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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

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' RESPONSE TO PARTIES' PROPOSED
CONGRESSIONAL 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 congressional redistricting plans submitted by the other parties.

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INTRODUCTION

Throughout this redistricting process, the Sachs Plaintiffs have emphasized the need for balance among the important elements required for crafting congressional and legislative plans: respect for the thoughtful decisions made by the special redistricting panel ten years ago (the “*Hippert* panel”), balanced with a recognition of the demographic changes that have occurred over the ensuing decade, balanced with the necessities of a least-change approach that also follows the neutral principles adopted by this Panel. As discussed at length in their congressional memorandum, *see generally* Sachs Pls.’ Mem. in Supp. of Mot. to Adopt Proposed Congressional Redistricting Plan (“Sachs Mem.”) (Dec. 7, 2021), the Sachs Plaintiffs’ proposed congressional plan strikes the necessary and appropriate balance. By contrast, the congressional plans submitted by the other parties have less successfully navigated the oft-competing demands of decennial redistricting.

On the one hand, both the Anderson Plaintiffs and Wattson Plaintiffs flatly ignore the public testimony that the Court heard. Rather than draw districts that are responsive to the state’s geography and demographics, they instead pursue what they characterize as a least-change approach, one that rigidly focuses on calcified lines on a map and not the wishes and needs of Minnesotans statewide. *See* Anderson Pls.’ Mem. of Law in Supp. of Mot. to Adopt Proposed Congressional Redistricting Plan (“Anderson Mem.”) 2–3 (Dec. 7, 2021); Wattson Pls.’ Mem. in Supp. of Their Congressional & Legislative Redistricting Plans (“Wattson Mem.”) 7–8 (Dec. 7, 2021). Their overemphasis on staticity for its own sake has produced proposed maps that are nonresponsive to the clear wishes of Minnesotans as expressed to the Panel—and that will consequently fail to accurately reflect

the human geography of the state. The Wattson Plaintiffs suggest that “[u]sing a least-change approach will prevent sweeping changes that will disrupt local communities.” Wattson Mem. 9. But they ignore that changes over the past decade that are not reflected in the current congressional map have *already* caused disruptions to communities that should be united but are not, a problem that an excessively least-change approach will not remedy.

On the other hand, the Corrie Plaintiffs have endeavored to draw a congressional map that responds to the needs of Minnesota’s minority communities—an objective that the Sachs Plaintiffs applaud. But their map ultimately disregards the other critical qualities that define Minnesota and its incumbent parts, uniting disparate sections of the state while separating communities of interest centered on history, geography, and industry. For example, the Corrie Plaintiffs propose drawing a district that combines northeastern and northwestern Minnesota in a way that does not reflect either longstanding practice or public testimony confirming that this regional divide remains meaningful.

As the Sachs Plaintiffs noted previously, there is no such thing as a perfect map. But it is still possible to draw a congressional map that properly balances past practice and meaningful changes in Minnesota’s political geography. The Sachs Plaintiffs submit that their plan readily achieves this objective. This conclusion is bolstered by an examination of the other parties’ maps, which—despite some commendable qualities—fall short of the compromise needed in a judicially enacted redistricting plan.

COMPLIANCE WITH REDISTRICTING PRINCIPLES

At the outset, the Sachs Plaintiffs note that the parties' congressional plans satisfy many of the Panel's enumerated redistricting principles to similar degrees.

Equal Population. The congressional plans submitted by the Sachs Plaintiffs, the Anderson Plaintiffs, and the Wattson Plaintiffs contain districts that deviate from the ideal population by only one person. By conspicuous contrast, the Corrie Plaintiffs' congressional districts depart from the ideal by up to 29 persons—a result that might satisfy constitutional mandates but nonetheless constitutes an unnecessary degree of deviation.

Minority Voting Rights. In each of the parties' plans, the Fourth and Fifth Congressional Districts are opportunity districts where the minority voting-age population exceeds 30 percent. The minority voting-age populations in the parties' Second and Third Congressional Districts in turn exceed 20 percent.

American Indian Reservations. None of the parties' congressional plans divide contiguous American Indian tribal reservations.

Contiguity. The parties' congressional districts are composed of contiguous territory.

Political Subdivisions. The numbers of split political subdivisions among the parties' plans are similar.

Proposed Congressional Plan	Number of Split Counties	Number of Split County Subdivisions (Cities/Towns)	Number of Split Voting Districts
Sachs Plaintiffs	11	13	9
Wattson Plaintiffs	12	10	—

Anderson Plaintiffs	7	7	14 ¹
Corrie Plaintiffs	17	—	14

As discussed below, it is not how *many* political subdivisions are split—but *how* they are split—that distinguishes the proposed congressional plans from each other.

The Wattson Plaintiffs emphasize the degree to which their congressional plan avoids precinct splits, *see* Wattson Mem. 11–15—which is not a principle adopted by the Panel. And while their desire to ensure administrative efficiency is laudable, this approach should not be prioritized at the expense of crafting districts that are responsive to the needs of *voters*. Precincts that were established ten years ago should not guide the Panel’s mapdrawing any more than Census numbers from ten years ago. Voting precincts are not statutorily-recognized political subdivisions, and they are intended to be redrawn *after* redistricting. The state’s congressional districts, after all, should be drawn to ensure effective representation for all Minnesotans—not exclusively to simplify operations for election administrators.

Compactness. The parties’ mean ratings across the five requested measures of compactness are roughly comparable.

Proposed Congressional Plan	Reock	Polsby-Popper	Area/Convex Hull	Population Polygon	Population Circle
Sachs Plaintiffs	0.44	0.35	0.80	0.77	0.38
Wattson Plaintiffs	0.39	0.27	0.73	0.69	0.37
Anderson Plaintiffs	0.42	0.33	0.76	0.71	0.36
Corrie Plaintiffs	0.43	0.37	0.82	0.77	0.41

¹ Two of these splits involve no population.

Notably, however, the Sachs Plaintiffs’ map is decidedly more compact than the Anderson Plaintiffs’ and Wattson Plaintiffs’ maps—by some measures, significantly so. The reasons for these distinctions are explained further below; ultimately, the Sachs Plaintiffs achieve a greater level of compactness by drawing districts that unite similar areas rather than reach across the state to link disparate communities.

Effects on Incumbents, Candidates, and Political Parties. As explained in more detail below, it appears that some of the other parties’ proposed congressional plans include line-drawing decisions that are difficult to justify in light of the Panel’s principles and relevant public testimony concerning the similarities and differences among communities. This suggests impermissible partisan considerations may be at play. Moreover, notwithstanding the Panel’s directive that it “will not consider past election results when drawing districts” or otherwise rely on partisanship metrics in creating its maps, Order Stating Preliminary Conclusions, Redistricting Principles, & Requirements for Plan Submissions 8 (Nov. 18, 2021), the Wattson Plaintiffs devote considerable attention to this non-principle. *See* Wattson Mem. 77–105. The Sachs Plaintiffs maintain that these sorts of partisan considerations ask the Panel to delve into troubling political waters. *See* Sachs Pls.’ Resp. to Proposed Redistricting Principles 14–16 (Oct. 20, 2021). Whether the parties’ proposed plans avoid impermissible political entanglements should instead be judged based on the degree to which they otherwise satisfy the Panel’s neutral redistricting criteria, particularly evidence in the record regarding the suitability of joining communities within the same district and dividing others among different districts.

DISTRICT-BY-DISTRICT ANALYSIS

Because the parties generally satisfy most of the Panel’s redistricting principles, the various proposals should be judged based on *how* they satisfied them: the degree to which they have drawn districts that adequately reflect the state’s demographics and the common interests of Minnesotans. And this inquiry is best accomplished by considering each district one by one.

I. First Congressional District

The Sachs Plaintiffs have proposed a First Congressional District that at once restores the historic practice of separating southeastern and southwestern Minnesota into different districts, *see, e.g.*, Rochester Public Hearing Tr. (“Rochester Tr.”) 35:16–22 (testimony of M. Jones), and recognizes that southeastern Minnesota increasingly has less in common with the more rural and agricultural communities in the southwest. *See* Sachs Mem. 16–18. It is for this reason that several members of the public advocated for a southeast-anchored First Congressional District that would unify the area’s growing technological and medical sectors with surrounding communities that rely on these industries for employment and economic development. *See, e.g.*, Rochester Tr. 13:16–14:17 (testimony of T. O’Donnell-Ebner). It would also ensure that Minnesota’s congressional map reflects the manner in which statewide government services are delivered. *See* Sachs Mem. 17 n.6 (noting that Minnesota Department of Transportation and Minnesota Pollution Control Agency are organized into southeastern and southwestern regions).

The clear weight of public testimony notwithstanding, both the Anderson Plaintiffs and Wattson Plaintiffs have chosen to keep the First Congressional District virtually unchanged, stretching across the southern border of the state. Simply put, this configuration no longer makes sense. The 2001 special redistricting panel opted to draw such a district after noting that a “community of interest [] naturally arises along a highway such as Interstate 90.” *Zachman v. Kiffmeyer*, No. C0-01-160 (Minn. Special Redistricting Panel Mar. 19, 2002) (Final Order Adopting a Congressional Redistricting Plan at 5–6); *see also Hippert v. Ritchie*, No. A11-152 (Minn. Special Redistricting Panel Feb. 21, 2012) (Final Order Adopting a Congressional Redistricting Plan at 18) (maintaining this configuration consistent with panel’s least-change approach). But whatever virtue there might have been to an I-90-anchored district 20 years ago, the ensuing decades have further divided the agricultural communities in the southwest corner of the state from the southeast, which is experiencing greater population growth and is increasingly centered around health care, research, and manufacturing. Moreover, placing Rocks, Nobles, and Jackson Counties in the First Congressional District keeps these agricultural communities separated from the rest of western Minnesota, with which they share clear interests.

The Anderson Plaintiffs’ and Wattson Plaintiffs’ approach to these issues makes little sense. They continue to draw the First District across the entire state. But due to the population shifts drawn above, they can and must shift some of southwestern Minnesota into the Seventh. They do so by splitting Rock and Pipestone Counties, keeping the former in the First and moving the latter to the Seventh District. But, simply put, there is no

justification for separating Rock County from Pipestone County while uniting it with Olmsted County.

Moreover, these proposed plans disregard one of the most common—if not the most common—refrains of the public hearings undertaken by the Panel: they fail to unite the counties along the Mississippi River in the southeast. *See, e.g.*, Rochester Tr. 29:19–32:4 (testimony of G. Julius); *id.* at 32:11–34:17 (testimony of C. Everett); *id.* at 35:23–36:2 (testimony of M. Jones); Written Public Comments in A21-0243 (“Written Comments”) 94 (testimony of B. Roberson);² *id.* at 205 (testimony of K. Alkire); *id.* at 209 (testimony of J. & N. Davidson). The Sachs Plaintiffs propose placing Goodhue and Wabasha Counties in the First Congressional District to remedy this division and unite them with Winona and Houston Counties. The Wattson Plaintiffs do not add either of these counties to their First Congressional District. And the Anderson Plaintiffs propose to *only* add Wabasha County to their southeastern district, *see* Anderson Mem. 9—even though they cite testimony demonstrating that Goodhue County should also be united with Rochester and the other counties along the Mississippi River. *See id.* at 21 (quoting Rochester Tr. 31:2–7 (testimony of G. Julius)).

There is, ultimately, no compelling reason to maintain the First Congressional District in its current configuration, as the Anderson Plaintiffs and Wattson Plaintiffs propose. As the Sachs Plaintiffs discuss in their memorandum, a border-to-border Seventh

² For citations to the written comments submitted to the Panel, the Sachs Plaintiffs employ the page numbering of the 247-page PDF file, rather than individual comments’ internal paginations.

Congressional District that unites the state’s agricultural communities is more intuitive and defensible than a southern-border district that links two disparate corners of the state. The least-change approach makes little sense in the context of a First Congressional District that has exceeded its utility. Indeed, the Sachs Plaintiffs submit that this shows the underlying deficiencies in the Anderson Plaintiffs’ and Wattson Plaintiffs’ approaches: slavish devotion to prior district lines, without asking why those lines were drawn and how the districts have changed, does not serve Minnesotans who rely on thoughtful redistricting decisions to ensure their effective representation in Congress. As a result, neither the Anderson Plaintiffs’ plan nor the Wattson Plaintiffs’ plan effectively balances the equally important considerations of minimizing district alterations while also appropriately reflecting dramatic demographic changes on the ground.

Instead, a compact district should instead be drawn, one that is anchored by Rochester and Mankato; unites these communities with the Mississippi River counties and other areas in the southeast corner of the state linked to them by resources, geography, highways, and industry; and reflects the historic division of the state into southwestern and southeastern congressional districts. *See, e.g.*, Rochester Tr. 35:16–22 (testimony of M. Jones).

II. Second Congressional District

The Sachs Plaintiffs propose a Second Congressional District that reflects the growing unity of communities in the southern and southeastern Twin Cities metropolitan area. Dakota County has continued to grow and now shares more in common with southern Hennepin and Washington Counties than Goodhue and Wabasha Counties. *See* Rochester

Tr. 32:11–34:17 (testimony of C. Everett) (describing growing distinctions between suburban Dakota County and exurban Goodhue County). The Sachs Plaintiffs’ proposed Second Congressional District unites these south metro communities in a manner that is directly responsive to the testimony heard by the Panel. *See, e.g., See* Woodbury Public Hearing Transcript (“Woodbury Tr.”) 16:25–19:3 (testimony of J. Recla) (advocating for Woodbury and southern Washington County to join Second Congressional District); *id.* at 19:10–22:3 (testimony of K. Carlson) (similar); *id.* at 15:11–16:21 (testimony of J. Johnson) (urging that south metro suburban communities on both sides of Minnesota River be included in same district).

The Anderson Plaintiffs’ and Wattson Plaintiffs’ proposed Second Congressional Districts are, like their First Congressional Districts, nonresponsive to public testimony. Both of their districts retain significant exurban territory and some of the Mississippi River counties, even though these river communities have much more in common with the communities in the First Congressional District. *See, e.g.,* Written Comments 94 (testimony of B. Roberson) (stating that Wabasha County “really belongs in the 1st Congressional district rather than the 2nd”). And both of these Plaintiffs’ proposed Second districts hug the southern bank of the Minnesota River, despite testimony that suburban communities on both sides of the river share much in common and should be united in the same district. *See, e.g.,* Saint Paul Public Hearing Transcript 19:8–22:13 (testimony of J. Blerlein) (explaining that “Bloomington, Eagan, Burnsville and other southern suburbs together form community of interest across multiple dimensions and would be best served by being included together in a congressional district” and that river is “a thread that

connects and joins all of these south metro communities” and should not serve as “an unnatural divider”); Written Comments 87 (testimony of J. Nicolai) (“Much of our lives take place in the south metro area regardless of whether it is Eagan or Bloomington.”); *id.* at 169 (testimony of L. Oi) (“[I]t would [] simplify things if more of the south metro area were also in the 2nd, especially cities and towns right across the bridge.”).

Once again, the Anderson Plaintiffs’ and Wattson Plaintiffs’ excessively recalcitrant approach has worked to the disadvantage of communities that, as public testimony demonstrates, should be united in a single district. As one witness stated, “[k]eeping as much of the south metro area in a single Congressional district should be an important goal.” Written Comments 229 (testimony of K Meyer). All Plaintiff groups propose alterations to the Second Congressional District’s borders; population changes make that inevitable. The question, again, is *how* to make those changes. The Panel should craft a Second Congressional District that reflects the region’s demographic changes and the expressed wishes of the public. That is the approach the Sachs Plaintiffs—unlike others—have taken.

III. Third Congressional District

All of the parties’ proposed Third Congressional Districts generally reflect the district as currently drawn: a suburban district anchored in Hennepin County and the western Minneapolis suburbs. Where the districts diverge is once again in their responsiveness to public testimony.

An excellent example is the treatment of Edina. Public testimony urged that the current split of the city be remedied in the new congressional map. *See* Shakopee Public

Hearing Tr. (“Shakopee Tr.”) 40:9–14 (testimony of D. Shonagon) (“I believe the redistricting rule of a district being contiguous should apply to CD-3 in that Edina should be pulled as a whole city into CD-3 instead of being split across two congressional districts as it is now.”); Zoom Public Hearing Tr. (“Zoom Tr.”) 67:15–20 (testimony of D. Clynes) (similar). The Sachs Plaintiffs have therefore ensured that Edina is now contained entirely within the Third Congressional District. The Anderson Plaintiffs and Wattson Plaintiffs, by contrast, maintain the split of Edina without justification. *See* Anderson Mem. 9, 37; Wattson Mem. 26.

Ironically, the Anderson Plaintiffs’ plan makes a similar misstep in the opposite direction. They tout the fact that their plan removes eastern Carver County from the Third Congressional District and instead places it wholly within the Sixth. *See* Anderson Mem. 9–10, 36. But this ignores what the *Hippert* panel recognized: linking eastern Carver County to western Hennepin County is justified by local government structure and “the public input that the residents of northeastern Carver County share common issues and interests with the residents of other west metropolitan suburbs.” No. A11-152 (Minn. Special Redistricting Panel Feb. 21, 2012) (Final Order Adopting a Congressional Redistricting Plan at 17). This is, in short, an instance where the Anderson Plaintiffs’ departure from a least-change approach is unsound; like the Wattson Plaintiffs, the Sachs Plaintiffs have opted to keep eastern Carver County united with the western Twin Cities suburbs.

IV. Fourth Congressional District

Although all parties preserve the historic divide between Saint Paul and Minneapolis, their Fourth Congressional Districts demonstrate a key point of distinction: their treatments of Washington County.

As the Panel heard during the public hearings, “Washington County is currently split between three congressional districts—the second, fourth, and sixth—and reducing that to two would further enhance the voice of the county residents.” Woodbury Tr. 17:24–18:5 (testimony of J. Recla); *id.* at 22:12–19 (testimony of C. Beere) (similar). Accordingly, the Sachs Plaintiffs drew their Fourth Congressional District to include a larger portion of northern Washington County, thus ensuring that the county would only be divided twice. This configuration is also responsive to the expressed wishes of southern Washington County residents that they be paired with a suburban-oriented Second Congressional District rather than the Saint Paul-anchored Fourth Congressional District. *See, e.g., id.* at 19:10–22:3 (testimony of K. Carlson) (“[W]e believe that south Washington County and Dakota County should be [in] the Second Congressional District. . . . I also hope that south Washington County is not paired with the St. Paul-based districts as the distance and the culture between St. Paul and its outer suburbs do not constitute a community of interest, in my mind.”).

Despite these calls for a less-divided Washington County, the other parties have maintained the current three-way split of Washington County. These excessive splits are not necessary and certainly are not supported by any testimony or other evidence in the record.

V. Fifth Congressional District

Each of the parties' Fifth Congressional Districts is anchored in Minneapolis. But although they are generally similar, what might appear to be minor line-drawing decisions are actually weighted with significance in the densely packed urban core. For example, the Anderson Plaintiffs', Wattson Plaintiffs', and Corrie Plaintiffs' southern district boundaries place Richfield in the Third Congressional District and divide it from other, similar suburban communities to the south. *Cf.* Woodbury Tr. 45:2–46:22 (testimony of J. Hanks) (“[I]t will be a natural fit for our community if Richfield were part of the Second Congressional District rather than the third or the fifth.”). The Anderson Plaintiffs' and Wattson Plaintiffs' plans compound this issue by further dividing Bloomington into the Third Congressional District—splitting these southern suburban communities of common interest into *three* different congressional districts, despite public testimony urging that they be united. *See, e.g.*, Minneapolis Public Hearing Tr. 20:9–21:19 (testimony of M. Collins) (noting that Bloomington is linked to Second Congressional District by transportation routes and shared issues with Eagan, Burnsville, and Mendota Heights).

VI. Sixth Congressional District

The existing Sixth Congressional District is something of an oddity: an eccentric semicircle that begins in Carver County in the southwest, collects St. Cloud and the exurban and rural counties west and north of Hennepin County, and ends in the east with most of Anoka County and the northern portion of the thrice-split Washington County. In so collecting the remaining areas of the Twin Cities metropolitan area, the Sixth Congressional District ultimately became an ungainly amalgamation, a collection of

disparate communities that understandably was the subject of criticism during the Panel's public hearings. *See, e.g.*, Woodbury Tr. 30:12–31:23 (testimony of C. Johnson) (describing distinctions between Washington County and Sixth Congressional District communities like Sherburne County and St. Cloud).

Given population distribution in 2011, it was difficult for the *Hippert* panel to draw a sensible district lying at the interstices between Greater Minnesota and the Twin Cities metropolitan area. That no longer remains the case. In response to the public testimony and population changes, the Sachs Plaintiffs have proposed a more compact and geographically centered Sixth Congressional District anchored in the exurban and rural areas west of the Twin Cities, a district that maintains what works about the current configuration—for example, uniting Scott County with western Carver County, *see* Shakopee Tr. 33:3–39:3 (testimony of C. Thom); Zoom Tr. 31:8–33:24 (testimony of L. Hacklander)—while ensuring that Anoka and Washington Counties are redrawn into urban and suburban districts with which they have more in common.

Rather than making these adjustments that respond to public testimony, the Anderson Plaintiffs and the Wattson Plaintiffs have instead chosen to retain the Sixth Congressional District's awkward shape and disparate components. The Wattson Plaintiffs' district still stretches from areas south of the Twin Cities up to St. Cloud and around to the Wisconsin border. The Anderson Plaintiffs compound the district's problems by dividing the St. Cloud area among *three* districts, despite public testimony urging that these similar areas be united in a single district. *See, e.g.*, Written Comments 68 (testimony of D. Bublitz) (noting “the importance of keeping the St[.] Cloud Metropolitan Area intact

and within the more urban District 6”). There is, ultimately, no evidence before the Panel that the areas west and south of St. Cloud share similar interests with metropolitan areas like northern Washington County. Accordingly, the Panel should draw a Sixth Congressional District that avoids awkwardly joining these distinct communities.

VII. Seventh Congressional District

The Sachs Plaintiffs, Anderson Plaintiffs, and Wattson Plaintiffs have each drawn a Seventh Congressional District that reflects the crucial distinctions between northwestern and northeastern Minnesota—as articulated repeatedly by previous redistricting panels and during the public hearings this cycle. *See, e.g., Zachman*, No. C0-01-160 (Minn. Special Redistricting Panel Mar. 19, 2002) (Final Order Adopting a Congressional Redistricting Plan at 9); Duluth Public Hearing Tr. 8:25–13:14 (testimony of M. Bond); *id.* at 22:4–18 (testimony of D. Taylor). By contrast, the Corrie Plaintiffs have drawn a single district to encompass all of northern Minnesota, which represents a departure from the way the state’s congressional maps have been drawn for the past century. And by so configuring the Eighth Congressional District, the Corrie Plaintiffs’ Seventh loses critical agricultural communities in the southwest corner area of the state, requiring it to pick up dissimilar areas in the Twin Cities metropolitan area.

Although the Anderson Plaintiffs and Wattson Plaintiffs reflect the traditional divide between the northwestern and northeastern parts of the state, their respective Seventh Congressional Districts suffer from other shortcomings. For example, while the Anderson Plaintiffs claim that their proposed district “has the advantage of keeping Cottonwood County whole, while also preserving ‘the agricultural interests that largely

define the balance of the seventh congressional district,” Anderson Mem. 25 (quoting *Hippert*, No. A11-152 (Minn. Special Redistricting Panel Feb. 21, 2012) (Final Order Adopting a Congressional Redistricting Plan at 12–13)), they stop conspicuously short of also uniting the agricultural counties in the southwest corner of the state. They justify this decision by suggesting that “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.” Anderson Mem. 27. But this argument ignores that the First Congressional District *is changing*, becoming less rural and more tied to the development around Mankato, Rochester, and the Mississippi River counties. The Sachs Plaintiffs’ proposed First Congressional District recognizes this shift—and allows the Seventh to pick up the remaining southwestern agricultural areas in the process.

The Wattson Plaintiffs’ proposed Seventh Congressional District features the same problem, leaving the rural areas in the southwest in the First Congressional District rather than uniting them in the Seventh. Because their and the Anderson Plaintiffs’ districts do not stretch south to collect the agricultural communities along the Iowa border, their districts must instead reach farther east, closer into the disparate Twin Cities metropolitan area, to pick up needed population. This approach does not serve to unite similar communities; instead, it solves one problem (population shortfalls) by creating another (districts that do not sensibly reflect their incumbent parts). The Sachs Plaintiffs’ alternative—a Seventh Congressional District that unites the state’s agricultural western border into a single district—represents a more defensible and intuitive choice. It remedies

the district's population decline in a way that ensures that the state's rural and agricultural voters will have a united voice in Congress.

VIII. Eighth Congressional District

Finally, the parties' similar Eighth Congressional Districts again reveal subtle—yet telling—differences in line-drawing priorities. The Corrie Plaintiffs' proposed district is, for the reasons discussed above, an ill-advised departure from the current district's construction. The Sachs Plaintiffs', Anderson Plaintiffs', and Wattson Plaintiffs' districts are, by contrast, much more similar. But the latter two districts reach farther west to remedy the current district's population shortfall—a move that blurs the line between the disparate communities of northeastern and northwestern Minnesota, an issue that is further exacerbated by their Seventh Congressional Districts' reaching east to pick up population rather than south. By contrast, the Sachs Plaintiffs' Eighth Congressional District opts to instead pick up population along the I-35 corridor between Duluth and the Twin Cities, which reflects the increasing ties between the metropolitan area and the communities to its north.

CONCLUSION

Redistricting by necessity requires map-drawers to balance various competing considerations. A comparison of the congressional maps submitted by the parties in this proceeding demonstrates that the Sachs Plaintiffs' proposed map navigates this process most effectively. Their map reflects the Panel's least-change approach by following—and, where possible, retaining—the thoughtful decisions of the *Hippert* panel, making marginal adjustments and shifting district lines where needed to comply with the Panel's articulated

principles and the insights and wishes of Minnesotans as reflected in the public hearings. Ultimately, as the Sachs Plaintiffs have emphasized, no map is perfect. But theirs is the most successful attempt to draw congressional districts that will ensure fair, effective representation for all Minnesotans.

For these reasons and those articulated at greater length in their previously filed memorandum, the Sachs Plaintiffs respectfully request that the Panel adopt their proposed congressional redistricting plan.

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Marc E. Elias*
Jyoti Jasrasaria*
ELIAS LAW GROUP LLP
10 G Street NE, Suite 600
Washington, D.C. 20002
(202) 968-4490
MElias@elias.law
JJasrasaria@elias.law

Abha Khanna*
Ben Stafford*
Jonathan P. Hawley*
ELIAS LAW GROUP LLP
1700 Seventh Avenue, Suite 2100
Seattle, WA 98101
(206) 656-0177
AKhanna@elias.law
BStafford@elias.law
JHawley@elias.law

*Admitted pro hac vice

Respectfully submitted,

LOCKRIDGE GRINDAL NAUEN P.L.L.P.

s/Charles N. Nauen

Charles N. Nauen (#121216)
David J. Zoll (#0330681)
Kristen G. Marttila (#346007)
Rachel A. Kitze Collins (#0396555)
100 Washington Avenue South, Suite 2200
Minneapolis, MN 55401-2159
(612) 339-6900
cnnauen@locklaw.com
djzoll@locklaw.com
kgmarttila@locklaw.com
rakitzecollins@locklaw.com

**ATTORNEYS FOR 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**