

Plaintiffs Paul Anderson, *et al.*

**ARGUMENT IN SUPPORT OF PROPOSED
CONGRESSIONAL AND LEGISLATIVE REDISTRICTING
PLANS**

Anderson Plans' Focus

- In drafting both their Congressional Plan and Legislative Plans, the Anderson Plaintiffs prioritized constitutional and statutory requirements.
- Anderson Congressional and Legislative Plans succeeded in adhering to the Federal and State constitutional requirements of population equality.
- Anderson Congressional and Legislative Plans adhered to Minn. Stat. § 2.91, subd. 2 mandate to split political subdivisions only where necessary to meet constitutional requirements: Achieved the least political subdivision splits of any party.

Anderson Plans' Population Deviation

- “Because a court-ordered redistricting plan must conform to a higher standard of population equality than a legislative redistricting plan, the goal is absolute population equality.” Principles Order at 5, ¶ 1 (citing *Abrams v. Johnson*, 521 U.S. 74, 98 (1997))
- “Some deviation from perfect equality is permissible to accommodate a state’s clearly identified, legitimate policy objectives, [b]ut a court performing the task of redistricting is held to a high standard of population equality.” *Id.* at 5, ¶ 2 (citing *Reynolds v. Sims*, 377 U.S. 533, 579 (1964); *Connor v. Finch*, 431 U.S. 407, 414 (1977)).
- Anderson Legislative Plan achieves *de minimis* population deviation.
- Anderson Congressional Plan achieves ideal district population of six districts with 713,312 people and two districts of 713,311 people.

Benefits of Minimizing Political Subdivision Splits

- “Preserving political subdivisions increases access to voting because it “minimizes voter confusion and gives political subdivisions a stronger voice.” *Hippert v. Ritchie*, 813 N.W.2d 374, 382 (2012).
- Splitting political subdivisions prevents communities, including minority communities, from lobbying state and federal government with a unified voice, because “[m]uch of the [state] legislature’s activity [is] directed only to the concerns of a particular political subdivision.” *Reynolds v. Sims*, 377 U.S. 533, 580-81 (1964).
- Preserving political subdivisions is a neutral and objective principle that “deter[s] the possibilities of gerrymandering.” *Reynolds*, 377 U.S. at 581
- Preserving political subdivisions protects against packing and cracking the minority vote.
- **“It is simply not as easy to ‘load the dice’ against or in favor of a particular group when political subdivision lines are followed as when they are not.”** *The Application of Reynolds*, 79 Harv. L. Rev. 1248, 1249 (1966).

Anderson Plans' Political Subdivision Splits

- The Anderson Congressional and Legislative Plans split fewer political subdivisions than any party.

	Anderson	Corrie	Sachs	Wattson	Hippert	Zachman
Number of Counties Split (House)	40	54	50	54	54	50
Number of Cities/Towns Split (House)	43	182	69	73	89	46
Number of Counties Split (Senate)	33	46	33	45	39	31
Number of Cities/Towns Split (Senate)	31	129	36	38	45	25
Number of Counties Split (Congressional)	7	17	11	12	9	8
Number of Cities/Towns Split (Congressional)	7	25	13	10	7	7

Anderson Congressional Plan

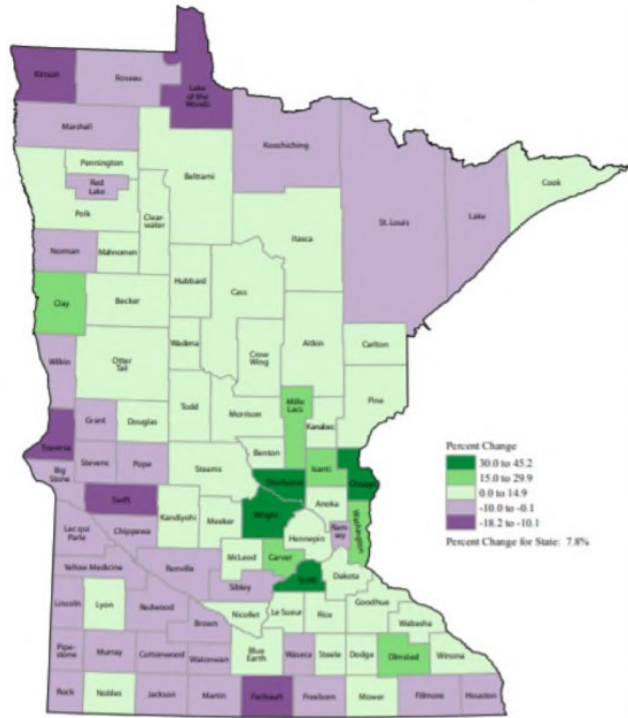
Anderson's Restrained Approach to Congressional Mapmaking

- Redistricting's primary goal: Protect the constitutional guarantee of one person, one vote by achieving population equality between districts
- A restrained approach should be adopted because this Panel “lack[s] the authority to make the political decisions that the Legislature and Governor can make through their enactment of redistricting legislation.” *Hippert v. Ritchie*, 813 N.W.2d 391,397 (2012)
- A restrained approach preserves fair and politically neutral maps, minimizes voter confusion, and eases the administrative burden of running elections
- In achieving population equality, Anderson Plan sought to keep political subdivisions whole. See Minn. Stat. § 2.91, subd. 2

Demographic Changes of the Past Two Decades

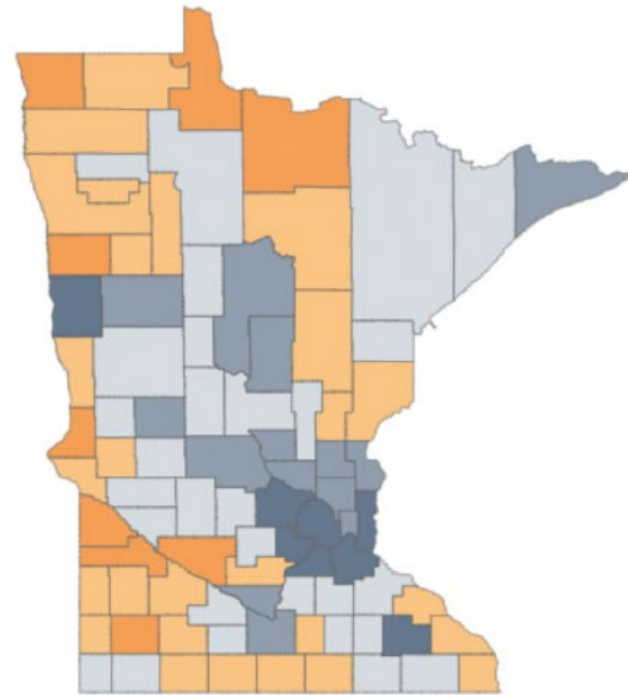
PERCENT POPULATION CHANGE

2000-2010



PERCENT POPULATION CHANGE

2010-2020



Largest Population Loss:

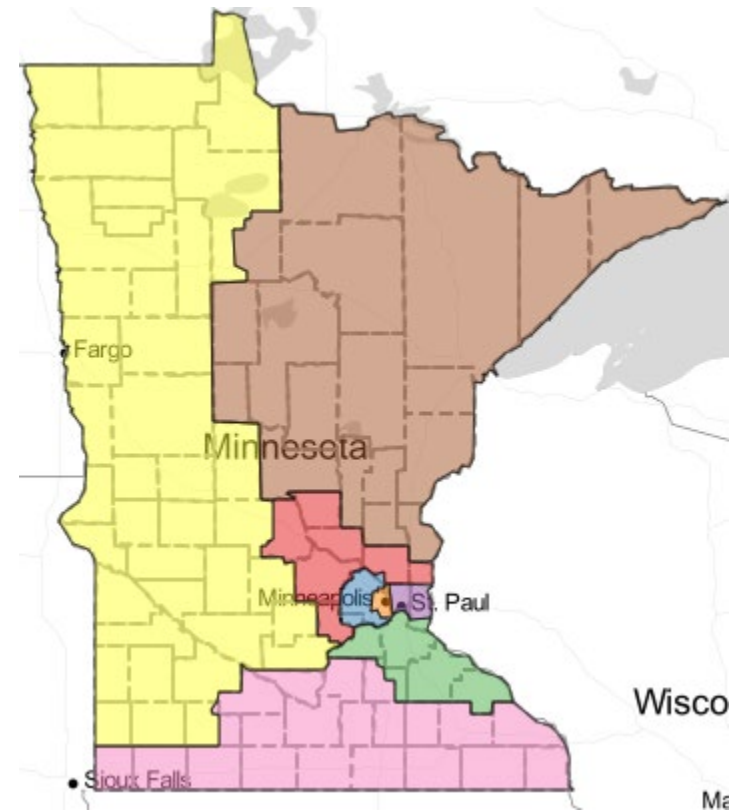


Largest Population Gain:



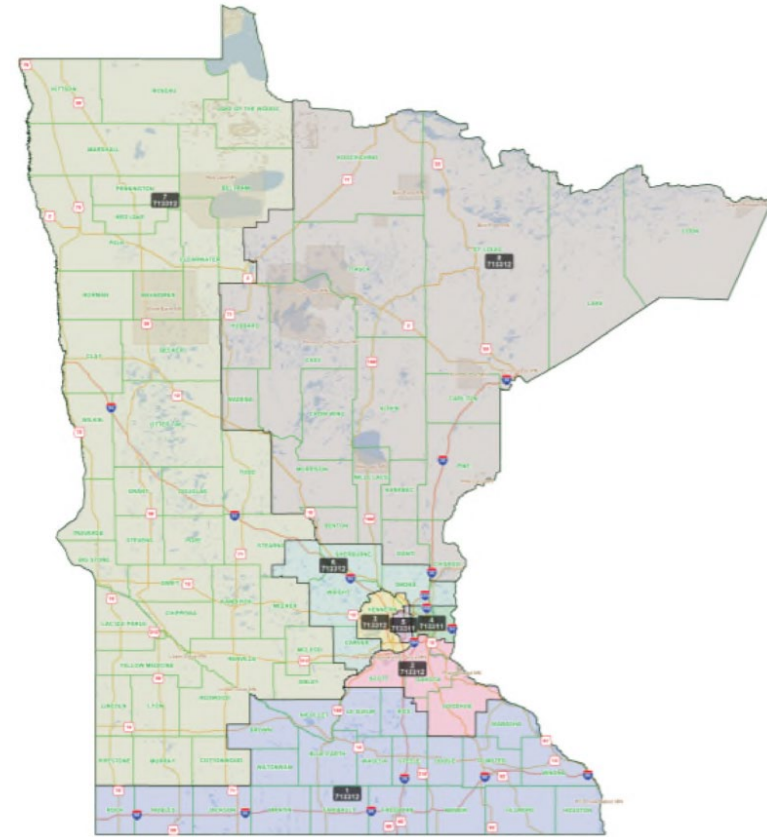
Current Congressional Map

- After 2010 Census, the percentage of the state's population living in the 11-county metropolitan area and St. Cloud had increased from 59.4% to 61% -- closer to 5/8 than *Zachman* cycle
- *Hippert* panel retained 5-3 congressional map



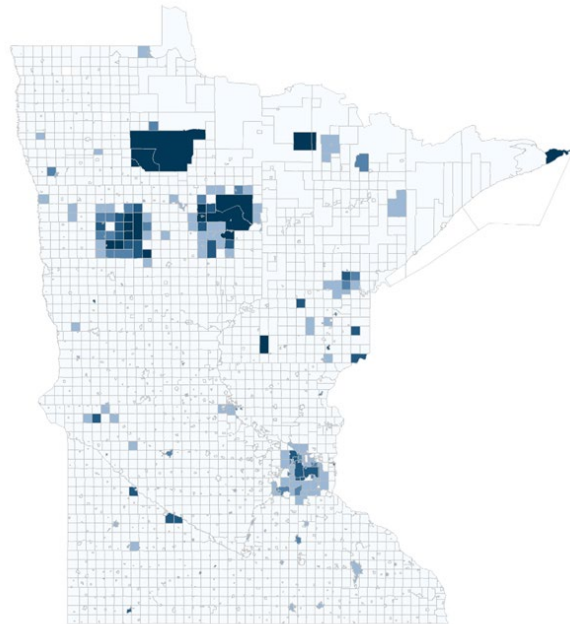
Anderson Plan Congressional District Distribution

- No persuasive reason to depart from the 5-3 congressional map
- Exactly five-eighths (62.5%) of the state's population now lives in the 11-county metropolitan area and St. Cloud
- Sachs and Corrie Plans unjustifiably depart from 5-3 congressional map citing growth in the state's minority populations
- But the distribution of the state's minority growth doesn't justify a dramatic departure from the current congressional map

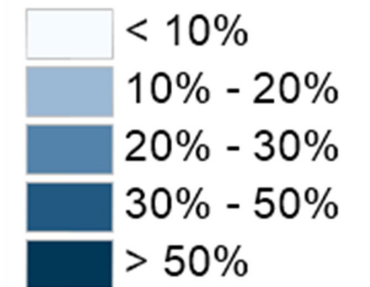
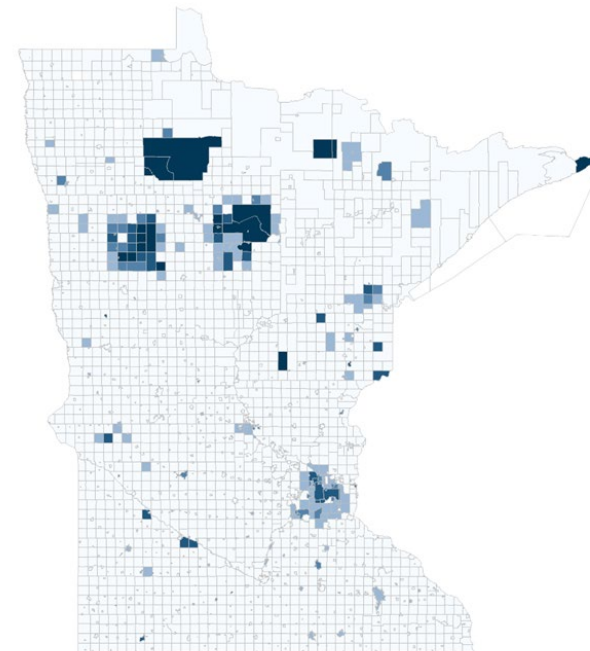


Anderson Plan Reflects Minority Population Growth

STATEWIDE 2010 (VAP)

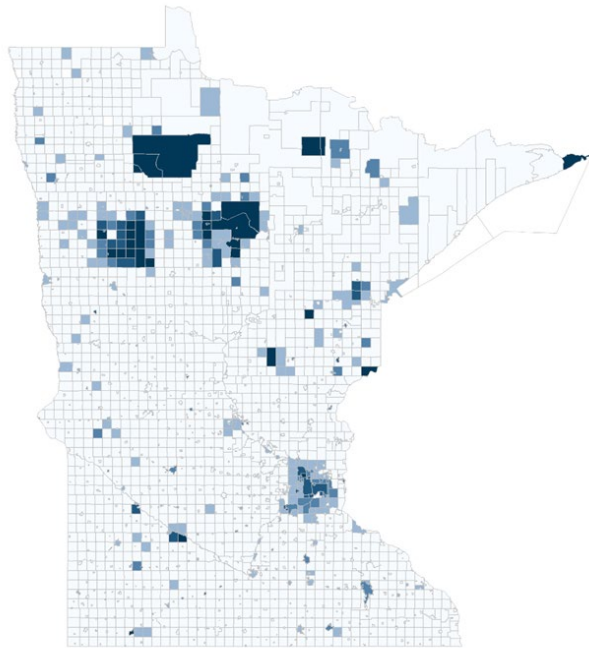


STATEWIDE 2020 (VAP)

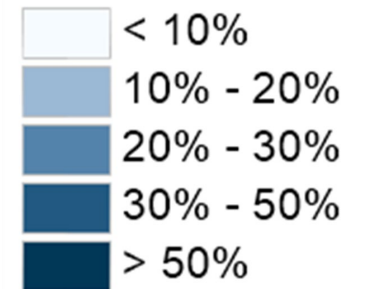
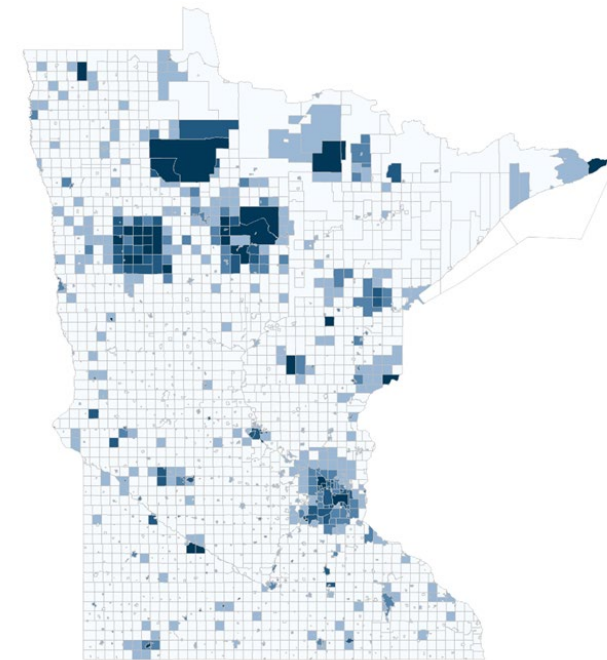


Anderson Plan Reflects Minority Population Growth

STATEWIDE 2010 (TOTAL POPULATION)

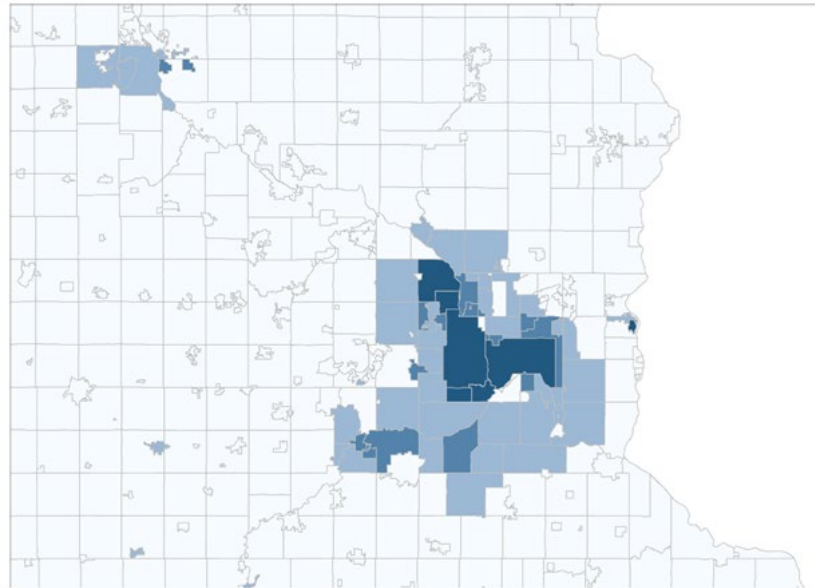


STATEWIDE 2020 (TOTAL POPULATION)

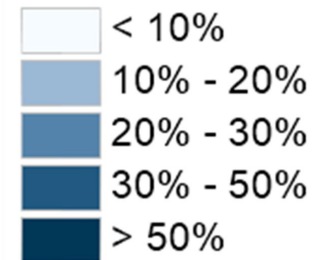
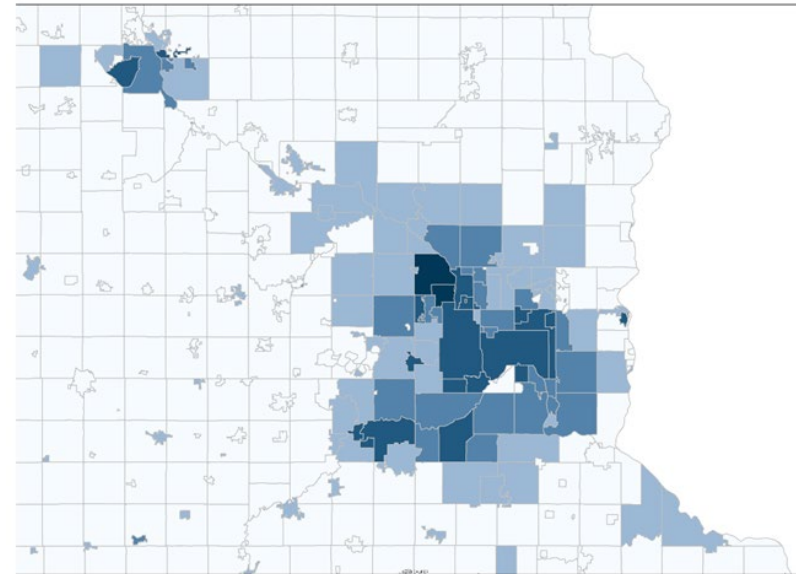


Anderson Plan Reflects Minority Population Growth

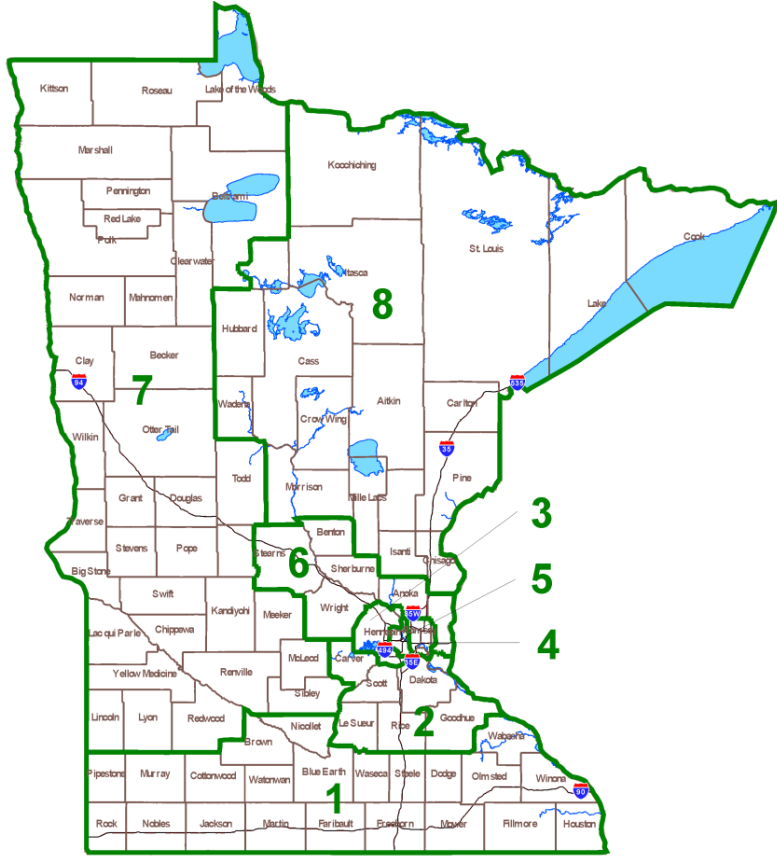
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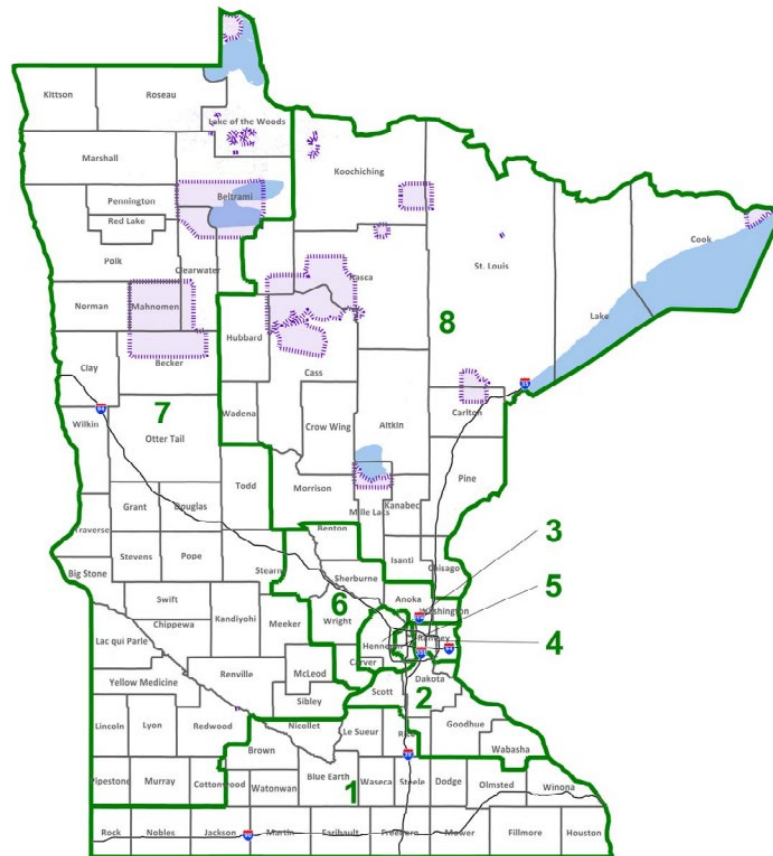
METRO 2020 (VAP)



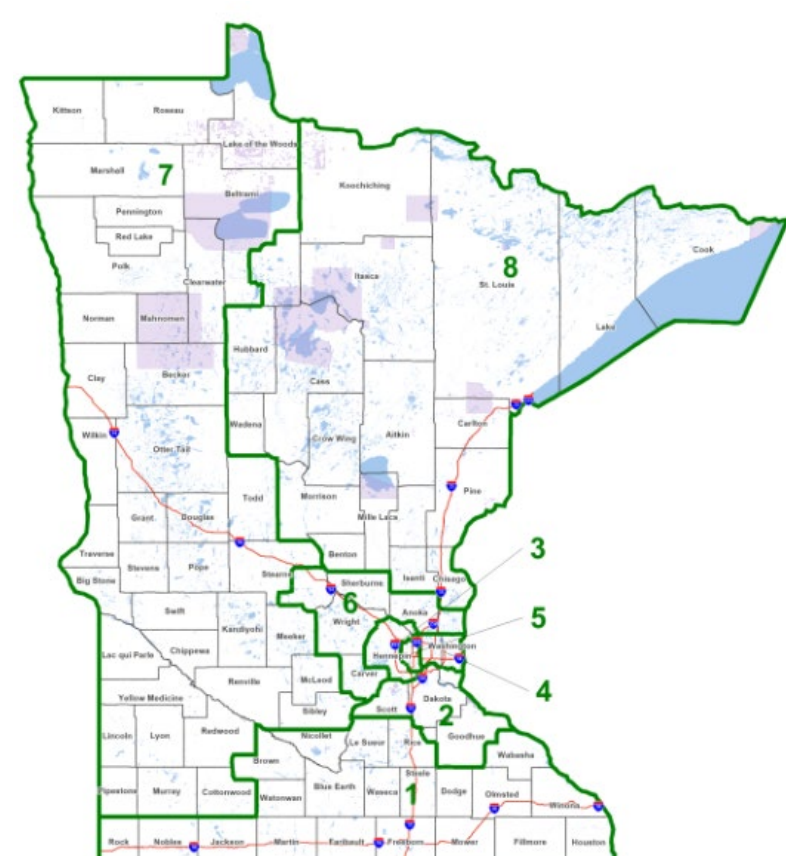
Zachman Congressional Plan



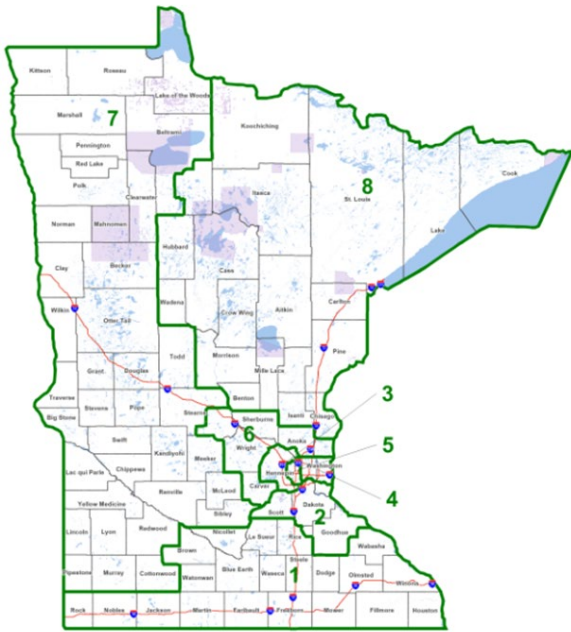
Hippert Congressional Plan



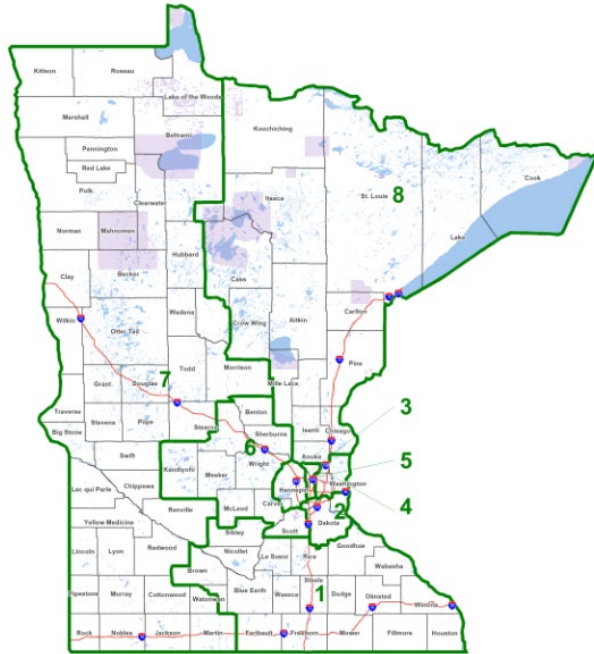
Anderson Congressional Plan



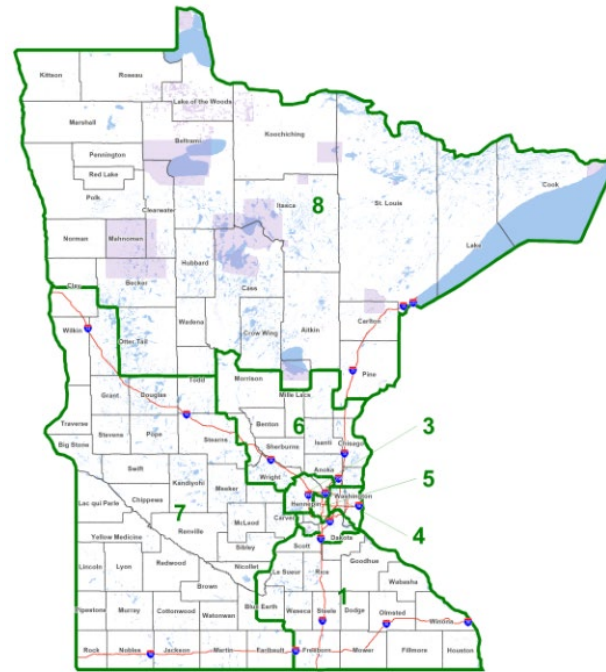
Anderson
Congressional Plan



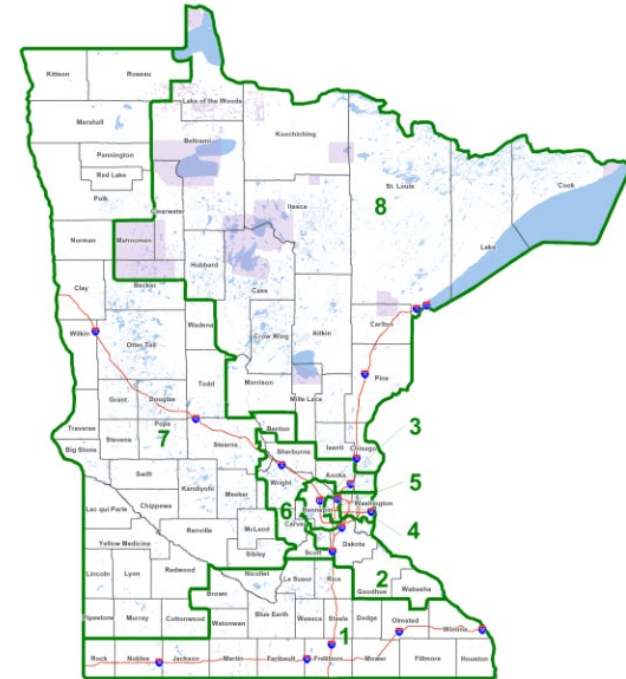
Sachs
Congressional Plan



Corrie
Congressional Plan



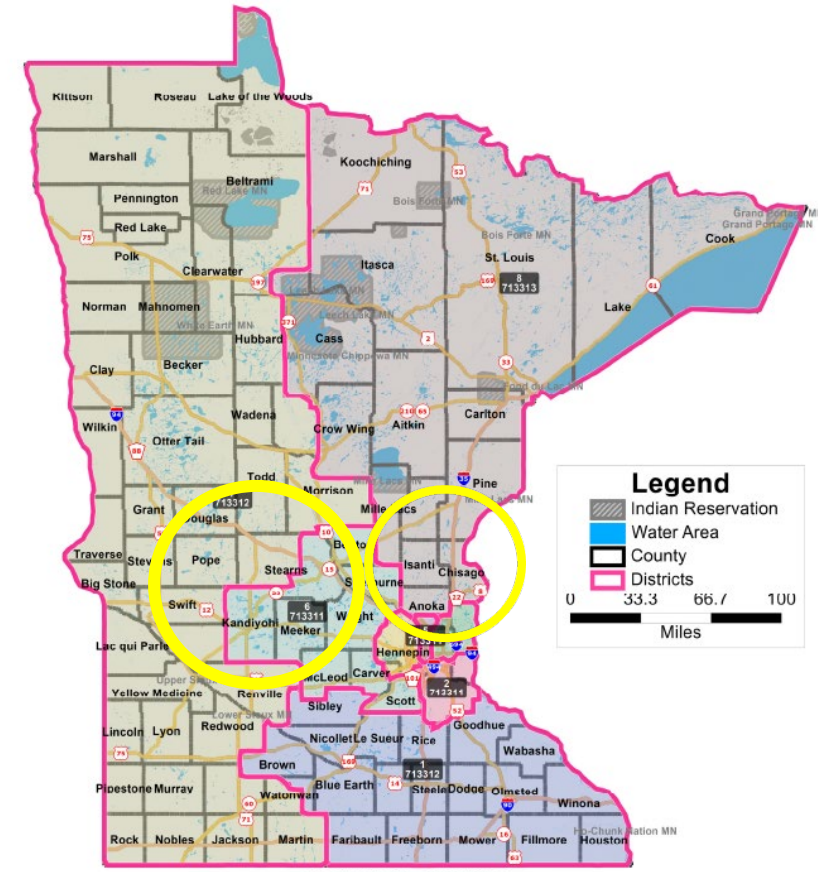
Watson
Congressional Plan



Sachs Plan

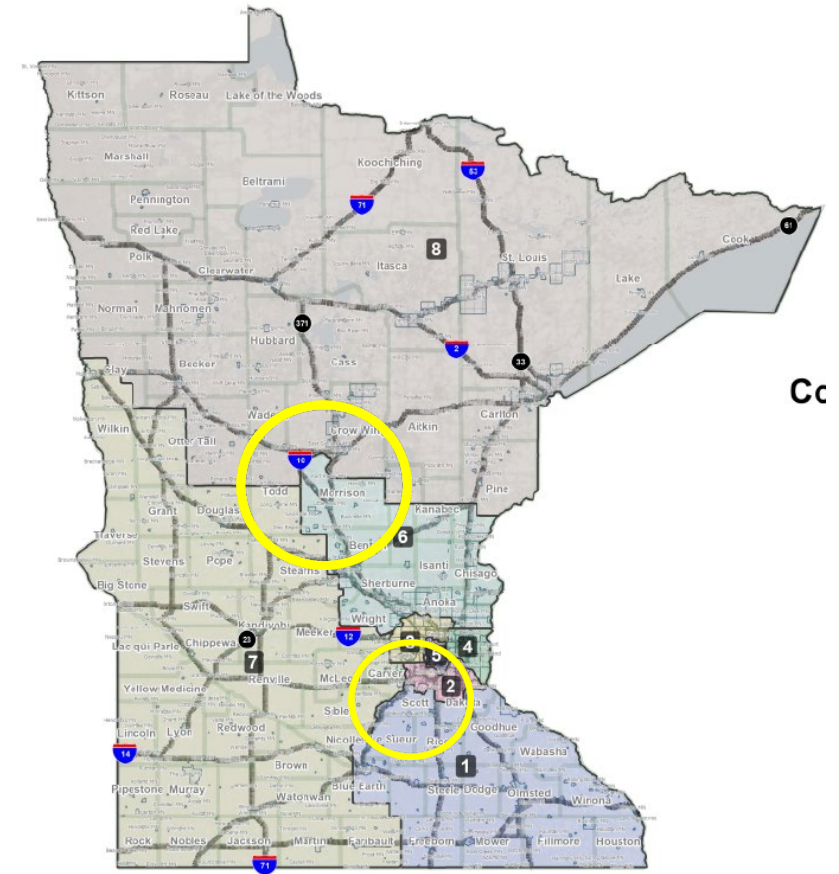
Congressional District Distribution

- Two rural districts (7th, 1st)
- Four urban districts (2nd, 3rd, 4th, 5th)
- Two blended (6th, 8th)
- Sixth District rural population percentage increases from 15.1% to 30.5%
- Eighth District suburban population increases from 13.8% to 31.6%



Corrie Plan Congressional District Distribution

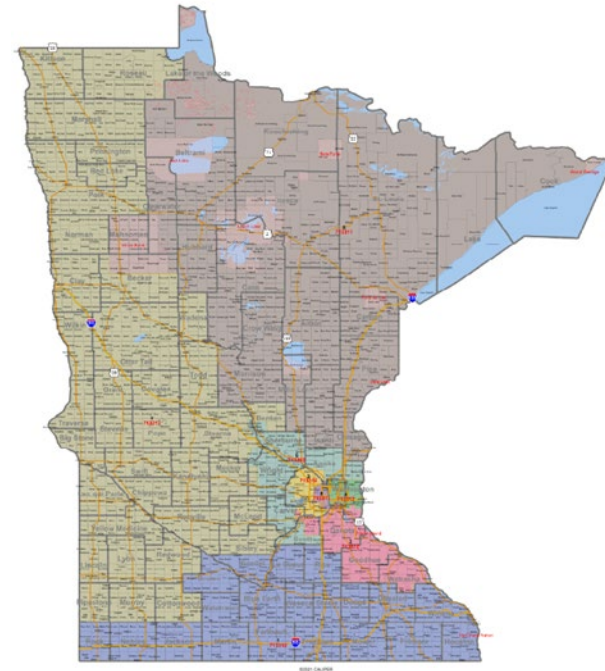
- Corrie Plan dramatically decreases rural influence in Minnesota's three primarily rural congressional districts
- Sixth District's rural population percentages increases from 15.1% to 22.8%
- Suburban Counties of Dakota and Scott added to First District
- More than half of Carver County – including half of Chaska – added to Seventh District



Wattson Plan

Congressional District Distribution

- Generally maintains the 5-3 congressional map
- But Wattson Plan splits more political subdivisions
- Wattson's proposed Eighth District ignores *Hippert*-recognized unique interests of northwestern and northeastern Minnesota by extending too far west
- Some districts, like Wattson's proposed Second District, are oddly shaped



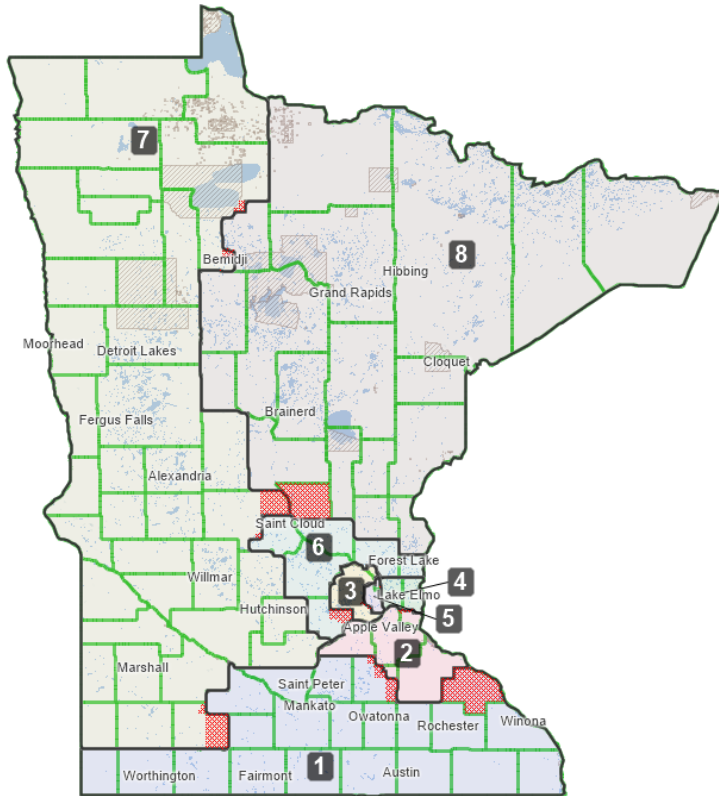
Required Population Adjustments

- First, Seventh, and Eighth Districts must gain population
- Second, Third, Fourth, Fifth, and Sixth Districts must lose population
- Anderson Plan ensures that territory added to the First, Seventh, and Eighth Districts does not alter their primarily rural character

District	Deviation from Ideal District following 2020 Census
First	-22,586 persons
Second	+18,646 persons
Third	+24,586 persons
Fourth	+13,164 persons
Fifth	+22,724 persons
Sixth	+20,645 persons
Seventh	-37,798 persons
Eighth	-37,383 persons

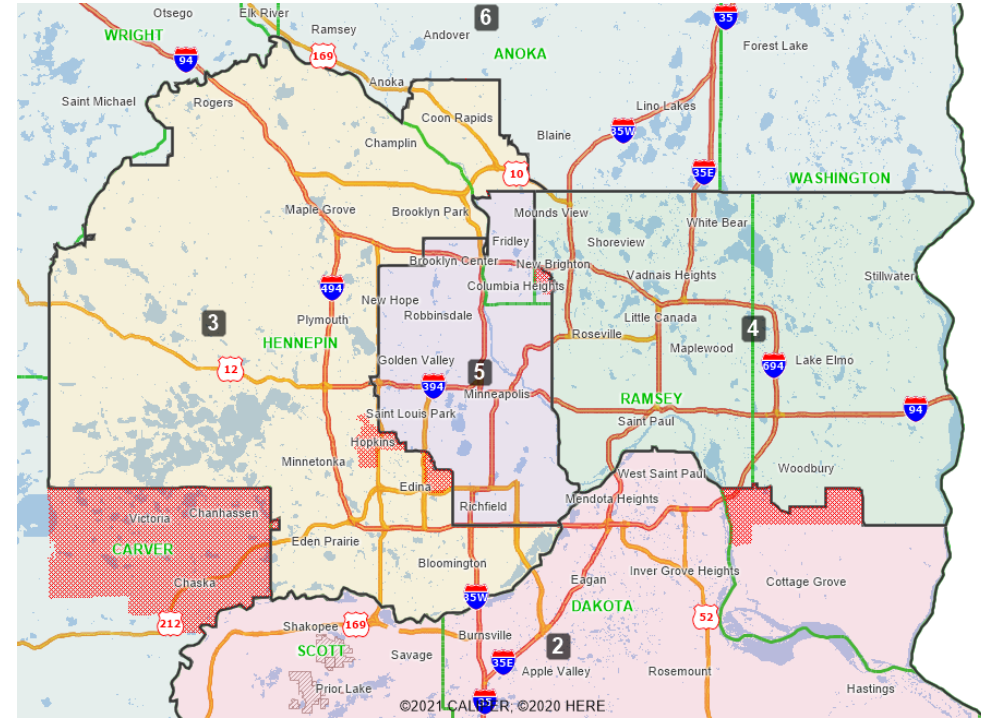
Anderson Plan Summary of Proposed Changes

STATEWIDE CHANGES



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METRO AREA CHANGES



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Advantages of Anderson Plan

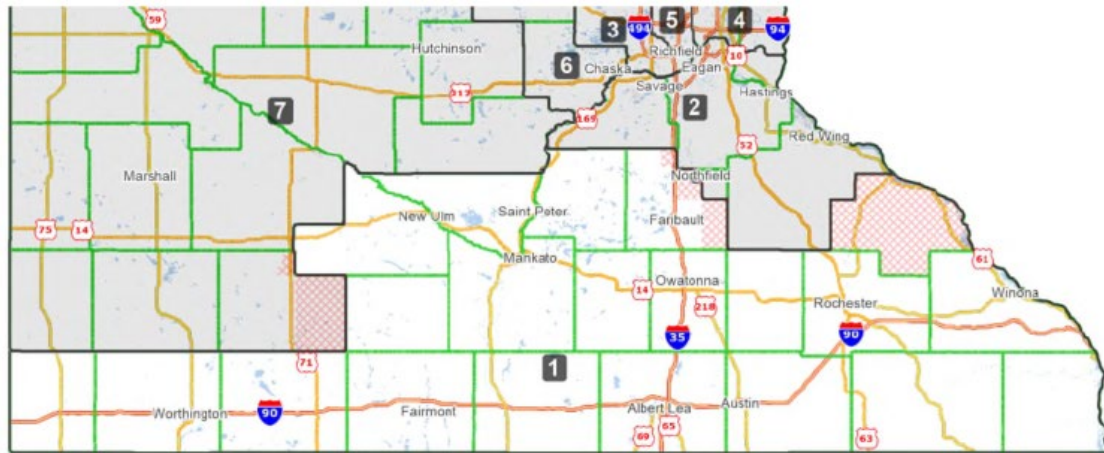
	Anderson	Sachs	Corrie	Watson	Hippert
Split Counties	7	11	17	12	9
Split Cities/Townships	7	13	25	10	7
Split Reservations (contiguous)	0	0	0	0	0
Minority Opportunity Districts	2	2	2	2	0

Greater Minnesota Congressional Districts

Anderson Plan: Greater Minnesota

- First, Seventh, and Eighth Districts, which are primarily rural, must gain population from other districts that are primarily exurban and suburban
- In adding territory to these primarily rural districts, care must be taken to avoid diluting the voices of rural Minnesotans
- As exemplified by the Corrie and Sachs congressional plans, failure to consider the character of the territory being added to the First, Seventh, and Eighth districts results in a dramatic departure from these districts' rural character

First Congressional District Overview



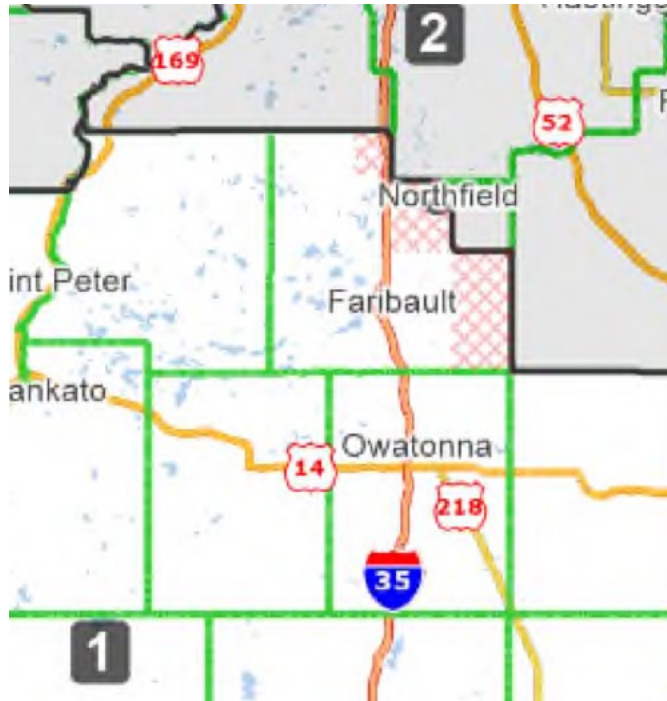
- Must gain population
- Largely rural; characterized by agricultural and manufacturing interests, especially computers and electronics
- Southwest and southeast Minnesota have similar agricultural interests: hogs, corn, and soybeans
- Sachs and Corrie Plans split these interests
- Community of interest arises along Interstate 90

First Congressional District Proposed Additions – Wabasha County



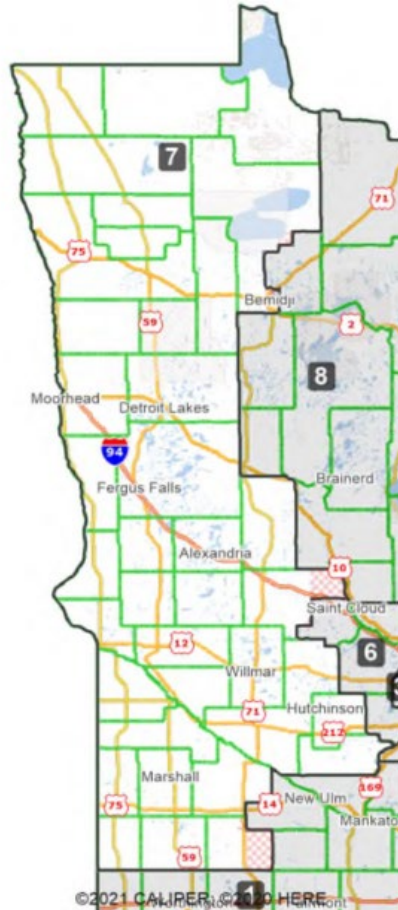
- Previously in the First District
- Strong connections to Rochester; shares Karst geology with other southeastern counties; and is primarily agricultural
- Unlike counties in the Second District, experienced population decline

First Congressional District Proposed Additions – Rice County



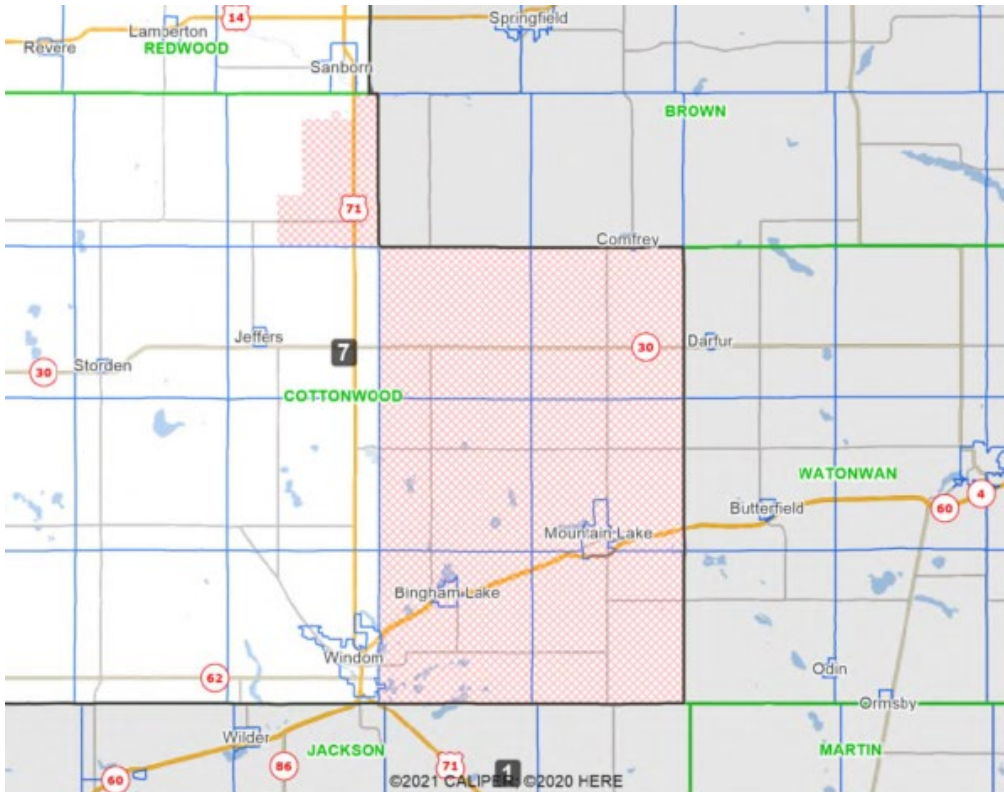
- Alters the preexisting split in Rice County to achieve ideal population
- Keeps Northfield whole in the Second District

Seventh Congressional District Overview



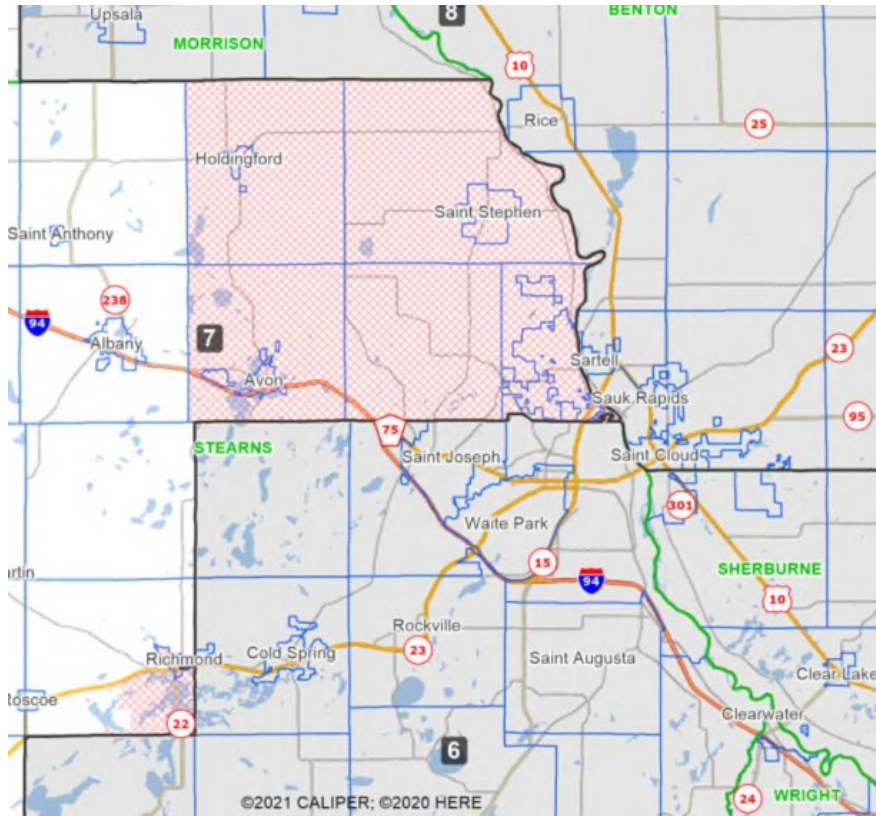
- Must gain population
- Preserves Red River Valley and western Minnesota community of interest
- Characterized by agricultural interests, including the farming of wheat, potatoes, soybeans, and sugar beets
- Maintains separation of northwestern and northeastern Minnesota, which have distinct interests: agriculture vs. forestry, e.g.

Seventh Congressional District Proposed Additions – Cottonwood County



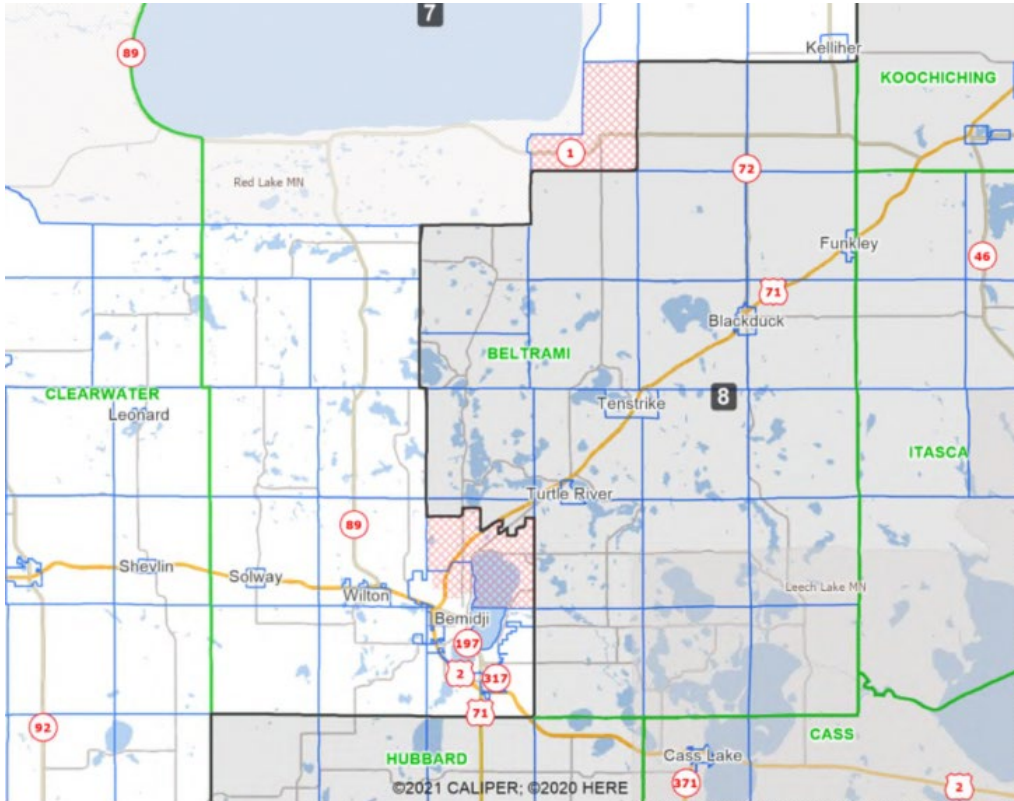
- Makes Cottonwood County whole and maintains rural character of Seventh District
- Southward expansion minimizes impact on the Eighth District, which must gain population and represents a separate community of interest, *i.e.* forestry and mining

Seventh Congressional District Proposed Additions – Stearns County



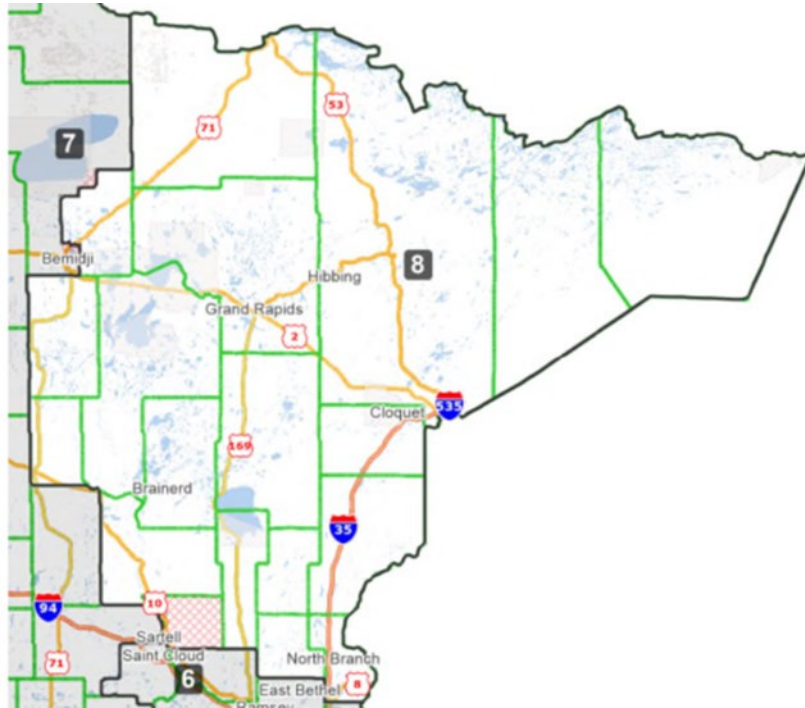
- Minimizes impact to First and Eighth Districts
- Leaves as much of St. Cloud in Sixth District as practically possible

Seventh Congressional District Proposed Changes – Bemidji



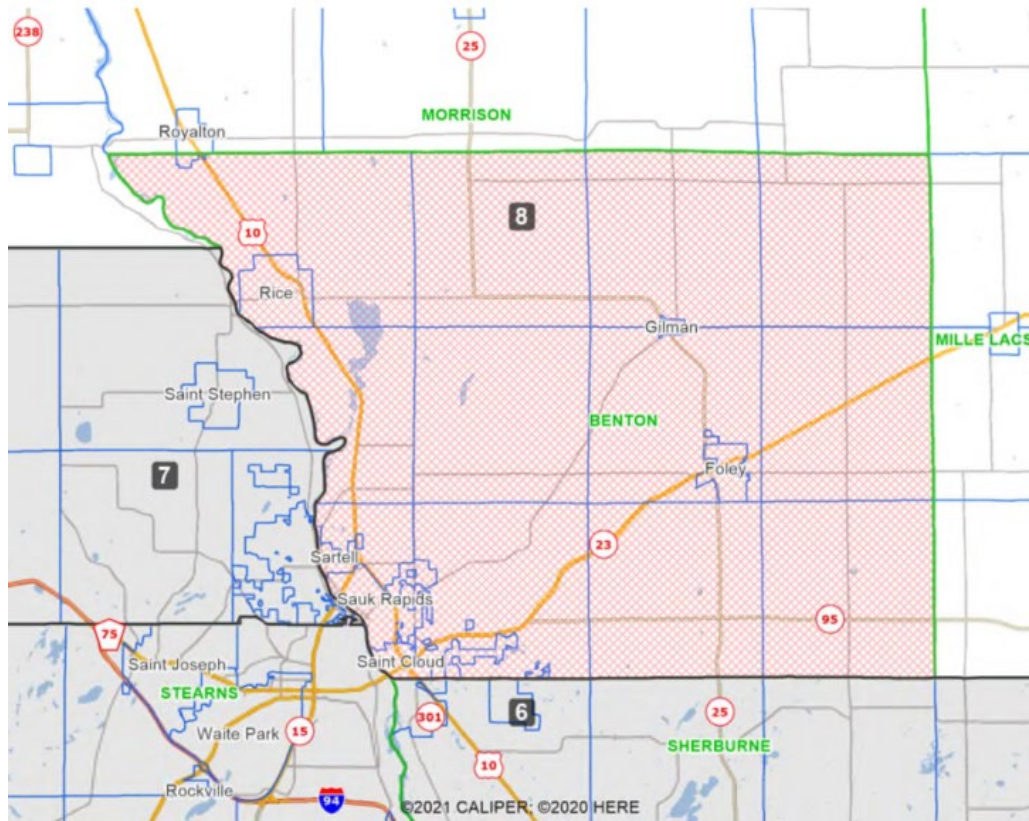
- Minimal changes to boundary between Seventh and Eighth District boundaries were made to achieve population equality
- Bemidji is made whole within the Seventh District

Eighth Congressional District Overview



- Must gain population
- Maintains separate communities of interests between Seventh and Eighth Districts
- Preserves Eighth District's primarily rural character

Eighth Congressional District Proposed Addition – Benton County



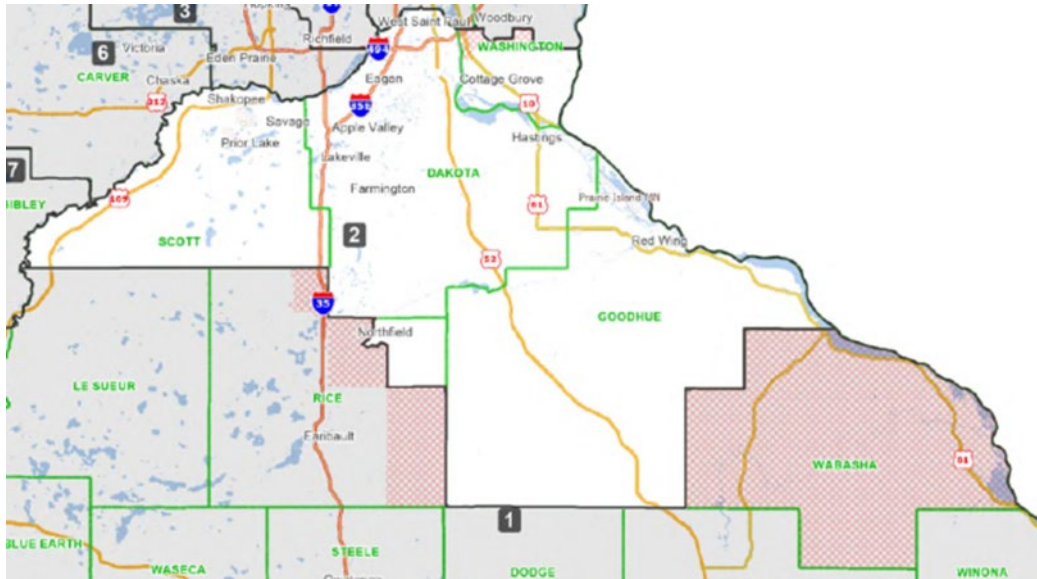
- Benton County is primarily rural
- Only minimal changes to the area surrounding Bemidji are needed to make Eighth District the ideal population
- St. Cloud is split along county lines and many parts that are in the Eighth District are non-contiguous
- 61,795 of St. Cloud's 68,891 residents remain in the Sixth District

Suburban & Exurban Minnesota

Anderson Plan: Suburban & Exurban Minnesota

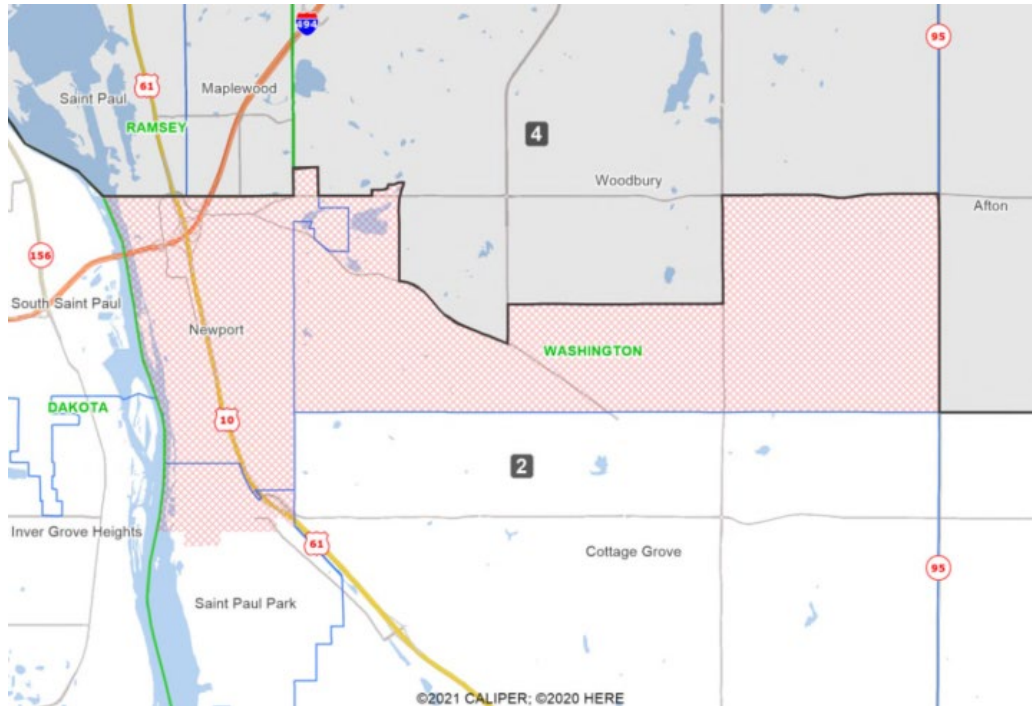
- In order to reach population equality, the Anderson Plan prioritizes moving primarily rural areas from the Second and Sixth Districts to the First, Seventh, and Eighth Districts.
- As a result, the population of the Second, Third, and Sixth districts required further balancing to meet population requirements.
- The Anderson Plan endeavors to maintain the primarily suburban and exurban character of these districts while keeping political subdivisions whole.

Second Congressional District Overview



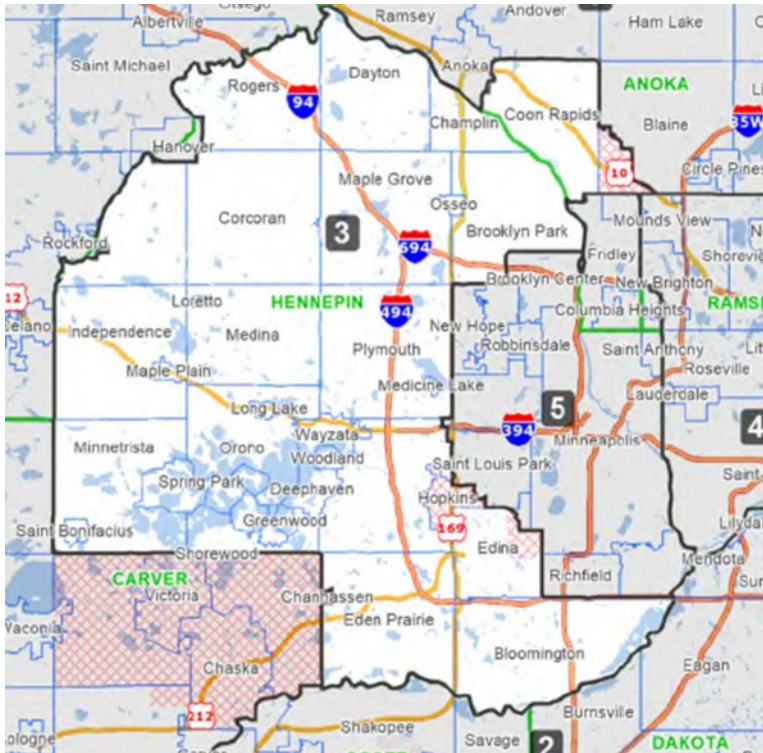
- Must lose population
- Characterized by suburban and exurban communities south of the Twin Cities' metro area
- Communities of interest form along highways 169, 32, and 52, which make Second District easily accessible

Second Congressional District Proposed Changes – Washington County



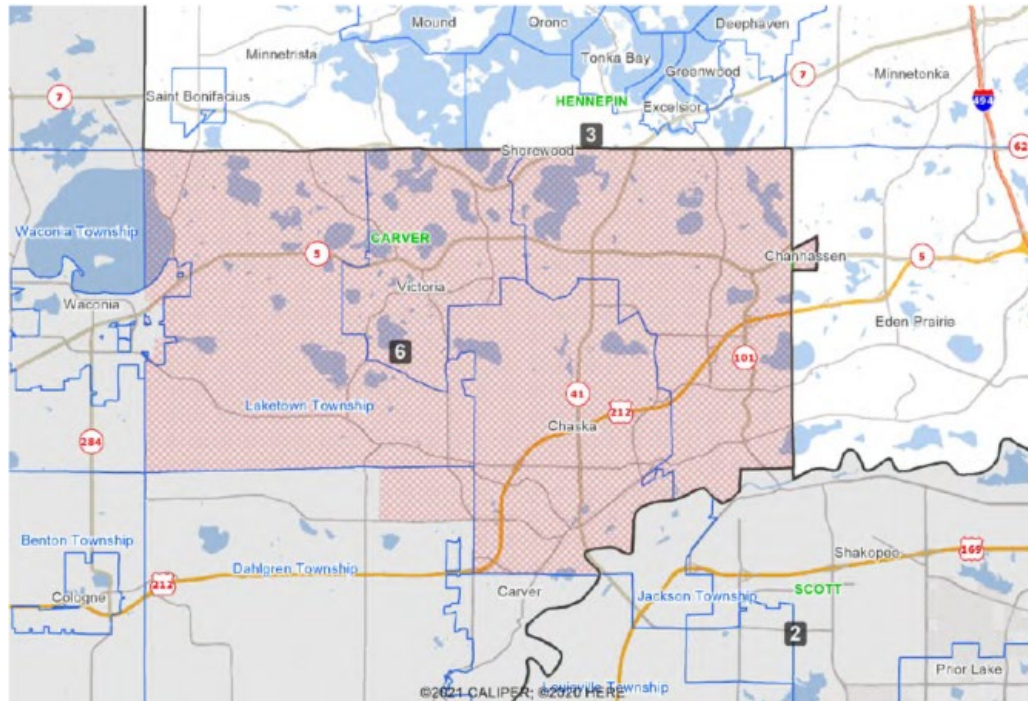
- Adjusts pre-existing split in Washington County between the Second and Fourth Districts
- St. Paul Park, previously split between the Second and Fourth Districts is made whole in the Second
- Adds entire City of Newport from the Fourth District
- Southern Woodbury is moved from the Fourth District

Third Congressional District Overview



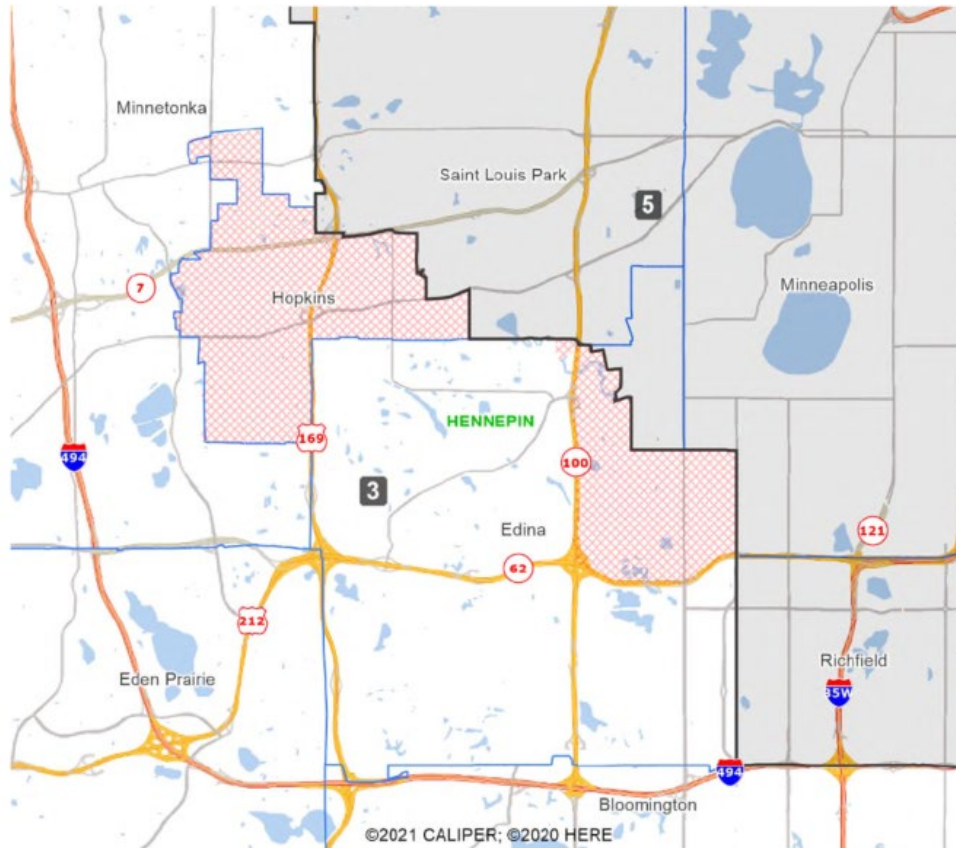
- Must lose population
- Characterized by suburban and exurban communities of interest west of the Twin Cities
- Easily accessible via Interstates 94 and 494 and highways 12 and 55
- This approach to Third District also preserves the primarily exurban character of the Sixth District

Third Congressional District Proposed Changes – Carver County



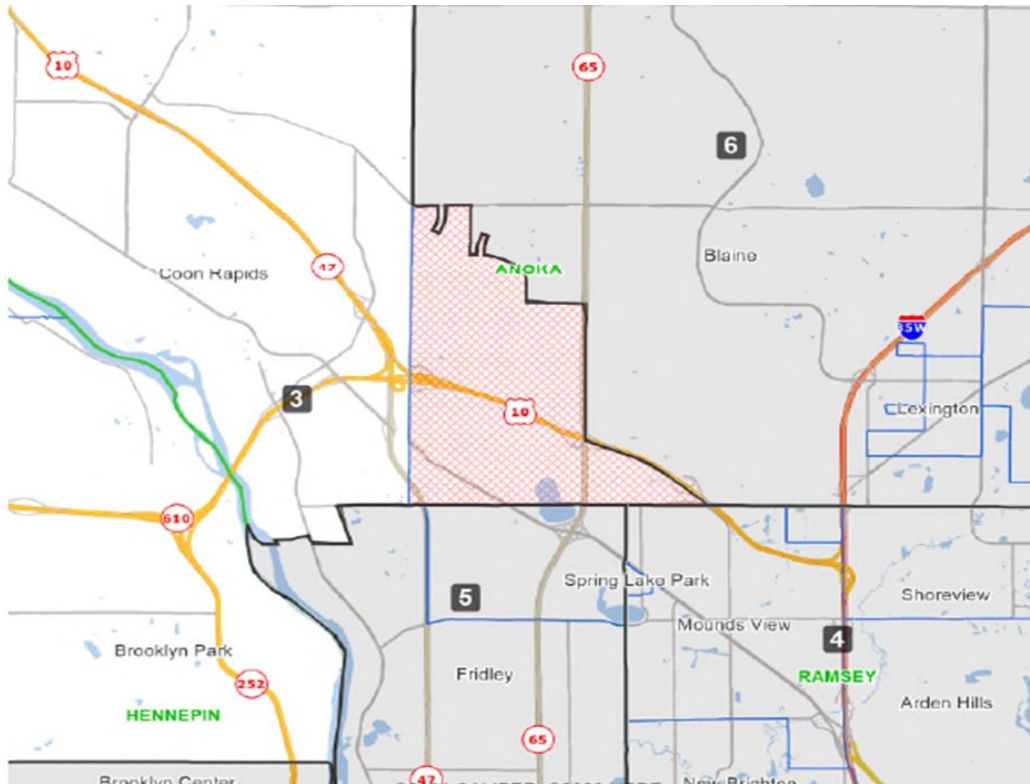
- Majority of Carver County is currently in the Sixth District
- Carver County was entirely in the Sixth District until it was split by the panel in *Hippert*
- Interests align more with the exurban interests of the Sixth District than suburban communities like Wayzata and Minnetonka and first-ring suburbs like Edina and Bloomington

Third Congressional District Proposed Changes – Hopkins & Edina



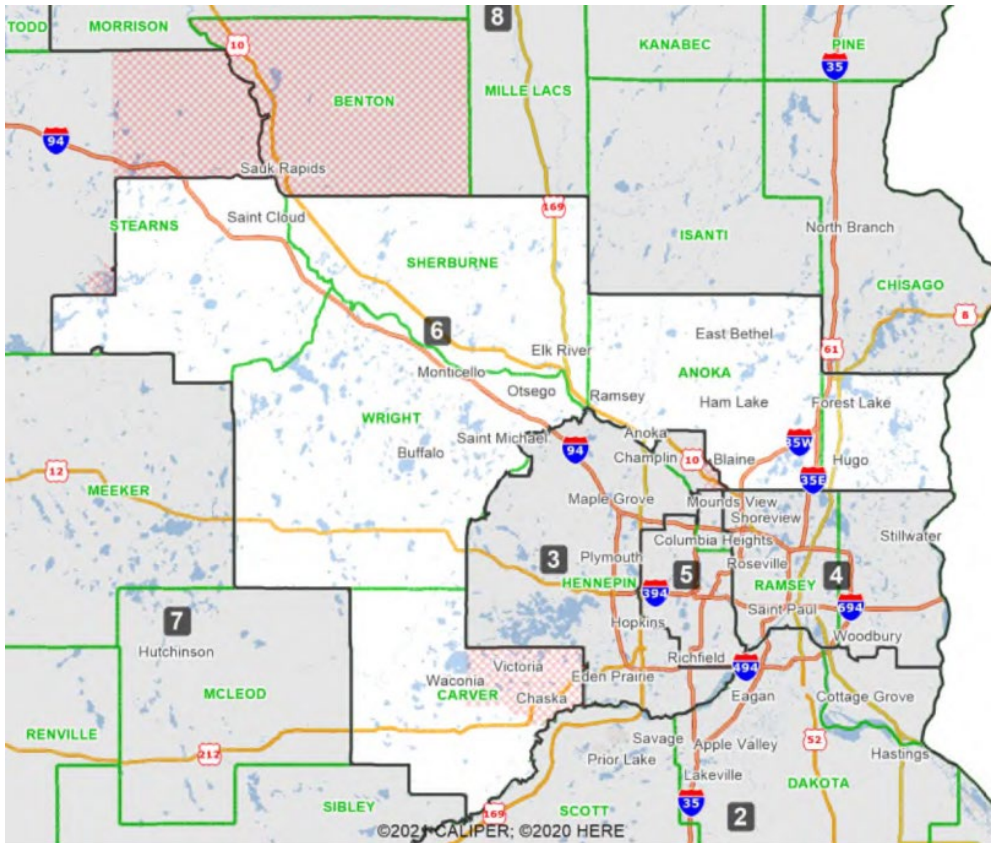
- Hopkins is a second-ring suburb with interests that align with other western metro suburban communities
- Minnetonka, which is located in the Third District, surrounds Hopkins on three sides.
- Edina is currently split between the Fifth and Third Districts
- Severity of split is reduced by locating a greater portion of Edina within the Third District
- Like Hopkins, Edina's interests align with the suburban communities of the Third District

Third Congressional District Proposed Changes – Blaine



- Aligns more with suburban interests of the Third District than exurban interests of Sixth
- Connected to the rest of the Third District by highway 10

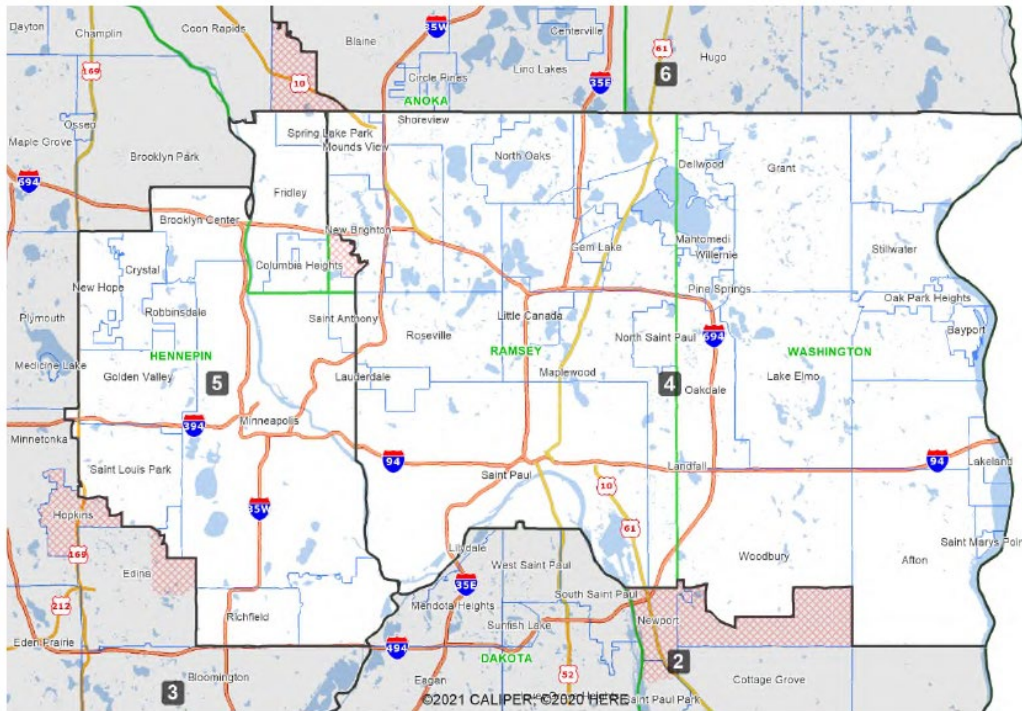
Sixth Congressional District Proposed Changes



- Must lose population
- Goal of preserving the interests of rural voters in the Seventh and Eighth Districts and the exurban and suburban voters in the Sixth
- Adds primarily rural parts of the current Sixth District to the Seventh and Eighth Districts and keeps political subdivisions whole
- A small part of Blaine is moved to the Third District to achieve population equality

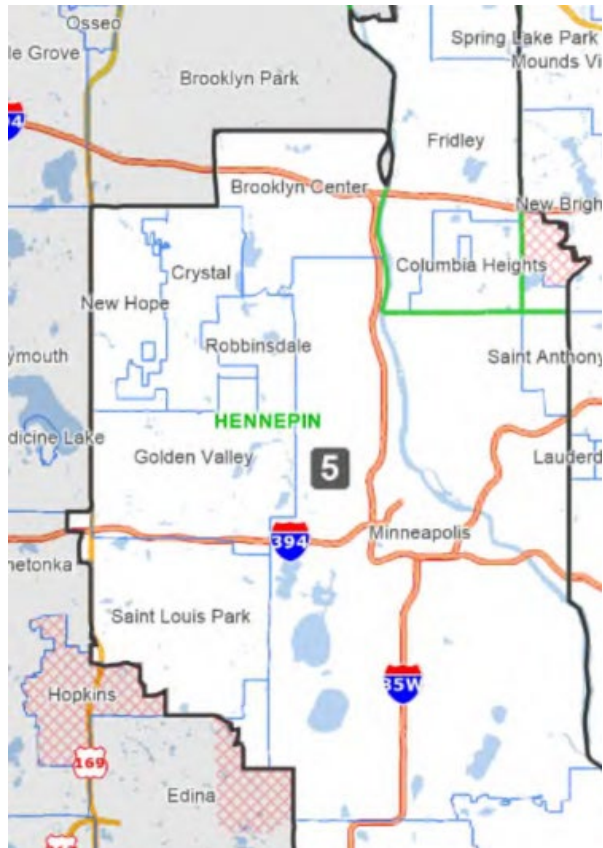
Minneapolis & St. Paul

Fourth & Fifth Congressional Districts Overview



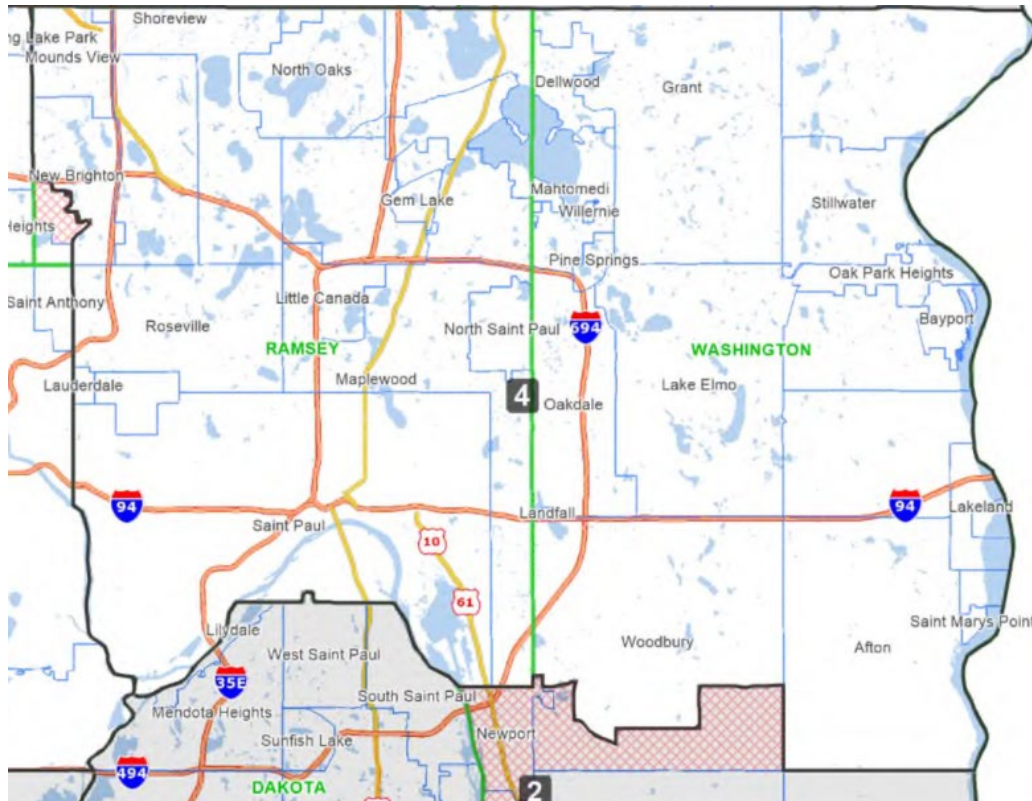
- Must lose population
- Represents primarily urban interests
- Maintains recognition of Minneapolis and St. Paul as separate communities of interest

Fifth Congressional District Proposed Changes



- Moves Hopkins and a part of Edina into the Third District
- Small part of New Brighton is moved from the Fourth District to the Fifth
- Alternative approaches to balance the population of the Fifth District, such as the addition of Brooklyn Park, make little sense

Fourth Congressional District Proposed Changes



- Part of New Brighton is moved from the Fourth District to Fifth
- The remainder of St. Paul Park, all of Newport, and the southern end of Woodbury are moved from the Fourth to the Second District

The Anderson Congressional Plan Should Be Adopted

- Reflects Minnesota's current rural and urban demography
- Fewest political subdivision splits of any party
- Adjusts district borders only where necessary to meet population equality requirements
- Preserves communities of interest, including:
 - the interests of rural Minnesotans
 - the distinct economic interests of southern Minnesota (e.g., hogs, corn, and soybeans), northwestern Minnesota (e.g., wheat, potatoes, and sugar beets), and northeastern Minnesota (e.g., forestry and mining)
 - the suburban and exurban communities in the Second, Third, and Sixth Districts

Anderson Legislative Plan

Anderson's Approach to Legislative Mapmaking

- Focus on:
 - Maximizing population equality
 - Minimizing political subdivision and American Indian Reservation splits
 - Preserving communities of interest where possible and consistent with constitutional and statutory requirements
- Drew house districts first
- Began with “perfect” districts
- Paired townships in districts with neighboring cities and towns
- Identified and maintained logical groupings of cities, counties, and townships
- Used rivers and major roads as natural district boundaries
- This approach resulted in a map that is fair, equitable, and complies with all redistricting principles

Anderson Plan Compared to *Hippert* Plan

	Anderson House Districts	<i>Hippert</i> House Districts	Anderson Senate Districts	<i>Hippert</i> Senate Districts
Mean Population Deviation	0.56% (240 persons)	0.29% (137 persons)	0.45% (381 persons)	0.21% (212 persons)
Number of Counties Split	40	54	33	39
Number of Cities/Townships Split	43	89	31	45
Minority Opportunity Districts (Total Population)	34	15	15	8
Minority Opportunity Districts (Voting Age Population)	18	13	9	6

Comparison of the Parties' House Districts

	Anderson	Corrie	Sachs	Watson
Mean Population Deviation	0.56%	.024%	0.56%	0.99%
Number of Counties Split	40	54	50	54
Number of Cities/Townships Split	43	182	69	73
Splits of Populations on Contiguous Reservation Lands	1	3	0	0
Minority Opportunity Districts (Total Population)	34	32	36	31
Minority Opportunity Districts (Voting Age Population)	18	24	24	21

Comparison of the Parties' Senate Districts

	Anderson	Corrie	Sachs	Watson
Mean Population Deviation	0.45%	0.15%	0.42%	0.77%
Number of Counties Split	33	46	33	45
Number of Cities/Townships Split	31	129	36	38
Splits of Populations on Contiguous Reservation Lands	0	1	0	0
Minority Opportunity Districts (Total Population)	15	14	17	15
Minority Opportunity Districts (Voting Age Population)	9	10	9	10

De Minimis Population Deviation

- Legislative districts must adhere to concept of population-based representation
- *De minimis* deviation is the goal
- Deviations are permissible when in furtherance of Minnesota’s “clearly identified, legitimate policy objectives”
- Anderson Plan’s population deviations are *de minimis* and well within Panel’s 2% maximum
- Anderson Plan’s population deviations meet constitutional requirements and minimize political subdivision splits – statutory policy objective

Political Subdivision Preservation: Clearly Identified State and Federal Policy

- Political subdivisions should be divided only when “necessary to meet constitutional requirements.” Minn. Stat. § 2.91, subd. 2
- The preservation of political subdivisions is “a consideration that appears to be of more substance in justifying some deviation from population-based representation” than, for example “economic or other sorts of group interests.” *Reynolds v. Sims*, 377 U.S. 533, 580 (1964)

Political Subdivision Preservation: Importance Recognized by Previous Panels

- “Rather than splitting a political subdivision to obtain a smaller deviation from the ideal population, the panel creates a district that respects subdivision boundaries and is well within the two-percent deviation maximum.” *Hippert v. Ritchie*, Final Order Adopting a Legislative Redistricting Plan, at 16 (February 21, 2012)
- “[C]reating an additional political subdivision split for such a small change in population was not a favorable trade.” *Zachman v. Kiffmeyer*, Final Order Adopting a Legislative Redistricting Plan, at 4 n.2 (March 19, 2002)

Political Subdivision Preservation: Furtherers Achievement of Other Goals

- “Counties, cities, and townships constitute some of Minnesota’s most fundamental communities of interest and centers of local government.” *Zachman*, Final Order Adopting a Legislative Plan at 3 (Mar. 19, 2002)
- Respecting political subdivisions “minimizes voter confusion and gives political subdivisions a stronger voice.” *Hippert*, Final Order Adopting a Legislative Plan at 14
- Preserving political subdivisions protects minority interests by decreasing barriers to voting and prevents unconstitutional racial gerrymandering

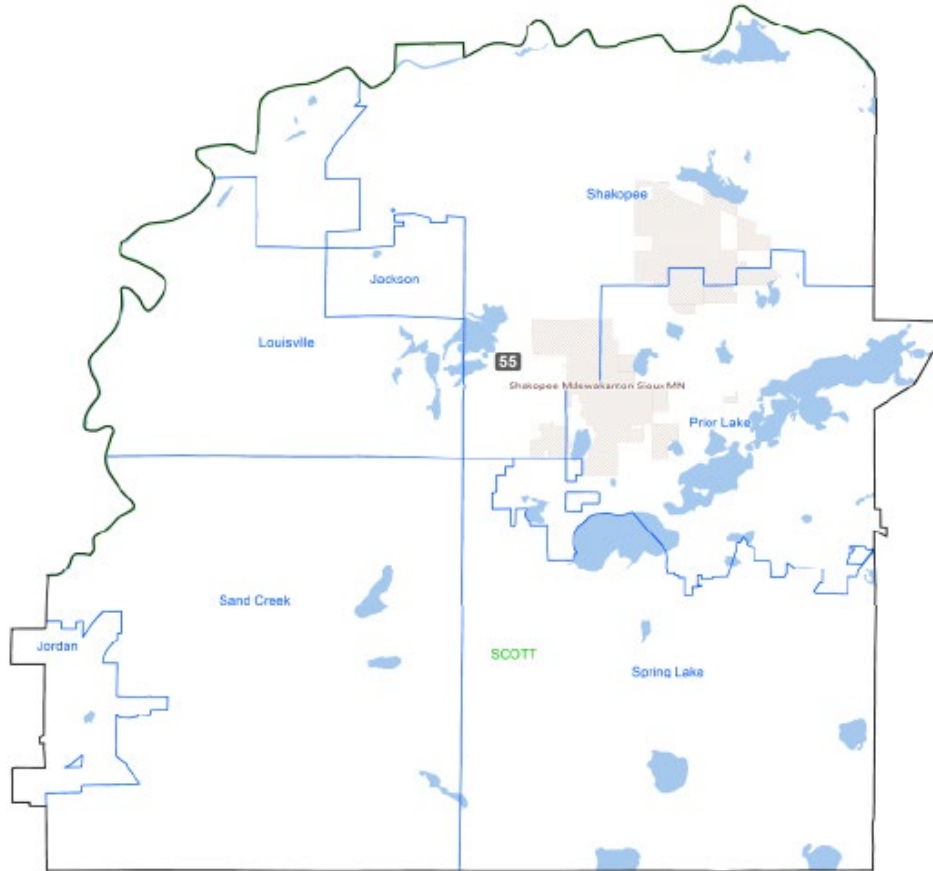
The Anderson Plan Recognizes Importance of Preserving Townships

- The Anderson Plan does not divide the population of any township, which will ensure townships with limited resources have ability to run efficient, accessible, and fair elections
- Keeps townships with neighboring cities and towns, with which they share a number of governmental services
- Other parties fail to preserve townships
 - Sachs divides the population of sixteen townships
 - Wattson divides the population of twelve townships
 - Corrie divides the population of fifty-three townships

Twelve Perfect Districts

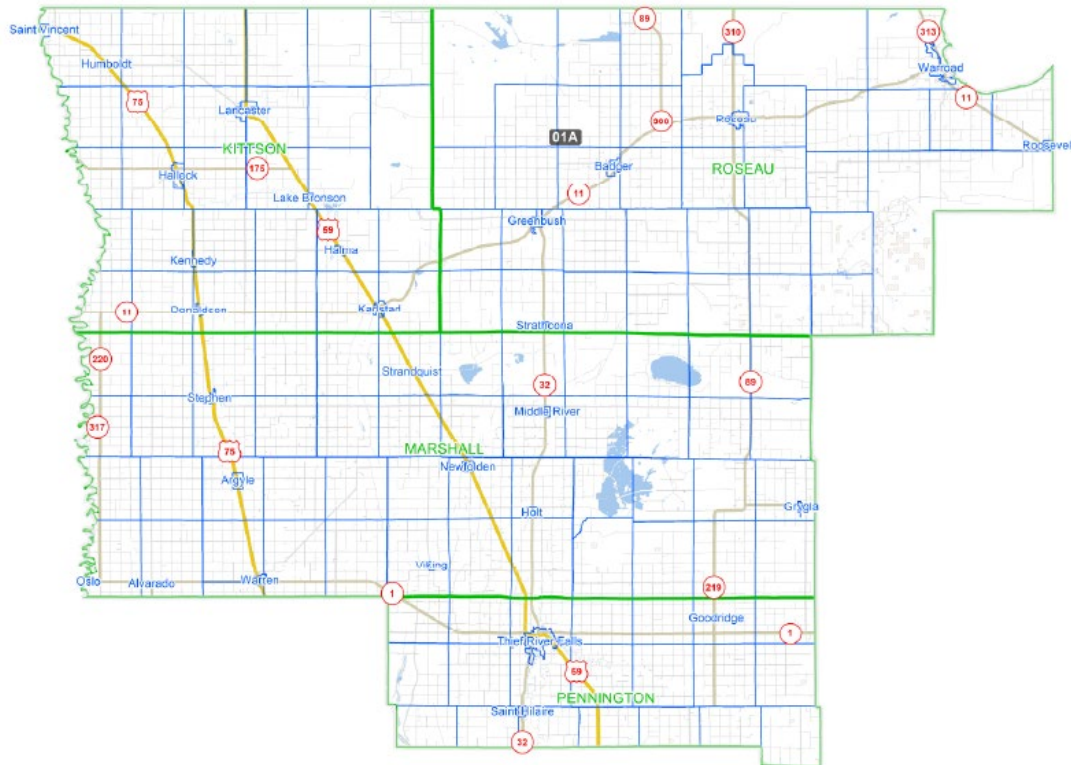
- Districts that include no subdivision splits and instead consist entirely of undivided, contiguous counties or cities
- Senate Districts
 - 10, 55, and 58
- House Districts
 - 1A, 11B, 28A, 29A, 32B, 36B, 40B, and 48A

“Perfect” District Example: Senate District 55



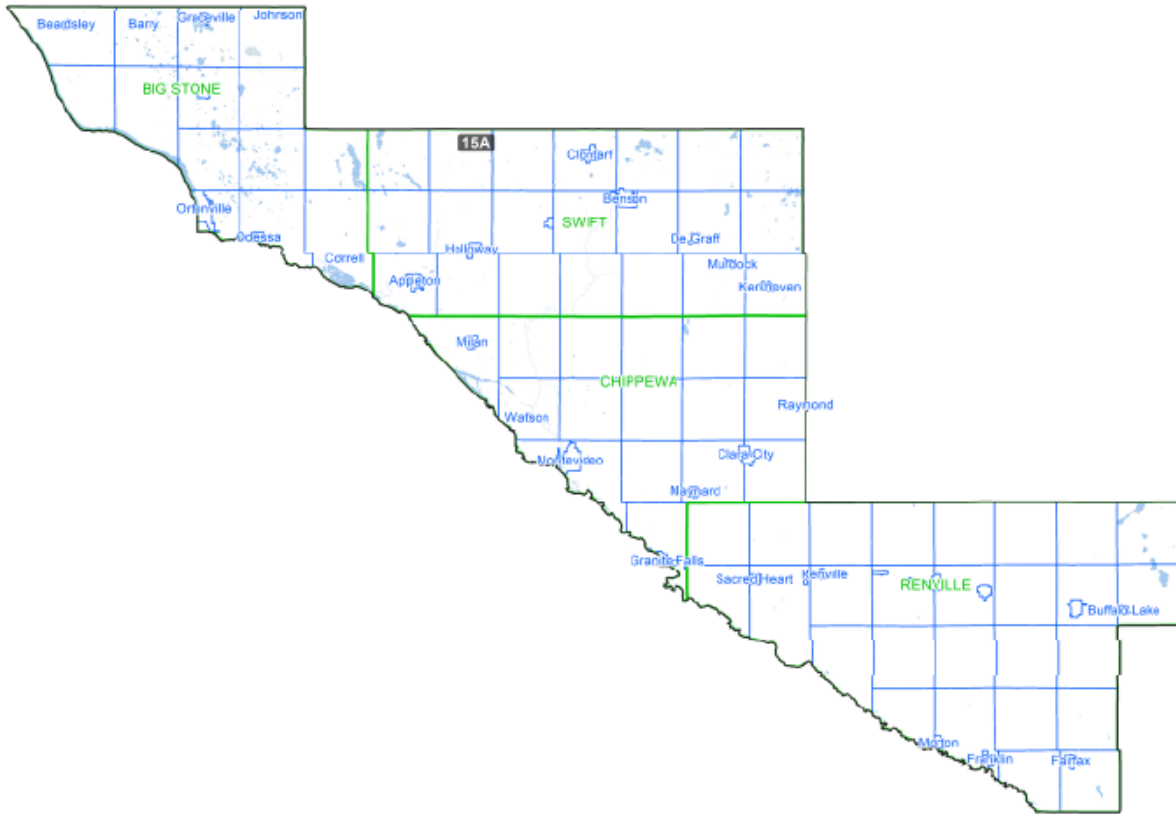
- Located in southwestern metro
- Consists of:
 - Cities of Jordan, Prior Lake, and Shakopee;
 - Townships of Jackson, Louisville, Sand Creek, and Spring Lake; and
 - Shakopee Mdwakanton Sioux Reservation
- Wattson Plan proposes the same grouping as Senate District 52

“Perfect” District Example: House District 1A



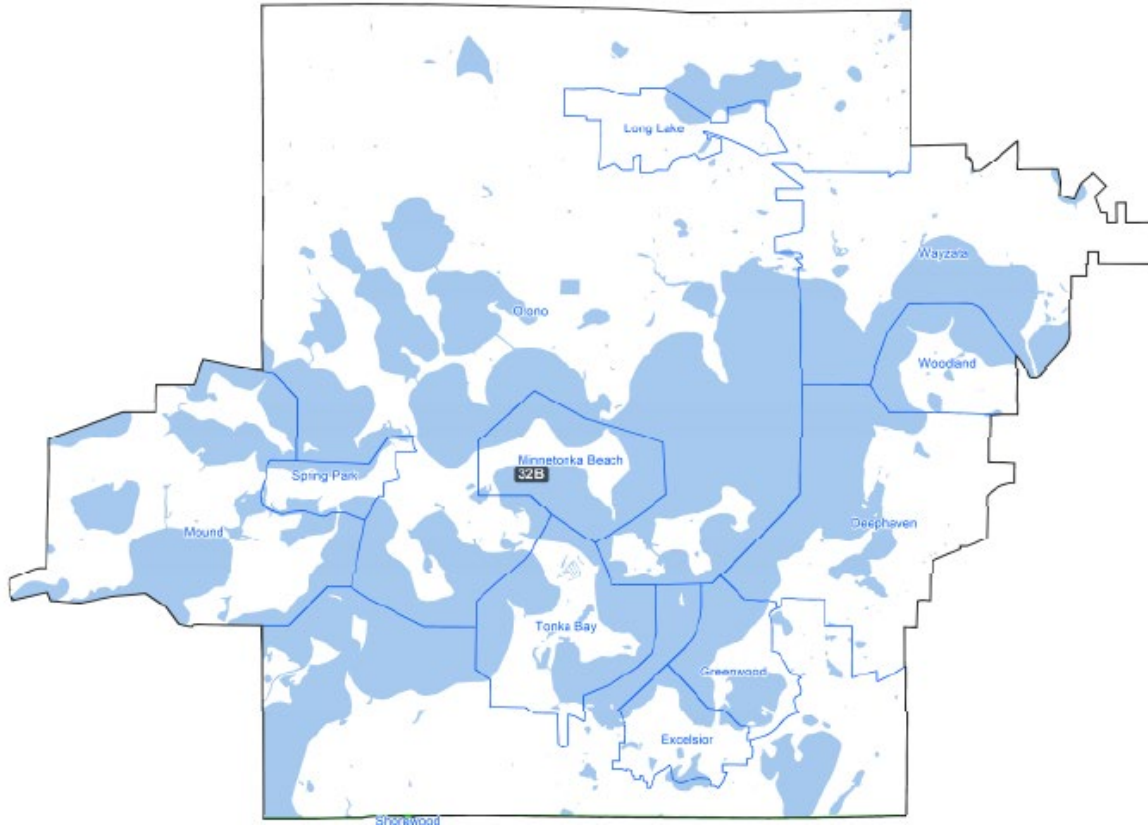
- Consists of the entire counties of Kittson, Roseau, Marshall, and Pennington
- Corrie proposes the same grouping as House District 1A

“Perfect” District Example: House District 15A



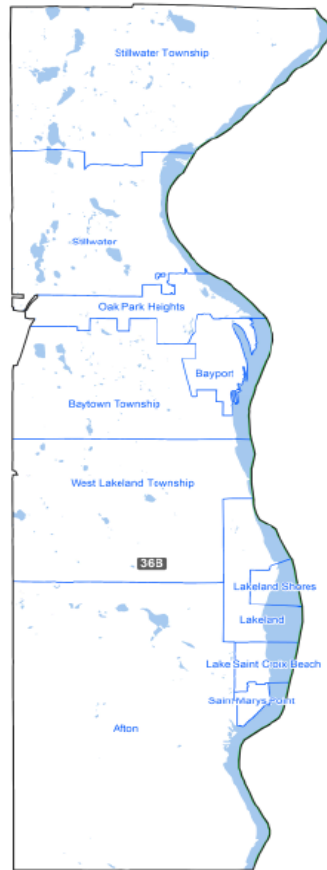
- Consists of counties of Big Stone, Swift, Chippewa, and Renville in their entirety
- Follows natural boundary along Minnesota river

“Perfect” District Example: House District 32B



- Consists entirely of undivided cities surrounding natural geography of Lake Minnetonka

“Perfect” District Example: House District 36B



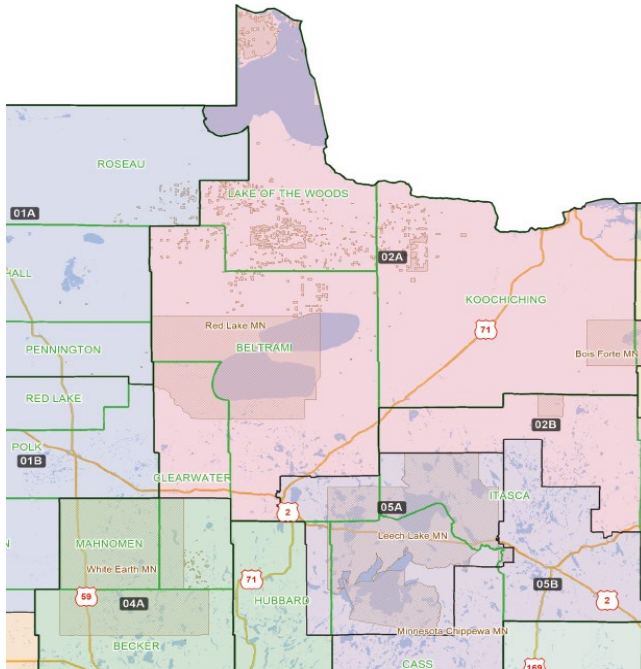
- Consists of eight cities and three townships in their entirety
- Grouping of communities sharing common interests along the St. Croix River
- Avoids the division of the city and township of Stillwater
- Same grouping proposed by Wattson as House District 48B

Anderson Plan's Approach Results in Better Legislative Districts

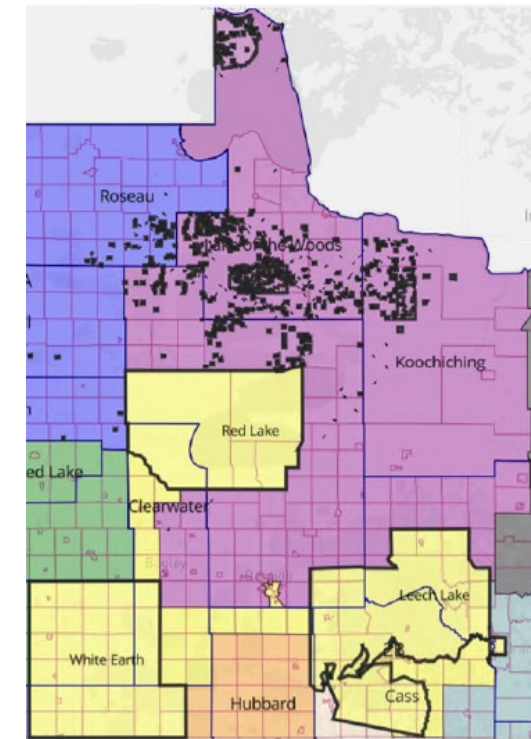
Anderson vs. Corrie Northern House Districts

Anderson House Districts 2A, 4A, and 5A

Corrie House District 2B (yellow)



- No split cities or townships
- Divide no contiguous reservation lands
- Consist of contiguous and convenient territory

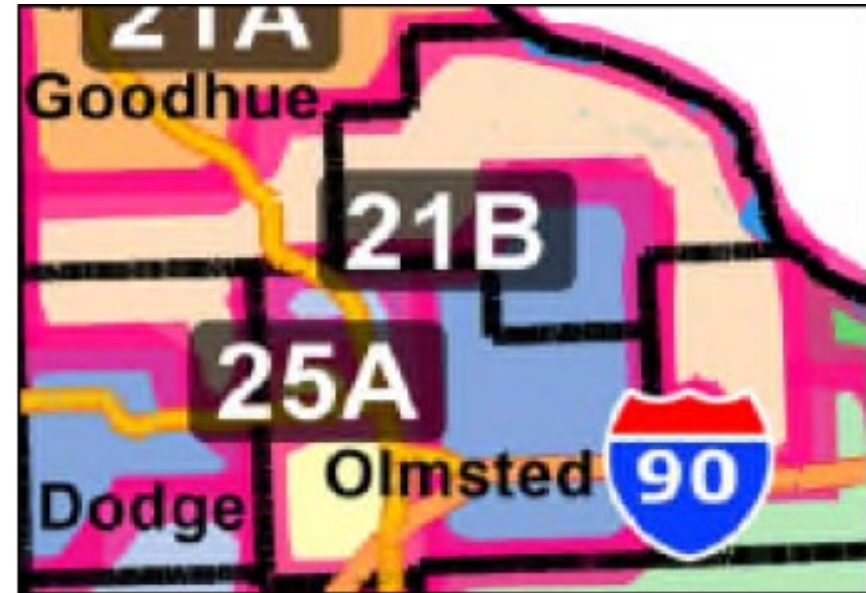
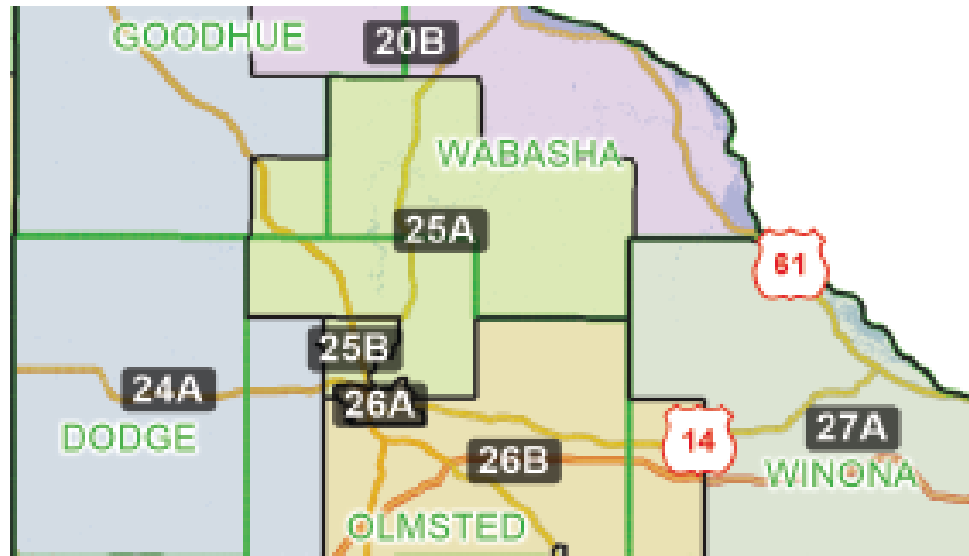


- Splits numerous cities and township
- Is barely contiguous and is not convenient

Anderson vs. Sachs Southeastern House Districts

Anderson House Districts 24A, 25A, 27A

Sachs House District 21B

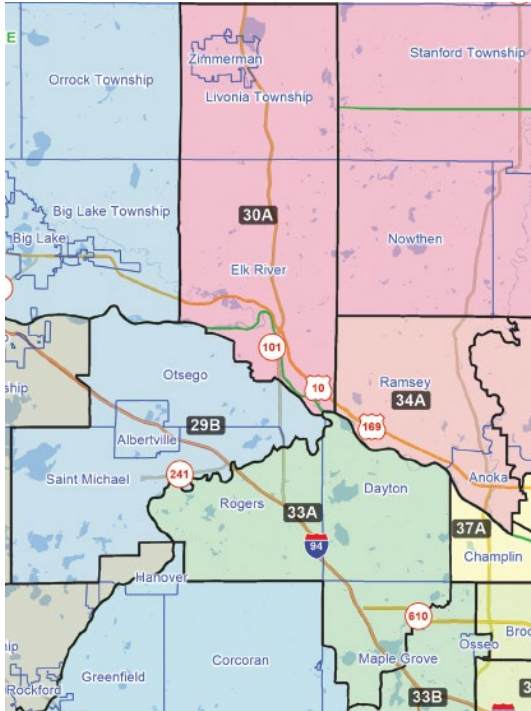


- Preserve Dodge County in 24A
- Follow logical boundaries
- Avoid dividing neighboring communities

- Dodge County split three times
- Long narrow district that wraps around Sachs Senate District 26

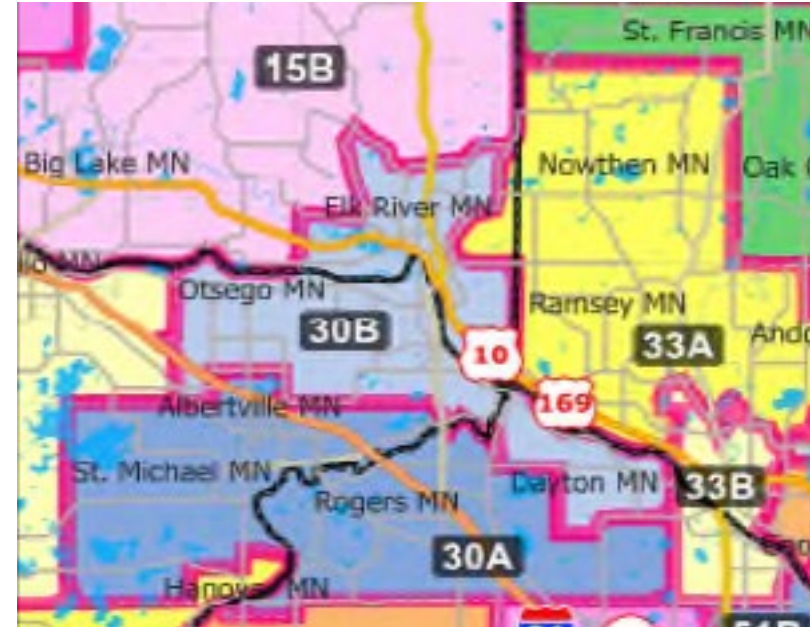
Anderson vs. Sachs Northwest Metro

Anderson House Districts 29B, 30A, 33A,
34A



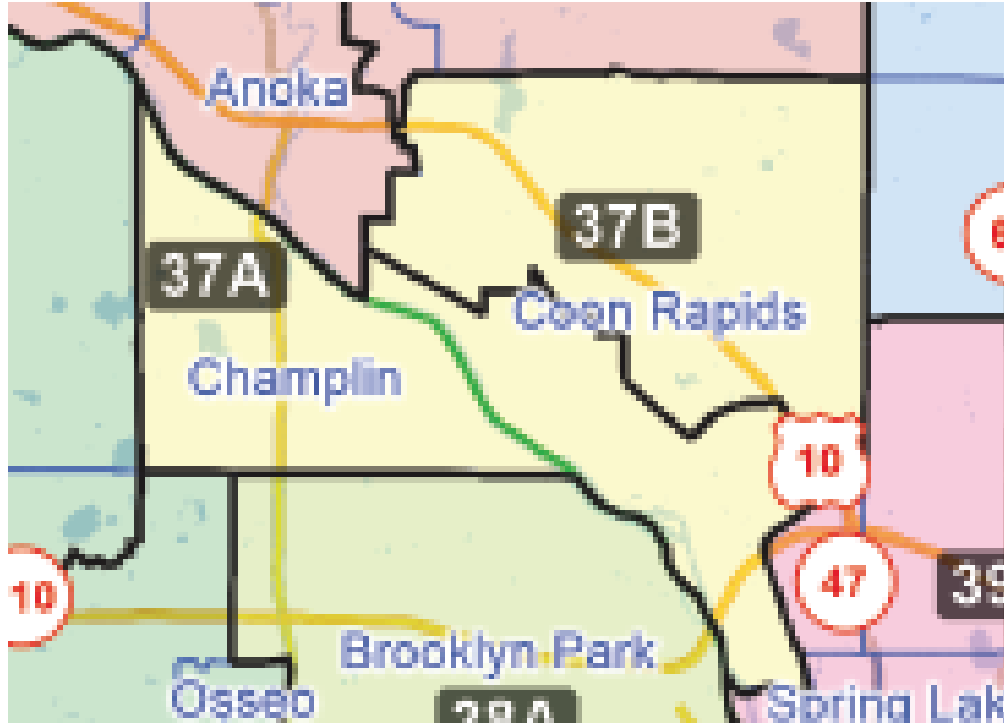
- Preserves political subdivisions
- Uses rivers as boundaries

Sachs House Districts 15B, 30A, 30B, 33A,
33B



- Multiple political subdivision splits
- Crosses both Crow and Mississippi Rivers in drawing districts 30A and 30B
- Long and narrow 30B with unnatural boundaries

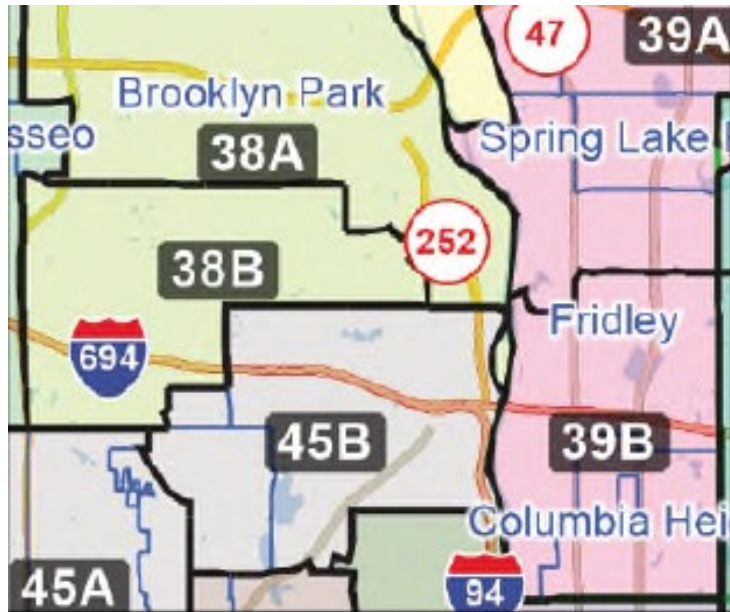
Criticism of Anderson Senate District 37 is Unwarranted



- Champlin kept whole in 37A
- Reduces divisions of Coon Rapids
- River does not pose “serious obstacle to travel”
- Similar to existing districts

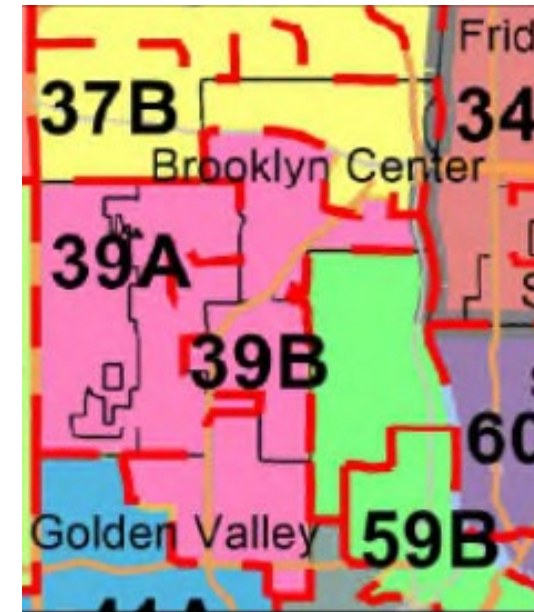
Anderson vs. Watson Brooklyn Park & Brooklyn Center

Anderson House District 45B



- Keeps Brooklyn Center whole
- Follows logical and convenient boundaries

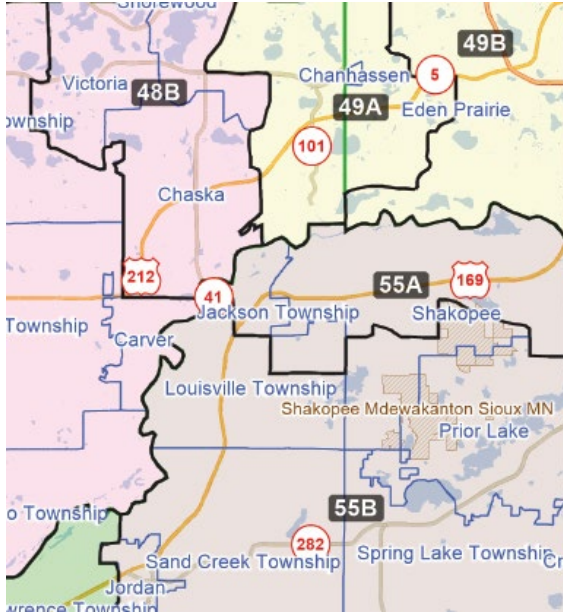
Watson House Districts 37B and 39B



- Divides Brooklyn Center between two house and senate districts
- Boundary zig zags through that city

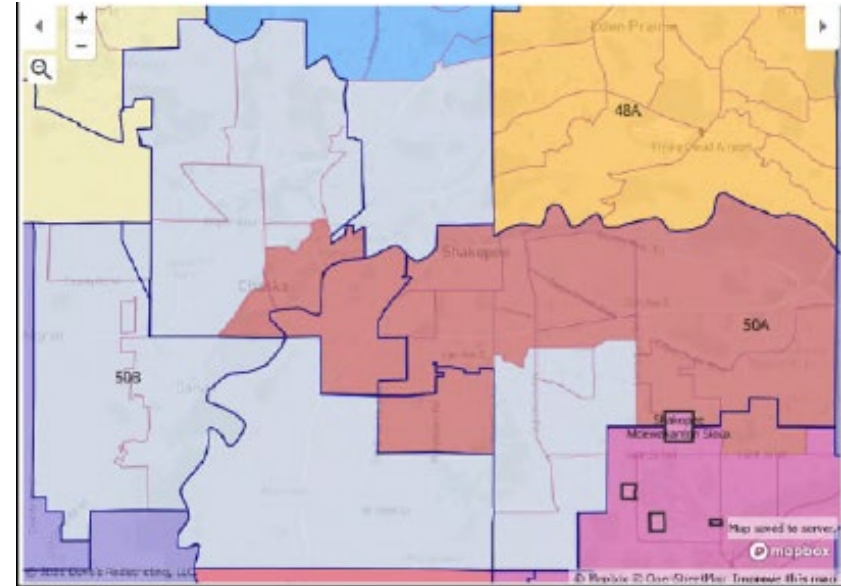
Anderson vs. Corrie Chaska, Chanhassen, and Shakopee

Anderson House Districts 48B, 55A, 55B



- Preserves political subdivisions
- Follows natural boundaries
- Creates compact and convenient districts

Corrie House Districts 50A and 50B

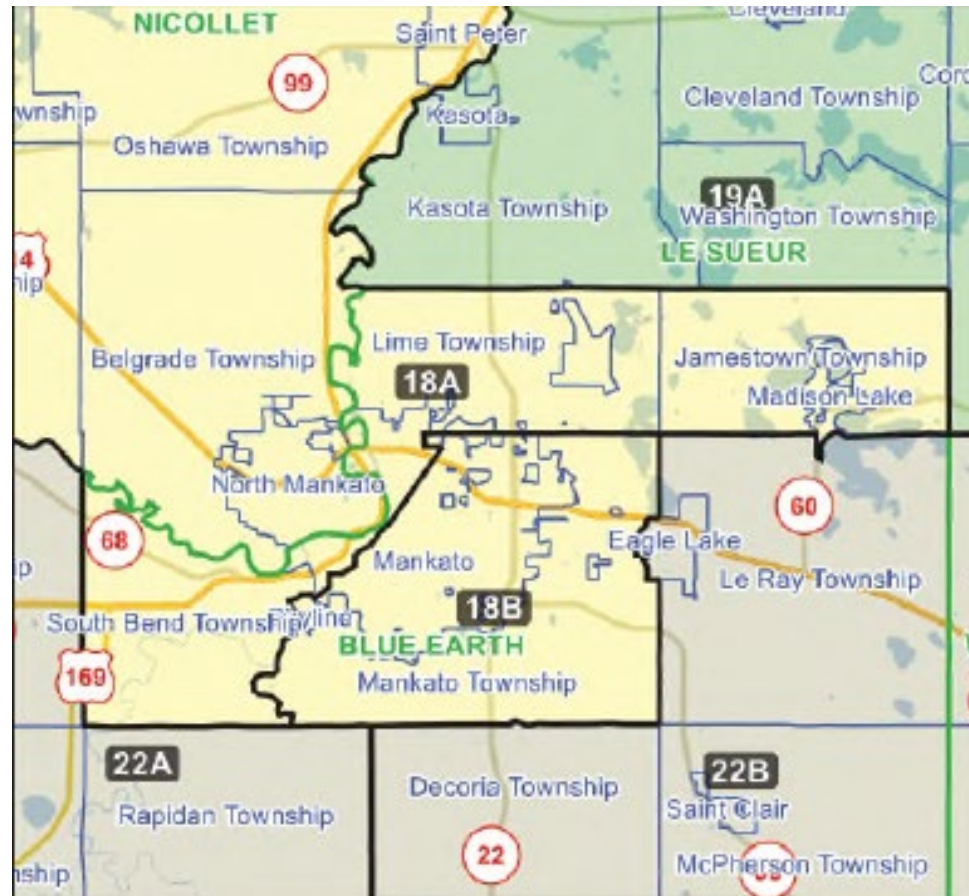


- Divides four cities and one township
- 50A Crosses Mississippi River
- Creates non-compact districts that do not follow natural boundaries

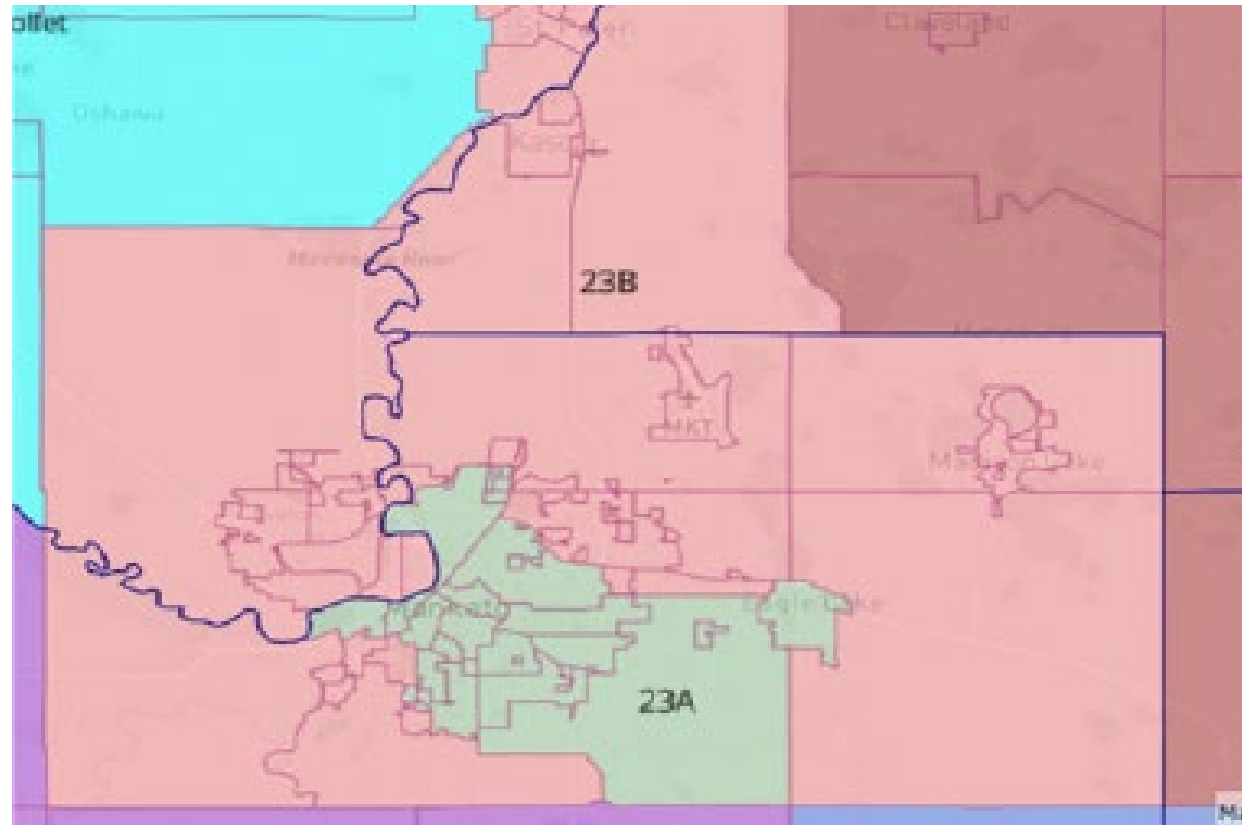
Anderson Plan Naturally Divides Rochester To Unite Portions of the City With Their Surrounding, Undivided Cities and Townships



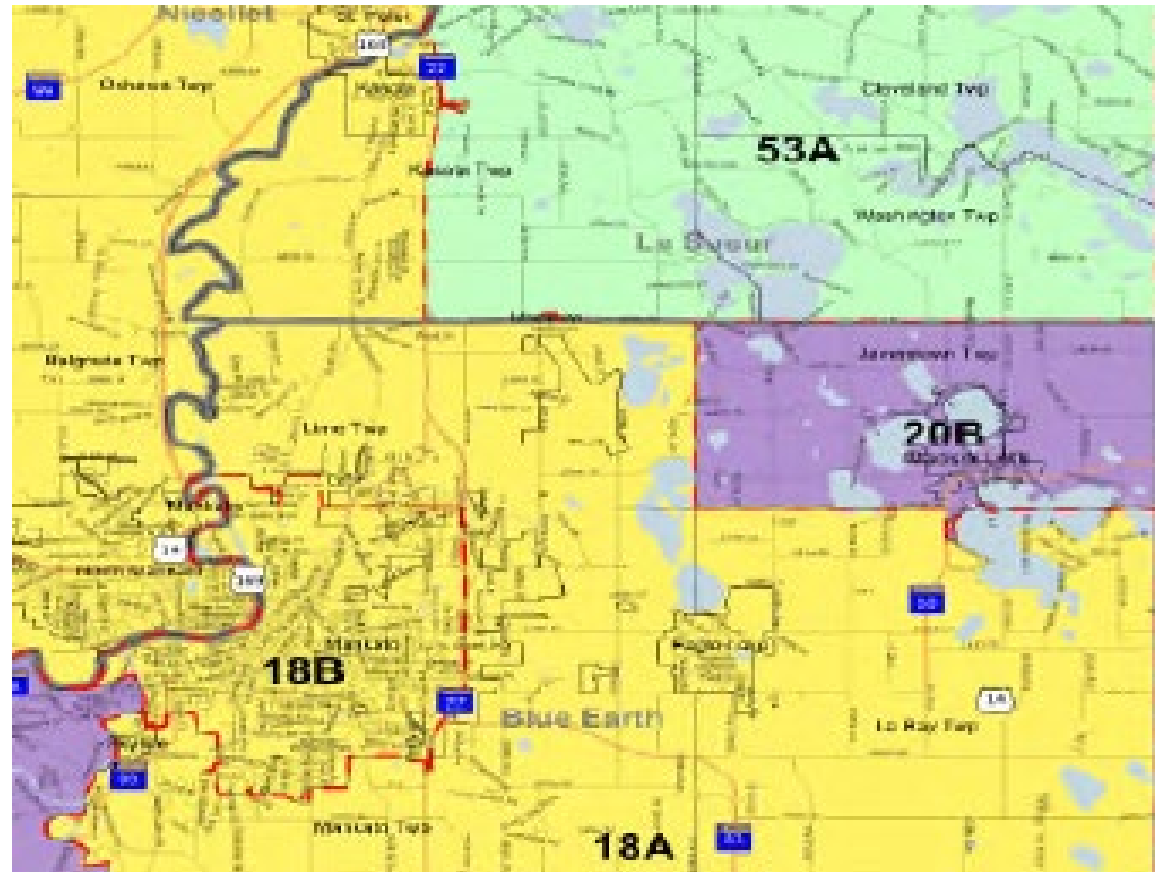
Anderson Plan Keeps Mankato in One Senate District, Dividing the City Along Natural Boundaries and To Preserve Surrounding Cities and Townships



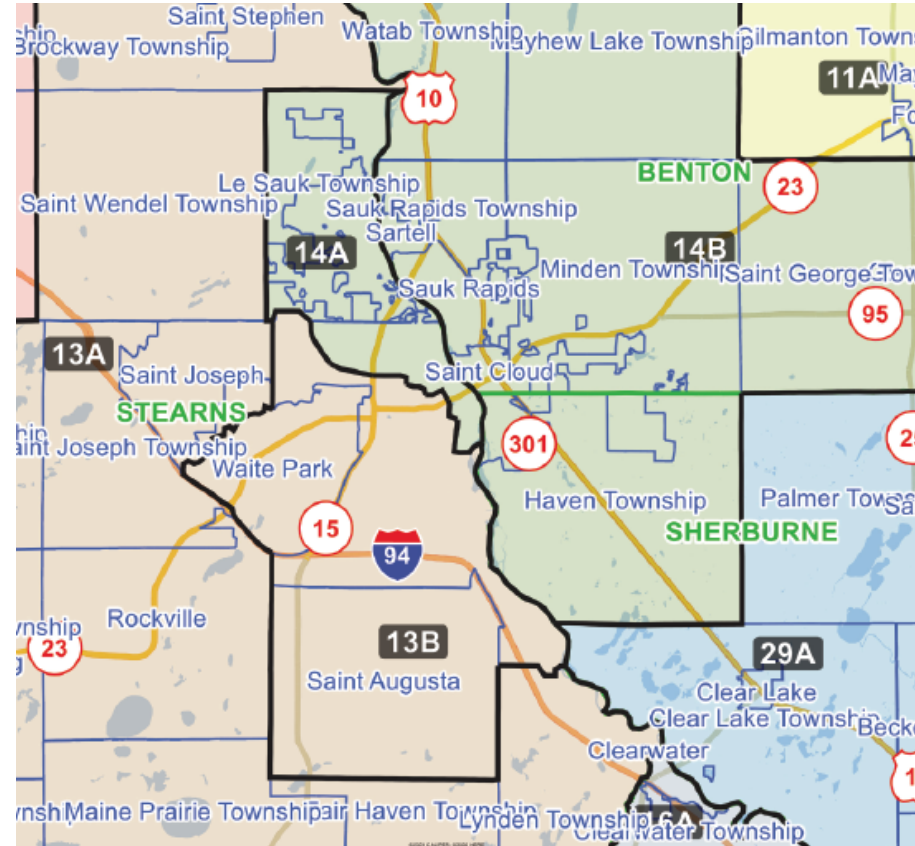
Corrie Plan Unnecessarily Splits Mankato Township



Wattson Plan Unnecessarily Divides Mankato Township by Drawing One House District that Wraps Around Another



Anderson Plan's St. Cloud Districts Follow Natural Boundaries and Preserve Political Subdivisions



Anderson Plan's Creation of a Red River Valley District is Consistent with *Zachman*

Anderson



Zachman



Anderson's Legislative Plan Should be Adopted

- Utilizes neutral and objective criteria to draw fair and equitable districts
- Minimizes population deviations
- Splits fewer subdivisions than any other plan
 - Only plan that does not split population of any township
- Preserves contiguous American Indian Reservations
- Joins townships with their surrounding cities and towns
- Preserves communities of interest where possible
- Complies with all other redistricting principles