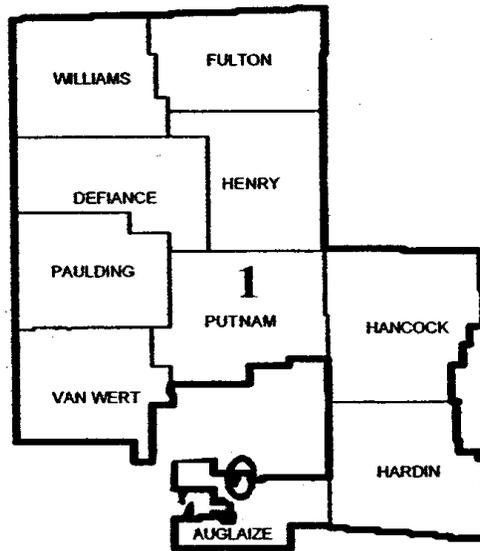


Banish the Dread Ohiomander!

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October 12, 2012

Move over, Elbridge Gerry. You've been outdone by the Ohio political manipulators who drew the 2002-2012 Senate District 1, a monster so bloodthirsty that it is actually craning its neck around in order to bite itself on the rear end! Your anemic "gerrymander" was nothing in comparison to this savage beast, which will be forever known in American political terminology as the ... **Ohiomander!**



**Ohio 2002-2012 Senate District No. 1
(slightly embellished)**

Ohiomandering – formerly known as gerrymandering – gives those in control of the redistricting process the power to enhance their representation by the principle of Unite and Conquer: The ruling party is given disproportionately many carefully shaped districts in which it has a safe but narrow majority, while opponents are concentrated in a few districts where they are an overwhelming majority. Thus in Ohio, Republicans lost the last presidential election and won the previous two by only slim margins, yet have locked in a 23-10 majority in the Senate, a 59-40 majority in the House, and a 13-5 majority in Congress, thanks in large part to their control of the redistricting process.

Ohiomandering can easily be kept in check by means of a constitutional requirement that General Assembly and Congressional districts be as compact as possible in terms of number of county fragments created, with minimum total perimeter as a tiebreaker.

Under an effective compactness rule, many districts will still be safely Republican, but a larger number will be safely Democratic, and far more will be up for grabs, than at present. Drawing the map will still be a political football, but will no longer give last season's victor a 40-point advantage going onto the field.

In November of 2012, Ohio voters will decide on Issue 2, a well-intentioned constitutional amendment put forward by a group called Voters First Ohio, that commendably advocates the goals of county integrity and compactness.

However, Issue 2 contains a number of major flaws. Whether it passes or fails in November, redistricting should be reviewed again by Ohio voters as soon as possible.

Issue 2 in fact gives its Redistricting Commission four mutually inconsistent criteria for evaluating a plan: In addition to "requiring" that the number of divided governmental units be "minimized" and that the districts created be "compact", it "requires" that the number of "politically balanced" districts be "maximized," and that the remaining safe seats be "balanced" in proportion to past statewide election returns. A district is defined to be "politically balanced" if neither party had more than a 5% lead in a past statewide election.

However, the only way the latter two goals can be attained is by artificially shaping the districts. The proposal therefore inconsistently mandates gerrymandering, at the same time it attempts to restrict it!

If Issue 2 somehow achieves its goal of creating as many closely contested seats as possible, it will only engender political instability, by increasing the odds that a political fad can change the face of the legislature in a single election. Some inertia in politics is in fact desirable.

And by apportioning the remaining safe seats according to previous voting outcomes, the proposal would artificially perpetuate partisan bailiwicks. Past election returns should not be used to rig future outcomes.

Issue 2 admirably encourages public participation in the reapportionment process. However, it would select a 12-member Redistricting Commission by a cumbersome multi-step process that includes requiring a panel of eight Ohio court of appeals judges to evaluate hundreds, if not thousands, of public self-nominations for the Commission in order to identify the 42 "most qualified" and "impartial" candidates. Politicians of both major parties are given nine silver bullets each to veto up to 18 of these candidates. Then nine of the 24 survivors are literally chosen at random. Finally, these nine incestuously elect the remaining three!

Although Issue 2's Redistricting Commission is intended to be apolitical, it is more likely to be comprised of local politicians, special-interest activists, and easily manipulated political naïfs. Since the Commission's "best judgment" is the sole criterion of how well it has met the inconsistent goals it is given, it could still end up with a plan

that “unintentionally” happens to favor one party over the other. Although a 5% lead of one party over the other in the “balanced” districts does not guarantee victory, it would still be a huge advantage.

Ohio’s reapportionment mechanism is clearly broken and needs to be fixed even before the 2020 census results are in. However, Issue 2 is not a satisfactory answer.

Here is a much better proposal, which I call the **Anti-Ohiomander Plan**:

All registered voters would be free to submit plans on an equal footing, in two stages of say one month each. Each plan that meets the population requirements would be evaluated in terms of the number of county fragments created, and in terms of the total perimeter of the districts. At the end of each day of the first stage, the best plan, evaluated first in terms of minimizing county fragmentation, and then with the smallest total perimeter as a tiebreaker, would be identified as the front runner and posted online.

It is possible for a plan to split relatively few counties and still be highly gerrymandered. In order to prevent a last-minute submission with a slightly smaller fragment count but large perimeter from winning, there should be a second stage of submissions in which plans are evaluated entirely in terms of perimeter, so long as they create no more fragments than the final front runner from the first stage.

The Secretary of State should be required to provide computer software that would allow voters to construct these plans, and to submit them in a standardized electronic format. In order to keep the data load manageable, each voter should be limited to one submission per day. Only the voter registration credentials of the front-running plans would actually have to be checked, so that this is not a burden.

Of course every office holder and potential rival will submit a plan that maximizes his or her chances of election and otherwise is as compact as possible. But the winning plan is more likely to be one that has no political objective at all, and even if a political plan did win, it would most likely have been drawn around a seat that would have been safe in any event.

Under a strict compactness rule, there is no real need for a Redistricting Commission. But if it makes the politicians feel more important and secure, a harmless bipartisan Commission could be established with the responsibility to “start the bidding” with an initial round of proposals, as well as the power to make a final round of submissions after the second round of public submissions is closed.

For this purpose, the very simple rule proposed in the unsuccessful 2005 Issue 5 would be adequate: Three members would be appointed by the governor, and three elected by General Assembly members not of the same party as the governor, including any independents and third party members. The seventh member would be elected by members of the Supreme Court, and would chair the Commission. In Ohio the Supreme Court is partisan, but allowing it to elect the seventh member won’t bias the results, since

the final power would be in the hands of the one Commissioner (or member of the public) who proposes the most compact plan. The politically appointed Commissioners will get a last-ditch chance to save a safe seat or two, but they will be severely constrained by the best public submission, and neither party will have a foregone advantage.

In Ohio, each of the 33 state Senate districts is divided into three House of Representatives districts, so that the two maps cannot be drawn independently of one another. This problem can be easily solved by first drawing the Congressional and state Senate districts by the above process, and then drawing House districts by going through the process again, subject to the pre-selected Senate district lines. Since each Senate district would then be subdivided independently, House plans would not have to be comprehensive, but could focus on only one or more Senate districts.

The existing Ohio constitution requires each district to contain at least 95% and no more than 105% of its share of the population, while Issue 2 generally changes these limits to 98% and 102%. With modern computer software to help design plans, there is no reason not to adopt these tighter limits, and no reason to allow exceptions.

Plans should not be allowed to break up townships unless this is absolutely necessary to meet the population limits. Thus, all plans that meet the population requirements and break no townships would trump all plans that break one or more townships, etc. In no event should they break up pre-existing wards. Any subsequent redrawing of township or ward boundaries should not alter established district boundaries until the next redistricting, as in the existing provisions.

The author is Professor of Economics and Finance at the Ohio State University. This proposal is online at www.econ.ohio-state.edu/jhm/papers/Ohiomander2.pdf. The Voters First Ohio Issue 2 proposal and their case for it may be read at votersfirstohio.com.

Postscript: This proposal supplants the author's similarly illustrated but more complicated earlier proposal, entitled "Crush the Dread Ohiomander!" and dated May 29, 2006. It was further revised and simplified Oct. 12, 2012.