

IN THE CIRCUIT COURT OF JACKSON COUNTY
STATE OF MISSOURI, AT KANSAS CITY

TERRENCE WISE, ASHLEY BALL, AIMEE
RIEDERER GROMOWSKY, CYNTHIA
WREHE, and CYNTHIA KAY LAKIN,

Plaintiffs,

v.

STATE OF MISSOURI,

Serve: Office of the Attorney General
Supreme Court Building
207 West High Street
Jefferson City, MO 65102;

DENNY HOSKINS, in his official capacity as
Missouri Secretary of State,

Serve: Office of the Secretary of State
600 West Main Street
Jefferson City, MO 65101;

JACKSON COUNTY BOARD OF
ELECTION COMMISSIONERS; MICHAEL
K. WHITEHEAD, HENRY R. CARNER,
COLLEEN M. SCOTT, and LYLE K.
QUERRY, in their official capacities as
commissioners of the Jackson County Board of
Election Commissioners; TAMMY BROWN
and SARAH ZORICH, in their official
capacities as directors of the Jackson County
Board of Election Commissioners,

Serve: 215 N. Liberty Street
Independence, Missouri 64051;

and

KANSAS CITY BOARD OF ELECTION
COMMISSIONERS; SARAH (SALLY)
MILLER, SHARON TURNER BUIE, and
RALPH F. MUNYAN II, in their official
capacities as commissioners of the Kansas City

Case No.

Division:

Board of Election Commissioners; and SHAWN KIEFFER and LAURI EALOM, in their official capacities as directors of the Kansas City Board of Election Commissioners,

Serve: 4407 Dr. Martin Luther King Jr. Blvd.
Kansas City, Missouri 64130;

Defendants.

PETITION FOR INJUNCTIVE AND DECLARATORY RELIEF

Plaintiffs Terrence Wise, Ashley Ball, Aimee Riederer Gromowsky, Cynthia Wrehe, and Cynthia Kay Lakin hereby allege for this petition for injunctive and declaratory relief:

INTRODUCTION

1. At the demand of President Trump and contrary to the plain text of Missouri's Constitution and decades of precedent, Governor Kehoe recently called an Extraordinary Session of the Missouri Legislature to jam through an unconstitutional mid-decade redraw of the State's congressional districts with the goal of preventing Kansas City voters from electing their preferred candidate to Congress.

2. With no transparency and in a highly rushed process, the Legislature sprinted through hearings and enacted a new map in just a week and half's time.

3. While publicly acknowledging that the map was being redrawn to defeat Black Democratic Congressman Emmanuel Cleaver—the longtime representative of the Kansas City metropolitan area in Congress—Governor Kehoe nonsensically cited the obviously pretextual claim that there was some Voting Rights Act or Fourteenth Amendment violation with the 2022 map in his Proclamation calling the Extraordinary Session. This was never explained, left even the sponsor puzzled at the committee hearing when asked, and is inexplicable.

4. The map was pushed through in such a slapdash and rushed manner that the bill text double assigns one Kansas City precinct to two different congressional districts, creating a map that is malapportioned and/or noncontiguous.

5. But worse are the even more serious constitutional violations. Article III, Section 45 of Missouri's Constitution prohibits the Legislature from enacting more than one congressional redistricting plan per decade. Only after each decennial census may the Legislature redistrict. The Missouri Supreme Court has long held that "only one valid apportionment is intended for each decennial period. This must be true because the decennial census is made the basis of reapportionment." *Preisler v. Doherty*, 284 S.W.2d 427, 436-37 (Mo. banc 1955).

6. The same constitutional provision mandates that congressional districts be configured in a manner that is as compact as may be, which Missouri law defines as comprising closely united territory. The 2022 Map's configuration of CDs 4 and 5 complied with that requirement, but the 2025 Map's configuration assuredly does not. The Kansas City metropolitan area, which was once whole in a compact CD 5, is now splintered apart into meandering, misshapen districts that combine rural, suburban, and urban areas with little shared interests and vastly different representational needs. CDs 4 and 5 are nowhere near as compact as may be, as the 2022 Map's configuration—and other alternative configurations—plainly reveals.

7. The 2025 Map is unconstitutional in a host of ways and must be enjoined.

JURISDICTION AND VENUE

8. This Court has original subject matter jurisdiction over this action under §§ 478.220, 526.030, and 527.010 and Rules 87.01 and 92.01.¹

¹ Unless otherwise noted, all statutory citations are to Revised Statutes of Missouri (2016), as updated, and all Rule references are to Missouri Supreme Court Rules, as updated.

9. Venue is proper in this Court because several Defendants, including the Jackson County Board of Election Commissioners and the Kansas City Board of Election Commissioners, maintain offices in Jackson County, Missouri. § 508.010.2.

PARTIES

10. Plaintiff Terrence Wise is a resident of Kansas City. He resided in CD 5 under Missouri's 2022 Map and resides in Congressional District ("CD") 5 under Missouri's 2025 Map.

11. Plaintiff Ashley Ball is a resident of Kansas City. She resided in CD 5 under Missouri's 2022 Map and resides in CD 5 under Missouri's 2025 Map.

12. Plaintiff Aimee Riederer Gromowsky is a resident of Kansas City. She resided in CD 5 under Missouri's 2022 Map and resides in CD 4 under Missouri's 2025 Map.

13. Plaintiff Cynthia Wrehe is a resident of Lee's Summit. She resided in CD 5 under Missouri's 2022 Map and resides in CD 4 under Missouri's 2025 Map.

14. Plaintiff Cynthia Kay Lakin is a resident of Kansas City. She resided in CD 5 under Missouri's 2022 Map and resides in CD 6 under Missouri's 2025 Map.

15. Plaintiffs have standing to challenge the 2025 Map as voters who reside in districts that have been unlawfully altered.

16. Defendant State of Missouri enforces the State's congressional district boundaries.

17. Defendant Denny Hoskins is sued in his official capacity as the Missouri Secretary of State. As Secretary of State, Hoskins serves as the state's chief election officer. §§ 28.035, 115.136. His duties include, *inter alia*, managing elections, providing training to local election authorities (LEAs), accepting declarations of candidacy for congressional candidates, providing LEAs with certified lists of the candidates running for office in each district, convening the Board of State Canvassers to tally the results received from LEAs, and announcing the election outcomes

for federal and state office, including congressional elections. *See* Mo. Const. art. IV, § 18; §§ 115.353(1), 115.387, 115.401, 115.511.

18. LEAs are responsible for the administration of all local, state, and federal elections within their jurisdiction. §§ 115.023, 115.043.

19. Missouri has 116 LEAs; 110 are County Clerks and 6 are Boards of Election. §§ 115.015, 115.017, 115.021.

20. Defendant Jackson County Board of Election Commissioners (“JCEB”) is the body serving as the LEA for the jurisdiction that includes the areas of Jackson County outside of the municipality of Kansas City.² § 115.015. The JCEB is responsible for the administration of all elections in its jurisdiction, including congressional elections. §§ 115.023, 115.043. Its responsibilities include, *inter alia*, establishing precinct boundaries, designating polling places, identifying the persons eligible to vote in each precinct, processing voter registrations, appointing and directing poll workers, notifying the public of elections and candidates, printing and delivering ballots, and announcing the results of elections held within its jurisdiction. *See* §§ 115.113, 115.115, 115.079, 115.099, 115.127, 115.163, 115.247, 115.389, 115.393, 115.499. The JCEB must deliver to the Secretary of State the abstracts of the votes cast in its jurisdiction for federal and state office, including for representatives in Congress. § 115.507.

21. Defendant Michael K. Whitehead is sued in his official capacity as a commissioner and chairman of the JCEB. He is a proper defendant for his role in discharging the powers and duties of the JCEB. § 115.027.

² *See Who We Are*, Jackson County Board of Election Commissioners, <https://perma.cc/CY8S-F36U> (last visited Sept. 10, 2025).

22. Defendant Henry R. Carner is sued in his official capacity as a commissioner and secretary of the JCEB. He is a proper defendant for his role in discharging the powers and duties of the JCEB. § 115.027.

23. Defendant Colleen M. Scott is sued in her official capacity as a commissioner of the JCEB. She is a proper defendant for her role in discharging the powers and duties of the JCEB. § 115.027.

24. Defendant Lyle K. Querry is sued in his official capacity as a commissioner of the JCEB. He is a proper defendant for his role in discharging the powers and duties of the JCEB. § 115.027.

25. Defendant Tammy Brown is sued in her official capacity as a director of the JCEB. She is a proper defendant for her role in discharging the powers and duties of the JCEB. § 115.045.

26. Defendant Sara Zorich is sued in her official capacity as a director of the JCEB. She is a proper defendant for her role in discharging the powers and duties of the JCEB. § 115.045.

27. Defendant Kansas City Board of Election Commissioners (“KCEB”) is the body serving as the LEA for the jurisdiction that includes the municipality of Kansas City.³ § 115.015. The KCEB is responsible for the administration of all elections in municipality of Kansas City, including congressional elections. §§ 115.023, 115.043. Its responsibilities include, *inter alia*, establishing precinct boundaries, designating polling places, identifying the persons eligible to vote in each precinct, processing voter registrations, appointing and directing poll workers, notifying the public of elections and candidates, printing and delivering ballots, and announcing the results of elections held within its jurisdiction. *See* §§ 115.113, 115.115, 115.079, 115.099, 115.127, 115.163, 115.247, 115.389, 115.393, 115.499. The KCEB must deliver to the Secretary

³ *See FAQ*, Kansas City Board of Election Commissioners, <https://perma.cc/K2PU-S2Q7> (last visited Sept. 10, 2025).

of State the abstracts of the votes cast in its jurisdiction for federal and state office, including for representatives in Congress. § 115.507.

28. Defendant Sarah (Sally) Miller is sued in her official capacity as a commissioner and chair of the KCEB. She is a proper defendant for her role in discharging the powers and duties of the KCEB. § 115.027.

29. Defendant Sharon Turner Buie is sued in her official capacity as a commissioner and secretary of the KCEB. She is a proper defendant for her role in discharging the powers and duties of the KCEB. § 115.027.

30. Defendant Ralph F. Munyan II is sued in his official capacity as a commissioner of the KCEB. He is a proper defendant for his role in discharging the powers and duties of the KCEB. § 115.027.

31. Defendant Shawn Kieffer is sued in his official capacity as a director of the KCEB. He is a proper defendant for his role in discharging the powers and duties of the KCEB. § 115.045.

32. Defendant Lauri Ealom is sued in her official capacity as a director of the KCEB. She is a proper defendant for her role in discharging the powers and duties of the KCEB. § 115.045.

LEGAL BACKGROUND

33. Article III, § 45 of the Missouri Constitution, entitled “Congressional apportionment,” governs congressional redistricting and provides that “[w]hen the number of representatives to which the state is entitled in the House of Congress of the United States under . . . each census . . . is certified to the governor, the general assembly shall by law divide the state into districts corresponding with the number of representatives to which it is entitled, which districts shall be composed of contiguous territory as compact and nearly equal in population as may be.”

34. Article III, § 45 authorizes congressional redistricting “[w]hen the number of representatives to which the state is entitled . . . under . . . each census . . . is certified to the governor.” That allocation of congressional representatives among the various states is a process known as apportionment, which occurs every ten years under the Enumeration Clause of the U.S. Constitution and under the Census Act, U.S. Const. art. I, § 2, cl. 3; 13 U.S.C. § 141(a)-(c).

35. The Missouri Constitution does not authorize the redrawing of congressional districts in any other circumstance or at any other time. Article III, § 10 of the Missouri Constitution authorizes redistricting of senate and house districts for the *state* legislature “as public convenience may require.” No such authority exists to redistrict the lines used to elect representatives to the Congress.

36. As the Missouri Supreme Court has explained, Article III, § 45 is “triggered” when U.S. Census results reveal how many congressional seats to which the state is entitled. *Pearson v. Koster*, 359 S.W.3d 35, 37-38 (Mo. banc 2012) (“*Pearson I*”). Once the General Assembly has drawn new congressional districts upon those census results, having been certified to the Governor, those districts “take effect for the [next] election and remain in place for the next decade or until a Census shows that the districts should change.” *Id.*

37. That last redistricting process based upon such census results was completed on May 18, 2022, when Missouri enacted new congressional districts following the 2020 Census and apportionment.⁴

38. The next apportionment process will not occur until after the 2030 Census. Even if another census is taken prior to 2030, i.e., a mid-decade census, the results may not be used for apportionment—only the regular decennial census may serve that purpose. 13 U.S.C. § 141(e)(2).

⁴ H.B. 2909, 101st Gen. Assemb., 2nd Reg. Sess. (Mo. 2022), <https://house.mo.gov/bill.aspx?bill=HB2909&year=2022&code=R>.

39. Article III, § 45 first took effect more than seventy years ago, as of the 1950 Census. *See* Mo. Const. art. III, § 45 (“When the number of representatives to which the state is entitled in the House of the Congress of the United States under the census of 1950 and each census thereafter is certified to the governor . . .”).

40. During that time, Missouri has conducted congressional redistricting only once every decade, in response to the decennial census and apportionment. *See Pearson v. Koster*, 367 S.W.3d 36, 57 (Mo. banc 2012) (“*Pearson II*”) (Appendix A containing congressional maps from 1921 through 2012).

41. Article III, § 45 also mandates that districts be “as compact . . . as may be.”

42. The compactness requirement applies to “each district,” and the compactness of the map as a whole is less relevant. *Pearson II*, 367 S.W.3d at 54 n.16, 55.

43. The Missouri Supreme Court has held that this compactness requirement means “closely united territory” and that it “does not refer solely to physical shape or size,” though those considerations are “relevant.” *Pearson II*, 367 S.W.3d at 48-49. According to a treatise relied upon by the Court in *Pearson II*, compactness and “closely united territory” may also refer to whether the electoral district is “conducive to communication and interaction among representatives and constituents.” *See id.*; Kurtis A. Kempter, Annotation, *Application of Constitutional “Compactness Requirement” to Redistricting*, 114 A.L.R.5th 311, Part II, § 3[b] (2003).

44. The Court explained that the provision’s “‘as may be’ standard also recognizes that there are other recognized factors that affect the ability to draw district boundaries with closely united territory.” *Id.* at 49.

45. These “recognized factors” include the provision’s mandatory requirements of “contiguous territory and population equality,” as well as compliance with federal law, including the Voting Rights Act. *Id.*

46. The “compact . . . as may be” standard “implicitly permits consideration” of certain other recognized factors: “population density; natural boundary lines; the boundaries of political subdivisions, including counties, municipalities, and precincts; and the historical boundary lines of prior redistricting maps.” *Id.* at 50.

47. As the Court explained, “[c]onsideration of historical district boundaries allows residents of a district to continue any relationships such residents may have established with their elected representatives and to avoid the detriment to residents of having to reestablish relationships when district boundaries change.” *Id.* at 50 n.12.

48. The Court likewise explained that “to recognize that ‘districting, without any regard for political subdivision or natural or historical boundary lines, may be little more than an open invitation to partisan gerrymandering.’” *Id.* at 50 (quoting *Preisler v. Kirkpatrick*, 528 S.W.2d 422, 425 (Mo. banc. 1975)).

49. Consideration of the non-mandatory, recognized factors may justify “minimal and practical deviations” from compactness, but the state is not free to “disregard” that constitutional requirement. *Id.* at 51; *see also State ex rel. Barrett v. Hitchcock*, 146 S.W. 40, 53 (Mo. 1912) (describing the state as having “a limited degree of discretion” on compactness in the drawing of state legislative districts).

50. The “as may be” standard does not permit deviation from Article III, § 45’s contiguity, equal population, or compactness mandates for partisan or political reasons. The Missouri Supreme Court has long understood that the purpose of those requirements is “to guard,

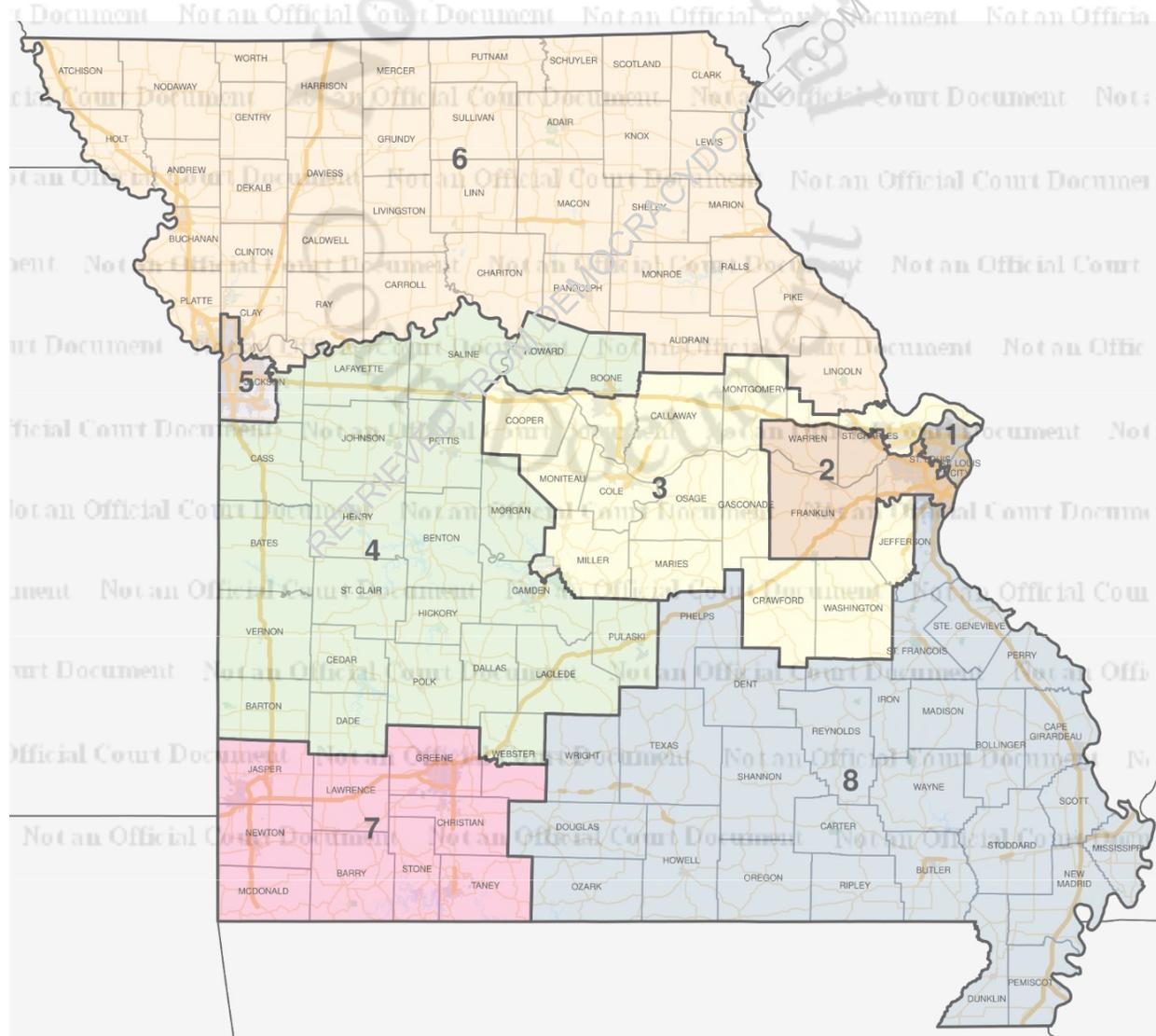
as far as practicable . . . against a legislative evil, commonly known as the gerrymander.” *Preisler*, 284 S.W.2d at 435 (citing *Hitchcock*, 146 S.W. at 61, 65) (quotation marks omitted).

FACTUAL ALLEGATIONS

Missouri’s 2022 Congressional Map

51. In 2022, the Missouri General Assembly enacted a redistricting map (the “2022 Map”) to reconfigure Missouri’s eight congressional districts to balance population in light of the 2020 Census.

52. The 2022 Map, which has been used in all 2022 and 2024 elections, is shown below.



55. The 2022 Map's configuration of CD 5 respects the area's communities of interest, specifically the commonalities that urban and suburban residents of the Kansas City metropolitan area share.

56. The greater Kansas City communities united in CD 5 share, for instance, a more multicultural, metropolitan character than the surrounding rural communities in CDs 4 and 6.

57. The communities united in CD 5 also share many of the concerns unique to a metropolitan center, which distinguish them from the rural and small-town populations surrounding them.

58. For example, residents of CD 5 share in an urban/suburban economy characterized by relatively higher levels of employment in the service sector, finance, healthcare, technology, and government.

59. CD 5 residents also share economic concerns distinct to the district's geography, including the location of professional sports team facilities and the associated economic impact, urban development (including walkable neighborhoods within busy city centers), and the availability of public transportation (including existing and ongoing streetcar construction and access).

60. In addition, residents of CD 5 are more likely to rent their homes than residents of surrounding rural districts. They face shared concerns over the availability of affordable housing due to rising rents, rising demand, and lagging supply.

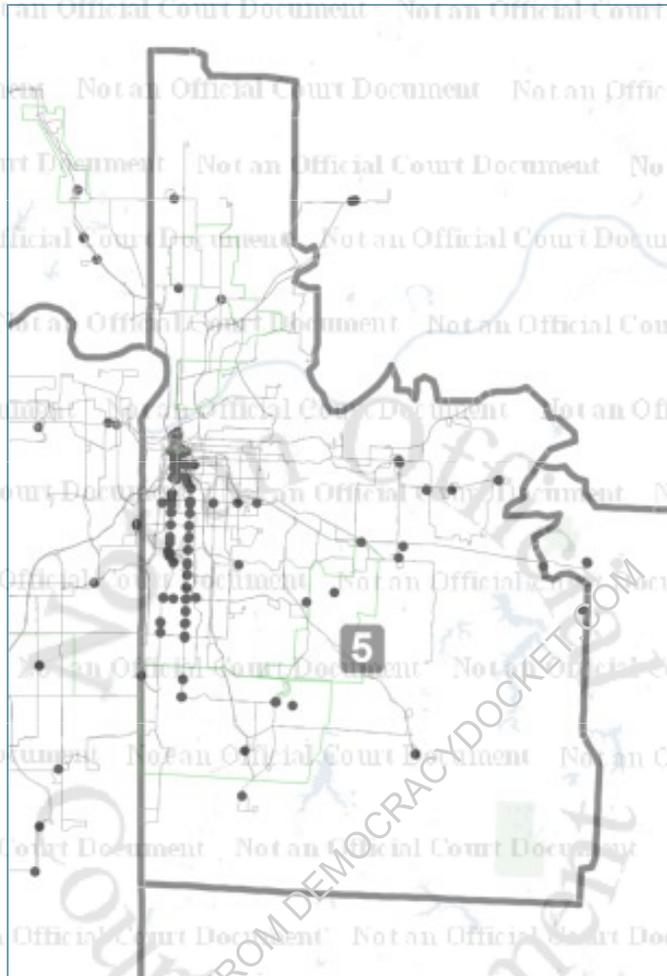
61. CD 5 communities also confront longstanding concerns over residential segregation, racial disparities in rent prices and home values, and the continuing effects of white flight to immediately surrounding suburbs.

62. These concerns are exemplified by the Troost Avenue Divide, which has long served as an historic dividing line between Kansas City's Black and white communities due to racist redlining, racial covenants, targeted disinvestment, and other government-supported efforts.

63. The school systems serving CD 5 residents are marked by similar disparities in educational access, resources, and outcomes. Addressing these disparities remains a central concern shared across the communities within CD 5.

64. By keeping the closely united communities of the Kansas City metropolitan area together in CD 5, the 2022 Map ensures that these persistent divides can be addressed through coherent representation in Congress, rather than diluted across districts that do not share in these challenges.

65. The Kansas City metropolitan communities are also closely united by a shared public transit system coordinated by the Kansas City Regional Transit Authority, or RideKC. As shown below, the RideKC Service Map falls almost exclusively within the boundaries of CD 5, underscoring its closely united territory and the shared interest of its urban/suburban voters in access to reliable public transportation.

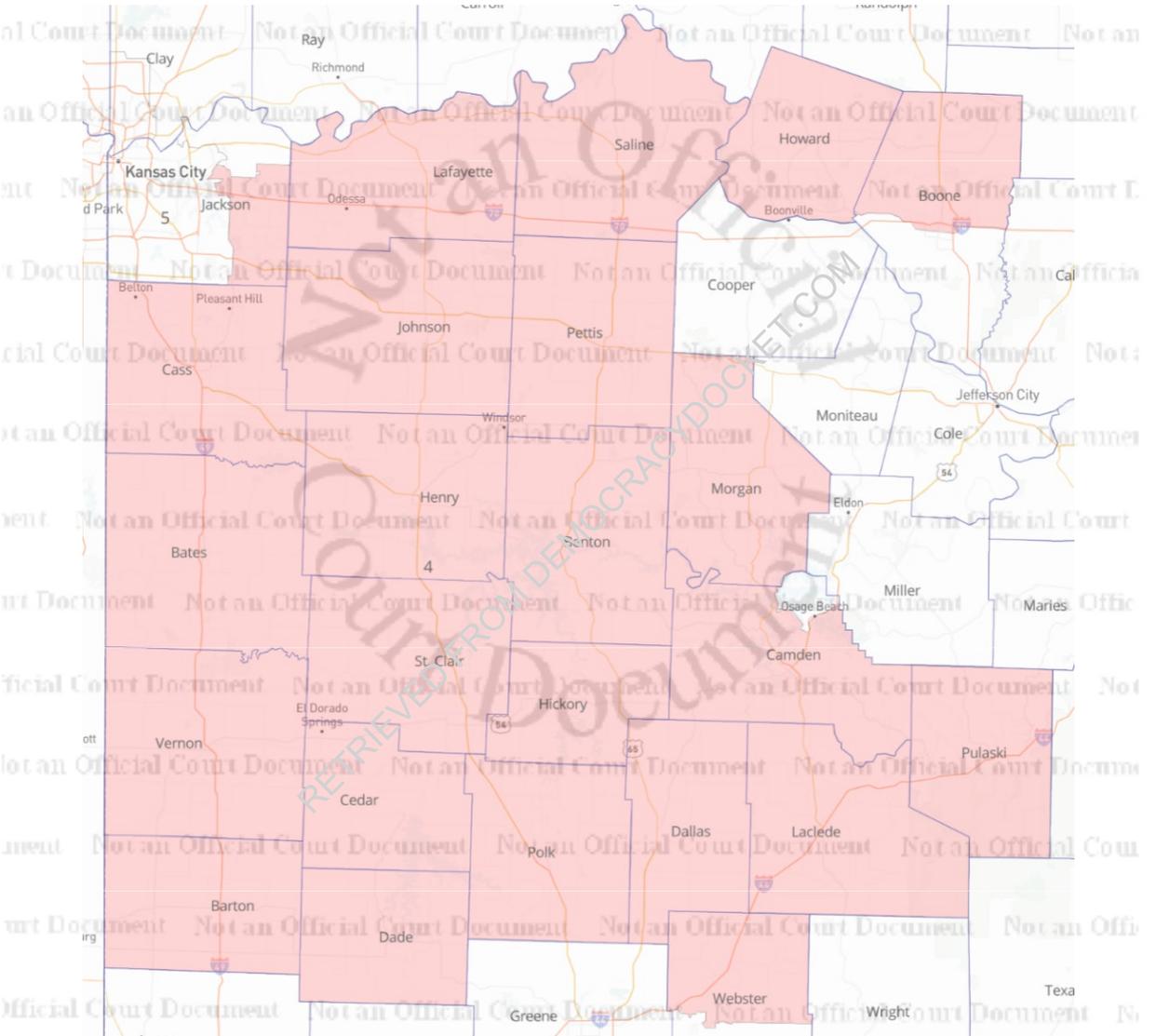


66. In addition to closely uniting both the urban and suburban territory of the Kansas City metropolitan area, CD 5 is highly compact in both its size and shape. Consistent with Missouri's population density, CD 5 (like St. Louis-based CD 1) is small in size.

67. The 2022 Map's configuration of neighboring CD 4 is also compact, joining together closely united rural territory in west central Missouri. It includes exurban communities in the eastern part of Jackson County just beyond the metropolitan area, such as Grain Valley, Oak Grove, Lone Jack, and parts of Blue Springs. Much of the district encompasses the small rural towns of west central Missouri along the Missouri River and within the Osage River watershed, including the whole counties of Lafayette, Saline, Howard, Cass, Johnson, Pettis, Bates, Henry,

Benton, Morgan, Vernon, St. Clair, Hickory, Barton, Dade, Polk, Dallas, Laclede, and Pulaski, and portions of Boone, Camden, and Webster counties.

68. A close-up image of CD 4 with street details and county lines and labels is shown below.



69. The 2022 Map's configuration of CD 4 respects the communities of interest of west-central Missouri and the many commonalities and representational concerns that its rural and exurban residents share.

70. For example, rural residents of CD 4 operate in a rural economy centered on farming, agriculture, ranching, manufacturing plants, and small businesses (often locally owned). They also share concerns related to maintaining these industries and keeping small-town economies alive.

71. Rural communities in west-central Missouri likewise share an interest in maintaining and expanding rural infrastructure, including roads, bridges, food access (including farm-to-market connectivity), and broadband access.

72. Funding to ensure access to health services and hospital care is also a common concern among these rural communities.

73. Consistent with Missouri's rural population density patterns, CD 4 covers a relatively larger geographic area than the more metropolitan CDs 1 and 5. This geographic size is necessary to satisfy the constitutional requirement that districts be drawn with equal population. Even with that need, CD 4 follows county and natural boundaries, and the district as configured in 2022 was both reasonable in form and as compact as may be.

74. Missouri's 2022 congressional map was used to elect the state's congressional delegation in the 2022 and 2024 elections.

75. In 2022 and 2024, CD 5 voters reelected incumbent Democratic Rep. Emanuel Cleaver to represent their district.

76. Rep. Cleaver has represented CD 5 since he was first elected to Congress in 2004.

77. Rep. Cleaver served as the first Black mayor of Kansas City from 1991 to 1999 and served as a Kansas City councilman from 1979 to 1991.

78. In 2022, CD 4 voters elected Republican Rep. Mark Alford; they reelected him to represent their district in 2024.

79. Rep. Alford served as a local TV news anchor before running for Congress for the first time in 2022.

80. In both 2022 and 2024, Republican candidates prevailed in six of the eight congressional districts (CDs 2, 3, 4, 6, 7, and 8), while Democratic candidates prevailed in CDs 1 and 5.

81. Under the 2022 Map, in other words, Republican candidates have consistently won 75% of the state's eight congressional seats while Democratic candidates have won 25% of the seats.

82. Under the 2022 Map, Republicans have won more congressional seats than their share of the statewide voting population, as determined by statewide election results.

83. In 2020, for example, the Republican presidential candidate received 58% of Missouri's two-party vote share, compared to 42% for the Democratic candidate.

84. It was the same in 2024: the Republican presidential candidate received 59% of the state's two-party vote share, compared to 41% for the Democratic candidate.

85. The 2022 Map has thus enabled the Republican Party to secure a disproportionate share of Missouri's congressional seats.

86. The 2022 Map nonetheless passed the Missouri General Assembly with bipartisan support.

87. Republican State House Representative Dan Shaul, chair of the House redistricting committee, said of the 2022 Map, "I think it's the right thing to do. It [is] a map that I think accurately reflects the state of Missouri and the districts."⁵

⁵ Jason Rosenbaum, *Missouri GOP congressional redistricting plan bolsters Wagner and spares Cleaver*, St. Louis Public Radio (Dec. 30, 2021), <https://perma.cc/XDH3-YVHL>.

88. Republican State Senator Mike Bernskoetter, chair of the Senate committee on congressional redistricting, said in a statement that the 2022 Map “is a fair and constitutional map with common-sense boundaries that everyday Missourians can recognize.”⁶

Missouri’s Unprecedented 2025 Mid-Decade Redistricting

89. In late July 2025, President Trump and his staff began pressuring Missouri lawmakers to enact a new congressional district map to dismantle CD 5, aiming to defeat Rep. Cleaver and guarantee another Republican congressional seat in the 2026 midterm election.⁷

90. Given how unusual it would be to conduct a mid-decade redistricting for the purpose of partisan gerrymandering, some lawmakers were initially reluctant.

91. For instance, when asked in late July whether he would support such an effort, House Speaker Pro Tem Chad Perkins stated to the press: “We do redistricting every 10 years. We’ve already done that. To do it again would be out of character with the way Missouri operates.”⁸ He further averred: “I don’t like gerrymandering lines. I like things to be clear concise and compact.”⁹ Senate President Pro Tem Cindy O’Laughlin reportedly responded with a horror emoji.¹⁰

92. The Trump administration responded to this reluctance in Missouri by ratcheting up the pressure. Speaker Pro Tem Perkins soon received a call from a White House staffer who told him that a mid-decade redistricting effort “was important to President Donald Trump” and that the White House “would be calling every GOP member of the Missouri House delegation as

⁶ *Id.*

⁷ Rudi Keller, *Trump White House pressing Missouri Republicans to redraw congressional map*, Missouri Independent (July 25, 2025), <https://missouriindependent.com/2025/07/25/trump-white-house-pressing-missouri-republicans-to-redraw-congressional-map/>.

⁸ *Id.*

⁹ *Id.*

¹⁰ Rudi Keller, *‘We’ve already done that’: Missouri lawmakers show little enthusiasm for new congressional map*, Missouri Independent (July 24, 2025), <https://missouriindependent.com/2025/07/24/weve-already-done-that-missouri-lawmakers-show-little-enthusiasm-for-new-congressional-maps/>.

well as Gov. Mike Kehoe to push the project forward.”¹¹ After a meeting with the White House, U.S. Rep. Bob Onder of Missouri’s CD 3 confirmed: “The president’s team is serious about it.”¹²

93. Shortly thereafter, by August 2, 2025, Senate President Pro Tem O’Laughlin admitted that it was “likely” that the Governor would call a legislative special session to enact the gerrymander demanded by President Trump, though she had not seen any specific map proposals.¹³

94. On August 5, 2025, Governor Kehoe said: “We want to keep the House in Republican control. We’ll work with our leadership group and see if there’s a path or something that makes sense for Missourians.” The Governor confirmed that he’d “spoken with the Trump administration and with members of Congress” about the issue.¹⁴

95. On August 21, 2025, President Trump declared in a Truth Social post that Missouri “is IN” for redrawing the state’s congressional districts. He explained the effort’s goal: “We’re going to win the Midterms in Missouri again, bigger and better than ever before!”¹⁵

96. On August 22, 2025, Jennifer Bukowsky, vice chair of the Missouri Republican State Committee, indicated that the Trump administration and the Republican National Committee had come to an agreement in Washington, D.C. on how to redraw Missouri’s congressional districts. But she admitted that she had not been provided a copy of the map, stating: “I’ve tried to get a hold of the map that I’ve heard about. I guess I’m not important enough to be consulted.”¹⁶

¹¹ Keller, *supra* note 7.

¹² Keller, *supra* note 10.

¹³ Rudi Keller, *Missouri Senate leader says special session is ‘likely’ to redraw congressional map*, Missouri Independent (Aug. 2, 2025), <https://missouriindependent.com/2025/08/02/missouri-senate-leader-says-special-session-is-likely-to-redraw-congressional-map/>.

¹⁴ Kacen Bayless, *Missouri Gov. Mike Kehoe says he’ll ‘see if there’s a path’ to gerrymander KC*, The Kansas City Star (Aug. 5, 2025), <https://perma.cc/E5ML-UQX7>.

¹⁵ Donald J. Trump (@realDonaldTrump), Truth Social (Aug. 21, 2025), <https://truthsocial.com/@realDonaldTrump/posts/115066304815869662>.

¹⁶ Rudi Keller, *Missouri GOP leader says redistricting effort starts with congressional map drawn in D.C.*, Springfield News-Leader (Aug. 22, 2025), <https://perma.cc/J6AJ-NZXB>.

97. On August 29, 2025, Governor Kehoe issued a Proclamation calling a special session of the General Assembly to “establish new congressional districts.”¹⁷

98. The Proclamation states only one purported rationale for redrawing the state’s congressional districts—that the “current congressional district map may be vulnerable to a legal challenge under the Voting Rights Act and the Fourteenth Amendment, due to a lack of compactness in certain districts.”

99. Alongside the Proclamation, the Governor unveiled a congressional map he labeled the “Missouri First Map.”

100. An accompanying press release insists that the Missouri First map “was drawn and created by [the Governor’s] team in Missouri.”¹⁸

101. In a video announcement posted on X, the Governor stated: “I appreciate President Donald Trump for raising the level of conversation on this matter because his leadership on this nationally underscores just how important this moment is for Missouri.”¹⁹

102. President Trump responded by urging Missouri lawmakers to enact the Governor’s proposed map, stating on Truth Social: “Our Party has never been more UNITED, and we are getting so much done for the American people because of it, and, therefore, I call on all of my Republican friends in the Missouri Legislature to work as fast as they can to get this new Congressional map, AS IS, to Governor Mike Kehoe’s desk, ASAP. THANK YOU MISSOURI – MAKE AMERICA GREAT AGAIN!”²⁰

¹⁷ Proclamation, Governor Mark Kehoe (Aug. 29, 2025), <https://perma.cc/327P-LK3A>. The Proclamation also called for “amend[ing] the state’s initiative petition process” in various ways, making it more difficult for voters to amend the state’s constitution.

¹⁸ *Governor Kehoe Announces Special Session on Congressional Redistricting and Initiative Petition Reform*, Governor Mike Kehoe (Aug. 29, 2025), <https://perma.cc/C7ZN-MGJC>.

¹⁹ Governor Mike Kehoe (@GovMikeKehoe), X (Aug. 29, 2025), <https://x.com/GovMikeKehoe/status/1961538399229075941>.

²⁰ Donald J. Trump (@realDonaldTrump), Truth Social (Aug. 29, 2025) <https://truthsocial.com/@realDonaldTrump/posts/115114270276925608>.

103. In an August 30, 2025 follow-up post on X, the Governor thanked the President for his Truth Social message and paired it with an image of his proposed congressional map showing CD 5 and six other districts shaded red and only CD 1 shaded blue, revealing a clear intention to dismantle Rep. Cleaver's district and secure Republicans an additional seat in Missouri's delegation. The X post is displayed below.²¹

X Post

Governor Mike Kehoe @GovMikeKehoe

Thank you, @POTUS.

Missouri's conservative, common-sense values should be truly represented at all levels of government, and the Missouri First Map delivers just that.

Rapid Response 47 @RapidResponse47 · Aug 29

Donald J. Trump @realDonaldTrump

GREAT Governor Mike Kehoe, of the Wonderful State of Missouri, which I love and won SIX times, including with 1.8 Million Votes in 2024 (by far the most votes in History!), just called a very Special Session to begin passage of a new, much fairer, and much improved, Congressional Map, that will give the incredible people of Missouri the tremendous opportunity to elect an additional MAGA Republican in the 2026 Midterm Elections. A HUGE VICTORY for our America First Agenda, not just in the "Show-Me State," but across our Nation. Remember, I won the 2024 Presidential Election in a landslide, won ALL SEVEN SWING STATES, THE POPULAR VOTE, AND ALL FIFTY STATES SHIFTED REPUBLICAN, a record, and now I have the best polling numbers I've ever had. Our Party has never been more UNITED, and we are getting so much done for the American People because of it, and, therefore, I call on all of my Republican friends in the Missouri Legislature to work as fast as they can to get this new Congressional Map, AS IS, to Governor Mike Kehoe's desk, ASAP. THANK YOU MISSOURI - MAKE AMERICA GREAT AGAIN!

11:58 AM · Aug 30, 2025 · 31.5K Views

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²¹ Rep. Mark Alford (@RepMarkAlford), X (Aug. 30, 2025) <https://perma.cc/YB26-XXMX>.

104. Also on August 30, 2025, Rep. Alford of CD 4 posted on X: “We have said from the outset this effort is between the White House, Governor Kehoe, and the state legislature.”

105. On September 3, 2025, Rep. Dirk Deaton introduced the Missouri First Map as H.B. 1.

106. On September 4, 2025, the House Special Committee on Redistricting held a public hearing on H.B. 1 and advanced the map out of committee by a majority vote.

107. On September 5, 2025, the House Rules Committee held a public hearing on H.B. 1 and advanced the map out of committee by a majority vote.

108. H.B. 1 was introduced on the House floor on September 8, 2025.

109. During the floor debate, multiple members raised concerns about the lack of compactness in the proposed map, particularly with regard to the newly redrawn CD 5. Additionally, multiple members raised concerns about how the new map split Kansas City across three different congressional districts.

110. Following the debate, the House passed H.B. 1 on September 9, 2025.

111. On September 11, 2025, the Senate Local Government, Elections, and Pensions Committee held a public hearing on H.B. 1 and advanced the map out of committee by a majority vote.

112. H.B. 1 was introduced and passed on the Senate floor on September 12, 2025.

Missouri’s 2025 Congressional Map(s)

113. At no point before or during the legislative session did any member of the General Assembly release the new congressional map enacted via H.B. 1 (the “2025 Map”) in an electronic geographic format that would enable public inspection of the map and its underlying data.

114. All the General Assembly made available to the public was a PDF image of the 2025 Map and the text of H.B. 1 itself.

115. The text of H.B. 1 identifies the voting tabulation districts (“VTDs”) assigned to each district and if a VTD is split between two districts, the census blocks from that VTD assigned to each district.

116. VTDs typically correspond to a state’s precincts, the smallest geographic unit states create for the purpose of administering elections. Census blocks are the smallest geography at which decennial census population data is reported.

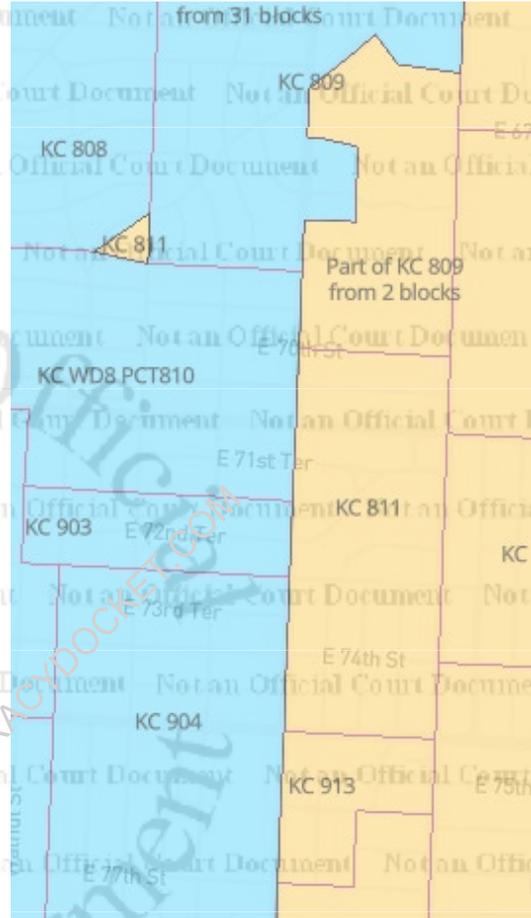
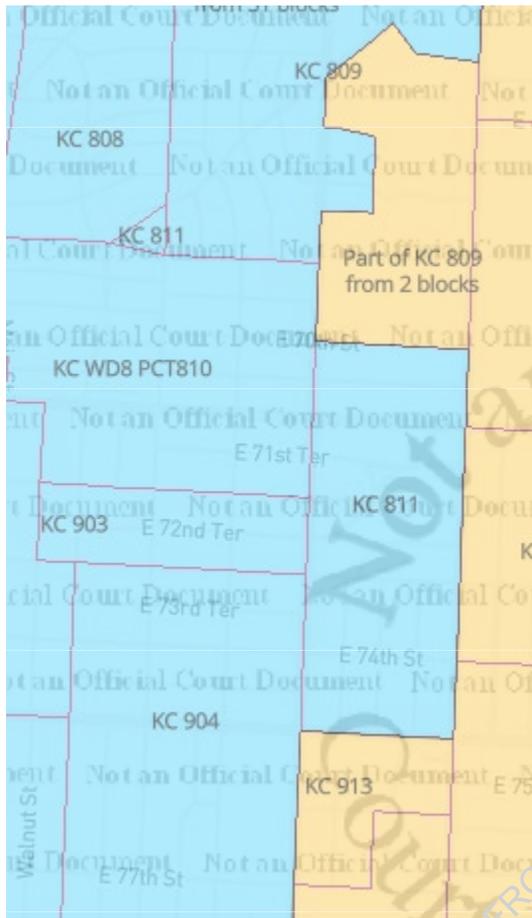
117. For a statute to fully and unambiguously set out the boundaries of a state’s congressional districts, it must assign every VTD (or block) in the state to a congressional district, and no VTD (or block) can be assigned to more than one congressional district.

118. In its rush to quickly enact the 2025 Map, the Legislature assigned one VTD—Kansas City VTD 811—to both CDs 4 and 5. VTD 811 (population 875) is a noncontiguous VTD, meaning that it encompasses two separated territories in Kansas City. As shown in the maps below, VTD 811 consists of a rectangular area to the east (population 843) and a smaller triangular area to the west (population 32) that is completely disconnected from the rest of the VTD. If the Legislature meant to split the VTD and assign its noncontiguous parts to different districts, it did not specify as much.

119. The text of H.B. 1 therefore enacts *both* of the below maps:

VTD Kansas City 811 Assigned to CD 4

VTD Kansas City Assigned to CD 5



120. What the text of H.B. 1 clearly does *not* enact is a map that splits Kansas City VTD 811 between CD's 4 and 5, as that would require specifying the Census Blocks of each to be allocated to either district.

121. Instead, Defendants KCEB and its officials are unconstitutionally tasked with assigning Kansas City VTD 811 to two different congressional districts under H.B. 1.

122. As a result, H.B. 1 effectively grants each resident of VTD 811 *two* votes in congressional elections, as each person would be able to participate in elections occurring in both CD 4 and CD 5.

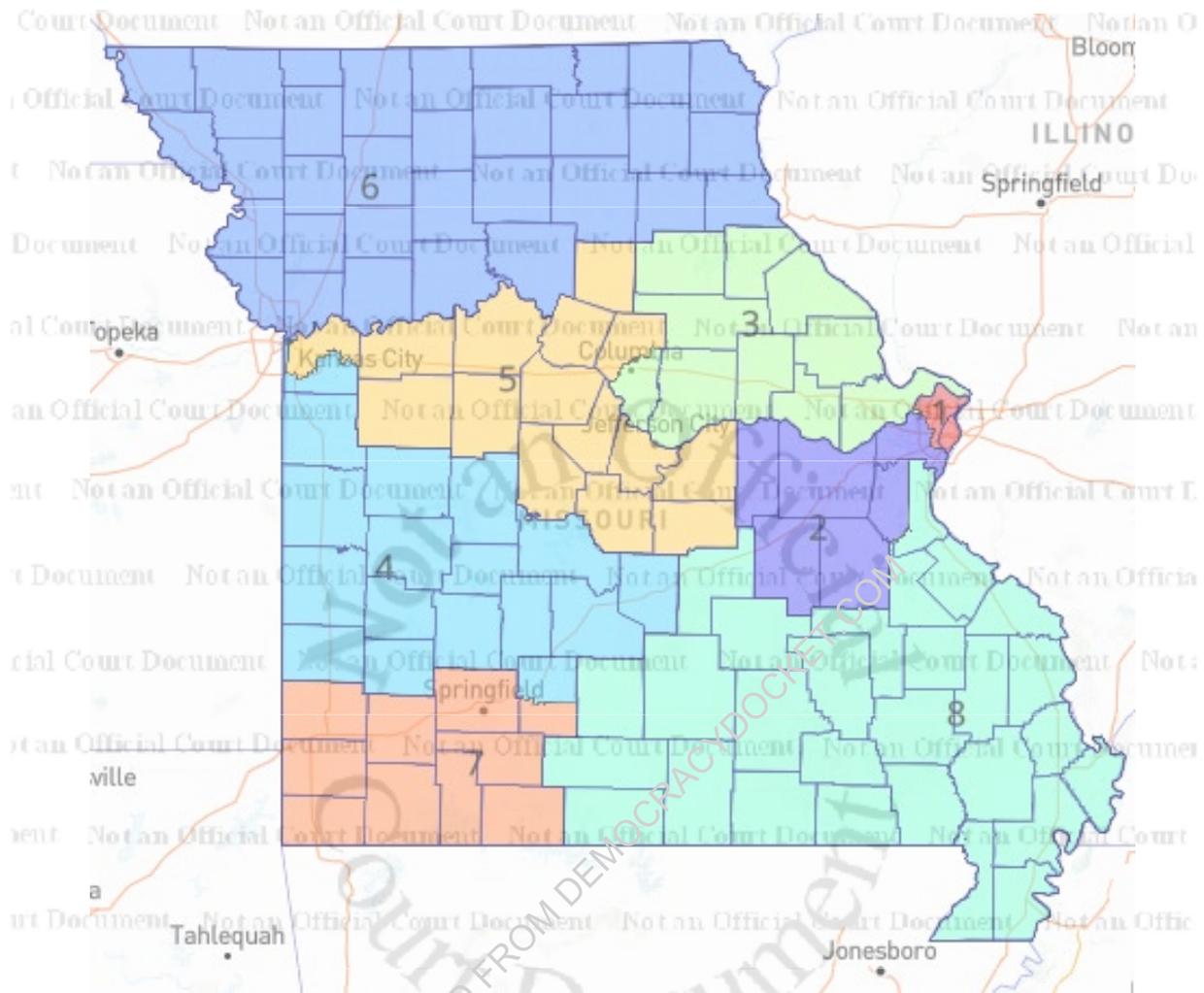
123. Under either version of the map enacted by H.B. 1, CDs 4 and 5 are consequently malapportioned. In the version in which VTD 811 is assigned to CD 4, CD 4 has 843 more people than ideal, and CD 5 has 843 fewer people than ideal. In the version in which VTD 811 is assigned to CD 5, CD 5 has 32 people too many, and CD 4 has 32 people too few. In addition, CD 5 in this version is noncontiguous.

124. Undoubtedly, the Legislature meant to split this VTD between CDs 4 and 5. But the text of H.B. 1 does not accomplish that. And it is no surprise that the slapdash process in which the Legislature engaged—ramming through the Bill, failing to publicly release an electronic GIS file that legislators, staff, and the public could view and vet, and instead only releasing the district assignments in PDF to obscure the map from any transparency—resulted in the most basic of errors. Missouri’s law now assigns 875 Kansas City residents of VTD 811 to two different congressional districts.

125. Even if this basic infirmity is set aside and one assumes the map in fact split this precinct and thus properly populated the map with contiguous districts, the 2025 Map²² is seriously flawed.

126. The 2025 Map alters six of Missouri’s eight congressional districts, concentrating its most sweeping changes in the Kansas City area by substantially reconfiguring CD 4 and dismantling the prior configuration of CD 5. The 2025 Map is shown below.

²² Plaintiffs refer herein to the 2025 Map as if H.B. 1 had not double-assigned Kansas City VTD 811 and instead split it, as may have been the intent.



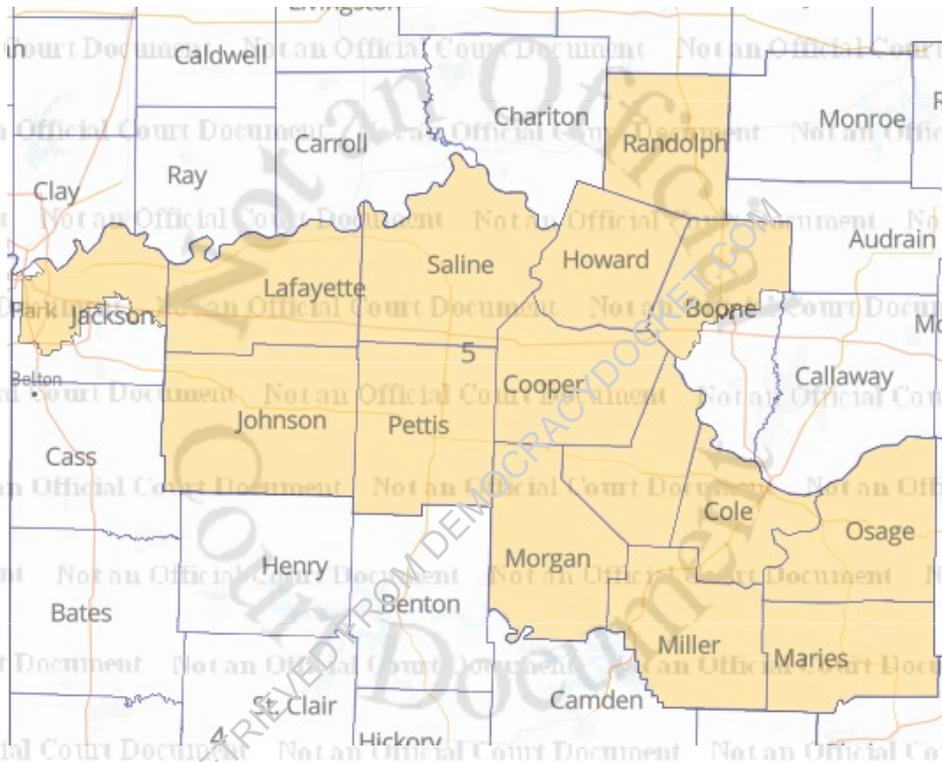
127. The 2025 Map no longer unites most of the Kansas City metropolitan area in CD 5. Instead, it splits up the Kansas City metropolitan area among the new CDs 4, 5, and 6, with each district's fragment of the city paired with far-flung rural areas of the state.

128. The 2025 Map distorts the existing CD 5, turning it from a small, regularly shaped district in the 2022 Map into a long, meandering district that spans hundreds of miles from Kansas City to Columbia and beyond Jefferson City. Only a tiny portion of Kansas City remains in CD 5.

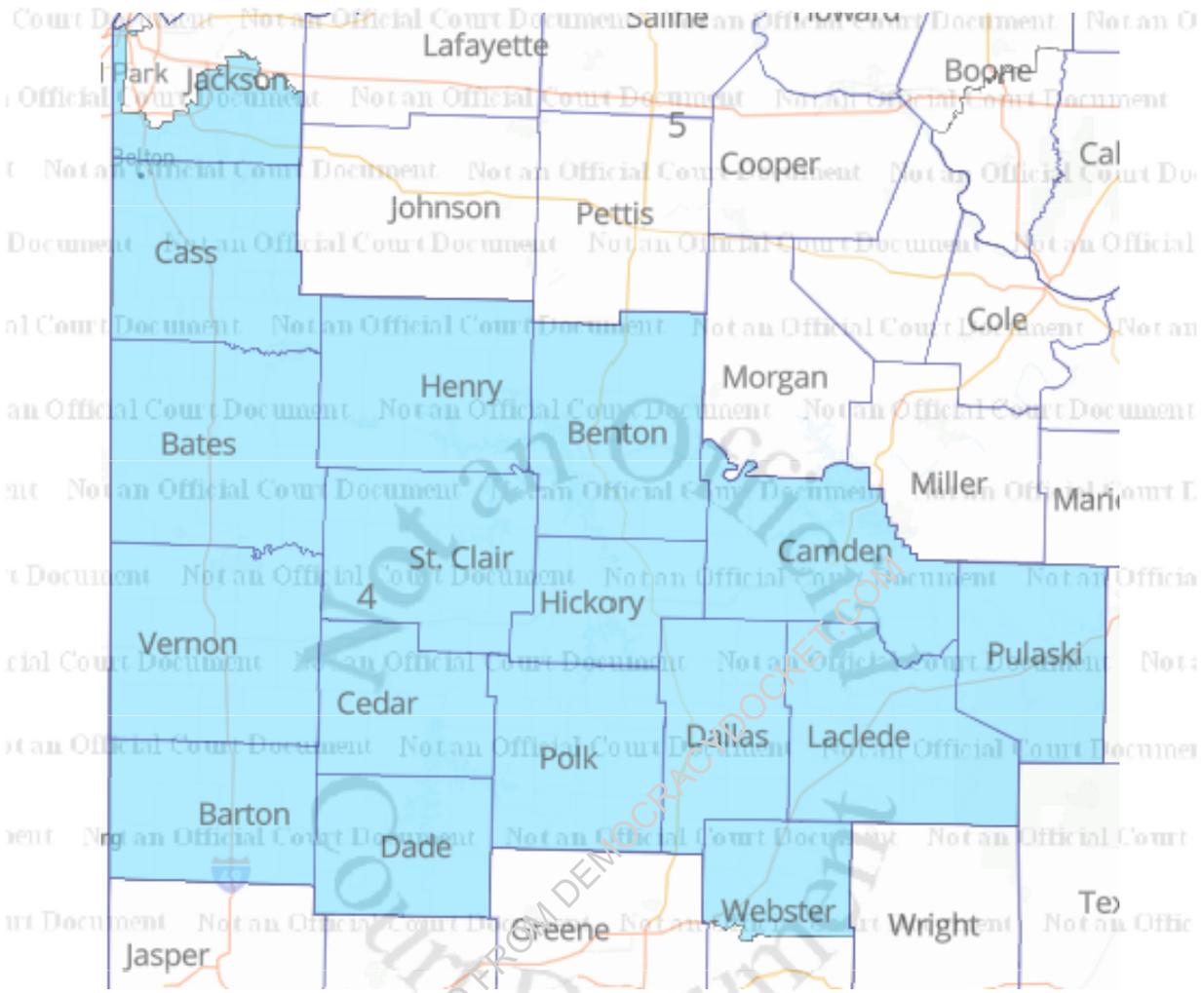
129. The new CD 5 instead absorbs small exurban towns in Jackson County and substantial rural territory previously in CD 4, including the whole counties of Lafayette, Saline, Howard, Johnson, Pettis, and Morgan, and part of Boone County. The new CD 5 likewise lumps

in substantial central Missouri rural territory previously in CD 3, including all of Cooper, Montieau, Cole, Osage, and Maries Counties. And the new CD 5 tacks on Randolph County (previously in CD 6).

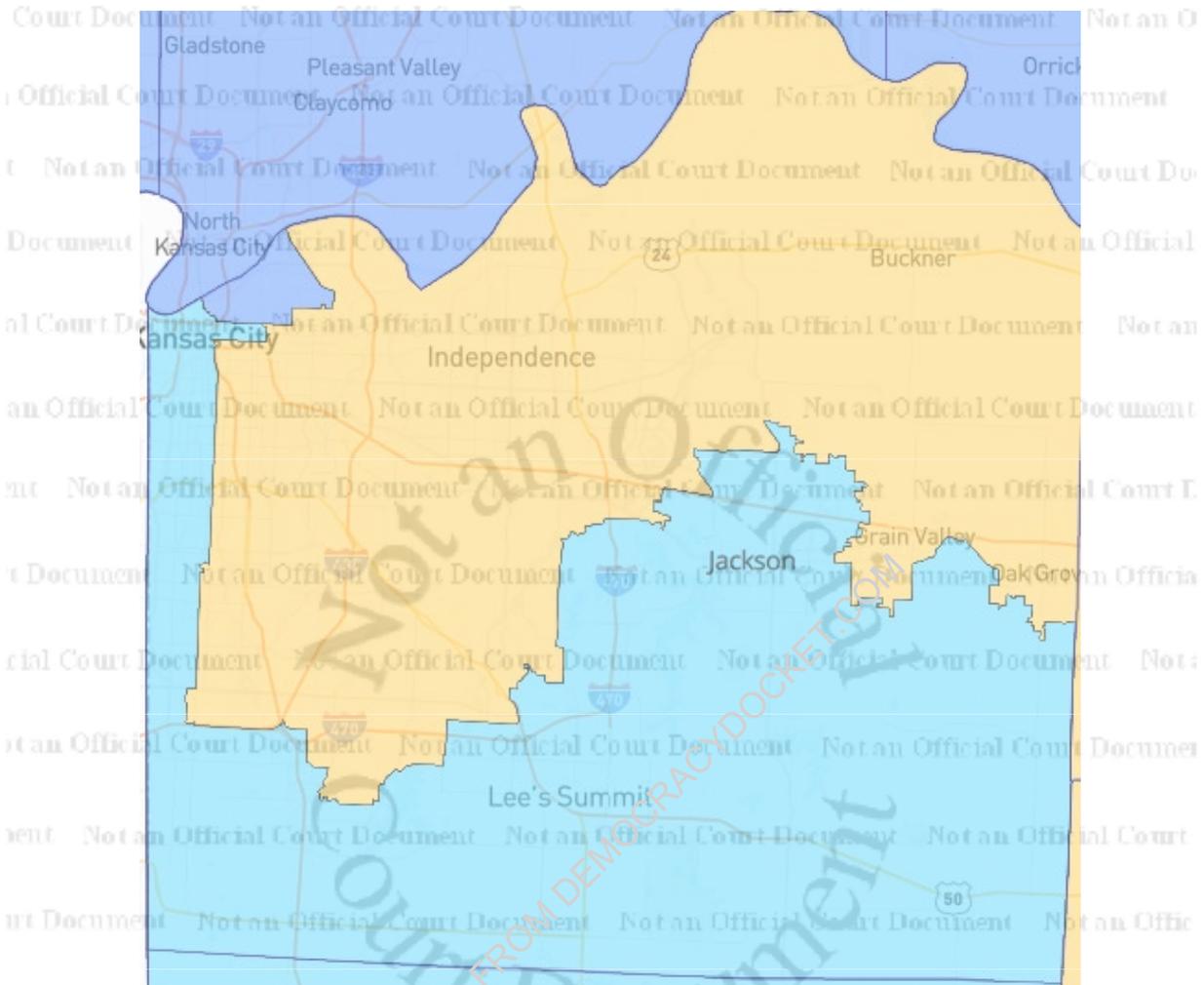
130. A close-up image of the new CD 5 with county lines and street details is shown below.



131. The new CD 4 in the 2025 Map has been stripped of a substantial part of its rural territory and is instead grafted together with new metropolitan urban/suburban territory in Jackson County, including Lee's Summit, Grandview, and a substantial portion of Kansas City. A close-up image of the new CD 4 with county lines and street details is shown below.



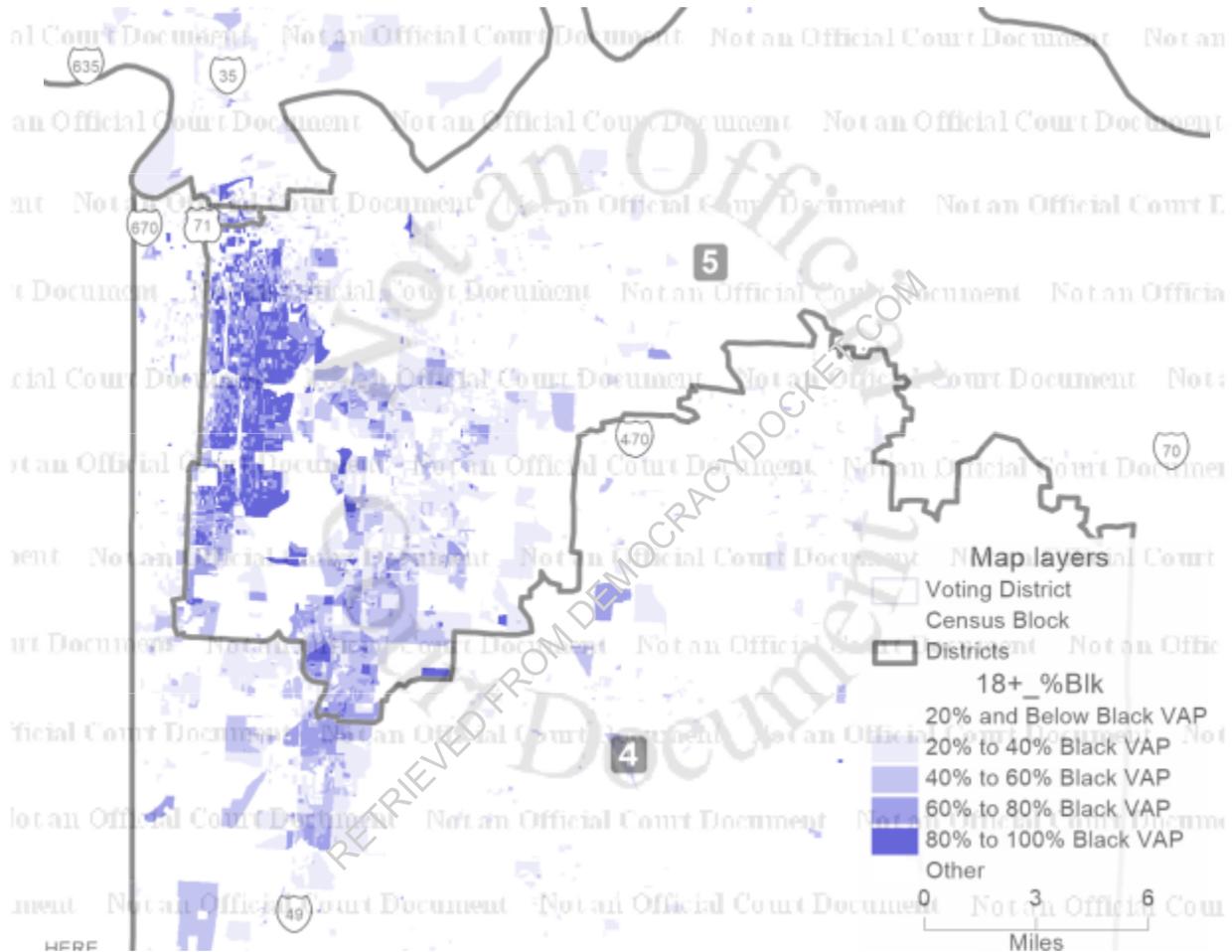
132. The new CD 4's extension into Kansas City features a long, narrow appendage jutting up along the western edge of the city. The size and shape of this appendage are highly irregular, as shown in the close-up image of Jackson County below.



133. The eastern boundary of this bizarre giraffe-neck appendage—which forms the border between CDs 4 and 5—follows Holmes Road and Troost Avenue, the historic and current segregating line between Kansas City’s Black and white urban residents.

134. The map below shows the Kansas City boundary between the new CDs 4 and 5 overlaid on a map displaying the share of the Black voting age population in each census block in shades of blue. It shows that CD 4 captures the predominantly white urban neighborhoods west of the Troost Divide while segregating predominantly Black urban neighborhoods into the new CD 5. The boundary between CDs 4 and 5 only shifts west from Troost Avenue to Holmes Road at the point (around 67th Street) where the precincts just west of Troost Avenue contain substantial

Black populations, ensuring that predominantly white precincts are assigned to CD 4 while predominantly Black precincts are confined to CD 5. The reconfigured boundaries of CDs 4 and 5 in the 2025 Map thus separate Kansas City’s urban white residents from its urban Black residents, dividing what was once closely unified urban territory in CD 5 along strict racial lines.



135. The 2025 map’s division of Kansas City along racial lines cannot be explained by partisan motivations. As recent federal and statewide election results demonstrate, neighborhoods on both sides of Troost Avenue vote overwhelmingly for Democratic candidates.

136. The new CDs 4 and 5 in the 2025 Map no longer contain closely united territory and are thus not compact.

137. At a minimum, the districts are not as compact as may be because they are substantially less compact than their boundary configurations in the 2022 Map. Under the 2022 Map, CD 5 united the Kansas City metropolitan area in a single, reasonably shaped and sized district, while CD 4 encompassed surrounding rural counties in a compact configuration that followed county and natural boundaries as practicable. The 2025 Map abandons those compact arrangements by fracturing Kansas City and Jackson County into multiple districts and attaching those metropolitan communities to distant rural areas, yielding two sprawling, irregular districts that lack compactness.

138. Quantitative measures of district compactness likewise show that CDs 4 and 5 are substantially less compact under the 2025 Map than under the 2022 Map. For example, one of the most common measures of compactness is the Reock score, which compares the area of the district to the area of its minimum bounding circle. The scores range from 0 to 1, with 1 being the most compact. The 2025 Map's Reock score fell substantially for CD 4, CD 5, and CDs 4 and 5 combined.

139. The 2025 Map's deviation from compactness in CDs 4 and 5 was not necessary to comply with Article III, § 45's equal population or contiguity requirements. *See Pearson II*, 367 S.W.3d at 52. The 2022 Map kept CDs 4 and 5 as compact as may be while maintaining uniformly contiguous and equally populated districts.

140. Nor was reducing the compactness of CDs 4 and 5 necessary to improve the compactness of the state's other congressional districts. *See Pearson II*, 367 S.W.3d at 52.

141. The 2025 Map makes no changes to CDs 7 and 8.

142. Whatever improvements the 2025 Map makes to the compactness of CDs 1, 2, 3, and 6 could have been achieved while retaining the level of compactness of CDs 4 and 5.

143. Nor did CD 5's compactness need to be reduced to improve CD 4's compactness.

144. The 2025 Map's deviation from compactness in CDs 4 and 5 was not necessary to comply with any federal law, including the Voting Rights Act (VRA). *See Pearson II*, 367 S.W.3d at 52.

145. The sole justification for the 2025 Map offered in the Governor's Proclamation was to avoid a legal challenge under the VRA or the Fourteenth Amendment, "due to a lack of compactness in certain districts" in the 2022 Map. The Governor's Proclamation did not explain, nor did the legislative process shed light on, *which* districts lacked compactness such that they risked liability under these laws, nor how the new district lines address this purported lack of compactness.

146. The U.S. Supreme Court has explained that when a state invokes the VRA to justify race-based redistricting, it must have "'good reasons' for thinking that the Act demanded such steps." *Cooper v. Harris*, 581 U.S. 285, 301 (2017). Specifically, the state must show that it has "a strong basis in evidence" for concluding that all three *Gingles* preconditions are met. *Id.* at 304. This means the state must conclude, based on evidence, that (1) a minority group is sufficiently large and geographically compact to form a majority in a reasonably configured district, (2) the minority group is politically cohesive, and (3) the majority votes as a bloc to usually defeat the minority's preferred candidate, demonstrating the presence of racially polarized voting. *Id.* at 301-02.

147. The legislative record does not contain any reference to any *Gingles* analysis.

148. In any event, if Missouri had been concerned about the 2022 Map violating the VRA, the remedy would have been the creation of an additional district in which minority voters form a majority or could otherwise elect their preferred candidates. *See, e.g., Bone Shirt v.*

Hazeltine, 461 F.3d 1011, 1023 (8th Cir. 2006). No such district was added in the 2025 Map, and therefore VRA compliance cannot explain the changes.

149. In CD 5, for instance, the 2025 Map decreased the Black voting age population, *reducing* the minority electoral opportunity in the district.

150. CD 4's BVAP share was in the single digits in the 2022 Map and remains virtually unchanged.

151. None of the 2025 Map's districts were drawn with a majority BVAP.

152. Compliance with the VRA cannot explain the reductions in compactness of CDs 4 and 5.

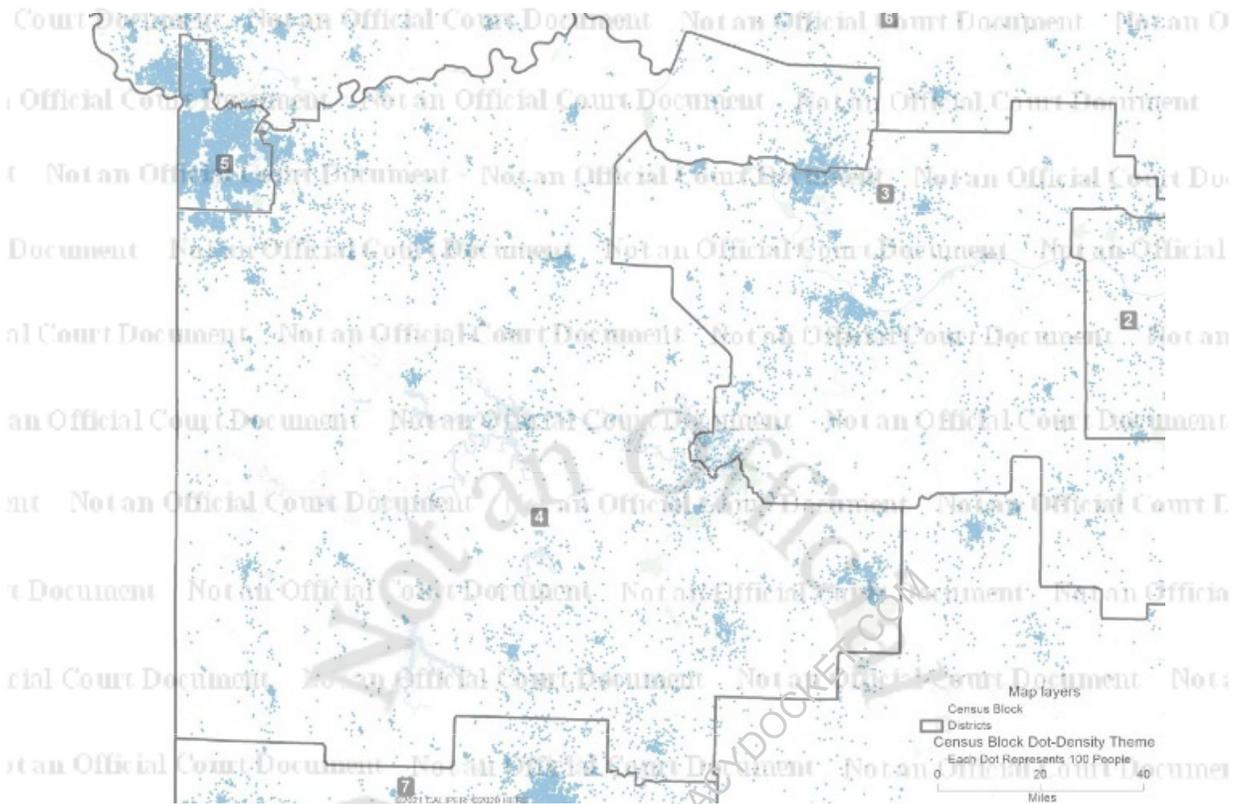
153. Nor could any desire to avoid potential liability under the Fourteenth Amendment explain the changes to CDs 4 and 5.

154. Missouri has not identified any district in the 2022 Map in which race was a predominant factor motivating its design.

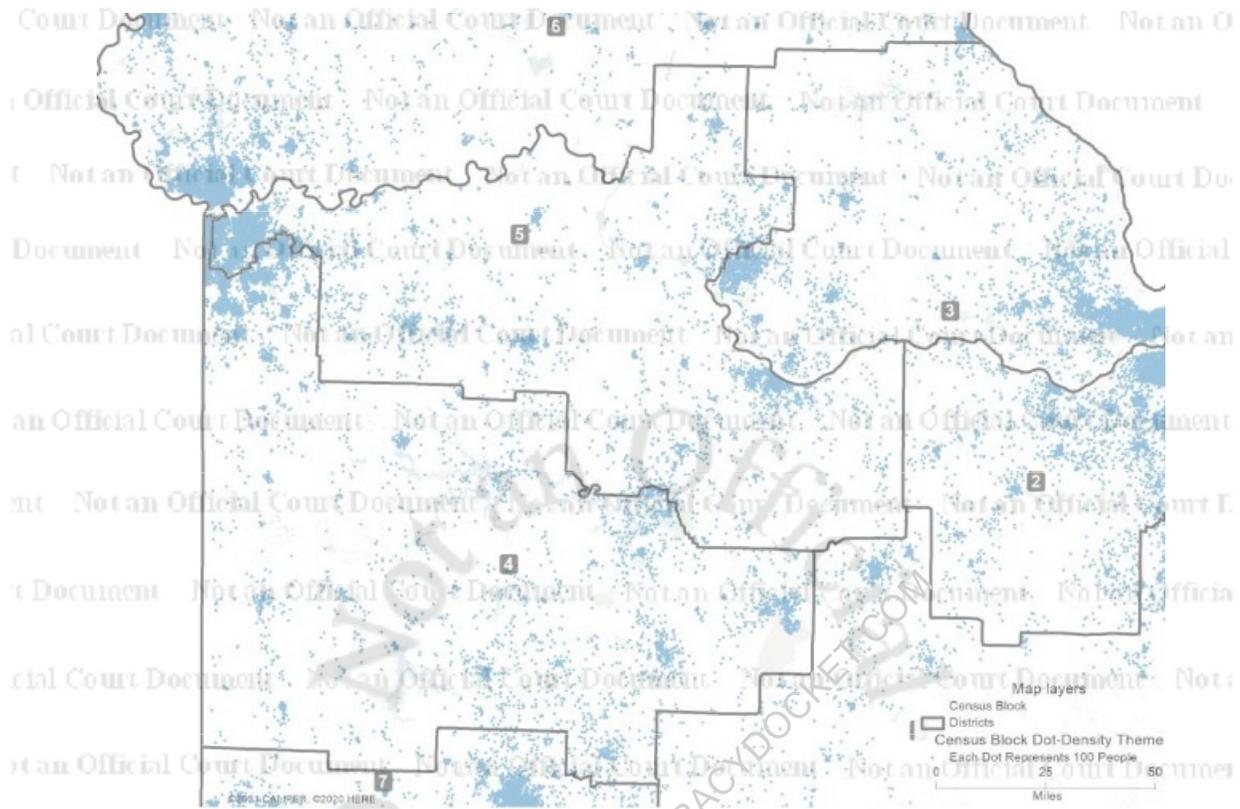
155. Nor has the 2022 Map been subject to any Fourteenth Amendment challenge since its enactment.

156. The 2025 Map's deviation from compactness in CDs 4 and 5 does not result from consideration of the state's population density patterns. *See Pearson II*, 367 S.W.3d at 52.

157. The 2022 Map took into consideration population density by grouping areas of similar population densities together. Neighborhoods and political subdivisions with higher urban densities were largely grouped in CD 5, while surrounding counties with far lower rural population densities were grouped in CD 4. As shown in the dot density map below, this configuration ensured that each district reflected communities of comparable density and preserved compactness.



158. The 2025 Map abandons this recognition of population density entirely. As shown in the dot density map below, the 2025 Map pairs dense urban neighborhoods with sparsely populated rural counties, creating districts with substantial internal disparities in population density distribution. The result is two lopsided districts in CD 4 and 5, both weighted heavily toward the dense population centers in the Kansas City metropolitan area but still stretched far into rural territory. By disregarding density patterns, the 2025 Map fractures the Kansas City urban center and joins with it regions that are not closely united.



159. The reduction in compactness of CDs 4 and 5 in the 2025 map also fails to arise from any consideration of natural boundaries. See *Pearson II*, 367 S.W.3d at 52.

160. The 2022 Map respected natural boundaries by uniting rural counties along the Missouri River and Osage River watersheds within CD 4, tying together communities with shared river basins and agricultural economies.

161. The 2025 Map disregards these natural boundaries by fracturing the Missouri and Osage River region, dividing counties that share the same watershed between CDs 4 and 5.

162. The new boundary between CDs 4 and 5 cuts directly across the Osage River basin, resulting in sprawling districts that no longer correspond to natural geographic features.

163. The reduction in compactness of CDs 4 and 5 was not necessary to reduce county, municipal, and precinct splits. See *Pearson II*, 367 S.W.3d at 52. Though the 2025 Map splits

fewer counties, for instance, the same or lower number of splits could have been achieved without reducing the compactness of CDs 4 and 5.

164. The 2025 Map splits more precincts than the 2022 Map.

165. The additional precinct splits are concentrated in Kansas City and Jackson County, thus requiring the KCEB and JCEB to reconfigure their precincts in order to implement the 2025 Map.

166. The reduction in compactness of CDs 4 and 5 does not result from consideration of historical district boundary lines. *See Pearson II*, 367 S.W.3d at 52.

167. For more than sixty years, Missouri's congressional maps have followed a recognizable pattern in this region: CD 5 has remained centered on the Kansas City metropolitan area, anchored in Jackson and Clay Counties, while CD 4 has encompassed the surrounding rural counties of west-central Missouri. The 2025 Map departs dramatically from this longstanding configuration by stretching CD 5 far into the state's rural counties and severing the Kansas City metropolitan area from its historical representation.

168. Respect for historical lines is typically measured using a metric known as core retention, which measures the percentage of a district's prior population that remains in the district after redistricting. High core retention indicates continuity with historical districts, while low core retention reflects departures from past maps.

169. The 2025 Map has low core retention compared to the state's 2012 congressional districts, demonstrating a break in continuity from maps of past decades. CD 4 and CD 5, in particular, have the lowest levels of core retention with their 2012 counterparts than any other district in the 2025 Map.

170. CD 4 and CD 5 in the 2025 Map also achieve a far lower level of fidelity to 2012 districts than CD 4 and CD 5 in the 2022 Map.

171. The 2022 Map represented high continuity with the state's 2012 districts.

172. The 2025 Map's unusually low core retention rates underscore the extent to which it disregards the historical boundaries and configurations the State has consistently followed for decades.

173. The 2025 Map's restructuring of CDs 4 and 5 also disregards the principle that district boundaries should tend to preserve continuity between constituents and their representatives. *See Pearson II*, 367 S.W.3d at 50 n.12.

174. By reducing CD 5's core retention and scattering the majority of its residents into two other districts, the 2025 Map severs longstanding ties between diverse Kansas City area residents and their longstanding representative, Rep. Cleaver. It also forces many Kansas City area residents to establish new relationships with representatives in districts in which they have never previously been included.

175. The 2025 Map's reconfiguration of CDs 4 and 5 and the resulting substantial reduction of compactness cannot be explained by adherence to any "recognized factors." *Pearson II*, 367 S.W.3d at 50 n.12.

176. Its effect and intent are instead to transform what has long been a seat anchored in the Democratic-leaning Kansas City metropolitan area into a district dominated by rural, Republican-leaning counties, an outcome accomplished by splitting Kansas City's Black and white residents along stark racial lines. Indeed, composite election results from recent statewide and federal contests confirm that, under the 2025 Map, a Republican candidate in CD 5 would likely win a majority of the two-party vote. This partisan tilt directly endangers Rep. Cleaver's reelection

prospects and likely assures the Republican Party will comfortably hold seven of the eight seats in the state's congressional delegation.

CAUSES OF ACTION

COUNT I

Violation of the Timing Requirement for Congressional Redistricting Under Article III, Section 45 of the Missouri Constitution

177. Plaintiffs reallege and incorporate by reference the allegations of the preceding paragraphs as if fully set forth herein.

178. The Missouri Constitution provides for a government of delegated powers, such that the undelegated powers of the sovereign reside with the people. *See, e.g., State ex rel. Gordon v. Becker*, 49 S.W.2d 146, 147 (Mo. banc 1932) (holding that, except for the powers delegated under the state constitution, “[a]ll the sovereign power . . . rests with the people of the state”).

179. Article III, § 45 authorizes congressional redistricting only when a new decennial census results in a new apportionment of the number of congressional representatives between the 50 states and triggers the General Assembly's obligation to redraw congressional districts. *Pearson I*, 359 S.W.3d at 37-38. Under general rules of construction, “[w]hen the Constitution defines the circumstances under which” an authority “may be exercised,” it is “an implied prohibition” against its exercise in other circumstances. *See State ex inf. Shartel v. Brunk*, 34 S.W.2d 94, 95-96 (Mo. banc 1930) (holding that constitutional provision conferring “the Legislature with sole power to remove [an officer] by impeachment proceedings, is an implied prohibition against legislation providing for his removal for any other causes or in any other manner”).

180. Once Missouri's congressional districts have been enacted following the decennial census and reapportionment, those districts “take effect for the [next] election and remain in place

for the next decade or until a Census shows that the districts should change.” *Pearson I*, 359 S.W.3d at 37-38.

181. No provision of the Missouri Constitution authorizes congressional redistricting at any other point during the decade.

182. Article III, § 10 of the Missouri Constitution permits mid-decade redistricting *only* for state house and state senate districts, but it omits congressional districts from that list. The existence of § 10 confirms that the legislature must have express authority in order to redistrict, and the omission of congressional districts from the list of districts amenable to mid-decade redistricting is conclusive proof of the legislature’s lack of authority.

183. Because the Missouri Constitution specifies when redistricting is allowed to occur, any other attempt to redraw districts exceeds the legislature’s constitutional authority.

184. Missouri enacted a congressional map for this decade in 2022, after the 2020 Census indicating Missouri’s allotted eight congressional seats was certified to the Governor.

185. Under Article III, § 45, the state’s 2022 congressional map must remain in place for the next decade or until a new decennial census shows that the districts should change.

186. The next decennial census and reapportionment will not occur until 2030, in accordance with federal law. 13 U.S.C. § 141(a)-(c), (e)(2).

187. The General Assembly thus enacted the 2025 congressional map in H.B. 1 beyond the specific circumstances authorized under Article III, § 45 of the Missouri Constitution.

188. Accordingly, the 2025 congressional map exceeds the authority conferred on the legislature by the Missouri Constitution and is unconstitutional.

COUNT II

Violation of the Compactness Requirement Under Article III, Section 45 of the Missouri Constitution

189. Plaintiffs reallege and incorporate by reference the allegations of the preceding paragraphs as if fully set forth herein.

190. Congressional districts violate Article III, § 45's requirement to be as "compact . . . as may be" if "the boundaries of the [challenged districts] depart from principles of compactness and . . . any deviations were not minimal or practical deviations resulting from applying the recognized factors" encompassed in the constitutional text. *Pearson II*, 367 S.W.3d at 53.

191. Compactness means "closely united territory" and does not refer solely to physical shape or size, though those considerations are "relevant." *Id.* at 54-55.

192. The recognized factors include: "(1) the interrelationship in standards for population equality and compactness requirements; (2) the contiguity requirement; (3) federal laws, including the Voting Rights Act; and (4) the recognized factors of population density, natural boundary lines, boundaries of political subdivisions, and historical boundary lines of prior redistricting maps." *Id.* at 53.

193. The 2025 Map's new CDs 4 and 5 clearly and undoubtedly contravene Article III, § 45's compactness requirement.

194. As an initial matter, the new 2025 CDs 4 and 5 depart from principles of compactness because they no longer contain closely united territory. The new configuration of CDs 4 and 5 fractures the closely united areas contained in the 2022 Map's CDs 4 and 5 by splitting the metropolitan Kansas City area—which was united in CD 5—between three separate districts, and by joining those metropolitan area fragments with far-flung rural areas that share few common interests.

195. The size and shape of the new CDs 4 and 5 also depart sharply from compactness principles. CD 5 has been transformed from a small, regularly shaped district into a long, meandering shape that extends hundreds of miles from Kansas City. CD 4, though still large, now features a bizarre giraffe-neck appendage bursting north into Kansas City to capture the predominantly white neighborhoods west of the Troost Divide.

196. The new configuration of CDs 4 and 5 also performs worse on all standard quantitative measures of compactness as compared to the 2022 Map.

197. Furthermore, these deviations from compactness are neither minimal nor practical, nor do they result from applying any of the recognized factors.

198. First, reducing the compactness of CDs 4 and 5 was not necessary to comply with Article III, § 45's equal population or contiguity requirement. Nor was it necessary to make other congressional districts in the state more compact.

199. Second, reducing the compactness of CDs 4 and 5 was not necessary to comply with any federal law, including the Voting Rights Act and Fourteenth Amendment.

200. Third, reducing the compactness of CDs 4 and 5 does not result from consideration of any of the permissive factors. The reduction in compactness of CDs 4 and 5 does not result from any consideration of population density or natural boundary lines. Nor was it necessary to reduce county, municipal, precinct, or other political subdivision splits. And altering the boundaries of CDs 4 and 5 to reduce their compactness during an extraordinary and unlawful mid-decade redistricting effort long after the decade's districts have already been drawn cannot result from adherence to previous district boundaries.

201. Politics and partisan advantage are not permissible justifications for deviating from the compactness requirement. *See Preisler*, 284 S.W.2d at 435.

202. Reducing the compactness of CDs 4 and 5 thus cannot be explained by and is not necessary to advance any permissible interest, including preservation of incumbents in their existing districts.

203. Accordingly, the 2025 Map's configuration of CDs 4 and 5 violates the compactness mandate of Article III, § 45.

COUNT III

Violation of the Equal Population Requirement Under Article III, Section 45 of the Missouri Constitution

204. Plaintiffs reallege and incorporate by reference the allegations of the preceding paragraphs as if fully set forth herein.

205. Article III, § 45 requires that congressional districts be "as nearly equal in population as may be." The Missouri Supreme Court has affirmed that "numerical equality [is] mandatory." *Pearson II*, 359 S.W.3d at 39.

206. H.B. 1's double assignment of VTD 811 renders CDs 4 and 5 malapportioned.

207. Under the version of the map enacted with VTD 811 assigned to CD 4, that district has 843 more people than the ideal population and CD 5 has 843 fewer people than ideal.

208. Under the version of the map enacted with VTD 811 assigned to CD 5, that district has CD 5 has 32 people too many and CD 4 has 32 people fewer than ideal.

209. These deviations from precise mathematical equality are not justified by any permissible interest in congressional redistricting.

210. The 2025 Map thus violates the equal population requirement of Article III, § 45.

COUNT IV

**Violation of the Contiguity Requirement
Under Article III, Section 45 of the Missouri Constitution**

211. Plaintiffs reallege and incorporate by reference the allegations of the preceding paragraphs.

212. Article III, § 45 requires that congressional districts be composed of contiguous territory.

213. The contiguity requirement is mandatory, and the state is not permitted “the exercise of any discretion” to depart from it. *See Barrett*, 146 S.W. at 53 (discussing contiguity requirement in state legislative redistricting).

214. By assigning Kansas City VTD 811 to both CDs 4 and 5, H.B. 1 creates a noncontiguity in CD 5 because territory assigned to CD 4 separates distinct areas of territory assigned to CD 5.

215. This noncontiguity violates Article III, § 45 of the Constitution.

RELIEF REQUESTED

WHEREFORE, Plaintiffs pray this Court:

A. Enter declaratory judgment that H.B. 1 violates the prohibition on mid-decade congressional redistricting contained in Article III, § 45 of the Missouri Constitution and may not be enforced;

B. Enter a declaratory judgment that H.B. 1 violates the compactness requirement of Article III, § 45 of the Missouri Constitution and may not be enforced;

C. Enter a declaratory judgment that H.B. 1 violates the equal population requirement of Article III, § 45 of the Missouri Constitution and may not be enforced;

D. Enter a declaratory judgment that H.B. 1 violates the contiguity requirement of Article III, § 45 of the Missouri Constitution and may not be enforced;

E. Issue a preliminary injunction prohibiting Defendants and anyone acting in concert with them from enforcing, implementing, using, or conducting any election under the congressional districts enacted under H.B. 1;

F. Issue a permanent injunction prohibiting Defendants and anyone acting in concert with them from enforcing, implementing, using, or conducting any election under the congressional districts enacted under H.B. 1;

G. Declare that the 2022 Map is Missouri's lawful congressional map;

H. Allow such other and further relief as is proper under the circumstances.

September 12, 2025

Respectfully submitted,

/s/ Gillian R. Wilcox

Gillian R. Wilcox, MO #61278

Jason Orr, MO # 56607

ACLU of Missouri Foundation

406 W. 34th Street, Suite 420

Kansas City, MO 64111

Phone: (816) 470-9938

gwilcox@aclu-mo.org

Jorr@aclu-mo.org

Kristin M. Mulvey, MO # 76060

Jonathan D. Schmid, MO # 74360

906 Olive Street, Suite 1130

St. Louis, MO 63101

Telephone: (314) 652-3114

kmulvey@aclu-mo.org

jschmid@aclu-mo.org

Mark P. Gaber*

Aseem Mulji*

Benjamin Phillips*

Isaac DeSanto*

Campaign Legal Center
1101 14th St NW Suite 400
Washington, DC 20005
Phone: (202) 736-2200
mgaber@campaignlegalcenter.org
amulji@campaignlegalcenter.org
bphillips@campaignlegalcenter.org
idesanto@campaignlegalcenter.org

ACLU FOUNDATION

Ming Cheung*
Dayton Campbell-Harris*
Sophia Lin Lakin*
125 Broad Street, 18th Floor
New York, New York 10004
(212) 549-2500
mcheung@aclu.org
dcampbell-harris@aclu.org
slakin@aclu.org

*pro hac vice motion forthcoming

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