IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

LEAGUE OF UNITED LATIN AMERICAN CITIZENS, *et al.* *Plaintiffs,* V. GREG ABBOTT, *et al.*, *Defendants.*	§ § § § § § § § §	Case No. 3:21-cv-00259 [Lead Case]
ROY CHARLES BROOKS, *et al.* *Plaintiffs,* V. GREG ABBOTT, *et al.*, *Defendants.*	§ § § § § § § § §	Case No. 1:21-cv-00991 [Consolidated Case]

DEFENDANTS' OPPOSITION TO
THE BROOKS PLAINTIFFS'
MOTION FOR PRELIMINARY INJUNCTION

TABLE OF CONTENTS

Table of Contents i
Table of Authorities ii
Introduction 1
Background 3
I. The 2021 Redistricting Operated Under a Historically Compressed Timeline 3
II. The Senate Majority Altered SD10 to Improve Republican Electoral Prospects 5
III. District Lines Were Not Based on Race 12
IV. Plaintiffs' Supposed Evidence of Pretext Reflects Partisan Motivation, not Racial Discrimination 14
A. Senator Seliger's Declaration is Not Credible 14
B. Partisan Intent Is the Best Explanation for Plaintiffs' Circumstantial Evidence 16
V. Senator Powell—At Risk of Losing Her Senate Seat—Sought to Bolster an Anticipated Legal Challenge 19
VI. Plaintiffs Evidence Regarding *Previous* Redistricting Cycles Proves Nothing about *This* Cycle 21
A. Plaintiffs Try to Analogize to the Previous Iteration of SD10, But Their Cases Are Inapposite 21
B. Plaintiffs' Pre-2021 Evidence Is Irrelevant to This Redistricting Cycle 23
Standard 25
Argument 26
I. Plaintiffs Are Not Likely to Succeed on the Merits 26
A. Plaintiffs' Intentional Vote-Dilution Claims Fail 26
1. Plaintiffs Have Not Made a Clear Showing of Discriminatory Intent 27
2. Plaintiffs Vote-Dilution Claims Fail for Lack of Discriminatory Effect 38
3. Plaintiffs' Vote-Dilution Claim is Not Cognizable Under the Fifteenth Amendment or the Voting Rights Act 42
B. Plaintiffs' Racial-Gerrymandering Claim Fails 43
II. Plaintiffs Do Not Face Irreparable Harm 46
III. The Public Interest and the Balance of the Equities Do Not Favor an Injunction 47
Conclusion 50
Certificate of Service 51

TABLE OF AUTHORITIES

Page(s)

Cases

Abbott v. Perez,
138 S. Ct. 2305, 2324 (2018) ..... passim

Ala. Legis. Black Caucus v. Alabama,
575 U.S. 254, 260 (2015) 43

Bartlett v. Strickland,
556 U.S. 1, 120 (2009) 27, 39, 42

Benisek v. Lamone,
138 S. Ct. 1942, 1943 (2018) (per curium) 46

Brewer v. Ham,
876 F.2d 448, 453 (5th Cir. 1989) 41

Brnovich v. Democratic Nat'l Comm.,
141 S. Ct. 2321, 2349 (2021) 25, 33, 34

Burton v. City of Belle Glade,
178 F.3d 1175, 1201 (11th Cir. 1999) 26, 38

Bush v. Martin,
251 F. Supp. 484, 513–15 (S.D. Tex. 1966) (three-judge panel) 37

Bush v. Vera,
517 U.S. 952, 968 (1996) 33, 34, 45

Canal Auth. of State of Fla. v. Callaway,
489 F.2d 567, 573 (5th Cir. 1974) 25

Chisom v. Roemer,
501 U.S. 380, 392 (1991) 43

Cooper v. Harris,
137 S. Ct. 1445, 1478–82 (2017) 29, 30, 32, 44

DNC. v. Wis. State Leg.,
141 S. Ct. 28, 31 (2020) 47

Easley v. Cromartie,
532 U.S. 234, 258 (2001) 29, 34, 44

Fusilier v. Landry,
963 F.3d 447, 464 (5th Cir. 2020) 27

Garza v. City of Los Angeles,
918 F.2d 763, 771 (9th Cir. 1990) 26

Graves v. Barnes,
343 F. Supp. 704, 734 (W.D. Tex. 1972) (three-judge panel), *revd. in part on other grounds*, *White v. Register*, 412 U.S. 755 (1973) 37

Growe v. Emison,
507 U.S. 25, 41 (1993) 41

Harding v. Dallas County,
948 F.3d 302, 312 (5th Cir. 2020) 26, 27, 29

Henderson v. Perry,
399 F. Supp. 2d 756 (E.D. Tex. 2005) (three-judge panel), *rev'd on other grounds*, *LULAC v. Perry*, 548 U.S. 399 (2006) 37

Holder v. Hall,
512 U.S. 874, 946 (1994) 43

Humana, Inc. v. Jacobson,
804 F.2d 1390, 1394 (5th Cir. 1986) 46

Johnson v. DeSoto County Board of Commissioners,
72 F.3d 1556, 1565 (11th Cir. 1996) 26

Kilgarlin v. Martin,
252 F. Supp. 404, 432–34 (S.D. Tex. 1966) (three-judge panel) 37

Libertarian Party of Tex. v. Fainter,
741 F.2d 728, 729 (5th Cir. 1984) 25

LULAC v. Clements,
999 F.2d 831, 850 (5th Cir. 1993) (en banc) 39

Mazurek v. Armstrong,
520 U.S. 968, 972 (1997) (per curiam) 25

McCleskey v. Kemp,
481 U.S. 279, 298 n.20 (1987) 21

Mi Familia Vota v. Abbott,
834 F. App'x 860, 863 (5th Cir. 2020) (per curiam) 48

Miller v. Johnson,
515 U.S. 900, 911 (1995) 26, 27, 43, 44

Miner, Ltd. v. Anguiano,
383 F. Supp. 3d 682, 705 (W.D. Tex. 2019) 46

Miss. Freedom Democratic Party v. Democratic Party of State of Miss.,
362 F.2d 60, 62 (5th Cir. 1966) 49

Nichols v. Alcatel USA, Inc.,
532 F.3d 364, 372 (5th Cir. 2008) 25

Nken v. Holder,
556 U.S. 418, 435 (2009) 47

NLRB v. Fruit & Vegetable Packers & Warehousemen, Local 760,
377 U.S. 58, 66 (1964) 37

Page v. Bartels,
248 F.3d 175, 195 (3d Cir. 2001) 50

Perez v. Abbott,
253 F. Supp. 3d 864 (W.D. Tex. 2017) 22

Perez v. Texas,
No. 5:11-CV-360, 2014 WL 12853571, at *2 (W.D. Tex. June 23, 2014) 43

Pers. Adm'r of Mass. v. Feeney,
442 U.S. 256, 279 (1979) 38, 44

Prejean v. Foster,
227 F.3d 504, 509 (5th Cir. 2000) 28

Prejean v. Foster,
227 F.3d 504, 519 (5th Cir. 2000) 43

Purcell v. Gonzales,
549 U.S. 1 (2006) 3, 47

Reno v. Bossier Parish Sch. Bd.,
528 U.S. 320, 334 n.3 (2000) 42

Reynolds v. Sims,
377 U.S. 533, 585 (1964) 48

Richardson v. Tex. Sec'y of State,
978 F.3d 220, 244 (5th Cir. 2020) 48

RNC v. DNC,
140 S. Ct. 1205, 1207 (2020) (per curiam) 48

Rodriguez v. Harris County,
964 F. Supp. 2d 686, 804 (S.D. Tex. 2013) 34

Rodriguez v. Pataki,
308 F. Supp. 2d 346, 421 (S.D.N.Y. 2004) (three-judge court), *aff'd*, 543 U.S. 997 (2004) 39

Rollins v. Fort Bend Indep. Sch. Dist.,
89 F.3d 1205, 1216 n.21 (5th Cir. 1996) 41

Rucho v. Common Cause,
139 S. Ct. 2484, 2509 (2019) 29

Salazar v. Buono,
559 U.S. 700, 714 (2010) 47

Shaw v. Reno,
509 U.S. 630, 646 (1993) 38, 43

Shelby County v. Holder,
570 U.S. 529 (2013) 22

Terrazas v. Slagle,
821 F. Supp. 1162, 1166–1175 (W.D. Tex. 1993) (three-judge panel) 37

Tex. Alliance for Retired Ams. v. Hughs,
976 F.3d 564, 566–67 (5th Cir. 2020) (per curiam) 48

Tex. Democratic Party v. Abbott,
961 F.3d 389, 411–12 (5th Cir. 2020) 48

Texas v. United States,
887 F. Supp. 2d 133 (D.D.C. 2012) (three judge district court), *vacated and remanded*, 570 U.S. 928 (2013) 21

Thompson v. Kemp,
309 F. Supp. 3d 1360, 1366–67 (N.D. Ga. 2018) 26

Thornburg v. Gingles,
478 U.S. 30 (1986) 2, 27, 39

United States v. Hays,
515 U.S. 737, 745–46 (1995) 38, 46

Veasey v. Abbott,
830 F.3d 216 (5th Cir. 2016) 22, 35

Veasey v. Abbott,
870 F.3d 387, 391 (5th Cir. 2017) (per curiam) 47

Veasey v. Abbott,
888 F.3d 792 (5th Cir. 2018) (en banc) 23

Veasey v. Perry,
769 F.3d 890, 892–95 (5th Cir. 2014) 48

Village of Arlington Heights v. Metropolitan Housing Development Corp.,
429 U.S. 252 (1977) 34

Voinovich v. Quilter,
507 U.S. 146, 159 (1993) 42

Whitaker v. Livingston,
732 F.3d 465, 466 (5th Cir. 2013) 46

Winter v. Nat. Res. Def. Council, Inc.,
555 U.S. 7, 22 (2008) 25, 46

Statutes

13 U.S.C. § 141(a) 3

Other Authorities

Antonin Scalia & Bryan A. Garner, *Reading Law: The Interpretation of Legal Texts* 132 (2012) 11

Constitutional Provisions

Tex. Const. art. III, § 40 30

INTRODUCTION

This case is about politics, not race. It concerns Senate Bill 4, which implements S2168, the new map for the State of Texas's Senatorial districts. S2168 is largely an uncontroversial plan. It fixes population deviations resulting from the last decade's changes, and leaves many districts essentially unchanged. Senator Joan Huffman, the chair of the Senate Redistricting Committee, sought comment from the members of the Senate, and often incorporated their input. The final product was a map that protected incumbents in many areas. It is unsurprising, then, that the final version of SB4 received bipartisan support. It passed the Senate 20-11, with three Democratic senators voting in favor.

There is, however, one clear exception to a plan that is otherwise light on partisan objectives. From the beginning, the Republican-controlled Senate majority set out to bolster Republican support in the highly contested Senate District 10. Senator Beverly Powell, a plaintiff in this case, is the SD10 incumbent and stands to lose the most from SB4 because it reconfigures her district to more likely elect a Republican. Everyone knew that the Senate majority was targeting SD10 for partisan gain—including Senator Powell herself. In an exchange on the Senate floor, she directly confirmed as much:

> **Senator West:** So, let's get it on the record, do you believe that your district is being intentionally targeted for elimination as it being a Democratic trending district?
>
> **Senator Powell:** Absolutely.

Senator Nathan Johnson, another Democrat who opposed SB4, understood the same: "The proposed maps under CSSB 4 do exactly what they were expected to do: they make districts more partisan, and—if not invalidated by a court challenge—they effectively eliminate a Democratic seat."

Plaintiffs' theory is that the Senate majority intentionally discriminated on the basis of race, but all evidence points to the contrary. Senator Huffman stated that she never drew maps using racial shading—granular, block-by-block demographic data that allows map drawers to see minority-population density—to draw S2168. On the Senate floor she explicitly stated she did not use race while drawing district lines, and consulted with legal counsel to ensure compliance with the

Constitution and the Voting Rights Act. Rather, she only used maps with partisan shading—similar to racial shading, but indicating areas of Republican or Democratic population density. And indeed, the evidence bears this out. A comparison of SD10 at its benchmark, or before redistricting, and SD10 as implemented in SB4 shows that S2168 reconfigured SD10 to add areas that generally support Republicans into SD10, and subtract areas that generally support Democrats.

Plaintiffs offer various forms of circumstantial evidence to try to show discriminatory intent, but none of it supports their case. Most prominently, they point to evidence Senator Powell introduced during the legislative process—maps with racial shading and allegations of racial discrimination—but these are just examples of Senator Powell injecting race into the discourse, maps that later made their way into her lawsuit filed just nine days after the Governor signed redistricting legislation. The remainder of Plaintiffs' evidence includes either (i) materials related to the 2011 redistricting litigation, which are not probative of whether the Legislature acted with discriminatory intent in *this* redistricting cycle, or (ii) circumstances concerning the legislative process, which demonstrate that the Legislature acted according to partisan motivations, not racial ones.

At this stage, Plaintiffs seek a preliminary injunction based on their intentional vote dilution and racial gerrymandering claims. Although these are analytically distinct, they both fail for the same core reason: the Legislature simply did not consider race for purposes of redrawing SD10 (except, of course, for compliance with applicable law). Plaintiffs' evidence neither proves that the Legislature intended to dilute minority votes for purposes of intentional vote dilution nor that race predominated in the legislative process for purposes of racial gerrymandering. And their vote-dilution claim fails for the additional reason that Plaintiffs cannot satisfy the three preconditions set forth in *Thornburg v. Gingles*, 478 U.S. 30 (1986), which are necessary to establish a vote-dilution injury. For these reasons, they are unlikely to succeed on the merits, and the Court should deny preliminary-injunctive relief.

The Court need go no further. But if it reaches the issue, the Court should deny Plaintiffs' motion for the additional reason that the balance of the equities and the public intertest demonstrate that the State will face substantial and disproportionate burdens if the Court enjoins SB4, moves the elections, and implements new Senatorial districts. The election is already underway, candidate filing has closed, other deadlines are fast-approaching, and local election officials are hard at work designing precincts, writing ballots, conducting logic-and-accuracy tests, and preparing for the March primaries. Substantially altering the Senate districts and the election itself at this late stage would cause significant voter confusion and would impose great burdens on state and local election officials. Under *Purcell v. Gonzales*, 549 U.S. 1 (2006), courts should not change voting laws during or on the eve of an election.

BACKGROUND

The legislative record concerning SB4 demonstrates that it was a traditional redistricting bill. It reapportioned the Senatorial districts, protected incumbents, and identified one discrete partisan objective: SD10. The pertinent events are set forth below, explaining where Plaintiffs misconstrue the record where relevant.

I. The 2021 Redistricting Operated Under a Historically Compressed Timeline

In a normal census year, the Legislature would have redistricted during its eighty-seventh regular session, which ran from January 12, 2021, to May 31, 2021. By federal statute, the U.S. Census Bureau had a legal obligation to publish redistricting data no later than April 1, 2021. *See* 13 U.S.C. § 141(a), (c). The Census Bureau, however, failed to meet this deadline because of disruptions caused by the COVID-19 pandemic. Instead, the Census Bureau did not release any redistricting data until mid-August, and it did not produce the remainder until the following month when the Legislature was in the midst of its second special session. According to the Census Bureau, it "provided redistricting

data as legacy format summary files for all states on August 12, 2021," and committed "to providing the full redistricting data toolkit on Sept. 16, 2021."[1]

The federal government's delay forced the Legislature to work on a highly compressed and modified timetable. Although the Legislature would ordinarily have had months to consider reapportionment, the delay necessitated that the maps be adopted in a thirty-day special session. Nevertheless, the State took great care to ensure a robust debate, open to public input. As soon as it had the necessary data, the Governor called a special session of the Legislature, beginning September 20, 2021, to address redistricting. *See* Ex. 25. In anticipation of the special session, legislators resumed the public consultation process, hosting hearings on September 8, 9, 13, 15, and 18.[2] This was in addition to the public hearings that were convened prior to the release of the census data. The Legislature also passed a bill extending election-related deadlines to accommodate the new redistricting schedule, which Governor Abbott signed on September 10.[3]

Just before the third special session began, Senator Joan Huffman, the Chair of the Senate Special Committee on Redistricting, filed Senate Bill 4 on September 18, 2021. The bill was referred to committee two days later. Public hearings were held on September 24 and 25, 2021, and again on September 28, 2021, when the proposed map was reported favorably as substituted. After SB4 passed the Senate with bipartisan support (20 Yeas to 11 Nays), it was referred to the House Committee on Redistricting. Again, the Legislature invited public comment, holding a public hearing on October 11, 2021. At the hearing, the House Redistricting Committee considered possible amendments but reported SB4 favorably without changes. The full House considered the map on October 15, 2021,

---

[1] U.S. Census Bureau, *Decennial Census P.L. 94-171 Redistricting Data* (Aug. 12, 2021), https://www.census.gov/programs-surveys/decennial-census/about/rdo/summary-files.html (Ex. 24).

[2] *See* Texas Legislature Online, *House Committee Meetings by Date* (accessed Sept. 23, 2021), available at https://capitol.texas.gov/Committees/MeetingsbyDate.aspx?Chamber=H.

[3] *See* An Act Relating to Dates of Certain Elections to be Held in 2022, 87th Leg., 2d C.S., S.B. 13 (2021).

where it received bipartisan support and passed with a vote 81 Yeas to 60 Nays. The two chambers then signed the legislation on October 18, 2021, and the Governor signed it into law on October 25.

II. The Senate Majority Altered SD10 to Improve Republican Electoral Prospects

During the November 2020 elections, voters gave the Republican party substantial political advantages in the Texas House, Senate, and congressional delegation. The voters elected 83 Republicans and 67 Democrats to the House of Representatives, 18 Republicans and 13 Democrats to the Texas Senate, and 23 Republicans and 13 Democrats to Congress.

The Republican-controlled Legislature attempted to preserve Republican strength when possible. Its efforts occasionally came at the expense of Democratic electoral prospects, although Democratic incumbents were also frequently protected. Indeed, the maps were often criticized in the press as being focused on incumbent protection rather than on expanding Republican-controlled districts. The *New York Times* explained that the "Senate map protects Republican incumbents,"[4] and the *Texas Tribune* reported that "Texas Republicans propose a new congressional map that aims to protect the party's incumbents."[5]

One of the areas where Republicans sought to achieve political advantage was Senate District 10. SD10, centered in Tarrant County, is one of the more competitive Senate districts in Texas. Over the last decade, two Democrats and one Republican won general elections held in 2012, 2014 and 2018. And of those three general elections, the average margin of victory was just 4.5%. In the prior decade, Republicans held the advantage. They won two general election races for SD10 in 2002 and

---

[4] Nick Corsantini & Reid J. Epstein, *Texas Republicans Propose a New Congressional Map that Aims to Protect the Party's Incumbents*, N.Y. TIMES (Sept. 27, 2021), https://www.nytimes.com/2021/09/27/us/politics/texas-congress-map-republicans.html (Ex. 18).

[5] Elvia Limón, *Senate Map Protects Republican Incumbents*, TEXAS TRIBUNE (Oct. 25, 2021) https://www.texastribune.org/2021/10/25/2021-texas-redistricting-explained/?utm_source=liveblogshare&utm_medium=social#c8d09cbe-d075-4a94-9d72-0fb10aa99b2f (Ex. 19).

2004, and Democrats won just one general election race in 2008. SD10 is highly sought-after, and the races are closely contested. *See* Ex. 3 at 2–3 (Initial Report of Dr. John Alford).

Table 1. Senate District 10 Electoral History

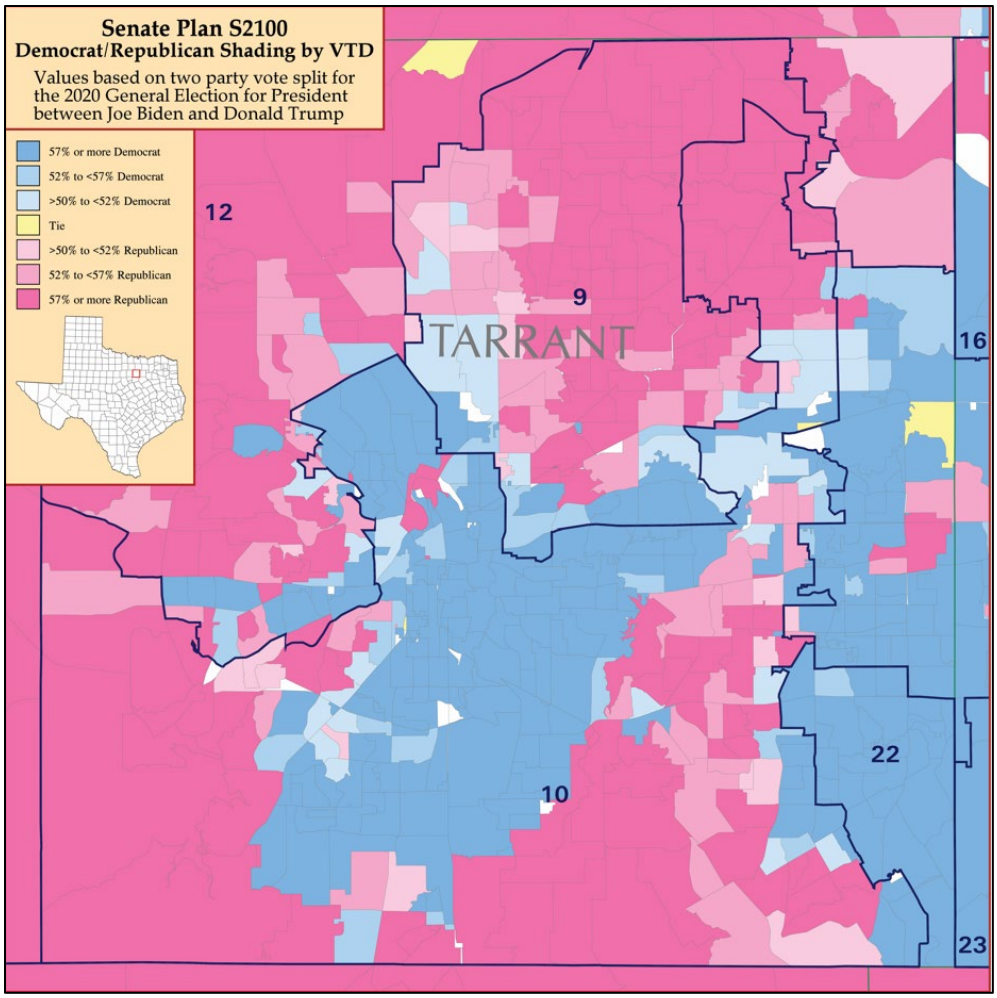
Year		Winner	Loser
2002		Kim Brimer (R)	Hal Ray (D)
2004		Kim Brimer (R)	Andrew Hill (D)
2008		Wendy Davis (D)	Kim Brimer (R)
2012		Wendy Davis (D)	Mark Shelton (R)
2014		Konni Burton (R)	Libby Willis (D)
2018		Beverly Powell (D)	Konni Burton (R)

Against this backdrop, the Republican majority set out to bolster Republican electoral prospects in SD10. This was abundantly clear to everyone in the Senate—including Senator Powell. Indeed, she expressly confirmed her knowledge of this plan during a floor debate colloquy with Senator Royce West.

> **Senator West:** This is going to be part of the record. We know we're going to lose this particular vote. It's been said that Senate District 10 was going to flip, okay?
>
> **Senator Powell:** That's exactly right.
>
> **Senator West:** So, let's get it on the record, do you believe that your district is being intentionally targeted for elimination as it being a Democratic trending district?
>
> **Senator Powell:** Absolutely. Absolutely. . . .

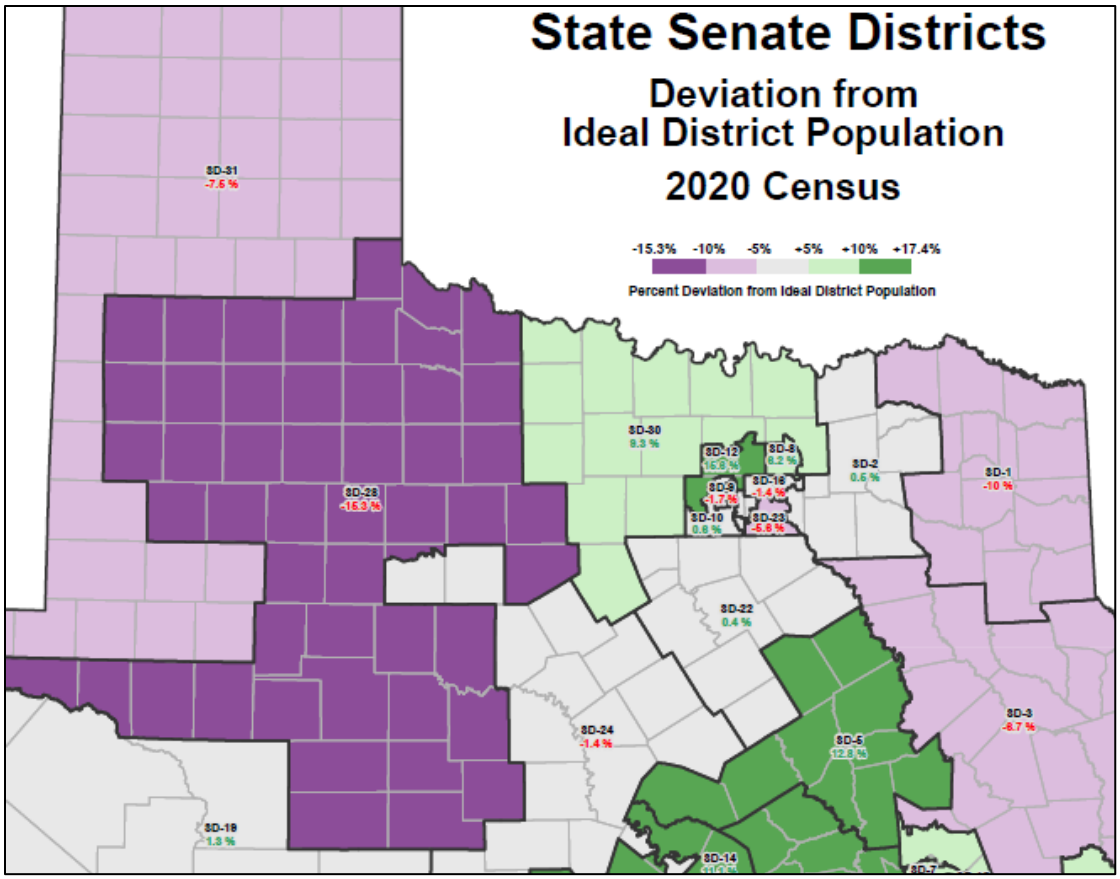
ECF 39-41 (Pls.' Ex. 6K) at A-49. As Senators Powell and West recognized, it was clear that—as previously configured—Senate District 10 was trending toward the Democrats. Of course, Senator Powell won the 2018 State Senate election, and in 2020, 53.1% of SD10 voted for Joe Biden in the presidential election, as compared to 45.4% who voted for Donald Trump. *See* Ex 26; Ex. 5.

Figure 1. Partisan Composition of SD10, Benchmark



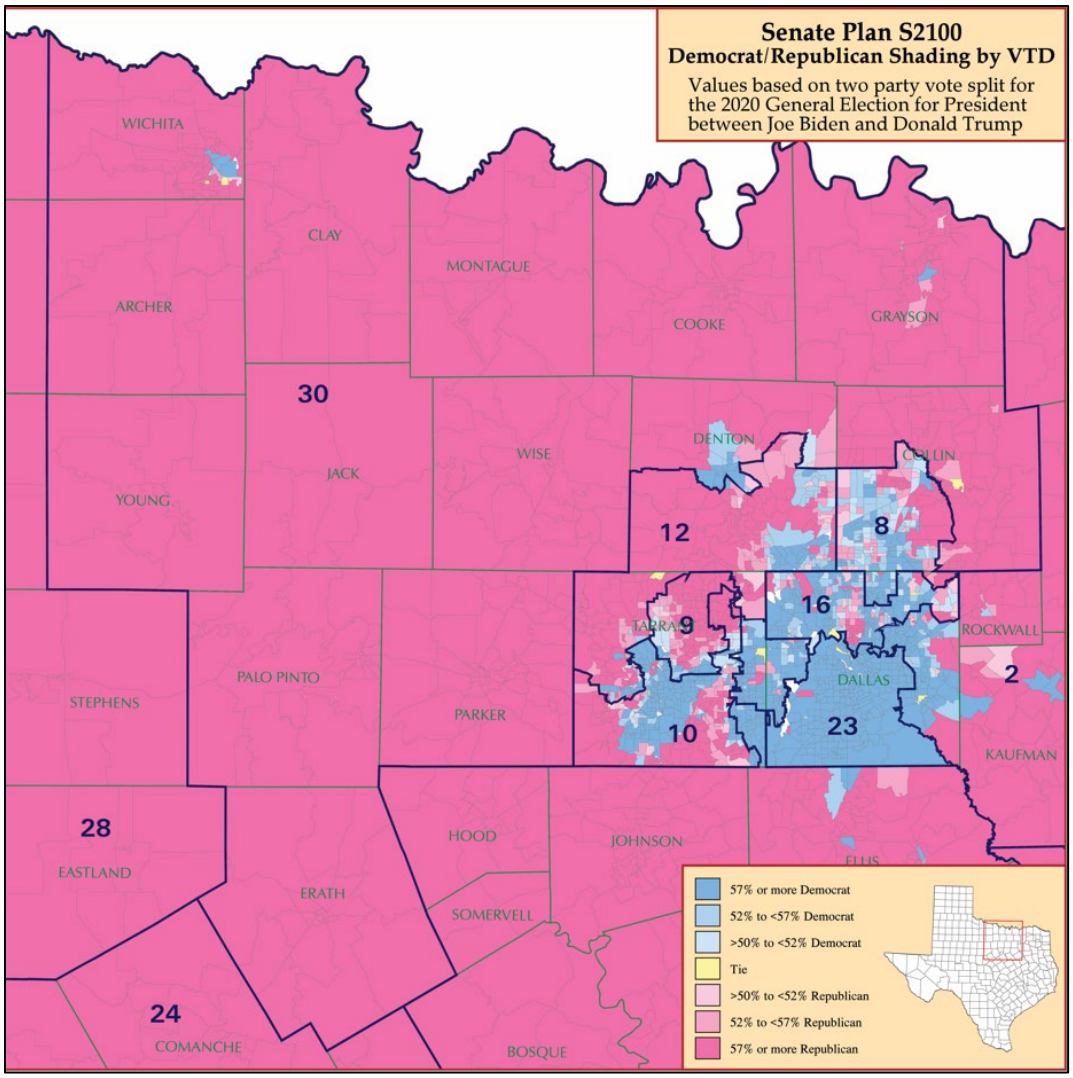
To accomplish their goal of returning a Republican to SD10, the Republican majority needed to identify Republican areas of the state that could be added to SD10 and Democratic areas that could be removed. This strategic condition coincided with the relative population loss in West-North Texas and the South panhandle. Those areas grew much more slowly than the rest of the State, and those districts needed additional population in to comply with the Supreme Court's one person, one vote command. Specifically, under the benchmark, Senate District 28 was 15.3% smaller than the ideal district size. *See* Ex. 29 at 8 (S2100 Map Analysis); ECF 39-54 (Pls.' Ex. 17).

Figure 2. Population Deviation Map



As it stood, a number of counties in North Texas and the panhandle needed population. Those counties vote predominately Republican. For instance, according to publicly-available RedAppl data, 75.9% of Johnson County voted for Donald Trump in 2020, as compared to 22.9% who voted for Joe Biden. The same is generally true of other counties in the area. *See* Palo Pinto County (81.5% Trump, 17.4% Biden); Stephens County (89.0% Trump, 10.4% Biden). *See* Ex. 8 (below).

Figure 3. Partisan Composition of North Texas, Benchmark

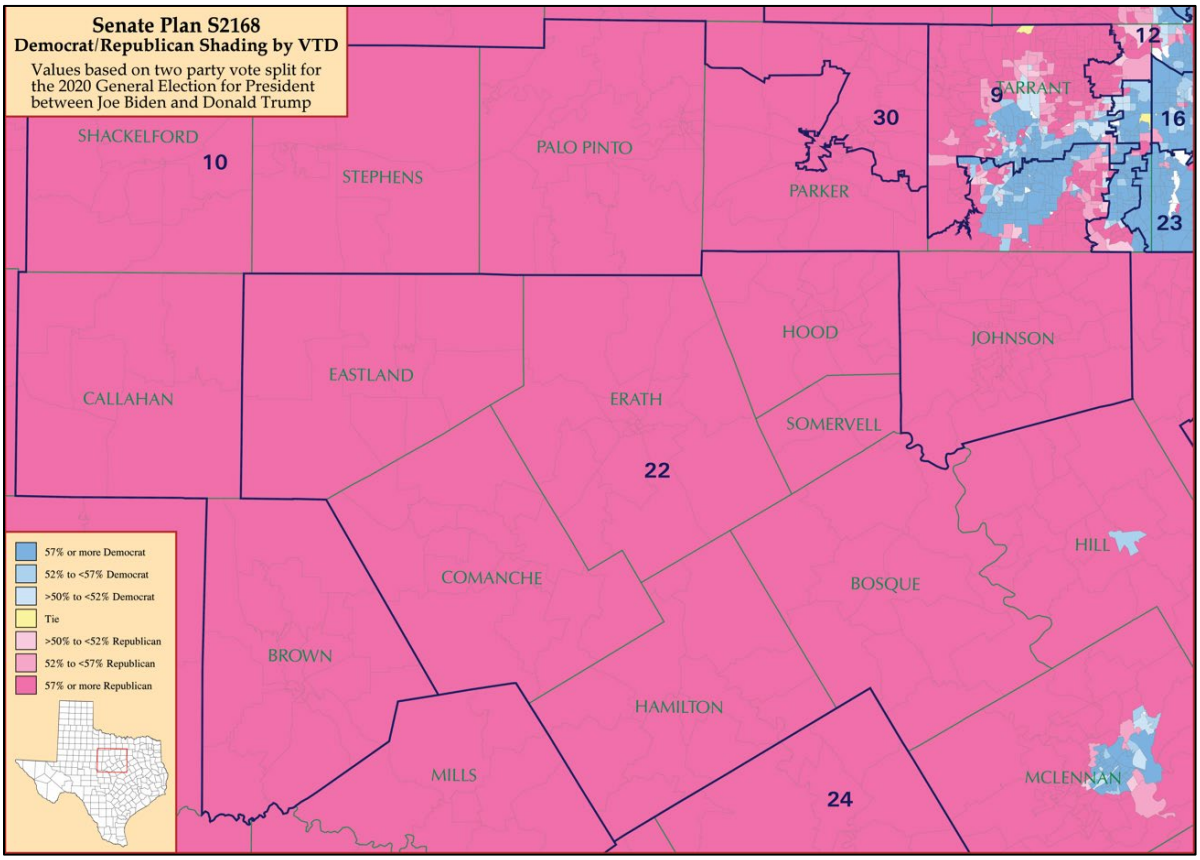


Given these circumstances, the Republican majority decided to add several Republican-leaning counties in North Texas and the panhandle to SD10, and remove several blue areas in and around Tarrant County. Their goal, as always, was to design SD10 to elect a Republican. And they succeeded, at least on paper. Under the benchmark plan, 53.1% of SD10 voted for Joe Biden in 2020, as compared to 45.4% who voted for Donald Trump. Ex. 26. By contrast, under S2168, 57.2% of SD10 voted for Donald Trump in 2020, as compared to 41.4% who voted for Joe Biden. Ex. 27.

Table 2. SD10 Partisan Comparison: S2100 and S2168

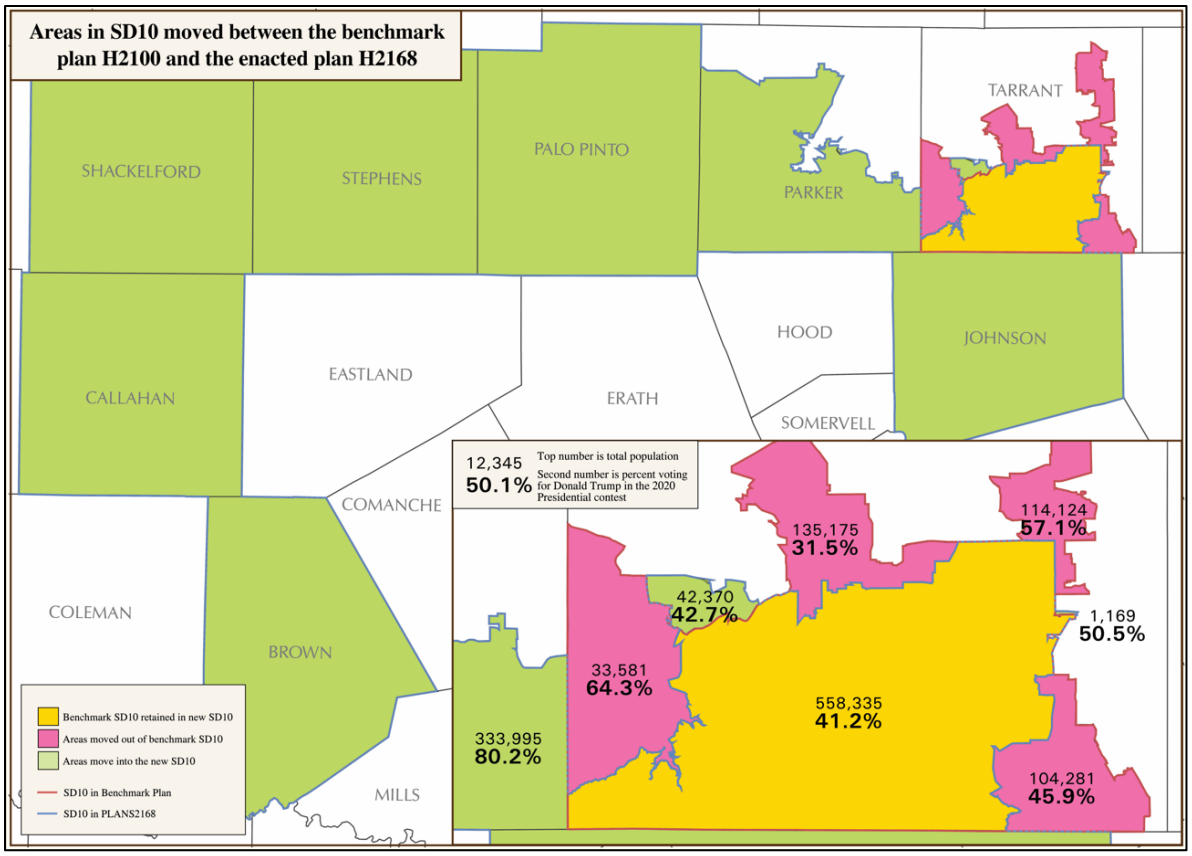
Map		Winner	Loser	Margin
S2100		Joe Biden	Donald Trump	D + 7.7%
S2168		Donald Trump	Joe Biden	R + 15.8%

Figure 4. Partisan Composition of SD10, Enacted



These figures depict what everyone in the Legislature knew: the Senate majority substituted Democratic areas in SD10 for Republican areas in an attempt to configure it such that it would elect a Republican. Viewing the partisan shading, Senator Huffman added red areas to SD 10, and removed blue areas. It is that simple. Close consideration of the partisan demographics that entered and exited SD10 further confirms this uncontroversial fact.

Figure 5. SD10 Partisan Changes Map



As shown in Figure 5, the reconfiguration of SD10 moved a substantial number of Republican voters into SD10, and moved a substantial number of Democratic voters out. Based on the population in the areas indicated on the map, and the percentage of the areas that voted for Donald Trump in the 2020 general election, SD experienced a net gain of 108,752 Republican voters and a net loss of 116,554 Democratic voters. This was the partisan objective the Senate majority set out to accomplish.

Again, the Senate majority's partisan objective was widely-known. In fact, Plaintiffs concede Senator Huffman stated on the Senate floor that "partisan considerations" were one "of the criteria [she] used in proposing and considering new districts." ECF 39-53 (Pls.' Ex. 16) at 4–5; *see* ECF 39-41 at A-16 ("I do recall [partisan considerations] being one of the considerations, yes."); ECF 39 at 36–37. Plaintiffs contend, however, that Senator Huffman's statement must have been pretextual because she allegedly did not mention partisan enough times in her floor statements. ECF 39 at 36–

37. They point to the absence of that statement in Senator Huffman's remarks four days earlier, but that is immaterial. The earlier statement did not purport to exhaustively list all considerations. Senator Huffman merely noted that her "goals and priorities . . . include[d]" certain considerations. ECF 39-51 (Pls.' Ex. 14) at 5. In ordinary English, "[t]he verb *to include* introduces examples, not an exhaustive list." Antonin Scalia & Bryan A. Garner, *Reading Law: The Interpretation of Legal Texts* 132 (2012). Indeed, as explained above, Senator Powell had no doubt that she was being targeted for political reasons. Nor did Senator Nathan Johnson, who explained SB4 as it pertained to SD10 as follows: "The proposed maps under CSSB 4 do exactly what they were expected to do: they make districts more partisan, and—if not invalidated by a court challenge—they effectively eliminate a Democratic seat." ECF 39-40 (Pls.' Ex. 6J) at 65.

III. District Lines Were Not Based on Race

To accomplish their goal of flipping SD10, the map drawers constructed district lines using partisan data, not racial data. To understand the map-drawing process, it is important to understand the tools available to the map drawers. A crucial tool is the ability to apply "shading" to a map currently being drawn. Shading maps display partisan, demographic, or other data to show the map drawer which areas contain high or low concentrations of Republican voters, Democratic voters, African Americans, Latinos, Asian Americans, and other cross sections of the population. A map will not display a particular shading unless the map drawer elects to view it, or "turns on" that particular shading. As Plaintiffs rightly observe, the publicly-available redistricting software included a racial shading tool, allowing map drawers to view maps with racial shading, if they desired.

From the beginning, Senator Huffman was unequivocal that neither she nor her staff would use or consider racial shading when drawing the new Senate map. She explained on the Senate floor that her team used many of the redistricting tools, but never racial shading:

> Sometimes we looked at county lines, sometimes precinct, actual the precincts highlighted. Sometimes we have it shaded for cities and sometimes we had it shaded

> for partisan numbers, sometimes they were Trump numbers, sometimes we had several political elections up from different years that we looked at and population numbers were almost always there. One thing we never had on was racial shading.

ECF 39-41 (Pls.' Ex. 6K) at A-5; *see also id.* at A-31 ("We only shaded for partisan, as I've explained, not racial."). Assiduously endeavoring to *avoid* discriminating on the basis of race, Senator Huffman stated on numerous occasions that the Senate maps were drawn "blind to race." *See, e.g.*, *id.* at A-38 ("We did not consider race in the drawing of Senate District 10. . . . I believe that I followed the law and drew these maps blind to race."). Indeed, she stressed this point in response to Senator Powell:

> **Senator Powell:** So, you're basically saying that despite serving on the Redistricting Committee for the past two cycles and chairing the committee this cycle, and listening to witnesses who have testified from both redistricting cycles that you came to the process completely unaware that minority voters are concentrated in urban areas of Dallas and Fort Worth.
>
> **Senator Huffman:** Senator Powell, of course, I have an awareness that there are minorities that live all over this state. Alright? But I blinded myself to that as I drew these maps and did not make map decisions based on racial determinations, period, right.

Id. at A-21. And it is evident from other public colloquies that senators were keenly aware Senator Huffman drew the maps without racial shading. Indeed, Democratic Senator Sarah Eckhardt recognized Senator Huffman's commitment to this principle:

> **Senator Eckhardt:** You, you have mentioned and been very assiduous about this, that you are colorblind in your dealings with the map.
>
> **Senator Huffman:** Yes, Ma'am.

Id. at A-37. Plaintiffs purport to seize on the *blind to race* language, and suggest it demonstrates that Senator Huffman did not consider race for purposes of ensuring compliance with the Voting Rights Act and other federal law. *See* ECF 39 at 18–19, 34–35. But fairly read, Senator Huffman's statements reflect that she did not use racial shading to draw the maps and otherwise obtained legal counsel to ensure the plans were compliant with federal law. And she publicly explained this on numerous occasions. *See, e.g.*, ECF 39-51 (Pls.' Ex. 14) at 82 ("Well, as I've stated very clearly, these maps were

drawn blind to race and then I consulted with the attorney general's office, and they gave me legal advice as to whether or not I had—I complied with the Voting Rights [Act] Section 2."); ECF 39-53 (Pls.' Ex. 16) at 12 ("As I have made clear, my proposed plans were drafted blind to racial data, and I obtained legal advice prior to filing to ensure there was no inadvertent violations of the Voting Rights Act during this race-blind drafting."). Plaintiffs concede as much in their motion. *See* ECF 39 at 32 ("Senator Huffman claims SD10 was drawn 'blind to race' because 'racial shading' was not displayed in RedAppl as the maps were drawn.").

At least before litigation was filed, Senate Democrats had no trouble believing that Senator Huffman did not draw district lines based on race. Indeed, they seemingly objected to color blindness in principle. Senator Eckhardt, for example, explained her vote against SB4 by complaining that "the Senate Special Redistricting Committee process itself evinces continuing *conscious indifference* to our changing demographics." ECF 39-40 (Pls.' Ex. 6J) at 64. Senator Eckhardt apparently opposed "*conscious indifference* to minority voting strength," but such indifference forecloses the possibility of any discriminatory intent to dilute minority voting strength. *Id.* (emphasis added).

IV. Plaintiffs' Supposed Evidence of Pretext Reflects Partisan Motivation, not Racial Discrimination

A. Senator Seliger's Declaration is Not Credible

Despite Senator Powell's express recognition that the Senate majority targeted her seat in order to gain partisan advantage, Plaintiffs insist that Senator Huffman's explanations of why she drew SD10 as she did are a pretext for racial discrimination. *See* ECF 39 at 18–22. Their argument essentially turns on the declaration of a disfavored, retiring Republican legislator: Senator Kel Seliger. *See* ECF 39-2 (Pls.' Ex. 1. Speaking in broad, nonspecific terms, he alleges the "2021 senate redistricting process saw untrue, pretextual explanations given for why the lines were drawn the way they were." *Id.* ¶ 10. Such claims are not credible coming from a political opponent of the Lieutenant Governor's who believes that the redistricting process hurt his electoral prospects.

As an initial matter, Senator Seliger has been losing favor in the Republican Party for several election cycles. Midland mayor Mike Canon—a conservative Republican—challenged Senator Seliger in the 2014 Republican primary and lost by just five percentage points. *See* Ex. 14 (2014 GOP Primary). In the next Republican primary, Senator Seliger avoided a runoff by just .40%, or 323 votes, with Canon again being the runner-up. *See* Ex. 15 (2018 GOP Primary). In addition, Senator Seliger has openly opposed Lieutenant Governor Dan Patrick's policy agenda on numerous occasions, and Patrick stripped Seliger of his post as chairman of the Senate Agriculture Committee during the 2019 regular session.[6]

In this light, Senator Seliger publicly expressed dissatisfaction with the 2021 redistricting process because it did not give him the district he felt he needed to ensure reelection. Indeed, he has specifically alleged the new map was drawn to push him out of office, leading to his ultimate decision to not seek reelection in 2022. The *Amarillo Pioneer* contextualized Seliger's decision as follows: "The announcement came after weeks of Seliger's claims that redistricting efforts had been made to make his re-election more difficult, despite offering no substantive proof for his claims."[7] And the *Texas Tribune* explained the reconfiguration in similar terms: "Seliger's district was redrawn by his Republican colleagues in the Senate in a way that he says is designed to hobble a potential reelection bid."[8]

Having fallen out of favor with Senate Republican leadership and dissatisfied with his own district's boundaries, Senator Seliger has plenty of reason to complain. But he is complaining about

---

[6] *See* Emma Platoff, *Lt. Gov. Dan Patrick Pulls Senator Kel Seliger's Chairmanship after Seliger Suggested Patrick Aide Kiss His "Back End,"* TEXAS TRIBUNE (Jan. 22, 2019), https://www.texastribune.org/2019/01/22/lt-gov-dan-patrick-strips-kel-seliger-senate-committee-chairmanship/ (Ex. 21).

[7] Thomas Warren, *Seliger Calls it Quits: Republican Senator Not Seeking Re-Election*, AMARILLO PIONEER (Oct. 20, 2021), https://www.amarillopioneer.com/blog/2021/10/20/seliger-calls-it-quits-republican-senator-not-seeking-re-election (Ex. 22).

[8] Patrick Svitek, *Weighing Reelection Bid, GOP Texas Senator Kel Seliger Confronts Redrawn District, Trump Endorsement of Primary Challenger*, TEXAS TRIBUNE (Oct. 7, 2021), https://www.texastribune.org/2021/10/07/texas-senate-reelection-kel-seliger/ (Ex. 20).

redistricting decisions being driven by partisanship and politics, not race. Regarding his own district, for example, Senator Seliger claims he was given "pretextual explanations" when the "purpose" of changes to his district "was to benefit a potential Republican primary challenger from Midland preferred by the Lieutenant Governor." ECF 39-2 (Pls.' Ex. 1) ¶ 10. Regarding SD10, Senator Seliger similarly claims that "the stated redistricting criteria, such as equalizing population, compactness, communities of interest, or incumbent protection," were "pretext." *Id.* ¶ 11. Notably, he does not deny that the majority had a partisan purpose or claim it had a racial purpose. Nor could he. As an opponent of the bill, Senator Seliger was only tangentially involved in the redistricting process this cycle, and he does not claim to have personal knowledge of any other legislator's intent.

B. Partisan Intent Is the Best Explanation for Plaintiffs' Circumstantial Evidence

Plaintiffs raise a number of perceived issues with the explanations given for redistricting decisions in the Senate, but none raises an inference of intent to discriminate on the basis of race. *First*, Plaintiffs contend that SD10 did not need to be reconfigured to address equal-protection concerns. *See* ECF 39 at 19–20. They acknowledge that SD 23 (-4.14%), SD 28 (-15.33%), and SD 31 (-7.54%) were all underpopulated, but argue that the deviations could be corrected by shifting population from other nearby overpopulated districts, SD 8 (+6.16%), SD 12 (+15.55%), and SD 30 (+9.26%). *See* Ex. 29 at 6–10 (S2100 Analysis). Even if a map could be drawn according to Plaintiffs' suggestion, that does not mean Senator Huffman ignored equal-population concerns in drawing SD10. To the contrary, all Plaintiffs show is that Senator Huffman elected to address apportionment issues by reconfiguring SD10 instead of by alternative methods. The failure to use the opposition party's preferred configuration is hardly evidence the Senate majority did not authentically consider equal-population concerns.

Second, Plaintiffs protest that the new SD10 separates traditional political subdivisions, alters the core of the previous district, and makes the new district less compact. As a preliminary matter, the

perceived separation-of-political-subdivisions issue is overstated. The practical necessities of redistricting often require urban environments like Arlington and Fort Worth to be combined with more rural communities as a means of ensuring that districts are roughly proportional. In this circumstance though, the urban centers of Tarrant County are intimately connected with the other counties included in new SD10. This is especially apparent with Parker County and Johnson County, which both have deep economic ties to Tarrant County. Ex. 1 ¶ 12.

Specifically, both the cities of Burleson and Crowley and their associated school districts reach into Johnson County and Tarrant County, while workers that reside in Johnson County commonly commute into Tarrant County via Interstate 35. *Id.* ¶¶ 11–12, 15. Similarly, the city of Fort Worth extends into Parker County, while Aledo ISD extends from Parker County back into Tarrant County. *Id.* ¶¶ 11, 15. Workers commonly use Interstate 20 to commute into Tarrant County from Parker County, and some even travel in from Palo Pinto County. *Id.* ¶ 12. Parker and Palo Pinto counties are also closely related to one another, with Santo ISD, Millsap ISD, and Mineral Wells ISD, along with the city of Mineral Wells, all being partially located in both counties. *Id.* ¶¶ 11, 15. Because of their many shared interests and commonalities, government agencies often group the counties of Tarrant, Johnson, Parker, and Palo Pinto together for administrative efficiency and convenience. *Id.* ¶ 13.

Even if SD10 does not wholly retain the core of the old district, and is less compact, those circumstances are evidence of population shifts elsewhere and partisan motivation, not racial discrimination. As explained above, it was clear to the Legislature that SD10 was trending toward the Democrats and needed to be reconfigured if a Republican was going to win that seat. It was also clear that less densely populated western counties would need to move east to pick up the requisite amounts of population. Given these partisan and population concerns, it was necessary to change the boundaries of SD10. But in making those changes, those that drafted SB4 chose to incorporate the western counties that had the most in common with SD10's Tarrant County residents.

Third, Plaintiffs assert that one of Senator Powell's amendments, which would implement the benchmark SD10, "received bipartisan support, with Senator Kel Seliger . . . voting in favor." Motion at 22. This is misleading. Floor Amendment No. 2—the amendment Plaintiffs reference—failed 14-17. This was an entirely party-line vote except for Senator Seliger. Apparently Plaintiffs use "bipartisan support" to mean that the Senate Democrats joined with one Republican senator who has fallen out of favor with his party. Plaintiffs' distortion is even more clear when viewed in light of Senator Powell's second offered amendment, Floor Amendment No. 3. This was a similar proposal respecting SD10, and it failed 13-18, on a strictly party-line vote, with Senator Seliger voting against. *See* Ex. 23 at 53–54 (Senate Journal). In reality, these votes were partisan, as would be expected given the partisan nature of the objective.

Plaintiffs also point to a statement by Senators Eddie Lucio, Judith Zaffirini, and Juan Hinojosa, alleging that they voted for SB4 despite opposing certain aspects of the bill. *See* ECF 39 at 22 n.6. First, it should be noted all three Hispanic incumbent Senators voted for SB4. But their description of SB4 as partially "discriminatory" was based on a misunderstanding of the relevant precedent. In their statement, not one of the three senators disputes that district lines were drawn without consideration of racial shading. Instead, Plaintiffs argue that "no senator can claim after multiple hearings and today's debate that they do not know the harmful effects this map will have on racial minorities across Texas." ECF 39-40 (Pls.' Ex. 6J) at 66–67. That statement does not show that any legislator voting for SB4 did so for a racially discriminatory purpose. It does, however, undermine Plaintiffs' claims of discriminatory intent for at least some of the legislators who voted for SB4.

In the end, none of these circumstances demonstrate that Senator Huffman or the Senate majority was secretly harboring racially discriminatory intent when it drew SD10. Rather, the record shows that the Senate largely followed traditional redistricting principles, and strategically reconfigured SD10 to bolster Republican support in that district.

V. Senator Powell—At Risk of Losing Her Senate Seat—Sought to Bolster an Anticipated Legal Challenge

Senator Powell publicly acknowledged the Senate majority targeted her district for partisan reasons. ECF 39-41 (Pls.' Ex. 6K) at A-49. She and her party also knew they could not prevent the Senate Majority from enacting S2168. *See id.* ("We know we're going to lose this particular vote."). With her electoral prospects waning, Senator Powell did the only other thing she could think to do: she claimed—during the redistricting process and in a federal lawsuit filed just nine days after the session—that districting efforts were not based on partisanship, but instead upon racial motivations. To buttress her putative legal case, Senator Powell submitted materials to Senator Huffman during the legislative session, first in a meeting, and later through emails and attachments directed to Senator Huffman and other legislators, that asserted S2168 was discriminatory and unlawful. Plaintiffs make much of this in their motion, pointing to exhibits they insist evince that Senator Huffman considered maps with racial shading and that she and the other members of the Legislature knew S2168 violated the Constitution and the VRA. But it was Senator Powell who introduced that evidence during the legislative process, and roughly a month later in her federal redistricting lawsuit alleging intentional discrimination. Far from showing that the Senate majority acted with discriminatory intent, Senator Powell's efforts demonstrate a recognition that the proposed configuration of SD10 was likely to pass and a belief that advantage could be gained by introducing *racial* evidence during the legislative process.

First, Plaintiffs point to a meeting between Senators Huffman and Powell and their staff that occurred on September 14, 2021. *See* ECF 39 at 11–12. Senator Huffman allegedly showed Senator Powell the proposed reconfiguration of SD 10, which was not well received by the latter. But Senator Powell had come prepared. During the meeting she gave Senator Huffman and her staff maps with racial shading and other handouts, arguing that the proposed reconfiguration would discriminate on the basis of race. *See* ECF 39-6 (Pls.' Ex. 2C). Senator Huffman glanced at each map, and initialed

them to indicate receipt. Senator Huffman would later explain to the full Senate that she refused to consider the maps once she "realized it had racial data." ECF 39-41 (Pls.' Ex. 6K) at A-17.

Plaintiffs, in turn, use these maps and information Senator Powell provided to Senator Huffman to argue that Huffman considered maps with racial shading, and that she therefore made redistricting decisions based on that knowledge. But the proposed map of SD 10 had already been drawn and shown to Powell. And nothing about Plaintiffs description of that meeting suggests that Senator Huffman used racial shading to draw S2168. And while Plaintiffs insist that Senator Huffman "glanced" at the maps "for less than a second," *id.*, it hardly matters whether she looked at the maps for one second, three seconds, or ten. There is no evidence that Senator Huffman utilized race to construct the district lines of SD 10. Powell's self-serving attempts to inject race into the process, and later claim in a federal lawsuit that her district was drawn in an intentionally discriminatory manner, do not change the fact that by her own telling her district was "absolutely" targeted because it was a Democratic district.

Senator Powell also sent three mass emails, each time attaching exhibits, and alleging that S2168 violates the Constitution and the VRA. *See* ECF 39 at 12–13 (email to Senator Huffman); *id.* at 13–14 (email to full Senate); *id.* at 22–23 (email to full House). Plaintiffs assert these exhibits show that Senator Huffman and the members of the Senate and House generally "knew" that S2168 was unlawful, and conclude that because the map was passed anyway, the Legislature acted with discriminatory intent. As before, the Court should ignore this evidence. The maps were not unlawful. They were drawn based on partisan motivations. And after the fact assertions—during session or the federal lawsuit that followed shortly after—that the maps were based on discriminatory intent does not make it so.

VI. Plaintiffs Evidence Regarding *Previous* Redistricting Cycles Proves Nothing about *This* Cycle

In Plaintiffs' recitation of the factual background, they point to several past circumstances and argue that they informed the Legislature's actions during this redistricting cycle. They did not. First, Plaintiffs cite three federal judicial opinions for the proposition that the previous iteration of SD10 was drawn with discriminatory intent, but those cases stand for no such thing. Second, Plaintiffs stress several perceived connections between the 2011 redistricting cycle and this cycle, finally concluding that S2168 must have been enacted with discriminatory intent. But Plaintiffs' would-be connections are really not connections at all, and have no bearing on the Legislature's recent actions.

A. Plaintiffs Try to Analogize to the Previous Iteration of SD10, But Their Cases Are Inapposite

Plaintiffs make much of the fact that SD10 was the subject of litigation in the last redistricting cycle, but they fail to connect any of their evidence to *this* redistricting cycle. They cite three cases they contend show that the previous version of SD10 was drawn with discriminatory intent. Plaintiffs misapprehend and misapply each of those three cases.

As a preliminary matter, even if the following cases stood for propositions Plaintiffs say they stand for—which they do not—they would still not be probative of discriminatory intent with respect to this redistricting cycle. Those rulings addressed different maps passed by different legislators, drawn by different map drawers, and passed in different circumstances. But the Supreme Court admonishes that discriminatory intent must be connected to the present circumstances. *McCleskey v. Kemp*, 481 U.S. 279, 298 n.20 (1987) (explaining that "unless historical evidence is reasonably contemporaneous with the challenged decision, it has little probative value"). Indeed, in the last round of Texas redistricting, the Supreme Court specifically faulted the district court for "requir[ing] the State to show that the 2013 Legislature somehow purged the 'taint' that the court attributed to the defunct and never-used plans enacted by a prior legislature in 2011." *Abbott v. Perez*, 138 S. Ct. 2305, 2324 (2018). The two-

year-old taint was too attenuated to support a finding of fault in 2013; it became more attenuated, not less, in the intervening eight years since.

First, Plaintiffs cite *Texas v. United States*, 887 F. Supp. 2d 133 (D.D.C. 2012) (three judge district court), *vacated and remanded*, 570 U.S. 928 (2013). The D.C. District held that the 2011 version of SD10 violated the Voting Rights Act with respect to discriminatory effect and purpose. But that ruling is of little probative value for at least two reasons. To begin, *Texas* was a preclearance proceeding under Section 5 of the VRA, which has since been declared unconstitutional by the Supreme Court in *Shelby County v. Holder*, 570 U.S. 529 (2013). In such a proceeding, the ordinary burdens of proof are reversed. The three-judge panel's holding reflects this crucial substantive difference: "We conclude that Texas *has not shown* that the Senate Plan was enacted without discriminatory intent." *Texas*, 887 F. Supp. 2d at 166 (emphasis added). Moreover, *Texas* was expressly vacated by the Supreme Court after it announced its decision in *Shelby County*. *See* 570 U.S. at 928. Indeed, the Supreme Court specifically recognized its vacatur later in the same redistricting litigation. *See Perez*, 138 S. Ct. at 2330 ("Before our decision in *Shelby County* mooted Texas's appeal . . . Texas filed a jurisdictional statement claiming that the D.C. court made numerous errors. . . .").

Second, Plaintiffs cite *Perez v. Abbott*, 253 F. Supp. 3d 864 (W.D. Tex. 2017) (three judge district court). The most obvious reason *Perez* does not support Plaintiffs' argument as to SD10 is that it was a case about *congressional districts*. Necessarily, then, *Perez* involves different issues, different legislators, different map drawers, different circumstances, and above all, *different maps*. In addition, Plaintiffs cite Judge Smith's dissent, ECF 39 at 13, in an attempt to support their position when in fact his dissent cuts strongly against their case. Judge Smith explained in unequivocal terms that a state legislature may lawfully target a state representative based on partisan motivation:

> An attempt to dislodge an incumbent political adversary should logically be viewed as a permissible redistricting principle, as is true for the traditional principle of protecting an incumbent. It only stands to reason that if a partisan political majority can exercise

> its legislative weight to protect its friends, it can do that to punish its enemies for political, non-racial reasons.

Perez, 253 F. Supp. 3d at 985 (Smith, J., dissenting). That is precisely what happened here. By Senator Powell's own admission, the Legislature attempted to dislodge her for political reasons. Plaintiffs cite *Perez* because they believe it supports their argument that SD10 was passed with discriminatory intent, but that case does no such thing.

Third, and last, Plaintiffs cite *Veasey v. Abbott*, 830 F.3d 216 (5th Cir. 2016) (en banc). If *Veasey* says anything about SD10, it is that the 2012 *Texas* decision was vacated by *Shelby County*. *See id.* at 227 n.7. Indeed, Judge Jones, joined by Judges Jolly, Smith, Clement, and Owen, explained that "the D.C. District's opinion in [*Texas*] was vacated by the Supreme Court. Vacated opinions have no precedential or persuasive value." *Id.* at 301 n.36 (Jones, J., concurring in part and dissenting in part) (internal citations omitted). Moreover, *Veasey* was not even a redistricting case. It involved a challenge to the State's voter identification law, which was ultimately upheld in *Veasey v. Abbott*, 888 F.3d 792 (5th Cir. 2018) (en banc).

To summarize, Plaintiffs cite *Texas*, *Perez*, and *Veasey* for the proposition that other courts have recognized that SD10 was previously enacted with discriminatory purpose, but that is a substantial misstatement of the law. Only one case actually addressed SD10—*Texas*—and it was vacated by the Supreme Court and therefore has no precedential or persuasive value. And again, even if these three cases meant what Plaintiffs say they mean, they would still not demonstrate that *this* iteration of SD10 was drawn with discriminatory intent. The legislators, map drawers, and surrounding circumstances are entirely different.

B. Plaintiffs' Pre-2021 Evidence Is Irrelevant to This Redistricting Cycle

Plaintiffs also purport to identify three circumstances that predate this redistricting cycle to show that the Legislature acted with discriminatory intent. None of them is relevant.

First, Plaintiffs observe that Senator Huffman was on the Senate Redistricting Committee in 2011 and 2013 when the committee was responding to the *Texas* litigation. *See* ECF 39 at 7–8. As an initial matter, and as explained above, the *Texas* decision was vacated and has no bearing on this case. But even if that were relevant, Senator Huffman's awareness of alleged racial-discrimination issues then hardly shows that she acted with discriminatory intent now. Such a claim is based on pure conjecture.

Second, Plaintiffs point to hearings that the Senate Redistricting Committee conducted before the 2020 Census. *See* ECF 39 at 8–11; *see also* ECF 39-8 to 39-11 (Pls.' Exs. 3A–3D). They note that the committee distributed materials that included maps with racial shading, but this only shows that the committee gathered those materials for those hearings. The fact that those maps exist does not at all prove or even suggest that Senator Huffman *used* them to draw S2168. To the contrary, she has emphatically denied doing so. *See, e.g.*, ECF 39-41 (Pls.' Ex. 6K) at A-5 ("One thing we never had on was racial shading").

Third, and last, Plaintiffs note that Anna Mackin, Senator Huffman's special counsel, worked for the Office of the Attorney General during the 2011 redistricting litigation. *See* ECF 39 at 15–16. They dig up plaintiffs' exhibits offered in that litigation, to which Mackin objected. Several of these exhibits are maps with racial shading. *See* ECF 39-28 to 39-32 (Pls.' Ex 6B, Part 1–5). Plaintiffs also note that *four years after the litigation* Mackin drew several proposed Senate maps, along with staffer Sean Opperman and Senator Huffman herself. From these two data points, Plaintiffs conclude that Mackin drew S2168 with discriminatory purpose. But again, this is pure conjecture. The fact that Mackin, as a lawyer defending her client, opposed discriminatory-intent claims during the 2011 redistricting litigation does not at all mean that she used race to draw the Senate maps during this redistricting cycle. Nor could evidence about Mackin as an individual support a conclusion about the Legislature as a whole.

* * *

Although Plaintiffs would have the Court believe that the circumstances surrounding the redrawing of Senate District 10 were a complicated web of legislative pretexts in a coordinated effort to disguise racial discrimination, the truth is what happened is really very simple. Early on, the Republican majority identified the Democratic-controlled SD10 as a district it wanted to flip. In line with that goal, Senator Huffman and the other members of the majority reconfigured SD10 so it would elect a Republican. In doing so, Senator Huffman was meticulously careful to avoid using race to draw the partisan lines. Senator Powell, the casualty of this partisan strategy, clearly had reason to oppose the new map. She introduced evidence she knew she would use later in an attempt to build a case that the new SD10 violates the Constitution and the VRA. But her manufactured evidence is just that, manufactured. All the pertinent evidence demonstrates that the Legislature acted according to partisan motivations. And as the Supreme Court accentuated last term, "partisan motives are not the same as racial motives." *Brnovich v. Democratic Nat'l Comm.*, 141 S. Ct. 2321, 2349 (2021).

STANDARD

A motion for a preliminary injunction must satisfy four "prerequisites":

> (1) a substantial likelihood that plaintiff will prevail on the merits, (2) a substantial threat that plaintiff will suffer irreparable injury if the injunction is not granted, (3) that the threatened injury to plaintiff outweighs the threatened harm the injunction may do to defendant, and (4) that granting the preliminary injunction will not disserve the public interest.

Libertarian Party of Tex. v. Fainter, 741 F.2d 728, 729 (5th Cir. 1984). "The burden of persuasion on all of the four requirements for a preliminary injunction is at all times upon the plaintiff." *Canal Auth. of State of Fla. v. Callaway*, 489 F.2d 567, 573 (5th Cir. 1974). That burden is heavy. It requires "*a clear showing*." *Mazurek v. Armstrong*, 520 U.S. 968, 972 (1997) (per curiam).

"A preliminary injunction is an extraordinary remedy and should only be granted if the plaintiffs have clearly carried the burden of persuasion on all four requirements." *Nichols v. Alcatel*

USA, Inc., 532 F.3d 364, 372 (5th Cir. 2008) (quotation omitted). Still, it is "never awarded as of right" and is instead left to a district court's "sound discretion." *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 24 (2008).

ARGUMENT

I. Plaintiffs Are Not Likely to Succeed on the Merits

A. Plaintiffs' Intentional Vote-Dilution Claims Fail

A vote dilution claim alleges that a particular voting scheme was enacted with the purpose "to minimize or cancel out the voting potential of racial or ethnic minorities." *Miller v. Johnson*, 515 U.S. 900, 911 (1995). In their motion for preliminary injunction, Plaintiffs seem to pursue their claim of intentional vote-dilution under the Constitution and the VRA but not their claim of effects-based vote-dilution under Section 2. But alleging intentional discrimination does not relieve Plaintiffs of their obligation to prove discriminatory effect. *See Harding v. Dallas County*, 948 F.3d 302, 312 (5th Cir. 2020).

The Fifth Circuit recognizes that the "role that § 2 and *Gingles* play in intentional vote dilution claims as opposed to results-only claims is somewhat unsettled." *Id.* at 313. Defendants are aware of only two Circuits that have addressed vote-dilution standards as they pertain to the *Gingles* factors. Consistent with the nature of a vote-dilution injury, the Eleventh Circuit requires that plaintiffs who bring an intentional vote-dilution claim must demonstrate the three *Gingles* prerequisites. This is so because although discriminatory intent might be "circumstantial evidence of discriminatory results," *Johnson v. DeSoto County Board of Commissioners*, 72 F.3d 1556, 1565 (11th Cir. 1996), such intent in no way "lessens the amount of discriminatory results that must be shown," *id.* at 1564.

Accordingly, discriminatory effects must still be demonstrated through the application of the three threshold *Gingles* factors. See *Burton v. City of Belle Glade*, 178 F.3d 1175, 1201 (11th Cir. 1999) (rejecting a vote-dilution claim on summary judgment despite evidence of "discriminatory intent" because the plaintiff did not "meet the requirements of the Gingles factors"). Recent district-court

decisions apply these principles. *See, e.g.*, *Thompson v. Kemp*, 309 F. Supp. 3d 1360, 1366–67 (N.D. Ga. 2018) ("[A]ll three *Gingles* preconditions [must] be shown in order to make a viable discriminatory intent claim."). By contrast, the Ninth Circuit in *Garza v. City of Los Angeles*, 918 F.2d 763, 771 (9th Cir. 1990) held that the first *Gingles* precondition, that the minority must be large enough to form a majority in a single member district, is relaxed where there has been a showing of discriminatory intent.

The Court should apply the Eleventh Circuit's standard because it is consistent with the Fifth Circuit's admonition that there must be both discriminatory effect and discriminatory intent in order to prove an intentional discrimination claim. *Harding*, 948 F.3d at 312. The three *Gingles* preconditions define what it means to have sustained a vote-dilution injury. Logically, then, a plaintiff must prove that he or she sustained such an injury before proving such injury was the product of discriminatory intent. But even if the Court applies the Ninth Circuit's standard, Plaintiffs must still prove the second and third *Gingles* preconditions.

But Plaintiffs cannot prove any of the *Gingles* preconditions here. It is undisputed that they will be unable to show "the minority population in the potential election district is greater than 50 percent." See *Bartlett v. Strickland*, 556 U.S. 1, 120 (2009); *see also* Ex. 3 at 4. Even if Plaintiffs could overcome the first *Gingles* factor, their claims would still fail because Hispanic voters and Black voters in SD10 are not "politically cohesive" and, by definition, Anglo voters in a would-be crossover district do not "vote[] sufficiently as a bloc" so as "usually to defeat the minority's preferred candidate." *Gingles*, 478 U.S. at 51. Finally, even if Plaintiffs could somehow cross the *Gingles* threshold, their claims would still fail because there is no evidence that benchmark SD10 will perform as Plaintiffs claim.

1. Plaintiffs Have Not Made a Clear Showing of Discriminatory Intent

a. The Legislature's Good Faith Is Both Presumed and Supported by Evidence That It Acted for Partisan Reasons

In redistricting cases, "the good faith of a state legislature must be presumed." *Miller*, 515 U.S. at 915. Indeed, "the Supreme Court has long cautioned against the quick attribution of improper

motives, which would interfere with the legislature's rightful independence and ability to function." *Fusilier v. Landry*, 963 F.3d 447, 464 (5th Cir. 2020). It is therefore "plaintiffs' burden to overcome the presumption of legislative good faith and show that the [Texas] Legislature acted with invidious intent." *Perez*, 138 S. Ct. at 2325. Thus, "showing that a redistricting plan intentionally discriminates is not ordinarily an easy task." *Prejean v. Foster*, 227 F.3d 504, 509 (5th Cir. 2000). Rather than confront this task head on, Plaintiffs completely ignore the presumption of good faith.

The evidence in this demonstrates that the Legislature acted based on partisan motivations, not discriminatory intent. Near the end of their argument, ECF 39 at 36–41, Plaintiffs try to disprove this, but both of their arguments are unavailing.

i. The Weight of Evidence Showing Partisan Motivations Is Not a Pretext for Racial Discrimination

First, Plaintiffs contend that the Legislature's partisan motivations are a "*post hoc* pretext" for racial discrimination. *Id.* at 36. But they fail to grapple with the weight of evidence demonstrating the opposite. As explained in detail in the Background, it was clear from the outset that the purpose of SB4 was to bolster Republican support in SD10. Indeed, Senator Powell herself admitted as much on the Senate floor. If that were not enough, one need look no further than the partisan shading maps for the benchmark SD10 and the newly-configured SD10. They explain that Senator Huffman and the Senate majority intentionally moved Republican-leaning areas into SD10 and removed Democratic-leaning areas. To reiterate, under the benchmark, 53.1% of SD10 voted for Joe Biden in the 2020 election, as compared to 45.4% who voted for Donald Trump. Under S2168, however, 57.2% of SD10 voted for Donald Trump, as compared to 41.4% who voted for Joe Biden. *Supra* Table 2.

Moreover, Plaintiffs rebut themselves with their own pleadings. For example, they allege that Democrats would have won nine of nine evaluated 2020 races in the pre-redistricting version of SD10 but that Republicans would have won five of five such races evaluated in the post-redistricting version of SD10. *See* ECF 1 ¶¶ 37, ¶ 47. Plaintiffs merely give another example of partisan objectives.

Nor can Plaintiffs overcome the clear evidence of partisan motivation by fixating on the fact that Senator Huffman did not publicly announce that partisan considerations were one of the factors she considered until four days after she announced her five initial criteria. As explained above, she never purported to have identified all of her criteria. And in any event, if Senator Huffman was disinclined to emphasize partisan considerations, that likely reflects the fact that such considerations are unpopular in some quarters. *E.g.*, *Rucho v. Common Cause*, 139 S. Ct. 2484, 2509 (2019) (complaining about "partisan gerrymanders").

ii. Plaintiffs' *Post Hoc* Alternative Maps Do Not Prove that the Enacted Map Was Drawn with Discriminatory Intent

Second, Plaintiffs argue that the Legislature's failure to enact their "alternative maps" proves that it was motivated by race, not party. They are wrong for five reasons. A map cannot support an inference of racial discrimination unless multiple conditions are met: (1) The Legislature must be aware of the alternative map. (2) The alternative map must have been an available option for the Legislature. (3) The alternative map must achieve the Legislature's partisan goals better than the map actually enacted. (4) The alternative map must not have the alleged adverse effects on a particular racial group that the enacted map has. (5) Legislators could prefer the enacted map only because of adverse effects on a particular racial group. *See generally Harding*, 948 F.3d at 309–12; *Cooper v. Harris*, 137 S. Ct. 1445, 1478–82 (2017); *Easley v. Cromartie*, 532 U.S. 234, 258 (2001). None of those factors is present here. *See also* Ex. 3 at 7–9 (Dr. Alford report).

First, Plaintiffs present no evidence that the Legislature was even aware of their demonstration maps. The time-and-date stamps on their demonstration plans show they were created well into this litigation and long after the Legislature had finished redistricting. *See* ECF 39-69 (Pls.' Ex. 32 dated Nov. 23, 2021); ECF 39-75 (Pls.' Ex. 38 dated Nov. 23, 2021). Plaintiffs do not claim to have presented them to the Legislature in some other form. Plaintiffs do not argue that the Legislature considered every possible strategy for achieving its partisan goals, nor could they credibly do so in light of the

timeline. As discussed above, The Legislature was operating on a severely compressed schedule. Pandemic-related delays prevented the Legislature from redistricting during its regular session. *Supra* Background I. As a result, it had to redistrict not only the Senate but also the House, Congress, and the State Board of Education during a special session constitutionally limited to thirty days. *See* Tex. Const. art. III, § 40. Plaintiffs' demonstration maps were never proposed to the Legislature, nor is there any evidence the time-pressed Legislature considered anything like them on its own.

Plaintiffs' response seems to be that the Legislature could have inferred that achieving its partisan goals in Travis County rather than Tarrant County from court opinions issued during the last round of redistricting. *See* ECF 39 at 39 (citing *Perez*). But those opinions did not purport to be guides to partisan gerrymandering, much less for the Texas Senate. And, as explained above, *Perez* was concerned with the Congressional maps, not the State Senate Maps. *Supra* Background VI.A. There is nothing suspicious about the Legislature not reading so much into old court opinions.

Second, Plaintiffs' demonstration maps prove nothing because Plaintiffs do not even argue that they were available options for the Legislature. The premise of an alternative-map argument is that the Legislature *could have* adopted an alternative map. Without that premise, the fact that the Legislature did not adopt the alternative map is not probative of anything. But Plaintiffs cannot even bring themselves to contend their demonstration maps are lawful. They specifically warn the Court that their demonstration maps would not make "an appropriate judicial remedy" because "these plans do not address any other allegations of legal violations the Court may adjudicate." ECF 39 at 39 n.11. If Plaintiffs' demonstration maps suffer from legal defects, as Plaintiffs seem to suggest, then they could not satisfy Senator Huffman's first criterion for any redistricting proposal. ECF 39-41 (Pls.' Ex. 6-I) at 2 ("My goals and priorities in developing this proposed plan included first and foremost following all applicable law. . . ."). If Plaintiffs are not sure that their own plans are lawful, they cannot blame the Legislature for failing to adopt them.

Third, Plaintiffs' proposed map does not achieve the Legislature's political goals nearly as well as the plan the Legislature actually adopted. *See Cooper*, 137 S. Ct. at 1489 n.4 (Alito, J., concurring) (alternative "maps [must] me[e]t the legislature's political goals" to be probative of a legal violation). For instance, Plaintiffs' alternative maps would have put Senator Eckhardt in SD24, where the Republican incumbent, Senator Dawn Buckingham, is running for Land Commissioner rather than reelection.[9] Allowing Senator Eckhart to essentially run as the incumbent would be a poor way for Republican legislators to advance their partisan goals. Moreover, unlike S2168, Plaintiffs' versions of SD24 do not include the residence of former Senator Pete Flores, who is running for SD24 and has been endorsed by the Lieutenant Governor as well as Senator Buckingham.[10] It is no surprise that the Legislature did not adopt a map that would harm the electoral prospects of a popular Republican former colleague.

Fourth, enacting the alternative maps would generate the same adverse-effects claims Plaintiffs bring here. True, Senator *Powell* would not have been able to complain because, perhaps unsurprisingly, her proposed map improves her electoral prospects. But the proposed map harms Senator *Eckhardt's* electoral prospects. Senator Eckhardt undoubtedly believes herself to be minority voters' candidate of choice. *See* ECF 39-40 (Pls.' Ex. 6J) at 6 (Eckhardt *et al.* statement of representing "districts in which minority citizens have . . . elect[ed] their candidates of choice"). If the Legislature had adopted one of Senator Powell's alternative maps, Senator Eckhardt could have claimed that the Legislature was intentionally "dismantling" a coalition or cross-over district, just as Senator Powell is now. ECF 39 at

---

[9] Patrick Sivtek, *Republican state Sen. Dawn Buckingham running for Texas land commissioner*, TEXAS TRIBUNE (June 4, 2021), https://www.texastribune.org/2021/06/03/dawn-buckingham-texas-land-commissioner. *See also* ECF 39-41 (Pls.' Exh. 6-I) (floor discussion that Sen. Buckingham would not be an incumbent in 2022) (Ex. 30).

[10] Patrick Svitek, *After Losing to a Democrat in 2020, Former GOP State Senator Pete Flores Seeks Election in Newly Drawn Republican District*, Texas Tribune (Sept. 21, 2021), https://www.texastribune.org/2021/09/21/texas-legislature-redistricting-pete-flores-senate/. (Ex. 31).

26. Adopting Plaintiffs' alternative maps would have just traded a lawsuit from Senator Powell for a lawsuit from Senator Eckhardt.

Even Plaintiffs do not suggest that the Legislature would have avoided alleged injuries to minority groups. The most they say is that the Legislature could have achieved "partisan goals . . . 'without moving so many members of a minority group' out of SD10." ECF 39 at 40 (quoting *Cooper*, 137 S. Ct. at 1479). That is irrelevant. Plaintiffs' proposed alternatives focus on achieving partisan gains in Travis County, so the fact that they do not move as many voters in Tarrant County is not probative. Plaintiffs are curiously silent on whether their alternative maps would harm the interests of minority voters in Travis County, but a fair application of Plaintiffs' expansive (and erroneous) liability theories suggests their alternative maps would be subject to the same legal objections that Plaintiffs raise for the enacted map.

Fifth, legislators had good reason to prefer the enacted map to Plaintiffs' alternative maps. Plaintiffs' alternative maps would disrupt elections all over the State by radically realigning Senate districts from nearly end-to-end. They would shift dozens of counties within and among almost a dozen Senate districts all the way to the Mexican border and the Gulf. *See* ECF 39-69 (Pls.' Ex. 32) & 39-75 (Pls.' Ex. 38) (moving Starr County from SD21 to SD20 and rearranging SD11 and SD17 lines in Brazoria County). Although Plaintiffs have limited their preliminary-injunction motion to SD10, the Legislature necessarily took a broader view during redistricting. Plaintiffs do not dispute that the Legislature had valid reasons for drawing other Senate districts as it did. The Legislature was not obligated to abandon those reasons and adopt one of Plaintiffs' alternative maps.

Ignoring these important factual circumstances, Plaintiffs argue "that the legislature's purported political goals could have been achieved without dismantling SD10 and cracking apart its minority populations." ECF 39 at 36. Even if that were true, it would be irrelevant because it attempts to improperly shift the burden of proof. As explained *supra*, this is one of the central reasons why the

Texas case is not probative to this analysis: it applied a burden of proof based on a statute the Supreme Court has since declared unconstitutional. *See* Background VI.A (explaining *Texas v. United States*).

The Legislature is permitted to pursue its partisan goals—which even Plaintiffs concede are lawful—in any non-racial way it sees fit. Provided compliance with applicable federal law, it has no obligation in the abstract to avoid the alleged "cracking" effects about which Plaintiffs complain. (Plaintiffs' preliminary-injunction motion does not argue that the alleged cracking in SD10 violates Section 2, for example.) Plaintiffs' theory that the Legislature "could have . . . achieved that goal without cracking apart Tarrant County's minority populations" is thus irrelevant. ECF 39 at 37. There is no least-restrictive-means requirement for pursuing partisan goals. Plaintiffs seem to assume that failing to minimize alleged "cracking" is tantamount to intentionally pursuing such cracking. It is not. It is equally consistent with indifference to cracking. Under Supreme Court precedent, indifference to racial effects is the precise opposite of intentional discrimination. *See Bush v. Vera*, 517 U.S. 952, 968 (1996) (plurality op.); *Brnovich*, 141 S. Ct. at 2349.

In the end, Plaintiffs' suggestion that the Texas Legislature in 2021 would sacrifice partisan advantage to discriminate against racial minorities is untenable. The Legislature strengthened the electoral positions of many minority representatives that belong to the Republican party. For instance, the new House maps increase the Republican composition for two minority representatives: Ryan Guillen (R+6%) and J.M. Lozano (R+2%). *Compare* Ex. 16 at 6, 9 *with* Ex. 17 at 6, 9. And the Senate redrew SD24 to allow former State Senator Pete Flores to run for that district. *See* Ex. 31. Again, this should not be surprising. These circumstances further confirm that the Legislature is acting based on partisan motivation, not racial discrimination.

It is equally untenable to suggest, as Plaintiffs do, that the Legislature's plan for discriminating against racial minorities was to target a white Democrat for political defeat. Texas has many minority elected officials, Representative James White (HD19), Representative Hubert Vo (HD149) Senator

Royce West (SD23), Senator César Blanco (SD29), Congressman Tony Gonzales (CD23), and Congresswoman Veronica Escobar (CD16), just to name a few, but Plaintiffs do not argue that the Legislature discriminated against any of them. Instead, their theory is that the supposedly racist Legislature set its sights on a white incumbent from the Fort Worth area. That makes no sense.

* * *

Courts have routinely held that evidence of such partisan considerations defeats a claim of intentional racial discrimination. *See., e.g., Easley*, 532 U.S. at 243 (reversing finding party was proxy for race; "Given the undisputed evidence that racial identification is highly correlated with political affiliation in North Carolina, these facts in and of themselves cannot, as a matter of law, support the District Court's judgment."); *Bush*, 517 U.S. at 968 (plurality op.) ("If district lines merely correlate with race because they are drawn on the basis of political affiliation, which correlates with race, there is no racial classification to justify. . . . If the State's goal is otherwise constitutional political gerrymandering, it is free to use . . . political data . . . to achieve that goal regardless of its awareness of its racial implications and regardless of the fact that it does so in the context of a majority-minority district."); *Rodriguez v. Harris County*, 964 F. Supp. 2d 686, 804 (S.D. Tex. 2013) (rejecting racial gerrymandering claim; fact that Latinos tend to vote for Democrats and Anglos for Republicans, "without more, cannot transform partisanship into race discrimination."). After all, "partisan motives are not the same as racial motives." *Brnovich*, 141 S. Ct. at 2349.

But even if Plaintiffs could show that Senator Huffman did not really attempt to pursue partisan ends, that would not establish "that the legislature as a whole was imbued with racial motives." *Id.* at 2350. It is not enough for plaintiffs to establish that a bill's sponsor acted with improper motives (they cannot do that here) because "the legislators who vote to adopt a bill are not the agents of the bill's sponsor or proponents." *Id.* Plaintiffs' evidence focuses nearly exclusively on events concerning Senator Huffman, but that is insufficient as a matter of law to demonstrate discriminatory intent.

b. Plaintiffs Have Not Established Discriminatory Intent under *Arlington Heights*

Plaintiffs invoke the framework set forth in *Village of Arlington Heights v. Metropolitan Housing Development Corp.*, 429 U.S. 252 (1977), but it does not support them here. The five inexhaustive factors are as follows: "(1) the historical background of the decision, (2) the specific sequence of events leading up to the decision, (3) departures from the normal procedural sequence, (4) substantive departures, and (5) legislative history, especially where there are contemporary statements by members of the decision-making body." *Veasey*, 830 F.3d at 231 (quotation marks omitted); *see Arlington Heights*, 429 U.S. at 267–68.

Historical Background: The only "background" to which Plaintiffs point is a series of contested court rulings from previous redistricting cycles. *See* ECF 39 at 27–28. But those rulings addressed different maps passed by different legislators, and different map drawers, at different times. In any event, even if one believed that the 2011 map was enacted with a discriminatory purpose—it was not—that would not be probative of the intent of a different group of legislators in enacting a different map at a different time five legislative sessions ago. As explained in detail *supra*, Background VI.A, the three cases Plaintiffs cite simply do not apply here.

Sequence of Events and Legislative History: Combining these factors, Plaintiffs suggest that Senator Huffman informed other people that Senator Powell would lose her seat before Senator Huffman informed Senator Powell herself. *See* ECF 39 at 28–34. But Plaintiffs' evidence does not support that argument. They highlight the fact that Senator Huffman "had conversations with people over the months" about SD10, but that says nothing about when and whether anyone decided revisions to Senator Powell's district would be a good idea. ECF 39 at 29. There is nothing suspicious about not keeping Senator Powell informed about changes she was certain to oppose. And even if Plaintiffs had offered evidence of a delay by Senator Huffman in explaining the SD10 reconfiguration to Senator Powell, it would matter little because Senator Powell clearly understood her seat was being targeted.

Procedural Departures: Plaintiffs purport to identify two procedural irregularities in the passage of the House map, but neither is accurate. *First*, Plaintiffs claim that "Senator Huffman contended that she received no legal advice regarding compliance with voting rights laws prior to drawing the maps," ECF 39 at 34, but that is not what Senator Huffman said. When asked the question "Did you get legal advice about how to draw the lines from the Attorney Generals' Office before you undertook to draw the districts?," the answer is "no." ECF 39-41 (Pls.' Ex. 6K) at A-7. That Senator Huffman did not receive legal advice "about how to draw the lines" *id.*, does not suggest Sen. Huffman received no "legal advice" at all. Second, Plaintiffs argue that the process was rushed, but that is attributable to the pandemic and the federal government, not conscious delay by the Legislature. Background I.

Plaintiffs claim to have identified departures from the normal procedural sequence for passing redistricting legislation. *See, e.g.*, ECF 39 at 23–24, 34–36. For example, Plaintiffs complain that the House Redistricting Committee did not invite testimony from expert witnesses and that "the committee process was unusually rushed." ECF 39 at 23, 35. However, any alleged procedural irregularities are easily explained without resorting to allegations of discriminatory intent. *See supra* Background I (explaining the compressed timeline the Legislature was forced to operate under).

As Plaintiffs' complaint acknowledges, the federal government did not deliver the redistricting data until August 12, 2021, *see* ECF 1 ¶ 27, more than four months after the statutory deadline of April 1. *See* 13 U.S.C. § 141(a), (c). This, in turn, forced the Legislature to redistrict during a special session, which is constitutionally limited to thirty days, rather than during its longer, regular session. *See* Tex. Const. art. III, § 40. Since, with the release of census figures, prior redistricting legislation was rendered malapportioned, the need for the Legislature to immediately redistrict was even more acute. Thus, with a compressed schedule due to pandemic-related delays, an allegedly rushed process would hardly be surprising, much less give a reason to infer intentional invidious discrimination. In *Perez*, the Supreme Court could "not see how the brevity of the legislative process can give rise to an inference

of bad faith." 138 S. Ct. at 2328–29. The evidence there was insufficient; Plaintiffs' allegations here are even weaker.

Substantive Departures: First, Plaintiffs complain that the 2021 Legislature did not follow the 2011 court-ordered plan, as a letter from then-Attorney General Abbott had recommended to an earlier legislature. But that is not a departure at all. Following the approach contained in such an out-of-date letter that addressed a completely different set of circumstances would have been the substantive departure, not this. Second, Plaintiffs claim SD10 now splits communities of interests, but as explained *supra*, that concern is overstated. *Supra* Background IV.B (explaining the overlapping interests within SD10). Third, Plaintiffs argue that SD10 departs from other redistricting criteria, but partisanship is a very common redistricting consideration. A map that improves partisan performance, even at the expense of other considerations, cannot be considered a "substantive departure."[11]

In the end, Plaintiffs rest much of their argument for discriminatory intent on their speculative contention that members of the Texas Legislature were "aware of the racially discriminatory effect SB4's cracking of minority populations would have." ECF 39 at 33–34. As explained in detail *supra*, Background V, that awareness, in turn, stemmed in part from Plaintiff Beverly Powell's overt attempt to inject race into the Legislature's consideration of SD10. *See, e.g.*, ECF 39 at 12–14, 22–24. But legislators were free to disregard Plaintiff Powell's opinions given that a bill's "legislative opponents," "[i]n their zeal to defeat a bill," "understandably tend to overstate its reach." *NLRB v. Fruit & Vegetable Packers & Warehousemen, Local 760*, 377 U.S. 58, 66 (1964). While legislators may have been aware of

[11] Partisan considerations are in fact so much a usual part of the both the process and substance of redistricting that it was not until the Supreme Court ruled such disputes nonjusticiable in *Rucho* that members of the two major parties stopped challenging redistricting plans as not just excessively partisan, but unconstitutionally so. *See, e.g., Bush v. Martin*, 251 F. Supp. 484, 513–15 (S.D. Tex. 1966) (three-judge panel); *Kilgarlin v. Martin*, 252 F. Supp. 404, 432–34 (S.D. Tex. 1966) (three-judge panel); *Graves v. Barnes*, 343 F. Supp. 704, 734 (W.D. Tex. 1972) (three-judge panel), *revd. in part on other grounds*, *White v. Register*, 412 U.S. 755 (1973); *Terrazas v. Slagle*, 821 F. Supp. 1162, 1166–1175 (W.D. Tex. 1993) (three-judge panel); *Henderson v. Perry*, 399 F. Supp. 2d 756 (E.D. Tex. 2005) (three-judge panel), *rev'd on other grounds*, *LULAC v. Perry*, 548 U.S. 399 (2006).

Plaintiff Powell's allegations of discrimination, there is no reason to think that they agreed with her assessments, much less that they voted for the new map because of those assessments.

Such awareness is insufficient to establish an intent to discriminate. Proof of intent requires more than mere "volition" or "awareness of consequences." *Pers. Adm'r of Mass. v. Feeney*, 442 U.S. 256, 279 (1979). Plaintiffs must show that the Legislature passed a law "'because of,' not merely 'in spite of,' its adverse effects upon an identifiable group." *Id.* And that standard is only heightened in the redistricting context, where "evidence tending to show that the legislature was aware of the racial composition of" a district "is inadequate to establish injury in fact," much less a violation on the merits. *United States v. Hays*, 515 U.S. 737, 745–46 (1995). "[T]he legislature always is aware of race when it draws district lines, just as it is aware of age, economic status, religious and political persuasion, and a variety of other demographic factors. That sort of race consciousness does not lead inevitably to impermissible race discrimination." *Shaw v. Reno*, 509 U.S. 630, 646 (1993). Here, Plaintiffs have failed to demonstrate that awareness of Plaintiff Powell's potentially self-interested allegations in any way shows that redistricting SD10 was done with a discriminatory purpose.

2. Plaintiffs Vote-Dilution Claims Fail for Lack of Discriminatory Effect

Plaintiffs do not move for preliminary injunctive relief on the Section 2 effects claim. But that does not mean their obligation to demonstrate a vote-dilution injury is dispensed. As explained above, Plaintiffs must prove the three *Gingles* preconditions in order to prove they are likely to succeed on the merits of their intentional vote dilution claim. *See Burton*, 178 F.3d at 1201 (rejecting a vote-dilution claim on summary judgment despite evidence of "discriminatory intent" because the plaintiff did not "meet the requirements of the *Gingles* factors").

But Plaintiffs cannot satisfy *Gingles* here. Their theory is that dismantling a crossover district dilutes their votes. This makes sense given the fact that minorities do not make up a large enough percent of the population to constitute a majority in a single-member district. *See* Ex. 3 at 4 (Dr. Alford

Initial Report). However, *Bartlett v. Strickland* rejected the argument that Section 2 requires the creation of crossover districts in which "the minority population, at least potentially, is large enough to elect the candidate of its choice with help from voters who are members of the majority and who cross over to support the minority's preferred candidate." 556 U.S. at 13.

Even if a crossover district otherwise satisfied *Gingles*—and it does not—Plaintiffs could not show that minority and white voters are "politically cohesive" and share "distinctive minority group interests." *Gingles*, 478 U.S. at 51. Indeed, Plaintiffs do not even attempt to establish the second *Gingles* factor in their preliminary-injunction motion, skipping that analysis entirely in their paragraph-long treatment of discriminatory effect. *See* ECF 39 at 26–27. Nor do the voluminous exhibits attached to Plaintiffs' motion evidence cohesive voting among Black and Hispanic voters in SD10.

Plaintiffs offer an (unsigned) expert declaration, but it focuses exclusively on general election results. ECF 39-44 at 10–23 (Pls.' Ex. 7). The lack of evidence regarding primary elections is striking, given that Plaintiffs' complaint asserts that "both recent general and primary elections illustrate the strong cohesion between Tarrant County's Black and Hispanic voters." ECF 1 ¶ 80. Indeed, the partisanship attending general elections robs them of any probative value when determining whether two minority groups are politically cohesive. When "two minority groups are generally affiliated [or] registered with the same party (Democratic) and vote for that party's candidates at high rates, primary elections for that party's candidate are by far the most probative evidence of cohesion." *Rodriguez v. Pataki*, 308 F. Supp. 2d 346, 421 (S.D.N.Y. 2004) (three-judge court), *aff'd*, 543 U.S. 997 (2004).

This overreliance on general election results is insufficient to meet their burden to disprove "that partisan affiliation, not race, best explains" any alleged bloc voting. *LULAC v. Clements*, 999 F.2d 831, 850 (5th Cir. 1993) (en banc). The reason for that overreliance is clear once data on Democratic primary elections is analyzed: That data shows that Hispanic voters and black voters do not vote

cohesively. *See* Ex. 3 at 5 (By Plaintiffs' expert's "own definition," Latinos and Blacks "do not qualify as a coalition").

Perhaps the most probative example came in 2014. The open race for the SD10 seat that Wendy Davis had vacated featured a Hispanic candidate, Mike Martinez and an Anglo candidate, Libby Willis. The "minority" candidate, however, was not the choice of the "minority-majority." Rather, the number of votes Martinez and Willis received from black and Hispanic voters were an almost exact mirror: 61.5% of Hispanic voters preferred Martinez, but 61.1% of black voters preferred Willis, the Anglo candidate. Ex. 28; *see also* Ex. 3 at 4.

The 2020 Democratic primaries are only the most recent example of this lack of cohesion. In SD10, Joe Biden won 54.4% of the district's black voters, but only 18% of Hispanic voters. Bernie Sanders, on the other hand, won only 25.5% of black voters, but captured 60.5% of Hispanic voters. In the crowded Senate primary, Spanish-surnamed Annie Garcia won 24.3% of Hispanic voters, but only 7.9% of black voters. ("All other candidates" received the rest of the votes.) And in the four-candidate Railroad Commissioner race, the Hispanic and Spanish-surnamed candidates combined for 66% of the Hispanic vote but only 41.8% of the black vote. Black voters instead gave 58.2% of their votes to the two Anglo candidates, who received only 34% of the Hispanic vote. Ex. 28 at 8.

Similar results obtain in earlier years. In 2018, Hispanic voters overwhelmingly preferred the Hispanic candidate in the primary for Land Commissioner, but a majority of black voters supported the Anglo candidate. *Id.* at 6. In that year's primary for Railroad Commissioner, black voters overwhelmingly preferred the black candidate, but a majority of Hispanic voters preferred the Anglo candidate. *Id.* In the 2016 primary for Railroad Commissioner, a near-majority of Hispanic voters preferred an Anglo candidate who did not make the run-off; a slightly smaller plurality of black voters preferred the black candidate, who did. *Id.* at 4. Even as both groups gave tremendous percentages of their votes to Hillary Clinton in the presidential primary, more than a quarter of Hispanic voters cast

ballots for Bernie Sanders, compared to only 11.6% of black voters. *Id.* And in 2012's runoff for the Democratic nomination for Senate, Hispanic voters preferred the Anglo candidate by 61.6% while Black voters preferred the black candidate by 55.3%. *Id.* at 2. *See also* Ex. 3 at 6 ("The failure of" Blacks and Latinos "to unite as a single cohesive political minority, outside of the partisan general election, is hardly unique to SD10").

Given these facts, Plaintiffs' argument is particularly unlikely to succeed on the merits. That conclusion gains even more support because the importance of cohesive voting is heightened in case such as this. Plaintiffs seek to maintain a minority coalition district that requires crossover from Anglo voters. But even before *Bartlett* and *Perez* clarified that Section 2 does not apply to either crossover or coalition districts, when the Supreme Court "[a]ssum[ed] (without deciding) that it was permissible for [a] District Court to combine distinct ethnic and language minority groups for purposes of assessing compliance with § 2," the Court found that there was "quite obviously a higher-than-usual need for the second of the *Gingles* showings." *Growe v. Emison*, 507 U.S. 25, 41 (1993). The Court reasoned that "when dilution of the power of such an agglomerated political bloc is the basis for an alleged violation, proof of minority political cohesion is all the more essential." *Id.* Accordingly, even when *Campos* erroneously required the Fifth Circuit to assume that coalition districts could satisfy the first *Gingles* precondition, that court did not hesitate to dismiss cases proposing coalition districts based on the plaintiff's failure to meet the second *Gingles* precondition. *See, e.g.*, *Rollins v. Fort Bend Indep. Sch. Dist.*, 89 F.3d 1205, 1216 n.21 (5th Cir. 1996) (affirming dismissal where statistical evidence did not establish cohesion and "[n]o concrete, reliable, or credible evidence was presented at trial that Hispanic and African-American communities work together to accomplish common goals"); *Brewer v. Ham*, 876 F.2d 448, 453 (5th Cir. 1989) (affirming dismissal due to "lack of statistical evidence of inter-minority political cohesion"). Because Plaintiffs here have also failed to establish that precondition, their suit should be subject to the same fate.

Plaintiffs also cannot establish the third *Gingles* precondition. In *Bartlett*, the Supreme Court observed that "[m]andatory recognition of claims in which success for a minority depends upon crossover majority voters would create serious tension with the third *Gingles* requirement that the majority votes as a bloc to defeat minority-preferred candidates." 556 U.S. at 16. Far from fact-intensive, this tension is inherent in any such claim since "[i]t is difficult to see how the majority-bloc-voting requirement could be met in a district where, by definition, white voters join in sufficient numbers with minority voters to elect the minority's preferred candidate." *Id.* The Court later reemphasized that it would be "unlikely that the plaintiffs would be able to establish the third *Gingles* precondition" in cases involving "substantial crossover voting." *Id.* at 24. The only reason that this was not part of the holding in *Bartlett* was that "for some reason respondents conceded the third *Gingles* requirement in state court." *Id.* at 16. Defendants make no such concession here.

These recent results demonstrate that benchmark SD10 does not provide Black and Latino voters with a "real" opportunity to elect representatives of their choice. *See Perez*, 138 S. Ct. at 2333. Indeed, even if Plaintiffs could satisfy all three *Gingles* factors, they must still "additionally prove that the proposed district will in fact perform as plaintiffs hope." *Harding*, 948 F.3d at 316 (Ho, J., concurring in part and dissenting in part). This they have failed to do. And absent such proof, Plaintiffs' intentional vote dilution claims would impermissibly have this Court "find § 2 effects violations on the basis of *uncertainty*," which would "twist[] the burden of proof beyond recognition." *Perez*, 138 S. Ct. at 2333. Because benchmark SD10 was not a performing crossover district, redistricting has not harmed the collective power of minority voters to elect their candidate of choice

3. Plaintiffs' Vote-Dilution Claim is Not Cognizable Under the Fifteenth Amendment or the Voting Rights Act

Finally, to the extent that Plaintiffs bring their vote-dilution claims under the Fifteenth Amendment, they must be dismissed. The Supreme Court has "never held that vote dilution violates the Fifteenth Amendment," nor "even 'suggested' as much." *Reno v. Bossier Parish Sch. Bd.*, 528 U.S.

320, 334 n.3 (2000); *see also Voinovich v. Quilter*, 507 U.S. 146, 159 (1993). The Fifth Circuit has interpreted this language as having "rejected application of the Fifteenth Amendment to vote dilution causes of action." *Prejean v. Foster*, 227 F.3d 504, 519 (5th Cir. 2000); *see also Perez v. Texas*, No. 5:11-CV-360, 2014 WL 12853571, at *2 (W.D. Tex. June 23, 2014) ("under current law, vote dilution claims are not cognizable under the Fifteenth Amendment"). Plaintiffs' claims should be rejected.

Nor can vote-dilution claims be brought under Section 2. This follows naturally from the recognition that "Section 2 was originally "viewed largely as a restatement of the Fifteenth Amendment." *Chisom v. Roemer*, 501 U.S. 380, 392 (1991). Although current precedent allows such a claim, Justice Thomas has persuasively explained why that precedent is wrong. *See Perez*, 138 S. Ct. at 2335 (Thomas, J., concurring); *Holder v. Hall*, 512 U.S. 874, 946 (1994) (Thomas, J., concurring in the judgment). Defendants preserve this issue for appeal. Moreover, Section 2 does not imply a private cause of action for Plaintiffs. *See* ECF 43 at 16–19. Although this Court rejected that argument, ECF 58, Defendants preserve the issue for appeal.

B. Plaintiffs' Racial-Gerrymandering Claim Fails

Plaintiffs claim SD10 is a racial gerrymander, but in reality, it is a partisan gerrymander. "A racial gerrymandering claim is 'analytically distinct' from an intentional vote dilution claim." *Harding*, 948 F.3d at 312 (quoting *Shaw*, 509 U.S. at 652). While intentional vote dilution claims allege that the government has "disadvantage[ed] a particular race" by "enact[ing] a particular voting scheme as a purposeful device to maintain or cancel out the voting potential of racial or ethnic minorities," racial gerrymandering claims allege that the government "has used race as a basis for separating voters into districts[.]" *Miller*, 515 U.S. at 911. Racial gerrymandering occurs only when race was the "predominant consideration in deciding to place a significant number of voters within or without a particular district." *Ala. Legis. Black Caucus v. Alabama*, 575 U.S. 254, 260 (2015) (internal quotation marks omitted). The burden of proof required for such claims is especially "demanding," *Easley*, 532 U.S. at

241, and courts must "exercise extraordinary caution in adjudicating claims that a State has drawn district lines on the basis of race." *Miller*, 515 U.S. at 916.

As explained above, the district lines were drawn without racial shading turned on, so it would have been impossible to draw the individual district lines to racially gerrymander. *See supra* Background II–III. A true racial gerrymander would have required much more detailed knowledge of housing patterns than Senator Huffman and her staff had for the Fort Worth area. In arguing to the contrary, Plaintiffs rely on a series of circumstances that the Background demonstrates are irrelevant. *First*, Plaintiffs point to Senator Huffman's and her staff's familiarity with redistricting and related litigation in the last cycle. *See, e.g.*, ECF 39 at 42. As explained above, the fact that Senator Huffman and some of her staff have familiarity with the redistricting process and *past iterations* of SD10 does not at all substantiate Plaintiffs' claim that they drew *this version* of SD10 based on racial considerations. In fact, powerful evidence proves the opposite. In any event, knowledge of racial consequences is not the same thing as intending those racial consequences. *Feeney*, 442 U.S. at 279.

Second, Plaintiffs again rely on their alternative maps, *see* ECF 39 at 43, but those do not help them anymore on this claim than they did on the other claims. *See supra* Argument I.A.1.a.ii.

Third, Plaintiffs argue that SD10 deviates from traditional redistricting criteria. *See* ECF 39 at 42–44. Again, even if this is true, it is probative of *partisan motivations*, not racial ones. *See* Background III–IV. Every circumstance Plaintiffs cite as evidence of racial gerrymandering, the lack of compactness, for example, is better explained by the desire to bring more Republican votes into the district. When partisanship is offered as a defense to allegations of racial gerrymandering, as it is here, evidence of "the challenged district's conformity to traditional districting principles" often "loses much of its value . . . because a bizarre shape . . . can arise from a 'political motivation' as well as a racial one." *Cooper*, 137 S. Ct. at 1473.

The Senate majority's motive is especially clear when contextualized by the composition of the population that entered and exited SD10. Recall that Senator Huffman utilized partisan shading when drawing the Senate maps. Wanting to make SD10 more Republican, she drew in areas that were shaded red, and subtracted areas that were shaded blue. This ultimately led to a net gain of 108,752 Republican voters and a net loss of 116,554 Democratic voters. *Supra* Background II, Figures 3, 4, and 5. Plaintiffs make much of similar demographic statistics. *See* ECF 39 at 4 (explaining the number of people moved into and out of SD10, and their applicable racial or ethnic status). But these numbers simply do not support Plaintiffs' claim unless they can prove that Senator Huffman and the other members of the Senate majority *used them*. Plaintiffs offer no such evidence. To the contrary, the weight of the evidence demonstrates that Senator Huffman consulted partisan data, but never racial data. Plaintiffs fail to tether their circumstantial arguments to a single shred of affirmative evidence.

Nor can Plaintiffs prevail by arguing, ECF 39 at 32–33, that was race "used as a proxy for political characteristics." See *Bush*, 517 U.S. at 968 (plurality op.). The facts of this case do not present any basis for concluding "that racially motivated gerrymandering had a qualitatively greater influence on the drawing of district lines than politically motivated gerrymandering, and that political gerrymandering was accomplished in large part by the use of race as a proxy." *Id.* at 969. Such a claim arises when the Legislature considers racial data, draws partisan conclusions from that data, and then uses the racial data to achieve political objectives. The circumstances here could not be more different. Senator Huffman and the Legislature can hardly be said to have used race as a proxy for political characteristics when the record demonstrates that they did not consider race at all (other than for compliance with applicable law). Rather, it has been Senator Powell that has consistently invoked race as a rationale for setting the district's boundaries as she would prefer. And even assuming there are sometimes overlap between race and partisan affiliation, mere *coincidence* is not enough. The legislature

must affirmatively and intentionally *apply* that overlap. There is simply no evidence that the Senate majority or Senator Huffman ever did anything of the sort.

II. Plaintiffs Do Not Face Irreparable Harm

Even if Plaintiffs could show a likelihood of success, "a preliminary injunction does not follow as a matter of course." *Benisek v. Lamone*, 138 S. Ct. 1942, 1943 (2018) (per curium). Plaintiffs must also demonstrate "a substantial threat of irreparable injury if the injunction is not issued." *Whitaker v. Livingston*, 732 F.3d 465, 466 (5th Cir. 2013). That injury must be "likely;" it is not enough to be merely possible. *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 22 (2008). Likeliness, in turn, requires "a significant threat of injury from the impending action," which must be "imminent." *Miner, Ltd. v. Anguiano*, 383 F. Supp. 3d 682, 705 (W.D. Tex. 2019) (quoting *Humana, Inc. v. Jacobson*, 804 F.2d 1390, 1394 (5th Cir. 1986)). Here, Plaintiffs cannot show that they face a substantial threat of imminent injury because they are unlikely to prevail on the merits of their claims. *See supra*.

Even if Plaintiffs could show a likelihood of success on the merits, they still have not demonstrated that SD10 harms them, much less irreparably so. Plaintiffs' claims for intentional vote dilution rest on their contention that the Legislature should have preserved benchmark SD10 as a combination minority-coalition and crossover district. However, as explained above, the evidence indicates that Latino voters and Black voters, either individually or collectively, were unable to elect preferred candidates under the benchmark configuration. Changing the boundaries of such a district does not dilute the power of Plaintiffs' votes.

Plaintiffs' racial gerrymandering claim fares no better. Indeed, none of the Plaintiffs allege that they were personally subjected to a racial classification. *Hays*, 515 U.S. at 746. Absent such a showing, the Plaintiffs living outside SD10 will not be injured because they were not excluded based on their races or ethnicities, while the Plaintiffs residing inside SD10 were similarly not included on that basis

and already possess the relief they claim to seek. Plaintiffs are neither injured nor likely to succeed on the merits, so they cannot satisfy the requirement that there be a substantial threat of irreparable injury.

III. The Public Interest and the Balance of the Equities Do Not Favor an Injunction

The balance of the equities and the public interest weigh against an injunction here, particularly because an injunction would interfere with the orderly administration of Texas elections.

Challenges to the enforcement of state law always implicate these factors. "When a statute is enjoined, the State necessarily suffers the irreparable harm of denying the public interest in the enforcement of its laws." *Veasey v. Abbott*, 870 F.3d 387, 391 (5th Cir. 2017) (per curiam). In such cases, the State's "interest and harm merge with that of the public." *Id.* (citing *Nken v. Holder*, 556 U.S. 418, 435 (2009)). As a result, "a court should be particularly cautious when contemplating relief" like that sought here. *Salazar v. Buono*, 559 U.S. 700, 714 (2010) (noting that "[e]quitable relief is not granted as a matter of course," especially when the requested relief "implicates public interests").

These factors apply with special force in election-law cases. Binding "precedents recognize a basic tenet of election law: When an election is close at hand, the rules of the road should be clear and settled." *DNC. v. Wis. State Leg.*, 141 S. Ct. 28, 31 (2020) (Kavanaugh, J., concurring). Even well-intentioned injunctions often cause more problems than they solve. As the Supreme Court has recognized, "[c]ourt orders affecting elections, especially conflicting orders, can themselves result in voter confusion and consequent incentive to remain away from the polls. As an election draws closer, that risk will increase." *Purcell*, 549 U.S. at 4–5. These concerns apply to not only broad relief but also "seemingly innocuous late-in-the-day judicial alterations to state election laws" because even those "can interfere with administration of an election and cause unanticipated consequences." *DNC*, 141 S. Ct. at 31 (Kavanaugh, J., concurring).

To avoid these dangers, the Supreme Court "has repeatedly emphasized that lower federal courts should ordinarily not alter the election rules on the eve of an election." *RNC v. DNC*, 140 S.

Ct. 1205, 1207 (2020) (per curiam). The Fifth Circuit takes this precedent very seriously. In the 2020 election cycle, that Court repeatedly stayed injunctions that would have interfered with Texas elections. *See, e.g.*, *Mi Familia Vota v. Abbott*, 834 F. App'x 860, 863 (5th Cir. 2020) (per curiam) (staying injunction regarding masks in polling places); *Richardson v. Tex. Sec'y of State*, 978 F.3d 220, 244 (5th Cir. 2020) (Higginbotham, J., concurring) (staying injunction regarding signature verification of mail-in ballots); *Tex. Alliance for Retired Ams. v. Hughs*, 976 F.3d 564, 566–67 (5th Cir. 2020) (per curiam) (straight ticket voting); *Tex. Democratic Party v. Abbott*, 961 F.3d 389, 411–12 (5th Cir. 2020) (Smith, J.) (vote by mail).

In recent years, courts have been particularly alert to the dangerous of last-minute injunctions in election cases, but these concerns are not new. In some ways, they are at least as old as federal redistricting litigation itself. "In awarding or withholding immediate relief, a court is entitled to and should consider the proximity of a forthcoming election and the mechanics and complexities of state election laws, and should act and rely upon general equitable principles." *Reynolds v. Sims*, 377 U.S. 533, 585 (1964); *see also Veasey v. Perry*, 769 F.3d 890, 892–95 (5th Cir. 2014).

In this case, injunctive relief would be particularly disruptive because the March 2022 primary is underway. As the Secretary of State's Director of Elections has explained, "[i]t would be incorrect to describe the March 2022 Primary Election as upcoming" because that election "has already started." Ex. 10 (Ingram Declaration) ¶ 7. The candidate filing period for the primary election has already closed. *Id.* ¶ 9; Ex. 11 (Sherbet Declaration) ¶ 6; *see also* Ex. 12 (Blackburn declaration). And several additional deadlines are fast approaching. Ex. 11 ¶ 5. For example, county chairs must conduct a drawing to determine the order that the candidates' names will appear on the ballot by December 23. *Id.* ¶ 13; Ex. 10 ¶ 8. Shortly thereafter, the ballots will have to be designed and proofed. *Id.* ¶ 14; Ex. 11 ¶ 9. By January 15, absentee ballots must be transmitted to military and overseas voters under the federal Military and Overseas Voter Empowerment Act. Ex. 10 ¶ 17; Ex. 11 ¶ 12. Failure to comply with this deadline could result in an enforcement action by the U.S. Department of Justice against

local election authorities. Ex. 10 ¶ 18. "Even a minor delay or alteration of the Election Calendar at this stage would cause serious disruptions for local election authorities and voters." *Id.* ¶ 12.

At the status conference, Plaintiffs suggested they could avoid some of these problems by delaying Election Day itself. That would be worse, not better. "It is no small disruption to the state or to a political party or to the public when an election is postponed at the last moment." *Miss. Freedom Democratic Party v. Democratic Party of State of Miss.*, 362 F.2d 60, 62 (5th Cir. 1966) (refusing to delay a primary election). "[D]elayed election dates historically result in diminished voter participation," which "is particularly onerous for minority voters and candidates who benefit from high rates of participation." *Seamon v. Upham*, 536 F. Supp. 1030, 1034 (E.D. Tex. 1982).

In this case, delaying Election Day would create significant inefficiencies and unnecessary duplication of effort, thereby undermining efficient election administration. It would require repeating much of the same preparatory work that has already been performed, Ex. 11 ¶¶ 14, 18, and might include being required to redraw precinct lines. Ex. 10 ¶ 23. Postponement also threatens to impose additional personnel costs on the counties. Ex. 11 ¶ 18. Small Texas counties would be especially hard hit financially. Ex. 10 ¶ 25. Nor would candidates themselves be spared, as some candidates who have already applied for one office would need to apply for a different office. *Id.* ¶ 10. There could even be a cascading effect that would potentially "compromise the efficient operation and administration of the November 2022 General Election." *Id.* ¶ 26.

Finally, postponement is likely to undermine the public's perception of election integrity. Enjoining the March 2022 Primary Election would not only produce confusion among voters, Ex. 11 ¶¶ 14, 19, but also among local election officials and many candidates, Ex. 10 ¶¶ 10, 11, 30. This confusion is particularly likely if local election officials are forced to issue corrected voter certificates. Ex. 11 ¶ 15. Furthermore, logic and accuracy tests of counties' voting machines could be rushed. Such testing is essential to ensure that the voting equipment and ballots are properly displayed, that they

accurately collect votes, and tabulate results. Ex. 10 ¶ 14; Ex. 11 ¶ 10. This combination of widespread confusion and potentially inaccurate ballots or tabulation would be disastrous to the public's perception of fair and honest elections.

In past redistricting cycles, court orders altering election deadlines were virtually unavoidable. That was because Texas was subject to the VRA's preclearance regime, which prevented laws that had not been precleared from taking effect. When preclearance was not forthcoming, the State had no new map to implement, and something had to give. Either the election deadlines had to be delayed, or a court would have to implement a map (or both).

Now, however, Texas is not subject to preclearance, so its laws can take effect in the normal course. Instead of being stuck with two disruptive options (delays or a court-drawn map), the State can implement its own map as State law provides. And federal courts can adjudicate claims on normal timeframes, rather than rushing to set election rules as elections become imminent.

This is the way courts have long proceeded when preclearance was not an issue. The Third Circuit, for example, refused to issue relief that "would likely delay or suspend the legislative elections" because, if New Jersey "desired to avoid also postponing the concurrent gubernatorial and local elections," it "would be required to hold two separate primaries and general elections for its state offices, at great expense to the taxpayers." *Page v. Bartels*, 248 F.3d 175, 195 (3d Cir. 2001). Although serious, the costs to New Jersey were far less significant than the harms to Texas here. Nonetheless, the Third Circuit characterized "[f]ederal court intervention" as creating "a disruption in the state electoral process [that] is not to be taken lightly." *Id.* at 195–96. The same is true here.

CONCLUSION

Defendants respectfully request that the Court deny the *Brooks* Plaintiffs' motion.

Date: December 20, 2021

Respectfully submitted.

KEN PAXTON
Attorney General of Texas

BRENT WEBSTER
First Assistant Attorney General

/s/ Patrick K. Sweeten
PATRICK K. SWEETEN
Deputy Attorney General for Special Litigation
Tex. State Bar No. 00798537

WILLIAM T. THOMPSON
Deputy Chief, Special Litigation Unit
Tex. State Bar No. 24088531

OFFICE OF THE ATTORNEY GENERAL
P.O. Box 12548 (MC-009)
Austin, Texas 78711-2548
Tel.: (512) 463-2100
Fax: (512) 457-4410
patrick.sweeten@oag.texas.gov
will.thompson@oag.texas.gov

COUNSEL FOR DEFENDANTS

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing document was filed electronically (via CM/ECF) on December 20, 2021, and that all counsel of record were served by CM/ECF.

/s/ Patrick K. Sweeten
PATRICK K. SWEETEN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

LEAGUE OF UNITED LATIN AMERICAN CITIZENS, *et al.* *Plaintiffs,* v. GREG ABBOTT, *et al.*, *Defendants.*	§ § § § § § §	Case No. 3:21-cv-00259 [Lead Case]
ROY CHARLES BROOKS, *et al.* *Plaintiffs,* v. GREG ABBOTT, *et al.*, *Defendants.*	§ § § § § §	Case No. 1:21-cv-00991 [Consolidated Case]

INDEX OF EXHIBITS TO STATE DEFENDANTS' OPPOSITION TO BROOKS PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION

Exhibit 1: Declaration of Rep. Phil King 3
Exhibit 2: Declaration of Dr. John Alford 8
Exhibit 3: Initial Report of Dr. John Alford 11
Exhibit 4: Declaration of Todd Giberson 47
Exhibit 5: Partisan-shaded map of benchmark SD10 51
Exhibit 6: Partisan-shaded map of benchmark SD10, zoomed out 53
Exhibit 7: Partisan-shaded map of current SD10 55
Exhibit 8: Partisan-shaded map of benchmark SD28 57
Exhibit 9: Map of partisan changes in SD10 59
Exhibit 10: Declaration of Keith Ingram 61
Exhibit 11: Declaration of Bruce Sherbet 69
Exhibit 12: Declaration of David Blackburn 75
Exhibit 13: Declaration of Leif Olson 81
Exhibit 14: 2014 Republican Primary Election, SD31 85
Exhibit 15: 2018 Republican Primary Election, SD31 88
Exhibit 16: Election Analysis, H2100, 2020 General Election 91

Exhibit 17: Election Analysis, H2136, 2020 General Election 100
Exhibit 18: *New York Times* article, Sept. 27, 2021 107
Exhibit 19: *Texas Tribune* article, Oct. 25, 2021 112
Exhibit 20: *Texas Tribune* article, Oct. 7, 2021 124
Exhibit 21: *Texas Tribune* article, Jan. 22, 2019 133
Exhibit 22: *Amarillo Pioneer* article, Oct. 20, 2021 138
Exhibit 23: Texas Senate Journal, Oct. 4, 2021 141
Exhibit 24: U.S. Census Bureau redistricting data 151
Exhibit 25: Governor Abbott Proclamation, Third Called Session 156
Exhibit 26: 2020 General Election District Election Analysis, benchmark SD10 160
Exhibit 27: 2020 General Election District Election Analysis, current SD10 162
Exhibit 28: 2012–2020 EI Voting Analysis, benchmark SD10 164
Exhibit 29: District Population Analysis, benchmark SD10 176
Exhibit 30: *Texas Tribune* article, June 4, 2021 184
Exhibit 31: *Texas Tribune* article, Sept. 21, 2021 188

Exhibit 1:
Declaration of Rep. Phil King

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

LEAGUE OF UNITED LATIN AMERICAN CITIZENS, *et al.* *Plaintiffs,* V. GREG ABBOTT, *et al.*, *Defendants.*	§ § § § § § § § §	Case No. 3:21-cv-00259 [Lead Case]
ROY CHARLES BROOKS, *et al.* *Plaintiffs,* V. GREG ABBOTT, *et al.*, *Defendants.*	§ § § § § § § § §	Case No. 1:21-cv-00991 [Consolidated Case]

DECLARATION OF PHILLIP STEPHEN KING

Pursuant to 28 U.S.C., I, Phillip Stephen King, declare the following:

1. My name is Phillip Stephen King. I am over the age of 18 and competent to make this declaration. I currently reside in Parker County, Texas.

2. I have served as a State Representative since 1999. I have held leadership positions including as the former Committee Chair of the House Redistricting Committee. I currently represent District 61, which encompasses all of Parker County. This includes the sections of Fort Worth that extend into Parker County.

3. My family moved to east Fort Worth when I was four years old. I lived there from 1960 until 1983. During that time, I attended Fort Worth public schools and graduated from Eastern Hills High School. Many of Fort Worth's African American neighborhoods were located in east Fort Worth when I resided there.

4. Following my graduation, I began my undergraduate studies at Tarrant County College. In 1993, I received my law degree from Texas Wesleyan University School of Law in Fort Worth.

5. My wedding was held at Sagamore Hill Baptist Church, which I started attending when I was five or six years old. During my tenure at this church, it was located in east Fort Worth at 4400 Panola.

The first home that my wife and I purchased was located in east Fort Worth. We had our first child while we still lived in east Fort Worth.

6. I proudly served as a police officer in the Fort Worth Police Department from 1974 to 1989. At the time I departed from the force, I was serving as the Commander of the Fort Worth Police Department's East Division.

7. In 1983, I moved from east Fort Worth to Parker County. I served as a Justice of the Peace for Parker County from 1991 to 1998. My Justice of the Peace district included the portion of Fort Worth that extends into Parker County.

8. My family and I have also been active members of Trinity Bible Church since 1984. That church is located off Interstate 20 in Willow Park, which is a small community in Parker County situated between Weatherford and Fort Worth. I am also on the Board of Directors for the Weatherford College Education Foundation.

9. Having spent my life and my career in public service in Fort Worth and Parker County, I am intimately familiar with the issues that are unique to the area. In particular, I am familiar with the region's economic development, workforce, education, transportation corridors, public safety, environmental, water, oil and gas, electricity distribution, and population growth trends.

10. The portions of Tarrant County that are included in the new Senate District 10 have much in common with the rest of the district, especially Johnson County, Parker County, and Palo Pinto County. For example, the city of Burleson is partially located in both Tarrant County and Johnson County. As already mentioned, Fort Worth extends into Parker County. Moving west, the city of Mineral Wells is located in both Parker County and Palo Pinto County.

11. The economies of both Parker County and Johnson County are directly tied to Tarrant County. Johnson County shares the Interstate 35 corridor with Tarrant County. Interstate 20 runs west from Tarrant County into Parker County, Palo Pinto County, and Callahan County. It is therefore not uncommon for people to commute into Tarrant County for work from Parker, Johnson, and sometimes even Palo Pinto County. In fact, for five or six years after I moved to Parker County, I was just such a commuter.

12. Because of their many shared interests and commonalities, Tarrant, Johnson, Parker, and Palo Pinto counties are often grouped with one another for administrative efficiency and convenience. For example, all four counties are part of the Texas Department of Transportation's Fort Worth District. All four counties are part of the Texas Department of State Health Services' Health Region 3. The Texas Commission on Environmental Quality has placed all four counties in the same region, Region 4. All four counties fall within the regulations of the Barnett Shale under 30 Texas Administrative Code 106.352. All four counties are part of the same Texas Highway Patrol District. All four counties are included in the North Central Texas Council of Governments. All four counties are included in the same district, District 3, by the Department of Family and Protective Services. All four counties are part of the Texas Health and Human Services' North Central Texas Regional Advisory Council, which provides resources to local emergency managers in case of an emergency. All four counties are in Joint Disaster District 4A for the Texas Division of Emergency Management as well as the Department of Public Safety. Tarrant, Johnson, and Parker counties are all serviced by Tarrant Regional Water District.

13. Like the new district's four easternmost counties, the counties of Stephens, Shackelford, Callahan, and Brown are also often grouped together for administrative efficiency and convenience. Those counties are all grouped together in the Texas Department of State Health Services' Health Region 2, the Texas Commission on Environmental Quality's Region 3, the same Texas Highway Patrol District, District 2 of the Department of Family and Protective Services, the Texas Health and Human Services' Regional Advisory Council, and Joint Disaster District 7 for the Texas Division of Emergency Management as well as the Department of Public Safety. Those four counties are also grouped with Parker and Palo Pinto counties in District 7B of the Railroad Commission Oil and Gas Division's boundaries, and they are all four grouped with Johnson and Palo Pinto counties into the same Regional Water Planning Area by the Texas Water Development Board. All of these connections among the counties of Senate District 10 reflect these communities common interests.

14. Additionally, the counties included in the new Senate District 10 often share school districts. For example, Burleson ISD and Crowley ISD both cover parts of Tarrant and Johnson County. Aledo ISD extends from Parker County into Tarrant County. Santo ISD, Millsap ISD, and Mineral Wells ISD all include portions of both Parker County and Palo Pinto County. Moran ISD extends from Shackelford County into Callahan and Stephens counties. Clyde Consolidated ISD extends from Callahan County into Shackelford County. And Cross Plains ISD extends from Callahan County down into Brown County.

15. Senate District 10 has never been a majority Black, majority Hispanic, or majority Asian-American district. In the last two decades, there have been four Senators elected to represent Senate District 10. Those four individuals were Republican Kim Brimer, who is a white male, followed by Democrat Wendy Davis, who is a white female, followed by Republican Konni Burton, who is a white female, and then most recently Democrat Beverly Powell, who is another white female. To the best of my recollection, no member of a racial or ethnic minority has ever been elected to Senate District 10.

16. I would also note that as reflected in the publicly reported voting records, three Democratic senators voted in favor of the new Senate District 10. I also firmly believe that Republican senators would not have voted for a racially discriminatory plan. The fact that many Senators from both sides of the aisle voted in favor of a plan containing Senate District 10 also suggests the new configuration was not in any way motivated by race.

17. I am a candidate for the Texas Senate in the newly configured Senate District 10. Although the primary elections are not until March, political campaigns have been underway for weeks if not months. I have extensively traveled and spent time with members of the public all across the district in preparation for the election. Donors and other supporters in the new Senate District 10 who have contributed their time, money, and energy to support my campaign have done so with the understanding that I am running for the district that the legislature enacted.

18. Changing the map for Senate District 10 at this point in the election cycle would be a significant hardship for both my campaign and the public. Voters who are no longer in Senate District 10 would have to begin anew their efforts to educate themselves about the candidates they will be voting on. Limited campaign resources would have been effectively wasted if they were spent in areas no longer covered under the new map. And any delay in the primary election will necessarily entail greater expense for candidates and campaigns and could result in voter confusion.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Parker County, State of Texas, on the 20th day of December, 2021.

Phil King

Phillip Stephen King

Exhibit 2:
Declaration of Dr. John Alford

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

LEAGUE OF UNITED LATIN AMERICAN CITIZENS, *et al.* *Plaintiffs,* V. GREG ABBOTT, *et al.*, *Defendants.*	§ § § § § § § § §	Case No. 3:21-cv-00259 [Lead Case]
ROY CHARLES BROOKS, *et al.* *Plaintiffs,* V. GREG ABBOTT, *et al.*, *Defendants.*	§ § § § § § § § §	Case No. 1:21-cv-00991 [Consolidated Case]

DECLARATION OF JOHN R. ALFORD

Pursuant to 28 U.S.C. § 1746, I, John R. Alford, declare the following:

1. My name is John R. Alford. I am over the age of 18 and competent to make this declaration. I currently reside in Harris County, Texas.

2. I am a Professor in the Department of Political Science at Rice University. I have been retained by the Texas Attorney General to serve as an expert witness in connection with the above-captioned matter.

3. Attached hereto is a true and correct copy of the document titled "Initial Expert Report of John R. Alford Ph.D." This document represents my limited, preliminary analysis of issues raised by the Brooks plaintiffs related to the redrawing of Texas State Senate District 10. I reserve the right to supplement this initial report as appropriate and to provide the full disclosures required by Federal Rule of Civil Procedure 26(a)(2)(B) under the schedule ordered by the Court.

4. My Initial Expert Report references two exhibits: my curriculum vitae and an article by Rene R. Rocha. True and correct copies of those documents are also attached hereto.

5. I declare under penalty of perjury that the foregoing is true and correct.

Executed in Harris County, State of Texas, on the 20th day of December, 2021.

John R. Alford

Exhibit 3:
Initial Report of Dr. John Alford

Initial Expert Report of John R. Alford Ph.D.

1. Scope of Inquiry

I have been retained by the Texas Attorney General as an expert to provide analysis of issues raised by the Brooks plaintiffs related to the redrawing of Texas State Senate District 10. My rate of compensation as an expert is $400 per hour. Given the very tight schedule my analysis below is both limited and preliminary and I reserve the right to supplement this initial report as appropriate.

2. Qualifications

I am a tenured full professor of political science at Rice University. In my over thirty-five years at Rice, I have taught courses on redistricting, elections, political representation, voting behavior, and statistical methods at both the undergraduate and graduate level. Over the last thirty-five years, I have worked with numerous local governments on districting plans and on Voting Rights Act issues. I have previously provided expert reports and/or testified as an expert witness in voting rights and statistical issues in a variety of court cases, working for the U.S. Attorney in Houston, the Texas Attorney General, a U.S. Congressman and various cities and school districts.

In the 2000 round of redistricting, I was retained as an expert to provide advice to the Texas Attorney General in his role as Chair of the Legislative Redistricting Board. I subsequently served as the expert for the State of Texas in the state and federal litigation involving the 2001 redistricting for U.S. Congress, the Texas Senate, the Texas House of Representatives, and the Texas State Board of Education.

In the 2010 round of redistricting in Texas, I was again retained as an expert by the State of Texas to assist in defending various state election maps and systems including the district maps for the U.S. Congress, the Texas Senate, the Texas House of Representatives, and the current at large system for electing Justices to the State Supreme Court and Court of Appeals, as well as the winner-take-all system for allocating Electoral College votes.

I have also worked as an expert on redistricting and voting rights cases at the state and/or local level in Michigan, Washington, Louisiana, New Mexico, Mississippi, Wisconsin, Florida, New York, Georgia, South Carolina and Alabama.

The details of my academic background and qualifications, including all publications in the last ten years, and work as an expert, including all cases in which I have testified by deposition or at trial in the last four years, are included in my curriculum vitae, which is attached to this report as Exhibit 1.

3. The History of Texas Senate District 10

In the 1962 Texas Senate District 10 was, like all 31 of the Senate districts, occupied by a Democrat, Don Kennedy. In the 1972 election Democrat Bill Meier won election and was reelected throughout the decade. In 1981, near the end of his last term, Meier switched parties and became a Republican. In the 1982 election Republican Bob McFarland won SD 10, becoming the first Republican to be elected as a Republican to SD10. This made SD 10 one of only a handful of Republican Senate districts in the state (the 68th Senate that met in 1983 had only five Republican Senators). McFarland served for the entire decade of the 80s, and in 1992 Republican Chris Harris was elected to the seat with 61.4% of the vote, besting Democrat Bob Bass, and joining a rise tide of 12 other Republicans in the 73rd Senate in 1993. Harris was reelected without

a Democratic opponent in 1994, 1996, and 2000. By his last term in the Senate Harris was part of a Republican majority of 16 Republicans to 15 Democrats in the Texas Senate.

In the 2000 round of redistricting Senate District 10 returned to being drawn entirely within Tarrant County (as it had been in the 50s through the 80s, and in 2002 Republican Kim Brimer was elected to the seat winning with 58.7% of the vote over Democrat Hal Ray. Brimer was reelected in 2004 over Democrat Andrew Hill with a similar 59.2% of the vote. In the 2008 election Brimer was weakened by several campaign finance questions as well as the questionable use of a loophole to funnel Austin rent money to his spouse. State Democrats identified SD 10 as a key target that year, and with strong support from Matt Angle and The Lone Star Project, Brimer was narrowly defeated by rising Democratic star Wendy Davis by a margin of 49.9% to 47.5% of the vote. Davis managed a narrow reelection win in 2012 with 51.1% to Republican Mark Shelton's 48.9%. In 2014 the seat was open due to Davis' decision to run for governor, and Republican Konni Burton flipped the seat back to the Republicans, winning the election with 52.8% over Democrat Libby Willis 44.7%. In 2018 the seat flipped again, with Democrat Beverly Powell winning election with 51.7% to incumbent Rep Konni Burton's 48.3%.

Senate District 10 was a securely Republican district throughout the 80s and 90s, in the two most recent decades the district has become more competitive, and in the six elections beginning with 2002 has been won by Republicans three time and Democrats three times. The redraw of the district in the recently enacted plan shifts the district back toward what would likely be a more similar to its earlier status as a secure Republican district.

4. Plaintiffs' Analysis

In line with *Bartlett*, plaintiffs raise no VRA Section 2 claim with regard to Senate District 10. The most recent American Community Survey (ACS) Citizen Voting Age Population (CVAP) data (2015-2019) has the district at 53.9% Anglo, 20.6% non-Hispanic Black, 20.4% Hispanic, 3.2% Asian, and the remaining 2.0% other. Clearly the district does not meet the bright-line *Gingles* 1 50% plus 1 test for any single minority group. Nor does it meet the test with Blacks and Hispanics combined (41.0%). Even combining Blacks, Hispanics, Asians, and all others, the district falls short of the 50% line for minorities. As such, the plaintiffs are seeking to combine two already murky legal concepts – crossover districts and coalition districts.

4.1 Dr. Barreto's Report

In his report, Dr. Barreto offers election analysis that attempts to demonstrate that Blacks and Hispanics can be treated as a single combined minority in District 10 solely on the basis of the fact that both groups vote Democratic by strong majorities in the general election in the district. As has been noted in multiple court cases in Texas, the fact that two distinct racial or ethnic groups both provide majority support to the Democratic Party in the general election is not sufficient to allow them to be treated as a single politically cohesive minority group for legal purposes. As it happens there is an ethnically contested Democratic primary in Senate District 10 that illustrates this point.

The 2014 Democratic primary in SD 10 included an Anglo candidate, Libby Willis, against a Hispanic candidate, Mike Martinez. Willis defeated Martinez in the primary 53.5% to 43.5%. An EI analysis, of the same sort provided for the general election by Dr. Barreto, shows that in that primary Anglo voters gave an estimated 69% of their vote to the Anglo candidate Libby Willis.

A similar, but reversed pattern appears for Hispanic voters, with Mike Martinez getting and estimated 62% of the Hispanic vote. While this voting pattern is far from the strongly polarized partisan voting that Dr. Barreto reports in his tables (Anglos voting 85-90% Republican, Blacks voting 90%+ Democratic, and Hispanics voting 75%+ Democratic), it is nonetheless clear that a majority of Anglo voters preferred the Anglo candidate and a majority of Hispanic voters preferred the Hispanic candidate. However, the same EI analysis shows that Black voters did not favor the Hispanic candidate, but instead favored Libby Willis, the Anglo candidate, by an estimated margin of 61% to 39%.

In other words, focusing in on the behavior of the two minority groups, one racial and one ethnic, which form the bulk of the minority coalition that plaintiffs argue exists and must be protected in SD10, shows that by Dr. Barreto's own definition they do not qualify as a coalition. In fact, assuming Barreto's definition is correct, by his definition they exhibit Racially Polarized Voting in this endogenous Democratic primary. Dr. Barreto offers as a simple definition of Racially Polarized Voting (RPV) – "It means simply that voters of different groups are voting in polar opposite directions, rather than in a coalition." That is exactly what Black and Hispanic voters are doing in this contested Democratic primary. As a result, it is fair to say that the Anglo candidate, Libby Willis, was the preferred candidate of Anglos and Black voters, but the same is not true for Hispanic voters whose preferred candidate, Mike Martinez, was defeated by a coalition of Anglo and Black voters.

In sum, Senate District 10 is an adult citizen majority Anglo district that was historically safe for Republicans and has more recently become competitive. In the last two decades in its configuration entirely within Tarrant County, the district has elected Anglo Democrats three times and Anglo Republicans three times. In this same period, no minority has been elected to this seat,

and no minority has been nominated by a major party. Aside from a common partisan preference for Democrats in the November general election, there is no evidence of a political coalition sufficient to justify treating Black and Hispanic voters as a single politically cohesive minority group.

4.2 Other Evidence on Black-Hispanic Voting Patterns

The failure of these two groups to unite as a single cohesive political minority, outside of the partisan general election, is hardly unique to SD10. The potential for a VRA Section 2 Black plus Hispanic coalition district in the Dallas and Tarrant County area was raised by plaintiffs in the Perez v Abbott litigation and analysis of Democratic primaries in Tarrant County was included in the expert testimony. The analysis indicated that Black and Hispanic voters almost always supported different candidates in these primaries. The results in Tarrant County were not unusual, and in fact were very similar to the results in the other urban counties in Texas where the same pattern of Black voters preferring different candidates from those preferred by Hispanic voters in Democratic primaries was evident. Similarly, in the recent DFW area Kumar v Frisco ISD case, *see* 476 F. Supp. 3d 439 (E.D. Tex. 2020), the judge rejected the claim of a Black, Hispanic, Asian coalition on the bases of clear election evidence that, despite the evidence of similar voting patterns in partisan November elections, the three distinct groups were not politically cohesive.

This same point is clear in the continuing history of conflict between Black and Hispanic voters in the Democratic primary in CD 33. CD 33 is near a Hispanic majority in CVAP (48.6% Hispanic, 23.5% Anglo, and 24.2% Black). In the first contest for the Democratic nomination in the newly created CD 33 a Black candidate, Marc Veasey (preferred by Black and Anglo voters), prevailed over multiple Hispanic candidates in the Democratic primary, and over Domingo Garcia (preferred by Hispanic voters) in the runoff primary. This pattern has continued since, with Veasey

regularly challenged unsuccessfully by Hispanic candidates in the Democratic primary and by Hispanic Republicans in the general election.

This pattern is no surprise to political science. The research literature on minority representation in school board elections has long noted the lack of evidence for the formation of Black-Hispanic voting coalitions, sometimes termed "rainbow coalitions". As for example Dr. Rene Rocha concludes in a recent study (attached to this report as Exhibit 2) of fifteen hundred school board elections:

> *The dynamics of interminority relations are unquestionably complicated. Despite commonly held beliefs about the ideological similarity between racial and ethnic minorities, the development of long- lasting rainbow coalitions is considered to be unlikely in most local settings. Like many previous works (i.e., McClain 1993; McClain and Karnig 1990; Meier and Stewart 1991a; Kaufmann 2003, 2004), the evidence presented here does not support the contention that rainbow coalition routinely form in urban areas. However, the data point to different patterns of conflict than those suggested by earlier studies. Contrary to the predictions of Meier and Stewart's (1991a) power thesis, there is little support for the notion that Anglo-Latino coalitions are an expected substitute for interminority ones. Rather, Latino immigration may encourage the development of Anglo-black coalitions, as seen by the increased likelihood of African Americans to be elected to local boards in districts with a large Latino noncitizen population.*

4.4 Plaintiff's 'Alternative' District Plan

The district history discussed above suggests that SD 10 would be a likely target for a Republican legislature seeking to bolster Republican prospects without risking too much security in existing Republican districts. It had become an anomaly – a truly competitive district that could be won by either party - adjacent to substantial secure Republican territory in adjacent counties. The plaintiffs argue that the partisan motivation asserted by the legislature was clearly pretext. As they say:

> *Race, not politics, explains why SD10's minority populations were cracked apart in SB4. This is apparent from the legislative process and from the alternative plan Plaintiffs discuss*

> *below that demonstrates that the legislature's purported political goals could have been achieved without dismantling SD10 and cracking apart its minority populations". ... First, any suggestion that politics, not race, explained SD10's lines would be post hoc pretext. At the September 24, 2021 hearing, Sen. Huffman read aloud from a scripted statement and identified her redistricting criteria. Ex. 14 at 5; Ex. 6K at 16. Seeking partisan advantage was not among them. ... She repeated each of the criteria previously identified on September 24, but added a new criterion to her script: "partisan considerations." Id.; see also id. at 16 (denying being told to add "partisan considerations" to the criteria post hoc). The addition of this new purported criterion in scripted remarks after the lines were drawn, after the criteria were already announced in earlier scripted remarks, and after days of testimony about the racially discriminatory cracking of SD10's minority populations, is strong evidence that it is pretextual.*

The notion that the Republican majority in the Texas Legislature, or any partisan majority in any state legislature in the United States, conducted an entire redraw of legislative lines without any partisan motivation or consideration, and only fabricated the notion of a partisan purpose later simply defies the stark reality of the overwhelming predominance of partisan gerrymandering, both in Texas and in the rest of the U.S.

Similarly, the attempt to suggest that there is, and was, an alternative to be found by dismantling a Democratic district in Travis County fails on several grounds. First, the desire to return a once secure Republican district to the fold involved a natural redistricting focus on that Senate district in Tarrant County, not a focus on a very different political reality in Travis County. The district in Travis County plaintiffs suggest as a more natural partisan focus is the 14th, a district that has been held by a Democrat since the end of reconstruction, and typically votes 60-80% Democratic. It is in fact a packed Democratic district, an arrangement all too familiar in partisan gerrymandering, and the sort of district that is challenging to unpack without substantial disturbance to the surrounding Republican districts and their Republican incumbents, as evident in the five Republican districts impacted in the plaintiffs' alternative proposal. In short, the responsibility of plaintiffs to offer a plausible alternative that would have achieved the legislature's

purpose without the challenged racial impact would need to be satisfied by an alternative plan that returned Senate District 10 to secure Republican performance numbers with the alleged racial impact, not by a redraw distinct in both character and geography like that offered here.

Conclusion

These are my initial impressions based on a preliminary review. I reserve the right to revise and extend based on more time as the schedule allows.

John R. Alford

Curriculum Vitae
December, 2021

Dept. of Political Science
Rice University - MS-24
P.O. Box 1892
Houston, Texas 77251-1892
713-348-3364
jra@rice.edu

Employment:

Full Professor, Rice University, 2015 to present.
Associate Professor, Rice University, 1985-2015.
Assistant Professor, University of Georgia, 1981-1985.
Instructor, Oakland University, 1980-1981.
Teaching-Research Fellow, University of Iowa, 1977-1980.
Research Associate, Institute for Urban Studies, Houston, Texas, 1976-1977.

Education:

Ph.D., University of Iowa, Political Science, 1981.
M.A., University of Iowa, Political Science, 1980.
M.P.A., University of Houston, Public Administration, 1977.
B.S., University of Houston, Political Science, 1975.

Books:

Predisposed: Liberals, Conservatives, and the Biology of Political Differences. New York: Routledge, 2013. Co-authors, John R. Hibbing and Kevin B. Smith.

Articles:

"Political Orientations Vary with Detection of Androstenone," with Amanda Friesen, Michael Gruszczynski, and Kevin B. Smith. **Politics and the Life Sciences**. (Spring, 2020).

"Intuitive ethics and political orientations: Testing moral foundations as a theory of political ideology." with Kevin Smith, John Hibbing, Nicholas Martin, and Peter Hatemi. **American Journal of Political Science**. (April, 2017).

"The Genetic and Environmental Foundations of Political, Psychological, Social, and Economic Behaviors: A Panel Study of Twins and Families." with Peter Hatemi, Kevin Smith, and John Hibbing. **Twin Research and Human Genetics**. (May, 2015.)

"Liberals and conservatives: Non-convertible currencies." with John R. Hibbing and Kevin B. Smith. **Behavioral and Brain Sciences** (January, 2015).

"Non-Political Images Evoke Neural Predictors Of Political Ideology." with Woo-Young Ahn, Kenneth T. Kishida, Xiaosi Gu, Terry Lohrenz, Ann Harvey, Kevin Smith, Gideon Yaffe, John Hibbing, Peter Dayan, P. Read Montague. **Current Biology**. (November, 2014).

"Cortisol and Politics: Variance in Voting Behavior is Predicted by Baseline Cortisol Levels." with Jeffrey French, Kevin Smith, Adam Guck, Andrew Birnie, and John Hibbing. **Physiology & Behavior**. (June, 2014).

"Differences in Negativity Bias Underlie Variations in Political Ideology." with Kevin B. Smith and John R. Hibbing. **Behavioral and Brain Sciences**. (June, 2014).

"Negativity bias and political preferences: A response to commentators Response." with Kevin B. Smith and John R. Hibbing. **Behavioral and Brain Sciences**. (June, 2014).

"Genetic and Environmental Transmission of Political Orientations." with Carolyn L. Funk, Matthew Hibbing, Kevin B. Smith, Nicholas R. Eaton, Robert F. Krueger, Lindon J. Eaves, John R. Hibbing. **Political Psychology**, (December, 2013).

"Biology, Ideology, and Epistemology: How Do We Know Political Attitudes Are Inherited and Why Should We Care?" with Kevin Smith, Peter K. Hatemi, Lindon J. Eaves, Carolyn Funk, and John R. Hibbing. **American Journal of Political Science**. (January, 2012)

"Disgust Sensitivity and the Neurophysiology of Left-Right Political Orientations." with Kevin Smith, John Hibbing, Douglas Oxley, and Matthew Hibbing, **PlosONE**, (October, 2011).

"Linking Genetics and Political Attitudes: Re-Conceptualizing Political Ideology." with Kevin Smith, John Hibbing, Douglas Oxley, and Matthew Hibbing, **Political Psychology**, (June, 2011).

"The Politics of Mate Choice." with Peter Hatemi, John R. Hibbing, Nicholas Martin and Lindon Eaves, **Journal of Politics**, (March, 2011).

"Not by Twins Alone: Using the Extended Twin Family Design to Investigate the Genetic Basis of Political Beliefs" with Peter Hatemi, John Hibbing, Sarah Medland, Matthew Keller, Kevin Smith, Nicholas Martin, and Lindon Eaves, **American Journal of Political Science**, (July, 2010).

"The Ultimate Source of Political Opinions: Genes and the Environment" with John R. Hibbing in **Understanding Public Opinion**, 3rd Edition eds. Barbara Norrander and Clyde Wilcox, Washington D.C.: CQ Press, (2010).

"Is There a 'Party' in your Genes" with Peter Hatemi, John R. Hibbing, Nicholas Martin and Lindon Eaves, **Political Research Quarterly**, (September, 2009).

"Twin Studies, Molecular Genetics, Politics, and Tolerance: A Response to Beckwith and Morris" with John R. Hibbing and Cary Funk, **Perspectives on Politics**, (December, 2008). This is a solicited response to a critique of our 2005 APSR article "Are Political Orientations Genetically Transmitted?"

"Political Attitudes Vary with Physiological Traits" with Douglas R. Oxley, Kevin B. Smith, Matthew V. Hibbing, Jennifer L. Miller, Mario Scalora, Peter K. Hatemi, and John R. Hibbing, **Science**, (September 19, 2008).

"The New Empirical Biopolitics" with John R. Hibbing, **Annual Review of Political Science**, (June, 2008).

"Beyond Liberals and Conservatives to Political Genotypes and Phenotypes" with John R. Hibbing and Cary Funk, **Perspectives on Politics**, (June, 2008). This is a solicited response to a critique of our 2005 APSR article "Are Political Orientations Genetically Transmitted?"

"Personal, Interpersonal, and Political Temperaments" with John R. Hibbing, **Annals of the American Academy of Political and Social Science**, (November, 2007).

"Is Politics in our Genes?" with John R. Hibbing, **Tidsskriftet Politik**, (February, 2007).

"Biology and Rational Choice" with John R. Hibbing, **The Political Economist**, (Fall, 2005)

"Are Political Orientations Genetically Transmitted?" with John R. Hibbing and Carolyn Funk, **American Political Science Review**, (May, 2005). (The main findings table from this article has been reprinted in two college level text books - Psychology, 9th ed. and Invitation to Psychology 4th ed. both by Wade and Tavris, Prentice Hall, 2007).

"The Origin of Politics: An Evolutionary Theory of Political Behavior" with John R. Hibbing, **Perspectives on Politics**, (December, 2004).

"Accepting Authoritative Decisions: Humans as Wary Cooperators" with John R. Hibbing, **American Journal of Political Science**, (January, 2004).

"Electoral Convergence of the Two Houses of Congress" with John R. Hibbing, in **The Exceptional Senate**, ed. Bruce Oppenheimer, Columbus: Ohio State University Press, (2002).

"We're All in this Together: The Decline of Trust in Government, 1958-1996." in **What is it About Government that Americans Dislike?**, eds. John Hibbing and Beth Theiss-Morse, Cambridge: Cambridge University Press, (2001).

"The 2000 Census and the New Redistricting," **Texas State Bar Association School Law Section Newsletter**, (July, 2000).

"Overdraft: The Political Cost of Congressional Malfeasance" with Holly Teeters, Dan Ward, and Rick Wilson, **Journal of Politics** (August, 1994).

"Personal and Partisan Advantage in U.S. Congressional Elections, 1846-1990" with David W. Brady, in **Congress Reconsidered** 5th edition, eds. Larry Dodd and Bruce Oppenheimer, CQ Press, (1993).

"The 1990 Congressional Election Results and the Fallacy that They Embodied an Anti-Incumbent Mood" with John R. Hibbing, **PS** 25 (June, 1992).

"Constituency Population and Representation in the United States Senate" with John R. Hibbing. **Legislative Studies Quarterly**, (November, 1990).

"Editors' Introduction: Electing the U.S. Senate" with Bruce I. Oppenheimer. **Legislative Studies Quarterly**, (November, 1990).

"Personal and Partisan Advantage in U.S. Congressional Elections, 1846-1990" with David W. Brady, in **Congress Reconsidered** 4th edition, eds. Larry Dodd and Bruce Oppenheimer, CQ Press, (1988). Reprinted in The Congress of the United States, 1789-1989, ed. Joel Silby, Carlson Publishing Inc., (1991), and in The Quest for Office, eds. Wayne and Wilcox, St. Martins Press, (1991).

"Can Government Regulate Fertility? An Assessment of Pro-natalist Policy in Eastern Europe" with Jerome Legge. **The Western Political Quarterly** (December, 1986).

"Partisanship and Voting" with James Campbell, Mary Munro, and Bruce Campbell, in **Research in Micropolitics. Volume 1 - Voting Behavior**. Samuel Long, ed. JAI Press, (1986).

"Economic Conditions and Individual Vote in the Federal Republic of Germany" with Jerome S. Legge. **Journal of Politics** (November, 1984).

"Television Markets and Congressional Elections" with James Campbell and Keith Henry. **Legislative Studies Quarterly** (November, 1984).

"Economic Conditions and the Forgotten Side of Congress: A Foray into U.S. Senate Elections" with John R. Hibbing, **British Journal of Political Science** (October, 1982).

"Increased Incumbency Advantage in the House" with John R. Hibbing, **Journal of Politics** (November, 1981). Reprinted in The Congress of the United States, 1789-1989, Carlson Publishing Inc., (1991).

"The Electoral Impact of Economic Conditions: Who is Held Responsible?" with John R. Hibbing, **American Journal of Political Science** (August, 1981).

"Comment on Increased Incumbency Advantage" with John R. Hibbing, Refereed communication: **American Political Science Review** (March, 1981).

"Can Government Regulate Safety? The Coal Mine Example" with Michael Lewis-Beck, **American Political Science Review** (September, 1980).

Awards and Honors:

CQ Press Award - 1988, honoring the outstanding paper in legislative politics presented at the 1987 Annual Meeting of the American Political Science Association. Awarded for "The Demise of the Upper House and the Rise of the Senate: Electoral Responsiveness in the United States Senate" with John Hibbing.

Research Grants:

National Science Foundation, 2009-2011, "Identifying the Biological Influences on Political Temperaments", with John Hibbing, Kevin Smith, Kim Espy, Nicolas Martin and Read Montague. This is a collaborative project involving Rice, University of Nebraska, Baylor College of Medicine, and Queensland Institute for Medical Research.

National Science Foundation, 2007-2010, "Genes and Politics: Providing the Necessary Data", with John Hibbing, Kevin Smith, and Lindon Eaves. This is a collaborative project involving Rice, University of Nebraska, Virginia Commonwealth University, and the University of Minnesota.

National Science Foundation, 2007-2010, "Investigating the Genetic Basis of Economic Behavior", with John Hibbing and Kevin Smith. This is a collaborative project involving Rice, University of Nebraska, Virginia Commonwealth University, and the Queensland Institute of Medical Research.

Rice University Faculty Initiatives Fund, 2007-2009, "The Biological Substrates of Political Behavior". This is in assistance of a collaborative project involving Rice, Baylor College of Medicine, Queensland Institute of Medical Research, University of Nebraska, Virginia Commonwealth University, and the University of Minnesota.

National Science Foundation, 2004-2006, "Decision-Making on Behalf of Others", with John Hibbing. This is a collaborative project involving Rice and the University of Nebraska.

National Science Foundation, 2001-2002, dissertation grant for Kevin Arceneaux, "Doctoral Dissertation Research in Political Science: Voting Behavior in the Context of U.S. Federalism."

National Science Foundation, 2000-2001, dissertation grant for Stacy Ulbig, "Doctoral Dissertation Research in Political Science: Sub-national Contextual Influences on Political Trust."

National Science Foundation, 1999-2000, dissertation grant for Richard Engstrom, "Doctoral Dissertation Research in Political Science: Electoral District Structure and Political Behavior."

Rice University Research Grant, 1985, Recent Trends in British Parliamentary Elections.

Faculty Research Grants Program, University of Georgia, Summer, 1982. Impact of Media Structure on Congressional Elections, with James Campbell.

Papers Presented:

"The Physiological Basis of Political Temperaments" 6th European Consortium for Political Research General Conference, Reykjavik, Iceland (2011), with Kevin Smith, and John Hibbing.

"Identifying the Biological Influences on Political Temperaments" National Science Foundation Annual Human Social Dynamics Meeting (2010), with John Hibbing, Kimberly Espy, Nicholas Martin, Read Montague, and Kevin B. Smith.

"Political Orientations May Be Related to Detection of the Odor of Androstenone" Annual meeting of the Midwest Political Science Association, Chicago, IL (2010), with Kevin Smith, Amanda Balzer, Michael Gruszczynski, Carly M. Jacobs, and John Hibbing.

"Toward a Modern View of Political Man: Genetic and Environmental Transmission of Political Orientations from Attitude Intensity to Political Participation" Annual meeting of the American Political Science Association, Washington, DC (2010), with Carolyn Funk, Kevin Smith, and John Hibbing.

"Genetic and Environmental Transmission of Political Involvement from Attitude Intensity to Political Participation" Annual meeting of the International Society for Political Psychology, San Francisco, CA (2010), with Carolyn Funk, Kevin Smith, and John Hibbing.

"Are Violations of the EEA Relevant to Political Attitudes and Behaviors?" Annual meeting of the Midwest Political Science Association, Chicago, IL (2010), with Kevin Smith, and John Hibbing.

"The Neural Basis of Representation" Annual meeting of the American Political Science Association, Toronto, Canada (2009), with John Hibbing.

"Genetic and Environmental Transmission of Value Orientations" Annual meeting of the American Political Science Association, Toronto, Canada (2009), with Carolyn Funk, Kevin Smith, Matthew Hibbing, Pete Hatemi, Robert Krueger, Lindon Eaves, and John Hibbing.

"The Genetic Heritability of Political Orientations: A New Twin Study of Political Attitudes" Annual Meeting of the International Society for Political Psychology, Dublin, Ireland (2009), with John Hibbing, Cary Funk, Kevin Smith, and Peter K Hatemi.

"The Heritability of Value Orientations" Annual meeting of the Behavior Genetics Association, Minneapolis, MN (2009), with Kevin Smith, John Hibbing, Carolyn Funk, Robert Krueger, Peter Hatemi, and Lindon Eaves.

"The Ick Factor: Disgust Sensitivity as a Predictor of Political Attitudes" Annual meeting of the Midwest Political Science Association, Chicago, IL (2009), with Kevin Smith, Douglas Oxley Matthew Hibbing, and John Hibbing.

"The Ideological Animal: The Origins and Implications of Ideology" Annual meeting of the American Political Science Association, Boston, MA (2008), with Kevin Smith, Matthew Hibbing, Douglas Oxley, and John Hibbing.

"The Physiological Differences of Liberals and Conservatives" Annual meeting of the Midwest Political Science Association, Chicago, IL (2008), with Kevin Smith, Douglas Oxley, and John Hibbing.

"Looking for Political Genes: The Influence of Serotonin on Political and Social Values" Annual meeting of the Midwest Political Science Association, Chicago, IL (2008), with Peter Hatemi, Sarah Medland, John Hibbing, and Nicholas Martin.

"Not by Twins Alone: Using the Extended Twin Family Design to Investigate the Genetic Basis of Political Beliefs" Annual meeting of the American Political Science Association, Chicago, IL (2007), with Peter Hatemi, John Hibbing, Matthew Keller, Nicholas Martin, Sarah Medland, and Lindon Eaves.

"Factorial Association: A generalization of the Fulker between-within model to the multivariate case" Annual meeting of the Behavior Genetics Association, Amsterdam, The Netherlands (2007), with Sarah Medland, Peter Hatemi, John Hibbing, William Coventry, Nicholas Martin, and Michael Neale.

"Not by Twins Alone: Using the Extended Twin Family Design to Investigate the Genetic Basis of Political Beliefs" Annual meeting of the Midwest Political Science Association, Chicago, IL (2007), with Peter Hatemi, John Hibbing, Nicholas Martin, and Lindon Eaves.

"Getting from Genes to Politics: The Connecting Role of Emotion-Reading Capability" Annual Meeting of the International Society for Political Psychology, Portland, OR, (2007.), with John Hibbing.

"The Neurological Basis of Representative Democracy." Hendricks Conference on Political Behavior, Lincoln, NE (2006), with John Hibbing.

"The Neural Basis of Representative Democracy" Annual meeting of the American Political Science Association, Philadelphia, PA (2006), with John Hibbing.

"How are Political Orientations Genetically Transmitted? A Research Agenda" Annual meeting of the Midwest Political Science Association, Chicago Illinois (2006), with John Hibbing.

"The Politics of Mate Choice" Annual meeting of the Southern Political Science Association, Atlanta, GA (2006), with John Hibbing.

"The Challenge Evolutionary Biology Poses for Rational Choice" Annual meeting of the American Political Science Association, Washington, DC (2005), with John Hibbing and Kevin Smith.

"Decision Making on Behalf of Others" Annual meeting of the American Political Science Association, Washington, DC (2005), with John Hibbing.

"The Source of Political Attitudes and Behavior: Assessing Genetic and Environmental Contributions" Annual meeting of the Midwest Political Science Association, Chicago Illinois (2005), with John Hibbing and Carolyn Funk.

"The Source of Political Attitudes and Behavior: Assessing Genetic and Environmental Contributions" Annual meeting of the American Political Science Association, Chicago Illinois (2004), with John Hibbing and Carolyn Funk.

"Accepting Authoritative Decisions: Humans as Wary Cooperators" Annual Meeting of the Midwest Political Science Association, Chicago, Illinois (2002), with John Hibbing

"Can We Trust the NES Trust Measure?" Annual Meeting of the Midwest Political Science Association, Chicago, Illinois (2001), with Stacy Ulbig.

"The Impact of Organizational Structure on the Production of Social Capital Among Group Members" Annual Meeting of the Southern Political Science Association, Atlanta, Georgia (2000), with Allison Rinden.

"Isolating the Origins of Incumbency Advantage: An Analysis of House Primaries, 1956-1998" Annual Meeting of the Southern Political Science Association, Atlanta, Georgia (2000), with Kevin Arceneaux.

"The Electorally Indistinct Senate," Norman Thomas Conference on Senate Exceptionalism, Vanderbilt University; Nashville, Tennessee; October (1999), with John R. Hibbing.

"Interest Group Participation and Social Capital" Annual Meeting of the Midwest Political Science Association, Chicago, Illinois (1999), with Allison Rinden.

"We're All in this Together: The Decline of Trust in Government, 1958-1996." The Hendricks Symposium, University of Nebraska, Lincoln. (1998)

"Constituency Population and Representation in the United States Senate," Electing the Senate; Houston, Texas; December (1989), with John R. Hibbing.

"The Disparate Electoral Security of House and Senate Incumbents," American Political Science Association Annual Meetings; Atlanta, Georgia; September (1989), with John R. Hibbing.

"Partisan and Incumbent Advantage in House Elections," Annual Meeting of the Southern Political Science Association (1987), with David W. Brady.

"Personal and Party Advantage in U.S. House Elections, 1846-1986" with David W. Brady, 1987 Social Science History Association Meetings.

"The Demise of the Upper House and the Rise of the Senate: Electoral Responsiveness in the United States Senate" with John Hibbing, 1987 Annual Meeting of the American Political Science Association.

"A Comparative Analysis of Economic Voting" with Jerome Legge, 1985 Annual Meeting of the American Political Science Association.

"An Analysis of Economic Conditions and the Individual Vote in Great Britain, 1964-1979" with Jerome Legge, 1985 Annual Meeting of the Western Political Science Association.

"Can Government Regulate Fertility? An Assessment of Pro-natalist Policy in Eastern Europe" with Jerome Legge, 1985 Annual Meeting of the Southwestern Social Science Association.

"Economic Conditions and the Individual Vote in the Federal Republic of Germany" with Jerome S. Legge, 1984 Annual Meeting of the Southern Political Science Association.

"The Conditions Required for Economic Issue Voting" with John R. Hibbing, 1984 Annual Meeting of the Midwest Political Science Association.

"Incumbency Advantage in Senate Elections," 1983 Annual Meeting of the Midwest Political Science Association.

"Television Markets and Congressional Elections: The Impact of Market/District Congruence" with James Campbell and Keith Henry, 1982 Annual Meeting of the Southern Political Science Association.

"Economic Conditions and Senate Elections" with John R. Hibbing, 1982 Annual Meeting of the Midwest Political Science Association. "Pocketbook Voting: Economic Conditions and Individual Level Voting," 1982 Annual Meeting of the American Political Science Association.

"Increased Incumbency Advantage in the House," with John R. Hibbing, 1981 Annual Meeting of the Midwest Political Science Association.

Other Conference Participation:

Roundtable Participant – Closing Round-table on Biopolitics; 2016 UC Merced Conference on Bio-Politics and Political Psychology, Merced, CA.

Roundtable Participant "Genes, Brains, and Core Political Orientations" 2008 Annual Meeting of the Southwestern Political Science Association, Las Vegas.

Roundtable Participant "Politics in the Laboratory" 2007 Annual Meeting of the Southern Political Science Association, New Orleans.

Short Course Lecturer, "What Neuroscience has to Offer Political Science" 2006 Annual Meeting of the American Political Science Association.

Panel chair and discussant, "Neuro-scientific Advances in the Study of Political Science" 2006 Annual Meeting of the American Political Science Association.

Presentation, "The Twin Study Approach to Assessing Genetic Influences on Political Behavior" Rice Conference on New Methods for Understanding Political Behavior, 2005.

Panel discussant, "The Political Consequences of Redistricting," 2002 Annual Meeting of the American Political Science Association.

Panel discussant, "Race and Redistricting," 1999 Annual Meeting of the Midwest Political Science Association.

Invited participant, "Roundtable on Public Dissatisfaction with American Political Institutions", 1998 Annual Meeting of the Southwestern Social Science Association.

Presentation, "Redistricting in the '90s," Texas Economic and Demographic Association, 1997.

Panel chair, "Congressional Elections," 1992 Annual Meeting of the Southern Political Science Association.

Panel discussant, "Incumbency and Congressional Elections," 1992 Annual Meeting of the American Political Science Association.

Panel chair, "Issues in Legislative Elections," 1991 Annual Meeting of the Midwest Political Science Association.

Panel chair, "Economic Attitudes and Public Policy in Europe," 1990 Annual Meeting of the Southern Political Science Association

Panel discussant, "Retrospective Voting in U.S. Elections," 1990 Annual Meeting of the Midwest Political Science Association.

Co-convener, with Bruce Oppenheimer, of Electing the Senate, a national conference on the NES 1988 Senate Election Study. Funded by the Rice Institute for Policy Analysis, the University of Houston Center for Public Policy, and the National Science Foundation, Houston, Texas, December, 1989.

Invited participant, Understanding Congress: A Bicentennial Research Conference, Washington, D.C., February, 1989.

Invited participant--Hendricks Symposium on the United States Senate, University of Nebraska, Lincoln, Nebraska, October, 1988

Invited participant--Conference on the History of Congress, Stanford University, Stanford, California, June, 1988.

Invited participant, "Roundtable on Partisan Realignment in the 1980's", 1987 Annual Meeting of the Southern Political Science Association.

Professional Activities:

Other Universities:

Invited Speaker, Annual Lecture, Psi Kappa -the Psychology Club at Houston Community College, 2018.

Invited Speaker, Annual Allman Family Lecture, Dedman College Interdisciplinary Institute, Southern Methodist University, 2016.

Invited Speaker, Annual Lecture, Psi Sigma Alpha – Political Science Dept., Oklahoma State University, 2015.

Invited Lecturer, Department of Political Science, Vanderbilt University, 2014.

Invited Speaker, Annual Lecture, Psi Kappa -the Psychology Club at Houston Community College, 2014.

Invited Speaker, Graduate Student Colloquium, Department of Political Science, University of New Mexico, 2013.

Invited Keynote Speaker, Political Science Alumni Evening, University of Houston, 2013.

Invited Lecturer, Biology and Politics Masters Seminar (John Geer and David Bader), Department of Political Science and Biology Department, Vanderbilt University, 2010.

Invited Lecturer, Biology and Politics Senior Seminar (John Geer and David Bader), Department of Political Science and Biology Department, Vanderbilt University, 2008.

Visiting Fellow, the Hoover Institution, Stanford University, 2007.

Invited Speaker, Joint Political Psychology Graduate Seminar, University of Minnesota, 2007.

Invited Speaker, Department of Political Science, Vanderbilt University, 2006.

Member:

Editorial Board, Journal of Politics, 2007-2008.

Planning Committee for the National Election Studies' Senate Election Study, 1990-92.

Nominations Committee, Social Science History Association, 1988

Reviewer for:

American Journal of Political Science
American Political Science Review
American Politics Research
American Politics Quarterly
American Psychologist
American Sociological Review
Canadian Journal of Political Science
Comparative Politics
Electoral Studies
Evolution and Human Behavior
International Studies Quarterly

Journal of Politics
Journal of Urban Affairs
Legislative Studies Quarterly
National Science Foundation
PLoS ONE
Policy Studies Review
Political Behavior
Political Communication
Political Psychology
Political Research Quarterly
Public Opinion Quarterly
Science
Security Studies
Social Forces
Social Science Quarterly
Western Political Quarterly

University Service:

Member, University Senate, 2021-2023.

Member, University Parking Committee, 2016-2022.

Member, University Benefits Committee, 2013-2016.

Internship Director for the Department of Political Science, 2004-2018.

Member, University Council, 2012-2013.

Invited Speaker, Rice Classroom Connect, 2016.

Invited Speaker, Glasscock School, 2016.

Invited Speaker, Rice Alumni Association, Austin, 2016.

Invited Speaker, Rice Alumni Association, New York City, 2016.

Invited Speaker, Rice TEDxRiceU , 2013.

Invited Speaker, Rice Alumni Association, Atlanta, 2011.

Lecturer, Advanced Topics in AP Psychology, Rice University AP Summer Institute, 2009.

Scientia Lecture Series: "Politics in Our Genes: The Biology of Ideology" 2008

Invited Speaker, Rice Alumni Association, Seattle, San Francisco and Los Angeles, 2008.

Invited Speaker, Rice Alumni Association, Austin, Chicago and Washington, DC, 2006.

Invited Speaker, Rice Alumni Association, Dallas and New York, 2005.

Director: Rice University Behavioral Research Lab and Social Science Computing Lab, 2005-2006.

University Official Representative to the Inter-university Consortium for Political and Social Research, 1989-2012.

Director: Rice University Social Science Computing Lab, 1989-2004.

Member, Rice University Information Technology Access and Security Committee, 2001-2002

Rice University Committee on Computers, Member, 1988-1992, 1995-1996; Chair, 1996-1998, Co-chair, 1999.

Acting Chairman, Rice Institute for Policy Analysis, 1991-1992.

Divisional Member of the John W. Gardner Dissertation Award Selection Committee, 1998

Social Science Representative to the Educational Sub-committee of the Computer Planning Committee, 1989-1990.

Director of Graduate Admissions, Department of Political Science, Rice University, 1986-1988.

Co-director, Mellon Workshop: Southern Politics, May, 1988.

Guest Lecturer, Mellon Workshop: The U.S. Congress in Historical Perspective, May, 1987 and 1988.

Faculty Associate, Hanszen College, Rice University, 1987-1990.

Director, Political Data Analysis Center, University of Georgia, 1982-1985.

External Consulting:

Consultant, Lancaster ISD – redrawing of all school board member election districts including demographic analysis and redrawing of election districts, 2021.

Consultant, City of Baytown – redrawing of all city council member election districts including demographic analysis and redrawing of election districts, 2021.

Consultant, Goose Creek ISD – redrawing of all board member election districts including demographic analysis and redrawing of election districts, 2021.

Expert Witness, Christian Ministerial Alliance et al v. Arkansas, racially polarized voting analysis, 2020.

Expert Witness, Bruni et al. v. State of Texas, straight ticket voting analysis, 2020.

Consulting Expert, Sarasota County, VRA challenge to district map, 2020.

Expert Witness, Kumar v. Frisco ISD, TX, racially polarized voting analysis, 2019.

Expert Witness, Vaughan v. Lewisville ISD, TX, racially polarized voting analysis, 2019.

Expert Witness, Johnson v. Ardoin, (Louisiana), racially polarized voting analysis, 2019.

Expert Witness, Flores et al. v. Town of Islip, NY, racially polarized voting analysis, 2018.

Expert Witness, Tyson v. Richardson ISD, racially polarized voting analysis, 2018.

Expert Witness, Dwight v. State of Georgia, racially polarized voting analysis, 2018.

Expert Witness, NAACP v. East Ramapo Central School District, racially polarized voting analysis, 2018.

Expert Witness, Georgia NAACP v. State of Georgia, racially polarized voting analysis, 2018.

Expert Witness, United States v. City of Eastpoint, racially polarized voting analysis, 2017.

Expert Witness, Georgia NAACP v. Gwinnett County, racially polarized voting analysis, 2017.

Expert Witness for the State of Texas, Lopez, et al v. Abbott, a challenge to the current system of statewide at-large elections for the Texas Supreme Court and the Texas Court of Criminal Appeals, including election analysis, and racially polarized voting analysis, 2017.

Expert witness for the State of Texas, Perez, et al v State of Texas (and consolidated cases), challenge to adopted Texas election districts for the US Congress and the Texas House of Representatives, 2011-2017.

Political Research Quarterly
Volume 60 Number 2
June 2007 315-327
© 2007 University of Utah
10.1177/1065912907301982
http://prq.sagepub.com
hosted at
http://online.sagepub.com

Black-Brown Coalitions in Local School Board Elections

Rene R. Rocha
University of Iowa, Iowa City

As the racial composition of the United States becomes increasingly diverse, scholars have begun to examine whether interminority, or rainbow, coalitions are feasible. The power thesis suggests that lower levels of social distance between Anglos and Latinos will make the formation of Anglo-Latino coalitions more likely than black-Latino coalitions. This hypothesis is reexamined using fifteen hundred school board election results. The findings offer little evidence for the formation of Anglo-Latino coalitions. There are, however, indications that Anglo-black coalitions form when an area becomes populated by Latino noncitizens, possibly due to the increased social distance this causes between Latinos and other racial/ethnic communities.

Keywords: *school boards; African Americans; Latinos; electoral coalitions*

The issue of interracial conflict has grown more complex as the United States has become more diverse. The sheer number of minority groups (non-Anglos) has increased considerably in recent years. During this time, the composition of minorities has also grown increasingly diverse. This development is perhaps most pronounced in the Latino population. Latinos now constitute the largest minority group in the nation (according to the Census Bureau, Latinos made up 14 percent of the U.S. population in 2004, compared to 12.8 percent for African Americans). Moreover, the geographic isolation of minorities in general and Latinos in particular is less prevalent. It is clear that Latino political activity no longer occurs solely in the Southwest, but also in several states in the Northeast, Midwest, and Southeast.

Several of these regions, especially the Southeast, also have sizeable African American populations. These demographic patterns have renewed scholarly interest in how minority groups relate to one another and whether those relations are characterized by cooperation or conflict. One forum in which interminority relations have been characterized as tenuous is the educational policy-making process (de la Garza 1997; Hero and Clarke 2003; Meier and Stewart 1991a, 1991b; Meier et al. 2004; Sidney 2002; Vaca 2004). In other policy arenas, both Latinos and African Americans are likely to benefit from redistributive policies. However, within the educational system, redistributing resources to Latino-targeted programs, such as bilingual education, often limits the resources available to African Americans and other non-Latino students. Considering that education is a significant predictor of everything from future income (Cohen and Tyree 1986) to incarceration rates (Osher, Woodruff, and Sims 2002), the extent to which African American–Latino relations are characterized by cooperation or conflict holds considerable implications for the future of both groups. This article attempts to better understand the nature of interminority coalitions in the election of the chief policy makers within the U.S. education system, school board members. Specific attention is paid to the "power thesis," a hypothesis first proposed by Meier and Stewart (1991a) that predicts the failure of rainbow coalitions and the formation of Anglo-Latino coalitions. I also consider how Latino immigration has changed traditional expectations about the formation of interracial coalitions. Last, the influence of structural variables on the formation of interracial coalitions is reexamined, with the primary emphasis placed on the presence of partisan elections.

The Logic behind Interracial Coalitions

Interminority relations are heavily influenced by a variety of factors. de la Garza (1997, 453) pointed to several conditions that he argues have contributed to the inability of Latinos and African Americans to form numerous and long-lasting rainbow coalitions. These include resentment among many African Americans

over Latino access to affirmative action programs, the perception that immigration results in job displacement and the reallocation of public resources to Latinos rather than to African Americans, battles over reapportionment and redistricting, and tensions resulting from Latino population growth that produces Latino majorities in schools that previously had African American majorities, administrators, and staff. Paula McClain's research has long noted the existence of socioeconomic and political competition between African Americans and Latinos (McClain and Karnig 1990; McClain 1993; McClain and Tauber 1998, 2001). Her work in this area suggests that representational gains on the part of African Americans are likely to affect Latinos negatively, although gains made by Latinos do not necessarily limit African American opportunities (McClain 1993).

The "Rainbow" Coalition

Despite such findings, which seem to point to the presence of interminority competition in a number of localities within the United States, there remains an elegant and compelling logic as to why one would expect rainbow coalitions to form in a variety of circumstances. In *Protest Is Not Enough*, for example, Browning, Marshall, and Tabb (1984) argued that Latino representation is improved by the formation of coalitions with African Americans and liberal Anglos. Forming rainbow coalitions allows African Americans and Latinos to inflate their electoral strength, gain office, and promote policies in the interest of both groups. Refusing to form such coalitions carries with it the risk that conservative Anglos will dominate governing coalitions, resulting in policies hostile to the interests of minority groups.

Explanations for Alternative Interracial Coalitions

Given that the literature on African American–Latino relations has noted a surprising absence of rainbow coalitions (see Vaca 2004), scholars have been left to wonder why alternate racial coalitions routinely form. One such explanation comes from the sociological concept of "perceived social distance." In its simplest form, social distance refers to the amount and nature of social relationships that members of two groups are willing to engage in and is often measured using survey questions similar to those first employed by Bogardus (1928).[1]

Work dealing with the concept of social distance indicates that African Americans and Latinos rarely possess attitudes conducive to interminority affability and social networks. Latinos are usually more likely to favor social association with Anglos, and Anglos typically reciprocate. This is especially true for more intimate forms of association, such as intermarriage (Dyer, Vedlitz, and Worchel 1989).

Of course, interracial attitudes, including those comprising measures of social distance, vary considerably in different social and economic contexts. For this reason, researchers argue that the influence of race on social distance can be either exacerbated or mitigated by socioeconomic conditions. When the Latino community is similar to the Anglo community in terms of socioeconomic status, the argument suggests that African Americans become less desirable coalition partners (Meier and Stewart 1991a; Kaufmann 2004). There are also some indications that the reverse is true. That is, when the Latino community does not possess ample socioeconomic resources, African Americans may benefit from a more collegial relationship with the local Anglo population (Randall and Delbridge 2005). In short, social distance is partially determined by a group's social status generally and is therefore heavily influenced by socioeconomic factors.

Utilizing arguments made in the social distance literature, Giles and Evans (1985, 1986) presented what they termed the "power thesis," which suggests that the amount of social distance between two individuals determines their willingness to engage in cooperative or competitive behavior. Meier and Stewart (1991a, 1991b; also see Feagin 1980) extended their logic and developed an aggregated version of this hypothesis. The Meier and Stewart (1991a, 1991b) hypothesis argues that the level of social distance between racial/ethnic groups determines whether groups will enter into a coalitional relationship or one in which they compete for electoral representation and beneficial public policies. Thus, Meier and Stewart argued that social distance not only explains social relationships between groups but also the *political* behavior of groups toward one another.

Viewed from the perspective of the power thesis, it is not unexpected that much of the literature has noted an absence of rainbow coalitions and only limited attitudinal support for their formation (Dyer, Vedlitz, and Worchel 1989; de la Garza 1997; Garcia 2000; Mindiola, Niemann, and Rodriguez 2002). As Meier and Stewart (1991b, 100) suggested, "If the dominant Anglo group is forced to choose between Hispanic and black groups for coalition purposes, the power thesis suggests that, all things being equal, they will seek a coalition with Hispanics." Similar

observations regarding Anglo preferences[2] for coalition partners continue to be made in more contemporary studies, such as Kaufmann's (2004) work on the interplay between racial conflict and mayoral voting in American cities. She wrote,

> For moderate whites, Latinos are simply more attractive coalition partners. For Latinos, these alliances have resulted in greater levels of political influence and incorporation than they might have otherwise had in black-led coalitions. . . . The big losers in these new political arrangements between Latinos and moderate whites have been urban blacks, who become quite dispensable to these governing regimes. (pp. 205-6)

Hypotheses

Empirically, however, it is difficult to distinguish between each of the possible scenarios. For example, the presence of a rainbow coalition would imply that as the size of the African American population within an area grows, Latino representation would likewise increase (for the rainbow coalition should be wielding greater electoral strength). Yet the power thesis predicts a similar set of results, but for very different reasons. That is, as the size of the African American population increases, Anglos have a greater incentive to form coalitions with Latinos. Thus, once again, we would expect to see Latino representation increase as a result of an increase in the size of the African American population.

Fortunately, the two hypotheses do make substantially different predictions regarding the relationship between the size of the Latino population and African American representation. If a rainbow coalition is present, an increase in the Latino population should naturally increase the degree to which African Americans are represented (once again, the coalition's electoral strength is growing). Conversely, if the power thesis is correct, we would expect to see a negative relationship between Latino population size and African American representation. This occurs because Anglos will not be inclined to form coalitions with African Americans but will take advantage of the presence of a sizeable Latino population to limit African American opportunities.[3] This leads to the following hypotheses:

Black-Latino (Rainbow) Coalition:
African American population size is positively associated with Latino representation in elected office.
Latino population size is positively associated with African American representation in elected office.

Anglo-Latino Coalition (Power Thesis):
African American population size is positively associated with Latino representation in elected office.
Latino population size is negatively associated with African American representation in elected office.

Neither scenario predicts that African American population size will be *negatively* associated with Latino representation in elected office (that is, the formation of an Anglo-black coalition). However, drawing on the framework set up by the power thesis and evidence presented by scholars of Latino immigration, there might be reason to suspect that Anglo-black coalitions are possible. The power thesis's applicability to Anglo-Latino coalitions assumes conflict is a function of the level of social distance between groups and that Anglos will be most likely to seek a coalition with the group or groups which most resemble themselves (typically assumed to be Latinos). Yet how have these traditional relationships been changed by recent immigration trends? With the size of the foreign born population increasing by 43 percent between 1990 and 2000 (Jones-Correa 2001), scholars have begun to examine how coalitional relationships are altered by the infusion of a large Latino immigrant population.

Latino Immigration and the Power Thesis

Based upon a series of interviews with Houston residents, Mindiola, Niemann, and Rodriguez (2002, 61) presented anecdotal evidence that Latino immigrants sometimes believe Anglo-black coalitions to be more likely than Anglo-Latino coalitions due to the cultural and linguistic differences between Anglos and Latino immigrants. This serves as an illustration of an alternative to the traditional predictions of the power thesis, suggesting that Anglo-Latino social distance may occasionally be greater than Anglo-black social distance, resulting in the occasional formation of Anglo-black political coalitions.

Several other studies have examined how immigration influences Anglo and African American attitudes toward new immigrant populations, especially Latinos. For example, Sears et al. (1999) found that African Americans are more likely to oppose liberal immigration policies if they sense economic competition with Latinos.[4] Regarding Anglo behavior, Kaufmann (2004) observed that Anglos who believe that local government pays too much attention to recent immigrants were more likely to vote for

Giuliani in the 1993 New York mayoral race. This finding remained when she split her sample to only examine the voting behavior of politically moderate Anglos, although she did not find a relationship between immigration attitudes and voting for Riordan in the Los Angeles mayoral race held that same year. Last, a recent survey of residents in a North Carolina county with a rapidly growing Latino immigrant population found that African Americans and Anglos express lower levels of social distance to each other than they do toward any other group (Randall and Delbridge 2005).[5]

Furthering the predictions of this alternative interpretation of the power thesis are the attitudes of Latino immigrants themselves. For example, Mindiola, Niemann, and Rodriguez (2002) found that Latino immigrants often express very negative feelings regarding black-Latino social association. When considered alongside other works that suggest that Latinos perceive a greater degree of commonality with African Americans at higher levels of acculturation (Kaufmann 2003) and that support for coalitional strategies increases with political integration (Garcia 2000), we have reason to suspect that Latino immigrants will often not be receptive to African American overtures, should they be made.

The following scenario can be generated from this alternative interpretation of Meier and Stewart's (1991a, 1991b) power thesis:

Anglo-Black Coalition (Revised Power Thesis):
African American population size will be *negatively* associated with Latino representation in elected office.
Latino population size is *positively* associated with African American representation in elected office.

More specifically, this revised version of the power thesis argues that

The size of the Latino *immigrant* population will be *positively* associated with African American representation in elected office.

This relationship occurs not because Latino immigrants are rallying behind African American candidates, but rather because Anglos, who perceive Latino immigrants to be socially distant from them, are more likely to incorporate African Americans into governing coalitions in districts with large Latino immigrant populations.

School Board Elections as an Arena for Black-Brown Cooperation and Conflict

Referring specifically to the education policy-making process, Hero and Clarke (2003, 326) argued that "Latinos and blacks bring different experiences and preferences . . . so the prospects of multiethnic coalitions are tenuous." Similarly, de la Garza (1997) maintained that school reform is one of four prime causes of political tension between the African American and Latino communities within recent years. Despite such highly conflictual portrayals of the education policy-making process, it would be disingenuous to imply that the vast majority of school board decisions are contentious and divisive. Rather, most of the issues taken up by school boards, as with other forms of local government, are resolved by unanimous or near-unanimous votes (Polinard et al. 1994). Thus, while race may not shape every deliberation undertaken by local governing institutions, where issues (e.g., funding for bilingual education) are framed in racial/ethnic terms, contention and voting blocs are likely to form. Under such circumstances, race is likely to provide a useful heuristic for determining the preferences of constituencies and representatives.

Beyond dealing with specific policy proposals, minorities have a variety of incentives to ensure that they maximize their representation on local school boards. Descriptive representation has been found to result in an increase in the hiring of minority administrators (Meier, Stewart, and England 1989; Polinard, Wrinkle, and Longoria 1990; Wright, Hirlinger, and England 1998), similar to the way in which representation on city councils has been found to increase the percentage of minority municipal employees (Dye and Renick 1981; Kerr and Mladenka 1994; Mladenka 1989a, 1989b). Minority administrators, in turn, tend to hire more minority teachers. Drawing on insights from the literature of representative bureaucracy, which argues that descriptive representation within organizations leads to the active representation of a group's interests (Hindera 1993; Selden 1997; Selden, Brudney, and Kellough 1998), several scholars have demonstrated that diverse teaching facilities are associated with increased student performance and lower levels of discrimination against minority students (Barajas and Pierce 2001; Irvine 1989; Polinard, Wrinkle, and Longoria 1990; Polinard, Wrinkle, and Meier 1995; Weiher 2000; Wright, Hirlinger, and England 1998). Beyond this indirect

influence on student outcomes, Marschall (2005) showed that African Americans, and to some extent Latinos, make more favorable assessments of neighborhood schools if they live in a district in which they are descriptively represented on the school board.

Modeling African American and Latino Representation

The data for this study are taken from the National Latino Education Study (NLES), a national sample of school districts conducted in 2001. The NLES contains information on the racial/ethnic composition of school boards as well as the electoral system used to elect members. The NLES surveyed every school district in the nation with a student enrollment larger than five thousand and yielded a response rate of 96 percent. These data are supplemented by demographic information gathered by the 2000 Census. This results in a total sample of 1,831 districts across forty-nine states, 1,672 of which elect their board members. The size and geographic diversity of this sample presents a substantial improvement over samples used in previous studies.[6]

As the power thesis focuses on the level of African American and Latino representation, the dependent variable examined here is the percentage of African American/Latino school board members.[7] The primary determinate of minority representation is the size of the minority population.[8] The percentage of African Americans within a district should be positively related to African American representation on the board. Similarly, Latino population size should determine the share of offices held by Latinos. In addition to controlling for population size, I also account for the percentage of African Americans/Latinos who hold a college degree, as electoral successes also depends upon the socioeconomic resources available to each community.

Rodriguez (1999) argued that the nature of interminority relations varies considerably in different geographic locations. With this in mind, I insert a series of regional control variables into each model. The economic status of the Anglo community should also influence the ability of minorities to achieve their desired level of representation. Minorities are thought to benefit from a high degree of Anglo poverty, as limited Anglo resources restrict the effectiveness of minority repression and place the groups on a more level playing field (Stewart, England, and Meier 1989).

A long stream of literature analyzes how electoral structure influences minority representation. Generally, these studies find that the presence of ward, or single-member district, systems facilitate minority representation (Arrington and Watts 1991; Engstrom and McDonald 1986; Leal, Martinez-Ebers, and Meier 2004; Meier et al. 2005; Robinson and Dye 1978; Robinson and England 1981). Wards boost levels of minority representation because districts are typically drawn along racial lines. This effectively guarantees the election of minorities from certain districts. Under at-large arrangements, prospective minority officials must face an electorate that is usually predominately Anglo.[9]

The Problem of Partisanship

A second structural variable that must be considered is the presence of partisan elections. While in most circumstances the presence of partisanship is a given, the focus of this present study, school boards, usually has nonpartisan elections, making this structural variable a probable determinate of representation. On average, nonpartisan systems tend to benefit Anglo business-class candidates (Davidson and Fraga 1988). Robinson and Dye (1978) found that levels of African American representation on school boards are modestly increased under partisan systems. Karning and Welch (1980), however, found that partisan elections are associated with a lower number of African American candidates in city council elections, although it has little bearing on the actual level of African American representation. Previous work has also suggested that race-based voting is facilitated by nonpartisan elections (Pomper 1966; Gordon 1970). In the absence of partisanship, race may become an increasingly important cue in determining vote choice. Moreover, partisan identification often competes with racial sentiments, leading liberal Anglos, Latinos, and African Americans to vote for the same candidate, irrespective of the candidate's race or ethnicity. In this vein, Johnson, Farrell, and Guinn (1999) argued that nonpartisan elections and weak Democratic Party organization have contributed to interminority tensions in Los Angeles. In short, distinct processes likely underlie the dynamics of interminority electoral coalitions under these different arrangements. Therefore, I split the sample and perform separate analyses[10] for districts that elect their board members through partisan and nonpartisan elections in order to examine the following hypothesis:

The Effect of Partisanship of Interracial Coalitions: Rainbow coalitions will be more likely to form under partisan electoral systems. This occurs because there is a structural incentive for liberal minorities to vote for the same candidate irrespective of the candidate's race or ethnicity. Meanwhile, interminority competition will be more likely to occur under nonpartisan electoral systems. This occurs because individuals are more likely to rely on racial cues which are easier to discern than ideological ones.

Last, I control for whether a district has a majority African American or Latino population, expecting that minority representation will generally be higher in such districts (Henig et al. 1999). I also separate out districts in which both the African American and Latino populations are numerical minorities—in which, however, were they to be combined, their population would constitute a numerical majority. These are the districts in which minority populations should have the greatest incentive to form rainbow coalitions. Therefore, I insert a dummy variable for such districts and interact it with the African American and Latino population measures in order to search for evidence of interminority coalitions in such districts.

Table 1
Descriptive Statistics

Variable	Mean	Standard Deviation
African American population	9.85	13.35
Latino population	12.99	18.40
Latino citizen population	9.49	13.65
Latino noncitizen population	3.49	5.64
% African Americans who have graduated from college	15.97	14.14
% Latinos who have graduated from college	14.29	11.94
% Anglos living in poverty	6.03	3.93
Partisan system (0, 1)	13.82	34.52
Single-member district system (0, 1)	27.53	44.68
Majority African American population (0, 1)	2.15	14.50
Majority Latino population (0, 1)	6.16	24.05
Combined majority district (0, 1)	3.39	18.10
Northeast (0, 1)	16.15	36.81
Midwest (0, 1)	21.17	40.87
West (0, 1)	27.39	44.61
South (0, 1)	35.29	47.80

Findings

Descriptive statistics for all the variables used in the analysis are presented in Table 1. Table 2 presents a simple model of the determinants of African American and Latino representation on school boards under nonpartisan systems, and is, to some degree, analogous to Meier and Stewart's (1991a) treatment of this matter. Theoretically, there is reason to suspect correlation between the residuals in the two models presented in Table 2. Indeed, the Breusch-Pagan test shows this to be the case ($\chi^2 = 9.709$). Accordingly, Zellner's (1962) seemingly unrelated regression (SUR) technique is used for estimation.

Representation on school boards is primarily a function of group size. Here a coefficient of 1 represents equal representation (a one-unit increase in the size of a group's population is associated with a 1-percentage-point increase in that group's level of representation). We see that African Americans are nearly equally represented (coefficient = .915), while Latinos appear to be slightly underrepresented (coefficient = .671). Both African Americans and Latinos also benefit from increased levels of Anglo poverty, although Latinos benefit from this more than African Americans. Latino representation is increased by a greater level of education within the Latino community, while ward systems appear to have no effect on the level of Latino or African American representation. The level of African American incorporation is generally higher outside of the South. Latinos generally do worse in the Midwest and Northeast. As one might expect, when African Americans constitute a majority of the residential population, their level of representation on the local school board is increased. The same holds true for Latinos.

The results presented in Table 2 do not support the contention that a larger African American population will positively influence Latino representation. Rather, the relationship appears to be negative, a result not predicted by either the rainbow coalition or the Meier and Stewart (1991a) hypotheses. The model for African American representation further challenges the traditional predictions of the power thesis, while seeming to provide some support for the rainbow coalition hypothesis. An increase in the size of the Latino population does modestly increase the level of African American representation (coefficient = .053). These findings stand in contrast to those of Meier and Stewart (1991a), who found that African American group size was positively related to Latino

Table 2
Determinants of African American and Latino School Board Representation in Nonpartisan Elections (Seemingly Unrelated Regression Estimates) (Dependent Variable: Percentage of School Board Members Who Are Black or Latino)

Independent Variable	Black	*SE*	Latino	*SE*
African American population	.915***	.028	–.063**	.028
Latino population	.053**	.026	.671***	.029
% African Americans who have graduated from college	–.019	.019		
% Latinos who have graduated from college			.119***	.025
% Anglos living in poverty	.217***	.072	.326***	.074
Single-member district system	.000	.006	.000	.006
Majority African American population	.096***	.022	.024	.023
Majority Latino population	–.011	.018	.103***	.019
Combined majority district	–.071	.087	–.022	.091
Combined Majority District × African American Population	.319*	.165	.090	.171
Combined Majority District × Latino Population	.092	.151	–.117	.157
Northeast	.014*	.008	–.019**	.009
Midwest	.020***	.007	–.001	.007
West	.009	.007	–.036***	.007
Constant	–.023**	.009	–.055***	.010
N	1,354		1,354	
R^2	.692		.685	

Note: Breusch-Pagan test of independence: χ^2 (Probability), 9.709 (.002).
*$p < .10$. **$p < .05$. ***$p < .01$.

representation, while Latino group size was *negatively* related to African American representation.[11]

There is also some indication that African Americans are better able to translate their numbers into representation on local school boards in districts where African Americans and Latinos constitute a minority of the population but combined make up a majority. However, there is no evidence of interminority cooperation (as noted by the relationship between African American group size and the level of Latino representation and vice versa) in such districts.

As noted earlier, the dynamics of interminority relations are unlikely to be static. The considerable population growth in the Latino community over the past few years may be one of the factors underlying the inconsistency of these findings with previous research. As the alternative version of the power thesis presented earlier suggests, Latino immigration may alter the dynamics of coalitional relationships, reversing the assumption that Anglos and Latinos are more natural coalition partners than Anglos and African Americans. To examine this possibility, I replicate the findings presented in Table 2, replacing the variable that takes account of the percentage of Latinos within a district with two variables that measure the percentage of the school district population that is composed of Latino citizens and Latino noncitizens.[12] The positive relationship between Latino population size and African American representation may be the result of either Latino support for African American candidates, or the increased likelihood of Anglos to support African American candidates in areas with large Latino populations (the former is the hypothesized relationship that lies at the heart of the rainbow coalition hypothesis). If the positive relationship between Latino group size and African American representation is the result of Latino attempts to form rainbow coalitions, then we would expect the relationship between Latino citizens and African American representation to remain positive. For obvious reasons, a positive relationship between the percentage of Latino noncitizens within a district and African American representation cannot be the result of electoral support for African American candidates on the part of Latino noncitizens. Rather, such a relationship would be indicative of Anglo support for African American candidates, possibly as a result of increased social distance between the Anglo and Latino communities.

The results presented in Table 3 indicate that there is no relationship between the size of the Latino citizen population and the level of African American representation (p-value = .868). However, in line with

Table 3
Determinants of African American and Latino School Board Representation in Nonpartisan Elections: The Role of Latino Citizenship (Seemingly Unrelated Regression Estimates) (Dependent Variable: Percentage of School Board Members Who Are Black or Latino)

Independent Variable	Black	*SE*	Latino	*SE*
African American population	.910***	.028	–.041	.028
Latino citizen population	–.006	.035	.844***	.037
Latino noncitizen population	.233***	.077	–.118	.079
% African Americans who have graduated from college	–.017	.019		
% Latinos who have graduated from college			.108***	.025
% Anglos living in poverty	.234***	.071	.288***	.073
Single-member district system	–.001	.006	–.003	.006
Majority African American population	.097***	.022	.019	.022
Majority Latino population	–.015	.018	.115***	.019
Combined majority district	–.198**	.096	–.115	.098
Combined Majority District × African American Population	.565***	.181	.252	.185
Combined Majority District × Latino Citizen Population	.678***	.226	.103	.232
Combined Majority District × Latino Noncitizen Population	–.619***	.237	.014	.243
Northeast	.015*	.008	–.019**	.009
Midwest	.019***	.007	.002	.007
West	.008	.007	–.030***	.007
Constant	–.024***	.009	–.053***	.010
N	1,354		1,354	
R^2	.695		.698	

Note: Breusch-Pagan test of independence: χ^2 (Probability), 8.351 (.004).
*$p < .10$. **$p < .05$. ***$p < .01$.

the alternative power thesis, the greater the percentage of Latino noncitizens within a district, the greater the level of African American representation. The coefficient (.233) is also substantively meaningful and considerably larger than the coefficient for the relationship between the size of the Latino population and African American representation presented in Table 2 (.053). As a side note, the underrepresentation of Latinos noted in Table 2 is lessened when controlling for citizenship.[13]

A considerably different portrait of interminority relations emerges in districts where one would expect to find rainbow coalitions (non-Anglo-majority districts). In such districts, the size of the Latino citizen population does inflate the level of African American representation on local boards. Moreover, the presence of a Latino noncitizen population does not increase African American representation as it does in other districts. Rather, the relationship here is negative, which is expected given that noncitizens cannot become members of an electoral coalition. Yet there is no evidence that Latinos systematically benefit from such cooperative behavior in this analysis.

Finally, I noted earlier that previous work has emphasized the role of partisanship on race-based voting, arguing that partisan elections make it more difficult for individuals to make strictly race-based decisions. Tables 4 and 5 replicate the previous analysis for districts that elect their members through partisan elections. The Breusch-Pagan tests for both sets of equations indicate that correlated errors are not an issue; thus, ordinary least squares (OLS) is used in place of SUR. The models in Table 4 indicate that Latino representation is not affected by the presence of African Americans within a district. However, there remains a positive relationship between the size of the Latino population and the level of African American representation. Taking Latino citizenship into account does change this dynamic, but in a manner opposite to nonpartisan systems. That is, there is a significant and positive relationship between the size of the Latino citizen population and the level of African American representation, while the size of the Latino noncitizen population appears to have no effect in partisan systems. The effect of a 1-percentage-point increase in the Latino citizen population benefits African Americans only slightly less than a 1-point increase in the percentage of Anglos living in poverty. This finding would appear to provide some support for the hypothesis that cooperative electoral behavior between minorities is most likely to occur under partisan systems.

Table 4
Determinants of African American and Latino School Board Representation in Partisan Elections (Ordinary Least Squares Estimates) (Dependent Variable: Percentage of School Board Members Who Are Black or Latino)

Independent Variable	Black	*SE*	Latino	*SE*
African American population	1.049***	.063	–.071	.049
Latino population	.268***	.082	.878***	.067
% African Americans who have graduated from college	–.001	.066		
% Latinos who have graduated from college			.115**	.046
% Anglos living in poverty	.323*	.182	.285**	.145
Single-member district system	.003	.014	.017	.011
Majority African American population	–.062	.049	.037	.039
Majority Latino population	–.182***	.064	–.020	.051
Northeast	.049***	.017	–.013	.013
Midwest	.057**	.026	.000	.021
West	–.013	.032	–.037	.025
Constant	–.076***	.025	–.060***	.019
N	221		222	
R^2	.720		.750	

*$p < .10$. **$p < .05$. ***$p < .01$.

Table 5
Determinants of African American and Latino School Board Representation in Partisan Elections: The Role of Latino Citizenship (Ordinary Least Squares Estimates) (Dependent Variable: Percentage of School Board Members Who Are Black or Latino)

Independent Variable	Black	*SE*	Latino	*SE*
African American population	1.047***	(.063)	–.039	.039
Latino Citizen population	.237**	(.096)	1.212***	.062
Latino noncitizen population	.437	(.286)	–1.036***	.183
% African Americans who have graduated from college	.003	(.067)		
% Latinos who have graduated from college			.073**	.037
% Anglos living in poverty	.345*	(.186)	.034	.118
Single-member district system	.003	(.014)	.014	.009
Majority African American population	–.061	(.049)	.020	.032
Majority Latino population	–.196***	(.068)	.141***	.044
Northeast	.051***	(.017)	–.028***	.010
Midwest	.057**	(.026)	.001	.017
West	–.018	(.033)	.019	.021
Constant	–.080***	(.025)	–.023	.016
N	221		222	
R^2	.720		.840	

*$p < .10$. **$p < .05$. ***$p < .01$.

Attempts were made to examine how coalitional relationships varied in districts where rainbow coalitions made the most strategic sense, but only three districts in the sample employ partisan election systems and meet the "individually a minority, combined a majority" criteria used to identify such districts. Nonetheless, the analysis does indicate that interminority competition (that is, the formation of either Anglo-Latino or Anglo-black coalitions) does not appear to materialize in partisan systems as it does in nonpartisan systems. This does not mean that rainbow coalitions routinely form in such circumstances. However, there is modest evidence for such coalitions in the analyses presented here. It seems that the presence of partisan

elections limits competition and may occasionally produce cooperation.

Conclusion

The dynamics of interminority relations are unquestionably complicated. Despite commonly held beliefs about the ideological similarity between racial and ethnic minorities, the development of long-lasting rainbow coalitions is considered to be unlikely in most local settings. Like many previous works (i.e., McClain 1993; McClain and Karnig 1990; Meier and Stewart 1991a; Kaufmann 2003, 2004), the evidence presented here does not support the contention that rainbow coalitions routinely form in urban areas. However, the data point to different patterns of conflict than those suggested by earlier studies. Contrary to the predictions of Meier and Stewart's (1991a) power thesis, there is little support for the notion that Anglo-Latino coalitions are an expected substitute for interminority ones. Rather, Latino immigration may encourage the development of Anglo-black coalitions, as seen by the increased likelihood of African Americans to be elected to local boards in districts with a large Latino noncitizen population.

As with most studies that do not focus on individual attitudes or behavior, relationships between population size and representation are interpreted as being indicative of cooperation or conflict. Ultimately, such findings are best considered alongside other works that unveil the nuance of interminority relations by relying on individual-level data, focus groups, or in-depth case studies of select urban areas. Sidney (2002), for example, used discourse analysis to argue that African Americans and Latinos do not agree on the way in which issues related to race permeate the education policy-making process. "If alliances do emerge," she warned, "they may be fragile ones" (p. 276).

Despite such skepticism, this study does suggest one mechanism that can work to increase the likelihood that minorities will form cooperative electoral relationships, the adoption of a partisan electoral system. Nonpartisan systems originally gained popularity during the progressive movement as a way to depoliticize the education policy-making process. Instead, nonpartisan elections redistribute electoral advantages and incentives for coalition building away from some groups and toward others. Minority representation tends to be higher under partisan systems, with minorities, on average, being slightly *overrepresented* given their population size (although this is only true for Latinos if one discounts the noncitizen population). Moreover, African American representation on local boards also increases with the size of the Latino *citizen* population under partisan systems. Such benefits, however, remain confined to the relatively small number of districts (approximately 14 percent) that use such systems.

This study also indicates that African Americans benefit from the presence of a large Latino population in districts where no individual racial/ethnic group comprises a majority of the population but the combined racial/ethnic minority population does. However, only 3 percent of all districts meet this demographic criterion, so that in the vast majority of school districts within the United States, competition, not cooperation, remains the norm.

The central findings here is that African Americans and Latinos do appear to form cooperative relationships when there are enough strategic incentives or the electoral structure in place promotes it, but such situations are rare. It is essential that future research pay attention to varying structural and demographic contexts to better understand what factors are responsible for the formation of different governing coalitions in urban areas across the United States.

Future researchers should also view these findings within the context of some recent works. Branton's (2007 [this issue]) study clearly demonstrates that Latino attitudes vary in accordance with levels of acculturation. As mentioned earlier, the extent to which Latino immigrants hold attitudes which diverge from those of native-born Latinos holds considerable implications for the formation of interracial coalitions. Preuhs's (2007 [this issue]) article demonstrates the importance of legislative incorporation for the substantive representation of minority groups. Without such incorporation, the increased presence of minorities in many political jurisdictions within the United States may actually come at a loss of substantive representation. Again, coalitional arrangements and electoral structures play a significant role in determining the degree of minority legislative incorporation.

Notes

1. Bogardus's (1928) social distance scale asks respondents the following survey item: "Which best represents your comfort level in interacting with this social group 1) Close kinship by marriage 2) My Club as Personal Chums (often modified in contemporary surveys as "Close Friendship") 3) Neighbors on my street 4) Employment in my occupation 5) Citizenship in the country 6) Visitors only to my country 7) Would exclude from my country."

2. Readers may contest that Anglos are the pivotal actors in most districts. However, within the average school district examined in this study, Anglos remain numerically superior. This, coupled with the socioeconomic advantage Anglos possess in most districts, makes such an assumption less tenuous. In further accordance with previous research, Latinos tend to fair slightly better than African Americans on most socioeconomic indicators (such as poverty rates and home ownership). However, districts where the Latino population is predominately composed of noncitizens are characterized by lower socioeconomic indicators for Latinos, often falling below indicators for African Americans (author's analysis, based upon the 2001 National Latino Education Survey [NLES]).

3. These predictions are laid out by Meier and Stewart (1991a, 1128), who wrote, "The key test for choosing between the rainbow thesis and the power thesis is what happens to black representation when Latino numbers increase. The power thesis holds that an increase in Latino population would be unlikely to increase Anglo votes for blacks, because blacks are less similar to Anglos than are Latinos. The relationship between Latino population and black representation in this case should be negative. The rainbow thesis, on the other hand, contends that as Latino population increases, the potential for a rainbow coalition increases. The correlation between Latino population and Black representation, therefore, should be positive."

4. Work by Waldinger (2001) suggested that fears related to economic competition with Latinos are well founded. He noted that in many areas Latino immigrants are more likely to find "adequate" employment than African Americans, possibly due to higher levels of immigrant social capital and the selection bias of individuals inherent in the immigration process.

5. Previous research by political scientists has found trends similar to those noted by sociologists. For example, Jackson, Gerber, and Cain (1994) noted that African Americans are more likely to perceive themselves to be "close" to Anglos than they are to Latinos.

6. For example, Fraga, Meier, and England's (1986) sample size is 35 districts; Marschall's (2005) is 196; Meier and Stewart's (1991a) is 118; Polinard et al.'s (1994) is 64; Robinson and England's (1981) is 75; and Welch and Karnig's (1978) is 43.

7. An alternative way to account for the level of minority representation would be the parity (or proportional representation) measure used by, among others, Browning, Marshall, and Tabb (1984). There are several reasons, however, why operationalizing minority representation as the percentage of African American or Latino board members is preferable to this approach. The parity measure generates the same value for all districts in which there are no minority board members regardless of the size of the minority population (in this instance, all districts receive a score of zero). Thus, the parity measure treats a district in which Latinos hold no seats and constitute 5 percent of the population the same as a district in which Latinos hold no seats and constitute 50 percent of the population, even though the cases are qualitatively different from one another. For this reason, Engstrom and McDonald (1981) argued that studies of minority representation on local boards should use the percentage of minority board members as the dependent variable and control for the size of the minority population. They wrote, "Under this approach, proportionality is a relationship across a set of data points, each of which reflects the specific black proportions of the population and the council for a city. The fact that all cities without a black council member do not have the same black population percentage is taken into account in estimating this relationship" (p. 346). Beyond this methodological criticism of the parity measure, there are theoretical reasons why the Engstrom and McDonald modeling approach is preferable. Several studies demonstrate that increases in the percentage of minority school board members, regardless of parity, result in a greater level of minority substantive representation (see Fraga, Meier, and England 1986; Marschall 2005; Meier and Stewart 1991a, 199b; Meier, Stewart, and England 1989; Polinard, Wrinkle, and Longoria 1990; Polinard et al. 1994; Wright, Hirlinger, and England 1998). In other words, Latinos should find their substantive interests better represented in a district in which they hold 28 percent of seats and constitute 27 percent of the population than in a district in which they hold 14 percent of seats and constitute 15 percent of the population (even though parity measure would suggest the opposite). Thus, minorities have an incentive to maximize their level of descriptive representation on the board without concern for their population size.

8. There are three possible measures of population size that could conceivably be used in this analysis, all of which correlate highly with one another (above .97). The first is the size of the African American and Latino voting-age population. While this is an accurate measure of the electorate, it ignores the fact that African Americans and Latinos are more likely than other groups to have school-aged children, and therefore underestimates the number of minorities who have a strong incentive to vote in school board elections. The second is the percentage of African American and Latino students within a district. One could argue that the school board should reflect the composition of the student body it serves; however, students, by and large, are excluded from the electoral process. Moreover, this measure would inflate the size of the minority population relative to the actual voting-age population. Therefore, I chose to use the percentage of African Americans and Latinos residing within a district. This measure, because it includes residents who are not yet eligible to vote, results in a number greater than the voting-age population, but smaller than student-based measures. Last, this measure also allows for greater comparability to past research, most of which has relied on residential population measures to predict levels of minority representation on local school boards (see Fraga, Meier, and England 1986; Marschall 2005; Meier and Stewart 1991a; Robinson and Dye 1978; Robinson and England 1981; Welch and Karning 1978; Wright, Hirlinger, and England 1998). Replicating the analysis with the other possible measures of population size produces similar results in terms of significance and direction. The coefficients for African American/Latino population size tend to be smaller when the student-based measure is used (which is expected as this measure inflates the size of the population relative to the residential measure) and larger when voting-age population is used in place of residential population (which is expected as this measure deflates the size of the population relative to the residential measure).

9. Increases in the population size of racial/ethnic minorities, as well as Anglo residential patterns, have resulted in creation of several "Majority-Minority" (MM) school districts. In MM districts, the influence of electoral structure on levels of minority representation may differ considerably from its influence in non-MM districts. Nonetheless, it is important to note that in the average district included in this sample both Latinos and African Americans remain a minority. The mean percentage of Latinos within a district is 13 percent, while the average for African

Americans is 10 percent. Latinos constitute a minority in 94 percent of all districts included in the sample, while African Americans constitute a minority in 97 percent of all districts. Nevertheless, dummy variables are used to control for the effect of majority African American or Latino districts.

10. Conducting a Chow test allows me to reject the null hypothesis that the difference between the coefficients in the partisan and nonpartisan models is equal to zero. This provides some empirical support for my theoretical contention that distinct processes underlie partisan and non-partisan elections.

11. A few differences are worth noting. First, Meier and Stewart's (1991a) sample was taken in 1986 and consists of 118 districts, while the sample here is of more than 1,576 districts. Also, Meier and Stewart used ordinary least squares (OLS) as their estimation technique, where seemingly unrelated regression (SUR) is more appropriate. More important, however, Meier and Stewart did not control for the presence of partisan elections. As Tables 3 and 4 demonstrate, partisanship substantially influences the nature of interminority coalition building.

12. It should be noted that these variables correlate at .78 in the NLES, as Latino immigrants tend to settle in areas that are already heavily populated by Latino citizens.

13. The coefficient for the relationship between the size of the Latino citizen population and Latino representation is .844, where a coefficient of 1 would indicate proportional representation.

References

Arrington, Theodore S., and Thomas Gill Watts. 1991. The election of blacks to school boards in North Carolina. *Western Political Quarterly* 44:1099-1105.

Barajas, Heidi Lasley, and Jennifer L. Pierce. 2001. The significance of race and gender in school success among Latinas and Latinos in college. *Gender & Society* 15:859-78.

Bogardus, Emory S. 1928. *Immigration and race attitudes*. New York: D.C. Heath and Company.

Branton, Regina. 2007. Latino attitudes toward various areas of public policy: The importance of acculturation. *Political Research Quarterly* 60 (2): 293-303.

Browning, Rufus P., Dale Rodgers Marshall, and David H. Tabb. 1984. *Protest is not enough*. Berkeley: University of California Press.

Cohen, Yinon, and Andrea Tyree. 1986. Escape from poverty: Determinates of intergenerational mobility of sons and daughters of the poor. *Social Science Quarterly* 67:803-13.

Davidson, Chandler, and Luis Ricardo Fraga. 1988. Slating groups as parties in a "nonpartisan" setting. *Western Political Quarterly* 41:373-90.

de la Garza, Rodolfo O. 1997. Latino politics: A futuristic view. In *Latinos and the political system*, ed. F. Chris Garcia. Notre Dame, IN: Notre Dame University Press.

Dye, Thomas R., and James Renick. 1981. Political power and city jobs: Determinants of minority employment. *Social Science Quarterly* 62:475-86.

Dyer, James, Arnold Vedlitz, and Stephen Worchel. 1989. Social distance among racial and ethnic groups in Texas: Some demographic correlates. *Social Science Quarterly* 70:607-16.

Engstrom, Richard, and Michael McDonald. 1981. The effect of at-large versus district elections on racial representation in U.S. municipalities. In *Electoral laws and their political consequences*, ed. Bernard Grofman and Arend Lijphart. New York: Agathon.

Feagin, Joe R. 1980. School desegregation: A political-economic perspective. In *School desegregation*, ed. Walter G. Stephan and Joe R. Feagin. New York: Plenum.

Fraga, Luis Ricardo, Kenneth J. Meier, and Robert E. England. 1986. Hispanic Americans and educational policy: Limits to equal access. *Journal of Politics* 48:850-76.

Garcia, John A. 2000. The Latino and African American communities. In *Immigration and race*, ed. Gerald Jaynes. New Haven, CT: Yale University Press.

Giles, Micheal W., and Arthur S. Evans. 1985. External threat, perceived threat, and group identity. *Social Science Quarterly* 66:50-66.

———. 1986. The power approach to intergroup hostility. *Journal of Conflict Resolution* 30:469-86.

Gordon, Daniel. 1970. Immigrants and municipal voting turnout: Implications for the changing ethnic impact on urban politics. *American Sociological Review* 35:665-81.

Henig, Jeffery R., Richard C. Hula, Marion Orr, and Desiree S. Pedescleaux. 1999. *The color of school reform*. Princeton, NJ: Princeton University Press.

Hero, Rodney E., and Susan E. Clarke. 2003. Latinos, blacks, and multiethnic politics in Denver: Realigning power and influence in the struggle for equality. In *Racial politics in American cities*, 3rd ed., ed. Rufus P. Browning, Dale Rogers Marshall, and David H. Tabb. New York: Longman.

Hindera, John J. 1993. Representative bureaucracy: Imprimis evidence of active representation in the EEOC district offices. *Social Science Quarterly* 74:95-108.

Irvine, Jacqueline Jordan. 1989. Beyond role models: An examination of cultural influences on the pedagogical perspectives of black teachers. *Peabody Journal of Education* 66:51-63.

Jackson, Byran O., Elisabeth R. Gerber, and Bruce E. Cain. 1994. Coalitional prospects in a multi-racial society: African-American attitudes toward other minority groups. *Political Research Quarterly* 47:277-94.

Johnson, James H., Jr., Walter C. Farrell Jr., and Chandra Guinn. 1999. Immigration reform and the browning of America. In *The handbook of international migration*, ed. Charles Hirschman, Philip Kasinitz, and Josh DeWind. New York: Russell Sage Foundation.

Jones-Correa, Michael. 2001. Comparative approaches to changing interethnic relations in cities. In *Governing American cities*, ed. Michael Jones-Correa. New York: Russell Sage Foundation.

Karning, Albert, and Susan Welch. 1980. *Black representation and urban policy*. Chicago: University of Chicago Press.

Kaufmann, Karen M. 2003. Cracks in the rainbow: Group commonality as a basis for Latino and African-American political coalitions. *Political Research Quarterly* 56:199-210.

———. 2004. *The urban voter*. Ann Arbor: University of Michigan Press.

Kerr, Brinck, and Kenneth R. Mladenka. 1994. Does politics matter? A times series analysis of minority employment patterns. *American Journal of Political Science* 38:918-43.

Leal, David L., Valerie Martinez-Ebers, and Kenneth J. Meier. 2004. The politics of Latino elections: The biases of at-large elections. *Journal of Politics* 66:1224-44.

Marschall, Melissa J. 2005. Minority incorporation and local school boards. In *Besieged*, ed. William G. Howell. Washington, DC: Brookings Institution Press.

McClain, Paula D. 1993. The changing dynamics of urban politics: Black and Hispanic municipal employment: Is there competition? *Journal of Politics* 55:399-414.

McClain, Paula D., and Albert Karnig. 1990. Black and Hispanic socioeconomic and political competition. *American Political Science Review* 84:535-45.

McClain, Paula D., and Steven C. Tauber. 1998. Black and Latino socioeconomic and political competition: Has a decade made a difference? *American Politics Quarterly* 26:101-16.

———. 2001. racial minority group relations in a multiracial society. In *Governing American cities*, ed. Michael Jones-Correa. New York: Russell Sage Foundation.

Meier, Kenneth J., Eric Gonzalez Juenke, Robert D. Wrinkle, and J. L. Polinard. 2005. Strucutual choices and representational biases: The post-election color of representation. *American Journal of Political Science* 49:758-68.

Meier, Kenneth J., Paula McClain, Robert D. Wrinkle, and J. L. Polinard. 2004. Divided or together? *Political Research Quarterly* 57:399-409.

Meier, Kenneth J., and Joseph Stewart Jr. 1991a. Cooperation and conflict in multiracial school districts. *Journal of Politics* 53:1123-33.

———. 1991b. *The politics of Hispanic education*. Albany: State University of New York Press.

Meier, Kenneth J., Joseph Stewart Jr., and Robert England. 1989. Black representation in urban school districts: From school board to office to classroom. *Western Political Quarterly* 42:287-306.

Mindiola, Tatcho, Yolanda Flores Niemann, and Nestor Rodriguez. 2002. *Black-brown: Relations and stereotypes*. Austin: University of Texas Press.

Mladenka, Kenneth R. 1989a. Barriers to Hispanic employment success in 1,200 cities. *Social Science Quarterly* 70:391-407.

———. 1989b. Blacks and Hispanics in urban politics. *American Political Science Review* 83:165-91.

Osher, David, Darren Woodruff, and Anthony E. Sims. 2002. Schools make a difference: The overrepresentation of African-American youth in special education and the juvenile justice system. In *Racial inequality in special education*, ed. Daniel J. Losen and Gary Orfield. Cambridge, MA: Harvard Education Press.

Polinard, J. L., Robert D. Wrinkle, and Thomas Longoria. 1990. Education and governance: Representational links to second generation discrimination. *Western Political Quarterly* 43:631-46.

Polinard, J. L., Robert D. Wrinkle, Tomas Longoria, and Norman Binder. 1994. *Electoral structure and urban policy*. New York: M. E. Sharpe.

Polinard, J. L., Robert D. Wrinkle, and Kenneth J. Meier. 1995. The influence of educational and political resources on minority students' success. *Journal of Negro Education* 64:463-74.

Pomper, Gerald. 1966. Ethnic group voting in nonpartisan municipal elections. *Public Opinion Quarterly* 30:79-97.

Preuhs, Robert R. 2007. Descriptive representation as a mechanism to mitigate policy backlash: Latino incorporation and welfare policy in the American states. *Political Research Quarterly* 60 (2): 277-92.

Randall, Nancy Horak, and Spencer Delbridge. 2005. Perceptions of social distance in an ethnically fluid community. *Sociological Spectrum* 25:103-23.

Robinson, Theodore P., and Thomas R. Dye. 1978. Reformism and black representation on city councils. *Social Science Quarterly* 59:133-41.

Robinson, Ted, and Robert E. England. 1981. Black representation and central city school boards revisited. *Social Science Quarterly* 62:495-502.

Rodriguez, Nestor. 1999. U.S. immigration and changing relations between African Americans and Latinos. In *The handbook of international migration*, ed. Charles Hirschman, Philip Kasinitz, and Josh DeWind. New York: Russell Sage Foundation.

Sears, David O., Jack Citrin, Sharmaine V. Cheleden, and Colette van Laar. 1999. Cultural diversity and multicultural politics: Is ethnic balkanization psychologically inevitable? In *Cultural divides: Understanding and overcoming group conflict*, ed. Deborah A. Prentice and Dale T. Miller. New York: Russell Sage Foundation.

Selden, Sally Coleman. 1997. *The promise of representative bureaucracy*. New York: M. E. Sharpe.

Selden, Sally Coleman, Jeffery L. Brudney, and J. Edward Kellough. 1998. Bureaucracy as a representative institution: Toward a reconciliation of bureaucratic government and democratic theory. *American Journal of Political Science* 42:717-44.

Sidney, Mara S. 2002. The role of ideas in education politics: Using discourse analysis to understand barriers to reform in multiethnic cities. *Urban Affairs Review* 38:253-79.

Stewart, Joseph, Robert England, and Kenneth J. Meier. 1989. Black representation in urban school districts: From school board to office to classroom. *Western Political Quarterly* 42 (2): 287-305.

Vaca, Nicolas C. 2004. *The presumed alliance*. New York: Rayo Press.

Waldinger, Roger. 2001. Up from poverty? "Race," immigration, and the fate of low-skilled workers. In *Strangers at the gate*, ed. Roger Waldinger. Berkeley: University of California Press.

Weiher, Gregory R. 2000. Minority student achievement: Passive representation and social context in schools. *Journal of Politics* 62:886-95.

Welch, Susan, and Albert Karnig. 1978. Representation and blacks and big city school boards. *Social Science Quarterly* 59:162-72.

Wright, David E., III, Michael W. Hirlinger, and Robert E. England. 1998. *The politics of second generation discrimination in American Indian education*, Westport, CT: Bergin and Garvey.

Zellner, Arnold. 1962. An efficient method of estimating seeming unrelated regressions and test for aggregation bias. *Journal of the American Statistical Association* 57:348-68.

Exhibit 4:
Declaration of Todd Giberson

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

LEAGUE OF UNITED LATIN AMERICAN CITIZENS, *et al.* *Plaintiffs,* v. GREG ABBOTT, *et al.*, *Defendants.*	§ § § § § § §	Case No. 3:21-cv-00259 [Lead Case]
ROY CHARLES BROOKS, *et al.* *Plaintiffs,* v. GREG ABBOTT, *et al.*, *Defendants.*	§ § § § § §	Case No. 1:21-cv-00991 [Consolidated Case]

DECLARATION OF TODD GIBERSON

1. My name is Todd Giberson. I am over the age of 18 and competent to make this declaration.

2. I am an employee of the Office of the Attorney General (OAG) Legal Technical Support Division (LTS). I have been employed at the OAG since 1994 as a systems analyst. Before that, I was employed by the Texas Legislative Council (TLC) as a programmer. I was on the team of programmers who wrote the original RedAppl computer application for drawing districts. I am not a lawyer.

3. RedAppl contains data gathered from various sources, including the Texas Secretary of State. This data includes borders of municipalities and other local-government bodies and borders of electoral precincts (which the Census Bureau refers to as voter tabulation districts, or VTDs). The data also includes the number of registered voters in each electoral precinct and the election results for each electoral precinct from 2012–present as reported to the Secretary of State by each county.

4. RedAppl also contains data received from the Census Bureau, including its American Community Survey, or ACS. The Census Bureau divides each county into, from largest to smallest, tracts, block groups, and blocks. The Census Bureau data includes information such as the declared race, ethnicity, and Spanish-surname status of the persons in a block. The smallest unit for which ACS

data is available, however, is a block group. Thus, information gathered by the ACS, such as citizenship, is not available at the block level.

5. By combining this data, RedAppl is able to create maps and reports showing demographic and electoral information in units as small as the block level. By combining data from the block level, it can create maps and reports for any defined area. It is by assigning these blocks to defined areas that RedAppl can be used to create electoral maps.

6. By default, RedAppl displays only county borders. To display other features, such as roads and bodies of water, the user must specify them. To display boundaries besides county lines, the user must specify the type of boundary to display. To display data for an area, either pre-defined within RedAppl (such as an existing House district, a city, or an electoral precinct) or user-generated (such as a proposed Senate district), the user must actively select which data to display. In particular, data regarding race, ethnicity, Spanish-surname status, voting-age population, and number of registered voters is not displayed unless the user actively chooses to display it. Because of this, a user who chose to do so could create a proposed redistricting map having seen only population and electoral results and having never seen information on the race, ethnicity, or Spanish-surname status of the residents of the proposed districts.

7. Exhibits 5–8 to State Defendants' Opposition are partisan-shading maps I personally generated using data gathered from RedAppl. They show the relative percentages of votes cast in the 2020 general election for president in each pictured VTD. Exhibits 5 and 6 are zoomed-in and zoomed-out, respectively, maps of benchmark SD10. Exhibit 7 is a map of SD10. Exhibit 8 is a map of benchmark SD28.

8. Exhibit 9 to the Opposition is a map I personally generated using statistics gathered from RedAppl. It overlays current SD10 on benchmark SD10. It is color-coded to show the areas that remain from, were removed from, and were added to benchmark SD10 to create current SD10. Each

color-coded area shows the population of that area and the percentage of votes cast for Donald Trump in the 2020 general election.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Dated December 20, 2021.

Todd Giberson

Todd Giberson

Exhibit 5:
Partisan-shaded map of benchmark SD10

Senate Plan S2100
Democrat/Republican Shading by VTD

Values based on two party vote split for the 2020 General Election for President between Joe Biden and Donald Trump

- 57% or more Democrat
- 52% to <57% Democrat
- >50% to <52% Democrat
- Tie
- >50% to <52% Republican
- 52% to <57% Republican
- 57% or more Republican

Exhibit 6:
Partisan-shaded map of benchmark SD10, zoomed out

Senate Plan S2100
Democrat/Republican Shading by VTD

Values based on two party vote split for the 2020 General Election for President between Joe Biden and Donald Trump

WICHITA
CLAY
MONTAGUE
COOKE
GRAYSON
ARCHER
30
WISE
DENTON
COLLIN
JACK
YOUNG
12
8
TARRANT
9
16
ROCKWALL
PALO PINTO
2
DALLAS
STEPHENS
PARKER
10
23
KAUFMAN
28
HOOD
JOHNSON
ELLIS
EASTLAND
ERATH
SOMERVELL
24
COMANCHE
BOSQUE

57% or more Democrat
52% to <57% Democrat
>50% to <52% Democrat
Tie
>50% to <52% Republican
52% to <57% Republican
57% or more Republican

Exhibit 7:
Partisan-shaded map of current SD10

Senate Plan S2168
Democrat/Republican Shading by VTD

Values based on two party vote split for the 2020 General Election for President between Joe Biden and Donald Trump

SHACKELFORD
10
STEPHENS
PALO PINTO
30
PARKER
TARRANT
9
12
16
23
CALLAHAN
EASTLAND
ERATH
HOOD
SOMERVELL
JOHNSON
22
COMANCHE
BROWN
HAMILTON
BOSQUE
HILL
MILLS
24
MCLENNAN

- 57% or more Democrat
- 52% to <57% Democrat
- >50% to <52% Democrat
- Tie
- >50% to <52% Republican
- 52% to <57% Republican
- 57% or more Republican

Exhibit 8:
Partisan-shaded map of benchmark SD28

Senate Plan S2100
Democrat/Republican Shading by VTD

Values based on two party vote split for the 2020 General Election for President between Joe Biden and Donald Trump

- 57% or more Democrat
- 52% to <57% Democrat
- >50% to <52% Democrat
- Tie
- >50% to <52% Republican
- 52% to <57% Republican
- 57% or more Republican

WISHER
BRISCOE
HALL
CHILDRESS
HARDEMAN
AILEY
LAMB
HALE
FLOYD
MOTLEY
COTTLE
FOARD
WILBARGER
WICHITA
RAN
LUBBOCK
HOCKLEY
CROSBY
DICKENS
KING
KNOX
BAYLOR
ARCHER
28
UM
TERRY
LYNN
GARZA
KENT
STONEWALL
HASKELL
THROCK-
MORTON
30
GAINES
DAWSON
BORDEN
SCURRY
FISHER
JONES
SHACKELFORD
STEPHENS
ANDREWS
MARTIN
HOWARD
MITCHELL
NOLAN
TAYLOR
CALLAHAN
EASTLAND
31
LOVING
WINKLER
ECTOR
MIDLAND
GLASSCOCK
STERLING
COKE
RUNNELS
COLEMAN
BROWN
COMANCHE
24
WARD
CRANE
UPTON
REAGAN
IRION
TOM GREEN
CONCHO
MILLS
MCCULLOCH
SAN SABA
REEVES
PECOS
CROCKETT
SCHLEICHER
MENARD
MASON
LLANO
29
19
SUTTON
KIMBLE
GILLESPIE

Exhibit 9:
Map of partisan changes in SD10

Areas in SD10 moved between the benchmark plan H2100 and the enacted plan H2168

SHACKELFORD
STEPHENS
PALO PINTO
PARKER
TARRANT
CALLAHAN
EASTLAND
ERATH
HOOD
JOHNSON
SOMERVELL
COMANCHE
COLEMAN
BROWN
MILLS

12,345
50.1%

Top number is total population

Second number is percent voting for Donald Trump in the 2020 Presidential contest

135,175
31.5%

114,124
57.1%

42,370
42.7%

1,169
50.5%

33,581
64.3%

558,335
41.2%

333,995
80.2%

104,281
45.9%

- Benchmark SD10 retained in new SD10
- Areas moved out of benchmark SD10
- Areas move into the new SD10
- SD10 in Benchmark Plan
- SD10 in PLANS2168

Exhibit 10:
Declaration of Keith Ingram

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

LEAGUE OF UNITED LATIN AMERICAN CITIZENS, *et al.*, *Plaintiffs*, v. GREG ABBOTT, *in his official capacity as Governor of the State of Texas*, and JOHN SCOTT, *in his official capacity as Secretary of State of Texas*, *Defendants*.	§ § § § § § § § § § §	Case No. 3:21-cv-259-DCG-JES-JVB [Lead Case]
DAMON JAMES WILSON, *Plaintiff*, v. THE STATE OF TEXAS, *et al.*, *Defendants*.	§ § § § § § §	Case No. 1:21-cv-943-RP-JES-JVB [Consolidated Case]
VOTO LATINO, *et al.*, *Plaintiffs*, v. JOHN SCOTT, *in his official capacity as Secretary of State of Texas*, and GREG ABBOTT, *in his official capacity as Governor of the State of Texas*, *Defendants*.	§ § § § § § § § § §	Case No. 1:21-cv-965-RP-JES-JVB [Consolidated Case]
MEXICAN AMERICAN LEGISLATIVE CAUCUS, *Plaintiff*, v. THE STATE OF TEXAS, *et al.*, *Defendants*.	§ § § § § § § §	Case No. 1:21-cv-988-RP-JES-JVB [Consolidated Case]

ROY CHARLES BROOKS, *et al.*, *Plaintiffs*, v. GREG ABBOTT, *in his official capacity as Governor of the State of Texas*, and JOHN SCOTT, *in his official capacity as Secretary of State of Texas*, *Defendants*.	§ § § § § § § § § §	Case No. 1:21-cv-991-LY-JES-JVB [Consolidated Case]
TEXAS STATE CONFERENCE OF THE NAACP, *Plaintiff*, v. GREG ABBOTT, *in his official capacity as Governor of the State of Texas*, and JOHN SCOTT, *in his official capacity as Secretary of State of Texas*, *Defendants*.	§ § § § § § § § § § §	Case No. 1:21-cv-1006-RP-JES-JVB [Consolidated Case]
FAIR MAPS TEXAS ACTION COMMITTEE, *et al.*, *Plaintiffs*, v. GREG ABBOTT, *in his official capacity as Governor of the State of Texas*, and JOHN SCOTT, *in his official capacity as Secretary of State of Texas*, *Defendants*.	§ § § § § § § § § § §	Case No. 1:21-cv-1038-RP-JES-JVB [Consolidated Case]

DECLARATION OF BRIAN KEITH INGRAM

I, Brian Keith Ingram, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following testimony is true and correct to the best of my knowledge and belief:

1. I am the Director of Elections for the Office of the Texas Secretary of State ("Texas SOS"). I have served in this capacity since 2012. The Texas Secretary of State is the chief election officer for Texas. As the State's chief election officer, the Secretary, through the Elections Division, prepares and distributes guidance to appropriate state and local authorities in the

administration of elections in Texas, and provides certain administrative support.

2. In my tenure as Director of Elections, I have become familiar with the administration and operations of Texas elections, including the tasks, practices, and responsibilities that local Texas election authorities must fulfill; the deadlines local election authorities must meet, along with a general idea of the time, money, and manpower it takes; and the laws and regulations with which local election authorities must comply to plan, coordinate, manage, and execute a successful election.

3. I am also familiar with Texas's redistricting process, specifically the duties and responsibilities the Texas Election Code imposes on counties to implement a redistricting plan. I was the Director of Elections in 2012, when Texas counties sought to implement the Legislature's reapportionment maps and conduct a primary election using the new maps.

4. The United States District Court for the Western District of Texas rescheduled the March 2012 Primary Election. As the Director of Elections, I witnessed firsthand the consequences that postponing a primary election had on the effective administration of Texas elections, including the costs incurred by counties and political subdivisions, the heightened levels of voter confusion caused by the shifting dates, and voters' increasing frustration with the changes being imposed. I also witnessed the efforts that the State and local election authorities took to comply with the court's orders, all while remaining in compliance with state and federal requirements.

5. Every election conducted in Texas takes months of preparation. The primary election scheduled for March 1, 2022 is no exception. Primary elections, in fact, can often involve a greater amount of effort to organize and conduct than non-primary elections because they are run by county chairs of a political party and entail additional deadlines to account for the unique characteristics of a primary, such as the candidate-filing period and the need to conduct a drawing to determine the order of candidate names on the ballot.

6. Texas SOS published Election Advisory No. 2021-18 on November 12, 2021, which contained the March 1, 2022 Primary Election Law Calendar ("Election Calendar"). As the name suggests, the Election Calendar provides local election authorities, candidates, and the public a timetable of events and deadlines that occur throughout the election. Although Election Day is not until March 1, 2022, multiple deadlines on the Election Calendar have already passed, while many others are fast approaching.

7. It would be incorrect to describe the March 2022 Primary Election as upcoming. The March 2022 Primary Election has already started.

8. Moving the March 2022 Primary Election this late in the process would cause significant administrative upheaval, which risks compromising the integrity and perceived integrity of Texas elections as well as imposing substantial burdens on local election authorities, Texas counties in particular.

9. To offer an example, the candidate filing period for the March 2022 Primary Election opened on November 13, 2021, and is scheduled to continue until December 13, 2021. *See* Election Advisory No. 2021-18. Multiple candidates have submitted their applications to the state or county chair of the political party, as applicable, for a place on the primary election ballot.

10. Were the court to postpone the primary election or change the district maps, a second filing period would need to be scheduled for candidates seeking public office. Candidates whose applications were accepted during the initial filing period may no longer be eligible for the office sought due to a change in district lines. In such an instance, the filing authority would subsequently reject the application as a result of the candidate's ineligibility, and the candidate could submit an application for a different office, if eligible, during the second filing period. Other candidates whose applications were accepted in the initial filing period and remain eligible for the office sought may attempt to refile due to confusion over the renewed deadline or revised districts. In addition, candidates who failed to timely submit an application in the first filing period, or whose initial applications were rejected due to a defect, may take advantage of the second filing period.

11. My deep concern about the catastrophic consequences of postponing any primary-election deadlines are based on my observations of the election changes that occurred during the 2012 redistricting cycle in addition to my experience as Director of Elections for almost a decade. In 2012, when the Western District postponed the primary, the court scheduled a second candidate filing period, which caused a great amount of confusion and discontent from candidates who saw the lines of their districts change. Additionally, at least one candidate attempted to correct the defects of her initial application using inaccurate information and was subsequently prosecuted. I anticipate similar occurrences if the court moves the March 2022 Primary date.

12. Even a minor delay or alteration of the Election Calendar at this stage would cause serious disruptions for local election authorities and voters.

13. Under the current schedule, within ten days after the candidate filing period closes—currently December 13, 2021—the county chair or the county chair's designee must conduct a drawing to determine the order that the candidates' names will appear on the general primary election ballot for each county. *See* Tex. Elec. Code § 172.082. Notice of the drawing must be posted for at least 24 consecutive hours beforehand. *See id.*

14. Once the county chair has certified the drawing, the relevant local election authority will design and proof the ballots, program the ballots into the voting machines, and conduct logic and accuracy testing to ensure that there are no errors. Logic and accuracy testing is a collection of pre-election procedures that help ensure that the voting equipment and ballots to be used in an upcoming election can properly display the ballot, collect votes, and accurately tabulate results. It also helps ensure that the candidates only appear in the districts for which they are running. As part of conducting logic and accuracy testing, the local election authority will test by hand every possible ballot combination.

15. As required by the Texas Election Code, each local election authority will conduct two logic and accuracy tests—one that is private and another that is public. Tex. Elec. Code § 129.023. For larger counties, whose election may involve hundreds, if not thousands, of ballot combinations, logic and accuracy testing can take a week or more to complete.

16. The Election Calendar does not give local election authorities much time to prepare, test, and ready the ballots between the deadline for the ballot order drawing—December 23, 2021—and the federal deadline for the mailing of ballots to voters—January 15, 2022.

17. According to the Military and Overseas Voter Empowerment ("MOVE") Act, Texas election authorities must transmit validly-requested absentee ballots to military and overseas voters no later than 45 days before a federal election, which includes the March 2022 Primary. It is my understanding that the Travis County Clerk Dana DeBeauvoir seeks to have ballots in the mail sixty days before the election day. Not all local election authorities, however, have the resources to ready their ballots in advance of the 45th-day deadline. In each election, there are multiple local election authorities that struggle to meet this deadline, only finishing their ballot preparation at the deadline.

18. If the court were to alter the Election Calendar, it would risk eliminating or reducing whatever leeway local election authorities have to ready their ballots before the 45th-day deadline. Not only could this delay impact when voters receive their mail-in ballot, but it could also cause local election authorities to violate the MOVE Act and be subject to an enforcement action. From my experience, the U.S. Department of Justice strictly enforces the MOVE Act. The Department of Justice typically contacts our office both in advance of the 45th-day deadline and after to verify compliance with the provisions of the Act.

19. Additionally, even if the local election authority were able to send out mail ballots promptly, the accelerated timetable increases the likelihood of errors by the local election authority when creating the ballot. To mitigate this risk, local election authorities would have to devote more money and resources, such as personnel, to ballot preparation.

20. The situation is further complicated by the delay in the release of Census data, which has forced the State to work on an accelerated redistricting schedule in 2021. This includes Texas counties, who have certain responsibilities under the Election Code to review and implement changes to county election precincts after the Legislature completes its redistricting work. Specifically, Election Code § 42.032 requires county commissioners courts to review county election precinct boundaries whenever Texas reapportions federal and state representative districts. If changes in county election precinct boundaries are necessary to give effect to a redistricting plan, commissioners courts must order those changes.

21. The process of drawing precinct lines can be time-consuming depending on the number of changes to district lines made in a given area by the Legislature. According to Election Code § 42.006, an election precinct must contain a set population of at least 100 but not more than 5,000 registered voters. The number may vary slightly if the county has a population under 100,000 or 50,000. In addition, the county commissioners court must

determine whether the county election precincts comply with the officer line rule, *see* § 42.005, the population rule, *see* § 42.006, and the ban on combining incorporated and unincorporated territory in a single precinct, *see* § 42.007.

22. Due to the delays in the release of Census data and the adoption of legislative redistricting plans, many Texas counties are still in the midst of drawing their election precinct lines, at the same time that they are preparing for the March 2022 Primary Election. This has increased the strain on county election administrator resources.

23. In addition, the counties have already sunk a significant amount of time, money, and manpower into drawing the new election precinct lines and preparing to send out voter registration certificates to voters, specifying their information, including their election precinct. Not only would Texas counties be unable to recoup these expenditures, but should the court order the State to adopt new district maps, the counties also would be forced to review and redraw the election precincts a second time. This would be expensive, especially because the counties would need to act on an expedited basis as the primary cannot be held until the election precincts are finalized.

24. Texas counties are less able to absorb the costs of redrawing election precincts in 2021 and 2022 than 2012. First, because the census data was not delayed during the last redistricting cycle, the courts ordered injunctive relief before counties began in earnest to coordinate the first primary election after reapportionment. Here, the March 2022 Primary Election has already started, meaning that local election authorities, including Texas counties, have assumed many of the expenditures associated with the election. Second, because of the COVID-19 pandemic, local election authorities, including Texas counties, have implemented social distancing protocols for their own operations and at polling places, which has increased the expense of conducting an election. Relatedly, the pandemic has also imposed substantial costs on Texas counties, which limits their ability to shoulder additional financial burdens.

25. There are over a hundred counties in Texas with a population of 15,000 or less. Many of those counties, and the subdivisions and political parties in those counties, do not have the means or budgets to absorb the cost of redrawing election precincts twice and organizing what would be effectively two primary elections.

26. Moving the March 2022 Primary Election could also compromise the efficient operation and administration of the November 2022 General Election.

27. Under the Election Code, "[i]f no candidate for nomination to a particular office receives the vote required for nomination in the general primary election, a runoff primary election shall be held to determine the nomination." § 172.004. In a normal election year, the runoff primary election date is the fourth Tuesday in May. *See* § 41.007. The state chair of each political party then certifies by posting on the Secretary of State's website the name and address of each primary candidate who is nominated for a statewide or district office. *See* § 172.122. And the Secretary of State, not later than the 68th day before general election day, delivers the certification to the authority responsible for having the official general

election ballot prepared in each county. *See* § 161.008.

28. For the November 8, 2022 general election, the deadline for the Secretary of State's ballot certification is September 1, 2022. This gives local election authorities about three weeks to design the ballots, program their polling machines, conduct logic and accuracy testing, and prepare ballots for delivery before the 45th-day deadline for mailing ballots to military and overseas voters. Texas local election authorities sometimes have difficulty meeting the federal deadline as is. The probability of a Texas county or other election authorities running afoul of this federal requirement would only increase if certification of the ballot was delayed for any reason.

29. The State therefore has an acute interest in ensuring that neither the primary nor the primary runoff is pushed back far enough in the calendar year that it would impede the state chair from certifying the candidates or Texas SOS from delivering the certification of the general election ballot to the local election authorities. In 2020, Governor Greg Abbott postponed the primary runoff by executive order to July 14, 2020 due to the COVID-19 pandemic. Although Texas election officials were able to meet their responsibilities under the Election Code, the overall consensus was that the mid-July runoff was about as late as the runoff could go without interfering with the efficient administration of the November election.

30. Based on my experience in 2012, changing the primary date will create considerable confusion and frustration among voters and local election officials, and may contribute to the growing lack of trust voters have in democratic institutions. Indeed, the 2012 primary election was the most chaotic and demanding primary during my tenure as Director of Elections, prior to the global pandemic. As Director of Elections in 2012, I received numerous phone calls from voters of both political parties, independents, county administrators, and elected officials who complained about the disruptions and challenges caused by moving election deadlines. Many of these voters expressed confusion about basic details concerning the election, such as when elections would be held, when voters would have to meet certain deadlines, where polling locations would be located, and who would appear on their ballot. Others called to communicate their anger and frustration that changes to the primary were being made behind closed doors without public scrutiny or accountability. Many callers expressed fear that the changes were being made to benefit one party or one candidate over another.

Executed on this 6th day of December, 2021.

Brian Keith Ingram
Director of Elections

Exhibit 11:
Declaration of Bruce Sherbet

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

LEAGUE OF UNITED LATIN AMERICAN CITIZENS, *et al.*, *Plaintiffs*, v. GREG ABBOTT, *in his official capacity as Governor of the State of Texas*, and JOHN SCOTT, *in his official capacity as Secretary of State of Texas*, *Defendants*.	§	Case No. 3:21-cv-259-DCG-JES-JVB [Lead Case]
DAMON JAMES WILSON, *Plaintiff*, v. THE STATE OF TEXAS, *et al.*, *Defendants*.	§	Case No. 1:21-cv-943-RP-JES-JVB [Consolidated Case]
VOTO LATINO, *et al.*, *Plaintiffs*, v. JOHN SCOTT, *in his official capacity as Secretary of State of Texas*, and GREG ABBOTT, *in his official capacity as Governor of the State of Texas*, *Defendants*.	§	Case No. 1:21-cv-965-RP-JES-JVB [Consolidated Case]
MEXICAN AMERICAN LEGISLATIVE CAUCUS, *Plaintiff*, v. THE STATE OF TEXAS, *et al.*, *Defendants*.	§	Case No. 1:21-cv-988-RP-JES-JVB [Consolidated Case]

ROY CHARLES BROOKS, *et al.*, *Plaintiffs*, v. GREG ABBOTT, *in his official capacity as Governor of the State of Texas*, and JOHN SCOTT, *in his official capacity as Secretary of State of Texas*, *Defendants*.	§ § § § § § § § § § §	Case No. 1:21-cv-991-LY-JES-JVB [Consolidated Case]
TEXAS STATE CONFERENCE OF THE NAACP, *Plaintiff*, v. GREG ABBOTT, *in his official capacity as Governor of the State of Texas*, and JOHN SCOTT, *in his official capacity as Secretary of State of Texas*, *Defendants*.	§ § § § § § § § § § §	Case No. 1:21-cv-1006-RP-JES-JVB [Consolidated Case]
FAIR MAPS TEXAS ACTION COMMITTEE, *et al.*, *Plaintiffs*, v. GREG ABBOTT, *in his official capacity as Governor of the State of Texas*, and JOHN SCOTT, *in his official capacity as Secretary of State of Texas*, *Defendants*.	§ § § § § § § § § § §	Case No. 1:21-cv-1038-RP-JES-JVB [Consolidated Case]

DECLARATION OF BRUCE SHERBET

I, Bruce Sherbet, pursuant to 28 U.S.C. § 1746, testify that:

1. My name is Bruce Sherbet, and I currently serve as the Elections Administrator in Collin County, Texas. I began my service in Collin County in December 2015. Prior to starting with Collin County, I served as the Dallas County Elections Administrator for 24 years and spent another two years doing the same work for Ellis County. I began working with

elections when I was 23, approximately 41 years ago.

2. My experience gives me substantial insight into the procedures, administration, and the various complexities of conducting elections in Texas.

3. I understand that redistricting legislation passed by the Texas Legislature consisting of redistricting plans for the State House, State Senate, Congress and State Board of Education have been challenged in this lawsuit. I do not have any opinion about the specifics of those bills.

4. Instead, I am offering this declaration to provide the Court with information about the impending primary election schedule and the impact a change in the election process now or in the coming weeks could have on election and election procedures. My statements are based on my experience and subject matter expertise in this field and my nearly four decades of observing conditions as they actually exist in Texas elections.

5. It takes months of preparation to conduct a primary election in Texas. Under the current calendar, the primary election scheduled for March 1, 2022. Although the actual election does not occur until that date, several other important deadlines have already passed, and several others are quickly approaching.

6. For example, the candidate filing period for the March 2022 Primary Election opened on November 13, 2021 and is scheduled to continue until December 13, 2021. Multiple candidates have submitted their application to the state or county chair of the political party in which they wish to run.

7. Primary elections are run by county chairs of a political party and there are multiple deadlines in place that account for the unique characteristics of a primary. These include the candidate filing period and the need to conduct a drawing to determine the order of candidate names on the ballot, which is not a task that has to be accomplished in the general election cycle.

8. Under the current schedule, by December 23rd, within ten days after candidate filing closes on December 13th, the county chair must conduct a drawing to determine the order that the candidates' names will appear on the general primary election ballot for each county. In accordance with the Election Code, each candidate affected by a drawing is entitled to be present or have a representative present at the drawing. In addition to the drawing, the county chair is also required to post notice of the date, time and place of the drawing 24 hours in advance.

9. Once the county chair has conducted and certified the drawing, my office will code and proof the ballots, and then send to the party chairs for their approval. After that, my office will program the ballots into the voting machines. Designing and proofing the ballot can take several days.

10. After we design and proof the ballots, we then conduct logic and accuracy testing to ensure that there are no errors. Logic and accuracy tests are protocols designed to confirm that the voting equipment and ballots are properly displayed, that they accurately collect votes, and

tabulate results. These tests also operate as a check to make sure the candidates only appear in the districts where they are running. Conducting logic and accuracy tests is a painstaking process, and takes more time for larger elections. In fact, a midterm primary election is the largest election for purposes of logic and accuracy tests because so many offices are up for election, especially local offices. Due to this fact, in Collin County, there are 248 precincts and at least 75 ballot variations, meaning there could be as many as 4,000–5,000 test ballot combinations. I estimate that it could take ten to fourteen days to conduct the logic and accuracy tests for these primary elections.

11. For Collin County, after ballots satisfy the logic and accuracy tests, mail ballots must then be printed. For smaller elections, ballots are printed as applications are received. For larger elections, ballots may be printed in bulk. This process can take up to several days, and is an ongoing obligation. Some counties also print ballots for in-person voting, in addition to absentee voting.

12. There is little time allocated in the election schedule for election officials to prepare, test, and ready the ballots between deadline for conducting and certifying the ballot order drawing and the federal deadline for when mail-in ballots must be sent to voters. Pursuant to the federal Military and Overseas Voter Empowerment Act (the "MOVE Act"), Texas election authorities must transmit absentee ballots to military and overseas voters no later than 45 days before a federal election. For the upcoming primary election, that date falls on January 15th. Like other county election officials in Texas, my goal is to set an earlier deadline to send those ballots to avoid rushing to meet the deadline, and to allow voters sufficient time to complete and return their ballots. In my experience, rushing to meet deadlines is when mistakes get made. Thus, I prefer to send absentee ballots to voters sooner than the actual deadline.

13. As I noted, I have serious concerns about any effort make changes immediately before the election. If new electoral maps are imposed, local election officials will face substantial challenges to administering the election. Such a late change would risk eliminating or reducing the short period of time local election authorities have to ready their ballots before the 45-day deadline. Difficulty in meeting the 45-day deadline, in turn, could subject counties to potential liability by the Department of Justice under the MOVE Act, which is strictly enforced by DOJ. And even if get mail-in ballots out promptly, the accelerated timetable increases the likelihood of errors by the local election authority when creating the ballot.

14. Moving the date of the primary elections would also impose substantial challenges. As an initial matter, due to the fact that the electoral process is already underway, moving the election would entail repeating many of the same preparatory work that has already been performed. This would impose costs on the counties in the form of increased personnel use. And the closer we get to election day, the greater those costs become. In addition, it is likely that voters would be confused by the election being moved.

15. In addition to the already compressed schedule, the delayed release of census numbers by the Census Bureau has also caused an additional burden on my office. My office would ordinarily have begun preparing for the election much earlier than we did this year, but we

were unable to do so because of those delays. As an example, we would ordinarily send out voter certificates—explaining to voters their precinct number and for which elections they are eligible to vote—by December 5, 2021. But we have been unable to do so because of the delays, and presently plan to send out the certificates in early January. In the event the court orders the adoption of new district maps, we would be forced to review and redraw the election precincts a second time, including recoding and retesting the ballots. If we did this, we would be required to issue corrected certificates to affected voters, which would cause substantial confusion.

16. As a result of this delay and the delay in the Texas Legislature generating redistricting legislation, we have been forced to work on a truncated schedule. Under the Election Code county commissioners' courts are tasked with reviewing county election precinct boundaries after apportionment. Because of Census population changes, precinct boundaries usually have to change as a result of growth or population movement. Pursuant to the Election Code, county commissioners court must determine whether the county election precincts comply with population and other rules set out by the Election Code.

17. In Collin County, we ended up drawing election precinct lines much later than usual. We also had to do so during a time when we were preparing for the March 2022 Primary Election. This has increased the strain on our office's resources. Our office has already spent significant time, money, and manpower into drawing the new election precinct lines and sending out voter registration certificates to voters, specifying their information, including their election precinct. These difficulties are exacerbated in Collin County by the fact that we are also conducting two special elections for municipal offices in the cities of McKinney and Frisco.

18. In addition, because the March 2022 Primary Election has already started, local election authorities, including Texas counties, have assumed many of the expenditures associated with the election, which eats into their budget. As I have said, these costs continue to grow as the election grows closer, and local officials continue to perform more preparatory work, much of which they would have to repeat if the election were moved.

19. Based on my experience as an elections administrator, changing the primary date will both impose substantial challenges on local elections administrators and will confuse voters. Those burdens and that confusion will be greatly compounded if new electoral maps are imposed on the counties.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 6, 2021

Bruce Sherbet

Bruce Sherbet
Collin County Elections Administrator

Exhibit 12:
Declaration of David Blackburn

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

LEAGUE OF UNITED LATIN AMERICAN CITIZENS, *et al.*, *Plaintiffs*, v. GREG ABBOTT, *in his official capacity as Governor of the State of Texas*, and JOHN SCOTT, *in his official capacity as Secretary of State of Texas*, *Defendants*.	§ § § § § § § § § §	Case No. 3:21-cv-259-DCG-JES-JVB [Lead Case]
DAMON JAMES WILSON, *Plaintiff*, v. THE STATE OF TEXAS, *et al.*, *Defendants*.	§ § § § § §	Case No. 1:21-cv-943-RP-JES-JVB [Consolidated Case]
VOTO LATINO, *et al.*, *Plaintiffs*, v. JOHN SCOTT, *in his official capacity as Secretary of State of Texas*, and GREG ABBOTT, *in his official capacity as Governor of the State of Texas*, *Defendants*.	§ § § § § § § § §	Case No. 1:21-cv-965-RP-JES-JVB [Consolidated Case]
MEXICAN AMERICAN LEGISLATIVE CAUCUS, *Plaintiff*, v. THE STATE OF TEXAS, *et al.*, *Defendants*.	§ § § § § § §	Case No. 1:21-cv-988-RP-JES-JVB [Consolidated Case]

ROY CHARLES BROOKS, *et al.*, *Plaintiffs*, v. GREG ABBOTT, *in his official capacity as Governor of the State of Texas*, and JOHN SCOTT, *in his official capacity as Secretary of State of Texas*, *Defendants*.	§ § § § § § § § § §	Case No. 1:21-cv-991-LY-JES-JVB [Consolidated Case]
TEXAS STATE CONFERENCE OF THE NAACP, *Plaintiff*, v. GREG ABBOTT, *in his official capacity as Governor of the State of Texas*, and JOHN SCOTT, *in his official capacity as Secretary of State of Texas*, *Defendants*.	§ § § § § § § § § §	Case No. 1:21-cv-1006-RP-JES-JVB [Consolidated Case]
FAIR MAPS TEXAS ACTION COMMITTEE, *et al.*, *Plaintiffs*, v. GREG ABBOTT, *in his official capacity as Governor of the State of Texas*, and JOHN SCOTT, *in his official capacity as Secretary of State of Texas*, *Defendants*.	§ § § § § § § § § §	Case No. 1:21-cv-1038-RP-JES-JVB [Consolidated Case]

DECLARATION OF DAVID BLACKBURN

I, David Blackburn, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following testimony is true and correct to the best of my knowledge and belief:

1. My name is David Blackburn. I am over the age of 18 and competent to make this declaration. I am the elected County Judge for Bell County—a position that I have occupied since January 2019. Prior to my election, I served as City Manager for both the City of Temple and the City of Killeen. I also spent over a decade as a City Attorney in multiple municipalities across Texas. All totaled, my career in local government has spanned nearly 30 years.

2. The County Judge is both the presiding officer of the Commissioners Court and the Judge of the County Court. *See* Tex. Const. Art. V, § 15, 18). The duties of the County Judge can vary depending on the population. In Bell County, the County Judge presides over the Commissioners Court, performs various judicial duties, and discharges specific statutory duties related to elections, finance, and general administration. The County Judge is often thought of as the chief executive officer of the county.

3. Texas counties have certain responsibilities under the Election Code to review and implement changes to county election precincts once the state has adopted new legislative maps following reapportionment. § 42.032. If changes in county election precinct boundaries are necessary to give effect to a redistricting plan, the Election Code tasks the Commissioners Courts with ordering those changes.

4. The Commissioners Court must abide by certain standards stipulated in the Election Code when fashioning the county's election precincts. For example, an election precinct must contain a set population of at least 100 but not more than 5,000 registered voters, with limited exceptions. TEX. ELEC. CODE § 42.006. In Bell County, the Commissioners Court typically draws election precincts in the middle of that range, usually between 2,500 and 3,000 registered voters, to give the precinct room for growth.

5. In addition, the county Commissioners Court must ensure that the election precincts: are compact and contiguous, *Id.* at § 42.001; comply with the officer line rule, which precludes election precinct that contain multiple districts of select state and federal races; *Id.* at § 42.005; do not combine incorporated and unincorporated territory, *Id.* at § 42.007; and that any combined precincts do not dilute the voting strength, representation, or motivation to vote of any group covered by the Voting Rights Act. *Id.* at § 42.0051. Because Bell County has a population greater than 175,000, the Commissioners Court also considers the availability of buildings to use as polling places. *Id.* at § 42.001.

6. On top of these statutory requirements, Bell County must consider prudential concerns when drawing election precincts, such as being cognizant of municipal lines, adhering to natural and manmade boundaries, keeping communities of interest intact, and retaining the character of election precincts from census to census. To facilitate these aims, Bell County entered into an interlocal agreement with the City of Killeen, the City of Temple, and the Temple Independent School District to better coordinate and collaborate each respective entities redistricting efforts.

7. Ordinarily, Bell County would have sought to confirm its election precinct boundaries by early Fall so that its review did not overlap with the county's preparation of the March 2022 Primary. But the U.S. Census Bureau's failure to publish the census numbers on time forced Bell County to operate on a compressed schedule. Therefore, Bell County did not even start its review of its election precincts until the day the U.S. Census Bureau released the finalized census figures in mid-September. It approved the new precinct lines just last week, at the December 6, 2021 meeting of the Commissioners Court.

8. In light of the amount of time it takes to confirm its election precincts, in the event of any change in district lines, Bell County would face extreme challenges in redrawing its

election precinct lines in time for the March 1, 2022, primary election if the State's redistricting maps were set aside. In fact, Bell County is not sure we would be able to do such.

9. Drawing election precincts is not a simple process. Not only does it require the county to examine the county's population at the census block level, but the county must then divide the territory into contiguous and compact districts that correspond with the legislative maps, comply with statutory standards, and advance the interests of voters and the ease of administration, all while remaining transparent and inviting public input. It's hard to see how meaningful public input would occur if the State's maps were set aside and the March 1 primary date remained in place. The entire process takes weeks, even when the county acts on an expedited basis like we did this fall.

10. The process of drawing election precincts is even more challenging for high growth areas, such as Bell County. According to the latest census, Bell County has added over 60,000 new residents in the last ten years, jumping from a population of 310,235 in 2010 to a population of 370,647 in 2020. Because of this growth, the Legislature made significant alterations to the state house lines in Bell County, which the Commissioners Court had to incorporate into its election precinct map.

11. Furthermore, Bell County's added population pushed a number of Bell County's election precincts over statutory limit. The county had to add 14 new election precincts to account for the change, bringing its total to 62. The addition of new election precincts has a rippling effect throughout the precinct map, meaning that the Commissioners Court had to conduct a countywide review rather than focusing on isolated areas.

12. Because of the complexity involved in creating election precincts, Bell County entered into a contract with Bickerstaff Heath Delgado Acosta LLP ("Bickerstaff LLP") to help oversee the county's efforts and ensure compliance with state and federal law. The county depends on Bickerstaff LLP not only for the firm's legal expertise but also to provide the software that enables map drawers to analyze the county's population and assign them to an appropriate precinct.

13. I am deeply concerned that if for any reason new electoral maps were adopted by the court or anyone else were set aside, that it would have serious repercussions for Bell County and, more crucially, Bell County residents and voters.

14. First, Bell County has already reviewed, revised, and adopted its election precincts and therefore has already assumed the expenditures associated with redrawing precinct lines, such as retaining outside counsel. Should this court impose new district maps, Bell County would have to start the process over and absorb any ensuing costs from its unallocated fund balance since the county did not allocate in its budget funds sufficient for the creation of two election precinct maps.

15. Second, as I explained above, designing county election precincts to conform with state legislative maps is a lengthy process that takes weeks to perform. There are few shortcuts, and what shortcuts do exist all have an adverse effect on the voter since they involve the county satisfying the legal minimum instead of effort taking all possible steps to mitigate

sources of voter confusion and inconvenience or invite public feedback.

16. To illustrate how this works in practice, Texas law bars counties from housing multiple districts of certain state and federal offices in a single election precinct, but it has no equivalent requirement for local races. Nevertheless, Bell County took special care this year to ensure that the county's election precincts aligned with municipal election districts. Thus, where previous maps cut single member districts, the map adopted on December 6 by the Commissioners Court keeps them intact.

17. Having election precincts conform to municipal single member district benefits voters greatly. It reduces the possibility of voter confusion, and it eases election administration as all voters in the election precinct will utilize the same ballot format for every election. The process of obtaining this benefit, however, adds to the time that it takes the county to complete its review. Should any changes in the new redistricting maps occur before the primary election date, the county would have to reconstruct the boundaries of its election precinct on a shorter timetable. It is unlikely that the county would be able to do the level of analysis necessary to align its election precincts with municipal districts. The same is true of the other prudential concerns that the Commissioners Court considers in its evaluation. *See supra* ¶ 5.

18. Furthermore, Bell County did its best to ensure that stakeholders had the opportunity to participate in the map drawing process, both before and after Bickerstaff LLP proposed its findings. To that end, the Commissioners Court held a special workshop on Tuesday, October 5, 2021. Members of the community were invited to offer public comment. The Commissioners Court then extended the invitation for public testimony whenever the election precinct map was on the Commissioners Court's agenda.

19. Because of the Open Meeting Act, Bell County would need between 45 to 60 days, at minimum, to organize similar opportunities for public comment on any new election precinct map. It is my understanding that if this court orders changes to the state legislative districts, the counties will likely not have that long to make the necessary changes to their election precincts on account of the election calendar. If that is the case, then imposition of new district maps would foreclose Bell County residents from participating in the creation of new election maps. Not only would this make the process far less democratic, but it deprives Bell County of the opportunity to make the election precinct map responsive to voters' needs.

Executed on this 20th day of December, 2021.

David Blackburn
Bell County Judge

Exhibit 13:
Declaration of Leif Olson

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

LEAGUE OF UNITED LATIN AMERICAN CITIZENS, *et al.* *Plaintiffs,* v. GREG ABBOTT, *et al.*, *Defendants.*	§ § § § § § §	Case No. 3:21-cv-00259 [Lead Case]
ROY CHARLES BROOKS, *et al.* *Plaintiffs,* v. GREG ABBOTT, *et al.*, *Defendants.*	§ § § § § §	Case No. 1:21-cv-00991 [Consolidated Case]

DECLARATION OF LEIF OLSON

1. My name is Leif Olson. I am over the age of 18 and competent to make this declaration. I am Special Counsel in the Special Litigation Unit of the Office of the Attorney General and am one of the attorneys representing the State Defendants in this case. The exhibits I refer to in this declaration are exhibits to the State Defendants' Opposition to the Brooks Plaintiffs' Motion for Preliminary Injunction. Each statement in this declaration is within my personal knowledge.

2. Exhibit 14 is a true and correct copy of an excerpt from the Secretary of State's race summary report for the 2014 Republican Primary Election.

3. Exhibit 15 is a true and correct copy of an excerpt from the Secretary of State's race summary report for the 2018 Republican Primary Election.

4. Exhibit 16 is a true and correct copy of excerpts from the 2020 Election Analysis of benchmark House districts (Plan H2100) from the data files associated with that map available on the Texas Legislative Council's redistricting website.

5. Exhibit 17 is a true and correct copy of excerpts from the 2020 Election Analysis of current House districts (Plan H2316) from the data files associated with that map available on the Texas Legislative Council's redistricting website.

6. Exhibit 18 is a true and correct copy of the September 27, 2021, *New York Times* article, "Texas Republicans propose a new congressional map that aims to protect the party's incumbents."

7. Exhibit 19 is a true and correct copy of the October 25, 2021, *Texas Tribune* article, "Gov. Greg Abbott signs off on Texas' new political maps, which protect GOP majorities while diluting voices of voters of color".

8. Exhibit 20 is a true and correct copy of the October 7, 2021, *Texas Tribune* article, "Weighing reelection bid, GOP Texas Sen. Kel Seliger confronts redrawn district, Trump endorsement of primary challenger".

9. Exhibit 21 is a true and correct copy of the January 22, 2019, *Texas Tribune* article, "Lt. Gov. Dan Patrick pulls Sen. Kel Seliger's chairmanship after Seliger suggested Patrick aide kiss his 'back end'".

10. Exhibit 22 is a true and correct copy of the October 20, 2021, *Amarillo Pioneer* article, "Seliger Calls It Quits: Republican Senator Not Seeking Re-election".

11. Exhibit 23 is a true and correct copy of pages 51–59 of the Senate Journal for the Third Called Session of the 87th Texas Legislature.

12. Exhibit 24 is a true and correct copy of the landing page for the Decennial Census Redistricting Data on the website of the U.S. Census Bureau.

13. Exhibit 25 is a true and correct copy of Governor Greg Abbott's September 7, 2021, proclamation of the Third Called Session of the 87th Texas Legislature.

14. Exhibit 26 is a true and correct copy of the RedAppl District Election Analysis of benchmark SD10 for the 2020 general election.

15. Exhibit 27 is a true and correct copy of the RedAppl District Election Analysis of current SD10 for the 2020 general election.

16. Exhibit 28 is a true and correct copy of the RedAppl 2012–2020 Election Analysis of benchmark SD10.

17. Exhibit 29 is a true and correct copy of excerpts of the RedAppl District Population Analysis for benchmark SD10.

18. Exhibit 30 is a true and correct copy of the June 4, 2021, *Texas Tribune* article, "Republican state Sen. Dawn Buckingham running for Texas Land Commissioner".

19. Exhibit 31 is a true and correct copy of the September 21, 2021, *Texas Tribune* article, "After losing to a Democrat in 2020, former GOP state Sen. Pete Flores seeks election in newly drawn Republican district".

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Dated December 20, 2021.

Leif Olson

Exhibit 14:
2014 Republican Primary Election, SD31

Office of the Secretary of State

Race Summary Report

2014 Republican Party Primary Election

3/4/2014

RACE NAME	PARTY	CANVASS VOTES	PERCENT
U. S. Senator			
Curt Cleaver	REP	12,325	0.94%
Ken Cope	REP	34,409	2.62%
John Cornyn(I)	REP	781,259	59.43%
Chris Mapp	REP	23,535	1.79%
Reid Reasor	REP	20,600	1.57%
Steve Stockman	REP	251,577	19.14%
Dwayne Stovall	REP	140,794	10.71%
Linda Vega	REP	50,057	3.81%

	Race Total	1,314,556	

U. S. Representative District 1			
Louie Gohmert(I)	REP	57,830	100.00%

	Race Total	57,830	

U. S. Representative District 2			
Ted Poe(I)	REP	34,863	100.00%

	Race Total	34,863	

U. S. Representative District 3			
Cami Dean	REP	2,435	6.29%
Sam Johnson(I)	REP	31,178	80.56%
Josh Loveless	REP	2,086	5.39%
Harry Pierce	REP	3,004	7.76%

	Race Total	38,703	

U. S. Representative District 4			

State Senator, District 25			
Donna Campbell(I)	REP	40,867	55.41%
Elisa Chan	REP	17,916	24.29%
Mike Novak	REP	14,973	20.30%
	Race Total	73,756	
State Senator, District 30			
Craig Estes(I)	REP	57,911	100.00%
	Race Total	57,911	
State Senator, District 31			
Mike Canon	REP	33,252	47.48%
Kel Seliger(I)	REP	36,777	52.52%
	Race Total	70,029	
State Representative District 1			
George Lavender(I)	REP	7,903	45.66%
Gary VanDeaver	REP	9,406	54.34%
	Race Total	17,309	
State Representative District 2			
Dan Flynn(I)	REP	13,903	100.00%
	Race Total	13,903	
State Representative District 3			
Cecil Bell Jr.(I)	REP	11,761	100.00%
	Race Total	11,761	
State Representative District 4			
Lance Gooden(I)	REP	8,089	48.96%
Stuart Spitzer	REP	8,434	51.04%
	Race Total	16,523	
State Representative District 5			
Bryan Hughes(I)	REP	12,557	100.00%

Exhibit 15:
2018 Republican Primary Election, SD31

Office of the Secretary of State

Race Summary Report

2018 Republican Party Primary Election

3/6/2018

RACE NAME	PARTY	CANVASS VOTES	PERCENT
U. S. Senator -			
Ted Cruz(I)	REP	1,322,724	85.36%
Stefano de Stefano	REP	44,456	2.87%
Bruce Jacobson, Jr.	REP	64,791	4.18%
Mary Miller	REP	94,715	6.11%
Geraldine Sam	REP	22,887	1.48%

	Race Total	1,549,573	

U. S. Representative District 1 -			
Anthony Culler	REP	6,526	8.97%
Louie Gohmert(I)	REP	64,241	88.33%
Roshin Rowjee	REP	1,962	2.70%

	Race Total	72,729	

U. S. Representative District 2 -			
David Balat	REP	348	0.75%
Dan Crenshaw	REP	12,679	27.42%
Jonny Havens	REP	936	2.02%
Justin L. Lurie	REP	425	0.92%
Kevin Roberts	REP	15,273	33.03%
Jon Spiers	REP	418	0.90%
Rick Walker	REP	3,320	7.18%
Kathaleen Wall	REP	12,524	27.08%
Malcolm Whittaker	REP	322	0.70%

	Race Total	46,245	

U. S. Representative District 3 -			
Alex Donkervoet	REP	3,197	5.93%

George W. Hindman	REP	24,168	100.00%
	Race Total	24,168	

State Senator, District 15 -

Randy Orr	REP	17,057	100.00%
	Race Total	17,057	

State Senator, District 16 -

Don Huffines(I)	REP	30,311	100.00%
	Race Total	30,311	

State Senator, District 17 -

Joan Huffman(I)	REP	36,830	72.67%
Kristin Tassin	REP	13,849	27.33%
	Race Total	50,679	

State Senator, District 25 -

Donna Campbell(I)	REP	59,143	73.75%
Shannon K. McClendon	REP	21,055	26.25%
	Race Total	80,198	

State Senator, District 30 -

Craig Carter	REP	13,371	15.39%
Craig Estes(I)	REP	19,641	22.60%
Pat Fallon	REP	53,881	62.01%
	Race Total	86,893	

State Senator, District 31 -

Mike Canon	REP	25,335	31.41%
Victor Leal	REP	14,671	18.19%
Kel Seliger(I)	REP	40,664	50.41%
	Race Total	80,670	

State Representative District 1 -

Gary VanDeaver(I)	REP		0.00%
	Race Total		

Exhibit 16:
Election Analysis, H2100, 2020 General Election

Red-206
Data: 2020 Census
PLANH2100 08/02/2021 4:29:39 PM

Election Analysis

HOUSE DISTRICTS - PLANH2100
2020 General Election

	Total Voter Registration		Turnout	
District	**Total**	**SSVR-T**	**Total**	**TO/VR**
STATE	**16,960,107**	**24.0 %**	**11,355,339**	**67.0 %**
1	109,158	2.7 %	70,562	64.6 %
2	122,319	6.5 %	80,790	66.0 %
3	134,194	12.6 %	93,664	69.8 %
4	127,155	9.1 %	87,552	68.9 %
5	111,411	7.4 %	75,728	68.0 %
6	109,018	8.4 %	74,993	68.8 %
7	101,173	5.6 %	66,960	66.2 %
8	95,070	9.1 %	62,114	65.3 %
9	114,571	3.6 %	75,880	66.2 %
10	129,275	13.8 %	91,829	71.0 %
11	100,278	7.9 %	67,749	67.6 %
12	100,158	12.9 %	65,664	65.6 %
13	119,655	10.6 %	86,397	72.2 %
14	96,326	15.7 %	65,753	68.3 %
15	147,940	9.4 %	110,754	74.9 %
16	125,729	11.8 %	89,810	71.4 %
17	109,803	25.0 %	73,000	66.5 %
18	100,299	10.0 %	65,633	65.4 %
19	127,547	3.7 %	83,389	65.4 %
20	150,659	10.2 %	115,364	76.6 %
21	114,296	7.6 %	77,193	67.5 %
22	89,173	7.7 %	54,355	61.0 %
23	125,075	15.8 %	80,655	64.5 %
24	133,937	12.3 %	96,740	72.2 %
25	107,208	21.0 %	69,887	65.2 %
26	118,037	11.4 %	89,320	75.7 %
27	121,891	13.0 %	87,515	71.8 %
28	164,258	13.2 %	126,298	76.9 %
29	138,416	18.3 %	98,898	71.4 %
30	110,559	30.2 %	69,957	63.3 %
31	106,776	74.1 %	59,735	55.9 %

For technical reasons, election results in Texas Legislative Council reports may vary slightly from the official election results. Complete official results for all elections are maintained by the Office of the Texas Secretary of State.
SSVR-T = Total Spanish surname voter registration

Election Analysis

HOUSE DISTRICTS - PLANH2100
2020 General Election

	Total Voter Registration		Turnout	
District	**Total**	**SSVR-T**	**Total**	**TO/VR**
32	111,529	39.3 %	71,250	63.9 %
33	163,045	8.5 %	124,146	76.1 %
34	99,855	61.9 %	56,848	56.9 %
35	82,293	78.5 %	47,115	57.3 %
36	85,586	83.4 %	46,646	54.5 %
37	86,277	78.9 %	42,368	49.1 %
38	94,356	79.8 %	51,813	54.9 %
39	86,107	83.7 %	47,612	55.3 %
40	81,984	85.2 %	44,775	54.6 %
41	93,189	72.3 %	57,903	62.1 %
42	92,354	86.3 %	47,460	51.4 %
43	104,406	57.6 %	60,362	57.8 %
44	145,992	25.5 %	103,048	70.6 %
45	162,587	22.8 %	117,440	72.2 %
46	117,464	19.8 %	77,898	66.3 %
47	180,244	8.9 %	141,663	78.6 %
48	146,471	14.4 %	110,857	75.7 %
49	155,452	11.6 %	107,637	69.2 %
50	138,011	16.1 %	98,151	71.1 %
51	122,106	31.7 %	76,490	62.6 %
52	141,055	18.0 %	102,228	72.5 %
53	123,444	21.2 %	89,157	72.2 %
54	125,441	12.7 %	73,850	58.9 %
55	105,921	13.5 %	64,616	61.0 %
56	110,202	12.9 %	75,933	68.9 %
57	103,612	8.3 %	69,184	66.8 %
58	118,934	10.9 %	81,628	68.6 %
59	99,810	11.0 %	64,358	64.5 %
60	123,277	8.5 %	86,211	69.9 %
61	149,417	7.0 %	108,899	72.9 %
62	112,874	5.1 %	77,416	68.6 %
63	147,714	7.8 %	113,106	76.6 %
64	127,284	11.2 %	90,868	71.4 %

For technical reasons, election results in Texas Legislative Council reports may vary slightly from the official election results. Complete official results for all elections are maintained by the Office of the Texas Secretary of State.
SSVR-T = Total Spanish surname voter registration

Election Analysis

HOUSE DISTRICTS - PLANH2100
2020 General Election

	PRESIDENT										U.S. SEN								RR COMM 1	
District	Biden-D		Trump-R		Jorgensen-L		Hawkins-G		Write-In-W		Cornyn-R		Hegar-D		McKennon-L		Collins-G		Castaneda-D	
STATE	**5,257,513**	**46.5 %**	**5,889,022**	**52.0 %**	**126,212**	**1.1 %**	**33,378**	**0.3 %**	**10,927**	**0.1 %**	**5,961,643**	**53.5 %**	**4,887,309**	**43.9 %**	**209,623**	**1.9 %**	**81,753**	**0.7 %**	**4,791,167**	**43.6 %**
1	17,162	24.4 %	52,429	74.5 %	538	0.8 %	132	0.2 %	92	0.1 %	51,831	74.5 %	16,552	23.8 %	868	1.2 %	284	0.4 %	15,871	23.0 %
2	15,468	19.2 %	64,152	79.7 %	752	0.9 %	135	0.2 %	25	0.0 %	63,395	79.8 %	14,526	18.3 %	1,146	1.4 %	411	0.5 %	14,018	17.9 %
3	22,950	24.5 %	69,479	74.2 %	996	1.1 %	225	0.2 %	14	0.0 %	69,032	74.5 %	21,496	23.2 %	1,692	1.8 %	414	0.4 %	20,808	22.7 %
4	24,280	27.8 %	61,896	71.0 %	762	0.9 %	205	0.2 %	51	0.1 %	61,816	71.3 %	23,036	26.6 %	1,391	1.6 %	494	0.6 %	22,563	26.1 %
5	15,680	20.8 %	59,068	78.2 %	619	0.8 %	151	0.2 %	8	0.0 %	58,375	78.1 %	15,100	20.2 %	988	1.3 %	313	0.4 %	14,408	19.4 %
6	24,200	32.5 %	49,253	66.1 %	886	1.2 %	192	0.3 %	0	0.0 %	49,766	66.9 %	23,133	31.1 %	1,158	1.6 %	336	0.5 %	22,216	30.0 %
7	17,673	26.4 %	48,302	72.2 %	730	1.1 %	135	0.2 %	34	0.1 %	47,937	72.5 %	16,829	25.4 %	1,107	1.7 %	259	0.4 %	16,076	24.5 %
8	13,551	21.8 %	47,827	77.1 %	487	0.8 %	119	0.2 %	44	0.1 %	47,327	77.1 %	12,854	20.9 %	876	1.4 %	361	0.6 %	12,467	20.4 %
9	16,828	22.3 %	58,043	76.9 %	541	0.7 %	89	0.1 %	24	0.0 %	57,088	76.6 %	16,278	21.8 %	908	1.2 %	249	0.3 %	15,360	20.8 %
10	28,750	31.4 %	61,356	67.0 %	984	1.1 %	236	0.3 %	239	0.3 %	61,628	67.8 %	26,923	29.6 %	1,685	1.9 %	623	0.7 %	26,233	29.1 %
11	17,839	26.4 %	49,013	72.4 %	618	0.9 %	169	0.2 %	50	0.1 %	48,682	72.7 %	17,000	25.4 %	1,022	1.5 %	300	0.4 %	15,965	24.1 %
12	21,988	33.6 %	42,483	65.0 %	716	1.1 %	166	0.3 %	31	0.0 %	42,329	65.8 %	20,383	31.7 %	1,190	1.9 %	384	0.6 %	19,524	30.8 %
13	18,236	21.2 %	67,019	77.8 %	661	0.8 %	151	0.2 %	99	0.1 %	66,389	77.8 %	17,446	20.5 %	1,133	1.3 %	321	0.4 %	17,080	20.2 %
14	30,206	45.9 %	33,705	51.3 %	1,525	2.3 %	205	0.3 %	107	0.2 %	35,293	54.3 %	27,443	42.2 %	1,843	2.8 %	389	0.6 %	25,862	40.6 %
15	39,765	35.9 %	69,264	62.5 %	1,451	1.3 %	226	0.2 %	43	0.0 %	71,421	64.9 %	36,136	32.9 %	1,948	1.8 %	491	0.4 %	34,465	31.9 %
16	19,826	22.1 %	68,872	76.7 %	920	1.0 %	157	0.2 %	35	0.0 %	68,264	77.0 %	18,323	20.7 %	1,598	1.8 %	423	0.5 %	17,629	20.2 %
17	27,078	37.2 %	44,397	61.0 %	873	1.2 %	223	0.3 %	164	0.2 %	44,173	61.3 %	26,169	36.3 %	1,272	1.8 %	409	0.6 %	25,686	36.0 %
18	16,006	24.4 %	48,838	74.4 %	606	0.9 %	131	0.2 %	51	0.1 %	48,031	74.1 %	15,344	23.7 %	1,150	1.8 %	323	0.5 %	15,060	23.4 %
19	14,391	17.3 %	68,049	81.8 %	638	0.8 %	100	0.1 %	37	0.0 %	66,263	81.0 %	14,039	17.2 %	1,200	1.5 %	338	0.4 %	12,770	15.7 %
20	35,731	31.0 %	77,463	67.3 %	1,485	1.3 %	222	0.2 %	195	0.2 %	77,590	68.5 %	33,275	29.4 %	1,990	1.8 %	446	0.4 %	31,308	28.0 %
21	16,794	21.9 %	59,080	76.9 %	827	1.1 %	122	0.2 %	31	0.0 %	57,820	76.5 %	16,232	21.5 %	1,244	1.6 %	304	0.4 %	15,426	20.6 %
22	35,636	66.1 %	17,676	32.8 %	446	0.8 %	128	0.2 %	13	0.0 %	17,828	33.6 %	34,129	64.4 %	746	1.4 %	300	0.6 %	33,412	63.9 %
23	33,007	41.0 %	46,252	57.5 %	911	1.1 %	212	0.3 %	87	0.1 %	45,740	57.7 %	31,381	39.6 %	1,544	1.9 %	610	0.8 %	30,816	39.3 %
24	29,823	30.9 %	65,012	67.4 %	1,252	1.3 %	231	0.2 %	184	0.2 %	65,614	68.7 %	27,492	28.8 %	1,878	2.0 %	469	0.5 %	26,430	28.1 %
25	20,010	28.7 %	48,784	69.9 %	842	1.2 %	165	0.2 %	12	0.0 %	48,060	69.8 %	18,983	27.6 %	1,473	2.1 %	376	0.5 %	18,693	27.4 %
26	45,192	50.9 %	42,349	47.7 %	742	0.8 %	278	0.3 %	269	0.3 %	43,650	50.8 %	40,478	47.1 %	1,264	1.5 %	506	0.6 %	39,238	46.6 %
27	61,243	70.3 %	24,802	28.5 %	593	0.7 %	307	0.4 %	214	0.2 %	25,286	29.9 %	57,257	67.7 %	1,319	1.6 %	678	0.8 %	57,031	68.2 %
28	60,101	47.8 %	63,906	50.8 %	1,190	0.9 %	309	0.2 %	343	0.3 %	65,387	53.4 %	54,571	44.6 %	1,827	1.5 %	573	0.5 %	53,363	44.3 %
29	45,951	46.5 %	51,494	52.1 %	1,133	1.1 %	285	0.3 %	35	0.0 %	52,292	53.4 %	43,327	44.2 %	1,768	1.8 %	565	0.6 %	42,256	43.8 %
30	18,923	27.1 %	50,100	71.7 %	599	0.9 %	174	0.2 %	66	0.1 %	49,336	72.0 %	17,902	26.1 %	981	1.4 %	320	0.5 %	17,629	26.0 %
31	25,315	42.9 %	33,101	56.1 %	340	0.6 %	171	0.3 %	38	0.1 %	28,980	53.4 %	23,609	43.5 %	958	1.8 %	756	1.4 %	24,700	46.5 %
32	31,699	44.7 %	38,011	53.6 %	910	1.3 %	213	0.3 %	140	0.2 %	38,322	54.8 %	29,613	42.3 %	1,483	2.1 %	531	0.8 %	28,939	42.2 %

For technical reasons, election results in Texas Legislative Council reports may vary slightly from the official election results. Complete official results for all elections are maintained by the Office of the Texas Secretary of State.
SSVR-T = Total Spanish surname voter registration

Red-206
Data: 2020 Census
PLANH2100 08/02/2021 4:29:39 PM

Election Analysis

Texas Legislative Council
08/29/21 3:04 PM

HOUSE DISTRICTS - PLANH2100
2020 General Election

District	RR COMM 1						SUP CT CHIEF						SUP CT 6				SUP CT 7			
	Wright-R		Sterett-L		Gruene-G		Hecht-R		Meachum-D		Ash-L		Bland-R		Cheng-D		Boyd-R		Strange-L	
STATE	**5,830,003**	**53.0 %**	**247,568**	**2.3 %**	**129,588**	**1.2 %**	**5,825,773**	**53.0 %**	**4,892,131**	**44.5 %**	**277,432**	**2.5 %**	**6,049,262**	**55.2 %**	**4,902,218**	**44.8 %**	**5,842,276**	**53.3 %**	**256,665**	**2.3 %**
1	51,614	74.9 %	1,071	1.6 %	383	0.6 %	51,006	74.1 %	16,646	24.2 %	1,136	1.7 %	52,160	76.0 %	16,478	24.0 %	51,417	74.6 %	994	1.4 %
2	62,412	79.6 %	1,486	1.9 %	474	0.6 %	62,479	79.8 %	14,377	18.4 %	1,479	1.9 %	63,632	81.8 %	14,184	18.2 %	62,235	80.0 %	1,439	1.8 %
3	68,138	74.4 %	1,991	2.2 %	650	0.7 %	68,474	74.7 %	21,210	23.1 %	2,030	2.2 %	70,362	76.9 %	21,101	23.1 %	68,607	75.0 %	1,827	2.0 %
4	61,399	71.1 %	1,784	2.1 %	590	0.7 %	61,397	71.0 %	23,265	26.9 %	1,772	2.1 %	62,994	73.1 %	23,138	26.9 %	61,617	71.4 %	1,612	1.9 %
5	58,048	78.3 %	1,317	1.8 %	375	0.5 %	57,739	77.9 %	15,080	20.3 %	1,297	1.7 %	58,985	79.8 %	14,955	20.2 %	58,001	78.3 %	1,191	1.6 %
6	49,596	67.1 %	1,624	2.2 %	515	0.7 %	49,355	66.6 %	23,211	31.3 %	1,530	2.1 %	50,764	68.6 %	23,198	31.4 %	49,556	66.9 %	1,561	2.1 %
7	47,700	72.8 %	1,354	2.1 %	381	0.6 %	47,205	72.0 %	16,903	25.8 %	1,435	2.2 %	48,599	74.3 %	16,836	25.7 %	47,487	72.5 %	1,373	2.1 %
8	47,143	77.3 %	1,080	1.8 %	334	0.5 %	46,865	77.0 %	12,920	21.2 %	1,078	1.8 %	47,893	78.9 %	12,802	21.1 %	47,012	77.3 %	998	1.6 %
9	57,093	77.3 %	1,103	1.5 %	341	0.5 %	56,414	76.3 %	16,319	22.1 %	1,163	1.6 %	57,437	78.3 %	15,947	21.7 %	56,425	76.8 %	1,037	1.4 %
10	61,123	67.7 %	2,178	2.4 %	718	0.8 %	61,058	67.6 %	27,091	30.0 %	2,189	2.4 %	62,952	70.0 %	27,042	30.0 %	61,220	68.0 %	2,062	2.3 %
11	48,404	73.2 %	1,287	1.9 %	492	0.7 %	47,903	72.3 %	17,017	25.7 %	1,329	2.0 %	49,239	74.5 %	16,872	25.5 %	48,217	72.9 %	1,201	1.8 %
12	41,946	66.2 %	1,337	2.1 %	524	0.8 %	41,524	65.4 %	20,565	32.4 %	1,359	2.1 %	42,805	67.8 %	20,353	32.2 %	41,823	66.0 %	1,273	2.0 %
13	65,558	77.6 %	1,320	1.6 %	480	0.6 %	65,543	77.8 %	17,329	20.6 %	1,353	1.6 %	66,965	79.9 %	16,886	20.1 %	65,686	78.1 %	1,298	1.5 %
14	34,557	54.3 %	2,287	3.6 %	922	1.4 %	34,254	53.6 %	27,310	42.7 %	2,397	3.7 %	36,047	56.7 %	27,539	43.3 %	34,416	54.1 %	2,395	3.8 %
15	69,884	64.7 %	2,708	2.5 %	979	0.9 %	70,452	65.0 %	35,295	32.6 %	2,617	2.4 %	72,742	67.4 %	35,170	32.6 %	70,248	65.0 %	2,509	2.3 %
16	67,388	77.0 %	1,844	2.1 %	606	0.7 %	67,668	77.2 %	18,075	20.6 %	1,895	2.2 %	69,370	79.4 %	17,983	20.6 %	67,678	77.4 %	1,768	2.0 %
17	43,205	60.5 %	1,679	2.4 %	807	1.1 %	42,962	60.2 %	26,362	37.0 %	2,000	2.8 %	44,852	63.2 %	26,075	36.8 %	43,510	61.1 %	1,783	2.5 %
18	47,576	73.9 %	1,265	2.0 %	436	0.7 %	47,611	74.0 %	15,405	23.9 %	1,339	2.1 %	48,811	76.1 %	15,324	23.9 %	47,610	74.2 %	1,235	1.9 %
19	66,868	82.4 %	1,185	1.5 %	360	0.4 %	65,753	81.3 %	13,805	17.1 %	1,295	1.6 %	67,167	83.4 %	13,390	16.6 %	66,013	81.7 %	1,195	1.5 %
20	76,453	68.5 %	2,845	2.5 %	1,036	0.9 %	74,883	68.3 %	31,888	29.1 %	2,799	2.6 %	79,365	71.5 %	31,635	28.5 %	76,406	68.9 %	2,677	2.4 %
21	57,509	77.0 %	1,354	1.8 %	418	0.6 %	56,724	75.8 %	16,621	22.2 %	1,449	1.9 %	58,361	78.2 %	16,256	21.8 %	57,253	76.6 %	1,289	1.7 %
22	17,567	33.6 %	877	1.7 %	443	0.8 %	17,100	32.6 %	34,455	65.7 %	914	1.7 %	17,860	34.1 %	34,508	65.9 %	17,169	32.7 %	814	1.6 %
23	44,968	57.4 %	1,689	2.2 %	918	1.2 %	44,897	57.2 %	31,565	40.2 %	2,042	2.6 %	46,517	59.5 %	31,703	40.5 %	44,945	57.5 %	1,961	2.5 %
24	64,475	68.5 %	2,380	2.5 %	905	1.0 %	64,657	68.5 %	27,242	28.8 %	2,529	2.7 %	66,885	71.1 %	27,174	28.9 %	64,573	68.7 %	2,489	2.6 %
25	47,245	69.3 %	1,708	2.5 %	532	0.8 %	47,486	69.7 %	18,973	27.8 %	1,692	2.5 %	49,060	72.2 %	18,910	27.8 %	47,530	69.9 %	1,718	2.5 %
26	42,818	50.8 %	1,375	1.6 %	861	1.0 %	42,803	50.7 %	40,018	47.4 %	1,547	1.8 %	43,526	51.9 %	40,326	48.1 %	42,477	50.6 %	1,448	1.7 %
27	24,462	29.2 %	1,290	1.5 %	875	1.0 %	24,451	29.2 %	57,702	69.0 %	1,516	1.8 %	25,273	30.4 %	57,863	69.6 %	24,298	29.1 %	1,263	1.5 %
28	64,123	53.2 %	2,084	1.7 %	991	0.8 %	63,940	52.9 %	54,604	45.2 %	2,221	1.8 %	65,654	54.7 %	54,295	45.3 %	63,815	53.1 %	2,130	1.8 %
29	51,097	52.9 %	2,165	2.2 %	1,063	1.1 %	51,431	53.1 %	43,199	44.6 %	2,311	2.4 %	53,106	55.0 %	43,538	45.0 %	51,336	53.1 %	2,242	2.3 %
30	48,620	71.6 %	1,118	1.6 %	497	0.7 %	48,099	71.0 %	18,349	27.1 %	1,263	1.9 %	49,727	73.8 %	17,669	26.2 %	48,564	71.9 %	1,160	1.7 %
31	26,837	50.5 %	920	1.7 %	636	1.2 %	26,318	50.3 %	24,695	47.2 %	1,359	2.6 %	28,101	53.9 %	23,992	46.1 %	26,928	51.5 %	1,193	2.3 %
32	36,856	53.7 %	1,771	2.6 %	1,063	1.5 %	36,792	53.5 %	30,057	43.7 %	1,968	2.9 %	38,488	56.3 %	29,920	43.7 %	37,083	54.2 %	1,891	2.8 %

For technical reasons, election results in Texas Legislative Council reports may vary slightly from the official election results. Complete official results for all elections are maintained by the Office of the Texas Secretary of State.
SSVR-T = Total Spanish surname voter registration

Election Analysis

HOUSE DISTRICTS - PLANH2100
2020 General Election

District	SUP CT 7 Williams-D		SUP CT 8 Busby-R		SUP CT 8 Triana-D		CCA 3 Oxford-L		CCA 3 Richardson-R		CCA 3 Davis Frizell-D		CCA 4 Yeary-R		CCA 4 Clinton-D		CCA 9 Newell-R		CCA 9 Birmingham-D	
STATE	**4,860,388**	**44.3 %**	**5,845,851**	**53.4 %**	**4,825,339**	**44.1 %**	**274,876**	**2.5 %**	**5,952,614**	**54.5 %**	**4,962,780**	**45.5 %**	**5,972,977**	**54.8 %**	**4,922,833**	**45.2 %**	**6,014,555**	**55.3 %**	**4,861,782**	**44.7 %**
1	16,516	24.0 %	51,306	74.9 %	15,996	23.4 %	1,189	1.7 %	51,624	75.5 %	16,784	24.5 %	51,822	75.8 %	16,567	24.2 %	52,059	75.9 %	16,546	24.1 %
2	14,129	18.2 %	62,513	80.4 %	13,649	17.6 %	1,600	2.1 %	62,775	81.2 %	14,533	18.8 %	62,933	81.4 %	14,346	18.6 %	62,856	81.7 %	14,054	18.3 %
3	21,090	23.0 %	68,867	75.3 %	20,670	22.6 %	1,971	2.2 %	69,665	76.4 %	21,540	23.6 %	69,782	76.7 %	21,235	23.3 %	69,968	76.9 %	21,026	23.1 %
4	23,024	26.7 %	61,884	71.8 %	22,578	26.2 %	1,739	2.0 %	62,531	72.6 %	23,628	27.4 %	62,790	72.9 %	23,314	27.1 %	62,789	73.0 %	23,177	27.0 %
5	14,923	20.1 %	58,069	78.5 %	14,580	19.7 %	1,304	1.8 %	58,580	79.4 %	15,239	20.6 %	58,640	79.6 %	15,041	20.4 %	58,844	79.8 %	14,907	20.2 %
6	22,918	31.0 %	49,689	67.2 %	22,673	30.7 %	1,574	2.1 %	50,286	68.0 %	23,646	32.0 %	50,417	68.4 %	23,297	31.6 %	50,607	68.6 %	23,186	31.4 %
7	16,619	25.4 %	47,491	72.8 %	16,369	25.1 %	1,413	2.2 %	48,107	73.8 %	17,114	26.2 %	48,232	74.0 %	16,922	26.0 %	48,371	74.3 %	16,717	25.7 %
8	12,808	21.1 %	47,209	77.6 %	12,488	20.5 %	1,130	1.9 %	46,810	78.2 %	13,049	21.8 %	47,698	78.7 %	12,917	21.3 %	47,729	78.8 %	12,807	21.2 %
9	16,000	21.8 %	56,797	77.1 %	15,710	21.3 %	1,123	1.5 %	57,199	77.8 %	16,309	22.2 %	57,240	78.0 %	16,152	22.0 %	57,277	78.1 %	16,031	21.9 %
10	26,743	29.7 %	61,380	68.3 %	26,270	29.2 %	2,230	2.5 %	62,024	69.1 %	27,750	30.9 %	62,473	69.7 %	27,135	30.3 %	62,623	69.9 %	26,968	30.1 %
11	16,698	25.3 %	48,252	73.1 %	16,472	24.9 %	1,324	2.0 %	48,799	74.0 %	17,142	26.0 %	48,931	74.3 %	16,936	25.7 %	48,982	74.5 %	16,755	25.5 %
12	20,225	31.9 %	41,951	66.4 %	19,927	31.5 %	1,346	2.1 %	42,378	67.2 %	20,704	32.8 %	42,423	67.4 %	20,477	32.6 %	42,535	67.7 %	20,261	32.3 %
13	17,075	20.3 %	66,010	78.5 %	16,664	19.8 %	1,373	1.6 %	66,383	79.3 %	17,376	20.7 %	66,258	79.4 %	17,157	20.6 %	66,463	79.7 %	16,937	20.3 %
14	26,758	42.1 %	34,309	54.2 %	26,612	42.0 %	2,438	3.8 %	35,287	55.8 %	27,955	44.2 %	35,834	56.8 %	27,202	43.2 %	35,754	56.8 %	27,152	43.2 %
15	35,255	32.6 %	70,954	65.7 %	34,440	31.9 %	2,627	2.4 %	71,824	66.9 %	35,527	33.1 %	71,798	67.0 %	35,316	33.0 %	72,154	67.4 %	34,915	32.6 %
16	17,998	20.6 %	68,043	77.8 %	17,585	20.1 %	1,832	2.1 %	68,680	78.9 %	18,335	21.1 %	68,794	79.2 %	18,091	20.8 %	68,891	79.3 %	17,990	20.7 %
17	25,961	36.4 %	43,361	61.0 %	25,907	36.4 %	1,828	2.6 %	44,250	62.3 %	26,828	37.7 %	44,577	62.8 %	26,420	37.2 %	44,757	63.2 %	26,079	36.8 %
18	15,302	23.9 %	47,860	74.6 %	14,933	23.3 %	1,343	2.1 %	48,309	75.5 %	15,699	24.5 %	48,495	75.9 %	15,375	24.1 %	48,523	76.0 %	15,360	24.0 %
19	13,568	16.8 %	66,295	82.0 %	13,089	16.2 %	1,453	1.8 %	66,697	82.9 %	13,773	17.1 %	66,673	83.1 %	13,525	16.9 %	66,931	83.2 %	13,530	16.8 %
20	31,791	28.7 %	76,660	69.3 %	31,146	28.1 %	2,894	2.6 %	78,074	70.6 %	32,539	29.4 %	78,300	71.0 %	31,943	29.0 %	78,655	71.4 %	31,519	28.6 %
21	16,208	21.7 %	57,289	76.6 %	15,868	21.2 %	1,627	2.2 %	57,776	77.7 %	16,582	22.3 %	57,869	77.9 %	16,438	22.1 %	58,038	78.1 %	16,279	21.9 %
22	34,467	65.7 %	17,204	32.8 %	34,102	65.0 %	1,123	2.1 %	17,527	33.6 %	34,702	66.4 %	17,486	33.5 %	34,640	66.5 %	17,666	33.9 %	34,436	66.1 %
23	31,318	40.0 %	45,151	57.8 %	30,962	39.7 %	1,971	2.5 %	45,837	58.8 %	32,127	41.2 %	46,065	59.2 %	31,716	40.8 %	46,219	59.6 %	31,364	40.4 %
24	26,942	28.7 %	64,841	69.1 %	26,407	28.1 %	2,621	2.8 %	66,079	70.5 %	27,587	29.5 %	66,125	70.8 %	27,313	29.2 %	66,396	71.2 %	26,899	28.8 %
25	18,739	27.6 %	47,657	70.2 %	18,446	27.2 %	1,743	2.6 %	48,369	71.4 %	19,366	28.6 %	48,485	71.8 %	19,068	28.2 %	48,701	72.1 %	18,805	27.9 %
26	39,939	47.6 %	42,998	51.3 %	39,120	46.7 %	1,682	2.0 %	43,434	52.0 %	40,106	48.0 %	43,197	51.7 %	40,291	48.3 %	43,684	52.5 %	39,461	47.5 %
27	57,866	69.4 %	24,490	29.4 %	57,166	68.7 %	1,599	1.9 %	24,866	29.9 %	58,249	70.1 %	24,843	29.9 %	58,282	70.1 %	25,199	30.4 %	57,561	69.6 %
28	54,250	45.1 %	64,169	53.4 %	53,643	44.7 %	2,314	1.9 %	65,075	54.3 %	54,768	45.7 %	65,257	54.5 %	54,528	45.5 %	65,699	55.0 %	53,697	45.0 %
29	43,020	44.5 %	51,593	53.5 %	42,455	44.0 %	2,354	2.4 %	52,456	54.5 %	43,833	45.5 %	52,568	54.7 %	43,466	45.3 %	52,999	55.3 %	42,860	44.7 %
30	17,776	26.3 %	48,642	72.2 %	17,545	26.0 %	1,219	1.8 %	49,095	73.0 %	18,197	27.0 %	49,356	73.5 %	17,817	26.5 %	49,319	73.6 %	17,705	26.4 %
31	24,175	46.2 %	26,359	50.2 %	24,820	47.3 %	1,318	2.5 %	27,313	52.4 %	24,808	47.6 %	27,268	52.6 %	24,540	47.4 %	27,825	53.8 %	23,895	46.2 %
32	29,413	43.0 %	36,924	54.2 %	29,353	43.1 %	1,896	2.8 %	37,749	55.5 %	30,288	44.5 %	38,210	56.3 %	29,657	43.7 %	38,357	56.7 %	29,259	43.3 %

For technical reasons, election results in Texas Legislative Council reports may vary slightly from the official election results. Complete official results for all elections are maintained by the Office of the Texas Secretary of State.
SSVR-T = Total Spanish surname voter registration

Election Analysis

HOUSE DISTRICTS - PLANH2100
2020 General Election

	PRESIDENT												U.S. SEN								RR COMM 1	
District	Biden-D		Trump-R		Jorgensen-L		Hawkins-G		Write-In-W		Cornyn-R		Hegar-D		McKennon-L		Collins-G		Castaneda-D	
33	47,361	38.3 %	74,327	60.1 %	1,372	1.1 %	281	0.2 %	354	0.3 %	76,278	62.6 %	42,849	35.2 %	2,101	1.7 %	654	0.5 %	41,473	34.4 %
34	29,226	51.7 %	26,606	47.0 %	494	0.9 %	155	0.3 %	97	0.2 %	26,236	47.4 %	27,567	49.8 %	1,081	2.0 %	466	0.8 %	27,816	51.0 %
35	24,991	53.8 %	21,049	45.3 %	285	0.6 %	133	0.3 %	33	0.1 %	18,926	43.8 %	22,735	52.7 %	930	2.2 %	575	1.3 %	23,684	56.2 %
36	27,180	58.8 %	18,559	40.1 %	267	0.6 %	247	0.5 %	6	0.0 %	17,184	39.2 %	24,690	56.3 %	1,177	2.7 %	787	1.8 %	26,399	61.4 %
37	24,258	58.0 %	17,079	40.9 %	268	0.6 %	142	0.3 %	52	0.1 %	15,883	39.1 %	23,343	57.5 %	712	1.8 %	648	1.6 %	24,198	60.6 %
38	29,116	56.8 %	21,573	42.1 %	335	0.7 %	153	0.3 %	84	0.2 %	20,464	41.0 %	28,050	56.2 %	774	1.6 %	610	1.2 %	29,097	59.2 %
39	28,107	59.5 %	18,626	39.4 %	257	0.5 %	248	0.5 %	12	0.0 %	17,246	38.4 %	25,657	57.2 %	1,138	2.5 %	817	1.8 %	26,979	61.5 %
40	26,654	59.8 %	17,486	39.3 %	265	0.6 %	125	0.3 %	5	0.0 %	16,266	38.4 %	24,401	57.7 %	1,045	2.5 %	597	1.4 %	25,335	61.1 %
41	31,956	55.5 %	25,187	43.7 %	312	0.5 %	153	0.3 %	7	0.0 %	24,797	44.3 %	29,594	52.8 %	1,093	2.0 %	518	0.9 %	30,611	55.5 %
42	29,040	62.0 %	17,265	36.9 %	300	0.6 %	145	0.3 %	78	0.2 %	15,616	34.4 %	28,186	62.2 %	818	1.8 %	718	1.6 %	29,153	65.0 %
43	23,775	39.6 %	35,550	59.2 %	550	0.9 %	177	0.3 %	37	0.1 %	34,282	58.6 %	22,750	38.9 %	1,015	1.7 %	411	0.7 %	23,163	40.1 %
44	35,155	34.2 %	66,016	64.2 %	1,174	1.1 %	250	0.2 %	195	0.2 %	66,635	65.5 %	32,640	32.1 %	1,854	1.8 %	546	0.5 %	32,325	32.2 %
45	61,435	52.6 %	53,123	45.5 %	1,807	1.5 %	433	0.4 %	56	0.0 %	54,996	47.4 %	57,413	49.5 %	2,700	2.3 %	844	0.7 %	54,943	48.2 %
46	62,691	80.8 %	13,272	17.1 %	1,021	1.3 %	343	0.4 %	252	0.3 %	14,088	18.5 %	59,667	78.5 %	1,576	2.1 %	677	0.9 %	57,503	77.0 %
47	76,336	54.1 %	61,983	43.9 %	1,954	1.4 %	322	0.2 %	483	0.3 %	66,452	47.7 %	69,906	50.2 %	2,291	1.6 %	613	0.4 %	66,419	48.7 %
48	79,107	71.7 %	28,771	26.1 %	1,730	1.6 %	324	0.3 %	395	0.4 %	32,760	30.0 %	73,499	67.4 %	2,093	1.9 %	670	0.6 %	70,188	66.1 %
49	87,287	81.4 %	17,606	16.4 %	1,527	1.4 %	416	0.4 %	439	0.4 %	20,666	19.5 %	82,534	78.0 %	1,956	1.8 %	682	0.6 %	78,407	76.0 %
50	68,013	69.5 %	27,627	28.2 %	1,549	1.6 %	353	0.4 %	305	0.3 %	28,964	30.2 %	64,101	66.8 %	2,168	2.3 %	710	0.7 %	61,452	65.3 %
51	62,426	81.9 %	12,078	15.8 %	1,124	1.5 %	336	0.4 %	279	0.4 %	12,930	17.4 %	58,821	78.9 %	1,922	2.6 %	839	1.1 %	56,883	77.9 %
52	55,059	53.9 %	44,665	43.7 %	1,907	1.9 %	304	0.3 %	293	0.3 %	45,370	45.5 %	51,451	51.6 %	2,306	2.3 %	597	0.6 %	48,689	49.7 %
53	20,570	23.1 %	67,376	75.8 %	771	0.9 %	162	0.2 %	32	0.0 %	67,086	76.5 %	18,901	21.6 %	1,301	1.5 %	383	0.4 %	18,717	21.6 %
54	35,994	48.9 %	36,091	49.0 %	1,158	1.6 %	263	0.4 %	173	0.2 %	36,550	49.9 %	34,461	47.1 %	1,705	2.3 %	461	0.6 %	33,036	45.4 %
55	23,164	36.0 %	39,888	61.9 %	967	1.5 %	201	0.3 %	190	0.3 %	40,486	63.3 %	21,930	34.3 %	1,209	1.9 %	327	0.5 %	20,509	32.4 %
56	26,329	35.0 %	47,493	63.2 %	1,044	1.4 %	178	0.2 %	92	0.1 %	48,159	65.1 %	23,854	32.2 %	1,541	2.1 %	457	0.6 %	22,307	30.8 %
57	15,920	23.1 %	52,414	76.0 %	455	0.7 %	119	0.2 %	98	0.1 %	51,828	76.0 %	15,245	22.4 %	834	1.2 %	285	0.4 %	14,642	21.6 %
58	18,025	22.2 %	62,097	76.5 %	854	1.1 %	155	0.2 %	28	0.0 %	61,770	76.7 %	16,964	21.1 %	1,338	1.7 %	429	0.5 %	16,186	20.3 %
59	13,767	21.4 %	49,364	76.8 %	840	1.3 %	173	0.3 %	111	0.2 %	48,850	77.0 %	12,918	20.4 %	1,269	2.0 %	379	0.6 %	12,111	19.3 %
60	12,681	14.7 %	72,308	84.1 %	735	0.9 %	166	0.2 %	88	0.1 %	71,186	84.0 %	11,780	13.9 %	1,312	1.5 %	425	0.5 %	11,178	13.3 %
61	17,990	16.6 %	89,077	82.1 %	1,190	1.1 %	205	0.2 %	31	0.0 %	88,335	82.2 %	16,563	15.4 %	2,131	2.0 %	487	0.5 %	15,251	14.3 %
62	17,564	22.8 %	58,496	75.8 %	813	1.1 %	162	0.2 %	140	0.2 %	57,682	75.6 %	16,867	22.1 %	1,312	1.7 %	395	0.5 %	15,695	20.7 %
63	41,879	37.0 %	69,509	61.5 %	1,393	1.2 %	238	0.2 %	86	0.1 %	72,278	64.5 %	37,171	33.2 %	2,083	1.9 %	554	0.5 %	35,047	31.9 %
64	42,908	47.2 %	46,093	50.7 %	1,436	1.6 %	355	0.4 %	76	0.1 %	47,395	52.8 %	39,350	43.8 %	2,201	2.5 %	803	0.9 %	37,396	42.5 %
65	44,884	54.5 %	36,126	43.9 %	1,028	1.2 %	229	0.3 %	55	0.1 %	38,039	46.9 %	40,789	50.3 %	1,752	2.2 %	571	0.7 %	39,040	49.2 %

For technical reasons, election results in Texas Legislative Council reports may vary slightly from the official election results. Complete official results for all elections are maintained by the Office of the Texas Secretary of State.
SSVR-T = Total Spanish surname voter registration

Election Analysis

HOUSE DISTRICTS - PLANH2100
2020 General Election

District	RR COMM 1						SUP CT CHIEF						SUP CT 6				SUP CT 7			
	Wright-R		Sterett-L		Gruene-G		Hecht-R		Meachum-D		Ash-L		Bland-R		Cheng-D		Boyd-R		Strange-L	
33	75,368	62.6 %	2,709	2.2 %	909	0.8 %	75,041	62.3 %	42,684	35.4 %	2,822	2.3 %	77,026	64.5 %	42,402	35.5 %	75,382	62.7 %	2,532	2.1 %
34	24,985	45.8 %	1,006	1.8 %	717	1.3 %	24,778	45.5 %	28,310	51.9 %	1,408	2.6 %	26,014	48.0 %	28,162	52.0 %	25,097	46.3 %	1,255	2.3 %
35	17,094	40.5 %	788	1.9 %	593	1.4 %	16,879	40.7 %	23,564	56.8 %	1,033	2.5 %	18,328	43.9 %	23,465	56.1 %	17,220	41.7 %	1,044	2.5 %
36	15,020	34.9 %	940	2.2 %	656	1.5 %	15,212	35.5 %	26,443	61.7 %	1,228	2.9 %	16,632	38.8 %	26,204	61.2 %	15,445	36.2 %	1,435	3.4 %
37	14,401	36.1 %	781	2.0 %	561	1.4 %	13,735	35.6 %	23,643	61.2 %	1,241	3.2 %	15,492	39.3 %	23,908	60.7 %	14,173	36.9 %	1,041	2.7 %
38	18,502	37.7 %	877	1.8 %	653	1.3 %	17,892	37.6 %	28,330	59.6 %	1,335	2.8 %	19,819	40.9 %	28,640	59.1 %	18,429	38.9 %	1,126	2.4 %
39	15,314	34.9 %	871	2.0 %	711	1.6 %	15,411	35.2 %	27,072	61.8 %	1,327	3.0 %	16,967	38.8 %	26,724	61.2 %	15,749	36.1 %	1,413	3.2 %
40	14,612	35.3 %	846	2.0 %	646	1.6 %	14,535	35.1 %	25,689	62.1 %	1,141	2.8 %	15,835	38.3 %	25,477	61.7 %	14,893	36.2 %	1,290	3.1 %
41	22,881	41.5 %	972	1.8 %	674	1.2 %	22,937	41.6 %	30,967	56.2 %	1,227	2.2 %	24,330	44.3 %	30,643	55.7 %	23,292	42.4 %	1,361	2.5 %
42	14,222	31.7 %	733	1.6 %	721	1.6 %	13,743	31.2 %	28,958	65.7 %	1,351	3.1 %	15,334	34.5 %	29,083	65.5 %	14,315	32.1 %	1,151	2.6 %
43	33,094	57.2 %	1,014	1.8 %	554	1.0 %	32,595	56.6 %	23,614	41.0 %	1,374	2.4 %	34,050	59.5 %	23,197	40.5 %	33,064	57.7 %	1,206	2.1 %
44	64,617	64.3 %	2,331	2.3 %	1,148	1.1 %	64,700	64.3 %	33,190	33.0 %	2,697	2.7 %	67,129	66.9 %	33,171	33.1 %	65,161	65.0 %	2,405	2.4 %
45	53,725	47.1 %	3,274	2.9 %	2,095	1.8 %	53,537	46.9 %	56,871	49.8 %	3,837	3.4 %	56,457	49.6 %	57,273	50.4 %	53,995	47.4 %	3,589	3.2 %
46	13,271	17.8 %	2,116	2.8 %	1,766	2.4 %	13,334	17.9 %	58,895	79.0 %	2,337	3.1 %	14,679	19.8 %	59,551	80.2 %	13,441	18.1 %	2,124	2.9 %
47	64,426	47.3 %	3,682	2.7 %	1,721	1.3 %	64,676	47.4 %	68,003	49.8 %	3,772	2.8 %	67,932	50.1 %	67,623	49.9 %	64,624	47.8 %	3,307	2.4 %
48	30,978	29.2 %	3,138	3.0 %	1,950	1.8 %	31,407	29.5 %	71,860	67.4 %	3,364	3.2 %	33,785	32.0 %	71,900	68.0 %	31,295	29.7 %	3,115	3.0 %
49	19,628	19.0 %	2,800	2.7 %	2,319	2.2 %	19,716	19.0 %	80,709	77.9 %	3,125	3.0 %	21,465	20.9 %	81,345	79.1 %	19,490	19.0 %	2,867	2.8 %
50	27,643	29.4 %	2,995	3.2 %	2,002	2.1 %	27,839	29.6 %	62,833	66.9 %	3,305	3.5 %	29,918	32.0 %	63,579	68.0 %	28,071	30.1 %	2,988	3.2 %
51	12,030	16.5 %	2,230	3.1 %	1,921	2.6 %	11,946	16.4 %	58,175	79.7 %	2,837	3.9 %	13,330	18.4 %	59,192	81.6 %	12,203	16.8 %	2,494	3.4 %
52	44,404	45.3 %	3,318	3.4 %	1,552	1.6 %	42,950	45.1 %	48,925	51.3 %	3,456	3.6 %	47,131	48.4 %	50,249	51.6 %	44,413	45.7 %	3,383	3.5 %
53	65,472	75.6 %	1,606	1.9 %	751	0.9 %	65,552	75.8 %	19,186	22.2 %	1,752	2.0 %	67,287	78.3 %	18,647	21.7 %	65,733	76.3 %	1,646	1.9 %
54	36,747	50.6 %	1,952	2.7 %	957	1.3 %	36,136	49.6 %	34,434	47.3 %	2,268	3.1 %	37,802	52.0 %	34,882	48.0 %	36,281	49.9 %	2,037	2.8 %
55	40,639	64.1 %	1,575	2.5 %	665	1.0 %	39,912	62.7 %	21,871	34.4 %	1,831	2.9 %	41,630	65.6 %	21,795	34.4 %	40,188	63.3 %	1,698	2.7 %
56	47,493	65.5 %	1,826	2.5 %	842	1.2 %	47,143	64.7 %	23,851	32.7 %	1,865	2.6 %	49,023	67.6 %	23,489	32.4 %	47,710	65.7 %	1,653	2.3 %
57	51,784	76.5 %	958	1.4 %	325	0.5 %	51,050	75.5 %	15,394	22.8 %	1,160	1.7 %	52,368	77.6 %	15,127	22.4 %	51,755	76.5 %	946	1.4 %
58	61,132	76.7 %	1,796	2.3 %	608	0.8 %	60,941	76.6 %	16,844	21.2 %	1,773	2.2 %	62,551	79.0 %	16,624	21.0 %	60,985	76.9 %	1,590	2.0 %
59	48,655	77.5 %	1,455	2.3 %	565	0.9 %	48,174	76.8 %	12,990	20.7 %	1,543	2.5 %	49,567	79.4 %	12,854	20.6 %	48,359	77.3 %	1,418	2.3 %
60	70,811	84.4 %	1,477	1.8 %	444	0.5 %	70,148	83.8 %	11,965	14.3 %	1,613	1.9 %	71,833	86.1 %	11,564	13.9 %	70,461	84.4 %	1,426	1.7 %
61	88,028	82.7 %	2,520	2.4 %	696	0.7 %	87,524	82.2 %	16,322	15.3 %	2,627	2.5 %	89,847	84.7 %	16,186	15.3 %	87,727	82.7 %	2,457	2.3 %
62	57,877	76.5 %	1,604	2.1 %	469	0.6 %	57,212	75.6 %	16,959	22.4 %	1,548	2.0 %	59,025	78.1 %	16,564	21.9 %	57,641	76.2 %	1,464	1.9 %
63	70,637	64.4 %	2,847	2.6 %	1,222	1.1 %	70,675	64.0 %	37,137	33.6 %	2,588	2.3 %	72,829	66.7 %	36,353	33.3 %	70,514	64.4 %	2,658	2.4 %
64	46,264	52.6 %	2,511	2.9 %	1,814	2.1 %	46,264	52.3 %	39,532	44.7 %	2,620	3.0 %	47,913	54.9 %	39,400	45.1 %	46,000	52.5 %	2,646	3.0 %
65	36,949	46.6 %	2,127	2.7 %	1,185	1.5 %	37,205	46.6 %	40,564	50.9 %	1,998	2.5 %	38,478	48.7 %	40,531	51.3 %	36,850	46.7 %	2,076	2.6 %

For technical reasons, election results in Texas Legislative Council reports may vary slightly from the official election results. Complete official results for all elections are maintained by the Office of the Texas Secretary of State.
SSVR-T = Total Spanish surname voter registration

Election Analysis

HOUSE DISTRICTS - PLANH2100
2020 General Election

District	SUP CT 7		SUP CT 8		CCA 3				CCA 4				CCA 9			
	Williams-D		Busby-R		Triana-D		Oxford-L		Richardson-R		Davis Frizell-D		Yeary-R		Clinton-D		Newell-R		Birmingham-D	
33	42,241	35.2 %	75,454	62.9 %	41,628	34.7 %	2,896	2.4 %	76,359	63.9 %	43,130	36.1 %	76,839	64.3 %	42,674	35.7 %	77,159	64.6 %	42,201	35.4 %
34	27,807	51.3 %	24,735	45.8 %	28,040	51.9 %	1,243	2.3 %	25,404	47.1 %	28,567	52.9 %	25,737	47.8 %	28,121	52.2 %	25,842	48.2 %	27,761	51.8 %
35	23,022	55.8 %	16,718	40.1 %	23,888	57.4 %	1,040	2.5 %	17,683	42.3 %	24,132	57.7 %	17,743	42.8 %	23,671	57.2 %	18,207	44.0 %	23,160	56.0 %
36	25,837	60.5 %	14,609	34.3 %	26,825	62.9 %	1,203	2.8 %	15,664	36.6 %	27,081	63.4 %	16,085	37.7 %	26,548	62.3 %	16,516	39.0 %	25,796	61.0 %
37	23,244	60.4 %	13,841	35.0 %	24,681	62.4 %	1,054	2.7 %	15,020	37.8 %	24,713	62.2 %	14,732	37.9 %	24,158	62.1 %	15,454	39.5 %	23,651	60.5 %
38	27,784	58.7 %	17,997	37.0 %	29,427	60.5 %	1,184	2.4 %	19,278	39.5 %	29,511	60.5 %	19,032	39.7 %	28,881	60.3 %	19,801	41.2 %	28,263	58.8 %
39	26,452	60.7 %	15,045	34.6 %	27,243	62.7 %	1,163	2.7 %	15,999	36.7 %	27,609	63.3 %	16,449	37.8 %	27,027	62.2 %	16,687	38.6 %	26,489	61.4 %
40	24,976	60.7 %	14,155	34.5 %	25,709	62.6 %	1,185	2.9 %	15,144	36.8 %	25,991	63.2 %	15,505	37.8 %	25,522	62.2 %	15,695	38.5 %	25,075	61.5 %
41	30,246	55.1 %	22,642	41.3 %	30,822	56.3 %	1,313	2.4 %	23,642	43.1 %	31,168	56.9 %	24,078	44.0 %	30,594	56.0 %	24,357	44.7 %	30,079	55.3 %
42	29,183	65.4 %	13,304	29.9 %	30,024	67.5 %	1,166	2.6 %	14,436	33.3 %	28,937	66.7 %	14,834	34.4 %	28,256	65.6 %	15,304	34.9 %	28,552	65.1 %
43	23,025	40.2 %	32,700	57.3 %	23,116	40.5 %	1,299	2.3 %	33,481	58.6 %	23,616	41.4 %	33,838	59.3 %	23,214	40.7 %	33,797	59.5 %	23,011	40.5 %
44	32,686	32.6 %	65,175	65.1 %	32,356	32.3 %	2,597	2.6 %	66,340	66.4 %	33,609	33.6 %	66,687	66.9 %	33,036	33.1 %	66,937	67.2 %	32,607	32.8 %
45	56,211	49.4 %	53,835	47.4 %	55,841	49.2 %	3,867	3.4 %	55,193	48.7 %	58,103	51.3 %	55,900	49.5 %	57,071	50.5 %	56,125	49.8 %	56,517	50.2 %
46	58,663	79.0 %	13,180	17.8 %	58,608	79.1 %	2,315	3.1 %	13,835	18.9 %	59,513	81.1 %	14,026	19.1 %	59,398	80.9 %	14,383	19.6 %	58,852	80.4 %
47	67,207	49.7 %	64,608	47.9 %	66,512	49.3 %	3,795	2.8 %	65,927	49.2 %	68,046	50.8 %	66,158	49.4 %	67,647	50.6 %	66,695	50.0 %	66,578	50.0 %
48	71,026	67.4 %	30,819	29.3 %	71,141	67.5 %	3,373	3.2 %	32,319	30.9 %	72,115	69.1 %	32,392	31.1 %	71,920	68.9 %	32,874	31.6 %	71,017	68.4 %
49	80,022	78.2 %	19,308	18.9 %	79,822	78.1 %	3,108	3.0 %	20,271	20.0 %	81,110	80.0 %	20,384	20.1 %	80,930	79.9 %	20,853	20.7 %	80,078	79.3 %
50	62,312	66.7 %	27,640	29.7 %	62,287	66.8 %	3,267	3.5 %	28,936	31.3 %	63,392	68.7 %	29,196	31.6 %	63,191	68.4 %	29,650	32.2 %	62,529	67.8 %
51	57,795	79.7 %	11,711	16.2 %	58,018	80.1 %	2,668	3.7 %	12,655	17.6 %	59,068	82.4 %	12,911	18.0 %	58,825	82.0 %	13,218	18.5 %	58,303	81.5 %
52	49,328	50.8 %	44,395	45.8 %	49,005	50.5 %	3,620	3.7 %	45,954	47.4 %	50,909	52.6 %	46,205	48.0 %	50,128	52.0 %	46,891	48.7 %	49,440	51.3 %
53	18,768	21.8 %	65,718	76.4 %	18,399	21.4 %	1,849	2.2 %	66,597	77.6 %	19,206	22.4 %	66,721	78.0 %	18,860	22.0 %	66,906	78.3 %	18,554	21.7 %
54	34,403	47.3 %	36,610	50.4 %	33,942	46.7 %	2,101	2.9 %	37,333	51.5 %	35,194	48.5 %	37,634	51.9 %	34,873	48.1 %	37,769	52.1 %	34,746	47.9 %
55	21,574	34.0 %	40,403	63.8 %	21,185	33.4 %	1,783	2.8 %	41,046	64.9 %	22,245	35.1 %	41,314	65.3 %	21,945	34.7 %	41,402	65.4 %	21,866	34.6 %
56	23,272	32.0 %	47,718	65.8 %	23,011	31.7 %	1,766	2.4 %	48,235	66.7 %	24,079	33.3 %	48,487	67.3 %	23,608	32.7 %	48,710	67.7 %	23,261	32.3 %
57	14,949	22.1 %	51,646	76.5 %	14,815	21.9 %	1,070	1.6 %	52,015	77.1 %	15,478	22.9 %	52,070	77.3 %	15,263	22.7 %	52,140	77.5 %	15,124	22.5 %
58	16,706	21.1 %	61,369	77.2 %	16,155	20.3 %	1,928	2.4 %	61,939	78.2 %	17,276	21.8 %	61,933	78.5 %	16,915	21.5 %	62,247	78.9 %	16,630	21.1 %
59	12,745	20.4 %	48,466	77.6 %	12,368	19.8 %	1,602	2.6 %	49,131	78.8 %	13,256	21.2 %	49,268	79.2 %	12,910	20.8 %	49,293	79.3 %	12,841	20.7 %
60	11,601	13.9 %	70,517	84.6 %	11,236	13.5 %	1,640	2.0 %	71,271	85.6 %	12,021	14.4 %	71,423	85.9 %	11,722	14.1 %	71,383	86.0 %	11,655	14.0 %
61	15,874	15.0 %	87,715	82.9 %	15,421	14.6 %	2,634	2.5 %	89,045	84.3 %	16,621	15.7 %	89,277	84.6 %	16,214	15.4 %	89,386	84.8 %	15,962	15.2 %
62	16,503	21.8 %	57,786	76.6 %	16,000	21.2 %	1,640	2.2 %	58,478	77.5 %	16,985	22.5 %	58,672	77.9 %	16,660	22.1 %	58,742	77.9 %	16,625	22.1 %
63	36,269	33.1 %	70,712	64.8 %	35,467	32.5 %	2,998	2.7 %	71,701	65.9 %	37,064	34.1 %	71,953	66.4 %	36,380	33.6 %	72,580	67.0 %	35,730	33.0 %
64	38,901	44.4 %	46,426	53.1 %	38,173	43.7 %	2,816	3.2 %	46,934	53.9 %	40,068	46.1 %	47,340	54.6 %	39,363	45.4 %	47,596	55.0 %	39,015	45.0 %
65	40,036	50.7 %	37,194	47.1 %	39,515	50.0 %	2,261	2.9 %	37,658	47.9 %	40,930	52.1 %	37,959	48.4 %	40,474	51.6 %	38,271	48.9 %	39,996	51.1 %

For technical reasons, election results in Texas Legislative Council reports may vary slightly from the official election results. Complete official results for all elections are maintained by the Office of the Texas Secretary of State.
SSVR-T = Total Spanish surname voter registration

Exhibit 17:
Election Analysis, H2136, 2020 General Election

Red-206
Data: 2020 Census
PLANH2316 10/13/2021 3:55:04 AM

Election Analysis

HOUSE DISTRICTS - PLANH2316
2020 General Election

	Total Voter Registration		Turnout	
District	**Total**	**SSVR-T**	**Total**	**TO/VR**
STATE	**16,960,107**	**24.0 %**	**11,355,339**	**67.0 %**
1	131,576	2.5 %	85,126	64.7 %
2	122,319	6.5 %	80,790	66.0 %
3	117,388	12.1 %	83,910	71.5 %
4	113,981	9.8 %	77,499	68.0 %
5	122,962	7.0 %	83,071	67.6 %
6	117,434	8.0 %	81,036	69.0 %
7	125,981	5.5 %	82,734	65.7 %
8	110,504	8.2 %	73,885	66.9 %
9	139,074	7.0 %	89,057	64.0 %
10	120,084	14.5 %	85,932	71.6 %
11	120,934	6.0 %	81,494	67.4 %
12	115,572	9.8 %	81,199	70.3 %
13	114,882	11.3 %	73,535	64.0 %
14	102,062	15.0 %	70,933	69.5 %
15	129,714	9.5 %	96,758	74.6 %
16	111,243	11.0 %	81,491	73.3 %
17	117,084	19.7 %	79,351	67.8 %
18	119,847	8.3 %	78,999	65.9 %
19	151,539	8.9 %	118,022	77.9 %
20	138,160	11.6 %	105,804	76.6 %
21	123,927	5.1 %	85,072	68.6 %
22	102,895	9.7 %	62,208	60.5 %
23	124,279	16.0 %	80,944	65.1 %
24	134,733	12.1 %	96,451	71.6 %
25	107,972	17.8 %	74,211	68.7 %
26	113,901	13.9 %	87,069	76.4 %
27	121,175	13.5 %	87,168	71.9 %
28	111,708	17.2 %	84,358	75.5 %
29	115,702	19.8 %	80,773	69.8 %
30	119,289	27.6 %	76,771	64.4 %
31	116,203	63.9 %	70,051	60.3 %

For technical reasons, election results in Texas Legislative Council reports may vary slightly from the official election results. Complete official results for all elections are maintained by the Office of the Texas Secretary of State.
SSVR-T = Total Spanish surname voter registration

Election Analysis

HOUSE DISTRICTS - PLANH2316
2020 General Election

	Total Voter Registration		Turnout	
District	**Total**	**SSVR-T**	**Total**	**TO/VR**
32	120,396	31.6 %	80,929	67.2 %
33	119,728	8.8 %	90,967	76.0 %
34	109,247	64.5 %	59,459	54.4 %
35	74,562	86.4 %	40,158	53.9 %
36	85,806	82.9 %	47,113	54.9 %
37	100,230	70.5 %	55,298	55.2 %
38	97,425	84.2 %	48,385	49.7 %
39	87,171	83.7 %	47,379	54.4 %
40	81,197	84.8 %	45,725	56.3 %
41	96,191	72.1 %	59,789	62.2 %
42	100,364	85.0 %	53,651	53.5 %
43	122,445	54.5 %	71,668	58.5 %
44	123,585	25.1 %	85,713	69.4 %
45	121,657	28.3 %	84,114	69.1 %
46	124,707	18.7 %	87,522	70.2 %
47	144,364	8.6 %	111,686	77.4 %
48	150,257	14.3 %	114,959	76.5 %
49	157,838	12.7 %	109,391	69.3 %
50	109,847	19.2 %	72,340	65.9 %
51	118,225	31.7 %	73,606	62.3 %
52	126,527	14.7 %	96,211	76.0 %
53	141,931	24.4 %	100,186	70.6 %
54	105,436	12.8 %	59,449	56.4 %
55	110,530	13.7 %	68,586	62.1 %
56	118,961	12.5 %	82,194	69.1 %
57	113,716	10.3 %	85,437	75.1 %
58	112,916	11.0 %	77,407	68.6 %
59	115,787	8.3 %	77,680	67.1 %
60	128,382	7.0 %	92,736	72.2 %
61	121,624	7.3 %	96,130	79.0 %
62	119,898	5.1 %	82,446	68.8 %
63	124,762	9.7 %	91,229	73.1 %
64	124,284	10.4 %	87,259	70.2 %

For technical reasons, election results in Texas Legislative Council reports may vary slightly from the official election results. Complete official results for all elections are maintained by the Office of the Texas Secretary of State.
SSVR-T = Total Spanish surname voter registration

Election Analysis

HOUSE DISTRICTS - PLANH2316
2020 General Election

	PRESIDENT										U.S. SEN								RR COMM 1	
District	Biden-D		Trump-R		Jorgensen-L		Hawkins-G		Write-In-W		Cornyn-R		Hegar-D		McKennon-L		Collins-G		Castaneda-D	
STATE	**5,257,513**	**46.5 %**	**5,889,022**	**52.0 %**	**126,212**	**1.1 %**	**33,378**	**0.3 %**	**10,927**	**0.1 %**	**5,961,643**	**53.5 %**	**4,887,309**	**43.9 %**	**209,623**	**1.9 %**	**81,753**	**0.7 %**	**4,791,167**	**43.6 %**
1	20,817	24.5 %	63,142	74.4 %	617	0.7 %	151	0.2 %	95	0.1 %	62,240	74.3 %	20,105	24.0 %	1,024	1.2 %	345	0.4 %	19,269	23.2 %
2	15,468	19.2 %	64,152	79.7 %	752	0.9 %	135	0.2 %	25	0.0 %	63,395	79.8 %	14,526	18.3 %	1,146	1.4 %	411	0.5 %	14,018	17.9 %
3	19,156	22.8 %	63,628	75.8 %	944	1.1 %	167	0.2 %	15	0.0 %	63,470	76.4 %	17,788	21.4 %	1,485	1.8 %	343	0.4 %	17,087	20.8 %
4	22,799	29.5 %	53,449	69.3 %	686	0.9 %	193	0.3 %	38	0.0 %	53,342	69.5 %	21,663	28.2 %	1,295	1.7 %	469	0.6 %	21,276	27.8 %
5	15,863	19.1 %	66,126	79.8 %	722	0.9 %	150	0.2 %	13	0.0 %	65,219	79.6 %	15,274	18.6 %	1,173	1.4 %	314	0.4 %	14,509	17.9 %
6	25,230	31.3 %	54,163	67.3 %	926	1.1 %	205	0.3 %	0	0.0 %	54,665	68.0 %	24,129	30.0 %	1,227	1.5 %	369	0.5 %	23,164	29.0 %
7	24,035	29.1 %	57,418	69.6 %	892	1.1 %	163	0.2 %	36	0.0 %	57,068	69.9 %	22,906	28.1 %	1,312	1.6 %	321	0.4 %	21,888	27.1 %
8	15,932	21.6 %	57,097	77.4 %	568	0.8 %	139	0.2 %	56	0.1 %	56,613	77.4 %	15,187	20.8 %	1,025	1.4 %	335	0.5 %	14,624	20.1 %
9	20,550	23.1 %	67,489	75.9 %	591	0.7 %	156	0.2 %	96	0.1 %	65,940	75.4 %	19,824	22.7 %	1,251	1.4 %	416	0.5 %	18,593	21.4 %
10	27,565	32.2 %	56,717	66.2 %	954	1.1 %	220	0.3 %	232	0.3 %	57,078	67.1 %	25,780	30.3 %	1,589	1.9 %	585	0.7 %	25,142	29.8 %
11	19,596	24.1 %	60,879	74.9 %	612	0.8 %	160	0.2 %	64	0.1 %	60,212	74.9 %	18,830	23.4 %	1,030	1.3 %	344	0.4 %	17,638	22.2 %
12	22,949	28.3 %	56,961	70.3 %	886	1.1 %	172	0.2 %	97	0.1 %	57,024	71.1 %	21,509	26.8 %	1,363	1.7 %	357	0.4 %	20,996	26.4 %
13	20,360	27.8 %	52,010	71.0 %	637	0.9 %	165	0.2 %	50	0.1 %	51,331	71.3 %	19,076	26.5 %	1,107	1.5 %	502	0.7 %	18,339	25.7 %
14	30,840	43.5 %	38,146	53.8 %	1,605	2.3 %	217	0.3 %	114	0.2 %	39,832	56.8 %	27,972	39.9 %	1,930	2.8 %	399	0.6 %	26,284	38.3 %
15	35,438	36.6 %	59,767	61.8 %	1,307	1.4 %	201	0.2 %	40	0.0 %	61,696	64.2 %	32,198	33.5 %	1,737	1.8 %	449	0.5 %	30,715	32.6 %
16	18,077	22.2 %	62,411	76.6 %	828	1.0 %	138	0.2 %	37	0.0 %	61,946	77.0 %	16,638	20.7 %	1,462	1.8 %	368	0.5 %	16,014	20.2 %
17	28,180	35.7 %	49,529	62.7 %	921	1.2 %	230	0.3 %	162	0.2 %	49,078	62.7 %	27,300	34.9 %	1,403	1.8 %	443	0.6 %	26,532	34.2 %
18	13,302	16.8 %	64,897	82.2 %	682	0.9 %	115	0.1 %	2	0.0 %	63,483	81.4 %	12,948	16.6 %	1,254	1.6 %	325	0.4 %	12,357	16.0 %
19	34,651	29.5 %	81,151	69.0 %	1,316	1.1 %	195	0.2 %	229	0.2 %	82,451	70.7 %	31,798	27.3 %	1,860	1.6 %	434	0.4 %	30,501	26.5 %
20	44,651	42.2 %	58,876	55.6 %	1,714	1.6 %	266	0.3 %	297	0.3 %	59,522	57.4 %	41,484	40.0 %	2,162	2.1 %	467	0.5 %	39,011	38.3 %
21	18,580	21.9 %	65,051	76.8 %	863	1.0 %	109	0.1 %	49	0.1 %	64,134	76.7 %	17,971	21.5 %	1,227	1.5 %	285	0.3 %	16,923	20.5 %
22	36,804	59.6 %	24,247	39.3 %	515	0.8 %	148	0.2 %	14	0.0 %	23,826	39.5 %	35,241	58.4 %	943	1.6 %	361	0.6 %	34,574	58.1 %
23	30,882	38.2 %	48,614	60.2 %	971	1.2 %	202	0.3 %	87	0.1 %	48,179	60.5 %	29,193	36.7 %	1,600	2.0 %	606	0.8 %	28,574	36.3 %
24	31,948	33.2 %	62,650	65.1 %	1,192	1.2 %	241	0.3 %	184	0.2 %	63,175	66.4 %	29,680	31.2 %	1,822	1.9 %	473	0.5 %	28,672	30.5 %
25	29,441	39.7 %	43,675	58.9 %	882	1.2 %	191	0.3 %	22	0.0 %	43,475	59.2 %	28,018	38.2 %	1,520	2.1 %	410	0.6 %	27,360	37.7 %
26	37,863	43.7 %	47,532	54.8 %	862	1.0 %	217	0.3 %	264	0.3 %	49,033	57.9 %	33,979	40.1 %	1,290	1.5 %	381	0.4 %	32,864	39.5 %
27	61,827	71.2 %	23,922	27.6 %	590	0.7 %	292	0.3 %	198	0.2 %	24,434	29.0 %	57,823	68.6 %	1,301	1.5 %	672	0.8 %	57,621	69.1 %
28	36,213	43.1 %	46,580	55.4 %	773	0.9 %	226	0.3 %	215	0.3 %	47,572	58.2 %	32,562	39.8 %	1,274	1.6 %	375	0.5 %	31,805	39.5 %
29	32,787	40.6 %	46,758	57.9 %	978	1.2 %	226	0.3 %	24	0.0 %	47,230	59.1 %	30,741	38.5 %	1,499	1.9 %	469	0.6 %	29,994	38.1 %
30	18,850	24.6 %	56,890	74.2 %	623	0.8 %	180	0.2 %	78	0.1 %	55,956	74.3 %	17,935	23.8 %	1,063	1.4 %	317	0.4 %	17,802	23.9 %
31	25,741	37.1 %	43,085	62.1 %	364	0.5 %	159	0.2 %	59	0.1 %	38,505	59.9 %	23,995	37.3 %	1,032	1.6 %	754	1.2 %	24,814	39.5 %
32	31,670	39.3 %	47,624	59.0 %	993	1.2 %	229	0.3 %	150	0.2 %	48,001	60.3 %	29,487	37.0 %	1,584	2.0 %	543	0.7 %	28,560	36.6 %

For technical reasons, election results in Texas Legislative Council reports may vary slightly from the official election results. Complete official results for all elections are maintained by the Office of the Texas Secretary of State.
SSVR-T = Total Spanish surname voter registration

Election Analysis

HOUSE DISTRICTS - PLANH2316
2020 General Election

District	RR COMM 1						SUP CT CHIEF						SUP CT 6				SUP CT 7			
	Wright-R		Sterett-L		Gruene-G		Hecht-R		Meachum-D		Ash-L		Bland-R		Cheng-D		Boyd-R		Strange-L	
STATE	**5,830,003**	**53.0 %**	**247,568**	**2.3 %**	**129,588**	**1.2 %**	**5,825,773**	**53.0 %**	**4,892,131**	**44.5 %**	**277,432**	**2.5 %**	**6,049,262**	**55.2 %**	**4,902,218**	**44.8 %**	**5,842,276**	**53.3 %**	**256,665**	**2.3 %**
1	62,033	74.7 %	1,266	1.5 %	446	0.5 %	61,327	74.0 %	20,192	24.4 %	1,345	1.6 %	62,653	75.8 %	20,017	24.2 %	61,802	74.5 %	1,168	1.4 %
2	62,412	79.6 %	1,486	1.9 %	474	0.6 %	62,479	79.8 %	14,377	18.4 %	1,479	1.9 %	63,632	81.8 %	14,184	18.2 %	62,235	80.0 %	1,439	1.8 %
3	62,638	76.3 %	1,815	2.2 %	565	0.7 %	62,985	76.6 %	17,401	21.2 %	1,837	2.2 %	64,679	78.9 %	17,292	21.1 %	63,110	76.9 %	1,675	2.0 %
4	52,978	69.3 %	1,619	2.1 %	545	0.7 %	52,973	69.2 %	21,880	28.6 %	1,659	2.2 %	54,418	71.4 %	21,798	28.6 %	53,180	69.7 %	1,494	2.0 %
5	64,852	79.8 %	1,490	1.8 %	399	0.5 %	64,540	79.4 %	15,259	18.8 %	1,473	1.8 %	65,943	81.3 %	15,138	18.7 %	64,823	79.8 %	1,364	1.7 %
6	54,511	68.2 %	1,719	2.2 %	544	0.7 %	54,236	67.7 %	24,224	30.2 %	1,620	2.0 %	55,751	69.7 %	24,192	30.3 %	54,449	68.0 %	1,657	2.1 %
7	56,782	70.3 %	1,641	2.0 %	510	0.6 %	56,138	69.4 %	23,023	28.5 %	1,734	2.1 %	57,789	71.7 %	22,838	28.3 %	56,235	69.8 %	1,640	2.0 %
8	56,363	77.6 %	1,316	1.8 %	351	0.5 %	55,996	77.2 %	15,265	21.0 %	1,286	1.8 %	57,340	79.2 %	15,075	20.8 %	56,275	77.6 %	1,156	1.6 %
9	66,423	76.6 %	1,260	1.5 %	449	0.5 %	65,446	75.6 %	19,623	22.7 %	1,496	1.7 %	67,094	77.7 %	19,272	22.3 %	66,117	76.4 %	1,301	1.5 %
10	56,551	67.0 %	2,064	2.4 %	696	0.8 %	56,519	66.9 %	25,944	30.7 %	2,069	2.4 %	58,305	69.2 %	25,911	30.8 %	56,678	67.3 %	1,950	2.3 %
11	60,147	75.6 %	1,295	1.6 %	481	0.6 %	59,405	74.7 %	18,790	23.6 %	1,378	1.7 %	60,659	76.6 %	18,498	23.4 %	59,680	75.2 %	1,220	1.5 %
12	56,249	70.8 %	1,591	2.0 %	568	0.7 %	56,134	70.7 %	21,630	27.2 %	1,646	2.1 %	57,625	72.8 %	21,513	27.2 %	56,292	71.0 %	1,569	2.0 %
13	51,108	71.7 %	1,276	1.8 %	528	0.7 %	50,626	71.1 %	19,250	27.0 %	1,309	1.8 %	51,886	73.2 %	19,022	26.8 %	50,848	71.6 %	1,151	1.6 %
14	39,012	56.8 %	2,416	3.5 %	968	1.4 %	38,729	56.1 %	27,795	40.3 %	2,511	3.6 %	40,653	59.2 %	27,973	40.8 %	38,884	56.7 %	2,528	3.7 %
15	60,319	63.9 %	2,397	2.5 %	898	1.0 %	60,850	64.3 %	31,441	33.2 %	2,332	2.5 %	62,862	66.7 %	31,361	33.3 %	60,643	64.3 %	2,232	2.4 %
16	61,116	77.0 %	1,709	2.2 %	536	0.7 %	61,384	77.2 %	16,439	20.7 %	1,716	2.2 %	62,943	79.4 %	16,342	20.6 %	61,366	77.3 %	1,604	2.0 %
17	48,265	62.3 %	1,840	2.4 %	866	1.1 %	47,914	61.9 %	27,405	35.4 %	2,135	2.8 %	49,901	64.8 %	27,116	35.2 %	48,453	62.7 %	1,921	2.5 %
18	63,221	81.7 %	1,354	1.8 %	421	0.5 %	62,927	81.4 %	12,939	16.7 %	1,454	1.9 %	64,320	83.5 %	12,667	16.5 %	63,001	81.7 %	1,350	1.8 %
19	80,716	70.2 %	2,754	2.4 %	1,016	0.9 %	81,094	70.6 %	31,130	27.1 %	2,715	2.4 %	83,851	73.3 %	30,589	26.7 %	81,304	71.0 %	2,549	2.2 %
20	58,514	57.5 %	3,079	3.0 %	1,232	1.2 %	56,754	57.2 %	39,359	39.7 %	3,104	3.1 %	61,404	60.7 %	39,800	39.3 %	58,443	57.8 %	2,975	2.9 %
21	64,021	77.4 %	1,386	1.7 %	407	0.5 %	62,933	76.2 %	18,210	22.0 %	1,477	1.8 %	64,667	78.4 %	17,813	21.6 %	63,412	76.7 %	1,339	1.6 %
22	23,444	39.4 %	1,031	1.7 %	503	0.8 %	22,920	38.4 %	35,732	59.8 %	1,092	1.8 %	23,866	40.0 %	35,725	60.0 %	23,155	38.8 %	935	1.6 %
23	47,364	60.2 %	1,773	2.3 %	916	1.2 %	47,329	60.1 %	29,325	37.2 %	2,103	2.7 %	49,003	62.5 %	29,454	37.5 %	47,375	60.4 %	2,040	2.6 %
24	62,079	66.1 %	2,296	2.4 %	907	1.0 %	62,225	66.1 %	29,482	31.3 %	2,468	2.6 %	64,399	68.6 %	29,423	31.4 %	62,143	66.3 %	2,410	2.6 %
25	42,862	59.0 %	1,763	2.4 %	660	0.9 %	42,957	59.1 %	27,987	38.5 %	1,778	2.4 %	44,424	61.3 %	28,082	38.7 %	42,945	59.2 %	1,801	2.5 %
26	48,155	57.9 %	1,517	1.8 %	676	0.8 %	48,032	57.6 %	33,781	40.5 %	1,600	1.9 %	49,315	59.5 %	33,526	40.5 %	47,791	57.6 %	1,533	1.8 %
27	23,613	28.3 %	1,274	1.5 %	856	1.0 %	23,591	28.3 %	58,302	69.9 %	1,480	1.8 %	24,382	29.4 %	58,441	70.6 %	23,431	28.2 %	1,246	1.5 %
28	46,660	58.0 %	1,357	1.7 %	611	0.8 %	46,752	58.1 %	32,344	40.2 %	1,432	1.8 %	47,662	59.6 %	32,298	40.4 %	46,582	58.2 %	1,370	1.7 %
29	46,135	58.5 %	1,837	2.3 %	837	1.1 %	46,474	58.8 %	30,605	38.7 %	1,982	2.5 %	48,022	60.9 %	30,795	39.1 %	46,418	58.9 %	1,897	2.4 %
30	55,105	73.9 %	1,199	1.6 %	455	0.6 %	54,764	73.6 %	18,329	24.6 %	1,273	1.7 %	56,368	76.1 %	17,667	23.9 %	55,175	74.4 %	1,212	1.6 %
31	36,288	57.7 %	1,084	1.7 %	672	1.1 %	35,936	57.8 %	24,850	40.0 %	1,406	2.3 %	37,700	60.9 %	24,167	39.1 %	36,424	58.8 %	1,257	2.0 %
32	46,519	59.6 %	1,917	2.5 %	1,117	1.4 %	46,421	59.2 %	29,836	38.1 %	2,100	2.7 %	48,353	62.1 %	29,550	37.9 %	46,777	60.0 %	1,987	2.6 %

For technical reasons, election results in Texas Legislative Council reports may vary slightly from the official election results. Complete official results for all elections are maintained by the Office of the Texas Secretary of State.
SSVR-T = Total Spanish surname voter registration

Election Analysis

HOUSE DISTRICTS - PLANH2316
2020 General Election

District	SUP CT 7 Williams-D		SUP CT 8 Busby-R		SUP CT 8 Triana-D		CCA 3 Oxford-L		CCA 3 Richardson-R		CCA 3 Davis Frizell-D		CCA 4 Yeary-R		CCA 4 Clinton-D		CCA 9 Newell-R		CCA 9 Birmingham-D	
STATE	**4,860,388**	**44.3 %**	**5,845,851**	**53.4 %**	**4,825,339**	**44.1 %**	**274,876**	**2.5 %**	**5,952,614**	**54.5 %**	**4,962,780**	**45.5 %**	**5,972,977**	**54.8 %**	**4,922,833**	**45.2 %**	**6,014,555**	**55.3 %**	**4,861,782**	**44.7 %**
1	20,001	24.1 %	61,697	74.8 %	19,428	23.5 %	1,385	1.7 %	62,099	75.3 %	20,325	24.7 %	62,281	75.6 %	20,120	24.4 %	62,509	75.7 %	20,102	24.3 %
2	14,129	18.2 %	62,513	80.4 %	13,649	17.6 %	1,600	2.1 %	62,775	81.2 %	14,533	18.8 %	62,933	81.4 %	14,346	18.6 %	62,856	81.7 %	14,054	18.3 %
3	17,257	21.0 %	63,359	77.2 %	16,941	20.6 %	1,798	2.2 %	64,081	78.5 %	17,596	21.5 %	64,148	78.7 %	17,409	21.3 %	64,265	78.8 %	17,270	21.2 %
4	21,649	28.4 %	53,413	70.0 %	21,248	27.9 %	1,613	2.1 %	53,984	70.8 %	22,259	29.2 %	54,242	71.2 %	21,966	28.8 %	54,246	71.3 %	21,832	28.7 %
5	15,082	18.6 %	64,891	80.0 %	14,732	18.2 %	1,492	1.8 %	65,540	81.0 %	15,420	19.0 %	65,612	81.2 %	15,236	18.8 %	65,809	81.4 %	15,068	18.6 %
6	23,913	29.9 %	54,597	68.3 %	23,650	29.6 %	1,670	2.1 %	55,223	69.1 %	24,682	30.9 %	55,374	69.5 %	24,298	30.5 %	55,561	69.7 %	24,192	30.3 %
7	22,638	28.1 %	56,506	70.2 %	22,300	27.7 %	1,678	2.1 %	57,190	71.1 %	23,196	28.9 %	57,345	71.4 %	22,917	28.6 %	57,492	71.7 %	22,719	28.3 %
8	15,044	20.8 %	56,410	77.8 %	14,756	20.4 %	1,337	1.8 %	56,912	78.6 %	15,481	21.4 %	57,053	79.0 %	15,197	21.0 %	57,111	79.1 %	15,111	20.9 %
9	19,121	22.1 %	66,105	76.5 %	18,832	21.8 %	1,445	1.7 %	66,542	77.2 %	19,705	22.8 %	66,610	77.5 %	19,393	22.5 %	66,725	77.6 %	19,273	22.4 %
10	25,616	30.4 %	56,811	67.5 %	25,191	30.0 %	2,106	2.5 %	57,436	68.4 %	26,571	31.6 %	57,852	69.0 %	25,988	31.0 %	58,005	69.2 %	25,834	30.8 %
11	18,448	23.2 %	59,838	75.4 %	18,162	22.9 %	1,354	1.7 %	60,291	76.1 %	18,949	23.9 %	60,348	76.3 %	18,730	23.7 %	60,402	76.6 %	18,463	23.4 %
12	21,441	27.0 %	56,522	71.3 %	21,094	26.6 %	1,625	2.1 %	57,114	72.2 %	21,945	27.8 %	57,108	72.6 %	21,564	27.4 %	57,239	72.8 %	21,423	27.2 %
13	19,052	26.8 %	51,117	72.0 %	18,598	26.2 %	1,303	1.8 %	50,687	72.4 %	19,310	27.6 %	51,449	72.8 %	19,197	27.2 %	51,557	73.0 %	19,023	27.0 %
14	27,205	39.6 %	38,795	56.7 %	27,010	39.5 %	2,575	3.8 %	39,859	58.4 %	28,406	41.6 %	40,388	59.4 %	27,660	40.6 %	40,320	59.4 %	27,576	40.6 %
15	31,445	33.3 %	61,270	65.0 %	30,711	32.6 %	2,337	2.5 %	62,044	66.2 %	31,685	33.8 %	62,028	66.3 %	31,496	33.7 %	62,354	66.7 %	31,133	33.3 %
16	16,385	20.6 %	61,720	77.8 %	15,968	20.1 %	1,680	2.1 %	62,308	78.9 %	16,668	21.1 %	62,404	79.1 %	16,445	20.9 %	62,529	79.3 %	16,344	20.7 %
17	26,963	34.9 %	48,338	62.6 %	26,829	34.8 %	2,000	2.6 %	49,260	63.9 %	27,828	36.1 %	49,593	64.4 %	27,441	35.6 %	49,717	64.7 %	27,133	35.3 %
18	12,719	16.5 %	63,233	82.0 %	12,305	16.0 %	1,551	2.0 %	63,831	83.0 %	13,070	17.0 %	63,938	83.3 %	12,807	16.7 %	64,055	83.4 %	12,731	16.6 %
19	30,649	26.8 %	81,376	71.2 %	30,083	26.3 %	2,807	2.5 %	82,534	72.5 %	31,274	27.5 %	83,005	72.9 %	30,826	27.1 %	83,217	73.3 %	30,349	26.7 %
20	39,628	39.2 %	58,726	58.2 %	39,047	38.7 %	3,162	3.1 %	60,139	59.7 %	40,637	40.3 %	60,275	60.1 %	40,051	39.9 %	60,866	60.7 %	39,411	39.3 %
21	17,884	21.6 %	63,595	76.8 %	17,413	21.0 %	1,752	2.1 %	64,053	77.9 %	18,159	22.1 %	64,080	78.1 %	17,991	21.9 %	64,412	78.3 %	17,874	21.7 %
22	35,641	59.7 %	23,137	38.8 %	35,334	59.2 %	1,234	2.1 %	23,474	39.5 %	35,946	60.5 %	23,436	39.5 %	35,898	60.5 %	23,599	39.8 %	35,672	60.2 %
23	29,053	37.0 %	47,591	60.8 %	28,689	36.6 %	2,045	2.6 %	48,322	61.8 %	29,882	38.2 %	48,517	62.2 %	29,502	37.8 %	48,711	62.6 %	29,112	37.4 %
24	29,207	31.2 %	62,401	66.6 %	28,680	30.6 %	2,547	2.7 %	63,594	68.1 %	29,832	31.9 %	63,673	68.3 %	29,527	31.7 %	63,904	68.7 %	29,151	31.3 %
25	27,804	38.3 %	43,048	59.5 %	27,475	38.0 %	1,831	2.5 %	43,855	60.7 %	28,445	39.3 %	43,966	61.0 %	28,141	39.0 %	44,270	61.5 %	27,742	38.5 %
26	33,630	40.5 %	48,239	58.2 %	33,017	39.8 %	1,661	2.0 %	48,906	59.1 %	33,776	40.9 %	48,941	59.2 %	33,687	40.8 %	49,338	59.9 %	33,059	40.1 %
27	58,433	70.3 %	23,610	28.5 %	57,770	69.6 %	1,579	1.9 %	23,980	29.0 %	58,824	71.0 %	23,988	29.0 %	58,851	71.0 %	24,333	29.5 %	58,116	70.5 %
28	32,131	40.1 %	46,920	58.6 %	31,586	39.5 %	1,527	1.9 %	47,374	59.4 %	32,442	40.6 %	47,342	59.4 %	32,307	40.6 %	47,581	60.0 %	31,767	40.0 %
29	30,439	38.7 %	46,657	59.4 %	29,943	38.1 %	1,992	2.5 %	47,385	60.4 %	31,117	39.6 %	47,517	60.7 %	30,777	39.3 %	47,794	61.1 %	30,367	38.9 %
30	17,747	23.9 %	55,316	74.6 %	17,538	23.7 %	1,269	1.7 %	55,728	75.4 %	18,211	24.6 %	55,907	75.8 %	17,888	24.2 %	55,867	75.8 %	17,822	24.2 %
31	24,295	39.2 %	36,000	57.8 %	24,828	39.9 %	1,410	2.3 %	36,832	59.8 %	24,793	40.2 %	36,782	59.9 %	24,598	40.1 %	37,292	61.0 %	23,879	39.0 %
32	29,135	37.4 %	46,686	60.1 %	28,906	37.2 %	2,060	2.7 %	47,488	61.3 %	29,985	38.7 %	47,985	62.1 %	29,317	37.9 %	48,182	62.6 %	28,841	37.4 %

For technical reasons, election results in Texas Legislative Council reports may vary slightly from the official election results. Complete official results for all elections are maintained by the Office of the Texas Secretary of State.
SSVR-T = Total Spanish surname voter registration

Election Analysis

HOUSE DISTRICTS - PLANH2316
2020 General Election

	PRESIDENT												U.S. SEN								RR COMM 1	
District	Biden-D		Trump-R		Jorgensen-L		Hawkins-G		Write-In-W		Cornyn-R		Hegar-D		McKennon-L		Collins-G		Castaneda-D	
33	35,618	39.3 %	53,384	58.9 %	1,051	1.2 %	231	0.3 %	302	0.3 %	54,995	61.4 %	32,444	36.3 %	1,503	1.7 %	557	0.6 %	31,667	35.7 %
34	32,171	54.4 %	26,232	44.3 %	514	0.9 %	170	0.3 %	88	0.1 %	25,746	44.5 %	30,422	52.6 %	1,158	2.0 %	522	0.9 %	30,820	54.0 %
35	22,629	57.3 %	16,478	41.7 %	238	0.6 %	119	0.3 %	27	0.1 %	14,028	38.8 %	20,694	57.3 %	833	2.3 %	583	1.6 %	21,549	61.1 %
36	26,905	57.6 %	19,328	41.4 %	267	0.6 %	216	0.5 %	6	0.0 %	17,693	40.1 %	24,437	55.4 %	1,217	2.8 %	798	1.8 %	26,167	60.4 %
37	27,740	50.6 %	26,576	48.4 %	323	0.6 %	134	0.2 %	86	0.2 %	25,703	48.1 %	26,491	49.6 %	761	1.4 %	468	0.9 %	27,280	52.0 %
38	29,558	61.9 %	17,614	36.9 %	330	0.7 %	174	0.4 %	57	0.1 %	16,294	35.1 %	28,489	61.4 %	843	1.8 %	803	1.7 %	29,735	64.9 %
39	27,861	59.2 %	18,679	39.7 %	254	0.5 %	228	0.5 %	11	0.0 %	17,321	38.8 %	25,390	56.8 %	1,146	2.6 %	821	1.8 %	26,726	61.1 %
40	27,292	60.1 %	17,709	39.0 %	270	0.6 %	167	0.4 %	6	0.0 %	16,457	38.2 %	25,083	58.1 %	1,010	2.3 %	585	1.4 %	25,943	61.4 %
41	33,385	56.1 %	25,616	43.0 %	332	0.6 %	177	0.3 %	6	0.0 %	25,453	43.9 %	30,854	53.2 %	1,146	2.0 %	542	0.9 %	31,934	55.9 %
42	32,242	60.8 %	20,242	38.1 %	346	0.7 %	153	0.3 %	82	0.2 %	18,730	36.2 %	31,419	60.7 %	876	1.7 %	726	1.4 %	32,380	63.3 %
43	27,031	37.9 %	43,401	60.9 %	637	0.9 %	204	0.3 %	50	0.1 %	41,886	60.4 %	25,865	37.3 %	1,167	1.7 %	457	0.7 %	26,244	38.3 %
44	30,753	36.0 %	53,180	62.3 %	1,080	1.3 %	226	0.3 %	166	0.2 %	53,925	63.8 %	28,479	33.7 %	1,634	1.9 %	470	0.6 %	28,128	33.7 %
45	48,915	58.4 %	32,987	39.4 %	1,398	1.7 %	368	0.4 %	33	0.0 %	34,338	41.4 %	45,705	55.1 %	2,168	2.6 %	720	0.9 %	43,817	53.8 %
46	65,231	74.8 %	20,081	23.0 %	1,320	1.5 %	340	0.4 %	269	0.3 %	21,067	24.6 %	61,880	72.3 %	1,910	2.2 %	686	0.8 %	59,741	71.0 %
47	68,416	61.5 %	40,525	36.4 %	1,628	1.5 %	273	0.2 %	394	0.4 %	44,706	40.7 %	62,863	57.2 %	1,813	1.6 %	500	0.5 %	59,819	55.8 %
48	80,654	70.5 %	31,259	27.3 %	1,760	1.5 %	324	0.3 %	412	0.4 %	35,392	31.3 %	74,913	66.3 %	2,073	1.8 %	677	0.6 %	71,495	64.9 %
49	89,120	81.8 %	17,478	16.0 %	1,555	1.4 %	424	0.4 %	431	0.4 %	20,512	19.1 %	84,307	78.4 %	2,025	1.9 %	717	0.7 %	80,213	76.5 %
50	54,299	75.3 %	16,170	22.4 %	1,029	1.4 %	324	0.4 %	265	0.4 %	16,686	23.7 %	51,490	73.1 %	1,609	2.3 %	630	0.9 %	49,325	71.4 %
51	60,236	82.1 %	11,480	15.6 %	1,066	1.5 %	325	0.4 %	262	0.4 %	12,318	17.2 %	56,747	79.1 %	1,833	2.6 %	807	1.1 %	54,833	78.0 %
52	44,974	46.7 %	49,046	51.0 %	1,686	1.8 %	248	0.3 %	257	0.3 %	49,720	52.8 %	41,964	44.6 %	2,038	2.2 %	459	0.5 %	39,502	42.7 %
53	22,852	22.9 %	75,912	76.0 %	880	0.9 %	200	0.2 %	41	0.0 %	75,362	76.6 %	21,125	21.5 %	1,485	1.5 %	458	0.5 %	21,016	21.6 %
54	26,960	45.5 %	31,067	52.4 %	899	1.5 %	208	0.4 %	156	0.3 %	31,418	53.4 %	25,767	43.8 %	1,338	2.3 %	356	0.6 %	24,660	42.2 %
55	30,054	43.9 %	36,826	53.8 %	1,081	1.6 %	232	0.3 %	207	0.3 %	37,516	55.2 %	28,646	42.2 %	1,387	2.0 %	371	0.5 %	27,040	40.2 %
56	27,568	33.9 %	52,408	64.4 %	1,096	1.3 %	189	0.2 %	92	0.1 %	52,989	66.1 %	25,021	31.2 %	1,641	2.0 %	479	0.6 %	23,381	29.8 %
57	36,387	42.6 %	47,660	55.8 %	1,143	1.3 %	186	0.2 %	61	0.1 %	48,710	57.6 %	33,420	39.5 %	1,888	2.2 %	501	0.6 %	31,881	38.4 %
58	17,232	22.4 %	58,733	76.3 %	827	1.1 %	152	0.2 %	32	0.0 %	58,506	76.6 %	16,186	21.2 %	1,295	1.7 %	396	0.5 %	15,454	20.4 %
59	16,799	21.7 %	59,325	76.6 %	996	1.3 %	223	0.3 %	154	0.2 %	58,862	76.9 %	15,675	20.5 %	1,510	2.0 %	480	0.6 %	14,818	19.6 %
60	15,592	16.9 %	75,609	81.8 %	997	1.1 %	187	0.2 %	41	0.0 %	75,016	81.9 %	14,321	15.6 %	1,831	2.0 %	412	0.4 %	13,266	14.6 %
61	43,274	45.2 %	50,795	53.0 %	1,202	1.3 %	213	0.2 %	305	0.3 %	52,858	56.4 %	38,729	41.3 %	1,689	1.8 %	474	0.5 %	37,197	40.4 %
62	18,368	22.3 %	62,657	76.2 %	849	1.0 %	170	0.2 %	140	0.2 %	61,796	76.1 %	17,620	21.7 %	1,375	1.7 %	407	0.5 %	16,389	20.4 %
63	42,303	46.4 %	47,444	52.0 %	1,164	1.3 %	240	0.3 %	77	0.1 %	49,708	55.1 %	38,075	42.2 %	1,844	2.0 %	547	0.6 %	36,123	41.0 %
64	33,266	38.2 %	52,309	60.0 %	1,208	1.4 %	308	0.4 %	56	0.1 %	52,714	61.3 %	30,654	35.6 %	1,962	2.3 %	728	0.8 %	28,925	34.2 %
65	43,265	45.1 %	51,231	53.4 %	1,161	1.2 %	216	0.2 %	55	0.1 %	53,666	56.6 %	38,803	40.9 %	1,839	1.9 %	547	0.6 %	36,917	39.8 %

For technical reasons, election results in Texas Legislative Council reports may vary slightly from the official election results. Complete official results for all elections are maintained by the Office of the Texas Secretary of State.
SSVR-T = Total Spanish surname voter registration

Election Analysis

HOUSE DISTRICTS - PLANH2316
2020 General Election

District	RR COMM 1						SUP CT CHIEF						SUP CT 6				SUP CT 7			
	Wright-R		Sterett-L		Gruene-G		Hecht-R		Meachum-D		Ash-L		Bland-R		Cheng-D		Boyd-R		Strange-L	
33	54,182	61.2 %	1,968	2.2 %	771	0.9 %	54,478	61.4 %	32,101	36.2 %	2,086	2.4 %	55,928	63.6 %	32,068	36.4 %	54,686	61.9 %	1,876	2.1 %
34	24,395	42.7 %	1,078	1.9 %	775	1.4 %	24,202	42.5 %	31,288	54.9 %	1,506	2.6 %	25,491	45.0 %	31,194	55.0 %	24,534	43.3 %	1,357	2.4 %
35	12,497	35.4 %	701	2.0 %	528	1.5 %	12,266	35.4 %	21,437	61.8 %	962	2.8 %	13,563	38.8 %	21,369	61.2 %	12,530	36.4 %	967	2.8 %
36	15,508	35.8 %	964	2.2 %	654	1.5 %	15,686	36.3 %	26,238	60.8 %	1,241	2.9 %	17,146	39.8 %	25,956	60.2 %	15,893	37.0 %	1,470	3.4 %
37	23,649	45.1 %	859	1.6 %	634	1.2 %	22,904	45.0 %	26,659	52.4 %	1,339	2.6 %	25,040	48.4 %	26,650	51.6 %	23,486	46.3 %	1,095	2.2 %
38	14,460	31.6 %	908	2.0 %	681	1.5 %	13,831	31.3 %	28,995	65.5 %	1,425	3.2 %	15,730	34.8 %	29,415	65.2 %	14,327	32.5 %	1,205	2.7 %
39	15,414	35.3 %	877	2.0 %	696	1.6 %	15,505	35.5 %	26,816	61.4 %	1,328	3.0 %	17,050	39.2 %	26,476	60.8 %	15,866	36.5 %	1,411	3.2 %
40	14,789	35.0 %	847	2.0 %	655	1.6 %	14,751	35.0 %	26,279	62.3 %	1,125	2.7 %	16,014	38.0 %	26,081	62.0 %	15,123	36.0 %	1,237	2.9 %
41	23,431	41.0 %	996	1.7 %	732	1.3 %	23,509	41.2 %	32,283	56.5 %	1,299	2.3 %	24,959	43.8 %	31,989	56.2 %	23,885	42.0 %	1,440	2.5 %
42	17,195	33.6 %	846	1.7 %	769	1.5 %	16,602	32.9 %	32,316	64.1 %	1,489	3.0 %	18,401	36.2 %	32,411	63.8 %	17,273	33.8 %	1,253	2.5 %
43	40,538	59.1 %	1,183	1.7 %	637	0.9 %	39,933	58.5 %	26,797	39.2 %	1,565	2.3 %	41,631	61.3 %	26,298	38.7 %	40,453	59.5 %	1,390	2.0 %
44	52,370	62.7 %	2,028	2.4 %	986	1.2 %	52,422	62.6 %	28,906	34.5 %	2,348	2.8 %	54,522	65.3 %	28,935	34.7 %	52,897	63.4 %	2,126	2.5 %
45	33,504	41.1 %	2,429	3.0 %	1,715	2.1 %	33,216	40.7 %	45,408	55.6 %	2,999	3.7 %	35,324	43.5 %	45,940	56.5 %	33,669	41.4 %	2,713	3.3 %
46	20,095	23.9 %	2,498	3.0 %	1,803	2.1 %	20,045	23.9 %	61,278	72.9 %	2,714	3.2 %	21,848	26.1 %	61,794	73.9 %	20,298	24.3 %	2,534	3.0 %
47	42,941	40.0 %	2,948	2.7 %	1,553	1.4 %	43,407	40.4 %	61,063	56.8 %	3,021	2.8 %	45,901	43.0 %	60,858	57.0 %	43,340	40.7 %	2,695	2.5 %
48	33,622	30.5 %	3,170	2.9 %	1,921	1.7 %	34,017	30.8 %	73,231	66.2 %	3,357	3.0 %	36,436	33.2 %	73,225	66.8 %	33,893	31.0 %	3,094	2.8 %
49	19,425	18.5 %	2,854	2.7 %	2,375	2.3 %	19,499	18.5 %	82,477	78.4 %	3,247	3.1 %	21,260	20.4 %	83,169	79.6 %	19,271	18.5 %	2,984	2.9 %
50	15,851	22.9 %	2,198	3.2 %	1,715	2.5 %	15,971	23.2 %	50,456	73.2 %	2,518	3.7 %	17,249	25.1 %	51,413	74.9 %	16,150	23.5 %	2,140	3.1 %
51	11,456	16.3 %	2,139	3.0 %	1,857	2.6 %	11,367	16.2 %	56,096	79.9 %	2,726	3.9 %	12,708	18.2 %	57,050	81.8 %	11,590	16.6 %	2,408	3.5 %
52	48,853	52.8 %	2,977	3.2 %	1,206	1.3 %	47,381	52.5 %	39,867	44.2 %	2,976	3.3 %	51,596	56.1 %	40,379	43.9 %	48,855	53.2 %	2,944	3.2 %
53	73,575	75.7 %	1,804	1.9 %	819	0.8 %	73,558	75.7 %	21,589	22.2 %	2,007	2.1 %	75,595	78.3 %	20,980	21.7 %	73,866	76.3 %	1,842	1.9 %
54	31,562	54.0 %	1,504	2.6 %	722	1.2 %	30,955	52.8 %	25,823	44.1 %	1,830	3.1 %	32,367	55.4 %	26,093	44.6 %	31,105	53.2 %	1,637	2.8 %
55	37,699	56.0 %	1,798	2.7 %	807	1.2 %	37,031	54.8 %	28,496	42.2 %	2,017	3.0 %	38,771	57.5 %	28,605	42.5 %	37,293	55.3 %	1,851	2.7 %
56	52,306	66.6 %	1,925	2.5 %	879	1.1 %	51,886	65.8 %	25,033	31.7 %	1,982	2.5 %	53,894	68.6 %	24,637	31.4 %	52,501	66.7 %	1,746	2.2 %
57	47,702	57.5 %	2,317	2.8 %	1,090	1.3 %	47,741	57.2 %	33,471	40.1 %	2,206	2.6 %	49,288	59.7 %	33,246	40.3 %	47,526	57.5 %	2,225	2.7 %
58	57,851	76.5 %	1,743	2.3 %	582	0.8 %	57,699	76.4 %	16,108	21.3 %	1,703	2.3 %	59,244	78.8 %	15,906	21.2 %	57,741	76.7 %	1,548	2.1 %
59	58,467	77.2 %	1,783	2.4 %	653	0.9 %	58,039	76.7 %	15,788	20.9 %	1,861	2.5 %	59,708	79.3 %	15,584	20.7 %	58,227	77.2 %	1,719	2.3 %
60	74,810	82.4 %	2,126	2.3 %	551	0.6 %	74,311	82.0 %	14,133	15.6 %	2,226	2.5 %	76,356	84.5 %	13,984	15.5 %	74,522	82.4 %	2,058	2.3 %
61	51,967	56.5 %	2,154	2.3 %	736	0.8 %	51,592	56.0 %	38,470	41.7 %	2,121	2.3 %	52,985	58.3 %	37,891	41.7 %	51,803	56.5 %	1,921	2.1 %
62	61,972	77.0 %	1,676	2.1 %	489	0.6 %	61,228	76.0 %	17,720	22.0 %	1,610	2.0 %	63,133	78.5 %	17,288	21.5 %	61,709	76.7 %	1,532	1.9 %
63	48,365	54.9 %	2,396	2.7 %	1,198	1.4 %	48,438	54.6 %	37,997	42.9 %	2,218	2.5 %	50,088	57.1 %	37,563	42.9 %	48,208	54.9 %	2,313	2.6 %
64	51,968	61.4 %	2,199	2.6 %	1,550	1.8 %	51,758	60.9 %	30,779	36.2 %	2,387	2.8 %	53,357	63.4 %	30,744	36.6 %	51,699	61.4 %	2,341	2.8 %
65	52,349	56.4 %	2,408	2.6 %	1,165	1.3 %	52,548	56.3 %	38,604	41.3 %	2,217	2.4 %	54,210	58.6 %	38,282	41.4 %	52,284	56.5 %	2,257	2.4 %

For technical reasons, election results in Texas Legislative Council reports may vary slightly from the official election results. Complete official results for all elections are maintained by the Office of the Texas Secretary of State.
SSVR-T = Total Spanish surname voter registration

Election Analysis

HOUSE DISTRICTS - PLANH2316
2020 General Election

District	SUP CT 7		SUP CT 8		CCA 3		CCA 4		CCA 9	
	Williams-D		Busby-R		Triana-D		Oxford-L		Richardson-R		Davis Frizell-D		Yeary-R		Clinton-D		Newell-R		Birmingham-D	
33	31,851	36.0 %	54,746	62.0 %	31,424	35.6 %	2,129	2.4 %	55,466	63.0 %	32,565	37.0 %	55,664	63.3 %	32,314	36.7 %	55,901	63.6 %	31,993	36.4 %
34	30,764	54.3 %	24,118	42.7 %	31,084	55.0 %	1,308	2.3 %	24,846	44.0 %	31,628	56.0 %	25,205	44.7 %	31,146	55.3 %	25,309	45.1 %	30,791	54.9 %
35	20,948	60.8 %	11,949	34.3 %	21,977	63.1 %	902	2.6 %	12,884	36.8 %	22,094	63.2 %	12,940	37.4 %	21,666	62.6 %	13,393	38.8 %	21,108	61.2 %
36	25,623	59.6 %	15,078	35.2 %	26,586	62.0 %	1,220	2.8 %	16,159	37.6 %	26,861	62.4 %	16,550	38.6 %	26,368	61.4 %	17,039	40.0 %	25,580	60.0 %
37	26,097	51.5 %	23,394	45.1 %	27,217	52.5 %	1,225	2.4 %	24,457	47.1 %	27,474	52.9 %	24,227	47.4 %	26,896	52.6 %	24,925	48.6 %	26,363	51.4 %
38	28,551	64.8 %	13,713	30.3 %	30,376	67.0 %	1,236	2.7 %	15,160	33.3 %	30,386	66.7 %	14,839	33.3 %	29,744	66.7 %	15,719	35.1 %	29,102	64.9 %
39	26,159	60.2 %	15,157	35.0 %	26,953	62.3 %	1,186	2.7 %	16,076	37.0 %	27,372	63.0 %	16,585	38.3 %	26,744	61.7 %	16,822	39.1 %	26,215	60.9 %
40	25,621	61.0 %	14,352	34.3 %	26,337	62.9 %	1,153	2.8 %	15,386	36.7 %	26,542	63.3 %	15,708	37.6 %	26,121	62.4 %	15,876	38.2 %	25,674	61.8 %
41	31,527	55.5 %	23,218	40.9 %	32,148	56.7 %	1,375	2.4 %	24,248	42.7 %	32,502	57.3 %	24,698	43.7 %	31,874	56.3 %	24,918	44.2 %	31,423	55.8 %
42	32,509	63.7 %	16,175	31.8 %	33,374	65.6 %	1,308	2.6 %	17,386	35.1 %	32,174	64.9 %	17,784	36.1 %	31,462	63.9 %	18,375	36.6 %	31,817	63.4 %
43	26,146	38.5 %	40,098	59.2 %	26,200	38.7 %	1,486	2.2 %	40,973	60.5 %	26,804	39.5 %	41,338	61.1 %	26,341	38.9 %	41,308	61.3 %	26,085	38.7 %
44	28,455	34.1 %	52,857	63.5 %	28,197	33.9 %	2,221	2.7 %	53,907	64.7 %	29,391	35.3 %	54,201	65.3 %	28,821	34.7 %	54,464	65.6 %	28,517	34.4 %
45	44,924	55.3 %	33,440	41.2 %	44,715	55.1 %	2,951	3.6 %	34,424	42.5 %	46,544	57.5 %	34,982	43.4 %	45,711	56.6 %	35,187	43.7 %	45,259	56.3 %
46	60,796	72.7 %	19,984	23.9 %	60,796	72.8 %	2,705	3.2 %	20,963	25.4 %	61,717	74.6 %	21,150	25.6 %	61,617	74.4 %	21,510	26.1 %	61,059	73.9 %
47	60,374	56.7 %	43,208	40.7 %	59,945	56.4 %	3,082	2.9 %	44,350	42.1 %	61,099	57.9 %	44,491	42.2 %	60,839	57.8 %	44,976	42.9 %	59,919	57.1 %
48	72,381	66.2 %	33,494	30.6 %	72,427	66.3 %	3,362	3.1 %	34,888	32.2 %	73,465	67.8 %	34,962	32.3 %	73,253	67.7 %	35,528	33.0 %	72,262	67.0 %
49	81,790	78.6 %	19,039	18.3 %	81,662	78.6 %	3,204	3.1 %	20,095	19.5 %	82,932	80.5 %	20,209	19.6 %	82,752	80.4 %	20,662	20.1 %	81,933	79.9 %
50	50,340	73.3 %	15,815	23.1 %	50,244	73.4 %	2,409	3.5 %	16,547	24.4 %	51,248	75.6 %	16,816	24.8 %	51,049	75.2 %	17,155	25.3 %	50,534	74.7 %
51	55,731	79.9 %	11,137	16.0 %	55,926	80.3 %	2,575	3.7 %	12,054	17.5 %	56,936	82.5 %	12,303	17.8 %	56,689	82.2 %	12,588	18.3 %	56,194	81.7 %
52	39,952	43.5 %	48,982	53.4 %	39,587	43.2 %	3,135	3.4 %	50,403	55.0 %	41,176	45.0 %	50,672	55.6 %	40,442	44.4 %	51,188	56.2 %	39,901	43.8 %
53	21,093	21.8 %	73,747	76.3 %	20,776	21.5 %	2,070	2.1 %	74,820	77.6 %	21,627	22.4 %	74,970	77.9 %	21,212	22.1 %	75,159	78.3 %	20,888	21.7 %
54	25,743	44.0 %	31,322	53.6 %	25,434	43.5 %	1,689	2.9 %	31,937	54.7 %	26,396	45.3 %	32,142	55.1 %	26,191	44.9 %	32,251	55.3 %	26,095	44.7 %
55	28,273	41.9 %	37,560	55.8 %	27,805	41.3 %	1,936	2.9 %	38,230	56.9 %	28,996	43.1 %	38,526	57.3 %	28,656	42.7 %	38,657	57.5 %	28,535	42.5 %
56	24,419	31.0 %	52,542	66.9 %	24,110	30.7 %	1,872	2.4 %	53,074	67.7 %	25,266	32.3 %	53,330	68.3 %	24,764	31.7 %	53,563	68.7 %	24,403	31.3 %
57	32,971	39.9 %	47,748	57.8 %	32,380	39.2 %	2,437	3.0 %	48,473	58.9 %	33,789	41.1 %	48,780	59.5 %	33,191	40.5 %	49,120	60.0 %	32,811	40.0 %
58	15,973	21.2 %	58,088	77.0 %	15,461	20.5 %	1,848	2.5 %	58,675	78.0 %	16,528	22.0 %	58,792	78.4 %	16,183	21.6 %	58,998	78.7 %	15,927	21.3 %
59	15,463	20.5 %	58,352	77.5 %	14,998	19.9 %	1,944	2.6 %	59,115	78.6 %	16,101	21.4 %	59,349	79.1 %	15,657	20.9 %	59,401	79.3 %	15,522	20.7 %
60	13,812	15.3 %	74,590	82.7 %	13,378	14.8 %	2,223	2.5 %	75,724	84.1 %	14,356	15.9 %	75,838	84.4 %	14,047	15.6 %	75,951	84.6 %	13,852	15.4 %
61	37,914	41.4 %	51,924	56.7 %	37,437	40.9 %	2,226	2.4 %	52,549	57.8 %	38,361	42.2 %	52,863	58.1 %	38,147	41.9 %	53,080	58.5 %	37,669	41.5 %
62	17,250	21.4 %	61,833	77.0 %	16,714	20.8 %	1,718	2.1 %	62,535	77.9 %	17,730	22.1 %	62,738	78.3 %	17,405	21.7 %	62,864	78.4 %	17,357	21.6 %
63	37,308	42.5 %	48,422	55.2 %	36,671	41.8 %	2,559	2.9 %	49,181	56.4 %	38,080	43.6 %	49,385	56.8 %	37,548	43.2 %	49,835	57.4 %	37,033	42.6 %
64	30,208	35.9 %	51,877	61.7 %	29,693	35.3 %	2,496	3.0 %	52,500	62.7 %	31,284	37.3 %	52,863	63.3 %	30,700	36.7 %	52,984	63.5 %	30,446	36.5 %
65	37,953	41.0 %	52,618	56.9 %	37,312	40.4 %	2,516	2.7 %	53,194	57.8 %	38,857	42.2 %	53,562	58.3 %	38,275	41.7 %	54,019	58.9 %	37,682	41.1 %

For technical reasons, election results in Texas Legislative Council reports may vary slightly from the official election results. Complete official results for all elections are maintained by the Office of the Texas Secretary of State.
SSVR-T = Total Spanish surname voter registration

Exhibit 18:
New York Times article, Sept. 27, 2021

The New York Times https://www.nytimes.com/2021/09/27/us/politics/texas-congress-map-republicans.html

Texas Republicans propose a new congressional map that aims to protect the party's incumbents.

By Nick Corasaniti and Reid J. Epstein
Sept. 27, 2021

Republicans in the Texas Legislature proposed a new congressional map on Monday that would preserve the party's advantage in the state's delegation to Washington amid booming population growth spurred by communities of color.

The new map was designed with an eye toward incumbency and protecting Republicans' current edge; the party now holds 23 of the state's 36 congressional seats. Rather than trying to make significant gains, the party appears to be bolstering incumbents who have faced increasingly tough contests against an ascendant Democratic Party in Texas.

Indeed, in the proposed map, there is only one congressional district in the state where the margin of the 2020 presidential election would have been less than five percentage points, an indication that the vast majority of the state's 38 districts will not be particularly competitive.

Texas was the only state in the country to be awarded two new congressional districts during this year's reapportionment, which is taking place after the 2020 census. The state's Hispanic population grew by two million people over the past 10 years, and is now just 0.4 percentage points behind that of the Anglo population.

But the map proposed by the Republican-controlled State Senate redistricting committee, led by State Senator Joan Huffman, would decrease the number of predominantly Hispanic districts in the state from eight to seven, and would increase the number of majority-white districts from 22 to 23.

Redistricting at a Glance

Every 10 years, each state in the U.S is required to redraw the boundaries of their congressional and state legislative districts in a process known as redistricting.

- **Redistricting, Explained:** Answers to your most pressing questions about redistricting and gerrymandering.
- **Breaking Down Texas's Map:** How redistricting efforts in Texas are working to make Republican districts even more red.
- **G.O.P.'s Heavy Edge:** Republicans are poised to capture enough seats to take the House in 2022, thanks to gerrymandering alone.
- **Legal Options Dwindle:** Persuading judges to undo skewed political maps was never easy. A shifting judicial landscape is making it harder.

Though the map proposed on Monday was just a first draft and could undergo some changes, civil rights groups expressed alarm at the lack of new districts with a majority of voters of color.

"With Latinos accounting for nearly half of the total growth of the Texas population in the last decade, we would expect legally compliant redistricting maps to protect existing Latino-majority districts and potentially to expand the number of such districts," said Thomas Saenz, the president and general counsel of the Mexican American Legal Defense and Educational Fund.

Sign Up for On Politics A guide to the political news cycle, cutting through the spin and delivering clarity from the chaos. Get it sent to your inbox.

Texas has a long history of running afoul of the redistricting parameters set by the Voting Rights Act, having faced a legal challenge to every map it has put forward since the law was passed in 1965. But in 2013, the Supreme Court gutted a key provision of the act that forced some states to obtain approval from the Justice Department before making changes to voting laws or to congressional districts.

This year is the first time that Texas legislators have been free to redraw the state's congressional map without following that requirement.

Across the country, each party is poised to press its advantage to create as many favorable congressional and state legislative seats as possible in states where its lawmakers control how maps are drawn.

Understand How U.S. Redistricting Works

What is redistricting? It's the redrawing of the boundaries of congressional and state legislative districts. It happens every 10 years, after the census, to reflect changes in population.

On Friday, the National Redistricting Action Fund, a Democratic organization run by former Attorney General Eric H. Holder Jr., sued Ohio over Republican-drawn state legislative maps that it argued had violated a 2015 state constitutional amendment.

In Nebraska this month, Democrats protested a proposed map from Republicans that split Douglas County, which includes Omaha, the state's largest city, into two congressional districts. The Democrats eventually forced a compromise that maintained a district in which President Biden won a majority of votes. On Friday, Nebraska legislators agreed to pass a congressional map that preserves Douglas County as a single district.

Fast-growing Oregon is one of the few states where Democrats have the potential to press a redistricting advantage. The state is adding a sixth congressional district to its delegation, which now has four Democrats and one Republican. But the new map, set to pass on Monday, will most likely create a Democratic district, adding to Democrats' advantage in the state.

Exhibit 19:
Texas Tribune article, Oct. 25, 2021

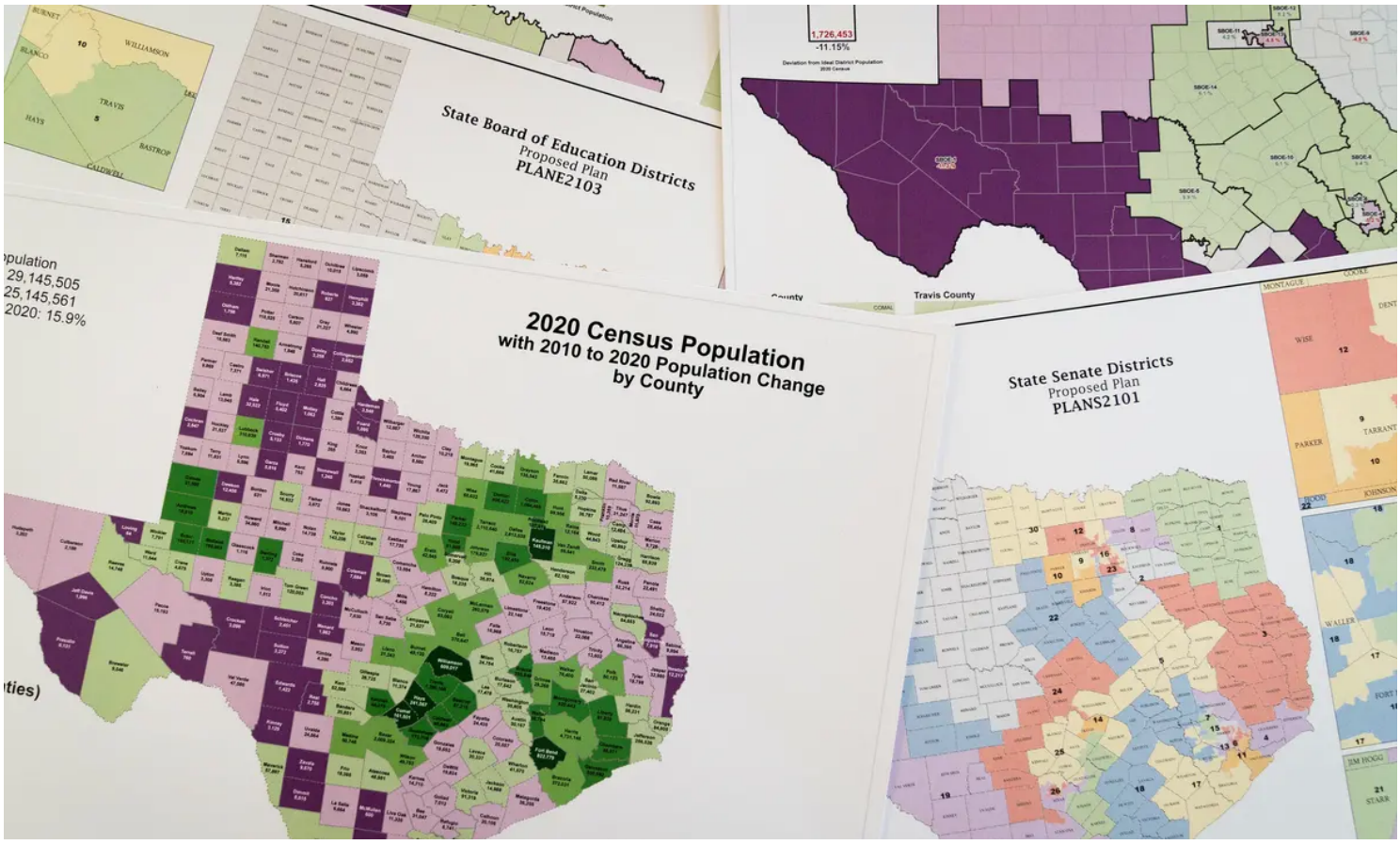
REDISTRICTING TEXAS

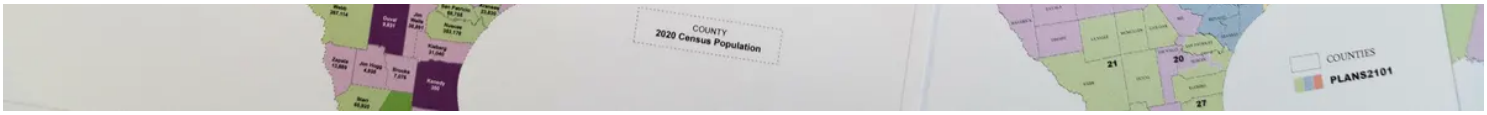
Gov. Greg Abbott signs off on Texas' new political maps, which protect GOP majorities while diluting voices of voters of color

> Texas lawmakers drew new maps for the state House and Senate, congressional delegation and State Board of Education. Here's what Texans should know about the 2021 redistricting outcomes.

BY **ELVIA LIMÓN** OCT. 25, 2021 3 PM CENTRAL

COPY LINK



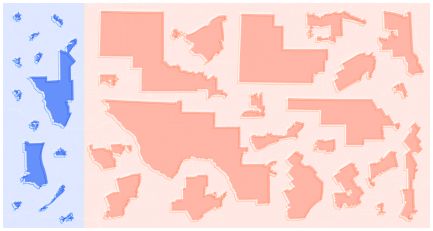


Texas lawmakers redrew political districts for the state House, state Senate, U.S. House and State Board of Education during 2021's third special session. Michael Gonzalez/The Texas Tribune

Gov. Greg Abbott on Monday approved Texas' new political maps for the state's congressional, legislative and State Board of Education districts, according to Texas Legislature Online.

The maps were drawn to keep Texas Republicans in power for the next decade. They simultaneously diminish the power of voters of color — despite new census numbers pointing to Texans of color as the main force behind the state's population growth.

The new districts will be used for the first time in next year's primary and general elections, barring any court interventions.



Texas has new political maps. See which districts your home is in.

In 2021, Texas Republicans redrew political maps for the state's congressional, House, Senate and Board of Education districts. Enter your address to see your districts. (Don't worry, we won't store your information.)

ENTER YOUR ADDRESS

1010 Colorado St, Austin, TX, 78701

SEE DISTRICT CHANGES

The redistricting process, which happens every 10 years after new census data is released, is complicated and contentious. Legal battles have already begun, with one early lawsuit raising various claims that the new districts unfairly and

illegally discriminate against voters of color. More legal challenges are expected to pop up in the near future.

The Texas Tribune thanks its sponsors. **Become one**.

Here's what Texans should know about the 2021 redistricting outcomes.

The Texas GOP fortified its power with all four maps

Texas lawmakers drew political maps that would protect the GOP's majorities in the Texas Legislature, on the State Board of Education and within the state's congressional delegation to Washington, D.C. Throughout the process, Texas Republicans — nearly all of whom are white — struggled against demographic tides to protect their grip on power.

In a bid to hold the political turf, Republicans zeroed in on some communities with high shares of potential voters of color — who are more likely to support Democrats — and grafted them onto massive districts dominated by white voters. To protect GOP incumbents, Republicans also made political districts less competitive, which could undermine many potential challengers' campaigns. Some experts believe this tactic might hurt civic engagement.

Republicans drew new maps that dilute the power of voters of color

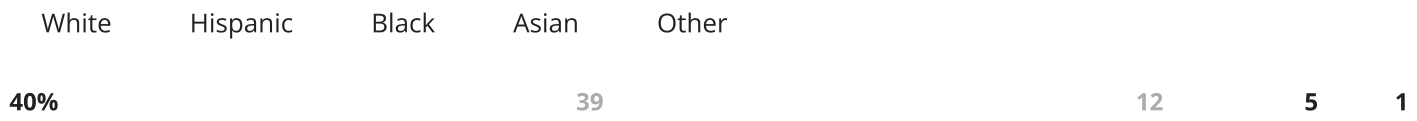
Census data shows that Texans of color accounted for 95% of the state's population growth, but the state's new political maps don't reflect this growth. With partisan fervor, Republicans drew new maps for Congress and the Texas Legislature that dilute the power of voters of color. That came despite Democratic efforts — and pleas from members of the public — to create additional opportunities for voters of color to meaningfully influence elections.

Since Congress passed the Voting Rights Act in 1965, Texas has been barred by law from discriminating against voters of color. Yet in every decade since then, federal judges have ruled at least once that the state violated federal protections for voters in redistricting.

Texas' new political districts are not reflective of the state

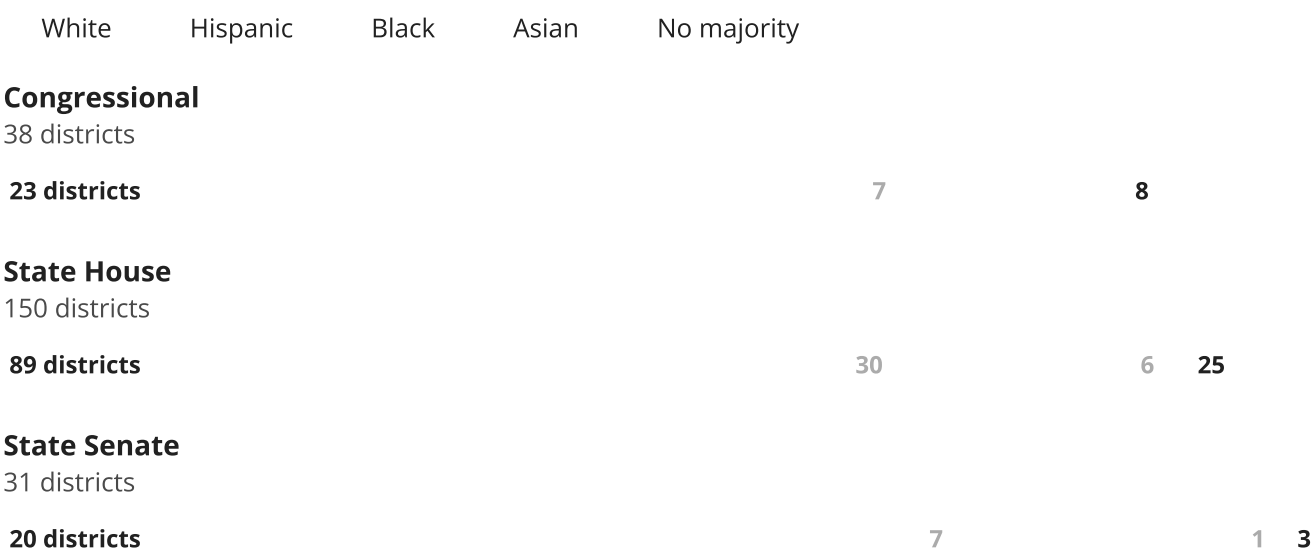
People of color made up 95% of Texas' population growth, and the Hispanic and white populations are nearly equal in size. But white voters will have disproportionate control of elections under the state's new political maps.

The breakdown of Texas' population in 2020



Note: Percentages may not add up to 100. About 3% of people in Texas identify as having two or more races.

Majority demographic group among eligible voters in new districts



Source: U.S. Census Bureau, Texas Legislative Council
Credit: Mandi Cai

State Sen. Joan Huffman, the Houston Republican who led the redistricting process in the Senate, said in a public meeting that lawmakers had drawn the maps "race blind" and they had "not looked at any racial data" throughout the process. But to the legion of civil rights activists, lawyers, local leaders and organizers who have labored for decades against Texas political structures that exclude their communities, Huffman's words translate as being politically invisible.

"Color blind has two meanings — one that decisions are made without racial bias. These maps have obviously been made with racial bias," Elisa Gonzalez, a retired educator from Corpus Christi, told lawmakers at one public hearing. "However,

this committee is also color blind in terms of being deliberately blind to citizens of color by making maps that silence their impact."

The Texas Tribune thanks its sponsors. **Become one**.

New congressional map increases districts Donald Trump would have won

With the state's new congressional districts, Republicans designed a map that will tighten their hold on diversifying parts of the state, where the party's grip on power was waning. It will also lock in the GOP's majority in the 38-seat delegation for the U.S. House.

The state's delegation had consisted of 23 Republicans and 13 Democrats. Trump won 22 current U.S. House districts, but would have won 25 under the new maps. Biden won 14 current U.S. House districts, but would have won 13 under the new maps. That means while Trump won 52.1% of the statewide vote, he would have won in more than 65% of the new congressional districts.

By fortifying GOP districts, the congressional map often manipulates district lines around communities of color. In some instances, Republicans drew diverse suburban areas into sprawling rural districts dominated by white voters. They

reconfigured a district in the typically blue Rio Grande Valley to boost Republican performance even though the area's Hispanic voters usually don't prefer GOP candidates.

The new map also incorporates two additional U.S. House seats the state gained, the most of any state in this year's reapportionment. Though Texas received those districts because of explosive population growth — 95% of it attributable to

Future of Abortion Rights 2022 Elections School Board Fights Find Your Political Districts

The Texas Tribune thanks its sponsors. **Become one**.

Republicans reduced the number of districts in which Hispanics make up the majority of eligible voters from eight to seven. The number of districts with Black residents as the majority of eligible voters drops from one to zero. Meanwhile, the state would have 23 districts with a white majority among eligible voters — up from 22 in the current configuration.

The new 37th Congressional District in the Austin area captures Democratic-leaning voters that were endangering the prospects of Republican incumbents in nearby districts. The new 38th Congressional District offers Republicans safe territory in the Houston area.

Senate map protects Republican incumbents

Texas' new Senate map draws safe seats for Republican incumbents who were facing competitive races as their districts diversified over the last 10 years. As of October 2021, the chamber's 31 seats were divided among 18 Republicans and 13 Democrats.

In the 2020 elections, Trump won 16 districts and Biden won 15 districts. Under the new maps, Trump would have won 19 and Biden would have won 12. That means while Trump won 52.1% of the statewide vote, he would have won more than 61% of the new Senate districts.

The new map still has seven districts where Hispanics make up the majority of eligible voters and one where Black residents are the majority of eligible voters. The number of districts where white residents make up the majority of eligible voters drops from 21 to 20. And districts where no racial group makes up more than half of eligible voters increases from two to three.

New House districts decrease Hispanic and Black voters' influence

The state's new House map pulls back on Hispanic and Black voters' potential influence in electing their representatives.

The map brings the number of districts in which Hispanics make up the majority of eligible voters down from 33 to 30. The number of districts with Black residents as the majority of eligible voters would drop from seven to six. Meanwhile, the number of districts with a white majority among eligible voters would increase from 83 to 89.

The redraw will ultimately aid Republicans' ability to control the chamber for years to come.

As of October 2021, the partisan breakdown of the House was 83 Republicans and 66 Democrats. During the 2020 election, 76 districts voted for Trump while 74 voted for Biden.

The Texas Tribune thanks its sponsors. **Become one**.

The new House map creates 85 districts that would have favored Trump in 2020 and 65 that would have voted for Biden. So while Trump won 52.1% of the statewide vote, he would have won in 56.7% of new state House districts.

State Board of Education map keeps Republicans in control

The State Board of Education is the 15-member body that dictates what millions of Texas public school students are taught in classrooms. It is currently made up of nine Republicans and six Democrats. The new map continues to give Republicans control. Seven of the districts went to Biden during the 2020 general election, but under the new maps, Biden would have won only six of the districts.

Under the new maps, there are 10 districts whose majority of eligible voters is white, three where the majority is Hispanic and two that have no majority. This did not change from the previous maps.

More than 5.3 million students were enrolled in Texas public schools for the 2020-21 school year, according to the Texas Education Agency. More than 52% are Hispanic, about 12.7% are Black, 4.7% are Asian American, and about 26.5% white.

Legal challenges are expected — something to which Texas is accustomed

Before the special legislative session for redistricting was wrapped up, lawsuits had already been filed, and more are expected. It's not unusual for some redistricting plans to end up in state or federal court. For the past decade, the state dealt with the legal implications of the 2011 redistricting maps that ended up being rejected by the federal government. If those past lawsuits indicate anything it's that these types of court challenges could take years, if not the better part of a decade.

This is the first time in decades Texas doesn't need federal approval to implement new maps

In every decade since the federal Voting Rights Act was passed, federal courts have found that Texas lawmakers disenfranchised voters in one way or another when drawing maps. Because of this long history of voter suppression, Texas was required for decades to run any changes to its elections, including changes to district boundaries, by the U.S. Department of Justice or a federal court.

But in 2013, the U.S. Supreme Court gutted the Voting Rights Act and ruled that the formula that kept states like Texas under federal oversight was outdated, freeing the state from the process known as preclearance. That means 2021 was the first time in nearly 50 years that Texas could implement new legislative and congressional districts without having to prove ahead of time that the maps don't

undermine the electoral power of voters of color. Voters of color and civil rights groups that have fought the state's political maps in the past now have fewer tools with which to challenge the discrimination that may tarnish the maps.

Quality journalism doesn't come free

Perhaps it goes without saying — but producing quality journalism isn't cheap. At a time when newsroom resources and revenue across the country are declining, The Texas Tribune remains committed to sustaining our mission: creating a more engaged and informed Texas with every story we cover, every event we convene and every newsletter we send. As a nonprofit newsroom, we rely on members to help keep our stories free and our events open to the public. Do you value our journalism? Show us with your support.

YES, I'LL DONATE TODAY

The Texas Tribune thanks its sponsors.
Become one.

Exhibit 20:
Texas Tribune article, Oct. 7, 2021

REDISTRICTING TEXAS

Weighing reelection bid, GOP Texas Sen. Kel Seliger confronts redrawn district, Trump endorsement of primary challenger

> After high-profile clashes with Lt. Gov. Dan Patrick, a fellow Republican, Seliger suspects members of his own party are trying to oust him.

BY **PATRICK SVITEK** OCT. 7, 2021 5 AM CENTRAL

COPY LINK

State Sen. Kel Seliger, R-Amarillo, has represented Senate District 31 in the Panhandle since 2004. Juan Figueroa/The Texas Tribune

Sign up for The Brief, our daily newsletter that keeps readers up to speed on the most essential Texas news.

Heading into election season, Amarillo state Sen. Kel Seliger says he feels like members of his own party might be using redistricting to oust him after years of tension with Lt. Gov. Dan Patrick, a fellow Republican.

Seliger is deciding whether he will even run for reelection, but if he does, he is now staring down perhaps his toughest primary yet.

He has received two primary challengers, including Kevin Sparks, a Midland oilman who previously served on the board of the Texas Public Policy Foundation, the Austin-based conservative think tank. Meanwhile, Seliger's district was redrawn by his Republican colleagues in the Senate in a way that he says is designed to hobble a potential reelection bid.

The Texas Tribune thanks its sponsors. **Become one**.

And on Tuesday, former President Donald Trump, a close ally of Patrick, endorsed Sparks and bashed Seliger as a "RINO" — Republican in name only — in a rare intervention in a Texas legislative race by the former president.

Reached by phone on Wednesday, Seliger offered only five words in response to the endorsement: “It comes as no surprise.”

But the senator has otherwise been outspoken about his proposed new district, alleging it was constructed to tilt the primary in favor of Sparks. While he is waiting until after the redistricting process is done to decide whether to seek reelection, Seliger said the perceived effort to draw him into a harder primary would backfire because the new counties are still rural — and local officials in those counties “hate TPPF because they are virulently anti-local control.”

“This map doesn’t serve the purpose that was sought because these are rural counties, and I almost always win all the rural counties,” Seliger said.

The proposed new district removes four counties from the Panhandle and adds a dozen to the southern end of the district, closer to Midland. The Senate approved the map proposal Monday, with Seliger as the only Republican voting against it.

“I believe, members, that really what this is about is to take counties out of the Panhandle and move them closer to Midland because a member of the board of Texas Public Policy Foundation is running,” Seliger said on the floor before the vote.

He confirmed after the vote that he was referring to Sparks, a former board member — and that he “absolutely” felt the district was being redrawn to advantage his opponent.

Sen. Joan Huffman, the Houston Republican who chairs the Senate Redistricting Committee, defended the proposed new configuration of Seliger’s district, saying the additional counties were necessary to make up for lost population in the 2020 census.

The Texas Tribune thanks its sponsors. **Become one**.

Patrick's chief political strategist, Allen Blakemore, scoffed at Seliger's claims in a statement Wednesday.

"After spending 17 years working against the interests of conservatives, often being the only Republican to vote with Democrats on key issues and being ranked as the most liberal Member year after year, Senator Seliger now feels there is an elaborate scheme designed to thwart his election," Blakemore said. "The timing speaks for itself."

Patrick himself has not publicly commented on Seliger's primary. But during a trip to Midland last week, Patrick told the Permian Basin Petroleum Association that the Senate needs an oil and gas expert — which Sparks happens to be.

Trump's endorsement of Sparks arrived Tuesday evening, less than two hours after Seliger cast the lone Republican vote against a Patrick priority bill clearing the way for party officials to trigger election audits. Seliger reportedly said he opposed the legislation because it is an "unfunded mandate of the counties, and I'm opposed to big government."

The Texas Tribune thanks its sponsors. **Become one**.

Trump said in a statement that Seliger "is not helpful to our great [Make America Great Again] Movement and, in fact, seems like the Texas version of Mitt Romney (and that is not good!)."

Seliger has become known for bucking Patrick on the lieutenant governor's signature issues. In 2017, Seliger voted against two of Patrick's highest priorities, a bill restricting local governments' abilities to raise property tax revenues and another one providing private school vouchers. The next session, Patrick stripped Seliger of his chairmanship of the Higher Education Committee, prompting a back-and-forth with Patrick's office that escalated to Seliger issuing a recommendation that a top Patrick adviser kiss his "back end." (Seliger ultimately apologized, but only for directing the comment at the adviser and not at Patrick himself.)

A former Amarillo mayor, Seliger has represented Senate District 31 in the Panhandle since 2004. He has gone through competitive primaries before, including the last time he ran for reelection in 2018, when he faced two challengers: Amarillo restaurateur Victor Leal and former Midland Mayor Mike Canon. Seliger narrowly avoided a runoff against Canon, winning 50.4% of the vote.

Patrick publicly swore off involvement in that race, but his top political lieutenant, Blakemore, was involved in Leal's campaign. At the time, Patrick was running in his own primary for reelection — and Seliger had declined to join every other GOP senator in endorsing the lieutenant governor for another term.

The Texas Tribune thanks its sponsors. **Become one**.

Three years later, Patrick possesses no stronger ally against Seliger than Trump. Both of Trump's Texas campaigns were chaired by the lieutenant governor.

Trump is overwhelmingly popular in the Panhandle, where he has already reshaped GOP representation with his 2020 backing of his former White House doctor, Ronny Jackson, for the 13th Congressional District. Campaigning heavily on Trump's support, Jackson soundly defeated fellow Republican Josh Winegarner in a primary runoff in which Winegarner had much stronger local roots and the support of the retiring incumbent, Mac Thornberry, as well as Seliger.

Trump won Seliger's Senate District 31 with 78% of the vote last year. He performed better in only one other Senate district.

Sparks celebrated the Trump endorsement in a fundraising email Wednesday night, saying the former president "realizes that the people of Senate District 31 deserve more conservative representation."

The Texas Tribune thanks its sponsors. **Become one**.

Sparks is formally kicking off his campaign Monday in Midland, where he has already assembled a formidable list of endorsements. It includes Seliger's two 2018 primary challengers, Canon and Leal; several former Midland mayors; and heavy-hitting conservative donors from the area like Tim Dunn, Douglas Scharbauer and Dick Saulsbury.

Sparks' campaign says it also has a list of Amarillo endorsements that it will release soon.

Seliger's other primary rival is Big Spring businessperson Stormy Bradley. She is undeterred by recent developments, saying in a statement Wednesday that neither the proposed new district nor the Trump endorsement "affect my campaign strategy for Senate District 31."

"I myself resonate with Trump's message to 'Make America Great Again' as I also am passionate towards having a thriving and secure nation," Bradley said. "I appreciate his concern for our citizens; however, I feel the voters in District 31 are best suited to determine their next senator."

The Texas Tribune thanks its sponsors. **Become one**.

Seliger had close to a half a million dollars in his campaign account at the end of June, though he does not appear to have done much fundraising since then. He reported one $2,500 donation on a campaign finance report that was due after the first special session, covering July 7 through Aug. 6. Meanwhile, Sparks and Bradley have started modestly in the money race, disclosing $58,000 and $29,000 in donations, respectively, on reports that go through Sept. 2.

As for the proposed new district, Seliger did not mince words Tuesday. He said "the only reason verbalized to me" in a meeting with Huffman "was a desire to provide distinct oil-and-gas districts and distinct agriculture districts." He disputed that, saying the proposed map "doesn't do that at all," and also dismissed the idea the new 31st District would adhere to the redistricting

principle of compactness — keeping constituents as close together as possible — noting how far the north-south distance of the district would grow.

Huffman also noted that the partisan makeup of voters in the proposed new district is the most favorable one for GOP candidates.

“Sen. Seliger, I still believe you have a very compact district considering the population and the breadth of West Texas and the beauty of West Texas,” Huffman said. “You also still have the most Republican Senate district in the state of Texas.”

The Texas Tribune thanks its sponsors. **Become one**.

Seliger had offered an amendment to restore the four Panhandle counties and add different counties surrounding Midland but withdrew it, saying he wanted to spare colleagues a “difficult vote.”

Sparks has no problem with the redrawn district.

”Everyone understands that rural Texas has lost population, so it’s only natural that rural districts are larger under the proposed redistricting plan,” he said in a statement. “Instead of lodging petty attacks, our rural communities must stand together to amplify our voice in Austin.”

Disclosure: Permian Basin Petroleum Association, Stand Together and Texas Public Policy Foundation have been financial supporters of The Texas Tribune, a nonprofit, nonpartisan news organization that is funded in part by donations from members,

Exhibit 21:
Texas Tribune article, Jan. 22, 2019

TEXAS LEGISLATURE 2019

Lt. Gov. Dan Patrick pulls Sen. Kel Seliger's chairmanship after Seliger suggested Patrick aide kiss his "back end"

> Patrick cited a "lewd comment" by Seliger in explaining the move. The two have been tussling over committee assignments in recent days.

BY **EMMA PLATOFF** JAN. 22, 2019 2 PM CENTRAL

COPY LINK

Sen. Kel Seliger has been removed from his post as chairman of the Senate Agriculture Committee. 📷 Laura Skelding for The Texas Tribune

Texas Legislature 2019

The 86th Legislature runs from Jan. 8 to May 27. From the state budget to health care to education policy — and the politics behind it all — we focus on what Texans need to know about the biennial legislative session. MORE IN THIS SERIES →

State Sen. Kel Seliger has been stripped of his post as chairman of the Senate Agriculture Committee, in an escalation of a feud with Lt. Gov. Dan Patrick, who presides over the upper chamber.

Announced Tuesday afternoon, the demotion caps a weekend spat between Seliger, an Amarillo Republican first elected to the Senate in 2004, and Patrick. The two have found themselves at odds with one another after Seliger voted against two of the lieutenant governor's priorities in 2017.

Patrick said the demotion came after Seliger failed to apologize for a "lewd comment … that has shocked everyone" — a remark made on a West Texas radio program suggesting that a senior Patrick aide kiss his "back end."

The tiff started Friday, when Patrick released committee assignments for the legislative session, stripping Seliger of his longtime post as chairman of the Senate Higher Education Committee and taking him off the committee entirely. Instead, Seliger was appointed chair of a newly created agriculture committee, which split off from a larger committee. Patrick said only that committee assignments were "based on a number of factors." Seliger called the snub "a very clear warning" that Republicans better toe the line, teeing up the battle.

The Texas Tribune thanks its sponsors. **Become one**.

In response, Sherry Sylvester, senior advisor to Patrick, said, “If Sen. Seliger believes serving as chair of the Agriculture Committee — a critical committee for West Texas and all of rural Texas — is beneath him, he should let us know and the lieutenant governor will appoint someone else.”

In an interview over the weekend on the radio show the "Other Side of Texas," Seliger shot back one more time.

“It was extremely snide and really unbecoming for a member of the staff, the lieutenant governor’s or my staff,” Seliger told host Jay Leeson. “I didn’t say anything of the sort, and that assertion is disingenuous and I have a recommendation for Miss Sylvester and her lips and my back end.”

Patrick announced Tuesday that he removed Seliger from his leadership position after the veteran lawmaker declined to apologize for that remark.

“I met with Sen. Seliger earlier today and gave him an opportunity to apologize for a lewd comment he made on radio about a female staffer that has shocked everyone. He had 48 hours to apologize, but failed to do so,” Patrick said in a news release. “To not be willing to apologize and suggest, somehow, that she had it coming is unimaginable.”

“I will appoint a new Agriculture Committee chairman shortly,” Patrick added.

The Texas Tribune thanks its sponsors. **Become one**.

In a statement later Tuesday afternoon, Seliger said he was "disappointed" to lose the chairmanship, and he apologized for directing his message to Sylvester, saying he "should have directed my response to the Lt. Governor."

"But let's be clear," Seliger said in a statement on Twitter. "The conflict between the Lt. Governor and me has nothing to do with recent statements I made on a radio talk show. It has to do with the fact that I have consistently stood up for rural Texas, local control, and public education rather than trumpeting the Lt. Governor's pet projects of bathroom regulation and private school vouchers."*

Seliger could prove a thorn in Patrick's side. After losing a Republican seat in the Senate in the 2018 midterms, Republicans hold a razor-thin supermajority; all 19 Republican senators must vote together to bring measures to the floor without Democratic support. A "no" vote from Seliger on partisan issues could jeopardize the lieutenant governor's agenda.

The demotion leaves Seliger as one of just three returning Republicans without a chairmanship. The others are Sen. Bob Hall, R-Edgewood, and Sen. Charles Schwertner, R-Georgetown, who voluntarily gave up his chairmanship after an inconclusive University of Texas at Austin Title IX investigation into whether he had sent lewd texts to a graduate student.

While Patrick explicitly attributed Seliger's demotion to the "lewd comment," the lieutenant governor's office wouldn't confirm whether Patrick asked Schwertner to give up his post over the sexual harassment allegation he faced. After first taking a wait-and-see approach to the investigation, Patrick's comments on Schwertner's request were limited to saying the move was "consistent" with his plans for chair assignments.

Hall and Schwertner are the other two Republicans on the agriculture committee.

Alexa Ura contributed reporting.

Disclosure: Sherry Sylvester and the University of Texas at Austin have been financial supporters of The Texas Tribune, a nonprofit, nonpartisan news organization that is funded in part by donations from members, foundations and corporate sponsors.

Exhibit 22:
Amarillo Pioneer article, Oct. 20, 2021

The Amarillo Pioneer

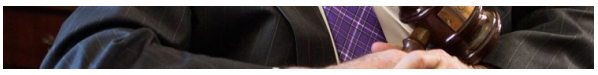
Oct 20

Seliger Calls It Quits: Republican Senator Not Seeking Re-election

Election Coverage (/blog/category/Election+Coverage), Local News (/blog/category/Local+News)

State Sen. Kel Seliger has announced his retirement from the Texas Senate after nearly two decades of service, setting up an open race for his seat in 2022.

Seliger (R-Amarillo) announced on Twitter on



The Amarillo Pioneer

substantive proof for his claims.

In his last appearance on the ballot, Seliger faced his most difficult re-election campaign yet, narrowly avoiding a runoff in a three-way race that included former Midland mayor Mike Canon and former Muleshoe mayor Victor Leal. Four years earlier, Seliger also faced a narrow re-election against Canon.

During the final years of Seliger's tenure, he was frequently criticized for his liberal positions on several fiscal issues, voting against bans on taxpayer-funded lobbying and being one of the only Republicans in the Texas Legislature to actively oppose property tax reform. His positions earned him the reputation as the most liberal Republican in the Senate, as well as the criticism of former President Donald Trump, who called Seliger the "Texas version of Mitt Romney."

With Seliger's announcement, two candidates are already seeking the Republican nomination for his job in District 31, which stretches from Amarillo to south of the Midland and Odessa region. Midland businessman Kevin Sparks, who has received the endorsement of former President Trump, and Coahoma ISD Trustee Stormy Bradley are running for the seat.

After Seliger's announcement, Sparks issued a statement to the *Texas Scorecard* publication, thanking Seliger for his service and saying he is looking forward to the campaign ahead.

"I thank Sen. Seliger for his nearly 20 years of service in the Texas Senate," Sparks said. "I look forward to the opportunity to meet with and earn the votes of the hardworking families of Senate District 31."

Candidates who are interested in running for State Senate can begin filing to run for office in November. The Republican primary election for this seat is scheduled for March 1, 2022.

Thomas Warren (/?author=593f5908e58c62e16b847a40)

October 20 2021 (/blog/tag/October+20+2021)

Exhibit 23:
Texas Senate Journal, Oct. 4, 2021

SENATE JOURNAL

EIGHTY-SEVENTH LEGISLATURE — THIRD CALLED SESSION

AUSTIN, TEXAS

PROCEEDINGS

THIRD DAY
(Continued)
(Monday, October 4, 2021)

AFTER RECESS

The Senate met at 1:36 p.m. and was called to order by the President.

Senator Paxton offered the invocation as follows:

Our Father in heaven, thank You for the opportunity to gather here together to do the work of representing our fellow Texans, to protect the rights that are not given by government, but are given by You, Father, among them life, liberty, and the pursuit of happiness. And as we deliberate today, would You not only give us wisdom, but give us the courage that comes from love to do what is good in Your sight. It's in the name of Jesus that I pray. Amen.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER
Austin, Texas
Monday, October 4, 2021 - 1

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

I am directed by the house to inform the senate that the house has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HCR 10 Guerra
In memory of former state representative Roberto Gutierrez of McAllen.

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

SENATE BILL ON FIRST READING

The following bill was introduced, read first time, and referred to the committee indicated:

SB 10 by Hughes
Relating to increasing the criminal penalty for committing certain offenses relating to elections.
To Committee on State Affairs.

SENATE RULE 2.02 SUSPENDED
(Restrictions on Admission)
(Motion In Writing)

Senator Hall offered the following Motion In Writing:

Mr. President:

I move suspension of the Senate's admission rules to grant floor privileges to a staff member from each Senator's office during the deliberations on C.S.S.B. 4 and S.B. 7.

HALL

The Motion In Writing was read and prevailed without objection.

SENATE RULE 7.12(a) SUSPENDED
(Printing of Bills)
(Motion In Writing)

Senator Huffman offered the following Motion In Writing:

Mr. President,

Pursuant to Senate Rule 7.12(a), the Printing Rule, I move that the Senate order C.S.S.B. 4 and S.B. 7 not printed.

HUFFMAN

The Motion In Writing was read and prevailed without objection.

AT EASE

The President at 1:41 p.m. announced the Senate would stand At Ease subject to the call of the Chair.

IN LEGISLATIVE SESSION

The President at 3:51 p.m. called the Senate to order as In Legislative Session.

(Senator Birdwell in Chair)

COMMITTEE SUBSTITUTE
SENATE BILL 4 ON SECOND READING

The President laid before the Senate **CSSB 4** by Senator Huffman at this time on its second reading:

CSSB 4, Relating to the composition of districts for the election of members of the Texas Senate.

The bill was read second time.

Senator Huffman offered the following amendment to the bill:

Floor Amendment No. 1

PLAN NUMBER: PLANS2149
DISTRICTS AMENDED: 9, 10, 19, 22, 24, and 25
REGIONS AFFECTED: METROPLEX, CENTRAL TEXAS, and TEXAS-MEXICO BORDER

Amend **CSSB 4** (PLANS2130) by striking Districts 9, 10, 19, 22, 24, and 25 as established by PLANS2130 and substituting Districts 9, 10, 19, 22, 24, and 25 as established by PLANS2149.

The amendment to **CSSB 4** was read.

(President in Chair)

Senator Powell offered the following amendment to Floor Amendment No. 1:

Floor Amendment No. 2

PLAN NUMBER: PLANS2132
DISTRICTS AMENDED: 9, 10, 12, 22, 23, and 30
REGIONS AFFECTED: METROPLEX, NORTH TEXAS, and CENTRAL TEXAS

Amend Floor Amendment No. 1 by Huffman (PLANS2149) to **CSSB 4** (PLANS2130) as follows:

(1) Strike District 9, 10, and 22 as established by PLANS2149 and substitute District 9, 10, and 22 as established by PLANS2132.

(2) Strike Districts 12, 23, and 30 as established by PLANS2130 and substitute Districts 12, 23, and 30 as established by PLANS2132.

The amendment to Floor Amendment No. 1 to **CSSB 4** was read and failed of adoption by the following vote: Yeas 14, Nays 17.

Yeas: Alvarado, Blanco, Eckhardt, Gutierrez, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, Seliger, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Springer, Taylor.

Senator Powell offered the following amendment to Floor Amendment No. 1:

Floor Amendment No. 3

PLAN NUMBER: PLANS2134
DISTRICTS AMENDED: 9, 10, 12, 22, and 30
REGIONS AFFECTED: METROPLEX, NORTH TEXAS, and CENTRAL TEXAS

Amend Floor Amendment No. 1 by Huffman (PLANS2149) to **CSSB 4** (PLANS2130) as follows:

(1) Strike Districts 9, 10, and 22 as established by PLANS2149 and substitute District 9, 10, and 22 as established by PLANS2134.

(2) Strike Districts 12 and 30 as established by PLANS2130 and substitute Districts 12 and 30 as established by PLANS2134.

The amendment to Floor Amendment No. 1 to **CSSB 4** was read and failed of adoption by the following vote: Yeas 13, Nays 18.

Yeas: Alvarado, Blanco, Eckhardt, Gutierrez, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Springer, Taylor.

Question recurring on the adoption of Floor Amendment No. 1 to **CSSB 4**, the amendment as amended was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 as amended except as follows:

Nays: Alvarado, Blanco, Eckhardt, Gutierrez, Johnson, Lucio, Menéndez, Miles, Powell, West, Whitmire, Zaffirini.

Present-not voting: Hinojosa.

Senator Creighton offered the following amendment to the bill:

Floor Amendment No. 4

PLAN NUMBER: PLANS2137
DISTRICTS AMENDED: 4, 7, and 18
REGION AFFECTED: SOUTHEAST TEXAS

Amend **CSSB 4** (PLANS2130) by striking Districts 4, 7, and 18 as established by PLANS2130 and substituting Districts 4, 7, and 18 as established by PLANS2137.

The amendment to **CSSB 4** was read.

Senator Creighton withdrew Floor Amendment No. 4.

Senator Zaffirini offered the following amendment to the bill:

Floor Amendment No. 5

PLAN NUMBER: PLANS2139
DISTRICTS AMENDED: 14, 19, 21, and 29
REGIONS AFFECTED: SOUTH, CENTRAL, and WEST TEXAS

Amend **CSSB 4** (PLANS2130) by striking Districts 14, 19, 21, and 29 as established by PLANS2130 and substituting Districts 14, 19, 21, and 29 as established by PLANS2139.

The amendment to **CSSB 4** was read.

Senator Zaffirini offered the following amendment to Floor Amendment No. 5:

Floor Amendment No. 6

PLAN NUMBER: PLANS2164
DISTRICTS AMENDED: 19, 24, and 25
REGIONS AFFECTED: CENTRAL AND SOUTHWEST TEXAS

Amend Amendment No. 5 by Zaffirini (PLANS2139) to **CSSB 4** (PLANS2130) as follows:

(1) Strike District 19 as established by PLANS2139 and substitute District 19 as established by PLANS2164.

(2) Strike Districts 24 and 25 as established by PLANS2130 and substitute Districts 24 and 25 as established by PLANS2164.

The amendment to Floor Amendment No. 5 to **CSSB 4** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 6.

Question recurring on the adoption of Floor Amendment No. 5 to **CSSB 4**, the amendment as amended was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 5 as amended.

The President announced that Floor Amendment No. 7 by Senator Huffman and Floor Amendment No. 8 by Senator Seliger were submitted after the filing deadline. He then asked if there was objection to the consideration of these amendments.

There was no objection.

Senator Huffman offered the following amendment to the bill:

Floor Amendment No. 7

PLAN NUMBER: PLANS2167
DISTRICTS AMENDED: 20 and 27
REGIONS AFFECTED: SOUTH TEXAS

Amend **CSSB 4** (PLANS2130) by striking Districts 20 and 27 as established by PLANS2130 and substituting Districts 20 and 27 as established by PLANS2167.

The amendment to **CSSB 4** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 7 except as follows:

Nays: Eckhardt, Gutierrez.

Senator Seliger offered the following amendment to the bill:

Floor Amendment No. 8

PLAN NUMBER: PLANS2135
DISTRICTS AMENDED: 28 and 31
REGIONS AFFECTED: PANHANDLE AND NORTH WEST TEXAS

Amend **CSSB 4** (PLANS2130) by striking Districts 28 and 31 as established by PLANS2130 and substituting Districts 28 and 31 as established by PLANS2135.

The amendment to **CSSB 4** was read.

Senator Seliger withdrew Floor Amendment No. 8.

Senator Gutierrez offered the following amendment to the bill:

Floor Amendment No. 9

PLAN NUMBER: PLANS2129

DISTRICTS AMENDED: ALL – COMPLETE SUBSTITUTE
REGIONS AFFECTED: ALL – COMPLETE SUBSTITUTE

Amend **CSSB 4** (PLANS2130) by striking each district as established by PLANS2130 and substituting each district as established by PLANS2129.

GUTIERREZ
ECKHARDT

The amendment to **CSSB 4** was read and failed of adoption by the following vote: Yeas 10, Nays 19, Present-not voting 2.

Yeas: Alvarado, Blanco, Eckhardt, Gutierrez, Lucio, Menéndez, Miles, Powell, West, Whitmire.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Springer, Taylor, Zaffirini.

Present-not voting: Hinojosa, Johnson.

Senator Menéndez offered the following amendment to the bill:

Floor Amendment No. 10

PLAN NUMBER: PLANS2142
DISTRICTS AMENDED: ALL – COMPLETE SUBSTITUTE
REGIONS AFFECTED: ALL – COMPLETE SUBSTITUTE

Amend **CSSB 4** (PLANS2130) by striking each district as established by PLANS2130 and substituting each district as established by PLANS2142.

The amendment to **CSSB 4** was read and failed of adoption by the following vote: Yeas 9, Nays 20, Present-not voting 2.

Yeas: Alvarado, Blanco, Eckhardt, Gutierrez, Hinojosa, Lucio, Menéndez, Powell, Whitmire.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Springer, Taylor, West, Zaffirini.

Present-not voting: Johnson, Miles.

CSSB 4 as amended was passed to engrossment by the following vote: Yeas 20, Nays 11.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Hall, Hancock, Hinojosa, Huffman, Hughes, Kolkhorst, Lucio, Nelson, Nichols, Paxton, Perry, Schwertner, Springer, Taylor, Zaffirini.

Nays: Alvarado, Blanco, Eckhardt, Gutierrez, Johnson, Menéndez, Miles, Powell, Seliger, West, Whitmire.

SENATE BILL 7 ON SECOND READING

The President laid before the Senate **SB 7** by Senator Huffman at this time on its second reading:

SB 7, Relating to the composition of districts for the election of members of the State Board of Education.

The bill was read second time.

Senator Campbell offered the following amendment to the bill:

Floor Amendment No. 1

PLAN NUMBER: PLANE2105
DISTRICTS AMENDED: 5 and 10
REGIONS AFFECTED: CENTRAL TEXAS

Amend **SB 7** (PLANE2103) by striking Districts 5 and 10 as established by PLANE2103 and substituting Districts 5 and 10 as established by PLANE2105.

The amendment to **SB 7** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1 except as follows:

Present-not voting: Johnson.

Senator Gutierrez offered the following amendment to the bill:

Floor Amendment No. 2

PLAN NUMBER: PLANE2104
DISTRICTS AMENDED: ALL – COMPLETE SUBSTITUTE
REGIONS AFFECTED: ALL – COMPLETE SUBSTITUTE

Amend **SB 7** (PLANE2103) by striking each district as established by PLANE2103 and substituting each district as established by PLANE2104.

The amendment to **SB 7** was read and failed of adoption by the following vote: Yeas 13, Nays 18.

Yeas: Alvarado, Blanco, Eckhardt, Gutierrez, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Springer, Taylor.

SB 7 as amended was passed to engrossment by the following vote: Yeas 21, Nays 10.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Hall, Hancock, Hinojosa, Huffman, Hughes, Kolkhorst, Lucio, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Springer, Taylor, Zaffirini.

Nays: Alvarado, Blanco, Eckhardt, Gutierrez, Johnson, Menéndez, Miles, Powell, West, Whitmire.

CO-AUTHOR OF SENATE BILL 1

On motion of Senator Bettencourt, Senator Hughes will be shown as Co-author of **SB 1**.

CO-AUTHOR OF SENATE BILL 3

On motion of Senator Perry, Senator Hughes will be shown as Co-author of **SB 3**.

CO-AUTHOR OF SENATE BILL 11

On motion of Senator Hall, Senator Springer will be shown as Co-author of **SB 11**.

CO-AUTHOR OF SENATE BILL 20

On motion of Senator Hall, Senator Springer will be shown as Co-author of **SB 20**.

CO-AUTHORS OF SENATE CONCURRENT RESOLUTION 1

On motion of Senator Hall, Senators Eckhardt and Johnson will be shown as Co-authors of **SCR 1**.

CO-AUTHORS OF SENATE CONCURRENT RESOLUTION 3

On motion of Senator Nichols, Senators Birdwell and Blanco will be shown as Co-authors of **SCR 3**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolution

HCR 10 (Hinojosa), In memory of former state representative Roberto Gutierrez of McAllen.

Congratulatory Resolutions

SR 47 by West, Recognizing Tom Hart on the occasion of his retirement.

SR 48 by Campbell, Recognizing the Guadalupe Valley Young Marines for their commitment to reducing drug usage and trafficking.

SR 49 by Zaffirini, Creighton, Eckhardt, Huffman, Perry, and Springer, Recognizing David W. Slayton for his service to the Office of Court Administration.

ADJOURNMENT

On motion of Senator Whitmire, the Senate at 7:13 p.m. adjourned until 7:14 p.m. today.

APPENDIX

COMMITTEE REPORTS

The following committee reports were received by the Secretary of the Senate in the order listed:

October 4, 2021

REDISTRICTING — **CSSB 6**

TRANSPORTATION — **SCR 3**

BILLS ENGROSSED

October 4, 2021

SB 4, **SB 7**

RESOLUTIONS ENROLLED

October 4, 2021

SR 47, **SR 48**, **SR 49**

Exhibit 24:
U.S. Census Bureau redistricting data

An official website of the United States government
Here's how you know

Decennial Census P.L. 94-171 Redistricting Data

AUGUST 12, 2021
CRVRDO

P.L. 94-171 Redistricting Data

Public Law (P.L.) 94-171, enacted by Congress in December 1975, requires the Census Bureau to provide states opportunity to identify the small area geography for which they need data in order to conduct legislative redistricting. The law also requires the U.S. Census Bureau to furnish tabulations of population to each state, including for those small areas the states have identified, within one year of Census day.

Since the first Census Redistricting Data Program, conducted as part of the 1980 census, the U.S. Census Bure has included summaries for the major race groups specified by the Statistical Programs and Standards Office the U.S. Office of Management and Budget (OMB) in Directive 15 (as issued in 1977 and revised in 1997). Origina the tabulation groups included White, Black, American Indian/Alaska Native, and Asian/Pacific Islander, plus "some other race." These race data were also cross-tabulated by Hispanic/Non-Hispanic origin. At the reques the state legislatures and the Department of Justice, for the 1990 Census Redistricting Data Program, voting a (18 years old and over) was added to the cross-tabulation of race and Hispanic origin. For the 2000 Census, th categories were revised to the current categories used today.

2020

In this section:

- 2020 Census Redistricting Data [#P1] (P.L 94-171) Summary Files [#P1]
- 2020 Census (P.L. 94-171) Geographic Support Products [#P2]
- Group Quarters Assistance [#P3]
- Explaining the 2020 Census Redistricting Data [#P4]
- Additional 2020 Census Resources [#P5]

2020 Census Redistricting Data (P.L. 94-171) Summary Files

The 2020 Census Redistricting Data (P.L. 94-171) Summary Files in the Legacy Format were posted for FTP download, by state, on August 12, 2021 and released on data.census.gov with the full redistricting toolkit on September 16, 2021. Both releases contained the same data, only the format was different.

The summary file tables include:

- P1. – Race
- P2. – Hispanic or Latino, and not Hispanic or Latino by Race
- P3. – Race for the Population 18 Years and Over
- P4. – Hispanic or Latino, and not Hispanic or Latino by Race for the Population 18 Years and Over
- P5. – Group Quarters Population by Major Group Quarters Type
- H1. – Occupancy Status (Housing)

The 2020 Census Redistricting Data (P.L. 94-171) Summary File data are available for all 50 states, the District c Columbia, and the Commonwealth of Puerto Rico through data.census.gov and FTP download (in the Legacy Format).

The 2020 Census State Redistricting Data (P.L. 94-171) Summary File Technical Documentation is available in English, and in Spanish specifically for Puerto Rico. The 2020 Census National Redistricting Data (P.L. 94-171) Summary File Technical Documentation is available in English only. Links to the Technical Documentation are provided below.

Legacy Format Support Materials are provided to help data users work with the legacy format summary files. These materials include header records for each of the data segments in the summary file, Microsoft Access shells, an instructional guide and video tutorial that provide step-by-step instructions on how to download th legacy format data and import the data into the Microsoft Access Shells, and SAS and R statistical software import scripts. Links to these support materials are provided below.

DATA LINKS

- Legacy Format Summary Files [https://www2.census.gov/programs-surveys/decennial/2020/data/01-Redistricting_File--PL_94-171/]
- Census Data Explorer (data.census.gov) [https://data.census.gov/cedsci/all?q=&y=2020&d=DEC%20Redistricting%20Data%20%28PL%2094-171%29]

TECHNICAL DOCUMENTATION

- 2020 Census State (P.L. 94-171) Redistricting Summary File Technical Documentation [1.1 MB] [https://www2.census.gov/programs-surveys/decennial/2020/technical-documentation/complete-tech docs/summary-file/2020Census_PL94_171Redistricting_StatesTechDoc_English.pdf]
- 2020 Census State (P.L. 94-171) Redistricting Summary File Technical Documentation (Spanish) [1.1 MB] [https://www2.census.gov/programs-surveys/decennial/2020/technical-documentation/complete-t docs/summary-file/2020Census_PL94_171Redistricting_StatesTechDoc_Spanish.pdf]
- 2020 Census National (P.L. 94-171) Redistricting Summary File Technical Documentation [1.1 MB] [https://www2.census.gov/programs-surveys/decennial/2020/technical-documentation/complete-te docs/summary-file/2020Census_PL94_171Redistricting_NationalTechDoc.pdf]

The national documentation is only for the limited set of geographic entities which cross state boundaries.

LEGACY FORMAT SUPPORT MATERIALS

- Legacy Format Summary File Header Records [< 1 MB] [https://www2.census.gov/programs-surveys/decennial/rdo/about/2020-census-program/Phase3/SupportMaterials/2020_PLSummaryFile_FieldNames.xlsx]
- VIDEO: How to use the Microsoft Access Database Shell [https://youtu.be/dz9117G8BsU]
- GUIDE: How to use the Microsoft Access Database Shell [< 1 MB] [https://www2.census.gov/programs-surveys/decennial/rdo/about/2020-census-program/Phase3/SupportMaterials/HowToUse_2020Census_PL94-171_MSAccessShells.pdf]
- Microsoft Access Database Shell [< 1 MB] [https://www2.census.gov/programs-surveys/decennial/rdo/about/2020-census-program/Phase3/SupportMaterials/2020PL_SummaryFile_Shell.zip]
- SAS statistical software import scripts [< 1 MB] [https://www2.census.gov/programs-surveys/decennial/rdo/about/2020-census-program/Phase3/SupportMaterials/2020PL_SAS_import_scripts.zip]
- R statistical software import scripts [< 1 MB] [https://www2.census.gov/programs-surveys/decennial/rdo/about/2020-census-program/Phase3/SupportMaterials/2020PL_R_import_scripts.zip]
- Frequently used geographic summary level codes [< 1 MB] [https://www2.census.gov/programs-surveys/decennial/rdo/about/2020-census-program/Phase3/SupportMaterials/FrequentSummaryLevels.pdf]

Back to top [#top]

2020 Census (P.L. 94-171) Geographic Support Products

- TIGER\Line Shapefiles [https://www.census.gov/geographies/mapping-files/time-series/geo/tiger-line-file.html]

Use the 2020 Tab of the linked page.

- Maps (.pdf format) [https://www.census.gov/geographies/reference-maps/2020/geo/2020pl-maps.html]
- Block Assignment Files (BAFs) [https://www.census.gov/geographies/reference-files/time-series/geo/block-assignment-files.html]

Use the 2020 Tab of the linked page. BAFs are meant to be used in conjunction with the NLTs.

- Name Look-up Tables (NLTs) [https://www.census.gov/geographies/reference-files/time-series/geo/name-lookup-tables.html]

Use the 2020 Tab of the linked page. NLTs are meant to be used in conjunction with the BAFs.

- 2010 to 2020 Tabulation Block Crosswalk Tables [https://www.census.gov/geographies/reference-files/time-series/geo/relationship-files.html]

Use the 2020 Tab of the linked page. Select Block Relationship Files.

Back to top [#top]

Group Quarters Assistance

The Census Bureau published a Federal Register Notice on the Final 2020 Census Residence Criteria and Residence Situations [https://www.federalregister.gov/documents/2018/02/08/2018-02370/final-2020-census-residence-criteria-and-residence-situations] on February 8, 2018. In the Notice, the Census Bureau stated we will continue the practice of counting prisoners at the correctional facility, to ensure that the conce of usual residence is interpreted and applied consistent with the intent of the Census Act of 1790. The Notice stated the Census Bureau recognizes that some states have decided, or may decide in the future, to 'move' the group quarters (GQ) population (e.g. student, military, and prisoner population) to an alternate address for the purpose of redistricting. To assist those states, the Census Bureau is offering the use of a geocoding service. T service was updated with 2020 Census geographic data in January 2021, to assist states with their goals of reallocating GQ population for legislative redistricting.

November 04, 2019 | CRVRDO

Group Quarters Assistance - The Census Geocoder

[/programs-surveys/decennial-census/about/rdo/summary-files/2020/GQAssistance_CensusGeocoder.html]

Back to top [#top]

Explaining the 2020 Census Redistricting Data

EXPAND ALL | COLLAPSE ALL

- **About the 2020 Redistricting Data Product**
- **America Counts Stories**
- **Blog Posts**
- **Census Academy**
- **Data Tools**
- **Fact Sheets**
- **News**
- **Social Media Toolkit**
- **Videos**
- **Visualizations**

Back to top [#top]

Additional 2020 Census Resources

Declarations filed in the case of Ohio v. Raimondo

In declarations filed in the case of Ohio v. Raimondo, the U.S. Census Bureau made clear that we could provide a legacy format redistricting data summary file to all states by mid-to-late August 2021, now realized as August 12. We also met our commitment provide the full redistricting data toolkit by Sept. 30, 2021, with delivery on Sept. 16, 2021.

Declarations - Ohio v. Raimondo [<1 MB] [https://www2.census.gov/programs-surveys/decennial/rdo/technical-documentation/2020Census/Combined_Declarations_Document.pdf]

Related Information

Redistricting Data Program Management [/programs-surveys/decennial-census/about/rdo/program-management.html]

Redistricting Data Program [/rdo]

Decennial Census of Population and Housing Datasets [/programs-surveys/decennial-census/data/datasets.html]

Last Revised: October 8, 2021

Exhibit 25:
Governor Abbott Proclamation, Third Called Session

GOVERNOR GREG ABBOTT

September 7, 2021

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
5PM O'CLOCK
SEP 07 2021
Secretary of State

Mr. Joe A. Esparza
Deputy Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Mr. Deputy Secretary:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

> A proclamation calling an extraordinary session of the 87th Legislature, to convene in the City of Austin, commencing at 10 a.m. on Monday, September 20, 2021.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,

Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

I, GREG ABBOTT, GOVERNOR OF THE STATE OF TEXAS, by the authority vested in me by Article III, Sections 5 and 40, and Article IV, Section 8 of the Texas Constitution, do hereby call an extraordinary session of the 87th Legislature, to convene in the City of Austin, commencing at 10:00 a.m. on Monday, September 20, 2021, for the following purposes:

To consider and act upon the following:

Legislation relating to the apportionment of the State of Texas into districts used to elect members of the Texas House of Representatives, the Texas Senate, the State Board of Education, and the United States House of Representatives.

Legislation providing appropriations from the American Rescue Plan Act of 2021 (ARPA), Pub. L. No. 117-2.

Legislation identical to Senate Bill 29 as passed by the Texas Senate in the 87th Legislature, Regular Session, disallowing a student from competing in University Interscholastic League athletic competitions designated for the sex opposite to the student's sex at birth.

Legislation regarding whether any state or local governmental entities in Texas can mandate that an individual receive a COVID-19 vaccine and, if so, what exemptions should apply to such mandate.

Legislation similar to Senate Bill 474 as passed by 87th Legislature, Regular Session, but that addresses the concerns expressed in the governor's veto statement.

Such other subjects as may be submitted by the Governor from time to time after the session convenes.

The Secretary of State will take notice of this action and will notify the members of the legislature of my action.

IN TESTIMONY WHEREOF, I have hereto signed my name and have officially caused the Seal of State to be affixed at my Office in the City of Austin, Texas, this the 7th day of September, 2021.

GREG ABBOTT
Governor of Texas

FILED IN THE OFFICE OF THE SECRETARY OF STATE
5PM O'CLOCK

SEP 07 2021

Attested by:

JOE A. ESPARZA
Deputy Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
5PM O'CLOCK

SEP 07 2021

Exhibit 26:
2020 General Election District Election Analysis, benchmark SD10

2020 General

-- DISTRICT 10 TOTALS --		RACE/ ETHNI	PARTY	----DISTRICT----		------STATE------	
President/Vice-President	BIDEN,JOE		D	199,896	53.1%	5,257,513	46.5%
	HAWKINS,HOWIE			1,180	0.3%	33,378	0.3%
	JORGENSEN,JO			4,305	1.1%	126,212	1.1%
	*TRUMP,DONALD		R	170,688	45.4%	5,889,022	52.0%
	WRITE-IN,WRITE IN			192	0.1%	10,927	0.1%
U.S. Senator	COLLINS,DAVID			2,636	0.7%	81,753	0.7%
	*CORNYN,JOHN		R	177,999	47.7%	5,961,643	53.5%
	HEGAR,MARY		D	185,910	49.8%	4,887,309	43.9%
	MCKENNON,KERRY			6,788	1.8%	209,623	1.9%
U.S. Representative District 6	BLACK,MELANIE			5,441	3.2%	10,955	3.2%
	DANIEL,STEPHEN		D	78,666	46.3%	149,530	44.0%
	*WRIGHT,RON		R	85,795	50.5%	179,507	52.8%
U.S. Representative District 12	*GRANGER,KAY		R	50,979	52.9%	233,853	63.7%
	HOLCOMB,TREY			2,818	2.9%	11,918	3.2%
	WELCH,LISA		D	42,648	44.2%	121,250	33.0%
U.S. Representative District 24	BAUER,MARK			364	0.7%	2,909	0.8%
	HAMILTON,DARREN			671	1.4%	5,647	1.6%
	KUZMICH,STEVE			515	1.1%	4,229	1.2%
	VALENZUELA,CANDACE	HISP	D	16,505	34.0%	163,326	47.5%
	VAN DUYNE,BARBARA		R	30,524	62.8%	167,910	48.8%
U.S. Representative District 25	KELSEY,BILL			83	2.3%	7,728	2.0%
	OLIVER,JULIE		D	1,157	31.8%	165,676	42.1%
	*WILLIAMS,ROGER		R	2,397	65.9%	220,009	55.9%
U.S. Representative District 26	BOLER,MARK			0	0.0%	9,243	2.1%
	*BURGESS,MICHAEL		R	0	0.0%	261,963	60.6%
	IANNUZZI,CAROL		D	0	0.0%	161,009	37.3%
Railroad Commissioner 1	CASTANEDA,CHRYSTA		D	181,063	49.0%	4,791,167	43.6%
	GRUENE,KATIJA			4,038	1.1%	129,588	1.2%
	STERETT,MATT			8,140	2.2%	247,568	2.3%
	WRIGHT,JAMES		R	175,962	47.7%	5,830,003	53.0%

- CONTEST CONTINUED ON NEXT PAGE -

Exhibit 27:
2020 General Election District Election Analysis, current SD10

2020 General

-- DISTRICT 10 TOTALS --		RACE/ ETHNI	PARTY	----DISTRICT----		------STATE------	
President/Vice-President	BIDEN,JOE		D	155,339	41.4%	5,257,513	46.5%
	HAWKINS,HOWIE			993	0.3%	33,378	0.3%
	JORGENSEN,JO			4,107	1.1%	126,212	1.1%
	*TRUMP,DONALD		R	214,676	57.2%	5,889,022	52.0%
	WRITE-IN,WRITE IN			165	0.0%	10,927	0.1%
U.S. Senator	COLLINS,DAVID			2,349	0.6%	81,753	0.7%
	*CORNYN,JOHN		R	217,653	58.5%	5,961,643	53.5%
	HEGAR,MARY		D	145,387	39.1%	4,887,309	43.9%
	MCKENNON,KERRY			6,720	1.8%	209,623	1.9%
U.S. Representative District 6	BLACK,MELANIE			3,575	3.2%	10,955	3.2%
	DANIEL,STEPHEN		D	49,800	45.0%	149,530	44.0%
	*WRIGHT,RON		R	57,193	51.7%	179,507	52.8%
U.S. Representative District 11	CODY,WACEY			611	1.6%	5,805	2.0%
	HOGG,JON		D	4,836	13.1%	53,400	18.3%
	PFLUGER,AUGUST		R	31,595	85.3%	232,661	79.7%
U.S. Representative District 12	*GRANGER,KAY		R	65,287	59.8%	233,853	63.7%
	HOLCOMB,TREY			3,387	3.1%	11,918	3.2%
	WELCH,LISA		D	40,546	37.1%	121,250	33.0%
U.S. Representative District 19	*ARRINGTON,JODEY		R	2,544	92.6%	198,193	74.8%
	BURNES,JOE			22	0.8%	6,271	2.4%
	WATSON,TOM		D	182	6.6%	60,572	22.9%
U.S. Representative District 25	KELSEY,BILL			1,286	1.7%	7,728	2.0%
	OLIVER,JULIE		D	16,473	22.1%	165,676	42.1%
	*WILLIAMS,ROGER		R	56,736	76.2%	220,009	55.9%
Railroad Commissioner 1	CASTANEDA,CHRYSTA		D	141,228	38.3%	4,791,167	43.6%
	GRUENE,KATIJA			3,490	0.9%	129,588	1.2%
	STERETT,MATT			8,059	2.2%	247,568	2.3%
	WRIGHT,JAMES		R	215,524	58.5%	5,830,003	53.0%
Chief Justice, Supreme Court	ASH,MARK			8,649	2.3%	277,432	2.5%

- CONTEST CONTINUED ON NEXT PAGE -

Exhibit 28:
2012–2020 EI Voting Analysis, benchmark SD10

EI Voting Analysis
Estimated Race/Ethnicity Turnout as a percent of Estimated Total Turnout
In Voter Tabulation Districts (VTDs)
District 10
PLANS2100

VTD In	% VTD In	% VAP In	Estimated Turnout % for Anglo	Estimated Turnout % for Black	Estimated Turnout % for Hispanic	Estimated Turnout % in District	Actual Turnout % in District	Acutal Turnout % in Election
2020 General								
330	88.9%	100%	75.7%	40.2%	21.2%	53.1%	53.1%	51.9%
2012 Democratic Primary								
331	89.2%	100%	1.1%	6.1%	3.8%	2.9%	2.9%	2.8%
2012 Democratic Runoff								
331	89.2%	100%	0.6%	4.7%	3.4%	2.2%	2.2%	1.2%
2012 General								
329	88.7%	100%	55.4%	40.6%	16.0%	41.3%	41.3%	36.8%
2014 Democratic Primary								
331	89.2%	100%	1.8%	5.4%	5.9%	3.7%	3.7%	2.7%
2014 Democratic Runoff								
331	89.2%	100%	0.5%	1.4%	1.4%	0.9%	0.9%	1.0%
2014 General								
331	89.2%	100%	39.2%	18.9%	6.6%	25.9%	25.9%	21.7%
2016 Democratic Primary								
331	89.2%	100%	6.2%	11.3%	9.1%	8.1%	8.0%	6.7%
2016 Democratic Runoff								
331	89.2%	100%	0.4%	0.9%	0.7%	0.6%	0.6%	1.0%
2016 General								
330	88.9%	100%	63.0%	33.7%	15.3%	43.6%	43.6%	41.4%

EI Voting Analysis
Estimated Race/Ethnicity Turnout as a percent of Estimated Total Turnout
In Voter Tabulation Districts (VTDs)
District 10
PLANS2100

VTD In	% VTD In	% VAP In	Estimated Turnout % for Anglo	Estimated Turnout % for Black	Estimated Turnout % for Hispanic	Estimated Turnout % in District	Actual Turnout % in District	Acutal Turnout % in Election
2018 Democratic Primary								
331	89.2%	100%	6.3%	6.8%	3.7%	5.7%	5.7%	5.1%
2018 Democratic Runoff								
331	89.2%	100%	1.5%	2.9%	2.1%	2.0%	2.0%	8.3%
2018 General								
330	88.9%	100%	31.9%	9.3%	5.3%	19.8%	19.8%	41.2%
2020 Democratic Primary								
331	89.2%	100%	11.9%	2.0%	1.5%	6.9%	6.9%	7.3%
2020 Democratic Runoff								
331	89.2%	100%	5.6%	11.0%	3.1%	6.0%	6.0%	4.6%

EI Voting Analysis
Estimated Percent Vote by Race/Ethnicity for Each Candidate
In Voter Tabulation Districts (VTDs)
District 10
PLANS2100

	Ethnic Party		Estimated % Anglo Votes for Candidate	Estimated % Black Votes for Candidate	Estimated % Hispanic Votes for Candidate	Estimated % of Total Votes in District	Actual % of Total Votes in District	Actual % of Total Votes in Election
2020 General				President/Vice-President				
BIDEN,JOE	A	D	39.2%	93.1%	89.3%	53.0%	53.1%	46.5%
HAWKINS,HOWIE	A	G	0.2%	0.6%	1.4%	0.4%	0.3%	0.3%
JORGENSEN,JO	A	L	0.9%	1.7%	2.4%	1.2%	1.1%	1.1%
TRUMP,DONALD	A	R	59.7%	4.4%	6.5%	45.3%	45.4%	52.0%
WRITE-IN,WRITE IN	O	W	0.1%	0.2%	0.4%	0.1%	0.1%	0.1%
2020 General				U.S. Senator				
COLLINS,DAVID	A	G	0.3%	1.5%	2.8%	0.7%	0.7%	0.7%
CORNYN,JOHN	A	R	62.3%	4.9%	7.7%	47.7%	47.7%	53.5%
HEGAR,MARY	A	D	36.3%	90.2%	84.6%	49.7%	49.8%	43.9%
MCKENNON,KERRY	A	L	1.1%	3.4%	4.8%	1.8%	1.8%	1.9%
2020 General				Justice of the Supreme Court, Place 7				
BOYD,JEFF	A	R	61.9%	8.2%	9.7%	47.4%	47.4%	53.3%
STRANGE,WILLIAM	A	L	1.4%	3.8%	7.0%	2.4%	2.3%	2.3%
WILLIAMS,STACI	B	D	36.6%	88.0%	83.3%	50.2%	50.3%	44.3%
2020 General				Justice of the Supreme Court, Place 8				
BUSBY,BRETT	A	R	62.5%	7.5%	8.4%	47.7%	47.7%	53.4%
OXFORD,TOM	A	L	1.6%	3.7%	6.4%	2.5%	2.4%	2.5%
TRIANA,GISELA	H	D	35.9%	88.8%	85.2%	49.8%	49.8%	44.1%
2020 General				Court of Criminal Appeals, Place 3				
DAVIS FRIZELL,ELIZABETH	B	D	37.6%	90.5%	88.7%	51.6%	51.6%	45.5%
RICHARDSON,BERT	A	R	62.4%	9.5%	11.3%	48.4%	48.4%	54.5%
2012 Democratic Primary				President/Vice-President				
ELY,BOB	A	D	4.3%	1.3%	1.8%	2.0%	0.9%	2.4%

EI Voting Analysis
Estimated Percent Vote by Race/Ethnicity for Each Candidate
In Voter Tabulation Districts (VTDs)
District 10
PLANS2100

	Ethnic Party		Estimated % Anglo Votes for Candidate	Estimated % Black Votes for Candidate	Estimated % Hispanic Votes for Candidate	Estimated % of Total Votes in District	Actual % of Total Votes in District	Actual % of Total Votes in Election
OBAMA,BARACK	B	D	84.5%	95.2%	92.7%	92.4%	95.5%	88.2%
RICHARDSON,DARCY	A	D	5.8%	1.7%	3.0%	2.9%	2.0%	4.3%
WOLFE,JOHN	A	D	5.5%	1.8%	2.6%	2.7%	1.7%	5.1%
2012 Democratic Primary				U.S. Senator				
ALLEN,ADDIE	B	D	19.9%	23.3%	23.2%	22.4%	22.4%	22.9%
HUBBARD,SEAN	A	D	17.0%	16.6%	16.4%	16.6%	16.3%	16.1%
SADLER,PAUL	A	D	42.6%	33.2%	34.4%	36.0%	36.3%	35.1%
YARBROUGH,GRADY	B	D	20.5%	27.0%	25.9%	25.0%	25.1%	25.9%
2012 Democratic Runoff				U.S. Senator				
SADLER,PAUL	A	D	68.3%	44.7%	61.6%	55.9%	56.0%	63.1%
YARBROUGH,GRADY	B	D	31.7%	55.3%	38.4%	44.1%	44.0%	36.9%
2012 General				President/Vice-President				
JOHNSON,GARY	A	L	0.8%	1.4%	2.6%	1.1%	1.0%	1.1%
OBAMA,BARACK	B	D	25.2%	94.2%	90.8%	45.3%	45.4%	41.4%
ROMNEY,MITT	A	R	73.8%	3.7%	5.0%	53.2%	53.3%	57.1%
STEIN,JILL	A	G	0.2%	0.5%	1.2%	0.4%	0.3%	0.3%
WRITE-IN,WRITE IN	O		0.1%	0.2%	0.4%	0.1%	0.0%	0.1%
2012 General				U.S. Senator				
COLLINS,DAVID	A	G	0.4%	1.1%	2.7%	0.8%	0.7%	0.9%
CRUZ,TED	H	R	73.2%	6.0%	9.3%	53.0%	53.1%	56.5%
MYERS,JOHN	A	L	1.3%	2.3%	4.6%	1.8%	1.8%	2.1%
SADLER,PAUL	A	D	25.1%	90.6%	83.4%	44.4%	44.5%	40.6%
2014 Democratic Primary				Governor				
DAVIS,WENDY	A	D	93.6%	96.0%	90.1%	93.4%	94.1%	79.3%
MADRIGAL,RAY	H	D	6.4%	4.0%	9.9%	6.6%	5.9%	20.7%

EI Voting Analysis
Estimated Percent Vote by Race/Ethnicity for Each Candidate
In Voter Tabulation Districts (VTDs)
District 10
PLANS2100

	Ethnic Party		Estimated % Anglo Votes for Candidate	Estimated % Black Votes for Candidate	Estimated % Hispanic Votes for Candidate	Estimated % of Total Votes in District	Actual % of Total Votes in District	Actual % of Total Votes in Election
2014 Democratic Primary				Railroad Commissioner 3				
BROWN,STEVE	B	D	59.2%	65.9%	56.5%	60.4%	60.6%	63.9%
HENRY,DALE	A	D	40.8%	34.1%	43.5%	39.6%	39.4%	36.1%
2014 Democratic Runoff				U.S. Senator				
ALAMEEL,DAVID	O	D	81.2%	73.4%	72.4%	75.7%	77.5%	72.1%
ROGERS,KESHA	B	D	18.8%	26.6%	27.6%	24.3%	22.5%	27.9%
2014 General				U.S. Senator				
ALAMEEL,DAVID	O	D	24.3%	91.0%	77.0%	40.4%	40.5%	34.4%
CORNYN,JOHN	A	R	73.1%	4.0%	10.4%	55.9%	56.0%	61.6%
PADDOCK,REBECCA	A	L	1.9%	3.2%	6.7%	2.5%	2.5%	2.9%
SANCHEZ,EMILY	H	G	0.6%	1.6%	5.2%	1.1%	1.0%	1.2%
TAHIRO,MOHAMMED	O	W	0.1%	0.2%	0.7%	0.2%	0.0%	0.0%
2014 General				Lt. Governor				
BUTLER,ROBERT	A	L	1.9%	3.0%	7.7%	2.5%	2.5%	2.6%
COURTNEY,CHANDRAKANTHA	O	G	0.4%	1.0%	3.2%	0.7%	0.6%	0.6%
PATRICK,DAN	A	R	69.5%	5.5%	11.8%	52.7%	52.7%	58.1%
VAN DE PUTTE,LETICIA	H	D	28.3%	90.5%	77.3%	44.1%	44.2%	38.7%
2014 General				Land Commissioner				
ALESSI,VALERIE	O	G	0.7%	1.6%	5.1%	1.2%	1.1%	1.3%
BUSH,GEORGE	H	R	73.1%	6.3%	11.7%	55.5%	55.6%	60.7%
COOK,JOHN	A	D	24.3%	89.1%	76.0%	40.8%	40.9%	35.3%
KNIGHT,JUSTIN	O	L	1.8%	3.0%	7.2%	2.5%	2.4%	2.7%
2014 General				Railroad Commissioner 3				
BROWN,STEVE	B	D	26.7%	88.0%	73.6%	42.2%	42.3%	36.5%

EI Voting Analysis
Estimated Percent Vote by Race/Ethnicity for Each Candidate
In Voter Tabulation Districts (VTDs)
District 10
PLANS2100

	Ethnic Party		Estimated % Anglo Votes for Candidate	Estimated % Black Votes for Candidate	Estimated % Hispanic Votes for Candidate	Estimated % of Total Votes in District	Actual % of Total Votes in District	Actual % of Total Votes in Election
MILLER,MARK	A	L	2.1%	3.4%	8.0%	2.8%	2.8%	3.2%
SALINAS,MARTINA	H	G	1.0%	2.3%	6.6%	1.7%	1.6%	2.0%
SITTON,RYAN	A	R	70.3%	6.3%	11.8%	53.3%	53.3%	58.3%
2014 General				Justice of the Supreme Court, Place 7				
BENAVIDES,GINA	H	D	26.9%	89.5%	79.5%	42.9%	42.9%	37.6%
BOYD,JEFF	A	R	70.7%	6.2%	10.1%	53.8%	53.8%	58.9%
FULTON,DON	A	L	2.0%	3.0%	6.7%	2.5%	2.5%	2.8%
WATERBURY,CHARLES	A	G	0.4%	1.3%	3.7%	0.8%	0.7%	0.7%
2016 Democratic Primary				President/Vice-President				
CLINTON,HILLARY	A	D	52.2%	86.6%	70.2%	67.8%	68.8%	65.2%
COMBINED	O		0.7%	0.7%	1.1%	0.8%	0.4%	0.8%
DE LA FUENTE,ROQUE	H	D	0.5%	0.6%	0.9%	0.6%	0.2%	0.6%
SANDERS,BERNIE	A	D	46.1%	11.6%	27.0%	30.3%	30.6%	33.2%
WILSON,WILLIE	B	D	0.5%	0.4%	0.9%	0.6%	0.1%	0.2%
2016 Democratic Primary				Railroad Commissioner 1				
BURNAM,LON	A	D	50.0%	28.1%	49.9%	42.1%	42.2%	24.8%
GARRETT,ROBERT	A	D	24.4%	25.8%	24.5%	25.0%	24.8%	35.2%
YARBROUGH,GRADY	B	D	25.6%	46.1%	25.6%	33.0%	33.0%	39.9%
2016 Democratic Runoff				Railroad Commissioner 1				
GARRETT,ROBERT	A	D	45.8%	35.8%	37.9%	39.6%	38.5%	46.3%
YARBROUGH,GRADY	B	D	54.2%	64.2%	62.1%	60.4%	61.5%	53.7%
2016 General				President/Vice-President				
CLINTON,HILLARY	A	D	31.2%	90.2%	86.8%	47.2%	47.3%	43.2%
JOHNSON,GARY	A	L	3.3%	3.3%	3.9%	3.4%	3.4%	3.2%
STEIN,JILL	A	G	0.5%	1.4%	2.1%	0.8%	0.8%	0.8%

EI Voting Analysis
Estimated Percent Vote by Race/Ethnicity for Each Candidate
In Voter Tabulation Districts (VTDs)
District 10
PLANS2100

	Ethnic Party		Estimated % Anglo Votes for Candidate	Estimated % Black Votes for Candidate	Estimated % Hispanic Votes for Candidate	Estimated % of Total Votes in District	Actual % of Total Votes in District	Actual % of Total Votes in Election
TRUMP,DONALD	A	R	64.5%	3.8%	5.4%	47.8%	47.9%	52.2%
WRITE-IN,WRITE IN	O	W	0.5%	1.2%	1.8%	0.8%	0.7%	0.7%
2016 General				Railroad Commissioner 1				
CHRISTIAN,WAYNE	A	R	67.5%	4.9%	7.9%	50.1%	50.2%	53.1%
MILLER,MARK	A	L	4.7%	4.1%	6.5%	4.8%	4.8%	5.3%
SALINAS,MARTINA	H	G	1.6%	4.1%	7.2%	2.6%	2.6%	3.3%
YARBROUGH,GRADY	B	D	26.1%	86.9%	78.4%	42.4%	42.5%	38.4%
2016 General				Justice of the Supreme Court, Place 3				
GLASS,KATHIE	A	L	3.2%	4.4%	6.6%	3.8%	3.7%	4.0%
LEHRMANN,DEBRA	A	R	70.4%	5.4%	6.7%	51.9%	51.9%	54.8%
MUNOZ,RODOLFO	H	G	1.1%	2.9%	8.0%	2.1%	2.1%	2.7%
WESTERGREN,MIKE	A	D	25.3%	87.3%	78.7%	42.2%	42.3%	38.5%
2016 General				Justice of the Supreme Court, Place 5				
GARZA,DORI	H	D	28.0%	89.1%	83.5%	44.4%	44.5%	41.2%
GREEN,PAUL	A	R	68.7%	5.0%	6.9%	51.1%	51.2%	54.3%
OXFORD,TOM	A	L	2.6%	3.9%	5.9%	3.2%	3.2%	3.3%
WATERBURY,CHARLES	A	G	0.7%	2.0%	3.7%	1.3%	1.2%	1.2%
2016 General				Justice of the Supreme Court, Place 9				
CHISHOLM,JIM	O	G	0.7%	2.0%	4.3%	1.3%	1.2%	1.4%
FULTON,DON	A	L	2.9%	3.9%	5.5%	3.3%	3.3%	3.5%
GUZMAN,EVA	H	R	70.1%	4.6%	8.2%	52.1%	52.1%	55.8%
ROBINSON,SAVANNAH	A	D	26.4%	89.5%	82.0%	43.4%	43.4%	39.4%
2016 General				Court of Criminal Appeals, Place 2				
ASH,MARK	A	L	3.1%	3.8%	6.0%	3.5%	3.5%	3.7%
KEEL,MARY	A	R	69.6%	5.7%	7.2%	51.5%	51.5%	54.9%

EI Voting Analysis
Estimated Percent Vote by Race/Ethnicity for Each Candidate
In Voter Tabulation Districts (VTDs)
District 10
PLANS2100

	Ethnic Party		Estimated % Anglo Votes for Candidate	Estimated % Black Votes for Candidate	Estimated % Hispanic Votes for Candidate	Estimated % of Total Votes in District	Actual % of Total Votes in District	Actual % of Total Votes in Election
MEYERS,LAWRENCE	A	D	26.6%	88.4%	83.1%	43.7%	43.8%	40.0%
REPOSA,ADAM	H	G	0.7%	2.1%	3.8%	1.3%	1.2%	1.4%
2018 Democratic Primary				U.S. Senator				
HERNANDEZ,SEMA	H	D	12.9%	40.5%	34.8%	24.0%	23.9%	23.7%
KIMBROUGH,EDWARD	B	D	7.5%	30.4%	26.9%	16.9%	16.7%	14.5%
O'ROURKE,BETO	A	D	79.6%	29.1%	38.3%	59.2%	59.4%	61.8%
2018 Democratic Primary				Governor				
COMBINED	O		42.1%	20.4%	17.7%	31.6%	31.8%	39.1%
DAVIS,CEDRIC	B	D	5.7%	21.0%	15.2%	11.6%	11.5%	8.2%
OCEGUEDA,ADRIAN	H	D	2.5%	3.7%	5.2%	3.4%	3.0%	4.4%
VALDEZ,LUPE	H	D	47.3%	49.3%	54.9%	49.3%	49.8%	42.9%
YARBROUGH,GRADY	B	D	2.5%	5.6%	6.9%	4.2%	3.8%	5.4%
2018 Democratic Primary				Lt. Governor				
COLLIER,MIKE	A	D	53.8%	48.8%	41.2%	49.6%	49.6%	52.4%
COOPER,MICHAEL	B	D	46.2%	51.2%	58.8%	50.4%	50.4%	47.6%
2018 Democratic Primary				Comptroller				
CHEVALIER,JOI	B	D	54.2%	39.7%	45.4%	48.3%	48.3%	51.9%
MAHONEY,TIM	A	D	45.8%	60.3%	54.6%	51.7%	51.7%	48.1%
2018 Democratic Primary				Land Commissioner				
MORGAN,TEX	A	D	28.0%	50.3%	38.0%	35.4%	35.3%	29.8%
SUAZO,MIGUEL	H	D	72.0%	49.7%	62.0%	64.6%	64.7%	70.2%
2018 Democratic Primary				Railroad Commissioner 1				
MCALLEN,ROMAN	A	D	58.0%	38.4%	56.6%	52.1%	52.1%	58.5%
SPELLMON,CHRIS	B	D	42.0%	61.6%	43.4%	47.9%	47.9%	41.5%

EI Voting Analysis
Estimated Percent Vote by Race/Ethnicity for Each Candidate
In Voter Tabulation Districts (VTDs)
District 10
PLANS2100

	Ethnic Party		Estimated % Anglo Votes for Candidate	Estimated % Black Votes for Candidate	Estimated % Hispanic Votes for Candidate	Estimated % of Total Votes in District	Actual % of Total Votes in District	Actual % of Total Votes in Election
2018 Democratic Runoff				Governor				
VALDEZ,LUPE	H	D	56.5%	63.5%	62.3%	60.0%	60.3%	53.3%
WHITE,ANDREW	A	D	43.5%	36.5%	37.7%	40.0%	39.7%	46.7%
2018 General				U.S. Senator				
CRUZ,TED	H	R	59.4%	6.4%	7.6%	45.9%	45.9%	50.9%
DIKEMAN,NEAL	A	L	0.5%	1.7%	2.2%	0.8%	0.8%	0.8%
O'ROURKE,BETO	A	D	40.1%	91.8%	90.2%	53.2%	53.3%	48.3%
2018 General				Governor				
ABBOTT,GREG	A	R	66.0%	6.7%	9.5%	51.1%	51.1%	55.8%
TIPPETTS,MARK	A	L	1.2%	3.1%	4.3%	1.8%	1.8%	1.7%
VALDEZ,LUPE	H	D	32.8%	90.3%	86.2%	47.0%	47.1%	42.5%
2018 General				Comptroller				
CHEVALIER,JOI	B	D	35.1%	87.1%	84.3%	48.1%	48.1%	43.4%
HEGAR,GLENN	A	R	62.5%	6.9%	8.4%	48.5%	48.5%	53.2%
SANDERS,BEN	A	L	2.4%	5.9%	7.3%	3.4%	3.4%	3.4%
2018 General				Land Commissioner				
BUSH,GEORGE	H	R	64.1%	7.8%	8.8%	49.8%	49.8%	53.7%
PINA,MATT	H	L	1.9%	4.9%	6.6%	2.8%	2.8%	3.1%
SUAZO,MIGUEL	H	D	34.0%	87.4%	84.5%	47.4%	47.4%	43.2%
2018 General				Court of Criminal Appeals, Presiding				
JACKSON,MARIA	B	D	35.2%	90.0%	85.6%	49.7%	49.8%	45.5%
KELLER,SHARON	A	R	63.2%	6.8%	8.6%	48.0%	48.0%	52.2%
STRANGE,WILLIAM	A	L	1.6%	3.3%	5.8%	2.3%	2.3%	2.3%
2018 General				Court of Criminal Appeals, Place 7				
FRANKLIN,RAMONA	B	D	35.8%	90.8%	87.1%	50.6%	50.6%	45.8%

EI Voting Analysis
Estimated Percent Vote by Race/Ethnicity for Each Candidate
In Voter Tabulation Districts (VTDs)
District 10
PLANS2100

	Ethnic Party		Estimated % Anglo Votes for Candidate	Estimated % Black Votes for Candidate	Estimated % Hispanic Votes for Candidate	Estimated % of Total Votes in District	Actual % of Total Votes in District	Actual % of Total Votes in Election
HERVEY,BARBARA	A	R	64.2%	9.2%	12.9%	49.4%	49.4%	54.2%
2020 Democratic Primary				President/Vice-President				
BIDEN,JOE	A	D	37.4%	54.4%	18.0%	39.6%	39.7%	34.6%
COMBINED	O		38.0%	18.9%	18.2%	30.2%	0.8%	35.5%
COMBINED	O		0.6%	1.2%	3.3%	1.1%	30.2%	35.5%
SANDERS,BERNIE	A	D	24.1%	25.5%	60.5%	29.2%	29.2%	29.9%
2020 Democratic Primary				U.S. Senator				
COMBINED	O		42.9%	10.5%	21.9%	29.7%	59.7%	89.7%
COMBINED	O		47.9%	81.6%	53.8%	59.6%	29.7%	89.7%
GARCIA,ANNIE	O	D	9.2%	7.9%	24.3%	10.6%	10.5%	10.3%
2020 Democratic Primary				Railroad Commissioner 1				
ALONZO,ROBERTO	H	D	20.7%	30.4%	47.6%	28.3%	28.3%	28.6%
CASTANEDA,CHRYSTA	A	D	40.4%	11.4%	18.4%	28.2%	28.2%	33.8%
STONE,KELLY	A	D	22.9%	24.2%	15.6%	22.0%	22.0%	21.7%
WATSON,MARK	A	D	16.0%	34.0%	18.4%	21.6%	21.6%	15.8%
2020 Democratic Primary				Justice of the Supreme Court, Place 7				
VOSS,BRANDY	A	D	35.2%	23.6%	42.0%	32.6%	32.6%	34.9%
WILLIAMS,STACI	B	D	64.8%	76.4%	58.0%	67.4%	67.4%	65.1%
2020 Democratic Primary				Justice of the Supreme Court, Place 8				
KELLY,PETER	A	D	24.1%	43.6%	44.6%	32.8%	32.7%	28.0%
TRIANA,GISELA	H	D	75.9%	56.4%	55.4%	67.2%	67.3%	72.0%
2020 Democratic Primary				Court of Criminal Appeals, Place 3				
DAVIS FRIZELL,ELIZABETH	B	D	82.8%	57.9%	57.9%	71.5%	71.7%	68.7%
DEMOND,WILLIAM	O	D	5.5%	15.2%	17.5%	10.3%	10.1%	12.0%

EI Voting Analysis
Estimated Percent Vote by Race/Ethnicity for Each Candidate
In Voter Tabulation Districts (VTDs)
District 10
PLANS2100

	Ethnic Party		Estimated % Anglo Votes for Candidate	Estimated % Black Votes for Candidate	Estimated % Hispanic Votes for Candidate	Estimated % of Total Votes in District	Actual % of Total Votes in District	Actual % of Total Votes in Election
WOOD,DAN	A	D	11.8%	26.9%	24.6%	18.2%	18.2%	19.2%
2020 Democratic Runoff				Railroad Commissioner 1				
ALONZO,ROBERTO	H	D	28.5%	57.3%	52.8%	42.6%	42.5%	38.0%
CASTANEDA,CHRYSTA	A	D	71.5%	42.7%	47.2%	57.4%	57.5%	62.0%

Exhibit 29:
District Population Analysis, benchmark SD10

District Population Analysis with County Subtotals

SENATE DISTRICTS - PLANS2100

Total State Population	29,145,505
Total Districts Required	31
Ideal District Population	940,178
Unassigned Population	0
Districts in Plan	31
Unassigned Geography	No
Districts Contiguous	Yes

	Population	--------Deviation--------	
		Total	Percent
Plan Overall Range		307,472	32.70%
Smallest District (28)	796,007	-144,171	-15.33%
Largest District (25)	1,103,479	163,301	17.37%
Average (mean)	940,178	62,569	6.65%

PLANS2100

District Population Analysis with County Subtotals

SENATE DISTRICTS - PLANS2100

	Deviation		Total	Anglo	Non-Anglo	Asian	Black	Hispanic	B+H	%Anglo	%Non-Anglo	%Asian	%Black	%Hispanic	%B+H
DISTRICT 7	69,190	Total:	1,009,368	400,979	608,389	108,606	178,105	314,396	482,266	39.7	60.3	10.8	17.6	31.1	47.8
	7.36 %	VAP:	741,905	318,117	423,788	79,795	121,527	213,508	330,000	42.9	57.1	10.8	16.4	28.8	44.5
Harris (21%)			1,009,368	400,979	608,389	108,606	178,105	314,396	482,266	39.7	60.3	10.8	17.6	31.1	47.8
DISTRICT 8	57,955	Total:	998,133	471,726	526,407	213,052	132,796	164,666	292,219	47.3	52.7	21.3	13.3	16.5	29.3
	6.16 %	VAP:	750,559	379,606	370,953	151,150	93,611	112,209	203,272	50.6	49.4	20.1	12.5	15.0	27.1
Collin (80%)			855,489	414,023	441,466	194,946	104,142	128,210	227,961	48.4	51.6	22.8	12.2	15.0	26.6
Dallas (5%)			142,644	57,703	84,941	18,106	28,654	36,456	64,258	40.5	59.5	12.7	20.1	25.6	45.0
DISTRICT 9	-15,521	Total:	924,657	359,833	564,824	77,850	148,920	324,820	465,913	38.9	61.1	8.4	16.1	35.1	50.4
	-1.65 %	VAP:	684,713	292,419	392,294	57,586	103,578	218,171	317,934	42.7	57.3	8.4	15.1	31.9	46.4
Dallas (8%)			214,865	40,951	173,914	11,414	28,241	133,038	159,538	19.1	80.9	5.3	13.1	61.9	74.3
Tarrant (34%)			709,792	318,882	390,910	66,436	120,679	191,782	306,375	44.9	55.1	9.4	17.0	27.0	43.2
DISTRICT 10	5,318	Total:	945,496	373,902	571,594	53,541	203,632	304,689	500,464	39.5	60.5	5.7	21.5	32.2	52.9
	0.57 %	VAP:	708,665	311,021	397,644	39,148	143,890	203,819	344,139	43.9	56.1	5.5	20.3	28.8	48.6
Tarrant (45%)			945,496	373,902	571,594	53,541	203,632	304,689	500,464	39.5	60.5	5.7	21.5	32.2	52.9
DISTRICT 11	-6,922	Total:	933,256	441,837	491,419	69,631	126,520	283,159	402,305	47.3	52.7	7.5	13.6	30.3	43.1
	-0.74 %	VAP:	704,652	358,661	345,991	50,870	89,666	192,455	278,887	50.9	49.1	7.2	12.7	27.3	39.6
Brazoria (74%)			274,233	109,938	164,295	28,062	51,329	82,513	131,415	40.1	59.9	10.2	18.7	30.1	47.9
Galveston (99%)			347,912	189,069	158,843	15,598	49,137	88,315	134,914	54.3	45.7	4.5	14.1	25.4	38.8
Harris (7%)			311,111	142,830	168,281	25,971	26,054	112,331	135,976	45.9	54.1	8.3	8.4	36.1	43.7
DISTRICT 12	146,201	Total:	1,086,379	584,227	502,152	112,796	130,987	237,245	360,982	53.8	46.2	10.4	12.1	21.8	33.2
	15.55 %	VAP:	809,228	463,844	345,384	79,199	89,823	157,794	244,165	57.3	42.7	9.8	11.1	19.5	30.2
Denton (82%)			747,584	397,439	350,145	97,774	92,723	145,266	233,269	53.2	46.8	13.1	12.4	19.4	31.2
Tarrant (16%)			338,795	186,788	152,007	15,022	38,264	91,979	127,713	55.1	44.9	4.4	11.3	27.1	37.7
DISTRICT 13	-48,341	Total:	891,837	87,673	804,164	83,325	359,794	366,202	714,241	9.8	90.2	9.3	40.3	41.1	80.1
	-5.14 %	VAP:	672,728	77,764	594,964	68,800	274,320	253,519	520,963	11.6	88.4	10.2	40.8	37.7	77.4
Fort Bend (16%)			129,465	10,047	119,418	13,324	66,474	40,856	105,499	7.8	92.2	10.3	51.3	31.6	81.5
Harris (16%)			762,372	77,626	684,746	70,001	293,320	325,346	608,742	10.2	89.8	9.2	38.5	42.7	79.8
DISTRICT 14	104,129	Total:	1,044,307	500,168	544,139	100,712	104,059	327,880	423,128	47.9	52.1	9.6	10.0	31.4	40.5
	11.08 %	VAP:	823,529	423,611	399,918	77,514	77,803	232,239	305,178	51.4	48.6	9.4	9.4	28.2	37.1
Bastrop (100%)			97,216	45,751	51,465	1,287	6,873	41,484	47,762	47.1	52.9	1.3	7.1	42.7	49.1
Travis (73%)			947,091	454,417	492,674	99,425	97,186	286,396	375,366	48.0	52.0	10.5	10.3	30.2	39.6
DISTRICT 15	3,390	Total:	943,568	226,738	716,830	58,385	231,324	426,052	647,386	24.0	76.0	6.2	24.5	45.2	68.6
	0.36 %	VAP:	702,919	193,626	509,293	46,291	166,966	291,967	453,752	27.5	72.5	6.6	23.8	41.5	64.6
Harris (20%)			943,568	226,738	716,830	58,385	231,324	426,052	647,386	24.0	76.0	6.2	24.5	45.2	68.6

Population and Voter Data with Voter Registration Comparison

SENATE DISTRICTS - PLANS2100

			Population									Total Voter Registration			Non-Suspense Voter Registration		
District	Deviation		Total	%Anglo	%Non-Anglo	%Asian	%Black	%Hispanic	%B+H	General Election	Turnout	Total	SSVR	TO/VR	Total	SSVR	TO/VR
1	-94,391	Total:	845,787	61.9	38.1	1.5	18.0	16.1	33.6	2020	363,881	545,787	5.6 %	66.7 %	493,895	5.7 %	73.7 %
	-10.04%	VAP:	647,407	65.4	34.6	1.4	17.1	13.3	30.2	2018	276,374	519,484	5.2 %	53.2 %	469,416	5.2 %	58.9 %
2	4,398	Total:	944,576	47.4	52.6	3.1	14.9	32.8	47.0	2020	354,231	526,499	14.4 %	67.3 %	478,714	14.7 %	74.0 %
	0.47%	VAP:	695,983	51.8	48.2	3.1	13.9	28.9	42.4	2018	263,192	490,342	13.4 %	53.7 %	443,129	13.7 %	59.4 %
3	-63,008	Total:	877,170	66.9	33.1	1.1	12.2	17.3	29.2	2020	376,342	561,371	6.6 %	67.0 %	512,956	6.6 %	73.4 %
	-6.70%	VAP:	678,053	69.9	30.1	1.0	11.7	14.7	26.2	2018	280,147	535,185	6.1 %	52.3 %	484,839	6.1 %	57.8 %
4	78,972	Total:	1,019,150	53.6	46.4	4.6	14.4	25.5	39.4	2020	430,449	612,336	11.0 %	70.3 %	554,823	11.2 %	77.6 %
	8.40%	VAP:	754,208	57.1	42.9	4.4	13.8	22.6	36.0	2018	312,833	565,684	10.2 %	55.3 %	504,817	10.4 %	62.0 %
5	120,622	Total:	1,060,800	55.2	44.8	7.9	11.1	24.3	34.6	2020	459,310	632,370	13.0 %	72.6 %	570,389	12.9 %	80.5 %
	12.83%	VAP:	814,153	58.5	41.5	7.3	10.4	21.8	31.7	2018	339,136	567,650	12.6 %	59.7 %	507,259	12.6 %	66.9 %
6	-106,189	Total:	833,989	9.8	90.2	2.7	13.5	74.4	86.9	2020	187,157	344,937	55.7 %	54.3 %	320,598	57.0 %	58.4 %
	-11.29%	VAP:	597,899	11.7	88.3	2.9	13.4	72.0	84.7	2018	136,184	329,003	55.1 %	41.4 %	301,546	56.7 %	45.2 %
7	69,190	Total:	1,009,368	39.7	60.3	10.8	17.6	31.1	47.8	2020	426,355	595,067	17.1 %	71.6 %	550,952	17.3 %	77.4 %
	7.36%	VAP:	741,905	42.9	57.1	10.8	16.4	28.8	44.5	2018	309,991	550,965	16.2 %	56.3 %	500,948	16.6 %	61.9 %
8	57,955	Total:	998,133	47.3	52.7	21.3	13.3	16.5	29.3	2020	452,913	603,428	7.8 %	75.1 %	542,981	7.7 %	83.4 %
	6.16%	VAP:	750,559	50.6	49.4	20.1	12.5	15.0	27.1	2018	341,629	552,615	7.5 %	61.8 %	490,057	7.5 %	69.7 %
9	-15,521	Total:	924,657	38.9	61.1	8.4	16.1	35.1	50.4	2020	333,524	495,653	17.3 %	67.3 %	437,005	17.7 %	76.3 %
	-1.65%	VAP:	684,713	42.7	57.3	8.4	15.1	31.9	46.4	2018	250,040	463,827	16.6 %	53.9 %	397,962	17.1 %	62.8 %
10	5,318	Total:	945,496	39.5	60.5	5.7	21.5	32.2	52.9	2020	376,345	548,142	15.9 %	68.7 %	491,709	16.2 %	76.5 %
	0.57%	VAP:	708,665	43.9	56.1	5.5	20.3	28.8	48.6	2018	291,940	515,137	15.1 %	56.7 %	451,996	15.6 %	64.6 %
11	-6,922	Total:	933,256	47.3	52.7	7.5	13.6	30.3	43.1	2020	400,677	576,112	17.8 %	69.5 %	522,945	18.0 %	76.6 %
	-0.74%	VAP:	704,652	50.9	49.1	7.2	12.7	27.3	39.6	2018	292,834	536,056	17.1 %	54.6 %	480,189	17.3 %	61.0 %
12	146,201	Total:	1,086,379	53.8	46.2	10.4	12.1	21.8	33.2	2020	489,574	670,147	10.7 %	73.1 %	602,956	10.8 %	81.2 %
	15.55%	VAP:	809,228	57.3	42.7	9.8	11.1	19.5	30.2	2018	347,516	607,787	10.3 %	57.2 %	532,763	10.4 %	65.2 %
13	-48,341	Total:	891,837	9.8	90.2	9.3	40.3	41.1	80.1	2020	258,849	429,463	17.6 %	60.3 %	389,598	18.1 %	66.4 %
	-5.14%	VAP:	672,728	11.6	88.4	10.2	40.8	37.7	77.4	2018	193,994	412,649	16.6 %	47.0 %	368,996	17.2 %	52.6 %
14	104,129	Total:	1,044,307	47.9	52.1	9.6	10.0	31.4	40.5	2020	493,322	692,307	14.7 %	71.3 %	627,742	14.8 %	78.6 %
	11.08%	VAP:	823,529	51.4	48.6	9.4	9.4	28.2	37.1	2018	392,361	635,991	14.5 %	61.7 %	551,288	14.6 %	71.2 %
15	3,390	Total:	943,568	24.0	76.0	6.2	24.5	45.2	68.6	2020	323,560	490,330	23.6 %	66.0 %	450,416	24.1 %	71.8 %
	0.36%	VAP:	702,919	27.5	72.5	6.6	23.8	41.5	64.6	2018	237,678	459,316	22.6 %	51.7 %	414,921	23.3 %	57.3 %
16	-13,360	Total:	926,818	41.3	58.7	14.6	13.7	29.4	42.4	2020	378,394	520,942	12.7 %	72.6 %	468,661	12.8 %	80.7 %
	-1.42%	VAP:	721,088	44.9	55.1	14.0	13.2	26.6	39.3	2018	301,162	492,052	12.2 %	61.2 %	433,403	12.4 %	69.5 %
17	17,351	Total:	957,529	39.6	60.4	17.5	17.0	25.4	41.5	2020	412,243	569,790	13.7 %	72.3 %	522,954	13.8 %	78.8 %
	1.85%	VAP:	735,558	42.2	57.8	17.2	16.0	23.7	39.0	2018	312,707	532,482	13.3 %	58.7 %	480,692	13.5 %	65.1 %
18	96,015	Total:	1,036,193	42.9	57.1	11.8	13.9	30.5	43.6	2020	440,812	623,972	18.8 %	70.6 %	574,524	18.6 %	76.7 %
	10.21%	VAP:	764,077	46.4	53.6	11.2	13.1	28.0	40.6	2018	315,715	568,373	18.7 %	55.5 %	518,218	18.6 %	60.9 %
19	12,036	Total:	952,214	21.8	78.2	3.0	8.7	66.8	74.3	2020	332,264	547,241	53.8 %	60.7 %	491,568	54.6 %	67.6 %
	1.28%	VAP:	696,433	24.3	75.7	2.9	8.3	64.0	71.6	2018	226,564	505,535	54.1 %	44.8 %	450,382	55.2 %	50.3 %
20	-32,504	Total:	907,674	15.9	84.1	2.2	2.6	79.1	81.1	2020	277,036	470,445	66.4 %	58.9 %	425,350	67.6 %	65.1 %
	-3.46%	VAP:	661,833	18.2	81.8	2.2	2.5	76.5	78.6	2018	197,570	445,114	66.5 %	44.4 %	399,738	68.1 %	49.4 %

For technical reasons, election results in Texas Legislative Council reports may vary slightly from the official election results. Complete official results for all elections are maintained by the Office of the Texas Secretary of State.
SSVR = Spanish surname voter registration

Population and Voter Data with Voter Registration Comparison

SENATE DISTRICTS - PLANS2100

			Population									Total Voter Registration			Non-Suspense Voter Registration		
District	Deviation		Total	%Anglo	%Non-Anglo	%Asian	%Black	%Hispanic	%B+H	General Election	Turnout	Total	SSVR	TO/VR	Total	SSVR	TO/VR
21	-38,924	Total:	901,254	22.6	77.4	1.6	4.1	71.2	74.6	2020	295,047	505,873	57.2 %	58.3 %	460,757	58.0 %	64.0 %
	-4.14%	VAP:	668,648	25.7	74.3	1.7	4.2	67.5	71.3	2018	212,875	473,899	58.2 %	44.9 %	427,579	59.4 %	49.8 %
22	3,844	Total:	944,022	55.2	44.8	3.3	14.3	25.1	38.6	2020	388,997	569,813	12.7 %	68.3 %	517,886	12.8 %	75.1 %
	0.41%	VAP:	707,084	59.2	40.8	3.2	13.1	21.8	34.6	2018	288,330	525,924	12.1 %	54.8 %	474,494	12.2 %	60.8 %
23	-53,073	Total:	887,105	14.2	85.8	2.2	38.2	45.3	82.7	2020	295,978	486,211	22.8 %	60.9 %	437,579	23.7 %	67.6 %
	-5.64%	VAP:	664,473	17.3	82.7	2.5	38.4	41.4	79.2	2018	229,575	462,812	21.7 %	49.6 %	411,325	22.8 %	55.8 %
24	-13,388	Total:	926,790	58.1	41.9	3.9	14.5	21.8	35.0	2020	392,271	585,675	11.2 %	67.0 %	516,380	11.0 %	76.0 %
	-1.42%	VAP:	708,848	62.3	37.7	3.6	12.8	19.1	31.0	2018	286,629	537,541	10.9 %	53.3 %	463,672	10.7 %	61.8 %
25	163,301	Total:	1,103,479	53.1	46.9	5.4	6.7	33.8	39.5	2020	571,431	758,052	20.7 %	75.4 %	681,411	20.7 %	83.9 %
	17.37%	VAP:	844,709	56.3	43.7	5.0	6.1	31.0	36.5	2018	418,940	683,429	20.1 %	61.3 %	606,850	20.0 %	69.0 %
26	-99,613	Total:	840,565	19.3	80.7	4.3	9.2	67.7	75.6	2020	290,494	482,377	54.4 %	60.2 %	419,418	55.7 %	69.3 %
	-10.60%	VAP:	644,877	21.9	78.1	4.2	8.6	65.1	72.8	2018	211,203	461,672	54.4 %	45.7 %	397,764	56.0 %	53.1 %
27	-108,504	Total:	831,674	7.9	92.1	0.8	0.9	90.4	90.9	2020	220,265	411,297	80.0 %	53.6 %	379,121	80.5 %	58.1 %
	-11.54%	VAP:	588,385	9.6	90.4	0.9	0.8	88.6	89.1	2018	152,571	387,475	80.5 %	39.4 %	356,966	81.2 %	42.7 %
28	-144,171	Total:	796,007	51.2	48.8	2.3	7.4	37.9	44.4	2020	304,386	478,336	26.6 %	63.6 %	424,419	26.3 %	71.7 %
	-15.33%	VAP:	607,986	54.9	45.1	2.3	6.9	34.1	40.6	2018	231,687	464,208	26.3 %	49.9 %	408,199	26.2 %	56.8 %
29	-61,004	Total:	879,174	11.6	88.4	2.1	4.4	82.4	85.7	2020	274,554	498,691	67.7 %	55.1 %	446,689	69.1 %	61.5 %
	-6.49%	VAP:	655,733	12.9	87.1	2.1	4.0	81.0	84.3	2018	208,261	467,178	68.6 %	44.6 %	424,087	70.0 %	49.1 %
30	87,087	Total:	1,027,265	67.4	32.6	3.1	7.7	18.6	25.8	2020	460,025	654,804	8.4 %	70.3 %	585,897	8.4 %	78.5 %
	9.26%	VAP:	773,135	70.8	29.2	2.8	6.9	16.0	22.6	2018	325,058	590,211	7.9 %	55.1 %	522,934	7.9 %	62.2 %
31	-70,909	Total:	869,269	46.5	53.5	2.5	6.0	43.4	48.8	2020	294,653	472,639	27.3 %	62.3 %	421,808	27.4 %	69.9 %
	-7.54%	VAP:	637,232	50.4	49.6	2.3	5.5	39.8	44.9	2018	217,034	449,448	26.4 %	48.3 %	400,801	26.6 %	54.2 %

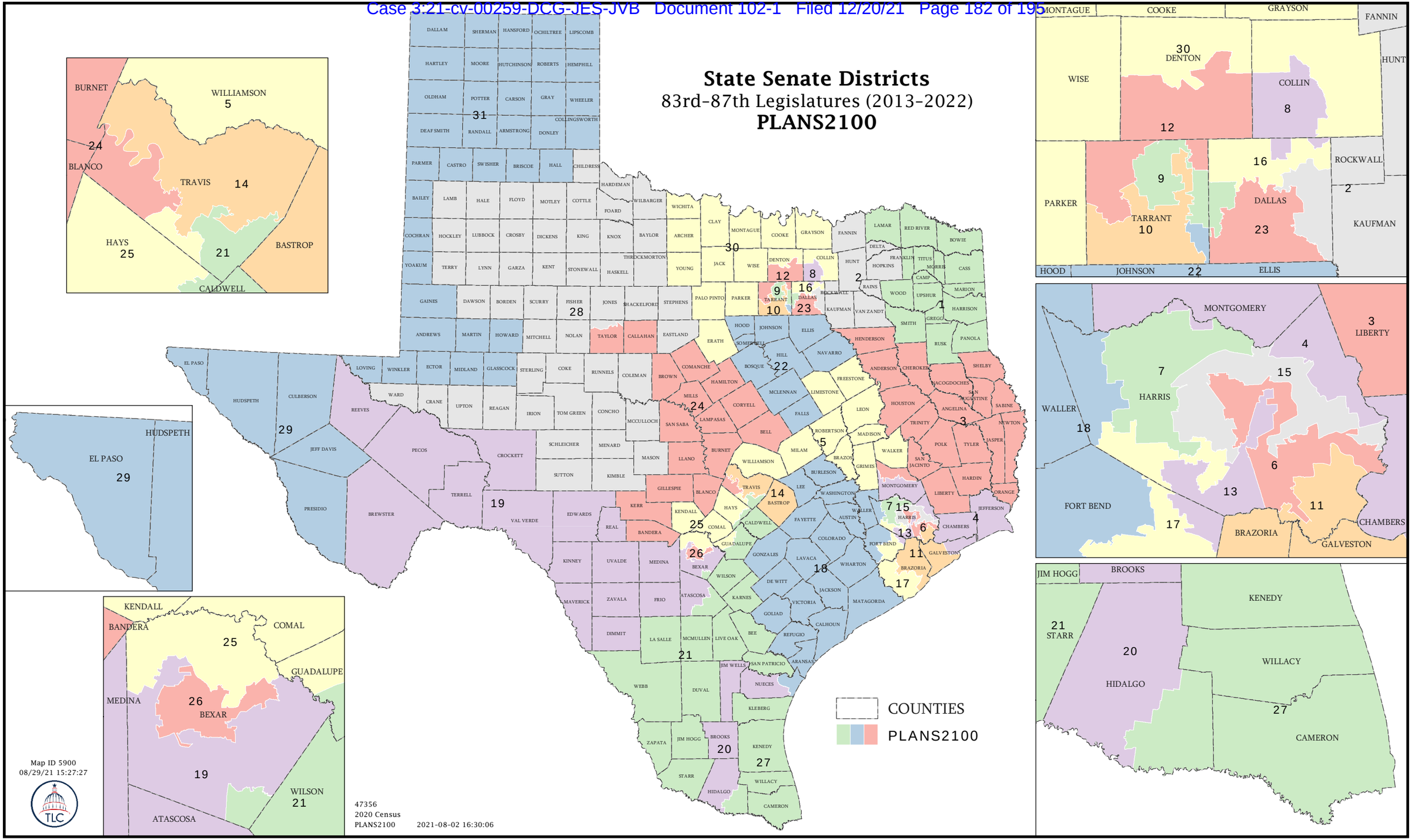
For technical reasons, election results in Texas Legislative Council reports may vary slightly from the official election results. Complete official results for all elections are maintained by the Office of the Texas Secretary of State.
SSVR = Spanish surname voter registration

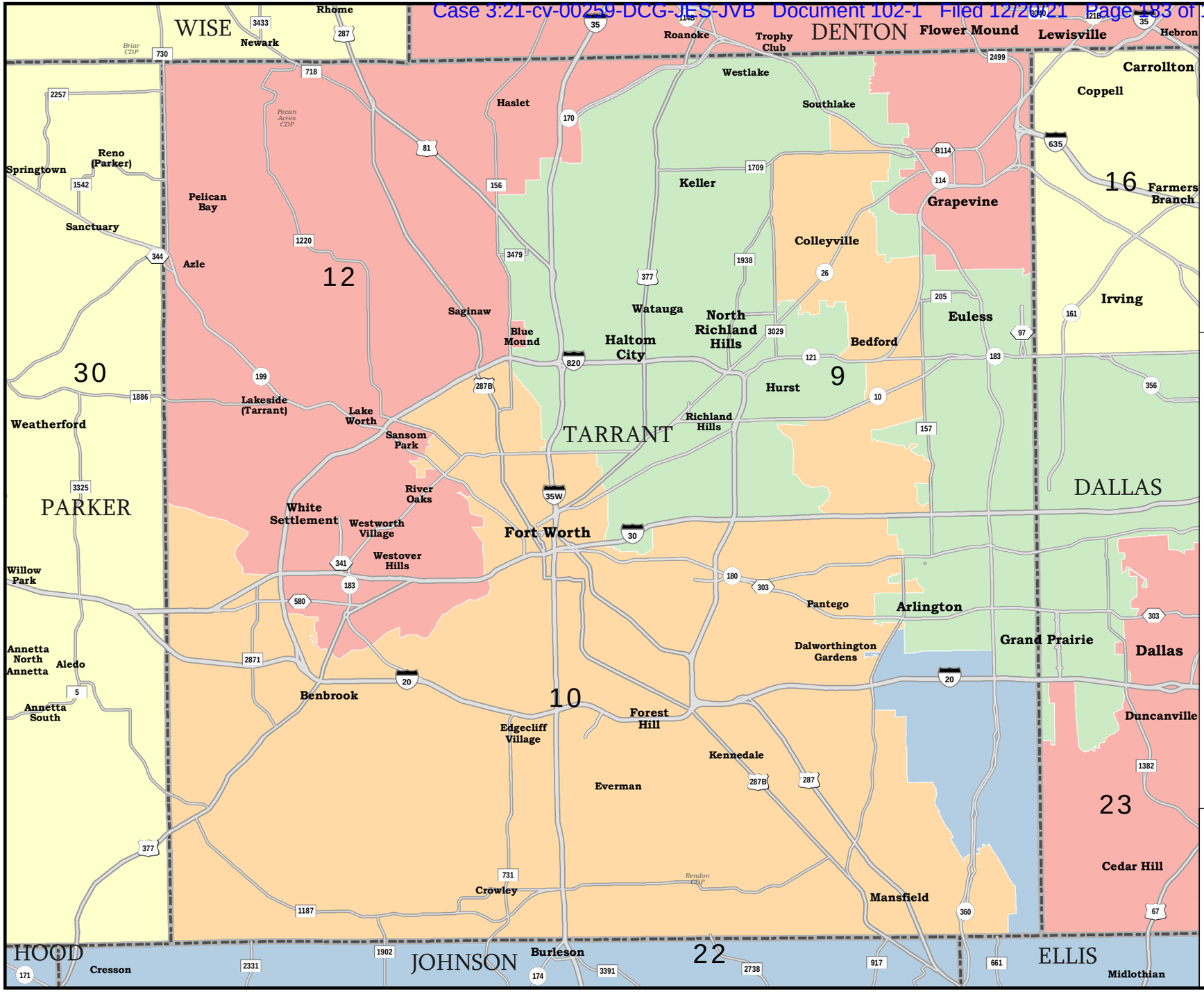
Incumbents by District

SENATE DISTRICTS - PLANS2100

District	Incumbents
1	Hughes - R
2	Hall - R
3	Nichols - R
4	Creighton - R
5	Schwertner - R
6	Alvarado - D
7	Bettencourt - R
8	Paxton - R
9	Hancock - R
10	Powell - D
11	Taylor - R
12	Nelson - R
13	Miles - D
14	Eckhardt - D
15	Whitmire - D
16	Johnson - D
17	Huffman - R
18	Kolkhorst - R
19	Gutierrez - D
20	Hinojosa - D
21	Zaffirini - D
22	Birdwell - R
23	West - D
24	Buckingham - R
25	Campbell - R
26	Menéndez - D
27	Lucio, - D
28	Perry - R
29	Blanco - D
30	Springer - R
31	Seliger - R

* Incumbents paired.


State Senate Districts
83rd-87th Legislatures (2013-2022)
PLANS2100
COUNTIES
PLANS2100
Map ID 5900
08/29/21 15:27:27
TLC
47356
2020 Census
PLANS2100
2021-08-02 16:30:06



TARRANT COUNTY

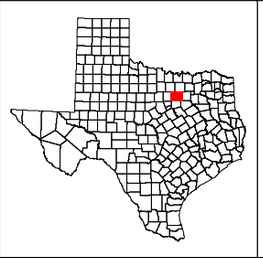
State Senate Districts

83rd-87th Legislatures (2013-2022)

PLANS2100

COUNTIES

PLANS2100



47356
2020 Census
PLANS2100 2021-08-02 16:30:06

Map ID 5900
08/29/21 15:27:27

Exhibit 30:
Texas Tribune article, June 4, 2021

TEXAS 2022 ELECTIONS

Republican state Sen. Dawn Buckingham running for Texas land commissioner

> The news of her decision comes two days after the current land commissioner, George P. Bush, announced he was running for attorney general next year, challenging fellow Republican Ken Paxton.

BY **PATRICK SVITEK** JUNE 4, 2021 UPDATED: JUNE 7, 2021

COPY LINK

State Sen. Dawn Buckingham, R-Lakeway, is running to be the state's land commissioner. 📷 Kelly West for The Texas Tribune

Sign up for The Brief, our daily newsletter that keeps readers up to speed on the most essential Texas news.

State Sen. Dawn Buckingham, R-Lakeway, announced Monday she is running for land commissioner.

"I will be running for Land Commissioner with a strong conservative record defending the right to life, our Second Amendment, our invaluable oil and gas industry, and the low tax economy that has made Texas great. Conservatives know just how important the Texas General Land Office is," Buckingham said in a statement.

"It's my goal as your next Texas Land Commissioner to safeguard the heroes who served in our military, protect our exceptional natural resources, and protect our unique Texas heritage, especially the Alamo," she said.

The Texas Tribune thanks its sponsors. **Become one**.

The Texas Tribune first reported her intentions to run Friday, when Buckingham was making calls to potential supporters sharing her decision, according to sources.

On Friday afternoon, Buckingham launched several Facebook ads alluding to a land commissioner run, asking viewers, for example, if they are "ready to elect the first female Land Commissioner." Another ad billed her as a "staunch defender of the Trump agenda."

The news of her decision comes two days after the current land commissioner, George P. Bush, announced he was running for attorney general next year, challenging fellow Republican Ken Paxton.

Buckingham was first elected in 2016 to represent Senate District 24 in Central Texas. While she won a second term last year, all members of the Senate have to run for reelection in 2022 due to redistricting, so she will have to give up her seat if she runs for land commissioner.

Another Republican, Weston Martinez, announced Monday that he is running for land commissioner. Martinez is a San Antonio activist who has run twice for the Railroad Commission. Agriculture Commissioner Sid Miller endorsed Martinez's bid on Friday afternoon.

Buckingham may not be the only GOP state senator who vies for land commissioner. Sen. Brandon Creighton of Conroe has been discussed as a potential candidate, and asked for comment, a spokesperson provided a statement from him that indicated his focus was still on legislative issues.

"I am officially announcing that I am ready for the special session," Creighton said in the statement. "Let’s get an election bill passed."

The General Land Office oversees investments that earn billions of dollars for public education. It is responsible for managing state lands, and it operates the Alamo, helps communities recovering from natural disasters and doles out benefits to Texas veterans.

The Texas Tribune thanks its sponsors. **Become one**.

Exhibit 31:
Texas Tribune article, Sept. 21, 2021

REDISTRICTING TEXAS

After losing to a Democrat in 2020, former GOP state Sen. Pete Flores seeks election in newly drawn Republican district

> Within hours, Flores got the endorsement of Sen. Dawn Buckingham, R-Lakeway, who is vacating the seat to run for land commissioner, and then Lt. Gov. Dan Patrick, who presides over the Senate.

BY **PATRICK SVITEK** SEPT. 21, 2021 1 PM CENTRAL

COPY LINK

Former state Sen. Pete Flores, R-Pleasanton, announced Monday that he is running next year for Senate District 24, which was significantly redrawn in the first proposed map to include his hometown. Juan Figueroa/The Texas Tribune

Sign up for The Brief, our daily newsletter that keeps readers up to speed on the most essential Texas news.

Former state Sen. Pete Flores is mounting a comeback bid for the upper chamber — with significant support — in one of the first major examples of this year's redistricting process creating new opportunities for Republican candidates.

The Pleasanton Republican announced Monday that he is running next year for Senate District 24, which was significantly redrawn in the first proposed map to include his hometown and to be safer for a Republican than his old district where he lost to a Democrat. Within hours, Flores got the endorsement of the current SD-24 incumbent, Sen. Dawn Buckingham, R-Lakeway, who is vacating the seat to run for land commissioner, and then Lt. Gov. Dan Patrick, who presides over the Senate.

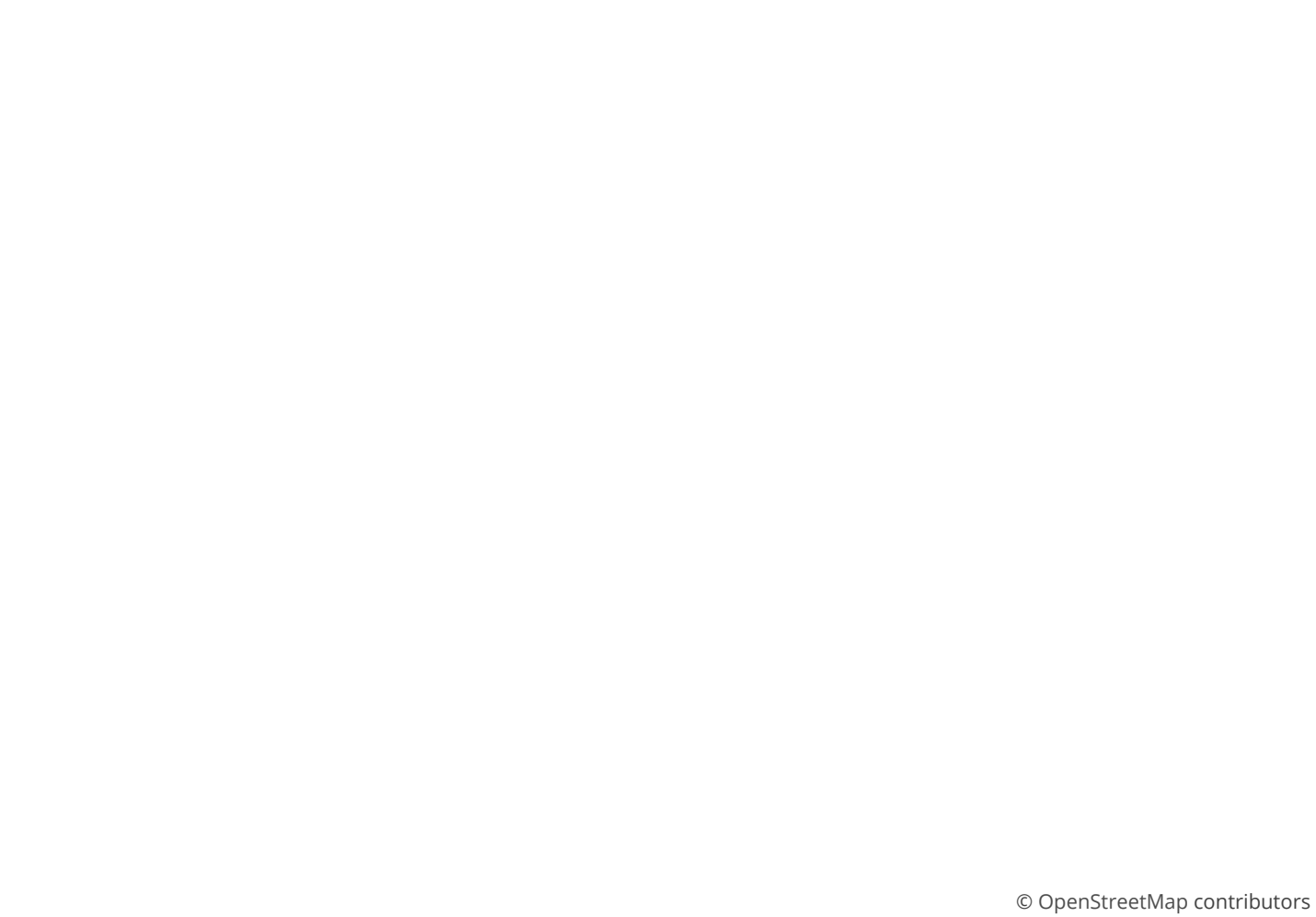
Flores lost reelection last year in Senate District 19 to San Antonio Democrat Roland Gutierrez after nabbing it from Democratic control in a 2018 special election upset that drew national attention.

The Texas Tribune thanks its sponsors. **Become one**.

"It's not the old District 19, but it still encompasses the heartland of Texas, the parts of Texas I most closely identify with," Flores said in a news release, referring to the draft SD-24. "I know the people and the ideas and values they hold dear."

Proposed Texas Senate district 24

State Senate district 24 was drawn to include former senator Pete Flores' home in Pleasanton. Flores represented Senate district 19 for two years before he lost the seat in 2020 to a Democrat.



© OpenStreetMap contributors

Source: Texas Legislative Council

Things moved quickly after Flores' announcement, with Buckingham endorsing him Monday afternoon and Patrick backing him Tuesday morning. Patrick said in a statement he needs Flores "back in the Texas Senate to continue to advance our conservative agenda for Texas."

The newly proposed SD-24 is largely rural, jutting into Atascosa County to encompass almost all of Flores' hometown of Pleasanton. It then curves north

around the San Antonio area and farther up through the Hill Country and beyond Austin.

The draft of SD-24 went for for President Donald Trump by 18 percentage points last year, which would be a friendlier district for Flores than the one he previously held, SD-19. President Joe Biden carried that district by 8 points.

Under the proposed map, SD-19 would become more Democratic, morphing into a district that Biden won by 13 points.

Flores' return to the chamber would add a Hispanic Republican to its ranks at a time when the GOP is pushing to make fresh inroads in South Texas, where President Joe Biden underperformed last year.

Current Texas Senate district 24

District 24 is currently represented by Sen. Dawn Buckingham, R-Lakeway, who is vacating the seat to run for land commissioner. Under the current plan, Pete Flores, a former state senator who lives in Pleasanton, doesn't live in the district.

© OpenStreetMap contributors

Source: Texas Legislative Council

Ellen Troxclair, a Republican and former member of the Austin City Council, has been campaigning for SD-24 for months, unopposed by any other serious candidates. She launched her bid shortly after Buckingham announced in June that she was vacating the seat to run for land commissioner.

The first proposed boundaries for SD-24, however, appear to pose problems for Troxclair. Her campaign paperwork lists an address in the Austin suburb of Bee Cave, which would fall outside SD-24 under the new map.

The Texas Tribune thanks its sponsors. **Become one**.

The map will have to be approved by both chambers of the Legislature and signed into law by Gov. Greg Abbott.

“This map is only the first draft of many and will be vetted and tweaked in the weeks to come,” Troxclair said in a statement Monday. “The only certain thing about the current map is that it will change.”

Flores and Troxclair traded endorsements Tuesday. After Flores rolled out Patrick's support, Troxclair announced the backing of U.S. Rep. Roger Williams of Austin. Flores than released the endorsement of former Gov. Rick Perry.

In a news release announcing Williams' endorsement, Troxclair's campaign alluded to the tension over the proposed 24th District, showing no sign of backing down.

The Texas Tribune thanks its sponsors. **Become one**.

"As political insiders wrestle for power over the evolving redistricting maps in Austin," the campaign said, "Troxclair continues to focus her attention on building grassroots support on the ground, fundraising, and earning endorsements.

The Legislature started its work in the third special session on Monday to redraw the district maps for the Texas House, Senate, State Board of Education and members of Congress. Lawmakers will craft those maps using the latest census data, which showed that people of color fueled 95% of the state's population growth over the past decade.

Republicans control both chambers and will have every advantage throughout the 30-day process to better position their party for the next decade.

This is the first time in decades federal law allows Texas to draw and use political maps without first getting federal approval to ensure that they're not disenfranchising the voting rights of people of color. That federal preclearance requirement in the Voting Rights Act was gutted by the Supreme Court in 2013.

The Texas Tribune thanks its sponsors. **Become one**.

Since the enactment of the Voting Rights Act in 1965, Texas has not made it through a single decade without a federal court admonishing it for violating federal protections for voters of color.

If you appreciate reporting like this, you need to be at the all-virtual 2021 Texas Tribune Festival happening now through Sept. 25. Join as big names from politics, public policy and the media share what's next for Texas and beyond. Explore live and on-demand programming, including dozens of free events, at tribfest.org.

Quality journalism doesn't come free

Perhaps it goes without saying — but producing quality journalism isn't cheap. At a time when newsroom resources and revenue across the country are declining, The Texas Tribune remains committed to sustaining our mission: creating a more engaged and informed Texas with every story we cover, every event we convene and every newsletter we send. As a nonprofit newsroom, we rely on members to help keep our stories free and our events open to the public. Do you value our journalism? Show us with your support.

YES, I'LL DONATE TODAY

The Texas Tribune thanks its sponsors.
Become one.