

1 And I think that's why we want a district that is
2 drawn in such a way to do so.

3 MR. PHILLIPS: Thank you that's all the questions I
4 have for now.

5 THE COURT: All right. Let's go ahead and take our
6 afternoon recess. It is 3:10. We'll shoot for -- well,
7 we're only going to take one, so I'll say 3:25 to come
8 back and go to the end of the day. Thank you, everybody.

9 LAW CLERK: All rise.

10 (Court in recess.)

11 THE COURT: Welcome back, everybody. We're ready to
12 resume.

13 MR. ELLINGER: Yes.

14 CROSS-EXAMINATION

15 BY MR. ELLINGER:

16 Q. Good afternoon, Mayor Lucas.

17 A. Good afternoon.

18 Q. My name's Marc Ellinger. I represent the intervenor
19 in this case. I have a few questions for you, if that's okay.

20 Let's start a little bit about yourself. You're not a
21 petrographer, are you?

22 A. I am not, sir, no.

23 Q. And you're not a demographer?

24 A. No, sir.

25 Q. You're not a redistricting expert by training, are

1 you?

2 A. No, sir.

3 Q. And your statements about the math that you made
4 earlier they're based upon your political opinions and
5 experience in Kansas City; correct?

6 A. They're based upon my opinions. Yes, sir.

7 Q. Okay. I think you mentioned Troost Avenue just here
8 in your discussion. I've always heard of that as the Troost
9 wall; is that a term you've heard too?

10 A. Yes, sir.

11 Q. When I was kid coming up here all the time, I
12 remember people talking about it as The Dividing Line. Is that
13 what you all think of it as, too?

14 A. Yes, sir.

15 Q. It's historically been a dividing line for many, many
16 years; correct?

17 A. That correct, sir. Yes.

18 Q. And that division, obviously, didn't start in 2025,
19 did it?

20 A. That is correct, sir. Yes.

21 Q. It goes back at least to the 50s. I'm not old
22 enough to remember that. I don't know about you. That's what
23 I'm told.

24 A. Yes, sir. That's what I understand as well.

25 Q. I remember it in the early 70s and it was quite the

1 dividing line, right?

2 A. Yes, sir.

3 Q. And you're familiar with kind of how maps generally
4 are put together for State Senate Districts, State
5 Representative Districts, congressional districts, even City
6 Council districts, right?

7 A. Yes, sir.

8 Q. Okay. Obviously, congresspeople are elected by
9 district, right?

10 A. Yes.

11 Q. I think, like, half the City Council is elected by
12 district?

13 A. That is correct, sir. Yes.

14 Q. And you know how those districts are created?

15 A. Yes, sir. I am.

16 Q. Are you familiar with the bipartisan house and senate
17 commissions that do the house and senate districts?

18 A. I have familiarity with it. I won't be an expert
19 there either, but understand they exist.

20 Q. They draw the maps for the House and Senate districts
21 in Missouri; correct?

22 A. Yes, sir.

23 Q. And if they can't draw the maps then a traditional
24 commission draws the maps, right?

25 A. Yes, sir.

1 Q. The General Assembly draws the congressional district
2 maps, right?

3 A. That is my understanding, sir.

4 Q. And the City Council ultimately approves the City
5 Council district maps; correct?

6 A. That is correct.

7 Q. There's also kind of city redistricting commission
8 that you appoint; is that right?

9 A. Yes, sir.

10 Q. And it makes recommendations to the City Council?

11 A. That is correct.

12 Q. Okay. In 2012, the senate commission bipartisan
13 commission created a map. Do you remember that?

14 A. I won't say I have great familiarity, sir. 2012.

15 Q. Well, I was on the commission. So yes, we created a
16 map. In 2012, the judicial commission created the State House
17 maps. Do you remember that?

18 A. I can't say I recall that. No, sir.

19 Q. General Assembly drew the maps for the congressional
20 districts in 2012, right? Yes?

21 A. I will take your representation.

22 Q. You've never had any cause to challenge the 2012
23 Congressional Maps, have you?

24 A. I have not, sir. No.

25 Q. And you've not had any cause to challenge the 2012

1 State Senate Maps, have you?

2 A. I have not, sir.

3 Q. Are you familiar with the '22 redistricting in the
4 state of Missouri?

5 A. Again, as a person who follows these things broadly,
6 yes, I am, sir.

7 Q. Do you recall that the senate bipartisan commission
8 couldn't reach an agreement on a map?

9 A. I do recall that, sir. Yes.

10 Q. And a judicial commission ultimately drew the state
11 senate maps; correct?

12 A. Yes, sir.

13 Q. In 2022, the General Assembly did draw the
14 congressional maps, right?

15 A. Yes, sir.

16 Q. And do you have any objection to the 2022
17 congressional maps that were drawn by the General Assembly?

18 A. No material objections, sir.

19 Q. Do you have any objection to the 2022 State Senate
20 Maps that were drawn by the judicial commission?

21 A. No material objection. No.

22 Q. Okay. Let me put up what's marked as Intervenor's
23 Exhibit 216. I'll give you a copy of it just so your have one
24 in front of you. I don't know if you're like me, I like paper
25 over digital. Do you recognize what that map is?

1 A. Yes, sir.

2 Q. That's the -- portion the commission final plan for
3 Senate District Number Seven, right?

4 A. That's correct.

5 Q. Okay. And Senate District Number Seven includes
6 Kansas City; correct?

7 A. Yes, sir.

8 Q. And I kind of call your attention, if we can zoom in
9 a little bit to the western side of the map where that dividing
10 line is between Senate District 7. For the lack of a better

11 term is an L-shaped district. You've heard it called that?

12 A. I have, yes.

13 THE COURT: Mr. Ellinger, can I interrupt you just
14 for a second? Just a procedural question. I didn't have
15 216 on my initial list.

16 MR. ELLINGER: It is not on the list. We're just
17 using it as a rebuttal with this witness.

18 THE COURT: That's fine. We had admitted all of
19 intervenor's exhibits.

20 MR. ELLINGER: Correct.

21 THE COURT: Are you wanting to have this admitted or
22 just use it as a demonstrative?

23 MR. ELLINGER: We may offer it later. At this
24 point -- but, first, I want to walk through it with the witness
25 if that's all right.

1 THE COURT: All right. Sorry to interrupt you, I
2 just wanted to make sure.

3 MR. ELLINGER: Quite all right, Judge. Thank you.

4 Q. (BY MR. ELLINGER) And you recognize that Senate
5 District Nine is to the east of Senate District Seven in the
6 area you focused in on, right?

7 A. Yes, sir.

8 Q. Okay. And do recognize that vertical north-south
9 dividing line?

10 A. I believe I do, sir. Yes.

11 Q. And that would be Troost Avenue; correct?

12 A. I believe that is Troost Avenue. Yes.

13 Q. And that was created as the dividing line by the
14 judicial commission in 2022; correct?

15 A. That's correct.

16 Q. Okay. I said 2022. This from 2012.

17 A. '12, yes.

18 Q. My apologies. I didn't state it. This is the map
19 from 2012; correct?

20 A. Yes.

21 Q. Okay. So this is what, 14-years ago now, right?

22 A. Yes, sir.

23 Q. That Troost Avenue was used as a dividing line for
24 the Seventh and Ninth Senate Districts in the city of Kansas
25 City, right?

1 A. Yes, sir.

2 Q. And I know that's before your time as mayor and

3 probably before your time on the City Council?

4 A. That's correct.

5 Q. But you didn't have any cause to challenge this map?

6 A. I did not, sir. No.

7 Q. You don't have any objection to that now as it was
8 drawn at that time?

9 A. No, sir.

10 Q. Okay. Let me ask you to pull up Intervenor's Exhibit

11 210, please. It might be easier to watch this one on the

12 screen. Do you recognize this map?

13 A. Less so. But I believe I have seen it previously,
14 sir.

15 Q. This is the center redistricting plan that was done
16 by the judicial redistricting commission in 2022. Do you see
17 that?

18 A. Yes, sir.

19 Q. Okay. And I'd ask if we can go down to page six of
20 this exhibit. There we go page six. And I'd like you to take
21 a look at this as an incept from the senate redistricting plan
22 that shows the Jackson County area. Do you see that?

23 A. Yes, sir.

24 Q. And if you could zoom in a little bit on the western
25 side of that. I know this doesn't have all the streets and

1 everything. Do you know where the dividing line between seven
2 and nine is currently, don't you?

3 A. Yes, sir.

4 Q. And that reflects it on that map right?

5 A. Yes, sir.

6 Q. And that is Troost Avenue; correct?

7 A. Yes, sir.

8 Q. Okay. So the judicial commission used Troost Avenue
9 as a dividing line for senate districts; correct?

10 A. Yes, sir.

11 Q. And you were mayor at that time; correct?

12 A. I was. Yes, sir.

13 Q. Did you take any action to object to that?

14 A. I did not, no.

15 Q. That map was fine from your perspectives?

16 A. We took no action and opposition to the map.

17 Q. Okay. You didn't have anything to say about

18 critiquing that dividing line at that time?

19 A. I did not have anything publicly to say on that. No.

20 Q. So we've had senate districts for 14-years, I guess.

21 That have gone down Troost Avenue as the dividing lines;

22 correct?

23 A. Yes, sir.

24 Q. Okay. You talked a little bit about reaching the

25 east-west divide. Do you remember that discussion?

1 A. Yes, sir.

2 Q. I think we've talked a little bit about the 18th
3 Street rail concept. Light rail concept. And going across
4 Troost to unite things across Troost Avenue. Do you remember
5 that?

6 A. Yes, sir.

7 Q. City Council districts were last redrawn in 2021;
8 correct?

9 A. Yes, sir.

10 Q. And you appointed the redistricting commission at
11 that time?

12 A. Yes, sir, I did.

13 Q. And the redistricting commission made a
14 recommendation to the City Council?

15 A. Yes, sir.

16 Q. And the City Council adopted that recommendation?

17 A. That is correct. Yes.

18 Q. And you approved it?

19 A. Yes, sir.

20 Q. Okay. I'm going to ask you to pull up Intervenor's
21 Exhibit 217 and I'll hand you a copy of this also unless you
22 prefer it on the screen.

23 A. It's better here. Thank you.

24 Q. Do you recognize this map?

25 A. Yes, sir.

1 Q. Okay. And this is the map that is the current City
2 Council districts; correct?

3 A. Yes, sir.

4 Q. Okay. These were the ones we were just talking about
5 the 2021; correct?

6 A. Correct.

7 Q. Okay. I'm going to hand you what's been marked as
8 Intervenor's Exhibit 218, and we don't need to put this on the
9 screen.

10 MR. ELLINGER: Judge, I'm going to give you a copy of
11 this. We can put it on the screen it might be easier if you
12 just have a paper copy.

13 Q. (BY MR. ELLINGER) Do you recognize what I handed
14 you, Mr. Mayor?

15 A. Yes, sir.

16 Q. That's ordinance number 21074 as amended; correct?

17 A. Correct.

18 Q. And this what implemented the 2021 City Council maps;
19 correct?

20 A. That's correct. Yes.

21 Q. And if you flip to the second page, I see at the
22 bottom a copy of your signature.

23 A. Yes, sir.

24 Q. So you signed off on this map, didn't you?

25 A. That's correct.

1 Q. Okay. And that's the normal course of business,
2 right? You guys do a map. Pass an ordinance. Mayor signs an
3 ordinance, right?

4 A. That's correct.

5 Q. In that ordinance enacted what we had previously
6 marked as Exhibit 217; correct?

7 A. Yes, sir.

8 Q. Okay. I'm going to ask our wizards of technology
9 here to go to Intervenor's Exhibit 219.

10 MR. ELLINGER: Judge, do you want paper copies of
11 these or the screen sufficient?

12 THE COURT: I'll take a paper copy just 'cause I
13 don't have one, and if I need to look at it later that way
14 I have it.

15 Q. (BY MR. ELLINGER) And do you recognize what this is?

16 A. I do, sir. Yes.

17 Q. This is basically a blown-up area showing the
18 dividing line between City Council District three and four;
19 correct?

20 A. That is correct. Yes.

21 Q. Number three is in the green color, right?

22 A. That is correct, sir. Yes.

23 Q. And number four is in the purplish color, maybe?

24 A. That is correct. Yes.

25 Q. And I call your attention to where 31st Avenue is

1 there's a lot jog there. Do you see where I'm at?

2 A. Yes.

3 Q. South of that what's the dividing line between City
4 Council District three and City Council District four?

5 A. If Troost Avenue is the dividing line south of 31st
6 street.

7 Q. So at that point of three and four you've divided,
8 counsel and yourself, have divided the city north and south
9 using Troost as a dividing line; correct?

10 A. Correct. Yes, sir.

11 Q. Not going east and west to cross Troost Avenue;
12 correct?

13 A. That is correct, sir. Yes.

14 Q. Okay. Let me give you what's been marked as
15 Intervenor's Exhibit 220. Do you recognize this document?

16 A. Yes, sir.

17 Q. And this is a blown-up image of what was previously
18 marked as Intervenor's Exhibit 217, right? The overall map?

19 A. Yes, sir.

20 Q. This shows the dividing line between Districts five
21 and six; correct?

22 A. That is correct.

23 Q. Five being the orange colored district and six being
24 the yellow colored district; correct?

25 A. Yes.

1 Q. And what street is that that's used as the dividing
2 line?

3 A. Troost Avenue is the street that indicates the divide
4 between the districts.

5 Q. And when the City Council redistricted City Council
6 District five and six they didn't go east and west, they went
7 north and south; correct?

8 A. That is correct. South of the river. Yes.

9 Q. And they used Troost Avenue as the dividing line,
10 right?

11 A. Yes, sir.

12 Q. Okay. And you didn't have obviously any objection to
13 that division, did you?

14 A. For the most part, no.

15 Q. You signed the ordinance and approved it; correct?

16 A. Correct.

17 Q. Okay. I guess not all of the redistricting went well
18 in 2021, did it? I think there was a bit of a fight up in the
19 Northland?

20 A. There was. Yes, sir.

21 Q. And up in the Northland y'all decided to divide
22 east-west as opposed to north-south; is that correct?

23 A. That is correct, sir. Yes.

24 Q. And if we go back to Exhibit 217, my understanding is
25 the big dispute was over using Barry Road as the dividing line;

1 is that correct?

2 A. That is correct, sir. Yes.

3 Q. And that was designed to cleave off that first
4 district, which was the northern part from the second district,
5 which was the southern part and closer to the city of Kansas
6 City; correct?

7 A. That would be the divide that existed. Yes.

8 Q. And was that a racial divide between Barry Road?

9 Meaning is there a difference in racial demographics north of
10 Barry Road and south of Barry Road?

11 A. Although, there are different demographic I don't see
12 that as a racial divide and that was not the intent.

13 Q. Okay. And is there a racial divide along Troost
14 Avenue between -- dividing between six and five?

15 A. I would argue for much of six and five there is a
16 different set of demographics in those districts. Yes.

17 Q. Between the two districts?

18 A. Correct.

19 Q. Okay. That's not a segregationist map obviously,
20 right? That was designed by the City Council; correct?

21 A. Yes, I do not believe we're segregationist.

22 Q. I mean, when you're drawing maps it's pretty common
23 to use existing streets as boundaries, right?

24 A. Usually, I think it would be fair to suggest it would
25 look to where the prior map was, what types of moves need to be

1 made to, first of all, account for population growth and
 2 changes, and that was largely where we had started. District
 3 one, for example, was a very high growth portion of Kansas City
 4 that we saw as better to in some ways harness all that growth in
 5 one district.

6 Q. And that used Barry Road, which is a major
 7 thoroughfare up there, right?

8 A. That's correct. Yes.

9 Q. The same way that the division in the city of
 10 Kansas City uses Troost Avenue, which is a major north, south
 11 thoroughfare; correct?

12 A. Yes. I think at its core that. I do think that
 13 there is a communities of interest type of approach we were
 14 looking to use in keeping the third and fifth district at the
 15 lines of which they had been set.

16 Q. And you don't support the new 2025 Congressional Map;
 17 correct?

18 A. I do not, sir. No.

19 Q. And your concern is it's going to divide communities
 20 of interest, right?

21 A. That's correct. Yes.

22 Q. Kansas City's been divided into different
 23 congressional districts for decades, hasn't it?

24 A. That is correct. Yes.

25 Q. I think all of them have at some point in modern era

1 divided it between five, six, and four; correct?

2 A. That's correct in my memory. Yes.

3 Q. And the Missouri First Map also divides it between
4 four, five, and six too; correct?

5 A. That is correct. Yes, sir.

6 Q. And are you aware that the city of Kansas City is the
7 largest city each of four, five, and six?

8 A. I was not aware of that fact. I recognize that as to
9 five, and six. I was not aware of that for four.

10 Q. You talked a little bit about Kansas City
11 infrastructure. It's probably close to your heart.

12 A. Yes, it is.

13 Q. City Council has obviously a lot of infrastructure
14 projects that are key for the City Council, right?

15 A. That's correct. Yes.

16 Q. And you do ask for federal funds for that, right?

17 A. Yes, we do.

18 Q. Do you know who the House transportation chair is?

19 A. I do, sir. Yes.

20 Q. And who is that?

21 A. Congressman Sam Graves of Missouri Sixth District.

22 Q. Who represents some of the city of Kansas City;
23 correct?

24 A. Yes.

25 Q. And under the Missouri First Map represents about

1 40 percent of Kansas City, doesn't he?

2 A. Yes, sir.

3 Q. And that would be an area that I think a Congressman
4 would have interest in if you had 40 percent of the district.
5 Wouldn't you?

6 A. Yes, sir.

7 Q. And the Fourth Congressional District is going to
8 have about 135 or 140,000 Kansas City residents. Are you aware
9 of that?

10 A. I am. Yes, sir.

11 Q. And that's a pretty significant population threshold
12 than the 700,000 person Congressional District Two; correct?

13 A. Yes, that is.

14 Q. Perhaps you'll talk to Representative Alford more
15 often now, right?

16 A. That's correct. Yeah.

17 Q. You had some concerns, I think, about law enforcement
18 and public safety?

19 A. I do. Yes, sir.

20 Q. Congressional districts really don't effect law
21 enforcement or public safety, do they?

22 A. You know, I can get to a point where they do. I
23 think that all of our congresspeople support our local law
24 enforcement. I think that there has been a strong relationship
25 between the Kansas City Police Department and their fifth

1 district congressperson for some time. The portion of the city
 2 where most of our public safety needs are evidenced. And so I
 3 think it can be helpful, but then I won't pretend that a
 4 different congressman let's say won't care about policing in
 5 Kansas City.

6 Q. And the local police department, as you said, is
 7 controlled by the state not just the city?

8 A. Yes. I'd love someone in court saying that. Yes, I
 9 have to agree.

10 Q. Congressional districts don't control schools, for
 11 example, either, do they?

12 A. Congressional districts do not. They can have a
 13 strong impact on them, but no, they do not.

14 Q. And local school boards control schools, right?

15 A. You would hope so for federal courts and interesting
 16 Kansas City scenarios at times.

17 Q. I think we've passed it a little bit haven't we now.

18 A. Yes.

19 Q. There's really -- if this Missouri map continues in
 20 effect you can't identify any infrastructure project that's
 21 going to be canceled because of the Missouri map. Can you?

22 A. I don't think it would be fair to say that, yeah, any
 23 particular infrastructure project would be canceled. I think
 24 it may be fair to say that the interest level as to certain
 25 projects. Obviously, we have a congressman who has endorsed,

1 for example, 18th Street streetcar connection. Others have not
2 yet. But no, I don't know the project that will be canceled.

3 Q. One of the biggest projects that Kansas City has done
4 in a longtime is the new airport, right?

5 A. That's correct. Very much so.

6 Q. And hats off to you for doing that.

7 A. Thank you.

8 Q. The Kansas City airport is not in Congressional
9 District Five, is it?

10 A. That's correct. Yes.

11 Q. It's in Congressional District six, right?

12 A. Yes.

13 Q. Does the fact that it's in Congressional District six
14 stop people from -- the rest of Kansas City from using it?

15 A. It does not, sir. No.

16 Q. Congressional lines really only have to do with
17 representation they don't really affect much of anything else;
18 correct?

19 A. I would hate to -- I don't know if I'd go to that

20 same conclusion. That being said, as a believer in local

21 government I do think your school boards, your City Councils

22 and others have great importance. The representatives of whom

23 they work in Congress are important as well.

24 Q. Kansas City's in four counties you mentioned that?

25 A. Yes, sir.

1 Q. Cass that little tiny bit, right?

2 A. Yes.

3 Q. And then Clay and Jackson and Platte, right?

4 A. That's correct, sir. Yes.

5 Q. And as far as geography goes pretty significant,
6 maybe really large portion of the city of Kansas City is Clay
7 County, right?

8 A. That is correct. Yes.

9 Q. And that, as you said, is the fastest growing area
10 Clay and Platte County?

11 A. That is correct. Yes.

12 Q. We call that the Northland. At least that's how I
13 always called it?

14 A. Yes. We still do.

15 Q. Okay. The Northland continues to be the fastest
16 growing part of Kansas City, right?

17 A. That's correct, sir. Yes.

18 Q. And obviously there's a -- we talked about earlier
19 big portion of population in Clay County, but there's a growing
20 population in Platte County too; correct?

21 A. Very much so. Yes.

22 Q. And that kind of growing population, plus how it
23 crosses all these different county lines it does make it hard
24 to keep all of Kansas City in a single district, doesn't it?

25 A. You know, it's not my cross to bear. No one asked me

1 to draw a map I would put all of Kansas City just in one. But
 2 I understand the unwieldiness that may exist with drawing maps.

3 Q. You didn't purpose an alternative map, did you, in
 4 September of 2025?

5 A. I did not.

6 Q. You could have proposed one?

7 A. You have taught me about the power I may have. I did
 8 not see the opportunity. I did opine on the matter in

9 proposals that came out almost immediately after the governor's
 10 announcement. But no, I did not propose a separate map.

11 Q. Kansas City's been split in every congressional map
 12 since at least 2002, right?

13 A. As far as I can understand, yes, and even prior to
 14 that with at least the fourth and the sixth. Yes.

15 Q. And I mean, it's been split three ways I think almost
 16 all those maps since 2002; correct?

17 A. I do believe that, yes, the Cass County portion of
 18 Kansas City has been in the fourth district for that time.

19 Q. And Kansas City remains split under the Missouri
 20 First Map; correct?

21 A. Kansas City is, I think, more significantly split.
 22 But, yes, the status of split continues.

23 Q. And your focus of concern on the Missouri First Map
 24 is more focused on the Jackson County portion of Kansas City
 25 than say the Platte County portion; correct?

1 A. I think that it is I would contend that it relates to
 2 Kansas City. Right. Homelessness, public safety, other issues
 3 that may be more pronounced in the Jackson County portion of
 4 Kansas City are still very important for the entirety of the
 5 city.

6 Q. You'd like to see the Jackson County portion of
 7 Kansas City kept together in one congressional district, right?

8 A. I would. Yes, sir.

9 Q. Is it important for the Clay County portion to be
 10 kept together in one district?

11 A. As I said before, my preference would be that all of
 12 Kansas City is in one congressional district. And I wish maps
 13 were drawn like that around America.

14 Q. But they weren't drawn like that in the past either,
 15 were they?

16 A. I believe that's correct. Yes, sir.

17 Q. 2002. It would've been Governor Holden who would've
 18 signed that map; is that correct?

19 A. That's correct. Yes.

20 Q. And that split Kansas City we talked about that,
 21 right?

22 A. Yes.

23 Q. 2012 there was a split. I think that would have been
 24 Governor Nixon?

25 A. That's Nixon. Yes.

1 Q. Yeah. And the 2022 map we split Kansas City that was
2 signed by Governor Parson. Is that right?

3 A. Yes.

4 Q. Obviously, the new map was signed by Governor Kehoe;
5 correct?

6 A. Correct.

7 Q. They've all split Kansas City in some form or shape;
8 correct?

9 A. That's correct.

10 Q. Governors Holden and Nixon were Democrats, right?

11 A. That is correct. Yes.

12 Q. Governors Parson and Kehoe were Republicans; correct?

13 A. Yes, sir.

14 Q. The General Assembly who's elected by Missourians
15 represents Democrats and Republicans enacted the '02, '12, '22
16 and '25 maps, too, didn't they?

17 A. That is correct. Yes, sir.

18 Q. And those were all bipartisan votes generally until
19 the 2025 map; correct?

20 A. That is my understanding, yes.

21 Q. But you didn't oppose the splits in the 2022 map;
22 correct?

23 A. No, sir.

24 Q. Or the 2012 map?

25 A. No, sir.

1 Q. Okay. You talked a little bit about that Northeast
2 neighborhood. The Historic Northeast I believe is what we used
3 to call it?

4 A. That's correct.

5 Q. And the fact that it's split between three
6 congressional districts it's not going to stop people from
7 going into the core area of the city of Kansas City for work.
8 Is it?

9 A. It will not. No, sir.

10 Q. It won't stop them coming in here to shop?

11 A. No, sir.

12 Q. It won't stop them from coming into the Power and
13 Light District, which is great?

14 A. I hope not. No, sir.

15 Q. The reality is that change may affect political
16 representation but it doesn't affect where they live work or
17 play on a daily basis; correct?

18 A. It does not.

19 MR. ELLINGER: I can talk to you about potholes

20 forever. I once a county commissioner. Trust me it

21 didn't matter what happened potholes were always the

22 biggest thing. But I think I'll leave with that. No

23 further questions. Thank you, Mr. Mayor.

24 THE WITNESS: Thank you, sir.

25 THE COURT: Do the State's defendants have any

1 questions?

2 MR. SULLIVAN: No questions, Your Honor.

3 THE COURT: Additional questions for the plaintiffs?

4 **REDIRECT EXAMINATION**

5 BY MR. PHILLIPS:

6 Q. Just a few more questions for you, Mr. Mayor. You
7 were asked some questions about challenging this map. You're
8 not a plaintiff in this case, are you?

9 A. I am not.

10 Q. You're here as a witness to explain the impact of
11 this map on Kansas City?

12 A. Correct, sir. Yes.

13 Q. You were also asked some questions about historic
14 splits of Kansas City. Do you recall those questions?

15 A. I do, sir. Yes.

16 Q. Are all splits the same to you?

17 A. I don't find all splits to be the same at all. No.

18 Q. Why is that?

19 A. I believe the split -- I'll use what I know best.

20 The City Council split was to make sure that we can get
21 representation from an east side community. And that is why we
22 have maintained the districts in many ways the way they are, so
23 that you could have candidates elected from areas that
24 traditionally have less income, less political influence would
25 find themselves in some ways perhaps overwhelmed by those in

1 another part of the city if they weren't actually in that
2 district there.

3 Q. And so your answer there was about looking at the
4 scale of the city why the lines might be drawn a particular way
5 with regard to the State Senate Districts or the City Council
6 Districts; is that fair?

7 A. Yes. I think -- look in it's most basic sense we
8 want to make sure that the inner-city has representation on
9 City Council. I believe that people believe that the
10 inner-city of Kansas City should have representative in the
11 Missouri State Senate. And so we have worked to make sure
12 there were districts that are drawn in such a way to represent
13 the core of urban Kansas City, the inner-city of Kansas City.

14 Q. And Mr. Ellinger showed you several different maps
15 with different lines all within Kansas City. Do you recall
16 those maps?

17 A. I do, yes.

18 Q. When you zoom out to the scale of congressional
19 districts would it make sense to follow those same boundary
20 lines?

21 A. I would not think so. I think because you're looking
22 at a different community of interests. In Kansas City
23 515,000-ish people and you're trying to make sure that you can
24 get representation let's say from the inner-city at City Hall
25 on City Council. On the congressional map I think it becomes a

1 different community of interests and that is looking to whether
 2 Kansas City with all of its opportunities, needs, and
 3 challenges has a voice in Washington fundamentally.

4 Q. You were asked some questions about the 2022 map. Do
 5 recall that?

6 A. I do. Yes, sir.

7 Q. And you said that at the time -- sorry. You were
 8 asked some questions, maybe it was about the 2025 map about
 9 whether you opined at the time?

10 A. Yes.

11 Q. At any rate what were your opinions that you've
 12 shared? You said you didn't submit a map of your own?

13 A. No.

14 Q. But what opinions did you share?

15 A. No. I remember it vividly, actually. I, for some
 16 reason, was in my office on the Friday night that the governor
 17 released the new map. It was an evening.

18 Q. And this was the 2025 map?

19 A. The 2025 map.

20 Q. Thank you.

21 A. And then the governor was set up in front of a
 22 flag and said this was Missouri First Map. So I sat up in
 23 front of my Missouri flag and American flag, and said how much
 24 I disagreed with the map. And for those who aren't on social
 25 media I quote tweeted the governor to make it somewhat clear

1 because I am a Missouri Senator, so I would be voting on it my
 2 political influences probably in the world, social media, and
 3 press to show my fairly strife and disagreement with the map
 4 and the timing of redistricting.

5 Q. You were also asked some questions about how Kansas
 6 City was split under prior congressional plans. Do you recall
 7 those questions?

8 A. Yes, I do. Yeah.

9 Q. And the number of congressional districts into which
 10 Kansas City was split. Do you recall that?

11 A. Yes, sir.

12 Q. Are all splits of Kansas City into different
 13 congressional districts the same to you?

14 A. No.

15 Q. Why does the way its split in one map versus another
 16 matter?

17 A. You know, I'll speak to that. And I'll speak to that
 18 to the individual districts. And actually it relates to social
 19 media once more. Cass County and some municipal elections
 20 we've actually created a Twitter personality that is called one
 21 Cass County voter. There have been a number of Kansas City
 22 elections where only one person from the Cass County portion of
 23 Kansas City even voted.

24 I believe that was on the airport election as one
 25 example. General obligations bonds might be the same. And it

1 became a bit of a running joke if you could win the one guy or
2 gal in Cass County who decided they cared about the Kansas
3 issue. Compare and contrast that to the Jackson County portion
4 of the city obviously vast more numerous in population as
5 compared to other districts. You often have voting behavior
6 that suggests in interest in Kansas City issues those are the
7 parts of our city with the highest voter turnout where you have
8 largely the greatest political activity arise.

9 So that would be the Fifth Congressional District
10 portion of the city. And as to the Fourth Congressional
11 District of the city. Right. You have more identification
12 largely of the Northland being Northlanders. Right. Being
13 connected as a community of interest in the Northland.

14 Q. And that's in the sixth Congressional District?

15 A. That is in the sixth district. So we're the first,
16 if I was to say so. And I love every Kansas Citian the same
17 they're like my children. Don't get me wrong. But in the
18 first where I think there is less interest perhaps and the
19 affairs -- fourth district there are less interest in the
20 affairs of Kansas City.

21 You have your one voter. Indeed, there was a
22 conversation once about building sidewalks there. And one
23 responded we don't want them. We don't really want you all
24 here in some ways. Then you get to the fifth district where a
25 lot of things happen.

1 And the fourth district has kind of that Northland
 2 more suburban style with this view of something different than
 3 the rest of the city. That's largely how we have seen it for
 4 some time as long as I've been alive. And I think that's why
 5 you did not have people express concerns in past redistricting
 6 in 2022, 2012, or 2022.

7 Q. So when you're looking at a congressional map to
 8 think about the effect it will have on Kansas City do you just
 9 tally up the number of splits of Kansas City. Is that how you
 10 determine the effect?

11 A. No, I don't. They are interesting to me. As like a
 12 student of politics it's interesting which mayor is more carved
 13 up in America, I guess. But I find, no, I want to make sure
 14 that Kansas City and brand city has the opportunity to go to
 15 Washington and fundamentally have someone listening to us. And
 16 have someone listen to our issues and have someone who we
 17 believe can advance the interest of Kansas Citians most
 18 abruptly.

19 MR. PHILLIPS: Thank you. No further questions.

20 THE WITNESS: Thank you.

21 THE COURT: Additional questions?

22 MR. PHILLIPS: No further questions, Judge.

23 MR. ELLINGER: No questions, Judge

24 THE COURT: You can step down. Thank you.

25 THE WITNESS: Thank you, Your Honor.

1 THE COURT: Plaintiff, would you like to call your
2 next witness, please?

3 MS. ASTARITA: The plaintiff's would like to call
4 Mary Esselman, Your Honor.

5 DR. MARY ESSELMAN,
6 having been first duly sworn by the Court, testified:

7 DIRECT EXAMINATION

8 BY MS. ASTARITA:

9 Q. Julliana Astarita for the Healey plaintiffs. Good
10 afternoon, Dr. Esselman. Could you please state your full name
11 for the record?

12 A. Mary Elizabeth Esselman.

13 Q. And could you spell that out?

14 A. Yes. Mary. M-A-R-Y. Esselman. E-S-S-E-L-M-A-N.

15 Q. Dr. Esselman, do you live in Kansas City?

16 A. Yes, I do.

17 Q. Where do you live?

18 A. I live on the northwest side of Kansas City in 64108.

19 Q. How long have you lived there?

20 A. We have lived there for eight-years, but I been in
21 Kansas City since 1989.

22 Q. Could you briefly describe your educational and
23 professional background?

24 A. Yes. I have several graduate degrees. I've been in
25 education for about 40-years both in urban districts. Kansas

1 City, as well as Detroit, and Washington DC, as well as in some
2 rural in Kentucky in eastern Appalachian.

3 Q. Where do you work now?

4 A. I work at Operation Breakthrough, which is a
5 non-profit community based center in Kansas City.

6 Q. Could you describe it a little bit more?

7 A. Sure. It's been in existence for about 55-years. We
8 provide education, social services, and health for children
9 from cradle all the way to career. We work with both children
10 and families. Some of the most under resourced and vulnerable
11 families in the community.

12 Q. And what's your title at Operation Breakthrough?

13 A. I'm the CEO.

14 Q. And how long have you been the CEO?

15 A. I'm actually in my 12-year.

16 Q. What are your responsibilities as CEO?

17 A. So as CEO I oversee a variety of programs. Our early
18 program, which is from birth to five. We have about 442

19 children that we serve. I also work with our before and after
20 school programs, so when school's out we're in both during the
21 school year and in the summer. And we also have a workforce
22 readiness and entrepreneurship program for teens.

23 I work with all of those as well as our behavioral
24 health and social services.

25 Q. Where is Operation Breakthrough located?

1 A. Operation Breakthrough is located at the corner of
2 31st and Troost.

3 Q. Is there anything distinctive about the neighborhood?

4 A. So it's one of the most under resourced areas in the
5 central city. It's actually -- we're actually located on both
6 sides of Troost. And Troost has always been kind of the
7 dividing line in the community both for poverty and prosperity
8 and race. In 2018, we actually secured a building on the west
9 side of Troost, and so we were able to bridge that. It was
10 really significant at the time because people really saw it as
11 the bridging of Troost, which had been a divide in community
12 for a while.

13 Q. And how many people does Operation Breakthrough
14 serve?

15 A. So current we have 750 children and their families,
16 so it's about 450 families that we work with the whole family.
17 We also bus in an additional 6 to 700 children from local
18 schools each day so they access, not only to the workforce
19 program, but also career exploration and math and science
20 support.

21 Q. And so how many children might that be in a week?

22 A. So it's anywhere from 13 to 1400 children in a week.

23 Q. And what community does Operation Breakthrough serve?

24 A. So Operation Breakthrough if you think about most of
25 our children live in the five ZIP Codes that are closest to the

1 center, but then because of the Head Start and early head start
2 programming, which encompasses children as far out as
3 Independence, or Raytown, Grandview, and then a few on the
4 north side as well.

5 Q. And what's some of the programming that Operation
6 Breakthrough provides to the families?

7 A. So in addition to the early care and education where
8 our really goal is to make sure that kids are hitting those
9 major developmental milestones we offer speech therapy,
10 language therapy. We offer a strong social services component,
11 which not only provides access to direct support such as food,
12 clothing, emergency assistance, but then a strong behavioral
13 health program where children and families can receive mental
14 health supports. And then we have all of those educational
15 pieces as well.

16 Q. Does the community that Operation Breakthrough serve
17 have shared needs or challenges?

18 A. I think you really see a lot of shared needs in the
19 community. It's everything from -- we have a lot of homeless
20 families. About 20 percent of our families are homeless. We
21 have a number of families who are single parent households
22 averaging -- is right around a thousand dollars per month.
23 We've had -- just in the past year we've had 15 children lose a
24 parent to addiction or homicide. So there's a lot of needs
25 that we see across the families that we serve.

1 Q. Do the families that you serve use public
2 transportation?

3 A. Yes. A lot of our families use public
4 transportation. I think one of the biggest challenges there is
5 only about 18 percent of jobs in Kansas City can be reached
6 within about 90-minutes. And so when you don't have a car and
7 you're navigating getting to care, and then getting to a job it
8 can be a real challenge in terms of putting up a workday.

9 Q. Do you consider the east and west sides of Troost to
10 be one community?

11 A. I do. Oftentimes, we see families regardless of
12 where they are as having a lot of shared needs.

13 Q. And do the children that Operation Breakthrough
14 serves that live on the east side of Troost do they have
15 different needs than the children of the west side of Troost?

16 A. I would say no.

17 Q. Could you elaborate a little further on that?

18 A. Yeah. When we look at the children that we're
19 serving we're seeing similar rates of homelessness. We're
20 seeing a lot of challenges and it can be everything from
21 accessing food deserts. It can be accessing education. I
22 mean, all of those things are kind of core needs for the
23 families we serve.

24 Q. Does Operation Breakthrough serve any kind of
25 suburban or rural areas in addition?

1 A. So mostly to our head start program. So that would
 2 be in Independence. It would be in Raytown. We have some
 3 students from the Center School District, which is right in
 4 that same area as well as a few from Grandview.

5 Q. Are their needs different from the core Kansas City
 6 area?

7 A. I would say that in terms of those that are closest,
 8 and we're seeing very similar needs as we have the head start
 9 and the early head start programming.

10 Q. And you mentioned this early head start program. How
 11 does Operation Breakthrough compare to other Kansas City based
 12 head start programs?

13 A. We're one of the largest programs in the city. The
 14 way that the Kansas City grant or the regional grant is there's
 15 three tiers. There's a three-tier, tier-two, and a tier-one.
 16 We're in tier-three with Independence and Kansas City Public
 17 Schools is the larger centers.

18 Q. And what does tier-three mean in this context?

19 A. So tier-three primarily means size and number of
 20 children served. So we have 300 children that fall under head
 21 start and early head start, and then the remaining children
 22 that we serve includes children who are funded through the
 23 state through DESE through contracting services as well as
 24 community based children who are funded through just community
 25 donations and gifts.

1 Q. And so how does Operation Breakthrough receive
2 funding?

3 A. So if you look at our overall funding I would say
4 just under 50-percent of the funding our public dollars. So
5 that would be anything from head start, early head start,
6 childcare subsidy. It would include children services fund
7 dollars that come from that tax for behavioral health for
8 children. And then we have a few other small speech and
9 language housing and food grants from the county. The rest of
10 that is actually funding that comes from fundraising that we do
11 as well as grants.

12 And I think it looks a little bit different for each
13 program. So, for example, for our earlier learning program
14 that's primarily public dollars complemented by local
15 philanthropy. Our before and after school program there's not
16 a lot of funding out there, so that tends to be subsidy and
17 then theres a 21st Century grant. And then our high school
18 program there really isn't a source of funding for that, so we
19 were lucky enough one of the Kansas City Chiefs players was
20 able to give us a grant, Travis Kelce, to buy the land and help
21 us build out the program and then the rest of that comes mostly
22 from corporate funding.

23 Q. And so about what percent of Operation Breakthrough
24 funding overall comes from federal funding?

25 A. I'd say probably say when you take out some of the

1 county and the other the tax dollars from the children service
2 probably about 47 percent.

3 Q. And what congressional district was
4 Operation Breakthrough's building in under the 2022 map?

5 A. Five.

6 Q. And what congressional district is
7 Operation Breakthrough in under the 2025 map?

8 A. So we're actually split into two. We, being five and
9 four, because we have our early learning program on one side
10 and we have our -- I forgot to mention earlier we just started
11 a school as well. So we have our elementary school, the before
12 and after, and then our teen programming on the west side,
13 which would be in four.

14 Q. I'd like to bring up an image. This demonstrative.
15 I believe it's 306. There's a little laser pointer there right
16 in front of you if you'd like to use that. Could you just sort
17 of describe the different building you have addressed?

18 A. So if you're looking across -- so if you look at the
19 program you can see we bridge both sides of Troost. And you
20 can see right there there's our little bridge that connects us.
21 So you can see we've got programming. That pretty large
22 programs that encompass both sides of the line.

23 Q. And as the president and CEO -- as the CEO of
24 Operation Breakthrough have you ever interacted with your
25 congressional representative in District five?

1 A. Yeah. So our district representative is
2 Emanuel Cleaver, so I've known him the entire time that I've
3 been there. He's visited the center. We have participated in
4 different events. I frequently reach out in terms of when
5 we're seeing challenges. So recently when we saw the reduction
6 in SNAP benefits, when we saw head start on the cut list for
7 programming, when we saw the delay in funding for child care
8 subsidies. So those are opportunities. And then I regularly
9 participate in his town halls.

10 Q. And so with the new maps how will the split affect
11 your work at Operation Breakthrough and your relationship with
12 federal representatives?

13 A. I think one of the challenges for us is, I'm a big
14 believe that the goal of representation is to really amplify
15 the voice of constituents. And so having to build those
16 relationships with two different individuals I think would be
17 more challenging because of the length and the breath of the
18 districts because I think rural and urban needs are different.
19 And so I think what you're going to see is you're going to see
20 that the attention and focus is going to have to be stretched.
21 And you're going to kind of see a mile wide and an inch deep as
22 opposed to be to really laser focused on the needs in an area.
23 So that's probably one.

24 And when I think about it, like, examples would be
25 with the new recertification process with Medicaid. You know,

1 we did a test of our families because they're going to have to
2 do it more often, and we had eight of ten families who their
3 addresses didn't match. And so they were likely not going to
4 get their papers. That would like different in a rural
5 community where people know where people are, so it's more
6 likely they're going to be able to do those. I think some of
7 the other challenges that will look different is in education
8 wherein urban districts we're focused on making sure kids can
9 read, not as much of a problem in some of our rurals.

10 I just think that some of the challenges will look
11 different. I grew up in a small town I know just even health
12 care is another area where you're looking at just access to
13 hospitals or access to care versus not having it versus in a
14 urban area trying to make sure that you have -- are able to
15 receive the services and figure out how to get them. So I just
16 think it looks different and I worry that there's too much of a
17 stretch. And then I also look at both for constituents as well
18 as for centers like me I would have to spend double the time in
19 terms of building those relationships. You know, my work week
20 is probably already about an 80-hour work week.

21 And so when I look at it how am I going to do all
22 those same things and have to do it twice just to make sure the
23 needs that are core to where we are amplified.

24 Q. And so do you think it's important to the families
25 that Operation Breakthrough serves that there's a