 through May 31, 2019

Report 6: October to December 31, 2018

Key Project Events during the Report Period

1. Continued coordination with US Census Bureau for Phase 2, Voter District Project (VTD) of the 2021 Redistricting Program.
2. Identify, organize and refine data to support web map based tool for counties to compare and adjust their voting districts under the VDTP Phase 2 revisions scheduled for January 2019.
3. Begin to develop on-line web map for VDTP Phase 2 revisions.
4. Obtained and geocoded the updated voter locations following the 2017 statewide elections from the Secretary of State.

Work Performed During the Report Period

Between September 1, 2018 and December 31, 2018, Ohio University staff performed work on tasks II, IV and VI under this project.

Work performed during the report period included coordination with Census Bureau, participation in Phase 2 of the US Census 2020 RDP, the Voting District Project, and continued work on evaluating county BOE voter registration files.

Develop Web Map to Support VDTP Phase 2 Revisions to County Voting Districts

- A GIS-based web map tool was developed and tested to assist in county updates and revisions of voting districts.

Preparation of a presentation for the 2019 Ohio Board of Elections annual conference in Columbus

- Prepared a two-part presentation to update Boards of Election on progress with this project and demonstrate the use and functioning to the web map redistricting tool.

Results of the Work

Project staff led by Elkan Kim created the GIS-based web map tool. The tool included layers for the VDP revisions (soon to be return from the Census Bureau), most recent county-provided voting districts, place and administrative boundaries, block boundaries and geocoded voter addresses. These layers were projected over interchangeable base maps including USGS topographic maps, highway maps and recent high resolution color imagery. Progressive outcomes were tested and revised through internal staff review.

Robert Wiley and Mike Finney developed, reviewed and revised a presentation to be presented at the January 2019 BOE annual conference that encapsulated all progress on preparation of the unified redistricting data base. The presentation would utilize a live, on-line connection with the GIS web map to demonstrate it suability. Following the presentation there is intended to be a live, interactive demonstration in the vendor area of the conference.

Project Schedule by Task

- Task II – September 1, 2016 through May 31, 2018, Items D & F on-going through September 2018.

- Task III January 1, 2019 through May 31 2019.
- Task VI – September 1, 2016 through December 31, 2021.

Table 1. Active task status summaries.

Task I – Work with the Census Bureau to develop accurate Census Block Geography files	
Subtask	**Status**
A. Contact BOE's to request precinct maps – preferably GIS files.	Initial acquisition of precinct files **completed May 2017**
B. Review precinct maps for urban counties to identify issues with new block boundaries being suggested by the Census Bureau as part of the Redistricting Data Program (RDP).	**completed May 2017**
C. Work with the Census Bureau to complete "Phase 1 of the Census Bureau's RDP and the Block Boundary Suggestion Program (BBSP)" by May 31, 2017. Submit data to the Census Bureau to tell the Bureau what Census data features should be kept as block boundaries because the feature is a precinct boundary	**completed May 2017**
D. Review precinct maps for rural counties to identify issues with new block boundaries being suggested by the Census Bureau	Review February - May 2018, **completed June 11, 2018**
E. Work with the Census Bureau to complete "Phase 2 of the Census RDP" by May 31, 2018. Submit data to the Census Bureau to tell the Census Bureau what Census data features should be kept as block boundaries because the feature is a precinct boundary.	**completed June 11, 2018**
F. Work with county board of elections (BOE) to assist with the counties responses to the Census Bureau's Boundary and Annexation Survey (BAS) as needed. It is very important that the Census Bureau is aware of annexation changes in municipal and township boundaries so that new releases of Census block boundary geographic files reflect these annexation changes. Annexation changes also directly impact precinct/ward boundaries.	Included in presentation to County BOEs at OAEO Winter Conference, **completed January 10, 2018**
G. Ohio University has already completed the first stage of the Census Bureau's RDP by researching and certifying that there have been no changes in the 114th Congressional district boundaries. Ohio University did not participate in Phase 1 of the Census Bureau's RDP BBSP which was due May 31, 2016	n/a
Task II – Develop Initial Precinct Boundary Mapping Database	
Subtask	**Status**
A. Request precinct boundary geographic files from each BOE.	**completed April 2017**
Request most recent voter registration files from each county BOE.	Initially **completed April 2017**, refreshed November-December 2017
B. Geocode voter registration files and identify voters by precinct.	January – May 2018, **initial geocoding completed January**

	2018
C. Encourage BOE's and counties to communicate annexation changes to the Census Bureau's BAS program.	October – December 2017, presentation to County BOEs at OAEO Winter Conference January 10, 2018 Coordination with Counties On-going
D. Conflate BOE precinct boundaries to Census block boundaries.	January – June 2018, **completed 11 June 2018**
E. Communicate with BOE's to resolve precinct boundary questions.	On-going
F. Develop and implement quality assurance/quality control (QA/QC) procedures for precinct and ward boundaries difference resolution and verification.	January – Mar 2018, **completed March 2018**
G. Import voter registration files from each county.	Initially completed May 2017, refreshed November 2017 – February 2018
Task III – Maintain Currency and Update Precinct Boundaries	
Subtask	**Status**
Various subtasks.	2019
Task IV – Prepare the Common Unified Mapping Database	
Subtask	Status
Various subtasks.	2020 – 2021
Task V – Train Users of the Common Unified Mapping Database	
Subtask	Status
Various subtasks.	2021
Task VI – Project Management and Reporting	
Subtask	**Status**
A. Provide overall management of the project.	On-going
B. Prepare quarterly project reports to the Legislative Services Commission.	On-going

Next Report Period - Work to be performed

January 1 – April 30, 2019

Next Key Milestones and Task Targets

- Phase 2 Voting District Project by May 31, 2019.
  - Verification of voting districts - December 2018 through May 31, 2019.

Report 7: January 1 to March 31, 2019

Key Project Events during the Report Period

1. On January 3 2019, the Census Bureau provided new 2020 Voting District Project verification data files. These files included new proposed voting districts based on the June 2018 VDP submittals from OU. This data initiated the comparison and conflation of voting districts under VTDP Phase 2 process.
2. A stage presentation and interactive table display was presented at the 2019 BOE conference in Columbus.
3. The GIS web map tool was launched and access provided to all counties.
4. New voting district data begin to be received and used to revise or confirm up to date voting district geography.
5. OU began submitting revised and confirmed voting district geography to the Census Bureau under this second phase of revisions.

Work Performed During the Report Period

Between January 1, 2019 and March 31, 2019, Ohio University staff performed work on tasks II, III, IV and VI under this project.

Work performed during the report period included coordination with Census Bureau, participation in VTDP Phase 2 of the US Census 2020 RDP, the Voting District Project.

Results of the Work

Complete and launch Web Map to Support VDTP Phase 2 Revisions to County Voting Districts

- The final draft GIS web map was posted for use at the BOE conference on January 7.
- The web map allows users to jump to their county and view their most recently obtained voting district map and the currently received voting district map from the Census Bureau. Users can click on the map to identify administrative districts, voting districts, block boundaries and geocoded voter addresses. Users can assess differences in voting districts, accept or reject them, print them for hand revision, and make comments.
- The final web map was launched on February 8, 2019. Detailed instructions were provided in an email to every county, along with an access link and a set of passwords for up to five county officials that could participate. The email and subsequent emails requested submittal by county BOEs by April 15, 2019.

Preparation of a presentation for the 2019 Ohio Board of Elections annual conference in Columbus

- OU presented a progress update on January 8, 2019 at the BOE conference. A two computer demonstration table was set up in the vendor room to provide hands use of the system by BOE officials and was made available for directed use on January 8 and 9, 2019. Many but not all county officials tried out the web map interface, asked many questions and provided suggestions. Suggestions were used by OU staff after the conference to modify and finalize the web map.

Revisions of county voting districts begins

- OU begins revising county voting districts as web-based revisions and new voting district shapefiles are received from participating counties.
- A dedicated phone number and a dedicated email address are established for questions and submittals of new voting district maps. Both are monitored daily by OU staff. Questions are resolved by direct return calls and by email responses by staff.
- Some counties are completed and sent to the Census Bureau through their SWIM share drive web site. Response from county BOEs is very slow. Additional emails are sent to counties to clarify responses requested, to encourage timely response to web map, and provision of a revised voting district shapefile.
- Staff observes during revisions that most differences between county and Census Bureau-provided voting district maps are the result of significant differences in place, municipal and township boundaries. These were noted to derive from simple mapping errors due to lack of skill and diligence of the original map preparer, and from annexations and de-annexations that had occurred but not posted with the Census Bureau through the BAS Program. It was decided that differences that could be determined via available data to be place and municipal boundary changes, would be identified, corrected, and filed with the Census Bureau for a revision of their place boundary layer. The Census Bureau asserted that it would follow up with the Secretary of State to obtain documents needed to affirm the boundary change.

Project Schedule by Task

- Task III January 1, 2019 through May 31 2019.
- Task IV January 2017 through March 20, 2020.
- Task VI – September 1, 2016 through December 31, 2021.

Table 1. Active task status summaries.

Task I – Work with the Census Bureau to develop accurate Census Block Geography files	
Subtask	**Status**
A. Contact BOE's to request precinct maps – preferably GIS files.	Initial acquisition of precinct files **completed May 2017**
B. Review precinct maps for urban counties to identify issues with new block boundaries being suggested by the Census Bureau as part of the Redistricting Data Program (RDP).	**completed May 2017**
C. Work with the Census Bureau to complete "Phase 1 of the Census Bureau's RDP and the Block Boundary Suggestion Program (BBSP)" by May 31, 2017. Submit data to the Census Bureau to tell the Bureau what Census data features should be kept as block boundaries because the feature is a precinct boundary.	**completed May 2017**
D. Review precinct maps for rural counties to identify issues with new block boundaries being suggested by the Census Bureau.	Review February - May 2018, **completed June 11, 2018**
E. Work with the Census Bureau to complete "Phase 2 of the Census RDP" by May 31, 2018. Submit data to the Census Bureau to tell the Census Bureau what	**completed June 11, 2018**

Census data features should be kept as block boundaries because the feature is a precinct boundary.	
F. Work with county board of elections (BOE) to assist with the counties responses to the Census Bureau's Boundary and Annexation Survey (BAS) as needed. It is very important that the Census Bureau is aware of annexation changes in municipal and township boundaries so that new releases of Census block boundary geographic files reflect these annexation changes. Annexation changes also directly impact precinct/ward boundaries.	Included in presentation to County BOEs at OAEO Winter Conference, **completed January 10, 2018**
G. Ohio University has already completed the first stage of the Census Bureau's RDP by researching and certifying that there have been no changes in the 114th Congressional district boundaries. Ohio University did not participate in Phase 1 of the Census Bureau's RDP BBSP which was due May 31, 2016.	n/a

Task II – Develop Initial Precinct Boundary Mapping Database

Subtask	Status
A. Request precinct boundary geographic files from each BOE.	Refreshed January 2019 - ongoing
B. Request most recent voter registration files from each county BOE.	Refreshed November-December 2018
C. Geocode voter registration files and identify voters by precinct	Refreshed December 2018
D. Encourage BOE's and counties to communicate annexation changes to the Census Bureau's BAS program.	October – December 2017, presentation to County BOEs at OAEO Winter Conference January 10, 2018 Coordination with Counties On-going Refreshed January 2019 winter conference
E. Conflate BOE precinct boundaries to Census block boundaries.	On-going February 2019 through June 2019. This will continue throughout 2019 to March 2020
F. Communicate with BOE's to resolve precinct boundary questions.	On-going
G. Develop and implement quality assurance/quality control (QA/QC) procedures for precinct and ward boundaries difference resolution and verification.	On-going
H. Import voter registration files from each county.	Initially completed May 2017, refreshed November 2017 – February 2018

Task III – Maintain Currency and Update Precinct Boundaries

Subtask	Status

Various subtasks.	2019-2020
Task IV – Prepare the Common Unified Mapping Database	
Subtask	**Status**
Various subtasks.	2020 – 2021
Task V – Train Users of the Common Unified Mapping Database	
Subtask	**Status**
Various subtasks.	2021
Task VI. Project Management and Reporting	
Subtask	**Status**
A. Provide overall management of the project.	On-going
B. Prepare quarterly project reports to the Legislative Services Commission.	On-going

Next Report Period - Work to be performed

April 1 – June 30, 2019

Next Key Milestones and Task Targets

- Prepare for final voting district revision in March 2020

Report 8: April 1 to June 30, 2019

Key Project Events during the Report Period

1. Submittal on county basis to the Census Bureau the revised of confirmed shapefiles under VDTP Phase 2 by May 31, 2019.
2. Ohio University is issued a contract by the Legislative Services Commission (LSC) to complete the scope of work for preparation of the unified redistricting database.
3. Poor county response results in calling BOEs directly and urging participation.
4. Meeting with the House minority leader to develop understanding of the project and our progress to foster getting a signed contract in place.
5. Meeting with the Secretary of State Liaison to move contract authorization forward and to get assistance with getting counties to participate.

Work Performed During the Report Period

Between April 1, 2019 and June 30, 2019, Ohio University staff performed work on tasks II, III, IV and VI under this project.

Work performed during the report period included coordination with Census Bureau, participation in VTDP Phase 2 of the US Census 2020 RDP, the Voting District Project.

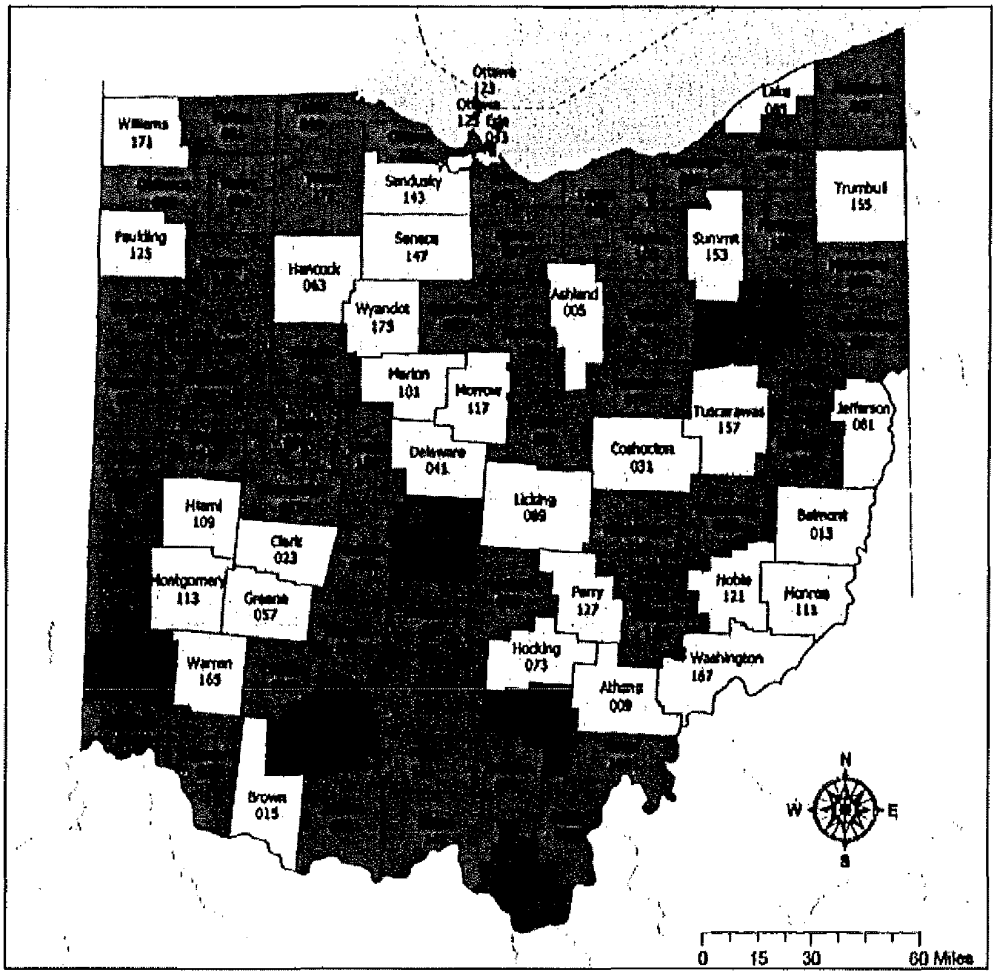
Results of the Work

OU staff continues revisions and confirmation of complete voting district maps

- County response was noted to be poor. Our tracing software showed that more than 50 counties had not even opened the website links provided to them on February 8, 2019. As result, Robert Wiley began calling each BOE and speaking to either the director or assistant director to encourage participation and answer any question they may have had. This effort continues throughout the remainder of April until the second week of May 2019. All districts offered promises to engage. A few followed through by sending new maps or engaging the website.
- A contract was signed by Mark Flanders of the Ohio Legislative Services Commission for the Unified database preparation scope of work on May 23, 2019.
- OU staff submits voting district data for all counties by June 3, 2019. 52 counties responded either providing new maps or indicating that no changes would be needed from the 2018 VDT geography. There were 30 counties that opened the website, were called and promised response that never responded. Three counties never opened the website. Non-responding counties were submitted to the Census Bureau as "no-change".
- Following the May 31st deadline for the VDTP Phase 2 submittal, several counties have submitted revised voting district maps. New maps received between now and February 15, 2020 will be revised and prepared for submittal to the Census Bureau after January 3, 2020. That date is the final date for revision of all voting districts and other Census data before conduct of the 2020 Census and the 2020 presidential election. This data will be the basis for the final unified database that will be used for redistricting in 2021.

- Figure 1 shows the submittal and participation status by county for this phase of the Census participation.

Figure 1: County Participation Status by May 31, 2019 VTDP Submittal Deadline



County Status as of 05/31/2019 Deadline

Status Description

- County Participated and Reviewed (52)
- Never opened website, contacted directly (3)
- Promised but no response (30)
- Submitted too late for correction, sent RDO (3)
- <all other values>

Project Summary:

As of the phase deadline of 5/31/2019, 55 counties had participated. Of those that participated, 3 were unable to be reviewed and updated due to time constraints at time of submittal.

Of those that did not participate, 3 never opened the website despite being contacted directly. The other 30 did initiate some contact but did not submit in any format.

Project Schedule by Task

- Task III January 1, 2019 through May 31 2019.
- Task IV January 2017 through March 20, 2020.
- Task VI – September 1, 2016 through December 31, 2021.

Table 1. Active task status summaries.

Task I – Work with the Census Bureau to develop accurate Census Block Geography files	
Subtask	**Status**
A. Contact BOE's to request precinct maps – preferably GIS files.	Initial acquisition of precinct files **completed May 2017**
B. Review precinct maps for urban counties to identify issues with new block boundaries being suggested by the Census Bureau as part of the Redistricting Data Program (RDP).	**completed May 2017**
C. Work with the Census Bureau to complete "Phase 1 of the Census Bureau's RDP and the Block Boundary Suggestion Program (BBSP)" by May 31, 2017. Submit data to the Census Bureau to tell the Bureau what Census data features should be kept as block boundaries because the feature is a precinct boundary.	**completed May 2017**
D. Review precinct maps for rural counties to identify issues with new block boundaries being suggested by the Census Bureau	Review February - May 2018, **completed June 11, 2018**
E. Work with the Census Bureau to complete "Phase 2 of the Census RDP" by May 31, 2018. Submit data to the Census Bureau to tell the Census Bureau what Census data features should be kept as block boundaries because the feature is a precinct boundary.	**completed June 11, 2018**
F. Work with county board of elections (BOE) to assist with the counties responses to the Census Bureau's Boundary and Annexation Survey (BAS) as needed. It is very important that the Census Bureau is aware of annexation changes in municipal and township boundaries so that new releases of Census block boundary geographic files reflect these annexation changes. Annexation changes also directly impact precinct/ward boundaries.	Included in presentation to County BOEs at OAEO Winter Conference, **completed January 10, 2018**
G. Ohio University has already completed the first stage of the Census Bureau's RDP by researching and certifying that there have been no changes in the 114th Congressional district boundaries. Ohio University did not participate in Phase 1 of the Census Bureau's RDP BBSP which was due May 31, 2016.	**n/a**
Task II – Develop Initial Precinct Boundary Mapping Database	
Subtask	**Status**
A. Request precinct boundary geographic files from each BOE.	Refreshed January 2019 - ongoing

B. Request most recent voter registration files from each county BOE.	Refreshed November-December 2018. Will request again after 2020 election.
C. Geocode voter registration files and identify voters by precinct.	Refreshed December 2018
D. Encourage BOE's and counties to communicate annexation changes to the Census Bureau's BAS program.	October – December 2017, presentation to County BOEs at OAEO Winter Conference January 10, 2018 Coordination with Counties On-going Refreshed January 2019 winter conference
E. Conflate BOE precinct boundaries to Census block boundaries.	On-going February 2019 through June 2019. This will continue throughout 2019 to March 2020
F. Communicate with BOE's to resolve precinct boundary questions.	On-going
G. Develop and implement quality assurance/quality control (QA/QC) procedures for precinct and ward boundaries difference resolution and verification.	On-going
H. Import voter registration files from each county.	Initially completed May 2017, refreshed November 2017 – February 2018

Task III – Maintain Currently and Update Precinct Boundaries

Subtask	Status
Various subtasks.	2019-2020

Task IV – Prepare the Common Unified Mapping Database

Subtask	Status
Various subtasks.	2020 – 2021

Task V – Train Users of the Common Unified Mapping Database

Subtask	Status
Various subtasks.	2021

Task VI. Project Management and Reporting

Subtask	Status
A. Provide overall management of the project.	On-going
B. Prepare quarterly project reports to the Legislative Services Commission.	On-going

Next Report Period - Work to be performed

July 1 2019 – September 30, 2019

Next Key Milestones and Task Targets

- Prepare for final voting district revision in March 2020
- Present progress and continued data requests to a 5 separate regional BOE conferences during July 2019.
- Continue to encourage non-compliant counties to provide new maps for submittal in January to March 20, 2020.
- Continue to revise received county voting district maps.

The Ohio Senate
Senator Rob McColley
Co-Chair

The Ohio House of Representatives
Minority Leader, Emilia Sykes
Co-Chair

LEGISLATIVE TASK FORCE ON REDISTRICTING, REAPPORTIONMENT
& DEMOGRAPHIC RESEARCH
ALLOCATIONS OF FUNDS
April 23, 2021

Pursuant to ORC 103.51(A), the Co-Chairs of the Legislative Task Force on Redistricting, Reapportionment, and Demographic Research ("Task Force") "may enter into any agreements on behalf of the task force and perform any acts that may be necessary or proper for the task force to carry out its powers and duties under this section." As the Co-Chairs of the Task Force, we hereby authorize and direct the allocation of Task Force funds as follows:

Allocation of Funds

Each pair of legislative caucuses is allocated funds to purchase, lease or rent hardware, software, physical space and/or supplies, and contract for technical and legal services directly related to the 2021 redistricting processes of this state. This authority is limited at this time to $150,000 for each pair of legislative caucuses and only for those expenses incurred after the date of this Allocation of Funds, up until January 1, 2022. The caucuses of each party may choose to split their $150,000 allotment.

No such funds shall be used to pay for any legal services rendered for litigation related to the 2021 redistricting processes of this state. Further, any tangible goods purchased with these funds shall remain the property of the State of Ohio and in the possession of the caucus making the purchase.

Payment of Expenses

Any expense incurred by a caucus pursuant to this Allocation of Funds must be submitted for approval, along with supporting documentation of the expense, to the respective Task Force Co-Chair who is of the same political party as the caucus submitting the expense. The director of the Legislative Service Commission shall facilitate payment of any allowable expense approved by the Task Force Co-Chair to whom the expense was submitted.

The payment of any other expenses not covered in this Allocation of Funds requires documentation of the expense and approval of both Task Force Co-Chairs.

Rob McColley
State Senator, District 1
Co-Chair

Emilia Sykes
Minority Leader, Ohio House of Representatives
Co-Chair

Archived: Wednesday, August 25, 2021 2:30:45 PM
From: Bob Cupp
Sent: Friday, July 16, 2021 12:10:00 AM
To: 'Christine Morrison'
Subject: RE: Leadership Call Agenda
Sensitivity: Normal
Attachments: Leadership Agenda 7-26-21.doc ;
Archived: Wednesday, August 25, 2021 2:30:45 PM

I've made a few updates and additions to your draft. Please let me know if you think anything should be left out, added, or approached differently. Thanks.
Bob

-----Original Message-----
From: Christine Morrison <christinemmorrison@yahoo.com>
Sent: Thursday, July 15, 2021 7:53 AM
To: rcupp@bright.net
Subject: Leadership Agenda

Good morning Speaker,
I hope you and Libby had a good flight home. Our trip to Utah was super easy. However I think we were all exhausted by the time the conference wrapped up last evening :)

Attached to the email is a draft leadership agenda for tomorrow's call. As you will see 99 percent of what is on the agenda is campaign that is why I put this agenda together not on state time and I will send around a non state conference call line so we keep things very separate.

Please review and let me know what changes you want. The document you will see is 7 or so items and under each item I action items, decision points, etc.

Thanks
Christine

Leadership Agenda
Friday, July 16, 2021
11:30am - Call

1. **Governor's Vetoes**

   a. Refunding business fines for COVID violations – vetoed out of HB 110

   b. SB 113, fireworks bill

   c. Legislative Standing issue through Speaker and President

   d. Amnesty for restaurants and bars for Health Orders violations

2. **Sports betting – HB 29**

   a. BC wants discussion of provisions in HB 29 (Edwards, Seitz, Carfanga, Dwight) and then determine IP positions on them

   b. Need to establish a conference committee
      i. Edwards (chair),
      ii. Seitz (Carfagna?),
      iii. Kelly

   c. Process: (1) determine "House" position, (2) draft sub-bill for Sports Betting bill in Finance Committee and have a couple of hearings, (3) put final formulation into HB 29 conference committee report, (4) adopt conference report mid-Sept.

3. **Redistricting**

   a. Data is expected August 16, 2021 – then will go to Ohio university so the data is put into a usable format

   b. Software and computers have been ordered

   c. A location for staff to work out of will be secured in the coming days

4. **Campaign Update**

   a. July 30, 2021 campaign finance filing –

      i. we will be very low compared to past cycles and where the Senate will most likely look this year

      ii. How do we message this to our members?

      iii. What member outreach needs to happen before the filing?

5. **Create the campaign "Steering Committee"**

a. Which members will comprise?

i. Edwards, John, Plummer, Stephens, Abrams, Riedel, Baldridge, Cross, Carfagna, Seitz?

b. Duties of the committee:

i. Raise money

ii. Donate quarterly to OHRA campaign fund

iii. Help with regional fund-raisers for members and candidates

iv. Regular contact with members and candidates

v. Participate in monthly campaign calls/briefings

6. **State Candidate Fund – debt**

a. ORP is saying House Republicans may be $222,000 in debt after the 2020 election cycle.

b. Christine and Steve are working to untangle this and determine what the caucus actually owes.

c. BC called Paduchik on matter.

d. Steve has requested invoices;

e. Steve has a Friday meeting at ORP with the Exec. Dir.

7. **Remaining Caucus Campaign Legal Issues**

a. We are still dealing with 2 JPL/HRCC legal issues

i. JPL invoices from the 2020 primaries – attorneys recommend we continue to hold and do nothing.

ii. Bricker has given us the go ahead to start raising into OHRA.

iii. Lawsuit regarding the Chase lease – our attorneys sent a letter to Chase attorneys at Vorys and re-asserted (1) that the HRCC has been terminated, (2) there are no "agents" who can receive process or answer.

iv. Don Brey at Isaac Wiles will continue to respond to this as needed.

b. We are current with the Isaac Wiles invoices but we do owe Bricker and Eckler

8. **Brook Bodney contract** – need to formalize whatever the agreement is – who should do this?

Archived: Thursday, September 30, 2021 4:20:58 PM
From: Steve Wolterman
Sent: Tuesday, September 14, 2021 5:28:01 PM
To: robert.cupp@ohiohouse.gov
Cc: cuppb3@wcoil.com
Subject: City of Fairfield - Redistricting
Sensitivity: Normal
Attachments:
2021-09-14-Cupp-Letter.pdf

Representative Cupp:

On behalf of the Mayor and members of Fairfield City Council, please see the attached correspondence.

Thanks, Steve

Stephen J. Wolterman, Esq.
City of Fairfield, Ohio
530 Wessel Drive, Suite 2A
Fairfield, Ohio 45014
(513) 829-6700
Fax: (513) 829-0258

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Any tax advice contained herein in not intended or written to be used, and cannot be used by the recipient, for the purpose of avoiding penalties that may be imposed by the IRS.

City of Fairfield

September 14, 2021

State Rep. Robert R. Cupp
Emails: Cuppb3@wcoil.com & Robert.cupp@ohiohouse.gov

Dear Representative Cupp:

We the undersigned Mayor and Members of Fairfield City Council desire to express our support for Sarah Carruthers to remain the representative of the City in the Ohio House of Representatives. We have concerns with the proposed redistricting which would remove her representation of the City. Representative Carruthers is very engaged with both the business community and elected officials of the City. Representative Carruthers has been accessible to our community, advocated for her constituents of more than 44,000 residents in the City of Fairfield, business interests including Mercy Hospital–Fairfield, and support for the Harbin Park Connectivity Plan. We hope you will consider our request to support redistricting which retains Representative Carruthers to represent our district.

Very Truly Yours,

/s/ Steven E. Miller
Mayor Steven E. Miller

/s/ Tim Abbott
Tim Abbott, Councilmember

/s/ Terry Senger
Terry Senger, Councilmember

/s/ Leslie Besl
Leslie Besl, Councilmember

/s/ Chad Oberson
Chad Oberson, Councilmember

/s/ Bill Woeste
Bill Woeste, Councilmember

/s/ Mark Scharringhausen
Mark Scharringhausen, Councilmember

/s/ Dale Paullus
Dale Paullus, Councilmember

Archived: Thursday, September 30, 2021 4:21:58 PM
From: Bob.Cupp@ohiohouse.gov
Sent: Friday, September 3, 2021 5:45:39 PM
To: Paul.Disantis@ohiohouse.gov; Christine.Morrison@ohiohouse.gov
Cc: 'rcupp@bright.net'
Subject: FW: Commission Schedule
Sensitivity: Normal
Attachments:
Proposed Sykes hearing schedule.docx

Sen. Sykes sent this to me after our discussion of possible Commission meetings on redistricting this past Wednesday evening.

From: vernon sykes.tv <vernon@sykes.tv>
Sent: Wednesday, September 01, 2021 4:49 PM
To: Cupp, Bob <Bob.Cupp@ohiohouse.gov>
Subject: Commission Schedule

Attached!

Vernon Sykes

(614) 205-0025 Mobile
(877) 682-4813 Fax

Proposed hearing schedule:

- Friday, Sept. 3rd – public input and presentations by commissioners on their maps
- Tuesday, Sept. 7th – evening meeting in Columbus with two virtual locations (one medium city such as Canton; one rural town) for public testimony on legislative maps and possible presentations by commissioners on their maps
- Wednesday, Sept. 8th – panel discussion of criteria used for drawing maps and possible selection vote by commission on which plan to formally introduce for consideration as the commission's plan; additional public testimony on legislative maps
    - Notice would be provided after this hearing that the three required meetings will commence thusly. This notice is essential for the public to have at least 24 hours to review the commission's plan.
- Thursday, Sept.9th – first of three required hearings
- Monday, Sept. 13th – second of three required hearings
- Tuesday, Sept. 14th – third of three required hearings
- Wednesday, Sept. 15th – final adoption

Notes:

The final plan is due Wednesday, Sept. 15th.

Pursuant to Rule 10, there has to be three separate hearings on three separate days, prior to the adoption of a final plan.

We believe the third hearing should not be on the same day the plan is adopted.

The public deserves the opportunity to present their plans to the commission. As of today, almost 20 people have submitted legislative plans and over 20 people have submitted congressional plans. The commission should schedule hearings on Tuesday, Sept. 7th and Wednesday, Sept. 8th to accept public testimony on maps and criteria by which maps should be judged. These hearings could be used to hear from commissioners on plans which they are developing.

Archived: Thursday, September 30, 2021 4:21:42 PM
From: Rep04@ohiohouse.gov
Sent: Friday, September 3, 2021 5:48:39 PM
To: 'rcupp@bright.net'
Subject: FW: Letter to Co-chairman Cupp
Sensitivity: Normal
Attachments:
Letter to Co-chairman Cupp 09-03-2021.pdf

From: Rep34 <Rep34@ohiohouse.gov>
Sent: Friday, September 03, 2021 12:47 PM
To: Rep04 <Rep04@ohiohouse.gov>
Cc: Vernon Sykes (DST) <SD28@ohiosenate.gov>; Matt Huffman (DST) <SD12@ohiosenate.gov>; 'dan.mccarthy@governor.ohio.gov' <dan.mccarthy@governor.ohio.gov>; 'aaron.crooks@governor.ohio.gov' <aaron.crooks@governor.ohio.gov>; 'brad.bales@governor.ohio.gov' <brad.bales@governor.ohio.gov>; 'giles.allen@governor.ohio.gov' <giles.allen@governor.ohio.gov>; 'ciara.price@governor.ohio.gov' <ciara.price@governor.ohio.gov>; 'eeredman@ohioauditor.gov' <eeredman@ohioauditor.gov>; 'tehancock@ohioauditor.gov' <tehancock@ohioauditor.gov>; 'jmcoyne@ohioauditor.gov' <jmcoyne@ohioauditor.gov>; 'coliveti@ohiosecretaryofstate.gov' <coliveti@ohiosecretaryofstate.gov>; 'lmartine@ohiosecretaryofstate.gov' <lmartine@ohiosecretaryofstate.gov>
Subject: Letter to Co-chairman Cupp

Good afternoon,

Please see attached a letter to Co-chairman of the Ohio Redistricting Commission, Speaker Cupp, from House Minority Leader Emilia Sykes.

Best,

Queena Prince, M.Ed.
Legislative Aide to Minority Leader Emilia Sykes
Ohio House of Representatives
She/her/hers
77 South High Street, Floor 14
Columbus, OH 43215
614-466-3100
Rep34@ohiohouse.gov
Connect with Leader Sykes—Subscribe to the District34 E-Newsletter by clicking here.

Representative Emilia Strong Sykes
Ohio House District 34
Minority Leader

September 3, 2021

Speaker Bob Cupp
Ohio House of Representatives
77 S. High Street
Columbus OH 43215

Dear Co-chairman Cupp,

The people of Ohio overwhelmingly told us twice that they wanted a new districting process that respects their input, produces fair maps for their communities and our state, and follows a predictable timeline. For that reason, I am writing you to ask that you share with all commissioners the map that you said at our last meeting that your staff were developing for the Ohio Redistricting Commission (the Commission).

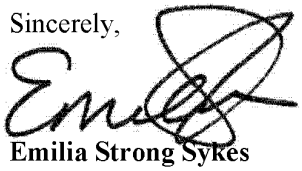
The Commission is now two days past the September 1 constitutional deadline established for us by the people for releasing a plan. Every day that the Commission flouts the Ohio Constitution, the Commission's legitimacy is undermined and the people are disrespected. This deadline is no minor detail. It is what ensures time for the public to analyze the Commission's plans and for us to hold robust hearings to publicly vet them and finalize them.

We are a nation of laws, not men. As you know well, the rule of law means none of us are above the law. In fact, we have a higher duty to follow the law from our positions of public trust. Article 11, Section 1(C) of the Ohio Constitution, reads in part, "The commission shall release to the public a proposed general assembly district plan for the boundaries for each of the ninety-nine house of representatives districts and the thirty-three senate districts." The Commission needs to act fast to follow the constitution by releasing a district plan for the General Assembly and holding accessible hearings to gather meaningful input from the people. It is the people's right.

The urgent priority right now is to stop the ongoing constitutional violation of the Commission not providing a General Assembly map for public comment and eventual approval. I stand ready to work with you and the other commissioners to fulfill our constitutional duties.

Thank you for your quick attention to this matter.

Sincerely,



Emilia Strong Sykes
House Minority Leader
District 34

cc:
Co-chairman Vernon Sykes
Senate President Matt Huffman
Governor Mike DeWine
Auditor of State Keith Faber
Secretary of State Frank LaRose

CONFIDENTIAL

To: Speaker Bob Cupp, Co-Chair, Ohio Redistricting Commission
From: Senator Vernon Sykes, Co-Chair, Ohio Redistricting Commission
Re: Next steps for Ohio Redistricting Commission
Date: Monday, August 9, 2021

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1. Funding Levels for Legislative Caucuses – I support increasing the spending authority by $200,000 for both pairs of legislative caucuses – that is, a $200,000 increase jointly for the House and Senate Democrats as well as an additional $200,000 jointly for the House and Senate Republicans. This is the matter which all the caucuses' chiefs of staff will discuss tomorrow (Tuesday). This would bring the total authorized by the Legislative Task Force on Redistricting to $350,000 each for both pairs of caucuses.
2. Notice for meetings and schedule to adopt rules – I agree with your latest proposed schedule as distributed by Heather Blessing on your behalf this afternoon. I recommend within the next few days that we in our capacity as co-chairs send a notice out for this schedule as well as a schedule for the adoption of the Commission's rules. I suggest that the Commission's rules be considered at both meetings of the Commission on Monday, August 23rd, and noticed for adoption on Tuesday, August 24th.
3. When we issue the notice for the meetings, I believe the notice should state that we are accepting (but not requiring) written testimony and that all meetings will be live streamed. As part of this discussion, I believe that due to the on-going pandemic and the rise of the Delta variant, the public should be able to provide testimony virtually. Lastly, I think the notice should clearly state that more details will be provided closer to when the meetings occur.
4. I suggest that we direct our staff to work on drafting Commission rules and circulate them to other members of the Commission to obtain their input to finalize draft rules by the end this week. I believe that we should try to circulate draft rules to the public as soon as possible before our first public hearing on Monday, August 23rd.
5. Commission staff and secretaries: because the Commission has bi-partisan co-chairs, I recommend that there should be bi-partisan Commission secretaries. I also believe that as the Commission hires staff, that all staffing decision should be made in a bipartisan manner and that bipartisan staff should be hired.
6. Direction for staff to work with LIS on how public submissions occur: as we discussed, I believe we should prepare a joint memo to LIS and LSC regarding the steps that need to occur for public access to redistricting data and the public submissions of maps. We should request as soon as possible that LIS and LSC determine time and costs requirements to design a webpage for the public.

First, I'd like to thank Governor DeWine for convening the Ohio Redistricting Commission and getting us on the way to creating fair and equitable legislative and Congressional maps as we are Constitutionally charged to do so.

I look forward to working with my co-chair Senator Sykes and all the members of the commission as we undertake this important task. As you know, we have an extremely tight timeframe in which to complete our task due to the Census Bureau's four month delay in releasing the data necessary to begin drawing maps. Regardless, we are here and ready to begin these hearings.

We also know how vital it is on getting the people of the State of Ohio actively involved in the process. Accordingly, we have tentatively scheduled nine meetings around the state to get input from Ohioans as we want to hear from them and to include them in this critical process. We will finalize the details for those meetings in the very near future.

With that, I say to my fellow commission members and to the people of Ohio, let's get to work!

Draft Rollout Plan

mtg
Sunday - Sept. 12 ?
- participate remotely
- Sent designee

• Can we meet if co-chair objects to a particular time?

Thursday, September 2, 2021 – Speaker in Lima
10:00a – Retail meeting in Lima re: Gaming

Friday, September 3, 2021 – Speaker in Columbus
- 8:30am – Tentative meeting with Governor

Saturday, September 4 – Sunday, September 5 and Monday, September 7
- Nothing scheduled

Tuesday, September 7, 2021 – Speaker in Columbus
- One on One Member meetings
  - Grendell Cross
  - Richardson Riedel
- Meet with Secretary of State and Auditor (separate meetings), times TBD
- Majority Caucus Leadership call/meeting

Notes for 9/7:
- Need to reschedule the OPERS call
- Do we need to reschedule the Drs Appointment?

Wednesday, September 8, 2021 – Speaker in Columbus
- Republican Caucus Call, time TBD + individual calls to members.
- Meet with democrats, time TBD

Thursday, September 9, 2021 –
- Commission meeting (Time and Location TBD)

~~Intro~~ Intro (set hrg schedule)

Notes for 9/9:
- Do we need to cancel the Ohio Chamber of Commerce event?

Friday, September 10, 2021 – (Sykes not available) Review
- Nothing scheduled

Saturday, September 11, 2021- (Sykes not available)
- Commission meeting (Time and Location TBD)

Hrg - 1st

Monday, September 13, 2021
- Commission meeting (Time and Location TBD)

Hrg - 2nd

Notes for 9/13:
- Need to cancel Brad Potts meeting

Tuesday, September 14, 2021
- Commission meeting (Time and Location TBD)

Hrg - 3rd

Wednesday, September 15, 2021
- Commission meeting (Time and Location TBD)

- Vote

- Expected vote on map

Notes/Questions:

- We have session scheduled for the 15th. I would recommend cancelling and scheduling a caucus for either Tuesday or Wednesday. We can discuss this week.

Office	District	First	Last	Party	Term Limit	Address	City	State	Zip	Zip plus 4
Rep.	1	Scott	Wiggam	(R)	2026	316 E. Beverly Road	Wooster	Ohio	44691	
Rep.	2	Marilyn	John	(R)	2028	21 Cold Draw Court	Shelby	Ohio	44875	
Rep.	3	Haraz	Ghanbari	(R)	2028	26811 Dogwood Lane	Perrysburg	Ohio	43551	
Rep.	4	Robert	Cupp	(R)	2022	3003 W. Hume Road	Lima	Ohio	45806	9452
Rep.	5	Timothy	Ginter	(R)	2022	875 Homewood Avenue	Salem	Ohio	44460	
Rep.	6	Phillip	Robinson	(D)	2026	7099 Longview Drive	Solon	Ohio	44139	
Rep.	7	Thomas	Patton	(R)	2024	17157 Rabbit Run Drive	Strongsville	Ohio	44136	6243
Rep.	8	Kent	Smith	(D)	2022	34 E. 290th Street	Euclid	Ohio	44123	
Rep.	9	Janine	Boyd	(D)	2022	1366 Cleveland Heights Boulevard	Cleveland Heights	Ohio	44121	
Rep.	10	Terrence	Upchurch	(D)	2026	1426 Clearaire Road	Cleveland	Ohio	44110	
Rep.	11	Stephanie	Howse	(D)	2022	1804 E. 93rd Street	Cleveland	Ohio	44106	
Rep.	12	Juanita	Brent	(D)	2026	16804 Glendale Avenue	Cleveland	Ohio	44128	
Rep.	13	Michael	Skindell	(D)	2026	16800 Deleware Avenue	Lakewood	Ohio	44107	5517
Rep.	14	Bride	Sweeney	(D)	2026	3632 W. 133rd Street	Cleveland	Ohio	44111	
Rep.	15	Jeffrey	Crossman	(D)	2026	6429 S. Park Boulevard	Parma	Ohio	44134	
Rep.	16	Monique	Smith	(D)	2028	19793 Coffinberry Boulevard	Fairview Park	Ohio	44126	
Rep.	17	Adam	Miller	(D)	2024	1600 Roxbury Road	Columbus	Ohio	43212	
Rep.	18	Kristin	Boggs	(D)	2024	834 Hamlet Street	Columbus	Ohio	43215	
Rep.	19	Mary	Lightbody	(D)	2026	4948 E. Walnut Street	Westerville	Ohio	43081	
Rep.	20	Richard	Brown	(D)	2026	7559 Bruns Court	Canal Winchester	Ohio	43110	
Rep.	21	Beth	Liston	(D)	2026	2193 Stratingham Drive	Dublin	Ohio	43016	
Rep.	22	David	Leland	(D)	2022	361 Walhalla Road	Columbus	Ohio	43202	
Rep.	23	Laura	Lanese	(R)	2024	2315 Milligan Grove	Grove City	Ohio	43123	
Rep.	24	Allison	Russo	(D)	2026	1850 Tewksbury Road	Upper Arlington	Ohio	43221	
Rep.	25	Dontavius	Jarrells	(D)	2028	1245 Mt. Vernon Avenue Apt. 3H	Columbus	Ohio	43203	
Rep.	26	VACANT	VACANT							
Rep.	27	Thomas	Brinkman	(R)	2022	3215 Hardisty Avenue	Cincinnati	Ohio	45208	3006
Rep.	28	Jessica	Miranda	(D)	2026	11511 Oxfordshire Lane	Cincinnati	Ohio	45240	
Rep.	29	Cynthia	Abrams	(R)	2028	92 Fawn Drive	Harrison	Ohio	45030	
Rep.	30	William	Seitz	(R)	2024	2097 Beech Grove Drive	Cincinnati	Ohio	45233	4915
Rep.	31	Brigid	Kelly	(D)	2024	3421 Traskwood Circle Apt. D	Cincinnati	Ohio	45208	

Office	District	First	Last	Party	Term Limit	Address	City	State	Zip	Zip plus 4
Rep.	32	Catherine	Ingram	(D)	2024	250 Dorchester Avenue	Cincinnati	Ohio	45219	
Rep.	33	Sedrick	Denson	(D)	2026	8298 Kingsmere Court	Cincinnati	Ohio	45231	
Rep.	34	Emilia	Sykes	(D)	2022	109 N. Howard Street Unit A	Akron	Ohio	44308	
Rep.	35	Tavia	Galonski	(D)	2026	1137 Allendale Avenue	Akron	Ohio	44306	
Rep.	36	Robert	Young	(R)	2028	2037 Greensburg Road	North Canton	Ohio	44720	
Rep.	37	Casey	Weinstein	(D)	2026	8 N. Westhaven Drive	Hudson	Ohio	44236	
Rep.	38	William	Roemer	(R)	2026	3616 Southern Road	Richfield	Ohio	44286	
Rep.	39	Willis	Blackshear	(D)	2028	531 Belmont Park N. Apt. 411	Dayton	Ohio	45405	
Rep.	40	Philip	Plummer	(R)	2026	1831 Kershner Road	Dayton	Ohio	45414	
Rep.	41	Andrea	White	(R)	2028	4744 Bokay Drive	Kettering	Ohio	45440	
Rep.	42	Tom	Young	(R)	2028	1121 Cedar Creek Circle	Dayton	Ohio	45459	
Rep.	43	Rodney	Creech	(R)	2028	5062 Bantas Creek Road	West Alexandria	Ohio	45381	
Rep.	44	Paula	Hicks-Hudson	(D)	2026	2633 Robinwood Avenue	Toledo	Ohio	43610	
Rep.	45	Lisa	Sobecki	(D)	2026	2714 117th Street	Toledo	Ohio	43611	
Rep.	46	Michael	Sheehy	(D)	2022	1129 Schmidlin Road	Oregon	Ohio	43616	
Rep.	47	Derek	Merrin	(R)	2024	4623 Lakeside Drive Unit 3109	Maumee	Ohio	43537	
Rep.	48	Scott	Oelslager	(R)	2026	215 North Circle Drive SW.	North Canton	Ohio	44709	
Rep.	49	Thomas	West	(D)	2024	625 12th Street NW.	Canton	Ohio	44703	
Rep.	50	Reginald	Stoltzfus	(R)	2026	13789 Telpahak Street SE.	Minerva	Ohio	44657	
Rep.	51	Sara	Carruthers	(R)	2026	601 Glenway Drive	Hamilton	Ohio	45013	
Rep.	52	Jennifer	Gross	(R)	2028	7350 Lakota Springs Drive	West Chester	Ohio	45069	
Rep.	53	Thomas	Hall	(R)	2028	6364 Trenton Franklin Road	Middletown	Ohio	45042	
Rep.	54	Paul	Zeltwanger	(R)	2022	4607 White Blossom Boulevard	Mason	Ohio	45040	
Rep.	55	Gayle	Manning	(R)	2026	9436 Foxboro Drive	North Ridgeville	Ohio	44039	
Rep.	56	Joseph	Miller	(D)	2026	433 Northpointe Boulevard	Amherst	Ohio	44001	
Rep.	57	Dick	Stein	(R)	2024	2854 State Route 61	Norwalk	Ohio	44857	
Rep.	58	Michele	Lepore-Hagan	(D)	2022	562 Madera Avenue	Youngstown	Ohio	44504	
Rep.	59	Al	Cutrona	(R)	2028	3755 Mercedes Place Unit 9	Canfield	Ohio	44406	
Rep.	60	Dan	Troy	(D)	2028	31600 Lakeshore Boulevard Apt. 37	Willowick	Ohio	44095	
Rep.	61	Jamie	Callender	(R)	2026	9920 Ashwood Trail	Concord	Ohio	44060	
Rep.	62	Scott	Lipps	(R)	2024	157 Millard Drive	Franklin	Ohio	45005	

Office	District	First	Last	Party	Term Limit	Address	City	State	Zip	Zip plus 4
Rep.	63	Michael	Loychik	(R)	2028	4022 Westlake Road	Cortland	Ohio	44410	
Rep.	64	Michael	O'Brien	(D)	2022	1849 Edgewood NE.	Warren	Ohio	44483	
Rep.	65	Jean	Schmidt	(R)	2028	771 Wards Corner Road	Loveland	Ohio	45140	9049
Rep.	66	Adam	Bird	(R)	2028	3562 Behymer Road	Cincinnati	Ohio	45245	
Rep.	67	Kris	Jordan	(R)	2026	7740 Marysville Road	Ostrander	Ohio	43061	
Rep.	68	Rick	Carfagna	(R)	2024	6155 Baneberry Drive	Westerville	Ohio	43082	
Rep.	69	Sharon	Ray	(R)	2028	283 Stratford Avenue	Wadsworth	Ohio	44281	
Rep.	70	Darrell	Kick	(R)	2024	8050 Twp Road 462	Loudonville	Ohio	44842	
Rep.	71	Mark	Fraizer	(R)	2028	20 W. North Street	Newark	Ohio	43055	
Rep.	72	Kevin	Miller	(R)	2030	6170 Pleasant Chapel Road	Newark	Ohio	43056	
Rep.	73	Brian	Lampton	(R)	2028	960 N Fairfield Road	Beavercreek	Ohio	45434	
Rep.	74	Bill	Dean	(R)	2024	649 N Monroe Drive	Xenia	Ohio	45385	
Rep.	75	Gail	Pavliga	(R)	2028	1965 New Milford Road	Atwater	Ohio	44201	
Rep.	76	Diane	Grendell	(R)	2028	7413 Tattersall Street	Chesterland	Ohio	44026	2036
Rep.	77	Jeffrey	LaRe	(R)	2028	7587 Cumberland Circle	Canal Winchester	Ohio	43110	
Rep.	78	Brian	Stewart	(R)	2028	15075 Home Court	Ashville	Ohio	43103	
Rep.	79	Kyle	Koehler	(R)	2022	4674 Hominy Ridge Road	Springfield	Ohio	45502	
Rep.	80	Jena	Powell	(R)	2026	8172 State Route 722	Arcanum	Ohio	45304	
Rep.	81	James	Hoops	(R)	2026	195 Old Creek Drive	Napoleon	Ohio	43545	9632
Rep.	82	Craig	Riedel	(R)	2024	1246 Hilton Head Court	Defiance	Ohio	43512	
Rep.	83	Jon	Cross	(R)	2026	16511 Maureen Drive	Kenton	Ohio	43326	
Rep.	84	Susan	Manchester	(R)	2026	29566 State Route 385	Lakeview	Ohio	43331	
Rep.	85	Nino	Vitale	(R)	2022	4940 Benson Road	Urbana	Ohio	43078	
Rep.	86	Tracy	Richardson	(R)	2026	1807 Chiprock Drive	Marysville	Ohio	43040	
Rep.	87	Riordan	McClain	(R)	2024	7915 Township Highway 136	Nevada	Ohio	44849	
Rep.	88	Gary	Click	(R)	2028	1473 County Road 268	Vickery	Ohio	43464	
Rep.	89	DJ	Swearingen	(R)	2028	3806 Lawrence Avenue	Huron	Ohio	44839	
Rep.	90	Brian	Baldridge	(R)	2026	14475 State Route 136	Winchester	Ohio	45697	
Rep.	91	Shane	Wilkin	(R)	2026	4151 E. Danville Road	Hillsboro	Ohio	45133	
Rep.	92	Mark	Johnson	(R)	2028	330 Red Bud Road	Chillicothe	Ohio	45601	
Rep.	93	Jason	Stephens	(R)	2028	26 CO. Road 230	Kitts Hill	Ohio	45645	

Office	District	First	Last	Party	Term Limit	Address	City	State	Zip	Zip plus 4
Rep.	94	James	Edwards	(R)	2024	3 Blair Court	Nelsonville	Ohio	45764	
Rep.	95	Don	Jones	(R)	2026	34755 Jones Road	Freeport	Ohio	43973	
Rep.	96	Ron	Ferguson	(R)	2028	299 Orlando Manor	Wintersville	Ohio	43953	
Rep.	97	Adam	Holmes	(R)	2028	5480 Creamery Road	Nashport	Ohio	43830	
Rep.	98	Brett	Hillyer	(R)	2026	3837 Clay Court SE.	Dennison	Ohio	44621	
Rep.	99	Sarah	Fowler Arthur	(R)	2028	710 Garrison Road	Ashtabula	Ohio	44004	
Sen.	1	Robert	McColley	(R)	2026	15 Lemans Drive	Napoleon	Ohio	43545	
Sen.	2	Theresa	Gavarone	(R)	2028	1537 Cedar Lane	Bowling Green	Ohio	43402	
Sen.	3	Tina	Maharath	(D)	2026	85 E. Hocking Street	Canal Winchester	Ohio	43110	
Sen.	4	George	Lang	(R)	2028	7277 St. Ives Place	West Chester	Ohio	45069	
Sen.	5	Stephen	Huffman	(R)	2026	862 Buckeye Court	Tipp City	Ohio	45371	
Sen.	6	Niraj	Antani	(R)	2028	8547 White Cedar Drive Apt. 321	Miamisburg	Ohio	45342	
Sen.	7	Stephen	Wilson	(R)	2026	4905 Water Stone Lane	Maineville	Ohio	45039	
Sen.	8	Louis	Blessing	(R)	2026	3378 Dolomar Drive	Cincinnati	Ohio	45239	
Sen.	9	Cecil	Thomas	(D)	2024	515 Clinton Springs Avenue	Cincinnati	Ohio	45217	
Sen.	10	Bob	Hackett	(R)	2024	2050 Palouse Drive	London	Ohio	43140	
Sen.	11	Teresa	Fedor	(D)	2026	3708 S. Beverly Hills Drive	Toledo	Ohio	43614	
Sen.	12	Matt	Huffman	(R)	2024	2220 Merit Avenue	Lima	Ohio	45805	
Sen.	13	Nathan	Manning	(R)	2026	38179 Terrell Drive	North Ridgeville	Ohio	44039	
Sen.	14	Terry	Johnson	(R)	2028	74 A McDaniel Road	McDermott	Ohio	45652	
Sen.	15	Hearcel	Craig	(D)	2028	1026 Linwood Avenue	Columbus	Ohio	43206	
Sen.	16	Stephanie	Kunze	(R)	2024	6555 Longshore Street Unit 416	Dublin	Ohio	43017	
Sen.	17	Bob	Peterson	(R)	2022	5564 Grassy Branch Road	Sabina	Ohio	45169	
Sen.	18	Jerry	Cirino	(R)	2028	8651 Kirtland-Chardon Road	Kirtland	Ohio	44094	
Sen.	19	Andrew	Brenner	(R)	2026	102 W. Lincoln Avenue	Deleware	Ohio	43015	
Sen.	20	Tim	Schaffer	(R)	2028	1173 Stone Run Court	Lancaster	Ohio	43130	
Sen.	21	Sandra	Williams	(D)	2022	12518 Fairhill Road	Cleveland	Ohio	44120	
Sen.	22	Mark	Romanchuk	(R)	2028	3306 Oakstone Drive	Mansfield	Ohio	44903	
Sen.	23	Nickie	Antonio	(D)	2026	1305 Belle Avenue	Lakewood	Ohio	44107	
Sen.	24	Matt	Dolan	(R)	2024	515 Solon Road	Chagrin Falls	Ohio	44022	
Sen.	25	Kenny	Yuko	(D)	2022	479 Pierson Drive	Richmond Heights	Ohio	44143	

Office	District	First	Last	Party	Term Limit	Address	City	State	Zip	Zip plus 4
Sen.	26	Bill	Reineke	(R)	2028	5209 S. State Route 231	Tiffin	Ohio	44883	
Sen.	27	Kristina	Roegner	(R)	2026	1556 E. Hines Hill Road	Hudson	Ohio	44236	
Sen.	28	Vernon	Sykes	(D)	2024	133 Furnace Run Drive	Akron	Ohio	44307	
Sen.	29	Kirk	Schurring	(R)	2026	1817 Devonshire Drive NW	Canton	Ohio	44708	
Sen.	30	Frank	Hoagland	(R)	2024	5751 Township Road 120	Adena	Ohio	43901	
Sen.	31	Jay	Hottinger	(R)	2022	894 Jonathan Lane	Newark	Ohio	43055	
Sen.	32	Sandra	O'Brien	(R)	2028	3434 Stumpville Road	Rome	Ohio	44085	
Sen.	33	Michael	Rulli	(R)	2026	402 Lisbon Road	Salem	Ohio	44460	
US Rep.	1	Steve	Chabot	(R)		3025 Daytona Avenue	Cincinnati	Ohio	45211	
US Rep.	2	Brad	Wenstrup	(R)		512 Missouri Avenue	Cincinnati	Ohio	45226	
US Rep.	3	Joyce	Beatty	(D)		1421 Taylor Corners Circle	Blacklick	Ohio	43004	
US Rep.	4	Jim	Jordan	(R)		1709 S. State Route 560	Urbana	Ohio	43078	
US Rep.	5	Bob	Latta	(R)		1528 Muirfield Drive	Bowling Green	Ohio	43402	
US Rep.	6	Bill	Johnson	(R)		519 5th Street	Marietta	Ohio	45750	
US Rep.	7	Bob	Gibbs	(R)		13871 Township Road 473	Lakeville	Ohio	44638	
US Rep.	8	Warren	Davidson	(R)		18656 Pheasant Point Court	Troy	Ohio	45373	
US Rep.	9	Marcy	Kaptur	(D)		1841 Dority Road	Toledo	Ohio	43615	
US Rep.	10	Mike	Turner	(R)		109 N. Main Street Suite 1103	Dayton	Ohio	45402	
US Rep.	11	Shontel	Brown	(D)		4660 Belfiore Road	Cleveland	Ohio	44128	
US Rep.	12	Troy	Balderson	(R)		417 Coventry Circle	Zanesville	Ohio	43701	
US Rep.	13	Tim	Ryan	(D)		560 Ameber Drive SE	Warren	Ohio	44484	
US Rep.	14	David	Joyce	(R)		406 Deer Court	Chagrin Falls	Ohio	44022	
US Rep.	15	Mike	Carey	(R)		1017 City Park Avenue	Columbus	Ohio	43206	
US Rep.	16	Anthony	Gonzalez	(R)		1150 Homeland Drive	Rocky River	Ohio	44116	

LEAGUE OF WOMEN VOTERS OF OHIO

September 14, 2021 Ohio Redistricting Commission Testimony
Jen Miller, League of Women Voters of Ohio
614-563-9543; director@lwvohio.org

PROPORTIONALITY:
The new Sykes maps introduced yesterday are far better in regard to Section 6 of the Constitution, but we could still see improvements, especially in the Senate, which could afford the minority party 1 - 2 more seats.

HOUSE DISTRICTS

	OFFICIAL PROPOSED	*UPDATED DEM.*
REPUBLICAN DISTRICTS	**67**	**57**
DEMOCRATIC DISTRICTS	**31**	**41****
COMPETITIVE*	**1**	**1*****

* Difference between Democratic and Republican voting percentage is less than 1%

* Includes one district where Democratic advantage is only 1.29%

*** It may be claimed by some that this Competitive district is a Republican district. However, as the difference between Democrat voters (48.63%) and Republican voters (48.81%) is only 0.18%, I do not consider it a safe Republican district.

SENATE DISTRICTS

	OFFICIAL PROPOSED	*UPDATED DEM.*
REPUBLICAN DISTRICTS	**23**	**20**
DEMOCRATIC DISTRICTS	**8**	**12**
COMPETITIVE*	**2**	**1****

* Difference between Democratic and Republican voting percentage is less than 1%

** It may be claimed by some that this Competitive district is a Democratic district. However, as the difference between Democrat voters (49.13%) and Republican voters (48.75%) is only 0.38%, I do not consider it a safe Democratic district.

SPLITS:
The Democrat's cartographer, Glassburn talked about measuring the Constitutionality of only one map regarding splits. Before we talk about which map that was, I want to ask how these determinations were made? Did they use software? Did they hand count them?

Secondly, why was the only one reviewed under the microscope created by Geoff Wise, an everyday Ohioan? Why was this review not conducted on the official map adopted by a 5-2 vote? Why did he not review the other winner of our mapping contest or the Ohio Redistricting Commission or the maps of the Ohio Citizens Redistricting Commission maps? Metrics matter, legal definitions matter, and I ask that we make sure that we have a transparent process that is performed uniformly on all maps for Constitutionality.

Officially Proposed Splits: House: 35 counties are split a total of 72 times; Senate: 13 counties are split a total of 18 times

Updated Democratic Splits: House: 33 counties are split a total of 70 times; Senate: 12 counties are split a total of 17 times

Pranav Padmanabhan Splits: House: 39 counties are split a total of 78 times; Senate: 16 counties are split a total of 21 times. Note that Pranav's map worked very hard to keep school districts together, which really speaks to trying to keep communities whole.

Geoff Wise Splits: House: 36 counties are split a total of 75 times; Senate: 24 counties are split a total of 32 times

EFFICIENCY GAP: WASTED VOTES

Partisan gerrymandering is always carried out by cracking a party's supporters among many districts, in which their preferred candidates lose by relatively narrow margins; and/or by packing a party's backers in a few districts, in which their preferred candidates win by enormous margins. Both cracking and packing produce votes that are inefficient in the sense that they do not contribute to a candidate's election.

In the case of cracking, all votes cast for the losing candidate are inefficient. In the case of packing, all votes cast for the winning candidate, above the 50% (plus one) threshold needed for victory, are inefficient. The efficiency gap is calculated by taking one party's total inefficient votes in an election, subtracting the other party's total inefficient votes, and dividing by the total number of votes cast. In practice, the score should be 0, in which every voter's vote is equal in weight.

The officially proposed Senate map has an efficiency gap score of 10.2%. This is the difference between the 'wasted votes' on each side divided by the total number of votes. Wasted votes are those that do not contribute to victory due to cracking and packing. So votes for Republican candidates are expected to be inefficient at a rate 10.2% lower than votes for Democratic candidates. Likewise, the officially proposed House map has an efficiency gap of 7.5%. -- again favoring Republicans. These efficiency gaps reveal the benefit that the Republican side enjoys through the nefarious practices of cracking and packing.

In comparison, the new Sykes map has an efficiency gap score of 3.8% for the Senate and 3.7% for the House. Both gaps still favor Republicans, but are less egregious and more responsive to the desires of Ohio constituents and is about the range that Dr. Niven stated would be acceptable for the Buckeye State.

MINORITY REPRESENTATION:

The updated Democratic map provides for 8 Minority-Majority House districts (down from 11 in Officially Proposed) and 18 Opportunity Districts (same as Officially Proposed). Reducing opportunities for minority voters to be represented by candidates of this choice should be a nonstarter. We need more review of this area, as it there appears to be significant cracking in several neighborhoods of color, including:

- Parts of Downtown Columbus & Berwick are put with Pickaway County, which have very different in terms of economics and demographics.
- The map splits up Linden (my neighborhood) into two Districts, a historically black neighborhood that has been in existence since the early 1900s.
- Districts 35 and 38 split Fairview & North Riverdale in Dayton for no apparent good reason.
- Kennedy Heights, McPherson Town & Silverton in Cincinnati are all split in confusing ways. District 17 reaches out like a tentacle into the middle of district 16 - packing Democrats into the 16th.
- In Cuyahoga County, on the south side of Cleveland, it looks like Pangea took place as district 7 appears to have broken off from six, with a little sliver of five jammed in between. One neighborhood should not be split into 3 senate districts.

At the end of the day, we are asking that whatever map you choose, that we actually go through district by district - county by county - community by community regarding why the lines look the way they do. There will always be hard decisions to make when balancing the various policy goals and considering where to split lines. Let's hangout together all night, all day tomorrow and get the best map done. This type of review will also likely result in a better map in terms of representational fairness, minority representation, and the efficiency gap score.

It's been a long and intense week. You've heard from so many Ohioans – some have yelled, many have booed or clapped (which you have asked me to help stop – and I had no success at doing). Others have cried - indeed some have made me tear up, talking about loved ones who died of covid, children who have left Ohio because they feel like their voices don't matter, or others who are afraid of climate change or want women's rights. But all have come with love of Ohio in their hearts; with a hope that you would do right by voters.

My job is to try to demystify government so that people can participate as voters, as advocates, as leaders. I understand their frustration and pessimism. The process has been chaotic, confusing, and rushed. Some of the most important conversations have not happened at all or happened behind closed doors. Even trying to understand, let alone comment on the details of these maps is exceedingly difficult. The Congressional process must be better, and I ask legislative leaders to meet with us about how to ensure that.

Despite the frustration and fear that you've heard from League members and supporters, I personally am a serial optimist. I can't be in my line of work and not be both persistent and optimistic. I appeal to your better angels to put voters first, to put our state first.

LEAGUE OF WOMEN VOTERS OF OHIO

Thank you.

OHIO HOUSE DEMOCRATIC CAUCUS

REDISTRICTING TALKING POINTS

Daily talking points – 9/1/2021

Key messages

- Democrats and Ohioans wanted to see us follow our constitutional duty to release a map and hold additional hearings by Sept. 1, but the Commission adjourned this week with no map and no timetable for what's next.
- We need the Commission to work together to draft a fair map that lives up to the spirit of the reforms Ohioans passed in 2015.
- When Democrats called on the Commission over a week ago to release a map, we were met with inaction from the majority party members. There could have been an attempt to meet this deadline despite the delays in census data, but Republicans chose not to.
- It's disappointing that the Commission failed to meet its Constitutional mandate after hundreds of Ohioans did their part and came out to testify in favor of fair maps.
- If the Commission isn't going to act today, it is imperative that it delivers fair maps and better representation by releasing and approving a bipartisan map before the next deadline of Sept. 15.

General Redistricting Talking Points

Fair districts

- Every critical issue in our state comes down to fair districts, from education and the economy to growing good paying jobs and protecting healthcare access and our freedom to vote.
- When we draw the map, we choose what hospitals, schools and resources are funded in our neighborhoods and communities.
- Fair districts means better representation and better communities.

The redistricting process

- Ohioans spoke not once, but twice to demand fair districts.
- We will create fair districts that accurately reflect the makeup of our state, not a jigsaw puzzle that only serves the special interests and political power brokers in Columbus and Washington.
- With fair districts, we can fund our schools fairly, create good paying jobs, and stop pushing through divisive legislation that does nothing to help hardworking Ohioans get ahead.

###

REDISTRICTING 101: FAQ

Redistricting basics

What is redistricting?

- Redistricting is the process of drawing new congressional and state legislative district boundaries.
- All U.S. representatives and state legislators are elected from political subdivisions called districts. The states redraw districts every 10 years following the census.

When will it start?

- Census data was released Aug. 12 and Ohio University used it to produce the Redistricting Database map drawers use to draw districts in Ohio.

How we got here

What is gerrymandering?

- Gerrymandering, the act of drawing districts to unfairly favor one group over another, undermines voters and our democracy and makes it more difficult to hold elected officials accountable for their decisions
- Data shows Ohioans vote nearly down the middle—but our gerrymandered districts don't reflect that.
- Fair districting reforms passed in 2015 and 2018 look to offer a solution. This is our first chance to redraw our maps under these reforms.

The process itself

Who draws the districts?

- The Ohio Redistricting Commission [5 Republicans and 2 Dems; House/Senate Majority/Minority Reps, Governor, Sec. of State and State Auditor] draws the General Assembly districts
- The legislature draws the congressional districts. If the legislature cannot get it done, the Ohio Redistricting Commission draws the congressional districts.

What does it take to pass a map?

- A 10-year state legislative map requires 4 of 7 Commission members, including both Democrats;
- A 10-year congressional map requires 60% vote of the legislature with at least 50% of minority party support.

What's the deadline?

- Legislative map deadline is Sept. 1 (requiring a bi-partisan supported 10-year map), but can be extended to Sept. 15 allowing for a 10-year bi-partisan supported map, with simple majority needed for 4-year map.
- Congressional plan due Sept 30. If GA fails to deliver, additional steps kick in.

Drawing fair maps

What are the guidelines for drawing the maps?

State legislative district maps must follow certain criteria:

- Districts must be contiguous and compact;
- District boundaries should be created using county, municipal and township boundaries;

- House districts should not split counties more than once, where possible;
- Districts can have up to 5% difference in total population;
- Statewide share of legislative seats should reflect state and federal election results from prior decade;
- 3 House districts per Senate district

Congressional maps must follow certain criteria:

- Districts must be contiguous and compact.
- There are certain rules for splitting up counties, including:
    - 65 must be kept whole, while 18 may be split once and 5 twice;
    - If a congressional district (CD) includes only part of a county, that part that lies within the county shall be contiguous within the bounds of the county;
    - No two CDs can share portions of the territory of more than one county unless that county's population is greater than 400,000;
    - Maps shall attempt to include at least one whole county in each CD;
    - For municipalities Columbus must be split; Cincinnati and Cleveland cannot be split; and Akron, Dayton and Toledo should not be split

How to get involved

When are the public hearings?

- Monday, August 23 from 9:30-12:30 at Cleveland State and 2:30-5:30 at Youngstown State
- Tuesday, Aug. 24 from 9:30-12:30 at Sinclair CC (DAY) and 2:30-5:30 at Univ. of Cincinnati
- Wednesday, Aug. 25 from 9:30-12:30 at OU – Zanesville and 2:30-5:30 at Rio Grande CC
- Thursday, Aug. 26 from 9:30-12:30 at OSU – Lima and 2:30-5:30 at Univ. of Toledo.
- Friday, Aug. 27 from 9:30-12:30 at Univ. of Akron and 2:30-5:30 at OSU Mansfield
- More hearings will be scheduled.

Can I testify? And about what?

- I encourage everyone to participate in the process by attending a hearing, testifying in person or submitting written testimony. Ohioans can submit maps, communicate what they want to see their district look like, and let us know what boundaries they think make up their community.
- The more information we have about our communities, the better our maps will be as we'll be able to keep our communities together.

Why fair maps are important

Why do we need fair districts?

- Ohio's gerrymandered maps are among the worst in the country. Right now, Republicans are winning just over half the vote, but hold a far higher percentage of Congressional and Statehouse seats.
- Every critical issue in our state comes down to fair districts, from education and the economy to growing good paying jobs and protecting healthcare access and our freedom to vote.

Will we get fair districts?

- Democrats are committed to fulfilling the reforms Ohioans overwhelmingly passed by drawing fair maps. But we need our Republican counterparts on board as well.

How can we ensure we don't see the same backroom dealings this time?

- The reforms Ohioans passed call for an open, fair and transparent process, which requires multiple public hearings on a proposed map, a mechanism for the public to submit maps, and buy in from the minority party for any 10-year map—and very stringent requirements for short-term maps.

MEMO

TO: Christine Morrison, Ohio House Chief of Staff
John Barron, Ohio Senate Chief of Staff
Mike Rowe, Ohio Senate Minority Chief of Staff
CC: George Boas, Ohio Senate Minority Deputy Chief of Staff
FROM: Samantha Herd, Ohio House Minority Chief of Staff
DATE: August 10, 2021
RE: Request for Task Force Funds

Pursuant to ORC 103.51(A) the Ohio House Minority Caucus is requesting a disbursement of funds by the Legislative Task Force on Redistricting, Reapportionment, and Demographic Research for the purposes of obtaining technical services related to the 2021 redistricting process. At this time we request an allocation of $200,000 to be split between the pair of minority caucuses. The additional $100,000 in funds to the Ohio House Minority Caucus will be used to obtain additional mapping licenses and to pay redistricting consultant services from HaystaqDNA.

The House Minority Caucus does not have current staff who have the training or expertise needed to adequately assist our members with redistricting. We have had an open caucus position that we hoped would be able to be filled in time to assist with this process but have been unable to find a suitable candidate due to the position's uncompetitive salary.

At this time we request these additional funds so that our caucus can fulfill our constitutional duty to assist in redistricting.

Date: Thu, 5 Aug 2021 3:14:19 PM -0400
Sent: Thu, 5 Aug 2021 3:14:18 PM -0400
Subject: RE: List of Concerns for Redistricting Commission
From: Routt, Randall <Randall.Routt@ohiosenate.gov>
To: DiPalma, Andy <Andy.DiPalma@ohiohouse.gov>; Kristin Rothey <kristin.rothey@ohiosenate.gov>; Herd, Samantha <Samantha.Herd@ohiohouse.gov>;
CC: Mike Rowe <Mike.Rowe@ohiosenate.gov>; George Boas <George.Boas@ohiosenate.gov>;

I forgot to add 2018 as well

From: Routt, Randall
Sent: Thursday, August 05, 2021 3:00 PM
To: 'Andy.DiPalma@ohiohouse.gov'; Rothey, Kristin; 'Sam.herd@ohiohouse.gov'
Cc: Rowe, Mike; Boas, George
Subject: RE: List of Concerns for Redistricting Commission

FYI

Ohio University will be releasing precinct level election data from the 2012, 2014, 2016 and 2020 statewide elections at the same time they release updated census/voting district data.
The election data will be five excel sheets with precinct voting information on each of the elections. As mentioned on our previous call with Ohio University, Michael Finney cautioned me that the precinct data from election to election do NOT match up on a 1 to 1 level across the board as precinct lines have changed over the course of the decade. ONLY 2020 election data will match up 100% to the precinct lines we will be receiving from them.

Randall

From: Andy.DiPalma@ohiohouse.gov [mailto:Andy.DiPalma@ohiohouse.gov]
Sent: Thursday, August 05, 2021 12:47 PM
To: Routt, Randall; Rothey, Kristin; 'Sam.herd@ohiohouse.gov'
Cc: Rowe, Mike; Boas, George
Subject: RE: List of Concerns for Redistricting Commission

Ok, thanks.

From: Routt, Randall <Randall.Routt@ohiosenate.gov>
Sent: Thursday, August 05, 2021 11:53 AM
To: DiPalma, Andy <Andy.DiPalma@ohiohouse.gov>; Kristin Rothey <kristin.rothey@ohiosenate.gov>; 'Sam.herd@ohiohouse.gov' <Sam.herd@ohiohouse.gov>
Cc: Mike Rowe <Mike.Rowe@ohiosenate.gov>; George Boas <George.Boas@ohiosenate.gov>
Subject: RE: List of Concerns for Redistricting Commission

FYI,

I have a call into Kurt McDowell at LIS inquiring about their capabilities to host a public submission website..

Randall

From: Andy.DiPalma@ohiohouse.gov [mailto:Andy.DiPalma@ohiohouse.gov]
Sent: Thursday, August 05, 2021 11:50 AM
To: Rothey, Kristin; 'Sam.herd@ohiohouse.gov'
Cc: Rowe, Mike; Boas, George; Routt, Randall
Subject: RE: List of Concerns for Redistricting Commission

This looks good, looking over now, will respond shortly with possible additions.

- Andy

From: Rothey, Kristin <Kristin.Rothey@ohiosenate.gov >
Sent: Thursday, August 05, 2021 11:49 AM
To: 'Sam.herd@ohiohouse.gov' <Sam.herd@ohiohouse.gov >; DiPalma, Andy <Andy.DiPalma@ohiohouse.gov >
Cc: Mike Rowe <Mike.Rowe@ohiosenate.gov >; George Boas <George.Boas@ohiosenate.gov >; Randall Routt < Randall.Routt@ohiosenate.gov >
Subject: List of Concerns for Redistricting Commission

Hi Sam and Andy,

This list is what we have put together. Please give your input as soon as possible so we can get this to Senator Sykes for his conversation with Speaker Cupp.

1. Setting Procedural Rules:
    a. The Redistricting Commission needs to operate in a bipartisan fashion as directed by the constitution. The Co-Chairs need to act jointly (preside, call meetings, issue notices, make announcements, set hearings, etc.). The secretaries of the Commission need to also be bipartisan.
    b. The Commission needs to allow the public to fully participate. The rules need to meet our constitutional requirements for public hearings, need three hearings after a map is proposed, and another one if we miss September 1. The hearings need to be timed to allow the public to give us comments on a map. We neeed to have an up and running website for the public to help draw maps and provide feedback, advanced notice of hearings (24 to 48 or 72 hours notice).
2. Current Schedule of hearings:
    a. This should just be a start to the hearings. Are we announcing on Friday? Keep in mind these will initially be without a proposed map and may not meet our requirements.
3. Tech Concerns:
    a. Website: How can we get the website up and running as soon as possible? Does LIS or LSC need additional support to help administer the Commission's website?
    b. Broadcast of Meetings/Hearings: Are the hearings going to be broadcast or live-streamed? We have a constitutional obligation to make these meetings open to the public and broadcasted. We should be prepared to disburse additional funds to make this possible.
4. The House Democratic Caucus has requested additional money for consultants and that request is still outstanding.

Thanks,

Kristin

_____
Kristin Vennekotter Rothey
Deputy Legal Counsel
Ohio Senate Democratic Caucus
kristin.rothey@ohiosenate.gov
(614) 466-0637

Date: Tue, 10 Aug 2021 11:30:29 AM -0400
Sent: Tue, 10 Aug 2021 11:30:27 AM -0400
Subject: Re: List of Concerns for Redistricting Commission
From: Routt, Randall <Randall.Routt@ohiosenate.gov>
To: Herd, Samantha <Samantha.Herd@ohiohouse.gov>;
CC: DiPalma, Andy <Andy.DiPalma@ohiohouse.gov>; Kristin Rothey <kristin.rothey@ohiosenate.gov>; Mike Rowe <Mike.Rowe@ohiosenate.gov>; George Boas <George.Boas@ohiosenate.gov>;

Based on our recent conversation with OU's data people they were using the past 5 even year statewide elections for data (2012, 2014, 2016, 2018, 2020). Those are all of the statewide elections after the 2011 redistricting cycle.

Sent from my iPhone

On Aug 10, 2021, at 11:22 AM, samantha.herd@ohiohouse.gov wrote:

Hey Randall,

Do you know why they are just including those past 5 elections and not the past 10 years? There seemed to be agreement back in April that they would go back that far according the OU April report attached.

Thanks,
Sam

From: Routt, Randall <Randall.Routt@ohiosenate.gov>
Sent: Thursday, August 5, 2021 3:14 PM
To: DiPalma, Andy <Andy.DiPalma@ohiohouse.gov>; Kristin Rothey <kristin.rothey@ohiosenate.gov>; Herd, Samantha <Samantha.Herd@ohiohouse.gov>
Cc: Mike Rowe <Mike.Rowe@ohiosenate.gov>; George Boas <George.Boas@ohiosenate.gov>
Subject: RE: List of Concerns for Redistricting Commission

I forgot to add 2018 as well

From: Routt, Randall
Sent: Thursday, August 05, 2021 3:00 PM
To: 'Andy.DiPalma@ohiohouse.gov'; Rothey, Kristin; 'Sam.herd@ohiohouse.gov'
Cc: Rowe, Mike; Boas, George
Subject: RE: List of Concerns for Redistricting Commission

FYI

Ohio University will be releasing precinct level election data from the 2012, 2014, 2016 and 2020 statewide elections at the same time they release updated census/voting district data.
The election data will be five excel sheets with precinct voting information on each of the elections. As mentioned on our previous call with Ohio University, Michael Finney cautioned me that the precinct data from election to election do NOT match up on a 1 to 1 level across the board as precinct lines have changed over the course of the decade. ONLY 2020 election data will match up 100% to the precinct lines we will be receiving from them.

Randall

From: Andy.DiPalma@ohiohouse.gov [mailto:Andy.DiPalma@ohiohouse.gov]
Sent: Thursday, August 05, 2021 12:47 PM

To: Routt, Randall; Rothey, Kristin; 'Sam.herd@ohiohouse.gov'
Cc: Rowe, Mike; Boas, George
Subject: RE: List of Concerns for Redistricting Commission

Ok, thanks.

From: Routt, Randall <Randall.Routt@ohiosenate.gov>
Sent: Thursday, August 05, 2021 11:53 AM
To: DiPalma, Andy <Andy.DiPalma@ohiohouse.gov>; Kristin Rothey <kristin.rothey@ohiosenate.gov>; 'Sam.herd@ohiohouse.gov' <Sam.herd@ohiohouse.gov>
Cc: Mike Rowe <Mike.Rowe@ohiosenate.gov>; George Boas <George.Boas@ohiosenate.gov>
Subject: RE: List of Concerns for Redistricting Commission

FYI,

I have a call into Kurt McDowell at LIS inquiring about their capabilities to host a public submission website..

Randall

From: Andy.DiPalma@ohiohouse.gov [mailto:Andy.DiPalma@ohiohouse.gov]
Sent: Thursday, August 05, 2021 11:50 AM
To: Rothey, Kristin; 'Sam.herd@ohiohouse.gov'
Cc: Rowe, Mike; Boas, George; Routt, Randall
Subject: RE: List of Concerns for Redistricting Commission

This looks good, looking over now, will respond shortly with possible additions.

- Andy

From: Rothey, Kristin <Kristin.Rothey@ohiosenate.gov>
Sent: Thursday, August 05, 2021 11:49 AM
To: 'Sam.herd@ohiohouse.gov' <Sam.herd@ohiohouse.gov>; DiPalma, Andy <Andy.DiPalma@ohiohouse.gov>
Cc: Mike Rowe <Mike.Rowe@ohiosenate.gov>; George Boas <George.Boas@ohiosenate.gov>; Randall Routt <Randall.Routt@ohiosenate.gov>
Subject: List of Concerns for Redistricting Commission

Hi Sam and Andy,

This list is what we have put together. Please give your input as soon as possible so we can get this to Senator Sykes for his conversation with Speaker Cupp.

1. Setting Procedural Rules:
    a. The Redistricting Commission needs to operate in a bipartisan fashion as directed by the constitution. The Co-Chairs need to act jointly (preside, call meetings, issue notices, make announcements, set hearings, etc.). The secretaries of the Commission need to also be bipartisan.
    b. The Commission needs to allow the public to fully participate. The rules need to meet our constitutional requirements for public hearings, need three hearings after a map is proposed, and another one if we miss September 1. The hearings need to be timed to allow the public to give us comments on a map. We neeed to have an up and running website for the public to help draw maps and provide feedback, advanced notice of hearings (24 to 48 or 72 hours notice).
2. Current Schedule of hearings:
    a. This should just be a start to the hearings. Are we announcing on Friday? Keep in mind these will initially be without a proposed map and may not meet our requirements.
3. Tech Concerns:
    a. Website: How can we get the website up and running as soon as possible? Does LIS or LSC need

additional support to help administer the Commission's website?

b. Broadcast of Meetings/Hearings: Are the hearings going to be broadcast or live-streamed? We have a constitutional obligation to make these meetings open to the public and broadcasted. We should be prepared to disburse additional funds to make this possible.

4. The House Democratic Caucus has requested additional money for consultants and that request is still outstanding.

Thanks,

Kristin

_____

Kristin Vennekotter Rothey
Deputy Legal Counsel
Ohio Senate Democratic Caucus
kristin.rothey@ohiosenate.gov
(614) 466-0637

<OU April 21.pdf>

OHIO REDISTRICTING COMMISSION

Minority Report

Senator Vernon Sykes, Co-Chair

House Minority Leader Emilia Strong Sykes, Commissioner

The state legislative district plan adopted by the Republican members of the Ohio Redistricting Commission egregiously violates the anti-gerrymandering provisions of the Ohio Constitution. These anti-gerrymandering provisions were enshrined in the Ohio Constitution just six years ago for state legislative districts by the overwhelming majority of Ohio voters. Gerrymandering is defined by the Merriam-Webster dictionary as "the practice of dividing or arranging a territorial unit into election districts in a way that gives one political party an unfair advantage in elections." Simply put, gerrymandering is partisan unfairness. The Ohio Constitution requires partisan fairness.

Article XI of the Ohio Constitution is clear in its provisions dictating the drawing of our state legislative maps. It requires that the maps respect the existing boundaries of counties, townships, and municipalities. It also requires that the maps reflect the statewide political preferences of Ohio voters over the previous decade of partisan statewide elections. Unfortunately, the maps adopted by the Commission's Republican majority today do neither.

Voters never intended for Republicans to enshrine another ten years of gerrymandered districts and give themselves another decade of unchecked power.

Article XI, Section 6 of the Ohio Constitution contains two elements not met by the Republican drawn district maps. Part (A) of Section 6 states that "No general assembly district plan shall be drawn primarily to favor or disfavor a political party." In contrast, the map adopted today goes to absurd lengths to ~~maintain~~ create a Republican monopoly on legislative power that they have not earned at the ballot box.

Part (B) of Section 6 also states that "the statewide proportion of districts whose voters, based on statewide state and federal partisan general election results during the last ten years, favor each political party shall correspond closely to the statewide preferences of the voters of Ohio." The district plans adopted by Republicans today in no way reflect the statewide preferences of voters in Ohio and do not closely correspond to the statewide election results of the last ten years. No reasonable person would interpret the map adopted by the Commission today as reflecting the will of Ohioans as required in Section 6 (B).

In Ohio, over the past decade, the Republican Party won 54% of the statewide partisan general election votes, while Democrats won 46%. See Appendix. These calculations were presented to the Commission in extensive witness testimony as well as by researchers at Ohio University (OU) as part of the contract between the Legislative Task Force on Redistricting and OU. The election statistics expressed as percentage outcomes are not in dispute.

A plan would closely correspond with these statewide voter preferences, if it yielded approximately 45 House districts that would likely be won by Democratic candidates, 54 House districts that would likely be won by Republican candidates, 15 Senate districts that would likely be won by Democratic candidates, and 18 Senate districts that would likely be won by

Republican candidates. The Republicans on the Commission, in a naked attempt to maintain a gerrymandered, unearned supermajority, drew and adopted districts that would likely yield 34 Democratic House districts, 65 Republican House districts, 8 Democratic Senate districts, and 25 Republican Senate districts. The Senate district numbers in the map approved today are even worse than under the current maps approved in 2011, which were so egregiously gerrymandered that they inspired voters to go to the polls twice to put fairness and equity in our redistricting process via constitutional amendments.

In the interest of fairness, bipartisanship, and the realities of geography, demography, and politics, the Democratic members of the Ohio Redistricting Commission produced maps that followed the constitutional demands of proper district drawing, ~~and~~ including Art. XI, Section 6 (A) and (B) which were ignored by Republicans. These maps produced 14 likely Democratic Senate seats and 43 likely Democratic House seats. These were less than the ratio of proportionality that the Ohio Constitution prescribes in Art. XI, Section 6. The Democratic members of the Commission and their staff worked tirelessly to incorporate Republican feedback into the mapmaking process while also drawing maps that adhere to the requirements of the Ohio Constitution in Art. XI, Section 6. The Democratic members of the Commission produced three separate map plans that did not ~~unduly~~ disproportionately favor either party, represented the will of voters demonstrated over the previous decade of statewide partisan elections, and met the criteria of limiting splits of communities. ~~and keeping districts compact.~~

Throughout the process, Republicans appeared to follow a playbook of delay and deflection. They used as much time as possible before deadlines, skipped deadlines, and then offered unconstitutional map plans and unacceptable ultimatums to Democratic members of the legislature and the Commission. Their actions included a last-minute attempt to change the

Constitution in the spring; delaying the convening of the Commission until early August; dragging their feet on approving the Commission's rules; purposely missing the September 1 constitutional deadline for releasing a plan, holding hearings, and adopting a plan; and feigning interest in a compromise before the September 15 deadline. Republicans did not demonstrate good faith participation in the process. This culminated in another heavily gerrymandered map sent to Democratic commissioners and staff late on September 14, the night before the constitutional deadline.

Their latest map would produce 9 likely Democratic Senate districts and a single, additional 50-50 toss-up Republican-leaning Senate ~~-~~district. The remaining 23 Senate districts were drawn clearly to favor the Republican Party. It would produce 32 likely Democratic House districts and 5 toss-up Democratic-leaning House seats. This plan, like the first plan put forward by Republican map drawers, does not reflect the statewide political preferences of Ohio voters because it creates a higher ~~number~~ proportion of Republican districts than the proportion of votes they earn in Ohio.

We, the two-member minority, could not in good conscience disavow the voters' will as expressed by the redistricting reforms approved in 2015 and 2018, nor could we ignore the Ohio Constitution's clear language that legislative district maps ~~should~~ must correspond closely to the statewide preferences of voters as measured by the statewide partisan general election results over the past ten years~~ and that maps neither favor nor disfavor either political party~~. The plan adopted by the majority violates ~~those~~ that requirement~~s~~. In fact, at no point did the Republican members demonstrate any attempt to meet the requirements. For these reasons, we are voting against the map the majority of the Commission is choosing to adopt. ~~In doing so, they did not follow the letter or the spirit of the Ohio Constitution.~~

APPENDIX:

Votes for Statewide Offices over the Past Decade

Democratic Candidates	**2012**	**2014**	**2016**	**2018**	**2020**
President	2,697,260		2,394,164		2,679,165
Senator	2,645,901		1,996,908		
Governor		1,009,359		2,067,847	
Sec of State		1,074,475		2,049,944	
Attorney General		1,178,426		2,084,593	
Auditor		1,149,305		2,006,204	
Treasurer		1,323,325		2,022,016	

GRAND TOTAL of votes cast for Democratic candidates 2012-2020: **28,378,892**

Republican Candidates	**2012**	**2014**	**2016**	**2018**	**2020**
President	2,593,779		2,841,005		3,154,834
Senator	2,371,230		3,118,567		
Governor		1,944,848		2,231,917	
Sec. of State		1,811,020		2,210,356	
Attorney General		1,882,048		2,272,440	
Auditor		1,149,305		2,152,769	
Treasurer		1,724,060		2,304,444	

GRAND TOTAL of votes cast for Republican candidates 2012-2020: **33,759,622**

Democratic share of votes cast for statewide offices (28,378,892÷62,141,514) = **45.7%**

Republican share of votes cast for statewide offices (33,762,622÷62,141,514) = **54.3%**

Subject: Re: PPT analyzing the Commission Map
From: Anh Volmer <anh@haystaqdna.com>
To: Samantha Herd <samherd@gmail.com>
Cc: Ken Strasma <ken@haystaqdna.com>, Quentin Sprauve <quentin@haystaqdna.com>
Date Sent: Thursday, September 9, 2021 10:28:19 PM GMT-04:00
Date Received: Thursday, September 9, 2021 10:29:06 PM GMT-04:00
Attachments: Quick_analysis_commission_map.docx

---

oops. here is the word doc, too.

On Thu, Sep 9, 2021 at 10:27 PM Anh Volmer <anh@haystaqdna.com> wrote:

> Sam-
>
> I put Quentin's PPT with mine. I am also resending the quick analysis word document I sent earlier today if that is helpful.
>
> Let me know if you need anything else.
>
> -Anh
>
> --
> Anh Volmer
> Data Analyst
> Haystaq DNA
> 918-557-0768
> anh@haystaqdna.com

CONFIDENTIAL ESYKES_0010237

Matt Huffman's Map – Quick Analysis

Based on an aggregate of statewide elections from 2016-2020,
only 32 house districts would be Dem, 67 Rep.

Taking only the US Presidential elections from 2020,
only 33 house districts would be Dem, 66 Rep.

Taking only the US Presidential elections from 2016,
only 30 house districts would be Dem, 69 Rep.

This is in violation of Article XI.6, section *(B):*

> *The statewide proportion of districts whose voters, based on statewide state and federal partisan general election results during the last ten years, favor each political party shall correspond closely to the statewide preferences of the voters of Ohio.*

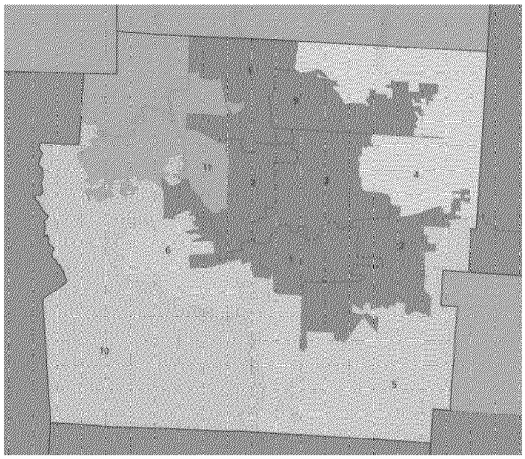
Our map will show that it is possible to get much closer to proportionality, at about 42-44 seats leaning Democratic, and only 55-57 Republican (which is still showing implicit bias towards Republicans but is much closer to the intention of the new law).

The Republican Map uses the techniques of packing and cracking to reduce the number of seats Democrats can possibly gain.

Examples:

Franklin County

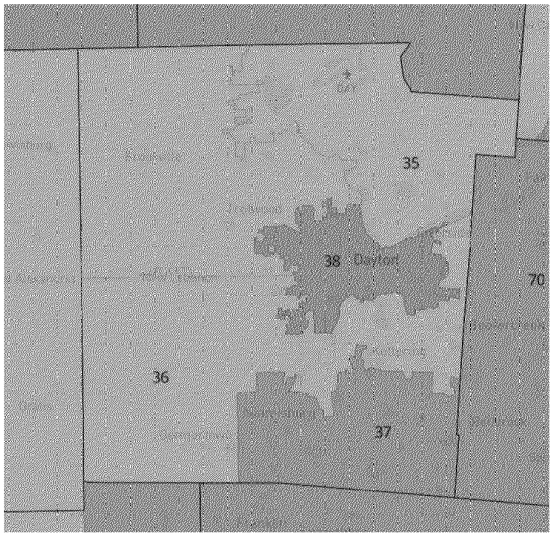
The Republican Map (left) packs the Democrats into 10 districts, while our map – which is technically equally constitutional – shows an approach that doesn't pack and ends up with 12 Democratic districts.

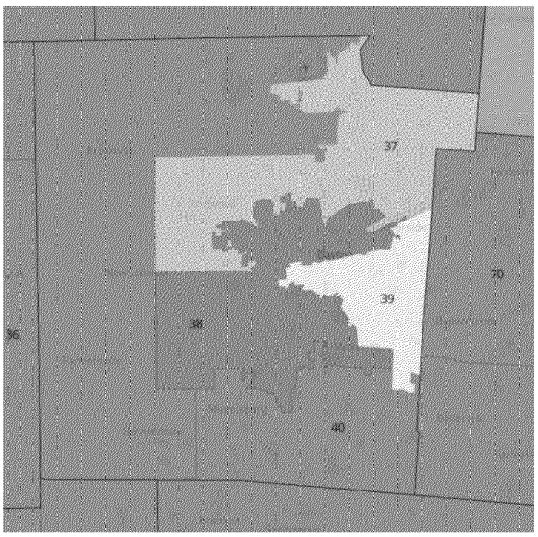


CONFIDENTIAL ESYKES_0010238

Montgomery County

The Republican Map (left) packs the Democrats into a single district, while our map – which is technically equally constitutional – shows an approach that doesn't pack, and ends up with 3 Democratic districts.



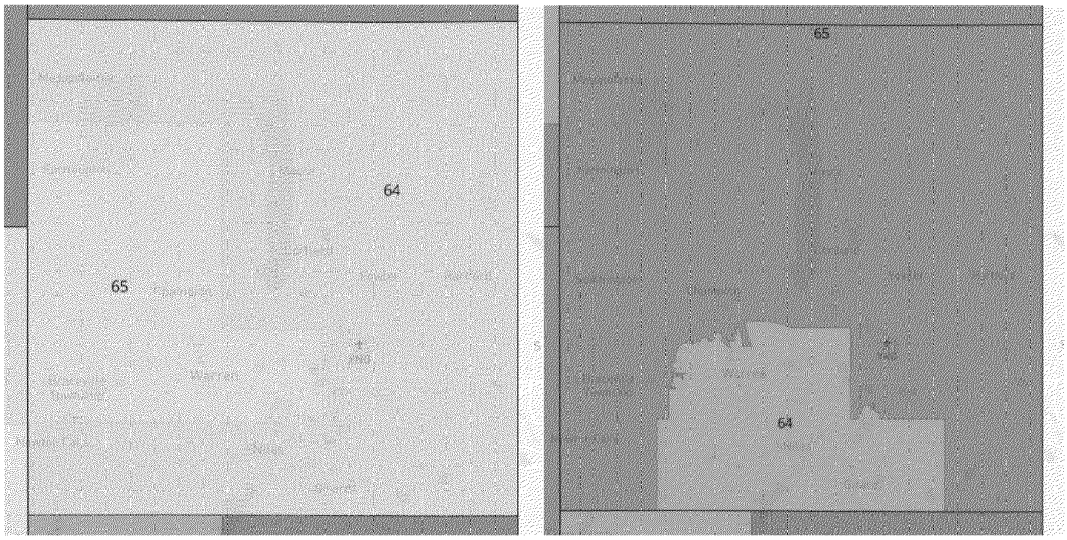


CONFIDENTIAL ESYKES_0010239

Trumbull County

This is example for cracking the Democratic vote.

The urban area in this county (around Warren and suburbs around Youngstown) is enough to form a Democratic district; they split it up in two Districts to dilute the vote (left – Districts 64 and 65 both lean Republican). Our map divides the county into a blue and a red district.

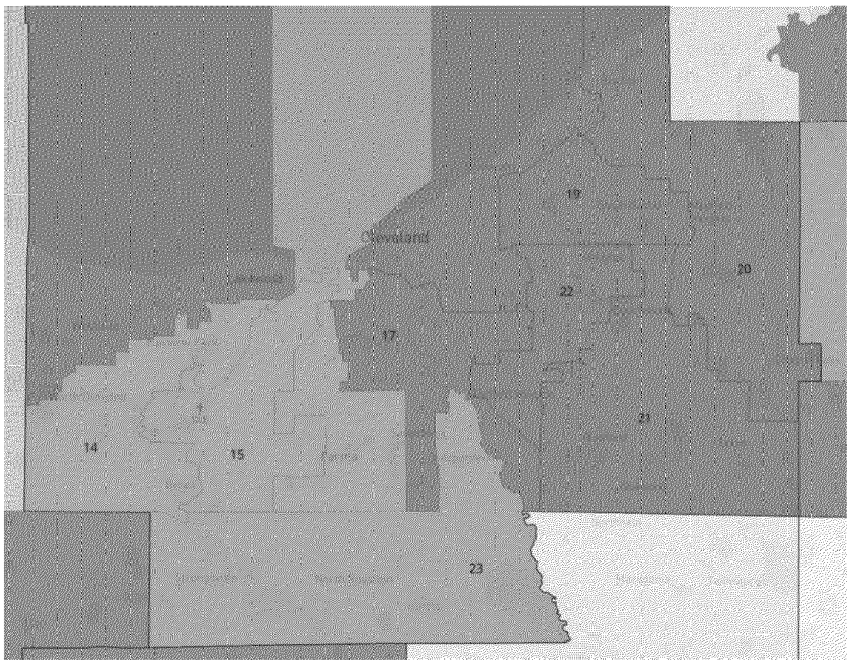


CONFIDENTIAL ESYKES_0010240

Cuyahoga County

The Republicans made an argument that this county had to join a district with an adjacent county. However, that is technically not true. At a population of 1,323,807, it splits into 11 districts of 114,983 each, which is well in the realm of admissible district sizes (95% .. 105% of 119,186).

Our map shows that this approach works in a way that is consistent with the constitution, with 10 districts leaning Dem, 1 district leaning Rep:



All districts are fully contained in Cuyahoga County.

CONFIDENTIAL ESYKES_0010241

Subject: PPT analyzing the Commission Map
From: Anh Volmer <anh@haystaqdna.com>
To: Samantha Herd <samherd@gmail.com>
Cc: Ken Strasma <ken@haystaqdna.com>, Quentin Sprauve <quentin@haystaqdna.com>
Date Sent: Thursday, September 9, 2021 10:27:43 PM GMT-04:00
Date Received: Thursday, September 9, 2021 10:28:29 PM GMT-04:00
Attachments: HaystaqRepMapAnalysis.pptx

Sam-

I put Quentin's PPT with mine. I am also resending the quick analysis word document I sent earlier today if that is helpful.

Let me know if you need anything else.

-Anh

--
Anh Volmer
Data Analyst
Haystaq DNA
918-557-0768
anh@haystaqdna.com

CONFIDENTIAL ESYKES_0010242

Matt Huffman's Map – Quick Analysis

Based on an aggregate of statewide elections from 2016-2020,
only 32 house districts would be Dem, 67 Rep.

Taking only the US Presidential elections from 2020,
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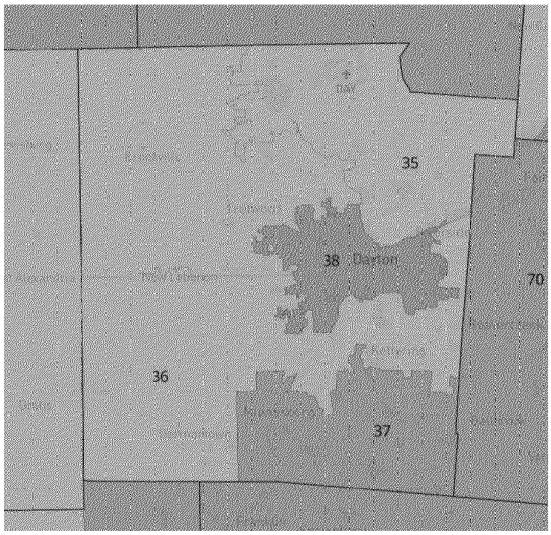

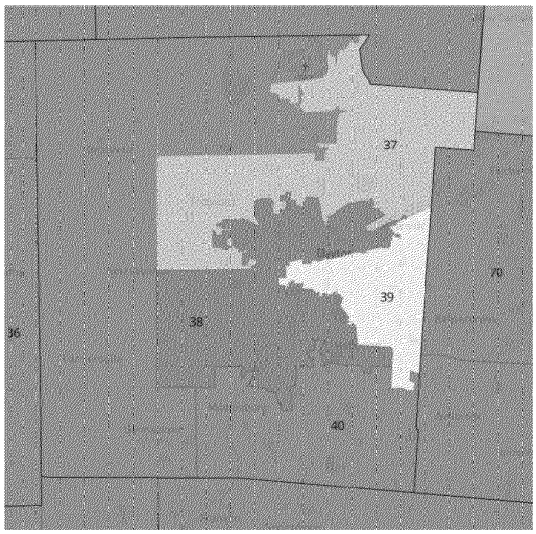

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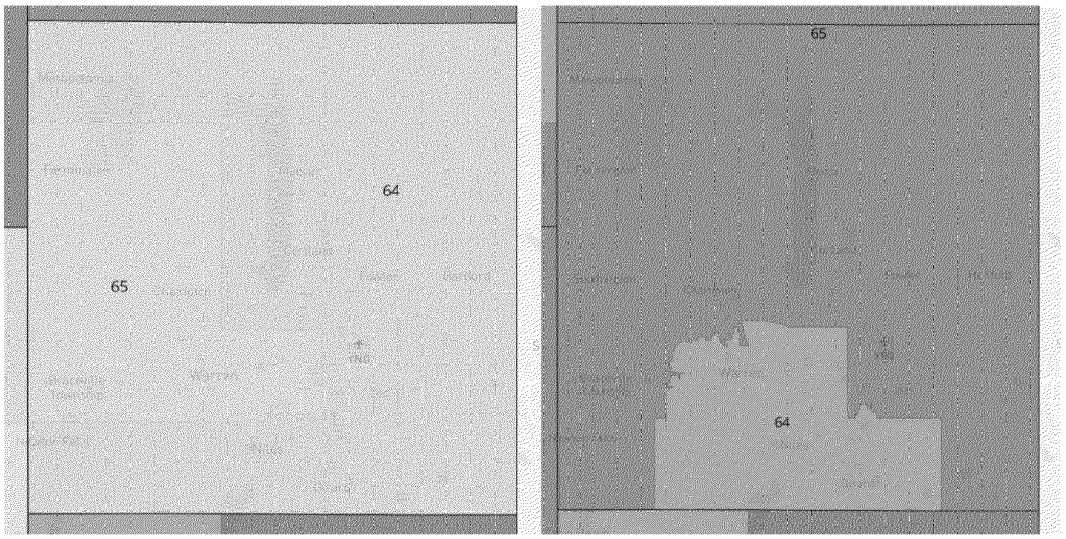

Cuyahoga County

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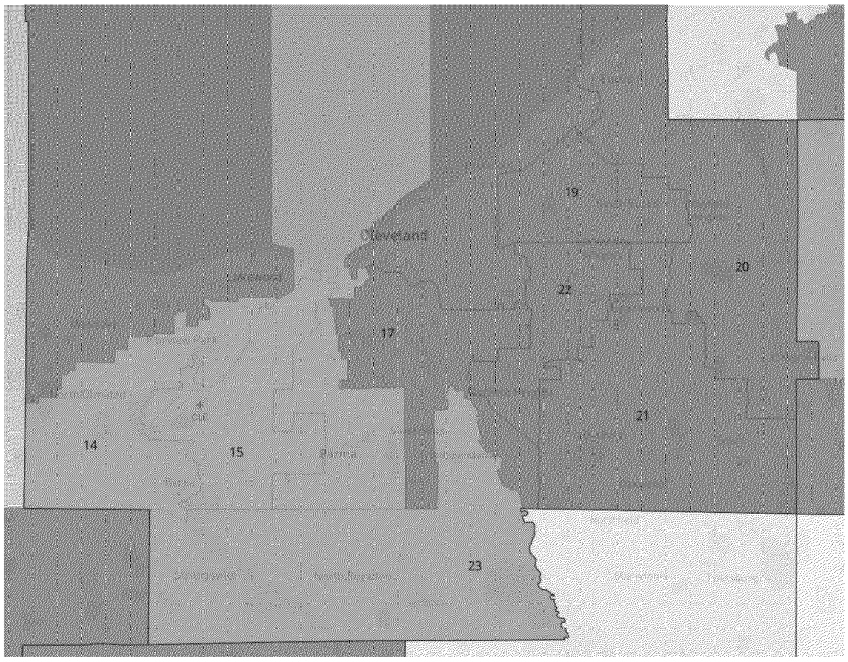

All districts are fully contained in Cuyahoga County.

Date: Wed, 15 Sep 2021 5:46:00 PM -0400
Sent: Wed, 15 Sep 2021 5:46:06 PM -0400
Subject: FW: Sykes Amended 2
From: Herd, Samantha
To: 'Anh Volmer' <anh@haystaqdna.com>;
Attachments: Sykes Amended2.zip

From: Rowe, Mike <Mike.Rowe@ohiosenate.gov >
Sent: Wednesday, September 15, 2021 5:44 PM
To: Frank Strigari <Frank.Strigari@ohiosenate.gov >; John Barron <john.barron@ohiosenate.gov >; Disantis, Paul <Paul.Disantis@ohiohouse.gov >; Oliveti, Chris <coliveti@OhioSOS.Gov >; Emily Redman <EERedman@ohioauditor.gov >; Grodhaus, Michael <mgrodhaus@OhioSOS.Gov >; Matthew.Donahue@governor.ohio.gov; Alex S. Bilchak <ASBilchak@ohioauditor.gov >; Madrid, Merle <mmadrid@OhioSOS.Gov >
Cc: Herd, Samantha <Samantha.Herd@ohiohouse.gov >
Subject: Sykes Amended 2

Hello all,

Here's our updated maps which include suggestions from Auditor Faber and Secretary of State LaRose. We are open to further suggestions, especially regarding the pairing of rural counties that may affect your members.

Mike Rowe
Chief of Staff
Ohio Senate Minority Caucus
614-466-4371

From: "Routt, Randall" <Randall.Routt@ohiosenate.gov >
Date: Wednesday, September 15, 2021 at 5:38 PM
To: "Rowe, Mike" <Mike.Rowe@ohiosenate.gov >
Subject: Sykes Amended 2

Senate
https://davesredistricting.org/join/109f3f70- 1f74-4489-8dbe-4bb7ec335e05

House
https://davesredistricting.org/join/c5f06443- 6573-416b-82aa-2f5dee235aae

From: "Tierney, Daniel" <Dan.Tierney@governor.ohio.gov>
To: "Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>, "Mccullough, Sean" <Sean.McCullough@governor.ohio.gov>
Cc: "Elkins, Molly" <molly.elkins@governor.ohio.gov>, "Peterson, Lisa" <Lisa.Peterson@governor.ohio.gov>, "Hall, Michael" <Michael.Hall@governor.ohio.gov>
Subject: FW: Records request - redistricting
Date: Fri, 17 Sep 2021 14:42:26 +0000
Importance: Normal
Inline-Images: image001.png

New PRR Below. I have acknowledged receipt.

Dan Tierney

Press Secretary

Office of Ohio Governor Mike DeWine

Office number: 614-466-6242

Mobile number: 614-653-6676

Dan.Tierney@governor.ohio.gov

Confidentiality Notice: This message is intended for use only by the individual or entity to whom or which it is addressed and may contain information that is privileged, confidential and/or otherwise exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify me immediately by telephone.

From: Balmert, Jessie <jbalmert@gannett.com>
Sent: Friday, September 17, 2021 8:37 AM
To: Tierney, Daniel <Dan.Tierney@governor.ohio.gov>
Subject: Records request - redistricting

Good morning,

I hope you get to take some rest after this week. I did want to file one more records request:

I would like to request any text messages or emails from Sept. 8, 2021 to Sept. 16, 2021 between Gov. Mike DeWine and the following:

- Senate President Matt Huffman
- Sen. Vern Sykes
- House Minority Leader Emilia Sykes
- Auditor Keith Faber
- Secretary of State Frank LaRose
- Speaker Bob Cupp
- Chief of Staff Laurel Dawson

Please include any references to "redistricting," "maps," "gerrymandering," "All on the Line," and "Fair Districts Ohio" but given the short time frame, I do not believe it is overly burdensome to provide all communication. Electronic copies are preferred when available.

Please let me know if you have any questions. My cell is 740-973-4536.

Jessie

Jessie Balmert

State government reporter

740-973-4536 | @jbalmert

USA TODAY NETWORK

Akron Beacon Journal | Cincinnati Enquirer | Columbus Dispatch

CAUTION: This is an external email and may not be safe. If the email looks suspicious, please do not click links or open attachments and forward the email to csc@ohio.gov or click the Phish Alert Button if available.

From: "Eck, Joshua" <Josh.Eck@governor.ohio.gov>
To: "Hall, Michael" <Michael.Hall@governor.ohio.gov>
Subject: Fwd: Money for Redistricting Effort
Date: Tue, 22 Dec 2020 15:40:15 +0000
Importance: Normal
Inline-Images: image002.png; image004.jpg; image005.png; image006.png; image007.png; image008.png; image009.jpg; image005(1).png; image010.png; image011.png

---

Would it be prudent for us to set aside a small pot of money someplace that we could use to pay for our own equipment and software license, just in case?

JOSHUA ECK | *Chief of Staff*
Office of Lt. Governor Jon Husted
PHONE: 614.549.2846
EMAIL: Joshua.Eck@Governor.Ohio.gov

Please excuse typos - sent from my iPhone.

Begin forwarded message:

From: "Baker, Dan" <Dan.Baker@obm.ohio.gov>
Date: December 22, 2020 at 9:29:10 AM EST
To: "Eck, Joshua" <Josh.Eck@governor.ohio.gov>
Cc: "Hall, Michael" <Michael.Hall@governor.ohio.gov>
Subject: RE: Money for Redistricting Effort

Josh,

Wanted to close the loop on this. LSC has the contract. Last time it was with Cleveland State, as you mentioned it is OU this time. The currently have $4.8 M available in appropriation and another recommended $1 M in FY'22.

Let me know if have any additional questions.

Dan Baker
Deputy Director
OBM – Budget and Planning
Desk: (614)644-8815

dan.baker@obm.ohio.gov

Rhodes State Office Tower

30 E. Broad St., 34th Floor, Columbus, OH 43215

From: Eck, Joshua <Josh.Eck@governor.ohio.gov>
Sent: Thursday, December 17, 2020 2:27 PM
To: Baker, Dan <Dan.Baker@obm.ohio.gov>
Cc: Hall, Michael <Michael.Hall@governor.ohio.gov>
Subject: RE: Money for Redistricting Effort

Thanks, Dan.

Apparently there was a contract the state used with Ohio University in the last redistricting to help with data overlay. It was apparently with either OBM or LSC. Is that something you guys can check on?

JOSHUA ECK
Chief of Staff
Lt. Governor Jon Husted
phone: 614.644.9570 | **cell:** 614.549.2846
email: Joshua.Eck@Governor.Ohio.gov

From: Baker, Dan <Dan.Baker@obm.ohio.gov>
Sent: Thursday, December 17, 2020 2:16 PM
To: Eck, Joshua <Josh.Eck@governor.ohio.gov>
Cc: Hall, Michael <Michael.Hall@governor.ohio.gov>
Subject: RE: Money for Redistricting Effort

We have a $1,000,000 appropriation for the Legislative Task Force on Redistricting for FY'23 in LSC. They also have an appropriation of $4,837,520 in FY'21. This line has the ability to be reappropriated by LSC.

So at the end of FY'21 they can roll over any balance into FY'22. I do not have an estimate of how much if any they will roll over, but they currently have $5.8 M over the next 7 months for this purpose.

Please let me know if you have any additional question.

Dan Baker

Deputy Director

OBM – Budget and Planning

Desk: (614)644-8815

dan.baker@obm.ohio.gov

Rhodes State Office Tower

30 E. Broad St., 34th Floor, Columbus, OH 43215

From: Eck, Joshua <Josh.Eck@governor.ohio.gov>
Sent: Thursday, December 17, 2020 1:41 PM
To: Baker, Dan <Dan.Baker@obm.ohio.gov>
Cc: Hall, Michael <Michael.Hall@governor.ohio.gov>
Subject: Money for Redistricting Effort

Hey Dan,

I'm sorry, I know we discussed this on our call last week, but I cannot remember what the details were that you gave me. Can you let Michael and I know how funding is laid out for the redistricting effort that will have to take place next year? I know you mentioned that LSC may have some cash they can roll over and that there was another appropriation requested?

Thanks again.

Josh

JOSHUA ECK
Chief of Staff

Lt. Governor Jon Husted
phone: 614.644.9570 | **cell:** 614.549.2846
email: Joshua.Eck@Governor.Ohio.gov

From: "Elkins, Molly" <molly.elkins@governor.ohio.gov>
To: "Hegarty, Katie" <Katie.Hegarty@governor.ohio.gov>, "Eck, Joshua" <Josh.Eck@governor.ohio.gov>, "Dawson, Laurel" <Laurel.Dawson@governor.ohio.gov>, "Hall, Michael" <Michael.Hall@governor.ohio.gov>, "Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>, "Henson, Clayton" <Clayton.Henson@development.ohio.gov>
Cc: "Kelly, Matthew" <Matthew.Kelly@governor.ohio.gov>, "Meade, Lexie" <Lexie.Meade@governor.ohio.gov>
Subject: RE: CALL: Redistricting
Date: Fri, 28 May 2021 16:49:45 +0000
Importance: Normal
Inline-Images: image005.png; image006.jpg; image007.jpg; image008.png; image009.png; image010.png

---

Katie,

See below.

Molly Elkins

Legal Assistant/Extradition Coordinator

77 South High Street, 30th Floor

Columbus, OH 43215

Direct: (614) 644-0872

Fax: (614) 995-1767

molly.elkins@governor.ohio.gov

www.governor.ohio.gov

This message and any response to it may constitute a public record and thus may be publicly available to anyone who requests it.

From: Hegarty, Katie <Katie.Hegarty@governor.ohio.gov>
Sent: Friday, May 28, 2021 12:31 PM
To: Eck, Joshua <Josh.Eck@governor.ohio.gov>; Dawson, Laurel <Laurel.Dawson@governor.ohio.gov>; Hall, Michael <Michael.Hall@governor.ohio.gov>; Donahue, Matthew <Matthew.Donahue@governor.ohio.gov>; Henson, Clayton <Clayton.Henson@development.ohio.gov>

Cc: Kelly, Matthew <Matthew.Kelly@governor.ohio.gov>; Meade, Lexie <Lexie.Meade@governor.ohio.gov>; Elkins, Molly <molly.elkins@governor.ohio.gov>
Subject: CALL: Redistricting

Good Afternoon All,

We would like to schedule a 30 min Teams call as soon as possible next week regarding redistricting.

Please see Josh's availability below:

Tuesday, June 1st: 9:30-10am; 12:30-2pm; 4:30-5pm- Matt is NOT available from 10:00-10:30 other than that he is available.

Wednesday, June 2nd: 9:30-11am - Matt is available.

Please let me know as soon as possible what works with your schedule and I will send out an invite, once we confirm.

Thanks!

Katie

KATIE HEGARTY
Executive Assistant to the Chief of Staff
Central & SW Ohio Regional Liaison
Lt. Governor Jon Husted
office: 614.644.0949 | **cell:** 614.499.4738
email: katie.hegarty@governor.ohio.gov

From: "Gault, James" <James.Gault@governor.ohio.gov>
To: "Peterson, Lisa" <Lisa.Peterson@governor.ohio.gov>, "Hall, Michael" <Michael.Hall@governor.ohio.gov>
Cc: "Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>, "O'Donnell, Ann" <Ann.O'Donnell@governor.ohio.gov>, "Dawson, Laurel" <Laurel.Dawson@governor.ohio.gov>
Subject: RE: Redistricting Commission
Date: Tue, 22 Jun 2021 20:46:12 +0000
Importance: Normal

Makes sense! I'll leave the exact locale up to you, just let me know once its confirmed and I'll make sure the Governor is there 👍

From: Peterson, Lisa <Lisa.Peterson@governor.ohio.gov>
Sent: Tuesday, June 22, 2021 4:44 PM
To: Gault, James <James.Gault@governor.ohio.gov>; Hall, Michael <Michael.Hall@governor.ohio.gov>
Cc: Donahue, Matthew <Matthew.Donahue@governor.ohio.gov>; O'Donnell, Ann <Ann.O'Donnell@governor.ohio.gov>; Dawson, Laurel <Laurel.Dawson@governor.ohio.gov>
Subject: RE: Redistricting Commission

Thanks, James. I think we may need a hearing room to accommodate everyone participating and have chairs for the press and public.

From: Gault, James <James.Gault@governor.ohio.gov>
Sent: Tuesday, June 22, 2021 4:40 PM
To: Peterson, Lisa <Lisa.Peterson@governor.ohio.gov>; Hall, Michael <Michael.Hall@governor.ohio.gov>
Cc: Donahue, Matthew <Matthew.Donahue@governor.ohio.gov>; O'Donnell, Ann <Ann.O'Donnell@governor.ohio.gov>; Dawson, Laurel <Laurel.Dawson@governor.ohio.gov>
Subject: RE: Redistricting Commission

We could do August 2nd, 9am or 2pm in the Statehouse Office. I've added a hold in the calendar until we have confirmation. The morning of August 3rd can be a back-up.

James

From: Peterson, Lisa <Lisa.Peterson@governor.ohio.gov>
Sent: Tuesday, June 22, 2021 1:02 PM
To: Hall, Michael <Michael.Hall@governor.ohio.gov>
Cc: Donahue, Matthew <Matthew.Donahue@governor.ohio.gov>; Gault, James <James.Gault@governor.ohio.gov>; O'Donnell, Ann <Ann.O'Donnell@governor.ohio.gov>; Dawson, Laurel <Laurel.Dawson@governor.ohio.gov>
Subject: Re: Redistricting Commission

A Statehouse location would be good.

Sent from my iPhone

On Jun 22, 2021, at 12:55 PM, Hall, Michael <Michael.Hall@governor.ohio.gov> wrote:

Agree in Columbus. I'm copying Lisa because venue will be driven by press demands too. I assume in the Statehouse or other Cap Square venue.

Michael Hall

Chief of Staff

Ohio Governor Mike DeWine

michael.hall@governor.ohio.gov

w: (614) 629-8201

m: (937) 510-7017

From: Donahue, Matthew <Matthew.Donahue@governor.ohio.gov>
Sent: Tuesday, June 22, 2021 12:54 PM
To: Hall, Michael <Michael.Hall@governor.ohio.gov>; Gault, James <James.Gault@governor.ohio.gov>
Cc: O'Donnell, Ann <Ann.O'Donnell@governor.ohio.gov>; Dawson, Laurel <Laurel.Dawson@governor.ohio.gov>
Subject: RE: Redistricting Commission

Assume at least 90 min and in Columbus late late July might work also

From: Hall, Michael <Michael.Hall@governor.ohio.gov>
Sent: Tuesday, June 22, 2021 12:48 PM
To: Gault, James <James.Gault@governor.ohio.gov>
Cc: Donahue, Matthew <Matthew.Donahue@governor.ohio.gov>; O'Donnell, Ann <Ann.O'Donnell@governor.ohio.gov>; Dawson, Laurel <Laurel.Dawson@governor.ohio.gov>
Subject: Redistricting Commission

James – The Governor needs to call the first meeting of the Commission. We are looking at a target date in very early August. Could you give us a date that would work for the Governor so we can run it by the other elected officials on the commission to determine if they can attend (House and Senate leadership & other statewide elected)? Please copy Matt Donahue on all redistricting related emails as our primary point of contact on 30 for this issue.

Michael Hall

Chief of Staff

Ohio Governor Mike DeWine

michael.hall@governor.ohio.gov

w: (614) 629-8201

m: (937) 510-7017

From: "Gault, James" <James.Gault@governor.ohio.gov>
To: "O'Donnell, Ann" <Ann.O'Donnell@governor.ohio.gov>, "Hall, Michael" <Michael.Hall@governor.ohio.gov>
Cc: "Dawson, Laurel" <Laurel.Dawson@governor.ohio.gov>
Subject: RE: Scheduling Request: Redistricting
Date: Mon, 12 Apr 2021 18:48:03 +0000
Importance: Normal

Will do, just sent an invite out for next Monday.

From: O'Donnell, Ann <Ann.O'Donnell@governor.ohio.gov>
Sent: Monday, April 12, 2021 2:33 PM
To: Gault, James <James.Gault@governor.ohio.gov>; Hall, Michael <Michael.Hall@governor.ohio.gov>
Cc: Dawson, Laurel <Laurel.Dawson@governor.ohio.gov>
Subject: Re: Scheduling Request: Redistricting

Add Dan Tierney too

Sent from my Verizon, Samsung Galaxy smartphone

Get Outlook for Android

From: Hall, Michael <Michael.Hall@governor.ohio.gov>
Sent: Monday, April 12, 2021 2:29:42 PM
To: Gault, James <James.Gault@governor.ohio.gov>
Cc: O'Donnell, Ann <Ann.O'Donnell@governor.ohio.gov>; Dawson, Laurel <Laurel.Dawson@governor.ohio.gov>
Subject: Scheduling Request: Redistricting

James – We need an hour to discuss the redistricting process with the Governor. Does not need to be this week. Next week is fine.

Attendees:

RMD

JAH

Ann

Laurel

Josh

Matt

Lisa

LeeAnne

Clayton Henson (at Development)

Dan

Me

Michael Hall

Director of Policy

Ohio Governor Mike DeWine

michael.hall@governor.ohio.gov

w: (614) 629-8201

m: (937) 510-7017

From: "Tierney, Daniel" <Dan.Tierney@governor.ohio.gov>
To: "Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>, "Hall, Michael" <Michael.Hall@governor.ohio.gov>
Subject: Re: FAIR DISTRICTS OHIO ISSUES STATEMENT ON DEWINE CHOOSING TO ATTEND BENGALS PRACTICE OVER REDISTRICTING HEARINGS
Date: Tue, 24 Aug 2021 01:43:21 +0000
Importance: Normal

What are the meeting times?

Sent from my Sprint Samsung Galaxy S20 Ultra 5G.
Get Outlook for Android

From: Donahue, Matthew <Matthew.Donahue@governor.ohio.gov>
Sent: Monday, August 23, 2021 9:38:55 PM
To: Tierney, Daniel <Dan.Tierney@governor.ohio.gov>; Hall, Michael <Michael.Hall@governor.ohio.gov>
Subject: RE: FAIR DISTRICTS OHIO ISSUES STATEMENT ON DEWINE CHOOSING TO ATTEND BENGALS PRACTICE OVER REDISTRICTING HEARINGS

[redacted]

From: Tierney, Daniel <Dan.Tierney@governor.ohio.gov>
Sent: Monday, August 23, 2021 5:11 PM
To: Hall, Michael <Michael.Hall@governor.ohio.gov>; Donahue, Matthew <Matthew.Donahue@governor.ohio.gov>
Subject: FW: FAIR DISTRICTS OHIO ISSUES STATEMENT ON DEWINE CHOOSING TO ATTEND BENGALS PRACTICE OVER REDISTRICTING HEARINGS

FYI

Dan Tierney

Press Secretary

Office of Ohio Governor Mike DeWine

Office number: 614-466-6242

Mobile number: 614-653-6676

Dan.Tierney@governor.ohio.gov

Confidentiality Notice: This message is intended for use only by the individual or entity to whom or which it is addressed and may contain information that is privileged, confidential and/or otherwise exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify me immediately by telephone.

From: Andrew Tobias <atobias@cleveland.com>
Sent: Monday, August 23, 2021 4:50 PM
To: Tierney, Daniel <Dan.Tierney@governor.ohio.gov>
Subject: FW: FAIR DISTRICTS OHIO ISSUES STATEMENT ON DEWINE CHOOSING TO ATTEND BENGALS PRACTICE OVER REDISTRICTING HEARINGS

Hey Dan, Does the governor have a comment on this? We're considering writing about it.

Thanks,

Andrew

From: Fair Districts Ohio <dennis@precisionnewmedia.ccsend.com> **On Behalf Of** Fair Districts Ohio
Sent: Monday, August 23, 2021 4:45 PM
To: Andrew Tobias <atobias@cleveland.com>
Subject: FAIR DISTRICTS OHIO ISSUES STATEMENT ON DEWINE CHOOSING TO ATTEND BENGALS PRACTICE OVER REDISTRICTING HEARINGS

FOR IMMEDIATE RELEASE

AUG 23, 2021

FAIR DISTRICTS OHIO ISSUES STATEMENT ON DEWINE CHOOSING TO ATTEND BENGALS PRACTICE OVER REDISTRICTING HEARINGS

COLUMBUS - Jen Miller, spokesperson for Fair Districts Ohio and Executive Director of the League of Women Voters of Ohio released the following statement after Gov. Mike DeWine chose to attend Bengals practice over redistricting hearings.

"It's a profound dereliction of duty given that these maps will determine representation for voters for up to a decade. This flies in the face of 2015 and 2018 constitutional ballot initiatives that called for a robust, open, transparent, and bipartisan process that was approved by over 70% of voters across Ohio. The people of Ohio expect and deserve better and they must be heard," said Jen Miller, spokesperson for Fair Districts Ohio and Executive Director of League of Women Voters of Ohio.

For more information:

Jen Miller

Executive Director League of Women Voters of Ohio

(614) 563-9543

director@lwvohio.org

-30-

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From: "Eck, Joshua" <Josh.Eck@governor.ohio.gov>
To: "Hall, Michael" <Michael.Hall@governor.ohio.gov>
Subject: Re: Keep in mind for Redistricting
Date: Sun, 6 Dec 2020 01:47:09 +0000
Importance: Normal

December 8th at 4:30pm. You should have received an invite? If not, I can make sure that is corrected.

JOSHUA ECK | *Chief of Staff*
Office of Lt. Governor Jon Husted
PHONE: 614.549.2846
EMAIL: Joshua.Eck@Governor.Ohio.gov

Please excuse typos - sent from my iPhone.

On Dec 5, 2020, at 8:43 PM, Hall, Michael <Michael.Hall@governor.ohio.gov> wrote:

When is the mtg scheduled?

Michael Hall
Michael.hall@governor.ohio.gov
(614) 629-8201

On Dec 5, 2020, at 12:55 PM, Eck, Joshua <Josh.Eck@governor.ohio.gov> wrote:

JAH sent me the below article this morning. I thought you all may want to read before our redistricting meeting.

Hope you're having a good weekend.

Josh

JOSHUA ECK | *Chief of Staff*
Office of Lt. Governor Jon Husted
PHONE: 614.549.2846
EMAIL: Joshua.Eck@Governor.Ohio.gov

Please excuse typos - sent from my iPhone.

Begin forwarded message:

https://cookpolitical.com/analysis/national/national-politics/density-destiny

Density as Destiny?

There were lots of mixed messages that came out of this election. Pres. Donald Trump's divisive and polarizing style cost him the White House, but his unpopularity didn't doom down-ballot Republicans. Trump's attacks on Joe Biden as a secret supporter of socialism fell flat, but that didn't insulate House Democratic candidates from being portrayed as such. And then, there are the suburbs. They were the linchpin of Biden's victory, but failed to deliver success for House Democrats in states like Texas, Missouri, Ohio or Indiana.

We don't have all the data yet, but it seems as if, once again, density was the dividing line between blue and red suburbs.

In the wake of the 2012 election, Democrats found success in the suburbs nestled next to major metro areas. But, less densely populated suburban areas remained red. David Troy, a software engineer, plotted the results and found that "At about 800 people per square mile, people switch from voting primarily Republican to voting primarily Democratic. Put another way, below 800 people per square mile, there is a 66% chance that you voted Republican. Above 800 people per square mile, there is a 66% chance that you voted Democrat."

In his 2019 paper, "The Suburbanization of the Democratic Party, 1992–2018," Boston College political science professor David Hopkins found a similar density divide. "Democratic suburban growth has been especially concentrated in the nation's largest metropolitan areas, reflecting the combined presence of both relatively liberal whites (across education levels) and substantial minority populations, but suburbs elsewhere remain decidedly, even increasingly, Republican in their collective partisan alignment. Rather than stimulating a broad national pro-Democratic backlash across suburban communities in general, as is sometimes suggested by political observers, the election of Donald Trump has instead further magnified this existing divergence—leaving American suburbia, like the nation itself, closely and deeply divided between the two major parties."

So, what did the density divide look like this year?

An excellent first draft analysis of the (still incomplete) county data by Bloomberg/City Lab found the tipping point to be 700 people per square mile. "Most of the red counties have densities of fewer than 500 people per square mile.

Most of the purple counties are clustered at densities of between 400 and 1,500 people per square mile. And the blue counties are those above 1,500 people per square mile. While there are notable exceptions to this pattern, the basic trend suggests the dominant role suburban density plays in American political life."

To me, the most interesting takeaway from this analysis was the designation of 'purple counties' — those counties that are more exurban than suburban. In fast-growing swing states like Texas, North Carolina and Georgia, how these areas vote will determine which party wins those states in the future.

To check how those 'purple counties' performed this year, I checked in on six of them. In North Carolina, I looked at Alamance County, which is wedged in the fast-growing Research Triangle between Greensboro and Durham, and Cabarrus County, located northeast of Charlotte. In Georgia, I looked at two exurban counties north of Atlanta — Forsyth and Cherokee. In Texas, it was Denton and Collin Counties — the northern exurbs of the ever-sprawling Dallas-Ft. Worth Metroplex.

All of these counties were deep red in 2012 and 2016. However, this year, while Trump carried every one of them, it was by a lower margin than he saw just four years earlier.

For example, in 2016, Trump carried Cabarrus County (population density 599 people per square mile) by 20-points (58-38 percent). This year, he won it by just 9 points (54-45 percent). In smaller Alamance County (400 ppl/square mile), Trump's margin narrowed by 5 points (from +13 to +8).

Everything is bigger in Texas, even the vote swings. In 2012, Mitt Romney carried Denton (Flower Mound) and Collin (Plano) by just over 30 points. This year, Trump took Collin by just 4 points (51-47 percent) and Denton by 8 points (53-45 percent). Both counties are hovering close to the 1,500 people/square mile density that Bloomberg/City Lab identified when a county turns blue.

In Georgia, the exurbs are getting less red, but they aren't purple. Trump carried Cherokee County by 40 points (69 percent to 29 percent). Even so, it's a 10-point drop from Trump's 73-23 percent showing four years earlier. In Forsyth — the fastest

growing county in the state — the GOP margin has shrunk 29 points since 2012 (from +63 to +34).

GOP Margin Shifts in 'Purple Counties'

This Democratic headway into fast-growing exurbs represents a serious threat to the GOP grip on these sunbelt states. As Dante Chinni, a political analyst for the Wall Street Journal and NBC and expert on the geographic distribution of the vote, argued in his recent analysis of the 2020 election: "Republican candidates need big margins out of those exurb counties to help offset the Democrats big wins in the urban suburbs and big cities." And, as we've seen in states like Virginia, once these exurbs start to turn blue, they don't turn back. Northern Virginia's Loudoun County flipped red to blue in 2008, with Obama carrying this county by 8 points. In 2020, Biden carried the once rural county by 25 points.

But, we also know that Virginia has behaved much differently than its neighbors to the south. There are many reasons for this, but one big difference between Virginia and other sunbelt/southern states is that the state as a whole and its northern suburbs have a more highly educated population. For example, 38 percent of Virginia residents have a college degree, compared to just 31 percent in Georgia and North Carolina, and 29 percent in Texas. Loudoun County, Virginia has twice as many college graduates as Cabarrus County in exurban Charlotte (60 percent to 31 percent).

We do know that these suburbs were moving in the Democrats' direction pre-Trump. What we don't know is if the pace of that realignment will continue to be as significant when Trump is no longer in the White House.

CAUTION: This is an external email and may not be safe. If the email looks suspicious, please do not click links or open attachments and forward the email to csc@ohio.gov or click the Phish Alert Button if available.

From: "Eck, Joshua" <Josh.Eck@governor.ohio.gov>
To: "Baker, Dan" <Dan.Baker@obm.ohio.gov>
Cc: "Hall, Michael" <Michael.Hall@governor.ohio.gov>
Subject: Re: Money for Redistricting Effort
Date: Tue, 22 Dec 2020 15:39:20 +0000
Importance: Normal
Inline-Images: image004.jpg; image005.png; image006.png; image007.png; image008.png; image009.jpg; image010.png; image011.png; image002.png

---

Great, thanks, Dan!

JOSHUA ECK | *Chief of Staff*
Office of Lt. Governor Jon Husted
PHONE: 614.549.2846
EMAIL: Joshua.Eck@Governor.Ohio.gov

Please excuse typos - sent from my iPhone.

On Dec 22, 2020, at 9:29 AM, Baker, Dan <Dan.Baker@obm.ohio.gov> wrote:

Josh,

Wanted to close the loop on this. LSC has the contract. Last time it was with Cleveland State, as you mentioned it is OU this time. The currently have $4.8 M available in appropriation and another recommended $1 M in FY'22.

Let me know if have any additional questions.

<image002.png>

Dan Baker

Deputy Director

OBM – Budget and Planning

Desk: (614)644-8815

dan.baker@obm.ohio.gov

Rhodes State Office Tower

30 E. Broad St., 34th Floor, Columbus, OH 43215

From: Eck, Joshua <Josh.Eck@governor.ohio.gov>
Sent: Thursday, December 17, 2020 2:27 PM
To: Baker, Dan <Dan.Baker@obm.ohio.gov>
Cc: Hall, Michael <Michael.Hall@governor.ohio.gov>
Subject: RE: Money for Redistricting Effort

Thanks, Dan.

Apparently there was a contract the state used with Ohio University in the last redistricting to help with data overlay. It was apparently with either OBM or LSC. Is that something you guys can check on?

<image004.jpg>

JOSHUA ECK
Chief of Staff
Lt. Governor Jon Husted
phone: 614.644.9570 | **cell:** 614.549.2846
email: Joshua.Eck@Governor.Ohio.gov

<image005.png>

<image006.png>

<image007.png>

From: Baker, Dan <Dan.Baker@obm.ohio.gov>
Sent: Thursday, December 17, 2020 2:16 PM
To: Eck, Joshua <Josh.Eck@governor.ohio.gov>
Cc: Hall, Michael <Michael.Hall@governor.ohio.gov>
Subject: RE: Money for Redistricting Effort

We have a $1,000,000 appropriation for the Legislative Task Force on Redistricting for FY'23 in LSC. They also have an appropriation of $4,837,520 in FY'21. This line has the ability to be reappropriated by LSC.

So at the end of FY'21 they can roll over any balance into FY'22. I do not have an estimate of how much if any they will roll over, but they currently have $5.8 M over the next 7 months for this purpose.

Please let me know if you have any additional question.

<image008.png>

Dan Baker

Deputy Director

OBM – Budget and Planning

Desk: (614)644-8815

dan.baker@obm.ohio.gov

Rhodes State Office Tower

30 E. Broad St., 34th Floor, Columbus, OH 43215

From: Eck, Joshua <Josh.Eck@governor.ohio.gov>
Sent: Thursday, December 17, 2020 1:41 PM
To: Baker, Dan <Dan.Baker@obm.ohio.gov>
Cc: Hall, Michael <Michael.Hall@governor.ohio.gov>
Subject: Money for Redistricting Effort

Hey Dan,

I'm sorry, I know we discussed this on our call last week, but I cannot remember what the details were that you gave me. Can you let Michael and I know how funding is laid out for the redistricting effort that will have to take place next year? I know you mentioned that LSC may have some cash they can roll over and that there was another appropriation requested?

Thanks again.

Josh

<image009.jpg>

JOSHUA ECK
Chief of Staff
Lt. Governor Jon Husted
phone: 614.644.9570 | **cell:** 614.549.2846

email: Joshua.Eck@Governor.Ohio.gov

<image005.png>

<image010.png>

<image011.png>

From: "Dawson, Laurel" <Laurel.Dawson@governor.ohio.gov>
To: "Hall, Michael" <Michael.Hall@governor.ohio.gov>
Subject: Re: Yost Census
Date: Wed, 26 May 2021 13:16:29 +0000
Importance: Normal

Depends what team i have behind me. Would consider. I will talk to Matt Donahue in your absence

Sent from my iPhone

On May 25, 2021, at 10:52 PM, Hall, Michael <Michael.Hall@governor.ohio.gov> wrote:

Laurel – The drum beat will start for the Governor to call a commission meeting. I don't think I can be the lead staffer on 30 in my new role. Is this something you can be in your new role as figure head to take the incoming? We should consider making our announcement soon whoever we put in that role.

Yost, Census Bureau Reach Agreement to Release Redistricting Data in August

Attorney General Dave Yost Tuesday announced he reached a settlement in his lawsuit against the U.S. Census Bureau over the release of the population data needed for Ohio's upcoming redistricting process, with the bureau agreeing to release the data no later than Aug. 16.

Yost had filed a federal lawsuit to compel the Census Bureau to release the decennial census block data used to draw new congressional and General Assembly lines after the bureau announced the data would be delayed because of the COVID-19 pandemic, and could come as late as the end of September. A district court ruled Yost did not have standing to sue and that the court lacked jurisdiction, but the U.S. Sixth Circuit Court of Appeals reversed the lower court, saying Ohio could sue over the delay. (See *The Hannah Report*, 3/24/21, 5/18/21.)

This week, Yost and the Census Bureau filed a joint motion with the district court asking the case to be held in abeyance. Under the terms of the agreement, the Census Bureau agreed to provide Ohio with the redistricting data in a legacy format no later than Aug. 16, 2021, and will provide the court with biweekly updates regarding whether it still anticipates providing the data to Ohio by that date. Ohio will agree to dismiss the case if the bureau follows through with its promise to provide the data by Aug. 16.

"This administration tried to drag its feet and bog this down in court, but Ohio always had the law on its side and now the federal government has finally agreed," Yost said. "It's time to cough up the data."

Yost's office noted federal law requires the Census Bureau to give all states their census data by March 31.

"Before Ohio filed, the bureau insisted that it could not provide accurate, usable data before September. Because of our suit, the bureau found a way," Yost said.

A copy of the joint motion to hold the case in abeyance can be found at www.hannah.com >Important Documents and Notices>Library.

Story originally published in *The Hannah Report* on May 25, 2021. Copyright 2021 Hannah News Service, Inc.

Michael Hall

Chief of Staff

Ohio Governor Mike DeWine

michael.hall@governor.ohio.gov

w: (614) 629-8201

m: (937) 510-7017

From: "Ann O'Donnell" <ann.odonnell@gmail.com>
To: James Gault <james.gault@governor.ohio.gov>, Matt Donahue <matthew.donahue@governor.ohio.gov>, "Hall, Michael" <Michael.Hall@governor.ohio.gov>
Subject: Redistricting meetings
Date: Wed, 8 Sep 2021 09:48:12 -0400
Importance: Normal

I am confused....Please clarify again RMD's required participation in meetings coming up....We have 10 and 2pm tomorrow....then what after that?

And how long do we block for each meeting? An hour?

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From: "Dawson, Laurel" <Laurel.Dawson@governor.ohio.gov>
To: "Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>, Dan McCarthy <mccarthy4355@gmail.com>, "Hall, Michael" <Michael.Hall@governor.ohio.gov>, "JonAHusted@gmail.com" <jonahusted@gmail.com>, "Eck, Joshua" <Josh.Eck@governor.ohio.gov>
Cc: "Kelly, Matthew" <Matthew.Kelly@governor.ohio.gov>
Subject: Redistricting
Date: Thu, 18 Feb 2021 18:57:57 +0000
Importance: Normal
Inline-Images: image001.png; image002.png

All, Matt Donahue and I think it might be good idea to schedule a short meeting every 10 days or so to round up about re-districting. I talked to SOS COS yesterday who confirmed that Census data won't be coming out until Sept 30. LMK what you think about this idea. Thanks.

Laurel Dawson

Chief of Staff

Governor Mike DeWine

(614) 204-5290

Assistant (Matt Kelly 330-209-4829)

Laurel.Dawson@governor.ohio.gov

This message and any response to it may constitute a public record and thus may be publicly available to anyone who requests it.

Representative Emilia Strong Sykes
Ohio House District 34
Minority Leader

September 3, 2021

Speaker Bob Cupp
Ohio House of Representatives
77 S. High Street
Columbus OH 43215

Dear Co-chairman Cupp,

The people of Ohio overwhelmingly told us twice that they wanted a new districting process that respects their input, produces fair maps for their communities and our state, and follows a predictable timeline. For that reason, I am writing you to ask that you share with all commissioners the map that you said at our last meeting that your staff were developing for the Ohio Redistricting Commission (the Commission).

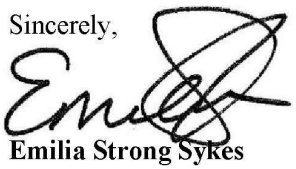
The Commission is now two days past the September 1 constitutional deadline established for us by the people for releasing a plan. Every day that the Commission flouts the Ohio Constitution, the Commission's legitimacy is undermined and the people are disrespected. This deadline is no minor detail. It is what ensures time for the public to analyze the Commission's plans and for us to hold robust hearings to publicly vet them and finalize them.

We are a nation of laws, not men. As you know well, the rule of law means none of us are above the law. In fact, we have a higher duty to follow the law from our positions of public trust. Article 11, Section 1(C) of the Ohio Constitution, reads in part, "The commission shall release to the public a proposed general assembly district plan for the boundaries for each of the ninety-nine house of representatives districts and the thirty-three senate districts." The Commission needs to act fast to follow the constitution by releasing a district plan for the General Assembly and holding accessible hearings to gather meaningful input from the people. It is the people's right.

The urgent priority right now is to stop the ongoing constitutional violation of the Commission not providing a General Assembly map for public comment and eventual approval. I stand ready to work with you and the other commissioners to fulfill our constitutional duties.

Thank you for your quick attention to this matter.

Sincerely,



Emilia Strong Sykes
House Minority Leader
District 34

cc:
Co-chairman Vernon Sykes
Senate President Matt Huffman
Governor Mike DeWine
Auditor of State Keith Faber
Secretary of State Frank LaRose

From: "Dawson, Laurel" <Laurel.Dawson@governor.ohio.gov>
To: "Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>
Subject: Fwd: Correspondence - U.S. Department of Commerce
Date: Sat, 21 Aug 2021 00:38:02 +0000
Importance: Normal
Attachments: Hon._Mike_DeWine.pdf

Sent from my iPhone

Begin forwarded message:

From: "Paolino, Joseph (Federal)" <JPaolino@doc.gov>
Date: August 20, 2021 at 11:49:23 AM EDT
To: "Dawson, Laurel" <Laurel.Dawson@governor.ohio.gov>
Subject: Correspondence - U.S. Department of Commerce

Hi Laurel,

I hope you're well. Please see the attached correspondence from U.S. Secretary of Commerce Gina Raimondo to Governor DeWine regarding his inquiry on the Census and redistricting.

Best Regards,
Joey Paolino

Joey Paolino
Special Assistant
Legislative & Intergovernmental Affairs
202-286-6282
JPaolino@DOC.gov

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UNITED STATES DEPARTMENT OF COMMERCE
Secretary of Commerce
Washington, D.C. 20230

August 19, 2021

The Honorable Mike DeWine
Governor of Ohio
Columbus, OH 43215-6117

Dear Governor DeWine:

Thank you for your letter regarding the delay in the release of redistricting data. The U.S. Census Bureau seeks to ensure that it provides accurate, fit-for-use data to be used in the redistricting process.

Even under ideal circumstances, conducting a census is an enormous undertaking that involves thousands of people and dozens of operations and systems – all with the goal of counting everyone living in the United States once, only once, and in the right place. The year 2020 was not ideal with a historic pandemic and an unusually active hurricane season, requiring the Census Bureau to adapt to be able to complete the count. Data processing was delayed because data collection was delayed.

I am pleased to inform you that the data has now been released. On April 26, 2021, we published the apportionment population counts, and on August 12, 2021, we released the 2020 Census Redistricting Data (Public Law [P.L.] 94-171) Summary Files. These are the first detailed results from the 2020 Census that include demographic characteristics and population counts for numerous areas. Among many other uses, states may use the redistricting data on race, Hispanic origin, and the voting-age population to redraw the boundaries of their congressional and state legislative districts. These legacy format summary files provide the block-level data that you had been requesting and are the same data as the redistricting data that will be delivered in September to state officials on DVDs and flash drives. These legacy format summary files do require some additional handling to extract the tables that data users find familiar. Based on our discussions with several states and major redistricting software vendors as well as nonprofit organizations supporting redistricting and other redistricting experts, all states should have the capability to work with these files. We have additionally published several tools to assist states in understanding this legacy format and have provided a practice dataset with which they can familiarize themselves.

Thank you again for your inquiry and your continued support for the 2020 Census. Should you have any questions, please contact Angel Colón-Rivera, Chief of the Census Bureau's Office of Congressional and Intergovernmental Affairs, at (301) 763-6100 or cao@census.gov.

Sincerely,

Gina M. Raimondo

From: "Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>
To: "Crooks, Aaron" <Aaron.Crooks@governor.ohio.gov>, "Hall, Michael" <Michael.Hall@governor.ohio.gov>, "Danish, John" <John.Danish@governor.ohio.gov>
Subject: Fwd: Proposed Ohio Redistricting Commission Regional Hearing Schedule
Date: Wed, 04 Aug 2021 18:34:24 -0000
Importance: Normal
Attachments: 2021_Ohio_Redistricting_Commission_-_proposed_regional_hearing_schedule.pdf.docx

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Sent from my iPhone

Begin forwarded message:

From: Heather.Blessing@ohiohouse.gov
Date: August 4, 2021 at 1:52:35 PM EDT
To: "Herd, Samantha" <SAMANTHA.HERD@ohiohouse.gov>, "Cherry, Sarah" <Sarah.Cherry@ohiohouse.gov>, "Rowe, Michael" <MIKE.ROWE@ohiosenate.gov>, Scott.Stockman@ohiosenate.gov, "Morrison, Christine" <Christine.Morrison@ohiohouse.gov>, john.barron@ohiosenate.gov, "Strigari, Francis" <FRANK.STRIGARI@ohiosenate.gov>, "Madrid, Merle" <mmadrid@ohiosos.gov>, "Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>, "Disantis, Paul" <PAUL.DISANTIS@ohiohouse.gov>, "Bilchak, Alex" <ASBilchak@ohioauditor.gov>
Cc: David.Reedy@ohiosenate.gov
Subject: Proposed Ohio Redistricting Commission Regional Hearing Schedule

All:

In follow-up to a conversation the legislative leaders had last week, we put together a proposed schedule (below and attached) of public hearings for the Ohio Redistricting Commission and have made initial inquiries to potential host sites. Please let us know if you have any questions or suggestions.

Sincerely,

Heather Blessing (614.466.9194; heather.blessing@ohiohouse.gov)
David Reedy (614.466.8047; david.reedy@ohiosenate.gov)

2021 Ohio Redistricting Commission - Proposed Regional Hearing Schedule

Monday, August 23, 2021		
10:00AM – 12:00PM	Cleveland	Cleveland State University 2121 Euclid Avenue Cleveland, Ohio 44115
2:00PM – 4:00PM	Youngstown	Youngstown State University 1 University Plaza Youngstown, Ohio 44555-0002

Tuesday, August 24, 2021		
10:00AM – 12:00PM	Dayton	Wright State University 3640 Colonel Glenn Highway Dayton, OH 45435
2:00PM – 4:00PM	Cincinnati	University of Cincinnati 2600 Clifton Avenue Cincinnati, Ohio 45221
Wednesday, August 25, 2021		
10:00AM – 12:00PM	Zanesville	Ohio University – Zanesville 1425 Newark Road Zanesville, OH 43701
3:00PM – 5:00PM	Rio Grande	Rio Grande Community College 218 N. College Ave, Rio Grande, OH 45674
Thursday, August 26, 2021		
10:00AM – 12:00PM	Lima	Ohio State University – Lima 4240 Campus Drive Lima, Ohio 45804
2:00PM – 4:00PM	Toledo	University of Toledo 2801 Bancroft Street Toledo, Ohio 43606

***

Heather N. Blessing, Esq.
Deputy Chief Legal Counsel, Office of the Speaker
Ohio House of Representatives
77 S. High Street Columbus,
14th Floor, Ohio 43215
Office: 614.466.9194
Mobile: 614.352.5819
Heather.Blessing@ohiohouse.gov

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2021 OHIO REDISTRICTING COMMISSION
PROPOSED REGIONAL HEARING SCHEDULE

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10:00AM – 12:00PM	Lima	Ohio State University – Lima 4240 Campus Drive Lima, Ohio 45804
2:00PM – 4:00PM	Toledo	University of Toledo 2801 Bancroft Street Toledo, Ohio 43606

From: "Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>
To: "Hall, Michael" <Michael.Hall@governor.ohio.gov>, "Crooks, Aaron" <Aaron.Crooks@governor.ohio.gov>
Subject: Fwd: Proposed Rules for Thursday
Date: Tue, 24 Aug 2021 18:35:13 -0000
Importance: Normal
Attachments: 2021_Redistricting_Commission_Rules_-_Draft.docx

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Sent from my iPhone

Begin forwarded message:

From: "Strigari, Frank" <Frank.Strigari@ohiosenate.gov>
Date: August 24, 2021 at 11:47:40 AM EDT
To: "Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>, "Madrid, Merle" <mmadrid@ohiosos.gov>, "Bilchak, Alex" <ASBilchak@ohioauditor.gov>
Cc: "Disantis, Paul" <PAUL.DISANTIS@ohiohouse.gov>
Subject: Proposed Rules for Thursday

All,

As a follow up from last week, attached are the draft rules that we are hoping to adopt on Thursday at the Lima meeting. We are sending them to you now so that your offices have time to review them before Thursday.

As I mentioned, the House and Senate democratic caucuses have been advocating for adopting the Commission's rules on Thursday. We believe the attached rules should enable us to do that, on a bipartisan basis.

Please note, however, there appears to be 1 issue in the attached draft that is not completely resolved yet; specifically, the 2nd paragraph in Rule 10. Staff for the senate democratic caucus has requested that the rule require 3 public hearings to be held **prior to September 1**. As I have discussed again with them, because of the 4+ month delay in receiving the census data, having a map introduced, considered at 3 public hearings and voted on by September 1 is not realistically possible.

Consequently, we are proposing instead that there be 3 public hearings (the Constitution only requires 1) **prior to adoption on September 15**. Paul and I believe that this idea is much more realistic and doable. And from what Paul has told me, staff for the House democratic caucus agree. Thus, if the Senate democratic caucus can agree to this, the Rules should be ready to go on Thursday.

In the meantime, we wanted your offices to see the latest draft as soon as possible.

Please contact us if you have any questions or concerns about the attached rules.

Frank

FRANK M. STRIGARI

Chief Legal Counsel
Ohio Senate
Statehouse, 1 Capitol Square
Columbus, Ohio 43215
(614) 995-4868
Frank.Strigari@ohiosenate.gov

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Rule 01 | Establishing authority.

(A) Article XI, Section 1 of the Ohio Constitution creates the Ohio Redistricting Commission, which is comprised of seven persons who are responsible for the redistricting of the State of Ohio for the general assembly, and, if necessary, for congress. Such persons, collectively, shall be referred to in these rules as "Members" and, individually, as "Member."

(B) These rules are adopted in compliance with, and under the authority of, Article XI, Section 1 of the Ohio Constitution.

(C) The rules stated herein, as supplemented by Robert's Rules of Order, shall be the procedural rules for the operation of the Ohio Redistricting Commission.

Rule 02 | Notices of meetings and hearings.

(A) Any person may ascertain the time and place of all regularly scheduled meetings, the time, place, and purpose of all specially scheduled meetings, and the time and place of public hearings of the Ohio Redistricting Commission through one of the following methods:

(1) Consulting the website of the Ohio Redistricting Commission at:

www.redistricting.ohio.gov

(2) Consulting the public bulletin boards located outside of the chambers of the Ohio House of Representatives and the Ohio Senate on the second floor of the Ohio Statehouse, Columbus, Ohio 43215.

(3) Requesting electronic notice of all meetings of the Ohio Redistricting Commission. The Co-Chairs' designated staff shall jointly maintain a list of all persons who have requested such notification. A request for such notification shall:

(a) Contain the name of the person making the request and an email address to which electronic notice should be sent;

(b) Be sent in writing either:

(i) By mail to:

Ohio Redistricting Commission
c/o Clerk of the Ohio Senate
Ohio Statehouse
Columbus, Ohio 43215

(ii) Or, by electronic mail to: meetings@redistricting.ohio.gov

(c) Be received forty-eight hours prior to any regularly scheduled meeting, specially scheduled meeting, or public hearing.

(C) In the event of a regularly scheduled meeting, specially scheduled meeting not of an emergency nature, or public hearing, the Co-Chairs' designated staff shall provide notice of such meeting or hearing by providing the notice described in paragraph (A)(1), (A)(2), or (A)(3) of this rule not later than twenty-four hours prior to the meeting or hearing. In the event of a special meeting of an emergency nature, the Co-Chairs' designated staff shall provide notice of such meeting by providing the notice described in paragraph (A)(1), (A)(2), or (A)(3) of this rule. In such event, however, the notice need not be given twenty-four hours prior to the meeting, but shall be given immediately upon the scheduling of such meeting.

Rule 03 | Open meetings.

All meetings and public hearings of the Ohio Redistricting Commission shall be held in accordance with the Sunshine Law, section 121.22 of the Revised Code, as amended. All meetings and public hearings of the Ohio Redistricting Commission shall be broadcast by electronic means of transmission using a medium readily accessible by the general public.

Rule 04 | Officers; participation of members; minutes.

(A) The Ohio Redistricting Commission shall have two Co-Chairs selected by the legislative leaders in the Senate and the House of Representatives of each of the two largest political parties represented in the general assembly, acting jointly by political party to serve.

(B) Each member of the Ohio Redistricting Commission shall be entitled to participate in all voting and debates, regardless of position held on the Commission.

(C) Minutes of each meeting of the Ohio Redistricting Commission shall be maintained by the Co-Chairs' designated staff. Such minutes shall be circulated among the members and adopted by majority vote at a subsequent meeting of the Ohio Redistricting Commission. Transcripts of meetings of the Ohio Redistricting Commission shall be provided upon request and completion and verification through the Ohio Government Telecommunications Service.

Rule 05 | Calling of meetings.

After the initial meeting of the Ohio Redistricting Commission, at which the Commission is convened, a meeting of the Commission may be called upon twenty-four hours notice. Such call and notice to each member of the Ohio Redistricting Commission shall be issued jointly by the Co-Chairs, or may be dispensed with if a motion to recess a meeting designates a time certain for continuation of that meeting. However, a meeting may be jointly called by the Co-Chairs, upon proper notice, prior to a previously designated meeting, should the Co-Chairs deem it necessary.

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Rule 06 | Quorum.

A majority of the seven members of the Ohio Redistricting Commission constitutes a quorum. A majority of the Ohio Redistricting Commission is required for any official actions of the Commission, including but not limited to the adoption of a plan of redistricting. All motions before the Ohio Redistricting Commission shall be determined by majority vote and in accordance with Article XI of the Ohio Constitution, and, if necessary, Article XIX of the Ohio Constitution. Members of the Ohio Redistricting Commission or their designees may, from time to time, conduct public hearings referred to in Rule 08, absent a quorum of members.

Rule 07 | Records retention and public records policies.

(A) Pursuant to section 149.34 of the Revised Code, the Ohio Redistricting Commission shall adopt the Ohio department of administrative services general records retention schedules for general administration records, personnel records, fiscal records, and information technology records.

(B) Pursuant to division (E) of section of 149.43 of the Revised Code, the Ohio Redistricting Commission shall adopt a public records policy.

Rule 08 | Public hearings.

The Co-Chairs' designated staff shall organize a series of public hearings in locations around the State of Ohio for the Ohio Redistricting Commission's members or their designees to receive public comment and input on the redistricting process. The Co-Chairs' designated staff shall notify the members of the Ohio Redistricting Commission or their designees of the time, date, and location of each public hearing in the manner prescribed in paragraph (A)(1), (A)(2), or (A)(3) of Rule 02 and in no event less than twenty-four hours prior to each public hearing.

The Co-Chairs of the Ohio Redistricting Commission, or their designees, shall preside over these public hearings. Members of the Ohio Redistricting Commission need not be present at these public hearings. Each member of the Ohio Redistricting Commission may designate an individual(s) to represent the member at any or all of these public hearings. Any individual so designated to represent a member of the Ohio Redistricting Commission shall have no voting rights. No official business or action of the Ohio Redistricting Commission shall take place at the public hearings referred to in this rule, except for the receiving of public comment and input or adopting procedural rules for the operation of the Commission; provided that, the Co-Chairs must provide at least twenty-four hours written notice to the Commission members for there to be a vote on adopting procedural rules for the operation of the Commission.

Rule 09 | Redistricting plans.

Any member of the Ohio Redistricting Commission, person, or organization may submit for the consideration of the Commission a proposed general assembly district plan. Any member of the Ohio Redistricting Commission, person or organization may submit for the consideration of the

GOV_000316

Commission a congressional redistricting plan, following the expiration of the September 30, 2021 deadline in Article XIX, Section 1 of the Ohio Constitution.

Redistricting plans submitted to the Ohio Redistricting Commission for consideration should contain visual representations of the proposed boundaries. The Ohio Redistricting Commission's website shall give any person or organization access to necessary Census data.

Redistricting plans submitted by the public to the Ohio Redistricting Commission for consideration shall be submitted on the Commission's website at:

www.redistricting.ohio.gov

or by mailing to:

Ohio Redistricting Commission
c/o Clerk of the Ohio Senate
Ohio Statehouse
Columbus, Ohio 43215

Upon receipt, the Co-Chairs' designated staff shall promptly provide electronic notification of a submitted plan to all the members of the Ohio Redistricting Commission, and cause each submitted plan to be posted on the Commission's website for the public to view.

Rule 10 | Consideration of redistricting plans; adoption of plan.

The Ohio Redistricting Commission shall reconvene during the week of August 29, 2021, to consider the various plans submitted to the Commission and shall meet on or before September 1, 2021, to adopt a general assembly district plan.

If no general assembly district plan is adopted on or before September 1, 2021, as contemplated in Article XI, Section 1 of the Ohio Constitution, at least three public hearings shall be held prior to the September 15, 2021 deadline, but subsequent to the September 1, 2021 meeting. Following the public hearings, the Ohio Redistricting Commission shall reconvene the week of September 12, 2021 to adopt a final general assembly district plan.

If necessary, the Ohio Redistricting Commission shall convene no later than the week of October 24, 2021 for purposes of adopting a congressional redistricting plan under Oh. Const. Art. XIX.

During the meeting or meetings of the commission, a sponsor of a plan may personally or through a representative present the substance of their plan to the members of the Redistricting Commission for a period not to exceed ten minutes, unless extended by a majority of the commission. The public may offer testimony or comment not to exceed five minutes on any redistricting plan before the commission, unless extended by a majority of the commission. The co-chairs of the Ohio Redistricting Commission may limit testimony or comments on plans before the Commission, as the Co-Chairs deem necessary.

Any person wishing to testify on a given plan must provide written notice to the Co-Chairs' designated staff prior to the meeting scheduled to consider the various plans submitted.

Members of the Ohio Redistricting Commission may ask questions of any person testifying on the various redistricting plans before the Commission during the meeting scheduled to consider these plans. Members of the Ohio Redistricting Commission may request testimony from experts during this meeting.

Only members of the Ohio Redistricting Commission may offer amendments to a general assembly district plan or, if necessary, a congressional district plan.

The Co-Chairs of the Ohio Redistricting Commission may offer amendments on behalf of those persons sponsoring redistricting plans who are not members of the Commission.

Rule 11 | Publication of redistricting plan.

After a final general assembly district plan is adopted by the Ohio Redistricting Commission in accordance with Article XI of the Ohio Constitution, the Co-Chairs of the Commission shall coordinate with the Governor for the publication of the adopted plan no later than September 30, 2021. The first publication of the plan shall be made electronically on the Ohio Redistricting Commission's website and in its entirety in at least four Ohio newspapers that are geographically diverse, and may be made in a preprinted insert. The second publication shall be made in abbreviated form in those newspapers pursuant to section 7.16 of the Revised Code. No further newspaper publications are required if the second, abbreviated notice meets the requirements of section 7.16 of the Revised Code.

If the Ohio Redistricting Commission adopts a congressional district plan in accordance with Article XIX of the Ohio Constitution, the Co-Chairs of the Commission shall publish the plan no later than November 15, 2021. The first publication of the plan shall be made electronically on the Ohio Redistricting Commission's website and in its entirety in at least four Ohio newspapers that are geographically diverse, and may be made in a preprinted insert. The second publication shall be made in abbreviated form in those newspapers pursuant to section 7.16 of the Revised Code. No further newspaper publications are required if the second, abbreviated notice meets the requirements of section 7.16 of the Revised Code

Rule 12 | Reconvening the Redistricting Commission.

Should further action be necessary pursuant to either Article XI, Section 9 or Article XIX, Section 3 of the Ohio Constitution, the Ohio Redistricting Commission shall reconvene at the joint request of the Co-Chairs subject to this chapter.

GOV_000318

From: "Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>
To: "Murry, Daniel" <Daniel.Murry@governor.ohio.gov>, "Ackman, Sarah" <Sarah.Ackman@governor.ohio.gov>, "Crooks, Aaron" <Aaron.Crooks@governor.ohio.gov>, "Hall, Michael" <Michael.Hall@governor.ohio.gov>
Subject: Fwd: new version of rules
Date: Wed, 25 Aug 2021 17:42:59 -0000
Importance: Normal
Attachments: 2021_Redistricting_Commission_Rules_-_Version_6.docx

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Sent from my iPhone

Begin forwarded message:

From: Paul.Disantis@ohiohouse.gov
Date: August 25, 2021 at 1:03:53 PM EDT
To: "Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>
Subject: new version of rules

Please review and let me know if you have any edits or suggestions.

Thanks,

Paul

Paul V Disantis
Chief Legal Counsel
Ohio House of Representatives
77 South High Street, 14th Floor
Columbus, OH 43215
614.466.7959

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Ohio Redistricting Commission
c/o Clerk of the Ohio Senate
Ohio Statehouse
Columbus, Ohio 43215

(ii) Or, by electronic mail to: meetings@redistricting.ohio.gov

GOV_000325

(c) Be received forty-eight hours prior to any regularly scheduled meeting, specially scheduled meeting, or public hearing.

(C) In the event of a regularly scheduled meeting, specially scheduled meeting not of an emergency nature, or public hearing, the Co-Chairs' designated staff shall provide notice of such meeting or hearing by providing the notice described in paragraph (A)(1), (A)(2), or (A)(3) of this rule not later than twenty-four hours prior to the meeting or hearing. In the event of a special meeting of an emergency nature, the Co-Chairs' designated staff shall provide notice of such meeting by providing the notice described in paragraph (A)(1), (A)(2), or (A)(3) of this rule. In such event, however, the notice need not be given twenty-four hours prior to the meeting, but shall be given immediately upon the scheduling of such meeting.

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(C) Minutes of each meeting of the Ohio Redistricting Commission shall be maintained by the Co-Chairs' designated staff. Such minutes shall be circulated among the members and adopted by majority vote at a subsequent meeting of the Ohio Redistricting Commission. Transcripts and archived video of meetings of the Ohio Redistricting Commission shall be provided upon request and completion and verification through the Ohio Government Telecommunications Service.

Rule 05 | Calling of meetings.

After the initial meeting of the Ohio Redistricting Commission, at which the Commission is convened, a meeting of the Commission may be called upon twenty-four hours notice. Such call and notice to each member of the Ohio Redistricting Commission shall be issued jointly by the Co-Chairs, or may be dispensed with if a motion to recess a meeting designates a time certain for continuation of that meeting. However, a meeting may be jointly called by the Co-Chairs, upon proper notice, prior to a previously designated meeting, should the Co-Chairs deem it necessary.

Rule 06 | Quorum.

A majority of the seven members of the Ohio Redistricting Commission constitutes a quorum. A majority of the Ohio Redistricting Commission is required for any official actions of the Commission, including but not limited to the adoption of a plan of redistricting. All motions before the Ohio Redistricting Commission shall be determined by majority vote and in accordance with Article XI of the Ohio Constitution, and, if necessary, Article XIX of the Ohio Constitution. Members of the Ohio Redistricting Commission or their designees may, from time to time, conduct public hearings referred to in Rule 08, absent a quorum of members.

Rule 07 | Records retention and public records policies.

(A) Pursuant to section 149.34 of the Revised Code, the Ohio Redistricting Commission shall adopt the Ohio department of administrative services general records retention schedules for general administration records, personnel records, fiscal records, and information technology records.

(B) Pursuant to division (E) of section of 149.43 of the Revised Code, the Ohio Redistricting Commission shall adopt a public records policy.

Rule 08 | Public hearings on the process.~~.~~

The Co-Chairs' designated staff shall organize a series of public hearings in locations around the State of Ohio for the Ohio Redistricting Commission's members or their designees to receive public comment and input on the redistricting process. The Co-Chairs' designated staff shall notify the members of the Ohio Redistricting Commission or their designees of the time, date, and location of each public hearing in the manner prescribed in paragraph (A)(1), (A)(2), or (A)(3) of Rule 02 and in no event less than twenty-four hours prior to each public hearing.

The Co-Chairs of the Ohio Redistricting Commission, or their designees, shall preside over these public hearings. ~~Members of the Ohio Redistricting Commission need not be present at these public hearings.~~ Each member of the Ohio Redistricting Commission may designate an individual(s) to represent the member at any or all of these public hearings. Any individual so designated to represent a member of the Ohio Redistricting Commission shall have no voting rights. No official business or action of the Ohio Redistricting Commission shall take place at the public hearings referred to in this rule, except for the receiving of public comment and input or adopting procedural rules for the operation of the Commission; provided that, the Co-Chairs must provide at least twenty-four hours written notice to the Commission members for there to be a vote on adopting procedural rules for the operation of the Commission.

Commented [SS1]: This seems redundant.

Rule 09 | Redistricting plans.

Any member of the Ohio Redistricting Commission, person, or organization may submit for the consideration of the Commission a proposed general assembly district plan. Any member of the Ohio Redistricting Commission, person or organization may submit for the consideration of the Commission a congressional redistricting plan.

Redistricting plans submitted to the Ohio Redistricting Commission for consideration should contain visual representations of the proposed boundaries. The Ohio Redistricting Commission's website shall give any person or organization access to necessary Census data.

Redistricting plans submitted by the public to the Ohio Redistricting Commission for consideration shall be submitted on the Commission's website at:

www.redistricting.ohio.gov

or by mailing to:

Ohio Redistricting Commission
c/o Clerk of the Ohio Senate
Ohio Statehouse
Columbus, Ohio 43215

Upon receipt, the Co-Chairs' designated staff shall promptly provide electronic notification of a submitted plan to all the members of the Ohio Redistricting Commission, and cause each submitted plan to be posted on the Commission's website for the public to view.

Rule 10 | Consideration of redistricting plans; adoption of plan.

~~The Ohio Redistricting Commission shall reconvene during the week of August 29, 2021, to consider the various plans submitted to the Commission and shall meet on or before September 1, 2021, to adopt a general assembly district plan.~~

~~If no general assembly district plan is adopted on or before September 1, 2021, as contemplated in Article XI, Section 1 of the Ohio Constitution, at least three public hearings shall be held prior to the September 15, 2021 deadline, but subsequent to the September 1, 2021 meeting. Following the public hearings.~~

~~If no final general assembly district plan is adopted pursuant to Article XI, Section 1(C) of the Ohio Constitution on or before September 1, 2021, tthe Ohio Redistricting Commission shall reconvene the week of September 12, 2021 to adopt a final general assembly district plan.~~

~~If necessary, the Ohio Redistricting Commission shall convene no later than the week of October 24, 2021 for purposes of adopting a congressional redistricting plan under Oh. Const. Art. XIX.~~

During the meeting or meetings of the commission, a sponsor of a plan may personally or through a representative present the substance of their plan to the members of the Redistricting Commission for a period not to exceed ten minutes, unless extended by a majority of the commission. The public may offer testimony or comment not to exceed five minutes on any redistricting plan before the commission, unless extended by a majority of the commission. The co-chairs of the Ohio Redistricting Commission may limit testimony or comments on plans before the Commission, as the Co-Chairs deem necessary.

Any person wishing to testify on a given plan must provide written notice to the Co-Chairs' designated staff prior to the meeting scheduled to consider the various plans submitted.

Members of the Ohio Redistricting Commission may ask questions of any person testifying on the various redistricting plans before the Commission during the meeting scheduled to consider these plans. Members of the Ohio Redistricting Commission may request testimony from experts during this meeting.

Only members of the Ohio Redistricting Commission may offer amendments to a general assembly district plan or, if necessary, a congressional district plan.

The Co-Chairs of the Ohio Redistricting Commission may offer amendments on behalf of those persons sponsoring redistricting plans who are not members of the Commission.

Rule 11 | Publication of redistricting plan.

After a final general assembly district plan is adopted by the Ohio Redistricting Commission in accordance with Article XI of the Ohio Constitution, the Co-Chairs of the Commission shall coordinate with the Governor for the publication of the adopted plan no later than September 30, 2021. The first publication of the plan shall be made electronically on the Ohio Redistricting Commission's website and in its entirety in at least four Ohio newspapers that are geographically diverse, and may be made in a preprinted insert. The second publication shall be made in abbreviated form in those newspapers pursuant to section 7.16 of the Revised Code. No further newspaper publications are required if the second, abbreviated notice meets the requirements of section 7.16 of the Revised Code.

If the Ohio Redistricting Commission adopts a congressional district plan in accordance with Article XIX of the Ohio Constitution, the Co-Chairs of the Commission shall publish the plan no later than November 15, 2021. The first publication of the plan shall be made electronically on the Ohio Redistricting Commission's website and in its entirety in at least four Ohio newspapers that are geographically diverse, and may be made in a preprinted insert. The second publication shall be made in abbreviated form in those newspapers pursuant to section 7.16 of the Revised Code. No further newspaper publications are required if the second, abbreviated notice meets the requirements of section 7.16 of the Revised Code

Rule 12 | Reconvening the Redistricting Commission.

Should further action be necessary pursuant to either Article XI, Section 9 or Article XIX, Section 3 of the Ohio Constitution, the Ohio Redistricting Commission shall reconvene at the joint request of the Co-Chairs subject to this chapter.

From: "Grodhaus, Michael" <mgrodhaus@OhioSOS.Gov>
To: "Strigari, Frank" <Frank.Strigari@ohiosenate.gov>, "Paul.Disantis@ohiohouse.gov" <Paul.Disantis@ohiohouse.gov>, "asbilchak@ohioauditor.gov" <asbilchak@ohioauditor.gov>, "Matthew.Donahue@governor.ohio.gov" <Matthew.Donahue@governor.ohio.gov>, "Scott.Stockman@ohiosenate.gov" <Scott.Stockman@ohiosenate.gov>, "Sarah.Cherry@ohiohouse.gov" <Sarah.Cherry@ohiohouse.gov>
Cc: "Madrid, Merle" <mmadrid@OhioSOS.Gov>
Subject: Ohio Redistricting Commission Draft Rules
Date: Wed, 25 Aug 2021 21:25:46 +0000
Importance: Normal
Attachments: 2021-08-25_Redisticting_Commission_Draft_Rules_SOS_Comments.docx

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As Notice has been sent that the proposed Rules for the Commission may be discussed and voted on at tomorrow morning's hearing in Lima, Secretary LaRose directed me to provide you with his proposed edits to the draft Rules.

Please feel free to contact me if you have any questions or concerns about his suggested edits.

logo for the Office of Frank LaRose Ohio Secretary of State

D. Michael Grodhaus | Chief Legal Counsel
Office of the Ohio Secretary of State

O: 614.728.9504
OhioSoS.gov

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Rule 01 | Establishing authority.

(A) Article XI, Section 1 of the Ohio Constitution creates the Ohio Redistricting Commission, which is comprised of seven persons who are responsible for the redistricting of the State of Ohio for the general assembly, and, if necessary, for congress. Such persons, collectively, shall be referred to in these rules as "Members" and, individually, as "Member."

(B) These rules are adopted in compliance with, and under the authority of, Article XI, Section 1 of the Ohio Constitution.

(C) The rules stated herein, as supplemented by Robert's Rules of Order, shall be the procedural rules for the operation of the Ohio Redistricting Commission.

Rule 02 | Notices of meetings and hearings.

(A) Any person may ascertain the time and place of all regularly scheduled meetings, the time, place, and purpose of all specially scheduled meetings, and the time and place of public hearings of the Ohio Redistricting Commission through one of the following methods:

(1) Consulting the website of the Ohio Redistricting Commission at:

www.redistricting.ohio.gov

(2) Consulting the public bulletin boards located outside of the chambers of the Ohio House of Representatives and the Ohio Senate on the second floor of the Ohio Statehouse, Columbus, Ohio 43215.

(3) Requesting electronic notice of all meetings of the Ohio Redistricting Commission. The Co-Chairs' designated staff shall jointly maintain a list of all persons who have requested such notification. A request for such notification shall:

(a) Contain the name of the person making the request and an email address to which electronic notice should be sent;

(b) Be sent in writing either:

(i) By mail to:

Ohio Redistricting Commission
c/o Clerk of the Ohio Senate
Ohio Statehouse
Columbus, Ohio 43215

(ii) Or, by electronic mail to: meetings@redistricting.ohio.gov

(c) Be received forty-eight hours prior to any regularly scheduled meeting, specially scheduled meeting, or public hearing.

(C) In the event of a regularly scheduled meeting, specially scheduled meeting not of an emergency nature, or public hearing, the Co-Chairs' designated staff shall provide notice of such meeting or hearing by providing the notice described in paragraph (A)(1), (A)(2), or (A)(3) of this rule not later than twenty-four hours prior to the meeting or hearing. In the event of a special meeting of an emergency nature, the Co-Chairs' designated staff shall provide notice of such meeting by providing the notice described in paragraph (A)(1), (A)(2), or (A)(3) of this rule. In such event, however, the notice need not be given twenty-four hours prior to the meeting, but shall be given immediately upon the scheduling of such meeting.

Rule 03 | Open meetings.

All meetings and public hearings of the Ohio Redistricting Commission shall be held in accordance with the Sunshine Law, section 121.22 of the Revised Code, as amended. All meetings and public hearings of the Ohio Redistricting Commission shall be broadcast by electronic means of transmission using a medium readily accessible by the general public.

Rule 04 | Officers; participation of members; minutes.

(A) The Ohio Redistricting Commission shall have two Co-Chairs selected by the legislative leaders in the Senate and the House of Representatives of each of the two largest political parties represented in the general assembly, acting jointly by political party to serve.

(B) Each member of the Ohio Redistricting Commission shall be entitled to participate in all voting and debates, regardless of position held on the Commission.

(C) Minutes of each meeting of the Ohio Redistricting Commission shall be maintained by the Co-Chairs' designated staff. Such minutes shall be circulated among the members and adopted by majority vote at a subsequent meeting of the Ohio Redistricting Commission. Transcripts of meetings of the Ohio Redistricting Commission shall be provided upon request and completion and verification through the Ohio Government Telecommunications Service.

Rule 05 | Calling of meetings.

After the initial meeting of the Ohio Redistricting Commission, at which the Commission is convened, a meeting of the Commission may be called upon twenty-four hours notice. Such call and notice to each member of the Ohio Redistricting Commission shall be issued jointly by the Co-Chairs, or may be dispensed with if a motion to recess a meeting designates a time certain for continuation of that meeting. However, a meeting may be jointly called by the Co-Chairs, upon proper notice, prior to a previously designated meeting, should the Co-Chairs deem it necessary.

GOV_000384

Rule 06 | Quorum.

A majority of the seven members of the Ohio Redistricting Commission constitutes a quorum. A majority of the Ohio Redistricting Commission is required for any official actions of the Commission, including but not limited to the adoption of a plan of redistricting. All motions before the Ohio Redistricting Commission shall be determined by majority vote and in accordance with Article XI of the Ohio Constitution, and, if necessary, Article XIX of the Ohio Constitution. Members of the Ohio Redistricting Commission or their designees may, from time to time, conduct public hearings referred to in Rule 08, absent a quorum of members.

Rule 07 | Records retention and public records policies.

(A) Pursuant to section 149.34 of the Revised Code, the Ohio Redistricting Commission shall adopt the Ohio department of administrative services general records retention schedules for general administration records, personnel records, fiscal records, and information technology records.

(B) Pursuant to division (E)(2) of section of 149.43 of the Revised Code, the Ohio Redistricting Commission shall adopt a public records policy.

Rule 08 | Public hearings.

The Co-Chairs' designated staff shall organize a series of public hearings in locations around the State of Ohio for the Ohio Redistricting Commission's members or their designees to receive public comment and input on the redistricting process. The Co-Chairs' designated staff shall notify the members of the Ohio Redistricting Commission or their designees of the time, date, and location of each public hearing in the manner prescribed in paragraph (A)(1), (A)(2), or (A)(3) of Rule 02 and in no event less than twenty-four hours prior to each public hearing.

The Co-Chairs of the Ohio Redistricting Commission, or their designees, shall preside over these public hearings. Members of the Ohio Redistricting Commission need not be present at these public hearings. Each member of the Ohio Redistricting Commission may designate an individual(s) to represent the member at any or all of these public hearings. Any individual so designated to represent a member of the Ohio Redistricting Commission shall have no voting rights. No official business or action of the Ohio Redistricting Commission shall take place at the public hearings referred to in this rule, except for the receiving of public comment and input or adopting procedural rules for the operation of the Commission; provided that, the Co-Chairs must provide at least twenty-four hours written notice to the Commission members for there to be a vote on adopting procedural rules for the operation of the Commission.

The Co-Chairs shall make certain that proper decorum and civility is maintained throughout these public hearings. All persons coming before the Commission to speak should be allowed to speak without interference or disruption from others in attendance at the hearing. The Co-Chairs may direct that any person or persons who are disrupting the hearings, or who are hindering any other person's ability to address the Commission, be removed from the hearing room.

Rule 09 | Redistricting plans.

Any member of the Ohio Redistricting Commission, person, or organization may submit for the consideration of the Commission a proposed general assembly district plan. Any member of the Ohio Redistricting Commission, person or organization may submit for the consideration of the Commission a congressional redistricting plan, following the expiration of the September 30, 2021 deadline in Article XIX, Section 1 of the Ohio Constitution.

Redistricting plans submitted to the Ohio Redistricting Commission for consideration should contain visual representations of the proposed boundaries. The Ohio Redistricting Commission's website shall give any person or organization access to necessary Census data.

Redistricting plans submitted by the public to the Ohio Redistricting Commission for consideration shall be submitted on the Commission's website at:

www.redistricting.ohio.gov

or by mailing to:

Ohio Redistricting Commission
c/o Clerk of the Ohio Senate
Ohio Statehouse
Columbus, Ohio 43215

Upon receipt, the Co-Chairs' designated staff shall promptly provide electronic notification of a submitted plan to all the members of the Ohio Redistricting Commission, and cause each submitted plan to be posted on the Commission's website for the public to view.

Rule 10 | Consideration of redistricting plans; adoption of plan.

The Ohio Redistricting Commission shall reconvene during the week of August 29, 2021, to consider the various plans submitted to the Commission~~ and shall meet on or before September 1, 2021, to adopt a general assembly district plan~~.

If no final general assembly district plan is adopted on or before September 1, 2021, as contemplated in Article XI, Section 1 of the Ohio Constitution, then as soon as is practicable after September 1, 2021, the Commission shall release to the public a proposed general assembly district plan. ~~at~~At least three public hearings shall be held on the proposed plan prior to the September 15, 2021 deadline~~, but subsequent to the September 1, 2021 meeting~~. Following the public hearings, the Ohio Redistricting Commission shall reconvene the week of September 12, 2021 to adopt a final general assembly district plan.

~~If necessary, the Ohio Redistricting Commission shall convene no later than the week of October 24, 2021 for purposes of adopting a congressional redistricting plan under Oh. Const. Art. XIX.~~

During the meeting or meetings of the commission, a sponsor of a plan may personally or through a representative present the substance of their plan to the members of the Redistricting Commission for a period not to exceed ten minutes, unless extended by a majority of the commission. The public may offer testimony or comment not to exceed five minutes on any redistricting plan before the commission, unless extended by a majority of the commission. The co-chairs of the Ohio Redistricting Commission may limit testimony or comments on plans before the Commission, as the Co-Chairs deem necessary.

Any person wishing to testify on a given plan must provide written notice to the Co-Chairs' designated staff prior to the meeting scheduled to consider the various plans submitted.

Members of the Ohio Redistricting Commission may ask questions of any person testifying on the various redistricting plans before the Commission during the meeting scheduled to consider these plans. Members of the Ohio Redistricting Commission may request testimony from experts during this meeting.

Only members of the Ohio Redistricting Commission may offer amendments to a general assembly district plan or, if necessary, a congressional district plan.

The Co-Chairs of the Ohio Redistricting Commission may offer amendments on behalf of those persons sponsoring redistricting plans who are not members of the Commission.

Rule 11 | Publication of redistricting plan.

After a final general assembly district plan is adopted by the Ohio Redistricting Commission and filed with the Secretary of State in accordance with Article XI of the Ohio Constitution, the Co-Chairs of the Commission shall coordinate with the Governor for the publication of the adopted plan no later than September 30, 2021. The first publication of the plan shall be made electronically on the Ohio Redistricting Commission's website and in its entirety in at least four Ohio newspapers that are geographically diverse, and may be made in a preprinted insert. The second publication shall be made in abbreviated form in those newspapers pursuant to section 7.16 of the Revised Code. No further newspaper publications are required if the second, abbreviated notice meets the requirements of section 7.16 of the Revised Code.

If the Ohio Redistricting Commission adopts a congressional district plan in accordance with Article XIX of the Ohio Constitution, the Co-Chairs of the Commission shall publish the plan no later than November 15, 2021. The first publication of the plan shall be made electronically on the Ohio Redistricting Commission's website and in its entirety in at least four Ohio newspapers that are geographically diverse, and may be made in a preprinted insert. The second publication shall be made in abbreviated form in those newspapers pursuant to section 7.16 of the Revised Code. No further newspaper publications are required if the second, abbreviated notice meets the requirements of section 7.16 of the Revised Code

Rule 12 | Reconvening the Redistricting Commission.

Should further action be necessary pursuant to either Article XI, Section 9 or Article XIX, Section 3 of the Ohio Constitution, the Ohio Redistricting Commission shall reconvene at the joint request of the Co-Chairs subject to this chapter.

DRAFT

From: "Heather.Blessing@ohiohouse.gov" <Heather.Blessing@ohiohouse.gov>

To: "'Madrid, Merle'" <mmadrid@OhioSOS.Gov>, "Samantha.Herd@ohiohouse.gov" <Samantha.Herd@ohiohouse.gov>, "Mike.Rowe@ohiosenate.gov" <Mike.Rowe@ohiosenate.gov>, "Scott.Stockman@ohiosenate.gov" <Scott.Stockman@ohiosenate.gov>, "Christine.Morrison@ohiohouse.gov" <Christine.Morrison@ohiohouse.gov>, "john.barron@ohiosenate.gov" <john.barron@ohiosenate.gov>, "Frank.Strigari@ohiosenate.gov" <Frank.Strigari@ohiosenate.gov>, "'Matthew.Donahue@governor.ohio.gov'" <Matthew.Donahue@governor.ohio.gov>, "Paul.Disantis@ohiohouse.gov" <Paul.Disantis@ohiohouse.gov>, "'asbilchak@ohioauditor.gov'" <asbilchak@ohioauditor.gov>, "Andy.DiPalma@ohiohouse.gov" <Andy.DiPalma@ohiohouse.gov>, "'Grodhaus, Michael'" <mgrodhaus@OhioSOS.Gov>, "'Oliveti, Chris'" <coliveti@OhioSOS.Gov>, "traevon.leak@ohiosenate.gov" <traevon.leak@ohiosenate.gov>, "George.Boas@ohiosenate.gov" <George.Boas@ohiosenate.gov>, "traevon.leak@ohiosenate.gov" <traevon.leak@ohiosenate.gov>, "'stspaulding@ohioauditor.gov'" <stspaulding@ohioauditor.gov>

Subject: Proposed Rules for 8/31/2021 Meeting

Date: Mon, 30 Aug 2021 20:05:44 +0000

Importance: Normal

Attachments: 2021_Redistricting_Commission_Rules_(Proposed).pdf

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Dear Members of the Ohio Redistricting Commission:

Please see attached the proposed Rules for the Ohio Redistricting Commission to be offered tomorrow.

Sincerely,
Heather Blessing

***

Heather N. Blessing, Esq.
Deputy Chief Legal Counsel, Office of the Speaker
Ohio House of Representatives
77 S. High Street Columbus,
14th Floor, Ohio 43215
Office: 614.466.9194
Mobile: 614.352.5819
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OHIO REDISTRICTING COMMISSION
RULES

Rule 01 | Establishing authority.

(A) Article XI, Section 1 of the Ohio Constitution creates the Ohio Redistricting Commission, which is comprised of seven persons who are responsible for the redistricting of the State of Ohio for the general assembly, and, if necessary, for congress. Such persons, collectively, shall be referred to in these rules as "Members" and, individually, as "Member."

(B) These rules are adopted in compliance with, and under the authority of, Article XI, Section 1 of the Ohio Constitution.

(C) The rules stated herein, as supplemented by Robert's Rules of Order, shall be the procedural rules for the operation of the Ohio Redistricting Commission.

Rule 02 | Notices of meetings and hearings.

(A) Any person may ascertain the time and place of all regularly scheduled meetings, the time, place, and purpose of all specially scheduled meetings, and the time and place of public hearings of the Ohio Redistricting Commission through one of the following methods:

(1) Consulting the website of the Ohio Redistricting Commission at:

www.redistricting.ohio.gov

(2) Consulting the public bulletin boards located outside of the chambers of the Ohio House of Representatives and the Ohio Senate on the second floor of the Ohio Statehouse, Columbus, Ohio 43215.

(3) By calling a toll-free phone number with a pre-recorded message stating the date, time, and location of upcoming meetings of the Commission.

(4) Requesting electronic notice of all meetings of the Ohio Redistricting Commission. The Co-Chairs' designated staff shall jointly maintain a list of all persons who have requested such notification. A request for such notification shall:

(a) Contain the name of the person making the request and an email address to which electronic notice should be sent;

(b) Be sent in writing by electronic mail to: meetings@redistricting.ohio.gov

(c) Be received by start of business the day of any regularly scheduled meeting, specially scheduled meeting, or public hearing.

(B) In the event of a regularly scheduled meeting, specially scheduled meeting not of an emergency nature, or public hearing, the Co-Chairs' designated staff shall provide notice of such meeting or hearing by providing the notice described in paragraph (A)(1), (A)(2), (A)(3), or (A)(4) of this rule not later than twenty-four hours prior to the meeting or hearing. In the event of a special meeting of an emergency nature, the Co-Chairs' designated staff shall provide notice of such meeting by providing the notice described in paragraph (A)(1), (A)(2), (A)(3), or (A)(4) of this rule. In such event, however, the notice need not be given twenty-four hours prior to the meeting, but shall be given immediately upon the scheduling of such meeting.

Rule 03 | Open meetings.

All meetings and public hearings of the Ohio Redistricting Commission shall be held in accordance with the Sunshine Law, section 121.22 of the Revised Code, as amended. All meetings and public hearings of the Ohio Redistricting Commission shall be broadcast by electronic means of transmission using a medium readily accessible by the general public.

Rule 04 | Officers; participation of members; minutes.

(A) The Ohio Redistricting Commission shall have two Co-Chairs selected by the legislative leaders in the Senate and the House of Representatives of each of the two largest political parties represented in the general assembly, acting jointly by political party to serve.

(B) Each member of the Ohio Redistricting Commission shall be entitled to participate in all voting and debates, regardless of position held on the Commission.

(C) Minutes of each meeting of the Ohio Redistricting Commission shall be maintained by the Co-Chairs' designated staff. Such minutes shall be circulated among the members and adopted by majority vote at a subsequent meeting of the Ohio Redistricting Commission. Transcripts and archived video of meetings of the Ohio Redistricting Commission shall be provided upon request and completion and verification through the Ohio Government Telecommunications Service.

Rule 05 | Calling of meetings.

After the initial meeting of the Ohio Redistricting Commission, at which the Commission is convened, a meeting of the Commission may be called upon twenty-four-hours notice. Such call and notice to each member of the Ohio Redistricting Commission shall be issued jointly by the Co-Chairs, or may be dispensed with if a motion to recess a meeting designates a time certain for continuation of that meeting. However, a meeting may be jointly called by the Co-Chairs, upon proper notice, prior to a previously designated meeting, should the Co-Chairs deem it necessary.

Rule 06 | Quorum.

A majority of the seven members of the Ohio Redistricting Commission constitutes a quorum. A majority of the Ohio Redistricting Commission is required for any official actions of the Commission, including but not limited to the adoption of a plan of redistricting. All motions before the Ohio Redistricting Commission shall be determined by majority vote and in accordance with Article XI of the Ohio Constitution, and, if necessary, Article XIX of the Ohio Constitution. Members of the Ohio Redistricting Commission or their designees may, from time to time, conduct public hearings referred to in Rule 08, absent a quorum of members.

Rule 07 | Records retention and public records policies.

(A) Pursuant to section 149.34 of the Revised Code, the Ohio Redistricting Commission shall adopt the Ohio department of administrative services general records retention schedules for general administration records, personnel records, fiscal records, and information technology records.

(B) Pursuant to division (E) of section of 149.43 of the Revised Code, the Ohio Redistricting Commission shall adopt a public records policy.

Rule 08 | Public hearings on the process.

The Co-Chairs' designated staff shall organize a series of public hearings in locations around the State of Ohio for the Ohio Redistricting Commission's members or their designees to receive public comment and input on the redistricting process. The Co-Chairs' designated staff shall notify the members of the Ohio Redistricting Commission or their designees of the time, date, and location of each public hearing in the manner prescribed in paragraph (A)(1), (A)(2), or (A)(3) of Rule 02 and in no event less than twenty-four hours prior to each public hearing.

The Co-Chairs of the Ohio Redistricting Commission, or their designees, shall preside over these public hearings. Each member of the Ohio Redistricting Commission may designate an individual(s) to represent the member at any or all of these public hearings. Any individual so designated to represent a member of the Ohio Redistricting Commission shall have no voting rights. No official business or action of the Ohio Redistricting Commission shall take place at the public hearings referred to in this rule, except for the receiving of public comment and input or adopting procedural rules for the operation of the Commission; provided that, the Co-Chairs must provide at least twenty-four hours written notice to the Commission members for there to be a vote on adopting procedural rules for the operation of the Commission.

Rule 09 | Redistricting plans.

Any member of the Ohio Redistricting Commission, person, or organization may submit for the consideration of the Commission a proposed general assembly district plan. Any member of the Ohio Redistricting Commission, person or organization may submit for the consideration of the Commission a congressional redistricting plan.

Redistricting plans submitted to the Ohio Redistricting Commission for consideration should contain visual representations of the proposed boundaries. The Ohio Redistricting Commission's website shall give any person or organization access to necessary Census data.

Redistricting plans submitted by the public to the Ohio Redistricting Commission for consideration shall be submitted on the Commission's website at:

www.redistricting.ohio.gov

or by mailing to:

Ohio Redistricting Commission
c/o Clerk of the Ohio Senate
Ohio Statehouse
Columbus, Ohio 43215

Upon receipt, the Co-Chairs' designated staff shall promptly provide electronic notification of a submitted plan to all the members of the Ohio Redistricting Commission, and cause each submitted plan to be posted on the Commission's website for the public to view.

Rule 10 | Consideration of redistricting plans; adoption of plan.

The Redistricting Commission shall hold no less than three hearings on three separate days after the Redistricting Commission introduces a proposed General Assembly district plan pursuant to Ohio Const. Art. XI, § 8(A)(1) but prior to adoption of a final plan.

During the meeting or meetings of the commission, a sponsor of a complete statewide general assembly district plan may personally or through a representative present the substance of their plan to the members of the Redistricting Commission for a period not to exceed ten minutes, unless extended by a majority of the commission. The public may offer testimony or comment not to exceed five minutes total on any redistricting plan before the commission, unless extended by a majority of the commission. The co-chairs of the Ohio Redistricting Commission may limit testimony or comments on plans before the Commission, as the Co-Chairs deem necessary.

Any person wishing to testify on a given plan must provide written notice to the Co-Chairs' designated staff prior to the meeting scheduled to consider the various plans submitted.

Members of the Ohio Redistricting Commission may ask questions of any person testifying on the various redistricting plans before the Commission during the meeting scheduled to consider these plans. Members of the Ohio Redistricting Commission may request testimony from experts during this meeting.

Only members of the Ohio Redistricting Commission may offer amendments to a general assembly district plan or, if necessary, a congressional district plan.

The Co-Chairs of the Ohio Redistricting Commission may offer amendments on behalf of those persons sponsoring redistricting plans who are not members of the Commission.

Rule 11 | Publication of redistricting plan.

After a final general assembly district plan is adopted by the Ohio Redistricting Commission in accordance with Article XI of the Ohio Constitution, the Co-Chairs of the Commission shall coordinate with the Governor for the publication of the adopted plan no later than September 30, 2021. The first publication of the plan shall be made electronically on the Ohio Redistricting Commission's website and in its entirety in at least four Ohio newspapers that are geographically diverse, and may be made in a preprinted insert. The second publication shall be made in abbreviated form in those newspapers pursuant to section 7.16 of the Revised Code. No further newspaper publications are required if the second, abbreviated notice meets the requirements of section 7.16 of the Revised Code.

If the Ohio Redistricting Commission adopts a congressional district plan in accordance with Article XIX of the Ohio Constitution, the Co-Chairs of the Commission shall publish the plan no later than November 15, 2021. The first publication of the plan shall be made electronically on the Ohio Redistricting Commission's website and in its entirety in at least four Ohio newspapers that are geographically diverse, and may be made in a preprinted insert. The second publication shall be made in abbreviated form in those newspapers pursuant to section 7.16 of the Revised Code. No further newspaper publications are required if the second, abbreviated notice meets the requirements of section 7.16 of the Revised Code

Rule 12 | Reconvening the Redistricting Commission.

Should further action be necessary pursuant to either Article XI, Section 9 or Article XIX, Section 3 of the Ohio Constitution, the Ohio Redistricting Commission shall reconvene at the joint request of the Co-Chairs subject to this chapter.

From: "April.Harrison@ohiohouse.gov" <April.Harrison@ohiohouse.gov>
To: "'Matthew.Donahue@governor.ohio.gov'" <Matthew.Donahue@governor.ohio.gov>
Subject: RE: Upcoming Redistricting Hearings
Date: Fri, 10 Sep 2021 20:37:55 +0000
Importance: Normal
Inline-Images: image001.gif

Thanks for the information.

Have a great weekend!

From: Matthew.Donahue@governor.ohio.gov <Matthew.Donahue@governor.ohio.gov>
Sent: Friday, September 10, 2021 4:33 PM
To: Harrison, April <April.Harrison@ohiohouse.gov>
Subject: RE: Upcoming Redistricting Hearings

April,

Please anticipate Governor DeWine's attendance at all three, I will also be present and may take his place if needed additional staff excluding security staff may be in attendance.

From: April.Harrison@ohiohouse.gov <April.Harrison@ohiohouse.gov>
Sent: Friday, September 10, 2021 12:18 PM
To: Herd, Samantha <SAMANTHA.HERD@OHIOHOUSE.GOV>; Dipalma, Andrew <ANDY.DIPALMA@OHIOHOUSE.GOV>; Morrison, Christine <Christine.Morrison@ohiohouse.gov>; Disantis, Paul <PAUL.DISANTIS@OHIOHOUSE.GOV>; john.barron@ohiosenate.gov; Strigari, Francis <FRANK.STRIGARI@OHIOSENATE.GOV>; David.Reedy@ohiosenate.gov; Donahue, Matthew <Matthew.Donahue@governor.ohio.gov>; Bilchak, Alex <ASBilchak@ohioauditor.gov>
Subject: Upcoming Redistricting Hearings

Good afternoon.

I'm in the process of helping Heather with the upcoming redistricting hearings and we need to know who will be attending or representing your respective commission member, as well as what staff members might be attending.

We would, at least, like to have your attendees for Sunday's hearing by 4:00 p.m. today, if at all possible.

Thank you and have a great weekend.

April Harrison

Executive Assistant to Chief of Staff and Chief Legal Counsel
Majority Caucus

Ohio House of Representatives
77 S. High Street, 14th Floor | Columbus, OH 43215
April.harrison@ohiohouse.gov - 614-466-0968

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From: "Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>
To: "Hall, Michael" <Michael.Hall@governor.ohio.gov>
Cc: "Tierney, Daniel" <Dan.Tierney@governor.ohio.gov>
Subject: Re: Quick redistricting follow-up
Date: Wed, 04 Aug 2021 16:53:25 -0000
Importance: Normal

I would refer them to the house or senate but yes that is my understanding don't know how soon turnaround

Sent from my iPhone

On Aug 4, 2021, at 10:57 AM, Hall, Michael <Michael.Hall@governor.ohio.gov> wrote:

Not aware. Seems like that would be hard because the commission hasn't decided how to budget their money. Matt?

Michael Hall
Chief of Staff
Ohio Governor Mike DeWine
michael.hall@governor.ohio.gov
w: (614) 629-8201
m: (937) 510-7017

From: Tierney, Daniel <Dan.Tierney@governor.ohio.gov>
Sent: Wednesday, August 4, 2021 10:43 AM
To: Donahue, Matthew <Matthew.Donahue@governor.ohio.gov>; Hall, Michael <Michael.Hall@governor.ohio.gov>
Subject: FW: Quick redistricting follow-up

See below. Is this accurate?

Dan Tierney
Press Secretary
Office of Ohio Governor Mike DeWine
Office number: 614-466-6242
Mobile number: 614-653-6676
Dan.Tierney@governor.ohio.gov

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From: Evans, Nick <nick.evans@wosu.org>
Sent: Tuesday, August 3, 2021 4:24 PM
To: Tierney, Daniel <Dan.Tierney@governor.ohio.gov>
Subject: Quick redistricting follow-up

Hi Dan,
Thanks for taking a minute to chat earlier today. Just wanted to confirm one thing with you... I've heard there's a research team at Ohio University that is under contract to take the raw data from the census bureau and get it ready for mapmakers to work with. Is that correct? Do you know how long they have to turn in their work?

Thanks,
Nick

Nick Evans

89.7 NPR News Reporter

WOSU Public Media

2400 Olentangy River Road

Columbus, OH 43210

614.292.9529 | nick.evans@wosu.org

CAUTION: This is an external email and may not be safe. If the email looks suspicious, please do not click links or open attachments and forward the email to csc@ohio.gov or click the Phish Alert Button if available.

MIKE DEWINE
GOVERNOR
STATE OF OHIO

OHIO REDISTRICTING COMMISSION

AGENDA SCRIPT FOR GOVERNOR
August 6, 2021

---

1. Governor calls meeting to order.

   "***As Governor of Ohio and as a member of the Ohio Redistricting Commission pursuant to Article XI (eleven), Section 1 of the Ohio Constitution, I call this meeting to order.***"

2. Presentation of any member appointments to the Ohio Redistricting Commission; order that any new appointments be entered in record of proceedings.

   a. "***Bob Cupp is the appointee to this Commission by the Speaker of the House of Representatives?***"
   b. "***Let the record reflect this appointment.***"
   c. ***"XXXXXX is the appointee appointment to this Commission by the Minority Leader of the House of Representatives?"***
   d. ***" Let the record reflect this appointment."***
   e. ***"XXXXX is the appointee to this Commission by the President of the Senate?"***
   f. ***"Let the record reflect this appointment."***
   g. ***" Veron Sykes is the appointee to this Commission by the Minority Leader of the Senate?"***
   h. ***I will state for the record, in compliance with the Ohio Constitution none of the appointees are current members of congress.***

3. Administration of the Oath of Office.

   a. ***Will everyone please raise their right hand*** (read from script of Oath);
   b. Secretary of State then Swears Governor in

4. Roll Call; Governor declares quorum present.

   a. "***Will Mr. Donahue please call the roll?***"
   b. Mr. Donahue calls roll.

c. "***We have a quorum present.***"

4. Filing of Certificate of Compliance with public meeting notice provisions of Section 121.22 of the Revised Code.

   "***I am filing the Certificate of Compliance of the public meeting notice provisions of Section 121.22 of the Revised Code?***"

5. Presentation of Co-Chairperson appointments to the Ohio Redistricting Commission; order that any new appointments be entered in record of proceedings.

   a. ***" the Co-Chairperson appointments to this Commission by the legislative leaders in the Senate and of the House of Representatives of each of the two largest political parties represented in the General Assembly as set forth in Article XI (eleven), Section 1 of the Ohio Constitution are XXXXX and XXXX"***

   b. ***"Let the record reflect thess appointment."***

6. Governor turns the meeting over to the Co-Chairpersons.

   a. "***The meeting will now continue and be conducted by the Co-Chairpersons.***"

From: "Hall, Michael" <Michael.Hall@governor.ohio.gov>
To: "Eck, Joshua" <Josh.Eck@governor.ohio.gov>, "Henson, Clayton" <Clayton.Henson@development.ohio.gov>
Cc: "Cornyn, LeeAnne" <Leeanne.Cornyn@governor.ohio.gov>
Subject: FW:
Date: Tue, 06 Apr 2021 21:16:27 -0000
Importance: Normal

FYI

Michael Hall
Director of Policy
Ohio Governor Mike DeWine
michael.hall@governor.ohio.gov
w: (614) 629-8201
m: (937) 510-7017

-----Original Message-----
From: Cornyn, LeeAnne <Leeanne.Cornyn@governor.ohio.gov>
Sent: Tuesday, April 6, 2021 7:43 AM
To: Mike Dewine <Mike@silverdollarbaseball.com>; Donahue, Matthew <Matthew.Donahue@governor.ohio.gov>
Cc: Hall, Michael <Michael.Hall@governor.ohio.gov>
Subject: RE:

Governor,

The Constituent Services team is searching through the mail for your official copy. A link to the letter posted on their website is below:

https://f6e0c5a7-84af-4c92-8321-cdfb03bb14ff.filesusr.com/ugd/82d68a_566a2148256843eab10b570f3d8df051.pdf

Their recommendations include:
1. holding a June primary to make more time for redistricting; 2. send funding to House and Senate caucuses for planning; 3. create a public website on process, hearings, etc.; 4. finalize appointments to the commission; 5. better fund boards of elections to prepare for primary; 6. hold public meetings to get input, even before census data is received; 7. give Ohioans opportunity for public input through hearings; and 8. ensure opportunity for input after maps are drawn.

Let me know if you have any questions.

Best,

LeeAnne

-----Original Message-----
From: Mike Dewine <Mike@silverdollarbaseball.com>
Sent: Tuesday, April 6, 2021 6:30 AM
To: Donahue, Matthew <Matthew.Donahue@governor.ohio.gov>; Cornyn, LeeAnne <Leeanne.Cornyn@governor.ohio.gov>
Subject:

What is story on letter we received saying we should start on redistricting ..

Sent from my iPad

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From: "Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>
To: "Elkins, Molly" <molly.elkins@governor.ohio.gov>
Subject: FW: Redistricting
Date: Thu, 18 Feb 2021 19:58:07 -0000
Importance: Normal
Inline-Images: image002.png

Can you get this set up as a reoccurring meting under legal

From: Hall, Michael <Michael.Hall@governor.ohio.gov>
Sent: Thursday, February 18, 2021 2:50 PM
To: Dawson, Laurel <Laurel.Dawson@governor.ohio.gov>
Cc: Donahue, Matthew <Matthew.Donahue@governor.ohio.gov>; Dan McCarthy <mccarthy4355@gmail.com>; jonahusted@gmail.com; Eck, Joshua <Josh.Eck@governor.ohio.gov>; Kelly, Matthew <Matthew.Kelly@governor.ohio.gov>
Subject: Re: Redistricting

Standing meeting is a good idea. I know Josh has already put in lots of prep work and I've not been the best help for him because I was so budget focused.

Sent from my iPhone

On Feb 18, 2021, at 1:57 PM, Dawson, Laurel <Laurel.Dawson@governor.ohio.gov> wrote:

All, Matt Donahue and I think it might be good idea to schedule a short meeting every 10 days or so to round up about re-districting. I talked to SOS COS yesterday who confirmed that Census data won't be coming out until Sept 30. LMK what you think about this idea. Thanks.

<image002.png>
Laurel Dawson
Chief of Staff
Governor Mike DeWine
(614) 204-5290
Assistant (Matt Kelly 330-209-4829)
Laurel.Dawson@governor.ohio.gov

This message and any response to it may constitute a public record and thus may be publicly available to anyone who requests it.

From: "Hall, Michael" <Michael.Hall@governor.ohio.gov>
To: "Tierney, Daniel" <Dan.Tierney@governor.ohio.gov>, "Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>, "Dawson, Laurel" <Laurel.Dawson@governor.ohio.gov>, "McCarthy, Daniel" <Dan.McCarthy@governor.ohio.gov>, "Eck, Joshua" <Josh.Eck@governor.ohio.gov>
Subject: RE: From NPR's census reporter (Thursday, 3/11 deadline)
Date: Tue, 09 Mar 2021 17:40:47 -0000
Importance: Normal

You should check with Lydia. She would have been the person watching this in summer of 2020.

I think the answer should be that in light of the Census delay, we are evaluating the timing of when to call that meeting.

Don't answer the question of when we would have otherwise held the meeting.

Michael Hall

Director of Policy

Ohio Governor Mike DeWine

michael.hall@governor.ohio.gov

w: (614) 629-8201

m: (937) 510-7017

From: Tierney, Daniel <Dan.Tierney@governor.ohio.gov>
Sent: Tuesday, March 9, 2021 11:28 AM
To: Donahue, Matthew <Matthew.Donahue@governor.ohio.gov>; Dawson, Laurel <Laurel.Dawson@governor.ohio.gov>; Hall, Michael <Michael.Hall@governor.ohio.gov>; McCarthy, Daniel <Dan.McCarthy@governor.ohio.gov>; Eck, Joshua <Josh.Eck@governor.ohio.gov>
Subject: FW: From NPR's census reporter (Thursday, 3/11 deadline)

This came in as we wrapped our call. Any advised responses?

Dan Tierney

Press Secretary

Office of Ohio Governor Mike DeWine

Office number: 614-466-6242

Mobile number: 614-653-6676

Dan.Tierney@governor.ohio.gov

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From: Hansi Wang <HWang@npr.org>
Sent: Tuesday, March 9, 2021 11:10 AM
To: Tierney, Daniel <Dan.Tierney@governor.ohio.gov>
Subject: From NPR's census reporter (Thursday, 3/11 deadline)

Hi, Dan,

NPR's census reporter Hansi Lo Wang here.

I'm working on a radio report and web article about AG David Yost's lawsuit over the Census Bureau delaying the delivery of 2020 census redistricting data to the states.

Please let me know if any response to these three questions is available by this Thursday, March 11:

1. When does Governor DeWine currently plan on convening the first meeting of the Ohio redistricting commission?

2. Was Governor DeWine aware of the Census Bureau's April 13, 2020 announcement that it planned to deliver redistricting data by July 31? (Here's the link: https://2020census.gov/en/news-events/press-releases/statement-covid-19-2020.html?linkId=100000011751624)

3. If Gov. DeWine was aware of the Census Bureau's April 2020 announcement, when was the governor planning to convene the commission's first meeting in order to meet the Sept. 1, 2021 deadline for the commission to adopt a final general assembly district plan?

Thank you,

Hansi

Hansi Lo Wang (he/him)
National Correspondent
NPR
hwang@npr.org
cell: 202.329.1225
twitter: @hansilowang
signal: 917.397.2639
protonmail: hansilowang@protonmail.com

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From: "Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>
To: "Elkins, Molly" <molly.elkins@governor.ohio.gov>
Subject: RE: Redistricting
Date: Thu, 18 Feb 2021 21:22:20 -0000
Importance: Normal
Inline-Images: image001.png; image003.jpg

Folks on email

From: Elkins, Molly <molly.elkins@governor.ohio.gov>
Sent: Thursday, February 18, 2021 3:33 PM
To: Donahue, Matthew <Matthew.Donahue@governor.ohio.gov>
Subject: RE: Redistricting

Who do you want included? Everyone on the email?

Molly Elkins
Legal Assistant/Extradition Coordinator
77 South High Street, 30th Floor
Columbus, OH 43215
Direct: (614) 644-0872
Fax: (614) 995-1767
molly.elkins@governor.ohio.gov
www.governor.ohio.gov

This message and any response to it may constitute a public record and thus may be publicly available to anyone who requests it.

From: Donahue, Matthew <Matthew.Donahue@governor.ohio.gov>
Sent: Thursday, February 18, 2021 2:58 PM
To: Elkins, Molly <molly.elkins@governor.ohio.gov>
Subject: FW: Redistricting

Can you get this set up as a reoccurring meting under legal

From: Hall, Michael <Michael.Hall@governor.ohio.gov>
Sent: Thursday, February 18, 2021 2:50 PM
To: Dawson, Laurel <Laurel.Dawson@governor.ohio.gov>
Cc: Donahue, Matthew <Matthew.Donahue@governor.ohio.gov>; Dan McCarthy <mccarthy4355@gmail.com>; jonahusted@gmail.com; Eck, Joshua <Josh.Eck@governor.ohio.gov>; Kelly, Matthew <Matthew.Kelly@governor.ohio.gov>
Subject: Re: Redistricting

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Sent from my iPhone

On Feb 18, 2021, at 1:57 PM, Dawson, Laurel <Laurel.Dawson@governor.ohio.gov> wrote:

All, Matt Donahue and I think it might be good idea to schedule a short meeting every 10 days or so to round up about re-districting. I talked to SOS COS yesterday who confirmed that Census data won't be coming out until Sept 30. LMK what you think about this idea. Thanks.

<image002.png>

Laurel Dawson
Chief of Staff
Governor Mike DeWine
(614) 204-5290
Assistant (Matt Kelly 330-209-4829)
Laurel.Dawson@governor.ohio.gov

This message and any response to it may constitute a public record and thus may be publicly available to anyone who requests it.

From: "Eck, Joshua" <Josh.Eck@governor.ohio.gov>
To: "Hall, Michael" <Michael.Hall@governor.ohio.gov>, "Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>
Subject: Redist. Timeline
Date: Fri, 5 Mar 2021 16:51:55 +0000
Importance: Normal
Attachments: congressional_redistricting_tutorial_1.pdf
Inline-Images: image001.jpg; image002.png; image003.png; image004.png

---

I had the team make a nicer version of the timeline I created. Obviously, we can make any wording changes you guys might like. They are making one for the GA as well.

JOSHUA ECK
Chief of Staff
Lt. Governor Jon Husted
cell: 614.549.2846
email: Joshua.Eck@Governor.Ohio.gov

JANUARY 2021
U.S. Census Bureau Delivers 2020 Census Counts to the President of the United States.

APRIL 1, 2021
U.S. Census Bureau delivers congressional redistricting counts to the states.

SEPTEMBER 30, 2021
Ohio General Assembly is required to pass a new congressional map.

Did general assembly pass new map by a three-fifths vote and with at least 50% percent of both republicans and democrats voting "yes?"

YES

New map is adopted for next 5 Congressional Elections (10 years)

NO

Responsibility to redraw the maps is passed to the Ohio Redistricting Commission

OCTOBER 31, 2021
Ohio Redistricting Commission is required to approve a new Congressional Map.

Did the commission pass the map with at least two minority members voting "yes?"

These steps require the involvement of the governor.

YES

Map goes into effect upon next election.

NO

Responsibility returns to the General Assembly with looser rules.

General assembly votes on new Congressional map (again)

Did both houses of the general assembly pass the new map by a three-fifths majority with at least one-third of republicans and democrats voting "yes?"

YES

New congressional map is enacted for 5 Congressional Elections (10 years).

NO

General Assembly may now vote on a new map with no partisan requirement and adopt a map only by simple majority.

NOVEMBER 30, 2021
New congressional map is adopted, but is only in effect for TWO Congressional Elections (4 years).

Congressional Redistricting Tutorial

From: "Hall, Michael" <Michael.Hall@governor.ohio.gov>
To: "Gault, James" <James.Gault@governor.ohio.gov>
Cc: "O'Donnell, Ann" <Ann.O'Donnell@governor.ohio.gov>, "Dawson, Laurel" <Laurel.Dawson@governor.ohio.gov>, "Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>, "Crooks, Aaron" <Aaron.Crooks@governor.ohio.gov>, "Eck, Joshua" <Josh.Eck@governor.ohio.gov>
Subject: Redistricting Briefing with RMD
Date: Wed, 06 Oct 2021 12:05:40 -0000
Importance: Normal

James – I spoke with RMD last night to answer some redistricting questions he was asking. I need a follow up conversation with him about next steps. Matt, Aaron, Josh Eck and maybe the LG (if available) should be part of that briefing.

Michael Hall

Chief of Staff

Ohio Governor Mike DeWine

michael.hall@governor.ohio.gov

w: (614) 629-8201

m: (937) 510-7017

From: "Hall, Michael" <Michael.Hall@governor.ohio.gov>
To: "Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>, "Dawson, Laurel" <Laurel.Dawson@governor.ohio.gov>, "McCarthy, Daniel" <Dan.McCarthy@governor.ohio.gov>, "Peterson, Lisa" <Lisa.Peterson@governor.ohio.gov>, "Eck, Joshua" <Josh.Eck@governor.ohio.gov>, "Henson, Clayton" <Clayton.Henson@development.ohio.gov>
Cc: "Meade, Lexie" <Lexie.Meade@governor.ohio.gov>
Subject: Redistricting Follow Up
Date: Tue, 08 Jun 2021 16:04:12 -0000
Importance: Normal

Need a mtg with the people on this email to move to next steps and discuss how. I've copied Lexie to schedule.

Michael Hall

Chief of Staff

Ohio Governor Mike DeWine

michael.hall@governor.ohio.gov

w: (614) 629-8201

m: (937) 510-7017

From: "Eck, Joshua" <Josh.Eck@governor.ohio.gov>

To: "Dawson, Laurel" <Laurel.Dawson@governor.ohio.gov>, "Hall, Michael" <Michael.Hall@governor.ohio.gov>, "McCarthy, Daniel" <Dan.McCarthy@governor.ohio.gov>, "Peterson, Lisa" <Lisa.Peterson@governor.ohio.gov>, "Tierney, Daniel" <Dan.Tierney@governor.ohio.gov>, "Cornyn, LeeAnne" <Leeanne.Cornyn@governor.ohio.gov>, "Kelly, Matthew" <Matthew.Kelly@governor.ohio.gov>, "Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>

Subject: Will Republicans lose their supermajorities in Ohio Statehouse? Gerrymandering reform makes that a real possibility

Date: Fri, 12 Mar 2021 17:45:50 +0000

Importance: Normal

Inline-Images: image001.jpg; image002.jpg

Off topic for the day – but if you missed this article, I thought I would send it along. I think Rich Exner's reporting on redistricting has been good and easy to understand.

- Josh

WILL REPUBLICANS LOSE THEIR SUPERMAJORITIES IN OHIO STATEHOUSE? GERRYMANDERING REFORM MAKES THAT A REAL POSSIBILITY

Rich Exner | Cleveland.com

March 11, 2021

Source: Ohio Secretary of State

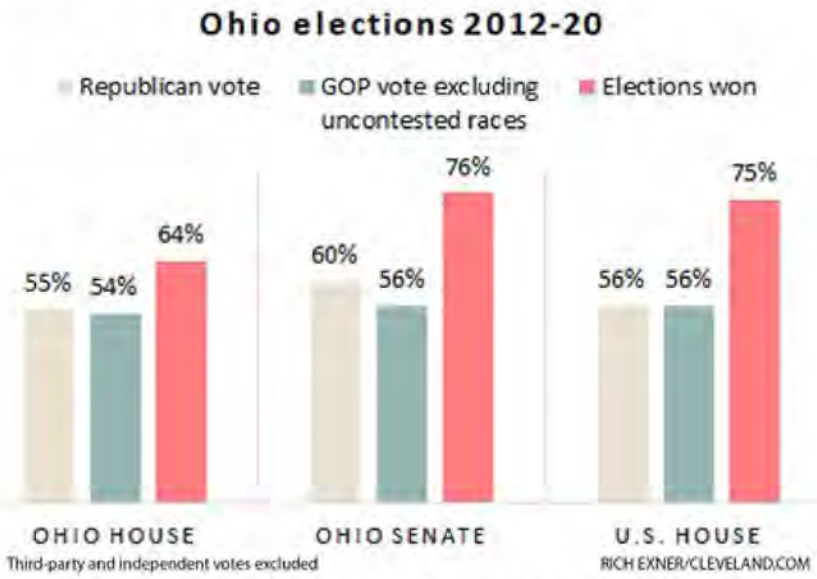
CLEVELAND, Ohio - As successful as Republicans have been in building dominating control of Ohio politics, their supermajority hold on the Statehouse could be nearing an end - that is if the rules of gerrymandering reform Ohio voters overwhelmingly approved are closely followed.

Embedded in the 2015 constitutional amendment to clean up the process of drawing Ohio Senate and Ohio House districts every 10 years is a requirement to look back at past statewide elections from the decade - and build maps representative of the state's political leanings.

Those 16 state and federal races - including Ohio wins by Barack Obama, Donald Trump and Mike DeWine - - taken together show a 54% to 46% advantage for the GOP over the Democrats.

This makes Ohio a red state. But not nearly as much as the size of the lopsided control the last set of maps - drawn up in 2011 ahead of the gerrymandering reform - delivered for Republicans, who now control 76% of the Ohio Senate seats and 64% in the House.

Republican leaders such as former Senate President Larry Obhof argue that strong campaigns and good candidates helped widen the GOP control, but without question the maps were designed to put the Republicans at a big advantage. And they worked.



Here are the results of the elections using the current district lines, from 2012 through 2020. Uncontested races included are those for which there was not both a Republican and Democrat, though in some cases there were third-party or independent candidates.Rich Exner, cleveland.com

How gerrymandering works

Gerrymandering is when the party in control of the process packs as many likely opposing voters in as few districts as possible, so that the majority party can spread out its success.

That goes a long way toward explaining why in 2012 when the current maps were used for the first time, the Republicans won 60 of the 99 House races although the Democrats received more votes overall in those races. The maps were drawn shrewdly, based on previous voting patterns.

But now the new rules - being used this fall the first time in preparation for the 2022 election - not only have stricter restrictions for how communities can be split, they require a political test.

The state constitution requires looking at statewide and federal partisan elections over the last 10 years - those for president, the U.S. Senate, governor, auditor, attorney general, secretary of state and treasurer. Then in creating the maps, the proportion of districts that "favor each political party shall correspond closely to the statewide preference of the voters."

Important note here: This provision is just for the state legislature; the political test was excluded in gerrymandering reform later approved in 2018 for the congressional redistricting process, taken out

at the request of Republican leaders.

Combining these 16 statewide races and removing votes for third-party or independent candidates leaves the Republicans with a 54.1% to 45.9% advantage over Democrats. Individual race results shown below include the independent and third-party votes.

Race	Rep.	Dem.	Rep.	Dem.
2012 President	Romney	Obama	47.7%	50.7%
2012 Senate	Mandel	Brown	44.7%	50.7%
2014 Governor	Kasich	FitzGerald	63.6%	33.0%
2014 Att. Gen.	DeWine	Pepper	61.5%	38.5%
2014 Auditor	Yost	Carney	57.0%	38.3%
2014 Sec. State	Husted	Turner	59.8%	35.5%
2014 Treasurer	Mandel	Pillich	56.6%	43.4%
2016 President	Trump	Clinton	51.7%	43.6%
2016 Senate	Portman	Strickland	58.0%	37.2%
2018 Senate	Renacci	Brown	46.6%	53.4%
2018 Governor	DeWine	Cordray	50.4%	46.7%
2018 Att. Gen.	Yost	Dettelbach	52.2%	47.8%
2018 Auditor	Faber	Space	49.7%	46.3%
2018 Sec. State	LaRose	Clyde	50.7%	47.0%
2018 Treasurer	Sprague	Richardson	53.3%	46.7%
2020 President	Trump	Biden	53.3%	45.2%

What the change means

As for future Statehouse elections, "It pretty much means there should not be a supermajority due a squeaker election," said Richard Gunther, a professor emeritus of political science from Ohio State University who was a consultant on the reform effort and the negotiations that led to the 2015 ballot measure.

"It should be a much more fair map," Gunther said. "The Republicans likely will have a majority, but it shouldn't translate into a supermajority."

A supermajority in the Statehouse is significant.

As explained by Obhof, the former Senate president, 60% is needed to override a veto, two-thirds are necessary to pass emergency legislation and a large majority provides a cushion on more divided

matters.

"For me as the leader, it made your job easier," Obhof said.

While favorable maps for the Republicans designed by previous voting patterns were "an important factor," Obhof also said good candidates and good campaigns matter as well: "You can have a supermajority irrespective of the map."

Yet, Obhof said the reforms mean that as the district maps are developed now and in the future, "the minority party will have more influence in the process than they had before."

One of the big advocates for change was the League of Women Voters, which argued in part that gerrymandering takes away the voices of the voters by creating districts that are so uncompetitive that candidates either end up running unopposed or face little credible opposition.

"We don't care about who wins. We just want candidates to have to work for their voters," said Jen Miller, executive director of the League of Women Voters of Ohio.

"There will be some seats that stay solidly Republican or solidly Democratic. But we should see more seats that swing back and forth. That's good for voters. We want candidates and elected officials to listen to constituents in their districts."

The reform was supported by leadership of both political parties.

What else is in the reform

Beyond the political leanings, other requirements for Statehouse redistricting include:

- **More bipartisan say:** Formerly, a five-member commission set the Statehouse map with a simple majority vote. Reform changed this to a seven-member commission (the Republican governor, auditor and secretary of state, plus two appointments for each party made by the state legislative leaders). Passage of a new 10-year map will require both votes from the minority party (the Democrats this year). Otherwise, a four-year map could be approved.
- **New limits on splitting communities:** Districts must be compact. If the commission splits a county, municipal corporation or township between districts, it must explain its actions in a statement accompanying the map.
- **Public process:** The commission must hold at least three public meetings across Ohio to present the map and solicit public input.

Ohio voters approved of these changes, 71% to 29%.

"The reform measures provide really important guardrails," said Katy Shanahan, Ohio director for All on the Line, a national group focused on redistricting with ties to the Democratic Party. "The reforms offer really good protections against re-doing the (gerrymander of) 2011."

Yet, Shanahan said Ohio is on her group's watch list because of the state's gerrymandering history: "We have an opportunity to turn the tide."

The redistricting work likely will take place in the fall. The reform includes a deadline of Sept. 30. But delays brought on by the coronavirus pandemic means the state may not have the needed local population details from the Census Bureau until Sept. 30, six months behind schedule.

That still leaves ample time to complete the work ahead of filing deadlines for the next election, but may require agreements by state officials on how to proceed beyond the deadline.

Rich Exner, data analysis editor, writes cleveland.com's and The Plain Dealer's personal finance column - That's Rich! Follow on Twitter @RichExner.

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Subject: redistricting prep briefing
Date: Mon, 13 Sep 2021 12:59:32 -0000
Importance: Normal

James - Whenever we add a redistricting prep today for RMD, we need to include Donahue, Crooks, McCarthy, Peterson and Tierney. Thanks

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Three Practical Tests for Gerrymandering: Application to Maryland and Wisconsin

Samuel S.-H. Wang

ABSTRACT

Partisan gerrymandering arises when many single-district gerrymanders are combined to obtain an overall advantage. The Supreme Court has held that partisan gerrymandering is recognizable by its asymmetry: for a given distribution of popular votes, if the parties switch places in popular vote, the numbers of seats would change in an unequal fashion. However, the asymmetry standard is only a broad statement of principle, and no analytical method for assessing asymmetry has yet been held to be manageable. Recently I proposed (68 *Stanford Law Review* 1263) three statistical tests to reliably assess asymmetry in state-level districting schemes: (a) a discrepancy in winning vote margins between the two parties' seats; (b) undue reliable wins for the party in charge of redistricting, as measured by the mean-median difference in vote share, or by an unusually even distribution of votes across districts; and (c) unrepresentative distortion in the number of seats won based on expectations from nationwide district characteristics. These tests use district-level election outcomes, do not require the drawing of maps, and are accessible via nearly any desktop computer. Each test probes a facet of partisan asymmetry. The first two tests analyze intent using well-established, century-old statistical tests. Once intents are established, the effects of gerrymandering can be analyzed using the third test, which is calculated rapidly by computer simulation. The three tests show that two current cases, the Wisconsin State Assembly (*Whitford v. Nichol*) and the Maryland congressional delegation (*Shapiro v. McManus*), meet criteria for a partisan gerrymander. I propose that an intents-and-effects standard based on one or more of these tests is robust enough to mitigate the need to demonstrate predominant partisan intent. The three statistical standards offered here add to the judge's toolkit for rapidly and rigorously identifying the consequences of partisan redistricting.

Keywords: gerrymander, redistricting, Common Cause, First Amendment, *Vieth v. Jubelirer, LULAC v. Perry*

INTRODUCTION

THE TERM "GERRYMANDERING" DESCRIBES the act of drawing district lines to make an individual legislator's victory overwhelmingly likely, by virtue of creating a district with predictable voting patterns. Such a pattern contradicts the saying that "voters should choose their representatives, and not the other way around."[1] One special case of gerrymandering has attracted particular attention from the Supreme Court: that of a partisan gerrymander. In this sophisticated form of gerrymander, individual legislators of both political parties may benefit by gaining safe seats, but the overall effect is to give specific net advantage to one party. Partisan gerrymandering has been deemed justiciable since the 1986 ruling in *Davis v. Bandemer*,[2] in which Indiana Democrats asserted that they were

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[1]Mitchell N. Berman, *Managing Gerrymandering*, 83 TEXAS L. REV. 781, 781 (2005).
[2]*Davis v. Bandemer*, 478 U.S. 109 (1986).

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systematically disadvantaged by their state's legislative map.

In the thirty years since *Bandemer*, no manageable standard has been identified by the Supreme Court. The closest approach came with the *LULAC v. Perry*[3] case on mid-decade redistricting in Texas, in which a majority of the Court mentioned partisan asymmetry as a potentially applicable principle. In this guiding principle, suggested by political scientists Bernard Grofman and Gary King,[4] partisan symmetry is defined as a situation in which reversed positions in the popular vote lead to a reversed seat outcome. The absence of such symmetry would therefore define a partisan gerrymander. A remaining challenge is to translate this concept to a concrete standard for practical use.

Commonly, gerrymanders are diagnosed by analyzing specific districts. However, partisan gerrymandering emerges from patterns of districting, and examination of a single district does not clearly identify partisan asymmetry. Indeed, any given district may give an advantage to its own winner's party, to the opposing party, or to neither party, depending on the overall redistricting scheme. A partisan gerrymander can only be reliably diagnosed when considering a state's whole districting plan at once.

I recently developed a method for using patterns of election outcomes to detect partisan asymmetry.[5] I developed two analyses: one that detects intents, as evidenced by a pattern of district-level partisan outcomes that is unlikely to have arisen by chance, and therefore imply deliberate actions by those who drew the lines; and one that measures the effects of those actions, defined as the number of seats that exceed an appropriate range that would arise under partisan-symmetric principles.

My analysis of intents is based on mathematical tests that have been known for nearly a hundred years. Such tests are well established in the scientific community as a way of testing for differences between two groups of observations (in this case, groups of districts), or overall asymmetry (in this case, the pattern of advantages gained by two political parties). The tests are taught to undergraduates and are accessible to anyone with an introductory statistics textbook and a spreadsheet program. Judges may rapidly use these tests to analyze whether a pattern of election outcomes is likely to have arisen from partisan intent. This "analysis of intents" has the potential to place the initial diagnosis of partisan gerrymandering under the control of judges, with expert testimony playing a role only after an initial determination has been made.

Once intent has been established, the question arises of effects: how many seats were gained by partisan gerrymandering? In my analysis of effects, I estimate the extent to which a party's elected number of seats exceeds an appropriate range that would arise under symmetric principles of districting. This measure overcomes the central difficulty that representation is not necessarily proportional to public support. The idea that representation should be proportional is intuitive but wrong and is violated in a system in which individual elections are winner-take-all.[6] A more sophisticated approach to quantifying the number of excess seats has relied on the detailed preparation of hypothetical maps[7] according to explicitly stated rules for how districts are drawn. However, such an approach may be criticized because it implicitly relies on the notion that specific standards for hypothetical districting represent an acceptable baseline for comparison. My calculation of effects takes the simplifying step of constructing a range of possibilities using national election results, without reference to specific geographic boundaries or districting rules.

In this article I consider two current federal gerrymandering cases: the Maryland congressional delegation (*Shapiro v. McManus*[8]) and Wisconsin State Assembly districts (*Whitford v. Nichol*[9]). The tests show that gerrymandering has created partisan distortions that are statistically highly significant. I will end by suggesting ways in which these tests

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[3] *League of United Latin American Citizens v. Perry*, 548 U.S. 399 (2004).

[4] Bernard Grofman and Gary King, *The Future of Partisan Symmetry as a Judicial Test for Partisan Gerrymandering after LULAC v. Perry*, 6 Election Law Journal 2 (2007).

[5] Samuel S.-H. Wang, *Three Tests for Practical Evaluation of Partisan Gerrymandering*, 68 Stanford Law Review 1263 (2016).

[6] Edward R. Tufte, *The Relationship Between Votes and Seats in Two-Party Systems*, 67 American Political Science Review 540 (1973).

[7] Jowei Chen and Jonathan Rodden, *Cutting Through the Thicket: Redistricting Simulations and the Detection of Partisan Gerrymanders*, 14 Election Law Journal 331 (2015); Jowei Chen and Jonathan Rodden, *Unintentional Gerrymandering: Political Geography and Electoral Bias in Legislatures*, 8 Quarterly Journal of Political Science 239, 248 (2013).

[8] *Shapiro v. McManus*, 136 S. Ct. 450 (2015).

[9] *Whitford v. Nichol*, No. 3:15-cv-00421 (W.D. Wis. 2015).

can be used to construct a manageable standard for use by courts and legislatures.

This article was awarded second place in Common Cause's First Amendment Gerrymandering Standard competition of 2016. Parts of this article are modified from a previous publication.[10]

CONSTITUTIONAL INJURIES IN A PARTISAN GERRYMANDER

When districting plans are challenged for partisan gerrymandering, litigants assert that voters have lost the ability to elect representatives that fairly reflect their views. Redistricting efforts are also said to confer specific advantage on one political party at the expense of another. In most partisan gerrymanders, the districting scheme results in the election of delegations that do not naturally reflect the overall preferences of the state's voters.

Partisan gerrymandering's unconstitutionality rests on two rationales: the Fourteenth Amendment's Equal Protection Clause and "one person, one vote" principle, and the First Amendment-based protection of speech and association.[11] The justiciability of partisan gerrymandering arises from a series of Supreme Court cases starting with *Davis v. Bandemer* and continuing with *Vieth v. Jubelirer*[12] and *LULAC v. Perry*. In 1986, the Supreme Court established justiciability in *Davis v. Bandemer*.[13] The Court did not find a partisan gerrymander in *Bandemer*, but they did lay out a cause for action based on a two-prong test: 1) intent—an established purpose to create a legislative districting map to disempower the voters for one party; and 2) effect—proof that an election based on the contested districting scheme led to a distorted outcome.[14]

An equal protection-based approach might suggest the possibility of taking a disparate-impact approach to partisan gerrymandering. The *Arlington Heights v. Metropolitan Housing*[15] housing discrimination case established a framework in which courts evaluate a number of factors to identify housing discrimination in the form of disparate impact and/or disparate treatment of groups of differing socioeconomic or racial characteristics. However, the Supreme Court has thus far not adopted standards resembling *Arlington Heights* criteria in the context of partisan gerrymandering. Indeed, the Court has developed an explicit distinction between racial and partisan gerrymandering, as seen in *Vieth v. Jubelirer*.

The *Vieth* case concerned whether Pennsylvania's congressional districts constituted a partisan gerrymander. In that case, five justices voted to dismiss the claim. Justice Antonin Scalia wrote a plurality opinion for four justices. He wrote that "to the extent that our racial gerrymandering cases represent a model of discernible and manageable standards, they provide no comfort here [in the partisan context]."[16] Justice Kennedy wrote a separate concurrence, and also declined to join Justice Stevens's opinion stating that Stevens "would apply the standard set forth in the *Shaw* [race] cases" in "evaluating a challenge to a specific district" on partisanship grounds.[17]

Instead of the *Shaw* standard, Justice Kennedy suggested a basis for determining partisan gerrymandering under the First Amendment. Unlike ethnicity or socioeconomic status, identification with a political party can be changed with little effort. In this respect, partisan identification can be regarded as an act of speech or free association, both of which are protected by the First Amendment. In *Vieth*, Justice Anthony Kennedy has noted that the First Amendment can be interpreted as a mandate for "not burdening or penalizing citizens because of their participation in the electoral process, their voting history, their association with a political party, or their expression of political views.[18] Under general First Amendment principles those burdens in other contexts are unconstitutional absent a compelling government interest."[19]

Partisan gerrymandering can chill a voter's freedom to choose her or his favored political party. In gerrymandered districts, the noncompetitive nature

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[10]Wang, *supra* note 5.

[11]*Bandemer*, 478 U.S. at 122–123; *Vieth v. Jubelirer*, 541 U.S. 267, 314 (2003) (J. Kennedy, concurring in judgment; "penalizing citizens because of their participation in the electoral process, … their association with a political party, or their expression of political views," citing *Elrod v. Burns*, 427 U.S. 347 (1976) (plurality opinion)).

[12]*Vieth*, 541 U.S. 267 (2003).

[13]*Bandemer*, 478 U.S. at 110.

[14]*Bandemer*, 478 U.S. at 128 (upholding the district court's finding that the Bandemer plaintiffs were required to prove discriminatory intent and effect).

[15]*Village of Arlington Heights v. Metropolitan Housing Development Corp.*, 429 U.S. 252 (1977).

[16]*Vieth*, 541 U.S. at 286.

[17]*Id.* at 321.

[18]*Vieth*, 541 U.S. at 314 (J. Kennedy, concurring); *Elrod v. Burns*, 427 U.S. 347, 362 (1976).

[19]*Vieth*, 541 U.S. at 314 (J. Kennedy, concurring).

of the general election leaves the primary election as the only avenue for voters to affect their representation. Such a situation creates a powerful incentive to compel voters to join the dominant political party, even if that party's issue positions do not encompass his or her political views. Since a partisan gerrymander creates noncompetitive districts for both major parties, voters on both sides may potentially feel the chill.

The harms I have delineated above suggest two possibilities. First, packing voters into districts based on their partisan affiliation may constitute an infringement of public self-expression, or freedom of speech. Second, chilling of partisan choice may constitute an infringement of freedom of association. Together, these harms constitute a form of viewpoint discrimination. In this way, the purposeful creation of lopsided districts can be linked to First Amendment principles.

Justice Kennedy did not articulate an exact standard to evaluate partisanship under the First Amendment. Since *Bandemer*, a central difficulty has been establishing a manageable standard, i.e., one that provides a reliable and usable determination of whether an offense has occurred. In *Bandemer*, the justices described the effects prong in general terms. Justice White advocated an analysis of an entire districting plan: "A statewide challenge, by contrast, would involve an analysis of the voters' direct or indirect influence on the elections of the state legislature as a whole," while also acknowledging that this was "of necessity a difficult inquiry."[20] But eighteen years later in *Vieth*, the plurality opinion stated that no acceptable standard had been established in the intervening time, and therefore it was time to abandon the search.[21] The Court in *Vieth* was notably divided, culminating in five separate opinions.[22] In a separate concurrence, Justice Kennedy provided a fifth vote against invalidating the districts in Pennsylvania, but left the door open for future remedies in other cases if a clear standard could be established.[23] The dissenting four justices voted in favor of a finding of partisan gerrymandering and offered several possible standards, but none was backed by a majority of Justices.[24] *LULAC v. Perry* left this judicial stalemate unaltered, but it did contain various endorsements of the symmetry standard, spread across multiple opinions.[25]

In this article, I present three tests that address concerns expressed in the *Vieth* opinions of Justices Scalia and Kennedy, and which are rooted in the symmetry principle. My method has advantages offered by mathematical rigor previously absent from the Court's opinions on partisan gerrymandering. By translating principles that have emerged from constitutional jurisprudence into the language of classical statistics, these tests may plug a hole that has been left unfilled by the Court.

MATHEMATICAL METHODS CAN IDENTIFY STATE-LEVEL IMBALANCES

The most obvious harm from partisan gerrymandering is representational. Partisan gerrymandering creates a situation in which the same overall statewide vote share would lead to a very different level of representation for the redistricting party and its opposing target. For example, in the Pennsylvania congressional election of 2012, Democrats won only 5 out of 18 congressional House seats, despite winning slightly more than half of the statewide vote. Democratic winners were packed into districts where they won an average of 76 percent of the vote, while Republican winners won an average of 59 percent.[26] In other words, partisan gerrymandering creates representational asymmetry between the two major political parties.

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[20] *Bandemer*, 478 U.S. at 143.

[21] *Vieth*, 541 U.S. at 279.

[22] *Vieth*, 541 U.S. 267, 271 (opinion. of J. Scalia, joined by C.J. Rehnquist, and O'Connor and Thomas, JJ.); *id.* at 306 (opinion of J. Kennedy, concurring in judgment); *id.* at 317 (opinion of J. Stevens, dissenting); *id.* at 343 (opinion of J. Souter, dissenting, joined by Ginsburg, J.); *id.* at 355 (opinion of J. Breyer, dissenting).

[23] *Vieth*, 541 U.S. at 306 ("I would not foreclose all possibility of judicial relief").

[24] *Id.*

[25] *LULAC*, 548 U.S. at 468 (n.9) (opn. of Stevens, J. P., joined by Breyer, S) ("a helpful [though certainly not talismanic] tool"). *LULAC*, 548 U.S. at 473 (n. 11) (opn. of Stevens, J.P.; asymmetry as one of eight criteria he would use for determining effects-based violations). *LULAC*, 548 U.S. at 466 (opn. of Stevens, J.) ("Plan 1374C [the challenged plan] is inconsistent with the symmetry standard"). *LULAC*, 548 U.S. at 483 (opn. of Souter, J.) ("do not rule out the utility of a criterion of symmetry"; "interest in exploring this notion is evident [on the Court]"). *LULAC*, 548 U.S. at 420 (opn. of Kennedy, J. joined by Justices Souter and Ginsburg) (indicating use as a standard based on election results, but not hypothetical future results).

[26] Sam Wang, *Let Math Save Our Democracy*, N.Y. TIMES, Dec. 5, 2015, at SR6, <http://www.nytimes.com/2015/12/06/opinion/sunday/let-math-save-our-democracy.html> (last visited Jan. 27, 2016).

However, anti-majoritarian outcomes do not by themselves constitute proof of deliberate distortion of electoral processes. Even if some imagined ideal of districting could maximize the likelihood of a majoritarian outcome, lack of congruence with this standard could still arise by chance and small variations in opinion. In 2012, if a few thousand voters in Arizona had cast their ballots for a Republican instead of a Democrat in the 1st or 2nd District, the delegation would have been, like the state's popular vote, majority Republican.[27] Thus anti-majoritarian outcomes are not always accurate indicators of partisan maneuvering. Furthermore, a simple majoritarian standard is incomplete because it only addresses the issue of whether seats or votes fall above or below a 50% threshold. For example, if a party receives 51% of the vote, receiving either 55% or 80% of the seats are both majoritarian outcomes, but the latter case might be viewed as an offense.

A statistical approach is needed to distinguish what degree of inequity is allowable. I will use natural variation and basic concepts of statistics to build three tests for state-level partisan gerrymandering. My approach allows the user to consider conceptual subtleties and at the same time obtain unambiguous judgments without need for elaborate computation using methods whose details have either not been widely adopted by political science researchers and/or found by courts not to be persuasive in the outcome. I hope that a more straightforward approach may meet with wide approval and serve as a universal tool to assess claims of partisan gerrymandering objectively. In this way, the approach described here may eventually serve as a core part of a court's analysis of partisan gerrymandering. This approach recalls Justice Kennedy's statement that "new technologies may produce new methods of analysis that make more evident the precise nature of the burdens gerrymanders impose on the representational rights of voters and parties. That would facilitate court efforts to identify and remedy the burdens, with judicial intervention limited by the derived standards."[28]

Analysis of intents: Voter packing by intentional gerrymandering and self-association

Here I present an analysis of intents, which provides a way to identify characteristic patterns of voting results that are highly unlikely to have arisen by nonpartisan means. Partisan redistricting procedure creates a characteristic lopsided pattern of election results that can be used to identify when packing is likely to have occurred.

State-level gerrymandering is more elaborate than single-district gerrymandering and relies on an elaborate strategy. First, map drawers cram voters likely to favor their opponents so that they are "packed" into a few throwaway districts where the other side will win lopsided victories.[29] Second, state-level gerrymanders have a distinctive feature: the remaining, more numerous districts are drawn with boundaries to yield more-narrowly won victories. For example, voters can be "cracked" so that a bloc of votes is split across districts to dilute their impact and prevent them from contributing to a majority in any one district.[30] In this process, the critical requirement is asymmetry: the opposing party's voters must be more tightly packed than one's own voters.[31] The net result is an increased likelihood of unrepresentative outcomes.

A "lopsided-margins test" to detect when the targeted party wins with unusually large margins. The success of a gerrymandering scheme depends on the ability of the redistricting party to create safe margins of victory for both parties, with larger margins for their opponents. This pattern of outcomes can be quantified by sorting the districts into two groups, by winning party. Each party's winning vote shares can then be compared by what is said to be "the most widely used statistical test of all time":[32] the t-test for comparing the averages of two groups of observations. In

[27]State of Arizona, canvass of election results, <http://apps.azsos.gov/election/2012/General/Canvass2012GE.pdf>, at 4–6.

[28]*Vieth*, 541 U.S. at 312–313 (J. Kennedy, concurring).

[29]Justin Levitt, *A Citizen's Guide to Redistricting*, Brennan Center For Justice, 57 (2010) <http://www.brennancenter.org/sites/default/files/legacy/CGR%20Reprint%20Single%20Page.pdf> (last visited Feb. 17, 2016), at 12–13.

[30]Levitt, *supra* note 29.

[31]Because members of both major parties get packed into districts in a partisan gerrymander, individual members of the opposing party may acquiesce or even be complicit in the process. *See, e.g.*, *LULAC*, 548 U.S. at 418 (noting "a number of line-drawing requests by Democratic state legislators were honored"). In other words, a single-district gerrymander can favor one party even as a partisan gerrymander favors the other party. For this reason, the use of intent as a standard for gerrymandering should distinguish between district-level and party-level motivations.

[32]Richard Lowry, *Chapter 11: t-Test for the Significance of the Difference between the Means of Two Independent Samples*, VassarStats, <http://vassarstats.net/textbook/ch11pt1.html> (last visited Dec. 5, 2015).

this way, the difference between each party's winning margins is used to test for intensive packing of the opposing party's voters.

The mean-median difference as a measure of skewness. In a partisan gerrymander, district outcomes are distributed to favor the redistricter's party, even though the average vote may not favor that party. This discrepancy can be tested using a simple statistic: the difference between the mean (i.e., average) and the median vote share[33] for contested[34] districts. The median serves as a measure of the overall behavior of a state's district-level elections. The goal of a gerrymander is to maximize the number of districts won, which occurs when the median outcome is more unfavorable to the opposing party than that party's share of the vote. The mean-median difference is therefore a simple measure of asymmetry or skewness, and when it is allowed to develop without partisan acts, it has well-defined mathematical properties.[35]

As an example of the calculation, consider the 2012 Pennsylvania congressional election. The Democratic two-party share of the total vote in all 18 districts was, in terms of percentages and sorted in ascending order:

34.4, 36, 37.1, 38.3, 40.3, 40.6, 41.5, 42.9, <u>*43.2, 43.4,*</u> *45.2, 45.2, 48.3,* 60.3, 69.1, 76.9, 84.9, 90.6.[36]

Races won by Republicans are indicated in *italics* and the two middle values are underlined. The median percentage is defined as the midpoint of the two middle values, 43.3%. The mean Democratic vote share is 51.0%. The difference between the median and the mean is 7.7%. This difference reflects the fact that counterintuitively, Republican vote shares were above average in considerably more than half of the districts: 72% (13 out of 18), to be exact.

In other words, Pennsylvania's Democratic voters were empowered as if they comprised 43.3% of voters, even though they actually comprised 51.0%. The difference, 7.7%, is the number of voters who were effectively disenfranchised. Since approximately 5,400,000 Pennsylvanians cast votes in the 2012 congressional election, redistricting achieved an effect equivalent to over 400,000 Democratic voters casting their ballots for Republicans. The probability is less than 1% that this difference arose by chance in a nonpartisan process.[37]

Analysis of effects: What is an appropriate range of seats for a given share of votes?

Distinguishing partisan distortion from Voting Rights Act Section 2 constraints. Although partisan gerrymandering is considered justiciable, another practice that uses similar districting methods is permitted and even mandated under Section 2 of the Voting Rights Act: the establishment of districts in which an ethnic minority constitutes a majority of the district's inhabitants.[38] These "majority-minority" districts are constructed to ensure that the interests of identified subgroups are represented. When such minorities are much less than 50% of a state's population, they can end up on the losing side of every election. To counteract this risk, majority-minority districts are constructed to cluster groups with shared interests.[39]

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[33]The mean-median difference has also been suggested by Robin E. Best and Michael D. McDonald, *Unfair Partisan Gerrymanders in Politics and Law: A Diagnostic Applied to Six Cases,* 14 Election Law Journal 312 (2015). In the present paper I give mathematically rigorous confidence intervals on that statistic and describe the circumstances under which it is applicable.

[34]The presence of uncontested races reduces the value of the mean-minus-median statistic. In those cases, the partisan breakdown is not known with accuracy. Consider the example of a 20-district state where one district's election is uncontested. Assume that district's residents would have voted at a rate of 80% for their party, instead of the nominal 100%. If their district were drawn differently, the appropriate mean for comparison would be based on the 80% figure and shift the overall mean by 1%.

[35]The mean-median difference is a simple and old measure of "skewness," a statistical term for asymmetry. David P. Doane and Lori E. Seward, *Measuring Skewness: A Forgotten Statistic?*, 19 Journal of Statistics Education (2011), <http://www.amstat.org/publications/jse/v19n2/doane.pdf>; Karl Pearson, *Contributions to the Mathematical Theory of Evolution, II: Skew Variation in Homogeneous Material*, Transactions of the Royal Philosophical Society, Series A, 186, 343–414 (1895); G. Udny Yule and Maurice G. Kendall, An Introduction to the Theory of Statistics 162–163 (3d ed. 1950).

[36]Karen L. Haas, Statistics of the Presidential and Congressional Election of November 6, 2012 (2013), <http://clerk.house.gov/member_info/electionInfo/2012election.pdf> (last downloaded Feb. 18, 2016).

[37]The level of statistical significance is calculated using Test 2 and Student's t-distribution. Richard Lowry, *Chapter 7: Tests of Statistical Significance: Three Overarching Concepts*, VassarStats, <http://vassarstats.net/textbook/ch7pt1.html> (last visited Dec. 27, 2015).

[38]Stephen Ansolabehere and Maxwell Palmer, A Two Hundred-Year Statistical History of the Gerrymander, Presentation at the Congress and History Conference, Vanderbilt University (May 22–23, 2015).

[39]*How New York State's Approved Redistricting Lines Compare with Old Districts*, Redistricting and You, <http://www.urbanresearchmaps.org/nyredistricting/map.html> (last visited Aug. 20, 2015).

This dual use of district-drawing methods opens the challenge of how to construct a criterion that identifies partisan gerrymandering as anomalous, but not single districts that are drawn to create ability-to-elect districts such as majority-minority districts. Such an analysis requires the evaluation of groups of districts at once. Existing doctrine may provide some guidance.

Among the standards for the proper establishment of majority-minority districts is the concept that majority-minority districts should comprise a fraction of all districts that does not exceed the proportion of the minority population.[40] In U.S. court precedent, the "no-more-than-proportional" concept contributes to "*Gingles* criteria" for evaluating districting schemes.[41] Where minority representation is concerned, *Gingles* criteria identify rough proportionality as a relevant factor in evaluating the fairness of a districting plan. Under that standard, the Court has held

> that no violation of § 2 can be found here, where, in spite of continuing discrimination and racial bloc voting, minority voters form effective voting majorities in a number of districts roughly proportional to the minority voters' respective shares in the voting-age population. While such proportionality is not dispositive in a challenge to single-member districting, it is a relevant fact in the totality of circumstances to be analyzed when determining whether members of a minority group have "less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice."[42]

For example, if a minority group with 20% of a state's eligible population is able to elect representatives in 20% of a state's districts, this argues against violation of *Gingles* criteria.[43]

The idea underlying the *Gingles* criteria can be used to address the question of appropriate representation by political parties. I suggest that a redistricting plan is acceptable if it moves the seats-to-votes outcome toward partisan proportionality (eu-proportionality) as measured by prevailing national standards and unacceptable if it moves the outcome away from proportionality (dys-proportionality) beyond the zone of chance. This standard can be understood at a glance using a plot (Figure 1) that I term a "representation plot," or alternatively a "bowtie plot," where eu-proportional outcomes are "inside the bowtie." Since dys-proportional outcomes are a major result of partisan gerrymandering, a standard should distinguish between eu-proportionality and dys-proportionality.[44]

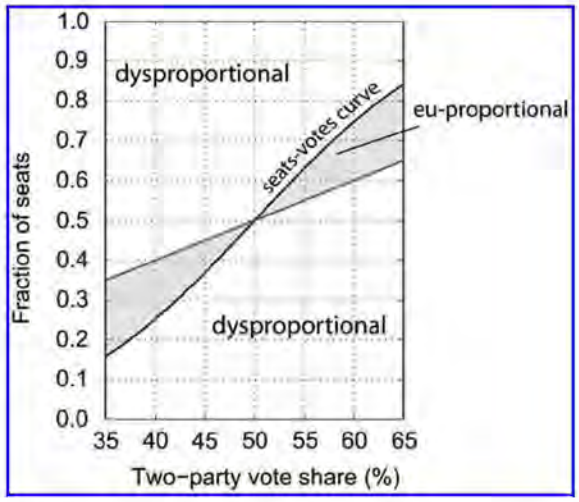

FIG. 1. A representation plot for classifying redistricting schemes. The seats/votes curve indicates the average relationship between seats won (*vertical* axis) and the popular vote share (*horizontal* axis), calculated by creating hypothetical delegations using 2012 House district election results. The *diagonal straight line* indicates proportional representation. Redistricting schemes that fall in the *shaded* zone between the *curve* and the *line* are termed eu-proportional; other outcomes are termed dysproportional. For clarity, the zone of chance (see text) is not shown.

I note that the eu-proportionality concept specifically does *not* imply the establishment of proportional representation, a rule that is not to be found in the Constitution or in U.S. districting law and

[40]Section 2 of the Voting Rights Act of 1965, 79 Stat. 437, as amended, 42 U.S.C. § 1973.

[41]*Thornburg v. Gingles*, 478 U.S. 30 (1986); *Johnson v. De Grandy*, 512 U.S. 997 (1994).

[42]*Id.* at 1000 (finding no violation of § 2 of the Voting Rights Act of 1965, 79 Stat. 437, as amended, 42 U.S.C. § 1973).

[43]*Thornburg v. Gingles*, 478 U.S., 74–77 (describing near-proportional legislative representation of black voters as evidence of their ability to elect their preferred representatives).

[44]In this plot, the gray line indicates proportionality and is a straight line drawn from zero vote share and zero seat fraction to 100% vote share and 100% seat fraction. The seats/votes curve is calculated by resampling to build "fantasy delegations" (see the main text) and is approximated by the mathematical function that is the area under a bell-shaped curve whose average is 50% vote share and whose standard deviation is 14% vote share.

that does not arise in a single-member district system. Single-member districts usually generate outcomes in which a majority party's share of seats tends to exceed its proportion of popular support.[45] Instead, the eu-proportionality concept relies on the idea that some deviations from an average seats-to-votes relationship are beneficial for representation, whereas other deviations are detrimental. Good districting seeks to establish "fair and effective representation for all citizens."[46] The concept that deviations toward proportionality are good encompasses a wide range of concepts that includes (a) establishing appropriate levels of representation for minority groups (viz., *Gingles* criteria); (b) allowing the possibility that like a racial group, a political party with considerably less than 50% support might permissibly have enhanced representation relative to what would be predicted from national seats/votes relationships, but that reduced representation is impermissible; and (c) setting reasonable limits to how much enhancement from (b) is allowed. In this way, the Platonic ideal of proportionality does not set a specific goal but instead defines a direction of acceptable deviation. It is simple to state, it is flexible, and it contains many permissible outcomes.

Defining the zone of chance. In addition to defining desirable and undesirable directions, a standard for partisan gerrymandering requires a method for determining whether a change could have arisen as part of normal variation in districting as practiced across the United States. In the three tests proposed here, I use the rules of probability to (a) describe that variation, (b) establish what the range of possible outcomes is, and (c) formulate a rule for identifying situations in which a state's new districting scheme has departed sufficiently from normal practice.

Faulty bright-line standards such as a majoritarian standard can be repaired by identifying a "zone of chance,"[47] which I define as the range of outcomes that could have arisen, without deliberate planning, from variations in how districts are drawn.[48] I will calculate zones of chance for (a) the pattern of voting outcomes across districts (Tests 1 and 2) and (b) the number of seats won in an election for any given statewide division of popular vote (Test 3).

The zone-of-chance approach recalls Justice Kennedy's statement that "new technologies may produce new methods of analysis that make more evident the precise nature of the burdens gerrymanders impose on the representational rights of voters and parties. That would facilitate court efforts to identify and remedy the burdens, with judicial intervention limited by the derived standards."[49] At the same time, I will also take advantage of longstanding statistical tests whose history assures their mathematical rigor. The use of statistical tests also allows judges to evaluate evidence more directly, with less need for assistance from external experts.

To understand the zone-of-chance concept, it is helpful to start by considering a case that is mathematically simple and does not require computer simulation: equally matched parties. I will focus on representation, i.e., the effects of redistricting.

As pointed out in the plurality opinion in *Vieth v. Jubelirer*, any districting scheme contains the possibility that a majority of votes will, by chance, lead to a minority of seats. To explore this concern, it is informative to calculate the exact probability that such a deviation could occur in the absence of intentional partisan districting. The calculation is simplest when the two-party popular-vote share (defined as the fraction of the top two parties' popular vote won by one party) is close to 50% for each party. In this circumstance, party A's seat-share for a random partitioning of N districts is on average N/2, and the probability of party A winning a particular district is 0.5. The actual number of districts won will vary, in the same way that a series of coin tosses are not guaranteed to yield equal numbers of heads and tails. The outcome will be within one standard deviation of the average about two-thirds of the time, and outcomes within this range would be fairly

[45]Proportional representation is achieved only in systems where it is enforced specifically and directly. For example, in Israel, members of the national legislative body, the Knesset, are assigned so that the number of a party's seats is proportional to the fraction of its popular vote. (Article 4 of the Basic Law: The Knesset.) Such a system embodies a legislature-centered form of the "one man, one vote" principle: each citizen's party preference is reflected proportionally at the national level.

[46]*Reynolds v. Sims*, 377 U. S. 533, 565 (1964).

[47]Sam Wang, *Let Math Save Our Democracy*, *supra* note 26.

[48]The zone of chance concept is a way to express the concept of significance testing in statistics. Statisticians calculate how far a measurement, such as the number of seats won by a party in a given election, is likely to stray from the expected average. In this article, I define the zone of chance as a region within which chance outcomes would fall 95% of the time, and outside the region 5% of the time. Statistics texts refer to this as a "$p < 0.05$" or "$\alpha < 0.05$" standard. *See* Lowry, *Chapter 7*, *supra* note 37. *See also* Wang, *supra* note 5.

[49]*Vieth*, 541 U.S. at 312–313 (J. Kennedy, concurring).

unsurprising.[50] And if the vote share is almost exactly 50%, then outcomes will give a majority to the other side close to half of the time.

To generalize the zone-of-chance calculation, I will use computer simulation. I will use existing districts in the year under examination as a source of information about how vote totals in districts may vary. The inputs to the calculation are the congressional vote totals for the state under examination and national district-by-district congressional results from the same year. This process escapes the burden of drawing boundaries, which requires the researcher to apply her or his standards about "good districting." This calculation will yield both a general seats/votes relationship and a statistical confidence interval (a.k.a. zone of chance) for the range of outcomes that could be expected in the absence of directed partisan intent. The zone of chance provides an answer to the question of whether a set of election outcomes has deviated sharply from national standards.

National districting patterns can be used to identify a natural seats/votes relationship. Computer simulations can be used to ask a simple question: if a given state's popular House vote were split into differently composed districts carved from the same statewide voting population, what would its congressional delegation look like? The answer allows the definition of a range of seat outcomes that would arise naturally from districting standards that are extant at the time of the election in question.

It is possible to calculate each state's appropriate seat breakdown—in other words, how a congressional delegation would be constituted if its districts were not contorted to protect a political party or an incumbent. This is done by randomly selecting combinations of districts from around the United States that add up to the same statewide vote total for each party. Like a fantasy baseball team, a delegation put together this way is not constrained by the limits of geography. On a computer, it is possible to create millions of such unbiased delegations in short order. In this way, one can ask[51] what would happen if a state had districts whose distribution of voting populations was typical of the pattern found in rest of the nation. Because this approach uses existing districts, it uses as a baseline the asymmetries that are present nationwide.[52] Indeed, the average result of these simulations approximates a "natural" seats/votes relationship that can be defined with mathematical rigor and exactitude. In short, these simulations detect distortions in representativeness in one state, relative to the rest of the nation.

Using a standard ThinkPad X1 Carbon laptop computer equipped with the mathematical program MATLAB, simulation code[53] can perform one million simulations for a state in less than 20 seconds. Figure 2 shows 1,000 such "simulated delegations" for the state of Pennsylvania, along with the actual outcome. The thick curve defines a mathematically expected average seats/votes relationship.

I will develop an analysis of intents test that uses the zone-of-chance concept. The standard deviation,

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[50]For example, if all N races are perfect toss-ups, then they behave like coin tosses, and according to the laws of probability the standard deviation of the outcome, a measure of variation often referred to as "sigma," or σ, is $0.5 * \sqrt{N}$. Thus if political parties A and B compete in a state that is composed of 16 congressional districts, all of which are closely contested, then each party can expect to get eight seats on average. Sigma for the specific case of all-close-races is $0.5 * \sqrt{16} = 2$ seats, suggesting that each party would typically get 6 to 10 seats. It must be noted that the foregoing formula for sigma is a substantial overestimate of real-life situations, because districting generates a mixture of more and less closely contested districts, and only close contests contribute to uncertainty. To estimate the true value of sigma, which is typically smaller, a more sophisticated approach is required, as detailed in Wang, *supra* note 5, in the section titled "National districting patterns can be used to identify a natural seats/votes relationship."

[51]This can be done by using all 435 House race outcomes. For a state X with N districts, calculate the total popular vote across all N districts. Now pick N races from around the country at random and add up their vote totals. If their vote total matches X's actual popular vote within 0.5%, score it as a comparable simulation. *See* Sam Wang, *The Great Gerrymander of 2012*, N.Y. Times, Feb. 2, 2013, at SR1.

[52]It is possible to explore the properties of this simulation procedure by giving it a variety of hypothetical nationwide distributions of districts as starting data. These hypothetical scenarios reveal that the "fantasy delegation" procedure has important features that are required of a descriptor of partisan asymmetry. First, for a symmetric distribution of congressional districts, i.e., a scenario in which Democrat-dominated districts are no more packed than Republican-dominated districts, fantasy delegations are typically majoritarian, awarding more representatives to the party that receives more votes. Second, the fantasy delegations have the same natural variation in partisan composition as the nationwide distribution, as measured by standard deviation. Third, when the nationwide distribution of districts has asymmetry, for instance containing a number of districts that are very packed with one party (as is the case in real life for Democrats), the fantasy delegations show a bias toward the other party, a phenomenon that is well analyzed (reviewed in Jowei Chen and Jonathan Rodden, *Unintentional Gerrymandering: Political Geography and Electoral Bias in Legislatures*, 8 Quarterly Journal of Political Science 239, 248 [2013]).

[53]The MATLAB software is available at GitHub, <https://www.nytimes.com/2015/12/06/opinion/sunday/let-math-save-our-democracy.html> (last visited Aug. 24, 2015).

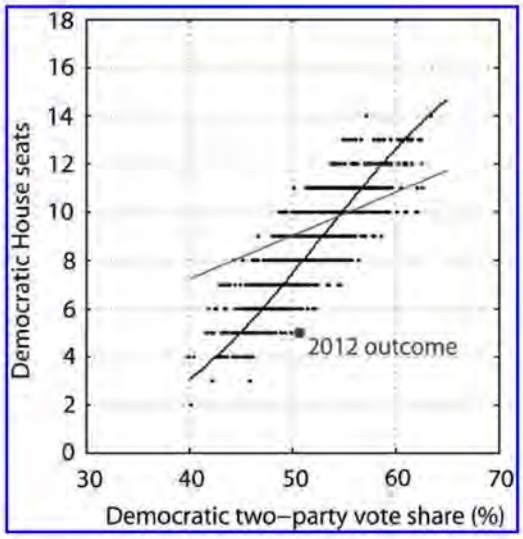

FIG. 2. Simulated Pennsylvania House delegations. Each *point* indicates one hypothetical delegation composed of 18 House districts drawn at random from the national House election of 2012. One thousand simulations are shown. The *thick curved line* indicates the average seats/votes curve and the *thinner diagonal line* indicates proportionality, both as defined in Fig. 1. The labeled larger *point* indicates the actual outcome, which falls in a zone of dys-proportionality, "outside the bowtie."

sigma, will be used as a yardstick of deviations from the average expected outcome. The general idea is that an average outcome only reflects one point in a range of outcomes, and the standard deviation (often referred to as sigma, or σ) is necessary to define a zone of chance. A difference would then be expressed as Delta, defined as the difference divided by sigma. Generally speaking, for a bell-like curve, which these simulations approximately follow, a difference of 1.6 standard deviations or more (Delta $\geq$1.6) occurs by chance in 5% of cases. Five percent is a common threshold for determining statistical significance.[54] In this way, the standard deviation is a handy and universal reference measure for detecting extreme outcomes, and it applies to all the analyses and tests in this article.

THREE QUANTITATIVE TESTS OF INTENTS AND EFFECTS IN PARTISAN GERRYMANDERING

Converting the analyses to practical tests

I will now use the analyses of intents and effects to propose three tests. I use the analysis of intents, which identifies narrow-but-reliable wins as a hallmark of gerrymandering, to construct two tests: Test 1, the lopsided outcomes test; and Test 2, a reliable-wins test. I use the analysis of effects, which is based on numerical simulation of seat outcomes, to construct Test 3, the excess seats test.

Test 1 (the lopsided outcomes test). Compare the difference between the share of Democratic votes in the districts that Democrats win and the share of Republican votes in the districts that Republicans win. This test works because in a partisan gerrymander, the targeted party wins lopsided victories in a small number of districts, while the gerrymandering party's wins are engineered to be relatively narrow. To compare the winning vote shares for the two parties, use a grouped t-test, an extremely common statistical test.

Test 2 (the reliable-wins test). Systematic rigging of total statewide outcomes occurs by the construction of districts that offer secure wins for the party in control of the map. These wins would be wide enough to guarantee victory but not so wide as to waste votes that could be used to shore up other districts. How this intent is detected depends on whether the state's partisan vote is closely divided or whether one party is dominant. In a closely divided state, reliable wins occur when the average and median vote differ from one another. In a state that is dominated by one party, reliable wins occur when that party's strength is spread highly evenly across districts.

In a closely divided state. Calculate the difference between a party's statewide average district vote share on the one hand and the median vote share it receives on the other. In this situation a systematic gerrymander can be detected when a party's median vote share is substantially below its average vote share across districts.[55] For this test, calculate Delta by dividing the mean-median difference by σ, which is defined as 0.756 * (standard deviation

[54]A difference of Delta = 1 or more in a dysproportional direction occurs in approximately 16% of cases. A difference of Delta = 2 or more occurs in approximately 2.3% of cases. A difference of Delta = 3 or more occurs in approximately 0.13% of cases. These values are for Analysis #1, which uses a bell-shaped curve. Analyses #2 and #3 use the t-distribution, which gives slightly different values.

[55]This is the mean-median test described in Wang, *supra* 5 and Wang, *supra* 26, and by Best and McDonald, *supra* note 33.

of vote share across all N congressional districts in a state)/$\sqrt{N}$.[56]

In a state where the redistricting party is dominant. Calculate the standard deviation of the redistricting party's vote share in the districts that it wins. Calculate the standard deviation of the party's vote share in the districts that it wins nationwide. Compare these two standard deviations using a well-established testing tool, the chi-square test for comparison of variances,[57] to define zones of chance.

Test 3 (the excess seats test). Calculate whether the outcome of an election after redistricting was dysproportional relative to a simulated seats/votes curve and whether that outcome favors the redistricting party. For a state containing N districts, calculate the difference between the actual seats and the simulated expected number and divide by the standard deviation to obtain Delta.

Tests 1 and 2 determine whether the pattern of data could have arisen by chance; if not, this indicates an intent to gerrymander. A residual possibility exists of a false-positive result, i.e., identifying that a gerrymandering event occurred when in fact it did not. To reduce the possibility of such a false alarm, partisan gerrymandering could be assessed by evaluating both Test 1 and Test 2. Finally, Test 3 evaluates whether a party gained a significant advantage in terms of seats, and calculates the size of the effect.

Advantages and disadvantages of the three tests

The tests proposed here have several advantages. First, the tests do not require the detailed drawing of maps. Second, because they are derived from election results only, the tests can be applied independently from evaluating the details of the districting process. Third, because the results of the tests are highly correlated with one another, in situations where one test is unsuitable, another can be used instead. In this way the tests can be used separately or combined to reduce the risk of falsely identifying a gerrymander where none occurred. Conversely, the use of multiple tests also reduces the risk of failing to detect a gerrymander where one did occur. Finally, because the three tests do not use geography, they can easily be combined with other standards which may require circuitous geographic boundaries, such as state-mandated requirements,[58] Section 2 of the Voting Rights Act, and other precedents that exist in federal law.

Before the judge (or other evaluator of a districting plan) chooses which test to apply, he or she should take the following advantages and disadvantages into account.

Test 1 has the advantage of simplicity: it can be worked out using a spreadsheet program such as Microsoft Excel that can perform a two-sample t-test. If such a program is not available, it can be done using a hand calculator and a table of statistical values. It directly tests for noncompetitive races, a mainstay of gerrymandering. It identifies partisan asymmetry, though not bipartisan gerrymanders in which individual candidates of both parties benefit. Test 1 has the disadvantage that it can only be used if both parties win at least two seats each, since this is required to calculate standard deviations, a necessary step of the test.

Test 2 measures the reliability of wins for the redistricting party. Like Test 1, it is simple to calculate. Test 2 can always be done, since it is calculated using most or all of a state's district-level results. In the case of the mean-median difference, it does not rely on any data from other states and is therefore self-contained. In the case of the chi-square test, national data must be used to provide a standard for comparison.

Test 3 quantifies effects. Its most powerful use is to obtain an exact range for the appropriate number of seats for a given vote share. It addresses whether

[56]Paul Cabilio and Joe Masaro, *A Simple Test of Symmetry About an Unknown Median*, 24 CANADIAN JOURNAL OF STATISTICS/LA REVUE CANADIENNE DE STATISTIQUE 349, 352 (1996); Tian Zheng and Joseph L. Gastwirth, *On Bootstrap Tests of Symmetry about an Unknown Median*, 8 JOURNAL OF DATA SCIENCE 397, 400–401 (2010).

[57]Karl Pearson, *On the Criterion that a Given System of Deviations from the Probable in the Case of a Correlated System of Variables Is Such That It Can Be Reasonably Supposed to Have Arisen from Random Sampling*, 50(302) PHILOSOPHICAL MAGAZINE SERIES 5, 157–175 (1900); GEORGE W. SNEDECOR AND WILLIAM G. COCHRAN, STATISTICAL METHODS (8th ed. 1989).

[58]The three tests proposed here address the overall apportionment plan but do not cover the case of individual self-dealing in single districts. Local laws may provide additional constraints. For example, the current congressional districts in Florida do not violate the three tests presented here. Nonetheless, the Florida Supreme Court has found the map to violate the Florida Constitution redistricting provisions (article III, section 20(a) that reads, "No apportionment plan or district shall be drawn with the intent to favor or disfavor a political party or an incumbent"). *League of Women Voters of Florida v. Detzner*, 2015 WL 4130852 (Fla. 2015). This stricter standard extends a mandate for competitive races to the level of single districts.

a redistricting scheme leads to an elected delegation that deviates from national districting norms. Test 3 can always be calculated for any set of election returns. Because it uses data from other states, it has the advantage of taking into account the overall nationwide demographic character of districts. Therefore it has the virtue of measuring effects that go beyond the natural effects of population clustering. However, because it requires computer simulation, it requires the use of a computer program, a version of which can be accessed at http://gerrymander.princeton.edu, or obtained separately by contacting the author.

Three examples: the original Gerry-mander, Maryland congressional districts, and Wisconsin State Assembly districts

To examine the general applicability of these tests, let us consider three examples: (1) the original Gerry-mander of 1812, (2) post-2010 Maryland congressional districts, which the Supreme Court recently remanded for consideration by a three-judge court,[59] and (3) post-2010 Wisconsin State Assembly districts, which are currently under review in the Western District of Wisconsin.

Example 1: The original "Gerry-mander," the Massachusetts State Senate election of 1812. For Test 1, the Federalists won five races (which accounted for 11 districts); in these races, their two-party vote share averaged 55.6%, with a standard deviation of 4.6%. The Democratic-Republicans won 13 races (which accounted for 29 districts), with an average vote share of 70.7% and a standard deviation of 5.3%. The resulting Delta (for a t-test, also called a "t-score") is 5.5, and therefore Test 1 is met to a standard of 5.5 sigma. This is an unusually high level of significance and is reached by chance 0.0025% of the time.

Test 2 cannot be used because districts are not equal in size. In 1812 the number of votes per legislator ranged from Dukes/Nantucket (1,078 votes cast in total for one legislator) to Franklin (4,469 votes for one legislator).[60]

Test 3 is evaluated by starting from the fact that there were 18 races.[61] The average expectation of a nearly evenly divided popular vote is nine races for each party. The upper theoretical value to sigma is $0.5 * \sqrt{18} = 2.1$ races; computational simulation reveals a true value of sigma of 1.4 races. The Federalists won only five races,[62] and therefore Test 3 is met to a standard of $(9–5)/1.4 = 2.9$ sigma, statistically significant.

Example 2: Maryland congressional districts. Maryland has eight congressional districts. Steven Shapiro and other plaintiffs filed suit in district court that the post-2010 districting plan violated their rights to political association and equal representation under the First and Fourteenth Amendments.[63] This complaint was dismissed, an outcome that was affirmed by the U.S. Court of Appeals for the Fourth Circuit.[64] However, in December 2015 the Supreme Court reversed the decision, remanding the case to a three-judge court for further consideration.[65]

In Maryland, Democrats typically win around 60% of the vote at a statewide level—the same as the margin needed for a safe victory. Artful arrangement is accomplished—and can be detected—in the form of many districts of near-identical partisan composition (Figure 3).

Test 1 cannot be applied because with only one Republican congressman, the standard deviation of the Republican winning vote share cannot be calculated.

Test 2 should be done for the case of partisan dominance, a situation that calls for the chi-square test to test whether Democratic votes are spread unusually uniformly across congressional districts. Figure 4 shows the classical measure of variability, the standard deviation.[66] The standard deviation of Maryland Democrats' winning vote share in seven districts was 6.6% in 2012 and 7.3% in 2014. I compared the variability of Maryland Democratic districts with the variability of Democratic districts nationwide. The values for Maryland fall outside the zone of chance.

Maryland's standard deviations would have arisen by chance in only 2.8% of cases in 2012

[59] *Shapiro v. McManus*, 136 S. Ct. 450 (2015).
[60] Lampi Collection of American Electoral Returns, 1787–1825, American Antiquarian Society (2016).
[61] In that election, multimember districts of unequal population were allowed. For the calculation of Test 3, each district election is used as one data value.
[62] Lampi Collection, *supra* note 60.
[63] *Shapiro*, brief of petitioners, at 12 and 35–39, <http://www.scotusblog.com/wp-content/uploads/2015/08/14-990-ts.pdf>.
[64] No. 14-1417 (4th Cir. 2014).
[65] *Shapiro*, 136 S. Ct. 450.
[66] The standard deviation is the square root of the variance.

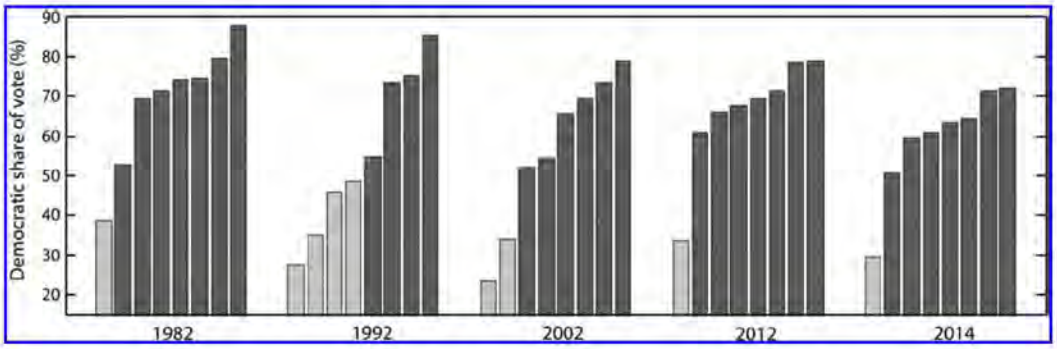

FIG. 3. Democratic two-party vote share in Maryland congressional districts, 1982–2014. For each year, the vote shares are sorted in ascending order of vote share. Republican districts are indicated in *gray*, Democratic districts in *black*. After the 2010 redistricting, vote share in Democratic-held districts became markedly less variable, as evidenced by the narrower range of Democratic win margins in 2012 and 2014.

and 1.7% of cases in 2014.[67] A third year, 2004, also showed an unusually low standard deviation.[68] These findings show that the Democrats' partisan advantage was achieved by spreading their partisan support in a highly even manner across their winning districts.

Test 3 quantifies the size of the effects of Maryland's gerrymander. In the pre-redistricting election of 2010, Democrats won 63.2% of the statewide vote and six seats,[69] compared with a simulated average of 6.1 seats—not statistically significant. After redistricting, in 2012 Democrats won 65.5% of the statewide vote and won seven seats,[70] compared with a simulated average of 6.1 seats. The value of Delta was 1.2 favoring Democrats, not quite statistically significant. In 2014, Democrats' vote share declined to 58.1%, but they retained all seven of their seats.[71] In this case, the simulated average was 5.1 seats, and the value of Delta was 2.4, statistically significant. These results indicate that redistricting gained Democrats a 1-seat advantage in a strong Democratic year, 2012, and that this advantage was retained in the national wave election of 2014 that swept dozens of Republicans into office in states outside Maryland.

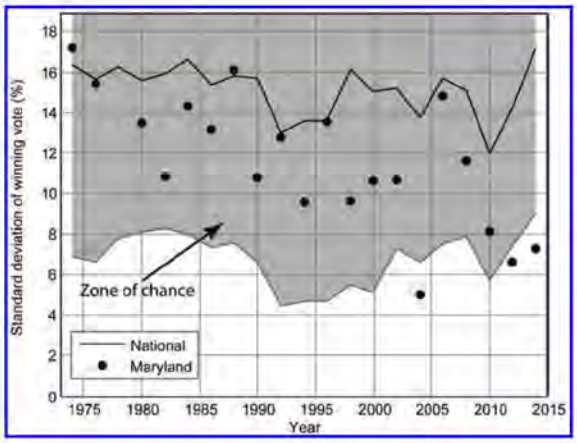

FIG. 4. Standard deviation of Democratic vote share over time. The *jagged line* at top indicates the standard deviation of the Democratic vote share nationally. *Black circles* indicate the standard deviation for Maryland districts. The *gray* shaded area indicates the zone of chance. Two years fall outside the zone of chance and pass an additional test for significance: 2012 and 2014.

[67]For a lower one-tailed test at significance level $p < 0.05$, the lower bound of the zone of chance is equal to sqrt(2.167/(N-1)) * (national s.d.). <http://www.itl.nist.gov/div898/handbook/eda/section3/eda358.htm>, <http://sites.stat.psu.edu/~mga/401/tables/Chi-square-table.pdf>. It should also be noted that the chi-square test assumes normally distributed vote shares. An additional test, the Ansari-Bradley test, does not make this assumption, and still identifies 2012 and 2014 (but not 2004) as being statistically significant departures from national Democratic districts. A.R. Ansari and R.A. Bradley, *Rank-Sum Tests for Dispersions*, 31 ANNALS OF MATHEMATICAL STATISTICS 1174–1189 (1960).

[68]Without partisan intent, the Maryland standard deviation would still be expected to fall outside the zone of chance in five percent of cases—one in twenty. Maryland's 2004 congressional delegation was within the zone of chance by Test 1, indicating that the result of Test 3 is a chance result, i.e., a "false positive."

[69]KAREN L. HAAS, STATISTICS OF THE CONGRESSIONAL ELECTION OF NOVEMBER 2, 2010, at 22 (2011), <http://clerk.house.gov/member_info/electionInfo/2010election.pdf>.

[70]*Id.* at 27–28.

[71]NEW YORK TIMES (online), <http://elections.nytimes.com/2014/maryland-elections> (downloaded Feb. 18, 2016).

Example 3: Wisconsin State Assembly districts. After the 2010 election, the Republican Party controlled the Wisconsin State Senate, Assembly, and governorship, bringing post-Census redistricting into its control. The resulting State Assembly map was challenged by a group of Wisconsin Democratic voters who have alleged partisan gerrymandering under the First and Fourteenth Amendments.[72]

The Wisconsin Assembly has 99 seats. To evaluate its partisan asymmetry in historical context, I applied Test 1 (the lopsided-outcomes test) and Test 2 (the reliable-wins test). I analyzed state elections from 1984 to 2014. During this period, the average two-party vote across districts was between 45% and 55% for both parties. This condition of near-parity provides the greatest potential advantage to the party that can impose a partisan gerrymander. Over the entire 30-year period, the difference in winning vote share between the two parties (Test 1) was at its greatest in the 2012 election (Figure 5). Democrats won 39 seats with an average vote share of 68.8% (standard deviation 8.3%), while Republicans won 60 seats with an average vote share of 59.7% (standard deviation 6.5%). The difference, 9.1%, is statistically significant: this outcome would have arisen from a partisan-symmetric process by chance with a probability of less than 1 in 10 million (i.e., a two-sample t-test shows that $p < 10^{-7}$, or a 1 in 10 million chance that the outcome arises by nonpartisan mechanisms).[73] Of particular note is the fact that this partisan advantage appeared immediately after redistricting. Such a sudden jump would not be expected from population-clustering effects, which should change more gradually over time.

From 1984 to 2010, the overall results of Test 1 did not show a consistent pattern of partisan disadvantage. In 1990, Democrats and Republicans jointly controlled redistricting, leading to an impasse and a court-ordered redistricting. In the following five elections from 1992 to 2000, the difference in average winning vote share was not statistically significant and never exceeded 2% in either direction. Then, in 2000, redistricting was again court-ordered, and in the following five election cycles from 2002 to 2010, the median value of the lopsided-outcomes test was a 5.0% advantage in favor of Republicans, reaching statistical significance three times.

In 2014, a majority of Assembly seats were uncontested: 29 out of 63 Republican seats and 23 out of 36 Democratic seats. In this situation, the average winning vote share is dominated by imputed values. For example, if all races were uncontested, the difference in average winning vote share would be defined as zero. Therefore an abundance of uncontested races tends to underestimates of the degree of partisan asymmetry. In this case, the difference in average winning vote share was 2.0% favoring Republicans, or 6.4% not counting imputed support (Figure 5A, open symbol). This case demonstrates that when many races are uncontested, an additional measure of partisan asymmetry is needed.

As a second test for gerrymandering, I used Test 2, the mean-median difference. The mean-median difference is applicable since the parties are closely matched in statewide strength. After redistricting, the average Democratic vote share in 2012 was 51.5% and the median vote share was 45.7%. The difference, 5.8% favoring Republicans, was statistically highly significant at $p < 10^{-5}$, meaning that under symmetric conditions, the mean-median difference would reach 5.8% by chance less than once in one hundred thousand cases. In 2014, Democrats' average vote share declined to 46.0%, and their median vote share was 41.1%. The difference, 4.9% favoring Republicans, was again statistically significant ($p < 0.01$). Both 2012 and 2014 had a higher mean-median difference than the pre-redistricting election of 2010, in which the mean-median difference was 3.2% favoring Republicans. These findings are consistent with the idea that partisan asymmetry increases suddenly when a new gerrymandering scheme is put into place.

Test 3 (quantifying the number of excess seats) was not done because it optimally requires a population of districts from the same year for purposes of

[72] *Whitford v. Nichol*, No. 3:15-cv-00421 (W.D. Wis. 2015).

[73] In such a calculation, provision must be made for how to score uncontested races. The calculation in the main text was done counting uncontested races as 75%–25% victories. This assumption is established in previous literature (Andrew Gelman and Gary King, *A Unified Method of Evaluating Electoral Systems and Redistricting Plans*, 38 American Journal of Political Science 541, 550 [1994]) as a means of evaluating likely imputed amounts of support in a situation where one party is dominant. In the case of the 2012 election, 23 Democratic seats and 4 Republican seats were uncontested. If these 27 races were counted as 100%–0% splits, the average vote share would be 83.5% for Democrats and 61.4% for Republicans, with even greater statistical significance ($p < 10^{-9}$). Generally, imputed support is a conservative assumption that tends to reduce differences between the two parties.

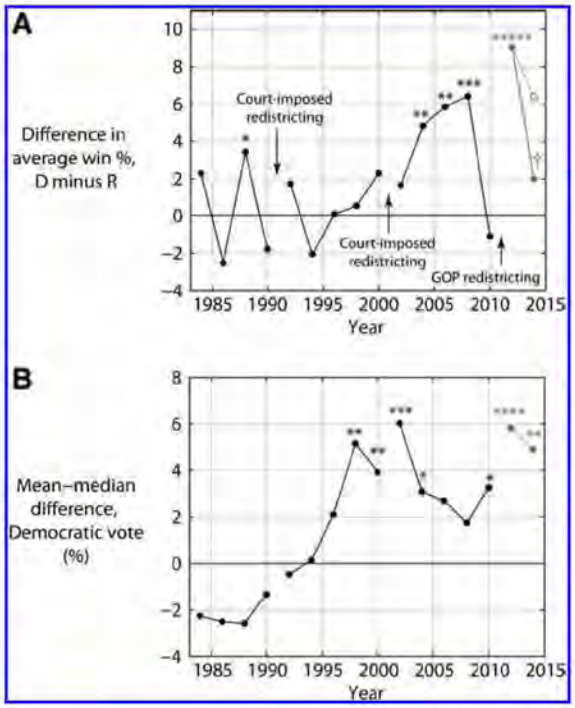

FIG. 5. Application of gerrymandering tests to the Wisconsin State Assembly, 1984–2014. **(A)** Application of Test 1, the difference between average Democratic win margin and average Republican win margins. Statistical significance was tested with a two-tailed unpaired *t*-test. The open symbol indicates the value calculated without imputing support. **(B)** Application of Test 3, the mean-median difference. Significance levels: $*p<0.05$; $**p<0.01$; $***p<0.001$; $****p<0.0001$; $*****p<10^{-7}$. †a majority of Assembly seats were uncontested, diminishing the numerical and statistical value of Test 1.

simulation. For analysis of a state legislature, this information is not available. If necessary, the test could potentially be done using Wisconsin election data from a different year or by drawing districts from a symmetric distribution with a realistic standard deviation.

DISCUSSION

In this article I have presented three tests for rapid identification of partisan gerrymanders. These tests can be used to evaluate intents and effects, the two prongs articulated in *Davis v. Bandemer*. The two intents tests can be done with computing resources already available on a judge's or clerk's desk, and the effects test requires some additional software.[74] All three tests rely on well-established statistical principles. The tests measure different aspects of partisan asymmetry and therefore fall within the scope of principles that have been expressed by the Supreme Court. I suggest that these tests may constitute a manageable standard for courts to evaluate the impact of a state's districting scheme on its residents' Equal Protection and First Amendment rights.

The broader implications of this article are twofold. First, I have used statistical science to express the idea that a pattern of election results might have arisen by chance and therefore not warrant judicial intervention. By establishing "zones of chance" in which the partisan impacts of a districting plan are ambiguous, the three tests presented here can help a judge evaluate whether an identifiable injury has occurred in the first place. Second, an intents-and-effects standard based on the tests is unambiguous and may mitigate the need to demonstrate predominant partisan intent. For these reasons, these statistical tests comprise a valuable and timely addition to the judge's toolkit for rapid and rigorous identification of partisan gerrymanders.

Zones of chance and the First Amendment

My statistical analysis of the effects of gerrymandering may be of particular relevance to First Amendment analysis, which "allows a pragmatic or functional assessment that accords some latitude to the States."[75] By allowing for a normal amount of statistical variation, the three tests proposed in this article build in zones of chance where any of a range of outcomes would lead to an acceptable amount of asymmetry.

Any statistical approach contains some possibility of accidentally identifying gerrymandering where it does not exist (in statistical terminology, "false positives") or missing cases where it did occur (false negatives). Tests may also sometimes not be usable, for instance Test 1 when one party only wins one seat. For these reasons, I have provided two separate tests of intents. These tests are oriented toward the outcomes of elections rather than the specifics of map boundaries or district

[74] A version of this software is available on GitHub at <http://github.com/SamWangPhD/gerrymandering>; it is also available for use at <http://gerrymander.princeton.edu>.

[75] *See, e.g., Eu v. San Francisco County Democratic Central Comm.*, 489 U.S. 214. (1989).

procedures. The tests hew closely to the electoral goals of redistricters and do not rely on geographically oriented approaches which require normative assumptions of what constitutes good districting procedure.

The transparency of well-known statistical standards

If statistical tests for gerrymandering are sufficiently complex, the use of expert witnesses becomes necessary. However, complex arguments are subject to challenge on technical grounds,[76] creating the secondary question of the credibility not just of the statistical method but of the experts themselves. Although the use of expert testimony and statistical reasoning is commonplace in courts,[77] for constitutional questions where statutory guidance is lacking a judge may wish to conduct his or her own evaluation in a more direct manner.

Whitford v. Nichol provides an example of the complications that may arise. In *Whitford*, the districting plan was evaluated using a recently developed measure of asymmetry, the efficiency gap.[78] Expert witness Prof. Simon Jackman established the statistical properties of the efficiency gap in a presentation that included 36 figures.[79] This report was challenged by the state's expert witness, who focused on the question of how much asymmetry came from population clustering; that expert was, in turn, counter-challenged.[80]

While such challenges are an inevitable part of complex litigation, the use of longstanding and simple statistical tests may reduce the need for expert witnesses and detailed presentations. In particular, Tests 1 and 2 proposed here use well-known statistical tests with established procedures for significance testing, can be explained succinctly,[81] and can be worked out by hand. These qualities confer transparency to my proposed analysis of intents.

In addition, this article's tests can be used to separate the contributions of gerrymandering and population clustering. Since gerrymandering relies on the ability to sequester voting populations, the geographic patterns that give Republicans a naturally occurring advantage can also be used to construct further artificial advantages. Conceptually, this addresses the concern about natural clustering expressed in the *Whitford* testimony.

What is the role of intent?

The intent prong in *Bandemer* initially required that the intent be predominantly partisan.[82] This presented a higher bar to proving injury than simply showing that partisanship was one of multiple factors. It is a far higher bar than the evaluation of disparate impact alone. Such a stringent standard may have been appropriate in the absence of legislative guidance or a large body of court precedent. In the *Bandemer/Vieth* framework, the lack of simple and reliable tests made it necessary to assess the link between redistricters' actions and the injury. Indeed, current approaches to proving gerrymanders focus on intent, are diverse in approach, and sometimes do not agree with one another.[83]

An example of ambiguous intent is found in *LULAC v. Perry*.[84] The Republican majority was able to involve individual Democratic legislators in the districting process.[85] However, in matters of redistricting, a party as a whole has motivations

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[76]*Daubert v. Merrell Dow Pharmaceuticals*, 509 U.S. 579 (1993).

[77]*Tex. Dep't of Housing and Comm. Aff. v. Inclusive Communities Project*, 136 S. Ct. 2507 (2015).

[78]E. McGhee, *Measuring Partisan Bias in Single-Member District Electoral Systems*, 39 Legislative Studies Quarterly 55–85 (2014); Nicholas Stephanopoulos and Eric McGhee, *Partisan Gerrymandering and the Efficiency Gap*, 82 Univ. of Chicago L. Rev. 831 (2015).

[79]S. Jackman, *Assessing the Current Wisconsin State Legislative Districting Plan.* Exhibit 3 in *Whitford v. Nichol*, <http://www.fairelectionsproject.org/s/Exhibit-3.pdf> (last downloaded Mar. 27, 2016).

[80]S. Trende, State Expert's Declaration, *Whitford v. Nichol*, <http://www.fairelectionsproject.org/s/Declaration-of-Sean-Trende-Dkt-55.pdf> (last downloaded Mar. 27, 2016); S. Jackman, Rebuttal Report, *Whitford v. Nichol*, <http://www.fairelectionsproject.org/s/Jackman-Rebuttal-Report-Dec-21-2015.pdf> (last downloaded Mar 27, 2016).

[81]S. Wang, Amicus Brief, *Harris v. Arizona Independent Redistricting Commission*, 993 F. Supp. 2d 1042 (D. Ariz. 2014), <https://www.brennancenter.org/sites/default/files/legacy/CGR%20Reprint%20Single%20Page.pdf> (last downloaded March 27, 2016); *see also* Wang, *supra* note 5.

[82]*Bandemer*, 478 U.S. at 128.

[83]Micah Altman, Brian Amos, Michael P. McDonald, and Daniel A. Smith, *Revealing Preferences: Why Gerrymanders Are Hard to Prove, and What to Do about It*, Social Science Research Network, Mar. 22, 2015, at 11–36 (enumerating the strengths and weaknesses of different approaches to evaluating partisan gerrymanders), <http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2583528> (last accessed Aug. 27, 2015).

[84]*LULAC*, 548 U.S. 399, 417–418 (describing cooperation of individual Democratic legislators).

[85]*Id.*

that can be at odds with those of some of their own party's individual legislators.[86] Therefore intent is most fairly evaluated at the state level or at the individual level, but not both at the same time. In addition, the majority in *Crawford v. Marion County Election Board* held that partisan intent is insufficient as a reason to strike down voting restrictions.[87]

The identification of intent begins with a fact-specific inquiry into the state of mind of the legislature and/or the entity that drew the district lines. Statistical testing such as my proposed Tests 2 and 3 allows the identification of patterns of districting that are highly unlikely to have arisen by chance, thereby providing concrete evidence that a legislature or other district-drawing body acted specifically to produce partisan outcomes. This rigorous standard should aid tremendously in the identification of intent.

Furthermore, I suggest that districting can impose a burden on a group's representational rights whether or not the effects (as measured by Test 3) are intentional. Even where intentions are nonpartisan, bipartisan, or unknown, the effect of a districting plan with partisan asymmetry is to produce legislative blocs whose size is unrepresentative of the popular will. The construction of a reliable measure of effect provides clear guidance when an injury has taken place and a template for how the injury can be repaired. Just as a road worker may act to right an upended orange traffic cone even if she or he does not know how the cone came to be tipped over, a court may act when effects are sufficiently strong, as in disparate impact cases in racial discrimination cases.[88] Although partisan gerrymandering cases are governed by different doctrine (constitutional) from racial discrimination cases (statutory interpretation), both types of case concern the issue of intent.

Evaluating the partisan impact of district maps before implementation

Although in this article I used election results to calculate the three tests, the tests could alternatively use other inputs. For example, to rule out the possibility that the tests may be influenced by variations in the quality of specific candidates, it would be possible to use district-level presidential vote shares as inputs.[89]

In current federal precedent, the need for redrawing a set of districts often relies on forensic evidence; that is, on elections that have already occurred.[90] However, by that time an injury to voters has already occurred. To preempt such an injury from occurring, the three tests could be calculated using information that is available before an election. Under the First Amendment rationale of not penalizing groups for their partisan preference, party registration might be used as an input to calculate the three tests. Political scientists, redistricters, and commercial redistricting software also use other variables to predict overall partisan preference; these predictions could also serve as inputs to the tests. Doing so would allow a hypothetical districting scheme to be assessed before it has passed into law.

The standards presented here can quantify the benefits of reform efforts directed at reducing the likelihood of partisan gerrymandering. One such route is the establishment of nonpartisan districting commissions that remove districting from the direct control of legislators. In California, a voter referendum in 2008 established the formation of the California Citizens Redistricting Commission.[91] The commission is composed of 14 members who are drawn from members of the general public, including five Democrats, five Republicans, and four members who decline to state a

[86] *See* discussion of mixed partisan motivations, *LULAC, supra* note 84.

[87] *Crawford v. Marion County. Elec. Bd.*, 553 U.S. 181, 203–204 (2008).

[88] In one recent example, in a racial discrimination case the Supreme Court ruled that demonstration of disparate impact was sufficient to prove discrimination, and that a demonstration of intent was not necessary. *Tex. Dep't of Housing and Comm. Aff. v. Inclusive Communities Project*, 136 S. Ct. 2507 (2015). This case held that in light of results-oriented statutory language in the Fair Housing Act, determination of disparate impacts was sufficient to warrant a remedy, even without discriminatory intent. I argue that if gerrymandering has a sufficiently large effect on a party's supporters, such an injury should still be remedied even when redistricters are not motivated purely by partisan intent.

[89] *LULAC*, 548 U.S. at 420 (Justice Kennedy, joined by Justices Souter and Ginsburg), states in regard to a partisan gerrymandering claim that "such a challenge could be litigated if and when the feared inequity arose." Redistricting software is capable of using quantities such as the presidential vote share to estimate the partisan tendency of a hypothetical district. Redistricters use such measures to judge the likely outcome of a district, and could use them as inputs to the three tests in this Article to evaluate a districting plan before it is implemented.

[90] *LULAC*, 548 U.S. at 2638 (n.9) (opn. of Stevens, J.P., joined by Breyer, S).

[91] California Citizens Redistricting Commission, <http://wedrawthelines.ca.gov/regulation_archive.html> (last visited Aug. 24, 2015).

partisan loyalty.[92] The commission's mandate is to draw districts that respect principles of contiguity, compactness, and representation of a community's interests.[93] The resulting congressional districts have become more competitive: margins of victory have become smaller, and incumbents have lost their re-election races at higher rates than before the formation of the commission.[94] Like the Arizona commission, the work of the California commission has led to closer races and more euproportional overall outcomes.

These tests could also be used in approaches that leave districting under the control of state legislators, but place constraints on how and what they produce. Such an approach has been taken in Florida; ballot initiatives known as Amendments 5 and 6 were passed in 2010, becoming Article III, §§ 20 and 21 of the Florida Constitution.[95] Together with Article III, § 16,[96] the Florida Constitution stipulates that district lines "must be contiguous, compact, and use existing political geographical boundaries where available."[97] Districts also may not be drawn to "favor or disfavor a political party or incumbent."[98] The resulting plans are subject to review by the Florida Supreme Court for review, leading either to approval or return to the legislature for a further attempt to meet districting criteria.[99] The tests described in this article could be useful in identifying statewide partisan favor. Individual districts would still need to be evaluated separately, for example to comply with Voting Rights Act restrictions and other principles set down in federal or state law. These tests, which address the properties of combinations of districts, can complement these other constraints without conflict.

CONCLUSION

Partisan gerrymandering distorts relationships between voting and representation that would otherwise arise naturally, generates seats that are unresponsive to shifts in public opinion, and chills the freedom of voters to associate with a political party of their choosing. The health of democratic processes would be considerably improved by reducing the ability of legislative processes to impose partisan distortions on redistricting maps. The three tests for asymmetry presented here may contribute to a manageable standard for identifying partisan gerrymanders, with the eventual goal of reducing or eliminating them.

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[92]Calif. Const. art. XXII, § 2(c)(2).
[93]Calif. Const. art. XXII, § 2(d).
[94]*Id.*
[95]Justin Levitt, *Florida,* All About Redistricting, <http://redistricting.lls.edu/states-FL.php> (last visited Aug. 24, 2015).
[96]Fla. Const. art. III, § 16.
[97]Fla. Const. art. III, §§ 20–21.
[98]*Id.*
[99]Fla. Const. art. III, § 3(b).

From: "Hall, Michael" <Michael.Hall@governor.ohio.gov>
To: "GOV RMD" <RMDSchedule@governor.ohio.gov>
Subject: Accepted: Call re Redistricting
Date: Mon, 13 Sep 2021 13:42:12 -0000
Importance: Normal
Attachments: unnamed

Event: Accepted: Call re Redistricting

Start Date: 2021-09-13 16:45:00 +0000

End Date: 2021-09-13 17:30:00 +0000

Organizer: GOV RMD <RMDSchedule@governor.ohio.gov>

Location: Microsoft Teams Call

Class: X-PERSONAL

Comment:

Date Created: 2021-10-08 21:34:10 +0000

Date Modified: 2021-10-08 21:34:10 +0000

Priority: 5

DTSTAMP: 2021-09-13 13:42:12 +0000

From: "Hall, Michael" <Michael.Hall@governor.ohio.gov>
To: "GOV RMD" <RMDSchedule@governor.ohio.gov>
Subject: Accepted: In-Person Legal Meeting re Redistricting
Date: Fri, 20 Aug 2021 18:23:40 -0000
Importance: Normal
Attachments: unnamed

Event: Accepted: In-Person Legal Meeting re Redistricting

Start Date: 2021-08-24 17:30:00 +0000

End Date: 2021-08-24 18:30:00 +0000

Organizer: GOV RMD <RMDSchedule@governor.ohio.gov>

Location: Ohio Governor's Residence and Heritage Garden, 358 N Parkview Ave, Columbus, OH 43209, USA

Class: X-PERSONAL

Comment:

Date Created: 2021-10-08 21:35:23 +0000

Date Modified: 2021-10-08 21:35:23 +0000

Priority: 5

DTSTAMP: 2021-08-20 18:23:40 +0000

From: "Hall, Michael" <Michael.Hall@governor.ohio.gov>
To: "GOV RMD" <RMDSchedule@governor.ohio.gov>
Subject: Accepted: In-Person Meeting re Redistricting
Date: Tue, 31 Aug 2021 13:34:47 -0000
Importance: Normal
Attachments: unnamed

Event: Accepted: In-Person Meeting re Redistricting

Start Date: 2021-08-31 15:00:00 +0000

End Date: 2021-08-31 15:15:00 +0000

Organizer: GOV RMD <RMDSchedule@governor.ohio.gov>

Location: Ohio Governor's Residence and Heritage Garden, 358 N Parkview Ave, Columbus, OH 43209, USA

Class: X-PERSONAL

Comment:

Date Created: 2021-10-08 21:35:13 +0000

Date Modified: 2021-10-08 21:35:13 +0000

Priority: 5

DTSTAMP: 2021-08-31 13:34:47 +0000

From: "Hall, Michael" <Michael.Hall@governor.ohio.gov>
To: "GOV RMD" <RMDSchedule@governor.ohio.gov>
Subject: Accepted: In-Person Redistricting Briefing
Date: Fri, 08 Oct 2021 14:37:30 -0000
Importance: Normal
Attachments: unnamed

Event: Accepted: In-Person Redistricting Briefing

Start Date: 2021-10-08 12:45:00 +0000

End Date: 2021-10-08 13:15:00 +0000

Organizer: GOV RMD <RMDSchedule@governor.ohio.gov>

Location: Ohio Governor's Residence and Heritage Garden, 358 N Parkview Ave, Columbus, OH 43209, USA

Class: X-PERSONAL

Comment:

Date Created: 2021-10-08 21:30:34 +0000

Date Modified: 2021-10-08 21:30:34 +0000

Priority: 5

DTSTAMP: 2021-10-08 14:37:30 +0000

From: "Hegarty, Katie" <Katie.Hegarty@governor.ohio.gov>
To: "Eck, Joshua" <Josh.Eck@governor.ohio.gov>, "Dawson, Laurel" <Laurel.Dawson@governor.ohio.gov>, "Hall, Michael" <Michael.Hall@governor.ohio.gov>, "Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>, "Henson, Clayton" <Clayton.Henson@development.ohio.gov>
Cc: "Kelly, Matthew" <Matthew.Kelly@governor.ohio.gov>, "Meade, Lexie" <Lexie.Meade@governor.ohio.gov>, "Elkins, Molly" <molly.elkins@governor.ohio.gov>
Subject: CALL: Redistricting
Date: Fri, 28 May 2021 16:31:14 +0000
Importance: Normal
Inline-Images: image001.jpg; image002.png; image003.png; image004.png

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Good Afternoon All,

We would like to schedule a 30 min Teams call as soon as possible next week regarding redistricting.

Please see Josh's availability below:

Tuesday, June 1st: 9:30-10am; 12:30-2pm; 4:30-5pm
Wednesday, June 2nd: 9:30-11am

Please let me know as soon as possible what works with your schedule and I will send out an invite, once we confirm.

Thanks!
Katie

KATIE HEGARTY
Executive Assistant to the Chief of Staff Central & SW Ohio Regional Liaison
Lt. Governor Jon Husted
office: 614.644.0949 | **cell:** 614.499.4738
email: katie.hegarty@governor.ohio.gov

From: "Hall, Michael" <Michael.Hall@governor.ohio.gov>
To: "Vogel, Anne" <Anne.Vogel@governor.ohio.gov>, "Crooks, Aaron" <Aaron.Crooks@governor.ohio.gov>
Cc: "McCarthy, Daniel" <Dan.McCarthy@governor.ohio.gov>, "Eck, Joshua" <Josh.Eck@governor.ohio.gov>
Subject: FW: Scheduling Request: Redistricting
Date: Mon, 12 Apr 2021 18:31:40 -0000
Importance: Normal

Anne and Aaron – sharing a new request. Not my intent to have this mtg fill one of our policy or legislative briefing times so I didn't suggest that as an option.

Michael Hall

Director of Policy

Ohio Governor Mike DeWine

michael.hall@governor.ohio.gov

w: (614) 629-8201

m: (937) 510-7017

From: Hall, Michael
Sent: Monday, April 12, 2021 2:30 PM
To: Gault, James <James.Gault@governor.ohio.gov>
Cc: O'Donnell, Ann <Ann.O'Donnell@governor.ohio.gov>; Laurel Dawson - Office of the Governor (Laurel.Dawson@governor.ohio.gov) <Laurel.Dawson@governor.ohio.gov>
Subject: Scheduling Request: Redistricting

James – We need an hour to discuss the redistricting process with the Governor. Does not need to be this week. Next week is fine.

Attendees:

RMD

JAH

Ann

Laurel

Josh

Matt

Lisa

LeeAnne

Clayton Henson (at Development)

Dan

Me

Michael Hall

Director of Policy

Ohio Governor Mike DeWine

michael.hall@governor.ohio.gov

w: (614) 629-8201

m: (937) 510-7017

From: "Hall, Michael" <Michael.Hall@governor.ohio.gov>

To: "Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>, "Crooks, Aaron" <Aaron.Crooks@governor.ohio.gov>, "Peterson, Lisa" <Lisa.Peterson@governor.ohio.gov>, "Eck, Joshua" <Josh.Eck@governor.ohio.gov>, "Henson, Clayton" <Clayton.Henson@development.ohio.gov>

Subject: Redistricting Meeting

Date: Tue, 31 Aug 2021 20:42:34 -0000

Importance: Normal

Attachments: unnamed

Event: Redistricting Meeting

Start Date: 2021-09-01 18:30:00 +0000

End Date: 2021-09-01 19:00:00 +0000

Organizer: Hall, Michael <Michael.Hall@governor.ohio.gov>

Location: Riffe, 30th Floor, Michael's Office

Attendee: Donahue, Matthew <Matthew.Donahue@governor.ohio.gov>; Crooks, Aaron <Aaron.Crooks@governor.ohio.gov>; Peterson, Lisa <Lisa.Peterson@governor.ohio.gov>; Eck, Joshua <Josh.Eck@governor.ohio.gov>; Henson, Clayton <Clayton.Henson@development.ohio.gov>

Class: X-PERSONAL

Date Created: 2021-10-08 21:34:35 +0000

Date Modified: 2021-10-08 21:34:35 +0000

Priority: 5

DTSTAMP: 2021-08-31 20:42:34 +0000

Alarm: Display the following message 15m before start

> Reminder

From: Matthew Donahue <matthewjdonahue@gmail.com>
To: "Matthew.Donahue@governor.ohio.gov" <Matthew.Donahue@governor.ohio.gov>
Subject:
Date: Mon, 11 Oct 2021 16:12:45 +0000
Importance: Normal
Inline-Images: 70983.jpg

12:12 LTE

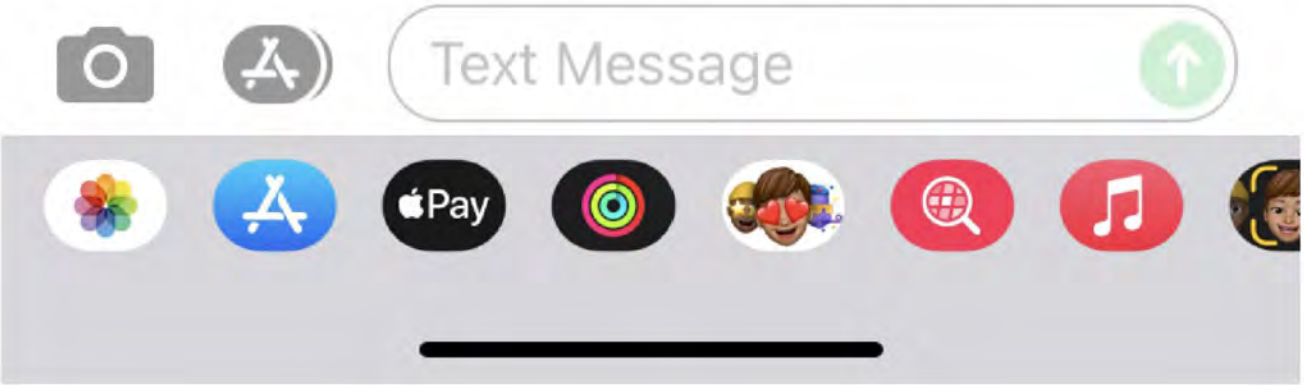
77

11 People >

Text Message
Wed, Aug 25, 8:15 AM

+1 (614) 352-5819

This is Heather Blessing. For members and staff attending the OSU-Zanesville hearing this morning, the campus space is shared by Zane State and OSU, so don't feel confused if you see signs for the Zane State campus (it's the right place).



CAUTION: This is an external email and may not be safe. If the email looks suspicious, please do not click links or open attachments and forward the email to csc@ohio.gov or click the Phish Alert Button if available.

From: Matthew Donahue <matthewjdonahue@gmail.com>
To: "Matthew.Donahue@governor.ohio.gov" <Matthew.Donahue@governor.ohio.gov>
Subject:
Date: Mon, 11 Oct 2021 16:11:41 +0000
Importance: Normal
Inline-Images: 40242.jpg

12:11 5G E

77

PD

Paul >

Text Message
Fri, Sep 10, 6:27 PM

Education Law Symposium : University of Dayton, Ohio
udayton.edu

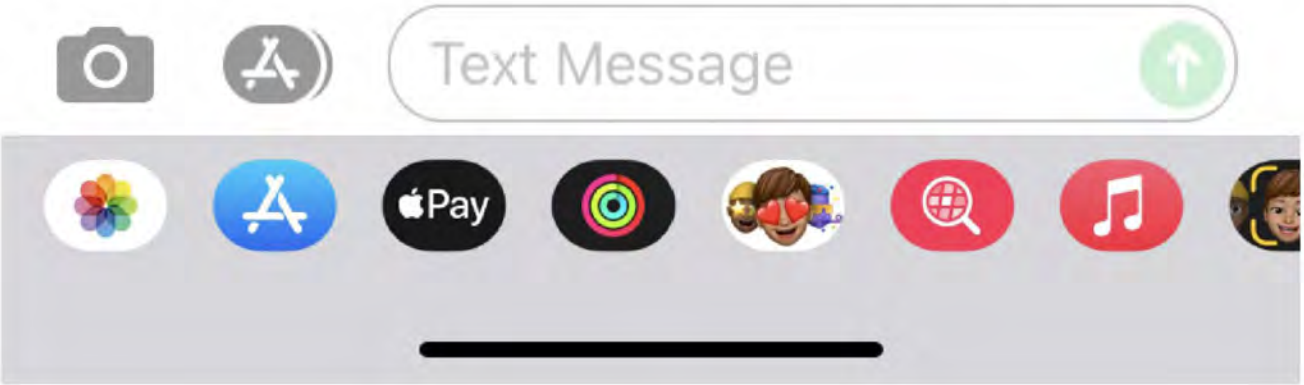
Free cle

Thanks!

Mon, Sep 13, 4:34 PM

Glassman about to testify

Thanks. I'll tune in



CAUTION: This is an external email and may not be safe. If the email looks suspicious, please do not click links or open attachments and forward the email to csc@ohio.gov or click the Phish Alert Button if available.

From: Matthew Donahue <matthewjdonahue@gmail.com>
To: "Matthew.Donahue@governor.ohio.gov" <Matthew.Donahue@governor.ohio.gov>
Subject:
Date: Mon, 11 Oct 2021 16:07:51 +0000
Importance: Normal
Inline-Images: 10189.jpg

12:07 LTE

79

MG

Mike >

Thank you

Tue, Jul 20, 3:20 PM

Hope you are well when you have a minute I have two unrelated things no rush

Mon, Sep 13, 4:33 PM

Dem map maker about to testify

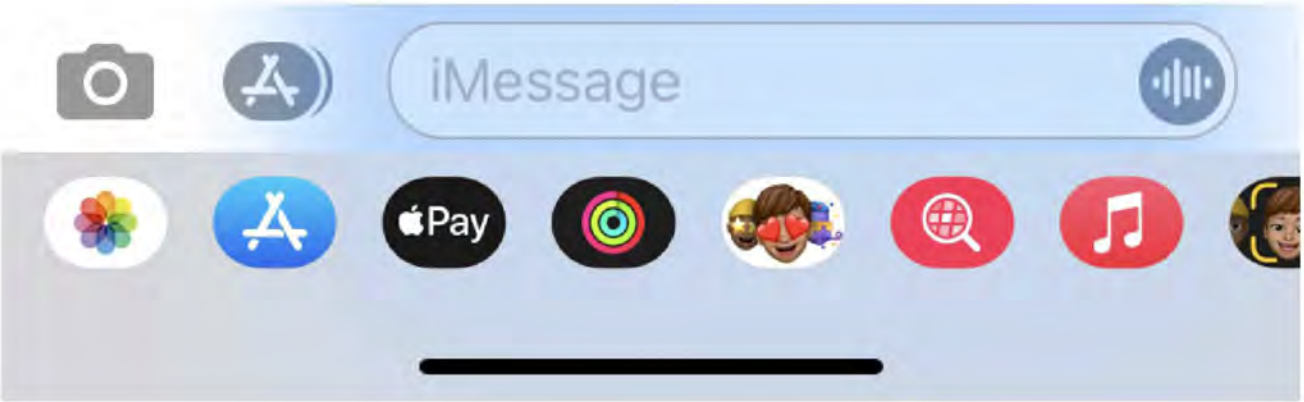
Watching and trying to tweak Montgomery Co.

Wed, Sep 15, 11:11 AM

Chris Olivetti of our office will be calling you. His number is 614-306-7109

Mon, Sep 20, 9:53 AM

Who is the chief counsel at Taxation? We need to send Tax a letter re the cannabis ballot initiative.



CAUTION: This is an external email and may not be safe. If the email looks suspicious, please do not click links or open attachments and forward the email to csc@ohio.gov or click the Phish Alert Button if available.

From: Matthew Donahue <matthewjdonahue@gmail.com>
To: "Matthew.Donahue@governor.ohio.gov" <Matthew.Donahue@governor.ohio.gov>
Subject:
Date: Mon, 11 Oct 2021 16:05:23 +0000
Importance: Normal
Inline-Images: 49146.jpg

12:05 LTE

79

SS

Sloan >

Wed, Jul 28, 4:04 PM

Can u call u back in 5? Sloan

Sure

AOS is a go for Aug 6th. Just let us know when/where.

Fri, Jul 30, 10:40 AM

Is Aug 6th just Statewides or the actual kickoff of the full commission?

Text Message

Is Aug 6th just Statewides or the actual kickoff of the full commission?

iMessage
Wed, Sep 29, 3:05 PM

Are you able to jump on a the AGO team's meeting

Delivered

Actual calling of the

CAUTION: This is an external email and may not be safe. If the email looks suspicious, please do not click links or open attachments and forward the email to csc@ohio.gov or click the Phish Alert Button if available.

From: "6144200149@vzwpix.com" <6144200149@vzwpix.com>
To: "Matthew.Donahue@governor.ohio.gov" <Matthew.Donahue@governor.ohio.gov>
Subject:
Date: Mon, 11 Oct 2021 16:00:19 +0000
Importance: Normal
Inline-Images: Screensho.jpg

Verizon LTE 11:59 AM

25

FS

Frank >

Fri, Aug 20, 8:45 AM

Fyi - this will be the website:

https://www.redistricting.ohio.gov/

Still not live yet. Definitely will be today, and hopefully sooner rather than later. Too many cooks in the pot are slowing it down. Will let you know when it is set to go live.

And hoping to finalize draft rules today. Will send as soon

as that happens.

Going live at 9:30.

Tue, Aug 31, 5:41 PM

Had to leave early to get home and watch the kids tonight

iMessage

From: "Matthew.Donahue@governor.ohio.gov" <Matthew.Donahue@governor.ohio.gov>
To: "Matthew.Donahue@governor.ohio.gov" <Matthew.Donahue@governor.ohio.gov>
Subject: Screenshot 2021-10-11 at 11.57.31 AM
Date: Mon, 11 Oct 2021 15:58:12 +0000
Importance: Normal
Inline-Images: Screenshot_2021-10-11_at_11.57.31_AM.png

Verizon LTE 11:57 AM

26

PD

Paul >

Text Message
Fri, Aug 27, 1:33 PM

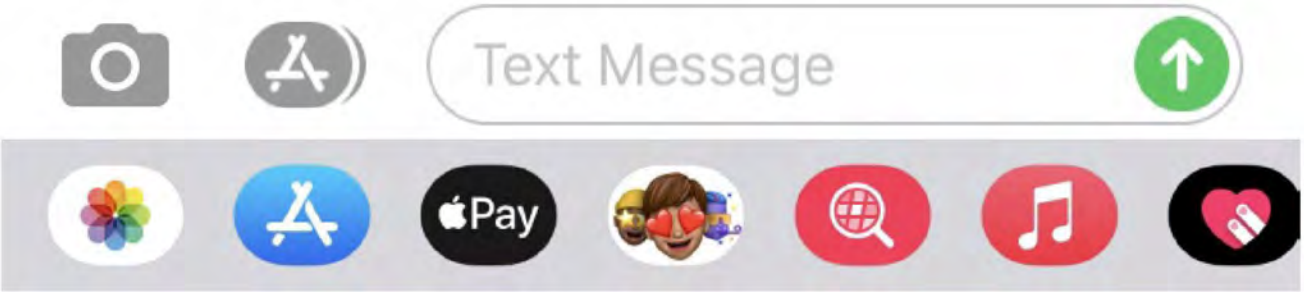
When you get a chance, can you forward the case that says in absense of the adoption of rules, Robert's rules are the default for state meetings?

Sun, Sep 12, 7:53 PM

How bad is it?

Could be worse

Is Faber OK? We can't produce a Google maps type map with zoom capability



Sent from my iPhone

From: "Matthew.Donahue@governor.ohio.gov" <Matthew.Donahue@governor.ohio.gov>
To: "Matthew.Donahue@governor.ohio.gov" <Matthew.Donahue@governor.ohio.gov>
Subject: Screenshot 2021-10-11 at 11.58.50 AM
Date: Mon, 11 Oct 2021 15:59:20 +0000
Importance: Normal
Inline-Images: Screenshot_2021-10-11_at_11.58.50_AM.png

Verizon LTE 11:58 AM

25

FS

Frank >

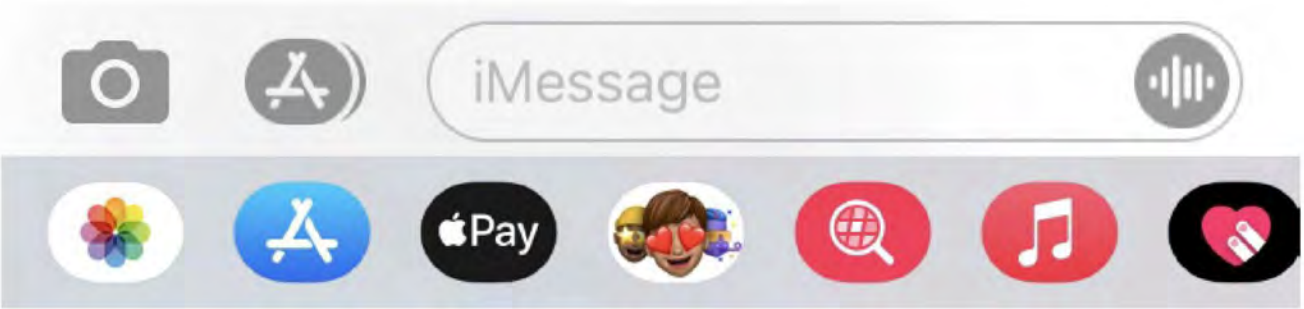
iMessage
Fri, Aug 6, 8:18 AM

Matt - Frank Strigari here. Thx for your work in coordinating things this week. Looking forward to tuning in shortly online. I'll follow up with you when I'm back in the office next week. May the force be with you...

Thu, Aug 19, 2:29 PM

Hey Matt - I have 2 things to update you on for redistricting. Call me when you have 5 mins. Thx...Frank

Fri, Aug 20, 8:45 AM



Sent from my iPhone

OATH OF OFFICE

I, Frank LaRose, do solemnly swear to support the Constitution of the United States and the Constitution of the State of Ohio, and to faithfully discharge the duties of the office, as a Member of the Ohio Redistricting Commission on which I serve pursuant to Article XI, Section 1 of the Ohio Constitution. This I shall do as I shall answer unto God.

Frank LaRose

STATE OF OHIO
COUNTY OF FRANKLIN

Personally sworn to before me, Mike DeWine, Governor of the State of Ohio pursuant to Revised Code Section 3.24 in Franklin County and subscribed to in my presence this 6th day of August, 2021.

Mike DeWine
Governor of the State of Ohio

OATH OF OFFICE

I, Keith Faber, do solemnly swear to support the Constitution of the United States and the Constitution of the State of Ohio, and to faithfully discharge the duties of the office, as a Member of the Ohio Redistricting Commission on which I serve pursuant to Article XI, Section 1 of the Ohio Constitution. This I shall do as I shall answer unto God.

Keith Faber

STATE OF OHIO
COUNTY OF FRANKLIN

Personally sworn to before me, Mike DeWine, Governor of the State of Ohio pursuant to Revised Code Section 3.24 in Franklin County and subscribed to in my presence this 6th day of August, 2021.

Mike DeWine
Governor of the State of Ohio

OATH OF OFFICE

I, Matthew C. Huffman, do solemnly swear to support the Constitution of the United States and the Constitution of the State of Ohio, and to faithfully discharge the duties of the office, as a Member of the Ohio Redistricting Commission on which I serve pursuant to Article XI, Section 1 of the Ohio Constitution. This I shall do as I shall answer unto God.

Matthew C. Huffman

STATE OF OHIO
COUNTY OF FRANKLIN

Personally sworn to before me, Mike DeWine, Governor of the State of Ohio pursuant to Revised Code Section 3.24 in Franklin County and subscribed to in my presence this 6th day of August, 2021.

Mike DeWine
Governor of the State of Ohio

OATH OF OFFICE

I, Mike DeWine, do solemnly swear to support the Constitution of the United States and the Constitution of the State of Ohio, and to faithfully discharge the duties of the office, as a Member of the Ohio Redistricting Commission on which I serve pursuant to Article XI, Section 1 of the Ohio Constitution. This I shall do as I shall answer unto God.

Mike DeWine

STATE OF OHIO
COUNTY OF FRANKLIN

Personally sworn to before me, Frank LaRose, Secretary of State of the State of Ohio pursuant to Revised Code Section 3.24 in Franklin County and subscribed to in my presence this 6th day of August, 2021.

Frank LaRose
Secretary of State of the State of Ohio

OATH OF OFFICE

I, Robert R. Cupp, do solemnly swear to support the Constitution of the United States and the Constitution of the State of Ohio, and to faithfully discharge the duties of the office, as a Member of the Ohio Redistricting Commission on which I serve pursuant to Article XI, Section 1 of the Ohio Constitution. This I shall do as I shall answer unto God.

Robert R. Cupp

Robert R. Cupp

STATE OF OHIO
COUNTY OF FRANKLIN

Personally sworn to before me, Mike DeWine, Governor of the State of Ohio pursuant to Revised Code Section 3.24 in Franklin County and subscribed to in my presence this 6th day of August, 2021.

Mike DeWine

Mike DeWine
Governor of the State of Ohio

OATH OF OFFICE

I, Vernon Sykes, do solemnly swear to support the Constitution of the United States and the Constitution of the State of Ohio, and to faithfully discharge the duties of the office, as a Member of the Ohio Redistricting Commission on which I serve pursuant to Article XI, Section 1 of the Ohio Constitution. This I shall do as I shall answer unto God.

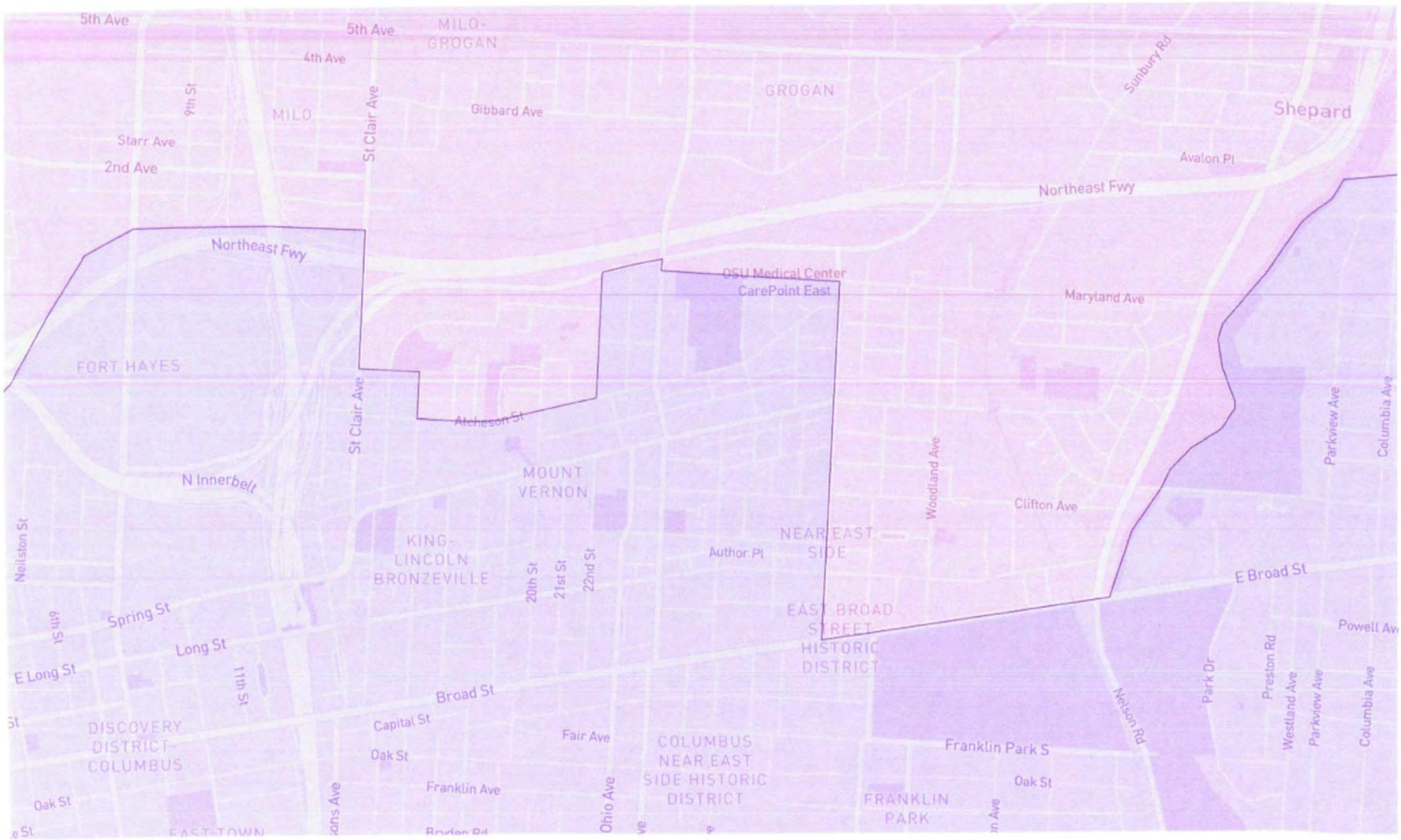
Vernon Sykes

STATE OF OHIO
COUNTY OF FRANKLIN

Personally sworn to before me, Mike DeWine, Governor of the State of Ohio pursuant to Revised Code Section 3.24 in Franklin County and subscribed to in my presence this 6th day of August, 2021.

Mike DeWine
Governor of the State of Ohio

Bronzeville (GOP 1+3)



GOV_001035

CERTIFICATE OF SERVICE

I, Freda J. Levenson, hereby certify that on October 22, 2021, I caused a true and correct copy of the following documents to be served by email upon the counsel listed below:

1. **Affidavit of Freda J. Levenson**
2. **Evidence of Relators, Documents Produced in Discovery, Volume 1 of 13**
3. **Evidence of Relators, Documents Produced in Discovery, Volume 2 of 13**
4. **Evidence of Relators, Documents Produced in Discovery, Volume 3 of 13**
5. **Evidence of Relators, Documents Produced in Discovery, Volume 4 of 13**
6. **Evidence of Relators, Documents Produced in Discovery, Volume 5 of 13**
7. **Evidence of Relators, Documents Produced in Discovery, Volume 6 of 13**
8. **Evidence of Relators, Documents Produced in Discovery, Volume 7 of 13**
9. **Evidence of Relators, Documents Produced in Discovery, Volume 8 of 13**
10. **Evidence of Relators, Documents Produced in Discovery, Volume 9 of 13**
11. **Evidence of Relators, Documents Produced in Discovery, Volume 10 of 13**
12. **Evidence of Relators, Documents Produced in Discovery, Volume 11 of 13**
13. **Evidence of Relators, Documents Produced in Discovery, Volume 12 of 13**
14. **Evidence of Relators, Documents Produced in Discovery, Volume 13 of 13**

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/s/ Freda J. Levenson