



DISSECTING ISSUE 1

Would ballot measure curb or expand gerrymandering?

Jessie Balmert Statehouse Bureau | USA TODAY NETWORK

Do you want to stop gerrymandering in Ohio? ● It's a question that backers of Ohio Issue 1 want voters to answer with an enthusiastic "yes" on their constitutional amendment this fall. Meanwhile, opponents say the question was already answered when voters overwhelmingly approved anti-gerrymandering rules in 2015 and 2018. ● For the average Ohioan, gerrymandering can sound more like a rare amphibian than a political process that influences everything from taxes and school policy to abortion access and gun control.

See **ISSUE 1, Page 8A**

Issue 1

Continued from Page 1A

That's why the USA TODAY Network Ohio Bureau has compiled a one-stop shop to answer your questions about redistricting, gerrymandering, what happened with the previous voter-approved amendments and what this new ballot measure would do.

Then, it's up to you. The deadline to register to vote is Oct. 7 and early voting begins Oct. 8, both in-person and via mail. Election Day is Nov. 5.

What is redistricting and why does it matter?

Most lawmakers representing Ohio voters at the Statehouse in Columbus or Congress in Washington, D.C., run for election in districts.

Deciding what these districts look like is called redistricting.

Normally, redistricting happens every 10 years after the U.S. Census is complete. New population data determine how many seats each state gets in the U.S. House of Representatives. Ohio currently has 15 congressional seats, down from a high of 24 from 1963 to 1973.



Ohio Gov. Mike DeWine says politicians should be removed from the redistricting process. But he opposes how Issue 1 would do that. BROOKE LAVALLEY/COLUMBUS DISPATCH

The population numbers also help decide where these districts should be. If Columbus and Cincinnati are growing in population, they are entitled to more representation in Columbus and D.C. If Youngstown is shrinking, its representation should, too.

While the concept is simple — divide the state evenly into 15 congressional districts, 33 state Senate districts and 99 state House districts — the execution is often complicated and deeply political. That’s because how you draw the districts can give one political party an advantage over the other.

What is gerrymandering?

Gerrymandering is drawing districts to give one political party an unearned advantage over the other. The term came from a salamander-like district signed into law by Massachusetts Gov. Elbridge Gerry in 1812.

There are lots of ways to gerrymander. One method is called packing. Using this technique, mapmakers could cram most of an area’s Republicans into one district, which the Republican candidate is guaranteed to win by a large margin while assuring Democrats can win the surrounding districts.

Another method is called cracking. Using cracking, mapmakers could divide a Democratic city into two districts with enough Republican voters to dilute the Democrats and ensure two Republicans win those seats.

A third tactic pits two sitting lawmakers of the same party against one another, ensuring one will lose. Similar to a game of musical chairs, someone is left without a seat when the music stops.

Some limits exist: The federal Voting Rights Act of

1965 prevents disenfranchising voters based on race, color or membership in a language minority group.

Ohio voters approved anti-gerrymandering language in 2015 and 2018. What happened?

Ohio voters overwhelmingly approved anti-gerrymandering measures in 2015 and 2018 to change how state legislative and congressional districts were drawn.

The new rules created the Ohio Redistricting Commission, a seven-member panel of three statewide elected officials (governor, auditor and secretary of state) and four lawmakers who would draw state House and Senate districts and help with congressional districts.

The new amendments created rules against splitting counties, municipalities and townships. The commission was also required to try to reflect recent statewide election results. By the end of 2020, Ohio was a red-leaning state, so to meet this requirement, the maps would lean Republican.

If the Republican-controlled commission couldn’t get approval from at least two Democrats, the maps would last for four years instead of 10. That uncertainty was supposed to drive compromise.

But Ohio’s new redistricting process was mired in political fights, missed deadlines, last-minute votes and squabbles about seemingly basic decisions, such as who should chair the commission. Rather than draw maps as a seven-member commission, staff for Republican and Democratic lawmakers crafted their

own plans.

At one point, Senate President Matt Huffman, R-Lima, opined that Republicans could be entitled to up to 81% of the districts. Ohio Secretary of State Frank LaRose called that logic “asinine” in a text message but voted for the maps anyway.

Then came the protracted legal battles. A divided Ohio Supreme Court rejected statehouse maps five times and congressional district plans twice as unconstitutional gerrymandering. The Ohio Supreme Court almost held Ohio’s top officials in contempt of court, and lawmakers considered impeaching then-Chief Justice Maureen O’Connor.

Ultimately, federal judges forced Ohio to use statehouse maps that they called “the best of our bad options” for a costly August 2022 primary with abysmal turnout. And the U.S. Supreme Court got involved, sending the issue back to an Ohio Supreme Court after O’Connor left the bench. In the end, Democrats agreed to GOP-crafted statehouse maps out of concern that the next proposal would be even worse.

What would the Citizens Not Politicians amendment do?

In response, O’Connor and a group called Citizens Not Politicians crafted a new way to draw districts. It’s on Ohio’s fall ballot as Issue 1.

The proposal would replace the current politician-run commission with a 15-member citizen commission

[See ISSUE 1, Page 9A](#)

Issue 1

Continued from Page 8A

of five independents and five members each from the top two political parties, currently the Republicans and Democrats. Members couldn't be elected officials, lobbyists or political consultants.

"We're taking the elected officials out of the map-making process because they've proven repeatedly that they can't actually be trusted to do it," said Catherine Turcer, executive director of Common Cause Ohio and an Issue 1 proponent.

Opponents of the measure say elected officials should retain redistricting powers because they are more accountable to the people.

Retired judges would narrow down citizen applicants and randomly choose six of the 15 members. Then, those six would pick the remaining nine.

If voters approve these changes, the citizen commission will draw new maps next year. Commission members would have to follow certain rules:

- Craft districts that comply with federal laws, including a ban on disenfranchising minority voters.
- Create maps that closely correspond to recent statewide election results. That means if Republicans

are winning statewide races by about 60% of the vote, they would be favored to win in about 60% of the districts.

- Not consider where current lawmakers live.
- Count prisoners at their home addresses instead of where they are incarcerated.
- Keep "communities of interest" together. These could be cities or counties, but they could also be neighborhoods with similar "ethnic, racial, social, cultural, geographic, environmental, socioeconomic or historic" identities or concerns. There is no ban on splitting cities or limit on how often they can be divided.

The proposal has rules to keep the public in the loop and prevent last-minute votes on maps no one has scrutinized. For example, the citizen commission must seek input from Ohioans at multiple public hearings across the state announced at least 14 days in advance. After revisions, the commission must hold at least two public hearings with three days' notice.

To approve new districts, the commission would need nine votes, including two Republicans, two Democrats and two independents. If they can't agree on a plan, each member would rank proposed maps from their most to least favorite. The least popular plan would be eliminated until only one plan remains.

The Ohio Supreme Court would review any lawsuits

challenging the approved districts. The justices would use two redistricting experts, called special masters, to determine if mapmakers made mistakes and give the commission a week to fix them. If the commission doesn't fix its mistakes, the special masters would fix them instead.

Who supports Issue 1?

The Ohio Democratic Party, multiple unions, the League of Women Voters of Ohio, American Civil Liberties Union of Ohio, Ohio NAACP, Planned Parenthood Advocates of Ohio and dozens of other organizations support Issue 1.

Who opposes Issue 1?

The Ohio Republican Party, Ohio Gov. Mike DeWine, U.S. Speaker Mike Johnson, Ohio Senate President Matt Huffman and others oppose Issue 1.

Jessie Balmert covers state government and politics for the USA TODAY Network Ohio Bureau, which serves the Columbus Dispatch, Cincinnati Enquirer, Akron Beacon Journal and 18 other affiliated news organizations across Ohio.

3 states had bumpy road with citizen redistricting commissions

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This fall, Ohioans will vote on whether to remove politicians from the redistricting process and replace them with citizen mapmakers.

Ohio isn't the first state to try a citizen commission for drawing congressional and state

legislative districts. While each state's approach is a little different, the USA TODAY Network Ohio Bureau looked at three states'

See CITIZEN COMMISSIONS, Page 9A

Citizen commissions

Continued from Page 1A

commissions to examine what worked and what didn't.

Michigan: Racial gerrymandering, lawsuit, a fix

In 2018, Michigan voters approved a 13-member independent citizen redistricting commission of four Democrats, four Republicans and five independents. The commission approved congressional and state-house maps in late 2021 — its first big test.

That test drive included some bumps along the road. Michigan's Republican chairman called for two independent commission members to resign, saying they were, in fact, Democrats, according to the Detroit Free Press. He pointed to one's pro-Vermont Sen. Bernie Sanders post on social media and another's small donations to EMILY's List, a pro-abortion access group. But both remained on the commission.

Later, a trio of federal judges ruled that more than a dozen Detroit-area legislative districts were racial gerrymanders that violated Black residents' rights.

The commission fixed the maps, and the judges signed off on them in March 2024.

"The main thing that went wrong is that the commission, with all its intent of trying to achieve fair outcomes for everybody, ended up drawing two legislative maps that were racial gerrymanders," said Jon Eguia, an economics professor at Michigan State University who studied Michigan's redistricting model. "It's a fail-

ure of outcome and it's a failure of process that leads to that outcome."

But the commission corrected its failure, which Eguia attributed to an overreliance on one expert, because of a transparent process that made clear exactly where the commission went wrong. "Citizens make mistakes, too, but at least they're not set deliberately to give us something biased," Eguia said. "At least they're trying to do it right."

Arizona: A powerful, independent chair

In 2000, Arizona voters created a five-member Arizona Independent Redistricting Commission to draw congressional and statehouse districts to replace the state Legislature drawing maps. The commission includes two Republicans, two Democrats and one independent who leads the group.

The structure puts pressure on the sole independent to be truly independent. Democrats raised concerns about the commission's most recent chair, who had previously registered as a Republican and donated to the state's then-GOP Gov. Doug Ducey, said Arizona Sen. Priya Sundareshan, a member of Arizona Senate's elections committee.

The GOP and Ducey, frustrated with how redistricting went in 2011, packed the group that selects the independent redistricting commission with Republicans, the Arizona Republic reported.

"Arizona's experience has not been perfect, but it really has benefited our representation in the state," said Sundareshan during the Democratic National Convention. She pointed to the power of a single chair

as one flaw. "There's absolutely opportunity to remedy and reform this process to try to take out any additional partisan influence."

New York: Gridlock without independents

In 2014, New York voters approved a constitutional amendment crafted by state lawmakers to create a 10-member redistricting commission. The commission includes five Democrats and five Republicans with no independents.

New York's measure didn't remove lawmakers from the process. Legislators select eight of the 10 members. All maps must be approved by the Legislature, which also had the power to draw its own maps after rejecting two commission proposals, according to a Brennan Center for Justice analysis of what went wrong.

The commission gridlocked, leaving the Democrat-controlled Legislature to draw its own maps, which judges rejected as gerrymandered and replaced with ones drawn by a special master for 2022.

"It was impossible for us to come to an agreement," said David Imamura, an attorney who chaired the New York State Independent Redistricting Commission. New York eventually approved maps for 2024, but the saga did little to instill confidence in the system. "The process is at best chaotic and at worse undermines faith in democracy with voters."

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