

IN THE SUPREME COURT OF OHIO

LEAGUE OF WOMEN VOTERS OF OHIO, ET  
AL.,

MERYL NEIMAN, ET AL.,

v.

SECRETARY OF STATE FRANK LAROSE, ET  
AL.

Case No. 2022-0303

Case No. 2022-0298

*Consolidated*

**Original Action Filed Pursuant to  
Ohio Constitution, Article XIX, Section  
3(A)**

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AFFIDAVIT OF FREDA J. LEVENSON  
PETITIONERS' EVIDENCE – JEN MILLER AFFIDAVIT

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### Miller Compiled.pdf

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### E-Signature Summary

**E-Signature 1: Freda Levenson (FJL)**

April 25, 2022 17:52:51 -8:00 [EFF084C9CA45] [98.97.176.160]  
flevenson@acluohio.org (Principal) (Personally Known)

**E-Signature Notary: Theresa M Sabo (TMS)**

April 25, 2022 17:52:51 -8:00 [4251EFAA7489] [65.60.141.105]  
tess.sabo@gmail.com  
I, Theresa M Sabo, did witness the participants named above electronically sign this document.



**Affidavit of Freda J. Levenson**

I, Freda J. Levenson, having been duly sworn and cautioned according to law, hereby state that I am over the age of eighteen years and am competent to testify as to the facts set forth below based on my personal knowledge and having personally examined all records referenced in this affidavit, and further state as follows:

1. The Ohio Supreme Court entered an order in the above-captioned consolidated cases, *League of Women Voters of Ohio, et al. v. Secretary of State Frank LaRose, et al.*, No. 2022-0303, and *Meryl Neiman, et al., v. Secretary of State Frank LaRose, et al.*, No. 2022-0298, providing that the parties shall file any evidence they intend to present no later than Monday, April 25, 2022.
2. I am one of the counsel for Petitioners in the above-captioned case, No. 2022-0303.
3. Alongside this affidavit, Petitioners submit an Appendix of Exhibits. The Index included below provides a description of each document and states where it appears in the Appendix.
4. **The Exhibits Appendix** includes a true and correct copy of the March 7, 2022 Affidavit of Jen Miller, as filed in the above-captioned case on March 30, 2022.

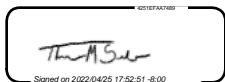
  
Signed on 2022/04/25 17:52:51 -8:00  
 Freda J. Levenson  
 Columbus, Franklin, Ohio

Signed at \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_  
 City County State

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_



Notarial act performed by audio-visual communication

  
Signed on 2022/04/25 17:52:51 -8:00

4E851AE7-5FF2-456C-B7A3-9CADDDB291EFE --- 2022/04/25 17:36:04 -8:00 --- Remote Notary



**EXHIBITS APPENDIX - MILLER AFFIDAVIT**  
**Volume 1 of 1**

**Index of Documents**

<b><u>ITEM</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>BATES RANGE</u></b>
1	March 7, 2022 Affidavit of Jen Miller, as filed in the above-captioned case on March 30, 2022	MILLER_001-005

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Case No. 2022-0303

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EXHIBITS TO COMPLAINT — VOLUME 1 OF 2

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*Counsel for Petitioners*  
*\*Applications for Admission Pro Hac Vice*  
*Forthcoming*

**AFFIDAVIT OF JEN MILLER**

STATE OF OHIO	)	
	)	
	)	SS:
	)	
COUNTY OF FRANKLIN	)	

Affiant Jen Miller, having been first duly cautioned and sworn, deposes and states as follows:

1. I am over the age of 18 and fully competent to testify to the statements and facts contained herein, and I have personal knowledge of all of them.
  
2. I am a resident and elector of the State of Ohio.
  
3. I am the Executive Director of the League of Women Voters of Ohio (“LWVO”).
  
4. Petitioner LWVO is the Ohio chapter of the League of Women Voters of the United States, a nonpartisan, statewide non-profit founded in May 1920, shortly before the ratification of the Nineteenth Amendment in August 1920 granting women’s suffrage. With 3,816 members across the state, LWVO and its 29 local Leagues and 4 at-large units are dedicated to empowering citizens and ensuring an effective democracy. The LWVO has members, the vast majority of whom are registered Ohio voters, living in all of Ohio’s current congressional districts.
  
5. As part of its mission to empower voters and defend democracy, LWVO aims to shape public policy, to educate the public about policy issues and the functioning of our democracy, and to protect and expand Ohioans’ access to elections and their government. Individual LWVO members invest substantial volunteer time in nonpartisan voter education, civic engagement, and voter registration.
  
6. The revised gerrymandered congressional map impairs LWVO’s work by deterring and discouraging its members and other Ohio voters from engaging in the political process, thereby



making it more difficult for LWVO to engage voters through its education, registration, and outreach efforts. For example, LWVO and its members have struggled to engage and activate self-identified Democratic voters in districts drawn in a manner that favor Republican candidates. When LWVO hosts forums for candidates in districts that are not competitive, it is difficult to get candidates from the favored party to attend. In addition, in districts that are not competitive, it is difficult to get candidates from the favored party to respond to requests to complete our informational questionnaires, which we use to complete a nonpartisan voter guide for the public.

7. Concern about the prospect of yet another gerrymandered congressional map has forced LWVO to divert staff responsibilities, member efforts, and financial resources away from the full range of our mission, and instead to an advocacy campaign for fair districts. If LWVO and its members could rely on a nonpartisan process to produce fair maps and competitive districts, the diverted resources would otherwise be used for LWVO's traditional nonpartisan voter education services and programs. In this last redistricting cycle, especially, LWVO has had to turn its focus away from administering voter registration programs; reviewing Supplemental Process lists (lists of voters who are in danger of being purged) for accuracy; educating the public to check and update their registrations; training local Leagues on best practices for holding candidate forums and voter guide production; conducting advocacy on current legislation including HB 294 and HB 387; and training volunteers to work with local boards of elections, on poll worker recruitment and voter education, such as informing voters about new machines, poll locations, and protocols.

8. Instead, LWVO has been forced to expend money and time advocating for fair districts. This advocacy by members and staff includes attending multiple hearings., mobilizing voter communications with elected officials, and organizing lobbying outreach, among other efforts. During the 2021–2022 redistricting cycle, LWVO has deployed all of its staff members on

redistricting-related work, contracted additional staff to work strictly on redistricting, and retained a mapping expert to create demonstration maps and analyze the congressional map proposals as they became available.

9. In addition, fundraising by LWVO for its traditional programs has suffered during 2021–2022 due to the fair districts campaign. Financial supporters of LWVO have been forced to choose between supporting LWVO’s traditional programs and funding the advocacy campaign for fair districts in 2021–2022. As an example, LWVO’s fundraising for Women’s Equality Day is down substantially in 2021 compared to 2020.

10. The Ohio Redistricting Commission held hearings in February and March 2022 on proposed congressional maps and then ultimately enacted the revised plan. I attended most if not all of those hearings.

11. The final proposed revised map, which was ultimately approved, was released by the Republican Commissioners the morning of March 2, 2022, just hours before its ultimate adoption. As a result of the last-minute release of the plan, I had to analyze the map during the hearing on the spot. That was the only hearing before the Commission on the final, revised plan, and the public was not able to offer testimony on the final map.

12. Most of the Republicans’ deliberations took place behind closed doors, so the public could not see or hear it. Based on my prior experience testifying before the Ohio Redistricting Commission, the Republicans were largely unwilling to consider or incorporate public input in the congressional map-drawing process.

13. LWVO is suing on its own behalf as well as in its capacity as representative of its members, to seek congressional maps that comply with the provisions of the Ohio Constitution, which was

amended by the overwhelming majority of Ohio voters in 2018 in order to put an end to the practice of partisan gerrymandering in our state.

FURTHER AFFIANT SAYETH NAUGHT.

Executed on March 7, 2022.

\_\_\_\_\_  
Jen Miller

Sworn to and subscribed before me this 7 day of March 2022.



MICHELLE L BENNETT  
Notary Public  
State of Ohio  
My Comm. Expires  
March 11, 2025

Online Notary Public. This notarial act involved the use of online audio/video communication technology.

## CERTIFICATE OF SERVICE

I, Freda J. Levenson, hereby certify that on this 25<sup>th</sup> day of April 2022, I caused a true and correct copy of the foregoing to be served by email upon the counsel below:

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