

**IN THE SUPREME COURT OF OHIO**

**League of Women Voters of Ohio, et al.,** :  
 :  
 **Petitioners,** : **Case No. 2021-1193**  
 :  
 v. : **Original Action Filed Pursuant to**  
 : **Ohio Constitution, Article XI, Section 9(A)**  
 :  
 **Ohio Redistricting Commission, et al.,** : **[Apportionment Case Pursuant to S. Ct.**  
 : **Prac. R. 14.03]**  
 **Respondents.** :

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**Bria Bennett, et al.,** :  
 :  
 **Petitioners,** : **Case No. 2021-1198**  
 :  
 v. : **Original Action Filed Pursuant to**  
 : **Ohio Constitution, Article XI, Section 9(A)**  
 :  
 **Ohio Redistricting Commission, et al.,** : **[Apportionment Case Pursuant to S. Ct.**  
 : **Prac. R. 14.03]**  
 **Respondents.** :

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**The Ohio Organizing Collaborative, et al.,** :  
 :  
 **Petitioners,** : **Case No. 2021-1210**  
 :  
 v. : **Original Action Filed Pursuant to**  
 : **Ohio Constitution, Article XI, Section 9(A)**  
 :  
 **Ohio Redistricting Commission, et al.,** : **[Apportionment Case Pursuant to S. Ct.**  
 : **Prac. R. 14.03]**  
 **Respondents.** :

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**RESPONSE OF RESPONDENTS SENATOR VERNON SYKES  
AND HOUSE MINORITY LEADER C. ALLISON RUSSO  
TO PETITIONERS' MOTION FOR ORDER TO SHOW CAUSE**

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**RESPONSE OF RESPONDENTS SENATOR VERNON SYKES AND  
HOUSE MINORITY LEADER C. ALLISON RUSSO  
TO PETITIONERS' MOTION FOR ORDER TO SHOW CAUSE**

It is with sadness that Senator Sykes and Leader Russo agree a show cause order must be issued against their colleagues. Before Monday, the Democratic Commissioners had never asked the Court to do that. Contempt is a drastic remedy, especially against members of a constitutional body. But the Republican Commissioners have so clearly violated their obligations, so clearly indicated they have no intention of complying with the Court's orders, that Senator Sykes and Leader Russo see no other reasonable choice.

The Court's April 14 order was clear: "draft and adopt an entirely new General Assembly–district plan that meets the requirements of the Ohio Constitution." *League of Women Voters of Ohio v. Ohio Redistricting Comm.*, Slip Opinion No. 2022-Ohio-1235, ¶ 78. Yet the Commission, controlled by the majority Commissioners, did not draft or adopt an "entirely new" plan. Nor did the Commission, controlled by the majority Commissioners, draft or adopt a plan that "meets the requirements of the Ohio Constitution."

Instead, over the vehement objections of Senator Sykes and Leader Russo, Republican Commissioners readopted an *old* redistricting plan that *this Court already declared unconstitutional*. See Commission's Notice of Resubmission of the February 24, 2022 General-Assembly Plan (May 6, 2022); *League of Women Voters of Ohio v. Ohio Redistricting Comm.*, Slip Opinion No. 2022-Ohio-789, ¶ 44 (Mar. 16, 2022) (holding Feb. 24 plan unconstitutional). It was a flagrant violation of a valid, clear, definite, and unambiguous court order. See *Toledo v. State*, 154 Ohio St.3d 41, 2018-Ohio-2358, 110 N.E.3d 1257, ¶ 23.

In sharp contrast to the Republican Commissioners, Senator Sykes and Leader Russo did everything in their power to comply with the Court's order and to get the Commission to comply with the Court's order. As detailed in their attached affidavits, the Democratic Commissioners:

- Made repeated efforts to have the Commission convene, including well before April 20. *See* Sykes Aff. ¶¶ 8, 10–32; Russo Aff. ¶¶ 11–12.
- Repeatedly urged each Commissioner to join them in promptly scheduling regular meetings, and made themselves and their staff members available. *See* Sykes Aff. ¶¶ 12–32; Russo Aff. ¶¶ 9, 11–12, 22.
- Determined that the independent map drawers were available to review and finalize their maps. *See* Sykes Aff. ¶ 14; Russo Aff. ¶ 12.
- Pressed for a transparent, public map-drawing process. *See* Sykes Aff. ¶¶ 8, 14, 17; Russo Aff. ¶ 12.
- Attempted to secure funding for their own map-drawing consultant, only to be rebuffed until May 4. *See* Sykes Aff. ¶¶ 33, 35; Russo Aff. ¶¶ 14–20.
- Proposed that the Commission re-engage the independent map drawers and voted for that proposal. The Republican Commissioners voted against it. *See* Sykes Aff. ¶ 36; Russo Aff. ¶¶ 23.
- Proposed that the Commission consult with its legal counsel to determine if readopting the unconstitutional February 24 Plan would subject the Commission or Commissioners to contempt. The Republican Commissioners voted down that proposal. *See* Sykes Aff. ¶¶ 6, 43; Russo Aff. ¶ 31.
- Proposed that the Commission adopt the constitutionally-compliant plan drawn by the independent mapdrawers (with technical errors corrected) and voted for that proposal. *See* Sykes Aff. ¶ 41; Russo Aff. ¶¶ 27, 29.
- Opposed the Republican Commissioners' proposal to re-adopt the unconstitutional February 24 Plan, and then voted against that plan. *See* Sykes Aff. ¶¶ 42–43; Russo Aff. ¶¶ 30–31.

Why did the Republican Commissioners willfully refuse to comply with the Court's order? They have claimed they had to adopt the February 24 Plan because it is the only one that can be implemented in time for an August 2 primary election. *See* Sykes Aff. ¶ 36; Russo Aff. ¶¶ 29–30.



That’s nonsense. *First*, even assuming April 20 was the drop-dead date to implement a new map for an August 2 primary election, the Commission could have passed a new, constitutional map by April 20. *See* Sykes Aff. ¶ 10; Russo Aff. ¶¶ 11–12.

*Second*, this “time crunch” and supposed lack of other options is a problem of the Republican Commissioners’ own making, and “inability that excuses compliance cannot be self-imposed.” *In re A.A.J.*, 2015-Ohio-2222, 36 N.E.3d 791, ¶ 13 (12th Dist.). Each Republican Commissioner refused to join the repeated calls of the Democratic Commissioners to meet before May 4, squandering 20 days of time for no legitimate reason.<sup>1</sup> *See* Sykes Aff. ¶¶ 25, 31, 35; Russo Aff. ¶¶ 11–13. Each Republican Commissioner voted against reengaging the independent map drawers. Sykes Aff. ¶ 36; Russo Aff. ¶ 23. Each Republican Commissioner voted against adopting the independent map drawers’ plan (with the technical details fixed), a map that was “on track to being constitutionally compliant.” Sykes Aff. ¶ 41; Russo Aff. ¶ 29; *League IV* at ¶ 74. No Republican commissioner offered any amendments to the February 24 Plan. *See* Sykes Aff. ¶¶ 35–37, 41–43; Russo Aff. ¶¶ 23, 29–32 No Republican Commissioner offered any other plan. *See* Sykes Aff. ¶¶ 35–37, 41–43; Russo Aff. ¶¶ 23, 29–32.

*Finally*, the Republican Commissioners’ reason is not grounds to ignore the Court’s order. The Commission’s obligation is to adopt a map that complies with the Ohio Constitution, including Sections 6(A) and 6(B) of Article XI. The Commission is not charged with implementing the map. And to the extent that a federal court orders a different plan to be used for the 2022 election to protect federal rights, that does not absolve the Commission of its obligation to adopt a constitutional map for the decade in compliance with this Court’s order

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<sup>1</sup> In the last round, the Republican Commissioners claimed they had to pass the Fourth Plan—which was “materially identical” to the Third Plan—because the Court had not provided enough time for the independent map drawers to complete their work. *League IV* at ¶ 26–27, 50.

and the Ohio Constitution. Indeed, the Commission lacks the authority to adopt a map limited to the 2022 election. *See* Ohio Const., Art. XI, Secs. 1(C) & 8(B)–(C) (providing for ten-year and four-year maps). It could have adopted a plan to govern the entire decade, but for the greater part of a year, the Republican Commissioners have refused.

Ultimately, each Republican Commissioner, individually, had the ability to avoid contempt. They only had to take the reasonable steps within their power to comply with the Court’s order.

Despite the Democratic Commissioners’ efforts, the Republican Commissioners were able to sabotage this process once again. The end result is a pattern now seen five times: the Republican Commissioners delay, they keep the Democratic Commissioners in the dark about their plans, then they adopt an unconstitutional plan and claim such lawless action is necessitated by time pressure—time pressure they created.

Strong action from this Court is needed to break this pattern. It appears that the Republican Commissioners will not comply with this Court’s orders unless held in contempt. Without consequences for breaking the law, the majority Commissioners have no incentive to give up their supermajority power, as doing so would only upset their members, who may lose seats with a proportional plan. Senator Sykes and Leader Russo respectfully urge this Court to realign the majority Commissioners’ incentives to favor the rule of law, rather than the abject abuse of power.

### **CONCLUSION**

Senator Sykes and Leader Russo ask that the Court not order them to show cause as to why they should not be held in contempt for the Republican Commissioners’ failure to abide by the Court’s April 14 order. Senator Sykes and Leader Russo took all steps within their power to

comply with the Court's order and to get the Commission to comply with the Court's order, but ultimately they were unable to force the Commission to adopt constitutionally-compliant maps.

In addition, to protect the rule of law and maintain public respect for the Court's orders, Senator Sykes and Leader Russo also submit that the Court should conclude that a show cause order is warranted and should quickly require the Republican Commissioners to appear before the Court and demonstrate why they should not be held in contempt.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on May 12, 2022, the foregoing *Response of Respondents Senator Vernon Sykes and House Minority Leader C. Allison Russo to Petitioners' Motion for Order to Show Cause* was filed electronically and sent via email to the following counsel of record:

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**AFFIDAVIT OF RESPONDENT VERNON SYKES**

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State of Ohio  
County of Franklin, SS:

I, Vernon Sykes, hereby submit the following affidavit and state under oath and penalty of perjury as follows:

1. I am the State Senator for Ohio's 28th Senate District.
2. I serve as a Commissioner on, and Co-Chair of, the Ohio Redistricting Commission ("Commission"). I am the only Black person and person of color on the Commission. I serve as a representative of the Democratic Party, along with House Minority Leader C. Allison Russo (together, the "Democratic Commissioners"). The remaining five Commissioners are Republicans (together, the "Republican Commissioners"). I was sued in the above-captioned case and am a named Respondent. The Ohio Supreme Court, however, has recognized that my interests align more with the Petitioners than that of the Commission or the Republican Commissioners. *See* Opinion 2022-Ohio-65, ¶ 66.
3. I submit this affidavit in response to the Court's May 10, 2022 order to respond to the Petitioners' motions for an order directing Respondents to show cause.
4. In addition to this affidavit, I have filed four other affidavits in these proceedings, each of which detail my efforts throughout the redistricting process to comply with the Ohio Constitution and all the orders of this Court, which are incorporated by reference. *See* April 4, 2022 Affidavit of Vernon Sykes in support of Respondents' Response to Petitioners' Objections; March 3, 2022 Affidavit of Vernon Sykes in support of Respondents' Response to Petitioners' Objections; February 23, 2022 Affidavit of Vernon Sykes in support of Respondents' Response to Court's February 18 Show Cause Order; Jan. 28, 2022 Affidavit of Vernon Sykes in support of Respondents' Response to Petitioners' Objections.

## Introduction

5. Yet again, because of the actions of the Republican Commissioners, I find myself asking this Court not to hold me in contempt.

6. The Republican Commissioners again failed to abide direct orders from this Court. Instead of adopting a constitutional redistricting plan, they adopted one this Court *already* declared unconstitutional. Indeed, that action struck me as so contemptuous that, before the Commission voted to take such action, I moved that the Commission recess to consult with its attorney so that the Commission could understand the peril it was entering given the sanctions that accompany such defiance. But to no avail.

7. Unlike the Court, as a single commissioner with the Senate minority caucus, I do not have the power to coerce the Commission to follow this Court's orders. But I still worked diligently at every step to comply with the Constitution and this Court's orders—and to get my colleagues to do the same.

8. Among other things, described in greater detail below, I took the following actions: (1) requested numerous times that the Commission meet early and often; (2) encouraged the Commission to again utilize the independent map drawers and mediators; (3) pressed for a transparent process; (4) voted for the independent maps (as corrected) because they satisfy all constitutional requirements; and (5) resisted—albeit unsuccessfully—the adoption of the unconstitutional February 24, 2022 General-Assembly Plan.

### **The Democratic Commissioners Repeatedly Urged the Commission to Reconvene Upon Receiving the April 14 Order—the Republican Commissioners Refused.**

9. **Thursday, April 14, 2022.** As urged by the Democratic Commissioners, the Ohio Supreme Court invalidated the Commission's Fourth Plan (adopted March 28, 2022) and ordered the Commission to reconvene and enact a constitutional plan by May 6, 2022—22 days later.



*League of Women Voters of Ohio v. Ohio Redistricting Commission*, 2022-Ohio-1235, ¶ 94 (“*League IV*”).

10. Although 22 days is ample time to adopt new maps, I knew we needed to get started right away for several reasons. *First*, although the independent map drawers had finished a full General-Assembly plan before the previous March 28 deadline, and that plan’s few technical errors could be fixed in a matter of hours, see Affidavit of Chris Glassburn (Apr. 3, 2022) ¶ 28, several Commissioners had expressed interest in suggesting amendments to the independent map drawers. I did not want us to run up against the clock again while considering their suggestions. Time and time again the Republican Commissioners have used insufficient time as a contrived excuse for failing to abide by the Court’s order—if we started early, I hoped we could avoid that predicament. *Second*, the Secretary of State’s elections administrator had (albeit inconsistently) testified before the federal court that April 20, 2022 was the “drop dead” date for adopting a new map to administer for an August 2, 2022 primary. Given that the technical errors in the independent map drawers’ plan could be fixed within a day, if we got to work immediately, we would still have several days to consider the Republican Commissions’ undisclosed amendments and adopt a new plan before the purported April 20, 2022 “drop dead” date.

11. I consulted with my staff about the opinion and asked them to get to work immediately following the Court’s order.

12. **Friday, April 15, 2022.** First thing the next day I attempted to reach Co-Chair Speaker Cupp to discuss reconvening the Commission, set frequent meetings, rehire the independent map drawers, and otherwise work to comply with the Court’s April 14 order. Indeed, I called him multiple times throughout the day but to no avail. In the late afternoon, Co-Chair Cupp finally texted me back and said he would call later that day. But he did not.

13. **Saturday and Sunday, April 16–17, 2022.** I continued my outreach to Co-Chair Cupp throughout the weekend but did not receive a response.

14. **Monday, April 18, 2022.** Having received no response from Co-Chair Cupp regarding reconvening the Commission, Leader Russo and I sent a letter to the entire Commission on Monday, April 18, 2022. In that letter we explained that we had “attempted to, in earnest, restart the Commission process” with no response from the Co-Chair. Because the Commission rules require only three Commissioners to call for a meeting, Leader Russo and I called upon any additional Commissioner to join with us in requesting that the Commission reconvene. We further noted that our staff had confirmed that the independent map drawers were available to return and urged the Commission to rehire them and to accomplish the mapmaking “in full public view.” A true and accurate copy of this letter is attached as Exhibit A.

15. **Tuesday, April 19, 2022.** Co-Chair Cupp finally returned my call on Tuesday, April 19, 2022, but he made clear that no meetings would be scheduled at that time. He told me that the Republican Commissioners would not agree to convene until *after* the federal court’s decision in the *Gonidakis* matter. Thus, the Republican Commissioners—by refusing to even schedule a meeting—precluded any possibility of adopting a new map before their so-called “drop dead” date. I again informed Co-Chair Cupp that the independent map drawers were available. Co-Chair Cupp gave no indication that he was inclined to reengage the independent map drawers. Nor would he commit to scheduling a meeting. He stated only that he would ascertain the availability of the Republican Commissioners.

16. **Wednesday, April 20, 2022.** In the evening of Wednesday, April 20, a three-judge federal district court issued its order in *Gonidakis v. Ohio Redistricting Comm.*, S.D. Ohio case No. 2:22-cv-0773, Dkt. No. 196. That opinion stated that, unless the Commission adopted a new

map and the Legislature amended relevant deadlines by May 28, it would impose the February 24, 2022 Plan, even though it had already been ruled unconstitutional by the Ohio Supreme Court. I was concerned that, having selected a map that the Ohio Supreme Court identified as a partisan gerrymander favoring Republicans, the Republican Commissioners would have no incentive to adopt a new map. But I continued to urge compliance with this Court's May 6 deadline, including through statements to the news media following the ruling. As the federal court concluded: "Ohio's officials should find it in their self-interest to pass a new map rather than accept Map 3. This map, after all, can only operate for this election cycle. By contrast, a State-enacted map could remain in place for four or ten years. Either is a better deal for the State and the officials who are accountable to its citizens." *Id.* at n.19. Alas, here we are.

17. **Thursday, April 21, 2022.** On the day following the federal court's order, Leader Russo and I again urged the Commission to convene immediately and adopt a new constitutional map in compliance with this Court's May 6 deadline. We wrote:

Nothing in the order yesterday absolves the Commission of its responsibilities, rather the order encourages us to rise above partisan interests and adopt constitutional maps prior to the court's deadline. Ultimately, our task as members of the Ohio Redistricting Commission remains the same. The Supreme Court of Ohio ordered this Commission to reconvene to draw constitutionally compliant state legislative district maps by May 6, 2022. Nothing in the federal court order of April 20, 2022 changes that fact and the Supreme Court of Ohio's instructions on drawing those maps remain the same as they were prior to the federal court's intervention.

Recognizing that Governor DeWine had tested positive for COVID-19 and that Commissioners may be traveling throughout the state, we reminded the Commission that it could convene "remotely if need be," and that we only needed one more Commissioner to join us in calling for a meeting. We again urged the Commission to re-hire the independent map drawers and to have

them conduct their work transparently through the Ohio Government Channel's public broadcasting. A true and accurate copy of this letter is attached at Exhibit B.

18. **Friday, April 22, 2022.** I called Co-Chair Cupp on Friday, April 22, 2022, to discuss the Commission's schedule. Co-Chair Cupp told me that Governor DeWine could not meet until the following Monday (April 25) at the earliest. And Co-Chair Cupp would not set a schedule before then, even for dates after April 25. He told me that, after the weekend, he would work on a schedule.

19. The Republican Commissioners were stonewalling. They would not agree to a meeting. Their game was simple: delay. Delay and then claim that the only plan that could be implemented was the February 24 Plan—as selected by the federal court. Delay and then claim there is not enough time before the May 6 deadline. We had been down this road before. *See, e.g.*, April 4, 2022 affidavit of Vernon Sykes in Support of Respondents' Response to Petitioners' Objection at ¶38 (detailing Republican Commissioners' attempts to delay process); Exhibit A to April 4, 2022 Affidavit of Vernon Sykes (writing to Co-Chair Cupp: "It is essential that we call a meeting of the Redistricting Commission as soon as possible to start the map drawing process. The Court has rightly criticized the Commission for its previous delays and inefficient use of time. I hope that we will not repeat that mistake this time—our fourth attempt."). But still, Leader Russo and I were committed to fulfilling our constitutional obligation on the Commission and abiding this Court's orders.

20. Because Co-Chair Cupp would not schedule a meeting, we invited all our fellow Commissioners to join us for a meeting on Monday, April 25 at 10:00 am to begin the Commission's work. I asked my staff to call the House clerk's office to request the room for the meeting. It had been 11 days since the Court's order, and the Republicans would not agree to put

a single meeting on the books. I felt it was time to show the Ohioans that their Commissioners could—and should—show up to do their job. As we wrote to our fellow Commissioners:

We have the time, resources, and ability to draw maps that comply with the Ohio Constitution. Our duties are clear. We are to produce fair maps that reflect the preferences of Ohio voters. We should rehire the independent mapmakers and allow them to review and finalize the maps they produced for us, and vote on those maps before May 6. Both Dr. McDonald and Dr. Johnson have indicated that they are available, and all mapmaking may again be accomplished in full public view.

A true and accurate copy of this letter is attached as Exhibit C.

**The Republican Commissioners Would Not Convene the Commission Until Two Days Before the Court's Deadline.**

21. **Monday, April 25, 2022.** At 10:00am on Monday morning, Leader Russo and I showed up to Room 313 at the Statehouse ready to complete the Commission's work in adopting a new constitutional redistricting plan. But no Republican Commissioner joined us. And the room was locked. We were told by the clerk that, because there had been no "formal" request to book the room, the request to use the room was denied.

22. Along with Leader Russo, I again sent a letter to the Commission urging for a prompt meeting. A true and accurate copy of this letter is attached as Exhibit D. The Republican Commissioners were deliberately squandering the time to adopt a new map.

23. Later that afternoon, the League of Women Voters Petitioners filed a motion for an order directing Respondents to show cause for why they should not be held in contempt of the Court's April 14 order because the Commission had not yet convened and was "continuing to run out the clock" so that "the 2022 General Assembly election will be conducted using the unconstitutional Third Plan." *See* Pet'rs' Motion for an Order Directing Resp'ts to Show Cause for Why They Should Not be Held in Contempt of the Court's April 14, 2022 Order, *League of Women Voters of Ohio v. Ohio Redistricting Comm.*, Case No. 2021-1193 (Apr. 25, 2022).

24. **Tuesday, April 26, 2022.** On Tuesday, April 26, 2022, Co-Chair Cupp called me complaining about the previous day's events. The threat of contempt aggravated him, and he accused me of being complicit in the filing—but I had nothing to do with it. In that call, Co-Chair Cupp conveyed the following:

25. *First*, Co-Chair Cupp told me that the Republican Commissioners would not agree to meet until after the May 3 primary election. He explained that the statewide officers on the Commission were campaigning and therefore unavailable until after May 4. He was willing to call a meeting for May 4—not before. Given that this meeting was only two days before the Court's deadline, Co-Chair Cupp foreshadowed that the Republican Commissioners might ask the Court for an extension to complete a map. But he also expressed his view that the Ohio Supreme Court lacked the authority to set deadlines for the Commission. I continued to assert that the Commission should meet promptly, and that Leader Russo and I were available to do so at any time.

26. *Second*, and because the Commission would not meet until May 4, I asked Co-Chair Cupp if he would be open to having informal hearings to get the work of the Commission started. Co-Chair Cupp rejected this idea, explaining that he was opposed to any sort of forum for public testimony. I asked if Leader Russo and I could reserve rooms in the statehouse for such purpose and he said he was unsure if, under the existing policies, we could use statehouse rooms to hear from constituents in this matter. Later that day, and in the subsequent days, Leader Russo sent letters to Brad Young, the Clerk of the Ohio Representatives, requesting use of the House Finance Room during the upcoming days. All the room reservation requests were denied.

27. *Third*, I asked Co-Chair Cupp if the Republican Commissioners were working on a map. He said that they might be working on a map based off the Fourth Plan (adopted March 28, 2022) and that they also reviewed the independent map drawers' plan but that there were

incumbent issues in Hamilton and Green Counties in the independent plan and that plan was not, in his opinion, compact. Co-Chair Cupp said that he would make Blake Springhetti, one of the Republican map drawers, available to meet with the Democratic map drawers as long as such meetings were not in public—he expressed his view that map drawing could not be accomplished in public view.

28. On April 26, I also received a letter from Auditor Faber addressed to the entire Commission indicating that he wanted the Commission to meet, yet not specifying any timeline. Given the timing, this letter appeared to be prompted by the Petitioners' show cause request of the previous day. I directed my staff to reach out to Emily Redman (staff for Auditor Faber assigned to assisting him with the Commission's work). Ms. Redman explained to my staff that Auditor Faber wanted the Commission to meet but would not formally call for a meeting until there were at least four Commissioners who would meet because four Commissioners are required for a quorum.

29. **Wednesday, April 27, 2022.** The following day, Leader Russo and I sent a letter to Auditor Faber, accepting his offer to schedule a meeting, "propos[ing] that the three of us inform Co-Chair Cupp of our decision" and "suggest[ing] that the meeting be set for 10 a.m. or 1:30 p.m., or a time of [Auditor Faber's] choosing, on Thursday, April 28, 2022."

30. Later in the day, I spoke to Auditor Faber directly about calling for the Commission to meet. Auditor Faber told me that he would not call for a meeting unless four members agreed. While only three Commissioners calling for a meeting are needed to require the Co-Chairs to schedule a meeting, four are needed for a quorum. Auditor Faber would not actually join us in calling for a meeting. Nor did he agree on reengaging the independent map drawers.

31. Later that day, I responded to Co-Chair Cupp's offer to schedule a meeting on May 4 and responded to the other matters we discussed the previous day. While I agreed that the Commission should convene on May 4, I reiterated my objection: "I believe that waiting to hold our first meeting on May 4 is irresponsible and does not adequately respond to the Supreme Court's order. I ask you to reconsider your plan of not scheduling our first meeting until May 4." I asked that the Commission meet every day until the Court's deadline. A true and accurate copy of this letter is attached as Exhibit E.

32. **Thursday, April 28, 2022.** I did not give up. Three Commissioners had indicated a willingness to meet, so I again requested that Co-Chair Cupp agree to schedule a meeting, which I believed as Co-Chairs we were required to do within 24-hours of three Commissioners requesting a meeting. A true and accurate copy of this letter is attached at Exhibit F.

33. Additionally, Leader Russo had expressed frustration that her Republican Co-Chair of the Legislative Task Force Senator Robert McColley would not release funds for Chris Glassburn, who served as the mapmaking staff for both the House and Senate minority Democratic caucuses. I wrote to Co-Chair Cupp explaining Mr. Glassburn's funding situation and reiterating that the Democratic Commissioners required Mr. Glassburn's assistance to engage in the redistricting process.

**When It Finally Convened, the Commission Rejected My Motion to Reengage the Independent Map Drawers.**

34. **Monday, May 2, 2022.** In advance of the May 4 meeting, I did not know the Republican Commissioners' plans with respect to this Court's May 6 deadline. I directed Randall Routt to contact the Republican map drawers to inquire as to whether they were working on a plan and, if so, whether they would share it with us. Mr. Routt informed me that Mr. Springhetti and



Mr. DiRossi both responded that they were not working on any maps. These emails are attached as Exhibit G.

35. **Wednesday, May 4, 2022.** The Commission finally reconvened on May 4 at approximately 2:00 pm—having squandered 19 days and facing the Court’s deadline in just 43 hours. Just prior to the meeting, Co-Chair Cupp announced that Representative LaRe would be replacing him as Co-Chair of the Commission and President Huffman announced that Senator McColley would be replacing him. This last-minute substitution appeared to be an attempt to avoid contempt; the new commissioners could deflect blame for failing to meet until the last minute, well-past the so-called “drop dead” date, and hide behind the federal court order. The meeting continued with Senator McColley protesting already-approved expenditures for the Democratic Commissioners’ map drawing expert without scrutinizing Republican expenses. Once Senator McColley finally agreed to reallocate the funds for Mr. Glassburn, the Commission addressed its charge to adopt a new map. But it didn’t do much.

36. I moved that the Commission reengage the independent map drawers, Dr. Johnson and Dr. McDonald, to complete their previously drawn plans; they needed only a few hours (or a mere day) to correct technical errors. At this juncture, we could have still satisfied the Court’s deadline. Although Leader Russo supported this motion, none of the Republican Commissioners did. Senator McColley stated that we should just use our staff (including the Democratic expert from whom he had been withholding funds) to draw a new plan. Auditor Faber criticized the independent map because the independent experts, exercising their judgment, adopted some of Mr. Glassburn’s suggestions in completing their plan. Secretary LaRose objected that there was no time to implement a new map for the 2022 election without emergency legislation, ignoring the Commission’s obligation to adopt a map not just for this election, but for the entire decade. And

Governor DeWine asserted that it was impossible for the Commission to adopt a plan that complies with the Constitution and this Court's orders at all—deliberately ignoring now several Court decisions making plain that constitutional maps are indeed possible. Again, the Republicans were saying there was no time to engage the independent map drawers, but they had created that delay.

37. After rejecting my motion, Co-Chair LaRe asked if there was any discussion, and without much pause, abruptly adjourned the meeting. Later, Co-Chair LaRe agreed to notice a meeting for the next day at 4:45pm—but the Republican Commissioners did not reveal any plan to meet the Court's deadline.

**Over My Vehement Objection, the Republican Commissioners Rejected the Corrected Independent Plan and Readopted the Unconstitutional February 24 Plan.**

38. **Thursday, May 5, 2022.** Thursday, May 5, 2022, was essentially the Commission's last day to adopt a map while meeting the Court's deadline of 9:00am the next morning. Although the Republicans had squandered almost all our time, it was still possible to adopt a constitutional map because—as the Ohio Supreme Court noted—several likely-constitutional maps already existed from which the Commission could choose.

39. Among constitutional options, the independent map drawers had finished their plan, and it just needed some technical clean-up. The Bennett Petitioners' expert, Dr. Rodden, had fixed those technical errors while maintaining the partisan breakdown and compactness achieved by the independent map drawers. The Petitioners had submitted this Corrected Independent Map to the federal court on April 8, 2022, Notice, *Gonidakis v. LaRose*, No. 2:22-CV-0773, Dkt. No. 177 (S.D. Ohio), to this Court on April 12, 2022, Pet'rs' Notice of Filing in Southern District of Ohio of Corrected Independent Map Drawers' Plan, *Bennett v. Ohio Redistricting Comm.*, Case No. 2021-1198, and then again to the Commission's website on May 4, 2022. Leader Russo wrote to the Commissioners calling their attention to this Corrected Independent Map—of which we had

been aware since the federal court hearing—and asking that constitutional concerns with the Corrected Independent Map (if any) be flagged to her before the Commission’s meeting.

40. The Democratic caucus staff also asked Mr. Springhetti and Mr. DiRossi (again) if they were working on any maps. They said they were not. A true and exact copy of those emails are attached as Exhibit H.

41. At the outset of the Commission meeting, Leader Russo moved that the Commission adopt the Corrected Independent Map Drawers’ Plan. She explained that the Commission was obligated to adopt a plan by the May 6 deadline regardless of implementation questions and if the Legislature would subsequently enact special legislation to adjust the 2022 election. She asked each Commissioner who would not vote for the map to identify any violations of Article XI, Sections 2, 3, 4, 5, or 7. No Commissioner identified any such violations. I joined Leader Russo in voting for this plan, but the Republican Commissioners all voted against it.

42. The Commission instead readopted the February 24, 2022 Plan that this Court has already declared unconstitutional. I opposed this unconstitutional plan. The Republican Commissioners had choreographed this move; Governor DeWine called on Secretary LaRose to explain why no other plan besides the February 24, 2022 Plan could be implemented for the 2022 elections, and Secretary LaRose read a multiple-page statement verbatim. Senator McColley then moved that the Commission resubmit the February 24 Plan to the Court for use in the 2022 election only.

43. Because the Commission was poised to adopt a patently unconstitutional map, I moved that the Commission recess to consult its counsel as to whether readopting this plan would place the Commission at risk of contempt and to advise the Commission as to its options. The

Commission rejected that motion on a 5-2 party line vote, then voted 4-3 to adopt the unconstitutional February 24 Plan.

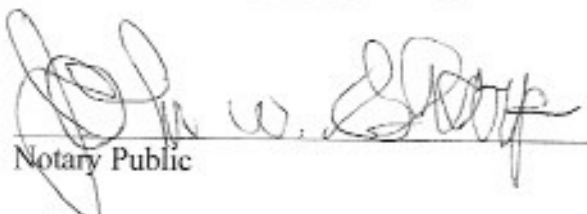
44. The end result is a pattern we have seen five times now: the Republican Commissioners delay, they keep the Democratic Commissioners in the dark about their plans, then they adopt an unconstitutional plan and claim such lawless action is necessitated by time pressure—the time pressure they created. It is only with strong action from this Court that we can break this pattern. This pattern demonstrates that the Republican Commissioners do not believe there is any consequence to breaking the law. And because they face no consequence for discarding this Court's orders, they will not follow them. This Court must realign the incentives to favor the rule of law, rather than the abject abuse of power. And while I believe my efforts demonstrate that the Democratic Commissioners worked diligently to abide this Court's orders, this Court must make the Republican Commissioners show cause as to why they should not be held in contempt for failing to follow this Court's orders, the Constitution, and the will of Ohio voters.

FURTHER AFFIANT SAYETH NAUGHT.

  
Vernon Sykes

Sworn to before me and subscribed in my presence this 11 day of May, 2022.

State of Ohio  
County of Summit

  
Notary Public

Attorney at Law  
No Expiration Date



**Exhibit A**  
**to Affidavit of**  
**Respondent Vernon Sykes**



April 18, 2022

Dear Commissioners,

The Supreme Court of Ohio has once again ordered this Commission to reconvene in order to undertake the task of drawing constitutionally compliant state legislative district maps. Fortunately, we have clear guidance from the Court. Therefore, finalizing legally compliant fair maps should be straightforward.

Over the past four days – ever since the Supreme Court’s decision was rendered – we have attempted to, in earnest, restart the Commission process. Senator Sykes made repeated calls to our commission Co-Chairman. Unfortunately, over the holiday weekend, these calls went unanswered. Leader Russo confirmed for us all that the authority and funding granted to the Commission by the Legislative Task Force on Redistricting to engage independent map drawers is still valid and available. We have confirmed through our staff that our original independent map drawers are available to return and all mapmaking may again be accomplished in full public view.

We believe that the Commission should reconvene in the next few days and rehire the independent mapmakers who were utilized in the last mapmaking round. We should ask them to review and finalize their prior work product and consider any additional input from the Commission, to the extent that such input would not lead to unconstitutional maps. We can then take a vote on a constitutional plan in advance of the Supreme Court of Ohio’s May 6, 2022 deadline.

It takes three of us Commissioners to call a meeting and restart our work. The two of us stand ready to work with all of you to do our duty to draft and adopt fair and constitutional maps. Any one of you could join us in scheduling our next meeting of the Commission, fulfilling our constitutional obligation. Thank you for your prompt attention to this matter.

Sincerely,

Handwritten signature of Senator Vernon Sykes.

Senator Vernon Sykes  
Co-Chair, Ohio Redistricting Commission  
Senate District 28

Handwritten signature of C. Allison Russo.

C. Allison Russo  
Commissioner, Ohio Redistricting Commission  
House Minority Leader  
House District 24

**Exhibit B**  
**to Affidavit of**  
**Respondent Vernon Sykes**



April 21, 2022

Dear Commissioners,

Yesterday, a federal three-judge panel issued an order which set a deadline of May 28, 2022 for state legislative district maps to be adopted for the upcoming 2022 election.

Nothing in the order yesterday absolves the Commission of its responsibilities, rather the order encourages us to rise above partisan interests and adopt constitutional maps prior to the court's deadline. Ultimately, our task as members of the Ohio Redistricting Commission remains the same. The Supreme Court of Ohio ordered this Commission to reconvene to draw constitutionally compliant state legislative district maps by May 6, 2022. Nothing in the federal court order of April 20, 2022 changes that fact and the Supreme Court of Ohio's instructions on drawing those maps remain the same as they were prior to the federal court's intervention.

Therefore, the Ohio Redistricting Commission should reconvene as soon as possible, remotely if need be, and begin the process of producing constitutional maps. The Commission should re-hire the independent mapmakers, reserve committee space for the mapmakers to conduct their mapmaking process, alert the Ohio Government Channel of our need for continuous public broadcasting of the process, and set dates – likely every other day – for the Commission to meet in public with the mapmakers for updates and to provide feedback.

As we said earlier in the week, it takes only three Commissioners to bring the Redistricting Commission together. We ask that another Commissioner join with us to get the process started as soon as possible.

Sincerely,

A handwritten signature in black ink, appearing to read "Vernon Sykes".

Senator Vernon Sykes  
Co-Chair, Ohio Redistricting Commission  
Senate District 28

A handwritten signature in black ink, appearing to read "C. Allison Russo".

C. Allison Russo  
Commissioner, Ohio Redistricting Commission  
House Minority Leader  
House District 24



**Exhibit C**  
**to Affidavit of**  
**Respondent Vernon Sykes**



April 22, 2022

Dear Commissioners,

It has now been eight days since the Ohio Supreme Court ordered this Commission to reconvene and draw constitutionally compliant state legislative district maps. We have contacted each of you repeatedly and asked you to join us in reconvening the commission to fulfill our constitutional obligations and comply with the Court's order. Yet, still, no meetings have even been scheduled.

We now invite you to meet Monday morning, April 25, at 10 a.m. in Room 313 of the Statehouse. Anyone who is unable to attend in person may attend virtually.

The Court stated in its April 14<sup>th</sup> decision: "We further order the commission to be reconstituted, to convene, and to draft and adopt an entirely new General Assembly–district plan that meets the requirements of the Ohio Constitution, including Article XI, Sections 6(A) and 6(B) as we have explained those provisions in each of our four decisions in these cases." This is not a suggestion. It is a Court order we must comply with. We only have until 9:00 a.m. on May 6—now less than two weeks away—to adopt a new plan.

We have the time, resources, and ability to draw maps that comply with the Ohio Constitution. Our duties are clear. We are to produce fair maps that reflect the preferences of Ohio voters. We should rehire the independent mapmakers and allow them to review and finalize the maps they produced for us, and vote on those maps before May 6. Both Dr. McDonald and Dr. Johnson have indicated that they are available, and all mapmaking may again be accomplished in full public view.

Please join us at 10 a.m. on Monday.

Sincerely,

A handwritten signature in black ink, appearing to read "Vernon Sykes".

Senator Vernon Sykes  
Co-Chair, Ohio Redistricting Commission  
Senate District 28

A handwritten signature in black ink, appearing to read "C. Allison Russo".

C. Allison Russo  
House Minority Leader  
Commissioner, Ohio Redistricting Commission  
House District 24

**Exhibit D**  
**to Affidavit of**  
**Respondent Vernon Sykes**



April 25, 2022

Dear Commissioners:

It has now been 11 days since the Ohio Supreme Court ordered this Commission to reconvene and draw constitutionally compliant state legislative district maps. We have contacted each of you repeatedly and asked you to join us in reconvening the commission to fulfill our constitutional obligations and comply with the Court's order. We invited you to join us today in Room 313 of the statehouse but we did not see you there. And still no meetings have been scheduled.

The Court ordered "the commission to be reconstituted, to convene, and to draft and adopt an entirely new General Assembly–district plan that meets the requirements of the Ohio Constitution, including Article XI, Sections 6(A) and 6(B) as we have explained those provisions in each of our four decisions in these cases." We take this Court order seriously. We have until 9:00 a.m. on May 6—now 11 days away—to adopt a new plan.

We ask that you join us in calling a meeting of the Commission. We have the time, resources, and ability to draw maps that comply with the Ohio Constitution for 2022 and beyond. We should rehire the independent mapmakers, both of whom are available, and allow them to review and finalize the maps they produced for us, and vote on those maps before May 6. We should also have public input on the maps that we develop and adopt. There is no excuse not to hear from the people of Ohio about the districts that will ultimately be their voice in how our state is run.

Please join us in calling a meeting as soon as possible to do our jobs and adopt fair maps.

Sincerely,

A handwritten signature in black ink, appearing to read "Vernon Sykes".

Senator Vernon Sykes  
Co-Chair, Ohio Redistricting Commission  
Senate District 28

A handwritten signature in black ink, appearing to read "C. Allison Russo".

C. Allison Russo  
House Minority Leader  
Commissioner, Ohio Redistricting Commission  
House District 24

**Exhibit E**  
**to Affidavit of**  
**Respondent Vernon Sykes**



**Ohio Senate**  
Senate Building  
1 Capitol Square  
Columbus, Ohio 43215  
(614) 466-4074

**Dr. Vernon Sykes**  
Ohio State Senator  
28th Senate District

April 27, 2022

The Honorable Bob Cupp  
Co-Chair, Ohio Redistricting Commission  
Ohio House of Representatives  
77 South High Street, 14th Floor  
Columbus, Ohio 43215

Dear Speaker Cupp,

I write today in response to your recent proposal to hold an Ohio Redistricting Commission meeting on May 4. I accept the proposed date, but with reservations. Leader Russo and I have made repeated attempts to schedule Commission meetings since the latest Supreme Court of Ohio decision that found the last state legislative maps unconstitutional. Two weeks have passed with no meetings. I believe that waiting to hold our first meeting on May 4 is irresponsible and does not adequately respond to the Supreme Court's order. I ask you to reconsider your plan of not scheduling our first meeting until May 4.

Auditor Faber stated in his April 26, 2022 letter to the Commission that Commissioners' schedules can be accommodated with a virtual meeting option. Commissioners occupied with primary election campaigning can utilize this remote participation option. The Commission has many issues to address that require more than the two days between May 4 and our May 6, 9:00 a.m. deadline. Some of these issues are also presented by Auditor Faber in his letter. Additional issues include approving funds to rehire the House and Senate Minority Caucuses' map consultant and re-engaging the independent mapmakers from our previous round of drawing – as suggested by the Supreme Court.

You also indicated in our most recent phone conversations that you are considering asking the Court for an extension of time to complete the map drawing process. This is wholly unnecessary and I am skeptical of ultimate success since the Commission has remained entirely inactive since

the Court's previous decision. The Commission should get to work and eliminate the need to ask for an extension.

You have also indicated in the press that your staff is already working on a General Assembly district plan and that you would make your map drawer available to Democratic commissioner staff in private meetings. While I appreciate your offer to make staff available, the map drawing process should be done publicly and the Commission should immediately retain the independent map drawers, Dr. Douglas Johnson and Dr. Michael McDonald, to allow for the finalization of their constitutional General Assembly district plan.

Furthermore, the House and Senate Democratic Caucuses have not been able to re-engage our consultant for this round of map drawing without access to funds. Leader Russo has indicated to the Commission that Task Force funds are available but would need to be released. Alternatively, the Commission still has funds that could be accessed to support the work of the Commission.

Pursuant to our procedural rules, a meeting of the Commission will be held when three Commissioners call for one. Auditor Faber has joined our call to hold a meeting and we now must set a time. That initial meeting should not be delayed until the last minute. Given the myriad of issues that need to be resolved, I believe the Commission should immediately meet every day until the Court's deadline. I appreciate your prompt attention to this matter and look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read "Vernon Sykes", with a stylized flourish at the end.

Senator Vernon Sykes  
Co-Chair, Ohio Redistricting Commission  
Senate District 28

cc: Ohio Redistricting Commission members

**Exhibit F**  
**to Affidavit of**  
**Respondent Vernon Sykes**





**Ohio Senate**  
Senate Building  
1 Capitol Square  
Columbus, Ohio 43215  
(614) 466-4074

**Dr. Vernon Sykes**  
Ohio State Senator  
28th Senate District

April 28, 2022

**Sent via email**

Dear Speaker Cupp:

It has now been over 24 hours since we reached the three members needed to request a meeting of the Commission. Auditor Faber joined the call on Tuesday, April 26. All three members requested the meeting occur as soon as possible. As Rule 5 adopted by the Commission states: "Upon a request by three members of the Commission for a meeting, the Co-Chairs shall promptly provide notice of the meeting pursuant to Rule 2, within twenty-four hours when feasible, at a location determined by the Co-Chairs."

I write to request that we schedule a meeting of the Ohio Redistricting Commission on Friday, April 29, 2022. A virtual meeting option should be available.

At the meeting on Friday, the Commission should set a schedule to meet every day until the Court's deadline and address the issues in Auditor Faber's letter to the Commission dated April 26 and my letter to the Commission from April 27. Thank you for your time and attention.

Sincerely,

A handwritten signature in black ink, appearing to read "Vernon Sykes", with a long, sweeping flourish at the end.

Senator Vernon Sykes  
Co-Chair, Ohio Redistricting Commission  
Senate District 28

**Exhibit G**  
**to Affidavit of**  
**Respondent Vernon Sykes**

**From:** "DiRossi, Ray" <Ray.DiRossi@ohiosenate.gov>  
**Date:** May 2, 2022 at 6:59:50 PM CDT  
**To:** "Springhetti, Blake" <Blake.Springhetti@ohiohouse.gov>, "Routt, Randall" <Randall.Routt@ohiosenate.gov>  
**Cc:** "Christopher Oliveti (Coliveti@ohiosos.gov)" <Coliveti@ohiosos.gov>, eredman12@icloud.com, Aaron.Crooks@governor.ohio.gov, Project Govern <chris@projectgovern.com>, "Cherry, Sarah" <Sarah.Cherry@ohiohouse.gov>  
**Subject:** RE: Legislative maps

Randall, Blake

I am not working on a map - waiting for commission direction

Ray

---

**From:** Blake.Springhetti@ohiohouse.gov [Blake.Springhetti@ohiohouse.gov]  
**Sent:** Monday, May 02, 2022 6:37 PM  
**To:** Routt, Randall  
**Cc:** DiRossi, Ray; Christopher Oliveti (Coliveti@ohiosos.gov); eredman12@icloud.com; Aaron.Crooks@governor.ohio.gov; Project Govern; Sarah.Cherry@ohiohouse.gov  
**Subject:** Re: Legislative maps

Hey Randall — I am not working on a new legislative plan. If you have something to share, I'd be happy to review.

Blake

On May 2, 2022, at 2:03 PM, Routt, Randall <Randall.Routt@ohiosenate.gov> wrote:

Blake & Ray,

I wanted to follow up on an offer Speaker Cupp made to Senator Sykes recently indicating that Blake would be available to work with us. If you are working on a map could you please share that with us at your earliest convenience?

Thanks,

Randall

**Exhibit H  
to Affidavit of  
Respondent Vernon Sykes**

**From:** "DiRossi, Ray" <Ray.DiRossi@ohiosenate.gov>  
**Date:** May 5, 2022 at 2:54:37 PM EDT  
**To:** "Springhetti, Blake" <Blake.Springhetti@ohiohouse.gov>, "Cherry, Sarah" <Sarah.Cherry@ohiohouse.gov>  
**Cc:** "Routt, Randall" <Randall.Routt@ohiosenate.gov>, "Christopher Oliveti (Coliveti@ohiosos.gov)" <Coliveti@ohiosos.gov>, eredman12@icloud.com, Aaron.Crooks@governor.ohio.gov, Project Govern <chris@projectgovern.com>  
**Subject:** RE: Legislative maps

no change from Randall's email  
Ray

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**From:** Blake.Springhetti@ohiohouse.gov <Blake.Springhetti@ohiohouse.gov>  
**Sent:** Thursday, May 5, 2022 2:40 PM  
**To:** Sarah.Cherry@ohiohouse.gov  
**Cc:** Routt, Randall <Randall.Routt@ohiosenate.gov>; DiRossi, Ray <Ray.DiRossi@ohiosenate.gov>; Christopher Oliveti (Coliveti@ohiosos.gov) <Coliveti@ohiosos.gov>; eredman12@icloud.com; Aaron.Crooks@governor.ohio.gov; Project Govern <chris@projectgovern.com>  
**Subject:** Re: Legislative maps

Hey Sarah — I am not working on a plan and do not have a plan to share.

On May 5, 2022, at 1:54 PM, Cherry, Sarah <Sarah.Cherry@ohiohouse.gov> wrote:

Blake and Ray,

Are you or any staff or consultants working on draft maps or do you have completed maps to share before the meeting today? If so, can you share such draft or completed maps asap?

**Sarah A. Cherry**

*Legal Counsel, Minority Caucus*  
*she/her/hers*  
Ohio House of Representatives  
77 South High Street, 14th Floor

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**From:** Springhetti, Blake <[Blake.Springhetti@ohiohouse.gov](mailto:Blake.Springhetti@ohiohouse.gov)>  
**Sent:** Monday, May 02, 2022 6:37 PM  
**To:** Routt, Randall <[Randall.Routt@ohiosenate.gov](mailto:Randall.Routt@ohiosenate.gov)>  
**Cc:** DiRossi, Ray <[Ray.DiRossi@ohiosenate.gov](mailto:Ray.DiRossi@ohiosenate.gov)>; Christopher Oliveti ([Coliveti@ohiosos.gov](mailto:Coliveti@ohiosos.gov)) <[Coliveti@ohiosos.gov](mailto:Coliveti@ohiosos.gov)>; [eredman12@icloud.com](mailto:eredman12@icloud.com); [Aaron.Crooks@governor.ohio.gov](mailto:Aaron.Crooks@governor.ohio.gov); Project Govern <[chris@projectgovern.com](mailto:chris@projectgovern.com)>; Cherry, Sarah <[Sarah.Cherry@ohiohouse.gov](mailto:Sarah.Cherry@ohiohouse.gov)>  
**Subject:** Re: Legislative maps

Hey Randall — I am not working on a new legislative plan. If you have something to share, I'd be happy to review.  
Blake

On May 2, 2022, at 2:03 PM, Routt, Randall  
<[Randall.Routt@ohiosenate.gov](mailto:Randall.Routt@ohiosenate.gov)> wrote:

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Blake & Ray,

I wanted to follow up on an offer Speaker Cupp made to Senator Sykes recently indicating that Blake would be available to work with us. If you are working on a map could you please share that with us at your earliest convenience?

Thanks,

Randall

**IN THE SUPREME COURT OF OHIO**

**League of Women Voters of Ohio, *et al.*,** :  
 : **Case No. 2021-1193**  
**Petitioners,** :  
 : **Original Action Filed Pursuant to**  
**v.** : **Ohio Constitution, Article XI, Section 9(A)**  
 :  
**Ohio Redistricting Commission, *et al.*,** : **[Apportionment Case Pursuant to S. Ct.**  
 : **Prac. R. 14.03]**  
**Respondents.** :

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**Bria Bennett, *et al.*,** :  
 : **Case No. 2021-1198**  
**Petitioners,** :  
 : **Original Action Filed Pursuant to**  
**v.** : **Ohio Constitution, Article XI, Section 9(A)**  
 :  
**Ohio Redistricting Commission, *et al.*,** : **[Apportionment Case Pursuant to S. Ct.**  
 : **Prac. R. 14.03]**  
**Respondents.** :

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**The Ohio Organizing Collaborative, *et al.*,** :  
 : **Case No. 2021-1210**  
**Petitioners,** :  
 : **Original Action Filed Pursuant to**  
**v.** : **Ohio Constitution, Article XI, Section 9(A)**  
 :  
**Ohio Redistricting Commission, *et al.*,** : **[Apportionment Case Pursuant to S. Ct.**  
 : **Prac. R. 14.03]**  
**Respondents.** :

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**AFFIDAVIT OF RESPONDENT C. ALLISON RUSSO**

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State of Ohio  
County of Franklin, SS:

I, C. Allison Russo, hereby submit the following affidavit and state under oath and penalty of perjury as follows:

**Introductory Information**

1. I have personal knowledge of all the information below.
2. I am a member of the Ohio House of Representatives, representing District 24. I assumed office on January 1, 2019. On January 12, 2022, the Ohio House Democratic Caucus elected me as the Ohio House Minority Leader. I was sworn in as Minority Leader during the House's session on January 26, 2022.
3. I serve as a Commissioner on the Ohio Redistricting Commission ("Commission"). I am the only woman on the Commission. I serve as a representative from the Democratic Party, along with Co-Chair Senator Vernon Sykes (together, the "Democratic Commissioners"). The remaining five Commissioners are Republicans (together, the "Republican Commissioners").
4. I also serve as Co-Chair of the Legislative Task Force on Redistricting. Senator Rob McColley serves as the Republican Co-Chair. That Task Force is responsible for, among other things, allocating funding to support the state's redistricting work.
5. I was sued in the above-captioned case and am a named Respondent. The Ohio Supreme Court, however, has recognized that my interests align more with the Petitioners than that of the Commission or the Republican Commissioners. Opinion 2022-Ohio-65, ¶ 66. I have urged the Supreme Court to invalidate the Commission's previous General Assembly maps because they violated Section 6, Article XI of the Ohio Constitution.
6. In its most recent opinion on April 14, 2022, this Court invalidated the Commission's fourth map for again violating the Ohio Constitution. *League of Women Voters v.*



*Ohio Redistricting Comm.*, 2022-Ohio-1235 (“*LWV IV*”). This Court concluded that both the process used to adopt the fourth plan and the substance of that plan violated Article XI. It noted with approval, however, that the Commission had, per its suggestion, engaged independent map drawers to draw a new map in public view. *Id.* ¶¶ 3–6. And the Court “express[ed] the view” that, if possible, the Commission should reengage the independent map drawers and, at a minimum, “that the commission should use the independent map drawers’ work thus for a starting point for the next plan” and draw a new map in public view. *Id.* ¶¶ 74, 77, 78. It ordered that the Commission “be reconstituted, to convene, to draft and adopt an entirely new General Assembly-district plan that meets the requirements of the Ohio Constitution, including Article XI, Sections 6(A) and 6(B).” *Id.* ¶ 78. The Court gave us ample time, perhaps following the Republican Commissioners’ insistence that the clock just ran out to finalize the independent map drawers’ plan, which was “on track to being constitutionally compliant.” *Id.* ¶ 74. But that excuse, as many before, was just a smokescreen.

7. As described below, despite the efforts of the Democratic Commissioners, the Republican-controlled Commission did not abide this order. It did not convene until less than 48-hours before the deadline, it did not reengage the independent map drawers, it did not draw new maps, and it did not adopt a constitutional plan. To the contrary, the Commission adopted the February 24, 2022 Plan, which this Court had already held was unconstitutional. *League of Women Voters of Ohio v. Ohio Redistricting Comm.*, 2022-Ohio-789 (“*LWV III*”).

8. On May 10, 2022, the Supreme Court ordered that responses to Petitioners’ motions for an order directing Respondents to show cause for why they should not be held in contempt be filed by May 12, 2022 at 9:00am. I submit this affidavit in response to that order. I have filed four affidavits in this case previously, each detailing my efforts to comply with the Ohio Constitution

and this Court's orders. I incorporate those by reference. *See* April 3, 2022 Affidavit of C. Allison Russo; March 2, 2022 Affidavit of C. Allison Russo; February 23, 2022 Affidavit of C. Allison Russo; January 28, 2022 Affidavit of C. Allison Russo.

9. As detailed below, since this Court's April 14 order, I worked diligently alongside Co-Chair Sykes to comply with the Court's order. Together, we (1) requested that the Commission meet immediately and often; (2) urged the Commission to reengage the independent map drawers; (3) were willing to work collaboratively with the other Commissioners and their staff on any plans or ideas had they been proposed; (4) supported allocating sufficient funding so that all Commissioners could access experts to aid in the map drawing process; and (5) moved to adopt a new constitutional plan. Because I worked diligently to comply with this Court's April 14 Order (and all previous orders), voted for a constitutional plan, and opposed the Republican Commissioners' last-minute decision to readopt the unconstitutional February 24 Plan, I respectfully request that the Court does not order me to show cause or hold me in contempt.

10. But I do ask the Court to take strong action to ensure that the Commission adopt a constitutional map. Given the actions of the Republican Commissioners—who for the fifth time have thumbed their nose at the Constitution and this Court—there can be no doubt that they will not comply with this Court's orders unless held in contempt. Without consequences for breaking the law, the majority Commissioners have no incentive to give up their supermajority power; doing so would only upset their members who may lose seats with a proportional plan. Contempt can provide the Republican Commissioners with the cover necessary to comply with the Constitution, rather than protect the interests of their partisans. With Article XI, the voters of Ohio asked for the Commission to draw fair maps and entrusted the Ohio Supreme Court with both the power and

responsibility to protect that choice. It is still my hope that, with this Court's help, we can fulfill that responsibility to the people of Ohio.

**Immediately After the Court's April 14 Order, the Democratic Commissioners Called for Immediate and Frequent Meetings and for Reengaging the Independent Map Drawers to Complete their General Assembly-District Plan.**

11. Immediately following the Court's April 14 Order, I worked with Co-Chair Sykes to call for the Commission to reconvene immediately and schedule frequent meetings so that we could adopt a constitutional plan in compliance with the Court's mandate and May 6 deadline. Along with urging the Commission to schedule prompt and frequent meetings, I urged that the Commission reengage the independent map drawers so that they could correct technical errors in their previous plan, if any, and entertain any other constitutional amendments from the Commission.

12. I urged prompt convening of the Commission and rehiring of the independent map drawers in, among others, the following ways:

- **April 14, 2022**—After this Court issued its decision, I read it and discussed it with the House Minority Legal Counsel. I issued a statement praising the ruling because it vindicated the rights of Ohio voters and announcing my commitment to work, for the Commission's fifth round, on adopting a constitutional map. I stated: "The Court has strongly suggested that we get back to work using the independent map drawers' plan and picking up where they left off to finish the job. I am ready to do just that." A true and accurate copy of this statement is attached as Exhibit A.
- **April 15, 2022**—I communicated with Co-Chair Sykes about reconvening the Commission promptly and suggesting Commission meetings every other day. He agreed to reach out to Co-Chair Cupp to reconvene the commission, set frequent meetings, rehire the independent map drawers, and otherwise comply with the Court's order.
- **April 16, 2022**—I sent a letter to the Commission recommending that we follow this Court's strong urging to re-engage Dr. Johnson and Dr. McDonald to draw a map while live streaming the work for public view. I explained that the Commission had the necessary funding to reengage the independent experts and that the Task Force had close to \$4 million on hand and that I was prepared to authorize more funding to the Commission if needed. A true and correct copy of this letter is attached as Exhibit B.

- **April 16, 2022**—I instructed my staff to contact the independent map drawers to ascertain their availability. After speaking to both Dr. Johnson and Dr. McDonald, my staff informed me that both experts were generally available before the May 6 deadline with the exception of just a few days.
- **April 18, 2022**—Because Co-Chair Sykes, despite multiple attempts, had not heard back from Co-Chair Cupp about scheduling a meeting, Senator Sykes and I sent a letter to the Commission calling for the Commission to meet in the next few days, rehire the independent map drawers, and adopt a constitutional map. A true and correct copy of this letter is attached as Exhibit C.
- **April 20, 2022**—Co-Chair Cupp had told Co-Chair Sykes that the Republican Commissioners would not meet until after the federal court ruled. When the federal court ruled on April 20, I again released a statement saying that the Commission needed to immediately get to work, as we had to comply with this Court’s May 6 deadline and had six weeks before the May 28 federal court deadline. A true and correct copy of this statement is attached as Exhibit D.
- **April 21, 2022**—Co-Chair Sykes and I wrote to the Commission following the federal court order, urging the Commissioners to “reconvene as soon as possible, remotely if need be,” “rise above partisan interests,” and “adopt a new map” by the May 6 deadline. A true and correct copy of this letter is attached as Exhibit E.
- **April 22, 2022**—Given that it had been eight days since this Court ordered the Commission to reconvene (only two weeks remained before the deadline), and that we had contacted all of our fellow Commissioners repeatedly and asked them to call for a meeting, Co-Chair Sykes and I decided to call a meeting in hopes that other Commissioners would join us. We sent a letter to all Commissioners inviting them to meet Monday, April 25 at 10:00am in Room 313 (or virtually). A true and correct copy of this letter is attached as Exhibit F.
- **April 25, 2022**—Co-Chair Sykes and I attempted to meet in Room 313 at 10:00am, but the doors were locked. We spoke to the press, again calling for the Commission to convene. Then we sent another letter to the Commissioners explaining that half of the time the Supreme Court had given us to draw new maps had been squandered and asking that we convene, rehire the independent map drawers, and adopt a new map. A true and correct copy of this letter is attached as Exhibit G.
- **April 26, 2022**—Co-Chair Sykes told me that he had spoken with Co-Chair Cupp. Co-Chair Cupp had stated, among other things, that: (1) the Republican Commissioners would not agree to a meeting until May 4 because the statewide officeholders were campaigning; (2) the Republican Commissioners would not agree to rehire the independent map drawers and did not like the independent plan because they thought it paired incumbents and was not compact; (3) the Republican Commissioners’ staff

were working on a new map and that Co-Chair Cupp would give Mr. Blake Springhetti authorization to work with the Democratic caucus staff on the map, but only if such conversations and map drawing were kept from public view.

- **April 27, 2022**—Because Auditor Faber had sent a letter suggesting that the Commission should meet, Co-Chair Sykes and I responded with a letter asking him to join us in requesting a meeting. A true and correct copy of this letter is attached as Exhibit H. As I later learned from my staff, Auditor Faber was not willing to call for the Commission to meet until four Commissioners agreed to do so, even though the Commission rules require only three Commissioners to call for a meeting.
- **April 26-27, 2022**—Because Co-Chair Cupp had told Co-Chair Sykes that we had to request statehouse rooms in writing to use for informal meetings to discuss redistricting, I sent letters to the House Clerk requesting rooms. True and correct copies of these letters are attached as Exhibits I and J. That request was also denied.

13. These requests to reconvene promptly and rehire the independent map drawers fell on deaf ears. There was no appetite by the Republican Commissioners to work toward complying with this Court’s order. Because no Republican Commissioner would agree to meet sooner, the Commission did not meet until approximately 2:00pm on May 4, 2022—less than 48 hours before the Court’s deadline.

**Commissioner McColley Thwarted Already-Approved Funding for the Democratic Commissioners’ Expert, Hindering the Commission’s Work.**

14. I also worked diligently to secure the funding for Mr. Glassburn, the Democratic Caucuses’ map drawing expert, and for the support for the mapping software used by the Commission. Unlike the Republican Caucus, the Democratic Caucus does not have expert map drawers on staff. Accordingly, we contracted with Mr. Glassburn at Project Govern to provide these services to both the House and Senate Democratic Caucuses. Without this expertise, the Democratic Commissioners are unable to participate fully in the Commission’s work.

15. Mr. Glassburn had a contract with the two Democratic Caucuses for the prior rounds of map drawing. The Caucuses had been authorized to contract with his company by the Legislative Task Force on Redistricting, Reapportionment, and Demographic Research. However,

because on March 4, 2022, the Task Force’s authority to contract with Mr. Glassburn or any outside expert had expired, we needed the Task Force to grant authority and reallocate funds such that Mr. Glassburn could be reengaged.

16. I asked Task Force Co-Chair McColley to sign off on reallocating this funding that had already been approved on numerous occasions, including:

- **April 16, 2022**—I sent a funds allocation memorandum to Co-Chair McColley asking him to sign-off on the Democratic Caucuses’ redistricting expenses. Our spending authority had expired on March 4, and we had no contractor engaged at this time to draw or analyze maps. A true and correct copy of that letter is attached as Exhibit K.
- **April 18, 2022**—I called Co-Chair McColley, following up on my letter, and I left a voicemail. It had been four days since the Court’s decision, and we were unable to re-engage our consultant.
- **April 28, 2022**—Still waiting for Co-Chair McColley to sign-off on the reallocation of funds, I sent him a letter again requesting his approval and describing the necessity of his prompt action. A true and correct copy of that letter is attached as Exhibit L.

17. I also advocated for the necessary funding in the following ways:

- **April 28, 2022**—Co-Chair Cupp had sent a letter incorrectly asserting that Mr. Glassburn had been paid \$500,000 in an attempt to justify the Republicans’ delay of funding our expert. Co-Chair Sykes responded with a letter calling out Co-Chair Cupp’s error and explaining the necessity of reallocating the funds to help us fulfill our duties. A true and correct copy of that letter, which Co-Chair Sykes provided to me, is attached as Exhibit M.
- **May 2, 2022**—In a letter to the Commissioners, I urged President Huffman (who was still a Commissioner at the time) to have Task Force Co-Chair McColley release the funds, again explaining how the funds had been previously approved and the importance of effective staffing for the Commission’s work. A true and correct copy of that letter is attached as Exhibit N.

18. Co-Chair McColley would not approve the funding, depriving us of map drawing expertise throughout almost all of the period after the April 14 decision. Co-Chair McColley’s refusal to reallocate this funding seemed yet another ploy to hamstring the Democratic Caucus and, in particular, our work on redistricting. Mr. Glassburn has been instrumental in producing

constitutional maps, analyzing other maps, advising the Democratic Commissioners, aiding the independent map drawers, demonstrating the ease of fixing the technical errors in the independent plan, and revealing the constitutional flaws in the Republican Commissioners' maps. Unsurprisingly, the Republicans targeted him and our ability to utilize his services.

19. Like my requests for meetings, my requests that Task Force Co-Chair McColley sign-off on reallocating funds to allow us to fulfill our duties were rebuffed and, despite my letters, none of the other Republican Commissioners urged Co-Chair McColley to authorize this payment. Quite the opposite. They were playing games to deprive the Democratic Commissioners of the requisite expert assistance to participate in the Commission's process.

20. Finally, during the May 4, 2022 meeting, I moved for the Commission to recommend that Task Force Chair McColley sign-off on my funding request. After an extended back and forth, where I reiterated that the funds were necessary for the Democratic Commissioners to perform their work on the Commission, Co-Chair McColley (now serving on the Commission) agreed to sign-off on the funds.

**The Republican Commissioners Would Not Agree to Work Toward a Constitutional Plan at the May 4 Commission Meeting.**

21. It became clear that not a single Republican Commissioner would join with Co-Chair Sykes and me to call for a meeting earlier, so the Commission would not meet until May 4 as Co-Chair Cupp preordained. In advance of the meeting, on May 2, 2022, I sent a letter to the Commissioners suggesting ways that we could make the meeting as effective as possible, including re-engaging the independent map drawers (the Co-Chairs had the authority to do so) and sharing maps Commissioners or their staff were working on. Co-Chair Cupp had stated that he was working on a plan, but I had not seen a draft. A true and correct copy of that letter is attached as Exhibit N.

22. Auditor Faber had been working on a plan, and he invited me and my staff to his office to view that map. We did so on May 4, 2022. We did not have our map drawer, Mr. Glassburn, with us because funding had not been allocated for him to work with us, and that hindered our ability to evaluate the map. From examining the files, however, my staff ascertained at a basic level that the Faber map was closer to meeting the constitutional requirements than the third and fourth maps adopted by the Commission, and that the Faber map used the independent map drawers' map as its starting point. Though it appeared to have some technical problems, I determined that this was a proposed map that we could work from and make amendments to. Auditor Faber told us that the other Republican Commissioners had not taken him up on his offer to meet with him to review this map. He also suggested in this meeting that the other Commissioners would not want both Democrats to support this map because they would not want it to be a ten-year map.

23. The May 4 Commission meeting was unproductive. Beyond the extended debate with Task Force Co-Chair McColley (who had been appointed to President Huffman's seat on the Commission) about funding, the Commission took no steps toward complying with the Court's order. Co-Chair Sykes and I moved to re-engage the independent map drawers, but the motion failed because all the Republican Commissioners voted against it. Yet, they did not propose any other maps or path forward to comply with the Court's order. Auditor Faber did not introduce his map. And the Commission failed to give any instructions to staff on completing a plan. Instead, Co-Chair LaRe asked for discussion on next steps and, after only a momentary pause, abruptly adjourned the meeting while I was conferring with my staff about another motion I was preparing to make that would require the Commission to work from the independent map drawers' maps as a starting point for a new plan.



24. Because Task Force Co-Chair McColley finally approved funds for Mr. Glassburn during the meeting on May 4, we reengaged Mr. Glassburn shortly after the meeting. I directed Mr. Glassburn to assess the Faber map and provide Auditor Faber's staff with a list of technical errors and potential fixes, which he did. That evening, I spoke again with Auditor Faber about his map. He said he could not promise that he could get another Republican Commissioner to vote in favor of his map, but he would continue working on the map and having conversations about it.

25. That night, I also called Co-Chair LaRe (who had been appointed to Co-Chair Cupp's seat on the Commission). We spoke. I asked him whether any Republican Commissioner had a new map, whether the Republican Commissioners would entertain any changes to the February 24, 2022 Plan given that some of their members were unhappy with that plan, or whether the Republican Commissioners would just adopt the February 24 Plan without any changes. Co-Chair LaRe said he did not know, and that we would touch base the next morning.

**Over My Objection, the Republican Commissioners Rejected a Constitutional Plan and Adopted an Unconstitutional Plan at the May 5 Commission Meeting.**

26. On May 5, I called Co-Chair LaRe. I said I knew that there were other maps floating around (including the Faber map) that addressed some of his members' concerns, and that those maps might provide opportunities for us to find some compromise. Co-Chair LaRe said there was concern about the election timeline, which I disagreed with, and that he would have to get back to me. Shortly before the Commission meeting, Co-Chair LaRe called me back and said the Republican Commissioners would be introducing the February 24, 2022 Plan.

27. In advance of the Commission's final meeting on May 5, I reminded the Commissioners that we could still adopt a constitutional plan, even with the little time we had, because constitutional plans already existed. Specifically, Dr. Rodden had fixed the technical errors in the independent map drawers' plan without changing the proportionality or compactness

of the plan (which was more compact than any other plan the Commission had previously adopted). This “Corrected Independent Map” had been before the Commissioners for weeks because it was introduced in federal court on April 8, 2022, Notice, *Gonidakis v. LaRose*, No. 2:22-cv-0773, Dkt. No. 177 (S.D. Ohio), to this Court on April 12, 2022, Pet’rs’ Notice of Filing in Southern District of Ohio of Corrected Independent Map Drawers’ Plan, *Bennett v. Ohio Redistricting Comm.*, Case No. 2021-1198, and then submitted again to the Commission’s website on May 4, 2022. I sent a letter to the Commissioners on May 5 asking them to again review this Plan. I wrote:

The Independent Map Drawers completed the work that they were hired to do. They produced constitutional maps that were also more compact than any the Commission has adopted. As with any house built, inspection usually reveals a punch list of little fixes needed to make everything just right. The same is true with any set of maps. The short punch list was identified and each item was addressed [in the Corrected Independent Plan].

I asked the Commissioners to advise the Commission as to any violations of Article XI, Section 2, 3, 4, 5, or 7 in the Corrected Independent Plan. As I stated, “I do not believe there are any, but every commissioner should review for themselves.” A true and correct copy of this letter is attached as Exhibit O.

28. I also directed Ms. Sarah Cherry, the House Minority Counsel, to email Mr. Springhetti and Mr. DiRossi to ascertain whether they were working on any plans that could be adopted at the meeting. They were not. A true and correct copy of these emails is attached at Exhibit P.

29. Despite failing to identify a single constitutional violation in the Corrected Independent Plan, the Republican Commissioners voted against its adoption at the May 5, 2022. I moved to adopt that map, but the motion failed on party lines: 5-2. Some Commissioners expressed concern that there was not time to implement this new map for an August 2 primary and special legislation would be needed to change election-related deadlines to effectuate a new plan. The

Republicans had created this timing crisis and now wanted to hide behind it as pretense for failing to adopt a constitutional map. Also, the Republican leadership (including Speaker Cupp and President Huffman, who had only stepped off the Commission the previous day) refused to support moving election-related deadlines, again creating their own barriers to implementing a constitutional plan. Even so, as I mentioned, implementation was not the relevant question. We were under this Court's order to adopt a constitutional plan by May 6 irrespective of whether it could be implemented for the 2022 election. Even if the federal court was going to order an election in 2022 with an unconstitutional map, that did not preclude this Commission from adopting a constitutional plan. Governor DeWine had acknowledged that the Commission needed to adopt a plan for future years, Hrg. Tr. May 4, 2022 (DeWine, 54:39), but still used the timing for the 2022 election as a basis to reject this constitutional plan.

30. The Commission instead readopted the February 24, 2022 Plan that this Court declared unconstitutional in *LWV III*, stating that it would be for the 2022 election only. Governor DeWine apparently knew he was to call on Secretary LaRose to read a statement about the difficulties of implementing a new plan (indeed, he kept asking when he was supposed to call for the statement, poorly hiding the choreography the Republicans had planned). Secretary LaRose then read a multiple-page statement explaining why a new plan could not be implemented in a timely manner; he did not explain why the Commission could not at least adopt a constitutional plan as it was obligated to do by the Court and the Constitution. Then Senator McColley moved to readopt the February 24 Plan. With four Republican Commissioners voting in favor, the Commission readopted the unconstitutional map.

31. I objected, reminding the Commission that the federal court had not overruled the Ohio Supreme Court's determination that the February 24, 2022 Plan was unconstitutional and

stating that, per the Constitution, the Commission did not have the authority to adopt a plan for 2022 only. Article XI gives the Commission authority to adopt a ten-year map, and if there is impasse, then the map exists for only four years. Hence, the Commission needed to adopt a map in accordance with Article XI, irrespective of the federal court's order as to 2022. The Republicans ignored these basic legal points and then rejected Co-Chair Sykes' motion to recess to discuss with counsel to the Commission the implications of the Commission adopting a plan already deemed unconstitutional.

32. Auditor Faber also objected to the February 24 plan, but because it was in his view too favorable to Democrats. He called it a partisan gerrymander because seats were drawn to favor Democrats to satisfy Article XI, Section 6 of the Constitution. *See* Hrg. Tr. May 5, 2022 (Faber, 08:44). He, again, did not offer his proposed plan or suggest any further course of action for the Commission to comply with this Court's orders.

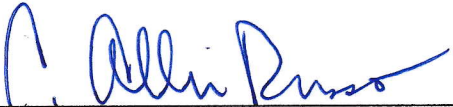
### **Conclusion**

33. Should the Ohio Supreme Court again order me to show cause why I should not be held in contempt, I believe the facts in this affidavit show that Co-Chair Sykes and I honored the Court's orders by doing everything in our power to advance the Commission toward fulfilling its duty to adopt a constitutional map. The facts also show that the Commission easily could have satisfied the Court's order if only the Republican Commissioners had been willing to comply.

34. Since Thursday, May 5, no Republican Commissioner or their staff has contacted me or my staff to discuss maps, work on maps, or share any map proposals. They seem sure that they can act with impunity and that the federal court will allow them to go forward with an unconstitutional map in 2022. They then apparently seek to delay adopting a new map until the composition of the Court has changed, and the Chief Justice, whom they have criticized and called

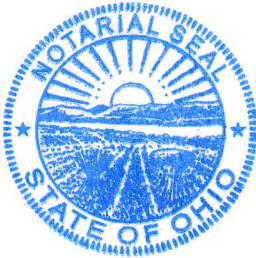
for impeaching, will have left the bench. All they must do is continue to breach their duty to follow the Ohio Constitution and this Court's orders while the clock runs out. I firmly believe in the rule of law and the Constitution. Respectfully, the Court should not allow the Republican Commissioners to get away with such dereliction.

FURTHER AFFIANT SAYETH NAUGHT.

  
\_\_\_\_\_  
C. Allison Russo

Sworn to before me and subscribed in my presence this 11<sup>th</sup> day of May 2022.

  
\_\_\_\_\_  
Notary Public



Charles Benjamin Cooper, Attorney At Law  
NOTARY PUBLIC - STATE OF OHIO  
My commission has no expiration date  
Sec. 147.03 R.C.

**Exhibit A**  
**to Affidavit of**  
**Respondent C. Allison Russo**

**From:** Majikas, Maya  
**Sent:** Thursday, April 14, 2022 4:12 PM  
**To:** Majikas, Maya  
**Subject:** Leader Russo issues statement after Supreme Court rejects gerrymandered state legislative district maps a fourth time



## Ohio House Democratic Caucus

FOR IMMEDIATE RELEASE: APRIL 14, 2022

Contact: Maya Majikas, Deputy Communications Director (614)-466-9034

### **Leader Russo issues statement after Supreme Court rejects gerrymandered state legislative district maps a fourth time**

COLUMBUS –**House Minority Leader** and **Ohio Redistricting Commission member Allison Russo (D-Upper Arlington)** today issued a statement after the Ohio Supreme Court struck down the state legislative maps adopted by the Redistricting Commission on March 28. A majority of Republican commissioners chose to abandon the bipartisan, transparent, independent map-drawing process ordered by the Ohio Supreme Court, and instead forced another vote on a last-minute secret gerrymandered plan.

“This ruling vindicates the rights of Ohio voters who have been utterly betrayed by certain Republican commissioners in four rounds of map-drawing. The fight for fair maps has been long and fraught, but we won’t give up, no matter how many times the majority Commissioners try to subvert democracy for their own partisan gain. The Court has strongly suggested that we get back to work using the independent map drawers’ plan and picking up where they left off to finish the job. I am ready to do just that.”

The Redistricting Commission now must redraw the state legislative maps by May 6. The state Court’s opinion urged restraint by the federal Court citing longstanding precedent.

-30-

**Exhibit B**  
**to Affidavit of**  
**Respondent C. Allison Russo**





**Representative C. Allison Russo**  
Minority Leader

April 16, 2022

The Honorable Mike DeWine  
Governor, State of Ohio  
77 South High Street, 30<sup>th</sup> Floor  
Columbus, Ohio 43215

The Honorable Matt Huffman  
President, Ohio Senate Ohio  
Statehouse Columbus, Ohio  
43215

The Honorable Dave Yost  
Attorney General, State of Ohio  
30 East Broad Street, 14<sup>th</sup> Floor  
Columbus, Ohio 43215

The Honorable Robert Cupp  
Speaker, Ohio House of Representatives 77  
South High Street, 14<sup>th</sup> Floor Columbus, Ohio  
43215

The Honorable Frank LaRose  
Secretary of State, State of Ohio  
22 North Fourth Street, 16<sup>th</sup> Floor  
Columbus, Ohio 43215

The Honorable Vernon Sykes  
Ohio Senate Minority Leader Ohio  
Statehouse  
Columbus, Ohio 43215

**Sent via Email**

Dear Commissioners:

In light of Thursday's decision by the Ohio Supreme Court, I write to recommend that we follow the Court's strong urging to re-engage Dr. Douglas Johnson and Dr. Michael McDonald and to draw a map as a Commission while live streaming the work for public view.

I also write to confirm that the Redistricting Commission has the funding it needs to re-engage the map drawers and support the ongoing process. My Legislative Redistricting Task Force Co-chairman, Senator McColley, and I provided authorization last month for the Commission to use \$200,000 in Task Force funds to bring on the additional mapping and mediation professionals we need to complete legally valid maps. The Commission also has some funding left from its initial \$100,000 appropriation in the state budget. The Task Force has close to \$4 million appropriated to it and available to support all aspects of the redistricting process. I am prepared to authorize additional spending authority as needed.

Please do not hesitate to contact me if you have any questions about the Task Force or if your office needs funding to support this ongoing work to bring fair and constitutional district maps to the people of Ohio.

Kind regards,

A handwritten signature in black ink that reads "C. Allison Russo".

C. Allison Russo  
House Minority Leader

**Exhibit C**  
**to Affidavit of**  
**Respondent C. Allison Russo**



April 18, 2022

Dear Commissioners,

The Supreme Court of Ohio has once again ordered this Commission to reconvene in order to undertake the task of drawing constitutionally compliant state legislative district maps. Fortunately, we have clear guidance from the Court. Therefore, finalizing legally compliant fair maps should be straightforward.

Over the past four days – ever since the Supreme Court’s decision was rendered – we have attempted to, in earnest, restart the Commission process. Senator Sykes made repeated calls to our commission Co-Chairman. Unfortunately, over the holiday weekend, these calls went unanswered. Leader Russo confirmed for us all that the authority and funding granted to the Commission by the Legislative Task Force on Redistricting to engage independent map drawers is still valid and available. We have confirmed through our staff that our original independent map drawers are available to return and all mapmaking may again be accomplished in full public view.

We believe that the Commission should reconvene in the next few days and rehire the independent mapmakers who were utilized in the last mapmaking round. We should ask them to review and finalize their prior work product and consider any additional input from the Commission, to the extent that such input would not lead to unconstitutional maps. We can then take a vote on a constitutional plan in advance of the Supreme Court of Ohio’s May 6, 2022 deadline.

It takes three of us Commissioners to call a meeting and restart our work. The two of us stand ready to work with all of you to do our duty to draft and adopt fair and constitutional maps. Any one of you could join us in scheduling our next meeting of the Commission, fulfilling our constitutional obligation. Thank you for your prompt attention to this matter.

Sincerely,

Handwritten signature of Senator Vernon Sykes.

Senator Vernon Sykes  
Co-Chair, Ohio Redistricting Commission  
Senate District 28

Handwritten signature of C. Allison Russo.

C. Allison Russo  
Commissioner, Ohio Redistricting Commission  
House Minority Leader  
House District 24

**Exhibit D**  
**to Affidavit of**  
**Respondent C. Allison Russo**

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**From:** Majikas, Maya  
**Sent:** Wednesday, April 20, 2022 7:44 PM  
**To:** Majikas, Maya  
**Subject:** Leader Russo issues statement after federal court redistricting decision



## Ohio House Democratic Caucus

FOR IMMEDIATE RELEASE: APRIL 20, 2022

Maya Majikas, House Democrats Deputy Communications Director (614)-466-9034

### **Leader Russo issues statement after federal court redistricting decision**

COLUMBUS– **Ohio House Minority Leader and Redistricting Commission member Allison Russo (D-Upper Arlington)** issued a statement in response to a federal three judge panel’s decision regarding state legislative districts:

“Tonight, the federal court showed that they do not appreciate the Republican commissioners passing the buck,” said **Leader Russo**. “The federal court gave us another six weeks to draw state legislative maps. Meanwhile, the state Supreme Court directed us to produce constitutional maps by May 6. We have work to do, and we need to start now. We have the time, resources, and ability to do this right. We will not quit. We will never stop fighting for Ohioans’ freedom to vote in fair districts.”

-30-

**Exhibit E**  
**to Affidavit of**  
**Respondent C. Allison Russo**



April 21, 2022

Dear Commissioners,

Yesterday, a federal three-judge panel issued an order which set a deadline of May 28, 2022 for state legislative district maps to be adopted for the upcoming 2022 election.

Nothing in the order yesterday absolves the Commission of its responsibilities, rather the order encourages us to rise above partisan interests and adopt constitutional maps prior to the court's deadline. Ultimately, our task as members of the Ohio Redistricting Commission remains the same. The Supreme Court of Ohio ordered this Commission to reconvene to draw constitutionally compliant state legislative district maps by May 6, 2022. Nothing in the federal court order of April 20, 2022 changes that fact and the Supreme Court of Ohio's instructions on drawing those maps remain the same as they were prior to the federal court's intervention.

Therefore, the Ohio Redistricting Commission should reconvene as soon as possible, remotely if need be, and begin the process of producing constitutional maps. The Commission should re-hire the independent mapmakers, reserve committee space for the mapmakers to conduct their mapmaking process, alert the Ohio Government Channel of our need for continuous public broadcasting of the process, and set dates – likely every other day – for the Commission to meet in public with the mapmakers for updates and to provide feedback.

As we said earlier in the week, it takes only three Commissioners to bring the Redistricting Commission together. We ask that another Commissioner join with us to get the process started as soon as possible.

Sincerely,

Handwritten signature of Senator Vernon Sykes.

Senator Vernon Sykes  
Co-Chair, Ohio Redistricting Commission  
Senate District 28

Handwritten signature of C. Allison Russo.

C. Allison Russo  
Commissioner, Ohio Redistricting Commission  
House Minority Leader  
House District 24

**Exhibit F  
to Affidavit of  
Respondent C. Allison Russo**





April 22, 2022

Dear Commissioners,

It has now been eight days since the Ohio Supreme Court ordered this Commission to reconvene and draw constitutionally compliant state legislative district maps. We have contacted each of you repeatedly and asked you to join us in reconvening the commission to fulfill our constitutional obligations and comply with the Court's order. Yet, still, no meetings have even been scheduled.

We now invite you to meet Monday morning, April 25, at 10 a.m. in Room 313 of the Statehouse. Anyone who is unable to attend in person may attend virtually.

The Court stated in its April 14<sup>th</sup> decision: "We further order the commission to be reconstituted, to convene, and to draft and adopt an entirely new General Assembly–district plan that meets the requirements of the Ohio Constitution, including Article XI, Sections 6(A) and 6(B) as we have explained those provisions in each of our four decisions in these cases." This is not a suggestion. It is a Court order we must comply with. We only have until 9:00 a.m. on May 6—now less than two weeks away—to adopt a new plan.

We have the time, resources, and ability to draw maps that comply with the Ohio Constitution. Our duties are clear. We are to produce fair maps that reflect the preferences of Ohio voters. We should rehire the independent mapmakers and allow them to review and finalize the maps they produced for us, and vote on those maps before May 6. Both Dr. McDonald and Dr. Johnson have indicated that they are available, and all mapmaking may again be accomplished in full public view.

Please join us at 10 a.m. on Monday.

Sincerely,

A handwritten signature in black ink, appearing to read "Vernon Sykes".

Senator Vernon Sykes  
Co-Chair, Ohio Redistricting Commission  
Senate District 28

A handwritten signature in black ink, appearing to read "C. Allison Russo".

C. Allison Russo  
House Minority Leader  
Commissioner, Ohio Redistricting Commission  
House District 24

**Exhibit G**  
**to Affidavit of**  
**Respondent C. Allison Russo**



April 25, 2022

Dear Commissioners:

It has now been 11 days since the Ohio Supreme Court ordered this Commission to reconvene and draw constitutionally compliant state legislative district maps. We have contacted each of you repeatedly and asked you to join us in reconvening the commission to fulfill our constitutional obligations and comply with the Court's order. We invited you to join us today in Room 313 of the statehouse but we did not see you there. And still no meetings have been scheduled.

The Court ordered "the commission to be reconstituted, to convene, and to draft and adopt an entirely new General Assembly–district plan that meets the requirements of the Ohio Constitution, including Article XI, Sections 6(A) and 6(B) as we have explained those provisions in each of our four decisions in these cases." We take this Court order seriously. We have until 9:00 a.m. on May 6—now 11 days away—to adopt a new plan.

We ask that you join us in calling a meeting of the Commission. We have the time, resources, and ability to draw maps that comply with the Ohio Constitution for 2022 and beyond. We should rehire the independent mapmakers, both of whom are available, and allow them to review and finalize the maps they produced for us, and vote on those maps before May 6. We should also have public input on the maps that we develop and adopt. There is no excuse not to hear from the people of Ohio about the districts that will ultimately be their voice in how our state is run.

Please join us in calling a meeting as soon as possible to do our jobs and adopt fair maps.

Sincerely,

A handwritten signature in black ink, appearing to read "Vernon Sykes".

Senator Vernon Sykes  
Co-Chair, Ohio Redistricting Commission  
Senate District 28

A handwritten signature in black ink, appearing to read "C. Allison Russo".

C. Allison Russo  
House Minority Leader  
Commissioner, Ohio Redistricting Commission  
House District 24

**Exhibit H  
to Affidavit of  
Respondent C. Allison Russo**



April 27, 2022

*Sent via email*

Dear Auditor Faber:

We are in receipt of your letter seeking to join with other Commissioners to call for a meeting as soon as possible. We accept your offer to join us and propose that the three of us inform Co-Chair Speaker Cupp of our decision. We further suggest that the meeting be set for 10 a.m. or 1:30 p.m., or a time of your choosing, on Thursday, April 28, 2022. The Commission rules provide for the co-chairs to send notice upon the agreement of three members.

Please confirm and let's schedule the meeting right away.

Sincerely,

A handwritten signature in black ink, appearing to read "Vernon Sykes".

Senator Vernon Sykes  
Co-Chair, Ohio Redistricting Commission  
Senate District 28

A handwritten signature in black ink, appearing to read "C. Allison Russo".

C. Allison Russo  
House Minority Leader  
Commissioner, Ohio Redistricting Commission  
House District 24

**Exhibit I**  
**to Affidavit of**  
**Respondent C. Allison Russo**



**Representative C. Allison Russo**  
*Minority Leader*  
*The Ohio House of Representatives*

April 26, 2022

***Sent via email***

Dear Mr. Young:

I write to request use of the House Finance Committee Room 313 or any other suitable committee room at the following times and dates for the business of the Ohio Redistricting Commission:

- 3:00 p.m. on Wednesday, April 27, 2022
- 1:30 p.m. on Thursday, April 28, 2022
- 10:00 a.m. on Friday, April 29, 2022
- 10:00 a.m. on Monday May 2, 2022
- 10:00 a.m. on Tuesday May 3, 2022

The Ohio Redistricting Commission is created by Article XI of the Ohio Constitution. It is presently under order by the Ohio Supreme Court to produce state legislative district maps by May 6. A motion is also pending before that court seeking contempt charges against the Commissioners due to its inaction. I hope you will do all that you can to facilitate the business of the Commission and not create obstacles to its work.

My office typically requests and receives confirmation to use committee rooms for our caucus meetings by telephone. Please let me know if the Speaker has directed you to require a written letter for all committee room requests from here forward and we will adjust our practices accordingly.

Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "C. Allison Russo".

**C. Allison Russo**  
House Minority Leader  
24<sup>th</sup> House District

**Exhibit J  
to Affidavit of  
Respondent C. Allison Russo**





**Representative C. Allison Russo**  
*Minority Leader*  
*The Ohio House of Representatives*

April 27, 2022

***Sent via email***

Dear Mr. Young:

I write to request use of the House Finance Committee Room 313 or any other suitable committee room at the following times and dates for a meeting related to redistricting in Ohio:

- 1:30 p.m. on Thursday, April 28, 2022

My office typically requests and receives confirmation to use committee rooms for our caucus meetings by telephone. Please let me know if the Speaker has directed you to require a written letter for all committee room requests from here forward and we will adjust our practices accordingly.

Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "C. Allison Russo".

**C. Allison Russo**  
House Minority Leader  
24<sup>th</sup> House District

**Exhibit K  
to Affidavit of  
Respondent C. Allison Russo**

*The Ohio Senate*  
Senator Rob McColley  
Co-Chair



*The Ohio House of Representatives*  
Representative Allison Russo  
Co-Chair

LEGISLATIVE TASK FORCE ON REDISTRICTING, REAPPORTIONMENT  
& DEMOGRAPHIC RESEARCH  
ALLOCATION OF FUNDS  
April 16, 2022

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

**Allocation of Funds**

Each pair of legislative caucuses is allocated funds to purchase, lease or rent hardware, software, physical space and/or supplies, and contract for technical and legal services directly related to the redistricting processes of this state that began in 2021 and are presently ongoing. This authority is limited at this time to \$200,000 for each pair of legislative caucuses. The caucuses of each party may choose to split the \$200,000 allotment.

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

**Payment of Expenses**

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

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

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Rob McColley  
State Senator, District 1  
Co-Chair

---

C. Allison Russo  
House Minority Leader, District 24  
Co-Chair

**Exhibit L**  
**to Affidavit of**  
**Respondent C. Allison Russo**



**Representative C. Allison Russo**  
*Minority Leader*  
*The Ohio House of Representatives*

The Honorable Rob McColley  
Senator  
Ohio Statehouse  
Columbus, Ohio 43215

April 28, 2022

**Sent via email**

Dear Sen. McColley,

I write to follow up with you on my request for funding authorization for the caucuses' redistricting expenses. You and I also exchanged text messages about this but I have not received a signed funds allocation memo back from you. While the majority caucuses may have control of the resources they need to perform ongoing redistricting work, I do not. Our caucus also has an excessive number of staff vacancies. While other caucuses use their existing staff for redistricting work, I do not have that option. I rely on our consultant for map drawing and analysis. We also have Maptitude software support fees due.

Funding authorization for prior rounds of map drawing has expired, yet the work continues as two courts have given us deadlines for the next round and at least one group of petitioners is seeking an order to hold Commissioners in contempt. I requested your sign-off on redistricting resources for the caucuses on the morning of Saturday, April 16. Nearly two weeks have passed since that time. I need to engage our consultant to meet the May 6 deadline imposed by the Ohio Supreme Court.

I would appreciate your cooperation as co-chairman of the Legislative Task Force on Redistricting and ask you to release the funding. Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "C. Allison Russo".

**C. Allison Russo**

Co-chairperson, Legislative Task Force on Redistricting, Reapportionment, and Demographic Research  
House Minority Leader  
House District 24

**Exhibit M  
to Affidavit of  
Respondent C. Allison Russo**



**Ohio Senate**  
Senate Building  
1 Capitol Square  
Columbus, Ohio 43215  
(614) 466-4071

April 28, 2022

**Dr. Vernon Sykes**  
Ohio State Senator  
28<sup>th</sup> Senate District

Dear Speaker Cupp,

I write to address your recent wholly incorrect assertion about the cost of the Democratic Caucuses' map drawing consultant, Mr. Chris Glassburn. Mr. Glassburn has not been paid \$500,000 as your earlier letter incorrectly states. That is the total allocation to both Democratic Caucuses for all non-legal redistricting-related expenses. However, as you know, these allocations have certain time limitations before the remaining expenditures lapse and are returned to the Legislative Service Commission. \$145,878 of allocated dollars to the Democratic Caucuses lapsed during the redistricting process, were unspent, and thus, returned to taxpayers.

Mr. Glassburn was paid \$182,500 for his work (see attached) – considerably less than the amount you allege. Your comparison to the cost of the recently hired independent map makers is completely unfair as well. Mr. McDonald and Mr. Johnson were paid approximately \$49,000 apiece for six days of work. Mr. Glassburn has served as the Senate Democratic Caucus map drawing consultant since August 2021. He has worked continuously for more than eight months – through four unconstitutional map drawing rounds for state legislative maps, and for two rounds of congressional maps. Since January, he has also been the principle map drawing consultant for the House Democratic Caucus. The record of this process additionally shows that Mr. Glassburn has done extensive work in close proximity for the Secretary of State and Auditor of State to assist them in applying their map making ideas, since no allocation of funds were made available to the statewide officeholders who sit on the Ohio Redistricting Commission. Mr. Glassburn has done work commensurate with this elongated process. I would reiterate that, for future map making efforts, additional funds should be allocated for Mr. Glassburn to compensate for his considerable efforts.

Sincerely,

A handwritten signature in black ink, appearing to read "Vernon Sykes", with a stylized flourish at the end.

Senator Vernon Sykes  
28<sup>th</sup> Senate District  
Co-Chair, Ohio Redistricting Commission

**Exhibit N  
to Affidavit of  
Respondent C. Allison Russo**





**Representative C. Allison Russo**  
*Minority Leader*  
*The Ohio House of Representatives*

May 2, 2022

**Sent via email**

Dear Commissioners:

I write to you today to ensure that our meeting on Wednesday is as effective as it can be to advance our state toward the fair and constitutional maps the people deserve. We urged meetings sooner but no one would join us to schedule a meeting sooner than this Wednesday, May 4. There are steps we can take today to maximize the usefulness of that meeting.

First, we can re-engage the independent map drawers, Dr. Johnson and Dr. McDonald, today. If we do so, we can have them here at the meeting on Wednesday. The co-chairs were given the authority to engage the map drawers and can do so again.

Second, any one of you who has drafted a map, had staff draft a map, or seen a draft map that may be put forward can share that map with all of the other commissioners. That way we can be the most prepared to discuss such a map and offer amendments as needed. Public reports of work on a new map are conflicting. If there is a map being drafted by any commissioner, it should be shared and possible amendments should be shared by 10am Weds.

Third, Senate President Huffman can have the co-chairman of the Legislative Task Force on Redistricting release funding for the Democratic commissioners to renew our mapping software support and engage our mapping consultant so we have adequate staffing and effective assistance with our constitutional duty to draft and adopt maps. Funding authorization for unspent funds from prior rounds of map drawing has expired. We have been blocked from re-engaging our consultant for the past 16 days and now have only 4 days left until our Court-imposed deadline. We have also been blocked for the last eight months from filling full-time staff vacancies, compensating staff in line with the market and majority counterparts, and have been operating without the necessary number of people and hours needed to fulfill this ongoing duty.

Presently, there is no information on the meeting agenda about what will take place at the meeting. I recommend that the agenda be revealed as soon as possible so we commissioners and the public can meaningfully participate.

Ohio Redistricting Commission Members  
Page 2  
May 2, 2022

The Commission has squandered the bulk of the time scheduled by the Court. By failing to meet before 2pm on Wednesday, you've left us with 43 hours to complete a fifth map, therefore, we must take proactive steps to fulfill our constitutional duty. It is undisputed that we could adopt a constitutional map with the time left **if** we act responsibly, bring the independent map drawers back, are transparent about any new maps that may be under way, and provide for the basic staffing and software needs of all commissioners.

Thank you for your prompt attention to these preparations for Wednesday.

Sincerely,

A handwritten signature in black ink that reads "C. Allison Russo". The signature is written in a cursive, flowing style.

**C. Allison Russo**

Commissioner, Ohio Redistricting Commission  
Co-chairperson, Legislative Task Force on Redistricting, Reapportionment, and Demographic Research  
House Minority Leader  
District 24

**Exhibit O**  
**to Affidavit of**  
**Respondent C. Allison Russo**



**Representative C. Allison Russo**

*Minority Leader*

*The Ohio House of Representatives*

May 5, 2022

***Sent via email***

Dear Commissioners:

I write to make sure you saw that the Independent Map Drawers' maps as modified by a third party were uploaded to the Commission's website yesterday. If you have not already reviewed them, please do so. They can be found here: <https://www.redistricting.ohio.gov/assets/district-maps/district-map-1273.zip>

The Independent Map Drawers completed the work that they were hired to do. They produced constitutional maps that were also more compact than any the Commission has adopted. As with any house built, inspection usually reveals a punch list of little fixes needed to make everything just right. The same is true with any set of maps. The short punch list was identified and each item was addressed.

We should be working from this map, and I ask that all commissioners review it and alert their fellow commissioners to any technical error or violation of Article XI, Sections 2, 3, 4, 5 or 7 of the Ohio Constitution. I do not believe there are any, but every commissioner should review for themselves.

Further, I request that commissioners submit any amendments to this map to the rest of us by 3 p.m. today before the next Commission meeting. We are under Court order to adopt a constitutional map by tomorrow morning at 9 a.m. and we can do just that.

Thank you for your prompt attention to these matters.

Sincerely,

A handwritten signature in black ink that reads "C. Allison Russo".

**C. Allison Russo**

Commissioner, Ohio Redistricting Commission

Co-chairperson, Legislative Task Force on Redistricting, Reapportionment, and Demographic Research

House Minority Leader

District 24

**From:** "DiRossi, Ray" <Ray.DiRossi@ohiosenate.gov>  
**Date:** May 5, 2022 at 2:54:37 PM EDT  
**To:** "Springhetti, Blake" <Blake.Springhetti@ohiohouse.gov>, "Cherry, Sarah" <Sarah.Cherry@ohiohouse.gov>  
**Cc:** "Routt, Randall" <Randall.Routt@ohiosenate.gov>, "Christopher Oliveti (Coliveti@ohiosos.gov)" <Coliveti@ohiosos.gov>, eredman12@icloud.com, Aaron.Crooks@governor.ohio.gov, Project Govern <chris@projectgovern.com>  
**Subject:** RE: Legislative maps

no change from Randall's email  
Ray

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**From:** Blake.Springhetti@ohiohouse.gov <Blake.Springhetti@ohiohouse.gov>  
**Sent:** Thursday, May 5, 2022 2:40 PM  
**To:** Sarah.Cherry@ohiohouse.gov  
**Cc:** Routt, Randall <Randall.Routt@ohiosenate.gov>; DiRossi, Ray <Ray.DiRossi@ohiosenate.gov>; Christopher Oliveti (Coliveti@ohiosos.gov) <Coliveti@ohiosos.gov>; eredman12@icloud.com; Aaron.Crooks@governor.ohio.gov; Project Govern <chris@projectgovern.com>  
**Subject:** Re: Legislative maps

Hey Sarah — I am not working on a plan and do not have a plan to share.

On May 5, 2022, at 1:54 PM, Cherry, Sarah <Sarah.Cherry@ohiohouse.gov> wrote:

Blake and Ray,

Are you or any staff or consultants working on draft maps or do you have completed maps to share before the meeting today? If so, can you share such draft or completed maps asap?

**Sarah A. Cherry**

*Legal Counsel, Minority Caucus*  
*she/her/hers*  
Ohio House of Representatives  
77 South High Street, 14th Floor

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**From:** Springhetti, Blake <[Blake.Springhetti@ohiohouse.gov](mailto:Blake.Springhetti@ohiohouse.gov)>  
**Sent:** Monday, May 02, 2022 6:37 PM  
**To:** Routt, Randall <[Randall.Routt@ohiosenate.gov](mailto:Randall.Routt@ohiosenate.gov)>  
**Cc:** DiRossi, Ray <[Ray.DiRossi@ohiosenate.gov](mailto:Ray.DiRossi@ohiosenate.gov)>; Christopher Oliveti ([Coliveti@ohiosos.gov](mailto:Coliveti@ohiosos.gov)) <[Coliveti@ohiosos.gov](mailto:Coliveti@ohiosos.gov)>; [eredman12@icloud.com](mailto:eredman12@icloud.com); [Aaron.Crooks@governor.ohio.gov](mailto:Aaron.Crooks@governor.ohio.gov); Project Govern <[chris@projectgovern.com](mailto:chris@projectgovern.com)>; Cherry, Sarah <[Sarah.Cherry@ohiohouse.gov](mailto:Sarah.Cherry@ohiohouse.gov)>  
**Subject:** Re: Legislative maps

Hey Randall — I am not working on a new legislative plan. If you have something to share, I'd be happy to review.  
Blake

On May 2, 2022, at 2:03 PM, Routt, Randall  
<[Randall.Routt@ohiosenate.gov](mailto:Randall.Routt@ohiosenate.gov)> wrote:

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Blake & Ray,

I wanted to follow up on an offer Speaker Cupp made to Senator Sykes recently indicating that Blake would be available to work with us. If you are working on a map could you please share that with us at your earliest convenience?

Thanks,

Randall

**Exhibit P  
to Affidavit of  
Respondent C. Allison Russo**

**From:** "DiRossi, Ray" <Ray.DiRossi@ohiosenate.gov>  
**Date:** May 5, 2022 at 2:54:37 PM EDT  
**To:** "Springhetti, Blake" <Blake.Springhetti@ohiohouse.gov>, "Cherry, Sarah" <Sarah.Cherry@ohiohouse.gov>  
**Cc:** "Routt, Randall" <Randall.Routt@ohiosenate.gov>, "Christopher Oliveti (Coliveti@ohiosos.gov)" <Coliveti@ohiosos.gov>, eredman12@icloud.com, Aaron.Crooks@governor.ohio.gov, Project Govern <chris@projectgovern.com>  
**Subject:** RE: Legislative maps

no change from Randall's email  
Ray

---

**From:** Blake.Springhetti@ohiohouse.gov <Blake.Springhetti@ohiohouse.gov>  
**Sent:** Thursday, May 5, 2022 2:40 PM  
**To:** Sarah.Cherry@ohiohouse.gov  
**Cc:** Routt, Randall <Randall.Routt@ohiosenate.gov>; DiRossi, Ray <Ray.DiRossi@ohiosenate.gov>; Christopher Oliveti (Coliveti@ohiosos.gov) <Coliveti@ohiosos.gov>; eredman12@icloud.com; Aaron.Crooks@governor.ohio.gov; Project Govern <chris@projectgovern.com>  
**Subject:** Re: Legislative maps

Hey Sarah — I am not working on a plan and do not have a plan to share.

On May 5, 2022, at 1:54 PM, Cherry, Sarah <Sarah.Cherry@ohiohouse.gov> wrote:

Blake and Ray,

Are you or any staff or consultants working on draft maps or do you have completed maps to share before the meeting today? If so, can you share such draft or completed maps asap?

**Sarah A. Cherry**

*Legal Counsel, Minority Caucus*  
*she/her/hers*  
Ohio House of Representatives  
77 South High Street, 14th Floor



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**From:** Springhetti, Blake <[Blake.Springhetti@ohiohouse.gov](mailto:Blake.Springhetti@ohiohouse.gov)>  
**Sent:** Monday, May 02, 2022 6:37 PM  
**To:** Routt, Randall <[Randall.Routt@ohiosenate.gov](mailto:Randall.Routt@ohiosenate.gov)>  
**Cc:** DiRossi, Ray <[Ray.DiRossi@ohiosenate.gov](mailto:Ray.DiRossi@ohiosenate.gov)>; Christopher Oliveti ([Coliveti@ohiosos.gov](mailto:Coliveti@ohiosos.gov)) <[Coliveti@ohiosos.gov](mailto:Coliveti@ohiosos.gov)>; [eredman12@icloud.com](mailto:eredman12@icloud.com); [Aaron.Crooks@governor.ohio.gov](mailto:Aaron.Crooks@governor.ohio.gov); Project Govern <[chris@projectgovern.com](mailto:chris@projectgovern.com)>; Cherry, Sarah <[Sarah.Cherry@ohiohouse.gov](mailto:Sarah.Cherry@ohiohouse.gov)>  
**Subject:** Re: Legislative maps

Hey Randall — I am not working on a new legislative plan. If you have something to share, I'd be happy to review.  
Blake

On May 2, 2022, at 2:03 PM, Routt, Randall  
<[Randall.Routt@ohiosenate.gov](mailto:Randall.Routt@ohiosenate.gov)> wrote:

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Blake & Ray,

I wanted to follow up on an offer Speaker Cupp made to Senator Sykes recently indicating that Blake would be available to work with us. If you are working on a map could you please share that with us at your earliest convenience?

Thanks,

Randall