

EXHIBIT H

Ohio Redistricting Commission - 3-28-2022 part 2

Co-chair Senator Vernon Sykes [00:00:00] Have a presentation by the independent map drawn.

Dr. Doug Johnson [00:00:10] Co-chairs and members of the commission. We have an update for you, obviously. So we have been working through the challenges of the pairings first with the House and doing some geographic cleanup of county splits and compactness and things like that as much as we can, as we as we make those changes. At this point we have gone through, I believe, the entire state, except for the seven counties in the Northeast and made all of the House side improvements that we believe we can make in terms of avoiding pairings. And we have the proposal that everyone has for how to handle the seven counties that we've been looking through that and seeing what we're what we think works and doesn't work for us in that proposal. We've not yet implemented that. But but we're close (inaudible). And so we have not yet tackled the Senate issues to the degree possible. We've tried to keep those in mind as we work on the house, but we have not done any in-depth Senate work yet.

Dr. Michael McDonald [00:01:27] And I would just add that this has been a good exercise, not just for resolving incumbent bearings, but this has forced us to take another look at the map. And as we are resolving these incumbency pairings, I would say my impression is is that the overall character of the map is that is now splitting fewer counties, fewer local jurisdictions and is more compact. And its character

Dr. Doug Johnson [00:01:57] In to Sen. Huffman's point the other day, and I believe others are made it that Ohio has the most, some of the most complicated geographic challenges, certainly the most strict geographic rules and also the most complicated Senate rules for how this process is handled. So we are getting through this as fast as we can, but it is a slow process.

Co-chair Senator Vernon Sykes [00:02:22] What is your, what is your expectation to complete the incumbency issues in the House and the Senate?

Dr. Doug Johnson [00:02:35] It's probably still a couple of hours, at least. To the Senate, the Senate has (inaudible) having many fewer individuals that we need to address. But in addition to avoiding pairings, we also have the very tough issue of the percentage of the district triggering the assignment of numbers issue, which greatly complicates the process. And we won't know how much of a challenge we have there until we can run that analysis for the first time. So we're certainly a couple of hours away if it goes smoothly.

Co-chair Senator Vernon Sykes [00:03:16] Are there any questions or comments from members of the commission or any other additional suggestions at this particular time? We have a unified map that we are making adjustments to, edits to, suggestions and input from the commission as we move forward to our and to cross the finish line here. Yes, Senator Huffman.

Senate President Matt Huffman [00:03:39] Thank you, Mr. Co-Chair. So again, my job, I guess as the Senate caucus Republican caucus designee is to look at this from the Senate perspective. And I I think you just said what I'm about to say, but I have not seen what I'm going to say as a final Senate map, and there is no such animal at the moment, right?

Co-chair House Speaker Bob Cupp [00:41:51] Well, sometimes health concerns get in the way of things we want to do.

Co-chair Senator Vernon Sykes [00:41:55] So just making a suggestion.

Co-chair House Speaker Bob Cupp [00:41:59] I got you , but it may not be possible.

Co-chair Senator Vernon Sykes [00:42:02] Yes.

Senate President Matt Huffman [00:42:03] Yeah, I have. I I don't know if Mr. McDonald needs to leave. I have a few questions here. If you need to leave, that's fine.

Dr. Michael McDonald [00:42:12] You need to wait. So I do deeply apologize for that. And I'd be happy to speak with you via phone if you have questions, further questions for me.

Senate President Matt Huffman [00:42:24] All right.

Dr. Michael McDonald [00:42:24] So I apologize. And I do appreciate I do appreciate all the work of the staff here. I know we've argued sometimes, we're actually friends, so you know. And so I appreciate the work that Doug has done and I certainly appreciate the hard task that you, the commissioners have been given. And I know I wish we could accomplish everything, but unfortunately we're given a limited amount of time. And and so we are where we are, and hopefully it'll be a product that the you will find acceptable and the court will find acceptable.

Co-chair Senator Vernon Sykes [00:43:01] Thank you very much for your service, and we'll be in touch.

Senate President Matt Huffman [00:43:06] Thank you. Mr. co-chair.

Co-chair Senator Vernon Sykes [00:43:17] Yes.

Senate President Matt Huffman [00:43:18] If I could. Yes, yes. And I just. Mr. DeRossi is not doing well. And I asked him kind of had to make him leave last night. And he is. He's at the BWC building, is able to work on computer maps and things like that. But he's wearing a mask and I don't.

Co-chair Senator Vernon Sykes [00:43:41] Is he ok?

Senate President Matt Huffman [00:43:41] Will not well. Well, in my view, he's not OK, but he's also seems to be superhuman when, at budget time and drawing map time, he sleeps about three hours a night, so he's not going to be able to be in the room. And that's that's not a good idea. But Mr. Springhetti is around. And so. And I just Auditor Faber indicated his staffer was there most of the day also. So I don't. I was down there to ask for some specific things and talk about this section five thing. So I don't know who has been in and out, but I just I want to make that clear that this isn't a situation where we're not fully participating, in fact. And I think that we are. I did want to talk a little bit about our timing. Leader russo brought up the and so the court order requires that we have this final product to the Secretary of State today, March 28th, which, if we want to give ourselves a little leeway, means 11:30. In case something happens, someone trips going up the stairs or whatever it may be. There are a series of things that need to be done by the commission, by their staff. In order to send it to the secretary of state once we have adopted a map and

I'm just going to run through those real quick, we have to do a block assignment file for house districts, which includes an Excel spreadsheet, block assignment files for Senate districts, an Excel spreadsheet. Statewide House district map. Statewide Senate district map. District statistics and Senate assignments or groupings. That's that Section five business we talked about, and finally shape files for House and Senate districts. I am told that that takes our staff once the commission says we have a map that takes about an hour to prepare all of that. So our goal is to get it to the secretary of state by 11:30. We have to pass in that by 10:30. Now, and I'm perfectly willing to work till 10:30 or 12 or 1:00 or whatever, but we're not going to comply with the court's order. If if we're working here at one o'clock in the morning, that's past. And obviously the court is serious about the deadline. And you know, everyone else is, of course, waiting for us to get the work done. I just wanted to comment. So as of five o'clock today, well before I do that, I just want to say I think that Mr. McDonald and Mr. Johnson have done extraordinary work in five days, as have the staff and frankly, as has the commission in multiple meetings, not only these meetings, but phone conversations back and forth. And I particularly the co-chairs with all of the process and all of that. So that's been extraordinary. Perhaps the map, the commission mapmakers would not have been as readily able to sign on if they knew the fact that Ohio has one of the most complex political geographies in the country, even if we're only the thirty fifth largest state and we have the most, I think I've been told the most complex redistricting rules of of any state. That's why these things take longer than five days. One of you remarked in the last few days, if we simply would have been able to take the Republican version in the Senate version or Democratic version and merge those, we could have gone off to a better start. But the of course, the court required that there be an entirely new map started so that that made it difficult. So you're taking a process that the under the Constitution typically would take seven to eight to 10 weeks in trying to do that in five days. And I think that's a nearly impossible feat. Well as of five o'clock, we do not have a Senate map to consider. And you're nodding. Mr. Johnson, I want to make sure I got that right. As of five o'clock, we cannot confirm that we have a constitutional house map with maybe five hours or so to go in our process. One of the staffers pointed out to me that Knox County, which is a small county of about 60,000 people, is actually split in three ways. I don't think any of maps submitted by the public or any of the commission members did that. You know, we have the where feasible language. No county should be split more than once and why small counties split three times. There's probably a reason and all the machinations. So given that I also want to say, obviously, the court is very, very serious about getting these maps, getting a map to them on time. And I'm concerned based on on the description of the process that that's going to happen. So I think we need a failsafe. I think we need something else for the commission to be able to vote on. And so I'm going to move Mr. Co-Chair that the Commission mapmakers be directed to work individually or jointly. It may be individually at this point since Mr. McDonald isn't on staff but work individually or jointly with the staff of all the commissioners who choose to participate to draft constitutional changes to the map passed by the Commission on February 24th. Such such changes shall be done in a manner to make the February 24th map plan more closely comport with the decisions of the Supreme Court. We don't want you to stop working on this, but we have to have a product to vote on and further, my motion will say the changes shall be given to this commission by 7:00 p.m. tonight for review and we want to be able to review it. Debated it, vote on it. And that's my motion, Mr. Co-Chair.

House Minority Leader Allison Russo [00:50:08] Objection.

Co-chair House Speaker Bob Cupp [00:50:12] I'll second it.

Co-chair Senator Vernon Sykes [00:50:16] Discussion. First, I'll start out with that is ridiculous. Yeah, all the time, money and resources we've put into coming up with a constitutional map. We have independent mapmakers. Each of them have drawn separate and apart constitutional maps that comply with the court order. They've put together a unified map that just need edits that we can make in this time period to comply with the requirements. To distract us, the staff and the independent map drawer to divert to some other tasks is ridiculous, contrary to the directive, contrary to the spirit and the direction of the court. Other comments.

House Minority Leader Allison Russo [00:51:35] Mr Co-chair.

Co-chair Senator Vernon Sykes [00:51:35] Leader Russo,

House Minority Leader Allison Russo [00:51:37] Thank you, Mr Co-Chair, I strongly object to this. I mean, this is a classic. Keep a map in the can and bring it out at the last minute. This is so disingenuous of members of this commission to even suggest that this would be the the process that we would use moving forward. The court has ordered us to create a map as a commission starting from scratch, and that is what we have done, and we have brought in these outside independent app makers who has spent an enormous amount of time, we as a commission and our staff to totally undercut that at this point, no one is, I think, again, a slap in the face to Ohio voters and completely disregarding the court order. And I will tell you that we can work as long as we need to. The court would much rather us work and finish this job than to again submit another unconstitutional map that is not drawn by the entire commission and or submit nothing. So I would encourage that we let our map maker and that makers and our staff continue working. This is an achievable thing that can be done. If you're telling me that you suddenly can whip up a map and make changes by seven o'clock, certainly these map makers can get done what they need to do before we need to meet at 10:30, if we need to be it later than that than we should, if we even have to go past midnight. I bet the court will be OK if we are a few hours late as long as we get this job done. Otherwise, we will be in contempt again or possibly held in contempt of not following the court's order.

Senate President Matt Huffman [00:53:21] Mr. co-chair.

Co-chair Senator Vernon Sykes [00:53:22] Secretary LaRose

Secretary of State Frank LaRose [00:53:25] Yeah, just a practical consideration, and I think going back to last year even reminded all of us continuously about the logistics of elections administration and some of the timelines we operate under. I think it's clear to all involved that have been following this process. At this point, any map passed by this commission is not possible to put on a May 3rd ballot. The time has already passed for that to be accomplished. And so depending on what the desire is of the General Assembly as it relates to election dates, or potentially if the federal court changed it, I suppose would be an option as well. But whatever was passed from this commission, the fewer changes that are made, the more likely it is that we can implement them sooner. And so it's just something to think about. If there are, if there is a desire to look at the February 24th map and modify off of that, the fewer changes made would be the sooner that we could implement it as far as reprogramming voter registration systems at County Board of Elections and that kind of thing.

House Minority Leader Allison Russo [00:54:34] Mr. Co-Chair.

Co-chair Senator Vernon Sykes [00:54:34] Yes.

House Minority Leader Allison Russo [00:54:34] I will note again that in previous decisions by the court, this commission has been criticized for starting with the false premise of starting from an unconstitutional map, which is what two of my fellow commissioners are now asking that this commission do. The court has specifically, I think it was in the second decision, has specifically said that that is a faulty promise to start from an unconstitutional map. So again, here we are again, time number four, starting from an unconstitutional map. If this is the route that we go this evening, I also believe that in our commission rules that we establish in the beginning of this process that this commission does not agree we should go to mediation. And so I would like for us not to vote on this motion until we go to mediation, and we should allow our mapmaker to continue his work.

Senate President Matt Huffman [00:55:36] Mr. co-chair?

Co-chair Senator Vernon Sykes [00:55:36] Yes.

Senate President Matt Huffman [00:55:36] Yeah. Just a couple responses first. Your statement that these matchmakers have come up with a constitutional map and then they put them together. Well, I I don't know that that's true and I'm not sure how you know it's true because we never saw that. These map makers again doing a tremendous job in a very short period of time that was dictated by the court have not produced a Senate map and are not able to confirm that they have provided a constitutional House map. And if the. And what I'm simply saying is we have a deadline today, it may be that Leader Russo knows what the Supreme Court is thinking. But the order says today is the day and we know the court means that today is the day and that we have to do it by today. So I mean, that's simply what the order is. If somehow some way the map maker is able to produce a constitutional map. That four members of the commission will support, and that is all done by 10:30, then maybe. But it doesn't appear that that's going to happen. So we have to have something that we can provide to the court today. And I'm suggesting that this is drafting that is going to take place in public, in the room. Mr. Johnson can continue to work on the things that he is working on. He can give suggestions back and forth, and it'll all be very transparent right there, right there in the room. So we're not going to be able to, you know, if we if we sit here till 10:30 tonight and say, well, we don't have a map, then what do we do? Well, we violated the court's order. So I think and I appreciate Leader Russo's comments about mediation. And you know, this was originally her idea and we did try to mediate it. Originally wanted to talk about the incumbent issue on Saturday and that leaked into yesterday. Some of the other issues that were sent to mediation we never even talked about. I'm not sure why, but frankly, taking time away from trying to make decisions in the next few hours is not really what I don't think it's it's going to be productive in trying to get to a map tonight, which is what we're ordered to do.

Co-chair Senator Vernon Sykes [00:58:26] It seems to be no end to the arrogance of the super majority. Any other comment. Yes. We'll take a 10 minute recess.