

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

STATE OF TEXAS,

Plaintiff,

v.

UNITED STATES OF AMERICA and ERIC H.
HOLDER, JR., in his official capacity as Attorney
General of the United States,

Defendants.

WENDY DAVIS, *et al.*,

Defendant-Intervenors,

MEXICAN AMERICAN LEGISLATIVE CAUCUS,

Defendant-Intervenor,

GREG GONZALES, *et al.*,

Defendant-Intervenors,

TEXAS LEGISLATIVE BLACK CAUCUS,

Defendant-Intervenor,

TEXAS LATINO REDISTRICTING TASK FORCE,

Defendant-Intervenor,

TEXAS STATE CONFERENCE OF NAACP
BRANCHES *et al.*,

Defendant-Intervenors.

Civil Action No. 1:11-cv-1303
(RMC-TBG-BAH)
Three-Judge Court

DIRECT TESTIMONY OF ROGENE CALVERT

1 Rogene Calvert, having been first duly sworn, was examined and testified as follows:

2 Q. Would you state your name, please?

3 A. Rogene G. Calvert.

4 Q. And Mrs. Calvert, where do you reside?

5 A. Houston, Texas.

6 Q. Where were you born?

7 A. Houston

8 Q. Did you grow up there too?

9 A. Yes.

10 Q. For the record, Mrs. Calvert, what is your ethnicity?

11 A. I'm Chinese American.

12 Q. Thank you. What is your occupation?

13 A. I'm a director at Outreach Strategists, a public relations and public affairs
14 company.

15 Q. How long have you been with Outreach Strategies?

16 A. About a year.

17 Q. What did you do before that?

18 A. Previously, I was the president of the Asian Chamber of Commerce for the greater
19 Houston area.

20 Q. Tell me about your time at the Asian Chamber of Commerce?

21 A. I was there from 2009 to 2010 for 15 months. The organization's budget is about
22 \$300,000. It has about 200 to 300 members. The chamber's primary mission is to promote

1 business opportunities for its members. It holds regular events for its members – which includes
2 Asian and non-Asian business leaders.

3 Q. Are you active in the Asian-American community?

4 A. I am.

5 Q. Can you please tell me about some of your involvement in that community?

6 A. I am a cofounder and past president of the Asian-American Health Coalition
7 Clinic. I am also a cofounder, past president, and advisory committee member of Asian-
8 American Family Services, which is a mental health organization. Both of these organizations
9 are located in southwest Harris County.

10 Q. Why did you start or become involved with these organizations?

11 A. The Asian-American community is very important to me, and I've made it a
12 priority to be involved in the community. These organizations offered me the opportunity to
13 work on issues that were very important to me. Also, I wanted to create and promote
14 organizations that provide services designed to accommodate the Asian-American community.
15 Many of the other organizations in the area lacked language and cultural competency to provide
16 adequate services to this growing and diverse community.

17 Q. What other work have you done behalf of Asian Americans in Texas?

18 A. I've been active in the community for all my life, especially in Houston. I'm most
19 recently involved through my work for the Texas Asian-American Redistricting Initiative
20 [TAARI], which is a project of the Asian-American Justice Center. My work with TAARI
21 involves traveling around the state speaking on issues important to the state's Asian-American
22 community. Often I will meet with public officials or testify about the interests and concerns of
23 Asian Americans in Texas. Recently, I've been involved with statewide and local redistricting

1 issues. I attended and testified at redistricting meetings and hearings on behalf of the Asian-
2 American community. For instance, I testified on behalf of TAARI at two hearings held by the
3 House Redistricting Committee. TAARI opposed the final House redistricting plan because it
4 eliminated District 149, which is the only district in the state House of Representatives that is
5 represented by a Vietnamese-American, and fragmented the Asian-American community in the
6 greater Houston area.

7 Q. Before we get into the particulars about the final redistricting plan for the Texas
8 House, let's talk more about your activities on behalf of Asian Americans in Texas. Are you
9 personally involved with any other organizations devoted to the Asian-American community?

10 A. Yes. I have already mentioned my involvement with the Asian-American Health
11 Coalition Clinic and Asian-American Family Services, both of which are located in southwest
12 Harris County, and the Asian Chamber of Commerce for the greater Houston area. I'm also
13 active in other ways.

14 I cofounded an Asian-American political action committee called Houston 80-20. Also,
15 I'm involved with the OCA, formerly known as the Organization of Chinese Americans, both the
16 Houston chapter and the national chapter. I sit on a number of advisory committees too. I serve
17 on an Asian advisory committee for the Houston Police Department and another for the Houston
18 Independent School District. My involvement also extends to voting and election issues too. I
19 serve on both the Vietnamese Advisory Committee and Chinese Advisory Committee to the
20 Harris County Clerk. These committees oversee and advise the clerk regarding the County's
21 compliance with the minority language requirements under federal law. As you probably know,
22 because it has such a large Vietnamese population and Chinese population, Harris County is

1 required by the Voting Rights Act to provide election materials in, among other languages,
2 Chinese and Vietnamese languages.

3 Finally, I also serve on the advisory council for VN Teamwork, which is a non-profit
4 organization based in Houston's Alief community that focuses primarily on providing assistance
5 to low-income Vietnamese residents of southwest Harris County.

6 Q. Would you please tell me about the Asian-American community in Texas?

7 A. According to the 2010 census, the Asian-American community in Texas grew by
8 over 45 percent since 2000, which makes the Asian-American community in Texas the third
9 largest in the country.

10 Q. Does Houston have the largest Asian-American community in Texas?

11 A. Yes. Other areas in Texas, such as Dallas, Austin, and San Antonio, have large
12 Asian-American communities. But the Asian-American community in Houston is by far the
13 largest. The greater Houston area has probably the eighth largest Asian-American community in
14 the country.

15 Q. Let's talk about that community in the Greater Houston area. Can you tell us
16 more about it?

17 A. Asian Americans, of course, live throughout the greater Houston area. The City
18 of Houston's boundaries actually extend beyond the Harris County border. So the Asian-
19 American community of Houston actually extends beyond Harris County and into Fort Bend
20 County. However, there are especially large populations of Asian Americans in the Alief and
21 Sharpstown areas of Houston, both of which are in southwest Harris County just north of the
22 border separating Harris County and Fort Bend County. This is probably the largest, most
23 densely populated part of Houston's Asian-American community. The Asian-American

1 community in these two areas, Alief and Sharpstown, is very organized and has been growing
2 over the last couple of decades. It's not unusual to see commercial signs in English and Asian
3 languages. Often commercial signs will be only in an Asian language. Vietnamese is the largest
4 Asian-American population in southwest Harris County's Asian-American community. There
5 are also large Chinese, Filipino, and Asian-Indian populations too.

6 Q. You mentioned Alief and Sharpstown areas. What are those areas?

7 A. I'm not sure how exactly to explain these areas to people not familiar with
8 Houston. These are large neighborhoods or communities within Houston. There's a really large
9 Asian-American community that exists in both areas. Together the areas make up much of what
10 is known as "Asiatown" in Houston. These neighborhoods are large enough that the state,
11 county, and municipal governments have passed legislation recognizing these communities and
12 creating organizations that provide services targeting the specific needs of these communities.
13 The diverse residents in these communities come together in informal settings. For example, the
14 residents in Alief came together to create a large community garden. Many local churches in
15 these communities have very diverse congregations, and some hold their service in a foreign
16 language.

17 Q. Are these independent towns?

18 A. Both areas have some control over their affairs, but they are part of Houston. As
19 I noted, though, state and local governments have created local organizations to promote the
20 neighborhoods and increase the city's responses to residents' concerns.

21 Q. Can you tell us more about these areas starting with Alief first?

22 A. Alief is probably the most diverse community in Texas. Generally, Alief is the
23 community within the boundaries of the Alief Independent School District's. It's approximately

1 a 36 square mile area lying west of South Gessner Road and the Southwest Freeway (U.S. Route
2 59) and south of Westheimer Road, extending to the county line separating Fort Bend and Harris
3 counties. Alief is a very diverse community with a very large Asian-American population. And
4 it's not just Asian-Americans. Alief has large immigrant groups from all over the world, such as
5 Nigeria, South and Central America, the Middle East, and the Caribbean. I don't think there's
6 any other place in Texas like it. It has a very international feel to it.

7 When we started the Asian-American Health Coalition Clinic that I mentioned earlier, we
8 originally designed it to serve the Asian-American community because of the lack of language
9 and cultural competency shown by the other local health care providers. However, our clientele
10 has become increasingly diverse over the last ten years, which reflects the growing diversity
11 within Alief. This growing diversity in our clientele has influenced our staffing decision too.
12 Today, the staff at our clinic speaks 15 different languages and dialects, collectively.

13 Q. You mentioned that the Alief community has been recognized by state, county,
14 and municipal governments. Can you give me some examples?

15 A. One example would be the Alief Super Neighborhood Council. Houston's City
16 Council established the super neighborhood concept about fifteen years ago. The City Council
17 did this largely to delineate the different parts of the city so it could provide better services and
18 allow it to better assess each area's needs, such as health services, housing, as well as improve
19 the Council's ability to communicate with residents. The Alief Super Neighborhood Council
20 helps organize the Alief community to identify, prioritize, and address the community's needs.
21 There are other super neighborhood councils in Houston, but few are as organized and
22 responsive to their community as the Alief Super Neighborhood. The Alief Super Neighborhood
23 Council has been integral in organizing the community. It maintains a website that promotes the

1 community and provides an internet message board for residents to communicate with one
2 another.

3 Another example would be the International Management District in Alief, which was
4 created by the Texas Legislature in 2007 to help organize Alief's commercial interests. Because
5 Alief is such a diverse community, the legislation creating the management district named it the
6 International Management District to increase the public's awareness of Alief's diversity and to
7 promote the diverse commercial interests within Alief.

8 Q. What district in the State House of Representatives is Alief in?

9 A. Currently, it's in District 149, which Hubert Vo represents.

10 Q. Let's turn now to Sharpstown. Can you tell us about Sharpstown?

11 A. Sharpstown is a similarly diverse area. It's comprised of a large residential
12 development built in the 1950's and 1960's that included about 6,000 homes. It too has a super
13 neighborhood council and management district. The area referred to as Sharpstown generally
14 means the original residential development and the commercial area that services it, most of
15 which is within the Sharpstown Management District.

16 Q. And what's Sharpstown's current House district?

17 A. District 137, which Scott Hochberg represents.

18 Q. Are there any other areas with a large Asian-American community?

19 A. There's also a large Asian-American population in northeastern Fort Bend County
20 near the Harris County border. It's just south of Alief and Sharpstown over the Harris and Fort
21 Bend County border. In many ways, the Asian-American community of Houston spills over into
22 Fort Bend County. In fact, Asian Americans are about 35% of the population for the city of

1 Sugar Land, Texas, which is the largest town in Fort Bend County. This large population of
2 Asian Americans in Fort Bend County is located in House District 26.

3 Q. What is your involvement with the Asian-American community in Alief?

4 A. As I said a moment ago, the Alief area is probably the most densely populated
5 Asian-American community in Texas. Several of the Asian-American organizations that I am
6 involved with are located in or near Alief. Though I don't live there, I spend a lot of time in
7 Alief and southwest Houston thanks to my many commitments to the Asian-American
8 community and Houston's Chinatown or Asiatown, as some of us refer to it, is located in Alief
9 and in Sharpstown areas. As a business corridor, this area is economically vibrant and draws
10 Asian Americans all over the city who frequent the restaurants, groceries, retail and commercial
11 entities there. The community health clinic and mental health services organization that I
12 cofounded serve Alief and southwest Harris County. My work for the health clinic required that
13 I spend a lot of time working with other organizations in Alief to ensure that the clinic could
14 address the community's needs. Also, through my involvement with the Asian-American
15 community I often meet with the leaders of Alief's businesses and non-profits. Many Asian-
16 American organizations that I am a part of direct their services towards the Asian-American
17 community in Alief. I have also personally volunteered to work on election campaigns in Alief
18 too, most notably Hubert Vo's campaign in District 149 in the state House of Representatives.

19 Q. Does the Asian-American community in southwest Harris County work alone on
20 issues important to the local community?

21 A. No, the community works with other groups in the community to accomplish its
22 goals. This work can take many different forms and it's not unusual to find the Asian-American
23 community working with other minority groups in Alief.

1 Q. Were you personally involved in some of these efforts?

2 A. Yes, other than District 149, I personally volunteered on campaigns for the
3 Houston City Council too. Beyond campaigns, I have met with local leaders of different
4 minority groups to discuss and plan ways for the communities to work together, for example
5 ways to ensure adequate health services for southwest Harris County.

6 Q. Can you give me some examples the Asian-American community in southwest
7 Harris County works with other minority groups?

8 A. Certainly. Following the 2010 census, Houston's city charter required that the
9 city increase its city council by adding two new districts to account for the substantial increase in
10 the city's population. As the director of TAARI, I worked on redistricting issues involving the
11 Houston City Council. The mayor's initial redistricting plan added the necessary districts, but the
12 Hispanic community felt that neither of the proposed new districts would have been a Hispanic
13 district. Hispanic leaders in Houston had expected that at least one of the new districts would
14 have been a Hispanic district. After the mayor proposed her plan, members of the Asian-
15 American community, including TAARI, teamed up with leaders in the Hispanic and African-
16 American communities to create a new Hispanic district. Ultimately, this collaboration by the
17 minority communities ensured that a new Hispanic district was created without reducing the
18 influence of the other minority groups.

19 Q. Is this kind of collaboration normal in Houston?

20 A. It is in southwest Harris County, especially in Alief. Because this population is so
21 diverse, it is in the best of interest of the greater community that these different minority groups
22 work together. Often it is through this kind of collaboration or coalition that southwest Harris
23 County influences the agendas of local, county, and state leaders.

1 Q. Based on your involvement, do the voters in Alief collaborate to form political
2 coalitions?

3 A. Yes, most prominently in elections for the State House district in which it sits,
4 District 149. As I mentioned earlier, District 149 is represented by Hubert Vo. Mr. Vo was a
5 local businessman who ran for political office in 2004. Mr. Vo is a classic American story. He
6 was born in Vietnam and his family immigrated to Texas after the fall of Saigon. He's the first
7 Vietnamese-American to serve in the Texas House. To win in 2004 he defeated a 22-year
8 Republican incumbent. The Asian-American community really rallied behind Mr. Vo when he
9 announced his candidacy in 2004. It was great to see. A lot of Asian Americans that never
10 participated in elections got out to support Mr. Vo, before and after the election. The community
11 really took a lot of pride in Vo's candidacy. That said, Vo wouldn't have had a chance of
12 success if he hadn't received support from the other minority communities in District 149. Vo
13 got a lot of support from the African-American and Hispanic communities too. Hispanic, black,
14 and Asian-American voters all worked together to elect Mr. Vo. In his reelection in 2006, Mr.
15 Vo had to again defeat the former Republican incumbent. Again, he enjoyed the support of the
16 same coalition.

17 Q. How do you know they worked together?

18 A. As I mentioned, I was volunteered for Mr. Vo's 2004 campaign. In 2004, Mr. Vo
19 had numerous Asian-American, Hispanic, and African-American volunteers. He also received
20 endorsements from the Tejano Democrats and the African Coalition. . Prior to his election, we
21 held a rally for Mr. Vo was attended by a very diverse group of supporters. The crowd at the
22 rally was very multi-racial, but largely comprised of Asian-Americans, African-Americans, and
23 Hispanics.

1 His election in 2004 was so close that there were several ballot recounts. I along with
2 several others volunteered to take turns monitoring the recount. Again, the Vo volunteers were a
3 diverse mix of Asian-Americans, African-Americans, and Hispanics. After he was declared the
4 winner, I traveled to Austin on a bus chartered by Vo supporters to watch his swearing in. Like
5 his campaign volunteers and supporters, the group traveling to Austin was very diverse. Though
6 most on the bus were Asian-American, there were several African-Americans and Hispanics too.

7 Because he had an organization in place for his reelection, I took a less active role in
8 2006. However, the diverse support for Mr. Vo did not change.

9 Q. Are there any other examples of this coalition occurring? What about in more
10 local elections?

11 A. Yes, Asian Americans, Hispanics, and African Americans often work together in
12 local elections. For example, these voters will support the same candidates for the Alief
13 Independent School Board and the Houston City Council. For the city council, this coalition
14 often votes together to support candidates in District F. I am slightly less active in local Alief
15 campaigns. However, through my work in the Asian-American community in Alief and
16 southwest Harris County, I am familiar with the dynamics of local elections in Alief too.

17 Q. Can you tell me about elections for the Alief Independent School Board?

18 A. Asian-American candidates have also been successful in getting elected to the
19 school's board of trustees. Trustee candidates are elected at-large and there has been an Asian-
20 American member on the school board for a long time, maybe ten years. Terry Cheng was the
21 first Asian American elected to the board, and now Nghi Ho is serving. Asian-American
22 candidates couldn't get elected to the school board without diverse support from the other groups
23 in the community.

1 Q. Has the coalition been successful at electing candidates to the city council too?

2 A. Yes. I volunteered on several campaigns for City Council District F, which
3 covers Alief and Sharpstown. District F has been represented by an Asian-American since 2004.
4 A Pakistani individual served District F from 2004 through 2009. Since then, an Asian-
5 American, Al Hoang, has represented District F. Electing an Asian American required a lot of
6 support from Hispanic and black voters because, like District 149, the Asian-American
7 population is not big enough in District F to control election outcomes.

8 Q. Let's turn now to the redistricting process. Where you involved with the
9 redistricting legislative session in 2011?

10 A. Yes.

11 Q. How?

12 A. As I mentioned, I am the project director for TAARI, the Texas Asian-American
13 Redistricting Initiative. As such, one of my primary responsibilities was to advocate for the
14 Asian-American community in key areas with large Asian American populations throughout the
15 state.

16 Q. Can you please give me a few examples of your work on redistricting?

17 A. I reviewed several proposed redistricting plans. I also attended redistricting
18 meetings and hearings, some of which I testified at. For example, I testified at two of the House
19 Redistricting Committee's public hearings regarding the House redistricting plan. At a March
20 24, 2011 hearing, I testified before the committee on behalf of TAARI. At that hearing, I
21 provided committee members an overview of the Asian-American community in Texas
22 including, especially, the community in southwest Harris County. I stressed to the committee
23 that Asian Americans in southwest Harris County were a community of interest and urged that

1 the final House redistricting plan preserve the areas with high concentration of Asian Americans
2 and not split them up. I also testified on April 15, 2011, to express TAARI's opposition to
3 House Plan H153, which fragmented the Asian-American communities in both Harris County
4 and Fort Bend County.

5 Q. Can you please tell me more about these objections?

6 A. TAARI's main objection was what the Redistricting Committee's plan did to the
7 Asian-American community in Harris County. The plan approved by the redistricting committee
8 was known as plan H153. Save for minor changes, this plan's treatment of the Asian-American
9 community was incorporated in the final plan approved by the House, Plan H283. TAARI's
10 biggest objection was the elimination of Hubert Vo's District 149, which includes the Alief
11 community, and the general weakening of the Asian-American voting strength in southwest
12 Houston. The elimination of District 149 eliminates the district held by the only Asian-
13 American representative in the state House of Representatives for Harris County.

14 Q. When you testified before the state legislature, did you make known to the
15 legislature the coalition you've been describing today and that coalition's ability to elect
16 candidates of its choice?

17 A. Absolutely. That was the core -- the crux of my testimony, that the Asian-
18 American community in that area is very concentrated and has demonstrated its political strength
19 through the election of these candidates of their choice, and that we didn't want the new
20 redistricting efforts to divide or dilute the concentration.

21 In addition to my testimony before the Redistricting Committee on April 15, 2011, I sent
22 several letters opposing the plan on behalf of TAARI. As a matter of fact, TAARI sent a letter

1 on behalf of three minority organizations, MALDEF, NAACP and TAARI, to say that we didn't
2 want to see our minority coalitions split.

3 Q. Who was that letter sent to?

4 A. Chairman Burt Solomons.

5 Q. Anyone else?

6 A. Speaker Joe Straus.

7 Q. When did you send the letter?

8 A. Before the floor vote. I believe we sent it on April 26, 2011.

9 Q. Mrs. Calvert, I am handing a document entitled exhibit number 632. Do you
10 recognize it?

11 A. Yes, it appears to be a copy of the letter I just mentioned.

12 Q. Did you write the letter Mrs. Calvert?

13 Q. Yes.

14 Q. How do you know this is the final version of the letter?

15 A. It has my signature on it along with the signatures from representatives from
16 MALDEF and NAACP.

17 Q. Does exhibit number 632 appear to be a fair and accurate copy of the letter you
18 sent?

19 A. It does. Yes.

20 Q. Your Honors, the United States would like exhibit number 632 admitted into
21 evidence.

22 Q. Mrs. Calvert, turning to the House plan passed by the Texas legislature, plan
23 H283. Have you reviewed that plan?

1 A. I have.

2 Q. Can you describe to me what plan H283 does to the coalition that you described
3 today?

4 A. The plan eliminates District 149 in southwest Harris County, which is Hubert
5 Vo's district. Further, it splits up Sharpstown, which is currently in District 137. In Plan H283,
6 the various remnants Asian-American community in southwest Harris County are lumped
7 together in new District 137. Plan H283 also pairs the representatives of Alief and Sharpstown
8 together while also splitting the whole Asian-American community in southwest Harris County.
9 It drastically reduces our community's influence in southwest Harris County.

10 Q. Under plan H283 how would you characterize the minority citizens' opportunity
11 to elect the candidate of their choice to the state House of Representatives in southwest Houston?

12 A. The splitting of our community in southwest Harris County will drastically
13 reduce the influence of the Asian-American communities in Alief and Sharpstown. Based on my
14 review of Plan H283 and my familiarity with southwest Harris County politics, I don't know if
15 the Asian-American community will be able to elect a candidate of its choice for a while. It took
16 us a while to form these coalitions and to get the political strength to elect candidates of choice.
17 So it's going to take us a long while to get that back. But right now, given the way things have
18 all fallen out, it's going to be very difficult


19 Q. Thank you, Mrs. Calvert.

20

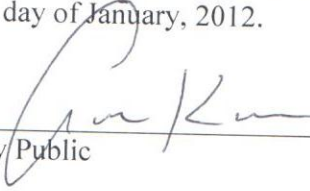
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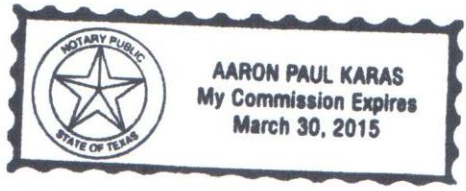
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23


Rogene Calvert

Sworn and subscribed before me this
17th day of January, 2012.


Notary Public



April 26, 2011

Hon. Burt Solomons, Chair
House Redistricting Committee
Texas House of Representatives
Room 1W.11, Capitol
P.O. Box 2910
Austin, TX 78768

Dear Chairman Solomons,

The map voted out of committee, Plan H153 eliminates HD 149, one of the most diverse and multi-ethnic areas in Harris County, if not the State of Texas. It has the largest concentration of Asian Americans in Harris County, as well as large percentages of Hispanic and African American populations.

Plan H153 creates a new HD 137 which includes some of the current 149 but breaks up the majority of it into 4 other districts. It in fact breaks up Alief, a neighborhood community of interest as well as home to a large number of Asian Americans. There is also the Alief Independent School District, International Management District and Alief Superneighborhood that will be split into 5 state districts.

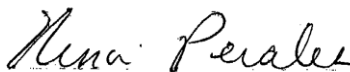
We would like to see HD 149 reinstated and not be eliminated. This would allow Harris County to have 25 districts as currently exists and provide better representation of people with smaller districts. Southwest Harris County is one of the most populous areas. The plan as presented will be harmful to the diverse communities of interest coexisting in this area.

We implore you to amend the plan to ensure the preservation of communities of interest. Thank you for your time and attention to this very important request.

Sincerely,



Rogene Gee Calvert, Director
*Texas Asian American Redistricting
Initiative (TAARI)*



Nina Perales
Director of Litigation
MALDEF



Dr. D.Z. Cofield,
President
NAACP Houston



Mustafa Tameez, Consultant
*Texas Asian American Redistricting
Initiative (TAARI)*

cc: Hon. Joe Straus, Speaker of the House, Texas House of Representatives