

STATE OF MINNESOTA
SPECIAL REDISTRICTING PANEL

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**OFFICE OF
APPELLATE COURTS**

Peter S. Wattson, Joseph Mansky, Nancy B.
Greenwood, Mary E. Kupper, Douglas W.
Backstrom and James E. Hougas III, individually
and on behalf of all citizens and voting residents of
Minnesota similarly situated, and League of Women
Voters Minnesota,

Plaintiffs,

and

Paul Anderson, Ida Lano, Chuck Brusven, Karen
Lane, Joel Hineman, Carol Wegner, and Daniel
Schonhardt,

Plaintiff-Intervenors,

vs.

Steve Simon, Secretary of State of Minnesota; and
Kendra Olson, Carver County Elections and
Licensing Manager, individually and on behalf of all
Minnesota county chief election officers,

Defendants,

and

Frank Sachs, Dagny Heimisdottir, Michael Arulfo,
Tanwi Prigge, Jennifer Guertin, Garrison O'Keith
McMurtrey, Mara Lee Glubka, Jeffrey Strand,
Danielle Main, and Wayne Grimmer,

Plaintiffs

and

**ANDERSON PLAINTIFFS'
MEMORANDUM OF LAW IN
SUPPORT OF MOTION TO
ADOPT PROPOSED
CONGRESSIONAL
REDISTRICTING PLAN**

**ORAL ARGUMENT
REQUESTED**

Dr. Bruce Corrie, Shelly Diaz, Alberder Gillespie,
Xiongpaoo Lee, Abdirazak Mahboub, Aida Simon,
Beatriz Winters, Common Cause, OneMinnesota.org,
and Voices for Racial Justice,

Plaintiff-Intervenors,

vs.

Steve Simon, Secretary of State of Minnesota,

Defendant.

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INTRODUCTION

Plaintiffs Paul Anderson *et al.* (the “Anderson Plaintiffs”) submit this Memorandum of Law in Support of Motion to Adopt Proposed Congressional Redistricting Plan (the “Congressional Plan” or “Anderson Congressional Plan”). The Anderson Plaintiffs respectfully request oral argument on this motion.

The Anderson Plaintiffs move this Panel to accept their proposed Congressional Plan in full because it complies with constitutional and statutory requirements and adheres to the Panel’s redistricting principles. Moreover, the Anderson Plaintiffs, recognizing the minimal shifts in population throughout and around the state of Minnesota over the past 10 years, took a restrained approach to redrawing congressional district lines. Like the *Hippert* Panel did with the congressional redistricting plan adopted by the *Zachman* Panel ten years before it, the Anderson Plaintiffs began with the congressional map drawn by the *Hippert* Panel, making adjustments to its boundaries only to meet constitutional population equality requirements and to minimize the number of political subdivision splits.

While no redistricting plan can perfectly capture each of the Panel’s redistricting principles, the Anderson Congressional Plan provides the fairest possible outcome for Minnesota’s voters and should therefore be fully adopted by the Panel.

OVERVIEW OF PROPOSED PLAN

I. The Anderson Plaintiffs’ Approach to Mapmaking

The Anderson Congressional Plan should be fully adopted by this Panel because its approach not only meets the Panel’s redistricting criteria, but also reflects the same neutral

approach that was taken in *Hippert*. Namely, the Anderson Plaintiffs started with the current congressional district map and only made changes where necessary to reflect demographic population shifts over the last decade. There are several reasons for this, described below. And as a result, the Anderson Congressional Plan accurately reflects the current demographics of the state rather than partisan interests.

A. A Restrained Approach to Drawing District Lines

When redistricting is performed by the judicial branch, it should be done “in a restrained and deliberative manner” because “courts engaged in redistricting lack 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, 395 397 (Minn. 2012) (citing *LaComb v. Growe*, 541 F. Supp. 145, 151 (D. Minn. 1982)). In drawing their Congressional Plan, the Anderson Plaintiffs heeded this instruction and applied this restrained approach, making adjustments to the existing congressional district lines adopted in *Hippert* only as necessary to ensure adherence to constitutional and statutory requirements.

The Anderson Plaintiffs recommend this approach for congressional districts not only because it is consistent with Minnesota precedent, but also because it is prudent given the history of congressional redistricting in Minnesota. In 2001, the *Zachman* Panel drew congressional districts widely considered to be fair, equitable, and politically neutral. In drawing Minnesota’s 2010 congressional district maps, the *Hippert* Panel thus unsurprisingly began with *Zachman*’s 2001 congressional districts, making adjustments only where necessary to meet population equality requirements. *Hippert*, 813 N.W.2d at

397. This was particularly appropriate for congressional maps, which have fewer districts than legislative maps and therefore are less subject to the “snowball effect” of making limited changes to one district that often result in the need for significant changes to many other districts. In taking this approach to congressional districting, the *Hippert* Panel again succeeded in drawing districts widely lauded as fair and non-partisan. *See, e.g.*, Editorial, *Credit Judges for Fair Representation*, Star Tribune (Feb. 22, 2012) (“To its credit, [that] the panel opted for minimal changes in well-established political patterns . . . speaks well of the even-handedness of the five-judge panel’s work, befitting their mixed political pedigrees.”). Not only was there public recognition of the fairness of this map, but neither the congressional nor the legislative plans adopted in *Zachman* or *Hippert* were appealed or otherwise challenged by any party to those proceedings.

Further, making minor changes to existing district boundaries minimizes voter confusion which, in turn, results in easier voter access and decreases the administrative burden of administering elections. This effect is amplified through the Anderson Congressional Plan’s achievement of reducing the number of political subdivision splits. The result is a fair, balanced map that builds on fair outcomes of the past.

B. An Approach Reflective of the State’s Demographics

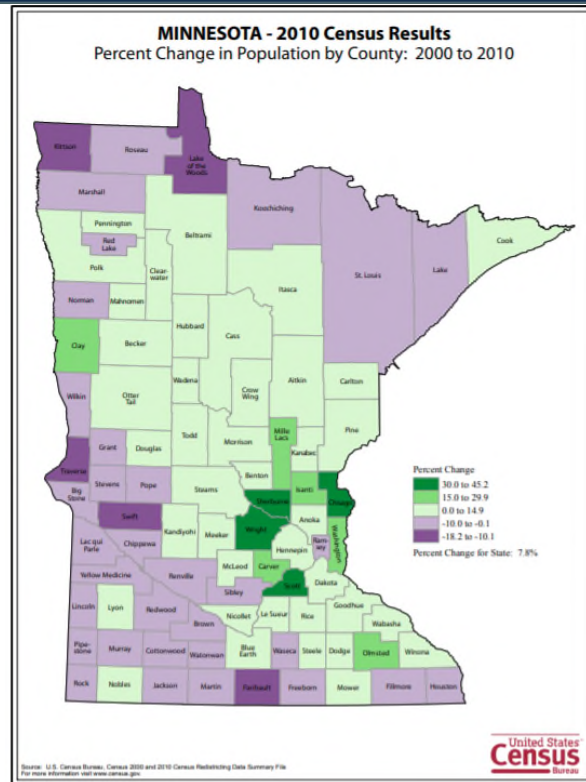
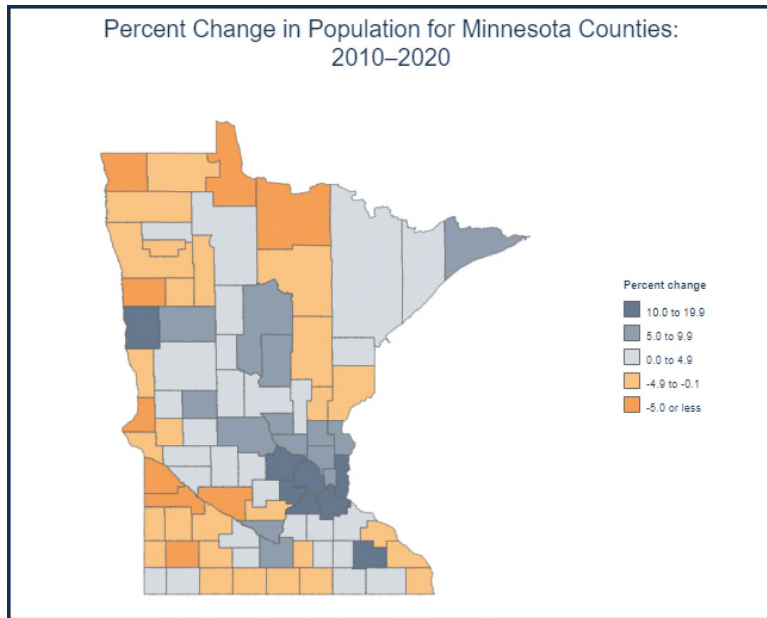
The *Hippert* panel further concluded that avoiding drastic changes was appropriate in 2010 because “[a]lthough Minnesota’s overall population ha[d] grown and population shifts ha[d] occurred, the percentage of the state’s population living in the metropolitan area and Saint Cloud ha[d] not changed dramatically.” *Id.* at 397. As reflected below in the

2020¹ and 2010² U.S. Census Bureau maps, the 2020 census data reflects the continuation of the decades-long trend of population loss in Minnesota’s rural regions and population growth in Minnesota’s urban, suburban, and exurban regions, which further supports the Anderson Plaintiffs’ restrained approach to congressional redistricting:

¹ United States Census Bureau, Minnesota: 2020 Census, <https://www.census.gov/library/stories/state-by-state/minnesota-population-change-between-census-decade.html>.

² United States Census Bureau, Minnesota: 2010 Census, https://www2.census.gov/geo/pdfs/maps-data/maps/2010pop/mn_perchange_2010map.pdf.

Figure 1: Minnesota 2020 and 2010 Percentage Change in Population



Although Minnesota’s urban, suburban, and exurban counties have continued to experience notable growth, the percentage of Minnesota’s population living in these areas has not significantly changed since 2010. Indeed, in 2010 “approximately 61 percent of the

state's population . . . live[d] in the urban, suburban, and exurban areas extending from Saint Cloud in the northwest to Dakota County in the southeast." *Hippert*, 813 N.W.2d at 397. The 2020 census data shows that approximately 62.5 percent (five-eighths) of Minnesota's population now lives in the 11 county metropolitan area and St. Cloud.³

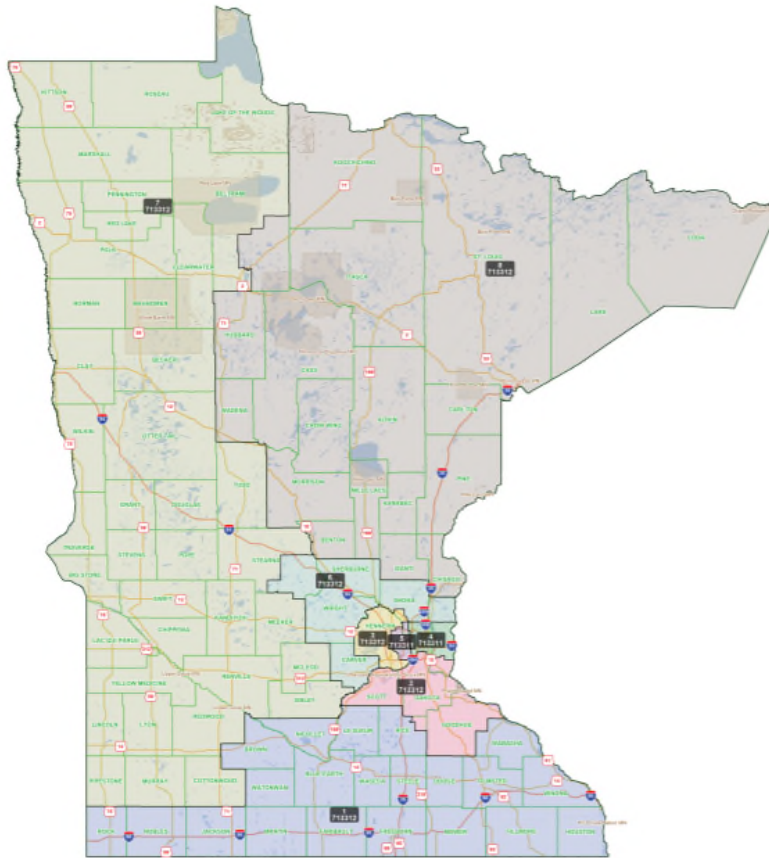
Because "the percentage of the state's population living in the metropolitan area and St. Cloud has not changed dramatically," the approach taken in *Hippert* and *Zachman* of creating five metropolitan and three rural districts continues to align with Minnesota's current demographics and is adopted by the Anderson Plaintiffs in their Congressional Plan. *See id*; *Zachman v. Kiffmeyer*, CO-01-160, Final Order Adopting a Congressional Redistricting Plan, at 4-5 (Minn. Special Redistricting Panel Mar. 19, 2002) (the "*Zachman* Congressional Redistricting Order").

II. The Anderson Plaintiffs' Congressional Plan

Next, we turn to an overview of the Anderson Congressional Plan itself, which is provided with this memorandum as required by the Panel's directions and depicted below:

³ The eleven county metropolitan area consists of Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Ramsey, Scott, Sherburne, Washington, and Wright. Minn. Stat. 200.02, subd. 24.

Figure 2: Map of Anderson Plan Proposed Districts



While the congressional redistricting approach adopted in *Zachman* and *Hippert* continues to be justified by Minnesota’s demographics, due to population changes throughout the state none of Minnesota’s current congressional districts consist of the population required to “satisfy the constitutional mandate that one person’s vote shall equal another’s.” *LaComb*, 541 F. Supp. at 151. Thus the population of each of Minnesota’s eight congressional districts must be adjusted to correct deviations from the ideal district population as follows:

Table 1: Population Deviation from Ideal District

District	Deviation from Ideal District
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

In adjusting congressional district boundaries to equalize these population changes, the Anderson Plaintiffs sought to do so in a manner that would, to the extent possible, minimize the number of political subdivisions divided between congressional districts. This is not only required by Minnesota law (*see* Minn. Stat. § 2.91, subd. 2), but also is a neutral and objective way of avoiding the division of communities of Minnesotans with the same interests and concerns. Indeed, during the public comment period, this Panel received repeated requests by the public that it avoid splitting counties, cities, and townships in the drawing of congressional district lines. *See, e.g.*, Testimony of Jon Erik Kinstad, Woodbury Hearing (Oct. 11, 2021) at 35:8-36:10; Testimony of Jackie Craig, Shakopee Hearing (Oct. 13, 2021) at 13:3-20; Testimony of Debra Taylor, Duluth Hearing (Oct. 19, 2021) at 20:15-22:3; Testimony of Janette Dean, Rochester Hearing (Oct. 21, 2021) at 26:22-27:3. Even outside public hearing testimony, Minnesota residents have

voiced concern about political subdivision splits. *See* Briana Bierschbach, *Split Minnesota communities plead to become whole in new redistricting maps*, Star Tribune (Sept. 27, 2021, 12:29 PM), <https://www.startribune.com/split-minnesota-communities-plead-to-become-whole-in-new-redistricting-maps/600101334/>.

To geographically expand the underpopulated First, Seventh, and Eighth districts while maximizing the preservation of political subdivisions, the Anderson Plaintiffs: (i) added to the First district Wabasha County and a portion of Rice County from the Second district (ii) added to the Second district the remainder of Cottonwood County from the First district, a portion of Stearns County from the Sixth district, and a portion of Bemidji from the Eighth district; and (iii) added to the Eighth district Benton County from the Sixth district. When compared to the plan adopted in *Hippert*, these adjustments resulted in a decreased number of county splits in the First, Seventh, and Eighth districts from 4 to 3 and decreasing the number of cities and townships split in those districts from 4 to 3. *See* Anderson Plaintiffs' Maptitude Report, Political Subdivision Splits, at Tab H.

The geographic expansion of the First, Seventh, and Eighth congressional districts resulted in required population adjustments for the remaining five districts. The Anderson Plaintiffs achieved population equality in these districts by: (i) adding to the Second district the city of Newport, a portion of the city of Woodbury, and the remainder of the city of St. Paul Park from the Fourth district; (ii) adding to the Third district the city of Hopkins and a portion of the city of Edina from the Fifth district and a portion of the city of Blaine from the Sixth district; (iii) adding to the Fifth district a portion of the city of New Brighton from the Fourth district; and (iv) adding to the Sixth district the remainder of Carver County

from the Third district. The Fourth district did not require any additions. When compared to the plan adopted in *Hippert*, these adjustments resulted in a decreased number of county splits in the Second, Third, Fourth, Fifth, and Sixth districts from seven to six. In order to achieve population equality, the number of cities and townships split in those districts increased slightly from five to six. The total number of split cities and townships, however, is the same as in the plan adopted by the *Hippert* panel.⁴ *See id.*

As a result, the congressional district lines drawn by the *Hippert* Panel changed slightly as reflected below, with additions to districts reflected by hash marks:

⁴ Consistent with the political subdivision split report in *Hippert*, the Anderson Plan's split political subdivision report does not include cities or towns that are split between two congressional districts if the split occurs along county lines. *See Hippert*, 813 N.W.2d at 402, n. 12.

Figure 3: Map of Proposed Changes Statewide

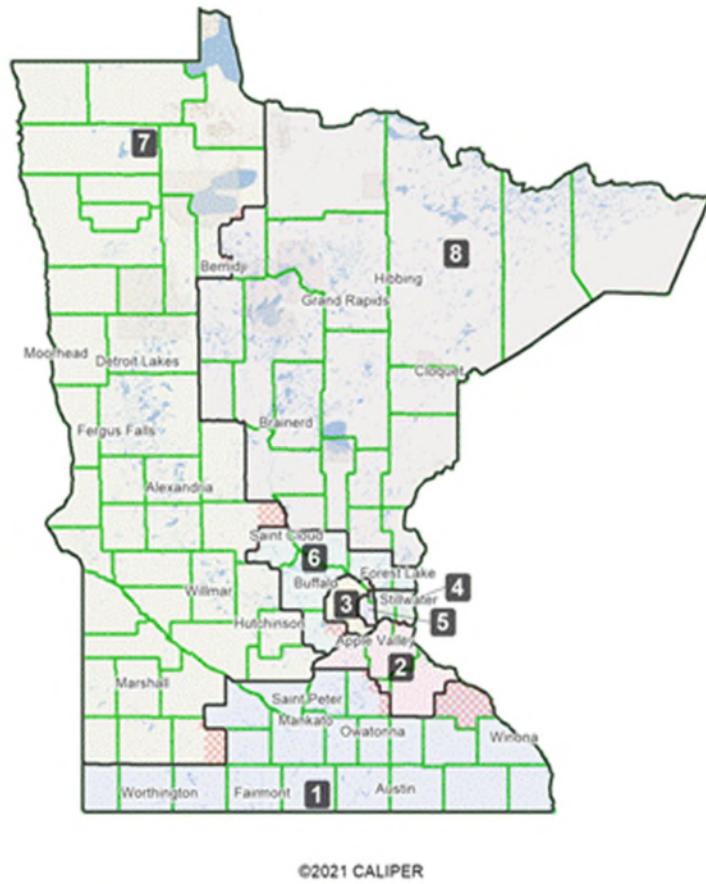
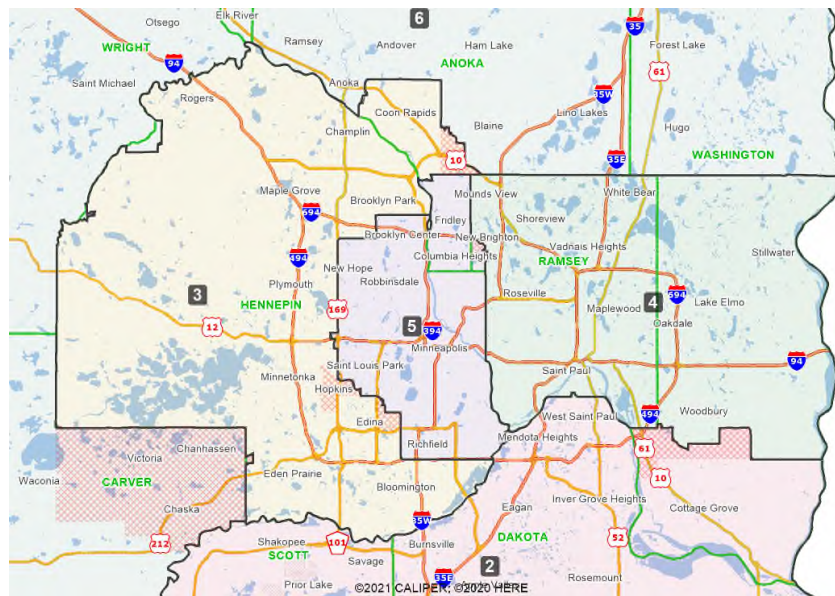


Figure 4: Map of Proposed Changes in Metropolitan Area



ARGUMENT

The Anderson Congressional Plan should be fully adopted by this Panel because it meets each of the Panel’s redistricting principles, while taking a restrained approach. As discussed in more detail below, the Anderson Congressional Plan succeeds in reducing the number of county splits, increasing the percentage of minority voters in every congressional district, and preserving established and well-recognized communities of interest. Moreover, each of the proposed congressional districts is contiguous, convenient, and compact, demonstrating that the boundaries of the map were drawn utilizing neutral redistricting principles. Below the Anderson Plaintiffs walk through how the Anderson Congressional Plan meets and exceeds the principles adopted in the Panel’s Order Stating Preliminary Conclusions, Redistricting Principles, and Requirements for Plan Submissions (Nov. 18, 2021) (“Principles Order”).

I. The Anderson Congressional Plan Complies with U.S. Constitution Population Requirements

Article I, § 2 of the United States Constitution “establishes ‘a high standard of justice and common sense’ for the apportionment of congressional districts: ‘equal representation for equal numbers of people.’” *Karcher v. Daggett*, 462 U.S. 725, 730 (1983) (quoting *Wesberry v. Sanders*, 376 U.S. 1, 18 (1964)); *see also Reynolds v. Sims*, 377 U.S. 533, 558 (1964) (“The conception of political equality . . . can mean only one thing—one person, one vote.” (quoting *Gray v. Sanders*, 372 U.S. 368, 381 (1963) (internal quotation marks omitted)). “Absolute population equality [is] the paramount objective” in drawing congressional district maps, particularly when adopted via a court-ordered plan.

Abrams v. Johnson, 521 U.S. 74, 98 (1997) (quoting *Karcher*, at 732) (alteration in original) (internal quotation marks omitted). This Panel therefore ordered that the goal of redistricting must be “absolute population equality” and that the ideal population distribution is “six districts of 713,312 people and two districts of 713,311 people.” Principles Order at 5, ¶ 1. The Anderson Congressional Plan complies with this requirement, with a proposed population of 713,312 in the First, Second, Third, Sixth, Seventh, and Eighth congressional districts, and a proposed population of 713,311 in the Fourth and Fifth congressional districts.

II. The Anderson Congressional Plan Complies with Federal and State Statutes

A. The Proposed Congressional Districts Consist of “Convenient Contiguous” Territories.

Minnesota law requires that all congressional “districts consist of convenient contiguous territory.” Minn. Stat. § 2.91, subd. 2. Consistent with this requirement, this Panel ordered that “[d]istricts must consist of convenient, contiguous territory” and prohibited point contiguity. Principles Order at 6-7, ¶ 5. Each of the Anderson Plaintiffs’ proposed congressional districts are contiguous because no district occupies more than one distinct area. *See* Anderson Plaintiffs’ Maptitude Reports, Contiguity Report, at Tab G.

Moreover, the congressional districts are convenient because they are “within easy reach” and “easily accessible.” *LaComb*, 541 F. Supp. at 150 (quoting *The Compact Edition of the Oxford English Dictionary* (Oxford University Press 1971)). This convenience is assured by the Anderson Plaintiffs’ focus on the preservation of political subdivisions and consideration of existing roadways and highways in drawing district lines. *See Hippert v.*

Ritchie, 813 N.W.2d 391, 400–01 (2012) (finding newly formed congressional district to be convenient because it was “connected to the east metropolitan area by thoroughfares such as Interstate Highway 94 and Minnesota State Highway 36”). Under the Anderson Congressional Plan, the five metropolitan districts are easily accessible by a network of roads and highways such as Interstates 35W, 35E, I-494, I-394, and I-694, and Highways 212, 7, 169, 100, 610, 10, 36, 5, and 19. In greater Minnesota, the First District is easily accessible via I-90 and I-35, and the Seventh District is accessible via I-94 and a network of highways, including Highways 59, 2, 10, 12, and 14. Likewise, the Eighth District is accessible via I-35 and Highways 2, 71 and 53. Accordingly, the Anderson Congressional Plan meets the Panel’s requirement that “[d]istricts must consist of convenient, contiguous territory.” Principles Order at 6, ¶ 5.

B. The Anderson Congressional Plan Preserves Political Subdivisions and American Indian Reservations

This Panel ordered that in drawing congressional districts, neither political subdivisions nor American Indian Reservations should be divided more than necessary to meet constitutional requirements. Principles Order at 6-7, ¶¶ 4, 6; *see also* Minn. Stat. § 2.91, subd. 2 (requiring that “political subdivisions not be divided more than necessary to meet constitutional requirements”); *Karcher*, 462 U.S. at 733 n.5, 740–41.

The Anderson Congressional Plan preserves political subdivisions to the greatest extent possible. Given the distribution of population in Minnesota and the constitutional requirement of population equality, however, some political subdivision splits are mathematically necessary and unavoidable. *See Zachman* Congressional Redistricting

Order, at 3 (“Some political subdivisions – even small ones or cities that specifically requested to be left intact within a district – would have to be split.”).

The Anderson Congressional Plan achieves the minimum number of splits to the extent practicable and, notably, achieves fewer county splits than the plan adopted by the *Hippert* panel. Likewise, the Anderson Congressional Plan succeeds in not splitting the contiguous reservation lands of federally recognized American Indian tribes. Principles Order at 6, ¶ 4.

Table 3: Comparison of Political Subdivision and Reservation Splits

	Anderson Congressional Plan (More than One District)	<i>Hippert</i> Plan (More than One District)	Anderson Congressional Plan (More than Two Districts)	<i>Hippert</i> Plan (More than Two Districts)
County Splits	7	9	3	3
City/Township Splits	7	7	0	0
Reservation Splits (contiguous)⁵	0	0	0	0

See Anderson Plaintiffs’ Maptitude Reports, Political Subdivision Splits Report, at Tab H; Communities of Interest (Reservation Splits) Report, at Tab. F.

Accordingly, the Anderson Congressional Plan adheres to the requirement that political subdivisions and American Indian reservations not be split more than necessary to meet constitutional requirements.

⁵ While the population of the Minnesota Chippewa Reservation is split into the Seventh (1 person) and Eighth (7 persons) congressional districts, that split is of non-contiguous land.

C. The Plan Complies with the Voting Rights Act

As required by law and ordered by the Panel, the Anderson Congressional Plan fully adheres to the Voting Rights Act of 1965, 52 U.S.C. § 10301 *et seq.*, and the 14th and 15th Amendments to the United States Constitution. *See also* Principles Order at 6, ¶ 3. The Anderson Plaintiffs did not draw any congressional district with the intention of abridging voting rights, nor do their proposed congressional districts have the effect of abridging voting rights on account of race, ethnicity, or membership in a language minority group.

Further, the Anderson Congressional Plan reflects the growth in Minnesota's minority population and was “drawn to protect the equal opportunity of racial, ethnic, and language minorities to participate in the political process and elect candidate of their choice” Principles Order at 6, ¶ 3. Like the congressional redistricting plan adopted in *Hippert*, each of the Anderson Plaintiffs' proposed congressional districts “has a higher minority-percentage—both as a percentage of the total population and as a percentage of the voting-age population—than the corresponding congressional district adopted...ten years ago.” *Hippert*, 813 N.W.2d at 402 n.10. And unlike the plan adopted in *Hippert*, the Anderson Congressional Plan establishes two minority opportunity districts, *i.e.*, districts in which over 30% of the voting age population consists of members of racial minority groups.

Table 2: Comparison of Minority Population Within Districts

District	Total Minority Population		Voting Age Minority Population	
	Anderson Plan	<i>Hippert Panel</i>	Anderson Plan	<i>Hippert Panel</i>
1	17.5%	12%	14%	9%
2	24.6%	16%	21%	13%
3	28.7%	19%	24%	16%
4	37.7%	29%	32%	24%
5	40.2%	35%	35%	29%
6	15.8%	9%	13%	7%
7	14.1%	9%	11%	7%
8	11.0%	7%	9%	6%

See Anderson Plaintiffs’ Mapitude Reports, Minority Voting Age Population Report, at Tab D; Minority Total Population Report, at Tab E.

These increases to the percentage of minority populations in each district are the result of following the Panel’s redistricting principles and the existing demographics of the state, without seeking to manipulate results or make assumptions as to how members of any individual minority group will vote. See *Zachman* Congressional Redistricting Order at 8 (citing *Grove v. Emison*, 507 U.S. 25, 41 (1993)). Further, this approach enhances protection of the equal opportunity of racial, ethnic, and language minorities to influence election outcomes, as it results in new voting-age minority opportunity districts in the Anderson Plan’s Fourth and Fifth congressional districts. Whereas the *Hippert Plan*’s Fifth district could be considered a minority opportunity district by a measure of *total* population, the Anderson Congressional Plan results in *two* minority opportunity districts by a measure of *voting age* population. This may, therefore, “increase the ability of

minorities to elect [representatives of their choice], especially if they choose to vote together” *Zachman* Congressional Redistricting Order at 8.

III. The Anderson Congressional Plan Preserves Communities of Interest

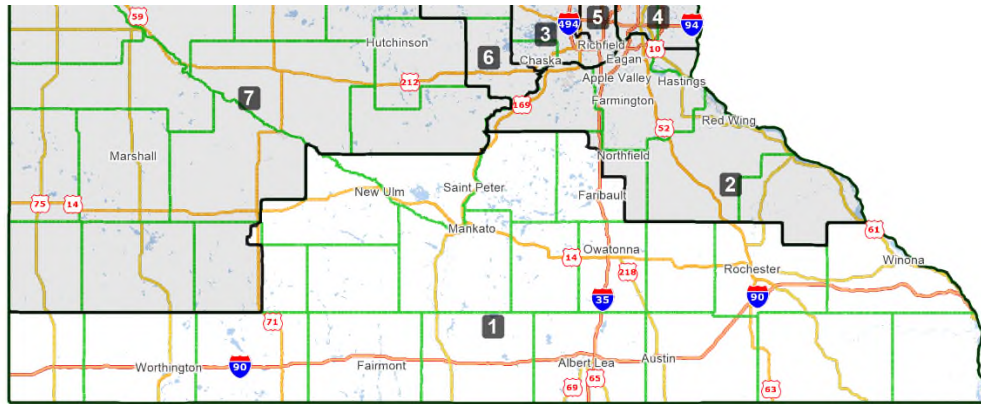
To the extent their preservation could be achieved while still complying with the foregoing principles, the Anderson Congressional Plan likewise preserves communities of interest in the State, including those recognized by the *Hippert* Panel, expressed in testimony from Minnesota residents during the public comment period, or both. *See* Principles Order at 7, ¶ 7. Specifically, the Fourth and Fifth districts protect the increasingly diverse urban core of the Twin Cities metropolitan area; the Second, Third, and Sixth districts preserve the common interests of the growing suburban and exurban populations of the state, interests that are distinct from their urban and rural counterparts; and the First, Seventh, and Eighth districts represent the distinct agricultural and rural interests of each region, such as the timber and mining interests that characterize the Eighth district and the wheat and sugar beet farming interests that characterize the Seventh.

A. The First Congressional District Preserves Communities of Interest in Southern Minnesota

Following the 2020 Census, Minnesota’s current First congressional district is underpopulated, compared to the ideal district, by 22,586 persons. In adjusting district lines to account for this population change, the Anderson Plaintiffs’ First congressional district is similar to the First congressional districts created by the *Zachman* and *Hippert* panels, which were based on the “community of interest that naturally arises along a highway such

as Interstate 90 and tends to run an east-to-west direction in Southern Minnesota.”
Zachman Congressional Redistricting Order, at 5-6; *see also Hippert*, 813 N.W.2d at 401.

Figure 5: Current Congressional District 1



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Minnesota’s First congressional district is characterized by its predominantly rural character, but is also home to large agricultural, technological and medical business interests in the southeast region, such as the Mayo Clinic and IBM. *See* Minnesota Employment and Economic Development, Southeast Region, <https://mn.gov/deed/data/locallook/southeast/southeast-blog.jsp>. Additionally, the First district encompasses southwest Minnesota, which, like southeast Minnesota, excels in farming and manufacturing goods such as computer and electronic products. *See id.*, Southwest Region, <https://mn.gov/deed/data/locallook/southwest/southwest-blog.jsp>.

Minnesotans who reside in the First district specifically requested that these interests be preserved in redrawing district lines. *See* Written Testimony of Robert Tims (Oct. 19, 2021) (noting that First district is a “predominantly rural district driven by large medical and agricultural interests that has spawned many small to medium sized companies” and

that the First district has distinct interests from Minneapolis and St. Paul); Written Testimony of JoAnne Smith (Oct. 19, 2021) (“CD 1 is an agricultural section of our state. The fringes of the Twin Cities do not reflect or even care about the interests of rural Southern Minnesota.”); Written Testimony of Christopher Brandt (Oct. 21, 2021) (noting that southern Minnesota is “rural, with many small townships, towns, and some medium-sized cities”); Written Testimony of Yvonne Simon to the Minnesota Legislature (Sept. 15, 2021) (“[The First district] has been largely based on 3 areas of industry: agriculture, medical and rural business.”).

Additionally, residents of southeast Minnesota noted their shared interest in protecting the region’s unique Karst geology and soil. *See* Written Testimony of Bonita Underbakke (Oct. 28, 2021) (“Southeastern Minnesota’s ‘Driftless Region,’ with its rare karst geology, shares regional concerns of protecting our fragile aquifer while practicing agriculture and continuing to develop tourism as an economic engine.”); Written Testimony of Harvey Benson (Oct. 28, 2021) (“The SE corner of Minnesota is unique in that it is [K]arst country. That means it is fragile in regards to soil problems.”); Written Testimony of Christine DeVries (Oct. 21, 2021) (noting that Fillmore County shares Karst geology with Houston, Olmsted, Winona, Goodhue, and Wabasha counties). By minimally changing the current boundaries of the First district to achieve population equality, the Anderson Congressional Plan preserves these interests.

Because of population losses over the past decade, the First district must be geographically expanded to satisfy the constitutional requirement of “one person, one vote.” The Anderson Congressional Plan primarily accomplishes this by adding Wabasha

County. The addition of Wabasha County is a natural fit because it preserves the First district’s primarily rural character. Indeed, this reflects the views of residents of the current First congressional district and residents of Wabasha County. *See* Written Testimony of Robert Tims (Oct. 19, 2021) (noting that the First district should add Wabasha, Pipestone, or Murray counties because the First district is a “predominantly rural district”); Written Testimony of Christopher Brandt (Oct. 21, 2021) (same); Written Testimony of Benjamin Robertson (Oct. 26, 2021) (“Wabasha County is a predominantly rural county that really belongs in the 1st Congressional district rather than the 2nd.”). Wabasha and the rest of southeastern Minnesota share a common interest in protecting and addressing the region’s unique Karst geology, as discussed above. And the interests of Wabasha County residents are more closely aligned with those of Rochester than the southern suburbs of the Twin Cities in the Second district, as its residents rely on Rochester for essential services. *See* Written Testimony of Russell Hess to Minnesota Legislature (Sept. 15, 2021) (noting that residents of Wabasha frequently travel to Rochester for medical appointments, work, and education, and requesting that Wabasha be considered “a community of interest with Rochester and the rest of Southern Minnesota rather than [the] south metro”); Testimony of Gale Julius, Rochester Hearing at 31:2-7 (Oct. 21, 2021) (“People in Goodhue and Wabasha counties depend on Rochester to get goods and services that might be closer to home.”).

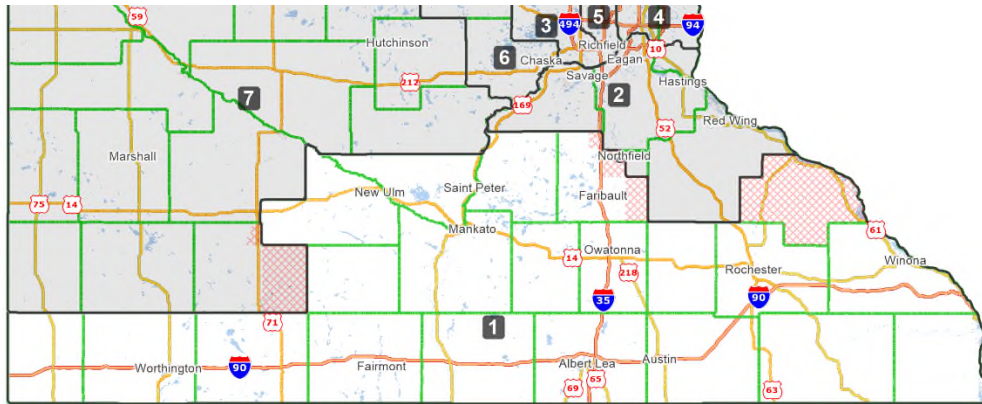
The First congressional district was, however, still underpopulated after adding Wabasha County and losing its portion of Cottonwood County (discussed below), so it was necessary for the First district to encompass a greater area of Rice County, which is

currently split between the First and Second districts. Specifically, the Anderson Congressional Plan adds the city of Nerstrand and a portion of the city of Dundas, totaling 4,824 people, from the Second district to the First.

Recognizing comments received from the public in testimony before this Panel that Northfield has deep connections with the southern metropolitan area, the Congressional Plan keeps the entire city of Northfield within the Second congressional district. Specifically, many students from the metro attend one of the two, four-year colleges in Northfield—Carleton College and St. Olaf College—and many faculty members reside in the south metro. *See* Written Testimony of Michael Fitzgerald (Oct. 21, 2021); *see also* Written Testimony of Lorraine Rovig (Oct. 26, 2021) (noting the “steady flow of students and professors” from the Twin Cities to Northfield and the “deep connection to the southern suburban area via Interstate 35”). Additionally, Northfield shares services with towns and cities in Dakota County, such as Northfield Hospital and the Dakota Prairie Adult Basic Education Center. Testimony of Elizabeth Goodell, Zoom Hearing at 43:5-9 (Oct. 26, 2021).

The changes to the boundary of the First congressional district in the Anderson Congressional Plan, with additions to districts indicated by hash marks, are reflected below:

Figure 6: Anderson Plaintiffs’ Proposed Changes to Congressional District 1

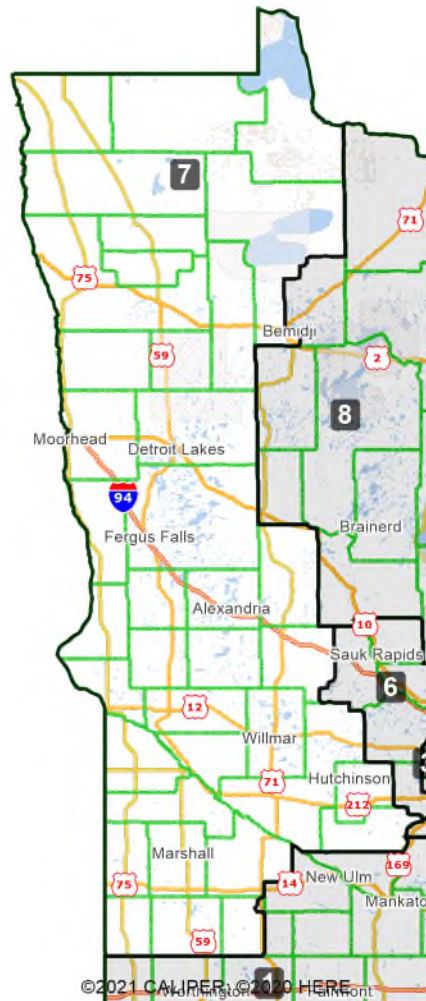


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B. The Seventh Congressional District Preserves Communities of Interest in the Red River Valley and Western Minnesota

Following the 2020 Census, Minnesota’s current Seventh congressional district is underpopulated, compared to the ideal district, by 39,798 persons. In adjusting district lines to account for this population change, the Anderson Plaintiffs were careful to preserve the communities of interest in the Red River Valley and Western Minnesota, defined by agricultural industries such as the farming of wheat, potatoes, soybeans, and sugar beets (*see* Minnesota Employment and Economic Development, Northwest Region, <https://mn.gov/deed/data/locallook/northwest/northwest-blog.jsp>) and American Indian tribes.

Figure 7: Current Congressional District 7

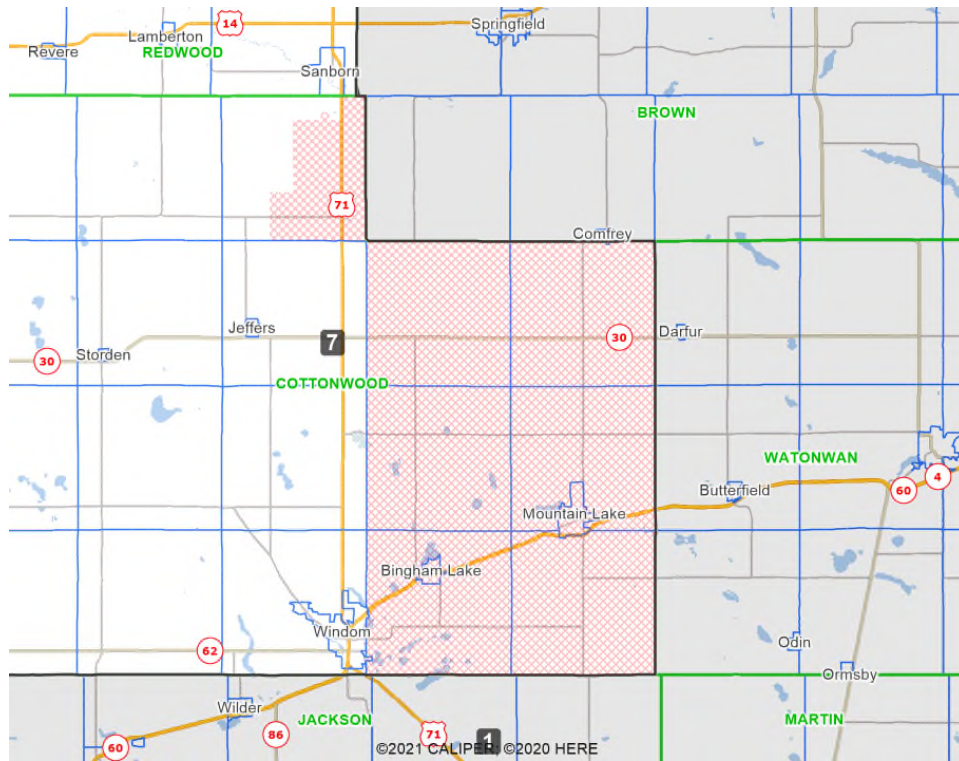


After the 2020 census, the Seventh district must be geographically expanded to achieve population equality. In *Hippert*, the panel expanded the Seventh district southward in order to avoid removing population from the Eighth district — which required only a minimal population adjustment — and to avoid disturbing the agricultural interests of the Seventh district by adding St. Cloud. *Hippert*, 813 N.W.2d at 398-99. Consistent with this approach, the Anderson Plaintiffs increased the population of the Seventh district by expanding its boundary southward to encompass the remainder of Cottonwood County,

which is currently split between the Seventh and First congressional districts. This approach has the advantage of keeping Cottonwood County whole, while also preserving “the agricultural interests that largely define the balance of the seventh congressional district.” *Id.* Indeed, expanding the Seventh district southward preserves the separation of northwestern and northeastern Minnesota, which, as discussed below, have unique interests. *See* Testimony of Debra Taylor, Duluth Hearing at 22:7-14 (Oct. 19, 2021) (“Do not draw a congressional district across the whole northern part of the state. For 125 years . . . we’ve had two very distinct economies in the northern part of the state. [T]he Red River Valley . . . is primarily agricultural. [T]he north central and northeastern part of the state is tourism, forestry . . . and . . . mining.”). This change also reflects the views of Cottonwood County residents, who wish to keep Cottonwood County intact within the Seventh district. *See* Testimony of Deborah Cassel, Worthington Hearing (Oct. 20, 2021) at 24:12-24.

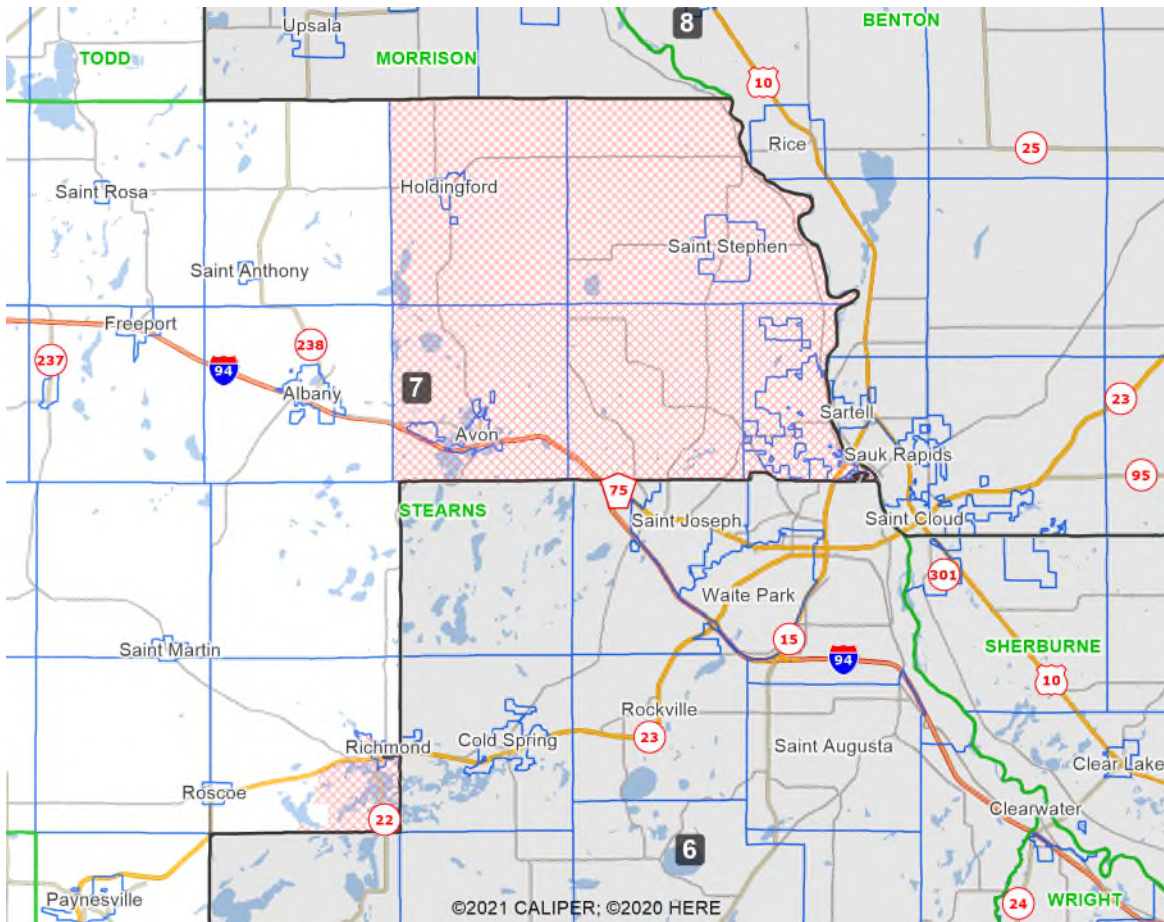
The proposed change to the boundary of the Seventh district in Cottonwood County, with additions reflected by hash marks, is shown below:

Figure 8: Anderson Plaintiffs' Proposed Change to Cottonwood County



While the addition of Cottonwood County added 3,611 Minnesotans to the Seventh congressional district, additional adjustments were required to satisfy the population equality requirements of the United States Constitution. The Anderson Plaintiffs therefore extended the Seventh congressional district slightly eastward to encompass some of the political subdivisions surrounding St. Cloud. Specifically, the Congressional Plan moves the Stearns County cities of Sartell, Holdingford, St. Stephen, and Avon from the Sixth district to the Seventh district as well as a portion of Richmond (a total of 32,177 persons). The change to this portion of the Seventh congressional district's boundary, with additions indicated by hash marks, is reflected as follows:

Figure 9: Anderson Plaintiffs' Proposed Changes to Stearns County



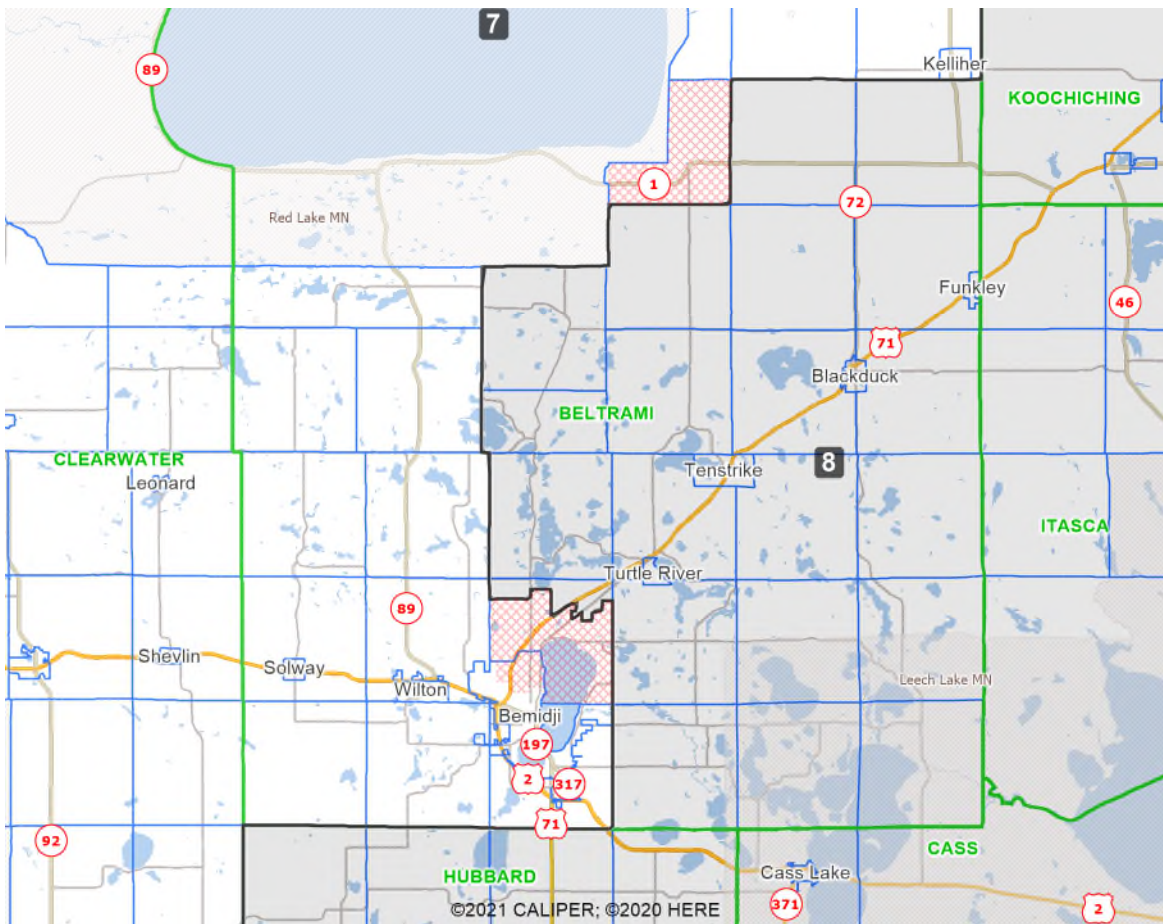
Although this change results in some political subdivision splits, the alternatives would have resulted in drastically changing the primarily rural character of the First and Eighth districts. Specifically, had the Seventh district encroached even more into the First district, the First district would have had to adjust for its loss by encompassing more of the suburbs and exurbs of the Twin Cities — diminishing its rural identity in the process. Likewise, had the Seventh district expanded into what is currently the Eighth district, the Eighth district would likewise have had to compensate by moving its border south to include more exurban or suburban areas.

Alternatively, the Seventh district could have encompassed a greater portion of the current Sixth district by consolidating St. Cloud and its surrounding political subdivisions into one district. But this would have dramatically and unnecessarily diluted the rural and agricultural interests of the Seventh district and been contrary to the expressed interests of St. Cloud residents, who view St. Cloud's interest as aligned with the more suburban and exurban interests of the Sixth district, not the primarily rural interests of the Seventh. *See* Written Testimony of Linda Kotschevar (Oct. 21, 2021) (request noting that St. Cloud school district 742 “aligns more closely with the urban nature of District 6 rather than that of greater Minnesota”); Written Testimony of Karen Langsjoen (Oct. 21, 2021) (noting that the Seventh and Eighth districts are “primarily rural in nature, while the St. Cloud area is urban”); Written Testimony of Charlotte Stephens (Oct. 29, 2021) (requesting that St. Cloud remain in the Sixth district and not be put in the “rural 7th and 8th districts”); *see also Hippert*, 813 N.W.2d at 398 (“The panel did not receive any arguments from the parties to this action, public comment, or data demonstrating that the city of Saint Cloud's interests are aligned with the agriculturally based seventh congressional district.”). Accordingly, the Anderson Congressional Plan succeeds at maintaining population equality and preserving communities of interest, while dividing political subdivisions no more than necessary to meet constitutional requirements.

After the above additions, the Seventh district remained slightly underpopulated. Therefore, the Anderson Congressional Plan also makes Bemidji, which is currently split between the Seventh and Eighth districts, entirely whole within the Seventh district, moves Quiring Township from the Eighth district to the Seventh district, and part of Northern

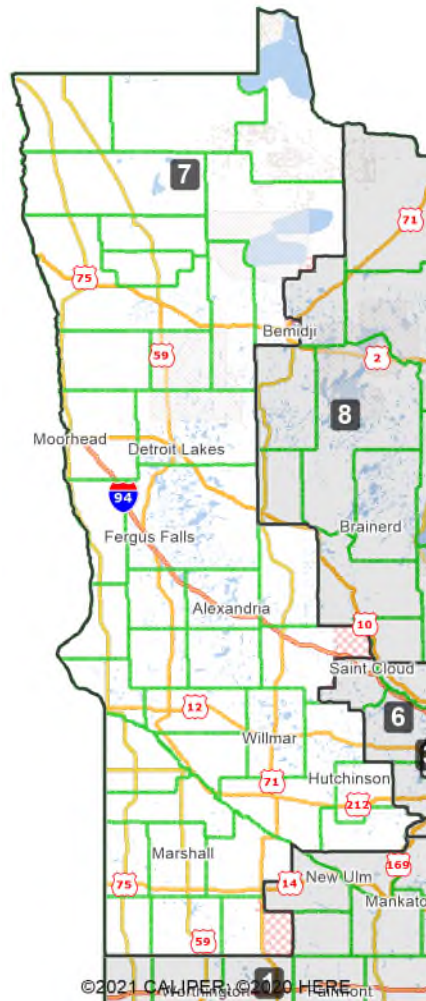
Township (958 residents) from the Eighth to the Seventh district. By making Bemidji whole, the Anderson Plaintiffs further reduce unnecessary political subdivision splits. The change to this portion of the Seventh congressional district's boundary, with additions indicated by hash marks, is reflected as follows:

Figure 10: Anderson Plaintiffs' Proposed Change to City of Bemidji



A summary of the changes to the Seventh congressional district's boundary, with additions indicated by hash marks, is reflected as follows:

Figure 11: Anderson Plaintiffs' Proposed Changes to Congressional District 7

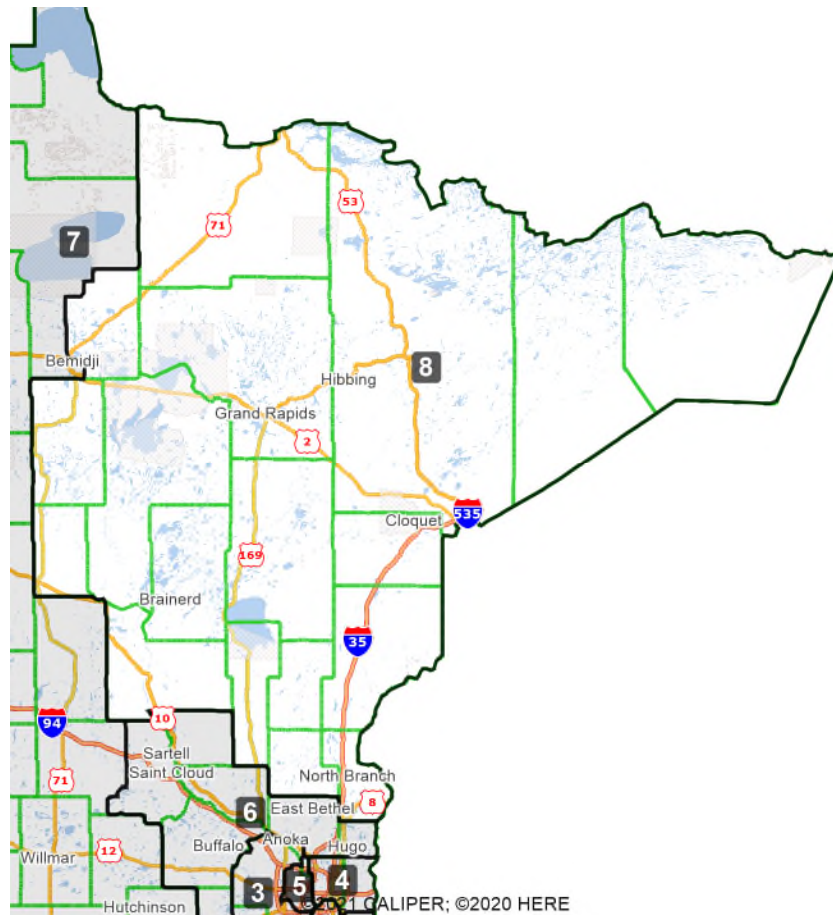


C. The Eighth Congressional District Preserves Rural Communities of Interest in Northern and Eastern Minnesota

Following the 2020 Census, Minnesota's current Eighth congressional district is underpopulated, compared to the ideal district, by 37,383 persons. The Eighth congressional district, like the Seventh, represents primarily rural communities of interest. The rural communities of interest in the Eighth district, however, are distinct from those in the Seventh. Whereas the Seventh district is characterized by transportation equipment manufacturing and agricultural farming interests, including wheat, potatoes, soybeans, and

sugar beets (see Minnesota Employment and Economic Development, Northwest Region, <https://mn.gov/deed/data/locallook/northwest/northwest-blog.jsp>), the Eighth district is dominated by a strong industrial sector centered on mining and forest products industries, see Minnesota Employment and Economic Development, Northeast Region, <https://mn.gov/deed/data/locallook/northeast/northeast-blog.jsp>. In drawing the district's boundaries, the Anderson Plaintiffs sought to protect these distinct communities' interests by making as few changes to the current district map as possible.

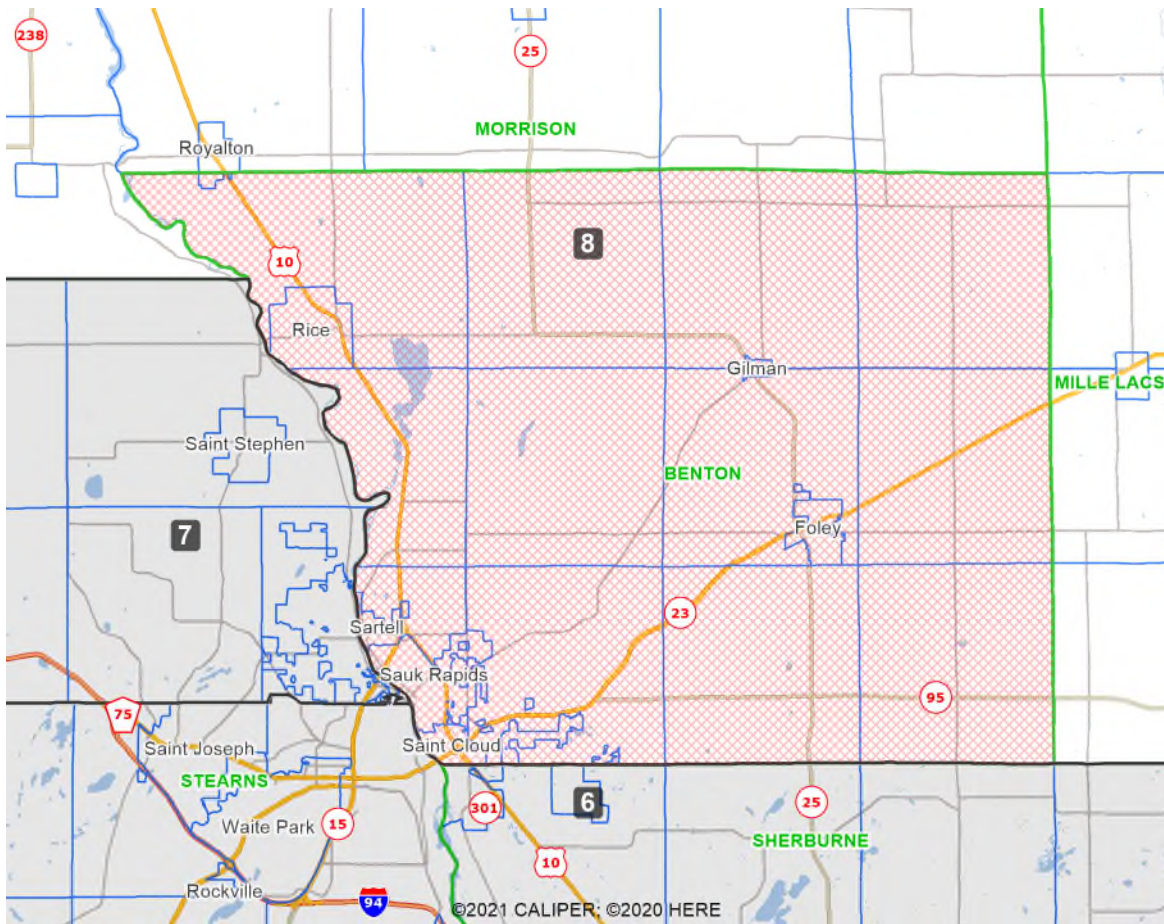
Figure 12: Current Congressional District 8



Because the Eighth district is underpopulated, some population adjustments had to be made. The Anderson Plaintiffs were able to achieve population equality in this district

by moving Benton County (consisting of the cities of Foley, Gilman, Sauk Rapids, and Rice and a part of the cities of Royalton, St. Cloud, and Sartell) from the Sixth district to the Eighth. The change to this portion of the Eighth congressional district’s boundary, with additions indicated by hash marks, is reflected as follows:

Figure 13: Anderson Plaintiffs’ Proposed Changes to Benton County



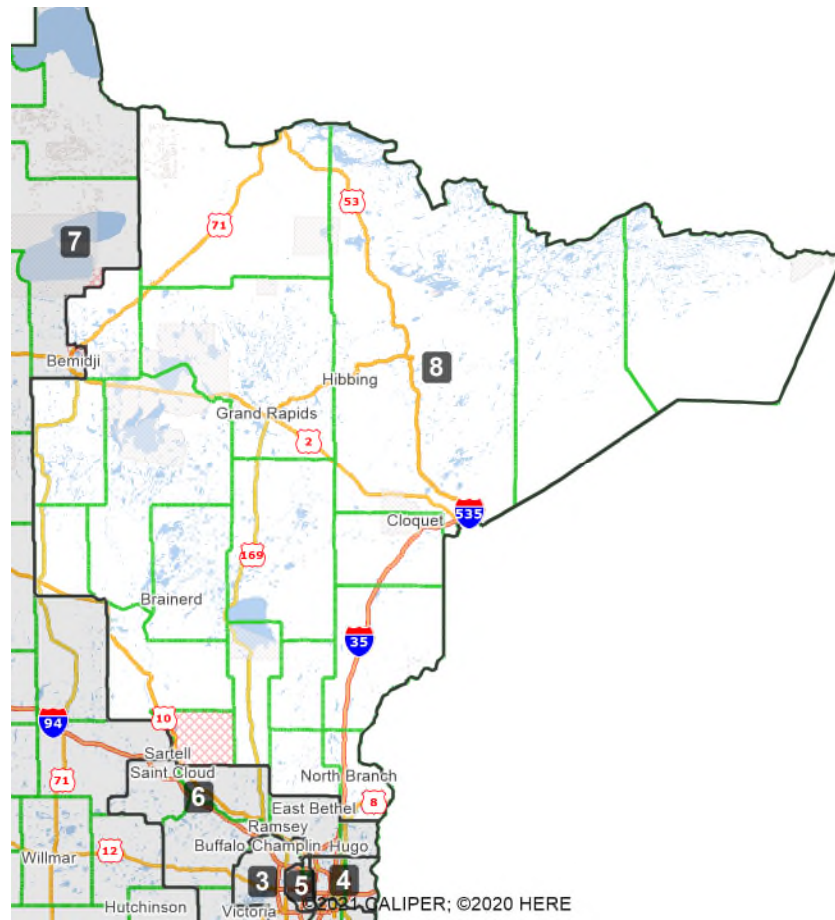
While Benton County includes small portions of St. Cloud, it is a primarily rural community and its inclusion in the Eighth district preserves the primarily rural character of the district. Indeed, testimony provided to this Panel suggested that, in expanding the Eighth district’s boundaries, Benton County should be added due to its “infrastructure and economic connections” to the Eighth district via Highways 10, 23, 25, and 95. Written

Testimony of Thomas Vaughn (Oct. 24, 2021). Moreover, Benton County’s “primary economic driver” is agriculture, which is similar to counties already included in the Eighth district. *Id.* Although this approach results in splitting the city of St. Cloud between the Sixth and Eighth districts, the vast majority of St. Cloud remains in the Sixth district (61,795 of its 68,891 residents), and many of the areas of St. Cloud that are moved into the Eighth district are non-contiguous.

The Anderson Plaintiffs considered alternatives to achieve population equality, but those alternatives resulted in less desirable outcomes. For example, unlike the Anderson Plaintiffs’ proposed reduction in the number of political subdivision splits, adding territory from the current Seventh district to the Eighth would have resulted either in a split of the city Bemidji or the contiguous areas of the Red Lake reservation between the Seventh and Eighth districts. In addition, a westward expansion of the Eighth district is not desirable because, as discussed above, northwestern and northeastern Minnesota are separate communities of interest. Accordingly, the Anderson Congressional Plan keeps communities of interest and political subdivisions intact as much as practically possible, while adhering to constitutional population equality requirements.

The proposed changes to the Eighth congressional district’s boundary, with additions indicated by hash marks, are reflected as follows:

Figure 14: Anderson Plaintiffs' Proposed Changes to Congressional District 8



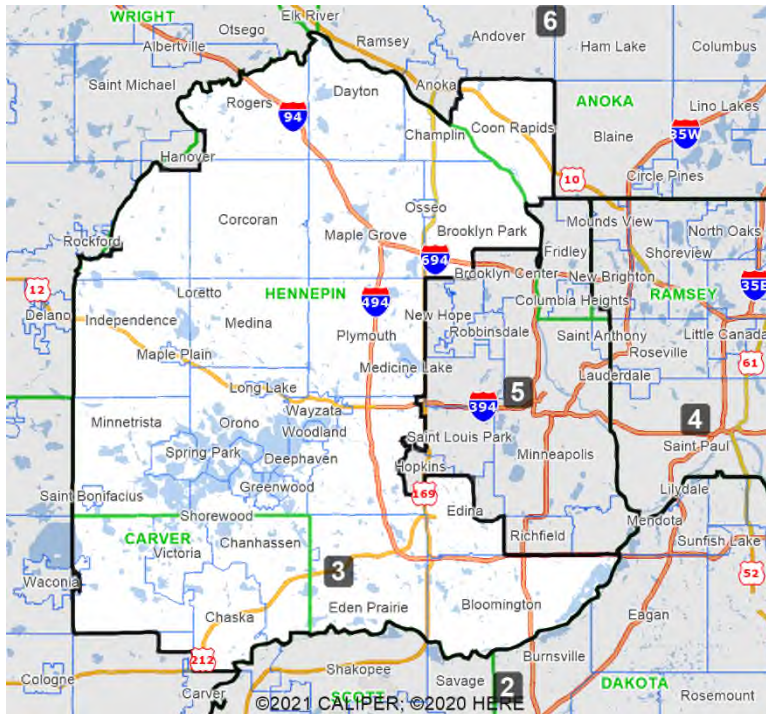
D. The Anderson Congressional Plan Preserves Suburban and Exurban Communities of Interest.

The Anderson Congressional Plan also protects the suburban and exurban communities of interest in the Second, Third, and Sixth districts. Following the 2020 Census, each of these districts was overpopulated. As discussed above, population equality was partially achieved in the Second and Sixth congressional districts by ceding territory to the underpopulated First, Seventh, and Eighth districts. But further adjustments were required in order to achieve the constitutionally required level of population equality.

1. The Third Congressional District

Following the 2020 Census, the Third district's boundaries require adjustments due to that district being overpopulated by 24,586 persons. In making these adjustments, the Anderson Plaintiffs sought to preserve the suburban communities of interest in the Third congressional district that consist primarily of suburban communities in the western metropolitan area connected by Interstates 94 and 494 and highways 12 and 55. *See* Testimony of Greg Peppin, Shakopee Hearing at 23:13-20 (Oct. 13, 2021) (“The third district has historically consisted of suburban communities and over the decades has expanded west to include more of western and northwestern Hennepin County, where there are very similar communities of interest.”).

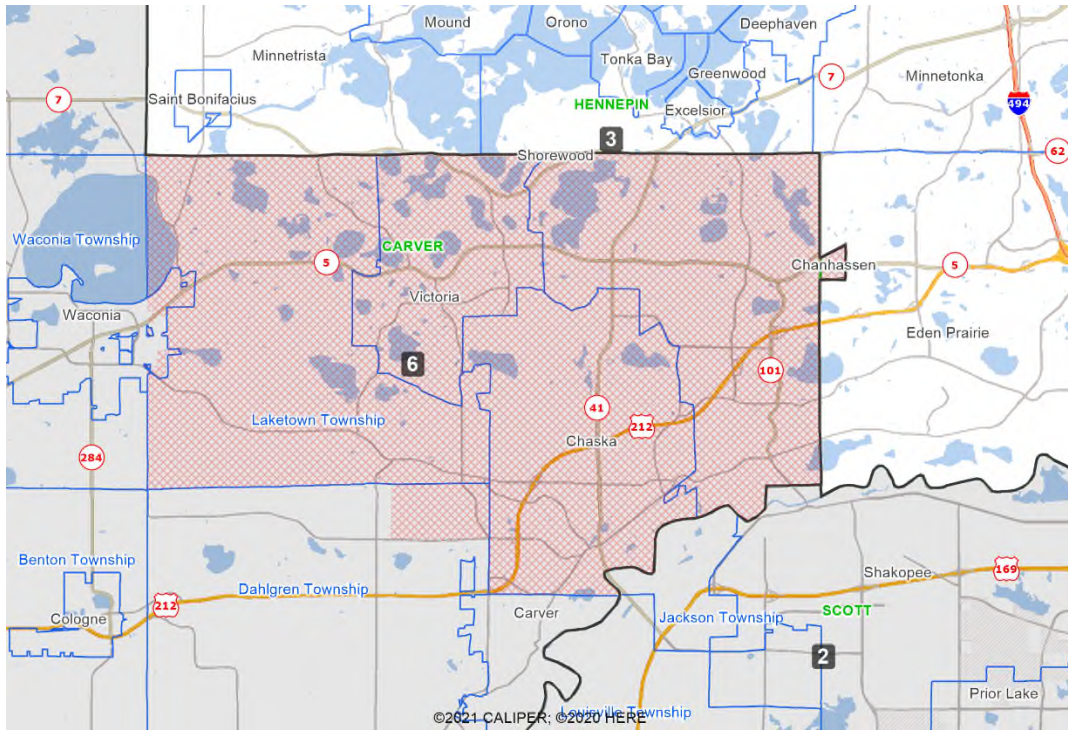
Figure 15: Current Congressional District 3



To equalize the population of the Third district, the Anderson Plaintiffs began by consolidating the entire county of Carver within the Sixth congressional district, removing the small area of Carver County (consisting of the cities of Chanhassen, Chaska, Victoria, and the townships of Laketown and a portion of Dahlgren) that is currently within the Third district. By doing so, the Anderson Plaintiffs eliminate the current political subdivision split, keeping Carver County whole within the Sixth district. This boundary change not only reduces political subdivision splits, but also recognizes that Carver County's interests align more with the exurban interests of the Sixth congressional district (where Carver County was wholly located until it was split in the plan adopted by *Hippert*) than they do with the suburban interests in the Third District. Indeed, Carver County's population density of 302 people per square mile, as calculated by the 2020 census, is more similar to the density of other Sixth district counties such as Wright and Sherburne, with population densities of 213.8 and 224.5 person per square mile, respectively, than it is to the 2,313.3 persons per square mile density in neighboring Hennepin County. Relatedly, like other communities in the Sixth district, Carver County is connected to the Twin Cities urban core by Highway 212, which, like Interstate 94 and Highway 12 in the northern half of the Sixth district, provides convenient access to the Twin Cities. Given its similar access to and distances from the Twin Cities, Carver County's communities are similar to others in the Sixth district.

The proposed change to the Third district's boundary through the addition of Carver County is reflected below, with hash marks indicating additions to the Sixth district:

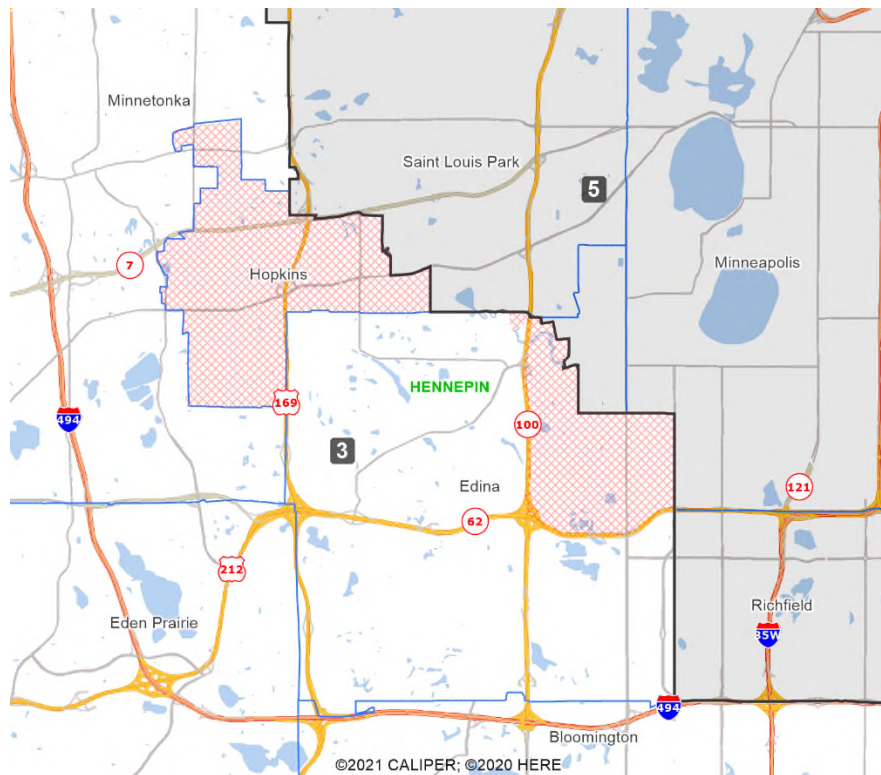
Figure 16: Anderson Plaintiffs' Proposed Change to Carver County



The addition of the rest of Carver County into the Sixth congressional district required an increase to the Third district's population in order to reach the ideal population. Accordingly, the Anderson Plaintiffs moved the City of Hopkins from the Fifth congressional district into the third. This change reflects Hopkins' status as a second-ring suburb with interests that align with the western suburbs. Additionally, it is logical to add Hopkins to the same district as Minnetonka, which borders a portion of Hopkins on three sides. The Anderson Plaintiffs further added additional population (namely, 9,223 persons) from Edina by adjusting the district boundary in that city, which is currently split between the Third and Fifth districts. This, again, is consistent with Edina's suburban status and interests, which align with the Third district. Indeed, prior to the 2010 redistricting cycle, Edina had been contained wholly within the Third district. Moreover, this change results

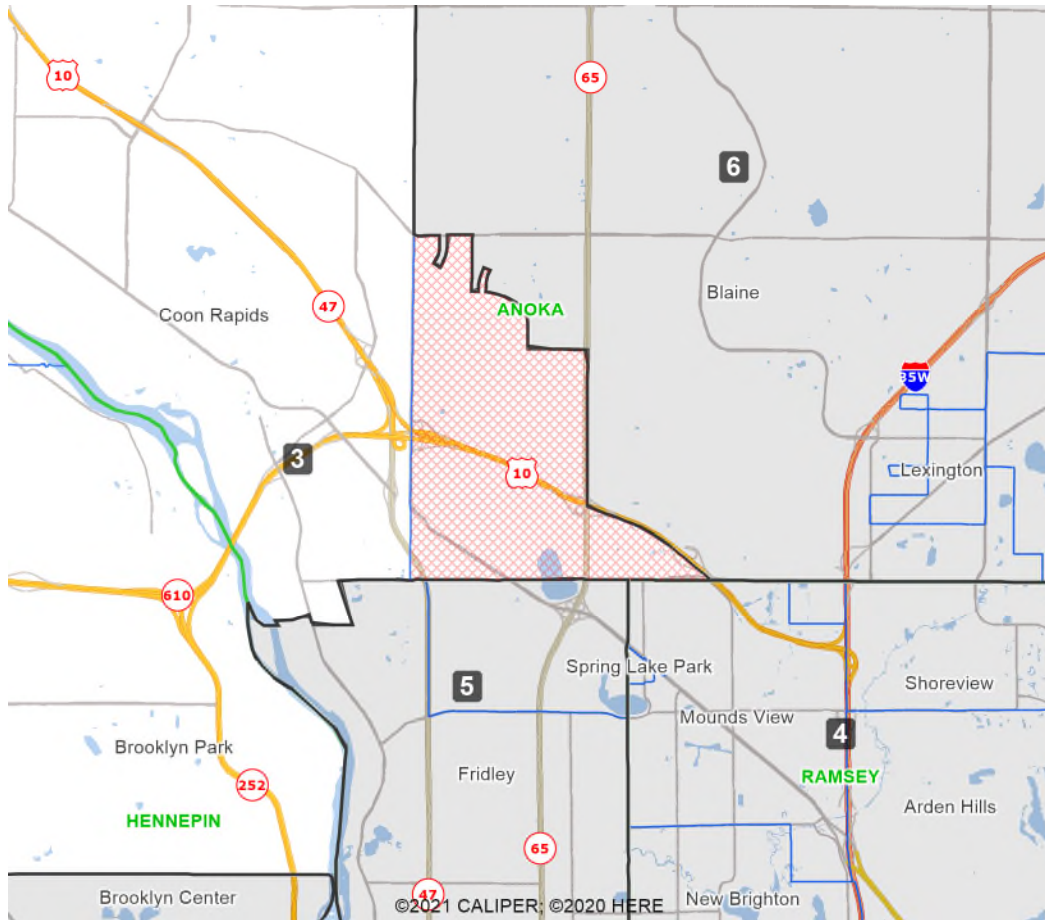
in reducing the population of the overpopulated Fifth district. This proposed change to the Third congressional district's boundary, with additions indicated by hash marks, is reflected as follows:

Figure 17: Anderson Plaintiffs' Proposed Changes to Hopkins and Edina



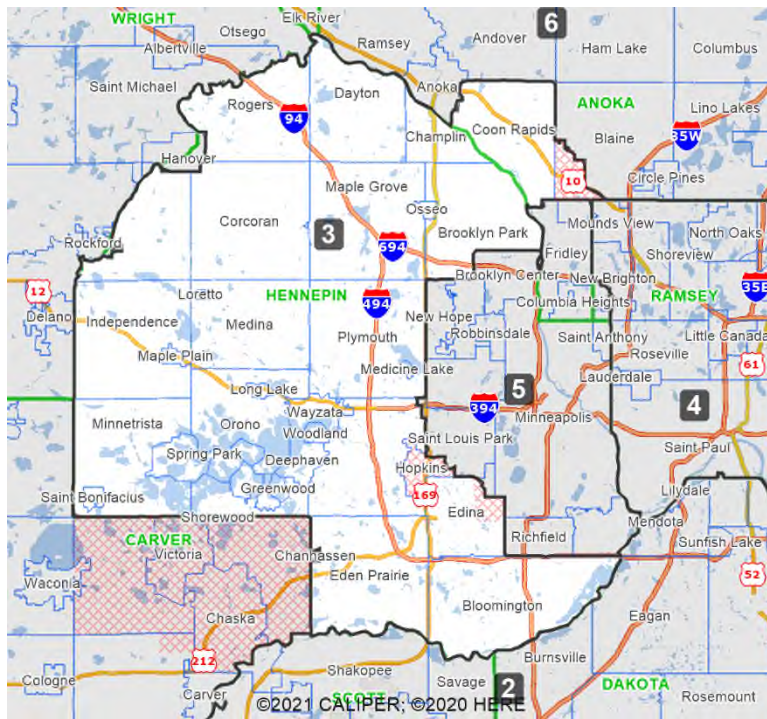
Finally, a small portion of Blaine (consisting of 13,822 persons) was moved from the Sixth district to the Third district in order to achieve population equality requirements. The portion of Blaine added to the Third district makes logical sense as it is connected to the rest of the Third district by Highway 10. This proposed change to the Third congressional district's boundary, with additions indicated by hash marks, is reflected as follows:

Figure 18: Anderson Plaintiffs' Proposed Change to Blaine



A summary of the proposed changes to the Third congressional district's boundary, with additions indicated by hash marks, is reflected as follows:

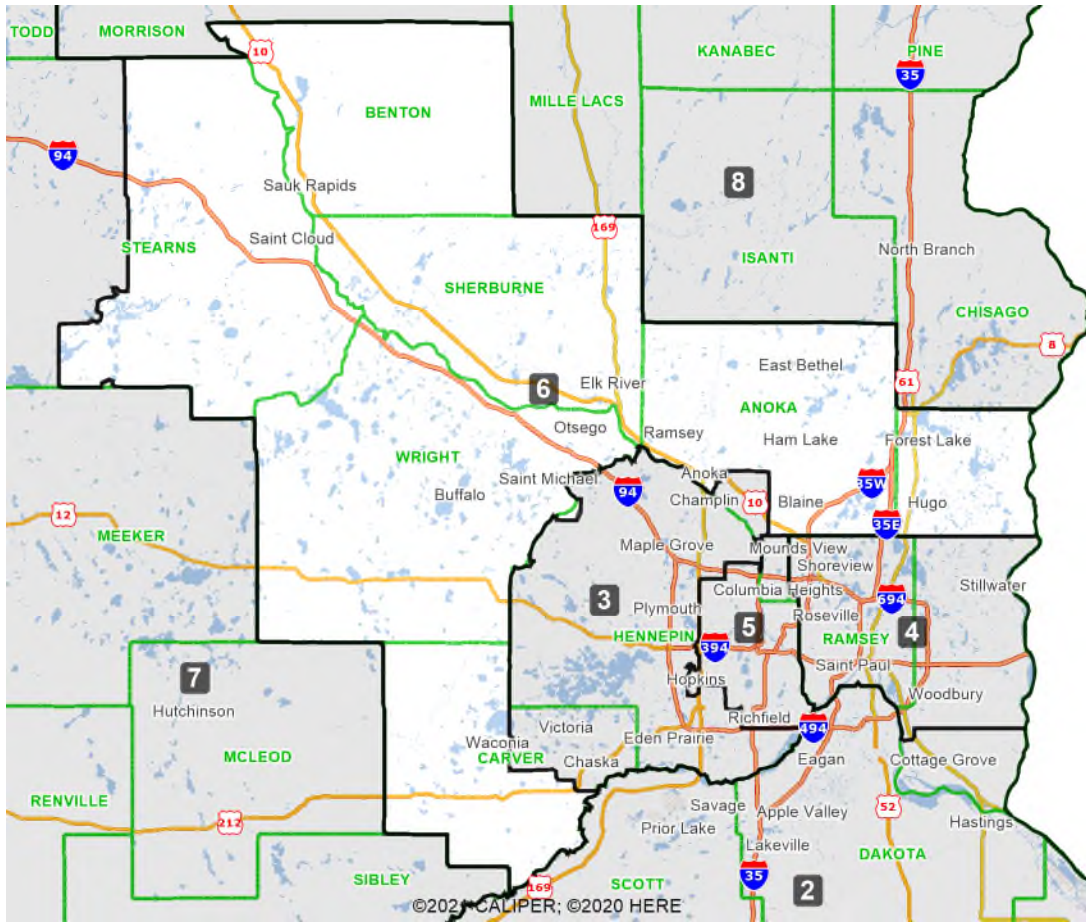
Figure 19: Anderson Plaintiffs' Proposed Changes to Congressional District 3



2. The Sixth Congressional District

Following the 2020 Census, the Sixth district's boundaries require adjustments due to its overpopulation by 20,645 persons. In making these adjustments, the Anderson Plaintiffs sought to preserve the primarily exurban communities of interest in the Sixth congressional district, which share similar population densities and characteristics due to their common distances to the urban core of the Twin Cities and the benefit of major transportation corridors such as Interstate 94 and highways 12 and 212.

Figure 20: Current Congressional District 6

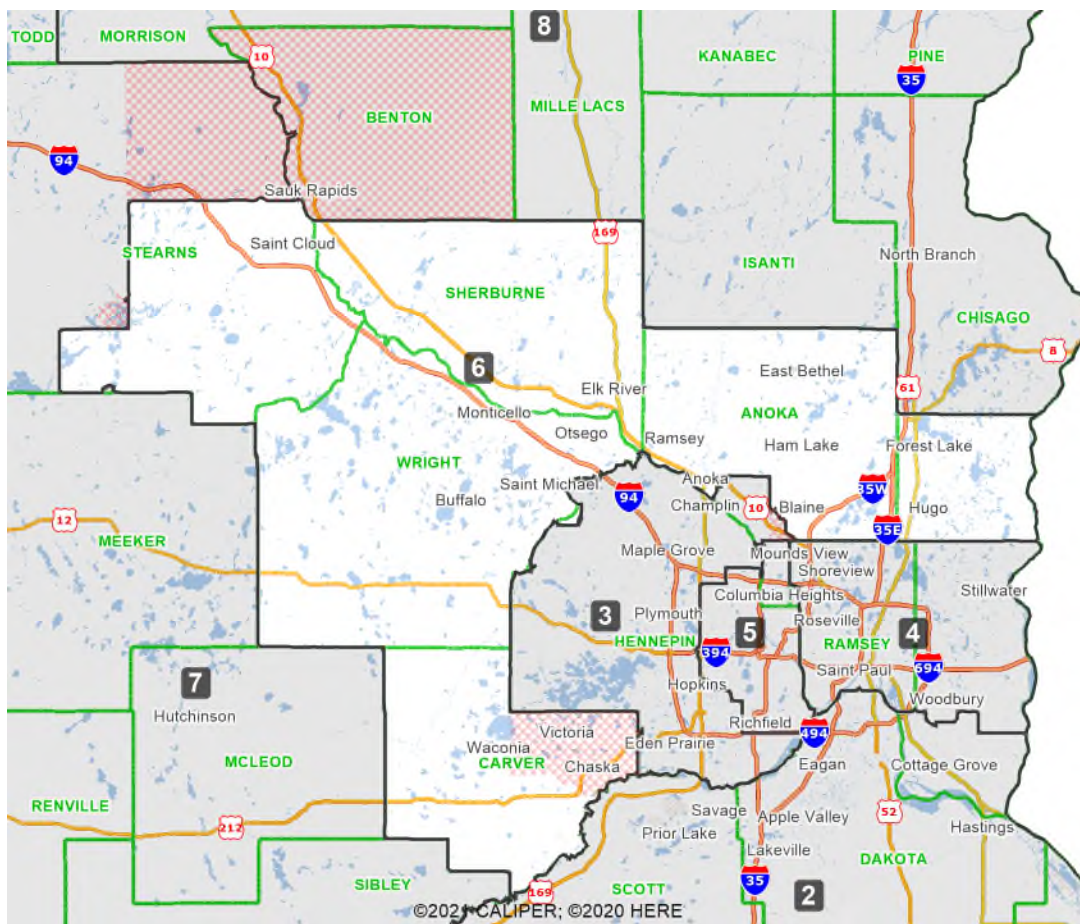


The overpopulation of the Sixth congressional district by 20,645 persons after the 2020 Census, combined with population shifts in other districts (particularly the Seventh and Eighth districts) necessitated careful changes to remedy the population inequality while minimizing political subdivision splits. The Anderson Plaintiffs’ proposed Sixth District moves Benton County to the Eighth district (consisting of the cities of Foley, Gilman, Sauk Rapids, and Rice and a part of the cities of Royalton and St. Cloud), a part of Stearns County to the Seventh district (consisting of Sartell, Holdingford, St. Stephen, Avon, and a part of Richmond), and a portion of Blaine to the Third district. As a result, and consistent

with the public comments noted above, the portion of Carver County currently split between the Third and Sixth districts can be moved entirely into the Sixth district.

Other than the changes discussed above, the Sixth district remains the same. A summary of the proposed changes to the Sixth congressional district's boundary, with additions indicated by hash marks, is reflected as follows:

Figure 21: Anderson Plaintiffs' Proposed Changes to Congressional District 6

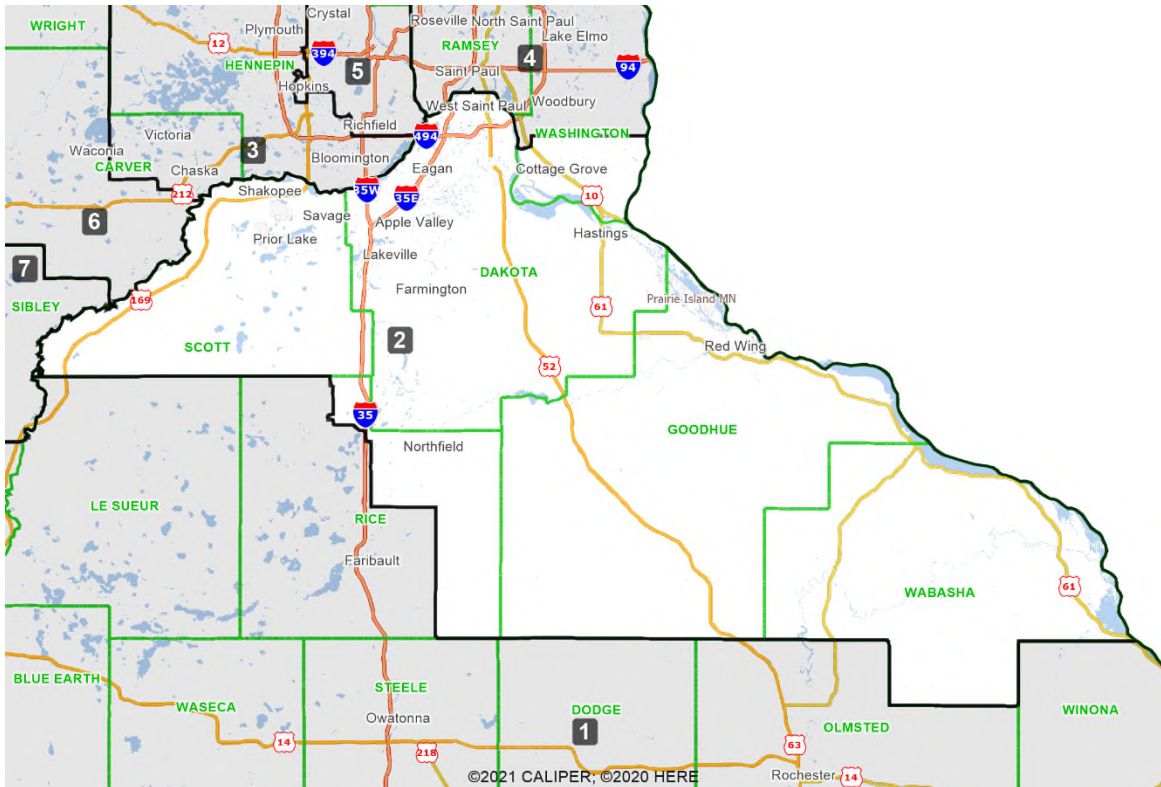


3. The Second Congressional District

Following the 2020 Census, the Second district's boundary requires adjustments due to being overpopulated by 18,646 persons. In making these adjustments, the Anderson Plaintiffs sought to preserve the growing suburban and exurban communities of interest in

the Second congressional district, which have developed in the southern metro area along the southern bank of the Mississippi River and the transportation corridors created by Highways 169, 13, and 52.

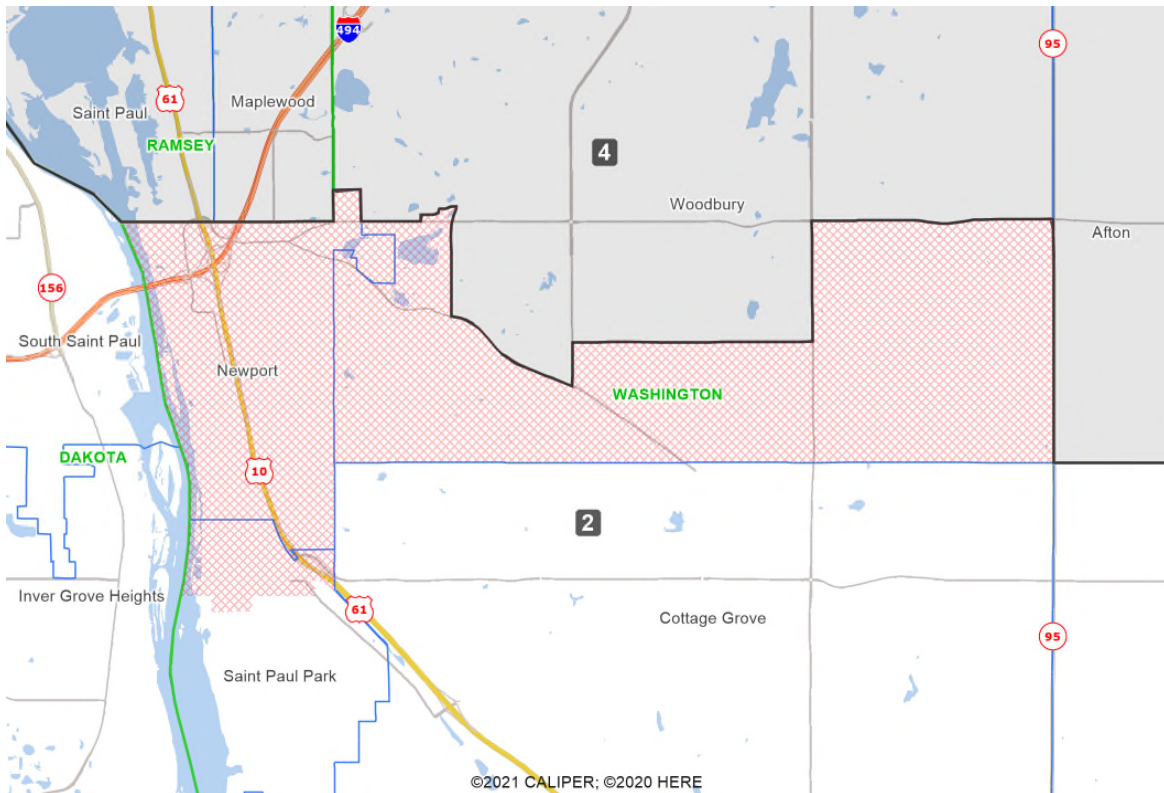
Figure 22: Current Congressional District 2



As discussed above, the Congressional Plan achieves population equality in the Second district by moving Wabasha County to the First district due, in part, to Wabasha County’s shared infrastructure with the rest of the First district, such as Rochester, Karst geology, and its primarily rural interests, which align more with the First district than the growing southern suburbs and exurbs in Dakota, Scott, and Goodhue counties. Indeed, Wabasha, like much of rural Minnesota, experienced population decline whereas the suburban and exurban counties of Scott, Dakota and Goodhue experienced population

growth. The Anderson Congressional Plan also achieves population equality by altering the preexisting split in Washington County between the Fourth and Second districts. To compensate for losses of Wabasha Counties, a portion of Rice County, and the remainder of Cottonwood County, the Anderson Congressional Plan adds a portion of the city of Woodbury (3,394 persons), the entire city of Newport, and the remainder of St. Paul Park (374 persons), which was previously split between the Second and Fourth districts, from the Fourth district to the Second district. This proposed change to the Second congressional district's boundary, with additions indicated by hash marks, is reflected as follows:

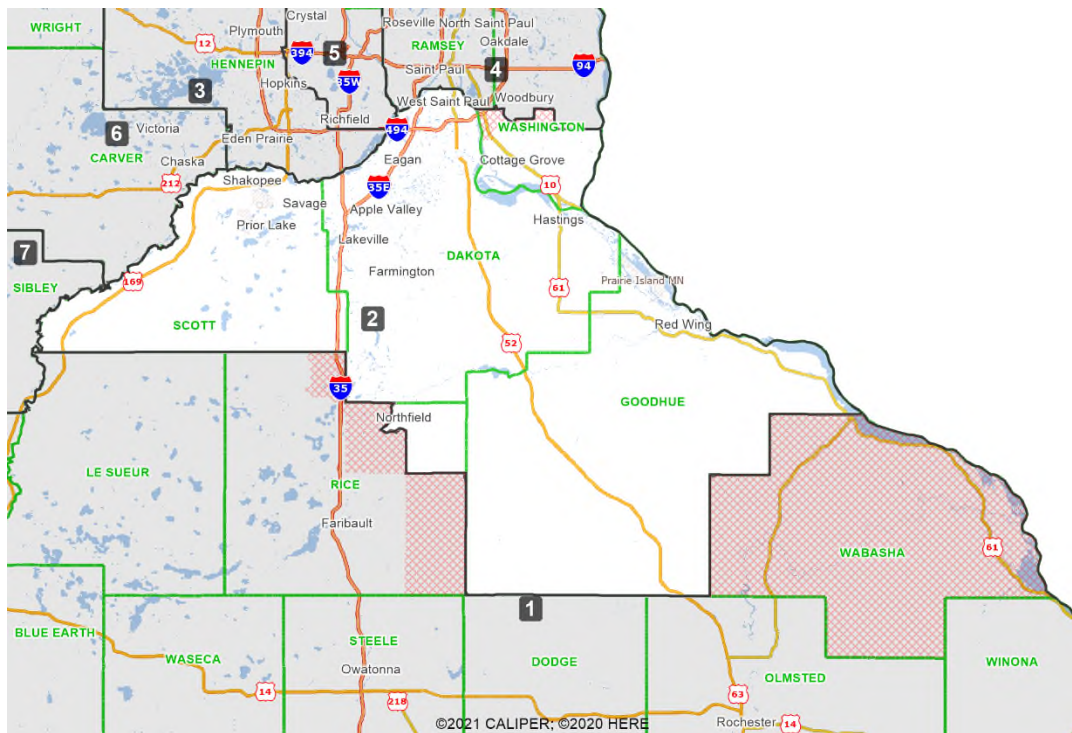
Figure 23: Anderson Plaintiffs' Proposed Changes to Woodbury, Newport, and St. Paul Park



The Congressional Plan also keeps Northfield whole in the Second district, which, as discussed above, is consistent with the interests of Northfield's citizens as expressed

during the public comment period. In addition, this change makes the city of St. Paul Park whole, which reflects the requests of its residents. *See* Testimony of Justin Recla, Woodbury Hearing at (17:15-17) (“Ideally, [St. Paul Park] would not be split as it diminishes the voice of St. Paul Park residents in whatever district they are placed in.”). Although the city of Woodbury is split between the Second and Fourth districts, this was unavoidable due to Woodbury’s size. Indeed, this is not the first time a split of Woodbury has been necessary; the *Zachman* panel previously split Woodbury between the Second and Sixth districts. Moreover, the split reflects the differences between the less developed southern end of Woodbury and its more developed and densely populated northern counterpart. A summary of the proposed changes to the Second congressional district’s boundary, with additions indicated by hash marks, are reflected as follows:

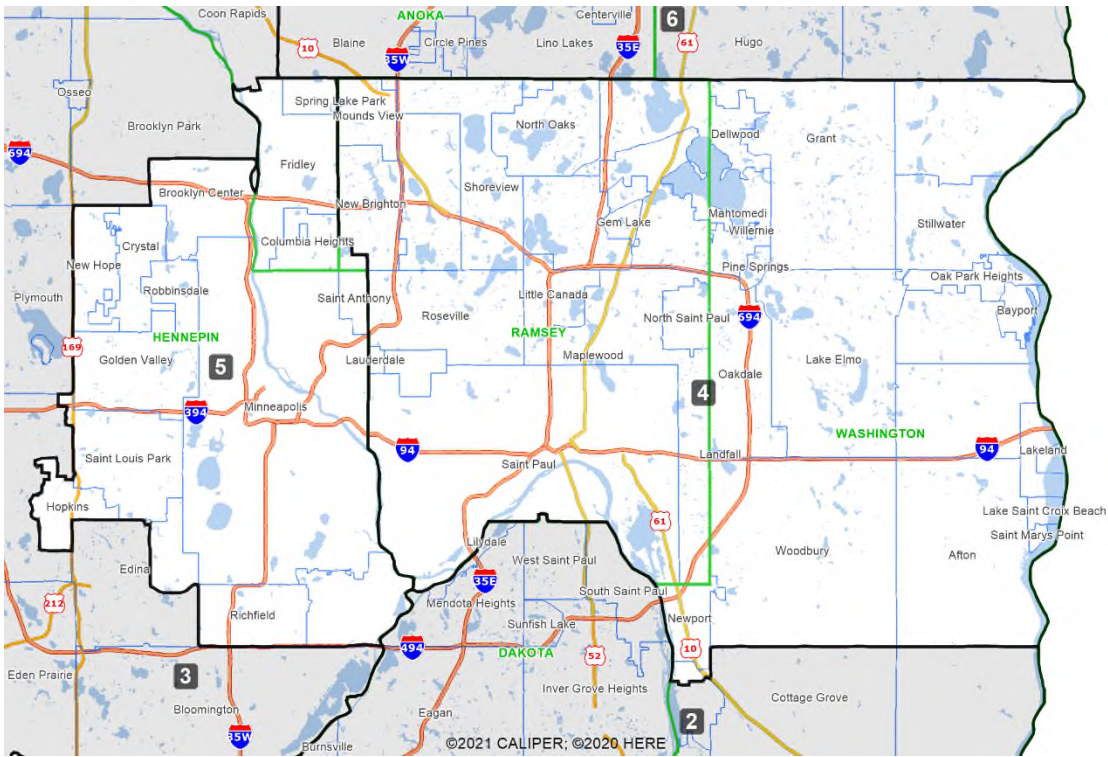
Figure 24: Anderson Plaintiffs’ Proposed Changes to Congressional District 2



E. The Anderson Congressional Plan Preserves Communities of Interest in the Fourth and Fifth Congressional Districts.

Consistent with the *Hippert* panel, the Anderson Congressional Plan recognizes Minneapolis and St. Paul as separate communities of interest and, therefore, maintains distinct congressional districts for Minneapolis (Fifth district) and St. Paul (Fourth district). See *Hippert*, 813 N.W.2d at 400 (concurring in the *Zachman* panel’s finding that “Minneapolis and St. Paul are distinct communities of interest”).

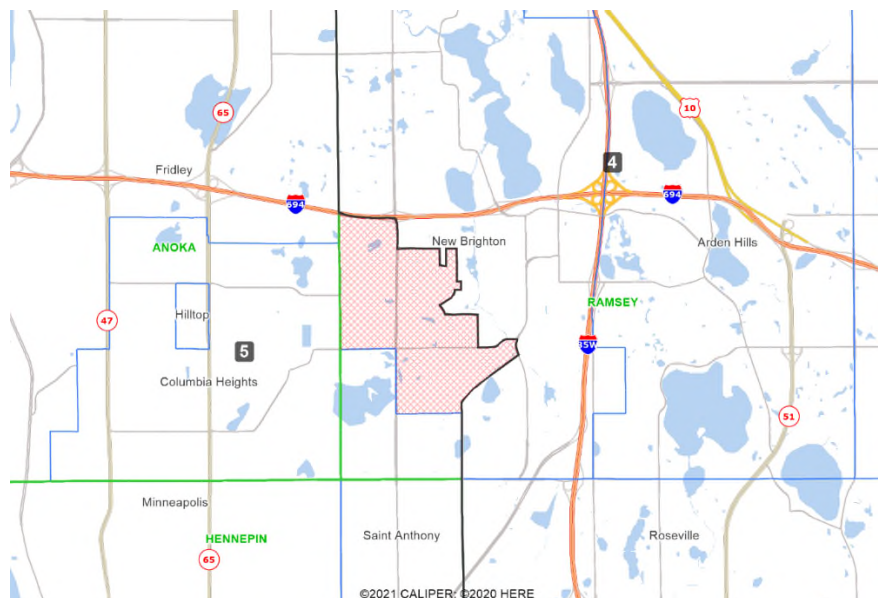
Figure 25: Current Congressional Districts 4 and 5



The Fourth and Fifth congressional districts were overpopulated, compared to the ideal district, by 13,164 and 22,724 persons, respectively. In addition to the changes already discussed above, the Anderson Congressional Plan achieves population equality in the Fifth district by extending the boundaries of the Fifth district slightly into the city of

New Brighton. This addition of 5,609 people compensates for the population losses that resulted from moving Hopkins and a portion of Edina into the Third district. Although New Brighton was previously contained within the Fourth district, this change does not dramatically or unnecessarily split New Brighton, nor does it drastically affect the urban character of either the Fourth or Fifth districts. Moreover, alternatives to adjust for population in the Fifth district made little sense. For example, attempting to add part of or all of Brooklyn Park to the Fifth district would not accurately reflect the notable differences between Brooklyn Park and the rest of the Fifth district, including neighboring Brooklyn Center. Brooklyn Park is less densely populated when compared to Brooklyn Center and, whereas Brooklyn Center is a commercial hub located at the intersection of two major highways, Brooklyn Park is primarily residential. The Anderson Congressional Plan’s proposed change to the Fifth congressional district’s boundary, with additions indicated by hash marks, is reflected as follows:

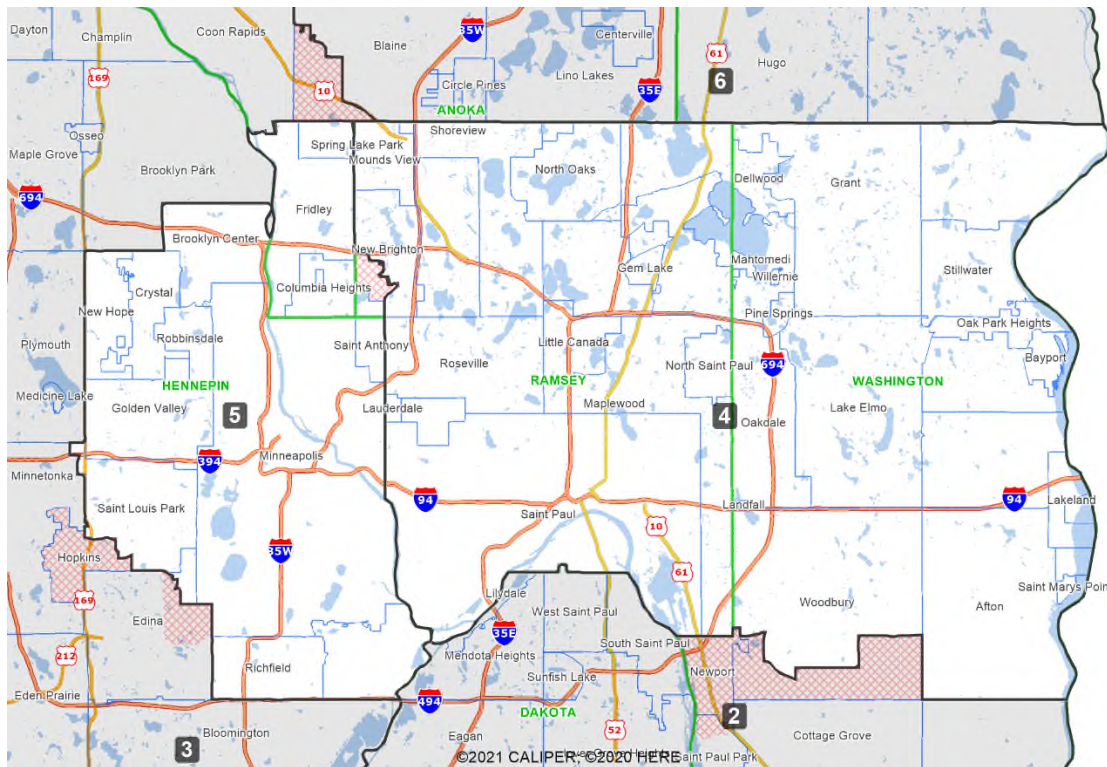
Figure 26: Anderson Plaintiffs’ Proposed Changes to New Brighton



The Anderson Congressional Plan achieves population equality in the Fourth district through changes already discussed above — namely, ceding the remainder of St. Paul Park, the entirety of Newport, and a portion of Woodbury to the Second district. No additional changes were required.

A summary of the proposed changes to the Fourth and Fifth congressional districts’ boundaries, with changes indicated by hash marks, are reflected as follows:

Figure 27: Anderson Plaintiffs’ Proposed Changes to Congressional Districts 4 & 5



IV. The Anderson Congressional Plan is Consistent with this Panel’s Other Redistricting Principles

A. The Congressional Plan Was Not Drafted to Protect or Defeat Incumbents

The Panel’s redistricting principles require that “[d]istricts must not be drawn with the purpose of protecting, promoting, or defeating any incumbent, candidate, or political

party.” Principles Order at 8, ¶ 9. The Anderson Congressional Plan neither protects nor defeats incumbents and does not result in any pairings. Moreover, the Congressional Plan’s proposed changes are politically neutral and were not drawn with the intention of protecting, promoting, or defeating any political party. Indeed, the Anderson Congressional Plan makes only minor adjustments to a map that has historically not favored any one political party over another. For example, the First and Eighth congressional districts flipped from DFL to Republican in 2018, while the Seventh did so in 2020 after 30 consecutive years of electing a DFL representative. Meanwhile, the Second district elected a DFL representative in 2018 after voting for Republicans for 17 consecutive years, and the Third district did the same after being represented by Republicans for 58 years. The lack of partisan bias in Minnesota’s maps is widely acknowledged. *See, e.g.*, Editorial, *Credit Judges for Fair Representation*, Star Tribune (Feb. 22, 2012) (“To its credit, [that] the panel opted for minimal changes in well-established political patterns . . . speaks well of the even-handedness of the five-judge panels’ work, befitting their mixed political pedigrees.”).

It may be argued that the Anderson Plaintiff’s approach of minimizing changes to congressional districts seeks to protect incumbents. However, the Anderson Plaintiffs are interested above all in a fair plan, and have not sought to pair or avoid pairing congressional representatives from either party. As a result, the lack of pairings is a byproduct of the neutral districting principles described above and where incumbents choose to live.

In addition, Minnesota’s congressional districts are already very competitive within the realities of the state’s political geography, meaning that one would have to actively

seek change to protect any party, candidate, or incumbent. For instance, according to the website FiveThirtyEight, a statistical analysis website, three of Minnesota’s eight districts — the Second, Third, and Eighth — are “highly competitive.” Aaron Bycoffe *et al.*, The Atlas of Redistricting, FiveThirtyEight (Jan. 25, 2018), <https://projects.fivethirtyeight.com/redistricting-maps/minnesota/>. By comparison, just one of Wisconsin’s eight congressional districts meet that standard. *Id.*, <https://projects.fivethirtyeight.com/redistricting-maps/wisconsin/>. Adhering to the Panel’s criteria while taking a restrained approach to redistricting naturally resulted in a reasonable outcome that maintained competitive balance.

B. The Proposed Congressional Districts Are Structured Into Compact Units

By any measure, the Anderson Plaintiffs’ congressional districts are structured into compact units.

Table 4: Comparison of Measures of Compactness

Measure (mean)	Proposed Plan	<i>Hippert</i>
Polsby-Popper	.33	.33
Area/Convex Hull	.76	N/A
Reock	.42	.41
Population Polygon	.71	.71
Population Circles	.36	.36

See Anderson Plaintiffs’ Maptitude Reports, Measures of Compactness Report, at Tab I.

Mathematical measures of compactness “have their limitations ... because they tend to compare a district’s shape to circles or squares even though Minnesota’s contours often do not lend themselves to the creation of circle or square districts.” *Zachman*, Congressional Redistricting Order, at 9 n.3. However, an additional benefit of the

Anderson Congressional Plan is that it does not materially change the contours of each district and therefore does not undermine compactness nor reach to create compact districts at the expense of the Panel's criteria. Indeed, the Anderson Plan has nearly identical measures of compactness as the plan adopted in *Hippert*.

CONCLUSION

Although Minnesota's cities and suburbs have experienced notable growth in the past decade, the distribution of the state's population between the 11-county metropolitan area and greater Minnesota has not dramatically changed. Accordingly, this Panel should adopt *Hippert's* least-change approach. The Anderson Congressional Plan's minimal changes to Minnesota's current congressional districts were carefully made to adhere to this Panel's redistricting principles and to ensure that every Minnesotan receives equal representation in Congress. The Anderson Congressional Plan adheres to constitutional and statutory requirements, while simultaneously minimizing splits of political subdivisions, including American Indian reservations, and keeping communities of interests together. Accordingly, the Anderson Plaintiffs respectfully request that this Panel adopt their Congressional Plan.

Dated: December 7, 2021

Respectfully submitted,

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