



Guiding Principles for the City's Redistricting Process:

1. The goal of redistricting.

The first goal of redistricting is to provide for equality in the political process. This is done through the rule of one-person one-vote. To comply with this standard, the population of districts should be as close to equal as reasonably possible (the Charter provides "substantially equal in population"). Adopting appropriate redistricting criteria, and adhering to them during the redistricting process, is critical to the ultimate defensibility of an adopted redistricting plan.

2. Create "ideal" districts.

When the population of the City is divided by the number of districts, the quotient is the size of an ideal district. The 2020 census reports Kansas City's population as 508,090 people. An ideal district is, therefore, 84,681 people.

3. Understanding the 10% rule.

Recognizing that all districts cannot be the identical size, it is permissible to have districts that deviate by no more than 10% between the largest district and the smallest district. This allows for the application of common redistricting principles while still respecting the one-person one-vote requirement. The 10% standard generally constitutes a rebuttable presumption of compliance with the one-person, one-vote requirement.

In determining whether the population of the respective districts is within this 10% balance based on census population data, the percentage by which the population of the most populous single member district exceeds the ideal district size is added to the percentage by which the ideal district size exceeds the population of the least populous single-member district. If this cumulative percentage exceeds the permissible ten-percent total maximum deviation, the City should redraw the boundaries of the individual districts so that the total populations of all the new districts are within the permissible 10% limit.

4. Draw districts that are compact and contiguous.

In short, a district is compact when it does not contain irregular boundaries. In Kansas City, there is a consideration not many large cities must face -the existence of other cities of significant geographic size located within the boundaries of the City-North Kansas City, Gladstone and Raytown (although not completely surrounded by Kansas City, its northeast boundary with Independence is only a few blocks wide), for example pose significant issues for drawing maps.

No Missouri appellate court (to my knowledge) has interpreted the meaning of compact with respect to this issue, but it is reasonable to conclude that since the City cannot control the boundaries of other

cities, it should ignore those boundaries when determining whether the City territory is compact and adjacent.

5. Be mindful of Voting Rights Act implications.

The Voting Rights Act of 1965 (the "Act") was adopted to stop redistricting practices that prevented racial or ethnic minority populations from fully participating in the political process. Three things must exist for the Act (Section 2) to apply to a city's redistricting:

- There must be a racial or ethnic minority group that is sufficiently large and geographically compact to be a majority in a district; and
- The group must be politically cohesive; and
- The white majority engages in bloc voting to defeat the preferred candidate of the minority group.

There is a balance that must be found when designing districts in light of the mandates of the Act. The City must navigate a fine line between complying with the Act to protect minority voters while also avoiding unlawful race-based decision making under the Fourteenth Amendment of the US Constitution. A thoughtful redistricting process in which the political subdivision articulates and adheres to traditional districting principles and restricts the use and examination of race or ethnicity to the extent necessary to ensure protection of protected minority voters is key to a successful outcome.