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

STIPULATION OF EVIDENCE

(deposition transcript and exhibits)

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STIPULATION OF EVIDENCE

(deposition transcript and exhibits)

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Transcript of Ray DiRossi

Date: October 19, 2021
Case: League of Women Voters of Ohio, et al. -v- Ohio Redistricting Comm., et al.

Planet Depos
Phone: 888.433.3767
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SUPREME COURT OF OHIO

LEAGUE OF WOMEN VOTERS OF OHIO, et al.,	)	
Relators,	)	Case No.: 2021-1193
vs.	)	2021-1198
OHIO REDISTRICTING COMMISSION, et al.,	)	2021-1210
Respondents.	)	

VIDEOTAPED DEPOSITION OF RAY DIROSSI

October 19, 2021

7:05 a.m.

Conducted Virtually

REPORTED BY:

Tammy Moon, CSR No. 13184, RMR, CRR

1 Videotaped Deposition of RAY DIROSSI, Conducted
2 Virtually, beginning at 7:05 a.m. Pacific Standard
3 Time, on October 19, 2021, before TAMMY MOON,
4 Certified Shorthand Reporter No. 13184, RMR, CRR.
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21 ALSO PRESENT: BRENDAN CASE, VIDEOGRAPHER

22 MICHAEL PIETANZA, THE REMOTE TECHNICIAN

23

24

25

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2 RAY DIROSSI
3 Tuesday, October 19, 2021
4 Tammy Moon CSR No. 13184, RPR, CRR
5 WITNESS: RAY DIROSSI
6
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RAY DIROSSI

Tuesday, October 19, 2021

Tammy Moon CSR No. 13184, RPR, CRR

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1 QUESTIONS INSTRUCTED NOT TO ANSWER

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1 Tuesday, October 19, 2021, 7:05 a.m. PST
2 ---o0o---
3 THE VIDEOGRAPHER: Here begins the video 07:04:41
4 deposition of Ray DiRossi in the matter of the 07:04:42
5 League of Women Voters of Ohio, et al., vs. Ohio 07:04:45
6 Redistricting Commission, et al., in the Supreme 07:04:50
7 Court of Ohio, Case Numbers 2021-19 -- 1193 and 07:04:51
8 2021-1198 and 2021-1210. 07:05:02
9 Today's date is Tuesday, October 19, 2021. 07:05:07
10 The time on the monitor is 7:05 a.m. Pacific time. 07:05:11
11 Your videographer of the day is Brendan Case 07:05:14
12 representing Planet Depos. This video deposition is 07:05:18
13 taking place remotely via Zoom video teleconference. 07:05:20
14 Would counsel present please identify 07:05:23
15 themselves and state whom they represent. 07:05:26
16 MR. FRAM: Robert Fram, Covington & 07:05:29
17 Burling, for the League of Women Voters, Relators. 07:05:33
18 MR. FUNARI: Brad Funari on behalf of the 07:05:45
19 Ohio Organizing Collaborative, et al., with Reed 07:05:49
20 Smith. And this is Case Number 2021-1210. 07:05:53
21 MR. KLEIN: Spencer Klein, Elias Law Group, 07:06:01
22 on behalf of the Bennett relators. 07:06:05
23 MR. CLARK: Eric Clark on behalf of the 07:06:08
24 Ohio Redistricting Commission. 07:06:10
25 MR. STRACH: Phil Strach, Nelson Mullins, 07:06:14

1 on behalf of Respondents Cupp and Huffman. 07:06:17
2 MS. MENASHE: Diane Menashe on behalf of 07:06:22
3 Respondents Senator Sykes and Leader Amelia Sykes. 07:06:24
4 THE VIDEOGRAPHER: If no one else will be 07:06:42
5 introducing themselves, the court reporter today is 07:06:43
6 Tammy Moon representing Planet Depos. 07:06:46
7 Will the reporter please swear in the 07:06:47
8 witness. 07:06:49
9 RAY DIROSSI,
10 called as a witness, having been duly
11 sworn, testified as follows: 07:06:58
12 THE WITNESS: I do. 07:06:58
13 EXAMINATION 07:07:05
14 MR. FRAM: 07:07:05
15 Q. Good morning, Mr. DiRossi. 07:07:06
16 A. Good morning. 07:07:10
17 Q. Hi. This is Robert Fram from Covington for 07:07:10
18 the League of Women Voters, Relators. 07:07:14
19 And I just want to ask you to please state 07:07:16
20 your full name for the record. 07:07:20
21 A. Raymond Edward DiRossi. 07:07:20
22 Q. Thank you. 07:07:24
23 Any reason you can't give full and truthful 07:07:26
24 testimony today? 07:07:29
25 A. No. 07:07:30

1 Q. I know you've been deposed before. We met 07:07:31
2 before trial. So if you know how this works, we'll 07:07:36
3 just say a couple of the basics just to refresh. 07:07:39
4 And that is, I'm going to ask my question 07:07:42
5 and ask you please let me finish the question before 07:07:46
6 answering. And I'm going to do my best not to 07:07:50
7 interrupt you when you're providing your answer so 07:07:52
8 we have a nice clean record of the questions and the 07:07:55
9 answers. 07:07:57
10 Do you understand that? 07:07:58
11 A. I do. 07:07:58
12 Q. Great. And there may be objections from 07:08:01
13 time to time from your counsel. Hopefully not too 07:08:06
14 many. But if there are, it's just an objection. 07:08:09
15 The way it works is you should go ahead and provide 07:08:12
16 an answer unless your counsel instructs you not to 07:08:15
17 answer. 07:08:19
18 Do you understand that? 07:08:20
19 A. I do. 07:08:21
20 Q. Great. I'd like to ask you: What -- what 07:08:22
21 did you do to prepare for this deposition? 07:08:29
22 A. Upon receiving -- or being notified that a 07:08:35
23 subpoena had been received by my wife, I talked to 07:08:40
24 my attorneys about what I needed to do to be -- to 07:08:45
25 respond. 07:08:51

1 And I searched all of the available 07:08:51
2 computers and other emails and so forth that I had 07:08:54
3 at my -- that were in my possession and, you know, 07:09:00
4 to turn over everything that I could that was 07:09:02
5 responsive. 07:09:05
6 Q. Did that include -- was Maptitude -- the 07:09:05
7 software Maptitude on one of the computers you 07:09:14
8 looked at? 07:09:19
9 A. It was. 07:09:19
10 Q. And did you provide any files -- Maptitude 07:09:21
11 files over to your counsel? 07:09:24
12 A. I -- I believe the -- the final maps that 07:09:26
13 were adopted by the redistricting commission, I 07:09:36
14 believe, were -- were provided. 07:09:39
15 Q. Did you have any other Maptitude files, 07:09:41
16 other than the final maps, on your computer? 07:09:47
17 A. I -- sir, I gave to the attorneys 07:09:48
18 everything that -- and turned over everything that 07:09:54
19 they told me to turn over. 07:09:55
20 Q. But I asked did you recall whether you 07:09:57
21 provided any Maptitude files, other than the final 07:09:59
22 maps? 07:10:02
23 A. I think I had some questions about what was 07:10:02
24 responsive. And so when I had questions about 07:10:06
25 things like that, I consulted with my attorneys 07:10:09

about what would be responsive. 07:10:11
Q. Right. And after consulting -- I'm not 07:10:13
asking you to tell me what the conversations with 07:10:15
your lawyers were, but just asking what you did. 07:10:17
After that was over, do you remember 07:10:21
providing them any Maptitude files other than the 07:10:22
final map? 07:10:26
A. Not that I recall sitting here today, no. 07:10:27
Q. On your computer -- let me back up for a 07:10:31
minute. 07:10:38
When you're talking about your computer, 07:10:39
you're talking about your -- your laptop or 07:10:40
something that sits in an office? What -- what 07:10:42
computer are we talking about you were looking at? 07:10:44
A. I -- I looked at a number of devices that I 07:10:46
had, both personal, my state equipment. The 07:10:49
computers that were purchased specifically for the 07:10:53
redistricting task and email accounts, both state 07:10:56
and private. 07:11:01
So every -- I looked at all those. 07:11:02
Q. Okay. And which computer -- or computers 07:11:04
was the Maptitude software on? 07:11:08
A. It was on a PC computer. 07:11:11
Q. Okay. And where was that located? 07:11:15
A. That was in the redistricting office. 07:11:18

1 Q. Okay. And do you use that, say, computer 07:11:20
2 with -- when you were drawing maps? Is that the one 07:11:27
3 that has the Maptitude on it? 07:11:29
4 A. Yeah, that was -- that was the one that had 07:11:32
5 the Maptitude software on it. 07:11:35
6 Q. And just so I understand, when you have 07:11:37
7 Maptitude -- we talked about this last time you 07:11:44
8 testified. When you're using Maptitude, so you can 07:11:47
9 get different kinds of information, can appear in a 07:11:53
10 pop-up window up next to a district you've drawn. 07:11:56
11 Isn't that right? 07:11:59
12 A. You could -- I think you could customize 07:12:00
13 layouts however you would choose to. 07:12:03
14 Q. Right. And -- and you drew these maps. 07:12:06
15 Did you have such a pop-up window which you'd 07:12:09
16 customize some information? 07:12:12
17 A. What do you mean by a "pop-up window"? I'm 07:12:14
18 a little confused by that. 07:12:17
19 Q. You know, you know how Maptitude works. 07:12:17
20 You can see the district and then you can get 07:12:20
21 information -- can appear in a window or a pop-up or 07:12:22
22 whatever you want to call it, next to that district. 07:12:26
23 Isn't that right? 07:12:29
24 A. I mean, it wasn't a pop-up window, but 07:12:30
25 there was a -- there was a -- there was another 07:12:34

1 window that displayed district information. 07:12:35
2 Q. Okay. Would you prefer if I called it a 07:12:39
3 "display window" rather than a "pop-up window"? 07:12:43
4 A. Sure. 07:12:47
5 Q. Okay. We'll call it the "display window." 07:12:47
6 Did you have a display window next to a 07:12:51
7 district when you were drawing a map? 07:12:54
8 A. Yes. There -- there was always a display 07:12:55
9 window that showed the district numbers and so 07:12:57
10 forth. 07:13:00
11 Q. Right. And part of that display window, 07:13:01
12 would that include the -- some information about 07:13:05
13 voting history in the district that you have drawn? 07:13:08
14 A. I don't understand what you mean by "voting 07:13:13
15 history." 07:13:19
16 Q. Any information about how many voters in 07:13:19
17 that district had voted republican versus how many 07:13:23
18 voted democrat? 07:13:26
19 A. I -- can you -- can you state that again? 07:13:28
20 Sorry. 07:13:31
21 Q. Sure. Is there any information, in that 07:13:32
22 display window, about how many voters in that 07:13:34
23 district that you had just drawn had voted 07:13:38
24 republican and how many voted democrat? 07:13:41
25 A. I -- I don't recall that information being 07:13:43

1 in the -- in the display window. 07:13:45
2 Q. Was there any of that information in 07:13:46
3 Maptitude at all? 07:13:51
4 A. Was there any information in Maptitude? 07:13:53
5 Q. About -- about how many voters had voted 07:13:56
6 democrat versus how many voted republican. 07:13:59
7 A. I mean, the display window is primarily 07:14:01
8 district numbers, population, deviations from 07:14:05
9 population. The things -- those were the things 07:14:07
10 that I was really focused on. 07:14:09
11 Q. Okay. But was there any information -- 07:14:13
12 this is primarily about that, but was there also 07:14:15
13 information about -- any -- any information about 07:14:19
14 how people had voted republican or democrat? 07:14:21
15 A. There -- there -- there was information 07:14:24
16 later -- later in the process that the -- this -- 07:14:27
17 this was a -- a long saga of getting this to work 07:14:32
18 properly and it took a lot of time. 07:14:35
19 So, eventually, we did have information 07:14:37
20 that was displaying some of the leanings of 07:14:40
21 districts. 07:14:43
22 Q. Okay. And then when you say "leanings," 07:14:44
23 you meant how many people had voted republican and 07:14:48
24 versus -- and how many had voted democrat? Is that 07:14:50
25 what you mean? 07:14:52

1 A. Yeah. I'm getting caught up with your "how 07:14:52
2 many people." I don't -- I don't understand the 07:14:55
3 data to be the number of people, but -- 07:14:57
4 Q. Okay. The number of voters -- 07:14:59
5 A. -- that's why I'm getting caught up on your 07:15:00
6 question. 07:15:03
7 Q. Fair enough. 07:15:03
8 Number of vote -- number -- did you have 07:15:04
9 any information about the number of democrat votes 07:15:05
10 and number of republican votes in the district? 07:15:08
11 A. Again, the number of votes -- the number of 07:15:11
12 votes, I don't think, was ever displayed. 07:15:13
13 Q. How about the percentage of votes; the 07:15:16
14 percentage republican votes and the percentage of 07:15:19
15 democrat votes? 07:15:22
16 A. I do think there was -- there was some 07:15:22
17 percentages that showed republican leanings or 07:15:25
18 democratic leanings. 07:15:30
19 Q. Okay. And that would appear in a display 07:15:30
20 window or how would that appear? 07:15:34
21 A. Yes. 07:15:36
22 Q. Display window? 07:15:36
23 A. Again, along with everything else I talked 07:15:37
24 about, the district numbers, the populations, the 07:15:40
25 deviations, the ideal population targets. 07:15:42

1 Everything else set is constitutionally required. 07:15:45
2 Q. So just so I got it. I appreciate all the 07:15:49
3 other information is there also. There's more than 07:15:51
4 one thing in the display window. 07:15:53
5 But I just want to focus on this percentage 07:15:55
6 republican and percentage democrat votes in a 07:16:00
7 district as you're drawing the district. 07:16:03
8 Now, if you change the district lines, 07:16:05
9 would those percentages change? 07:16:07
10 A. Yes. 07:16:09
11 Q. Okay. And -- well, I appreciate your 07:16:10
12 clarifying that. 07:16:17
13 Now, is that information some of the -- in 07:16:18
14 any of the files you provided to counsel, were those 07:16:22
15 displayed -- 07:16:25
16 (Reporter clarification.) 07:16:31
17 Q. Were any of the districts, with display 07:16:31
18 windows, that had the republican/democrat 07:16:34
19 percentages, was any of that in the materials you 07:16:38
20 provided to counsel? 07:16:42
21 A. I -- I don't think I can speak to that. 07:16:46
22 I -- I'm not an expert on Maptitude and its -- and 07:16:48
23 how it exports files and what or what would not be 07:16:52
24 included. 07:16:57
25 Q. So you -- did you provide the full file to 07:16:57

1 counsel, whether you're not sure whether it was 07:17:00
2 exported or not? Is that the -- that's what you're 07:17:02
3 saying? 07:17:04
4 A. We had prepared block -- what are known as 07:17:05
5 block assignment files for the districts and some 07:17:10
6 other information for the districts that were 07:17:12
7 adopted by the redistricting commission. 07:17:15
8 Q. All right. 07:17:17
9 A. That's what I'm referring to. 07:17:17
10 Q. Okay. You -- 07:17:20
11 A. Could I ask a question just logistics? 07:17:31
12 Q. Sure.
13 A. Apologies. I've never -- I know you've 07:17:34
14 said we've done this before, but I've never done 07:17:37
15 this by video. Am I supposed to be looking at this 07:17:39
16 camera or this camera or speaking into -- what's the 07:17:41
17 -- 07:17:44
18 MR. STRACH: Look at this one.
19 THE WITNESS: This one here? 07:17:44
20 MR. STRACH: Yeah. 07:17:45
21 MR. FRAM: Yeah. 07:17:47
22 THE WITNESS: Okay. Thank you. 07:17:47
23 MR. FRAM: Not a problem. Any questions 07:17:49
24 like that, feel free to ask away. 07:17:51
25 Q. And while we're on the questions of remote 07:17:53

video, I just -- we're clear for the record that, 07:18:01
just like in a normal deposition, I know your 07:18:04
counsel won't be suggesting answers to you and you 07:18:07
won't be asking. But if anybody provides you with 07:18:11
any information in a text or email or chat or 07:18:14
anything about how to respond to a question, I'd ask 07:18:19
that you please tell us that you got such a text or 07:18:24
video -- or text or any other information? 07:18:27
A. Okay. 07:18:30
Q. Well, thank you. 07:18:30
Let me go through this quickly because 07:18:43
we've done it before. But just say a little bit 07:18:46
about your background. 07:18:50
You went -- is it fair to say you went to 07:18:53
Firestone High School in Akron. Is that right? 07:18:53
A. I did. I did, yes. 07:18:56
Q. Okay. And then you went -- 07:18:57
A. Falcons. 07:19:00
Q. There you go. 07:19:00
And you're from Akron. Is that right? 07:19:04
A. Yes. I was born and raised there, yes. 07:19:07
Q. Okay. And then after that you went to Ohio 07:19:10
State. Is that right? 07:19:12
A. Correct. 07:19:14
Q. Okay. And you got a degree in finance and 07:19:14

1 marketing. Is that right? 07:19:19
2 A. That is correct. 07:19:20
3 Q. Okay. And graduated in 1994. Is that 07:19:21
4 right? 07:19:25
5 A. Yes. 07:19:25
6 Q. Okay. And -- since graduating from Ohio 07:19:26
7 State, when asked -- let's just walk through the 07:19:44
8 jobs you had. 07:19:47
9 What was your first job after getting out 07:19:48
10 of Ohio State? 07:19:51
11 A. Well, I was -- I was employed with the Ohio 07:19:52
12 Senate while I was attending classes at the Ohio 07:19:56
13 State University. 07:20:01
14 Q. Okay. And then after -- and after that -- 07:20:01
15 after you graduated, what was your first job? 07:20:05
16 A. My first job, I believe -- I recall -- it 07:20:09
17 was a few years ago -- I came back to the Ohio 07:20:15
18 Senate and was employed by the Ohio Senate in '95. 07:20:21
19 Q. All right. 07:20:26
20 (Reporter clarification.) 07:20:32
21 Q. When you were an aide -- were you an aid to 07:20:33
22 the senator -- when you an aide to a state senator 07:20:37
23 from the Dayton area? 07:20:39
24 A. At -- at some point a little bit later, 07:20:41
25 yes, I -- I was. 07:20:43

1 Q. Okay. And do you recall who that senator 07:20:45
2 was? 07:20:47
3 A. Sure. 07:20:47
4 Q. And who was that, please? 07:20:49
5 A. It was Senator Chuck Horn from Kettering. 07:20:51
6 Q. And Mr. Horn was -- was a republican. Is 07:20:57
7 that right? 07:21:02
8 A. Yes. 07:21:02
9 Q. Okay. And did you also work for the 07:21:04
10 republican caucus -- republican caucus staff in the 07:21:11
11 senate for tax and economic policy? 07:21:18
12 A. A little bit later, yes, I did. 07:21:20
13 Q. And deputy finance director for the 07:21:24
14 republican caucus and the house of representatives. 07:21:28
15 Is that right? 07:21:34
16 A. No. 07:21:34
17 Q. No, you were not deputy finance director? 07:21:36
18 Okay. 07:21:38
19 Were you finance director? 07:21:39
20 A. Yes. 07:21:41
21 Q. Okay. 07:21:42
22 A. You demoted me. 07:21:44
23 Q. I'm so sorry. I apologize for that. And 07:21:46
24 then that's all on the house. At some point, did 07:21:51
25 you go work for the republican caucus on the senate 07:21:56

side? 07:22:00
A. Yes. 07:22:00
Q. Around 2015. Is that right? 07:22:01
A. Yes. 07:22:02
Q. Okay. Now, in 2008, I think the democrats 07:22:03
took control of the general assembly. Is that 07:22:15
right? 07:22:18
A. I guess I wouldn't say that. 07:22:18
Q. Okay. Did they control either of the 07:22:25
houses in 2008? 07:22:27
A. I don't think in 2008. I think the general 07:22:29
assembly was still controlled by the republicans in 07:22:35
the house and senate. 07:22:39
Q. At some point, did the democrats get 07:22:40
control of either house while you were working 07:22:43
there? 07:22:45
A. In -- yes. 07:22:45
Q. Do you recall about when that was? 07:22:49
A. 2009. 07:22:51
Q. 2009. Now, what did you do in 2009 when 07:22:55
the democrats took control of the house? 07:23:00
A. I left the house. 07:23:01
Q. Okay. And -- okay. And what did you do 07:23:02
then? 07:23:12
A. I started my own business and also was 07:23:12

1 appointed by a former senate president to a 07:23:18
2 position -- a boarding commission position with the 07:23:25
3 Ohio Department of Transportation. 07:23:27
4 Q. Okay. Now, your business, did that involve 07:23:30
5 fundraising for republicans? 07:23:37
6 A. Yes. 07:23:40
7 Q. And the board of transportation job, you 07:23:48
8 were appointed that job by Bill Har- -- Senate 07:23:53
9 President Bill Harris. Is that right? 07:23:58
10 A. That is correct. 07:24:00
11 Q. And Mr. Harris is a republican also. Is 07:24:00
12 that right? 07:24:03
13 A. Yes. 07:24:03
14 Q. Now, what are your current responsibilities 07:24:04
15 at your job today? 07:24:19
16 A. I am the finance director in the Ohio 07:24:21
17 senate, so budget and finance and tax policy. 07:24:26
18 Q. When did you start on that job? 07:24:29
19 A. 2015. 07:24:31
20 Q. Okay. And who pays your salary? 07:24:34
21 A. The taxpayers. 07:24:40
22 Q. Okay. But any particular congressional 07:24:44
23 unit organization office is responsible for 07:24:50
24 authorizing that? 07:24:53
25 A. I believe the checks are issued by the 07:24:54

1 state treasurer's office. 07:25:06
2 (Reporter clarification.) 07:25:08
3 Q. And who do you report to? 07:25:09
4 A. The chief of staff of the Ohio senate. 07:25:11
5 Q. Okay. And is that -- what's that person's 07:25:14
6 name, please? 07:25:20
7 A. John Barron. 07:25:21
8 Q. To whom does Mr. Barron report, please? 07:25:25
9 A. I -- the president of the senate. 07:25:31
10 Q. That would be Mr. Huffman. Is that right? 07:25:34
11 A. Yes. 07:25:37
12 Q. Okay. Now, one of your job duties over the 07:25:37
13 past years was working on drawing the map -- 07:25:48
14 district map for the general assembly. Is that 07:25:51
15 right? 07:25:56
16 A. Well, it certainly hasn't been over the 07:25:56
17 past years because, as you know, we didn't get our 07:25:58
18 census data until just a couple months ago. So it 07:26:05
19 was -- 07:26:07
20 Q. Okay. When did you start? 07:26:07
21 A. Start doing what? 07:26:09
22 Q. Working on the map for the general 07:26:10
23 assembly. 07:26:12
24 A. That would have been sometime after the 07:26:13
25 census data was received in August. 07:26:19

1 Q. So sometime -- do you recall -- was the 07:26:20
2 census data received around August 12. Is that 07:26:22
3 right? 07:26:26
4 A. That sounds about right. I think -- the 07:26:26
5 number 134 days late is stuck in my head. 07:26:28
6 Q. Okay. So you started -- did you do any 07:26:32
7 work on -- related to preparing to draw those maps 07:26:35
8 before August 12? 07:26:38
9 A. What do you mean by "work"? I mean, we 07:26:39
10 didn't have the census data, so -- 07:26:46
11 Q. Did you look at any information that would 07:26:48
12 be useful for drawing the maps before August 12? 07:26:51
13 A. Well, obviously, if you know anything about 07:26:54
14 our state budget, I was preoccupied with our binding 07:26:58
15 operating budget until it was signed by the governor 07:27:02
16 and put in place on June 30th. So I was -- that was 07:27:06
17 my main focus as my job duties up and through 07:27:09
18 June 30th. 07:27:12
19 Q. Appreciate that was your main focus. 07:27:12
20 Were you in touch with anyone, say, at Ohio 07:27:17
21 University about information particularly useful for 07:27:20
22 drawing the maps? 07:27:22
23 A. I mean, I don't recall specific 07:27:23
24 interactions, but I'm sure I touched base with just 07:27:28
25 trying to understand how they were preparing for the 07:27:31

1 census bureau's late arrival of the census data. 07:27:35
2 Q. By the way, who asked you to work on 07:27:37
3 drawing the maps? 07:27:41
4 A. Well, are you talking in general, or are 07:27:42
5 you talking about a specific time? I'm confused by 07:27:49
6 your question. 07:27:51
7 Q. On this year's exercise, drawing the map 07:27:52
8 for the general assembly, who asked you to work on 07:27:56
9 that project? 07:28:01
10 A. In conversations with the president and the 07:28:02
11 chief of staff, that's how that came about. 07:28:04
12 Q. Okay. Do you recall when that conversation 07:28:07
13 took place? 07:28:11
14 A. I don't. 07:28:12
15 Q. Was it -- I take it, it was before 07:28:12
16 August 12, though. Is that right? 07:28:17
17 A. Yes, it was before the census data was 07:28:18
18 received. 07:28:24
19 Q. Okay. Was it back as early as February, 07:28:25
20 say, of 2021? 07:28:30
21 A. I -- I don't recall. I don't recall the 07:28:32
22 specific timeline of that conversation or 07:28:38
23 conversations. 07:28:40
24 Q. Okay. Do you recall if that conversation 07:28:41
25 was in person, or was it on the phone, or do you 07:28:46

1 recall where -- how it happened? 07:28:49
2 A. I -- I don't recall the specifics of it. 07:28:50
3 Our offices are all pretty close, so -- 07:28:55
4 Q. Was anybody -- 07:28:58
5 (Simultaneous colloquy.) 07:29:00
6 Q. Was anybody -- this is all senate side. 07:29:01
7 Was anybody from the house side in that 07:29:04
8 conversation? 07:29:06
9 A. I -- I don't recall the specifics of that 07:29:06
10 conversation. 07:29:10
11 Q. Okay. As you proceeded with your work on 07:29:11
12 drawing the maps -- and we can talk about after 07:29:23
13 August 12 -- did you -- to whom did you report about 07:29:26
14 how the work was going? 07:29:29
15 A. I would report it to the president of the 07:29:31
16 senate. 07:29:36
17 Q. Okay. And did you report with -- well, how 07:29:36
18 did you report? Was it by phone, or was it by 07:29:44
19 email, or give them a draft? Tell me how the 07:29:47
20 reporting went. 07:29:50
21 A. Well, when I say "reporting," I just mean 07:29:52
22 verbal updates of what was happening and what I was 07:29:55
23 seeing. But there was no formal report. 07:29:58
24 Q. Okay. Did you ever send them an email 07:30:03
25 about it? 07:30:05

A. I -- none that I recall specifically 07:30:06
sitting here today. 07:30:12
Q. Did he ever come take a look at the maps or 07:30:12
drawings as you were drawing them on your computer? 07:30:18
A. So are we still pre- -- I'm trying to 07:30:20
understand your timeline. Are we still -- 07:30:25
Q. After August 12. 07:30:27
(Simultaneous colloquy.) 07:30:29
A. I'm sorry. 07:30:31
Q. I apologize for jumping in. 07:30:32
After August 12, as you were drawing the 07:30:35
maps, did Senate President Huffman ever come over 07:30:39
and take a look at your computer to see how the 07:30:44
districts were going? 07:30:47
A. Yeah. I -- after August 12th, I know the 07:30:47
president was extremely busy with other legislative 07:30:51
duties, so I would -- as I felt that I needed to 07:30:55
interact with him, I would seek him out, either in 07:30:58
person or in any other way, to give him updates on 07:31:00
what I was seeing and working on. 07:31:05
Q. Okay. And would he take a look at your 07:31:07
computer screen as part of your updates? 07:31:09
A. Yes. 07:31:12
Q. Okay. 07:31:14
A. As well as conversations and other -- other 07:31:15

ways. 07:31:19
Q. Right. I just -- the computer, as you sit 07:31:20
right now -- 07:31:26
(Reporter clarification.) 07:31:30
Q. You said you were over working -- the 07:31:30
computer you said you looked at was in the office. 07:31:32
When you were drawing the maps, were you drawing 07:31:35
them at the office, or were you in a hotel room? 07:31:37
A. The computer was in my office. And I also 07:31:40
had a number of meetings in the state house about 07:31:46
redistricting in general. Never in a hotel room. 07:31:49
Q. So you didn't rent a room over at the 07:31:53
Marriott -- Courtyard by Marriott? 07:31:56
A. So that I could sleep when I was about to 07:31:59
fall asleep, yes. 07:32:02
Q. But you didn't set it up as a workroom? 07:32:04
A. Absolutely not. 07:32:07
Q. Okay. Now, you were working on that 07:32:08
computer in the office. 07:32:23
Were you -- was anybody else working with 07:32:26
you as you were drawing the maps? 07:32:28
A. There were -- there were two workstations 07:32:30
that were set up. They were side by side. And 07:32:36
there was a gentleman Blake from the house who was 07:32:38
doing the same thing and, you know, working with the 07:32:42

1 speaker, reporting to the speaker. 07:32:44
2 Q. That would be Blake Springhetti. Is that 07:32:46
3 right? 07:32:51
4 A. Yes. 07:32:51
5 Q. Okay. And did you work on -- did you both 07:32:53
6 work on house district maps or -- how did you divide 07:32:57
7 it up? 07:33:00
8 A. Well, there was no specific division, but 07:33:01
9 we would both work on whatever needed work on. But 07:33:05
10 obviously, at the end of the day, he was the one 07:33:08
11 responsible for going back to the speaker and 07:33:10
12 briefing him and getting his feedback, and I was the 07:33:13
13 one responsible going to the senate president and 07:33:16
14 briefing him and getting his feedback. 07:33:18
15 Q. Right. But you had to work on some house 07:33:20
16 districts, didn't you, because you created the 07:33:22
17 senate districts combining of the house districts. 07:33:25
18 Isn't that right? 07:33:30
19 A. We would both work on whatever needed to be 07:33:30
20 worked on. So we both would have worked on house 07:33:33
21 districts, and we both would have worked on senate 07:33:36
22 districts. 07:33:39
23 Q. Okay. Now, you both had the -- the 07:33:39
24 percentage of republican and democrat votes in the 07:33:48
25 display window on your computer screens. Is that 07:33:52

1 right? 07:33:57
2 A. I can't speak to how his computer was set 07:33:57
3 up. Mine was set up with, as I said, all the 07:34:02
4 district numbers, the populations, the deviations, 07:34:05
5 the target populations, and any other data, as we've 07:34:08
6 talked about. 07:34:14
7 Q. And the other data that -- we talked about 07:34:14
8 the other data did include the republican and 07:34:18
9 democratic vote percentage in the district as you 07:34:20
10 had drawn it, correct? 07:34:22
11 A. Yeah. I think there's a lot of information 07:34:24
12 that led up to that moment. 07:34:28
13 So in answering your question, I know there 07:34:29
14 were a lot of conversations that I wasn't 07:34:32
15 specifically part of, but I was later told that 07:34:34
16 members of the senate democratic caucus, the chiefs 07:34:38
17 of staff for several of the caucuses -- at least 07:34:43
18 three of the caucuses were working together to try 07:34:47
19 to come up with some type of agreed-to publicly 07:34:49
20 available data source that could be used for not 07:34:52
21 only the computers that I had, but computers that 07:34:55
22 the senate democrats or maybe the house democrats, 07:34:59
23 if they chose to participate, would have access to. 07:35:03
24 Q. Thank you. 07:35:05
25 I want to -- 07:35:06

A. That's what I'm referring to. 07:35:07
Q. Sure. Thank you. 07:35:08
I do want to talk about the source of the 07:35:09
information in just a little bit, but right now, I'm 07:35:11
just focused on what you could actually see -- just 07:35:13
sitting at your computer, what you could see on that 07:35:17
display window. 07:35:20
And you already said part of what you could 07:35:21
see was the democrat/republican percentage in the 07:35:22
district as you've drawn it. 07:35:25
Was that available right from the start 07:35:27
when you started drawing, or is that something that 07:35:29
became available a little later in the work? 07:35:31
A. Yeah. No, I appreciate the question. 07:35:34
That was a -- this whole issue of data was 07:35:37
a work in progress, and it was a very challenging 07:35:41
thing from the get-go when the census data was 07:35:45
released. 07:35:47
There was very little information that was 07:35:48
available early on, and it wasn't until, I think, 07:35:50
these conversations with the senate democratic 07:35:53
caucus and the other two republican caucuses yielded 07:35:57
some kind of joint data or read-to publicly 07:36:02
available data sources. 07:36:05
Then it took time to get that on the 07:36:06

1 computers and get that up and operational. 07:36:09
2 Q. And do you recall around when that took 07:36:10
3 place? Was that before September 1 or after 07:36:12
4 September 1? 07:36:15
5 A. I refer to a couple different things. Can 07:36:16
6 you specify which one you're referring to. 07:36:21
7 Q. Sure. I'll talk about the display window 07:36:25
8 again. You got the display window. Like you said, 07:36:27
9 there was a lot of data in it. And like you said, 07:36:31
10 some of the data was republican and democrat vote 07:36:33
11 percentages. 07:36:37
12 My question is, at what -- about when did 07:36:37
13 the republican/democratic vote percentages start 07:36:42
14 showing up in the display window? Was it after 07:36:44
15 September 1 or before September 1? 07:36:47
16 A. Well, I think we have to go back a little 07:36:48
17 bit, I mean, to kind of walk through this. The 07:36:52
18 census data came out on whatever day the census data 07:36:56
19 came out. But I'm -- I assume you're aware that 07:36:59
20 data, the PL data, then had to go off to our 07:37:03
21 bipartisan contracted consultant, Ohio University. 07:37:08
22 And they had access to it for a couple of days, and 07:37:11
23 they were producing what we called the CURD, which 07:37:17
24 is the Common Unified Redistricting Database. 07:37:19
25 And that was then provided back to -- well, 07:37:23

1 actually, I think it was made available to the 07:37:25
2 entire -- entire public. Not just the citizens of 07:37:27
3 the state, but anybody who had access to the 07:37:31
4 internet. 07:37:34
5 That information only had 2020 data in it 07:37:35
6 and 2020 geography in it. And so once that 07:37:42
7 happened, I think that's when those conversations 07:37:45
8 were starting to be had among the three caucuses 07:37:48
9 about what publicly available information might be 07:37:53
10 available to supplement the work that I thought all 07:37:56
11 caucuses were doing. 07:37:59
12 Q. Okay. So you get the -- let's see if I got 07:38:00
13 the sequence right. 07:38:06
14 You get the census data. Then Ohio 07:38:07
15 University takes a look at it. They give you some 07:38:10
16 information about elections, but they only give you 07:38:12
17 2020. Is that right? 07:38:15
18 A. Sitting here right now, that's my 07:38:16
19 recollection, that only 2020 was in the Common 07:38:19
20 Unified Redistricting Database. 07:38:25
21 Q. And then you have further conversations to 07:38:25
22 get more election data. Is that right? 07:38:28
23 A. Well, just to be clear, I did not have 07:38:34
24 those conversations. The -- I -- I am -- was led to 07:38:36
25 believe or I seem to remember that those 07:38:37

1 conversations were happening at a different level. 07:38:40
2 Q. And who led -- who led you to believe that, 07:38:44
3 which person? 07:38:52
4 A. I think the legal counsels for the various 07:38:52
5 caucuses and the chiefs of staff for the various 07:38:55
6 caucuses and even potentially the attorneys for the 07:38:58
7 various caucuses were engaged in trying to come to 07:39:00
8 some agreement on publicly available data. 07:39:03
9 Q. And who -- who -- anyone talk to you about 07:39:06
10 all of that? 07:39:10
11 A. It -- it was happening so fast after the 07:39:11
12 census data came out and the CURD data came back 07:39:15
13 from OU, I -- I don't recall the specifics of -- I 07:39:19
14 just have this recollection that we were waiting on 07:39:22
15 the caucuses to agree to some publicly available 07:39:25
16 data source that everybody could use and everybody 07:39:30
17 would have it so that going forward we could do 07:39:31
18 comparisons that were apples to apples. 07:39:35
19 Q. Sure. And at some point, did you get 07:39:37
20 election data beyond just 2020? 07:39:39
21 A. Yes. 07:39:41
22 Q. Okay. And do you recall about when that 07:39:42
23 happened? 07:39:49
24 A. I don't recall a specific date sitting here 07:39:49
25 today. 07:39:52

1 Q. Well, not a specific date. Was it -- 07:39:52
2 ballpark. Was it before September -- was it the 07:39:55
3 month of September or the month of August? 07:39:57
4 A. I think it was near the end of August. I 07:39:59
5 think the conversations must have proven fruitful 07:40:01
6 and there was some agreement of additional years of 07:40:04
7 data that everybody could use. 07:40:08
8 I -- I -- I seem to remember something with 07:40:11
9 Dave's redistricting being able to provide some type 07:40:14
10 of Ohio geography for some additional years that 07:40:18
11 everybody was in agreement could be used. 07:40:20
12 Q. Did you get that data from any consultant 07:40:23
13 or -- well, let's talk. 07:40:27
14 What was the -- what was the source of 07:40:29
15 election data? You said Dave's might have been one. 07:40:29
16 What else? 07:40:32
17 A. I -- I don't -- since I wasn't involved in 07:40:33
18 those conversations, I can't -- I can't say for 07:40:36
19 absolute certainty. That's my recollection sitting 07:40:39
20 here. 07:40:41
21 Q. Okay. Your recollection is that it was 07:40:41
22 Dave's. Is that right? 07:40:46
23 A. For '18 and '16 data, yes. That's my 07:40:47
24 recollection. 07:40:50
25 Q. What about data for any other election, do 07:40:50

1 you have any recollection? 07:40:54
2 A. I -- I think Dave's redistricting was only 07:40:54
3 -- I -- I think Dave's redistricting and the 07:41:00
4 conversations with the other caucuses was only 07:41:03
5 fruitful for '16 and '18. 07:41:06
6 Q. Did you get any data for 2012 or 2014? 07:41:07
7 A. Not from any publicly available sources, 07:41:11
8 no. 07:41:16
9 Q. Did you get it from 2012 or 2014 from any 07:41:16
10 source, publicly or not? 07:41:20
11 A. I think -- I think later in the process, 07:41:21
12 now probably getting into September or close to 07:41:25
13 September, there was some -- some data for would -- 07:41:28
14 I guess it would have been '12 and '14. 07:41:35
15 Q. And do you -- do you know what the source 07:41:37
16 is for that data? 07:41:38
17 MR. STRACH: Objection as to the -- Rob, 07:41:40
18 what do you mean by "data"? 07:41:42
19 MR. FRAM: Well, he just said he got some 07:41:44
20 data from the 2012 and 2014 elections at some point 07:41:46
21 in September. 07:41:51
22 Thank you for helping me be more precise on 07:41:51
23 that one. 07:41:54
24 Q. So for that 2012 and 2014 data that you got 07:41:55
25 sometime in September, do you recall where it came 07:41:59

from? 07:42:02
A. I don't. 07:42:02
Q. Okay. But at some point you have it. Let 07:42:09
me ask you a question what you did with the data 07:42:13
that you got. 07:42:15
First, I'll start with the Ohio University 07:42:16
data. 07:42:20
Could that be loaded into a Maptitude so it 07:42:22
can be -- so that information could appear in -- in 07:42:25
a display window? 07:42:29
A. Again, I -- I am not a data -- yes. The 07:42:31
current data, using that word loosely, can be 07:42:36
incorporated into Maptitude as it was. But I don't 07:42:42
have the technical expertise or knowledge to know 07:42:47
how that happened or how that happens. 07:42:50
Q. Sure. I'm not asking you for that. I'm 07:42:52
just asking whether you know, however they got it 07:42:54
done, whatever computer wizardry took place, that 07:42:57
somehow or another that Ohio University current data 07:43:02
did wind up in Maptitude. Is that right? 07:43:07
A. Yes. 07:43:10
Q. Okay. And the same thing -- 07:43:10
(Simultaneous colloquy.) 07:43:12
A. Yeah. The current data -- I'm sorry. The 07:43:12
current data being the geography, the population of 07:43:13

1 the counties, the population of all of our units of 07:43:18
2 geography in the state, municipal corporations or 07:43:21
3 townships and all the other units of geography as 07:43:24
4 well. Yes, that data. 07:43:29
5 And then I think 2020 election results. 07:43:29
6 Q. Right. And the -- and by the way, we 07:43:34
7 talked about Dave's and we're being formal there. 07:43:37
8 We might as well state it for the record. What is 07:43:40
9 Dave's? 07:43:44
10 A. I mean, I -- I can't answer that for sure. 07:43:44
11 It's an -- it's a website. 07:43:47
12 Q. It's a website that has information -- 07:43:49
13 election information. Is that right? 07:43:53
14 A. I did not use Dave's Redistricting. I 07:43:55
15 can't speak to that. 07:44:01
16 Q. Yeah. The -- let me put it this way. The 07:44:02
17 Dave's -- the election data that you think came from 07:44:04
18 Dave's, that also found its way, one way or the 07:44:06
19 other, into Maptitude. Is that right? 07:44:09
20 A. That -- that is my understanding, that the 07:44:10
21 publicly available data for '18 and '16, after an 07:44:16
22 agreement among the three caucuses, was able to be 07:44:22
23 incorporated into people's machines, yes. 07:44:26
24 Q. So now we've got election data for '16, '18 07:44:31
25 and '20 in Maptitude. Is that right, at some point 07:44:34

1 in September? 07:44:38
2 A. I -- again, I'm not sure on the time lines. 07:44:38
3 But at some point, you said, yes. 07:44:44
4 Q. At some point in September, sir. I'm not 07:44:48
5 asking for a specific date. Just wanted to know 07:44:50
6 that -- whether it happened or not? 07:44:52
7 A. Sitting here, I'm not sure if it was late 07:44:53
8 August or if it was early September. 07:44:56
9 Q. Okay. 07:44:57
10 A. That -- that was a very -- a very busy 07:44:57
11 time, as you can imagine. 07:44:59
12 Q. Sure. And -- and you said, at some point, 07:45:00
13 additional information, nonpublic election 07:45:07
14 information was provided to you. Is that right, for 07:45:10
15 2012 and 2014? 07:45:13
16 A. At some point. 07:45:15
17 Q. Okay. And that information was also 07:45:18
18 included in Maptitude. Is that right, at some 07:45:22
19 point? 07:45:27
20 A. At -- at -- some point. Again, much later. 07:45:28
21 Yes. We're getting close to -- to, you know, the 07:45:30
22 first week of -- first week of September now. 07:45:34
23 Q. Sure. So sometime before, say, 07:45:36
24 September 9. Is that right? 07:45:38
25 A. I don't know. It was -- it was -- it might 07:45:39

1 have been right around then. Maybe a few days 07:45:46
2 before. 07:45:48
3 Q. Okay. And just so I understand how it 07:45:48
4 looks on the display window, did you see all the 07:45:51
5 different election results or was there some kind of 07:45:55
6 a composite average that appeared in the display 07:45:58
7 window for these election results? 07:46:03
8 A. Can you -- can you elaborate on what you 07:46:07
9 mean by "composite"? 07:46:11
10 Q. Sure. You said you had 2020 election, then 07:46:12
11 you got 2016 and 2018, and then you got 2012 and 07:46:15
12 2014. I'm just trying to understand what the -- 07:46:19
13 just physically what it looks like, what this window 07:46:22
14 looks like. 07:46:24
15 Are you seeing all these elections and the 07:46:24
16 percentages for all of them or are they all rolled 07:46:26
17 up into one kind of an average? 07:46:29
18 A. Well, again, at various stages in the time 07:46:34
19 that I think we've just discussed, we didn't 07:46:36
20 necessarily have many of these. So, obviously, 07:46:39
21 there was no composite rolled up into one. 07:46:44
22 And then, you know, in addition to all of 07:46:46
23 these time lines, one of my frustrations not being a 07:46:48
24 data -- a data, you know, expert, just because it's 07:46:53
25 been received as a file of some type, it doesn't 07:46:56

1 mean it's operational on a computer. That took 07:46:59
2 time. 07:47:02
3 So the -- the amount of time and effort it 07:47:03
4 took to put into the software and make it actually 07:47:05
5 work took a lot of time as well. So -- so that's -- 07:47:08
6 I'm just giving you that background for these dates 07:47:14
7 that I'm talking about. 07:47:18
8 Some of these dates, I'm referring to the 07:47:18
9 dates the data might have been received, but doesn't 07:47:21
10 mean that it was necessarily operational for a 07:47:24
11 while. 07:47:26
12 Q. Sure. I appreciate that. 07:47:26
13 Once it's operational, I'm just trying to 07:47:28
14 understand what it looks like. That's all I'm
15 trying to get a picture of here.
16 So in the very beginning, you've just got 07:47:35
17 one election, says "2020," and there's no reason for 07:47:36
18 a composite. 07:47:38
19 Then after a little bit of time, we're 07:47:39
20 getting close to the end of August, maybe beginning 07:47:41
21 of September. You've got 2016 and 2018 election 07:47:44
22 data, as well as 2020, if I understand. Is that 07:47:49
23 right? 07:47:53
24 A. I'm sorry. Could you repeat that? 07:47:53
25 Q. I said by 2016 -- by sometime in early 07:47:56

1 September, you've got election data for 2016, 07:48:00
2 2018 -- 07:48:05
3 (Reporter clarification.) 07:48:13
4 Q. By sometime in early September, you had 07:48:14
5 election data for 2020, 2018, and 2016. Isn't that 07:48:17
6 right? 07:48:26
7 A. Can you say those years again, please. I'm 07:48:26
8 sorry. 07:48:30
9 Q. Sure. 2020, 2018, 2016. 07:48:30
10 A. So when you say those years, what I think 07:48:38
11 of is that -- that is the data set, the election 07:48:40
12 results and the corresponding geography that was 07:48:44
13 agreed to with the -- the other members that -- the 07:48:49
14 senate democrat caucus. 07:48:52
15 Q. Sure. 07:48:56
16 A. That -- is that what you are referring to? 07:48:57
17 Q. Yes, sir. 07:48:58
18 A. Okay. And your question is? 07:48:59
19 Q. That you had all three of those years in 07:49:01
20 the election data and you had it by early September. 07:49:05
21 Is that right? 07:49:09
22 A. I believe so, yes. 07:49:09
23 Q. Okay. And now my question is: When you 07:49:14
24 had all three elections, how did that appear in the 07:49:18
25 display window? 07:49:26

1 Did you see separate lines for each 07:49:26
2 election or was it any kind of composite average in 07:49:28
3 the display window? 07:49:32
4 A. I -- I would have had it set up for -- 07:49:33
5 those years that you just asked about, would have 07:49:37
6 displayed as one number. 07:49:40
7 Q. One number. Okay. 07:49:41
8 And you create that number just by a simple 07:49:44
9 average of the election -- of the data for each of 07:49:47
10 the three years? Or do you recall how do you set 07:49:50
11 that number up? 07:49:52
12 A. Well, that's getting into something that -- 07:49:53
13 I didn't do those calculations. So I -- I can't 07:49:55
14 speak to how that was done. I know it was done to 07:49:58
15 try to mimic what the senate democrat map, when they 07:50:01
16 put their map out and they used that same data set, 07:50:06
17 they were displaying it as one number. And so we 07:50:10
18 were trying to mimic that internally. Or at 07:50:13
19 least -- at least I was. 07:50:16
20 Q. Got it. Do you know who did the -- who set 07:50:16
21 up that data calculation in Maptitude? Was there a 07:50:19
22 technical person who worked with you? 07:50:23
23 A. I had access to data consultants that I 07:50:26
24 could ask when I was over my head on a technical or 07:50:31
25 a data issue. 07:50:35

1 Q. Sure. Were those technical consultants -- 07:50:36
2 do they work with the Ohio legislature, or were they 07:50:41
3 outside consultants? Were they employees or outside 07:50:45
4 consultants? 07:50:49
5 A. They did not work for the Ohio legislature. 07:50:51
6 Well, let me -- let me say I don't know. Because I 07:50:55
7 don't know how they were paid, and I don't know what 07:50:57
8 -- there was a lot of money that was being approved 07:50:58
9 on a bipartisan basis to fund the operations of both 07:51:00
10 the majority and minority efforts. 07:51:04
11 And I guess I should retract that. 07:51:08
12 I don't know how they were paid, and I 07:51:10
13 don't know if that money -- I don't know how that -- 07:51:13
14 Q. Sure. 07:51:18
15 A. I don't know how the composition for them 07:51:18
16 would -- worked. 07:51:20
17 Q. Could you please just identify for us who 07:51:21
18 those consultants were. 07:51:25
19 MR. STRACH: Rob, this is Phil. 07:51:26
20 I'm going to object. I'm going to allow 07:51:29
21 Ray to identify who they were, but I'm going to 07:51:31
22 instruct him not to answer any questions about any 07:51:34
23 specific tasks they were given because they are 07:51:39
24 consulting experts. So I just want to note that for 07:51:43
25 the record. 07:51:47

1 MR. FRAM: Sure. Let's get the foundation 07:51:47
2 as to who they were, and we can take it -- if 07:51:49
3 there's anything more to be asked about that or not. 07:51:52
4 Q. Who were these consultants? 07:51:54
5 A. My data consultant was Clark Benson, and my 07:51:59
6 technical consultant from Aptitude was John Morgan. 07:52:13
7 Q. Now, I'm not going to ask you about 07:52:14
8 conversations you had with Mr. Benson or Mr. Morgan. 07:52:19
9 I do want to ask you, though, about any factual 07:52:23
10 information that he provided to you. 07:52:25
11 Did Mr. Benson provide you with any 07:52:27
12 election data? 07:52:30
13 A. Can you repeat that question. I'm sorry. 07:52:32
14 Q. Did Mr. Benson provide you with any 07:52:39
15 election data? 07:52:42
16 A. I'm trying to recall. I -- as I said, the 07:52:43
17 areas of the data and the areas of the technical 07:52:58
18 operations of Maptitudes are beyond me. And so I'm 07:53:02
19 trying to think -- think and try to answer your 07:53:06
20 question. 07:53:11
21 Q. I don't want to interrupt your thinking. 07:53:11
22 Tell me if you're still thinking. 07:53:26
23 A. No, I -- I'm sorry. I thought you -- I 07:53:28
24 thought the feed cut out there for a second, 07:53:30
25 Mr. Fram. I'm sorry. 07:53:32

1 Q. No. I just -- 07:53:33
2 A. Could you repeat the question? 07:53:34
3 Q. Sure. 07:53:35
4 I just asked if Mr. Benson gave you any 07:53:36
5 election data. 07:53:40
6 A. I believe that the consultants, once there 07:53:42
7 was agreements on data that could be used in 07:53:49
8 Maptitude, were working to provide us that data. So 07:53:51
9 if that included election data, the appropriate 07:53:54
10 agreed-to publicly available geography or something 07:53:57
11 else, that it would have been in there. 07:54:00
12 Q. Did Mr. Benson provide you with election 07:54:02
13 data for 2012 and/or 2014? 07:54:06
14 A. I guess I would have the same answer 07:54:08
15 regardless of the year. 07:54:11
16 Q. Well, you said he provided -- so he did 07:54:12
17 provide you with some election data. Is that right? 07:54:17
18 A. Again, election -- help me understand 07:54:19
19 "election data." 07:54:25
20 He provided me databases that made 07:54:26
21 Maptitude work. Beyond -- and I don't have the 07:54:30
22 comprehension to know if that is your definition of 07:54:33
23 "election data" or what it was. 07:54:36
24 Q. Okay. You said at some point somebody gave 07:54:37
25 you some nonpublic information about the election 07:54:40

1 data for 2012 and 2014, correct? 07:54:43
2 MR. STRACH: Objection as to "election 07:54:48
3 data." 07:54:50
4 MR. FRAM: Okay. Fair enough. 07:54:50
5 Q. At some point, somebody gave you nonpublic 07:54:53
6 information about the democrat and republican vote 07:54:58
7 percentage in the 2012 and 2014 elections, correct? 07:55:01
8 A. I think after the '16 and '18 data had been 07:55:09
9 secured with the conversations with the minority 07:55:12
10 caucus, there was still an ongoing effort to try to 07:55:15
11 find publicly available data for '12 and '14. And I 07:55:19
12 -- I think at some point, there was some nonpublic 07:55:23
13 available data from '12 and '14 that was found. 07:55:28
14 It would have been provided to me through 07:55:36
15 this -- my consultants, and -- but it was ultimately 07:55:38
16 not used because it wasn't the agreed to or the -- 07:55:44
17 it wasn't the apples to apples that we had with '16, 07:55:47
18 '18, and '20 data. 07:55:50
19 Q. So if I understand correctly, data's 07:55:51
20 provided to you by Mr. Benson and Mr. Morgan 07:55:57
21 regarding democrat and republican vote percentage 07:56:00
22 for 2012 and 2014. Is that right? 07:56:05
23 A. Eventually, yes. Late in the process. 07:56:06
24 Q. Okay. And later in the process -- within 07:56:13
25 the first week of September or so? Do you recall 07:56:19

1 when? 07:56:22
2 A. Give or take. It was -- it was probably no 07:56:22
3 more than a few days before -- my recollection 07:56:27
4 sitting here today is that it was probably no more 07:56:31
5 than a few days before the -- the initial map was 07:56:33
6 offered on September 9th. 07:56:37
7 Q. Okay. And you said it wasn't used; it was 07:56:39
8 not loaded into Maptitude. 07:56:43
9 What do you mean, it wasn't used? If you 07:56:46
10 could please explain. 07:56:48
11 A. Well, at that point -- when we had offered 07:56:49
12 a map on September 9th -- or President Huffman had 07:56:53
13 offered a map before the redistricting commission 07:56:57
14 and the senate democrats had offered a map, you 07:57:00
15 know, five or six days before that, we got into a 07:57:05
16 lot of comparisons, and the negotiations were 07:57:09
17 happening. And while we had access to that data, 07:57:12
18 the common data between those plans was the '16, 07:57:16
19 '18, and '20 data. 07:57:22
20 Q. All right. But did you have -- 07:57:23
21 (Reporter clarification.) 07:57:36
22 Q. Did you have put into Maptitude at any time 07:57:36
23 the 2012 and 2014 election data showing republican 07:57:45
24 and democrat vote percentages? 07:57:52
25 A. And by -- again, the '12 and '14 data was 07:57:56

1 in two pieces, right? It was the geography from '12 07:58:00
2 and '14, and then it was also the election results. 07:58:05
3 The election results were very -- very commonly 07:58:08
4 available from public sources. But the geography 07:58:10
5 was always in question. 07:58:13
6 So is your question a -- time specific? 07:58:15
7 I'm sorry if you asked it. Or did you say at any 07:58:17
8 time? I'm sorry. 07:58:20
9 Q. Fair enough. 07:58:21
10 I said, at any time, did you have 2012 and 07:58:22
11 2014 election results data loaded into Maptitude? 07:58:28
12 A. Yes. Late, very late. 07:58:36
13 Q. "Very late" meaning close to September 9? 07:58:40
14 A. Yes. 07:58:42
15 Q. Okay. So as of September 9 -- let's take 07:58:45
16 it right there -- if you -- in your display window 07:58:49
17 in Maptitude, you see an average of the election 07:58:54
18 results data showing republican and democrat vote 07:59:04
19 percentages, right, by September 9? 07:59:08
20 A. I think, as I said before, as of 07:59:14
21 September 9th when we offered -- the redistricting 07:59:17
22 commission offered the first map and the senate 07:59:20
23 democratic caucus had offered a map, the only 07:59:25
24 agreed-to data was the '16, '18, and '20 data. And 07:59:28
25 so that was the focus for comparison for all the 07:59:33

1 negotiations that followed. Other -- other 07:59:37
2 information was available, but the focus was on '16, 07:59:40
3 '18, and '20. 07:59:46
4 Q. I appreciate that. 07:59:46
5 I'm just asking whether or not, as of 07:59:48
6 September 9, on your computer, when you turned on 07:59:50
7 Maptitude, you looked at the district -- you looked 07:59:53
8 at the display window for the district, whether the 07:59:58
9 election results average you saw included the 08:00:03
10 election results for 2012 and 2014? 08:00:07
11 A. I -- I can't recall if I had that in my 08:00:12
12 display window. I -- being a budget director, I 08:00:15
13 like to just focus on my spreadsheets on what I was 08:00:19
14 focused on. And I don't recall at that point if I 08:00:22
15 took that data away in the display window or if it 08:00:24
16 stayed. 08:00:27
17 Q. I'm sorry. Or if it stayed -- it stayed 08:00:28
18 where? 08:00:31
19 A. Well, as we've discussed, it was -- it was 08:00:32
20 in the computer, but you could customize the display 08:00:33
21 window to focus on what you wanted; the population, 08:00:38
22 the qualities, the deviations, and the district 08:00:41
23 numbers and so forth. 08:00:43
24 The '16, '18, and '20 data was almost 08:00:44
25 always on my display window, but the other pieces 08:00:48

1 were either on or off, depending on whether or not 08:00:54
2 they were being used or considered. 08:00:57
3 Q. Okay. And you say "on or off." They could 08:00:59
4 sometimes appear in a display window and sometimes 08:01:03
5 not? Is that what you're saying? 08:01:05
6 A. Again, I think users have the ability to 08:01:06
7 customize the display windows. 08:01:11
8 Q. I'm just asking what you did. 08:01:13
9 Did you sometimes it on and sometimes have 08:01:15
10 it off -- sometimes have the 2012 and 2014 data was 08:01:17
11 on, and sometimes it was off? 08:01:21
12 A. Yeah. I think you've asked me that. I 08:01:22
13 mean, I -- at some point, I had access to it, and I 08:01:28
14 used it. But then going forward after the 9th when 08:01:31
15 we had the two maps and the negotiations were 08:01:35
16 happening, we were using common agreed-to data, for 08:01:38
17 lack of the appropriate term, and that was not 12 08:01:45
18 and -- included '12 and '14. And so I don't recall 08:01:49
19 whether or not I left it in the window or I took it 08:01:52
20 off to just focus on what was important. 08:01:56
21 Q. Understood. 08:01:59
22 Did you say -- did you have separate 08:02:00
23 spreadsheets that reflected all the election data 08:02:05
24 for the different years, separate and apart from 08:02:11
25 Maptitude? 08:02:14

A. Did you ask if I created? I didn't hear 08:02:15
the first part. You got a little crackly. 08:02:21
Q. Fair question. Before, I asked if you 08:02:23
wrote any spreadsheets. 08:02:26
Did you have any spreadsheets that just 08:02:28
showed the election data results for these years; 08:02:31
2012, '14, '16, '18, '20? Did you have any 08:02:35
spreadsheets? 08:02:39
A. The -- all of this information -- the 08:02:40
Common Unified Redistricting Database, population 08:02:49
amounts for counties, for subdivision, for all units 08:02:51
of political geography -- political subdivision 08:02:54
geography, the geography files for Maptitude, the 08:02:58
election results, all came in very different 08:03:02
formats. 08:03:06
Some were spreadsheets, but they're not the 08:03:07
spreadsheets that you and I would necessarily think 08:03:10
of, like a one-page spreadsheet showing some 08:03:13
information. They would have been spreadsheets that 08:03:15
were 2-, 300 pages or text files that were just 08:03:18
data. 08:03:24
And so all of that information that was 08:03:25
being sent from the consultants as they were 08:03:26
providing it would have been in various forms. Some 08:03:31
of them would have been Microsoft Excel files, but I 08:03:35

1 would hesitate to call them spreadsheets in there. 08:03:39
2 Q. Okay. So -- and do you have those -- those 08:03:43
3 files, whether they were Excel files or other forms 08:03:50
4 of data, do you have them saved on your computer? 08:03:53
5 A. That's a technical question. 08:03:57
6 Once they were integrated into Maptitude, I 08:04:04
7 don't know if the underlying files remain or they 08:04:07
8 just get added to some big database. I don't know. 08:04:10
9 Q. Okay. So if I understand correctly, you 08:04:12
10 did integrate all this election data into Maptitude, 08:04:15
11 but at some point, you might not have used 2012 and 08:04:18
12 2014 in your display window. Is that right? 08:04:23
13 A. It's possible. I don't -- I don't recall 08:04:25
14 specifically what was. 08:04:28
15 Q. Well, I just want to be clear for the 08:04:31
16 record. 08:04:34
17 I thought you said at some point you had 08:04:35
18 the 2012 and 2014 on the display window, and at some 08:04:36
19 point -- 08:04:40
20 (Reporter clarification.) 08:04:46
21 Q. Sure. At some point -- I'll say it again. 08:04:46
22 That -- I think you said that, at some 08:04:50
23 point, you had 2012 and 2014 election results as 08:04:53
24 part of the composite average of election results 08:04:58
25 that you would see in a display window in Maptitude. 08:05:02

1 And, at some point, you took that information out of 08:05:05
2 that display window average. Is that right? 08:05:09
3 A. Yeah. Yeah. I don't -- I don't want to 08:05:12
4 keep restating what I've said because I don't want 08:05:16
5 to say something different than what I said because 08:05:20
6 I don't want to -- I don't want you to -- I mean, 08:05:23
7 I -- I think I've already answered that. 08:05:28
8 At some point I had it. It had some 08:05:30
9 problems. It wasn't publicly available. It didn't 08:05:33
10 -- we -- we -- I found some geography errors in it 08:05:35
11 that I couldn't explain. And, at some point, I 08:05:38
12 stopped using it and focused on the '16, '18, and 08:05:41
13 '20 data. 08:05:45
14 Q. I understand. Okay. Thank you. Thank you 08:05:45
15 for that. 08:05:49
16 I think you said that Speaker Huffman would 08:05:49
17 sometimes come over and look at your computer screen 08:05:59
18 as part of your updating him. Is that right? I'm 08:06:02
19 sorry. Senate President Huffman. 08:06:07
20 A. Yes. So my -- my office in the state house 08:06:08
21 is -- I share a wall with President Huffman. So I 08:06:11
22 met with him in his office, in my office through 08:06:15
23 this process, and other offices in the state house 08:06:18
24 as well. But on occasion, when his calendar would 08:06:22
25 allow, he would come over to the redistricting 08:06:25

office. 08:06:28
Q. Okay. And he would look at the district 08:06:28
maps on the computer screen. Is that right? 08:06:31
A. If I -- if I -- if I thought there was an 08:06:34
issue or a problem of which there were several, yes, 08:06:37
I -- I would show him my computer screen. 08:06:41
Q. And -- and that screen would have the 08:06:46
district map on it. Is that right? 08:06:49
A. Yes. The graphic -- the graphical display 08:06:50
of the -- of the districts. 08:06:55
Q. And that would also have the display window 08:06:56
on it. Is that right? 08:06:58
A. Well, he -- the way I had it set up there 08:06:59
were two different monitors. One was dedicated 08:07:04
solely to the graphics and the other one was the 08:07:06
display window. He would -- he would always sit in 08:07:10
front of the graphic -- the graphic window. 08:07:12
Q. But he could -- he could see the display 08:07:14
window. Is that right? 08:07:16
A. I don't know what he could see. I -- I 08:07:17
wanted him to look at the graphics. What he looked 08:07:20
at, I don't know. 08:07:23
Q. I understand that's what you wanted him to 08:07:24
look at. But from where he was, was anything 08:07:26
blocking his view of the display -- of the monitor 08:07:28

with the display window on it? 08:07:32
A. Well, me. I was sitting -- I was sitting 08:07:34
between him and it, so I -- 08:07:36
Q. So he -- you don't know if he could see the 08:07:38
display window. Is that right? 08:07:40
A. I -- I -- I can't speak to what he could 08:07:42
see or couldn't see. 08:07:44
Q. Well, let me ask you: Did you ever talk to 08:07:44
him about any of the information that was in the 08:07:46
display window? 08:07:47
A. Yeah. Specifically, the population 08:07:47
deviations and that we had some significant problems 08:07:52
with the creation of districts. And I very often 08:07:55
would talk to him about those population problems we 08:07:58
were having, especially in northeast Ohio and 08:08:02
elsewhere throughout the state. 08:08:04
Q. Did you ever talk to him about any of the 08:08:05
election data in the display window? 08:08:07
A. I don't recall. 08:08:10
Q. Did you ever talk to him about how a 08:08:14
district might have a republican leaning or democrat 08:08:18
leaning? 08:08:22
A. You know, I -- now that you've asked the 08:08:22
second question, let me -- let me say, early on, I 08:08:25
know the focus was on following the constitutional 08:08:28

1 guidelines and producing a map that followed all of 08:08:30
2 the requirements of the constitution. 08:08:35
3 Afterwards, when there was a democrat map 08:08:36
4 from the senate democrats and a map from the 08:08:41
5 redistricting commission on September 9th, there 08:08:44
6 would have been conversations, as he was going 08:08:46
7 through the negotiations with whoever he was 08:08:50
8 negotiating with, about republican leaning and 08:08:52
9 democrat-leaning districts and trying to make 08:08:56
10 districts more democrat leaning. 08:08:58
11 Q. Okay. And you say this conversation you 08:09:00
12 had -- you had these conversation with Senate 08:09:05
13 President Huffman. Was anybody else in that room 08:09:08
14 during those conversations? 08:09:11
15 A. Not -- not that I recall. 08:09:11
16 Q. Okay. And what do you recall that was said 08:09:13
17 in those conversations? 08:09:23
18 A. Well, I recall early on me talking to him 08:09:25
19 about some areas of the state where I felt 08:09:32
20 constructing districts that followed the 08:09:36
21 constitution was very difficult based on the 08:09:38
22 population data. 08:09:40
23 And so a lot of our early conversations 08:09:41
24 were on following the rules of the construction of 08:09:44
25 house and senate districts. There was also a lot of 08:09:49

1 conversations that once some of the solutions that I 08:09:53
2 was finding to follow the constitution was going to 08:09:56
3 have significant negative impacts on republican 08:09:59
4 state senators. 08:10:04
5 And so I would have been talking to him 08:10:07
6 about which republican members were going to have to 08:10:08
7 be paired together and why we would potentially be 08:10:11
8 doing that in order to reduce splitting of counties 08:10:14
9 in other jurisdictions. 08:10:19
10 So those were garden variety early -- early 08:10:21
11 conversations. 08:10:24
12 Q. What about later conversations? 08:10:24
13 A. Well, as I said, once the -- he was engaged 08:10:27
14 in the negotiations. There was a lot of 08:10:30
15 conversations about how to get to a ten-year map and 08:10:34
16 what was being requested by the minority caucuses 08:10:38
17 and what was being requested by other members of the 08:10:42
18 redistricting commission. 08:10:45
19 Q. Okay. And what do you recall about that -- 08:10:46
20 those conversations? 08:10:48
21 A. I -- I recall that he was talking about 08:10:49
22 what republican-leaning districts would need to be 08:10:56
23 made democrat-leaning districts. And some of the 08:10:59
24 suggestions that he was hearing from his 08:11:02
25 conversation that I was not part of. 08:11:04

Q. Which -- do you recall what -- any 08:11:06
districts in particular being discussed? 08:11:09
A. I -- with President Huffman, I remember the 08:11:12
6th Senate District being a point of conversation. 08:11:18
And I remember the 24th Senate District being a 08:11:22
point of conversation. And the 27th Senate District 08:11:26
being discussed in the later stage. 08:11:28
In the early stages, I remember the 22nd 08:11:32
and 26th, the 32nd and -- 08:11:35
(Reporter clarification.) 08:11:48
A. I remember conversations about the 22nd and 08:11:59
26th District, the 18th and the 32nd and the 27th. 08:12:02
Q. Okay.
A. In the early stages. 08:12:10
Q. Okay. Let's -- going through the early 08:12:12
stage set that you've identified, was there any 08:12:18
discussion about the democrat or republican leaning 08:12:21
of those districts when you're talking about those 08:12:24
districts in the early stage conversations? 08:12:26
A. I do remember a conversation about the 08:12:30
27th, which was significantly because of the 08:12:35
footprint that I felt we needed to implement in 08:12:41
northeast Ohio to follow the construction rules of 08:12:43
the Ohio Constitution. 08:12:46
The 27th District was being significantly 08:12:47

reduced in its republican leaning and I wanted him 08:12:50
to be aware of that. 08:12:54
Q. And do you recall what it -- what -- what 08:12:56
did he say? 08:12:58
A. He said if that's what we have to do to 08:12:59
follow the rules of the constitution then we're 08:13:03
doing it. 08:13:04
Q. Okay. Do you recall about any -- would any 08:13:05
of the other of these districts in the early set 08:13:09
that you mentioned, 22, 26, 32 and 18, were the 08:13:13
democrat or republican leanings of those districts 08:13:19
discussed? 08:13:22
A. I do remember in the -- the 18th District 08:13:23
and the 32nd District where we, again, in northeast 08:13:25
Ohio, which was a considerable focus of my time, 08:13:29
trying to make sure we followed all the rules of the 08:13:33
districts and the constitutional requirements, that 08:13:36
we were going to have to pair two republican members 08:13:39
of the senate together and basically draw one out 08:13:41
of -- out of their district and assign them pursuant 08:13:45
to the Ohio Constitution to a district they did not 08:13:50
live in. 08:13:52
And that that district would become a -- 08:13:53
a -- less of a republican-leaning district and 08:13:56
really kind of become a competitive district. 08:13:59

Q. Got it. 08:14:01
Let's talk about District 6, 24, and 27, 08:14:04
the later conversations. 08:14:07
A. Sure.
Q. Now, these later conversations, is that 08:14:09
when negotiations were happening with the democrats? 08:14:11
Is that right? 08:14:13
A. I wasn't part of those, but I -- I 08:14:14
generally would say that after the redistricting 08:14:16
commission adopted a map for consideration on 08:14:19
September 9th, it seemed that those conversations 08:14:22
really kicked in in earnest. 08:14:25
Q. Right. And they -- and some of those 08:14:27
conversations, did they concern Districts 6, 24, 27. 08:14:29
Is that right? 08:14:33
A. I wasn't part of those conversations, but I 08:14:36
do know that the president had inquired about 08:14:41
turning republican-leaning districts into 08:14:44
democrat-leaning districts or democrat-leaning 08:14:47
districts into even more democrat-leaning districts 08:14:50
in one case. 08:14:53
Q. Okay. And which districts did you -- do 08:14:54
you recall any specific districts where he talked 08:14:56
about taking a republican-leaning district and 08:15:00
making it a democratic-leaning district? 08:15:02

A. The 6th Senate District in Montgomery County absolutely fits that description. It was made from a pretty significant republican-leaning district to a democratic-leaning district. 08:15:07

(Reporter clarification.) 08:15:33

Q. I guess my question is -- 08:15:33

A. You asked about -- you asked about the 6th Senate District, if I recall. 08:15:35 08:15:38

Q. We were talking about the 6th Senate District and you were saying -- I was asking what you recall about any conversation about the leaning of that district and whether they should be changed or not. 08:15:38 08:15:40 08:15:40 08:15:45 08:15:48

A. Yeah. Well, there were a few things going on. There was a lot of testimony at some of the hearings about the construction of the house and senate districts in Montgomery County. 08:15:48 08:15:51 08:15:53 08:15:55

And in addition that was one -- one place where the president had asked me to look at making the 6th District, significantly changing both its geography, as well as making it a pretty -- pretty solid republican-leaning district to a democrat-leaning district. And so that was that conversation. 08:15:58 08:16:01 08:16:04 08:16:08 08:16:13 08:16:16 08:16:19

Q. Okay. And what about the 24th? 08:16:19

A. So the 24th District in the initial map was 08:16:24
a very -- it was a competitive district, but it was 08:16:29
a -- it was a slight democrat-leaning district. But 08:16:31
I had been -- it was being relayed to me that the 08:16:35
negotiations wanted it to be even more of a 08:16:41
democrat-leaning district. 08:16:44
So in the final map that was produced, that 08:16:45
district became much more democrat leaning than it 08:16:49
was in the September 9th map. 08:16:53
Q. Okay. And the 27th District, what do you 08:16:54
recall about that one? 08:16:58
A. So, again, that's one that kind of spills 08:16:58
over between the early conversations pre-September 08:17:01
9th and post September 9th. 08:17:05
In the preconversations, that district was 08:17:07
made to be a much more -- or a much less 08:17:10
republican-leaning district just because we had to 08:17:13
-- in order to follow the rules of the constitution 08:17:17
and implement this northeast Ohio solution of 08:17:20
geography, that district was definitely trending 08:17:24
more towards a democrat-leaning district. 08:17:29
And then in the September -- the final map, 08:17:34
to achieve the requested negotiation of making the 08:17:40
24th District overwhelmingly democrat leaning, the 08:17:44
27th got marginally more republican leaning in order 08:17:49

to achieve the change in Cuyahoga County. 08:17:53
Q. Okay. Now, were there any other districts 08:17:59
you recall which had been republican leaning in, 08:18:02
say, the September 9 map -- and there was 08:18:08
conversations about them after September 9 and they 08:18:11
say republican leaning when you got to the final 08:18:14
map? 08:18:19
A. Can you say that again, Mr. Fram? 08:18:19
Q. Sure. So you've got a September 9 map, if 08:18:21
I got that right. And you knew some of the 08:18:23
different partisan leanings of the districts for 08:18:26
that -- in that map. 08:18:31
Then, if I understand, there were 08:18:34
conversations about the leanings between September 9 08:18:36
and, say, September 15. 08:18:42
And my question is: During those 08:18:46
conversations, do you recall any districts which 08:18:48
were republican leaning in the September 9 map and 08:18:54
in the end stayed republican leaning in the final 08:19:00
map? 08:19:05
A. Well, there's 99 house districts and 33 08:19:10
senate districts. So the ones that I'm describing 08:19:16
that were part of the negotiations that were being 08:19:19
made to be democrat leaning, the other ones, I -- I 08:19:21
think there started to be some consensus on -- or 08:19:26

1 many of them, not all but many -- where the -- the 08:19:29
2 various maps that were being traded back and forth, 08:19:33
3 where some of the September 9th districts that we 08:19:35
4 had put forward, the commission put forward, were 08:19:41
5 incorporated into some of the final maps that the 08:19:45
6 democratic caucus put forward. 08:19:52
7 Q. But I guess my -- okay. My question is: 08:19:53
8 Do you recall any of the districts, on the 08:19:58
9 September 9 map, the republican meeting, that by the 08:20:00
10 time being discussed -- being discussed, that stayed 08:20:05
11 republican leaning in its final map? 08:20:11
12 A. Yeah. I guess I -- I don't -- I just don't 08:20:16
13 understand the question. I mean, ones -- the ones 08:20:18
14 that I discussed, the 24th, the 6th, the 27th, and 08:20:20
15 then a host -- a small handful of them -- or handful 08:20:25
16 of them from the house map as well that you haven't 08:20:29
17 asked about, those were the ones that were the focus 08:20:31
18 of that round of negotiations. 08:20:34
19 Q. Okay. 08:20:37
20 A. So the other ones were largely unchanged. 08:20:37
21 Q. In that run of negotiations, do you recall 08:20:40
22 there being any suggestion by anybody that a 08:20:44
23 republican-leaning district should be made less 08:20:51
24 republican leaning, but in the end, no change was 08:20:54
25 made in the state republican leaning? 08:20:57

1 A. Again, with -- I was not part of the 08:21:01
2 negotiation, so I was hearing these from 08:21:06
3 President Huffman based on what he was hearing. 08:21:09
4 So I'm struggling to think of a district 08:21:13
5 that matches this very specific fact pattern that 08:21:15
6 you're asking about. 08:21:18
7 Q. Did President Huffman ever tell you that 08:21:19
8 the -- a proposal had been made to make a certain 08:21:22
9 republican-leaning district less republican? 08:21:28
10 A. Well, he would -- he would have -- maybe 08:21:31
11 not him personally, but I would have provided a -- 08:21:37
12 been provided a block assignment file of the 08:21:40
13 democrat map. So I could see it. 08:21:43
14 Again, that took time. It sounds very 08:21:47
15 simplistic, but that's how the information was being 08:21:51
16 conveyed, and then also with conversations with him. 08:21:54
17 Q. Okay. Do you recall seeing any -- any 08:21:58
18 districts in the democrat map that would have made a 08:22:03
19 republican-leaning district less republican? Start 08:22:08
20 with that. 08:22:13
21 A. I'm sure there were. I was focused on the 08:22:14
22 ones that I was talking to the president about that 08:22:22
23 we were actively working to try to turn into 08:22:25
24 democrat-leaning maps, to send that proposal back to 08:22:27
25 them so that they could digest it and send a 08:22:31

proposal back to us. 08:22:34
Q. What I'm trying to find out is whether you 08:22:35
considered any democratic proposal to make a 08:22:39
district less republican that you did not include in 08:22:42
a proposal back to the democrats; you left it alone 08:22:47
as republican. 08:22:53
A. I cannot recall a specific example of that 08:22:55
in the house or senate maps, sitting here. But we 08:22:58
were focused on the limited time that we had between 08:23:02
September 9th and September 15th on, you know, 08:23:08
making the districts to send back a -- to give 08:23:09
President Huffman a -- from my standpoint, and I 08:23:13
know Blake would have been doing the same thing with 08:23:17
Speaker Cupp outside of me -- so that they could 08:23:20
send back something to the other members of the 08:23:23
redistricting commission for their consideration so 08:23:27
they could digest it and send it back. 08:23:29
But I don't recall a specific district that 08:23:31
meets that fact pattern, sitting here. 08:23:33
Q. Putting aside -- thank you. 08:23:35
Putting aside your recollection of a 08:23:36
specific district, I take it there were democratic 08:23:39
proposals to make some of the republican-leaning 08:23:42
districts less republican that you did not accept. 08:23:47
Is that right? 08:23:50

1 A. The things that I remember about the map 08:23:50
2 were that it paired -- paired republican incumbents 08:23:55
3 together. It seemed to be challenged with the way 08:24:02
4 that they were applying section 5 to their 08:24:06
5 districts. And it also had some negative 08:24:09
6 consequences to some of their own incumbent members 08:24:11
7 that I think were probably unintentional by them. 08:24:15
8 But my focus was on the limited time 08:24:19
9 available on the districts that we've spoke about, 08:24:22
10 and that was turning those handful of house and 08:24:24
11 handful of senate districts from republican-leaning 08:24:27
12 districts to democrat-leaning districts so that we 08:24:31
13 could send that back to them and the negotiations 08:24:35
14 could continue among the redistricting commission 08:24:37
15 members. 08:24:40
16 Q. Is it fair to say that other than the ones 08:24:40
17 that you sent back for negotiation, there were other 08:24:43
18 districts where the democrats had proposed certain 08:24:47
19 republican-leaning districts be made less 08:24:52
20 republican. Is that right? 08:24:55
21 A. I cannot recall those districts by number 08:24:56
22 like I can the five, six, or seven that I 08:25:00
23 articulated earlier by number. 08:25:03
24 Q. I'm not asking --
25 A. Those are the ones I was focused on. I 08:25:06

1 don't know. 08:25:09
2 Q. I'm not asking you to name a list of 08:25:09
3 numbers. I'm just saying -- let me back up a 08:25:11
4 second. 08:25:13
5 You didn't accept the entire democratic 08:25:13
6 proposal, right? 08:25:15
7 A. We -- after -- we picked out districts 08:25:17
8 where we could work on to make them democrat-leaning 08:25:24
9 districts. We incorporated that into the 08:25:27
10 September 9th map and then sent that back as a -- 08:25:30
11 through the proper channels of my president and the 08:25:32
12 speaker the -- that as a proposal. I don't know 08:25:35
13 what more I can tell you on that. 08:25:39
14 Q. Sure. But that list does not include the 08:25:40
15 entire democrat proposal, right? 08:25:43
16 A. Like I said, we looked at their proposal, 08:25:46
17 took the -- the districts that we -- through in 08:25:50
18 talking to my president and the house districts 08:25:55
19 that, you know, I was hearing about from Blake's 08:25:57
20 conversations with the speaker could be incorporated 08:25:59
21 into a proposal from them back. And we were focused 08:26:03
22 on those. 08:26:07
23 Q. Thank you. 08:26:08
24 A. As I said, I did notice that there were 08:26:08
25 some other, I thought, unintentional negative 08:26:12

1 implications to incumbent democrat senators and 08:26:14
2 pairing of additional republican senators above and 08:26:20
3 beyond the five or six republican senators that had 08:26:23
4 been paired in the September 9th map. 08:26:27
5 But those are the things that I remember, 08:26:29
6 not what the rest of the map looked like, other than 08:26:30
7 they were splitting some additional counties that we 08:26:34
8 had figured out a way not to split. 08:26:39
9 Q. Okay. You mentioned your conversations 08:26:41
10 with Senate President Huffman and with Blake on the 08:27:32
11 house side. 08:27:38
12 Did you have any direct conversations with 08:27:41
13 Speaker Cupp yourself during this revision process? 08:27:43
14 A. I can think of one occasion very late in 08:27:49
15 the process, that I can recall sitting here. 08:27:53
16 Q. And what do you recall about that one? 08:27:56
17 A. I recall it being very late. In fact, it 08:27:58
18 might have been the day of September 15th. 08:28:03
19 And I remember that -- my recollection -- 08:28:09
20 my takeaway was that he was still actively engaged 08:28:11
21 in -- President Huffman was still actively engaged 08:28:16
22 in negotiations. And he had a list of a couple 08:28:18
23 things that were still being requested of him by 08:28:24
24 whoever he was negotiating with. 08:28:28
25 And he was asking Blake and I for our 08:28:30

1 thoughts on whether or not those could be achieved 08:28:33
2 in the final hours before the map needed to be 08:28:36
3 approved. 08:28:39
4 Q. Do you recall the districts? 08:28:39
5 A. I don't recall the district numbers. I -- 08:28:41
6 I don't recall the district numbers. 08:28:45
7 Q. Do you recall the region of the state? 08:28:47
8 A. I remember in Franklin County, there was a 08:28:50
9 -- there was some request about two of the house 08:28:53
10 districts in Franklin County about trying to change 08:28:55
11 the geography so that the two incumbents would 08:28:59
12 switch districts. I remember that being a 08:29:02
13 significant request where it seemed to be that that 08:29:06
14 was a significant focus of the -- whoever he was 08:29:10
15 negotiating with. 08:29:15
16 Q. Do you recall, was there a conclusion in 08:29:16
17 the conversation as to what to do? 08:29:20
18 A. Was there a conclusion on -- I mean, I 08:29:23
19 think -- I think that the takeaway was, you guys, 08:29:31
20 Blake, Ray, you guys, you know, try to work on that 08:29:35
21 and see if it works. We're going to go and continue 08:29:39
22 having other conversations about trying to get to a 08:29:41
23 ten-year map. 08:29:44
24 Q. Do you recall any sticking points in the 08:29:45
25 negotiations with democrats that you heard about 08:29:50

1 from either Senate President Huffman or 08:29:53
2 Speaker Cupp? 08:30:07
3 (Reporter clarification.) 08:30:09
4 A. Not having been -- not having been part of 08:30:10
5 any of those conversations and not knowing what 08:30:13
6 would be a sticking point, I can't answer. 08:30:17
7 Q. Well, do you remember there being -- let me 08:30:19
8 break it down. 08:30:23
9 Did President Huffman ever tell you, the 08:30:25
10 democrats are asking you for a certain change, but I 08:30:27
11 don't think we can do that? 08:30:31
12 A. No, I don't recall that. 08:30:38
13 Q. Do you recall him ever saying, the 08:30:40
14 democrats are asking for a certain change, and 08:30:43
15 you're telling him you don't think you can do that? 08:30:45
16 A. I don't recall -- I don't recall that 08:30:49
17 conversation with President Huffman. 08:30:58
18 Q. Okay. Do you recall him ever saying, the 08:31:00
19 democrats are asking for a certain change, and then 08:31:05
20 you provided election results information to him 08:31:08
21 after he told you about that democrat proposal? 08:31:10
22 A. No. The -- no. I don't recall that. I 08:31:14
23 remember the takeaway being, in his conversations, 08:31:17
24 that they were close and that they wanted to have 08:31:22
25 some additional democrat-leaning districts in the 08:31:25

1 house and the senate map, and they felt they were 08:31:29
2 close. And, you know -- but the time was -- these 08:31:32
3 are conversations that are happening in the final 08:31:36
4 days, and time was running out. 08:31:39
5 Q. You say they were close. 08:31:40
6 Were you ever told why no agreement was 08:31:42
7 reached? Were you ever told? 08:31:45
8 A. I don't recall a specific conversation like 08:31:47
9 that other than that there weren't enough 08:31:53
10 democrat-leaning districts, I guess. 08:31:59
11 Q. Do you have an understanding of how many 08:32:01
12 democratic-leaning districts were being asked for 08:32:06
13 that were not being provided by the republicans? 08:32:08
14 A. Yeah, I get -- I get caught up on this -- I 08:32:13
15 know it's easy to say, well, the computer spits out 08:32:15
16 a number of 48 or 49 or 51, and so it's that. But I 08:32:22
17 mean, it's -- it is so difficult to categorize a 08:32:27
18 district and who is going to win an outcome of an 08:32:30
19 election over the next ten years based on some 08:32:34
20 number on a computer screen that's focused on the 08:32:37
21 last six years of data. 08:32:41
22 But I remember him saying he thought they 08:32:44
23 were close. They were continuing to talk. A lot of 08:32:46
24 conversations were happening. But I don't recall 08:32:49
25 the specific instances of how close they were. I 08:32:52

1 don't recall. 08:32:57
2 Q. Do you recall if they were ten seats apart 08:32:57
3 in the house or five seats apart? Any -- just a 08:33:02
4 ballpark? 08:33:06
5 A. I think it was single digits, but I don't 08:33:06
6 recall the number, sitting here. 08:33:12
7 Q. Okay. And you say everything was an 08:33:13
8 apples-to-apples basis. Understanding there's a 08:33:16
9 question about predicting the future, but apples to 08:33:19
10 apples, people were assessing whether it was 08:33:21
11 democrat or republican-leaning district based upon, 08:33:24
12 like you say, the 2020, 2018, and 2016 data. Is 08:33:27
13 that right? 08:33:31
14 A. That was the assessment, although I always 08:33:31
15 joke that using that methodology, there were seats 08:33:35
16 that would score as republican-leaning districts 08:33:38
17 that democrats occupied, and there were seats that 08:33:42
18 were -- you know, would be called democrat-leaning 08:33:48
19 seats that republicans occupied, and I remember 08:33:49
20 commenting how I thought that was just ironic. 08:33:52
21 Q. Right. Appreciate the irony. It does 08:33:55
22 happen. 08:33:58
23 But the -- in the conversations, the 08:33:59
24 common -- the common data set everyone was looking 08:34:01
25 at was 2016, 2018, and 2018 [sic] elections. That's 08:34:05

1 right? 08:34:10
2 A. From where I was seeing it, yes. When we 08:34:10
3 were getting maps during the negotiations or where 08:34:13
4 maps were being made available to me from the other 08:34:15
5 negotiations, it seemed that '16, '18, and '20 was 08:34:18
6 the -- the scoring that everybody was using. 08:34:22
7 Q. Okay. Did you ever have any communications 08:34:27
8 with Auditor Faber about the districts maps you were 08:34:46
9 drawing? 08:34:50
10 A. Very limited interaction with Auditor 08:34:51
11 Faber, but some. 08:34:56
12 Q. What do you recall about those? 08:34:57
13 A. Did you say interactions, or did I, 08:34:59
14 Mr. Fram? 08:35:06
15 Q. I asked about interactions. You said 08:35:07
16 limited. So I guessed what they were. 08:35:10
17 A. Yeah. There was one instance where I 08:35:13
18 physically met with the auditor before the map was 08:35:15
19 rolled out on September 9. 08:35:23
20 Q. And do you recall how many days before the 08:35:26
21 September 9 interaction? 08:35:29
22 A. Well, two things. I think it was in early 08:35:35
23 September, somewhere around the 3rd or 4th of 08:35:38
24 September. And it -- it wasn't to preview the maps. 08:35:40
25 It was more of just conversation about some of the 08:35:47

1 struggles we were having to produce the map, which 08:35:49
2 ultimately was produced on the 9th. 08:35:53
3 Q. Did any questions about election results or 08:35:55
4 apportionment of democrat/republican shares of 08:36:02
5 districts come up in the conversation with Auditor 08:36:06
6 Faber? 08:36:10
7 A. I -- not that I recall. 08:36:10
8 Q. Okay. And so no other -- that was the only 08:36:13
9 interaction you had with Auditor Faber. Is that 08:36:20
10 right? 08:36:23
11 A. That was -- that was the only meeting that 08:36:23
12 I had with him, to my recollection. 08:36:27
13 Q. What about text messages or emails? 08:36:28
14 A. Yeah. I do recall one -- one text message 08:36:32
15 exchange very, very late in the process. Maybe even 08:36:36
16 a couple of days before the September 15th deadline. 08:36:41
17 Q. And what do you recall about that? 08:36:45
18 A. My recollection is that he was just asking 08:36:46
19 for the population of -- the populations of a couple 08:36:51
20 of counties and whether or not a couple of counties 08:36:56
21 in central Ohio could actually be paired together 08:36:59
22 and still meet the constitutional requirements. 08:37:02
23 Q. What about Secretary of State LaRose? Did 08:37:05
24 you ever have any interactions with him? 08:37:09
25 A. Sorry. You crackled for a second -- 08:37:11

Q. Secretary of State LaRose. Secretary of 08:37:13
State LaRose, did you have any interactions with 08:37:16
him? 08:37:19
A. Again, there was one meeting that comes to 08:37:19
memory that was probably -- I think one meeting -- 08:37:22
one meeting, that I can recall, sitting here. 08:37:29
Q. When was that? 08:37:31
A. September 7th, 8th. Somewhere in there. 08:37:33
Q. And what do you recall about what was said 08:37:40
in that meeting? 08:37:43
A. I -- I remember the secretary encouraging 08:37:43
the president and the speaker to find a consensus 08:37:52
ten-year map. He had -- he had some questions about 08:37:57
some of the constitutional challenges that I was 08:38:01
articulating to him that -- some geography issues 08:38:03
and the northeast Ohio issue. 08:38:09
Q. Okay. So in that meeting, the secretary 08:38:11
was there, President Huffman is there, Speaker Cupp 08:38:13
is there, you were there. Anybody else in the room? 08:38:17
A. Speaker -- just for -- for being as 08:38:19
accurate as I can, the speaker came late. He -- I 08:38:23
think he had a -- well, I don't know. He had 08:38:27
something else that was happening in the house. He 08:38:29
showed up at the very end of the meeting. 08:38:32
Q. Okay. And so -- and who else was in the 08:38:37

1 room? 08:38:39
2 A. I remember specifically the president, 08:38:41
3 Secretary LaRose, myself. I -- Speaker Cupp and 08:38:45
4 Blake came, like I said, very late. And there 08:38:53
5 were -- there were two staff for the secretary of 08:38:58
6 state that were present and I -- I can't remember 08:39:00
7 their names right now. 08:39:03
8 Q. Okay. And -- 08:39:04
9 A. That's -- that's everybody I can remember. 08:39:09
10 The chief of staff for the senate, John Barron, was 08:39:13
11 there. 08:39:17
12 Q. Okay. And you say there were some 08:39:17
13 discussion about what it would take to reach an 08:39:20
14 agreement on a ten-year map. Is that right? 08:39:23
15 A. No. I think I said that Secretary LaRose 08:39:26
16 just asked about how are the negotiations going to 08:39:30
17 get to a ten-year map. And I remember the president 08:39:34
18 saying they're ongoing, but, you know, time is -- 08:39:37
19 time is ticking away. And they were still actively 08:39:41
20 negotiating, or having conversations about 08:39:45
21 negotiations. 08:39:47
22 Q. Did they mention any issues in the 08:39:48
23 negotiations? 08:39:53
24 A. Not that I recall, no. Again, at this 08:39:53
25 point, as I had mentioned, Mr. Fram, we had not 08:39:56

1 rolled out our map at the commission hearing. And 08:39:59
2 that's -- that's really when I kind of think things 08:40:03
3 really kind of kicked off. 08:40:05
4 But I'm sure there were plenty of 08:40:06
5 conversations happening beforehand, but I wasn't 08:40:08
6 party to them. 08:40:10
7 Q. So, I'm sorry. Was -- this conversation 08:40:11
8 was before September 9 when the first -- when the -- 08:40:13
9 when your map was rolled out. Is that right? 08:40:15
10 A. Yes. 08:40:17
11 Q. Okay. What about Governor DeWine? Did you 08:40:20
12 have any interactions with him during the map 08:40:26
13 drawing process? 08:40:30
14 A. I remember one in-person meeting with the 08:40:30
15 governor and the lieutenant governor. 08:40:33
16 Q. What do you recall about that meeting? 08:40:35
17 A. I -- I remember, again, the conversations I 08:40:37
18 was articulating to them, the challenges that I was 08:40:42
19 seeing in the map and that Blake was seeing in the 08:40:45
20 house map as well and -- you know, house and senate 08:40:50
21 maps, challenges that we were seeing. 08:40:54
22 Talked a lot about northeast Ohio and the 08:40:57
23 constitutional challenges there to come up with 08:41:01
24 districts that would follow all of the provisions of 08:41:05
25 the constitution. 08:41:08

1 Recall that the lieutenant governor was a 08:41:09
2 member of the apportionment board in the previous 08:41:13
3 decade when nobody could find a constitutional 08:41:16
4 solution in northeast Ohio. 08:41:20
5 And so I think he was very cognizant of 08:41:22
6 that fact. And when I told him that there were 08:41:26
7 significant challenges again in northeast Ohio, 08:41:28
8 there were a lot of conversations about that. 08:41:31
9 And I recall telling him that we were most 08:41:34
10 likely going to roll out a map that would implement 08:41:37
11 the only solution that I could find and that it 08:41:43
12 would -- it would necessitate pairing a number of 08:41:45
13 republican members together. 08:41:49
14 And I remember him saying, very similar to 08:41:50
15 President Huffman, if that's what we have to do to 08:41:52
16 follow the constitution, then that's what we have to 08:41:54
17 do. 08:41:57
18 Q. Okay. 08:41:57
19 MR. FRAM: I'd like to ask the technician 08:42:03
20 to please pull up tab 12. We can mark it as an 08:42:05
21 exhibit. 08:42:15
22 THE REMOTE TECHNICIAN: Would you like me 08:42:18
23 to mark this as Exhibit 1? 08:42:18
24 MR. FRAM: Please. 08:42:21
25 THE REMOTE TECHNICIAN: Stand by. 08:42:22

1 (Exhibit 1 was marked for identification.) 08:42:38
2 MR. FRAM: 08:42:38
3 Q. Mr. DiRossi, is that -- can you see 08:42:40
4 Exhibit 1 up on your screen there? 08:42:42
5 A. I see it, yes. 08:42:44
6 Q. Have you ever seen this document before? 08:42:45
7 A. Yes. 08:42:50
8 Q. Okay. Did you have anything to do with 08:42:50
9 creating this document? 08:42:53
10 A. Yes. 08:42:54
11 Q. Okay. Do you recall about when you created 08:42:55
12 it? 08:42:59
13 A. I don't. 08:43:01
14 Q. Was it in August or September or before? 08:43:03
15 A. I -- I don't recall. I think it probably 08:43:07
16 was earlier. Much earlier than that. 08:43:13
17 Q. Okay. So before -- before August, you 08:43:15
18 think? 08:43:20
19 A. I don't recall specifically, but that's -- 08:43:20
20 that sounds about right. 08:43:26
21 Q. Okay. Do you recall if it was, like, back 08:43:26
22 in the spring? 08:43:29
23 A. No. It -- this would have been something 08:43:33
24 that I think I created shortly after the budget was 08:43:35
25 put in place, June 30th. 08:43:38

1 Q. Okay. So -- 08:43:39
2 A. But I can't -- I can't speak specifically 08:43:42
3 to the date. I -- 08:43:44
4 Q. Okay. Do you recall why you put it 08:43:46
5 together? 08:43:48
6 A. I was just -- as I was turning my attention 08:43:48
7 from the state operating budget to the redistricting 08:43:56
8 effort, I was reading the constitution and I was 08:43:59
9 just trying to, for my own benefit, you know, 08:44:03
10 think -- think through what -- what some of the 08:44:07
11 things in the constitution could -- could look like 08:44:10
12 as numbers. 08:44:16
13 Q. All right. And the thing in the 08:44:17
14 constitution, we're talking, of course, about 08:44:19
15 Article XI. Would this be relevant to Article XI in 08:44:22
16 Section 6(B). Is that right? 08:44:29
17 A. I don't know the specific section. 08:44:30
18 Q. Well, you're looking here at statewide 08:44:37
19 elections over the preceding decade or so. Is that 08:44:40
20 right? 08:44:49
21 A. Yes. 08:44:49
22 Q. Okay. So whatever provision in the Ohio 08:44:50
23 Constitution was talking about statewide elections 08:44:53
24 over the past ten years, that would be the one that 08:44:55
25 you had in mind when you put this together. Is that 08:44:58

1 right? 08:45:00
2 A. Well, this was just me putting on paper 08:45:00
3 what I -- what I was seeing in the constitution. 08:45:03
4 Q. Right. But I was just saying -- and I'm 08:45:08
5 trying to get to the part of the constitution this 08:45:09
6 relates to. Did it relate to a part of the 08:45:11
7 constitution that talks about statewide elections 08:45:13
8 over the past ten years? 08:45:16
9 A. Yeah. I mean, it -- it -- I just don't 08:45:17
10 know it by 6(B) or whatever you referenced it as. 08:45:19
11 Q. Sure. And I'm not going to hold you to 08:45:22
12 quoting citations. I just want to know which -- 08:45:26
13 which part of the constitution you were talking 08:45:28
14 about. 08:45:30
15 Let me ask you a question here about this. 08:45:30
16 I notice you've got data filled in for 08:45:34
17 statewide elections for 2020 and 2018 and 2014. And 08:45:37
18 you've got one for -- you've got the presidential 08:45:53
19 2012. 08:45:58
20 But you did not include data -- although 08:45:59
21 you listed it, you did not include data for the 2010 08:46:00
22 election. Do I have that right? 08:46:04
23 A. Correct. 08:46:07
24 Q. Do you recall why you did or didn't include 08:46:07
25 the data for the 2010 elections? 08:46:10

1 A. Well, again, this, you know, is data -- you 08:46:12
2 know, these are just election results from the 08:46:15
3 secretary of state's website. These are just the 08:46:20
4 election results from those particular elections. 08:46:23
5 Q. Right. And you want -- so what you did to 08:46:26
6 create this is you went to the secretary of state 08:46:29
7 website and you filled in the data. Is that right? 08:46:33
8 A. I filled in the election results, yes. 08:46:34
9 Q. Right. Election results. 08:46:36
10 But you did not fill them in for 2010. Is 08:46:38
11 that right? 08:46:42
12 A. It appears not. 08:46:42
13 Q. Do you recall why not? 08:46:43
14 A. I -- I don't recall if I got called away to 08:46:44
15 some other duty or if -- I don't -- I don't recall 08:46:50
16 why. 08:46:52
17 Q. Okay. Did anybody ever tell you which 08:46:52
18 elections you should or should not include in your 08:46:56
19 analysis? 08:46:58
20 A. No. 08:46:59
21 Q. Okay. Did you ever share this document, 08:47:00
22 Exhibit 1, with anybody? 08:47:04
23 A. What do you mean by "share"? 08:47:05
24 Q. Did you ever send a copy to somebody? 08:47:12
25 A. I produced this document, under public 08:47:16

1 records request, numerous times. And I also shared 08:47:22
2 it with my attorneys in response to the subpoena for 08:47:25
3 documents. 08:47:30
4 Q. Did you ever give it to any -- did you ever 08:47:30
5 share this document with President Huffman? 08:47:33
6 A. Not that I recall. 08:47:37
7 Q. Did you ever share it with Blake 08:47:39
8 Springhetti? 08:47:48
9 A. Blake Springhetti? 08:47:49
10 Q. Springhetti. I apologize. Springhetti. 08:47:51
11 A. I don't recall if I did or not. 08:47:53
12 Q. Did you ever provide it to any member of 08:47:56
13 the redistricting commission? 08:47:58
14 A. Sorry. I couldn't -- I couldn't -- you 08:47:58
15 broke up. 08:48:01
16 Q. Did you ever provide it to any member of 08:48:01
17 the redistricting commission? 08:48:04
18 A. Not that I can recall. I don't think so. 08:48:05
19 Q. Okay. Did you ever -- other than providing 08:48:08
20 it to your counsel in response to public records 08:48:14
21 requests, did you ever provide a copy of this 08:48:17
22 document to anyone else? 08:48:21
23 A. Not that I can recall sitting here, no. 08:48:25
24 Q. Okay. Did you ever use this document for 08:48:29
25 any purpose, in terms of creating any other 08:48:32

1 document? 08:48:36
2 A. Yeah. This -- so maybe a little 08:48:37
3 explanation. This -- this is a document that I 08:48:40
4 think I created shortly after the budget, as I was 08:48:42
5 starting to look forward, even before census data 08:48:46
6 had been received. 08:48:49
7 Once we got into the process, the value of 08:48:52
8 this document to me was -- was really nothing 08:48:55
9 because this -- this section of the constitution was 08:49:00
10 something that I was not involved in determining, 08:49:02
11 interpreting or doing anything like that with. So 08:49:08
12 this document, while I still had it, was -- was not 08:49:13
13 really of use to me in the process. 08:49:14
14 Q. All right. By the way, the numbers at the 08:49:17
15 bottom of the document in yellow, those are just the 08:49:20
16 averages. Is that right? From all the statewide 08:49:22
17 elections to where it says, "Total votes" at the 08:49:26
18 bottom. Is that right? 08:49:29
19 A. Yeah. There are -- and I think I produced 08:49:30
20 two copies of this document. One that has two -- 08:49:36
21 two highlights at the bottom. 08:49:41
22 So I -- I don't know if you're specifically 08:49:42
23 choosing this one or -- or the other one is -- 08:49:45
24 (Simultaneous colloquy.) 08:49:52
25 Q. You've got one row -- and I'm looking at 08:49:52

1 the stuff in the yellow. One number is raw numbers 08:49:55
2 and the other is percentages. Is that right? 08:49:58
3 A. One row -- 08:50:01
4 Q. It says, "Total Votes," very bottom. 08:50:02
5 A. Oh, yeah. Okay. 08:50:05
6 Q. Do you see that? 08:50:08
7 A. Hold on one second. 08:50:10
8 (Brief pause.) 08:50:18
9 A. Do I have the -- do I have the ability to 08:50:18
10 zoom in on this at all? 08:50:19
11 Q. Do you have trouble seeing it? You can 08:50:21
12 make it bigger there. 08:50:22
13 A. Thank you. 08:50:22
14 Q. There you go. 08:50:23
15 A. I appreciate that. 08:50:24
16 Okay. Go ahead. I'm sorry. 08:50:27
17 Q. So you've got one row is total votes. 08:50:27
18 Do you see that row? 08:50:31
19 A. I do see that row. 08:50:31
20 Q. And that just totals up all the elections 08:50:33
21 you have data for above. Is that right? 08:50:37
22 A. It should, yes. 08:50:40
23 Q. And the percentage are under that. Okay. 08:50:41
24 And you calculated those percentage using 08:50:44
25 Excel or a calculator or something? 08:50:46

A. You know, this looks like a Word document, 08:50:49
not an Excel sheet, so I probably would have done 08:50:52
those on a separate calculator. So hopefully, 08:50:55
they're accurate. 08:50:58
Q. Okay. So you calculated that the 08:50:58
democratic percentages for those elections was 08:51:01
45.9 percent. Is that right? 08:51:07
A. 45.9? 08:51:08
Q. That's correct. 08:51:14
A. Did you say -- oh, 45.9. I thought you 08:51:16
said 54.92. Sorry. 08:51:19
Q. 45 -- 08:51:21
A. I see that number. 08:51:22
Q. 45.9. That's right? 08:51:23
A. That's the number on the page, yes. 08:51:25
Q. And republicans 54.1. Is that right? 08:51:28
A. I see that as well. 08:51:32
Q. And you calculated those percentages? 08:51:33
A. Yes, I would have done that 08:51:35
hand-calculation if this is not a spreadsheet. 08:51:40
Q. Okay. Okay. All right. Well, thank you 08:51:43
for that. 08:51:48
Do you have -- so did you ever update this 08:51:53
spreadsheet after you first calculated it, or you 08:51:55
just did it once and that was it? 08:51:58

A. I think at some point in the second one -- 08:52:00
sorry. I keep trying to scroll it. 08:52:04
Can you scroll up to the top of the 08:52:06
document, whoever is in control of documents? Thank 08:52:09
you, to whoever that is. 08:52:12
Yeah, there's a second version of this that 08:52:15
I'm pretty sure was produced. 08:52:17
Q. Do you recall when that was? 08:52:19
A. It was produced a couple weeks ago. 08:52:21
Q. Do you recall when you created the second 08:52:27
version? 08:52:29
A. Oh, sorry. I do not. No. The second 08:52:32
version is just highlighting the second column in 08:52:37
green and yellow, as the first column is. So it 08:52:40
probably was done shortly thereafter the first one. 08:52:45
Q. Did you share the second document with 08:52:48
anybody? 08:52:50
A. No, not to my recollection. 08:52:51
Q. Okay. Do you recall why you created the 08:52:55
second document? 08:52:57
A. I'm sorry. You were crackly. 08:52:59
Q. Did you recall why you created the second 08:53:01
document? 08:53:05
A. Well, the second -- the second document is 08:53:05
the first document, just with shadings of additional 08:53:12

1 cells or -- or columns and rows. 08:53:15
2 Q. But the -- the numbers didn't change. Is 08:53:17
3 that right? 08:53:20
4 A. I don't believe so, no. 08:53:20
5 Q. Okay. 08:53:23
6 A. I did it because I was bored after the 08:53:26
7 budget because we had no census data and there was 08:53:28
8 nothing to do to get ready. And so I was just kind 08:53:31
9 of trying to preoccupy my time. 08:53:36
10 Q. Okay. Now, if I've got it right, you've 08:53:38
11 got 16 elections for which you provided data. Is 08:53:42
12 that right? You can count them up if you want. 08:53:48
13 A. Again, you keep saying "data." It's just 08:53:51
14 the election results from the races. 08:53:53
15 Q. Fair. Let me restate the question. 08:53:56
16 You had 16 elections for which you provide 08:53:58
17 election results. Is that right? 08:54:01
18 A. It appears to be, yes, 16. 08:54:02
19 Q. If I'm reading this right, you've got the 08:54:04
20 democrats won three of them. Is that right? 08:54:08
21 A. That's what it shows. 08:54:11
22 Q. And the republicans won 13 of them. Is 08:54:12
23 that right? 08:54:15
24 A. Yes. 08:54:15
25 Q. And the percentage, therefore, the 08:54:16

1 republicans won was 81 percent of the elections, if 08:54:19
2 you just add up winners and losers of the elections. 08:54:26
3 Is that right? 08:54:29
4 A. That's 3/16ths, yes. 08:54:30
5 Q. Did you create -- other than this document 08:54:33
6 and the subsequent version with the shading, did you 08:54:51
7 create any other spreadsheets, Word documents, 08:54:53
8 tables adding up the democrat and republican results 08:54:58
9 in statewide election over the past ten years? 08:55:03
10 A. Not that I recall. 08:55:05
11 MR. FRAM: Phil, we've been going a couple 08:55:24
12 of hours now. We can -- I forget how you all -- are 08:55:26
13 doing breaks or not, if you're charging the breaks 08:55:31
14 against the time, what is the overall time for the 08:55:33
15 day, if I recall correctly, just not the time limits 08:55:36
16 that are -- 08:55:37
17 Do you want to take a break now? Is it an 08:55:37
18 okay time to do it? Or do you want to not take it? 08:55:40
19 It's up to the witness and up to you all. 08:55:43
20 MR. STRACH: I don't think we want to take 08:55:46
21 a lunch break until closer to 1:00 or so. And if 08:55:50
22 you want to take a short five-minute break now, 08:55:55
23 that's fine. But, you know, with the understanding 08:55:58
24 being that, you know, we stop today at 5:30. 08:56:01
25 MR. FRAM: Right. That's fine. 08:56:04

1 Why don't we take a five-minute now. It 08:56:06
2 might -- I don't know if that edges us a little bit 08:56:11
3 past 1:00. It's already noon, I guess, your time. 08:56:14
4 MR. STRACH: Right. 08:56:17
5 MR. FRAM: If you've got a hard stop at 08:56:18
6 1:00, I guess that would be worth knowing. If 08:56:20
7 there's any flexibility on that, if we take a little 08:56:23
8 break now and then do a little lunch break. I think 08:56:26
9 you said, what, 30 minutes on lunch? 08:56:34
10 MR. STRACH: We're flexible on the 1:00 08:56:34
11 o'clock. It doesn't have to be right at 1:00. 08:56:36
12 MR. FRAM: I appreciate that. 08:56:37
13 Let's take a five-minute now and then come 08:56:38
14 on back. 08:56:42
15 THE VIDEOGRAPHER: Please stand by. 08:56:44
16 The time is 8:56 a.m. We're going off the 08:56:46
17 record. 08:56:50
18 (Break taken.) 09:12:57
19 THE VIDEOGRAPHER: The time is now 09:16:37
20 9:16 a.m. We are now back on the record. 09:16:39
21 MR. FRAM: 09:16:41
22 Q. Why don't we put up on the screen tab 16, 09:16:44
23 the commission 8(C)(2) statement. 09:16:55
24 THE REMOTE TECHNICIAN: Stand by. 09:17:01
25 (Brief pause.) 09:17:37

1 MR. FRAM: 09:17:37
2 Q. Mr. DiRossi, can you see that document -- 09:17:39
3 MR. FRAM: I guess we'll mark that as 09:17:41
4 Exhibit 2. 09:17:43
5 (Exhibit 2 was marked for identification.)
6 THE WITNESS: Yes. 09:17:49
7 MR. FRAM: 09:17:49
8 Q. Have you ever seen it before? 09:17:49
9 A. Is it just this one page, or is it -- 09:17:53
10 Q. Let's go all the way down to the bottom. I 09:18:01
11 think it may go right over the top of the second 09:18:04
12 page -- 09:18:07
13 A. Okay. Thank you. 09:18:07
14 Q. -- is what I printed out. 09:18:09
15 A. Okay. Thank you. Yes. 09:18:13
16 Q. So you have seen it before. 09:18:14
17 Do you recall when you first saw this 09:18:17
18 document? 09:18:21
19 A. Probably September 17th after the vote. 09:18:22
20 Q. After the vote. 09:18:30
21 You didn't see it before the vote? 09:18:31
22 A. I don't believe I ever saw it before the 09:18:32
23 vote. 09:18:34
24 Q. Did you ever have discussions about the 09:18:35
25 document before the vote? 09:18:40

A. The only discussion I remember about this 09:18:46
was that it was not something that I was -- needed 09:18:48
to worry about. It wasn't my job to do it. And it 09:18:50
was being done by the commission. 09:18:56
Q. And do you recall who you had a 09:18:57
conversation with? 09:19:00
A. I don't recall how that was -- I don't 09:19:01
recall the specific of who said that. I just 09:19:05
remember asking if something needed to be done and 09:19:07
was told that the commission was taking care of it. 09:19:11
Q. Okay. Do you recall providing -- were you 09:19:13
asked to provide any figures that could be used for 09:19:18
this document? 09:19:25
A. I do not recall that, no. 09:19:26
Q. Do you recall ever being asked to provide 09:19:27
for a calculation of the percentage of statewide 09:19:31
elections won by republicans? 09:19:35
A. I don't, no. 09:19:37
Q. Okay. Do you recall -- looking at the 09:19:40
document, you'll see there's a reference to 09:19:45
republican candidates having a statewide share of 09:19:49
54 percent. 09:19:57
Do you see that? 09:19:57
A. Is that at the -- are you referring to the 09:20:00
bottom of what's on the screen, the very bottom 09:20:02

1 line? 09:20:06
2 Q. That's right. 09:20:06
3 A. I see it in the document. 09:20:08
4 Q. Right. Do you recall -- we just saw back 09:20:10
5 on Exhibit 1, you had a calculation of that -- of 09:20:14
6 the voters favoring statewide republican candidates. 09:20:22
7 Do you recall that? 09:20:27
8 A. I do. 09:20:27
9 Q. And why don't you take a look at Exhibit 1, 09:20:27
10 if you'd like, to see the percentage. That was the 09:20:34
11 one shaded in yellow, I believe, that you had it at 09:20:36
12 50 -- I think it was 54.1 percent. 09:20:38
13 Do you recall that? 09:20:42
14 A. I don't recall the numbers from the first 09:20:42
15 exhibit specifically. 09:20:46
16 MR. FRAM: Why don't we take a look at it, 09:20:48
17 Exhibit 1, please. Go down to the bottom to the 09:20:51
18 yellow shaded material. 09:20:56
19 Q. Do you see there, 54.1 percent? 09:20:58
20 A. I see that, but again, recall there's a 09:21:01
21 second document of this where the shaded are 54.92 09:21:05
22 and 45.08. 09:21:10
23 Q. Okay. So you have two different 09:21:13
24 calculations, one at 54 -- one about 54 and one 09:21:16
25 about 55 percent. Is that right? 09:21:20

A. Correct. 09:21:22
Q. Okay. And do you recall why you had a 09:21:23
difference in the two calculations? 09:21:31
A. Why is there a difference? Is that the 09:21:33
question? 09:21:35
Q. You said it differently. One was about 09:21:35
54.1, and the other one was about 54.9. 09:21:38
Do you recall how -- what drove the 09:21:43
difference? 09:21:44
A. Math. 09:21:45
Q. Was there -- 09:21:47
A. Yeah. One is a percentage of votes, and 09:21:48
the other is a percentage of percentages. 09:21:51
Q. Percentage of percentages. 09:21:53
So -- but the percentage of vote was 09:21:57
54.1 percent. Is that right? 09:22:00
A. The first column is 54.1. 45.9 was my 09:22:02
hand-calculation, I believe, yes. 09:22:11
Q. Okay. So just looking at that column for a 09:22:13
minute, comparing that -- 09:22:19
MR. FRAM: We can go back to Exhibit 2. 09:22:20
Okay. So we've got there -- pick up Exhibit 2, 09:22:22
please. Put it on the screen. 09:22:29
Q. Now, you see there is statewide republican 09:22:31
candidates proportion of the voters is 54 percent. 09:22:35

1 Do you see that there? 09:22:41
2 A. I see that, the last line of the screen, 09:22:42
3 yes. 09:22:45
4 Q. Do you know who made that calculation, if 09:22:45
5 it wasn't you? 09:22:48
6 A. I don't. 09:22:49
7 Q. And so -- and you never -- did you ever 09:22:50
8 provide your 54 percent calculation to anybody, in 09:22:57
9 conversation or otherwise? 09:23:02
10 A. Not that I recall. 09:23:03
11 Q. Okay. 09:23:04
12 (Brief pause.)
13 MR. FRAM: Going down a little further in 09:23:19
14 the document if you could, please, Exhibit 1. I'm 09:23:21
15 sorry. Exhibit 2. I apologize. Exhibit 2. 09:23:30
16 Further down. 09:23:32
17 Q. The -- you see where it says that the 09:23:46
18 commission adopt -- "the commission adopted the 09:23:49
19 final general assembly district plan, which contains
20 85 districts (64.4 percent) favoring republican 09:23:56
21 candidates." 09:24:02
22 Do you see that? 09:24:03
23 A. Sorry. Can you say what numbers you were 09:24:14
24 speaking about again. 85 -- 09:24:16
25 Q. It says -- yeah. It says, "the commission 09:24:19

1 adopted the final general assembly district plan, 09:24:23
2 which contains 85 districts (64.4 percent) favoring 09:24:27
3 republican candidates and 47 districts (35.6 09:24:34
4 percent) favoring democratic candidates out of a 09:24:39
5 total of 132 districts." 09:24:43
6 Do you see that? 09:24:46
7 A. I'm sorry. Did you say, do I see that? 09:24:47
8 Q. My question is simply, do you see it? 09:24:54
9 A. Yes. I'm sorry. You cut out for a very 09:24:58
10 quick second. 09:25:01
11 Q. No problem. You do see it. Okay. 09:25:02
12 A. I do see it. 09:25:04
13 Q. My question is, did you ever provide 09:25:05
14 that -- did you ever do a calculation of the 09:25:06
15 percentage of districts favoring republican 09:25:09
16 candidates in the final plan? 09:25:14
17 A. Probably as the negotiations were going 09:25:16
18 back and forth, there was some calculations like 09:25:22
19 that. 09:25:26
20 Q. Did you ever communicate your calculations 09:25:26
21 to anyone? 09:25:31
22 A. I don't recall specifically, but if I did, 09:25:31
23 it would have been to Senator Huffman. 09:25:37
24 Q. Okay. And did you ever communicate to 09:25:39
25 Senator Huffman the percentage of the -- let me back 09:25:46

1 up. Let me rephrase. 09:25:54
2 Did you ever communicate to Senator Huffman 09:25:55
3 the proportion of voters favoring statewide 09:25:57
4 republican candidates over the previous ten years? 09:26:01
5 A. During the negotiations that he was engaged 09:26:04
6 in, I'm sure there were a lot of information that 09:26:11
7 were -- was shared. I don't recall a specific 09:26:14
8 instance where that was asked, though. 09:26:18
9 Q. Whether it was asked or not, do you recall 09:26:20
10 ever providing that information? 09:26:23
11 A. Well, if it was asked, I would have 09:26:23
12 provided it, but I don't recall the asking or the 09:26:28
13 providing of it. 09:26:31
14 Q. Okay. So you had -- you had calculated the 09:26:32
15 republican percentage of elections that were won and 09:26:38
16 81 percent previously in Exhibit 1. Isn't that 09:26:44
17 right? 09:26:48
18 A. Well, I mean, the previous -- can you say 09:26:48
19 that again. Did you say 81 percent -- 09:26:58
20 (Simultaneous colloquy.) 09:27:00
21 Q. You had calculated that 13 out of 16 09:27:00
22 elections were won by republicans. Is that right? 09:27:03
23 A. Well, I listed 16 races, and I noted that 09:27:06
24 13 had been won by republicans to help, you know, do 09:27:10
25 the calculations. 09:27:14

1 Q. And you would agree with me that 13 of 16 09:27:15
2 is 81 percent. Is that right? 09:27:17
3 A. That's what the math says, yes. 09:27:19
4 Q. And did you ever convey to anybody that 09:27:21
5 fact that the republicans had won 13 out of 16 09:27:25
6 elections or 81 percent in the last ten-year 09:27:30
7 statewide elections? 09:27:33
8 A. I remember -- no. I remember hearing that 09:27:35
9 from President Huffman, I think, at the hearing -- 09:27:37
10 one of the hearings I was watching. 09:27:41
11 Q. Okay. Did you ever hear about that number 09:27:43
12 from anybody else other than President Huffman? 09:27:47
13 A. Yeah. I -- I don't recall a specific 09:27:50
14 conversation of that. Again, this whole area, even 09:27:56
15 though I put that document together after the 09:28:01
16 budget, was something that was not in my purview and 09:28:03
17 not in my to-do area. And so I did not focus on 09:28:06
18 that a lot, this -- this document. I'm not even 09:28:11
19 sure I produced this document. 09:28:16
20 Q. Okay. And did you ever talk to anybody 09:28:18
21 about the republican statewide vote share being 09:28:24
22 54 percent of the elections over the past ten years? 09:28:28
23 A. 54 -- I -- I do recall some conversations 09:28:40
24 about the information that we received -- not to 09:28:48
25 backtrack and rehash, but the information that we 09:28:53

received, the geography that the senate democratic 09:28:57
caucus provided. I remember the '16, '18, and '20 09:29:03
calculation, talking about what that would look 09:29:09
like -- look like on a statewide basis. But I can't 09:29:11
recall if it's 54 or some variation of that. 09:29:13
Q. You see in the next sentence, it says, "The 09:29:19
commission obtained publicly available geographic 09:29:24
data for statewide partisan elections in 2016, 2018, 09:29:27
and 2020." 09:29:31
Do you see that? 09:29:34
A. I do see that, yeah. 09:29:35
Q. Do you recall talking to anybody about how 09:29:37
the publicly available geographic data for statewide 09:29:40
partisan elections was limited to the election of 09:29:49
2016, 2018, and 2020? 09:29:53
A. I remember conversations -- being told that 09:29:56
the conversations with the senate democrats were 09:30:03
fruitful and that there was going to be some type of 09:30:07
geographic data that was going to be provided for 09:30:10
'16 and '18, because I think we already had '20. I 09:30:14
do -- I do recall that. 09:30:23
Q. And who told you that? 09:30:24
A. I think that was the chief of staff of the 09:30:25
senate who had -- who had mentioned that in passing 09:30:28
when I asked about how it was going. 09:30:30

1 Q. To determine -- let me ask you the next 09:30:33
2 question, another sentence. 09:30:47
3 It says -- looking at that sentence, it 09:30:48
4 says, "the commission adopted the final general 09:30:51
5 assembly district plan, which contains 85 districts 09:30:54
6 (64.4 percent) favoring republican candidates." 09:30:59
7 Do you see that? 09:31:06
8 A. No, I don't. Where -- I'm looking. Where 09:31:07
9 -- 09:31:10
10 Q. "The commission adopted the final general 09:31:11
11 assembly district plan..." 09:31:15
12 A. Yeah. Please -- yeah. Okay. Now I see 09:31:17
13 it. Thank you for paginating. Yes. 09:31:21
14 Q. Okay. There you got it. 09:31:24
15 Now, my question is, did you ever 09:31:25
16 communicate to anybody that the final plan adopted 09:31:29
17 by the commission had 85 districts, 64.4 percent, 09:31:35
18 favoring republicans? 09:31:45
19 A. I don't -- I don't recall that specific 09:31:47
20 conversation, but it's possible. It would -- it 09:31:57
21 would have needed to originate from, I assume, a 09:32:00
22 computer. 09:32:03
23 Q. Right. It would have been information you 09:32:03
24 would have had on Maptitude. Isn't that right? 09:32:05
25 A. Possibly. I don't recall that specific 09:32:08

1 conversation happening. But -- 09:32:11
2 Q. Right. But putting aside a conversation 09:32:13
3 happening, you would have had that information on 09:32:15
4 Maptitude. Is that right? 09:32:17
5 A. Let me -- let me read it and make sure. 09:32:18
6 Yeah, using the '16 and '18 and '20 09:32:38
7 geography and the '16 and '18 and '20 results, yes, 09:32:41
8 that would have been available on the computer. 09:32:45
9 Q. Right. So in other words, you had the 09:32:47
10 information for each district, whether it favored 09:32:48
11 republicans or democrats, on your computer, right? 09:32:51
12 A. Well, with the caveats of, you know, what 09:32:54
13 variations of a number actually favor a candidate, 09:32:58
14 yeah. There was -- what numbers were 09:33:01
15 republican-leaning and which were democrat-leaning, 09:33:04
16 yes. 09:33:07
17 Q. Right. And so to come up with an overall 09:33:07
18 map solution, you would take -- you would put all 09:33:11
19 the district, and then you'd add them up, right? 09:33:14
20 A. Yes. 09:33:19
21 Q. And you had that information on Maptitude, 09:33:20
22 and Blake had that information on Maptitude, right? 09:33:27
23 A. Yes. 09:33:31
24 Q. Did anybody else have that information, to 09:33:34
25 your knowledge? 09:33:39

A. Well, I can't speak for everybody else. 09:33:39
But whoever had the final map, the block assignment 09:33:44
file, and whoever had this publicly available data 09:33:46
could have recreated it. 09:33:50
Q. Right. But in terms of people who actually 09:33:51
had it from Maptitude, it would be you and Blake. 09:33:55
Is that right? 09:33:58
A. Well, I mean, anybody who had Maptitude and 09:33:58
had the current data and had the publicly available 09:34:04
geography and the block assignment files of the 09:34:08
adopted map would have had this. 09:34:11
Q. Okay. Now, in terms of who had Maptitude, 09:34:12
you had two -- I believe you got two licenses from 09:34:15
Maptitude. Isn't that right? 09:34:18
A. That is true. 09:34:19
Q. And you used one of them. Is that right? 09:34:20
A. Correct. 09:34:24
Q. And who used the second one? 09:34:25
A. Blake did. 09:34:28
Q. Okay. So it's just the two -- as far as 09:34:29
you know, two people have licenses from Maptitude. 09:34:31
Isn't that right? 09:34:34
A. Between Blake and I, I'm aware of two 09:34:35
people that have licenses from Maptitude, but I know 09:34:40
the Senate democrats, I think, were using Maptitude, 09:34:43

1 and plenty of other people were probably using 09:34:47
2 Maptitude. 09:34:49
3 Q. Right. But on the republican side, people 09:34:49
4 involved in drawing the maps was just you and Mr. -- 09:34:53
5 and Blake. Isn't that right? 09:34:55
6 A. His name is Blake, yes. 09:34:56
7 Q. Okay. All right. But you do -- do you 09:34:59
8 have any recollection of providing the 09:35:05
9 64.4 percent -- 09:35:08
10 (Reporter clarification.) 09:35:21
11 Q. Did you provide a 64.4 percent calculation 09:35:21
12 of the districts favoring republicans -- did you 09:35:25
13 provide that to anyone at any time? 09:35:29
14 A. I don't recall that specific conversation. 09:35:33
15 I don't recall that. 09:35:38
16 Q. Do you recall providing any calculation of 09:35:39
17 the total number of districts favoring republicans 09:35:43
18 to anyone at any time? 09:35:46
19 A. Yeah, I think -- as I said before, during 09:35:48
20 the negotiations, I think that was something that 09:35:53
21 the democrat members were asking for more districts 09:35:59
22 to be more democrat leaning. And so I'm sure I was 09:36:03
23 asked where the maps and the proposals were from 09:36:09
24 them and us. 09:36:14
25 Q. And who would have asked you? 09:36:14

A. Well, my -- my principal contact was 09:36:16
President Huffman. 09:36:19
Q. Okay. And did you provide 09:36:20
President Huffman with the calculation of the total 09:36:23
number of districts favoring republicans in the map? 09:36:28
A. During the negotiations, it would seem very 09:36:32
likely. On the final one, I can't recall that 09:36:35
specific conversation. 09:36:39
Q. You said -- in terms of other elections, 09:36:39
2012 and 2014, I believe you said the data came from 09:37:12
Mr. Benson. Is that right? 09:37:16
A. Well, again, the election results were 09:37:18
available either through the CURD or through the 09:37:23
secretary of state's office. The geography is what 09:37:27
was very sought after, and that was the point of a 09:37:34
lot of focus. And then marrying the two in a way 09:37:38
that could be used in Maptitude. 09:37:43
Q. And that information -- the geography and 09:37:46
then marrying the geography election results for -- 09:37:49
(Internet connection interrupted.)
THE WITNESS: You're a little crackly, but 09:38:03
I -- I -- can you just repeat that instead of me 09:38:07
guessing what you said? I'm sorry.
MR. FRAM: Let me try it again. Hold on a 09:38:10
second. Let me try something. No. I think that's 09:38:11

1 right. 09:38:26
2 Q. The -- so Mr. Benson provided you with 09:38:26
3 information that would marry the geography with the 09:38:28
4 election results. Is that right? 09:38:32
5 A. Once the geography was provided from Dave's 09:38:37
6 Redistricting to the Senate democrats to the 09:38:42
7 republican chiefs of staff, that was then given, I 09:38:46
8 assume, to our data consultant so that he could then 09:38:51
9 marry that with the other publicly available 09:38:55
10 election results. 09:39:01
11 So if I just restated what you asked, 09:39:02
12 apologies, but that's -- 09:39:04
13 Q. That -- that was helpful. 09:39:05
14 And then he provided that back to you, that 09:39:06
15 combination of the information? 09:39:09
16 A. Yes, that's how I -- that's how I would 09:39:11
17 have got it. 09:39:18
18 Q. Okay. Who suggested to you to work with 09:39:21
19 Mr. Benson? 09:39:23
20 MR. STRACH: Objection. Compound. 09:39:25
21 Rob, that would be privileged. I'm going 09:39:28
22 to ask him not to answer that. 09:39:30
23 MR. FRAM: Okay. 09:39:33
24 Q. Do you recall when you started 09:39:34
25 communicating with Mr. Benson? 09:39:35

A. I -- I don't recall. I mean, I don't 09:39:37
recall when I started. 09:39:46
Q. Would it have been in August? 09:39:48
A. It very well could have been because that's 09:39:54
when the census data finally arrived, in mid-August. 09:39:56
Q. Okay. I noticed when you calculated the -- 09:40:00
when you calculated the statewide election results, 09:40:29
you included 2012 and 2014. But that -- as you say, 09:40:35
you didn't have the common data set with everybody 09:40:41
for the individual districts except for 2016, '18, 09:40:47
and '20, if I've got that right. Is that right? 09:40:51
A. Close. Somewhat. 09:40:54
Q. Please clarify. 09:40:59
A. Well, it has nothing to do with the 09:41:01
districts that were being drawn by anybody in the 09:41:04
state of Ohio, the redistricting commission or 09:41:06
anybody else. It had to do with the geography and 09:41:10
the election results and the geography that existed 09:41:14
at the time those elections happened. 09:41:17
Q. Right. And -- but you said in two 09:41:19
different sets of data -- two different data sets, 09:41:22
depending on the question. If the question was, was 09:41:25
the statewide election results, if you looked all 09:41:29
the way back, including 2012 and 2014. But if you 09:41:32
looked at particular geographies, you were only 09:41:36

1 going to look at 2016, '18, and '20. Is that right? 09:41:38
2 A. Those were the ones that everybody seemed 09:41:41
3 to be coalescing around. The further back we went, 09:41:45
4 the further unreliable the data seemed to -- seemed 09:41:49
5 to get. 09:41:51
6 Q. Did you have any conversations with anybody 09:41:52
7 about the fact that you had these two different 09:41:54
8 data -- two different sets of elections you were 09:41:56
9 looking at, two different questions? 09:41:59
10 A. Did I have conversations with anybody? 09:42:03
11 Q. Anybody. 09:42:05
12 A. I'm sure Blake and I would have talked 09:42:06
13 about it. 09:42:09
14 Q. What do you recall those conversations? 09:42:10
15 A. I laugh because it probably would have been 09:42:15
16 like, "What's going on with the data?" It would 09:42:18
17 have been something along those lines. 09:42:23
18 Because, again, that was -- that was all 09:42:27
19 happening outside of us. We were just the end 09:42:28
20 recipients of what was being obtained through 09:42:31
21 publicly available things. And that -- you know, it 09:42:38
22 wasn't anything that we were doing. 09:42:40
23 Q. What -- do you recall him commenting in any 09:42:41
24 way about what was going on with the data? 09:42:46
25 A. I -- I remember telling him had that -- 09:42:48

that it was a very messy thing this time through and 09:42:50
that the data issues were major stumbling blocks 09:42:54
this time, unlike previous times. Which is obvious 09:42:57
since, you know, it came so late. It was 09:43:02
exacerbating everything. 09:43:05
MR. FRAM: I'd like to ask the technician 09:43:26
to please put up on the screen tab 21, which is 09:43:28
titled, "A Description of the Final General Assembly 09:43:35
District Plan As Adopted By the Ohio Redistricting
Commission." 09:43:49
THE REMOTE TECHNICIAN: Would you like to 09:43:49
mark this as Exhibit 3? 09:43:50
MR. FRAM: Yes, please. 09:43:52
(Exhibit 3 was marked for identification.) 09:44:11
Q. Mr. DiRossi, can you see that up on your 09:44:11
screen? 09:44:14
A. I see the cover page. 09:44:14
Q. Yeah, it's the first page. Bates Number 09:44:17
SOS_001461, the cover page. 09:44:20
You might want to -- I want to -- just to 09:44:26
ask you about -- more about the document, first few 09:44:30
pages of the document. 09:44:34
Why don't we scroll through the first three 09:44:35
pages, if we could, just to make sure you've seen 09:44:37
this before. 09:44:40

1 (Simultaneous colloquy.)
2 MR. FRAM: Actually, the first five pages. 09:44:45
3 There you go. Let's stop right there and 09:44:57
4 take a look if you could, please. 09:45:00
5 And why don't we go to the next one. 09:45:01
6 (Brief pause.) 09:45:04
7 Q. Do you see that? Okay. I just want to 09:45:04
8 ask -- you can -- you can go up through the rest if 09:45:07
9 you'd like. But do you recall seeing this document 09:45:11
10 before? 09:45:12
11 A. Yes. It looks familiar. 09:45:13
12 Q. Okay. And is this, in fact, the final 09:45:15
13 adopted map for the general assembly? 09:45:18
14 A. Yes. 09:45:26
15 Q. Okay. 09:45:26
16 A. So I'm looking at the senate map right now. 09:45:28
17 Q. Senate -- 09:45:31
18 MR. FRAM: We can look up at the -- go to 09:45:32
19 the top of that document for a second there if we 09:45:33
20 could, please, the very top of that page. Top of 09:45:36
21 that page, please. 09:45:39
22 This is the adopted senate seats, senate 09:45:43
23 districts. 09:45:47
24 And then if you go to the previous 09:45:47
25 document -- previous page, which says, "Adopted 09:45:49

house districts." Do you see that? 09:45:52
A. I do. 09:45:53
Q. All right. And so what I would like to do 09:45:54
is show you some -- we've created sort of a blowup 09:46:05
of certain portions of the same document just for 09:46:08
viewing purposes so it's easier to see. Because 09:46:11
some of these districts are small on the page. So 09:46:14
I'm going to show you if we could put up tab 25, 09:46:17
please. Hamilton County House District. 09:46:21
This will be Exhibit 4, I guess. 09:46:32
(Exhibit 4 was marked for identification.) 09:46:59
Q. Mr. DiRossi, do you see that Exhibit 4, the 09:46:59
Hamilton County area districts? Do you see that? 09:47:04
A. I do. 09:47:06
Q. Okay. Now, Hamilton County had seven whole 09:47:09
house districts. Is that right? 09:47:14
A. That sounds right, yes. 09:47:15
Q. Those would be Districts 24 through 30. Is 09:47:17
that right? 09:47:22
A. Yes, seven. 09:47:22
Q. Yeah. Okay. Now, I just -- starting in 09:47:26
some of the districts -- District 24, do you see 09:47:31
that down there, sort of the middle of the -- of 09:47:36
the -- of the document? 09:47:40
A. I do. 09:47:40

1 Q. District 24, that -- that district tends to 09:47:41
2 favor democratic candidates, right? 09:47:47
3 A. It would be helpful if I had access to 09:47:50
4 my -- to my computer to know that, but... 09:47:54
5 Q. Well, 24 is -- Cincinnati is 24. Isn't 09:48:01
6 that right? 09:48:05
7 A. If you -- yeah. I don't know if you could 09:48:05
8 scroll ahead. In this same document, there is a 09:48:08
9 description of District 24. It would help me -- 09:48:10
10 Q. Sure.
11 A. -- understand the geography if it's -- 09:48:15
12 Q. There definitely is. 09:48:16
13 MR. FRAM: If we go to Bates Number 09:48:18
14 SOS_001466, please. 09:48:23
15 THE REMOTE TECHNICIAN: Is that a page 09:48:44
16 number or a tab? 09:48:45
17 MR. FRAM: Sure. It's a Bates number. 09:48:46
18 It's a Bates number. That's the Bates number.
19 Bates Number is SOS_001466. 09:48:48
20 THE REMOTE TECHNICIAN: Give me one moment, 09:48:51
21 please. 09:48:53
22 MR. FRAM: Sure. 09:48:53
23 (Brief pause.) 09:49:11
24 MR. FRAM: We're going to look for District 09:49:11
25 24. 09:49:15

1 THE REMOTE TECHNICIAN: All right. 09:49:15
2 MR. FRAM: It's down a little ways. 09:49:17
3 (Brief pause.) 09:49:41
4 MR. FRAM: 09:49:41
5 Q. Now, you see where -- there you go. 09:49:42
6 District 24. Do you see that, Mr. DiRossi? 09:49:44
7 A. I do. Thank you. 09:49:47
8 Q. Do you see "Hamilton County (part)," and it 09:49:47
9 says, "Cincinnati (part)"? Do you see that? 09:49:52
10 A. I do. 09:49:55
11 Q. Okay. Does it refresh your recollection 09:49:55
12 that District 24 includes Cincinnati? 09:49:57
13 A. Yes. 09:50:00
14 Q. Okay. Does it refresh your recollection 09:50:00
15 that District 24 is a democratic-leaning district? 09:50:02
16 A. Well, I would say based on the '16, '18, 09:50:07
17 and '20 geography, that's -- that's how it would 09:50:11
18 score, yes. 09:50:13
19 Q. Okay. All right. 09:50:13
20 A. Whether it is or not, I'll leave that to 09:50:14
21 somebody else. 09:50:16
22 Q. Okay. Fair enough. Let's -- in answer to 09:50:17
23 my question in terms of how it scores under those 09:50:19
24 elections, thank you for clarifying that. 09:50:22
25 If we can go back up to the -- if we can go 09:50:24

1 back and take a look at tab 25 for a minute. 09:50:32
2 Exhibit -- I guess Exhibit 4, is it? The -- that 09:50:37
3 blowup. Just -- there you go. 09:50:40
4 If we go to District 25, do you have a 09:50:44
5 recollection of the depth of the partisan leaning 09:50:47
6 for those -- for that district under the 2016, '18, 09:50:51
7 and '20 scoring? 09:50:56
8 A. I mean, I would guess that it is similar, 09:50:57
9 but I -- but I -- I can't say for sure. But my 09:51:03
10 guess is it's similar to the 24th. 09:51:07
11 Q. And you know for sure you'd have to check 09:51:08
12 your -- your -- your Maptitude files. Isn't that 09:51:11
13 right? 09:51:13
14 A. Yes. 09:51:13
15 Q. Okay. And same thing about District 26, 09:51:14
16 also leans democrat under that scoring? 09:51:24
17 A. I can't say for sure, but I would -- I 09:51:27
18 would think it would score along those lines. 09:51:32
19 Q. Okay. And District 30 also? 09:51:35
20 A. I -- 09:51:40
21 (Simultaneous colloquy.) 09:51:47
22 Q. Would it lean republican? 09:51:47
23 (Reporter clarification.) 09:52:00
24 A. I would -- I guess I would think so, but 09:52:00
25 I -- I would obviously, again, check to -- to verify 09:52:02

before definitively saying. 09:52:05
Q. Okay. And so looking at these districts 09:52:06
here, is it your sense that Districts 27, 29, and 30 09:52:11
would lean republican? I'll say it again. 27, 29, 09:52:17
and 30. 09:52:21
A. I -- I would check. I don't -- I -- I 09:52:23
would grant 29 and 30, but I don't know about 27. 09:52:29
And -- yeah. I'd have to check. 09:52:33
Q. Okay. When you say "check," you mean check 09:52:42
in with -- check on Maptitude? 09:52:45
A. Yes. 09:52:47
Q. Okay. 09:52:48
MR. FRAM: Counsel, if I could just ask. 09:52:55
Are those -- the Maptitude files the witness keeps 09:52:57
referring to, have they been produced in this -- in 09:53:00
response to our document request? 09:53:03
MR. STRACH: Yeah. We -- we -- Rob, we -- 09:53:04
I can't remember which files we produced, but we 09:53:07
saved them in our interrogatory answers that we 09:53:10
produced. 09:53:13
Exported Maptitude -- Maptitude files for 09:53:15
at least the enacted plan, maybe the September 9th 09:53:16
plan, too, from both Ray and Blake. 09:53:20
MR. FRAM: Okay. And did those -- but did 09:53:27
they say for the -- for the enacted plan, did they 09:53:29

include the information that appeared once it was 09:53:32
described as in the display windows? 09:53:35
MR. STRACH: It's whatever comes in a 09:53:39
Maptitude file. I really have no idea, Rob. 09:53:41
MR. FRAM: Okay. Okay. Okay. I 09:53:44
appreciate that. 09:53:45
Q. Now, we discussed what your general 09:53:51
understanding was with the partisan leaning of these 09:53:53
districts in Hamilton County. 09:53:55
Did you ever discuss the partisan leanings 09:53:58
of the districts in Hamilton County with anyone at 09:54:01
any time? 09:54:05
MR. STRACH: Rob, if you could clarify for 09:54:05
the house or for the senate. 09:54:07
MR. FRAM: We're talking -- we're -- right. 09:54:08
Thank you. 09:54:09
Q. We're talking about the house districts 09:54:10
here is what we're talking about. Did you ever talk 09:54:12
with -- with anybody at any time? 09:54:14
A. Blake and I work side by side on -- on all 09:54:16
projects. So I -- I would imagine Blake and I would 09:54:22
have discussed that at some point. 09:54:24
Q. Okay. Did you talk with anybody else other 09:54:26
than Blake? 09:54:28
A. Not -- not that I specifically recall. 09:54:29

1 Q. Okay. Did you communicate with him in any 09:54:35
2 way -- well, let me back up. 09:54:41
3 Do you recall Speaker Huffman ever coming 09:54:42
4 and looking at the districts in Hamilton County with 09:54:45
5 you on your computer screen and looking at that 09:54:49
6 display window? 09:54:52
7 A. When you -- can you clarify? You said 09:54:54
8 "Speaker Huffman" again. Did you mean -- 09:54:57
9 (Simultaneous colloquy.) 09:54:59
10 Q. I apologize. 09:54:59
11 A. No problem. 09:55:01
12 (Simultaneous colloquy.) 09:55:02
13 Q. I keep making that mistake. President 09:55:02
14 Huffman. 09:55:04
15 Did he ever come over and look at your 09:55:07
16 computer screen and the display window as regards to 09:55:10
17 any of the districts in Hamilton County? 09:55:12
18 A. Not that I recall. Not the house 09:55:14
19 districts, nor the senate districts, that I recall. 09:55:20
20 Q. Do you recall anybody coming over, other 09:55:24
21 than you, Mr. Springhetti, looking at the house 09:55:26
22 districts in Hamilton County on the computer screen? 09:55:32
23 A. Can you say that again, Mr. Fram. 09:55:37
24 Q. Do you recall anybody coming on over and 09:55:43
25 looking at your computer screen -- looking at the 09:55:44

house districts in Hamilton County? 09:55:48
A. With me -- I don't recall that. I would 09:55:55
have at some point shown President Huffman the 09:56:00
senate districts in Hamilton County, but they were 09:56:06
pretty straightforward. And so I don't think we 09:56:08
would have spent a lot of time looking at the senate 09:56:11
districts in Hamilton County. There was a little 09:56:14
issue in Butler and Warren, but not Hamilton. 09:56:15
Q. What was the issue in Butler and Warren? 09:56:20
A. So the population ratios, as they changed 09:56:24
with the updated census data -- I don't know if you 09:56:28
can picture the Butler County and Warren County 09:56:31
house and senate districts from the previous decade 09:56:36
in your head, but there is one wholly contained 09:56:40
house district in Warren County, and then there is 09:56:43
another house district that takes the northern two 09:56:46
wards roughly of Middleton in Butler County to form 09:56:50
the required construction of house and then senate 09:56:55
districts. 09:56:57
And with the new census data, that 09:56:57
obviously I said we got very late, the ratios of 09:57:00
Warren County changed from being roughly 09:57:05
1.97 percent of the house ratio to 2.03 percent. 09:57:09
And so that pairing was not constitutional 09:57:13
anymore. And it caused the districts down there in 09:57:15

1 southwest Ohio, specifically Butler and Warren 09:57:19
2 counties, to be drawn into dif- -- different way 09:57:24
3 with Preble County and Butler County being the ones 09:57:27
4 that were joined in the house and senate districts. 09:57:35
5 So that was that issue. We focused on that 09:57:37
6 because it was a seemingly small change in numbers, 09:57:39
7 but it had a big impact on the map. And that's one 09:57:43
8 of the things that I was focused on. 09:57:46
9 MR. FRAM: Got it. Let me ask you a 09:57:48
10 question about a different county and ask you a 09:57:52
11 question about -- let's see here -- Montgomery 09:57:57
12 County. 09:58:06
13 If we could put tab 26 up and mark that as 09:58:06
14 Exhibit 5, I guess. 09:58:12
15 (Exhibit 5 was marked for identification.) 09:58:39
16 Q. Do you see that, Exhibit 5 up on the screen 09:58:39
17 that shows the districts in and around Montgomery 09:58:42
18 County? Do you see that? 09:58:48
19 A. I see an image of house districts in 09:58:48
20 Montgomery County. It doesn't say Exhibit 5, but 09:58:52
21 I'll take your word for it. 09:58:54
22 MR. FRAM: Right. If we can make sure that 09:58:56
23 gets marked as -- 09:58:57
24 THE WITNESS: Oh, there you go. Thank you. 09:58:59
25 MR. FRAM: Thank you. All right. 09:59:00

Q. Now, Montgomery County itself -- I take it 09:59:12
there are four house districts that are in 09:59:17
Montgomery County, and then there's one district 09:59:19
that overlaps into the neighboring counties, I guess 09:59:21
that is Preble and Butler. Is that right? 09:59:25
A. Yes, in a house map, correct. 09:59:28
Q. House map. Okay. 09:59:30
So the house districts are -- what is it -- 09:59:31
35, 36, 37, 38 -- is that right -- are in -- are in 09:59:37
Montgomery County, and then 39 is sort of the 09:59:45
crossover that goes over into Preble and Butler. Is 09:59:47
that right? 09:59:52
A. Yes. 09:59:52
Q. And just going through the districts a 09:59:53
little bit at a time. The -- looking at 38, is that 09:59:58
a democrat-leaning county under the 2016, 2018, and 10:00:06
2020 election data? 10:00:11
A. Again, I'd want to verify that, but I would 10:00:13
think so, yes. 10:00:18
Q. Right. And why would you think that? 10:00:21
A. I remember looking at that district later 10:00:24
in the negotiations when District 36 was made from 10:00:30
being a republican-leaning district to a 10:00:36
democrat-leaning district and -- during those 10:00:39
negotiations. And so I remember looking at 38 as 10:00:42

1 well. 10:00:44
2 Q. Okay. And District 35, we'll take a look 10:00:45
3 at that. District 35, I take it that's a 10:00:52
4 republican-leaning district, isn't it? 10:01:00
5 A. Again, same provisions, I'd want to check. 10:01:02
6 But since we took a lot of time and effort to unify 10:01:06
7 Dayton mostly into two house districts and unify 10:01:12
8 Dayton mostly in one senate district and make that 10:01:16
9 Dayton district the district that stayed inside 10:01:20
10 Montgomery County were wholly contained, as I call 10:01:24
11 it, I would think that 35, when I checked, would be 10:01:27
12 a very marginal republican-leaning district. 10:01:33
13 Q. What about 37? Which way would that lean? 10:01:38
14 A. Again, same caveats. I would check. But I 10:01:43
15 would think that after we took steps to make 36 a 10:01:47
16 strong republican-leaning district to a 10:01:52
17 democrat-leaning district, I would think 37 would be 10:01:55
18 a republican-leaning district. 10:01:59
19 Q. Okay. What about 39? 10:02:00
20 A. Again, with every district, same things. 10:02:03
21 I'd want to check to verify. I think -- having 10:02:10
22 worked and spent a lot of time in Montgomery County 10:02:13
23 because that was a point of negotiations, that was a 10:02:17
24 point of a lot of public testimony at the regional 10:02:19
25 hearings and the redistricting committee hearings, I 10:02:22

1 know that area pretty well, and I think that would 10:02:26
2 generally be a republican-leaning district. 10:02:29
3 Q. Okay. Now, did you have any -- you said it 10:02:35
4 was a point of conversation and negotiations. 10:02:37
5 What do you recall about those 10:02:40
6 conversations? 10:02:43
7 A. I remember the president saying to me that 10:02:44
8 the 6th Senate District, which is the senate 10:02:46
9 district that is comprised of three of the house 10:02:50
10 districts you had me looking at, we needed to make 10:02:52
11 that a democrat-leaning district. And so that's 10:02:55
12 what I recall about Montgomery County. 10:03:00
13 Also, as I said before, making sure that 10:03:02
14 Dayton was in the senate district that remained in 10:03:05
15 Montgomery County or wholly contained. That was 10:03:09
16 something I was being told was a point of 10:03:12
17 discussion, a point of contention at the negotiating 10:03:16
18 table, if there ever was a negotiating table, per 10:03:19
19 se. 10:03:22
20 Also, the fact that Dayton should be in -- 10:03:22
21 try to be in as few house districts and as few 10:03:25
22 senate districts as possible was also a point of 10:03:29
23 request from the democrat members of the 10:03:31
24 redistricting commission. 10:03:35
25 Q. Did you ever have a conversation with 10:03:36

1 anybody about any of these districts, that they 10:03:41
2 should stay republican leaning? 10:03:45
3 A. Can you say that again? I'm sorry. During 10:03:48
4 the negotiations -- 10:03:53
5 Q. At any time, did you have a conversation 10:03:53
6 with anybody that any of these districts should stay 10:03:56
7 in republican land? 10:04:00
8 A. Well, I -- I am sure and it's very possible 10:04:05
9 that I spoke to Senator Antani, who obviously would 10:04:07
10 not have been a fan of his district being made from 10:04:13
11 a republican-leaning district to a democrat-leaning 10:04:16
12 district. So it's very possible, in fact, probably 10:04:20
13 probable that I would have had a conversation with 10:04:23
14 him at some point about why he did not like that. 10:04:25
15 Q. Did you have a conversation with anybody 10:04:28
16 about a district that remained republican and that 10:04:30
17 should remain republican? 10:04:33
18 A. I don't think I follow. 10:04:34
19 Q. You said you had a conversation with 10:04:39
20 Senator Antani about taking a republican-leaning 10:04:42
21 district and making it democratic. Now I'm asking 10:04:46
22 it the other way around. 10:04:48
23 Did you have a conversation with anybody 10:04:51
24 about a district that was republican leaning and 10:04:52
25 conversation it should remain republican leaning, 10:04:56

1 and then it did remain republican leaning? 10:04:58
2 A. I don't recall -- you mean with the office 10:05:01
3 holder of the district in question or -- 10:05:07
4 (Simultaneous colloquy.) 10:05:10
5 Q. No. No. With anybody. 10:05:10
6 A. And you are specifically asking about 10:05:12
7 Montgomery County? 10:05:18
8 Q. Any districts in Montgomery County. 10:05:18
9 A. Any districts. Thank you for the 10:05:21
10 clarification. 10:05:23
11 I'm trying to remember. I mean, I only 10:05:24
12 have one senator that represents the wholly 10:05:26
13 contained district in Montgomery County. 10:05:30
14 Q. We've got the house districts up here on 10:05:36
15 the map. 10:05:39
16 A. Understood. 10:05:40
17 Q. Did you ever have any conversations with 10:05:40
18 anybody about any of the house districts remaining 10:05:42
19 republican? 10:05:46
20 A. It's possible in the September 9th map, 10:05:46
21 because obviously, in the September 9th map, those 10:05:55
22 negotiations hadn't happened yet. And so the 10:05:59
23 changes I just described happened afterwards. So 10:06:04
24 none that I can recall -- that I can articulate here 10:06:09
25 for you today. 10:06:12

1 Q. Okay. Putting aside Montgomery County. 10:06:13
2 Just statewide, did you have a conversation with 10:06:17
3 anybody -- anybody at any time about 10:06:19
4 republican-leaning districts that were republican 10:06:25
5 leaning and they thought that they should stay 10:06:27
6 republican leaning? 10:06:30
7 A. Well, I already mentioned I'm sure that -- 10:06:31
8 it's very possible, if not probable, that I talked 10:06:40
9 to Senator Antani about the very fact pattern you 10:06:44
10 just asked about. Of course, we didn't do that, to 10:06:50
11 which I'm sure he's very upset. 10:06:52
12 No additional ones that I can think of or 10:06:55
13 articulate for you right now. 10:07:01
14 Q. I'm not talking about conversations 10:07:02
15 necessarily with the office holder, okay. Just 10:07:03
16 about with anybody saying, we got a certain district 10:07:07
17 that's republican leaning, let's keep it that way? 10:07:10
18 A. Yeah. I -- well, like I said, I talked to 10:07:15
19 Blake daily, and we would have talked about 10:07:22
20 districts in Montgomery County, house districts and 10:07:24
21 senate districts. But that's kind of going the 10:07:28
22 other way. That was when we were being instructed 10:07:30
23 to make them democrat leaning. So beyond that, I 10:07:32
24 don't think I have a -- I can articulate a specific 10:07:38
25 conversation for you. 10:07:40

1 Q. So let's -- let me see if I understand 10:07:40
2 correctly.
3 On the September 9 map, you had budget 10:07:44
4 districts which were republican leaning. Later, 10:07:48
5 there were -- and then there were negotiations about 10:07:50
6 suggestion making some of them democrat leaning. 10:07:55
7 Do I have that right? 10:08:00
8 A. I wasn't part of those negotiations, but it 10:08:00
9 was relayed to me that in Montgomery County, there 10:08:04
10 was specific things that -- again, I say the 10:08:07
11 democratic caucuses, but I understood it to be the
12 senate democrats were the ones negotiating. But I 10:08:10
13 -- 10:08:14
14 Those negotiations were being relayed to me 10:08:14
15 from President Huffman that we needed to make the 10:08:17
16 6th Senate District a democrat-leaning district and 10:08:22
17 the 36th House District a democrat-leaning district. 10:08:25
18 But that would have come to me through Blake, I 10:08:31
19 assume, from the speaker. 10:08:33
20 Q. Okay. But just so I understand, there were 10:08:34
21 a couple -- a couple of districts were identified 10:08:36
22 for possible change, but the others were not. Is 10:08:38
23 that right? There's not all the districts that were 10:08:43
24 identified for a change? 10:08:45
25 A. I -- in the Senate, it's a lot easier 10:08:46

1 because there's only two, right? And the democrats 10:08:49
2 -- the senate democrats were asking that the 10:08:52
3 district that was wholly contained to be inside -- 10:08:56
4 include Dayton. The democrats were asking that 10:09:00
5 Dayton be in a district that was wholly contained in 10:09:03
6 Montgomery County. So there was only the 5th and 10:09:07
7 6th Senate District. 10:09:11
8 On the house side, there's obviously -- as 10:09:12
9 you said, there's four and a half districts in 10:09:17
10 Montgomery County. I -- I -- I'm pretty sure, from 10:09:19
11 talking to Blake, that 36 was identified. If we 10:09:21
12 could have made multiple ones, I'm sure that would 10:09:23
13 have been something we would have worked on, but I 10:09:28
14 don't think that we thought that was possible. 10:09:31
15 Q. So you did it for -- one of them was you 10:09:32
16 tried to shift it over to the democrat leaning, but 10:09:35
17 you did not make a similar change, if I understand 10:09:37
18 correctly, for the others. Is that right? 10:09:40
19 A. Well, it's not that we tried on the 36th 10:09:42
20 District. I'm pretty sure we tried and succeeded. 10:09:46
21 And, again, that was just to have something 10:09:49
22 so that the principals, my principal, President 10:09:50
23 Huffman, could back to -- I keep saying negotiate 10:09:54
24 table, but the negotiations -- and have -- continue 10:09:58
25 to have more conversations. 10:10:01

1 And, you know, then we could see another 10:10:02
2 proposal from the other size. 10:10:05
3 Q. But you did it for 36, I take it. You 10:10:06
4 tried -- as you said, tried and succeeded. But you 10:10:10
5 did not either try or succeed for the other 10:10:13
6 districts. Isn't that right? 10:10:16
7 A. Well, we tried and succeeded in the 36 in 10:10:17
8 the house. We tried and succeeded for the 6th in 10:10:20
9 the senate. And for Montgomery County changes, 10:10:24
10 those were that round of changes that we sent back 10:10:26
11 -- well, I shouldn't say we sent back -- that we 10:10:30
12 then gave to our principals and that they could go 10:10:31
13 back and have conversations about. 10:10:35
14 So there were two districts where we 10:10:36
15 succeeded. 10:10:38
16 Q. Right. And so there was neither an attempt 10:10:39
17 or a success in changing the partisan leaning of 10:10:42
18 Districts 35, 38, 37, or 39 in the house. Isn't 10:10:47
19 that right? 10:10:53
20 A. No. I mean, look, there's only so many 10:10:53
21 people in Montgomery County and they vote how they 10:10:59
22 vote. That's -- you know, that's up to them. And 10:11:02
23 when you score them, it's going to be whatever the 10:11:04
24 scoring is going to be. 10:11:07
25 In order to turn the 36th District from a 10:11:09

1 strong republican-leaning district to a 10:11:12
2 democrat-leaning district required geography changes 10:11:15
3 and the displacement of a number of 10:11:19
4 republican-leaning voters. Those voters had to go 10:11:23
5 into some districts. 10:11:26
6 So in that first attempt, one in the house, 10:11:28
7 one in the senate, we were successful in moving 10:11:30
8 those to the democrat-leaning column. 10:11:33
9 But as a by-product of that, surrounding 10:11:35
10 districts, you know, probably were going the other 10:11:38
11 way. 10:11:41
12 So, yes, we were successful in those two in 10:11:43
13 that round. Happy to do other rounds as other 10:11:47
14 rounds came back. But those were the ones that we 10:11:49
15 were tasked with looking at in -- in 10:11:52
16 Montgomery County. 10:11:54
17 (Reporter admonition.) 10:12:09
18 Q. I appreciate that. That's -- that's 10:12:09
19 helpful. We're well past the 1:00 o'clock time. I 10:12:14
20 know Phil said he could flex a little on it, but I 10:12:22
21 don't want to abuse the courtesy. 10:12:25
22 Do you want to -- Phil, do you want to take 10:12:27
23 your half hour now? 10:12:27
24 MR. STRACH: Yeah, let's -- let's do that 10:12:28
25 and come back at 1:45. 10:12:30

1 MR. FRAM: See you then. 10:12:32
2 THE VIDEOGRAPHER: Time is 10:12 a.m. We 10:12:34
3 are going off the record. 10:12:36
4 We are off the record. 10:12:38
5 (Lunch break taken.)
6 THE VIDEOGRAPHER: The time is 10:47 a.m. 10:47:10
7 We're now back on the record. 10:47:12
8 MR. FRAM: Yeah. It's 10:47 Pacific time, 10:47:19
9 I guess. 10:47:21
10 Technician, if you could please put up tab 10:47:27
11 15 up on the screen. 10:47:30
12 THE REMOTE TECHNICIAN: Stand by. 10:47:35
13 MR. FRAM: Just for the record, this is 10:47:37
14 going to be a transcript of the September 9 hearing. 10:47:38
15 THE REMOTE TECHNICIAN: Would you like to 10:47:57
16 mark this as Exhibit 6? 10:47:58
17 (Brief pause.) 10:48:01
18 THE REMOTE TECHNICIAN: Counsel, would you 10:48:01
19 like to mark this as Exhibit 6? 10:48:02
20 MR. FRAM: Yes, please. 10:48:04
21 (Exhibit 6 was marked for identification.) 10:48:21
22 MR. FRAM: Okay. If we could please turn 10:48:21
23 to -- let's see -- the fourth page. Let's come down 10:48:22
24 to the fifth page, the bottom of the page where it 10:48:36
25 says, "State Senator Vernon Sykes at [00:19:42]." 10:48:38

1 (Brief pause.) 10:49:05
2 MR. FRAM: Let's see. You may have gone 10:49:05
3 past it, please. There you go. 10:49:07
4 Q. Do you see that? Okay. Mr. DiRossi, do 10:49:11
5 you see Exhibit 6 up on your screen? 10:49:15
6 A. Yes. 10:49:18
7 Q. Okay. And you recall on the September 9 10:49:20
8 hearing you made a presentation regarding the 10:49:23
9 proposed map at the time. Do you recall that? 10:49:26
10 A. I do remember testifying, yes. 10:49:29
11 Q. And following that, do you recall 10:49:32
12 Senator Sykes asked you a question? 10:49:37
13 And I'm just focusing in on, this is a 10:49:38
14 question he asked right after your -- after your -- 10:49:41
15 after our presentation. Do you see that question? 10:49:44
16 He's putting -- that's on the -- for the record, 10:49:48
17 it's on the -- I believe it's on the fifth and the 10:49:53
18 sixth page. 10:49:56
19 The question is on the fifth page and then 10:49:57
20 your answer -- goes over to the fifth page and your 10:49:59
21 answer is on the sixth page. 10:50:04
22 A. Okay. 10:50:10
23 Q. Okay. And do you see here where he thanked 10:50:11
24 you for your presentation, and then he asks -- he 10:50:17
25 says, "I like to know," and you didn't mention this 10:50:20

1 in your presentation, how you satisfy the new 10:50:26
2 requirement in Section 6(B) of the Constitution that 10:50:30
3 deals with the statewide proportion of districts 10:50:34
4 whose voters based on statewide and federal partisan 10:50:37
5 general election results during the past ten years 10:50:43
6 favor each political party shall correspond closely 10:50:47
7 to the statewide preferences of voters of Ohio." 10:50:52
8 Do you see that? 10:50:59
9 A. I see the text, yes. 10:50:59
10 Q. And then he asks further down in -- when 10:51:01
11 he's asking his question, "And so I'm just wondering 10:51:04
12 how you address this issue." 10:51:08
13 Do you see that? 10:51:11
14 A. Okay. At the very end of it, yes, I see 10:51:14
15 it. 10:51:18
16 Q. And then you see your answer that follows 10:51:18
17 then at 00:21:35? And where you say, at the end of 10:51:22
18 your answer, "That analysis is ongoing, it's not 10:51:28
19 complete as of today, and it is ongoing." 10:51:31
20 Do you see that? 10:51:36
21 A. I do. 10:51:37
22 Q. Okay. What were you doing as part of that 10:51:39
23 ongoing analysis? 10:51:41
24 A. Well, as I mentioned in our earlier 10:51:45
25 conversations, the -- getting the data, getting the 10:51:48

1 election results, getting the geography put together 10:51:54
2 in a computer that was in a useful, meaningful, 10:51:59
3 useful way for us was very challenging. It -- well, 10:52:03
4 I'll speak for myself. It was extremely challenging 10:52:06
5 and time consuming and frustrating. 10:52:10
6 So at this point when I'm testifying, we 10:52:12
7 were still trying to get that data, get it into the 10:52:17
8 computers. It may have been in the computers, but 10:52:20
9 maybe not fully functional. And so that's what I 10:52:22
10 was trying to articulate in my answer, that our 10:52:25
11 analysis was not complete and that it was still 10:52:28
12 ongoing. 10:52:31
13 Q. Okay. And at some point, did you complete 10:52:32
14 your analysis? 10:52:35
15 A. You know, it was a -- it was an evolving -- 10:52:35
16 an evolving process getting that data, making it 10:52:48
17 functional, finding new problems with it and getting 10:52:52
18 that corrected and making it work. 10:52:55
19 After the September 9th -- I'm sorry. I 10:52:59
20 just have a bunch of messages from people on the 10:53:03
21 thing popping up on my screen. 10:53:06
22 MR. FRAM: Okay. Can we please, people, 10:53:08
23 maybe don't give the witness messages in the middle 10:53:10
24 of his testimony? 10:53:12
25 THE WITNESS: It looks like they were chat 10:53:17

1 messages to some chat group. 10:53:19
2 MR. FRAM: Okay.
3 THE WITNESS: Can you -- can we back up? 10:53:22
4 Can you restate the question -- 10:53:23
5 (Simultaneous colloquy.) 07:29:00
6 MR. FRAM:
7 Q. You said the analysis was ongoing. You 10:53:25
8 explained some of the challenges. And my question 10:53:28
9 to you is, did you ever complete the analysis? 10:53:30
10 A. Yeah, okay. Thank you for that reminder. 10:53:33
11 So as I mentioned I think earlier in our 10:53:35
12 conversations, the -- I don't want to say the world 10:53:38
13 changed. But after we presented that map on 10:53:42
14 September 9th is when all of these negotiations 10:53:45
15 seemed to, in my opinion, start. And things were 10:53:48
16 happening and evolving very fast. 10:53:51
17 And so I don't know if we ever completed 10:53:53
18 the analysis. But, you know, we maybe moved on to 10:53:56
19 new analyses that were -- analyses that were being 10:53:59
20 done to help -- help the negotiations progress. 10:54:06
21 Q. Do you know if anyone ever completed an 10:54:09
22 analysis to determine compliance with Section 6(B) 10:54:12
23 of the constitution, Article XI? 10:54:18
24 MR. STRACH: Objection. Objection. Go 10:54:21
25 ahead. 10:54:24

1 THE WITNESS: Well, I can't speak for 10:54:24
2 everyone. I -- I mean, I -- like I said, I think we 10:54:25
3 talked about length I -- you know, as the 10:54:30
4 negotiations went on, there was a lot of 10:54:32
5 conversations and training of block assignment 10:54:35
6 files, i.e. maps, trying to get at a ten-year plan 10:54:38
7 that a majority of the redistricting commission 10:54:42
8 could support. And that quickly became the focus in 10:54:46
9 those last six days, five-and-a-half days. 10:54:49
10 MR. FRAM: 10:54:52
11 Q. Okay. Again -- so my question to you, 10:54:54
12 again, is, I take it you never completed the 10:54:56
13 analysis. Is that right? 10:55:01
14 A. Yeah. I -- I guess what I'm referring to 10:55:03
15 is the election data that I'm referring to here on 10:55:11
16 September 9th was evolving. And so it would -- that 10:55:14
17 was a different set of data after we got more 10:55:21
18 geography from publicly available sources or were 10:55:24
19 able to get it into the computers and make it work. 10:55:28
20 So the -- any analysis that I would have 10:55:31
21 done would have been then directed -- my efforts 10:55:35
22 were directed to support President Huffman in his 10:55:37
23 negotiations to try to get to a ten-year map. 10:55:41
24 Q. Okay. Did you ever complete an analysis to 10:55:44
25 determine whether or not the map complied with 10:55:48

Section B -- sorry -- Section 6(B) of Article XI, as 10:55:56
asked in Senator Sykes' question? 10:56:04
MR. STRACH: Objection. 10:56:08
Go ahead. 10:56:09
THE WITNESS: I was focused on providing a 10:56:10
map that followed all of the requirements of the 10:56:19
constitution dealing with the construction of senate 10:56:22
districts and house districts, making sure that we 10:56:26
didn't make any dumb or sloppy mistakes and 10:56:29
providing that information as timely as I could to 10:56:33
President Huffman so that he could carry on the 10:56:36
negotiations for a ten-year map. 10:56:39
Inherent in that would have been any -- any 10:56:43
information about, as we've talked about the 10:56:46
republican or democrat leaning of districts. 10:56:50
If you -- if that's an analysis, then, I 10:56:53
guess that your answer. And if that's not an 10:56:56
analysis, I guess that's my best answer. 10:56:58
MR. FRAM: 10:57:00
Q. I guess my question is: If that was your 10:57:01
analysis, did you ever complete it? 10:57:04
MR. STRACH: Objection. 10:57:07
MR. FRAM: 10:57:08
Q. If it's ongoing. I'm trying to understand 10:57:09
if you ever -- if it ever got completed? 10:57:11

A. I did not produce any type of report or 10:57:14
analysis that way. I guess what I'm trying to 10:57:18
convey to you is that we were focused on the 10:57:21
negotiations at hand that were evolving minute to 10:57:24
minute, hour to hour, day to day in the short time 10:57:27
we had left. 10:57:30
And trying to provide, for me, 10:57:31
President Huffman with any information that he 10:57:34
needed in his negotiations or conversations with the 10:57:39
other members of the commission. 10:57:41
Q. Okay. So it was not a comprehensive review 10:57:42
of the map as a whole, but it was rather responding 10:57:47
to specific questions about particular districts in 10:57:51
the negotiations. Do I understand you correctly? 10:57:55
A. No. We were always focused on the entire 10:57:57
map. So any -- that was one of the things that -- 10:58:01
that -- I don't want to say it was frustrating, but 10:58:04
anytime that we were making changes to geography, 10:58:06
whether it's Montgomery County like we talked about, 10:58:09
northeast Ohio or any other districts, there were a 10:58:12
number of things that needed to be done. 10:58:15
Some of which, I guess, you could call 10:58:18
analyses to make sure that the map complied with the 10:58:21
continuity requirements, the population 10:58:23
requirements. You know, they didn't -- we didn't 10:58:26

1 split extra counties. We weren't splitting 10:58:29
2 unnecessarily the wards of major cities. We weren't 10:58:31
3 splitting any protected political subdivisions as 10:58:35
4 outlined in other provisions of the constitution. 10:58:39
5 So all of that was all happening 10:58:41
6 simultaneously anytime we were reviewing a democrat 10:58:43
7 proposal or making one of our own. 10:58:47
8 Q. So you say you never provided a written 10:58:50
9 report regarding compliance with Section 6(B) of 10:58:53
10 Article XI. Is that right? 10:58:58
11 A. I don't recall doing so, no. 10:58:59
12 Q. And how did you convey information relative 10:59:01
13 to the election results analysis that you said was 10:59:09
14 ongoing? What form? If it was not in a written 10:59:12
15 report, how did you convey it? 10:59:16
16 A. I mean, a lot of that was done verbally -- 10:59:18
17 Q. Okay. 10:59:22
18 A. -- personal conversations between myself 10:59:23
19 and President Huffman. 10:59:25
20 Q. I understand. 10:59:26
21 Was any of it done in any visual way; for 10:59:28
22 example, using your Maptitude screen? 10:59:33
23 A. I don't recall, between September 9th and 10:59:37
24 September 15th when we were in the -- they were in 10:59:42
25 the negotiations, if I showed the screen to the 10:59:46

president, although I can recall one time when I was 10:59:50
with him in the office. 10:59:54
But I don't -- I don't recall specifically 10:59:59
showing him any type of analysis that you're 11:00:02
referring to. It was more about, these are the 11:00:06
things that -- I'll say the democratic members of 11:00:09
the redistricting commission were asking to be 11:00:14
considered and what were we going to do to do that 11:00:17
or suggest alternatives. That was the focus. 11:00:20
Q. When -- you testified when 11:00:24
President Huffman did see a screen -- you testified 11:00:27
he did -- I take it that was done before 11:00:29
September 9? 11:00:31
A. I am sure throughout the process I showed 11:00:32
-- in fact I know I showed Senator Huffman the 11:00:38
graphics on the screen. I don't recall specifically 11:00:41
what was before September 9th and what was after 11:00:47
September 9th. 11:00:49
Q. Okay. Thank you. I appreciate that. 11:00:50
And in the conversations with Senator 11:00:52
Huffman regarding the negotiations, other than the 11:00:58
items which you've already testified, do you recall 11:01:05
any other conversations that concerned the partisan 11:01:08
leaning of any district? 11:01:11
A. I recall him asking our status on, you 11:01:13

1 know, receiving data, both the geography and 11:01:23
2 election results, and getting them into the computer 11:01:28
3 system. 11:01:30
4 And I recall expressing frustration to him 11:01:32
5 that it was a -- I called it, it's not a light 11:01:35
6 switch. It takes time. So I do recall 11:01:38
7 conversations -- me expressing frustration to him 11:01:41
8 about how long that was taking. 11:01:45
9 Q. And that -- 11:01:46
10 A. -- taking. 11:01:48
11 Q. Those conversations were towards the end of 11:01:48
12 August, very, very beginning of September. Is that 11:01:51
13 right? 11:01:53
14 A. Yeah. The end of August through -- through 11:01:53
15 September 15th. 11:02:00
16 Q. So there were still frustrations about not 11:02:00
17 getting good election data all the way up to 11:02:04
18 September 15, or were those conversation really up 11:02:07
19 to September 9? 11:02:09
20 A. Well, as I mentioned before, at one -- at 11:02:10
21 some point, we received the '16, '18, and '20 data, 11:02:18
22 but that took time to have that be received and have 11:02:22
23 it in a usable way that the computers would work 11:02:27
24 with it. So that was one set of frustrations. 11:02:32
25 There were just a number of frustrations 11:02:34

1 throughout the process about data. Not necessarily 11:02:39
2 about election results. Not necessarily about 11:02:41
3 geography. But just about how the computers were 11:02:44
4 working and how we were able to turn projects 11:02:47
5 around. 11:02:51
6 Q. Okay. Let me see if I can break it down a 11:02:52
7 little bit. 11:02:54
8 So prior to September 9 -- let me look at 11:02:55
9 it another way. 11:03:02
10 As of September 9, I take it the election 11:03:04
11 results stayed, and the geography data -- at least 11:03:07
12 as to 2016, '18, and 2020 elections, that was fully 11:03:11
13 baked. Is that right? 11:03:19
14 A. Could you restate the question. 11:03:19
15 Q. As of September 9, was the election results 11:03:21
16 data and the geography data as regarding the 11:03:24
17 elections for 2016, 2018, and 2020 -- was that fully 11:03:29
18 baked? 11:03:37
19 MR. STRACH: Objection. 11:03:38
20 MR. FRAM: I can clarify. 11:03:40
21 Q. Was it -- had it been conveyed and 11:03:41
22 formatted in a manner that was usable by the 11:03:46
23 Maptitude software map in your computer? 11:03:49
24 A. I would say -- I would say the '16, '18, 11:03:51
25 and '20 information was after September 9th, the 11:03:56

1 focal point for what was using. I would say some of 11:04:04
2 the frustrations that I was experiencing with its 11:04:07
3 functionality were ongoing through the process. 11:04:10
4 Q. But my question is, was -- you were able to 11:04:14
5 use, in Maptitude, the 2016, 2018, and 2020 election 11:04:18
6 data as of September 9. Is that right? 11:04:26
7 A. I don't specifically recall. And as we 11:04:32
8 continue to talk about it and various pieces of it 11:04:36
9 here today, I'm starting to doubt the -- it's 11:04:40
10 becoming less clear when what data was available, 11:04:46
11 when it was useful, when it was operational for all 11:04:50
12 of these different data sets. 11:04:56
13 Q. So you're not sure, as you sit here now, 11:04:58
14 that there was a usable data set of election data 11:05:00
15 even as late as September 15. Is that right? 11:05:03
16 A. No, I didn't say September 15th. No. 11:05:05
17 Q. So as of -- by September 15, I take it, 11:05:09
18 there was a usable set of election data for the 11:05:15
19 2016, 2018, and 2020 elections. Is that right? 11:05:21
20 A. I'm trying to restate what I think I've 11:05:23
21 already stated before previously, and that is, the 11:05:26
22 '16, '18, and '20 data was some of the -- other than 11:05:29
23 the '20 geography and '20 election results, the '16, 11:05:37
24 '18, and '20 pieces were available through the 11:05:41
25 conversations with the democratic caucuses earlier 11:05:45

in the process. 11:05:49
Once those conversations were fruitful and 11:05:50
the data was given to us and made available to us in 11:05:53
a usable form and it was integrated in the 11:05:57
computers, that was happening around early 11:06:00
September. 11:06:05
But it doesn't mean -- as I've tried to 11:06:06
articulate, and maybe I've done a poor job 11:06:09
mentioning it. There were continuing problems with 11:06:11
the data where the data wasn't lining up at all 11:06:14
levels of geography. And it was received by us, 11:06:18
usable by us, but that's why I'm saying there was 11:06:24
continuing frustration throughout the process that 11:06:27
was really never fully resolved. But I'm not 11:06:30
suggesting it wasn't -- the '16, '18, and '20 sets 11:06:32
of geography and election results weren't usable. 11:06:36
Q. So they were usable? 11:06:41
A. I'm trying to -- yes. They were usable, 11:06:42
but there was ongoing -- the layers weren't 11:06:46
necessarily matching up, and that was a cause for 11:06:51
frustration that I've tried to articulate. 11:06:54
Q. Okay. But they were usable to the point 11:06:58
where you could see the results of election -- 11:06:59
strike that. 11:07:05
It was usable to the point where you could 11:07:06

1 see the partisan leaning of a district in the 11:07:09
2 display window in Maptitude when you looked at a 11:07:14
3 district. Is that right? 11:07:19
4 A. Yes. I could see it generating numbers. I 11:07:23
5 mean, I'm not speaking to its authenticity or 11:07:26
6 accuracy, but yes, I could see numbers. 11:07:28
7 Q. Okay. And so when you said to 11:07:30
8 Senator Sykes that your analysis was ongoing, was 11:07:39
9 not complete as of today, September 9, and it's 11:07:44
10 ongoing -- when you said that, in fact, it remained 11:07:47
11 ongoing right up through September 15, or not? 11:07:50
12 A. Well, as I think I said before, if not a 11:07:52
13 couple times, on September 9th, everything seemed to 11:08:02
14 change. You know, we were five and a half days away 11:08:06
15 from the deadline. 11:08:09
16 There was renewed conversations about 11:08:10
17 negotiations, getting a ten-year map, the exchanging 11:08:12
18 of proposals started in earnest. There were maps to 11:08:15
19 receive and analyze. There were maps to propose and 11:08:19
20 send. 11:08:23
21 And so that process of doing that analysis 11:08:24
22 that I spoke of on the 9th kind of evolved. 11:08:26
23 Q. It was displaced by a focus on responding 11:08:34
24 to issues in the negotiation. Is that right? 11:08:38
25 MR. STRACH: Objection. 11:08:41

1 THE WITNESS: I had limited time, so I was 11:08:44
2 focused on providing President Huffman with the 11:08:47
3 information for him to carry out negotiations. 11:08:51
4 MR. FRAM: Thank you. All right. 11:08:53
5 I have no further questions at this time. Only 11:08:57
6 to turn it over to the other relators who may have some 11:09:00
7 questions of their own, counsel for the other relators. 11:09:05
8 MR. KLEIN: Spencer Klein, Elias Law Group, 11:09:16
9 for the Bennett Relators. 11:09:21
10 I do have a few questions, but I can also 11:09:24
11 wait if one of the other co-counsel also have 11:09:26
12 questions as well. 11:09:29
13 (Brief pause.)
14 MR. FUNARI: Go ahead, Spencer. This is 11:09:35
15 Brad. 11:09:36
16 MR. KLEIN: All right. Thanks, Brad.
17 EXAMINATION 11:09:37
18 MR. KLEIN: 11:09:37
19 Q. Hello, Mr. DiRossi. How are you? 11:09:38
20 A. Doing great. Thank you, Spencer. 11:09:41
21 MR. KLEIN: Why don't we pull back up 11:09:44
22 Exhibit 1. I believe that should be a ten-year look 11:09:45
23 back. 11:09:50
24 Q. So Mr. DiRossi, when we were discussing 11:09:59
25 this earlier, was it your testimony -- and feel free 11:10:02

1 to correct me if I'm wrong here -- that after 11:10:07
2 negotiations got going over the maps in early 11:10:11
3 September, that you stopped looking at this. Is 11:10:14
4 that right? 11:10:19
5 A. Can you clarify -- are you saying stopped 11:10:19
6 looking at this document? 11:10:24
7 Q. Yes, correct. You stopped consulting this 11:10:26
8 document -- actually, strike that. 11:10:29
9 You stopped consulting this data that you 11:10:31
10 compiled in this document generally. 11:10:38
11 MR. STRACH: Objection. 11:10:40
12 MR. KLEIN: Basis? 11:10:51
13 MR. STRACH: It's a confusing and weird 11:10:52
14 question. 11:10:54
15 MR. KLEIN: Okay. I can rephrase it. 11:10:54
16 Q. So what I'm asking is -- well, let's 11:10:56
17 actually bring it back to the initial question, 11:10:58
18 which was, at that time, as negotiations got going 11:11:00
19 in early September, is it correct that you stopped 11:11:03
20 looking at this document? 11:11:06
21 A. I mean, when I -- when I created it, you 11:11:06
22 know, post-budget, before census data is when I 11:11:17
23 think I created it, I didn't know if it would be 11:11:20
24 useful to me, but this -- I -- yes. When 11:11:23
25 negotiations were going, I don't recall looking at 11:11:27

1 this document. That was -- I had much more 11:11:30
2 important things to do. 11:11:34
3 Q. Okay. Now, was it also your testimony 11:11:37
4 earlier that you did not consult this document 11:11:44
5 because -- and I'm quoting verbatim here from the 11:11:50
6 transcript -- "this section of the constitution was 11:11:53
7 not something I was responsible for determining, 11:11:55
8 interpreting, or doing anything like that with"? 11:11:58
9 A. If that's what I said before, yes, that's 11:12:04
10 right. 11:12:06
11 Q. Okay. So when you're talking about that 11:12:06
12 section of the constitution, were you -- were you 11:12:09
13 referring to Article XI, Section 6? And we can also 11:12:15
14 pull that up if you need it. 11:12:18
15 MR. STRACH: Objection. The record will 11:12:24
16 speak for itself. 11:12:25
17 But you can answer that if you can. 11:12:27
18 THE WITNESS: Yeah. I said I was -- I was 11:12:32
19 focused on providing President Huffman any 11:12:34
20 information he needed to go through negotiations and 11:12:37
21 hopefully get to a ten-year -- ten-year conclusion, 11:12:41
22 ten-year map. That was my focus in those final five 11:12:44
23 and a half days-ish, six days. 11:12:47
24 MR. KLEIN: Okay. So why don't we pull up 11:12:50
25 tab 19, I believe, Article XI, Section 6 it should 11:12:52

1 be. 11:13:08
2 THE REMOTE TECHNICIAN: Would you like to 11:13:08
3 mark this as the next exhibit? 11:13:09
4 MR. KLEIN: Yes. 11:13:12
5 (Brief pause.) 11:13:16
6 (Exhibit 7 was marked for identification.) 11:13:23
7 MR. KLEIN: 11:13:23
8 Q. All right. Our -- so first, Mr. DiRossi, 11:13:23
9 are you familiar with the constitutional provision 11:13:26
10 that's contained within this document? 11:13:28
11 MR. STRACH: Objection. 11:13:32
12 THE WITNESS: Yes. Did you say am I 11:13:34
13 familiar with it? 11:13:36
14 MR. KLEIN: 11:13:38
15 Q. Yes. 11:13:39
16 A. Well, I know it exists. 11:13:40
17 Q. Okay. And at the time you began your work 11:13:43
18 on the maps, were you aware of what's set forth in 11:13:52
19 this constitutional provision in front of you? 11:13:55
20 A. I mean, I see the words, but I don't know 11:13:57
21 how to interpret them. I was very glad when this 11:14:00
22 ended up not being something that I was being tasked 11:14:06
23 with. 11:14:08
24 So I see the words, but I don't know how to 11:14:08
25 interpret these provisions. 11:14:13

1 Q. Okay. And Mr. DiRossi, when you say this 11:14:18
2 was not something that you were tasked with, what do 11:14:21
3 you mean precisely by that? 11:14:24
4 A. Like I said, we had five or six days after 11:14:26
5 the September 9th meeting, and there were a whole 11:14:29
6 host of things that needed to be done every time a 11:14:30
7 map was received from the democrat members of the 11:14:36
8 redistricting commission to -- ultimately to me or 11:14:39
9 to Blake. 11:14:42
10 Or the other way, making sure that the 11:14:45
11 districts complied with all of the other very 11:14:47
12 obvious provisions of the constitution, like 11:14:50
13 population equality, contiguity, the construction 11:14:53
14 requirements of house and senate districts, Section 11:14:57
15 5, the assignment of senators. 11:15:02
16 And the simple mechanics of trying to 11:15:05
17 receive files, import them into Maptitude, make the 11:15:09
18 software work correctly, and export files to send 11:15:12
19 back through President Huffman to the negotiations. 11:15:15
20 That was a monumental task. That was my 11:15:19
21 singular -- well, I shouldn't say singular focus, 11:15:25
22 but that was my main focus in those final less than 11:15:26
23 a week we had to try to get to a ten-year map. 11:15:30
24 Q. Okay. Okay. So going back before 11:15:39
25 September 9th in stages of the map-making process 11:15:40

1 from when the census data came out to when you 11:15:43
2 presented the map on September 9, was this also not 11:15:46
3 something you were tasked with in determining 11:15:50
4 whether the map complies with Article XI, Section 6? 11:15:54
5 MR. STRACH: Objection. 11:15:59
6 THE WITNESS: Early on -- again, remember, 11:16:04
7 we didn't even have computers set up and 11:16:07
8 operational. We didn't have census data that we had 11:16:09
9 received from the census bureau to Ohio University 11:16:12
10 back to us, you know, trying to get it in the 11:16:15
11 computer. 11:16:19
12 In those early days, I know everybody was 11:16:20
13 of the mindset of, like, hey, you got the census 11:16:23
14 data yesterday, where are the maps. But internally, 11:16:26
15 there was a tremendous amount of time and effort 11:16:28
16 that was going into just getting up and running and 11:16:30
17 getting operational and getting functional. 11:16:33
18 That was what was happening early on. So I 11:16:35
19 wasn't focused on this or not focused on this. I 11:16:40
20 was focused on all those logistical things early on. 11:16:43
21 MR. KLEIN: 11:16:49
22 Q. What do you mean by "those logistical 11:16:49
23 things"? 11:16:51
24 A. The functionality of the computers; making 11:16:52
25 sure that the software worked with the computers; 11:16:57

1 making sure that the census data -- I mean, the 11:17:00
2 population data was working in the computer system; 11:17:04
3 making sure that the geography at each layer of 11:17:08
4 geography, that blocks aggregated to precincts; that 11:17:12
5 precincts aggregated to wards; that wards aggregated 11:17:17
6 to political subdivisions; that political 11:17:22
7 subdivisions aggregated to counties; making sure the 11:17:26
8 populations were right. 11:17:28
9 All of that was happening early on, and 11:17:29
10 that was the early focus before we even -- you have 11:17:31
11 to walk before you can run. And that was all -- 11:17:35
12 that's just a sampling of the things we were trying 11:17:37
13 to do to get ready to walk. 11:17:39
14 Q. Okay. And around what point were all of 11:17:43
15 those logistical matters up and running? 11:17:46
16 A. I don't recall. Some of them would have 11:17:48
17 gotten worked out, you know, sometime in August. 11:17:51
18 And, obviously, then come September, we were, you 11:17:59
19 know, preparing something for September 9th, 11:18:02
20 ultimately. But various things that I just 11:18:07
21 described were worked out in August and -- through 11:18:11
22 the month of August. 11:18:14
23 Q. Okay. So what I'm trying to figure out is, 11:18:15
24 as you're preparing the map leading up to the 11:18:19
25 presentation on September 9, was whether the map 11:18:23

1 reflected the standards in Article XI, Section 6 -- 11:18:27
2 was that a consideration in your mind? 11:18:30
3 A. I was much more focused about, as I refer 11:18:34
4 to, in northeast Ohio, there being a specific 11:18:38
5 geography problem that had plagued the state for a 11:18:42
6 number of decades. I was very focused on that 11:18:44
7 because early on, I could not find a mathematical 11:18:47
8 solution to it. 11:18:50
9 I was focused on a couple other areas of 11:18:51
10 the state where I thought there were changes that 11:18:55
11 were going to cause some disruption. I think I 11:19:00
12 spoke about one -- a simple one in Warren and Butler 11:19:02
13 Counties earlier. But those were the early -- the 11:19:13
14 early issues that I was focused on. 11:19:15
15 And then making sure that all the districts 11:19:17
16 were contiguous, had the right populations, and 11:19:19
17 had -- adhered to all the other mandatory 11:19:22
18 requirements of the constitution. 11:19:24
19 Q. All right. So is it a fair 11:19:25
20 characterization to say that the matter of 11:19:28
21 Article XI, Section 6 was just not at the top of 11:19:30
22 your -- this was not at the top of your -- of your 11:19:33
23 priority list in drawing this map presented on 11:19:37
24 September 9? 11:19:43
25 MR. STRACH: Objection. 11:19:43

1 Go ahead. 11:19:45
2 THE WITNESS: My goal and what I viewed my 11:19:45
3 role was -- in those early days was putting forward 11:19:48
4 a map for the president of the senate to consider 11:19:50
5 presenting to the redistricting commission that did 11:19:54
6 not have any constitutional construction errors or 11:19:57
7 problems in it and that found solutions to be a 11:20:03
8 constitutional map. 11:20:07
9 MR. KLEIN: 11:20:10
10 Q. Right. As -- and so what I'd like to know 11:20:11
11 is, in your view, in drawing these maps, would a map 11:20:14
12 that does not reflect the standards in Article XI, 11:20:21
13 Section 6 be a map that has, by your 11:19:31
14 characterization, constitutional errors? 11:20:47
15 MR. STRACH: Objection. Calls for a legal 11:20:51
16 conclusion.
17 (Reporter clarification.) 11:20:51
18 MR. STRACH: Same objection. 11:20:51
19 Spencer, your voice is kind of trailing off 11:20:53
20 at the end of sentences. 11:20:55
21 MR. KLEIN: I'm sorry about that. I'll try 11:20:57
22 to speak up a bit more. 11:20:59
23 MR. STRACH: Go ahead, Ray. 11:21:01
24 THE WITNESS: I'm sorry, Mr. Klein. Can 11:21:03
25 you repeat that. 11:21:06

1 MR. KLEIN: Sure thing. 11:21:07
2 Could we actually have that read back.
3 (Record read.) 11:21:42
4 MR. KLEIN: 11:21:42
5 Q. What I'd like to know is that -- just 11:21:53
6 moving back a little bit, you had said that your 11:21:57
7 goal was to give a map to the senate president that 11:21:59
8 did not have constitutional construction errors. 11:22:04
9 What I'm asking is, if a map -- was whether 11:22:07
10 a map that does not reflect the standards set forth 11:22:11
11 in Article XI, Section 6, is that a map that has 11:22:15
12 these, by your characterization, constitutional 11:22:20
13 construction errors? 11:22:22
14 MR. STRACH: Objection. Calls for a legal 11:22:23
15 conclusion.
16 Go ahead, Ray. 11:22:26
17 THE WITNESS: I mean I'm not sure I know 11:22:26
18 how to answer that. I feel the map -- the map 11:22:30
19 complies with all the provisions of the 11:22:33
20 constitution, but Section 6(B), I think you referred 11:22:35
21 to it as, was for President Huffman and others to 11:22:41
22 focus on. 11:22:46
23 MR. KLEIN: 11:22:48
24 Q. Right. So it is your understanding that -- 11:22:49
25 so -- sorry. Strike that. 11:22:56

1 It is your understanding that it was not 11:22:57
2 your responsibility to focus on Article XI, 11:23:01
3 Section 6; that was for Senate President Huffman and 11:23:05
4 the other commissioners, correct? 11:23:09
5 A. It was not my responsibility. 11:23:13
6 Q. Okay. Thank you. Just a moment. 11:23:15
7 Did you ever have conversations with any of 11:23:19
8 the commissioners concerning Article XI, Section 6? 11:23:34
9 A. I am thinking through. 11:23:38
10 (Brief pause.) 11:23:57
11 A. The only one I generally recall was 11:23:57
12 Senator Huffman, and him saying that that was not my 11:24:02
13 responsi- -- that was not my focus; that I should 11:24:07
14 focus on following the construction rules of the 11:24:09
15 constitution for producing a fair and neutral map 11:24:11
16 that complied with all those construction 11:24:16
17 requirements. 11:24:19
18 Q. And Mr. DiRossi, do you recall when that 11:24:19
19 conversation occurred? 11:24:24
20 A. I don't. I do not. 11:24:26
21 Q. Was it prior to September 9th? 11:24:30
22 A. I can't recall. Those six days were a 11:24:36
23 whirlwind of everything. 11:24:43
24 Q. Okay. 11:24:46
25 A. And even before that time was amazingly 11:24:46

1 chaotic. 11:24:54
2 Q. Was this at some point in September that 11:24:54
3 you had this conversation? 11:24:57
4 A. I hesitate to say yes. And then sometime 11:24:57
5 later, remember, it was August 30th. I don't recall 11:25:04
6 when the conversation was. 11:25:07
7 Q. Was it after the census data came out? 11:25:08
8 A. I'm sorry. You kind of garbled there after 11:25:13
9 you said "was it after." 11:25:17
10 Q. Sorry. This may be an issue with my mic. 11:25:18
11 Let me just make sure that Zoom has this all right. 11:25:22
12 My apologies. 11:25:25
13 A. No problem. 11:25:26
14 Q. All right. Did this conversation occur 11:25:28
15 following the release of the census data? 11:25:33
16 A. I don't recall specifically. That -- that 11:25:36
17 sounds a little more realistic, but I cannot recall. 11:25:49
18 Q. Okay. Do you recall anything about the 11:25:54
19 context for this conversation? 11:25:57
20 A. I don't. Yeah, the only thing I remember 11:26:00
21 is that President Huffman said he had his own -- his 11:26:12
22 ideas, and he was -- he was the one negotiating with 11:26:15
23 the other members of the commission, and keep 11:26:19
24 drawing maps that were compliant with the other 11:26:23
25 provisions of the constitution. 11:26:25

Q. Okay. All right. Changing gears a bit. 11:26:26
You've testified earlier on that you 11:26:39
received feedback on the maps from incumbent 11:26:42
legisla- -- from -- from incumbent legislators. Is 11:26:49
that right? 11:26:58
A. Well, I would say the ones that were 11:26:58
negatively impacted certainly made their concerns 11:27:04
and displeasure known. 11:27:08
Q. Okay. So what legislators -- and this is 11:27:13
whether positive or negative feedback. But which -- 11:27:17
sorry. I'll actually have that struck. Sorry about 11:27:20
that. 11:27:23
Which legislators did you receive feedback 11:27:23
from on the maps? 11:27:28
A. I'll start with Senator Antani was very 11:27:30
displeased and not happy about his district being 11:27:37
made to be a democrat-leaning district. 11:27:41
Senator Roegner was unhappy that her 11:27:45
district was made from being a very 11:27:48
republican-leaning district to a marginal 11:27:53
republican-leaning district. 11:27:56
Senator Romanchuk was very unhappy, as was 11:27:58
his wife, that he was being drawn into the district 11:28:03
of another republican and common state senator, and 11:28:06
he made his -- very politely, but made his 11:28:11

1 displeasure known. 11:28:15
2 And those are the ones that I had direct 11:28:16
3 interaction with. I had heard that others were 11:28:21
4 upset because their districts were negatively 11:28:23
5 impacted, in their view. But those were the ones 11:28:27
6 that I had direct interaction with. 11:28:30
7 Q. Okay. And did you receive any feedback 11:28:32
8 from -- from legislators prior to September 9? 11:28:38
9 A. I mean, I was talking to President Huffman, 11:28:47
10 who was an incumbent senator, so I would put -- I 11:28:56
11 would check that box. 11:29:00
12 I'm trying to recall if, before a map was 11:29:01
13 ruled out, other than the senators that I've 11:29:04
14 articulated who were being told that their districts 11:29:08
15 were going to be -- they were going to be drawn out 11:29:11
16 of their districts, drawn into another district. Or 11:29:12
17 in the case of Antani, that didn't happen until the 11:29:16
18 negotiations were progressing. I'm trying to 11:29:20
19 remember if there were any other incumbent senators 11:29:22
20 that I had heard from. 11:29:25
21 Q. Take your time. 11:29:34
22 A. Yeah. Can you -- can you ask -- Mr. Klein, 11:29:35
23 can you ask that question again and see if it helps 11:29:38
24 me? 11:29:41
25 Q. Sure. Absolutely. So aside from Senate 11:29:41

President Huffman -- 11:29:47
A. Okay. Thank you.
Q. -- did you receive feedback on the maps, 11:29:48
from any incumbent legislators, prior to 11:29:51
September 9th? 11:29:56
A. And I'm struggling with "prior to 11:29:56
September 9th," because there -- there are a few -- 11:29:58
a few others that I would say, but I couldn't say 11:30:01
for sure that they were before or after 11:30:02
September 9th. 11:30:06
Q. All right. Well, so then let's speak 11:30:06
generally before or after. Which legislators did 11:30:09
you receive feedback from, aside from the ones we've 11:30:15
already canvassed, aside from Senate 11:30:32
President Huffman? 11:30:34
(Reporter clarification.) 11:30:39
A. Form state senator and now current member 11:30:39
of the house, Tom Patton. I -- I can't remember if 11:30:42
he called me or -- yeah, I think he called me -- and 11:30:48
he was not happy with the map that was -- I guess 11:30:55
that -- I'm guessing now that that would have been 11:30:59
after the 9th because he was not happy with the map, 11:31:03
that he felt that was a negative thing for him. So 11:31:05
that would be one additional one. 11:31:11
As you can see, there's a theme here of all 11:31:13

of the negativity, nobody ever called to say good 11:31:15
things. It was all not good things. 11:31:18
Any other members that I heard from 11:31:21
directly. I'm trying -- I'm trying to be thorough, 11:31:30
but I -- those are the ones that I recall. Those 11:31:32
are the ones that I recall, you know, on the -- on 11:31:34
this call with you right now. 11:31:37
Q. Okay. And were there any instances where 11:31:39
that feedback was ultimately incorporated into the 11:31:42
map approved on September 15th or 16th? 11:31:46
A. Well, Senator Antani's district sure went a 11:31:50
very different way than he would have wanted. 11:31:59
Senator Roegner's district stayed a 11:32:02
marginal republican-leaning district. There are no
changes to the 32nd district or the 18th district -- 11:32:19
(Reporter admonition.) 11:32:29
Q. Were there any instances where the feedback 11:32:29
provided by incumbent legislators was ultimately 11:32:33
incorporated into plan that was ultimately approved? 11:32:38
A. Yeah. So I'm speaking of the senate 11:32:42
districts of which I'm much more familiar, 11:32:47
obviously. And I think I was saying -- now here I'm 11:32:50
trying to restate what I was saying a second ago. 11:32:54
I think Senator Roegner's district stayed a 11:32:57
marginal republican-leaning district so I don't 11:33:02

1 think there was any -- there were changes to the 11:33:05
2 27th Senate District. But they were being done as 11:33:14
3 the opposites of the changes that we were doing to 11:33:19
4 the 24th in Cuyahoga County. 11:33:21
5 So I'm trying -- I'm trying to get back to 11:33:25
6 your premise, were there any conversations that led 11:33:28
7 to changes between the 9th and the 15th. 11:33:30
8 Q. Uh-huh.
9 A. Yeah. I mean, the -- none come to mind. I 11:33:36
10 mean, the -- the general focus, from the 9th to the 11:33:43
11 15th, was focused on making republican-leaning 11:33:46
12 districts democrat-leaning districts both in the 11:33:51
13 house and Senate. 11:33:54
14 And so I am struggling to think of any 11:33:55
15 examples of where we were getting feedback from 11:33:58
16 legislators where we were making -- oh. I just 11:34:02
17 thought of one. Thank you. 11:34:07
18 During the testimony in Cleveland, 11:34:08
19 Stephanie Howse, a current legislator in the house 11:34:14
20 testified about the -- excuse me -- the geography in 11:34:19
21 Cuyahoga County with some of the house districts and 11:34:23
22 the senate districts. 11:34:27
23 And she was displeased that, in her 11:34:28
24 opinion, some traditional districts that were on the 11:34:32
25 east side, primarily of Cleveland, were now having a 11:34:35

1 portion of their districts on the west side of 11:34:40
2 Cleveland. 11:34:42
3 And so that was something that would have 11:34:43
4 been mentioned to me by someone as, "You guys should 11:34:47
5 go back and listen to her testimony again that was 11:34:51
6 made at one of the hearings." 11:34:53
7 And if that's something in our nine -- you 11:34:55
8 know, I guess it's -- it was the final plan. But, 11:34:59
9 obviously, there were plans going back and forth 11:35:01
10 between 9/9 and 9/15. If there are changes that we 11:35:04
11 can make, that would make that along the lines of 11:35:07
12 what she was talking about, let's try to do that. 11:35:10
13 And, obviously, I -- I hadn't talked to her 11:35:13
14 about that, but we did make changes to the geography 11:35:17
15 to try to make some of the house districts and 11:35:20
16 senate districts more traditional east side 11:35:23
17 districts than there was in the 9/9 map. 11:35:26
18 So, I guess, there's -- that's -- that's 11:35:29
19 one thing that meets your fact pattern for your 11:35:30
20 question. I can't recall any others. There may 11:35:35
21 have been more, but I cannot recall them. It's a 11:35:37
22 very jumbled mess of whirlwind of activity during 11:35:39
23 those days. 11:35:44
24 Q. Okay. And moving the timetable back for 11:35:44
25 prior to September 9th, before the map was actually 11:35:51

1 presented to the commission, were there any 11:35:53
2 instances where there was feedback from incumbent 11:35:57
3 legislators and that feedback was incorporated into 11:36:01
4 the map? 11:36:04
5 A. I'm thinking through the geography in my 11:36:10
6 head. Apologies during the -- see if anything jumps 11:36:32
7 out at me. 11:36:35
8 None -- none come to -- none come to mind 11:36:47
9 right now. I -- I -- I can think of a few people 11:36:48
10 that asked for things that didn't do. But you -- 11:36:54
11 you specifically said that we did do. I can't think 11:36:57
12 of any. 11:36:58
13 Q. All right.
14 A. Sitting here right now at least. 11:36:59
15 Q. All right. 11:37:00
16 MR. KLEIN: I was wondering if we might
17 take a quick break, if that's okay. 11:37:21
18 MR. STRACH: Sure. How long? 11:37:22
19 MR. KLEIN: Let's say five minutes. 11:37:24
20 MR. STRACH: Okay. Sounds good. 11:37:26
21 MR. KLEIN: Thanks. 11:37:28
22 THE VIDEOGRAPHER: Please stand by. Time 11:37:28
23 is 11:37 a.m. We are going off the record. 11:37:30
24 (Break taken.) 11:42:43
25 THE VIDEOGRAPHER: Time is 11:42 a.m. 11:42:43

1 We're now back on the record. 11:42:45
2 MR. KLEIN: So that's all for me. I'll 11:42:46
3 turn it over to any other counsel who has questions. 11:42:49
4 MR. FUNARI: Thank you. Thank you, 11:42:54
5 Spencer. 11:42:56
6 EXAMINATION
7 MR. FUNARI:
8 Q. Mr. DiRossi, can you hear me okay? 11:42:57
9 A. Yes. 11:43:00
10 Q. Okay. Good to -- good to meet you. My 11:43:02
11 name is Brad Funari and I am counsel to the relators 11:43:04
12 in the Ohio organizing coalition matter. And I have 11:43:08
13 a few questions. I'm not going to retread through 11:43:12
14 ground that was already covered by Mr. Klein, but I 11:43:17
15 do have some follow ups related to some of your 11:43:20
16 testimony that you -- you gave in response to their 11:43:23
17 questions. 11:43:25
18 The first is something that you mentioned 11:43:28
19 both in response to questions from Mr. Fram and also 11:43:30
20 from Mr. Klein. It was testimony to the effect that 11:43:33
21 senator -- or Senate President Huffman kept telling 11:43:37
22 you to keep drawing the maps that complied with 11:43:40
23 requirements of the constitution. 11:43:44
24 Do you remember testifying to that effect? 11:43:46
25 MR. STRACH: Objection. I'm not quite sure 11:43:49

1 that's exactly what -- the words he used, but -- 11:43:51
2 MR. FUNARI: Sure. Understood. 11:43:54
3 Understood. I'm paraphrasing. I don't have the 11:43:55
4 transcript in front of me. 11:43:57
5 Q. Would you agree with me, Mr. DiRossi, that 11:44:00
6 you have testified, in essence, that senator 11:44:06
7 president -- Senate President Huffman kept telling 11:44:10
8 you to keep drawing maps that comply with the 11:44:13
9 requirements of the Ohio Constitution? 11:44:14
10 A. Can -- unrelated, can we turn the volume up 11:44:17
11 on that? You're a little softer. You're a little 11:44:20
12 bit softer than -- I think I heard the question. 11:44:30
13 I'm sure I did, but just maybe -- I don't know if we 11:44:31
14 have to make that louder or if you could make it
15 louder.
16 Q. My computer is as loud as it will go. So 11:44:35
17 do you think you can raise your -- 11:44:38
18 A. I don't know how to use this. 11:44:39
19 MR. STRACH: Yeah. Just if you can get 11:44:46
20 closer to the mic, Brad, that might help. 11:44:47
21 MR. FUNARI: Okay.
22 Q. You heard the question?
23 A. I think I -- no, you don't need to repeat
24 it. I heard your question, yeah. 11:44:50
25 I mean, I don't know if I said keep -- I 11:44:53

1 don't know the phraseology I used, but, yes, he -- 11:44:55
2 he -- he wanted me to keep following the provisions 11:44:57
3 of the constitution. 11:45:02
4 Q. Did he specify for you which requirements 11:45:05
5 or which sections of the Ohio Constitution he wanted 11:45:08
6 you to keep following? 11:45:12
7 A. Now, I think -- I think it happened because 11:45:15
8 I -- I made a comment to him about some of the other 11:45:18
9 maps that were publicly circulating that I thought 11:45:20
10 had significant constitutional defects in them. 11:45:23
11 And he just said, "Keep -- keep making sure 11:45:28
12 we follow the constitutional provisions." 11:45:31
13 Q. So though he didn't specify for you which 11:45:33
14 constitutional provisions, which constitutional 11:45:38
15 provisions did you reach a conclusion he was asking 11:45:41
16 you to keep following as you drew the maps? 11:45:46
17 A. Again, I'm not a legal folk -- person. 11:45:50
18 But, you know, generally the ones that -- where I 11:45:54
19 was commenting on the ones that dealt with the 11:45:57
20 construction of house districts. 11:45:58
21 So the very basic ones. Population 11:46:00
22 equality, continuity, the formation of whole ratios 11:46:02
23 of representation and how many districts a house or 11:46:06
24 senate district got inside a county that had a 11:46:10
25 sufficient population to have more than one whole 11:46:13

1 ratio of representation. 11:46:15
2 Oh, sorry. Going too fast. 11:46:21
3 The -- I know the Section V, the numbering 11:46:22
4 of senate districts was an issue that came up after 11:46:27
5 one of the redistricting commission hearings. And 11:46:30
6 so I know I had commented on Section V to him. 11:46:35
7 And so those -- those -- those are the ones 11:46:40
8 that generally I understood he said make -- you 11:46:42
9 make -- you make sure that we follow all of those. 11:46:45
10 Q. And those are all contained in Article XI 11:46:48
11 of the Ohio Constitution that you're referring to? 11:46:53
12 A. I believe so, yes, Article XI. Correct. 11:46:55
13 Q. As you were drafting the maps and revising 11:46:58
14 the maps, did you take into consideration any of the 11:47:01
15 constitutional requirements set forth in Article I 11:47:06
16 of the Ohio Constitution? 11:47:09
17 A. I do not have a copy of the constitution 11:47:11
18 handy, so I have no idea what -- what those are from 11:47:17
19 just saying "Section I."
20 But I was -- I was focused on Article XI. 11:47:23
21 And if there are any issues that I felt that I 11:47:25
22 didn't understand, of which there were several, I 11:47:30
23 consulted legal -- legal counsel for advice on 11:47:32
24 those. 11:47:34
25 Q. Okay. So understanding that you don't have 11:47:35

1 a working understanding of Article I of the Ohio 11:47:38
2 Constitution, you would need to refer to the 11:47:44
3 constitution if you were tasked with ensuring the 11:47:46
4 maps you were drawing complied with the 11:47:53
5 requirements, if any, contained in Article I, 11:47:55
6 correct? 11:48:00
7 MR. STRACH: Objection. Go ahead. 11:48:00
8 THE WITNESS: Yeah. I'm confused by that 11:48:02
9 question. I was going to say -- 11:48:04
10 MR. FUNARI:
11 Q. Do you -- let me ask it a different way. 11:48:07
12 During your map drawing process -- during 11:48:09
13 your map drawing process, whenever you began to -- 11:48:13
14 whenever the final mode to adopt the plan of was 11:48:14
15 early morning of September 16th, did you ever refer 11:48:19
16 to Article I of the Ohio Constitution? 11:48:23
17 A. I don't -- I don't recall using Article I 11:48:26
18 or referring to Article I. 11:48:35
19 Q. Do you recall ever referring to or asking 11:48:37
20 any questions of legal counsel with respect to 11:48:43
21 Article I of the Ohio Constitution? 11:48:48
22 And that's the question, but let me caution 11:48:52
23 you. 11:48:54
24 I'm just asking you whether or not you had 11:48:54
25 such conversations. I don't want to know the 11:48:57

1 substance of those conversations. 11:48:59
2 MR. STRACH: Yeah. I -- I think I'm going 11:49:01
3 to ask him not to answer that, Brad. I think that 11:49:02
4 that's -- the subject of legal advice would, itself, 11:49:08
5 be protected, I believe. 11:49:11
6 MR. FUNARI: So your objection, Phil, so 11:49:13
7 that I understand it, I'm asking whether he sought 11:49:15
8 any legal advice regarding Article I of the 11:49:20
9 constitution. 11:49:23
10 And your position is, whether or not he 11:49:23
11 sought the advice -- not asking about the content of 11:49:26
12 any such advice -- but the mere fact that he sought 11:49:29
13 it, you are going to direct the witness not to 11:49:32
14 answer? 11:49:37
15 MR. STRACH: Correct. I think that asking 11:49:37
16 him the substance of -- of what he sought, i.e., 11:49:38
17 about Article I, is itself protected. 11:49:42
18 MR. FUNARI: 11:49:48
19 Q. At any point, do you -- during the map 11:49:48
20 drawing process, did you have any discussions with 11:49:51
21 Senate President Huffman specific to any 11:49:56
22 requirements set forth in Article I of the Ohio 11:50:00
23 Constitution? 11:50:05
24 A. None that I recall. 11:50:05
25 Q. What about any other members of the 11:50:07

1 commission? Did you discuss with any of them any 11:50:13
2 provision of Article I of the Ohio Constitution with 11:50:15
3 respect to the work of the redistricting commission? 11:50:19
4 A. Again, none -- none that I recall. 11:50:21
5 Q. I want to spend some time talking about 11:50:29
6 those other members of the commission. 11:50:32
7 A. Sure. Sure. 11:50:35
8 Q. So the same question is going to apply to 11:50:35
9 each of the individuals, but I'm going to go through 11:50:40
10 them in turn. 11:50:43
11 What, if any, input did Governor DeWine 11:50:44
12 have into the map drawing process that you went 11:50:49
13 through and described at length earlier this 11:50:55
14 morning? 11:51:00
15 A. So, as I had mentioned before, the meeting 11:51:01
16 that I recall with Governor DeWine and Lieutenant 11:51:06
17 Governor Houston focused -- a significant portion of 11:51:11
18 that time was focused on northeast Ohio and the 11:51:14
19 constitutional mathematical impossibilities that 11:51:17
20 had, you know, befelled us in previous decades. 11:51:22
21 The -- the -- the only thing that I 11:51:27
22 remember Governor DeWine mentioning to me, in 11:51:29
23 response to something that I mentioned to him, I 11:51:33
24 told him that we were taking great time and effort 11:51:36
25 to reduce the number of split counties that they 11:51:40

1 would see in the house and Senate maps. And that we 11:51:44
2 were spending and going to spend a good amount of 11:51:50
3 time in trying to reduce those splits. 11:51:53
4 And I remember him commenting that that was 11:51:57
5 good. Trying to keep counties together was a 11:51:59
6 very -- a very good thing. 11:52:03
7 Other than that, I have no additional 11:52:04
8 comments to add about things that he opined on at 11:52:07
9 that meeting. 11:52:11
10 Q. So other than him responding to your 11:52:12
11 comment about trying to limit the number of split 11:52:16
12 counties, you had no conversations wherein Governor 11:52:19
13 DeWine provided you any input into what he wanted to 11:52:24
14 see in the maps that you had drawn. Is that 11:52:31
15 correct? 11:52:32
16 A. Well, I think it was inherent in that 11:52:32
17 meeting. I told him that I and Blake were 11:52:37
18 endeavoring to follow all of the construction 11:52:41
19 requirements of districts, whether it was the 11:52:44
20 population inequalities, the northeast Ohio issue. 11:52:47
21 I told them there were likely some 11:52:51
22 instances where, in order to follow those rules, we 11:52:53
23 were going to have to pair republican members 11:52:56
24 together and that there might be some republican 11:52:58
25 members who were very unhappy about that. 11:53:02

1 So I'm just saying, I think I was proactive 11:53:05
2 in saying those things, and I'm sure he was in 11:53:10
3 agreement with those, that those were good things to 11:53:13
4 do, or else he would have corrected me on them. 11:53:17
5 So --
6 The only additional thing that he mentioned 11:53:20
7 to me, as I've articulated, was reducing splits, 11:53:22
8 both in the house map and in the senate map, which 11:53:25
9 we were very successful in doing, by the way, was 11:53:29
10 the only other thing above and beyond the things I 11:53:31
11 offered to him that we were already doing. 11:53:35
12 Q. Okay. I appreciate that thought. I 11:53:37
13 understand that you were telling him a lot of 11:53:40
14 things. 11:53:42
15 One of the, I think, instructions that Rob 11:53:43
16 gave or should have given at the beginning of the 11:53:44
17 deposition was, we don't want you to speculate. So 11:53:46
18 inherent in your response was speculation in terms 11:53:50
19 of what the governor might have been thinking and 11:53:53
20 how he might have been processing the information 11:53:55
21 that you were giving him. I don't want you to 11:54:00
22 speculate. 11:54:03
23 What I want you to answer is the question 11:54:04
24 of whether Governor DeWine actually provided you and 11:54:06
25 your team with any input from his mouth to you with 11:54:15

1 -- in terms of what he wanted to see in the maps. 11:54:18
2 A. I thought I answered the question. I mean, 11:54:23
3 other than the reduction in the splits to counties, 11:54:27
4 that -- that's what I recall from that meeting. 11:54:31
5 Q. Did he raise the reduction in splits in 11:54:33
6 counties, or did you and he agreed with it? 11:54:38
7 A. I -- that's a good question. I don't 11:54:43
8 recall if he mentioned it or if it was in response 11:54:45
9 to what I said. I don't specifically recall. 11:54:48
10 That's a good question. Thank you. 11:54:50
11 Q. Okay. Have you had any discussions with 11:54:52
12 anyone with respect to Governor DeWine's deposition 11:54:56
13 testimony in this case? 11:55:00
14 A. I'm not even sure, sitting here, whether 11:55:01
15 he's done it or not. I think he has. But other 11:55:07
16 than it's happened, I don't recall any, no. 11:55:13
17 Q. Okay. So the same question I have for the 11:55:14
18 other members of the commission. We'll start with 11:55:18
19 Secretary of State LaRose. 11:55:21
20 Did he provide you with any input in terms 11:55:25
21 of what he wanted in the maps? 11:55:27
22 A. I think I -- as I said before, he wanted a 11:55:33
23 -- he wanted a ten-year map. A lot of his questions 11:55:42
24 were -- maybe not to me, but to President Huffman 11:55:45
25 about how the negotiations were going to be done to 11:55:48

1 try to get there. That's my -- that's my big 11:55:52
2 takeaway from the one meeting I had with him. 11:55:57
3 Q. So he was focused more on process, right, 11:56:02
4 how the negotiations would unfold with his goal 11:56:05
5 being a ten-year map rather than a four-year map. 11:56:09
6 That's what you recall discussions about? 11:56:13
7 A. Yeah. And taking the advice from you not 11:56:14
8 to speculate, I went through a lot of the same 11:56:16
9 things that I spoke to Governor DeWine and 11:56:19
10 Lieutenant Governor Houston about, and that was, you 11:56:22
11 know, what we were seeing, challenges and so forth, 11:56:24
12 and what we might have to do with republican members 11:56:28
13 being paired together. 11:56:30
14 The one thing that he articulated back, 11:56:31
15 whether it was to me or to President Huffman, was, 11:56:34
16 you know, focusing on a ten-year map. That's what I 11:56:38
17 recall. 11:56:41
18 Q. Thank you. Let's move on to auditor of 11:56:41
19 state Faber. 11:56:44
20 Did he provide you with any input with 11:56:47
21 regard to what he wished would be seen or reflected 11:56:52
22 in the map-making process that you were a part of? 11:56:55
23 A. So again, not to repeat what I said, but it 11:57:00
24 was a very similar meeting to these we just talked 11:57:04
25 about where I would have articulated the challenges 11:57:07

1 we were seeing and the things that we wanted to 11:57:09
2 achieve, reducing splits to eliminating split 11:57:11
3 jurisdictions, et cetera. 11:57:15
4 There -- there was one geography-related 11:57:17
5 issue in northwest Ohio that he was seemingly 11:57:21
6 hinting at at the meeting. But at the meeting, he 11:57:26
7 did not really elaborate on what that was at the 11:57:31
8 meeting. 11:57:33
9 Q. Did you reach a conclusion or did you have 11:57:34
10 an understanding of what he was trying to convey? 11:57:37
11 A. Much later in the process. I think I 11:57:41
12 achieved an understanding of it, but it was never 11:57:47
13 crystal clear. 11:57:50
14 Q. What -- what was that understanding of the 11:57:51
15 issue? 11:57:53
16 A. Well, he's a former state senator, and he 11:57:53
17 used to represent the 12th Senate District. And he 11:57:57
18 was talking about the geography, specifically on how 11:58:01
19 the 12th Senate District and the other district in 11:58:06
20 northwest Ohio would ultimately be drawn in the 11:58:11
21 house and senate districts. 11:58:15
22 Q. And did he give you any specific input in 11:58:17
23 terms of what he wanted to see with respect to those 11:58:20
24 districts in northwest Ohio? 11:58:24
25 A. He did not, no. 11:58:27

Q. Did members of his staff? 11:58:28
A. Yeah. There was a conversation with a 11:58:30
member of his staff subsequently. 11:58:33
Q. And could you tell me about the substance 11:58:35
of that conversation. 11:58:38
A. It was along the same lines. The geography 11:58:39
-- this was after the 9/9 map had rolled out, and he 11:58:45
now, I guess, had had a chance to see it and analyze 11:58:50
it. 11:58:53
And I had a conversation with one of his 11:58:54
staff about changing the geography in the 12th 11:58:57
Senate District and the 1st Senate District along 11:59:01
the lines of a more historical -- what the district 11:59:04
looked like when he represented it. I'm guessing. 11:59:06
Q. And was the 12th senatorial district more 11:59:10
heavily republican or democrat? 11:59:17
A. I'd give you the same caveats I gave to 11:59:19
Mr. Klein. I would want to look and verify. 11:59:25
But my gut reaction is that the 12th Senate 11:59:27
District is a republican-leaning senate district. 11:59:31
Q. What about the 1st? 11:59:34
A. Same caveats. But I think it's a 11:59:35
republican-leaning senate district. 11:59:38
Q. As of -- from September 9th moving forward, 11:59:42
you had this conversation with his staffer. 11:59:46

1 Who was the staffer, by the way? 11:59:49
2 A. You know, I -- I am almost absolutely sure 11:59:51
3 that it was Alex Bilchak. 12:00:02
4 Q. Okay. So you have this conversation with 12:00:04
5 Mr. Bilchak sometime after the 9th. 12:00:06
6 The map that was ultimately enacted, did 12:00:08
7 any changes -- were there any changes made to either 12:00:11
8 the 12th or the 1st senatorial district? 12:00:17
9 A. There were, but not along the lines as 12:00:21
10 we've been discussing. The change that I now 12:00:24
11 understand that the auditor wanted was not made. 12:00:28
12 Q. What was it that you -- what did he want 12:00:32
13 made -- was your understanding of what he wanted the 12:00:36
14 change to be? 12:00:38
15 A. I'm sorry, Mr. Funari. Can you repeat the 12:00:39
16 question? 12:00:41
17 Q. What was your understanding -- what was 12:00:42
18 your understanding of the change that he wanted to 12:00:43
19 be made? 12:00:46
20 A. My understanding of the change was that he 12:00:47
21 wanted the geography of the 12th Senate District to 12:00:51
22 be more historic to what it was maybe when he 12:00:54
23 represented it. 12:00:57
24 Q. And was that a more republican-leaning 12:00:58
25 district when he represented it? 12:01:04

1 A. Compared to -- 12:01:05
2 Q. What was ultimately proposed and enacted. 12:01:08
3 A. I don't know. I don't know if it changed 12:01:12
4 up, down, or didn't change. I don't know. 12:01:15
5 Q. What was the change that was made to the 12:01:17
6 district between the map that was proposed on the 12:01:20
7 9th and that map that was adopted on the 16th? 12:01:24
8 A. I could tell you specifically if you could 12:01:27
9 put up a map of northwest Ohio and the adopted 9/15 12:01:29
10 map. If not, I can generally say it, but I would be 12:01:34
11 less definitive. 12:01:38
12 Q. In the interest of time, why don't you just 12:01:39
13 generally give me your understanding of what that 12:01:42
14 change was. 12:01:45
15 A. Okay. With the caveat that I don't want to 12:01:45
16 say a county that's wrong and have that be a 12:01:48
17 problem. 12:01:51
18 But there were two house districts in the 12:01:51
19 1st Senate District in northwest Ohio around 12:01:54
20 Williams County, Defiance County, Henry County, 12:01:58
21 Paulding County where the geography changed between 12:02:03
22 the 9/9 and 9/15 maps. 12:02:06
23 And that was a change in northwest Ohio, 12:02:07
24 but it was not what Auditor Faber was interested in, 12:02:12
25 to the best of my understanding. 12:02:15

1 Q. So I understand that there was some 12:02:17
2 negotiations occurring -- and I apologize. My phone 12:02:25
3 is ringing in the background. 12:02:29
4 But there was some negotiations happening 12:02:31
5 between, your testimony was, senate President 12:02:36
6 Huffman and those on the democrat leadership over 12:02:41
7 the map that was proposed on the 9th? 12:02:44
8 My question for you is, did -- either 12:02:47
9 directly or indirectly through staff, did Senator 12:02:53
10 Vernon Sykes provide you with any input in terms of 12:02:58
11 what -- you directly -- any input into the maps? 12:03:02
12 A. Directly? 12:03:08
13 Q. Yes. 12:03:10
14 A. I do not recall any -- any direction from 12:03:12
15 Senator Sykes to me directly during that process. 12:03:19
16 Q. Okay. What about indirectly? 12:03:22
17 A. I don't recall any -- I mean, I guess 12:03:23
18 that's what your definition of "indirect" is. But I 12:03:26
19 don't recall any interactions with Senator Sykes 12:03:30
20 other than me testifying and he sharing the 9/9 12:03:33
21 redistricting committee hearing itself where he did 12:03:38
22 ask me questions, and I did answer them. 12:03:41
23 Q. Okay. An example of what I mean by 12:03:43
24 "indirectly" would be your boss, Senate 12:03:47
25 President Huffman, coming back to you and saying, I 12:03:51

1 just met with Senator Sykes, and he wants us to look 12:03:55
2 at these counties for these reasons. 12:03:58
3 A. Okay. Thank you for that clarification. 12:03:59
4 You know, I understood that, whether it was 12:04:02
5 Senator Yuko or Senator Sykes -- I never really got 12:04:07
6 the impression that there were house democrats 12:04:12
7 involved in it. But President Huffman was bringing 12:04:16
8 back ideas from someone. I guess I assumed it was 12:04:19
9 Yuko and/or Sykes. 12:04:23
10 So if that -- if that meets your definition 12:04:24
11 of "indirectly," I guess that would be an example of 12:04:28
12 that. Thank you for clarifying. 12:04:32
13 Q. Sure. Just so the record is clear, you had 12:04:33
14 no direct interaction with Senator Sykes with 12:04:37
15 respect to his input into the map that you were 12:04:42
16 drawing? 12:04:47
17 A. Can you say that again? 12:04:47
18 Q. Sure. Just so the record is clear, where 12:04:48
19 you were talking about direct and indirect. I want 12:04:50
20 to just make it clear for the record that you, 12:04:53
21 personally, did not have any direct interaction with 12:04:56
22 Senator Sykes with respect to anything he wanted to 12:05:00
23 see on the map that you were drawing? 12:05:04
24 A. You switched back between indirect and 12:05:05
25 direct. You're asking about direct? 12:05:09

1 Q. Yes. That's why I want to clarify because 12:05:10
2 we -- we went back and forth. 12:05:13
3 A. Okay. Thank you. 12:05:15
4 I do not -- I do not recall any direct 12:05:16
5 interactions with Senator Sykes, other than the 12:05:17
6 testimony on 9/9. 12:05:20
7 Q. Okay. What about House Minority Leader 12:05:21
8 Amelia Sykes, did she provide any input into what 12:05:24
9 she wanted to see in the map that you were drawing, 12:05:28
10 directly? 12:05:31
11 A. That's a -- that's a little more 12:05:33
12 complicated for me to answer because -- but if 12:05:34
13 you're asking from her, Minority Leader Sykes to me 12:05:37
14 directly -- 12:05:41
15 Q. Yes.
16 A. -- no. 12:05:43
17 But I -- I would assume, if there was any 12:05:45
18 direct or indirect communication from her, it was 12:05:47
19 going through the speaker and ultimately to Blake 12:05:50
20 and then to myself. 12:05:52
21 Q. Okay. Do you know if any of that happened 12:05:53
22 or is that speculation? 12:05:59
23 A. I -- I can't -- I don't know. Not a 12:06:00
24 question -- 12:06:04
25 (Simultaneous colloquy.) 12:06:04

1 Q. Do you know if any of that actually 12:06:04
2 happened, whether -- 12:06:06
3 A. I -- I never -- I don't know -- I cannot -- 12:06:07
4 I'm not going to speculate as to how engaged 12:06:09
5 Minority Leaders Sykes was in that, what I call 12:06:13
6 negotiations. 12:06:17
7 Q. Okay. Let's move on. 12:06:17
8 A. I did -- Mr. -- Mr. Funari, just -- 12:06:20
9 sorry -- to be -- to be complete. 12:06:23
10 Q. Yeah.
11 A. I did, after the 9/9 redistricting 12:06:24
12 committee hearing, have a very quick, what I call 12:06:28
13 hallway conversation, with Minority Leader Sykes. 12:06:32
14 I was introduced to her by her -- I don't 12:06:35
15 know if it's chief of staff or one of her -- one of 12:06:38
16 staff members who I've known for decades. And he 12:06:41
17 just asked if I had ever actually been introduced to 12:06:45
18 her, since we were both from Akron, and he made the 12:06:49
19 introduction. That was on 9/9 right after the 12:06:52
20 testimony. 12:06:55
21 So, I guess, to the extent that is direct. 12:06:56
22 It had nothing to do with redistricting. It was 12:07:00
23 just, "Hello. How are you?" But it was a direct 12:07:02
24 contact so I just wanted to be -- 12:07:04
25 Q. See, you're -- you're getting a hang of 12:07:04

1 this. That was going to be my next question, did 12:07:08
2 you talk about anything of substance? 12:07:10
3 A. I saved you a question. You owe me one. 12:07:11
4 Q. I assume the answer is, "no," right, that 12:07:14
5 you didn't talk -- 12:07:16
6 A. What's the question? I'm sorry. 12:07:16
7 Q. You didn't -- you didn't talk with Minority 12:07:17
8 Leader Sykes about anything of substance related to 12:07:20
9 the redistricting process? 12:07:22
10 A. No. It was -- it was all exchanging of 12:07:24
11 pleasantries and that we were both born in Akron -- 12:07:26
12 or from Akron. 12:07:29
13 Q. All right. You mentioned some discussions 12:07:30
14 that you had with, I think, at least one incumbent 12:07:34
15 legislator about the map drawing process. 12:07:38
16 Did you have any conversations with anyone, 12:07:43
17 who wasn't a member of the commission or an 12:07:45
18 incumbent legislator, about what he or she wanted to 12:07:50
19 see in the map? 12:07:55
20 A. Well, that's a lot of potential different 12:07:57
21 people. I -- can you -- can you be more specific, 12:08:01
22 maybe, for me? 12:08:04
23 Q. Sure. Were there any representatives from 12:08:06
24 special interest groups, for example, that you met 12:08:11
25 with, or that Senator President Huffman met with 12:08:15

1 that conveyed to you their desire to see certain 12:08:25
2 things in the map? 12:08:27
3 A. Hm. Trying to -- so you're outside of 12:08:28
4 legislators is what you're -- 12:08:37
5 Q. No, I didn't -- yes. Outside of elected 12:08:39
6 officers, I will say. 12:08:44
7 A. I'm trying to remember any specific -- 12:08:46
8 specific things. The only thing that I recall 12:09:02
9 sitting here that might meet your fact pattern is, 12:09:06
10 like, after the 9/9 maps had rolled out, I did 12:09:09
11 receive a text message from somebody with the -- I 12:09:12
12 think, the Ohio Right to Life association asking why 12:09:17
13 some of the republican members were being -- 12:09:24
14 districts were being made to be democrat-leaning 12:09:29
15 districts or more democratic. I didn't -- didn't 12:09:33
16 respond. 12:09:36
17 That's the only thing I remember. 12:09:38
18 MR. FUNARI: Phil, do you know if that text 12:09:41
19 message was produced? 12:09:42
20 THE WITNESS: No, I don't -- especially, 12:09:46
21 I -- I mean, I just -- I saw it, I read it, I 12:09:47
22 immediately got rid of it. It wasn't of any value 12:09:50
23 to me. That's my practice not to keep text 12:09:54
24 messages. 12:09:56
25 Q. Well, I'd ask that you go back -- not right 12:09:56

1 now, but when we're off the record -- and search for 12:09:59
2 that text message. And if you have it, you could 12:10:02
3 turn it over to your lawyer. If not, I'll follow up 12:10:04
4 with your lawyer. 12:10:07
5 MR. STRACH: Yeah. Brad, he's already 12:10:10
6 searched all -- he's already searched his text 12:10:12
7 messages for anything that was responsive or 12:10:14
8 whatever, which would have included that had it been 12:10:20
9 there. But he didn't have anything. 12:10:22
10 MR. FUNARI: Okay. Thank you for that. 12:10:25
11 Q. Other than a representative from the Ohio 12:10:27
12 Right to Life association, do you recall the input 12:10:30
13 of any other outside individuals, non-office 12:10:32
14 individuals or special interest groups, trade 12:10:38
15 associations, business executives, by way of 12:10:42
16 example, contacting you directly, or indirectly, 12:10:44
17 about what they wanted to see in the map? 12:10:50
18 A. No. I don't -- I can't think of any other 12:10:53
19 instances, that I can recall, where anybody -- I 12:11:01
20 mean, it would have been like, "Hey. How you doing? 12:11:07
21 When's the process end," type stuff. 12:11:09
22 But as far as, "Here's what we want to 12:11:11
23 see," which is your question, I don't recall any 12:11:14
24 other interactions. 12:11:16
25 Q. Did you personally attend any of the public 12:11:20

1 hearings that occurred prior to the introduction of 12:11:26
2 the map on 9/9? I believe they may have occurred 12:11:31
3 beginning the week of August 25 or so. 12:11:36
4 A. I did not. 12:11:39
5 Q. Did you receive any type of report or 12:11:40
6 transcript from those meetings? 12:11:44
7 A. I did not. I tried to and I did listen to 12:11:46
8 as many of them as I could with available -- within 12:11:53
9 the available time I had. 12:11:56
10 Q. Okay. How many -- approximately, how many 12:11:57
11 did you listen to? 12:12:02
12 A. Well, I -- I can't remember if there were 12:12:05
13 ten or 11, but I tried to listen to as much of them 12:12:07
14 as I could. So I would imagine that I listened to 12:12:10
15 part of, at least, a number of them. The majority 12:12:13
16 of them. 12:12:18
17 Q. Did any of the public comments make their 12:12:19
18 way into your map drawing process? 12:12:23
19 A. Yes. 12:12:26
20 Q. Okay. What specifically, from the public, 12:12:27
21 in those meetings that you heard and the reportings 12:12:32
22 made their way into your map drawing process? 12:12:36
23 A. Well, there was a wide range of testimony 12:12:39
24 at -- you know, I think there were two, three, four 12:12:43
25 hours, maybe even more for some of them. And there 12:12:47

1 were at least ten of them that I think I can think 12:12:50
2 of. 12:12:53
3 There was a lot of testimony, maybe at the 12:12:53
4 hearing in Dayton, about the construction of the 12:12:56
5 districts in Montgomery County. And as I think I 12:12:59
6 talked with Mr. Fram or Mr. Klein, I think some of 12:13:04
7 those suggestions found their way into the final 12:13:09
8 maps. 12:13:12
9 I think I also, in previous conversation 12:13:13
10 with some of the other folks on the Zoom call here, 12:13:16
11 talked about testimony at the Cleveland hearing from 12:13:20
12 former -- or current -- apologies -- State 12:13:23
13 Representative Howse. And her concern was some of 12:13:29
14 the geography of the house and senate districts in 12:13:31
15 Cuyahoga County, those were -- you know, we tried to 12:13:36
16 incorporate changes in the final map to address 12:13:42
17 those issues. 12:13:44
18 There was some testimony early on, maybe 12:13:44
19 some of the first testimony at the first hearing, 12:13:48
20 about trying to make the 24th Senate District, which 12:13:49
21 currently starts in Bay Village on the west side and 12:13:54
22 wraps all the way around to more or less Mayfield 12:13:58
23 Heights on the eastern end, a more compact district. 12:14:01
24 And, obviously, I think anybody who would 12:14:05
25 look at the final maps would -- would agree that the 12:14:07

1 24th District, as adopted by and enacted by the 12:14:09
2 redistricting commission is a much more compact 12:14:13
3 traditional west side district. 12:14:15
4 There -- there were -- there were some 12:14:20
5 others. Those are the two, three, or four that 12:14:21
6 immediately jump out to me. I mean, there's 12:14:23
7 probably 30 hours of testimony. There's a lot of 12:14:25
8 testimony there about things that were not drawing 12:14:27
9 districts that follow school district boundaries. 12:14:33
10 Drawing districts in other ways that people wanted 12:14:36
11 them to follow to make sure where they lived and 12:14:39
12 where they worked were in the same district. 12:14:41
13 And I'm sure, as -- as you know from 12:14:44
14 reading the constitution, there are some very 12:14:46
15 specific construction requirements. 12:14:48
16 But those are the things that I would say 12:14:49
17 we heard the public give testimony on and we tried 12:14:52
18 to incorporate those in the -- in the maps. 12:14:55
19 Q. And just so the record is clear, those -- 12:14:57
20 that testimony you're referring to was all 12:15:01
21 pre-September 9th, correct, before you introduced 12:15:04
22 the map? 12:15:08
23 A. Well, I guess the answer to that is "yes" 12:15:09
24 and "no" -- or "no" and "yes," whatever -- 12:15:18
25 Q. My question was -- my question was, what, 12:15:20

1 if any, public comment you heard, prior to 12:15:25
2 introducing a map, made its way into the map drawing 12:15:28
3 process for the map that was introduced on 12:15:32
4 September 9? 12:15:35
5 I understand there were three -- three 12:15:35
6 public hearings after September 9th. I'm going to 12:15:38
7 ask you about those next. 12:15:40
8 A. So not to try to -- I know you're trying to 12:15:42
9 separate them, not to try to put them together. But 12:15:46
10 it's -- I'm trying to recall, in my mind, the 12:15:48
11 regional hearings versus the hearings that were held 12:15:51
12 after the map was introduced. And some of the -- 12:15:53
13 and when certain testimony was offered and when they 12:15:56
14 were incorporated. 12:15:59
15 I -- I -- I guess I would stick with my 12:16:01
16 statement that what -- the items that I articulated 12:16:03
17 were in the final map, as far as which ones of the 12:16:06
18 -- what regional hearings before the 9th or what 12:16:11
19 happened or commission hearings after the 9th, I'm a 12:16:14
20 little less clear on, but... 12:16:18
21 Q. Understood. Did the commission -- 12:16:19
22 A. I'm sure -- I'm sure there are other 12:16:23
23 examples, but those are the ones that I can recall 12:16:24
24 sitting here today. 12:16:26
25 Q. Did the commission itself ever prepare a 12:16:27

1 map? 12:16:32
2 A. Well, I -- the commission voted to propose 12:16:34
3 a map that was then publicly available for comment. 12:16:40
4 So you can -- I guess you can count that as -- as 12:16:46
5 their map. 12:16:49
6 Q. Okay. I guess I -- I meant it more 12:16:50
7 literally as used in the constitution. The 12:16:52
8 constitution provides that the commission shall draw 12:16:56
9 a map or shall prepare a map is, I believe, the 12:17:00
10 language in the constitution. 12:17:03
11 To your knowledge, did the commission 12:17:06
12 prepare a map? 12:17:07
13 MR. STRACH: Objection. Calls for a legal 12:17:11
14 conclusion. 12:17:16
15 THE WITNESS: Yeah. I -- I don't know what 12:17:16
16 the -- if you're referring to the seven individual 12:17:19
17 members, if -- what they did together outside of me, 12:17:20
18 I don't know.
19 MR. FUNARI: 12:17:26
20 Q. Do you know whether they hired an 12:17:26
21 independent map drawer to construct a map? 12:17:28
22 A. Mr. Funari, the first part of your question 12:17:33
23 was garbled. Can you ask that again? I'm sorry. 12:17:36
24 Q. Do you know whether the commission hired an 12:17:38
25 independent map drawer to prepare a map? 12:17:42

1 A. I -- I can't speak to whether the 12:17:45
2 commission as a body did. I know that -- or it's my 12:17:50
3 understanding is that the house democrats and the 12:17:54
4 Senate democrats used outside consults to prepare 12:17:58
5 their map, if that answers your question. 12:18:02
6 Q. So you don't know whether the commission 12:18:07
7 itself hired an independent map drawer? 12:18:09
8 A. I -- yeah. I -- I can't speak to the seven 12:18:13
9 members, what they did. 12:18:17
10 Q. Did the commission have any of its own 12:18:19
11 staffers? 12:18:23
12 A. Can I make sure I understood? Did the 12:18:28
13 commission have any of its own staffers? 12:18:30
14 Q. Staff. Did the -- did the commission have 12:18:32
15 any of its own staff? Or was the staff comprised of 12:18:35
16 the staff with individual members? 12:18:39
17 A. That's a great question. I don't know the 12:18:40
18 answer to that. At the redistricting committee 12:18:43
19 hearings, at the regional hearings, and at the 12:18:45
20 redistricting committee hearings, there were staff 12:18:48
21 from many of the caucuses. I don't know if they 12:18:52
22 were acting as staff for the commission or 12:18:55
23 individual members. I don't know. 12:18:57
24 MR. FUNARI: I'm not sure if the 12:19:27
25 September 15th transcript is in the folder that 12:19:30

1 Planet Depos has, but I have a copy of it, the 12:19:36
2 transcript. And I'm going to share screen. And 12:19:40
3 I'll get that to Planet Depos to mark as our next 12:19:43
4 exhibit, which is, I think -- what would that be? 12:19:49
5 Ms. Court Reporter, is that Exhibit 7 or 8? 12:19:53
6 THE REMOTE TECHNICIAN: That would be 12:19:57
7 Exhibit 8. 12:19:59
8 (Exhibit 8 was marked for identification.) 12:20:11
9 MR. FUNARI: 12:20:11
10 Q. Do you see this, Mr. DiRossi? 12:20:11
11 A. I see something on the screen, yes. 12:20:14
12 Q. I'll represent to you that this is the 12:20:16
13 transcript from the September 15th hearing of the 12:20:18
14 Ohio Redistricting Commission, when it convened in 12:20:23
15 the morning of September 15th available at this 12:20:27
16 public hyperlink. I'm not going to ask you to read 12:20:31
17 the entire testimony. 12:20:36
18 I will ask, were you present at this 12:20:38
19 meeting? 12:20:40
20 A. I was not. 12:20:41
21 Q. Have you read the transcript from this 12:20:48
22 meeting? 12:20:50
23 A. I have not. 12:20:51
24 Q. I'm going to draw your attention right here 12:20:51
25 to this statement by Senate President Huffman at 12:20:57

1 approximately three minutes into the meeting -- into 12:21:03
2 the hearing. And it's highlighted -- this 12:21:08
3 highlighting is my highlighting -- the part of his 12:21:13
4 comments that I'm going to ask you about. But I 12:21:15
5 want to give you the opportunity to read the entire 12:21:18
6 paragraph before I do, if you would like. 12:21:20
7 A. Okay. Thank you. I'll do that now. 12:21:24
8 Q. And you let me know when I need to scroll. 12:21:26
9 A. Can you -- is it possible for you to move 12:21:32
10 the language on my screen to the left? The Zoom 12:21:36
11 window is -- it looks like it's over some of the -- 12:21:40
12 (Simultaneous colloquy.) 12:21:54
13 MR. FUNARI: You have exceeded my 12:22:01
14 technological -- 12:22:03
15 THE WITNESS: You and I both. Okay. I 12:22:07
16 think it might be okay, because it looks like 12:22:09
17 there's no words -- I'm just looking at the words up
18 on the other screen to see if this is covering
19 anything.
20 (Brief pause.) 12:23:20
21 THE WITNESS: I'm to the bottom of what I 12:23:20
22 see on the screen. 12:23:22
23 MR. FUNARI: I'm not going to ask you 12:23:25
24 anything down here, but I'm happy to give you the 12:23:26
25 opportunity to read that. 12:23:30

1 (Brief pause.) 12:23:46
2 THE WITNESS: Okay. Thank you. 12:23:46
3 MR. FUNARI: 12:23:48
4 Q. I'm not going to ask you anything about the 12:23:48
5 substantive changes. 12:23:52
6 I've highlighted an excerpt from his -- his 12:23:53
7 opening comment, Senate President Huffman's opening 12:23:57
8 comments. 12:24:02
9 He says, "I should say initially that we've 12:24:02
10 made a number of technical changes. This is, of 12:24:05
11 course, a big job with a lot of data so that 12:24:07
12 naturally these things happen. But there are a 12:24:10
13 number of technical changes, these fix misassigned 12:24:12
14 census blocks, and the block assignment files. And 12:24:16
15 really those changes, for the most part, had no 12:24:19
16 impact on -- I think that's a typo -- on 12:24:21
17 population." 12:24:25
18 Did I read that excerpt correctly? 12:24:26
19 A. That's what's highlighted, yes. You got 12:24:29
20 it. 12:24:33
21 Q. Okay. What were these technical changes 12:24:33
22 that were made to the map from the time it was 12:24:36
23 introduced on September 9th and this date when this 12:24:42
24 hearing convened on September 15th, if you know? 12:24:48
25 A. Yeah. So not to -- appreciate the 12:24:51

1 question. Not to kind of rehash what I've said 12:24:55
2 before, but I shared with Mr. Fram especially some 12:24:58
3 of my frustrations that data was an ongoing issue. 12:25:04
4 And again, when I say "data," I'm referring to the 12:25:10
5 geography files that came to us from the census 12:25:14
6 through the CURD. 12:25:20
7 We continued to have some instances where, 12:25:22
8 if you were trying to assign a precinct award, a 12:25:26
9 political subdivision, a census block, that those 12:25:34
10 units of geography weren't completely nested in each 12:25:37
11 other. 12:25:42
12 And we -- after the map was introduced on 12:25:43
13 the 9th, we continued to actively try to find if any 12:25:46
14 of those had happened in there and to clean them up. 12:25:52
15 And what he generally is referring to here, 12:25:56
16 I would assume, is that we had found a number of 12:25:59
17 those pieces of geography that block assignment file 12:26:04
18 was mis-assigning to incorrect districts. And so we 12:26:10
19 were making the changes to make sure that that was 12:26:13
20 not the case. 12:26:15
21 Q. Okay. Let me make sure I understand that. 12:26:23
22 So why did you have to make those changes 12:26:27
23 between the 9th and the 15th? 12:26:28
24 My understanding from your earlier 12:26:30
25 testimony in response to Mr. Fram was those 12:26:33

technical problems that you encountered were all 12:26:35
during the initial map-drawing phase pre-September 12:26:38
9th. I now understand, like you said, that 12:26:41
continued to the 15th. 12:26:44
So why did you have to make those changes 12:26:45
between the 9th and 15th? 12:26:47
A. Well, I guess what I'm saying is, the map 12:26:53
that was introduced on the 9th had a number of these 12:26:54
technical changes that had to be made. And the -- I 12:26:58
guess the adopting of the amendment on the 15th was 12:27:01
the next time that the commission actually took a 12:27:05
vote to amend the 9/9 plan. 12:27:08
Q. It goes on to say, "And really those 12:27:14
changes, for the most part, had no impact on 12:27:16
population." 12:27:20
Do you agree with that statement, that 12:27:21
these changes that are referred to as technical 12:27:24
changes had no impact on population within the 12:27:27
districts? 12:27:30
A. I -- you know what, I would clarify it the 12:27:31
exact same way he did, if this transcript is 12:27:38
accurate. For the most part, that's absolutely 12:27:42
true. 12:27:44
Q. So what were some of the impacts it had? 12:27:44
A. Well, these -- for instance -- I cannot 12:27:48

1 think of a specific one, but if you -- I'll just use 12:27:51
2 Franklin County because that was kind of the poster 12:27:57
3 child for the most challenging geography in the 12:27:59
4 state. 12:28:03
5 If you -- if there was a district that you 12:28:03
6 were constructing and you were trying to assign an 12:28:07
7 additional precinct to it, it wouldn't -- the 12:28:11
8 precinct wouldn't necessarily assign all of the 12:28:15
9 blocks that comprise a precinct. So you might try 12:28:18
10 to assign one precinct and hope to be getting 100 12:28:22
11 blocks, but only get 99 of the blocks. And then you 12:28:27
12 think, okay, well, it worked perfectly. 12:28:31
13 But then when you go back and do analysis 12:28:35
14 or run reports against the districts to make sure 12:28:38
15 that they are contiguous, to make sure that all the 12:28:41
16 block assignments are right, to make sure all the 12:28:44
17 noncontinuous portions and continuous portions of 12:28:46
18 districts are in the correct districts, you could 12:28:49
19 find some of those. 12:28:52
20 And those are what he's referring to here, 12:28:54
21 because Blake and I were able to find a good handful 12:28:55
22 of those that we wanted to fix and make -- and make 12:28:58
23 correct. 12:29:00
24 Q. Do you recall what those handful of block 12:29:01
25 assignment errors, we'll call them, were? 12:29:06

1 A. Oh, boy. I don't recall any of those 12:29:11
2 technical ones that didn't have population assigned 12:29:16
3 to them or had very, very minor population. I can't 12:29:19
4 think of an example off the top of my head. 12:29:22
5 MR. FUNARI: Okay. I believe those are all 12:29:44
6 the questions that I have for you. Give me one 12:29:45
7 second, though, to review my notes. 12:29:48
8 (Brief pause.)
9 MR. FUNARI: Mr. DiRossi, I believe those 12:30:10
10 are all of the questions I have for you. 12:30:11
11 And I have to figure out how to put this 12:30:13
12 down and see your face again. There we go. All 12:30:15
13 right. 12:30:21
14 I'm going to turn you over to any of the 12:30:21
15 other lawyers who might have questions. Thank you 12:30:23
16 for your time. 12:30:25
17 THE WITNESS: Thank you, Mr. Funari. 12:30:29
18 MS. MENASHE: On behalf of the respondents
19 Senator Sykes and Leader Amelia Sykes. Just a 12:30:57
20 couple questions for you. 12:30:57
21 EXAMINATION
22 MS. MENASHE:
23 Q. At any point before 9/9, did you ever reach 12:30:59
24 out to co-chair of the commission Senator Vernon 12:31:01
25 Sykes and ask to meet with him about what he would 12:31:08

1 like to see in the map as a co-chair? 12:31:10
2 A. What was the date that you referenced? 12:31:14
3 Q. Before 9/9. 12:31:19
4 A. Before 9/9. 12:31:21
5 I -- it was not my role to reach out to 12:31:22
6 them. That was -- that was for President Huffman to 12:31:25
7 have that direct line of communication with Leader 12:31:29
8 Yuko and/or Dr. -- I said Dr. -- Senator Sykes. 12:31:33
9 That was -- that was not my role. Those 12:31:36
10 conversations were for the president. 12:31:38
11 Q. And was it not your role because you didn't 12:31:39
12 see yourself as drafting a commission map? 12:31:43
13 MR. STRACH: Objection. 12:31:49
14 THE WITNESS: It's not my role because 12:31:53
15 he -- Senator Huffman is a senator. Senator Yuko is 12:31:55
16 a senator. Sensor Sykes is a senator. And I am a 12:31:59
17 staff person. 12:32:03
18 MS. MENASHE: 12:32:05
19 Q. So the map that you drafted and put forth 12:32:05
20 on 9/9, how do you name that map? Whose map is 12:32:08
21 that? Who did that belong to? 12:32:15
22 MR. STRACH: Objection. Objection. 12:32:16
23 Answer if you can. 12:32:18
24 THE WITNESS: I mean, it was a -- it was a 12:32:19
25 map adopted by a majority vote of the commission. 12:32:22

1 MS. MENASHE: 12:32:27
2 Q. But before it was adopted, whose map was 12:32:27
3 it? 12:32:31
4 MR. STRACH: Objection. 12:32:32
5 THE WITNESS: I didn't name the maps. I 12:32:34
6 don't know.
7 MS. MENASHE: 12:32:37
8 Q. So, then, before 9/9 did you ever 12:32:37
9 proactively reach out to commission member Leader 12:32:41
10 Amelia Sykes and ask her for her input in any map? 12:32:45
11 A. Again, even farther from my role. That 12:32:49
12 would have been the speaker of the house's role, and 12:32:55
13 to a lesser extent, Blake Springhetti's role, and 12:32:58
14 certainly not mine. 12:33:04
15 Q. And then after 9/9 when the map that you 12:33:05
16 had put forth was adopted, did you ever, after that 12:33:08
17 point in time, reach out to co-chair Senator Sykes 12:33:12
18 and ask him for any input that he would have in the 12:33:16
19 adopted map? 12:33:19
20 A. Again, not my role. My understanding was 12:33:21
21 all of those communications were happening with the 12:33:24
22 president and directly with Leader Yuko and/or 12:33:26
23 Leader Sykes -- or Senator Sykes. My apologies. 12:33:31
24 Q. And so, then, the same question about after 12:33:35
25 the map was adopted on 9/9, whether you reached out 12:33:38

1 personally or not to commission member Leader Sykes 12:33:41
2 and asked about any input that she might have. 12:33:46
3 A. Any input that was come from Leader Sykes 12:33:51
4 in the house or Senator Sykes in the senate or 12:33:55
5 Minority Leader Yuko in the senate was coming 12:34:00
6 through the president to me or through the speaker 12:34:03
7 to Blake. And it was not my role to reach out to 12:34:05
8 them, nor did they ever reach out to me to offer any 12:34:09
9 input. 12:34:12
10 Q. When you say that it was coming through to 12:34:13
11 you from the speaker and the president, how do you 12:34:19
12 know that it wasn't firsthand? 12:34:24
13 MR. STRACH: Objection. 12:34:26
14 THE WITNESS: Well, I was speaking to 12:34:28
15 President Huffman directly, and he was relaying to 12:34:31
16 me things that he thought we needed to do to achieve 12:34:36
17 a ten-year map. 12:34:39
18 And also, I was being provided block 12:34:41
19 assignment files that I was being told were from the 12:34:44
20 senate democrats or from Chris Glassburn or from 12:34:47
21 Randall Rouse or mostly people on the senate side. 12:34:53
22 That was their latest proposal. So with that, I 12:34:56
23 made the assumption that that was originating with 12:35:00
24 the democrat redistricting committee members. 12:35:02
25 MS. MENASHE: 12:35:06

1 Q. When you just said you were provided those 12:35:06
2 types of files or information, what -- before 9/9 or 12:35:08
3 after 9/9 were you told that that information was 12:35:14
4 coming from the democrat side? 12:35:16
5 A. I'm a little less certain of before 9/9, 12:35:18
6 because before 9/9, the commission had not put out a 12:35:27
7 first map, as you know. So before that, I'm a 12:35:30
8 little less clear. 12:35:35
9 But afterwards, it was pretty -- pretty 12:35:36
10 obvious to me that the president, on behalf of the 12:35:39
11 senate, was in active negotiations with the 12:35:43
12 democrats. And that's my understanding of where 12:35:46
13 that information was coming from. 12:35:49
14 Q. And so to the best of your recollection, 12:35:51
15 you believe after 9/9, you were receiving files, 12:35:55
16 information, et cetera, that was coming from the 12:36:01
17 Dems but through the president or the speaker and 12:36:05
18 then to you? 12:36:09
19 A. Well, I would have got information either 12:36:10
20 verbal from the president or block assignment files 12:36:14
21 from a number of sources. But yes, ultimately, to 12:36:17
22 the best recollec- -- or the best of my knowledge, 12:36:22
23 it was coming from the democrat members of the 12:36:24
24 redistricting commission. Much more Senator Sykes 12:36:28
25 than Leader Sykes. 12:36:33

Q. And those block assignment files, how were they delivered to you, in what form? 12:36:34 12:36:37

A. Flash drives. 12:36:42

Q. Flash drives. 12:36:42

And how would you be delivered a flash drive? Who would do that? Who was that person that would deliver that to you or -- 12:36:44 12:36:46 12:36:49

(Simultaneous colloquy.) 12:36:52

A. I don't recall if it was the president or the senate or if I got it from -- Blake got it from the speaker or I got it from one of the other senate staff. I don't recall who physically handed me a flash drive or emailed me a file. I don't recall. 12:36:53 12:36:55 12:36:58 12:37:02 12:37:06

Q. And if you recall, during this time frame, so after 9/9, how many flash drives do you think you were delivered that you believed were from the dem side? 12:37:10 12:37:14 12:37:19 12:37:23

A. That is seemingly a simple question, but I'm trying to recall the flurry of exchanges of information that happened. I'm trying to remember if the initial map that the senate democrats -- Senator Sykes proposed to the redistricting commission before 9/9 actually made its way to me as a flash drive or an email. That could have been one. 12:37:24 12:37:34 12:37:38 12:37:44 12:37:51 12:37:53 12:37:59 12:38:01

1 After 9/9, there was definitely one that 12:38:01
2 came back from them. And there might have been one 12:38:04
3 last one as late as September 15th, but I don't know 12:38:11
4 if that was actually an electronic file or more just 12:38:14
5 a list of requested changes. 12:38:20
6 Apologies if that's not the answer -- the 12:38:27
7 complete answer. But that's my recollection of the 12:38:30
8 file transfers. 12:38:33
9 Q. No, sure, that's helpful. 12:38:34
10 And in terms of those things that you just 12:38:37
11 listed, the flash drive that might have contained 12:38:39
12 the 8/31 map and then maybe another flash drive 12:38:43
13 after 9/9 and then maybe even something on 9/15 12:38:47
14 which was listing the requested changes, was that 12:38:51
15 information provided to your counsel through the 12:38:54
16 discovery process? 12:38:58
17 A. Can you say -- was it provided by my 12:38:58
18 counsel? 12:39:07
19 Q. No, to your counsel. 12:39:07
20 A. I don't recall. I believe the -- I believe 12:39:08
21 the 9/9 and 9/16 maps were the ones that were 12:39:15
22 provided. 12:39:21
23 Q. No, I mean the communications or the files 12:39:21
24 that were coming, in your opinion, from the Dems. 12:39:28
25 Once they were in your position, through the 12:39:32

1 discovery process in this case, did you give those 12:39:34
2 to your counsel? 12:39:36
3 A. I don't believe so, no. I gave to my 12:39:38
4 counsel what I was told to turn over for the 12:39:46
5 subpoena documents. 12:39:50
6 MS. MENASHE: Thank you. Nothing further. 12:39:57
7 THE WITNESS: Thank you, Diane. 12:40:01
8 MR. STRACH: Thanks, Diane. 12:40:01
9 We're not going to have any questions. 12:40:02
10 Is the AG's office on? Are you all going 12:40:06
11 to have any questions? 12:40:08
12 MR. WALTON: This is Mike Walton with the
13 AG's office on behalf of the three statewides.
14 No questions. 12:40:14
15 MR. STRACH: No questions from us. 12:40:15
16 So Rob Fram, does that mean we're done? 12:40:17
17 Sorry. I'm forgetting about Erik Clark. I'm 12:40:23
18 getting everybody -- too many lawyers involved. 12:40:26
19 Erik, do you have any questions? 12:40:28
20 MR. CLARK: I have no questions at this 12:40:30
21 time. Thanks. 12:40:32
22 MR. STRACH: So now I guess we're wrapped 12:40:32
23 up. 12:40:34
24 THE VIDEOGRAPHER: Please stand by. 12:40:36
25 The time is 12:40 p.m. We're going off the 12:40:38

1 record. This completes today's deposition. 12:40:42
2 MR. STRACH: I'm going to -- whatever Rob 12:41:01
3 Fram says he wants, I'm going to get the same. 12:41:03
4
5 (TIME NOTED: 12:41 p.m.)
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1 DECLARATION UNDER PENALTY OF PERJURY
2
3 I, RAY DIROSSI, do hereby certify under
4 penalty of perjury that I have read the foregoing
5 transcript of my deposition taken on
6 October 19, 2021; that I have made such corrections
7 as appear noted on the Deposition Errata Page,
8 attached hereto, signed by me; that my testimony as
9 contained herein, as corrected, is true and
10 accurate.
11
12 Dated this day of 2021 at
13 ,
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16
17 RAY DIROSSI
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1 UNITED STATES DISTRICT COURT)
)
2 THE CENTRAL DISTRICT OF NORTHERN CALIFORNIA)
3 I, TAMMY MOON, CSR No. 13184, Certified
4 Shorthand Reporter, do hereby certify:
5 That prior to being examined, the witness
6 in the foregoing proceedings was by me duly sworn to
7 testify to the truth, the whole truth, and nothing
8 but the truth;
9 That said proceedings were taken before me
10 at the time and place therein set forth and were
11 taken down by me in shorthand and thereafter
12 transcribed into typewriting under my direction and
13 supervision;
14 That a review of the transcript by the
15 deponent (was/was not x) requested;
16 That the foregoing is a true and correct
17 transcript of my shorthand notes so taken.
18 I further certify that I am neither counsel
19 for, nor related to, any party to said proceedings,
20 nor in any way interested in the outcome thereof.
21 In witness whereof, I have hereunto
22 subscribed my name.
23 Dated: 20th of October, 2021
24 Tammy Moon
25 Tammy Moon, CSR No. 13184

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2021 10-year look back	Candidate	Democrat	Republican	Candidate	%	%
2020 Presidential	Biden	*2,679,165*	*3,154,834*	Trump	45.9%	54.1%
2016 Presidential	Clinton	*2,394,164*	*2,841,005*	Trump	45.7%	54.3%
2012 Presidential	Romney	*2,827,709*	*2,661,439*	Obama	51.5%	48.5%
2018 US Senate	Brown	*2,355,923*	*2,053,963*	Renacci	53.4%	46.6%
2016 US Senate	Strickland	*1,996,908*	*3,118,567*	Portman	39.0%	61.0%
2012 US Senate	Brown	*2,762,766*	*2,435,744*	Mandel	53.1%	46.9%
2010 US Senate	Fisher			Portman		
2018 Governor	Cordray	*2,067,847*	*2,231,917*	DeWine	48.1%	51.9%
2018 Auditor	Space	*2,006,204*	*2,152,769*	Faber	48.2%	51.8%
2018 SOS	Clyde	*2,049,944*	*2,210,356*	LaRose	48.1%	51.9%
2018 Treasurer	Richardson	*2,022,016*	*2,304,444*	Sprague	46.7%	53.3%
2018 Attorney General	Dettelbach	*2,084,593*	*2,272,440*	Yost	47.8%	52.2%
2014 Governor	Fitzgerald	*1,009,359*	*1,944,848*	Kasich	34.2%	65.8%
2014 Auditor	Carney	1,149,305	1,711,927	Yost	40.2%	59.8%
2014 SOS	Turner	1,074,475	1,811,020	Husted	37.2%	62.8%
2014 Treasurer	Pillich	1,323,325	1,724,060	Mandel	43.4%	56.6%
2014 Attorney General	Pepper	1,178,426	1,882,048	DeWine	38.5%	61.5%
2010 Governor	Strickland			Kasich		
2010 Auditor	Pepper			Yost		
2010 SOS	O'Shaughnessy			Husted		
2010 Treasurer	Boyce			Mandel		
2010 Attorney General	Cordray			Dewine		
Total Votes		30,982,129	36,511,381		721%	879%
		45.90%	54.10%		45.08%	54.92%

Exhibit #

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Article XI, Section 8(C)(2) Statement

Pursuant to Article XI, Section 8(C)(2) of the Ohio Constitution, the Ohio Redistricting Commission issues the following statement:

The Commission determined that the statewide preferences of the voters of Ohio predominately favor Republican candidates.

The Commission considered statewide state and federal partisan general election results during the last ten years. There were sixteen such contests. When considering the results of each of those elections, the Commission determined that Republican candidates won thirteen out of sixteen of those elections resulting in a statewide proportion of voters favoring statewide Republican candidates of 81% and a statewide proportion of voters favoring statewide Democratic candidates of 19%. When considering the number of votes cast in each of those elections for Republican and Democratic candidates, the statewide proportion of voters favoring statewide Republican candidates is 54% and the statewide proportion of voters favoring statewide Democratic candidates is 46%. Thus, the statewide proportion of voters favoring statewide Republican candidates is between 54% and 81% and the statewide proportion of voters favoring statewide Democratic candidates is between 19% and 46%. The Commission obtained publicly available geographic data for statewide partisan elections in 2016, 2018, and 2020. Publicly available geographic data for those elections was not available for elections in 2012 and 2014. Using this data, the Commission adopted the final general assembly district plan, which contains 85 districts (64.4%) favoring Republican candidates and 47 districts (35.6%) favoring Democratic candidates out of a total of 132 districts. Accordingly, the statewide proportion of districts whose voters favor each political party corresponds closely to the statewide preferences of the voters of Ohio.

The final general assembly district plan adopted by the Commission complies with all of the mandatory requirements of Article XI, Sections 2, 3, 4, 5, and 7 of the Ohio Constitution. The Commission's attempt to meet the aspirational standards of Article XI, Section 6 of the Ohio Constitution did not result in any violation of the mandatory requirements of Article XI, Sections 2, 3 ,4, 5, and 7 of the Ohio Constitution.

A DESCRIPTION OF THE FINAL GENERAL ASSEMBLY DISTRICT PLAN

AS ADOPTED BY THE OHIO REDISTRICTING COMMISSION

Exhibit #

DiRossi 03

10/19/21 - MP

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Adopted Ohio House Districts

Adopted Ohio Senate Districts

According to the 2020 U.S. Census, the population of Ohio was 11,799,448. Pursuant to Section 7, Article XI of the Ohio Constitution, all geographic references in this document (including counties, municipal corporations, and townships) are to Ohio's geography as it existed on the date of the 2020 census.

If any geographic area of the state is not specifically named herein, please consult the Block Assignment File (BAF) adopted by the Ohio Redistricting Commission.

DESCRIPTIONS OF OHIO HOUSE DISTRICTS

HOUSE DISTRICT 1

FRANKLIN COUNTY (part)
- Bexley
- Columbus (part)
  - Wards 1, 2, 3, 4, 5, 8, 9, 27, 28, 35, 47, 55
  - Ward 7 (part)
    - Precincts A, B, C, D
  - Ward 29 (part)
    - Precinct A
  - Ward 31 (part)
    - Precincts A, C, E
  - Ward 32 (part)
    - Precincts A, B, D
  - Ward 37 (part)
    - Precincts A, B
  - Ward 38 (part)
    - Precinct B
- Franklin Township (part)
  - Precinct D (part)
    - Note: Includes the noncontiguous portion circumscribed by Columbus Ward 37 Precinct B

HOUSE DISTRICT 2

FRANKLIN COUNTY (part)
- Brice
- Columbus (part)
  - Wards 34, 44, 48, 50, 51, 68, 84
  - Ward 45 (part)
    - Precincts A, B, C, D, F, H, K, M, N, O
  - Ward 46 (part)
    - Precincts A, B, C, D, H, I, J, K, L
  - Ward 85 (part)
    - Precinct A, B, E
- Hamilton Township (part)

Note: Includes the noncontiguous portion circumscribed by Columbus Ward 50
Jefferson Township (part)
Precinct H (part)
Note: Includes westernmost noncontiguous portion that borders Columbus Ward 46 Precinct B and Columbus Ward 46 Precinct C
Note: Includes noncontiguous portion in southern part of Columbus Ward 46 Precinct H but north of Reynoldsburg Ward 2 Precinct G that also touches Columbus Ward 84 Precinct D
Madison Township (part)
Precinct C (part)
Note: Includes the noncontiguous portion circumscribed by Columbus Ward 85 Precinct A
Note: Includes the northernmost noncontiguous portion that borders Columbus Ward 85 Precinct B
Precinct D (part)
Note: Includes the northernmost noncontiguous portion
Truro Township (part)
Precinct B
Precinct A (part)
Note: Includes westernmost noncontiguous portions circumscribed by Columbus Ward 84
Whitehall

HOUSE DISTRICT 3
FRANKLIN COUNTY (part)
Columbus (part)
Wards 6, 12, 13, 14, 17, 23, 24, 25, 26, 42, 56, 83
Ward 7 (part)
Precinct E
Clinton Township (part)
Precinct B
Precinct A (part)
Note: Excludes noncontiguous portion circumscribed by Columbus Ward 22 Precinct D
Note: Excludes noncontiguous portion that borders both Columbus Ward 22 Precinct E and Columbus Ward 42 Precinct A
Note: Excludes noncontiguous portion that border Columbus Ward 22 Precinct D and Columbus Ward 43 Precinct A
Note: Excludes noncontiguous portion that border Columbus Ward 22 Precinct E and Columbus Ward 43 Precinct B
Mifflin Township (part)
Precincts A, B

HOUSE DISTRICT 4
FRANKLIN COUNTY (part)

Blendon Township (part)
- Precincts A, E, F
- Precinct B (part)
  - Note: Excludes noncontiguous portion circumscribed by Columbus Ward 82 Precinct L
- Precinct C (part)
  - Note: Excludes all noncontiguous portions except for the portion that shares a border with Precinct F
- Precinct D (part)
  - Note: Excludes the noncontiguous portions circumscribed by Columbus

Columbus (part)
- Ward 46 (part)
  - Precincts E, F, G, M
- Ward 82 (part)
  - Precincts E, F, I, J, N

Gahanna

Jefferson Township (part)
- Precincts A, B, C, D, E, F, G, I, J
- Precinct H (part)
  - Note: Excludes westernmost noncontiguous portion that borders Columbus Ward 46 Precinct B and Columbus Ward 46 Precinct C
  - Note: Excludes noncontiguous portion in southern part of Columbus Ward 46 Precinct H but north of Reynoldsburg Ward 2 Precinct G that also touches Columbus Ward 84 Precinct D
  - Note: Excludes the noncontiguous portions that border Reynoldsburg Ward 2 Precincts A and G
  - Note: Excludes the three noncontiguous portions that border Reynoldsburg Ward 2 Precinct G that are not otherwise noted above

New Albany (part)
- Note: Excludes the noncontiguous portion circumscribed by Columbus Ward 82 Precinct H

Plain Township (part)
- Precinct B
- Precinct A (part)
  - Note: Excludes noncontiguous portions circumscribed by Columbus Ward 73
  - Note: Excludes noncontiguous portions circumscribed by Columbus Ward 82 notwithstanding the note below
  - Note: Includes the two noncontiguous portions circumscribed by or that border Columbus Ward 82 Precinct I

Sharon Township (part)
- Precinct A (part)
  - Note: Excludes noncontiguous portions that border or are circumscribed by Columbus Ward 71 Precinct A or Columbus Ward 71 Precinct B or Columbus Ward 72 Precinct F

Note: Excludes the noncontiguous portions circumscribed by Columbus Ward 61
Note: Excludes the noncontiguous portion that borders Columbus Ward 54 Precinct C and Columbus Ward 30 Precinct A
Westerville

HOUSE DISTRICT 5

FRANKLIN COUNTY (part)
Canal Winchester
Columbus (part)
Ward 49, 86
Ward 29 (part)
Precincts B, C, D
Ward 37 (part)
Precinct C (part)
Note: Excludes census blocks: 390490083802063
390490083802064
390490083802065
390490083802072
390490083802073
390490083802074
390490083802075
Ward 45 (part)
Precincts E, G, I, J, L
Ward 85 (part)
Precincts C, D
Franklin Township (part)
Precinct D (part)
Note: Includes the noncontiguous portions circumscribed by Columbus Ward 37 Precinct C
Note: Includes the noncontiguous portions that border Columbus Ward 37 Precinct C and Columbus Ward 37 Precinct B
Groveport
Hamilton Township (part)
Note: Excludes the noncontiguous portion circumscribed by Columbus Ward 50
Jackson Township (part)
Precinct A (part)
Note: Includes the noncontiguous portion circumscribed by Columbus Ward 37 Precinct C
Jefferson Township (part)
Precinct H (part)
Note: Includes the noncontiguous portions that border Reynoldsburg Ward 2 Precincts A and G
Note: Includes the three noncontiguous portions that border Reynoldsburg Ward 2 Precinct G but do not border Columbus Ward 84 Precinct D

Lithopolis
Lockbourne
Madison Township (part)
Precinct A, B, E, F, G, H
Precinct C (part)
Note: Excludes the noncontiguous portion circumscribed by Columbus Ward 85 Precinct A
Note: Excludes the northernmost noncontiguous portion that borders Columbus Ward 85 Precinct B
Precinct D (part)
Note: Excludes the northernmost noncontiguous portion
Obetz
Reynoldsburg
Truro Township (part)
Precinct A (part)
Note: Excludes westernmost noncontiguous portions circumscribed by Columbus Ward 84

HOUSE DISTRICT 6

FRANKLIN COUNTY (part)
Columbus (part)
Wards 11, 36, 57, 58, 67
Ward 31 (part)
Precincts B, D
Ward 32 (part)
Precinct C
Ward 37 (part)
Precincts D, E
Ward 38 (part)
Precincts A, C
Ward 78 (part)
Precincts B, C, D, E, F, G, H, I
Franklin Township (part)
Precincts A, B, E, F
Precinct C (part)
Note: Excludes noncontiguous portion circumscribed by Columbus Ward 10 Precinct B
Note: Excludes noncontiguous portion circumscribed by Columbus Ward 10 Precinct D
Note: Excludes noncontiguous portions circumscribed by Columbus Ward 77 Precinct A
Precinct D (part)
Note: Excludes the noncontiguous portions circumscribed by Columbus Ward 37 Precinct C

Note: Excludes the noncontiguous portions that border Columbus Ward 37 Precinct B and Columbus Ward 37 Precinct C
Note: Excludes the noncontiguous portion circumscribed by Columbus Ward 37 Precinct B

Jackson Township (part)
- Precinct A (part)
  - Note: Includes noncontiguous portions circumscribed by Columbus Ward 58 Precinct J
  - Note: Includes noncontiguous portions that borders both Columbus Ward 37 Precinct E and Columbus Ward 58 Precinct H
  - Note: Includes noncontiguous portion that borders both Columbus Ward 58 Precinct J and Franklin Township Precinct A but does not border Columbus Ward 79 Precinct B

Prarie Township (part)
- Precincts D, F, G, H, I, J
- Precinct C (part)
  - Note: Includes the noncontiguous portions circumscribed by all Precincts of Columbus Ward 78 except Precinct A.
  - Note: Includes the noncontiguous portion that shares a border with Columbus Ward 78 Precinct A and Columbus Ward 78 Precinct F
  - Note: Includes the noncontiguous portion that shares a border with Precinct F and Precinct G
  - Note: Includes the noncontiguous portion that borders Columbus Ward 78 Precinct A and Columbus Ward 78 Precinct G
- Precinct E (part)
  - Note: Includes the noncontiguous portion circumscribed by Columbus Ward 78 Precinct H
- Precinct K (part)
  - Note: Includes the noncontiguous portion bordering Columbus Ward 67 Precinct B

Valleyview

HOUSE DISTRICT 7

FRANKLIN COUNTY (part)
- Clinton Township (part)
  - Precinct C
  - Precinct A (part)
    - Note: Includes noncontiguous portion that borders Columbus Ward 22 Precinct D and Columbus Ward 43 Precinct A
    - Note: Includes noncontiguous portion that borders Columbus Ward 22 Precinct E and Columbus Ward 43 Precinct B
- Columbus (part)
  - Wards 10, 15, 16, 18, 19, 20, 33, 39, 40, 41, 43, 70
  - Ward 77 (part)
    - Precincts A, B, C
- Franklin Township (part)
  - Precinct C (part)
    - Note: Includes noncontiguous portion circumscribed by Columbus Ward 10 Precinct B
    - Note: Includes noncontiguous portion circumscribed by Columbus Ward 10 Precinct D
    - Note: Includes noncontiguous portions circumscribed by Columbus Ward 77 Precinct A
- Grandview Heights
- Marble Cliff
- Norwich Township (part)
  - Precinct A (part)
    - Note: Includes noncontiguous portion circumscribed by Columbus Ward 77 Precinct A
    - Note: Includes noncontiguous portions that border both Columbus Ward 77 Precinct A and Franklin Township Precinct C
    - Note: Includes noncontiguous portion that borders both Columbus Ward 77 Precinct B and Columbus Ward 10 Precinct D
- Perry Township (part)
  - Precinct C (part)
    - Note: Includes the southernmost noncontiguous portion that borders Columbus Ward 77 Precinct C

HOUSE DISTRICT 8

FRANKLIN COUNTY (part)
- Clinton Township (part)
  - Precinct A (part)
    - Note: Includes noncontiguous portion circumscribed by Columbus Ward 22 Precinct D
    - Note: Includes noncontiguous portion that borders both Columbus Ward 22 Precinct E and Columbus Ward 42 Precinct A
- Columbus (part)
  - Wards 21, 22, 59, 63, 65, 71, 72, 74, 80
  - Ward 60 (part)
    - Precincts A, C
- Perry Township (part)
  - Precinct A, D
  - Precinct B (part)
    - Note: Excludes noncontiguous portions circumscribed by Columbus Ward 60 Precinct E
    - Note: Excludes noncontiguous portions circumscribed by Columbus Ward 60 Precinct G
    - Note: Excludes southernmost noncontiguous portion that borders both Columbus Ward 60 Precinct A and Columbus Ward 60 Precinct C
    - Note: Excludes noncontiguous portion that borders Columbus Ward 60 Precinct F
    - Note: Excludes the noncontiguous portion that borders both Columbus Ward 60 Precinct G and Worthington Ward 1 Precinct C
  - Precinct C (part)
    - Note: Excludes the noncontiguous portions circumscribed by Columbus Ward 60
    - Note: Excludes the noncontiguous portion that borders Columbus Ward 64 Precinct B and Columbus Ward 64 Precinct E and Columbus Ward 64 Precinct F
    - Note: Excludes the noncontiguous portion that borders Columbus Ward 64 Precinct A and Columbus Ward 64 Precinct B
    - Note: Excludes the southernmost noncontiguous portion that borders Columbus Ward 77 Precinct C
- Riverlea
- Sharon Township (part)
  - Precinct B
  - Precinct A (part)
    - Note: Includes noncontiguous portions that border or are circumscribed by Columbus Ward 71 Precinct A or Columbus Ward 71 Precinct B or Columbus Ward 72 Precinct F
- Worthington

HOUSE DISTRICT 9

FRANKLIN COUNTY (part)
- Blendon Township (part)
  - Precinct B (part)
    - Note: Includes noncontiguous portion circumscribed by Columbus Ward 82 Precinct L
  - Precinct C (part)
    - Note: Includes all noncontiguous portions except for the portion that shares a border with Precinct F
  - Precinct D (part)
    - Note: Includes the noncontiguous portions circumscribed by Columbus
- Columbus (part)
  - Wards 30, 52, 53, 54, 61, 62, 66, 73, 81
  - Ward 82 (part)
    - Precincts A, B, C, D, G, H, K, L, M, O
- Minerva Park
- New Albany (part)
  - Note: Includes the noncontiguous portion circumscribed by Columbus Ward 82 Precinct H
- Plain Township (part)
  - Precinct A (part)
    - Note: Includes the noncontiguous portions circumscribed by Columbus Ward 73
    - Note: Includes the noncontiguous portions circumscribed by Columbus Ward 82
    - Note: the above note does not apply to noncontiguous portions that are circumscribed by or border Columbus Ward 82 Precinct I
- Sharon Township (part)
  - Precinct A (part)
    - Note: Includes the noncontiguous portions circumscribed by Columbus Ward 61
    - Note: Includes the noncontiguous portion that borders Columbus Ward 54 Precinct C and Columbus Ward 30 Precinct A

HOUSE DISTRICT 10

FRANKLIN COUNTY (part)
- Brown Township
- Columbus (part)
  - Wards 75, 76, 79, 87
  - Ward 37 (part)
    - Precinct C (part)
      - Note: Includes census blocks: 390490083802063
        390490083802064
        390490083802065
        390490083802072

390490083802073
390490083802074
390490083802075

Ward 77 (part)
Precincts D, E
Ward 78 (part)
Precinct A
Grove City
Harrisburg
Jackson Township (part)
Precincts B, C, D
Precinct A (part)
Note: Excludes noncontiguous portions circumscribed by Columbus Ward 58 Precinct J
Note: Excludes noncontiguous portions that share a border with both Columbus Ward 58 Precinct H and Columbus Ward 37 Precinct E
Note: Excludes noncontiguous portion that shares a border with both Columbus Ward 58 Precinct J and Franklin Township Precinct A but does not border Columbus Ward 79 Precinct B
Norwich Township (part)
Precinct D
Precinct A (part)
Note: Excludes noncontiguous portion circumscribed by Columbus Ward 77 Precinct A
Note: Excludes noncontiguous portions that border both Columbus Ward 77 Precinct A and Franklin Township Precinct C
Note: Excludes noncontiguous portion that borders both Columbus Ward 77 Precinct B and Columbus Ward 10 Precinct D
Note: Excludes noncontiguous portion circumscribed by Hilliard
Note: Excludes noncontiguous portion that borders both Brown Township Precinct B and Hilliard Ward 4 Precinct B
Note: Excludes 2 noncontiguous portions North of Hilliard Ward 1 Precinct G
Pleasant Township
Prarie Township (part)
Precincts A, B, L, M
Precinct C (part)
Note: Excludes the noncontiguous portions circumscribed by all Precincts of Columbus Ward 78 except Precinct A.
Note: Excludes the noncontiguous portion that shares a border with Columbus Ward 78 Precinct A and Columbus Ward 78 Precinct F
Note: Excludes the noncontiguous portion that shares a border with Precinct F and Precinct G
Note: Excludes the noncontiguous portion that borders Columbus Ward 78 Precinct A and Columbus Ward 78 Precinct G

Precinct E (part)
Note: Excludes the noncontiguous portion circumscribed by Columbus Ward 78 Precinct H
Precinct K (part)
Note: Excludes the noncontiguous portion bordering Columbus Ward 67 Precinct B
Urbancrest

HOUSE DISTRICT 11

FRANKLIN COUNTY (part)
Brown Township (part)
Note: Includes noncontiguous portion circumscribed by Hilliard
Columbus (part)
Ward 64
Ward 60 (part)
Precincts B, D, E, F, G
Ward 69 (part)
Precincts B, C, D, E, F, G, H, J, N
Ward 77 (part)
Precinct F
Hilliard
Norwich Township (part)
Precincts B, C
Precinct A (part)
Note: Includes noncontiguous portions circumscribed by Hilliard
Note: Includes noncontiguous portion that borders both Brown Township Precinct B and Hilliard Ward 4 Precinct B
Note: Includes 2 noncontiguous portions North of Hilliard Ward 1 Precinct G
Perry Township (part)
Precinct B (part)
Note: Includes noncontiguous portions circumscribed by Columbus Ward 60 Precinct E
Note: Includes noncontiguous portions circumscribed by Columbus Ward 60 Precinct G
Note: Includes the southernmost noncontiguous portion that borders both Columbus Ward 60 Precinct A and Columbus Ward 60 Precinct C
Note: Includes noncontiguous portion that borders Columbus Ward 60 Precinct F
Note: Includes the noncontiguous portion that borders both Columbus Ward 60 Precinct G and Worthington Ward 1 Precinct C
Precinct C (part)
Note: Includes the noncontiguous portions circumscribed by Columbus Ward 60

Note: Includes the noncontiguous portion that borders Columbus Ward 64 Precinct B and Columbus Ward 64 Precinct E and Columbus Ward 64 Precinct F
Note: Includes the noncontiguous portion that borders Columbus Ward 64 Precinct A and Columbus Ward 64 Precinct B
Upper Arlington
Washington Township (part)
Note: Includes noncontiguous portion circumscribed by Columbus Ward 69 Precinct J
Note: Includes noncontiguous portion that borders Hilliard Ward 2 Precinct E and Columbus Ward 69 Precinct N

HOUSE DISTRICT 12
UNION COUNTY

FRANKLIN COUNTY (part)
Columbus (part)
Ward 69 (part)
Precincts A, I, K, L, M
Dublin
Washington Township (part)
Note: Excludes noncontiguous portion circumscribed by Columbus Ward 69 Precinct J
Note: Excludes noncontiguous portion that borders Hilliard Ward 2 Precinct E and Columbus Ward 69 Precinct N

HOUSE DISTRICT 13
CUYAHOGA COUNTY (part)
Cleveland (part)
Wards 13, 14
Ward 11 (part)
Precincts B, C, D, E, F, G, H, I, J, K, L, M, N, O, P
Precinct A (part)
Note: Includes census blocks: 390351964002022
390351964002023
390351964002024
390351964002025
390351964003002
390351964003003
390351964003005
390351964003008
Ward 12 (part)
Precinct A
Lakewood
Linndale

HOUSE DISTRICT 14

CUYAHOGA COUNTY (part)
- Berea
- Brook Park
- Cleveland (part)
  - Wards 16, 17
  - Ward 11 (part)
    - Precinct A (part)
      - Note: Includes census blocks: 390351964002026
        390351964002027
        390351964003001
        390351964003004
        390351964003006
        390351964003007
- Middleburg Heights
- Olmsted Falls
- Olmsted Township

HOUSE DISTRICT 15

CUYAHOGA COUNTY (part)
- Brooklyn
- Parma
- Parma Heights
- Seven Hills

HOUSE DISTRICT 16

CUYAHOGA COUNTY (part)
- Bay Village
- Fairview Park
- North Olmsted
- Rocky River
- Westlake

HOUSE DISTRICT 17

CUYAHOGA COUNTY (part)
- Brecksville
- Broadview Heights
- Brooklyn Heights
- Cuyahoga Heights
- Independence
- Newburgh Heights
- North Royalton
- Strongsville
- Valley View

HOUSE DISTRICT 18

CUYAHOGA COUNTY (part)
- Cleveland (part)
  - Wards 2, 4, 5, 6
  - Ward 1 (part)
    - Precincts A, B, C, D, E, F, G, H, I, J, K, L, M, O, R, S, T
  - Ward 9 (part)
    - Precincts L, P, R
    - Precinct H (part)
      - Note: Includes census block 390351183012007
    - Precinct I (part)
      - Note: Includes census blocks: 390351183013012
        390351183013014
        390351183013015
        390351183013016
        390351183013017
        390351183013018
    - Precinct K (part)
      - Note: Includes census blocks: 390351991001005
        390351991001007
        390351991001008
        390351991001009
        390351991001011
        390351991001012
        390351991001013
        390351991001014
        390351991002009
        390351991002010
        390351991002012
        390351991002013
        390351991002014
        390351991002015
        390351991002016
        390351991002017
        390351991002018
        390351991002019
  - Ward 12 (part)
    - Note: Excludes Precinct A

HOUSE DISTRICT 19

CUYAHOGA COUNTY (part)
- Euclid
- Gates Mills
- Highland Heights
- Lyndhurst
- Mayfield
- Richmond Heights
- South Euclid
- University Heights

HOUSE DISTRICT 20

CUYAHOGA COUNTY (part)
- Bratenahl
- Cleveland (part)
  - Wards 3, 7, 8, 10, 15
  - Ward 9 (part)
    - Precincts A, B, C, D, E, F, G, J, M, N, O, Q, S, T, U, V, W, X
      - Precinct H (part)
        - Note: Includes all census blocks except: 390351183012007
      - Precinct I (part)
        - Note: Includes census blocks: 390351183013000
          390351183013001
          390351183013002
          390351183013003
          390351183013013
      - Precinct K (part)
        - Note: Includes census blocks: 390351991001003
          390351991001004
          390351991002006
          390351991002007
          390351991002008
          390351991002011

HOUSE DISTRICT 21

CUYAHOGA COUNTY (part)
- Beachwood
- Cleveland (part)
  - Ward 1 (part)
    - Precincts N, P, Q
- Cleveland Heights
- East Cleveland
- Highland Hills
- North Randall
- Shaker Heights
- Warrensville Heights
- Woodmere

HOUSE DISTRICT 22

CUYAHOGA COUNTY (part)
- Bedford
- Bedford Heights
- Garfield Heights
- Hunting Valley
- Maple Heights
- Mayfield Heights
- Moreland Hills
- Orange
- Pepper Pike
- Solon (part)
  - Precincts 2A, 2B, 5A, 5B, 7A, 7B
- Walton Hills

HOUSE DISTRICT 23

CUYAHOGA COUNTY (part)
- Bentleyville
- Chagrin Falls
- Chagrin Falls Township
- Glenwillow
- Oakwood
- Solon (part)
  - Precincts 1A, 1B, 3A, 3B, 4A, 4B, 4C, 6A, 6B

GEAUGA COUNTY (part)
- Auburn Township
- Bainbridge Township
- Burton
- Burton Township

Chester Township
Hunting Valley
Newbury Township
Russell Township
South Russell
Troy Township

SUMMIT COUNTY (part)
Boston Heights
Macedonia
Northfield Center Township
Reminderville
Twinsburg
Twinsburg Township

HOUSE DISTRICT 24
HAMILTON COUNTY (part)
Cincinnati (part)
Wards 6, 8, 10, 11, 16, 17, 18, 19, 20, 21, 22, 25, 26

HOUSE DISTRICT 25
HAMILTON COUNTY (part)
Cincinnati (part)
Wards 7, 14, 15, 23, 24
Columbia Township (part)
Precinct C
Note: Includes noncontiguous portion that borders Norwood Precinct 4C
Elmwood Place
Golf Manor
Lincoln Heights
Mount Healthy
North College Hill
Springfield Township (part)
Precincts E, I, K, L
Wyoming

HOUSE DISTRICT 26

HAMILTON COUNTY (part)
- Cincinnati (part)
  - Wards 1, 2, 3, 4, 5, 9, 12, 13
- Columbia Township (part)
  - Precincts D, E
- Norwood
- St. Bernard

HOUSE DISTRICT 27

HAMILTON COUNTY (part)
- Anderson Township
- Columbia Township (part)
  - Precincts A, B, F, G, H, L
- Fairfax
- Loveland
- Madeira
- Marimont
- Milford
- Newtown
- Silverton
- Sycamore Township (part)
  - Precincts C, E, F, G, H, K, L, M, N
- Symmes Township
- Terrace Park
- The Village of Indian Hill

HOUSE DISTRICT 28

HAMILTON COUNTY (part)
- Amberly
- Arlington Heights
- Blue Ash
- Deer Park
- Evendale
- Glendale
- Lockland
- Montgomery
- Reading
- Sharonville
- Springdale
- Springfield Township (part)
  - Precincts A, B, C, F, G, H, J, M, N, O, P, Q, R, S, U, V, W, X, Y, Z, BB
- Sycamore Township (part)
  - Precincts A, B, D, I, J
- Woodlawn

HOUSE DISTRICT 29

HAMILTON COUNTY (part)
- Colerain Township
- Crosby Township
- Fairfield
- Forest Park
- Greenhills
- Harrison
- Harrison Township
- Springfield Township (part)
  - Precincts D, T, AA
- Whitewater Township

HOUSE DISTRICT 30

HAMILTON COUNTY (part)
- Addyston
- Cheviot
- Cleves
- Delhi Township
- Green Township
- Miami Township
- North Bend

HOUSE DISTRICT 31

SUMMIT COUNTY (part)
- Barberton
- Bath Township (part)
  - Precincts A, B, C, E, F, G
  - Precinct D (part)
    - Note: Excludes southernmost noncontiguous portion
- Boston Township
- Clinton
- Copley Township
- Coventry Township (part)
  - Note: Includes noncontiguous portion of Precinct E that borders Barberton Ward 1 Precinct C
- Hudson
- New Franklin
- Northfield
- Norton
- Peninsula
- Richfield
- Richfield Township
- Sagamore Hills Township

HOUSE DISTRICT 32

SUMMIT COUNTY (part)
- Akron (part)
  - Wards 3, 4, 9
  - Ward 6 (part)
    - Precincts A, E, F, G, H, J, K, L, M
- Coventry Township (part)
  - Note: Excludes noncontiguous portions circumscribed by Akron
  - Note: Excludes noncontiguous portion of Precinct E that borders Barberton Ward 1 Precinct C
- Green
- Lakemore
- Springfield Township

HOUSE DISTRICT 33

SUMMIT COUNTY (part)
- Akron (part)
  - Wards 1, 2, 5, 7, 10
  - Ward 6 (part)
    - Precincts B, C, D, I
- Coventry Township (part)
  - Note: Includes noncontiguous portions circumscribed by Akron
- Mogadore
- Tallmadge

HOUSE DISTRICT 34

SUMMIT COUNTY (part)
- Akron (part)
  - Ward 8
- Bath Township (part)
  - Precinct H
  - Precinct D (part)
    - Note: Includes southernmost noncontiguous portion
- Cuyahoga Falls
- Fairlawn
- Munroe Falls
- Silver Lake
- Stow

HOUSE DISTRICT 35

MONTGOMERY COUNTY (part)
- Butler Township
- Clay Township
- Clayton Township
- Dayton (part)
  - Ward 3 (part)
  - Note: Includes the noncontiguous northernmost portion bordering Vandalia
- Englewood
- Harrison Township
- Huber Heights
- Phillipsburg
- Riverside (part)
  - Note: Includes the northernmost portions bordering Huber Heights
- Union
- Vandalia
- Verona
- Wayne

HOUSE DISTRICT 36

MONTGOMERY COUNTY (part)
- Dayton (part)
  - Wards 8, 9, 10, 14, 20
  - Ward 11 (part)
    - Precincts A, C, D
  - Ward 19 (part)
    - Precincts B, D
- Jefferson Township (part)
  - Note: Includes the noncontiguous portions circumscribed by Dayton
  - Note: Includes the easternmost noncontiguous portions that border Moraine
- Kettering
- Moraine
- Oakwood

HOUSE DISTRICT 37

MONTGOMERY COUNTY (part)
- Carlisle
- Centerville
- Farmersville
- German Township
- Germantown
- Jackson Township
- Miami Township (part)
  - Precincts A, B, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T

Precinct C (part)
Note: Includes the noncontiguous portions that border Precinct J
Miamisburg
Springboro
Washington Township

HOUSE DISTRICT 38
MONTGOMERY COUNTY (part)
Dayton (part)
Wards 1, 2, 4, 5, 6, 7, 12, 13, 15, 16, 17, 18, 21, 22, 23
Ward 3 (part)
Note: Excludes the noncontiguous northernmost portion bordering Vandalia
Ward 11 (part)
Precinct B
Ward 19 (part)
Precincts A, C
Riverside (part)
Note: Excludes the northernmost portions bordering Huber Heights
Trotwood (part)
Note: Includes the noncontiguous portions circumscribed by Dayton

HOUSE DISTRICT 39
PREBLE COUNTY

BUTLER COUNTY (part)
Jacksonburg
Madison Township (part)
Note: Includes the noncontiguous portions circumscribed by Trenton
Milford Township
Seven Mile
St. Clair Township (part)
Note: Includes the noncontiguous portion circumscribed by Trenton
Trenton
Wayne Township

MONTGOMERY COUNTY (part)
Brookville
Jefferson Township (part)
Note: Excludes the noncontiguous portions circumscribed by Dayton
Note: Excludes the easternmost noncontiguous portions that border Moraine
Miami Township (part)
Precinct C (part)
Note: Excludes the noncontiguous portions that border Precinct J

New Lebanon
Perry Township
Trotwood (part)
Note: Excludes the noncontiguous portions circumscribed by Dayton
West Carrollton

HOUSE DISTRICT 40

LUCAS COUNTY (part)
Harbor View
Holland
Jerusalem Township
Maumee
Oregon
Springfield Township
Toledo (part)
Ward 3
Ward 1 (part)
Precincts A, C, D, F, G, H, I, J
Ward 16 (part)
Precincts E, G, H
Ward 18 (part)
Precincts B, D, E
Ward 23 (part)
Precincts B, C, D, F, G, I, J, L
Washington Township

HOUSE DISTRICT 41

LUCAS COUNTY (part)
Toledo (part)
Wards 2, 4, 8, 9, 10, 11, 12, 13, 17, 19, 20
Ward 1 (part)
Precincts B, E
Ward 18 (part)
Precincts A, C, F

HOUSE DISTRICT 42

LUCAS COUNTY (part)
- Ottawa Hills
- Sylvania Township (part)
  - Note: Includes noncontiguous portion circumscribed by Toledo Ward 23
- Toledo (part)
  - Wards 5, 6, 7, 14, 15, 21, 22, 24
  - Ward 16 (part)
    - Precincts A, B, C, D, F, I, J
  - Ward 23 (part)
    - Precincts A, E, H, K

HOUSE DISTRICT 43

HANCOCK COUNTY (part)
- Allen Township (part)
  - Note: Excludes the noncontiguous portion north of Liberty North and south of the northern border of Findlay Ward 7 Precinct A
- Arcadia
- Cass Township
- Fostoria
- McComb
- Pleasant Township
- Portage Township
- Van Buren
- Washington Township

LUCAS COUNTY (part)
- Berkey
- Harding Township
- Monclova
- Providence Township
- Richfield Township
- Spencer Township
- Swanton
- Swanton Township
- Sylvania
- Sylvania Township (part)
  - Note: Excludes noncontiguous portion circumscribed by Toledo Ward 23
- Waterville
- Waterville Township
- Whitehouse

WOOD COUNTY (part)
- Custar
- Grand Rapids

Grand Rapids Township
Haskins
Hoytville
Jackson Township
Liberty Township
Middleton Township (part)
Note: Excludes noncontiguous portions circumscribed by Perrysburg
Milton Center
Milton Township
Plain Township (part)
Note: Excludes the noncontiguous portions surrounded by Bowling Green
Note: Excludes the noncontiguous portions that border both Bowling Green and Center Township
Tontogany
Washington Township
Weston
Weston Township

HOUSE DISTRICT 44

BUTLER COUNTY (part)
College Corner
Fairfield Township (part)
Precincts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19
Hamilton
Hanover Township
Millville
Oxford
Oxford Township
Reily Township
Ross Township (part)
Note: Includes the noncontiguous portion circumscribed by Hamilton
St. Clair Township (part)
Note: Includes the southernmost noncontiguous portion that borders Ross Township Precinct 4
Note: Includes the noncontiguous portion circumscribed by Hamilton

HOUSE DISTRICT 45

BUTLER COUNTY (part)
Fairfield
Fairfield Township (part)
Precinct 14
Morgan Township
Ross Township (part)
Note: Excludes the noncontiguous portion circumscribed by Hamilton
Sharonville
West Chester Township

HOUSE DISTRICT 46

BUTLER COUNTY (part)
- Lemon Township
- Liberty Township
- Madison Township (part)
  - Note: Excludes the noncontiguous portions circumscribed by Trenton
- Middletown
- Monroe
- New Miami
- St. Clair Township (part)
  - Note: Excludes the southernmost noncontiguous portion that borders Ross Township Precinct 4
  - Note: Excludes the noncontiguous portion circumscribed by Trenton
  - Note: Excludes the noncontiguous portion circumscribed by Hamilton

HOUSE DISTRICT 47

STARK COUNTY (part)
- Canal Fulton
- Canton Township (part)
  - Precincts 2, 4, 5, 7
  - Precinct 1 (part)
    - Note: Excludes noncontiguous portions circumscribed by Canton
  - Precinct 6 (part)
    - Note: Excludes noncontiguous portion circumscribed by Canton
    - Note: Excludes northernmost noncontiguous portion bordering Plain Township Precinct 23
- East Canton
- Jackson Township (part)
  - Note: Includes the noncontiguous portions circumscribed by Massillon
- Lawrence Township
- Louisville
- Magnolia
- Massillon
- Minerva
- Nimishillen Township (part)
  - Precinct 5
  - Precinct 1 (part)
    - Note: Includes noncontiguous portions circumscribed by Louisville
  - Precinct 2 (part)
    - Note: Includes noncontiguous portions circumscribed by Louisville
- Osnaburg Township (part)
  - Note: Excludes noncontiguous portion circumscribed by Canton
- Paris Township
- Perry Township (part)

Note: Excludes the two noncontiguous portions of Precinct 4 that border Tuscarawas Township
Sandy Township
Tuscarawas Township (part)
Precinct 1
Precinct 2 (part)
Note: Includes noncontiguous portions circumscribed by Massillon
Washington Township (part)
Note: Excludes noncontiguous portion circumscribed by Alliance
Waynesburg

HOUSE DISTRICT 48

STARK COUNTY (part)
Alliance
Hartville
Lake Township
Lexington Township
Marlboro Township
Nimishillen Township (part)
Precincts 3, 4, 6, 7
Precinct 1 (part)
Note: Excludes noncontiguous portions circumscribed by Louisville
Precinct 2 (part)
Note: Excludes noncontiguous portions circumscribed by Louisville
North Canton
Plain Township (part)
Precincts 3, 5, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28
Precinct 2 (part)
Note: Includes the noncontiguous portions that border North Canton Precinct 4B or 4C
Precinct 4 (part)
Note: Excludes the noncontiguous portions circumscribed by Canton
Precinct 6 (part)
Note: Excludes the noncontiguous portion circumscribed by Canton
Precinct 12 (part)
Note: Excludes the noncontiguous portion circumscribed by Canton
Precinct 23 (part)
Note: Excludes the noncontiguous portions circumscribed by Canton
Note: Excludes the noncontiguous portions that border Nimishillen Precinct 1
Washington Township (part)
Note: Includes noncontiguous portion circumscribed by Alliance

HOUSE DISTRICT 49

STARK COUNTY (part)
- Canton
- Canton Township (part)
  - Precinct 1 (part)
    - Note: Includes noncontiguous portions circumscribed by Canton
  - Precinct 3
  - Precinct 6 (part)
    - Note: Includes noncontiguous portion circumscribed by Canton
    - Note: Includes northernmost noncontiguous portion bordering Plain Township Precinct 23
- Hills and Dales
- Jackson Township (part)
  - Note: Excludes the noncontiguous portions circumscribed by Massillon
- Meyers Lake
- Osnaburg Township (part)
  - Note: Includes noncontiguous portion circumscribed by Canton
- Plain Township (part)
  - Precincts 1, 7, 13, 21
  - Precinct 2 (part)
    - Note: Excludes the noncontiguous portions that border North Canton Precinct 4B or 4C
  - Precinct 4 (part)
    - Note: Includes the noncontiguous portions circumscribed by Canton
  - Precinct 6 (part)
    - Note: Includes the noncontiguous portion circumscribed by Canton
  - Precinct 12 (part)
    - Note: Includes the noncontiguous portion circumscribed by Canton
  - Precinct 23 (part)
    - Note: Includes the noncontiguous portions circumscribed by Canton
    - Note: Includes the noncontiguous portions that border Nimishillen Precinct 1

HOUSE DISTRICT 50

TUSCARAWAS COUNTY

STARK COUNTY (part)
- Beach City
- Bethlehem Township
- Brewster
- East Sparta
- Navarre
- Perry Township (part)
  - Note: Includes the two noncontiguous portions of Precinct 4 that border Tuscarawas Township

Pike Township
Sugar Creek Township
Tuscarawas Township (part)
Precincts 3, 4
Precinct 2 (part)
Note: Excludes noncontiguous portions circumscribed by Massillon
Wilmot

HOUSE DISTRICT 51

LORAIN COUNTY (part)
Carlisle Township (part)
Note: Includes noncontiguous portions circumscribed by Elyria
Eaton Township (part)
Note: Includes noncontiguous portion circumscribed by Elyria
Elyria
Elyria Township
Lorain
Sheffield Township

HOUSE DISTRICT 52

LORAIN COUNTY (part)
Avon
Avon Lake
Carlisle Township (part)
Note: Excludes noncontiguous portions circumscribed by Elyria
Columbia Township
Eaton Township (part)
Note: Excludes noncontiguous portion circumscribed by Elyria
Grafton (part)
Note: Excludes noncontiguous portion circumscribed by Grafton Township
Precinct 1
North Ridgeville
Sheffield
Sheffield Lake

HOUSE DISTRICT 53
HURON COUNTY

LORAIN COUNTY (part)
- Amherst
- Amherst Township
- Brighton Township
- Brownhelm Township
- Camden Township
- Grafton (part)
  - Note: Includes the noncontiguous portion circumscribed by Grafton Township Precinct 1
- Grafton Township
- Henrietta Township
- Huntington Township
- Kipton
- LaGrange
- LaGrange Township
- New Russia Township
- Oberlin
- Penfield Township
- Pittsfield Township
- Rochester
- Rochester Township
- South Amherst
- Vermillion
- Wellington
- Wellington Township

HOUSE DISTRICT 54
WARREN COUNTY (part)
- Deerfield Township
- Lebanon
- Mason
- Monroe
- South Lebanon
- Turtlecreek Township
- Union Township

HOUSE DISTRICT 55

WARREN COUNTY (part)

- Blanchester
- Butlerville
- Carlisle
- Clear Creek Township
- Corwin
- Franklin
- Franklin Township
- Hamilton Township
- Harlan Township
- Harveysburg
- Loveland
- Maineville
- Massie Township
- Middletown
- Morrow
- Pleasant Plain
- Salem Township
- Springboro
- Washington Township
- Wayne Township
- Waynesville

HOUSE DISTRICT 56

LAKE COUNTY (part)

- Eastlake
- Lakeline
- Mentor
- Mentor-on-the-Lake
- Timberlake
- Waite Hill
- Wickliffe
- Willoughby
- Willowick

HOUSE DISTRICT 57

ASHTABULA COUNTY (part)

- Austinburg Township
- Geneva
- Geneva-on-the-Lake
- Geneva Township
- Harpersfield Township
- Morgan Township
- Rock Creek

LAKE COUNTY (part)
- Concord Township
- Fairport Harbor
- Grand River
- Kirtland
- Kirtland Hills
- Leroy Township
- Madison
- Madison Township
- North Perry
- Painesville
- Painesville Township
- Perry
- Perry Township
- Willoughby Hills

HOUSE DISTRICT 58

MAHONING COUNTY (part)
- Austintown Township
- Campbell
- Coitsville Township
- Lowellville
- Struthers
- Youngstown

HOUSE DISTRICT 59

COLUMBIANA COUNTY (part)
- Butler Township
- Knox Township
- Minerva
- West Township

MAHONING COUNTY (part)
- Alliance
- Beaver Township
- Beloit
- Berlin Township
- Boardman
- Canfield
- Canfield Township
- Craig Beach
- Ellsworth Township
- Fairfield

Goshen Township
Green Township
Jackson Township
Milton Township
New Middletown
Perry
Poland
Poland Township
Sebring
Smith Township
Springfield Township
Washingtonville

HOUSE DISTRICT 60

DELAWARE COUNTY (part)

Ashley
Berlin Township
Brown Township
Concord Township
Delaware
Delaware Township
Dublin
Kingston Township
Liberty Township
Marlboro Township
Ostrander
Oxford Township
Powell
Radnor Township
Shawnee Hills
Scioto Township
Thompson Township
Troy Township

HOUSE DISTRICT 61

DELAWARE COUNTY (part)

Berkshire Township
Columbus
Galena
Genoa Township
Harlem Township
Orange Township
Porter Township
Sunbury
Trenton Township
Westerville

MORROW COUNTY (part)
- Bennington Township
- Cardington
- Cardington Township
- Fulton
- Harmony Township
- Lincoln Township
- Marengo
- Peru Township
- Westfield Township

HOUSE DISTRICT 62

CLERMONT COUNTY (part)
- Goshen Township
- Loveland
- Miami Township
- Milford
- Owensville
- Stonelick Township
- Union Township

HOUSE DISTRICT 63

BROWN COUNTY (part)
- Clark Township
- Fayetteville
- Georgetown
- Green Township
- Hamersville
- Higginsport
- Lewis Township
- Mount Orab
- Perry Township
- Pike Township
- Pleasant Township
- Scott Township
- Sterling Township

CLERMONT COUNTY (part)
- Batavia
- Batavia Township
- Bethel
- Chilo
- Felicity
- Franklin Township

Jackson Township
Monroe Township
Moscow
Neville
New Richmond
Ohio Township
Pierce Township
Tate Township
Washington Township
Wayne Township
Williamsburg
Williamsburg Township

HOUSE DISTRICT 64

TRUMBULL COUNTY (part)

Girard
Howland Township
Hubbard
Hubbard Township
Liberty Township
McDonald
Niles
Vienna Township
Warren
Warren Township (part)
Note: Includes noncontiguous portions circumscribed by the City of Warren
Weathersfield Township
Youngstown

HOUSE DISTRICT 65

PORTAGE COUNTY (part)

- Atwater Township
- Charlestown Township
- Deerfield Township
- Edinburg Township
- Freedom Township
- Garrettsville
- Hiram
- Hiram Township
- Mantua
- Mantua Township
- Nelson Township
- Palmyra Township
- Paris Township
- Shalersville Township
- Windham
- Windham Township

TRUMBULL COUNTY (part)

- Bazetta Township
- Bloomfield Township
- Braceville Township
- Bristol Township
- Brookfield Township
- Champion Township
- Courtland
- Farmington Township
- Fowler Township
- Greene Township
- Gustavus Township
- Hartford Township
- Johnston Township
- Kinsman Township
- Lordstown
- Mecca Township
- Mesopotamia Township
- Newton Falls
- Newton Township
- Orangeville
- Southington Township
- Vernon Township
- Warren Township (part)
  - Note: Excludes noncontiguous portions circumscribed by the City of Warren
- West Farmington
- Yankee Lake

HOUSE DISTRICT 66

MEDINA COUNTY (part)

- Canaan
- Chippewa Lake
- Gloria Glens Park
- Granger Township
- Guilford Township
- Harrisville Township
- Hinckley Township
- Lafayette Township
- Lodi
- Medina
- Medina Township
- Montville Township
- Rittman
- Seville
- Sharon Township
- Wadsworth
- Wadsworth Township
- Westfield Center
- Westfield Township
- York Township (part)
  - Note: Includes the easternmost noncontiguous portion of Precinct A
  - Note: Includes the noncontiguous portion touching the northern boundary of Lafayette Township Precinct D
  - Note: Includes noncontiguous portions circumscribed by Medina

HOUSE DISTRICT 67

ASHLAND COUNTY

MEDINA COUNTY (part)

- Brunswick
- Brunswick Hills Township
- Chatham Township
- Homer Township
- Litchfield Township
- Liverpool Township
- Spencer
- Spencer Township
- York Township (part)
  - Note: Excludes the easternmost noncontiguous portion of Precinct A
  - Note: Excludes the noncontiguous portion touching the northern boundary of Lafayette Township Precinct D
  - Note: Excludes noncontiguous portions circumscribed by Medina

HOUSE DISTRICT 68

LICKING COUNTY (part)

- Alexandria
- Bennington Township
- Burlington Township
- Granville
- Granville Township
- Harrison Township (part)
  - Note: Includes the noncontiguous portion circumscribed by Pataskala
- Hartford (Croton)
- Hartford Township
- Heath
- Jersey Township
- Johnstown
- Liberty Township
- Madison Township (part)
  - Note: Includes noncontiguous portion circumscribed by Newark
- McKean Township
- Monroe Township
- New Albany
- Newark
- Newark Township
- Newton Township
- Pataskala (part)
  - Note: Excludes the south-westernmost noncontiguous portion of Pataskala Precinct 1B
- St. Albans Township
- St. Louisville

HOUSE DISTRICT 69

COSHOCTON COUNTY

HOLMES COUNTY (part)

- Baltic
- Clark Township
- Glenmont
- Killbuck
- Killbuck Township
- Mechanic Township
- Richland Township
- Walnut Creek Township

LICKING COUNTY (part)

- Bowling Green Township
- Buckeye Lake

Eden Township
Etna Township
Fallsbury
Franklin Township
Gratiot
Hanover
Hanover Township
Harrison Township (part)
Note: Excludes the noncontiguous portion circumscribed by Pataskala
Hebron
Hopewell Township
Kirkersville
Licking Township
Madison Township (part)
Note: Excludes noncontiguous portion circumscribed by Newark
Mary Ann Township
Pataskala (part)
Note: Includes the south-westernmost noncontiguous portion of Pataskala Precinct 1B
Perry Township
Reynoldsburg
Union Township
Utica
Washington Township

HOUSE DISTRICT 70

GREENE COUNTY (part)
Bath Township
Beavercreek
Beavercreek Township
Bellbrook
Caesarscreek Township
Centerville
Dayton
Fairborn
Kettering
Spring Valley
Spring Valley Township
Sugarcreek Township
Wright Patterson AFB

HOUSE DISTRICT 71

MADISON COUNTY

CLARK COUNTY (part)
- Clifton
- Enon
- Green Township
- Harmony Township
- Mad River Township
- Madison Township
- South Charleston
- South Vienna

GREENE COUNTY (part)
- Bowersville
- Cedarville
- Cedarville Township
- Clifton
- Jamestown
- Jefferson Township
- Miami Township
- New Jasper Township
- Ross Township
- Silvercreek Township
- Xenia
- Xenia Township
- Yellow Springs

HOUSE DISTRICT 72

PORTAGE COUNTY (part)
- Aurora
- Brimfield Township
- Franklin Township
- Kent
- Mogadore
- Randolph Township
- Ravenna
- Ravenna Township
- Rootstown
- Streetsboro
- Suffield Township
- Sugar Bush Knolls
- Tallmadge

HOUSE DISTRICT 73

FAIRFIELD COUNTY (part)
- Baltimore
- Buckeye Lake
- Canal Winchester (part)
  - Note: Excludes the southernmost noncontiguous portion
- Carroll
- Columbus
- Greenfield Township
- Lancaster
- Liberty Township
- Pickerington
- Pleasant Township
- Pleasantville
- Millersport
- Reynoldsburg
- Thurston
- Violet Township (part)
  - Note: Excludes the southernmost noncontiguous portion of Precinct D that touches the Franklin County border
- Walnut Township

HOUSE DISTRICT 74

HOCKING COUNTY
PICKAWAY COUNTY

FAIRFIELD COUNTY (part)
- Amanda
- Amanda Township
- Berne Township
- Bloom Township
- Bremen
- Canal Winchester (part)
  - Note: Includes the southernmost noncontiguous portion
- Clearcreek Township
- Hocking Township
- Lithopolis
- Madison Township
- Richland Township
- Rush Creek Township
- Rushville
- Stoutsville
- Sugar Grove
- Tarlton
- Violet Township (part)

Note: Includes the southernmost noncontiguous portion of Precinct D that touches the Franklin County border
West Rushville

HOUSE DISTRICT 75
CLARK COUNTY (part)
Bethel Township
Catawba
Donnelsville
German Township
Moorefield Township
New Carlisle
North Hampton
Pike Township
Pleasant Township
Springfield
Springfield Township
Tremont City

HOUSE DISTRICT 76
WOOD COUNTY (part)
Bairdstown
Bloom Township
Bloomdale
Bowling Green
Bradner
Center Township
Cygnet
Fostoria
Freedom Township
Henry Township
Jerry City
Lake Township
Luckey
Middleton Township (part)
Note: Includes noncontiguous portions circumscribed by Perrysburg
Millbury
Montgomery Township
North Baltimore
Northwood
Pemberville
Perry Township
Perrysburg
Perrysburg Township

Plain Township (part)
Note: Includes the noncontiguous portions surrounded by Bowling Green
Note: Includes the noncontiguous portions that border both Bowling Green and Center Township
Portage
Portage Township
Risingsun
Rossford
Troy Township
Walbridge
Wayne
Webster Township
West Millgrove

HOUSE DISTRICT 77
RICHLAND COUNTY

HOUSE DISTRICT 78
WAYNE COUNTY

HOUSE DISTRICT 79
CARROLL COUNTY

COLUMBIANA COUNTY (part)
Center Township
Columbiana
East Liverpool
East Palestine
Elkrun Township
Fairfield Township
Franklin Township
Hanover Township
Hanoverton
Leetonia
Lisbon
Liverpool Township
Madison Township
Middleton Township
New Waterford
Perry Township
Rogers
Salem
Salem Township

Salineville
St. Clair Township
Summitville
Unity Township
Washington Township
Washingtonville
Wayne Township
Wellsville
Yellow Creek Township

HOUSE DISTRICT 80
MIAMI COUNTY

DARKE COUNTY (part)
Arcanum
Butler Township
Castine
Franklin Township
Gordon
Harrison Township
Hollansburg
Ithaca
Liberty Township
Monroe Township
Neave Township
New Madison
Palestine
Pitsburg
Twin Township
Van Buren Township
Wayne Lakes

HOUSE DISTRICT 81
FULTON COUNTY
HENRY COUNTY
WILLIAMS COUNTY

DEFIANCE COUNTY (part)
Adams Township
Farmer Township
Milford Township
Ney
Tiffin Township
Washington Township

HOUSE DISTRICT 82
MERCER COUNTY
PAULDING COUNTY
VAN WERT COUNTY

DEFIANCE COUNTY (part)
- Defiance
- Defiance Township
- Delaware Township
- Hicksville
- Hicksville Township
- Highland Township
- Mark Township
- Noble Township
- Richland Township
- Sherwood

HOUSE DISTRICT 83
PUTNUM COUNTY

HANCOCK COUNTY (part)
- Allen Township (part)
  - Note: Includes the noncontiguous portion north of Liberty North and south of the northern border of Findlay Ward 7 Precinct A
- Amanda Township
- Arlington
- Benton Ridge
- Big Lick Township
- Blanchard Township
- Bluffton
- Delaware Township
- Eagle Township
- Findlay
- Jackson Township
- Jenera
- Liberty Township
- Madison Township
- Marion Township
- Mount Blanchard
- Mount Cory
- Orange Township
- Rawson
- Union Township
- Van Buren Township
- Vanlue

WYANDOT COUNTY (part)
- Carey
- Crane Township
- Crawford Township
- Jackson Township
- Kirby
- Mifflin Township
- Richland Township
- Ridge Township
- Salem Township
- Upper Sandusky
- Wharton

HOUSE DISTRICT 84
SHELBY COUNTY

AUGLAIZE COUNTY (part)
- Clay Township
- Duchouquet Township (part)
  - Note: Includes the noncontiguous portions circumscribed by Wapakoneta
  - Note: Includes the noncontiguous portion of Precinct E that borders Wapakoneta Precinct 3A and Wapakoneta Precinct 3B
  - Note: Includes the noncontiguous portion of Precinct W that borders both Wapakoneta Precinct 1A and Wapakoneta Precinct 4B
  - Note: Includes the noncontiguous portion of Precinct W that borders both Wapakoneta Precinct 4B and Wapakoneta Precinct 3A
- German Township
- Jackson Township
- Minster
- New Bremen
- New Knoxville
- Noble Township (part)
  - Note: Includes the two noncontiguous portions south of the northern border of St. Marys Precinct 4A
- Pusheta Township
- St. Marys
- St. Marys Township
- Wapakoneta (part)
  - Note: Excludes the noncontiguous piece of Precinct 2B that is along the western border of Duchouquet Township Precinct E
- Washington Township

DARKE COUNTY (part)
- Adams Township

Allen Township
Ansonia
Bradford
Brown Township
Burkettsville
Gettysburg
Greenville
Greenville Township
Jackson Township
Mississinawa Township
New Weston
North Star
Osgood
Patterson Township
Richland Township
Rossburg
Union City
Versailles
Wabash Township
Washington Township
Wayne Township
York Township
Yorkshire

HOUSE DISTRICT 85
CHAMPAIGN COUNTY
HARDIN COUNTY
LOGAN COUNTY

HOUSE DISTRICT 86
ALLEN COUNTY

AUGLAIZE COUNTY (part)
- Buckland
- Cridersville
- Duchouquet Township (part)
  - Note: Excludes the noncontiguous portions circumscribed by Wapakoneta
  - Note: Excludes the noncontiguous portion of Precinct E that borders Wapakoneta Precinct 3A and Wapakoneta Precinct 3B
  - Note: Excludes the noncontiguous portion of Precinct W that borders both Wapakoneta Precinct 1A and Wapakoneta Precinct 4B
  - Note: Excludes the noncontiguous portion of Precinct W that borders both Wapakoneta Precinct 4B and Wapakoneta Precinct 3A
- Goshen Township
- Logan Township
- Moulton Township
- Noble Township (part)
  - Note: Excludes the two noncontiguous portions south of the northern border of St. Marys Precinct 4A
- Salem Township
- Union Township
- Wapakoneta (part)
  - Note: Only includes the noncontiguous piece of Precinct 2B that is along the western border of Duchouquet Township Precinct E
- Wayne Township
- Waynesfield

HOUSE DISTRICT 87
CRAWFORD COUNTY
MARION COUNTY

WYANDOT COUNTY (part)
- Antrim Township
- Eden Township
- Harpster
- Marseilles
- Marseilles Township
- Nevada
- Pitt Township
- Sycamore
- Sycamore Township
- Tymochtee Township

HOUSE DISTRICT 88
SANDUSKY COUNTY
SENECA COUNTY

HOUSE DISTRICT 89
ERIE COUNTY
OTTAWA COUNTY

HOUSE DISTRICT 90
ADAMS COUNTY
SCIOTO COUNTY

BROWN COUNTY (part)
- Aberdeen
- Byrd Township
- Eagle Township
- Franklin Township
- Huntington Township
- Jackson Township
- Jefferson Township
- Ripley
- Russellville
- Sardinia
- Union Township
- Washington Township

HOUSE DISTRICT 91
CLINTON COUNTY
FAYETTE COUNTY
HIGHLAND COUNTY

HOUSE DISTRICT 92
GALLIA COUNTY
ROSS COUNTY
VINTON COUNTY

HOUSE DISTRICT 93
JACKSON COUNTY
LAWRENCE COUNTY
PIKE COUNTY

HOUSE DISTRICT 94
ATHENS COUNTY
MEIGS COUNTY
MORGAN COUNTY

WASHINGTON COUNTY (Part)
- Barlow Township
- Belpre
- Belpre Township
- Decatur Township
- Dunham Township
- Fairfield Township
- Palmer Township
- Warren Township
- Wesley Township

HOUSE DISTRICT 95
GUERNSEY COUNTY
HARRISON COUNTY
NOBLE COUNTY

BELMONT COUNTY (part)
- Fairview
- Flushing
- Flushing Township
- Holloway
- Kirkwood Township
- Morristown
- Richland Township
- St. Clairsville
- Union Township
- Wheeling Township

WASHINGTON COUNTY (part)
- Adams Township
- Aurelius Township
- Beverly
- Fearing Township
- Grandview Township
- Independence Township
- Lawrence Township
- Liberty Township
- Lowell
- Lower Salem

Ludlow Township
Macksburg
Marietta
Marietta Township
Matamoras
Muskingum Township
Newport Township
Salem Township
Waterford Township
Watertown Township

HOUSE DISTRICT 96
JEFFERSON COUNTY
MONROE COUNTY

BELMONT COUNTY (part)
Barnesville
Bellaire
Belmont
Bethesda
Bridgeport
Brookside
Colerain Township
Goshen Township
Martins Ferry
Mead Township
Pease Township
Powhatan Point
Pultney Township
Shadyside
Smith Township
Somerset Township
Warren Township
Washington Township
Wayne Township
Wilson
York Township
Yorkville

HOUSE DISTRICT 97
MUSKINGUM COUNTY
PERRY COUNTY

HOUSE DISTRICT 98
KNOX COUNTY

HOLMES COUNTY (part)
- Berlin Township
- Hardy Township
- Holmesville
- Knox Township
- Loudonville
- Millersburg
- Monroe Township
- Nashville
- Paint Township
- Prairie Township
- Ripley Township
- Salt Creek Township
- Washington Township

MORROW COUNTY (Part)
- Canaan Township
- Chester Township
- Chesterville
- Congress Township
- Edison
- Franklin Township
- Galion
- Gilead Township
- Mount Gilead
- North Bloomfield Township
- Perry Township
- South Bloomfield Township
- Sparta
- Troy Township
- Washington Township

HOUSE DISTRICT 99

ASHTABULA COUNTY (part)

- Andover
- Andover Township
- Ashtabula
- Ashtabula Township
- Cherry Valley Township
- Colebrook Township
- Conneaut
- Denmark Township
- Dorset Township
- Hartsgrove
- Jefferson
- Jefferson Township
- Kingsville Township
- Lenox Township
- Monroe Township
- New Lyme Township
- North Kingsville
- Orwell
- Orwell Township
- Pierpont Township
- Plymouth Township
- Richmond Township
- Roaming Shores
- Rome Township
- Saybrook Township
- Sheffield Township
- Trumbull Township
- Wayne Township
- Williamsfield Township
- Windsor Township

GEAUGA COUNTY (part)
- Aquilla
- Chardon
- Chardon Township
- Claridon Township
- Hambden Township
- Huntsburg Township
- Middlefield
- Middlefield Township
- Montville Township
- Munson Township
- Parkman Township
- Thompson Township

Ohio's 33 Senate districts are comprised of the following Ohio House districts.

Senate District 1:	House Districts 81, 82, 83	
Senate District 2:	House Districts 43, 76, 89	
Senate District 3:	House Districts 4, 5, 6	
Senate District 4:	House Districts 44, 45, 46	
Senate District 5:	House Districts 35, 39, 80	
Senate District 6:	House Districts 36, 37, 38	
Senate District 7:	House Districts 27, 54, 55	
Senate District 8:	House Districts 28, 29, 30	
Senate District 9:	House Districts 24, 25, 26	
Senate District 10:	House Districts 70, 71, 75	
Senate District 11:	House Districts 40, 41, 42	
Senate District 12:	House Districts 84, 85, 86	
Senate District 13:	House Districts 51, 52, 53	
Senate District 14:	House Districts 62, 63, 90	
Senate District 15:	House Districts 1, 2, 3	
Senate District 16:	House Districts 10, 11, 12	
Senate District 17:	House Districts 91, 92, 93	
Senate District 18:	House Districts 56, 57, 99	Assigned to Senator Cirino
Senate District 19:	House Districts 60, 61, 98	
Senate District 20:	House Districts 73, 74, 97	
Senate District 21:	House Districts 19, 21, 22	
Senate District 22:	House Districts 66, 67, 78	Assigned to Senator Romanchuk
Senate District 23:	House Districts 13, 18, 20	
Senate District 24:	House Districts 14, 15, 16	Assigned to Senator Dolan
Senate District 25:	House Districts 7, 8, 9	
Senate District 26:	House Districts 77, 87, 88	Assigned to Senator Reineke
Senate District 27:	House Districts 17, 23, 31	
Senate District 28:	House Districts 32, 33, 34	
Senate District 29:	House Districts 47, 48, 49	
Senate District 30:	House Districts 94, 95, 96	
Senate District 31:	House Districts 50, 68, 69	
Senate District 32:	House Districts 64, 65, 72	Assigned to Senator O'Brien
Senate District 33:	House Districts 58, 59, 79	

All of the above assignments of Senators are made pursuant to Section 5, Article XI of the Ohio Constitution.

Statistical Information – Ohio House Districts

House District	Population	Deviation
1	115,498	-3.09%
2	117,559	-1.37%
3	114,104	-4.26%
4	114,500	-3.93%
5	116,735	-2.06%
6	115,517	-3.08%
7	115,170	-3.37%
8	115,189	-3.35%
9	120,997	1.52%
10	113,326	-4.92%
11	114,236	-4.15%
12	113,760	-4.55%
13	124,554	4.50%
14	125,064	4.93%
15	125,088	4.95%
16	121,879	2.26%
17	124,819	4.73%
18	123,226	3.39%
19	124,679	4.61%
20	125,098	4.96%
21	122,023	2.38%
22	124,633	4.57%
23	122,775	3.01%
24	123,469	3.59%
25	123,568	3.68%
26	124,802	4.71%
27	116,286	-2.43%
28	114,050	-4.31%
29	114,653	-3.80%
30	113,811	-4.51%
31	124,467	4.43%
32	122,679	2.93%
33	123,791	3.86%
34	121,807	2.20%
35	121,171	1.67%

36	114,991	-3.52%
37	125,125	4.98%
38	122,075	2.42%
39	116,366	-2.37%
40	113,280	-4.96%
41	113,996	-4.35%
42	115,350	-3.22%
43	115,804	-2.84%
44	123,473	3.60%
45	123,472	3.60%
46	121,992	2.35%
47	115,745	-2.89%
48	113,975	-4.37%
49	124,555	4.50%
50	113,841	-4.48%
51	125,115	4.97%
52	124,642	4.58%
53	121,772	2.17%
54	121,704	2.11%
55	120,633	1.21%
56	124,454	4.42%
57	124,671	4.60%
58	116,292	-2.43%
59	123,105	3.29%
60	113,964	-4.38%
61	113,860	-4.47%
62	124,425	4.40%
63	113,544	-4.73%
64	124,731	4.65%
65	117,025	-1.81%
66	116,342	-2.39%
67	118,575	-0.51%
68	115,385	-3.19%
69	114,369	-4.04%
70	116,643	-2.13%
71	115,026	-3.49%
72	122,012	2.37%
73	123,971	4.01%
74	121,539	1.97%

75	116,122	-2.57%
76	116,323	-2.40%
77	124,936	4.82%
78	116,894	-1.92%
79	117,815	-1.15%
80	124,211	4.22%
81	113,487	-4.78%
82	122,541	2.81%
83	113,996	-4.35%
84	118,816	-0.31%
85	115,560	-3.04%
86	114,486	-3.94%
87	113,433	-4.83%
88	113,965	-4.38%
89	115,986	-2.68%
90	115,793	-2.85%
91	114,286	-4.11%
92	119,113	-0.06%
93	117,981	-1.01%
94	122,131	2.47%
95	124,027	4.06%
96	124,223	4.23%
97	121,818	2.21%
98	113,571	-4.71%
99	125,112	4.97%

Statistical Information – Ohio Senate Districts

Senate District	Population	Deviation
1	350,024	-2.11%
2	348,113	-2.64%
3	346,752	-3.02%
4	368,937	3.18%
5	361,748	1.17%
6	362,191	1.30%
7	358,623	0.30%
8	342,514	-4.21%
9	371,839	3.99%
10	347,791	-2.73%
11	342,626	-4.18%
12	348,862	-2.43%
13	371,529	3.91%
14	353,762	-1.06%
15	347,161	-2.91%
16	341,322	-4.54%
17	351,380	-1.73%
18	374,237	4.66%
19	341,395	-4.52%
20	367,328	2.73%
21	371,335	3.85%
22	351,811	-1.61%
23	372,878	4.28%
24	372,031	4.05%
25	351,356	-1.73%
26	352,334	-1.46%
27	372,061	4.06%
28	368,277	3.00%
29	354,275	-0.92%
30	370,381	3.59%
31	343,595	-3.91%
32	363,768	1.74%
33	357,212	-0.10%

Exhibit #

DiRossi 04

10/19/21 - MP

exhibitsticker.com

Exhibit #

DiRossi 05

10/19/21 - MP

Ohio Redistricting Commission - 9-9-2021 - part 1

https://www.ohiochannel.org/video/ohio-redistricting-commission-9-9-2021-1000am

State Senator Vernon Sykes [00:00:00] Ohio Redistricting Commission. Will the staff please call the roll.

Staff [00:00:06] Co-chair Speaker Cupp.

House Speaker Bob Cupp [00:00:08] Present.

Staff [00:00:10] Co-chair Senator Sykes.

State Senator Vernon Sykes [00:00:12] Present.

Staff [00:00:16] Governor DeWine.

Governor Mike DeWine [00:00:16] Here.

Staff [00:00:16] Auditor Faber.

Auditor Keith Faber [00:00:16] Present.

Staff [00:00:17] President Huffman.

Senate President Matt Huffman [00:00:18] Here.

Staff [00:00:19] Secretary LaRose.

Secretary of State Frank LaRose [00:00:20] Here.

Staff [00:00:22] Leader Sykes.

State Representative Emilia Sykes [00:00:22] Here.

Exhibit #
DiRossi 06
10/19/21 - MP
exhibitsticker.com

State Senator Vernon Sykes [00:00:25] With the quorum present, we will meet as a full commission. At this time, the commission will hear public testimony from sponsors of submitted plans and from members of the public on those plans, in accordance with the commission rules in the - in Article 11 of the Ohio Constitution. Under the rules, the sponsor of a complete statewide General Assembly plan may present their plan to the redistricting commission for up to 10 minutes. We will not be taking testimony on incomplete plans or congressional maps. A member of the public may testify on a redistricting plan before the commission four up to five minutes. Should the commission itself vote to introduce a plan at the hearing or a subsequent hearing commission, the commission will hold three additional public hearings around the state on separate days on the introduced plan. We will now begin with our first witness here today. Please state and spell your name for the record.

Senate President Matt Huffman [00:01:32] I'm sorry, go ahead.

State Senator Vernon Sykes [00:01:32] And also, please indicate that if you're testifying as a sponsor of a plan or a member of the public on which you're talking about a particular plan.

Senate President Matt Huffman [00:01:42] Mr. Co-chair.

State Senator Vernon Sykes [00:01:43] Yes.

Senate President Matt Huffman [00:01:44] I would, pursuant to rule 10 of the commission, I would like to present to the commission a proposed General Assembly district plan for all 99 seats of the Ohio House of Representatives and all 33 seats of the Ohio Senate. And for the commission's benefit, I've asked Messrs. Ray DiRossi and Blake Springhetti to present the substance of the proposed plan. And they're here today to do that. And for the record, Mr. DiRossi serves as a caucus staff to the Senate Majority Caucus. Mr. Springhetti serves as the caucus staff for the House Majority Caucus.

State Senator Vernon Sykes [00:02:22] Thank you. At this time, we are ready for the presentation.

Ray DiRossi [00:03:23] Good morning.

State Senator Vernon Sykes [00:03:24] Good morning,

Ray DiRossi [00:03:26] I am Ray DiRossi. And as was mentioned, I'm the caucus staff for the Senate Majority Caucus and my colleague Blake Springhetti, caucus staff for the Ohio House Majority Caucus. Co-chairs and distinguished members of the redistricting commission, it's great to be with you today. Spelling of names: Ray R-A-Y, DiRossi D-I capital R-O-S-S-I, Blake Springhetti B-L-A-K-E, Springhetti S-P-R-I-N-G-H-E-T-T-I.

State Senator Vernon Sykes [00:03:56] Thank you.

Ray DiRossi [00:04:01] Is that, on the volume, is that-

State Senator Vernon Sykes [00:04:03] Yes, that's good, we can hear you now.

Ray DiRossi [00:04:04] Better.

State Senator Vernon Sykes [00:04:04] Thanks a lot.

Ray DiRossi [00:04:05] Thank you. We are pleased to present for your consideration a proposed General Assembly districting plan for 2022 through 2032. This is the culmination of a drastically expedited process, significantly delayed by the lack of timely census data. The receipt of the census data, 134 days after the federally required April 1st delivery date made this process more challenging than usual. Having previously been through this process, I want to personally thank all of the citizens of the state who took time to testify at the regional hearings and all those who took time to submit thoughtful plans. Blake and I know the time and commitment it takes to produce a complete plan, and I know my counterpart in the Senate Democratic caucus, Randall Routt, would also acknowledge this. Ohio's population from the 2010 census was 11,536,504. Ohio's population under the 2020 census is 11,799,448. This represents an increase of 262,000/263,000, or about 2.28%. And while that percentage growth over 10 years might appear small, the growth or loss of population in our state's 88 counties is varied and certainly not evenly distributed across the state. Of the state's 33 current Senate districts, 13 are outside the allowable five percent population deviation. In the House, 46 districts are currently either overpopulated or underpopulated. This simple fact, of either being underpopulated or

overpopulated, will require modification simply because we do no longer comply with the population requirements of the Ohio Constitution. Population shifts are also demonstrated by the change in county populations, for example, under the 2010 census, the population of Cuyahoga County dropped by roughly 114,000 persons. Under the 2020 census, Cuyahoga's population only dropped by about 15,000 persons. Franklin County has continued its growth trend, as has Delaware and Warren counties. Also noteworthy is that Hamilton County grew by over 28,000 people this decade. Generally, the Appalachian region experienced population loss over the decade. An interesting fact for your consideration, if you start in the northeast corner of the state in Ashtabula County and listed each county along the eastern and southern border of the state that lost population, you would end up counting 15 counties in a row that lost population. And not until you reach Clermont County, one county shy of Hamilton County in Cincinnati, would you find a county with a positive growth rate, over the last 10 years. Blake and I want to share some observations with you about the geography of the state, while most of Ohio's 88 counties are relatively square or rectangular, the physical boundaries of Ohio cities, villages and townships are far from pristine. While some townships, mainly in the rural counties of the state, are still square-like, the boundaries of our cities and incorporated areas can take on very odd shapes. And we do have some examples to show and they are included in the packet that was provided to you. And so we'll have those on the screen and also in the packet. So the point I want to make here, and we'll go through these pretty quickly, is that the the geography and the irregular geography of political subdivisions or jurisdictions in the state can lead to districts that take on irregular shapes, especially if one of these jurisdictions with an odd shape is on the outer boundary of a district that is proposed. So the first example on this on the screen is in Stark County - we have three political subdivisions, three cities, Canton, Massillon and Canal Fulton. And you can see that they are far from regular shaped or square shaped like some of our townships and other cities that take on more general shapes. They also have, you could call them tails, but they're sewer, sewer systems and canal systems that are part of the political subdivisions themselves. And so when we're drawing districts, those boundaries have to be maintained or else you are splitting the jurisdiction, something that we are striving not to do. The next example is in Licking County. So what we have on the screen here is the collection of three cities put together. This is Granville, Heath and Newark. And we've just shown you the map of just the geography of the state. But now we're going to add the county subdivisions lines, the township lines and also the city lines. And you can see that that shape is actually the perfect outline of those three cities. So we do have one more example, but again, the point we're making here is that the geography of the state is challenging and the geography of the state takes on irregular shapes itself. Here in Franklin County, where the geography is the most challenging for anybody who has looked at a map. What we are showing in green are the political subdivisions that are not Columbus, Ohio. And there are a number of them, and you can see that they completely circumscribe or encircle, Columbus does, those jurisdictions. And then we have the city of Columbus, which is shown in pink, and you can see it protrudes north into Delaware County. It also protrudes east. And I don't believe it has penetrated the southern border yet, but due to annexation policies, that may not be far off. But you can see this geography presents us with significant challenges in drawing districts and trying to maintain the boundaries of political subdivisions and having them take on irregular shapes. This is a map of the townships of Franklin County, so now we've removed all of the cities and municipal corporations in Franklin County and now you're looking at the remnants of townships. And as you can see, a number of township, Franklin Township, Mifflin Township, Prairie Township, other townships are, somewhat appear shattered into a number of pieces. I think by last count, Franklin Township was in over twenty five pieces, noncontiguous distinct pieces. So this also presents significant challenges when drawing a

district down to the level of detail that the Constitution requires. Thank you, Blake, very helpful. County splits. So redistricting this year is occurring for the first time under the historic amendments to our state constitution approved by the voters in 2015. These amendments provide very prescriptive, detailed but neutral rules for drawing state House and Senate districts. The plan that we are presenting today fully complies with the requirements imposed by the state constitution. We want to highlight a few of those requirements for you. The Constitution requires us to start with the largest counties in the state and proceed to the smallest counties of the state, with population greater than 1.05% of one House district ratio of representation. The constitutional limits determine how counties can be divided depending on their population. I want to take a few minutes and discuss northeast Ohio and I will apologize in advance for the brief recap of history, but I feel this history is important for your consideration of plans before you. Northeast Ohio, this this area of the state has been very challenging to the apportionment boards of decades past. And the specific issue in northeast Ohio is the significantly high concentration of counties that contain enough population to be more than one house district. In fact, 10 counties that stretch from Lorain all the way to the Mahoning Valley create two rings of counties that have additional House district and Senate district requirements. These 10 counties surround Geauga and Ashtabula counties and pin them between Pennsylvania and Lake Erie. This collection of counties is also home to almost 33 percent of Ohio's residents. So we are not dealing with small populations in that quadrant of the state. This mathematical challenge has confronted apportionment boards of previous decades. The 1991 Apportionment Board had no geographic or mathematical solution that was possible to create House districts and Senate districts. There was no mathematical or geographic way to fully comply with the requirements of the Constitution. In 2001, this problem recurred, but a solution was found and implemented by splitting at least one township in northeast Ohio, I believe it was in Trumbull County. In the 2011 map, the current maps that we are operating under, this problem arose again. And like 1991, no constitutional solution was ever found or presented to the Apportionment Board. Which brings us to 2021, which brings us to today. With some additional constitutional requirements under the new constitutional provisions that were imposed on us for creation of House and Senate district, this makes northeast Ohio very difficult, but not impossible. There is a solution this decade. The solution that we are proposing following all of the rules of the Constitution is the pairing of Cuyahoga and Summit counties. Now, those words were pretty easy for me to say, but implementing those proved to be very difficult because combining the populations of Cuyahoga and Summit county, we ended up having to create 15 House districts. And all of those 15 House districts had to be roughly four percent heavy on their population targets. And anybody who is played around or worked on a map knows that coming up with a few districts that naturally, without splitting subdivisions, are that heavy, is difficult. Having 15 of them all together inside two counties is extremely difficult. In addition, the Constitution contains specific language addressing the splitting of counties. The current map, the 2011 House map, splits 39 counties, while the Senate map splits 19. So of those 39 and 19 splits, many are actually required because of various Ohio constitutional provisions, because various Ohio counties contain too much population to avoid being split. The same is true for counties being whole Senate districts. In fact, of the thirty nine current House splits, twenty one are required by the Constitution. On the Senate side, of the 19 split counties that I mentioned, eight are required by the Constitution. It's an important point for the commission to understand that half of the county divisions in the current maps are required by the Constitution. A similar dynamic occurs in the current decade with similar amounts of required splits. We are happy to report that the plan being proposed today significantly reduces the number of split counties. In the proposed House map, we have reduced the number of divided counties from 35- 39 to 35. Well, spoiler alert, I let the number out too early. It is very important to note that 22 of these 35 splits are

required by Article 11, Section 3(C)(1). The county splits not required by that section only number 13 compared to 18 such divisions in the previous House map. Thus, our proposed House map should contain a total of 5 less divided counties than the number divided in the current map. However, because Wood County grew and is now too large to be a single district as it was in the last decade, the net reduction is only 4. Similar reductions can be found in the proposed Senate map that we are displaying. The 2011 Senate map split 19 counties. The Senate map proposed today only splits 13, or 6 less than the 2011 Senate map, a significant reduction. Together the proposal before you reduces this county splits into two plans, the House and the Senate map, respectively, by 10. Splitting cities, villages and townships. The reforms adopted in the Constitution also address what constitutes a split of a city, a village or a township. The Constitution now clarifies that cities, villages or townships are considered split only when a contiguous portion is divided into separate districts. Additionally, a city is not considered split where portions of the city are located in different counties and are placed in different districts. I live in Dublin, Ohio, and Dublin, Ohio is in three different counties. And so that's very applicable there. And I think there are numerous examples of that all over the state of Ohio. Based upon these constitutional clarifications and looking at the 2011 house map, backwards or retrospectively, there are 14 cities or townships in this state that were split. Now, six of them should be obvious to all of us, Columbus, Cleveland, Cincinnati, Toledo, Dayton and Akron. These six cities were, and continue to be, too large to be contained in a single district and therefore must be split according to the Constitution. In addition to those six cities, a total of eight other cities or townships were divided in the 2011 house map. Those included Cuyahoga Falls in Summit County, Massillon and Plain Township in Stark County, North Ridgeville in Lorain, Austintown Township in the Mahoning Valley in Mahoning County, Middletown in Butler, and Mentor in Lake County, and also Brunswick in Medina. We are happy to report that none of these eight governmental units are split in the map that we are proposing. They are all whole and all of the splits have been washed away. In fact, aside from the largest six counties that I mentioned previously, our plan only splits one city and one township. And let me tell you why that is. As I previously mentioned, to implement our Northeast Ohio solution, the remainder of Cuyahoga County, the remainder of Summit County must be paired with the remainder of Geauga County. And if anybody here is familiar with that geography that I just described, all three of those counties meet at one noncontiguous or point contiguous point. The city of Solon was selected to be split in House District 23 to accomplish this constitutional footprint to make the districts contiguous. The only other split jurisdiction in the entire proposal, again noting the big six cities that I previously previously mentioned, is Jackson Township in Stark County. And that is done to ensure that the three House districts are contiguous and meet the population requirements of the Constitution. And again, if you recall, we showed a graphic of some of the challenging geography in Stark County. We had endeavored not to split any jurisdiction, but we felt that it was necessary to conform to the Constitution and follow those guidelines. I want to thank the co-chairs for your time. I know I probably went a little long, but Blake and I are happy to answer any questions that you might have. And thank you for your consideration.

State Senator Vernon Sykes [00:19:42] Thank you, Mr. DiRossi. I'd like to just notify the commission that we did allow him to go over the commission plan and so we did not interrupt the presentation. One question that I have is you mentioned the historic amendments of the Constitution that put in different new requirements. I'd like to know, and you didn't mention this in your presentation, how you satisfy the new requirement in Section 6(B) of the Constitution that deals with the statewide proportion of districts whose voters based on statewide and federal partisan general election results during the last 10 years favor each political party shall correspond closely to the statewide preferences of the voters of Ohio. That is really significant, of course a new provision that you might know

about, as well. It relates to the issue of fairness because within the guidelines you can satisfy compactness, you can satisfy contiguous districts or not splitting districts, and still gerrymander a district to favor a political party. [Applause] So the issue here is whether or not you comply with all of the provisions of the Constitution. This one is special. It has in a special section, compactness is not identified or how it is not enumerated, how you calculate that. But this concept of representational fairness is. And so I'm just wondering how you address that issue.

Ray DiRossi [00:21:35] Co-Chairs and distinguished members. I mean, our our maps, our proposal that we have before you, fully complies with the constitutional requirements. We are conducting an analysis of the election data contemplated by the Constitution. That analysis is ongoing, is not complete as of today, and it is ongoing.

State Senator Vernon Sykes [00:21:57] Incomplete analysis. OK, fair, fair. Any other questions? Yes, Leader Sykes.

State Representative Emilia Sykes [00:22:05] Thank you. To the co-chairs and to Mr. Springhetti and Mr. DiRossi, thank you for the work that you put together, so you could present to us to today. Excuse me. My question is specific to how this current map complies with any provisions of the Voting Rights Act and what provisions of the Voting Rights Act did you consider in constructing this map that you presented or these maps that you presented today?

Ray DiRossi [00:22:33] Co-chairs, Leader Sykes, thank you for the question. We did not use demographic data or racial data in the production of our maps.

State Representative Emilia Sykes [00:22:44] Follow up?

State Senator Vernon Sykes [00:22:44] Yes, please.

State Representative Emilia Sykes [00:22:45] Thank you for answering the question. So are there any provisions of the Voting Rights Act in which you considered while you drew the or why you drew these maps before us today?

Ray DiRossi [00:22:59] I guess I would, co-chairs, I guess I would stand on my previous statement, we did not use racial data or demographic data for the maps, but we feel that the map complies with all the provisions of the Ohio Constitution.

State Representative Emilia Sykes [00:23:14] Follow up?

State Senator Vernon Sykes [00:23:14] Yeah.

State Representative Emilia Sykes [00:23:14] Thank you, I appreciate your answer and I certainly appreciate the brevity of it. Can you explain why you didn't consider any parts of the Voting Rights Act in your consideration of these maps before us today?

Ray DiRossi [00:23:28] Well, I said we didn't consider racial data or demographic data in our maps, but we were directed not to use that data by the legislative leaders and so we did not use it.

State Senator Vernon Sykes [00:23:42] Yeah, go ahead.

State Representative Emilia Sykes [00:23:44] So I would count myself as a legislative leader, and I don't think that I shared that information with you and I - this is not an ambush. This is simply a question. The Voting Rights Act is certainly a part of our election and electoral fabric. And so really just trying to get a better idea of how we are, or not, in compliance with that with these maps. So hopefully we can have some deeper conversations about that. But again, thank you for your responses.

Ray DiRossi [00:24:13] Thank you.

State Senator Vernon Sykes [00:24:14] And just another note, follow up to the Leader Sykes, we just can't leave it to chance. It's prescribed in the Constitution that we comply with it. So you have to have some evidence, has to be intentional or deliberate, some evidence that you comply with the requirements of the Constitution. And by not having that, we just consider your presentation somewhat incomplete. But you said, you indicated is ongoing. Any other questions? Thank you for your presentation.

Ray DiRossi [00:24:50] Thank you.

State Senator Vernon Sykes [00:24:59] The next witness we have is Anastasia Birosh. The next witness will be Gerald Barna. Gerald Barna. The next person to testify would be Susan Jolli. Susan Jolli. Melissa Sull.

Sull [00:26:29] Good morning, Commission. My name is Melissa Sull from Gahanna, Ohio. I vote in Ohio.

State Senator Vernon Sykes [00:26:35] Can you spell your name, please?

Sull [00:26:37] Yep. M-E-L-I-S-S-A Sull S-U-L-L.

State Senator Vernon Sykes [00:26:42] Thank you.

Sull [00:26:45] So I vote in House District 19, Ohio Senate District 3 and Congressional District 12. I testified to this commission on August 27th in Mansfield about our Gahanna Jefferson School District, which is broken into three Ohio House districts. The public has just now only seen a map from this commission this morning. I suffer less than equal representation because of gerrymandering. Today's opportunity for public comment on the proposed map is limited, late and scheduled on short notice in the middle of a weekday. It's troubling that our elected officials are making it increasingly difficult for citizens to participate in the political process. It appears that this commission's majority members have decided to rush through a four year solution rather than work in good faith with the minority party. I suppose the cheating out in the open is a slight improvement over the secretive cheating used in 2011 to create our current district maps. Ohioans have voted repeatedly and in great majorities to have both a voice and fairness in the redistricting process. It appears we will get very little of either. Citizen action through petition is clearly the only way to gain the attention of Ohio's majority party. They have proven deaf to any call for fair, ethical and constitutional behavior on this topic from Ohio voters and the courts. I will be both surprised and appreciative if this commission grants me the equal of representation to which I'm entitled by law. Thank you for your time. [Applause]

State Senator Vernon Sykes [00:28:34] Are there any questions of Ms. Sull? We'd like to ask the audience to please not clap or we in a different form, it's being- This is being live

streamed and for courtesy of everyone, if you would refrain from that, please. Thank you. The next person to testify will be Tommie Radd.

Radd [00:29:23] Good morning, members of the commission. My name is Dr. Tommie Radd. I vote in Ohio Senate District 3, House District 19 and Congressional District 3. I testified on August the 27th in Mansfield and submitted that testimony. The reason I'm here is to voice my appreciation to the minority party for submitting a map before September 1. My disappointment is that the majority party commission members did not submit a map for review, at a minimum. The commission was responsible to work jointly to meet the September 1 timeline. That didn't happen despite hours of testimony and Ohio hearings requesting your diligence to create fair maps, followed the constitutionally required timeline and work fairly as a team. The commission had access to the basic data and could have done the basic groundwork and then plug in the census data to modify the maps per the constitutional requirements. The governor chose to do nothing until the last minute and now the majority members on the commission are just as unresponsive. When I contacted your offices to voice my concern that no hearings were set or a joint map submitted, I was informed to contact someone else on the commission. That is not acceptable. Each commission member is constitutionally responsible for the Ohio redistricting process, maps and end results. Everyone on this commission is accountable for the way they conduct themselves and work transparently with the process. That hasn't happened. The detrimental impact that partisan gerrymandering of our Ohio House, Senate and congressional districts has on our community and state was well documented in the statewide hearings from August that 23rd through August the 27th, 2021. Ohioans voted in record numbers to have Ohio Constitutional Amendments added in 2015 and 2018 to address these inequities. Ohioans expect representative fairness in the new districts and the calculation of those districts to be done fairly and transparently. Gerrymandering is cheating. Drawing maps without transparency is deception. A group of people who need to resort to those tactics must not believe they can win the vote by their ideas and policies to benefit the majority of Ohioans. To gerrymander to create and maintain a supermajority in the House, Senate and congressional representation is wrong. That is the reason the citizens of Ohio stepped up to fix this problem and hold you accountable. The Ohioans voted for you to fix this unfairness and stand for all people now. This redistricting commission has a responsibility to draw fair maps per the letter and the spirit of our Ohio constitutional amendments as demanded by the voters. We expect you to follow the constitutional requirements, hold public hearings to review the maps prior to approval, and to integrate public input into the maps prior to implementation. As a lifelong educator, I taught my students that cheating was not allowed and they needed to follow the rules to the letter and the spirit of the assignment, to be team players when working with the group. So far, you haven't passed that basic requirement we expect of elementary through doctoral students. It's overdue that you do your jobs and know you will be graded on the process and maps you create. The voters stand ready to give you a grade. Thank you for the opportunity to speak today. I appreciate your time and your attention. Have a wonderful day. Thank you for your help.

State Senator Vernon Sykes [00:33:40] Dr. Radd, if I may ask a question.

Radd [00:33:43] Yes.

State Senator Vernon Sykes [00:33:44] Please speak of a fairness. How do- you know this is something that we're trying to get to, this is something we've been charged to do?

Radd [00:33:50] Yes.

State Senator Vernon Sykes [00:33:51] And we'd like to fulfill that commitment. How do you see fairness, what do you mean when you say fair?

Radd [00:33:57] When I see fair, I know that the vote in the last decade has a proportional fairness of what portion of the population voted for Republicans and for Democrats. And that those factors need to be sent into the maps that we project and that we approve. And I'm disappointed that we saw a map this morning, they were obviously ready with AV equipment and printouts, that were not submitted online for us to even give feedback, as did the minority maps. But we're expecting that the voting rights, that minority rights, that the percentages of Democrats and Republicans voting across the state be represented fairly. And that means we have a 45 to 55 percent voting record as it stands right now, in spite of the gerrymandering, which I believe it could be different if it hadn't been gerrymandered. And that's what the voters are expecting and that's what we're watching for and waiting for. I hope that addresses your question.

State Senator Vernon Sykes [00:35:11] Yes it does, thank you. Any other questions? Secretary LaRose.

Secretary of State Frank LaRose [00:35:16] Doctor, thank you for your testimony.

Radd [00:35:18] You bet.

Secretary of State Frank LaRose [00:35:19] I'm sure that you're aware that the census data was 134 days late.

Radd [00:35:23] Yes, I was. And that wasn't anybody's fault.

Secretary of State Frank LaRose [00:35:27] Well, I would argue that it was the Census Bureau's fault.

Radd [00:35:29] Well.

Secretary of State Frank LaRose [00:35:30] Let me finish my question. The Census Bureau put us at a great disadvantage by being nearly five months late. And we're not the only state that's operating at that disadvantage. Our friends in that state up north just announced yesterday that their redistricting commission is going to be months delayed before they are able to draw their maps or get their maps drawn and passed by the public. The process can't really begin until those census data are received by the various map drawers. My question for you is this, though. I heard a lot of testimony over the week of public testimony that we got that people want us to take our time to collaborate, to work on this. I've heard a lot of outrage over the last few days about missing a September 1st deadline. My argument would be that if we take the time to collaborate and work together, the deadlines are less important than getting the work done right. Would you agree with that?

Radd [00:36:26] It depends, Secretary. My concern is that the basic criteria established in our constitutional amendments has been well established. We had a minority map submitted that we could all discuss and debate on August the 31st. The maps that we saw this morning, if people had been diligent, could have also been made available then. So then the census data could be then established and plugged in to that. But to say we're

going to postpone and not have some kind of conversation within the timeline, we don't see is really acceptable.

Secretary of State Frank LaRose [00:37:13] OK, thank you, ma'am.

Radd [00:37:15] You're welcome. Thank you for the question.

State Senator Vernon Sykes [00:37:17] Are there any additional questions? Dr. Radd, thank you very much.

Radd [00:37:23] Thank you so much for your time and your questions and again for your hard work. We're having big expectations for something that will be acceptable to our Constitution. Thank you.

State Senator Vernon Sykes [00:37:38] The next witness is Debra Sanders, Debra Saunders.

Saunders [00:37:48] Good morning, I'm Debra Saunders. Debra D-E-B-R-A, Saunders S-A-U-N-D-E-R-S, and I am here speaking as a member of the public. I live here in the Columbus area in Dublin, and my Ohio legislative districts are 16 and 21. I provided personal testimony at the Dayton hearing on August 24th. And I also attended the commission meeting here in the state House last Tuesday on August 31st, I will have to say I came away from that meeting pretty disappointed, and it instilled in me a sense of uncertainty if you, the members of the commission, are listening to us. The 70 percent plus Ohioans who have stated clearly to you, our elected officials, that we want and expect fair redistricting by ending gerrymandering while being informed as to how this will be achieved by this commission. First, I commend the Ohio Senate Democratic Caucus in presenting mapping at last week's meeting to demonstrate that it could be accomplished, to be used at least as a working draft for discussion and debate. And it showed a real effort and willingness to present a substantive plan for discussion and debate, for further mapping submissions. And I think it provided a catalyst for next steps and it appears it did compel further mapping submissions, as we saw here today. I feel the September 2nd updated map additions by the Senate Democrats demonstrates a much greater representation of my district within the rogue carve out that position on the street that I live on. It's only a roadway, a Route 33 Riverside Drive. It has no, any, it has no residents on it. It is in a different district than I am in. And it obviously was a conduit to grab residences that are north of where I live. I see the maps. I was sitting in front of the the display this morning and I see the maps that were submitted today by the GOP retains that same carve out. And one might say, with a convenient argument, that it keeps the subdivisions together as required by the Constitution. But, you know, we, the voters of Ohio now expect to see the officially presented maps coming from this commission, not just the Democrat or Republican created maps. Redistricting maps that we, the public can review and then provide comment. Additionally, we want this entire process to be transparent. The short notice for hearings and commission meetings do not provide a confidence that transparency is happening. We expect the commission to provide us how you will get to fair redistricting in a constructive nonpartizan manner with a complete schedule for the introduction of official maps and dates for public hearings, for comment on those maps. Very soon, as the September 15th deadline is looming. Thank you.

State Senator Vernon Sykes [00:41:15] Thank you. Any questions of the witness? Thank you very much. The next witness is Paul Helbly. Paul Helbly. Anastasia Birosh.

Birosh [00:41:57] Sorry, I want to thank you, first of all, for hearing my testimony. I drove down from well, yeah, down, this is down, from Brunswick and I was just kind of like flying down the highway.

State Senator Vernon Sykes [00:42:18] Can you pronounce your name and spell it, please, for the record?

Birosh [00:42:20] Oh, yeah, I'm so sorry.

State Senator Vernon Sykes [00:42:21] Oh no.

Birosh [00:42:23] I'm Anastasia Birosh. And the last name is pronounced like the alcoholic drink beer and OshKosh B'gosh jeans. So it's not spelled that way, but it's pronounced that way. So to the Ohio Redistricting Commission members and co-chairs Senator Vernon Sykes and Ohio House Speaker Robert Cupp, I'm pleased to see members in attendance today. I'm thrilled beyond belief. Thank you for allowing me to submit written and verbal testimony to the Ohio Redistricting Commission. My name is Anastasia Birosh and I currently vote in Ohio House District 70, Ohio Senate District 22 and Ohio Congressional District 16. Brunswick is currently divided between two Ohio House districts, 69 and 70, and two congressional districts, 7 and 16. It's time that Brunswick being one Ohio House district and one congressional district. I testified before this commission on August twenty seventh in Akron and I'm back because I care greatly about having competitive, competitive, I can spell it out if it would assist you all, competitive Ohio Senate and Ohio House districts. I acknowledge that my white privilege affords me the opportunity to travel to and attend these hearings occurring in the late morning and announce at the last possible minute. I'm grateful that on its website, the Ohio Redistricting Commission has a public input tab that when clicked displays a list of all maps submitted to the commission. I'd like to draw the commission's attention to Ohio Senate and Ohio House maps proposed by Jeff Wise and I will hand these out to you. I printed up seven of them last night. Some appreciative of the. OK, so I like to draw your attention to those maps proposed by Jeff Wise. He's a Ph.D. engineer by day and a concerned citizen by night. He's come up with proposed maps that even I, an ordinary citizen with no technical expertise in analytical computations or anything else of that nature, can understand, very helpful to me. He was even responsive, though hurried, when I called him late last night with a few questions, just after this meeting was announced. It was easier to speak with him than it was to speak with my own representative. What he did with his proposal was no small feat, considering the gerrymandered districts drawn up behind closed doors in 2011. In his comments and explanation of the quantitative analysis methodology, he clearly explains how Senate incumbency complicates fixing these gerrymandered districts. He calls them creatively drawn. I'll call them what they are: gerrymandered. And due to this and other factors, tradeoffs and compromise will be necessary in drawing these final competitive maps. In the end, though, his concern, as mine, is more, is drawing more equitable and competitive maps than we were presented with in 2011. I appreciate your time. I thank you for hearing my testimony. If you have any questions, I believe he said he's going to be here at two o'clock. So if either of the technical nature, ask him. If there are of the ordinary citizen nature, go ahead. Do you have any questions?

State Senator Vernon Sykes [00:47:22] Do you have any citizen questions?

Birosh [00:47:26] Nada?

State Senator Vernon Sykes [00:47:27] Thank you very much.

Birosh [00:47:28] OK.

State Senator Vernon Sykes [00:47:32] Susan Cavanough. Bailey Kulp. Sierra Dobbs Brown.

Saunders [00:48:07] Hello, my name is Sierra Dobbs-Brown, that's spelled S-I-E-R-R-A my last name is D, as in dog, O-B, as in boy, B, as in boy, S hyphen Brown, like the color. Chair Cupp, Chair Sykes and members of the Ohio Redistricting Commission, as I mentioned, my name is Sarah Brown and I've lived in Columbus, Ohio, for nearly 26 years, my entire life. I am testifying today in support of the maps that were proposed by the Ohio Citizens Redistricting Commission. Currently, I live in Clintonville. I live near a Whit's Frozen Custard. I live near a Luckey's Market. I live near more antique shops than anyone needs. And I also live near the Wetstone Park of Roses. This is somewhere I go often, this is somewhere I can walk to, this is somewhere I see as a pillar of my community. Yet this is somewhere that is not in my district. I'm represented by Senator Andrew Brenner in a district that picks up a small chunk of my more progressive community and sprawls all the way up to Mansfield, Ohio, where there are folks with very different priorities and needs than in Clintonville. Aside from being someone who can't seem to leave this wonderful state, I'm also the Central Ohio Regional Field Manager at Planned Parenthood Advocates of Ohio. We have been in these halls countless times, year after year to speak to members of this legislative body, about the 30 attacks we have seen on reproductive freedom since 2011, only to see this body vote in opposition to the wants and needs of Ohioans time and time again. And I'm here again today on behalf of Planned Parenthood Advocates of Ohio and the hundreds of thousands of supporters that we represent. Ohioans overwhelmingly support access to abortion. But when our district lines were drawn to keep one party securely in power, Ohioans lost. We lost the fair and equitable representation from our elected officials that we are promised as the foundation of a successful democracy. And since 2011, Ohio has lost half of the abortion providers in our state. This loss is directly related to the onslaught of attacks abortion providers have been under at the whim of this legislature. All people, regardless of our race, gender, socioeconomic status or zip code, deserve to be able to make the best decisions for our health care. Yet when district maps were drawn that dilute our vote, anti-abortion extremism that is out of touch with what Ohioans want and need only went further. Young people, black folks, other communities of color and queer people are all disproportionately impacted by laws that chip away at our access to abortion. And when we look at the racial and partisan gerrymandering that happened in 2011, these are also the communities that were intentionally cracked apart or patched together to take away their power. I stand before this commission today to state clearly that Ohioans want and need access to abortion. But because Ohio politicians have been picking their voters for the last decade, these needs have not been reflected by this elected body. I hope that as you move forward in the process of redistricting, Ohioans will receive the fair representation we deserve, which is at least 44 Democratic seats in the House and 14 Democratic seats in the Senate. And in turn, we will have a legislature that is proudly fighting to ensure each person can access the health care they need, including and especially access to abortion and all reproductive health care. I thank you for your time and I welcome any questions you may have.

State Senator Vernon Sykes [00:52:13] Any questions? Thank you very much. Mark Erhardt.

Erhardt [00:52:31] Good morning, thank you for allowing me to speak today. My name is Mark Erhardt, that is spelled M-A-R-K, lastname Erhart E-R-H-A-R-D-T. I live in the

Columbia Tuscola neighborhood in Cincinnati. I drove up this morning. I am in the Ohio House 27th, the Ohio Senate 7th and the U.S. Congressional 2nd. I did provide written testimony to the Cincinnati hearing in August. I would want to thank first the Ohio Senate Democratic plan that was available for the public to review. It was very helpful for me to be able to see that and see many, I think, positive changes to the way the current districts are drawn. I would have to admit I was a little bit disappointed this morning in the presentation that I heard. It seemed to focus a lot on certain technical aspects of the changes, but other aspects of the changes, such as the proportional party representation we're not addressing and not yet been studied, and also seemed to miss a bit on the spirit of what the voters of this state have asked for. And so in that respect, I will have to obviously take a detailed look at those. From what I could see, it appears that some of the current issues in my own representation maybe have not been addressed. But again, I'll have to look at that in more detail. I do want to say one thing, and I do agree here with Secretary LaRose on this, I personally believe that, you know, missing a deadline by a day or two in order to allow for public review and input of the process, and particularly bipartisan work on this commission, would be greatly appreciated and wanted by the voters of this state. And if the deadline is missed by a day or two here and there, I think many of us would understand that because what we're really looking for here are the right outcomes and fair outcomes. And as I said, a better process maybe than we've had in the past. Thank you for your time. Any questions?

State Senator Vernon Sykes [00:54:55] Any questions? Seeing none, thank you very much.

Erhardt [00:55:00] Alright, thank you.

State Senator Vernon Sykes [00:55:01] Next witness is Jen Miller.

Miller [00:55:13] Good morning, co-chairs, morning, commission members. It's my honor to be here. I'm the Executive Director of the League of Women Voters of Ohio. I'm sorry to have not gotten you testimony in advance. 24 hours is hard on the general public. It's also hard on folks like us who have full schedules. I'm not here really to talk in great technical details, but I do have a lot of questions. The first thing I just want to mention is that the League of Women Voters of Ohio members love our state. They come from all corners of the state. In fact, we have members in all 16 congressional districts. They love our Democratic Republic. That's why they spend hours and hours and hours registering voters, doing candidate forums, doing everything they can to ensure that our system works. That's why we got out our clipboards in 2015 and 2018, and that is why we worked so hard on those negotiations. And to get those passed at the ballot, I hope that you are seeing the support for ending partisan gerrymandering. I do ask for forgiveness about the applause. I know we don't do that usually in Statehouse hearings. But for those of you that weren't at all of them, I just want to say a few things. The Toledo hearing room had to be moved to a larger space and it was still packed. Cleveland's main and overflow rooms were packed. The Akron hearing went- they had to double or triple the number of seats that came in. And it went over a lot of time, causing the Mansfield hearing to start late. If you were in the Mansfield hearing, you might not have realized that not only was it standing room only, but there were people sitting on the floor. Indeed, nine of the 10 rooms were packed, maybe even more than any of us expected, and overwhelmingly asking for transparency and fairness and a plan moving forward. I hope, I want to bring that up because they're here and they're going to continue to be here. And so I think the more time you can give them, you know for attending hearings, the more information you can give them on the process, I think the less frustrated they'll be. I think that you'll see not only higher quantity, which

maybe some don't want, but a higher quantity of participation, but also quality of participation where they can actually be better prepared. Again, I'm not here to talk about my own technical definitions right now, but I do have questions. And the first is, will we be hearing from political scientists, mapping experts, legal experts? Can we allow virtual testimony just for those experts? You know, there's a lot of questions that need to be defined. And I think part of the frustration, Secretary, is that some of these should have been defined. This commission should have been convened before the data came out so that we could talk about some of these technical questions. But representational fairness, how are we defining that and counting that as Ohio, not just the commission, but all of us? The Voting Rights Act absolutely needs to be considered in this case, in these maps. And in the congressional, I understand we're not talking about congressional, but I will just say that we argued in federal court and won in front of a bipartisan panel that the VRA was wrongfully interpreted last time in the congressional map and caused more vote dilution in minority communities in northeast Ohio than needed for Democratic Party voters. So are we going to be talking about the Voting Rights Act and how that should be applied? Section 5 was brought up by a commissioner last time. That's not a rule that is about how to draw a map, it's about what happens when maps are drawn. Inevitably, there's going to be some incumbents that have pieces of their district in more than one district, their former district, into more than one future district. It's not about a constitutional requirement for drawing maps. It's about how you assign those incumbents once the maps are drawn and agreed upon. Equal population. I'm hearing once again, just like ten years ago, there some argument about how that should really be defined. When are we going to grapple with these issues as a state in a thoughtful, deliberative manner? Will we be bringing in experts to discuss the different pieces so that you as a commission could maybe have the same common understanding of these legal questions? That's one of my questions. The next is and maybe it's on and maybe it's already happened so far, but when will we get the shape files of the proposed Republican maps? When will we get the rest of the analysis? Absolutely, we should have the analysis on what they think in terms of the Voting Rights Act. Absolutely. We should have the analysis on, you know, basically the predictive analysis of how we think the seats will go and if that will be representation the way fair. Those are mostly my questions. And I would say I would prefer not to have a 2:00 p.m. hearing today so that we have time to review the Republican map with some more details. But if that's how you're going to move forward, I understand it. So with that, I'm happy to take questions. And I thank you for your time.

State Senator Vernon Sykes [01:00:51] Any questions? Secretary LaRose.

Secretary of State Frank LaRose [01:00:56] Thank you Co-Chair. Thank you so much for your testimony, would you agree that the outcome is more important than the schedule? That taking the time to get it done right and continuing to strive toward a ten year map is more important than the deadlines? And I recognize the deadlines are important. But this is a judgment call between two different competing and both important things.

Miller [01:01:21] Thank you, Co-Chairs. Thank you, Secretary LaRose. I do. Here's the problem, though, is last week we were a day before a deadline and there wasn't even agreement among this commission. How many maps we're going to you know, how the commission would decide which map to present to the public. We didn't have any idea when these public hearings would be. Again, we hadn't decided what kinds of other issues the commission needed to discuss. So it is hard to just say, OK, we've missed deadlines and that's inevitable when, quite frankly, this commission should have been convened earlier. We should have been doing this work already. And if you were going to make the deadline as the commission, that at least the public understood what the process would be

and how we were really moving forward, those rules were thin. And I think there's still a lack of clarity, potentially even among all of you, but it's definitely among us in the public. And so it doesn't really pass the smell test a little bit. It would be one thing to say, yep, it's going to be late. But but if we started this in July or August, you know, early, well, I should say June or July at least. And we were trying to grapple with these things and we were trying to figure out how to move it forward. Or the day before, yep, we're going to miss it. But this is the process moving forward. It's hard, I think, from the outside to feel trust in this process because of the lack of clarity, because of the lack of preparation. And so I can't just, so I'm with you to an extent.

State Senator Vernon Sykes [01:03:09] Thank you. And also, you know, thank you for your questions, I'm sorry we're not in the position to answer. Let me assure you that the issues of virtual testimony of experts have been discussed between the co-chairs, and representational fairness, how you calculate that, that's been discussed. There has to be, this is a bipartisan process to a certain extent, and there has to be agreement. There has been no agreement on it thus far. Thank you for raising the issue. We'll continue to grapple with those.

Miller [01:03:41] Thank you, Co-Chair. Both Co-Chairs. I'll just say, but we should be grappling with these together. That's what should be happening here, we should be having hearings where we are grappling with these definitions together and we are, you know, no one has actually- Secretary, I'm sorry, Senator Sykes, you have asked for some input on representational fairness, but we should be having experts come in together to talk to all of us.

State Senator Vernon Sykes [01:04:13] Right. Yes?

Auditor Keith Faber [01:04:14] Senator Sykes, Co-Chair, to the witness, you've used the term representational fairness a number of times. I recall very distinctly when this constitutional provision was drafted that that term was never included in the Constitution. So what section of the Constitution are you defining with regard to legislative redistricting that uses the term representational fairness? Are you implying the representational fairness means the number of congressional or looking back over the elections of the last 10 years? Is that what you're substituting the term representational fairness for? Or can you give me a better definition?

Miller [01:04:48] Thank you, Co-Chairs. Thank you, Auditor Faber. Actually, what I'm saying is we need to be having a conversation about how we're defining it. And it is in the Constitution. I'm sorry, I don't have it in front of me, but representational fairness is in the Constitution. I think we need to decide how we measure that. So I could excuse myself and get the or maybe Colin could get it for me. But it is in the Constitution. Yes. Article six.

Auditor Keith Faber [01:05:15] I believe the term representational fairness is not in there with regard to legislative redistricting.

Miller [01:05:22] OK, well, again, Article six, that's what it's capturing, this idea of as we use predictive analysis, past vote in electoral information, that partisan indexing, how the seats we think will go versus how versus the general voting results. And so, again, this is my point exactly is-.

Auditor Keith Faber [01:05:53] Which is, Mr. Chairman, which is why I ask the question.

Miller [01:05:54] Yeah.

Auditor Keith Faber [01:05:55] Because we keep hearing these terms bandered about. I think people put different meanings to different things. And that's why I ask the question, because you use a term that I think specifically to legislative redistricting is not in there. Maybe I'm wrong. I'm pretty sure it's not, but-.

Miller [01:06:09] Thank you.

State Senator Vernon Sykes [01:06:12] Additional clarification, I was involved also in the negotiation for the inclusion of this concept, and it was clear that we did not want to leave it undefined, the concept or deal with the terms. As I have indicated before, compactness is not defined or how you calculate it. So instead of just using the term phrase representational fairness, we actually spelled it out how it is calculated. So it would be clear for everyone from now on, for what we're talking about.

Miller [01:06:48] Thank you, Co-Chair, and actually thank you, Auditor Faber. I think you're actually making my point. The point actually is that Section 6 A and B are defined, but there's still a lot to be decided in terms of how we really implement that language. Right? There's decisions along the way. So, for example, federal, you know, statewide and federal parties in general election results during the last 10 years. I'm not actually sure, I would argue that what you provided is not exactly that. We should have been having conversations about that piece alone, how the data is used, how the data is cleaned, what data we use to look at these past results over the ten years. That matters. What the term shall correspond closely to the statewide preferences, what do we mean by correspond closely?

Auditor Keith Faber [01:07:45] I agree.

Miller [01:07:46] So this is, that was my first point, was that I wish that we had been talking about this in months ago. And this is my point now is when are we going to have experts, not Jen Miller, but political scientists and legal experts coming and helping us decide together how this is upheld?

Auditor Keith Faber [01:08:07] So, Mr. Chairman, which was exactly my point. And so you, I think we're making the same point. The term has not been defined. It is somewhat nebulous because you can read this differently ways. But it very clearly says you can't draw a district primarily to favor or disfavor a political party, and that in many cases is at odds with trying to draw a certain number of Democrat or a certain number of Republican districts. And so that's where the next provision and this is why when we debate what these things mean, the next provision, provision C, says the district shall be compact. That's not a discretionary term. Compact is, I agree, not specifically defined, but at least those are things that are, in concept, if done, will be drawing districts based on geography and communities of interest and not splitting political subdivisions, which the rules require, which aren't discretionary. When you get to this aspirational section here, I think that's where we need to have a lot more discussion as of how it applies across the maps. And so specifically, now that we're at the point of discussing various maps, because we do have maps and I appreciate it would be nice if this had been done six months ago, four months ago, three months ago, where some of us started having conversations. But at the end, my question is this. To get to the landing field that we're talking about on the 15th and I'd like to see us hit the 15th, we got a lot of things to do between now and then. I'd really like to see bipartisan discussions going on because I want a 10 year map. And so as we go down

that route and we plan to have more hearings, it's helpful if we have specific discussions about maps and where we're going to land, if we're going to land this plane by the 15th. And land it in a way that leads us to a better bipartisan map. So that's my point on some of these things as to what we're talking about. We heard a lot of discussions during our tour around Ohio, and I'm curious to see how those all fit in. And I've done an analysis of all the maps. And so when we go through those, those are going to be things that we want to see and have input as people provide input. But I would just ask future testimony from everybody, and I know your organization has helped deliver and present a lot of testimony. I mean, you certainly have been very active about getting people to share their thoughts and views. I would just encourage us to have specific thoughts and views about whether it's map A, map B, map C, as to how those maps can better meet the concept of making sure that people are represented by somebody - to some extent because you really can't do it 100 percent, you're always going have somebody that's represented by somebody who doesn't share their extent unless you have 100 percent of people ever agreeing in a district. But that's, I think, our overall goal that all of us have said that's where we want to land the plane. So thank you.

Miller [01:11:05] Thank you, Auditor Faber and Co-Chairs. I'll just say even that Section C. like how we measure compactness, there's different measurements for that, too. So I think it's worth the conversation. 24 hours in advance is not enough time to get experts in to help think about this. Which is why I'm saying could we even have a hearing specifically where we are inviting some technical folks? Can I work with you to help think about some technical folks who might even disagree on how some of these things should be applied or defined, but 24 hours in advance isn't enough time to do that. So that is part of my request.

State Senator Vernon Sykes [01:11:45] Thank you very much, any additional questions or comments? Thank you so much.

Miller [01:11:49] Thank you.

State Senator Vernon Sykes [01:11:52] Ryan Goodman. Mindy Hedges.

Hedges [01:12:27] My name is Mindy Hedges, and it's sort of Mindy M-I-N-D-Y and Hedges like a bush or shrub, H-E-D-G-E-S. Co-chairs, Senator Sykes and House Speaker Cupp, and members of the Ohio Redistricting Commission, my name is Mindy Hedges from Radnor, Ohio. I'm in House District 67, Senate District 19 and Congressional District 12. Thank you for hearing my previous testimony last week when I told you about how our founding fathers and past presidents spoke vehemently against gerrymandering. And also about my rural area, and I'm sort of a fish out of water. But I also spoke about reminding you about my area. It's in a very wealthy county, but our rural area is still without much internet access, water or sewage, renewable energy resources, garbage, health care facilities or transportation, because our House, Senate and - our Ohio House and Senate Representatives know they don't have to care about any of their rural voters. They have their campaign signed, sealed and delivered by a gerrymandered vote. But about this process you've been going through to ensure a fair mapping procedure. I normally don't like to begin any discussion with the negative, but I'm disappointed with how this process has progressed to this point. I'm concerned, therefore, with the process in general, almost less than 24 hours to call this meeting with testimony? On what? There was no map. And then only four hours to ask us for testimony again? With no map? It has made me and many others wonder whether this will be a fair mapping assessment and completion or whether it will be reduced to backroom antics and more gerrymandered, unfair, embarrassing and undemocratic districts. But you see, the voters do have the upper hand.

Don't ever forget that over 70 percent of Ohioans voted to redistrict and we were close to bringing this to a ballot vote. We can and will do this again. Ohioans were sick of being laughed at by the entire country because their district quacked or slithered. They were sick of being ignored by their representative. They were sick of their needs not being met by someone who had no clue even where their Ohio town was on a map. In fact, when I had an initial look at what the map was shown to us today, when you took Westerville out of Delaware County and put it in Monroe County, that makes absolutely no sense. Westerville is a city, a vibrant city, and you took it and put it in a rural county. Makes absolutely no sense whatsoever. And of course, you took what was a vibrant Democratic part of Delaware County and put it totally in a Republican county. Of course, that was done, partisan. So it makes no sense. But I'm more than this negativity, I'm normally an optimistic, not a pest- an optimist, not a pessimist. I believe you will do the right thing for your state, your communities, your friends and your families. Your actions to date have not been driven by a democracy in action. This is not the kind of government you want to hand down to your children or grandchildren. This is not what we were handed down by our grandparents. Let's be real. This appears to be more fascist than it is democratic. Make the right choice and start by really discussing this with your neighbors on both sides of the aisle. And listen to the hundreds who testified over the past 10 sessions. We did this because we want our Ohio back. We want it to prosper, not shrink in wealth. We wanted it to grow, not diminish. We wanted it to prosper, not shrink in wealth. We wanted it to increase in resources for our children and grandchildren so they can prosper. Our younger generation is leaving Ohio because of the politics. Let's help it grow again. Thank you for your time and consideration of my request. Do you have any questions?

State Senator Vernon Sykes [01:17:23] Are there any questions? Thank you very much.

Hedges [01:17:28] Thank you.

Auditor Keith Faber [01:17:33] Chair? I do have a question. To the Chairs.

State Senator Vernon Sykes [01:17:33] Auditor Faber?

Auditor Keith Faber [01:17:35] My understanding is, is we've heard a lot of this is to the chairs.

Hedges [01:17:39] Okay, thank you.

Auditor Keith Faber [01:17:41] My understanding, based on the conversations that my staff have had, is that we do anticipate having other hearings between now on the 15th. Specifically, I think we're trying to do at least three public hearings after a maps introduced or adopted by this commission. So I know a lot of people apparently were confused that there was this was going to count as one of those three public hearings. My understanding from the leadership is that that is not the intent of the Chairs. And I think that might help alleviate some of the concerns, including the concerns I just heard from this nice lady who just testified, that other testimony is going to be available in other hearings to talk about the maps. If I'm mistaken, please correct me. But I think just to clarify that.

State Senator Vernon Sykes [01:18:22] Auditor, you are correct that we do have, and its schedule will be finalized this afternoon and distributed this afternoon.

Auditor Keith Faber [01:18:33] So we are anticipated, just to make sure I'm clear, the witnesses are clear, we are anticipating hearings at some point between tomorrow and

Tuesday or Wednesday that will include at least three other public hearings around Ohio and whatever maps we go forward on.

State Senator Vernon Sykes [01:18:51] Yes, And we understand that the time is still constrained because we have the September 15th deadline, but we do intend to comply with the rules with three additional hearings around the state to review a proposed map by the commission.

Auditor Keith Faber [01:19:11] Thank you.

State Senator Vernon Sykes [01:19:16] Diane Meeves. Carrie Coisman.

Coisman [01:19:43] I'm too tall for this podium. Okay. Hello, commissioners, my name is Carrie C-A-R-R-I-E, Coisman C-O-I-S-M-A-N, and I'm the Ohio Digital Organizer for All On The Line, a grassroots advocacy organization that's working to end gerrymandering. I'm here today testifying on behalf of myself, but also on behalf of all of our volunteers and activists who could not attend today due to the timing of today's hearings and the short notice of when today's hearing would be happening. I'm going to speak on three things today. Firstly, the process and how it has impacted Ohioans, the fact that representational fairness is, in fact listed as a requirement in the Constitution and how I define that representational fairness, and number three, why we deserve both a fair process that is upheld by the Constitution and a fair map that also follows the Constitution. Firstly, on the process, I'm grateful to be able to do this work full time. I'm not a parent, a family caregiver. I am fully vaccinated and I'm not immunocompromised, making it safe for me to be here in this body today. And I live only ten minutes away from Cap Square in Clintonville. All of these factors make my presence and testimony here today possible. But the way that these hearings have been conducted excludes the voices of thousands of Ohioans. Over the last six months I, my organization and numerous partner groups have trained thousands of Ohioans, myself alone, 4,000, about this new redistricting process and how they can engage with this body. I spent hours, and I truly mean hours, every week talking with Ohioans who feel like their government and elected officials do not serve them as constituents, but rather serve special interest groups and elected officials own self-interest. Every day I get calls, texts, emails and social media messages from people from around the state asking the following questions. Why is this process not fair and transparent, when Ohioans overwhelmingly supported the reform measures that promised that our process would be different? Those reform measures were voted on in 2015 and 2018. We voted for this process to be different, but where are the maps? Why is this commission keeping Ohioans in the dark? Why are all the meetings being scheduled at the 11th hour? Why does all of this feel similarly to a broken process like in 2011? Are members of this commission going to gerrymander my community again? Will my neighborhood be cracked apart? Will my urban neighborhood like mine be pulled into a sprawling, rural district? And lastly, and most devastatingly, will my vote count for the next decade? And All On The Line volunteer and proud union member, Erika White, said this at your hearing in Toledo, "Gerrymandering further distance representatives from accountability at the ballot box. But there is hope: gerrymandering is fixable. Citizens across Ohio are fired up about fair maps for redistricting. This could be the political moment to solve these problems and get Ohio back on track for fair representation. Let's fix this today and stop this train on democracy and together try to strengthen the pillars of our democracy." Erika could not be here today because of work obligations and because the commission, again, has failed to live up to the promise of a fair and transparent process by not allowing virtual testimony options in the midst of this pandemic. However, her, excuse me, her words ring true, and I thought it was important to bring them to you

today. Excuse me. Gerrymandering is political cheating, but it is solvable, and that is your duty as members of this commission. Hiding behind excuses of the census delay is no longer valid when this commission has received dozens of maps from Ohioans and organizations who are able to produce maps in a timely manner using the same data set which you all have access to, with staff, I may add. My second piece that I want to talk on is representational fairness, and to answer Auditor Faber's earlier question about representational fairness and how it is cited in the Constitution, Article 6. The Constitution says "No General Assembly district plan shall be drawn primarily to favor or disfavor a political party. The statewide proportion of districts where voters based on state and federal parties in general election results during the last 10 years favor each political party shall correspond closely to the preferences of the voters of Ohio." I grant the auditor that it does not say representational fairness, but as someone who did not go to law school, I even can understand that that is what this article is saying. Ohioans have voted across the decade in a split of 45 percent Democratic and 55 percent Republican. That is an average across the last decade. At first glance, it appears that the map that was just presented today by the majority party actually further reduces adequate representation of Ohioans. If we have any hope of maintaining the promise of our democracy, Ohioans deserve a map that reflects the true partisan makeup of this state, which means our future maps must include at least forty four Democratic House seats and at least 14 Democratic Senate seats. We deserve maps that keep our communities together as much as possible, and especially our major metropolitan communities and Ohio's communities of color, which I was devastated, was not taken into account when the GOP drew their map today or presented their map today. This will ensure that all Ohioans have a pathway to political representation. And I am again disappointed that this commission has failed to provide a map for Ohioans to review until days until our final deadline. And finally, why we deserve both a fair process and a fair map. Missing a deadline is, in fact, a big deal. It is important. These deadlines are constitutional requirements, not just soft suggestions. But keeping their map in the can as long as they did, the Ohio GOP has denied Ohioans a real opportunity to review the maps and to give public input. We are seeing this map just six days before our final deadline. That is not what Ohioans voted for in the reform measures. We are not picking between a fair process and a fair map. We voted for both, not one or the other. It is, frankly, a declaration of duty and an insult to the Constitution that we are being asked by the commission if we would prefer a fair process or a fair map. That answer was made clear in 2015 and in 2018. We are done with backroom deals, lack of preparation and excuses because the majority party is so secure in their power, due to the partisan gerrymandering of the last decade. We are seeing a troubling repeat of strategies that were deployed in 2011 to dilute the political power of Ohioans. This is a sham and an insult to democracy. This process did not have to be rushed. We are running up against the final deadline. This is made obvious again by the fact that maps have been submitted by Ohioans and good government groups in the Ohio Senate Democrats. I hope that when all the hearings are done and you're prepared to adopt a final plan, this commission will have done its due diligence in ensuring that Ohioans voices are heard and fairly not represented, not just the ones that this body picks for yourselves, your friends and your colleagues in the Ohio General Assembly. Thank you. Any questions?

State Senator Vernon Sykes [01:27:25] Are there any questions? Thank you very much. Ann Shroyer.

Shroyer [01:27:41] Excuse me. My name is Ann Shroyer, thank you, commission members, for the opportunity to speak today. My first name is Ann A-N-N, last name Shroyer S-H-R-O-Y-E-R, excellent pronunciation again. Just shout out to Governor DeWine's UT Rocket mask today, I appreciate that as a graduate from there. So as I said,

I live in, my name is Ann Shroyer, I live in Westerville, Ohio, in the 68th state legislative district and the 19th State Senate district. As I pointed out in Lima, my city of forty one thousand is cut into two state representative districts and two state Senate districts, even though we are only 12.7 miles. And the new maps are dividing us again or moving us completely out of the counties that we live in.

Audience [01:28:27] Mask off.

Shroyer [01:28:27] No, I'm leaving mine on, thank you, though. So these unfairly drawn lines leave voters with no real representation, and we demand a fair and transparent end to this, as many have said. The importance of fairly drawn districts cannot be overstated. When district lines are drawn to give extreme advantage to one party or the other, then the true constituents of that legislator are the large donors and lobbyists who can donate and bribe with enough money to bend the ear and get the attention of elected officials. For one example of how this lack of representation affects us, my county, Delaware County, has the highest covid vaccination rate in the state of Ohio. Yet we are represented by a state senator who has been railing against vaccines and masks the entire pandemic. And by the new map that was presented today, Delaware County will be included in the state Senate district with Holmes County, or part of Holmes County because they have such a huge population they have to be split, apparently. And Holmes County has the lowest vaccination rate in this state of Ohio. So just that's just one characteristic that would seemingly not put us in the same district. The state government is beset by a massive bribery scandal, and yet almost the entire state legislature was reelected because gerrymandered districts guarantee their seats are safe, thanks to the district lines that we currently have. And I'll finish with most of the remarks that I said in Lima two weeks ago when I had the opportunity to speak. The lack of true representation, thanks to unfairly drawn districts, can be seen thus. 90 percent of Ohioans, including 87 percent of gun owners in Ohio, approve of universal background checks, and yet this gerrymandered state legislature has made no movement on passing it because the majority have donors in the gun lobby. Columbus has over one hundred and forty two homicides so far this year, again on their way to setting a record, most of them by firearm, and many guns are purchased with no background check at the perpetual gun show on the east side. But the gerrymandered legislature continues to do nothing to pass background checks. Even after Dayton. The legislature did pass the Stand Your Ground, kill at will bill last Christmas at the height of covid death in states. The priority was to protect shooters. The only proponent testimony given at that hearing was from a gun lobbying group, not from an actual voter. The gun lobby groups pay a lot of money directly and through independent expenditures to our lawmakers and get their bills passed, while mothers mourn their dead children. Mothers are shot and killed with their infant children by domestic abusers. That happened less than three miles from my house. And Aisha's Law never made it out of committee in the Senate last year. A mother mourns her daughter, who died by fun suicide less than an hour after purchasing the gun, despite attempts by families to keep her safe, because an extreme risk protection order cannot get passed in this gerrymandered state. We have an entire family shot and killed in a murder suicide in Avon Lake two days ago, less than two miles from my son's grandparents house. An entire family gone by gunfire and maybe Aisha's law or a ERPO could have saved that mother, those children and even the shooter and gotten him help. But yet, because those bills, because ERPO and Aisha's Law do not have a well financed lobbying group to get lawmakers attention, they do not, excuse me, those bills die in committee. Maybe if more mothers had a huge budget for donating to campaigns, we would save, we could save lives with common sense legislation that the majority of Ohioans want. Or maybe fair districts would give mothers a voice in the Statehouse. Mothers will continue to show up and we demand that we have

fair districts to elect lawmakers motivated by their voters. We demand there is a transparent and fair process with well publicized hearings, so I don't have to repeat myself because I didn't have time to realign my testimony. Gerrymandering is killing Ohioans literally, and the new GOP map will continue this tradition. Thank you very much for the opportunity to speak.

State Senator Vernon Sykes [01:32:22] Thank you, are there any questions?

Shroyer [01:32:26] Thank you.

State Senator Vernon Sykes [01:32:29] Zahra Smith. Charles Spencer. Ralph Turek. Andrea Yagoda.

Yagoda [01:33:16] Co-Chairs, member of the commission, thank you for affording me the opportunity to speak today. I did address the members that were present in Mansfield about how gerrymandering directly affected me as an individual. I'm sure I'm not alone when I say this is not the map making process I envisioned when I worked so hard to pass the constitutional amendment and I voted for it. I envisioned a commission working together to review maps that were submitted, discuss them in earnest, and then work together to draft a proposed commission map. So far, what I'm seeing is reminiscent of 2011. No bipartisan discussion, but a back room map drawing process. So it appears to me that all the town halls and these hearings today are merely window dressing to give the impression that the map making process has changed. And Secretary LaRose, I'm not giving you legal advice here, but I understand that other states that ran against deadlines went to their Supreme Court, which ours I think has exclusive jurisdiction, and they asked for an extension. Although I can honestly say after seeing the map today where the Republicans pick and choose which parts of the Constitution they were going to follow in drafting their maps makes me believe that no matter how many more months you had or how many more weeks you had, there wouldn't be a bipartisan commission working together to draft maps. I envisioned a website with a portal whereby Ohioans could not only submit maps, but where other Ohioans could review them and have input. What I found was a hastily constructed website where maps submitted are not labeled. So you have to download, you can't just open the map, you have to download each and every map. And then I have to go look on my hard drive to see, I have to remember the name of the map, then I have to search for it and then I have to open it. Then there is no place for me to comment on that map. It would have been a lot easier if you just posted the maps on Facebook and everyone could have commented on them and this commission could have seen all the public input for all of those maps. Right now what you have to do is keep a list and then maybe put it in your testimony somewhere to comment on each map. That is not a transparent process with input from Ohioans everywhere that don't have to show up at a meeting to testify. They don't have to draft testimony. They could just comment on the map. Even the witness slip is not fillable, so you have to download the witness slip, you have to print to help the witness slip, and then you either have to scan the witness slip, take a photograph of the witness slip. If you're like me and you have a flip phone, you don't take a photograph of that. So if you don't have a scanner, you can't even get your witness slip to this commission. And rule 10 specifically says that in order for me to testify about a map, I must submit and notify you that I plan to testify, in order for me to be able to do so. Why a easy fillable witness list was not included on your website can only show me that you really don't want to hear from us. Why would you make it so difficult? Honestly, as one average person with average knowledge of computer, I really got tired of trying to open the maps and downloading them and I just gave up on the effort and I'm sure that I am not alone. Mr. Faber, you, someone from your office indicated that you had reviewed all of the

maps submitted and I commend you if in fact you did that. But my question is, is even if you did do it, what input did you have that went into either the Democratic submitted map or the Republican map that we saw today? I'm willing to bet that you didn't have any input in that map after reviewing the citizens maps that were submitted by Ohioans. I'm sorry, but I didn't have a chance to write my testimony, but this whole process has been really disheartening for someone who spent days at the Fair District's office reviewing petitions to make sure that they were accurate, scanning petitions, putting data in so we could keep track, for someone who went on street corners on the weekends, went to fairs, stood on street corners, went to farm markets. I got over 3000 signatures on petitions. And it's disheartening to see nothing's changed. I don't see anything that has changed. The failure to submit timely maps, the failure to request an extension from the Supreme Court. You could have moved the primaries and requested that. And I think some of the Democrats had even requested that you, that the Republicans request that, and they took no action. Governor, you failed us by failing to convene this committee back in March or April. [Applause] So a lot of this process could have been done. That was a complete failure. I'm sorry, everyone on this commission knew who was going to be appointed to sit here. You could have, you could have sped this process up. We could have spent this time, instead of doing town halls, talking to the League of Women Voters to define what you needed to do in these maps. I'm sorry. There are no excuses. We are tired. You are not going to silence me for the next 10 years. I have had enough. Ohioans have had enough. We did not vote for this. We all, we all worked hoping that you would act in good faith and do what the voters want you to do. This is not what we voted for. This is not the process. This is not acting in good faith. This is not a meaningful process. This is just a charade to make it look like something's changed. I hope, I hope and pray to God, that you prove me wrong in the next few days. But really, I don't go to bed tonight thinking that that's going to be the case. Thank you for giving me the opportunity to speak. I'd be glad to answer any questions. I will try to get something in writing to you, but I have a life too. And when you give me 24 hours notice, I have to decide whether I want to spend my time writing something or spend my time coming to a hearing. Does anyone have any questions?

State Senator Vernon Sykes [01:40:16] Any questions?

Yagoda [01:40:17] Thank you.

State Senator Vernon Sykes [01:40:18] Thank you. Oh, excuse me, there is a question. Leader Sykes?

State Representative Emilia Sykes [01:40:24] Thank you, to the Co-Chairs, and thank you for your testimony and I appreciate your passion and sharing exactly how you felt with us. It is deserved, for sure. Moving forward, what could this commission do to help satisfy your concerns about what has not happened and what should be happening, to make you feel like your work was not done in vain? And the voters in both 2015 and 2018 who requested a new way and new process would feel like they are being respected in their wishes are being granted?

Yagoda [01:41:05] Well, first, I don't think we get to pick and choose which constitutional amendments. I had hoped, I think it would have been great if we could have been on the Ohio Channel, even if we couldn't appear and we could see you folks discussing maps. Pull up, I don't know, a lady just brought a map in that was submitted. If I could see this committee say, oh, you know what? We've got a map from John Doe. Let's discuss what's in that map. Let's discuss the pros and cons. There should have never been a Democrat map and a Republican map. Because you know what I see when I see that? And I don't

mean to insult anybody on the commission, but what I see is, I see this majority saying, you know what, we don't really give a damn what the minority says. This is the map. We have the majority and this is what we're doing. I think what would have been, people would have had more faith if we didn't be talking Republican maps and Democrat maps. But really, this commission, I think you had indicated at one of the hearings, it's probably the last one, when are we going to work together on a map. And when a map is produced and it doesn't and the person comes in here today and says, we didn't even consider, you know, representational fairness or how Ohioans voted in the last ten years. That does not give me any faith whatsoever in this system. So I think what we need to see is we need to see this body that we, we, created through a constitutional amendment, we need to see you publicly speaking together on what your objections are to the maps, how you're going to change the maps, not just bring us something and say this is our map. We need to see the bipartisanship, we need to see the discussions of this commission. We need the transparency which we're not seeing now. We're just seeing, we're not seeing anything. We're just seeing this charade that you bring us here really so we can vent. That's what I see. You just bring in here so we can vent. No offense, I can make you listen, but I can yell out in this mic and get your attention and make you listen, but I can't make you hear anything that we're saying. And I think that we don't believe you are hearing anything. We called your office, Governor DeWine, and we begged you to convene this committee. If you had done so, we'd be a lot further along in this process. And now it just, it seems like you're just spinning wheels. So I think we need to see you. You want to say we're going to be bipartisan? Secretary LaRose, you say you want that? Why aren't we seeing it? Why aren't we seeing this commission work together in a bipartisan manner? I don't know if that answers your question, but thank you.

State Senator Vernon Sykes [01:43:59] Thank you. Any additional questions? Thank you. Sha'tisha Young.

Young [01:44:14] Hello. One second here. I apologize for my voice being shaky, public speaking makes me really nervous, but I'm here anyways because I think it's important that you all hear from me. So my name is Sha'tisha Young. That's spelled S-H-A apostrophe T-I-S-H-A, Young Y-O-U-N-G. I am from Xenia, Ohio, and I am here today because I was around 15 the last time the maps were drawn. And since then I have watched time and time again as my fellow Ohioans have suffered under a series of maps that were drawn behind closed doors and with a sense of secrecy that we should not be seeing in modern day politics. More often than not, it seems, my colleagues, friends, family and I find ourselves at the Statehouse protesting for our basic rights while a group of people who could never truly represent me, even if they wanted to, and they clearly don't, continue to legislate based on their own personal beliefs and the wants of those who line their pockets. In 2019 in Dayton, Ohio, I stood in a crowd of mourners and listened as Governor Mike DeWine and other elected officials promised to do something about the gun violence we had just seen tear apart a community and by extension, our entire state. Earlier this year, I watched in horror again as DeWine and his fellow Republicans signed a Stand Your Ground bill into law, despite the wishes of experts and advocates within our community, effectively endangering the black and brown people of this state. Our elected officials are meant to represent the people and are meant to advocate for the betterment of all Ohioans. Clearly, this is not what has been happening at the state in recent years. Since our maps were last drawn, the GOP have won around 55 percent of the statewide vote, as others have said today, but have managed to walk away with supermajorities in both state legislative chambers. They hold an alarming 75 percent of Ohio Senate seats. That's not fair or reasonable. At the start of this process, I had incredibly high hopes that you would honor your commitment to bringing fair maps to Ohioans. But after seeing you

all skip meeting after meeting and miss deadline after deadline only to present yet another set of hearings held during the work day, when the people you need to be hearing from the most are working to provide for their families. And it's become abundantly clear to me that this is not the case. Ohioans are not going to suffer through another 10 years of gerrymandered maps that value the votes of some over others. We are watching and we are awaiting. Thank you for your time today and I can answer any questions.

State Senator Vernon Sykes [01:46:51] Thank you. Are there any questions?

Young [01:46:52] Thank you for you time.

State Senator Vernon Sykes [01:46:55] Thank you very much. Is there anyone else that would like to testify this morning? Please come forward. We don't have a witness slip for you, but when you finish if you could complete one, that would be great.

Ahern [01:47:19] Sure, yeah, I appreciate that. I didn't want to walk in front of everyone to fill out the slip. My name is Mike Ahern. I live in Blacklick, Ohio. I'm in House District 20, in the Senate District 3. And I do have written testimony that I'll submit online.

State Senator Vernon Sykes [01:47:38] Thank you.

Ahern [01:47:40] I did submit testimony down in Rio Grande. There was representation of voters down there and I came prepared today to talk a little bit about the map that had been submitted by the Democrats at the previous hearing. I saw the presentation this morning, and I'm going to submit this hard copy and let you consider it. It is comments on the map and proportionality, compactness, all that. But I guess I'll just make two highlight points to try to shorten things up here a little bit today. The first is, and this is related to my prior testimony, I just want to highlight to the commission members that were not down in Rio Grande. And I really appreciate Co-Chair Sykes traveling from northwest Ohio to southeast Ohio. You are part of a larger process, as you all know. Ohio elections are run in a nonpartisan fashion, they're run by Democrats and they're run by Republicans. And during the time that people are doing that work, they set aside their party, they do their best to do their job in a nonpartisan fashion so that we have free and fair elections, in Ohio, okay? This past November, there were people that suited up because they knew that they were going to be exposed to people with COVID-19. People that felt so strongly about their ability to vote, that they came to the polling locations sick so that they could vote. And there were people like these folks in this picture, I'm going to give these to you so each of you can look at them, keep them in mind, that processed their vote at a risk to their health. So I'd like you to keep that in mind as you're considering these maps. Nonpartisanship should be a driver in this process because it's a driver in the entire rest of the process. Set aside your political parties. And create districts that are fair, that are competitive, that represent the will of the voters because the voters are the source of power, you're the representatives and I appreciate the service that you all provide. But please listen to all these people from all corners of the state. That are demanding representational fairness through districts that are drawn fairly. Win your elections based on the strength of your arguments, not based on cheating through gerrymandered districts. Second item that I'd like to highlight, I just want to make sure I heard this correctly, when the staff for the Republican Party presented the map this morning, there was a question about consideration of the Voting Rights Act, whether that was included as part of the analysis of drawing up their maps. Did I hear correctly that they were told or requested by some leadership, either in the Statehouse or even on this commission, to not consider that information? Wouldn't that be a bedrock item? To include as consideration in drawing

maps rather than focusing on geography and township lines. I hope I didn't hear that correctly. Thank you.

State Senator Vernon Sykes [01:51:46] Thank you. Any questions? Thank you very much.

Ahern [01:51:51] Thank you.

State Senator Vernon Sykes [01:51:52] Is there anyone else who wants to testify? Come forward, please.

Dyke [01:52:12] Hi, some of you, well probably only two or three of you, will recognize me from the Cleveland hearings because that's all that bothered to show up that was on this commission. My name is Susanne S-U-S-A-N-N-E, Dyke D-Y-K-E. I am from Cleveland Heights. I drove here from Cleveland and as I mentioned in my testimony in Cleveland, I gathered signatures for fair districts. I am an activist and advocate and I am going to hold all of your feet to the fire, especially the majority party to get these maps the way we thought that they would be created. I did not prepare testimony until I came here because of the lasy minute nature of this meeting. I am here, though, to represent teachers who need to be at their jobs today. People, doctors, nurses, because we are in the middle of a pandemic. Some of you seem to have forgotten that. People who are at work, people who can't drive, people who are in a high risk category and can't take the chance to be in this room because you who are not wearing masks, don't care enough about your constituents to protect them from disease. People who have appointments they can't cancel without penalty or charge, people who are waiting for the appliance repair person to show up because they've been waiting for two months for their dishwasher to be repaired during the pandemic. People who can't find last minute day care. And I'm here for all of those thousands of volunteers and Ohioans who wanted to see a change, which we are not seeing here today. And by the way, I wanted to just acknowledge Andrea Yagoda. Her testimony was so powerful. I don't think I could follow that up, but thank you. But anyway, like I said, I can't comment on the maps because I was driving from Cleveland when they were presented. But I will comment on the process and I have a number of questions. And in probably ninety nine percent of the case, I am addressing the majority party. And I would like you to listen. This commission, the majority party on this commission, is unprepared to do these maps. You are not doing what your voters who voted for you want you to do. You are not serving the public. You're not acting in good faith. I'm still still still livid that Speaker Cupp could only bother to be at two meetings, that's 20 percent. That's usually a failing grade, anything under five, which is almost all of you on this commission. That's a failing grade. Either you don't care about this process or you're definitely, I can't imagine why that you'd even be taking this process, that you are even taking this process seriously. Very frustrated by that. As Andrea mentioned, your website, your own offices can't find things that your people within your office have posted. I called yesterday to ask a question about Attorney Blessing. No one could find it on the website, but she had posted information on the website that led us to be confused about the purpose of this meeting today. Sloppy, rude and disrespectful to the public who you work for, I have to remind you that, and pay your salary. You all work for me ,whether I am in your district or not. We got different answers yesterday from every single legislative office about what these meetings were about - your own offices didn't know. And Senator Huffman, your office seemed to have the best knowledge, but is that, why is that? Is that because you are running the show here, not the co-chairs? Well, it sure feels that way. You are being disrespectful to those who have fought for decades, years, months to stop you all from cheating. You act indignant about not being able to meet deadlines, but unpaid regular citizens are doing a

better job than you are, and there is no indication that the delays are resulting in a better map and it surely has not resulted in a better process. You have had the time, you have squandered. Every single majority member on this commission, you have squandered your opportunity. You are doing the bare minimum and not in the spirit of what voters voted for, and this meeting is a prime example. You're still cheating, it's just not in a hotel room, maybe it's in the Statehouse. How can you you epexct, people like, oh, why you are so angry, how can you expect us to trust this process? You or this process? Anyway, so here's my questions. Why did you wait so long to get started? There have been funds available since 2019 to start this process. That, the census wasn't even a problem back then, okay? You could have started, but you didn't. Why? My guess is because you intended to not actually follow, to follow the bare minimum of the rules. Why would the Dem Co-Chair or anyone else in this room be in the dark about the maps you showed this morning? Was it, why was it a secret, who is drawing your maps? You knew who it was, why couldn't you release that to the public? I don't understand. This is very confusing. Why wouldn't you, I am assuming that many of the, at least the minority party on the commission, had no idea who was drawing your maps. Why is that? Are you guys not working together? I'm confused. This is a commission. You guys are supposed to be working together. Why not? When will you take responsibility and work together instead of making excuses? I've been calling your offices since March along with some friends of mine, and every single time there was an excuse. Oh, the census data. Oh, the budget. You didn't have to say this, but yeah, you were also conspiring to to create anti voter legislation. All right. You focus on everything but what was the most important thing that you could do in the net for the next 10 years. You blew it off. And I'm disgusted as a citizen of the state. The recent hearings showed that the public demands fair maps. Are you all working across the aisle to make sure that that happens? Are you? Based on what we're seeing, you're not, and again, a failure on this commission. Why is anyone in charge who failed to attend the hearings, the 10 hearings that you had across Ohio? And sent their B team on a regular basis, their J.V. You have once again disrespected - why are you even on this commission? You're not fulfilling your duty to show up to a meeting with Ohioans unless it's in your own hometown. And then I'd like to know is why does it appear that Senator Hoffman is running the show when there are bipartisan Co-Chairs? And why do the bipartisan Co-Chairs not seem to be talking to each other? And I rest that on you, Speaker Cupp, to reach out and do more than sit next to your counterpart and your colleague. I say that if you didn't bother to show up to any meetings like you, Senator, Governor DeWine or anyone else on this committee who showed up to less, commission who showed up to less than five, you don't deserve to be, to keep your office, number one. And number two, I think you really need to step aside and let someone else do a better job than you can. Finally, my last statement is all of this just leads me to believe that the majority party is still cheating and just not in a hotel room, that's all. Any questions?

State Senator Vernon Sykes [02:01:43] Any questions of the members? Thank you very much. Is there anyone else that would like to testify? Is there anyone else who would like to testify? Come forward. State your name and spell it, please.

Reese [02:02:14] Good afternoon. My name is Deidra Reese, that spelled D-E-I-D-R-A, last name R-E-E-S-E, and I'm here representing the Ohio Unity Coalition regarding the Ohio redistricting process. It is our belief that democracy is a fundamental cornerstone of America, that we are still a nation seeking to be a more perfect union. We were built on solid ideals of freedom, liberty and the concept of true representation. Ohio voters spoke loudly when they passed not one but two constitutional amendments, changing the way district lines are drawn for legislative and congressional district maps. While no process is perfect, the new process offers a great improvement over past processes for drawing

district lines by two major elements: keeping communities together and requiring bipartisan support of maps. The Ohio Coalition on Black Civic Participation, or the Ohio Unity Coalition, engages in black civic participation in elections with the goal of electing candidates who will best represent their interests. However, if politicians are able to select their voters through gerrymandered districts based on partisan criteria, it undercuts the true purpose of our voting process. We are aware that we will lose one congressional seat due to the 2020 census, and we're particularly sensitive to the lack of representation of people of color in our legislative bodies. Currently, there is only one majority minority district in Ohio, and I guess we're using this term minority opportunity districts. And there are only two districts represented by people of color, though one of them is vacant right now, in the United States Congress. In the Ohio General Assembly there are 20 districts represented by minority members. That representation is twelve and a half percent and fifteen percent, respectively. According to the 2020 census, the Ohio minority population in total, including African-American, Hispanic, Asian, Pacific Islander and Native Americans, is 24 percent. While that current minority representation of the populist population is underrepresented in the General Assembly by six percent, and nine percent in the Congress, this is an opportunity to consider districts that reflect the true population of the people who live in the districts, as well as the issues and concerns that bind them together by their experiences. I was sitting at home watching this presentation on the phone and I was greatly disappointed. And that's a very weak word really, for what I was feeling when I heard the presentation by the Senate Republican caucus, that they did not even consider racial data when drawing the lines. I feel invisible, I feel as if I don't matter. I feel as if other people of color don't matter at all as they were presenting their map. And I just I raced down here, you probably saw me rushing in the room. That's why I'm out of breath, because I need to come here and stand before you and tell you that I feel invisible, that numbers say I'm underrepresentated. But I feel very, very disgusted by the fact that someone was told not to use that data in drawing those lines. And I'm certain I'm expressing that for other people of color. When you're in this process right now, it's disgusting. It's absolutely disgusting and demeaning that someone would say, don't even consider me when you're drawing lines to represent me and other people who look like me. Race, ethnicity, economic status and educational attainment are often factors that are similar enough to require a voice that will represent a unique and needed view in the halls of government. The Voting Rights Act, and indeed several SCOTUS decisions, say that you can allow consideration of race as a criterion, along with other issues of common interests. In a season of significant racial and economic disconnect and division, it is imperative that there be voices to raise concern and voice concerns of a significant portion of the citizens of this state. It is my sincere hope that as this commission conducts its work, that there is consideration for at least one majority minority congressional district in our state and consideration of that representation for our legislative districts as well. There have been very spirited discussions of issues that have centered on sensitive historical and current racial dynamics that require a voice in policy debate and discussion, but more importantly, decision making. As this body deliberates the redistricting in our state, please do not adopt a colorblind approach that ignores the complex experiences that are at times are unique to the racial diversity in our state and should be represented in our halls of government. The new system affords you the structure to meet this request, and I hope that you will provide that fair opportunity. Because until we are colorblind in outcomes, some of some of which are still tied to class, race and geography, our diversity should be embraced so that we can all benefit from our differences and learn what we share in common. As we talk about representational fairness, partisan fairness cannot be the only person considered. Communities of color also deserve representational fairness that has been grossly lacking in our political discourse. While I'm keenly aware that the concept of minority opportunity districts and maps that I have seen thus far, opportunity does not

often translate from potential to reality. I ask that this body be deliberate in its action to assure the ability for communities of color to truly impact and influence the outcome of elections and more importantly, those who will ultimately represent them in the Congress and state legislature. Those current levels of underrepresentation of six percent in the General Assembly and nine percent in Congress are out of step with our diversifying population. I implore you to take this opportunity using the Supreme Court approved policy to use racial data as one of your criteria to consider as you draw the new maps. I hope this information is not new to you as this testimony was submitted to this body in written form for the Zanesville hearing. In closing, I would like to thank you for the opportunity to share this testimony and wish you much success in this tight time frame to create a fair and equitable districts that gain bipartisan support. Thank you very much for the opportunity to stand before you today, and I hope I can answer any questions.

State Senator Vernon Sykes [02:09:41] Are there any questions to the presenter? Seeing none,thank you very much.

Reese [02:09:46] Thank you.

State Senator Vernon Sykes [02:09:48] Is there, are there any others that- yes, come forward. Are there any others after this person speaks? Okay.

Halaiko [02:09:59] Co-Chairs and members of the commission, thank you for this opportunity to testify, I'm sorry I did not turn in written testimony. I will have some and I will fill out a slip. I just have a couple of questions.

State Senator Vernon Sykes [02:10:16] Can you state your name, please?

Halaiko [02:10:18] Yes, my name is Mike M-I-K-E. Last name is Halaiko, H-A-L-A-I-K-O. Officially, my first name is John. I did get to testify at Zanesville and I was quite honored to do that. I saw one member of this commission at every public hearing. And I want to thank you, Co-Chair Sykes for being there. I just have, I want to go back to the beginning of the meeting. And with all due respect, one of the statements that we hear is that the census data was late. And I would like to ask, Secretary LaRose, why was that census data late? Anybody? Co-Chairs, anyone?

State Senator Vernon Sykes [02:11:22] Secretary.

Secretary of State Frank LaRose [02:11:22] Co-chair, I get I accept that the Census Bureau's explanation for why it was late had something to do with the pandemic, but the fact remains that it was egregiously late, by orders of magnitude.

Halaiko [02:11:37] OK, thank you. You know, there was great excitement in the meetings, the public hearings. I came here on August 31st. And I have to tell you, quite frankly, it's a little depressing to see. That, you know, the people of Ohio have spoken. What is it going to take? This is a bipartisan commission. And I listen to Senators Emilia Sykes ask this question, what is the timeline? What, you know, asked a simple question, how are we moving forward? And I don't know if we have an answer to that yet. That was how many days ago, how many days we have left to the second constitutional date? I just want to ask one more question, okay? It's a bipartisan commission. Outside of August 6th, August 31st, and this date, how many bipartisan meetings have you had? Anyone? Well, thank you for this opportunity. No questions?

State Senator Vernon Sykes [02:13:10] Are there any questions? Seeing none, thank you very much.

Halaiko [02:13:16] Are there any answers to my questions?

State Senator Vernon Sykes [02:13:20] We'll continue to work on it.

Halaiko [02:13:21] Thank you.

State Senator Vernon Sykes [02:13:25] Are there any comments to be made by any of the members of the commission? Seeing no other witness to be present here today, no further business to be brought before the commission. The commission is adjourned.

Article XI, Section 6 | Additional district standards

Ohio Constitution / Article XI General Assembly Redistricting

Exhibit #
DiRossi 07
10/19/21 - MP
exhibitsticker.com

Effective: *2021*

The Ohio redistricting commission shall attempt to draw a general assembly district plan that meets all of the following standards:

(A) No general assembly district plan shall be drawn primarily to favor or disfavor a political party.

(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.

(C) General assembly districts shall be compact.

Nothing in this section permits the commission to violate the district standards described in Section 2, 3, 4, 5, or 7 of this article.

Exhibit #
DiRossi 08
10/19/21 - MP
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Ohio Redistricting Commission - 9-15-2021

https://www.ohiochannel.org/video/ohio-redistricting-commission-9-15-2021

Co-chair Speaker Robert Cupp [00:00:00] Call to order this meeting of the Ohio Redistricting Commission. I ask the staff to please call the roll.

Clerk [00:00:08] Co-chair, Speaker Cupp (present), co-chair Senator Sykes (present), Governor DeWine (here), Auditor Faber (here), President Huffman (here), Secretary LaRose (here) Leader Sykes (here).

Co-chair Speaker Robert Cupp [00:00:22] We have a quorum and we'll proceed as a full commission. I think let's... We have some minutes that we maybe have not approved yet. There's minutes from the meetings of August the 31st, September 9th at 10 a.m. and September 9th at 2:00 p.m. They are before you. Is there a motion to accept the minutes as presented?

Senate President Matt Huffman [00:00:46] So moved.

Co-chair Speaker Robert Cupp [00:00:46] Is there any objection? Seeing and hearing none, the minutes of the previous meetings stand as accepted. Senator Huffman, for a motion.

Senate President Matt Huffman [00:01:01] Thank you Mr. Co-chair Cupp. At this time, I move that the commission stand in recess.

Co-chair Speaker Robert Cupp [00:01:08] Until...?

Co-chair Speaker Robert Cupp [00:01:09] Pardon me?

Senate President Matt Huffman [00:01:10] Until 3:00 p.m., I believe.

Co-chair Speaker Robert Cupp [00:01:14] It's so moved. The commission will be in recess until 3:00 p.m.

House Minority Leader Emilia Sykes [00:01:20] Mr. Co-chair?

Co-chair Speaker Robert Cupp [00:01:22] Leader Sykes.

House Minority Leader Emilia Sykes [00:01:23] Thank you. Thank you. Mr. Chair, if we could just... Obviously we have people who are anxious to understand what is happening next. So for the benefit of those who are here and perhaps watching, could we have a bit of a discussion of what the recess will entail and for what purpose are we recessing?

Co-chair Speaker Robert Cupp [00:01:42] We will be recessing so that we can continue some consultations that are going on, some work that is being done on the map for the finalization that needs to be done, as well as any changes that might be considered in the interim. Is there any objection to the motion to recess? Hearing none, the commission is recess till three o'clock.

Co-chair Speaker Robert Cupp [00:02:17] Pursuant to the recess, the meeting of the Ohio Redistricting Commission will come back to order. A little leftover business from this morning. And at this time, I would entertain a motion to accept any remaining written

testimony from the regional hearings on the introduced plan to be part of the record of the September 14th hearing. Do I have a motion for that?

Co-chair Senator Vernon Sykes [00:02:41] So moved.

Co-chair Speaker Robert Cupp [00:02:43] Is there a second?

Senate President Matt Huffman [00:02:45] Second.

Co-chair Speaker Robert Cupp [00:02:45] Second, is there any objection? Seeing none, the written testimony is accepted as part of the record. At this time, I will ask what is the will of the commission with regard to the introduced state redistricting plan?

Senate President Matt Huffman [00:03:00] Mr. Co-chair?

Co-chair Speaker Robert Cupp [00:03:02] Chair recognizes Senator Huffman.

Senate President Matt Huffman [00:03:03] Thank you, Mr. Co-Chair. I'd like to present to the commission an amendment to the introduced proposed General Assembly district plan for its consideration. Thank you, Speaker. The commission, as we know, introduced a proposed General Assembly district plan last week. And since that time, we've been actively talking with all of the commissioners, all the... Folks serving up here, including, of course, our Democratic colleagues. In response to those conversations. We've made a number of changes based on, really, a variety of suggestions and feedback. And of course, that feedback includes the several public hearings that we've had, the submitted testimony and, you know, other, other public input that we have had. Additionally, this amendment itself was presented to the seven commissioners last evening, along with the appropriate computer files and other items that could be reviewed. I, this amendment, moves to the introduced plan much closer to what our Democratic colleagues had sought in their amendment, which was presented and explained by Mr. Glassburn in Cleveland last week. So I want to talk a little bit about the amendment itself. I should say initially that we've made a number of technical changes. This is, of course, a big job with a lot of of data so that naturally these things happen. But there are a number of technical changes, these fix misassigned census blocks, and the block assignment files. And really those changes, for the most part, had no impact on on population. These were simply bits and pieces that that had to be cleaned up. However, there were a number of substantive changes that were made that did reconfigure the geography of the introduced plan, the plan that was introduced by the commission last week in a way that did change demographics in other parts of various districts. The first part, I would say, is that this plan reduces the this amendment, reduces the number of Republican seats collectively in both houses by six. And of course, these are House, according to the the indexes that were developed, I think that both sides were using. So the... And again, takes this much closer to the Democratic plan that was presented where this amendment will have 62 Republican seats in the Democratic amendment, had 57 Republican seats. So, so fairly close really. And then in the Senate, the numbers are 23 and 20. So, again, this, this amendment is much closer to the Democratic amendment than the original proposed plan. A couple of other comments. And I do want to compliment Mr. Glassbern... burg... burn. I apologize, I keep getting that name wrong. He did an excellent job in Cleveland explaining their plan. And there were a variety of maps that were submitted in a variety of ways, either through the website or in...and many of those maps were not constitutional. As was pointed out the other night, the winning map and the Fair Districts competition had 10 to 15 constitutional violations and about 50 or so other local splits that that weren't necessary. And so those

are all things, I think, that that need to be taken into account. The... Many of the... And actually, I should say this, the last proposed Democratic map, although I think took care of many of the things that were originally issues when first submitted, including numbering and a number of of constitutional problems. There were still some constitutional problems, especially related to the contiginuity of at least one of the districts that I know, know of. So I would say that, you know, I think it's important that this commission vote on a map that is constitutional. This is the only map.... So, you know, and with this amendment, will continue to be the only map that is, is constitutional that's been submitted to the plan. We have about 37 minutes, according to my watch, too, for this commission to act according to the Constitution. And these are things that, you know, I think many of us who've been here a while often act... In a...We have to act late at night, whether it's a budget on June 30th or other deadlines. So I'm sure we'd all rather be someplace else right now. But in this case, this is something, a task that we have to complete, according to the Ohio Constitution that all of us swore to uphold. That has to be done. So pursuant to the comments that I've made regarding the amendment and by the way, the amendment has been downloaded on the website for some time now. Of course, this is an amendment that has been circulating among all the commissioners since yesterday afternoon. So based on those comments, Mr. Cochairs, and pursuant to Article 11 of the Ohio Constitution, I move for the commission to amend the introduced proposed General Assembly district plan with the amendment that I just explained.

Co-chair Speaker Robert Cupp [00:09:18] Is there a second to the motion on the amendment? I'll second the motion, it's been moved in second and that the motion to amend the commission plan be adopted. Is there discussion. Hearing no discussion...

Co-chair Senator Vernon Sykes [00:09:40] Mr. Speaker. At this point, in looking at the different proposals that have been introduced over the course of the last couple of weeks, we appreciate the offer, the amendment that make, the adjustment that the amendment makes, but far falls far below what's considered to be fair. And for that reason, I object to it and do not support the amendment.

Co-chair Speaker Robert Cupp [00:10:19] Is there further discussion. The staff will call the roll, please.

Clerk [00:10:29] Co-Chair Senator Sykes.

Co-chair Senator Vernon Sykes [00:10:30] No.

Clerk [00:10:30] Co-Chair, Speaker Cupp.

Clerk [00:10:35] Yes.

Clerk [00:10:35] Governor DeWine.

Governor Mike DeWine [00:10:39] Yes.

Clerk [00:10:39] Auditor Faber.

Auditor of State Keith Faber [00:10:39] Yes.

Clerk [00:10:40] President Huffman.

Senate President Matt Huffman [00:10:40] Yes.

Clerk [00:10:42] Secretary LaRose.

Secretary of State Frank LaRose [00:10:43] Yes.

Clerk [00:10:43] Leader Sykes.

House Minority Leader Emilia Sykes [00:10:43] No

Co-chair Speaker Robert Cupp [00:10:50] Five votes to two, if I was right. The motion to amend has been adopted. Is there further motions?

Senate President Matt Huffman [00:11:00] Mr. Chairman?

Co-chair Speaker Robert Cupp [00:11:02] Chair recognizes Senator Huffman.

Senate President Matt Huffman [00:11:03] Thank you very much, Mr. Chairman. Pursuant to Article 11 of the Ohio Constitution, I move for the commission to adopt the introduced proposed General Assembly district plan as amended as the final General Assembly district plan.

House Minority Leader Emilia Sykes [00:11:16] Objection.

Co-chair Speaker Robert Cupp [00:11:16] Is there a second to the motion? I'll second the motion. There's been an objection. Discussion? Any discussion? Chair recognizes Leader Sykes.

House Minority Leader Emilia Sykes [00:11:30] Thank you, Mr. Co-Chair and members of the committee. And I know it is late and we are on a time crunch, but if you could indulge me a bit so I can share my thoughts about this plan, this map and why I will be voting no this evening.

Co-chair Speaker Robert Cupp [00:11:57] Commissioner may proceed.

House Minority Leader Emilia Sykes [00:11:59] Thank you. Thank you, Mr. Chair. People ask me pretty regularly, why do I wear white all of the time. And and if you indulge, it'll all make sense and all come together. I often wear white, especially in moments of importance. To honor the women of the suffrage movement who fought so hard for the right to vote. Women who, through no fault of their own except to be born as a female did not receive equal access to speaking up and about the government, to the government on behalf of themselves and their families. As the only woman on this commission, I take my responsibility incredibly, incredibly seriously. And beyond just what this vote may mean for a 10 year map I bring with me those women who suffered for generations for the right to speak up so that someone like me could have the audacity to stand up and speak out on a commission that is made of six men and one woman. I recognize that the men in the majority, in the majority party on this commission have never had ancestors or the experience of having to fight for their access to basic human rights that others enjoyed just simply because they were born. And to have before us today a map that summarily and arrogantly eliminates the ability for women like me, the women of the past, to engage in a process and have their votes heard is not only offensive, it is plain wrong. I think of the women of the suffrage movement. And we just celebrated a hundred years of white

women having the right to vote and people like Mary Church Terrell or Ida B. Wells and Sojourner Truth, who fought so that women like me, who look like me, could have the nerve to say the things that I say in rooms just like this when people tell me I don't belong here. I call it offensive and plain wrong to move forward this map after we heard hundreds of people come before us. Hours of testimony in cities across this great state. And to put forth something that so arrogantly flies in the face of what people, our voters, asked us to do not once but twice, through a citizen-led initiative that forced the hand of the legislature to ensure that people had the right to vote to... And not only that, they have that right that they feel that it is counted and they can make a difference in their government. I have often talked about my faith and I continue to have the faith of a mustard seed. And that faith does not live within men and including the men on this commission. And I'm reminded, and I was continuously reminded through the many hearings that I sat through a Proverbs 29:2 that says, "when the righteous are in authority, the people rejoice. But when the wicked beareth rule, the people mourn." The people of Ohio have been mourning. They have been in mourning. And it is because they have not been able to access their government and the way in which they deserve. We may no longer be in the 1920s where women or some women or even just 1963 when black people didn't have their full enfranchisement, but every day I am faced with the opportunity, and really the privilege, to push back and to stand up and be proud of where I am and not to ever disrespect the people who got me here. There is in no way that I can, in good conscience vote for this map, and I urge every single member of this commission to join me in voting no. This is not simply a matter of Republican versus Democrat, male versus women, Younger versus older, millennial, boomers. This is about the human right to access and participate in our government. The Democrats on this commission made it very clear that the maps that we saw yesterday were a nonstarter, that we would not be supporting them. And any suggestion that we should be voting for them or that they are closer is a patently false statement. And to make the suggestion that perhaps we should vote for this because it may get us closer is just wrong. I am not going to be fooled and neither will the people of this state. They have invested too much time and energy in this process, and they deserve better than what this map is. It is very clear that in drawing this map, because it was stated that no one considered the Voting Rights Act. An act that allowed me, someone like me, to even be able to be in this position. To allow someone like Co-Chair Sykes to be a co-chair of a constitutionally mandated commission. But I know the people who have never had to fight for their rights cannot appreciate what it means when people who have not had rights, beg for them. Things that they should have already had. These people who came and spent hours of testimony did not deserve to beg us to do right. It is just wrong. This map, we can talk about constitutionality, but I think all of us, especially those who have graduated from law school, know we don't have the ability to determine anything to be constitutional or not. That will be left up to the courts. But I do know one thing that is very clear. That there is a section in the Constitution that requires us to draw maps that follow the proportional results of elections over the last 10 years, and this map falls short of that. And we can argue all day about the legislative intent, but I don't have to do that because I can talk to my co-chair who was a part of writing this, and he will share with you that the proportionality or representational fairness is what he meant and that is why it's in the Constitution. Period. And you can ask him yourself if anyone else has any questions. And so as I conclude, I just want to say, and make another appeal to my colleagues on this commission. This is a vote that should be an easy no. It's an easy vote for me. I will not lose not a second of sleep over voting no on this, because at some point when the government refuses to listen to the people who elected us and direct us, there are consequences. And I am always going to stand on the side of the people who brought me here, whether it's those suffragettes, those civil rights fighters, the people of House District 34, the birthplace of champions. They got me here. And I am proud to vote no on their

behalf, because I know they deserve better than this, and I would hope every member on this commission feels the same way about their constituencies, whether it is a district or it is this state. And you join me in voting no. Thank you, Mr. Chair.

Co-chair Speaker Robert Cupp [00:22:03] Further discussion? Chair recognizes co-chair Sykes.

Co-chair Senator Vernon Sykes [00:22:09] Co-Chair and members of the commission and people of The State of Ohio. I have very, very heavy heart tonight. I have been advocating for fair districts since the 80s, when I first came on as a member of the Ohio House of Representatives. And I've worked really hard to formulate the provisions of the Constitution that the citizens adopted. And I'm so disappointed at this particular time that we're at this juncture. That now it's almost 12:00 on September the 15th in 2021, and we come to this juncture, I was hopeful, hopeful that the people in place at that particular time when we were contemplating this would have the will to promote fairness. I was hopeful that we could take an adjustment, make an adjustment in the apportionment board, expand it, make sure we have minority representation on it, adequate. Was hopeful that they would have the courage and the insight to promote fairness. And we put guardrails in it. One of the very distinctive factors of the constitutional provision in 2015 was we added a provision that dealt with fairness. Before we were just looking at technical compliance. Issues like compactness or the number of splits. But it's been proven with the map that's been presented for you today. That you can comply with the technical compliance, but still gerrymander districts as much as you like. And so it was the wisdom of the constitutional provision to put in place a different concept of representational fairness, and that concept was considered to be somewhat vague at the time, and so we wanted to make sure it was understood. So instead of putting the words representational fairness in, we actually define the concept, described it so it would be clearly understood what the intentions were. And this was the guardrail, because in Section 6(A) it says you can't favor or disfavor a party. And then in (B), it describes how we make sure that that doesn't take place. Because we're going to look at the voting preferences expressed by the people and the vote, in elections over a 10 year period. And we take all of the partisan elections, we're not going to be selective, we're going to take all of them. We do it over a 10 year span so we don't have problems with outliers, so it's kind of an average. We asked scholars to come forward to analyze it, to read the Constitution and then say, how would you interpret this? And they came one at a time. And every one of them came up with the, basically, the same quotient. Basically the same percentages, proportions. And that's considered to be fairness. And I can't stand up here and support anything but fairness. You know, I'm just astounded by the arrogance of the super majority having such a callous disregard for the people of this state. You know, I went I went to every one of the hearings. I presided over most of them. And I listened to every testimony. The people came and they pleaded with us. Some of them scolded us and others cried. Because they wanted us, they were trying to appeal, make an appeal, to our sense of good judgment. And they waited in hearings that were four, five and six hours long to present their written testimony. And as they spoke and they went over the time limit, they kept speaking. And as I tried to even gavel them down, they kept speaking. I asked them not to applaud and they kept clapping anyway. They have spoken, we, hundreds of them from all over the state. 15 regional hearings in 15 different locations, and they all, they all, want fairness. And when we campaigned, Senator Huffman, we campaigned, we campaigned on the slogan for the, our campaign committee statewide, we raised money and campaigned. Fair districts was the name of the committee. Fair districts. Not technically complying districts, but fair districts. And I can't, as bad as I would...I would love for us to have a 10 year plan. A fair plan. There's no way that I would slap the people in the face that promote fair districts. And put them in a

smooth... Put them in the misfortune that we've been suffering for decades, for another 10 years. And I ask this committee, please listen to the constituents this time.

Co-chair Speaker Robert Cupp [00:30:04] Further discussion on the motion? Chair recognizes Secretary LaRose.

Secretary of State Frank LaRose [00:30:11] Thank you, co-chair. Though our votes are different, I share the deep disappointment that co-chair Sykes just expressed. I'm no stranger to trying valiantly for a worthwhile cause. But I don't like to fail. I'm no stranger to striving hard and spending myself for a mission that matters. My mission has been clear. Bipartisan compromise that yields a 10 year map. I believed all along that it was possible. I even told a couple of you that our state motto is, With God, all things are possible. That was my guiding north arrow over the last couple weeks. With God, all things are possible. We've fallen short. Not enough members of this commission wanted to come along with that effort. I'm casting my yes vote with great unease. I fear, I fear we're going to be back in this room very soon. This map has many shortcomings, but they pale in comparison to the shortcomings of this process. It didn't have to be this way. It didn't have to be this way. Some of us worked in good faith, in a bipartisan way, to try to get a compromise. There are members of this committee who I do not believe worked in good faith to try to reach that compromise, but here we are. When we are back here, whenever that is, I know for sure, I believe October 1st we'll be back to back here with a new mission, drawing congressional districts for the state of Ohio. And when we are, this process will be different. It is not going to work this way next time. I'm casting a yes vote today. But I wish it didn't have to be this way,

Co-chair Speaker Robert Cupp [00:32:17] Further discussion on the motion? Governor DeWine.

Governor Mike DeWine [00:32:22] Thank you, Mr. Chairman. I am deeply disappointed at where we are tonight. I'm very, very sorry that we are where we are. I know, I know, this committee could have produced a more clearly constitutional bill. That's not the bill that we have in front of us. I have felt throughout this process that there was a compromise to be had. That the bill could be improved, become much more clearly constitutional, that we could produce a bill that all seven members, a map that all seven members, of this committee could vote for and that we would have a 10 year map. I was wrong. I felt even today, as late as early this evening, that there was still a deal to be had. And the parties could get together. And I thought if that could not occur tonight, that it could occur tomorrow or the next day, and that it was possible. The parties are not that far apart. I won't go into the details, but they're not. They think they are, but they're not. Tonight, it has become clear to me that there is not going to be a compromise. There can't be a coming together. I talked to the Republican legislative leaders. I talked to the Democrat legislative leaders separately. And it's clear in talking to both sides that there's not going to be an agreement. And that we could go tomorrow or the next day or the next day, and it simply was not going to occur. I have respect, deep respect, for all members of this committee, but I'm saddened by the fact that it was clear in talking to them that there was not going to be any real ability and so that tomorrow we would be exactly where we are today and the next day and the next day. So along with the secretary of state, I will vote to send this matter forward. But it will not be the end of it. We know that this matter will be in court. I'm not judging the bill one way or another. That's up for, up to a court to do. What I do, what I am sure in my heart is that this committee could have come up with a bill that was much more clearly, clearly, constitutional. I'm sorry we did not do that.

Co-chair Speaker Robert Cupp [00:36:10] Further discussion? Chair recognizes Auditor Faber.

Auditor of State Keith Faber [00:36:14] Thank you, Mr. Chairman, and a question to the sponsors, do we have a statement pursuant to 8(C)(2) to prepared to explain the proportionality issues?

Co-chair Speaker Robert Cupp [00:36:26] Mr. Chairman?

Co-chair Speaker Robert Cupp [00:36:27] Go ahead.

Co-chair Speaker Robert Cupp [00:36:27] Yeah, yeah, yeah. In fact, there is. That's not appropriate to present that until after the vote is taken, which I could present it now, but it's only presented in the case of a four year map, which I think we're going to have, but formally we have to have the vote first.

Auditor of State Keith Faber [00:36:45] Mr. Chairman, the reason I ask is, is that I think that that discussion may help at least, certainly, have a discussion as to at least, some folks' belief as to whether this map complies, or how it complies with Section 6. And so I don't know if that's helpful or we can wait to have that discussion. But I'm just... I'm at your discretion.

Co-chair Speaker Robert Cupp [00:37:13] I'm not sure if it's to my discretion or the co-chairs discretion, but would you like me to distribute the statement now, Auditor Faber? Is that what you're asking?

Auditor of State Keith Faber [00:37:22] I guess my short answer is yes, you know, it's not required until after that, but it certainly would help the proportionality explanation.

Co-chair Speaker Robert Cupp [00:37:38] At the request of Auditor Faber, if we could distribute the statement, that conditionally would be offered. Anybody need a minute here or?

Auditor of State Keith Faber [00:38:30] While we're doing that, Mr. Chair?

Co-chair Speaker Robert Cupp [00:38:33] Do you need to you need a minute? OK.

Auditor of State Keith Faber [00:38:36] No I have a question... Or a statement.

Co-chair Speaker Robert Cupp [00:38:38] Chair recognizes Auditor Faber.

Auditor of State Keith Faber [00:38:40] Thank you. This has been an interesting process. To say it has gone like I anticipated is probably not just an overstatement, but but frankly, a great disappointment. This process has been an example of, from a management perspective, of what needs to be improved going forward for future redistricting commissions. And candidly, I anticipate offering some suggestions on rule changes and things to better involve the non-legislative members in the process earlier and to give resources equally so we can have the ability to draw other maps. Having said that, I think it's important that everybody understand some truisms that we heard some of the witnesses testify to in the redistricting process. First, that Ohioans tend to live around people that think and vote like them. And that's why the compactness provisions in the Constitution are very important. And the no splitting provisions are very important because

we heard a lot of people testify that they didn't want to necessarily be drawn into districts that put them in places that didn't think like them, or to be represented by somebody who doesn't share their values. Now, we're in a representative form of government, and that always means that you're always going to have somebody representing you that you don't agree with in some ways. Heck, most of us who are legislators will say we don't always agree with ourselves. So it's tough to have 100 percent agreement. So we don't expect perfect alignment, but that's why we elect people, and why majorities in the district get the say. The problem with looking at other factors, when you have such a organization in Ohio, as we do with urban and suburban and rural areas, means that it's very difficult to draw districts that have some divine competitiveness ratio. One of the versions of the maps and I'm going to talk about the maps before I get to the process, one of the versions of the maps submitted by one of the legislative caucuses at one point almost had no competitive districts. And so most all of the races would have been determined in primaries, we heard over and over and over just how many people had concerns with that as to its potential to lead to extremism. So I did a quick count on this map based on information that we got a little earlier off of... and because we don't have access to the high tech programs, we were stuck using Dave's Redistricting, which seems to be an OK tool. But the reality is, is I counted the competitive districts. And we've had different debates about what competitive means between all the participants here. And so I use two different metrics. The one Dave's uses is 10 points, 45 to 55. I think a better, tighter competitive number is is 48-52. It's real tough for somebody to win a 55, or to lose a 55 district. And it's real tough for somebody to win a 45 district. But candidates matter. We have examples. Frankly, I think one of the members on this panel won a district that wasn't much above 45 and everybody said you could win. I remember being one of those people who said he could. He did. And I'm proud of him as my colleague. So you can win those districts, candidates, matters, campaigns matters and and those issues matters. So in this map that's presented, if I've got the right set of numbers, we've got 23 districts that are competitive. 12 of which happened to fall in the Democrat side, an 11 fall on the Republican side. If you're striving for a competitive map, that's pretty darn good with the number of tight districts that you have to draw that are going to be the sure things in the Republican strong areas and the Democrats strong areas of the state. So that means, depending on what happens, elections and candidates and issues and districts, you've got 23 districts in this map that could flop one way or another. That's not bad. Going through the rest of the map, there are things in it that I don't like. My colleagues have heard me repeatedly talk about why I think you need to keep communities that have a long track record of being represented together, together. My home community isn't such a community in this map, it's not tied to the state senator, including the now speaker, I think you represented this district some 20 plus years ago, with the counties that it's with. The moral of the story is, we all don't get everything we want, despite our efforts. So when you draw a map, sometimes you have to allocate disappointment. I will tell you, there's some disappointment, in my view, as the way some of the counties are split in northwest Ohio. That's just the way the cookie crumbles, some would say. But the reality is, compared to some of the other maps we've had a choice to go with, this map isn't that bad. It's not that good either. There are things in this map that given a perfect world, I would change. We tried to make some of those suggested changes, but that brings me now to the process. I spent a lot of time trying to figure out how to get to a seven person, 10 year map. We did that in good faith. After 24, 25 years as a mediator, I always said, you never stop negotiating until it's clear you're done. I still believe today, that if we had more time, putting the parties in a room in a way they could candidly talk without fear of lawsuits and without fear of showing their hand, we'd have got a better map. But I do agree that as of where we sit today, in the time frame and everything else that we see, this is as good as it's going to get today. I don't like that. I'm disappointed profoundly that we do not have a 10 year map, that we do not have a

seven-person vote. I can tell you that the Governor and Secretary LaRose and I spent hours trying to find compromise. I wish we'd found it. With that, because I believe votes are binary things, I don't have another choice to vote yes or no on. I don't have the ability, because of the resource allocation, to make amendments here or there that would have made a difference without causing more problems one way or another and potentially violating the Constitution. Because there is this provision that you can't unnecessarily split cities or townships and we don't even have good census blocks in Dave's Redistricting to do that. And I have to give a shout out to the Democrat staffers that helped educate me on some of that. Frankly, I wasn't aware of that. And their time and their work with us in good faith. I think at times, I think they worked good with us, was helpful to me and helpful to me to understand this. With that, I'm going to vote yes on this map. I'm going to vote yes with some apprehension and I'm going to vote yes in reliance on the representation that I've gotten from various legal counsel that these provisions fully meet with the constitutional parameters and the people who have had the ability to make those assessments, that this map meets all those standards because we have not had the ability to look at those things. Having said that, what I do get to see from Dave's, it does appear to do that. I just would encourage us to look at the process. To continue to talk to each other and find opportunities for compromise and if we have to go about this again, whether it's in four years or four weeks. I urge us to remember that when we negotiate, we shouldn't be negotiating from positions, we should be negotiating on shared interests, and if we do that, I think we'll have a better product. Thank you, Mr. Chair.

Co-chair Speaker Robert Cupp [00:46:47] The question is, shall the motion be agreed to, the staff will call the roll.

Clerk [00:46:52] Co-chair, Senator Sykes.

Co-chair Senator Vernon Sykes [00:46:53] No.

Clerk [00:46:54] Co-chair. Speaker Cupp.

Co-chair Speaker Robert Cupp [00:46:55] Yes.

Clerk [00:46:56] Governor DeWine.

Governor Mike DeWine [00:47:00] Yes.

Clerk [00:47:00] Auditor Faber.

Auditor of State Keith Faber [00:47:00] Yes.

Clerk [00:47:02] President Huffman.

Senate President Matt Huffman [00:47:02] Yes.

Clerk [00:47:02] Secretary LaRose.

Secretary of State Frank LaRose [00:47:04] Yes.

Clerk [00:47:04] Leader Sykes

House Minority Leader Emilia Sykes [00:47:12] No.

Co-chair Speaker Robert Cupp [00:47:12] Five votes in favor, two votes opposed. According to the constitutional provision, the map has not been adopted as a seven year plan, but has been adopted as a four year plan. Chair recognizes Senator Huffman.

Senate President Matt Huffman [00:47:28] Thank you, Mr. Co-chairman. Pursuant to Article 11 of the Ohio Constitution, I move for the commission to adopt the statement that has been distributed to the members of the commission, that was the statement that was distributed by, at the request of Auditor Faber.

Co-chair Speaker Robert Cupp [00:47:47] I'll second the motion. It's been seconded. And the chair recognizes Secretary LaRose.

Secretary of State Frank LaRose [00:47:57] Having just been presented with this and none of us like to vote on something that we just got, but I understand the time crunch that we're under here, I'm going to ask for some explanations on some things. This Section8(C)(2) statement explains the rationale that the people that drew this map used to reach what they considered the proportionality requirements. That's my understanding. It seems like they're sort of using two different factors. One is the raw number of races won of statewide, state and federal, and then the other is the number of votes and sort of mixing those two standards together instead of picking one. President Huffman, could you explain the rationale, since I assume it was your staff that drafted up this statement?

Senate President Matt Huffman [00:48:46] Yeah, I first thing I would say is, I don't I don't think that there's a requirement in the Constitution that there be one standard chosen over another. There is no formula in the Constitution, percentages of votes or percentages of of races won, etc. This is simply a statement, again, pursuant to the Constitution in only, and only to be submitted in where there is a four year map. And I think it might be helpful just to read, if I could, that portion of the Constitution. All right. So that's... Final General Assembly district plan adopted under, and this is the four year provision, shall include a statement explaining what the commission determined to be the statewide preferences of the voters of Ohio and the manner in which the statewide proportion of districts in the plan whose voters based on statewide, state and federal partisan general election results during the last ten years, favor each political party, corresponds closely to those preferences as described in Division B of Section 6 of this article. At the time the plan is adopted, a member of the commission who does not vote in favor of the plan may submit a declaration of members' opinion concerning the statement included with the plan. So Leader Sykes or Senator Sykes could do that, as those who voted no, if there's a separate plan. So this this is really nothing more than that. It's a statement of things that were considered and tried to include all of the relevant information that which, of course, includes many of the things that have been discussed here, including the percentages of votes. So we tried to, in this, in this case, to try to make it clear, just use basic factual information that I think's available to the public and everyone else.

Secretary of State Frank LaRose [00:50:59] Another question.

Co-chair Speaker Robert Cupp [00:51:01] Follow up?

Secretary of State Frank LaRose [00:51:02] Mr. President, I would guess that. This rationale was reached and guided the map making process, it would have to. I, for one, have been asking for the rationale for days. Is there a reason why that wasn't shared with us until now?

Co-chair Speaker Robert Cupp [00:51:25] Chair recognizes Senator Huffman.

Senate President Matt Huffman [00:51:27] Yeah, can you repeat the question, Secretary LaRose?

Secretary of State Frank LaRose [00:51:30] Yeah, Mr. President. So I've been trying to understand, as we've been talking to members of your staff and you yourself, how you believe that you're reaching the representational fairness or proportionality requirement in Section 6. And so I've been asking, how do you calculate those numbers? What do you consider that proportionality? I have not gotten an answer until tonight, but I would assume that this has been guiding the mapmaking process for a long time. Was there a reason for for not, sort of, sharing this sooner to sort of guide the conversations as we've been having them?

Senate President Matt Huffman [00:52:06] Sure.

Co-chair Speaker Robert Cupp [00:52:06] Chair recognizes Senator Huffman.

Senate President Matt Huffman [00:52:08] Yeah, this this statement was prepared probably in the last five or six hours. I think it was sent over to your office probably about four or five hours ago. And the, so these are facts that are well known, that are discoverable on the public website. I think we've been talking about these percentages, all of it. And so this is just simply a recapitulation of all of those in a simple statement that the Constitution requires. So, some of these things are, you know, some folks discard some of those, or think some are more important. And, you know, the simple fact is that that, you know, there are a lot of opinions about what that portion of the Constitution means, for example, when the word results is used. Does that mean, a, adding together of all the votes and all those races over the last 10 years? Well, I suppose it could mean that. Does it mean the results of the elections that are described therein, 13 out of the last 16 of those races won by Republicans? And so we're simply listing all of that is those are things that are considered. Now, I can tell you, you know, if you if you ask my personal opinion, I can tell you that a lot of this doesn't have a lot to do with why people win races. We know that Stephanie Kunze just won in a district that was a 40 percent index. We know that, I think it's Representative Troy, Dan Troy in Lake County? He just won in a 53 percent Republican district. So this is a, is a big discussion point among a lot of folks about what is exactly these things may be. But the the best thing we can do is put out all of the facts for everyone and anyone can make whatever conclusions they want to make about that.

Secretary of State Frank LaRose [00:54:11] Thank you. I appreciate that. Yeah, there has been a lot of discussion about what is, what do the words in Section 6 mean? I've mulled over what does "shall attempt" mean for, for example. And I think that going forward in the future, it would be nice to have this conversation in advance and try to come to a commission agreement on what the, what these factors are going to be so it can guide the rest of our negotiations. That's all. Thank you, Mr. President.

Senate President Matt Huffman [00:54:38] Mr. Co-Chair.

Co-chair Speaker Robert Cupp [00:54:38] Yes.

Senate President Matt Huffman [00:54:38] And if I could just respond to that, one of the. One of the designs of this going back to 2014 was that the census data is received on April

1st. And the the map work that needs to be done usually takes, in this case, it took only 10 days, but typically takes a couple of months. And the map makers can begin in mid-June to make this determination. They would have about two and a half months to negotiate, OK? Because that would take them till September, until September 1st to have this negotiation. Well, as we know, we didn't get the information until mid-August and really in a usable form until about the last week in August. And that began the process on both sides. As we know, there's money allocated and consultants and mapmakers hired by both sides. And no map was produced at least until August 31st. Now, I will tell you that the Senate Democrats map, although a map, was had several constitutional problems in it and that was solved a week later, about the same time that the Republican map was presented. So folks have done an extraordinary amount of work on both sides. My staff, and I'm sure it's the same for the Senate Democrats staff. My staff's worked 16 to 18 hours a day for 25 straight days working on this. So it's been an extraordinary task just to get this part. And I've said this, I've said this a number of times. It bears repeating now, that last April when I came to many folks and said, let's get a 30 day extension so we'll have time to do the negotiation that we wanted to do, that the governor's talked about, that you have talked about. For whatever reason, folks said that was a bad idea. We don't want more time. And now here we sit with a process that many are criticizing because not enough time was taken or given. So I appreciate that. But I also hope that's also something we can take into account. There may be another pandemic the next time we do this, and perhaps we need to be more flexible on the ability or what we have in the Constitution and these timelines.

Co-chair Speaker Robert Cupp [00:57:06] Further discussion? Chair recognizes Co-chair Sykes.

Co-chair Senator Vernon Sykes [00:57:12] Mr. Co-chair. I just want to make it clear that this is just the opinion of the majority on this particular issue. So by no way am I agreeing to any of this, but I would accept it as your opinion.

Senate President Matt Huffman [00:57:31] I appreciate that. If I could co-chair Cupp.

Co-chair Speaker Robert Cupp [00:57:34] ok.

Senate President Matt Huffman [00:57:34] I appreciate that. And as mentioned in the Constitution provision, I just read, those members, those members who vote no may submit a declaration of the, of that member's opinion, senators, Senator Sykes and Leader Sykes. So certainly that's appropriate if there's an alternate opinion that you wish to submit.

Co-chair Senator Vernon Sykes [00:57:58] So we do have that.

Senate President Matt Huffman [00:58:01] Very good.

Co-chair Speaker Robert Cupp [00:58:03] Further discussion?

House Minority Leader Emilia Sykes [00:58:05] Yes, I do have a question. As such... Co-Chair Sykes did mention that we have a minority report to offer as well. Procedurally, as we had not discussed how this will move forward, at what point in this evening before we adjourn, would you like this minority report to be put forth?

Co-chair Speaker Robert Cupp [00:58:36] Committee will stand at ease for a moment while we consider that and consult with the parliamentarian.

Co-chair Speaker Robert Cupp [00:58:44] Statement is available now if you just want to distribute it, that will be included with the record.

House Minority Leader Emilia Sykes [00:58:50] Thank you very much, Mr. Chairman. I would like to speak of the minority report, if I if I may.

Co-chair Speaker Robert Cupp [00:58:56] Yes, the chair recognizes Leader Sykes.

House Minority Leader Emilia Sykes [00:58:58] Thank you, Mr. Chair. And I'm going to read it in its entirety because I do believe it is important. And pursuant to Article 11, Section 8 of the Ohio Constitution, the Ohio Redistricting Commission and I do put forth this minority report on behalf of Senator Vernon Sykes, co-chair and myself, House Minority Leader Emilia Strong Sykes, commissioner. It reads, "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 11 of the Ohio Constitution is clear in its provisions that dictate the drawing of our state legislative maps. It requires that the maps respect the existing boundaries of counties, townships and municipal, municipalities. It also requires that the maps reflect a 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 draw themselves another 10 years of gerrymandered districts and give themselves another decade of unchecked power. Article 11, Section 6 of the Ohio Constitution contains two new elements not met by the Republican drawn district maps. Part A and Part B of Section 6 are important guardrails, not aspirational goals, which ensure that the main purpose of the reform effort in 2015 is met by the commission's majority. Districts must be drawn to meet the requirements of the Constitution, taking into account compactness and contiguousness, including the fairness concept demanded by voters that is enshrined and enforced and subsections A and B of Section 6. Subsection A of Section 6 states that quote, "no General Assembly district plan shall be drawn primarily to favor or disfavor a political party." end quote. In contrast, the maps adopted today go to absurd lengths to create a Republican monopoly on legislative power that they have not earned at the ballot box. Subsection B of Section 6 also states that quote, "the statewide proportion of districts whose voters based on a state and federal partisan general election results during the last 10 years favor each political party shall correspond closely with the statewide preferences of voters of Ohio." end quote. The district maps 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 10 years. Subsections A and B cannot be read separately. Subsection B is important because it creates the litmus test for what constitutes primarily favoring or disfavoring a political party. No reasonable person would interpret the maps adopted by the commission today as reflecting the will of Ohioans and not primarily favoring one party over another as required in Section 6, subsection A and B. In Ohio, over the past decade, the Republican Party won 54 percent of the statewide partisan general election votes, while Democrats won 46 percent. And please see Appendix A that is attached to this statement. The calculations were presented to the commission. And extensive, extensive witness testimony, as well as by researchers

at Ohio University as part of the contract between the Legislative Task Force on Redistricting, Reapportionment and Demographic Research, of which I am the co-chair, and OU to produce the Ohio Common Unified Redistricting Database. The election results are not in dispute. They are publicly available on the Ohio Secretary of State's website. One does not need to be an expert to know that the statewide... Does not need to be an expert to know the statewide partisan election results. Hundreds of Ohioans were able to draw maps in the constitutionally appropriate time frame. Legislative maps would closely correspond with the statewide voter preferences if they yielded close to 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 worn 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 and the maps 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, including Article 11, Section 6 and B, which were ignored by Republicans. These three maps, respectively, produce 14 likely Democratic Senate seats and 44 likely Democratic House seats, 13 likely Democratic Senate seats and 42 likely Democratic House seats, and 13 likely Democratic Senate seats and 42 likely Democratic House seats. These correspond closely to the ratio of proportionality that the Ohio Constitution prescribes in Article 11, Section 6. The Democratic members of the commission and their staff work tirelessly to incorporate Republican feedback into the mapmaking process, while also drawing maps that adhere to the requirements of the Ohio Constitution in Article 11, Section 6. The Democratic members of the commission produced three separate map plans that did not disproportionately favor either party, that did, that did represent the will of voters, demonstrated over the previous decade of statewide partisan elections and met the criteria of limiting splits of communities. Throughout the process, Republicans appear to follow a playbook of delay and deflection. They used as much time as possible for 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 this spring to change the Constitution, to give themselves control of the process, delaying the convening of the commission until early August, dragging their feet on approving the commission rules, blaming the census delay for not convening commission the commission before August 6, purposely missing the September 1st constitutional deadline for releasing a plan, holding hearings and adopting a plan and feigning interest in a compromise before the September 15th deadline by only offering gerrymandered maps. And please see Appendix B for a June 11th letter signed by myself and leader Kenny Yuko requesting that the Ohio Redistricting Commission be convened by the Governor in a most timely manner so that we could've avoided many of the things that we just heard in the Republican response and over several weeks of this testimony. Republicans did not demonstrate fully good faith participation in the process. Democratic solutions went unheeded while Republicans, made only token changes to their maps that appeared to be designed to protect their incumbents. This culminated again in heavily gerrymandered maps and their second offering sent to Democratic commission members and staff late on September 14th, the night before the constitutional deadline. Their latest maps have produced 9 likely Democratic Senate districts and a single additional 50/50

tossup Republican leaning Senate district. The remaining 23 Senate districts were clearly drawn to favor the Republican Party. It would produce 32 likely Democratic House districts and 5 tossup Democratic leaning House seats. This plan, like the first plan put forward by Republican map draws, does not reflect the statewide political preferences of Ohio voters because it creates a higher proportion of Republican districts than the proportion of votes they earn in Ohio. The GOP adopted map lays out an absurd description of how it allegedly meets the requirements of Section 6(B). The voters of Ohio do not favor Republicans in a range of 54 percent to 81 percent. We, the two members of the minority party, could not in good conscience violate the voter's real, but 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 must correspond closely to the statewide preferences of voters, as measured by the statewide partisan general election results over the past 10 years. The plan adopted by the majority violates that requirement. In fact, the Republican members did not demonstrate any attempt to meet the requirements. Until just a few moments ago, we had no idea how they decided to calculate or figure out proportional representation. For these reasons, we are voting against the maps of the majority of the commission is choosing to adopt. Thank you, Mr. Chairman.

Co-chair Speaker Robert Cupp [01:08:43] I need to back up for a moment. There was a motion to adopt the rationale offered by Senator Huffman and we didn't actually take a vote on that. So at this time is there further discussion, Senator Faber. I'm sorry Auditor Faber.

Auditor of State Keith Faber [01:09:07] I just made to make sure I heard Faber, that's all I need to hear. [laughter] Mr. Chairman, as I went through this and I know some of you will remember that a number of us were in the trenches at a similar hour working on the constitutional amendment that led to this. And I remember sitting there during the time actually going back and manually counting who won the last all the statewide and federal seats over the last decade. And putting that number together, I guess we didn't anticipate what exactly those words said and how they could be interpreted or we could have been clear. But I do recall having the conversation about whether it's percentage of vote or percentage of who won the races. And the great debate at the time was, do we go back in into the prior time period? Or do we go just into the time period of the decade? And so I think in that capacity, putting both of those terms in here is fair and certainly represents the intent of at least one side of the drafters at the time to talk about races won. And so with that, I can support this statement.

Co-chair Speaker Robert Cupp [01:10:16] Further discussion? OK. Staff will call the roll, please.

Co-chair Senator Vernon Sykes [01:10:28] If I may.

Co-chair Speaker Robert Cupp [01:10:32] Co-chair Sykes.

Co-chair Senator Vernon Sykes [01:10:33] Since, we're not voting to agree with this, just to allow it to officially go into the record, then I think it should go both statements without objection.

Senate President Matt Huffman [01:10:46] Yeah, Mr. Co-Chair, the first. I think the statement that leader Sykes read is does go into the record and that certainly would be without objection by me. So, yes.

Co-chair Speaker Robert Cupp [01:11:07] Let me consult the parliamentarian. Committee will be at ease.

Co-chair Speaker Robert Cupp [01:11:09] Which is the Constitution. It is an act of the commission and that would require a roll-call vote. So we will proceed with the roll-call vote on the statement to go with the four-year plan after which we can accept for filing, with the records, the Minority Report.

Co-chair Senator Vernon Sykes [01:11:38] Yes, Mr. Chairman, if I may?

Co-chair Speaker Robert Cupp [01:11:41] Yes.

Co-chair Senator Vernon Sykes [01:11:42] Just be clear that this is simply to accept the report.

Co-chair Speaker Robert Cupp [01:11:45] Alright. Staff will call the roll, please,

Clerk [01:11:51] Co-chair Senator Sykes.

Co-chair Senator Vernon Sykes [01:11:52] Yes.

Clerk [01:11:52] Co-chair, Speaker Cupp.

Co-chair Speaker Robert Cupp [01:11:54] Yes.

Clerk [01:11:54] Governor DeWine.

Governor Mike DeWine [01:11:56] Yes.

Clerk [01:11:58] Auditor Faber.

Auditor of State Keith Faber [01:11:58] Yes.

Clerk [01:11:58] President Huffman.

Senate President Matt Huffman [01:12:00] Yes.

Clerk [01:12:01] Secretary LaRose.

Secretary of State Frank LaRose [01:12:02] Yes.

Clerk [01:12:03] Speaker... Or, Leader Sykes, please excuse me.

House Minority Leader Emilia Sykes [01:12:07] I like the first one, but yes [laughter]

Co-chair Speaker Robert Cupp [01:12:13] The statement has been adopted unanimously and at this time, is there a motion to accept for filing the minority report?

Co-chair Senator Vernon Sykes [01:12:27] So moved.

Co-chair Speaker Robert Cupp [01:12:29] Is that without objection or?

Co-chair Senator Vernon Sykes [01:12:33] I think that would be done without objection.

Co-chair Speaker Robert Cupp [01:12:34] That one can?

Co-chair Senator Vernon Sykes [01:12:35] Yes sir.

Co-chair Speaker Robert Cupp [01:12:35] Is there any objection to the Minority Report? Hearing none, it will be admitted to the record of the proceedings. Was there any further business to come before the commission this evening? If not, the commission stands adjourned.

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. **Stipulation of Evidence (Deposition Transcripts and Exhibits)**
2. **Stipulation of Evidence (Deposition Transcripts and Exhibits) Volume 1 of 7 (pages 1 - 314)**
3. **Stipulation of Evidence (Deposition Transcripts and Exhibits) Volume 2 of 7 (pages 315 - 451)**
4. **Stipulation of Evidence (Deposition Transcripts and Exhibits) Volume 3 of 7 (pages 452 - 832)**
5. **Stipulation of Evidence (Deposition Transcripts and Exhibits) Volume 4 of 7 (pages 833 - 983)**
6. **Stipulation of Evidence (Deposition Transcripts and Exhibits) Volume 5 of 7 (pages 984 - 1250)**
7. **Stipulation of Evidence (Deposition Transcripts and Exhibits) Volume 6 of 7 (pages 1251 - 1559)**
8. **Stipulation of Evidence (Deposition Transcripts and Exhibits) Volume 7 of 7 (pages 1560- 1892)**

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