

IN THE SUPREME COURT OF OHIO

Regina C. Adams, *et al.*,

Relators,

v.

Governor Mike DeWine, *et al.*,

Respondents.

Case No. 2021-1428

**Original Action Filed Pursuant to
Ohio Const., Art. XIX, Sec. 3(A)**

League of Women Voters of Ohio, *et al.*,

Relators,

v.

Governor Mike DeWine, *et al.*,

Respondents.

Case No. 2021-1449

**Original Action Filed Pursuant to
Ohio Const., Art. XIX, Sec. 3(A)**

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EXHIBITS APPENDIX A - DEPOSITIONS
Volume 1 of 2**

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EXHIBITS APPENDIX A - DEPOSITIONS
Volume 1 of 2

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Transcript of Raymond DiRossi

Date: December 7, 2021

Case: League of Women Voters of Ohio, et al. -v- Ohio Redistricting Comm., et al.

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IN THE SUPREME COURT OF OHIO

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LEAGUE OF WOMEN :
VOTERS OF OHIO, :
et al., : Case Nos. 2021-1193
Relators, : 2021-1198
v. : 2021-1210
OHIO REDISTRICTING :
COMMISSION, et al., :
Respondents. :

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REMOTE VIDEOTAPED DEPOSITION of RAYMOND DiROSSI
Tuesday, December 7, 2021
8:04 a.m. CST

Job No.: 416827
Pages: 1 - 231
Reported By: Michelle M. Yohler, CSR, RMR, CRR

Transcript of Raymond DiRossi
Conducted on December 7, 2021

2

1 Videotaped deposition of RAYMOND DiROSSI, held
2 remotely pursuant to notice before Michelle M.
3 Yohler, CSR, RMR, CRR, a certified shorthand
4 reporter, CSR No. 84-4531.
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Mr. Ethan Rex, Technician

Ms. Madeline Nagy, Videographer

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Transcript of Raymond DiRossi
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1	P R O C E E D I N G S	08:02:51
2	(Technician read-on.)	08:02:51
3	THE VIDEOGRAPHER: Here begins disk number	08:03:38
4	one in the videotaped deposition of Raymond	08:03:40
5	DiRossi, in the matter of League of Women Voters	08:03:43
6	of Ohio versus Governor Mike DeWine, et al., in	08:03:46
7	the Supreme Court of Ohio, Case No. 2021-1449.	08:03:52
8	Today's date is Tuesday, December 7th,	08:03:58
9	2021, and the time on the video monitor is	08:04:03
10	8:04 a.m.	08:04:05
11	The videographer today is Madeline Nagy,	08:04:06
12	representing Planet Depos.	08:04:11
13	This video deposition is taking place	08:04:12
14	remotely.	08:04:14
15	Would counsel please voice-identify	08:04:15
16	themselves and state whom they represent.	08:04:18
17	MR. KLEIN: Spencer Klein, Elias Law	08:04:24
18	Group, representing Adams Relators.	08:04:27
19	MS. BENDER: Good morning. This is Brady	08:04:30
20	Bender, from Covington & Burling, representing the	08:04:32
21	League of Women Voters Relators.	08:04:34
22	MR. MCGUIRE: Greg McGuire with the Nelson	08:04:37
23	Mullins Law Firm, representing the President and	08:04:39
24	Speaker.	08:04:42
25	MS. COONTZ: This is Bridget Coontz from	08:04:47

Transcript of Raymond DiRossi
Conducted on December 7, 2021

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1 the Ohio Attorney General's Office, representing
2 Secretary of State Frank LaRose. With me is
3 Michael Walton from the Attorney General's Office
4 as well.

5 THE VIDEOGRAPHER: The court reporter
6 today is Michelle Yohler, representing Planet
7 Depos.

8 Would the reporter please swear in the
9 witness.

10 (WHEREUPON, the witness was duly sworn.)

11 MR. MCGUIRE: All right. By agreement of
12 discussion between counsel right before we began
13 the deposition, Mr. DiRossi has in front of him
14 for today's deposition three of the maps that were
15 introduced during the redistricting proceedings at
16 issue here, and he would like to have those for
17 purposes of illustration.

18 They are not currently marked as
19 deposition exhibits; however, we have expressed to
20 relators' counsel that we -- I don't believe
21 anybody has any problem with making them exhibits,
22 if that's appropriate and needed.

23 The three maps are -- the three drawn maps
24 are Senate Bill 258, the map that was adopted, in
25 fact; Senate Bill 237, also sometimes called the

Transcript of Raymond DiRossi
Conducted on December 7, 2021

9

1 Yuko-Sykes map; and House -- and HB Senate -- I'm
2 sorry -- HB Map 483, so House Bill Map 483. Those
3 are the three maps that he has in front of him.

4 And, Counsel, is it correct that we -- and
5 nobody has any objection to that?

6 MR. KLEIN: That is correct.

7 MS. BENDER: That is correct.

8 MR. McGUIRE: All right. Thank you.

9 RAYMOND DiROSSI,
10 called as a witness herein, having been first duly
11 sworn, was examined and testified as follows:

12
13 EXAMINATION

14 BY MR. KLEIN:

15 Q All right. Good morning.

16 My name is Spencer Klein with the Elias
17 Law Group, and I am representing Adams Relators in
18 this case, and I'm going to be asking you -- I'm
19 going to be asking you questions today.

20 So can we first get your name for the
21 record.

22 A Sure. It's Raymond Edward DiRossi.

23 Q Okay, Mr. DiRossi.

24 First I want to go over a few ground
25 rules. You may recall this from the last

Transcript of Raymond DiRossi
Conducted on December 7, 2021

10

1 deposition we did from -- so, first, when you
2 answer my questions today, please do so verbally
3 instead of with a hand gesture and a nod because
4 of course that cannot be recorded by the court
5 reporter.

6 I'm going to be asking you questions
7 today. And when I start a question, you may know
8 the answer immediately, but I'm -- but I'd ask you
9 to give me a chance to finish my question because
10 if there's a lot of cross-talk, the court reporter
11 is not going to be able to record that.

12 If you do not understand a question I'm
13 asking, just go ahead and let me know, and I can
14 simply rephrase.

15 So first question, are you represented by
16 counsel today?

17 A Yes.

18 Q Okay. And are they here in the room with
19 you right now?

20 A Yes.

21 Q Okay. And they've already entered their
22 names onto the record.

23 When I ask you questions, Counsel may
24 object. Unless you're instructed not to answer
25 the question, please answer the question, despite

1 the objections. Unless, of course, you do not
2 understand the question, and then I can, of
3 course, rephrase. But still, nonetheless, if you
4 are -- if you -- if you are instructed not to
5 answer, don't answer, but, otherwise, please give
6 an answer.

7 If you'd like to take a break at some
8 point during the deposition, we can do so, but I
9 would ask you to answer any open questions before
10 we take a break.

11 So is there any reason you cannot provide
12 truthful testimony today?

13 A No.

14 Q And what did you do to prepare for today's
15 deposition?

16 A I printed these three maps so I had them
17 as reference material, and I spoke to Counsel
18 before the -- before today.

19 Q And did you consult any other materials to
20 prepare for this deposition today, besides what
21 you just mentioned?

22 A Well, obviously, looking at the enacted
23 maps and the proposed maps that were proposed,
24 there's -- there's other information besides the
25 visual information. So I guess that would've -- I

1	would've seen that as well.	08:09:42
2	Q Okay. Got you.	08:09:43
3	A And refreshing my memory about the	08:09:45
4	process and the timeline.	08:09:47
5	Q Okay. So, as you know, we are conducting	08:09:50
6	the deposition today remotely, and I want to run	08:09:53
7	through a few questions and ground rules related	08:09:56
8	to that.	08:09:58
9	So, first, where are you sitting today?	08:09:59
10	A I'm in a Columbus law firm in a conference	08:10:03
11	room.	08:10:07
12	Q Okay. And --	08:10:08
13	A Columbus, Ohio.	08:10:09
14	Q And I see that you have your counsel	08:10:11
15	sitting in the room with you. Is there anyone	08:10:17
16	else in the room aside from the two counsel that	08:10:20
17	are sitting in the room from you right now -- with	08:10:22
18	you right now?	08:10:25
19	A Myself, other than...	08:10:25
20	Q Right. Of course.	08:10:27
21	And what devices do you have in front of	08:10:30
22	you?	08:10:32
23	A Devices? You mean -- what -- I have my	08:10:32
24	laptop.	08:10:40
25	Q Okay. Excellent.	08:10:41

Transcript of Raymond DiRossi
Conducted on December 7, 2021

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1	A Nothing else electronic.	08:10:42
2	MR. KLEIN: And on that note, is there a	08:10:44
3	way we could switch to the feed that actually has	08:10:45
4	Mr. DiRossi on it with the actual screen in front	08:10:49
5	of him? Right now I have Mr. DiRossi plus	08:10:52
6	counsel.	08:10:56
7	Unless folks would prefer to do it the	08:10:57
8	other way.	08:10:57
9	MR. MCGUIRE: Well, I guess I have two	08:11:01
10	responses to that, and I assume Mr. Strigari may	08:11:02
11	want to say something, having been involved in the	08:11:02
12	last round of depositions taken from this	08:11:04
13	location.	08:11:05
14	Number one was, it was my understanding	08:11:06
15	that this was the way it was set up, that that was	08:11:07
16	somehow the preferred method that people wanted to	08:11:10
17	use, but maybe I wasn't in on -- you know, I	08:11:13
18	wasn't in on that planning.	08:11:16
19	But, number two, if we were going to make	08:11:17
20	a change -- and I'll let Mr. Strigari speak --	08:11:20
21	we'd need to go find the very nice gentleman from	08:11:25
22	this law firm who was in here earlier. We can't	08:11:26
23	control this thing.	08:11:26
24	MR. KLEIN: That's all fine then. Do not	
25	worry about it at all. This is perfectly fine.	

Transcript of Raymond DiRossi
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1 THE TECHNICIAN: Counsel, if I may? You
2 can pin -- if you go to the participant --

3 MR. KLEIN: Oh, right.

4 THE TECHNICIAN: -- window and pin. That
5 should help you there, Counsel.

08:11:43

6 MR. McGUIRE: To the extent it helps,
7 Mr. Klein, I'm sure Mr. DiRossi will be more than
8 happy to tell you that he is not referencing at
9 any point you want to ask him notes or tips or
10 helpful hints on his testimony. That's not what's
11 on the screen in front of him.

08:11:43

08:11:43

08:11:46

08:11:49

08:11:51

08:11:54

12 MR. KLEIN: Okay.

08:11:54

13 THE WITNESS: I don't know how to show you
14 my screen.

08:11:57

08:11:58

15 MR. KLEIN: All right. Perfect. You got
16 my next question there. I appreciate that.

17 (Reporter interruption.)

18 THE VIDEOGRAPHER: The time is 8:12. We
19 are off the record.

20 (Technological issues were resolved off
21 the record.)

08:17:31

22 THE VIDEOGRAPHER: The time is 8:17. We
23 are on the record.

08:17:31

08:17:35

24 BY MR. KLEIN:

08:17:40

25 Q Okay. Just a few more ground rules

08:17:40

1 related to the remote deposition. So if anyone
2 comes into the room besides the folks who are
3 there right now, I would just ask you to note that
4 for the record. Is that okay?

5 A Absolutely.

6 MR. McGUIRE: Yes.

7 BY MR. KLEIN:

8 Q And in the event anyone attempts to
9 communicate with you during the deposition, I'd
10 also ask for you to note that for the record as
11 well, all right?

12 A Yes.

13 Q Okay. And, finally, can I just get your
14 agreement that you won't consult with anyone about
15 your testimony today until the deposition is over,
16 even -- even during breaks?

17 A Yes.

18 Q Okay. All right. So getting into the
19 questions.

20 I'm going to start with a few questions
21 about your background in redistricting and your
22 work in the General Assembly. Now, as you know,
23 we covered a lot of this in your deposition for
24 the General Assembly case, so I think we can keep
25 this relatively brief.

Transcript of Raymond DiRossi
Conducted on December 7, 2021

16

1	But, first, just for the record, where are	08:18:43
2	you currently employed, Mr. DiRossi?	08:18:45
3	A I work for the Ohio Senate.	08:18:47
4	Q Okay. And what is your title?	08:18:49
5	A I am the director of finance and budget.	08:18:51
6	Q Okay. And in that role, who do you report	08:18:54
7	to?	08:18:58
8	A I report to the Chief of Staff of the Ohio	08:18:58
9	Senate and the president of the Senate.	08:19:04
10	Q Okay. So how long have you worked in	08:19:06
11	state government for?	08:19:16
12	A Well, I had a break in service, but I	08:19:16
13	first started to work in the Ohio Senate in 1991.	08:19:19
14	Q Okay. So about 30 years?	08:19:23
15	A Not -- if you count the break in service.	08:19:25
16	Q Right. If you count the break in service.	08:19:31
17	Okay.	08:19:33
18	And how long have you helped draw	08:19:33
19	redistricting maps in Ohio for?	08:19:35
20	A This is the third cycle I've been	08:19:38
21	involved --	08:19:47
22	Q Third cycle?	08:19:48
23	A -- in the process.	08:19:48
24	Q Okay. Thanks.	08:19:50
25	And for each of these three cycles, you've	08:19:50

1	helped out with both congressional and General	08:19:53
2	Assembly maps; is that correct?	08:19:57
3	A Correct.	08:19:58
4	Q Okay. And in any of these three cycles,	08:19:58
5	did you ever play -- did you ever play a	08:20:01
6	leadership role?	08:20:04
7	A It depends on your definition of	08:20:05
8	"leadership role."	08:20:11
9	Q Sure. Yeah, so did you have anybody	08:20:12
10	reporting to you during redistricting work?	08:20:14
11	A I'm thinking through the three cycles.	08:20:16
12	Q Sure.	08:20:24
13	A I don't think I ever had anybody reporting	08:20:24
14	to me, no.	08:20:30
15	Q Okay. And so through these three cycles,	08:20:31
16	would it be fair to say that your work has made	08:20:34
17	you one of the most experienced redistricting map	08:20:37
18	drawers in the state?	08:20:40
19	A That's certainly not for me to say.	08:20:42
20	Q Okay. Well, are you familiar with anyone	08:20:47
21	who has more experience drawing Ohio redistricting	08:20:50
22	maps than you?	08:20:54
23	A I mean, both the legislative and	08:20:54
24	congressional processes this time, as I assume	08:21:07
25	everyone is well aware, are new processes that	08:21:11

1 were approved by the voters, and these are the 08:21:15
2 first times they've ever been used. So, I mean, I 08:21:17
3 had no experience in this process -- 08:21:20

4 Q Sure. 08:21:22

5 A -- because these were brand-new processes. 08:21:22
6 So I don't know -- that's the best answer I can 08:21:25
7 give to your question. 08:21:28

8 Q No, for sure. Of course. 08:21:29

9 I guess I'm speaking, you know, not about 08:21:31
10 the specific new laws necessarily but 08:21:33
11 redistricting generally in Ohio, working with the 08:21:37
12 state's geography to draw congressional and 08:21:42
13 General Assembly maps. Is there anyone you know 08:21:45
14 who's more experienced than you at that? 08:21:48

15 A I don't know anybody else who was involved 08:21:50
16 in those three cycles, but I can't say there 08:21:55
17 aren't people that have been involved in other 08:21:58
18 cycles. 08:22:01

19 Q Okay. And is it true, Mr. DiRossi, that 08:22:01
20 you received the Ohio State University's 08:22:05
21 Distinguished Service Award one year? 08:22:07

22 A I did. Very recently. Yes. 08:22:10

23 Q Yeah. When was that? What year? 08:22:13

24 A Oh, boy. It wasn't too long ago. It was 08:22:15
25 a couple years ago. 08:22:20

Transcript of Raymond DiRossi
Conducted on December 7, 2021

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1	Q Yeah, I think it might have been 2018?	08:22:20
2	A That sounds right.	08:22:23
3	Q All right.	08:22:23
4	A That sounds right.	08:22:25
5	Q And it looks like that was in recognition	08:22:26
6	for your work on redistricting in Ohio; is that	08:22:29
7	right?	08:22:32
8	A That's -- I don't know. I thought it was	08:22:32
9	more of all of the decades I had spent working on	08:22:36
10	budget and tax policy in the legislature.	08:22:39
11	Q Fair enough. And through your work on	08:22:42
12	redistricting, do you think you've gained a	08:22:49
13	significant degree of -- sorry. You can strike	08:22:52
14	that.	08:22:52
15	Through your work, do you think you've	08:22:59
16	gained a significant degree of familiarity with	08:23:01
17	Ohio's geography?	08:23:04
18	A Well, Ohio's geography is ever-changing,	08:23:07
19	especially with our annexation laws, and the	08:23:14
20	boundaries of our subdivisions are continually	08:23:16
21	changing as our cities are annexed from our	08:23:19
22	townships.	08:23:24
23	So I hope that's an answer to your	08:23:24
24	question.	08:23:27
25	Q Right. Certainly. So -- but at a given	08:23:27

1 time, do you think you have a significant degree
2 of familiarity with what Ohio's county, city, and
3 township borders are?

4 A Well, I definitely have a general
5 knowledge of that, but I'm sure the elected
6 officials who represent the 132 districts in the
7 General Assembly have probably an even greater
8 appreciation for their -- the geography of the
9 state in their districts.

10 Q Certainly.

11 A As well as the other statewide elected
12 officials that are in Ohio.

13 Q Certainly. Yeah.

14 But just speaking about you and not in
15 comparison to anybody else, would you say that you
16 have a significant -- would you say that you have
17 a significant amount of knowledge regarding the
18 kinds of communities within Ohio's cities and
19 townships and counties?

20 MR. McGUIRE: Object to the form.

21 MR. KLEIN: Fair. That's fair.

22 MR. McGUIRE: You can answer.

23 BY MR. KLEIN:

24 Q You know, would you say that you have a
25 significant amount of familiarity with, say, what

1 sort of industry would be prevalent in a given
2 city in Ohio?

3 A I wouldn't answer that in a general way.
4 I mean, obviously -- I was -- I was born in Summit
5 County, so I know Summit County a little better.
6 And I've worked in the General Assembly for
7 certain legislators from certain areas, and I
8 might have a better understanding of those areas,
9 but the state as a whole, I would not generally
10 say that.

11 Q Okay. Okay. So getting into this
12 redistricting cycle, did you help prepare -- did
13 you help prepare a congressional redistricting map
14 for Ohio this year?

15 A Yes.

16 Q Okay. And were you asked to work on a map
17 by someone?

18 A Yes.

19 Q And who was that?

20 A President Huffman directed me to work with
21 Senator McColley on the map that he introduced.

22 Q Okay. And do you remember when you got
23 this direction?

24 A It would have been mid to -- mid to late
25 October.

1	Q Okay. Mid to late October. All right.	08:25:58
2	And -- so you got the direction in mid to	08:26:05
3	late October. Had you done any work regarding	08:26:07
4	congressional redistricting for the cycle before	08:26:09
5	that time?	08:26:11
6	A The -- maybe a little but not a lot. The	08:26:12
7	time after -- or the time preceding that was	08:26:20
8	mostly taken up by things that we were doing post	08:26:23
9	legislative redistricting, and that was a major	08:26:28
10	focus of -- and a consumption of time in October	08:26:32
11	leading up to when I was working with Senator	08:26:35
12	McColley, among other things.	08:26:40
13	Q Right. Right. So after you got this	08:26:41
14	instruction, when would you say you got to work on	08:26:47
15	this project to make congressional redistricting	08:26:50
16	maps?	08:26:53
17	A Probably mid-October.	08:26:54
18	Q Mid-October. Okay.	08:26:55
19	Do you have any ballpark on, you know,	08:26:57
20	when that might be or anything?	08:27:01
21	A No. Like I said, there were a number of	08:27:05
22	things that were consuming a lot of time in early	08:27:09
23	October and late -- mid to late September,	08:27:13
24	including spending some time with you in previous	08:27:16
25	depositions and other activities. And so we	08:27:19

1 really -- I didn't get a chance to start on that 08:27:21
2 until mid-October. 08:27:24

3 Q Absolutely. Absolutely. 08:27:24

4 Okay. And -- and just for the record -- I 08:27:30
5 know we covered this last time when we had a 08:27:32
6 chance to speak to one another -- your work began 08:27:34
7 for the state legislative maps -- actually -- 08:27:39
8 sorry. I think we can strike that. 08:27:42

9 For the state legislative maps, your work 08:27:44
10 began after the release of the census data; is 08:27:46
11 that correct? 08:27:50

12 A You know, I know we spoke about this in 08:27:50
13 the previous deposition, so I guess I would just 08:27:57
14 defer to whatever -- whatever I said. 08:27:59

15 I remember saying that I was focused on 08:28:01
16 the state operating budget that was being put in 08:28:03
17 place for the State of Ohio for two years. That 08:28:05
18 had to be put in place and signed by the Governor 08:28:08
19 by June 30th. And so everything leading up to 08:28:11
20 June 30th -- and obviously we didn't have census 08:28:14
21 data then like we were supposed to -- was focused 08:28:17
22 on budget stuff. 08:28:21

23 So whatever timeline that I answered your 08:28:22
24 questions in the previous deposition is what I 08:28:24
25 would defer to. 08:28:26

1 Q Got it. Got it. So I just want to 08:28:27
2 confirm this, though, from the time of the census 08:28:32
3 data release -- which I can represent to you was 08:28:35
4 in August -- up to mid-October, there was no work 08:28:37
5 being done on the congressional maps by you; is 08:28:42
6 that correct? 08:28:46

7 A Yeah, you're asking me to define what 08:28:46
8 the -- what "work" means. I mean, did the thought 08:28:51
9 cross my mind of that's next? I'm sure. But the 08:28:57
10 work, as I would define it, started in 08:28:59
11 mid-October. 08:29:03

12 Q Sure. And I can -- I can break that down 08:29:04
13 a little bit. 08:29:08

14 So before mid-October, had you consulted 08:29:09
15 any data that you planned to use for congressional 08:29:16
16 redistricting? 08:29:22

17 A I don't recall doing that. I remember 08:29:23
18 mid-October being the time when it kind of turned 08:29:26
19 my attention to that. Depositions were done, 08:29:28
20 affidavits were filed, all of the documentation 08:29:31
21 that needed to be provided to the Secretary of 08:29:34
22 State on the legislative process was done, and we 08:29:36
23 could turn our attention to the next -- the next 08:29:39
24 task. 08:29:42

25 Q All right. Did you create any sort of 08:29:42

1	digital files related to congressional	08:29:47
2	redistricting prior to mid-October?	08:29:51
3	A None that I recall. None that I recall	08:29:57
4	sitting here today.	08:29:59
5	Q Did you have any conversations related to	08:30:05
6	congressional redistricting -- actually -- strike	08:30:08
7	that.	08:30:08
8	Did you have any conversations related to	08:30:17
9	your creation of a congressional redistricting map	08:30:18
10	for this cycle prior to mid-October?	08:30:21
11	A Can you say that question again, please?	08:30:24
12	Q Sure thing.	08:30:30
13	So did you have any conversations related	08:30:31
14	to your creation of a congressional redistricting	08:30:38
15	map for this cycle prior to mid-October?	08:30:42
16	A Yeah, any conversations -- I mean, I'm	08:30:45
17	sure there were conversations about timelines and	08:30:49
18	when we would, you know, focus on that and when	08:30:52
19	the legislative stuff would be done.	08:30:54
20	As far as related to -- you're asking the	08:30:58
21	creation of it? None that I recall sitting here	08:31:02
22	today. None that -- none that I can remember.	08:31:05
23	Q Right. So just to -- just so we're clear.	08:31:07
24	So you didn't have any conversations that you can	08:31:12
25	recall related to the creation of any	08:31:14

1 congressional maps prior to mid-October, correct?

08:31:20

2 A Again, help me understand what "related to
3 the creation of" -- I mean, there were
4 conversations. I remember people would ask, well,
5 when is congressional? And I'd say, we're still
6 working on legislative, we're still doing this,
7 this, this, and this.

08:31:23

08:31:25

08:31:28

08:31:31

08:31:33

08:31:37

8 But if that's responsive to your question,
9 then I guess that's the answer. But if you're
10 asking another kind of conversation, help me
11 understand what that is so I can --

08:31:38

08:31:40

08:31:42

08:31:44

12 Q Right. I guess -- we can talk about this
13 a little bit differently.

08:31:46

08:31:48

14 Was the first conversation you had about
15 you having an assignment to create congressional
16 maps the conversation you had with Senate
17 President Huffman in mid-October?

08:31:50

08:31:55

08:32:00

08:32:04

18 A Well, I guess I would say when we started
19 the legislative process, I understood that I would
20 also be working on the congressional process. So
21 that obviously would have happened before October.

08:32:06

08:32:11

08:32:16

08:32:18

22 But once the legislative stuff was done,
23 mid-October is when I really -- that's when I
24 started working, if you -- however you define that
25 term -- on the next task, the congressional

08:32:20

08:32:23

08:32:25

08:32:29

1 districts.

08:32:34

2 Q Got it. Okay. So when you started your
3 work, was it your goal to have a draft
4 congressional map finished at a certain point in
5 time?

08:32:34

08:32:37

08:32:41

08:32:44

6 A I don't know if I ever was working, in my
7 mind, under that specific of a timeline; I was
8 just starting to work. And very soon thereafter,
9 Senator Huffman, President Huffman, said work with
10 Senator McColley on his bill that became the
11 introduced version of Senate Bill 258.

08:32:50

08:32:53

08:32:55

08:33:00

08:33:03

08:33:06

12 That happened soon thereafter, somewhere
13 near the last week of October. And then that
14 became -- that became the focus.

08:33:09

08:33:12

08:33:13

15 Q Right. But had you set -- strike that.

08:33:15

16 Had you set a deadline for finishing a
17 draft of a congressional map?

08:33:22

08:33:25

18 A In my mind, I was just starting the
19 process. I didn't think about deadlines and
20 timelines. That is something that the president
21 of the Senate -- specifically for me as a State of
22 Ohio Senate employee, I would look to him for
23 direction from. I --

08:33:29

08:33:34

08:33:37

08:33:38

08:33:43

08:33:45

24 Q Okay.

08:33:47

25 A -- wasn't trying to think or set my own

08:33:48

1 timelines for this process.

08:33:50

2 Q Okay. And we can certainly talk about
3 that later. But just starting at the, sort of,
4 basics of this process.

08:33:51

08:33:54

08:33:57

5 To your knowledge, was there anyone
6 working for the Senate majority also working on
7 drawing a congressional map?

08:33:59

08:34:00

08:34:03

8 A Senator McColley.

08:34:07

9 Q Right. And anyone else besides that?

08:34:11

10 A Anyone -- can you say that again? Anyone
11 else working as a staffer or did you say anyone?

08:34:12

08:34:19

12 Q So -- sorry. I should rephrase.

08:34:22

13 Was there anyone --

08:34:24

14 A Thank you for repeating the questions for
15 me. I appreciate it.

08:34:25

08:34:26

16 Q Oh, no. Totally fine. Happy to.

08:34:27

17 So was there anyone besides Senator
18 McColley who worked for the Senate majority who
19 was working on a congressional map?

08:34:29

08:34:34

08:34:36

20 A Well, I think I previously mentioned
21 President Huffman.

08:34:38

08:34:41

22 Q Okay.

08:34:44

23 A Those are the mains ones. I mean, I --
24 I'm not -- I'm sure other people -- eventually the
25 bill was a legislatively enacted bill. So there

08:34:49

08:34:51

08:34:55

1 were committee hearings. There were Joint 08:34:58

2 Committee hearings. There were testimony. So I'm 08:35:00

3 sure there were a number of other staff that 08:35:02

4 helped in that traditional process. 08:35:05

5 If you want me to itemize those, I can 08:35:07

6 certainly try to. 08:35:10

7 Q Sure thing. Yeah, let's probably back up 08:35:11

8 a little bit. I think we're coming back to this 08:35:13

9 issue of the meaning of "work," right? 08:35:16

10 So I think -- specifically the work of 08:35:19

11 using a computer program to draw district lines, 08:35:22

12 was there anyone else working for the Senate 08:35:28

13 majority who was doing that besides you? 08:35:33

14 A I'm -- I believe I was the only one that 08:35:35

15 had Maptitude, which was the software program we 08:35:41

16 previously discussed that was used. 08:35:47

17 So I'm unaware of anybody else that had 08:35:48

18 that, but it doesn't mean that somebody didn't. 08:35:51

19 Q Sure. And so just -- and so just to 08:35:55

20 confirm, Senator McColley, did he work in 08:35:58

21 Maptitude? 08:36:05

22 A I can't speak to what he did all the time, 08:36:06

23 but when I was working with him, no. 08:36:12

24 Q Okay. All right. And now let's sort of 08:36:16

25 expand the group of people that we are talking 08:36:21

1 about here.

08:36:24

2 Were there any other legislative staffers
3 for the Ohio General Assembly working on drawing a
4 map -- actually, strike that.

08:36:28

08:36:30

08:36:33

5 Did you collaborate with any other
6 legislative staffers in drawing a congressional
7 map for this cycle?

08:36:37

08:36:39

08:36:42

8 A And I just want to make sure I understand.
9 You said legislative staff, or are you still
10 asking me about the Senate as previously?

08:36:44

08:36:47

08:36:50

11 Q Legislative staff for the General
12 Assembly.

08:36:53

08:36:57

13 A Well, obviously I mentioned to you that I
14 report to the Chief of Staff of the Ohio Senate,
15 so obviously our Chief of Staff is a legislative
16 staff person. I obviously consulted my in-house
17 legal counsel whenever I thought appropriate,
18 legislative staff person.

08:36:57

08:37:00

08:37:02

08:37:06

08:37:12

08:37:17

19 And then in the House, you know, Blake
20 Springhetti was working in a similar fashion on
21 his own with the Speaker. So, I mean, obviously
22 he is legislative staff but now on the House side.

08:37:17

08:37:22

08:37:25

08:37:28

23 Q Right. And what is Mr. --
24 Mr. Springhetti's title?

08:37:32

08:37:39

25 A I -- I mean, I refer to him as the budget

08:37:41

1 director, but I do not know if that is his
2 official title in the House of Representatives.

3 Q Okay. And he is -- and your understanding
4 is he is budget director for the House majority;
5 is that right?

6 A Yes, he has the same position as I do for
7 the House majority.

8 Q Right. Yeah. Okay. And did you
9 collaborate with anybody else aside from that?

10 A You're still talking about legislative
11 staff?

12 Q Yeah, legislative staffers. Sorry about
13 that.

14 A Yeah, again, collaboratives -- you know,
15 the Senate worked -- we worked on -- I worked with
16 Senator McColley.

17 Q Right.

18 A Blake worked on his side, and we were not
19 collaborating and we were not working together on
20 that.

21 So those are the ones that come to mind
22 right now --

23 Q Okay.

24 A -- I'm sure the House Chief of Staff, I --
25 was involved in the process as well.

1	Q Yeah. While you were drawing	08:38:46
2	congressional maps -- strike that.	08:38:51
3	Did you ever communicate with John Morgan	08:38:57
4	about the subject of drawing congressional maps in	08:39:00
5	Ohio for this cycle?	08:39:03
6	MR. McGUIRE: Objection. We're going to	08:39:05
7	invoke the legislative privilege. We believe	08:39:07
8	those -- any communications by Mr. DiRossi as a	08:39:10
9	member of the Senate, President's staff are an	08:39:13
10	integral part of the deliberative and	08:39:17
11	communicative process work of the General	08:39:19
12	Assembly.	08:39:22
13	Don't answer that question.	08:39:22
14	BY MR. KLEIN:	08:39:24
15	Q Okay. And the same question but for Clark	08:39:26
16	Benson?	08:39:29
17	MR. McGUIRE: The same objection. We	08:39:30
18	object and invoke the legislative privilege.	08:39:32
19	Don't answer that question.	08:39:35
20	BY MR. KLEIN:	08:39:51
21	Q Okay. So let's talk about your	08:39:51
22	collaboration with the Chief of Staff. Did you	08:39:52
23	have any discussions with the Senate Chief of	08:39:55
24	Staff about the drawing of congressional maps?	08:39:59
25	A Yeah, I mentioned our Chief of Staff's	08:40:06

1 name because I did talk to -- talk to John, but it 08:40:09
2 was never about the construction of districts or 08:40:11
3 it was never about the shape -- the shape or the 08:40:15
4 approach that I was taking. 08:40:17

5 MR. McGUIRE: Well, don't -- again, I'm 08:40:19
6 going to instruct my witness not to get into the 08:40:21
7 substance of any communications he had with 08:40:23
8 General Assembly members or other staff members 08:40:26
9 representing General Assembly members, as they are 08:40:29
10 legislatively privileged as an integral part of 08:40:33
11 the deliberative and communicative process and the 08:40:36
12 work of the General Assembly. 08:40:39

13 BY MR. KLEIN: 08:40:56

14 Q Okay. So let's -- let's at least -- 08:40:58
15 rather than the substance of those conversations, 08:41:00
16 let's -- maybe we'll talk about when those 08:41:03
17 conversations took place. 08:41:05

18 Do you remember when you had conversations 08:41:06
19 related to congressional redistricting with the 08:41:08
20 Chief of Staff of the Senate? 08:41:13

21 A I cannot recall a specific date of any 08:41:22
22 specific conversation, no, but -- no. 08:41:25

23 Q So let's talk about your work with 08:41:34
24 Mr. Springhetti. 08:41:41

25 So you said you worked together a bit. 08:41:42

1	Did you collaborate on the drawing of maps?	08:41:50
2	A I -- I will speak for me, and Blake can	08:41:52
3	speak for himself. When I was instructed as a	08:41:58
4	staff person to work with my senator, Senator	08:42:01
5	McColley, I worked with Senator McColley and	08:42:04
6	President Huffman and not with the House.	08:42:06
7	Q Okay. And so was there any instance where	08:42:08
8	you and Blake Springhetti drew a map together?	08:42:14
9	A No.	08:42:23
10	Q Okay. So what was -- back up.	08:42:24
11	So I think you mentioned you did discuss	08:42:52
12	congressional redistricting with Mr. Springhetti;	08:43:00
13	is that right?	08:43:05
14	A I did have conversations with him, yes --	08:43:05
15	Q Okay.	08:43:07
16	A -- mostly about the logistics of	08:43:07
17	processing a bill through the General Assembly.	08:43:09
18	Q Okay. So do you remember the -- following	08:43:11
19	when you started work on the congressional maps in	08:43:15
20	mid-October, do you remember the first	08:43:17
21	conversation you had with Mr. Springhetti on the	08:43:18
22	subject of congressional maps?	08:43:21
23	A I don't remember a conversation that I	08:43:27
24	would say was the first -- the first conversation.	08:43:29
25	And I don't remember a specific date of a	08:43:33

1 conversation I had.

08:43:35

2 Q Okay. Well, let's just --

08:43:39

3 A Like I said before -- and -- sorry. I was
4 working with Senator McColley, and he was working
5 with whoever the sponsor of the bill in the House
6 was. And those were the silos we were working in,
7 and we were both, I assume, focused on the --
8 that, not working together.

08:43:41

08:43:44

08:43:48

08:43:50

08:43:54

08:43:56

9 Q Okay. So what conversations do you recall
10 with Mr. Springhetti? And we can go through them
11 one by one. So --

08:43:58

08:44:02

08:44:06

12 MR. MCGUIRE: Objection. Those -- we're
13 going to object on the basis of legislative
14 privilege. Discussions between Mr. DiRossi and
15 Mr. Springhetti as another member of the staff of
16 General Assembly are integral and part of the
17 deliberative and communicative process and the
18 work of the General Assembly.

08:44:08

08:44:12

08:44:14

08:44:17

08:44:19

08:44:22

08:44:25

19 Don't answer that.

08:44:27

20 BY MR. KLEIN:

08:44:36

21 Q Let's change gears a little bit there.

08:44:36

22 Where did you draw congressional maps this
23 cycle?

08:44:48

08:44:55

24 A Well, the -- I mean, help me -- with
25 drawing, I mean, there's thought processes and

08:44:56

08:44:59

1	conversations that go into that that happened in	08:45:03
2	the State House, in my Senate office. But I also	08:45:04
3	had, you know, an office where I had the software.	08:45:11
4	To which or all are you referring?	08:45:17
5	Q So I guess where was the office where you	08:45:25
6	had the software? We'll start there.	08:45:26
7	A The office where I had the software was in	08:45:29
8	the William Green Building.	08:45:35
9	Q Okay. And by -- just to confirm, by the	08:45:37
10	"software," what are you referring to there?	08:45:41
11	A It's Maptitude. It's a Caliper	08:45:44
12	Corporation, Maptitude.	08:45:50
13	Q Okay. And we can get into those specifics	08:45:50
14	in a little bit, but --	08:45:52
15	A Sure.	08:45:53
16	Q So you did not have Maptitude on any other	08:45:54
17	devices aside from the computer in your office?	08:45:57
18	A Correct.	08:46:00
19	Q Okay.	08:46:00
20	A Well, when you say "office," you're	08:46:05
21	referring to the office in the William Green	08:46:07
22	Building. I obviously had an office in the	08:46:09
23	Senate.	08:46:13
24	Q Hm-hm.	08:46:13
25	A So just to keep the terms "offices"	08:46:14

1	separate.	08:46:16
2	Q Right. Of course. So you did not have	08:46:16
3	Maptitude in the computer or any device in your	08:46:20
4	Senate office --	08:46:22
5	A Correct.	08:46:22
6	Q -- correct?	08:46:23
7	And so is it fair to say that your work	08:46:24
8	of -- actually draw -- actually, strike that.	08:46:29
9	Sorry.	08:46:32
10	Your work in Maptitude, it only took place	08:46:33
11	at the William Green Building; is that right?	08:46:38
12	A Well, the use of the software took place	08:46:41
13	in the William Green Building because that's where	08:46:43
14	it was, but I met with Senator McColley in his	08:46:46
15	State House office numerous times to get his	08:46:49
16	thoughts.	08:46:52
17	And so, as I said, that was more important	08:46:52
18	than just using the software. That was his	08:46:55
19	thoughts and direction. And that was in the State	08:47:00
20	House.	08:47:07
21	Q Okay. And aside from those two locations,	08:47:07
22	were there any other places where you did work	08:47:09
23	related to congressional redistricting?	08:47:12
24	A Well, certainly phone calls. So I don't	08:47:17
25	know how you situs that, but Senator McColley and	08:47:19

1	I spoke by phone a number of times.	08:47:24
2	Q Okay. And this -- and so this office at	08:47:27
3	the William Green Building, is that the same place	08:47:30
4	where you drew state legislative maps?	08:47:32
5	A Well, as we said in the previous	08:47:35
6	deposition, the work -- using your term --	08:47:40
7	happened in a lot of places, but the William Green	08:47:43
8	Building was the location where my computer that	08:47:47
9	had the software on it was.	08:47:48
10	Q Okay. And so sitting here -- you can	08:47:50
11	strike that.	08:48:01
12	When you're at the computer where you're	08:48:01
13	working in Maptitude, did you have one monitor or	08:48:06
14	more than one monitor for that computer?	08:48:12
15	A Yes -- well, I guess you asked two	08:48:15
16	different questions there. I had two, so I had	08:48:21
17	more than one.	08:48:24
18	Q Okay. So you had two monitors set up.	08:48:25
19	And these are both monitors at your desk, right?	08:48:27
20	A They are on a -- well, "desk" might be a	08:48:32
21	very favorable term for a six-foot folding table.	08:48:35
22	Q A six-foot -- okay. Fair.	08:48:39
23	And so -- and are these monitors set up	08:48:41
24	horizontally?	08:48:45
25	A Yes.	08:48:49

1	Q Okay. And they were side by side; is that	08:48:49
2	correct?	08:48:53
3	A Yes.	08:48:53
4	Q And when you were at the William Green	08:48:55
5	office that we just spoke about, did anyone else	08:49:02
6	work in there day to day?	08:49:04
7	A Well, as I alluded to and maybe said	08:49:06
8	before, the legislative process -- and I was going	08:49:16
9	back in and doing a lot of finance work post	08:49:18
10	legislative, so my time was split a lot more	08:49:21
11	evenly between the State House and the William	08:49:27
12	Green Building. So I'm not even sure I would say	08:49:30
13	that I was there day to day.	08:49:33
14	Q Okay. That's fair. I guess let's say,	08:49:34
15	instead of day to day, was there anyone else who	08:49:36
16	worked in that office on at least a weekly basis?	08:49:43
17	A Well, Blake obviously was there when he	08:49:46
18	needed to be there and at the Riffe Center when he	08:49:54
19	had other duties.	08:49:58
20	Q Okay. So Blake also had a desk in that	08:49:59
21	office?	08:50:02
22	A Again, you're being very favorable with	08:50:02
23	the term "desk," but I'll say yes.	08:50:08
24	Q Right. So I guess Blake also had a	08:50:11
25	six-foot folding table?	08:50:14

1	A Yes.	08:50:15
2	Q And were these two separate six-foot	08:50:15
3	folding tables?	08:50:18
4	A Yes.	08:50:19
5	Q Okay. So at least you had that.	08:50:19
6	And so were you and Blake ever in that	08:50:21
7	office at the same time?	08:50:30
8	A Ever?	08:50:34
9	Q Mm-hm.	08:50:34
10	A Yes.	08:50:35
11	Q Okay. All right.	08:50:35
12	A Much more so in the legislative process,	08:50:39
13	like -- like we discussed. Not so much in the	08:50:41
14	congressional process.	08:50:45
15	Q Okay. Not so much in the congressional	08:50:45
16	process. But it did happen from time to time	08:50:48
17	during the congressional process?	08:50:50
18	A Yes.	08:50:57
19	Q Okay. All right. And while you were in	08:50:57
20	the office together, did you ever talk to one	08:51:00
21	another.	08:51:05
22	A Yes.	08:51:05
23	Q Okay. Do you remember any specific dates	08:51:05
24	of conversations?	08:51:12
25	A I don't remember specific dates of	08:51:18

1 conversations.

08:51:19

2 Q Okay. Do you remember any conversations
3 in that office that took place between you and
4 Mr. Springhetti and someone else?

08:51:24

08:51:26

08:51:31

5 A I'm trying to pay attention to your -- can
6 you ask that again, please.

08:51:39

08:51:41

7 Q Sure.

08:51:42

8 Do you recall conversations at that office
9 that took place between you, Mr. Springhetti, and
10 anyone else?

08:51:42

08:51:43

08:51:45

11 A Yes.

08:51:45

12 Q Okay. And who else did you have
13 conversations with in that vain?

08:51:50

08:51:52

14 A I can recall a meeting that took place in
15 November --

08:51:53

08:52:01

16 Q Okay.

08:52:03

17 A -- that Blake and I were in attendance at
18 the William Green Building with the President and
19 the Speaker and the two Chiefs of Staff.

08:52:04

08:52:07

08:52:10

20 Q And when you say the two Chiefs of Staff,
21 who are you referring to there?

08:52:14

08:52:17

22 A The ones I referred to previously: the
23 Senate Chief of Staff, John Barron, and the House
24 Chief of Staff, Christine Morrison.

08:52:18

08:52:21

08:52:24

25 Q So this was a -- just to confirm, this was

08:52:27

1	a conversation concerning congressional	08:52:36
2	redistricting, correct?	08:52:40
3	A It was.	08:52:40
4	Q Okay. And do you recall any other	08:52:41
5	conversations at the William Green Building with	08:52:45
6	you, Mr. Springhetti, and anybody else?	08:52:50
7	A I mean, there were -- there were some	08:52:51
8	conversations with counsel at the William Green	08:52:58
9	Building.	08:53:17
10	We used -- in-house counsel helped us on	08:53:17
11	the legislative stuff in October putting together	08:53:20
12	the legal descriptions for the legislative stuff.	08:53:22
13	So I recall that. That was a multi-week, very	08:53:26
14	intricate process with a lot of meetings and a lot	08:53:30
15	of conversations.	08:53:33
16	Q Okay.	08:53:34
17	A I would like to forget that, but I do	08:53:34
18	still remember it.	08:53:37
19	Q Okay.	08:53:41
20	A Not a fun process.	08:53:41
21	Q Yeah. So aside from those conversations	08:53:43
22	with counsel and the one that we've just	08:53:46
23	discussed, do you recall any other conversations	08:53:48
24	between you, Mr. Springhetti, and anybody else?	08:53:49
25	A I mean, obviously in the legislative	08:53:51

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1	process in that -- the William Green Building, we	08:53:57
2	talked about that in a previous deposition.	08:54:00
3	MR. McGUIRE: If I can interject to try to	08:54:02
4	help this along a little bit. Mr. DiRossi, I	08:54:04
5	believe that Mr. Klein is focused on conversations	08:54:08
6	that would have been during the congressional	08:54:09
7	redistricting process. So I don't think you need	08:54:11
8	to revisit the stuff for the State legislative.	08:54:13
9	MR. KLEIN: Took the words right out of my	08:54:17
10	mouth, Mr. McGuire.	08:54:19
11	MR. McGUIRE: Thank you.	08:54:24
12	BY MR. KLEIN:	08:54:24
13	Q Okay. So -- and when you were working in	08:54:24
14	the William Green Building, do you recall what	08:54:32
15	sort of computer you had?	08:54:34
16	A I -- generally, it's a PC.	08:54:35
17	Q Okay. And do you know the brand?	08:54:42
18	A I don't know the brand.	08:54:50
19	Q That's all right.	08:54:51
20	And did you attend any regular -- sorry.	08:54:56
21	Strike that.	08:54:56
22	Did you attend any regularly scheduled	08:55:02
23	meetings concerning congressional maps?	08:55:05
24	A Regularly scheduled meetings? Not that I	08:55:08
25	recall, no.	08:55:14

1	Q Okay. Were there any regularly scheduled	08:55:14
2	phone calls?	08:55:16
3	A (Inaudible.)	08:55:17
4	Q Okay. And while you were working --	08:55:22
5	A No. Sorry. I was shaking my head. I	08:55:23
6	meant to say no.	08:55:27
7	Q Oh, right. Sorry. Yeah, just for the	08:55:28
8	record --	08:55:29
9	A I remembered my previous instructions.	08:55:29
10	Sorry about that.	08:55:31
11	Q Yeah, I also missed it as well, so that's	08:55:32
12	on me, too.	08:55:34
13	MR. KLEIN: So we'll just note for the	08:55:35
14	record that he shook his head to indicate "no."	08:55:36
15	BY MR. KLEIN:	08:55:41
16	Q And so while you were working on the	08:55:41
17	congressional maps, did you communicate with	08:55:44
18	anyone via text message about congressional	08:55:47
19	redistricting?	08:55:51
20	A Well, again, about congressional	08:55:53
21	redistricting, I guess that broad of a question,	08:55:58
22	I'd say yes.	08:56:00
23	Q Okay. Do you recall what text messages?	08:56:01
24	A It was almost exclusively about the	08:56:10
25	logistics, time -- time -- you know, what I was	08:56:13

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1 working on, how I was proceeding, timelines, and
2 then asking if people would be available for
3 in-person meetings.

4 Q And do you recall who those text messages
5 were with?

6 A It would have been President Huffman
7 and/or Pres- -- President McColley -- Senator
8 McColley.

9 Q Okay.

10 A But, again, those were text messages of --
11 along the lines of "Hey, are you free later for a
12 meeting or a phone call or something?"

13 Q Yeah.

14 A Nothing substantive.

15 MR. KLEIN: So speaking for a moment to
16 Mr. McGuire. We'd like to have those -- we would
17 like to have those produced if you can. I don't
18 believe we've had that yet. But speaking to those
19 text messages that Mr. DiRossi just referred to.

20 MR. MCGUIRE: I mean, I'm -- just for the
21 record, I have not been involved. We've got a lot
22 of folks, as you might imagine, under this drill
23 we're all in working on various pieces of this
24 thing.

25 I have not been involved at all in the

1 document production, and I can't speak to 08:57:23
2 whether -- potentially we have produced those. I 08:57:25
3 just don't know. I mean, I'm -- I'm not the 08:57:30
4 person to speak to what is or isn't encompassed 08:57:32
5 within agreements about what would be produced, 08:57:36
6 but I hear what you're requesting the record. 08:57:39

7 MR. KLEIN: All right. I think we have 08:57:42
8 folks from Nelson on as well, I believe. 08:57:43

9 MR. MCGUIRE: Yes, but they're not -- they 08:57:47
10 don't have speaking parts today. 08:57:49

11 MR. KLEIN: Oh, right. That's true. 08:57:50
12 Fair. Well, we'll then connect off line. 08:57:52

13 BY MR. KLEIN: 08:57:54

14 Q All right. So did you communicate with 08:57:55
15 anyone -- strike that. 08:58:02

16 While you were working on congressional 08:58:03
17 redistricting, did you commute with -- did you 08:58:05
18 communicate with anyone via instant message about 08:58:09
19 congressional redistricting? 08:58:13

20 A I'd like to think that I'm up to speed on 08:58:16
21 technology, but help me understand what instant 08:58:21
22 messaging is that isn't text messaging. 08:58:25

23 Q Right. So this would usually be a 08:58:28
24 mess- -- so this would be a message service that 08:58:30
25 goes to your computer or your laptop, such as 08:58:33

1	Skype for Business or Lync or something of that	08:58:37
2	variety. I don't know if some sort of system like	08:58:41
3	that exists on your end.	08:58:47
4	A I -- yeah, I'm not sure I know what that	08:58:49
5	means. I mean, the only time I use like a Zoom	08:58:52
6	would have been with counsel.	08:58:55
7	Q Okay. Yeah, I'm not really talking about	08:58:56
8	Zoom so much as it's a service that allows	08:58:59
9	messages to be sent directly to your computer. It	08:59:03
10	will pop up in a little box on your computer.	08:59:07
11	Does that ring any bells?	08:59:10
12	A No.	08:59:12
13	Q I'll move along.	08:59:12
14	A I'll ask my teenagers.	08:59:15
15	Q Right. Fair.	08:59:16
16	And did you communicate about	08:59:19
17	congressional redistricting through any form of	08:59:23
18	written communication other than email?	08:59:26
19	A I don't recall -- I don't recall doing	08:59:36
20	that, no.	08:59:39
21	Q Okay. So when you were working on	08:59:40
22	congressional maps, did you consult any population	08:59:50
23	data?	08:59:53
24	A Yes.	08:59:59
25	Q Okay. And was -- what was the source for	09:00:00

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1	that data or what were the sources for that data?	09:00:05
2	A The U.S. Census Bureau.	09:00:07
3	Q Okay. Were there any other sources for	09:00:12
4	population data that you consulted other than the	09:00:17
5	data from the U.S. Census Bureau?	09:00:19
6	A No.	09:00:21
7	Q Okay. And --	09:00:21
8	A None that I can recall, no.	09:00:23
9	Q Right. And just to confirm, specifically	09:00:26
10	which tranches of data -- actually -- strike that.	09:00:31
11	When we're talking about data from the	09:00:38
12	U.S. Census Bureau, are we talking about the	09:00:40
13	release from the 2020 results only?	09:00:42
14	A I'm not sure I understand the question.	09:00:45
15	Sorry --	09:00:52
16	Q Sure. I can definitely rephrase.	09:00:53
17	So when you were consulting census data,	09:00:54
18	were you only considering the data that was	09:01:02
19	released in the last year?	09:01:04
20	A I -- what I -- yeah, I -- what I am	09:01:06
21	referring to is, I believe the -- well, the	09:01:13
22	census -- the 2020 census data was released, given	09:01:16
23	to the Ohio University, the joint contractor for	09:01:20
24	the State of Ohio, to put census data and	09:01:25
25	geography together in our bipartisan legislative	09:01:30

1 task force and provide that information to all
2 Ohioans to use.

3 That's -- that's what I'm referring to.

4 Q Okay. And so in terms of population data,
5 the stuff that came from the census, was there any
6 difference between the data you consulted for the
7 congressional process and the data you consulted
8 for the State legislative process?

9 A You're referring to -- are you referring
10 specifically to population data still?

11 Q Right. Only population data.

12 A To my -- my understanding where we start
13 to get into a little technical area, it was the
14 same -- the same population data was used for
15 that.

16 Q And when you were drawing congressional
17 maps, did you use any data reflecting the results
18 of any elections in drawing maps?

19 A Yes.

20 Q Okay. And do you recall what those
21 elections were?

22 A We had access, as we did during the
23 legislative process, to federal election results
24 over the preceding decade and other election
25 results for statewide elections.

1	Q Okay. And what other election results did	09:03:02
2	you have access to?	09:03:09
3	A The ones that we talked about during the	09:03:13
4	legislative process. I guess those are statewide	09:03:15
5	partisan election results from the preceding	09:03:18
6	decade.	09:03:21
7	Q Okay. And were these only partisan	09:03:22
8	elections -- sorry. Strike that.	09:03:34
9	Were this -- was this only partisan	09:03:36
10	election results that you had access to?	09:03:38
11	A I believe that's the case, yes.	09:03:40
12	Q Okay. And what was the source or sources	09:03:47
13	for this data?	09:03:51
14	A I think all of those came from the	09:03:52
15	Secretary of State's election results.	09:03:58
16	Q Okay.	09:04:01
17	A And some of them might have come through	09:04:03
18	Ohio University through the common unified	09:04:06
19	redistricting data process.	09:04:09
20	Q Okay. And did you use -- or strike that.	09:04:10
21	While you were drawing congressional maps,	09:04:17
22	did you consult partisan indices?	09:04:19
23	A Yeah, in -- when we were creating the -- a	09:04:22
24	large number of competitive districts, that	09:04:27
25	information was helpful to guide us.	09:04:30

1	Q Okay. And do you recall what partisan	09:04:32
2	indices you had access to?	09:04:38
3	A Help me understand that question a little	09:04:47
4	more.	09:04:49
5	Q Sure. So I'm specifically asking about	09:04:49
6	which partisan indices you received the data for.	09:04:56
7	A Okay. If I -- I think I understand. The	09:05:00
8	federal election results for President of the	09:05:03
9	United States and the United States Senate were	09:05:06
10	the ones that we primarily used.	09:05:10
11	Q Right. But did you have access to --	09:05:13
12	well, let's actually back up a little bit.	09:05:18
13	So you said you used these indices. Do	09:05:21
14	you know what the source for these indices were?	09:05:24
15	A I believe the Secretary of State produces	09:05:26
16	election results for all elections -- well, maybe	09:05:33
17	not all elections, but statewide elections and	09:05:36
18	legislative and other races. And I think that's	09:05:39
19	the source of the results.	09:05:42
20	Q Okay. But then when you just have the raw	09:05:44
21	results, you don't have the actual indices,	09:05:47
22	correct?	09:05:50
23	A Well, help me understand that also. I'm	09:05:50
24	sorry.	09:05:59
25	Q No. No. For sure. Right.	09:06:00

1	So my understanding is that indices --	09:06:03
2	right? -- they consist of more than one election	09:06:08
3	typically, correct -- or they exist of the results	09:06:10
4	for more than one election, correct?	09:06:14
5	A Yeah. Sure. Sure. Yeah, if you want to	09:06:16
6	look at multiple elections -- I mean multiple U.S.	09:06:19
7	Senate races or multiple presidential election	09:06:22
8	results, yes, you would have a collection of	09:06:25
9	multiple results to --	09:06:29
10	Q Okay.	09:06:31
11	A -- produce an index.	09:06:32
12	Q Right. And so how -- how were those	09:06:33
13	indexes that you consulted produced?	09:06:39
14	A Maptitude -- just like in our legislative	09:06:41
15	process, Maptitude was able to produce an index	09:06:47
16	based on those results.	09:06:54
17	Q Yeah. So then -- I guess this makes it a	09:06:55
18	little easier, right?	09:06:58
19	The -- your process for obtaining the data	09:07:00
20	and generating partisan indices was the same as	09:07:03
21	between congressional and state legislative	09:07:07
22	redistricting; is that right?	09:07:11
23	A I want to make sure I understand that.	09:07:12
24	Can you say that again --	09:07:13
25	Q Sure.	09:07:14

1	A -- so I can...	09:07:15
2	Q Of course. And maybe I can even say it	09:07:16
3	better this time.	09:07:20
4	So your process for generating partisan	09:07:20
5	indices was the same in the congressional process	09:07:28
6	as it was in the state legislative process; is	09:07:31
7	that right?	09:07:34
8	A Yeah, I -- I'm not sure I understand the	09:07:34
9	process of generating. I mean, in the legislative	09:07:37
10	process, as you're, I'm sure, familiar within the	09:07:40
11	previous constitutional section, it directs you to	09:07:46
12	use these. So we had them.	09:07:50
13	So I didn't -- I didn't do anything	09:07:52
14	different or new; I just had them.	09:07:54
15	Q Okay. You just -- yeah. You just had	09:07:56
16	them. All right.	09:07:59
17	Okay. So -- and so you had said that you	09:07:59
18	at least had access to a few indices, correct?	09:08:20
19	Mr. DiRossi?	09:08:25
20	A Well, I had access to election results.	09:08:25
21	Q Right. Right. But that --	09:08:29
22	A The -- I'm sorry.	09:08:32
23	Q No, no, no. Go ahead.	09:08:34
24	A The index that was used was based on the	09:08:37
25	federal election results that I referenced before,	09:08:40

1 since we were now dealing with federal districts.

09:08:43

2 Q Maybe we'll talk a little bit more about
3 what you used in a little bit, but I think what
4 I'm asking now is just what you were at least able
5 to see.

09:08:45

09:08:54

09:08:56

09:08:59

6 In terms of that, what indexes did you
7 have?

09:09:02

09:09:07

8 A Well, I -- as I said, I had access to all
9 of the election results from the legislative
10 process.

09:09:07

09:09:18

09:09:21

11 Q Right. And, to your knowledge, were those
12 results -- strike that. We can actually come back
13 to this in a little bit.

09:09:26

09:09:31

09:09:38

14 The election data you used -- strike that,
15 actually.

09:09:45

09:09:48

16 The election data that you had, was any of
17 it available at a precinct level?

09:09:49

09:09:56

18 A I believe so, yes.

09:10:03

19 Q Right. Were any of the election results
20 you had not available at the precinct level?

09:10:04

09:10:07

21 A That is a technical question that is
22 probably beyond me. I wouldn't hazard a guess.

09:10:09

09:10:14

23 Q Okay. Was there any partisan election
24 data that you were able to obtain that you chose
25 not to consider in drawing congressional maps?

09:10:17

09:10:37

09:10:39

1	A Okay. I want to make sure I understand.	09:10:43
2	Can you say that again?	09:10:47
3	Q Sure.	09:10:48
4	Was there any partisan --	09:10:49
5	A Partisan election data?	09:10:50
6	Q Yeah, right. So this data that we were	09:10:53
7	just talking about, this election -- these	09:10:55
8	election results or the indexes created from them,	09:10:58
9	were there -- was there any data within that	09:11:02
10	category that you chose not to consider in drawing	09:11:04
11	congressional maps?	09:11:10
12	A Well, again, let me -- let me first say	09:11:12
13	that whether I had access to election results for	09:11:13
14	this race or that race was not very consequential	09:11:18
15	in the actual drawing of the districts, but it was	09:11:23
16	something that we used when we were focused on the	09:11:26
17	competitive districts.	09:11:29
18	And, as I said before, unlike during the	09:11:30
19	legislative process where we're dealing with state	09:11:33
20	legislative districts and we were using previous	09:11:36
21	elections for statewide offices, now we're dealing	09:11:38
22	with federal districts. And so we were using the	09:11:41
23	federal election results for those districts --	09:11:45
24	federal election results for federal districts.	09:11:50
25	Q Okay. So by this -- by that answer, do	09:11:53

1 you mean to say that you were not considering
2 state elections in drawing these districts?

3 A Well, like I was referring to before,
4 dealing with congressional districts, you're down
5 to the person and you're not dealing with a
6 5 percent deviation. So population, balancing out
7 the districts, trying to reduce splits to both
8 counties and jurisdictions, trying to make the
9 districts look visually compact, those are the
10 primary objectives.

11 The use of the election results we've been
12 talking about is -- was really used for the
13 competitive districts.

14 Q Okay. Right. But -- so when we're
15 talking about this -- strike that.

16 When you are using the election results,
17 were there any election results that you did not
18 consider?

19 A I thought I answered that. I mean, we
20 used federal election results for federal
21 districts. So that's -- that's what we used.

22 And the other ones we still had, but we
23 were focused on the federal election results.

24 Q So you were not using state election
25 results; is that correct?

1 A Yeah, I'm getting hung up on "using." I
2 mean, it's not like that drove the process.
3 It's -- so, yes, we had them, they were loaded on
4 the computer from the legislative process, but we
5 were focused on the federal election results.

6 Q Right. I guess we'll specify this a
7 little bit. While you were drawing congressional
8 maps, did you give any consideration to state
9 election results at any point?

10 A I mean, any consideration? I can't speak
11 to that. But I'll just reiterate again, we were
12 focused on federal election results for the
13 federal districts and thought that was the most
14 appropriate and reasonable approach to using and
15 promoting competitive districts.

16 Q So it's correct -- just so I'm
17 understanding correctly. So are -- you were
18 saying you are not in a position to testify right
19 now that you gave no consideration to state
20 elections?

21 A Can you say that -- it sounded -- can you
22 say that again? It was a little hard to hear.

23 MR. KLEIN: Sorry. Just one moment.

24 BY MR. KLEIN:

25 Q So just so I'm understanding correctly,

1 are you not in a position to testify today that
2 you gave no consideration to state elections in
3 drawing congressional maps?

4 MR. McGUIRE: I'm going to object to the
5 form.

6 MR. KLEIN: Okay.

7 MR. McGUIRE: But you can answer.

8 BY THE WITNESS:

9 A Yeah, I'm not sure I can answer that. I
10 almost feel like it's a double-negative or
11 something. I'm just trying --

12 BY MR. KLEIN:

13 Q Right. Right.

14 A -- (indiscernible) your answer.

15 Q Right. I guess we'll phrase it like this:
16 Is it your testimony that you gave no
17 consideration to state election results in drawing
18 congressional maps?

19 A Okay. I'm -- we're getting closer. Help
20 me understand "no consideration." I mean, I had
21 access to them. They were preloaded onto the
22 computer from the legislative process. But I
23 chose to -- we chose to focus on the federal
24 election results that I -- you and I have spoken
25 about.

1 Q Right. So I guess it's getting an 09:16:47
2 understanding on what you mean by "focus." 09:16:50

3 A Okay. Fair. 09:16:54

4 Q So when you say you primarily gave focus 09:16:55
5 to federal election results, what do you mean by 09:17:00
6 that? 09:17:02

7 A Well, I think if you -- you know, Senator 09:17:07
8 McColley testified in three different committees 09:17:11
9 on his bill, and I know he made other public 09:17:12
10 commentary. And I know President Huffman made 09:17:16
11 public commentary about the importance of having 09:17:19
12 competitive districts. 09:17:21

13 And when I am -- when I am referring to 09:17:23
14 focusing on the federal election results, I'm 09:17:25
15 talking about using those to score whether or not 09:17:28
16 districts were competitive or not. And 09:17:32
17 ultimately, as you know, we ended up with seven 09:17:34
18 competitive districts using those -- those 09:17:37
19 election results. 09:17:39

20 Q Okay. So did you use -- strike that. 09:17:39

21 Did you ever use statewide election -- 09:17:49
22 or -- sorry -- strike that. 09:17:51

23 Did you ever use state election results to 09:17:53
24 score whether districts were competitive or not? 09:17:55

25 A I think -- yeah, like I said, our focus -- 09:18:04

1 my focus was on the federal election results, but 09:18:06
2 I think I did also look at those because I know 09:18:09
3 that some other people were using those, and 09:18:11
4 obviously everybody used very different things to 09:18:13
5 score districts. 09:18:17

6 But, yes, I think those were also 09:18:19
7 available and used. 09:18:21

8 Q Right. So just to put a finer point on 09:18:23
9 that, when you were scoring whether districts were 09:18:27
10 competitive, you did, at least at some points, 09:18:33
11 look at state elections, correct? 09:18:37

12 A I mean, after the decision was made -- I 09:18:39
13 mean, it was a pretty easy decision to use federal 09:18:43
14 election results for federal districts. It seemed 09:18:47
15 very rational. Those districts, I mean, deal with 09:18:49
16 congressional representatives, they go to 09:18:52
17 Washington, D.C., they're interacting with our 09:18:54
18 U.S. senators, they're interacting with the 09:18:57
19 President of the United States. So that decision 09:18:59
20 seemed very easy to make. 09:19:03

21 And once that was made going forward, as 09:19:04
22 you and I have talked about, I had access to those 09:19:06
23 other things and would look at them for 09:19:10
24 comparison, but it did not impact that decision. 09:19:12

25 Q Okay. So you've mentioned this decision. 09:19:19

1 What is that decision that you're referring to
2 there?

3 A The decision to use federal election
4 results to index, score, or whatever terminology
5 anyone in the world is using at the -- at that
6 moment, on the competitiveness of the districts.

7 Q Okay. Sitting here, do you have any
8 reason to believe that federal election data is a
9 more accurate predictor of federal congressional
10 races than state election data?

11 A If you're asking me, since we're talking,
12 I would say absolutely. I mean, the federal
13 election results, as I just said, these are for
14 congressional representatives to the United States
15 Congress. They interact with the United States
16 senators, they interact with the President of the
17 United States.

18 I don't know what the state -- somebody
19 who votes one way for a state auditor on how
20 they're going to audit a local school district
21 should impact a congressional district out of
22 Washington, D.C., that are -- primarily rise and
23 fall with the winds of the -- of politics in
24 Washington. It just seems very logical to use
25 federal election results.

1	So that's my personal --	09:20:37
2	Q Right. So was there any data you	09:20:42
3	consulted in reaching this conclusion, though?	09:20:44
4	A Well, obviously I -- as we talked about, I	09:20:46
5	had access to all of these data sources from -- or	09:20:54
6	election results, I should say, from the	09:21:00
7	legislative process.	09:21:02
8	Q Right. I'm -- I'm specifically referring	09:21:03
9	to the conclusion that you just stated of federal	09:21:06
10	election results being a better predictor for	09:21:11
11	actual congressional races.	09:21:15
12	What I'm asking is, was there any data	09:21:16
13	that you based that conclusion on?	09:21:20
14	A Again, help me -- help me with data. I	09:21:21
15	told you I had access for the election results	09:21:30
16	from all of these -- from the legislative process.	09:21:33
17	I don't think I had access to any other	09:21:35
18	data, as I -- I'm guessing you're referring to it	09:21:38
19	as.	09:21:41
20	Q Oh. So I understand you had access to the	09:21:41
21	data. I -- the question I'm asking is, did that	09:21:45
22	data lead you to the conclusion that federal	09:21:49
23	election results are a better predictor of	09:21:52
24	congressional results?	09:21:56
25	Actually, strike that.	09:21:56

1	I understand you had access to the data.	09:22:02
2	The question I'm asking is, did that data lead you	09:22:05
3	to the conclusion that federal statewide election	09:22:08
4	results are a better predictor of congressional	09:22:10
5	results?	09:22:14
6	A I would not say it led me to that. I	09:22:14
7	thought it was the right decision. That was the	09:22:17
8	recommendation that I made, and it -- it cuts both	09:22:19
9	ways.	09:22:23
10	And, again, that's -- for certain	09:22:24
11	districts, it may be -- it may be a good thing, it	09:22:26
12	may be a bad thing, but it's the right decision.	09:22:29
13	Q Got it. Okay. All right. So I want to	09:22:35
14	talk a little bit about Maptitude.	09:22:38
15	So you already mentioned that you used	09:22:41
16	Maptitude to draw congressional maps, correct?	09:22:42
17	A Correct.	09:22:44
18	Q Okay. And how long have you worked with	09:22:45
19	Maptitude for in your career?	09:22:47
20	A Well, I would say the last two election	09:22:51
21	cycles, but it makes it sound like 20 years, but I	09:22:54
22	obviously only worked with it for about six months	09:22:57
23	out of each decade. So --	09:23:00
24	Q Right.	09:23:02
25	A -- the two cycles I used Maptitude.	09:23:03

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1	Q	So that's the -- so when you say "the last	09:23:05
2		two cycles," are you including this cycle, 2021?	09:23:11
3	A	Yes, 2021 and 2011.	09:23:15
4	Q	Okay. Thanks.	09:23:16
5		And when you were working in Maptitude to	09:23:22
6		draw congressional maps, you were able to view	09:23:24
7		data related to the districts as you drew the	09:23:26
8		maps; is that correct?	09:23:30
9	A	As we talked about in the legislative	09:23:30
10		process, the data was on my left screen, the	09:23:35
11		geography was on the right screen.	09:23:38
12	Q	Right. Got you. And we're going to	09:23:41
13		rehash a few things from that deposition just to	09:23:45
14		sort of get it on the record here.	09:23:48
15		All right. So you said the data was on	09:23:49
16		your left screen and the geography was on your	09:24:00
17		right screen; is that correct?	09:24:04
18	A	That's --	09:24:04
19	Q	Okay. And --	09:24:05
20	A	-- how I personally set it up, right.	09:24:06
21	Q	Right. And so when you say "geography,"	09:24:08
22		you're talking about the actual map, correct?	09:24:11
23	A	Correct.	09:24:12
24	Q	All right. Okay. And when we're talking	09:24:12
25		about the data, was there more than one data box	09:24:17

1	that displayed data, or was it just one?	09:24:23
2	A I had a -- I mean, I'm not sure of the	09:24:25
3	technical capabilities of Maptitude, but I had it	09:24:30
4	set up with one data view.	09:24:33
5	Q Okay.	09:24:35
6	A One data -- data window.	09:24:35
7	Q All right. So it was only one data	09:24:37
8	window. And that one data window contained all of	09:24:40
9	the data that you were able to see while you were	09:24:51
10	drawing maps; is that right?	09:24:53
11	A Yes.	09:24:55
12	Q And did you always have this data view	09:24:55
13	window open while you were drawing maps?	09:24:58
14	A It was -- it was always there. I didn't	09:25:00
15	use it all the time, but it was always there.	09:25:05
16	Q Okay. So by "always there," you mean that	09:25:08
17	the -- that this window was always open and on the	09:25:13
18	screen, correct?	09:25:16
19	A Yes. I guess why I was -- sometimes I	09:25:17
20	would have another document open that would be	09:25:25
21	over it, and I wouldn't be --	09:25:27
22	Q Right.	09:25:29
23	A -- able to see that. Yeah. So -- but --	09:25:29
24	Q Okay. And so was there another window	09:25:32
25	that would show you changes to a district that	09:25:40

1	would occur if you changed district lines?	09:25:44
2	A I am aware that Maptitude has that	09:25:48
3	capability, but I've never used that.	09:25:51
4	Q Okay. But it -- but it is correct that	09:25:54
5	when you change district lines in Maptitude,	09:25:59
6	you're able to see the data changing in the	09:26:03
7	program, right?	09:26:05
8	A Well, if you are specifically referring to	09:26:06
9	the change window, no, I've never used it ever.	09:26:09
10	Q Right. But -- so did you have a way of	09:26:14
11	looking at what changes would result when you	09:26:18
12	changed district lines as you were drawing maps?	09:26:20
13	A Well, like I said, the data window would	09:26:24
14	change any time you made a change to the state's	09:26:29
15	geography.	09:26:32
16	Q Right. So is it correct then that -- so	09:26:33
17	your way of looking at changes to the data	09:26:36
18	associated with change to lines was looking at	09:26:38
19	your one data view window, correct?	09:26:40
20	A When I needed to or wanted to. But that	09:26:42
21	wasn't always what I was doing.	09:26:45
22	Q For sure. For sure. But that would have	09:26:47
23	been your way of looking at the changes if you	09:26:49
24	wanted to?	09:26:52
25	A Yes.	09:26:53

1 Q Okay. And you did, at points, look to the 09:26:55
2 data to see what changes were made, correct? 09:27:05

3 A Yeah, I mean, the vast -- the vast 09:27:08
4 majority of the time you're adding -- you're 09:27:10
5 trying to get these districts, as I referenced, 09:27:12
6 down to the person without splitting too many 09:27:14
7 jurisdictions to accomplish that. 09:27:17

8 So any time you add a precinct, a ward, a 09:27:18
9 township, a city, a county to a district, it's 09:27:23
10 going to change the population. You've got to, 09:27:26
11 for me, glance over and see, okay, now I have way 09:27:29
12 too many people or now I have too few. 09:27:32

13 That's -- 09:27:37

14 Q Okay. 09:27:37

15 A -- that's the value for me, is the 09:27:38
16 population changes. 09:27:41

17 Q Got you. Okay. And so you were just 09:27:41
18 referencing counties and cities and putting them 09:27:52
19 in different districts. In drawing these maps, 09:27:55
20 you had to consider the lines of subdivisions, 09:28:04
21 like cities, townships, and counties, correct? 09:28:09

22 A Yes. 09:28:13

23 Q Okay. And did these lines exist in 09:28:13
24 Maptitude as the program came to you? 09:28:16

25 A I -- I'm trying to answer your specific 09:28:19

1	question. I think the answer is no.	09:28:28
2	Q All right. So did you have to upload	09:28:29
3	specific files with all of these subdivision	09:28:32
4	borders?	09:28:35
5	A I think the Common Unified Redistricting	09:28:35
6	Database, which put geography and population	09:28:41
7	census data together, was put onto the machine.	09:28:44
8	Q Okay.	09:28:50
9	A And I think that's how -- I think that's	09:28:52
10	how the geography got there. I --	09:28:54
11	Q Right. Yeah, just -- I'm just trying to	09:28:56
12	figure out what you were sort of using here. I --	09:28:59
13	so I think you already sort of got at this, but do	09:29:02
14	you recall the source for these lines -- or	09:29:07
15	rather -- strike that.	09:29:16
16	Do you recall the source for the files	09:29:17
17	that had the lines of these subdivisions, or,	09:29:19
18	also, was there more than one source?	09:29:23
19	A Well, not to be too technical, but I'm	09:29:25
20	pretty sure the answer to your question is that	09:29:32
21	over the preceding years leading up to the census,	09:29:34
22	one of the deliverables of Ohio University, who	09:29:39
23	was selected on a bipartisan basis to be our	09:29:45
24	contractor to prepare us for the census, was to go	09:29:48
25	through phase one, phase two of the Census	09:29:50

1 Bureau's BBSP, the Block Boundary Suggestion
2 Project, or process.

3 And I think OU worked with all of the 88
4 county board of elections to understand the lines
5 that you're referring to and asked about that --
6 where the township lines were, where the precinct
7 lines were, where the city lines were, where the
8 county lines were -- they obviously didn't
9 change -- and work with the Census Bureau to make
10 sure that everybody was on the same page.

11 And so that is, I think, the answer to
12 your question of where that came from. It came
13 from that process.

14 Q Right. So then is it correct to say that
15 the source for these lines was OU? That's how it
16 came to you? That's what I'm asking.

17 A Well, I don't think it came from OU. I
18 think OU was the contractor who provided that
19 information and took the census information and
20 married it together and I think delivered it to
21 the Legislative Service Commission.

22 Q And so while you have Maptitude open, are
23 you able to see these various subdivision
24 boundaries?

25 A You can, if they're -- if they're on.

1 Q Right. And did you -- let's actually walk
2 through them one by one.

3 So were you able -- were you able to see
4 counties while you worked in Maptitude?

5 A Again, if they were on, which I -- I
6 almost had counties on. You need a good --

7 Q Right.

8 A -- point.

9 Q Okay. So did you ever have counties off?

10 A I am sure at some point, yes, counties
11 would have been off, but...

12 Q Okay. Is there a specific part of this
13 process where you want to turn counties off?

14 A Oh, boy. So when I was -- after the
15 Senate Democrats and the House Democrats had
16 introduced their proposals, I was trying to
17 recreate those on my computer by recreating those
18 districts. And so to do that, I was trying to
19 recreate it, and I had counties off for that
20 process.

21 Q Got you. Okay. And did you also have
22 cities on?

23 A Again, cities -- other layers of
24 geography, whether it's a precinct, a ward, a
25 city, a municipal corporation, or a township could

1 be on or off, and I would have them on or off at
2 various times.

3 Q Right. Yeah, I'm just trying to get a
4 sense of what generally was -- was on.

5 So you said you almost always had counties
6 on. Did you almost always have cities on or
7 municipal corporations, let's say?

8 A No. No. I mean -- no. If you're
9 creating a district and you're adding five or six
10 or seven whole counties, I didn't see a need to
11 have cities and townships and smaller villages,
12 other municipal corporations on when you're just
13 adding whole counties and watching the population
14 numbers.

15 Q Okay.

16 A So at times they were on, at times they
17 were off.

18 Q Okay. What about -- you also mentioned
19 city wards. Did you have those on most of the
20 time?

21 A No, they were off most of the time. But
22 they were -- I thought they were a useful -- a
23 useful layer to have.

24 Q How about township borders? The same
25 question.

1 A Yeah, the same -- the same thing. On
2 wards, for instance, I mean, if you were going to
3 split major wards and cities, you may want to use
4 wards.

5 Now, as you know, the enacted map doesn't
6 split many, if any, major cities. So wards really
7 weren't very useful.

8 Township boundaries, you know, were
9 useful, because balancing 15 districts to the
10 person, you're obviously going to have to split
11 some unit of geography between districts wherever
12 two districts touch and have to balance. I think
13 everybody would acknowledge that.

14 And so obviously putting on a township
15 boundary or the municipal corporation boundary
16 would be appropriate to do when you're trying to
17 do that.

18 Q And specifically for the City of Columbus,
19 my understanding is that they use a term of art of
20 "communities" to describe the subdivisions within
21 there; is that correct?

22 A I have no idea who "they" is to start
23 with, but --

24 Q Sorry. The City.

25 A Yeah, no idea. I mean, the constitution

1 specifically itemizes counties, townships,
2 municipal corporations, which I understand to be
3 cities and unincorporated villages. Those were
4 the units of geography that I was most focused on.
5 Those are the ones that I understand and are
6 provided to us by the bipartisan OU common
7 redistricting database.

8 Those are the units. Anything else is --
9 and I don't even know what that would be, what
10 Columbus calls their communities.

11 Q All right. So let's -- so turning to the
12 data view. When you were looking at the data
13 view, were you able to see compactness scores?

14 A No.

15 Q Okay. And I think you mentioned you could
16 see population data there; is that correct?

17 A Yes.

18 Q Were you able to see voting age population
19 for a district in data view?

20 A No. Well, what -- I didn't have it set up
21 that way. Again, maybe you could have, but I
22 didn't. I never used that.

23 Q Okay. Were you able to view total
24 registered voters?

25 A No, I did not use that.

1	Q Okay. What about total population?	09:35:59
2	A Yes.	09:36:02
3	Q Okay. And what about target population?	09:36:04
4	A The way I had it set up is, depending	09:36:11
5	on -- and I know I keep referring to legislative	09:36:15
6	stuff, but a lot of -- you know, this is how the	09:36:17
7	computer was set up. Depending on how many	09:36:19
8	districts you had, 15, 33, or 99, Mapititude would	09:36:22
9	automatically calculate a target population based	09:36:28
10	on the state's population of 11,799,000 and	09:36:31
11	change.	09:36:35
12	And then it would show that number for	09:36:35
13	each district, and it would also show a deviation	09:36:38
14	from that -- from that ideal population, target	09:36:41
15	population.	09:36:45
16	Q Okay. So just to confirm, you could see	09:36:45
17	target population in the data view; is that right?	09:36:47
18	A Well, I -- I -- so target population for	09:36:49
19	congressional districts is --	09:36:56
20	Q Right.	09:36:57
21	A -- 786,630. I don't think that number was	09:36:57
22	actually visible. The deviation from --	09:37:00
23	Q Deviation.	09:37:02
24	A -- that number above or below is what I	09:37:04
25	was keying on.	09:37:06

1 Q All right. Thank you for clearing that
2 up.

3 Was there any data besides that in your
4 data view window?

5 A I had the federal election result
6 calculation that was visible for the districts.
7 That was -- that was also visible.

8 Q Okay. Did you have any other
9 election-related data in your data view window?

10 A I think the percentage of the
11 presidential -- the recent presidential election
12 was visible. I rarely used it. But I think that
13 was visible, both the Republican candidate and the
14 Democrat candidate.

15 And then I think maybe leftover from the
16 legislative process was also on the screen of the
17 six-year lookback of election results.

18 Q So just to -- just to get some clarity on
19 that, what are you referring to when you're
20 talking about the six-year lookback?

21 A So that would be election results from
22 2020, 2018, and 2016 for state and federal
23 statewide elections.

24 Q So, just to confirm, that's a partisan
25 index for all statewide partisan races for those

1	four years; is that right -- or over those four	09:38:36
2	years?	09:38:38
3	A Yes.	09:38:40
4	Q Okay. And do you recall any other	09:38:41
5	election data that you had displayed?	09:39:13
6	A No, none that I recall.	09:39:13
7	Q And the election data you've just	09:39:13
8	described, was it always visi- -- strike that.	09:39:13
9	The election data you just described, was	09:39:13
10	it always in the data pane, or did you ever have	09:39:16
11	it turned off or made not visible?	09:39:18
12	A You know, thanks for that question. I	09:39:21
13	think in some cases, yeah, it was turned off.	09:39:22
14	Q Okay. And so when you were drawing the	09:39:25
15	state legislative map, you also were able to view	09:39:46
16	election data, correct?	09:39:49
17	A Yes.	09:39:50
18	Q Okay. Did you ever use an index in the	09:39:53
19	state legislative context that contained only	09:40:02
20	state elections?	09:40:05
21	A Only contained state elections. I can't	09:40:05
22	recall if one was ever used, like, that would meet	09:40:19
23	that description.	09:40:22
24	Q Okay.	09:40:23
25	MR. KLEIN: So we've been going an hour	09:40:39

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1	and 40 minutes. I don't know if folks are looking	09:40:41
2	to take a break now. I'm fine to keep going, ut I	09:40:45
3	also want to be mindful of other.	09:40:49
4	MR. MCGUIRE: I mean, I think we wouldn't	09:40:49
5	mind a short break.	09:40:50
6	MR. KLEIN: Okay. How long are you	09:40:51
7	thinking?	09:40:57
8	MR. MCGUIRE: Can we be back in five	09:40:58
9	minutes?	09:41:00
10	MR. KLEIN: Five is good.	09:41:01
11	MR. MCGUIRE: We'll shoot for five	09:41:02
12	minutes.	09:41:04
13	Hey, can I ask a question --	09:41:09
14	MR. KLEIN: Would you like to stay on the	09:41:11
15	record for that or --	09:41:13
16	MR. MCGUIRE: No, no, you're right.	09:41:14
17	MR. KLEIN: Okay. So then let's go off.	09:41:16
18	THE VIDEOGRAPHER: The time is 9:41. We	09:41:16
19	are now off the record.	09:41:22
20	(WHEREUPON, a recess was had.)	09:50:04
21	THE VIDEOGRAPHER: The time is 9:50. We	09:50:04
22	are on the record.	09:50:58
23	MR. KLEIN: So I'd like to pull up Tab 1	09:51:06
24	in the exhibits, and I'd like to mark this as an	09:51:10
25	exhibit.	09:51:10

1	Ethan, are you pulling that up?	09:51:29
2	(WHEREUPON, DiRossi Exhibit No. 1 was	09:51:32
3	presented to the witness.)	09:51:33
4	BY MR. KLEIN:	09:51:33
5	Q All right. So, Mr. DiRossi, I'm going to	09:51:34
6	represent to you that this is a screenshot from	09:51:36
7	Maptitude.	09:51:40
8	This reflects the Maptitude window after	09:51:40
9	the dot SHP file for the as-adopted version of	09:51:44
10	Senate Bill 258 that you produced was uploaded.	09:51:51
11	And we've just opened up the data view here as it	09:51:55
12	existed in that file, okay?	09:52:00
13	So does this display bear any similarity	09:52:01
14	to what you saw in Maptitude as you were working	09:52:13
15	with congressional maps? I'm not asking if it's	09:52:16
16	perfectly similar but any similarity.	09:52:19
17	A I know this is the first time I'm looking	09:52:22
18	at an exhibit. Do I have any controls to like	09:52:29
19	pinch and resize and --	09:52:32
20	Q Yeah, you know, so why don't --	09:52:34
21	A Do I give you verbal -- verbal commands	09:52:35
22	for that, or how does that work?	09:52:37
23	Q So I think actually -- why don't I	09:52:40
24	actually take control and I can kind of zoom in	09:52:42
25	for you because I think I'm going to be scrolling	09:52:44

1	a little bit anyway.	09:52:47
2	So let me sort of -- yeah, I think I have	09:52:47
3	this, right? Yeah. Okay.	09:52:50
4	Is this working all right?	09:52:50
5	It comes out a little bit.	09:53:00
6	So can you see this all right? I'll also	09:53:00
7	zoom out a little bit so you get a fuller window.	09:53:03
8	A It's still very, very -- well, let me just	09:53:08
9	start off by saying this looks nothing like how I	09:53:16
10	was set up.	09:53:18
11	Q Okay. So I think you've already testified	09:53:19
12	that you already -- that you had a data view	09:53:22
13	window on another screen, correct?	09:53:28
14	A Yes.	09:53:30
15	Q Okay. And did that window have any	09:53:33
16	similarity -- I'm not asking about the specific	09:53:40
17	data in there. I'm just asking about the -- sort	09:53:42
18	of the kind of shape and structure of it. Did it	09:53:44
19	have any similarity to what you're looking at in	09:53:47
20	this exhibit?	09:53:51
21	A I mean, this doesn't -- I mean, no. I	09:53:52
22	mean, there is a ton of information here that I	09:53:59
23	never had up on my screen and have no idea what it	09:54:01
24	is.	09:54:04
25	Q Okay. But did the data window you have	09:54:04

1	have a -- have a set of rows with data put into	09:54:09
2	it?	09:54:14
3	A I mean, the data view that I had was a	09:54:19
4	spreadsheet like -- yes, with rows and columns,	09:54:21
5	but it -- it had very different rows and very	09:54:23
6	different columns.	09:54:29
7	Q Got you. Right. But for each column, was	09:54:30
8	it a specific type of data that was listed --	09:54:33
9	actually, we can actually strike that.	09:54:39
10	Did each column represent a category of	09:54:41
11	data; for example, total population?	09:54:44
12	A Well, that's one example of --	09:54:49
13	Q Right.	09:54:51
14	A -- of a column that I had.	09:54:53
15	Q Okay. And did each row represent a	09:54:55
16	different congressional district?	09:54:58
17	A Yes.	09:54:59
18	Q So in the respect of rows representing	09:55:03
19	congressional district, columns representing	09:55:07
20	categories of data, these two data views are the	09:55:09
21	same, correct?	09:55:12
22	A Well, as I said, I -- my data view was a	09:55:13
23	spreadsheet-like thing with rows and columns.	09:55:16
24	This looks like it has rows and columns, but the	09:55:19
25	information there within is extremely different.	09:55:22

1	Q Okay.	09:55:26
2	A And that's just the data that I can see.	09:55:26
3	It looks like it goes off --	09:55:28
4	Q Yeah, it's --	09:55:30
5	A -- all the way off the end of the screen.	09:55:31
6	Q Yeah, and -- yeah, we'll also take a	09:55:32
7	broader look at that in a minute.	09:55:35
8	But -- so are there any other differences	09:55:36
9	between these two, aside from the data that you	09:55:38
10	see in there?	09:55:41
11	A Well, I mean, that's -- that's the big --	09:55:42
12	the big part of it.	09:55:51
13	Q Right.	09:55:53
14	A I mean, yes, we're set up with rows and	09:55:54
15	columns. I will agree to that.	09:55:56
16	Q Okay. All right. Okay.	09:55:57
17	And it looks like here we have more than	09:56:07
18	enough columns that could be contained in one	09:56:09
19	window present. Was that also the case for when	09:56:11
20	you were looking at your data view; were there	09:56:14
21	more columns than you could view in a single	09:56:17
22	screen --	09:56:19
23	A No --	09:56:20
24	Q -- present in --	09:56:20
25	A -- I mean, I had very few columns. We've	09:56:21

1	talked about everything that I had. And on some	09:56:24
2	occasions, I didn't even have all of those. It	09:56:26
3	was --	09:56:28
4	Q Got you.	09:56:28
5	A I'm not sure what all this is, but...	09:56:29
6	Q Got you. Right. Yeah. So I thought we	09:56:31
7	could sort -- we could walk through all these	09:56:43
8	columns.	09:56:44
9	So once again, just representing to you,	09:56:45
10	this came directly from the dot SHP file that you	09:56:47
11	produced, so this is just based on that and	09:56:51
12	opening up the data view from that file.	09:56:58
13	So would you be able to tell us what "ID"	09:56:59
14	means over here in this column?	09:57:02
15	A You know, actually, no. This was --	09:57:04
16	because I noticed there are 15 IDs, which you	09:57:10
17	would logically think are the 15 congressional	09:57:13
18	districts. But if you look a couple columns over,	09:57:16
19	there is a column that is labeled "District" --	09:57:18
20	Q Right.	09:57:18
21	A -- and that has a --	09:57:21
22	Q Right.	09:57:21
23	A -- number that is also one through 15, and	09:57:22
24	they are all different.	09:57:25
25	Q Right.	09:57:26

1	A	So I never -- I don't know what "ID" is --	09:57:27
2	Q	Okay. That's fine.	09:57:28
3	A	-- and I didn't use it.	09:57:30
4	Q	Got you --	09:57:31
5	A	And I don't know what "ID-1" is.	09:57:32
6	Q	No idea? What about "AREA"?	09:57:35
7	A	Nope.	09:57:37
8	Q	Okay. What about "DISTRICT"?	09:57:42
9	A	"DISTRICT" I had on my screen, yes. I had	09:57:43
10		the district numbers.	09:57:45
11	Q	And so just to confirm, this column would	09:57:46
12		describe district numbers?	09:57:52
13	A	For me, yeah.	09:57:53
14	Q	Okay. How about "MEMBERS"?	09:57:54
15	A	No.	09:57:59
16	Q	Okay. What about T-O-T-P-O-P, or TOTPOP?	09:57:59
17	A	Yeah, I mean, you skipped "LOCKED" and	09:58:09
18		"NAME."	09:58:11
19	Q	Right.	09:58:12
20	A	There's no data in them, but I don't know	09:58:13
21		what those are and didn't have them.	09:58:15
22	Q	Okay.	09:58:17
23	A	Yeah, TOTPOP or TOTPOP, yeah, total	09:58:17
24		population of the district. Yes, that was	09:58:21
25		something that I had. That's the population of	09:58:23

1	the district per the census.	09:58:25
2	Q Okay. How about G20R; any idea?	09:58:27
3	A Nope -- well, I -- I didn't have it as --	09:58:32
4	I don't think I had it as G20R, but I believe that	09:58:41
5	is saying the general election of 20 for a	09:58:44
6	Republican candidate. I think that's what it	09:58:48
7	means.	09:58:51
8	Q Okay.	09:58:54
9	A G20R.	09:58:54
10	Q Right. And so --	09:58:56
11	A But I don't -- I don't believe that was	09:58:57
12	one that I had open or had used.	09:58:59
13	Q Right. But is that data that you recall	09:59:01
14	having access to, what's -- what's in this column?	09:59:04
15	A Well, again, here's where -- I don't want	09:59:08
16	get over my skis on technical things, but the	09:59:14
17	data -- the election results that were in there	09:59:16
18	from the legislative process are all still in	09:59:20
19	there. I'm telling you the ones that I used.	09:59:22
20	Just because it's in there and it's exported in a	09:59:27
21	SHP file doesn't mean that I -- I mean, I guess it	09:59:30
22	was in the computer left over from the legislative	09:59:32
23	since I used the same computer, but it doesn't	09:59:34
24	mean I had it or used it. And --	09:59:36
25	Q Okay.	09:59:39

Transcript of Raymond DiRossi
Conducted on December 7, 2021

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1	A -- in this case, I'm pretty sure, knowing	09:59:39
2	what I know about G20R, I did not use it.	09:59:42
3	Q Okay. How about G20P_DV?	09:59:45
4	A So I don't -- General Election 20	09:59:53
5	President underscore DV, Democrat vote, and	10:00:03
6	there's probably an RV somewhere.	10:00:08
7	I mentioned that the recent presidential	10:00:09
8	election was one of the data points that I had	10:00:15
9	open on the screen at some time. I don't remember	10:00:17
10	if it was this specific format or if it was in	10:00:19
11	a -- it looks like it's raw votes, and I think	10:00:27
12	mine was a percentage.	10:00:33
13	Q Okay. Got you. By the way, are you able	10:00:34
14	to see these columns okay? They look a little bit	10:00:39
15	blurry on my end, but I don't know about how it	10:00:42
16	looks for you.	10:00:45
17	A They're very blurry, and I have my reading	10:00:45
18	glasses on --	10:00:49
19	Q Right.	10:00:49
20	A -- to help me, and they're still --	10:00:50
21	Q Sorry. I'm trying to --	10:00:53
22	A No, that's okay.	10:00:55
23	Q -- make this relatively visible.	10:00:56
24	A You're doing the best you can from	10:00:58
25	500 miles away or wherever you are.	10:01:00

1	Q Right. Exactly. So -- I think -- so we	10:01:03
2	do have a sort of -- so we do have a backup	10:01:07
3	spreadsheet that we can look at if it -- if it	10:01:10
4	gets too blurry, so we'll -- we'll --	10:01:13
5	A I'll let you know if there's something I	10:01:16
6	can't make out, but --	10:01:18
7	Q Right. Perfect. Please do, because we	10:01:19
8	can pull it up right away.	10:01:21
9	So where were -- we were on -- let me pull	10:01:23
10	up this -- so I think we were last on G20P_DV,	10:01:28
11	correct?	10:01:38
12	A Yes.	10:01:39
13	Q Did we get to G20P_RV? I don't think so.	10:01:39
14	Any sense what that is?	10:01:43
15	A I think it's the opposite of G20P_DV.	10:01:44
16	Q Okay. Can you -- can you expand on that a	10:01:54
17	little bit?	10:02:04
18	A Well, the -- I believe the G20P is the	10:02:04
19	general election or 20 presidential Democrat vote,	10:02:07
20	and the RV would be the opposite, the general	10:02:11
21	election from 20 presidential Republican vote.	10:02:14
22	Q Okay. Got you. Thanks.	10:02:18
23	And G12P -- or, rather -- I think we're up	10:02:26
24	to G20P_TV.	10:02:29
25	A Yep, I see it. I mean, that -- I -- I	10:02:39

1	haven't done the calculations in my head, even	10:02:41
2	though I love numbers. I assume that's Republican	10:02:43
3	vote plus Democratic vote equals TV, total vote.	10:02:46
4	Q Okay. Got you.	10:02:50
5	A But, again, not something that I -- you	10:02:51
6	know, I'm just identifying these for you. Maybe	10:02:53
7	that's helpful for you or not. I didn't have	10:02:55
8	these on my display window.	10:02:57
9	Q Understood. Understood.	10:02:59
10	Why don't we scroll down to Page 3 on this	10:03:00
11	PDF.	10:03:03
12	Let's see how this goes. All right.	10:03:03
13	So I'm going to represent to you this is	10:03:15
14	from the same file. We just scrolled over a	10:03:17
15	little bit, all right? So this is just data a	10:03:20
16	little bit further down.	10:03:26
17	Let's start over here on EA51_DV. Would	10:03:31
18	you be able to tell us what that is?	10:03:37
19	MR. MCGUIRE: I'm going to object at this	10:03:38
20	point. Is this -- are you asking -- I think he's	10:03:40
21	testified this wasn't the data that he had up in	10:03:43
22	front of him. And if you're asking him to	10:03:45
23	speculate and guess as to what certain initials	10:03:48
24	and numbers may mean, I guess let's be clear about	10:03:50
25	that.	10:03:54

1 I mean, I think he's told you he
2 doesn't -- this isn't what he worked with
3 specifically. I mean --

4 MR. KLEIN: Right. Okay. So I'll -- so I
5 will ask separately if it's something that you
6 could see. I'm -- I simply am representing here
7 that this is data that came from within the file,
8 and I'm asking Mr. DiRossi whether he knows what
9 this stands for.

10 BY MR. KLEIN:

11 Q And if you are unsure, you can simply say
12 that you're unsure. But that is -- that is what
13 this is here. I will ask specifically if I ask --
14 if it was visible.

15 So on that note, we were on EA51 --
16 actually, let's move over a little bit. EA51_DV,
17 would you be able to tell us what that is?

18 A Well, obviously it's a Democrat vote raw
19 number of some calculation of the previous data.
20 I can't recall what that is. I don't believe it's
21 any -- I know it's nothing I ever used for the
22 congressional, and it doesn't look very familiar,
23 like it was used in the legislative.

24 Q Okay. I think I may -- I think for my own
25 benefit, I'm going to pull up Tab 2, because I'm

1 actually having a lot of trouble seeing this. It 10:05:17
2 looked fine on my end. But I think when it opens 10:05:19
3 up in here, it gets a little bit grainy. 10:05:23

4 MR. KLEIN: So could we pull up Tab 2 and 10:05:25
5 mark that as an exhibit. That should be an Excel 10:05:27
6 spreadsheet. 10:05:31

7 (WHEREUPON, DiRossi Exhibit No. 2 was 10:05:31
8 presented to the witness.) 10:06:08

9 BY MR. KLEIN: 10:06:08

10 Q All right. So I am representing to you 10:06:09
11 this is -- this is an Excel spreadsheet extracted 10:06:10
12 from Maptitude. It shows the same data that we 10:06:16
13 were just looking at from that data view that came 10:06:19
14 from the SHP file of the enacted plan that you 10:06:20
15 produced, okay? 10:06:25

16 So a little bit more legible here. So 10:06:26
17 let's scroll back down to the end. So we were 10:06:31
18 over on EA51. Let's -- we'll go over to EA52 now. 10:06:37

19 Can you tell us what EA52_DV is? 10:06:42

20 A All right. I mean, obviously, it's the 10:06:46
21 same calculation for some set of election results 10:06:50
22 being displayed as DV, Democrat vote, RV 10:06:58
23 Republican vote, TV, total vote. And it's 10:07:03
24 displaying them in raw numbers as opposed to 10:07:07
25 percentages, like I would ever look at something 10:07:10

1 at.

10:07:11

2 But I cannot recall what -- EA51 and EA52,
3 what subset of election results those were looking
4 at.

10:07:12

10:07:16

10:07:20

5 Q Okay. Got you.

10:07:23

6 A But I guess to answer your second
7 question, not used in congressional. This is just
8 holdover from legislative stuff, the vast majority
9 of this stuff is.

10:07:24

10:07:28

10:07:30

10:07:34

10 Q Okay. Got you. So this is the same thing
11 here, RV, Republican vote, TV, total vote,
12 correct?

10:07:35

10:07:37

10:07:41

13 All right. How about "POPULATION" here?

10:07:41

14 A Yeah, now population was one -- population
15 was one of the factors that I had in my display
16 window, yes.

10:07:43

10:07:46

10:07:50

17 Q So -- and just to confirm, that is the
18 population for each district, the -- correct?

10:07:51

10:07:57

19 A It appears to be, right. On my screen, I
20 would always be able to see the district numbers
21 because I only had a few columns. You know, here
22 we're looking at --

10:07:59

10:08:02

10:08:04

10:08:07

23 Q Right.

10:08:08

24 A -- we're into Column BM, which is, you
25 know, probably like, you know, 40 -- the 40th

10:08:08

10:08:11

1	column or 35th column. I never had anywhere near	10:08:15
2	that, obviously.	10:08:18
3	So it -- but, yes, those are the	10:08:19
4	population numbers, and I assume they are	10:08:20
5	attributable to the map as was enacted.	10:08:23
6	Q Got you. How about DEVIATION?	10:08:26
7	A Can you scroll -- I mean, I know the word	10:08:30
8	"deviation" --	10:08:33
9	Q Yeah, sure.	10:08:34
10	A -- deviation because I mentioned I had	10:08:34
11	deviation, but it's actually behind your face on	10:08:36
12	my screen.	10:08:38
13	Q Oh. It is. Sorry.	10:08:39
14	A There you go. No, you're good.	10:08:41
15	Yeah, "POPULATION" and "DEVIATION," yes,	10:08:42
16	those -- those look like something I -- those look	10:08:44
17	exactly like I had them on my screen.	10:08:47
18	Q Got you. And what about "F" -- I think	10:08:49
19	it's probably cut off there -- but "DEVIATION"?	10:08:51
20	A Yeah, that doesn't look familiar to me.	10:08:54
21	It looks like it's a percentage of deviation. But	10:08:56
22	it is not something that I had -- not something	10:08:59
23	that I used --	10:09:05
24	Q Okay.	10:09:05
25	A -- in either process.	10:09:05

1	Q How about this one here? It also looks	10:09:07
2	like it may have been cut off. But "DISTRICT_N,"	10:09:10
3	any sense?	10:09:18
4	A You know, I'm just thinking as I'm looking	10:09:19
5	at it. There are numbers that appear to be one	10:09:20
6	through 15, so you would logically think that's	10:09:23
7	some type of identification of the district	10:09:26
8	numbers.	10:09:28
9	Q Right.	10:09:28
10	A I can't see if it matches up with the	10:09:29
11	previous one that I said was one I had, and it --	10:09:31
12	but I -- "DISTRICT_N" does not -- I don't know	10:09:33
13	what that is.	10:09:36
14	Q Okay. How about EA53?	10:09:40
15	A So EA53 is one I think I know a little	10:09:42
16	better. This is a holdover from the legislative	10:09:45
17	process. It is -- when you and I talked before	10:09:47
18	about looking at election results of the previous	10:09:54
19	six years, I think EA53 was the one.	10:09:56
20	And as you'll note, this is showing it not	10:10:01
21	as a raw number but in a two-digit decimal. So	10:10:03
22	it's looking more like a percentage would look.	10:10:07
23	So that's what EA53 is.	10:10:11
24	Q All right. So just to confirm what we	10:10:14
25	talked about in -- so just to confirm what we	10:10:16

1	talked about in the last deposition -- right? --	10:10:22
2	so this is a partisan index representing all	10:10:24
3	statewide elections, 2016 through 2020; is that	10:10:27
4	what you were saying?	10:10:30
5	A 2016, 2018, 2020 statewide partisan	10:10:31
6	elections, yes.	10:10:37
7	Q Okay. All right.	10:10:37
8	A This came out of a lot of discussions,	10:10:40
9	most of which I was not part of, with the minority	10:10:42
10	members of the Senate Democratic Caucus and trying	10:10:46
11	to find a commonality of some type of indexing.	10:10:50
12	Q Okay. And when you were doing -- just one	10:10:59
13	moment. Do you have any sense of what the	10:11:08
14	significance of the number 53 is here?	10:11:19
15	A No idea.	10:11:21
16	Q No idea. Okay. How about --	10:11:25
17	A I'm laughing because I've asked myself	10:11:27
18	that question. I have no idea.	10:11:30
19	Q Yeah. How about EA?	10:11:32
20	A I think that's -- I refer to it as	10:11:33
21	election analysis. I don't know if the creator of	10:11:37
22	that is what they refer to it as, but that's what	10:11:40
23	I refer to it as.	10:11:43
24	Q Right. And so is it the case that if it	10:11:44
25	has the -- if it has this EA in the title for the	10:11:56

1 category of data, is it always a partisan index,
2 as you've seen it?

3 A Well, I think everything we're looking at
4 on the screen, all of these columns are partisan
5 election results for either one party, Republican,
6 Democrat, or a total vote, raw votes. So, I mean
7 they're all -- they're all showing some type of
8 partisan -- partisan information.

9 Q Right. But your sense here, looking at
10 EA53, is that this is a partisan index, correct?

11 A Yeah, from the legislative process.

12 Q Okay. And was this visible at any point
13 when you were drawing congressional maps in
14 Maptitude?

15 A This was -- this was one of the things
16 that I referenced I had on my display window at
17 various times.

18 Q Okay.

19 A Sometimes -- sometimes this stuff was off,
20 and sometimes it was on.

21 Q Okay. Would you be able to tell -- would
22 you be able to tell us what specific times it was
23 on?

24 A Well, again, I think I mentioned before if
25 you're in southeast Ohio where, as you know, we

1 have some counties that have 14-, 15,000 people in
2 them, and just for reference point, I know in
3 Franklin County we have some wards of the City of
4 Columbus that have over 20,000 people in them.

5 So when you're creating a district or
6 putting together a district to see if it balances
7 on population and primarily in a rural area -- and
8 I'm using the building blocks of a district to be
9 whole counties -- this is -- this is where I'm
10 focused on population, and all this other stuff is
11 probably turned off so I can just focus on the
12 population.

13 Q All right. So -- so you were -- so do I
14 understand correctly the times that you had this
15 off, those were the instances where you were
16 focusing on population considerations, right?

17 A Well, I just want to be clear. I mean,
18 sometimes I had it on and didn't use it. And when
19 I had it off, obviously I wasn't using it. But
20 just because it was on doesn't mean I was using
21 it.

22 Q Right.

23 A So, I mean, look, this is one of the
24 pieces of information that was in my display
25 window. It's there because it was there for the

1 legislative process, but this wasn't the one --
2 especially as you and I have started to talk about
3 the competitive districts that are in the map that
4 was adopted by the General Assembly, this wasn't
5 what I was looking at.

6 Q Okay. Right. Okay.

7 Let's go one over to the right, F_G20P_RV.
8 Do you know what that stands for?

9 A Well, we -- you had previously shown me
10 G20P_RV, which I, you know, guessed was the
11 general election of 20 presidential Republican
12 vote raw number.

13 I don't know what the F underscore means,
14 but I do -- I'm smart enough to see this looks
15 like it's in a percentage number. But I don't
16 know, and this wasn't something that -- this
17 wasn't something that I had open or had acc- -- or
18 had used.

19 Q Okay. So this was -- this was not a
20 column that was visible in your data view,
21 correct?

22 A Well, you're showing me F_G20P_RV. I did
23 not have that column, but I did mention to you
24 that I -- earlier that I had have the Biden
25 percentage and Trump percentage for the most

1	recent federal presidential election in my display	10:16:03
2	window.	10:16:06
3	Q Got you. Okay.	10:16:07
4	What about F_EA51_RV?	10:16:08
5	A Yeah, these ones that have these prefixes,	10:16:12
6	I have no idea what they are. I mean, we	10:16:16
7	previously discussed EA51_RV, and I've given you	10:16:17
8	my guess as to what that is or I've said I don't	10:16:22
9	recall what it is.	10:16:25
10	F underscore, I don't know -- I don't know	10:16:25
11	what that is, and it was not something that I had	10:16:27
12	access to or used.	10:16:30
13	Q The same answer for this one here,	10:16:32
14	F_EA52_RV?	10:16:37
15	A Yes.	10:16:38
16	Q Okay. And so this "IDEAL VALUE," that	10:16:38
17	would be target population, correct?	10:16:42
18	A So, Mr. Klein, you are now behind -- can I	10:16:44
19	ask you to scroll over to the middle --	10:16:47
20	Q Of course.	10:16:47
21	A -- if you're now --	10:16:48
22	Q Yes.	10:16:48
23	A -- behind a visual. Yeah.	10:16:49
24	Q Absolutely.	10:16:50
25	A Okay. Thank you.	10:16:51

1	So orient me again, which column are we	10:16:52
2	in?	10:16:54
3	Q Right, we're over in "IDEAL VALUE"?	10:16:55
4	A Yeah, I mean -- so obviously 786630 is an	10:16:58
5	important number in this process. I didn't have	10:17:03
6	the column as "ideal value," but that appears to	10:17:05
7	be showing you the target population. But -- I	10:17:09
8	know what it is, but I did not use that. I used	10:17:12
9	the deviation that we previously talked about.	10:17:14
10	Q Okay. Any sense of what this one is --	10:17:16
11	appears to be, "F_POPULATION"?	10:17:23
12	A It doesn't look familiar, and I don't -- I	10:17:26
13	wouldn't even hazard a guess as to what that	10:17:29
14	means. I don't know what that means with 1 in	10:17:32
15	every district.	10:17:35
16	Q I think we may have touched on this	10:17:36
17	earlier, "F20PRES_RD"?	10:17:37
18	A F20PRES_RD. Yeah, I mean -- interesting.	10:17:41
19	We've been talking about G20P_RV. And now this is	10:17:48
20	F20P and underscore RD. And it's obviously a	10:17:58
21	percentage, but it does not look familiar to me,	10:18:02
22	and I wouldn't want to guess what it is.	10:18:04
23	Q Okay. What about "FEDEA"?	10:18:16
24	A Yeah, this looks familiar.	10:18:19
25	Q All right. So can you tell us what this	10:18:20

1	column is.	10:18:22
2	A So, as we talked earlier about federal	10:18:23
3	elections -- using federal elections to produce a	10:18:29
4	number for an index of a district, this is the	10:18:31
5	column that computed that for me.	10:18:33
6	So this is the "FED," federal, and I'm	10:18:36
7	guessing "EA," election analysis. So this would	10:18:43
8	be that score for each of the 15 districts.	10:18:48
9	Q Okay. And just so we're understanding for	10:18:51
10	each specific data point, so here in the first	10:18:58
11	row, it says 56.7, right? So is that the -- is	10:19:01
12	that the average Republican vote share based on	10:19:10
13	this index?	10:19:14
14	A Yes. Yes, it's the Republican index.	10:19:15
15	Q Right. Okay. And the same question going	10:19:21
16	back to EA53. Does that -- does this number in	10:19:24
17	the -- in the first row, 57.88085, does that	10:19:32
18	represent the average Republican vote share based	10:19:37
19	on that index?	10:19:41
20	A I mean, yes, for EA53, it is showing the	10:19:41
21	percentage of Republican scoring using the	10:19:47
22	appropriate election results.	10:19:52
23	Q Okay. And so moving on to the next one,	10:19:56
24	"FEDEA_RDI."	10:20:06
25	A Yeah, so if you thought I was getting	10:20:08

1 technical before, hold on -- hold on to your hats. 10:20:11

2 So the previous column that you showed me, 10:20:15

3 FEDEA, which is Column BX as I'm looking at it on 10:20:20

4 my screen, that is showing the percentage -- 10:20:26

5 Republican percentage for the district based on 10:20:30

6 the federal election results. 10:20:32

7 It is making the assumption that R plus D 10:20:34

8 equals 100, in that you're taking out the 10:20:42

9 third-party votes from a district and you are 10:20:46

10 weighting or rounding the Republican vote and the 10:20:52

11 Democrat vote so that they equal 100. 10:20:54

12 Q Okay. 10:20:58

13 A The column you're showing me, BY 10:20:58

14 FEDEA_RDI, is still including third-party votes 10:21:06

15 represented by the "I" in RDI. 10:21:10

16 So, for instance, it is showing you the 10:21:16

17 Republican vote, but it's also -- R plus D would 10:21:20

18 not equal 100. 10:21:23

19 Q Got you. 10:21:24

20 A So I hope -- I hope that was easy to 10:21:26

21 follow. 10:21:28

22 Q All right. Any sense -- 10:21:28

23 A And it just -- I know what that is, but 10:21:32

24 it's not something I used. 10:21:35

25 Q Oh, sorry. So -- just so I can finish the 10:21:36

1	question, just so I have it on the record.	10:21:38
2	A Oh, sorry.	10:21:40
3	Q So --	10:21:40
4	A My apologies.	10:21:42
5	Q So we are talking about MULTIPLE_F. You	10:21:42
6	said you know what that is. Can you tell us what	10:21:47
7	that is?	10:21:49
8	A Oh, no, not MULTIPLE_F.	10:21:50
9	Q Oh, I --	10:21:53
10	A The column you're showing me -- I was	10:21:54
11	answering the second part question to the -- that	10:21:57
12	we were going to -- we said we would do for every	10:21:58
13	piece of information.	10:22:01
14	Q Right.	10:22:01
15	A The -- yeah, FEDEA_RDI is something that I	10:22:02
16	know but I did not use.	10:22:08
17	Q Yeah, okay. Thank you for --	10:22:09
18	A Now --	10:22:09
19	Q -- clarifying?	10:22:10
20	A -- on to multiplier.	10:22:11
21	Q Yeah, so this one, MULTIPLE_F, you're not	10:22:12
22	familiar with what that means?	10:22:15
23	A You are under -- can you zoom -- can you	10:22:16
24	scroll --	10:22:20
25	Q Yep. Sure. We're going to be getting	10:22:20

1	into some blank --	10:22:23
2	A Oh, there you go. Perfect.	10:22:24
3	Okay. MULTIPLE_F, yeah I -- I mean, it	10:22:26
4	looks like some type of replication of a deviation	10:22:30
5	from target population. But MULTIPLE_F is not	10:22:34
6	something I would have created or used; I used	10:22:38
7	DEVIATION.	10:22:40
8	Q Got you. And what about DISTRICT_L?	10:22:41
9	A Your guess is as good as mine.	10:22:46
10	Q Okay. All right. So moving back to two	10:22:49
11	of these indices. So you said -- so it looks like	10:22:54
12	-- you had said EA53 was visible in your data	10:23:01
13	view, correct?	10:23:04
14	A EA53 is what was used in the legislative	10:23:05
15	process, so it by default was on my data view for	10:23:10
16	congressional.	10:23:16
17	Q Okay. And FEDEA was also visible in your	10:23:16
18	data view window?	10:23:21
19	A Yes.	10:23:22
20	Q Okay. Do you recall where these were in	10:23:22
21	relation to one another on your data view window?	10:23:25
22	A Generally.	10:23:28
23	Q Okay. Were they always on the same	10:23:33
24	screen? Did you ever have to scroll to get from	10:23:39
25	one to the other?	10:23:43

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1	A No, I didn't have anywhere near that many	10:23:44
2	columns.	10:23:47
3	Q Okay. So you could -- so when you were	10:23:47
4	using these, you could see both at the same	10:23:48
5	time -- or sorry --	10:23:50
6	A If -- if they were on.	10:23:52
7	Q Right. Okay. So if they were on. Right.	10:23:54
8	That was what I was going to clarify.	10:23:56
9	So just to, you know, put this question	10:23:58
10	together -- so if these were on, you could see	10:24:00
11	them both at the same time, correct?	10:24:03
12	A If they were on and I was looking for them	10:24:05
13	and using them. I mean, they -- like I said, they	10:24:07
14	could have been on and I wasn't using them --	10:24:09
15	Q Okay.	10:24:11
16	A -- which happens --	10:24:11
17	Q Yeah. So let's go through and take a look	10:24:12
18	at these specific values in here.	10:24:20
19	So you had mentioned that -- for FEDEA,	10:24:22
20	we've got a value of 56.7 in District 7.	10:24:26
21	So that is -- and then over in EA53, we've	10:24:33
22	got -- we've got 57.8. So does that mean that the	10:24:37
23	Republican -- does this mean that the average vote	10:24:45
24	share for FEDEA for Republicans is lower in	10:24:48
25	District 7 than it would be under EA53?	10:24:54

1 A Well, that's hard to say because they are
2 using different -- they are using different races
3 to produce those things. And you're asking me to
4 draw a conclusion of what the -- the number is
5 going forward.

6 I mean, these are all estimations -- past
7 estimations of past elections. And they are all
8 very imprecise at predicting the future for so
9 many different reasons. It's just the best we
10 have, but they --

11 Q I'm not asking questions --

12 A -- use different election results to come
13 up with their numbers, so it is hard to compare
14 them directly to each other.

15 Q Right. I'm not asking about the
16 predictive value for either index. I'm simply
17 saying what the index tells you about average vote
18 share for Republicans.

19 Which of these indexes forecasts a higher
20 projected Republican vote share for District 7?

21 A Well, if you're asking me is 56.7 more or
22 less than 57.88, I can answer that question if
23 that's your question. But I -- but I don't want
24 to offer that I think that these are using
25 different election -- elections to produce these

1 numbers, and then to compare them like that is not
2 something that I would do.

3 Q Right. So I -- simply what I'm asking --
4 I think it's two questions -- right? -- so of
5 course 57.8 is higher than 56.7, but it is what
6 these two numbers are telling us, right? What
7 does 56.7 mean in the context of FEDEA?

8 A That's your question to me?

9 Q Yes.

10 A Okay. What does -- let me make sure I
11 understand that.

12 What does 56.7 mean in relation to FEDEA?

13 Q Right.

14 A Okay. So I guess I would say that is
15 using ten years of federal election results that
16 we previously discussed for President of the
17 United States and a U.S. Senator to Congress, that
18 a score for a generic Republican or a generic
19 Democrat would be about 56.7 percent of the vote,
20 I guess is the best way I can answer your
21 question.

22 Q All right. So that means -- so that under
23 this index, under FEDEA, a generic Republican
24 performs worse than the generic Republican would
25 perform under EA53 for District 7, correct?

1 A Again, I -- I guess I repeat what I said
2 before. I -- if you're asking me about the
3 numbers, obviously 57.8 is a higher number than
4 56.7 numerically. But I don't feel it's
5 appropriate to compare those two numbers because
6 they're using very different -- one is a six-year
7 lookback, one is a ten-year lookback, one is
8 federal elections only, which I think is the most
9 appropriate one, and one is federal and state.

10 And so I wouldn't compare to then make a
11 conclusion going forward. That's -- that's beyond
12 my capability.

13 Q All right. So I'll give you a moment to
14 take a look at each of these districts.

15 Does it look like there are any -- how
16 many instances are there where FEDEA is higher
17 than EA53, the value in FEDEA is higher than EA53?

18 A Okay. Well, if you're asking me just to
19 look at the numbers and tell me which is greater
20 than or less than, I can do that because I know
21 basic math. I see -- I see at least one or two --
22 I think at least one that the FEDEA is higher,
23 but, again, I don't feel that's appropriate to
24 cast a judgment on going forward.

25 Q Okay.

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1	A I just don't think -- I think you're	10:29:44
2	comparing apples and oranges.	10:29:46
3	And, I mean, just to point out, even	10:30:03
4	though I don't think it's a good comparison,	10:30:04
5	they're almost identical in a number of them.	10:30:07
6	Q Okay. But would you be able to tell me	10:30:10
7	how many districts there are in which FEDEA is the	10:30:16
8	higher of the two?	10:30:20
9	A Well, again, if you want me just to do	10:30:21
10	basic math, we can certainly go through them one	10:30:28
11	by one, and I'll give you the answer. But, again,	10:30:31
12	I'll just say, as I've said before, I don't think	10:30:33
13	it's a fair comparison. They're using very	10:30:35
14	different lookback periods and races --	10:30:38
15	Q Okay.	10:30:40
16	A -- and --	10:30:40
17	Q Yeah. Okay. So with that understanding,	10:30:42
18	we'll just briefly walk through.	10:30:44
19	A Great.	10:30:46
20	Q So comparing for District 4 over here	10:30:46
21	FEDEA and EA53, which one is higher?	10:30:52
22	A Can you move your -- move your --	10:30:57
23	Q Sure.	10:31:03
24	A -- cursor.	10:31:03
25	Thank you.	10:31:05

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1	66 and 67, EA53 is higher --	10:31:05
2	Q Okay. The same question --	10:31:08
3	A -- by one point.	10:31:10
4	Q Right. The same question but for	10:31:11
5	District 9.	10:31:14
6	A 47.7 and 50.3. 50.3 is higher than 47.7.	10:31:15
7	Q Okay. The same question for District 1.	10:31:24
8	A Yeah, E- -- well, obviously, as you can	10:31:27
9	see, FEDEA only goes to one decimal.	10:31:32
10	Q Right.	10:31:34
11	A Whereas, EA53 goes to five decimals. 51.5	10:31:34
12	and basically 51.5, those are identical.	10:31:39
13	Q Right. This is a matter -- all right.	10:31:45
14	So --	10:31:47
15	A I mean, if you want to say which one is	10:31:48
16	higher, I guess -- well, I mean, we're talking	10:31:50
17	about eight -- one -- ten thousandths of a	10:31:52
18	percent. They're identical.	10:31:57
19	Q Is it your understanding that the data for	10:31:59
20	FEDEA was rounded to the nearest tenths place?	10:32:02
21	A I believe that's what I did, yeah. I went	10:32:06
22	to one digit post decimal, and that's what I see	10:32:12
23	on the screen.	10:32:15
24	Q Okay. Thank you.	10:32:15
25	All right. We'll keep moving on for	10:32:20

1	District 8.	10:32:22
2	A I mean, 62 and 62.4, I mean, I'd say those	10:32:26
3	are about the same, but I guess 62.46 is	10:32:30
4	infinitesimally higher than 62.	10:32:35
5	Q Okay. How about District 2?	10:32:39
6	A 65.1 and 66.7, if you round, they're	10:32:45
7	pretty close, but 66.7 with some rounding would be	10:32:50
8	higher than 65.1.	10:32:54
9	Q Okay. How about -- how about District 14?	10:32:56
10	A Yeah, this one, the differentiation is	10:32:59
11	less than a point. 53.2 compared to 54.13, you're	10:33:02
12	about nine basis points of a percentage	10:33:09
13	difference. 54.13 is higher than 53.2.	10:33:12
14	Q All right. How about District 3?	10:33:15
15	A 30.4 and 29.67, call it rounding. Again,	10:33:20
16	almost -- almost identical. Very similar. FEDEA	10:33:25
17	is higher.	10:33:28
18	Q Okay. How about 6?	10:33:29
19	A 52.9 for FEDEA and 56.3 with rounding for	10:33:31
20	the other one. I mean, this one has -- actually	10:33:40
21	has, you know, three points. That's noticeable.	10:33:44
22	But the EA53 number on the screen is higher than	10:33:47
23	52.9.	10:33:53
24	Q Okay. 15?	10:33:54
25	A I'd call these a tie. 53.7 and 53.88,	10:33:56

1	call it 53.9. I mean, those are two basis points	10:34:01
2	post decimal difference, but technically, 53.88 is	10:34:07
3	more than 53.7.	10:34:11
4	Q Okay. How about 5?	10:34:13
5	A 58.8 and 60.8 -- again, I'm rounding a	10:34:16
6	little bit with the five decimal points over	10:34:22
7	here -- that is about two points difference. So	10:34:24
8	pretty similar but, you know, two points. 60.8 is	10:34:28
9	two points higher than 58.8.	10:34:34
10	Q Okay. How about District 10?	10:34:37
11	A We've got 52.2 and 53.3 rounding down just	10:34:39
12	slightly. I mean, that's pretty -- pretty close.	10:34:50
13	1 point -- 1 points' difference, but the EA53 53.3	10:34:53
14	is mathematically higher.	10:34:58
15	Q Okay. How about 13?	10:35:00
16	A So we're comparing 48.6 and 49.2,	10:35:04
17	rounding. So now we're a differentiation of	10:35:10
18	about -- about a half a point. So almost similar	10:35:14
19	in my thought, but 49.23 is higher than 48.6.	10:35:18
20	Q Okay. 12?	10:35:25
21	A Just thinking of the court reporter right	10:35:28
22	now and probably pulling her hair out. Apologies.	10:35:36
23	61.3 is the FEDEA number, and it is being	10:35:39
24	compared to 63.07, roughly 63.1. So you're about	10:35:43
25	1.8 points different.	10:35:48

1	The EA53 number, 63.07 is a bigger	10:35:50
2	numerical value.	10:35:55
3	Q Okay. And how about 11?	10:35:56
4	A 19.4 and 19.8, these are less than a half	10:35:58
5	a point difference, so -- but comparing them	10:36:05
6	straight up numerically, 19.8 is more than 19.4.	10:36:09
7	Q Okay. Thank you for that.	10:36:15
8	Let's change gears a little bit.	10:36:20
9	MR. KLEIN: We can pull this down.	10:36:26
10	BY MR. KLEIN:	10:36:36
11	Q So going back to your map drawing process,	10:36:36
12	while you were working on the congressional map,	10:36:40
13	did you work on several drafts at the same time,	10:36:44
14	or was there a single master draft?	10:36:46
15	A Well, when Senator McColley was asked to	10:36:48
16	introduce a bill, and I was working directly with	10:36:57
17	him, that was the all-encompassing focus.	10:37:01
18	Q Right. I think I'm asking a more	10:37:04
19	fundamental question, which was just that when you	10:37:15
20	were working on the congressional map, was it one	10:37:17
21	draft you were working on or were there several	10:37:19
22	different drafts of the congressional map that you	10:37:21
23	were working on?	10:37:23
24	A Mostly it was one draft. Absolutely with	10:37:25
25	Senator McColley and -- yes, mostly one draft.	10:37:31

1 Q Right. So did you generate any other
2 Maptitude files while you were working on
3 congressional maps other than the one draft?

4 A There -- I would create other ones that
5 weren't full documents if I needed to kind of do
6 some mathematical analysis on an area, like
7 whether or not a group of counties together would
8 actually, you know, go together without exceeding
9 or being too -- under the deviation.

10 And so I might pull those out, put them in
11 another map, do those calculations and figure it
12 out so I wasn't working in the master map. And
13 then if it worked, I would put it in the master
14 map. If it didn't, I would just get rid of it
15 and -- because that didn't work.

16 Q Right. Okay. But -- so there weren't any
17 other maps besides the one master map that you
18 were working on with an intention for it to be
19 presented?

20 A Well, there --

21 Q To the General Assembly.

22 A Well, the Senator McColley map, what I
23 worked with him on, obviously generated a map
24 file. The map that was ultimately enacted was a
25 separate -- a separate file because it changed

1 significantly.

10:38:57

2 Q Right. Yeah. And we'll -- and we'll come
3 to that in a little bit.

10:38:57

10:39:01

4 I think starting with that first draft
5 that you're talking about, that was the master
6 draft until it was presented, correct?

10:39:04

10:39:06

10:39:10

7 A Can you say that question again?

10:39:12

8 Q Sure thing.

10:39:15

9 So within that timeline before Senator
10 McColley presented a draft map, the master draft
11 you're describing, that was the only draft you
12 were actually working on, correct?

10:39:18

10:39:25

10:39:29

10:39:31

13 A Well, I was asked to work with Senator
14 McColley. I think we talked about the timeline
15 before in late October -- you know, the last week
16 of October. I had started getting organized and
17 started working in mid-October, I think is what I
18 said, because I can't remember the exact dates.

10:39:33

10:39:39

10:39:41

10:39:44

10:39:50

10:39:52

19 So I had started working on something and,
20 you know, getting organized and making sure I had
21 everything that I needed to go forward. And then
22 I was asked to work with Senator McColley, and
23 then that became my focus and I worked on Senate
24 Bill 258.

10:39:56

10:39:59

10:40:02

10:40:04

10:40:07

10:40:12

25 Q Okay. And so -- and so is it correct that

10:40:12

1	the House majority also presented a -- presented a	10:40:18
2	map?	10:40:23
3	A I am aware that there was a map introduced	10:40:24
4	in the House I think by Senator Oelslager.	10:40:32
5	Q That's right --	10:40:36
6	A Former Senator Oel- -- former Senator	10:40:37
7	Oelslager. I'll now say Representative	10:40:40
8	Oelslager --	10:40:40
9	Q Right.	10:40:40
10	A -- apologies.	10:40:43
11	Q And did you have any -- did you play any	10:40:43
12	role in creating that map?	10:40:45
13	A No.	10:40:50
14	Q Okay. So you mentioned Senate Bill 258.	10:40:50
15	That's the -- that's the bill presented by Senator	10:40:58
16	McColley on November 3rd; is that right? That's	10:41:03
17	the map?	10:41:06
18	A I don't recall the date of introduction.	10:41:07
19	Obviously it's part of our legislative General	10:41:12
20	Assembly record, but that sounds about right.	10:41:15
21	Q Yeah. Okay. And then you also mentioned	10:41:16
22	that there was a second draft that was presented	10:41:22
23	later on by Senator McColley; is that right?	10:41:24
24	A A second draft that was presented later	10:41:27
25	on? Is that -- can you say that again --	10:41:32

1	Q	Sorry. Let's back up. You had mentioned	10:41:34
2		that you had created another Maptitude file for	10:41:37
3		the version that was ultimately enacted, correct?	10:41:40
4	A	Yes. Yes.	10:41:44
5	Q	Right. And so it's -- that was -- that	10:41:46
6		was a separate draft from this initial Senate	10:41:53
7		Bill 258 introduced in, let's say, early November?	10:41:57
8	A	Yes.	10:42:02
9	Q	Okay. Okay. Aside from those two drafts,	10:42:02
10		were there any other drafts you worked on that	10:42:06
11		were presented to the General Assembly?	10:42:12
12	A	Well, again, just -- you say "worked on."	10:42:14
13		I mean, I had -- on my computer I had the Senate	10:42:20
14		Democrat map that I was, you know, looking at and	10:42:23
15		trying to understand. I didn't work on it to	10:42:27
16		create it or help produce it, but I had it.	10:42:29
17	Q	Okay.	10:42:32
18	A	The same thing with the House Democrat	10:42:32
19		proposal that was offered. I had that file, I was	10:42:38
20		looking at it, analyzing it, trying to understand	10:42:41
21		it, but I did not do any work to create it or help	10:42:43
22		produce it.	10:42:46
23	Q	Okay. So then turning to the original	10:42:47
24		Senate Bill 258, the map presented in early	10:43:00
25		November, do you recall when you started work on	10:43:03

1	this specific draft?	10:43:05
2	A I remember -- don't hold me to the exact	10:43:06
3	date, but I think it was October 25th or 26th is	10:43:13
4	when I had my first phone call with Senator	10:43:16
5	McColley that he had been directed to work with me	10:43:20
6	to produce a bill to be introduced.	10:43:24
7	Q Okay. So following that time, was it	10:43:26
8	Senator McColley who primarily supervised your	10:43:38
9	work?	10:43:40
10	A Yeah, he -- he directed me. He did not	10:43:41
11	have access to Maptitude. So without -- you know,	10:43:43
12	he -- it was his bill, his name was on it, he was	10:43:47
13	in charge.	10:43:50
14	Q Okay. And so you -- so you were -- so	10:43:50
15	after that time, when did you send to Senator	10:44:00
16	McColley a draft of the map?	10:44:06
17	A I don't recall ever sending him a copy of	10:44:07
18	it. I met with him in his Senate office and	10:44:16
19	showed him a visual representation of his	10:44:19
20	direction.	10:44:23
21	Q Okay. And do you recall when that meeting	10:44:25
22	was?	10:44:29
23	A Well, it was sometime after October 25th	10:44:30
24	and November 3rd because you said that's when it	10:44:33
25	was introduced. So it was sometime in that six,	10:44:36

1	seven, eight days.	10:44:40
2	Q Do you think --	10:44:40
3	A It was -- it was earlier than that,	10:44:43
4	because he and I went back and forth several	10:44:46
5	times. But -- so it would have been shortly after	10:44:48
6	October 25th, is when I would have showed him a	10:44:51
7	first draft of his thoughts.	10:44:53
8	Q Do you think this was in November?	10:44:55
9	A I can't recall the specific dates, but if	10:44:59
10	you're telling me the bill was introduced on	10:45:04
11	November 3rd, I think I would have shown him	10:45:06
12	something soon thereafter of the 25th or 26th,	10:45:09
13	still in October.	10:45:14
14	Q Okay. All right.	10:45:14
15	So before Senator McColley presented that	10:45:21
16	draft map as the original Senate Bill 258, did you	10:45:25
17	discuss the draft map with anyone besides Senator	10:45:29
18	McColley.	10:45:35
19	MR. McGUIRE: Objection. We're going to	10:45:35
20	assert the legislative privilege that any	10:45:37
21	communications that Mr. DiRossi had with members	10:45:40
22	of the General Assembly, other than Senator	10:45:41
23	McColley, are an integral part of the deliberative	10:45:47
24	and communicative process with the General	10:45:50
25	Assembly and are privileged.	10:45:54

1	Don't answer that question.	10:45:55
2	MR. KLEIN: Okay. I'll say on the record	10:45:56
3	that we disagree with assertion of privilege under	10:45:57
4	Ohio law, but that, you know, even -- even	10:46:02
5	accepting arguendo that that privilege is	10:46:08
6	applicable, it would not apply to who was in the	10:46:11
7	conversation and when the conversation took place	10:46:14
8	and where the conversation took place.	10:46:16
9	So not inquiring as to the substance of	10:46:18
10	this conversation, but, rather, asking if you had	10:46:21
11	discussed the draft map with anyone besides	10:46:25
12	Senator McColley before it was introduced.	10:46:29
13	MR. McGUIRE: Okay. That -- that, he can	10:46:35
14	answer.	10:46:36
15	BY THE WITNESS:	10:46:41
16	A Senator McColley's name was on the bill,	10:46:41
17	he was in charge, but I also did speak to	10:46:43
18	President Huffman about the draft.	10:46:46
19	BY MR. KLEIN:	10:46:48
20	Q Okay. Do you recall when you spoke to	10:46:48
21	President Huffman.	10:46:50
22	A The same time frame, October 25th or 26th	10:46:53
23	is when I was given direction to work with Senator	10:47:00
24	McColley. The days between the 25th and the date	10:47:02
25	you said the bill was introduced on November 3rd	10:47:04

1 would have been -- all these conversations would
2 have happened in that time frame.

3 Q Okay. Do you recall speaking with anybody
4 else about the draft map prior to its
5 introduction?

6 A I would have told Blake that we were doing
7 this, but never discussing the substance of it, so
8 that he would be aware. The Chief of Staff of the
9 Senate, I'm sure, would have -- I would have made
10 the Chief of Staff aware that I was working on
11 this.

12 Q Okay. So you had -- so --

13 A And obviously -- and obviously in -- I
14 apologize for cutting you off. But in-house
15 counsel would have been aware of it as well.

16 Q Okay. All right. So you said you spoke
17 to President Huffman. Was it more than once in
18 this time period between October 25th and when the
19 map was introduced?

20 A I can't recall. I remember it being a
21 very fast process from the first instruction to
22 work with Senator McColley to introduction, and it
23 was -- it was an all-time-consuming effort. And I
24 cannot recall how many times I would have
25 interacted with the President during that window

1	about it.	10:48:37
2	Q Okay. Did you think it was more than	10:48:37
3	once?	10:48:40
4	A It could have been, but if it was once, it	10:48:40
5	wouldn't shock me. But I --	10:48:45
6	Q Okay. What about the --	10:48:47
7	A He was busy doing other legislative stuff,	10:48:49
8	obviously, right? He's not just focused on this.	10:48:51
9	That's Senator McColley's job and mine as a	10:48:55
10	staffer.	10:48:58
11	Q All right. What about the Senate Chief of	10:48:58
12	Staff; did you speak to the Chief of Staff more	10:49:03
13	than once?	10:49:05
14	A I don't recall if I spoke to John more	10:49:05
15	than once during that time.	10:49:12
16	Q Okay.	10:49:13
17	MR. KLEIN: Let's -- let's pull up --	10:49:19
18	actually, let's -- sorry. Just one second.	10:49:28
19	BY MR. KLEIN:	10:49:40
20	Q So prior to the map's introduction, you	10:49:40
21	mentioned you had showed the draft map to Senator	10:49:42
22	McColley. Did you show it to anyone else?	10:49:47
23	A I remember showing it to President	10:49:49
24	Huffman.	10:50:07
25	Q Okay.	10:50:07

Transcript of Raymond DiRossi
Conducted on December 7, 2021

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1	A I cannot recall specifically showing it to	10:50:18
2	any of the other people I mentioned. It's	10:50:21
3	possible, but I cannot -- I cannot recall that.	10:50:24
4	Q So your recollection is, prior to the	10:50:25
5	draft map's introduction, you showed the draft map	10:50:28
6	to Senate President Huffman and Senator McColley,	10:50:32
7	correct?	10:50:35
8	A Yes. Yes. Those are the two I can	10:50:36
9	recall. And it was --	10:50:38
10	Q Okay.	10:50:38
11	A -- it was a very chaotic time. It --	10:50:41
12	right -- you -- what was the -- can you -- the	10:50:44
13	time frame you're talking about again --	10:50:47
14	Q Right. So from when you were told to work	10:50:49
15	with Senator McColley on the map --	10:50:52
16	A Okay.	10:50:54
17	Q -- and when the map was presented, that's	10:50:54
18	the -- that's that time frame. Does that change	10:50:58
19	your answer at all?	10:51:01
20	A Well, that's the -- you said from the time	10:51:02
21	I was instructed, which, in my mind, is that	10:51:04
22	October 25th/26th day. To when?	10:51:07
23	Q To --	10:51:11
24	A Help me understand to when.	10:51:12
25	Q So to when the map was introduced --	10:51:15

1	A Okay.	10:51:18
2	Q -- in early November.	10:51:18
3	A Okay. Well, that's very broad. So, I	10:51:21
4	mean, technically, I -- because I'm pretty sure	10:51:23
5	when the map was introduced, we provided images of	10:51:26
6	the map to a number of folks. And so PDFs of the	10:51:29
7	map would have been given to other legislative	10:51:35
8	staffers assigned to the various committees. So	10:51:37
9	technically they would have seen it in the time	10:51:40
10	frame you're talking about.	10:51:43
11	So I'm not sure I can itemize that, but,	10:51:44
12	you know, the legislative aides for the various	10:51:52
13	staff and also the committee staff probably would	10:51:54
14	have seen it before it was introduced.	10:51:57
15	Q Right. So --	10:52:03
16	A I can't -- I can't think of others.	10:52:04
17	Q All right. So were those maps -- so was	10:52:05
18	that map disseminated to the legislative staffers	10:52:09
19	and the committee staff shortly before the map was	10:52:13
20	introduced, or was there a few days of lead time?	10:52:18
21	A Mr. Klein, thank you for asking the	10:52:21
22	question that way. I do need to clarify what I	10:52:24
23	just said because I think I did say something in	10:52:26
24	error.	10:52:28
25	I was conflating the process of	10:52:29

1	introduction with the pro- -- the committee	10:52:32
2	process. I told you --	10:52:35
3	Q Right.	10:52:36
4	A -- it was a very chaotic process.	10:52:37
5	So the legislative staff would not	10:52:40
6	probably have seen it before introduction, which	10:52:41
7	is specifically, I think, what you are asking	10:52:45
8	about. They would have seen it before the	10:52:46
9	committee process. So I misspoke there trying --	10:52:51
10	Q Right.	10:52:52
11	A -- to recall this. So thanks for --	10:52:53
12	Q That's fair.	10:52:56
13	A -- clarifying that.	10:52:56
14	Q So then introduction as we understand it	10:52:58
15	here --	10:53:00
16	A Thank you.	10:53:00
17	Q -- prior to introduction, do you recall	10:53:01
18	sharing the map with anyone besides Senate	10:53:03
19	President Huffman and Senator McColley?	10:53:07
20	A Like I said, I cannot recall if I	10:53:09
21	physically showed the map to the Chief of Staff.	10:53:12
22	The Chief of Staff, as I mentioned, knew this bill	10:53:16
23	was being introduced.	10:53:19
24	I can't recall if I shared it with legal	10:53:21
25	counsel physically, in-house counsel, but in-house	10:53:24

1 counsel knew the map was being drafted or put --
2 the bill was being drafted.

3 Obviously LSC, who would have been doing
4 the drafting for us, we would have provided a
5 visual of the map to LSC to help them with their
6 preparation of the LSC analysis.

7 I would have mentioned to Blake that we
8 were doing this, and I think he reciprocated that
9 they were doing something similar on their side.

10 I cannot recall if I showed him a physical
11 copy of the map as a courtesy prior to its
12 introduction, but that is possible.

13 Those are the -- that's the -- again,
14 we're talking about a very chaotic six-day period,
15 seven-day period here. That's what I can
16 recall --

17 Q Okay.

18 A -- right now.

19 Q Okay. Did you -- prior to the draft map's
20 introduction, did you share a draft of the map
21 with any Democratic elected officials in the Ohio
22 General Assembly?

23 A So that would not be for me to do. Did I
24 do that? No. But that would not have been part
25 of my job duties. That was communication between

1	the President and the other leaders of the	10:54:36
2	legislature, since we were in a legislative	10:54:40
3	process. So I can't --	10:54:42
4	Q Yeah, is --	10:54:45
5	A -- speak to that.	10:54:45
6	Q Is it your understanding that Senate	10:54:47
7	President Huffman shared this map with any	10:54:49
8	Democratic elected officials within the Ohio	10:54:51
9	General Assembly prior to its introduction?	10:54:55
10	A I know for a fact that later in the	10:54:57
11	process before this bill was enacted there was	10:55:03
12	definitely a process to do that. Whether it	10:55:06
13	happened immediately before the introduction of it	10:55:08
14	is not information I -- I know.	10:55:11
15	Q Okay.	10:55:17
16	MR. KLEIN: Can we pull up Tab 4. And I'd	10:55:17
17	like to mark this as an exhibit.	10:55:25
18	(WHEREUPON, DiRossi Exhibit No. 3 was	10:55:25
19	presented to the witness.)	10:55:44
20	MR. MCGUIRE: What -- Mr. Klein --	10:55:44
21	MR. KLEIN: Okay. So --	10:55:44
22	MR. MCGUIRE: -- number is that? What	10:55:44
23	number are you up to on deposition?	10:55:45
24	MR. KLEIN: So I think we are on Exhibit	10:55:49
25	Number 3.	10:55:52

1	MR. McGUIRE: All right. 3. Thank you.	10:55:52
2	BY MR. KLEIN:	10:55:54
3	Q And we have an email here. I am	10:55:55
4	representing to you that you -- or, rather, that	10:56:00
5	your counsel produced this to us from your	10:56:04
6	custodial data.	10:56:06
7	Do you recognize this email?	10:56:09
8	A I do.	10:56:10
9	Q Have you seen it before?	10:56:11
10	A Yes.	10:56:13
11	Q Okay. Can you describe to us who is on	10:56:15
12	this email.	10:56:19
13	A So thank you for showing me this. This	10:56:20
14	jogs my memory a little bit. So maybe a little	10:56:24
15	bit of history that will help clarify my previous	10:56:27
16	answer to you.	10:56:31
17	The introduced version of Senate Bill	10:56:32
18	258 -- the true introduced version of Senate Bill	10:56:36
19	258 was language only. It was a placeholder	10:56:42
20	declaring the intent to enact congressional	10:56:43
21	districts for the State of Ohio, a fact that I	10:56:48
22	just forgot and you helped me remember.	10:56:51
23	That bill was assigned to a committee, and	10:56:54
24	that committee then had a sub bill, which is the	10:56:58
25	version you and I have been talking about. When	10:57:03

1 you said "introduced," I should have corrected you 10:57:06
2 that the introduced version is technically the 10:57:10
3 placeholder. The substitute bill that did happen 10:57:13
4 in committee was the first sub bill. 10:57:16

5 Q Right. 10:57:19

6 A And then obviously I'm sure we'll talk 10:57:19
7 later about a second sub bill that contained the 10:57:22
8 enacted version. 10:57:25

9 Q Right. 10:57:25

10 A This email was an email that I sent to the 10:57:26
11 staff of the committee, I believe, that was 10:57:31
12 hearing the bill and would adopt the sub bill. 10:57:38

13 And it was the draft -- LSC draft of the 10:57:43
14 language that would have been used as the 10:57:48
15 substitute to replace the placeholder language. 10:57:52

16 Q All right. So this -- so this language -- 10:57:54

17 A (Indiscernible) clarity to what I said 10:57:58
18 before. 10:58:01

19 Q Right. Yeah, and thank you for clearing 10:58:01
20 that up. 10:58:02

21 So this draft would actually explain where 10:58:03
22 the district boundaries would be in this proposal, 10:58:05
23 correct? 10:58:08

24 A Well, this is the legislative draft. This 10:58:08
25 is the L134134 General Assembly dash two version 10:58:12

1 of the sub bill.

10:58:19

2 This would, in words, show and say what
3 units of geography in the state are assigned to
4 what congressional districts. You --

10:58:20

10:58:26

10:58:28

5 Q Okay.

10:58:30

6 A -- would not be able to look at this draft
7 and visually see districts. This is the legal
8 wording of the districts.

10:58:31

10:58:34

10:58:37

9 Q Okay. And who is this email sent to?

10:58:38

10 A Theresea Varrasso.

10:58:42

11 Q Okay. And what is her position?

10:58:49

12 A I believe she is a legislative aide with
13 one of our office -- she's a legislative aide --
14 senior legislative aide for one of our Senate
15 offices.

10:58:51

10:59:01

10:59:03

10:59:06

16 Q Okay. Do you have a sense of which Senate
17 office that is?

10:59:06

10:59:08

18 A I think it is in Senator Gavarone's
19 office, but I could be mistaken.

10:59:09

10:59:17

20 Q And you write in the email here, in the
21 first line, "Embargoed until further notice."

10:59:19

10:59:25

22 What do you mean by "embargoed" here?

10:59:29

23 A There was -- it's been the process of most
24 of our committees to distribute information to the
25 committee members, both the Republican members,

10:59:35

10:59:37

10:59:40

1 the Democrat members, members of the press corps,
2 members of the public in a unified way so that
3 everybody gets the information at the same time.

4 And I was giving her this draft on
5 November 3rd at -- as I'm reading it -- at 3:15 in
6 the afternoon, roughly, and I'm telling her to
7 wait for this distribution until we figured out
8 when it was going to be distributed.

9 Q So you said you were figuring out when the
10 bill was going to be distributed. What -- what
11 sort of decision point was still open when it came
12 to when it was going to be -- when it was going to
13 be distributed?

14 A Again -- so just remember my role. I was
15 providing the document to them, their office and
16 their -- the senators control the committee
17 process. They made that decision, and I didn't
18 know what it is, and I just wanted to provide them
19 the information and said these words "embargoed
20 until further notice" so that they would not
21 immediately do it and they would talk to their
22 chair and talk to the senators of when that
23 distribution was going to happen. Not my
24 decision.

25 Q Right. Okay. Got you.

1 So what you're -- so what you're
2 representing in this email is simply that the --
3 that the senators that you're working for have
4 made the decision not to have this distributed at
5 that moment, correct?

6 A No, I don't think that at all. I was --
7 it was going to be distributed, and it was going
8 to be distributed per the tradition of the Senate
9 to distribute a lot of this information
10 simultaneously to all the parties that I
11 mentioned.

12 I just didn't know that was going -- when
13 that was going to be. So I was providing the bill
14 draft to them and basically saying hold off until
15 we figure out when to distribute to everybody at
16 the same time.

17 Q Okay. Okay.

18 MR. KLEIN: We can pull this down now.

19 BY MR. KLEIN:

20 Q I'm going to turn to what you've already
21 -- what you've already referenced, which is the
22 second substitute bill. And we can use that
23 terminology if that's now easier.

24 So this second substitute bill, you worked
25 on that as well, correct? You worked on that map?

1 A Yeah, if by second sub bill you mean the
2 one that was -- ultimately ended up being adopted
3 after it was amended into Senate Bill 258; is
4 that --

5 Q Right.

6 A -- what you're referring?

7 Q Right.

8 A Make sure we are on the same page. The
9 second sub bill, yes, I worked on that.

10 Q Right. Okay. And so was this plan based
11 on the first sub bill that was introduced, or did
12 you more or less start from scratch?

13 A Well, it's -- you know, think of all the
14 things that had happened since the -- not only
15 before the first Senate bill of -- the first sub
16 bill of Senate Bill 258 was introduced, but there
17 was also a proposal in legislative form from the
18 Senate Democrats that had been amended and
19 refined. There was a proposal from the House
20 Democrats that had been introduced and was before
21 the legislature. There was a map that was
22 produced by the House Republicans, which you
23 alluded to earlier.

24 There was a tremendous amount of public
25 testimony that had happened in these weeks that

1 we're talking about, public testimony before
2 Senate standing committees, House standing
3 committees, joint -- joint committees. Editorials
4 were writing all kinds of editorials about what
5 they thought the district should look like. And
6 citizens of the state were, you know, talking
7 about what they wanted to the map to look like.

8 And so the map that was ultimately adopted
9 is the attempt to have, you know, all of -- a lot
10 of that feedback and all of that feedback put into
11 one map.

12 Q Okay. And when did you start work on the
13 second substitute bill map?

14 A Well, I don't know if I could put a
15 timeline on that. I mean, as -- as we've talked
16 about, I started working on stuff in mid-October,
17 but then everything was really put on hold to work
18 on Senate Bill 258 with Senator McColley. And
19 then once that bill had been introduced and all
20 the other hearings were happening, sometime in
21 early November, we were trying to take all of
22 these other proposals and feedbacks that we were
23 getting, that you and I just talked about, into
24 one map.

25 So that would have happened sometime in

1 early November.

11:04:40

2 Q Okay. So did you start work on this draft
3 after this first draft map was introduced?

11:04:40

11:04:43

4 A Well, that's why it's hard to say this
5 specific draft of this specific map because it's
6 such a collection of all of these different pieces
7 of other maps and public testimony and other
8 things that, you know, we're incorporating into
9 here.

11:04:48

11:04:51

11:04:54

11:04:57

11:05:00

11:05:03

10 And each one of those things has their own
11 distinct timeline. So I -- it's hard to say that
12 there was, like, a day that this map started to be
13 worked on. I can't -- I can't give that. It's a
14 collection of all these other -- other proposals
15 and feedbacks.

11:05:03

11:05:06

11:05:09

11:05:13

11:05:15

11:05:17

16 Q Right. So is it possible that you had
17 started work on this map before that first
18 substitute bill was introduced?

11:05:18

11:05:28

11:05:30

19 A Well, clearly there are some things -- and
20 we can certainly go through them -- that happened
21 through the public testimony process where
22 districts as drawn by the Senate Democrat and/or
23 House Democrat proposals that happened after I
24 started working on getting organized in
25 mid-October.

11:05:32

11:05:37

11:05:40

11:05:43

11:05:47

11:05:49

11:05:52

1 So clearly the answer would be it -- with
2 regards to those, no, that didn't happen until
3 obviously those were made public.

4 Yeah, a number of other things, editorials
5 from local newspapers, other community leaders
6 were sending letters to the presidents that I saw
7 asking for districts to be changed.

8 So all of this is all happening
9 simultaneously, but it was really -- you know,
10 late October, early November is when all that
11 stuff was really -- really happening leading up to
12 the enactment of 258 in mid-November.

13 Q Right. But the actual Maptitude file that
14 contained this second draft map, did you create it
15 after this first draft bill was introduced?

16 A That -- yeah, that file that became Senate
17 Bill 258 probably was the -- one of the drafts of
18 where the Senator McColley Senate Bill 258 ended.
19 And I probably copied that and then started
20 putting all this stuff together.

21 So the exact date that that file was
22 created is -- I have no idea.

23 Q All right. Do you have any reason to
24 believe you did not start this file prior to the
25 first draft map's introduction?

1 A Again, I mean, you're asking about
2 starting the file and, you know, in my mind that's
3 very different than the actual substance of the
4 proposal that was enacted.

5 I know there were changes that were being
6 made to this map as late as November 13th or 14th.
7 I'm trying to -- you know, we had a very stringent
8 process of going through and trying to make sure
9 that we were minimizing splits to jurisdictions.

10 So the map was changing, you know, almost
11 until the very last minute. So, you know, those
12 things certainly didn't happen before Senate Bill
13 258 was introduced; they happened well at the end
14 of the process.

15 I'm trying to answer your question. I
16 hope I have.

17 Q Right. I'm just trying to -- trying to
18 get a sense of whether a file was created prior to
19 November 3rd -- or prior to the introduction of
20 the draft map.

21 A Well, I -- as we spoke before, I created a
22 file before I was tasked to work with Senator
23 McColley, but I -- I can't remember if -- I think
24 I used Senate Bill 258 as Senator McColley last
25 amended it as the basis technically of the file.

1	But, again, that's a very technical of,	11:08:52
2	like, "the file." It's a --	11:08:53
3	Q Right. It was --	11:08:53
4	A -- the substance of it that's important	11:08:54
5	was coming from all of these other sources and all	11:08:56
6	of these other things throughout this timeline.	11:09:00
7	Q So were there two separate files between	11:09:02
8	that first and second draft?	11:09:07
9	A Help me -- so you're talking about Senate	11:09:10
10	Bill 258?	11:09:19
11	Q Mm-hm.	11:09:19
12	A And what -- and when you say "first and	11:09:20
13	second draft," let's make sure --	11:09:22
14	Q First --	11:09:24
15	A -- I don't make the same mistakes I did --	11:09:24
16	Q Right.	11:09:26
17	A -- before.	11:09:26
18	What you were referring to?	11:09:28
19	Q Right. So the first draft that became the	11:09:30
20	first substitute bill for Senate Bill 258	11:09:30
21	introduced in early November, right? And then the	11:09:32
22	second draft being the draft map introduced later	11:09:34
23	on that was ultimately adopted.	11:09:39
24	A Okay. Yeah, I -- my guess -- are you --	11:09:41
25	so the question is -- now I understand. Now,	11:09:44

1	what's the question?	11:09:47
2	Q Right. So were there two separate files	11:09:48
3	as between those two drafts?	11:09:50
4	A Yes, I think there were two separate	11:09:52
5	files, right. Senate Bill 258 as Senator McColley	11:09:55
6	wanted it is a file, and then the enacted map is a	11:10:00
7	separate file.	11:10:03
8	Q Right. And then -- yeah. So now that we	11:10:03
9	understood -- right? -- it's this separate file.	11:10:08
10	That second file, first, was that created later in	11:10:10
11	time than the file for the first draft of the map?	11:10:16
12	A Yeah, I understand your question. I don't	11:10:18
13	know. I mean, I don't know if I copied the final	11:10:20
14	Senator McColley 258 and then used that as the	11:10:24
15	file or if I used something else or I started with	11:10:29
16	blank and started to put all these pieces	11:10:31
17	together. I don't recall.	11:10:34
18	Q Right. But had you made any -- strike	11:10:35
19	that.	11:10:35
20	But in terms of the subjective work on the	11:10:52
21	second draft, is it your testimony that that all	11:10:54
22	took place after this first draft of the map was	11:10:56
23	introduced?	11:11:03
24	A I don't know if I would say all of it.	11:11:03
25	I -- obviously there was a -- I'm happy to go	11:11:07

1 through them. There were a lot of things from
2 public testimony and other maps that were before
3 the General Assembly that were taken and put into
4 the final enacted Senate Bill 258.

5 But I wouldn't sit here and say everything
6 from it happened post the introduction of Senate
7 Bill 258.

8 Q Okay. Right. So there was some
9 substantive work that happened for this second
10 draft prior to the introduction of that first
11 draft?

12 A I'm saying -- I'm saying there could
13 have -- there could have been, yeah. I'm -- yeah,
14 I'm saying there could have been.

15 Q There could have been. Okay. Okay.

16 A But as you know, when you change one
17 district and they're all balanced to the person,
18 it's like throwing a rock in the middle of the
19 pond and, you know, you get these ripple effects
20 and you have to change a lot when you make one
21 change --

22 Q Okay.

23 A -- and so it's prob- -- I think it would
24 be fair to say every district changed in some way
25 probably several times through this process.

1 Q Right. Did anyone else work with you in
2 drawing this second draft map besides Senator
3 McColley?

4 A President Huffman. I had a few
5 conversations with President Huffman about the --
6 the final map as it was being put together.

7 Q Is there anybody else?

8 A Let me think for a minute and go through
9 that.

10 So at what level are you -- when you say
11 "work with," what -- can you expound on that a
12 little bit to help me understand?

13 Q Right. Let's say -- let's -- well, we'll
14 sort of start at -- we'll start with did you have
15 conversations with anyone besides Senators
16 McColley and Senate President Huffman about the --
17 about this revised plan?

18 A Yes.

19 Q Yeah. And also just to be clear, we're
20 talking about a time period prior to when it was
21 actually enacted.

22 Okay. So who did you have conversations
23 with during that time period?

24 A So conversations about post -- let me just
25 make sure I understand before I give you an

1	answer.	11:13:53
2	Q Mm-hm.	11:13:53
3	A Post the introduction of Senate Bill 258.	11:13:54
4	Q Mm-hm.	11:13:57
5	A Before obviously the enacted map was	11:13:57
6	enacted.	11:14:00
7	Q Yeah, well, let's say -- because, you	11:14:01
8	know -- because we're not certain when work on the	11:14:04
9	second draft started, let's say between late	11:14:06
10	October and when the map was voted up by the	11:14:09
11	General Assembly -- right? -- who did you have	11:14:13
12	conversations with regarding this second draft	11:14:17
13	map?	11:14:20
14	A Now "conversations with," I mean, that's	11:14:20
15	very broad. Are you intentionally -- I mean,	11:14:29
16	anybody I talk to about anything about the map,	11:14:32
17	including the logistics and all that stuff, or are	11:14:34
18	you talking about the substance of what it was	11:14:37
19	going to look like, what concepts we were going to	11:14:38
20	borrow from the Senate Democrat and put into this.	11:14:41
21	Help me understand.	11:14:45
22	Q Well, let's -- why don't we talk about	11:14:46
23	substance first. Who did you have substantive	11:14:48
24	conversations with regarding this second draft map	11:14:51
25	between -- in the time between late October and	11:14:53

1	when the plan was voted up by the General	11:15:03
2	Assembly?	11:15:06
3	A Senator Huffman -- President Huffman and	11:15:06
4	Senator McColley would be the --	11:15:10
5	Q Okay.	11:15:12
6	A -- two that would fit that substantive	11:15:12
7	conversations.	11:15:14
8	Q Did you speak to anybody else?	11:15:14
9	A Speak to anybody else? The	11:15:16
10	same substantive --	11:15:22
11	Q Sorry. Yeah, right.	11:15:23
12	A -- qualifiers?	11:15:24
13	Q Did you -- yeah, did you speak to anyone	11:15:25
14	else about the substance of the plan?	11:15:26
15	A Well, before the -- before the map was	11:15:27
16	passed by the Senate, there were conversations	11:15:33
17	about the map with the Speaker. One meeting that	11:15:38
18	I can recall with the Speaker.	11:15:43
19	Q Okay. And when was that meeting?	11:15:45
20	A I think it was November 9th.	11:15:47
21	Q Okay. Did you ever speak to John Morgan	11:15:54
22	about the second draft plan?	11:15:59
23	MR. McGUIRE: Objection. We're going to	11:16:04
24	assert the legislative privilege.	11:16:05
25	BY MR. KLEIN:	11:16:05

1 Q All right. So this is, once again, asking 11:16:07
2 not about the substance of the conversation -- or 11:16:11
3 I guess, you know, we'll -- okay. We'll take out 11:16:13
4 the substantive qualifier, all right. We're not 11:16:17
5 asking about the substance; simply the who. 11:16:19

6 Did you have any discussions with John 11:16:22
7 Morgan regarding -- regarding this second draft 11:16:25
8 plan? 11:16:31

9 MR. McGUIRE: We're going to raise the 11:16:32
10 legislative objection -- legislative privilege 11:16:34
11 objection as the identity of folks outside of the 11:16:38
12 General Assembly with whom conversations were had 11:16:41
13 would reflect the deliberative and communicative 11:16:43
14 processes of the General Assembly. 11:16:46

15 Don't answer that, please. 11:16:51

16 BY MR. KLEIN: 11:17:02

17 Q We may circle back to this in a bit, but 11:17:03
18 we'll move on. 11:17:07

19 Any -- so anyone else you had substantive 11:17:07
20 conversations with regarding the map -- regarding 11:17:11
21 the second draft map? 11:17:13

22 A So, again, not to try to qualify every 11:17:15
23 word you're saying, but I'm trying to be 11:17:18
24 responsive to your question. Substantive 11:17:20
25 conversations, I mean, help -- help me understand 11:17:22

1	what that means. Because the people who I spoke	11:17:24
2	to that had the potential to change the boundaries	11:17:26
3	we've talked about.	11:17:31
4	Q Okay. Okay.	11:17:33
5	A I -- if -- you know, logistics, timelines,	11:17:35
6	things like that. If you want to go through	11:17:42
7	those, happy to do it.	11:17:44
8	Q Okay.	11:17:46
9	A But in my mind, I wouldn't call those	11:17:46
10	substantive. They may be about a substantive	11:17:49
11	issue of the bill, but they weren't substantive.	11:17:51
12	So --	11:17:54
13	Q Well --	11:17:54
14	A -- I hope you understand this.	11:17:55
15	Q Right. No, I'm -- understood. Yeah,	11:17:56
16	I'm -- I'm talking specifically about, you know,	11:17:57
17	where district lines might be drawn, the impacts	11:18:00
18	of drawing those lines those ways, whether it	11:18:04
19	comes to population or any other redistrict	11:18:07
20	considerations.	11:18:11
21	A So I don't want to run afoul of anything,	11:18:11
22	but I -- Blake -- at the end, Blake Springhetti	11:18:13
23	would fall under that category.	11:18:18
24	Q Okay. So you did speak to Blake	11:18:20
25	Springhetti regarding this second draft plan,	11:18:23

1	correct?	11:18:25
2	A At the end -- near the end of the process,	11:18:25
3	yes.	11:18:30
4	Q Okay. And did he play any role in	11:18:30
5	creating this plan?	11:18:34
6	A I mean, "play any role"? The -- I would	11:18:36
7	say -- I would say no.	11:18:46
8	Q Okay. Did he ever give any input on the	11:18:51
9	draft map?	11:18:54
10	A Well, as I -- as I mentioned -- yes, input	11:18:55
11	and commentary at the meeting that I referenced to	11:19:01
12	you on November 9th, yes.	11:19:04
13	Q Okay.	11:19:06
14	A But as I have mentioned to you before,	11:19:07
15	there was a lot of time and effort that we wanted	11:19:09
16	to put into -- once we were, you know, working	11:19:14
17	together -- because he was working on his map with	11:19:20
18	Representative Oelslager, and I was working on the	11:19:24
19	Senate map with Senator McColley.	11:19:26
20	Once the leaders had decided on the	11:19:28
21	decisions of the map, we took great care and great	11:19:31
22	process to go through the map at a very fine level	11:19:39
23	to make sure we weren't inadvertently splitting a	11:19:43
24	township or a city that we didn't intend to do.	11:19:47
25	And through that process that Blake was	11:19:51

1 intimately involved in, we were able to find 11:19:53
2 several areas where we had unintended splits that 11:19:57
3 we were able to undo, and that's why I feel that 11:20:01
4 the map that we put forward that splits, you know, 11:20:04
5 only 13 subdivisions a total of 14 times was so 11:20:07
6 much better at that level than any of the other 11:20:11
7 maps that were put forward. 11:20:14

8 And I hope we get to talk about that 11:20:16
9 because that was very important, to make sure that 11:20:18
10 we got down to that level, and so Blake would have 11:20:20
11 been involved in that. 11:20:22

12 So that technically did change the 11:20:23
13 boundaries, but it was much more along the lines 11:20:25
14 of, hey, we accidentally split two precincts here 11:20:29
15 in this township, let's just try to split one and 11:20:32
16 let's fix that. 11:20:36

17 MR. KLEIN: All right. Got you. So why 11:20:38
18 don't we go off the record. I think now might be 11:20:39
19 an appropriate time for a lunch break. I'm 11:20:47
20 thinking 30 minutes, if that's okay for folks? 11:20:49

21 MR. McGUIRE: Spencer, that's fine, but 11:20:51
22 let me just -- and, again, let's go off the 11:20:54
23 record. I'm sorry. 11:20:57

24 THE VIDEOGRAPHER: The time is -- 11:20:57

25 MR. McGUIRE: We're fine with taking a 11:21:02

1	lunch break.	11:21:03
2	THE VIDEOGRAPHER: The time is 11:20. We	11:21:04
3	are going off the record.	11:21:07
4	(WHEREUPON, a recess was had.)	11:21:09
5	THE VIDEOGRAPHER: The time is 11:59. We	11:59:00
6	are on the record.	11:59:07
7	MR. McGUIRE: If I could just interject	11:59:11
8	before the questioning continues very briefly.	11:59:14
9	During the break, after further discussion and	11:59:16
10	consideration, we would -- we are going to	11:59:19
11	withdraw our objection to the question posed to	11:59:21
12	Mr. DiRossi "Did you speak with John Morgan in	11:59:26
13	the" -- whatever -- "in the process of the map	11:59:33
14	making?" But we are going to object to it on the	11:59:36
15	grounds of attorney-client privilege and work	11:59:40
16	product.	11:59:43
17	Mr. Morgan was retained by outside counsel	11:59:43
18	for the Speaker and the President, and it is our	11:59:47
19	position that who the outside counsel choose to	11:59:52
20	have any of its witnesses and/or clients, in this	11:59:57
21	case, speak with, a nontestifying consultant -- a	12:00:00
22	person in a nontestifying consultant position,	12:00:07
23	that that reflects the mental impressions of the	12:00:10
24	attorneys and the outside counsel and that that is	12:00:13
25	work product, and we're going to instruct him not	12:00:15

1	to answer on that basis.	12:00:17
2	I just wanted to clarify that.	12:00:19
3	MR. KLEIN: Okay. Thank you.	12:00:21
4	BY MR. KLEIN:	12:00:22
5	Q So what I -- so then let me rephrase the	12:00:23
6	question slightly. I'm not asking you about any	12:00:29
7	conversations you've had related to this	12:00:33
8	litigation. I am simply asking about any	12:00:35
9	conversations about the map that was ultimately	12:00:38
10	enacted or the original draft presented to the	12:00:43
11	General Assembly.	12:00:47
12	With that caveat, did you have any	12:00:48
13	conversations with John Morgan concerning	12:00:51
14	congressional redistricting in Ohio?	12:00:56
15	MR. McGUIRE: We're going to object on the	12:01:00
16	basis of attorney-client privilege and attorney	12:01:02
17	work product and the -- it was well anticipated by	12:01:04
18	the Speaker and the President, given the public	12:01:07
19	statements of various groups and simply the way	12:01:11
20	this -- everyone inevitably knew this would play	12:01:14
21	out that at the time Mr. Morgan was retained,	12:01:19
22	there was an anticipation of litigation involving	12:01:23
23	the redistricting congressional map.	12:01:26
24	And, again, who -- who outside counsel	12:01:29
25	chose to have their witnesses speak to, which	12:01:32

1 nontestifying consultants or experts, reflects the
2 mental impressions of counsel and is work product
3 privilege.

4 So we're going to -- do not answer that
5 question.

6 THE WITNESS: All right.

7 MR. KLEIN: Just for the record, I'm going
8 to -- I'm going to note that we dispute that
9 objection. We do not believe work product or
10 attorney-client is so capacious as to include
11 those matters, but we're noting that for the
12 record and we're moving on.

13 BY MR. KLEIN:

14 Q And so, Mr. DiRossi, coming back, I think
15 we covered this to some extent, but just to recap,
16 who did you report to when you were working on
17 congressional maps for this cycle?

18 A Well, I am a staff person, so I am always
19 reportable to the President, the Senate, and the
20 Chief of Staff. When I was working with Senator
21 McColley, I was -- it was his bill. I was
22 reporting directly to him.

23 Q Okay. So is it fair to say that Senator
24 McColley was supervising your work on
25 congressional maps this cycle?

1	A I don't know if there -- that has --	12:02:43
2	supervising has some type of significance to it.	12:02:47
3	I was reporting to him. That's the best I can	12:02:50
4	tell you.	12:02:52
5	Q Okay. So if you were to report to someone	12:02:52
6	on the progress of your work on the maps, would it	12:02:54
7	be Senator McColley?	12:02:57
8	A Yes.	12:03:02
9	Q And how did you report the progress of	12:03:05
10	your work on draft congressional maps to Senator	12:03:07
11	McColley?	12:03:13
12	A Well -- and, again, the progress of my	12:03:13
13	work was implementing his directions. So, you	12:03:16
14	know, it -- he was the one -- his bill -- Senate	12:03:20
15	Bill 258 has his name on it. He's telling me what	12:03:25
16	counties -- you know, I'm just helping him with	12:03:28
17	the technical aspects and helping make sure the	12:03:30
18	districts are balanced out.	12:03:33
19	MR. MCGUIRE: I think the question from	12:03:34
20	Mr. Klein was how, by what methods were you	12:03:36
21	communicating with -- I think, with Mr. -- with	12:03:38
22	Senator McColley about the progress of the maps,	12:03:42
23	email, conversations, texts, et cetera. I think	12:03:44
24	that was the question.	12:03:47
25	MR. KLEIN: Yeah, that is.	12:03:48

Transcript of Raymond DiRossi
Conducted on December 7, 2021

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1	BY MR. KLEIN:	12:03:49
2	Q So we can kind of run through. So did you	12:03:49
3	send Senator McColley written reports of some sort	12:03:52
4	on -- on how work was going on the congressional	12:03:57
5	maps?	12:04:04
6	A No.	12:04:04
7	Q Did you send him emails?	12:04:04
8	A None that I can recall. I don't believe	12:04:10
9	so.	12:04:12
10	Q Okay. Texts?	12:04:12
11	A I -- you know, as we discussed earlier, I	12:04:13
12	would have sent him text messages about logistics,	12:04:16
13	like if you're available for a phone call later	12:04:19
14	and so forth, and that would be the --	12:04:22
15	Q Okay.	12:04:27
16	A -- extent of that.	12:04:28
17	Q Yeah. So based on that, I have a sense	12:04:29
18	that you gave him reports of how progress was	12:04:31
19	going over the phone?	12:04:33
20	A In person. I mean, I met with him in his	12:04:34
21	office, as we discussed numerous times.	12:04:37
22	Q Right. And so was that always the way	12:04:40
23	that you reported on progress of the congressional	12:04:42
24	maps?	12:04:45
25	A Well, phone -- phone and in person.	12:04:45

1	Q Okay. Did he ever visit your office to	12:04:55
2	see how congressional maps were coming along?	12:04:57
3	A Which office are you referring to? Sorry.	12:04:59
4	Q Right. So the -- so I am referring to the	12:05:05
5	office that you referenced earlier where you had a	12:05:07
6	computer that had Maptitude loaded up.	12:05:10
7	A No.	12:05:17
8	Q Okay. So he never visited you there. So	12:05:17
9	did McColley ever have a chance to look at your	12:05:22
10	Maptitude screen?	12:05:25
11	A No.	12:05:26
12	Q Okay. So did you ever get a chance to	12:05:26
13	present a draft map to Senator McColley before it	12:05:37
14	was introduced?	12:05:40
15	A Well, again, what is -- present -- present	12:05:48
16	a draft map? I mean, I was implementing his	12:05:50
17	direction. So obviously --	12:05:53
18	Q Okay.	12:05:53
19	A -- he saw it before it was introduced	12:05:55
20	under his name.	12:05:57
21	Q Okay. So how did he see it? How did you	12:05:58
22	show him the map?	12:06:02
23	A I would have showed him a physical printed	12:06:03
24	copy of the map.	12:06:07
25	Q Okay. And what did -- and what did that	12:06:07

1	printed copy look like?	12:06:14
2	A I mean, it was -- well, it's very similar	12:06:16
3	to the 8-and-a-half-by-11 copies that we have now,	12:06:23
4	although I think it might have been larger. Just	12:06:26
5	it was a graphical representation of the districts	12:06:30
6	as his direction was dictating.	12:06:32
7	Q Okay. So this graphical representation,	12:06:36
8	did it show where district lines were?	12:06:41
9	A Well, as all of the maps that have been	12:06:49
10	produced, the districts are different colors.	12:06:51
11	Q Right.	12:06:54
12	A So --	12:06:55
13	Q Okay.	12:06:56
14	A -- I mean, that would show where a	12:06:56
15	district line would be.	12:06:59
16	Q And --	12:07:02
17	A A district border. A district border.	12:07:03
18	Q Yeah. Did it show any data beyond the map	12:07:05
19	that was publicly released with the bill, which I	12:07:08
20	believe you -- I believe you have in front of you,	12:07:12
21	correct?	12:07:14
22	A If you're referring to Senate Bill 258 as	12:07:14
23	Senator McColley --	12:07:19
24	Q Mm-hm.	12:07:22
25	A -- directed it, I do not have that in	12:07:22

1	front of me.	12:07:26
2	Q Okay. But in terms of the data that is --	12:07:27
3	so just in terms of the data that is on it from	12:07:30
4	where -- you know, what sort of lines are actually	12:07:33
5	visible, is it anything beyond just a map of Ohio	12:07:35
6	and basic district lines with numbers	12:07:38
7	superimposed?	12:07:42
8	A No, that's it. You nailed it. And the	12:07:43
9	numbers superimposed are the district numbers --	12:07:47
10	Q Right. Okay.	12:07:49
11	A -- yeah.	12:07:51
12	Q All right. And you said that you received	12:07:52
13	instructions from Senator McColley; is that right?	12:07:58
14	A Yes.	12:08:00
15	Q All right. Did Senator McColley instruct	12:08:02
16	you to create maps that were in compliance with	12:08:05
17	Article 19 of the Ohio constitution?	12:08:10
18	A Yes, he wanted -- he definitely wanted to	12:08:17
19	make sure that we followed any provisions of the	12:08:19
20	constitution.	12:08:23
21	Q Okay. Were you instructed to draw compact	12:08:23
22	districts?	12:08:29
23	MR. McGUIRE: I'm going to object on the	12:08:34
24	basis of legislative privilege to specific	12:08:34
25	instructions given by Senator McColley or any	12:08:37

1	other member of the General Assembly to	12:08:39
2	Mr. DiRossi regarding how to -- what to draw into	12:08:41
3	the maps.	12:08:44
4	MR. KLEIN: Okay. I will note our dispute	12:08:46
5	of that objection.	12:08:49
6	I'll also note that this portion is	12:09:00
7	incomplete since we've asked the one question of	12:09:02
8	whether it complied with the constitution but have	12:09:04
9	not discussed any further instructions and,	12:09:06
10	therefore, we have an incomplete picture of what	12:09:08
11	instructions Mr. DiRossi was actually given. But	12:09:11
12	noting that objection and disputing it, we'll move	12:09:14
13	on.	12:09:16
14	BY MR. KLEIN:	12:09:17
15	Q Did Senator McColley give you a deadline	12:09:23
16	for the first drafts of the map?	12:09:25
17	A Good question. Not -- not I can recall.	12:09:28
18	I don't -- I don't remember -- I don't -- I can't	12:09:40
19	recall that.	12:09:43
20	Q Okay. And you said -- strike that.	12:09:43
21	I believe it was your testimony that you	12:09:52
22	sent a draft map over to Senator McColley sometime	12:09:53
23	in late October/early November, correct?	12:09:58
24	A Yeah, I'm not -- yeah. Well, October 25th	12:10:00
25	or 26th is when I was directed to work with him.	12:10:07

1 So sometime after that.

12:10:11

2 Q Okay. And so why did you send the map
3 over to him when you did; was it just a matter of
4 whenever you could get it done, you sent it?

12:10:14

12:10:21

12:10:24

5 A Well, I -- I mean, I'm not -- I wasn't --
6 I knew that things were somewhat time-sensitive.
7 And at some point, I knew that this was going to
8 be introduced as a bill in the Senate and undergo
9 hearings.

12:10:26

12:10:29

12:10:32

12:10:35

12:10:39

10 So obviously I was trying not to
11 dillydally. And so, you know, as -- I got the
12 direction to work with him. I had phone
13 conversations with him. I took his direction, put
14 it in -- put it into Maptitude, and then took to
15 him kind of the output to get more feedback from
16 him, more input.

12:10:39

12:10:43

12:10:46

12:10:48

12:10:50

12:10:54

12:10:58

17 Q Okay. Were you ever given any deadlines
18 related to congressional maps from Senator
19 McColley?

12:10:59

12:11:01

12:11:04

20 A Yeah, I appreciate that question. Again,
21 I -- I don't recall a deadline from him, but
22 obviously at some point I was aware that the
23 committee -- it was going to be introduced and
24 have committee hearings. So, you know, I knew it
25 would be very difficult to do that without the

12:11:04

12:11:07

12:11:13

12:11:15

12:11:18

12:11:21

1	finished product.	12:11:23
2	So, I mean, I guess I took that as some	12:11:24
3	deadline, but I don't recall him ever directing me	12:11:27
4	on dates.	12:11:30
5	Q Okay. Were you ever instructed to prepare	12:11:31
6	a draft map to present -- actually, strike that.	12:11:41
7	Were you ever instructed to prepare a	12:11:46
8	draft congressional map to present to the Ohio	12:11:48
9	Redistricting Commission?	12:11:52
10	A No.	12:11:52
11	Q Okay. Did you ever speak to -- strike	12:11:57
12	that.	12:11:57
13	Setting aside Senator Huffman -- or,	12:12:14
14	rather, President Huffman and Speaker Cupp, did	12:12:20
15	you ever communicate with any members of the	12:12:24
16	commission about congressional maps?	12:12:26
17	A Yes.	12:12:45
18	Q Okay. Who was that?	12:12:45
19	A Governor DeWine.	12:12:46
20	Q Okay. Do you recall when that	12:12:48
21	conversation took place?	12:12:50
22	A Did you say how or when?	12:12:51
23	Q When.	12:12:53
24	A I couldn't hear you. You garbled a	12:12:54
25	second.	12:12:57

1	Q	Sorry. Do you recall when that	12:12:57
2		conversation took place?	12:12:59
3	A	I think it was November 10th -- 10th or	12:13:00
4		11th.	12:13:06
5	Q	Okay. And who was present for that	12:13:06
6		conversation?	12:13:10
7	A	The President and the Speaker, the	12:13:10
8		Governor, the -- myself, Blake from the House.	12:13:21
9	Q	Okay.	12:13:29
10	A	And the two Chiefs of Staff --	12:13:29
11	Q	Okay.	12:13:33
12	A	-- are the people I can recall.	12:13:34
13	Q	So actually, let's -- let's actually back	12:13:35
14		up a little to the month of October -- or	12:13:38
15		actually, let's say -- actually, strike that.	12:13:42
16		Let's back up to before November 1st.	12:13:44
17		Prior to November 1st, did you have any	12:13:46
18		discussions with any member of the Ohio	12:13:48
19		Redistricting Commission concerning congressional	12:13:54
20		maps, setting aside President Huffman and Speaker	12:13:55
21		Cupp?	12:13:59
22	A	You said prior to November 1st?	12:13:59
23	Q	Correct.	12:14:02
24	A	No.	12:14:02
25	Q	Okay. So speaking generally -- actually,	12:14:07

1	strike that.	12:14:26
2	Did you ever communicate with any	12:14:26
3	Democratic members with the state Senate about	12:14:28
4	draft congressional maps this cycle?	12:14:33
5	A Did you say the members?	12:14:35
6	Q Yeah, Democratic members.	12:14:37
7	A Yeah, I did not. That -- I'm a staff	12:14:38
8	person. The members communicate with -- to each	12:14:42
9	other.	12:14:46
10	Q Okay.	12:14:47
11	A Especially the leaders.	12:14:47
12	Q All right. Did you ever speak with any	12:14:48
13	Democratic members of the state House about	12:14:52
14	congressional maps?	12:14:55
15	A About congressional maps? No, the same --	12:15:00
16	the same thing. Now -- now I'm not even in the	12:15:01
17	right chamber --	12:15:04
18	Q Right.	12:15:05
19	A -- yeah, so I did not.	12:15:06
20	Q Any -- any Democratic members of the	12:15:08
21	United States House?	12:15:11
22	A No.	12:15:15
23	Q Okay. Any Democratic members of the	12:15:22
24	United States Senate?	12:15:25
25	A No.	12:15:32

1 Q Okay. Have you attended any trainings on 12:15:32
2 redistricting in the last ten years? 12:15:39

3 A How I understand trainings, no. 12:15:40

4 Q Okay. Any sort of event, either online or 12:15:52
5 in person, where any attendee had an 12:15:54
6 opportunity -- strike that. 12:16:04

7 I'm asking about any sort of event, either 12:16:05
8 online or in person, where attendees had the 12:16:07
9 opportunity to learn about redistricting. 12:16:13
10 Anything like that in the last ten years? 12:16:16

11 A Mr. Klein, are you asking where I had the 12:16:17
12 opportunity to learn or -- 12:16:21

13 Q Well, yeah, where you would or -- 12:16:22

14 A -- an event where -- 12:16:23

15 (Indiscernible cross-talk.) 12:16:25

16 BY MR. KLEIN: 12:16:27

17 Q Yeah, so where you or any attendee would 12:16:27
18 have the opportunity to learn about redistricting, 12:16:30
19 anything like that in the last ten years. 12:16:32

20 A I think years ago I attended an NCSL 12:16:43
21 redistricting conference -- 12:16:48

22 Q Okay. Do you -- 12:16:50

23 A -- along with -- along with some of the 12:16:52
24 Democratic staff from the Senate. 12:16:55

25 Q And just for the record, what does that 12:16:57

1	stand for, NCSL?	12:16:58
2	A That's the National Conference of State	12:17:00
3	Legislatures.	12:17:03
4	Q Okay. And any other trainings aside from	12:17:04
5	that?	12:17:15
6	A No.	12:17:15
7	Q Okay. Any sort of event hosted by any	12:17:15
8	organization other than the Ohio Redistricting	12:17:21
9	Commission and the General Assembly where	12:17:24
10	redistricting was discussed?	12:17:26
11	A Were there any other things or that I	12:17:34
12	attended?	12:17:35
13	Q Yeah, that you attended, the same	12:17:35
14	question, in the last ten years.	12:17:38
15	A So put it all together for me. Say it	12:17:39
16	again, please.	12:17:43
17	Q So in the last ten years, have you	12:17:44
18	attended any events where redistricting was	12:17:46
19	discussed other than those hosted by the General	12:17:48
20	Assembly or the Ohio Redistricting Commission?	12:17:51
21	A In the last ten years, huh? None that	12:17:57
22	come to mind right now.	12:18:10
23	Q Okay. Setting aside Senator McColley,	12:18:10
24	Senate President Huffman, Speaker Cupp, did you	12:18:25
25	speak any incumbent legislators, whether state or	12:18:28

1	federal, about the map?	12:18:34
2	A About the -- about the congressional map,	12:18:35
3	about --	12:18:38
4	Q Yes.	12:18:38
5	A -- the lines, you mean?	12:18:38
6	Q Mm-hm.	12:18:40
7	A In what time period are you talking about?	12:18:41
8	Q Right. Okay. We'll clarify.	12:18:43
9	So in the time between when you started	12:18:45
10	working on congressional maps, this cycle, and	12:18:53
11	when they were approved by the General Assembly,	12:18:55
12	when the map was approved by the General Assembly,	12:18:57
13	did you speak to any incumbent legislators about	12:18:59
14	congressional maps?	12:19:05
15	A Incumbent legislators about congressional	12:19:05
16	maps.	12:19:13
17	Q And, once again, setting aside the people	12:19:13
18	that we already discussed: Speaker Cupp and	12:19:17
19	President Huffman and Senator McColley.	12:19:20
20	A Yeah, I'm just trying to keep all the	12:19:22
21	qualifiers straight and see -- I apologize. Can	12:19:24
22	you say it -- say it again?	12:19:27
23	Q Sure.	12:19:28
24	I can actually break it down --	12:19:29
25	A Great.	12:19:32

1	Q -- a little bit.	12:19:33
2	So setting aside President Huffman,	12:19:34
3	Speaker Cupp, and Senator McColley, after	12:19:40
4	October 1st, 2021, did you speak to any incumbent	12:19:48
5	legislators about the congressional maps?	12:19:53
6	A October 1st. Incumbent legislators,	12:19:55
7	October 1st. And when you say "about the	12:19:59
8	congressional maps," you mean --	12:20:01
9	Q Right.	12:20:03
10	A -- the substantive --	12:20:03
11	Q Let's -- let's just say congressional	12:20:05
12	redistricting generally.	12:20:09
13	A Well, there was obviously legislators who	12:20:10
14	were involved in the committee process. So there	12:20:13
15	would have been conversations with them about the	12:20:19
16	logistics of producing documents for distribution.	12:20:21
17	We kind of touched on that a little earlier in the	12:20:24
18	Senate committee. I don't -- so I guess I would	12:20:30
19	say them.	12:20:33
20	I -- I'm trying to recall specifically	12:20:43
21	conversations or -- I'm not just guessing.	12:20:50
22	Q Maybe I can clarify just a little bit	12:20:55
23	more.	12:20:57
24	A Sure. Thank you.	12:20:57
25	Q Did you speak -- so following October 1st,	12:20:58

1	did you speak to any members of the U.S. Congress	12:21:01
2	about congressional redistricting?	12:21:05
3	A About the -- how lines were going to look?	12:21:08
4	No.	12:21:13
5	Q Did you discuss about -- did you have any	12:21:13
6	discussions with any members of Congress about	12:21:18
7	congressional redistricting generally?	12:21:20
8	A A couple inquired about the timelines for	12:21:22
9	the process.	12:21:26
10	MR. MCGUIRE: Now, his question was	12:21:27
11	members of the Congress. That would mean the	12:21:29
12	United States --	12:21:31
13	THE WITNESS: Yes.	12:21:31
14	MR. MCGUIRE: -- about the General	12:21:32
15	Assembly. Several of them inquired --	12:21:35
16	THE WITNESS: He changed --	12:21:36
17	MR. MCGUIRE: -- (indiscernible) --	12:21:39
18	THE WITNESS: -- legislators and I	12:21:39
19	thought -- I took "legislators" to mean state	12:21:40
20	legislators, but then you changed to --	12:21:40
21	BY MR. KLEIN:	12:21:40
22	Q Oh, yeah, right. Right. That was --	12:21:40
23	(Indiscernible cross-talk.)	12:21:42
24	BY MR. KLEIN:	12:21:47
25	Q -- to sort of narrow it down a little bit	12:21:48

1	to make the question a little bit more --	12:21:50
2	A Yes.	12:21:51
3	Q -- you know, manageable.	12:21:52
4	A There were some inquiries from members of	12:21:54
5	the Congress about the process and the timelines	12:21:57
6	for it because nobody had been through it before.	12:21:59
7	Q Right. But other than that, no discussion	12:22:02
8	with members of Congress regarding congressional	12:22:04
9	redistricting --	12:22:07
10	A Nothing about the substance, yeah.	12:22:07
11	Q Okay. Okay.	12:22:09
12	MR. KLEIN: Let's see. Now, let's pull up	12:22:24
13	Tab 14. I'd like to mark this as an exhibit.	12:22:25
14	(WHEREUPON, DiRossi Exhibit No. 4 was	12:22:31
15	presented to the witness.)	12:22:47
16	BY MR. KLEIN:	12:22:47
17	Q I'm going to represent to you that your	12:22:50
18	counsel produced this to us.	12:22:53
19	Have you seen this email before?	12:22:57
20	A I don't recall it, but it appears to be	12:22:58
21	from me.	12:23:12
22	Q Yeah. And it looks like you're sending	12:23:14
23	this email, correct?	12:23:16
24	A Yeah, it -- yes.	12:23:16
25	Q Okay.	12:23:20

1	A	It says from Ray DiRossi.	12:23:21
2	Q	Right.	12:23:24
3	MR. KLEIN:	So can we pull up Tab 14.	12:23:25
4	THE TECHNICIAN:	This was Tab 14.	12:23:32
5	MR. KLEIN:	Sorry. Right. I meant to say	12:23:46
6		Tab 15. Apologies. And I'd also like to mark	12:23:48
7		that as an exhibit.	12:23:54
8		(WHEREUPON, DiRossi Exhibit No. 5 was	12:23:54
9		presented to the witness.)	12:24:08
10	BY MR. KLEIN:		12:24:08
11	Q	So I'm going to represent to you that this	12:24:08
12		was produced to us as well. It has -- do you	12:24:10
13		recognize this document?	12:24:18
14	A	Yeah, can you scroll through the whole	12:24:26
15		document for me?	12:24:28
16	Q	Of course, yeah.	12:24:29
17	A	It looks like it's ten pages or something.	12:24:30
18	Q	Yeah.	12:24:33
19	A	Or nine pages.	12:24:33
20		Thank you.	12:25:28
21	Q	So do you recognize this document?	12:25:28
22	A	Yeah, I do now.	12:25:30
23	Q	Okay. Do you know who prepared this	12:25:32
24		document?	12:25:34
25	A	It would have been me.	12:25:34

1	Q It would have been you. Okay.	12:25:37
2	And did you send this over to Senator	12:25:39
3	McColley?	12:25:45
4	A You know, I don't recall doing it, but if	12:25:45
5	the previous thing you showed me is the email and	12:25:48
6	this is one of the attachments --	12:25:51
7	Q All right.	12:25:54
8	A -- then I would have, but I don't recall	12:25:54
9	doing that.	12:25:56
10	Q Yeah, so this appears to be one of the	12:25:57
11	attachments. It has the next Bates number --	12:25:59
12	we -- but it looks like your counsel has produced	12:26:07
13	it in a format where you can tie the attachments	12:26:10
14	to the email.	12:26:13
15	We can click back to that email that's	12:26:14
16	marked as Exhibit 4. Do you see the title	12:26:16
17	"Substitute Bill Items"?	12:26:19
18	Is it your understanding that that	12:26:22
19	document is what we see in Exhibit 5?	12:26:23
20	A You know, quite honestly -- I mean, I	12:26:25
21	recognize your exhibit -- or the exhibit in Number	12:26:31
22	5, but I can't say that that is what that -- it's	12:26:35
23	definitely not the graphics referenced, but it --	12:26:39
24	I can't say for sure that it's the other one.	12:26:42
25	Q Okay. All right. So this appears to be	12:26:59

1	an analysis of several proposed congressional	12:27:00
2	plans; is that correct?	12:27:06
3	A I mean, it's got a lot of facts on it,	12:27:07
4	yeah --	12:27:09
5	Q Right. But --	12:27:09
6	A -- probably a couple sources.	12:27:10
7	Q But at least in part, we've got an	12:27:11
8	analysis of several congressional plans, correct?	12:27:13
9	A Yes.	12:27:16
10	Q Okay.	12:27:21
11	MR. KLEIN: And if we could just scroll	12:27:22
12	down towards the bottom of Page 1.	12:27:25
13	Scroll up just a little bit.	12:27:29
14	BY MR. KLEIN:	12:27:30
15	Q So where it says "McColley (SB 258)," do	12:27:31
16	you -- does that refer to the plan that was	12:27:40
17	ultimately enacted by the General Assembly?	12:27:46
18	A I believe it does, yes.	12:27:53
19	Q Okay. And what about the House Dems	12:27:55
20	portion; do you know which proposal that refers	12:27:58
21	to?	12:28:01
22	A I believe it was their modified version.	12:28:05
23	They did a -- they did a couple sub bills along	12:28:08
24	the way as well to refine their -- their map.	12:28:11
25	Q Okay. And Sykes/Yuko 258?	12:28:14

1	A Same.	12:28:19
2	Q Okay. And then Contest Winning map	12:28:20
3	Number 1, 3, do you know what that refers to?	12:28:23
4	A There was a -- public contests that were	12:28:26
5	put on by a number of groups that put into the	12:28:29
6	public domain -- well, they had a contest, and	12:28:32
7	these were the winning maps. I'm not sure I can	12:28:40
8	say more than that.	12:28:43
9	Q Okay. And then "Current map," does that	12:28:43
10	refer to the map in effect from 2012 through 2022?	12:28:47
11	A Yes.	12:28:51
12	Q Okay. All right.	12:28:52
13	MR. KLEIN: If we can scroll down to Bates	12:29:00
14	number 5603. I'm not sure how that corresponds to	12:29:02
15	PDF pages, but -- yeah, I think that is this one	12:29:05
16	right here.	12:29:08
17	BY MR. KLEIN:	12:29:08
18	Q So I want to walk through what we're	12:29:10
19	looking on the page here. So it looks like this	12:29:13
20	is a chart without lines. It looks like the --	12:29:15
21	we've got a left-most column here that's numbered	12:29:21
22	1 through 15.	12:29:25
23	So those are numbers of -- so those are	12:29:26
24	numbers of -- those are numbers of districts,	12:29:29
25	correct?	12:29:31

1	A Yes.	12:29:31
2	Q And -- all right. And this and -- what	12:29:31
3	we're seeing here, does this refer to the plan	12:29:37
4	that was ultimately enacted by the General	12:29:39
5	Assembly?	12:29:43
6	A I believe it does.	12:29:43
7	Q Okay. All right. And then the second	12:29:44
8	column there, is that the total population of each	12:29:49
9	district?	12:29:53
10	A It is.	12:29:53
11	Q And then the third one, there's really	12:29:54
12	only two numbers on there, that refers to the	12:29:59
13	number of deviation from target, correct?	12:30:01
14	A Yes, the deviation column.	12:30:03
15	Q Okay. And then FED 12 to 20, is that the	12:30:05
16	index we were talking about earlier that -- that	12:30:13
17	has all the federal elections from 2012 to 2020?	12:30:18
18	A Yes.	12:30:22
19	Q Okay. And so is it your understanding	12:30:22
20	that what we're looking at here is the same as	12:30:27
21	what was loaded into Maptitude for U.S. FEDEA?	12:30:30
22	A Yes.	12:30:37
23	MR. KLEIN: So -- all right. Let's go	12:30:53
24	down -- I think it's just one page to Bates 5604.	12:30:54
25		

1	BY MR. KLEIN:	12:30:57
2	Q So at the top it says, "Competitive CDs."	12:30:58
3	We'll walk through this by word for word.	12:31:01
4	So what does "Competitive CDs" mean?	12:31:04
5	A Competitive congressional districts.	12:31:08
6	Q Okay. And how about plus or minus	12:31:11
7	4 percent?	12:31:13
8	A It's referring to a scoring if 50/50 was	12:31:13
9	absolute, perfectly balanced, plus or minus	12:31:22
10	4 percent up or down. That's what it's referring	12:31:25
11	to.	12:31:30
12	Q Okay. Got you. And then, finally, "Using	12:31:31
13	FED Data," is that what we just discussed, this --	12:31:34
14	this index that is all of the federal elections	12:31:43
15	from 2012 to 2020?	12:31:50
16	A Yes.	12:31:53
17	Q Okay. And so what this is saying here is,	12:31:53
18	these are indices where -- or, rather, these	12:31:58
19	are -- these are districts where there is a --	12:32:04
20	where there is an index that is plus or minus 4,	12:32:12
21	correct?	12:32:17
22	A Yeah -- well, I think I -- I think I	12:32:17
23	followed you there, yes, it's --	12:32:19
24	Q Right. So imagine we're looking at FEDEA	12:32:21
25	and the figure 4 at given districts was	12:32:24

1	53 percent, would that fall within this definition	12:32:29
2	of competitiveness?	12:32:34
3	A Yes.	12:32:35
4	Q If it was 54 percent, it would?	12:32:36
5	A You said 53.	12:32:40
6	Q Oh, right. Right. Right. No, that was	12:32:42
7	just my next questions. If it was --	12:32:45
8	A Sorry.	12:32:47
9	Q -- 54 percent, it would also fall within	12:32:47
10	that definition?	12:32:51
11	A Yep. We'd be at the outer limit, yes.	12:32:51
12	Q Okay. So then if it was --	12:32:55
13	A The same thing -- yeah.	12:32:56
14	Q Yeah, so then if were 54.1, it wouldn't,	12:32:57
15	correct?	12:33:01
16	A Correct.	12:33:01
17	Q Okay. And so -- and so the numbers listed	12:33:02
18	underneath here on the left side are the number of	12:33:07
19	competitive districts under each plan under this	12:33:10
20	definition, correct?	12:33:14
21	A Correct.	12:33:15
22	Q Okay. And then on the right side of the	12:33:16
23	screen, it says, "Competitive CDs (plus or minus 4	12:33:17
24	percent) using all data."	12:33:21
25	So this bit about competitive CDs plus or	12:33:23

1	minus 4 percent, the same meaning as we just	12:33:27
2	discussed, right?	12:33:29
3	A Yes.	12:33:30
4	Q And what -- and what is meant here by "all	12:33:30
5	data"?	12:33:34
6	A It is state and federal data.	12:33:34
7	Q Okay. State and federal data. So that	12:33:40
8	would be a partisan index that includes state and	12:33:43
9	federal elections?	12:33:45
10	A Yes.	12:33:47
11	Q And is that the partisan index that we	12:33:47
12	discussed earlier that was -- that was -- that was	12:33:55
13	called, in your data, EA53?	12:34:02
14	A Yes.	12:34:05
15	Q Okay. All right. And so it's -- what is	12:34:05
16	listed beneath here are the number of districts	12:34:13
17	that are competitive using this index under this	12:34:18
18	definition of competitiveness; is that right?	12:34:21
19	A Yes.	12:34:23
20	Q Okay. All right.	12:34:23
21	MR. KLEIN: Let's turn to the -- let's	12:34:46
22	skip along to Tab 16. And I'd like to mark that	12:34:47
23	as an exhibit as well.	12:34:55
24	(WHEREUPON, DiRossi Exhibit No. 6 was	12:34:56
25	presented to the witness.)	12:35:02

Transcript of Raymond DiRossi
Conducted on December 7, 2021

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1	MR. McGUIRE: That will be 6?	12:35:02
2	MR. KLEIN: I believe so. Yeah.	12:35:05
3	Why don't we scroll through so Mr. DiRossi	12:35:10
4	can have a chance to see what this document is.	12:35:14
5	BY THE WITNESS:	12:35:59
6	A Thank you.	12:36:00
7	BY MR. KLEIN:	12:36:00
8	Q Have you had a chance to look at it,	12:36:01
9	Mr. DiRossi?	12:36:04
10	A Yeah. I was just looking to see if there	12:36:04
11	was a date on it.	12:36:07
12	Q Oh, right. Yeah, I'm not sure there is.	12:36:07
13	But have you ever seen this document	12:36:12
14	before?	12:36:13
15	A I don't think so.	12:36:13
16	BY MR. KLEIN:	12:36:22
17	Q Okay. Well, I'm representing to you this	12:36:23
18	is -- this is Senator McColley's written testimony	12:36:26
19	to the Senate Committee on Local Government and	12:36:30
20	Elections, and it was presented at the	12:36:33
21	November 16th hearing.	12:36:35
22	A Okay.	12:36:38
23	Q So let's scroll down to -- this would be	12:36:38
24	PDF Page 2. And let's take a look at this chart.	12:36:43
25	Does this chart look familiar?	12:36:59

1	A Generally, yeah.	12:37:01
2	Q Okay. Is this the same data that we were	12:37:02
3	just looking at in the document you prepared	12:37:04
4	listing partisan indices for the districts under	12:37:09
5	the enacted plan?	12:37:14
6	A I mean, it looks like -- without going	12:37:16
7	back and comparing them to just verify they're the	12:37:18
8	same, they -- they look the same.	12:37:21
9	Q Yeah, why don't we actually click back to	12:37:23
10	that. I think we should have that.	12:37:25
11	THE TECHNICIAN: Where are you directing	12:37:40
12	me to, Counsel? I apologize.	12:37:42
13	MR. KLEIN: Yeah, so -- so, yeah, could we	12:37:44
14	just click back to Exhibit 5, DiRossi 5. And I	12:37:45
15	think we're going to be going back up to 5603.	12:37:52
16	BY MR. KLEIN:	12:38:00
17	Q So I'll give you a chance to look at that,	12:38:01
18	and we can -- of course we can click back and	12:38:03
19	forth as you want.	12:38:06
20	A Yeah. Thank you.	12:38:07
21	Okay. You can click to the other one.	12:38:17
22	Q Okay.	12:38:19
23	A I didn't verify every number, but I looked	12:38:25
24	at some of them, so -- they look the same.	12:38:29
25	Q And did Senator McColley get this data	12:38:32

1	from you?	12:38:36
2	A I'm sure he did.	12:38:37
3	Q Okay. Okay. So we already talked about	12:38:41
4	this a little bit, but if you scroll up just a	12:38:58
5	little bit --	12:39:02
6	MR. KLEIN: If you can do that, Ethan.	12:39:03
7	Thanks.	12:39:05
8	BY MR. KLEIN:	12:39:05
9	Q If you could take a moment just to read	12:39:06
10	this paragraph here. Really just the -- just the	12:39:08
11	last two sentences of this paragraph here. It	12:39:14
12	looks like, as we've discussed, there is a	12:39:18
13	definition of competitive district that is ranging	12:39:20
14	from 46 to 54 percent. That's in line with the	12:39:23
15	data that you listed in the previous sheet where	12:39:29
16	it lists plus or minus 4 percent, correct?	12:39:31
17	A Plus or minus 4, correct.	12:39:34
18	Q Right. And do you have any sense of how	12:39:37
19	Senator McColley reached this figure for	12:39:45
20	determining if a district is competitive?	12:39:46
21	A I can't speak to his thought process on	12:39:49
22	that.	12:39:54
23	Q Okay. Did you in any way assist him in	12:39:57
24	reaching that conclusion?	12:40:08
25	A I don't know if I would know whether or	12:40:15

1 not I assisted him or not. I mean, there was a 12:40:17
2 tremendous amount of public testimony about the 12:40:19
3 existence of competitive districts and what type 12:40:23
4 of range would be used to determine what was a 12:40:25
5 competitive district. And I know he had put a lot 12:40:27
6 of thought into that. 12:40:30

7 I watched the public testimony, as much of 12:40:35
8 it as I could. I saw him speak about that. I saw 12:40:38
9 him get questioned about it from members of the 12:40:41
10 Senate -- 12:40:44

11 Q Okay. 12:40:45

12 A -- so, you know, I think that some people 12:40:45
13 testified that competitive districts were as much 12:40:53
14 as plus or minus 5. I think we felt comfortable 12:40:56
15 with plus or minus 4 being an applicable range. 12:41:00

16 Q So is this definition of competitive 12:41:02
17 districts, namely plus or minus 4 percent, a 12:41:04
18 definition that you agree with? 12:41:08

19 A Yes. 12:41:08

20 Q Okay. And in the last ten years, are you 12:41:15
21 aware of any congressional elections in Ohio where 12:41:20
22 a party won despite being favored by a partisan 12:41:24
23 index of 46 percent or less? And that could be -- 12:41:32
24 and that could be whichever partisan index you 12:41:35
25 might be using. 12:41:39

1	A	You might have to unpack that question --	12:41:40
2	Q	Sure.	12:41:45
3	A	-- for me again. It had a lot of little	12:41:46
4		qualifiers.	12:41:48
5	Q	Right. So in the congressional elections	12:41:49
6		held in Ohio in the last ten years, are you aware	12:41:52
7		of any elections where the party that won was --	12:41:54
8		was running in a district where their party had a	12:42:05
9		congressional -- or had an average vote share of	12:42:10
10		46 percent or less under a -- under any partisan	12:42:16
11		index?	12:42:20
12	A	I'm still a little confused by the	12:42:29
13		question. I'm sorry.	12:42:31
14	Q	Okay. So taking any partisan index that	12:42:31
15		you're aware of, are you aware of any	12:42:37
16		congressional race in the last ten years where the	12:42:41
17		winning party was running in a district where	12:42:43
18		their average vote share under a given index was	12:42:47
19		46 percent or less?	12:42:51
20	A	I'm getting tripped up with the average	12:42:53
21		vote share of their -- I mean, are you asking me	12:42:58
22		if there were competitive races in the last	12:43:00
23		decade? Is that what you're asking?	12:43:02
24	Q	Right. So the -- so the question is this:	12:43:04
25		Where on the -- is that -- by this definition --	12:43:08

1	hold on -- strike that.	12:43:16
2	We'll start there, actually. In the last	12:43:25
3	ten -- strike that.	12:43:27
4	Under the map currently in effect, the map	12:43:31
5	preceding this one, are there any districts	12:43:35
6	considered competitive under this definition?	12:43:38
7	A Well, you know, I'm not an expert in	12:43:40
8	political science and the election results. Like,	12:43:51
9	I don't have immediate recall of those elections.	12:43:53
10	But I think the answer to your question is, very	12:43:55
11	few, if any. And that's the point, that we're	12:43:58
12	trying to draw competitive districts now; whereas,	12:44:00
13	the current map doesn't have them. So I think	12:44:04
14	you're keying in on the right point.	12:44:08
15	I do know there were some competitive	12:44:11
16	elections here and there during the last decade,	12:44:13
17	and I can articulate those if you -- if it's	12:44:17
18	helpful to your question. But I think the general	12:44:20
19	answer is, no, there weren't competitive elections	12:44:23
20	in the last decade, and that's what we're trying	12:44:27
21	to rectify.	12:44:30
22	Q Okay. So -- and are you aware of any	12:44:31
23	elections in the last ten years in Ohio that were	12:44:35
24	competitive under this definition where the party	12:44:37
25	who was -- who had a partisan index of less than	12:44:43

1	50 percent in favor of their party won?	12:44:49
2	A I can't give you a specific example. I	12:44:50
3	have a couple races in mind over the last decade	12:45:01
4	that I think meet your fact pattern, but I'm not	12:45:05
5	sure, and so I don't want to hazard a guess.	12:45:08
6	Q Okay. Okay.	12:45:10
7	MR. KLEIN: Let's just turn -- let's turn	12:45:20
8	to Tab 17.	12:45:21
9	That should be DiRossi 008948.	12:45:42
10	(WHEREUPON, DiRossi Exhibit No. 7 was	12:45:42
11	presented to the witness.)	12:45:49
12	MR. KLEIN: All right. Let's scroll	12:45:49
13	through that so Mr. DiRossi has a chance to take a	12:45:51
14	look at it.	12:45:53
15	BY THE WITNESS:	12:46:09
16	A Thank you.	12:46:09
17	BY MR. KLEIN:	12:46:09
18	Q Have you ever seen this document before?	12:46:10
19	A Yes.	12:46:11
20	Q Did you prepare this document?	12:46:11
21	A Yes.	12:46:17
22	Q When did you prepare this document?	12:46:19
23	A I mean, if you want me to answer with a	12:46:21
24	date, I cannot.	12:46:36
25	Q All right. Well, was it before the	12:46:38

1	General Assembly voted in favor of the now-enacted	12:46:45
2	plan?	12:46:50
3	A Yes. Yes.	12:46:50
4	Q All right. And were you asked to prepare	12:46:59
5	this document?	12:47:02
6	A I don't recall being asked to prepare	12:47:06
7	this --	12:47:08
8	Q Okay.	12:47:09
9	A -- specific document.	12:47:10
10	Q Do you know what the purpose was for	12:47:11
11	preparing this document?	12:47:14
12	A Well, from listening to Senator McColley	12:47:19
13	and his public testimony in the General Assembly,	12:47:21
14	he was touting competitive districts in his	12:47:24
15	initial proposal and the -- and the final	12:47:29
16	proposal.	12:47:31
17	And this was to show him -- or to show	12:47:35
18	whoever might look at it, that the map that was	12:47:38
19	adopted by the General Assembly scored very well	12:47:40
20	when looking at the number of competitive	12:47:46
21	districts it was creating, even compared to not	12:47:47
22	only the other legislative caucus maps that were	12:47:52
23	out there, but the current map. That's the --	12:47:57
24	Q Okay.	12:47:58
25	A -- general point of this document.	12:47:58

1	Q Right. And did you send this document to	12:48:03
2	Senator McColley?	12:48:05
3	A I don't recall sending this document -- I	12:48:06
4	don't have that recollection.	12:48:11
5	Q Okay. Do you recall sharing this document	12:48:12
6	with anybody else?	12:48:16
7	A I remember giving it over to my attorneys	12:48:16
8	for production.	12:48:24
9	Q Okay. But that's the extent that you	12:48:26
10	recall sharing this?	12:48:31
11	A Yes.	12:48:31
12	Q Okay. Why don't we go through row by row	12:48:31
13	here. This is mostly just confirming that this is	12:48:43
14	similar to what we saw in Tab 5.	12:48:47
15	So McColley here, that's the ultimately	12:48:49
16	enacted plan, correct?	12:48:54
17	A Yes.	12:48:55
18	Q And in the next row where it says	12:48:55
19	"Yuko/Sykes (SB 237)," that is the Senate Democrat	12:48:58
20	proposal of September 29th?	12:49:04
21	A Yeah, so just to explain why there are two	12:49:07
22	there, that proposal initially when it was	12:49:09
23	introduced, as you probably well know, was	12:49:10
24	subsequently refined by the Senate Democrat	12:49:13
25	sponsors. And it -- as you can see at a couple	12:49:16

1	points, it changes the number of competitive	12:49:21
2	districts downward.	12:49:23
3	And so that's why I had the	12:49:24
4	differentiation of two dates of those two	12:49:27
5	different maps.	12:49:29
6	Q I'm sorry, did you say it changed the	12:49:30
7	number of competitive districts downward?	12:49:37
8	A Yes.	12:49:40
9	Q Under your definition?	12:49:40
10	A Well, this -- this is analysis using both	12:49:45
11	definitions --	12:49:51
12	Q Right.	12:49:51
13	A -- both all data and federal data.	12:49:52
14	Q But it's only changing competitive	12:49:55
15	districts downward under the "all data"	12:49:57
16	definition, right?	12:50:03
17	A Well, I'd have to -- that's the one that	12:50:04
18	comes to mind, and it's the one that's obviously	12:50:06
19	in the top right portion of the document.	12:50:08
20	I'd have to look through the document to	12:50:10
21	see if it's in -- shows up anywhere else.	12:50:11
22	Q Right. But just to confirm what we're	12:50:15
23	looking at, under the definition of plus or minus	12:50:17
24	4 for competitive districts using the federal 2012	12:50:21
25	to 2020 partisan index, it has the same number of	12:50:24

1	competitive districts; is that right? The same	12:50:28
2	number of competitive districts as between	12:50:28
3	September 29th and November 10th?	12:50:30
4	A Yes, both of them --	12:50:31
5	Q Okay.	12:50:31
6	A -- showed five districts. But using all	12:50:32
7	data, it went from 5 to 4.	12:50:35
8	Q Okay. And what about "House Dem"; that's	12:50:36
9	the same thing that we had discussed before for	12:50:41
10	the House Democrats' proposal?	12:50:43
11	A Yes.	12:50:49
12	Q Okay. And then "Current Map," does that	12:50:49
13	describe the map now in effect through -- through	12:50:51
14	the next election or --	12:50:54
15	A Yes, the one put in place in 2011.	12:50:56
16	Q Okay. And just confirming here, "FED	12:50:58
17	data," again, means that all federal partisan	12:51:03
18	index, right, 2012 to 2020?	12:51:07
19	A Correct.	12:51:10
20	Q And then --	12:51:10
21	A Correct.	12:51:12
22	Q -- after that -- and then after that, all	12:51:12
23	data is all statewide elections 2016 to 2020,	12:51:14
24	corrects?	12:51:17
25	A Yes, six-year lookback, state and	12:51:17

1 federal -- state and federal. 12:51:20

2 Q Okay. And then this is analyzing it under 12:51:22

3 the definition that we had discussed, the plus or 12:51:27

4 minus 4 for competitive districts, correct? 12:51:31

5 A Well, the top row is plus or minus 4. 12:51:34

6 I -- 12:51:38

7 Q Right. Right -- 12:51:39

8 A -- just did it under -- yeah. But the top 12:51:40

9 row is plus or minus 4. 12:51:43

10 Q Right. Thank you for clarifying that. 12:51:45

11 So -- so this top row is analyzing the 12:51:47

12 various proposals under the definition of 12:51:51

13 competitiveness that Senator McColley adopts in 12:51:55

14 his testimony, correct? 12:52:00

15 A Well, it's -- again, the -- yes and no. 12:52:01

16 Yes and no. I can elaborate if necessary. 12:52:11

17 Q Sure. Go ahead. 12:52:13

18 A The federal column is what Senator 12:52:14

19 McColley was articulating in his testimony. I 12:52:21

20 think you and I have talked about that, of why 12:52:24

21 that's the appropriate mechanism to use. 12:52:27

22 The other column is -- the all data is 12:52:29

23 something that others were using -- I think the 12:52:36

24 Senate Democrats specifically were using. So we 12:52:40

25 did the analysis both -- or I did the analysis 12:52:42

1	both ways to show that our map was as competitive	12:52:46
2	or more competitive than any other proposal.	12:52:50
3	Q Got you. Yeah, I was asking strictly	12:52:52
4	about the -- asking about the definition of	12:52:56
5	competitive districts, but let's just -- we'll	12:52:57
6	just focus in on the left side of the top row,	12:53:00
7	right? That left column --	12:53:02
8	A Okay.	12:53:04
9	Q -- that is Senator McColley's analysis for	12:53:05
10	competitive districts and that is the partisan	12:53:08
11	index he chose, correct?	12:53:10
12	A Well, yes, the federal thing is what	12:53:11
13	Senator McColley talked about in his testimony.	12:53:17
14	But plus or minus 4 isn't just unique to Senator	12:53:18
15	McColley or other people. There were lots of	12:53:22
16	testimony about people saying the competitive	12:53:24
17	districts were up to plus or minus 5.	12:53:27
18	So obviously there's other people that	12:53:29
19	would say plus or minus 4 are competitive --	12:53:32
20	Q Okay.	12:53:34
21	A -- if they're advocating for plus or minus	12:53:34
22	5.	12:53:38
23	Q Yeah. Right. But this was the metric for	12:53:38
24	competitiveness settled on by the Senate majority,	12:53:40
25	correct?	12:53:43

1 A Well, I would -- I would ascribe it to
2 Senator McColley.

3 Q Okay. I'll -- right. So this was the
4 metric for competitiveness settled on by Senator
5 McColley, correct?

6 A I would say so, yes.

7 Q Okay. And did you ever discuss the
8 definition of competitiveness with Senator
9 McColley?

10 A I mean, I do recall speaking with him
11 about how well the map was scoring with
12 competitive districts. And as you can see from
13 his public commentary, he chose to include that in
14 his public commentary before all of the -- the
15 Senate, the House, and the Joint Committee when he
16 gave testimony.

17 Q Right. And did you explain that it was
18 scoring well under this specific definition in
19 particular?

20 MR. MCGUIRE: Objection. We're going to
21 assert the legislative privilege with regard to
22 specific contents of communications between -- and
23 conversations between Mr. DiRossi and Senator
24 McColley.

25 MR. KLEIN: Once again, I'm going to

1	dispute that objection, but we'll move on.	12:55:04
2	And we'll again note that we have gotten	12:55:13
3	into this topic and have cut it short because of	12:55:15
4	this objection and so that the record is	12:55:17
5	incomplete on that subject.	12:55:20
6	BY MR. KLEIN:	12:55:29
7	Q If you're not instructed not to answer	12:55:30
8	that question, would you be in a position to	12:55:33
9	answer it?	12:55:35
10	MR. McGUIRE: Objection, we're going to	12:55:37
11	assert the legislative privilege.	12:55:39
12	Don't answer that.	12:55:41
13	MR. KLEIN: Okay. I'll note that we're	12:55:43
14	simply asking if he is in a position to answer the	12:55:50
15	questions and not the contents of those answers.	12:55:53
16	MR. McGUIRE: I understood the question.	12:55:55
17	MR. KLEIN: Okay. I'm just noting it.	12:55:56
18	BY MR. KLEIN:	12:55:59
19	Q So let's scroll down a little bit. So it	12:56:00
20	looks like we're -- it looks like the rest of this	12:56:10
21	document is -- what it's doing is analyzing these	12:56:12
22	proposals we've just discussed under the different	12:56:21
23	metrics for competitiveness; is that right?	12:56:23
24	A Yes.	12:56:25
25	Q Right. So there is one portion here	12:56:25

1	analyzing it at competitiveness being defined as	12:56:31
2	plus or minus 2, right?	12:56:34
3	A There is.	12:56:36
4	Q Right. So that will be where a partisan	12:56:37
5	infection is between 48 and 52 percent, correct?	12:56:39
6	A Yes.	12:56:42
7	Q And then for plus or minus 2.5, that would	12:56:42
8	be defining competitiveness where there is a	12:56:47
9	partisan index between 47.5 and 52.5, right?	12:56:50
10	A I'm just doing the math in my head to	12:56:55
11	check you. Yes, plus or minus 2 and a half, 47	12:56:58
12	and a half, 52 and a half. Yes.	12:57:00
13	Q Yeah. Yeah. I also had to think about	12:57:01
14	that for a quick second, but I think we both got	12:57:04
15	it right.	12:57:06
16	A It's easy to get confused. It's easy to	12:57:06
17	get confused.	12:57:10
18	Q Right. And so it looks like in terms of	12:57:10
19	competitive districts, the number of competitive	12:57:20
20	districts, the map enacted by the General Assembly	12:57:23
21	scores the best when you're using the definition	12:57:29
22	of competitiveness that is at 4 percent using	12:57:34
23	federal data or a definition of competitiveness at	12:57:38
24	plus or minus 3.75 percent; is that right?	12:57:46
25	MR. KLEIN: And we can scroll up so he can	12:57:51

1	see that.	12:57:51
2	BY THE WITNESS:	12:57:54
3	A Say it -- you're saying it scores the best	12:57:54
4	at what data points?	12:57:55
5	BY MR. KLEIN:	12:57:56
6	Q Right. So -- well, I'll just ask. Under	12:57:56
7	which of these analyses does the -- does the map	12:57:59
8	enacted by the General Assembly score the best?	12:58:03
9	A Well, if you're asking for my opinion, I'd	12:58:07
10	say the map scores the best on all of them. It	12:58:10
11	shows that the map as adopted, whether you use all	12:58:13
12	data or federal data, is as competitive if not	12:58:17
13	more competitive than any of the other caucus	12:58:21
14	proposals at -- almost universal on all of these	12:58:24
15	data points.	12:58:29
16	Q Right.	12:58:31
17	A So I --	12:58:31
18	Q So I should --	12:58:32
19	A -- know it's -- I know it's very easy to	12:58:32
20	say, well, this one and this one is better than	12:58:33
21	that one and this one. But I think wholistically	12:58:36
22	if you look at this, the takeaway I think for me,	12:58:40
23	since you asked, is, at almost any one of these	12:58:42
24	data points and in either metric this map is as	12:58:44
25	competitive or more competitive than the other	12:58:48

1	proposals and way more competitive, if that's a	12:58:51
2	technical term, way more competitive than the	12:58:53
3	current map, which, again --	12:58:55
4	Q All right. So --	12:58:56
5	A (Indiscernible.)	12:58:56
6	Q All right. So what I'm asking is, under	12:58:58
7	which of these analyses does the McColley map have	12:58:59
8	the highest number of competitive districts as	12:59:04
9	compared to the McColley map under the other	12:59:07
10	analyses?	12:59:09
11	A Well -- okay. So say that again. At	12:59:10
12	what --	12:59:16
13	Q Okay. I -- maybe I should break it down	12:59:17
14	in terms of what's on the sheet.	12:59:20
15	So we see the McColley map listed several	12:59:22
16	times throughout this sheet, right?	12:59:25
17	A For each data point you're going to have a	12:59:26
18	score for the McColley map, the two Senate	12:59:29
19	Democrat versions, the House Democrat version, and	12:59:32
20	the current version that --	12:59:35
21	Q Right. Okay. So -- and there's a number	12:59:36
22	next to McColley for each -- and do you want to	12:59:40
23	call it data point?	12:59:43
24	A Sure. Thank you.	12:59:45
25	Q So for each data point -- and when we say	12:59:46

1	that, we're talking about a definition of partisan	12:59:50
2	index and for a competitive district.	12:59:52
3	For each data point there's a number	12:59:56
4	listed next to the map name, right?	12:59:58
5	A Yes.	13:00:00
6	Q And that's the number of competitive	13:00:03
7	districts, correct?	13:00:05
8	A Yes.	13:00:06
9	Q So when you look at each time McColley is	13:00:06
10	listed, in which instances on that sheet is it the	13:00:15
11	highest compared to the other instances where it's	13:00:19
12	listed?	13:00:26
13	A Well, this -- this kind of goes back to	13:00:26
14	our previous conversation of comparing federal	13:00:28
15	election analysis to EA53. And I understand -- I	13:00:30
16	understand your question, and kind of the same	13:00:34
17	thing as before. But they -- we've got to	13:00:35
18	understand that these are different scorings using	13:00:38
19	different election results from different time	13:00:43
20	periods, six years or ten years, federal elections	13:00:45
21	versus state and federal elections.	13:00:50
22	So I -- I am very hesitant to answer the	13:00:51
23	question along the lines of which is higher and	13:00:53
24	which is lower because they're different.	13:00:56
25	And the number may be higher, but it	13:01:01

1 doesn't necessarily mean that it's an
2 apples-to-apples comparison.

3 Q Right. Okay. So let's just -- maybe we
4 should -- strike that.

5 So when we are defining competitive
6 districts as plus or minus 4, which partisan index
7 gives the McColley map more competitive districts?
8 Is it federal data or all data?

9 A Well, again, I mean, you're looking at the
10 same information on the screen that I am. I mean,
11 I just think they're very different and not fair.
12 I mean -- but I will -- I will say that using the
13 federal election lens of ten-year lookback, there
14 are seven competitive districts, which is the most
15 of any map that I saw put before the General
16 Assembly.

17 And using the other scoring mechanism,
18 there are an equal amount to the next highest map.
19 So five. But seven -- I know seven is more than
20 five, but seven should not be compared to five.
21 They're different lenses.

22 Q Okay. All right. So then maybe we'll --
23 why don't we move vertically.

24 So we see where it says McColley for plus
25 or minus 4, plus or minus 3.75, it says there,

1	correct?	13:02:35
2	A Yes. Under the federal analysis, yes.	13:02:36
3	Q Yeah, and then under federal analysis,	13:02:38
4	when we go down to plus or minus 3.5 for a	13:02:40
5	definition of competitive districts, we've got six	13:02:43
6	competitive districts for the McColley map,	13:02:45
7	correct?	13:02:48
8	A That is correct.	13:02:48
9	Q And why don't we keep scrolling down.	13:02:48
10	And then if we go down to a definition of	13:02:56
11	competitiveness of plus or minus 2.5 using federal	13:02:59
12	data, we've got four competitive districts for	13:03:03
13	McColley, correct?	13:03:05
14	A You -- wait. Did you say plus or minus	13:03:06
15	2.5?	13:03:12
16	Q Yeah, 2.5.	13:03:13
17	A Yes. Okay. Yes, you're right.	13:03:14
18	Q And then we go down to plus -- then we go	13:03:16
19	down to plus or minus 2 percent using the federal	13:03:19
20	partisan index, it's two competitive districts	13:03:22
21	under the McColley plan, correct?	13:03:24
22	A Yes.	13:03:26
23	Q Okay.	13:03:26
24	MR. KLEIN: Let's pull up Tab 18. I'd	13:03:35
25	like to mark this as an exhibit. And I just want	13:03:50

1	to make sure that I marked the last one, too.	13:03:52
2	Thanks, Ethan.	13:03:59
3	(WHEREUPON, DiRossi Exhibit No. 8 was	13:03:59
4	presented to the witness.)	13:04:10
5	BY MR. KLEIN:	13:04:10
6	Q All right. So I am representing to you	13:04:12
7	that you produced this document to us.	13:04:13
8	Have you seen this document before?	13:04:15
9	A Yeah, if you could just scroll through	13:04:22
10	it --	13:04:24
11	Q Yeah, I --	13:04:24
12	A -- very, very fast to make sure I --	13:04:25
13	because I'm pretty sure it's a big spreadsheet,	13:04:26
14	right?	13:04:28
15	Yes, it looks familiar.	13:04:38
16	Q Okay. And so did you prepare this	13:04:42
17	document?	13:04:46
18	A Yes.	13:04:48
19	Q Okay. Do you remember when you prepared	13:04:48
20	this document?	13:04:52
21	A I think this was one of the first things I	13:04:52
22	did after the budget was over in June of this	13:04:58
23	year, well before the census data was received.	13:05:05
24	So this is one of my get-organized	13:05:11
25	documents. Now, there are a couple different	13:05:14

1	versions of this, so --	13:05:17
2	Q Right.	13:05:18
3	A -- as I'm sure we'll talk about the yellow	13:05:18
4	lines, but --	13:05:21
5	Q Right. So --	13:05:23
6	A -- depending on which version it is, when	13:05:23
7	it was produced.	13:05:26
8	Q Yeah. I was actually about to ask about	13:05:27
9	those yellow lines.	13:05:30
10	MR. KLEIN: Why don't we scroll down to	13:05:31
11	the bottom where -- yeah, just towards the bottom	13:05:33
12	of where the data is.	13:05:35
13	BY MR. KLEIN:	13:05:35
14	Q So we have two yellow lines here, correct?	13:05:43
15	A Yes.	13:05:43
16	Q And so -- we're below row 134.	13:05:47
17	And so do you know why those are	13:05:50
18	highlighted in yellow?	13:05:54
19	A Yeah, those specific U.S. rep 11 and U.S.	13:05:55
20	rep 15?	13:06:03
21	Q Mm-hm.	13:06:03
22	A Yeah, so those were -- if you -- I don't	13:06:04
23	know if you follow Ohio elections in our	13:06:08
24	congressional delegation, but these were two seats	13:06:14
25	that were vacant and there were special elections	13:06:16

1 that were just held a couple months ago.

13:06:19

2 And so these said "vacant," and then once
3 the congressional election results were done -- or
4 the election was held, I filled in the appropriate
5 information.

13:06:21

13:06:27

13:06:32

13:06:34

6 And I probably kept them highlighted
7 because I either messed up and forgot to
8 unhighlight those cells, or I wasn't 100 percent
9 actually sure that I had the correct address and
10 it was kind of a mental note to me to go back and
11 verify that address.

13:06:35

13:06:39

13:06:42

13:06:46

13:06:49

13:06:51

12 Q Okay. So it's -- so -- all right.

13:06:52

13 Did you consider this document when you
14 were drawing congressional maps?

13:07:08

13:07:11

15 A Well, this document, not specifically.
16 But one of the things that I knew was important to
17 the senators that I was working with was to avoid
18 pairing of incumbents in districts, whether those
19 were Republican incumbents in the same district or
20 Democrat incumbents in the same district or
21 Republican and Democrat in the same district, to
22 try to avoid those wherever possible.

13:07:11

13:07:19

13:07:24

13:07:29

13:07:31

13:07:37

13:07:40

13:07:43

23 So obviously in order to do that, you have
24 to have some knowledge of where the residence is.
25 And I know we all know that for Congress, you

13:07:45

13:07:47

13:07:50

1	don't have to live in your congressional district	13:07:53
2	to be eligible to be a candidate. But	13:07:55
3	nonetheless, we were taking care to try to avoid	13:07:58
4	the pairing of or double-bunking of incumbents in	13:08:00
5	the districts. And so --	13:08:05
6	Q Okay.	13:08:06
7	A -- but for the legislative and the	13:08:07
8	congressional, that's what -- this document was,	13:08:10
9	you know, able to track residency.	13:08:12
10	Q Yeah. So when you're in Maptitude and	13:08:13
11	you're looking at the geography portion of the	13:08:17
12	screen, the actual map, are you able to see where	13:08:19
13	incumbent addresses are in Maptitude.	13:08:23
14	A Yes.	13:08:25
15	Q And did you have that up all of the time?	13:08:25
16	A No.	13:08:31
17	Q Most of the time?	13:08:33
18	A We're talking about congressional?	13:08:34
19	Q Yes.	13:08:37
20	A Yeah, so, look, there's only 15 of them,	13:08:38
21	right? So it's -- you kind of under- -- you kind	13:08:42
22	of remember. Whereas in the legislative, there's	13:08:46
23	132, and it's 33 in the Senate and 99 in the	13:08:49
24	House. So, you know, it was pretty easy to kind	13:08:53
25	of remember what county and what general area	13:08:55

1	members lived in.	13:08:58
2	So it was up early on, and then it wasn't	13:08:59
3	needed anymore; I had it in memory.	13:09:01
4	Q Okay. So while you didn't always have	13:09:04
5	incumbent addresses up, you knew where they lived,	13:09:07
6	so it wasn't always necessary?	13:09:09
7	A Yeah, in order to avoid putting them in	13:09:11
8	the same district where possible, something that	13:09:15
9	we were very good at doing and others were not,	13:09:18
10	other proposals, you know, yeah, I needed to know	13:09:22
11	where they were.	13:09:24
12	Q Okay.	13:09:25
13	MR. KLEIN: So I think I'm going to	13:09:38
14	reserve my time, but I think I can turn it over	13:09:39
15	to -- to the counsel for the League of Women	13:09:44
16	Voters.	13:09:47
17	THE WITNESS: Could we take a five-minute	13:09:47
18	break?	13:09:55
19	MR. MCGUIRE: I'm sorry, the witness,	13:09:55
20	Mr. DiRossi, is asking if we can take a very, very	13:09:56
21	quick break before we start the next question.	13:09:59
22	MR. KLEIN: So I know you said you had a	13:10:02
23	hard stop at 3:00. We came back a little bit late	13:10:03
24	from the last break as a professional courtesy.	13:10:07
25	Could we just get seven extra minutes past	13:10:10

1	that three-minute -- rather, could we get seven	13:10:12
2	extra minutes past that 3:00 p.m. hard stop?	13:10:21
3	MR. McGUIRE: I'll go five.	13:10:24
4	MR. KLEIN: Okay.	13:10:25
5	MR. McGUIRE: If he can run out -- he just	13:10:27
6	needs to run to the restroom.	13:10:28
7	THE WITNESS: I'll go to the bathroom as	13:10:30
8	quick as possible.	13:10:32
9	MR. KLEIN: Okay.	13:10:33
10	MR. McGUIRE: We won't even leave.	13:10:33
11	MR. KLEIN: Okay. So why don't we go off	13:10:35
12	the record. We'll come back at 2:15.	13:10:37
13	THE VIDEOGRAPHER: The time is 1:10. We	13:10:40
14	are off the record.	13:10:42
15	(WHEREUPON, a recess was had.)	13:13:02
16	THE VIDEOGRAPHER: The time is 1:13. We	13:13:02
17	are on the record.	13:13:07
18	EXAMINATION	13:13:09
19	BY MS. BENDER:	13:13:09
20	Q Mr. DiRossi, hello. My name is Brady	13:13:09
21	Bender. I'm here representing the League of Women	13:13:11
22	Voters Relators today. Thank you for being here.	13:13:16
23	A Hello. Hello.	13:13:17
24	Q I wanted to quickly ask you some more	13:13:18
25	questions about DiRossi Exhibit 7.	13:13:21

1	MS. BENDER: So if we could pull that back	13:13:23
2	up.	13:13:25
3	(Exhibit shared.)	13:13:33
4	BY MS. BENDER:	13:13:33
5	Q And apologies if I'm not looking directly	13:13:33
6	at the camera. I'm going between a couple of	13:13:35
7	screens here.	13:13:38
8	So, Mr. DiRossi, can you -- I just want to	13:13:38
9	confirm this measure on the right-hand side using	13:13:44
10	all data. All data there is all statewide	13:13:46
11	elections from the last ten years; is that right?	13:13:52
12	Or can you clarify?	13:13:55
13	A I think -- no, that is not right.	13:13:56
14	Q Okay.	13:13:59
15	A All data is a six-year lookback of state	13:14:01
16	and federal statewide races.	13:14:05
17	Q Okay. Great. And is that the same as	13:14:08
18	EA53 in your Maptitude set?	13:14:13
19	A Yes.	13:14:15
20	Q Okay. And can I ask -- we talked about	13:14:16
21	when you prepared this document, and you said that	13:14:26
22	it was prior to the Senate -- excuse me, prior to	13:14:28
23	voting to enact the final map. Can you give me a	13:14:34
24	little bit more detail on that.	13:14:39
25	Was that just before? Was it a few days	13:14:40

1	before?	13:14:43
2	A Yeah, that's a great question. I'm	13:14:46
3	racking my brain trying to pinpoint that. I don't	13:14:48
4	think I can give you any more definitive date of	13:14:52
5	when that -- when I created that document.	13:14:55
6	Q Okay. I'm --	13:14:59
7	A As is with a lot of legislative process,	13:15:03
8	it's a flurry of activity, and I don't recall.	13:15:06
9	Q Okay.	13:15:08
10	MS. BENDER: We can take this down.	13:15:10
11	BY MS. BENDER:	13:15:12
12	Q So I want to go back to the discussion of	13:15:19
13	certain indices that you used, which would have	13:15:22
14	included those indices earlier.	13:15:24
15	You acknowledged earlier that Maptitude	13:15:26
16	included some of those indices in that those	13:15:28
17	indices showed certain election results. The	13:15:34
18	election results data was actually uploaded into	13:15:38
19	Maptitude; is that correct?	13:15:41
20	A Okay. So help me understand -- indices,	13:15:41
21	results -- and what was the other term you used in	13:15:48
22	that question to make sure I understand the --	13:15:50
23	Q Of course. I'll clarify.	13:15:52
24	So when you get Maptitude, it doesn't come	13:15:54
25	preloaded with election results in it, does it?	13:15:57

1	A I do this once every ten years. I don't	13:16:00
2	know -- when I received the license and downloaded	13:16:09
3	and installed Maptitude, it had sample data in it	13:16:13
4	I think from the previous decade, and I don't know	13:16:17
5	if that was just population geography or -- I	13:16:19
6	can't say for sure what that was.	13:16:23
7	Q So you are not sure whether partisan	13:16:26
8	election results would have been preloaded in	13:16:29
9	Maptitude or loaded thereafter?	13:16:32
10	A I can't say. I think I said earlier that	13:16:33
11	working with our contractor, Ohio University, and	13:16:40
12	the Common Unified Redistricting Database project,	13:16:44
13	that that's where a lot of the census data and the	13:16:49
14	election results and other things were married	13:16:51
15	together. And ultimately then I had to have a	13:16:53
16	technical consultant put that stuff into the	13:16:56
17	computer. I'm not capable of doing that.	13:16:59
18	Q Okay. So you agree that these partisan --	13:17:00
19	or excuse me, these indices of partisan election	13:17:04
20	results show up in Maptitude, as we discussed	13:17:07
21	earlier.	13:17:10
22	Do you know who created those indices, who	13:17:10
23	decided upon what elections were included in them?	13:17:14
24	A Are you asking just about the	13:17:17
25	congressional one, or are you asking about the	13:17:23

1 ones that -- the EA53 from the legislative
2 process?

3 Q Well, let's start with EA53.

4 A Yeah, I would refer you in large part to
5 my deposition from that where I had a long
6 discussion about that.

7 I mean, there was a -- a very long process
8 of the Chief of Staff of the Ohio Senate, the
9 Chief of Staff of the -- the Ohio Senate majority,
10 the Ohio Senate minority, and the Ohio House
11 majority, those three leaders and their staff
12 having a conversation about putting their hands on
13 publicly available election results and underlying
14 geography so that there could be some commonality.
15 And a lot of that, as you -- I'm sure you know, is
16 controlled by Article 11 and actually referred to
17 in Article 11 about the -- some of the elections
18 that you would use.

19 And so that's -- that's kind of the
20 genesis of what is lovingly called EA53, for
21 whatever reason, in the computer system that was a
22 holdover for congressional.

23 Q And who would have created the FEDEA
24 index?

25 A Well, "created" is --

1	Q Just a --	13:18:44
2	A -- it is a collection of election results.	13:18:45
3	So those election results are just the election	13:18:47
4	results provided by the Secretary of State's	13:18:50
5	Office who -- is that what your question is, or	13:18:55
6	did you have another question?	13:18:57
7	Q Who would have decided which election	13:18:58
8	results from the Secretary of State's Office were	13:19:00
9	included in that index?	13:19:03
10	A Well, I spoke to the President and Senator	13:19:05
11	McColley about what index we should be using	13:19:14
12	and --	13:19:20
13	Q Okay. And so --	13:19:20
14	A -- why I thought we should be using the	13:19:21
15	federal election results for the federal districts	13:19:23
16	and why that made an abundant amount of sense.	13:19:27
17	Q And when you say that, you mean the	13:19:30
18	federal EA index?	13:19:33
19	A Yeah, federal --	13:19:36
20	Q You talked about using the federal EA	13:19:37
21	index?	13:19:39
22	A Statewide --	13:19:40
23	MR. MCGUIRE: Objection. I'm going to	13:19:41
24	object on the basis of legislative privilege.	13:19:42
25	This is getting into substantive conversations	13:19:45

1	between Mr. DiRossi and members of the General	13:19:47
2	Assembly regarding the legislative process.	13:19:53
3	MS. BENDER: Okay. Well, I will just	13:19:56
4	respond that we don't agree with that objection,	13:20:00
5	but I will move on for the sake of time.	13:20:02
6	BY MS. BENDER:	13:20:04
7	Q What other election analyses did you	13:20:05
8	consider -- or, excuse me, election analyses,	13:20:07
9	these indexes -- I think you called them election	13:20:11
10	analyses earlier -- did you consider beyond FEDEA	13:20:15
11	and election -- or -- and EA53?	13:20:18
12	A Well, as Mr. Klein and I talked about, I	13:20:24
13	mean, there were only a couple that were up on my	13:20:27
14	screen, you know, throughout the process at	13:20:29
15	various points. EA53 was there because it was a	13:20:31
16	holdover from legislative. The federal election	13:20:35
17	analysis you and I now have talked about, that	13:20:37
18	that was on the screen.	13:20:40
19	The only other data point for election	13:20:41
20	results was the recent presidential election was	13:20:44
21	available both -- I think I had both the Trump	13:20:48
22	number and the Biden number on the screen at the	13:20:50
23	same time when that would be a pair.	13:20:55
24	Q Okay. All right. I'd like to -- we can	13:20:58
25	move on from that topic. I do want to talk a	13:21:02

1	little bit more about Maptitude.	13:21:05
2	You mentioned earlier that Senator	13:21:06
3	McColley did not work in Maptitude, but -- and	13:21:08
4	that you were the only one working for the Senate	13:21:10
5	majority in Maptitude.	13:21:13
6	So when you were doing Maptitude work,	13:21:14
7	were you doing -- did you do Maptitude work at	13:21:16
8	Senator McColley's direction?	13:21:20
9	A Did I?	13:21:22
10	Q Yes.	13:21:26
11	A I mean, yes, the -- yes. Yes --	13:21:26
12	Q And --	13:21:30
13	A -- the bill was his direction.	13:21:31
14	Q And he would have provided you guidance on	13:21:33
15	the maps as you were drawing in Maptitude?	13:21:35
16	MR. MCGUIRE: Objection, we're going to	13:21:38
17	assert the legislative privilege.	13:21:39
18	MS. BENDER: Okay. Again, I'll say we	13:21:44
19	don't agree with the assertion, but we will move	13:21:46
20	on.	13:21:49
21	BY MS. BENDER:	13:21:49
22	Q Did he provide feedback on maps that you	13:21:49
23	drew in Maptitude?	13:21:51
24	MR. MCGUIRE: Objection, we're going to	13:21:53
25	assert the legislative privilege.	13:21:56

1	Don't answer that.	13:21:58
2	MS. BENDER: Okay. The same response, and	13:21:59
3	we'll move on.	13:22:01
4	BY MS. BENDER:	13:22:01
5	Q So regarding both of those questions, if	13:22:02
6	not for your instruction not to answer those	13:22:09
7	questions, could you have answered them?	13:22:12
8	MR. McGUIRE: Objection, we assert the	13:22:13
9	legislative privilege.	13:22:16
10	Don't answer that question.	13:22:17
11	MS. BENDER: Okay. In none of these	13:22:23
12	questions did I actually ask about content -- or	13:22:25
13	that specific last question was not asking about	13:22:28
14	the content nor was I asking about the content of	13:22:30
15	any guidance or feedback. So, again, we would	13:22:33
16	disagree with the assertion of the privilege.	13:22:36
17	MR. McGUIRE: Noted.	13:22:41
18	BY MS. BENDER:	13:22:43
19	Q Okay. Besides Senator McColley, did any	13:22:43
20	other individual see maps that you had drawn in	13:22:46
21	Maptitude as in the -- as you were in the process	13:22:50
22	of working on them?	13:22:53
23	A So in the process of working on them, does	13:22:54
24	that mean -- what -- can you help me narrow down	13:23:05
25	that timeline that you're looking for?	13:23:08

1	Q Okay. There are two questions here. So	13:23:09
2	as the maps were evolving in Maptitude throughout	13:23:11
3	the time period in which they're evolving in	13:23:14
4	Maptitude, would there be any others that would	13:23:16
5	have seen those maps over the broad time period?	13:23:19
6	A Yeah, I mean, the vast majority of the	13:23:24
7	time that I was working at my computer, the	13:23:26
8	computer in the office that has the Maptitude in	13:23:29
9	the William Green Building, I was alone.	13:23:33
10	Or on days that Blake would have been	13:23:35
11	there, he would have been working, you know, on	13:23:38
12	whatever he was working on.	13:23:41
13	And you said except for Senator Huffman	13:23:45
14	and except for Senator McColley?	13:23:48
15	Q I did not say except for Senator Huffman.	13:23:50
16	But to clarify, on both of those -- both	13:23:53
17	of those individuals, are they among the people	13:23:55
18	that would have been there at some time other than	13:23:58
19	the time that you just referred to when you were	13:24:01
20	alone?	13:24:03
21	A Okay. All right. I --	13:24:04
22	Q Sorry. That was --	13:24:06
23	A -- (indiscernible) your question. Yeah,	13:24:07
24	no problem.	13:24:08
25	Are you saying were they physically there?	13:24:09

1	Or are you saying did they see the map as it was	13:24:12
2	going through its evolution --	13:24:15
3	Q I'd like to know --	13:24:17
4	A -- (indiscernible) get to.	13:24:19
5	Q I'd like to ask both questions.	13:24:19
6	So, first, did either of them visit --	13:24:21
7	visit the office in which you were drawing	13:24:23
8	Maptitude maps while you were drawing them?	13:24:26
9	A Senat- -- President Huffman, yes. Senator	13:24:28
10	McColley, no.	13:24:31
11	Q Okay. And were there any other	13:24:31
12	individuals then beyond those two and Blake that	13:24:33
13	visited the office as you were drawing?	13:24:35
14	A Well, you said "beyond those two." I said	13:24:39
15	no for Senator McColley.	13:24:42
16	Q Yeah, beyond --	13:24:44
17	A I think I mentioned it -- I referenced a	13:24:45
18	November 9th meeting that the Speaker was there	13:24:48
19	for, the Chiefs of Staff were there for. At	13:24:50
20	various times, I had in-house counsel from the	13:24:56
21	House and Senate that were present there and --	13:25:00
22	and external counsel.	13:25:06
23	Q Okay. And would any of the -- or which --	13:25:08
24	would any of these individuals have seen your	13:25:21
25	Maptitude maps on your computer when they visited?	13:25:23

1	A I think -- the November 9th meeting, I	13:25:35
2	don't think the computers were on. I don't recall	13:25:37
3	using the computers. President Huffman would have	13:25:39
4	seen the computers on.	13:25:45
5	Q Okay. Anyone else?	13:25:48
6	A Blake -- Blake would have seen the	13:25:50
7	computers on. Whether he saw what was on the	13:25:54
8	screen or not, that's not a question for me. But	13:25:57
9	he was -- you know, he was there on days he was	13:26:00
10	there.	13:26:01
11	And I can't speak to what others would	13:26:03
12	have seen as far as counsel. I just --	13:26:06
13	Q Were others --	13:26:10
14	A -- don't recall.	13:26:12
15	Q Were there any others that were there	13:26:13
16	while the computers were on?	13:26:15
17	A Others that were there when the computers	13:26:16
18	were on? So we've talked about the President, the	13:26:21
19	Speaker, Blake, myself, the Chiefs of Staff,	13:26:25
20	in-house counsel, exterior coun- -- external	13:26:29
21	counsel.	13:26:33
22	For congressional redistricting, I -- I'm	13:26:38
23	not sure I can think of anybody else that was	13:26:40
24	there sitting here right now.	13:26:42
25	Q Okay. And did you convey information	13:26:43

1	about the partisan leanings of the districts that	13:27:01
2	you were drawing to Senate President Huffman?	13:27:04
3	MR. McGUIRE: Objection, we're going to	13:27:08
4	assert the legislative privilege.	13:27:11
5	BY MS. BENDER:	13:27:17
6	Q Okay. I'm going to ask the same question	13:27:17
7	about Speaker Cupp?	13:27:19
8	MR. McGUIRE: The same objection,	13:27:21
9	legislative privilege.	13:27:24
10	BY MS. BENDER:	13:27:25
11	Q Okay. Representative Oelslager?	13:27:27
12	MR. McGUIRE: The same objection,	13:27:28
13	legislative privilege.	13:27:30
14	BY MS. BENDER:	13:27:31
15	Q Any other legislative leadership?	13:27:31
16	MR. McGUIRE: The same objection, we	13:27:35
17	assert the legislative privilege.	13:27:36
18	BY MS. BENDER:	13:27:37
19	Q And any others outside of the legislature?	13:27:37
20	MR. McGUIRE: We will insert the	13:27:41
21	legislative privilege to the extent that includes	13:27:44
22	members of any legislative staff in addition to	13:27:46
23	legislators.	13:27:50
24	But you can answer for anyone other than	13:27:54
25	those two groups.	13:27:56

1 BY THE WITNESS:

13:27:57

2 A Can you -- so you're asking -- can you
3 just repeat the specific question that --

13:27:58

13:27:59

4 BY MS. BENDER:

13:27:59

5 Q Would you have --

13:28:01

6 A -- would apply to --

13:28:01

7 Q -- conveyed --

13:28:04

8 A -- nonlegislative staff?

13:28:04

9 Q Did you convey information about the
10 partisan leanings of districts in the maps that
11 you were drawing to any individuals?

13:28:05

13:28:07

13:28:09

12 I asked obviously more about a broader
13 group, but your counsel instructed you to answer
14 about a narrower group.

13:28:11

13:28:14

13:28:15

15 MR. McGUIRE: Other than legislators or
16 the staff members of legislators or -- and
17 counsel. And counsel. I'm sorry.

13:28:21

13:28:23

13:28:25

18 BY THE WITNESS:

13:28:27

19 A The only thing I can think of is, the day
20 that Senate Bill 258 was -- the second sub bill
21 happened, there was a distribution that went out
22 to a distribution -- email distribution that
23 included the media and members of the public that
24 included an attachment that included the federal
25 election analysis number for every district that

13:28:29

13:28:33

13:28:43

13:28:44

13:28:49

13:28:54

13:28:57

1	was in the bill.	13:28:59
2	MS. BENDER: Okay. And as to all of those	13:29:03
3	objections, I would again say that we do not agree	13:29:05
4	that those are covered by the legislative	13:29:07
5	privilege, and we can move forward.	13:29:10
6	BY MS. BENDER:	13:29:16
7	Q Can you tell me, Mr. DiRossi, what was	13:29:16
8	your understanding of the requirements you had to	13:29:18
9	meet in drawing the congressional map?	13:29:19
10	A Well, there are several obviously. And	13:29:23
11	there are --	13:29:28
12	MR. McGUIRE: And, again, please don't	13:29:29
13	talk about any instructions given to you by any	13:29:31
14	member of the legislature or their staff. When	13:29:33
15	you answer it, you can answer it other than that.	13:29:36
16	BY THE WITNESS:	13:29:38
17	A The constitution has a number of	13:29:40
18	provisions that it talks about on the	13:29:42
19	construction -- as I call it, the construction of	13:29:47
20	districts, whether or not a subdivision of certain	13:29:49
21	population can be split, whether it shouldn't be	13:29:54
22	split, whether there should be districts made out	13:29:57
23	of -- in Franklin County, I know there's a page of	13:30:01
24	language that deals specifically with Franklin	13:30:04
25	County, not by name but by population amounts for	13:30:07

1 Columbus and Franklin County. 13:30:10

2 There's obviously language that talks 13:30:13
3 about drawing districts from whole counties and 13:30:15
4 whole political subdivisions. There are sections 13:30:21
5 of the constitution that talk about what I call, 13:30:24
6 you know, no double-dipping, so to speak. So if 13:30:27
7 you've got a district that comes into a county, it 13:30:30
8 has to be contiguous to itself inside that county. 13:30:34
9 That is a mandatory requirement. 13:30:37

10 Also, you're not allowed to have two 13:30:39
11 districts share portions of county population in 13:30:43
12 the same two districts unless those counties are 13:30:51
13 greater than 400,000. That is a provision of the 13:30:54
14 constitution, which is new to Ohio. 13:30:58

15 And obviously there are some, you know, 13:31:00
16 language in the constitution dealing with 13:31:05
17 compactness, contiguity, you know, districts being 13:31:06
18 equal as practicable and -- for population 13:31:14
19 purposes. 13:31:17

20 And those are the ones that come to mind. 13:31:17

21 Q And what about partisanship? 13:31:20

22 A There is language that says -- and I'm 13:31:23
23 paraphrasing because I am definitely not a 13:31:27
24 constitutional scholar -- to not unduly favor or 13:31:30
25 disfavor a political party or their incumbents. 13:31:35

1	Q And what was your understanding of the	13:31:37
2	meaning of that language?	13:31:38
3	A Yeah, I -- I relied on the advice of	13:31:39
4	counsel for that. Like I said, I am not a	13:31:42
5	constitutional scholar. I can't give you a	13:31:44
6	definitive answer on that. It's new language, and	13:31:51
7	I relied on the advice of counsel to understand	13:31:54
8	that and --	13:31:55
9	Q And what --	13:31:55
10	A -- to direct that --	13:31:56
11	Q Sorry to interrupt.	13:31:56
12	And were you given instructions regarding	13:31:59
13	these requirements beyond the advice of counsel?	13:32:01
14	A Specifically to draw competitive	13:32:04
15	districts.	13:32:10
16	Q Okay. Beyond that?	13:32:13
17	A So can you help me -- you're asking was I	13:32:13
18	given direction on what?	13:32:19
19	Q Did you receive --	13:32:22
20	A (Indiscernible.)	13:32:22
21	Q -- instructions on how to comply with the	13:32:22
22	constitutional requirements beyond drawing	13:32:26
23	competitive districts?	13:32:28
24	MR. McGUIRE: Again, please don't provide	13:32:30
25	anything that counsel told you or anything	13:32:32

1	provided to you by any legislators or their staff,	13:32:34
2	any direction on that issue.	13:32:38
3	THE WITNESS: Yeah.	13:32:39
4	BY THE WITNESS:	13:32:40
5	A I would say, like I said, I -- I mean, I	13:32:40
6	am not a lawyer, I'm not a legal scholar, not a	13:32:43
7	constitutional scholar.	13:32:46
8	I know that, as I've said before, Senator	13:32:47
9	McColley gave public testimony in a number of	13:32:51
10	hearings where he articulated what he thought that	13:32:53
11	meant, and I -- I listened to that.	13:32:56
12	MS. BENDER: Counsel, is it your position	13:33:04
13	that the instructions that would be given to	13:33:06
14	Mr. DiRossi on how to draft a congressional map	13:33:08
15	are privileged and immune from discovery in a	13:33:11
16	legal challenge to the drafting of the map?	13:33:16
17	MR. MCGUIRE: Yes, that's why I'm	13:33:18
18	asserting the privilege.	13:33:20
19	MS. BENDER: Okay.	13:33:21
20	BY MS. BENDER:	13:33:22
21	Q Mr. DiRossi, just a --	13:33:22
22	MS. BENDER: Actually, I think I am	13:33:36
23	actually done for now.	13:33:36
24	Spencer, do you have any follow-up	13:33:36
25	questions that you'd like to ask?	13:33:38

1	MR. KLEIN: I do have a few, but if -- you	13:33:41
2	know, if you want to keep going, that's fine, but	13:33:44
3	we could also -- I could also jump back in.	13:33:45
4	MS. BENDER: I'm happy to have you jump	13:33:48
5	back in.	13:33:50
6	MR. KLEIN: Okay.	13:33:52
7	Can we pull up Tab 6. So not actually --	13:34:06
8	we were hoping to look at Tab 6, not Exhibit 6.	13:34:33
9	Sorry about that. I just thought you were pulling	13:34:36
10	it up, and then I realized you misunderstood.	13:34:37
11	THE TECHNICIAN: Apologies.	13:34:40
12	MR. KLEIN: No, that's on me. I should	13:34:42
13	have been more clear about that.	13:34:44
14	(WHEREUPON, DiRossi Exhibit No. 10 was	13:34:44
15	presented to the witness.)	13:34:44
16	FURTHER EXAMINATION	13:34:52
17	BY MR. KLEIN:	13:34:52
18	Q Okay. So, Mr. DiRossi, I'm going to	13:34:52
19	represent that this is a screenshot from Maptitude	13:34:54
20	taken after we uploaded the SHP files you produced	13:34:56
21	of the enacted plan to the system. And as you can	13:35:02
22	see, we've also put county borders over it as well	13:35:06
23	as the district borders from the map for the	13:35:09
24	enacted plan.	13:35:16
25	So let's look down at District 1. That	13:35:18

1	includes Cincinnati, correct?	13:35:22
2	A Yes.	13:35:27
3	Q And under Article 19, Cincinnati has to be	13:35:27
4	kept whole, correct?	13:35:32
5	A Yeah, I would just say the caveat, to the	13:35:34
6	extent that it matters, the constitution does not	13:35:39
7	specifically say Cincinnati --	13:35:41
8	Q Right.	13:35:43
9	A -- it provides a population calculation	13:35:43
10	that, for at least this decade, applies to	13:35:46
11	Cincinnati and another one or two political	13:35:50
12	subdivisions in the state.	13:35:56
13	Q Fair. Fair. So -- and Cincinnati is kept	13:35:57
14	whole within the 1st District, correct?	13:36:03
15	A It is.	13:36:04
16	Q Okay. Now, looking at the 1st District,	13:36:05
17	does it remain whole within Hamilton County?	13:36:10
18	A It does not.	13:36:13
19	Q Okay. And what other counties does it	13:36:14
20	include?	13:36:21
21	A It includes all of Warren County.	13:36:21
22	Q All right. So it includes all of Warren	13:36:25
23	County.	13:36:34
24	And this Cincinnati portion of the	13:36:34
25	district which you keep whole, would you say	13:36:36

1 that's a more Democratic or a more Republican
2 section of the district?

3 A You know, I -- I remember -- I don't know
4 if it was you and I who had this discussion in the
5 legislative deposition. I think what I said was
6 that I -- I'm not an expert in the geography or
7 the political leanings of any -- every particular
8 subdivision and that I would prefer to have, you
9 know, my computer available with me to aid me in
10 that.

11 But I would generally say, while there are
12 parts of it that lean Republican and parts of it
13 that lean Democrat, it's generally more
14 Democrat-leaning.

15 Q Okay. And what about the -- what about
16 Warren County; does it lean more Republican or
17 does it lean more Democrat?

18 A For any jurisdiction I'm going to have the
19 same answer. For Warren County, I'd love to check
20 just to verify since I'm saying this under oath
21 and under deposition, but I think Warren County
22 generally leans Republican.

23 Q Okay. And do you know -- do you know who
24 the incumbent was who represented the 1st District
25 for the last ten years -- or, rather -- strike

13:36:38
13:36:42
13:36:44
13:36:49
13:36:53
13:36:56
13:37:01
13:37:04
13:37:06
13:37:09
13:37:09
13:37:13
13:37:17
13:37:23
13:37:23
13:37:24
13:37:26
13:37:28
13:37:30
13:37:30
13:37:35
13:37:37
13:38:00
13:38:04
13:38:13

1	that.	13:38:13
2	Do you know the incumbent who currently	13:38:17
3	represents the 1st District? Do you know who that	13:38:20
4	is?	13:38:26
5	A The incumbent who currently resides in the	13:38:26
6	1st District? There are two. I just want to --	13:38:28
7	Q No. So --	13:38:31
8	A -- clarify which one you're talking about.	13:38:31
9	Q So I'm not asking who resides there, but	13:38:32
10	who represents.	13:38:35
11	A Oh, yes, I do know. Yeah.	13:38:36
12	Q All right. Who is that?	13:38:38
13	A It's Steve Chabot.	13:38:39
14	Q Okay. And is it your -- strike that.	13:38:42
15	At the time you drew this map, was it your	13:38:50
16	understanding that Representative Chabot would	13:38:52
17	seek re-election in the 1st District?	13:38:55
18	A I did not know.	13:38:57
19	Q Okay. Did you have any reason to believe	13:39:01
20	he would not seek re-election in this district?	13:39:02
21	A I had no indication one way or the other.	13:39:05
22	Q Okay. And are there any other incumbents	13:39:12
23	who live in this district as well, as drawn?	13:39:14
24	A Yes.	13:39:17
25	Q Okay. And who is that?	13:39:21

1	A	Also a resident of Cincinnati is	13:39:28
2		Congressman Wenstrup.	13:39:31
3	Q	Is it your understanding at the time you	13:39:33
4		drew the map that Wenstrup would seek election in	13:39:34
5		District 1?	13:39:38
6	A	I didn't -- I had no indication one way or	13:39:39
7		the other.	13:39:42
8	Q	Okay. At this moment sitting here, do you	13:39:43
9		have any reason to believe he won't seek	13:39:48
10		re-election in District 1?	13:39:50
11	A	I have no idea what he intends to do, run,	13:39:51
12		not run, move, not move.	13:39:56
13	Q	Okay. Do you know what district	13:39:58
14		Representative Wenstrup currently represents?	13:40:00
15	A	I believe it's the 2nd District. I don't	13:40:03
16		have the current congressional map in front of me,	13:40:08
17		but I believe it's the 2nd.	13:40:11
18	Q	Okay. And the 1st District, under the	13:40:13
19		partisan indices you looked at, any one of them,	13:40:46
20		were there any where it is less than 50 percent	13:40:50
21		Republican?	13:40:55
22	A	I can speak off the top of my head to the	13:41:06
23		federal election analysis that we've talked about	13:41:09
24		where it's an extremely competitive district. I	13:41:11
25		also know from our previous conversations that one	13:41:15

1 of the reasons -- that this is a competitive
2 district. I'm pretty sure that President Biden
3 won this district.

4 And so, yeah, I guess if you looked at it
5 under the Presidential analysis only, you would
6 get a sub 50 district.

7 Q Right. But just to -- talking about
8 indexes, is it your understanding that this is
9 greater than 50 percent Republican under the
10 federal index?

11 A Well, like I said -- I thought you said
12 under any indexes am I aware of it being under --

13 Q Right --

14 A -- 50.

15 Q -- right, right. I'm just --

16 A As I said, under -- under the federal
17 index, it's 51.5, extremely competitive,
18 hypercompetitive, I think is what some people
19 testified about before the --

20 Q Right.

21 A -- committees.

22 And under the Trump index, it's -- Trump
23 index, it's a Biden-favoring I think 50.6. And
24 under the other one, it's -- I think when you and
25 I went through that list, it's like -- this is the

1	one that's, like, 51.49962.	13:42:22
2	Q Right. Okay.	13:42:26
3	MR. KLEIN: So let's pull up Tab 8.	13:42:34
4	(WHEREUPON, DiRossi Exhibit No. 9 was	13:42:34
5	presented to the witness.)	13:42:56
6	BY MR. KLEIN:	13:42:56
7	Q So I'm representing, again, this is a	13:42:57
8	screenshot from Maptitude of when we -- of --	13:43:01
9	of -- from when we loaded up the enacted plan to	13:43:07
10	Maptitude. And we've also put subdivision borders	13:43:11
11	on top as well for -- for municipal corporations.	13:43:16
12	So let's look over on the screen. Do you	13:43:26
13	see where North College Hill is?	13:43:32
14	A No.	13:43:36
15	Q Okay. It's -- so if you -- maybe I can	13:43:44
16	take -- yeah, all right. So --	13:43:48
17	A Oh, I see your thing.	13:43:49
18	This is a -- I would just point out here,	13:43:52
19	you said that you put up the names of the	13:43:54
20	political subdivisions; is that what you said are	13:43:57
21	on the screen?	13:44:00
22	Q Correct.	13:44:01
23	A These -- I do not recognize a lot of	13:44:02
24	these. I mean, again, the constitution talks	13:44:04
25	about counties obviously --	13:44:07

1	Q Right.	13:44:10
2	A -- municipal corporations, which are	13:44:10
3	incorporated cities or unincorporated villages,	13:44:13
4	and then townships. And I do see a number of	13:44:17
5	names of cities, villages, townships that I	13:44:22
6	recognize, but I don't recognize a lot of -- I	13:44:25
7	mean, I don't recognize a lot of these names.	13:44:30
8	Like, I don't know what Dunlap, Dry Ridge,	13:44:34
9	Taylor Creek, White Oak, Dent, Monfort Heights,	13:44:38
10	Bridgetown -- I don't recognize those. Those do	13:44:42
11	not look like the names of political subdivisions.	13:44:44
12	Q What about Forest Park?	13:44:46
13	A I do see Forest Park, and I do recognize	13:44:48
14	that, yes --	13:44:54
15	Q Would you be --	13:44:55
16	A -- the name of it.	13:44:56
17	Q Would you be in a position to tell us if	13:44:57
18	Forest Park is more of a rural suburban or --	13:44:59
19	rural suburban or -- or urban city?	13:45:03
20	A I mean, everybody has their own definition	13:45:13
21	of urban, rural, exurb, and outer suburban -- you	13:45:16
22	know, I -- no.	13:45:23
23	Q Okay. So you would not be in a position.	13:45:25
24	What about a -- what about Finneytown; any	13:45:29
25	ability to tell us if it's more urban, rural,	13:45:40

1	suburban?	13:45:43
2	A Can you point your cursor to that one on	13:45:43
3	the map for me?	13:45:46
4	Q They're a -- yeah, if you can just -- it's	13:45:47
5	just north of the 1st District border right there.	13:45:49
6	A Yeah, I'll be honest with you, I would	13:45:55
7	have said that was Springfield Township, but --	13:45:57
8	Q Okay.	13:46:00
9	A -- I have no idea what Finneytown is.	13:46:01
10	Q All right.	13:46:01
11	A It's not a political subdivision.	13:46:05
12	Q Right. Okay. Okay.	13:46:07
13	MR. KLEIN: All right. Why don't we --	13:46:16
14	why don't we pull back up the previous exhibit.	13:46:17
15	(Exhibit shared.)	13:46:32
16	BY MR. KLEIN:	13:46:32
17	Q So looking to District 8, would you say	13:46:32
18	that that's a district that leans for Democratic	13:46:35
19	or it leans more Republican?	13:46:39
20	A District 8, you said?	13:46:40
21	Q That's right.	13:46:41
22	A Yeah, it leans Republican.	13:46:42
23	Q Okay. And looking at -- looking at -- and	13:46:45
24	looking at District 2, would you say that's more	13:47:01
25	of a Democratic-leaning county or a -- or,	13:47:03

1	rather -- sorry. We can -- we can -- strike that.	13:47:05
2	Looking at District 2, would you say	13:47:15
3	that's a more Democratic or -- would you say	13:47:17
4	that's more of a Democratic-leaning district or a	13:47:21
5	Republican-leaning district?	13:47:24
6	A Yeah, the -- District 2 and 8 both would	13:47:26
7	be Republican-leaning districts, and then the --	13:47:33
8	maybe to help you out, District 1, 10, and 15 are	13:47:35
9	all three of the competitive districts that I	13:47:39
10	referred to earlier.	13:47:41
11	Q Right. And that would be competitive	13:47:42
12	under this 4654 definition, correct?	13:47:45
13	A Yes.	13:47:51
14	Q And that would be looking to the federal	13:47:52
15	partisan index, that six-year lookback we've been	13:47:56
16	talking about, correct?	13:47:59
17	A Well, the -- hold on. The federal -- the	13:47:59
18	federal is a ten-year lookback. The EA --	13:48:04
19	Q Right, right, right.	13:48:08
20	A -- (indiscernible) --	13:48:09
21	Q Sorry.	13:48:09
22	A -- six-year.	13:48:09
23	Q Correct. Sorry.	13:48:11
24	A Can you rephrase that or reask that?	13:48:12
25	Q Right. So they would be competitive using	13:48:14

1	that plus or minus 4 definition of competitive	13:48:16
2	looking to that federal ten-year lookback?	13:48:19
3	Thank you for clarifying.	13:48:22
4	A Yes, but I think all of them, if not two	13:48:24
5	of the three of them for sure, would be also	13:48:27
6	competitive under the other silo of the six-year	13:48:29
7	lookback of state and federal.	13:48:35
8	I mean, they're -- they're competitive	13:48:36
9	districts. I'm not sure -- they're going to be	13:48:38
10	competitive however you look at them.	13:48:41
11	Q Okay.	13:48:42
12	MR. KLEIN: I think that's all for me. I	13:48:54
13	think I can yield to Brady at that point.	13:48:56
14	Thank you.	13:48:59
15	MS. BENDER: Okay. I have no further	13:49:04
16	questions, but I would like to simply say, we	13:49:05
17	disagree with the indications of attorney-client	13:49:07
18	work product and legislative privilege throughout	13:49:12
19	this deposition, and we believe that those	13:49:14
20	objections materially impeded discovery that we're	13:49:18
21	entitled to.	13:49:21
22	So I wanted to give you an opportunity to	13:49:21
23	withdraw the objections regarding legislative	13:49:23
24	privilege and attorney-client privilege.	13:49:26
25	Will you withdraw those at this time, or	13:49:29

1	are you standing on them such that we're at an	13:49:31
2	impasse?	13:49:35
3	MR. MCGUIRE: Well, I don't know if it's	13:49:35
4	an impasse or not. I've asserted the objections,	13:49:37
5	and I'm not withdrawing them.	13:49:39
6	MS. BENDER: Okay. Our understanding	13:49:41
7	of -- if they're not being withdrawn, then we see	13:49:43
8	this as an impasse. And for that reason, we'd	13:49:45
9	like to leave the deposition open and reserve the	13:49:49
10	right to seek relief from the Court on this point.	13:49:52
11	MR. MCGUIRE: I guess you can say anything	13:49:57
12	you'd like on the record. I consider the	13:49:59
13	deposition concluded, but sure.	13:50:01
14	MS. BENDER: Okay. That's all for me.	13:50:06
15	Thank you, Mr. Springhetti -- or thank	13:50:09
16	you, Mr. DiRossi. Excuse me.	13:50:10
17	THE VIDEOGRAPHER: The time is 1:50. We	13:50:13
18	are off the record.	13:50:16
19	(WHEREUPON, the deposition was concluded	13:50:16
20	at 1:50 p.m. CST)	13:52:37

ACKNOWLEDGMENT OF DEPONENT

I, RAYMOND DiROSSI, do hereby acknowledge
that I have read and examined the foregoing
testimony and the same is a true, correct, and
complete transcription of the testimony given by
me and any corrections appear on the attached
errata sheet signed by me.

(SIGNATURE)

(DATE)

C E R T I F I C A T E O F R E P O R T E R

I, MICHELLE M. YOHLER, a Certified
Shorthand Reporter within and for the County of
Will, State of Illinois, do hereby certify:

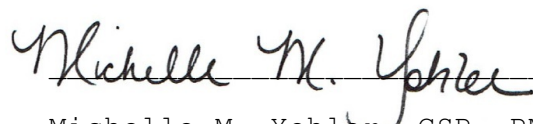
That previous to the commencement of the
examination of the witness, the witness was duly
sworn to testify the whole truth concerning the
matters herein;

That the foregoing deposition transcript
was reported stenographically by me, was
thereafter reduced to typewriting under my
personal direction and constitutes a true record
of the testimony given and the proceedings had;

That the said deposition was taken
remotely before me at the time and place
specified;

That I am not a relative or employee or
attorney or counsel, nor a relative or employee of
such attorney or counsel for any of the parties
hereto, nor interested directly or indirectly in
the outcome of this action.

1 IN WITNESS WHEREOF, I do hereunto set my
2 hand and affix my seal of office at Chicago,
3 Illinois, this 8th day of December, 2021.
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9 Michelle M. Yohler, CSR, RMR, CRR
10 Certified Shorthand Reporter
11 CSR No.: 84-4531
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IN THE SUPREME COURT OF OHIO

Regina C. Adams, *et al.*,

Relators,

v.

Governor Mike DeWine, *et al.*,

Respondents.

Case No. 2021-1428

**Original Action Filed Pursuant to
Ohio Const., Art. XIX, Sec. 3(A)**

League of Women Voters of Ohio, *et al.*,

Relators,

v.

Governor Mike DeWine, *et al.*,

Respondents.

Case No. 2021-1449

**Original Action Filed Pursuant to
Ohio Const., Art. XIX, Sec. 3(A)**

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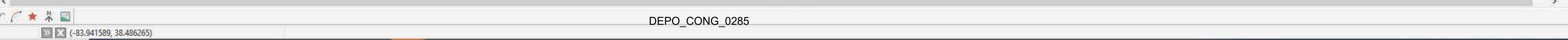
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Relators*

*** Pro Hac Vice Motion Forthcoming*

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Display Manager

TIGER/Line Segment

Landmark Area

US Landmark Area

Water Area

US Street

Streets

River

Census Block

Railroad

Voting District

City/Town

County

US Landmark

Districts

Enacted Plan SB 258 Final

Dataview18 - Enacted Plan SB 258 Final SHP

G14T_RV	G14T_TV	G14J_DV	G14J_RV	G14J_TV	G16P_DV	G16P_RV	G16P_TV	G16S_DV	G16S_RV	G16S_TV	G18S_DV	G18S_RV	G18S_TV	G18G_DV	G18G_RV	G18G_TV	G18A_DV	G18A_RV	G18A_TV	G18I_DV	G18I_RV	G18I_TV	G18T_DV	G18T_RV	G18T_TV	G18J_DV	G18J_RV	G18J_TV	EA51_DV	EA51_RV	EA51_TV	EA52_DV	EA52_RV	EA52_TV	POPULATION	DEVIATION	F_DEVIATIO	DISTRICT_N	EA53	F_G20P_RV	F
11823.700	14612.900	11132.610	4990.100	16122.800	10772.500	18984.300	16926.500	18161.500	11972.800	10463.700	13789.800	13159.000	16948.800	16080.000	12038.600	17804.200	18473.900	13870.600	12344.600	12793.300	17548.000	12109.000	13901.600	13815.800	14523.700	13844.100	17582.100	1426.300	13773.600	16810.000	10583.600	15641.300	17349.100	12990.500	786630	0.0000	0.0000	7	57.8809	0.5844	
11673.900	17887.700	16778.620	11632.200	18410.800	17284.900	16954.300	1016.500	16363.270	14888.400	17527.500	10950.900	79908.000	10859.000	19841.960	13659.500	12383.600	17269.860	11797.600	19067.400	16162.910	10781.100	17513.000	17676.910	13772.700	18494.800	15818.930	10159.200	15978.100	13118.600	12102.900	15221.600	15539.300	12069.800	17609.100	786630	0.0000	0.0000	4	67.2917	0.6599	
10866.500	16483.300	11921.700	16644.500	18566.300	11871.000	79501.600	17979.700	16293.000	19747.700	14554.600	17334.600	10761.100	18095.800	13835.700	15907.800	10285.300	16120.100	19472.700	15592.900	15156.500	14586.400	12485.700	10661.700	15178.500	13962.200	17995.600	14059.700	12055.300	16805.900	12824.100	19630.100	15214.300	17967.400	13181.800	786630	0.0000	0.0000	9	50.3142	0.5138	
18774.300	19810.800	11013.200	10626.000	11639.200	14398.500	11653.300	12817.700	16492.100	13438.900	15428.300	14608.800	14689.700	19298.600	17957.400	14084.000	10687.700	12530.900	13833.600	16364.500	10172.500	10619.000	15296.700	19199.700	10984.900	17641.000	15644.900	19082.200	14727.200	13550.400	14435.900	17986.400	19849.200	12371.000	12220.200	786630	0.0000	0.0000	1	51.5499	0.4837	
15059.100	19193.800	15946.520	14616.900	10563.500	18996.000	12282.200	17163.000	11410.200	15164.600	1478.900	15983.100	14031.500	10014.600	18593.500	12997.200	10539.600	11022.700	13874.200	14896.900	12322.500	12692.100	17453.300	19979.400	11682.200	18682.500	18363.400	18436.300	16799.700	13466.000	18531.300	11997.300	16569.500	18275.300	14844.800	786630	0.0000	0.0000	8	62.4661	0.6067	
17456.500	15265.400	17001.300	10165.000	17166.300	18026.100	11685.900	15079.500	13350.750	13028.600	11169.300	15918.600	13717.100	19635.800	18093.540	15083.200	11659.200	19059.970	18251.300	17311.300	14488.480	19686.800	16098.000	18017.870	12049.600	17140.200	16599.130	18426.200	15025.300	16463.000	17822.600	14285.700	13931.000	12812.500	16743.600	786630	0.0000	0.0000	2	66.6999	0.6726	
11985.900	18078.300	14490.660	17078.000	11568.700	19645.800	14175.000	10718.300	19873.600	19281.000	19873.700	14835.500	15710.200	10545.700	11506.200	10007.900	11617.400	17549.800	19309.800	16859.600	16894.200	11262.800	11855.100	14608.900	14572.700	16458.800	18272.700	14180.500	12453.300	12559.900	13625.700	16185.600	16073.600	11922.600	17996.200	786630	0.0000	0.0000	14	54.1365	0.5501	
78852.600	14581.500	17094.900	17837.780	14932.600	15156.500	14300.150	15310.500	16918.200	16643.500	17747.300	16092.600	12203.200	18295.800	12811.500	10430.860	19826.200	17481.100	18643.840	16124.900	17994.000	15410.950	13312.900	18206.200	11017.000	14980.600	15258.800	17547.840	12806.600	16715.000	10841.700	17556.800	15591.800	19388.170	14980.000	786630	0.0000	0.0000	3	29.6636	0.2641	
14068.700	12269.300	11159.900	13326.700	14486.700	16138.500	18276.400	19104.000	17938.900	12792.500	10570.800	13735.900	13043.500	16779.400	11878.300	16789.400	17109.400	11958.500	10226.500	12235.100	10214.900	18456.600	19778.200	17304.400	17940.900	12183.300	11407.500	17358.100	18765.600	10707.800	17933.100	18641.000	10303.300	11160.600	11463.900	786629	-1.0000	-0.0000	6	56.2949	0.6101	
16289.700	15910.000	12467.040	14167.200	16634.300	14616.600	18349.100	19249.600	17853.400	12314.400	14552.100	18400.700	12055.600	10456.300	12843.500	12532.000	12411.800	17314.800	11625.900	18940.700	18561.900	17227.600	16052.900	17692.100	13140.200	17166.700	14930.900	10070.600	15001.500	14627.500	18423.300	13050.800	11159.200	15011.900	16171.100	786630	0.0000	0.0000	15	53.8865	0.5210	
11083.100	10461.900	15890.060	16476.500	12366.600	19048.400	15981.200	14118.900	19049.600	18439.400	16692.000	17702.100	19785.400	17487.500	13264.400	16653.300	19427.700	14694.200	17093.900	11788.100	17626.400	13093.800	12520.900	12698.900	13721.500	13803.500	19630.500	12510.100	12140.700	13773.900	19814.400	13588.400	12940.100	12594.800	15535.000	786630	0.0000	0.0000	5	60.7897	0.6185	
12065.700	14073.200	13193.140	10635.300	13828.400	16475.200	19174.100	173016.200	12944.100	19731.300	18765.600	10171.300	19817.700	19989.100	16342.000	15562.000	1141.900	19754.100	17426.200	17180.400	12737.400	10068.500	15689.800	19027.300	141415.700	17608.900	18043.400	17921.500	15964.900	14180.500	12243.400	16423.900	19145.400	12184.600	11330.000	786630	0.0000	0.0000	10	53.3209	0.5091	
11137.000	18721.300	19250.450	11897.600	11148.100	12679.600	14985.200	13513.500	18045.600	10505.700	12802.300	19824.500	16118.700	15943.200	10414.300	17623.300	16501.600	14015.600	15497.700	19513.300	14509.300	10453.700	17713.200	17736.600	16899.800	11611.400	14797.500	12691.800	17489.300	18610.400	10816.600	19427.000	13959.600	17825.600	11785.200	786630	0.0000	0.0000	13	49.2329	0.4903	
19377.200	16675.900	16825.350	10958.600	17783.900	14774.600	19001.700	10467.600	10495.900	17827.200	15648.500	13373.400	16245.900	19619.300	14040.900	18039.100	10717.000	12245.400	17468.900	12270.900	16264.200	17621.000	13002.500	17175.100	1006920.700	12533.500	12216.100	14749.600	14360.600	18226.800	12587.500	11398.300	13898.900	15297.200	786629	-1.0000	-0.0000	12	63.0713	0.6532		
19615.270	11376.000	18557.600	12211.720	10769.300	13276.700	14674.500	18107.300	19508.100	15546.020	11800.500	14962.500	16011.700	10974.200	11782.200	14091.870	12233.700	16466.400	11867.380	18333.800	15657.900	18178.830	14321.100	11634.600	10557.280	17582.500	10311.100	15819.610	16130.800	16124.300	14076.350	10200.700	19012.200	18532.890	17545.100	786630	0.0000	0.0000	11	19.7950	0.2030	

enacted_2021.map - Block-VTD-County

Dataview17 - Pending Cha...

District	New
Population	0
Change - Population	0
Ideal Value	786,630
Deviation	-786,630
% Deviation	-100%

Redistricting Toolbox - enacted_2021

Target: New District

Source: All

Selection Layer: Enacted Plan SB 258 F

Theme: None

Tools

Map layers

County

Districts

0 10 20 Miles

DEPO_CONG_0286

Map scale: 1 Inch = 28.33737 Miles (1:1,795,456)

(-81.263787, 38.466104)

FileEditMapDataviewSelectionToolsRedistrictingWindowHelp

Display Manager

TIGER/Line Segment

Landmark Area

US Landmark Area

Water Area

US Street

Streets

River

Census Block

Railroad

Voting District

City/Town

US Landmark

Districts

Enacted Plan SB 258 Final

Dataview18 - Enacted Plan SB 258 Final SHP

G18A_DV	G18A_RV	G18A_TV	G18I_DV	G18I_RV	G18I_TV	G18T_DV	G18T_RV	G18T_TV	G18J_DV	G18J_RV	G18J_TV	EA51_DV	EA51_RV	EA51_TV	EA52_DV	EA52_RV	EA52_TV	POPULATION	DEVIATION	F_DEVIATIO	DISTRICT_N	EA53	F_G20P_RV	F_EA51_RV	F_EA52_RV	IDEAL_VALU	F_POPULATI	F20PRES_RD	FEDEA	FEDEA_RDI	MULTIPLE_F	DISTRICT_L
18473.900	13870.600	12344.600	12793.300	17548.000	12109.000	13901.600	13815.800	14523.700	13844.100	17582.100	1426.300	13773.600	16810.000	10583.600	15641.300	17349.100	12990.500	786630	0.0000	0.0000	7	57.8809	0.5844	0.5899	0.5626	786630.0000	1.0000	59.3000	56.7000	54.8000	7 0	7 0%
17269.860	11797.600	19067.400	16162.910	10781.100	17513.000	17676.910	13772.700	18494.800	15818.930	10159.200	15978.100	13118.600	12102.900	15221.600	15539.300	12069.800	17609.100	786630	0.0000	0.0000	4	67.2917	0.6599	0.6816	0.6578	786630.0000	1.0000	67.0000	66.0000	64.0000	4 0	4 0%
16120.100	19472.700	15592.900	15156.500	14586.400	12485.700	10661.700	15178.500	13962.200	17995.600	14059.700	12055.300	16805.900	72824.100	19630.100	15214.300	17967.400	13181.800	786630	0.0000	0.0000	9	50.3142	0.5138	0.5089	0.4888	786630.0000	1.0000	52.3000	47.7000	46.1000	9 0	9 0%
12530.900	13833.600	16364.500	10172.500	10619.000	15296.700	19199.700	10984.900	17641.000	15644.900	19082.200	14727.200	13550.400	14435.900	17986.400	19849.200	72371.000	12220.200	786630	0.0000	0.0000	1	51.5499	0.4837	0.5431	0.5037	786630.0000	1.0000	49.1000	51.5000	50.1000	1 0	1 0%
11022.700	13874.200	14896.900	12322.500	12692.100	17453.300	19979.400	1682.200	18682.500	18363.400	78436.300	16799.700	13466.000	18531.300	11997.300	16569.500	18275.300	14844.800	786630	0.0000	0.0000	8	62.4661	0.6067	0.6390	0.6104	786630.0000	1.0000	61.6000	62.0000	60.3000	8 0	8 0%
19059.970	18251.300	17311.300	14488.480	19686.800	16098.000	18017.870	12049.600	17140.200	16599.130	18426.200	15025.300	16463.000	17822.600	14285.700	13931.000	12812.500	16743.600	786630	0.0000	0.0000	2	66.6999	0.6726	0.6617	0.6513	786630.0000	1.0000	68.2000	65.1000	63.3000	2 0	2 0%
17549.800	19309.800	16859.600	16894.200	11262.800	11855.100	14608.900	14572.700	16458.800	18272.700	14180.500	12453.300	12559.900	13625.700	16185.600	16073.600	11922.600	17996.200	786630	0.0000	0.0000	14	54.1365	0.5501	0.5561	0.5228	786630.0000	1.0000	55.7000	53.2000	51.6000	14 0	14 0%
17481.100	18643.840	16124.900	17994.000	15410.950	13312.900	18206.200	11017.000	14980.600	15258.800	17547.840	12806.600	16715.000	10841.700	17556.800	15591.800	19388.170	14980.000	786630	0.0000	0.0000	3	29.6636	0.2641	0.3384	0.2838	786630.0000	1.0000	26.8000	30.4000	29.6000	3 0	3 0%
11958.500	10276.500	12235.100	10214.900	18456.600	19778.200	17304.400	17940.900	12183.300	11407.500	17358.100	18765.600	10707.800	17933.100	18641.000	10303.300	11160.600	11463.900	786629	-1.0000	-0.0000	6	56.2949	0.6101	0.5390	0.5465	786630.0000	1.0000	61.8000	52.9000	51.3000	6 -1	6 -0%
17314.800	1625.900	18940.700	18561.900	17227.600	16052.900	17692.100	13140.200	77166.700	14930.900	10070.600	75001.500	14627.500	18423.300	13050.800	11159.200	15011.900	16171.100	786630	0.0000	0.0000	15	53.8865	0.5210	0.5657	0.5219	786630.0000	1.0000	52.9000	53.7000	52.2000	15 0	15 0%
14694.200	17093.900	11788.100	17626.400	13093.800	12520.900	12698.900	13721.500	13803.500	19630.500	72510.100	12140.700	13773.900	19814.400	13588.400	12940.100	12594.800	15535.000	786630	0.0000	0.0000	5	60.7897	0.6185	0.6107	0.5916	786630.0000	1.0000	62.8000	58.8000	56.9000	5 0	5 0%
19754.100	17426.200	17180.400	12737.400	10068.500	15689.800	19027.300	11415.700	17608.900	18043.400	17921.500	15964.900	14180.500	12243.400	16423.900	19145.400	12184.600	11330.000	786630	0.0000	0.0000	10	53.3209	0.5091	0.5549	0.5197	786630.0000	1.0000	51.8000	52.2000	50.8000	10 0	10 0%
14015.600	15497.700	19513.300	14509.300	10453.700	17713.200	17736.600	16899.800	11611.400	14797.500	12691.800	17489.300	78610.400	10816.600	19427.000	13959.600	17825.600	11785.200	786630	0.0000	0.0000	13	49.2329	0.4903	0.5165	0.4771	786630.0000	1.0000	49.6000	48.6000	47.2000	13 0	13 0%
12245.400	13223.400	15468.900	12270.900	16264.200	17621.000	13002.500	17175.100	1076920.700	12533.500	72216.100	74749.600	14360.600	18226.800	12587.500	11398.300	13898.900	15297.200	786629	-1.0000	-0.0000	12	63.0713	0.6532	0.6261	0.6150	786630.0000	1.0000	66.3000	61.3000	59.3000	12 -1	12 -0%
16466.400	11867.380	18333.800	15657.900	18178.830	14321.100	1634.600	10557.280	77582.500	10311.100	15819.610	76130.800	16124.300	74076.350	10200.700	19012.200	18532.890	17545.100	786630	0.0000	0.0000	11	19.7950	0.2030	0.2313	0.1903	786630.0000	1.0000	20.5000	19.4000	19.0000	11 0	11 0%

enacted_2021.map - Block-VTD-County

Dataview17 - Pending Cha...

District	New
Population	0
Change - Population	0
Ideal Value	786,630
Deviation	-786,630
% Deviation	-100%

Redistricting Toolbox - enacted_2021

Target: New District

Source: All

Selection Layer: Enacted Plan SB 258 F

Theme: None

Tools

Map layers

County

Districts

0 10 20

Miles

DEPO_CONG_0287

Map scale: 1 Inch = 28.33737 Miles (1:1,795,456)

(-83.952173, 38.595135)

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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FileEditMapDataviewSelectionToolsRedistrictingWindowHelp

Display Manager

TIGER/Line Segment

Landmark Area

US Landmark Area

Water Area

US Street

Streets

River

Census Block

Railroad

Voting District

City/Town

County

US Landmark

Districts

Enacted Plan SB 258 Intro

Dataview23 - Enacted Plan SB 258 Introduced

G16S_TV	G18S_DV	G18S_RV	G18S_TV	G18G_DV	G18G_RV	G18G_TV	G18A_DV	G18A_RV	G18A_TV	G18I_DV	G18I_RV	G18I_TV	G18T_DV	G18T_RV	G18T_TV	G18J_DV	G18J_RV	G18J_TV	EA51_DV	EA51_RV	EA51_TV	EA52_DV	EA52_RV	EA52_TV	POPULATION	DEVIATION	F_DEVIATIO	DISTRICT_N	EA53	F_G20P_RV	F_EA51_RV	F_EA52_RV	IDEAL_VALLU	F_POPULATI	F20PRES_RD	FEDEA	FEDEA_RDI	D
12807.000	17871.700	17787.400	15659.100	12033.100	14374.600	15630.900	13265.100	16482.500	19747.600	17290.900	10397.400	19828.200	18962.700	18063.100	13526.500	18531.200	10661.500	19192.700	19707.000	15864.400	15571.500	1301.800	17622.800	18924.600	786630	0.0000	0.0000	7	52.3045	0.5325	0.5378	0.5096	786630.0000	1.0000	54.0000	51.3000	49.7000	7
12590.400	18645.100	11694.500	10339.600	10096.800	13674.300	11709.700	16746.800	11960.000	18706.800	14594.800	12122.500	17088.200	16969.600	14523.600	18080.900	14780.300	10636.100	15416.500	12619.700	16434.500	19054.300	18121.900	15150.900	13272.900	786630	0.0000	0.0000	4	53.8378	0.5189	0.5628	0.5255	786630.0000	1.0000	52.7000	53.6000	52.2000	4
11315.200	12351.400	15656.500	18007.900	12091.900	17374.000	19720.300	14176.600	10952.300	15128.900	15907.500	15131.500	172791.800	10036.100	16814.900	14350.700	18097.200	14215.000	12312.300	13745.500	13647.900	17393.500	1420.100	10082.400	11502.500	786630	0.0000	0.0000	9	52.7830	0.5485	0.5304	0.5139	786630.0000	1.0000	55.8000	50.3000	48.6000	9
171872.900	11149.200	15517.800	16667.000	14355.900	14609.900	17538.700	18500.200	13924.900	12425.200	17145.000	11469.400	12799.600	16142.400	11773.000	15077.900	12910.600	19631.000	12541.600	17963.000	19260.200	17223.200	14250.400	16411.200	10661.700	786630	0.0000	0.0000	1	59.1114	0.5583	0.6138	0.5766	786630.0000	1.0000	56.7000	59.3000	57.7000	1
15382.800	16145.000	19148.700	15293.800	12649.390	15016.500	17106.700	14462.580	18617.000	13079.500	10585.250	10878.400	12886.900	13637.260	12465.300	13353.900	13099.490	18544.400	11643.900	10117.400	18415.200	18532.600	10131.800	11258.800	11390.700	786630	0.0000	0.0000	8	67.1746	0.6682	0.6747	0.6573	786630.0000	1.0000	67.9000	65.1000	63.2000	8
11042.700	13421.800	10893.600	14315.400	18356.000	19083.400	16081.800	11935.500	10911.200	12846.800	11317.900	16020.500	10737.000	18887.700	16627.400	12587.500	16815.400	13408.600	10224.100	17064.300	175048.200	12112.600	17963.000	18805.900	16768.900	786630	0.0000	0.0000	2	51.4388	0.5070	0.5271	0.5013	786630.0000	1.0000	51.5000	50.7000	49.3000	2
12622.800	16572.200	16824.900	13397.200	12849.300	11672.000	14298.900	18505.000	10697.300	19202.400	18258.400	13010.900	14936.600	14759.000	17145.500	19228.300	19377.800	15843.700	15221.600	13319.100	15803.300	19122.500	17603.900	13244.000	10847.900	786630	0.0000	0.0000	14	54.0798	0.5435	0.5575	0.5223	786630.0000	1.0000	55.1000	53.2000	51.6000	14
19081.700	11840.100	19769.300	11609.500	17571.600	19404.400	13664.100	19925.500	19903.200	19828.700	11963.400	13619.200	16279.500	10835.200	10746.600	17840.100	16980.900	18387.500	15368.500	15174.700	13638.400	18813.100	17976.500	15786.900	13763.400	786629	-1.0000	-0.0000	3	43.5973	0.3992	0.4830	0.4194	786630.0000	1.0000	40.6000	44.5000	43.2000	3
19614.300	13600.700	11841.900	15442.700	11677.100	15876.900	15903.700	11864.800	19196.000	1060.800	10101.400	17418.500	18559.900	17198.000	16844.200	10962.000	11371.200	16193.600	17564.900	10699.200	16915.400	17614.600	10328.500	10049.200	10377.800	786630	0.0000	0.0000	6	56.1347	0.6079	0.5377	0.5450	786630.0000	1.0000	61.6000	52.7000	51.2000	6
16823.700	19041.900	12999.200	12041.100	12106.600	14401.600	13865.500	17595.700	10257.600	17853.300	12467.200	16886.700	18484.300	19647.800	12906.700	18711.000	18807.000	18416.000	17223.100	13621.800	18694.100	12316.000	1428.000	14737.800	16165.800	786630	0.0000	0.0000	15	50.1340	0.5164	0.5076	0.4894	786630.0000	1.0000	52.4000	48.9000	47.5000	15
17636.100	17194.900	14804.100	11999.000	10443.700	13582.000	14298.700	12153.400	17044.500	19198.000	13679.250	11863.400	17691.400	18759.950	11804.300	18501.900	15894.850	11409.700	17304.600	10251.500	18357.400	18608.900	18076.600	12429.000	10505.600	786630	0.0000	0.0000	5	65.8000	0.6615	0.6551	0.6427	786630.0000	1.0000	67.3000	63.2000	61.0000	5
175569.800	14427.300	18319.600	12746.900	14125.400	10413.000	13413.300	16604.600	17148.000	18352.600	18552.400	16636.800	18332.200	16012.400	17086.100	10524.600	13786.600	14713.400	18500.100	18716.100	14154.900	12871.100	15758.800	10626.400	16385.300	786630	0.0000	0.0000	10	56.3637	0.5321	0.5902	0.5503	786630.0000	1.0000	54.0000	55.8000	54.4000	10
173674.900	10225.100	16987.600	17212.800	18478.800	11730.800	18988.000	12091.400	18006.600	10098.100	11954.700	13127.700	18301.300	17647.700	106637.700	11736.800	12179.200	16152.300	18331.600	17812.300	17375.200	15187.600	14163.700	12290.800	16454.500	786630	0.0000	0.0000	13	50.1643	0.5015	0.5261	0.4833	786630.0000	1.0000	50.8000	49.7000	48.3000	13
16863.800	14595.300	15404.000	19999.300	15280.500	16158.700	10725.800	15756.000	10777.300	16833.400	12176.100	15827.600	17577.500	14601.600	16032.100	17458.100	14832.400	10380.400	15212.800	16702.700	16754.900	13457.600	13721.600	12158.800	15880.500	786630	0.0000	0.0000	12	62.5135	0.6482	0.6200	0.6083	786630.0000	1.0000	65.9000	60.3000	58.2000	12
12177.100	10602.700	19609.070	10211.700	17169.100	18127.960	11400.300	12374.100	15286.210	17660.300	11569.000	11920.040	13526.300	17252.100	14453.320	16820.600	15987.600	19468.500	15456.100	11323.100	187164.090	19487.200	14081.400	12710.120	16791.600	786629	-1.0000	-0.0000	11	21.1735	0.2171	0.2447	0.2044	786630.0000	1.0000	21.9000	20.7000	20.3000	11

introduced.map - Block-VTD-County

Dataview22 - Pending Changes (None)

District	New
Population	0
Change - Population	0
Ideal Value	786,630
Deviation	-786,630
% Deviation	-100%

Redistricting Toolbox - introduced

Target: New District

Source: All

Selection Layer: Census Block

Theme: None

Tools

Map layers

County

Districts

0 10 20 Miles

DEPO_CONG_0289

ID	ID:1	AREA	DISTRICT	MEMBERS	LOCKED	NAME	TOTPOP	G20R	G20V	G20P_DV	G20P_RV	G20P_TV
1	581	1979.6718	7	1			786630	530143	403363	161717.2	235706.8	403363.1
2	530	4663.9536	4	1			786630	532597	408059	132452.5	269261	408059.7
3	521	3953.5911	9	1			786630	551010	388974	182464.3	199867.5	388974.7
4	564	654.29028	1	1			786630	558812	405285	202960.2	196045	405285.1
5	563	2110.7383	8	1			786630	531333	393455	149054.9	238697.3	393455.2
6	565	6408.4829	2	1			786630	539264	396912	124503.1	266964.3	396912.3
7	491	3378.0571	14	1			786630	539401	420754	183788.4	231445.1	420753.9
8	566	205.13959	3	1			786630	525659	365287	263276	96456.08	365287.6
9	557	4748.4033	6	1			786629	547668	400172	150885.4	244146.5	400172.5
10	573	2554.4763	15	1			786630	512318	383690	177697.9	199916.1	383689.7
11	526	5640.6689	5	1			786630	538893	397749	145570.9	245990.8	397749
12	562	995.65228	10	1			786630	543200	391706	185644.5	199426.6	391706
13	574	1096.719	13	1			786630	553965	422352	210060.5	207066.9	422352.4
14	572	5690.8296	12	1			786629	517916	384457	127432	251134.9	384457.9
15	418	693.073	11	1			786630	551649	358168	281658.4	72712.1	358167.8

G12P_DV	G12P_RV	G12P_TV	G12S_DV	G12S_RV	G12S_TV	G14G_DV	G14G_RV	G14G_TV	G14A_DV	G14A_RV	G14A_TV
174464.1	195493	376690.2	171123.9	175811.8	368354	58917.56	142019	207184	67979.38	138907	206886.4
131939.3	222037.1	360336.3	128735.4	209022.9	354969	47216.41	156765	209464	55951.97	153196.3	209148.2
223669.7	158801.1	389782.3	214844.9	148678.3	382041	79759.19	122671.4	209595.7	91134.08	118162.4	209296.5
178325.8	188861	372442	177980.3	172901.7	364506	66079.07	127164.4	200327.5	86960.27	115254.7	202214.9
143717.3	216808.7	366239.5	141906.4	201841.8	359355	53138.67	141819.6	199810	66832.35	133518.7	200351.1
139314.8	216014.3	361824.9	139310	194644.8	350822	55709.57	145457.4	207333	69161.46	138960	208121.5
194077.7	188606.3	389148.6	187157.7	170305.5	377491	66798.13	147835.7	222567.5	76689.04	145932	222621
231433.6	108413.9	344952.9	226859.2	100050	338849	79428.83	85849.94	174301.6	92404.8	82979.05	175383.8
212283.2	173816.6	393192.6	214101.2	147386.7	381235	87573.82	130646.3	225753.8	103559	122384.9	225944
155967.6	170592.6	331945.2	152208.9	158076.1	325974	50430.99	120813.6	177008.8	58936.11	118622.6	177558.7
167558.3	193149.4	368006	162635.1	180974.7	361898	57555.84	140091.7	203682.5	66121.32	136581.9	202703.3
189723.7	189983.1	385939.4	187232.3	177885.8	379457	70935.56	138774.5	215035.2	76730.33	138484.1	215214.4
208390	181180.7	394997.8	208206.8	159049.5	384702	68192.87	136695.6	212349.1	78334.91	133836.5	212171.4
153514.4	186699.4	347597.4	147233.6	175089.5	341711	57728.29	135028.1	199165.2	66466.3	132839.7	199306
321613.3	69586.28	394585.1	301583.5	62712.97	374675	109446.7	72299.31	190934.7	120684.9	71460.4	192145.4

G14I_DV	G14I_RV	G14I_TV	G14T_DV	G14T_RV	G14T_TV	G14J_DV	G14J_RV	G14J_TV	G16P_DV	G16P_RV	G16P_TV
70699.8	123099	203066	63567.43	131823.7	204613	81132.6	124990	206123	140772.5	208984.3	366926.5
50830.1	146409	207116	46523.39	151673.9	207888	66778.6	141632	208411	107284.9	236954.3	361016.5
86181.5	105283	203761	74811.87	120866.5	206483	101922	106645	208566	171871	179501.6	371979.7
72733.4	115148	197688	71554.96	118774.3	199811	81013.2	120626	201639	174398.5	181653.3	372817.7
57142.9	130868	198228	54859.52	135059.1	199194	65946.5	134617	200564	128996	222782.2	367163
60122.3	132955	204178	57416.19	137456.5	205265	67001.3	140165	207166	108026.1	241685.9	365079.5
81172	126530	217562	75344.05	131985.9	218078	94490.7	127078	221569	159645.8	204175	380718.3
91315	75793.7	173511	88782.15	78852.6	174582	107095	67837.8	174933	235156.5	94300.15	345310.5
103697	106835	221585	86267.04	124068.7	222269	101160	123327	224487	146138.5	218276.4	379104
56494.8	110851	175066	51682.53	116289.7	175910	72467	104167	176634	144616.6	178349.1	339249.6
65744.2	122038	198586	59222.88	131083.1	200462	75890.1	126477	202367	129048.4	215981.2	364118.9
76413.2	125482	211802	72670.21	132065.7	214073	93193.1	120635	213828	166475.2	189174.1	373016.2
83174.3	115428	207206	78598.31	121137	208721	99250.5	111898	211148	182679.6	184985.2	383513.5
62508.8	123735	196086	57516.48	129377.2	196676	76825.4	120959	197784	114774.6	219001.7	350467.6
130588	50636.9	187774	135229.1	49615.27	191376	138558	52211.7	190769	283276.7	64674.5	358107.3

G16S_DV	G16S_RV	G16S_TV	G18S_DV	G18S_RV	G18S_TV	G18G_DV	G18G_RV	G18G_TV	G18A_DV	G18A_RV	G18A_TV
118161.5	221972.8	360464	143789.8	153159	296949	126080	162038.6	297804.2	128473.9	163870.6	292344.6
86363.27	254888.4	357528	120950.9	179908	300859	99841.96	193659.5	302383.6	97269.86	201797.6	299067.4
146293	199747.7	364555	167334.6	120761.1	288096	143835.7	135907.8	290285.3	146120.1	139472.7	285592.9
136492.1	213438.9	365428	164608.8	144689.7	309299	147957.4	154084	310687.7	152530.9	153833.6	306364.5
101410.2	245164.6	361479	125983.1	164031.5	290015	108593.5	172997.2	290539.6	111022.7	173874.2	284896.9
93350.75	253028.6	361169	115918.6	173717.1	289636	98093.54	185083.2	291659.2	99059.97	188251.3	287311.3
129873.6	219281	369874	164835.5	145710.2	310546	141506.2	160007.9	311617.4	147549.8	159309.8	306859.6
196918.2	126643.5	337747	216092.6	72203.2	288296	202811.5	80430.86	289826.2	197481.1	88643.84	286124.9
137938.9	212792.5	370571	153735.9	143043.5	296779	131878.3	156789.4	297109.4	131958.5	160276.5	292235.1
117853.4	202314.4	334552	148400.7	132055.6	280456	132843.5	142532	282411.8	127314.8	151625.9	278940.7
109049.6	228439.4	356692	137702.1	149785.4	287488	113264.4	166653.3	289427.7	114694.2	167093.9	281788.1
132944.1	219731.3	368766	160171.3	139817.7	299989	136342	155562	301141.9	139754.1	157426.2	297180.4
148045.6	205050.7	372802	179824.5	136118.7	315943	160414.3	147623.3	316501.6	164015.6	145497.7	309513.3
100495.9	227827.2	345649	123373.4	156245.9	279619	104040.9	168039.1	280717	102245.4	173223.4	275468.9
239508.1	85546.02	341801	234962.5	46011.7	280974	221782.2	54091.87	282233.7	226466.4	51867.38	278333.8

G18I_DV	G18I_RV	G18I_TV	G18T_DV	G18T_RV	G18T_TV	G18J_DV	G18J_RV	G18J_TV	EA51_DV	EA51_RV	EA51_TV
122793	157548	292109	123901.6	163815.8	294524	123844	167582	291426	143773.6	206810	350584
96162.9	190781	297513	97676.91	193772.7	298495	95818.9	200159	295978	113118.6	242102.9	355222
135157	134586	282486	140661.7	135178.5	283962	137996	144060	282055	166805.9	172824.1	339630
140173	150619	305297	149199.7	150984.9	307641	145645	159082	304727	163550.4	194435.9	357986
102323	172692	287453	109979.4	171682.2	288683	108363	178436	286800	123466	218531.3	341997
94488.5	179687	286098	98017.87	182049.6	287140	96599.1	188426	285025	116463	227822.6	344286
136894	151263	301855	144608.9	154572.7	306459	138273	164181	302453	162559.9	203625.7	366186
197994	75411	283313	198206.2	81017	284981	195259	87547.8	282807	216715	110841.7	327557
130215	148457	289778	127304.4	157940.9	292183	131408	157358	288766	160707.8	187933.1	348641
128562	137228	276053	127692.1	143140.2	277167	124931	150071	275002	144627.5	188423.3	333051
107626	163094	282521	112698.9	163721.5	283804	109631	172510	282141	133773.9	209814.4	343588
132737	150069	295690	139027.3	151415.7	297609	138043	157922	295965	154180.5	192243.4	346424
154509	140454	307713	157736.6	146899.8	311611	154798	152692	307489	178610.4	190816.6	369427
112271	156264	277621	103002.5	167175.1	276921	102534	172216	274750	124360.6	208226.8	332588
215658	48178.8	274321	221634.6	50557.28	277583	220311	55819.6	276131	246124.3	74076.35	320201

EA52_DV	EA52_RV	EA52_TV	POPULATION	DEVIATION	F_DEVIATIO	DISTRICT_N	EA53	F_G20P_RV	F_EA51_RV
145641.3	187349.1	332991	786630	0	0	7	57.88085	0.584354	0.589902
115539.3	222069.8	337609	786630	0	0	4	67.29174	0.659857	0.681555
165214.3	157967.4	323182	786630	0	0	9	50.31423	0.513832	0.50886
169849.2	172371	342220	786630	0	0	1	51.54992	0.483721	0.543138
126569.5	198275.3	324845	786630	0	0	8	62.4661	0.60667	0.638986
113931	212812.5	326744	786630	0	0	2	66.69989	0.672603	0.661726
166073.6	181922.6	347996	786630	0	0	14	54.13648	0.550072	0.556072
225591.8	89388.17	314980	786630	0	0	3	29.66365	0.264055	0.338389
150303.3	181160.6	331464	786629	-1	-0.000001	6	56.29489	0.610103	0.539045
151159.2	165011.9	316171	786630	0	0	15	53.88655	0.521036	0.565749
132940.1	192594.8	325535	786630	0	0	5	60.78969	0.618457	0.610656
159145.4	172184.6	331330	786630	0	0	10	53.32092	0.509123	0.554937
183959.6	167825.6	351785	786630	0	0	13	49.2329	0.490271	0.51652
121398.3	193898.9	315297	786629	-1	-0.000001	12	63.07126	0.653218	0.626081
249012.2	58532.89	307545	786630	0	0	11	19.79496	0.203011	0.231343

F_EA52_RV	IDEAL_VALU	F_POPULATI	F20PRES_RD	FEDEA	FEDEA_RDI	MULTIPLE_F	DISTRICT_L
0.562626	786630	1	59.3	56.7	54.8	7 0	7 0%
0.657772	786630	1	67	66	64	4 0	4 0%
0.488788	786630	1	52.3	47.7	46.1	9 0	9 0%
0.503685	786630	1	49.1	51.5	50.1	1 0	1 0%
0.610369	786630	1	61.6	62	60.3	8 0	8 0%
0.651314	786630	1	68.2	65.1	63.3	2 0	2 0%
0.522772	786630	1	55.7	53.2	51.6	14 0	14 0%
0.28379	786630	1	26.8	30.4	29.6	3 0	3 0%
0.546547	786630	1	61.8	52.9	51.3	6 -1	6 -0%
0.521907	786630	1	52.9	53.7	52.2	15 0	15 0%
0.591626	786630	1	62.8	58.8	56.9	5 0	5 0%
0.519677	786630	1	51.8	52.2	50.8	10 0	10 0%
0.477068	786630	1	49.6	48.6	47.2	13 0	13 0%
0.614972	786630	1	66.3	61.3	59.3	12 -1	12 -0%
0.190323	786630	1	20.5	19.4	19	11 0	11 0%

To: Varrasso, Theresea[Theresea.Varrasso@ohiosenate.gov]
Cc: Strigari, Frank[Frank.Strigari@ohiosenate.gov]
From: DiRossi, Ray
Sent: Wed 11/3/2021 3:13:42 PM
Subject: Sub SB 258
[I_134_2106-2.pdf](#)

Embargoed until further notice
See attached sub bill draft from LSC for SB 258

Thanks

Ray DiRossi
Director of Finance and Budget
Ohio Senate Majority Caucus
Statehouse, Suite 205
Columbus, Ohio 43215



(O) 614.466.4947

(C) 614.578.3848

ray.dirossi@ohiosenate.gov

DEPO_CONG_0298



DIROSSI_006520

To: McColley, Robert[Robert.McColley@ohiosenate.gov]
From: DiRossi, Ray
Sent: Mon 11/15/2021 9:05:40 PM
Subject: SB 258 Ray notes
[SB 258 Substitute Bill items.docx](#)
[graphic.xlsx](#)

See 2 attachments
Ray

DEPO_CONG_0299



DIROSSI_005598

- Required to have at least 65 whole counties Map has 76
 - Map only splits 12 counties (76 whole)
 - Current map splits 23 counties (65 whole)
 - Most whole counties in at least the last 50+ years
 - Whole counties: 1971: 68, 1981: 66, 1991: 68, 2001: 67 and 2011: 65
- Counties with 4 districts – constitutionally prohibited Map complies = 0
 - 1971: 2, 1981: 0, 1991: 1, 2001: 1 and 2011: 2
- Counties with 3 districts – allowed 5 Map complies = 2
 - 1971: 3, 1981: 1, 1991: 0, 2001: 2 and 2011: 5
- Counties with 2 districts – allowed 18 Map complies = 10
 - Clark, Fairfield, Franklin, Holmes, Lorain, Ross, Shelby, Summit, Washington & Wood
- Attempt to have 1 whole County per CD (exclude wholly contained) Map achieves
 - 2011 map had 2 such (all parts) districts = CD 9 and CD 13
- One person one vote – state population of 11,799,448 Map achieves
 - 13 CDs at 786,630 (target) and 2 CDs at 786,629 (-1)

County splits: Current versions of maps

McColley (SB 258)	12 splits	14 total splits
House Dems (HB 483)	14 splits	14 total splits
Sykes / Yuko 258 (Nov SB 237)	14 splits	14 total splits
Contest Winning map #1, 3	14 splits	14 total splits
Current map	23 splits	32 total splits

Subdivision splits: Current versions of maps

McColley (SB 258) 14 splits: 8 TWP and 6 Municipal Corps

1. Clark	Mad River TWP	CD 10 / CD 15
2. Cuyahoga	Rocky River (#80)	CD 11 / CD 13
3. Cuyahoga	Oakwood (#355)	CD 11 / CD 14
4. Fairfield	Columbus (#1)	CD 12 / CD 15
5. Franklin	Columbus (#1)	CD 3 / CD 15
6. Hamilton	Glendale (#444)	CD 1 / CD 8
7. Hamilton:	Sycamore TWP	CD 1 / CD 2
8. Holmes	Berlin TWP	CD 7 / CD 12
9. Lorain	Columbia TWP	CD 5 / CD 13
10. Ross	Union TWP	CD 2 / CD 15
11. Shelby	Green TWP	CD 4 / CD 8
12. Summit	Cuyahoga Falls (#15)	CD 7 / CD 13
13. Washington	Belpre TWP	CD 6 / CD 12
14. Wood	Perrysburg TWP	CD 5 / CD 9

Only 3 of top 100 most populous cities are split (Columbus, Cuyahoga Falls & Rocky River)

Sykes / Yuko 258 (Nov SB 237)**16 splits: 2 TWP and 14 Municipal Corps**

1. Clark: Springfield
2. Cuyahoga: Berea
3. Guernsey: Cambridge
4. Hamilton: Maderia
5. Hancock: Findlay
6. Franklin: Columbus
7. Franklin: Prairie TWP
8. Greene: Beavercreek
9. Knox: Mount Vernon
10. Lorain: Amherst
11. Mahoning: Campbell
12. Medina: Wooster
13. Stark: Massillon
14. Union: Marysville
15. Union: Millcreek TWP
16. Wood: Bowling Green

House Dems (HB 483)**21 splits: 16 TWP and 5 Municipal Corps**

1. Ashland: Lake TWP
2. Clinton: Liberty TWP
3. Clinton: Union TWP
4. Cuyahoga: Seven Hills
5. Franklin: Columbus
6. Franklin: Prairie TWP
7. Greene: Beavercreek
8. Greene: Beavercreek TWP
9. Hamilton: Green TWP
10. Hamilton: Miami TWP
11. Holmes: Walnut Creek TWP
12. Lorain: North Ridgeville
13. Mahoning: Poland TWP
14. Marion: Waldo TWP
15. Ross: Greenfield
16. Ross: Concord TWP
17. Ross: Buckskin TWP
18. Stark: Canton TWP
19. Washington: Fairfield TWP
20. Washington: Dunham TWP
21. Wyandot: Antrim TWP

County Split Comparison – to last decade

	2011 Enacted	2021 Proposal
Athens	Split: 2 CDs	
Clark		Split: 2 CDs
Cuyahoga	Split: 4 CDs	Split: 3 CDs
Erie	Split: 2 CDs	
Fairfield		Split: 2 CDs
Fayette	Split: 2 CDs	
Franklin	Split: 3 CDs	Split: 2 CDs
Hamilton	Split: 2 CDs	Split: 3 CDs
Holmes		Split: 2 CDs
Huron	Split: 2 CDs	
Lorain	Split: 3 CDs	Split: 2 CDs
Lucas	Split: 2 CDs	
Mahoning	Split: 2 CDs	
Marion	Split: 2 CDs	
Medina	Split: 2 CDs	
Mercer	Split: 3 CDs	
Muskingum	Split: 2 CDs	
Ottawa	Split: 2 CDs	
Portage	Split: 3 CDs	
Richland	Split: 2 CDs	
Ross	Split: 2 CDs	Split: 2 CDs
Scioto	Split: 2 CDs	
Shelby		Split: 2 CDs
Stark	Split: 3 CDs	
Summit	Split: 4 CDs	Split: 2 CDs
Trumbull	Split: 2 CDs	
Tuscarawas	Split: 2 CDs	
Washington		Split: 2 CDs
Wood		Split: 2 CDs
	23 splits	12 splits

2010 Split Subdivisions (35*) * = Annexation changes in geography between 2010/2020

Cuyahoga	Berea	
Cuyahoga	Cleveland	made whole in 2021
Cuyahoga	Parma	
Cuyahoga	Rocky River	
Fayette	Jasper TWP	
Fayette	Union TWP	
Franklin	Columbus	population required split
Franklin	Gahanna	
Franklin	Grandview Heights	
Franklin	Grove City	
Franklin	Groveport	
Franklin	New Albany	
Franklin	Obetz	
Franklin	Westerville	
Franklin	Worthington	
Hamilton	Cincinnati	made whole in 2021
Lorain	Grafton TWP	
Lucas	Toledo	made whole in 2021
Marion	Claridon TWP	
Medina	Brunswick TWP	
Mercer	Butler TWP	
Mercer	Jefferson TWP	
Ottawa	Berlin TWP	
Portage	Brimfield TWP	
Richland	Madison TWP	
Ross	Twin TWP	
Scioto	Rush TWP	
Stark	Canton	made whole in 2021
Stark	Canton TWP	
Stark	Lake TWP	
Stark	Perry TWP	
Stark	Plain TWP	
Summit	Akron	made whole in 2021
Summit	Cuyahoga Falls	
Summit	Springfield TWP	

			FED
			<u>12 to 20</u>
1	786,630		51.5
2	786,630		65.1
3	786,630		30.4
4	786,630		66.0
5	786,630		58.8
6	786,629	-1	52.9
7	786,630		56.7
8	786,630		62.0
9	786,630		47.7
10	786,630		52.2
11	786,630		19.4
12	786,629	-1	61.3
13	786,630		48.6
14	786,630		53.2
15	786,630		53.7

Competitive CDs (+/- 4%) using FED data

7	McColley (SB 258)
5	Yuko Sykes (SB 237) Sept 29 th
5	Yuko Sykes (SB 237) Nov 10 th
5	House Dem (HB 483)
2	Current Map

Competitive CDs (+/- 4%) using all data

5	McColley (SB 258)
5	Yuko Sykes (SB 237) Sept 29 th
4	Yuko Sykes (SB 237) Nov 10 th
5	House Dem (HB 483)
2	Current Map

Major cities history.....

- Regarding 7 of the Big 8 cities: Akron, Canton, Cincinnati, Cleveland, Dayton, Toledo and Youngstown (Note: Columbus too big to be 1 CD)
- 1st time since at least 1965 that all are major cities (Columbus note) whole / none split

Testimony to add Greene county (Wright Patt) back to the 10th DONE

Testimony to not split Franklin 3 ways DONE

Testimony to not split Toledo / Lucas county DONE

Testimony to unify the Mahoning Valley (Trumbull and Mahoning) DONE

County specific history.....

Lucas County

2021 Whole

2011 Split in 2

2001 Split in 2

Montgomery County

2021 Whole

2011 Whole

2001 Split in 2

1991 Split in 2

1981 Split in 2

1971 Split in 3

1968 Split in 4

Franklin County

2021 Split in 2

2011 Split in 3

2001 Split in 3

Summit County

2021 Split in 2

2011 Split in 4

2001 Split in 3

Stark County

2021 Whole

2011 Split in 3

Cuyahoga County

2021 Split in 3

2011 Split in 4

2001 Split in 4

1991 Split in 4

1981 Split in 3

1971 Split in 4

1968 Split in 4

1965 Split in 4

Population affected by a split county analysis

Population of Split counties		Big 3	Other	Total
McColley (SB 258)	12 splits	3,419,263	1,509,879	4,929,142
House Dems (HB 483)	14 splits	3,419,263	1,447,208	4,866,471
Sykes / Yuko 258 (Nov SB 237)	14 splits	3,419,263	1,708,403	5,127,666
Contest winning maps #1, 3	14 splits	3,419,263		
Current map	23 splits	3,419,263	3,263,906	6,683,169

Columbus Franklin county portion = 880,329

Note: 89.35% is max score

Columbus in CD 3 = 584,813 66.4%

Columbus and circumscribed area Franklin county portion = 1,019,670

Note: 77.14% is max score

Senate REP Area in CD 3 = 697,723 68.42%

House DEM Area in CD 3 = 625,181 61.30%

Senate DEM Area in CD 3 = 620,960 60.80%

Distance Measurements

2011 CD 6 is 201 miles long

2011 CD 4 is 158 miles long

Senate REP 2021 CD 6 is 159 miles long

Senate REP 2021 CD 5 is 167 miles long

Senate DEM 2021 CD 12 is 175 miles long

House DEM 2021 CD 2 is 151 miles long

House DEM 2021 CD 5 is 150 miles long

	BASELINE			FED
				12 to 20
1	768,550	31,084	4.22%	53.60
2	734,793	(2,673)	-0.36%	57.20
3	809,749	72,283	9.80%	30.20
4	716,177	(21,289)	-2.89%	63.60
5	731,052	(6,414)	-0.87%	59.70
6	687,118	(50,348)	-6.83%	64.20
7	737,340	(126)	-0.02%	61.00
8	745,736	8,270	1.12%	66.00
9	704,051	(33,415)	-4.53%	36.30
10	729,405	(8,061)	-1.09%	52.90
11	692,589	(44,877)	-6.09%	18.30
12	808,944	71,478	9.69%	55.30
13	698,441	(39,025)	-5.29%	42.00
14	730,056	(7,410)	-1.00%	53.90
15	766,337	28,871	3.91%	55.70
16	739,110	1,644	0.22%	56.40



Ohio Senate
Senate Building
1 Capitol Square
Columbus, Ohio 43215
(614) 466-8150

Exhibit #

DiRossi 06

12/07/2021 - ER

exhibits.ticker.com

Rob McColley
Senate Majority Whip
1st Senate District

Thank you, Chairwoman Gavarone, Vice-Chair O'Brien, Ranking Member Maharath and members of the Local Government and Elections Committee for allowing me to present testimony today for Substitute Senate Bill 258. After considering multiple maps presented by Democrat and Republican Caucuses in both the House and the Senate, and listening to the public's input on all of those maps, we offer this map that is not only constitutionally compliant, but the most competitive map offered by any caucus to date. It is also a map that splits the least counties of any map offered by any caucus, keeps Ohio's largest cities whole, installs compact districts and implements many of the requested changes we heard in testimony.

Article 19, Section 2(B)(5) of the Ohio Constitution describes the process that must be followed when splitting counties in a congressional map. In essence, a map may have up to 23 split counties with up to 18 being split once and up to five being split twice. This map splits only 12 counties with only two of those counties being split twice. The counties that are split once are Clark, Fairfield, Franklin, Holmes, Lorain, Ross, Shelby, Summit, Washington and Wood. The Counties split twice are Hamilton and Cuyahoga. Notably, for the first time since the map passed thirty years ago, Lucas County will be whole and for the first time since the map passed twenty years ago Stark County will be whole. The impact on several of Ohio's other large counties is also minimized by Franklin and Summit County having the least splits since the maps passed thirty years ago. Finally, the map complies with Article 19, Section 2(B)(8) by including an entire county in each district where possible. If passed, this map would have the least counties split in over fifty years. Additionally, this map splits two less counties than both the House and Senate Democrat proposals.

Since the introduction of SB258, we have maintained that it is important to keep Ohio's largest cities whole. With exception to Columbus, which must be split under the Constitution and cities that straddle county lines and, therefore, do not count as a split under the Constitution, 98 of Ohio's 100 largest cities are kept whole in this map (Rocky River, Cuyahoga Falls). In total, only eight townships and six municipalities are split in this proposed map, which more than adequately complies with Article 19, Section 1(C)(3)(b)'s requirement that the general assembly not unduly split governmental units.

Article 19, Section 2(B)(2) also requires that districts be compact. This requirement is not applicable to a four-year map, however, under Section 1(C)(3)(c). In such an instance, the

general assembly shall attempt, but is not required to draw compact districts. Nevertheless, the districts presented before you are compact.

Finally, the map before you is the most competitive map offered by any caucus to date and the most competitive Ohio congressional map in decades. Ohio is subject to swings in voter preferences, particularly in federal elections. Even though, with exception to 2006, Republicans have swept every election for statewide constitutional office since 1994, Ohio has voted for a both a Democrat and a Republican for President in the past four presidential elections and continues to be represented by both a Democrat and Republican in the United States Senate. Clearly, Ohioans are bifurcating between federal and state elections and issues. Therefore, because the map before you is for United States Congressional districts, it makes sense to judge competitiveness based upon statewide federal elections over the last ten years. This allows us to capture the true nature of Ohio's voting tendencies in federal elections and to insulate from outliers. When evaluating these districts in the federal statewide context and defining a competitive district as one with a 46%-54% Republican index, this map has six seats that lean Republican, seven seats that are competitive and two seats that lean Democrat. The indexes are as follows:

Congressional District #	Population	Deviation	Federal Statewide Elections 2012-2020
1	786,630	0	51.5
2	786,630	0	65.1
3	786,630	0	30.4
4	786,630	0	66.0
5	786,630	0	58.8
6	786,629	-1	52.9
7	786,630	0	56.7
8	786,630	0	62.0
9	786,630	0	47.7
10	786,630	0	52.2
11	786,630	0	19.4
12	786,629	-1	61.3
13	786,630	0	48.6
14	786,630	0	53.2
15	786,630	0	53.7

Article 19, Section 1(C)(3)(a) states that a map shall not unduly favor or disfavor a party or its

incumbents. No sporting event should ever favor or disfavor a team by some predetermined final score before either team walks on the field. A congressional map should not be judged to favor or disfavor either party that way either. Rather, it should be judged based upon how many districts are going to be determined by the various important issues and candidates in that election. This map embodies that belief by ensuring a plurality of the districts will be competitive in any given cycle. Its seven competitive districts are two more than any House or Senate Democrat proposal and five more than the map passed in 2011. Further, this map neither favors nor disfavors either party's incumbents. It accomplishes this by only combining two incumbents, who are required to be combined through the prohibition against splitting Cincinnati.

The map before you complies with the requirements placed upon the General Assembly under the Ohio Constitution. It is the product of a deliberate effort to draw compact districts, minimize county splits, keep Ohio's largest cities whole and ensure a plurality of Ohio's congressional districts will be competitive. Thank you Chairwoman Gavarone, Vice-Chair O'Brien, Ranking Member Maharath and members of the Local Government and Elections Committee for allowing me to present testimony on Substitute Senate Bill 258 and the proposed congressional district map contained therein. I would be happy to take any questions.

Competitive CDs (+/- 4%) using FED data

7	McColley (SB 258)
5	Yuko Sykes (SB 237) Sept 29 th
5	Yuko Sykes (SB 237) Nov 10 th
5	House Dem (HB 483)
2	Current Map

Competitive CDs (+/- 4%) using all data

5	McColley (SB 258)
5	Yuko Sykes (SB 237) Sept 29 th
4	Yuko Sykes (SB 237) Nov 10 th
5	House Dem (HB 483)
2	Current Map

Competitive CDs (+/- 3.75%) using FED data

7	McColley (SB 258)
5	Yuko Sykes (SB 237) Sept 29 th
5	Yuko Sykes (SB 237) Nov 10 th
5	House Dem (HB 483)
0	Current Map

Competitive CDs (+/- 3.75%) using all data

4	McColley (SB 258)
4	Yuko Sykes (SB 237) Sept 29 th
4	Yuko Sykes (SB 237) Nov 10 th
5	House Dem (HB 483)
2	Current Map

Competitive CDs (+/- 3.5%) using FED data

6	McColley (SB 258)
4	Yuko Sykes (SB 237) Sept 29 th
4	Yuko Sykes (SB 237) Nov 10 th
4	House Dem (HB 483)
0	Current Map

Competitive CDs (+/- 3.5%) using all data

4	McColley (SB 258)
4	Yuko Sykes (SB 237) Sept 29 th
4	Yuko Sykes (SB 237) Nov 10 th
4	House Dem (HB 483)
1	Current Map

Competitive CDs (+/- 3%) using FED data

5	McColley (SB 258)
4	Yuko Sykes (SB 237) Sept 29 th
4	Yuko Sykes (SB 237) Nov 10 th
4	House Dem (HB 483)
0	Current Map

Competitive CDs (+/- 3%) using all data

3	McColley (SB 258)
3	Yuko Sykes (SB 237) Sept 29 th
3	Yuko Sykes (SB 237) Nov 10 th
2	House Dem (HB 483)
1	Current Map

Competitive CDs (+/- 2.5%) using FED data

4	McColley (SB 258)
3	Yuko Sykes (SB 237) Sept 29 th
3	Yuko Sykes (SB 237) Nov 10 th
3	House Dem (HB 483)
0	Current Map

Competitive CDs (+/- 2.5%) using all data

3	McColley (SB 258)
2	Yuko Sykes (SB 237) Sept 29 th
2	Yuko Sykes (SB 237) Nov 10 th
1	House Dem (HB 483)
0	Current Map

Competitive CDs (+/- 2%) using FED data

2	McColley (SB 258)
3	Yuko Sykes (SB 237) Sept 29 th
3	Yuko Sykes (SB 237) Nov 10 th
2	House Dem (HB 483)
0	Current Map

Competitive CDs (+/- 2%) using all data

3	McColley (SB 258)
2	Yuko Sykes (SB 237) Sept 29 th
2	Yuko Sykes (SB 237) Nov 10 th
0	House Dem (HB 483)
0	Current Map

Competitive CDs (+/- 1.5%) using FED data

2	McColley (SB 258)
2	Yuko Sykes (SB 237) Sept 29 th
2	Yuko Sykes (SB 237) Nov 10 th
1	House Dem (HB 483)
0	Current Map

Competitive CDs (+/- 1.5%) using all data

2	McColley (SB 258)
1	Yuko Sykes (SB 237) Sept 29 th
1	Yuko Sykes (SB 237) Nov 10 th
0	House Dem (HB 483)
0	Current Map

Exhibit #**DiRossi 07**

12/07/2021 - ER

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Office	District	First	Last	Party	Term Limit	Address	City	State	Zip	Zip plus 4
Rep.	1	Scott	Wiggam	(R)	2026	316 E. Beverly Road	Wooster	Ohio	44691	
Rep.	2	Marilyn	John	(R)	2028	21 Cold Draw Court	Shelby	Ohio	44875	
Rep.	3	Haraz	Ghanbari	(R)	2028	26811 Dogwood Lane	Perrysburg	Ohio	43551	
Rep.	4	Robert	Cupp	(R)	2022	3003 W. Hume Road	Lima	Ohio	45806	9452
Rep.	5	Timothy	Ginter	(R)	2022	875 Homewood Avenue	Salem	Ohio	44460	
Rep.	6	Phillip	Robinson	(D)	2026	7099 Longview Drive	Solon	Ohio	44139	
Rep.	7	Thomas	Patton	(R)	2024	17157 Rabbit Run Drive	Strongsville	Ohio	44136	6243
Rep.	8	Kent	Smith	(D)	2022	34 E. 290th Street	Euclid	Ohio	44123	
Rep.	9	Janine	Boyd	(D)	2022	1366 Cleveland Heights Boulevard	Cleveland Heights	Ohio	44121	
Rep.	10	Terrence	Upchurch	(D)	2026	1426 Clearaire Road	Cleveland	Ohio	44110	
Rep.	11	Stephanie	Howse	(D)	2022	1804 E. 93rd Street	Cleveland	Ohio	44106	
Rep.	12	Juanita	Brent	(D)	2026	16804 Glendale Avenue	Cleveland	Ohio	44128	
Rep.	13	Michael	Skindell	(D)	2026	16800 Deleware Avenue	Lakewood	Ohio	44107	5517
Rep.	14	Bride	Sweeney	(D)	2026	3632 W. 133rd Street	Cleveland	Ohio	44111	
Rep.	15	Jeffrey	Crossman	(D)	2026	6429 S. Park Boulevard	Parma	Ohio	44134	
Rep.	16	Monique	Smith	(D)	2028	19793 Coffinberry Boulevard	Fairview Park	Ohio	44126	
Rep.	17	Adam	Miller	(D)	2024	1600 Roxbury Road	Columbus	Ohio	43212	
Rep.	18	Kristin	Boggs	(D)	2024	834 Hamlet Street	Columbus	Ohio	43215	
Rep.	19	Mary	Lightbody	(D)	2026	4948 E. Walnut Street	Westerville	Ohio	43081	
Rep.	20	Richard	Brown	(D)	2026	7559 Bruns Court	Canal Winchester	Ohio	43110	
Rep.	21	Beth	Liston	(D)	2026	2193 Stratingham Drive	Dublin	Ohio	43016	
Rep.	22	David	Leland	(D)	2022	361 Walhalla Road	Columbus	Ohio	43202	
Rep.	23	Laura	Lanese	(R)	2024	2315 Milligan Grove	Grove City	Ohio	43123	
Rep.	24	Allison	Russo	(D)	2026	1850 Tewksbury Road	Upper Arlington	Ohio	43221	
Rep.	25	Dontavius	Jarrells	(D)	2028	1245 Mt. Vernon Avenue Apt. 3H	Columbus	Ohio	43203	
Rep.	26	VACANT	VACANT							
Rep.	27	Thomas	Brinkman	(R)	2022	3215 Hardisty Avenue	Cincinnati	Ohio	45208	3006
Rep.	28	Jessica	Miranda	(D)	2026	11511 Oxfordshire Lane	Cincinnati	Ohio	45240	
Rep.	29	Cynthia	Abrams	(R)	2028	92 Fawn Drive	Harrison	Ohio	45030	
Rep.	30	William	Seitz	(R)	2024	2097 Beech Grove Drive	Cincinnati	Ohio	45233	4915
Rep.	31	Brigid	Kelly	(D)	2024	3421 Traskwood Circle Apt. D	Cincinnati	Ohio	45208	

Office	District	First	Last	Party	Term Limit	Address	City	State	Zip	Zip plus 4
Rep.	32	Catherine	Ingram	(D)	2024	250 Dorchester Avenue	Cincinnati	Ohio	45219	
Rep.	33	Sedrick	Denson	(D)	2026	8298 Kingsmere Court	Cincinnati	Ohio	45231	
Rep.	34	Emilia	Sykes	(D)	2022	109 N. Howard Street Unit A	Akron	Ohio	44308	
Rep.	35	Tavia	Galonski	(D)	2026	1137 Allendale Avenue	Akron	Ohio	44306	
Rep.	36	Robert	Young	(R)	2028	2037 Greensburg Road	North Canton	Ohio	44720	
Rep.	37	Casey	Weinstein	(D)	2026	8 N. Westhaven Drive	Hudson	Ohio	44236	
Rep.	38	William	Roemer	(R)	2026	3616 Southern Road	Richfield	Ohio	44286	
Rep.	39	Willis	Blackshear	(D)	2028	531 Belmont Park N. Apt. 411	Dayton	Ohio	45405	
Rep.	40	Philip	Plummer	(R)	2026	1831 Kershner Road	Dayton	Ohio	45414	
Rep.	41	Andrea	White	(R)	2028	4744 Bokay Drive	Kettering	Ohio	45440	
Rep.	42	Tom	Young	(R)	2028	1121 Cedar Creek Circle	Dayton	Ohio	45459	
Rep.	43	Rodney	Creech	(R)	2028	5062 Bantas Creek Road	West Alexandria	Ohio	45381	
Rep.	44	Paula	Hicks-Hudson	(D)	2026	2633 Robinwood Avenue	Toledo	Ohio	43610	
Rep.	45	Lisa	Sobecki	(D)	2026	2714 117th Street	Toledo	Ohio	43611	
Rep.	46	Michael	Sheehy	(D)	2022	1129 Schmidlin Road	Oregon	Ohio	43616	
Rep.	47	Derek	Merrin	(R)	2024	4623 Lakeside Drive Unit 3109	Maumee	Ohio	43537	
Rep.	48	Scott	Oelslager	(R)	2026	215 North Circle Drive SW.	North Canton	Ohio	44709	
Rep.	49	Thomas	West	(D)	2024	625 12th Street NW.	Canton	Ohio	44703	
Rep.	50	Reginald	Stoltzfus	(R)	2026	13789 Telpahak Street SE.	Minerva	Ohio	44657	
Rep.	51	Sara	Carruthers	(R)	2026	601 Glenway Drive	Hamilton	Ohio	45013	
Rep.	52	Jennifer	Gross	(R)	2028	7350 Lakota Springs Drive	West Chester	Ohio	45069	
Rep.	53	Thomas	Hall	(R)	2028	6364 Trenton Franklin Road	Middletown	Ohio	45042	
Rep.	54	Paul	Zeltwanger	(R)	2022	4607 White Blossom Boulevard	Mason	Ohio	45040	
Rep.	55	Gayle	Manning	(R)	2026	9436 Foxboro Drive	North Ridgeville	Ohio	44039	
Rep.	56	Joseph	Miller	(D)	2026	433 Northpointe Boulevard	Amherst	Ohio	44001	
Rep.	57	Dick	Stein	(R)	2024	2854 State Route 61	Norwalk	Ohio	44857	
Rep.	58	Michele	Lepore-Hagan	(D)	2022	562 Madera Avenue	Youngstown	Ohio	44504	
Rep.	59	Al	Cutrona	(R)	2028	3755 Mercedes Place Unit 9	Canfield	Ohio	44406	
Rep.	60	Dan	Troy	(D)	2028	31600 Lakeshore Boulevard Apt. 37	Willowick	Ohio	44095	
Rep.	61	Jamie	Callender	(R)	2026	9920 Ashwood Trail	Concord	Ohio	44060	
Rep.	62	Scott	Lipps	(R)	2024	157 Millard Drive	Franklin	Ohio	45005	

Office	District	First	Last	Party	Term Limit	Address	City	State	Zip	Zip plus 4
Rep.	63	Michael	Loychik	(R)	2028	4022 Westlake Road	Cortland	Ohio	44410	
Rep.	64	Michael	O'Brien	(D)	2022	1849 Edgewood NE.	Warren	Ohio	44483	
Rep.	65	Jean	Schmidt	(R)	2028	771 Wards Corner Road	Loveland	Ohio	45140	9049
Rep.	66	Adam	Bird	(R)	2028	3562 Behymer Road	Cincinnati	Ohio	45245	
Rep.	67	Kris	Jordan	(R)	2026	7740 Marysville Road	Ostrander	Ohio	43061	
Rep.	68	Rick	Carfagna	(R)	2024	6155 Baneberry Drive	Westerville	Ohio	43082	
Rep.	69	Sharon	Ray	(R)	2028	283 Stratford Avenue	Wadsworth	Ohio	44281	
Rep.	70	Darrell	Kick	(R)	2024	8050 Twp Road 462	Loudonville	Ohio	44842	
Rep.	71	Mark	Fraizer	(R)	2028	20 W. North Street	Newark	Ohio	43055	
Rep.	72	Kevin	Miller	(R)	2030	6170 Pleasant Chapel Road	Newark	Ohio	43056	
Rep.	73	Brian	Lampton	(R)	2028	960 N Fairfield Road	Beavercreek	Ohio	45434	
Rep.	74	Bill	Dean	(R)	2024	649 N Monroe Drive	Xenia	Ohio	45385	
Rep.	75	Gail	Pavliga	(R)	2028	1965 New Milford Road	Atwater	Ohio	44201	
Rep.	76	Diane	Grendell	(R)	2028	7413 Tattersall Street	Chesterland	Ohio	44026	2036
Rep.	77	Jeffrey	LaRe	(R)	2028	7587 Cumberland Circle	Canal Winchester	Ohio	43110	
Rep.	78	Brian	Stewart	(R)	2028	15075 Home Court	Ashville	Ohio	43103	
Rep.	79	Kyle	Koehler	(R)	2022	4674 Hominy Ridge Road	Springfield	Ohio	45502	
Rep.	80	Jena	Powell	(R)	2026	8172 State Route 722	Arcanum	Ohio	45304	
Rep.	81	James	Hoops	(R)	2026	195 Old Creek Drive	Napoleon	Ohio	43545	9632
Rep.	82	Craig	Riedel	(R)	2024	1246 Hilton Head Court	Defiance	Ohio	43512	
Rep.	83	Jon	Cross	(R)	2026	16511 Maureen Drive	Kenton	Ohio	43326	
Rep.	84	Susan	Manchester	(R)	2026	29566 State Route 385	Lakeview	Ohio	43331	
Rep.	85	Nino	Vitale	(R)	2022	4940 Benson Road	Urbana	Ohio	43078	
Rep.	86	Tracy	Richardson	(R)	2026	1807 Chiprock Drive	Marysville	Ohio	43040	
Rep.	87	Riordan	McClain	(R)	2024	7915 Township Highway 136	Nevada	Ohio	44849	
Rep.	88	Gary	Click	(R)	2028	1473 County Road 268	Vickery	Ohio	43464	
Rep.	89	DJ	Swearingen	(R)	2028	3806 Lawrence Avenue	Huron	Ohio	44839	
Rep.	90	Brian	Baldrige	(R)	2026	14475 State Route 136	Winchester	Ohio	45697	
Rep.	91	Shane	Wilkin	(R)	2026	4151 E. Danville Road	Hillsboro	Ohio	45133	
Rep.	92	Mark	Johnson	(R)	2028	330 Red Bud Road	Chillicothe	Ohio	45601	
Rep.	93	Jason	Stephens	(R)	2028	26 CO. Road 230	Kitts Hill	Ohio	45645	

Office	District	First	Last	Party	Term Limit	Address	City	State	Zip	Zip plus 4
Rep.	94	James	Edwards	(R)	2024	3 Blair Court	Nelsonville	Ohio	45764	
Rep.	95	Don	Jones	(R)	2026	34755 Jones Road	Freeport	Ohio	43973	
Rep.	96	Ron	Ferguson	(R)	2028	299 Orlando Manor	Wintersville	Ohio	43953	
Rep.	97	Adam	Holmes	(R)	2028	5480 Creamery Road	Nashport	Ohio	43830	
Rep.	98	Brett	Hillyer	(R)	2026	3837 Clay Court SE.	Dennison	Ohio	44621	
Rep.	99	Sarah	Fowler Arthur	(R)	2028	710 Garrison Road	Ashtabula	Ohio	44004	
Sen.	1	Robert	McColley	(R)	2026	15 Lemans Drive	Napoleon	Ohio	43545	
Sen.	2	Theresa	Gavarone	(R)	2028	1537 Cedar Lane	Bowling Green	Ohio	43402	
Sen.	3	Tina	Maharath	(D)	2026	85 E. Hocking Street	Canal Winchester	Ohio	43110	
Sen.	4	George	Lang	(R)	2028	7277 St. Ives Place	West Chester	Ohio	45069	
Sen.	5	Stephen	Huffman	(R)	2026	862 Buckeye Court	Tipp City	Ohio	45371	
Sen.	6	Niraj	Antani	(R)	2028	8547 White Cedar Drive Apt. 321	Miamisburg	Ohio	45342	
Sen.	7	Stephen	Wilson	(R)	2026	4905 Water Stone Lane	Maineville	Ohio	45039	
Sen.	8	Louis	Blessing	(R)	2026	3378 Dolomar Drive	Cincinnati	Ohio	45239	
Sen.	9	Cecil	Thomas	(D)	2024	515 Clinton Springs Avenue	Cincinnati	Ohio	45217	
Sen.	10	Bob	Hackett	(R)	2024	2050 Palouse Drive	London	Ohio	43140	
Sen.	11	Teresa	Fedor	(D)	2026	3708 S. Beverly Hills Drive	Toledo	Ohio	43614	
Sen.	12	Matt	Huffman	(R)	2024	2220 Merit Avenue	Lima	Ohio	45805	
Sen.	13	Nathan	Manning	(R)	2026	38179 Terrell Drive	North Ridgeville	Ohio	44039	
Sen.	14	Terry	Johnson	(R)	2028	74 A McDaniel Road	McDermott	Ohio	45652	
Sen.	15	Hearcel	Craig	(D)	2028	1026 Linwood Avenue	Columbus	Ohio	43206	
Sen.	16	Stephanie	Kunze	(R)	2024	6555 Longshore Street Unit 416	Dublin	Ohio	43017	
Sen.	17	Bob	Peterson	(R)	2022	5564 Grassy Branch Road	Sabina	Ohio	45169	
Sen.	18	Jerry	Cirino	(R)	2028	8651 Kirtland-Chardon Road	Kirtland	Ohio	44094	
Sen.	19	Andrew	Brenner	(R)	2026	102 W. Lincoln Avenue	Deleware	Ohio	43015	
Sen.	20	Tim	Schaffer	(R)	2028	1173 Stone Run Court	Lancaster	Ohio	43130	
Sen.	21	Sandra	Williams	(D)	2022	12518 Fairhill Road	Cleveland	Ohio	44120	
Sen.	22	Mark	Romanchuk	(R)	2028	3306 Oakstone Drive	Mansfield	Ohio	44903	
Sen.	23	Nickie	Antonio	(D)	2026	1305 Belle Avenue	Lakewood	Ohio	44107	
Sen.	24	Matt	Dolan	(R)	2024	515 Solon Road	Chagrin Falls	Ohio	44022	
Sen.	25	Kenny	Yuko	(D)	2022	479 Pierson Drive	Richmond Heights	Ohio	44143	

Office	District	First	Last	Party	Term Limit	Address	City	State	Zip	Zip plus 4
Sen.	26	Bill	Reineke	(R)	2028	5209 S. State Route 231	Tiffin	Ohio	44883	
Sen.	27	Kristina	Roegner	(R)	2026	1556 E. Hines Hill Road	Hudson	Ohio	44236	
Sen.	28	Vernon	Sykes	(D)	2024	133 Furnace Run Drive	Akron	Ohio	44307	
Sen.	29	Kirk	Schurring	(R)	2026	1817 Devonshire Drive NW	Canton	Ohio	44708	
Sen.	30	Frank	Hoagland	(R)	2024	5751 Township Road 120	Adena	Ohio	43901	
Sen.	31	Jay	Hottinger	(R)	2022	894 Jonathan Lane	Newark	Ohio	43055	
Sen.	32	Sandra	O'Brien	(R)	2028	3434 Stumpville Road	Rome	Ohio	44085	
Sen.	33	Michael	Rulli	(R)	2026	402 Lisbon Road	Salem	Ohio	44460	
US Rep.	1	Steve	Chabot	(R)		3025 Daytona Avenue	Cincinnati	Ohio	45211	
US Rep.	2	Brad	Wenstrup	(R)		512 Missouri Avenue	Cincinnati	Ohio	45226	
US Rep.	3	Joyce	Beatty	(D)		1421 Taylor Corners Circle	Blacklick	Ohio	43004	
US Rep.	4	Jim	Jordan	(R)		1709 S. State Route 560	Urbana	Ohio	43078	
US Rep.	5	Bob	Latta	(R)		1528 Muirfield Drive	Bowling Green	Ohio	43402	
US Rep.	6	Bill	Johnson	(R)		519 5th Street	Marietta	Ohio	45750	
US Rep.	7	Bob	Gibbs	(R)		13871 Township Road 473	Lakeville	Ohio	44638	
US Rep.	8	Warren	Davidson	(R)		18656 Pheasant Point Court	Troy	Ohio	45373	
US Rep.	9	Marcy	Kaptur	(D)		1841 Dority Road	Toledo	Ohio	43615	
US Rep.	10	Mike	Turner	(R)		109 N. Main Street Suite 1103	Dayton	Ohio	45402	
US Rep.	11	Shontel	Brown	(D)		4660 Belfiore Road	Cleveland	Ohio	44128	
US Rep.	12	Troy	Balderson	(R)		417 Coventry Circle	Zanesville	Ohio	43701	
US Rep.	13	Tim	Ryan	(D)		560 Ameber Drive SE	Warren	Ohio	44484	
US Rep.	14	David	Joyce	(R)		406 Deer Court	Chagrin Falls	Ohio	44022	
US Rep.	15	Mike	Carey	(R)		1017 City Park Avenue	Columbus	Ohio	43206	
US Rep.	16	Anthony	Gonzalez	(R)		1150 Homeland Drive	Rocky River	Ohio	44116	

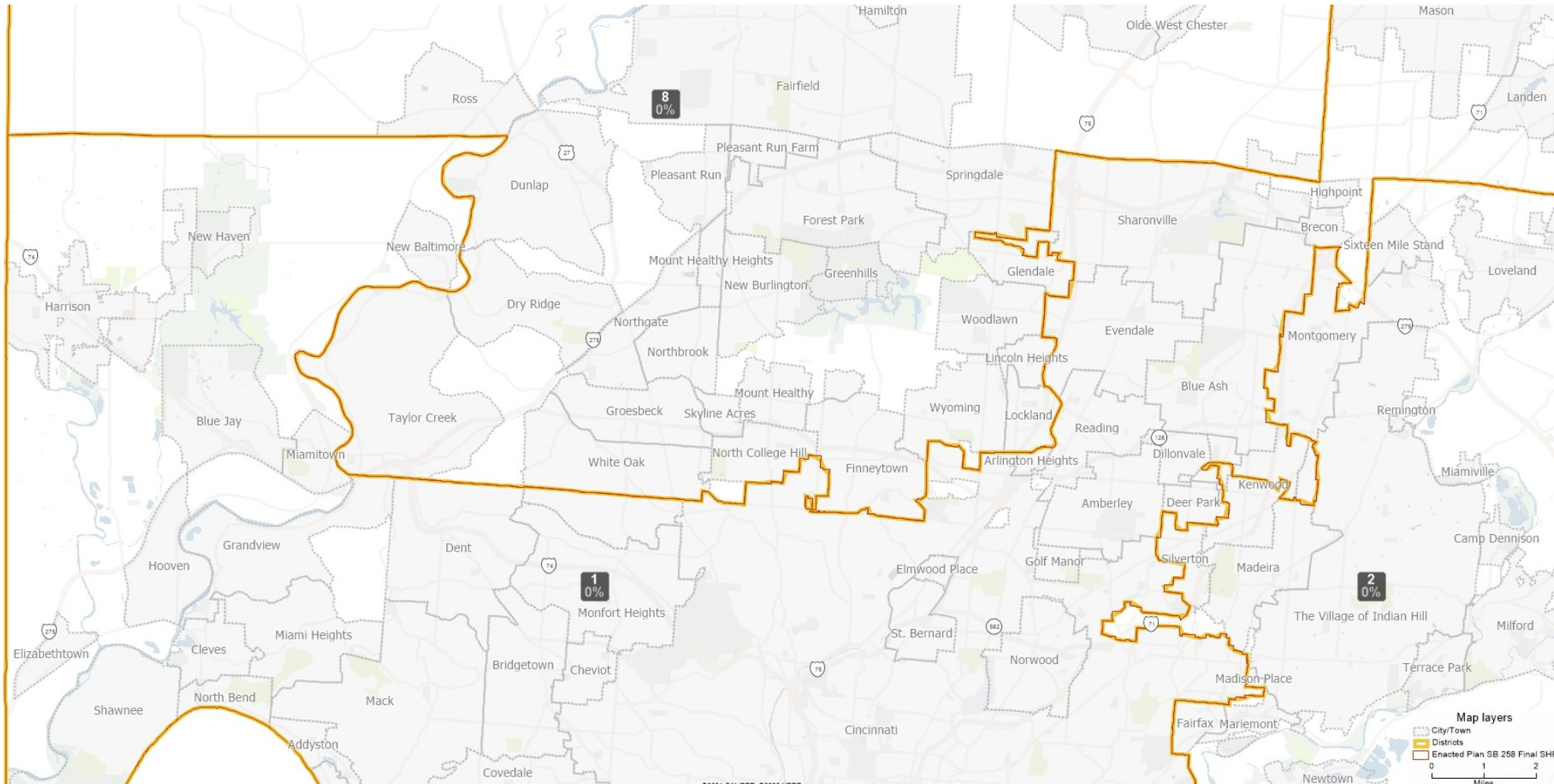


Exhibit #

DiRossi 10

12/7/21

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Transcript of Blake Springhetti

Date: December 7, 2021

Case: League of Women Voters of Ohio, et al. -v- Ohio Redistricting Comm., et al.

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IN THE SUPREME COURT OF OHIO

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LEAGUE OF WOMEN :
VOTERS OF OHIO, :
et al., : Case Nos. 2021-1193
Relators, : 2021-1198
v. : 2021-1210
OHIO REDISTRICTING :
COMMISSION, et al., :
Respondents. :

- - - - - x

REMOTE VIDEOTAPED DEPOSITION of BLAKE SPRINGHETTI

Tuesday, December 7, 2021

2:31 p.m. CST

Job No.: 416827

Pages: 1 - 111

Reported By: Michelle M. Yohler, CSR, RMR, CRR

1 Videotaped deposition of BLAKE SPRINGHETTI,
2 held remotely pursuant to notice before
3 Michelle M. Yohler, CSR, RMR, CRR, a certified
4 shorthand reporter, CSR No. 84-4531.
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A P P E A R A N C E S

ON BEHALF OF THE LEAGUE OF WOMEN VOTERS OF OHIO

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(Continued)

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(Continued)

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2
3 ON BEHALF OF RESPONDENT SECRETARY OF STATE

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5 MS. BRIDGET C. COONTZ

6 MR. MICHAEL WALTON

7 MS. JULIE PFEIFFER

8 OHIO ATTORNEY GENERAL'S OFFICE

9 30 East Broad Street, 16th Floor

10 Columbus, Ohio 43215

11 614.466.2872

12 bridget.coontz@ohioago.gov

13
14 ALSO PRESENT:

15 Mr. Frank Strigari, Senate Counsel

16 Mr. Ethan Rex, Technician

17 Ms. Madeline Nagy, Videographer

E X A M I N A T I O N S

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Transcript of Blake Springhetti
Conducted on December 7, 2021

7

1	(Technician read-on.)	14:32:23
2	THE VIDEOGRAPHER: Here begins disk number	
3	one in the videotaped deposition of Blake	
4	Springhetti in the matter of League of Women	
5	Voters of Ohio versus Governor Mike DeWine,	
6	et al., in the Supreme Court of Ohio, Case No.	
7	2021-1449.	
8	Today's date is Tuesday, December 7th,	
9	2021, and the time on the video monitor is	
10	2:31 p.m.	
11	The videographer today is Madeline Nagy	
12	representing Planet Depos.	
13	This video deposition is taking place	
14	remotely.	
15	Would counsel please voice-identify	
16	themselves and state whom they represent.	
17	MS. BENDER: This is Brady Bender of	
18	Covington & Burling for the League of Women Voters	
19	Relators.	
20	MS. JASRASARIA: This is Jyoti Jasrasaria	
21	with Elias Law Group, LLP, for the Adams Relators.	14:32:25
22	MR. MCGUIRE: This is Greg McGuire with	14:32:27
23	the Nelson Mullins firm for the Speaker and the	14:32:29
24	President of the Ohio General Assembly.	14:32:32
25	MS. COONTZ: This is the Bridget Coontz	14:32:36

Transcript of Blake Springhetti
Conducted on December 7, 2021

8

1 with the Ohio Attorney General's Office on behalf
2 of Secretary of State Frank LaRose. With me is
3 Mike Walton, and soon to be joining is Julie
4 Pfeiffer.

14:32:37
14:32:40
14:32:42
14:32:45

5 MR. DENUYL: This is David Denuyl of
6 Covington & Burling on behalf of the League of
7 Women Voters as well.

14:32:48
14:32:49
14:32:51

8 MR. THOMSON: This is Alex Thomson of
9 Covington & Burling on behalf of League of Women
10 Voters Relators.

14:32:55
14:32:55
14:32:59

11 THE VIDEOGRAPHER: The court reporter
12 today is Michelle Yohler, representing Planet
13 Depos.

14:33:06
14:33:07
14:33:09

14 Will the reporter please swear in the
15 witness.

14:33:09

16 (WHEREUPON, the witness was duly sworn.)

17 BLAKE SPRINGHETTI,
18 called as a witness herein, having been first duly
19 sworn, was examined and testified as follows:

20 EXAMINATION

14:33:33

21 BY MS. BENDER:

14:33:33

22 Q Good afternoon, Mr. Springhetti. Thank
23 you for being here today. As I just said, my name
24 is Brady Bender. I'm an attorney with Covington &
25 Burling, and I'm representing the League of Women

14:33:33
14:33:38
14:33:40
14:33:45

Transcript of Blake Springhetti
Conducted on December 7, 2021

9

1	Voters Relators in this case. Later on you'll	14:33:47
2	here from my colleague, Jyoti Jasrasaria, who will	14:33:50
3	represent the Adams Relators.	14:33:55
4	Would you please state your full name for	14:33:58
5	the record.	14:33:59
6	A Sure. Blake Victor Springhetti.	14:33:59
7	Q Thank you.	14:34:02
8	So I know that you were just deposed for a	14:34:02
9	case related to the General Assembly map, and so	14:34:06
10	if it's all right with you, I'm not going to	14:34:08
11	repeat items or repeat basic ground rules that we	14:34:10
12	covered there, given time constraints.	14:34:14
13	Is that all right?	14:34:16
14	MR. McGUIRE: That's fine.	14:34:19
15	BY THE WITNESS:	14:34:20
16	A Sure.	14:34:20
17	BY MS. BENDER:	14:34:21
18	Q Okay. All right. So I'm just going to	14:34:23
19	jump right in then. Can you tell me, when did you	14:34:25
20	start working on the congressional maps?	14:34:28
21	A I would say sometime in mid to late	14:34:30
22	October.	14:34:43
23	Q Okay. And was that before you finished	14:34:43
24	working on the state legislative maps?	14:34:50
25	A No.	14:34:53

Transcript of Blake Springhetti
Conducted on December 7, 2021

10

1	Q No. Okay.	14:34:54
2	So let's talk a little bit about the map	14:34:58
3	drawing process. Did you work with Ray DiRossi	14:35:01
4	again while working on the congressional maps?	14:35:04
5	A Could you clarify your question?	14:35:06
6	Q Did you -- during the General Assembly	14:35:10
7	redistricting process, I understand you had -- you	14:35:14
8	had worked with Mr. Ray DiRossi. Did you also	14:35:18
9	work with him while working on the state -- excuse	14:35:20
10	me -- on the congressional maps?	14:35:22
11	A I would say that we did not work in the	14:35:24
12	same manner that we did during the General	14:35:33
13	Assembly process.	14:35:35
14	Q I'm sorry, could you repeat that? I	14:35:35
15	didn't catch the end of that sentence.	14:35:37
16	A We did not work in the same manner as we	14:35:39
17	did in the congressional process as we did in the	14:35:42
18	General Assembly process.	14:35:45
19	Q Can you tell me, how did you work together	14:35:46
20	then?	14:35:49
21	A Well, for this process there were a lot of	14:35:57
22	other things happening other than congressional	14:36:00
23	redistricting and, frankly, we didn't spend much	14:36:03
24	time together discussing or deliberating	14:36:05
25	congressional maps throughout the process.	14:36:08

Transcript of Blake Springhetti
Conducted on December 7, 2021

11

1	Q Okay. And just to backtrack a little bit.	14:36:12
2	Mr. DiRossi was working on drawing maps for the	14:36:15
3	Senate side?	14:36:18
4	A Yes, that's correct.	14:36:19
5	Q Okay. And you were working on the House	14:36:20
6	side?	14:36:22
7	A Correct.	14:36:22
8	Q And I understand that -- well, did you	14:36:25
9	work in the same room for the congressional maps	14:36:32
10	as you did while you were working on the General	14:36:34
11	Assembly maps?	14:36:40
12	A We used the same -- same state office	14:36:40
13	building that we used for the General Assembly	14:36:44
14	maps, yes.	14:36:46
15	Q Okay. And that was the William Green	14:36:47
16	Building?	14:36:49
17	A Yes.	14:36:49
18	Q Okay. Did you work in any other	14:36:50
19	locations.	14:36:59
20	A Could you clarify the question?	14:37:00
21	Q So I understand -- did you work on the	14:37:01
22	congressional maps from any locations beyond the	14:37:04
23	William Green Building?	14:37:08
24	A The Maptitude software was stationary in	14:37:15
25	the William Green Building.	14:37:18

Transcript of Blake Springhetti
Conducted on December 7, 2021

12

1 Q So all of your Maptitude work would have
2 taken place in the William Green Building, but
3 potentially conversations or other things might
4 have taken place outside of the William Green
5 Building?

14:37:18

14:37:20

14:37:23

14:37:25

14:37:27

6 A Yes.

14:37:27

7 Q Okay. When you were in the William Green
8 Building, did you and Mr. DiRossi work in the same
9 room?

14:37:27

14:37:32

14:37:34

10 A Again, we worked in the same room in the
11 same state office building, same state office that
12 we used for the General Assembly process.

14:37:34

14:37:41

14:37:44

13 Q And just to clarify, I understood during
14 the General Assembly process that both of you
15 were -- your computers were in the same room, and
16 that's also the case here in the William Green
17 Building?

14:37:47

14:37:50

14:37:53

14:37:56

14:37:59

18 A Yes, the computers are in the same spot
19 that they were during that process.

14:37:59

14:38:03

20 Q And so because you were working in the
21 same room, you could simply talk to one another as
22 you were drawing or as you were working?

14:38:05

14:38:08

14:38:11

23 A Could that happen, yes. But I'll just say
24 that, again, it was very much not the same type of
25 situation, just due to scheduling. He and I very

14:38:13

14:38:19

14:38:23

1 much were in passing. But, yes, that could
2 happen.

3 Q And it did happen sometimes?

4 A Yes, it did happen sometimes.

5 Q Did you and Mr. DiRossi communicate in any
6 other ways about the congressional maps, beyond
7 talking while you were in this room?

8 A No.

9 Q Okay. So no email?

10 A There -- we exchanged bill drafts, yes.
11 So we did exchange some emails related to drafting
12 and block assignment files and things of that --

13 Q And would those emails have been provided
14 to your counsel for this case?

15 A I produced them.

16 MS. BENDER: Okay. I just want to confirm
17 that any such emails would have been produced to
18 us and request that if they have not yet been
19 produced to us, that they -- that they are
20 produced imminently -- immediately after this
21 deposition.

22 MR. McGUIRE: All right. Yeah, I'm not
23 aware of any documents responsive to your request
24 for Mr. Springhetti that have not been produced.

25 MS. BENDER: Okay.

Transcript of Blake Springhetti
Conducted on December 7, 2021

14

1	BY MS. BENDER:	14:39:40
2	Q Would you communicate by text message?	14:39:41
3	A No.	14:39:42
4	Q And did you ever communicate using a	14:39:45
5	messaging app, like Teams or any other -- Zoom or	14:39:50
6	any other sort of messaging medium beyond text?	14:39:55
7	A No.	14:40:00
8	Q Okay. Did you and Mr. DiRossi ever share	14:40:00
9	any data with one another?	14:40:04
10	A Could you clarify what you mean by "data"?	14:40:09
11	Q So election -- election results data, for	14:40:11
12	instance.	14:40:17
13	A The data is -- so -- I don't understand.	14:40:17
14	Could you --	14:40:27
15	Q So I understand that there were partisan	14:40:27
16	election results that were used in the map drawing	14:40:31
17	process. Were those shared between the two of	14:40:34
18	you?	14:40:36
19	A So the -- the election data and the	14:40:37
20	election geography that we had in our systems	14:40:42
21	was -- at least on my system, was unchanged from	14:40:48
22	the General Assembly process.	14:40:54
23	Q Okay. And -- so you would have had the	14:40:56
24	same -- you -- the two of you would have had the	14:41:01
25	same data, and it would have been the same data	14:41:05

1 that you previously used in the General Assembly
2 process?

3 I guess I'll separate that out. The two
4 of you would have had the same results data?

5 A What was in my computer was the same data
6 and geography that was in my computer for the
7 General Assembly process, and that remained
8 unchanged.

9 Q Okay. But you're not sure if it would
10 have been the same data that you would -- that
11 Mr. DiRossi was using?

12 A I'm unsure of what all he may have or may
13 not have had in his data view.

14 Q Okay. I believe earlier that you said you
15 may have exchanged bill drafts. Would you ever --
16 or by email. Would you ever share map drafts,
17 beyond what was just described in the bill?

18 A I don't recall sharing drafts of maps via
19 email, no.

20 Q Okay. And would you ever view maps on
21 each other's computers?

22 A Yes.

23 Q Okay. And would you have seen on
24 Mr. DiRossi's computer the enacted map?

25 A Yes.

1 Q Okay. And would he have -- he would have
2 seen, similarly, the House map that was proposed,
3 the House Bill 479?

4 A Could you rephrase that? There was a lag
5 at the beginning of your question.

6 Q That's okay.

7 And he would have seen the House map that
8 was proposed under House Bill 479?

9 A I don't recall if he actually saw that or
10 not.

11 Q Okay. Was there anyone else that worked
12 with you and Mr. DiRossi on the maps?

13 A Could you clarify your question?

14 Q Did anyone else work in Maptitude on maps
15 proposed in the congressional cycle?

16 A No.

17 Q Did you consult with anyone else as you
18 were drawing maps in Maptitude?

19 A Could you clarify what you mean by
20 "consult"?

21 Q Let's -- well, I'll ask about some
22 specific people, actually.

23 So did you ever work or consult with John
24 Morgan on maps that you were drawing in Maptitude?

25 A No.

Transcript of Blake Springhetti
Conducted on December 7, 2021

17

1	Q The same question as to Clark Benson?	14:43:44
2	A No.	14:43:50
3	Q Okay. I want to talk a little bit about	14:43:51
4	the data that you used in congressional map	14:44:02
5	drawing. Did you use census population data?	14:44:04
6	A Yes.	14:44:12
7	Q And did you use data on subdivision lines	14:44:12
8	in Ohio?	14:44:18
9	A Yes.	14:44:18
10	Q Okay.	14:44:22
11	A Yeah.	14:44:22
12	Q Where did that data come from?	14:44:25
13	A The 2020 census is where we received our	14:44:26
14	census population data.	14:44:35
15	Q And then what about the data on the	14:44:36
16	subdivision lines?	14:44:38
17	A Well, our Maptitude software came	14:44:39
18	with -- with subdivision lines.	14:44:46
19	Q Okay. And did you receive any data from	14:44:48
20	Ohio University?	14:44:57
21	A For the congressional process?	14:44:57
22	Q Mm-hm. That would have been used in the	14:45:03
23	congressional process.	14:45:05
24	A The data and the CURD, Common Unified	14:45:06
25	Redistricting Database, that was provided by OU in	14:45:17

1 the General Assembly process was maintained in
2 Maptitude.

3 Q Okay. Did you use any data about voting
4 history in drawing these maps?

5 A Yes.

6 Q And those would have been voting history
7 based upon specific elections?

8 A Yes.

9 Q And which elections would you have used
10 data from?

11 A So when I work -- when I would work on
12 proposals for congressional redistricting, I would
13 specifically look at '16, '18, and '20 election
14 data.

15 Q Any years beyond that?

16 A Not in particular.

17 Q I'm sorry, not in particular? No years
18 beyond that or -- can you clarify that answer?

19 A Sure.

20 When I was drafting congressional
21 proposals, I was looking at '16, '18, and '20
22 data. I did not --

23 Q Okay. And which --

24 A -- reference -- I did not reference any
25 years prior to that.

1 Q Okay. And which elections from 2016,
2 2018, and 2020?

3 A Statewide, federal elections, and
4 Ohio-elected office holders, statewide office
5 holders.

6 Q I'm sorry. If you could -- if you could
7 just repeat the end of that again. I couldn't
8 quite catch the -- I couldn't quite hear you.

9 A Yes. Statewide elections including state
10 office holders, statewide office holders, and
11 federal elections.

12 Q Okay. And those statewide office holders
13 would be -- can you name those offices?

14 A Sure. Secretary of State, Treasury of
15 State -- I'm sorry, Treasurer of State, the
16 Attorney General, the -- who am I leaving out?
17 Auditor, Treasurer, Secretary of State, Governor.

18 Q All right. Auditor, Treasurer, Secretary
19 of State, Governor. Good.

20 Unless you can -- unless you can think of
21 anyone else that is not on there.

22 A Attorney General?

23 Q Oh, AG. Yeah. Okay. We'll add that.

24 And where did this election -- sorry. I
25 missed that.

1	A Yeah, it's all good.	14:48:10
2	Q Where did the election data you used come	14:48:11
3	from?	14:48:13
4	A The -- the election data comes from the	14:48:13
5	Secretary of State's Office.	14:48:20
6	Q Okay. And was it -- was it processed by	14:48:23
7	anyone beyond -- or was the state -- the election	14:48:31
8	data that you get from the Secretary of State's	14:48:38
9	Office, was it then processed by anyone else to	14:48:40
10	reveal partisan voting preferences from that data?	14:48:43
11	A So as I stated earlier, the data and the	14:48:50
12	information that was in my Maptitude computer was	14:48:56
13	unchanged from the General Assembly and the	14:48:59
14	redistricting process.	14:49:01
15	I did not manage that process for the	14:49:02
16	General Assembly process as far as re- --	14:49:07
17	obtaining data and things like that.	14:49:12
18	So my computer was unchanged from the	14:49:14
19	General Assembly process.	14:49:18
20	Q Okay. And when was it decided which	14:49:21
21	elections you would consider voting data from in	14:49:30
22	this process?	14:49:33
23	A I'm sorry, could you restate the question?	14:49:34
24	Q When was it decided which elections you	14:49:44
25	would consider voting data from in this process?	14:49:47

Transcript of Blake Springhetti
Conducted on December 7, 2021

21

1	A I would say probably the second week of	14:49:50
2	November.	14:49:59
3	Q And prior to that, you might have been	14:50:02
4	considering other data as well?	14:50:05
5	A Yes.	14:50:07
6	Q And what other data might you have been	14:50:08
7	considering or were you considering?	14:50:17
8	A So up until that point, I was considering	14:50:21
9	the data that I mentioned, '16, '18, and '20	14:50:26
10	statewide elections.	14:50:30
11	Q Okay. And then at that point, you were no	14:50:34
12	longer considering -- at that point, you narrowed	14:50:37
13	it down to which elections again?	14:50:40
14	A So, again, I -- when I was actually	14:50:42
15	drafting maps, I -- that's what I considered.	14:50:47
16	Q Okay. So, actually, throughout the entire	14:50:52
17	period you were considering 2016, 2018, and 2020	14:50:56
18	statewide elections?	14:51:00
19	A Yes.	14:51:01
20	Q Okay. And that's both state and federal	14:51:01
21	elections?	14:51:04
22	A Yes.	14:51:07
23	Q And who decided which elections would be	14:51:07
24	considered?	14:51:13
25	MR. McGUIRE: Objection, we're going to	14:51:16

1 assert the legislative privilege. 14:51:19

2 Mr. Springhetti's communications with any members 14:51:20
3 of the General Assembly are an integral part of 14:51:22
4 the deliberative and communicative process of the 14:51:26
5 work of the General Assembly. 14:51:29

6 So to the extent that answer involves 14:51:31
7 anybody who was in -- either in the General 14:51:33
8 Assembly or on their staffs, don't answer that 14:51:35
9 question. If it's somebody else, you can answer 14:51:37
10 the question, someone outside that group. 14:51:39

11 BY MS. BENDER: 14:51:46

12 Q Can you provide an answer, 14:51:47
13 Mr. Springhetti, given that instruction? 14:51:49

14 A Yeah, that was an internal discussion. 14:51:50

15 Q Okay. 14:51:53

16 MS. BENDER: So I'd just like to say, as I 14:51:54
17 said -- or as we've said before, I find -- we find 14:51:57
18 these objections improper. We don't believe that 14:52:01
19 this is covered by legislative privilege. And for 14:52:03
20 the sake of time, we will move on. 14:52:05

21 Let me make sure that I'm on track. 14:52:13

22 BY MS. BENDER: 14:52:22

23 Q So do you know how it was decided which 14:52:22
24 elections you would consider? 14:52:25

25 MR. McGUIRE: Once again, I'll assert the 14:52:26

1	legislative privilege to the extent that answer	14:52:28
2	would involve him identifying members of the	14:52:30
3	General Assembly or members of their staff.	14:52:33
4	BY THE WITNESS:	14:52:33
5	A I do not know how it was considered.	14:52:42
6	MS. BENDER: And I'll say, the same	14:52:46
7	response to the objection as before.	14:52:49
8	BY MS. BENDER:	14:52:50
9	Q Did you ever participate in any meetings	14:52:54
10	about what election data would be considered?	14:52:55
11	A I'm sorry, could you restate that? There	14:52:57
12	was another lag at the beginning.	14:53:04
13	MR. McGUIRE: You're breaking up a little	14:53:05
14	bit occasionally.	14:53:07
15	MS. BENDER: Oh, sorry about that.	14:53:09
16	BY MS. BENDER:	14:53:10
17	Q Did you ever participate in any meetings	14:53:11
18	about what data would be considered?	14:53:13
19	A Yes.	14:53:15
20	Q And who would participate in these	14:53:16
21	meetings?	14:53:23
22	A It would have been myself and the Speaker	14:53:23
23	and the Senate President and Ray and our -- my	14:53:29
24	Chief of Staff and Ray's Chief of Staff.	14:53:35
25	Q And can you give names for the chiefs of	14:53:39

1	staff there?	14:53:42
2	A The Ohio House Chief of Staff is Christine	14:53:43
3	Morrison. The Senate Chief of Staff is John	14:53:47
4	Barron.	14:53:52
5	Q All right. So once the election data was	14:53:52
6	received, it was loaded into Maptitude. I believe	14:53:58
7	you said earlier that you weren't sure how that	14:54:00
8	happened; is that right?	14:54:03
9	A The management and facilitation of	14:54:06
10	obtaining the data was not something that I	14:54:13
11	managed for the General Assembly process. And	14:54:16
12	I'll just say again that the data and geography	14:54:19
13	that was in my computer then was unchanged for the	14:54:21
14	congressional districts.	14:54:24
15	Q So you don't know how the election results	14:54:25
16	data was -- got into Maptitude?	14:54:30
17	A For the congressional process?	14:54:32
18	Q Just in general. It sounds like it was	14:54:34
19	the same data either way.	14:54:37
20	A Yeah, so for the General Assembly process,	14:54:40
21	we had to upload it to Maptitude, but I was not	14:54:47
22	involved in the attainment of that data.	14:54:50
23	Q Okay. Do you know who uploaded it into	14:54:52
24	Maptitude?	14:54:55
25	A For the General Assembly process?	14:54:55

1	Q	So I understand that this is the same data	14:54:58
2		that's being used in the congressional process.	14:55:03
3		So it was uploaded at the time of the General	14:55:04
4		Assembly process, correct, but it's the same data?	14:55:07
5	A	Yes, it was uploaded for the General	14:55:12
6		Assembly process, and it is --	14:55:14
7	Q	Okay.	14:55:14
8	A	-- the same data.	14:55:15
9	Q	And then -- so who uploaded it for the	14:55:16
10		General Assembly process?	14:55:18
11	A	I physically up- -- put all the	14:55:19
12		information into Maptitude.	14:55:22
13	Q	And who did you get that information from?	14:55:24
14	A	So, again, I didn't manage that process.	14:55:26
15		I actually got that from Ray.	14:55:33
16	Q	Okay. And do you know who Ray got it	14:55:36
17		from?	14:55:38
18	A	I don't know who sent -- who sent it to	14:55:38
19		Ray, no.	14:55:43
20	Q	Okay. Once it was in Maptitude, you could	14:55:44
21		view this -- you could view this election data	14:55:49
22		alongside the map that you were drawing; is that	14:55:52
23		right?	14:55:54
24	A	Yes. I had two screens. One had data --	14:55:54
25		a data view on it. The other side has a, what I	14:56:03

1	call, a canvass.	14:56:06
2	Q I'm going to dig in a little bit more on	14:56:08
3	that maybe later. But before we get to that, I	14:56:14
4	wanted to ask about your reporting.	14:56:18
5	Who did you report to regarding your work	14:56:20
6	on congressional redistricting?	14:56:21
7	A The Speaker of the House.	14:56:25
8	Q And how did you report to him?	14:56:26
9	MR. MCGUIRE: I'm sorry, objection to the	14:56:34
10	form.	14:56:35
11	Is the question what means of	14:56:35
12	communication did he use?	14:56:37
13	MS. BENDER: Yes.	14:56:40
14	BY MS. BENDER:	14:56:40
15	Q What means did you use?	14:56:41
16	A We physically met and discussed	14:56:42
17	congressional redistricting.	14:56:55
18	Q And where would you meet?	14:56:55
19	A We would meet in the congressional	14:56:56
20	redistrict -- well, in the redistricting office,	14:57:02
21	and we would also meet in the Riffe Center, and we	14:57:04
22	would also meet in the State House.	14:57:08
23	Q Okay. So the State House, the -- I missed	14:57:10
24	that second one. What center? What center?	14:57:12
25	A The Riffe Center.	14:57:15

1	Q Okay. And then the -- in the	14:57:16
2	redistricting office, which was the office in the	14:57:21
3	Green Building?	14:57:24
4	A Yes. And just so you know, the Riffe	14:57:24
5	Center is where the Ohio House office -- offices	14:57:27
6	are.	14:57:31
7	Q Okay. Great. Thank you. Sorry. I'm not	14:57:32
8	familiar with all the names of the buildings.	14:57:34
9	A Yeah.	14:57:37
10	Q And did you ever report to him in any	14:57:37
11	manner other than in person in one of these	14:57:44
12	buildings?	14:57:48
13	A No.	14:57:48
14	Q Okay. So no -- not by phone?	14:57:52
15	A Yeah, I don't recall us ever talking about	14:57:59
16	congressional redistricting without us physically	14:58:01
17	being in the same -- in the same room.	14:58:03
18	Q So just to -- I'll just confirm then. So	14:58:06
19	not by email?	14:58:10
20	A Yeah, I don't -- I don't recall ever	14:58:10
21	sending an email about congressional	14:58:15
22	redistricting.	14:58:17
23	Q Or text?	14:58:17
24	A Or text.	14:58:18
25	Q Okay. So when you met in person	14:58:20

1	sometimes in -- sometimes in the state legislative	14:58:31
2	building, sometimes in the Green Building, when	14:58:33
3	you met in the Green Building, in particular,	14:58:34
4	would you sometimes show Speaker Cupp the map that	14:58:36
5	you were working on?	14:58:39
6	A I would, yes.	14:58:40
7	Q Okay. And would you show it to him on	14:58:47
8	your computer?	14:58:49
9	A Yes.	14:58:49
10	Q Okay. And did you ever show it to him in	14:58:49
11	physical copy?	14:58:52
12	A Yeah.	14:58:52
13	Q Okay. And have those -- those maps that	14:58:57
14	you provided to Speaker Cupp in physical copy been	14:59:05
15	produced to your counsel in this case?	14:59:08
16	A So those are in Maptitude. So I have -- I	14:59:10
17	have them. I don't have physical printouts, no.	14:59:16
18	Q But you provided physical printouts to	14:59:20
19	Speaker Cupp?	14:59:23
20	A Yes.	14:59:25
21	Q And those are smart-retained?	14:59:27
22	A So I have -- I have those files. I	14:59:31
23	just --	14:59:35
24	Q The physical --	14:59:35
25	A They're not --	14:59:36

1	Q -- copies?	14:59:37
2	A -- they're not letter-sized paper, so	14:59:38
3	they're not particularly easy to turn over.	14:59:41
4	Q Okay. Well, we just want to make sure	14:59:43
5	that any physical copies that have been -- or that	14:59:47
6	were provided are produced, even if not in	14:59:50
7	letter-size paper. They could be scanned in or --	14:59:54
8	or something of the like and produced to us in	14:59:59
9	this case.	15:00:01
10	A Yeah.	15:00:04
11	MR. MCGUIRE: I mean, if that's -- you're	15:00:06
12	seeking a response from me, Ms. Bender, again, I	15:00:07
13	am not -- I was not involved in the collection of	15:00:11
14	documents from anyone in the production of them.	15:00:13
15	I certainly have not been advised and I am not	15:00:16
16	aware of anything responsive to the request that	15:00:18
17	was not produced.	15:00:21
18	BY MS. BENDER:	15:00:26
19	Q Okay. And did you provide reports on the	15:00:27
20	-- your map drawing to anyone besides Speaker	15:00:30
21	Cupp?	15:00:33
22	A Yes.	15:00:33
23	Q Who else?	15:00:40
24	A So could you clarify what you mean by	15:00:41
25	"reports," just so I can accurately answer the	15:00:47

1 question.

15:00:49

2 Q I understand as you're drawing maps, you
3 would be updating others on your progress or
4 providing them with details about the maps that
5 you were drawing, the general sort of definition
6 of reports or what you would think of when you
7 think of a report.

15:00:49

15:00:55

15:01:02

15:01:04

15:01:08

15:01:12

8 A Sure. Sure. Well, I didn't know if you
9 meant something other than just general
10 correspondence.

15:01:12

15:01:14

15:01:16

11 So, yeah, I would -- I would generally
12 correspond with the Speaker, and I would generally
13 correspond with our Chief of Staff.

15:01:17

15:01:19

15:01:22

14 Q Okay. And anyone else?

15:01:24

15 A No.

15:01:32

16 Q So you never reported to Representative
17 Oelslager?

15:01:32

15:01:37

18 A Not in developing of any maps, no.

15:01:37

19 Q Okay. Was there a -- did you report to
20 him about anything else?

15:01:41

15:01:47

21 A I reported to him about a congressional
22 plan that was completed.

15:01:48

15:01:53

23 Q Okay. So while he was not -- while you
24 were not in communication -- it sounds like you
25 were not in communication during the process of

15:01:55

15:01:58

15:02:02

1	the map drawing, but there -- but at the end	15:02:04
2	before he -- before it was -- before the map was	15:02:05
3	proposed, at that point, you reported to him?	15:02:08
4	A I did show him a congressional plan that	15:02:14
5	was completed, yes.	15:02:18
6	Q And was that the -- what was introduced as	15:02:18
7	House Bill 479?	15:02:24
8	A Yes.	15:02:25
9	Q Okay. And what -- or how did that	15:02:25
10	report -- or that -- or how did that take place?	15:02:37
11	What was the means of communication there?	15:02:40
12	A I physically met with Chairman Oelslager.	15:02:41
13	Q Okay. And did you show him the map at	15:02:46
14	that time?	15:02:48
15	A I did.	15:02:48
16	Q And did you show it to him on your	15:02:51
17	computer?	15:02:53
18	A I did not.	15:02:54
19	Q How did you show it to him?	15:02:57
20	A I showed him a printout of -- of the map.	15:02:58
21	Q Okay. And was there information	15:03:07
22	accompanying the printout?	15:03:09
23	A No.	15:03:10
24	Q And did you convey to him any information	15:03:17
25	beyond the -- did you provide him any additional	15:03:19

1	details on the map beyond the actual image at that	15:03:24
2	time?	15:03:29
3	MR. McGUIRE: Objection, we'll assert the	15:03:29
4	legislative privilege.	15:03:32
5	Don't answer that question, please.	15:03:34
6	MS. BENDER: Again, the same answer as	15:03:37
7	before, we don't believe these are covered by the	15:03:40
8	legislative privilege, but we will move on.	15:03:42
9	BY MS. BENDER:	15:03:44
10	Q Did you talk to anyone else about your	15:03:46
11	work on redistricting beyond the individuals we've	15:03:48
12	already discussed?	15:03:50
13	A Yes.	15:03:56
14	Q Who else?	15:03:56
15	A I talked to two other members of the	15:03:56
16	General Assembly.	15:04:03
17	Q And who is that?	15:04:03
18	A Representative Swearingen and	15:04:03
19	Representative Welker (phonetic).	15:04:08
20	Q And what did you talk to them about?	15:04:13
21	MR. McGUIRE: Objection. Raise the	15:04:15
22	legislative privilege.	15:04:17
23	Don't answer that question.	15:04:19
24	BY MS. BENDER:	15:04:21
25	Q Did you show them any maps?	15:04:21

1	A I did not show them any maps as I was	15:04:23
2	drafting proposals, no, I did not.	15:04:33
3	Q And did they come to the Green Building?	15:04:36
4	A Representative Swearingen came to the	15:04:41
5	Green Building.	15:04:50
6	Q Okay. So beyond -- beyond that and	15:04:50
7	Speaker Cupp, did anyone else come to the Green	15:04:58
8	Building?	15:05:01
9	A Well, the other people that I had already	15:05:01
10	mentioned that came to the Green Building were	15:05:06
11	obviously there, but other than -- than those	15:05:10
12	people, no.	15:05:13
13	Q Okay. I'm sorry. I'm going to -- I	15:05:13
14	apologize if we've already covered this, but it's	15:05:16
15	hard to keep all the details straight in my head.	15:05:19
16	If you wouldn't mind just reminding me who those	15:05:21
17	people were.	15:05:25
18	A Sure.	15:05:26
19	So a meeting that you previously asked a	15:05:26
20	question about --	15:05:28
21	Q Sorry about that --	15:05:29
22	A -- the meeting was myself, Ray DiRossi;	15:05:31
23	the Speaker; the President; my Chief of Staff,	15:05:37
24	Christine Morrison; the Senate Chief of Staff,	15:05:42
25	John Barron. And --	15:05:46

1	Q Okay. Okay.	15:05:47
2	A -- in addition to that, there was	15:05:48
3	subsequent -- there was a subsequent period of	15:05:50
4	time where Representative Swearingen came to the	15:05:52
5	Green Building.	15:05:56
6	Q Okay. And that was the meeting that we	15:05:57
7	talked about where you -- or where -- I believe	15:06:02
8	that was the meeting discussing election -- which	15:06:10
9	election results were considered -- might be	15:06:13
10	considered?	15:06:15
11	MR. MCGUIRE: Objection to the form.	15:06:17
12	Which meeting? The meeting with	15:06:20
13	Representative Swearingen or the meeting that he	15:06:23
14	described with --	15:06:25
15	MS. BENDER: Oh, the meeting with the	15:06:26
16	group, including DiRossi, the Speaker, the	15:06:27
17	President, and the Chief of Staff.	15:06:30
18	MR. MCGUIRE: Oh, objection, legislative	15:06:31
19	privilege.	15:06:33
20	MS. BENDER: Okay.	15:06:34
21	BY MS. BENDER:	15:06:35
22	Q Did those individuals come to the Green	15:06:35
23	Building on any other occasions?	15:06:38
24	A So could you clarify at this point what	15:06:39
25	individuals you're referencing.	15:06:45

1 Q Any of Ray DiRossi, Speaker Cupp, Senate
2 President Huffman, or the Chiefs of Staff,
3 Christine Morrison or John Barron?

4 A Yeah, I -- I can't -- I can't -- I would
5 be speculating if I -- if I answered for anyone --
6 anyone other than the Speaker and Christine. So
7 I'll say that, yes, the Speaker and Christine came
8 to the Green other than -- to the Green Building
9 other than that meeting.

10 Q Okay. But you can't remember an
11 occasion -- occasions on which Senate President
12 Huffman came to the Green Building beyond that
13 meeting?

14 A Correct. Yeah, I would be speculating on
15 it. I don't know when he may or may not have been
16 there. Because, again, I wasn't always there.

17 Q Okay. All right. Then we will -- oh,
18 actually, one more thing.

19 Did you ever work on any written analyses
20 of maps?

21 A Yes.

22 Q And what maps were those analyzing?

23 A The as-introduced version of House
24 Bill 479 and the as-introduced version of the -- I
25 don't recall the bill number, but the House

1 Democrat proposal, House Democrat caucus proposal,
2 and ultimately the final map.

3 Q And those would have been produced to your
4 counsel, correct?

5 A I -- yeah, I produced those.

6 Q Okay.

7 MS. BENDER: And, Counsel, again, I would
8 ask that any of those that have not been produced
9 are produced to us, and I will move along.

10 Sorry. Were you going to say something?

11 MR. McGUIRE: No, just I understand what
12 you're saying. I know of nothing again responsive
13 that's not objectionable that hasn't been produced
14 to you.

15 MS. BENDER: Okay. So it sounds like
16 there may be certain of those analyses that have
17 been withheld under an objection.

18 MR. McGUIRE: I don't know that. I'm just
19 saying I -- that would be the only -- one of the
20 few reasons I could think that responsive
21 documents would not have been produced.

22 MS. BENDER: Okay.

23 BY MS. BENDER:

24 Q All right. So I want to talk a little bit
25 about the map that was introduced as House

1	Bill 479 that we discussed earlier.	15:09:34
2	You were the creator of that map, correct?	15:09:40
3	A I physically drafted the map in Maptitude,	15:09:42
4	yes.	15:09:47
5	Q Okay. Did anyone else contribute to	15:09:47
6	making that map?	15:09:48
7	A Could you clarify the question?	15:09:49
8	Q Did anyone else have any input as you were	15:09:51
9	creating that map?	15:09:54
10	A Yes.	15:09:55
11	Q And who would that be?	15:09:56
12	A The Speaker.	15:09:58
13	Q And anyone else?	15:10:00
14	A No.	15:10:01
15	Q And what was the Speaker's role in	15:10:08
16	creating that map?	15:10:09
17	MR. MCGUIRE: Objection, legislative	15:10:10
18	privilege.	15:10:12
19	Don't answer.	15:10:12
20	MS. BENDER: Okay.	15:10:15
21	BY MS. BENDER:	15:10:15
22	Q Did anyone provide feedback on that map?	15:10:16
23	A Yes.	15:10:19
24	Q And who would have provided feedback on	15:10:23
25	that map?	15:10:26

1	A Well, there -- just to name some, I -- the	15:10:26
2	public provided significant feedback --	15:10:31
3	Q Aside from the public --	15:10:35
4	A -- through various -- through various	15:10:37
5	hearings.	15:10:39
6	Q Aside from the public. Sorry for	15:10:40
7	interrupting there.	15:10:42
8	A No, I don't recall any -- any specific	15:10:43
9	feedback other than just me tuning into public	15:10:57
10	hearings and seeing what the public had to say	15:11:01
11	about it and reading publicly available	15:11:05
12	newspapers.	15:11:09
13	Q Did you ever provide any public testimony	15:11:09
14	on the map?	15:11:12
15	A I did not give public testimony, no.	15:11:12
16	Q And why not?	15:11:18
17	A I was -- I was not instructed by the	15:11:18
18	Speaker to give public testimony. It's not common	15:11:26
19	for a legislative staff person to give testimony	15:11:29
20	on something.	15:11:33
21	Q Okay. But in the General Assembly	15:11:34
22	process, there was public testimony on the map --	15:11:38
23	or on maps introduced, correct?	15:11:41
24	A Yes.	15:11:43
25	Q Okay. Were you involved in drawing the	15:11:46

1	map that was originally introduced by Senator	15:11:50
2	McColley in the Senate?	15:11:53
3	A No.	15:11:55
4	Q Had you seen that map ahead of it being	15:11:56
5	introduced?	15:12:01
6	A I don't -- I don't think I saw the final	15:12:02
7	map before it was introduced.	15:12:07
8	Q Okay. Did you ever discuss that map with	15:12:10
9	anyone?	15:12:11
10	A Ray DiRossi.	15:12:12
11	Q Anyone else?	15:12:19
12	A The Speaker.	15:12:19
13	Q Okay. And when would you have discussed	15:12:27
14	that map with Ray DiRossi?	15:12:30
15	A After it was introduced.	15:12:39
16	Q Do you have any more detailed time than	15:12:40
17	that, you know, the day it was introduced, the day	15:12:42
18	after?	15:12:46
19	A Yeah, so I -- there's a legislative record	15:12:47
20	on when it was introduced. I would say that	15:12:51
21	shortly -- like, the day after it was introduced,	15:12:54
22	we had discussion about it.	15:12:57
23	Q Okay. And what did you discuss?	15:12:59
24	MR. McGUIRE: Objection, legislative	15:13:02
25	privilege.	15:13:03

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1	MS. BENDER: Okay. And the same responses	15:13:04
2	as before.	15:13:05
3	BY MS. BENDER:	15:13:06
4	Q With Speaker Cupp, when did you discuss	15:13:09
5	that map with him?	15:13:10
6	A I would be speculating at this point on --	15:13:11
7	on the --	15:13:18
8	Q But it was after that -- after it was	15:13:18
9	introduced?	15:13:21
10	A Yes, I did not see the final version of	15:13:22
11	that.	15:13:25
12	Q Okay.	15:13:28
13	A I didn't see that final product. I wasn't	15:13:29
14	sure what Senator McColley was going to introduce.	15:13:32
15	Q Okay. And were you involved in drawing	15:13:35
16	the substitute map that Senator McColley	15:13:36
17	introduced that was ultimately enacted?	15:13:39
18	A I did not physically draw that map.	15:13:41
19	Q Were you involved in the drawing at all?	15:13:47
20	A No.	15:13:51
21	Q Had you seen that map before it was	15:13:53
22	introduced --	15:13:56
23	A Yes.	15:13:57
24	Q -- in its final form?	15:13:59
25	Yes. Okay.	15:14:01

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1	And when did you see that map?	15:14:01
2	A I first saw that map on November 9th.	15:14:09
3	Q Okay. And did you discuss that map with	15:14:12
4	anyone?	15:14:14
5	A Yes.	15:14:14
6	Q And with who? Who did you discuss it	15:14:19
7	with?	15:14:22
8	A The Speaker, the Senate President, Ray	15:14:22
9	DiRossi, John Barron, and Christine Morrison.	15:14:27
10	Q And were those separate conversations?	15:14:31
11	A There was -- there was one discuss- -- one	15:14:36
12	main discussion on November 9th about that map	15:14:42
13	before it was introduced.	15:14:47
14	Q And who was there at that discussion?	15:14:48
15	A The names that I just -- that I just	15:14:50
16	mentioned.	15:14:54
17	Q Okay. All of those folks.	15:14:54
18	And what was discussed at that meeting?	15:14:55
19	MR. MCGUIRE: Objection, legislative	15:14:59
20	privilege.	15:15:01
21	MS. BENDER: Okay. The same response as	15:15:03
22	before. Again, we don't believe that these are	15:15:05
23	covered by the legislative privilege, and we will	15:15:07
24	move on.	15:15:10
25		

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1	BY MS. BENDER:	15:15:10
2	Q Did you have individual conversations with	15:15:15
3	any of those individuals about that map?	15:15:16
4	A Could you -- could you restate the	15:15:22
5	question.	15:15:24
6	Q Did you have individual conversations with	15:15:25
7	any of those individuals about the map?	15:15:26
8	A Yes.	15:15:31
9	Q And when would those -- or who would those	15:15:31
10	be with?	15:15:34
11	A We had discussions, obviously individual	15:15:35
12	discussions, with the Speaker and my Chief of	15:15:42
13	Staff. And then there were -- also there were	15:15:46
14	some subsequent meetings and discussions about	15:15:48
15	that map.	15:15:52
16	Q And when would you have talked with the	15:15:53
17	Speaker?	15:15:56
18	A Throughout the process, you know, after	15:15:57
19	November -- November 9th.	15:16:04
20	Q So multiple times thereafter?	15:16:06
21	A Yes.	15:16:08
22	Q Okay. And were you involved in drawing	15:16:10
23	any other maps that I haven't mentioned?	15:16:13
24	A Could you clarify your question?	15:16:19
25	Q Did you work on any maps beyond House --	15:16:21

1	House Bill 7- -- or 479 and the two maps which	15:16:26
2	you've -- were introduced in the Senate that you	15:16:29
3	said you did not work on?	15:16:32
4	A Yes.	15:16:33
5	Q And did you produce Maptitude files for	15:16:33
6	those maps to your counsel?	15:16:39
7	A I did not provide any Maptitude --	15:16:41
8	Maptitude files.	15:16:50
9	Q You did not provide any Maptitude files to	15:16:51
10	your counsel?	15:16:54
11	A No.	15:16:55
12	Q I believe that we have Maptitude files	15:17:00
13	from you, but those -- you say now that those were	15:17:04
14	not provided by you?	15:17:10
15	A I'm sorry. You have block assignment	15:17:12
16	files, but I don't -- I don't know what else you	15:17:15
17	mean other than block assignment files.	15:17:19
18	Q Okay. We'll get to that in a little	15:17:23
19	while.	15:17:26
20	Let's talk about how Maptitude works.	15:17:26
21	When you were drawing -- or you created multiple	15:17:34
22	maps with Maptitude; is that right? You just said	15:17:38
23	there were -- there was more than one?	15:17:42
24	A Yes.	15:17:44
25	Q Okay. And those maps, I think you agreed	15:17:44

1	earlier, were shared with people that you reported	15:17:49
2	to?	15:17:51
3	A No. Not all of them, no.	15:17:53
4	Q Not all of them. But House Bill 479, for	15:17:55
5	instance, was shared with people that you reported	15:18:00
6	to?	15:18:02
7	A Yes.	15:18:03
8	Q Okay. And potentially other maps?	15:18:03
9	A Yes.	15:18:06
10	Q Okay. And when you shared those maps, you	15:18:07
11	would share some information about them as well?	15:18:13
12	A Could you clarify what you mean?	15:18:15
13	Q Would you share information, for instance,	15:18:21
14	on the map's partisan performance?	15:18:23
15	MR. MCGUIRE: Objection, legislative	15:18:26
16	privilege.	15:18:28
17	MS. BENDER: Again, I do not believe that	15:18:29
18	is covered by legislative privilege, but we will	15:18:31
19	move on.	15:18:35
20	BY MS. BENDER:	15:18:49
21	Q When you shared the maps -- I believe	15:18:50
22	we've talked about some instances already in which	15:18:51
23	you've shared the maps. Did you ever share any	15:18:53
24	maps by -- in digital copy?	15:18:55
25	A No.	15:19:00

1	Q Okay. And I think we talked about maps	15:19:01
2	that had been printed out before. So you have	15:19:06
3	shared maps in printout, but --	15:19:11
4	A I have --	15:19:15
5	Q -- with the Speaker I think we talked	15:19:16
6	about before?	15:19:17
7	A Yeah, there was a map that I shared via	15:19:17
8	printout, but, you know, the others that were	15:19:21
9	shared, I showed directly on Maptitude.	15:19:23
10	Q Okay. And when you showed -- or shared	15:19:27
11	those directly on Maptitude, can you tell me -- it	15:19:33
12	sounds like those were shared -- that was shared	15:19:40
13	with the Speaker?	15:19:42
14	A Yes.	15:19:43
15	Q With -- never with Representative	15:19:45
16	Oelslager?	15:19:52
17	A Correct.	15:19:52
18	Q Ever with Senator Huffman?	15:19:54
19	A I don't -- I don't recall ever showing	15:19:59
20	anything to President Huffman directly on my	15:20:05
21	computer.	15:20:08
22	Q Okay. What about Senator McColley?	15:20:08
23	A No.	15:20:10
24	Q And with Christine Morrison?	15:20:11
25	A Yes, I showed her things directly on my	15:20:15

1	computer.	15:20:22
2	Q And anyone else?	15:20:22
3	A Ray DiRossi.	15:20:24
4	Q Okay. Anyone beyond that?	15:20:26
5	A No.	15:20:28
6	Q Okay. So digging in on how Maptitude	15:20:33
7	works. When you use Maptitude, you see a map of	15:20:36
8	the state of Ohio with individual districts	15:20:42
9	represented on the map of state of -- on the map,	15:20:45
10	correct?	15:20:49
11	A So on my computer, I had -- I had a	15:20:49
12	canvass on one of my monitors, yes.	15:20:55
13	Q And when you say "a canvass," that is	15:20:58
14	a effect- -- or is essentially the map, correct?	15:21:02
15	A It's Ohio geography.	15:21:06
16	Q Okay. So it conveys the state of Ohio and	15:21:08
17	then potentially -- I'm sorry. It conveys the	15:21:11
18	state of Ohio?	15:21:15
19	A It conveys the state of Ohio's geography,	15:21:15
20	yes.	15:21:18
21	Q Okay. And other subdivision lines, for	15:21:18
22	instance, on the state of Ohio?	15:21:21
23	A Yes.	15:21:23
24	Q Okay. And then also the district lines as	15:21:23
25	you're drawing them on the state?	15:21:27

1	A Yes.	15:21:29
2	Q Okay. And you can move the district lines	15:21:33
3	on the map?	15:21:35
4	A Yes.	15:21:36
5	Q Maptitude also has data view windows, as	15:21:36
6	you said earlier, correct?	15:21:42
7	A Yes.	15:21:43
8	Q So when you -- or in the data view, you	15:21:44
9	would see, for instance, the partisan voting	15:21:50
10	leanings of the district; is that right?	15:21:55
11	A Yes.	15:21:56
12	Q Okay. So when you moved the district	15:21:57
13	lines, the data in the data view window about the	15:22:00
14	partisan leanings of the district would shift?	15:22:06
15	A Yes.	15:22:08
16	Q And so when you shared your maps with the	15:22:09
17	people that you reported to, was the data view	15:22:16
18	window -- or did you share information in the data	15:22:18
19	view window?	15:22:21
20	A So when I would -- when I would show	15:22:21
21	things on Maptitude, I would have my data view on	15:22:27
22	one monitor and my canvass on the other. And the	15:22:30
23	focus was, I would say, primarily on -- the vast	15:22:34
24	majority of the time on the canvass. What --	15:22:39
25	Q Okay.	15:22:42

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1	A -- the district lines looked like, what	15:22:42
2	counties were included, what subdivisions were	15:22:44
3	included, what subdivisions are split. That was	15:22:46
4	where the focus was.	15:22:50
5	Q But the data view was also up on the other	15:22:51
6	monitor?	15:22:55
7	A It was up, but I would just say, just so	15:22:57
8	you understand what the system -- what the setup	15:23:00
9	looks like, you know, my monitor to the right has	15:23:02
10	the canvass, and I'm shifted to the left so	15:23:05
11	someone can see what that monitor looks like. The	15:23:09
12	data view is not in plain site when we're going	15:23:11
13	over those things.	15:23:15
14	Q Okay. But the data view was up when you	15:23:16
15	showed others your map, including Speaker Cupp?	15:23:18
16	A Yes.	15:23:22
17	Q Okay. And Christine Morrison?	15:23:23
18	A Yes.	15:23:26
19	Q And Ray DiRossi?	15:23:29
20	A Yes.	15:23:36
21	MS. BENDER: I would like to pull up now	15:23:41
22	the document titled Springhetti001042 GEO9.	15:23:42
23	(WHEREUPON, Springhetti Exhibit No. 1 was	15:23:42
24	presented to the witness.)	15:24:33
25	MS. BENDER: Ethan, would you mind if I	15:24:33

1	took control of the screen.	15:24:35
2	Thank you.	15:24:36
3	BY MS. BENDER:	15:24:38
4	Q All right. So does this generally look	15:24:39
5	familiar?	15:24:41
6	A No, I don't think I've seen this before.	15:24:50
7	Q Okay. But this is -- this is maybe not	15:24:52
8	the exact way that you would have seen Maptitude,	15:24:53
9	but this, you can agree, is map -- or is an image	15:24:56
10	of a Maptitude screen?	15:25:00
11	A Could you zoom in on -- I'm a little --	15:25:02
12	this doesn't look like how I have my system set	15:25:10
13	up.	15:25:13
14	Q Okay. What is different about this -- or	15:25:13
15	what was different about how you had your system	15:25:17
16	set up? Sorry about the highlighting.	15:25:19
17	A Yeah, this is something I haven't seen	15:25:22
18	before.	15:25:24
19	Q And what was different about how you had	15:25:24
20	your system set up?	15:25:30
21	A There's -- well, first off, I don't even	15:25:31
22	really -- it's hard for me to even tell what any	15:25:37
23	of this is. I can't even make an accurate	15:25:40
24	comparison.	15:25:42
25	Q Okay. So when you viewed Maptitude, you	15:25:43

1	would see a map. This may not be -- you know,	15:25:44
2	have the same district lines or this may not have	15:25:49
3	the same geographical boundaries as you might see,	15:25:52
4	but there would be a map sort of centered somewhat	15:25:56
5	like this?	15:25:59
6	A No, not at all. My system was not set up	15:26:01
7	at all like this.	15:26:04
8	Q So you didn't see a -- so you didn't see a	15:26:06
9	map?	15:26:09
10	A I did see a map, but I will say that my	15:26:10
11	system was not set up at all like this.	15:26:12
12	Q Okay. Did you see -- over here we have a	15:26:14
13	display manager. Did you see this on your screen?	15:26:25
14	A Again, my system is set up very different	15:26:27
15	than that. It's -- I don't know what all of those	15:26:31
16	labels mean. I don't know --	15:26:35
17	Q Would you have a display manager on which	15:26:39
18	you could select various layers of geographical	15:26:41
19	subdivisions? So, for instance, county? For	15:26:50
20	instance, city?	15:26:55
21	A Yes, I had -- I had a display manager,	15:26:56
22	yes.	15:26:58
23	Q And then you would have a data view. It	15:26:58
24	sound like, you've said earlier, this data view	15:27:04
25	would not be in the same window as the map, but it	15:27:06

1	would be -- you would also have a data view?	15:27:09
2	A I would have a data view that's not only	15:27:11
3	not on the same window but not actually on the	15:27:15
4	same monitor as well.	15:27:18
5	Q Okay. Not on the same -- on a different	15:27:19
6	monitor. I'm sorry. I'd like to actually go back	15:27:21
7	because I failed to mention something crucial,	15:27:25
8	obviously.	15:27:28
9	This -- I'll represent to you that this is	15:27:28
10	a screenshot of Maptitude that's generated using	15:27:30
11	the files that you produced in this litigation.	15:27:34
12	So the data in the data view that you saw, which	15:27:41
13	would be on a separate screen -- or would the data	15:27:45
14	view look like this when it was on a separate	15:27:51
15	screen?	15:27:54
16	A No, my data view doesn't look anything	15:27:54
17	like that.	15:27:59
18	Q How is it different? Generally.	15:27:59
19	A Everything about it's different. The	15:28:02
20	numbers are structured differently, the data view	15:28:06
21	itself is built out completely different. It's	15:28:09
22	totally different. Other than the colors of the	15:28:16
23	spreadsheet, that's the only thing that's -- that	15:28:19
24	I can clearly recognize that's the same.	15:28:22
25	Q Can you describe to me what was included	15:28:24

1	within your data view.	15:28:27
2	A Yeah, I had district -- the district	15:28:28
3	number. I had population. I had the deviation	15:28:34
4	from the targeted population for a congressional	15:28:40
5	district, and then I had election results.	15:28:47
6	Q Okay. So -- and it would just show one	15:28:52
7	district at a time?	15:28:56
8	A So -- not always. It would show	15:28:57
9	whatever -- whatever districts are assigned.	15:29:05
10	So sometimes that's one if you only have	15:29:07
11	one. Sometimes it's 15 if you have all 15.	15:29:10
12	Q Okay. And you would control -- you know,	15:29:13
13	based upon what districts you were working on at	15:29:15
14	that moment, you would control what districts	15:29:18
15	appeared in the data view?	15:29:19
16	A Yeah, anything that's assigned a district	15:29:20
17	number will show up on Maptitude.	15:29:28
18	Q And so when you had assigned just one	15:29:30
19	district number, it would just be one district;	15:29:35
20	and when you would assign 15, it would be 15?	15:29:38
21	A Yes.	15:29:42
22	Q Okay. So would it appear a little bit	15:29:46
23	more like this over on this -- on the right side	15:29:51
24	here?	15:29:58
25	A No, my data doesn't look like that either.	15:29:58

1	Q Okay. So just to confirm, when you would	15:30:01
2	move a district line, the data -- actually, I	15:30:22
3	think we already confirmed this, so -- but the	15:30:25
4	data in the data view would change?	15:30:27
5	A Yes, as you -- as you assign district -- a	15:30:29
6	district new geography, the population changes,	15:30:35
7	the deviation changes from, you know -- from the	15:30:40
8	target population, you know, yeah.	15:30:42
9	Q And the partisan data would also change?	15:30:46
10	A Yes.	15:30:50
11	Q Okay. So representing to you that this is	15:30:50
12	all data that is actually pulled from your files	15:30:56
13	in this case, I'd like to talk through what is	15:31:00
14	here. And you can tell me if that data appeared	15:31:04
15	in your data view or if it did not appear in your	15:31:09
16	data view that you used. But I wanted to get an	15:31:14
17	understanding of the data that you had access to	15:31:17
18	as a result of being present in your files.	15:31:19
19	So apologies in advance, but this is going	15:31:27
20	to be relatively painstaking here. And, actually,	15:31:29
21	if it's all right by you, as you can see, there	15:31:32
22	are lots of columns here and lots of data. We've	15:31:37
23	exported this into an Excel file. That might make	15:31:41
24	it easier to review. So we're going to pull up	15:31:44
25	the same data in an Excel file.	15:31:47

1	MS. BENDER: So if you wouldn't mind,	15:31:51
2	Ethan, pulling up the Excel file titled GEO9	15:31:54
3	Excel.	15:32:20
4	(WHEREUPON, Springhetti Exhibit No. 2 was	15:32:20
5	presented to the witness.)	15:32:20
6	MS. BENDER: Great. Thank you very much.	15:32:20
7	BY MS. BENDER:	15:32:20
8	Q So looking at this Excel, starting in	15:32:32
9	Column A, do you know what "ID" means?	15:32:35
10	A So I know what "ID" means in my Maptitude	15:32:37
11	system.	15:32:41
12	Q Okay. In your Maptitude system, what does	15:32:45
13	"ID" mean?	15:32:47
14	A District. District ID. District number.	15:32:49
15	Q Okay. And it looks like that might not be	15:32:51
16	the case for this -- for this Excel, but generally	15:32:55
17	you have -- the district number labeled "ID"?	15:32:58
18	A In my Maptitude system, yes. I don't	15:33:02
19	recognize this at all.	15:33:04
20	Q Okay. Do you have a -- do you know what	15:33:05
21	"DATA" means?	15:33:08
22	A No.	15:33:10
23	Q Okay. That's Column B.	15:33:10
24	In Column C, we have what is labeled here	15:33:16
25	as the district number, correct?	15:33:19

1 A I don't know what -- I don't know what
2 this is. I don't know what any of this represents
3 but -- yeah, I haven't seen this.

4 Q So recognizing this is pulled from your
5 data, do you have any reason to think that the
6 column labeled "District" would not be the
7 district number from the map that we're looking
8 at?

9 A So I don't know if this was pulled from my
10 data or not, but this does not look like anything
11 like my data view.

12 Q Okay. Well, you know, we can show
13 separately that this was pulled from your data.

14 But do you have any -- accepting that it
15 was pulled from your data, do you have any reason
16 to think that the column labeled "District" would
17 not be the district number?

18 A So can you -- can you scroll down a little
19 further?

20 Well, it appears that there's 15 numbers
21 in Column C. I -- that's my observation.

22 Q And 15 numbers corresponding to the 15
23 districts?

24 A Yeah, there's 15 numbers in Column C, and
25 we have 15 congressional districts in the approved

1	plan.	15:34:42
2	Q Okay. And do you know what "Members"	15:34:43
3	would mean?	15:34:46
4	A I would be speculating. I don't know	15:34:47
5	what -- what that means.	15:34:51
6	Q Okay. And "Locked"?	15:34:53
7	A Again, I'll just -- yeah, I don't	15:34:56
8	recognize that.	15:34:59
9	Q And "Locked"?	15:34:59
10	A I don't recognize Column E.	15:35:01
11	Q Okay. And Column E is "Locked" -- or says	15:35:07
12	"Locked," correct?	15:35:08
13	A It does say "Locked," but I --	15:35:11
14	Q Okay.	15:35:11
15	A -- don't know what that means.	15:35:13
16	Q Okay. Column F, "Name"?	15:35:13
17	A Yeah, again, it says "Name" in Column F,	15:35:19
18	but I don't know what that means.	15:35:22
19	Q Okay. Column G, T-O-T-P-O-P, or TOTPOP --	15:35:24
20	I'm sorry about that.	15:35:32
21	A Yeah, I recognize TOTPOP.	15:35:41
22	Q Okay. What is that --	15:35:41
23	A I don't know what all of the -- again,	15:35:43
24	this is first time I'm seeing this set up this	15:35:46
25	way. But I do have a TOT- -- a TOTPOP column on	15:35:49

1	my data view.	15:35:54
2	Q And what does that mean when you have it	15:35:54
3	in your data view?	15:35:57
4	A In my data view, the TOTPOP is the total	15:35:58
5	population of an assigned area in Maptitude.	15:36:01
6	Q So it would be the total population, for	15:36:05
7	instance, of the district that you were working	15:36:10
8	in?	15:36:11
9	A Yes.	15:36:11
10	Q Okay. Column H, G20R, do you know what	15:36:12
11	this is?	15:36:19
12	A So, again, this is very different from my	15:36:20
13	data view. But in my data view, I do have a G20R.	15:36:25
14	Q And what is that?	15:36:31
15	A That is the presidential election results	15:36:31
16	in 2020.	15:36:39
17	Q Okay. And Column I, G20V?	15:36:42
18	A I don't recognize that.	15:36:48
19	Q Okay. So you're not sure what that --	15:36:55
20	what that is?	15:36:56
21	A I don't have that in my data. I don't	15:36:57
22	know what that is.	15:36:59
23	Q And you don't know what that means?	15:36:59
24	A I don't know what G20V means, no.	15:37:01
25	Q Okay. G20V_TAPR, that is Column J?	15:37:05

1	A	I don't recognize Column J.	15:37:10
2	Q	Okay. So you don't know what it means?	15:37:13
3	A	Correct.	15:37:17
4	Q	G20P_DV?	15:37:17
5	A	I don't recognize that, either.	15:37:27
6	Q	Okay. And when you say you don't	15:37:29
7		recognize it, you mean that you don't know what it	15:37:31
8		means?	15:37:33
9	A	Yeah, I don't know what that means.	15:37:33
10	Q	Okay. G20P_RV, which is Column L?	15:37:34
11	A	Yeah, I don't -- I don't recognize that.	15:37:43
12		And just to correct the record, I thought	15:37:45
13		that the -- that Column H was G20P, but that's	15:37:48
14		actually an R. I know what G20P is, which we'll	15:37:52
15		get to here in a minute, it looks like. But I --	15:37:58
16		G20R -- I don't have G20R in my data view --	15:38:02
17	Q	Okay.	15:38:05
18	A	-- just to correct that.	15:38:05
19	Q	Okay. So -- I'm sorry. So we said	15:38:08
20		G20P_RV. You don't know what that means?	15:38:13
21	A	Yeah, G20P_RV, I don't recognize that.	15:38:15
22	Q	G20P_TV?	15:38:19
23	A	Yeah, I don't recognize that.	15:38:21
24	Q	And G20P_RP?	15:38:23
25	A	Yeah, I have a -- I have a G20_RP in my	15:38:28

1	data view. I don't recognize these numbers --	15:38:34
2	Q Okay.	15:38:37
3	A -- but --	15:38:37
4	Q And what is G20P -- or you said it was	15:38:39
5	G20_RP in your data view. What does that column	15:38:44
6	mean?	15:38:49
7	A So in my data view, G20P is what -- is	15:38:51
8	what I explained for G20R, but I actually thought	15:38:58
9	that was a P.	15:39:01
10	So --	15:39:03
11	Q Okay.	15:39:03
12	A -- G20P in my data view is the -- is	15:39:03
13	election results from the 2020 Presidential	15:39:08
14	election.	15:39:13
15	Q And what sort of election results; all	15:39:14
16	election results or Republican Party election	15:39:18
17	results?	15:39:23
18	A It's a percentage.	15:39:27
19	Q A percentage of what?	15:39:27
20	A It's Republican percentage.	15:39:29
21	Q Okay. So it sounds like you would have a	15:39:34
22	column that was general 2020 election Republican	15:39:36
23	voter percentage?	15:39:42
24	A That's what I have in my data view, yes.	15:39:42
25	Q Okay. Okay. So we then repeat the same	15:39:47

1 columns we just talked to -- or talked through --
2 actually, one more question. Would you have any
3 other columns corresponding to the general 2020
4 election?

5 A Yes, I -- yes.

6 Q What other columns would those be?

7 A I would -- I would have a -- the same
8 percentage for that particular election but for
9 Democrat percentage.

10 Q Okay. And so for the general 2020, it
11 would be the Republican percentage, the Democratic
12 percentage. Any others?

13 A No.

14 Q Okay. And so now we go to ones beginning
15 G12P_DV. Do you know what G12P means?

16 A No, I don't have that in my data view.

17 Q Do you -- do you have anything -- anything
18 similar to this? Setting aside the data that --

19 A I don't have anything similar to Column O,
20 no.

21 Q Okay. Do you have anything -- any data in
22 your Maptitude reflecting the general 2012
23 election?

24 A I do not have anything in my data view on
25 the general 2012 election.

1 Q Okay. And I just -- actually I want to
2 clarify when you said the general 2020 election
3 Republican and Democratic percentages, did you
4 mean Presidential election?

15:41:12

15:41:20

15:41:23

15:41:25

5 A Yes.

15:41:28

6 Q Okay. And would you have any other
7 elections from -- from 2020 represented there?

15:41:29

15:41:32

8 A No. I don't think there were any other --
9 I'd have to look. I don't think there were any
10 others.

15:41:37

15:41:44

15:41:46

11 Q Okay. And you would have no elections
12 from 2012 represented?

15:41:48

15:41:50

13 A Not -- no, I don't have any -- any
14 election data from 2012 in my data view.

15:41:54

15:41:56

15 Q What about 2014? In Column W, we get to
16 something that appears to indicate 2014 elections.

15:42:00

15:42:04

17 A Yeah, I didn't have anything, you know, in
18 my data view on '14 elections.

15:42:07

15:42:14

19 Q Okay. And then we have '14 for a little
20 while.

15:42:19

15:42:28

21 And Column AR we get to 2016. Did you
22 have anything representing 2016 in your data view?

15:42:29

15:42:33

23 A Could you clarify the question?

15:42:38

24 Q Did you have any data representing 2016
25 elections in your data view?

15:42:39

15:42:43

1	A I did not have anything in my data view	15:42:44
2	just showing 2016 percentages, no.	15:42:51
3	Q Okay. So not any -- you know, the	15:42:56
4	Presidential election in 2016?	15:43:01
5	A I didn't have anything in my data view	15:43:03
6	that was just 2016 elections.	15:43:06
7	Q Okay. So no -- no data view -- or no 2016	15:43:10
8	in your data view as you could see it.	15:43:13
9	Did you -- then in Column AY, we get to	15:43:18
10	2018 elections. Did you have anything in your	15:43:22
11	data view representing 2018 elections?	15:43:24
12	A I did not have anything in my data view	15:43:30
13	that was showing just 2018 election results.	15:43:33
14	Q Okay.	15:43:35
15	A And so none of this -- I'll say again,	15:43:37
16	none of this looks familiar to me.	15:43:39
17	Q Okay. So you would have had your data	15:43:41
18	view set to not reveal any of this information, it	15:43:45
19	sounds like. Can you confirm that?	15:43:49
20	A This does not look like my data view.	15:43:54
21	Q So if you had wanted to adjust your data	15:43:58
22	view to reveal other elections beyond the ones	15:44:09
23	that we've discussed thus far, could you?	15:44:11
24	A It is possible to do in Maptitude, but I	15:44:16
25	have not done it, so I do not know how to do it.	15:44:19

1 Q Okay. All right. We're going to do a few
2 more minutes, and then I think take a quick break.

3 In Column BW, we get to something starting
4 with the heading "EA51." Do you recognize the
5 acronym "EA"?

6 A Yes.

7 Q And what does "EA" generally stand for?
8 Or what do you know it to stand for?

9 A I don't know what "EA" stands for. I just
10 know it as EA51.

11 Q And what do you -- what is EA51?

12 A So EA51 generally is a ten-year lookback
13 of election results for statewide state and
14 federal elections.

15 But this in this column is not that. This
16 is -- I actually don't know what EA51_DV is
17 because I don't have that on my --

18 Q Okay. So the -- generally you understand
19 EA51 to be a ten-year lookback of election results
20 for statewide state and federal elections.

21 Would you have -- I'm sorry. Would you
22 have anything in your data view showing
23 EA51-related data?

24 A Yes.

25 Q And what would that be?

1	A Well, I have ten-year election results for	15:46:10
2	statewide state and federal elections in my data	15:46:17
3	view.	15:46:19
4	Q Is that in terms of the percentage of	15:46:23
5	Republican voters under that set of data.	15:46:25
6	A I would have Republican voters and	15:46:30
7	Democrat voters.	15:46:35
8	Q Okay. So there might be two EA -- two	15:46:35
9	EA-associated columns: one for Republican voters,	15:46:39
10	one for Democratic voters?	15:46:42
11	A Yes.	15:46:44
12	Q Okay. Then moving over, we see on	15:46:44
13	Column CA, it's titled "EA52."	15:46:52
14	Do you know what EA52 is?	15:46:56
15	A Yes.	15:46:58
16	Q And what is EA52?	15:47:02
17	A So in my data view, EA52 is a combination	15:47:10
18	of election results for 2018 and 2020 statewide	15:47:16
19	elections.	15:47:24
20	Q And -- so that would be state and federal?	15:47:25
21	A Yes.	15:47:34
22	Q Okay. And then I see one more EA, EA53 --	15:47:34
23	oh, actually, I'm sorry. To close the loop on	15:47:47
24	that, EA52, did you have columns in your data view	15:47:51
25	corresponding to EA52?	15:47:54

1	A Again, my data view looks very different	15:47:56
2	than this, but, yes, I did have columns associated	15:47:58
3	with EA52 in my data view.	15:48:04
4	Q And would those be the Republican votes	15:48:07
5	and Democratic voters like we talked about earlier	15:48:11
6	for EA51?	15:48:13
7	A In my data view, I have for EA52	15:48:15
8	Republican percentage and Democrat percentage.	15:48:19
9	Q Okay. And it -- sorry. For EA51, those	15:48:22
10	would also be percents?	15:48:25
11	A Yes.	15:48:27
12	Q Okay. All right. Then over in Column CH,	15:48:28
13	we have EA53. Do you know what EA53 would be?	15:48:34
14	A Yes.	15:48:37
15	Q And what is that?	15:48:41
16	A In my data, EA53 is the election	15:48:42
17	results -- statewide election results for state	15:48:50
18	and federal races in '16, '18, and '20.	15:48:52
19	Q Okay. And you would have those in terms	15:48:56
20	of Democratic votes and Republican votes as well?	15:49:02
21	A In my data view, I have EA53 Republican	15:49:05
22	percentage and Democrat percentage.	15:49:11
23	Q Good. And -- so these -- these are three	15:49:15
24	different sets of election data. Who came up with	15:49:21
25	these sets of election data?	15:49:25

1	A	So for the General Assembly process, Ray	15:49:33
2		and I discussed election results that would be	15:49:39
3		useful or good to look at for the General Assembly	15:49:46
4		process.	15:49:51
5	Q	Okay. And so you and Ray decided -- do	15:49:52
6		you mind if I call these index -- indices or	15:49:56
7		indexes of election results?	15:50:00
8	A	Sure.	15:50:05
9	Q	Is there a different way that you would	15:50:05
10		refer to them?	15:50:07
11	A	I would just call them election results.	15:50:07
12	Q	Okay. So just to -- just to clarify and	15:50:11
13		make sure that I'm being clear on the record when	15:50:15
14		we're talking about just election results versus	15:50:17
15		sets or composites of elections results, then I'm	15:50:22
16		just going to call them indices.	15:50:25
17		But you and Ray would have decided -- or	15:50:28
18		would have discussed which indices you might	15:50:33
19		consider?	15:50:35
20	A	In the General Assembly process, we	15:50:35
21		discussed election results that would be helpful	15:50:42
22		for us to have in Maptitude --	15:50:46
23	Q	Okay.	15:50:51
24	A	-- for the General Assembly process, and	15:50:51
25		then --	15:50:52

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1	Q And those were also --	15:50:53
2	A -- my data view -- my data view did not	15:50:54
3	change from that.	15:50:58
4	Q Okay. All right. Just to move along	15:50:59
5	then.	15:51:14
6	We have, in Column CI, we have a percent	15:51:14
7	G20P_RV. Do you know what that means?	15:51:24
8	A I do not recognize that column.	15:51:27
9	Q Okay. So you're not -- you don't know	15:51:32
10	what it means?	15:51:34
11	A Yeah, I don't have that in my database.	15:51:35
12	Q So, so far I think we've discussed four	15:51:39
13	composites. You had a -- an EA51 percentage of	15:51:43
14	Democratic votes, percentage of Republican votes.	15:51:50
15	EA52, same thing. EA53.	15:51:52
16	Were there any other composites in your	15:51:55
17	results -- or, I mean, in your data view?	15:51:58
18	A Well, the fourth one is just 2020.	15:52:01
19	Q Okay. Just 2020. And no others?	15:52:08
20	A Correct.	15:52:11
21	Q Okay. If you'll give me just one minute.	15:52:16
22	Okay. And did you -- so you didn't have a	15:52:48
23	composite that was just statewide federal election	15:52:54
24	results between 2012 and 2020?	15:53:00
25	A That's correct; I did not have that in my	15:53:06

1	data view.	15:53:09
2	Q Okay.	15:53:09
3	MS. BENDER: I think that we can take down	15:53:18
4	this exhibit. Thank you, Ethan.	15:53:22
5	And if it's all right by you, I would like	15:53:28
6	to take a break. I imagine that you could use one	15:53:31
7	as well.	15:53:36
8	MR. MCGUIRE: Yes, that's -- we have no	15:53:36
9	problem with that. Again, I think we'd like to	15:53:38
10	get -- since we're going to go into the -- pretty	15:53:40
11	long into the evening, keep it relatively short if	15:53:43
12	we can.	15:53:44
13	MS. BENDER: Can we go off record.	15:53:48
14	THE VIDEOGRAPHER: The time is 3:53. We	15:53:50
15	are off the record.	15:53:53
16	(WHEREUPON, a recess was had.)	15:54:46
17	THE VIDEOGRAPHER: The time is 4:02. We	16:02:17
18	are on the record.	16:02:23
19	MS. BENDER: Ethan, would you mind pulling	16:02:28
20	up, please, Springhetti -- the document titled	16:02:30
21	"Springhetti000217."	16:02:34
22	(WHEREUPON, Springhetti Exhibit No. 3 was	16:02:47
23	presented to the witness.)	16:02:59
24	MS. BENDER: And can you move to -- or I'd	16:02:59
25	like to mark this as an exhibit, of course. And	16:03:03

1	I'm not sure that I formally said that for the	16:03:09
2	last two documents that we've looked at, but also	16:03:12
3	those should be marked as exhibits. So this	16:03:14
4	should be Exhibit 3.	16:03:17
5	So if you could move to Page 6.	16:03:23
6	BY MS. BENDER:	16:03:30
7	Q Okay. Great.	16:03:30
8	Mr. Springhetti, are you familiar with	16:03:31
9	this document?	16:03:31
10	A Yes.	16:03:40
11	Q And this appears to be a memo that's	16:03:40
12	analyzing substitute Senate Bill 7- -- or 258; is	16:03:43
13	that right?	16:03:47
14	A Could you scroll down just so I can see	16:03:47
15	the full document?	16:03:50
16	Q Yeah, I think that's --	16:03:51
17	A I can only see like the top.	16:03:53
18	Q I think actually -- why don't we -- to get	16:04:02
19	you acquainted with this, why don't we go to	16:04:07
20	the -- no, actually, that's fine. If you want to	16:04:10
21	go to the first page and just scroll through the	16:04:12
22	whole document.	16:04:15
23	(Brief pause in proceedings.)	16:06:10
24	BY MS. BENDER:	16:06:13
25	Q With that context, does this portion of	16:06:13

1	the document -- I'm just looking at this -- what	16:06:15
2	appears to be a memo. Are you familiar with this?	16:06:18
3	A Yes.	16:06:20
4	Q Okay. And who wrote this memo?	16:06:21
5	A I did.	16:06:25
6	Q Did anyone else help in the writing of	16:06:27
7	this memo?	16:06:34
8	A Yes.	16:06:36
9	Q And who else?	16:06:41
10	A I worked with legal counsel in drafting	16:06:42
11	that.	16:06:47
12	Q Okay. Anyone else?	16:06:49
13	A No.	16:06:50
14	Q Did anyone else review it beyond legal	16:06:52
15	counsel?	16:06:57
16	A No.	16:06:58
17	Q And no one else edited it then?	16:07:00
18	A No.	16:07:08
19	Q And when did you write this memo?	16:07:09
20	A I don't -- I don't recall the date that I	16:07:11
21	wrote that.	16:07:15
22	Q Can you give me approximately --	16:07:16
23	approximate time period.	16:07:21
24	A I would say approximately around when --	16:07:22
25	when -- around when the sub bill became public.	16:07:27

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1	Q When it became public? So not before it	16:07:32
2	became public?	16:07:35
3	A No, I started drafting it before it became	16:07:36
4	public, but not -- I would say not soon before.	16:07:40
5	It was --	16:07:44
6	Q Okay.	16:07:44
7	A -- around that time, yeah.	16:07:45
8	Q So sometime between when the -- or before	16:07:46
9	the substitute bill was introduced, you began	16:07:50
10	drafting this document?	16:07:53
11	A I'll tell you I -- I know for sure it was	16:07:56
12	between November 9th and when -- and	16:08:00
13	November 15th. It was at some point in that time	16:08:02
14	frame.	16:08:06
15	Q Great. And did you share this memo with	16:08:06
16	anyone?	16:08:09
17	A Yes.	16:08:09
18	Q Who did you share it with?	16:08:10
19	A I shared it with -- in addition to what I	16:08:12
20	already -- the answer I already provided, I shared	16:08:19
21	it with our Chief of Staff.	16:08:22
22	Q Okay. So that's Christine Morrison?	16:08:26
23	A Yes.	16:08:28
24	Q And did you share it with anyone else?	16:08:30
25	A I did not send it to anyone else, no.	16:08:33

1	Q Do you know if Ms. Morrison sent it to	16:08:37
2	anyone else?	16:08:44
3	A I believe she did send it to other people,	16:08:45
4	yes.	16:08:48
5	Q Do you know who she might have sent it to?	16:08:49
6	A I believe she sent it to members of the	16:08:52
7	(inaudible).	16:09:06
8	(Reporter clarification.)	16:09:07
9	BY THE WITNESS:	16:09:08
10	A Members of the Ohio -- members of the Ohio	16:09:09
11	General Assembly.	16:09:12
12	BY MS. BENDER:	16:09:13
13	Q And do you know which members?	16:09:18
14	A I do not know which -- which lists or	16:09:19
15	email lists she used, so I -- I'm not sure.	16:09:27
16	Q So could you tell me any of the members	16:09:30
17	that might have -- or that you think received this	16:09:33
18	memo?	16:09:36
19	A I would be speculating. I don't know	16:09:36
20	which -- which email list she sent it to because	16:09:41
21	I'm not on that email list, so...	16:09:45
22	Q Okay. Do you know if anyone beyond	16:09:47
23	Ms. Morrison would have shared this memo?	16:09:50
24	A No, I think -- now that I think about it,	16:09:52
25	I did share it with one other person, now that	16:10:02

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1	I -- now that I remember. I shared a -- I shared	16:10:06
2	it with -- after it went out -- after Christine --	16:10:09
3	after I sent it to Christine, I provided it to	16:10:12
4	members of the Governor's staff.	16:10:17
5	Q Okay. Which members of the Governor's	16:10:21
6	staff?	16:10:24
7	A Aaron Crooks.	16:10:24
8	Q And anyone beyond that?	16:10:30
9	A No.	16:10:31
10	Q And you're not sure if anyone beyond	16:10:31
11	Christine would have shared it?	16:10:39
12	A Yeah, once I sent it to Christine, I'm not	16:10:40
13	sure where it went after that.	16:10:43
14	Q Okay. What would it surprise you to learn	16:10:45
15	to Representative Oelslager had a copy of this	16:10:49
16	memo?	16:10:51
17	A No, it wouldn't surprise me.	16:10:55
18	Q Okay. Just to confirm, that memo does	16:10:57
19	appear in the production that Representative	16:11:06
20	Oelslager made in this case at Oelslager00091.	16:11:10
21	MS. BENDER: Ethan, just to -- just for	16:11:17
22	clarity, would you mind pulling that up. I think	16:11:18
23	it's labeled as such.	16:11:22
24	(WHEREUPON, Springhetti Exhibit No. 4 was	16:11:23
25	presented to the witness.)	16:12:12

1 BY MS. BENDER:

2 Q But this also appears to be a version of
3 this memo, correct?

4 A If you could just quickly scroll down to
5 the bottom of it, yeah, I would -- I could see
6 that.

7 Yeah. That appears to be the same memo,
8 yeah.

9 MS. BENDER: Okay. So if we could go back
10 to the -- actually, if we could mark this as
11 Exhibit 4, please. Thank you.

12 And then if we could just go back to
13 Exhibit 3 and stay at Page 6.

14 BY MS. BENDER:

15 Q So what was the general purpose of this
16 memo?

17 A So I put that memo together, which is
18 pretty typical. When we're dealing with any
19 legislative business, we put, you know, brief
20 summaries together for -- for members of the
21 General Assembly in advance of a floor vote.

22 Q Okay. So the purpose was to summarize
23 the -- summarize what would be going up on the
24 floor then?

25 A And to -- I would say the purpose of the

1 memo was to give some information to members of 16:13:53
2 the General Assembly on Article 19 and provide 16:13:57
3 them some population information and provide them 16:14:01
4 some -- some general information on the substitute 16:14:04
5 bill. 16:14:11

6 Q Okay. So let's look at some portions of 16:14:11
7 this memo. 16:14:15

8 MS. BENDER: Ethan, actually, would you 16:14:20
9 mind if I took control here. 16:14:22

10 BY MS. BENDER: 16:14:26

11 Q So as you noted, there's -- there appears 16:14:26
12 to be some information on Article 19 here. Then 16:14:31
13 there's a section on county and political 16:14:43
14 subdivision splits. 16:14:47

15 Bullet 2, it says, "Substitute Senate 16:14:52
16 Bill 258 includes 76 whole counties and 12 split 16:14:57
17 counties, with two counties split between three 16:14:59
18 congressional districts (Cuyahoga and Hamilton)"; 16:15:03
19 that's correct? 16:15:14

20 A Yes. 16:15:14

21 Q Okay. Six, Senate Substitute Bill splits 16:15:15
22 14 subdivisions compared to the House Democrat -- 16:15:20
23 Democratic plan. The general gist of that bullet? 16:15:22

24 A Yeah, it's -- yeah, the substitute bill 16:15:26
25 splits less -- less subdivisions than the House 16:15:30

1	Democrat plan.	16:15:33
2	Q Okay. Then we've got some detail about	16:15:34
3	cities. [As read] "70 percent of Columbus and	16:15:40
4	subdivisions circumscribed within Columbus, is	16:15:43
5	within Congressional District C" -- C3, so on and	16:15:47
6	so on.	16:15:51
7	That's right?	16:15:52
8	A Yes, approximately 70 percent of Columbus	16:15:52
9	is in the 3rd Congressional District.	16:16:03
10	Q Okay. All right. I'm going to flip ahead	16:16:05
11	to Page 9 here. Sorry, I'm going too far.	16:16:07
12	All right. Bullet 2, it says,	16:16:15
13	"Congressional districts are considered	16:16:18
14	competitive if the district leans politically	16:16:19
15	towards one party by 4 percent or less."	16:16:22
16	Is that right?	16:16:25
17	A For the purposes of this memo, yes, it --	16:16:25
18	Q That's what --	16:16:32
19	A -- the -- that's how the memo reads, yes.	16:16:32
20	Q Okay. And where did this 4 percent number	16:16:35
21	come from?	16:16:40
22	A It is a number that was agreed to be	16:16:43
23	considered competitive.	16:16:51
24	Q And who agreed?	16:16:53
25	MR. MCGUIRE: I'm going to assert the	16:16:58

1	legislative objective -- legislative privilege	16:17:00
2	objection to the extent that his answer would	16:17:03
3	encompass about -- who agreed to the 4 percent	16:17:06
4	would encompass members of the General Assembly or	16:17:10
5	the staff members and instruct him not to provide	16:17:13
6	any -- not to answer with any of those names.	16:17:15
7	But you can answer if there were people	16:17:18
8	outside of that group.	16:17:20
9	THE WITNESS: There was not.	16:17:21
10	MS. BENDER: Okay. Again, I would say	16:17:23
11	that we do not agree that this is covered by the	16:17:25
12	legislative privilege and we will move on.	16:17:29
13	BY MS. BENDER:	16:17:38
14	Q When was it agreed that 4 percent was the	16:17:39
15	number which you considered things competitive --	16:17:41
16	or district competitive?	16:17:43
17	A I don't recall the exact time and day when	16:17:45
18	that -- when that was to -- when that was	16:17:53
19	determined, but I can tell you it was sometime	16:17:57
20	between November 9th and November 15th.	16:18:00
21	Q And who did -- or who proposed this	16:18:08
22	4 percent number?	16:18:13
23	MR. McGUIRE: Well, I'll object on the	16:18:24
24	basis of legislative privilege, again, if that	16:18:25
25	answer calls for you to name a member of the	16:18:28

1	General Assembly or any staff member. If not, you	16:18:32
2	can answer.	16:18:34
3	BY THE WITNESS:	16:18:35
4	A That was -- again, that was deliberated	16:18:35
5	internally amongst legislative members and staff.	16:18:37
6	MS. BENDER: Okay. And, again, I'll say	16:18:42
7	the same thing as before, we do not agree that	16:18:44
8	this is covered by the legislative privilege, but	16:18:46
9	we will move on.	16:18:49
10	BY MS. BENDER:	16:18:50
11	Q So at the next bullet, it says,	16:18:50
12	"Congressional Districts 1, 6" -- or not the next.	16:18:55
13	I guess this is two down.	16:18:57
14	"Congressional Districts 1, 6, 9, 10, 13,	16:18:58
15	14, and 15 could lean plus or minus 4 percent,"	16:19:08
16	correct?	16:19:12
17	A Yes, that's what it says.	16:19:12
18	Q Okay. All right. I'd like to go back --	16:19:18
19	now I'm going to go to Page 2. And this is -- you	16:19:25
20	know, we have this included in the same document	16:19:28
21	because it appears to be attached to the same	16:19:30
22	email, but this appears to be a separate document.	16:19:32
23	Are you familiar with -- with this one?	16:19:34
24	A Could you scroll down a little bit so I	16:19:36
25	can see the full -- the full document.	16:19:45

1	Q I think it just repeats itself.	16:19:54
2	A Yeah.	16:19:56
3	Q Are you familiar with this document?	16:19:56
4	A Yes.	16:20:05
5	Q And this appears to be just highlights of	16:20:05
6	Senate Bill -- or Substitute Senate Bill 258; is	16:20:08
7	that right?	16:20:12
8	A Yes.	16:20:12
9	Q Did you also write this?	16:20:13
10	A Yes.	16:20:14
11	Q Did you have any help writing it?	16:20:15
12	A I recall this -- the same -- myself and	16:20:22
13	legal counsel drafted it.	16:20:30
14	Q And did anyone provide any edits on it	16:20:33
15	beyond legal counsel?	16:20:37
16	A Yes.	16:20:40
17	Q And who was that?	16:20:41
18	A So after I sent that to Christine, I	16:20:43
19	believe Christine made some edits for purposes	16:20:53
20	that she wanted to use the -- the document.	16:20:58
21	Q Okay. And did -- would you -- did you get	16:21:02
22	back a version of that document reflecting her	16:21:10
23	edits?	16:21:13
24	A No, I don't believe I got a document back	16:21:18
25	from her with her edits on it.	16:21:21

1	Q Okay. So you sent this to her, and she	16:21:24
2	edited it and sent it off?	16:21:28
3	A Yes, I -- I don't know who she provided	16:21:30
4	the document to. Similar to the other document, I	16:21:34
5	don't know which email list she sent that out.	16:21:38
6	Q Okay. When was this document written?	16:21:42
7	A I would say around the same timeline as --	16:21:45
8	as the other memo.	16:21:49
9	Q So that was, I believe, between	16:21:50
10	November 9th and 15th?	16:21:53
11	A Yes.	16:21:55
12	Q Before -- that is before the substitute	16:21:59
13	bill was introduced?	16:22:03
14	A Yes.	16:22:10
15	Q Okay. And you shared this with Christine	16:22:10
16	Morrison, and you said you're not sure who she	16:22:13
17	would have shared it with?	16:22:15
18	A Yes. I don't know which -- again, I don't	16:22:18
19	know which email list she may have used or who	16:22:22
20	else she might have sent it to. I -- the buck	16:22:25
21	stops there for me. Once I provided it to her, I	16:22:29
22	don't know really --	16:22:32
23	Q And do you know if she did share it with	16:22:32
24	anyone else?	16:22:35
25	A I believe she did, but I don't know --	16:22:35

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1	Q But you're --	16:22:37
2	A -- if --	16:22:39
3	Q -- just not sure exactly?	16:22:40
4	A Right.	16:22:40
5	Q Sorry about that. I didn't mean to speak	16:22:41
6	over you.	16:22:43
7	And did you share it with anyone be- --	16:22:44
8	beyond Christine Morrison?	16:22:47
9	A No.	16:22:48
10	Q And legal counsel, I guess you said	16:22:57
11	earlier?	16:22:59
12	A Other than legal counsel and Christine,	16:22:59
13	no.	16:23:00
14	Q And do you recall around when you shared	16:23:00
15	this?	16:23:03
16	A When I -- could you -- when I shared it	16:23:09
17	with legal counsel and --	16:23:11
18	Q Mm-hm.	16:23:12
19	A -- Christine?	16:23:12
20	Q Yep.	16:23:14
21	A So I shared it with legal counsel around	16:23:14
22	the same timeline as the other memo and then	16:23:20
23	provided it to Christine, I believe, on -- on the	16:23:23
24	15th.	16:23:26
25	Q Okay. And what was the purpose of this	16:23:27

1	document?	16:23:30
2	A So the purpose of that document was -- was	16:23:30
3	to have a little less dense -- although, I don't	16:23:36
4	think four pages, single space, is dense. But we	16:23:42
5	tried to give something to members that's even	16:23:45
6	more narrowed down in addition to the memos for --	16:23:49
7	for legislation before a floor vote.	16:23:52
8	So this is not an uncommon -- common thing	16:23:55
9	for staff to do for members.	16:23:58
10	Q Okay. So this is -- this is, like, the --	16:24:00
11	this is and even narrower version with the most	16:24:03
12	important points, something like that?	16:24:07
13	A I wouldn't say that -- important? I mean,	16:24:08
14	I think there are other things that are not on	16:24:16
15	this that are important, but this is just a	16:24:18
16	simplified, shortened version of the previous	16:24:20
17	memo.	16:24:23
18	Q Okay. I'm going to scroll up to this	16:24:35
19	first document here, which is the email that these	16:24:37
20	are attached to.	16:24:42
21	In this email, it looks like it was sent	16:24:43
22	on November 15th, correct?	16:24:44
23	A Yes, that's what it says.	16:24:45
24	Q And to Christine Morrison and Paul	16:24:51
25	Disantis?	16:24:54

1	A Yes, that's correct.	16:24:54
2	Q And Paul Disantis is legal counsel?	16:24:59
3	A He is the House achieve legal counsel.	16:25:01
4	Q And the subject is "Content." What do you	16:25:04
5	mean -- content for what? What does that mean?	16:25:13
6	A Just consent for the substitute bill.	16:25:17
7	Q The content of the substitute bill?	16:25:24
8	A Yeah, content is just information --	16:25:27
9	information about the sub bill.	16:25:33
10	Q Okay. So the -- would you mind just	16:25:34
11	reading the text of this email for us.	16:25:42
12	A Sure. The text says, "The highlight brief	16:25:46
13	is skimmed down with non-constitutional facts	16:25:49
14	added. The memo is the same document I sent	16:25:52
15	earlier that has a lot more information."	16:25:55
16	Q When you say "with non-constitutional	16:25:59
17	facts added," what did you mean by that?	16:26:02
18	A So what I meant by that is, I -- this	16:26:04
19	was -- this -- if you look -- if you compare the	16:26:10
20	two memos, one gives a brief summary of some of	16:26:12
21	the rules in Article 19, and this shortened memo	16:26:17
22	does not.	16:26:23
23	Q Okay. And so when you say "added," you	16:26:26
24	mean added -- oh, wait. Actually, let me make	16:26:29
25	sure that I understood that correctly.	16:26:36

1	So you were saying the constitutional	16:26:38
2	facts are added to the highlight -- or added	16:26:40
3	beyond what is --	16:26:46
4	A I'm saying --	16:26:47
5	Q -- in the highlight brief to -- and that's	16:26:47
6	what's in the memo?	16:26:50
7	A I'm sorry, yeah, the -- sorry to interrupt	16:26:51
8	you. But, yeah, just to clarify, this is --	16:26:54
9	I'm -- what I'm basically trying to say here is	16:26:57
10	that the highlight sheet does not include	16:27:00
11	constitutional -- the constitutional summaries.	16:27:05
12	Q Okay. And when you say it was added, it	16:27:10
13	was added versus -- versus the memo or versus --	16:27:13
14	added to what?	16:27:19
15	A Yeah, so I think what this is, is, I added	16:27:20
16	some things to the highlight sheet that are not in	16:27:27
17	the larger memo that aren't necessarily summaries	16:27:30
18	of Article 19. And I think that's what I was	16:27:32
19	trying to say here.	16:27:35
20	Q All right. Great.	16:27:42
21	All right. So let's -- I want to look at	16:27:43
22	some of the portions of the highlight sheet then,	16:27:44
23	which is here.	16:27:47
24	So it's -- it also says, [as read]	16:27:48
25	"Substitute Senate Bill 258 includes 76 whole	16:27:52

1 counties, which is more counties than any Ohio
2 congressional plan approved in over 50 years."

3 But this little -- or similar to the
4 information from the memo, right?

5 A Yeah, I think there will be some similar
6 information here --

7 Q Okay.

8 A -- between this memo and --

9 Q Okay. And so in the next section, it
10 says, [as read] "Senate Substitute Bill 58" -- or
11 "Substitute Senate Bill 58 splits 14 subdivisions
12 compared to the House Democratic plan split 21."

13 Similar to the other memo?

14 A Yes, the substitute bill splits less
15 subdivisions than the House Democratic plan.

16 Q All right. So a lot of this is just
17 excerpting or providing highlights from the memo,
18 right?

19 A Yeah, that was the goal of it, was to just
20 provide a simplified document for members to get
21 acquainted with what was in the substitute bill.

22 Q Okay. So there's -- there's one thing
23 that seems to be different here. Under "Partisan
24 Leanings," can you read Bullet 2 to me.

25 A Bullet 2: "Under this plan in a good

1 election year in which Republicans recruit good 16:29:19
2 candidates, Republicans can win more than 11 of 15 16:29:23
3 districts." 16:29:28

4 Q And this wasn't included in the memo? 16:29:30

5 A I don't recall if I put that in the other 16:29:33
6 memo or not. 16:29:36

7 Q Do you want to take a look and see? 16:29:37

8 A Sure. So can you go back up there? 16:29:39

9 Q Oh, sorry. Oh, you're right. I made it 16:29:51
10 -- 16:29:53

11 A Yeah. 16:29:53

12 Q -- oh, no, I think this -- that was on -- 16:29:53
13 there's two versions of the key facts in here. 16:29:54
14 This is -- this is -- so this is the memo I think, 16:29:56
15 right? 16:29:59

16 A If could you scroll down. 16:29:59

17 Q Yep. 16:30:07

18 A Thanks. 16:30:07

19 Okay. Good on Page 1. 16:30:17

20 Okay. Yeah, it appears I didn't put it in 16:30:20
21 the larger memo. 16:31:18

22 Q And do you know, why was that cut out? 16:31:19

23 A So the -- the larger memo was actually 16:31:26
24 completed first. 16:31:34

25 Q Hm-mm. 16:31:34

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1 A So the larger memo was completed first. I 16:31:40
2 took excerpts of that into the highlight sheet and 16:31:44
3 then added some things that weren't in the first 16:31:47
4 memo to the highlight sheet. 16:31:51

5 Q Okay. So why did you think this was 16:31:53
6 important to add? 16:31:56

7 A Well, I -- I think it's important that 16:31:56
8 members know that if there are good candidates 16:32:03
9 that are recruited, if, you know, Republicans, you 16:32:09
10 know, continue to run on winning issues in Ohio, 16:32:17
11 that -- that that could happen. It could also not 16:32:20
12 happen. It was something -- it was some context 16:32:26
13 that I thought members should see. 16:32:32

14 Q All right. 16:32:36

15 A And I think that's -- that's the 16:32:37
16 importance of that map, is -- it's very 16:32:40
17 competitive. So that could happen, that could not 16:32:42
18 happen, and that's what makes it a good map. 16:32:45

19 Q All right. I think we'll move on from 16:32:50
20 this exhibit now. 16:32:54

21 MS. BENDER: Ethan, would you please pull 16:32:55
22 up Springhetti000183. 16:32:57

23 (WHEREUPON, Springhetti Exhibit No. 5 was 16:33:03
24 presented to the witness.) 16:33:19

25 MS. BENDER: And if you wouldn't mind, I 16:33:19

1	will take control.	16:33:22
2	BY MS. BENDER:	16:33:30
3	Q So this appears to be -- well, do you	16:33:31
4	recognize this document?	16:33:32
5	A Could you scroll down for me.	16:33:33
6	Yes, that appears to be a -- some draft of	16:34:04
7	the larger memo.	16:34:09
8	Q Okay. And so your role would have been	16:34:11
9	the same as we discussed earlier; you would have	16:34:12
10	drafted this?	16:34:15
11	A Yes, this looks like something that I --	16:34:16
12	that I drafted.	16:34:19
13	Q Okay. And so this would have been --	16:34:20
14	A But it looks like -- but it looks like --	16:34:22
15	just to clarify, it looks like it was a draft. I	16:34:25
16	don't know that that was --	16:34:27
17	Q Right. So this would have been, like, an	16:34:28
18	earlier iteration of that same memo?	16:34:31
19	A That's what it -- this appears to be,	16:34:33
20	yeah.	16:34:36
21	Q Okay. And do you recall sharing drafts	16:34:36
22	like this of the memo with anyone?	16:34:41
23	A Just legal counsel.	16:34:46
24	Q Okay. And do you know if you shared this	16:34:49
25	specific version of the memo with anyone?	16:34:52

1	A I don't recall sending -- sending any	16:34:54
2	drafts to anyone --	16:35:01
3	Q Except for legal --	16:35:03
4	A -- but, again -- but, again -- yeah,	16:35:05
5	except for legal counsel. But, again, this --	16:35:08
6	these all look pretty similar, so I don't, you	16:35:10
7	know, recall which one I drafted when.	16:35:13
8	Q Okay. But there were drafts that you	16:35:15
9	would have shared?	16:35:17
10	A With legal counsel there are --	16:35:17
11	Q Yeah.	16:35:21
12	A -- some drafts that I would have shared.	16:35:22
13	Q Okay. All right. So on Page 3 then, the	16:35:24
14	second bullet, would you read this to me.	16:35:28
15	A "Congressional districts are considered	16:35:30
16	competitive if the district could -- could have	16:35:35
17	avored or disfavored one political party by	16:35:38
18	3.75 percent or less."	16:35:41
19	Q So this is different than the 4 percent	16:35:44
20	metric we looked at earlier, correct?	16:35:47
21	A That's correct.	16:35:51
22	Q And where did this metric come from?	16:35:51
23	MR. MCGUIRE: Well, I'm going to raise an	16:35:57
24	objection on legislative privilege grounds to the	16:35:59
25	extent that the -- that figure was provided by a	16:36:02

1 member of the General Assembly or a member's staff
2 members.

3 You can answer for anyone other than that.

4 BY THE WITNESS:

5 A So when we discussed 3.75 percent, that
6 was an internal deliberation.

7 MS. BENDER: Okay. I will make the same
8 response that, again, we don't believe this to be
9 covered by the legislative privilege, and we can
10 move on.

11 BY MS. BENDER:

12 Q When would this 3.75 percent figure have
13 been discussed?

14 A Sometime between November 9th and
15 November 15th.

16 Q Okay. Before the 4 percent figure was
17 decided on?

18 A Yes. Yes. Before -- before that, yes.

19 MS. BENDER: All right. I think we're
20 done with this exhibit then. And that would -- if
21 we haven't already, can we mark that as Exhibit 5.
22 I'm sorry about that.

23 And then, Ethan, after that, would you
24 please pull up Springhetti00020.
25

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1	(WHEREUPON, Springhetti Exhibit No. 6 was	16:37:22
2	presented to the witness.)	16:37:38
3	BY MS. BENDER:	16:37:38
4	Q Mr. Springhetti, are you familiar with	16:37:40
5	this document?	16:37:41
6	A Yes, I --	16:37:47
7	MS. BENDER: And, again -- Ethan, if you	16:37:48
8	wouldn't mind giving me that control again.	16:37:50
9	BY MS. BENDER:	16:37:52
10	Q Sorry. I think you said yes?	16:37:52
11	A I'm familiar with this page, yes.	16:37:53
12	Q Sorry to speak over you.	16:37:55
13	And then this page as well?	16:37:57
14	A Yes.	16:37:59
15	Q Okay. So this appears to be an analysis	16:38:01
16	of a map, correct?	16:38:12
17	A Yes.	16:38:13
18	Q And do you know which map?	16:38:14
19	A Yes.	16:38:16
20	Q What map was that?	16:38:21
21	A That would be subject to House Bill 258.	16:38:23
22	Q Okay. And did you create this?	16:38:28
23	A I did not.	16:38:29
24	Q Who created this?	16:38:31
25	A I believe this was created by Ray DiRossi.	16:38:33

1	Q Okay. Did you have any input into this?	16:38:41
2	A No.	16:38:43
3	Q Did you provide any feedback on this?	16:38:46
4	A No.	16:38:48
5	Q Okay. Do you know if anyone else had any	16:38:48
6	input into this beyond Mr. DiRossi?	16:38:56
7	A I don't know how the draft started, so I	16:38:58
8	can't -- I'm not sure who else may have opined on	16:39:03
9	that.	16:39:09
10	Q And do you know when this was created?	16:39:09
11	A I do not.	16:39:11
12	Q When did you first see it?	16:39:12
13	A Sometime between November 9th and	16:39:19
14	November 15th.	16:39:23
15	Q Did you share it with anyone else?	16:39:23
16	A This graph, I believe, was in one of the	16:39:27
17	memos that I provided.	16:39:37
18	Q Okay. Other than that?	16:39:39
19	A No.	16:39:41
20	Q And do you know if it was shared with	16:39:43
21	anyone else, even if you didn't do the sharing?	16:39:49
22	A Yeah, I -- that would be speculation. I'm	16:39:52
23	not sure who -- who may have seen this or received	16:39:54
24	it.	16:39:57
25	Q Okay. So beyond Mr. DiRossi and yourself,	16:39:57

1	you don't know who else might have had this	16:40:00
2	memo -- or excuse me, this memo -- this document?	16:40:02
3	A Yeah, I'm not sure. I don't know who else	16:40:05
4	may have received it.	16:40:08
5	Q Okay. All right. So let's look at the	16:40:09
6	first page. So on the first page -- I'll zoom in	16:40:11
7	a little bit to make it a little easier on	16:40:18
8	everyone's eyes -- we see that this says there are	16:40:22
9	seven competitive districts plus or minus 4	16:40:27
10	percent.	16:40:30
11	I assume that that means that under a	16:40:30
12	4 percent competitiveness measure, there are seven	16:40:33
13	competitive districts, correct?	16:40:37
14	A Yes, there are seven competitive	16:40:41
15	districts.	16:40:43
16	Q Okay. And this is based upon -- or this	16:40:43
17	column suggests that it's federal elections from	16:40:45
18	2012 to 2020, correct?	16:40:48
19	A Yes --	16:40:49
20	Q And I guess down here.	16:40:52
21	A And it -- I think it's, yes, federal	16:40:53
22	statewide elections. Yes.	16:40:57
23	Q Federal statewide elections. Okay.	16:40:58
24	A Yes.	16:41:00
25	Q Okay. So federal elections from the	16:41:00

1	Presidential and U.S. Senate races between 2012	16:41:02
2	and 2020 according to the note at the bottom of	16:41:06
3	the page?	16:41:08
4	A That's correct.	16:41:08
5	Q Okay. Sorry. District 15 here, it says	16:41:09
6	that -- well, actually, I guess to contextualize,	16:41:21
7	these numbers would be the Republican percentage	16:41:24
8	for this map in each of these districts based upon	16:41:27
9	the data from federal elections from 2012 to 2020;	16:41:32
10	is that right?	16:41:40
11	A This -- yeah, I would say that this --	16:41:40
12	these are the, yeah, election results from -- for	16:41:44
13	the races that are noted at the bottom from 2012	16:41:47
14	to 2020.	16:41:50
15	Q Okay.	16:41:52
16	A Those -- those are Republican percentages.	16:41:53
17	Q Okay. So based upon those -- or those	16:41:57
18	2012 to 2020 elections that we've talked about,	16:41:59
19	this map is -- is projected to have a Republican	16:42:02
20	percentage vote of what's listed in these	16:42:10
21	column -- in this column under FED 12 to 2020 for	16:42:13
22	each district?	16:42:19
23	A Could you -- could you rephrase -- or not	16:42:20
24	rephrase. Could you restate your question.	16:42:24
25	Q So this last column, federal 12 to 2020,	16:42:26

1	that -- that provides the projected -- or the	16:42:32
2	projected Republican share of the vote for each of	16:42:39
3	these created districts based upon if it were the	16:42:42
4	same as the aggregate of the elections from 2012	16:42:45
5	to 2020?	16:42:48
6	A So I would say that this does not -- this	16:42:49
7	is not a projection. It's --	16:42:53
8	Q Okay.	16:42:56
9	A -- merely a snapshot of election	16:42:56
10	results --	16:43:01
11	Q Ah, okay. Good --	16:43:01
12	A -- from the elections --	16:43:02
13	Q -- clarification.	16:43:02
14	A -- yeah, from the elections that are noted	16:43:03
15	at the bottom --	16:43:06
16	Q Okay.	16:43:07
17	A -- in the years that are noted in that	16:43:07
18	column.	16:43:10
19	It's a snapshot. That's not to say that	16:43:12
20	this is a projection for any of these districts.	16:43:15
21	Q Okay. Okay. So it's a snapshot if these	16:43:17
22	districts under this aggregate had existed, this	16:43:20
23	would have been -- or this would have been the	16:43:22
24	result.	16:43:24
25	And so row 15 says 53.7, correct?	16:43:27

1	A It does say 53.7.	16:43:34
2	Q Okay. So let's go to Page 2. On Page 2	16:43:38
3	at the top of this page, we have seven competitive	16:43:45
4	CDs, which I'm assuming stands for congressional	16:43:48
5	districts --	16:43:52
6	A Yes.	16:43:53
7	Q -- correct?	16:43:53
8	Yeah. Okay.	16:43:54
9	A Yes.	16:43:54
10	Q But this says .375 to point -- or to	16:43:55
11	3.8 -- or 3.75 to 3.8?	16:44:00
12	A Yes, that's -- that's what it says.	16:44:04
13	Q Okay. So it's -- so it's measuring	16:44:06
14	competitiveness based upon a metric of 3.75 to 3.8	16:44:09
15	rather than 4 percent?	16:44:14
16	A Yeah, that's -- that appears to be what	16:44:18
17	this document's doing.	16:44:20
18	Q And this is -- this is different than	16:44:22
19	the -- than the 4 percent that we've looked at	16:44:24
20	earlier. And this is also different than the less	16:44:26
21	than 3.75 percent I think that came up in the	16:44:29
22	last -- 3.75 percent or less that came up in the	16:44:37
23	last document, correct?	16:44:40
24	A It is -- it is a different comparison	16:44:41
25	using different percentages.	16:44:47

1	Q And where did this figure come from?	16:44:49
2	MR. McGUIRE: Objection, I'm going to	16:44:52
3	assert the legislative privilege. To the extent	16:44:54
4	that a member of the General Assembly or some	16:44:57
5	member of their staff provided this figure, if you	16:44:59
6	know, do not testify to that. You may answer as	16:45:03
7	to any other individuals.	16:45:06
8	BY THE WITNESS:	16:45:09
9	A This -- these percentages, just like the	16:45:10
10	others, were discussed internally.	16:45:12
11	MS. BENDER: Okay. And, again, I will say	16:45:14
12	the same thing as we said to the other objections,	16:45:15
13	we do not believe this is covered by the	16:45:18
14	legislative privilege, but we will move on.	16:45:20
15	BY MS. BENDER:	16:45:23
16	Q And when would this figure, 3.75 percent	16:45:26
17	to 3.8 percent, have been discussed?	16:45:29
18	A Sometime between November 9th and	16:45:33
19	November 15th.	16:45:36
20	Q Okay. And, again, before the 4 percent	16:45:37
21	figure, correct?	16:45:39
22	A Yes, before the 4 percent figure.	16:45:40
23	Q Okay. Were there any other options of how	16:45:44
24	to measure competitiveness considered beyond those	16:45:53
25	three?	16:45:57

1 A The measurement of what is competitive is
2 a very loose and subjective analysis. Some will
3 say plus or minus 5, some will say plus or minus
4 10. You know, there are Senate seats that exist
5 today in the state Senate that are, you know, plus
6 or minus 10 or more that members of the opposite
7 party have won elections in.

16:45:57
16:46:10
16:46:17
16:46:21
16:46:25
16:46:30
16:46:36

8 So are there other measures of
9 competitive -- competitiveness? Sure. But what
10 is the most accurate? And this is an accurate
11 measure, and that's kind of what we discussed.

16:46:38
16:46:45
16:46:49
16:46:56

12 Q And did you consider other measures?

16:47:00

13 A Yes.

16:47:03

14 Q And what other measures did you consider?

16:47:11

15 A So I think -- for example, in one of the
16 introduced maps, House Bill 479, I think Chairman
17 Oelslager referenced competitiveness and what he
18 considered to be competitive and the metrics that
19 he considered in -- in his sponsored testimony.

16:47:16
16:47:22
16:47:28
16:47:32
16:47:34

20 Q And do you know what those metrics were?

16:47:41

21 A Yes.

16:47:44

22 Q Okay. And what was -- what were those?

16:47:50

23 A So his public testimony indicated that
24 plus or minus 5 was competitive.

16:47:52
16:47:56

25 Q Okay. And was there anything beyond -- or

16:47:59

1	anything other than that?	16:48:01
2	A I think his comments were based on a	16:48:02
3	different data set, but other than that, I think	16:48:13
4	that covers it.	16:48:16
5	Q Okay. So no other metrics beyond the	16:48:17
6	5 percent that you just listed in this less than	16:48:20
7	3.75 percent, 3.75 to 3.8 percent, and 4 percent	16:48:24
8	that you know of?	16:48:27
9	A I would -- I would just add that there was	16:48:27
10	some public testimony from various groups and from	16:48:34
11	folks that aren't maybe directly affiliated with	16:48:37
12	-- of any types of group or organization that also	16:48:41
13	mention plus or minus 5 percent, plus or minus	16:48:47
14	4 percent.	16:48:51
15	There was a lot of public testimony on	16:48:51
16	what is competitive, and we've heard a lot about	16:48:54
17	the numbers that exist in these various documents	16:48:57
18	within plus or minus 5 percent.	16:49:03
19	Q Okay. So it seems likes, based upon these	16:49:05
20	documents, that there is initially a metric of	16:49:13
21	less than 3.75 percent and then a met of 3.75 to	16:49:15
22	3.8 percent and then a metric of 4 percent.	16:49:21
23	Why was there this -- did this shift take	16:49:24
24	place?	16:49:28
25	MR. McGUIRE: Objection, I'm going to	16:49:33

1	assert the legislative privilege to the extent	16:49:34
2	that the answer would -- your answer would include	16:49:35
3	that the shift took place as a result of input	16:49:39
4	from any member of the General Assembly or a staff	16:49:42
5	member of a member of the General Assembly.	16:49:44
6	Other than that, you can answer.	16:49:46
7	BY THE WITNESS:	16:49:52
8	A So shifting from 3.75 to 3.8 to 4, that	16:49:52
9	was all discussed internally.	16:49:58
10	MS. BENDER: And, again, I respond the	16:50:00
11	same as before. We do not believe this to be	16:50:02
12	covered by the legislative privilege, but we will	16:50:04
13	move on.	16:50:06
14	BY MS. BENDER:	16:50:07
15	Q All right. Looking back at the document.	16:50:15
16	So this, again, says there's seven competitive	16:50:17
17	districts at 3.75 to 3.8 percent, correct?	16:50:20
18	A Yes, that's what it says.	16:50:23
19	Q And this time, though, it lists	16:50:24
20	District 15 as having 53.8 percent, correct?	16:50:27
21	A It does, yes.	16:50:32
22	Q And that's not the same as the	16:50:45
23	53.7 percent listed on the previous page?	16:50:45
24	A It's not, but I'll just give the caveat	16:50:47
25	that -- I didn't draft this -- this document, but	16:50:50

1	I don't know what rounding mechanisms were used	16:50:53
2	for all of these different things. I don't know	16:50:56
3	if -- if that was just a rounding thing or not,	16:50:58
4	but --	16:51:02
5	Q Okay --	16:51:02
6	A -- I --	16:51:03
7	Q -- so you don't know why this -- why	16:51:03
8	there's the difference between those two?	16:51:06
9	A Yes, I don't know -- yeah, I didn't draft	16:51:07
10	it so I'm not familiar with that.	16:51:11
11	Q Okay. All right. So let's look at this	16:51:13
12	table down here. This appears to be comparing a	16:51:19
13	few different indexes or aggregates for these	16:51:22
14	districts. Do -- is that right?	16:51:29
15	A Yes, it appears to be a comparison, yes.	16:51:30
16	Q Okay. And looking at the first column	16:51:39
17	titled "All 16 to 20," this means all statewide	16:51:44
18	and federal elections between 2016 and 2020,	16:51:53
19	correct?	16:51:56
20	A Again --	16:51:56
21	Q All statewide.	16:51:59
22	A Yeah, I would -- I would be specu- -- I	16:52:01
23	didn't draft this, so -- I didn't put this	16:52:04
24	together.	16:52:06
25	Q Okay. So you don't know what "All 16 to	16:52:08

1	20" means?	16:52:13
2	A I think I know what it means, but, again,	16:52:16
3	I just want to caveat, I didn't draft this, so I	16:52:18
4	don't --	16:52:22
5	Q Okay. What do you think it means, with	16:52:22
6	that caveat, of course?	16:52:24
7	A I -- well, I think that it means all	16:52:25
8	statewide and -- statewide federal elections from	16:52:29
9	'16, '18, and '20.	16:52:34
10	Q Okay. So you think it means all	16:52:36
11	statewide -- I just want to make sure I get this	16:52:39
12	correctly. All statewide state and federal	16:52:42
13	elections from 2016, 2018, and 2020?	16:52:44
14	A Yes. That's what I think that means, yes.	16:52:48
15	Q Okay. So if we're defining	16:52:50
16	competitiveness, as this document does -- so it's	16:52:55
17	plus or minus 3.75 percent to 3.8 percent -- which	16:53:00
18	in this column of these districts would fall in --	16:53:06
19	fall in -- within that score?	16:53:08
20	A I'm sorry, what was the percentage that	16:53:09
21	you -- that you gave?	16:53:16
22	Q The 3.75 to 3.8 percent that we just	16:53:17
23	discussed that's up on the -- you know, that's	16:53:23
24	further up on this page.	16:53:26
25	A District -- well, District 1, 9, 10, 13,	16:53:28

1	15. I might have -- I just skimmed through,	16:53:50
2	but...	16:53:54
3	Q So 15 here says 53.9. So that wouldn't be	16:53:54
4	within 3.75 or 3.8, right?	16:54:01
5	A Yeah, it's hard to see that.	16:54:05
6	Q No, that's okay. It's hard to see. I	16:54:07
7	just wanted to clarify.	16:54:09
8	So that would be four districts, though,	16:54:10
9	you said: 1, 9, 10, and 13?	16:54:11
10	A I'm having trouble seeing -- seeing this,	16:54:20
11	so --	16:54:23
12	Q Let me see if I can zoom in a little bit	16:54:23
13	more for you.	16:54:26
14	Does that make it any better?	16:54:27
15	A Yeah, that's better.	16:54:30
16	Yeah.	16:54:32
17	Q Okay. All right. Then let's look at the	16:54:33
18	second column. Presidential R/D 20 only.	16:54:40
19	This would just be the 2020 Presidential	16:54:46
20	election Republican versus Democratic percent?	16:54:48
21	A Yeah, it appears to be just the Republican	16:54:53
22	and Democrats and not including any third party,	16:54:59
23	from what --	16:55:03
24	Q Okay. And the same question as before,	16:55:04
25	how many -- or which of these districts fall	16:55:07

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1	within that 3.75 to 3.8 percent metric here?	16:55:09
2	A Five.	16:55:13
3	Q Can you name those?	16:55:20
4	A 1, 9, 10, 13, 15.	16:55:22
5	Q Okay.	16:55:30
6	A It's a real eye exam you're putting me	16:55:35
7	through.	16:55:38
8	Q I know. I know. Thank you for bearing	16:55:38
9	with me. Really, I'm an optometrist. That's my	16:55:40
10	day job. No, not really, of course.	16:55:47
11	And then let's look at the last column,	16:55:50
12	federal 12 to 2020. What the --	16:55:54
13	A Yeah, so I -- sorry.	16:56:01
14	Q Go ahead.	16:56:04
15	A I would -- this is one that I actually --	16:56:05
16	I don't know what this means -- what "I" means. I	16:56:09
17	don't know if that's actually an independent or if	16:56:13
18	that also includes green and any -- write in and	16:56:15
19	all that other stuff. I --	16:56:19
20	Q Okay.	16:56:21
21	A -- actually have no idea what this is.	16:56:21
22	Q Okay. Well, let's skip over this column	16:56:23
23	and just go to federal 12 to 2020.	16:56:25
24	A Okay.	16:56:28
25	Q And do you take that to mean all statewide	16:56:29

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1	federal elections from 2012 to 2020?	16:56:32
2	A Yes, that's what I -- what I believe this	16:56:36
3	is, yes.	16:56:40
4	Q And under the same measure, how many of	16:56:40
5	those?	16:56:48
6	A Plus or minus 4 is seven.	16:56:50
7	Q Plus or minus -- under the same measure,	16:56:55
8	3.75 to 3.8.	16:56:59
9	A There's still seven.	16:57:09
10	Q Okay. In this District 15 that's now	16:57:26
11	53.8, wasn't the metric that we considered before,	16:57:30
12	the 3.75? Would that fall within?	16:57:34
13	A No.	16:57:39
14	Q All right.	16:57:39
15	MS. BENDER: Ethan, would you pull up --	16:57:47
16	or, actually, I think that I'm all set on this	16:57:49
17	document.	16:57:52
18	Ethan, would you pull up the document	16:58:00
19	titled "DiRossi008948."	16:58:01
20	(Exhibit management discussions were had	16:58:01
21	off the stenographic record.)	16:58:01
22	(WHEREUPON, Springhetti Exhibit No. 7 was	16:58:01
23	presented to the witness.)	16:59:38
24	MS. BENDER: Do you mind if we zoom in.	16:59:38
25		

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1	BY MS. BENDER:	16:59:47
2	Q We can just scan through this.	16:59:48
3	Mr. Springhetti, are you familiar with	17:00:06
4	this document?	17:00:12
5	A No, I'm not.	17:00:12
6	Q Have you ever seen this document?	17:00:13
7	A No.	17:00:14
8	MS. BENDER: Okay. Okay. I believe that	17:00:22
9	that is all of my questions.	17:00:22
10	Jyoti, would you like to ask any	17:00:25
11	questions?	17:00:28
12	MS. JASRASARIA: Hi. Sorry about that.	17:00:34
13	MS. BENDER: That's all right.	17:00:34
14	MS. JASRASARIA: No further questions on	17:00:38
15	behalf of the Adams Relators, but we did just want	17:00:40
16	to reiterate Ms. Bender's objection to the	17:00:44
17	indication to privilege during this deposition but	17:00:47
18	otherwise are happy to give people some time back.	17:00:49
19	MS. BENDER: If you wouldn't mind, I'd	17:00:56
20	like to take just two minutes before releasing	17:00:57
21	folks just to make sure that I've scanned --	17:01:01
22	scanned through my notes and got everything that I	17:01:04
23	wanted to ask you.	17:01:05
24	MR. McGUIRE: Literally two minutes.	17:01:07
25	MS. BENDER: Well, we have until -- we	17:01:13

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1	have three hours, correct?	17:01:15
2	MR. McGUIRE: Yeah, but you just said you	17:01:16
3	were finished and the other counsel has passed.	17:01:18
4	So, you know -- just as quickly as you can figure	17:01:20
5	out whether you have more questions, is all I'm	17:01:23
6	asking.	17:01:26
7	MS. BENDER: Okay. I will -- I will be	17:01:26
8	quick.	17:01:28
9	THE VIDEOGRAPHER: The time is 5:01. We	17:01:29
10	are off the record.	17:01:32
11	(WHEREUPON, a recess was had.)	17:01:33
12	THE VIDEOGRAPHER: The time is 5:03. We	17:03:11
13	are on the record.	17:03:14
14	MS. BENDER: Okay. I just wanted to	17:03:16
15	reiterate that we find the objections made thus	17:03:17
16	far unbiased and that we believe that they	17:03:21
17	interfered with our full right to discovery and	17:03:26
18	within this deposition and, therefore, reserve the	17:03:31
19	right to challenge it before the Court. And we	17:03:33
20	would ask that we keep the deposition open for	17:03:35
21	that purpose.	17:03:38
22	MR. McGUIRE: I'm not sure that calls for	17:03:40
23	a response from me but noted, not consented to.	17:03:46
24	MS. BENDER: Okay. And no withdrawal of	17:03:50
25	any of your objections?	17:03:54

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1	MR. McGUIRE: No.	17:03:55
2	MS. BENDER: Okay. Then we will take that	17:03:56
3	we're at an impasse, and we can close for this	17:03:59
4	evening. Thank you.	17:04:02
5	MR. McGUIRE: All right. Thank you.	17:04:02
6	THE VIDEOGRAPHER: The time is --	17:04:02
7	MS. BENDER: Thank you for your time,	17:04:02
8	Mr. Springhetti.	17:04:07
9	THE VIDEOGRAPHER: -- 5:04 p.m. We are	17:04:07
10	off the record.	17:04:12
11	(WHEREUPON, the deposition was concluded	17:27:21
12	at 5:04 p.m. CST)	
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ACKNOWLEDGMENT OF DEPONENT

I, BLAKE SPRINGHETTI, do hereby
acknowledge that I have read and examined the
foregoing testimony and the same is a true,
correct, and complete transcription of the
testimony given by me and any corrections appear
on the attached errata sheet signed by me.

(SIGNATURE)

(DATE)

C E R T I F I C A T E O F R E P O R T E R

I, MICHELLE M. YOHLER, a Certified
Shorthand Reporter within and for the County of
Will, State of Illinois, do hereby certify:

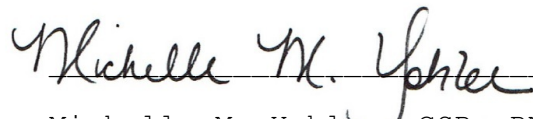
That previous to the commencement of the
examination of the witness, the witness was duly
sworn to testify the whole truth concerning the
matters herein;

That the foregoing deposition transcript
was reported stenographically by me, was
thereafter reduced to typewriting under my
personal direction and constitutes a true record
of the testimony given and the proceedings had;

That the said deposition was taken
remotely before me at the time and place
specified;

That I am not a relative or employee or
attorney or counsel, nor a relative or employee of
such attorney or counsel for any of the parties
hereto, nor interested directly or indirectly in
the outcome of this action.

1 IN WITNESS WHEREOF, I do hereunto set my
2 hand and affix my seal of office at Chicago,
3 Illinois, this 8th day of December, 2021.

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9 Michelle M. Yohler, CSR, RMR, CRR
10 Certified Shorthand Reporter
11 CSR No.: 84-4531
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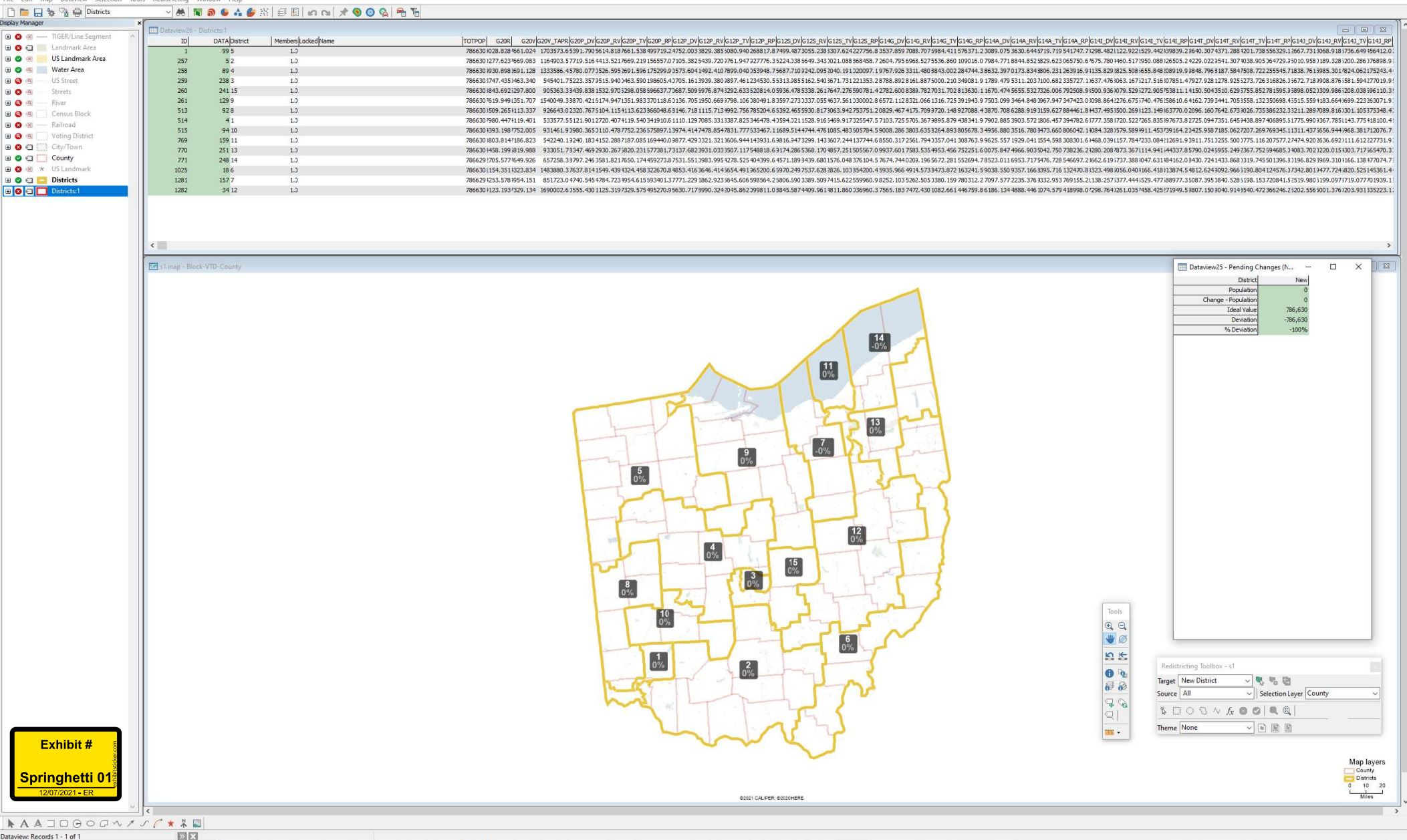
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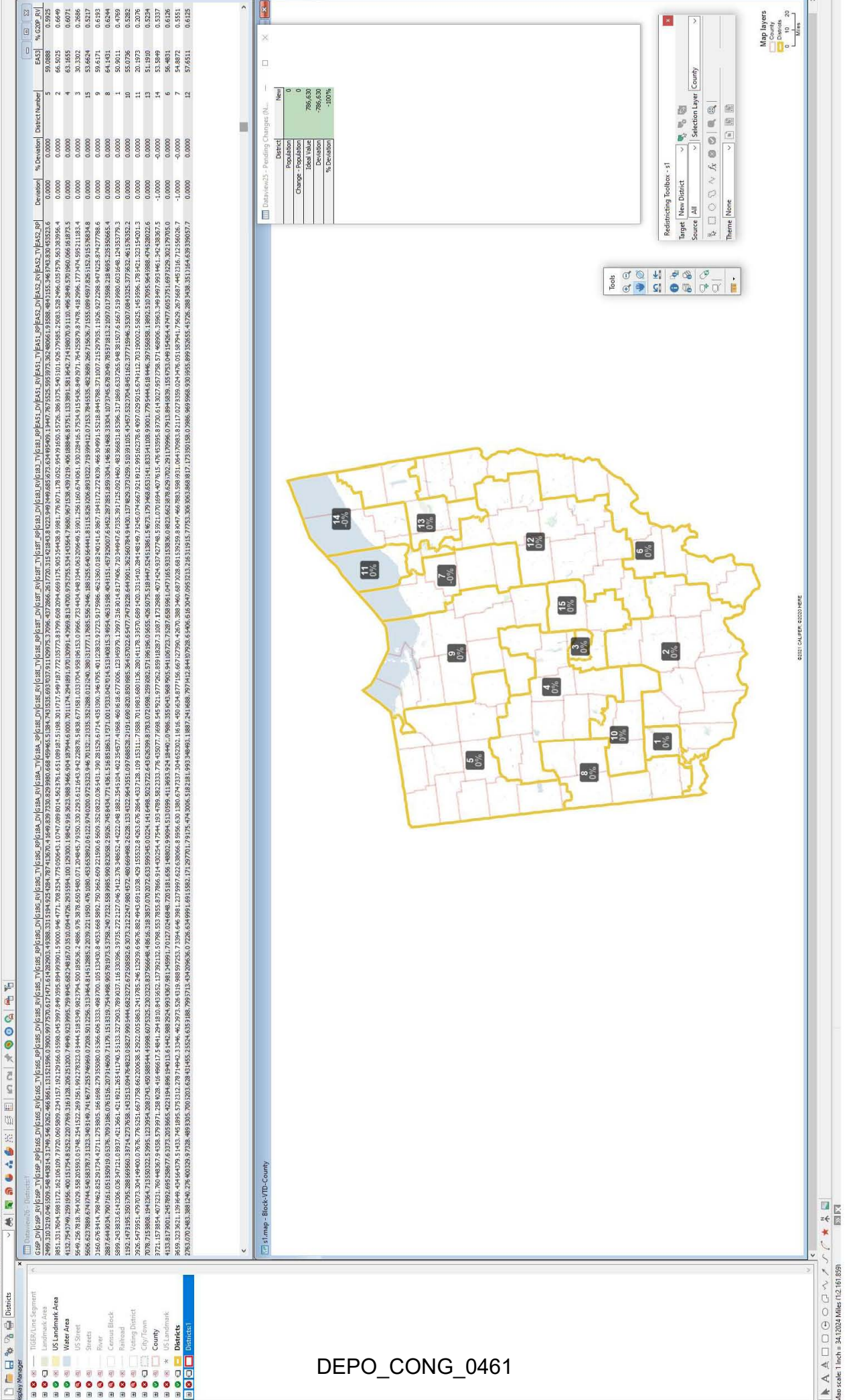
<p>.375 96:10 .3800 4:22 .4509 4:10 .6000 3:11, 3:19</p> <hr/> <p>0</p> <hr/> <p>000020 6:17 000183 6:16, 87:22 00020 90:24 000217 68:21 00091 6:15, 73:20 001042 48:22 008948 6:18, 105:19 01 107:9 02 68:17 03 107:12 04 108:9, 108:12</p> <hr/> <p>1</p> <hr/> <p>10 78:14, 98:4, 98:6, 102:25, 103:9, 104:4 105 6:18 11 6:13, 86:2 111 1:24 1193 1:5 1198 1:6</p>	<p>12 60:15, 75:16, 94:21, 94:25, 104:12, 104:23 1210 1:7 13 4:8, 78:14, 102:25, 103:9, 104:4 14 61:18, 61:19, 75:22, 78:15, 85:11 1449 7:7 15 6:13, 52:11, 52:20, 55:20, 55:22, 55:24, 55:25, 71:13, 77:20, 78:15, 80:10, 81:24, 82:22, 86:2, 90:15, 92:14, 94:5, 95:25, 97:19, 100:20, 103:1, 103:3, 104:4, 105:10 16 5:9, 18:13, 18:21, 21:9, 65:18, 101:17, 101:25, 102:9 18 18:13, 18:21, 21:9, 65:18, 102:9 19 75:2, 75:12, 83:21, 84:18</p> <hr/> <p>2</p> <hr/> <p>2 1:15, 7:10, 85:25 20 18:13, 18:21,</p>	<p>21:9, 57:10, 57:13, 57:17, 57:24, 57:25, 58:4, 58:10, 58:13, 58:14, 58:16, 58:20, 58:21, 58:22, 58:24, 58:25, 59:4, 59:5, 59:7, 59:8, 59:12, 65:18, 67:7, 101:17, 102:1, 102:9, 103:18 200 4:20 20001 3:10 20005 4:9 2012 60:22, 60:25, 61:12, 61:14, 67:24, 93:18, 94:1, 94:9, 94:13, 94:18, 95:4, 105:1 2014 61:15, 61:16 2016 19:1, 21:17, 61:21, 61:22, 61:24, 62:2, 62:4, 62:6, 62:7, 101:18, 102:13 2018 19:2, 21:17, 62:10, 62:11, 62:13, 64:18, 102:13 202.662 3:11 202.968 4:10 2020 17:13, 19:2, 21:17, 57:16,</p>	<p>59:13, 59:22, 60:3, 60:10, 61:2, 61:7, 64:18, 67:18, 67:19, 67:24, 93:18, 94:2, 94:9, 94:14, 94:18, 94:21, 94:25, 95:5, 101:18, 102:13, 103:19, 104:12, 104:23, 105:1 2021 1:5, 1:6, 1:7, 1:14, 6:13, 7:7, 7:9, 111:3 21 85:12 2533 3:18 258 69:12, 75:16, 79:6, 84:25, 91:21 27612 4:21</p> <hr/> <p>3</p> <hr/> <p>3 68:14 3.75 89:18, 90:5, 90:12, 96:11, 96:14, 96:21, 96:22, 97:16, 99:7, 99:21, 100:8, 100:17, 102:17, 102:22, 103:4, 104:1, 105:8, 105:12 3.8 96:11, 96:14, 97:17, 99:7, 99:22, 100:8, 100:17, 102:17, 102:22, 103:4, 104:1, 105:8 30 5:9</p>
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ID	DATA	District	Members	Locked	Name	TOTPOP	G20R	G20V	G20V_TAPR
1	99	5	1			786630	549028.83	397661.02	1703573.6
257	5	2	1			786630	530277.62	397669.08	1164903.5
258	89	4	1			786630	534930.9	412691.13	1333586.4
259	238	3	1			786630	523747.44	370463.34	545401.7
260	241	15	1			786630	528843.69	386297.8	905363.3
261	129	9	1			786630	527619.95	381351.71	1540049.3
513	92	8	1			786630	530509.27	394113.34	926643
514	4	1	1			786630	557980.45	404119.4	533577.5
515	94	10	1			786630	544393.2	397752.01	931461.9
769	159	11	1			786630	550803.81	357186.82	542240.1
770	251	13	1			786630	538458.2	406819.99	933051.7
771	248	14	1			786629	552705.58	437649.93	657258.3
1025	18	6	1			786630	551154.35	394323.83	1483880.3
1281	157	7	1			786629	534253.58	404954.15	851723
1282	34	12	1			786630	519123.19	377329.13	1690002.6

G20P_DV	G20P_RV	G20P_TV	G20P_RP	G12P_DV	G12P_RV	G12P_TV	G12P_RP
155391.79	235614.82	397661.54	1499719	184752	193829.39	386080.94	1268818
127719.52	264413.52	397669.22	1156557	137105.38	216439.72	359761.95	927776.3
155780.08	250526.6	412691.6	1175300	140573.6	211492.41	357899.04	1053949
265223.36	99515.94	370463.59	198605.4	230705.16	113939.38	349897.46	234530.5
178439.84	201532.97	386298.06	696637.7	160687.51	166976.87	333292.63	620814
138870.42	236174.95	381351.98	1370119	180136.71	181950.67	369798.11	1080492
142320.77	246104.12	394113.62	866048.6	138146.72	221115.71	364992.76	785204.6
205121.9	192720.41	404119.54	341910.6	181110.13	187085.33	373387.83	346478.4
180980.37	210110.48	397752.24	675897.1	183974.41	197478.85	387831.78	633467.1
279240.18	74152.288	357187.09	169440	319877.43	70321.321	393606.94	143931.6
188347.47	212930.27	406820.23	677381.7	203137.68	173931.03	383507.12	548818.6
198797.25	233581.82	437650.17	459273.8	197531.55	200984	404278.53	404399.6
147637.81	241549.44	394324.46	1322671	204853.42	173646.41	385654.49	965200.6
174740.55	224784.72	404954.62	693401.3	177771.23	181862.92	365645.61	598564.2
140555.43	231125.32	377329.58	1495271	185630.72	168990.32	362045.86	1099811

G12S_DV	G12S_RV	G12S_TV	G12S_RP	G14G_DV	G14G_RV	G14G_TV	G14G_RP
177499.49	183055.24	378307.62	1227757	63537.859	137088.71	206984.41	1576371
136224.04	196649.34	350021.09	868458.7	52604.795	146968.53	205536.86	1109016
136687.71	199242.1	352040.19	1020097	49767.926	153311.48	208843	1284744
226313.99	105162.54	343671.73	221353.2	78788.892	88161.887	176000.21	349081.9
155936.48	155338.26	327647.28	590781.4	52782.6	118389.78	177031.7	813630.1
173597.27	170337.06	364637.56	1030003	66572.112	138321.07	211316.73	1391944
136392.47	205930.82	358063.94	753751.2	50829.467	144176.71	199720.15	927088.4
180594.02	171528.92	365469.92	325547.5	67103.725	125706.37	199895.88	438341.9
181689.51	184744.48	381085.48	605784.5	69008.286	143803.64	218264.89	805678.3
299816.95	63299.143	373607.24	137744.6	108550.32	72561.794	190357.04	308763.9
199174.29	155368.17	374857.25	505567	69937.601	127583.54	204953.46	752251.6
194571.19	178439.68	391576.05	376104.5	67674.744	160209.2	235672.28	552694.7
206970.25	147537.63	372826.1	854200.4	85935.966	124914.57	218473.87	1163242
176806.69	163389.51	357415.62	559960.9	58252.103	135262.51	200380.16	780312.2
178845.59	154409.96	354811.86	1036960	67565.183	127472.43	201082.66	1446760

G14A_DV	G14A_RV	G14A_TV	G14A_RP	G14I_DV	G14I_RV	G14I_TV	G14I_RP
73089.075	133630.64	206719.72	1541748	68298.482	121122.92	201529.44	1439839
67984.771	138844.85	206829.62	1065751	57675.78	134460.52	202950.09	1026505
58632.397	150173.83	208806.23	1263917	54135.829	142825.51	206655.85	1208920
91789.479	85311.203	177100.68	335727.1	90637.476	78063.167	175217.52	307851.4
61670.474	115655.53	177326.01	792508.9	58500.936	109079.53	175272.91	753811.1
77503.099	133464.85	210967.95	1347423	73098.864	122276.68	206740.48	1258611
63870.708	136288.92	200159.63	884461.8	54437.495	133500.27	198123.15	863770
87902.885	113903.57	201806.46	394782.6	73777.358	113720.52	197265.84	397673.8
74956.88	143516.78	218473.66	806042.1	74084.328	130579.59	214911.45	739164.2
119625.56	71929.041	191554.6	308301.6	129468.04	51157.784	187233.08	212691.9
80075.847	124966.9	205042.75	738236.2	84280.208	107873.37	201114.94	644337.8
78523.011	156953.72	235476.73	546697.2	83662.619	135737.39	229047.63	484162
99038.55	119357.17	218395.72	1132471	98323.498	105056.04	214166.42	1013875
67097.577	132235.38	199332.95	769155.2	71138.257	115377.44	195529.48	688977.3
76186.134	124888.45	201074.58	1418998	77298.764	110261.04	197458.43	1271950

G14T_DV	G14T_RV	G14T_TV	G14T_RP	G14J_DV	G14J_RV	G14J_TV	G14J_RP
59640.307	134371.29	204201.74	1556329	82667.731	123068.92	205736.65	1456412
54229.022	139541.31	204038.91	1064730	66010.958	140189.33	206200.29	1076899
49848.796	148187.58	207508.72	1255546	71838.761	135985.3	207824.06	1175243
87927.928	81278.925	176273.73	316826	106672.72	69908.876	176581.59	277019.9
54150.504	113510.63	175755.85	781595.9	75898.052	100309.99	176208.04	696110.3
64162.739	133441.71	208558.13	1350698	86515.559	124183.66	210699.22	1263072
52096.16	137642.67	199026.74	886232.3	63211.289	137089.82	200301.11	875348.4
72725.094	117351.65	199438.9	406895.6	81775.99	119367.79	201143.78	418100.4
70425.958	137185.06	217207.27	769345.1	91311.437	125656.94	216968.38	712076.7
133911.75	50255.5	190775.12	207577.2	137474.92	52636.692	190111.61	227731.9
75790.024	116955.25	202367.75	694685	94083.702	110220.02	204303.72	665470.3
78430.724	141433.87	230319.75	501396.8	100196.83	133969.31	234166.14	477074.7
84812.624	119092.97	215190.8	1124576	97342.801	119477.72	216820.53	1145361
66087.395	120840.53	196198.15	720841.5	82519.98	116199.1	198719.08	701939.1
69807.15	119040.91	198540.47	1366246	85202.556	115001.38	200203.93	1335223

G16P_DV	G16P_RV	G16P_TV	G16P_RP	G16S_DV	G16S_RV	G16S_TV	G16S_RP
142499.31	213219.05	376509.55	1443814	121749.55	229262.47	368661.13	1521596
109851.33	237604.6	363172.16	1106110	89720.06	255809.23	360157.19	1129166
124132.75	220749.26	361956.4	1151755	96252.22	247769.32	359128.21	1251201
235649.26	97818.764	350029.56	205593	196748.25	131522.27	342561.99	278323
145606.62	177889.67	339744.54	683787.3	121323.34	198149.74	334677.26	746969
130160.68	208414.8	357462.83	1291734	112711.28	218805.17	351698.28	1355080
122887.64	229034.79	367161.05	850919	96376.709	250186.08	361516.21	914609.7
176899.24	178833.61	372306.04	347121	138937.42	210661.42	364921.27	411740.5
161192.15	198195.35	376795.29	669560.3	128714.27	227658.14	372513.09	764823
280926.55	65951.479	357073.3	149400	237676.78	86251.667	340758.66	200638.5
167078.72	188808.19	372364.71	650322.5	140995.12	200954.21	362743.45	688544.4
169721.16	208854.41	395231.76	448367.9	134358.58	229971.26	384028.42	496617.5
144133.82	219001.25	377892.7	1258678	140373.21	208665.42	368194.9	1194014
149659.32	193621.14	359649.43	664379.5	121433.75	211895.58	352312.28	714942.3
132763.07	202483.39	351240.28	1400330	117328.49	208305.7	345203.63	1431455

G18S_DV	G18S_RV	G18S_TV	G18S_RP	G18G_DV	G18G_RV	G18G_TV	G18G_RP
143901	147570.62	291471.61	1282903	119388.33	165194.93	294284.79	1413670
116598.05	173997.85	290595.89	993901.5	99000.946	184771.71	292534.78	1050643
134949.92	169995.76	304945.68	1048167	113510.09	184726.29	306594.1	1129300
218444.52	75349.982	293794.5	185636.2	204886.98	83878.65	295480.07	204845.7
147208.5	132256.31	279464.81	612885.2	132039.22	141950.48	281080.45	653892
136366.61	143333.5	279700.11	1133431	114053.67	155892.75	280662.61	1221591
121179.15	168319.75	289498.91	781973.5	103758.24	177232.56	289985.99	823058.2
166133.33	142903.79	309037.12	330396.3	149735.27	152127.05	310412.38	348652.4
156827.99	146444.68	303272.67	608582.6	133073.21	162247.98	304572.48	669498.2
232922.01	46863.241	279785.25	132939.6	219676.88	54943.691	281038.43	155532.8
166998.61	135325.23	302323.84	566648.4	148616.32	143857.07	302072.63	599345
174841.29	151810.84	326652.14	392132.5	150798.55	167855.88	327866.91	430254.4
151442.99	142924.99	294367.98	1045992	130127.02	156848.72	295181.66	1148803
153346.46	140973.53	294319.99	597253.7	133394.65	153981.24	295997.62	638066.8
136524.64	139188.8	275713.43	1209636	117226.63	149991.69	276582.17	1297702

G18A_DV	G18A_RV	G18A_TV	G18A_RP	G18I_DV	G18I_RV	G18I_TV	G18I_RP
121649.84	167330.83	288980.67	1459466	111384.74	163535.69	287037.91	1429975
100747.09	188014.56	288761.65	1089188	95198.301	179717.55	287187.77	1035774
109842.92	193623.99	303466.9	1187945	110000.7	181174.29	301891.97	1130991
199350.33	92293.612	291643.94	228878.5	199838.68	78581.033	288704.96	196153
126122.97	150200.97	276323.95	701321.2	130335.35	135288.01	275240.38	631777.1
115609.35	160822.04	276431.39	1281530	109714.44	153390.35	274795.4	1223833
105926.75	178434.77	284361.52	851863.1	97371.001	177333.04	287014.51	840815.3
154222.05	151882.35	306104.4	354577.4	141968.46	148618.68	305006.12	345979.1
136228.13	164322.96	300551.1	688528.2	129191.69	156820.85	298985.36	657022.6
224263.68	52864.433	277128.11	153111.7	213588.7	48983.68	273136.28	141178.3
150224.14	146498.5	296722.64	626399.8	142783.07	139598.26	295082.57	596196
157544.19	164789.58	322333.78	435077.7	145698.55	157921.98	317262.86	418287.3
129094.51	160599.41	289693.92	1184401	127986.36	149043.97	287905.94	1106724
135956.63	151380.67	287337.3	652302.1	128616.45	146634.88	287156.67	627390.4
119175.47	153006.52	272181.99	1348493	123887.24	139688.8	273412.84	1207929

G18T_DV	G18T_RV	G18T_TV	G18T_RP	G18J_DV	G18J_RV	G18J_TV	G18J_RP
117096.44	162866.26	287720.32	1421844	114223.95	172449.69	286673.63	1495409
98799.608	182094.67	288175.91	1054439	96981.776	189071.18	286052.95	1091651
110969.81	184700.98	302755.53	1143565	108680.97	191538.44	300219.41	1188847
199966.73	84434.948	290344.06	209649.5	196901.26	91160.674	288061.93	228416.5
127685.56	142446.19	276255.64	664441.8	125115.83	149206.89	274322.72	699412
112723.92	155986.46	276360.02	1240142	110867.19	163172.27	274039.47	1304992
104954.46	176198.4	288151.46	829007.6	103452.29	182851.86	286304.15	861468.3
150997.32	149014.82	307406.71	344947.6	147335.39	157125.09	304460.48	366831.8
135477.75	158228.64	300901.36	660784.9	134430.14	164829.37	299259.51	691105.4
219570.69	51420.331	276410.28	148149.7	218245.07	56667.921	274913	162378.6
146655.43	146075.52	299447.52	613861.5	144673.18	150468.65	295141.83	641108.9
151087.17	162988.41	321424.94	427748.5	145921.07	171694.41	317615.48	453595.8
126287.66	156961.05	290165.93	1153836	129823.66	156878.63	286702.29	1170996
132670.39	150460.69	290028.68	639259.8	129047.47	157883.6	286931.06	670983.8
116406.62	150047.1	273213.22	1311916	117753.31	153063.87	270817.17	1350158

EA51_DV	EA51_RV	EA51_TV	EA51_RP	EA52_DV	EA52_RV	EA52_TV	EA52_RP
139447.77	206525.6	345973.36	1480662	138588.48	190155.35	328743.83	1453524
115726.39	229375.54	345101.93	1079585	115083.53	212496.04	327579.56	1083956
125751.13	233891.58	359642.71	1198071	131110.5	210849.57	341960.07	1161874
217534.92	115436.85	332971.76	255879.8	227478.42	92996.177	320474.6	211183.4
147153.78	186535.48	333689.27	715636.7	151555.09	164597.83	316152.92	676834.8
135218.84	195788.37	331007.22	1297935	131926.93	182298.95	314225.87	1277789
118304.11	223745.68	342049.79	871813.2	121097.02	203598.22	324695.24	850665.4
165396.32	191869.63	357265.95	381507.6	171667.52	169980.6	341648.12	353779.3
150457.53	200704.85	351162.38	715946.3	155307.08	180325.38	335632.46	676352.2
244097.03	75015.674	319112.7	190002.5	246825.15	59596.178	306421.32	154201.3
169001.78	185444.62	354446.4	656858.1	169892.51	167095.96	336988.47	628022.6
169730.61	213027.96	382758.57	468906.3	175963.35	188497.99	364461.34	438367.5
157913.89	186839.16	344753.05	1154264	147477.61	180751.7	328229.3	1179705
152117.03	198359.02	350476.05	687941.7	155629.27	176687.45	332316.71	656026.7
140986.97	185968.93	326955.9	1352655	136726.29	173438.35	310164.64	1339058

Deviation	% Deviation	District Number	EA53	% G20P_RV	% EA51_RV	% EA52_RV	Ideal Value
0	0	5	59.08879	0.592501	0.596941	0.57843	786630
0	0	2	66.50253	0.664908	0.66466	0.648685	786630
0	0	4	63.16555	0.607055	0.650344	0.616591	786630
0	0	3	30.33022	0.268625	0.346687	0.290183	786630
0	0	15	53.66239	0.521703	0.55901	0.520627	786630
0	0	9	59.61713	0.61931	0.591493	0.580153	786630
0	0	8	64.14315	0.62445	0.654132	0.627044	786630
0	0	1	50.90107	0.47689	0.53705	0.497531	786630
0	0	10	55.07358	0.528245	0.571544	0.53727	786630
0	0	11	20.19732	0.207601	0.235076	0.194491	786630
0	0	13	51.19096	0.523401	0.523195	0.495851	786630
-1	-0.000001	14	53.58486	0.533718	0.55656	0.517196	786630
0	0	6	56.48309	0.612565	0.541951	0.550687	786630
-1	-0.000001	7	54.88716	0.555086	0.56597	0.531684	786630
0	0	12	57.65107	0.612529	0.568789	0.559182	786630

District Label

5|0%
2|0%
4|0%
3|0%
15|0%
9|0%
8|0%
1|0%
10|0%
11|0%
13|0%
14|-0%
6|0%
7|-0%
12|0%

From: Springhetti, Blake

Sent: Monday, November 15, 2021 6:53 PM

To: Morrison, Christine; Disantis, Paul

Subject: content

Attachments: Substitute Senate Bill 258.HighlightBrief.docx; Substitute Senate Bill 258.HighlightBrief.pdf; Substitute Senate Bill 258.Memo.docx; Substitute Senate Bill 258.Memo.pdf

The highlight brief is skimmed down with non-constitutional facts added. The memo is the same document I sent earlier that has a lot more information.

Blake

Exhibit #

Springhetti 03

DEPO_CONG 0475 12/07/2021 - ER

Springhetti000217

Substitute Senate Bill 258: A Congressional Redistricting Plan

Highlights and Key Facts

County Splits

- Sub. Senate Bill 258 includes 76 whole counties, which is more whole counties than any Ohio congressional plan approved in over 50 years.
- Sub. Senate Bill 258 splits less counties than the House Democrat proposal and Senate Democrat proposal.
- The Ohio Constitution allows for 23 split counties, this plan splits only 12.
- The map approved in 2011 split 23 counties.
- Each congressional district that is not wholly contained in a single county includes at least one whole county within the congressional district boundary.

County Subdivisions Splits

- Sub. Senate Bill 258 splits 14 subdivisions – the House Democrat plan split 21 subdivisions.
- *Columbus*: Approximately 70 percent of Columbus and the subdivisions circumscribed by Columbus, is within Congressional District 3. Columbus is larger than one ratio of representation and must be split into at least two congressional districts.
 - *A higher percentage than both democrat proposals.*
- *Cleveland*: First split in congressional plans dating back to the late 1800s, Cleveland is wholly contained within Congressional District 11.
- *Cincinnati*: Wholly contained within one congressional district for the first time in over 100 years.
- *Akron*: Currently divided into two congressional districts, is wholly contained within Congressional District 13.
- *Dayton*: Wholly contained within Congressional District 10 and is paired with Wright-Patterson Air Force Base.
- *Toledo*: Currently divided into two congressional districts, is wholly contained within Congressional district 9.
- Only three of the top one-hundred most populous cities are split.

Partisan Leanings

- Sub. Senate Bill 258 could create six republican leaning congressional districts, seven competitive congressional districts and two democrat leaning congressional districts.
- Under this plan, in a good election year in which republicans recruit good candidates, republicans can win more than eleven of fifteen districts.
- Sub. Senate Bill 258 would create more competitive congressional districts than any proposal introduced in the General Assembly.
- In the House democrat proposal, eight of fifteen congressional districts would favor one political party by over 60 percent.

Incumbents

- The House democrat proposal paired seven of twelve republican incumbents, clearly unduly disfavoring republican incumbents.
- Cincinnati must be whole and two incumbents live within city limits. Each proposed congressional plan introduced pairs those two incumbents.
- Otherwise, Sub. Senate Bill 258 would *not* pair any republican or democrat incumbent (that is assumed to be running for reelection to Congress) into a single congressional district.

Substitute Senate Bill 258: A Congressional Redistricting Plan

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Substitute Senate Bill 258: A Congressional Redistricting Plan

Highlights and Key Facts

For at least the next decade, Ohio will have fifteen Representatives to Congress, down from sixteen over the past decade. Ohio's population is 11,799,448 and when divided by fifteen equals 786,629.8. To achieve the lowest deviation from 786,629.8, the plan consists of thirteen congressional districts with a population of 786,630 and two congressional districts (Congressional District 6 and Congressional District 12) with a population of 786,629.

The Ohio Constitution clarifies county subdivision boundaries that perforate multiple counties are considered to be separate subdivisions and are not split. Example: Dublin City exists in three counties – Franklin, Delaware and Union. All three portions of Dublin can be in three different congressional districts and is not considered to be split. The same applies to any noncontiguous portions of a subdivision.

It is important to note that the language referencing statewide partisan elections over the last decade in Article XI, section 6, (B), part of the rules for drawing a legislative redistricting plan does not exist in Article XIX or apply to drawing congressional district plans. Substitute Senate Bill 258 complies with all mandatory requirements of Article XIX of the Ohio Constitution and the Voting Rights Act. The plan also achieves certain aspirational sections of Article XIX.

Article XIX requirements for drawing Congressional Districts

- Article XIX, section 2, (B)(4)(a), specifies a congressional district plan shall attempt to include a “significant” portion of any municipal corporation or township in a single congressional district that qualifies with the criteria in that section, which today only applies to Columbus.
- In determining the population of Columbus, this section specifies that county subdivisions circumscribed by the jurisdiction are to be included in the population count.
- Article XIX, section 2 (B)(4)(b), which today applies to Cleveland and Cincinnati, specifies that neither city may be split into more than one congressional district.
- Article XIX, section 2 (B)(5) requires 65 counties be wholly contained in a congressional district and permits eighteen counties to be split once (meaning a portion of the county boundary is included in two congressional districts) and five counties may be split twice (meaning a portion of the county boundary is included in three congressional districts).
- Congressional districts shall be contiguous and compactness shall be attempted.
- If a congressional district contains territory within a split county, the territory within that county must be contiguous.
- No two congressional districts can share territory of more than one county, except for counties with population over 400,000. This rule does not apply to the following counties -- Franklin, Cuyahoga, Hamilton, Summit, Montgomery and Lucas.
- The authority drawing congressional districts shall attempt to include at least one whole county in each congressional district, except for congressional districts wholly contained within one county or that cannot be drawn in that manner while complying with federal law.
- If passed with a simple majority vote, the plan shall not unduly favor or disfavor a political party or its incumbents.
- The plan shall not unduly split governmental units, giving preference to counties, and then townships and municipal corporations.

County and Political Subdivision Splits

- Three counties - Franklin, Cuyahoga and Hamilton - all of which have a population greater than one ratio of representation - must be split due to population requirements.
- Sub. Senate Bill 258 includes 76 whole counties and 12 split counties, with two counties split between three congressional districts (Cuyahoga and Hamilton).
- The map approved in 2011 split 23 counties total, with 2 counties split between four congressional districts and 5 counties split between three congressional districts.
- Each congressional district that is not wholly contained in a single county includes at least one whole county within the congressional district boundary.
- Sub. Senate Bill 258 splits less counties than the House Democrat proposal, Senate Democrat proposal and the contest winner map.
- Sub. Senate Bill 258 splits 14 subdivisions – the House Democrat plan split 21 subdivisions.
- Sub. Senate Bill 258 splits the below counties and subdivisions
 - *Clark County: Mad River Township*
 - *Cuyahoga County: Rocky River and Oakwood*
 - *Fairfield County: Columbus (counts as a split because the city boundary within the county is split between two congressional districts)*
 - *Franklin County: Columbus*
 - *Hamilton County: Glendale and Sycamore Township*
 - *Holmes County: Berlin Township*
 - *Lorain County: Columbia Township*
 - *Ross County: Union Township*
 - *Shelby County: Green Township*
 - *Summit County: Cuyahoga Falls*
 - *Washington County: Belpre Township*
 - *Wood County: Perrysburg Township*

Urban Cities

- *Columbus:* Approximately 70 percent of Columbus and the subdivisions circumscribed by Columbus, is within Congressional District 3, with a small portion within Congressional District 15. Columbus is larger than one ratio of representation and must be split into at least two congressional districts.
 - A higher percentage than both democrat proposals.
- *Cleveland:* Wholly contained within Congressional District 11.
- *Cincinnati:* Wholly contained within Congressional District 1.
- *Akron:* Wholly contained within Congressional District 13.
- *Dayton:* Wholly contained within Congressional District 10.
- *Toledo:* Wholly contained within Congressional district 9.

Ten-year Election Results, Partisan Leanings and Incumbents

Ten- year Election Results

- The below statistics were developed using statewide federal election data over the last ten years.
 - Presidential races in 2012 (**Obama** vs Romney), 2016 (**Trump** vs Clinton) and 2020 (**Trump** vs Biden)
 - US Senate Races in 2012 (**Brown** vs Mandel), 2016 (**Portman** vs Strickland) and 2018 (**Brown** vs Renacci)

District	Population	Deviation	FED Election Data
1	786,630	0	51.5
2	786,630	0	65.1
3	786,630	0	30.4
4	786,630	0	66.0
5	786,630	0	58.8
6	786,629	-1	52.9
7	786,630	0	56.7
8	786,630	0	62.0
9	786,630	0	47.7
10	786,630	0	52.2
11	786,630	0	19.4
12	786,629	-1	61.3
13	786,630	0	48.6
14	786,630	0	53.2
15	786,630	0	53.7

Note: Uses Federal election data from Presidential and U.S. Senate races between 2012 and 2020

Note: Prior election results do not guarantee future election outcomes

Partisan Leanings

- Sub. Senate Bill 258 could create six republican leaning congressional districts, seven competitive congressional districts and two democrat leaning congressional districts.
- Congressional districts are considered competitive if the district leans politically toward one party by four percent or less.
- Congressional Districts 2, 4, 5, 7, 8 and 12 could lean republican by 54 percent or more.
- Congressional Districts 1, 6, 9, 10, 13, 14, and 15 could lean +/- four percent.
- Congressional Districts 3 and 11 could lean democrat by 54 percent or more.
- Sub. Senate Bill 258 would create more competitive congressional districts than any proposal introduced in the General Assembly.

Incumbents

- Cincinnati must be whole and two incumbents live within city limits. Each proposed congressional plan introduced pairs those two incumbents.
- Otherwise, Sub. Senate Bill 258 would not pair any republican or democrat incumbent (that is assumed to be running for reelection to Congress) into a single congressional district.

Substitute Senate Bill 258: A Congressional Redistricting Plan

Highlights and Key Facts

For at least the next decade, Ohio will have fifteen Representatives to Congress, down from sixteen over the past decade. Ohio's population is 11,799,448 and when divided by fifteen equals 786,629.8. To achieve the lowest deviation from 786,629.8, the plan consists of thirteen congressional districts with a population of 786,630 and two congressional districts (Congressional District 6 and Congressional District 12) with a population of 786,629.

The Ohio Constitution clarifies county subdivision boundaries that perforate multiple counties are considered to be separate subdivisions and are not split. Example: Dublin City exists in three counties – Franklin, Delaware and Union. All three portions of Dublin can be in three different congressional districts and is not considered to be split. The same applies to any noncontiguous portions of a subdivision.

It is important to note that the language referencing statewide partisan elections over the last decade in Article XI, section 6, (B), part of the rules for drawing a legislative redistricting plan does not exist in Article XIX or apply to drawing congressional district plans. Substitute Senate Bill 258 complies with all mandatory requirements of Article XIX of the Ohio Constitution and the Voting Rights Act. The plan also achieves certain aspirational sections of Article XIX.

Article XIX requirements for drawing Congressional Districts

- Article XIX, section 2, (B)(4)(a), specifies a congressional district plan shall attempt to include a “significant” portion of any municipal corporation or township in a single congressional district that qualifies with the criteria in that section, which today only applies to Columbus.
- In determining the population of Columbus, this section specifies that county subdivisions circumscribed by the jurisdiction are to be included in the population count.
- Article XIX, section 2 (B)(4)(b), which today applies to Cleveland and Cincinnati, specifies that neither city may be split into more than one congressional district.
- Article XIX, section 2 (B)(5) requires 65 counties be wholly contained in a congressional district and permits eighteen counties to be split once (meaning a portion of the county boundary is included in two congressional districts) and five counties may be split twice (meaning a portion of the county boundary is included in three congressional districts).
- Congressional districts shall be contiguous and compactness shall be attempted.
- If a congressional district contains territory within a split county, the territory within that county must be contiguous.
- No two congressional districts can share territory of more than one county, except for counties with population over 400,000. This rule does not apply to the following counties -- Franklin, Cuyahoga, Hamilton, Summit, Montgomery and Lucas.
- The authority drawing congressional districts shall attempt to include at least one whole county in each congressional district, except for congressional districts wholly contained within one county or that cannot be drawn in that manner while complying with federal law.
- If passed with a simple majority vote, the plan shall not unduly favor or disfavor a political party or its incumbents.
- The plan shall not unduly split governmental units, giving preference to counties, and then townships and municipal corporations.

County and Political Subdivision Splits

- Three counties - Franklin, Cuyahoga and Hamilton - all of which have a population greater than one ratio of representation - must be split due to population requirements.
- Sub. Senate Bill 258 includes 76 whole counties and 12 split counties, with two counties split between three congressional districts (Cuyahoga and Hamilton).
- The map approved in 2011 split 23 counties total, with 2 counties split between four congressional districts and 5 counties split between three congressional districts.
- Each congressional district that is not wholly contained in a single county includes at least one whole county within the congressional district boundary.
- Sub. Senate Bill 258 splits less counties than the House Democrat proposal, Senate Democrat proposal and the contest winner map.
- Sub. Senate Bill 258 splits 14 subdivisions – the House Democrat plan split 21 subdivisions.
- Sub. Senate Bill 258 splits the below counties and subdivisions
 - *Clark County: Mad River Township*
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 - *Holmes County: Berlin Township*
 - *Lorain County: Columbia Township*
 - *Ross County: Union Township*
 - *Shelby County: Green Township*
 - *Summit County: Cuyahoga Falls*
 - *Washington County: Belpre Township*
 - *Wood County: Perrysburg Township*

Urban Cities

- *Columbus*: Approximately 70 percent of Columbus and the subdivisions circumscribed by Columbus, is within Congressional District 3, with a small portion within Congressional District 15. Columbus is larger than one ratio of representation and must be split into at least two congressional districts.
 - A higher percentage than both democrat proposals.
- *Cleveland*: Wholly contained within Congressional District 11.
- *Cincinnati*: Wholly contained within Congressional District 1.
- *Akron*: Wholly contained within Congressional District 13.
- *Dayton*: Wholly contained within Congressional District 10.
- *Toledo*: Wholly contained within Congressional district 9.

Ten-year Election Results, Partisan Leanings and Incumbents

Ten- year Election Results

- The below statistics were developed using statewide federal election data over the last ten years.
 - Presidential races in 2012 (**Obama** vs Romney), 2016 (**Trump** vs Clinton) and 2020 (**Trump** vs Biden)
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District	Population	Deviation	FED Election Data
1	786,630	0	51.5
2	786,630	0	65.1
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- Sub. Senate Bill 258 could create six republican leaning congressional districts, seven competitive congressional districts and two democrat leaning congressional districts.
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Incumbents

- Cincinnati must be whole and two incumbents live within city limits. Each proposed congressional plan introduced pairs those two incumbents.
- Otherwise, Sub. Senate Bill 258 would not pair any republican or democrat incumbent (that is assumed to be running for reelection to Congress) into a single congressional district.

Substitute Senate Bill 258: A Congressional Redistricting Plan

Highlights and Key Facts

For at least the next decade, Ohio will have fifteen Representatives to Congress, down from sixteen over the past decade. Ohio's population is 11,799,448 and when divided by fifteen equals 786,629.8. To achieve the lowest deviation from 786,629.8, the plan consists of thirteen congressional districts with a population of 786,630 and two congressional districts (Congressional District 6 and Congressional District 12) with a population of 786,629.

The Ohio Constitution clarifies county subdivision boundaries that perforate multiple counties are considered to be separate subdivisions and are not split. Example: Dublin City exists in three counties -- Franklin, Delaware and Union. All three portions of Dublin can be in three different congressional districts and is not considered to be split. The same applies to any noncontiguous portions of a subdivision.

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- The plan shall not unduly split governmental units, giving preference to counties, and then townships and municipal corporations.



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- Each congressional district that is not wholly contained in a single county includes at least one whole county within the congressional district boundary.
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 - *Shelby County: Green Township*
 - *Summit County: Cuyahoga Falls*
 - *Washington County: Belpre Township*
 - *Wood County: Perrysburg Township*

Urban Cities

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 - A higher percentage than both democrat proposals.
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- *Toledo*: Wholly contained within Congressional district 9.

Ten-year Election Results, Partisan Leanings and Incumbents

Ten- year Election Results

- The below statistics were developed using statewide federal election data over the last ten years.
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Note: Uses Federal election data from Presidential and U.S. Senate races between 2012 and 2020

Note: Prior election results do not guarantee future election outcomes

Partisan Leanings

- Sub. Senate Bill 258 could create six republican leaning congressional districts, seven competitive congressional districts and two democrat leaning congressional districts.
- Congressional districts are considered competitive if the district leans politically toward one party by four percent or less.
- Congressional Districts 2, 4, 5, 7, 8 and 12 could lean republican by 54 percent or more.
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- Congressional Districts 3 and 11 could lean democrat by 54 percent or more.
- Sub. Senate Bill 258 would create more competitive congressional districts than any proposal introduced in the General Assembly.

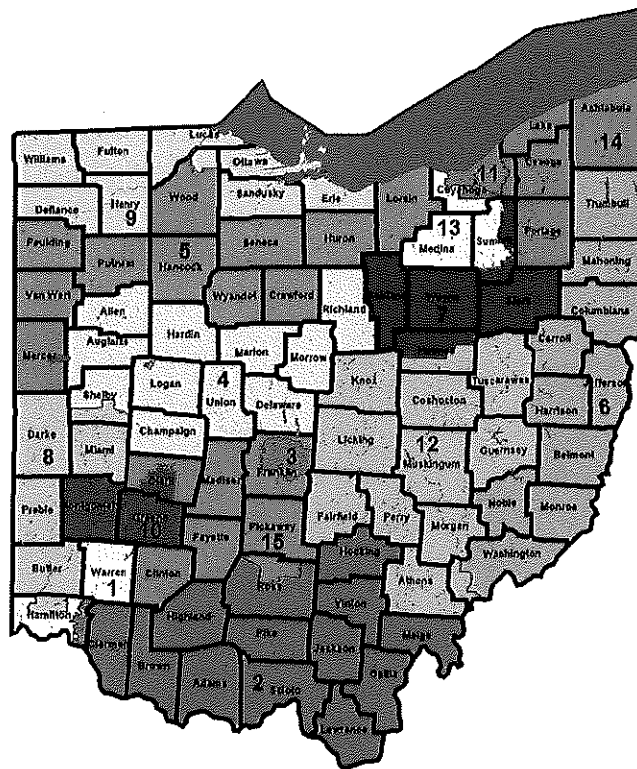
Incumbents

- Cincinnati must be whole and two incumbents live within city limits. Each proposed congressional plan introduced pairs those two incumbents.
- Otherwise, Sub. Senate Bill 258 would not pair any republican or democrat incumbent (that is assumed to be running for reelection to Congress) into a single congressional district.

CD #	Population	Deviation	FED 12 to 20	
1	786,630	0	51.5	
2	786,630	0	65.1	
3	786,630	0	30.4	
4	786,630	0	66.0	
5	786,630	0	58.8	
6	786,629	-1	52.9	7 Competitive Districts +/- 4%
7	786,630	0	56.7	
8	786,630	0	62.0	
9	786,630	0	47.7	
10	786,630	0	52.2	
11	786,630	0	19.4	
12	786,629	-1	61.3	
13	786,630	0	48.6	
14	786,630	0	53.2	
15	786,630	0	53.7	

Note: Uses Federal election data from Presidential and U.S. Senate races between 2012 and 2020

Note: Prior election results do not guarantee future election outcomes



8/20/2018

Substitute Senate Bill 258

Highlights and Key Facts

For at least the next decade, Ohio will have fifteen Representatives to Congress, down from sixteen over the past decade. Ohio's population is 11,799,448 and when divided by fifteen equals 786,629.8. To achieve the lowest deviation from 786,629.8, the plan before you consists of thirteen districts with a population of 786,630 and two districts (district 6 and district 12) with a population of 786,629.

The Ohio Constitution clarifies subdivision boundaries that perforate multiple counties are considered to be separate subdivisions and are not split. Example: Dublin City exists in three counties – Franklin, Delaware and Union counties. All three pieces of Dublin can be in three different districts and is not considered to be split. The same applies to any noncontiguous portions of a subdivision.

Substitute Senate Bill 258 Complies with all mandatory requirements of Article XIX of the Ohio Constitution. The plan also achieves certain aspirational sections of Article XIX.

Requirements of Article XIX in drawing Congressional Districts

- Article XIX, section 2, (B)(4)(a), specifies a congressional district plan shall attempt to include a “significant” portion of any municipal corporation or township in a single district that qualifies with the criteria in that section, which today only applies to Columbus.
- In determining the population of Columbus, this section specifies that county subdivisions circumscribed by the jurisdiction are to be included in the population count.
- Approximately 70 percent of Columbus is within one congressional district, a percentage cited as significant in public testimony before the Ohio Redistricting Commission.
- Article XIX, section 2 (B)(4)(b), which today applies to Cleveland and Cincinnati, specifies that neither city may be split into more than one congressional district.
- Section 2, (B)(5) of Article XIX requires 65 counties be wholly contained in a congressional district and permits eighteen counties to be split once (meaning a portion of the county boundary is included in two districts) and five counties may be split twice (meaning a portion of the county boundary is included in three districts).
- Districts shall be compact and contiguous.
- If a district contains territory within a split county, any territory within that county must be contiguous.
- No two districts can share territory of more than one county, except for counties with population over 400,000. This rule does not apply to the following counties -- Franklin, Cuyahoga, Hamilton, Summit, Montgomery and Lucas.
- The authority drawing districts shall attempt to include at least one whole county in each congressional district, except for district wholly contained within one county or than cannot be drawn in that manner while complying with federal law.
- If passed with a simple majority vote, the plan shall not unduly favor or disfavor a political party or its incumbents.
- The plan shall not unduly split governmental units, giving preference to counties and then townships and municipal corporations.

Exhibit #

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12/07/2021 - ER

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County and Political Subdivision Splits

- Three counties -- Franklin, Cuyahoga and Hamilton -- all of which have a population greater than one ratio of representation -- must be split due to population requirements.
- Sub. Senate Bill 258 includes 76 whole counties and 12 split counties, with two counties split between three districts (Cuyahoga and Hamilton).
- The map approved in 2011 split 23 counties total, with 2 counties split between four districts and 5 counties split between three districts.
- Each congressional district that is not wholly contained in a single county, includes at least one whole county within the district boundary.
- Sub. Senate Bill 258 splits less counties than the House Democrat proposal, Senate Democrat proposal and the Fair Districts Ohio contest winner map.
- Sub. Senate Bill 258 splits 14 subdivisions -- the House Democrat plan split 21 subdivisions.
- Three of Ohio's 100 most populous cities are split (Columbus, Cuyahoga Falls and Rocky River)
- Sub. Senate Bill 258 splits the below counties and subdivisions
 - Clark County: Mad River Township
 - Cuyahoga County: Rocky River and Oakwood
 - Fairfield County: Columbus (counts as a split because the city boundary within the county is split between two districts)
 - Franklin County: Columbus
 - Hamilton County: Glendale and Sycamore Township
 - Holmes County: Berlin Township
 - Lorain County: Columbia Township
 - Ross County: Union Township
 - Shelby County: Green Township
 - Summit County: Cuyahoga Falls
 - Washington County: Belpre Township
 - Wood County: Perrysburg Township

Urban Cities

- A significant portion of Columbus is within Congressional District 3, with a small portion within Congressional District 15. Columbus is larger than one ratio of representation and must be split into at least two districts.
- Cleveland is wholly contained within Congressional District 11.
- Cincinnati is wholly contained within Congressional District 1.
- Akron is wholly contained within Congressional District 13.
- Dayton is wholly contained within Congressional District 10.
- Toledo is wholly contained within Congressional district 9.

10-year Election Results, Partisan Makeup and Incumbents

10 year Election Results

- The below statistics were developed using statewide federal election results and geography over the last ten years.
 - Presidential races in 2012 (**Obama** vs Romney), 2016 (**Trump** vs Clinton) and 2020 (**Trump** vs Biden)
 - US Senate Races in 2012 (**Brown** vs Mandel), 2016 (**Portman** vs Strickland) and 2018 (**Brown** vs Renacci)
- Include districts specific political measurements here????

Partisan Makeup

- Sub. Senate Bill 258 could create six republican leaning districts, seven competitive districts and two democrat leaning districts.
- Congressional districts are considered competitive if the district could have favored or disfavored one political party by 3.75% or less.
- Congressional Districts 2, 4, 5, 7, 8 and 12 could lean republican by 53.75% or more.
- Congressional Districts 1, 6, 9, 10, 13, 14, and 15 could lean +/- 3.75%.
- Congressional Districts 3 and 11 could lean democrat by 53.75% or more.
- Sub. Senate Bill 258 would create more competitive districts than any proposal introduced in the General Assembly.
 - Eight of fifteen congressional districts in the House Democrat proposed map could favor one political party by over 60 percent.

Incumbents

- Cincinnati must be whole and two incumbents live within city limits. Each proposed congressional plan introduced pairs those two incumbents.
- Otherwise, sub. Senate Bill 258 would not pair any returning democrat or republican incumbent into a single district.

CD #	Population	Deviation	FED 12 to 20
1	786,630	0	51.5
2	786,630	0	65.1
3	786,630	0	30.4
4	786,630	0	66.0
5	786,630	0	58.8
6	786,629	-1	52.9
7	786,630	0	56.7
8	786,630	0	62.0
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12	786,629	-1	61.3
13	786,630	0	48.6
14	786,630	0	53.2
15	786,630	0	53.7

7 Competitive Districts
+/- 4%

Note: Uses Federal election data from Presidential and U.S. Senate races between 2012 and 2020

Note: Prior election results do not guarantee future election outcomes

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7 Competitive CDs **+/- 3.75% to 3.80%**

CD 7 Gibbs	56.7	CD 9 Kaptur	47.7	CD 11 Brown	19.4
CD 5 Latta	58.8	CD 13 Gonz/open	48.6	CD 3 Beatty	30.4
CD 12 Balder	61.3	CD 1 Chabot	51.5		
CD 8 Davids	62.0	CD 10 Turner	52.2		
CD 2 Wenst	65.1	CD 6 Johnson	52.9		
CD 4 Jordan	66.0	CD 14 Joyce	53.2		
		CD 15 Carey	53.8		

			ALL	PRES R/D	PRES	
			<u>16 to 20</u>	<u>20 only</u>	<u>R/D/I</u>	<u>FED</u>
					<u>20 only</u>	<u>12 to 20</u>
1	786,630		51.5	48.37	49.1	51.5
2	786,630		66.7	67.26	68.2	65.1
3	786,630		29.7	26.41	26.8	30.4
4	786,630		67.3	65.99	67.0	66.0
5	786,630		60.8	61.85	62.8	58.8
6	786,629	-1	56.3	61.01	61.8	52.9
7	786,630		57.9	58.44	59.3	56.7
8	786,630		62.5	60.67	61.6	62.0
9	786,630		50.3	51.38	52.3	47.7
10	786,630		53.3	50.91	51.8	52.2
11	786,630		19.8	20.30	20.5	19.4
12	786,629	-1	63.1	65.32	66.3	61.3
13	786,630		49.2	49.03	49.6	48.6
14	786,630		54.1	55.01	55.7	53.2
15	786,630		53.9	52.11	52.9	53.8

Competitive CDs (+/- 4%) using FED data

7 McColley (SB 258)
 5 Yuko Sykes (SB 237) Sept 29th
 5 Yuko Sykes (SB 237) Nov 10th
 5 House Dem (HB 483)
 2 Current Map

Competitive CDs (+/- 4%) using all data

5 McColley (SB 258)
 5 Yuko Sykes (SB 237) Sept 29th
 4 Yuko Sykes (SB 237) Nov 10th
 5 House Dem (HB 483)
 2 Current Map

Competitive CDs (+/- 3.75%) using FED data

7 McColley (SB 258)
 5 Yuko Sykes (SB 237) Sept 29th
 5 Yuko Sykes (SB 237) Nov 10th
 5 House Dem (HB 483)
 0 Current Map

Competitive CDs (+/- 3.75%) using all data

4 McColley (SB 258)
 4 Yuko Sykes (SB 237) Sept 29th
 4 Yuko Sykes (SB 237) Nov 10th
 5 House Dem (HB 483)
 2 Current Map

Competitive CDs (+/- 3.5%) using FED data

6 McColley (SB 258)
 4 Yuko Sykes (SB 237) Sept 29th
 4 Yuko Sykes (SB 237) Nov 10th
 4 House Dem (HB 483)
 0 Current Map

Competitive CDs (+/- 3.5%) using all data

4 McColley (SB 258)
 4 Yuko Sykes (SB 237) Sept 29th
 4 Yuko Sykes (SB 237) Nov 10th
 4 House Dem (HB 483)
 1 Current Map

Competitive CDs (+/- 3%) using FED data

5 McColley (SB 258)
 4 Yuko Sykes (SB 237) Sept 29th
 4 Yuko Sykes (SB 237) Nov 10th
 4 House Dem (HB 483)
 0 Current Map

Competitive CDs (+/- 3%) using all data

3 McColley (SB 258)
 3 Yuko Sykes (SB 237) Sept 29th
 3 Yuko Sykes (SB 237) Nov 10th
 2 House Dem (HB 483)
 1 Current Map

Competitive CDs (+/- 2.5%) using FED data

4 McColley (SB 258)
 3 Yuko Sykes (SB 237) Sept 29th
 3 Yuko Sykes (SB 237) Nov 10th
 3 House Dem (HB 483)
 0 Current Map

Competitive CDs (+/- 2.5%) using all data

3 McColley (SB 258)
 2 Yuko Sykes (SB 237) Sept 29th
 2 Yuko Sykes (SB 237) Nov 10th
 1 House Dem (HB 483)
 0 Current Map

Competitive CDs (+/- 2%) using FED data

2 McColley (SB 258)
 3 Yuko Sykes (SB 237) Sept 29th
 3 Yuko Sykes (SB 237) Nov 10th
 2 House Dem (HB 483)
 0 Current Map

Competitive CDs (+/- 2%) using all data

3 McColley (SB 258)
 2 Yuko Sykes (SB 237) Sept 29th
 2 Yuko Sykes (SB 237) Nov 10th
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Competitive CDs (+/- 1.5%) using FED data

2 McColley (SB 258)
 2 Yuko Sykes (SB 237) Sept 29th
 2 Yuko Sykes (SB 237) Nov 10th
 1 House Dem (HB 483)
 0 Current Map

Competitive CDs (+/- 1.5%) using all data

2 McColley (SB 258)
 1 Yuko Sykes (SB 237) Sept 29th
 1 Yuko Sykes (SB 237) Nov 10th
 0 House Dem (HB 483)
 0 Current Map

Exhibit #**Springhetti 07**

12/07/2021 - ER

CERTIFICATE OF SERVICE

I, Freda J. Levenson, hereby certify that on this 10th day of December, 2021, I caused a true and correct copy of this appendix to be served by email upon the counsel listed below:

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Matt Huffman*

/s/ Freda J. Levenson

Freda J. Levenson (0045916)

Counsel for Relators