



OHIO VOTER

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Contrary to Ohio Values: Partisan Gerrymandering

In the past two elections, the 12 Ohio congressional districts represented by Republican incumbents were “safe” districts, as were the six Ohio congressional districts represented by Democratic incumbents. Safe districts are those in which there is one-party dominance due to partisan gerrymandering. Currently, elected officials in Ohio are responsible for drawing district boundaries.

The Brookings Institution Press, *Party Lines: Competition, Partisanship and Congressional Redistricting*, summed up the major concerns about the process for drawing district boundaries: “...legislature–drawn lines indisputably give incumbents some ability, constrained by law and geography, to define their electoral battleground, and that can be unfair to challengers or minority parties”. In short – in the current system elected officials choose the voters - to the detriment of non-incumbents and minority views.

This past November, four initiatives on the Ohio ballot dealt with election reform, including Issue 4 (redistricting) that made competitiveness the primary factor in redrawing federal and state legislative districts. While none of the initiatives were approved by the voters, they succeeded in initiating a statewide dialogue about election reform and heightened awareness of the issues among some voters.

Also in November, the Brookings Institution held a briefing entitled “*Redistricting Reform After the Failed Ohio and California Initiatives*”. The panel, composed of academic experts in election law and the redistricting process, discussed a *Columbus Dispatch* poll that, among other things, assessed the impact of voters’ knowledge of the issue on their support for the issue.

Only 22% of the people polled in Ohio knew about the redistricting proposal. Voters’ knowledge about the issue made a dramatic difference in their attitudes towards it.

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LWVO Wins Milestone Victory in Election Reform Lawsuit

LWVO and our co-plaintiffs, including LWV-Toledo/Lucas County, scored a milestone victory December 2 in our historic lawsuit to bring about meaningful election reform in Ohio. Judge James G. Carr of the United States District Court for the Northern District of Ohio denied most of the motions by the defendants, the offices of governor and secretary of state, to dismiss our claims, thereby allowing the lawsuit to proceed. The court is allowing the case to continue under all three of our constitutional claims.

In essence, Judge Carr ruled that the legal theory behind the case is a solid one. If the allegations in our 65-page complaint are true, we will prevail on the constitutional claims. Our attorneys, who are providing their services pro bono, are now developing the evidence necessary to support those theories and to persuade the judge of their significance.

In his ruling, Judge Carr rejected arguments by the defendants that state officials are not responsible for protecting voters’ rights in Ohio. The court stated

that even “inaction that diminishes the right to vote” may be unconstitutional under the Equal Protection Clause.

The court also stated that state officials “cannot adopt policies leading to disparate treatment of those voters and later plead ‘no control’ as a defense.” The court held that if the defendants acted with “deliberate indifference” and that indifference resulted in injury to the voters, the state defendants would be in violation of the Due Process Clause.

Although Judge Carr also dismissed our claim under the Help America Vote Act, all our factual allegations about registration problems will still be heard as part of the constitutional claims. The lawsuit does not challenge the results of any past elections. Nor does it seek monetary damages. Instead, it seeks to protect the rights of Ohio voters in future elections. The relief sought would require the state defendants to exercise their authority to repair voter problems at all stages of the Ohio elections process.

Prior to Judge Carr’s decision, our attorneys continued to negotiate the remaining issues cooperatively with the

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ADVOCACY



UPDATE

This installment of “Advocacy Update” focuses on election reform, abortion restrictions, and environmental issues. Additional information about the League’s advocacy is available on the League’s web site, www.lwvohio.org, under the Advocacy link. If you would like to receive e-mail Action Alerts on pending legislation and bi-monthly updates while the legislature is in session, send a request to leg@lwvohio.org

ELECTION REFORM

An off-track omnibus bill, early voting provisions

HB 3: This problematic bill has been the focus of League advocacy since its introduction early last year. The League raised concerns in testimony at several hearings, sponsored a series of summer forums to discuss the bill, held press conferences and radio interviews, and issued action alerts in December on the latest version of the bill. Our reasons for considering this a voter suppression bill rather than true reform were outlined in a January press release and position paper distributed to members of the legislature and to all county boards of elections. Problems identified were:

- The requirement of voter ID for every voter at every election.
- New restrictions on the conduct of voter registration drives.
- A vastly increased use of provisional ballots, which will create confusion and delay.

- The illegal removal of hundreds of voters from the registration list.
- No provision for a random hand count to verify the accuracy of new voting machines.
- No provision for better pollworker training to enforce the new requirements.

LWVO urged that the bill be sent to a special joint committee to be given detailed consideration, and offered to help in crafting a true election reform bill, but the outcome was unchanged. In the end, the bill that came out of the conference committee was adopted on a party-line vote and signed by the governor the same day.

HB 234 was originally a bill that LWVO supported in that it allowed certain 17-year-olds to work at the polls. However, an amendment was added in haste to HB 234 in the Senate, possibly to preempt provisions for early voting in Issue 2 if that constitutional amendment were to pass. The HB 234 amendment allowed no-fault voting up to 35 days in advance of election, but with voter ID required. LWVO testified against the bill; sent an action alert to members and a letter to the governor requesting a veto. The bill is now in effect.

The League believes the changes in the bill should have been considered separately, rather than added at the last minute. The bill did not clarify how the new identification requirements for absentee voters would affect military voters.

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Available Now! *Agenda for Action 2005-2007 Update!*

Curious about LWVO’s stance on redistricting? Need to know the latest on state positions?

All the answers are here in the updated version of *Agenda for Action*, the bible of state League positions.

Includes background and outlook on each issue written by LWVO’s volunteer Lobby Corps, plus a comprehensive 10-year history of action at the state and federal level.

Available for purchase and on the Web. Call Mary Cannon LWVO office (614)469-1505 or toll free at 877-598-6446

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Articles from **OHIO VOTER** may be reprinted only in full and with complete acknowledgment of the League of Women Voters of Ohio.

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

For membership information, call (614) 469-1505, toll-free (877) LWV-OHIO, e-mail membership@lwvohio.org, or visit us on the Web at www.lwvohio.org.



Chronicles of Frustration: *Election Reform Gone Bad*

When House Bill 3 was introduced early in the 2005 legislative session as the major election reform bill, we welcomed it as an opportunity to correct the problems that were so apparent following the fall 2004 election. The LWVO state board had adopted a 10-point agenda for reform and we were eager to advocate for our positions.

FIRST PERSON



**Karen
Rainey**
*LWVO
Legislative
Director*

Thereafter followed lessons in persistence and frustration. Despite requests by our stalwart election law specialist Peg Rosenfield to meet with leadership to discuss workable solutions to Ohio's problems, LWVO was politely ignored. After nine hearings and two substitute bills in the House (Peg testified twice), the bill passed the House in May.

The Senate held two hearings on the bill in June. Peg and others testified movingly on the hardships likely to occur if voter ID requirements were implemented. At the same time, we held a press conference with Coalition on Homelessness and Housing in Ohio (COHHIO) that trumpeted the results of a phone survey of all 88 boards of elections; the survey revealed that the boards pursued only four cases of alleged voter fraud in the 2002 and 2004 general elections. Under pressure from advocates, the Senate adjourned for the summer without acting on the bill.

The League took this opportunity to hold a series of summer forums addressing various aspects of the bill, then published the findings in September—findings which reinforced our analysis that the bill is both inadequate and regressive.

There were always rumors that an ID component would be added to the bill, but it didn't happen in the House version. However, an ID requirement was attached to another bill, HB 234. It was quickly passed in October as part of an amendment to provide for no-fault absentee voting, primarily to take the momentum away from Issue 2 on the ballot. The Senate came back after the post-election lull with a December surprise, a 435-page substitute bill. Two quickie hearings were held; the bill was voted out of committee late at night, and was passed on the Senate floor the next week.

In the meantime, LWVO had sent letters to the speaker of the House and the president of the Senate expressing concern that the bill would move too quickly to get the attention it deserved.

SEE FIRST PERSON-PAGE 6

From the Co-Presidents' Desk

One Plus One = Three

We all want to attract new members, but the League also has a *responsibility* to grow. The value of our organization was driven home over the course of the 2004 election. Among all the initiatives, conflicting T.V. ads, and impassioned talking heads, the League was a beacon of reason in the storm. With this experience fresh in our minds, membership growth takes on a new dimension. All Ohioans need the League.

A tried and true way to promote growth is through synergy. Three northwest Ohio Leagues are providing just that. Perrysburg, Toledo and Bowling Green are joining forces this year on water issues, a huge worry in northwest Ohio.

For the first time they came together for a holiday lunch in December, have begun sharing newsletters, and are holding three forums this year. Bowling Green will examine the immediate effects of factory farming runoff on the Portage and Maumee Rivers; Perrysburg will stage a discussion on similar issues but from the perspective of the entire Maumee River watershed; Toledo's theme will be the quality of water in Lake Erie.

This kind of cooperation takes planning and at least one person in each League who is really interested in making it work.

What is a local hot-button issue that transcends the jurisdiction of your city council or county commissioners? Is there another League in your region suffering from the same problem? Think collaboration; think small (for starters). Share newsletters and designate a person to keep in touch across League boundaries. See where it leads; look for opportunity.

Today's big issues such as air pollution, development patterns, school funding, and economic growth all defy local borders and demand collaborative work to arrive at solutions.

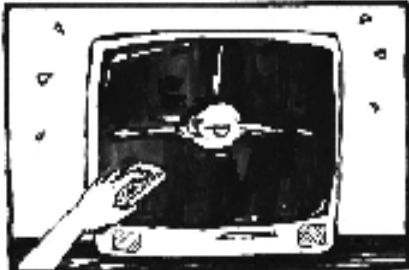
We would like to hear your reactions to our thoughts on Leagues working together, as well as new ideas and actions underway that we don't know about yet.

Statehouse Day can be Synergy Day as well! See you there.



Linda Lalley
Linda Lalley

Carol Gibson
Carol Gibson



Let's talk Values.

Turned off by the 'talking heads'?

Join LWVO for a debate on how critical issues such as political reform, health care, education and the environment are valued – or not! – in state legislation.

And learn what you can do about it (including talking to your legislator)!

League of Women Voters of Ohio Statehouse Day • April 4, 2006

The Riffe Center, Columbus, Ohio, 9:00 a.m. to 3:00 p.m.

Reserve Early!

For more information, call LWVO at 614-469-1505

LET'S TALK VALUES

*Rub elbows with experts in education, healthcare, redistricting, and the environment! Get hands-on experience from the specialists, the League of Women Voters lobbyists who, **with your help**, make it happen—and hear the status of these key issues in our state. Statehouse Day is for all political junkies, from old-time Leaguers to potential members. Attendees at Statehouse Day will not only be able to meet with legislators to lobby for League issues, but they will also participate in specialty workshops that explore the value-driven challenges facing Ohio. There's no better way to showcase the LWVO in action. Meet, eat, greet—there are no talking heads at Statehouse Day!*

Statehouse Day 2006 Registration

Registration Deadline: March 21 • One Form per Person Please!

Name _____ Address _____

Phone _____ E-mail _____

Local League _____

Who are your state legislators? House: _____ Senate: _____

Fee: \$30 member \$15 student **Vegetarian lunch?** Yes No

**Make checks payable to LWVO and remit this form with payment to LWV Ohio
17 South High Street, Suite 650, Columbus, Ohio 43215**

REDISTRICTING

(con't from page 1)

About 56% of those who knew about the issue supported it. However, the final vote, which included both informed and uninformed, showed that 70% opposed it. While this data is particular to the redistricting issue in Ohio, it confirms that voters will not approve an initiative they do not understand. Consequently, voter education is critical to bringing about change.

Ohio is well placed for changes in the way it performs redistricting because both political parties believe the system needs to be improved. **However, only an informed electorate will be willing to adopt change. And only an informed electorate will be able to choose change that is in the best interests of the voters, rather than in the best interests of the incumbents whose parties drew the district lines.**

Your LWVOEF Board made a commitment last June that, should the redistricting ballot initiative be defeated, LWVOEF would expand its redistricting education efforts. We are in the process of creating an educational project that local Leagues can implement within their communities to help kick off the League year in early fall 2006.

Why is Redistricting Reform important?

Redistricting Reform, as described by the LWVUS, "is an issue that goes to the heart of our democratic system of government. Representative democracy depends on the voters freely choosing their elected officials.

How might Ohio look with substantive political reform?

For instance...

- Would school funding still be unconstitutional?
- Would a lawsuit be necessary to solve election administration problems?
- Would factory farms be a threat to the environment?
- Would there be mental health parity in health care coverage?

To understand more about the history of redistricting issues, visit www.lwvohio.org and click on "Redistricting."

FIRST PERSON (con't from page 3)

LWVO issued action alerts requesting more time for discussion. Members of the Senate remarked on the number of calls they received.

There was one concession in the new bill to the League's testimony: The Senate did away with the House provision that all voter registration forms had to be returned to the board of elections in the county where the registrant resided, a major inconvenience to organizations such as the League that conduct registration at events or locations that attract people from numerous counties.

The bill reverts to the current practice in which registration forms may be returned to the Secretary of State or to any board of elections for distribution.

Because the House refused to concur with the Senate version of the bill because they objected to a \$200 limit on contributions county office holders can accept from their employees, the bill went to a conference committee.

LWVO issued a press release and sent its position paper to the press, the legislature, and county boards of

elections. HB 3 was enacted and signed by the Governor on January 31 without substantial changes. We at least have the satisfaction of knowing that it reinforces our court challenge to the conduct of elections in Ohio over the past few decades. We may yet succeed in bringing election reform to weary voters.

UPDATE (con't from page 4)

LWVO has expressed support for HB 299 as a means of coping with the increased costs of rapid growth. This bill has had six hearings to date; the concern is in developing appropriate criteria for the use of impact fees.

On December 13, Governor Taft signed the **Great Lakes Charter Annex**, together with the other Great Lakes governors and the premiers of Ontario and Quebec. The agreement, which follows the recommendations of the Great Lakes Regional Collaboration, is an effort to manage water quality; it also bans diversion of Great Lakes waters outside the lakes' drainage area. The agreement must also be approved by each state legislature, the provincial parliaments and Congress.

Local League News

Greater Dayton and Shaker Heights among 14 Leagues to Host Openness Forums

The League of Women Voters (LWVUS) selected the Greater Dayton Area and Shaker Heights Leagues to host selected forums as part of “*Openness in Government: Looking for the Sunshine.*” *Looking for the Sunshine* is a project to broaden public awareness about the issues involved in, and the threats related to, accountability and transparency in government.

The Greater Dayton League will kick off its activities in February by having their League members attend various governmental meetings to check to see if the meetings are held according to Ohio “Sunshine Laws.” Volunteers will also make random requests for public records to check for accessibility. On March 18, Dayton will sponsor a panel on openness with local legal and media experts.

LWV of Shaker Heights is in the process of planning their Sunshine Week activities. For more information, please go to their website <http://shakerlwv.nhlink.net/>.

“The Leagues hosting Sunshine Week forums will bring to light concerns about the growing lack of openness in our government and allow citizens nationwide the opportunity to discuss this important topic,” said LWVUS President Kay Maxwell. “These forums will help educate Americans about the importance of their right to know.”

LWVUS and national partners will hold a Sunshine Week kickoff event in Washington, D.C. The LWVUS Education Fund received funding for this project from the John S. and James L. Knight Foundation.

The League of Women Voters of Ashtabula County would like to honor Pat Sanders, a local League member for over 30 years, who recently passed away. “We will miss her.”

****Now twilight lets her curtain down and pins it with a star.**** L.M. Child

On the Road

Bleak Outlook for Lake Erie



In December, LWVO lobbyist Jean Byrd, Co-president Carol Gibson, and several members from the Cleveland and Cuyahoga Area Leagues attended *The Future of Ohio's Lake Erie Basin: Balancing Land Use and Water Quality* Conference at Lorain Community College.

Participants received an excellent historical review of the Great Lakes, and a presentation on the research being done to help achieve a sustainable, healthy system of water in the lakes. The keynote speakers were Dr. Jeffrey M. Reutter, Director of the Ohio Sea Grant College; and Dr. Elena Irwin, Associate Professor in Agricultural Environmental and Development Economics at Ohio State University.

Lake Erie went through a massive cleanup for three decades following the burning of the Cuyahoga River in 1969 when northern Ohio became the nation's poster child for water pollution problems. Subsequently, from the early 70's, steady progress was made toward cleaning up the Great Lakes. Unfortunately, the lakes have been suffering a steady decline again since 1995.

Although presenters at the conference made serious attempts to be optimistic, pessimism ruled the day. Concerns focused on: 1) The inability of local and state entities to control development, 2) the pollution impact of economic restructuring, 3) the inability of state agencies to reduce phosphorus loading 4) the lack of sustainability programs that would conserve natural areas. For more information, contact Jean Byrd at jeanbyrd@sbcglobal.net

LWVO welcomes new Executive Director & Office Manager



Jerolyn Barbee

The LWVO Board welcomes Jerolyn Barbee as the new Executive Director of the League of Women Voters of Ohio. She is formerly the Director of IDAs and Volunteer Services at the Ohio CDC Association. Prior joining the OCDCA staff, she was the Vice President of Programs at the Columbus Compact Corporation, providing oversight to 24 Columbus Empowerment Zone initiatives. Jerolyn has been a dedicated community development advocate for over 20 years in Columbus, and in her hometown of Memphis.

Mary Cannon, LWVO Office Manager joined the staff in September, 2005. Mary responds to questions from the general public about League activities and events. Mary recently moved back to Columbus from Missoula, Montana. Mary's past experience includes work as a Youth Development Program Coordinator and as an AmeriCorps Team Leader. She has a BA in Anthropolgy and is currently working on a Master's degree in Non-Profit Mangement.

Mary Cannon



It's Time! Phonathon 2006

We are gearing up for Phonathon 2006. The letter has been written, our database updated and supplies ordered. All we need now is you!

This year, the LWVO Board has approved a new **incentive program** to help us reach our over-all goal of \$50,000. Local Leagues will still get the usual 15% rebate on all local donations up to last year's total (collected by June 1). However, any increases over last year's total will earn a **30%** rebate. Imagine what we could achieve if every member across Ohio increased her/his Phonathon donation by even \$5. Almost \$5000 more would be rebated to local Leagues and LWVO would easily meet its budget target for Phonathon. Let's all be Phonathon winners in 2006!

The local League calling date is Sunday, March 12. Packets of materials you will need to make your phone calls (including your 2005 donation total) will be mailed on March 6.

MEMBERSHIP



Yes, sign me up as a member of the League of Women Voters of Ohio!

\$50 Individual \$75 Household

Name(s) _____

Address _____

City _____ State _____ Zip _____

Phone _____

E-mail _____

Mail this form with check to:
LWVO, 17 South High Street, Suite 650
Columbus, OH 43215

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