

# Voters' Guide 2012

**The League of Women Voters of Ohio, founded in 1920, is a nonpartisan political organization that encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy. Complementing it is the League of Women Voters of Ohio Education Fund that provides nonpartisan information and educational services to citizens.**

**Prior to each state and national election, the League of Women Voters of Ohio Education Fund provides nonpartisan information on statewide candidates and issues to its local Leagues and Ohio voters.** This information is used in Voters' Guides which are distributed by local Leagues throughout the state. Statewide offices in the 2012 General Election are U.S. Senator and Justice of the Supreme Court of Ohio. On the ballot for the November General Election are two issues: Issue 1, which concerns holding a constitutional convention; and Issue 2, a proposed constitutional amendment changing the way legislative and congressional districts are drawn.

All statewide candidates who filed their intent to run for office with the Ohio Secretary of State were sent questions relating to the office they were seeking, as well as instructions on how to complete the candidate questionnaire. *The League does not alter, edit, correct, or evaluate any candidate's reply, and each candidate is solely responsible for the accuracy and truth of his or her statements. Each candidate is advised in writing to carefully note the word limitations listed on their questionnaire since no text beyond the word limit will be included, as indicated by ....*

A candidate's answers are accepted and printed only with the understanding that the material will not be used in any way that may be deemed to be an endorsement by the League of his or her candidacy or views.

**Deadline for Voter Registration is October 9<sup>th</sup>, 2012.**

**The General Election Day is November 6<sup>th</sup>, 2012.**

Prepared by the

**League of Women Voters of Ohio Education Fund**

**17 South High Street, Suite 650**

**Columbus, Ohio 43215**

**614-469-1505 877- LWV-OHIO (598-6446)**

Please visit our website: [www.lwvohio.org](http://www.lwvohio.org)

**Looking for information on voter registration, voter ID, and how to cast your ballot?**

**Visit our Voting 1-2-3 resource page at [www.lwvohio.org](http://www.lwvohio.org)**

# Candidates: U.S. Senate

*Term Beginning January 1, 2013*

## Democratic Party

**Sherrod Brown**

## Republican Party

**Josh Mandel**

## Independent

**Scott A. Rupert**

### DEMOCRATIC PARTY

#### **Sherrod Brown - D**

Address: 340 East Fulton Street  
Columbus, OH 43215  
Email: [schedule@sherrodbrown.com](mailto:schedule@sherrodbrown.com)

### Biographical Information

- A. **EDUCATION:** 1974, Yale B.A.; 1979, Ohio State M.A., Education; 1981, Ohio State M.A., Public Administration.
- B. **OCCUPATION:** United States Senator; educator
- C. **TRAINING AND EXPERIENCE:** United States Senator 2007-present; United States Representative 1993-2007; Ohio Secretary of State, 1983-1991; Ohio State Representative, 1975-1983

### Questions & Answers

- 1) *With strong pressure to reduce expenditures, where would you make significant cuts in the federal budget? Increases?*

While I oppose cutting benefits for Ohioans who rely on Social Security and Medicare, I support several approaches to reducing spending: allow Medicare to negotiate for lower prescription drug prices; reform farm programs to save \$23 billion, and end \$20 billion in subsidies to oil companies reaping huge profits. I support investments in our roads, bridges, and water systems, to save money in the long run and put Ohioans to work to help grow our economy. We should invest in educational opportunities to our children by supporting our teachers rather than demonizing them, and providing grants and affordable loans for higher education. And I was proud to vote to keep taxes low for middle-class families while asking the wealthiest to pay their fair share to help reduce our deficit.

2) *How would you balance the interests of citizens, the environment and the business community?*

I reject the false choice between protecting the health of Ohio's families and expanding job opportunities for the middle-class and I have worked hard to confer with business interests and citizen groups about how we can create jobs in manufacturing and energy while protecting the environment. I have tried to strike that balance by organizing a job fair with Chesapeake Energy to recruit Ohioans looking to move into the energy field and why I have also support local officials when they have expressed concerns about the environmental impacts of drilling in their communities. Working together with business and local communities, I believe Ohio can be a leader in energy jobs, particularly green energy, while making sure that our drinking water and air are safe for Ohio's children and families.

3) *How would you address concerns about immigration?*

I think we must continue to find ways to strengthen our border security, not just to stem illegal immigration but also to guard against terrorism, trafficking in drugs and humans, and other illicit activities. To achieve that, most importantly we need to enforce our immigration laws with regards to both illegal immigrants and employers that illegally hire workers.

**REPUBLICAN PARTY**

**Josh Mandel - R**

Address: 50 West Broad Street, Suite 1900  
Columbus, Ohio 43215  
Email: [joshmandel@joshmandel.com](mailto:joshmandel@joshmandel.com)

**Biographical Information**

- A. **EDUCATION:** B.A., The Ohio State University, 2000; J.D., Case Western Reserve University School of Law, 2003
- B. **OCCUPATION:** State Treasurer
- C. **TRAINING AND EXPERIENCE:** City of Lyndhurst, Ohio, City Councilman, (2004-2006); State Representative (District 17), (2007-2010); State Treasurer, (2011-present), Intelligence Specialist and Intelligence Chief, U.S. Marine Corps (Reserve and active duty time 2000-2008), including 2 tours in....

**Questions & Answers**

1) *With strong pressure to reduce expenditures, where would you make significant cuts in the federal budget? Increases?*

We need massive reductions in our spending that reduce the deficit by significant margins in the next few years and allow us to actually pay down the debt shortly thereafter. We do not need budget gimmicks that promise to cut spending while actually allowing for increases in

spending. There has been far too large of a gap between rhetoric on cutting spending and actual cuts in spending in Washington today. This needs to change.

2) ***How would you balance the interests of citizens, the environment and the business community?***

Affordable, abundant and reliable energy is critical for a growing economy. It is not only essential to fuel our cars and heat our homes, it is instrumental to every aspect of the American economy, from agriculture, to retail, to transportation, to manufacturing.

America is blessed to have abundant natural resources beneath our country. Washington politicians refuse to do what is needed to allow us to develop these resources, reduce our energy costs, and move toward energy independence.

While protecting the air we breathe, water we drink and environment for future generations, it is important that we embark on aggressive and responsible exploration of our natural resources. This exploration is a “win-win-win”, for new jobs, affordable energy and natural security.

3) ***How would you address concerns about immigration?***

First and foremost, I strongly believe in legal immigration to the United States. Many years ago, my grandparents immigrated to America by following the laws of this nation, worked hard, and provided a better life for their children and grandchildren in pursuit of the American dream.

America is a nation built upon a shared respect for the rule of law. In respect to illegal immigration, I believe that we need to protect our borders and enforce immigration laws that are already on the books. For this reason, I do not support amnesty.

If individuals want to pursue the American dream and live in this country, they should do so following the rule of law.

**INDEPENDENT**

**Scott A. Rupert - I**

Address: 230 W. Main St. Mechanicsburg, Oh. 43044

Email: ScottRupert@me-thepeople.com

**Biographical Information**

**A. EDUCATION:** Formally, no more than the average citizen.

**B. OCCUPATION:** Truck Driver (Owner/Operator)

**C. TRAINING AND EXPERIENCE:** I know how hard it is to earn the money congress is spending. I have extensive experience living on a limited budget; not spending more than I earn. Constitutionally, there are two qualifications to be Senator, age and citizenship.

### **Questions & Answers**

**1) *With strong pressure to reduce expenditures, where would you make significant cuts in the federal budget? Increases?***

I'm confident that spending can be cut in every area. A return to a constitutional federal government would result in greatly reduced spending, because most of the areas Washington spends money, don't fall within its constitutional authority. There is no reason to maintain a military presence, in foreign countries, unless we are engaged in a conflict sanctioned by Congress. Social programs are filled with waste, fraud and abuse that could be reduced by restoring them to community level and eliminating the federal bureaucracy, that can only spend wealth, it cannot produce it. And, foreign aid, however well intentioned, is best left to the benevolence of individuals, not government. I submit that lower salaries for Congress, and staff, is in order, as well as eliminating their pensions. I can think of no area where federal government should increase spending. America just can't continue to go deeper and deeper into debt.

**2) *How would you balance the interests of citizens, the environment and the business community?***

There is a need for a certain amount of environmental regulation; after all there was a time when the Cuyahoga River caught on fire, and the entire city of Youngstown was covered in soot. But, it's important that we find the balance between good stewardship of our environment and good stewardship of our economy. We have gone from one extreme to the other in this and other areas affecting our economy. Regarding the balance between the interests of citizens and the business community, I'm a firm believer in the power of the free market to achieve that balance all by itself, without the interference of government. The problem is we haven't had a free market in more than 100 years. Good ideas will always succeed in a free market; bad ones will always fail. And, the end result of free competition is always the BEST product at the CHEAPEST price.

**3) *How would you address concerns about immigration?***

The real problem is a growing number of non-citizens consuming financial resources of which they've played no part in creating. Unfortunately, that problem is not limited to illegal immigrants. By block granting these resources to the States, greater care will be given to who receives them.

Regarding the securing of our border, there is an effective way to address more than one problem with a single solution. Why not locate our military training facilities in areas that aid in the protection of our borders? The cost of one, defrays the cost of the other. There are

other benefits to this, as well. Preventing drugs from entering our county, drugs that fund organizations hostile to our interests, is a way to fight against terrorism.

It should be simpler and faster to migrate to the US legally, for those whose goal is becoming a productive part of our economy.

## Candidates: Justice of the Supreme Court of Ohio

*For full term commencing January 1, 2013*

### **Candidates:**

**Terrence O'Donnell**

**Mike Skindell**

### **Terrence O'Donnell**

Address: 3400 Delmar Drive  
Rocky River, Ohio 44116

Email: [judgetod@gmail.com](mailto:judgetod@gmail.com)

### **Biographical Information**

- A. **EDUCATION:** St. Edward High School  
Kent State University, Bachelor of Arts  
Cleveland State University, Juris Doctor
- B. **OCCUPATION:** Justice, Supreme Court of Ohio
- C. **TRAINING AND EXPERIENCE:** Cuyahoga County Common Pleas Court, 14 years  
Ohio Court of Appeals, 8 years  
Supreme Court of Ohio, now in my 10<sup>th</sup> year

### **Questions & Answers**

#### ***1) Do you support or oppose the election of judges and why?***

Our Ohio Constitution mandates popular election of judges and in 1987, Ohio voters resoundingly rejected a proposal to change that system. The oath of office I took requires me to support the Constitution – not alternate forms of its provisions. Accordingly, I favor the system of having the voters choose judges. While the task of remaining fair and impartial often requires a judicial candidate to refrain from announcing views on disputed or controversial matters that may come before the court, it helps to increase public confidence in the judiciary. Popular election of judges allows the voters the opportunity to identify with individual candidates and thus be more involved than with a merit system where selection of

jurists would be left to others without input from the electorate. In the last analysis, while not perfect, our system has produced some outstanding jurists like Tom Moyer, and all can agree on a choice....

2) ***What changes would you recommend to reduce the perceived influence of money contributions in our courts?***

We need to better educate the public to the fact that campaign contributions are not given to judges, but rather to campaign committees that spend the money on major media advertising.

Reducing the cost of political advertising would dramatically change the amount of money needed to compete in Ohio's major media markets. In fact, public service announcements are available at no cost and a form could be used to reduce the perceived influence of contributions to judicial candidates.

With more than 700 judges in Ohio, it is unlikely the General Assembly will begin to publicly fund judicial campaigns as the cost at current advertising rates would likely run into the tens of millions of dollars.

I favor limiting the size of individual contributions to a campaign and publicly reporting the names of the contributors to maintain transparency and keep the public informed about this issue.

**Mike Skindell**

Address: 545 E. Town St.  
Columbus, OH 43215  
Email: connor@mikeskindell.com

**Biographical Information**

- A. **EDUCATION:** Mike Skindell graduated with a B.A. in Business and Political Science from Walsh College in 1983. In 1987, he graduated with a Juris Doctorate from Cleveland-Marshall College of Law.
- B. **OCCUPATION:** Attorney/Legislator
- C. **TRAINING AND EXPERIENCE:** Mike Skindell has been a practicing attorney for nearly 25 years. Currently a State Senator, Mike has served in....

**Questions & Answers**

1) ***Do you support or oppose the election of judges and why?***

I support the popular election of judges. Elections keep judges accountable and advances our constitutional democracy, which is based upon three separate branches of government.

2) *What changes would you recommend to reduce the perceived influence of money contributions in our courts?*

I support the public financing of judicial campaigns. As stated by a commission of the American Bar Association “public financing of judicial elections will address the perceived impropriety associated with judicial candidates accepting private contributions from individuals and organizations interested in the outcomes of cases those candidates may later decide as judges.”

## Candidates: Justice of the Supreme Court of Ohio

*For full term commencing January 2, 2013*

### Candidates:

**Robert R. Cupp**

**William O’Neill**

### **Robert R. Cupp**

Address: 211 So. Fifth St.  
Columbus, OH 43215  
Email: Website: CuppforJustice.com

### Biographical Information

- A. **EDUCATION:** Ohio Northern University, B.A. (Political Science), J.D. (law)
- B. **OCCUPATION:** Justice, Ohio Supreme Court (2007-present)
- C. **TRAINING AND EXPERIENCE:** Judge, Court of Appeals, Third District (2003-2006); former state senator, four terms, and Senate President Pro Tempore; former Lima city prosecutor and assistant law director; former Allen County Commissioner; 25 years in private law practice.

### Questions & Answers

1) *Do you support or oppose the election of judges and why?*

There positive and negatives aspects to both the elected and the appointed methods of selecting judges. Although the appointed method eliminates campaign contributions necessary in an elected system, citizens also lose their right to vote, at least in the initial selection. In Ohio, voters have on several occasions opted to keep judicial elections by defeating constitutional amendments which would have created an appointed system of judicial selection. One reason is that selection by appointment does not eliminate politics but merely drives it behind closed doors where it loses transparency and public accountability.



Judicial election campaigns serve an important purpose of helping to remind and educate the public about the essential role of the judiciary in our three-branch constitutional system. On balance, I believe the elected system, although not without drawbacks, is an open process which has the advantage.

**2) *What changes would you recommend to reduce the perceived influence of money contributions in our courts?***

The key word in this question is “perceived.” I don’t believe the limited amounts permitted to be contributed to judicial campaign committees have any actual influence on the outcome of any individual court case. Civic organizations, the media, bar associations, and judicial organizations can help reduce any unwarranted perceptions by a sustained effort informing the public that the Code of Judicial Conduct, which regulates the conduct of judges and judicial candidates, provides important safeguards, including (1) strict limits on the amount of any money contributions, (2) a prohibition on judicial candidates personally soliciting another for a contribution or personally accepting contributions, (3) a prohibition on promising or appearing to promise to decide specific cases or issues in a particular way; (4) that public disclosure of all contributions is required by statute; and (5) that judges whose impartiality may reasonably be questioned are required to recuse from a case.

**William O’Neill**

Address: 21 West Broad Street, Suite 700  
[no additional information]  
Email: [judgeoneill@gmail.com](mailto:judgeoneill@gmail.com)

**Biographical Information**

- A. EDUCATION:** Bachelor of Science, Journalism, Ohio University, 1969; Juris Doctor, Cleveland Marshall College of Law, 1979; Registered Nurse, Huron School of Nursing, Associate, 2001
- B. OCCUPATION:** Pediatric Emergency Room Nurse
- C. TRAINING AND EXPERIENCE:** Judge, 11<sup>th</sup> District Court of Appeals, 1997-2007; Assistant Attorney General, State of Ohio 1984-96

**Questions & Answers**

**1) *Do you support or oppose the election of judges and why?***

Yes I support the election of Judges. We have the power to decide who goes to jail and who goes free; who inherits your possessions when you die; and who raises your children when you are alive. Those responsibilities are simply too important to be left to an appointee or a bureaucrat. The voters are entitled to decide who shall fill these critically important positions.

2) *What changes would you recommend to reduce the perceived influence of money contributions in our courts?*

Very simply stated it is fundamentally wrong for Judges to be accepting money from anyone. Recently two Justices on the Ohio Supreme Court accepted a combined \$12,600 from a donor during the time period they were deciding a major case for that very donor. Money and Judges don't mix. Never have and never will. It is time for the people of Ohio to demand a better system of electing our Judges. I would propose a \$10.00 court cost on every new lawsuit filed and that money would fund a judicial education fund which could be given to judicial candidates. In return all judicial candidates would be prohibited from taking any money from anybody.

## Candidates: Justice of the Supreme Court of Ohio

*For unexpired term ending December 31, 2014*

### **Candidates:**

**Yvette McGee Brown**

**Sharon L. Kennedy**

### **Yvette McGee Brown**

Address: 340 E. Fulton

Columbus, OH 43215

Email: misha.barnes1@gmail.com

### **Biographical Information**

- A. EDUCATION:** Ohio University, B.S. 1982; The Ohio State University, Moritz College of Law, J.D. 1985
- B. OCCUPATION:** Justice, Supreme Court of Ohio
- C. TRAINING AND EXPERIENCE:** Supreme Court Justice (2011 – present), Franklin County Common Pleas Court Judge (1993 – 2002), Founding President Center for Child and Family Advocacy (2002 – 2010), Assistant Attorney General

### **Questions & Answers**

1) *Do you support or oppose the election of judges and why?*

I support the election of judges as long as Ohio's constitution requires it. In 1986, the voters resoundingly rejected a proposal to allow merit selection of judges. 25 years later, it may be time to revisit the question. That is why I participated in late Chief Justice Moyer's conference to look at the way Ohio selects judges. Other states use various models like

citizens commissions and retention elections. While the current system is not perfect, I would want to carefully examine any proposed alternative. The chief objective of any system must be to find the most qualified judges. We must also guard against the danger of placing judicial selection in the hands of a few selected individuals who may not truly serve the interests of the people.

2) ***What changes would you recommend to reduce the perceived influence of money contributions in our courts?***

Any change to the current system will require a constitutional amendment that changes the way judges are selected. With the current system, the Ohio Supreme Court has established limits on individual contributions to combat the perceived influence of money in judicial elections. Judges are required to present their qualifications to the electorate and in a state as large as Ohio, television and other paid media is the best vehicle for conveying our message. We also rely on groups like the LWV and the State and local Bar Associations to support and endorse candidates they find credible. I encourage voters to trust non-partisan endorsements, and not just TV advertising, as another way to reduce the perception of the influence of money.

**Sharon L. Kennedy**

Address: 21 West Broad Street, Suite 700

[no additional information]

Email: [Amy@kennedyforohio.com](mailto:Amy@kennedyforohio.com)

**Biographical Information**

- A. **EDUCATION:** Juris Doctor, University of Cincinnati, College of Law (1991); Bachelor Degree of Social Work, University of Cincinnati, School of Social Work (1984)
- B. **OCCUPATION:** 2005 – Present – Administrative Judge, Court of Common Pleas, Domestic Relations Division, Butler County, Ohio Administrative Judge; 1999 – 2004 Judge, Court of Common Pleas, Domestic Relations Division, Butler County
- C. **TRAINING AND EXPERIENCE:** ....

**Questions & Answers**

1) ***Do you support or oppose the election of judges and why?***

I support the election of judges.

The Ohio Constitution originally provided for the appointment of judges. Due to legislative abuses of removing judges without cause, in 1850 a constitutional convention changed the provision for the appointment of judges to a provision for the election of judges.

While there are legitimate concerns about electing judges, the alternative is a legislative or third-party appointment process. Those alternatives are fraught with similar concerns of undue influence, political engineering, and allegations of pay-to-play politics.

Until the voters decide to amend their Constitution and create a better system, I stand with Ohioans constitutional right to elect their judicial representatives.

**2) *What changes would you recommend to reduce the perceived influence of money contributions in our courts?***

There are three ways to improve Ohioans confidence in the justice system. First, improve and increase civic education. Second, improve and increase decision-making transparency. Lastly, with appropriate approval, reform the statewide election process.

Often, myths and misconceptions about the judicial system and the work of individual courts exist. Improving and increasing civic education to dispel myths and correct misconceptions can improve the public's understanding and impartiality confidence measures.

In conjunction with civic education, technological advancements permit independent non-lawyer access and review of judicial decisions. Increasing decision-making transparency would improve the public's understanding and impartiality confidence measures.

Lastly, subject to legislative, executive and voter approval, the creation of Associate Justice districts is a way to restructure statewide judicial elections to reduce reliance on campaign contributions and expenditures, while advancing confidence in an impartial judiciary. Only the Chief Justice is elected statewide.

## Statewide Ballot Issues

### **ISSUE 1: QUESTION PRESENTED PURSUANT TO ARTICLE XVI, SECTION 3 OF THE CONSTITUTION OF THE STATE OF OHIO (Required to be presented to the voters every 20 years)**

- A YES vote means approval of holding a constitutional convention
- A NO vote means disapproval of holding a constitutional convention
- A majority YES vote is required to hold a constitutional convention

League Explanation of Issue 1: Under the Ohio Constitution, every 20 years voters are asked: "Shall there be a convention to revise, alter, or amend the constitution?" If voters decide in favor of the constitutional convention, the General Assembly will make provisions concerning electing delegates for a convention to revise, amend or change the Ohio Constitution. The delegates to the constitutional convention may agree on amendments, which must be approved by the voters before taking effect. A constitutional convention was last held in 1911.

Proponents of holding a constitutional convention argue that:

1. Portions of the Ohio Constitution should be revised and the General Assembly has not acted to revise them.
2. Holding a constitutional convention will permit citizens to place amendments before the voters without the approval of the General Assembly.

Opponents of holding a constitutional convention argue that:

1. The Ohio General Assembly should propose revisions as recommended by the Ohio Constitutional Modernization Commission.
2. Special interests may dominate the convention.

**ISSUE 2: PROPOSED CONSTITUTIONAL AMENDMENT TO CREATE A  
STATE-FUNDED COMMISSION TO DRAW LEGISLATIVE AND  
CONGRESSIONAL DISTRICTS  
(Proposed by Initiative Petition)**

To revise Sections 1, 3, 4, 6, 7, 9, 10, and 13, repeal Sections 8 and 14, and add a new Section 16 to Article 11 of the Ohio Constitution.

A YES vote means approval of the amendment.

A NO vote means disapproval of the amendment.

A majority YES vote is required for the amendment to be adopted.

If approved, the proposed amendment will take effect 30 days after the election.

League Explanation of Issue 2: The amendment would create a 12-person commission to draw legislative and congressional districts. Final legislative and congressional districts are to be those that most-closely meet four criteria: preserving whole communities; maximizing the number of competitive districts; balancing the number of districts leaning toward one party or another to closely match the state's political leaning; and keeping districts compact. No map is to be adopted with intent to favor a political party, incumbent or potential candidate. At least seven votes would be required to approve the districts. All meetings and records would be public. If approved, new districts would be drawn for the 2014 election.

Any eligible Ohioan could apply to be a commission member., Specified elected office holders, candidates, political party officials, paid lobbyists and public employees and family members would be ineligible. A panel of 8 state appeals-court judges would accept applications and pick 42 potential members, divided evenly among Democrats, Republicans and Ohio voters unaffiliated with either major party. The House speaker and minority leader could reduce the list to 24. From that pool, a random drawing would select 3 people from each party, and 3 unaffiliated members. Those 9 people would select the final 3 members, one from each major party and one unaffiliated member.

Proponents of the proposed amendment argue that:

1. The proposal is a common sense reform towards fixing a broken system.
2. It would reduce the extreme partisanship that makes compromise difficult.

3. The drawing of congressional and legislative district lines needs to be more accountable, transparent and balanced.
4. Politicians and special interests would not be able to rig the system to their advantage.

Opponents of the proposed amendment argue that:

1. Redistricting should not be put in the hands of unelected bureaucrats.
2. Commission members would not have requirements about ethics and financial disclosure and could not be removed.
3. The commission would have unlimited funding.
4. Most Ohioans would be prohibited from serving on the panel based on rigid eligibility rules.

Websites

In support of the proposed amendment: Voters First [www.votersfirstohio.com](http://www.votersfirstohio.com)

In opposition to the proposed amendment: Protect Your Vote [www.protectyourvoteohio.com](http://www.protectyourvoteohio.com)

