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IN THE SUPREME COURT FOR THE STATE OF ALASKA

IN THE MATTER OF THE )  
2021 REDISTRICTING PLAN ) No. S-18332  
(Alaska Redistrict Board) )  
\_\_\_\_\_)  
Superior court: 3AN-21-08869CI

MOTION TO PERMIT BRIEFING BY AMICI CURIAE

A half-dozen non-profit community and civic organizations were permitted to participate as amici in the superior court proceedings, all joining in a single memorandum supporting the equal protection argument advanced by the East Anchorage Plaintiffs (Felisa Wilson, Sean Murphy, and Yarrow Silvers). No party opposed their participation.<sup>1</sup>

The six amici organizations are the Alaska Black Caucus, National Association for the Advancement of Colored People Anchorage, Alaska Branch #1000, Enlaces, the Korean American Community of Anchorage, Inc., Native Movement, and First Alaskans Institute. These organizations and their interests in participating in this case are more fully described in the motions they submitted to the superior court.<sup>2</sup>

Amici move this Court for permission to participate in proceedings before this Court – whether the case proceeds by petition for review or appeal – on essentially the same conditions as they participate in the superior court. Thus, they request permission to submit

<sup>1</sup> See Exhibits 1 and 2 (superior court orders allowing amici participation).

<sup>2</sup> See Exhibits 3 and 4.

a joint brief, on the same schedule as the East Anchorage Plaintiffs, whose position they support, as provided in Appellate Rule 212(c)(9).

Dated at Anchorage, Alaska, on February 22, 2021.

AMERICAN CIVIL LIBERTIES UNION OF  
ALASKA FOUNDATION



Susan Orlansky [ABA 8106042]  
Richard Curtner [ABA 8706013]

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By:

*Michelle Dehmes*

Date and Time: 2.22.22 at 9:15 a.m.

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
THIRD JUDICIAL DISTRICT AT ANCHORAGE

In the Matter of the )  
2021 REDISTRICTING PLAN. ) Case No. 3AN-21-08869CI  
\_\_\_\_\_ )

**ORDER GRANTING MOTION FOR LEAVE TO SUBMIT  
BRIEFING AS AMICI CURIAE**

On January 19, 2022, the Alaska Black Caucus, National Association for the Advancement of Colored People Anchorage, Alaska Branch #1000, Enlaces, and the Korean American Community of Anchorage, Inc., moved this court for permission to participate in this case as amici curiae. None of the current parties oppose the Motion.

Accordingly, the Court hereby grants the Motion and notifies Amici that final briefs are due February 9.

IT IS SO ORDERED.

DATED at Anchorage, Alaska this 3<sup>rd</sup> day of February, 2022.

  
Thomas A. Matthews  
Superior Court Judge


I certify that 2/3/22 a copy of this Order was sent to the following:

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IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
THIRD JUDICIAL DISTRICT AT ANCHORAGE

In the Matter of the )  
2021 REDISTRICTING PLAN. ) Case No. 3AN-21-08869CI  
\_\_\_\_\_ )

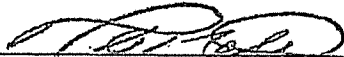
**ORDER GRANTING MOTION FOR LEAVE TO JOIN  
BRIEFING AS AMICI CURIAE**

On February 9, 2022, the Native Movement and First Alaskans Institute, moved this Court for permission to participate in this case as Amici Curiae. These Amici seek to join the briefing submitted by the Alaska Black Caucus, NAACP, and KACA. None of the current parties have opposed the Motion.

Accordingly, the Court hereby grants the Motion and notifies Amici that their status as Amici will be noted by the Court.

IT IS SO ORDERED.

DATED at Anchorage, Alaska this 10<sup>th</sup> day of February, 2022.


  
\_\_\_\_\_  
Thomas A. Matthews  
Superior Court Judge

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IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
THIRD JUDICIAL DISTRICT AT ANCHORAGE

IN THE MATTER OF THE )  
2021 REDISTRICTING PLAN. )  
\_\_\_\_\_ )

FELISA WILSON, GEORGE )  
MARTINEZ, and YARROW )  
SILVERS, )  
Plaintiffs, )

v. )

Case No. 3AN-21-08869CI

ALASKA REDISTRICTING )  
BOARD, )  
Defendant. )  
\_\_\_\_\_ )

**MOTION FOR LEAVE TO SUBMIT BRIEFING AS AMICI CURIAE**

The Alaska Black Caucus, National Association for the Advancement of Colored People Anchorage, Alaska Branch #1000, Enlaces, and the Korean American Community of Anchorage, Inc., move this court for permission to participate in this case as amici curiae, in support of the Anchorage plaintiffs' opposition to the Redistricting Board's decision to create Senate Districts K and L by pairing communities in downtown and East Anchorage with communities in Eagle River and Chugiak, rather than pairing two Anchorage house districts to create one senate seat, and two Eagle River house districts to create another.

Amici request permission to submit a single memorandum to the court, addressing the one issue mentioned above, on the same day that the Anchorage plaintiffs' post-trial



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brief is due. Amici will not participate in the trial, will not submit additional evidence, and will not raise entirely new legal arguments. They will endeavor not to repeat the arguments that they anticipate the named plaintiffs will make; they recognize that the court is busy and will have much to read in a short time frame. Amici wish to participate because they feel so strongly that the Board's house district pairings will significantly dilute – or entirely drown out – their voices in the state senate. They support the efforts of the three individuals who came forward to initiate the Anchorage portion of this lawsuit, but they believe that, as groups representing diverse citizens who reside in East Anchorage, they can assist the court by offering a broader perspective on the harms caused by the Board's actions.

Each of the groups who joins in this amici request is described briefly below.

**Alaska Black Caucus:** The Alaska Black Caucus is a non-partisan organization, whose mission is to assert the constitutional rights of African-Americans in Alaska. In fulfilling its mission, the Alaska Black Caucus participates in and hopes to influence decision-making within Anchorage and across the state on issues that affect African-Americans. It often acts as a liaison and coordinating entity for multiple minority groups who wish to be heard on an issue that affects them all.

Anchorage members of the Alaska Black Caucus reside primarily in Anchorage's diverse neighborhoods, which include high percentages of voters who identify as Black, Indigenous, and other People of Color. Many Caucus members and their allies live in downtown and East Anchorage, in the areas now designated as House Districts 18, 20, 21 and 23; these districts are among Anchorage's most diverse areas, and, as such, they share

common interests. Relatively few Caucus members live in Eagle River and Chugiak, the areas now designated as House Districts 22 and 24. Caucus residents from downtown and East Anchorage see little in common between their neighborhoods and the neighborhoods of Eagle River and Chugiak. Caucus members were dismayed to have the Board form senate districts by pairing each of two diverse Anchorage districts – House District 21 (South Muldoon) and House District 23 (downtown and JBER) – with a district composed of Eagle River and/or Chugiak residents, rather than selecting the more obvious pairings that would have combined the North and South Muldoon house districts to form one senate district, the two downtown districts to form another senate district, and the two Eagle River/Chugiak districts to form their own senate district. The chosen pairings dilute the effective voting strength of the racial minority residents of downtown and East Anchorage, and enhance the effective voting strength of the whiter, more affluent, and more conservative residents of Eagle River and Chugiak.

The Alaska Black Caucus wishes to participate in preparing an amici brief to give a greater voice to the concerns of its Anchorage members who oppose having their neighborhoods joined in senate districts with Eagle River and Chugiak.

**National Association for the Advancement of Colored People Anchorage, Alaska Branch #1000 (“NAACP Anchorage”):** The NAACP was founded in 1909 and, since then, has been at the forefront of the struggle for equal rights and opportunities for all citizens of the United States. NAACP Anchorage was founded in 1951. It has worked actively in the community for over 70 years to ensure that the voices of Anchorage’s

African-American residents are heard and that the State of Alaska provides equal opportunities to all.

Many NAACP Anchorage members reside in downtown and East Anchorage. From firsthand experience, they are aware that the neighborhoods in and around downtown and Muldoon are racially and ethnically very diverse, among the most diverse in the country. By contrast, neighborhoods in Eagle River and Chugiak tend to be significantly more homogeneously white and more affluent.

NAACP Anchorage was an active participant in the recent redistricting process. Its president testified more than once, and specifically proposed pairings of house districts to form senate seats that would protect the likelihood that voters in East Anchorage could continue to elect a state senator who comes from that community and who understands and supports its needs and interests. The Redistricting Board's choice, instead, to create senate districts by pairing each of the two house districts from Eagle River and Chugiak with a district from downtown or Muldoon creates a high likelihood that the voices and voting strength of the diverse Anchorage communities will be diminished, and the number of state senators who support the goals and objectives of NAACP Anchorage members will likely decline. NAACP Anchorage members were particularly disturbed to hear one of the Redistricting Board members state aloud that her proposed pairings, which the majority adopted, would enhance the representation of the interests of voters from Eagle River and Chugiak – which would mean that representation of the interests of diverse voters in Anchorage would diminish.

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NAACP Anchorage would like to participate as an amicus in this lawsuit to help establish how the adopted senate districts dilute or drown out the voices of minority voters in East Anchorage and downtown.

**Enlaces:** Enlaces is a 501(c)(3) non-profit organization formed in September 2017 with the mission to empower, educate, and engage Alaska's Latino community. Enlaces educates community members about immigration, health, and social services, and actively searches for opportunities for civic engagement that enable it to advance social justice and equity for Latinos and Hispanics in the north. Enlaces collaborates with communities throughout Alaska to support their common interests.

Approximately 2,300 Latinos reside within the Muldoon area in Anchorage. Enlaces is concerned that these residents' voices will be silenced in the Alaska Senate as a result of the Redistricting Board's decision to divide the Muldoon area between two senate districts and to pair two Anchorage house districts with districts in Eagle River and Chugiak, rather than pairing the Eagle River and Chugiak districts with each other and thus allowing the two Muldoon districts to be paired with one other. Senators from Eagle River and Chugiak will not be aware of the needs of the diverse communities in Anchorage.

Enlaces seeks to participate as amicus in this litigation to give voice to the Hispanic community in East Anchorage and to share Latinos' observations over how their effective voting strength will be diminished by the new senate districts.

**Korean American Community of Anchorage, Inc.:** The Korean American Community of Anchorage, Inc. ("KACA") is a nonprofit corporation organized under IRC

Section 501(c)(3). It is a nonpartisan organization whose mission is to pursue the protection of the rights, interests, and social harmony of Korean Americans living in Anchorage. KACA also focuses on cultural exchanges and enhancing friendships among various Anchorage communities.

KACA was established in 1973 and currently represents approximately 7,000 residents of Korean heritage residing in Alaska. KACA plays a vital role in bringing communities together and contributing to the state and local economies. One of KACA's longstanding programs is its Scholarship Day; each year the Korean community raises funds and KACA distributes scholarships to 10-20 worthy students graduating from the Anchorage School District, without discrimination of any kind.

Through volunteers, KACA carries on multiple activities and sponsors numerous community events. One such event was the annual Korea-Alaska Friendship Day Festival, which took place on June 26, 2021; it drew a crowd of over 2000 people, with over 30 organizations participating as partners.

KACA also supports its members' involvement in state and local politics. KACA sponsored a Mayoral Forum on March 26, 2021, which was open to all; eight mayoral candidates attended.

Many of KACA's members reside in the diverse neighborhoods of downtown and East Anchorage with large populations of BIPOC and other minority groups. KACA works closely in partnership with other organizations that represent the rich diversity of


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Anchorage to promote equity, prosperity, resourceful diversity, and a thriving community for all.

KACA is concerned by the Redistricting Board's decision to create arbitrary and irrational senate districts that threaten to dilute the voices of Anchorage residents in those districts. Therefore, KACA requests permission to join this litigation as an amicus curiae to speak on behalf of the communities adversely affected by the Board's actions.

Respectfully submitted, this 19 day of January, 2021.

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IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
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IN THE MATTER OF THE )  
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FELISA WILSON, GEORGE )  
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                                 ) Plaintiffs, )  
                                 ) v. )

Case No. 3AN-21-08869CI

ALASKA REDISTRICTING )  
 BOARD, )  
                                 ) Defendant. )  
 \_\_\_\_\_ )

**MOTION OF ADDITIONAL AMICI FOR LEAVE TO JOIN MEMORANDUM  
 OF OTHER AMICI BEING FILED TODAY**

By order dated February 3, 2022, this court approved the unopposed motion of four community groups who wished to submit a memorandum following trial, supporting the equal protection arguments raised by the East Anchorage plaintiffs. Subsequent to the filing of that motion, two additional community groups – Native Movement and First Alaskans Institute – have expressed interest in joining in that memorandum. Their names have been conditionally added to the amici memorandum that is being filed today. In this motion, Native Movement and First Alaskans Institute formally seek leave to participate as amici on the same terms as the other amici.



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Native Movement is an Alaska-based organization that is dedicated to building people power, rooted in an Indigenized worldview, working toward the goals of healthy, sustainable, and just communities for all. Native Movement has staff and supporters throughout Alaska, including in the Dena'ina territory of Anchorage. Anchorage is a diverse community, with 8% of its population identifying as Alaska Native or American Indian. Native Movement supports the arguments of the East Anchorage plaintiffs in this lawsuit and the arguments of other amici who contend that the Redistricting Board violated the guarantee of equal protection in its decision to create two senate seats that each consist of an Anchorage house district joined with an Eagle River/Chugiak house district, instead of joining the two Eagle River/Chugiak districts with one another and forming another senate seat by joining two Anchorage house districts with one another. The Alaska Native people in East Anchorage and Downtown are among those whose rights to an equally effective vote are threatened by the Board's action.

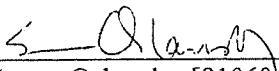
The First Alaskans Institute (FAI) is a statewide Alaska Native non-profit focused on advancing Alaska Native peoples and ways of life. Alaska Natives make up 22% of the state's population; they live all over the state. FAI works to ensure that Alaska Native peoples are involved in decision-making at all levels. It serves as a catalyst, convener, and collaborator on issues impacting Alaska Natives, including on issues of racial equity, elections, voting, and civic engagement. Anchorage boasts the most culturally diverse school district in the entire country, where 99 non-English languages are represented in the

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student population, including Alaska Native languages. Alaska Natives are also vastly diverse peoples, and many families are Alaska Native as well as Black, Asian, Pacific Islander, Latino, and Indigenous from other parts of the country. Many live in the areas of Anchorage – Government Hill and East Anchorage – whose voting strength was diminished by the Redistricting Board’s decisions on forming senate districts in Anchorage and Eagle River. FAI supports the arguments of the East Anchorage plaintiffs and the other amici who have challenged the Board’s action.

Respectfully submitted, this 9 day of February, 2022.

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