

## WE COUNT- MAPPING OUR FUTURE

Redistricting is an important process for a healthy and strong democracy that reflects the will of the people and represents their interests. Minnesota can, and should, be a leader in holding an honest and transparent redistricting process that is accessible and inclusive for all Minnesotans.

The rules governing the redistricting process are as important as the process itself. We strongly urge the Minnesota Legislature and the Minnesota Judicial Branch Special Redistricting Panel to adopt the redistricting principles that will guide a fair map for all Minnesotans. These principles include:

### Communities of Interest

- Defining **Communities of Interest** concretely can guide how maps are drawn and inform how other redistricting principles should be prioritized.
- **Communities of Interest** is not a principle required and defined by Minnesota's constitution or statutes. However, defining communities of interest is important because it recognizes the shared interest of groups of individuals or communities.
- **Communities of Interest** should be broadly defined to allow communities to determine which issues are important to them, what brings them together, and how they want to be represented. These groups of individuals will likely have similar legislative concerns, and will benefit from cohesive representation in the legislature.
- The **Communities of Interest** definition should not recognize relationships with political parties, officeholders, or political candidates to minimize partisan gerrymandering.

**Recommendation for Communities of Interest Definition:** A community of interest may include any group with shared experiences and concerns, including but not limited to geographic, governmental, regional, social, cultural, historic, socioeconomic, occupational, trade, or transportation interests. Communities of interest must not include relationships with political parties, incumbents, or candidates.

### Population Standard Deviation

- For congressional districts, the Supreme Court ruled in *Karcher v. Daggett*<sup>1</sup> that [congressional districts must be drawn to achieve population equality](#) "as nearly as is practicable." The state must make a good faith effort to achieve precise mathematical equality." If population variances in congressional districts have resulted in mathematical inequality, the state must justify their variance, no matter how small.
- In 1983, the Supreme Court ruled in *Brown v. Thomson*<sup>2</sup> that a deviation in a state legislative map of under 10% is considered minor. Only a deviation over 10% constitutes a prima facie constitutional violation requiring the state to provide a justification. [Minnesota is one of about 13 states](#) that have self imposed a population deviation of 2%, which is well below federal guidelines.
- Neither the MN constitution nor statute define or require a population standard deviation for state legislative district boundaries.

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<sup>1</sup> Karcher v. Daggett, 462 U.S. 725 (1983)

<sup>2</sup> Brown v. Thomson, 462 U.S. 835 (1983)

**Recommendation:** For state legislative districts, maps should aim for minimal population deviations, but have flexibility to deviate where necessary to comply with the Voting Rights Act or to preserve communities of interest.

### Compactness

- **Contiguous & Convenient** are defined and required by Minnesota's constitution.
- **Compactness** is not a principle required and defined by Minnesota's constitution or statutes.
- **Compactness** as a standard has shown to have a negative impact and statistically significant effect on the number of majority-minority congressional districts and likely to have fewer majority-minority legislative seats.<sup>3</sup>
- **Compactness** should not be included with contiguous and convenient as redistricting criteria, doing so can interfere with goals such as keeping communities together, fair representation of communities of color and diluting minority voters<sup>4</sup>.
- People vote. Communities vote. Pretty geometrically compact maps do not!

**Recommendation:** Compactness is vague as a standard, and if included, it should be the lowest-priority criteria.

### End Prison-based Gerrymandering

- Minnesota's 2021 incarcerated population is 9,982. The average 2020 incarcerated population was 8,479. Minnesota has an overrepresentation of Indigenous and Minnesotans of Color, particularly Black Americans in the justice system. Black Minnesotans constitute about 12% of the population, but about 36% of those incarcerated.<sup>5</sup>
- Counting incarcerated Minnesotans where they are imprisoned unfairly distorts the population total. This is a civil rights issue and we are depriving individuals of their right to have their interests represented.
- It is time to end prison gerrymandering, a policy that benefits no Minnesotans. Eleven states have already passed legislation to end prison-based gerrymandering and count incarcerated people at home for redistricting purposes<sup>6</sup>.

**Recommendation:** Incarcerated Minnesotans should be counted for redistricting at their last pre-incarceration address<sup>7</sup>.

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### Who is Common Cause?

Common Cause Minnesota is a non-partisan civic organization that holds the government accountable. Common Cause recognizes that all Minnesotans deserve a voice in shaping the future for our families and communities, and supports all Minnesotans' participation in self-governance.

Common Cause has led the Minnesota Redistricting reform movement over the past five years to end partisan gerrymandering and put the redistricting process in the hands of a bipartisan citizen redistricting committee. Common Cause and its partners have engaged and mobilized thousands of Minnesotans across the state to inform our redistricting priorities.

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<sup>3</sup>Creating Strong Rules for Drawing Map, [Brennan Center for Justice](#)

<sup>4</sup> Redistricting Principles and Racial Representation, [Barabas J. and Jerit, J.](#), 2004

<sup>5</sup>[MN Department of Corrections January 2020 data](#), Prison Population by State, World Population Review, [2021](#)

<sup>6</sup> Prison Gerrymandering Project, [Prison Policy Initiative](#)

<sup>7</sup> Step by Step Guide: End Prison Gerrymandering, [Common Cause and Prison Policy Initiative](#)

