

EXHIBIT

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

LEAGUE OF UNITED LATIN § 3:21-CV-00259-DCG-JES-JVB
AMERICAN CITIZENS, ET AL §
§
V. § 8:58 A.M. TO 12:30 P.M.
§
GREG ABBOTT, IN HIS §
OFFICIAL CAPACITY AS §
GOVERNOR OF THE STATE OF §
TEXAS, ET AL § JANUARY 27, 2022

HEARING ON MOTION FOR PRELIMINARY INJUNCTION
AS TO SENATE DISTRICT 10
BEFORE THE HONORABLE DAVID C. GUADERRAMA,
HONORABLE JERRY E. SMITH
AND HONORABLE JEFFREY V. BROWN
VOLUME 6 (AM SESSION) OF 9 VOLUMES

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Proceedings recorded by mechanical stenography.
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VOLUME 6
(HEARING ON MOTION FOR PRELIMINARY INJUNCTION
AS TO SENATE DISTRICT 10)

JANUARY 27, 2022

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1 that corresponds to Page 37 of Defendants' Exhibit Number
2 58.

3 MR. HILTON: Brian, if you would play that.

4 (Defendants' Exhibit Number 59 played, as follows:)

10:39:13 5 "MR. LEE: -- to the State, though.

6 "SENATOR HUFFMAN: Well, as I stated very
7 clearly, these maps were drawn blind to race. And then I
8 consulted with the Attorney General's office, and they
9 gave me legal advice as to whether or not I had -- I had
10:39:28 10 complied with the Voting Rights, Section 2; and that's
11 what we have done.

12 "We invite anyone -- because the data that they use is
13 completely open to the public, we invite anyone to submit
14 alternative maps.

10:39:43 15 "Do you have a map you would like for us to consider
16 here today?

17 "MR. LEE: I do not.

18 "SENATOR HUFFMAN: Okay."

19 (Defendants' Exhibit Number 59 concluded)

10:39:47 20 BY MR. HILTON:

21 **Q.** Is that an accurate recording of your statements in
22 the Senate hearing that day?

23 **A.** Yes.

24 **Q.** And do you recall who the person you are addressing
10:39:55 25 is?

11:26:39

1 grants special protection to a minority group's rights to
2 form political coalitions. So, again, we can interpret
3 the law differently. I have been assured, I have studied
4 it, that the maps are in compliance, and that we have
5 followed the requirements under *Bartlett v. Strickland*."

6 **Q.** Thank you, Senator. Is that a substantively accurate
7 transcription of your statements during that hearing?

8 **A.** Yes.

11:27:04

9 MR. HILTON: And again, Your Honors, the pause
10 means I'm skipping some clips and trying to conclude here.
11 I appreciate your indulgence.

12 BY MR. HILTON:

11:27:26

13 **Q.** All right. Senator Huffman, I'm going to ask you to
14 read another one of your statements beginning on Page 65
15 of the transcript --

16 **A.** All right.

11:27:43

17 **Q.** -- beginning at Line 22. This is in response to a
18 question by Senator Menendez -- or at least that is what
19 is reflected on the transcript -- regarding growth of
20 minority population in the state. That's the context for
21 what I'm asking you to read.

11:27:58

22 **A.** "Well, Senator Menendez, as you well know, I stated
23 several times I drew blind to race; and we did preserve
24 all the current both Black opportunity districts and
25 Hispanic or Latino opportunity districts in the existing

1 plan.

2 "I have repeatedly said -- and I think I just said
3 this to Senator Powell -- for any group to bring us
4 something that we didn't see, anything -- excuse me,
5 something we missed. We were more than willing to run a
6 VRA analysis on that, which, in fact, we have done with
7 everything submitted; and nothing submitted has indicated
8 to us that another minority opportunity district is
9 required to be drawn under the law.

10 "As you understand, of course, that it would be racial
11 gerrymandering to just draw a map based on race unless
12 there is a strong basis in evidence to believe the
13 districting decision is required in order to comply with
14 Section 2 of the Voting Rights Act."

15 **Q.** Thank you, Senator. Is that a substantively accurate
16 transcription of your response to Senator Menendez's
17 questioning during the floor debate?

18 **A.** Yes.

19 **Q.** Thank you. I'm going to turn to Page 71 of the
20 transcript, a question from Senator Gutierrez beginning on
21 Line 14. And I have just asked you to read a number of
22 lengthy quotes. So I'll do this one.

23 "SENATOR GUTIERREZ: All right. And so if a plan
24 splits fewer than 23 counties, would that be better or
25 worse?