

Federal judges were right: Ohio gerrymandering lawsuit should go forward: editorial

[Editorial Board](#) Updated Feb 10; Posted Feb 10

Ohio's current congressional districts, redrawn in a 2011 gerrymander directed by Republicans in a secret "bunker" under the influence of then-U.S. Speaker John Boehner. The skewed districts have prompted a federal lawsuit by the Ohio League of Women Voters and others that three judges ruled Friday will proceed to trial March 4. (*Ohio Secretary of State*)

In one of his last acts as attorney general, now-Gov. Mike DeWine last month asked federal judges [to block a lawsuit](#) challenging Ohio's outrageously gerrymandered congressional districts.

Republican DeWine, inaugurated Jan. 14 as governor, was mistaken to do so - - and his motion appears moot for now, after the three federal judges hearing the case [unanimously ruled Friday](#) that the trial should go forward as planned on March 4. In part, they cited timeliness considerations because of approaching deadlines to plan for the 2020 presidential vote.

Ohio's rigged districts need to be on the U.S. Supreme Court's agenda well before Ohioans vote in the November 2020 presidential election.

The lawsuit at issue [was filed May 23](#) by the Ohio chapter of the A. Philip Randolph Institute, the League of Women Voters of Ohio and a group of voters. They charge that Ohio's congressional districts are an affront to fairness and the federal Constitution. They're right: They are.

Yes, Ohioans did vote last spring [to reform the way Ohio will draw congressional districts in 2021](#) - after 2020's Census. That would apply for the November 2022 election but leaves in place for November 2020's presidential vote the outrageous GOP gerrymanders that, in 2012, 2014, 2016 and 2018, have [grossly distorted](#) the political makeup of Ohio's U.S. House delegation.

Ohio has twice supported Barack Obama for president, twice supported Bill Clinton, and last year elected Democratic U.S. Sen. Sherrod Brown to a third consecutive term. Yet U.S. House districts drawn in 2011 by General Assembly Republicans, coached by then-U.S. House Speaker John A. Boehner, a Republican from suburban Cincinnati, now send 12 Republicans to the U.S. House of Representatives -- and just four Democrats.

The 2011 map, signed by then-Gov. John Kasich, a Republican, chopped and channeled Ohio to concentrate, or pack, Democrats into as few districts as possible. Among the brazen examples: adding swathes of Greater Cleveland to a congressional district stripped along Lake Erie that includes Toledo.

If anyone thinks that was just happenstance, consider this: The manner in which Republicans drew Ohio's congressional districts in 2011 could have come from the pages of a John Grisham thriller. Statehouse Republicans directed two GOP operatives to draw the 2011 map - subject to the approval of a "Team Boehner" operative. And the GOP operatives [worked in a secretly rented "bunker"](#) - the GOP's word - in a DoubleTree hotel a block from the Statehouse.

"Upon information and belief," the pending lawsuit alleges, "no Democratic officials or operatives were able to access the bunker."

Of course not: Privileges are reserved for the privileged.

The federal judges hearing the case who ruled Friday are 6th U.S. Circuit Court of Appeals Judge [Karen Nelson Moore](#), an appointee of Bill Clinton whose chambers are in Cleveland, and two U.S. District judges for the Southern District of Ohio in Cincinnati: Judges [Timothy S. Black](#), an appointee of Barack Obama; and [Michael H. Watson](#), an appointee of George W. Bush.

In August, the judges [rejected the state's motion](#) to dismiss the lawsuit. DeWine's January motion seeks a summary judgment on the grounds that the

plaintiffs had failed to demonstrate a specific injury - and that, even if the plaintiffs could demonstrate injury, their arguments didn't give the court a yardstick for measuring harm. "All of Plaintiffs' experts are either unable or refuse to provide the court the point at which partisanship becomes 'too much,' " DeWine's motion argued.

But Ohioans have noses; they don't need yardsticks to tell if something smells.

Maybe GOP bids to kill the lawsuit aim to keep this panel (two judges appointed by Democrats) from winding up with jurisdiction over the districts Ohio will draw in 2021. But such an effort to influence jurisdiction over Ohio's post-2020 redistricting process is inappropriate.

The lawsuit should go forward, and thanks to Friday's ruling, it will. The issues the plaintiffs raise relevant to the 2020 presidential election are too important to Ohioans' voting rights to be shrugged off.

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ANATOMY OF A GERRYMANDER: THE WISCONSIN ASSEMBLY

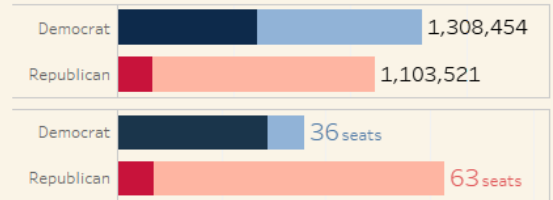
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IN NOVEMBER 2018, DEMOCRATS WON EVERY STATEWIDE ELECTION IN WISCONSIN, INCLUDING ALL CONSTITUTIONAL OFFICES AND A UNITED STATES SENATE RACE. HOWEVER, THEY WON ONLY 36 OF 99 SEATS IN THE STATE'S ASSEMBLY. HOW? EXTREME GERRYMANDERING.

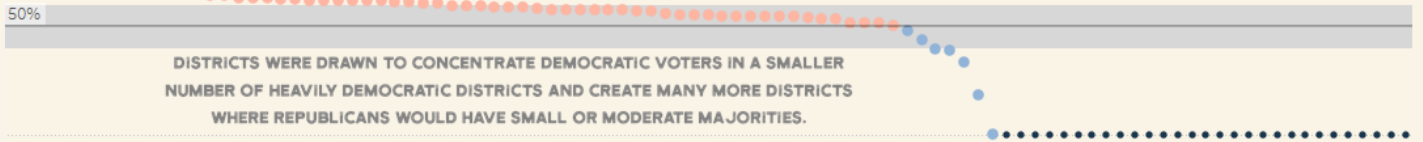
DARKER COLORS REFER TO SEATS NOT CONTESTED BY BOTH MAJOR PARTIES

TOTAL POPULAR VOTE

TOTAL SEATS



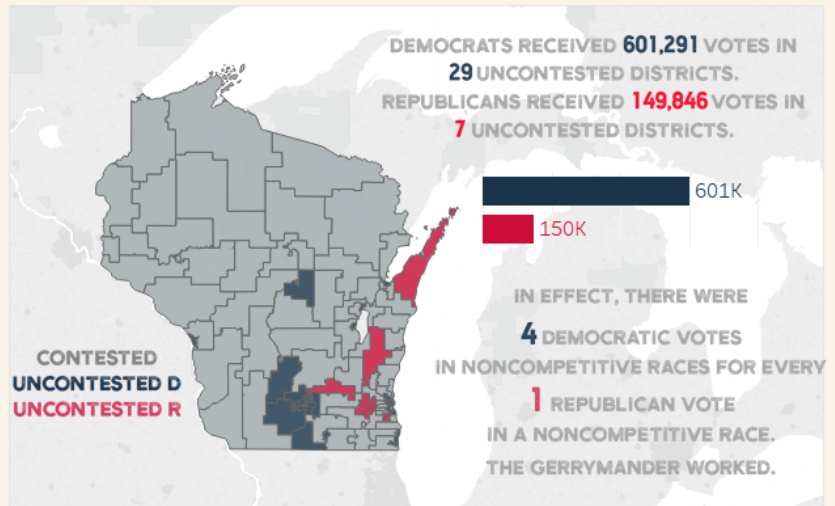
REPUBLICAN POPULAR VOTE SHARE BY DISTRICT



OF WISCONSIN'S 99 DISTRICTS, 36 HAD UNCONTESTED RACES



FONTS:
HANSIEF ROUGH
HENRIK NORMAL



U.S. CONGRESSIONAL DISTRICTS 2012-2022 IN OHIO

