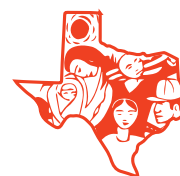


# ***A REVIEW OF ----- REDISTRICTING IN TEXAS***

**By  
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foreword by Mimi Marziani**

**Report Design by Sebastian Gomez de la Torre**



**TEXAS**  
★  
CIVIL RIGHTS  
PROJECT

## ***The story of redistricting in Texas in 2021 feels like it occurred in two parallel universes.***

Texas exploded with growth in the decade between 2010 and 2020, far outpacing any other state by adding 3,999,944 people, entirely in our cities and suburbs. Over 95% of our new residents are people of color, with Latinos constituting a whopping 49% of total growth. In this Texas, on a proportional basis, given their significant population size, Latinos should comprise the majority in 45 state house districts.

But the final maps, as recently signed into law by Texas Governor Greg Abbott, prop up the political power of rural, Anglo Texans at the expense of everyone else. Indeed, both of the new congressional districts created are majority Anglo. And the state House map reduces the number of majority Latino opportunity districts – meaning, districts where Latinos have a meaningful chance to elect a candidate of their community's choice – from 33 down to 30.

Another inexplicable pairing: Public participation in the map-drawing process reached record heights this cycle. Thanks to the work of the Texas Civil Rights Project and our allies, thousands of Texans, representing all parts of this huge, diverse state, testified before legislative committees starting as early as 2019. Overwhelmingly, they demanded a transparent process that solicited meaningful public input from their communities on draft maps, alongside proof that the State would make good faith efforts to follow the Voting Rights Act.

In a functioning democracy, these common sense requests – voiced repeatedly over years in one voice from diverse members of our community – would be taken seriously. But when it came time to put pen to paper this fall, maps were drawn in a rushed, secretive manner, ignoring public input and running roughshod over the rights of communities of color that had turned out with particular energy during the hearing process. As for the Voting Rights Act? The Texas Senate had the gall to claim (implausibly) that it's process was colorblind to race, even though the Voting Rights Act requires lawmakers to consider the impact of mapdrawing on communities of color.

Finally, Texas has spent millions of taxpayer dollars and over a decade in federal court litigating the maps it adopted in 2011. Along the way, several districts were found to be racially discriminatory and Texas was admonished by federal judges for repeating gerrymandering found to be invalid in years prior. This time around, the Texas redistricting process should have avoided the costly and lengthy mistakes of the past. But still, in 2021, Texas lawmakers targeted communities of color in familiar districts

– again cracking apart Black and Latino neighborhoods in Fort Worth's Senate District 10, for instance, and cracking the AAPI population, which was the fastest growing in the state, among several districts in Harris and Fort Bend counties and, again, in Dallas and Collin counties.

Given this, having hope for the future of Texas' democracy might seem like the most illogical self-contradiction of all. But I do, and so does our team.

We have hope because we know that the voting rights movement in Texas is growing stronger, despite the most recent setbacks. We know – because we've been right there, alongside them – that the people of Texas are waking up to the ways that the current leaders of Texas are manipulating the rules to insulate their own power. We saw that on display this fall, unfortunately, and that power-grab is baked into our maps, very unfortunately. But as state leaders work to insulate their own power and agenda, thousands of Texans are joining the movement for voting rights.

This report, authored by three talented advocates and lawyers, is meant to provide a detailed analysis of the maps, as passed. We also seek to celebrate what our movement for a more reflective democracy did accomplish, which is worth celebrating. And, finally, we want to make sure that future generations of civil rights lawyers, community organizers, lawmakers and everyday Texans fully understand the origins of our flawed maps. The lessons and experiences learned from this cycle are absolutely critical for the next 10 years of work built by Texas organizers and attorneys. Ultimately, this process must reflect and celebrate the diversity and dynamism of our State because Fair Maps are a clear sign that we have a healthier and more reflective democracy. The absence of that fairness and transparency point to deep flaws in our democracy that must be rectified and addressed to achieve a more just Texas.



**Mimi Marziani**  
President,  
Texas Civil Rights Project

## **BACKGROUND**

Texas has completed another round of decennial statewide redistricting. The process, which followed an altered timeline on account of Census data delays caused by the COVID-19 pandemic, produced a new congressional map with 38 districts, new state senate and state house maps, as well as a new state board of education map.

This decade of redistricting was the first since 1965 that Texas was not subject to “preclearance” under Section V of the Voting Rights Act. Correspondingly, the maps produced by the legislature prolifically racially gerrymander fast-growing communities across the state. This decade also saw an unprecedented and people-powered movement to democratize the redistricting process that fought every step of the way to create accessibility and transparency.

The fight for fair maps in Texas began to materialize during the 86th Legislative Session, as advocacy and voting rights groups petitioned the Texas Legislature for changes to the redistricting process in Texas. As some of the efforts for comprehensive change began to dwindle, advocacy efforts put forward by the Fair Maps Texas coalition began to focus on common-sense reforms to the existing process that would democratize redistricting in Texas. The reforms specifically addressed the worst practices of the Legislature during 2011 and 2013 redistricting. In truth, the reforms were essentially baseline demands that would, theoretically, already be in practice in a well-functioning democracy.

### **Topline reforms included:**

- Provide public hearings on map proposals
- Provide adequate time for alternate views
- Create districts compliant with the Voting Rights Act
- Provide 14 days to review map proposals
- Provide 5 days to review amendments/changes to map proposals
- Provide virtual committee hearings throughout the entire process
- Provide analysis of maps' impact on historically disenfranchised communities of color

In order to ensure that the Legislature heard these demands, Texas Civil Rights Project and our allies mobilized to alert Texans to the upcoming redistricting battle and the necessary measures needed to ensure a fair and open process. TCRP held its first redistricting training session on August 17, 2019 and held 27 more over the course of the next two years, directly training and providing educational materials to over a thousand Texans. The trainings, which were in-person until March 2020, became recurring spaces for Texans to learn about redistricting and ask questions on what to expect and how to prepare.

This early and strategic work manifested into the most democratized redistricting process in modern Texas history.

## **PUBLIC INPUT HEARINGS**

The efforts of TCRP and our allies are most notable in the swell in public participation at the hearings held by the Legislature. The hearings took place across several months, both before and after the onset of the COVID-19 pandemic. Between February 28, 2019 and July 7, 2021, the redistricting committees of the Texas Legislature – the Texas Senate Special Committee on Redistricting and the Texas House Redistricting Committee – held 35 hearings, spanning a total of 94 hours. A total of 863 Texans made their way, physically and virtually, before the two committees to offer their views, thoughts, opinions, and demands on the Texas redistricting process.

Several Texans advocated for specific procedural changes that would make the redistricting process more accessible and lead to a more equitable end result:

- ▶ Two-hundred and thirty Texans – about one in four who testified – demanded that the Legislature adopt a transparent redistricting process.
- ▶ One-hundred and twelve Texans called for the Legislature to allow public testimony on draft redistricting plans after a period for review by the general public—with durations of either one or two weeks being the most popular among those who testified.
- ▶ Sixty-nine Texans asked the Legislature to hold a greater number of hearings around the state, especially in far-flung communities like the Panhandle and the Rio Grande Valley.
- ▶ One-hundred and thirty-seven Texans implored the Legislature to follow the Voting Rights Act.
- ▶ One hundred and fifty-two Texans demanded that the Legislature refrain from engaging in unconstitutional racial discrimination.
- ▶ Forty people – including Texans of color – explicitly demanded the Legislature respect and reflect minority growth during redistricting.

The number of testifiers might indicate that the hearings were well advertised and planned to maximize participation, but that was not the case. Texans who testified overcame myriad obstacles before they ever got the chance to speak in front of the committees. Firstly, the hearings were not well announced or advertised by either committee. Instead, organizations and groups tuned into the legislative process were the primary figures alerting Texans to the hearings. In addition to that, the hearings were scheduled for weekdays during normal business hours, which meant that working Texans didn't have the ability to participate, especially when taking into account that the hearings were often announced with a few days to a week notice.

As if the lack of access to information on the hearings weren't enough, the Committees were also complicating participation on the day of the hearings. For Texans who speak a non-English language, interpretation services for the hearings were not well announced particularly in the Senate, which was providing hearing notices solely in English and initially refused to provide interpretation, forcing testifiers to seek their own services in order to meaningfully participate (which several did).

On the day of a hearing, those testifying virtually would join the Zoom link provided by the Committee but there was no indication when or in what order they would be called to testify. Instead, individual names were called in batches of 5-10 despite several hearings having over 50 participants.

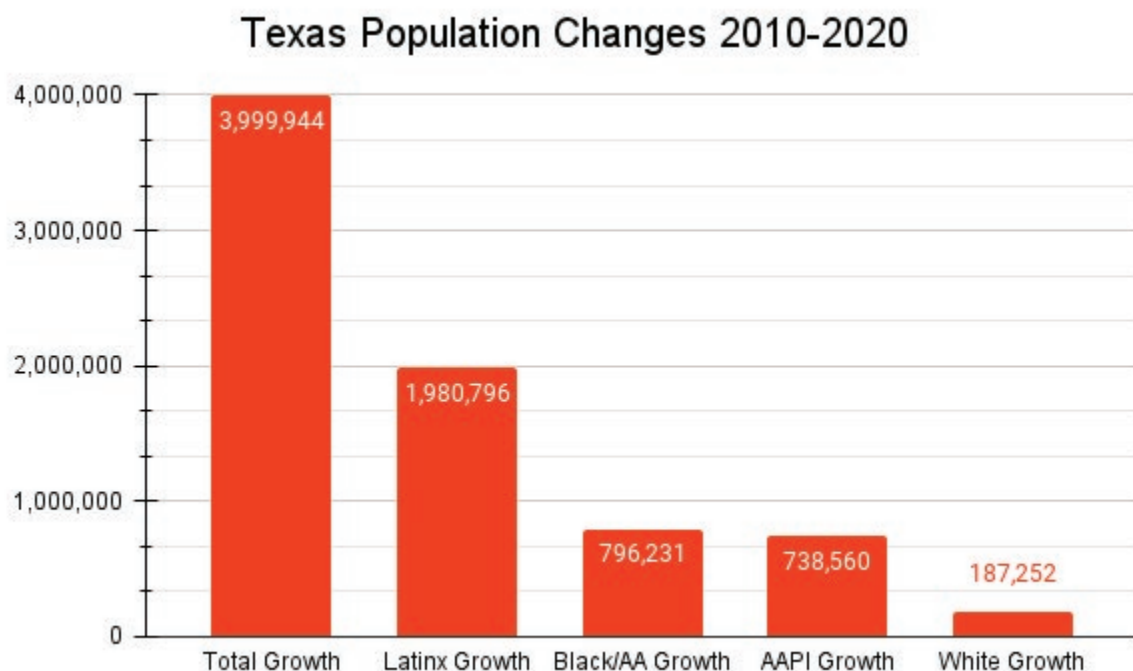
In the case of the hearings held by the House Redistricting Committee, the scheduled start time of the hearings during the regular session frequently conflicted with the recurring date and time of the full House floor convenings (Thursdays at 10 a.m.). This left several Texans sitting in a Zoom meeting room waiting for their hearing to begin which was usually 3-4 hours after they anticipated.

The last set of public input hearings ended with Sine Die of the regular session on May 31, 2021. The House Redistricting Committee intended to hold more public input hearings in July, but subsequently postponed them on account of the start of the first special session following Independence Day.

Early participation in the redistricting process helped serve two critical goals: (1) to demonstrate to legislators that the public was overwhelmingly interested in being involved every step of the way, and (2) begin building a strong legislative record of specific demands in the event the Legislature continued its legacy of intense racial gerrymandering. A third outcome was that we had effectively identified and mobilized Texans who were committed to the fight for fair maps, which would prove immensely useful once redistricting actually began.

## 2020 CENSUS

The 2020 Census data was released on August 12, 2021 in legacy format. The data confirmed what Texans knew to be true: that Texas was one of the fastest growing states in the country, and that its increase in raw numbers far outpaced others. In total, Texas had grown by 3,999,944 people, or by 15.9% from April 1, 2010 to April 1, 2020. The growth was fueled by people of color, which accounted for 95% of the total growth over the past decade. In particular, Census data showed that of the 254 Texas counties, 111 had grown in population, particularly the urban and suburban counties, while the other 143 counties, all of which are considered rural, lost population over the past decade.



Texans received a welcomed surprise when, following the Census data release, the Senate Special Committee on Redistricting announced on August 23, 2021 its intent to hold public input hearings in recognition of Texas' growth, which was quickly followed by the House Redistricting Committee also announcing its set of public input hearings. To many Texans, this indicated that the Committees had heard their demands in the previous hearings and were acquiescing in response. It signaled the possibility of a fair process.

The post-Census hearings began, in the Senate, on September 7, 2021 and in the House on September 8, 2021. Each committee held a total of 5 hearings, which allowed for virtual participation. In these hearings, Texans commented on the diverse growth of the state and resoundingly stated one simple demand: *hearings on the map proposals with 14 day notice*.

The end of the "census" public input hearings marked the end of the pre-redistricting work of the two committees. Over the past year and a half, Texans advocated for simple measures to increase fairness and transparency. They supported bills filed during the regular session that would reform the redistricting process in Texas for the better. And they identified their communities of interest and submitted them to the Committees in an effort to ensure that they were maintained whole. It was now time for the Legislature to put pen to paper and conduct redistricting as Texans demanded.

## **SPECIAL SESSION**

On September 7, 2021, Governor Greg Abbott announced a third special session. The announcement came after activists, advocates, and everyday Texans endured a grueling and controversial legislative session that ended with a quorum break, and was followed by two special sessions and long nights at the Texas Capitol fighting against voter suppression, abortion bans, and anti-trans legislation. But after months of training and organizing, the time for mobilizing had come. The third special session would begin on September 20 and focus on, among other items, "*Legislation relating to the apportionment of the State of Texas into districts used to elect members of the Texas House of Representatives, the Texas Senate, the State Board of Education, and the United States House of Representatives.*"

Redistricting during the special session would be led by the two committees whose composition was defined at the beginning of the 87th Regular Session. Both committees would be led by and mostly composed of members from the Republican Party:

### **House Redistricting Committee**

Chair	Todd Hunter
Vice Chair	Toni Rose
Rep.	Rafael Anchia
Rep.	Craig Goldman
Rep.	Ryan Guillen
Rep.	Jacey Jetton
Rep.	Brooks Landgraf
Rep.	Ina Minjarez
Rep.	Joe Moody
Rep.	Geanie W. Morrison
Rep.	Andrew S. Murr
Rep.	Mike Schofield
Rep.	Senfronia Thompson
Rep.	Chris Turner
Rep.	James White

### **Senate Special Committee on Redistricting**

Chair	Joan Huffman
Vice Chair	Juan "Chuy" Hinojosa
Sen.	Carol Alvarado
Sen.	Paul Bettencourt
Sen.	Brian Birdwell
Sen.	Donna Campbell
Sen.	Kelly Hancock
Sen.	Bryan Hughes
Sen.	Eddie Lucio, Jr.
Sen.	Robert Nichols
Sen.	Angela Paxton
Sen.	Charles Perry
Sen.	Royce West
Sen.	John Whitmire
Sen.	Judith Zaffirini



To begin the redistricting process, a series of events unfolded that let Texans know just what kind of redistricting the two Committees had in mind. Firstly, the state senate map was made public on Saturday, September 18. This was soon followed by both the start of the special session, the official filing of SB4 (the senate map proposal) by Senator Huffman, and the announcement of hearings on the proposal scheduled for Friday, September 25 at 10 a.m. and Saturday, September 26 at 9 a.m. What Texans gathered from this were two very important lessons that guided the rest of the special session: (1) the maps would not be drawn to reflect the diverse growth in the state, but would instead insulate incumbent power at the expense of communities of color and (2) this process would not be fair and open, but instead very fast-paced and largely discriminatory.

Just a few days later on September 27, Senator Huffman also filed SB6, which redrew the congressional map and announced a hearing on the proposal shortly thereafter. The hearing would take place just three days later, on Thursday, September 30 at 9 a.m. The quick turnaround on both the public release of the map and the ability to leave comment was a far cry from the very specific demands of Texans to have ample time to review maps in order to give in-depth feedback. In addition, the hearings on the maps were now being done in the middle of the week which left most Texans unable to participate in the process.

In the Texas House, the process for consideration of maps fared no better. The committee rushed through every step of the legislative process and provided very little notice and time for meaningful public input. House Bill 1 (the state house map proposal filed by Chair Hunter) was introduced on Thursday, September 30, and immediately scheduled for a public hearing at 9 a.m. on Monday, October 4, providing only three days' notice, and only one business day, essentially ensuring that meaningful testimony on the map proposal would not be

incorporated in the hearing. Additionally, Chair Hunter forced the Committee to vote on all proposed amendments that were filed after the map was made public (and that were new to members of the public) during the same October 4 hearing. The Chair of the Committee also limited questioning by Committee members and refused to invite any expert witnesses despite repeated requests by Committee members to do so.

The House did not introduce its own proposals for Congress, Senate, or State Board of Education, but rather just rubber stamped the proposals which had originated in the Senate (SB 6, SB 4, and SB 7). The only public hearing the House held on the proposed Congressional map -- SB 6 -- was announced a mere 24 hours before the hearing actually took place. It only provided individuals needing language interpretation assistance with a scant 8 hour window to request it. The hearings themselves were of minimal use because, when questioned by members of the House Redistricting Committee about maps which originated in the Senate, Chair Todd Hunter repeatedly avoided answering questions, simply saying he did not have information on the Senate proposals.

Despite the rushed and clandestine process, Texans mobilized to call out some of the most egregious aspects of the maps which did not reflect the diverse growth of the state, but instead created more majority Anglo districts and effectively put an end to competitive districts. In total, well over 200 individuals testified against the proposed maps, with less than ten people testifying in favor. To bolster the spoken testimony, hundreds of written comments were submitted pointing out problems with the maps and the process. This public participation, which directly calls out the discrepancy between the process advocated for and the one being conducted, provides critical components of a public record when it comes to litigating the maps in court.

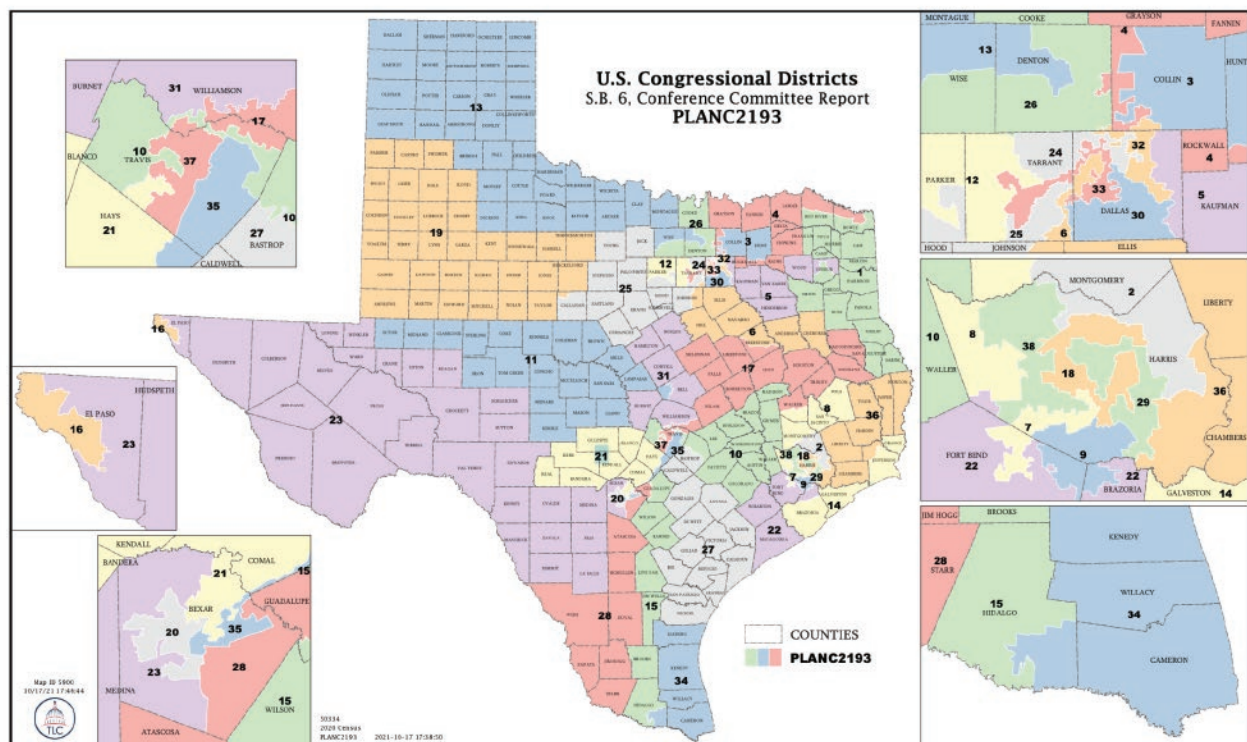
The 3rd Special Session came to an end on October 19, with all statewide maps passing the legislature on mostly party-line votes. Ultimately, the process that took place was not far off from the one in previous cycles that gave Texas its infamous track record. The discrepancy between this cycle and previous ones was the people-power fueling demands for change and reform. Texans witnessed first-hand the effects of an unresponsive government protected by gerrymandered maps. They learned the skills necessary to advocate for fair redistricting at the state and local levels, and helped lay the groundwork for strong legal challenges to the maps.

## **ANALYSIS OF REDISTRICTING MAPS AS PASSED AND IMPLEMENTED CONGRESSIONAL MAP**

On April 26, 2021 the U.S. Census Bureau released apportionment numbers for the 435 congressional districts among the 50 states. Texas gained 2 new congressional districts on account of its huge growth, though this was one less than most estimates anticipated. The additional seats bring Texas to a total of 38 congressional districts. SB6 filed by Senator Joan Huffman addressed the redrawing of Texas' congressional map.

Immediately, problems with the maps were evident. Primarily, the two new districts CD-37 and CD-38, were placed in Austin and Houston respectively, but, despite people of color accounting for 95% of the decade's population growth, both new districts are majority Anglo.

The map proposal was amended throughout the legislative process. Below is an analysis of the map as passed by the Texas Legislature and signed by Gov. Abbott.



Congressional Plan as passed and implemented, PLAN C2193.



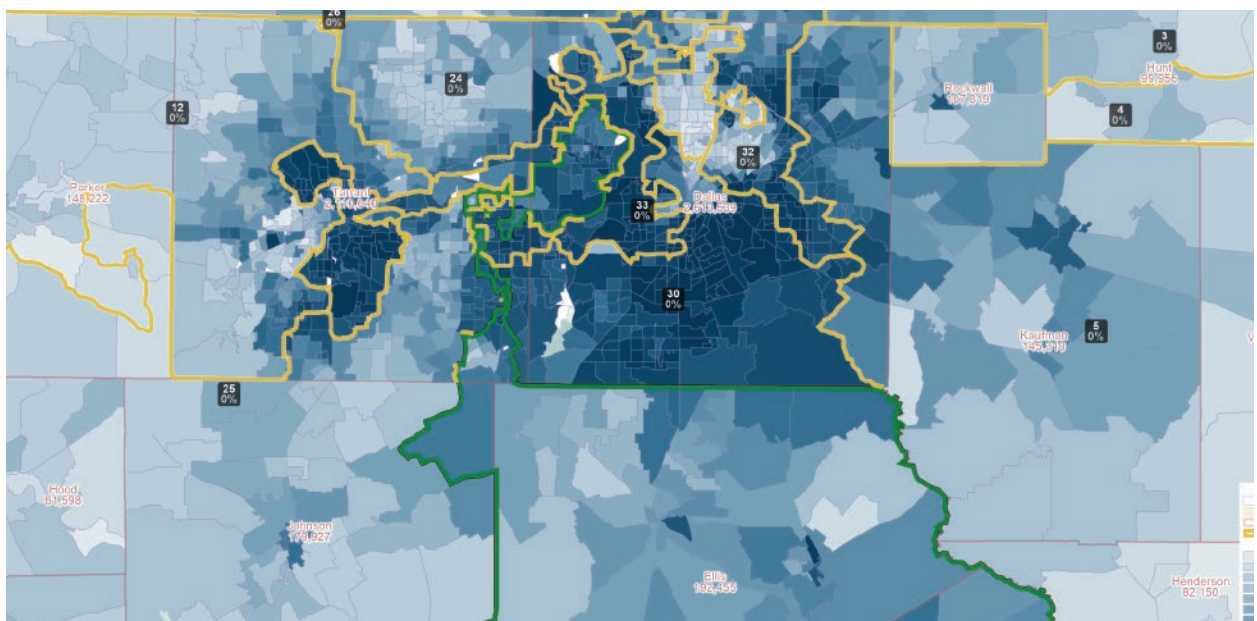
## REGION-SPECIFIC PROBLEMS

### Dallas-Fort Worth

The Dallas-Fort Worth metroplex accounted for nearly a third of the population growth in Texas over the past decade. A majority of the growth was centered in the northern parts of Dallas County, and in suburban Collin and Denton counties. The new congressional map does not reflect this.



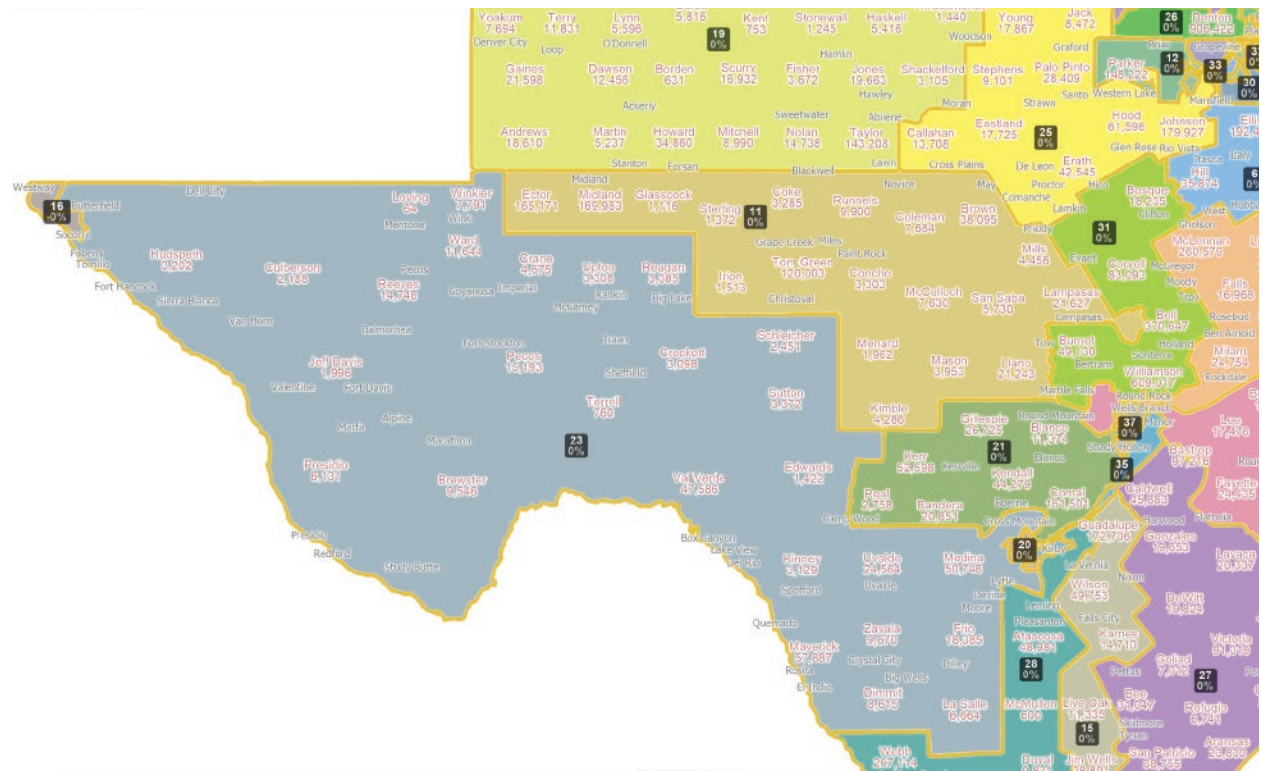
Instead of providing rapidly growing communities of color in the Dallas-Fort Worth metroplex with meaningful new representation, the map packs them together while splitting apart other communities and pairing them with far off rural counties to dilute their voting power.



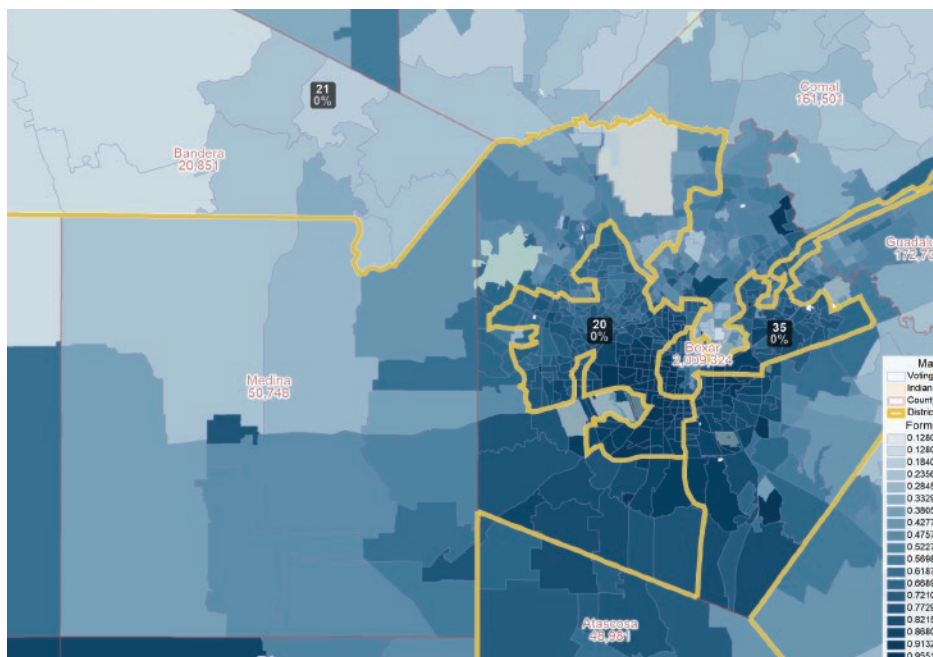
CD 6 dices through Arlington, Grand Prairie and Irving, and pairs them with counties in rural East Texas. Darker shades reflect higher concentrations of people of color.

## El Paso/South Texas

The El Paso metropolitan area grew by about 5% over the past decade. However, the population growth experienced in the area was not as fast as that in the eastern part of the state, and the congressional districts had to be redrawn to meet the population requirement. By doing this, however, state leaders diluted the voting power of east El Pasoans.



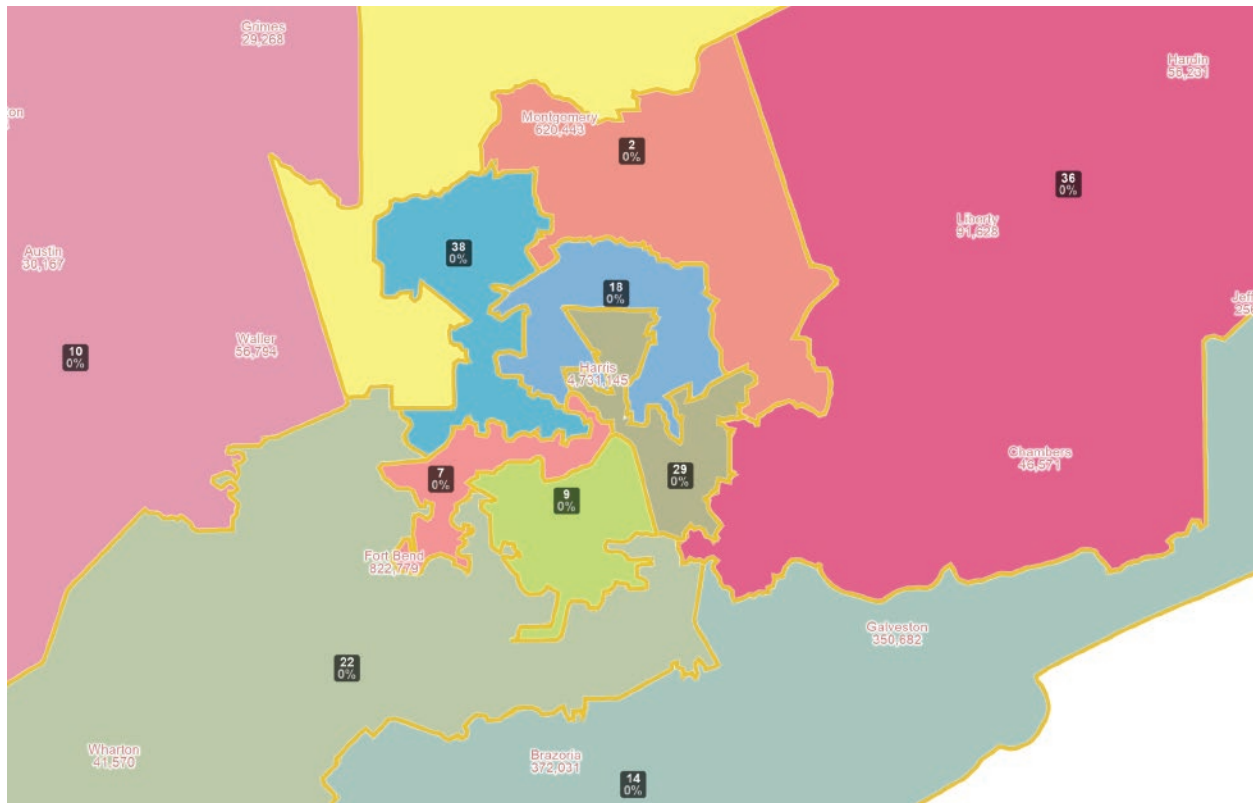
The new congressional map dilutes voting power of El Pasoans in Congressional District 23 by joining them with conservative, high turnout white regions in Northwest Bexar County (CD-23 in grey).



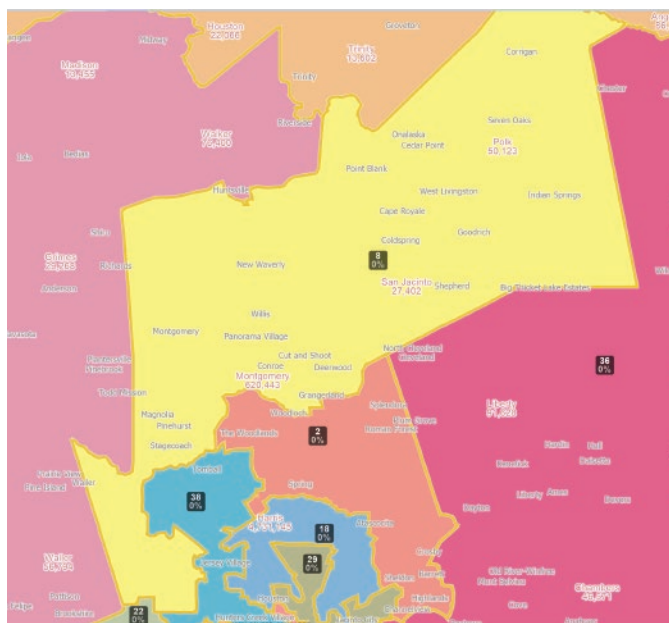
Close-up of Bexar County precincts included in CD-23 (lighter shading reflects higher white population).

## Houston/Fort Bend County

Like the DFW Metroplex, Greater Houston accounted for nearly  $\frac{1}{3}$  of the population growth in the state over the past decade. A majority of this diverse growth was centered in the western half of Harris County and suburban counties like Fort Bend and Montgomery.



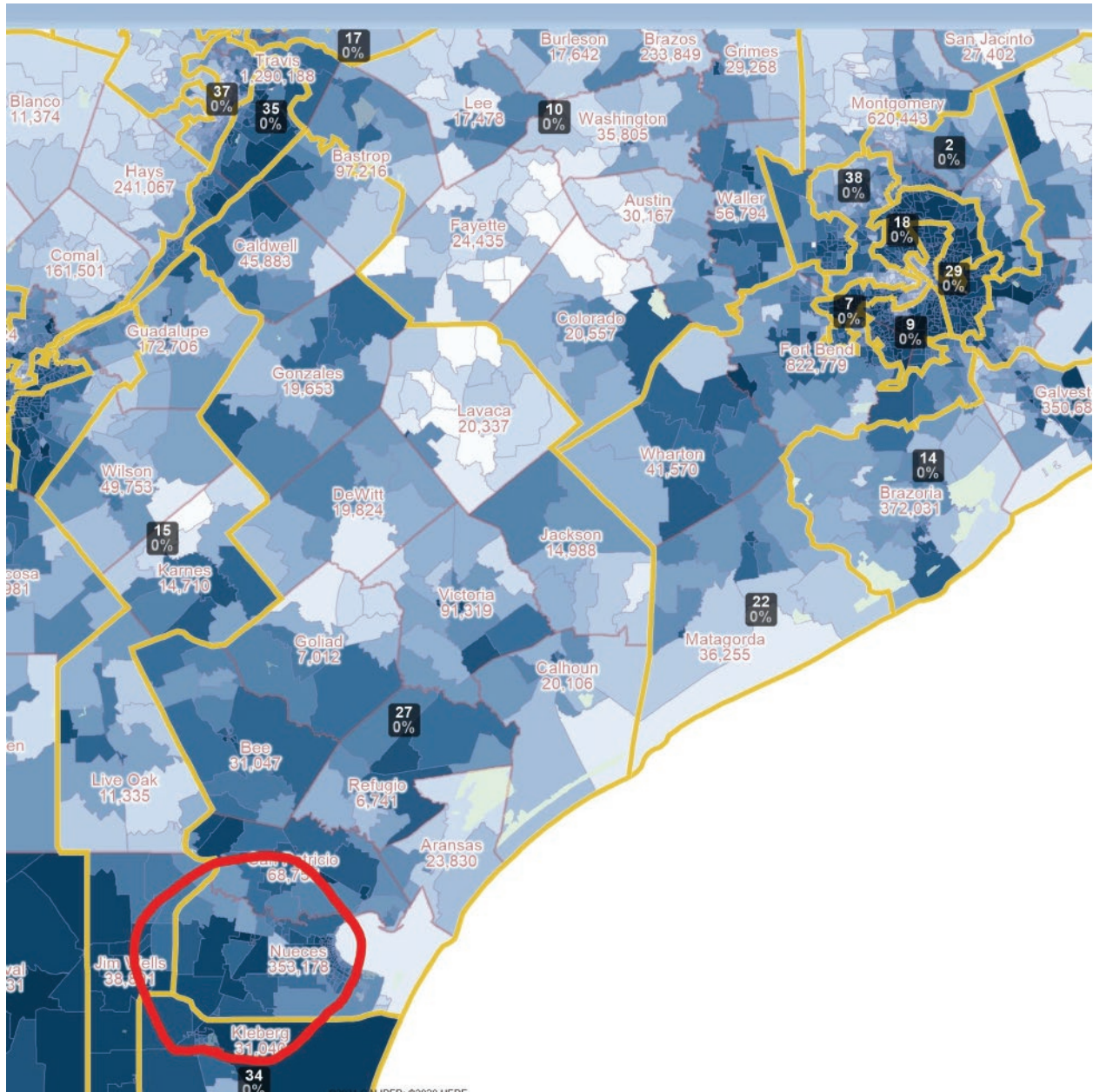
The new congressional map packs communities of color into a few districts, while cracking other communities in Congressional Districts 8 and 38 and pairing them with white voters to dilute voting power.



CD 8 extending from West Harris to rural counties





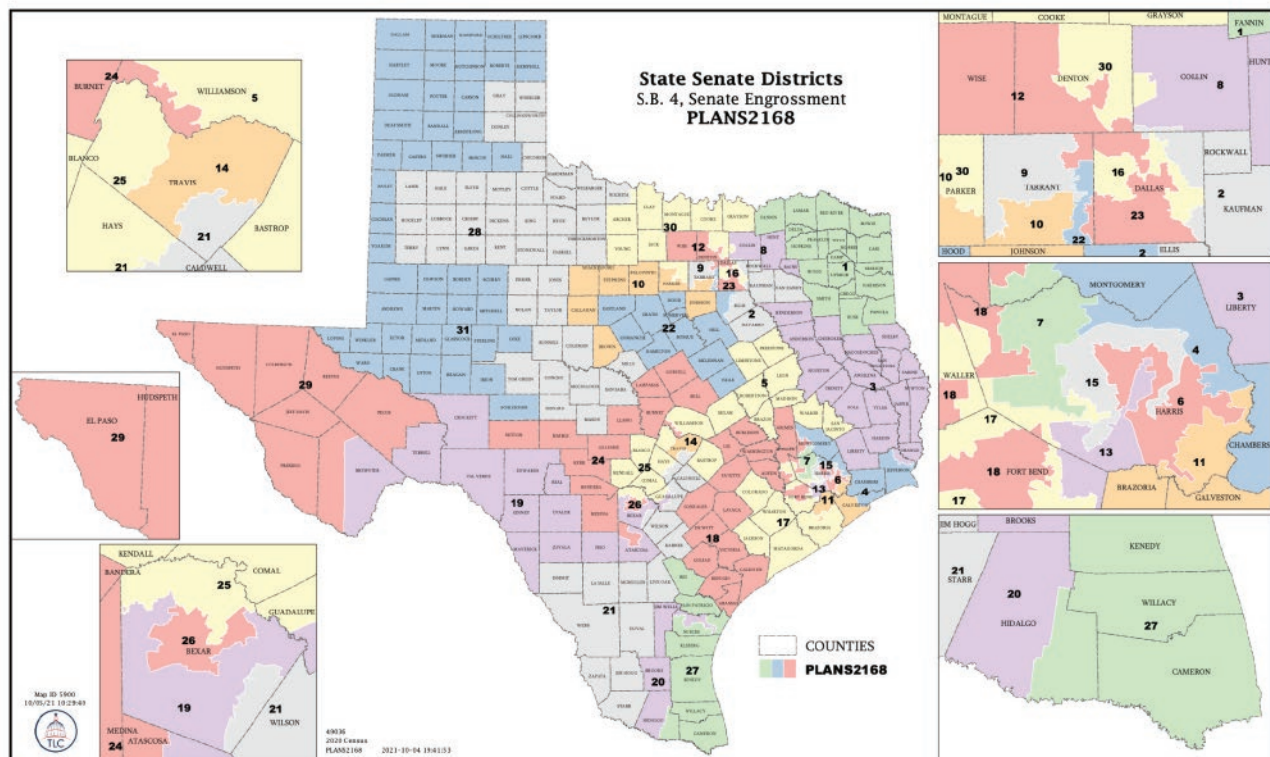


Continues to dilute the voting power of Latinx community in Corpus Christi by keeping it in Congressional District 27.

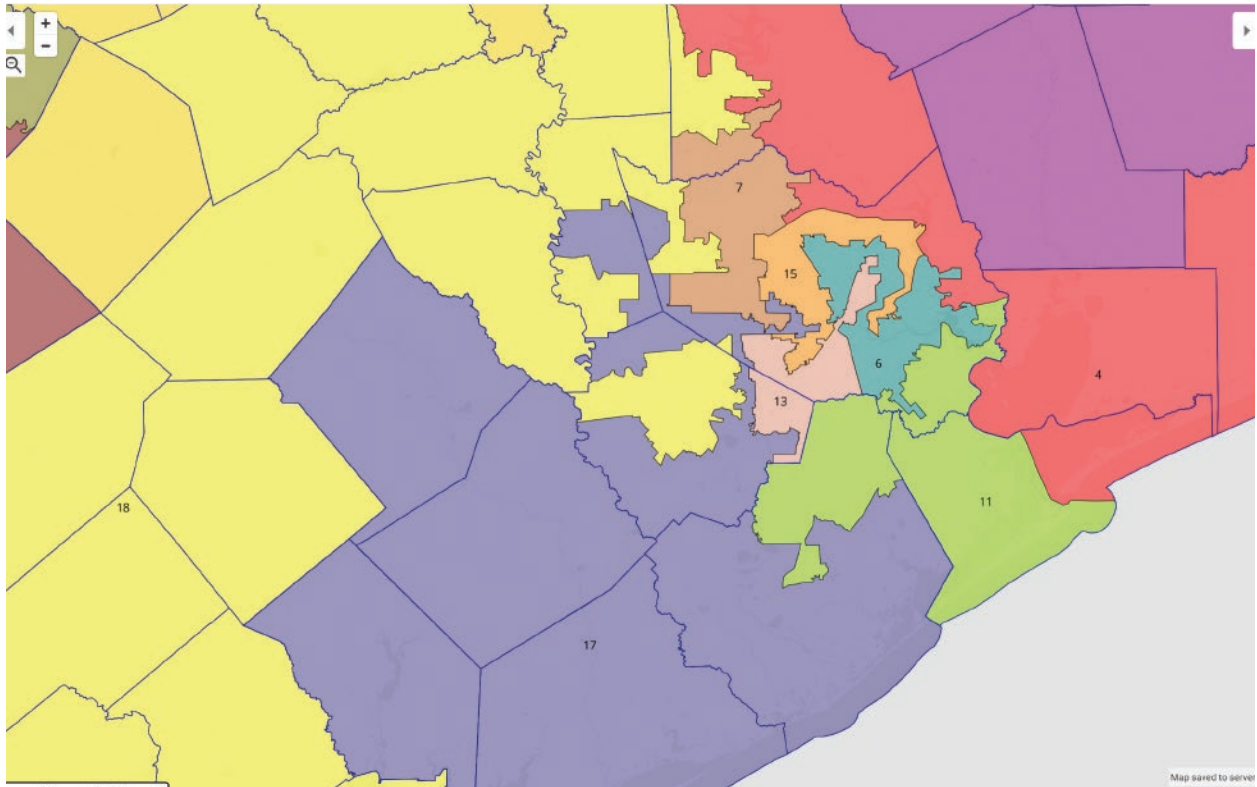


## STATE SENATE MAP

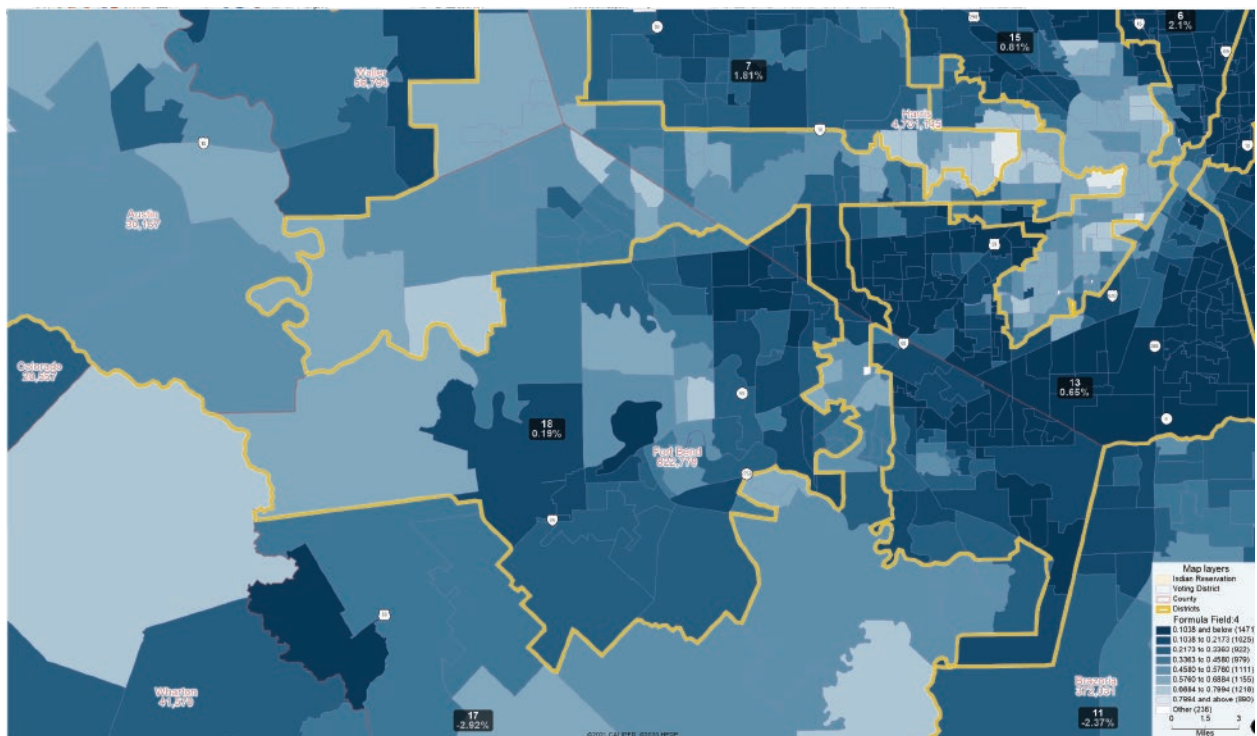
Senator Joan Huffman filed SB4, which redrew the 31 state senate districts. The map did not create new opportunity districts for communities of color, and instead protected the incumbency of current senators at the expense of communities of color while dismantling a district where a coalition of communities were able to work together to elect a candidate of their choice.



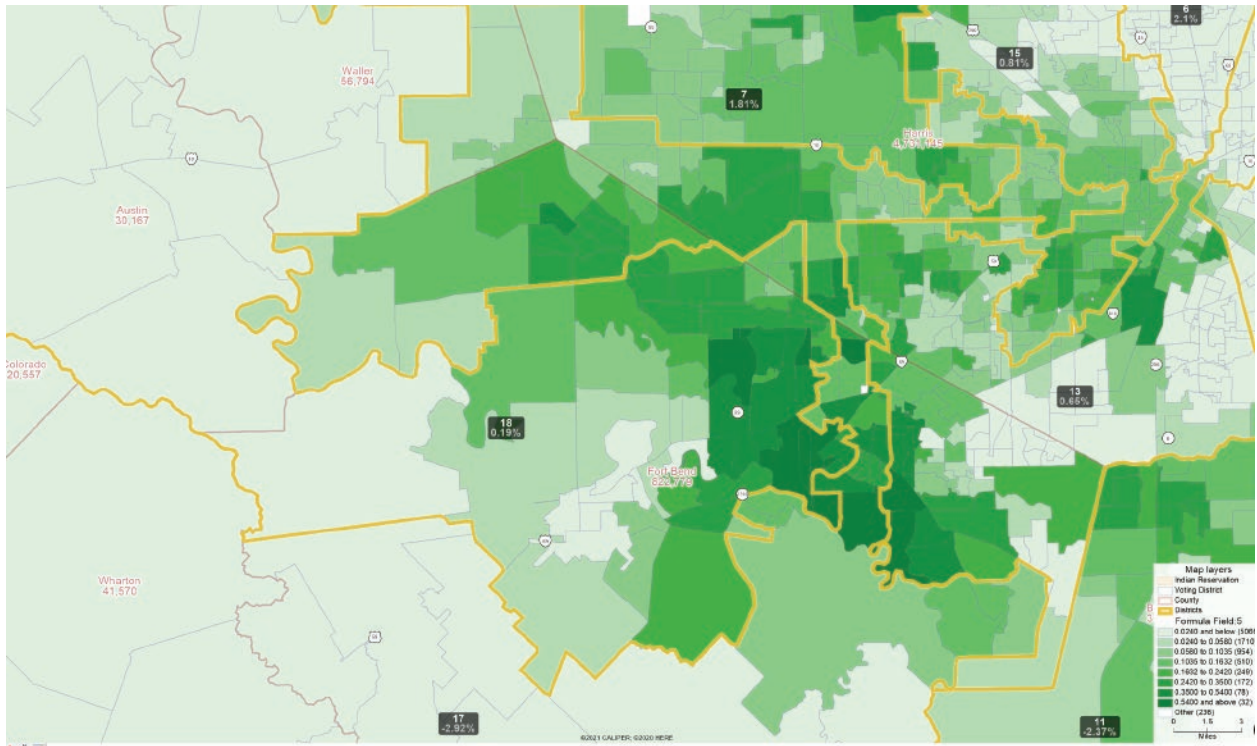
State Senate plan as passed and implemented, PLAN S2168.



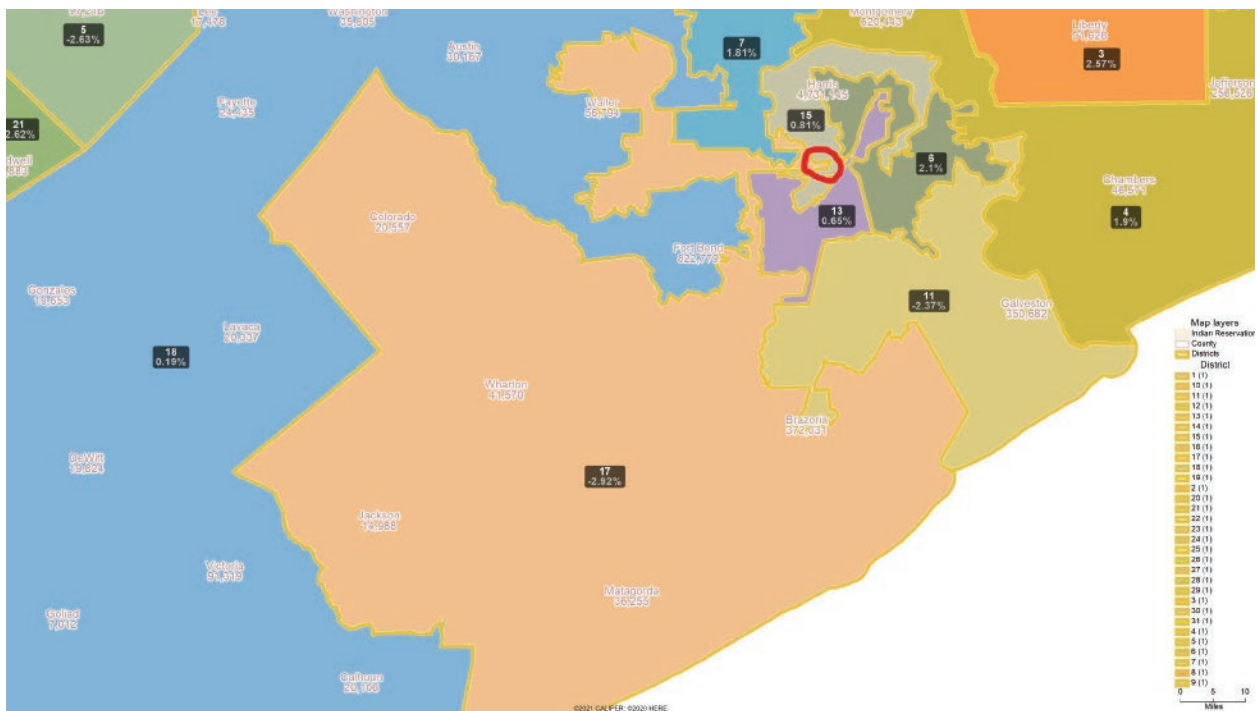
The state Senate map cuts up communities throughout the greater Houston area and connects the residents with rural communities.



The senate districts cut up areas with high concentrations of people of color, particularly along the Harris County-Fort Bend County line.



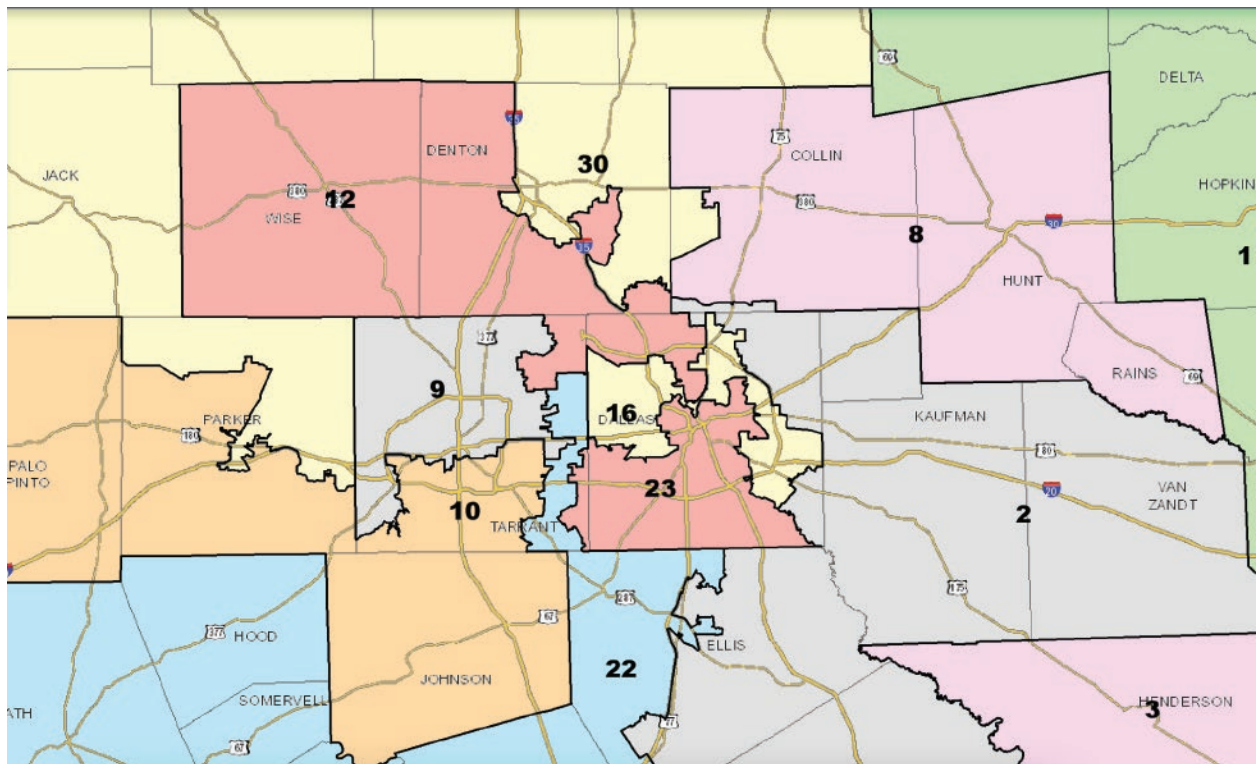
The AAPI community, which was the fastest growing demographic in Texas, is particularly affected by the new Senate map.



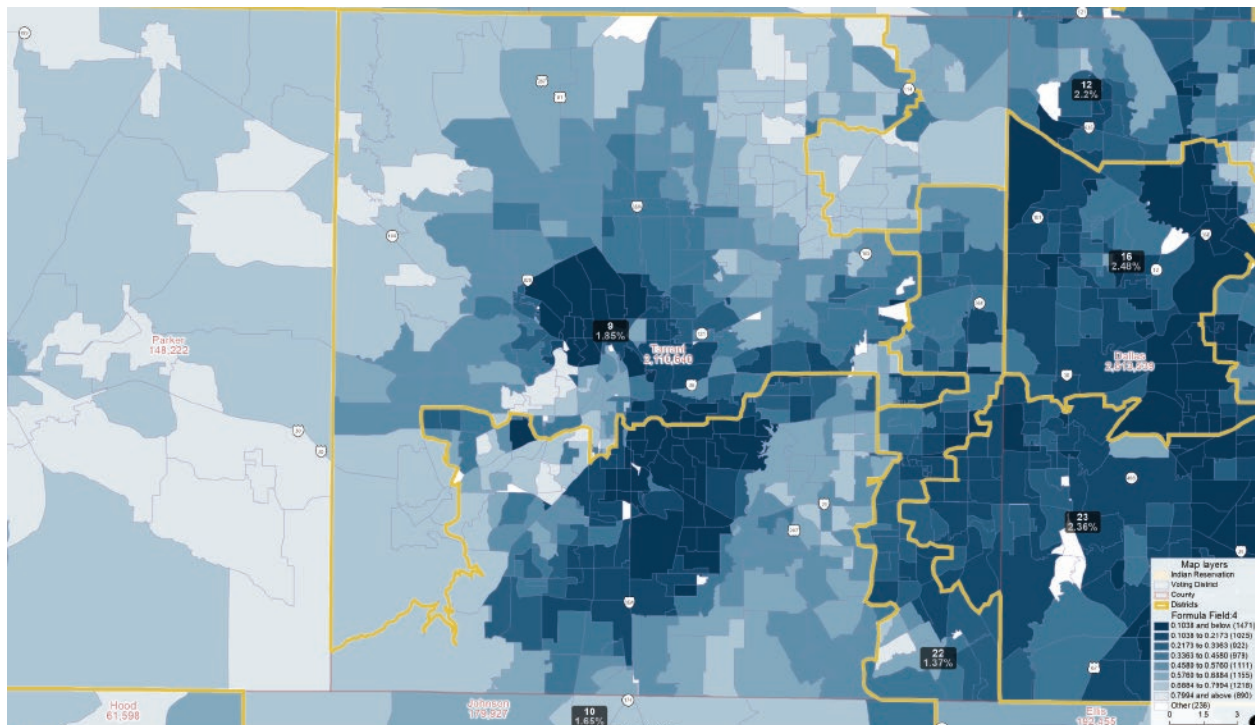
Senate district 17, the home district of the Chair of the Senate Special Committee on Redistricting, Joan Huffman, was drawn in a way to include the Chair's residence within the new district boundaries.



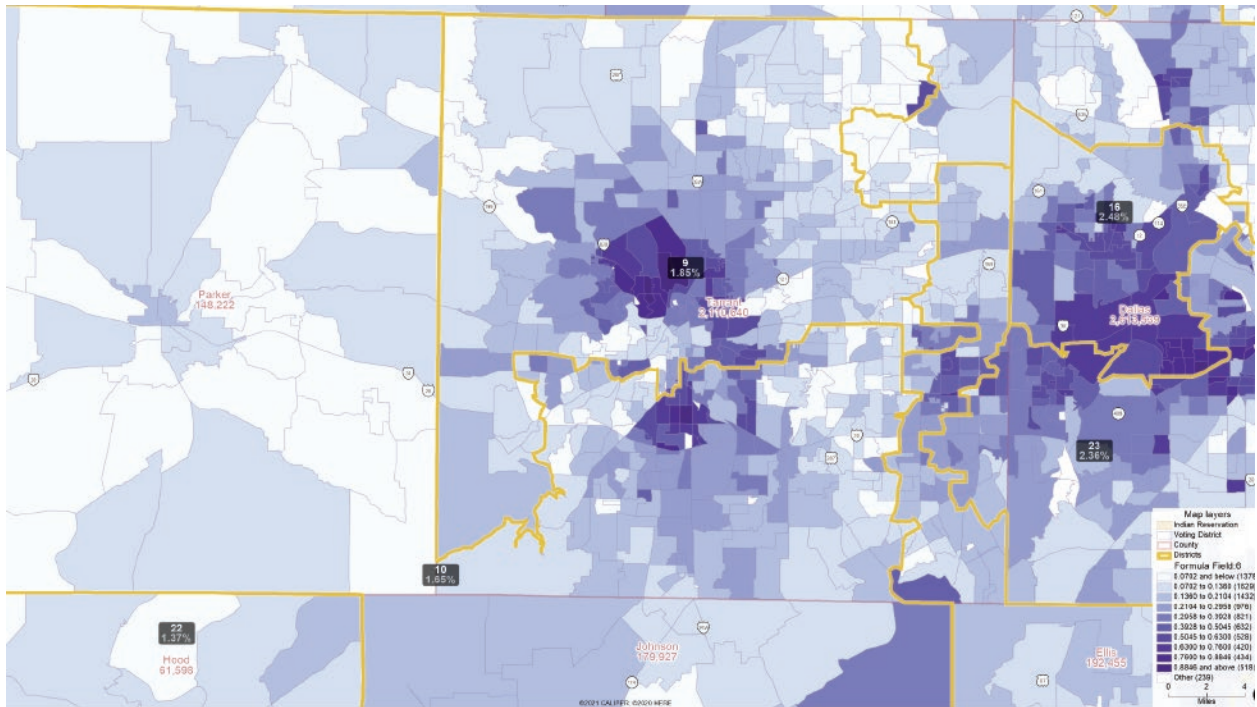
## Dallas-Fort Worth



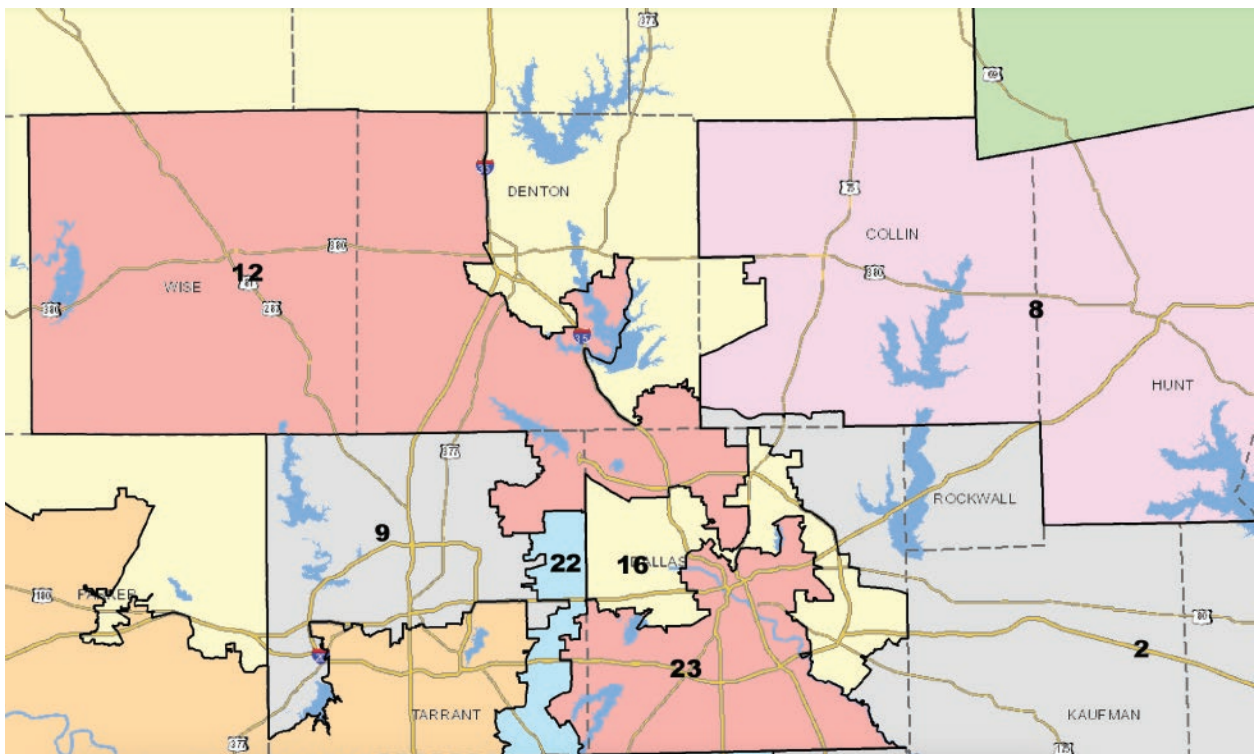
The Senate Map splits Tarrant County into five districts. Four of the districts extend way off into rural counties, creating majority white districts, which completely dilutes the voting power of a county which boasts a 17.9% African American population and a 29.5% Hispanic or Latino population.



Each of the 5 splits is made to break apart the communities of color in Tarrant County (bluer shading is higher % Non-White)

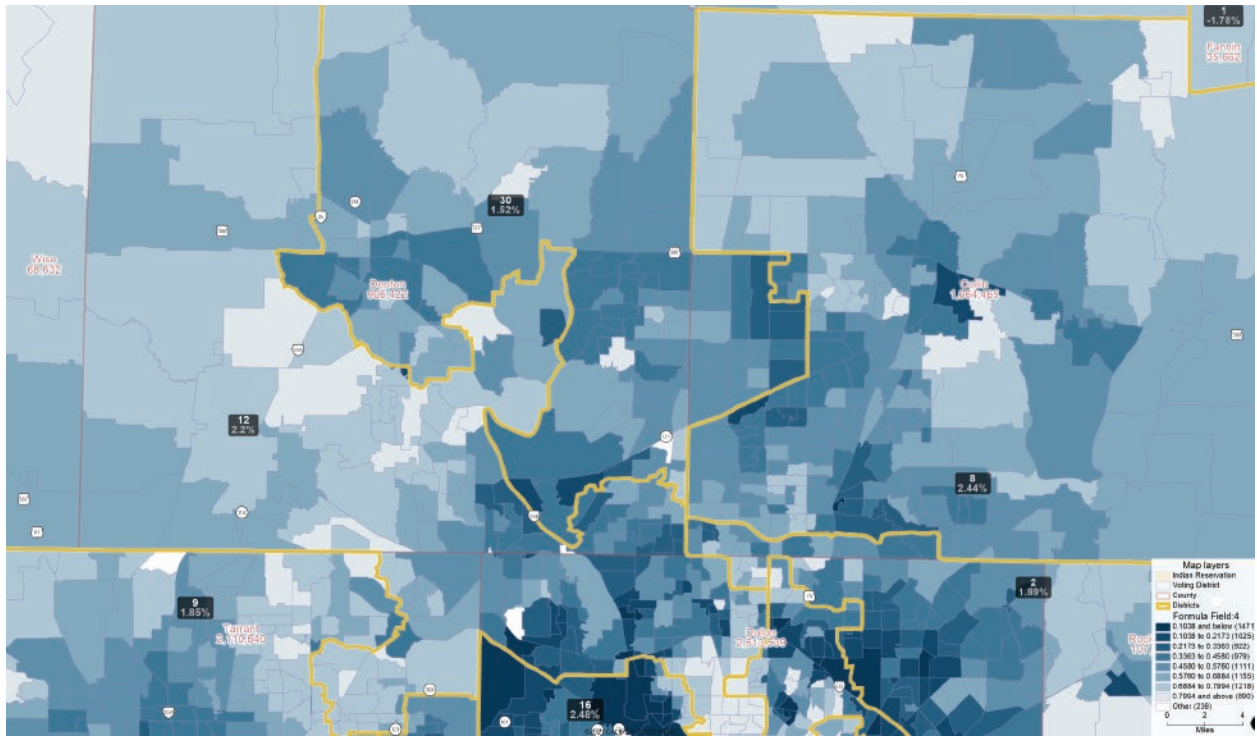


In particular, the map splits in half the Fort Worth Latinx community (purple shading), which is currently wholly contained in Senate District 10

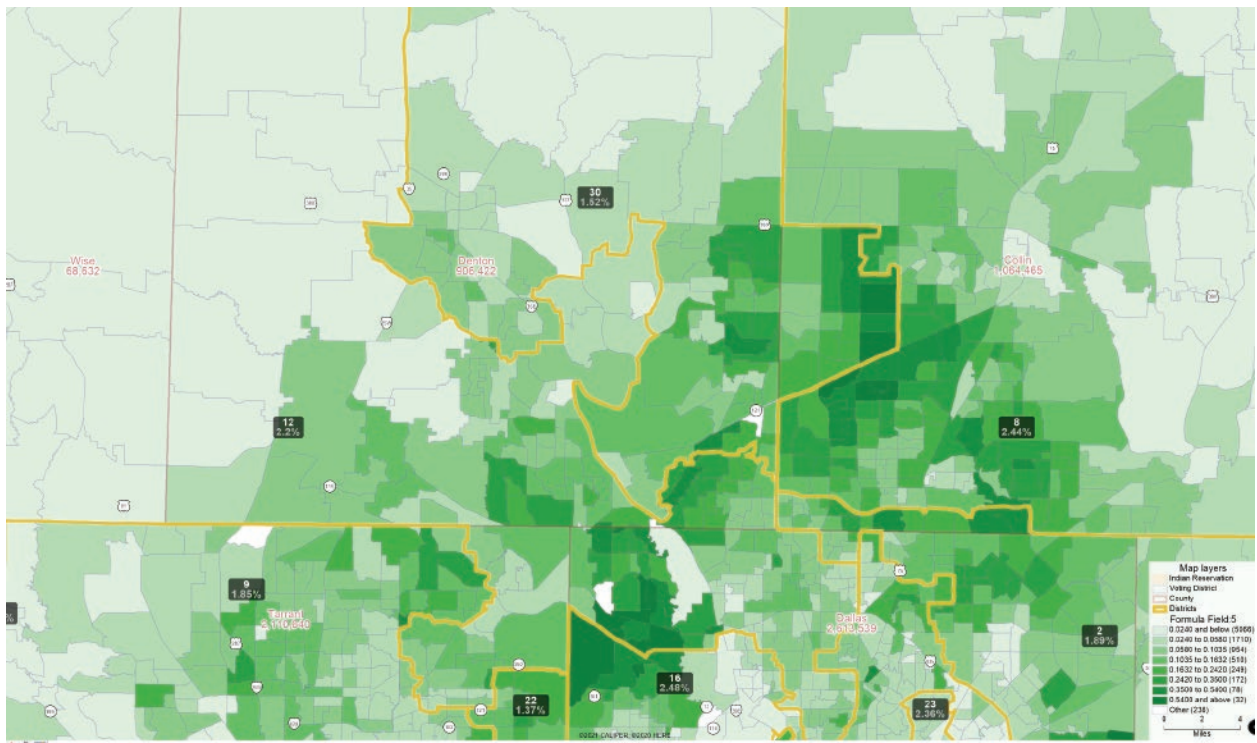


In the Northern Dallas/ Fort Worth area, an area of extremely high growth driven 95%+ by communities of color, the map splits these communities into five different Districts, four of which extend out to rural, predominantly white counties.



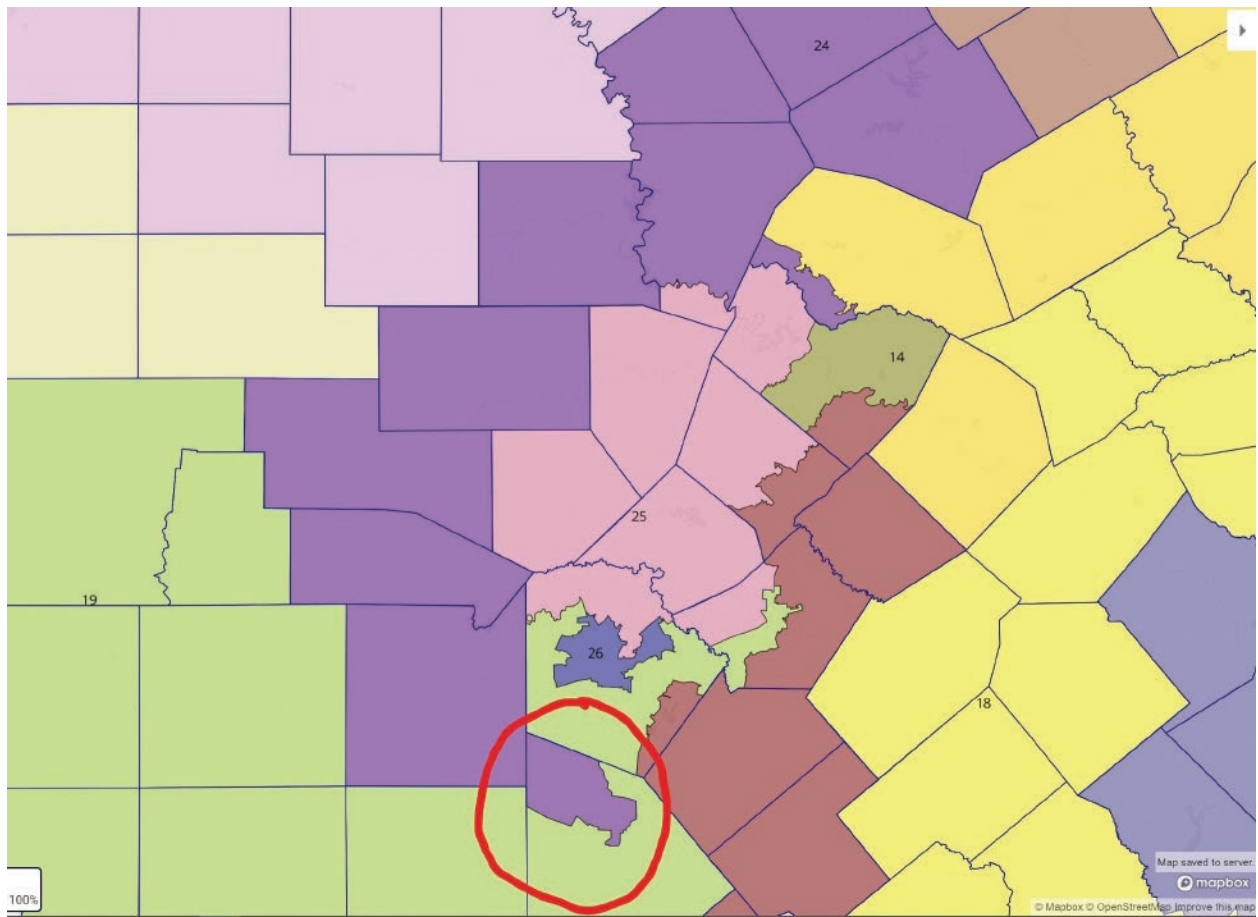


The quickly diversifying suburbs of Collin and Denton county have been split up by the new Senate map.

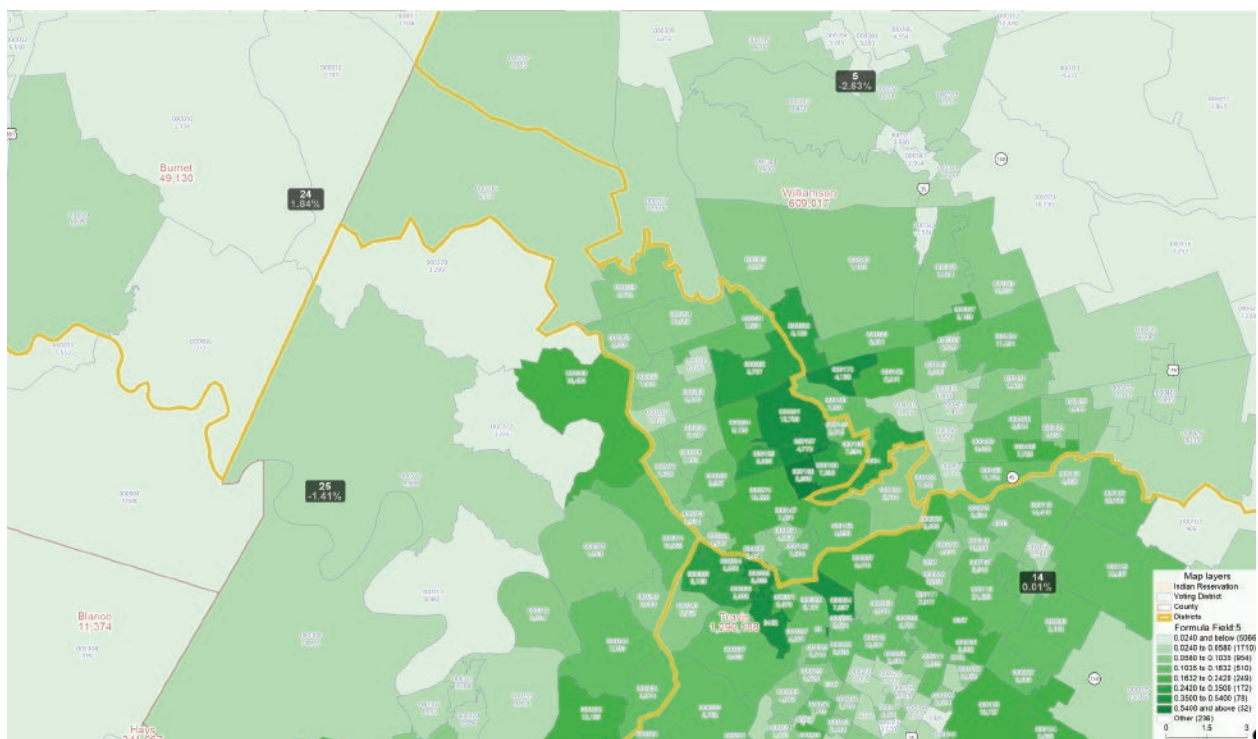


New, high growth AAPI Communities are split apart.

## Central Texas



In Central Texas, the map artificially splits apart regions and counties to benefit individual candidates. Particularly, it scoops into Atascosa County so that former Senator Pete Flores (R) can run in new SD 24.

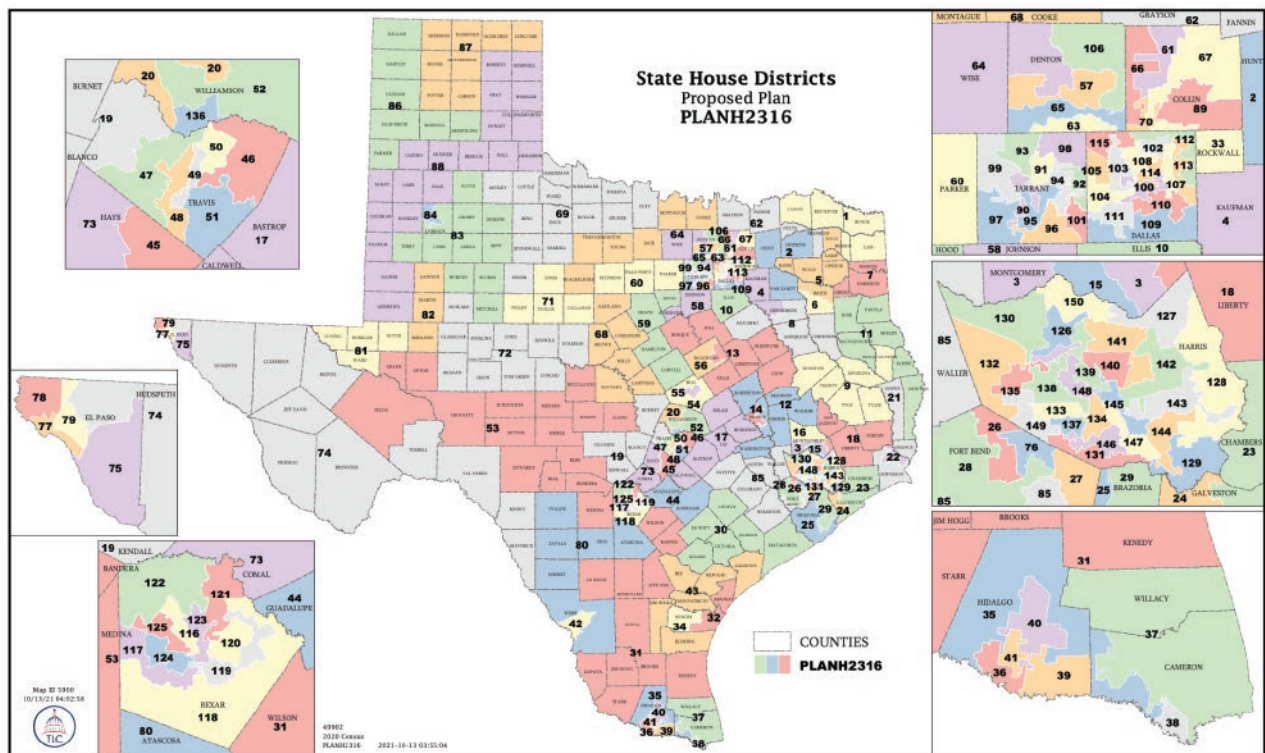


The map also breaks apart new AAPI communities in North Travis/Williamson Counties

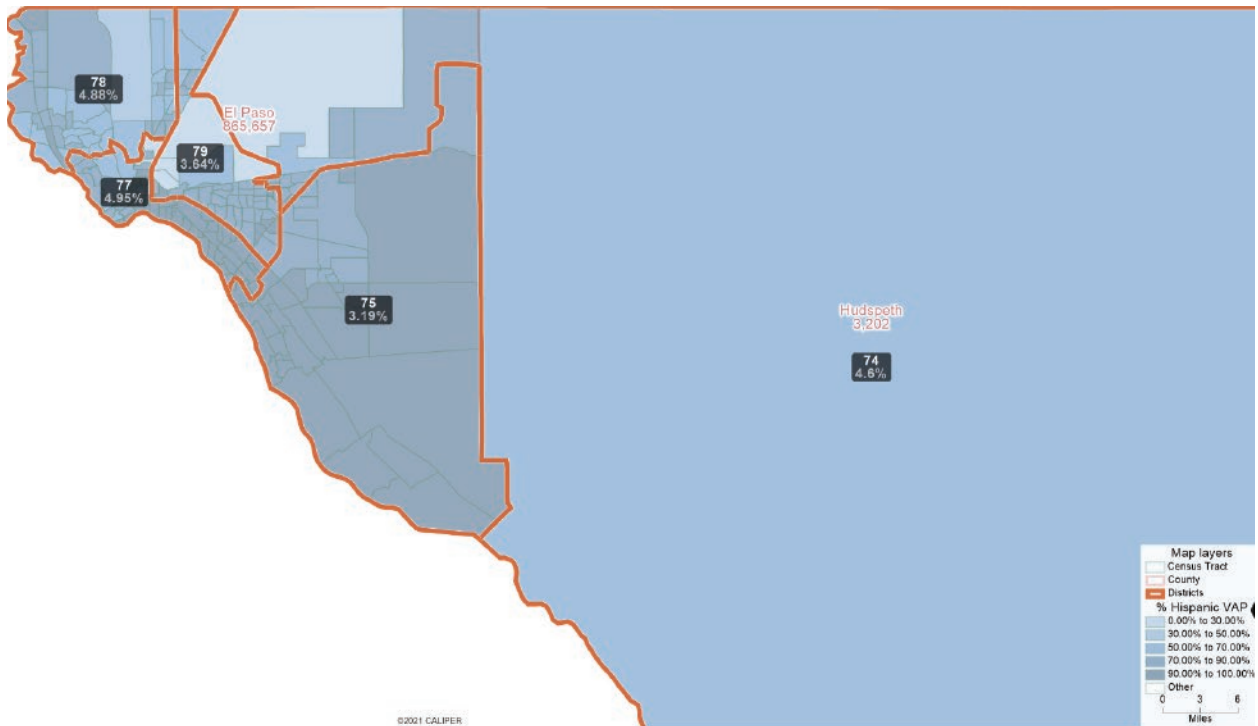


## STATE HOUSE MAP

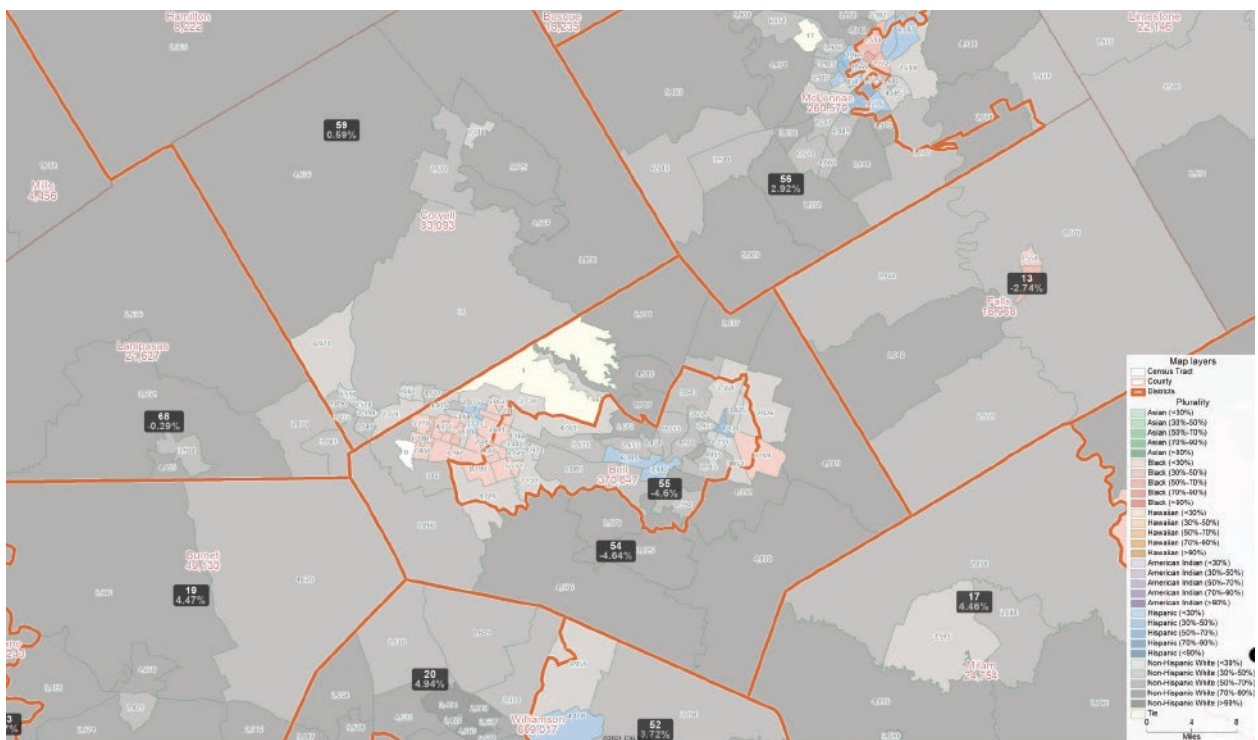
The map for the Texas House of Representatives went even further than the Congressional and Senate maps in terms of dismantling existing representation for communities of color. It reduced the number of majority Latino opportunity districts from 33 down to 30, despite the fact that on a proportional basis, Latinos should make up a majority of the voting population in approximately 45 districts. The map further reduced the number of Black majority districts from 7 down to 4. It also went to great lengths to avoid drawing new representation for AAPI communities in the suburbs around the DFW metroplex.



State House map as passed and implemented, PLANH2316



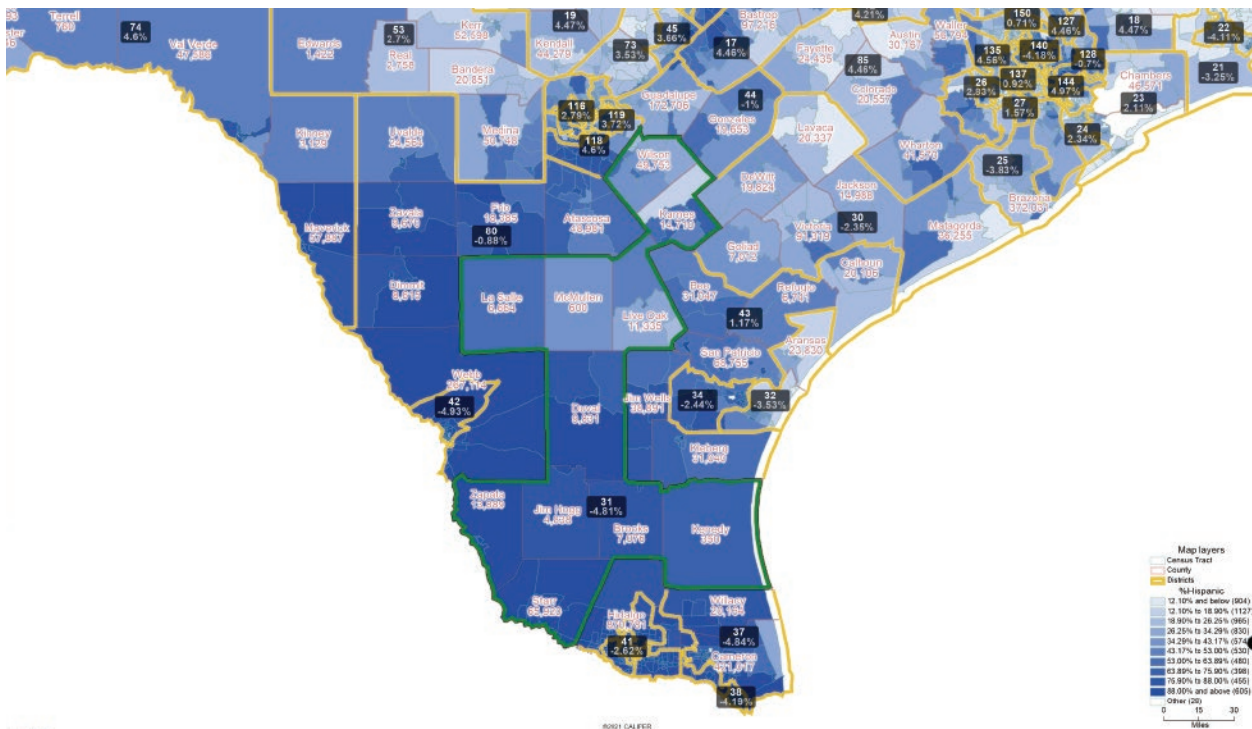
The map completely eliminated a Latino opportunity district in El Paso, and paired two out of the only three Latina Representatives representing South and West Texas. In order to do this, the Legislature over-populated every district in El Paso, thus also diluting the voting power of individuals in those areas.



In one of its most overtly racially discriminatory moves, the House split Bell County into a bizarre donut shaped configuration (HD-55 surrounded by HD-54) in order to split the majority Black and Latinx community of Killeen in half.

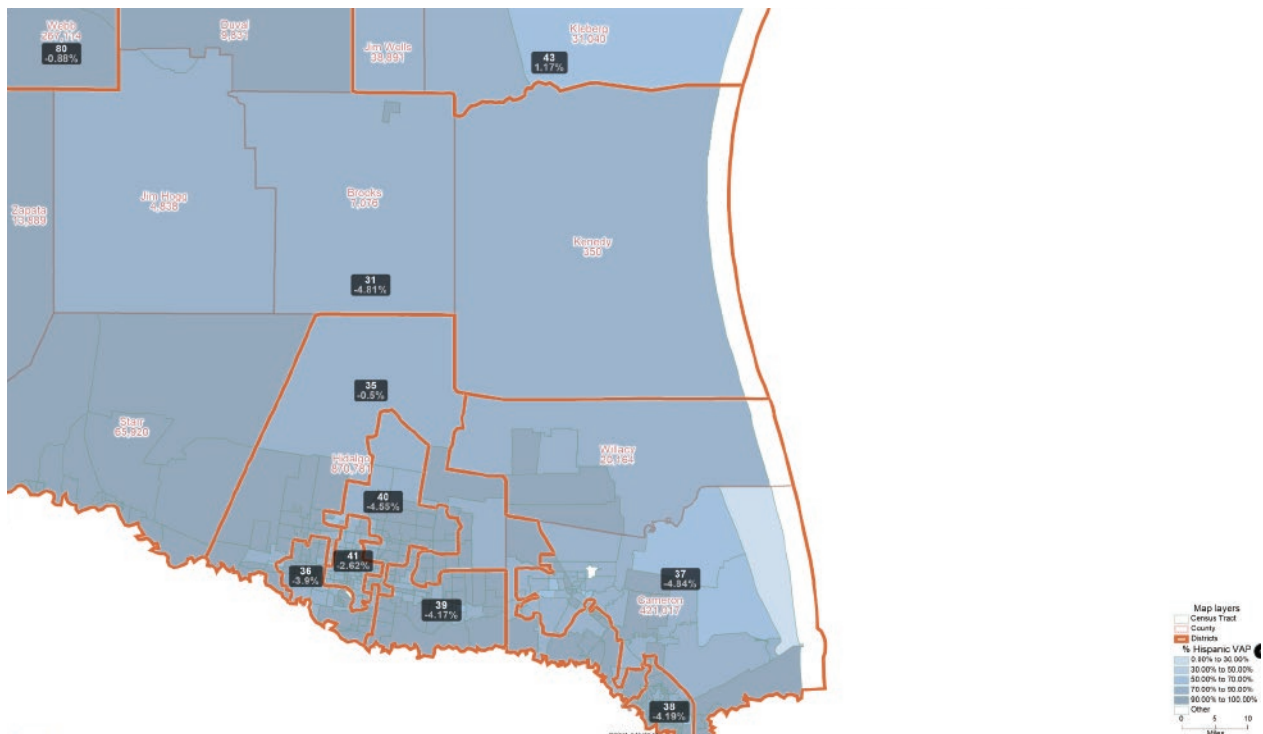


The map severely diluted HD 118 in Bexar County by pairing heavily Latino areas that still struggle with low turnout from generations of official discrimination with higher turnout, more white areas on the completely other side of town.

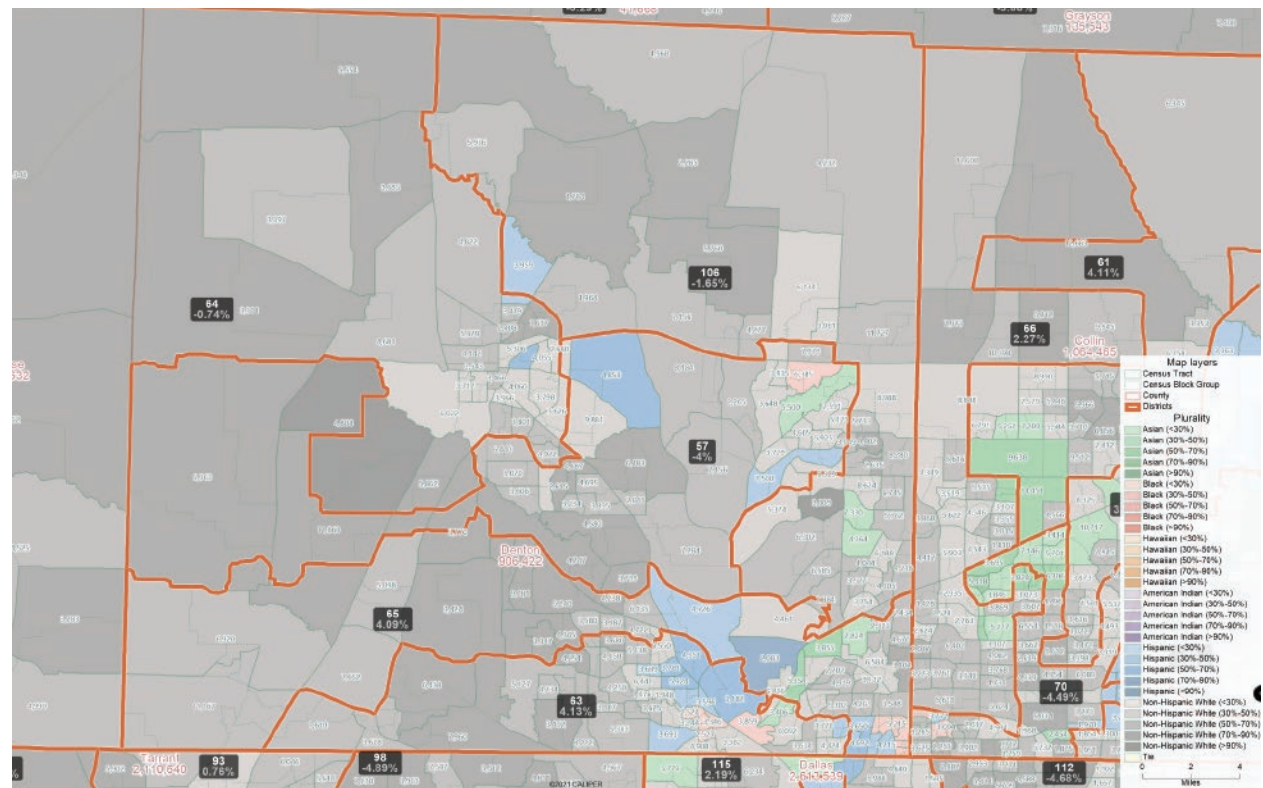


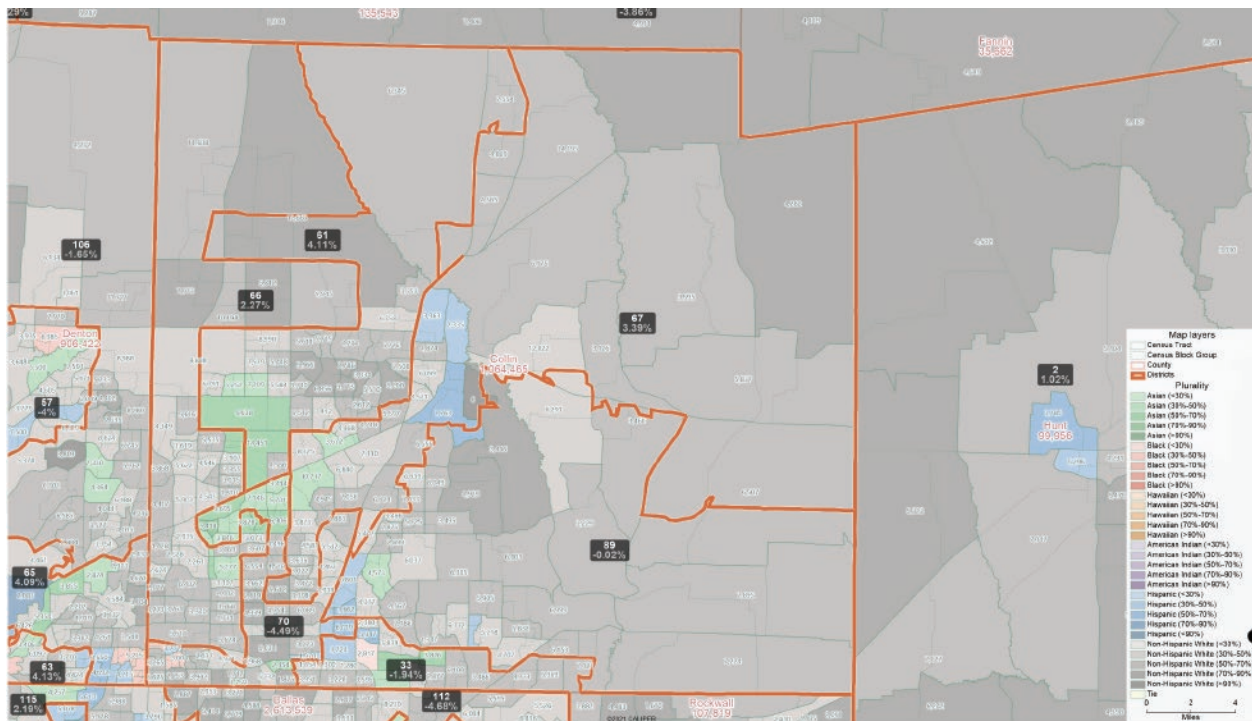
The map employed similar techniques to dilute the voting power of Latinos along the border by bringing in whiter, extremely conservative areas such as Wilson and Karnes County.



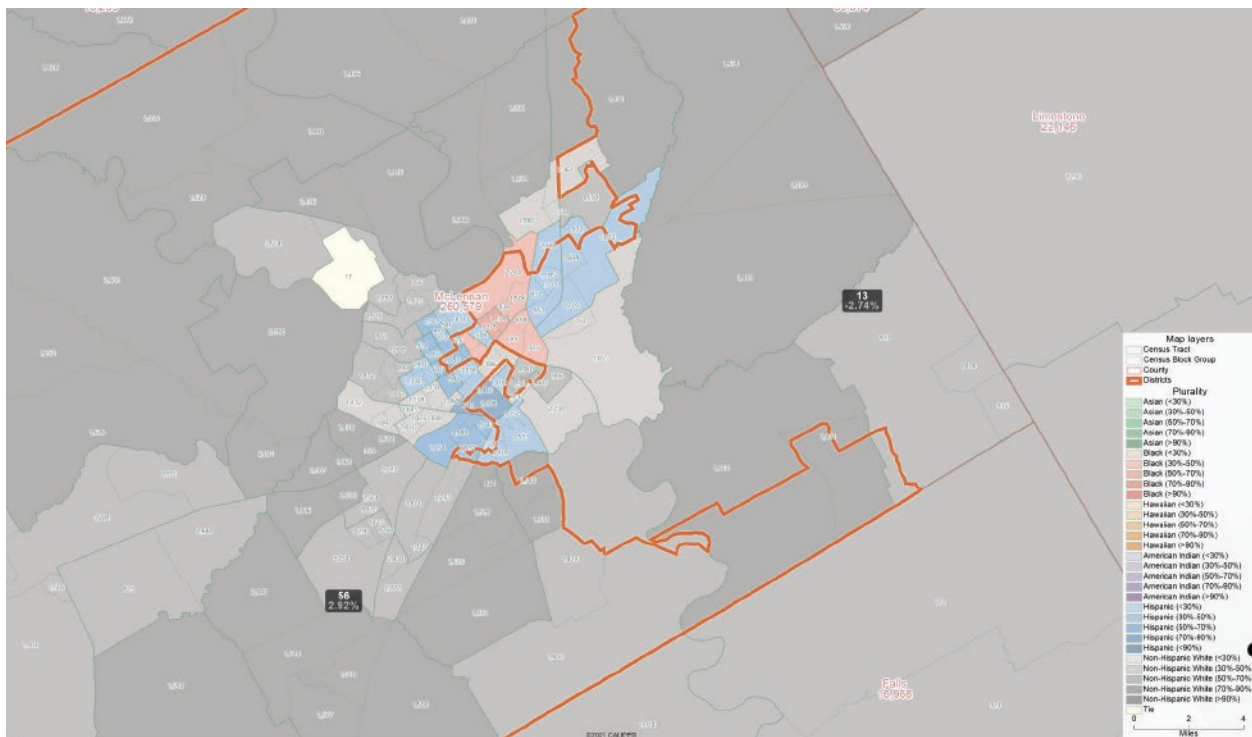


The Legislature broke Cameron County apart unnecessarily to weaken HD 37 and make it more difficult for Latinos in the area to consistently elect the candidate of their choice.





In Denton and Collin Counties (Denton County above) the Legislature split apart new, high growth communities of color.



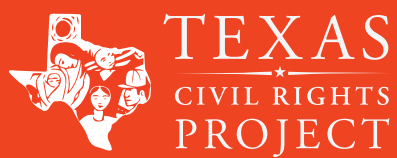
Even when there weren't obvious partisan implications, the Legislature went out of its way to split apart communities of color — for instance in Waco.

## **CONCLUSION**

The 2021 Redistricting process in Texas looked very different than that of previous decades. Not only was the State Legislature evolving to deal with the COVID-19 pandemic, but the very laws, namely Section V of the VRA, under which the process historically took place within were no longer at work. These two realities, mixed in with a fast-growing and diversifying population, made Texas ground-zero for intense gerrymandering that specifically took aim at the political power of people of color. Texans met the moment by preparing a strong foundation to advocate for a more democratized redistricting process, and showing up in droves when the ideals of people-centered redistricting were not upheld by the Legislature. The maps passed by the Legislature and signed by the Governor do not reflect the reality of Texas, and while the maps are being challenged in court, the need for federal voting rights protections is greater now than ever.

Due to provisions of the Texas Constitution, redistricting for the Texas House and Senate maps will have to be revisited during the 2023 Regular Session, and this hopefully gives the public more of an opportunity to participate in the process. But whether Texans get another shot at legislative redistricting in two years or ten years, we will continue to build on the work accomplished this cycle so that we can finally draw a fair and equitable Texas for all.

***And at the very least, the next time redistricting happens, a new generation of activists can say “this ain’t our first rodeo.”***



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