

**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-DCG-JES-JVB  
[Lead Case]

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**DECLARATION TO ACCOMPANY  
THE REBUTTAL REPORT OF MATT BARRETO, Ph.D.**

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Pursuant to 28 U.S.C. §1746, I, Matt A. Barreto, declare that:

My name is Matt A. Barreto. I am an expert witness designated by Brooks Plaintiffs in the above referenced case now pending in the United States District Court for the Western District of Texas.

My report in rebuttal to Dr. Alford, Exhibit 100, is incorporated herein for all purposes and include a complete statement of my opinions and conclusions in response to Dr. Alford. The facts or data that I relied upon to develop my analysis and opinions are produce herewith for all counsel.

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

Signed this the 19th day of January, 2022.



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Matt Barreto



### **Dr. Barreto Rebuttal to Dr. Alford**

1. Pursuant to 28 U.S.C. section 1746, I, Matt A. Barreto, declare as follows:
2. My name is Matt A. Barreto, and I am currently Professor of Political Science and Chicana/o Studies at the University of California, Los Angeles. I submitted a declaration in this matter on November 24, 2021. I have recently read the report of Dr. John Alford and now offer this rebuttal.
3. In his December 20, 2021 report, Dr. Alford contends that Black and Latino voters in Tarrant County are not politically cohesive because his analysis shows that they supported different candidates in the 2014 Democratic primary for Senate District 10. He also cites the Democratic primaries for Congressional District 33, in which he opines (without providing any analysis or data), that Black and Latino voters have different preferences.
4. Regarding the 2014 primary for SD10, Dr. Alford contends that Black and Anglo voters supported Libby Wilson while Latino voters supported Mike Martinez. But this illustrates the flaw in his analysis and logic overall. If Dr. Alford is correct that we should just extrapolate a racial or ethnic group's voting preferences from a low turnout, single primary electorate, then we would conclude that Libby Wilson was the candidate of choice of Anglo voters in SD10. If that were so, she would have easily won the general election. But the general election—in which voters actually elect their state representative, and in which a larger, broader electorate participates—shows that Konni Burton was the clear candidate of choice of Anglo voters. Dr. Alford would certainly agree that Burton, not Wilson, was the candidate of choice among Anglo voters in SD10, and that how Anglos voted in the primary was not determinative of their ultimate vote choice.
5. The 2020 general election for Congressional District 33 likewise illustrates the flaw with over-emphasizing Democratic primary election results in Tarrant County. In that election, Congressman Veasey, who is Black, faced two Hispanic candidates: Republican Fabian Cordova Vasquez and Independent Carlos Quintanilla. Veasey prevailed 66.8% to Vasquez's 25.2% to Quintanilla's 5.1%. Two other candidates—a Libertarian and Independent—received a combined 2.9%. The margin was even greater for Congressman Veasey in Tarrant County, where he prevailed 70.9% to 23.2% for Vasquez to 3.0% for Quintanilla. Although Mr. Quintanilla ran as an Independent in the 2020 general election, he had twice run as Congressman Veasey's primary opponent in the 2018 and 2016 Democratic primaries—two of the five primary elections Dr. Alford cites without evidence to support his contention that Black and Latino voters are not cohesive.
6. The 2020 general election for CD33 thus provides uniquely probative information about Black and Latino cohesion in Tarrant County. Not only is it the election that actually matters for determining who will represent the community, but it featured the *same* candidates who had previously twice faced off in primary elections, along with an *additional* Hispanic candidate, Vasquez. What's more, the general is a higher turnout election in which the actual preferences of the broader voting community can be tested. And the results show that Black and Latino voters—by a large margin—cohesively support Congressman Veasey over the two Hispanic opponents.

7. **Table 1: Veasey vs. Vasquez vs. Quintanilla 2020 general**  
Ecological regression results - Tarrant precincts only (n=137)

	Veasey	Vasquez	Quintanilla
Latino vote	69.17	21.74	6.59
Black vote	98.11	0.58	1.31
Anglo vote	22.28	70.79	4.43

Homogenous precincts – top 40 precincts that are 70% or more Latino  
Average Veasey vote: 65.21

Homogenous precincts – top 21 precincts that are 50% or more Black  
Average Veasey vote: 86.69

8. In Tarrant County, Congressman Veasey received 55,929 votes while Mr. Quintanilla received 2,332 votes in the 2020 general election. By contrast, in the lower turnout 2018 Democratic primary, Congressman Veasey received 9,270 votes to Mr. Quintanilla's 2,095 votes in Tarrant County. Thus, when the fuller electorate participated and expressed their preferences, Congressman Veasey's vote total in Tarrant County increased by over 46,000, while Mr. Quintanilla's increased by only about 200. Dr. Alford completely ignores this probative scenario—in which the same Black and Hispanic candidates appear in both primary elections and general elections.
9. Moreover, he also ignores data showing cohesion in the *primary* in Tarrant County. In the 2018 Democratic primary, for example, Congressman Veasey was the candidate of choice of both Hispanic and Black voters.

10. **Table 2: Veasey vs. Quintanilla 2018 primary**  
Ecological regression results - Tarrant precincts only (n=131)

	Veasey	Quintanilla
Latino vote	56.39	43.61
Black vote	99.45	0.55
Anglo vote	74.47	25.53

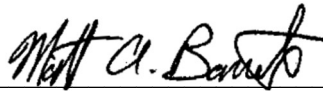
Homogenous precincts – top 40 precincts that are 70% or more Latino  
Average Veasey vote: 61.46

Homogenous precincts – top 21 precincts that are 50% or more Black  
Average Veasey vote: 91.06

11. The fact that Congressman Veasey's Latino vote share increases from 56.39% to 69.17% against the *same* Latino candidate in the 2018 primary and the 2020 general election illustrates the flaw with Dr. Alford's singular focus on low turnout primaries to ascertain Black and Latino voting preferences in Tarrant County.

12. Finally, I have reviewed Exhibits 49 and 50 which purports to be an ecological inference (EI) analysis run by the Attorney Generals office for various election 2012 to 2020. However, there is no supporting document to assess the accuracy or validity of the EI tables, nor was any underlying data provided to allow me to replicate and verify the analysis. Further, there is no description of what software was used, which specific EI models were employed and what parameters were set in the analysis. Dr. Alford did not provide the necessary methodological information or details which are customary in expert reports.
13. I will provide additional data and analysis of population statistics and election results on areas of the Senate maps in and around the Dallas/Fort Worth area as requested by the Court and counsel.
14. I declare under penalty of perjury that the foregoing is true to the best of my knowledge.

January 19, 2022

A handwritten signature in black ink, appearing to read "Matt A. Barreto", is written over a horizontal line.

Matt A. Barreto

Agoura Hills, California