LEAGUE OF WOMEN VOTERS® OF OHIO

17 South High Street, Suite 650 • Columbus, Ohio 43215

Phone (614) 469-1505 • Fax (614) 469-7918

www.lwvohio.org

LWVO Interested Party Testimony
Congressional Redistricting Working Group
Carrie Davis, Executive Director
Ann Henkener, Redistricting Specialist
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Representatives Schuring and Cera, Senators Huffman and Sykes, thank you for the opportunity to present testimony on behalf of the League of Women Voters of Ohio. As you know, this is an issue near and dear to us, as we have been advocating for redistricting reform for a long time. But this is not just about our interests, but the interests of voters across Ohio, 71.5% of whom voted in 2015 for a fairer process for state redistricting, and the more than 152,000 verified signatures of voters who have signed our Fair Congressional Districts for Ohio initiative proposal.

Elections are supposed to be decided by the voters. But that's not currently true, because our Congressional districts have been manipulated to take the decision away from voters. Gerrymandering has been around for a long time, but as technology has advanced it can now be done with surgical precision. **Everyone suffers under these rigged districts – voters are ignored, communities are carved up so that they don't have a Congressperson who truly represents them, members of Congress are frequently threatened with being "primaried" by the extreme fringes of their party, and all of this contributes to a growing sense of dysfunction and distrust in government.**

One need look no further than recent headlines to see the toll that extreme gerrymandering has had in creating a hyper-polarized Congress.

- Last week, Ohio Congressman Pat Tiberi announced his departure from Congress, and headlines noted the reason why: "Rep. Pat Tiberi's departure highlights frustration with gridlock" (10/19/2017 Cleveland.com, http://www.cleveland.com/metro/index.ssf/2017/10/rep_pat_tiberis_departure_high.html#incart_river_index)
- Earlier this week, Senator Jeff Flake (R – AZ) announced that he would retire from Congress and not seek another term, referencing the political climate and extremism. (10/24/2017 Washington Post, https://www.washingtonpost.com/powerpost/sen-jeff-flake-will-retire-citing-direction-of-gop-under-trump/2017/10/24/f33acdfc-b8ec-11e7-9e58-e6288544af98_story.html?hpid=hp_no-name_no-name%3Apage%2Fbreaking-news-bar&tid=a_breakingnews&utm_term=.958b2ef0b79f)
- Last month, moderate Congressman Charlie Dent (R – PA) announced he would not seek another term, citing the increased polarization and dysfunction. (see https://dent.house.gov/pressreleases?ID=19DB9D72-43CB-471E-8FBD-8467E27F4FFC)

- The list could easily go on and on and on. (see "A list of who's leaving Congress" Oct. 19, 2017, CNN, http://www.cnn.com/2017/09/08/politics/who-retiring-congress/index.html which lists 30 members of Congress departing the US House)
- Former Ohio Speaker Jo Ann Davidson, in a piece a few weeks ago in the *Dispatch*, lamented the lack of collegiality, bipartisanship, and civility today. (http://www.dispatch.com/news/20170928/former-house-speaker-jo-ann-davidson-remains-gop-guardian)

As one of the articles noted:

> "Being a member of Congress in an era of congressional gridlock isn't easy. They get beat up in Washington for trying to get things done, and beat up at home for failing to accomplish what they pledged to do when they got elected."
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> (10/19/2017 Cleveland.com, http://www.cleveland.com/metro/index.ssf/2017/10/rep_pat_tiberis_departure_high.html#incart_river_index)

While gerrymandering is certainly not the only cause of the current dysfunction in Washington, it is undoubtedly one of the contributing factors --- and one we have the power to change.

Over the decades, Ohio has had many opportunities to reign in congressional gerrymandering. Today, LWV Ohio and Common Cause Ohio, working together under the umbrella of the Fair Districts = Fair Election Coalition, released a new publication documenting Ohio's long history on this subject.

"Ohio's Gerrymandering Problem: Why Haven't We Fixed This Yet?" chronicles the history of gerrymandering in Ohio and the many attempts at reform (see bit.ly/OhRedistReports).

There are four themes or lessons that become apparent when looking at Ohio's gerrymandering problem through an historic lens:

1. **History illustrates it's all about preserving power.**

Whichever political party holds the power of the pen to draw the new districts likes gerrymandering, and the party that doesn't control the map-making wants reform. If you look at the timeline on page 3 of the report, you can see how the parties have traded sides on the debate.

Both major parties have gerrymandered. Both have called for reform when they were not the one who controlled the gerrymander.

The only time both parties come together to consider changes is when they are both uncertain who will have the majority – and the power to draw lines – for the next round. That is one of the reasons **now is a critical time to act on congressional redistricting reform**, because neither party knows who will be in control in 2021. But the clock is ticking.

2. **"The Elephant in the Room" illustrates the ugliness of one-party map-making.**

Ohio's last redistricting in 2011 was especially ugly. One could even call it a textbook example of what not to do from a good government standpoint.

Map making was done in secret, outside the public eye, in a hotel room nicknamed "the Bunker." Two highly paid political operatives moved lines at the bidding of then-US House Speaker John Boehner. Lines were moved to target certain current or likely candidates or at the bidding of party donors. **Districts were drawn with precision to guarantee which party would win every single seat, regardless of how the public voted**. And then the maps were voted on before the public even saw them. (The full "Ohio Redistricting Transparency Report: the Elephant in the Room" complete with footnotes and appendices to public records is available at bit.ly/OhRedistReports.)

When the legislature's congressional map, as passed in HB 319, was compared against the good government measures used in our 2011 redistricting competition, the legislature's map scored dead last, with all 53 competition maps scoring much higher. (See page 10 in the report.)

3. **The section on "Predictable Results" shows how incredibly effective gerrymandering is at guaranteeing which party will win each and every Congressional race.**

As you can see on pages 16-18, every single congressional district in Ohio was drawn to heavily favor one party or the other, and **the favored party has won every district in every election under the current map**.

Political parties, aided by technology, have become so effective at gerrymandering and rigging district lines that they essentially nullify the role of voters. As you can see in the pie charts on page 18, each party's statewide vote share changes from year to year, but the percentage of seats held by each party hasn't moved at all.

4. **ALL of this demonstrates how undemocratic this is, and that it is never about voters.**

Gerrymandering is about manipulating elections. It's about power. It's about taking the voters out of it, so they have no say in who represents them.

When gerrymandered districts guarantee which party will win in November, the general election becomes meaningless because it won't decide who wins. Instead, the "real" election occurs in the primary for the party guaranteed to win that seat.

In Ohio, voter turnout for congressional primaries is less than 30% in non-presidential years and is sometimes even lower than 20% (see "Voter turnout in primary elections (even)" from the Ohio Secretary of State, https://www.sos.state.oh.us/elections/election-results-and-data/historical-election-comparisons/voter-turnout-in-primary-elections-even/#gref). In Presidential years, it might go as high as 45%. Ohio only allows people who choose to affiliate with a political party to vote in its primary, so right there a large portion of the electorate is excluded from having a say.

But even of that fraction who votes in a primary, only the ones who vote in the primary of the party favored to win for that district truly have a say.

This is part of why gerrymandering leads to polarization. When candidates run in a primary, they only have to appeal to their party's base, the voters and donors of that party. When candidates have to compete for everyone's vote in the general election, they tend to moderate. **When you have an entire Congress made up of districts that are decided in the primary, then congresspersons NEVER have to represent all voters. In fact, they are punished if they do**, being threatened with a primary challenger if they don't do as they are told. Is it any wonder Congress is polarized and dysfunctional?

What's more, this flouts the very principles upon which America was founded – namely, that the voters should choose their leaders.

Voters in the middle – be they moderates of the two main parties, members of minor parties, or the growing number of unaffiliated voters – are unrepresented. Currently, voters look like a bell curve with a lot of moderate people in the middle and lessening numbers to the extremes at each end. But currently our Representatives in Congress are the opposite of that bell curve, because gerrymandering has wiped out the middle and driven candidates to the extremes. It is not at all representative.

And the continued tolerance of congressional gerrymandering sends a message to all these voters in the middle of the two extremes that they shouldn't bother voting because their vote won't matter in a rigged district. That is shameful and unAmerican.

The good news is we can do something about it. We can finally put an end to this undemocratic practice by enacting new rules for congressional redistricting.

Thank you for being part of that process by serving on this legislative working group, holding these forums to hear from the public, and working together to craft a reform proposal that better serves the people of Ohio. We are eager to work with you on finding a solution to Ohio's congressional gerrymandering problem.

There are four key criteria that we urge you to include in congressional redistricting reform:

- Require bipartisan approval, not single-party control.
- Expressly prohibit drawing districts to artificially favor or disfavor a political party or candidate. Rather, require that districts should reflect the preferences of voters.
- Respect existing jurisdictional boundaries by not carving up counties and cities.
- Be public and transparent.

In the course of collecting petition signatures for our citizen initiative, we've had the opportunity to talk with voters all over our state, and these reforms are important to them too. Many sign simply after hearing it would require bipartisan approval – that right there is important to so many Ohioans. People who live in counties that have been split into numerous districts, often lumped in with faraway communities with whom they have little in common, desperately want ONE congressperson who represents their WHOLE county. And still others just want a fair process so that they have a meaningful vote in who gets elected to represent them.

We urge you to listen to those Ohioans and give them a voice again in our Congressional elections.

Thank you for the opportunity to testify, and we look forward to working with you to enact reform.

The League of Women Voters of Ohio, a nonpartisan political organization, encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy.