SUPREME COURT OF MISSOURI
en banc

ELIZABETH HEALEY, et al., Appellants, v. STATE OF MISSOURI, et al., Respondents. and TERRENCE WISE, et al., Appellants, v. STATE OF MISSOURI, et al., Respondents.	)	No. SC101570 No. SC101572 ***Opinion issued May 12, 2026***

APPEALS FROM THE CIRCUIT COURT OF JACKSON COUNTY
The Honorable Adam Caine, Judge

Two groups of Missouri residents challenge the validity of a congressional redistricting map enacted by the legislature in 2025 ("2025 Map"), making separate but similar arguments. Both groups of residents allege the 2025 Map divides the state of Missouri into congressional districts that violate article III, section 45 of the Missouri

Constitution. The circuit court conducted a trial, taking evidence and weighing the merits of the multiple claims. Following the trial, the circuit court entered judgment finding the residents failed to meet their burden as required under Missouri law to demonstrate the 2025 Map is unconstitutional. Both groups of Missouri residents appeal. This Court's review of the Missouri residents' appeals is limited to determining only the legality – not the prudence or popularity – of the map. Because the 2025 Map was not drawn in a manner violative of article III, section 45 of the Missouri Constitution, the circuit court's judgment is affirmed.

Legal Background

The appeals brought in these two cases can be resolved by properly applying one section of the Missouri Constitution. Article III, section 45 is the only provision of the Missouri Constitution directly addressing congressional redistricting. It provides:

> 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, 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 comprised of contiguous territory as compact and as nearly equal in population as may be.

Mo. Const. art. III, sec. 45. The last half of this single sentence outlines how the legislature shall divide the state into districts and provides the legal framework for resolving these appeals. This constitutional directive instructs the legislature to "divide the state into districts corresponding with the number of representatives to which it is entitled, which districts **shall be comprised of contiguous territory as compact and as nearly equal in population as may be**." *Id.* (emphasis added). The two separate challenges the Missouri

residents brought allege the legislature failed to follow this directive and seek to invalidate the 2025 Map and restore a map enacted in 2022 ("2022 Map"). The circuit court found the Missouri residents in both cases failed to establish the legislature improperly deviated from the directives of article III, section 45. On appeal, this Court's obligation is to review the circuit court's ruling, applying the relevant provision of article III, section 45 to the facts as the circuit court found, guided by the legal principles governing the review of congressional redistricting maps. What follows is the product of this analysis. First, the facts.

Factual and Procedural Background

After the United States census was conducted and certified in 2022, the Missouri legislature divided the state into congressional districts as required by article III, section 45. This effort resulted in the enactment of the 2022 Map. A few years later, in 2025, the Missouri legislature passed, and the governor signed, House Bill 1 ("HB 1"), which repealed the 2022 Map and created a new and redrawn congressional district map.[1]

On September 12, 2025, several Missouri residents filed a petition in the Jackson County circuit court seeking injunctive and declaratory relief against the state of Missouri; Secretary of State Denny Hoskins, in his official capacity; the Jackson County Board of

[1] In *Maggard v. State*, No. SC101581, --- S.W.3d --- (May 12, 2026), this Court held the mere submission of referendum petitions did not automatically suspend HB 1, and the question of whether HB 1 went into effect December 11, 2025, or will not go into effect unless and until approved by the voters, has yet to be determined. This opinion focuses exclusively on the constitutional validity of the map as drawn, pursuant to article III, section 45.

Election Commissioners, including its individual directors in their official capacities; and the Kansas City Board of Election Commissioners, including its individual directors in their official capacities (collectively, "Respondents").[2] This case was captioned *Wise v. State of Missouri*. These residents ("*Wise* Appellants") asserted numerous claims challenging the 2025 Map. First, the *Wise* Appellants alleged the 2025 Map violated article III, section 45 because the congressional districts were not compact. Second, the *Wise* Appellants alleged the 2025 Map violated section 45's requirement that the separate congressional districts be composed of nearly equal population. Specifically, the *Wise* Appellants claimed a single voting tabulation district, KC 811, was assigned to two congressional districts in the 2025 Map. Finally, the *Wise* Appellants alleged the placement of KC 811 in two congressional districts in the 2025 Map violated section 45's requirement that congressional districts be contiguous.

On September 28, 2025, several different Missouri residents filed a separate petition in the Jackson County circuit court seeking injunctive and declaratory relief against Respondents.[3] This case was captioned *Healey v. State of Missouri*. These residents ("*Healey* Appellants") made a similar claim as the *Wise* Appellants, alleging the 2025 Map,

[2] The first named resident in this litigation is Terrence Wise.
[3] The first named resident in this litigation is Elizabeth Healey.

particularly congressional districts 4, 5, and 6, violated section 45's compactness requirement.[4]

The Missouri Republican State Committee sought to intervene in both the *Wise* and *Healey* cases, and the circuit court granted this request December 10, 2025. Due to the similarity in the challenges raised, the circuit court consolidated the *Wise* and *Healey* cases and conducted a bench trial over four days starting February 17, 2026.

After the bench trial, the circuit court issued factual findings and conclusions of law, including credibility determinations from the evidence presented. The circuit court's relevant factual findings are discussed further in the analysis below.

The circuit court ultimately entered judgment in Respondents' favor, rejecting the *Wise* and *Healey* Appellants' constitutional claims. The circuit court found Appellants had not carried their burden of establishing the 2025 Map violated the compactness, contiguity, and equal population requirements of article III, section 45.

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[4] The *Wise* and *Healey* Appellants also alleged in their separate petitions that the 2025 Map was unconstitutional because the Missouri legislature lacked authority to enact the 2025 Map under article III, section 45 after the 2022 Map was enacted. This Court resolved these claims in a separate case, *Luther v. Hoskins*, 730 S.W.3d 567 (Mo. banc 2026). As a result, the *Wise* and *Healey* Appellants dismissed these claims.

It is also worth noting neither the *Wise* nor *Healey* Appellants challenged the 2025 Map on the grounds the newly created congressional districts were politically gerrymandered and adopted for partisan gain. Gerrymandering involves the political manipulation of electoral district boundaries to advantage a political party or other group. While discouraged, gerrymandering for purely partisan purposes is not ordinarily subject to judicial review, according to the United States Supreme Court, and may explain why Appellants did not raise such a claim. *See Rucho v. Common Cause*, 588 U.S. 684, 718 (2019).

Both the *Wise* and *Healey* Appellants appealed the circuit court's judgment.[5]

Standard of Review

Before turning to the merits of Appellants' claims on appeal, it is essential to understand and appreciate the parameters under which the Court reviews Appellants' claims. The nomenclature for these parameters is commonly referred to as the "standard of review."

Under Missouri law, this Court must affirm the circuit court's judgment following a bench trial "unless there is no substantial evidence to support it, it is against the weight of the evidence, or it erroneously declares or applies the law." *Pearson v. Koster*, 367 S.W.3d 36, 43 (Mo. banc 2012) (*Pearson II*) (internal quotations omitted). The application of this standard of review must be conducted with consideration of "the burden of proof applicable at trial and the error claimed on appeal to the challenged judgment." *Id.* An appellate court "cannot review the judgment of a trial court properly under a given standard of review without considering the burden of proof governing the trial court's determination." *Id.*

Article III, section 45 of the Missouri Constitution sets forth the requirements for dividing the state into congressional districts by the number of representatives to which it is entitled under federal law. Pursuant to the Missouri Constitution, this Court's function in hearing a redistricting challenge on appeal "is to determine whether the constitutional [or federal law] requirements . . . were followed . . . ." *State ex rel. Teichman v. Carnahan*,

[5] This Court has jurisdiction because this appeal involves the constitutional validity of a state statute. Mo. Const. art. V, sec. 3.

357 S.W.3d 601, 603 (Mo. banc 2012). In a case challenging a redistricting map, a court reviews the map under identical standards as a review of a statute. *See Faatz v. Ashcroft*, 685 S.W.3d 388, 396 (Mo. banc 2024). The map "is assumed to be constitutional and will not be held unconstitutional unless the plaintiff proves that it clearly and undoubtedly contravenes the constitution." *Id.* (internal quotations omitted). The map will be upheld unless it "plainly and palpably affronts fundamental law embodied in the constitution," and "doubts will be resolved in favor of the constitutionality of the [map]." *Id.* at 396-97. "The person challenging the validity of the statute has the burden of proving the act clearly and undoubtedly violates the constitution." *Pearson II*, 367 S.W.3d at 45 (alteration omitted).

"In addition to the burden of proof, the reviewing court also must apply the proper standard of review for the error claimed on appeal." *Id.* at 43. "A claim that there is no substantial evidence to support the judgment or that the judgment is against the weight of the evidence necessarily involves review of the trial court's factual determinations." *Id.* "A court will overturn a trial court's judgment under these fact-based standards of review only when the court has a firm belief that the judgment is wrong." *Id.* "A claim that the judgment erroneously declares or applies the law, on the other hand, involves review of the propriety of the trial court's construction and application of the law." *Id.* "Implicit in these standards is the recognition that the trial court, in reaching its judgment, is in a better position to determine factual issues than an appellate court reviewing only the record on appeal." *Id.* "In this regard, it is necessary for the reviewing court to treat differently questions of law and questions of fact." *Id.*

"This Court applies *de novo* review to questions of law decided in court-tried cases." *Id.* *De novo* is Latin and means "anew." *See De Novo*, *Black's Law Dictionary* (12th ed. 2024). With respect to questions of law, "the appellate court reviews the trial court's determination independently, without deference to that court's conclusions." *Pearson II*, 367 S.W.3d at 43-44 (internal quotations omitted). "In reviewing . . . questions of fact, the reviewing court will defer to the trial court's assessment of the evidence . . . ." *Id.* at 44. "The trial court receives deference on factual issues because it is in a better position not only to judge the credibility of the witnesses and the persons directly, but also their sincerity and character and other trial intangibles which may not be completely revealed by the record." *Id.* (internal quotations omitted).

"A claim of error on appeal may present a mixed question of law and fact." *Id.* "In such an instance, the reviewing court applies the same principles articulated above except that it is necessary to segregate the parts of the issue that are dependent on factual determinations from those that are dependent on legal determinations." *Id.* "When presented with an issue of mixed questions of law and fact, a reviewing court will defer to the factual findings made by the trial court so long as they are supported by competent, substantial evidence, but will review *de novo* the application of the law to those facts." *Id.* (alterations omitted).

Within the limits of this standard of review, this Court must ultimately determine whether the legislature divided Missouri into congressional districts in compliance with the requirements of article III, section 45. Stated simply, the Court must determine whether the legislature divided Missouri into districts of "contiguous territory as compact and as

nearly equal in population as may be." Mo. Const. art. III, sec. 45. If the redistricted map is comprised of districts complying with these constitutional strictures, the courts will respect the political determinations of the Missouri legislature. *Pearson v. Koster*, 359 S.W.3d 35, 40 (Mo. banc 2012) (*Pearson I*).

This last point is worth repeating. Drawing maps establishing congressional districts is a political process, involving policy decisions that are political in nature, best left to elected representatives and the citizens of this state, not judges. *Id.* While partisan gerrymandering may "reasonably seem unjust," it involves "political questions" beyond the scope of judicial review absent laws or provisions prohibiting such practice. *Rucho*, 588 U.S. at 718. Courts are tasked with deciding only the legality, not the prudence, of a congressional district map. No matter how unpopular or celebrated a congressional map may be, the judiciary's duty is limited to determining only whether the drawn districts are "contiguous territory as compact and as nearly equal in population as may be." Mo. Const. art. III, sec. 45. These are the parameters by which the Court reviews this appeal.

Analysis

"[T]he duty to draw the district lines of a contiguous territory as compact and as nearly equal in population as may be is one that is mandatory and objective, not subjective." *Pearson I*, 359 S.W.3d at 40. This Court relies on three fundamental principles when considering redistricting cases. *Id.* at 39. First, redistricting is a predominantly political question, and, because decisions related to redistricting are predominantly political in nature, they are best left to politicians and not judges. *Id.* Second, compactness, contiguity, and numerical equality are paramount; so long as these are achieved, "numerous other

constitutional problems are avoided." *Id.*; *see* Mo. Const art. III, sec. 45. "Third, compactness and numerical equality cannot be achieved with absolute precision," as recognized by the "as may be" language used in article III, section 45. *Pearson I*, 359 S.W.3d at 39. These overarching principles guide this Court in analyzing Appellants' claims.

Compactness Requirement

Both the *Wise* and *Healey* Appellants claim the 2025 Map is not sufficiently compact in violation of article III, section 45 of the Missouri Constitution. The *Wise* Appellants generally challenge the compactness of the 2025 Map, pointing to congressional districts 4 and 5 as examples of districts that fail to comply with the compactness requirement. The *Healey* Appellants specifically challenge districts 4, 5, and 6 in the 2025 Map. They contend splitting Kansas City's metropolitan area into these three separate districts violates the compactness requirement. To resolve these claims requires an understanding of the term "compact."

This Court has long held compactness, as used in article III, section 45, means "closely united territory" and does not refer solely to "physical shape or size." *Pearson II*, 367 S.W.3d at 48. Because the term "compact" does not refer solely to the physical shape and size of a district, "a visual observation, although relevant, is not the decisive factor in determining whether a district departs from the principle of compactness." *Id.* at 48-49. For this reason, courts have relied on statistical measurements and analysis to determine compactness, *i.e.*, whether a district is a "closely united territory."

The term "compact" is also modified by the phrase "as may be" in article III, section 45. This phrase "recognizes that compactness cannot be achieved with absolute precision." *Id.* at 49 (alteration and internal quotations omitted). "The existence of multiple districts prevents absolute compactness . . . because the boundary of one district must fit the boundary of another district, all within state territory lines." *Id.*

The phrase "as may be" also recognizes that other factors "inherently are included within the constitutional standards governing the reapportionment process, although not expressly articulated as a separate requirement in the constitution." *Id.* Those factors include traditional principles like "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. To succeed in a challenge to redistricting, a challenger must show the map departs from the principles of compactness and, to the extent any departures exist,

> any deviations were not minimal or practical deviations . . . occurring as a result of: (1) the interrelationship in standards for the population equality and compactness requirements; (2) the contiguity requirement; (3) federal laws . . . ; 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. In sum, to prevail in a compactness challenge, a challenger must show (1) the challenged district departs from principles of compactness and (2) any such deviation cannot be explained by the legislature's adherence to other factors. *Id.* If a challenger does not make the requisite showing on one of these two points, the Court need not consider the other.

Standard of Review – Compactness

A claim that a district lacks compactness following redistricting is subject to judicial review. "[C]ourts have jurisdiction and authority to pass upon the validity of legislative acts apportioning the state into senatorial or other election districts and to declare them invalid for failure to observe non-discretionary limitations imposed by the Constitution." *Pearson I*, 359 S.W.3d at 39 (alteration in original). Deciding whether the compactness requirement is satisfied involves determining a mixed question of law and fact. *Pearson II*, 367 S.W.3d at 47. The meaning of the language in article III, section 45 is a question of law to which *de novo* review applies. *Comm. for Educ. Equal. v. State*, 294 S.W.3d 477, 488 (Mo. banc 2009) ("[T]he trial court's interpretation of the Missouri Constitution [is a] question[] of law given *de novo* review."). On the other hand, determining whether the characteristics of a particular map satisfy the meaning of the compactness requirement involves questions of fact. *Pearson II*, 367 S.W.3d at 47. "It is necessary, therefore, to analyze separately the legal determinations from the factual determinations on the issue of whether the challenged districts are as 'compact . . . as may be.'" *Id.* (alteration in original). The factual test of whether a district is "as compact . . . as may be" looks to the totality of the evidence. *Id.* at 48.

Applying this legal framework, the circuit court heard evidence over four days of trial and made factual findings with respect to the issue of compactness. These are summarized below.

Evidence and Factual Findings

The parties introduced statistical measures to quantify compactness of the congressional districts the 2025 Map created. Experts, presented by both Appellants and Respondents, relied on the Reock measure, one of the first devised statistical measures of compactness, which compares the area of a district to the area of the smallest circle wholly encompassing the district – also referred to as the minimum bounding circle. The expert witnesses also relied on the Polsby-Popper measure, which calculates the percentage of a circle with the same perimeter as the district the proposed district would fill. Appellants' experts acknowledged courts have relied on these two measures for decades and stated these are the two measures of compactness that appear most frequently in court opinions and decisions.

The experts on both sides agreed the 2025 Map is more compact statewide than the 2022 Map using the Polsby-Popper measure. Using Maptitude, a common mapping and redistricting software, the circuit court found the 2025 Map is also more compact statewide than the 2022 Map on the Reock measure. Every Missouri district in the 2025 Map, including districts 4, 5, and 6, is more compact than the least compact district in the 2022 Map. District 4 is more compact using the Polsby-Popper measure, and District 6 is more compact using the Polsby-Popper and Reock measures than in the 2022 Map.

The circuit court also found, in congruence with the experts, the 2025 Map outperforms the congressional redistricting map the legislature enacted in 2012 ("2012 Map") on statistical measures of compactness. The 2025 Map scores as more compact than the 2012 Map using both the Polsby-Popper and Reock measures. Districts 4, 5, and 6,

specifically challenged by Appellants, are more compact in the 2025 Map than the versions of those districts from the 2012 Map, which this Court held to be constitutionally compact in *Pearson II*, 367 S.W.3d at 51. Districts 5 and 6, which this Court specifically addressed and upheld in the 2012 Map, are more compact using the Polsby-Popper and Reock measures as calculated by Maptitude and Dave's Redistricting Application, another redistricting software application. District 4 is more compact using the Polsby-Popper measure, with the same Reock score as calculated by Maptitude, and the Reock score being slightly lower (by 0.02) as calculated by Dave's Redistricting Application. Of note, the circuit court found each challenged district – 4, 5, and 6 – is more compact using both the Polsby-Popper and Reock measures than the least compact district from the 2012 Map.

The 2025 Map also performs better than the 2022 Map and the 2012 Map statewide using the Convex Hull score, another measure of compactness. Dr. Sean Trende, one of the State's expert witnesses, assessed districts 4, 5, and 6 and determined the 2025 Map "fall[s] within the range of what's been draw[n] in Missouri in fairly recent maps." The circuit court found this assessment to be credible. Dr. Trende found the 2025 Map has an average Convex Hull score of 0.802, which is more favorable than both the 2022 Map and 2012 Map, scoring 0.786 and 0.752, respectively. In fact, Dr. Trende determined the 2025 Map is the best scoring map in terms of Convex Hull since at least before 1972.

Evidence was also presented of the Schwartzberg compactness measure, a ratio that compares the perimeter of a district to the perimeter of a circle of equal area. A circle would score a value of one on the Schwartzberg index, and less compact shapes are represented by values greater than one. In this measure, the larger the number, the less

compact the district. The 2025 Map has a better Schwartzberg score statewide than the 2022 Map and the 2012 Map. The 2025 Map's Schwartzberg score has a lower mean and standard deviation, which shows the 2025 Map scores well for compactness, and its district scores within the map are more equal to each other.

Additional evidence was introduced about a common-sense compactness measure called IKIWISI, "I know it when I see it." IKIWISI derives its scores from interviewing judges, redistricting experts, public officials, lawyers and ordinary citizens by showing them various districts, in order to get a sense of what they would consider valid. The 2025 Map, with an average IKIWISI score of 63, performs better than both the 2022 Map and 2012 Map, which had scores of 57.2 and 48.8, respectively.

Finally, the circuit court determined, while comparing the 2025 Map's mathematical performance against previously enacted plans is helpful, it is not the determinative evaluation of the 2025 Map's compactness. The quantitative data, however, persuasively shows the 2025 Map performs better than enacted congressional maps in many categories, and it is not an outlier. The 2025 Map is within the range of historical measures of compactness scores, so the circuit court found the 2025 Map quantitively compact statewide.

The circuit court also heard evidence and considered the county and municipal splits the 2025 Map made as these splits pertain to compactness. The 2025 Map reduces the number of county splits as compared to the 2022 Map. The 2025 Map split five counties, while the 2022 Map split nine counties. Dr. Trende explained the significance, stating seven county splits are the practical minimum number of county splits in an eight-district

map drawn to precisely equal population, such as the 2025 Map. Statewide, the 2025 Map reduces the number of municipality splits from 31 in the 2022 Map to 13. The 2022 Map split 22 municipalities contained wholly within a single county, while the 2025 Map splits only two of these municipalities. The 2025 Map also reduces the number of split voting tabulation districts statewide.

Because Appellants challenge districts 4, 5, and 6 specifically, which include areas in and around the Kansas City metropolitan area, the circuit court made numerous findings pertaining to those areas. The circuit court observed the 2025 Map divides the Kansas City metropolitan area among three congressional districts like its predecessor maps, but the circuit court noted the 2025 Map has some key distinctions. Like the 2022 Map and 2012 Map, the 2025 Map splits Kansas City into districts 4, 5, and 6.[6] But, the 2025 Map places all of Clay County into district 6, unifying the Kansas City metropolitan area north of the Missouri River ("Northland") into one district, unlike previous maps. Additionally, the 2025 Map places a larger share of the populations of Kansas City and Jackson County into districts 4 and 6 as compared with prior maps.

The circuit court determined Kansas City is the largest municipality by population in districts 4, 5, and 6, and Jackson County is the largest county by population in districts 4 and 5. Kansas City's population in district 4 is six times larger than the next largest city in district 4 – Sedalia. Kansas City's population in district 5 is approximately 48,000 more

[6] The 2025 Map, however, draws a district line through a portion of Troost Avenue in Kansas City. Despite Troost Avenue's well-known history as a racial dividing line in Kansas City, Appellants did not allege the 2025 Map was racially discriminatory.

than Columbia, the next largest city with a portion of the city in district 5 (Columbia is split between districts 3 and 5) and roughly four times larger than Jefferson City. Kansas City's population in district 6 is 207,567, representing the largest portion of Kansas City's population across all districts. Similar trends are seen with Jackson County's population, with Jackson County's district 4 population being three times larger than the next county in that district and its district 5 population being approximately five times larger than that of Cole County, the next largest county entirely contained within district 5. According to census data, district 4 was a majority-rural district in the 2022 Map but became majority-urban in the 2025 Map. Districts 5 and 6 were majority-urban in the 2022 Map and remained so with the 2025 Map.

The circuit court further heard and considered evidence and testimony from lay and expert witnesses related to "communities of interest" and alternative maps. Notably, Kansas City Mayor Quinton Lucas testified he had concerns with the 2025 Map because it divides "communities of interest" in Kansas City. While the 2025 Map splits new parts of Kansas City, it removes the Northland split, including the northern half of Kansas City. The 2025 Map also removes the splits of Claycomo, Pleasant Valley, Sugar Creek, Blue Springs, Lake Lotawana, Lee's Summit, and Independence (with the exception of unpopulated areas). The circuit court recognized Appellants' policy preferences were justifiable and understandable but determined these preferences have limited value in this case because the court's role is not to decide which portions of the Kansas City area are better to split to keep some "communities of interest" intact while dividing others. The circuit court determined objective factors including statistical measures, historical maps,

population density, and county and municipal splits were more helpful in reviewing the constitutional validity of the 2025 Map.

Appellants also presented alternative maps at trial, which were not before the legislature and were never considered by the legislature in passing the 2025 Map. The circuit court determined the creation of these maps, without details and control for redistricting principles, and with a focus on Kansas City only, did little to aid the court's evaluation of the 2025 Map.

In the context of this evidence and the circuit court's findings, this Court reviews Appellants' claims contesting the circuit court's judgment as it relates to the issue of compactness.

Statistical Measures

In their first point on appeal, Appellants argue the circuit court erred in finding no departure from compactness in the challenged districts because the circuit court relied exclusively on statistical measures of a district's physical size and shape instead of considering this as a mere factor in its analysis.[7] Because this Court finds the circuit court did not rely solely on these factors, this point is denied.

"[T]he test for whether a district is 'as compact . . . as may be' is . . . a single inquiry as to whether, under the totality of the evidence, the challenged district is 'as compact . . . as may be.'" *Pearson II*, 367 S.W.3d at 48 (second and fourth alterations in original). "This test involves a determination of whether there is a departure from the principle of

[7] This argument corresponds to the *Healey* Appellants' first point on appeal and the *Wise* Appellants' second point on appeal.

compactness in the challenged district and, if there are minimal and practical deviations, whether the district is nonetheless 'as compact . . . as may be' under the circumstances." *Id.* (alteration in original). Statistical measures are relevant in a court's evaluation of compactness, and they are a factor the circuit court may rely on when analyzing a district looking at the totality of the evidence. *Id.* at 55 n.18. But statistical measures "alone do not demonstrate that a map is or is not compact." *Id.* at 49 n.10.

Appellants argue a circuit court cannot rely on statistical measures alone when determining a challenged district's compactness and, instead, must look to the totality of the evidence. This is correct – alone, statistical measures of compactness do not demonstrate a map is compact; however, they can be used as a factor in the court's analysis of a district's compactness. In fact, Appellants introduced and relied on statistical metrics in arguing certain districts were not compact. Appellants are wrong, however, in their contention the circuit court relied solely on these statistical measures to determine compactness. The circuit court considered numerous other factors in reaching its judgment, including historical maps, population density, and county and municipal splits. While the circuit court weighed statistical measures of compactness in analyzing the overall compactness of the map, it did not weigh this evidence alone. To determine the 2025 Map was compact, the circuit court considered the totality of the evidence, including expert testimony, county and municipal splits, and population density. Therefore, this Court finds no error in the circuit court's use of statistical measures in determining the 2025 Map does not depart from constitutional principles of compactness.

Accordingly, this point is denied.

District-by-District Analysis

Appellants next argue the circuit court erred by failing to conduct a district-by-district analysis in determining compactness.[8] Because this Court finds the circuit court sufficiently analyzed each challenged district in its determination, this point is denied.

The requirements of article III, section 45 apply to each Missouri voter in every congressional district, so each congressional district must be "as compact . . . as may be." *Id.* at 54 n.16. While evidence of the map's compactness as a whole is of "limited relevance," *id.*, as each individual district must be examined to determine its compactness, it nonetheless remains relevant in a map's analysis. In fact, this Court has recognized article III, section 45's "as may be" language reflects that compactness cannot be achieved with absolute precision. *Id.* at 49. The existence of multiple districts in a map prevents absolute compactness because the boundary of one district must fit with the boundary of another district, all within state territorial lines. *Id.* Because the compactness of one district necessarily affects the compactness of another district, it remains appropriate to consider the map as a whole, even if the parties challenge the compactness of only specific districts.

While the circuit court evaluated the map as a whole when considering whether Appellants met their burden at trial in establishing the map was "as compact . . . as may be," the circuit court also engaged in a district-by-district analysis. The circuit court explicitly considered the three challenged districts in analyzing the challenge to the 2025 Map. The circuit court found districts 4, 5, and 6 are more compact in the 2025 Map than

[8] This argument corresponds to the *Healey* Appellants' second point on appeal and the *Wise* Appellants' first point on appeal.

the versions of those districts from the 2012 Map, which were held to be constitutionally compact in *Pearson II*. The circuit court noted districts 5 and 6, which this Court specifically addressed and upheld in the 2012 Map, are more compact using the Polsby-Popper and Reock measures as calculated by Maptitude and Dave's Redistricting Application. It also found district 4 is more compact using the Polsby-Popper measure, with the same Reock score as calculated by Maptitude and the Reock score being slightly lower (by 0.02) as calculated by Dave's Redistricting Application. The circuit court also found districts 4, 5, and 6 are more compact using both the Polsby-Popper and Reock measures than the least compact district from the 2012 Map. Finally, the circuit court made numerous findings regarding county and municipality splits in districts 4, 5, and 6. Therefore, it cannot be said that the circuit court failed to perform a district-by-district analysis of compactness as Appellants claim.

Additionally, the circuit court's evaluation of the 2025 Map as a whole is not irrelevant. The compactness of one district directly affects the compactness of a neighboring district. By looking at the compactness of the 2025 Map as a whole, this aided the circuit court in determining whether Appellants met their burden in showing the 2025 Map is not "as compact . . . as may be."

Appellants also contend in this point on appeal the circuit court erred in comparing the compactness metrics of the 2025 Map with the metrics of districts in prior congressional district maps. This Court has previously stated the language used in the constitutional requirements for redistricting implicitly permits consideration of the historical boundary lines of prior redistricting maps. *Johnson v. State*, 366 S.W.3d 11, 28 (Mo. banc 2012).

Notably, *Pearson II* relied explicitly on historical maps to set forth its holding, found in Appendix A of that opinion. *Pearson II*, 367 S.W.3d at 57-66. The comparison with prior maps is legally relevant in determining compactness. If this Court has upheld a prior map or district, and a lower court relies on that holding to compare a challenged map or district with one that has previously passed constitutional muster, this evidence is relevant because it aids in the lower court's conclusion. Especially here, given the circuit court judgment looks to the 2012 Map, held constitutional on challenge to this Court, that prior map comparison is relevant and useful. To say otherwise would go against this Court's precedent. Finally, comparing the 2025 Map with the 2022 Map is relevant, as Appellants' requested remedy is to revert back to the 2022 Map. It would be nonsensical to find the 2025 Map unconstitutional for lack of compactness only to enforce a separate map that is even less compact.

This Court finds no error in the circuit court's consideration of the map as a whole or prior maps in determining the 2025 Map satisfies the compactness requirement of article III, section 45.

Accordingly, this point is denied.

Closely United Territory

Appellants next argue the circuit court erred in disregarding their qualitative evidence of compactness deviations as "legally irrelevant" because they argue prior caselaw contemplates consideration of such evidence when determining whether a district

comprises "closely united territory."[9] Specifically, Appellants argue the circuit court erred in determining the "communities of interest" analysis, which Appellants presented through expert and lay witnesses at trial, was irrelevant. Because the circuit court did, in fact, consider "communities of interest" evidence in its compactness analysis, this point is denied.

The circuit court did find Appellants' "communities of interests" evidence was "legally irrelevant," relying on *Johnson*, 366 S.W.3d at 30, in stating "Missouri law 'does not recognize . . . maintaining communities of interest' as a factor for the [legislature] to consider when redistricting." Appellants allege the circuit court misapplied the law by so holding, relying on *Pearson II*, which says Missouri courts should look to the totality of the evidence to assess whether a district is "composed of closely united territory." *Pearson II*, 367 S.W.3d at 51. Appellants contend the circuit court **could** look to evidence regarding "communities of interest" in analyzing the 2025 Map's compactness. *See, e.g.*, *People Not Politicians v. Hoskins*, No. WD88795, 2026 WL 1175290, at *13 (Mo. App. W.D. Apr. 30, 2026) (noting as relevant a district's "interconnectedness in terms of transportation and communication" and a district's "chief lines of travel and commerce").

Even if Appellants are correct in arguing the circuit court could consider such "communities of interest" evidence in determining compactness, which this Court does not decide here, their argument fails because the circuit court ultimately did consider such evidence. The circuit court found, even if the "communities of interest" evidence and

[9] This argument corresponds to the *Healey* Appellants' third point on appeal and the *Wise* Appellants' fourth point on appeal.

arguments were proper factors to consider in determining compactness, Appellants still failed to meet their heavy burden to find the map unconstitutional. The circuit court pointed out Appellants' expert witnesses largely ignored the fact the 2025 Map replaces a significant split of the Northland, which Appellants identified at trial as a "community of interest" through the testimony of Kansas City Mayor Lucas. The circuit court also highlighted the fact the 2025 Map resolves splits of other municipalities in the Kansas City area, and Appellants' expert decided to prioritize not splitting the Jackson County portion of Kansas City over these other areas. While the circuit court recognized this as a legitimate policy preference, it stated it was not the circuit court's role to implement that policy preference over the legislature's by finding unconstitutional the 2025 Map that removes splits from other communities. Because the circuit court did, indeed, weigh evidence of communities of interest and determined Appellants had not met their burden, this Court denies this point on appeal. As highlighted in the first three points on appeal, the circuit court properly found there was no departure or violation from article III, section 45's compactness requirement.

Departures from Compactness

Appellants next contend the circuit court erred in failing to determine whether the challenged districts' departures from compactness were minimal and practical deviations.[10] They also argue the circuit court erred in allowing non-recognized factors, such as

[10] This argument corresponds to the *Healey* Appellants' fourth point on appeal and the *Wise* Appellants' fifth point on appeal.

consideration of state legislative districts, to justify departures from compactness.[11] Because the circuit court concluded Appellants failed to demonstrate any departures from compactness, it did not need to make any determination on whether any deviations were minimal and practical nor did it need to consider other factors in coming to that conclusion.

First, Appellants argue the circuit court erred in failing to determine whether the challenged districts' departures from compactness were minimal and practical deviations. The test for compactness is "a single inquiry as to whether, under the totality of the evidence, the challenged district is 'as compact . . . as may be.'" *Pearson II*, 367 S.W.3d at 48 (alteration in original). "This test involves a determination of whether there is a departure from the principle of compactness in the challenged district and, **if** there are minimal and practical deviations, whether the district is nonetheless 'as compact . . . as may be' under the circumstances." *Id.* (alteration in original) (emphasis added). Because the circuit court did not erroneously apply the law to conclude Appellants failed to demonstrate any violation or departures from compactness, as explained regarding the preceding points on appeal, it did not need to make **any** determination whether any deviations were "minimal and practical," as Appellants argue. Even if the circuit court did not properly make a finding as to minimal and practical deviations, it was not required to do so, as it never found the map or the challenged districts departed from compactness principles.

[11] This argument corresponds to the *Healey* Appellants' fifth point on appeal and the *Wise* Appellants' sixth point on appeal.

Moreover, the circuit court did consider whether any deviation was "minimal and practical." The circuit court found, "[e]ven if [Appellants] could show 'a departure from the principle of compactness,' their compactness challenges still fail because they cannot show that any of the challenged districts are not 'as compact . . . as may be' under the circumstances." Any deviation from compactness in the challenged districts is "practical" and justified by the legislature's adherence to other requirements, as well as traditional principles. This demonstrates the circuit court did decide, if any deviation was present, it was as minimal and practical under the circumstances.

Second, Appellants contend the circuit court erred in allowing non-recognized factors to justify departures from compactness. Notably, Appellants contend the circuit court's consideration of state legislative districts was error.

> Because the standard for determining whether a district is drawn "as compact . . . as may be" includes whether any minimal and practical deviations were a result of recognized factors that may affect the district boundaries, Plaintiffs must prove that the boundaries of [the challenged districts] depart from the principles of compactness **and** that any deviations were not minimal or practical deviations resulting from applying the recognized factors.

Pearson II, 367 S.W.3d at 53 (first alteration in original) (emphasis added). The circuit court concluded the 2025 Map and, specifically, the challenged districts do not depart from principles of compactness, so it did not need to consider the other recognized factors from *Pearson II*. Even if the circuit court improperly considered state senate boundaries, which this Court does not decide in this case, it did not affect its final judgment.

Accordingly, these points are denied.

Reliance on Hypothetical Policy Preferences

Next, Appellants argue the circuit court erred in relying on hypothetical legislative "policy preferences" to justify departures from compactness.[12] They urge that article III, section 45's compactness requirement is mandatory and objective, not subjective, and legislative policy preferences cannot override this constitutional mandate. Appellants' argument lacks merit, however, because the circuit court properly found Appellants failed to demonstrate departures from the principles of compactness in the 2025 Map and the challenged districts.

As discussed in the previous points, because the circuit court found there was no departure from article III, section 45's compactness requirement, it cannot be faulted for not considering any justification for the departure. Any discussion by the circuit court about the hypothetical policy preferences of the legislature justifying deviation from the compactness requirement does not affect the circuit court's finding that the 2025 Map and the challenged districts do not depart from or violate the principles of compactness.

Nonetheless, the circuit court did not misapply the law by relying on the legislature's policy preferences. "[T]he duty to draw the district lines . . . as compact . . . as may be is one that is mandatory and objective, not subjective." *Pearson I*, 359 S.W.3d at 40. "[T]he existence of good faith in the legislature or lack thereof is irrelevant under the requirements in the Missouri Constitution." *Pearson II*, 367 S.W.3d at 46. Appellants argue the circuit court misapplied the law in disregarding these directives and relying on

[12] This argument corresponds to the *Healey* Appellants' sixth point on appeal and the *Wise* Appellants' seventh point on appeal.

the legislature's hypothetical subjective intent as a reason to conclude the 2025 Map complies with article III, section 45's compactness requirement. Appellants specifically argue the circuit court's discussion of population density, particularly speculation about the legislature's intent in splitting the densest areas of Kansas City into three separate districts, illustrates this error. Appellants also argue the circuit court erred in refusing to consider their argument that respect for population density cannot explain the configuration of the challenged districts.

The circuit court did not refuse to consider Appellants' evidence; rather, it merely gave this evidence little weight. The circuit court, within its fact-finding discretion, found the population density splits at issue were policy preferences. While Appellants presented evidence in favor of one community split based on population, and they may have preferred the population being split in a different manner, the legislature may have preferred another way to split districts based on population density. While it is true the duty to draw compact lines when redistricting is objective, and the existence of good faith on the part of the legislature is irrelevant in this determination, the circuit court's analysis did not improperly consider the subjective intent of the legislature – it simply looked at the two alternatives and concluded that political policy preferences underlie where congressional districts are drawn. The evidence and the circuit court's analysis merely acknowledge there is more than one way to scale a mountain, and the legislature gets to choose the path so long as the summit is reached. Here, the circuit court properly found the 2025 Map satisfies the constitutional principles of compactness, and because of this, the subjective policy preferences of the legislature and Appellants related to population density are irrelevant.

Accordingly, this point is denied.

Alternative Maps

Appellants next argue the circuit court erred in rejecting their evidence of alternative maps as failing to account for all of the legislature's policy preferences.[13] Appellants argue this Court has held alternative maps must simply demonstrate that challenged deviations from compactness were unnecessary to comply with the factors as set forth in *Pearson II*, and such evidence can demonstrate a compactness violation under controlling precedent.

As stated, the factual test of whether a district is "as compact . . . as may be" looks to the totality of the evidence. *Id.* at 48. "This test involves a determination of whether there is a departure from the principle of compactness in the challenged district and, if there are minimal and practical deviations, whether the district is nonetheless 'as compact . . . as may be' under the circumstances." *Id.* (alteration in original). If Appellants cannot make this showing, this Court shall respect the legislature's duly enacted map. *Id.* Appellants are not wrong. To meet the objective standard, there must be evidence that greater compactness is feasible in one or more districts. *Johnson*, 366 S.W.3d at 31. There must also be a showing that "other recognized factors did not affect the district boundary." *Id.* A party can accomplish this task by "submit[ting] maps or other evidence that objectively shows that county lines, political subdivisions, or historical boundary lines were not a basis for the district boundary or that it goes beyond a 'minimal and practical deviation.'" *Id.* (alteration omitted).

[13] This argument corresponds to the *Healey* Appellants' seventh point on appeal and the *Wise* Appellants' third point on appeal.

As noted above, Appellants failed to show the challenged districts do not satisfy the constitutional requirements of compactness. The circuit court did not reject Appellants' alternative map evidence. It just found the 2025 Map satisfied the compactness requirement, so it did not place much weight on the fact that other alternative maps could also have satisfied the requirement.

Clearly, alternative maps are relevant evidence in compactness litigation. The circuit court did not exclude or fail to consider the Appellants' alternative maps, it just did not give this evidence the weight Appellants desire. As the finder of fact, the circuit court makes credibility determinations and determines how much weight to give each piece of evidence. The circuit court properly found there is virtually no limit to the creation of alternate maps that could increase or improve compactness, but that does not meet the Appellants' high burden to show the 2025 Map is unconstitutionally non-compact. As noted above, there are many different ways to draw a congressional district, and all that matters is the district is properly drawn according to the mandates of the constitution. Appellants had to prove the 2025 Map and the challenged districts fail the compactness requirements, not that there is a better way to meet the requirements. They failed to do so.

Accordingly, this point is denied.

Circuit Court's Evidentiary Findings

In their next point on appeal, Appellants argue the circuit court's finding the challenged districts do not violate the compactness requirements was against the weight of

the evidence.[14] Specifically, Appellants contend their evidence clearly showed the challenged districts violate the "closely united territory" requirement, and this evidence outweighs the evidence regarding quantitative metrics and subjective legislative intent on which the circuit court relied. Because there is a wealth of evidence to show the 2025 Map satisfies the compactness requirements, this point is denied.

"The judgment of the trial court will be affirmed unless there is no substantial evidence to support it, it is against the weight of the evidence, or it erroneously declares or applies the law." *Pearson II*, 367 S.W.3d at 43 (internal quotations omitted). "A claim that there is no substantial evidence to support the judgment or that the judgment is against the weight of the evidence necessarily involves review of the trial court's factual determinations." *Id.* "A court will overturn a trial court's judgment under these fact-based standards of review only when the court has a firm belief that the judgment is wrong." *Id.* "[T]his Court will affirm the circuit court's factual findings unless there is no substantial evidence to support the finding or the finding is against the weight of the evidence." *Faatz*, 685 S.W.3d at 403 (footnote omitted). "The purpose of [the weight of the evidence standard] is to give the findings of fact of the trial court the approximate effect of a jury verdict, especially when weighing and credibility are involved." *Pearson II*, 367 S.W.3d at 51. "This Court rarely has reversed a trial judgment as against the weight of the evidence . . . ." *Id.* at 52.

[14] This argument corresponds to the *Healey* Appellants' eighth point on appeal and the *Wise* Appellants' eighth point on appeal. The *Healey* Appellants specifically challenge the circuit court's judgment with respect to district 5, while the *Wise* Appellants challenge the circuit court's judgment with respect to districts 4 and 5.

This case does not present the rare circumstance when the circuit court's judgment should be reversed as against the weight of the evidence. Appellants' weight-of-the-evidence claim challenges the circuit court's findings favoring Respondents' evidence over the evidence they presented. It should be noted, however, Respondents had no burden of proof in this case and were not required to present any evidence to prevail. *See State Farm Mut. Auto. Ins. Co. v. Allen*, 744 S.W.2d 782, 786 (Mo. banc 1988) (refusing to weigh evidence in court-tried case in which the circuit court's judgment was for the defendant). Under the legal standard for compactness, like any constitutional claim, Appellants have the burden of showing the challenged districts are drawn in such a way that "clearly and undoubtedly violates the constitution." *Pearson II*, 367 S.W.3d at 45.

Appellants' claim that the challenged districts were not "as compact . . . as may be" required the circuit court to weigh the evidence and make factual determinations. The circuit court did so, making detailed findings of fact and determinations in concluding the 2025 Map did not violate the compactness requirement. The circuit court considered a wealth of evidence – statistical measures, population density, county and municipal boundaries, and the historical boundary lines of prior redistricting maps. The circuit court cannot be faulted for failing to consider and weigh the evidence as it took great lengths to explain its findings. This Court has weighed these extensive findings and determined there was more than sufficient evidence to support the circuit court's judgment. For the reasons enumerated above, Appellants have failed to show the 2025 Map departs from the principle of compactness, and the circuit court's findings are not against the weight of the evidence. Accordingly, this point is denied.

In their ninth point on appeal, the *Wise* Appellants make a related claim, arguing the circuit court's finding that neither district 4 nor district 5 violates the compactness requirement is not supported by substantial evidence.[15] Appellants contend, had each district been assessed individually under the totality of the evidence, there is no substantial evidence in the record to support a finding that districts 4 and 5 are "as compact . . . as may be." They argue the circuit court's sole evidentiary basis in reaching its finding consisted of plan-wide average scores, comparison with historical maps, and map-wide improvements to county and municipal splits. Further, Appellants assert plan-wide averages have "limited relevance" to the compactness of any individual district and quantitative measures alone do not demonstrate whether a district is compact.

"The judgment of the trial court will be affirmed unless there is no substantial evidence to support it . . . ." *Id.* at 43 (internal quotations omitted). "Substantial evidence is evidence that, if believed, has some probative force on each fact that is necessary to sustain the circuit court's judgment." *Ivie v. Smith*, 439 S.W.3d 189, 199 (Mo. banc 2014). "When reviewing whether the circuit court's judgment is supported by substantial evidence, appellate courts view the evidence in the light most favorable to the circuit court's judgment and defer to the circuit court's credibility determinations." *Id.* at 200. "Appellate courts accept as true the evidence and inferences . . . favorable to the trial court's decree and disregard all contrary evidence." *Id.* (alteration in original) (internal quotations omitted). "[T]his Court has made clear that no contrary evidence need be considered on a

[15] The *Wise* Appellants raise this argument in their ninth point on appeal. The *Healey* Appellants do not raise this claim on appeal.

substantial-evidence challenge, regardless of . . . the burden of proof at trial . . . ." *Id.* "Circuit courts are free to believe any, all, or none of the evidence presented at trial." *Id.*

In reviewing Appellants' claim that the circuit court's findings as to the compactness of districts 4 and 5, this Court views the evidence in the light most favorable to the judgment and defers to the circuit court's credibility determinations. As noted, the circuit court did not disregard Appellants' evidence in determining the challenged districts satisfied the compactness requirement – it merely gave this evidence less weight than Appellants believe it deserved. Appellants argue the circuit court disregarded highly probative evidence that, if considered, would have shown a clear compactness violation. Under the standard of review, however, this Court must disregard all evidence contrary to the judgment and look solely to whether there was substantial evidence to support the judgment. As noted above, the circuit court did, in fact, look to district-specific evidence in concluding the challenged districts did not violate the compactness requirements. Additionally, this Court finds the additional evidence relied upon by the circuit court to reach its findings – including the plan-wide average scores, comparison to historical maps, and map-wide improvements to county and municipal splits – was probative of the compactness of each individual district. All this evidence provided a substantial basis for the circuit court to conclude each of the challenged districts complied with article III, section 45's compactness requirement as required by the Missouri Constitution.

Accordingly, this point is denied.

Contiguity and Equal Population Requirements

The *Wise* Appellants claim the 2025 Map improperly assigns a single voting tabulation district ("VTD"), KC 811, to both districts 4 and 5. The *Wise* Appellants alleged this violates the equal population and contiguity requirements of article III, section 45.[16] The circuit court heard evidence and made factual findings with respect to the issues of contiguity and equal population as it relates to VTD KC 811. With regard to the contiguity and equal population claims, the circuit court noted the *Wise* Appellants put on no evidence at trial to support these claims. The circuit court further found a single VTD KC 811 is **not** assigned to two districts. Rather, the circuit court found there are two separate VTDs referred to as KC 811, allowing the two VTDs to be assigned to separate districts. VTD KC 811, therefore, does not violate equal population or contiguity. Further, no evidence was introduced that the 2025 Map is not contiguous, and no evidence was presented that the 2025 Map creates districts with unequal population.

On appeal, the *Wise* Appellants argue the circuit court erred in making this finding because it based its ruling on whether the law would be misapplied rather than simply interpreting the text of HB 1, which assigned two identically named VTDs to both districts 4 and 5. As previously stated, the standard of review for any court-tried case is that this Court will affirm the circuit court's judgment unless it misapplied or erroneously declared the law. *Pearson II*, 367 S.W.3d at 43. "[The map] is assumed to be constitutional and will not be held unconstitutional unless the plaintiff proves that it clearly and undoubtedly

[16] The *Wise* Appellants raise this claim in their tenth point on appeal. The *Healey* Appellants did not raise this claim in the circuit court or on appeal.

contravenes the constitution." *Johnson*, 366 S.W.3d at 20 (alteration omitted) (internal quotations omitted). "This Court will uphold the [map] unless it plainly and palpably affronts fundamental law embodied in the constitution, and doubts will be resolved in favor of the constitutionality of the plan." *Id.* (internal quotations omitted). "The person challenging the validity of the statute has the burden of proving the act clearly and undoubtedly violates the constitution." *Pearson II*, 367 S.W.3d at 45 (alteration omitted).

The circuit court noted the *Wise* Appellants offered no evidence supporting their contiguity and equal population claims. Based on the evidence before it, the circuit court concluded a single VTD KC 811 was not assigned to two districts, and there was no credible basis in the evidence to believe the Kansas City Board of Elections would misapply the new map and double-assign this VTD to two separate districts. In making this determination, the circuit court did not misapply the law in finding there to be two separate VTDs called KC 811. Rather, it found the plain and ordinary meaning of HB 1 provided that one VTD KC 811 is assigned to district 4, while the other is assigned to district 5. Because the circuit court did not misapply the law interpreting HB 1 in this fashion, the *Wise* Appellants' final claim lacks merit and fails. Accordingly, this point is denied.

Conclusion

The *Healey* and *Wise* Appellants failed to show the 2025 Map clearly and undoubtedly violates the requirements of article III, section 45 of the Missouri Constitution. Therefore, the circuit court's judgment is affirmed.[17] No Rule 84.17 motions are permitted.

_____
W. Brent Powell, Chief Justice

All concur.

[17] Respondents raise various other reasons this Court should affirm the circuit court's judgment. Because the 2025 Map does not violate article III, section 45 of the Missouri Constitution, this Court need not address these additional issues raised by Respondents.