

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.
Transcript produced by computer-assisted transcription.

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VOLUME 6
(HEARING ON MOTION FOR PRELIMINARY INJUNCTION
AS TO SENATE DISTRICT 10)

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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 complied with the Voting Rights, Section 2; and that's
11 what we have done.

10:39:28

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
25 is?

10:39:55

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*."

11:26:39

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

8 **A.** Yes.

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.

11:27:04

12 BY MR. HILTON:

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 --

11:27:26

16 **A.** All right.

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.

11:27:43

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

11:27:58

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,
11:28:11 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.

11:28:28 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."

11:28:46 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.

11:29:07 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
11:29:24 25 worse?