

STATE OF MINNESOTA
SPECIAL REDISTRICTING PANEL
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OFFICE OF
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Peter S. Wattson, Joseph Mansky, Nancy
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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

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.

**SACHS PLAINTIFFS' MEMORANDUM IN RESPONSE TO
MOTIONS TO ADOPT PROPOSED LEGISLATIVE REDISTRICTING PLANS**

Pursuant to the scheduling order issued by the Special Redistricting Panel (the “Panel”) on October 26, 2021, Plaintiffs Frank Sachs, Dagny Heimisdottir, Michael Arulfo, Tanwi Prigge, Jennifer Guertin, Garrison O’Keith McMurtrey, Mara Lee Glubka, Jeffrey Strand, Danielle Main, and Wayne Grimmer (the “Sachs Plaintiffs”) hereby submit this response to the proposed legislative redistricting plans submitted by the other parties.

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INTRODUCTION

Drawing fair and equitable maps that will serve the residents of the State of Minnesota for the next ten years requires subjective judgment. The Panel will have to make choices throughout the state with regard to which communities to keep together, which political subdivisions to split, how to balance minority voting rights, what population deviation is appropriate, and myriad other factors. The Sachs Plaintiffs' proposed legislative plan achieves a proper balance of all of these factors. It is the only proposed plan that faithfully applies the Panel's redistricting principles and strikes a balance between respecting the reasoning behind the existing plan and ensuring that necessary adjustments reflect the State's changing population centers and demographics.

Below, the Sachs Plaintiffs provide an overall assessment of each party's plan, followed by a comparison analysis of how each plan performs with respect to the principles adopted by the Panel, including a region-by-region analysis that explores the differences between the proposed plans and demonstrates why the Panel should adopt the Sachs Plaintiffs' proposed legislative plan.

ARGUMENT

I. Overview of Each Plan

A. The Wattson Plaintiffs' Plan

In many areas, the Wattson Plaintiffs have ignored the Redistricting Principles laid out by this Panel, and instead prioritized their own principles, particularly preserving voting precincts and ensuring political competitiveness based on past election results.

These misplaced priorities cause negative impacts: the Wattson Plaintiffs' plan has by far the highest population deviations and more split *political* subdivisions than all but the Corrie Plaintiffs' plan. In addition, as will be discussed further below with regard to specific regions, the Wattson Plaintiffs' approach results in maintaining district lines that simply no longer make sense in light of changing demographics and population shifts.

These flaws stem primarily from the Wattson Plaintiffs' inappropriate prioritization of avoiding voting-precinct splits, a consideration *not* adopted by the Panel, over any of the principles the Panel actually adopted. Precincts that were established ten years ago should not guide the Panel's map drawing any more than Census numbers from ten years ago. They are not statutorily-recognized political subdivisions, and are intended to be redrawn *after* redistricting. While one can appreciate the administrative hassle for local governments to redraw precinct lines, it is a hassle that occurs only once every ten years, and it follows from the constitutional necessity of redrawing congressional and legislative districts in order to ensure fair and equal representation in government. Avoiding precinct splits should not drive the Panel's decision-making process, particularly to the detriment of the Panel's actual principles, such as avoiding population deviation and splitting political subdivisions. The Wattson Plaintiffs were unable to persuade this Panel to adopt precinct-line preservation as a redistricting principle and cannot simply disregard the Panel's decision when drawing their proposed maps.

The Wattson Plaintiff's other priority—ensuring political competitiveness—is likewise a concept that they failed to persuade the Panel to adopt as a redistricting principle. Indeed, the Panel not only rejected the Wattson's proposal, but explicitly stated that the

Panel “will not consider past election results” when drawing districts. Order Stating Preliminary Conclusions, Redistricting Principles, & Requirements for Plan Submissions 8 (Nov. 18, 2021). Yet, three-quarters of the Wattson Plaintiffs’ brief discusses reports generated based on past election results. The Panel should disregard this information and evaluate the Wattson Plaintiffs’ proposal based on the principles it has actually adopted.

B. The Corrie Plaintiffs’ Plan

If the primary flaw in the Wattson Plaintiffs’ plan is too little change from the current map, the Corrie Plaintiffs’ plan represents the opposite: far too much change. While the Corrie Plaintiffs have achieved the smallest population deviation numbers, they do so at the expense of splitting political subdivisions and without achieving substantially better results (than the Sachs Plaintiffs) in terms of protecting minority voting strength.

C. The Anderson Plaintiffs’ Plan

Finally, the Anderson Plaintiffs’ plan suffers from numerous flaws, not least of which is that it severely dilutes minority voting strength. More fundamentally, as will be discussed further below, throughout the State, the Anderson Plaintiffs have ignored or directly contradicted the public testimony regarding keeping certain communities together or separate. In particular, the Anderson Plaintiffs propose splitting the tribes of northwestern Minnesota into three different Senate districts, ignore the urban/rural distinction in areas like St. Cloud and in the outer-ring suburbs, and directly contradict compelling testimony about the need to keep Coon Rapids whole and separate from Champlin. And while the Anderson Plaintiffs’ plan performs fairly well in average district

compactness, it contains numerous oddly-shaped districts. The Anderson Plaintiffs make no attempt to justify these departures from the Panel’s announced principles.

COMPLIANCE WITH REDISTRICTING PRINCIPLES

The Parties have adhered to the Panel’s redistricting principles to varying degrees.

I. Equal Population

As can be seen, all but the Wattson Plaintiffs were able to achieve less than a 1 percent deviation from the ideal population for all Senate and House districts.

Population Summary – House
Percent Deviation (# of Persons off Ideal)

	High	Low	Mean
Sachs Plaintiffs	0.99 (422)	-0.99 (-422)	0.56 (237)
Wattson Plaintiffs	2.00 (852)	-1.96 (-836)	0.99 (421)
Anderson Plaintiffs	0.99 (420)	-0.99 (-422)	0.56 (240)
Corrie Plaintiffs	0.59 (250)	-0.53 (-227)	0.24 (104)

Population Summary – Senate
Percent Deviation (# of Persons off Ideal)

	High	Low	Mean
Sachs Plaintiffs	0.98 (832)	-0.97 (-828)	0.42 (359)
Wattson Plaintiffs	1.97 (1,676)	-1.86 (-1,586)	0.77 (656)
Anderson Plaintiffs	0.95 (811)	-0.95 (-809)	0.45 (381)
Corrie Plaintiffs	0.44 (371)	-0.47 (-400)	0.15 (127)

The Sachs Plaintiffs see no reason why the Panel should exceed a 1 percent deviation for any House or Senate district. However, setting an arbitrarily lower cut-off also is unnecessary, because the Panel’s other principles justify minimal population deviation among some districts. For example, in the Sachs Plaintiffs’ plan, House Districts

59A through 63B all approach the 1 percent overpopulated mark. This was necessary to keep all of Minneapolis within these ten House districts, thereby avoiding splitting some Minneapolis residents off and joining them with residents of surrounding suburbs. Similarly, all but one of the St. Paul House districts are made up exclusively of St. Paul residents. All of these districts (64A through 67B) are close to the 1 percent underpopulated mark, but doing so was necessary to keep St. Paul intact and avoid crossing City boundaries. In sum, the Sachs Plaintiffs’ plan achieves equal representation, well within the maximum deviation prescribed by the Panel, and deviates only where necessary to achieve compliance with the Panel’s other principles.

II. Minority Voting Rights

A. House Districts

All but the Anderson Plaintiffs were able to achieve more than 20 minority opportunity House districts (defined as districts with greater than a 30% minority population):

Minority Representation – House
(# of Districts)

	Majority-Minority Districts	Minority Opportunity Districts	Total
Sachs Plaintiffs	9	15	24
Wattson Plaintiffs	9	12	21
Anderson Plaintiffs	9	9	18
Corrie Plaintiffs	9	15	24

Notably, all parties' plans create nine majority-minority House districts in similar areas of the metropolitan area—Brooklyn Park, Brooklyn Center, and portions of Minneapolis and St. Paul. Given that all of the proposed plans achieve this, the Sachs Plaintiffs submit that the Panel should be able to create at least nine majority-minority House districts. The Sachs Plaintiffs' adherence to the Panel's principles also results in fifteen additional districts throughout the metro where minorities constitute at least 30 percent of the voting-age population. The Corrie Plaintiffs achieved similar numbers, but in doing so split many more political subdivisions and created some very oddly-shaped districts in Greater Minnesota, as discussed further below. The Wattson Plaintiffs' Plan performs comparably well, with 21 total minority opportunity districts, but it misses some opportunities in the north metro area, and many of the districts it does create exceed a 1 percent deviation. The Anderson Plaintiffs' plan clearly underperforms with respect to creating opportunity districts, with only eight districts outside Minneapolis-St. Paul, compared to the thirteen created by the Sachs Plaintiffs' plan.

Beginning in the northwestern suburbs, the Anderson Plaintiffs' plan creates only five opportunity districts (38A, 38B, 39B, 45A, 45B), where the Sachs Plaintiffs' plan creates seven (34B, 37A, 37B, 51A, 51B, 52B, 53A). The Anderson Plaintiffs' plan maintains the Coon Rapids/Champlin pairing in House Districts 37A and 37B that was strongly testified against during the public hearings. *See* Zoom Public Hearing Tr. ("Zoom Tr.") 19:18–22:25 (testimony of B. Ortler); *id.* at 23:7–25:22 (testimony of C. Kurdziel); *id.* at 26:2–30:16 (testimony of C. Geisler). The Sachs Plaintiffs' plan separates Champlin

and Coon Rapids, and pairs the south portion of Coon Rapids with eastern Brooklyn Park in House District 34B, creating a minority opportunity district.

The Anderson Plaintiffs dilute the Latinx population in Osseo by pushing House District 33B farther west into Maple Grove. The Sachs Plaintiffs' plan, on the other hand, pairs Osseo with eastern Maple Grove and a portion of Brooklyn Park, creating a minority opportunity district in House District 52B.

In the Fridley/Spring Lake Park area, the Anderson Plaintiffs pair northern Fridley with Spring Lake Park and the less-diverse Blaine, slightly diluting the minority population in Fridley. The Sachs Plaintiffs instead create two majority-minority districts in this region by pairing Fridley with the northern half of New Brighton in House District 37A, and Columbia Heights, Hilltop, New Brighton, and St. Anthony in House District 37B.

In the northeast and eastern suburbs, the Sachs Plaintiffs' plan creates a minority opportunity district in House District 39B by combining North St. Paul with part of Maplewood, and in House District 41B by combining most of Oakdale with the rest of Maplewood. The Anderson Plaintiffs' plan fails to create any districts with more than a 30% minority population in this region.

In the west and south, the Anderson Plaintiffs' plan creates only three opportunity districts, compared to the Sachs Plaintiffs' four. Both maps have opportunity districts in Burnsville, Richfield, and Shakopee. However, the Anderson Plaintiffs' plan splits off the Shakopee Mdewakanton Sioux Community from the Shakopee minority opportunity district, thereby diluting the influence of the Native American community in that region. The Sachs Plaintiffs' plan also creates a minority opportunity district in central

Bloomington (House District 58A). The Anderson Plaintiffs just miss creating an opportunity district in Bloomington (House District 51B).

In the Twin Cities, the Sachs Plaintiffs' plan creates six opportunity districts in Minneapolis and five in St. Paul. The Anderson Plaintiffs create five in Minneapolis and five in St. Paul. The additional district in the Sachs Plaintiffs' plan (House District 63A) in Minneapolis includes the Longfellow and Seward neighborhoods of Minneapolis. The Anderson Plaintiffs' House District 63A pushes further west, diluting the minority populations on the east side of Minneapolis.

On the whole, the Sachs Plaintiffs' plan creates a significant number of minority opportunity House districts, better reflecting the growing minority population of the state, and does so without dramatically increasing population deviations or political subdivision splits. The importance of creating these districts cannot be overstated as they allow individuals with common backgrounds and experiences to elevate their collective voice and influence in our electoral process. The Sachs Plaintiffs submit that the Panel should be able to similarly create fifteen minority opportunity house districts without sacrificing other redistricting principles.

B. Senate Districts

The parties were able to achieve substantially the same number of opportunity districts in the Senate. Although the Sachs Plaintiffs propose three majority-minority

districts, two additional districts also have substantial minority populations: Senate District 62 (49.06 percent) and Senate District 65 (48.27 percent).¹

Minority Representation – Senate
(# of Districts)

	Majority-Minority Districts	Minority Opportunity Districts (30+%)	Total
Sachs Plaintiffs	3	6	9
Wattson Plaintiffs	4	6	10
Anderson Plaintiffs	4	5	9
Corrie Plaintiffs	5	5	10

With respect to the majority-minority Senate districts, it is useful to compare the Sachs Plaintiffs’ and Corrie Plaintiffs’ Plans. The Sachs Plaintiffs’ Senate District 51 is a Brooklyn Park/Brooklyn Center District, similar to Corrie Plaintiffs’ Senate District 56. North Minneapolis and the North Loop is captured in the Sachs Plaintiffs’ Senate District 59 and Corrie Plaintiffs’ Senate District 58. The Corrie Plaintiffs created a majority-minority Senate District 61 (52.2 percent), but did so by pulling the Northeast Minneapolis House District 60B across the river through downtown. Meanwhile, the Sachs Plaintiffs’ plan maintains the northeast/downtown divide, and still creates Senate District 62 with a 49 percent minority voting-age population, and a 55 percent total minority population.

In St. Paul, the Sachs Plaintiffs’ plan creates a majority-minority district on the east side of St. Paul, and otherwise creates opportunity districts around Rondo (Senate District

¹ If one uses the Corrie Plaintiffs’ 25 percent threshold, the Sachs Plaintiffs’ plan creates ten more such districts, whereas the Corrie Plaintiffs’ plan creates only six additional such districts, the Wattson Plaintiffs five, and the Anderson Plaintiffs seven.

65, which is 48.3 percent minority voting-age population and 55.56 percent total minority population) and Frogtown (Senate Districts 66, which is 41.8 percent minority voting-age population and 48.5 percent total minority population). The Corrie Plaintiffs create two majority-minority Senate districts—Senate Districts 64 and 66—but do so by rather dramatically restructuring northwest St. Paul, stretching Senate District 47 from Arden Hills and Shoreview through Roseville all the way to St. Anthony Park in St. Paul. While St. Anthony Park has traditionally been paired with Falcon Heights and southern Roseville (the State Fair district), there is a significantly greater distinction between the area around the State Fair grounds and the Arden Hills/Shoreview region, which is much more suburban in character. The Sachs Plaintiffs’ Plan preserves a more traditional layout in St. Paul, while still creating two minority opportunity districts.

III. American Indian Reservations

Each proposed legislative plan complies with the Panel’s principle requiring that the reservation lands of a federally recognized American Indian tribes must not be divided more than necessary to meet constitutional requirements.² Simply satisfying the minimum requirement of not splitting a reservation does not, however, fulfill the intent of the principle: to further the goal of protecting the voting power of the members of Minnesota’s

² The Corrie Plaintiffs’ brief states that the Shakopee Mdewakanton Sioux Community is included in House District 44A. Corrie Br. at 62. This also is reflected in the map submitted to this panel as Exhibit I to the Declaration of Amy Erickson. However, the version of the Corrie Plaintiffs’ plan available through the website of the Minnesota Legislative Coordinating Commission shows the Shakopee Mdewakanton Sioux Community being divided between House Districts 44A, 50A, and 50B. See <https://gis.lcc.mn.gov/redist2020/plans.html>

American Indian communities and providing these communities an opportunity to elect their candidates of choice.

Both the Wattson Plaintiffs' and Sachs Plaintiffs' plans combine the Red Lake Nation and White Earth Band in northwestern Minnesota into a single House district (4A and 2A in their respective plans). The Sachs Plaintiffs' plan further enhances the strength of the American Indian vote by including the Leech Lake Band with the Red Lake Nation and White Earth Band in Senate District 2. The Corrie Plaintiffs' plan also seeks to increase the voting power of the northwest Minnesota tribes and places the Leech Lake Band, Red Lake Nation, and White Earth Band in House District 2B. Doing so, however, creates an oddly shaped district where the reservations are connected by two separate strings made up of a single row of townships, and therefore does not comply with the Panel's convenience principle.

The Anderson Plaintiffs stand alone in their treatment of the northwestern Minnesota tribes, not only placing them in three *separate* House districts but also placing them in *separate* Senate districts. They place the White Earth Band in House District 4A, Leech Lake in House District 5A, and join the Red Lake Nation and Bois Forte in House District 2A. While technically consistent with the Panel's requirement, this fracturing of the tribes across separate Senate districts would dilute American Indian voting strength in Senate elections and therefore should be rejected.

Finally, the Corrie Plaintiffs' plan is the only plan to split the Upper and Lower Sioux Communities into separate Souse districts. This can be easily avoided, as demonstrated in the other parties' submissions.

IV. Contiguity and Convenience

All of the parties propose contiguous districts. While convenience is a more subjective measure, the Anderson and Corrie Plaintiffs have created some decidedly inconvenient districts. In the Corrie Plaintiffs' plan, as discussed above, House District 2B simply cannot be considered convenient based on the choice to connect the three reservations by a single row of townships. In addition, as discussed further below, the Corrie Plaintiff's House District 14B in St. Cloud and 27B in Rochester are too sprawling. In the Anderson Plaintiffs' plan, Senate District 37 maintains the existing Champlin-Coon Rapids pairing, which spans both sides of the Mississippi River in an area with no bridge crossings. Because that district is not traversable without passing into another district, it does not meet the Panel's convenience principle.

V. Political Subdivisions

As the below charts show, the Corrie Plaintiffs are clear outliers in terms of splitting cities and towns, and both the Wattson and Corrie Plaintiffs split more counties than necessary in both the Senate and the House. Both parties do so without making significant gains in other areas. As discussed above, the Corrie Plaintiffs' additional two majority-minority districts comes at the significant cost of splitting far more political subdivisions. The Wattson Plaintiffs' plan splits more political subdivisions than the Sachs Plaintiffs' plan *and* has the greatest population deviations, all in the name of their overriding effort to keep voting districts whole and manufacture competitiveness—two principles that were not adopted by the Panel. The Anderson Plaintiffs' plan creates slightly fewer county and subdivision splits than the Sachs Plaintiffs' plan, but does so by needlessly splitting

minority communities, minimizing minority opportunity districts, and also ignoring compelling public testimony that asked the Panel to keep together certain communities that straddle subdivision lines. *See, e.g.*, Moorhead Public Hearing Transcript (“Moorhead Tr.”) 15:3–18:4 (testimony of P. Harris); *id.* at 18:9–21:6 (testimony of L. Wohlrabe) (asking that Detroit Lakes be paired with Moorhead). Once again, the Sachs Plaintiffs’ plan strikes the right balance between all of these considerations.

Split Subdivisions – Senate
(# of Subdivisions Split)

	County	County Subdivisions	Voting Districts
Sachs Plaintiffs	33	36	56
Wattson Plaintiffs	45	38	1
Anderson Plaintiffs	33	31	98
Corrie Plaintiffs	46	129	229

Split Subdivisions – House
(# of Subdivisions Split)

	County	County Subdivisions	Voting Districts
Sachs Plaintiffs	50	69	113
Wattson Plaintiffs	54	73	28
Anderson Plaintiffs	40	43	187
Corrie Plaintiffs	54	182	357

VI. Compactness

The parties' mean ratings across the five requested measures of compactness are comparable.

Compactness – House (Higher Number Better)

	Polsby-Popper	Reock	Population Polygon	Population Circle	Area/Convex Hull
Sachs Plaintiffs	0.39	0.43	0.75	0.44	0.78
Watson Plaintiffs	0.38	0.42	0.73	0.43	0.77
Anderson Plaintiffs	0.43	0.44	0.78	0.45	0.80
Corrie Plaintiffs	0.41	0.45	0.76	0.45	0.79

Compactness – Senate (Higher Number Better)

	Polsby-Popper	Reock	Population Polygon	Population Circle	Area/Convex Hull
Sachs Plaintiffs	0.37	0.43	0.76	0.44	0.78
Watson Plaintiffs	0.40	0.45	0.76	0.48	0.79
Anderson Plaintiffs	0.40	0.42	0.76	0.44	0.78
Corrie Plaintiffs	0.39	0.44	0.76	0.46	0.79

VII. Effects on Incumbents, Candidates, and Political Parties

Despite that the Panel indicated that it would not take incumbent addresses or past election results into account, the Anderson and Wattson Plaintiffs submitted incumbent conflict reports, and the Wattson Plaintiffs submitted extensive reports and analysis regarding the supposed competitiveness of its proposed districts. The Panel should, pursuant to its prior order, disregard this information and instead look to compliance with the adopted principles. Further, the apparent focus of the Anderson and Wattson Plaintiffs on political considerations in constructing their plans should color the Panel's analysis of those plans.

REGIONAL ANALYSIS

The following sections walk through the major regions of the state in order to highlight certain key differences between the parties' proposed legislative plans. This section does not discuss all districts, but rather focuses on regions and areas where the parties' proposed plans meaningfully diverge.

I. Northern Minnesota

In the northwestern corner of Minnesota, the biggest difference in the parties' proposed plans is in their treatment of the White Earth, Red Lake, and Leech Lake reservations, discussed at length above. The other significant difference is in the Moorhead area. The Sachs, Corrie, and Wattson Plaintiffs' plans all include the City of Detroit Lakes in Becker County with the Moorhead Senate district. This is consistent with the current plan, and it reflects the compelling public testimony asking that Detroit Lakes share a district with Moorhead in light of the fact that they are closely connected communities in

that region. *See* Moorhead Tr. 15:3–18:4 (testimony of P. Harris); *id.* at 18:9–21:6 (testimony of L. Wohlrabe). The Anderson Plaintiffs’ plan, however, ignores this testimony, and instead creates an elongated Senate district along the Minnesota-North Dakota border.

In north-central Minnesota, the Anderson Plaintiffs made significantly different choices compared to the other parties with respect to the iron range. Their proposed Senate District 2 sprawls from Lake of the Woods County through the iron range community in St. Louis County. There was public testimony that the area north of the iron range is culturally and economically different from the range, and should be kept separate. *See* Duluth Public Hearing Transcript 11:4–13:12 (testimony of M. Bond); *id.* at 13:24–17:9 (testimony of L. Rogne). The other maps accomplish this, separating the north and the arrowhead from the iron range regions.

II. Central Minnesota

In Central Minnesota, the Sachs and Anderson Plaintiffs propose keeping Otter Tail and Todd Counties whole, as public testimony requested. *See* Written Public Comments in A21-0243 (“Written Comments”) 34 (testimony of Otter Tail County Board of Commissioners); *id.* at 155 (testimony of A. Perish); Saint Cloud/Waite Park Public Hearing Tr. 12:12-14:6 (testimony of D. Moen). The Corrie and Wattson Plaintiffs’ plans significantly carve up both of these counties. In the Brainerd area, the parties largely keep together the resort areas. However, the Wattson Plaintiffs’ plan creates an odd wrap-around House District 9B. One other notable distinction is that the Corrie and Anderson Plaintiffs’ plans create elongated Senate districts near the eastern border of the state that stretch from

just south of Hibbing to North Branch in the outer metro. Although Interstate 35 runs through this district, it is difficult to justify pairing such divergent communities when it plainly is not necessary to do so. The Sachs Plaintiffs' plan manages to create more compact districts in eastern Minnesota by pairing Mille Lacs County with Kanabec, Pine, and southern Carlton Counties to create Senate District 11. This leaves just the northern portion of Carlton County (including the Fond du lac Reservation) to be paired with St. Louis County in the north in Senate District 6, keeping Chisago County and all but two Isanti County townships in their own Senate District 32.

III. St. Cloud

The St. Cloud area presents a significant study in contrasts between the four maps. The Anderson Plaintiffs' proposed St. Cloud districts indefensibly split the city down the middle, pairing the heart of the city with significantly more rural surrounding townships in District 14. The Anderson Plaintiffs' plan also splits Waite Park off from the center of the city, placing it in Senate District 13, in direct contradiction of the public testimony asking that Waite Park be included in the same district as St. Cloud. *See* Written Comments at 20 (testimony of D. & D. Kasper). This proposed layout cannot be explained as anything but an attempt to dilute the urban and minority vote in the city, as can be seen in this chart comparing minority voting populations in the districts around St. Cloud.

Minority Representation – St. Cloud Districts
(% Minority Voting Population)

	HD 13A	HD 13B	HD 14A	HD 14B	SD 14
Sachs Plaintiffs	5	9	22	29	25
Wattson Plaintiffs	8	6	24	26	25
Anderson Plaintiffs	7	23	20	16	18
Corrie Plaintiffs	7	8	34	17	25

The Corrie Plaintiffs have created a minority opportunity district by, in their words, “connect[ing] the most diverse sections of St. Cloud with the most diverse corner of Waite Park.” Corrie Mem. 32. While this configuration accomplishes their ends, it does so at what appears to be a significant cost to convenience and compactness, by creating a House District 14B that wraps around House District 14A. It also excludes the college town of St. Joseph from Senate District 14. The Sachs Plaintiffs’ plan best preserves St. Cloud in Senate District 14, with House District 14A on the east and 14B on the west. The Sachs Plaintiffs’ House District 14B has a 29 percent minority voting population and does so without creating a wrap-around district, as the Corrie Plaintiffs propose. It also keeps the campus and student community of St. Cloud State whole in House District 14B as requested by the public comments, and keeps Waite Park and St. Joseph in the same district as the city in House District 14A. *See* Written Comments at 82 (testimony of J. Foster); *id.* at 93 (testimony of B. Mikkelsen); *id.* at 212–13 (testimony of M. Haider). While the Wattson Plaintiffs’ plan most closely resembles the Sachs Plaintiffs’ plan in this region, it still unnecessarily includes more rural Haven Township in Sherburne County with the core St. Cloud districts, slightly diluting the urban and minority vote. In short, the Sachs

Plaintiffs best balance the Panel’s principles in this region, but at the very least, the Panel must reject the Anderson Plaintiffs’ proposal for these districts.

IV. Western and Southern Minnesota

Sparsely populated southwestern Minnesota offers few options for divisions. However, three of the parties managed to keep the Lower and Upper Sioux communities together in the same House district, thereby increasing their opportunity to have a voice in the legislature. The notable exception is the Corrie Plaintiffs.

Along the southern border, both the Sachs and Corrie Plaintiffs attempt to preserve the growing Latinx communities in the region.³ The Sachs Plaintiffs’ plan also keeps Austin and Albert Lea in one Senate district (although they have to be split among House districts). There are significant Latinx populations in these cities and the cities also share an important commerce corridor along I-90. The Wattson Plaintiffs also pair these cities, but both the Anderson and Corrie Plaintiffs choose to split them.

One other notable point in south-central Minnesota is that the Wattson Plaintiffs’ plan fails to keep the City of Northfield—which crosses the Dakota/Rice County border—whole, and instead adheres to the county line. All of the other parties keep Northfield whole in one House district.

³ The Corrie Plaintiffs’ brief discusses the Latinx communities in Faribault on page 43, presumably intending to refer to the City of Faribault, but the discussion is in the section referring to Faribault County.

V. Rochester

As was the case ten years ago, the Panel will have to make difficult decisions regarding how to redraw Rochester. With a population of 121,395 people, Rochester should have almost three House members representing its residents. But under the current configuration, which the Wattson Plaintiffs have largely adhered to, the core of the city is split between two House seats (which are in different senate districts), and the residents in the outer ring of the City are paired with significantly more rural surrounding townships. The Anderson Plaintiffs propose an even worse alternative, assigning the city core one House district (26A), and then splicing the outer ring into three significantly more rural districts, making it likely that no Senator will truly represent Rochester. This is particularly egregious with respect to the Anderson Plaintiffs' proposed House District 26B, which contains the bedroom communities just south of the core of the city—where significant minority populations live—and stretches this district all the way east to cover the rest of Olmsted and part of Winona County. Whether driven by impermissible partisan considerations aimed at diluting the voting power of Rochester residents or otherwise, these proposals make little sense.

The Corrie Plaintiffs' plan aims to consolidate the minority population in Rochester, and succeeds in creating a 31 percent minority opportunity district in House District 28B, while creating House Districts 28A and 27A that are more focused on the city. This is appropriate based on the population. However, this configuration requires House District 27B to wrap 270 degrees around the others, stretching all the way to the eastern border. It is difficult to justify this district under the Panel's convenience or compactness principles.

The Sachs Plaintiffs' Rochester proposal ensures that the specific needs of the city are fairly represented and separated from more rural areas surrounding it. House Districts 25A and 25B primarily comprise the city and keep minority communities in the south paired with the city core. *See* Rochester Public Hearing Transcript 46:1–47:15 (testimony of A.M. Adan); *id.* at 48:15-50:22 (testimony of M.L. Alvarez); *see also* Written Comments 85 (testimony of Hispanic Advocacy and Community Empowerment through Research), *id.* at 206 (testimony of M.L. Alvarez). House District 26A also includes a significant portion of the city, but it incorporates the townships on the north edge of Olmsted County. House District 26B is the more rural district on the east side of Olmsted County. The Sachs Plaintiffs respectfully submit that this configuration will best serve Rochester and the surrounding areas and is the most faithful to the Panel's redistricting principles.

VI. North Metro

In the northwest metro, the key difference between the Anderson Plaintiffs' plan and the three other proposed plans is its treatment of Coon Rapids. Numerous individuals at the public meetings asked the Panel to separate Coon Rapids from Champlin, both because the cities share little in common and because the current district is not traversable without passing into a different district in order to cross the river. *See* Zoom Tr. at 28:18–29:19 (testimony of C. Geisler); *id.* at 21:2-6 (testimony of B. Ortler). These Minnesotans also asked the Panel to keep Coon Rapids whole within a Senate district rather than carving it up. *See id.* at 19:18–22:25 (testimony of B. Ortler); *id.* at 23:7–25:22 (testimony of C.

Kurdziel); *id.* at 26:2–30:16 (testimony of C. Geisler). All of the parties, except the Anderson Plaintiffs, honored these two requests.

The Anderson map not only continues to pair Coon Rapids with Champlin, but it also splices off a corner of Coon Rapids instead of keeping it whole. In the Sachs Plaintiffs’ plan, Coon Rapids is kept whole and is paired with the northeastern corner of Brooklyn Park across the river (in an area with a bridge crossing) to satisfy population equality. This configuration creates a minority opportunity House district in 34B and leaves Senate District 34 with a 28% minority voting-age population and 33.58% total minority population. None of the other parties come close to creating an opportunity district out of Coon Rapids. And how the ultimate plan treats Coon Rapids will inherently impact the surrounding districts. Additional configurations impacting minority opportunity districts in the north metro are discussed above.

One other notable distinction in this region is the treatment of Maple Grove. The Wattson Plaintiffs’ plan carves Maple Grove into three different Senate districts, and both the Wattson and Anderson Plaintiffs pair western Maple Grove with the much more rural cities in western Hennepin County such as Corcoran, Medina, and Maple Plain. The Sachs Plaintiffs keep Maple Grove whole in Senate District 52, splitting it mostly along a north-south line, and creating a minority opportunity district in the eastern half of Maple Grove by pairing it with Osseo and part of Brooklyn Park.

VII. West and South Metro

Moving South, the Sachs Plaintiffs’ plan preserves all of Plymouth in one Senate district (while the Corrie and Anderson Plaintiffs carve it up), and preserves most of

Minnetonka in one district, pairing only the southwest corner with Eden Prairie, which is kept whole in Senate District 50. The Wattson Plaintiffs create a very odd east-west district stretching from the southwest corner of Edina all the way through northern Eden Prairie into Chanhassen. The Sachs Plaintiffs' plan makes a more logical and compact pairing of Chanhassen with the lake cities just to the north, while again keeping Eden Prairie whole and pairing Edina with a part of St. Louis Park to the north, and a part of West Bloomington to the south.

The treatment of Shakopee and the Shakopee Mdewakanton Sioux Community is discussed above.

Another notable difference between the Sachs Plaintiffs' plan and the other proposed plans is that the Sachs Plaintiffs pair south Bloomington along the river with northern Savage and Burnsville in House District 44A. This choice reflects the public testimony indicating that the river should be seen less as a dividing line and more as creating a community of shared interests on either side of it. *See* Woodbury Public Hearing Transcript 15:8–16:21 (testimony of J. Johnson); Minneapolis Public Hearing Transcript 20:9–21:19 (testimony of M. Collins); Saint Paul Public Hearing Transcript 19:9–22:13 (testimony of J. Blerlein).

In the area around Lakeville, the Sachs Plaintiffs' plan pairs most of Lakeville with a portion of Apple Valley, in recognition of the growing population in Lakeville that is beginning to identify more with the suburbs than the rural surrounding areas. The Anderson Plaintiffs, by contrast, pair all of Lakeville with the significantly more rural towns of Credit River and Elko New Market. The Anderson Plaintiffs' plan also makes the unique choice

of pulling a significant portion of Rosemount into a rural district with Farmington, Empire, Vermillion, and other such towns around Highway 52. All of the other parties place Rosemount in a district with its neighbors to the east or west.

VIII. East Metro

In the East metro, a major red flag in the Anderson Plaintiffs' plan is its Senate District 41, which is an inverted "L" shape that starts in North Oaks, proceeds east through White Bear Lake, Dellwood, and Grant (with a jog up through Hugo), and then makes a sharp turn south to cover Lake Elmo all the way down to northern Woodbury. The Anderson Plaintiffs offer no explanation for connecting these north metro suburbs all the way to the southeast metro, and no other party proposes such a dramatically-shaped district. There is no justification for it within the densely populated metropolitan area.

All of the other parties pair the Lake Elmo area with Stillwater, which is logical given that they share the Highway 36 corridor, and keep the cities of Grant and Dellwood in districts to the north, and Woodbury in district(s) to the south. The Sachs Plaintiffs' plan for this region also keeps more subdivisions whole, including all of North Oaks, White Bear Township, Vadnais Heights, Gem Lake, and White Bear Lake in Senate District 39; more rural Hugo, Grant, Dellwood, and Stillwater Township with cities and towns to the north in Senate District 36; and Lake Elmo, Bayport, Stillwater and cities to the south along the river in Senate District 40.

IX. Twin Cities

The Twin Cities region sees somewhat fewer divergences between the parties' proposals, although some key differences are worth noting. First, only the Sachs Plaintiffs

drew Minneapolis so that the entire population fell within five Senate and ten House districts (59A through 63B). The other parties continue to split off portions of Minneapolis to pair with other cities. The Sachs Plaintiffs submit that this is unnecessary, given that the population has grown enough to make ten Minneapolis-only House districts, which are all less than 1% overpopulated.

The Wattson, Sachs, and Anderson Plaintiffs' treatment of St. Paul are fairly similar on their face. As discussed above, the Corrie Plaintiffs' plan makes the unusual choice of placing the St. Anthony Park portion of St. Paul in a Senate district that extends all the way north into Arden Hills. While this creates stronger minority opportunity districts in northeast St. Paul, it pairs very divergent communities in St. Paul and second-ring suburbs. The Sachs Plaintiffs' proposal for St. Paul maintains a more traditional arrangement, while respecting the minority communities in the city and giving them the opportunity to elect candidates of their choice in the legislature.

CONCLUSION

For the foregoing reasons, and those stated in the Sachs Plaintiffs' opening brief, the Sachs Plaintiffs respectfully request the Panel adopt its legislative plan in its entirety.

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