



February 11, 2022

TO:: Co-Chairs Cupp and Sykes
FROM: Fair Districts Ohio
RE: Congressional and state legislative map-making
CC: Ohio Redistricting Commission and Statehouse Press

The Ohio Redistricting Commission (Commission) faces a challenging, yet achievable, series of tasks over the coming days. As directed by the Ohio Supreme Court,¹ the Commission has until February 17, 2022 to create and adopt a new General Assembly district plan pursuant to Article XI of the Ohio Constitution, and to file that plan with the court the following day. At the same time, the Commission is also responsible for drawing a new congressional district plan due to the General Assembly's inability to pass a new congressional plan prior to the February 14 deadline as provided by the Ohio Supreme Court's January 14, 2022 order.² The deadline for the Commission to create and adopt a new congressional district plan in accordance with Article XIX of the Ohio Constitution is Wednesday March 16, 2022.

Fair Districts Ohio believes both of these tasks can be completed on schedule, and in a way that upholds the Ohio Constitution, satisfies the expectations outlined in the Ohio Supreme Court rulings, is fully transparent, and prevents delays for the upcoming primary election. By using already vetted, constitutionally-compliant model maps (as detailed below), the Commission can both expedite the process and achieve a superior result.

It is important for the Commission to begin the deliberation process with new state House and Senate district maps that have not previously been invalidated by the Court. The Court held in *League of Women Voters of Ohio v. Ohio Redistricting Comm.*, *Slip Opinion No. 2022-Ohio-342*, that a key misstep during the Ohio General Assembly district redraw process was the use of the previously invalidated General Assembly plan as a starting point.³ The Court does not indicate that the Commission needs to start from scratch however, only that they must use a map that was not previously invalidated.

For the new General Assembly district maps, Fair Districts Ohio believes the most efficient and effective use of the Commission's time is to adopt a plan already identified by the Court as constitutionally-compliant. The Rodden II maps (Ohio [House](#) and [Senate](#)) fit this criteria. The

¹ 02/07/2022 Case Announcements #2, [2022-Ohio-349](#).

² 01/14/2022 Case Announcements #2, [2022-Ohio-90](#)

³ *League of Women Voters of Ohio v. Ohio Redistricting Comm.*, *Slip Opinion No. 2022-Ohio-342*, P 38.

Rodden II maps help guarantee acceptance by the Court and eliminate the possibility of another round of failed map-making and delay.

Additionally, the Fair Districts Ohio Congressional “[Model Map](#)” that was publicly unveiled last week could be adopted outright or be used as a constitutionally-compliant starting point.

These model maps were developed with considerable input from voters and experts, and have been thoroughly vetted. Both score high for competitiveness, compactness, proportionality, and minority representation, while minimizing splits. Adopting these model maps would mean an end to partisan gerrymandering as Ohio voters continue to demand.

Fair Districts Ohio is mindful of the looming primary election, but the people of Ohio deserve to have fair legislative and congressional maps before setting foot in the voting booth for this primary and all future elections. We also believe that if any changes were to be made to the primary election date, those changes should be made to *all* primary races. We share the concerns expressed by the Ohio Association of Election Officials in their February 10, 2022 letter to Senate President Huffman.⁴ However, by speedily adopting the maps as suggested here, moving the primary may not be necessary at all—a win-win for Ohio voters and election administrators.

We are fully aware of the unprecedented nature of the current redistricting landscape and upcoming primary election. Fair Districts Ohio still believes there is a viable path forward for the Commission to adopt fully constitutional maps.

Thank you for your consideration. We stand ready to contribute in any way to the successful completion of this redistricting cycle.

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⁴ <https://twitter.com/jbalmert/status/1491833951064760320>