

IN THE CIRCUIT COURT OF COLE COUNTY
STATE OF MISSOURI

PEOPLE NOT POLICIANS;
RICHARD VON GLAHN,
Plaintiffs,

v.
DENNY HOSKINS, in his official
Capacity as the Missouri Secretary
of State
Defendant.

Case No. 25AC-CC08724

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND JUDGMENT

This matter came before the Court for Hearing on February 9, 2026. Having hard argument, reviewed the pleadings, evidence, and being fully advised, the Court issues its Final Judgment in this matter.

I. Findings of Fact

1. Plaintiff Richard von Glahn is a citizen of Missouri.
2. Plaintiff People not Politicians is the campaign committee supporting the campaign in favor of Referendum Petition 2026-R004.
3. Defendant Denny Hoskins is the duly elected and acting Secretary of State of Missouri, whose office is located in Cole County, Missouri.

4. On September 29, 2025, Plaintiff von Glahn submitted a referendum sample sheet referring House Bill 1 to voters. The Secretary of State denominated the measure as Referendum Petition 2026-R004.

5. The Secretary prepared the following summary statement for the measure:

Do the people of the state of Missouri approve the act of the General Assembly entitled "House Bill No. 1 (2025 Second Extraordinary Session)," which repeals Missouri's existing gerrymandered congressional plan that protects incumbent politicians, and replaces it with new congressional boundaries that keep more cities and counties intact, are more compact, and better reflects statewide voting patterns?

6. On November 13, 2025, the Secretary certified the ballot title for Referendum Petition 2026-R004, which contains the Secretary's summary statement and a fiscal note summary prepared by the State Auditor.

7. Plaintiff challenged the statement as insufficient and unfair under § 116.190, RSMo.

8. On February 4, 2026, this Court granted leave to the Secretary to file his amended answer.

9. In his amended answer, the Secretary admitted that the phrases "gerrymandered" and "protects incumbent politicians" are argumentative and likely to create prejudice.

10. House Bill 1 replaces House Bill 2909 and provides the plan for redistricting Missouri's federal congressional seats.

11. Redistricting plans, such as House Bill 1 and House Bill 2909, are visualized and understood by the public as maps.

12. The Office of Administration and the Missouri House have published official versions of the map implemented by House Bill 1.

13. The Missouri House of Representatives published maps alongside House Bill 1 when the bill was passed.

14. The Missouri House of Representatives published maps alongside House Bill 2909 when the bill was passed.

15. House Bill 1 splits five counties: Boone, Jackson, Jefferson, St. Louis, and Webster.

16. House Bill 1 does not split Camden, Clay, St. Charles, or Warren County. Counties that were split under House Bill 2909.

17. House Bill 1 splits fewer counties than House Bill 2909.

18. The text of House Bill 1 identifies the counties that were split by the new congressional map.

19. House Bill 1 splits fewer cities than House Bill 2909, particularly around Kansas City and St. Louis metropolitan areas.

20. The districts created by House Bill 1 have a boxier appearance than the map created by House Bill 2909. This is evident through a visual observation of the two maps created by House Bill 2909 and House Bill 1.

21. Plaintiffs' witness, Mr. Sean Nicholson, was not offered as an expert at trial.

22. Plaintiffs' did not present evidence and did not identify central features of the measure that were absent from the Secretary's summary.

II. Conclusions of Law

As a preliminary matter, the Secretary admitted in his amended answer that the phrases “gerrymandered” and “protects incumbent politicians” are unfair on the grounds that they are argumentative and likely to create prejudice. These admissions are binding judicial admissions. *Meekins v. St. John’s Reg’l Health Ctr.*, 149 S.W.3d 525, 531 (Mo. App. S.D. 2004). Consequently, the Court finds that the phrases “gerrymandered” and “protects incumbent politicians” are unfair and the summary statement must be revised.

The remaining issue presented in this case is whether the Secretary’s summary statement accurately describes the central features of House Bill 1—the measure referred by Referendum Petition 2026-R004. This includes an inquiry into the fairness and sufficiency of the disputed portion of the summary statement. Broadly speaking, the referred measure replaces the congressional plan implemented in 2022 through House Bill 2909. This Court finds that most of the remainder of the Secretary’s summary statement captures the central features of the referred measure and explains the legal and probable consequences of those features using neutral, fair language. However, this Court finds that the language claiming, “and better reflects statewide voting patterns” is intentionally argumentative and likely to create prejudice, and is therefore stricken from the summary statement. While Missourians may, as a whole, generally vote in a particular pattern, it is deceptive because it is

not an accurate statement when voting patterns are looked at in sheer numbers not just who gets elected.

Under Chapter 116, RSMo, the Secretary must prepare a summary statement for a proposed initiative petition that does not exceed 100 words. § 116.334, RSMo. The summary must be composed “using language neither intentionally argumentative nor likely to create prejudice either for or against the proposed measure.” *Id.* And any person challenging the Secretary’s statement bears the burden of demonstrating that the summary statement is “insufficient or unfair.” § 116.190.3, RSMo; *Hill v. Ashcroft*, 526 S.W.3d 299, 308 (Mo. App. W.D. 2017). A summary statement is insufficient and unfair if it inadequately and with “bias, prejudice, deception, or favoritism” states the consequences of a measure. *Brown v. Carnahan*, 370 S.W.3d 637, 654 (Mo. banc 2012).

Ultimately, a summary statement is designed “to give interested persons notice of the subject of a proposed [law] to prevent deception through use of misleading titles.” *Missourians Against Human Cloning v. Carnahan*, 190 S.W.3d 451, 456 (Mo. App. W.D. 2006) (alteration in original) (quoting *Union Elec. Co. v. Kirkpatrick*, 606 S.W.2d 658, 660 (Mo. banc 1980)). Thus, “if the title gives adequate notice, the requirement is satisfied.” *Id.* (quotations omitted).

Summary statements should include enough information about the measure so that voters can “make an informed choice on whether to investigate the matter further.” *Protect Consumers’ Access To Quality Home Care Coal., LLC v. Kander*, 488 S.W.3d 665, 671 (Mo. App. W.D. 2015). Consequently, the summary statement

should convey the “purposes” of the referred measure.” *Archev v. Carnahan*, 373 S.W.3d 528, 533 (Mo. App. W.D. 2012) (quotation omitted). The Secretary’s summary statement should also “accurately reflect both the legal and probable effects of the proposed initiative.” *Shoemyer v. Mo. Sec’y of State*, 464 S.W.3d 171, 174 (Mo. banc 2015). And because the Secretary cannot identify every detail of a ballot measure in 100 words or less, the summary statement must address simply the “central features” of the measure. *Pippens v. Ashcroft*, 606 S.W.3d 689, 702 (Mo. App. W.D. 2020). The Secretary may use “broad language” when “express[ing] a proposal’s central features.” *McCarty v. Mo. Sec’y of State*, 710 S.W.3d 507, 518 (Mo. banc 2025). And the summary statement may “encompass matters not included in the measure so long as it is not deceptive, misleading, or argumentative.” *Id.* (quoting *Hill*, 526 S.W.3d at 308).

This Court affords deference to the summary statement prepared by the Secretary. *Asher v. Carnahan*, 238 S.W.3d 427, 431 (Mo. App. W.D. 2008) (“[W]hether the summary statement prepared by the Secretary of State is the best language for describing the [referred measure] is not the test.” (first alteration in original) (quoting *Missourians Against Human Cloning*, 190 S.W.3d at 457)). Indeed, “ten different writers would produce ten different versions,” and “there are many appropriate and adequate ways of writing the summary ballot language.” *Id.* at 431–32.

Referendum Petition 2026-R004 refers House Bill 1 to voters. House Bill 1 implements a congressional redistricting plan that replaces the congressional plan that was enacted by the General Assembly in 2022 through House Bill 2909. The

Secretary's summary statement explains this consequence and provides context to voters about the legal effects of this consequence. To be sufficient, "[s]ometimes it is necessary for the secretary of state's summary statement to provide a context reference that will enable voters to understand the effect of the proposed change." *Boeving v. Kander*, 493 S.W.3d 865, 874 (Mo. App. W.D. 2016). Providing voters with a comparison between the two plans accomplishes the Secretary's duty to adequately inform voters.

The disputed portion of the Secretary's statement contains four distinct phrases. Each phrase can be tested for accuracy. Plaintiffs could not demonstrate the inaccuracy of the statements contained in the Secretary's summary statement. First, House Bill 1 splits five counties whereas House Bill 2909 split nine counties. Therefore, the Secretary's statement that House Bill 1 "splits fewer counties" is accurate. Second, despite acknowledging ability to access and operate the ArcGIS program¹ that hosts the official shapefiles for House Bill 1 and its predecessor, Plaintiffs did not present evidence to refute the Secretary's claim that House Bill 1 splits "fewer cities." The Secretary produced maps demonstrating that a number of

¹ This Court takes judicial notice of these administrative records and maps hosted by the Office of Administration as well as the contents of the ArcGIS system. See e.g., *State v. Abeln*, 136 S.W.3d 803, 808 n.3 (Mo. App. W.D. 2004) (Official Highway Map of Missouri); *Hammack v. Missouri Clean Water Commission*, 659 S.W.2d 595, 599 (Mo. App. S.D. 1983) (Geological Survey Map from the United States Department of Interior); *Kansas City v. City of Rayton*, 421 S.W.2d 504, 513 (Mo. banc 1967) (State Auditor records).

cities split by House Bill 2909 were kept intact by House Bill 1.² The Secretary's claim is accurate.

Finally, a visual comparison of the maps created by House Bill 1 and House Bill 2909 demonstrates the more compact nature of House Bill 1. The districts formed by House Bill 1 better resemble the squares, rectangles, and hexagons that indicate compactness. *See Faatz v. Ashcroft*, 685 S.W.3d 388, 394 (Mo. banc 2024), reh'g denied (Apr. 2, 2024). Mr. Nicholson testified that some districts are more compact, mathematically, under H.B.1 and others are less compact. However, Mr. Nicholson did not provide comparative scores nor did he rebut the visual compactness of House Bill 1. Additionally he was not aware of the fact that fewer counties were split on the new map than the previous map until he was walked through the previously split counties by the Secretary's counsel. His testimony was unhelpful to the Court. This Court finds that Plaintiffs did not meet their burden.

Having established the accuracy of the Secretary's statement, this Court turns to the statement's fairness. Plaintiffs challenged the fairness of the Secretary's decision to describe features of the map created by House Bill 1. Plaintiffs claim that because the text of the bill is a list of voting tabulation districts and counties, the

² This Court takes judicial notice of the locations of cities within the state. *Goforth v. Director of Revenue*, 593 S.W.3d 124, 130 n.4 (Mo. App. W.D. 2020) (“We take judicial notice of the geographical location of cities in the State and the approximate distance between them.” (quotations omitted)); *see also*, *Hammack*, 659 S.W.2d at 599 (“A court may take judicial notice of geographical facts. In that connection, the use of official maps is authorized to establish such facts.” (citing *In re Village of Lone Jack*, 419 S.W.2d 87, 91 (Mo. banc 1967) and *Turpin v. Watts*, 607 S.W.2d 895, 900 (Mo.App.1980))).

Secretary is barred from including a description of the map created by House Bill 1. However, to be considered unfair, a statement must be “marked by injustice, partiality, or deception.” *Brown*, 370 S.W.3d at 653 (quoting *State ex rel. Humane Soc’y v. Beetem*, 317 S.W.3d 669, 673 (Mo. App. W.D. 2010)). If the Secretary states the consequences of the measure “without bias, prejudice, deception, or favoritism,” the statement is fair. *Id.* It is neither inaccurate nor unfair to describe the map enacted by House Bill 1 in the summary statement for House Bill 1. The map is a legal effect of the measure and the compactness of the map, county splits, and city splits are central features of House Bill 1.

Plaintiffs did not provide this Court with evidence or arguments that the Secretary failed to address features of the map that otherwise needed to be addressed in the summary. And the language used by the Secretary in describing the measures is neutral and not inflammatory. Plaintiffs did not present evidence or arguments of bias or prejudice created by the disputed portion of the Secretary’s statement.

Moreover, the Secretary may include information about the measure as long as that information “is not deceptive, misleading, or argumentative.” *McCarty*, 710 S.W.3d at 518 (quoting *Hill*, 526 S.W.3d at 308). Accordingly, this Court finds that the phrase: “new congressional boundaries that keep more cities and counties intact, are more compact” is fair and sufficient.

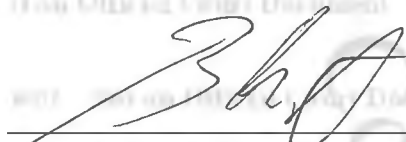
ORDER AND JUDGMENT

Accordingly, it is hereby ORDERED AND ADJUDGED that judgment is granted in favor of Plaintiffs, and this Court certifies the following summary statement to the Secretary for Referendum Petition 2026-R004:

Do the people of the state of Missouri approve the act of the General Assembly entitled “House Bill No. 1 (2025 Second Extraordinary Session),” which repeals Missouri’s congressional plan, and replaces it with new congressional boundaries that keep more cities and counties intact, and are more compact?

Each party shall bear its own costs.

SO ORDERED



Hon. Brian K. Stumpe, Circuit Judge

Date: 3/26/2026