

SUMMARY STATEMENT

Durst v. Idaho Commission for Reapportionment
Docket Nos. 49261, 49267, 49295 & 49353

This case arises out of multiple petitions challenging the constitutionality of Plan L03, the legislative redistricting plan adopted by the Idaho Commission for Reapportionment (“the Commission”). Pursuant to Article III, Section 2 of the Idaho Constitution, the six-member bipartisan Commission was tasked with creating 35 new legislative districts after the 2020 federal census. These districts, collectively referred to as a “plan,” must conform to the requirements set forth by the U.S. Constitution, the Idaho Constitution, and Idaho statutes. Branden Durst, Ada County, Spencer Stucki, Chief J. Allan (Chairman of the Coeur d’Alene Tribe), Devon Boyer (Chairman of the Shoshone-Bannock Tribes), and Canyon County (collectively “Petitioners”) petitioned the Idaho Supreme Court to issue a writ of prohibition to restrain the Secretary of State from transmitting a copy of the Commission’s Final Report and Plan L03 to the President Pro Tempore of the Idaho Senate and the Speaker of the Idaho House of Representatives. Petitioners generally argued that Plan L03 split more counties than was required to comport with federal constitutional requirements, rendering Plan L03 unconstitutional under the Idaho Constitution and that Plan L03 violated Idaho law (Idaho Code section 72-1506) by not adequately preserving “traditional neighborhoods and local communities of interest.”

The Idaho Supreme Court held that the Petitioners failed to establish that the Commission “unreasonably determined” that eight county splits were necessary to comport with the Equal Protection Clause of the U.S. Constitution. The Court further held that Petitioners had failed to show Plan L03 violated Idaho Code section 72-1506. Accordingly, the Court denied the Petitioners’ requests to issue a writ of prohibition barring implementation of the Commission’s Plan L03.

******This summary constitutes no part of the Court’s opinion. It has been prepared by court staff for the convenience of the public.******