

EXHIBIT 3

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

LULAC, *et al.*,

Plaintiffs,

v.

GREG ABBOTT, in his official capacity as
Governor of Texas, *et al.*,

Defendants.

Case No.: EP-21-CV-00259-JES-JVB
[Lead Case]

DECLARATION OF GARRY JONES

Pursuant to 28 U.S.C. § 1746, I, Garry Jones, declare that:

1. I am over the age of 18 and competent to testify.
2. I am the Chief of Staff to State Senator Beverly Powell, who represents Senate District 10 ("SD10"). I have held my position since January 2019.
3. On February 12, 2020, Sen. Powell's Deputy Chief of Staff Rick Svatora and I attended a meeting with two of Sen. Joan Huffman's aides on the Senate Redistricting Committee, Sean Opperman and Amy Befeld. Ms. Befeld has since left her position with the legislature.
4. Ms. Befeld noted that both she and Mr. Opperman were lawyers, but otherwise she did not say much during the meeting. Instead, Mr. Opperman talked for the majority of the meeting.
5. I observed my colleague Rick Svatora take notes during the meeting, writing down what Mr. Opperman was saying to us.
6. At the meeting, Mr. Opperman spoke about the redistricting process and SD10's population and information related to the American Community Survey ("ACS") estimates.

7. On November 19, 2020, Sen. Powell and I met with Sen. Huffman and Mr. Opperman to discuss the redistricting process. We met in the Sam Houston Building on the fourth floor. When Sen. Powell and I arrived, there were maps of SD10 sitting on the table for us.

8. During the November 2020 meeting, Sen. Powell discussed the fact that SD10 had a large minority population, and I recall that either Sen. Huffman or Mr. Opperman acknowledged during the meeting that SD10's population was majority minority.

9. At both the February 2020 meeting and November 2020 meeting with the committee, we were provided oversized maps by the committee. At least two maps provided by the committee contained the benchmark configuration of the district with a box displaying 2014-2018 ACS racial demographic data for SD10. Attached as Exhibit A to my declaration are true and correct photographs of the maps provided by the committee.

10. On August 19, 2021, Mr. Opperman sent an email announcing that the Senate Redistricting Committee had a Dropbox folder containing, among other things, "Maps based on ACS estimates," and "Maps based on the Texas Demographic Center projects." Attached as Exhibit B to my declaration is a true and correct copy of the email I received from Mr. Opperman.

11. Among the maps in the Dropbox folder than Mr. Opperman referenced included one with the benchmark configuration of SD10, along with the 2015-2019 ACS total population and racial demographic estimates for the district, and another that is the same except with 2014-2018 ACS data. Attached as Exhibit C to my declaration are true and correct copies of these maps that I obtained from the Dropbox folder.

12. The Dropbox folder also contains maps with an illustration of the benchmark configuration of SD10, with green shading to show the magnitude of population increases or decreases in senate districts. The map shows the percentage population increase from the 2009-

2013 ACS estimates to the 2015-2019 ACS estimates, as well as the percentage increase for each racial group. The same is shown for the 2014-2018 ACS estimates. Attached as Exhibit D to my declaration are true and correct copies of these maps that I obtained from the Dropbox folder.

13. The Dropbox folder also contained a report from the Texas Demographic Center of projected racial demographic changes for SD10 from 2010 to 2020. Attached as Exhibit N to my declaration is a true and correct copy of this report.

14. On September 14, 2021, Sen. Powell and I attended a meeting with Sen. Huffman and her aides Sean Opperman and Anna Mackin on the fourth floor of the Sam Houston building. Sen. Powell and I arrived early and waited, and when we were called in by Sen. Huffman, there was a map of the newly drawn SD10 projected onto a large screen. The image of SD10 displayed on the screen cleaved the benchmark district's minority populations apart, and added Parker and Johnson Counties instead.

15. Sen. Huffman asked if we wanted to zoom into the map, look at precincts or look at other options to view the map. I requested that roads be turned on and asked the committee staff to zoom into different areas of the map so I could observe the boundaries of the cleaved district.

16. Sen. Powell handed Sen. Huffman a series of maps of benchmark SD10 with racial shading to illustrate to her how the proposed plan cleaved apart SD10's minority communities. These included a map showing the location of SD10's Black community, its Hispanic community, its Asian and Other Race Community, a map of the combined Black and Hispanic community, a map showing all minorities combined, a map of the Anglo community, and a map showing how the minority communities in SD10 supported Sen. Powell.

17. During the floor debate on SB4, Sen. Huffman said that she only "glanced" at the *first* map "for less than a second" and once she "realized it had racial data," she "turned it over flat

and [] said, I will not look at this.” Sen. Huffman did not need to look at the map first to know it showed racial data; Sen. Powell read the header on the map listing the racial data it contained as she handed it to Sen. Huffman. Moreover, Sen. Huffman reviewed the map for longer than “less than a second,” and I do not recall her saying “I will not look at this.” In fact, Sen. Huffman looked at each map as Sen. Powell handed them to her.

18. Sen. Huffman asked that they each initial and date the maps, which they did.

19. Sometime in the middle of the exchange of maps, I recall Ms. Mackin stating that the conversation was making her “uncomfortable.”

20. After Sen. Powell had shown Sen. Huffman all the maps, I asked Ms. Mackin to add the roads layer again to the map on the computer screen and to zoom into Fort Worth and Arlington so I could observe the boundaries in greater detail.

21. Sen. Powell then handed Sen. Huffman excerpts related to SD10 from the 2012 federal court decision that ruled that the 2011 effort to dismantle SD10 was racially discriminatory. Sen. Huffman acknowledged that she was aware of the decision. Shortly after, the meeting ended.

22. On September 16, 2021, we sent a follow up letter from Sen. Powell to Sen. Huffman by email to her aides Mr. Opperman and Ms. Mackin explaining why the plan to dismantle SD10 as a performing crossover district for a coalition of minority voters was unlawful. The letter included maps with circles showing the minority communities that would be cracked apart by the plan, as well as the areas with white crossover voters that the plan would eliminate. In addition to the letter, we attached the maps that we had provided during the meeting, ACS demographic data, a fact sheet about SD10’s demographic characteristics and its performance as a crossover district, and the excerpt from the 2012 federal court decision regarding the 2011 plan.

I sent the email on Sen. Powell's behalf. Attached as Exhibit E to my declaration are true and correct copies of the email, letter, and other attachments I sent to Mr. Opperman and Ms. Mackin.

23. On September 17, 2021, Mr. Opperman responded, saying that he briefly opened the documents but closed them once he noticed they contained racial data. Attached as Exhibit F to my declaration is a true and correct copy of Mr. Opperman's response email.

24. I found Mr. Opperman's email odd, given that the committee had *handed us* maps in prior meetings containing racial data, and had just a month earlier directed Senate staff to review maps on the Senate Redistricting Committee's Dropbox that prominently displayed the racial data for each senate district, along with the percentage increase or decrease in population by race.

25. At 8:59 AM CDT on September 18, 2021, I sent, on Sen. Powell's behalf, an email to all state senators expressing Sen. Powell's concerns about the proposed changes to SD10 that she had been shown just days earlier. The email contained details about the minority populations that the proposal cracked, as well as a map in the body of the email of benchmark SD10 with shading for "all minorities" shown, along with blue circles identifying the minority populations that were cracked apart in the proposal we had been shown. I attached to the email the letter that Sen. Powell had sent to Sen. Huffman on September 16, 2021, along with all the attachments we had sent along with that letter. Attached as Exhibit G to my declaration are true and correct copies of the email; the attachments were the same as those in Exhibit E.

26. Notably, we received a "read receipt" from Sen. Huffman's email account. Attached as Exhibit H to my declaration is a true and correct copy of that read receipt.

27. At 1:19 PM CDT on September 18, 2021, Mr. Opperman emailed all senate offices to announce that Plan S2101, Sen. Huffman's proposed senate redistricting plan, had been released

on the Texas Legislative Council's District Viewer program. Attached as Exhibit I to my declaration is a true and correct copy of the email Mr. Opperman sent.

28. Attached as Exhibit J to my declaration are true and correct copies of written testimony that were provided to the Senate Redistricting Committee during its public hearings on SB4, including testimony from the Brennan Center, a letter from Fort Worth city council members, testimony from the Mexican American Legal Defense Fund, and testimony from Tarrant County resident Pam Durham.

29. On September 30, 2021, I assisted Sen. Powell in uploading the letter than Sen. Powell had sent to Sen. Huffman regarding the dismantling of SD10 to the Senate Redistricting Committee's online portal. Attached as Exhibit K to my declaration is the email confirmation of the upload and the letter that was uploaded.

30. On October 10, 2021, I sent an email on Sen. Powell's behalf to all members of the House Redistricting Committee. The email outlined our concerns that SB4 was racially discriminatory by dismantling a performing crossover district, and included in the body of the email a map showing shading for benchmark SD10's minority population and circles identifying the minority populations that were cracked apart by SB4. I attached to the email a letter from Sen. Powell to the House Redistricting Committee Chair Rep. Todd Hunter and the House Committee members further elaborating on Sen. Powell's concerns, along with the shading maps showing where SD10's minority populations were located, ACS demographic data, a fact sheet regarding SD10, and excerpts from the 2012 federal court decision ruling that the dismantling of SD10 was unlawful intentional race discrimination. Attached as Exhibit L to my declaration are true and correct copies of the email and letter to Rep. Hunter; the maps, federal court order excerpts, and fact sheet were the same as in Exhibit E.

31. On October 14, 2021, I sent an email on Sen. Powell's behalf to all members of the Texas House of Representatives expressing concerns regarding the cracking of minority population in SD10. The body of the email contained the map showing the minority populations in benchmark SD10 with circles showing the minority populations cracked apart in SB4. Attached to the email were the letter Sen. Powell had sent to Rep. Hunter, the racial shading maps of SD10, the fact sheet regarding SD10, ACS demographic information, and excerpts from the 2012 federal court decision regarding SD10. Attached as Exhibit M to my declaration are true and correct copies of the email; the attached letter was the same as that in Exhibit L and the attached maps, federal court order excerpts, and fact sheet where the same as in Exhibit E.

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

November 23, 2021

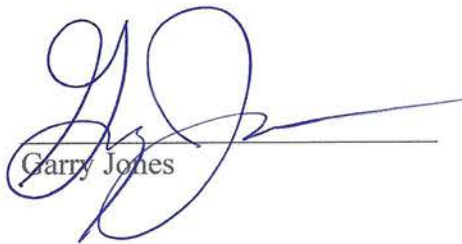
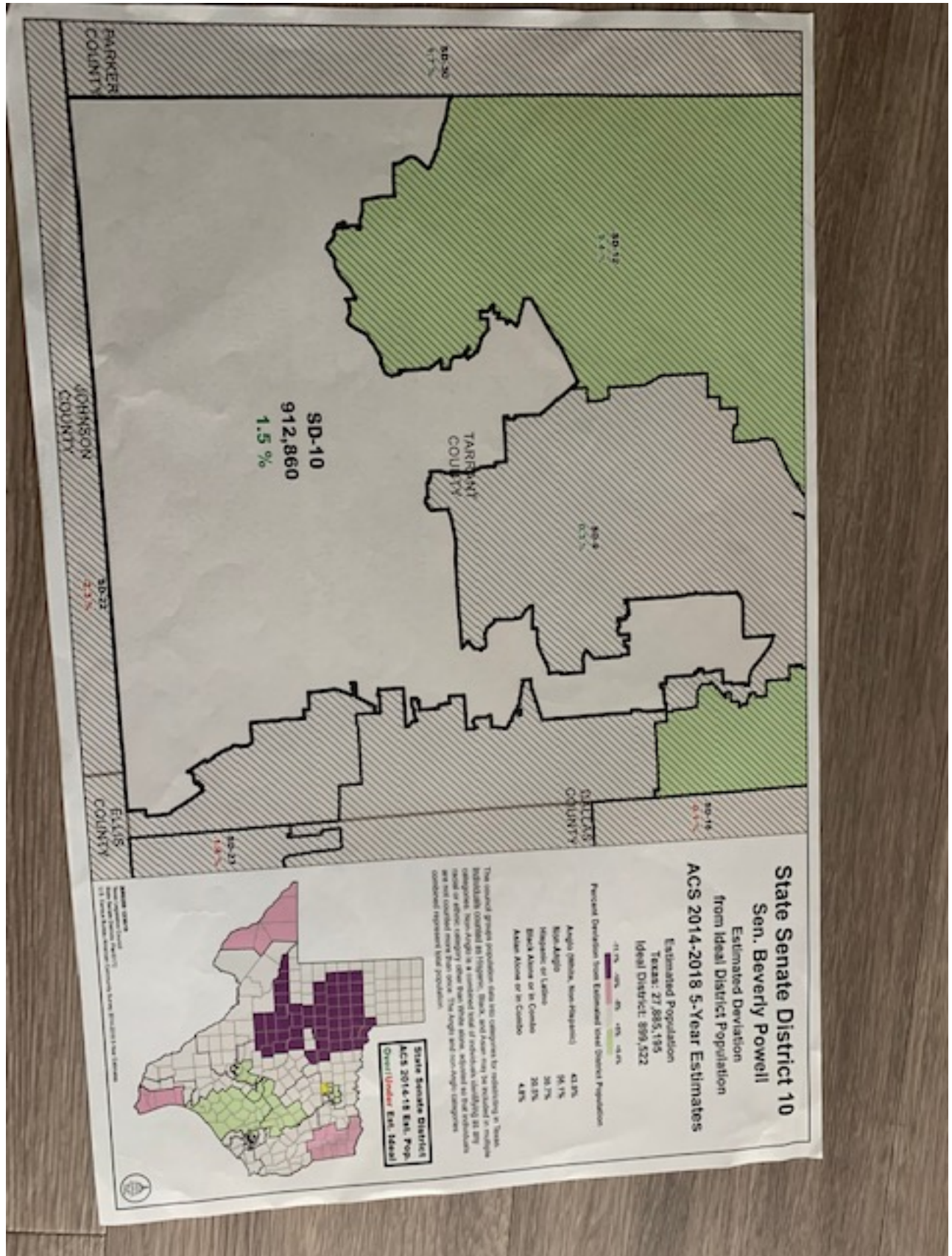

Garry Jones

EXHIBIT 3-A



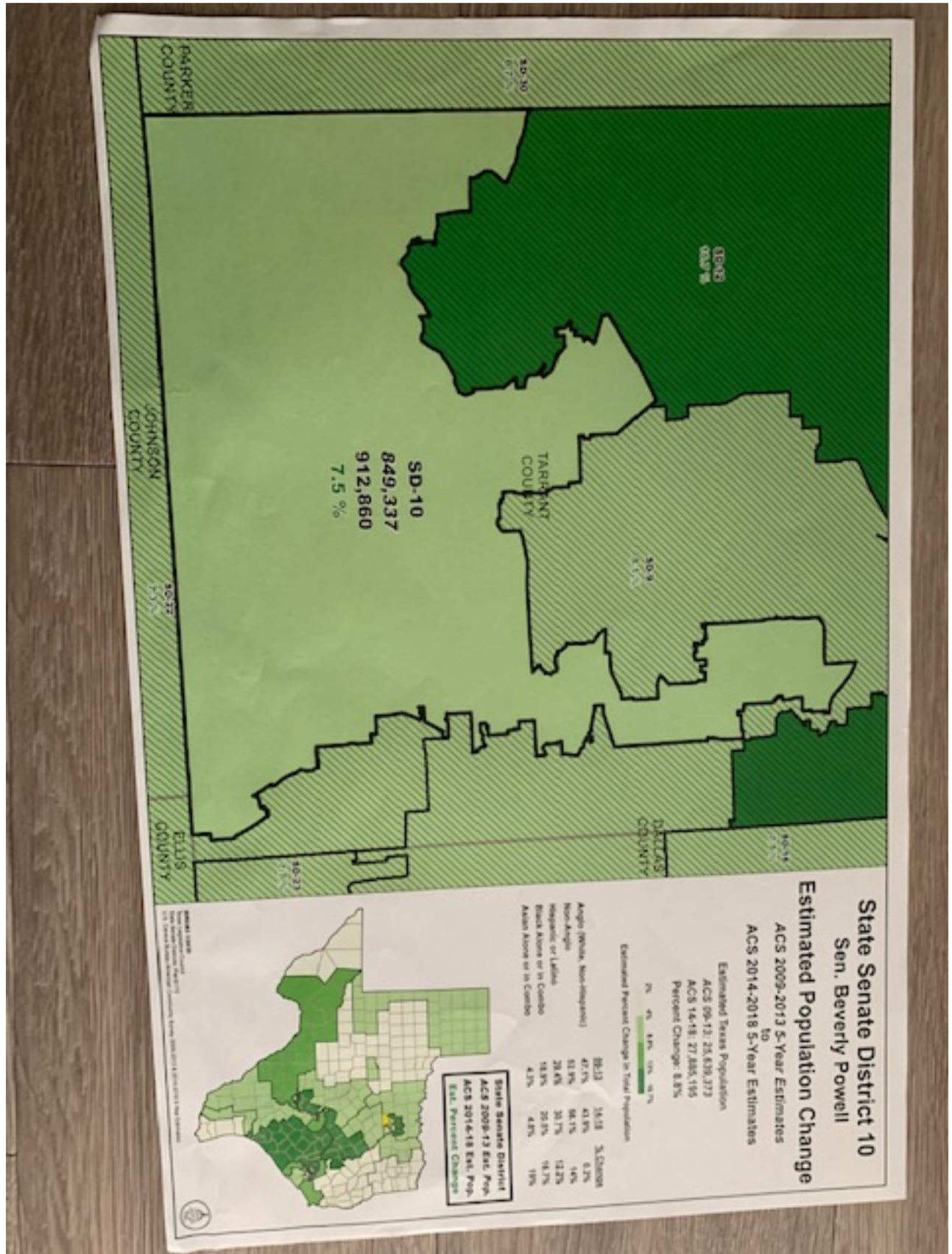


EXHIBIT 3-B

From: [Sean Opperman](#)
To: [Amy Lane](#); [Cari Christman](#); [Chris Steinbach](#); [Dave Nelson](#); [Desiree Castro](#); [Drew Graham](#); [Garry Jones](#); [Johanna Kim](#); [Jorge Ramirez](#); [Josh Reyna](#); [Margaret Wallace](#); [Martin A Golando](#); [Peter Einhorn](#); [Robert Borja](#); [Tara Clements](#); [Terry Franks](#)
Subject: Redistricting Dropbox Update
Date: Thursday, August 19, 2021 12:24:15 PM
Attachments: [Senate District Deviation from Ideal District Population.pdf](#)

Just a reminder that the Redistricting Committee's Dropbox is a great resource for all things redistricting. Each Senate office has complete access to this folder. Some of the information in Dropbox includes:

- Information from hearings
- Public input received from the public input portal
- Maps based on ACS estimates
- Maps of current plans
- Maps based on the Texas Demographic Center projects

We just added a new folder titled "2020 Census" under the "Maps" folder. In this folder, we will start adding maps that we receive from TLC that are based on 2020 Census data. So, if you are looking for new information based on the 2020 census, this may be a place to start looking. TLC's redistricting website is also another great resource: <https://redistricting.capitol.texas.gov/>

We just added the attached map to Dropbox, which is based on the 2020 census. As TLC continues to analyze the 2020 census data, we should start receiving more maps as well.

https://www.dropbox.com/sh/sxg2mp62zuu6tx2/AACIQ4blzQmZKMoUDxRzl_jua?dl=0

Let us know if you have any questions.

Sean Opperman

Chief of Committee Operations

Chief Legal Counsel

Senate Special Committee on Redistricting

Senate Committee on Jurisprudence

Senator Joan Huffman, Chair

sean.opperman@senate.texas.gov

(512) 463-0493 (Redistricting)

(512) 463-0395 (Jurisprudence)

EXHIBIT 3-C

State Senate District 10

Sen. Beverly Powell

Estimated Deviation from Ideal District Population

ACS 2015-2019 5-Year Estimates

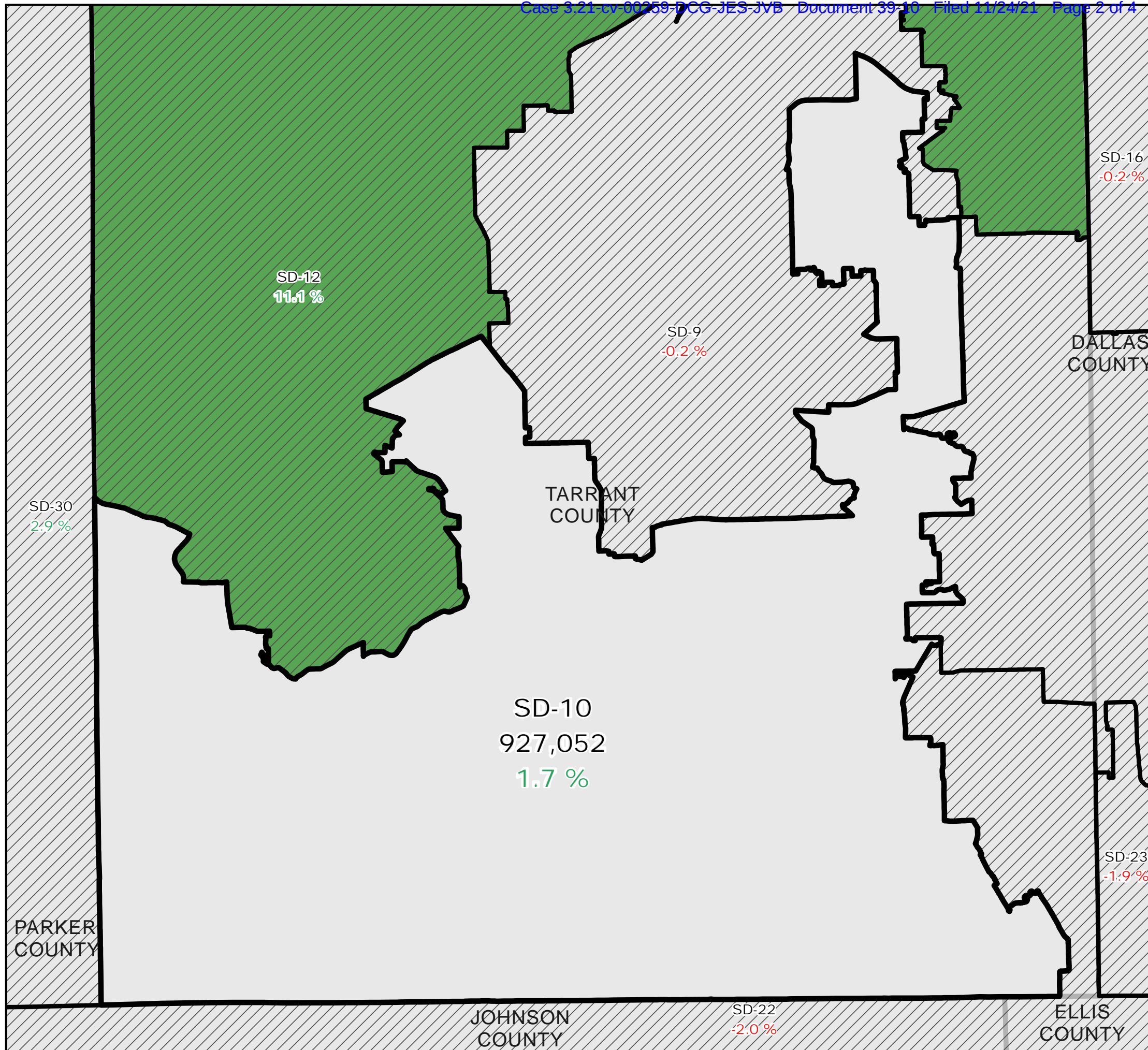
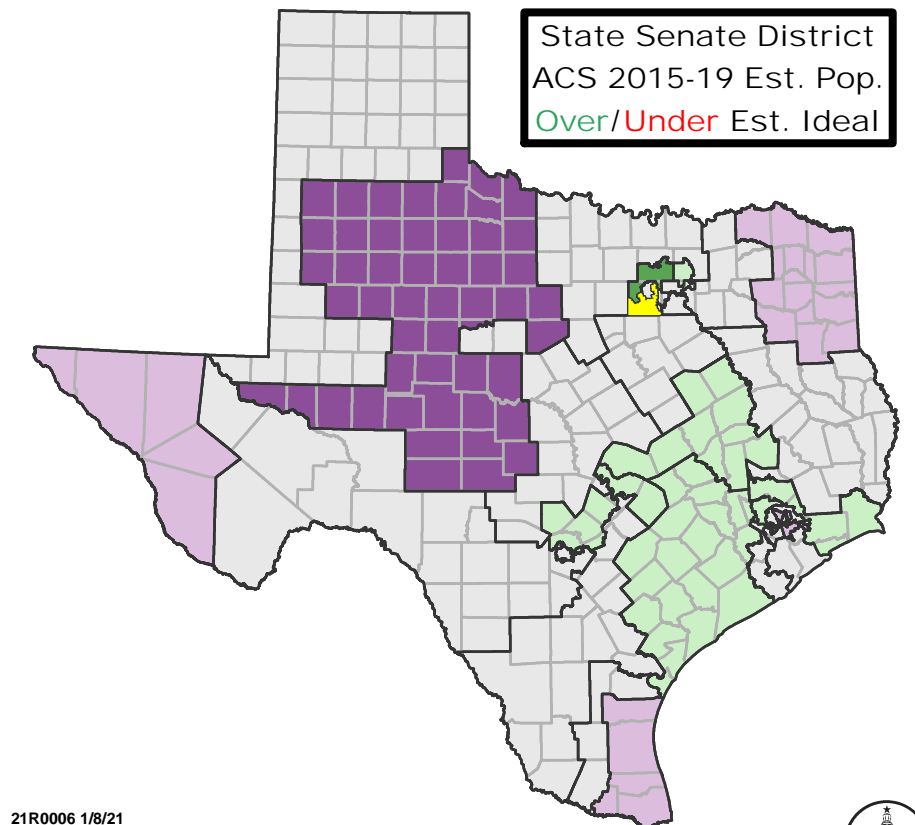
Estimated Population
Texas: 28,260,856
Ideal District: 911,641



Percent Deviation from Estimated Ideal District Population

Anglo (White, Non-Hispanic)	43.2%
Non-Anglo	56.8%
Hispanic or Latino	31.1%
Black Alone or in Combo	20.7%
Asian Alone or in Combo	4.8%

The council groups population data into categories for redistricting in Texas. Individuals counted as Hispanic, Black, and Asian may be included in multiple categories. Non-Anglo is a combined total of individuals identifying as any racial or ethnic category other than White alone, adjusted so that individuals are not counted more than once. The Anglo and non-Anglo categories combined represent total population.



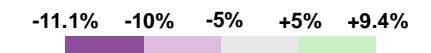
State Senate District 10

Sen. Beverly Powell

Estimated Deviation from Ideal District Population

ACS 2014-2018 5-Year Estimates

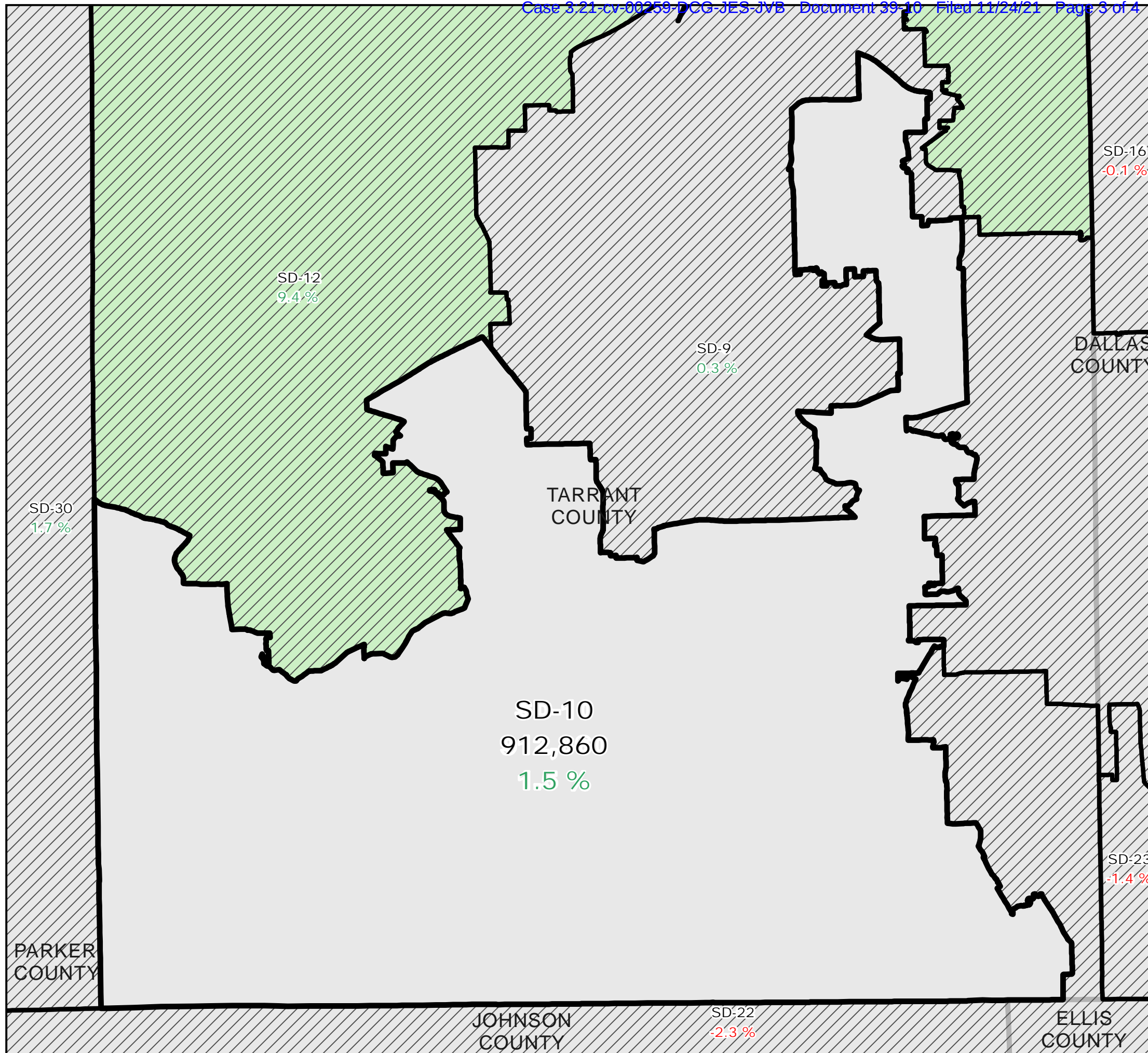
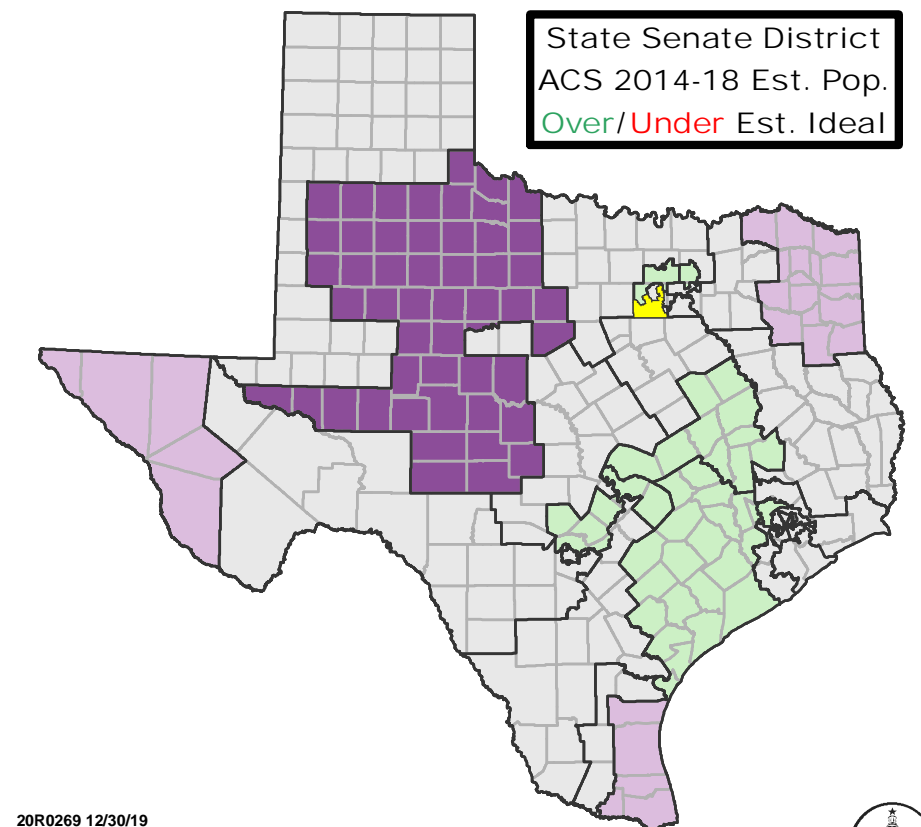
Estimated Population
Texas: 27,885,195
Ideal District: 899,522



Percent Deviation from Estimated Ideal District Population

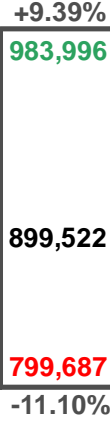
Anglo (White, Non-Hispanic)	43.9%
Non-Anglo	56.1%
Hispanic or Latino	30.7%
Black Alone or in Combo	20.5%
Asian Alone or in Combo	4.8%

The council groups population data into categories for redistricting in Texas. Individuals counted as Hispanic, Black, and Asian may be included in multiple categories. Non-Anglo is a combined total of individuals identifying as any racial or ethnic category other than White alone, adjusted so that individuals are not counted more than once. The Anglo and non-Anglo categories combined represent total population.



Estimated Population
Texas: 27,885,195
Ideal District: 899,522

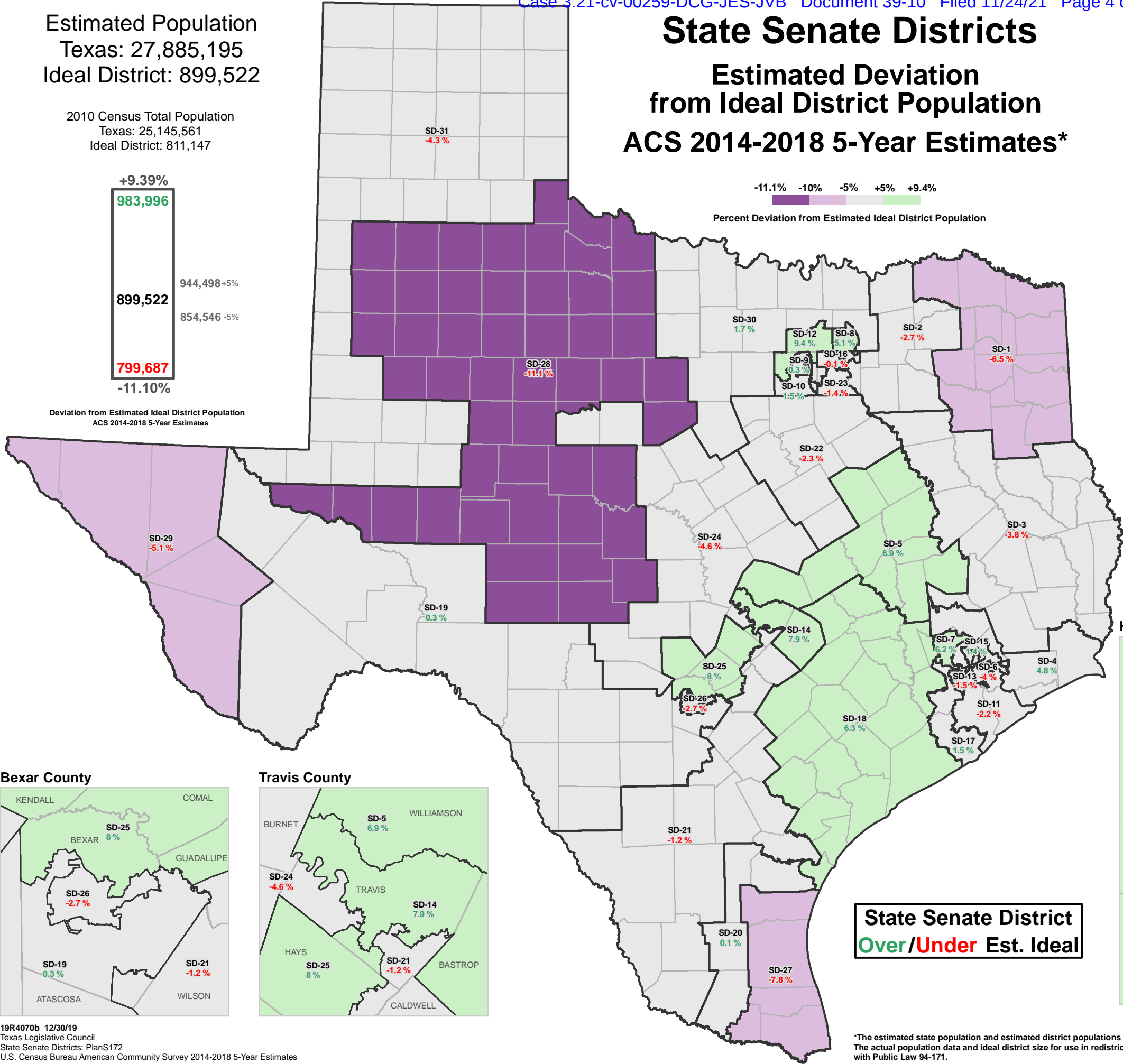
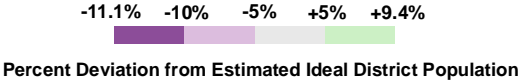
2010 Census Total Population
Texas: 25,145,561
Ideal District: 811,147



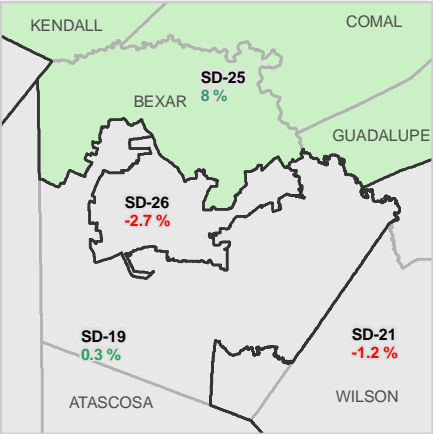
Deviation from Estimated Ideal District Population
ACS 2014-2018 5-Year Estimates

State Senate Districts

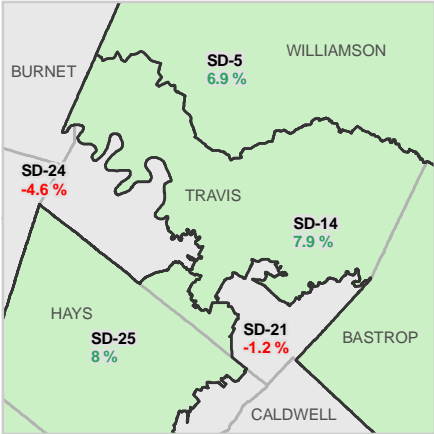
Estimated Deviation from Ideal District Population ACS 2014-2018 5-Year Estimates*



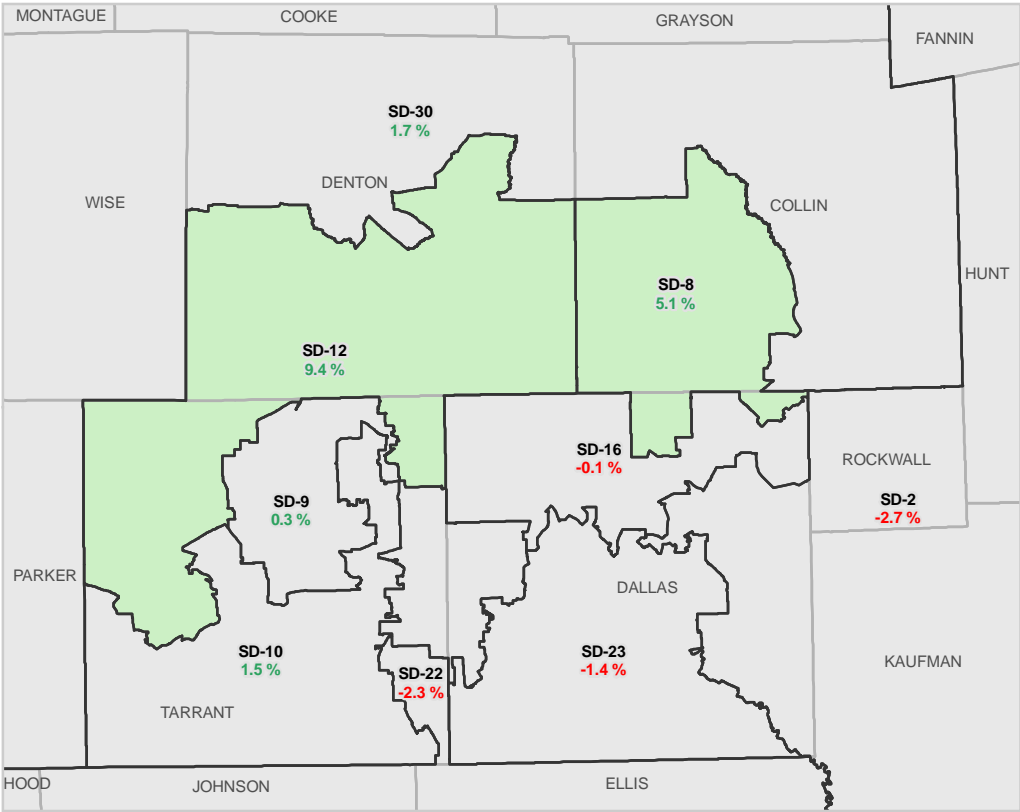
Bexar County



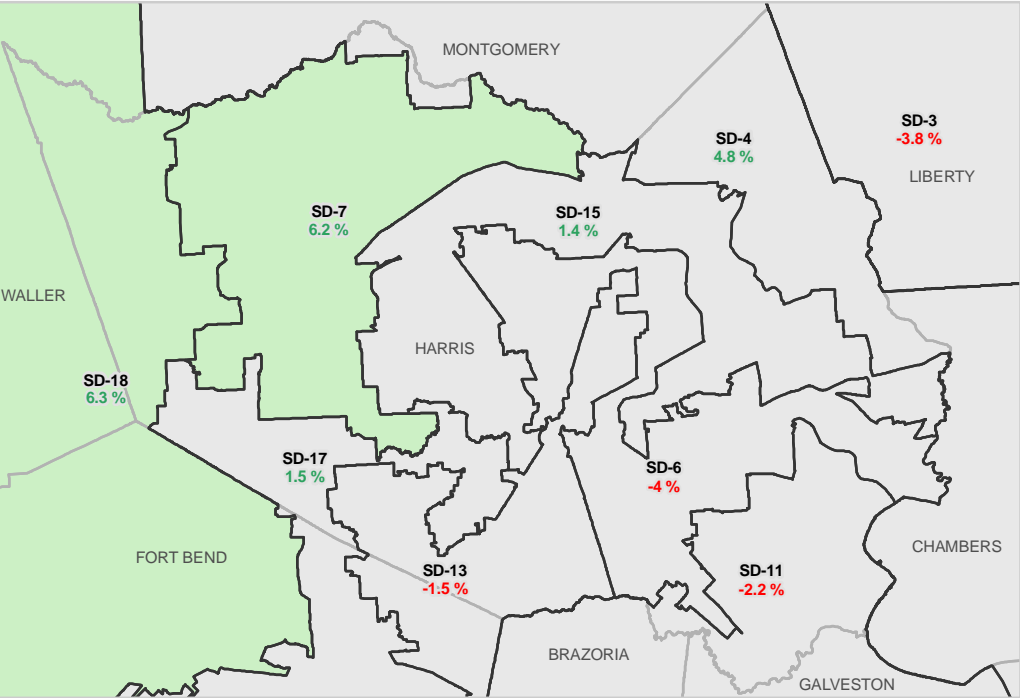
Travis County



North Central Texas



Harris County



State Senate District
Over/Under Est. Ideal

*The estimated state population and estimated district populations were produced from the American Community Survey (ACS) 2014-2018 5-year estimates of total population. The actual population data and ideal district size for use in redistricting will be produced upon the completion of the 2020 Census and delivery of small area data in accordance with Public Law 94-171.



EXHIBIT 3-D

State Senate District 10

Sen. Beverly Powell

Estimated Population Change

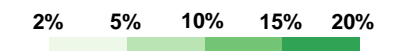
ACS 2009-2013 5-Year Estimates
to
ACS 2015-2019 5-Year Estimates

Estimated Texas Population

ACS 09-13: 25,639,373

ACS 14-18: 28,260,856

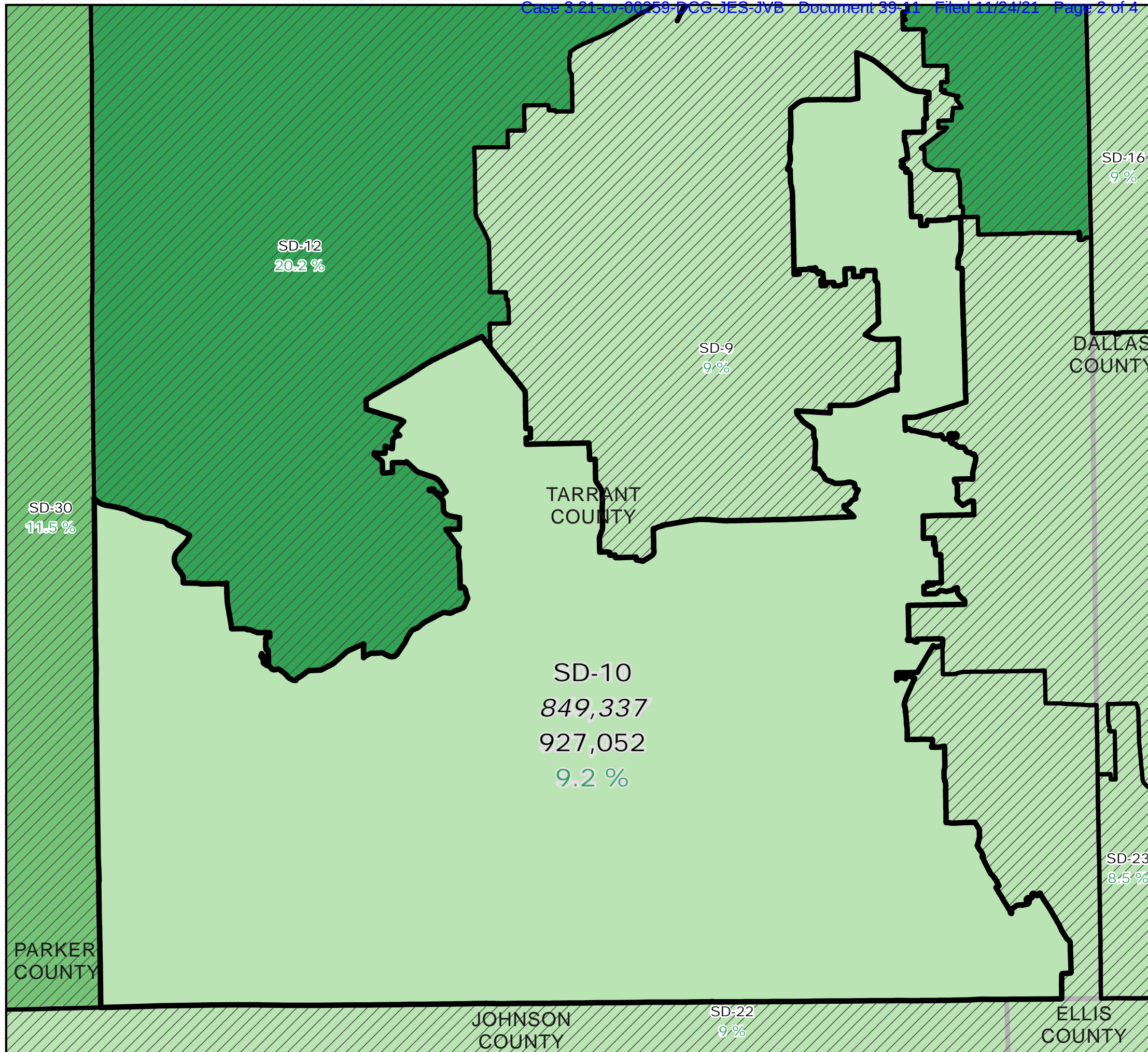
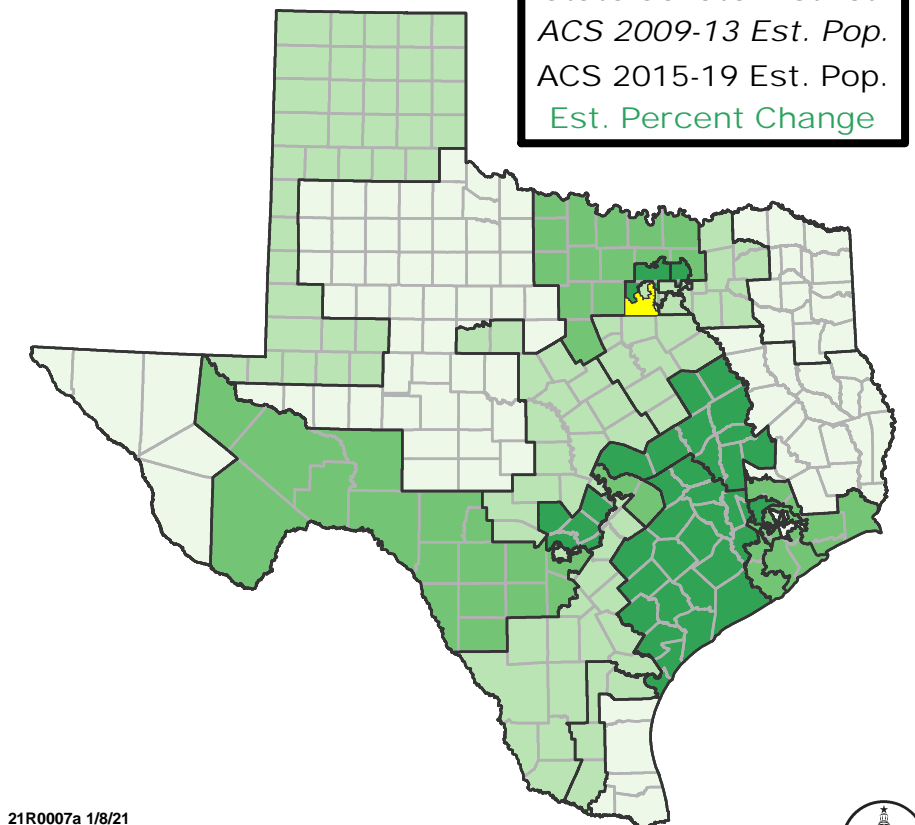
Percent Change: 10.2%



Estimated Percent Change in Total Population

	09-13	15-19	% Change
Anglo (White, Non-Hispanic)	47.1%	43.2%	0.2%
Non-Anglo	52.9%	56.8%	17.1%
Hispanic or Latino	29.4%	31.1%	15.5%
Black Alone or in Combo	18.9%	20.7%	19.4%
Asian Alone or in Combo	4.3%	4.8%	21.9%

State Senate District
ACS 2009-13 Est. Pop.
ACS 2015-19 Est. Pop.
Est. Percent Change



State Senate District 10

Sen. Beverly Powell

Estimated Population Change

ACS 2009-2013 5-Year Estimates
to
ACS 2014-2018 5-Year Estimates

Estimated Texas Population

ACS 09-13: 25,639,373

ACS 14-18: 27,885,195

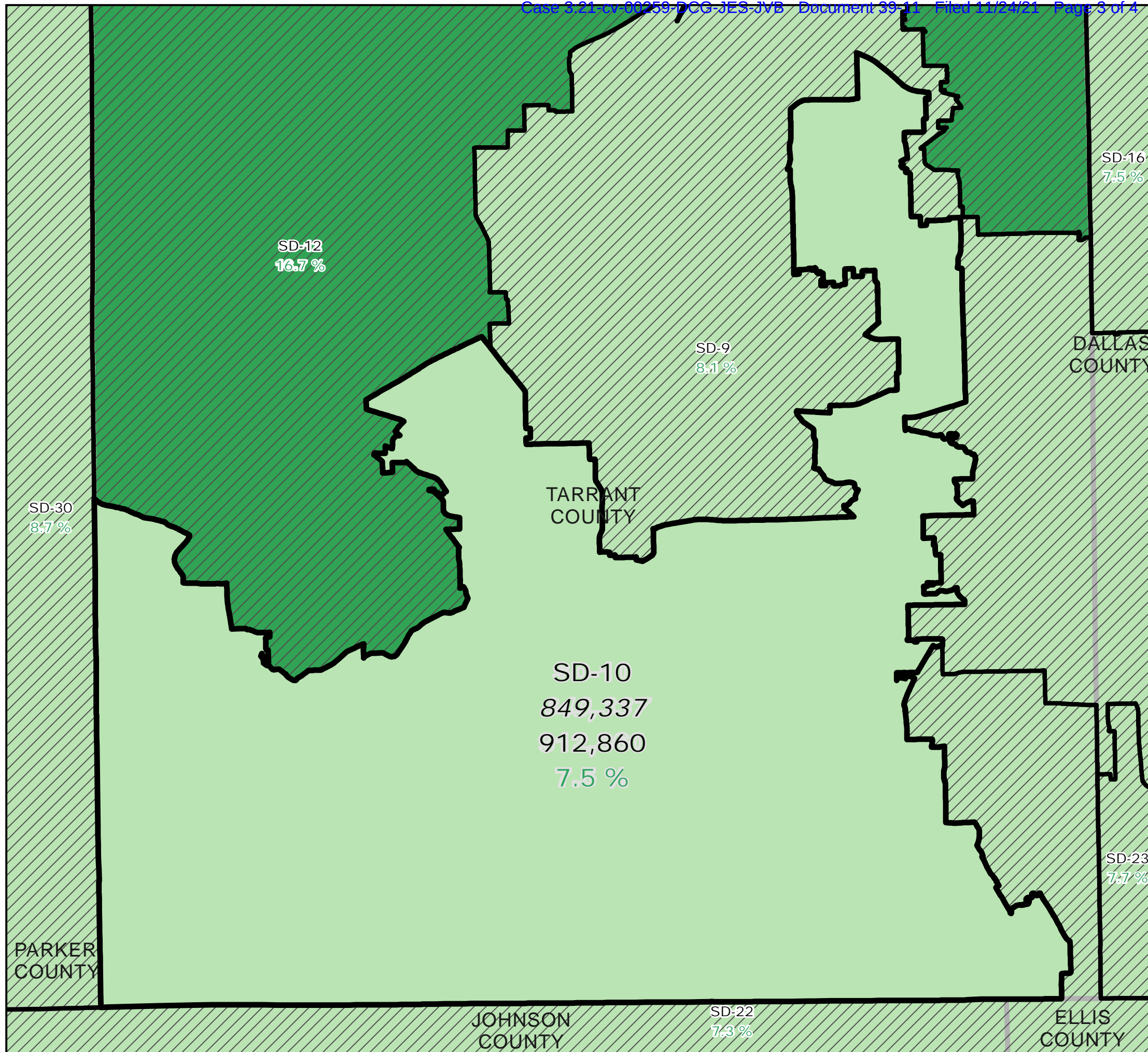
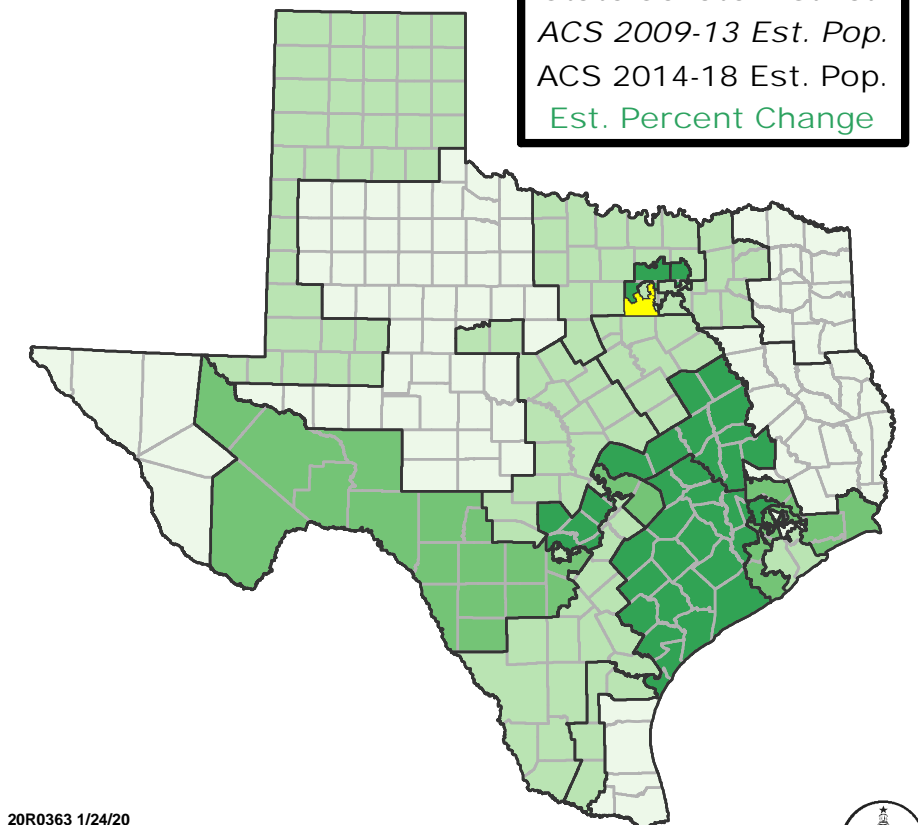
Percent Change: 8.8%

2% 4% 8.8% 13% 16.7%

Estimated Percent Change in Total Population

	09-13	14-18	% Change
Anglo (White, Non-Hispanic)	47.1%	43.9%	0.2%
Non-Anglo	52.9%	56.1%	14%
Hispanic or Latino	29.4%	30.7%	12.2%
Black Alone or in Combo	18.9%	20.5%	16.7%
Asian Alone or in Combo	4.3%	4.8%	19%

State Senate District
ACS 2009-13 Est. Pop.
ACS 2014-18 Est. Pop.
Est. Percent Change



State Senate Districts

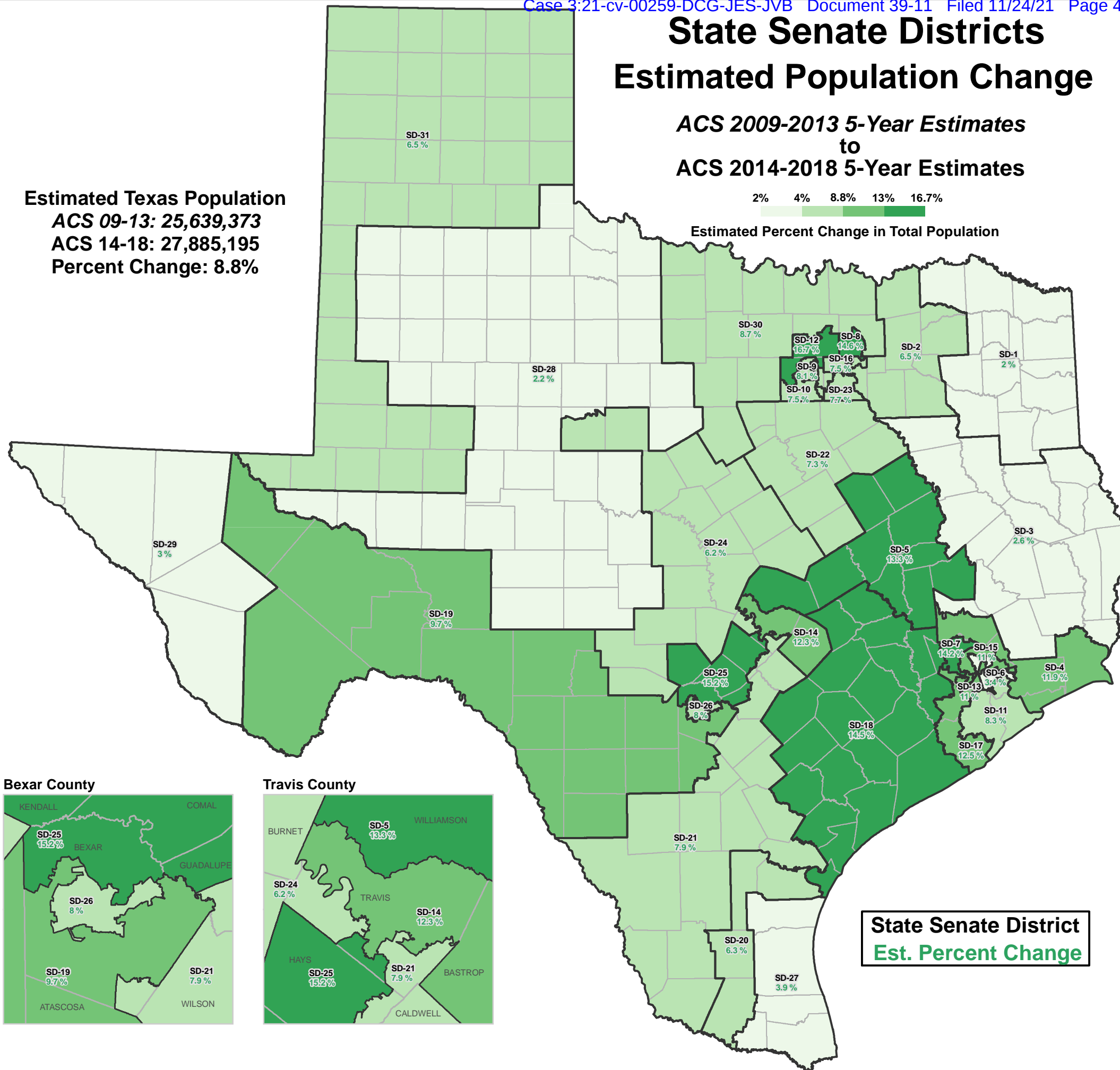
Estimated Population Change

ACS 2009-2013 5-Year Estimates
to
ACS 2014-2018 5-Year Estimates

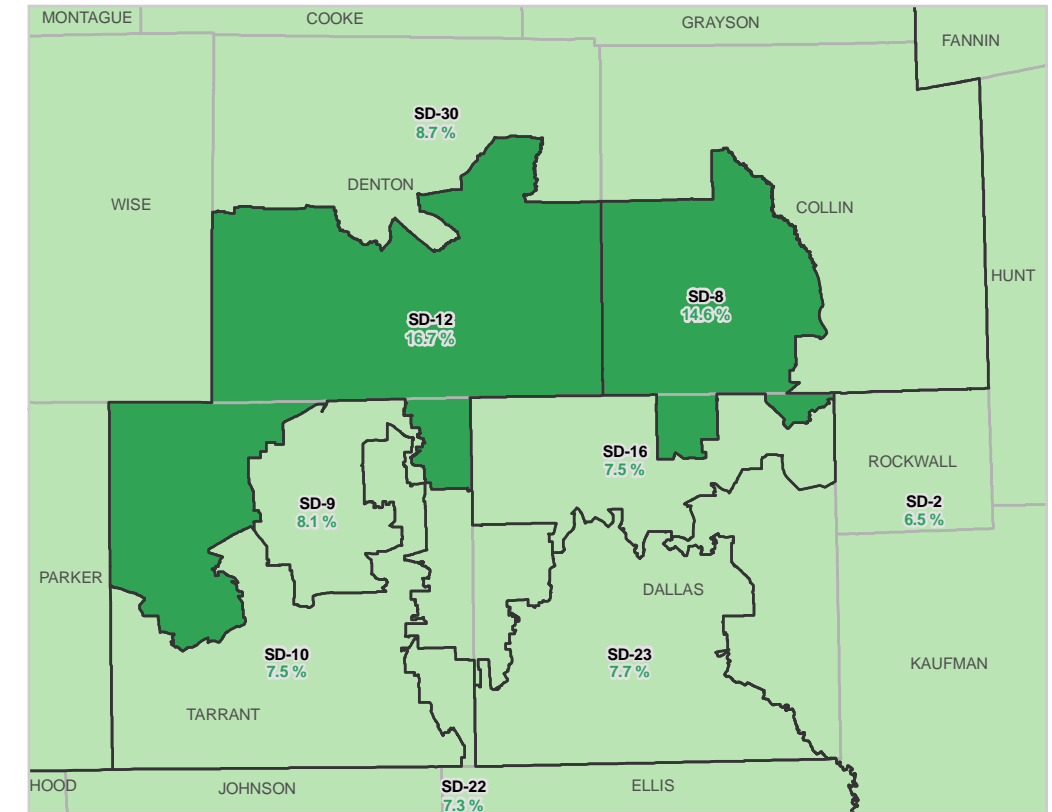
2% 4% 8.8% 13% 16.7%

Estimated Percent Change in Total Population

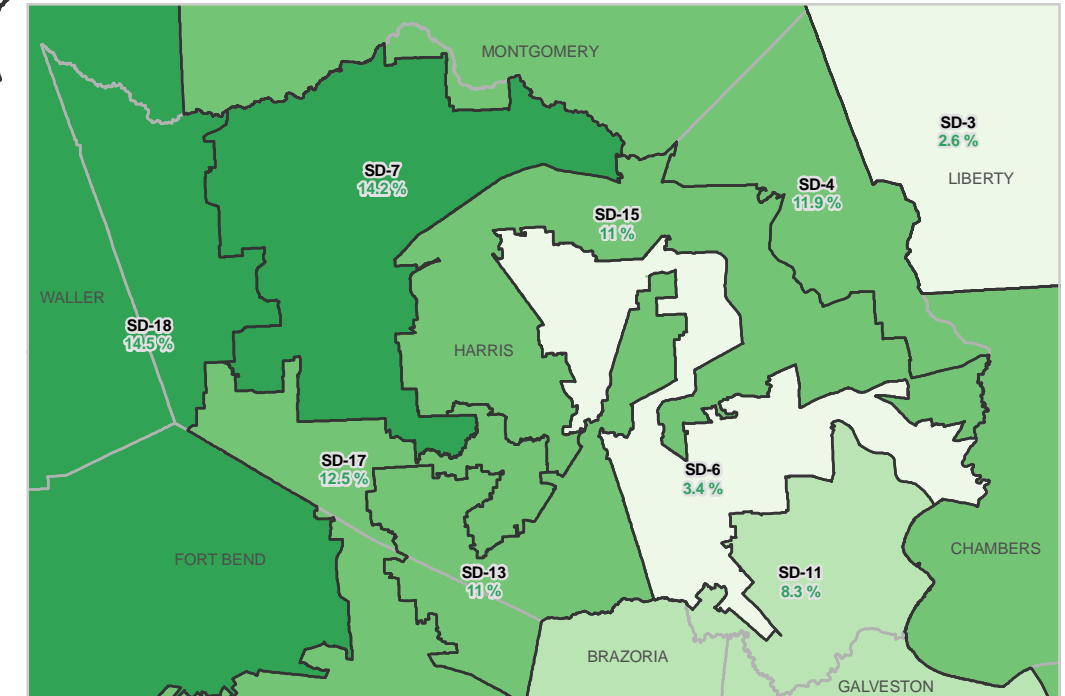
Estimated Texas Population
ACS 09-13: 25,639,373
ACS 14-18: 27,885,195
Percent Change: 8.8%



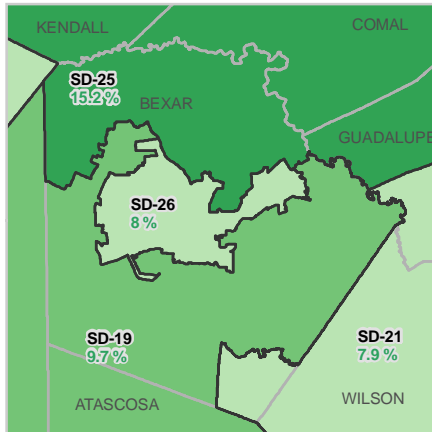
North Central Texas



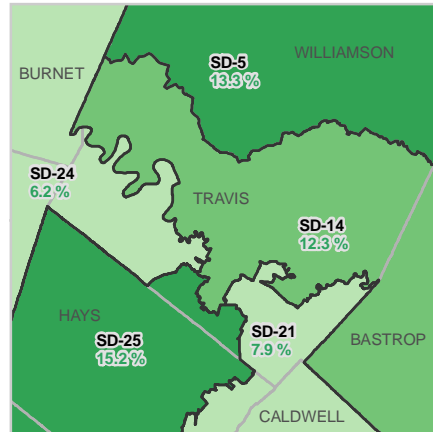
Harris County



Bexar County



Travis County



State Senate District
Est. Percent Change



EXHIBIT 3-E

From: Garry Jones
To: [Sean Opperman](#); [Sean Opperman_SC](#); [Anna Mackin_SC](#)
Subject: Letter from Sen Powell to Sen Huffman
Date: Thursday, September 16, 2021 5:30:00 PM
Attachments: [Letter to Sen Huffman from Sen Powell 9.16.21.pdf](#)
[Senate District 10 Facts.pdf](#)
[SD10 - plans2100r100.pdf](#)
[SD10 - plans2100r116_acs1519.pdf](#)
[2012 DC Court Opinion.pdf](#)
[SD10 Map Packet.pdf](#)
Importance: High

Sean and Anna,

Attached is a letter from Senator Powell further explaining how the proposal to dismantle Senate District 10 as an effective minority coalition and crossover district is unlawful intentional racial discrimination and will produce a discriminatory effect. [Please confirm receipt.](#)

Garry Jones

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Garry Jones
State Senator Beverly Powell
District: 817-820-0007
Austin- 512-463-0110

COMMITTEE ON EDUCATION
COMMITTEE ON HEALTH AND HUMAN SERVICES
COMMITTEE ON STATE AFFAIRS
COMMITTEE ON WATER, AGRICULTURE & RURAL AFFAIRS



SENATOR BEVERLY POWELL
DISTRICT 10

September, 16 2021

State Senator Joan Huffman
Chair, Senate Special Committee on Redistricting
P.O. Box 12068, Capitol Station
Austin, TX 78711

VIA EMAIL

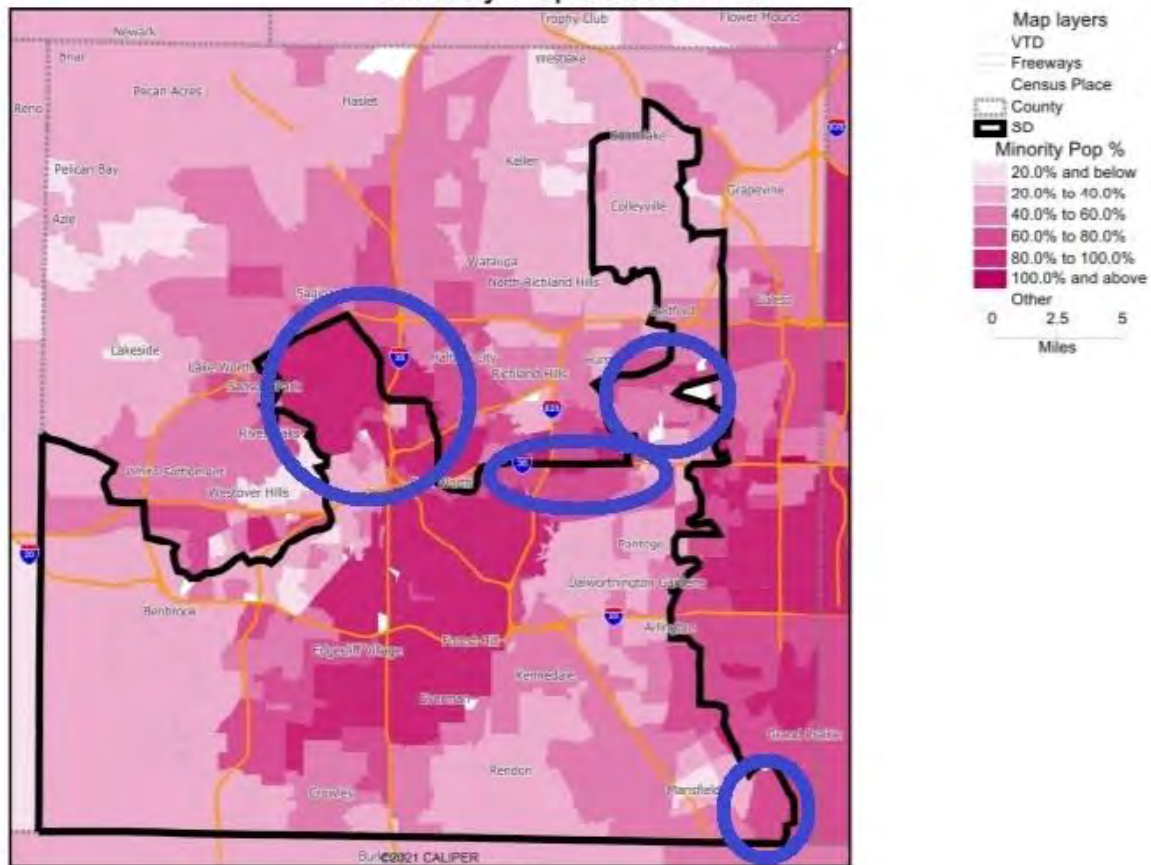
Dear Senator Huffman:

At our September 14, 2021 meeting, I provided you with information that confirmed what you already knew (and what public testimony to the Committee had already highlighted)—SD10 is a performing coalition and crossover district in which Black and Hispanic voters (and other minorities) have succeeded in electing their preferred candidates. I have attached electronic copies of the information that I provided you in hard copy: (1) maps showing the location of minority voters within SD10 and showing how they have succeeded electorally, and (2) a copy of the 2012 federal court decision ruling that the Legislature's prior effort to dismantle SD10 in 2011 was unlawful intentional discrimination against minority voters. I have also attached to this letter (1) a fact sheet explaining SD10's status as a performing coalition and crossover district for minority voters and (2) information from the Texas Legislative Council about the demographic makeup of SD10.

Although you did not provide me a copy of the Committee's draft proposed plan (please do so immediately upon receipt of this letter), the plan you displayed on the computer screen during our meeting cracks Black and Latino communities apart and would destroy SD10's status as an effective coalition and crossover district for minority voters.

Based on my recollection of the map you displayed during the meeting, I have highlighted below several legal deficiencies with the proposed plan. The map below shows, in blue circles, the concentrations of minority voters that you apparently propose to cleave from SD10, splitting SD10's minority voters apart and submerging them into separate districts dominated by white bloc voting against minority-preferred candidates. I cannot be certain of the exact figures, because I have not been provided a copy of the proposed plan and must instead rely upon my recollection from our meeting, but the areas shown in blue circles include nearly 190,000 voters with a CVAP of about 41% Anglo, 33% Latino, and 23% Black.

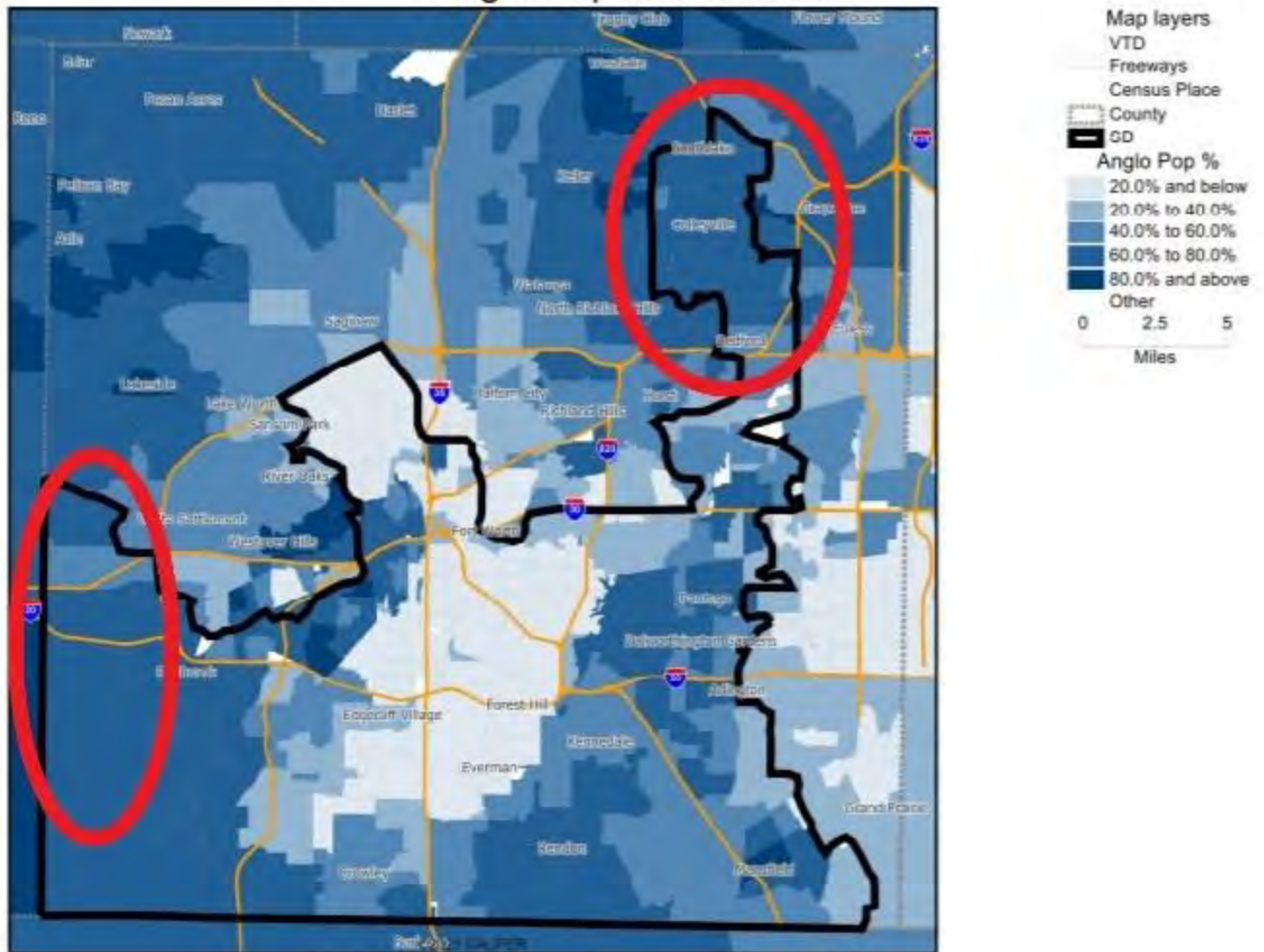
SD 10 Benchmark Minority Population 2020



SD10 currently has an Anglo citizen voting age population (“CVAP”) of 53.9%, a Black CVAP of 20.5%, and a Latino CVAP of 20.4%. In addition to being politically cohesive within SD 10, minority voters in SD10 also have consistently succeeded electorally by working together with a minority of Anglo voters who “crossover”—as the United States Supreme Court has characterized it—to vote for minority-preferred candidates.

You propose to dismantle SD10 as a functioning coalition and crossover district. Based upon my recollection of the map shown during our meeting, it appears that you propose to redraw SD10 to have an Anglo CVAP of roughly 63%, a Black CVAP of 16%, and a Latino CVAP of 17%—a nearly 10% increase in the Anglo share of the district. Moreover, in addition to cleaving SD10’s politically cohesive minority voters, you also propose to eliminate the Tarrant County “crossover” Anglo voters with whom SD10’s minority voters have formed a political coalition and replace them with Anglo voters in Johnson and Parker Counties who uniformly reject minority-preferred candidates. The map below shows in red circles areas including roughly 110,000 voters with an Anglo CVAP of 77.8%:

SD 10 Benchmark Anglo Population 2020



In the areas shown in red, a portion of Anglo voters crossover to support minority-preferred candidates. Together, the areas shown in red have a roughly 78% Anglo CVAP, but the Anglo-preferred candidates generally receive vote percentages of 13-17 points below that number (*i.e.* Anglo-preferred candidates receive about 61-65% of the vote in the areas shown in red).¹

You propose to replace these voters—along with around 190,000 (majority minority) voters shown in blue circles above—with voters from Johnson and Parker Counties. Together, Johnson and Parker Counties have an Anglo CVAP of 82.4%, but Anglo crossover voting for minority-

¹ For example, in these areas, Trump prevailed 61.0% to 37.5% in the 2020 presidential election, Cornyn prevailed 64.5% to 33.4% in the 2020 senate election, Cruz prevailed 62.6% to 36.6% in the 2018 senate election, Paxton prevailed 63.0% to 34.7% in the 2018 attorney general election, and Patrick prevailed 63.9% to 33.9% in the 2018 lieutenant governor election.

preferred candidates is nearly nonexistent. Unlike the Anglo voters in Tarrant County, the Anglo-preferred candidates in Johnson and Parker Counties combined generally receive vote percentages of just 3-6 points below the counties' Anglo CVAP percentage.² Dismantling SD10 and including Johnson and/or Parker Counties is unlawful.

Your proposal thus achieves its purpose of dismantling SD10's status as an effective coalition and crossover district for minority voters in two ways: (1) it cracks apart and harms the district's minority voters, substantially decreasing SD10's minority population, and (2) it eliminates the Anglo crossover voters who have joined together with minority voters to support minority-preferred candidates.

This is unlawful. As the Supreme Court has explained, "if there were a showing that a State intentionally drew district lines in order to destroy otherwise effective crossover districts, that would raise serious questions under both the Fourteenth and Fifteenth Amendments." *Bartlett v. Strickland*, 556 U.S. 1, 24 (2009) (Kennedy, J., Roberts, C.J., and Alito, J., plurality); *Campos v. City of Baytown, Tex.*, 840 F.2d 1240, 1244 (5th Cir. 1988) (holding that Section 2 protects minority coalition districts). In the proposed plan that you previewed on September 14, it is clear that you have "intentionally dr[awn] district lines in order to destroy [an] otherwise effective crossover district[]." And if you did not previously know that the Supreme Court has warned against this precise unlawful scheme, now you do. Furthermore, the Fifth Circuit decision cited above—binding precedent that the Legislature must follow³—also held that coalition districts are protected under federal law, so there is ample legal support for the argument that destroying a coalition district would also be intentionally discriminatory.

Not only are you aware that SD10, which you intend to dismantle, is an effective coalition and crossover district, you are also aware that the 2011 Legislature's same effort to dismantle SD10 was ruled to be intentional racial discrimination. *See Texas v. United States*, 887 F. Supp. 133, 166 (D.D.C. 2012) ("The Senate Plan was enacted with discriminatory purpose as to SD10."). At our September 14, 2021 meeting, a Committee attorney indicated that this decision was vacated. But the discriminatory intent ruling was not overruled. In fact, the federal court later ruled that Sen. Davis was the *prevailing party* in her lawsuit challenging the discriminatory scheme and awarded her attorneys' fees.

² For example, Trump carried the counties 78.8% to 19.9%, Cornyn prevailed 79.0% to 18.6%, Cruz prevailed 78.2% to 20.9%, Paxton prevailed 76.7% to 20.7%, and Patrick prevailed 77.5% to 20.5%.

³ In 2017 testimony in federal court, the prior chair of the House Redistricting Committee—a lawyer—expressed confusion that Texas is in the Fifth Circuit and that the Fifth Circuit's rulings are binding on the State of Texas. I hope this clarifies those facts.

The D.C. Circuit affirmed that ruling, rejecting Texas’s argument that it had ultimately won the case: “To say that Texas ‘prevailed’ in this suit because a different litigant in a different suit won on different grounds that Texas specifically told the district court it would *not* raise is, to say the least, an unnatural use of the word ‘prevailing.’” *Texas v. United States*, 798 F.3d 1108, 1116 (D.C. Cir. 2015) (emphasis in original). Instead, the D.C. Circuit held that Texas mooted the lawsuit by *acquiescing* to the district court’s intentional discrimination ruling, abandoning its effort to dismantle the district, and adopting SD10’s current configuration—which has now persisted for twenty years. *Id.* at 1118. It did so before *Shelby County* had any effect on the decision. *Id.* The Supreme Court denied Texas’s petition for certiorari. *Texas v. Davis*, 577 U.S. 1119 (2016) (Mem.). Moreover, the Fifth Circuit explained why it was strategically wise for Texas to abandon the changes to SD10 that the D.C. federal court had found intentionally discriminatory. After the Section 5 preclearance formula was invalidated, the Fifth Circuit explained, “it is far from clear that Texas could have automatically prevailed on the merits” had it continued to defend its dismantling of SD10, and instead the San Antonio court could (and likely would) have invalidated the changes to SD10 again “based on Plaintiffs’ Section 2 and constitutional claims.” *Davis v. Abbott*, 781 F.3d 207, 215 (5th Cir. 2015). After all, the DC federal court had just found the effort was intentional racial discrimination.

Sen. Davis and her co-plaintiffs won her claim that Texas intentionally discriminated against racial minorities by cracking SD10’s minority population and submerging them in Anglo-dominated rural districts—a victory that the Supreme Court left undisturbed and that cost Texas taxpayers over \$1 million in legal fees. Yet that is what you are proposing to do again.

Moreover, a similar effort to crack apart Tarrant County’s minority population was ruled intentionally discriminatory in the 2011 congressional plan. *Perez v. Abbott*, 253 F. Supp. 3d 864, 945-961 (W.D. Tex. 2017). Although Circuit Judge Jerry Smith dissented from most of that three-judge court’s decision, he *agreed* that the cracking of minority populations in Tarrant County was unlawful intentional discrimination: “Relatively little about the 2011 Congressional redistricting passes the smell test as to DFW, the largest metropolitan area in Texas with 6.4 million residents in 2010 but where the apparent choice of minority voters in 2010 was reflected only in CD30 (veteran African-American Democrat Congresswoman Eddie Bernice Johnson).” *Id.* at 986 (Smith, J., dissenting). The three-judge court actually redrew the congressional lines in Tarrant County to remedy this intentional fracturing and dilution of minority voting strength.

The 2020 Census reveals that Tarrant County now has over 1 million Black and Latino residents—250,000 *more* than it had following the 2010 Census. By contrast, Tarrant County now has just over 900,000 Anglo residents—over 300,000 *fewer* than it had following the 2010 Census. Yet you propose to eliminate the *one* senate district in which Tarrant County’s minority voters have succeeded in electing their preferred candidate. You propose to do this even

though the *same scheme* was found to be intentional racial discrimination after the last Census—*when there were substantially fewer minority voters*.

When the San Antonio district court declined to “bail in” Texas to the Voting Rights Act Section 3 preclearance regime, it unanimously (with the votes of District Judges Rodriguez and Garcia and Circuit Judge Smith) warned the Legislature that it “would be well advised to conduct its redistricting process openly” in 2021 and to abandon its effort from “the 2011 session . . . [of] engag[ing] in traditional means of vote dilution such as cracking and packing in drawing districts” if it wished to avoid federal oversight of its electoral decisions. *Perez v. Abbott*, 390 F. Supp. 3d 803, 820-21 (W.D. Tex. 2019).

On behalf of my constituents, I urge you to heed that warning, and preserve SD10 as an effective coalition and crossover district for minority voters.

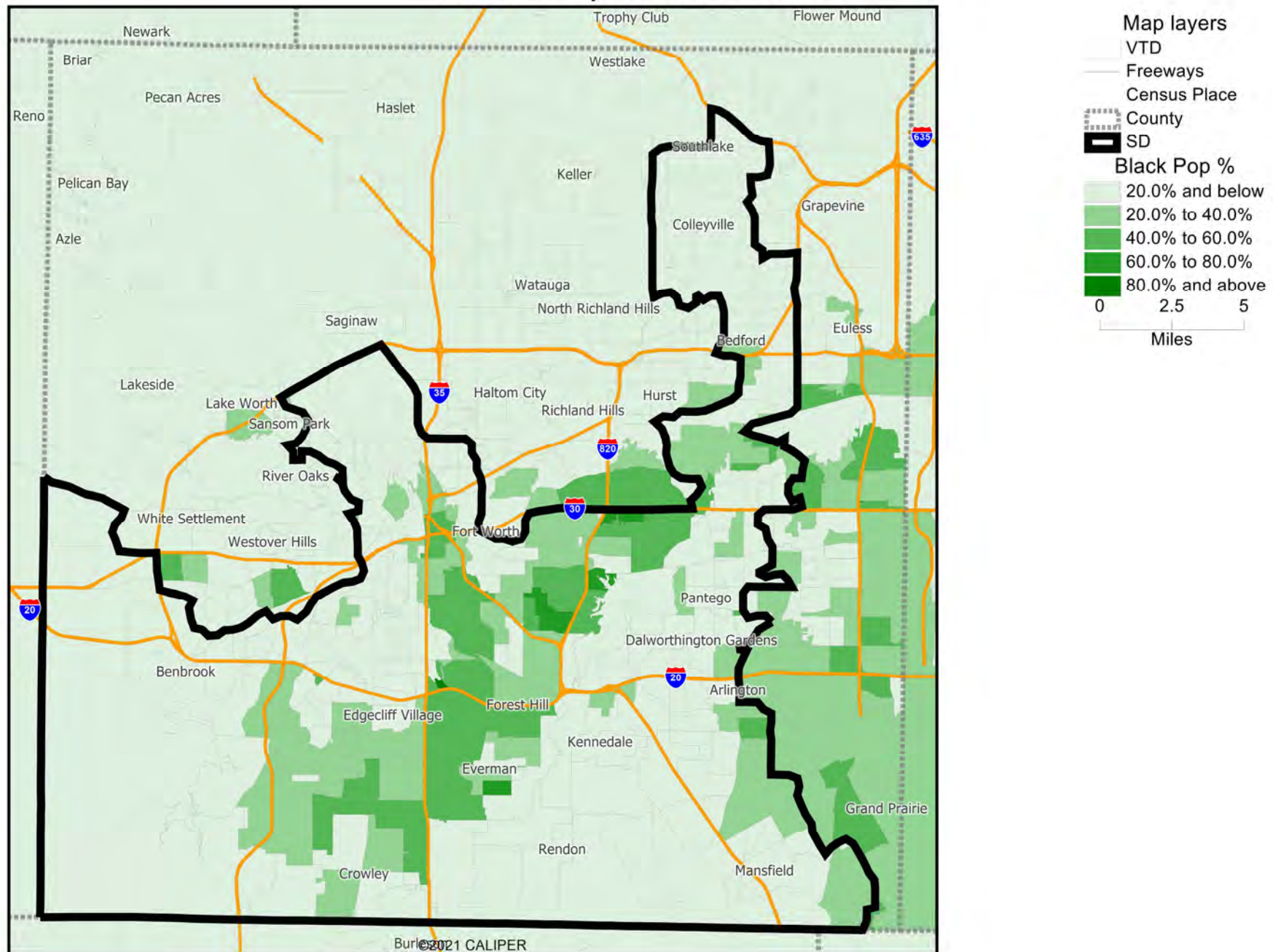
Sincerely,

A handwritten signature in black ink, reading "Beverly Powell". The signature is written in a cursive, flowing style. The first name "Beverly" is written in a larger, more prominent script, and "Powell" is written in a slightly smaller, more compact script. The signature is contained within a thin black rectangular border.

Senator Beverly Powell

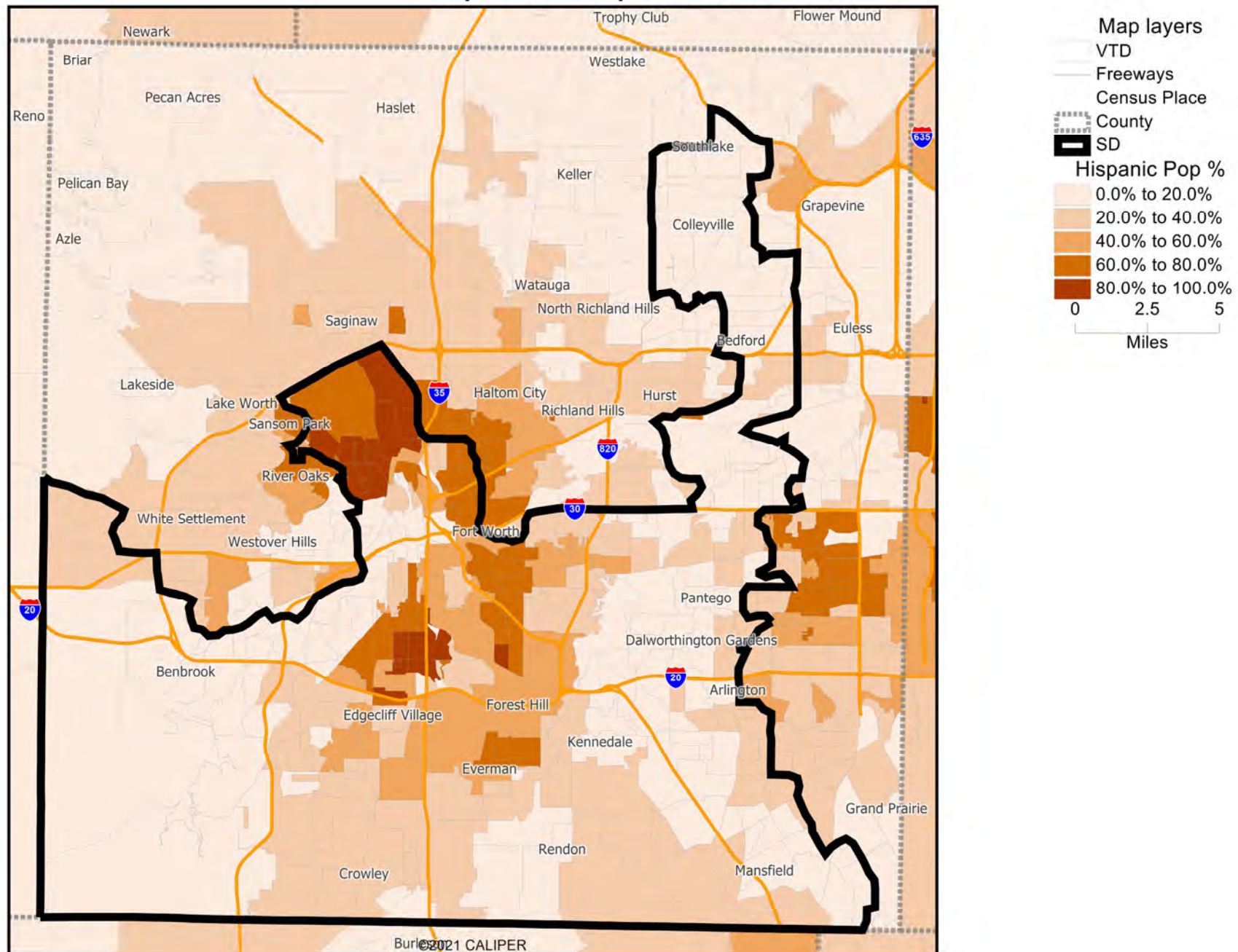
SD 10 Benchmark

Black Population 2020



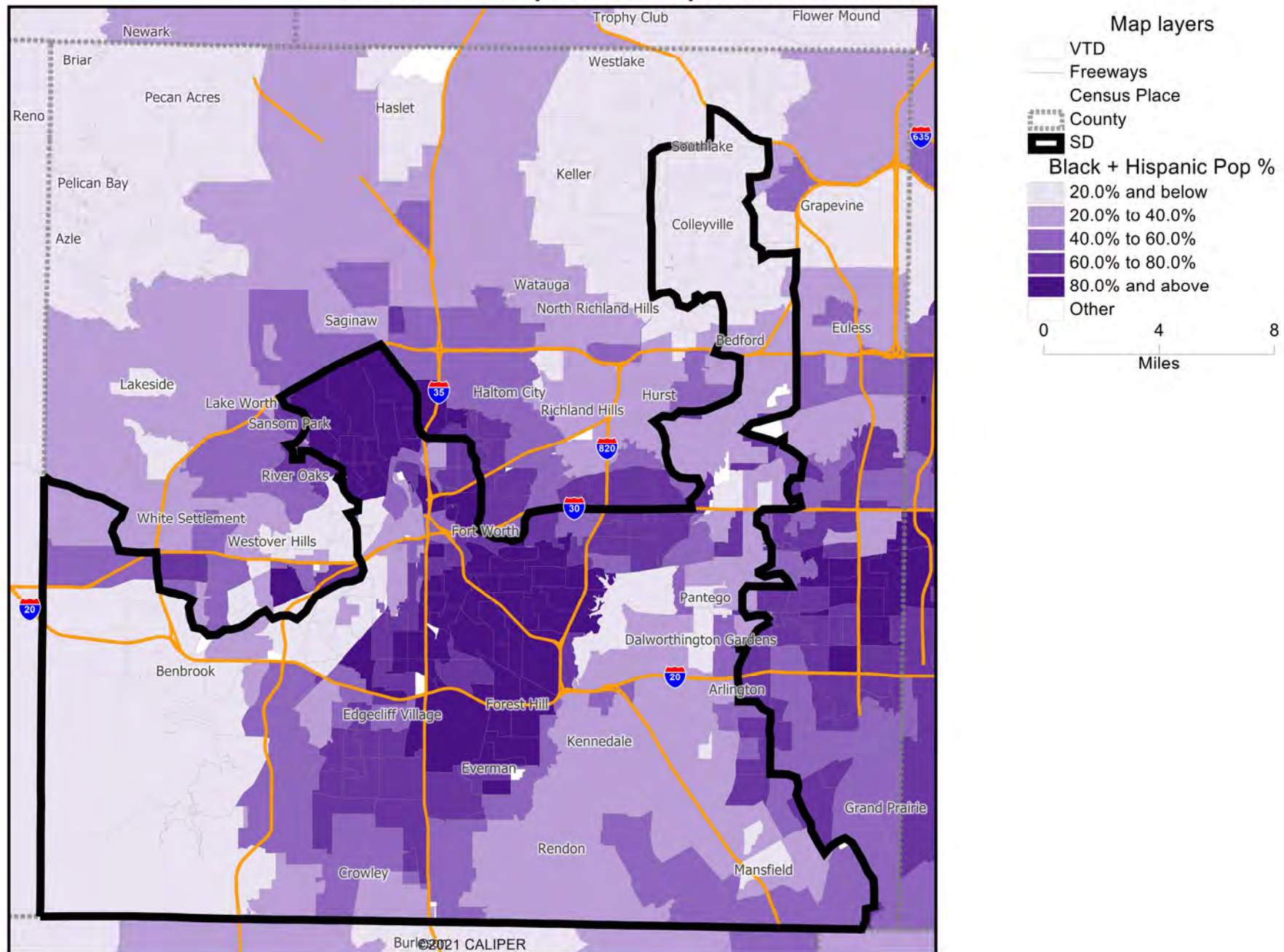
SD 10 Benchmark

Hispanic Population 2020



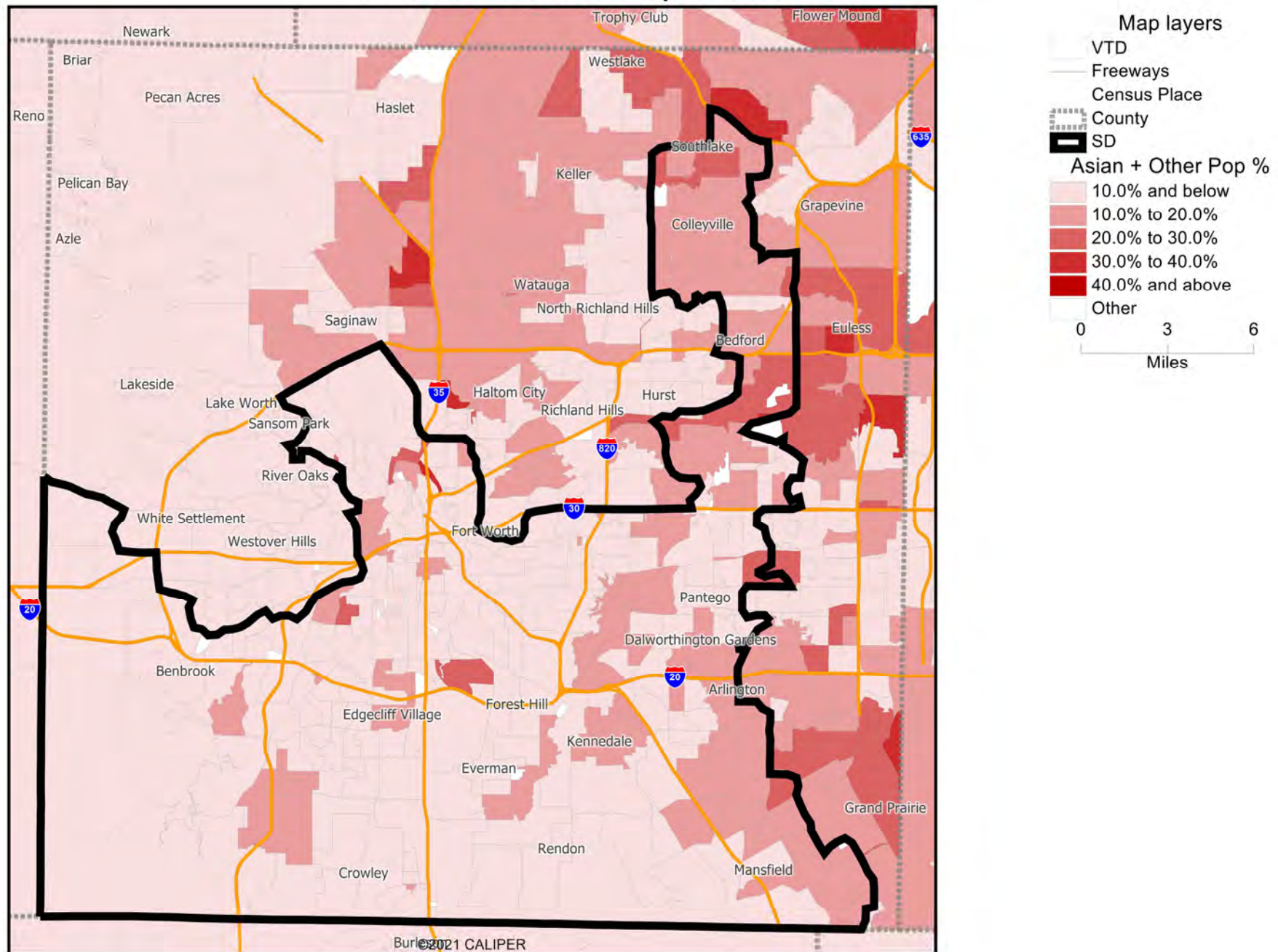
SD 10 Benchmark

Black + Hispanic Population 2020



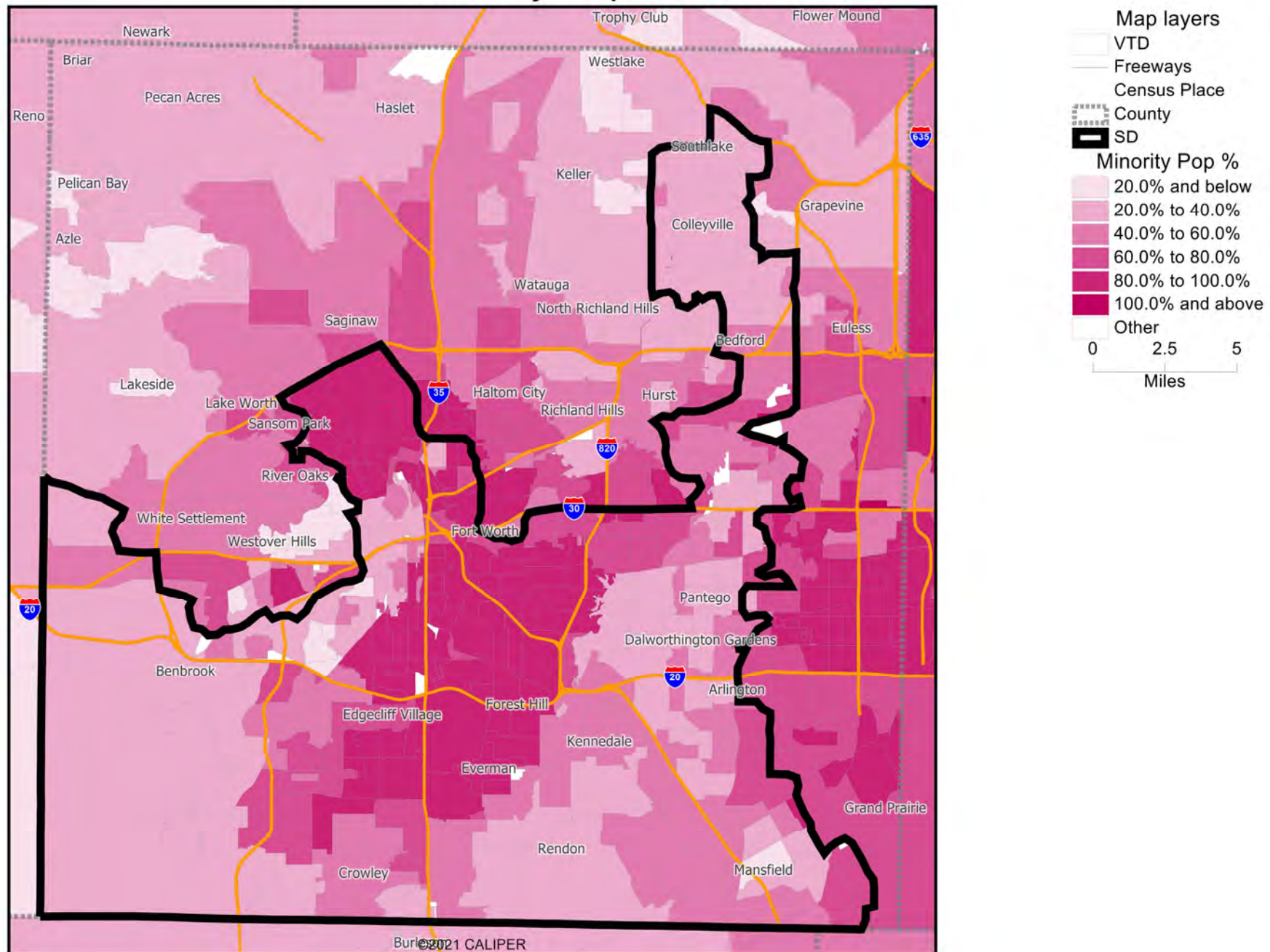
SD 10 Benchmark

Asian + Other Population 2020



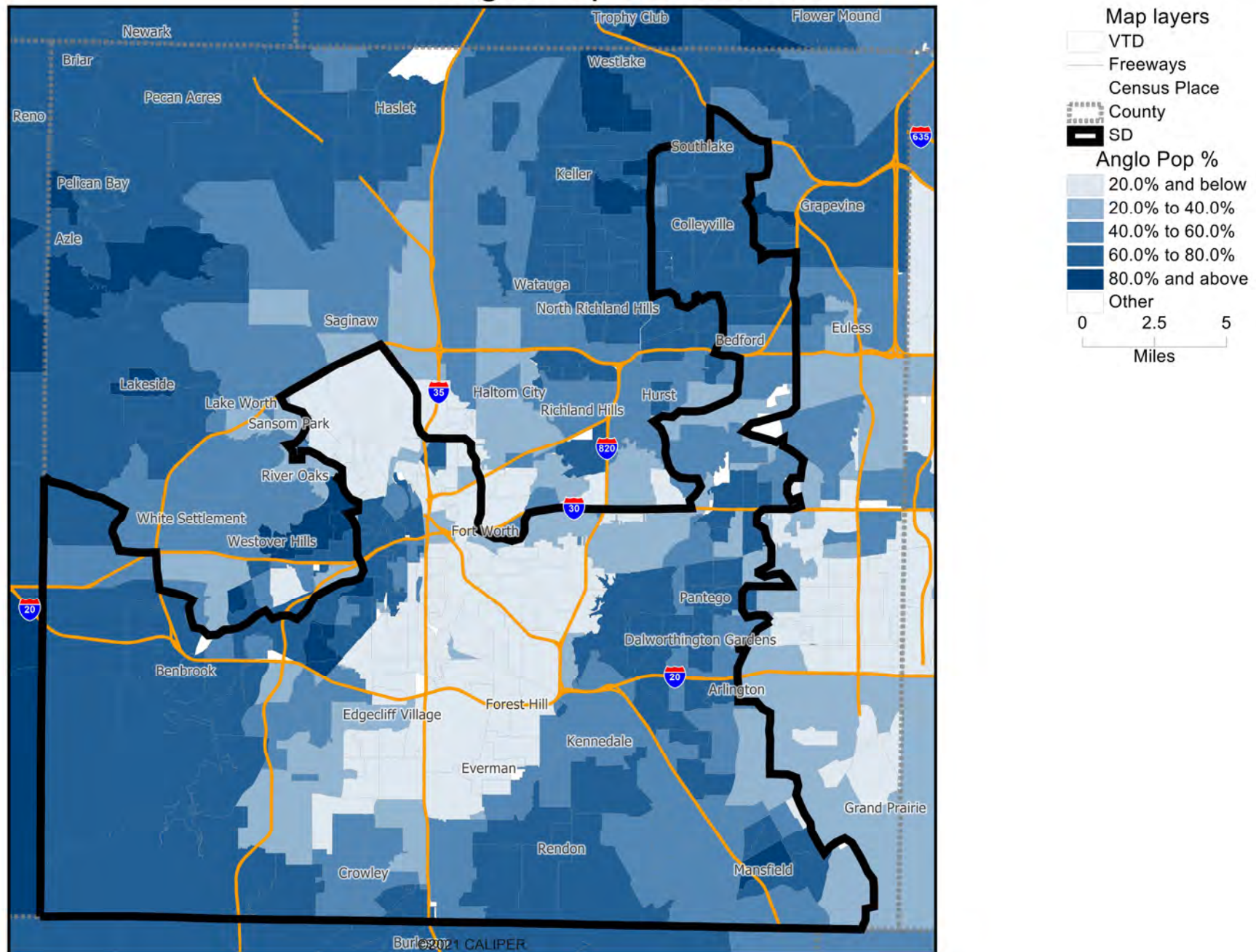
SD 10 Benchmark

Minority Population 2020



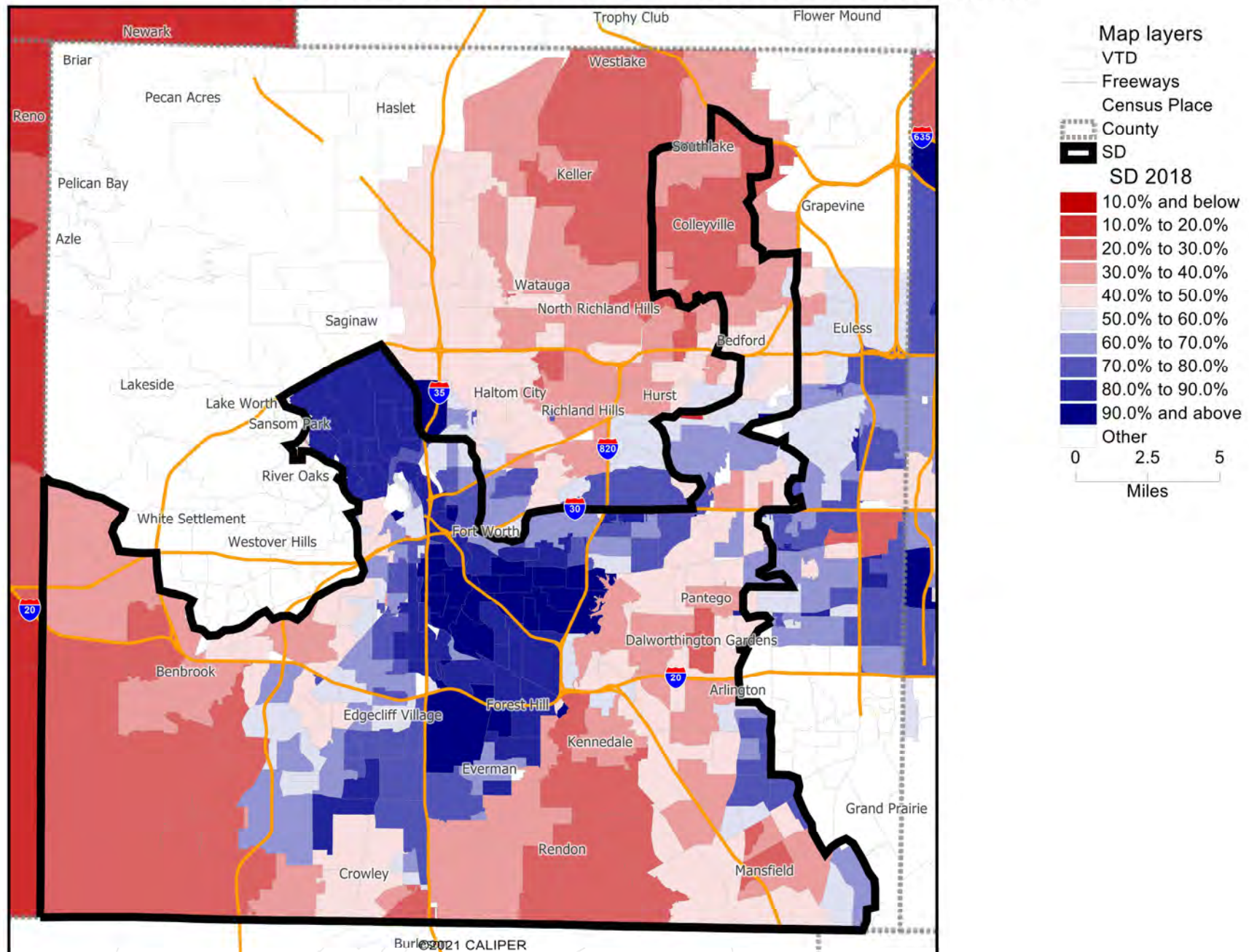
SD 10 Benchmark

Anglo Population 2020



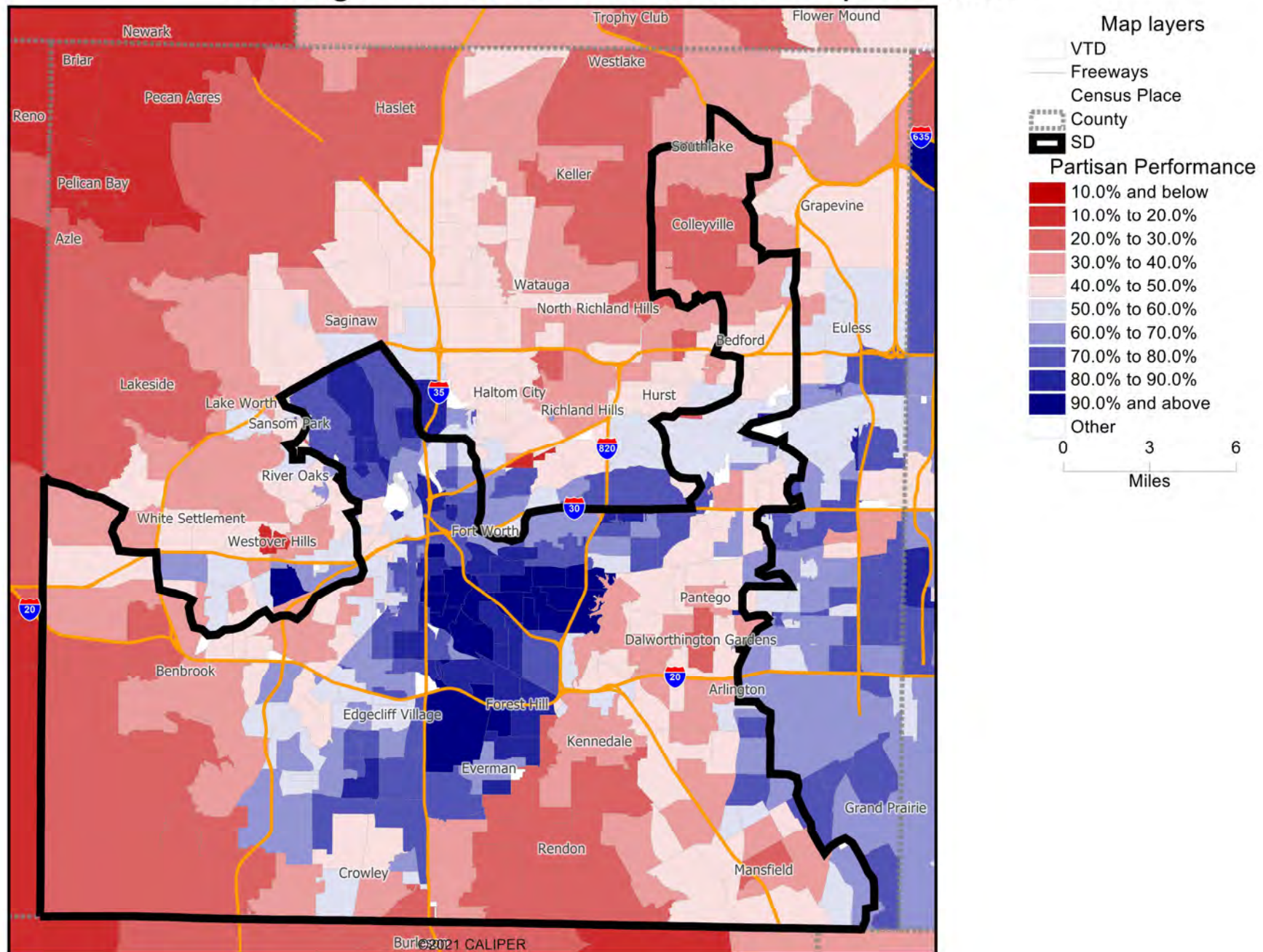
SD 10 Benchmark

Partisan Performance - Senate Districts 2018



SD 10 Benchmark

Average Partisan Performance - Top of Ticket



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 1	-94,391	Total:	845,787	523,195	322,592	12,698	152,162	135,853	284,487	61.9	38.1	1.5	18.0	16.1	33.6
	-10.04 %	VAP:	647,407	423,117	224,290	9,040	110,647	86,370	195,560	65.4	34.6	1.4	17.1	13.3	30.2
Bowie (100%)			92,893	55,855	37,038	1,506	25,188	7,602	32,451	60.1	39.9	1.6	27.1	8.2	34.9
Camp (100%)			12,464	6,734	5,730	154	2,092	3,222	5,262	54.0	46.0	1.2	16.8	25.9	42.2
Cass (100%)			28,454	21,028	7,426	199	4,941	1,336	6,224	73.9	26.1	0.7	17.4	4.7	21.9
Franklin (100%)			10,359	7,876	2,483	104	534	1,455	1,943	76.0	24.0	1.0	5.2	14.0	18.8
Gregg (100%)			124,239	68,050	56,189	2,137	27,498	24,040	50,879	54.8	45.2	1.7	22.1	19.3	41.0
Harrison (100%)			68,839	42,039	26,800	718	14,553	9,839	24,107	61.1	38.9	1.0	21.1	14.3	35.0
Lamar (100%)			50,088	35,354	14,734	645	7,310	4,412	11,570	70.6	29.4	1.3	14.6	8.8	23.1
Marion (100%)			9,725	6,869	2,856	96	2,026	389	2,380	70.6	29.4	1.0	20.8	4.0	24.5
Morris (100%)			11,973	7,716	4,257	98	2,705	1,182	3,850	64.4	35.6	0.8	22.6	9.9	32.2
Panola (100%)			22,491	16,098	6,393	178	3,509	2,190	5,633	71.6	28.4	0.8	15.6	9.7	25.0
Red River (100%)			11,587	8,499	3,088	97	1,895	766	2,608	73.3	26.7	0.8	16.4	6.6	22.5
Rusk (100%)			52,214	32,022	20,192	349	9,032	9,579	18,445	61.3	38.7	0.7	17.3	18.3	35.3
Smith (100%)			233,479	134,452	99,027	5,402	41,819	47,281	87,936	57.6	42.4	2.3	17.9	20.3	37.7
Titus (100%)			31,247	13,410	17,837	329	3,347	13,680	16,829	42.9	57.1	1.1	10.7	43.8	53.9
Upshur (100%)			40,892	31,287	9,605	319	3,592	3,986	7,462	76.5	23.5	0.8	8.8	9.7	18.2
Wood (100%)			44,843	35,906	8,937	367	2,121	4,894	6,908	80.1	19.9	0.8	4.7	10.9	15.4
DISTRICT 2	4,398	Total:	944,576	447,698	496,878	28,943	140,474	309,693	444,417	47.4	52.6	3.1	14.9	32.8	47.0
	0.47 %	VAP:	695,983	360,724	335,259	21,297	96,736	200,985	295,310	51.8	48.2	3.1	13.9	28.9	42.4
Dallas (17%)			442,107	117,953	324,154	18,446	88,625	214,019	299,087	26.7	73.3	4.2	20.0	48.4	67.7
Delta (100%)			5,230	4,189	1,041	63	402	394	765	80.1	19.9	1.2	7.7	7.5	14.6
Fannin (100%)			35,662	27,042	8,620	319	2,628	4,218	6,760	75.8	24.2	0.9	7.4	11.8	19.0
Hopkins (100%)			36,787	25,976	10,811	420	2,847	6,484	9,237	70.6	29.4	1.1	7.7	17.6	25.1
Hunt (100%)			99,956	65,598	34,358	1,552	9,374	19,673	28,642	65.6	34.4	1.6	9.4	19.7	28.7
Kaufman (100%)			145,310	78,626	66,684	3,026	24,448	36,165	59,668	54.1	45.9	2.1	16.8	24.9	41.1
Rains (100%)			12,164	10,130	2,034	103	360	1,109	1,446	83.3	16.7	0.8	3.0	9.1	11.9
Rockwall (100%)			107,819	70,198	37,621	4,533	9,772	20,560	29,811	65.1	34.9	4.2	9.1	19.1	27.6
Van Zandt (100%)			59,541	47,986	11,555	481	2,018	7,071	9,001	80.6	19.4	0.8	3.4	11.9	15.1
DISTRICT 3	-63,008	Total:	877,170	586,514	290,656	9,909	107,232	151,955	256,410	66.9	33.1	1.1	12.2	17.3	29.2
	-6.70 %	VAP:	678,053	474,050	204,003	7,058	79,110	99,745	177,628	69.9	30.1	1.0	11.7	14.7	26.2
Anderson (100%)			57,922	33,098	24,824	543	12,253	11,111	23,107	57.1	42.9	0.9	21.2	19.2	39.9
Angelina (100%)			86,395	49,970	36,425	1,169	14,115	19,732	33,448	57.8	42.2	1.4	16.3	22.8	38.7
Cherokee (100%)			50,412	30,095	20,317	418	7,069	11,797	18,714	59.7	40.3	0.8	14.0	23.4	37.1
Hardin (100%)			56,231	46,934	9,297	608	3,559	3,417	6,891	83.5	16.5	1.1	6.3	6.1	12.3
Henderson (100%)			82,150	61,854	20,296	794	5,694	11,242	16,696	75.3	24.7	1.0	6.9	13.7	20.3
Houston (100%)			22,066	12,957	9,109	186	5,462	3,071	8,439	58.7	41.3	0.8	24.8	13.9	38.2
Jasper (100%)			32,980	23,795	9,185	193	5,950	2,198	8,107	72.1	27.9	0.6	18.0	6.7	24.6

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 3	-63,008	Total:	877,170	586,514	290,656	9,909	107,232	151,955	256,410	66.9	33.1	1.1	12.2	17.3	29.2
	-6.70 %	VAP:	678,053	474,050	204,003	7,058	79,110	99,745	177,628	69.9	30.1	1.0	11.7	14.7	26.2
Liberty (100%)			91,628	50,044	41,584	734	8,052	30,797	38,563	54.6	45.4	0.8	8.8	33.6	42.1
Montgomery (13%)			82,949	58,619	24,330	1,181	4,045	16,666	20,455	70.7	29.3	1.4	4.9	20.1	24.7
Nacogdoches (100%)			64,653	37,158	27,495	1,066	11,610	13,597	24,950	57.5	42.5	1.6	18.0	21.0	38.6
Newton (100%)			12,217	9,249	2,968	50	2,253	344	2,571	75.7	24.3	0.4	18.4	2.8	21.0
Orange (100%)			84,808	64,935	19,873	1,451	8,941	7,265	15,988	76.6	23.4	1.7	10.5	8.6	18.9
Polk (100%)			50,123	34,808	15,315	490	5,422	7,345	12,617	69.4	30.6	1.0	10.8	14.7	25.2
Sabine (100%)			9,894	8,307	1,587	82	852	393	1,200	84.0	16.0	0.8	8.6	4.0	12.1
San Augustine (100%)			7,918	5,270	2,648	64	1,897	639	2,487	66.6	33.4	0.8	24.0	8.1	31.4
San Jacinto (100%)			27,402	19,170	8,232	176	2,412	4,822	7,143	70.0	30.0	0.6	8.8	17.6	26.1
Shelby (100%)			24,022	14,416	9,606	458	4,095	4,685	8,702	60.0	40.0	1.9	17.0	19.5	36.2
Trinity (100%)			13,602	10,533	3,069	100	1,269	1,314	2,561	77.4	22.6	0.7	9.3	9.7	18.8
Tyler (100%)			19,798	15,302	4,496	146	2,282	1,520	3,771	77.3	22.7	0.7	11.5	7.7	19.0
DISTRICT 4	78,972	Total:	1,019,150	546,031	473,119	47,261	146,614	260,391	401,196	53.6	46.4	4.6	14.4	25.5	39.4
	8.40 %	VAP:	754,208	430,392	323,816	33,190	104,336	170,158	271,757	57.1	42.9	4.4	13.8	22.6	36.0
Chambers (100%)			46,571	29,858	16,713	879	3,763	10,952	14,512	64.1	35.9	1.9	8.1	23.5	31.2
Galveston (1%)			2,770	2,289	481	38	37	321	349	82.6	17.4	1.4	1.3	11.6	12.6
Harris (4%)			175,789	105,053	70,736	8,568	15,581	42,780	57,346	59.8	40.2	4.9	8.9	24.3	32.6
Jefferson (100%)			256,526	96,047	160,479	11,256	88,504	58,915	145,686	37.4	62.6	4.4	34.5	23.0	56.8
Montgomery (87%)			537,494	312,784	224,710	26,520	38,729	147,423	183,303	58.2	41.8	4.9	7.2	27.4	34.1
DISTRICT 5	120,622	Total:	1,060,800	585,040	475,760	84,192	117,540	257,915	366,873	55.2	44.8	7.9	11.1	24.3	34.6
	12.83 %	VAP:	814,153	476,525	337,628	59,634	84,805	177,706	258,273	58.5	41.5	7.3	10.4	21.8	31.7
Brazos (100%)			233,849	123,035	110,814	16,856	27,910	63,067	88,787	52.6	47.4	7.2	11.9	27.0	38.0
Freestone (100%)			19,435	12,817	6,618	143	3,038	3,155	6,112	65.9	34.1	0.7	15.6	16.2	31.4
Grimes (100%)			29,268	16,910	12,358	195	4,217	7,361	11,400	57.8	42.2	0.7	14.4	25.2	39.0
Leon (100%)			15,719	11,659	4,060	153	1,059	2,446	3,469	74.2	25.8	1.0	6.7	15.6	22.1
Limestone (100%)			22,146	12,530	9,616	245	4,117	5,013	8,945	56.6	43.4	1.1	18.6	22.6	40.4
Madison (100%)			13,455	6,984	6,471	131	2,724	3,415	6,099	51.9	48.1	1.0	20.2	25.4	45.3
Milam (100%)			24,754	15,367	9,387	193	2,520	6,264	8,582	62.1	37.9	0.8	10.2	25.3	34.7
Robertson (100%)			16,757	9,505	7,252	145	3,381	3,528	6,789	56.7	43.3	0.9	20.2	21.1	40.5
Walker (100%)			76,400	39,823	36,577	1,335	17,359	16,578	33,580	52.1	47.9	1.7	22.7	21.7	44.0
Williamson (100%)			609,017	336,410	272,607	64,796	51,215	147,088	193,110	55.2	44.8	10.6	8.4	24.2	31.7
DISTRICT 6	-106,189	Total:	833,989	82,009	751,980	22,116	112,350	620,231	724,381	9.8	90.2	2.7	13.5	74.4	86.9
	-11.29 %	VAP:	597,899	70,005	527,894	17,166	80,026	430,464	506,262	11.7	88.3	2.9	13.4	72.0	84.7
Harris (18%)			833,989	82,009	751,980	22,116	112,350	620,231	724,381	9.8	90.2	2.7	13.5	74.4	86.9

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

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 16	-13,360	Total:	926,818	382,450	544,368	135,241	126,913	272,218	393,365	41.3	58.7	14.6	13.7	29.4	42.4
	-1.42 %	VAP:	721,088	323,526	397,562	100,951	95,074	191,456	283,450	44.9	55.1	14.0	13.2	26.6	39.3
Dallas (35%)			926,818	382,450	544,368	135,241	126,913	272,218	393,365	41.3	58.7	14.6	13.7	29.4	42.4
DISTRICT 17	17,351	Total:	957,529	378,959	578,570	167,274	162,686	243,220	396,938	39.6	60.4	17.5	17.0	25.4	41.5
	1.85 %	VAP:	735,558	310,148	425,410	126,728	117,544	174,123	286,700	42.2	57.8	17.2	16.0	23.7	39.0
Brazoria (26%)			97,798	51,895	45,903	1,935	9,789	32,689	41,611	53.1	46.9	2.0	10.0	33.4	42.5
Fort Bend (29%)			242,215	79,715	162,500	73,264	41,520	46,783	86,586	32.9	67.1	30.2	17.1	19.3	35.7
Harris (13%)			617,516	247,349	370,167	92,075	111,377	163,748	268,741	40.1	59.9	14.9	18.0	26.5	43.5
DISTRICT 18	96,015	Total:	1,036,193	444,550	591,643	122,416	144,154	315,878	451,868	42.9	57.1	11.8	13.9	30.5	43.6
	10.21 %	VAP:	764,077	354,586	409,491	85,222	100,375	213,565	310,504	46.4	53.6	11.2	13.1	28.0	40.6
Aransas (100%)			23,830	15,816	8,014	655	394	6,158	6,486	66.4	33.6	2.7	1.7	25.8	27.2
Austin (100%)			30,167	18,480	11,687	304	2,791	8,052	10,630	61.3	38.7	1.0	9.3	26.7	35.2
Burleson (100%)			17,642	11,258	6,384	118	2,145	3,712	5,737	63.8	36.2	0.7	12.2	21.0	32.5
Calhoun (100%)			20,106	8,374	11,732	1,169	534	9,858	10,271	41.6	58.4	5.8	2.7	49.0	51.1
Colorado (100%)			20,557	11,761	8,796	132	2,535	5,990	8,336	57.2	42.8	0.6	12.3	29.1	40.6
De Witt (100%)			19,824	10,854	8,970	105	1,867	6,890	8,564	54.8	45.2	0.5	9.4	34.8	43.2
Fayette (100%)			24,435	17,041	7,394	129	1,722	5,216	6,785	69.7	30.3	0.5	7.0	21.3	27.8
Fort Bend (55%)			451,099	153,964	297,135	107,688	75,792	110,941	183,400	34.1	65.9	23.9	16.8	24.6	40.7
Goliad (100%)			7,012	4,246	2,766	60	349	2,288	2,569	60.6	39.4	0.9	5.0	32.6	36.6
Gonzales (100%)			19,653	8,159	11,494	122	1,391	9,897	11,074	41.5	58.5	0.6	7.1	50.4	56.3
Harris (2%)			77,432	27,009	50,423	6,713	13,373	29,825	42,430	34.9	65.1	8.7	17.3	38.5	54.8
Jackson (100%)			14,988	8,510	6,478	228	1,186	4,829	5,877	56.8	43.2	1.5	7.9	32.2	39.2
Lavaca (100%)			20,337	14,564	5,773	114	1,497	3,936	5,316	71.6	28.4	0.6	7.4	19.4	26.1
Lee (100%)			17,478	10,612	6,866	123	1,945	4,479	6,287	60.7	39.3	0.7	11.1	25.6	36.0
Matagorda (100%)			36,255	15,355	20,900	856	4,330	15,455	19,466	42.4	57.6	2.4	11.9	42.6	53.7
Nueces (1%)			3,149	2,706	443	60	17	237	249	85.9	14.1	1.9	0.5	7.5	7.9
Refugio (100%)			6,741	2,864	3,877	61	534	3,306	3,735	42.5	57.5	0.9	7.9	49.0	55.4
Victoria (100%)			91,319	39,330	51,989	1,758	6,843	42,931	48,751	43.1	56.9	1.9	7.5	47.0	53.4
Waller (100%)			56,794	23,494	33,300	1,063	12,827	18,486	30,985	41.4	58.6	1.9	22.6	32.5	54.6
Washington (100%)			35,805	22,023	13,782	694	6,044	6,425	12,288	61.5	38.5	1.9	16.9	17.9	34.3
Wharton (100%)			41,570	18,130	23,440	264	6,038	16,967	22,632	43.6	56.4	0.6	14.5	40.8	54.4
DISTRICT 19	12,036	Total:	952,214	207,184	745,030	28,364	83,272	635,879	707,063	21.8	78.2	3.0	8.7	66.8	74.3
	1.28 %	VAP:	696,433	169,417	527,016	19,936	58,032	445,933	498,594	24.3	75.7	2.9	8.3	64.0	71.6
Atascosa (98%)			47,973	15,428	32,545	383	721	30,847	31,342	32.2	67.8	0.8	1.5	64.3	65.3
Bexar (32%)			636,132	133,256	502,876	25,336	76,783	406,027	472,270	20.9	79.1	4.0	12.1	63.8	74.2
Brewster (100%)			9,546	4,948	4,598	164	287	3,963	4,176	51.8	48.2	1.7	3.0	41.5	43.7
Crockett (100%)			3,098	1,080	2,018	23	36	1,920	1,945	34.9	65.1	0.7	1.2	62.0	62.8

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 19	12,036	Total:	952,214	207,184	745,030	28,364	83,272	635,879	707,063	21.8	78.2	3.0	8.7	66.8	74.3
	1.28 %	VAP:	696,433	169,417	527,016	19,936	58,032	445,933	498,594	24.3	75.7	2.9	8.3	64.0	71.6
Dimmit (100%)			8,615	898	7,717	94	129	7,487	7,570	10.4	89.6	1.1	1.5	86.9	87.9
Edwards (100%)			1,422	651	771	26	17	718	725	45.8	54.2	1.8	1.2	50.5	51.0
Frio (100%)			18,385	3,053	15,332	218	767	14,171	14,897	16.6	83.4	1.2	4.2	77.1	81.0
Kinney (100%)			3,129	1,489	1,640	46	66	1,470	1,517	47.6	52.4	1.5	2.1	47.0	48.5
Maverick (100%)			57,887	1,574	56,313	295	307	54,936	55,107	2.7	97.3	0.5	0.5	94.9	95.2
Medina (100%)			50,748	22,324	28,424	528	1,762	25,455	26,930	44.0	56.0	1.0	3.5	50.2	53.1
Pecos (100%)			15,193	3,473	11,720	183	630	10,845	11,376	22.9	77.1	1.2	4.1	71.4	74.9
Real (100%)			2,758	1,940	818	28	50	692	731	70.3	29.7	1.0	1.8	25.1	26.5
Reeves (100%)			14,748	1,697	13,051	205	332	12,510	12,748	11.5	88.5	1.4	2.3	84.8	86.4
Terrell (100%)			760	352	408	13	22	370	384	46.3	53.7	1.7	2.9	48.7	50.5
Uvalde (100%)			24,564	6,613	17,951	206	268	17,317	17,462	26.9	73.1	0.8	1.1	70.5	71.1
Val Verde (100%)			47,586	7,836	39,750	574	962	38,207	38,861	16.5	83.5	1.2	2.0	80.3	81.7
Zavala (100%)			9,670	572	9,098	42	133	8,944	9,022	5.9	94.1	0.4	1.4	92.5	93.3
DISTRICT 20	-32,504	Total:	907,674	144,610	763,064	19,619	23,353	718,372	736,301	15.9	84.1	2.2	2.6	79.1	81.1
	-3.46 %	VAP:	661,833	120,706	541,127	14,567	16,433	506,457	520,411	18.2	81.8	2.2	2.5	76.5	78.6
Brooks (100%)			7,076	724	6,352	48	47	6,242	6,271	10.2	89.8	0.7	0.7	88.2	88.6
Hidalgo (59%)			511,678	33,464	478,214	8,790	5,230	464,480	467,717	6.5	93.5	1.7	1.0	90.8	91.4
Jim Wells (100%)			38,891	6,963	31,928	216	414	30,835	31,082	17.9	82.1	0.6	1.1	79.3	79.9
Nueces (99%)			350,029	103,459	246,570	10,565	17,662	216,815	231,231	29.6	70.4	3.0	5.0	61.9	66.1
DISTRICT 21	-38,924	Total:	901,254	203,422	697,832	14,823	36,631	641,296	672,273	22.6	77.4	1.6	4.1	71.2	74.6
	-4.14 %	VAP:	668,648	171,826	496,822	11,469	27,831	451,658	476,560	25.7	74.3	1.7	4.2	67.5	71.3
Atascosa (2%)			1,008	638	370	13	15	331	342	63.3	36.7	1.3	1.5	32.8	33.9
Bee (100%)			31,047	8,600	22,447	307	2,558	19,392	21,804	27.7	72.3	1.0	8.2	62.5	70.2
Bexar (1%)			14,846	2,581	12,265	120	307	11,746	11,978	17.4	82.6	0.8	2.1	79.1	80.7
Caldwell (100%)			45,883	16,560	29,323	444	2,932	25,468	28,025	36.1	63.9	1.0	6.4	55.5	61.1
Duval (100%)			9,831	937	8,894	66	208	7,962	8,133	9.5	90.5	0.7	2.1	81.0	82.7
Guadalupe (32%)			55,272	24,439	30,833	635	2,827	26,744	29,101	44.2	55.8	1.1	5.1	48.4	52.7
Hays (31%)			74,518	23,738	50,780	2,356	5,591	42,534	47,260	31.9	68.1	3.2	7.5	57.1	63.4
Jim Hogg (100%)			4,838	414	4,424	36	11	4,281	4,287	8.6	91.4	0.7	0.2	88.5	88.6
Karnes (100%)			14,710	5,388	9,322	196	1,265	7,734	8,910	36.6	63.4	1.3	8.6	52.6	60.6
La Salle (100%)			6,664	1,467	5,197	28	259	4,908	5,132	22.0	78.0	0.4	3.9	73.6	77.0
Live Oak (100%)			11,335	5,968	5,367	66	275	4,790	5,031	52.7	47.3	0.6	2.4	42.3	44.4
McMullen (100%)			600	353	247	13	17	224	231	58.8	41.2	2.2	2.8	37.3	38.5
San Patricio (100%)			68,755	26,613	42,142	1,278	1,725	38,220	39,491	38.7	61.3	1.9	2.5	55.6	57.4
Starr (100%)			65,920	1,171	64,749	152	162	64,393	64,454	1.8	98.2	0.2	0.2	97.7	97.8

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 21	-38,924	Total:	901,254	203,422	697,832	14,823	36,631	641,296	672,273	22.6	77.4	1.6	4.1	71.2	74.6
	-4.14 %	VAP:	668,648	171,826	496,822	11,469	27,831	451,658	476,560	25.7	74.3	1.7	4.2	67.5	71.3
Travis (13%)			165,271	46,387	118,884	6,753	15,692	95,984	109,688	28.1	71.9	4.1	9.5	58.1	66.4
Webb (100%)			267,114	9,495	257,619	1,774	1,647	254,354	255,249	3.6	96.4	0.7	0.6	95.2	95.6
Wilson (100%)			49,753	27,877	21,876	545	1,101	19,232	20,140	56.0	44.0	1.1	2.2	38.7	40.5
Zapata (100%)			13,889	796	13,093	41	39	12,999	13,017	5.7	94.3	0.3	0.3	93.6	93.7
DISTRICT 22	3,844	Total:	944,022	520,999	423,023	31,190	134,863	236,553	364,713	55.2	44.8	3.3	14.3	25.1	38.6
	0.41 %	VAP:	707,084	418,658	288,426	22,845	92,686	154,311	244,443	59.2	40.8	3.2	13.1	21.8	34.6
Bosque (100%)			18,235	13,621	4,614	148	503	3,321	3,737	74.7	25.3	0.8	2.8	18.2	20.5
Ellis (100%)			192,455	106,495	85,960	2,639	27,000	52,032	77,843	55.3	44.7	1.4	14.0	27.0	40.4
Falls (100%)			16,968	8,707	8,261	106	4,023	3,965	7,845	51.3	48.7	0.6	23.7	23.4	46.2
Hill (100%)			35,874	24,123	11,751	278	2,527	7,884	10,291	67.2	32.8	0.8	7.0	22.0	28.7
Hood (100%)			61,598	49,815	11,783	755	931	7,958	8,774	80.9	19.1	1.2	1.5	12.9	14.2
Johnson (100%)			179,927	119,226	60,701	2,852	8,888	42,613	50,684	66.3	33.7	1.6	4.9	23.7	28.2
McLennan (100%)			260,579	139,693	120,886	6,704	41,799	68,587	107,816	53.6	46.4	2.6	16.0	26.3	41.4
Navarro (100%)			52,624	26,996	25,628	586	7,248	16,049	22,992	51.3	48.7	1.1	13.8	30.5	43.7
Somervell (100%)			9,205	7,011	2,194	93	115	1,687	1,773	76.2	23.8	1.0	1.2	18.3	19.3
Tarrant (6%)			116,557	25,312	91,245	17,029	41,829	32,457	72,958	21.7	78.3	14.6	35.9	27.8	62.6
DISTRICT 23	-53,073	Total:	887,105	125,930	761,175	19,878	339,302	402,104	733,441	14.2	85.8	2.2	38.2	45.3	82.7
	-5.64 %	VAP:	664,473	114,940	549,533	16,382	255,095	275,257	526,405	17.3	82.7	2.5	38.4	41.4	79.2
Dallas (34%)			887,105	125,930	761,175	19,878	339,302	402,104	733,441	14.2	85.8	2.2	38.2	45.3	82.7
DISTRICT 24	-13,388	Total:	926,790	538,914	387,876	35,809	134,417	202,344	324,096	58.1	41.9	3.9	14.5	21.8	35.0
	-1.42 %	VAP:	708,848	441,276	267,572	25,168	90,552	135,063	219,765	62.3	37.7	3.6	12.8	19.1	31.0
Bandera (100%)			20,851	15,595	5,256	219	270	4,010	4,247	74.8	25.2	1.1	1.3	19.2	20.4
Bell (100%)			370,647	156,780	213,867	18,271	100,605	93,467	184,933	42.3	57.7	4.9	27.1	25.2	49.9
Blanco (100%)			11,374	8,707	2,667	100	123	2,092	2,196	76.6	23.4	0.9	1.1	18.4	19.3
Brown (100%)			38,095	26,672	11,423	382	1,881	8,211	9,884	70.0	30.0	1.0	4.9	21.6	25.9
Burnet (100%)			49,130	34,810	14,320	629	1,011	11,199	12,068	70.9	29.1	1.3	2.1	22.8	24.6
Callahan (100%)			13,708	11,555	2,153	109	269	1,306	1,545	84.3	15.7	0.8	2.0	9.5	11.3
Comanche (100%)			13,594	9,197	4,397	62	127	3,867	3,949	67.7	32.3	0.5	0.9	28.4	29.0
Coryell (100%)			83,093	46,213	36,880	3,238	15,290	16,482	30,436	55.6	44.4	3.9	18.4	19.8	36.6
Gillespie (100%)			26,725	19,884	6,841	213	245	5,766	5,941	74.4	25.6	0.8	0.9	21.6	22.2
Hamilton (100%)			8,222	6,805	1,417	63	68	1,045	1,104	82.8	17.2	0.8	0.8	12.7	13.4
Kerr (100%)			52,598	35,791	16,807	851	1,127	13,598	14,502	68.0	32.0	1.6	2.1	25.9	27.6
Lampasas (100%)			21,627	15,132	6,495	512	1,079	4,179	5,135	70.0	30.0	2.4	5.0	19.3	23.7
Llano (100%)			21,243	17,530	3,713	194	233	2,508	2,687	82.5	17.5	0.9	1.1	11.8	12.6
Mills (100%)			4,456	3,498	958	26	52	728	770	78.5	21.5	0.6	1.2	16.3	17.3

SENATE DISTRICTS - PLANS2100

Deviation			Total	Anglo	Non-Anglo	Asian	Black	Hispanic	B+H	%Anglo	%Non-Anglo	%Asian	%Black	%Hispanic	%B+H
DISTRICT 24	-13,388	Total:	926,790	538,914	387,876	35,809	134,417	202,344	324,096	58.1	41.9	3.9	14.5	21.8	35.0
	-1.42 %	VAP:	708,848	441,276	267,572	25,168	90,552	135,063	219,765	62.3	37.7	3.6	12.8	19.1	31.0
San Saba (100%)			5,730	3,690	2,040	53	150	1,749	1,879	64.4	35.6	0.9	2.6	30.5	32.8
Taylor (72%)			103,806	68,828	34,978	3,641	9,696	19,871	28,598	66.3	33.7	3.5	9.3	19.1	27.5
Travis (6%)			81,891	58,227	23,664	7,246	2,191	12,266	14,222	71.1	28.9	8.8	2.7	15.0	17.4
DISTRICT 25	163,301	Total:	1,103,479	585,939	517,540	59,225	73,516	372,691	435,870	53.1	46.9	5.4	6.7	33.8	39.5
	17.37 %	VAP:	844,709	475,191	369,518	41,946	51,486	261,951	308,531	56.3	43.7	5.0	6.1	31.0	36.5
Bexar (26%)			517,781	237,675	280,106	33,100	41,505	203,782	239,280	45.9	54.1	6.4	8.0	39.4	46.2
Comal (100%)			161,501	105,250	56,251	3,517	5,409	43,590	48,172	65.2	34.8	2.2	3.3	27.0	29.8
Guadalupe (68%)			117,434	59,624	57,810	4,972	13,239	38,489	50,187	50.8	49.2	4.2	11.3	32.8	42.7
Hays (69%)			166,549	97,830	68,719	7,870	7,459	50,337	56,706	58.7	41.3	4.7	4.5	30.2	34.0
Kendall (100%)			44,279	31,767	12,512	743	603	10,029	10,509	71.7	28.3	1.7	1.4	22.6	23.7
Travis (7%)			95,935	53,793	42,142	9,023	5,301	26,464	31,016	56.1	43.9	9.4	5.5	27.6	32.3
DISTRICT 26	-99,613	Total:	840,565	162,220	678,345	36,006	77,602	569,403	635,237	19.3	80.7	4.3	9.2	67.7	75.6
	-10.60 %	VAP:	644,877	141,254	503,623	27,045	55,571	419,612	469,549	21.9	78.1	4.2	8.6	65.1	72.8
Bexar (42%)			840,565	162,220	678,345	36,006	77,602	569,403	635,237	19.3	80.7	4.3	9.2	67.7	75.6
DISTRICT 27	-108,504	Total:	831,674	65,587	766,087	6,737	7,213	751,993	756,001	7.9	92.1	0.8	0.9	90.4	90.9
	-11.54 %	VAP:	588,385	56,194	532,191	5,210	4,629	521,253	524,333	9.6	90.4	0.9	0.8	88.6	89.1
Cameron (100%)			421,017	37,107	383,910	3,637	3,410	376,680	378,477	8.8	91.2	0.9	0.8	89.5	89.9
Hidalgo (41%)			359,103	19,874	339,229	1,906	1,872	335,521	336,180	5.5	94.5	0.5	0.5	93.4	93.6
Kenedy (100%)			350	73	277	10	12	261	264	20.9	79.1	2.9	3.4	74.6	75.4
Kleberg (100%)			31,040	6,728	24,312	973	1,361	21,920	23,006	21.7	78.3	3.1	4.4	70.6	74.1
Willacy (100%)			20,164	1,805	18,359	211	558	17,611	18,074	9.0	91.0	1.0	2.8	87.3	89.6
DISTRICT 28	-144,171	Total:	796,007	407,717	388,290	18,137	58,889	301,525	353,589	51.2	48.8	2.3	7.4	37.9	44.4
	-15.33 %	VAP:	607,986	333,907	274,079	13,745	41,679	207,426	246,621	54.9	45.1	2.3	6.9	34.1	40.6
Baylor (100%)			3,465	2,797	668	22	113	439	534	80.7	19.3	0.6	3.3	12.7	15.4
Borden (100%)			631	528	103	14	16	86	95	83.7	16.3	2.2	2.5	13.6	15.1
Childress (100%)			6,664	3,852	2,812	93	672	1,942	2,585	57.8	42.2	1.4	10.1	29.1	38.8
Coke (100%)			3,285	2,473	812	17	23	661	671	75.3	24.7	0.5	0.7	20.1	20.4
Coleman (100%)			7,684	6,013	1,671	58	236	1,192	1,396	78.3	21.7	0.8	3.1	15.5	18.2
Concho (100%)			3,303	2,097	1,206	47	105	1,033	1,121	63.5	36.5	1.4	3.2	31.3	33.9
Cottle (100%)			1,380	902	478	18	128	327	440	65.4	34.6	1.3	9.3	23.7	31.9
Crane (100%)			4,675	1,342	3,333	39	102	3,158	3,237	28.7	71.3	0.8	2.2	67.6	69.2
Crosby (100%)			5,133	2,076	3,057	41	203	2,829	2,965	40.4	59.6	0.8	4.0	55.1	57.8
Dawson (100%)			12,456	4,590	7,866	86	1,004	6,767	7,665	36.8	63.2	0.7	8.1	54.3	61.5
Dickens (100%)			1,770	1,178	592	21	64	512	548	66.6	33.4	1.2	3.6	28.9	31.0
Eastland (100%)			17,725	13,653	4,072	169	497	2,934	3,380	77.0	23.0	1.0	2.8	16.6	19.1

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 28	-144,171	Total:	796,007	407,717	388,290	18,137	58,889	301,525	353,589	51.2	48.8	2.3	7.4	37.9	44.4
	-15.33 %	VAP:	607,986	333,907	274,079	13,745	41,679	207,426	246,621	54.9	45.1	2.3	6.9	34.1	40.6
Fisher (100%)			3,672	2,496	1,176	27	149	973	1,088	68.0	32.0	0.7	4.1	26.5	29.6
Floyd (100%)			5,402	2,079	3,323	39	207	3,067	3,228	38.5	61.5	0.7	3.8	56.8	59.8
Foard (100%)			1,095	845	250	12	33	197	220	77.2	22.8	1.1	3.0	18.0	20.1
Garza (100%)			5,816	2,162	3,654	56	381	3,272	3,554	37.2	62.8	1.0	6.6	56.3	61.1
Hale (100%)			32,522	10,693	21,829	243	1,807	19,489	21,052	32.9	67.1	0.7	5.6	59.9	64.7
Hardeman (100%)			3,549	2,441	1,108	30	195	818	983	68.8	31.2	0.8	5.5	23.0	27.7
Haskell (100%)			5,416	3,628	1,788	43	268	1,377	1,599	67.0	33.0	0.8	4.9	25.4	29.5
Hockley (100%)			21,537	9,752	11,785	97	803	10,624	11,295	45.3	54.7	0.5	3.7	49.3	52.4
Irion (100%)			1,513	1,112	401	23	30	349	369	73.5	26.5	1.5	2.0	23.1	24.4
Jones (100%)			19,663	11,485	8,178	158	2,187	5,504	7,599	58.4	41.6	0.8	11.1	28.0	38.6
Kent (100%)			753	657	96	9	11	81	86	87.3	12.7	1.2	1.5	10.8	11.4
Kimble (100%)			4,286	3,136	1,150	60	37	986	1,013	73.2	26.8	1.4	0.9	23.0	23.6
King (100%)			265	230	35	4	8	25	31	86.8	13.2	1.5	3.0	9.4	11.7
Knox (100%)			3,353	1,935	1,418	34	210	1,130	1,309	57.7	42.3	1.0	6.3	33.7	39.0
Lamb (100%)			13,045	4,981	8,064	41	544	7,449	7,904	38.2	61.8	0.3	4.2	57.1	60.6
Lubbock (100%)			310,639	154,994	155,645	11,533	31,107	109,170	137,329	49.9	50.1	3.7	10.0	35.1	44.2
Lynn (100%)			5,596	2,960	2,636	34	151	2,352	2,482	52.9	47.1	0.6	2.7	42.0	44.4
Mason (100%)			3,953	2,948	1,005	21	40	883	909	74.6	25.4	0.5	1.0	22.3	23.0
McCulloch (100%)			7,630	4,904	2,726	65	197	2,369	2,517	64.3	35.7	0.9	2.6	31.0	33.0
Menard (100%)			1,962	1,231	731	10	33	662	690	62.7	37.3	0.5	1.7	33.7	35.2
Mitchell (100%)			8,990	4,328	4,662	71	1,072	3,454	4,457	48.1	51.9	0.8	11.9	38.4	49.6
Motley (100%)			1,063	858	205	18	18	153	166	80.7	19.3	1.7	1.7	14.4	15.6
Nolan (100%)			14,738	8,138	6,600	150	953	5,354	6,120	55.2	44.8	1.0	6.5	36.3	41.5
Reagan (100%)			3,385	968	2,417	44	78	2,283	2,339	28.6	71.4	1.3	2.3	67.4	69.1
Runnels (100%)			9,900	6,062	3,838	65	252	3,354	3,560	61.2	38.8	0.7	2.5	33.9	36.0
Schleicher (100%)			2,451	1,102	1,349	28	44	1,275	1,296	45.0	55.0	1.1	1.8	52.0	52.9
Scurry (100%)			16,932	8,637	8,295	140	812	7,139	7,853	51.0	49.0	0.8	4.8	42.2	46.4
Shackelford (100%)			3,105	2,612	493	33	46	363	394	84.1	15.9	1.1	1.5	11.7	12.7
Stephens (100%)			9,101	6,256	2,845	89	327	2,204	2,503	68.7	31.3	1.0	3.6	24.2	27.5
Sterling (100%)			1,372	867	505	29	22	449	465	63.2	36.8	2.1	1.6	32.7	33.9
Stonewall (100%)			1,245	958	287	9	41	226	256	76.9	23.1	0.7	3.3	18.2	20.6
Sutton (100%)			3,372	1,200	2,172	24	32	2,093	2,111	35.6	64.4	0.7	0.9	62.1	62.6
Taylor (28%)			39,402	18,488	20,914	658	4,959	14,885	19,276	46.9	53.1	1.7	12.6	37.8	48.9
Terry (100%)			11,831	4,599	7,232	78	540	6,569	7,009	38.9	61.1	0.7	4.6	55.5	59.2
Throckmorton (100%)			1,440	1,248	192	8	17	145	156	86.7	13.3	0.6	1.2	10.1	10.8
Tom Green (100%)			120,003	62,390	57,613	2,752	6,070	47,066	52,091	52.0	48.0	2.3	5.1	39.2	43.4

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 28	-144,171	Total:	796,007	407,717	388,290	18,137	58,889	301,525	353,589	51.2	48.8	2.3	7.4	37.9	44.4
	-15.33 %	VAP:	607,986	333,907	274,079	13,745	41,679	207,426	246,621	54.9	45.1	2.3	6.9	34.1	40.6
Upton (100%)			3,308	1,318	1,990	32	120	1,797	1,886	39.8	60.2	1.0	3.6	54.3	57.0
Ward (100%)			11,644	4,506	7,138	113	666	6,325	6,847	38.7	61.3	1.0	5.7	54.3	58.8
Wilbarger (100%)			12,887	7,012	5,875	632	1,259	3,734	4,910	54.4	45.6	4.9	9.8	29.0	38.1
DISTRICT 29	-61,004	Total:	879,174	102,001	777,173	18,605	38,352	724,636	753,266	11.6	88.4	2.1	4.4	82.4	85.7
	-6.49 %	VAP:	655,733	84,788	570,945	13,528	26,028	531,109	552,498	12.9	87.1	2.1	4.0	81.0	84.3
Culberson (100%)			2,188	445	1,743	50	48	1,645	1,673	20.3	79.7	2.3	2.2	75.2	76.5
El Paso (100%)			865,657	98,219	767,438	18,392	38,200	715,351	743,885	11.3	88.7	2.1	4.4	82.6	85.9
Hudspeth (100%)			3,202	1,094	2,108	22	29	2,036	2,049	34.2	65.8	0.7	0.9	63.6	64.0
Jeff Davis (100%)			1,996	1,282	714	39	28	613	627	64.2	35.8	2.0	1.4	30.7	31.4
Presidio (100%)			6,131	961	5,170	102	47	4,991	5,032	15.7	84.3	1.7	0.8	81.4	82.1
DISTRICT 30	87,087	Total:	1,027,265	692,397	334,868	31,554	78,890	190,804	264,790	67.4	32.6	3.1	7.7	18.6	25.8
	9.26 %	VAP:	773,135	547,129	226,006	21,994	53,133	123,513	174,470	70.8	29.2	2.8	6.9	16.0	22.6
Archer (100%)			8,560	7,356	1,204	74	106	742	831	85.9	14.1	0.9	1.2	8.7	9.7
Clay (100%)			10,218	8,941	1,277	87	121	641	745	87.5	12.5	0.9	1.2	6.3	7.3
Collin (20%)			208,976	128,449	80,527	11,938	22,044	40,948	61,952	61.5	38.5	5.7	10.5	19.6	29.6
Cooke (100%)			41,668	29,404	12,264	446	1,687	8,519	10,062	70.6	29.4	1.1	4.0	20.4	24.1
Denton (18%)			158,838	88,207	70,631	8,486	20,915	37,512	57,189	55.5	44.5	5.3	13.2	23.6	36.0
Erath (100%)			42,545	30,006	12,539	557	1,646	9,254	10,774	70.5	29.5	1.3	3.9	21.8	25.3
Grayson (100%)			135,543	95,211	40,332	2,686	9,856	20,868	30,196	70.2	29.8	2.0	7.3	15.4	22.3
Jack (100%)			8,472	6,358	2,114	72	350	1,521	1,836	75.0	25.0	0.8	4.1	18.0	21.7
Montague (100%)			19,965	16,342	3,623	129	206	2,361	2,543	81.9	18.1	0.6	1.0	11.8	12.7
Palo Pinto (100%)			28,409	20,778	7,631	345	857	5,614	6,367	73.1	26.9	1.2	3.0	19.8	22.4
Parker (100%)			148,222	117,747	30,475	1,990	2,929	19,819	22,473	79.4	20.6	1.3	2.0	13.4	15.2
Wichita (100%)			129,350	79,694	49,656	3,968	16,588	25,803	41,265	61.6	38.4	3.1	12.8	19.9	31.9
Wise (100%)			68,632	50,495	18,137	644	1,261	13,694	14,767	73.6	26.4	0.9	1.8	20.0	21.5
Young (100%)			17,867	13,409	4,458	132	324	3,508	3,790	75.0	25.0	0.7	1.8	19.6	21.2
DISTRICT 31	-70,909	Total:	869,269	404,148	465,121	21,331	52,138	377,654	423,959	46.5	53.5	2.5	6.0	43.4	48.8
	-7.54 %	VAP:	637,232	320,965	316,267	14,448	34,849	253,523	286,095	50.4	49.6	2.3	5.5	39.8	44.9
Andrews (100%)			18,610	7,405	11,205	153	376	10,400	10,683	39.8	60.2	0.8	2.0	55.9	57.4
Armstrong (100%)			1,848	1,593	255	28	34	144	162	86.2	13.8	1.5	1.8	7.8	8.8
Bailey (100%)			6,904	2,190	4,714	19	91	4,540	4,600	31.7	68.3	0.3	1.3	65.8	66.6
Briscoe (100%)			1,435	1,008	427	13	30	368	391	70.2	29.8	0.9	2.1	25.6	27.2
Carson (100%)			5,807	4,873	934	33	91	558	636	83.9	16.1	0.6	1.6	9.6	11.0
Castro (100%)			7,371	2,328	5,043	49	155	4,784	4,905	31.6	68.4	0.7	2.1	64.9	66.5
Cochran (100%)			2,547	912	1,635	16	94	1,527	1,594	35.8	64.2	0.6	3.7	60.0	62.6

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 31	-70,909	Total:	869,269	404,148	465,121	21,331	52,138	377,654	423,959	46.5	53.5	2.5	6.0	43.4	48.8
	-7.54 %	VAP:	637,232	320,965	316,267	14,448	34,849	253,523	286,095	50.4	49.6	2.3	5.5	39.8	44.9
Collingsworth (100%)			2,652	1,617	1,035	32	148	832	955	61.0	39.0	1.2	5.6	31.4	36.0
Dallam (100%)			7,115	3,119	3,996	33	142	3,707	3,837	43.8	56.2	0.5	2.0	52.1	53.9
Deaf Smith (100%)			18,583	4,233	14,350	78	290	13,925	14,080	22.8	77.2	0.4	1.6	74.9	75.8
Donley (100%)			3,258	2,537	721	42	227	356	561	77.9	22.1	1.3	7.0	10.9	17.2
Ector (100%)			165,171	51,023	114,148	2,940	9,522	100,051	108,362	30.9	69.1	1.8	5.8	60.6	65.6
Gaines (100%)			21,598	12,554	9,044	139	356	8,401	8,676	58.1	41.9	0.6	1.6	38.9	40.2
Glasscock (100%)			1,116	710	406	2	27	387	399	63.6	36.4	0.2	2.4	34.7	35.8
Gray (100%)			21,227	13,025	8,202	192	1,039	6,347	7,313	61.4	38.6	0.9	4.9	29.9	34.5
Hall (100%)			2,825	1,589	1,236	30	237	950	1,159	56.2	43.8	1.1	8.4	33.6	41.0
Hansford (100%)			5,285	2,552	2,733	15	43	2,615	2,643	48.3	51.7	0.3	0.8	49.5	50.0
Hartley (100%)			5,382	3,403	1,979	39	249	1,631	1,861	63.2	36.8	0.7	4.6	30.3	34.6
Hemphill (100%)			3,382	2,090	1,292	39	29	1,137	1,156	61.8	38.2	1.2	0.9	33.6	34.2
Howard (100%)			34,860	15,672	19,188	561	2,113	16,174	17,929	45.0	55.0	1.6	6.1	46.4	51.4
Hutchinson (100%)			20,617	13,783	6,834	200	757	4,961	5,589	66.9	33.1	1.0	3.7	24.1	27.1
Lipscomb (100%)			3,059	1,786	1,273	18	22	1,123	1,140	58.4	41.6	0.6	0.7	36.7	37.3
Loving (100%)			64	56	8	3	3	1	3	87.5	12.5	4.7	4.7	1.6	4.7
Martin (100%)			5,237	2,780	2,457	34	128	2,255	2,359	53.1	46.9	0.6	2.4	43.1	45.0
Midland (100%)			169,983	76,487	93,496	4,798	12,731	73,331	84,887	45.0	55.0	2.8	7.5	43.1	49.9
Moore (100%)			21,358	6,499	14,859	1,071	832	12,647	13,398	30.4	69.6	5.0	3.9	59.2	62.7
Ochiltree (100%)			10,015	4,245	5,770	58	66	5,470	5,510	42.4	57.6	0.6	0.7	54.6	55.0
Oldham (100%)			1,758	1,325	433	31	77	313	372	75.4	24.6	1.8	4.4	17.8	21.2
Parmer (100%)			9,869	3,187	6,682	36	137	6,504	6,575	32.3	67.7	0.4	1.4	65.9	66.6
Potter (100%)			118,525	50,153	68,372	6,757	14,438	45,193	58,528	42.3	57.7	5.7	12.2	38.1	49.4
Randall (100%)			140,753	95,457	45,296	3,550	6,592	31,583	37,395	67.8	32.2	2.5	4.7	22.4	26.6
Roberts (100%)			827	717	110	15	21	50	65	86.7	13.3	1.8	2.5	6.0	7.9
Sherman (100%)			2,782	1,362	1,420	24	60	1,315	1,354	49.0	51.0	0.9	2.2	47.3	48.7
Swisher (100%)			6,971	3,219	3,752	44	524	3,147	3,597	46.2	53.8	0.6	7.5	45.1	51.6
Wheeler (100%)			4,990	3,469	1,521	53	137	1,227	1,345	69.5	30.5	1.1	2.7	24.6	27.0
Winkler (100%)			7,791	2,702	5,089	114	210	4,732	4,883	34.7	65.3	1.5	2.7	60.7	62.7
Yoakum (100%)			7,694	2,488	5,206	72	110	4,968	5,057	32.3	67.7	0.9	1.4	64.6	65.7

American Community Survey Special Tabulation
Using Census and American Community Survey Data
SENATE DISTRICTS - PLANS2100

2020 Census			Special Tabulation of Citizen Voting Age Population (CVAP) from the 2015-2019 American Community Survey with Margins of Error											
			CVAP	Hispanic CVAP % Hispanic	Not Hispanic or Latino Citizen Voting Age Population (CVAP)									
					% Black Alone	% Black + White	% Black + American Indian	% White Alone	% American Indian Alone	%Asian Alone	% Native Hawaiian Alone	% American Indian + White	% Asian + White	% Remainder 2 or More Other
District	Total	VAP	CVAP	% Hispanic	% Black Alone	% Black + White	% Black + American Indian	% White Alone	% American Indian Alone	%Asian Alone	% Native Hawaiian Alone	% American Indian + White	% Asian + White	% Remainder 2 or More Other
1	845,787	647,407	603,980 (±6,938)	8.0 (±0.4)	17.9 (±0.5)	0.3 (±0.1)	0.1(±0.1)	71.7 (±0.5)	0.4 (±0.1)	0.7 (±0.1)	0.1 (±0.1)	0.6 (±0.1)	0.1 (±0.1)	0.1 (±0.1)
2	944,576	695,983	565,690 (±6,287)	17.4 (±0.5)	14.4 (±0.5)	0.4 (±0.1)	0.1(±0.1)	64.3 (±0.5)	0.5 (±0.1)	2.0 (±0.2)	0.0 (±0.1)	0.5 (±0.1)	0.2 (±0.1)	0.2 (±0.1)
3	877,170	678,053	634,495 (±7,158)	8.9 (±0.4)	12.5 (±0.4)	0.2 (±0.1)	0.0(±0.1)	76.7 (±0.5)	0.5 (±0.1)	0.5 (±0.1)	0.0 (±0.1)	0.6 (±0.1)	0.1 (±0.1)	0.1 (±0.1)
4	1,019,150	754,208	637,885 (±8,053)	14.9 (±0.6)	14.2 (±0.5)	0.3 (±0.1)	0.0(±0.1)	67.1 (±0.6)	0.3 (±0.1)	2.4 (±0.2)	0.0 (±0.1)	0.5 (±0.1)	0.2 (±0.1)	0.1 (±0.1)
5	1,060,800	814,153	690,955 (±7,631)	18.2 (±0.5)	10.0 (±0.4)	0.4 (±0.1)	0.0(±0.1)	66.5 (±0.4)	0.2 (±0.1)	3.2 (±0.2)	0.1 (±0.1)	0.5 (±0.1)	0.5 (±0.1)	0.3 (±0.1)
6	833,989	597,899	417,284 (±6,219)	62.0 (±0.9)	17.3 (±0.7)	0.2 (±0.1)	0.2(±0.1)	17.3 (±0.5)	0.1 (±0.1)	2.4 (±0.2)	0.0 (±0.1)	0.3 (±0.1)	0.1 (±0.1)	0.1 (±0.1)
7	1,009,368	741,905	613,725 (±7,657)	21.8 (±0.7)	15.5 (±0.6)	0.2 (±0.1)	0.0(±0.0)	52.8 (±0.6)	0.2 (±0.1)	8.2 (±0.4)	0.1 (±0.1)	0.4 (±0.1)	0.4 (±0.1)	0.3 (±0.1)
8	998,133	750,559	609,245 (±6,647)	10.6 (±0.4)	11.8 (±0.5)	0.3 (±0.1)	0.1(±0.1)	63.9 (±0.5)	0.4 (±0.1)	11.4 (±0.4)	0.1 (±0.1)	0.5 (±0.1)	0.6 (±0.1)	0.2 (±0.1)
9	924,657	684,713	551,380 (±6,793)	22.8 (±0.6)	13.9 (±0.6)	0.4 (±0.1)	0.1(±0.1)	54.9 (±0.5)	0.5 (±0.1)	6.1 (±0.4)	0.2 (±0.1)	0.6 (±0.1)	0.5 (±0.1)	0.3 (±0.1)
10	945,496	708,665	596,090 (±6,681)	20.4 (±0.6)	20.5 (±0.6)	0.4 (±0.1)	0.1(±0.1)	53.9 (±0.5)	0.3 (±0.1)	3.2 (±0.2)	0.1 (±0.1)	0.4 (±0.1)	0.4 (±0.1)	0.2 (±0.1)
11	933,256	704,652	609,235 (±7,377)	22.9 (±0.7)	12.1 (±0.6)	0.3 (±0.1)	0.1(±0.1)	58.1 (±0.6)	0.3 (±0.1)	5.1 (±0.3)	0.0 (±0.1)	0.5 (±0.1)	0.3 (±0.1)	0.3 (±0.1)
12	1,086,379	809,228	677,635 (±6,979)	14.7 (±0.5)	9.7 (±0.5)	0.4 (±0.1)	0.1(±0.1)	68.0 (±0.5)	0.4 (±0.1)	5.5 (±0.3)	0.1 (±0.1)	0.5 (±0.1)	0.5 (±0.1)	0.2 (±0.1)
13	891,837	672,728	487,220 (±7,650)	23.3 (±0.7)	52.3 (±0.9)	0.4 (±0.1)	0.1(±0.1)	16.0 (±0.5)	0.1 (±0.1)	7.3 (±0.4)	0.1 (±0.1)	0.1 (±0.1)	0.2 (±0.1)	0.2 (±0.1)
14	1,044,307	823,529	669,680 (±7,245)	21.9 (±0.6)	9.4 (±0.4)	0.4 (±0.1)	0.1(±0.1)	61.3 (±0.5)	0.3 (±0.1)	5.1 (±0.3)	0.0 (±0.1)	0.5 (±0.1)	0.7 (±0.1)	0.3 (±0.1)
15	943,568	702,919	549,755 (±7,052)	30.0 (±0.7)	27.2 (±0.7)	0.3 (±0.1)	0.2(±0.1)	35.9 (±0.5)	0.2 (±0.1)	5.3 (±0.3)	0.1 (±0.1)	0.3 (±0.1)	0.3 (±0.1)	0.2 (±0.1)
16	926,818	721,088	546,940 (±5,826)	17.0 (±0.5)	13.8 (±0.6)	0.4 (±0.1)	0.2(±0.1)	58.8 (±0.4)	0.3 (±0.1)	8.0 (±0.4)	0.1 (±0.1)	0.6 (±0.1)	0.4 (±0.1)	0.3 (±0.1)
17	957,529	735,558	600,015 (±7,025)	19.4 (±0.6)	14.4 (±0.6)	0.3 (±0.1)	0.1(±0.1)	52.0 (±0.5)	0.3 (±0.1)	12.5 (±0.4)	0.0 (±0.1)	0.3 (±0.1)	0.5 (±0.1)	0.2 (±0.1)
18	1,036,193	764,077	620,790 (±7,523)	23.6 (±0.6)	13.0 (±0.5)	0.2 (±0.1)	0.0(±0.1)	55.1 (±0.6)	0.3 (±0.1)	7.2 (±0.4)	0.0 (±0.1)	0.3 (±0.1)	0.2 (±0.1)	0.1 (±0.1)
19	952,214	696,433	587,725 (±7,639)	62.6 (±0.8)	7.5 (±0.4)	0.3 (±0.1)	0.1(±0.1)	27.1 (±0.5)	0.3 (±0.1)	1.3 (±0.1)	0.1 (±0.1)	0.4 (±0.1)	0.2 (±0.1)	0.2 (±0.1)
20	907,674	661,833	532,205 (±7,227)	73.7 (±0.8)	2.3 (±0.2)	0.0 (±0.1)	0.0(±0.1)	22.1 (±0.5)	0.2 (±0.1)	1.3 (±0.2)	0.1 (±0.1)	0.2 (±0.1)	0.1 (±0.1)	0.1 (±0.1)
21	901,254	668,648	546,610 (±6,726)	63.5 (±0.7)	4.1 (±0.3)	0.2 (±0.1)	0.1(±0.1)	30.4 (±0.5)	0.2 (±0.1)	0.8 (±0.1)	0.0 (±0.1)	0.4 (±0.1)	0.2 (±0.1)	0.1 (±0.1)
22	944,022	707,084	625,060 (±6,714)	17.2 (±0.5)	12.4 (±0.5)	0.3 (±0.1)	0.0(±0.1)	66.6 (±0.4)	0.4 (±0.1)	2.1 (±0.2)	0.1 (±0.1)	0.5 (±0.1)	0.2 (±0.1)	0.2 (±0.1)
23	887,105	664,473	518,200 (±6,822)	27.7 (±0.7)	47.6 (±0.8)	0.4 (±0.1)	0.2(±0.1)	21.7 (±0.5)	0.2 (±0.1)	1.6 (±0.2)	0.0 (±0.1)	0.2 (±0.1)	0.2 (±0.1)	0.2 (±0.1)
24	926,790	708,848	628,520 (±6,596)	16.7 (±0.5)	11.0 (±0.4)	0.5 (±0.1)	0.1(±0.1)	67.5 (±0.4)	0.4 (±0.1)	1.8 (±0.2)	0.3 (±0.1)	0.9 (±0.1)	0.4 (±0.1)	0.4 (±0.1)
25	1,103,479	844,709	723,800 (±7,316)	28.8 (±0.6)	4.9 (±0.3)	0.3 (±0.1)	0.1(±0.1)	62.2 (±0.5)	0.1 (±0.1)	2.4 (±0.2)	0.1 (±0.1)	0.5 (±0.1)	0.4 (±0.1)	0.2 (±0.1)
26	840,565	644,877	587,830 (±7,381)	64.7 (±0.8)	7.3 (±0.4)	0.3 (±0.1)	0.1(±0.1)	24.6 (±0.5)	0.2 (±0.1)	1.8 (±0.2)	0.1 (±0.1)	0.3 (±0.1)	0.3 (±0.1)	0.2 (±0.1)
27	831,674	588,385	440,540 (±6,821)	86.4 (±0.7)	0.5 (±0.1)	0.0 (±0.1)	0.0(±0.1)	12.3 (±0.4)	0.1 (±0.1)	0.5 (±0.1)	0.0 (±0.1)	0.1 (±0.1)	0.0 (±0.1)	0.0 (±0.1)
28	796,007	607,986	574,260 (±6,054)	32.3 (±0.6)	5.8 (±0.3)	0.2 (±0.1)	0.1(±0.1)	59.5 (±0.4)	0.4 (±0.1)	0.8 (±0.1)	0.1 (±0.1)	0.5 (±0.1)	0.2 (±0.1)	0.1 (±0.1)
29	879,174	655,733	514,840 (±6,667)	78.1 (±0.7)	3.7 (±0.3)	0.2 (±0.1)	0.0(±0.1)	15.9 (±0.4)	0.4 (±0.1)	1.0 (±0.1)	0.1 (±0.1)	0.2 (±0.1)	0.2 (±0.1)	0.2 (±0.1)
30	1,027,265	773,135	664,810 (±6,715)	11.1 (±0.4)	5.6 (±0.3)	0.4 (±0.1)	0.0(±0.1)	79.8 (±0.4)	0.7 (±0.1)	1.2 (±0.1)	0.1 (±0.1)	0.7 (±0.1)	0.3 (±0.1)	0.2 (±0.1)
31	869,269	637,232	554,765 (±6,378)	33.9 (±0.7)	4.9 (±0.3)	0.2 (±0.1)	0.1(±0.1)	58.3 (±0.4)	0.5 (±0.1)	1.1 (±0.1)	0.1 (±0.1)	0.6 (±0.1)	0.1 (±0.1)	0.1 (±0.1)

The American Community Survey provided estimated citizen voting age population (CVAP) data at the block group level in a Special Tabulation. Because the MOE can only be calculated using whole block groups, all block groups with more than 50% of the population in a district are included in the analysis. The Red-118 report provides a summary of the block groups used in the analysis.
The percent for each CVAP population category is that group's CVAP divided by the CVAP total.
Numbers in parentheses are margins of error at 90% confidence level.

Senate District 10 Facts

Minority voters in SD 10 elect candidates of their choice

2020 Census Report Shows Senate District 10 Population Near Ideal

- Just as in the Court-ordered map in 2012, a new State Senate map can be configured without making any boundary changes in SD10.
- SD10 has a population of 945,496; just 5,318 above the ideal. Its 0.57% deviation is the fourth lowest in State, and well within the 10% threshold permitted by courts.
- No surrounding district requires population changes that justify altering SD10. Most nearby districts are well within 10% deviation: SD2: +0.47%, SD8: +6.16%, SD9: - 1.65%, SD16: -1.42%, SD22: +0.41%, SD23: -5.64%.
- The only nearby district near or above the 10% threshold, SD12 (+15.55%) and SD30 (+9.26%), can be equalized nearly exactly by shifting population to adjoining districts SD28 (-15.33%) and SD31 (-7.54%).

The 2011 Attempt to Destroy SD10 Was Ruled Intentionally Discriminatory by a Federal Court

- In 2012, a federal court ruled that the legislature's dismantling of SD10 was intentionally discriminatory. *See Texas v. United States*, 887 F. Supp. 2d 133 (D.D.C. 2012).
- "The dismantling of SD10 will have a disparate and negative impact on minority groups in the district." *Id.* at 229
- "[T]he Senate Plan was enacted with discriminatory purpose as to SD10." *Id.* at 166.

SD10's Minority Population Has Increased Significantly Since the Federal Court's 2012 Order

- When the federal court ruled it was intentional discrimination to dismantle SD10, the 2010 Census showed its total population was 47.6% Anglo, 19.2% Black, and 28.9% Hispanic. Its Anglo citizen voting age population ("CVAP") was 62.7%.
- SD10's minority population has substantially increased. Per the 2020 Census, SD10 total population is 39.5% Anglo, 21.5% Black, and 32.2% Hispanic. Its Anglo CVAP has fallen to 53.9%.

SD10 Is an Effective Crossover District Where Minority Voters' Elect Their Preferred Candidate

- When the federal court ruled it was discriminatory to dismantle SD10, it had only ever elected one minority candidate of choice—Wendy Davis in 2008—and no Democrat for statewide office had carried the district. SD10 now regularly elects minorities' preferred candidates:
 - In 2012, Wendy Davis was reelected.
 - In 2018, Sen. Powell won election over an incumbent Republican Konni Burton (51.7% to 48.3%), SD10 was carried by O'Rourke over Cruz (53.3% to 45.9%) in the U.S. Senate race, by Nelson over Paxton (51.6% to 46.1%) in the AG race, and by Collier over Patrick (50.8% to 46.9%) in the Lt. Gov. race.
 - In 2020, SD10 was carried by Biden over Trump (53.1% to 45.4%) in the presidential race, by Hegar over Cornyn (49.8% to 47.7%) in the U.S. Senate race, and by Black Sheriff candidate Vance Keyes over Anglo Republican incumbent Bill Waybourn.

A Renewed Effort to Dismantle SD10 Would Violate Federal Law

- The U.S. Supreme Court has explained that it violates the 14th and 15th Amendments to destroy a functioning crossover district: ***“If there were a showing that a State intentionally drew lines in order to destroy otherwise effective crossover districts, that would raise serious questions under both the Fourteenth and Fifteenth Amendments.”*** *Bartlett v. Strickland*, 556 U.S. 1, 24 (2009)
- Black and Hispanic voters, together with a minority of crossover Anglo voters, control the electoral outcomes in SD10, as illustrated by the attached maps showing the location of the SD10 minority populations and the precincts carried by Sen. Powell and other minority preferred candidates.

The Only Lawful Change Would Be to Remedy the Cracked Minority Population in SE Tarrant County

- Although no change should be made in SD 10, if a change were made it would be to exchange the largely Anglo “arm” into SD9 for the cracked minority population in SE Tarrant County currently in SD22.
- The “arm’s” CVAP is 75.6% Anglo while the Tarrant County portion of SD22 has CVAP of 34.0% Black, 22.3% Hispanic, 12.3% Asian, and 30.1% Anglo.
- The Tarrant County portion of SD22 votes cohesively with SD10’s minority voters, with Democratic candidates prevailing in the area by large margins (Biden: 67.2%, Hegar: 64.7%, O’Rourke: 70.2%, Valdez: 63.7%, Nelson: 68.4%, Collier: 67.2%, Clinton: 64.3%). Thus, remedying the cracked minority population in SE Tarrant County would be legal and nondiscriminatory.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

STATE OF TEXAS,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 11-1303
)	(TBG-RMC-BAH)
UNITED STATES OF AMERICA,)	
and ERIC H. HOLDER, in his)	
official capacity as Attorney General)	
of the United States)	
)	
Defendants, and)	
)	
Wendy Davis, <i>et. al.</i> ,)	
)	
Intervenor-Defendants.)	

MEMORANDUM OPINION

Before: GRIFFITH, *Circuit Judge*, COLLYER and HOWELL, *District Judges*.

Opinion for the Court filed by *Circuit Judge* GRIFFITH, in which *District Judge* HOWELL joins and *District Judge* COLLYER joins all except section III.A.3. Separate opinion for the Court with respect to retrogression in Congressional District 25 filed by *District Judge* HOWELL, in which *District Judge* COLLYER joins.

Dissenting opinion with respect to retrogression in Congressional District 25 filed by *Circuit Judge* GRIFFITH.

Appendix filed by *District Judges* COLLYER and HOWELL, in which *Circuit Judge* GRIFFITH joins.

IV. State Senate Plan

Next we consider Texas's request to preclear its State Senate Plan. The United States has not objected to this plan, but the Davis Intervenors, the Texas State Conference of NAACP Branches, the League of United Latin America Citizens, and the Texas Legislative Black Caucus argue that the Senate Plan retrogresses and was enacted with discriminatory intent. Their arguments concern a single district, Senate District (SD) 10, which they contend is a coalition district in the benchmark plan, and which all parties agree is not an ability district in the enacted plan. These Intervenors also argue that discriminatory purpose motivated the legislature's decision to break up SD 10. We conclude that benchmark SD 10 is not a coalition district, and thus that the Senate Plan is not retrogressive. Nevertheless, we deny preclearance because Texas failed to carry its burden to show that it acted without discriminatory purpose in the face of largely unrebutted defense evidence and clear on-the-ground evidence of "cracking" minority communities of interest in SD 10. Thus, we conclude that the Texas legislature redrew the boundaries for SD 10 with discriminatory intent.

A. Retrogression in the Senate Plan

Benchmark SD 10 is located entirely within Tarrant County, which includes Fort Worth. When the Texas legislature last drew the district in 2001, the population was 56.6% Anglo, 16.7% Black, and 22.9% Hispanic. Defs.' Ex. 126, 2001 State of Texas Submission for State Senate Preclearance app. 1 (Aug. 15, 2001). Urging the Department of Justice to preclear the 2001 State Senate Plan, Texas justified SD 10's configuration by arguing that "[t]he voting strength of these minority communities in the future will depend on the cohesion within and between Black and Hispanic voters and the ability of such voters to form coalitions with other

racial or ethnic groups in support of their preferred candidates.” *Id.* at 18. In other words, Texas argued that SD 10 had the potential to become a coalition district.

The Department of Justice precleared the 2001 map, and, over the past decade, the minority population in SD 10 has continued to grow. According to the 2010 Census, 47.6% of the population in SD 10 was Anglo, 19.2% Black, and 28.9% Hispanic. Defs.’ Ex. 151, at 5. Minorities made up a smaller portion of the 2010 CVAP, however: 62.7% were Anglo, 18.3% Black, and 15.1% Hispanic. Pl.’s Ex. 15, at 8. Republicans have won almost every election in SD 10 in the past ten years, including the district’s endogenous State Senate elections from 2000-2008. No Democratic candidate running in a statewide or other exogenous election has ever won a majority of the vote in SD 10. *See* Alford Rep. 30.

The only Democrat to win an election in SD 10 is the district’s current senator, Wendy Davis, who was elected to a four-year term in 2008. Davis’s path to the State Senate began when Democratic candidate Terri Moore lost the 2006 election for Tarrant County District Attorney, yet received nearly half of the vote in SD 10. *See* Trial Tr. 30:10-25, 31:1-17, Jan. 18, 2012 PM. In light of these results, Democratic elected officials and community leaders in Tarrant County were of the view that if the Black and Hispanic communities “came together as a coalition to vote . . . they could win Senate District 10.” *Id.* at 30:15-16. These and other leaders within the district’s minority communities recruited Fort Worth City Council member Wendy Davis to run for State Senate. *Id.* at 32:3-25, 33:1-17; *see also id.* at 16:1-5, Jan. 20, 2012 AM (Senator Davis, testifying, “I was approached by leaders in our minority community in large part because of the work I’d done as a City Council person and asked if I would consider running for the Texas State Senate.”). Senator Davis ran unopposed in the 2008 Democratic primary, *see* Pl.’s Ex. 135, at 3,

then won the general election with 49.9% of the vote, beating the incumbent by 2.4% — approximately 7,100 out of 288,000 votes cast.³³ Pl.’s Ex. 31, at 14.

According to Texas’s expert, Davis received 99.6% of the Black vote, 85.3% of the Hispanic vote, and 25.8% of the Anglo vote. Trial Tr. 32:24-25, 33:1-16, Jan. 25, 2012 AM. Although this is strong evidence that the minority communities in SD 10 voted cohesively in the 2008 election, the argument that SD 10 is a coalition district runs into trouble when looking at evidence that the district’s minority communities have been effective in electing their preferred candidates.

At summary judgment, we noted that “evidence that a coalition had historical success in electing its candidates of choice would demonstrate that the minority voters in that district had, and would continue to have, an ability to elect their preferred candidates.” *Texas*, 831 F. Supp. 2d at 268. The case that SD 10 is an ability district turns on a single, razor-thin election victory, which is not “historical success.” Indeed, SD 10’s decade-long history of electing Republicans shows just the opposite. There is no doubt that the minority community came together to elect a preferred candidate in 2008, but a single victory is not the more exacting evidence needed for a coalition district. If it were, any single victory built upon the support of minority voters would create a claim for ability status.

B. Discriminatory Intent in the Senate Plan

There is no direct evidence that the Texas legislature acted with a racially discriminatory purpose in its reconfiguration of SD 10, and so we must look to circumstantial evidence. Once again, we look to the *Arlington Heights* factors to determine whether Texas has met its burden of disproving discriminatory intent.

³³ Richard Cross, a libertarian candidate, received 2.6% of the vote (7,591 votes). Pl.’s Ex. 31, at 14.

Considering first the impact of the redistricting — “whether it ‘bears more heavily on one race than another,’” *Arlington Heights*, 429 U.S. at 266 (quoting *Washington v. Davis*, 426 U.S. 229, 242 (1976)), there is little question that dismantling SD 10 had a disparate impact on racial minority groups in the district. Even Dr. Alford agreed that the enacted plan “diminishes the voting strengths of Blacks and Latinos in [SD 10],” Trial Tr. 39:14, Jan. 25, 2012 AM. In a letter he sent to the Department of Justice objecting to the enacted Senate Plan, Texas State Senator Rodney Ellis explained in detail how the new boundaries eliminate the ability of minority citizens to elect their preferred candidates by submerging their votes within neighboring and predominantly Anglo districts:

The demolition of District 10 was achieved by cracking the African American and Hispanic voters into three other districts that share few, if any, common interests with the existing District’s minority coalition. The African American community in Fort Worth is “exported” into rural District 22 — an Anglo-controlled District that stretches over 120 miles south to Falls [County]. The Hispanic Ft. Worth North Side community is placed in Anglo suburban District 12, based in Denton County, while the growing South side Hispanic population remains in the reconfigured majority Anglo District 10.

Defs.’ Ex. 375, at 3. We find that Senator Ellis’s testimony is well supported by the record. *See also* Defs.’ Ex. 134, Expert Witness Report of Dr. Allan J. Lichtman ¶ 12 [hereinafter Lichtman Rep.] (“The state legislature, in dismantling benchmark SD 10 cracked the politically cohesive and geographically concentrated Latino and African American communities and placed members of those communities in districts in which they have no opportunity to elect candidates of their choice or participate effectively in the political process.”).

Texas does not deny this disparate impact, but responds that its decision to “crack” SD 10 is best explained by partisan, not racial, goals. Tex. Post-Trial Br. 25. While this is a potentially plausible rationale, *Arlington Heights* instructs that “[d]etermining whether invidious discriminatory purpose was a motivating factor demands a sensitive inquiry into such

circumstantial and direct evidence of intent as may be available,” and so we must “look to the other evidence.” 429 U.S. at 266.

These other factors do not support Texas’s case. The second factor is Texas’s history of discrimination, and as we discussed in our analysis of the Congressional Plan above, history is not on Texas’s side. The third considers the “specific sequence of events leading up to the challenged decision.” *Id.* at 267. The Senate’s principal mapdrawer and staff director of the Senate Redistricting Committee, Doug Davis (no relation to Senator Davis), began discussing draft maps of new Senate districts prior to the February 2011 release of official Census data by using projected population increases. Defs.’ Ex. 127, at 38-39. Once the 2011 general legislative session started in January, these maps were kept in an anteroom off the Senate floor, where many Republican members were taken individually by Chairman Seliger and Doug Davis to review the draft plans and provide input. *See, e.g.*, Trial Tr. 39:15-25, Jan. 20, 2012 AM; Defs.’ Ex. 809, Dep. of Senator Judith Zaffirini 29:22-25, 30:1-19, Jan. 6, 2012. Senator Davis was consistently rebuffed when she asked to see the plans for SD 10, even as another senator told her that the proposed plan was “shredding” her district. Trial Tr. 38:2-8, 40:11-14, Jan. 20, 2012 AM. Senator Judith Zaffirini’s uncontroverted testimony shows that this scenario was not unique to Senator Davis, but reflected a larger pattern: every senator who represented an ability district was excluded from this informal map-drawing process and was not allowed into the anteroom to preview the maps. *See* Defs.’ Ex. 809, Dep. of Senator Judith Zaffirini 30:1-3. Indeed, none of the senators representing ability districts were shown their districts until forty-eight hours before the map was introduced in the Senate. *See* Defs.’ Ex. 129.

Texas offered conflicting testimony in response. Doug Davis testified that “we were not printing maps and giving them to members,” Trial Tr. 172:10-11, Jan. 17, 2012 PM, suggesting

that at least part of this informal process that gave Republican senators opportunities to provide input into the plans did not occur. But Chairman Seliger, Davis's boss, testified that he provided paper maps to at least three senators during this period, all of them Anglo. Trial Tr. 68:1-3, Jan. 24, 2012 AM. In any case, it is clear that senators who represented minority districts were left out of the process.³⁴

Our skepticism about the legislative process that created enacted SD 10 is further fueled by an email sent between staff members on the eve of the Senate Redistricting Committee's markup of the proposed map. The ostensible purpose of the markup was to consider amendments to the proposed plan, but the email suggests a very different dynamic at work. David Hanna, a lawyer for the Texas Legislative Council, a nonpartisan agency that provides bill drafting and legislative research to the Texas legislature, sent an email to Doug Davis and Senate Parliamentarian Katrina Davis (Doug Davis's wife). Hanna's email responded to an earlier message Texas did not produce, but which concerned "precook[ing]" the committee report, *i.e.*, writing the report before the hearing had been held. Trial Tr. 71:23-25, 72:1-7, Jan. 24, 2012 AM. With a subject line titled, "pre-doing committee report," Hanna's email read:

No bueno. RedAppl [the redistricting software Texas used] time stamps everything when it assigns a plan. Doing [the Committee Report on] Thursday [May 12] would create [a] paper trail that some amendments were not going to be considered at all. Don't think this is a good idea for preclearance. Best approach is to do it afterwards and we'll go as fast as possible.

Defs.' Ex. 359. Although the chairman of the redistricting committee, Kel Seliger, denied knowing of any advance decision to refuse to consider amendments, he acknowledged what is apparent from the email: the boundaries of the new Senate districts would be a *fait accompli* by

³⁴ We also note that Texas did not refute testimony indicating that the field hearings held prior to the start of the 2011 legislative session were "perfunctory," Trial Tr. 94:20-21, Jan. 20, 2012 AM, and "a sham," with low attendance, low participation, and little invited testimony or prepared materials. Defs.' Ex. 809, Dep. of Senator Judith Zaffirini 7:11-21.

the time of the markup and the committee did not intend to consider any amendments to the plan. Trial Tr. 71:3-25, 72:1-16, Jan. 24, 2012 AM. We agree with Chairman Seliger that, at a minimum, this email shows that a plan was in place, at least at the staff level, such that no new proposals or amendments to the district map would be entertained at the markup.

Arlington Heights instructs that “departures from the normal procedural sequence also might afford evidence that improper purposes are playing a role.” 429 U.S. at 267. This factor focuses on comparing past redistricting cycles to the present one for anomalous behavior. The State held no field hearings after Census data was released and proposed plans were drawn, unlike the hearings that were held after such data was available in the past. Defs.’ Ex. 134, at 13. Additionally, Senator Zaffirini testified that she, a senator of a minority district, “had never had less input into the drawing of any [redistricting] map” in over thirty years of redistricting experience,” Defs.’ Ex. 370, at 1, and that the 2010 redistricting process was the “least collaborative and most exclusive” she had ever experienced. Lichtman Rep. app. 7, Decl. of Senator Judith Zaffirini ¶ 3. We find this unchallenged testimony sufficient to conclude that the 2010 redistricting process was markedly different from previous years.

Finally, *Arlington Heights* states that “the legislative or administrative history may be highly relevant especially where there are contemporary statements by members of the decisionmaking body.” 429 U.S. at 268. Aside from the “No Bueno” email described above, we have no evidence of contemporary statements by the majority members or their staff “concerning the purpose of the official action,” *id.* But that email indicates, at a minimum, that redistricting committee staff feared their actions might create the appearance of impropriety under section 5. We do, however, have a statement published in the Senate journal from the eleven senators representing majority-minority districts and Senator Davis. They alleged that the fact they were

shut out from the map-drawing process until just forty-eight hours before the map was introduced in the Senate showed that the Senate Plan had a “racially discriminatory purpose.” Defs.’ Ex. 129, at 3. Other senators also wrote directly to Chairman Seliger to express their “disappointment in the process used to develop the Senate redistricting plan” and the “exclu[sion] [of] elected representatives of minority citizens” from that process. Defs.’ Ex. 132, at 1. Although statements from the senators aggrieved by the process do not necessarily show that it was racially discriminatory, instead of merely partisan, they do indicate that the majority was aware during redistricting that several members were upset by the irregular process, yet chose not to address their concerns.

We conclude that Texas has not shown that the Senate Plan was enacted without discriminatory intent. Senator Davis and other Intervenors provided credible circumstantial evidence of the type called for by the Supreme Court in *Arlington Heights*, which, as a whole, indicates that an improper motive may have played a role in the map-drawing process. Rather than directly rebut this evidence, Texas asserts only that the legislature’s motivations were wholly partisan, untainted by considerations of race. We agree that a plan that impacts minority citizens more harshly than majority citizens is not necessarily at odds with section 5. But under the VRA and *Arlington Heights*, it is not enough for Texas to offer a plausible, nonracial explanation that is not grounded in the record. It must, at a minimum, respond to evidence that shows racial and ethnic motivation, which it has failed to do. *See Arlington Heights*, 429 U.S. at 266 (“Absent a [clear pattern of discrimination] . . . the Court must look to other [circumstantial] evidence.”). Here, Texas has made no real attempt to engage with the *Arlington Heights* factors, even though it concedes that the Senate Plan has a disparate impact on minority voters in SD 10. We find it telling that the legislature deviated from typical redistricting procedures and excluded

minority voices from the process even as minority senators protested that section 5 was being run roughshod. One would expect a state that is as experienced with VRA litigation as Texas to have ensured that its redistricting process was beyond reproach. That Texas did not, and now fails to respond sufficiently to the parties' evidence of discriminatory intent, compels us to conclude that the Senate Plan was enacted with discriminatory purpose as to SD 10.

V. State House Plan

A. Retrogression in the State House Plan

The United States and the Intervenors argue that the enacted House Plan retrogresses minority voting power by eliminating eight ability districts (House Districts (HDs) 26, 33, 35, 41, 106, 117, 144, and 149) without creating any others. Texas acknowledges retrogression in HD 33, but argues the House Plan works no abridgement of minority voting rights in any of the other districts. Texas maintains that the loss of HD 33 is offset by the plan's provision for at least one and as many as three new ability districts. We conclude that the enacted plan will have the effect of abridging minority voting rights in four ability districts — HDs 33, 35, 117, and 149 — and that Texas did not create any new ability districts to offset those losses. Consequently, we conclude that the enacted plan cannot be precleared. We first analyze each of the eight alleged ability districts before turning to the three alleged offset districts.

1. Alleged Retrogressive Districts

a. State House District 33

Nueces County in southeastern Texas includes three State House districts in the benchmark plan. HDs 33 and 34 are entirely within the county; HD 32 partially so. Benchmark HD 33 comprises the core of Corpus Christi. HD 34 includes the western part of the county, and HD 32 covers much of the eastern portion and extends into other counties immediately north of

EXHIBIT 3-F

From: [Sean Opperman](#)
To: [Garry Jones](#)
Cc: [Anna Mackin_SC](#)
Subject: RE: Letter from Sen Powell to Sen Huffman
Date: Friday, September 17, 2021 10:57:44 AM

Garry,

Thank you for reaching out. I briefly opened these documents and they appear to contain racial data, so I closed out of them right away. (Just a reminder: we are drafting all maps without regard to racial data, and sending the drafts out for a legal-compliance check).

Sean

From: Garry Jones <Garry.Jones@senate.texas.gov>
Sent: Thursday, September 16, 2021 5:31 PM
To: Sean Opperman <Sean.Opperman@senate.texas.gov>; Sean Opperman_SC <Sean.Opperman_SC@senate.texas.gov>; Anna Mackin_SC <Anna.Mackin_SC@senate.texas.gov>
Subject: Letter from Sen Powell to Sen Huffman
Importance: High

Sean and Anna,

Attached is a letter from Senator Powell further explaining how the proposal to dismantle Senate District 10 as an effective minority coalition and crossover district is unlawful intentional racial discrimination and will produce a discriminatory effect. [Please confirm receipt.](#)

Garry Jones

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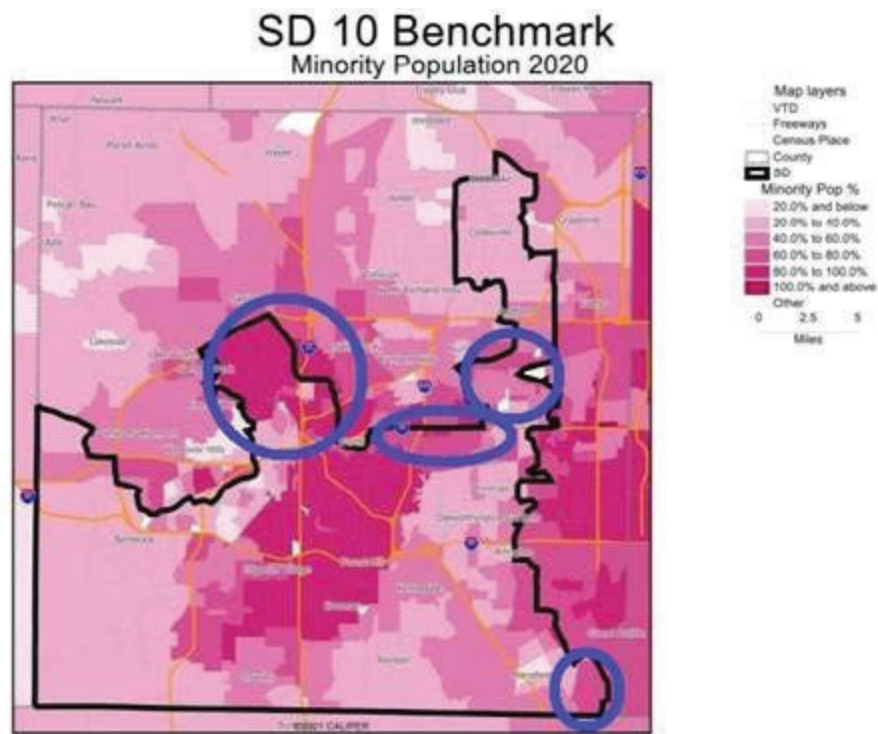
Garry Jones
State Senator Beverly Powell
District: 817-820-0007
Austin- 512-463-0110

EXHIBIT 3-G

From: [Beverly Powell](#)
To: [Bryan Hughes](#); [Bob Hall](#); [Robert Nichols](#); [Brandon Creighton](#); [Charles Schwertner](#); [Carol Alvarado](#); [Paul Bettencourt](#); [Angela Paxton](#); [Kelly Hancock](#); [Larry Taylor](#); [Jane Nelson](#); [Borris Miles](#); [Sarah Eckhardt](#); [John Whitmire](#); [Nathan Johnson](#); [Joan Huffman](#); [Lois Kolkhorst](#); [Roland Gutierrez](#); [Juan Hinojosa](#); [Judith Zaffirini](#); [Brian Birdwell](#); [Royce West](#); [Dawn Buckingham](#); [Donna Campbell](#); [Jose Menendez](#); [Eddie Lucio](#); [Charles Perry](#); [Cesar Blanco](#); [Drew Springer](#); [Kel Seliger](#)
Subject: Regarding concerns with proposed redraw of SD10
Date: Saturday, September 18, 2021 8:59:00 AM
Attachments: [Letter to Sen Huffman from Sen Powell 9.16.21.pdf](#)
[Senate District 10 Facts.pdf](#)
[SD10 - plans2100r100.pdf](#)
[SD10 - plans2100r116 acs1519.pdf](#)
[SD10 Map Packet.pdf](#)
[2012 DC Court Opinion.pdf](#)
Importance: High

Dear Colleagues,

In anticipation of the release of proposed redistricting maps, I wanted to bring to your attention a proposed redraw of Texas Senate District 10, which would reduce the district's minority population by about 10%—cleaving through minority neighborhoods to prevent minority voters from uniting to elect their preferred candidates. The blue circles below show over 135,000 minorities who—to the best of my recollection from the preview shown to me—are removed by the proposed plan and replaced with Anglo voters from Johnson and Parker Counties. This plan would achieve its aim: Tarrant County's 1.2 million minorities—the majority of the county's population—would lose the only senate district in which they can unite to elect their preferred senator.



The Supreme Court has warned that it is intentional racial discrimination to destroy an effective crossover district like SD10, and federal courts blocked this precise effort to dismantle SD10's minority population in 2011, forcing the State to pay over \$1 million in plaintiffs' attorneys' fees.

Attached is a letter, with accompanying attachments, that was sent to Senator Huffman, Chair of the Redistricting Committee, following the preview of the proposed map highlighting my concerns with

the proposal.

I bring this information to your attention on behalf of my constituents whose voices would be silenced under the proposed redraw. Cracking apart minority voters and submerging them in districts featuring Anglo bloc voting against minority-preferred candidates violates the Constitution and the Voting Rights Act. This is unacceptable and a direct attack on the ability of my constituents to elect a candidate of their choice.

Best,

Beverly

EXHIBIT 3-H

From: [Joan Huffman](#)
To: [Beverly Powell](#)
Subject: Read: Regarding concerns with proposed redraw of SD10
Date: Saturday, September 18, 2021 9:30:45 AM
Importance: High

Your message

To: Joan Huffman

Subject: Regarding concerns with proposed redraw of SD10

Sent: Saturday, September 18, 2021 8:59:07 AM (UTC-06:00) Central Time (US & Canada)
was read on Saturday, September 18, 2021 9:30:44 AM (UTC-06:00) Central Time (US & Canada).

EXHIBIT 3-I

From: [Sean Opperman](#)
To: [Adrian Piloto](#); [Alexander Hammond](#); [Amy Lane](#); [Angus Lupton](#); [Anna Barnett](#); [Cari Christman](#); [Carrie Smith](#); [Chris Steinbach](#); [Cody Terry](#); [Dave Nelson](#); [Deisy Jaimes](#); [Drew Graham](#); [Garry Jones](#); [Johanna Kim](#); [Jorge Ramirez](#); [Josh Reyna](#); [Lajuana D. Barton](#); [Lara Wendler](#); [Luis Moreno](#); [Marc Salvato](#); [Margaret Wallace](#); [Matthew Dowling](#); [Pearl Cruz](#); [Peter Einhorn](#); [Randy Samuelson](#); [Robert Borja](#); [Ruben O'Bell](#); [Stacey Chamberlin](#); [Tara Clements](#); [Terry Franks](#)
Subject: Senate plan
Date: Saturday, September 18, 2021 1:19:29 PM
Importance: High

Senate Colleagues,

Senator Huffman just filed Senate Bill 4 (Statewide Senate proposed redistricting plan). The Senate central staff is now working to get the bill text online and TLC is working to publish the map on DistrictViewer. Both the map and bill text will soon be available online for public viewing. If you have any questions about TLC's DistrictViewer, please contact TLC. We are coordinating the final logistical details for hearings that will be held once the Legislature gavels in to special session. Those details will be shared with you and with the public as soon as they are available.

Senate: Plan S2101

DistrictViewer website: <https://dvr.capitol.texas.gov/>

Bill text: <https://capitol.texas.gov/>

Sean Opperman

Chief of Committee Operations

Chief Legal Counsel

Senate Special Committee on Redistricting

Senate Committee on Jurisprudence

Senator Joan Huffman, Chair

sean.opperman@senate.texas.gov

(512) 463-0493 (Redistricting)

(512) 463-0395 (Jurisprudence)

EXHIBIT 3-J

SENATOR JOAN HUFFMAN
CHAIR

SENATOR JUAN "CHUY" HINOJOSA
VICE CHAIR



POST OFFICE BOX 12068
AUSTIN, TX 78711
(512) 463-0493
FAX: (512) 463-0175

SENATE SPECIAL COMMITTEE ON REDISTRICTING

Hearing Agenda

Friday, September 24, 2021 10:00 a.m.
Senate Chamber

- I. Call to Order
- II. Roll Call
- III. Committee Business:

A. Bills to be Considered

SB 4 Huffman

Relating to the composition of districts for the election of members of the Texas Senate.

SB 7 Huffman

Relating to the composition of districts for the election of members of the State Board of Education.

IV. Invited Testimony:

1. Domingo Garcia, National President, League of United Latin American Citizens (LULAC)
2. Michael Li, Senior Counsel, Democracy Program - Brennan Center for Justice
3. Robert Notzon, Legal Redress Committee Chair, Texas National Association for the Advancement of Colored People (NAACP)
4. Kathryn Oler, President, League of Woman Voters - Corpus Christi Area
5. Nina Perales, Vice President of Litigation, Mexican American Legal Defense and Educational Fund, Inc. (MALDEF)

V. Public Testimony

VI. Recess

If submitting written testimony, please provide 20 copies to the committee clerk with your name and the bill number on each copy.

BRENNAN CENTER FOR JUSTICE

Testimony of

Michael C. Li

Senior Counsel

Brennan Center for Justice

At New York University School of Law

Meeting of

The Senate Select Committee on Redistricting

Austin, Texas

September 24, 2021

at 10:00 a.m.

SB 4 and SB 7

Chairwoman Huffman, Vice Chairman Hinojosa, and members of the Select Committee:

Thank you for the invitation to testify before the Senate Select Committee on Redistricting.

The Brennan Center for Justice at New York University School of Law is a nonpartisan public policy and legal institute that works to reform, revitalize, and defend our country's systems of democracy and justice. For more than two decades, the Brennan Center has built up a large body of nationally respected research and work on these issues, including in the fields of redistricting and election law. I am Senior Counsel in the Center's Democracy Program, where my work focuses on redistricting and the census.

My remarks today focus on North Texas, and, in particular, Tarrant County, because Plan S2101 raises a number red flags with respect to treatment of minority communities in the DFW Metroplex. However, the themes of my remarks are more broadly applicable to the state as a whole, particularly its urban and suburban areas, and to other maps in addition to state senate maps.



September 23, 2021

To: The Honorable Joan Huffman
P.O. Box 12068 Capitol Station
Austin, TX 78711

Re: Impacts of Senate District 10 Redistricting on Fort Worth, Texas Residents

Dear Chair Huffman,

As members of the Fort Worth City Council representing majority-minority districts, we write with grave concerns regarding the proposed Senate map which cracks Fort Worth's historic and growing minority communities and places our constituents within Senate districts where their votes will be diluted, and their voices stifled.

The City of Fort Worth is now the 13th largest city in the country and the fastest growing large city in America. The latest census data shows that Fort Worth is majority-minority, with only 37% of population identifying as Anglo. Together, Black, and Hispanic residents constitute nearly 500,000 of Fort Worth's 918,915 residents. Of Fort Worth's nine council seats, five are majority-minority where Black, Hispanic, and Asian American voters unite to elect a candidate of their choice. Majority-minority representatives now make up the majority of members on Fort Worth's City Council.

Under the proposed State Senate map, our constituents would be gravely harmed and unable to elect candidates of their choice to the Texas Senate. Currently, most of our constituents reside in Senate District 10. District 10 is a prime example of an effective coalition crossover district—our varying minority communities have proven their ability to unite to elect candidates of their choice.

In the last two election cycles, our constituents in Senate District 10 have resoundingly come together to elect Beverly Powell for Texas Senate and supported candidates in races from President to Attorney General to Sheriff. The proposed map intentionally and effectively eliminates this ability by fracturing minority neighborhoods and placing our constituents in two Anglo dominated districts. One of these districts is reconfigured District 10 where current minority voters are diluted by being added to predominately White rural Parker and Johnson counties. The other is reconfigured District 9 where minority voters of Fort Worth are fractured from District 10 and attached to Anglo dominated suburban communities.

The proposed plan removes over 79,000 people from the historic Hispanic community in the greater Northside area from Senate District 10 and places them in Anglo controlled Senate District 9. This Citizen Voting Age Population (CVAP) that is 63% Hispanic.

ELIZABETH M. BECK
CITY COUNCIL - DISTRICT 9

THE CITY OF FORT WORTH • 200 TEXAS STREET • FORT WORTH, TEXAS 76102
817-392-8809 • FAX 817-392-2409



Just east of downtown Fort Worth, the proposed map also removes 53,000 people from Senate District 10 along the urban Lancaster corridor which has a combined Black and Hispanic CVAP of 44.6 %. These residents are combined with predominately suburban Anglo SD9.

Finally, the proposed plan takes over 375,000 Fort Worth residents with a combined CVAP that is 55% Black and Hispanic and intentionally dilutes their vote by adding 328,192 people in Parker and Johnson Counties to SD10. These two counties alone have a combined CVAP that is 82.4% Anglo. The cracking of Fort Worth's African American and Hispanic populations is intentional and would have a discriminatory effect of the communities we are elected to serve.

We call on the committee and Chair to heed our concerns and, at a minimum, restore Senate District 10 to its current configuration. As it stands today, Senate District 10 allows our diverse constituents to unite and elect a candidate of their choice to represent our City's interests in Austin. Senate District 10 has a nearly ideal population and does not need to be changed. If the committee feels that changes must be made, Fort Worth's densely populated African American and Hispanic communities, such as the Como neighborhood, the greater Northside community, and the Lancaster corridor, which are currently drawn outside SD10 should be included in a newly drawn district.

Any attempt to dismantle majority-minority legislative districts in Fort Worth will be correctly seen as an attack on the communities we serve. The census has revealed that our city and county population growth is because of Hispanic, Black, Asian and other minority residents. This growth must be reflected in any map passed by the legislature. The current proposal falls far short of this requirement and would seriously harm the communities we proudly serve.

Respectfully,

Elizabeth M. Beck, District 9

Chris Nettles, District 8

Jared Williams, District 6

Gyna Bivens, District 5

Carlos Flores, District 2

CC: Members of Senate Redistricting Committee

ELIZABETH M. BECK
CITY COUNCIL - DISTRICT 9

THE CITY OF FORT WORTH • 200 TEXAS STREET • FORT WORTH, TEXAS 76102
817-392-8809 • FAX 817-392-2409

I am happy to follow up with the Committee with additional information, either on the subject of my testimony today or on other topics or to offer other help and assistance as may be beneficial in ensuring that Texas has a robust, inclusive, and transparent redistricting process.

The Need to Consider Race in Redistricting

Overview

This redistricting cycle, a number of states have publicly stated that they will not consider racial or ethnicity data when drawing maps. This approach is not tenable in a state as diverse and demographically complex as Texas.

Between 2010 and 2020, over 95 percent of Texas' population growth was attributable to communities of color, including people who reported two or more races on census forms. In Dallas County and Tarrant County, the percentage was even higher, with the Anglo population of both counties decreasing in both absolute and relative terms last decade.

Dallas County Demographic Change 2010-2020

	TOTAL POPULATION	ANGLO	BLACK	LATINO	ASIAN	MULTIRACIAL
2020 Population	2,613,539	724,987	564,741	1,057,835	181,314	66,754
Absolute Change 2010-2020	+245,400	-59,706	+46,009	+151,895	+63,517	+37,327
Group Share of County Population Growth 2010-2020	N/A	0%	19%	62%	26%	15%

Source: U.S. Census Bureau

Tarrant County Demographic Change 2010-2020

	TOTAL POPULATION	ANGLO	BLACK	LATINO	ASIAN	MULTIRACIAL
2020 Population	2,110,640	904,884	358,645	620,907	127,783	78,920
Absolute Change 2010-2020	+301,606	-32,251	+96,123	+137,930	+44,405	+48,364
Group Share of County Population Growth 2010-2020	N/A	0%	32%	46%	15%	16%

Source: U.S. Census Bureau

Much of the growth of communities of color last decade in Tarrant County was centered in the current Senate District 10. All told, the non-Anglo population of SD-10 increased last decade by 134,124 people, of whom 51 percent were Latino, 25 percent

were Black, and 11 percent were Asian. By contrast, the Anglo population of SD-10 fell by 22,893 people, a decrease of nearly 6 percent. Remarkably, almost half of the Latino population growth in Tarrant County was in SD-10, as was 36 percent of Tarrant County's Black population growth and 32 percent of its Asian population growth.

As currently configured, SD-10 is only 39.5 percent Anglo by total population and 53.9 percent Anglo by citizen voting age population estimates. In fact, estimates of the Anglo citizen voting age population may be overstated. Because CVAP estimates are calculated on a five-year rolling average, they tend to trail actual population, especially in fast-growing states like Texas. It is very likely, accordingly, that SD-10 is already majority non-Anglo both by total population *and* citizen voting age population.

Texas' Obligations

Given the growth of communities of color and their geographic concentration, Texas has an obligation to conduct a searching and nuanced analysis to ascertain and fully understand the extent of minority power before adopting a new plan.

Under Section 2 of the Voting Rights Act, Texas has a legal obligation to avoid drawing district lines in a way that dilutes the votes of minority voters and prevents them from electing preferred candidates.¹ Whether liability exists under Section 2 is not a simple back-of-the-envelope calculation. Rather, the U.S. Supreme Court has said that the inquiry is "intensely local," "fact-intensive," and "functional" in nature.² In diverse multi-racial, multi-ethnic regions such as North Texas, among the matters that must be investigated is whether two or more minority groups in a region are politically cohesive and could together form the majority of a district.³ It is imperative that the state not only conduct this analysis but that it do so in a transparent fashion, making its analysis publicly available before any vote on a map.

But Texas' obligations do not end with creating Section 2 districts under the Voting Rights Act. Like all states, Texas has a constitutional obligation to avoid intentional discrimination against racial and ethnic minorities. The Supreme Court has made clear that liability for intentional discrimination can exist even where no liability exists under Section 2 of the Voting Rights Act, explaining that "if there were a showing that a State intentionally drew district lines in order to destroy otherwise effective crossover districts, that would raise serious concerns under both the Fourteenth and Fifteenth Amendments."⁴ Likewise, the Supreme Court has held that the "undermin[ing

¹ *Thornburg v. Gingles*, 478 U.S. 30 (1986).

² *Id.* at 62-63, 79.

³ *Campos v. City of Baytown*, 840 F.2d 1240, 1244 (5th Cir. 1988).

⁴ *Bartlett v. Strickland*, 556 U.S. 1, 24 (2009) (Kennedy, J.) (plurality opinion).

of] the progress of a racial group that has been subject to significant voting-related discrimination and that was becoming increasingly politically active and cohesive” can “bear[] the mark of intentional discrimination that could give rise to an equal protection violation.”⁵

In gauging whether there is discriminatory intent, a state’s awareness that a state’s action bears “more heavily on one race than another” is a key factor that courts will consider.⁶ As the Supreme Court has explained, “Adherence to a particular policy or practice, with full knowledge of the predictable effects of such adherence . . . is one factor among many others which may be considered by a court” in evaluating whether a state’s motive is discriminatory.⁷ Drawing maps without racial or ethnicity data will not insulate a state from liability if a state becomes aware of the disparate impact or if a state ignores its obligation to carefully consider whether it is diluting minority voting power.

Red Flags

The proposed state senate map under consideration by the Select Committee (Plan S2101) raises a number of flags regarding the treatment of communities of color, particularly with regard to changes made to the benchmark configuration of SD-10. These changes suggest that Texas has not yet done the careful analysis required by both the Voting Rights Act and the Constitution.

To start, Plan S2101 makes wholesale changes to SD-10 despite the fact that there is no legal reason to do so. Although SD-10 became much more demographically diverse last decade, the overall population of the district reported by the census (945,496) is not far from the target population for Texas Senate districts (940,178). In fact, the exceedingly small population deviation of just 5,318 people (or 0.57 percent) is well within the ten percent top-to-bottom deviation generally permitted under case law for legislative districts.⁸ In other words, if Texas wanted, it could leave SD-10 exactly as it is or make at most nominal changes. Instead, Plan S2101 removes over a third of the population from the district and, in the process, significantly fractures minority communities.

Altogether, Plan S2101 would remove 317,966 people in Tarrant County from SD-10 and replace them with 328,149 people from Johnson County and Parker County.

⁵ *League of United Latin American Citizens v. Perry*, 548 U.S. 399, 439-40 (2006) (discussing Texas’ dismantling the 23rd Congressional District in 2003 in response to increased Latino political effectiveness).

⁶ *U.S. v. Brown*, 561 F.3d 420, 433 (5th Cir. 2009).

⁷ *Columbus Bd. of Educ. v. Penick*, 443 U.S. 449, 464-65 (1979).

⁸ *Brown v. Thomson*, 462 U.S. 835, 842-43 (1983) (population deviations within a 10 percent top-to-bottom threshold are presumptively constitutional).

Of the people added to the district from Johnson County and Parker County, 72 percent are Anglo. By contrast, 55 percent of the Tarrant County people removed from the district are non-Anglo. Overall, Plan S2101 would remove 34 percent of the current SD-10's Latino population, 23 percent of its Black population, and 46 percent of its Asian population.

Minority neighborhoods that Plan S2101 would move from SD-10 to SD-9 include the North Side of Fort Worth, which is heavily Latino, and the Central Meadowbrook neighborhood, which is two-thirds Latino and Black. These neighborhoods are kept together with other heavily Latino and Black neighborhoods in a variety of other plans, including the benchmark congressional plan (Plan C2100) and both the benchmark State Board of Education plan (Plan E2100) and the state's proposed State Board of Education plan (Plan E2103).

It is noteworthy in this regard that the changes to SD-10 proposed by Plan S2101 in many ways mirror attempted changes to the district last decade that were found to be intentionally discriminatory by a three-judge panel in an action brought by Texas to obtain preclearance to use the plan. In denying preclearance, the panel held that "there is little question that dismantling SD 10 had a disparate impact on racial minority groups in the district . . . by submerging their votes within neighboring and predominately Anglo districts."⁹ Even some of the same neighborhoods are involved. In the decade since, SD-10 has only gotten more non-Anglo. This should be a major red flag for this body as it proceeds.

The result of the surgical redrawing of SD-10 is a significant cracking of communities of color. While nearly half of Tarrant County's Latino population is in the benchmark SD-10, only 32 percent would be under Plan S2101. The percentage of the county's Black population in SD-10 would similarly fall from 57 percent to 43 percent, while the share of Tarrant County Asians in the district would go from 42 percent to just 22 percent. Similar changes take place when the district is viewed from the standpoint of citizen voting age population.

A Note on Partisan Gerrymandering

The redistricting process in Texas is a partisan one, and there could be a temptation for lawmakers to try to use politics to justify line drawing choices, particularly in light of the Supreme Court's decision in *Rucho v. Common Cause* holding that partisan

⁹ Texas v. U.S., 887 F.Supp.2d 133, 163 (D.D.C. 2012), vacated and remanded, Texas v. U.S., 133 S.Ct. 2885 (2013).

gerrymandering claims are non-justiciable political questions under the U.S. Constitution.¹⁰

However, Texas is among the most demographically diverse states in the country, and voting patterns in Texas are more politically polarized along racial and ethnic lines than in many states. This means that targeting voters because of partisanship will inevitably have a significant racial and ethnic valence. Although the Supreme Court has held that federal courts may not step in to police partisan gerrymandering, the use of race or ethnicity as a proxy for partisanship remains constitutionally suspect under the Supreme Court's racial gerrymandering line of cases and could subject the state to liability for racial, rather than partisan, gerrymandering.

Notably, unlike claims rooted in racial animus, the Supreme Court's racial gerrymandering jurisprudence does not require proof of discriminatory intent. Rather, the legal inquiry is whether race predominated in the drawing of district boundaries. The Supreme Court has made clear that a state's motive is irrelevant to this inquiry. Rather, strict scrutiny review is triggered whenever:

[L]egislators have 'place[d] a significant number of voters within or without' a district predominately because of their race, regardless of their ultimate objective in taking that step In other words, the sorting of voters on the grounds of their race remains suspect even if race is meant to function as a proxy for other (including political) characteristics.¹¹

This limitation is significant. Historically, in Texas, the engineering of partisan advantage for either Democrats or Republicans has relied heavily on underrepresenting communities of color in order to shore up electoral opportunities for white candidates of whatever party is in charge at the time. Indeed, given the high level of racially polarized voting in the state, it is difficult to successfully gerrymander in Texas without at least some targeting of racial and ethnic minorities.

The 2011 congressional map passed by the Texas Legislature, for example, had some of the highest rates of partisan bias of any congressional map this decade. However, the partisan bias was largely a product of the failure to preserve a Latino ability to elect district in West Texas and the failure to create additional electoral opportunities for Latinos in North Texas.¹² When a court subsequently modified the map to address the

¹⁰ *Rucho v. Common Cause*, 139 S.Ct. 2484 (2019).

¹¹ *Cooper v. Harris*, 137 S.Ct. 1455, 1473-4 n.7 (2017) (emphasis added).

¹² Laura Royden, Michael Li, and Yuriy Rudensky, *Extreme Gerrymandering and the 2018 Midterm*, Brennan Center for Justice, 2018, https://www.brennancenter.org/sites/default/files/2019-08/Report_Extreme_Gerrymandering_Midterm_2018.pdf.

treatment of minority communities, the map's bias fell significantly.¹³ Maps proposed by Latino groups that were not adopted would have reduced the bias even further.¹⁴

Conclusion

Texas has struggled for more than five decades to draw maps that treat its communities of color fairly. This was the case when Democrats were in control of map drawing, and, unfortunately, it has remained the case in the two decades since Republicans have been in control of the process. But after a decade in which communities of color powered the state's growth to an unprecedented extent, it is more important than ever to work to get it right.

At the nation's founding, John Adams wrote that legislative bodies should be an "exact portrait, a miniature" of the people as a whole. The idea was simple. Decisions should be made by legislative bodies that resemble the people being represented. Unfortunately, redistricting is too often used by map drawers to do the exact opposite – to exclude rather than include.

Plan S2101 contains worrying hints that communities of color will once again see their political power undermined. I urge this body to pause and look more closely at the maps, both because it will help the state avoid protracted litigation and legal liability and because it is what Texans deserve.

¹³ *Id.*

¹⁴ *Id.*



Invited Testimony of Nina Perales on Senate Redistricting Bills 4 and 7

The Senate Select Committee on Redistricting

Friday, September 24, 2021

Good morning. My name is Nina Perales. I am the Vice President of Litigation for MALDEF, the Mexican American Legal Defense and Educational Fund. MALDEF is a national civil rights organization that conducts community education, policy advocacy and, where necessary, litigation. MALDEF has a long history as a leader in the area of redistricting, particularly in Texas. Beginning with the first Texas redistricting after MALDEF's founding in 1968, MALDEF has worked throughout the state to inform Latinos about the redistricting process, assist them in creating and advocating for fair maps, educate redistricting officials about their legal obligations towards Latinos, and represent Latinos in the litigation that has been a regular feature of redistricting in Texas.

MALDEF is also counsel for the Texas Latino Redistricting Task Force¹, a group of organizations united in the desire to achieve equitable redistricting plans for Texas.

My testimony today is intended to assist the Committee in adopting redistricting maps that comply with the federal Voting Rights Act and the U.S. Constitution.

Latinos were the engine of the population growth in Texas from 2010 to 2020

The recently released 2020 Census data reveals that Latinos were the engine of population growth in Texas. From 2010 to 2020, Texas population increased by close to 4 million people

¹ As of September 24, 2021, the Texas Latino Redistricting Task Force consists of the following members: Southwest Voter Registration Education Project (SVREP), League of United Latin American Citizens (LULAC), La Union Del Pueblo Entero (LUPE), Texas Hispanics Organized for Political Education (HOPE), Mi Familia Vota, American GI Forum of Texas, Mexican American Bar Association (MABA) of Texas, National Organization of Mexican American Rights (NOMAR), William C. Velasquez Institute (WCVI), FIEL Houston, Voto Latino, JOLT Initiative, Texas Association of Mexican American Chambers of Commerce (TAMACC), Community Re-investing in Educational Opportunities (CREO) of West Texas, Unidos US, United We Dream, Southwest Workers Union, Texas Association of Latino Administrators and Superintendents (TALAS), Laredo Immigrant Alliance, ARISE Support Center, Proyecto Azteca, Proyecto Juan Diego, Reform Immigration for Texas Alliance (RITA) Coalition.

(3,999,994). About half of that increase (49.5%) was Latino. This demographic trend has been the same for the past three decades.

While the Latino population in Texas increased by almost 2 million (1,980,796) over the past decade, the Anglo population, which is the slowest growing demographic, increased by less than 200,000. The increase in Anglo population contributed to only 5% of Texas population growth.²

The Texas Demographic Center estimates that by next year the Latino population in Texas will be larger than the Anglo population.³ Latinos are now the largest ethnic group in three of Texas's most populous counties: Harris, Dallas and Bexar.

The Latino population in Harris county grew by 363,169 over the last decade, and in Dallas and Tarrant counties it increased by 289,825. The Rio Grande Valley Latino population grew by 121,091 since the 2010 Census.

Latinos are also the most significant component of Texas's expanding electorate. Among those turning 18 in Texas last year, just under half were Latino. In 2018, Texas Latinos increased their vote share by about five percentage points – from 14.4% to 19.1% of all votes cast (compared to 2014 midterm election).

The 2020 U.S. Census undercounted Latino communities in Texas

During the spring and summer of 2020, many local organizations reported that 2020 Census operations were undercounting Texas Latinos. Although trusted organizations such as The Pew Research Center projected that Texas would gain three congressional seats in the 2020 apportionment, Texas only gained two. These are not the only signs of an undercount in the 2020 Census.

The most recent U.S. Census American Community Survey (ACS) provided an estimate of the Texas population in 2019. Because the ACS estimate is based on a survey taken from 2015-2019, the ACS estimate "lags" behind the 2020 U.S. Census. Where the Latino population is growing in Texas, the 2020 U.S. Census numbers should be higher than the ACS estimate, but in many places the opposite is true.

Two-thirds of the South Texas counties have a 2020 Census count **below** the 2015-2019 ACS estimate. Similarly, eight of the 14 counties in Texas that touch the U.S. Mexico border have a population **below** the 2015-2019 ACS. In contrast, of the top 15 counties with 2020 Census counts **higher** than the ACS estimate, none were majority Latino.

The Proposed Senate Map S2108 Fails to Reflect Latino Population Growth

² Of total population growth in Texas from 2010 to 2020, 15% was Asian American, 14% was Black, 17% was non-Hispanic other race (including people who indicated multiple races).

³ Texas Demographic Center, Texas Population Projections Program, available at <https://demographics.texas.gov/Data/TPEPP/Projections/>

The proposed Senate districts in South Texas do not adequately reflect Latino voting strength. Proposed Senate District 19 sees a decrease in its Latino voter registration from 54.6% to 49.9%.

This reduction is not accompanied by increased Latino opportunity elsewhere in the region, such as in the creation of a new Latino opportunity Senate district.

Proposed Senate District 19 is also extremely non-compact without an apparent justification.

The Proposed State Board of Education Map Fails to Reflect Latino Population Growth Even as Measured by the 2020 U.S. Census

Similar to the proposed Senate map, MALDEF has several concerns with the proposed State Board of Education (SBOE) map. District 3 in the proposed map reduces Latino voting strength. It decreases the Spanish Surname Voter Registration from 60.2% to 49.7% and the Spanish Surname Voter Turnout for the 2020 General Election drops from 56% to 44.5%. The proposed District 3 also decreases the vote share of Latino candidates by an average of seven percentage points. For example, the vote share for Lupe Valdez in the 2018 Governor's race drops from 57.4% to only 50.8%.

The proposed SBOE map weakens District 3 by removing Latino-majority precincts in Hidalgo County and replacing those areas with north and northwest precincts of Bexar County, where Latinos are not as numerous. This proposed district also adds the entire counties of DeWitt and Goliad where the populations are predominantly Anglo.

Latinos and other people of color have led the effort for fair redistricting maps in Texas and will continue to do so in 2021

From MALDEF's first U.S. Supreme Court victory in Texas redistricting, in *White v. Regester* (1973), through our more recent U.S. Supreme Court victories in 2006 in *LULAC v. Perry* (2006) and 2018 in *Abbott v. Perez* (2018), MALDEF's litigation has increased Latino-majority electoral districts in statewide redistricting plans. We know Texas redistricting well and offer you a deep perspective on the mistakes of the past.

In every redistricting cycle since the 1970's Texas redistricting plans have been found to have discriminated against Latino voters by either a federal court or the U.S. Department of Justice. In Texas, the addition of new Latino opportunity districts to statewide redistricting plans often happens as the result of litigation when it should happen during the legislative process.

In the most recent redistricting cycle, the Texas Latino Redistricting Task Force secured federal court rulings that the Texas Legislature intentionally racially gerrymandered congressional districts in South Texas and the DFW Metroplex, and racially gerrymandered and/or intentionally diluted the voting strength of Latinos in State House districts in El Paso and San Antonio. In this most recent Texas redistricting cycle, the Texas Mexican American Legislative Caucus, sometimes in combination with the Texas NAACP, won rulings that the Texas Legislature

intentionally diluted minority voting strength in Bexar County, Nueces County, the Rio Grande Valley, Harris County, the DFW Metroplex and Bell County.

The 2011 redistricting litigation continues today, and the court is about to take up multi-million dollar petitions for attorney's fees and costs from the prevailing plaintiffs, including the Texas Latino Redistricting Task Force.

Texas redistricting battles have always been led and won by voters and organizations of color. These groups and others representing minority voters are prepared to advocate for and secure fair maps in the 2021 redistricting cycle.

MALDEF has three recommendations:

1) THE NEW REDISTRICTING PLANS SHOULD FAIRLY REFLECT LATINO POPULATION GROWTH

Latinos in Texas must have an equal opportunity to elect their candidate of choice. This is a requirement of federal law. As a result, the new redistricting plans that the Legislature draws must fairly reflect Latino population and voting strength.

Maintaining the same amount of Latino electoral opportunity in any of 3 statewide redistricting plans -- congressional, senate or state house -- is not an option under the Voting Rights Act. Such an approach will cause Latinos to lose ground when compared to the rapidly shifting demographics of the state.

2) THE REDISTRICTING PROCESS SHOULD BE OPEN AND TRANSPARENT

MALDEF urges the committee to continue to hold additional hearings after making redistricting bills public and after receiving House redistricting bills so that the public has an opportunity to comment on proposed maps. Similarly, the committee should hold hearings on any committee substitutes so that the plans that ultimately move forward out of committee receive public analysis and comment. All hearings should provide sufficient notice to allow public participation and permit virtual testimony.

3) REDISTRICTING PLANS SHOULD AVOID THE MISTAKES OF THE PAST

In order to avoid having redistricting plans struck down in court, and burdening Texas taxpayers with paying attorney's fees, this committee and the Legislature as a whole must perform a careful analysis of what the federal Voting Rights Act and the U.S. Constitution require. This is not difficult, and the Texas Latino Redistricting Task Force, along with other witnesses in the last redistricting cycle advised the Legislature to draw redistricting plans that complied with federal requirements. However, the Legislature went in a different direction, often elevating incumbency protection concerns, which by law must yield to federal requirements in redistricting. Because of this approach, as well as other departures from legal requirements, federal courts in Washington D.C. and in Texas concluded that the Legislature's 2011 and 2013 redistricting plans were illegal. We urge this committee not to repeat the mistakes of the past.

MALDEF looks forward to the opportunity to continue to review and comment on the committee's proposed redistricting plans. Thank you for the opportunity to testify before the committee today, and I am available to answer any questions you may have.

To the Chair, Vice Chair and distinguished Committee Members—

I am Pam Durham and testified virtually before this Committee on September 11 before the maps were released this week and amended a little more than 36 hours ago. I have prepared written testimony which includes details. So, today I will summarize my concerns and let you know that I am not in favor of SB 4 or the newly minted amendment.

I am thunderstruck by these proposed maps. I listened to all the public testimony of the committee's previous hearing 2 weeks ago and yesterday. I just don't understand how these maps could be presented when the majority of the public testimony directed this committee to protect minority coalition interests, to adhere to the Voting Rights Act, and to protect our communities of interest with compact Districts.

I have lived in the inner city historic neighborhoods of the South Side of Fort Worth and SD 10 for 37 years. I also own two homes with my brothers in Tarrant County. One is in North Richland Hills where we grew up and graduated from Richland High School. The second home is on Lake Worth that has been in our family for nearly 75 years.

My great-grandparents, grandparents, and parents raised their families in the inner city, historic neighborhoods on the North Side and the South Side of Fort Worth. My mother graduated from North Side High and my father graduated from Paschal, the original high school of Ft Worth. Yet, when they started their family they moved to the newly formed suburbs of Richland and North Richland Hills as part of the early "white flight" to avoid integration of the Fort Worth public schools. When I was a Richland Rebel there were less than a dozen students of color in my class of 500. While the demographics have changed over the decades, Richland did not give up its Rebel mascot until this last year. Senator Hancock knows this history as well as I as he graduated with my brothers from Richland, raised his family in North Richland Hills and served on the School Board of Birdville ISD that includes Richland, Haltom and now Birdville High.

All of this to say, my inner city roots where I raised my son, do not have a common interest with the suburban neighborhoods that are primarily outside of Loop 820. Our issues are not the same and deserve representation that is familiar with the distinctions of urban vs suburban.

But, these proposed maps turns our historic inner city neighborhoods that are now majority minority communities into lonely voices in rural counties or insignificant voices in suburban city/school districts.

As you have been told many times yesterday and today, SD 10 is a minority coalition opportunity district that was court-ordered in 2011 when it was first attempted to be dismantled. The only thing that has changed is that 100% of the growth of Tarrant County has been driven by the non-Anglo population and has moved Tarrant County to a Minority Majority County in 2020 from an Anglo majority County in 2010. As you have also been told, the current SD 10 is near perfect ideal population and there is no need to change its District boundaries.

However, as I have told you before my ideal District stays within county boundaries, is compact, and protects historic neighborhoods and communities of interest, I have drawn an alternative map for Tarrant County that is included in my submitted written testimony.

Tarrant County has population that entitles it to 2.25 Senate Districts. Natural residential segregation allows for almost identical population for SD 10 and 9 that preserves and protects the Minority Coalition of SD 10 and protects the SD 9 suburban, primarily outside the Loop, Anglo Majority. Looking at the map, SD 9 takes in the northern portion of SD 10 that is north of

Senate Redistricting Committee Oral Testimony

9/25/21

I 30 as well as taking in the western branch of SD 12. SD 9 would cover primarily outside the loop up to the Denton County border and all of the western border with Parker County.

SD 10 would take in the Tarrant County portion of SD 22 which adds Minority Coalition population and extends its border southeast to the Dallas County border and stopping at the Johnson County line.

The eastern arm of Tarrant County SD 12 in this map configuration includes Grapevine, Colleyville, and Euless that border on DFW airport. This small portion of NE Tarrant County would combine naturally either with Irving and Coppell in Dallas County encircling DFW airport or with southern suburban Denton County with Flower Mound and Lewisville close to its SD 12 Denton County boundaries.

Thus, Tarrant County would have 2 wholly contained fair and equal SDs of equal population that is approximately 5.1-5.4% deviation from the ideal population. One, a definitive Minority Coalition Majority District and one, an Anglo Majority District.

Fair and legal redistricting of Tarrant County without wasting millions of dollars on litigation. Let's reset our compass to serving the voters instead of self interest. Don't discriminate in the Lone Star State. Service over Self.

Thank you for listening.

Pam Durham
2320 Lipscomb St
Fort Worth TX 76110
817-881-1011

To the Texas Senate Redistricting Committee (Written Testimony) September 25, 2021

Thank you to the Chair and the Senate Redistricting Committee for this opportunity to hear our concerns on the maps presented this week.

My name is Pam Durham. I am Precinct Chair for Tarrant County Precinct 1062 in the Ryan Place Neighborhood on the near SouthSide of Fort Worth and have served on the Tarrant County Elections Board as well as election judge, assistant election judge, and poll worker. I am representing myself.

For some background about me, I am a fourth generation Fort Worth Texan who grew up in North Richland Hills before leaving for college in Lubbock. After working in Child Protective Services in West Texas for 7 years I returned to the metroplex to live in Johnson County for 7 years before moving to the inner city of the South Side of Fort Worth for the last 37 years.

I currently live on the border of the National Historic Fairmount Neighborhood and Ryan Place. These two neighborhoods with historic significance in Ft Worth development and now redevelopment and revitalization have in common issues of affordable housing, transportation and aged infrastructure as pressing needs. It is a diverse area spanning the full spectrum of social and economic factors. Wendy Davis was my City Council representative before she became my Senator in Senate District 10. I also own homes with my brothers in North Richland Hills where we grew up and on Lake Worth, a home that has been in our family for nearly 75 years.

I am also the Chair of Trustee Board and Treasurer of a fraternal organization known as SPJST Lodge 92 Fort Worth/National Hall that was formed in 1910 in Niles City by my maternal great grandparents who had immigrated from Prague two years before. My mother attended North Side High School as did the majority of the Czech and Eastern European community that made up our Lodge. Lodge 92 is not for profit organization, 501 C 8, formed for the education of Czech culture.

My father lived in Fort Worth on the South Side and attended Paschal High School and eventually graduated from TCU which he attended on the GI bill.

My parents, grandparents, and great parents were all historic Fort Worth natives. Yet, when my parents started their family, they moved to the newly established suburbs to avoid integration of the Fort Worth public schools. They were part of the original "white flight" to the new suburban small towns and I graduated from Richland High School home of the Richland Rebels which only changed its mascot this last school year. The same school that Senator Hancock graduated and was on the School Board for Birdville ISD for several years. He and my brothers attended Richland at the same time.

All this to say that I am very familiar Tarrant County and its history as well as Senate District 9, 10 and 12.

My diverse background leads me to believe in preserving county lines for compactness as well as preserving school districts and historic neighborhoods as communities of interest.

To the Texas Senate Redistricting Committee (Written Testimony) September 25, 2021

Fair and equitable representation in our respective communities is the order of the day in these 3rd generation of 21st century maps. . Fairness, simplicity and focus should prevail in the drawing of Congressional and Senate District boundaries in Tarrant County, North Texas as well as all of Texas. Stop the gerrymandering for political interests and put the people of this great state first by:

1. Keeping historical neighborhoods and High school districts as well as colleges together as communities of interest.
2. Keeping Congressional and Senate Districts whole within their county and/or city. If population requirements demand that counties or cities share boundaries, then, those shared districts should be with similar type such urban, suburban, rural.
3. Making the most compact district first by population and then, community of interest.
4. And, foremost following the Voting Rights Act and allow our fastest growing populations in the minority coalition communities to be given priority to allow representation as one voice. No more cracking and packing for political interests. Don't discriminate in the Lone Star State.

I have spent considerable time looking at Texas district maps and drawing my concept of ideal Congressional, Senate, and House Districts within Tarrant County, North Texas and the entire state. I have provided written testimony that has maps of the Tarrant County Senate Districts that I have drawn in Red Apple as examples of following the principles I just outlined. I will present statewide maps in writing to the Committee members next week as soon as possible. Today I will share some highlights of the Tarrant Senate Districts that I have come up with.

Population math calculations entitle Tarrant County to 2.25 Senate Districts. Currently, SD 10 is the only SD dedicated to Tarrant County. Even with the population growth, SD 10 matches the population requirements within a few thousand voters. For all practical purposes, there is no need to change the boundaries of SD 10. The remainder of Tarrant County is currently parceled into 3 other districts that join our populations with suburban areas in Denton County, urban areas in Dallas County and suburban areas with rural counties that extend beyond Waco.

The proposed Tarrant County maps as amended 36 hours ago is parceled into 5 SDs which combine our urban neighborhoods with suburban or rural counties and towns diluting our interests as urban centers. SD 10 has been shifted out of Tarrant County to make southern urban Fort Worth combined with 8 rural counties that do not share any common interests. And, further the current proposed amendment changes the minority opportunity district that is now SD 10 into a rural majority district of Anglos. The minority coalition of the present SD 10 is divided into 2 different SDs silencing the coalitions opportunity to choose a Senator of their choice.

Although there is no need to change SD 10, I have prepared a map that would give Tarrant two wholly contained SDs with a small portion reserved to combine with either Denton County or Dallas County. These districts would be compact, maintain communities of interest, preserve historic neighborhoods and school districts and let natural residential segregation give all the population of these two districts to choose the Senator of their choice.

In my map, SD 10 would lose the northern portion of its boundary down to I30. The portion now assigned to SD 22 would be absorbed into SD 10. By making these changes SD 10 becomes a definitive minority coalition SD.

SD 9 would take in the north of I30 portion of SD 10. Plus SD 9 would extend to the western boundary of Tarrant County and take in the western arm of SD 12 and extend further south to include the entire western border of Tarrant County.

To the Texas Senate Redistricting Committee (Written Testimony) September 25, 2021

SD 12's eastern arm in Tarrant County would include Grapevine, Colleyville, and Euless. These three cities could combine well with Irving and Coppell in Dallas County or with Flower Mound and Lewisville in Denton County to complete a full SD on the eastern or northern border with similar communities of interest and population demographics.

The incumbent and the east /west portion was divided into 3 other contiguous districts with similar communities of interest and historic neighborhoods and cities. By pulling in the majority of the southern portion of Tarrant County into SD 10 eliminating SD 22 in Tarrant and creating a minority coalition district. SD 9 would primarily be the northern portion of Tarrant County,

By focusing on population within contiguous, compact districts of communities of interest, my version of two wholly contained Tarrant County Senate districts more resembles the 2020 Census population that has moved from Majority Anglo in 2010 to Majority Minority in 2020. SD 10 would be the Minority Coalition Majority District and SD 9 the Anglo majority District. It also consolidates suburban cities and school districts as well as historic inner city neighborhoods and school districts with like-minded Senators so they can speak with one voice for their common interests.

The first priority of this Committee, in my opinion, is to stop the partisan redistricting, also known as gerrymandering, so that the citizens/voters can choose their representatives rather than the representatives choosing their constituents. Of course, the utmost concern is to follow the Voting Rights Act in making fair maps that allow people to choose their representatives whether they are in the majority or minority.

I also ask that that the process of redistricting be transparent and open to public input. These public hearings are a great start. Most importantly the public needs hearings and presentation of recommended maps prior to the amended maps moving out of committee with at least 2 weeks to review and comment again publicly.

It is time for Texas to respect its people and their needs. And, that kind of respect means taking discriminatory partisanship out of the process. This last decade millions of unnecessary dollars and resources were spent to defend illegal maps with regard to the Voting Rights Act. Tarrant County was front and center in these legal battles and is one of the most gerrymandered counties in the state.

This time—in 2021 — let us all, legislature and public, work together to draw fair and legal maps that will not require litigation.

First and foremost, follow the Voting Rights Act, maintain county line boundaries along with school district and neighborhood integrity. We, the people of Texas deserve no less and require our representatives to work together meet OUR needs, rather than the partisan needs of political groups and individual representatives.

Thank you for your time.

Sincerely,

Pam Durham
2320 Lipscomb St
Fort Worth, Texas 76110
817-881-1011

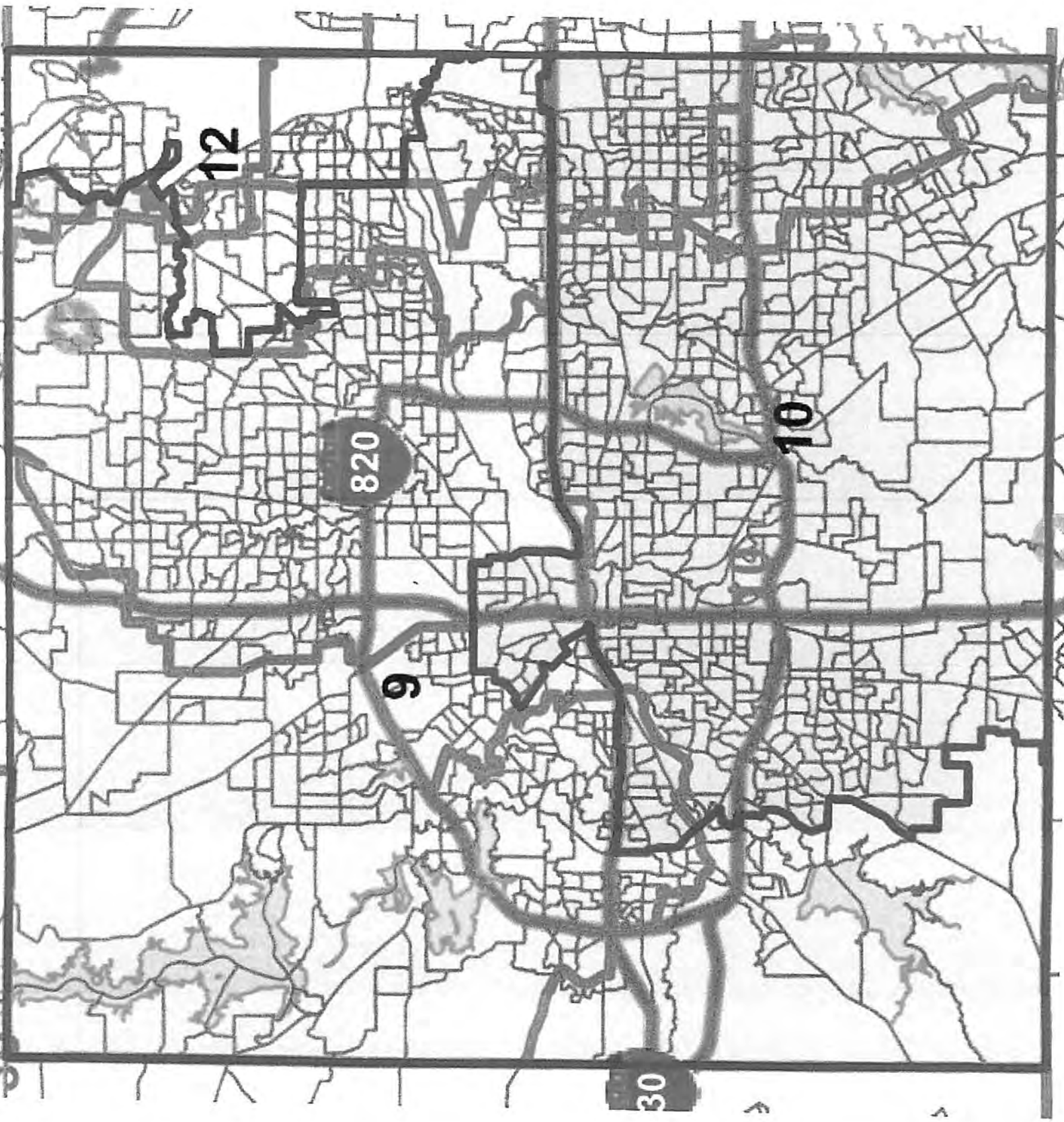


EXHIBIT 3-K

Part 1

From: applications.administrator@capitol.local
To: [Senate Redistricting](#)
Subject: INETMAIL: Redistricting Public Input
Date: Thursday, September 30, 2021 11:49:27 AM
Attachments: [9_16 Sen Powell to Sen Huffman Letter and Attachments.pdf](#)

Date: 2021-09-30
First Name: Beverly
Last Name: Powell
Title: State Senator, District 10
Organization: Self
Address: [REDACTED]
City: Burleson
State: TX
Zipcode: [REDACTED]
Phone: [REDACTED]

Affirm public info: I agree

Regarding: Senate

Message:
See attached for letter and mentioned attachments.

[REDACTED]

COMMITTEE ON EDUCATION
COMMITTEE ON HEALTH AND HUMAN SERVICES
COMMITTEE ON STATE AFFAIRS
COMMITTEE ON WATER, AGRICULTURE & RURAL AFFAIRS



SENATOR BEVERLY POWELL
DISTRICT 10

September, 16 2021

State Senator Joan Huffman
Chair, Senate Special Committee on Redistricting
P.O. Box 12068, Capitol Station
Austin, TX 78711
VIA EMAIL

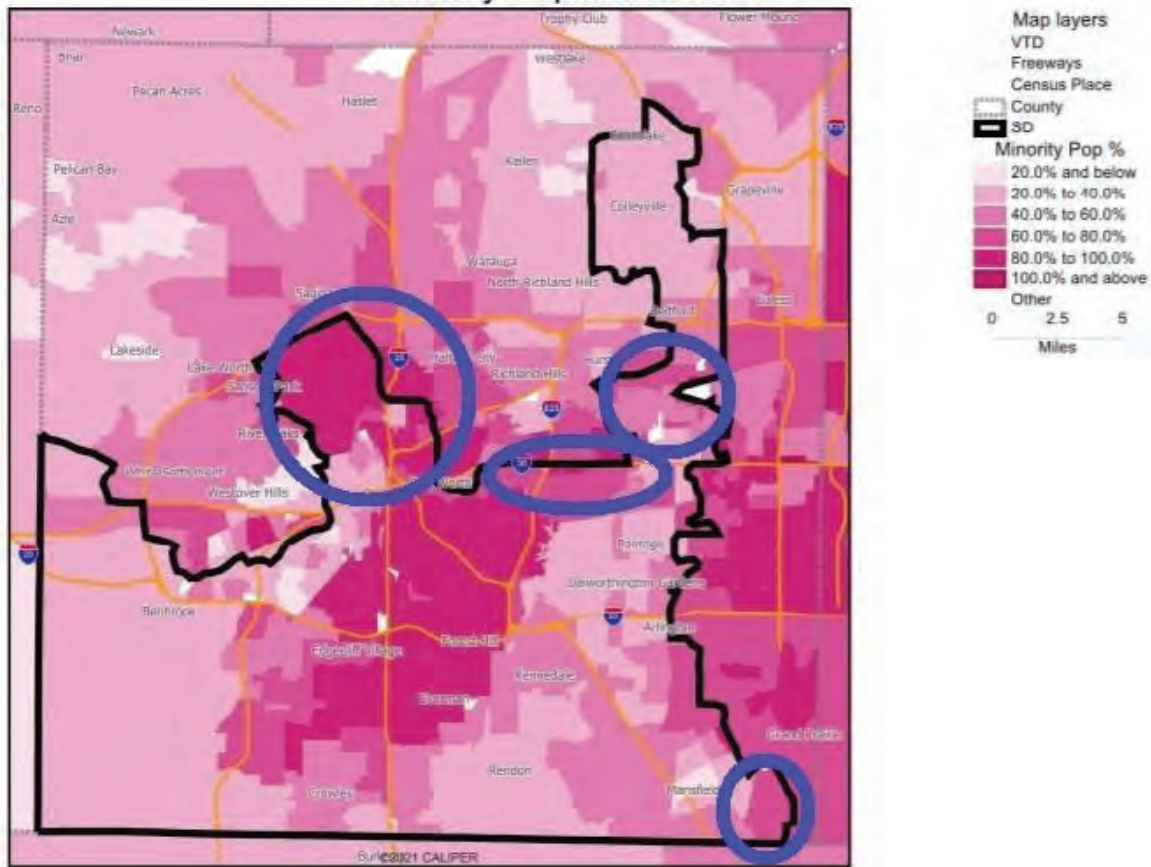
Dear Senator Huffman:

At our September 14, 2021 meeting, I provided you with information that confirmed what you already knew (and what public testimony to the Committee had already highlighted)—SD10 is a performing coalition and crossover district in which Black and Hispanic voters (and other minorities) have succeeded in electing their preferred candidates. I have attached electronic copies of the information that I provided you in hard copy: (1) maps showing the location of minority voters within SD10 and showing how they have succeeded electorally, and (2) a copy of the 2012 federal court decision ruling that the Legislature's prior effort to dismantle SD10 in 2011 was unlawful intentional discrimination against minority voters. I have also attached to this letter (1) a fact sheet explaining SD10's status as a performing coalition and crossover district for minority voters and (2) information from the Texas Legislative Council about the demographic makeup of SD10.

Although you did not provide me a copy of the Committee's draft proposed plan (please do so immediately upon receipt of this letter), the plan you displayed on the computer screen during our meeting cracks Black and Latino communities apart and would destroy SD10's status as an effective coalition and crossover district for minority voters.

Based on my recollection of the map you displayed during the meeting, I have highlighted below several legal deficiencies with the proposed plan. The map below shows, in blue circles, the concentrations of minority voters that you apparently propose to cleave from SD10, splitting SD10's minority voters apart and submerging them into separate districts dominated by white bloc voting against minority-preferred candidates. I cannot be certain of the exact figures, because I have not been provided a copy of the proposed plan and must instead rely upon my recollection from our meeting, but the areas shown in blue circles include nearly 190,000 voters with a CVAP of about 41% Anglo, 33% Latino, and 23% Black.

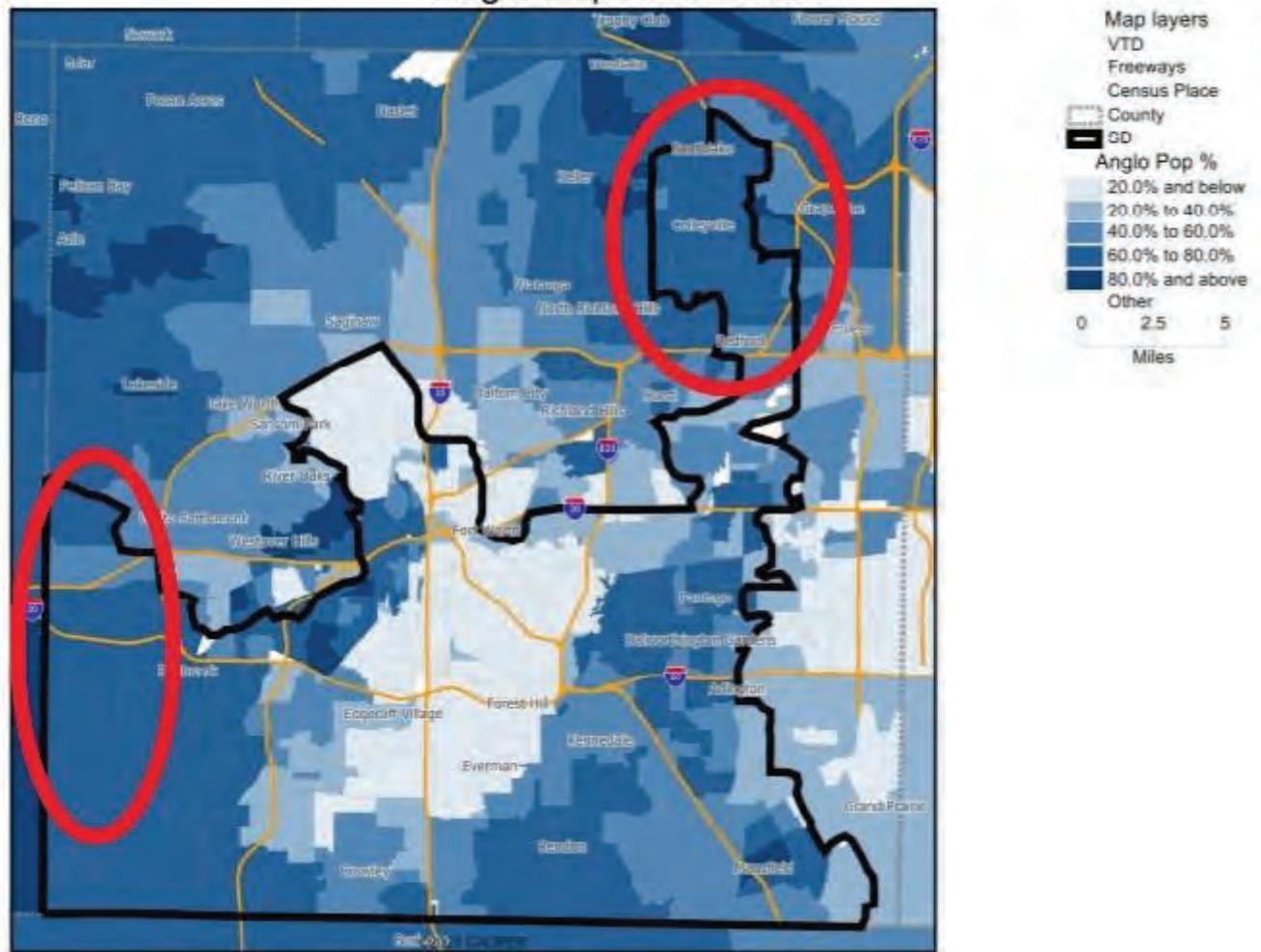
SD 10 Benchmark Minority Population 2020



SD10 currently has an Anglo citizen voting age population (“CVAP”) of 53.9%, a Black CVAP of 20.5%, and a Latino CVAP of 20.4%. In addition to being politically cohesive within SD 10, minority voters in SD10 also have consistently succeeded electorally by working together with a minority of Anglo voters who “crossover”—as the United States Supreme Court has characterized it—to vote for minority-preferred candidates.

You propose to dismantle SD10 as a functioning coalition and crossover district. Based upon my recollection of the map shown during our meeting, it appears that you propose to redraw SD10 to have an Anglo CVAP of roughly 63%, a Black CVAP of 16%, and a Latino CVAP of 17%—a nearly 10% increase in the Anglo share of the district. Moreover, in addition to cleaving SD10’s politically cohesive minority voters, you also propose to eliminate the Tarrant County “crossover” Anglo voters with whom SD10’s minority voters have formed a political coalition and replace them with Anglo voters in Johnson and Parker Counties who uniformly reject minority-preferred candidates. The map below shows in red circles areas including roughly 110,000 voters with an Anglo CVAP of 77.8%:

SD 10 Benchmark Anglo Population 2020



In the areas shown in red, a portion of Anglo voters crossover to support minority-preferred candidates. Together, the areas shown in red have a roughly 78% Anglo CVAP, but the Anglo-preferred candidates generally receive vote percentages of 13-17 points below that number (*i.e.* Anglo-preferred candidates receive about 61-65% of the vote in the areas shown in red).¹

You propose to replace these voters—along with around 190,000 (majority minority) voters shown in blue circles above—with voters from Johnson and Parker Counties. Together, Johnson and Parker Counties have an Anglo CVAP of 82.4%, but Anglo crossover voting for minority-

¹ For example, in these areas, Trump prevailed 61.0% to 37.5% in the 2020 presidential election, Cornyn prevailed 64.5% to 33.4% in the 2020 senate election, Cruz prevailed 62.6% to 36.6% in the 2018 senate election, Paxton prevailed 63.0% to 34.7% in the 2018 attorney general election, and Patrick prevailed 63.9% to 33.9% in the 2018 lieutenant governor election.

preferred candidates is nearly nonexistent. Unlike the Anglo voters in Tarrant County, the Anglo-preferred candidates in Johnson and Parker Counties combined generally receive vote percentages of just 3-6 points below the counties' Anglo CVAP percentage.² Dismantling SD10 and including Johnson and/or Parker Counties is unlawful.

Your proposal thus achieves its purpose of dismantling SD10's status as an effective coalition and crossover district for minority voters in two ways: (1) it cracks apart and harms the district's minority voters, substantially decreasing SD10's minority population, and (2) it eliminates the Anglo crossover voters who have joined together with minority voters to support minority-preferred candidates.

This is unlawful. As the Supreme Court has explained, "if there were a showing that a State intentionally drew district lines in order to destroy otherwise effective crossover districts, that would raise serious questions under both the Fourteenth and Fifteenth Amendments." *Bartlett v. Strickland*, 556 U.S. 1, 24 (2009) (Kennedy, J., Roberts, C.J., and Alito, J., plurality); *Campos v. City of Baytown, Tex.*, 840 F.2d 1240, 1244 (5th Cir. 1988) (holding that Section 2 protects minority coalition districts). In the proposed plan that you previewed on September 14, it is clear that you have "intentionally dr[awn] district lines in order to destroy [an] otherwise effective crossover district[]." And if you did not previously know that the Supreme Court has warned against this precise unlawful scheme, now you do. Furthermore, the Fifth Circuit decision cited above—binding precedent that the Legislature must follow³—also held that coalition districts are protected under federal law, so there is ample legal support for the argument that destroying a coalition district would also be intentionally discriminatory.

Not only are you aware that SD10, which you intend to dismantle, is an effective coalition and crossover district, you are also aware that the 2011 Legislature's same effort to dismantle SD10 was ruled to be intentional racial discrimination. *See Texas v. United States*, 887 F. Supp. 133, 166 (D.D.C. 2012) ("The Senate Plan was enacted with discriminatory purpose as to SD10."). At our September 14, 2021 meeting, a Committee attorney indicated that this decision was vacated. But the discriminatory intent ruling was not overruled. In fact, the federal court later ruled that Sen. Davis was the *prevailing party* in her lawsuit challenging the discriminatory scheme and awarded her attorneys' fees.

² For example, Trump carried the counties 78.8% to 19.9%, Cornyn prevailed 79.0% to 18.6%, Cruz prevailed 78.2% to 20.9%, Paxton prevailed 76.7% to 20.7%, and Patrick prevailed 77.5% to 20.5%.

³ In 2017 testimony in federal court, the prior chair of the House Redistricting Committee—a lawyer—expressed confusion that Texas is in the Fifth Circuit and that the Fifth Circuit's rulings are binding on the State of Texas. I hope this clarifies those facts.

The D.C. Circuit affirmed that ruling, rejecting Texas’s argument that it had ultimately won the case: “To say that Texas ‘prevailed’ in this suit because a different litigant in a different suit won on different grounds that Texas specifically told the district court it would *not* raise is, to say the least, an unnatural use of the word ‘prevailing.’” *Texas v. United States*, 798 F.3d 1108, 1116 (D.C. Cir. 2015) (emphasis in original). Instead, the D.C. Circuit held that Texas mooted the lawsuit by *acquiescing* to the district court’s intentional discrimination ruling, abandoning its effort to dismantle the district, and adopting SD10’s current configuration—which has now persisted for twenty years. *Id.* at 1118. It did so before *Shelby County* had any effect on the decision. *Id.* The Supreme Court denied Texas’s petition for certiorari. *Texas v. Davis*, 577 U.S. 1119 (2016) (Mem.). Moreover, the Fifth Circuit explained why it was strategically wise for Texas to abandon the changes to SD10 that the D.C. federal court had found intentionally discriminatory. After the Section 5 preclearance formula was invalidated, the Fifth Circuit explained, “it is far from clear that Texas could have automatically prevailed on the merits” had it continued to defend its dismantling of SD10, and instead the San Antonio court could (and likely would) have invalidated the changes to SD10 again “based on Plaintiffs’ Section 2 and constitutional claims.” *Davis v. Abbott*, 781 F.3d 207, 215 (5th Cir. 2015). After all, the DC federal court had just found the effort was intentional racial discrimination.

Sen. Davis and her co-plaintiffs won her claim that Texas intentionally discriminated against racial minorities by cracking SD10’s minority population and submerging them in Anglo-dominated rural districts—a victory that the Supreme Court left undisturbed and that cost Texas taxpayers over \$1 million in legal fees. Yet that is what you are proposing to do again.

Moreover, a similar effort to crack apart Tarrant County’s minority population was ruled intentionally discriminatory in the 2011 congressional plan. *Perez v. Abbott*, 253 F. Supp. 3d 864, 945-961 (W.D. Tex. 2017). Although Circuit Judge Jerry Smith dissented from most of that three-judge court’s decision, he *agreed* that the cracking of minority populations in Tarrant County was unlawful intentional discrimination: “Relatively little about the 2011 Congressional redistricting passes the smell test as to DFW, the largest metropolitan area in Texas with 6.4 million residents in 2010 but where the apparent choice of minority voters in 2010 was reflected only in CD30 (veteran African-American Democrat Congresswoman Eddie Bernice Johnson).” *Id.* at 986 (Smith, J., dissenting). The three-judge court actually redrew the congressional lines in Tarrant County to remedy this intentional fracturing and dilution of minority voting strength.

The 2020 Census reveals that Tarrant County now has over 1 million Black and Latino residents—250,000 *more* than it had following the 2010 Census. By contrast, Tarrant County now has just over 900,000 Anglo residents—over 300,000 *fewer* than it had following the 2010 Census. Yet you propose to eliminate the *one* senate district in which Tarrant County’s minority voters have succeeded in electing their preferred candidate. You propose to do this even

though the *same scheme* was found to be intentional racial discrimination after the last Census—*when there were substantially fewer minority voters*.

When the San Antonio district court declined to “bail in” Texas to the Voting Rights Act Section 3 preclearance regime, it unanimously (with the votes of District Judges Rodriguez and Garcia and Circuit Judge Smith) warned the Legislature that it “would be well advised to conduct its redistricting process openly” in 2021 and to abandon its effort from “the 2011 session . . . [of] engag[ing] in traditional means of vote dilution such as cracking and packing in drawing districts” if it wished to avoid federal oversight of its electoral decisions. *Perez v. Abbott*, 390 F. Supp. 3d 803, 820-21 (W.D. Tex. 2019).

On behalf of my constituents, I urge you to heed that warning, and preserve SD10 as an effective coalition and crossover district for minority voters.

Sincerely,

A handwritten signature in black ink that reads "Beverly Powell". The signature is written in a cursive, flowing style.

Senator Beverly Powell

Senate District 10 Facts
Minority voters in SD 10 elect candidates of their choice

2020 Census Report Shows Senate District 10 Population Near Ideal

- Just as in the Court-ordered map in 2012, a new State Senate map can be configured without making any boundary changes in SD10.
- SD10 has a population of 945,496; just 5,318 above the ideal. Its 0.57% deviation is the fourth lowest in State, and well within the 10% threshold permitted by courts.
- No surrounding district requires population changes that justify altering SD10. Most nearby districts are well within 10% deviation: SD2: +0.47%, SD8: +6.16%, SD9: - 1.65%, SD16: -1.42%, SD22: +0.41%, SD23: -5.64%.
- The only nearby district near or above the 10% threshold, SD12 (+15.55%) and SD30 (+9.26%), can be equalized nearly exactly by shifting population to adjoining districts SD28 (-15.33%) and SD31 (-7.54%).

The 2011 Attempt to Destroy SD10 Was Ruled Intentionally Discriminatory by a Federal Court

- In 2012, a federal court ruled that the legislature's dismantling of SD10 was intentionally discriminatory. *See Texas v. United States*, 887 F. Supp. 2d 133 (D.D.C. 2012).
- "The dismantling of SD10 will have a disparate and negative impact on minority groups in the district." *Id.* at 229
- "[T]he Senate Plan was enacted with discriminatory purpose as to SD10." *Id.* at 166.

SD10's Minority Population Has Increased Significantly Since the Federal Court's 2012 Order

- When the federal court ruled it was intentional discrimination to dismantle SD10, the 2010 Census showed its total population was 47.6% Anglo, 19.2% Black, and 28.9% Hispanic. Its Anglo citizen voting age population ("CVAP") was 62.7%.
- SD10's minority population has substantially increased. Per the 2020 Census, SD10 total population is 39.5% Anglo, 21.5% Black, and 32.2% Hispanic. Its Anglo CVAP has fallen to 53.9%.

SD10 Is an Effective Crossover District Where Minority Voters' Elect Their Preferred Candidate

- When the federal court ruled it was discriminatory to dismantle SD10, it had only ever elected one minority candidate of choice—Wendy Davis in 2008—and no Democrat for statewide office had carried the district. SD10 now regularly elects minorities' preferred candidates:
 - In 2012, Wendy Davis was reelected.
 - In 2018, Sen. Powell won election over an incumbent Republican Konni Burton (51.7% to 48.3%), SD10 was carried by O'Rourke over Cruz (53.3% to 45.9%) in the U.S. Senate race, by Nelson over Paxton (51.6% to 46.1%) in the AG race, and by Collier over Patrick (50.8% to 46.9%) in the Lt. Gov. race.
 - In 2020, SD10 was carried by Biden over Trump (53.1% to 45.4%) in the presidential race, by Hegar over Cornyn (49.8% to 47.7%) in the U.S. Senate race, and by Black Sheriff candidate Vance Keyes over Anglo Republican incumbent Bill Waybourn.

A Renewed Effort to Dismantle SD10 Would Violate Federal Law

- The U.S. Supreme Court has explained that it violates the 14th and 15th Amendments to destroy a functioning crossover district: ***“If there were a showing that a State intentionally drew lines in order to destroy otherwise effective crossover districts, that would raise serious questions under both the Fourteenth and Fifteenth Amendments.”*** *Bartlett v. Strickland*, 556 U.S. 1, 24 (2009)
- Black and Hispanic voters, together with a minority of crossover Anglo voters, control the electoral outcomes in SD10, as illustrated by the attached maps showing the location of the SD10 minority populations and the precincts carried by Sen. Powell and other minority preferred candidates.

The Only Lawful Change Would Be to Remedy the Cracked Minority Population in SE Tarrant County

- Although no change should be made in SD 10, if a change were made it would be to exchange the largely Anglo “arm” into SD9 for the cracked minority population in SE Tarrant County currently in SD22.
- The “arm’s” CVAP is 75.6% Anglo while the Tarrant County portion of SD22 has CVAP of 34.0% Black, 22.3% Hispanic, 12.3% Asian, and 30.1% Anglo.
- The Tarrant County portion of SD22 votes cohesively with SD10’s minority voters, with Democratic candidates prevailing in the area by large margins (Biden: 67.2%, Hegar: 64.7%, O’Rourke: 70.2%, Valdez: 63.7%, Nelson: 68.4%, Collier: 67.2%, Clinton: 64.3%). Thus, remedying the cracked minority population in SE Tarrant County would be legal and nondiscriminatory.

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Data: 2015-2019 ACS, 2020 Census
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American Community Survey Special Tabulation
Using Census and American Community Survey Data
SENATE DISTRICTS - PLANS2100

Texas Legislative Council
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2020 Census			Special Tabulation of Citizen Voting Age Population (CVAP) from the 2015-2019 American Community Survey with Margins of Error		Citizen Voting Age Population (CVAP)									
District	Total	VAP	CVAP	Hispanic CVAP	Not Hispanic or Latino									
					% Black Alone	% Black + White	% Black + American Indian	% White Alone	% American Indian Alone	% Asian Alone	% Native Hawaiian Alone	% American Indian + White	% Asian + White	% Remainder 2 or More Other
1	845,787	647,407	603,980 (±6,938)	8.0 (±0.4)	17.9 (±0.5)	0.3 (±0.1)	0.1 (±0.1)	71.7 (±0.5)	0.4 (±0.1)	0.7 (±0.1)	0.1 (±0.1)	0.6 (±0.1)	0.1 (±0.1)	0.1 (±0.1)
2	944,576	695,983	565,690 (±6,287)	17.4 (±0.5)	14.4 (±0.5)	0.4 (±0.1)	0.1 (±0.1)	64.3 (±0.5)	0.5 (±0.1)	2.0 (±0.2)	0.0 (±0.1)	0.5 (±0.1)	0.2 (±0.1)	0.2 (±0.1)
3	877,170	678,053	634,495 (±7,158)	8.9 (±0.4)	12.5 (±0.4)	0.2 (±0.1)	0.0 (±0.1)	76.7 (±0.5)	0.5 (±0.1)	0.5 (±0.1)	0.0 (±0.1)	0.6 (±0.1)	0.1 (±0.1)	0.1 (±0.1)
4	1,019,150	754,208	637,885 (±8,053)	14.9 (±0.6)	14.2 (±0.5)	0.3 (±0.1)	0.0 (±0.1)	67.1 (±0.6)	0.3 (±0.1)	2.4 (±0.2)	0.0 (±0.1)	0.5 (±0.1)	0.2 (±0.1)	0.1 (±0.1)
5	1,060,800	814,153	690,955 (±7,631)	18.2 (±0.5)	10.0 (±0.4)	0.4 (±0.1)	0.0 (±0.1)	66.5 (±0.4)	0.2 (±0.1)	3.2 (±0.2)	0.1 (±0.1)	0.5 (±0.1)	0.5 (±0.1)	0.3 (±0.1)
6	833,989	597,899	417,284 (±6,219)	62.0 (±0.9)	17.3 (±0.7)	0.2 (±0.1)	0.2 (±0.1)	17.3 (±0.5)	0.1 (±0.1)	2.4 (±0.2)	0.0 (±0.1)	0.3 (±0.1)	0.1 (±0.1)	0.1 (±0.1)
7	1,009,368	741,905	613,725 (±7,657)	21.8 (±0.7)	15.5 (±0.6)	0.2 (±0.1)	0.0 (±0.0)	52.8 (±0.6)	0.2 (±0.1)	8.2 (±0.4)	0.1 (±0.1)	0.4 (±0.1)	0.4 (±0.1)	0.3 (±0.1)
8	998,133	750,559	609,245 (±6,647)	10.6 (±0.4)	11.8 (±0.5)	0.3 (±0.1)	0.1 (±0.1)	63.9 (±0.5)	0.4 (±0.1)	11.4 (±0.4)	0.1 (±0.1)	0.5 (±0.1)	0.6 (±0.1)	0.2 (±0.1)
9	924,657	684,713	551,380 (±6,793)	22.8 (±0.6)	13.9 (±0.6)	0.4 (±0.1)	0.1 (±0.1)	54.9 (±0.5)	0.5 (±0.1)	6.1 (±0.4)	0.2 (±0.1)	0.6 (±0.1)	0.5 (±0.1)	0.3 (±0.1)
10	945,496	708,665	596,090 (±6,681)	20.4 (±0.6)	20.5 (±0.6)	0.4 (±0.1)	0.1 (±0.1)	53.9 (±0.5)	0.3 (±0.1)	3.2 (±0.2)	0.1 (±0.1)	0.4 (±0.1)	0.4 (±0.1)	0.2 (±0.1)
11	933,256	704,652	609,235 (±7,377)	22.9 (±0.7)	12.1 (±0.6)	0.3 (±0.1)	0.1 (±0.1)	58.1 (±0.6)	0.3 (±0.1)	5.1 (±0.3)	0.0 (±0.1)	0.5 (±0.1)	0.3 (±0.1)	0.3 (±0.1)
12	1,086,379	809,228	677,635 (±6,979)	14.7 (±0.5)	9.7 (±0.5)	0.4 (±0.1)	0.1 (±0.1)	68.0 (±0.5)	0.4 (±0.1)	5.5 (±0.3)	0.1 (±0.1)	0.5 (±0.1)	0.5 (±0.1)	0.2 (±0.1)
13	891,837	672,728	487,220 (±7,650)	23.3 (±0.7)	52.3 (±0.9)	0.4 (±0.1)	0.1 (±0.1)	16.0 (±0.5)	0.1 (±0.1)	7.3 (±0.4)	0.1 (±0.1)	0.1 (±0.1)	0.2 (±0.1)	0.2 (±0.1)
14	1,044,307	823,529	669,680 (±7,245)	21.9 (±0.6)	9.4 (±0.4)	0.4 (±0.1)	0.1 (±0.1)	61.3 (±0.5)	0.3 (±0.1)	5.1 (±0.3)	0.0 (±0.1)	0.5 (±0.1)	0.7 (±0.1)	0.3 (±0.1)
15	943,568	702,919	549,755 (±7,052)	30.0 (±0.7)	27.2 (±0.7)	0.3 (±0.1)	0.2 (±0.1)	35.9 (±0.5)	0.2 (±0.1)	5.3 (±0.3)	0.1 (±0.1)	0.3 (±0.1)	0.3 (±0.1)	0.2 (±0.1)
16	926,818	721,088	546,940 (±5,826)	17.0 (±0.5)	13.8 (±0.6)	0.4 (±0.1)	0.2 (±0.1)	58.8 (±0.4)	0.3 (±0.1)	8.0 (±0.4)	0.1 (±0.1)	0.6 (±0.1)	0.4 (±0.1)	0.3 (±0.1)
17	957,529	735,558	600,015 (±7,025)	19.4 (±0.6)	14.4 (±0.6)	0.3 (±0.1)	0.1 (±0.1)	52.0 (±0.5)	0.3 (±0.1)	12.5 (±0.4)	0.0 (±0.1)	0.3 (±0.1)	0.5 (±0.1)	0.2 (±0.1)
18	1,036,193	764,077	620,790 (±7,523)	23.6 (±0.6)	13.0 (±0.5)	0.2 (±0.1)	0.0 (±0.1)	55.1 (±0.6)	0.3 (±0.1)	7.2 (±0.4)	0.0 (±0.1)	0.3 (±0.1)	0.2 (±0.1)	0.1 (±0.1)
19	952,214	696,433	587,725 (±7,639)	62.6 (±0.8)	7.5 (±0.4)	0.3 (±0.1)	0.1 (±0.1)	27.1 (±0.5)	0.3 (±0.1)	1.3 (±0.1)	0.1 (±0.1)	0.4 (±0.1)	0.2 (±0.1)	0.2 (±0.1)
20	907,674	661,833	532,205 (±7,227)	73.7 (±0.8)	2.3 (±0.2)	0.0 (±0.1)	0.0 (±0.1)	22.1 (±0.5)	0.2 (±0.1)	1.3 (±0.2)	0.1 (±0.1)	0.2 (±0.1)	0.1 (±0.1)	0.1 (±0.1)
21	901,254	668,648	546,610 (±6,726)	63.5 (±0.7)	4.1 (±0.3)	0.2 (±0.1)	0.1 (±0.1)	30.4 (±0.5)	0.2 (±0.1)	0.8 (±0.1)	0.0 (±0.1)	0.4 (±0.1)	0.2 (±0.1)	0.1 (±0.1)
22	944,022	707,084	625,060 (±6,714)	17.2 (±0.5)	12.4 (±0.5)	0.3 (±0.1)	0.0 (±0.1)	66.6 (±0.4)	0.4 (±0.1)	2.1 (±0.2)	0.1 (±0.1)	0.5 (±0.1)	0.2 (±0.1)	0.2 (±0.1)
23	887,105	664,473	518,200 (±6,822)	27.7 (±0.7)	47.6 (±0.8)	0.4 (±0.1)	0.2 (±0.1)	21.7 (±0.5)	0.2 (±0.1)	1.6 (±0.2)	0.0 (±0.1)	0.2 (±0.1)	0.2 (±0.1)	0.2 (±0.1)
24	926,790	708,848	628,520 (±6,596)	16.7 (±0.5)	11.0 (±0.4)	0.5 (±0.1)	0.1 (±0.1)	67.5 (±0.4)	0.4 (±0.1)	1.8 (±0.2)	0.3 (±0.1)	0.9 (±0.1)	0.4 (±0.1)	0.4 (±0.1)
25	1,103,479	844,709	723,800 (±7,316)	28.8 (±0.6)	4.9 (±0.3)	0.3 (±0.1)	0.1 (±0.1)	62.2 (±0.5)	0.1 (±0.1)	2.4 (±0.2)	0.1 (±0.1)	0.5 (±0.1)	0.4 (±0.1)	0.2 (±0.1)
26	840,565	644,877	587,830 (±7,381)	64.7 (±0.8)	7.3 (±0.4)	0.3 (±0.1)	0.1 (±0.1)	24.6 (±0.5)	0.2 (±0.1)	1.8 (±0.2)	0.1 (±0.1)	0.3 (±0.1)	0.3 (±0.1)	0.2 (±0.1)
27	831,674	588,385	440,540 (±6,821)	86.4 (±0.7)	0.5 (±0.1)	0.0 (±0.1)	0.0 (±0.1)	12.3 (±0.4)	0.1 (±0.1)	0.5 (±0.1)	0.0 (±0.1)	0.1 (±0.1)	0.0 (±0.1)	0.0 (±0.1)
28	796,007	607,986	574,260 (±6,054)	32.3 (±0.6)	5.8 (±0.3)	0.2 (±0.1)	0.1 (±0.1)	59.5 (±0.4)	0.4 (±0.1)	0.8 (±0.1)	0.1 (±0.1)	0.5 (±0.1)	0.2 (±0.1)	0.1 (±0.1)
29	879,174	655,733	514,840 (±6,667)	78.1 (±0.7)	3.7 (±0.3)	0.2 (±0.1)	0.0 (±0.1)	15.9 (±0.4)	0.4 (±0.1)	1.0 (±0.1)	0.1 (±0.1)	0.2 (±0.1)	0.2 (±0.1)	0.2 (±0.1)
30	1,027,265	773,135	664,810 (±6,715)	11.1 (±0.4)	5.6 (±0.3)	0.4 (±0.1)	0.0 (±0.1)	79.8 (±0.4)	0.7 (±0.1)	1.2 (±0.1)	0.1 (±0.1)	0.7 (±0.1)	0.3 (±0.1)	0.2 (±0.1)
31	869,269	637,232	554,765 (±6,378)	33.9 (±0.7)	4.9 (±0.3)	0.2 (±0.1)	0.1 (±0.1)	58.3 (±0.4)	0.5 (±0.1)	1.1 (±0.1)	0.1 (±0.1)	0.6 (±0.1)	0.1 (±0.1)	0.1 (±0.1)

The American Community Survey provided estimated citizen voting age population (CVAP) data at the block group level in a Special Tabulation. Because the MOE can only be calculated using whole block groups, all block groups with more than 50% of the population in a district are included in the analysis. The Red-118 report provides a summary of the block groups used in the analysis.
The percent for each CVAP population category is that group's CVAP divided by the CVAP total.
Numbers in parentheses are margins of error at 90% confidence level.

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

Red-100T
Data: 2020 Census
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Deviation		Total	Anglo	Non-Anglo	Asian	Black	Hispanic	B+H	%Anglo	%Non-Anglo	%Asian	%Black	%Hispanic	%B+H
DISTRICT 1	-94,391 -10.04 %	845,787 Total: 647,407 VAP:	523,195 423,117	322,592 224,290	12,698 9,040	152,162 110,647	135,853 86,370	284,487 195,560	61.9 65.4	38.1 34.6	1.5 1.4	18.0 17.1	16.1 13.3	33.6 32.5
Bowie (100%)		92,893	55,855	37,038	1,506	25,188	7,602	32,451	60.1	39.9	1.6	27.1	8.2	34.9
Camp (100%)		12,464	6,734	5,730	154	2,092	3,222	5,262	54.0	46.0	1.2	16.8	25.9	47.9
Cass (100%)		28,454	21,028	7,426	199	4,941	1,336	6,224	73.9	26.1	0.7	17.4	4.7	4.7
Franklin (100%)		10,359	7,876	2,483	104	534	1,455	1,943	76.0	24.0	1.0	5.2	14.0	16.0
Gregg (100%)		124,239	68,050	56,189	2,137	27,498	24,040	50,879	54.8	45.2	1.7	22.1	19.3	40.0
Harrison (100%)		68,839	42,039	26,800	718	14,553	9,839	24,107	61.1	38.9	1.0	21.1	14.3	35.0
Lamar (100%)		50,088	35,354	14,734	645	7,310	4,412	11,570	70.6	29.4	1.3	14.6	8.8	20.1
Marion (100%)		9,725	6,869	2,856	96	2,026	389	2,380	70.6	29.4	1.0	20.8	4.0	21.3
Morris (100%)		11,973	7,716	4,257	98	2,705	1,182	3,850	64.4	35.6	0.8	22.6	9.9	34.2
Panola (100%)		22,491	16,098	6,393	178	3,509	2,190	5,633	71.6	28.4	0.8	15.6	9.7	20.0
Red River (100%)		11,587	8,499	3,088	97	1,895	766	2,608	73.3	26.7	0.8	16.4	6.6	20.2
Rusk (100%)		52,214	32,022	20,192	349	9,032	9,579	18,445	61.3	38.7	0.7	17.3	18.3	35.3
Smith (100%)		233,479	134,452	99,027	5,402	41,819	47,281	87,936	57.6	42.4	2.3	17.9	20.3	30.8
Titus (100%)		31,247	13,410	17,837	329	3,347	13,680	16,829	42.9	57.1	1.1	10.7	43.8	56.9
Upshur (100%)		40,892	31,287	9,605	319	3,592	3,986	7,462	76.5	23.5	0.8	8.8	9.7	18.2
Wood (100%)		44,843	35,906	8,937	367	2,121	4,894	6,908	80.1	19.9	0.8	4.7	10.9	11.1
DISTRICT 2	4,398 0.47 %	944,576 Total: 695,983 VAP:	447,698 360,724	496,878 335,259	28,943 21,297	140,474 96,736	309,693 200,985	444,417 295,310	47.4 51.8	52.6 48.2	3.1 3.1	14.9 13.9	32.8 28.9	42.4 42.4
Dallas (17%)		442,107	117,953	324,154	18,446	88,625	214,019	299,087	26.7	73.3	4.2	20.0	48.4	66.7
Delta (100%)		5,230	4,189	1,041	63	402	394	765	80.1	19.9	1.2	7.7	7.5	14.6
Fannin (100%)		35,662	27,042	8,620	319	2,628	4,218	6,760	75.8	24.2	0.9	7.4	11.8	15.8
Hopkins (100%)		36,787	25,976	10,811	420	2,847	6,484	9,237	70.6	29.4	1.1	7.7	17.6	25.1
Hunt (100%)		99,956	65,598	34,358	1,552	9,374	19,673	28,642	65.6	34.4	1.6	9.4	19.7	28.7
Kaufman (100%)		145,310	78,626	66,684	3,026	24,448	36,165	59,668	54.1	45.9	2.1	16.8	24.9	40.4
Rains (100%)		12,164	10,130	2,034	103	360	1,109	1,446	83.3	16.7	0.8	3.0	9.1	10.1
Rockwall (100%)		107,819	70,198	37,621	4,533	9,772	20,560	29,811	65.1	34.9	4.2	9.1	19.1	22.0
Van Zandt (100%)		59,541	47,986	11,555	481	2,018	7,071	9,001	80.6	19.4	0.8	3.4	11.9	11.9
DISTRICT 3	-63,008 -6.70 %	877,170 Total: 678,053 VAP:	586,514 474,050	290,656 204,003	9,909 7,058	107,232 79,110	151,955 99,745	256,410 177,628	66.9 69.9	33.1 30.1	1.1 1.0	12.2 11.7	17.3 14.7	22.0 22.0
Anderson (100%)		57,922	33,098	24,824	543	12,253	11,111	23,107	57.1	42.9	0.9	21.2	19.2	38.7
Angelina (100%)		86,395	49,970	36,425	1,169	14,115	19,732	33,448	57.8	42.2	1.4	16.3	22.8	37.7
Cherokee (100%)		50,412	30,095	20,317	418	7,069	11,797	18,714	59.7	40.3	0.8	14.0	23.4	37.0
Hardin (100%)		56,231	46,934	9,297	608	3,559	3,417	6,891	83.5	16.5	1.1	6.3	6.1	13.8
Henderson (100%)		82,150	61,854	20,296	794	5,694	11,242	16,696	75.3	24.7	1.0	6.9	13.7	20.8
Houston (100%)		22,066	12,957	9,109	186	5,462	3,071	8,439	58.7	41.3	0.8	24.8	13.9	34.3
Jasper (100%)		32,980	23,795	9,185	193	5,950	2,198	8,107	72.1	27.9	0.6	18.0	6.7	24.8

District Population Analysis with County Subtotals
SENATE DISTRICTS - PLANS2100

Red-100T
Data: 2020 Census
PLANS2100 08/02/2021 4:30:06 PM

Deviation		Total	Anglo	Non-Anglo	Asian	Black	Hispanic	B+H	%Anglo	%Non-Anglo	%Asian	%Black	%Hispanic	%B+H
DISTRICT 3	-63.008	877,170	586,514	290,656	9,909	107,232	151,955	256,410	66.9	33.1	1.1	12.2	17.3	29.5
	-6.70 %	678,053	474,050	204,003	7,058	79,110	99,745	177,628	69.9	30.1	1.0	11.7	14.7	26.7
			50,044	41,584	734	8,052	30,797	38,563	54.6	45.4	0.8	8.8	33.6	42.8
		82,949	58,619	24,330	1,181	4,045	16,666	20,455	70.7	29.3	1.4	4.9	20.1	22.5
		64,653	37,158	27,495	1,066	11,610	13,597	24,950	57.5	42.5	1.6	18.0	21.0	38.9
			9,249	2,968	50	2,253	344	2,571	75.7	24.3	0.4	18.4	2.8	22.8
		12,217	64,935	19,873	1,451	8,941	7,265	15,988	76.6	23.4	1.7	10.5	8.6	18.8
		84,808	34,808	15,315	490	5,422	7,345	12,617	69.4	30.6	1.0	10.8	14.7	22.2
		50,123	8,307	1,587	82	852	393	1,200	84.0	16.0	0.8	8.6	4.0	11.7
		9,894	5,270	2,648	64	1,897	639	2,487	66.6	33.4	0.8	24.0	8.1	31.4
DISTRICT 4		7,918												
		7,918												
		27,402	19,170	8,232	176	2,412	4,822	7,143	70.0	30.0	0.6	8.8	17.6	26.1
		24,022	14,416	9,606	458	4,095	4,685	8,702	60.0	40.0	1.9	17.0	19.5	3.9
		13,602	10,533	3,069	100	1,269	1,314	2,561	77.4	22.6	0.7	9.3	9.7	13.6
		19,798	15,302	4,496	146	2,282	1,520	3,771	77.3	22.7	0.7	11.5	7.7	19.0
DISTRICT 5		1,019,150	546,031	473,119	47,261	146,614	260,391	401,196	53.6	46.4	4.6	14.4	25.5	36.1
		754,208	430,392	323,816	33,190	104,336	170,158	271,757	57.1	42.9	4.4	13.8	22.6	36.9
			29,858	16,713	879	3,763	10,952	14,512	64.1	35.9	1.9	8.1	23.5	31.2
		46,571	2,289	481	38	37	321	349	82.6	17.4	1.4	1.3	11.6	1.9
		2,770	105,053	70,736	8,568	15,581	42,780	57,346	59.8	40.2	4.9	8.9	24.3	33.8
		175,789	96,047	160,479	11,256	88,504	58,915	145,686	37.4	62.6	4.4	34.5	23.0	50.5
		256,526	312,784	224,710	26,520	38,729	147,423	183,303	58.2	41.8	4.9	7.2	27.4	33.3
		537,494												
			585,040	475,760	84,192	117,540	257,915	366,873	55.2	44.8	7.9	11.1	24.3	34.5
		1,060,800	476,525	337,628	59,634	84,805	177,706	258,273	58.5	41.5	7.3	10.4	21.8	31.7
DISTRICT 6		814,153												
		233,849	123,035	110,814	16,856	27,910	63,067	88,787	52.6	47.4	7.2	11.9	27.0	38.0
		19,435	12,817	6,618	143	3,038	3,155	6,112	65.9	34.1	0.7	15.6	16.2	33.0
		29,268	16,910	12,358	195	4,217	7,361	11,400	57.8	42.2	0.7	14.4	25.2	39.0
		15,719	11,659	4,060	153	1,059	2,446	3,469	74.2	25.8	1.0	6.7	15.6	2.2
		22,146	12,530	9,616	245	4,117	5,013	8,945	56.6	43.4	1.1	18.6	22.6	46.4
		13,455	6,984	6,471	131	2,724	3,415	6,099	51.9	48.1	1.0	20.2	25.4	44.8
		24,754	15,367	9,387	193	2,520	6,264	8,582	62.1	37.9	0.8	10.2	25.3	38.8
		16,757	9,505	7,252	145	3,381	3,528	6,789	56.7	43.3	0.9	20.2	21.1	40.9
		76,400	39,823	36,577	1,335	17,359	16,578	33,580	52.1	47.9	1.7	22.7	21.7	41.7
DISTRICT 6		609,017	336,410	272,607	64,796	51,215	147,088	193,110	55.2	44.8	10.6	8.4	24.2	31.7
DISTRICT 6		833,989	82,009	751,980	22,116	112,350	620,231	724,381	9.8	90.2	2.7	13.5	74.4	88.9
		597,899	70,005	527,894	17,166	80,026	430,464	506,262	11.7	88.3	2.9	13.4	72.0	87.7
		833,989	82,009	751,980	22,116	112,350	620,231	724,381	9.8	90.2	2.7	13.5	74.4	88.9

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	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
Total:	7.36 %	741,905	318,117	423,788	79,795	121,527	213,508	330,000	42.9	57.1	10.8	16.4	28.8	49.9
VAP:		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
Harris (21%)														
DISTRICT 8														
	57.955	998,133	471,726	526,407	213,052	132,796	164,666	292,219	47.3	52.7	21.3	13.3	16.5	29.9
Total:	6.16 %	750,559	379,606	370,953	151,150	93,611	112,209	203,272	50.6	49.4	20.1	12.5	15.0	21.0
VAP:		998,133	471,726	526,407	213,052	132,796	164,666	292,219	47.3	52.7	21.3	13.3	16.5	29.9
Collin (80%)														
Dallas (5%)		855,489	414,023	441,466	194,946	104,142	128,210	227,961	48.4	51.6	22.8	12.2	15.0	22.0
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	44.3
DISTRICT 9														
	-15.521	924,657	359,833	564,824	77,850	148,920	324,820	465,913	38.9	61.1	8.4	16.1	35.1	56.1
Total:	-1.65 %	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
VAP:		924,657	359,833	564,824	77,850	148,920	324,820	465,913	38.9	61.1	8.4	16.1	35.1	56.1
Dallas (8%)														
Tarrant (34%)		214,865	40,951	173,914	11,414	28,241	133,038	159,538	19.1	80.9	5.3	13.1	61.9	77.3
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	44.3
DISTRICT 10														
	5.318	945,496	373,902	571,594	53,541	203,632	304,689	500,464	39.5	60.5	5.7	21.5	32.2	51.3
Total:	0.57 %	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
VAP:		945,496	373,902	571,594	53,541	203,632	304,689	500,464	39.5	60.5	5.7	21.5	32.2	51.3
Tarrant (45%)														
DISTRICT 11														
	-6.922	933,256	441,837	491,419	69,631	126,520	283,159	402,305	47.3	52.7	7.5	13.6	30.3	48.1
Total:	-0.74 %	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
VAP:		933,256	441,837	491,419	69,631	126,520	283,159	402,305	47.3	52.7	7.5	13.6	30.3	48.1
Brazoria (74%)														
Galveston (99%)		274,233	109,938	164,295	28,062	51,329	82,513	131,415	40.1	59.9	10.2	18.7	30.1	44.1
Harris (7%)		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	44.1
DISTRICT 12														
	146.201	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	30.3
Total:	15.55 %	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
VAP:		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	30.3
Denton (82%)														
Tarrant (16%)		747,584	397,439	350,145	97,774	92,723	145,266	233,269	53.2	46.8	13.1	12.4	19.4	31.9
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	891,837	87,673	804,164	83,325	359,794	366,202	714,241	9.8	90.2	9.3	40.3	41.1	89.9
Total:	-5.14 %	672,728	77,764	594,964	68,800	274,320	253,519	520,963	11.6	88.4	10.2	40.8	37.7	79.4
VAP:		891,837	87,673	804,164	83,325	359,794	366,202	714,241	9.8	90.2	9.3	40.3	41.1	89.9
Fort Bend (16%)														
Harris (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	81.3
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	79.3
DISTRICT 14														
	104.129	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	42.3
Total:	11.08 %	823,529	423,611	399,918	77,514	77,803	232,239	305,178	51.4	48.6	9.4	9.4	28.2	38.3
VAP:		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	42.3
Bastrop (100%)														
Travis (73%)		947,091	454,417	492,674	99,425	97,186	286,396	375,366	47.1	52.9	1.3	7.1	42.7	48.9
Travis (73%)									48.0	52.0	10.5	10.3	30.2	39.8
DISTRICT 15														
	3.390	943,568	226,738	716,830	58,385	231,324	426,052	647,386	24.0	76.0	6.2	24.5	45.2	68.9
Total:	0.36 %	702,919	193,626	509,293	46,291	166,966	291,967	453,752	27.5	72.5	6.6	23.8	41.5	65.5
VAP:		943,568	226,738	716,830	58,385	231,324	426,052	647,386	24.0	76.0	6.2	24.5	45.2	68.9
Harris (20%)														

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 16	-13.360	926,818	382,450	544,368	135,241	126,913	272,218	393,365	41.3	58.7	14.6	13.7	29.4	42.4
Total:	-1.42 %	721,088	323,526	397,562	100,951	95,074	191,456	283,450	44.9	55.1	14.0	13.2	26.6	39.3
VAP:		926,818	382,450	544,368	135,241	126,913	272,218	393,365	41.3	58.7	14.6	13.7	29.4	42.4
Dallas (35%)														
DISTRICT 17	17.351	957,529	378,959	578,570	167,274	162,686	243,220	396,938	39.6	60.4	17.5	17.0	25.4	41.9
Total:	1.85 %	735,558	310,148	425,410	126,728	117,544	174,123	286,700	42.2	57.8	17.2	16.0	23.7	38.9
VAP:														
Brazoria (26%)		97,798	51,895	45,903	1,935	9,789	32,689	41,611	53.1	46.9	2.0	10.0	33.4	40.0
Fort Bend (29%)		242,215	79,715	162,500	73,264	41,520	46,783	86,586	32.9	67.1	30.2	17.1	19.3	32.3
Harris (13%)		617,516	247,349	370,167	92,075	111,377	163,748	268,741	40.1	59.9	14.9	18.0	26.5	42.6
DISTRICT 18	96.015	1,036,193	444,550	591,643	122,416	144,154	315,878	451,868	42.9	57.1	11.8	13.9	30.5	43.6
Total:	10.21 %	764,077	354,586	409,491	85,222	100,375	213,565	310,504	46.4	53.6	11.2	13.1	28.0	40.0
VAP:														
Arapahoe (100%)		23,830	15,816	8,014	655	394	6,158	6,486	66.4	33.6	2.7	1.7	25.8	22.9
Austin (100%)		30,167	18,480	11,687	304	2,791	8,052	10,630	61.3	38.7	1.0	9.3	26.7	33.9
Burleson (100%)		17,642	11,258	6,384	118	2,145	3,712	5,737	63.8	36.2	0.7	12.2	21.0	33.9
Calhoun (100%)		20,106	8,374	11,732	1,169	534	9,858	10,271	41.6	58.4	5.8	2.7	49.0	51.1
Colorado (100%)		20,557	11,761	8,796	132	2,535	5,990	8,336	57.2	42.8	0.6	12.3	29.1	40.0
De Witt (100%)		19,824	10,854	8,970	105	1,867	6,890	8,564	54.8	45.2	0.5	9.4	34.8	48.2
Fayette (100%)		24,435	17,041	7,394	129	1,722	5,216	6,785	69.7	30.3	0.5	7.0	21.3	28.8
Fort Bend (55%)		451,099	153,964	297,135	107,688	75,792	110,941	183,400	34.1	65.9	23.9	16.8	24.6	40.0
Goliad (100%)		7,012	4,246	2,766	60	349	2,288	2,569	60.6	39.4	0.9	5.0	32.6	36.0
Gonzales (100%)		19,653	8,159	11,494	122	1,391	9,897	11,074	41.5	58.5	0.6	7.1	50.4	58.5
Harris (2%)		77,432	27,009	50,423	6,713	13,373	29,825	42,430	34.9	65.1	8.7	17.3	38.5	55.9
Jackson (100%)		14,988	8,510	6,478	228	1,186	4,829	5,877	56.8	43.2	1.5	7.9	32.2	39.2
Lavaca (100%)		20,337	14,564	5,773	114	1,497	3,936	5,316	71.6	28.4	0.6	7.4	19.4	28.9
Lee (100%)		17,478	10,612	6,866	123	1,945	4,479	6,287	60.7	39.3	0.7	11.1	25.6	36.0
Matagorda (100%)		36,255	15,355	20,900	856	4,330	15,455	19,466	42.4	57.6	2.4	11.9	42.6	55.9
Nueces (1%)		3,149	2,706	443	60	17	237	249	85.9	14.1	1.9	0.5	7.5	9.0
Refugio (100%)		6,741	2,864	3,877	61	534	3,306	3,735	42.5	57.5	0.9	7.9	49.0	56.9
Victoria (100%)		91,319	39,330	51,989	1,758	6,843	42,931	48,751	43.1	56.9	1.9	7.5	47.0	51.1
Waller (100%)		56,794	23,494	33,300	1,063	12,827	18,486	30,985	41.4	58.6	1.9	22.6	32.5	56.9
Washington (100%)		35,805	22,023	13,782	694	6,044	6,425	12,288	61.5	38.5	1.9	16.9	17.9	33.9
Wharton (100%)		41,570	18,130	23,440	264	6,038	16,967	22,632	43.6	56.4	0.6	14.5	40.8	55.9
DISTRICT 19	12.036	952,214	207,184	745,030	28,364	83,272	635,879	707,063	21.8	78.2	3.0	8.7	66.8	74.3
Total:	1.28 %	696,433	169,417	527,016	19,936	58,032	445,933	498,594	24.3	75.7	2.9	8.3	64.0	71.3
VAP:														
Atascosa (98%)		47,973	15,428	32,545	383	721	30,847	31,342	32.2	67.8	0.8	1.5	64.3	65.3
Bexar (32%)		636,132	133,256	502,876	25,336	76,783	406,027	472,270	20.9	79.1	4.0	12.1	63.8	74.3
Brewster (100%)		9,546	4,948	4,598	164	287	3,963	4,176	51.8	48.2	1.7	3.0	41.5	43.9
Crockett (100%)		3,098	1,080	2,018	23	36	1,920	1,945	34.9	65.1	0.7	1.2	62.0	66.0

District Population Analysis with County Subtotals
SENATE DISTRICTS - PLANS2100

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Deviation		Total	Anglo	Non-Anglo	Asian	Black	Hispanic	B+H	%Anglo	%Non-Anglo	%Asian	%Black	%Hispanic	%B+H
DISTRICT 19	12.036 1.28 %	952,214 Total: 696,433 VAP: 8,615	207,184 169,417 898	745,030 527,016 7,717	28,364 19,936 94	83,272 58,032 129	635,879 445,933 7,487	707,063 498,594 7,570	21.8 24.3 10.4	78.2 75.7 89.6	3.0 2.9 1.1	8.7 8.3 1.5	66.8 64.0 86.9	74.6 71.9 86.9
Dimmit (100%)														
Edwards (100%)		1,422	651	771	26	17	718	725	45.8	54.2	1.8	1.2	50.5	50.5
Frio (100%)		18,385	3,053	15,332	218	767	14,171	14,897	16.6	83.4	1.2	4.2	77.1	83.4
Kinney (100%)		3,129	1,489	1,640	46	66	1,470	1,517	47.6	52.4	1.5	2.1	47.0	48.5
Maverick (100%)		57,887	1,574	56,313	295	307	54,936	55,107	2.7	97.3	0.5	0.5	94.9	95.5
Medina (100%)		50,748	22,324	28,424	528	1,762	25,455	26,930	44.0	56.0	1.0	3.5	50.2	55.7
Pecos (100%)		15,193	3,473	11,720	183	630	10,845	11,376	22.9	77.1	1.2	4.1	71.4	74.9
Real (100%)		2,758	1,940	818	28	50	692	731	70.3	29.7	1.0	1.8	25.1	29.7
Reeves (100%)		14,748	1,697	13,051	205	332	12,510	12,748	11.5	88.5	1.4	2.3	84.8	86.4
Terrell (100%)		760	352	408	13	22	370	384	46.3	53.7	1.7	2.9	48.7	50.5
Uvalde (100%)		24,564	6,613	17,951	206	268	17,317	17,462	26.9	73.1	0.8	1.1	70.5	71.7
Val Verde (100%)		47,586	7,836	39,750	574	962	38,207	38,861	16.5	83.5	1.2	2.0	80.3	81.7
Zavala (100%)		9,670	572	9,098	42	133	8,944	9,022	5.9	94.1	0.4	1.4	92.5	93.9
DISTRICT 20	-32,504 -3.46 %	907,674 Total: 661,833 VAP: 7,076	144,610 120,706 23,904	763,064 541,127 221,937	19,619 14,567 5,052	23,353 16,433 6,920	718,372 506,457 211,915	736,301 520,411 215,890	15.9 18.2 10.2	84.1 81.8 89.8	2.2 2.2 0.7	2.6 2.5 0.7	79.1 76.5 88.2	81.9 78.6 88.2
Brooks (100%)			724	6,352	48	47	6,242	6,271	6.5	93.5	1.7	1.0	90.8	91.9
Hidalgo (59%)		511,678	33,464	478,214	8,790	5,230	464,480	467,717	17.9	82.1	0.6	1.1	79.3	79.9
Jim Wells (100%)		38,891	6,963	31,928	216	414	30,835	31,082	29.6	70.4	3.0	5.0	61.9	66.6
Nueces (99%)		350,029	103,459	246,570	10,565	17,662	216,815	231,231						
DISTRICT 21	-38,924 -4.14 %	901,254 Total: 668,648 VAP: 1,008	203,422 171,826 31,596	697,832 496,822 201,010	14,823 11,469 3,354	36,631 27,831 8,800	641,296 451,658 189,638	672,273 476,560 195,713	22.6 25.7 63.3	77.4 74.3 36.7	1.6 1.7 1.3	4.1 4.2 1.5	71.2 67.5 32.8	71.5 67.5 33.9
Atascosa (2%)			638	370	13	15	331	342	27.7	72.3	1.0	8.2	62.5	70.9
Bee (100%)		31,047	8,600	22,447	307	2,558	19,392	21,804	17.4	82.6	0.8	2.1	79.1	80.7
Bexar (1%)		14,846	2,581	12,265	120	307	11,746	11,978	36.1	63.9	1.0	6.4	55.5	60.1
Caldwell (100%)		45,883	16,560	29,323	444	2,932	25,468	28,025	9.5	90.5	0.7	2.1	81.0	81.7
Duval (100%)		9,831	937	8,894	66	208	7,962	8,133	44.2	55.8	1.1	5.1	48.4	53.5
Guadalupe (32%)		55,272	24,439	30,833	635	2,827	26,744	29,101	31.9	68.1	3.2	7.5	57.1	63.4
Hays (31%)		74,518	23,738	50,780	2,356	5,591	42,534	47,260	8.6	91.4	0.7	0.2	88.5	89.7
Jim Hogg (100%)		4,838	414	4,424	36	11	4,281	4,287	36.6	63.4	1.3	8.6	52.6	60.6
Karnes (100%)		14,710	5,388	9,322	196	1,265	7,734	8,910	22.0	78.0	0.4	3.9	73.6	77.0
La Salle (100%)		6,664	1,467	5,197	28	259	4,908	5,132	52.7	47.3	0.6	2.4	42.3	46.3
Live Oak (100%)		11,335	5,968	5,367	66	275	4,790	5,031	58.8	41.2	2.2	2.8	37.3	39.5
McMullen (100%)		600	353	247	13	17	224	231	38.7	61.3	1.9	2.5	55.6	57.4
San Patricio (100%)		68,755	26,613	42,142	1,278	1,725	38,220	39,491	1.8	98.2	0.2	0.2	97.7	98.1
Starr (100%)		65,920	1,171	64,749	152	162	64,393	64,454						

District Population Analysis with County Subtotals
SENATE DISTRICTS - PLANS2100

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Deviation		Total	Anglo	Non-Anglo	Asian	Black	Hispanic	B+H	%Anglo	%Non-Anglo	%Asian	%Black	%Hispanic	%B+H
DISTRICT 21	-38,924	901,254	203,422	697,832	14,823	36,631	641,296	672,273	22.6	77.4	1.6	4.1	71.2	74.6
	-4.14 %	668,648	171,826	496,822	11,469	27,831	451,658	476,560	25.7	74.3	1.7	4.2	67.5	70.9
		165,271	46,387	118,884	6,753	15,692	95,984	109,688	28.1	71.9	4.1	9.5	58.1	66.4
Webb (100%)		267,114	9,495	257,619	1,774	1,647	254,354	255,249	3.6	96.4	0.7	0.6	95.2	96.3
		49,753	27,877	21,876	545	1,101	19,232	20,140	56.0	44.0	1.1	2.2	38.7	40.5
		13,889	796	13,093	41	39	12,999	13,017	5.7	94.3	0.3	0.3	93.6	93.9
DISTRICT 22	3,844	944,022	520,999	423,023	31,190	134,863	236,553	364,713	55.2	44.8	3.3	14.3	25.1	34.6
	0.41 %	707,084	418,658	288,426	22,845	92,686	154,311	244,443	59.2	40.8	3.2	13.1	21.8	30.6
		18,235	13,621	4,614	148	503	3,321	3,737	74.7	25.3	0.8	2.8	18.2	20.8
Bosque (100%)		192,455	106,495	85,960	2,639	27,000	52,032	77,843	55.3	44.7	1.4	14.0	27.0	40.0
Ellis (100%)		16,968	8,707	8,261	106	4,023	3,965	7,845	51.3	48.7	0.6	23.7	23.4	48.2
Falls (100%)		35,874	24,123	11,751	278	2,527	7,884	10,291	67.2	32.8	0.8	7.0	22.0	28.2
Hill (100%)		61,598	49,815	11,783	755	931	7,958	8,774	80.9	19.1	1.2	1.5	12.9	16.1
Hood (100%)		179,927	119,226	60,701	2,852	8,888	42,613	50,684	66.3	33.7	1.6	4.9	23.7	28.3
Johnson (100%)		260,579	139,693	120,886	6,704	41,799	68,587	107,816	53.6	46.4	2.6	16.0	26.3	41.1
McLennan (100%)		52,624	26,996	25,628	586	7,248	16,049	22,992	51.3	48.7	1.1	13.8	30.5	44.7
Navarro (100%)		9,205	7,011	2,194	93	115	1,687	1,773	76.2	23.8	1.0	1.2	18.3	19.3
Somervell (100%)		116,557	25,312	91,245	17,029	41,829	32,457	72,958	21.7	78.3	14.6	35.9	27.8	66.1
Tarrant (6%)														
DISTRICT 23	-53,073	887,105	125,930	761,175	19,878	339,302	402,104	733,441	14.2	85.8	2.2	38.2	45.3	82.7
	-5.64 %	664,473	114,940	549,533	16,382	255,095	275,257	526,405	17.3	82.7	2.5	38.4	41.4	77.9
		887,105	125,930	761,175	19,878	339,302	402,104	733,441	14.2	85.8	2.2	38.2	45.3	82.7
DISTRICT 24	-13,388	926,790	538,914	387,876	35,809	134,417	202,344	324,096	58.1	41.9	3.9	14.5	21.8	33.0
	-1.42 %	708,848	441,276	267,572	25,168	90,552	135,063	219,765	62.3	37.7	3.6	12.8	19.1	31.0
		20,851	15,595	5,256	219	270	4,010	4,247	74.8	25.2	1.1	1.3	19.2	20.4
Bandera (100%)		370,647	156,780	213,867	18,271	100,605	93,467	184,933	42.3	57.7	4.9	27.1	25.2	48.9
Bell (100%)		11,374	8,707	2,667	100	123	2,092	2,196	76.6	23.4	0.9	1.1	18.4	19.1
Blanco (100%)		38,095	26,672	11,423	382	1,881	8,211	9,884	70.0	30.0	1.0	4.9	21.6	24.9
Brown (100%)		49,130	34,810	14,320	629	1,011	11,199	12,068	70.9	29.1	1.3	2.1	22.8	24.8
Burnet (100%)		13,708	11,555	2,153	109	269	1,306	1,545	84.3	15.7	0.8	2.0	9.5	11.4
Callahan (100%)		13,594	9,197	4,397	62	127	3,867	3,949	67.7	32.3	0.5	0.9	28.4	28.8
Comanche (100%)		83,093	46,213	36,880	3,238	15,290	16,482	30,436	55.6	44.4	3.9	18.4	19.8	24.5
Coryell (100%)		26,725	19,884	6,841	213	245	5,766	5,941	74.4	25.6	0.8	0.9	21.6	22.2
Gillespie (100%)		8,222	6,805	1,417	63	68	1,045	1,104	82.8	17.2	0.8	0.8	12.7	13.4
Hamilton (100%)		52,598	35,791	16,807	851	1,127	13,598	14,502	68.0	32.0	1.6	2.1	25.9	28.6
Kerr (100%)		21,627	15,132	6,495	512	1,079	4,179	5,135	70.0	30.0	2.4	5.0	19.3	22.7
Lampasas (100%)		21,243	17,530	3,713	194	233	2,508	2,687	82.5	17.5	0.9	1.1	17.5	18.3
Llano (100%)		4,456	3,498	958	26	52	728	770	78.5	21.5	0.6	1.2	16.3	17.1
Mills (100%)														

District Population Analysis with County Subtotals
SENATE DISTRICTS - PLANS2100

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Deviation		Total	Anglo	Non-Anglo	Asian	Black	Hispanic	B+H	%Anglo	%Non-Anglo	%Asian	%Black	%Hispanic	%B+H
DISTRICT 24	-13.388 -1.42 %	926,790 Total: 708,848 VAP: 5,730	538,914 441,276 3,690	387,876 267,572 2,040	35,809 25,168 53	134,417 90,552 150	202,344 135,063 1,749	324,096 219,765 1,879	58.1 62.3 64.4	41.9 37.7 35.6	3.9 3.6 0.9	14.5 12.8 2.6	21.8 19.1 30.5	35.0 31.3 33.3
San Saba (100%)														
Taylor (72%)		103,806	68,828	34,978	3,641	9,696	19,871	28,598	66.3	33.7	3.5	9.3	19.1	20.9
Travis (6%)		81,891	58,227	23,664	7,246	2,191	12,266	14,222	71.1	28.9	8.8	2.7	15.0	17.1
DISTRICT 25	163.301 17.37 %	1,103,479 Total: 844,709 VAP: 517,781	585,939 475,191 237,675	517,540 369,518 280,106	59,225 41,946 33,100	73,516 51,486 41,505	372,691 261,951 203,782	435,870 308,531 239,280	53.1 56.3 45.9	46.9 43.7 54.1	5.4 5.0 6.4	6.7 6.1 8.0	33.8 31.0 39.4	36.3 33.3 42.2
Bexar (26%)														
Comal (100%)		161,501	105,250	56,251	3,517	5,409	43,590	48,172	65.2	34.8	2.2	3.3	27.0	29.8
Guadalupe (68%)		117,434	59,624	57,810	4,972	13,239	38,489	50,187	50.8	49.2	4.2	11.3	32.8	42.4
Hays (69%)		166,549	97,830	68,719	7,870	7,459	50,337	56,706	58.7	41.3	4.7	4.5	30.2	30.0
Kendall (100%)		44,279	31,767	12,512	743	603	10,029	10,509	71.7	28.3	1.7	1.4	22.6	22.3
Travis (7%)		95,935	53,793	42,142	9,023	5,301	26,464	31,016	56.1	43.9	9.4	5.5	27.6	32.3
DISTRICT 26	-99.613 -10.60 %	840,565 Total: 644,877 VAP: 840,565	162,220 141,254 162,220	678,345 503,623 678,345	36,006 27,045 36,006	77,602 55,571 77,602	569,403 419,612 569,403	635,237 469,549 635,237	19.3 21.9 19.3	80.7 78.1 80.7	4.3 4.2 4.3	9.2 8.6 9.2	67.7 65.1 67.7	75.8 71.8 75.8
Bexar (42%)														
DISTRICT 27	-108.504 -11.54 %	831,674 Total: 588,385 VAP: 421,017	65,587 56,194 37,107	766,087 532,191 383,910	6,737 5,210 3,637	7,213 4,629 3,410	751,993 521,253 376,680	756,001 524,333 378,477	9.6 9.6 8.8	92.1 90.4 91.2	0.8 0.9 0.9	0.9 0.8 0.8	90.4 88.6 89.9	90.9 89.9 89.9
Cameron (100%)														
Hidalgo (41%)		359,103	19,874	339,229	1,906	1,872	335,521	336,180	5.5	94.5	0.5	0.5	93.4	93.4
Kennedy (100%)		350	73	277	10	12	261	264	20.9	79.1	2.9	3.4	74.6	75.4
Kleberg (100%)		31,040	6,728	24,312	973	1,361	21,920	23,006	21.7	78.3	3.1	4.4	70.6	72.3
Willacy (100%)		20,164	1,805	18,359	211	558	17,611	18,074	9.0	91.0	1.0	2.8	87.3	89.6
DISTRICT 28	-144.171 -15.33 %	796,007 Total: 607,986 VAP: 3,465	407,717 333,907 2,797	388,290 274,079 668	18,137 13,745 22	58,889 41,679 113	301,525 207,426 439	353,589 246,621 534	51.2 54.9 80.7	48.8 45.1 19.3	2.3 2.3 0.6	7.4 6.9 3.3	37.9 34.1 12.7	47.2 46.2 15.4
Baylor (100%)														
Borden (100%)		631	528	103	14	16	86	95	83.7	16.3	2.2	2.5	13.6	15.3
Childress (100%)		6,664	3,852	2,812	93	672	1,942	2,585	57.8	42.2	1.4	10.1	29.1	32.2
Coke (100%)		3,285	2,473	812	17	23	661	671	75.3	24.7	0.5	0.7	20.1	24.1
Coleman (100%)		7,684	6,013	1,671	58	236	1,192	1,396	78.3	21.7	0.8	3.1	15.5	18.3
Concho (100%)		3,303	2,097	1,206	47	105	1,033	1,121	63.5	36.5	1.4	3.2	31.3	33.9
Cottle (100%)		1,380	902	478	18	128	327	440	65.4	34.6	1.3	9.3	23.7	31.9
Crane (100%)		4,675	1,342	3,333	39	102	3,158	3,237	28.7	71.3	0.8	2.2	67.6	69.3
Crosby (100%)		5,133	2,076	3,057	41	203	2,829	2,965	40.4	59.6	0.8	4.0	55.1	57.8
Dawson (100%)		12,456	4,590	7,866	86	1,004	6,767	7,665	36.8	63.2	0.7	8.1	54.3	60.3
Dickens (100%)		1,770	1,178	592	21	64	512	548	66.6	33.4	1.2	3.6	28.9	33.3
Eastland (100%)		17,725	13,653	4,072	169	497	2,934	3,380	77.0	23.0	1.0	2.8	16.6	19.1

District Population Analysis with County Subtotals
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	Deviation		Total		Anglo	Non-Anglo	Asian	Black	Hispanic	B+H	%Anglo	%Non-Anglo	%Asian	%Black	%Hispanic	%B+H
	-144,171	Total: -15.33 %	796,007	Total: 607,986	407,717	388,290	18,137	58,889	301,525	353,589	51.2	48.8	2.3	7.4	37.9	44.1
Fisher (100%)			3,672	607,986	333,907	274,079	13,745	41,679	207,426	246,621	54.9	45.1	2.3	6.9	34.1	43.9
Floyd (100%)			5,402		2,079	3,323	39	207	3,067	3,228	38.5	61.5	0.7	3.8	56.8	50.8
Foard (100%)			1,095		845	250	12	33	197	220	77.2	22.8	1.1	3.0	18.0	20.9
Garza (100%)			5,816		2,162	3,654	56	381	3,272	3,554	37.2	62.8	1.0	6.6	56.3	60.9
Hale (100%)			32,522		10,693	21,829	243	1,807	19,489	21,052	32.9	67.1	0.7	5.6	59.9	66.7
Hardeman (100%)			3,549		2,441	1,108	30	195	818	983	68.8	31.2	0.8	5.5	23.0	21.7
Haskell (100%)			5,416		3,628	1,788	43	268	1,377	1,599	67.0	33.0	0.8	4.9	25.4	20.9
Hockley (100%)			21,537		9,752	11,785	97	803	10,624	11,295	45.3	54.7	0.5	3.7	49.3	50.4
Irion (100%)			1,513		1,112	401	23	30	349	369	73.5	26.5	1.5	2.0	23.1	24.4
Jones (100%)			19,663		11,485	8,178	158	2,187	5,504	7,599	58.4	41.6	0.8	11.1	28.0	33.6
Kent (100%)			753		657	96	9	11	81	86	87.3	12.7	1.2	1.5	10.8	11.8
Kimble (100%)			4,286		3,136	1,150	60	37	986	1,013	73.2	26.8	1.4	0.9	23.0	23.6
King (100%)			265		230	35	4	8	25	31	86.8	13.2	1.5	3.0	9.4	11.4
Knox (100%)			3,353		1,935	1,418	34	210	1,130	1,309	57.7	42.3	1.0	6.3	33.7	36.9
Lamb (100%)			13,045		4,981	8,064	41	544	7,449	690	38.2	61.8	0.3	4.2	57.1	66.6
Lubbock (100%)			310,639		154,994	155,645	11,533	31,107	109,170	137,329	49.9	50.1	3.7	10.0	35.1	44.7
Lynn (100%)			5,596		2,960	2,636	34	151	2,352	2,482	52.9	47.1	0.6	2.7	42.0	44.1
Mason (100%)			3,953		2,948	1,005	21	40	883	909	74.6	25.4	0.5	1.0	22.3	22.9
McCulloch (100%)			7,630		4,904	2,726	65	197	2,369	2,517	64.3	35.7	0.9	2.6	31.0	33.9
Menard (100%)			1,962		1,231	731	10	33	662	690	62.7	37.3	0.5	1.7	33.7	35.2
Mitchell (100%)			8,990		4,328	4,662	71	1,072	3,454	4,457	48.1	51.9	0.8	11.9	38.4	46.5
Motley (100%)			1,063		858	205	18	18	153	166	80.7	19.3	1.7	1.7	14.4	15.6
Nolan (100%)			14,738		8,138	6,600	150	953	5,354	6,120	55.2	44.8	1.0	6.5	36.3	41.5
Reagan (100%)			3,385		968	2,417	44	78	2,283	2,339	28.6	71.4	1.3	2.3	67.4	69.7
Rumels (100%)			9,900		6,062	3,838	65	252	3,354	3,560	61.2	38.8	0.7	2.5	33.9	36.4
Schleicher (100%)			2,451		1,102	1,349	28	44	1,275	1,296	45.0	55.0	1.1	1.8	52.0	52.9
Scurry (100%)			16,932		8,637	8,295	140	812	7,139	7,853	51.0	49.0	0.8	4.8	42.2	44.4
Shackelford (100%)			3,105		2,612	493	33	46	363	394	84.1	15.9	1.1	1.5	11.7	12.2
Stephens (100%)			9,101		6,256	2,845	89	327	2,204	2,503	68.7	31.3	1.0	3.6	24.2	25.3
Sterling (100%)			1,372		867	505	29	22	449	465	63.2	36.8	2.1	1.6	32.7	34.8
Stonewall (100%)			1,245		958	287	9	41	226	256	76.9	23.1	0.7	3.3	18.2	20.6
Sutton (100%)			3,372		1,200	2,172	24	32	2,093	2,111	35.6	64.4	0.7	0.9	62.1	63.9
Taylor (28%)			39,402		18,488	20,914	658	4,959	14,885	19,276	46.9	53.1	1.7	12.6	37.8	40.9
Terry (100%)			11,831		4,599	7,232	78	540	6,569	7,009	38.9	61.1	0.7	4.6	55.5	59.7
Throckmorton (100%)			1,440		1,248	192	8	17	145	156	86.7	13.3	0.6	1.2	10.1	11.3
Tom Green (100%)			120,003		62,390	57,613	2,752	6,070	47,066	52,091	52.0	48.0	2.3	5.1	39.2	42.4

District Population Analysis with County Subtotals
SENATE DISTRICTS - PLANS2100

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Data: 2020 Census
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Deviation		Total	Anglo	Non-Anglo	Asian	Black	Hispanic	B+H	%Anglo	%Non-Anglo	%Asian	%Black	%Hispanic	%B+H
DISTRICT 28	-144,171	796,007	407,717	388,290	18,137	58,889	301,525	353,589	51.2	48.8	2.3	7.4	37.9	44.4
	-15.33 %	607,986	333,907	274,079	13,745	41,679	207,426	246,621	54.9	45.1	2.3	6.9	34.1	43.3
		3,308	1,318	1,990	32	120	1,797	1,886	39.8	60.2	1.0	3.6	54.3	51.3
		11,644	4,506	7,138	113	666	6,325	6,847	38.7	61.3	1.0	5.7	54.3	51.3
Ward (100%)														
Wilbarger (100%)		12,887	7,012	5,875	632	1,259	3,734	4,910	54.4	45.6	4.9	9.8	29.0	38.1
DISTRICT 29	-61,004	879,174	102,001	777,173	18,605	38,352	724,636	753,266	11.6	88.4	2.1	4.4	82.4	88.2
	-6.49 %	655,733	84,788	570,945	13,528	26,028	531,109	552,498	12.9	87.1	2.1	4.0	81.0	88.3
		2,188	445	1,743	50	48	1,645	1,673	20.3	79.7	2.3	2.2	75.2	75.5
		865,657	98,219	767,438	18,392	38,200	715,351	743,885	11.3	88.7	2.1	4.4	82.6	88.3
El Paso (100%)		3,202	1,094	2,108	22	29	2,036	2,049	34.2	65.8	0.7	0.9	63.6	63.9
Hudspeth (100%)		1,996	1,282	714	39	28	613	627	64.2	35.8	2.0	1.4	30.7	31.4
Jeff Davis (100%)		6,131	961	5,170	102	47	4,991	5,032	15.7	84.3	1.7	0.8	81.4	85.5
Presidio (100%)														
DISTRICT 30	87,087	1,027,265	692,397	334,868	31,554	78,890	190,804	264,790	67.4	32.6	3.1	7.7	18.6	25.8
	9.26 %	773,135	547,129	226,006	21,994	53,133	123,513	174,470	70.8	29.2	2.8	6.9	16.0	22.8
		8,560	7,356	1,204	74	106	742	831	85.9	14.1	0.9	1.2	8.7	10.7
		10,218	8,941	1,277	87	121	641	745	87.5	12.5	0.9	1.2	6.3	7.5
Archer (100%)		208,976	128,449	80,527	11,938	22,044	40,948	61,952	61.5	38.5	5.7	10.5	19.6	29.5
Clay (100%)		41,668	29,404	12,264	446	1,687	8,519	10,062	70.6	29.4	1.1	4.0	20.4	22.9
Collin (20%)		158,838	88,207	70,631	8,486	20,915	37,512	57,189	55.5	44.5	5.3	13.2	23.6	33.0
Cooke (100%)		42,545	30,006	12,539	557	1,646	9,254	10,774	70.5	29.5	1.3	3.9	21.8	24.3
Denton (18%)		135,543	95,211	40,332	2,686	9,856	20,868	30,196	70.2	29.8	2.0	7.3	15.4	22.3
Erath (100%)		8,472	6,358	2,114	72	350	1,521	1,836	75.0	25.0	0.8	4.1	18.0	21.5
Grayson (100%)		19,965	16,342	3,623	129	206	2,361	2,543	81.9	18.1	0.6	1.0	11.8	12.7
Jack (100%)		28,409	20,778	7,631	345	857	5,614	6,367	73.1	26.9	1.2	3.0	19.8	22.4
Montague (100%)		148,222	117,747	30,475	1,990	2,929	19,819	22,473	79.4	20.6	1.3	2.0	13.4	15.9
Palo Pinto (100%)		129,350	79,694	49,656	3,968	16,588	25,803	41,265	61.6	38.4	3.1	12.8	19.9	32.3
Parker (100%)		68,632	50,495	18,137	644	1,261	13,694	14,767	73.6	26.4	0.9	1.8	20.0	21.5
Wichita (100%)		17,867	13,409	4,458	132	324	3,508	3,790	75.0	25.0	0.7	1.8	19.6	21.9
Wise (100%)														
Young (100%)														
DISTRICT 31	-70,909	869,269	404,148	465,121	21,331	52,138	377,654	423,959	46.5	53.5	2.5	6.0	43.4	48.8
	-7.54 %	637,232	320,965	316,267	14,448	34,849	253,523	286,095	50.4	49.6	2.3	5.5	39.8	44.8
		18,610	7,405	11,205	153	376	10,400	10,683	39.8	60.2	0.8	2.0	55.9	57.4
		1,848	1,593	255	28	34	144	162	86.2	13.8	1.5	1.8	7.8	8.8
Andrews (100%)		6,904	2,190	4,714	19	91	4,540	4,600	31.7	68.3	0.3	1.3	65.8	66.6
Armstrong (100%)		1,435	1,008	427	13	30	368	391	70.2	29.8	0.9	2.1	25.6	26.3
Bailey (100%)		5,807	4,873	934	33	91	558	636	83.9	16.1	0.6	1.6	9.6	10.9
Briscoe (100%)														
Carson (100%)														
Castro (100%)		7,371	2,328	5,043	49	155	4,784	4,905	31.6	68.4	0.7	2.1	64.9	66.3
Cochran (100%)		2,547	912	1,635	16	94	1,527	1,594	35.8	64.2	0.6	3.7	60.0	63.8

District Population Analysis with County Subtotals
SENATE DISTRICTS - PLANS2100

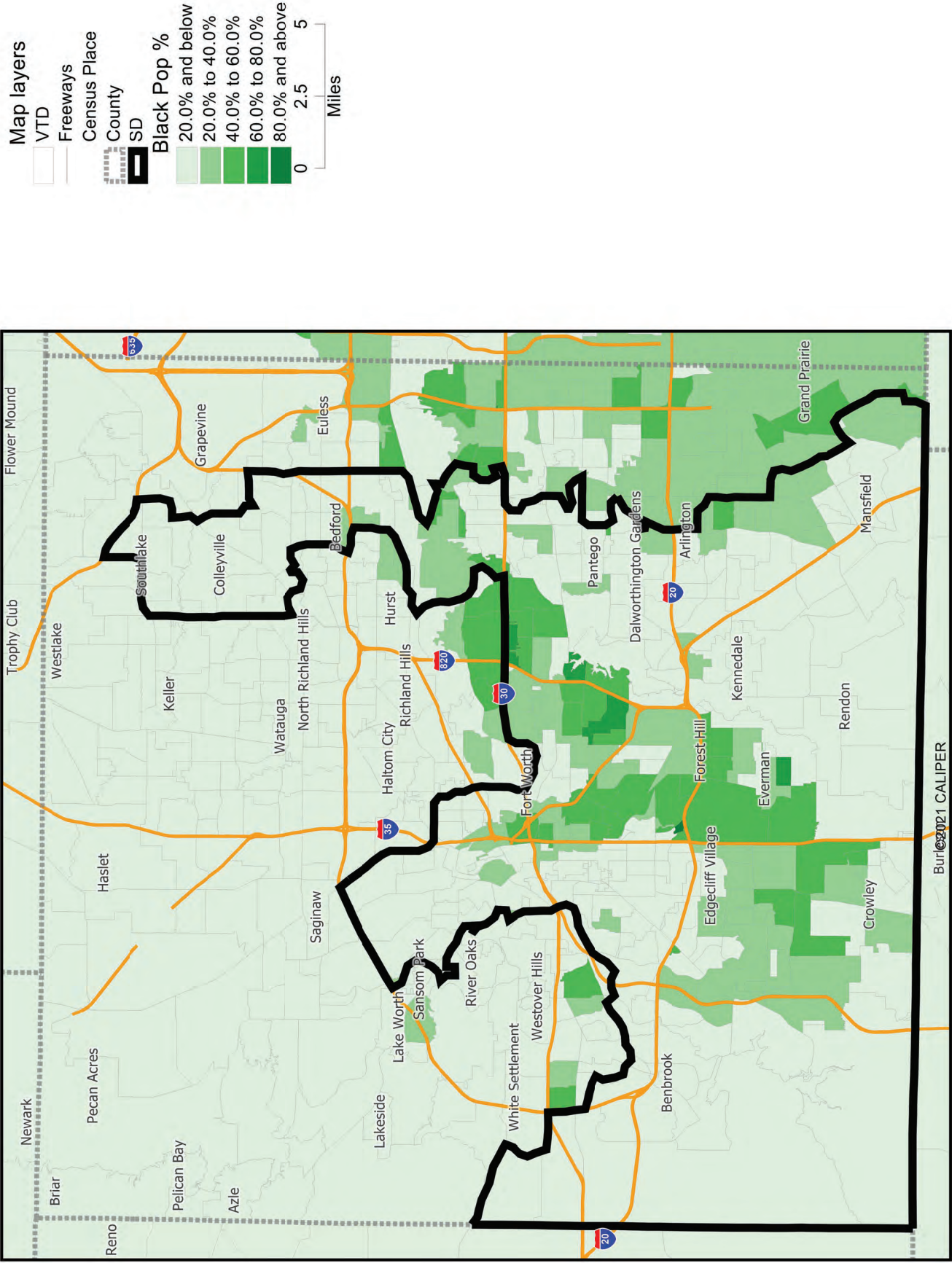
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	Deviation	Total	E+H										%B+	
			Anglo	Non-Anglo	Asian	Black	Hispanic	B+H	%Anglo	%Non-Anglo	%Asian	%Black		%Hispanic
DISTRICT 31	Total: -70.909 VAP: -7.54 %	869,269 637,232	404,148 320,965	465,121 316,267	21,331 14,448	52,138 34,849	377,654 253,523	423,959 286,095	46.5 50.4	53.5 49.6	2.5 2.3	6.0 5.5	43.4 39.8	48.8 46.8
Collingsworth (100%)		2,652	1,617	1,035	32	148	832	955	61.0	39.0	1.2	5.6	31.4	30.2
Dallam (100%)		7,115	3,119	3,996	33	142	3,707	3,837	43.8	56.2	0.5	2.0	52.1	49.5
Deaf Smith (100%)		18,583	4,233	14,350	78	290	13,925	14,080	22.8	77.2	0.4	1.6	74.9	75.8
Donley (100%)		3,258	2,537	721	42	227	356	561	77.9	22.1	1.3	7.0	10.9	10.9
Ector (100%)		165,171	51,023	114,148	2,940	9,522	100,051	108,362	30.9	69.1	1.8	5.8	60.6	65.4
Gaines (100%)		21,598	12,554	9,044	139	356	8,401	8,676	58.1	41.9	0.6	1.6	38.9	40.2
Glasscock (100%)		1,116	710	406	2	27	387	399	63.6	36.4	0.2	2.4	34.7	34.2
Gray (100%)		21,227	13,025	8,202	192	1,039	6,347	7,313	61.4	38.6	0.9	4.9	29.9	30.4
Hall (100%)		2,825	1,589	1,236	30	237	950	1,159	56.2	43.8	1.1	8.4	33.6	40.0
Hansford (100%)		5,285	2,552	2,733	15	43	2,615	2,643	48.3	51.7	0.3	0.8	49.5	50.5
Hartley (100%)		5,382	3,403	1,979	39	249	1,631	1,861	63.2	36.8	0.7	4.6	30.3	30.3
Hemphill (100%)		3,382	2,090	1,292	39	29	1,137	1,156	61.8	38.2	1.2	0.9	33.6	34.2
Howard (100%)		34,860	15,672	19,188	561	2,113	16,174	17,929	45.0	55.0	1.6	6.1	46.4	55.0
Hutchinson (100%)		20,617	13,783	6,834	200	757	4,961	5,589	66.9	33.1	1.0	3.7	24.1	22.2
Lipscomb (100%)		3,059	1,786	1,273	18	22	1,123	1,140	58.4	41.6	0.6	0.7	36.7	30.3
Loving (100%)		64	56	8	3	3	1	3	87.5	12.5	4.7	4.7	1.6	4.6
Martin (100%)		5,237	2,780	2,457	34	128	2,255	2,359	53.1	46.9	0.6	2.4	43.1	40.2
Midland (100%)		169,983	76,487	93,496	4,798	12,731	73,331	84,887	45.0	55.0	2.8	7.5	43.1	49.1
Moore (100%)		21,358	6,499	14,859	1,071	832	12,647	13,398	30.4	69.6	5.0	3.9	59.2	60.6
Ochiltree (100%)		10,015	4,245	5,770	58	66	5,470	5,510	42.4	57.6	0.6	0.7	54.6	55.0
Oldham (100%)		1,758	1,325	433	31	77	313	372	75.4	24.6	1.8	4.4	17.8	22.2
Parmer (100%)		9,869	3,187	6,682	36	137	6,504	6,575	32.3	67.7	0.4	1.4	65.9	66.6
Potter (100%)		118,525	50,153	68,372	6,757	14,438	45,193	58,528	42.3	57.7	5.7	12.2	38.1	49.1
Randall (100%)		140,753	95,457	45,296	3,550	6,592	31,583	37,395	67.8	32.2	2.5	4.7	22.4	22.2
Roberts (100%)		827	717	110	15	21	50	65	86.7	13.3	1.8	2.5	6.0	6.0
Sherman (100%)		2,782	1,362	1,420	24	60	1,315	1,354	49.0	51.0	0.9	2.2	47.3	48.7
Swisher (100%)		6,971	3,219	3,752	44	524	3,147	3,597	46.2	53.8	0.6	7.5	45.1	50.5
Wheeler (100%)		4,990	2,469	1,521	53	137	1,227	1,345	69.5	30.5	1.1	2.7	24.6	24.6
Winkler (100%)		7,791	3,702	5,089	114	210	4,732	4,883	34.7	65.3	1.5	2.7	60.7	60.7
Yoakum (100%)		7,694	2,488	5,206	72	110	4,968	5,057	32.3	67.7	0.9	1.4	64.6	64.6

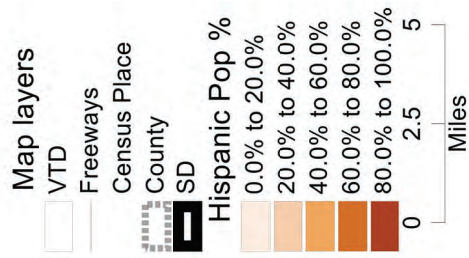
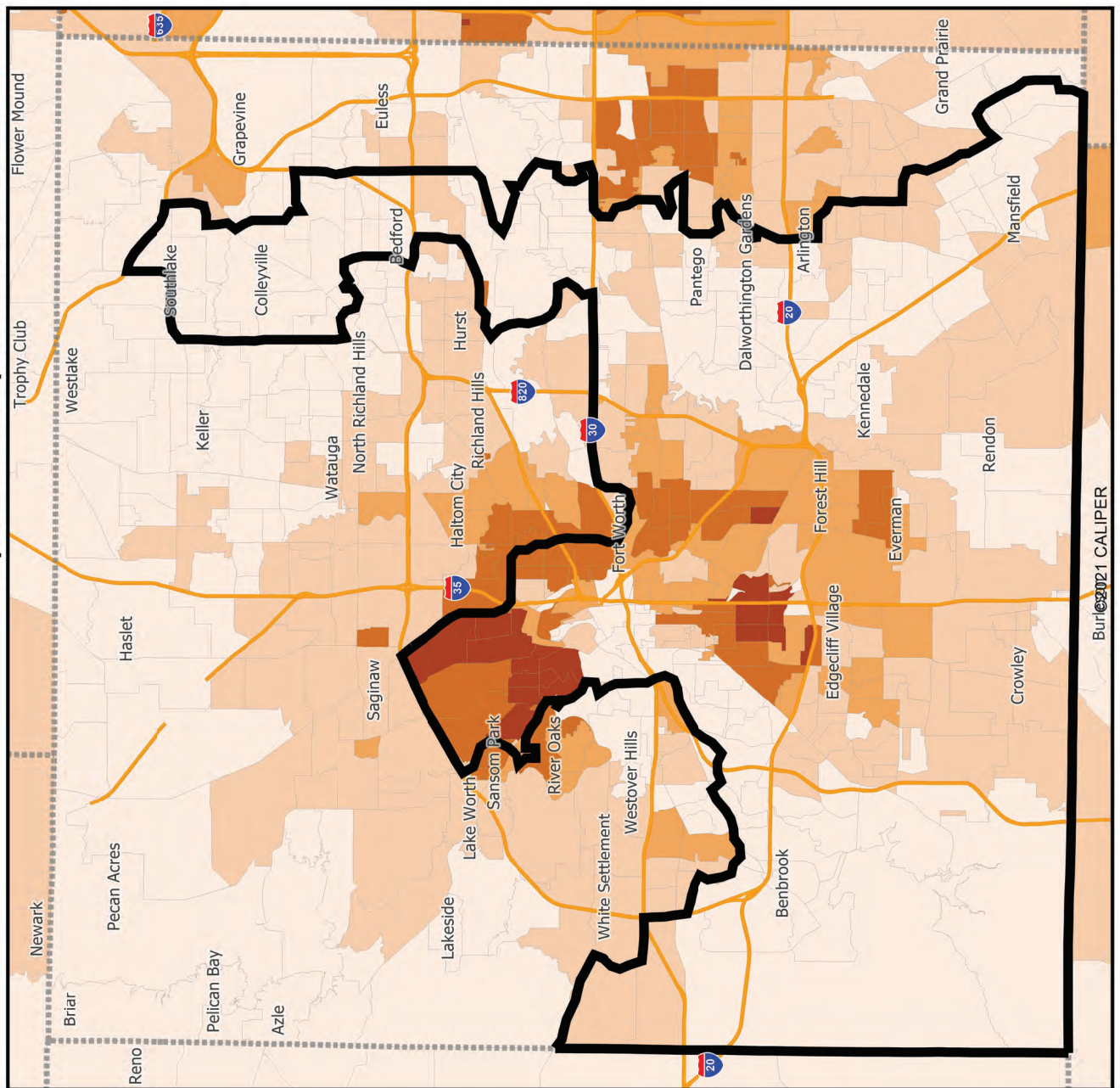
SD 10 Benchmark

Black Population 2020



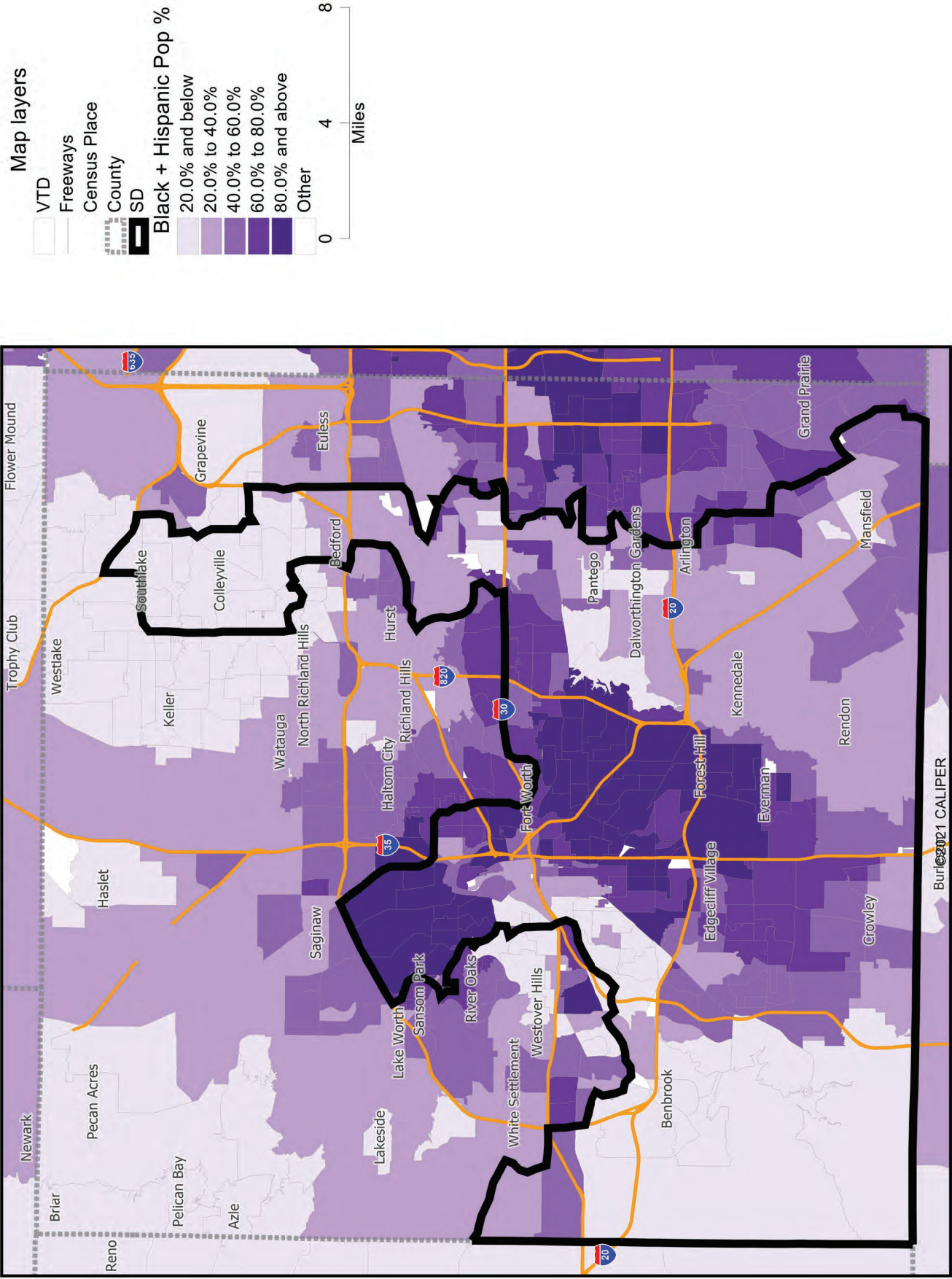
SD 10 Benchmark

Hispanic Population 2020



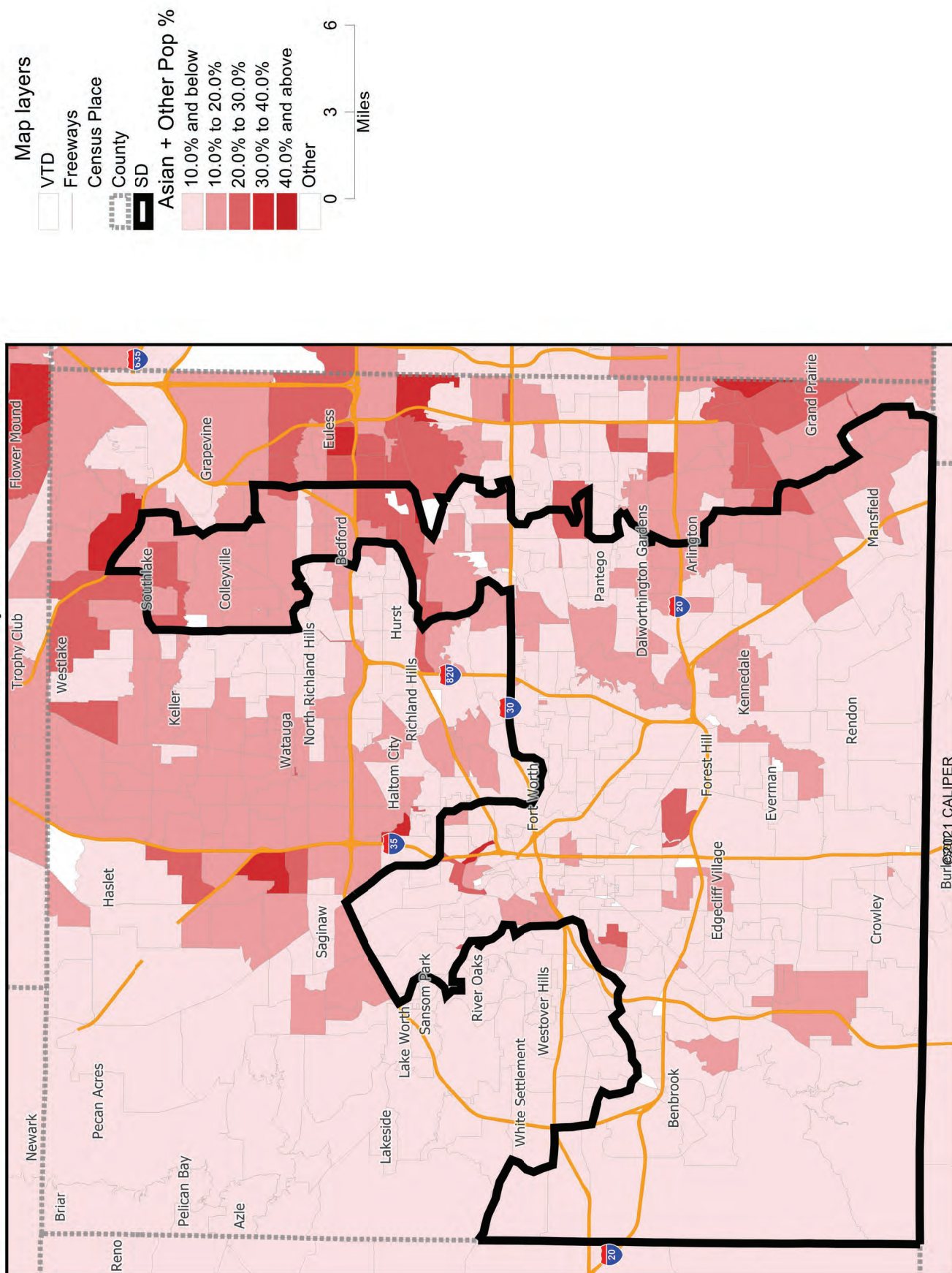
SD 10 Benchmark

Black + Hispanic Population 2020



SD 10 Benchmark

Asian + Other Population 2020



SD 10 Benchmark

Minority Population 2020

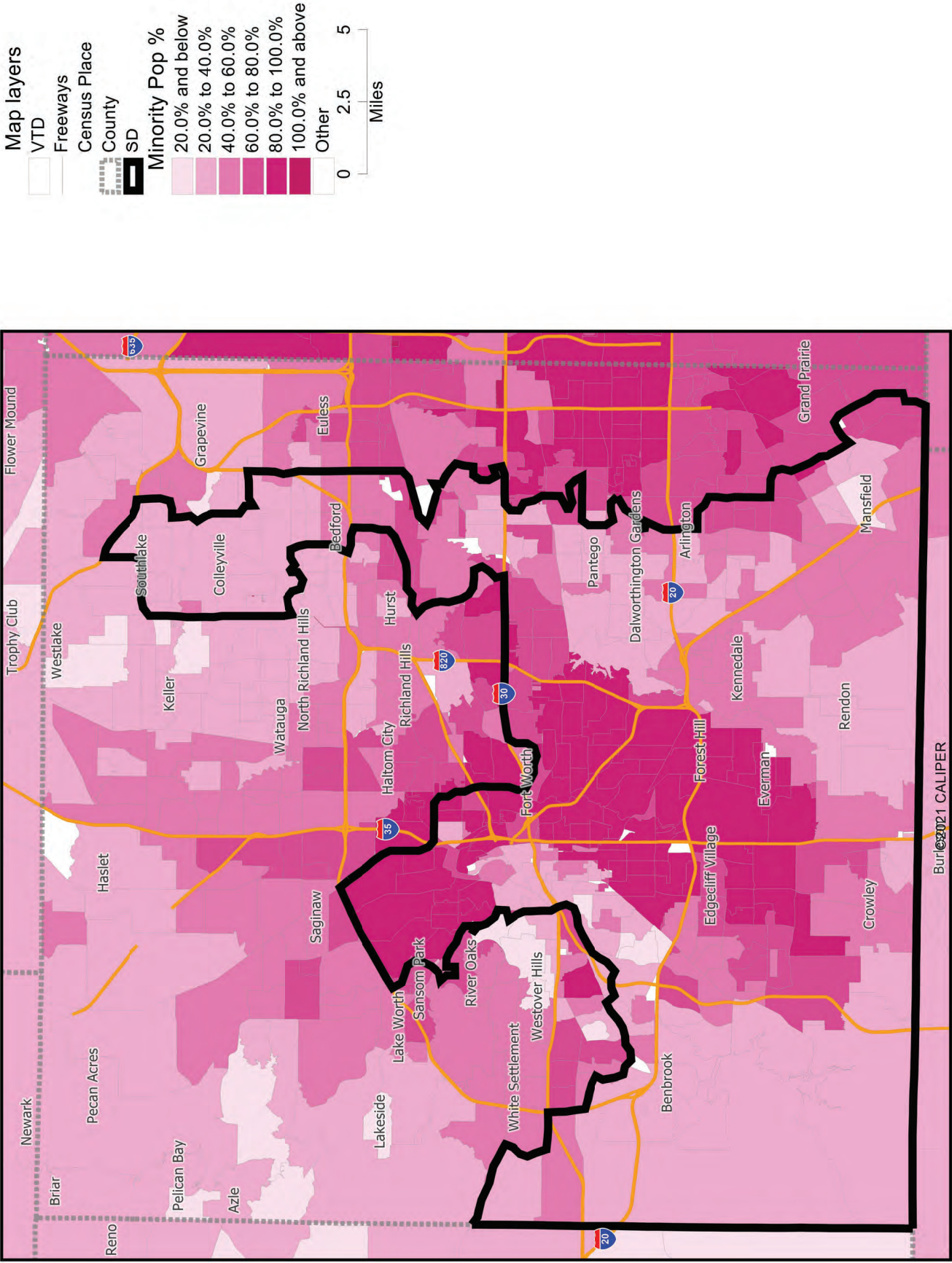
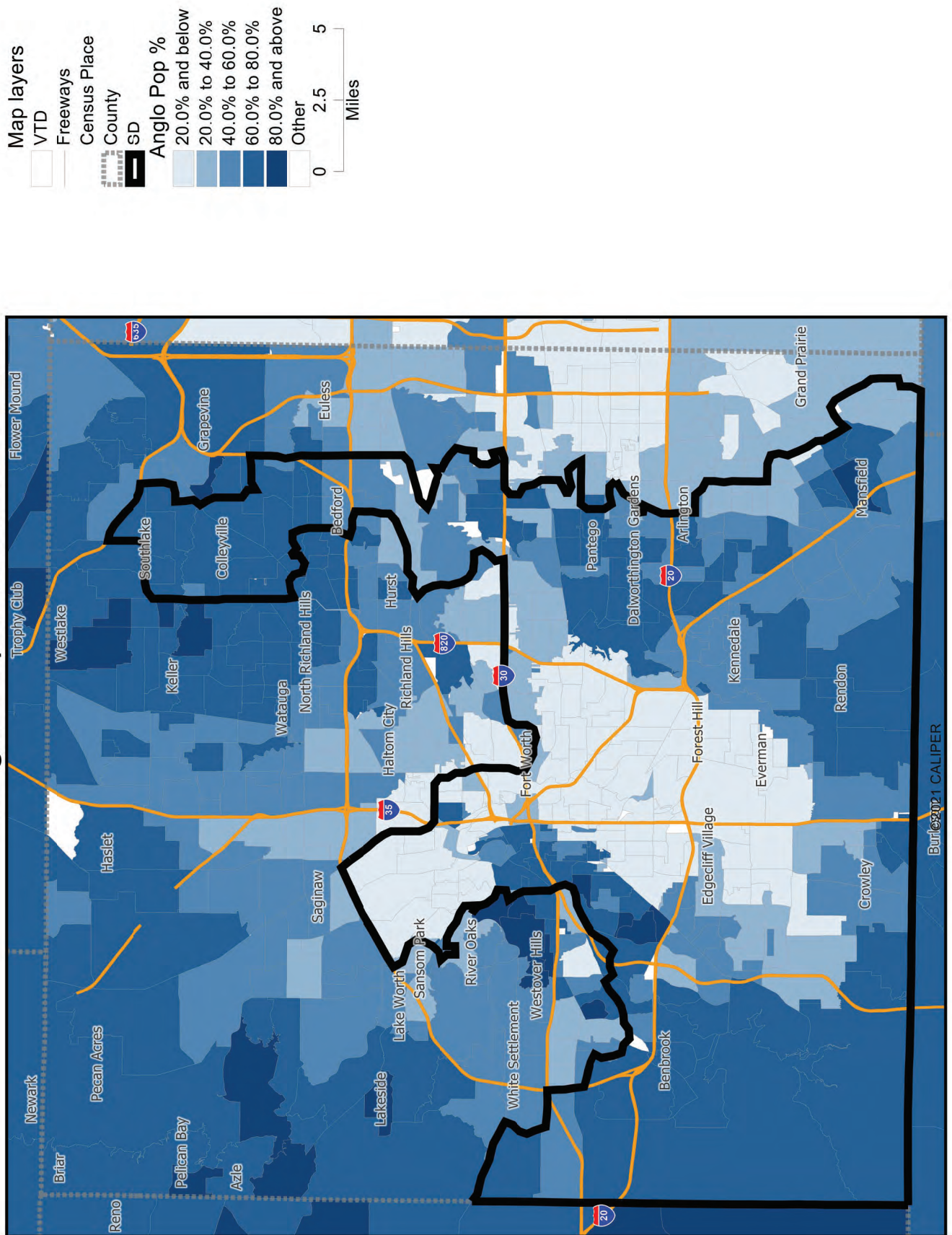


EXHIBIT 3-K

Part 2

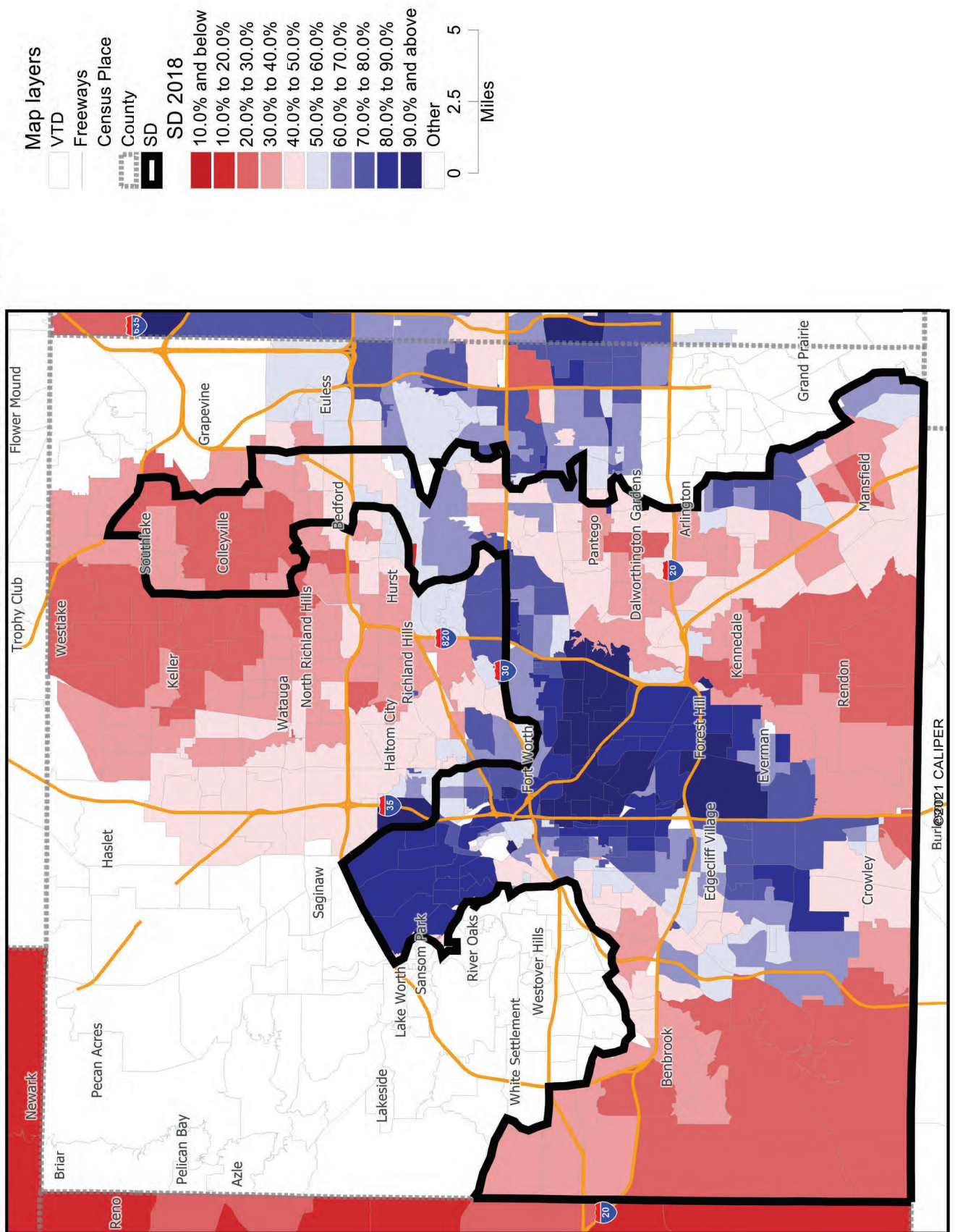
SD 10 Benchmark

Anglo Population 2020



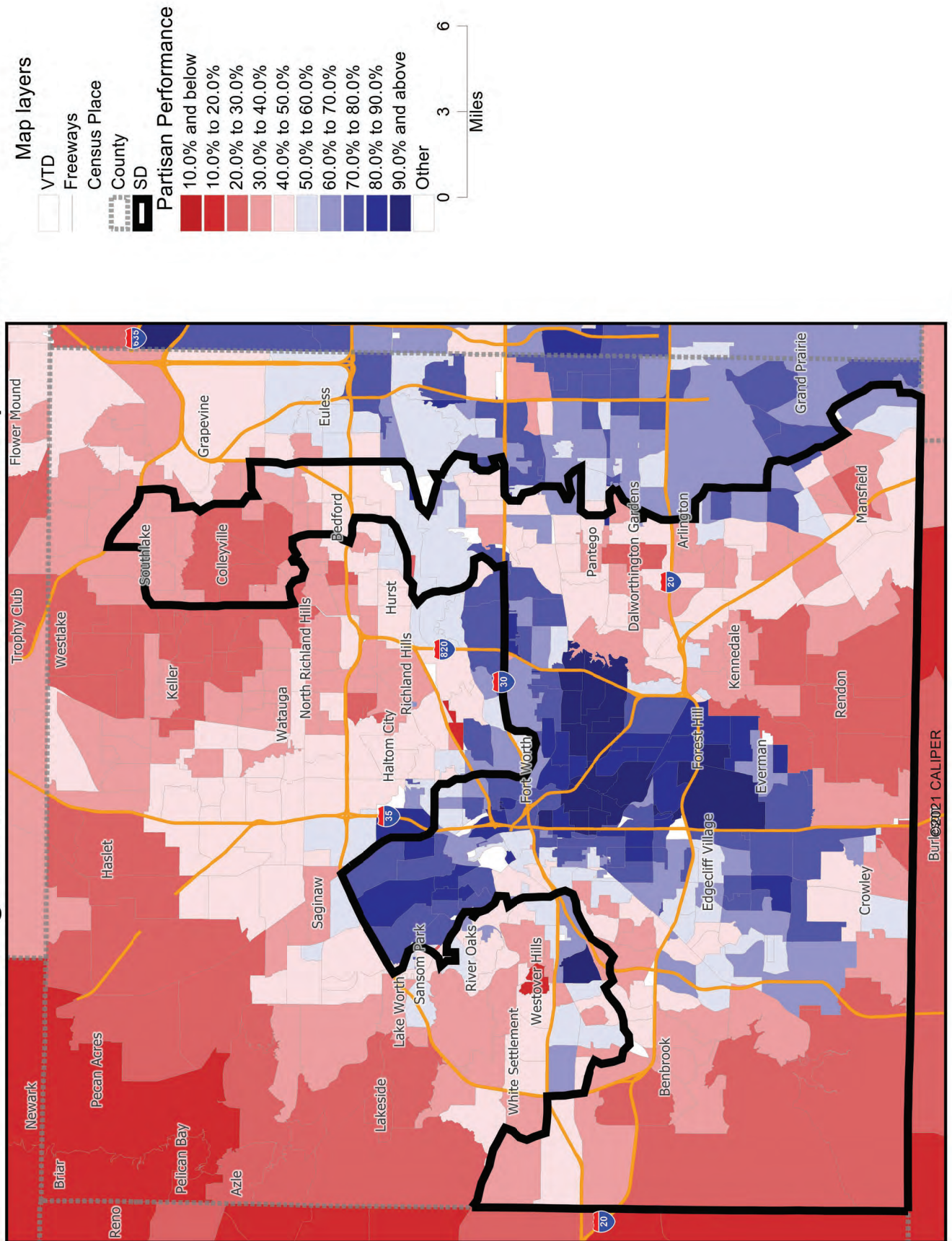
SD 10 Benchmark

Partisan Performance - Senate Districts 2018



SD 10 Benchmark

Average Partisan Performance - Top of Ticket



UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

STATE OF TEXAS,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 11-1303
)	(TBG-RMC-BAH)
UNITED STATES OF AMERICA,)	
and ERIC H. HOLDER, in his)	
official capacity as Attorney General)	
of the United States)	
)	
Defendants, and)	
)	
Wendy Davis, <i>et. al.</i> ,)	
)	
Intervenor-Defendants.)	

MEMORANDUM OPINION

Before: GRIFFITH, *Circuit Judge*, COLLYER and HOWELL, *District Judges*.

Opinion for the Court filed by *Circuit Judge* GRIFFITH, in which *District Judge* HOWELL joins and *District Judge* COLLYER joins all except section III.A.3. Separate opinion for the Court with respect to retrogression in Congressional District 25 filed by *District Judge* HOWELL, in which *District Judge* COLLYER joins.

Dissenting opinion with respect to retrogression in Congressional District 25 filed by *Circuit Judge* GRIFFITH.

Appendix filed by *District Judges* COLLYER and HOWELL, in which *Circuit Judge* GRIFFITH joins.

IV. State Senate Plan

Next we consider Texas's request to preclear its State Senate Plan. The United States has not objected to this plan, but the Davis Intervenors, the Texas State Conference of NAACP Branches, the League of United Latin America Citizens, and the Texas Legislative Black Caucus argue that the Senate Plan retrogresses and was enacted with discriminatory intent. Their arguments concern a single district, Senate District (SD) 10, which they contend is a coalition district in the benchmark plan, and which all parties agree is not an ability district in the enacted plan. These Intervenors also argue that discriminatory purpose motivated the legislature's decision to break up SD 10. We conclude that benchmark SD 10 is not a coalition district, and thus that the Senate Plan is not retrogressive. Nevertheless, we deny preclearance because Texas failed to carry its burden to show that it acted without discriminatory purpose in the face of largely unrebutted defense evidence and clear on-the-ground evidence of "cracking" minority communities of interest in SD 10. Thus, we conclude that the Texas legislature redrew the boundaries for SD 10 with discriminatory intent.

A. Retrogression in the Senate Plan

Benchmark SD 10 is located entirely within Tarrant County, which includes Fort Worth. When the Texas legislature last drew the district in 2001, the population was 56.6% Anglo, 16.7% Black, and 22.9% Hispanic. Defs.' Ex. 126, 2001 State of Texas Submission for State Senate Preclearance app. I (Aug. 15, 2001). Urging the Department of Justice to preclear the 2001 State Senate Plan, Texas justified SD 10's configuration by arguing that "[t]he voting strength of these minority communities in the future will depend on the cohesion within and between Black and Hispanic voters and the ability of such voters to form coalitions with other

racial or ethnic groups in support of their preferred candidates.” *Id.* at 18. In other words, Texas argued that SD 10 had the potential to become a coalition district.

The Department of Justice precleared the 2001 map, and, over the past decade, the minority population in SD 10 has continued to grow. According to the 2010 Census, 47.6% of the population in SD 10 was Anglo, 19.2% Black, and 28.9% Hispanic. Defs.’ Ex. 151, at 5. Minorities made up a smaller portion of the 2010 CVAP, however: 62.7% were Anglo, 18.3% Black, and 15.1% Hispanic. Pl.’s Ex. 15, at 8. Republicans have won almost every election in SD 10 in the past ten years, including the district’s endogenous State Senate elections from 2000-2008. No Democratic candidate running in a statewide or other exogenous election has ever won a majority of the vote in SD 10. *See* Alford Rep. 30.

The only Democrat to win an election in SD 10 is the district’s current senator, Wendy Davis, who was elected to a four-year term in 2008. Davis’s path to the State Senate began when Democratic candidate Terri Moore lost the 2006 election for Tarrant County District Attorney, yet received nearly half of the vote in SD 10. *See* Trial Tr. 30:10-25, 31:1-17, Jan. 18, 2012 PM. In light of these results, Democratic elected officials and community leaders in Tarrant County were of the view that if the Black and Hispanic communities “came together as a coalition to vote . . . they could win Senate District 10.” *Id.* at 30:15-16. These and other leaders within the district’s minority communities recruited Fort Worth City Council member Wendy Davis to run for State Senate. *Id.* at 32:3-25, 33:1-17; *see also id.* at 16:1-5, Jan. 20, 2012 AM (Senator Davis, testifying, “I was approached by leaders in our minority community in large part because of the work I’d done as a City Council person and asked if I would consider running for the Texas State Senate.”). Senator Davis ran unopposed in the 2008 Democratic primary, *see* Pl.’s Ex. 135, at 3,

then won the general election with 49.9% of the vote, beating the incumbent by 2.4% — approximately 7,100 out of 288,000 votes cast.³³ Pl.’s Ex. 31, at 14.

According to Texas’s expert, Davis received 99.6% of the Black vote, 85.3% of the Hispanic vote, and 25.8% of the Anglo vote. Trial Tr. 32:24-25, 33:1-16, Jan. 25, 2012 AM. Although this is strong evidence that the minority communities in SD 10 voted cohesively in the 2008 election, the argument that SD 10 is a coalition district runs into trouble when looking at evidence that the district’s minority communities have been effective in electing their preferred candidates.

At summary judgment, we noted that “evidence that a coalition had historical success in electing its candidates of choice would demonstrate that the minority voters in that district had, and would continue to have, an ability to elect their preferred candidates.” *Texas*, 831 F. Supp. 2d at 268. The case that SD 10 is an ability district turns on a single, razor-thin election victory, which is not “historical success.” Indeed, SD 10’s decade-long history of electing Republicans shows just the opposite. There is no doubt that the minority community came together to elect a preferred candidate in 2008, but a single victory is not the more exacting evidence needed for a coalition district. If it were, any single victory built upon the support of minority voters would create a claim for ability status.

B. Discriminatory Intent in the Senate Plan

There is no direct evidence that the Texas legislature acted with a racially discriminatory purpose in its reconfiguration of SD 10, and so we must look to circumstantial evidence. Once again, we look to the *Arlington Heights* factors to determine whether Texas has met its burden of disproving discriminatory intent.

³³ Richard Cross, a libertarian candidate, received 2.6% of the vote (7,591 votes). Pl.’s Ex. 31, at 14.

Considering first the impact of the redistricting — “whether it ‘bears more heavily on one race than another,’” *Arlington Heights*, 429 U.S. at 266 (quoting *Washington v. Davis*, 426 U.S. 229, 242 (1976)), there is little question that dismantling SD 10 had a disparate impact on racial minority groups in the district. Even Dr. Alford agreed that the enacted plan “diminishes the voting strengths of Blacks and Latinos in [SD 10],” Trial Tr. 39:14, Jan. 25, 2012 AM. In a letter he sent to the Department of Justice objecting to the enacted Senate Plan, Texas State Senator Rodney Ellis explained in detail how the new boundaries eliminate the ability of minority citizens to elect their preferred candidates by submerging their votes within neighboring and predominantly Anglo districts:

The demolition of District 10 was achieved by cracking the African American and Hispanic voters into three other districts that share few, if any, common interests with the existing District’s minority coalition. The African American community in Fort Worth is “exported” into rural District 22 — an Anglo-controlled District that stretches over 120 miles south to Falls [County]. The Hispanic Ft. Worth North Side community is placed in Anglo suburban District 12, based in Denton County, while the growing South side Hispanic population remains in the reconfigured majority Anglo District 10.

Defs.’ Ex. 375, at 3. We find that Senator Ellis’s testimony is well supported by the record. *See also* Defs.’ Ex. 134, Expert Witness Report of Dr. Allan J. Lichtman ¶ 12 [hereinafter Lichtman Rep.] (“The state legislature, in dismantling benchmark SD 10 cracked the politically cohesive and geographically concentrated Latino and African American communities and placed members of those communities in districts in which they have no opportunity to elect candidates of their choice or participate effectively in the political process.”).

Texas does not deny this disparate impact, but responds that its decision to “crack” SD 10 is best explained by partisan, not racial, goals. Tex. Post-Trial Br. 25. While this is a potentially plausible rationale, *Arlington Heights* instructs that “[d]etermining whether invidious discriminatory purpose was a motivating factor demands a sensitive inquiry into such

circumstantial and direct evidence of intent as may be available,” and so we must “look to the other evidence.” 429 U.S. at 266.

These other factors do not support Texas’s case. The second factor is Texas’s history of discrimination, and as we discussed in our analysis of the Congressional Plan above, history is not on Texas’s side. The third considers the “specific sequence of events leading up to the challenged decision.” *Id.* at 267. The Senate’s principal mapdrawer and staff director of the Senate Redistricting Committee, Doug Davis (no relation to Senator Davis), began discussing draft maps of new Senate districts prior to the February 2011 release of official Census data by using projected population increases. Defs.’ Ex. 127, at 38-39. Once the 2011 general legislative session started in January, these maps were kept in an anteroom off the Senate floor, where many Republican members were taken individually by Chairman Seliger and Doug Davis to review the draft plans and provide input. *See, e.g.*, Trial Tr. 39:15-25, Jan. 20, 2012 AM; Defs.’ Ex. 809, Dep. of Senator Judith Zaffirini 29:22-25, 30:1-19, Jan. 6, 2012. Senator Davis was consistently rebuffed when she asked to see the plans for SD 10, even as another senator told her that the proposed plan was “shredding” her district. Trial Tr. 38:2-8, 40:11-14, Jan. 20, 2012 AM. Senator Judith Zaffirini’s uncontroverted testimony shows that this scenario was not unique to Senator Davis, but reflected a larger pattern: every senator who represented an ability district was excluded from this informal map-drawing process and was not allowed into the anteroom to preview the maps. *See* Defs.’ Ex. 809, Dep. of Senator Judith Zaffirini 30:1-3. Indeed, none of the senators representing ability districts were shown their districts until forty-eight hours before the map was introduced in the Senate. *See* Defs.’ Ex. 129.

Texas offered conflicting testimony in response. Doug Davis testified that “we were not printing maps and giving them to members,” Trial Tr. 172:10-11, Jan. 17, 2012 PM, suggesting

that at least part of this informal process that gave Republican senators opportunities to provide input into the plans did not occur. But Chairman Seliger, Davis's boss, testified that he provided paper maps to at least three senators during this period, all of them Anglo. Trial Tr. 68:1-3, Jan. 24, 2012 AM. In any case, it is clear that senators who represented minority districts were left out of the process.³⁴

Our skepticism about the legislative process that created enacted SD 10 is further fueled by an email sent between staff members on the eve of the Senate Redistricting Committee's markup of the proposed map. The ostensible purpose of the markup was to consider amendments to the proposed plan, but the email suggests a very different dynamic at work. David Hanna, a lawyer for the Texas Legislative Council, a nonpartisan agency that provides bill drafting and legislative research to the Texas legislature, sent an email to Doug Davis and Senate Parliamentarian Katrina Davis (Doug Davis's wife). Hanna's email responded to an earlier message Texas did not produce, but which concerned "precook[ing]" the committee report, *i.e.*, writing the report before the hearing had been held. Trial Tr. 71:23-25, 72:1-7, Jan. 24, 2012 AM. With a subject line titled, "pre-doing committee report," Hanna's email read:

No bueno. RedAppl [the redistricting software Texas used] time stamps everything when it assigns a plan. Doing [the Committee Report on] Thursday [May 12] would create [a] paper trail that some amendments were not going to be considered at all. Don't think this is a good idea for preclearance. Best approach is to do it afterwards and we'll go as fast as possible.

Defs.' Ex. 359. Although the chairman of the redistricting committee, Kel Seliger, denied knowing of any advance decision to refuse to consider amendments, he acknowledged what is apparent from the email: the boundaries of the new Senate districts would be a *fait accompli* by

³⁴ We also note that Texas did not refute testimony indicating that the field hearings held prior to the start of the 2011 legislative session were "perfunctory," Trial Tr. 94:20-21, Jan. 20, 2012 AM, and "a sham," with low attendance, low participation, and little invited testimony or prepared materials. Defs.' Ex. 809, Dep. of Senator Judith Zaffirini 7:11-21.

the time of the markup and the committee did not intend to consider any amendments to the plan. Trial Tr. 71:3-25, 72:1-16, Jan. 24, 2012 AM. We agree with Chairman Seliger that, at a minimum, this email shows that a plan was in place, at least at the staff level, such that no new proposals or amendments to the district map would be entertained at the markup.

Arlington Heights instructs that “departures from the normal procedural sequence also might afford evidence that improper purposes are playing a role.” 429 U.S. at 267. This factor focuses on comparing past redistricting cycles to the present one for anomalous behavior. The State held no field hearings after Census data was released and proposed plans were drawn, unlike the hearings that were held after such data was available in the past. Defs.’ Ex. 134, at 13. Additionally, Senator Zaffirini testified that she, a senator of a minority district, “had never had less input into the drawing of any [redistricting] map” in over thirty years of redistricting experience,” Defs.’ Ex. 370, at 1, and that the 2010 redistricting process was the “least collaborative and most exclusive” she had ever experienced. Lichtman Rep. app. 7, Decl. of Senator Judith Zaffirini ¶ 3. We find this unchallenged testimony sufficient to conclude that the 2010 redistricting process was markedly different from previous years.

Finally, *Arlington Heights* states that “the legislative or administrative history may be highly relevant especially where there are contemporary statements by members of the decisionmaking body.” 429 U.S. at 268. Aside from the “No Bueno” email described above, we have no evidence of contemporary statements by the majority members or their staff “concerning the purpose of the official action,” *id.* But that email indicates, at a minimum, that redistricting committee staff feared their actions might create the appearance of impropriety under section 5. We do, however, have a statement published in the Senate journal from the eleven senators representing majority-minority districts and Senator Davis. They alleged that the fact they were

shut out from the map-drawing process until just forty-eight hours before the map was introduced in the Senate showed that the Senate Plan had a “racially discriminatory purpose.” Defs.’ Ex. 129, at 3. Other senators also wrote directly to Chairman Seliger to express their “disappointment in the process used to develop the Senate redistricting plan” and the “exclu[sion] [of] elected representatives of minority citizens” from that process. Defs.’ Ex. 132, at 1. Although statements from the senators aggrieved by the process do not necessarily show that it was racially discriminatory, instead of merely partisan, they do indicate that the majority was aware during redistricting that several members were upset by the irregular process, yet chose not to address their concerns.

We conclude that Texas has not shown that the Senate Plan was enacted without discriminatory intent. Senator Davis and other Intervenors provided credible circumstantial evidence of the type called for by the Supreme Court in *Arlington Heights*, which, as a whole, indicates that an improper motive may have played a role in the map-drawing process. Rather than directly rebut this evidence, Texas asserts only that the legislature’s motivations were wholly partisan, untainted by considerations of race. We agree that a plan that impacts minority citizens more harshly than majority citizens is not necessarily at odds with section 5. But under the VRA and *Arlington Heights*, it is not enough for Texas to offer a plausible, nonracial explanation that is not grounded in the record. It must, at a minimum, respond to evidence that shows racial and ethnic motivation, which it has failed to do. *See Arlington Heights*, 429 U.S. at 266 (“Absent a [clear pattern of discrimination] . . . the Court must look to other [circumstantial] evidence.”). Here, Texas has made no real attempt to engage with the *Arlington Heights* factors, even though it concedes that the Senate Plan has a disparate impact on minority voters in SD 10. We find it telling that the legislature deviated from typical redistricting procedures and excluded

minority voices from the process even as minority senators protested that section 5 was being run roughshod. One would expect a state that is as experienced with VRA litigation as Texas to have ensured that its redistricting process was beyond reproach. That Texas did not, and now fails to respond sufficiently to the parties' evidence of discriminatory intent, compels us to conclude that the Senate Plan was enacted with discriminatory purpose as to SD 10.

V. State House Plan

A. Retrogression in the State House Plan

The United States and the Intervenors argue that the enacted House Plan retrogresses minority voting power by eliminating eight ability districts (House Districts (HDs) 26, 33, 35, 41, 106, 117, 144, and 149) without creating any others. Texas acknowledges retrogression in HD 33, but argues the House Plan works no abridgement of minority voting rights in any of the other districts. Texas maintains that the loss of HD 33 is offset by the plan's provision for at least one and as many as three new ability districts. We conclude that the enacted plan will have the effect of abridging minority voting rights in four ability districts — HDs 33, 35, 117, and 149 — and that Texas did not create any new ability districts to offset those losses. Consequently, we conclude that the enacted plan cannot be precleared. We first analyze each of the eight alleged ability districts before turning to the three alleged offset districts.

1. Alleged Retrogressive Districts

a. State House District 33

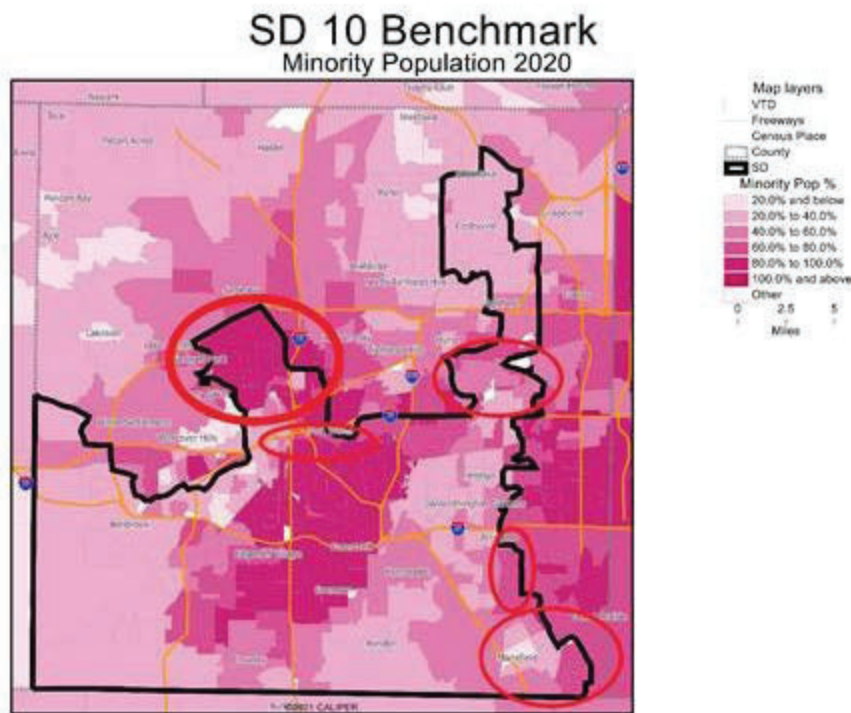
Nueces County in southeastern Texas includes three State House districts in the benchmark plan. HDs 33 and 34 are entirely within the county; HD 32 partially so. Benchmark HD 33 comprises the core of Corpus Christi. HD 34 includes the western part of the county, and HD 32 covers much of the eastern portion and extends into other counties immediately north of

EXHIBIT 3-L

From: [Beverly Powell](#)
To: [Todd Hunter](#)
Cc: [Toni Rose](#); [Rafael Anchia](#); [Craig Goldman](#); [Ryan Guillen](#); [Jacey Jetton](#); [Brooks Landgraf](#); [Ina Minjarez](#); [Joe Moody](#); [Geanie Morrison](#); [Andrew Murr](#); [Mike Schofield](#); [Senfronia Thompson](#); [Chris Turner](#); [James White](#)
Subject: Concerns Regarding SB 4 and Proposed SD 10
Date: Sunday, October 10, 2021 8:02:00 PM
Attachments: [Sen Powell Letter to Chair Hunter 10.10.21.pdf](#)
[2012 DC Court Opinion.pdf](#)
[SD10 - plans2100r100.pdf](#)
[SD10 - plans2100r116_acs1519.pdf](#)
[SD10 Map Packet.pdf](#)
[Senate District 10 Facts.pdf](#)
Importance: High

Dear Chairman Hunter and Committee Members,

In advance of tomorrow's committee hearing on Senate Bill 4, I wanted to bring to your attention a proposed redraw of Texas Senate District 10, which would reduce the district's minority population by 8% (according to ACS estimates)—cleaving through minority neighborhoods to prevent minority voters from uniting to elect their preferred candidates. The circles below show over 150,000 minorities, according to the 2020 census, who are removed by the proposed plan and replaced with Anglo residents from seven rural counties. This plan would achieve its aim: Tarrant County's 1.2 million minorities—the majority of the county's population—would lose the only senate district in which they can unite to elect their preferred senator.



The Supreme Court has warned that it is intentional racial discrimination to destroy an effective crossover district like SD10, and federal courts blocked this precise effort to dismantle SD10's minority population in 2011, forcing the State to pay over \$1 million in plaintiffs' attorneys' fees.

Attached is a letter to the Chair and committee members, with accompanying attachments.

I bring this information to your attention on behalf of my constituents whose voices would be silenced under the proposed redraw. Cracking apart minority voters and submerging them in districts featuring Anglo bloc voting against minority-preferred candidates violates the Constitution

and the Voting Rights Act. This is unacceptable and a direct attack on the ability of my constituents to elect a candidate of their choice.

Best,

Beverly Powell

COMMITTEE ON EDUCATION
COMMITTEE ON HEALTH AND HUMAN SERVICES
COMMITTEE ON STATE AFFAIRS
COMMITTEE ON WATER, AGRICULTURE & RURAL AFFAIRS



SENATOR BEVERLY POWELL
DISTRICT 10

October 10, 2021

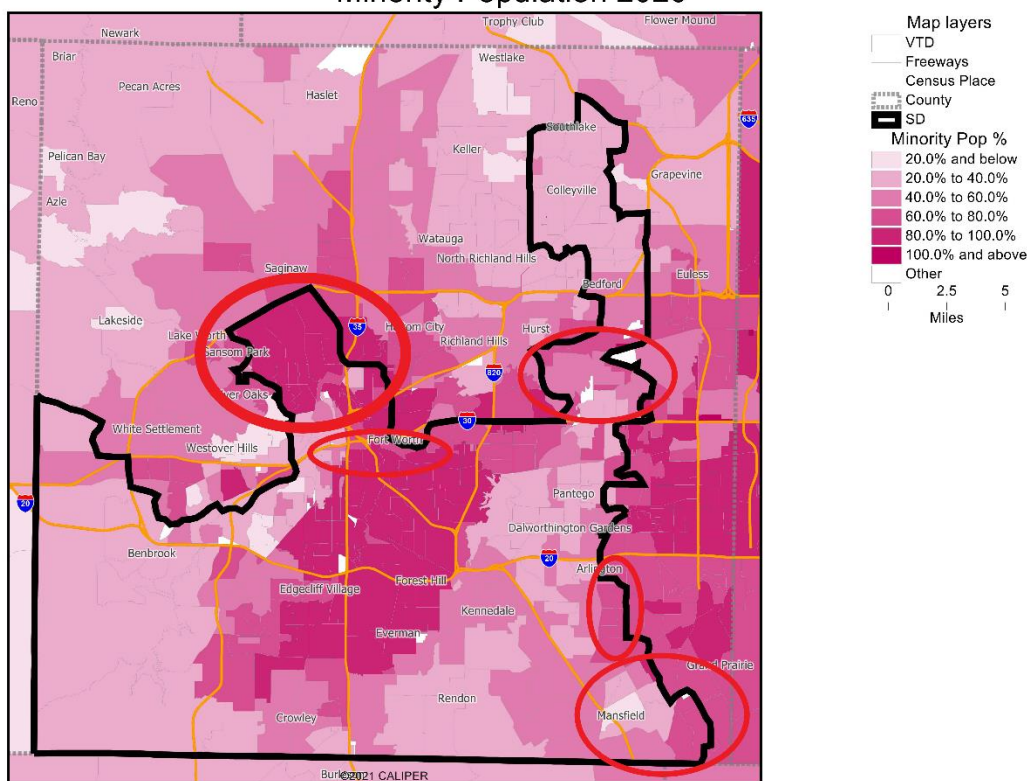
State Representative Todd Hunter
Chair, House Committee on Redistricting
Room 1W.5
P.O. Box 2910
Austin, TX 78768
VIA EMAIL

Dear Chairman Hunter:

On October 6, 2021, Senate Bill 4 was referred to the House Committee on Redistricting. I am writing to express my deep concerns with the proposed redraw of Senate District 10. Additionally, I have attached electronic copies of information that I provided with the Chair of the Senate Redistricting Committee, Senator Joan Huffman, including: (1) maps showing the location of minority voters within SD10 and showing how they have succeeded electorally, (2) a copy of the 2012 federal court decision ruling that the Legislature's prior effort to dismantle SD10 in 2011 was unlawful intentional discrimination against minority voters, (3) a fact sheet explaining SD10's status as a performing coalition and crossover district for minority voters, and (4) information from the Texas Legislative Council about the demographic makeup of SD10 as it is drawn today.

Based on the map as passed by the Senate, I have highlighted below several legal deficiencies with the proposed plan. The map below shows, in red circles, the concentrations of minority voters that have been cleaved from SD10, splitting SD10's minority voters apart and submerging them into separate districts dominated by white bloc voting against minority-preferred candidates. The areas shown in the red circles include over 250,000 people with a CVAP (Citizen Voting Age Population) that is 45.9% Anglo, 29% Latino, and 19.6% Black.

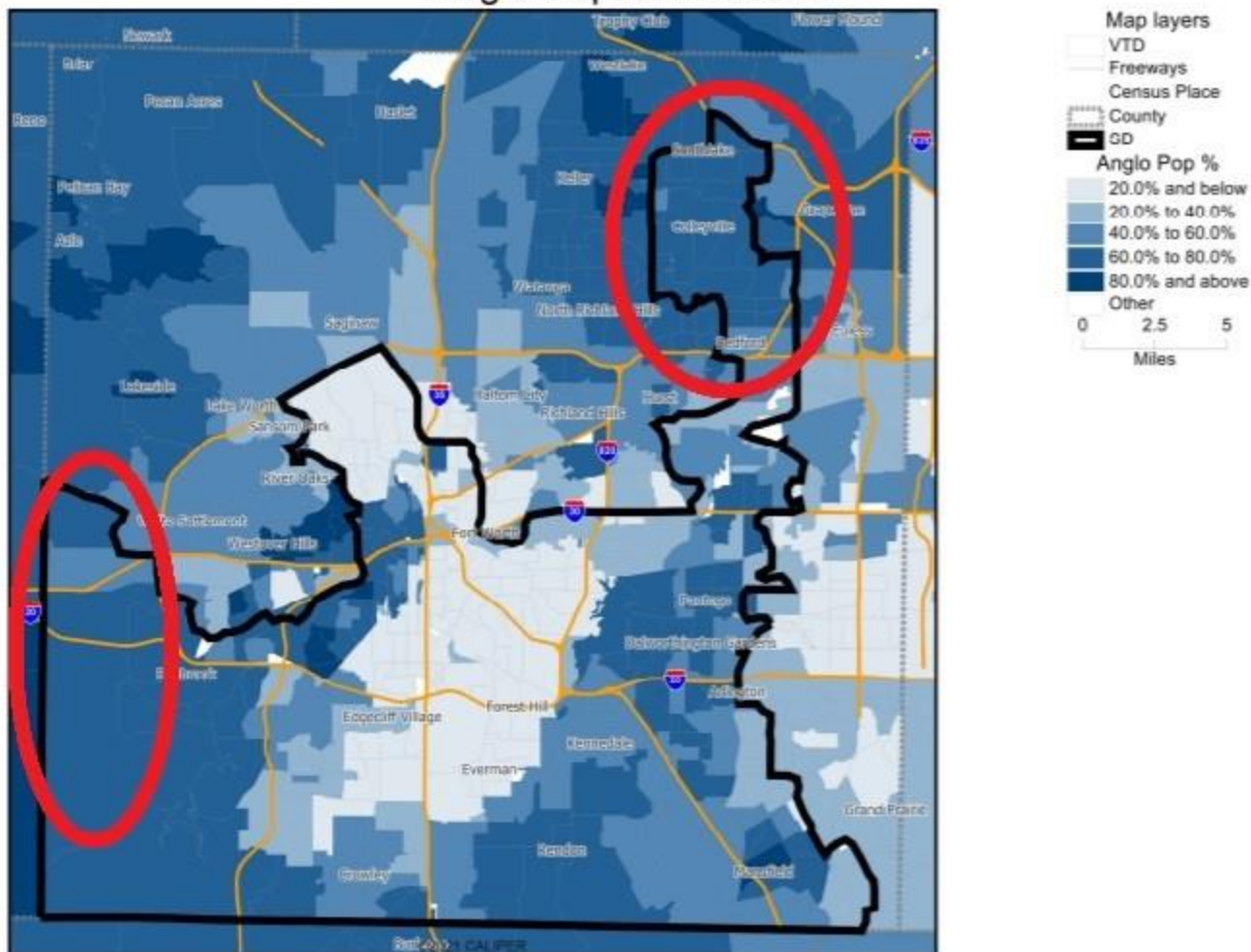
SD 10 Benchmark Minority Population 2020



SD10 currently has an Anglo CVAP of 53.9%, a Black CVAP of 20.5%, and a Latino CVAP of 20.4%. In addition to being politically cohesive within SD 10, minority voters in SD10 also have consistently succeeded electorally by working together with a minority of Anglo voters who “crossover”—as the United States Supreme Court has characterized it—to vote for minority-preferred candidates.

The Senate map passed by the Senate dismantles SD10 as a functioning coalition and crossover district. The map before the House Redistricting Committee redraws SD10 to have an Anglo CVAP of roughly 62%, a Black CVAP of 17%, and a Latino CVAP of 17%—a roughly 8% increase in the Anglo share of the district, according to ACS estimates. Moreover, in addition to cleaving SD10’s politically cohesive minority voters, the proposal also eliminates the Tarrant County “crossover” Anglo voters with whom SD10’s minority voters have formed a political coalition and replace them with Anglo voters in seven rural counties who uniformly reject minority-preferred candidates. The map below shows in red circles areas including roughly 115,000 people with an Anglo CVAP of 78.1%:

SD 10 Benchmark Anglo Population 2020



In the areas shown in red, a portion of Anglo voters crossover to support minority-preferred candidates. Together, the areas shown in red are nearly 80% Anglo CVAP, but the Anglo-preferred candidates generally receive vote percentages of 16-19 points below that number (*i.e.* Anglo-preferred candidates receive about 61-64% of the vote in the areas shown in red).¹

The Senate proposal replaces these people—along with (majority-minority) persons shown in red circles in the first map—with voters from Brown, Callahan, Palo Pinto, Parker (parts), Johnson, Shackelford and Stephens counties. Together, these rural counties have an Anglo CVAP

¹ For example, in these areas, Trump prevailed 61.2% to 37.3% in the 2020 presidential election, Cornyn prevailed 64.7% to 33.2% in the 2020 senate election, Cruz prevailed 62.7% to 36.5% in the 2018 senate election, Paxton prevailed 63.0% to 34.7% in the 2018 attorney general election, and Patrick prevailed 63.9% to 33.8% in the 2018 lieutenant governor election.

of 80.4%, but Anglo crossover voting for minority-preferred candidates is nearly nonexistent. Unlike the Anglo voters in Tarrant County, the Anglo-preferred candidates in these rural counties combined generally receive the same percentage of the vote as the Anglo CVAP percentage.² Dismantling SD10 and including these rural counties is unlawful.

The proposal achieves its purpose of dismantling SD10's status as an effective coalition and crossover district for minority voters in two ways: (1) it cracks apart and harms the district's minority voters, substantially decreasing SD10's minority population, and (2) it eliminates the Anglo crossover voters who have joined together with minority voters to support minority-preferred candidates.

This is unlawful. As the Supreme Court has explained, "if there were a showing that a State intentionally drew district lines in order to destroy otherwise effective crossover districts, that would raise serious questions under both the Fourteenth and Fifteenth Amendments." *Bartlett v. Strickland*, 556 U.S. 1, 24 (2009) (Kennedy, J., Roberts, C.J., and Alito, J., plurality); *Campos v. City of Baytown, Tex.*, 840 F.2d 1240, 1244 (5th Cir. 1988) (holding that Section 2 protects minority coalition districts). In the Senate plan under SB4, it is clear the author has "intentionally dr[awn] district lines in order to destroy [an] otherwise effective crossover district[]." The Supreme Court has warned against this precise unlawful scheme. Furthermore, the Fifth Circuit decision cited above—binding precedent that the Legislature must follow³—also held that coalition districts are protected under federal law, so there is ample legal support for the argument that destroying a coalition district would also be intentionally discriminatory.

I want to make the committee aware that the 2011 Legislature's nearly identical effort to dismantle SD10 was ruled to be intentional racial discrimination. *See Texas v. United States*, 887 F. Supp. 133, 166 (D.D.C. 2012) ("The Senate Plan was enacted with discriminatory purpose as to SD10."). The ruling on discriminatory intent stands today. A federal court has ruled that Sen. Davis was the *prevailing party* in her lawsuit challenging the discriminatory scheme and awarded her attorneys' fees.

The D.C. Circuit affirmed that ruling, rejecting Texas's argument that it had ultimately won the case: "To say that Texas 'prevailed' in this suit because a different litigant in a different suit won on different grounds that Texas specifically told the district court it would *not* raise is, to say the least, an unnatural use of the word 'prevailing.'" *Texas v. United States*, 798 F.3d 1108, 1116

² For example, Trump carried the counties 80.2% to 18.6%, Cornyn prevailed 80.3% to 17.5%, Cruz prevailed 79.7% to 19.6%, Paxton prevailed 78.1% to 19.6%, and Patrick prevailed 78.4% to 19.7%.

³ In 2017 testimony in federal court, the prior chair of the House Redistricting Committee—a lawyer—expressed confusion that Texas is in the Fifth Circuit and that the Fifth Circuit's rulings are binding on the State of Texas. I hope this clarifies those facts.

(D.C. Cir. 2015) (emphasis in original). Instead, the D.C. Circuit held that Texas mooted the lawsuit by *acquiescing* to the district court’s intentional discrimination ruling, abandoning its effort to dismantle the district, and adopting SD10’s current configuration—which has now persisted for twenty years. *Id.* at 1118. It did so before *Shelby County* had any effect on the decision. *Id.* The Supreme Court denied Texas’s petition for certiorari. *Texas v. Davis*, 577 U.S. 1119 (2016) (Mem.). Moreover, the Fifth Circuit explained why it was strategically wise for Texas to abandon the changes to SD10 that the D.C. federal court had found intentionally discriminatory. After the Section 5 preclearance formula was invalidated, the Fifth Circuit explained, “it is far from clear that Texas could have automatically prevailed on the merits” had it continued to defend its dismantling of SD10, and instead the San Antonio court could (and likely would) have invalidated the changes to SD10 again “based on Plaintiffs’ Section 2 and constitutional claims.” *Davis v. Abbott*, 781 F.3d 207, 215 (5th Cir. 2015). After all, the DC federal court had just found the effort was intentional racial discrimination.

Sen. Davis and her co-plaintiffs won her claim that Texas intentionally discriminated against racial minorities by cracking SD10’s minority population and submerging them in Anglo-dominated rural districts—a victory that the Supreme Court left undisturbed and that cost Texas taxpayers over \$1 million in legal fees. Yet this is what the Senate proposal is proposing to do again.

Moreover, a similar effort to crack apart Tarrant County’s minority population was ruled intentionally discriminatory in the 2011 congressional plan. *Perez v. Abbott*, 253 F. Supp. 3d 864, 945-961 (W.D. Tex. 2017). Although Circuit Judge Jerry Smith dissented from most of that three-judge court’s decision, he *agreed* that the cracking of minority populations in Tarrant County was unlawful intentional discrimination: “Relatively little about the 2011 Congressional redistricting passes the smell test as to DFW, the largest metropolitan area in Texas with 6.4 million residents in 2010 but where the apparent choice of minority voters in 2010 was reflected only in CD30 (veteran African-American Democrat Congresswoman Eddie Bernice Johnson).” *Id.* at 986 (Smith, J., dissenting). The three-judge court actually redrew the congressional lines in Tarrant County to remedy this intentional fracturing and dilution of minority voting strength.

The 2020 Census reveals that Tarrant County now has over 1 million Black and Latino residents—250,000 *more* than it had following the 2010 Census. By contrast, Tarrant County now has just over 900,000 Anglo residents—over 300,000 *fewer* than it had following the 2010 Census. Yet, the Senate proposal eliminates the *one* senate district in which Tarrant County’s minority voters have succeeded in electing their preferred candidate. Senate Bill 4 proposes to do this even though the *same scheme* was found to be intentional racial discrimination after the last Census—*when there were substantially fewer minority voters*.

When the San Antonio district court declined to “bail in” Texas to the Voting Rights Act Section 3 preclearance regime, it unanimously (with the votes of District Judges Rodriguez and Garcia and Circuit Judge Smith) warned the Legislature that it “would be well advised to conduct its redistricting process openly” in 2021 and to abandon its effort from “the 2011 session . . . [of] engag[ing] in traditional means of vote dilution such as cracking and packing in drawing districts” if it wished to avoid federal oversight of its electoral decisions. *Perez v. Abbott*, 390 F. Supp. 3d 803, 820-21 (W.D. Tex. 2019).

On behalf of my constituents, I urge the House Committee to heed that warning, and preserve SD10 as an effective coalition and crossover district for minority voters.

Sincerely,

A handwritten signature in black ink that reads "Beverly Powell". The signature is written in a cursive, flowing style.

Senator Beverly Powell

CC: Members of the House Committee on Redistricting

EXHIBIT 3-M

From: [Beverly Powell](#)

To: [Alma A. Allen](#); [Steve Allison](#); [Rafael Anchia](#); [Charles Anderson](#); [Trent Ashby](#); [Ernest Bailes](#); [Michelle Beckley](#); [Cecil Bell](#); [Keith Bell](#); [Diego Bernal](#); [Kyle Biedermann](#); [Greg Bonnen](#); [Rhetta Bowers](#); [Brad Buckley](#); [John Bucy](#); [DeWayne Burns](#); [Dustin Burrows](#); [Angie Button](#); [Briscoe Cain](#); [Elizabeth Campos](#); [Terry Canales](#); [Giovanni Capriglione](#); [Jeff Cason](#); [Travis Clardy](#); [Sheryl Cole](#); [Garnet F Coleman](#); [Nicole D Collier](#); [David Cook](#); [Philip Cortez](#); [Tom Craddick](#); [Jasmine Crockett](#); [John Cyrier](#); [Drew Darby](#); [Yvonne Davis](#); [Jay Dean](#); [Joe Deshotel](#); [Alex Dominguez](#); [Harold V. Dutton](#); [Brian Harrison](#); [Art Fierro](#); [James Frank](#); [John Frullo](#); [Gary Gates](#); [Charlie Geren](#); [Barbara Gervin-Hawkins](#); [Craig Goldman](#); [Jessica Gonzalez](#); [Mary Gonzalez](#); [Vikki Goodwin](#); [Bobby Guerra](#); [Ryan Guillen](#); [Sam Harless](#); [Cody Harris](#); [Cole Hefner](#); [Ana Hernandez](#); [Abel Herrero](#); [Gina Hinojosa](#); [Justin Holland](#); [Donna Howard](#); [Dan Huberty](#); [Lacey Hull](#); [Todd Hunter](#); [Celia Israel](#); [Jacey Jetton](#); [Ann Johnson](#); [Jarvis Johnson](#); [Julie Johnson](#); [Kyle Kacal](#); [Ken King](#); [Phil King](#); [Tracy King](#); [Stephanie Klick](#); [Matt Krause](#); [John Kuempel](#); [Stan Lambert](#); [Brooks Landgraf](#); [Lyle Larson](#); [Jeff Leach](#); [Ben Leman](#); [Oscar Longoria](#); [Ray Lopez](#); [JM Lozano](#); [Eddie Lucio III](#); [Mando Martinez](#); [Trey Martinez Fischer](#); [Will Metcalf](#); [Morgan Meyer](#); [Terry Meza](#); [Mayes Middleton](#); [Ina Minjarez](#); [Joe Moody](#); [Christina Morales](#); [Eddie Morales](#); [Penny Morales Shaw](#); [Geanie Morrison](#); [Sergio Munoz](#); [Jim Murphy](#); [Andrew Murr](#); [Victoria Neave](#); [Candy Noble](#); [Tom Oliverson](#); [Claudia Ordaz Perez](#); [Lina Ortega](#); [Chris Paddie](#); [Tan Parker](#); [Jared Patterson](#); [Dennis Paul](#); [Mary Ann Perez](#); [Dade Phelan](#); [Four Price](#); [Ana-Maria Ramos](#); [John Raney](#); [Richard Raymond](#); [Ron Reynolds](#); [Eddie Rodriguez](#); [Glenn Rogers](#); [Ramon Romero Jr.](#); [Toni Rose](#); [Jon Rosenthal](#); [Scott Sanford](#); [Matt Schaefer](#); [Mike Schofield](#); [Matt Shaheen](#); [Carl Sherman](#); [Hugh Shine](#); [Bryan Slaton](#); [Shelby Slawson](#); [Reggie Smith](#); [John Smithee](#); [David Spiller](#); [Phil Stephenson](#); [Lynn Stucky](#); [Valoree Swanson](#); [James Talarico](#); [Shawn Thierry](#); [Ed Thompson](#); [Senfronia Thompson](#); [Tony Tinderholt](#); [Steve Toth](#); [Chris Turner](#); [John Turner](#); [Gary VanDeaver](#); [Cody Vasut](#); [Hubert Vo](#); [Armando Walle](#); [James White](#); [Terry Wilson](#); [Gene Wu](#); [Erin Zwiener](#)

Subject: Concerns regarding SB4 and proposed redraw of SD10

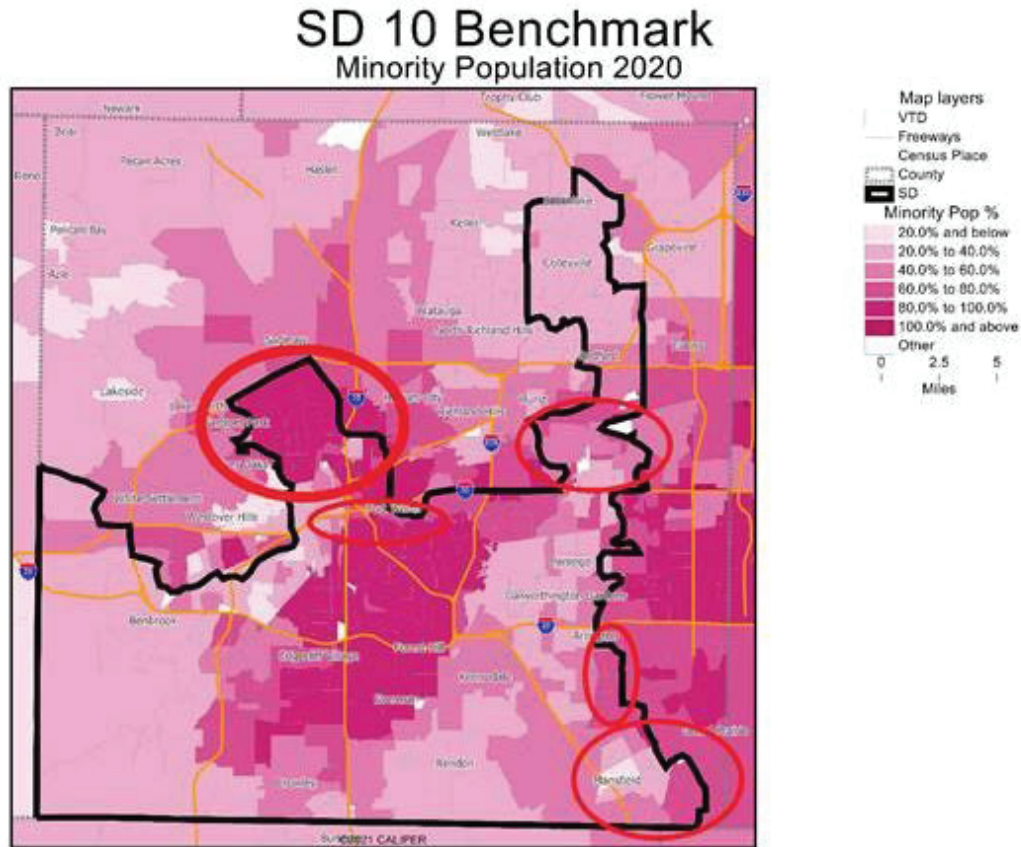
Date: Thursday, October 14, 2021 8:01:00 PM

Attachments: [Sen Powell Letter to Chair Hunter 10.10.21.pdf](#)
[2012 DC Court Opinion.pdf](#)
[SD10 - plans2100r100.pdf](#)
[SD10 - plans2100r116_acs1519.pdf](#)
[SD10 Map Packet.pdf](#)
[Senate District 10 Facts.pdf](#)

Importance: High

Dear House Colleagues,

In advance of House floor consideration on Senate Bill 4, I wanted to bring to your attention a proposed redraw of Texas Senate District 10, which would reduce the district's minority population by 8% (according to ACS estimates)—cleaving through minority neighborhoods to prevent minority voters from uniting to elect their preferred candidates. The circles below show over 150,000 minorities, according to the 2020 census, who are removed by the proposed plan and replaced with Anglo residents from seven rural counties. This plan would achieve its aim: Tarrant County's 1.2 million minorities—the majority of the county's population—would lose the only senate district in which they can unite to elect their preferred senator.



The Supreme Court has warned that it is intentional racial discrimination to destroy an effective crossover district like SD10, and federal courts blocked this precise effort to dismantle SD10's minority population in 2011, forcing the State to pay over \$1 million in plaintiffs' attorneys' fees.

Attached is a letter I sent to the Chair of the House Redistricting Committee and committee members this past weekend, with accompanying attachments.

I bring this information to your attention on behalf of my constituents whose voices would be silenced under the proposed redraw. Cracking apart minority voters and submerging them in districts featuring Anglo bloc voting against minority-preferred candidates violates the Constitution and the Voting Rights Act. This is unacceptable and a direct attack on the ability of my constituents to elect a candidate of their choice.

Best,

Beverly Powell

Texas State Senator, District 10

EXHIBIT 3-N

Texas Senate District 10, PLANS172

2010 Population and 2020 Projected Population
 Numeric and Percent Change 2010 to 2020 by County

			Population Change by Race/Ethnicity 2010 - 2020											
County	Population		All Races		NH White		NH Black		Hispanic		NH Asian		NH Other	
	2010	2020	Numeric	Percent	Numeric	Percent	Numeric	Percent	Numeric	Percent	Numeric	Percent	Numeric	Percent
Tarrant	1,809,034	2,143,755	334,721	18.50%	43,856	4.68%	88,325	33.64%	142,166	29.44%	43,297	51.93%	17,077	39.69%

Source: Texas Demographic Center, Vintage 2018 Population Projections, 2010-2015 Migration Scenario

Note: Population for all counties contained wholly or partially within Senate District.