Gerrymandering and its Radicalizing of the American Congress

A project completed in partial fulfillment of the requirements for the Honors Program

by

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The election of 2012 saw Ohio re-elect Democrat Barack Obama President with 50.67% of the vote and Democrat Senator Sherrod Brown with 50.70%. In the same election Ohio Democrats in the General Assembly received 51% of the vote, and Ohio Democratic House candidates received 49%. Despite garnering 51% of the vote in the General Assembly Democrats only won 39% of the seats. In US House races Democrats only won 25% of the seats (Husted, 2012). Nationwide Democratic House candidates received 1.4 million more votes than their GOP counterparts but yet only gained five seats (Dickenson, 2013). In Pennsylvania Democrats carried 51% of the House vote but only won 5 of 18 seats. As in Ohio, Republican Gerrymandering\(^1\) helped to preserve and protect the Republican majorities gained during the election of 2010. This is the outcome of a strategic effort by Republicans leading up to not this election, but the 2010 election. Because of the sophistication of today’s mapmakers many incumbents were in districts so safe that they didn’t even face a general election challenger.

\(^{1}\) The origin of the term Gerrymander comes from the Massachusetts Governor Eldridge Gerry (pronounced Gary even though today it is pronounced like Jerry) who’s salamander shaped district pictured in figure 1 produced a district that favored his party and led to the penning of this famous political cartoon.
Because of that the primary election is now the most important election for the men and women of congress and it results in the most active members of each party actually choosing the representatives for many of America’s Congressional districts.

From 1994 until 2006 Republicans controlled every major office in Ohio; Governor, Secretary of State, Treasurer, Auditor, Attorney General, both Senate seats, a majority in Ohio’s congressional delegation as well as majorities in both the Ohio House of Representatives and the Ohio Senate (Blackwell, 2002) (Blackwell, Ohio Election Results, 2004). Scandals and a slipping economy would undue much of this as Governor Bob Taft’s popularity would sink to 17% and the Tom Noe related scandals would spell doom for many Republicans running for public office (Cauchon, 2005). The 2006 election would elect Democrats Governor, Treasurer, Secretary of State, and Attorney General. They would make serious gains in the Ohio House of Representatives, pick up several congressional seats, and see Mike DeWine defeated by one of the largest margins in Senate history\(^2\). In addition to this being a good year for Democrats in Ohio, Nancy Pelosi would become the first Democrat to be speaker of the House since the Republican wave of 1994.

In 2008 Democrats would again do well. Buoyed by the strength of Barack Obama and the normal Presidential year boost that Democrats receive, the Ohio House would return to being controlled by Democrats for the first time since 1994 and Democrats would have a majority of Congressional seats on a Republican drawn map.

This sudden wave of success by Democrats made them excited for the realistic possibility of drawing the maps as the Republican party has been in control of drawing both sets of Maps since Sherrod Brown lost re-election to Secretary of State in 1990 (Brunner, 2014). Since the current method of apportionment was adopted prior to the 1970 census Democrats had controlled

\(^2\) 56.2%-43.8%
the maps twice, 1970, and 1980. However after the loss of Sherrod Brown the Republican controlled Apportionment board produced a map that combined incumbent Democrats and drew potential candidates out of winnable districts. At the time the Ohio House of Representatives saw the Democrats having a 61-38 advantage. With Republicans controlling the apportionment board 3-2 they paired 18 incumbent Democrats against one another which would quickly reduce their majority (Thomas Suddes, 1991). In 1992 Democrats would see their advantage reduced to 52-47 and after the 1994 election they would become the minority party (Taft, 1992).

The Congressional map was not so easy to change as Ohio lost two seats overall in each census; 1990, 2000, 2010. The change from 1990-1992 was the loss of one Democrat held spot and one Republican held spot for a split of ten Democrats to nine Republicans from eleven Democrats and ten Republicans. Because the U.S. House districts were approved in part by the Democrats in the Ohio House of Representatives this map favored incumbents from both parties so initially it was static from the last map drawn by Democrats.

After redrawing maps again following the 2000 census the Republicans found themselves sending 12 Republicans to congress in 2002 compared to 6 for the Democrats. Following the map being drawn by Republicans again in 2010 the split is now 12-4. This map was drawn with the intention and effect of electing as many Republicans as possible— not just for 2012 but the entire decade. The four Democrats representing Ohio in congress are in districts so packed that they were elected by margins of 100%, 50%, 45%, and 42% (Hallet, 2013). Meanwhile the 12

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3 Map is figure 15.
4 Richard Cordray then a freshman state representative was a victim.
5 Sherrod Brown writing in his book, Congress from the Inside Observations from the Majority and the Minority says that after he announced his candidacy for the US House that his hometown (Mansfield) was in, the Republicans in the statehouse quickly drew him out of it. According to his book one caucus leader said, “We spent $4 million beating that son of a bitch 2 years ago. Why are we drawing a district for him now? “They then put his home district into the district of long term Republican Mike Oxley and force him to move to another district which looked very much like a barbell. In 2002 Republicans once again thought about drawing his seat out, which if they did Sherrod threatened to run for Governor. Rather than face a gubernatorial challenge they gave him a safer seat than he had before.
Republicans were elected by margins varying from 99% down to 12% with 10 of them elected by a minimum margin of 13%; this was in a Presidential year that turned out to be a presidential landslide.

Barring some major scandal or crisis Ohio will continue to be split until the next census unless there is a referendum passed, or a legislative overhaul. Ohio’s process allows for the party in control at the time of reapportionment to draw districts favorable to their own party. In a 2010 interview Ohio Secretary of State Jennifer Brunner said, “Our current system of drawing the lines is, to put it plainly, a bald-faced partisan process” (Guillen, 2010).

The Republican majorities from 2012 are the result of a plan that started not in 2011, but after Barack Obama’s election in 2008. Ed Gillespie, the chairman of the Republican State Leadership Committee (RSLC) proposed the Redistricting Majority Project or REDMAP. This project had the state goal to, “keep or win Republican control of state legislatures with the largest impact on congressional redistricting” (Dickenson, 2013). The plan called for two things; the first was to retake state legislatures, the second was to use them to draw Congressional districts to their advantage (Wang, 2013). Former Bush advisor and Republican Super PAC manager said of this strategy that, “he who controls redistricting can control Congress” (Dickenson, 2013).

This was funded in part by $30 million dollars from the RSLC and proved to be highly successful. After the 2010 elections Gillespie said, “This election doubled the Democrats’ 2006 performance and the next round of redistricting is likely to further cement these results” (RSLC, 2010). Gillespie would turn out be correct.6

6 Congressman Jim Jordan in an interview with students called gerrymandering a partisan process and part of the game. When asked a follow up question he said without hesitation that it was, “a part of the process, Republicans won the boards so they get to draw them (the maps.” (Jordan, 2013)
Gillespie and the RSLC had a devastating effect on the future of fair elections in this decade. Their target states; North Carolina, Ohio, Pennsylvania, Michigan, Wisconsin, Virginia, and Florida would go on to draw maps that over represent Republicans, and secure them against removal by the voters for most of the next decade (Wang, 2013). The RSLC proudly outlined and stated in their REDMAP report on the 2012 election the results of their 30 million dollar investment,

1. Spent $1.4 million targeting four New York State Senate seats, winning two and control of the New York State Senate. (-2 Congressional seats).

2. Spent nearly $1 million in Pennsylvania House races, targeting and winning three of the toughest races in the state. (-1 Congressional seat).

3. Spent nearly $1 million in Ohio House races, targeting six seats, five of which were won by Republicans. Notably, President Obama carried five of these six legislative districts in 2008. (-2 Congressional seats).

4. Spent $1 million in Michigan working with the Michigan House Republican Campaign Committee and Michigan Republican Party to pick up 20 seats. (-1 Congressional seat).

5. Spent $750,000 in Texas as part of an effort that resulted in 22 House pick-ups. (+4 Congressional seats).

Spent $1.1 million in Wisconsin to take control of the Senate and Assembly.

6. Committed resources to Colorado (more than $550,000) and North Carolina (more than $1.2 million).

8. The RSLC also invested more than $3 million across a number of other states including Illinois, Indiana, Iowa, Kentucky, Maine, Nevada, New Hampshire, New Jersey, Oregon, Tennessee and Washington. (Five of these eleven states gained or lost Congressional seats). (How a Strategy of Targeting State Legislative Races in 2010, 2013).

This in part shows part of the danger of large amounts of money in today’s campaigns, but it also shows the overtly partisan nature of redistricting.

Because of gerrymandering Ohio’s districts fail to even pass an eye test. Many of them
snake to cover very culturally different parts of that state and tend to not even respect regional identities. Ohio’s 6th district would take over six hours to drive, if you stayed in the district. In the 3rd district it is impossible to even drive the whole district; you would have to get out of your car and walk along the beach of Ottawa national wildlife refuge and then get in another car, or take a boat. Toledo and Cleveland Ohio’s 2nd and 4th largest cities share a representative even though they are 120 miles apart. Ohio’s 4th district stretches from Grand Lake St. Mary’s near the Indiana state border and snakes all the way to Lorain on the western edge of Cleveland and contains cities as varied as Lima, Urbana, Norwalk, and Elyria. The snaking and curving of these districts around Ohio often leave major population centers without much of a voice as they are broken up for the sake of making districts uncompetitive. They are not compact, barely continent, disregard community and political subdivisions and reduce the voter to a mechanism for the party to get another vote, instead of as a tool for the voter to have a voice. Some of Ohio’s districts will be offered as evidence for various traits of Gerrymandering.

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7 You could drive from the northernmost city of Canfield to the Southwestern most of Jackson in 4, but that would require driving through at least 3 other districts.
After Ohio lost two seats follow the 2010 census Republicans used their power as mapmaker to force two Democrats into a primary against each by combining Marcy Kaptur’s Toledo district with Dennis Kucinich’s West Cleveland district. This district met the contiguency requirement by a bridge and the beach of a national park. Using Toledo and Lucas County as a base a compact and competitive district could be drawn by combing Lucas, Fulton, Wood, Sandusky and Ottawa Counties which would be within five percent of the population target for each district (2010 Census, 2010). Instead of a potentially fair and compact district there is what might be Ohio’s most obvious example of Gerrymandering. It violates the idea of compactness, separates cities, and tries to imagine that Toledo and Cleveland should have the

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8 Republicans likely wanted to get rid of Kucinich in part because of his multiple calls for the impeachment of George W. Bush.
same representative despite being Ohio’s 2\textsuperscript{nd} and 4\textsuperscript{th} largest city\textsuperscript{9}. It combines the dense population of Democrats in east Toledo and combines them with the high density of Democrats in Sandusky, Lorain and west Cleveland.

Ohio’s 3\textsuperscript{rd} district, currently represented by Democrat Joyce Beatty and primarily based in Columbus is one of the best examples of the practice of packing. It is also an example of gerrymandering based around the house of an incumbent. United States Representative Steve Stivers whom represents the 15\textsuperscript{th} district has his house almost entirely surrounded by Beatty’s district. This is the first time that most of Columbus has been in a single district. Over the last 30 years Franklin county and Columbus have been divided in order to crack the vote of its inner core, and would have its city votes diluted by swashes of suburban and rural vote. Under that method the division which included Ohio State University could easily have its congressperson flipped in a presidential year, and flipped back in a non-presidential year.\textsuperscript{10}

\textsuperscript{9} In addition to being over 100 miles apart, Toledo and Cleveland are also culturally different. For example most people in Toledo are Tigers fans, and most Clevelanders are Indians fans. This may or may not have an adverse effect on legislating, but it goes against the concept of representing regional identities and the commonality of one area versus another.

\textsuperscript{10} In 2006 Mary Jo Kilroy lost by 1,054 votes to Deborah Pryce. In 2008, a presidential year she would beat off
The 4th district, represented by Republican Jim Jordan stretches from close to the Indiana border all the way to the suburbs of Cleveland. Although it is a mostly rural district it takes in a lot of population from the western Cleveland suburbs. It also hits 3 of Ohio’s major media markets.

Steve Stivers by .78%, only to lose in 2010 during another low turnout election.
The 11th district is represented by Marcia Fudge\(^\text{11}\); it is a dense urban district consisting of inner city and eastern Cleveland at its core, and snakes down to inner city Akron. It is Ohio’s only minority-majority district with 54.2% of its residents being Black (Ohio's 11th Congressional District, 2012). The district is subject to both packing and fracking and is a Republican throwaway district. Candidates for this district have won unopposed or by receiving 80% or more of the vote (Blackwell, Ohio Election Results, 2002) (Blackwell, Ohio Election

\(^{11}\) Fudge is the Congressional Black Caucus leader.
Results, 2002) (Hallet, 2013). It was greatly changed from the prior map, as seen in figure 4 which shows it as it was from 2002-2012. The old district was compact, clearly contained the city center of Cleveland, and although uncompetitive on the basis of party affiliation it could legitimately and coherently be a district in which most of its members share common cultural, economic, and social characteristics (Ohio's 11th Congressional District, 2012). Where the 2012 map goes awry is that it cracks the population of Akron, which inhibits Akron as a major city from having a primary representative and the district could be made more compact by simply include more parts of Cleveland. It was clearly drawn with the intention of packing as many Democrats as possible into the district, rather than drawing a district to fairly represent its citizens.

Figure 6 District 11 2002-2012
Ohio’s 13th district was formerly a Youngstown and Mahoning Valley based district that was extend to crack away parts of Akron. It places the dependably Democratic voters of Youngstown and connects them with the dense populations of Democrats in Akron. For Akron this means that their city is divided up into three different districts, one based in Youngstown, one based in Cleveland, and the third more based in Medina and Canton. Figure 8 shows Akron as it is divided amongst these districts.
Figure 9 shows the Cincinnati area and its districts. While Cincinnati has long been the most conservative of Ohio’s major cities it none-the-less elected Steve Driehaus as a Democrat in 2008 (Brunner, 2010 Election Results, 2010). His time in congress was however short lived and
in 2012 it became less likely that a Democrat could retake the same district. The key was to divide the most urban parts of the city and then dilute them with the heavily conservative counties that surround the city.

The Dayton area is combined with several more conservative counties that wipe out the large quantity of Democratic votes which come from the inner city. Republican mapmakers have been careful to keep Springfield separated from Dayton. Together the two cities could actually make a moderate district which would yield a middle of the road representative due to the amount of country between the two cities. But since they haven’t been combined the two cities are out voted by their rural and more conservative counterparts.

Process

After his election to the office of Secretary of State of Ohio, Jon Husted posted on the
Secretary of State’s website the legal protocol for both sets of redistricting. It starts with the Constitution of the United States. By statute section 2 of Article 1 states that, “representatives shall be apportioned among the several States according to their respective numbers” (Article 1, Section 2). This guarantees that Representatives will be reassigned every ten years after the census. However States didn’t begin losing seats in congress until the House was capped at 433 in 1911 and then capped at 435 in 1929 by the “Permanent Apportionment Act of 1929”.

According to the House of Representatives History page there was no settled way of actually agreeing on a reapportionment method until 1941 when Congress adopted the “Method of Equal Proportion” (History of Apportionment, 2014). This handed the job of decennial apportionment to the Census Bureau which then follows a mathematical formula to dole out the number of seats to each state.

Although the states have been proportionally reapportioned for over 70 years by the census bureau, states have not had to make each district be equal in population within each state. This was not settled federally until Karcher v. Daggett in 1983. At this time New Jersey had approved an apportionment plan which had made its largest district 1% larger than its smallest district. A citizens group sued the state on the ground that it violated Article 1, Section 2 of the Constitution and ultimately was appealed up to the Supreme Court. The Supreme Court ruled in favor of the citizens group with Justice Brennan writing the opinion of the Court. The Court stated, “We have required that absolute population equality be the paramount objective of apportionment. In the case of congressional districts” (Karcher v. Daggett, 1983). This ruling made it likely that any disproportional state map could easily be overturned and cemented the equal proportionality of districts as a major criterion.
The next major Federal statute is section 2 of the Voting Rights Act of 1965. This is where the requirement for majority-minority districts gets interpreted and the map making may become more complex. Section 2 reads, “No voting qualification or prerequisite to voting, or standard, practice, or procedure shall be imposed or applied by any State or political subdivision to deny or abridge the right of any citizen of the United States to vote on account of race or color” (Voting Rights Act of 1965). According to the Public Mapping Project’s report on racial gerrymandering, Section 2 requires that if there is a majority minority district then it is very difficult to ever draw it out. In Ohio should Marcia Fudge’s district ever be “diluted” by non-minority votes then the plan could be challenged under section 2 and be drawn over by the Justice Department. Specifically it is illegal to ‘crack’ a minority population, which is dividing them into multiple districts so as to prevent the population from having a serious effect on the election. It is also illegal to simply pack the district which would eliminate the chance of minorities from influencing elections in more than one district (Husted, Redistricing Principles, 2011).

After these federal guidelines for redistricting the State of Ohio has two parallel but separate processes for redistricting. The Ohio Apportionment board is in charge of drawing up the 99 House seats in the General Assembly as well the 33 seats in the Ohio Senate. The General Assembly, which includes both the Ohio Senate and House of Representatives is tasked with creating the new set of maps for the districts of the US House of Representatives which in 2010 was for 16 seats.

Article XI of the Ohio Revised Code sets the Apportionment Board as follows,

The governor, auditor of state, secretary of state, one person chosen by the speaker of the
House of Representatives and the leader in the Senate of the political party of which the speaker is a member, and one person chosen by the legislative leaders in the two houses of the major political party of which the speaker is not a member shall be the persons responsible for the apportionment of this state for members of the general assembly (Article XI).

Effectively whichever party controls 2 of the 3 out of Governor, Auditor, and Secretary of State get to make or break the board as the members of the board from the legislature will cancel each other out.

Unlike the Ohio General Assembly which has some guidelines, that produce a limited amount guidance for redistricting, the Ohio revised code leaves it up to the General Assembly and its subcommittee to conduct hearings and to draw and approve the maps. According to a report by the Ohio Legislative Service Commission and also as outlined in the Ohio Secretary of State’s redistricting guidelines, Ohio does not have many requirements other than population and contiguency. The United States House districts are simply approved and then codified into the Ohio Revised Code, section 3521.01 (JACOBSEN, 2010). The report states, “Courts have recognized several policies or goals as traditional redistricting principles. These principles include,

- Compactness;
- Contiguity;
- Preservation of political subdivisions;
- Preservation of communities of interest;
- Preservation of cores of prior districts;
• Protection of incumbents; and
• Compliance with Section 2 of the Voting Rights Act.”

Essentially Ohio has only two state guidelines to go by, and really only one federal guideline which is compliance with section 2 and as long as Ohio district 11 remains a majority-minority district then there is little ground for a section 2 challenge. The other principles could result in a challenge and the most recent map made it to the Ohio Supreme Court.

There was however little legal litigation over redistricting until the 1960’s when in 1962 the Supreme Court decided the case of Baker V. Carr (Baker V. Carr 1962). Baker was a Republican whom lived in Shelby County, the county which contains Memphis, Tennessee. Carr was the Secretary of State at the time and was being sued by Baker because the state hadn’t redistricted its state legislature since the 1900 census. Due to population shifts this had meant that his district now had ten times as many residents as some of the more rural districts which had equal representation in the statehouse. The Court ruled 6-2 in favor of Baker that the State did need to redistrict and erased earlier precedents that had kept the courts out of political questions (Stebenne 2012).

Prior to Baker redistricting, or really the lack of redistricting was an attempt by powerful rural interests to maintain their power in the wake of an increasingly urban society and in the south it was done or not done both out of the urban/rural interests but also out of racial interests. The state of Illinois like Tennessee in Baker v. Carr had also not redistricted in over 50 years. By this time Cook County, which contains Chicago had a majority of the state’s population, but no similar distribution of state house power. The New Deal had seen Chicago become strongly democratic while most of the state remained as the party of Lincoln, and strongly Republican.
David Stebenne, (professor of History at Ohio State University and part of the Election Law group there) points out that the growth of Northern Cities and the reluctance of them to redistrict comes from three streams of migrations starting from 1870. The first was the “new immigration” which lasted from 1870-1915, only cutoff by the First World War and the laws restricting migration that followed. Next the wave of blacks came from the south which largely migrated to cities such as New York, Los Angeles, Chicago, Detroit and Cleveland. (Stebenne 2012, 3) The third wave he accounts for as the more gradual movement of whites from the country to the city as agriculture became less labor intensive and cities became more attractive economically.

Attempts to Reform:

In the spring of 2010 before the major build up to that falls elections both the Democrat controlled Ohio House of Representatives and the Republican controlled State Senate submitted different redistricting reform plans. (Guillen, 2010) Jon Husted who was at that time President of the Senate submitted the Senate’s reform plan,

His plan includes a shakeup of the Apportionment Board. Seats for the governor, secretary of state and auditor would remain intact, while another four would be reserved for two Democrats and two Republicans from the legislature. And the panel would need a super-majority of five votes, including two from the minority party, to approve any new boundaries. The new board also would draw districts for U.S. Congress under Husted's plan. The Ohio General Assembly currently redistricts those seats through legislation. (Guillen, 2010)

This plan was contrasted with the one proposed by the Democrat controlled House,
Instead of drawing the new district boundaries, the Apportionment Board would open the process to the public. The Secretary of State's office would supply the public with census data and election results from the three most competitive statewide races, including federal elections, of the past 10 years. The board would rank the publicly submitted plans on specific criteria that emphasize competitive elections, a fair distribution of districts that favor each party and compactness of proposed districts, which is an attempt to prevent oddly shaped districts that stretch across many municipalities. The board would adopt the plan that best fits the criteria. The House plan also would create a special bipartisan tribunal to rule on apportionment challenges.

Although both proposals would seem to offer a fairer process than the winner take all approach that is the law, neither would come to fruition. The Democrats greedy to draw the map for the first time since 1980 balked and though it best not compromise.\(^\text{12}\)

In 2012 redistricting reform would have its chance on the ballot as State Issue 2. This would be a different approach than both the Husted and the Democrat plan, but would include some aspects of each. It would call for an Independent citizens commission composed of 3 Democrats, 3 Republicans, and 3 Independents. This commission would follow an elaborate selection process primarily designed by Daniel Tokaji of The Ohio State Moritz School of Law and modeled it off of the current California process. Any plan adopted by its commission would have to follow these guidelines,

\begin{itemize}
  \item \text{(1)} Community Preservation: Minimizes the number of governmental units (counties, contiguous townships, municipalities and city wards) that are divided between different
\end{itemize}

\(^{12}\) Ohio Democratic Party Chairman Chris Redfern excited many fundraising crowds in 2010 on the notion of controlling the Apportionment board.
districts;

(2) Competitive Districts: Maximizes the number of politically balanced districts (i.e., that do not favor one party by more than five percent, based upon political party indexes calculated on the basis of recent representative statewide elections);

(3) Representational fairness: Balances the number of districts leaning toward each party so that the number of districts leaning toward each party closely corresponds to the preferences of the voters of Ohio, as determined using actual election results from recent representative statewide elections;

(4) Compactness: Creates districts that are compact.

(First, 2012). This reform was distinctly different from the two proposals from 2010. First it removed elected officials as far away as possible from drawing the maps and would have tried very hard to create a fair, nonpartisan commission. Second it requires compactness and set standards for dividing political units, including a statutory mode of precedence. Third its aim was to “balance” political power in Ohio by making the lean of General Assembly districts match the lean of the state as determined by a tabulation of election data. Finally it actually had a chance to make it into the constitution, but was met with little funding after the ballot and was not promoted in a presidential year.

Alternative Gerrymander
The liberal blog site Dailykos came up with an alternative to the current Ohio maps by drawing what would hypothetically amount to a Democratic Gerrymander of Ohio. This map designed to elect 12 Democrats and 4 Republicans shows that in a 50-50 state voters can be manipulated in a variety of ways. Just like the current map some of these proposed districts snake along and divide many cities. Where the current Ohio map packs Democrats and cracks them where they can’t efficiently be packed, this map stretches and connects more distant groups of Democrats. Most obvious is the purple district of Dayton that nearly reaches to Columbus and slithers to the Indiana border. It also connects the eastern populations of Cleveland to the city of Mansfield. This map uses data as provided in figure 12 which shows the distribution and density of Democrats to Republicans.
In anticipation of redistricting, the group Draw the line Ohio sponsored a competition to see who could draw the fairest, most compact districts. Sponsored by over 25 of Ohio’s civic organizations including the League of Women Voters, the Ohio ACLU, the NAACP, and the Ohio Environmental Council it gave anyone the chance to submit a map that kept communities together, had equal population, and was compact (Ohio Competition, 2011). It scored and graded over 53 maps that had been submitted including the one that became state law in 2011. Of those maps the one adopted by the State scored the lowest. The contest’s winning map keeps major cities in one district instead of dividing them. Akron, Cleveland, Cincinnati, and Dayton all have what they could call their own district. This allows these distinct cities which have their own
cultural backbone to adequately have their interests represented in Congress. In the larger more rural districts they have become much more compact in this map, for example the fourth district no longer snakes from western Ohio to Cleveland, and it instead stays mostly in western Ohio.

![Map of Ohio showing presidential election results 2012 by margin](image)

**Figure 12 Presidential Election Results 2012 by margin**

*(ProudNewEngland, 2014)*

Without a major reform in Ohio or by federal legislation this manipulation of voters will continue just as it has been for most of our history. Instead of the House of Representatives being the representative body, the Senate has temporarily taken its place. While it is almost impossible to overcome the effects of gerrymandering to win a congressional election, Senators have the advantage of running for the whole state. It has been a fundamental flip where the Senate has now been putting together and passing legislation which would normally happen in the House. The Immigration bill passed last summer in the Senate is an example where Democrats and
Republicans in the Senate came together and passed what is a major piece of law. Since that time it has barely moved since reaching the lower chamber. Because of the high proportion of representatives from noncompetitive districts where there is little incentive for conservatives, especially members of the tea party to cooperate. When the only election you fear is the primary, then that forces you to reflect the will of the primary voters, who are typically the more radical members of the party. As Joe Hallet point out, you are elected to serve 750,000 people, but you only need to listen to the 10% that vote in the primary (Hallet, 2013). Until one party decides against rolling the dice and establishes some fair rules it seems that the pattern will continue.  

This strategy of partisan manipulation goes against the American ideal of Democracy. How can America ever “make the world safe for Democracy” if it can’t even make its own states safe for Democracy?  

David Kushma of the Toledo Blade put it bluntly when he said “voters in the old Soviet Union had about as meaningful a choice at the polls” (Kushma, 2013). Ohioans in particular and Americans in general have gone far too long in tolerating this level of cheating. Ohio has one district that has the possibility of changing hands this fall, one! In the fifteen other districts there is little sense in even voting for your member of congress. Confounding this is the amount of money that goes into election campaigns, and with so few districts actually up for grabs the spending can very easily become concentrated in the number that are considered competitive.  

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13 Figure 16 shows the type of map that is most important to partisan gerrymandering. That map shows the winning percentages by county from the most recent presidential election. Using data like that a partisan map will pack or crack the dense areas. If you superimpose Ohio’s current map over this map it will show you exactly how and why it was drawn, and you will also see why it maximizes republican partisan advantage.  
14 Attributed of course to President Woodrow Wilson, but more in reference to George Bush’s nation building position.  
15 East and west Toledo are split apart and the eastern half of the district also has a large chunk of west Cleveland in it. This prevents Toledo from pursuing its own interests without also including Cleveland’s.  
16 Members that have little fear of defeat still raise large amounts in fundraising money to then donate to other election committees and more vulnerable members. This in turn can lead to better committee assignments, or other types of political favors.
With so many Congressional seats locked up until after the next census it is unlikely for a major shift of power in the U.S. House of Representatives. Until then few seats are likely to change hands and the few that could, will involve heavy spending. America may still have split government despite the vote totals suggesting otherwise. It is difficult enough to pass major legislation with a majority. During times of split government it is nearly impossible. Voters are essentially disenfranchised from their representation in the House and will continue to be subservient to the radical will of primary voters unless the redistricting process is reformed and made fair to the benefit of the American people.
Redistricting has paid off for the GOP

Ohio Republicans have made the redistricting process work to their advantage in recent years after gaining full control of the process in both 2000 and 2010. Despite voting patterns that show a fairly even division between the parties, Republicans have secured a greater number of the congressional seats. Here is a comparison of the votes following the four most recent redrawings of the congressional maps.

Ohio congressional districts, 2012

<table>
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<th>District</th>
<th>Republican</th>
<th>Democrat</th>
<th>Total</th>
<th>% R</th>
<th>% D</th>
<th>Winner</th>
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<td>113,296</td>
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<td>59.4%</td>
<td>40.0%</td>
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<td>188,831</td>
<td>278,549</td>
<td>67.8%</td>
<td>32.2%</td>
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<td>59.3%</td>
<td>40.7%</td>
<td>R</td>
</tr>
<tr>
<td>6</td>
<td>156,063</td>
<td>136,357</td>
<td>292,420</td>
<td>53.4%</td>
<td>46.6%</td>
<td>R</td>
</tr>
<tr>
<td>7</td>
<td>174,896</td>
<td>133,686</td>
<td>308,582</td>
<td>56.7%</td>
<td>43.3%</td>
<td>R</td>
</tr>
<tr>
<td>8</td>
<td>239,221</td>
<td>0</td>
<td>239,221</td>
<td>99.9%</td>
<td>0.0%</td>
<td>R</td>
</tr>
<tr>
<td>9</td>
<td>66,844</td>
<td>206,763</td>
<td>273,607</td>
<td>23.5%</td>
<td>76.5%</td>
<td>D</td>
</tr>
<tr>
<td>10</td>
<td>202,816</td>
<td>124,079</td>
<td>326,895</td>
<td>62.0%</td>
<td>38.0%</td>
<td>R</td>
</tr>
<tr>
<td>11</td>
<td>243,387</td>
<td>0</td>
<td>243,387</td>
<td>100.0%</td>
<td>0.0%</td>
<td>D</td>
</tr>
<tr>
<td>12</td>
<td>227,059</td>
<td>129,251</td>
<td>356,310</td>
<td>63.7%</td>
<td>36.3%</td>
<td>R</td>
</tr>
<tr>
<td>13</td>
<td>313,345</td>
<td>27,076</td>
<td>340,421</td>
<td>82.2%</td>
<td>17.8%</td>
<td>D</td>
</tr>
<tr>
<td>14</td>
<td>179,704</td>
<td>127,467</td>
<td>307,171</td>
<td>56.3%</td>
<td>43.7%</td>
<td>R</td>
</tr>
<tr>
<td>15</td>
<td>199,598</td>
<td>123,201</td>
<td>322,799</td>
<td>61.9%</td>
<td>38.1%</td>
<td>R</td>
</tr>
<tr>
<td>16</td>
<td>181,137</td>
<td>165,638</td>
<td>346,775</td>
<td>52.2%</td>
<td>47.8%</td>
<td>R</td>
</tr>
</tbody>
</table>

Figure 13 Ohio Congressional Map (Cleveland Plain Dealer)
Effect of gerrymandering

The average 2012 margin of victory in Ohio’s 16 congressional districts was 33 percent. This chart shows the victory margin in each district.

<table>
<thead>
<tr>
<th>DISTRICT</th>
<th>REPUBLICAN WINNER</th>
<th>VICTORY MARGIN</th>
</tr>
</thead>
<tbody>
<tr>
<td>8th</td>
<td>John Boehner</td>
<td>99%</td>
</tr>
<tr>
<td>12th</td>
<td>Pat Tiberi</td>
<td>27%</td>
</tr>
<tr>
<td>15th</td>
<td>Steve Silvers</td>
<td>23%</td>
</tr>
<tr>
<td>4th</td>
<td>Jim Jordan</td>
<td>22%</td>
</tr>
<tr>
<td>10th</td>
<td>Mike Turner</td>
<td>22%</td>
</tr>
<tr>
<td>1st</td>
<td>Steve Chabot</td>
<td>20%</td>
</tr>
<tr>
<td>5th</td>
<td>Bob Latta</td>
<td>18%</td>
</tr>
<tr>
<td>2nd</td>
<td>Brad Wenstrup</td>
<td>17%</td>
</tr>
<tr>
<td>14th</td>
<td>David Joyce</td>
<td>15%</td>
</tr>
<tr>
<td>7th</td>
<td>Bob Gibbs</td>
<td>13%</td>
</tr>
<tr>
<td>6th</td>
<td>Bill Johnson</td>
<td>6.3%</td>
</tr>
<tr>
<td>16th</td>
<td>Jim Renacci</td>
<td>4%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DISTRICT</th>
<th>DEMOCRATIC WINNER</th>
<th>VICTORY MARGIN</th>
</tr>
</thead>
<tbody>
<tr>
<td>11th</td>
<td>Marsha Fudge</td>
<td>100%</td>
</tr>
<tr>
<td>9th</td>
<td>Marcy Kaptur</td>
<td>80%</td>
</tr>
<tr>
<td>13th</td>
<td>Tim Ryan</td>
<td>45%</td>
</tr>
<tr>
<td>3rd</td>
<td>Joyce Beatty</td>
<td>42%</td>
</tr>
</tbody>
</table>

Note: Rep. Marsha Fudge was unchallenged and Rep. John Boehner faced only a write-in challenge.

Source: Ohio Secretary of State

Figure 14 2012 Margin of Victory (Hallet, 2013)
Figure 15 Ohio Congressional Maps 1982-1992
Figure 16 Ohio Congressional Map 1992-2002 (II, 1992)
Figure 17 Ohio Congressional Maps 2002-2012 (Blackwell, Ohio Congressional Maps 2002-2012, 2002)
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