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October 17, 2025

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY: Diego Cesena
DEPUTY

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4	LEAGUE OF UNITED LATIN	§	3:21-CV-00259-DCG-JES-JVB
5	AMERICAN CITIZENS, ET AL	§	
6		§	
7	V.	§	9:00 A.M. TO 1:00 P.M.
8		§	
9	GREG ABBOTT, IN HIS	§	
10	OFFICIAL CAPACITY AS	§	
11	GOVERNOR OF THE STATE OF	§	
12	TEXAS, ET AL	§	OCTOBER 2, 2025

PRELIMINARY INJUNCTION HEARING
BEFORE THE HONORABLE DAVID C. GUADERRAMA,
HONORABLE JERRY E. SMITH
AND HONORABLE JEFFREY V. BROWN
DAY 2 (MORNING SESSION) OF 9 DAYS

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**DAY 2
(PRELIMINARY INJUNCTION HEARING)**

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1 **PROCEEDINGS**

2 **(Call to order of the Court.)**

3 JUDGE GUADERRAMA: Good morning, everyone.

4 Please be seated.

09:00:24

5 Mr. Dunn, who is your next witness?

6 MR. DUNN: The plaintiffs call Senator Royce
7 West.

8 And not to pry, but shall we expect a ruling on the
9 deposition issue?

09:00:37

10 JUDGE GUADERRAMA: Oh, yes. Sorry I was missing
11 that.

09:00:55

12 So we discussed it last night and considered some
13 things and decided that we're going to grant the State's
14 motion to quash the subpoena. So if you need a written
15 order, we can certainly produce one.

16 MR. DUNN: For Brooks, it's fine to have that on
17 the record.

09:01:11

18 MS. PERALES: Your Honor, we'll withdraw the
19 subpoena for deposition and withdraw the notice and would
20 simply ask if the Court would be open to considering
21 additional latitude on cross-examination of Mr. Kincaid
22 when he does testify.

09:01:28

23 JUDGE GUADERRAMA: Well, I'm not sure what that
24 exactly means, but I know that the jurisprudence is for
25 preliminary injunction hearings the Rules of Evidence are

1 somewhat relaxed. So if that's what you are looking for
2 then certainly you'll have that.

3 MS. PERALES: Thank you, Your Honor.

4 JUDGE GUADERRAMA: Yes, ma'am.

09:01:48

5 THE WITNESS: Good morning, Your Honor.

6 JUDGE GUADERRAMA: Good morning, Senator West.

7 If you would raise your right hand, sir.

8 Do you solemnly swear or affirm the testimony which
9 you will give in this proceeding will be the truth, the
10 whole truth, and nothing but the truth so help you God?

11 THE WITNESS: I do.

12 JUDGE GUADERRAMA: Thank you, sir. You can have
13 a seat right there in that chair. If you'll do me a
14 favor, roll into that microphone, lean into it as close as
15 you can, and it gets louder.

09:02:05

16 THE WITNESS: How is this?

17 JUDGE GUADERRAMA: I apologize for it not working
18 so well.

19 **SENATOR ROYCE WEST,**

09:02:10

20 having been first duly sworn, testified as follows:

21 **DIRECT EXAMINATION**

22 BY MR. DUNN:

23 **Q.** Good morning. Please state your name.

24 **A.** Royce West.

09:02:18

25 **Q.** Senator West, thank you for traveling here and giving

1 us your testimony today.

2 Can you introduce yourself to the Court?

3 **A.** My name is Royce West. I am a member of the Texas
4 State Bar. I've been licensed on October the 31st,
09:02:34 5 1997 [sic]. On that date some people got tricked, others
6 got treated. I was one that got treated.

7 And I have practiced law since that time working in
8 the Dallas County District Attorney's office for
9 approximately five years. Several of those years as a
09:02:51 10 chief felony prosecutor. A candidate for district
11 attorney in Dallas County. Ultimately running for the
12 State Senate in 1992 and being elected in the State Senate
13 in 1992. Been sworn in in 1993. I've served in that
14 capacity since that time. And I have my own law firm with
09:03:12 15 offices in Dallas, Fort Worth, and Houston.

16 Married to Carol West, CPA. Every time I turn around,
17 she wants to audit me for some reason. I have no idea
18 why. We've been married for 38 years. And just
19 celebrated my 73rd birthday last week on the 26th.

09:03:32 20 **Q.** Congratulations.

21 This may be clear, but where is the Senate district
22 that you represent?

23 **A.** The Senate district that I represent is in Dallas and
24 partially in Tarrant County.

09:03:42 25 **Q.** And tell us about it. The neighborhoods that are

1 included.

2 **A.** Well, the neighborhoods that are included -- I don't
3 know how familiar the Court is with the Dallas area, but
4 if you know -- if you have flown into Love Field, let's
09:03:56 5 use that as a point, I represent areas going up to UT
6 Southwestern, including UT Southwestern, all of downtown
7 Dallas, going partially out to Arlington, Texas, 360 down
8 there by Six Flags. I don't have Six Flags in there, but
9 going out there as a marker. All the way to the border of
09:04:20 10 Dallas County.

11 And in terms of the neighborhoods, you want me to
12 describe the neighborhoods themselves?

13 **Q.** Yeah. Some of the key neighborhoods that make up your
14 district.

09:04:30 15 **A.** Well, in terms of all of -- pretty much all of Oak
16 Cliff makes up my district. It's Grand Prairie makes up
17 the district. A very, very small part of Arlington, Texas
18 in the part of the -- if you know where NorthPark is, the
19 part of the Lake Highlands area makes up the district.

09:04:50 20 **Q.** What is the racial makeup of your district?

21 **A.** I would say about 45, 46 percent African American.
22 About 42, 43 percent Hispanic. And then others.

23 **Q.** What is your race or ethnicity?

24 **A.** I'm African American.

09:05:07 25 **Q.** Now the Court is hearing some claims in this matter

1 regarding Congressional District 30. How does that relate
2 to your district, your Senate district?

3 **A.** Well, it's within the 23rd Senatorial District. The
4 senatorial districts in Texas are now almost a million
09:05:24 5 people each in the 31 that we have. Congressional
6 District 30 is within the 23rd Senatorial District.

7 **Q.** Is it also predominantly African American?

8 **A.** It's predominantly African American right now, the
9 current one.

09:05:37 10 **Q.** I think you mentioned you were elected to the Senate
11 in '92, did I hear that right?

12 **A.** When you say "predominantly African American," I don't
13 know. I think it's African American and somewhat
14 Hispanic. Somewhat similar to the senatorial district.

09:05:50 15 **Q.** You were elected in 1992?

16 **A.** Elected in '92. Correct.

17 **Q.** So I assume you have been through some redistricting
18 since then?

19 **A.** I -- yes. To answer your question.

09:05:59 20 **Q.** Have you served on a redistricting committee?

21 **A.** I have served on at least three of them.

22 **Q.** All right. I'd like to sort of move in now on the
23 2025 redistricting, which is what this case is about.

24 What, from your standpoint, got that process started,
09:06:15 25 redistricting here this year?

1 **A.** President Trump, through his Department of Justice,
2 sent a letter to the State of Texas asking for five more
3 congressional districts. And specifically laid out in
4 this particular letter what their thoughts were as to why.

09:06:34

5 **Q.** Now, if you don't mind, Senator, taking a look at the
6 screen, I'm showing you what has been admitted as Brooks
7 Exhibit 253.

8 Is this that letter?

9 **A.** It appears to be.

09:06:46

10 **Q.** And when it came in, was it something you reviewed?

11 **A.** I mean, I looked at it, yes.

12 **Q.** Sure. Right.

13 And what did you understand sort of just the gist or
14 takeaway was the Department of Justice was asking?

09:06:59

15 **A.** Well, I mean, frankly, what the Department of Justice
16 was asking was to look at the minority districts in the
17 state of Texas and use that -- those districts, as have
18 been done in previous redistricting cases, as the pawns,
19 if you will, in order to get what the President wanted as
20 relates to additional districts, congressional districts
21 that would be, frankly, flipped to the Republican Party.

09:07:20

22 **Q.** What do you mean by "pawns"?

23 **A.** Well, historically we have been in this court or
24 similar courts talking about discrimination as it relates
25 to redistricting. And normally what ends up happening,

09:07:35

1 every time that I can recall at least, in the years I have
2 been involved, it's always about the minority districts
3 and about whether or not they were -- constitutional
4 principles were in fact used in order to draw those
5 districts or whether they were drawn with discriminatory
6 intent.

09:07:52

7 **Q.** Now, is one of the districts the Department of Justice
8 highlights Congressional District 33?

9 **A.** Correct.

09:08:01

10 **Q.** And who is the incumbent there?

11 **A.** Marc Veasey.

12 **Q.** And can you describe that district generally, the kind
13 of area that it covers?

09:08:14

14 **A.** Well, it covers parts -- and to answer the question I
15 can give you, because I haven't looked at it specifically,
16 but pretty much East Fort Worth and parts, I believe, of
17 Dallas also. I know -- I believe it is parts of Dallas
18 also. In fact, there was a district, if I'm recalling
19 this correctly, that was drawn by the Court.

09:08:33

20 **Q.** How did that come about?

21 **A.** Well, I believe it was 2012, 2013, somewhere in there,
22 when there were challenges made about the -- how the
23 congressional district was drawn then. And the Court
24 agreed that the district was drawn with discriminatory

09:08:59

25 intent, I believe, and looked at the shape of it and there

1 was wording or something in there about lightning bolts or
2 something.

3 And the Court opined, I believe, that it was not a
4 minority coalition district. And they redrew it using
09:09:17 5 constitutional principles in order to redraw it.

6 **Q.** In that ruling did the Court actually say something
7 about whether it was drawing the district on a race basis?

8 **A.** I'm sorry. Say that again?

9 **Q.** In the ruling did the Court say that that district was
09:09:31 10 being drawn on racial data or race?

11 **A.** Whether it was drawing it on racial?

12 **Q.** Yes. The district that became 33.

13 **A.** I think that it's -- no. It was just using
14 traditional constitutional criteria in order to draw it.

09:09:49 15 **Q.** So what does the Congressional District 33 mean to
16 Dallas and Tarrant County?

17 **A.** Well, what it means is having a person in office that
18 understands the constituents. And, frankly, as it's being
19 proposed now, those constituents would now, frankly, be
09:10:12 20 without representation that it -- that they have enjoyed

21 over these many years since the Court redrew the district.

22 **Q.** Is Congressional District 33 under the 2021 map
23 majority-minority, as far as you understand?

24 **A.** No. Not at all.

09:10:27 25 **Q.** A majority of multiple race minority?

1 **A.** I'm sorry. Say it again?

2 **Q.** Is it what -- is it majority Black or majority
3 Hispanic or is it a mix?

4 **A.** Oh, it's a mix.

09:10:37

5 **Q.** But in terms of adding up the Black and Hispanic
6 population, does that then attain a majority of the
7 district?

8 **A.** No. I don't believe so.

09:10:49

9 **Q.** And who were the types of citizens in Tarrant and
10 Dallas County that elect Marc Veasey?

11 **A.** Well, it was -- you have got to understand that when
12 you look at the district, again, there are African
13 American and Latinos and Anglos, whole nine yards. So it
14 was a mixed group of persons there. You know, when you
15 begin to look at the district itself, it's a natural, I
16 guess you could say, evolving district in terms of
17 population. And I think all of the different communities
18 that are in that district, that people that moved into the
19 district have been supportive of Marc Veasey as a
20 congressperson.

09:11:26

21 **Q.** Now, the -- fast-forward now to the 2021
22 redistricting. Joan Huffman is the senator that took
23 charge of that. Is that how you recall?

24 **A.** I do.

09:11:39

25 **Q.** Is there some phrase or statement that you recall that

1 was key to her layout of the congressional bill?

2 **A.** Race was not a factor. Race was not a factor. Race
3 was not a factor.

4 **Q.** I mean, over and over and over again?

09:11:56 5 **A.** Over and over again.

6 **Q.** And focusing on the boundaries of Congressional
7 District 33 that was, you know, what the Court drew, as
8 you mentioned, in 2012, 2013. Did it stay the same in
9 2021 or were there significant changes?

09:12:11 10 **A.** There were significant changes.

11 **Q.** How so?

12 **A.** Well, in terms of configuration of the district and
13 also the population of the district.

14 **Q.** So to whatever extent the Court might have considered
09:12:20 15 race, if Senator Huffman is to be believed, in 2021 it was
16 reconfigured race neutral, blind to race?

17 **A.** Yes.

18 **Q.** Now, in 2025, of course, the Court has heard testimony
19 and seen a lot of video yesterday of the proceedings. We
09:12:43 20 won't repeat that or go through that. But I do want to
21 call attention to a few parts that you participated in.

22 And initially there was a hearing, the very first day
23 of session you might recall, over a new Senate rule.

24 Do you recall that? To set up the redistricting
09:12:59 25 committee?

1 **A.** You would have to refresh my recollection.

2 **Q.** That's fine.

3 Do you recall attending any of the field hearings?

4 **A.** Yes.

09:13:08

5 **Q.** Which ones?

6 **A.** I attended -- personally attended the one in
7 Arlington, Texas.

8 **Q.** And which body was holding that hearing?

09:13:21

9 **A.** The House. Since this was a House bill from
10 inception, yes. The House.

11 **Q.** Well, and that's a good point. In your experience in
12 this process from, you know, when a bill is filed until
13 it's passed, you know, what was the body that you believe
14 took charge and was responsible for this map?

09:13:35

15 **A.** Well, since it's a House bill, if it was an H.
16 Sometimes it's a Senate bill that would have an S in front
17 of it, and the Senate would take the lead. And if it's an
18 H, the House takes the lead. That's -- all the bills are
19 that way.

09:13:50

20 **Q.** Was it your impression that it was Chairman Hunter in
21 the House who was responsible for working on, obtaining a
22 draft map and laying it out and making argument in favor
23 of passage?

09:14:04

24 **A.** Well, first of all, I didn't know that he was the
25 chair of the committee initially. Once I found out that

1 he was the chair of the committee, yes, it was his
2 responsibility.

3 **Q.** Why -- is it common for you as a senator to go attend
4 House hearings?

09:14:15

5 **A.** No.

6 **Q.** Why did you do it here?

09:14:28

7 **A.** Because, again, it was a redistricting year. And it
8 was the way that it was coming down from Washington was
9 that it wanted to disrupt the representation of people,
10 congressional persons in the Northern District of Texas
11 and also down in the Travis County area. But more
12 specifically, I was concerned about what was going on in
13 North Central Texas.

09:14:41

14 **Q.** So how does that work when a senator goes over to a
15 House hearing? I mean, do you sit up on the dais with the
16 other senators -- I mean with other representatives? Or
17 how are you accommodated?

09:14:53

18 **A.** No. First of all, you don't go and sit up on the dais
19 with other members. You sit in the front row. And you
20 are -- just like a House member, you are accorded, I guess
21 you could say if you are there to testify, something like
22 that, you are accorded a courtesy of being able to speak
23 first.

24 **Q.** And then did you testify like a member of the public?

09:15:05

25 **A.** I did.

1 Q. What was the gist of your comments?

2 A. Well, the gist of it was is that this process that we
3 were going through in terms of, number one, there was
4 already a case pending here in El Paso, which I testified
5 to.

09:15:24

6 And now we had the Department of Justice coming down
7 and saying that these particular congressional districts
8 were based on race when the position of the State had
9 consistently been throughout the hearings that race was
10 not a factor.

09:15:40

11 And traditionally the Attorney General's office has
12 always, when they believe that the federal government is
13 wrong, taken the position of filing a lawsuit against the
14 federal government in order to make certain that the
15 State's position is clear.

09:15:53

16 Q. As far as you know, has the State challenged in court
17 the Department of Justice's position?

18 A. No. Not at all.

19 Q. Did you express your concerns about making sure that
20 there was representation for Dallas and Tarrant County?

09:16:09

21 A. Then and here today to also express concerns about it.

22 Q. Were the concerns expressed there specifically about,
23 at least in some respect, Congressional District 33 or
24 Marc Veasey in particular?

09:16:25

25 A. About the Congressional District 33, 30 in North

1 Central Texas. Since that was pretty much the purpose of
2 the hearing there, the major purpose, was about North
3 Central Texas. It didn't stop consideration for the other
4 districts.

09:16:39

5 **Q.** Can you -- can you kind of tell us the scene? You
6 know, paint a picture of what you saw there that day at
7 the hearing.

09:16:53

8 **A.** Well, a couple things. Number one, I'm a graduate of
9 UT Arlington. And so it was kind of home turf for me as
10 an alum. And the room was packed. It was packed to such
11 an extent where the fire marshal would not allow other
12 persons in. And there were hundreds of persons outside in
13 the foyer wanting to get in. Also to the point that,
14 frankly, after I testified, I went out there and people
15 were leaving because they couldn't get in and there was no
16 accommodations for them.

09:17:15

17 **Q.** And what was the -- you know, was the crowd
18 predominantly one race or very diverse?

09:17:32

19 **A.** It was a very diverse crowd in terms of ethnicity and
20 also age.

21 **Q.** Did you make some reference to the representatives
22 about how this crowd reflected Texas?

09:17:47

23 **A.** Yes. I did. Because the crowd -- and I don't know
24 whether your clip shows it or not, but if you look at the
25 people in that room, it was reflective of the great state

1 of Texas. The people standing outside, the same thing.
2 And that's exactly what we would hope in the state of
3 Texas. Not one race dominating everything, but making
4 certain that everyone has input into the decision-making
5 process.

09:18:04

6 The fact of the matter is, I would say that
7 historically you would have a map that people could look
8 at to see what -- in order to express their opinion.
9 There was no map present where persons could actually look
10 at the maps to see exactly what they thought about the
11 recommendations being made.

09:18:16

12 JUDGE SMITH: Mr. Dunn, I understood your
13 question was whether the Senator made that statement to
14 the representatives on the committee. Is that your
15 question?

09:18:31

16 MR. DUNN: Yes, Your Honor. That was my
17 question.

18 JUDGE SMITH: I'm not sure his answer reflected
19 that.

09:18:36

20 MR. DUNN: Oh, okay.

21 BY MR. DUNN:

22 **Q.** Did you make a note to the members of the community
23 about observing the diversity of the crowd?

24 **A.** I'm pretty certain that I did. I can't be 100 percent
25 certain, but I do -- I do believe that I made that

09:18:46

1 statement to the representatives.

2 **Q.** I don't plan to play that today, but you did. It's
3 Exhibit 303, which is the July 28th video.

4 But I do want to call your attention to Exhibit 303,
09:19:01 5 the video, and page 37, line 9 to 39, line 1. We saw a
6 bit of this yesterday, but since it involved you, I wanted
7 to ask you about it.

8 (Video played.)

9 REPRESENTATIVE MOODY: Senator, I want
09:19:23 10 to -- there is a lot of us up here. No, Senator, I want
11 to thank you for being here, and I appreciate your voice
12 in this process. I've been trying to dig into -- into
13 where these maps are, and I've had a number of members of
14 Congress come before this committee and testify. I've
09:19:40 15 asked several of them. This is the first time I've had a
16 member of the Senate come over, so I would be remiss if I
17 didn't ask.

18 Have you seen these maps yet? Are they available to
19 you-all in the Senate and just maybe not to us in the
09:19:58 20 House?

21 SENATOR WEST: -- no, they're not. And let me
22 say this. The reality is, is that I have been reassured
23 that there will be hearings once the maps come out. But
24 check this out. Will there be regional meetings like this
09:20:06 25 so everyone won't have to come to Austin to see the maps?

1 And --

2 (Video concluded.)

3 MR. DUNN: "-- probably not" is how it ends.

4 BY MR. DUNN:

09:20:14

5 **Q.** What are you expressing there?

6 **A.** Well, what I'm expressing to the members of the House
7 is the lack of transparency where heretofore we have
8 always talked about transparency and accountability.

09:20:29

9 There was no transparency in this process in terms of
10 making certain people who wanted to have input into the
11 process was able to see exactly what maps were being
12 considered so they could give an honest assessment of how
13 they felt about the maps and what they thought could be
14 done in order to improve upon them.

09:20:46

15 **Q.** Now, when you were there at this hearing --

16 Well, let me ask you: Did transparency improve after
17 you made this statement?

18 **A.** No.

09:20:57

19 **Q.** Does the lack of transparency define this entire
20 process in this special session?

21 **A.** Exactly. Yes.

09:21:19

22 This process started when the State of Texas received
23 the letter from the Department of Justice. That's when it
24 started. There was really no real, I guess you could say,
25 conversations about having a hearing on redistricting

1 until the State received the letter from the Department of
2 Justice.

3 **Q.** Now, you note there in that clip that Chairman Hunter
4 was seated next to Chair Vasut.

09:21:35 5 Do you recall that?

6 **A.** I do.

7 **Q.** And in your discussion that you had, and it is longer
8 than the part I showed, where you are asking about a map,
9 does Chairman Hunter speak up at any point or offer any
10 information?

11 **A.** No.

12 **Q.** Did you otherwise have an opportunity to visit with
13 Chairman Hunter that day?

14 **A.** I did. Prior to -- prior to the hearing,
09:21:58 15 Representative Hunter and myself, we were sitting in a
16 room where I guess the other elected officials and others
17 that were part of the process were before it actually
18 started. And we were sitting beside -- I mean, right
19 beside one another. And he said nothing at all.

09:22:15 20 As I recall, I expressed my opinion about the
21 particular process and why were we going through this.
22 And he said nothing at all about a map at all.

23 **Q.** When was the map filed after that Arlington hearing?

24 **A.** You know, I don't know when it was filed, but I think
09:22:33 25 it was immediately after the hearing.

1 Q. In a day and a half or so?

2 A. I don't know.

3 Q. Let me now take you to a different part of the
4 hearing. On page, again, Exhibit 303, page 40, line 10 to
5 page 41, line 2.

09:22:53

6 (Video played.)

7 REPRESENTATIVE MOODY: Thank you, sir.

8 SENATOR WEST: Let me just say this,

9 Mr. Chairman, if I may. There are people outside that

09:23:05

10 can't get in. And it's my understanding, because I've
11 talked with the general counsel or the legislative liaison
12 for the university, and I'm being told that they were
13 instructed not to provide any additional space for people
14 that couldn't come in here. I would hope -- and that it
15 came from the committee. I would hope that you would ask
16 UT Arlington to just open up the space across the hall.
17 Okay? And allow people to sit in there.

09:23:32

18 REPRESENTATIVE MOODY: I would certainly be happy
19 to see if Arlington would open up that space.

09:23:56

20 (Video concluded.)

21 BY MR. DUNN:

22 Q. So what happened there? What were you expressing to
23 the committee?

24 A. Well, I said a few minutes ago there were literally

09:24:02

25 hundreds, I mean, not like a thousand or anything like

1 that, but there were numerous people outside that could
2 not get in that wanted to get in and couldn't because the
3 fire marshal said it was packed. And there was space
4 where we hold banquets and other types of ceremonies right
5 across the hall that you could open up and allow people to
6 sit in there and, as persons were coming out of the
7 hearing, allow them to come into the hearing.

09:24:20

8 But I was informed by university officials that they
9 were instructed not to open that up and provide that type
10 of courtesy.

09:24:39

11 **Q.** As a state official, what is your reaction to that?

12 **A.** Because I'm in front of this Honorable Court, I won't
13 say what I actually thought; but I was not very pleased
14 with not extending courtesy at a public university to the
15 public to accommodate them at a stadium.

09:24:56

16 **Q.** Now, did the committee staff or membership take action
17 in response to that speech or that note?

18 **A.** They did, yes.

19 **Q.** So they got the room open?

09:25:11

20 **A.** They got the room open.

21 **Q.** And was there also an issue on getting some kind of
22 television turned on in the room that would show what was
23 happening in the committee?

24 **A.** I don't recall that part of it. Normally when we have
25 those types of setups where individuals go to another room

09:25:22

1 in the Capitol, there is a video feed to them.

2 **Q.** You have been chair of committees before?

3 **A.** I have.

09:25:38

4 **Q.** Have you chaired a committee during contentious issues
5 like this where a lot of people showed up to express their
6 views?

7 **A.** Yes.

8 **Q.** And what actions did you take to accommodate?

09:25:50

9 **A.** To accommodate, I mean, we're public quote-unquote
10 servants. And you have got -- whether you agree or
11 disagree with persons, you have got to make certain that
12 they have an opportunity to present their particular side
13 of the case or what their perspective is. And so what you
14 do is accommodate them like you want to be accommodated.

09:26:06

15 **Q.** How long did you stay there at that field hearing?

16 **A.** Probably about an hour, hour and a half.

17 **Q.** One of the comments that you made there in one of
18 these clips I just showed is, you know, "Where is the map?
19 Why don't we have a map to talk about?"

09:26:25

20 Why did you think that that was important?

21 **A.** Again, as I recall, in previous redistricting hearings
22 when I was serving on the committee, we would have a map
23 that people could look at. And we were -- this was --
24 unlike the Senate, the Senate didn't have in-person
25 regional hearings this time around. The House did. And

09:26:45

1 that allowed more participation by citizens, I believe.

2 And you would want to -- if they were going to
3 testify, you would want them to be able to have the
4 information in hand in order to make intelligent decisions
09:27:05 5 about whether they support or oppose it.

6 And if the true purpose of the committee was to gather
7 public testimony, you would want them to -- the public to
8 have the best information possible so that they can
9 express an opinion upon it. And the map, the numbers
09:27:26 10 associated with the map, the configuration of the
11 districts, is the best information possible. And the
12 citizens didn't have that.

13 And the fact is, is that, yes, there could be public
14 hearings subsequent to the map being released, but those
09:27:44 15 hearings would be in Austin, as opposed to regional
16 meetings which allowed persons the position to be able to
17 have -- to be more conveniently -- to be more convenient
18 to persons who actually want to participate not in Austin.

19 **Q.** Was the field --

09:28:03 20 **A.** And then the other thing is, if you are having public
21 hearings, which you normally do, they are during the
22 daytime in many instances. And so persons working would
23 have a hard time being able to come to Austin. And they
24 go into the night, they do. They have to get off from
09:28:18 25 work, come to Austin, in many instances get accommodations

1 in Austin, in order to testify on the map if they chose to
2 do so.

3 **Q.** Was there a field hearing scheduled after the map was
4 released in North Texas?

09:28:36 5 **A.** I don't believe so.

6 **Q.** What is your opinion as to whether the public
7 testimony that you saw in that hearing made it into the
8 actual map or was reflected at all in the map?

9 **A.** Out of all due respect to my colleagues and -- I have
10 been doing this for 32 years. And when you begin, if this
11 Honorable Court looked at the public testimony, you would
12 see that 95 percent, if not even higher, of the persons
13 that testified concerning this process was against what
14 was ultimately done by my colleagues in terms of passing
15 this map. They were against it. So that shows you that
16 the public testimony was not taken seriously. It was just
17 one of those check-a-box-type situations.

18 **Q.** I now want to call your attention to the Senate floor
19 debate, the final debate on August 22nd.

09:29:36 20 Were you present for that debate?

21 **A.** I was.

22 **Q.** And, you know, in your decades of serving in the
23 Senate, what did -- you know, what did that scene feel
24 like? Was it a normal day or how was it?

09:29:49 25 **A.** I am not understanding the question.

1 Q. The Senate floor debate, was it just a regular old
2 everyday Senate floor debate; or was it one for the ages?

3 A. It was one for the ages. I mean, the tension was
4 thick. You could cut it with a knife. It was thick.

09:30:04

5 Q. But before the Senate debate there is evidence in the
6 case, of course, of the quorum break that the House
7 members undertook.

8 Do you recall those events?

9 A. I do.

09:30:14

10 Q. And how, if at all, did you participate in the quorum
11 break?

12 A. Well, it was a House quorum break. The Senate members
13 considered a quorum break, but they didn't have sufficient
14 votes to do that. And the question in our mind came to
15 how would it be viewed. Okay.

09:30:31

16 The Constitution in the state of Texas basically says
17 that before business -- I'm paraphrasing this -- before
18 business can be conducted you have to have a quorum, which
19 I believe enables persons to use that as a parliamentary
20 tool as opposed to, you know, anarchy and things of that
21 nature. It was a parliamentary tool.

09:30:54

22 And the House and, frankly, Senate members recognized
23 that what Trump was asking for was discriminatory. I
24 mean, again, using minority seats as pawns in order to
25 accomplish the purpose and then turn around and say in one

09:31:13

1 instance that race was not used, which this Court was
2 considering, and then turning around and getting a letter
3 from the Department of Justice and then calling a special
4 session in order to do the bidding of the President in
09:31:37 5 order to attempt to get additional Republican seats in
6 Congress ahead of the 2026 election. That's what this is
7 all about. And using the minority representation there as
8 the pawns in order to get it done. That's what this is
9 all about.

09:31:57 10 **Q.** The map that passed, in your opinion, did it do what
11 the Department of Justice ordered the State to do?

12 **A.** Yes, it did.

13 **Q.** In the places, in the specific districts it was
14 ordered?

09:32:06 15 **A.** In the exact same places the department asked them to
16 look at, that's what they did. And that's exactly what
17 was done.

18 **Q.** All right. I had intended to go to the Senate debate
19 earlier but everything failed on me. I have now fixed it
09:32:22 20 hopefully. So I would like to talk about the Senate floor
21 debate and Exhibit 318 and page 97, line 24 to 99, line 8.

22 (Video played.)

23 SENATOR WEST: Let's talk about Congressional
24 District 33 as it currently exists. Who's the
09:32:43 25 Congressperson there right now?

1 CHAIRMAN KING: Just a second. Let me get out
2 my -- Marc Veasey, yes.

3 SENATOR WEST: Okay. How long --

4 (Video concluded.)

09:33:19

5 (Video played.)

6 SENATOR WEST: Let's talk about Congressional
7 District 33 as it currently exists. Who is the
8 congressperson there right now?

9 CHAIRMAN KING: Just a second. Let me get out

09:33:28

10 my --

11 SENATOR WEST: Is that Marc Veasey?

12 CHAIRMAN KING: Marc Veasey, yes.

13 SENATOR WEST: Okay. How long has Marc Veasey
14 been the congressperson there?

09:33:37

15 CHAIRMAN KING: Oh, I would say at least maybe
16 12, 14 years.

17 SENATOR WEST: Somewhere up in there, I think so.

18 And that's been an African American performing
19 district, has it not?

09:33:49

20 CHAIRMAN KING: I haven't looked at the racial
21 data for that district.

22 SENATOR WEST: Okay. But he has been there.

23 Okay. So it could be a coalition district where African
24 Americans and Latinos have voted for him?

09:34:02

25 CHAIRMAN KING: Again, I --

1 SENATOR WEST: It could be a -- it could be a
2 district where African Americans, Asians, Anglos, and
3 Hispanics voted for him, correct? You wouldn't know
4 because you haven't taken into consideration race for any
5 purpose in drafting this map; is that correct?

09:34:16

6 CHAIRMAN KING: Well, generally, yes, I have not
7 taken racial data into consideration in drawing the map.
8 I do know in District 33 there is a large African American
9 community. There is a significant Hispanic community.
10 There's people of White community. I mean, I grew up in
11 that community. I know that from that.

09:34:35

12 I served as a police officer there. I was a commander
13 of the police division over there. So I'm familiar with
14 it. But I went to church there for a long time and got my
15 hair cut there until my barber died a few years ago.

09:34:48

16 (Video concluded.)

17 BY MR. DUNN:

18 **Q.** Why did you decide to bring up Congressional
19 District 33 on the Senate floor?

09:34:57

20 **A.** Well, because it was one of the districts that was
21 targeted by the Trump administration.

22 **Q.** Was it targeted by the map that Senator King was
23 offering?

24 **A.** Absolutely.

09:35:07

25 **Q.** And as Senator King -- excuse me -- Chairman King

1 references here, he has a long history in Tarrant County.

2 Is that fair to say?

3 **A.** Yes, sir.

09:35:20

4 **Q.** Do you recall the circumstances under how it was that
5 Senator King came into the Senate?

6 **A.** He came in under -- there was a redistricting lawsuit.

7 I can't recall what year it was. But as a result of the

8 redistricting lawsuit, he was able to get a favorable

9 district and was elected as a State Senator. I believe it

09:35:50

10 was former Senator Beverly Powell. There was a lawsuit

11 there. And as a result of the redistricting process, he

12 was able to get a favorable district and was elected.

13 **Q.** You had mentioned earlier in that ruling in 2012 or
14 2013 about a lightning bolt.

09:36:08

15 Do you recall that?

16 **A.** Yes.

17 **Q.** With regard to the State Senate map changes that were
18 made in 2021, were they similar in that they used fingers
19 to go into Tarrant County?

09:36:18

20 **A.** Yes. Yes.

21 **Q.** And were Black and Hispanic neighborhoods in Tarrant
22 County then combined with rural largely White areas?

23 **A.** That's what I mean when I said that communities were
24 used as pawns. Minority communities were used as pawns as

09:36:35

25 part of the redistricting process.

1 **Q.** So after -- you mentioned Senator Beverly Powell.
2 After that redistricting, what representation was left in
3 Tarrant County for Black and Hispanic citizens in the
4 State Senate?

09:36:48

5 **A.** Well, let me be real clear about when you say "what
6 representation." In terms of issues that were championed
7 or a priority for African American and Latino communities,
8 Beverly Powell as a State Senator always looked after
9 those particular issues.

09:37:19

10 Once she left, once she was redistricted out, it's my
11 belief that the support for those issues from those
12 communities were not priorities for the individuals that
13 represented them in the new maps for the State Senate or
14 the House.

09:37:44

15 **Q.** After Map C2333 was adopted, the new congressional map
16 that this proceeding is about, what representation has
17 been left in Tarrant County for Black and Hispanic
18 citizens?

19 **A.** I'm sorry. Say that again?

09:38:00

20 **Q.** With respect to this new congressional map in Tarrant
21 County, what representation was left for Black and
22 Hispanic citizens to the United States Congress?

23 **A.** Okay. Now let me make sure I get this straight. I
24 want to say the new map, are we talking about the '21 map
25 or are we talking about the map that was just adopted?

09:38:13

1 Which one?

2 **Q.** The just adopted 2025 map.

3 **A.** None. None. I mean, look at it. Look at the
4 configuration of the map. And you'll see that in many
09:38:25 5 instances, most instances, Judges, Honorable Judges, that
6 minority communities were put into districts that really
7 represent rural interests. And I don't have a problem
8 with rural interests. But their interest was subsumed in
9 those particular districts.

09:38:45 10 And historically, when you look at individuals that
11 represent those districts, issues important to those
12 communities never get priority in legislative matters from
13 those individuals.

14 How do I know that? The reason is because in many
09:39:01 15 instances those communities would come to me or others
16 that look like me and ask me to take on a particular
17 charge, a particular issue for them. And so it's no
18 longer a real priority for the representatives
19 representing those districts.

09:39:18 20 **Q.** Now, going back to the Senate floor debate,
21 Exhibit 319, page 51, line 15 to page 52, line 3.

22 (Video played.)

23 CHAIRMAN KING: Everybody has known that Adam
24 Kincaid has been involved in --

09:39:59 25 (Video concluded.)

1 MR. DUNN: Hold on a minute.

2 (Video played.)

3 CHAIRMAN KING: Thank you, Mr. President.

4 And before we go the next question, I wanted to -- I
09:40:07 5 got some of the information that Senator Gutierrez had
6 requested, and I wanted to go ahead and fully answer his
7 questions.

8 He asked about the meeting with the Attorney General's
9 office. That was on August the 19th. It was -- I was
09:40:19 10 having, to be honest, I was having difficulty finding a
11 law firm at that time that didn't have conflicts. And I
12 met with Ryan Kercher, William -- Will Wassdorf, and
13 Kathleen Hunker, and it was for the purpose of asking if
14 they could serve as our legal counsel, if they had the
09:40:39 15 in-house ability to do *Gingles* and other type of analysis
16 that would be appropriate.

17 They discussed it. I later got a call from Brent
18 Webster, who said that they've looked in-house and they do
19 not have that expertise and could not represent me. So
09:40:59 20 for Senator Gutierrez, that was on August the 19th.

21 The -- with --

22 (Video concluded.)

23 BY MR. DUNN:

24 Q. Did you hear Chairman King explain that the Attorney
09:41:13 25 General's office turned down representing him because he

1 said they lacked expertise in redistricting?

2 **A.** I did. I did.

3 **Q.** Had that been true in prior redistricting cycles, the
4 Attorney General's office lacked expertise?

09:41:25 5 **A.** Not that I can recall.

6 **Q.** These comments that Chairman King made here, he
7 referenced at the beginning were in response to some
8 questions Senator Gutierrez had asked?

9 **A.** Correct.

09:41:36 10 **Q.** And we heard testimony yesterday that after that
11 Senator King, on a break, I guess did whatever he did and
12 he came back out and he made this statement that you just
13 saw.

14 Is that your recollection?

09:41:48 15 **A.** I know my recollection is that he made the statement.
16 I don't know what happened during the break.

17 **Q.** Good. Okay.

18 With regard to Senator Gutierrez's questioning of
19 Chairman King, was there a revelation there? I mean,
09:42:03 20 do -- was -- what was that moment like on the Senate
21 floor?

22 **A.** Confirmation of what we already knew.

23 **Q.** Which was what?

24 **A.** Lack of transparency. That this map was already done.
09:42:15 25 And even though I don't have any direct evidence of

1 anything of that nature, my suspicion was is that the map
2 was already done before the process even began and was
3 done outside of Texas and just given to persons in the
4 state of Texas in order to file.

09:42:31

5 **Q.** Now, as, you know, a State Senator with your
6 seniority, sitting here today, after all these events, do
7 you actually know, has anybody actually told you directly
8 whose hand was on the mouse when they drew this map?

9 **A.** No.

09:43:05

10 MR. DUNN: Thank you for your service, Senator.

11 THE WITNESS: Thank you.

12 MR. DUNN: I think my colleague has a few
13 questions.

14 JUDGE GUADERAMA: Mr. Bledsoe.

09:43:24

15 MR. BLEDSOE: Good morning, Your Honors. Gary
16 Bledsoe for plaintiff intervenors.

17 **CROSS-EXAMINATION**

18 BY MR. BLEDSOE:

09:43:40

19 **Q.** Senator, you have been in the legislature since the
20 1990s; is that correct?

21 **A.** That is correct.

22 **Q.** I think earlier you might have said that you started
23 practicing law in '97, but you meant '79; is that right?

24 **A.** '79. Exactly.

09:43:54

25 **Q.** And do you remember if you have personally been

1 involved in quorum breaks before?

2 **A.** I have.

3 **Q.** And is that something that is appropriate for
4 legislators to do?

09:44:12 5 **A.** I think so. Yes.

6 **Q.** Okay. And can you tell the Court under what
7 circumstances you think that's appropriate?

8 **A.** You know, again, the Constitution -- I think it's
9 appropriate under the Constitution. It says that you have
10 to have a quorum -- frankly, I'm paraphrasing -- before
11 you can start business. And when you know that business
12 that is about to be started is, frankly, unconstitutional,
13 then you have to avail yourselves of all the
14 constitutional tools at your disposal in order to prevent
15 such actions from taking place.

16 The fact of the matter is that this, again, is not the
17 first time a quorum break has been utilized for that
18 particular purpose, but yeah. It was real clear that as
19 members of the body, that we wanted to make certain that
20 we did everything possible in order to stop the action
21 from taking place.

22 And then, secondly, making certain that the whole
23 world knew what was about to transpire here in the state
24 of Texas. We didn't have the numbers to stop it. And we
25 wanted to make certain that this darkness that was being

1 placed on our legislative body by what was coming in from
2 Washington came to light.

09:45:38

3 And so we were able to get that done. The House, in
4 my opinion, did an outstanding job even though they had to
5 break quorum.

09:45:50

6 They made certain that people throughout the country
7 knew what was going on. Members of the Senate left and
8 went to Boston to the National Conference of State
9 Legislators. And while we were there, we were able to get
10 the word out to all the other legislators that were there
11 from across the country at that convention.

09:46:13

12 And, frankly, representatives from over 35 states
13 joined us in a -- I would say a protest on this. And
14 also, the governor there also joined us in the protest, as
15 well as other elected officials throughout the country.

16 **Q.** And, Senator, would you have joined in a quorum break
17 yourself --

18 **A.** I would have.

19 **Q.** -- if you had been presented with it?

09:46:25

20 **A.** Yes. I would have.

21 **Q.** Tell us why.

09:46:38

22 **A.** Because, again, what was taking place, we were already
23 dealing with a redistricting issue right here in this very
24 court. And then all of a sudden those minority districts,
25 we only had -- we have four African Americans in Congress

1 from Texas. Federal courts over these many years have
2 looked at redistricting issues, made certain that these
3 districts were in fact drawn pursuant to constitutional
4 requirements.

09:47:02

5 And now all of a sudden the Trump administration wants
6 to target these districts and ask that they be, what, set
7 aside based on constitutional concerns as expressed by the
8 Fifth Circuit. When you have a court that's heard
9 testimony that, quote-unquote, these districts were drawn
10 without consideration of race and that's an issue and you
11 also have a District 33 that was drawn by federal courts
12 saying that they used constitutional criteria to do it.

09:47:30

13 And so from that perspective it informed my decisions
14 as to what I needed to do as a State Senator. And if I
15 had -- if we had the votes, I would have done the same
16 thing in order to protect the very people that I represent
17 as a Senator.

09:47:52

18 **Q.** Senator, as you know, I think this C2333 was
19 introduced in the House on Monday. And less than five
20 days later, it's actually law.

09:48:11

21 Have you seen that occur with any other redistricting
22 bill?

23 **A.** No.

24 **Q.** What is your opinion about the rapidity that the bill
25 went through the whole legislative process?

09:48:24

1 **A.** It reaffirms exactly what I just said a few minutes
2 ago. When you have that, number one, in my mind, it was
3 never on the agenda at the regular session that we would
4 do redistricting. It didn't become a part of the agenda
5 until the DOJ letter coming in from Washington.

09:48:45

6 There was no map that started in the House. There was
7 no map that was drawn that citizens in the state of Texas
8 would be able to look at as part of hearings that were
9 taking place. The map ends up mysteriously being drawn
10 and introduced. And I don't have the exact dates, but
11 I'll just say moments after that hearing. And then all of
12 a sudden it becomes law. It passes the body within like a
13 week.

09:49:14

14 I have never seen -- and the Court can kind of go back
15 and look at it. I have never seen that type of,
16 quote-unquote, expeditious process when dealing with
17 redistricting.

09:49:33

18 So that informed and, frankly, reaffirmed my position
19 as to what I would have done had we had the votes to do
20 it.

09:49:48

21 **Q.** And, Senator, would you agree that in the legislative
22 process there is normally some give-and-take between the
23 different parties in the process to give some legitimacy
24 to it where you have an opportunity to legitimately offer
25 amendments and debate them in discussion?

09:50:06

1 **A.** Yes. Yes.

2 **Q.** Okay. Was that present here?

3 **A.** No.

09:50:21

4 **Q.** Now, I think previously we talked about in the earlier
5 proceeding --

6 **A.** Well, let me back up. Let me back up.

09:50:44

7 I don't know -- in terms of amendments, I don't recall
8 any amendments being adopted as it relates to this 2025
9 map. I do recall some conversations, I believe, on this
10 one where my Republican colleagues -- there was some
11 give-and-take amongst my Republican colleagues. There may
12 have been a couple of amendments that were adopted.

09:51:03

13 **Q.** Senator, we talked before about the legislative
14 counsel and their importance to the legislature. Can you
15 explain that again, what the role you have seen the
16 legislative counsel play in redistricting over the years?

09:51:20

17 **A.** Well, when I was involved in the committee, what we
18 would do is make certain that, to the extent that there
19 were seminars across the country, leg. counsel would send
20 representatives and members of the committee were also
21 invited to go to those seminars. And so they would be a
22 part of that.

09:51:35

23 They would, frankly, be the legal arm, if you will, to
24 get advice from in terms to help guide us through the
25 redistricting process in terms of what we should do and

1 what we shouldn't do.

2 **Q.** And if you recall, did the legislative counsel advise
3 the legislature to take appropriate steps to avoid the
4 vote dilution against minority voting interests?

09:51:54 5 **A.** Yes.

6 **Q.** And did that take place in this instance?

7 **A.** No.

8 **Q.** And normally does the Black caucus seek to have some
9 input in the legislative process, especially during
10 redistricting time?

11 **A.** Yes.

12 **Q.** And I guess in the Senate there is a Black caucus of
13 two. You are members of the overall caucus?

14 **A.** Yes.

09:52:21 15 **Q.** And so did anyone reach out to you to discuss the
16 potential vote dilution that might have occurred in this
17 bill?

18 **A.** No.

19 **Q.** Did they reach out to the Black caucus in the Senate?

09:52:35 20 **A.** No.

21 **Q.** Okay. And how do you assess the failure of leadership
22 to reach out to you and the Black caucus in the Senate to
23 discuss whether the map might dilute minority voting
24 interests?

09:52:53 25 **A.** Well, again, there was no -- how do I put this? --

1 deliberate steps taken by the authors of the bill to reach
2 out to us. Wherein some of the prior sessions there had
3 been instances where we would be asked our input into
4 this. But not this time around. Not at all.

09:53:28

5 **Q.** Okay. And the -- there is -- Senator, in your
6 opinion, do you think that the legislature's adoption of
7 H.B. 4 was done in good faith?

8 **A.** No.

09:53:54

9 **Q.** Could you explain to the Court why you believe it was
10 not done in good faith?

09:54:13

11 **A.** Well, just as I said a few minutes ago, it was not an
12 issue until we got the letter. And then the very
13 districts that were targeted in the letter were the very
14 ones that were addressed by the legislature. And, I mean,
15 that's as a summary but, going into what I said a few
16 minutes ago, is why I believe there was not a good faith
17 effort on the part of my Republican colleagues.

09:54:31

18 And this is -- what is so asinine about this,
19 what -- trying to construct a legal argument to just say
20 this is all about partisan politics. It's not. And I
21 think I mentioned this before to this Honorable Court, it
22 appears redistricting session after redistricting session,
23 court intervention after court intervention, it's always
24 the minority communities that end up being the pawns.

09:54:58

25 And those that are saying that nothing was done wrong

1 want to say it's all about partisan politics. When in
2 fact when you look behind it, you'll see that those
3 districts that were reconstructed, and sometimes found
4 constitutional by this Honorable Court, that the
09:55:15 5 individuals that ultimately end up representing those
6 interests that were heretofore in other districts don't
7 represent their interests.

8 And what do you mean, Senator West? When you begin to
9 look at -- and you can probably look at voting records. I
09:55:31 10 don't know whether it's part of the record or not. But
11 you can see that interests that are important to those
12 individuals never get to be priorities or are never
13 supported by those individuals that are subsequently
14 representing the interests that heretofore were
09:55:46 15 represented by those chosen representatives in districts
16 that were dismantled.

17 **Q.** And, Senator, do you think it is an important factor
18 to consider, if you are deciding who should carry a piece
19 of legislation, whether or not that specific individual
09:56:07 20 might have been cited by a federal court previously for
21 partially engaging in discrimination?

22 **A.** You know, yes, I do. I mean, if this Court is looking
23 at whether or not there was any -- I won't say ill will.
24 But if a person has a record of discriminating and is
09:56:32 25 found to have discriminated in the past by a court, by a

1 federal court, regardless of whether the case that it was
2 found in was reversed, that that should be probative
3 evidence in terms of whether or not the person was acting
4 in good faith in this particular case.

09:56:53

5 **Q.** And, Senator, are you aware that that actually is the
6 case where Todd Hunter sponsored a legislation on the
7 House side?

8 **A.** I'm sorry?

09:57:05

9 **Q.** Are you aware that that actually occurred with Todd
10 Hunter, who sponsored the legislation on the House side?

11 **A.** Am I aware of it? I have been made aware of it, yes.

12 **Q.** Okay. The -- one more point in reference to the
13 actual -- the disclosure of the new bill, 2333.

09:57:47

14 Would you tell the panel, in your opinion, if there
15 were substantial changes between C2333, that was the one
16 ultimately adopted, and C2308, which was the one that was
17 originally introduced and discussed?

18 **A.** I have no idea what you are talking about.

19 **Q.** Okay.

09:58:07

20 **A.** I can't follow the numbers.

21 **Q.** Well, the map -- remember the map, the first map that
22 came out was 2308 that was debated and discussed before a
23 new one was introduced that led to the five days of
24 passage that we just talked about? 2333 is the law one,
25 right?

09:58:26

1 **A.** Is what?

2 **Q.** C2333.

3 **A.** Is?

4 **Q.** The one that was adopted.

09:58:31

5 **A.** Okay.

6 **Q.** H.B. 4, the one --

7 **A.** H.B. 4.

8 **Q.** Yeah. Okay.

09:58:43

9 But previously there was 2308 that was discussed. I'm
10 not connecting here, Senator.

11 **A.** You are not connecting me.

12 MR. BLEDSOE: I'll roll back, and I'll pass the
13 witness.

09:58:54

14 JUDGE GUADERRAMA: Anyone else from plaintiff?
15 Mr. Quesada?

16 MR. QUESADA: No questions on behalf of MALC,
17 Your Honor.

18 JUDGE GUADERRAMA: All right. State counsel,
19 Mr. Wassdorf.

09:59:07

20 **CROSS-EXAMINATION**

21 BY MR. WASSDORF:

22 **Q.** Good morning, Senator. How are you?

23 **A.** Good morning.

09:59:23

24 **Q.** Now, you were first elected to the Senate in 1992; is
25 that right?

1 **A.** That is correct.

2 **Q.** And you have been involved in numerous redistricting
3 efforts over the 32 years that you have served in the
4 Senate?

09:59:31

5 **A.** I have.

6 **Q.** And some of those redistricting efforts have occurred
7 in regular session; is that right?

8 **A.** Yes.

09:59:43

9 **Q.** And some of them have also occurred during a special
10 session?

11 **A.** Yes. Yes.

12 **Q.** And some of them have occurred immediately following
13 the decennial census?

09:59:57

14 **A.** I'll take your word for it. I don't recall
15 specifically.

16 **Q.** You don't recall redistricting efforts happening --

17 **A.** No. What I'm saying is this: You said immediately.
18 What do you mean when you say "immediately"?

19 **Q.** In the first session following the decennial census.

10:00:09

20 **A.** Okay. Yes.

21 **Q.** And some redistricting efforts that you have
22 participated in have been mid-decade?

23 **A.** Yes.

10:00:26

24 **Q.** Now, did you participate in a mid-decade redistricting
25 effort in 2003?

1 **A.** I did.

2 **Q.** And are you aware that the United States Supreme Court
3 validated the practice of mid-decade redistricting in a
4 court case arising out of that redistricting effort?

10:00:37 5 **A.** I was there to hear the Supreme Court arguments.

6 **Q.** In all of these redistricting efforts that you
7 participated in, there were information gathering sessions
8 that occurred before the bill was introduced; is that
9 right?

10:00:54 10 **A.** What do you mean by that?

11 **Q.** The regional hearings, field hearings. Hearings that
12 occurred before the bill was introduced for the Senate to
13 gather information in order to make up its mind about a
14 bill.

10:01:06 15 **A.** I believe so. And that's -- and maps are shown.

16 **Q.** Now, you recognize that redistricting efforts can be
17 partisan and politically motivated?

18 **A.** Yes.

19 **Q.** For example, I believe that you have previously stated
10:01:24 20 that the mid-decade redistricting in 2003 was partisan and
21 politically motivated?

22 **A.** You may be taking that out of context, but I believe I
23 made the statements in association with using race also.

24 **Q.** Do you ever issue press releases?

10:01:48 25 **A.** Sometimes, yes.

1 Q. And when you issue press releases, do you make factual
2 statements in those press releases?

3 A. Either myself or my staff, one.

4 MR. WASSDORF: Richard, could you pull up the
10:02:04 5 January 1st -- the January 22nd, 2023, press release. The
6 sentence beginning "This time..."

7 BY MR. WASSDORF:

8 Q. It says here [as read:] This time the Texas
9 Constitution requires the legislature to reconsider the
10:02:30 10 redistricting process unlike the partisan politically
11 motivated midterm redistricting that took place in 2003
12 that reshaped the political boundaries in ways that are
13 still evident today, said Senator West.

14 Did you make that statement in that press release?

10:02:48 15 A. Yes, I did.

16 Q. Now, you previously testified with Mr. Dunn, I believe
17 it was, that there was no talk about congressional
18 redistricting until the DOJ issued its letter; is that
19 right?

10:03:09 20 A. That's exactly right. That's exactly right.

21 Q. Are you aware that on January 9th of this year the *New*
22 *York Times* published an article saying that Republican
23 leaders were talking about redistricting congressional
24 seats in Texas?

10:03:23 25 A. No.

1 Q. Are you aware --

2 A. You said Republican leaders?

3 Q. Yes, sir.

4 A. Republican leaders in Texas were talking about or just
5 Republican leaders?

10:03:30

6 Q. Republican leaders in Texas.

7 A. Is that what it says?

8 (Sotto voce discussion between counsel.)

9 JUDGE SMITH: The question was just whether you
10 are aware that the *New York Times* published that article.
11 That's all he is asking.

10:03:43

12 THE WITNESS: No, I'm not.

13 MR. WASSDORF: And I would like to correct the
14 record, Your Honor. Apparently I misspoke and said
15 January. I meant June 9th of this year.

10:03:52

16 BY MR. WASSDORF:

17 Q. Are you aware that that article was brought up during
18 this trial on June 10th and Senator Huffman was asked
19 about it?

10:04:03

20 A. No. I'm not aware of it.

21 Q. Now, do you believe that the redistricting effort this
22 year was also partisan and politically motivated like that
23 redistricting effort in 2003?

24 A. I believe the use of this session was to use the
25 minority seats in order to gain an advantage in Congress.

10:04:34

1 And that it was as -- what -- this is my belief is that
2 they used race and these particular seats in order to try
3 to get redistricting done in order to gain a partisan
4 advantage.

10:04:54

5 JUDGE SMITH: He asked you a "yes" or "no"
6 question. Was it partisan and politically motivated like
7 the redistricting effort in 2003 --

8 THE WITNESS: That I would answer --

10:05:05

9 JUDGE SMITH: Excuse me. Excuse me. Don't talk
10 over one of the judges.

11 THE WITNESS: You are right about that. I
12 apologize.

10:05:15

13 JUDGE SMITH: He asked you a "yes" or "no"
14 question whether it was partisan and politically
15 motivated. That's a "yes" or "no."

16 THE WITNESS: No.

17 BY MR. WASSDORF:

10:05:26

18 **Q.** On the first day of the first called session, did you
19 state that President Trump has said that he sees about
20 five seats coming out of Texas?

21 **A.** I don't recall.

10:05:48

22 **Q.** During the Senate floor debate on August 22nd of this
23 year, did you state that [as read:] This was not an issue
24 when we first started session. It didn't become an issue
25 until Donald Trump asked Texas for five more Republican

1 votes for Congress because he is afraid that if history
2 repeats itself he is going to lose the House of
3 Representatives?

4 **A.** I may have, but I don't specifically recall.

10:06:01

5 MR. WASSDORF: Richard, could we pull up State
6 Exhibit 1277, page 91, line 3 through 5.

7 BY MR. WASSDORF:

8 **Q.** I'll represent to you that this is the Senate floor
9 debate on July 21st, 2025.

10:06:20

10 Do you see your statement there?

11 **A.** Yes.

12 MR. WASSDORF: Now, Richard, could we pull up
13 State's Exhibit 1325, page 15, lines 16 through 20.

14 BY MR. WASSDORF:

10:06:35

15 **Q.** I'll represent to you that this is the transcript from
16 the Senate debate on August 22nd, 2025, Volume III.

17 Do you see, again, your statement there?

18 **A.** I do.

19 **Q.** Do you recall earlier during your testimony with

10:06:50

20 Mr. Dunn where you were talking about Senator [sic] Trump
21 wanting five more congressional seats and saying that's
22 what this was all about?

23 **A.** If I said that, then, yes. I don't recall it
24 specifically, yes.

10:07:10

25 **Q.** You view this redistricting effort as a naked power

1 grab, don't you?

2 **A.** I view it as using -- out of due respect to the Judge,
3 no.

4 **Q.** Have you -- do you occasionally post on Facebook?

10:07:31

5 **A.** My staff does, yes.

6 **Q.** Do you make factual statements when you post on
7 Facebook or your staff?

8 **A.** Yes.

10:07:41

9 MR. WASSDORF: Richard, could you pull up the
10 July 9th, 2025, Facebook article or post.

11 BY MR. WASSDORF:

12 **Q.** Do you see here where you call redistricting the naked
13 power grab?

14 **A.** Can you highlight where I said that?

10:08:07

15 MR. WASSDORF: Richard, I can't see it on my
16 screen, and I can't see it over there.

17 BY MR. WASSDORF:

18 **Q.** There it is.

19 Can you see it now, Senator West?

10:08:19

20 **A.** Again, in context. I see it here, but you've got to
21 read it in context.

22 **Q.** Well, could you read that first sentence of that
23 paragraph for me?

10:08:33

24 **A.** [As read:] This is nothing more than a naked power
25 grab by Republicans through the governor's call at Trump's

1 behest.

2 And the last sentence says [as read:] This naked
3 power grab could result in less representation for ethnic
4 minorities and in districts that are further cracked and
5 packed to deliberately dilute the voting strength of Black
6 and Brown Texans.

10:08:48

7 **Q.** I think you skipped down to the bottom there a little
8 bit, Senator.

9 **A.** It was that same paragraph. Right.

10:09:09

10 **Q.** But I think the Court has seen it. Let's see. Where
11 are we?

12 So the first day of the first called session was
13 July 21st, 2025; is that right?

14 **A.** I assume that's right.

10:09:29

15 **Q.** And at that point you had not seen a map?

16 **A.** I don't believe -- the first day of the session?

17 **Q.** Correct.

18 **A.** No. I had not.

19 **Q.** No bill had been filed at that point?

10:09:41

20 **A.** No bill had been filed.

21 **Q.** And to your knowledge, no one in the Texas Legislature
22 had even seen a map?

23 **A.** To my knowledge?

24 **Q.** Correct.

10:09:51

25 **A.** I mean, I don't know whether anyone in the legislature

1 hadn't seen the map. I know I hadn't seen the map. It
2 would be speculation on my part.

10:10:11

3 **Q.** Even though on that first day of session, when there
4 was no map, you thought this particular redistricting
5 effort had the appearance of being racist; is that right?

6 **A.** Yes. I mean, hold on. If I may?

7 **Q.** Go ahead.

10:10:29

8 **A.** The letter from the Department of Justice targeted
9 what districts? Districts involving minority
10 representatives. No real other districts, as I recall,
11 were targeted. Why just the minority districts?

12 **Q.** So let me ask the question again.

10:10:56

13 On the first day of session, before you had ever seen
14 a map, you believed that that redistricting effort by the
15 Texas Senate and the Texas House was racist?

16 **A.** What I believed is, is that, again, historically
17 minority districts have been used as pawns and taken
18 advantage of by cracking and packing and moving them into
19 districts that their representatives could not represent
20 them.

10:11:18

21 **Q.** Did you speak on the Senate floor on the first day of
22 session?

23 **A.** I don't recall.

10:11:28

24 MR. WASSDORF: Richard, can you pull up State
25 Exhibit 1277 at page 93, lines 2 through 7.

1 BY MR. WASSDORF:

2 **Q.** Could you read your statement there?

3 **A.** [As read:] Okay. Now I'm going to ask this question
4 and, you know, I want to make certain that you're clear
5 that this is not directed towards you. But I'm going to
6 tell the members of this body that this particular
7 initiative has the appearance of being racist -- of being
8 racist.

9 I said "having the appearance of being racist."

10 **Q.** Thank you, sir.

11 MR. WASSDORF: Richard, could you pull up State's
12 Exhibit 1167.

13 BY MR. WASSDORF:

14 **Q.** Now, a moment ago you testified that no one had --
15 from the sponsor or chair's office -- had reached out to
16 you. I have put up State's Exhibit 1167. That is an
17 email from Senator King's chief of staff to the chiefs of
18 staff of the Democratic caucus.

19 Do you see that?

20 **A.** I do.

21 **Q.** And so you have never seen this email before, I take
22 it?

23 **A.** No. I have not.

24 **Q.** Is a member of your office listed in the recipient
25 list?

1 **A.** I'm sorry?

2 **Q.** Is a member of your office listed in the recipient
3 list?

4 **A.** Let me look real quick. Frankly, I don't see one.
5 Let me look at it one more time here. No.

10:13:33

6 **Q.** If Senator King's chief of staff inadvertently left
7 your office off of that list, do you think that was
8 intentional?

9 **A.** I have no idea.

10:14:12

10 **Q.** A moment ago you read your statement from the Senate
11 floor where you said that you wanted to make certain
12 you're clear that this is not directed towards you,
13 meaning Senator King, when you talked about this
14 redistricting effort appearing to be racist.

10:14:29

15 Do you recall that?

16 **A.** I do.

17 **Q.** Now, you are not contending that Senator King is
18 racist, are you?

19 **A.** No. No. I'm not.

10:14:37

20 **Q.** And you heard Senator King state his objectives for
21 the map from the Senate floor many times during the
22 debate?

23 **A.** I believe so. I wouldn't say many times, but I
24 believe so.

10:14:55

25 **Q.** And he had a couple of objectives, and one of those

1 objectives was legal compliance; is that right?

2 **A.** I don't recall.

3 MR. WASSDORF: Richard, can you pull up State's
4 Exhibit 1323 from the Senate chamber debate on
5 August 22nd, 2025, page 96, line 19 through 22.

10:15:11

6 BY MR. WASSDORF:

7 **Q.** Do you see here where Senator King says [as read:] So
8 I'll go back to my -- what I have taken into consideration
9 for this map is that, number one, it be legal; number two,
10 it perform better politically; and that it enhanced
11 compactness.

10:15:32

12 Do you see that?

13 **A.** I do.

14 **Q.** And now you believe that a redistricting map should
15 comply with the law?

10:15:42

16 **A.** Absolutely.

17 **Q.** And you believe that districts should be as compact as
18 possible?

19 **A.** As possible, yes.

20 **Q.** Now, Senator King's other objective in the map was
21 partisan advantage, right?

10:15:55

22 **A.** If you say so.

23 **Q.** Well, do you see in his statement here where his
24 number two priority is that it performed better

10:16:15

25 politically?

1 **A.** Yes.

2 **Q.** Now, you disagree with Senator King on that. You
3 don't believe that redistricting should be a political
4 partisan process; is that right?

10:16:35

5 **A.** I believe that it shouldn't be the ultimate
6 determinative at the expense of making certain its
7 citizens are fairly represented and that you shouldn't be
8 taking away representation in order just to accomplish
9 that one particular purpose.

10:16:57

10 **Q.** And so that's a no? You don't believe it should be a
11 purely political partisan process?

12 **A.** Purely, right.

13 **Q.** In fact, you introduced a joint resolution for a
14 constitutional amendment, I believe during the second
15 special session, to establish an independent redistricting
16 commission; is that right?

10:17:14

17 **A.** I did.

18 **Q.** But you understand that the United States Supreme
19 Court has said that, if legislatures want to, they can
20 draw maps for partisan advantage?

10:17:27

21 **A.** Yes.

22 **Q.** And did you hear Senator King testify on the floor of
23 the Senate that any map he received would be reviewed by
24 outside counsel for compliance with the law and that if it
25 was not in compliance it would not be considered?

10:17:52

1 **A.** I don't recall him saying that. I would assume that
2 he did if you are representing that.

3 **Q.** I'm happy to pull it up.

4 MR. WASSDORF: Richard, could you pull up
10:18:07 5 State's Exhibit 1277 at page 93, line 15 through 24.

6 BY MR. WASSDORF:

7 **Q.** Senator, could you read that statement for us?

8 **A.** [As read:] I can assure you that any bill that's
9 considered by the redistricting committee prior to it
10:18:23 10 being considered, prior to me looking at it or anybody
11 else, as has been the practice in prior sessions, it will
12 have been reviewed by a third party to make sure that it
13 is in compliance with the Voting Rights Act. And if I'm
14 not told that it's in compliance with the Voting Rights
10:18:47 15 Act, then it would not be something we would consider.

16 **Q.** Now, you believed Senator King --

17 JUDGE SMITH: Just for the record, that was
18 quoting Senator King.

19 MR. WASSDORF: Correct. Yes.

10:19:03 20 BY MR. WASSDORF:

21 **Q.** Now, Senator West, you believed Senator King when he
22 brought that bill to the floor, that that map had been
23 reviewed by counsel and was found to be in compliance with
24 the law?

10:19:14 25 **A.** No. No. No. I don't necessarily believe that. I

1 believe that's what he said. I don't have any evidence
2 that he didn't have it reviewed by a third party or what
3 the third party told him. Okay? I believe that's what he
4 said on the floor, based on the representation.

10:19:31

5 **Q.** So do you think he was lying on the floor?

6 **A.** You know, I didn't say he was lying. But you asked me
7 did I believe it. I mean, you know, the fact is I wasn't
8 present with any review. I believe that that is what he
9 said this process would be. I was not present at the

10:19:46

10 process to make a determination as to whether or not it
11 was accurate.

12 **Q.** Are you aware -- a moment ago a clip was played that
13 talked about Senator King's reaching out to the Office of
14 the Attorney General and speaking with myself and

10:20:06

15 Mr. Kercher about the Office of the Attorney General
16 representing the Senate during this redistricting effort.

17 Do you recall that?

18 **A.** I do.

19 **Q.** Are you aware that earlier in this case plaintiffs had
20 criticized the Office of the Attorney General for its
21 involvement as both counsel to the Senate in 2021 and as
22 litigation counsel in this case?

10:20:17

23 **A.** No.

24 **Q.** Are you aware that in 2022 Mr. Dunn called OAG lawyers
25 fact witnesses in this case?

10:20:35

1 **A.** No.

2 **Q.** As a lawyer yourself, you know that it's really not
3 appropriate for an attorney to be both a fact witness and
4 counsel in a case?

10:20:49

5 **A.** Correct.

6 **Q.** Now, during the 2025 redistricting effort --

7 **A.** Well, let me back up. I know that attorneys have been
8 fact witnesses on case -- some cases.

9 **Q.** It's generally frowned upon?

10:21:09

10 **A.** It's frowned upon, but it has occurred.

11 **Q.** And so that could well be a reason why OAG was not
12 involved as counsel in the 2025 efforts?

13 **A.** I have no reason -- I have no knowledge as to why you
14 weren't involved.

10:21:25

15 **Q.** During the 2025 redistricting, in either the first or
16 special -- or second special sessions, you didn't submit
17 any proposed maps in DistrictViewer, did you?

18 **A.** Correct.

19 **Q.** And you didn't offer any amendments in committee?

10:21:40

20 **A.** No.

21 **Q.** And you didn't offer any amendments on the floor?

22 **A.** Correct.

23 **Q.** Are you aware that there was only one amendment
24 offered to the H.B. 4 on the Senate floor?

10:21:59

25 **A.** I can't recall. If you say only one was then -- there

1 was a general consensus that no amendments would be
2 accepted.

10:22:18

3 **Q.** Are you aware that Senator Zaffirini offered an
4 amendment that was not a map, but was just -- I forget
5 what it did, but that was -- an amendment that was not a
6 proposed map.

7 Are you aware of that?

8 **A.** I can't remember, to be honest with you.

10:22:36

9 **Q.** Now, you could have hired private counsel to assist
10 you with the redistricting in 2025, could you have not?

11 **A.** Yes. I could have.

12 **Q.** And you could have hired someone to draw a map for
13 you?

14 **A.** Yes. I could have.

10:22:48

15 **Q.** And you could have introduced a different map that you
16 thought was a better plan for Texas?

17 **A.** That would not have been -- well, let me answer the
18 question. I could have, yes.

19 **Q.** But you didn't do that?

10:23:00

20 **A.** Correct.

21 **Q.** Now, we talked a little bit about the regional
22 hearings earlier and the in-person versus virtual options;
23 is that right?

24 **A.** That we talked about it?

10:23:22

25 **Q.** Yes.

1 **A.** Yeah.

2 **Q.** Now -- but you believe that virtual hearings maximize
3 participation, don't you?

4 **A.** I think it's another tool to bring in participation,
5 correct. But --

10:23:36

6 **Q.** Virtual hearings don't have logistical issues like
7 parking and things like that, do they?

8 **A.** That's correct.

9 **Q.** And in virtual hearings you are able to pull people in
10 virtually that can't make it to the physical location
11 where the hearing is being held?

10:23:53

12 **A.** That's correct.

13 **Q.** From all over the state?

14 **A.** Correct.

10:24:03

15 **Q.** And I believe the Senate held four virtual regional
16 hearings; is that right?

17 **A.** I'm not aware of how many.

18 **MR. WASSDORF:** Richard, could you pull up State's
19 Exhibit 1097.

10:24:19

20 **BY MR. WASSDORF:**

21 **Q.** Does this appear to be a hearing notice for a virtual
22 hearing?

23 **A.** Yes.

24 **Q.** And would you disagree with me if there are three more
25 like that in the record?

10:24:30

1 **A.** No. I wouldn't.

2 **Q.** And virtual hearings enable anyone from around the
3 state to log on to their computer and testify?

4 **A.** Correct.

10:24:44

5 **Q.** And after the bill was introduced, the Senate
6 took -- invited testimony at the Capitol in Austin?

7 **A.** Is that a question or what?

8 **Q.** Yes, sir. It's a question.

9 **A.** I believe so.

10:25:00

10 **Q.** They also had an entirely separate hearing for public
11 testimony at the Capitol in Austin?

12 **A.** I believe so.

13 **Q.** So whether people wanted to testify remotely or in
14 person, they had the opportunity to do so?

10:25:14

15 **A.** Yes.

16 **Q.** So I kind of want to recap things a little here. I
17 think we established earlier that President Trump wanted
18 five more Republican districts in Texas.

19 Is that your understanding?

10:25:34

20 **A.** Through the Department of Justice letter, yes.

21 **Q.** And Senator King said partisan advantage was one of
22 his objectives?

23 **A.** That's what he said.

24 **Q.** And Senator King stated that he didn't consider race?

10:25:50

25 **A.** That's what he said.

1 Q. Now, are there members of the Democratic caucus in the
2 Senate that are Anglo?

3 A. Yes.

4 Q. And are there minority members of the Republican
5 caucus in the Senate?

10:26:04

6 A. Yes.

7 MR. WASSDORF: Richard, could we pull up State's
8 Exhibit 1252 at pages -- right across the page break
9 between 7 and 8.

10:26:22

10 BY MR. WASSDORF:

11 Q. I'll represent to you that this is the *Senate Journal*
12 from the vote adopting the rules for redistricting S.R. 5.

13 A. Okay.

14 Q. Could you tell me how the vote broke out on this?

10:26:42

15 It's right at the bottom of the first page going onto the
16 second.

17 A. At 11 -- the amendment Senate Bill 5 was adopted by
18 the following 11 "yea"s and 11 "nay"s.

19 Q. I think it's 19 --

10:27:03

20 A. 19. That's it.

21 Q. -- "yea"s and 11 "nay"s?

22 A. 19. Yes.

23 Q. And now looking at the "nay"s there, can you tell me,
24 is that along party lines?

10:27:12

25 A. It is.

1 MR. WASSDORF: Richard, could you pull up State's
2 Exhibit 1259 at page 2.

3 BY MR. WASSDORF:

4 Q. I'll represent to you that this is the *Senate Journal*
10:27:29 5 from the first special session Senate Bill 4 on the second
6 reading.

7 Could you tell me whether that vote is also along
8 party lines?

9 A. 11 "yea"s and 2 "nay"s.

10:27:47 10 Q. And the names --

11 A. Yes, it is.

12 Q. Now, I just want to point out the inconsistency here.
13 There's a few absent members listed there.

14 Do you see that?

10:28:05 15 A. Yes.

16 Q. And that's because all but two of the Democrats walked
17 out of the Senate chamber as the bill came up for a vote;
18 is that right?

19 A. I believe that is the case.

10:28:20 20 MR. WASSDORF: Richard, could you pull up State's
21 Exhibit 1271 at page 2.

22 BY MR. WASSDORF:

23 Q. Now, this is the *Senate Journal* from the second
24 special session where H.B. 4 finally passed out. And
10:28:37 25 could you look at that vote and tell me if it was also

1 along party lines?

2 **A.** Yes.

3 **Q.** Now, I don't want to belabor the point, but would you
4 doubt me if I told you that every single vote on
5 redistricting in the Senate during the 2025 redistricting
6 effort was along party lines?

10:28:54

7 **A.** No. I would not.

8 MR. WASSDORF: Pass the witness, Your Honor.

9 JUDGE GUADERRAMA: Mr. Dunn.

10:29:07

10 MR. DUNN: Just a few questions.

11 **REDIRECT EXAMINATION**

12 BY MR. DUNN:

13 **Q.** Senator, you were asked a number of questions about
14 amendments being offered or not offered in the Senate.

10:29:17

15 Do you recall that?

16 **A.** Yes.

17 **Q.** What is your opinion as to whether amendments would
18 have been -- on the map itself would have been acceptable?

19 **A.** Well, it was the general consensus that no amendments
20 would be accepted.

10:29:30

21 **Q.** Was it also the case that Senator King regularly said
22 that he took the map from the House unchanged and his
23 lawyer said it was legal and he was passing it through?

24 **A.** That was the general consensus, yes.

10:29:44

25 **Q.** You were also asked about the video clip and the

1 discussion that Senator King or the comment that Senator
2 King made on the floor about why the Attorney General's
3 office wasn't representing him in this redistricting
4 effort.

10:29:56 5 Do you recall that generally?

6 **A.** I do.

7 **Q.** And it's been insinuated here that it might be because
8 the lawyers at the Attorney General's office are now
9 worried about becoming fact witnesses, but what was
10:30:08 10 Senator King's answer? Was it something about fact
11 witnesses, or was it something about the Attorney
12 General's office lacks expertise in redistricting?

13 **A.** I really don't recall what it was.

14 MR. DUNN: Thank you. Pass the witness.

10:30:19 15 MR. BLEDSOE: Your Honor.

16 JUDGE GUADERRAMA: Mr. Bledsoe.

17 MR. BLEDSOE: Thank you, Your Honor.

18 **RECROSS-EXAMINATION**

19 BY MR. BLEDSOE:

10:30:28 20 **Q.** Senator West, how many African American senators are
21 there?

22 **A.** Two.

23 **Q.** Did those senators vote against all the redistricting
24 proposals associated with H.B. 4?

10:30:37 25 **A.** Yes.

1 **Q.** Okay. And there are no African American Republicans?

2 **A.** No.

3 MR. BLEDSOE: Okay. Thank you.

4 JUDGE GUADERRAMA: Mr. Wassdorf.

10:30:48

5 MR. WASSDORF: Nothing further, Your Honor.

6 JUDGE GUADERRAMA: May Senator West be

7 permanently excused?

8 MR. DUNN: Yes.

9 MR. WASSDORF: Yes, Your Honor.

10:30:56

10 JUDGE GUADERRAMA: Mr. Bledsoe, may the Senator
11 be excused?

12 MR. BLEDSOE: No. Your Honor, I'm done. He can
13 be excused.

14 JUDGE GUADERRAMA: Mr. Quesada?

10:31:04

15 MR. QUESADA: Fine with us, Your Honor.

16 JUDGE GUADERRAMA: Senator, thanks so much for
17 coming down. Sir, you are excused and free to go.

18 THE WITNESS: Thank you.

19 JUDGE GUADERRAMA: Who's your next witness?

10:31:18

20 MR. DUNN: Plaintiffs call Representative
21 Senfronia Thompson.

22 JUDGE GUADERRAMA: Good morning, Representative.

23 THE WITNESS: How are you?

24 JUDGE GUADERRAMA: If you would raise your right

10:32:28

25 hand to receive the oath.

1 Do you solemnly swear or affirm the testimony that you
2 will give in this proceeding will be the truth, the whole
3 truth, and nothing but the truth so help you God?

4 THE WITNESS: I do.

10:32:34

5 JUDGE GUADERRAMA: Thank you, ma'am. If you will
6 have a seat in that chair, please. And if you would do us
7 a favor and roll in to the microphone, get as close to it
8 as you can, and your voice will get louder.

9 Mr. Dunn, whenever you are ready.

10:32:48

10 **REPRESENTATIVE SENFRONIA THOMPSON,**
11 having been first duly sworn, testified as follows:

12 **DIRECT EXAMINATION**

13 BY MR. DUNN:

14 **Q.** Good morning. Please tell us your name.

10:32:51

15 **A.** Senfronia Thompson.

16 **Q.** Could you introduce yourself to the Court. Where you
17 grew up, who you are, that sort of thing.

18 **A.** I'm Senfronia Thompson from Houston, Texas. And I am
19 a state representative in the Texas House of

10:33:05

20 Representatives from District 141.

21 **Q.** When were you elected to the State House of
22 Representatives?

23 **A.** 1972.

24 **Q.** Where does that put you in the seniority order?

10:33:18

25 **A.** I'm second in seniority.

1 Q. Do you have a capacity in the Texas House of
2 Representatives other than just being a member?

3 A. Yes. I serve on various committees, and I vice chair
4 a committee at this time.

10:33:29 5 Q. And are you also referred to as the dean?

6 A. I am.

7 Q. What does that mean?

8 A. Pardon me?

9 Q. What does it mean to be the Dean of the Texas House of
10 Representatives?

11 A. It shows you have been there and old enough and long
12 enough to serve in the service of the State of Texas.

13 Q. What year were you elected?

14 A. 1972.

10:33:53 15 Q. And tell us a bit, if you can, about your district.

16 A. My district is a combination of blue-collar to upper
17 middle class individuals with various levels of education
18 in Northeast Houston, predominantly African American, some
19 Latino, Anglos, and Asians.

10:34:24 20 Q. Does the -- does the area that you represent have, you
21 know, what are some of the names that Houstonians use to
22 describe it?

23 A. Would you repeat your question again, please?

24 Q. Yes, ma'am. And maybe I need to speak a little
10:34:35 25 louder.

1 What are some of the names of the community that make
2 up your district?

10:34:50

3 **A.** My community consists of areas like Trinity Gardens,
4 where I grew up since I was a child; Scenic Woods;
5 Fontaine; a part of Humble; Aldine; a part of Spring; and
6 a part of -- a little of Northeast Houston, which goes
7 toward the Lake Houston area.

8 **Q.** What congressional districts overlap your State House
9 district?

10:35:11

10 **A.** I am in two congressional districts. I'm
11 Congressional District 2 that represents my district, and
12 Congressional District 18.

13 **Q.** What is the significance of Congressional District 18?

10:35:29

14 **A.** It's a historic district, first of all, drawn back in
15 probably 1972. Predominantly African Americans on the
16 northeast side of the city. And it is a district that we
17 have been a part of for many years. I have lived in that
18 district my whole legislative career.

10:35:53

19 **Q.** After that district was drawn, as you described it,
20 who did it elect?

21 **A.** It elected Barbara Jordan as the first person elected
22 to the 18th Congressional District.

23 **Q.** What significance does she have?

24 **A.** The last part of your question went out.

10:36:10

25 **Q.** Sure.

1 What is significant about Barbara Jordan, at least to
2 you?

10:36:26

3 **A.** She was considered an icon in our community and in the
4 nation. And she had been a Texas Senator in the Texas
5 Legislature and she was the first African American since
6 reconstruction that was elected from the south to go to
7 Congress.

8 **Q.** Did she play a role in the debates in U.S. Congress
9 about revisions to the Voting Rights Act?

10:36:39

10 **A.** She did.

11 **Q.** Did you have an opportunity to know her, do some work
12 with her?

10:36:53

13 **A.** I did. I knew her as a constituent. And I had an
14 opportunity to help elect her each time that she was up
15 for re-election. I worked with her on issues that
16 impacted our district from the national level, as well as
17 what we did at the state level. And I knew her as a --
18 somewhat of a friend.

10:37:14

19 **Q.** Was Congresswoman Jordan part of the effort to have
20 Texas covered under Section 5 of the Voting Rights Act?

21 **A.** She was. She was a part of that.

22 **Q.** Now, what other -- who would have been the candidates
23 that have been elected after Representative Jordan left
24 office?

10:37:29

25 **A.** After she left office, Mickey Leland was elected to

1 her seat.

2 And upon his death, Craig Washington was elected.

3 And subsequently to Craig Washington was Sheila
4 Jackson Lee.

10:37:48

5 Subsequently to Sheila Jackson Lee was her daughter,
6 who filled out the remaining of her term after her death.

7 And subsequently to that was the former Mayor of
8 Houston, Sylvester Turner, who died in March.

10:38:07

9 And we have been without a congressperson for several
10 months.

11 **Q.** Why is that?

12 **A.** The governor has not called a special session
13 to -- for us to have representation in the 18th
14 Congressional District. And we have been awaiting it.

10:38:20

15 And he finally did get an opportunity -- he finally did
16 call, and he designated that November the 4th would be the
17 time that we would be able to get a person elected to that
18 seat.

10:38:35

19 **Q.** For each of the congresspersons that you have
20 mentioned that were elected from Congressional
21 District 18, what was their race or ethnicity?

22 **A.** Your last word went out.

23 **Q.** What was their race or ethnicity, these members of
24 congress you mentioned?

10:38:48

25 **A.** Each person represented in the 18th Congressional

1 District was African American.

2 **Q.** And what is yours?

3 **A.** I'm an African American.

10:38:58

4 **Q.** What is the makeup of Congressional District 18 in
5 terms of, you know, racial division?

6 **A.** It is made up of African Americans, Latinos, Anglos,
7 Asians, and others.

8 **Q.** Now, I want to talk about Congressional District 9.
9 Are you familiar with it?

10:39:19

10 **A.** I am.

11 **Q.** And what is its significance to you?

12 **A.** Well, Congressional District 9 is represented by Al
13 Green. Was initially created by "The Hammer." I'm
14 talking about during 2003.

10:39:35

15 **Q.** "The Hammer," are you referring to Tom DeLay?

16 **A.** I am. He was one of my former colleagues in the
17 legislature. And he got a chance to go to Congress and
18 became very influential. And that district was created by
19 him. When it was created by him, I think Chris Bell was
20 there first. And then subsequently to Chris Bell, Al
21 Green has been elected from that every time that there has
22 been an election.

10:39:56

23 **Q.** What is Mr. Bell's race or ethnicity?

24 **A.** Chris Bell was Anglo.

10:40:10

25 **Q.** And I should say congressman. Excuse me.

1 What is the race or ethnicity of Congressman Al Green?

2 **A.** He is African American.

3 **Q.** And what is the makeup of that district, if you know,
4 generally?

10:40:20

5 **A.** That district is made up of African Americans. It's
6 made up of Anglos. Because you take in the Brazoria and
7 the Fort Bend County area, it's made up of some Latinos
8 and Asians and others.

10:40:39

9 **Q.** How do you view Congressional District 9 in terms of
10 its importance for representing the Black community?

11 **A.** It gives those persons an opportunity to have a voice
12 and to get services and resources that they may need in
13 that area and have a person that they can talk to and know
14 and be able to communicate with and to relate to them
15 about things that they need in that particular area.

10:40:57

16 **Q.** Now, you were involved in the 2021 redistricting. Is
17 that fair?

18 **A.** I was.

10:41:13

19 **Q.** And do you -- there were some issues that came up
20 between Congressional Districts 9 and 18.

21 Do you recall that generally?

22 **A.** I do.

23 **Q.** What happened?

10:41:23

24 **A.** In the Congressional Districts 9 and 18, the Senate
25 consolidated those two districts. And when it came to the

1 House side, we uncoupled those two districts and
2 made -- put them back as two distinct districts. And we
3 worked with our colleagues. It was a very long and
4 tedious working process.

10:41:46

5 **Q.** We don't need all the detail, but at least a little
6 bit of it.

7 Tell us how that worked, how you -- how it got changed
8 and who was involved.

10:41:59

9 **A.** My colleague Representative Harold Dutton and I got
10 together and we started from scratch and started working
11 on maps and started contacting the other congressional
12 representatives who were impacted by that. As we began to
13 put back in the economic engines, the communities of
14 interest in those respected Congressional Districts 9 and
15 18.

10:42:22

16 And we worked with our chair of the committee, which
17 was Todd Hunter.

10:42:37

18 And we had drafted amendments. And we had to get
19 those amendments approved by the legal department of the
20 Republican team that they were working with. And we had
21 two. One amendment was an amendment to our amendment to
22 put in an -- add in Freedmen's Town, which is right
23 outside of downtown Houston. And the other was to
24 uncouple, to separate the two districts, the 9 and 18.

10:42:59

25 And once we got approval, we were able to go and work

1 with the -- be able to put it on the floor of the House
2 for debate.

3 **Q.** What do you mean by "uncouple"?

4 **A.** The Senate had consolidated them.

10:43:13

5 **Q.** In other words, there would be one district?

6 **A.** I'm sorry. Not only consolidated them. They had
7 stripped them out of all of the economic engines in those
8 districts and just left them as a bare consolidated 9th
9 Congressional District. It was the 18th Congressional
10 District that was liberated.

10:43:34

11 **Q.** Did anybody ever say why?

12 **A.** No. No.

13 **Q.** But you were able to work through this process and
14 repair it or put it back to how it had been?

10:43:47

15 **A.** Yes. I was a member of the committee, the
16 redistricting committee on the House side. And I
17 worked -- we worked to get it done. We worked with the
18 Chairman, worked with whoever those persons were that had
19 to approve our amendments. And then we went down on floor
20 debate.

10:44:04

21 **Q.** When you met with Chairman Hunter, was that who you
22 dealt with to work through this process?

23 **A.** He was -- he was -- he was our point person. And if
24 you would just let me back up just a small bit.

10:44:19

25 **Q.** Sure.

1 **A.** We did, during that particular time, even though we
2 were designated as Republicans and Democrats in the House,
3 we had a relationship of working together on issues and
4 not partisanship so much, personalities and that sort.

10:44:39

5 My office was a key office where everybody came to.
6 And we kind of hashed out being Democrats and Republicans.
7 The Republicans did their thing, and the Democrats did
8 their thing in terms of trying to see how we could come up
9 with a reasonable map that was representative of the state
10 of Texas.

10:44:57

11 And in doing that and uncoupling these two districts,
12 it took us several days. We were able to get approval in
13 our -- not only that they were going to accept our
14 amendments, but that we could run with those amendments on
15 the floor. We had two amendments. An amendment to our
16 amendment.

10:45:13

17 After the amendment got to the floor, the Chairman of
18 the committee, Todd Hunter, said that -- asked me to come
19 forward and speak to us before we started the debate, and
20 we did.

10:45:29

21 **Q.** Now, what -- tell us about your advocacy. What were
22 your arguments or what was your point you made to Chairman
23 Hunter about why these changes ought to be made to CD 9
24 and 18?

10:45:45

25 **A.** First of all, when we looked at the population, they

1 were not lacking population. They were not needing any
2 additional population to sustain them. There were
3 adequate populations in each one of those two districts.

10:46:03 4 And, secondly, we looked at the districts and their
5 locations. And even though that they were African
6 Americans predominantly, we -- there are change -- there
7 are differences in what one area of a particular locality
8 may need as opposed to another area, even if they all
9 happen to be of the same ethnicity; and that was the thing
10:46:24 10 that we were looking at.

11 And we were also looking at the economic engines in
12 those areas, how they would be best to serve the people in
13 those particular areas and, along with some other things,
14 educational institutions and other things that we looked
10:46:39 15 at.

16 **Q.** You also mentioned communities of interest. I think
17 you named Freedmen's Town?

18 **A.** I did.

19 **Q.** What is that?

10:46:47 20 **A.** It's a little small town outside of -- from downtown
21 Houston where African Americans predominantly work. And
22 when slaves were considered runaway slaves, there were
23 streets made of brick. And those bricks had certain
24 designs on those streets. And African Americans was able
10:47:10 25 to read those bricks to know whether or not there would be

1 a place for them to go here for shelter or here for
2 medical treatment or here for something else. Those
3 designs in those streets was there.

4 And it is a historic district in downtown Houston.

10:47:31

5 And it was probably the first -- what we would consider
6 the first community that Blacks considered their little
7 community, you know, after emancipation.

8 **Q.** Some of those bricks are still there?

9 **A.** They are still there today.

10:47:47

10 **Q.** Now, before you worked with Chairman Hunter to make
11 changes, was Freedmen's Town taken out of Congressional
12 District 18 or 9?

13 **A.** It was.

10:48:03

14 **Q.** Did you mention other communities of interest in your
15 discussions with Chairman Hunter?

16 **A.** I did.

17 **Q.** What are some of those?

18 **A.** I mentioned the downtown Houston, the economic engines
19 that was taken out.

10:48:12

20 I mentioned the Heights area. Some of the Heights
21 area where predominantly African Americans were and had
22 been part of 18th Congressional District.

23 **Q.** Is that Independence Heights?

24 **A.** Yes. Independence Heights. Thank you.

10:48:25

25 **Q.** What else?

1 **A.** Independence Heights.

2 I mentioned we talked about the Fifth Ward. We talked
3 about the Kashmere Garden area, my area. And we also
4 talked about Spring, Aldine, and those particular areas,
5 because even though there are Latinos in that area, there
6 are a lot of African Americans in that area, and other
7 nationalities as well that have been a part of it.

8 It's not that -- that it has been a part of it, they
9 have benefited from the resources that was able to come
10 down from the federal government to that community as a
11 benefit to the community.

12 **Q.** Now, you mentioned the Fifth Ward and the Third Ward.
13 What is the ward system in Houston, and what's happened in
14 those?

15 **A.** It's an old system that I think was created many, many
16 years ago. And it was designated where different
17 nationalities were allowed to live.

18 **Q.** It was part of segregation?

19 **A.** Yes.

20 **Q.** So what are the Fifth and Third Wards?

21 **A.** The Fifth Ward is predominantly African American,
22 where it was considered an upper class of African
23 Americans live, along with the blue-collar class workers
24 as well and their little educational institutions and
25 their little stores and their little businesses and their

1 little churches and things of that nature.

2 Things that people hold dear to them. Churches is one
3 of the things. Schools is another thing. Communities is
4 another thing. People hold those things dear to
5 themselves.

10:49:56

6 **Q.** Do you consider those areas communities of interest?

7 **A.** They are communities of interests. I do.

8 **Q.** Now, when you made this advocacy to Chairman Hunter,
9 it sounds like he ultimately reached an agreement with
10 you. Is that fair?

10:50:08

11 **A.** It is fair that he had the approval to accept my
12 amendments.

13 **Q.** And after that, you know, process, is there any doubt
14 in your mind that Chairman Hunter specifically understood
15 in detail the importance of this area in Houston to the
16 Black community?

10:50:23

17 **A.** Yes.

18 **Q.** Now I want to move and talk about the 2025
19 redistricting.

10:50:35

20 **A.** Okay.

21 **Q.** And, you know, what triggers --

22 JUDGE SMITH: Could I just interrupt just to ask
23 one question on the communities of interest?

24 We heard from Representative Green back in May. And

10:50:47

25 one of the things that he discussed about the communities

1 of interest and the economic engines was that Texas
2 Southern University was moved I believe from 18 to 9 or
3 something like that.

4 Do you recall anything about that?

10:51:02 5 THE WITNESS: Judge, the university name went out
6 when you spoke.

7 JUDGE SMITH: TSU.

8 THE WITNESS: Oh, yes. TSU has always been in
9 the 18th.

10:51:12 10 JUDGE SMITH: All right. So has it continued to
11 be in 18 or was it -- I may be misremembering from his
12 testimony. And I'm not trying to be argumentative, I'm
13 just wondering whether that has been a concern at all,
14 about whether TSU goes in 18 or 9.

10:51:28 15 THE WITNESS: No. It is still in 18. It's
16 always been in 18. And it didn't remove it. In the
17 consolidation of the uncoupling, we never moved that
18 university out of the 18th.

19 JUDGE SMITH: Okay. Sorry for the interruption,
10:51:43 20 Mr. Dunn.

21 JUDGE GUADERRAMA: Representative, the question
22 that Mr. Dunn asked was: Is there any doubt in your mind
23 that Senator Duncan [sic] understood the value of those
24 communities of interest? And your answer is "yes."

10:51:58 25 THE WITNESS: I'm not hearing you.

1 JUDGE GUADERRAMA: The question asked was: Is
2 there any doubt in your mind that Senator Duncan [sic]
3 understood the communities of interest to the Black
4 community. And you answered "yes" --

10:52:08 5 THE WITNESS: You said Senator Duncan?

6 JUDGE GUADERRAMA: -- meaning that there is
7 doubt.

8 THE WITNESS: Sorry. You said Senator Duncan?

9 MR. DUNN: Duncan? Sorry. Oh, Hunter. Okay.

10:52:17 10 JUDGE GUADERRAMA: Hunter. My court reporter
11 keeps writing, and I'm lost.

12 THE WITNESS: Your question is: Is there any
13 doubt in my mind that Representative Hunter --

14 JUDGE GUADERRAMA: Mr. Dunn, ask the question
10:52:29 15 again.

16 MR. DUNN: Sure. I'll word it a different way.

17 BY MR. DUNN:

18 **Q.** After these events in 2021 where CD 9 and 18 were
19 changed as you've described it, what is your opinion as to
10:52:40 20 whether Chairman Hunter understood the importance of these
21 communities of interest in Houston to the Black community?

22 **A.** He understood those.

23 **Q.** With regard to the questions on Texas Southern
24 University, what is that?

10:52:55 25 **A.** Texas Southern University is a university that was

1 built as a result of African Americans' inability to
2 attend the University of Texas. And they built this out
3 of Army barracks so African Americans would have an
4 opportunity to go to college.

10:53:11 5 **Q.** And is it located adjacent to the University of
6 Houston?

7 **A.** It's located right down the road, rock throwing
8 distance from the University of Houston.

9 **Q.** And are -- is it also part of these African American
10:53:24 10 communities of interest?

11 **A.** It is. It is -- it is an enshrined university that we
12 dearly love.

13 **Q.** Now, we'll transition to talk about 2025, the
14 redistricting that happened this year.

10:53:41 15 What set that off?

16 **A.** To my knowledge, there was a letter that came from the
17 Department of Justice that said that the 2021 maps were
18 discriminatory. And it used race in drawing those maps
19 and that they needed -- that they were basically needing
10:54:03 20 to be redrawn.

21 **Q.** On your screen -- we've talked about it, and we won't
22 spend much time on it -- but you should see Exhibit 253, a
23 Brooks exhibit.

24 This is the letter from the Department of Justice you
10:54:15 25 are referring to?

1 **A.** Yes, it is.

2 **Q.** In the first paragraph it identifies some districts.

3 Are 9 and 18 included?

4 **A.** They are.

10:54:26

5 **Q.** Also included is Congressional District 29.

6 Do you see that?

7 **A.** Yes, I do.

8 **Q.** What is that district?

10:54:36

9 **A.** Congressional District 29 is a district that is -- it
10 is represented by a Latino person, Congresswoman Sylvia
11 Garcia.

12 **Q.** And what importance, if you know, does it have to the
13 Hispanic community in Houston?

10:54:54

14 **A.** It has finally been able to be represented by a
15 Hispanic. It was drawn for Hispanics, but they were never
16 able to win this district. And it has been represented by
17 Hispanics for the last several years.

18 **Q.** And who is the incumbent now?

19 **A.** The incumbent now is Sylvia Garcia.

10:55:14

20 **Q.** Now, it's been stated by others that redistricting was
21 in the conversation prior to this Department of Justice
22 letter, in the conversations in Texas, among people with
23 your capacity.

24 What do you say to that?

10:55:26

25 **A.** I heard it all during the session, and I made

1 inquiries about it. And I asked -- well, I asked my
2 friend Todd Hunter because, you know, he was my
3 chairperson in 2021. And I wanted to know if they were --
4 number one, if they were going to be redistricting.

10:55:46

5 Number two, would he be part -- did he think he might be
6 the chair again. And, number three, what was the essence
7 of why we were going to be doing redistricting again.

8 And subsequent he said he didn't know. You know, I
9 think he told me he was unaware of any redistricting. And
10 he kind of brushed it off as though it just might have
11 been just a rumor or something, you know.

10:56:04

12 **Q.** So was the first time that the gears got in motion on
13 redistricting was after the Department of Justice letter?

14 **A.** Yes.

10:56:17

15 **Q.** What capacity did you serve in this process?

16 **A.** I served as a member of the redistricting committee
17 that was appointed by the Speaker of the House.

18 **Q.** Does that mean you attended all of the hearings in the
19 House redistricting committee?

10:56:32

20 **A.** I did, except one.

21 **Q.** Which one did you miss?

22 **A.** I missed the one where they voted for the bill out of
23 committee.

24 **Q.** Why was that?

10:56:43

25 **A.** We had stayed in committee arguing about how we were

1 going to do the vote until about almost 3:00 or 4:00 in
2 the morning. We started at like 7:00 or 8:00 in the
3 morning. We started about maybe 9:00 in the morning. And
4 then here we are the next morning at 3:00 or 4:00 in the
10:57:00 5 morning going on about how we're going to vote on a bill.
6 And I just said, you know, I knew how I was going to vote
7 and my vote was not going to make a difference, because I
8 was going to vote no.

9 **Q.** All right. I want to take you to one of the field
10:57:15 10 hearings -- well, I guess before we get to that.

11 You attended the hearing in Houston?

12 **A.** Yes, I did.

13 **Q.** Where was it held?

14 **A.** University of Houston.

10:57:23 15 **Q.** And tell us what that looked like.

16 **A.** There were a large number of people who attended that
17 meeting. And out of all of those several hundred people
18 who attended it, I think there may have been about five
19 people who was for the bill, for the redrawing of the
10:57:43 20 maps. And the vast majority of the others were no.

21 **Q.** Did witnesses reference Congressional Districts 9, 18,
22 and 29?

23 **A.** They did.

24 **Q.** What was the gist of those comments?

10:57:56 25 **A.** They didn't understand why they had to be redrawn, why

1 was -- what was all this about the racial makeup and, you
2 know, the DOJ letter was the essence of the why.

3 **Q.** And what -- was there a map for you to consider at
4 this point, a new map?

10:58:19

5 **A.** We never saw a map, period, at none of the hearings.
6 None. Nothing. Nada.

7 **Q.** What were the conditions at the hearing? I mean, was
8 the room appropriately set up for the hearing and proper
9 temperature and all that?

10:58:35

10 **A.** Yes, it was.

11 **Q.** All right. Now, I want to move to the Arlington
12 hearing and show you a piece of it. This is Brooks
13 Exhibit 309, page 89, line 25 to 90 line 17.

14 (Video played.)

10:58:56

15 REPRESENTATIVE THOMPSON: Okay, then. And
16 drawing this particular map, this is racial neutral?

17 REPRESENTATIVE HUNTER: I don't know what you
18 mean by "racial neutral."

19 REPRESENTATIVE THOMPSON: Well --

10:59:20

20 REPRESENTATIVE HUNTER: We're all talking race,
21 and we talk neutral. These are all words. Give me a
22 legal definition.

23 REPRESENTATIVE THOMPSON: We are talking about
24 White folks, Black folks, Hispanics --

10:59:30

25 REPRESENTATIVE HUNTER: Well, I get that. I get

1 that.

2 REPRESENTATIVE THOMPSON: -- the people that
3 makes up the population of Texas there --

4 (Video concluded.)

10:59:37

5 MR. DUNN: Ending with "-- just like I did in
6 2021," completes the answer.

7 BY MR. DUNN:

8 **Q.** Had you heard Chairman Hunter in the past in 2021, for
9 example, talk about race neutral?

10:59:47

10 **A.** No.

11 **Q.** Why were you asking him about it?

11:00:06

12 **A.** I was concerned because we kept -- I kept the DOJ
13 letter. And then my attorney -- my Attorney General Ken
14 Paxton rebutted the statement that the DOJ had made. And
15 I know, I had the privilege of serving with him in the
16 House. I had the privilege of working with him when he
17 was in the Texas Senate. And I worked with him every
18 session that he has been the Attorney General on pieces of
19 legislation that I have been privileged to carry for him.

11:00:24

20 I know him well. And if there was something that
21 was -- race was not supposed to be considered, he would
22 not have done it. And I could not understand how the DOJ
23 could have accused him, the State of Texas, and how they
24 could have accused him of allowing this to happen. There

11:00:46

25 was no way that I knew that that was going to happen by

1 him. He just couldn't -- he is just not that kind of
2 person. And I was shocked, to tell you the truth. And I
3 was happy that he stuck up for us, the State of Texas.
4 And he did a good job in his letter of rebuttal.

11:01:03

5 **Q.** Now, what happened with -- did you get some -- let me
6 ask this: Did you get some satisfactory answers about
7 this new proposal, when it came out, about why the racial
8 changes were made in it?

11:01:22

9 **A.** They said that the *Petteway* case was the case that
10 gave them the position of racial neutral. Everything is
11 supposed to have been racial neutral.

12 **Q.** All right. Again, focused on this Arlington hearing,
13 Brooks Exhibit 309, I want to take us to page 88, line 9
14 to 89, line 24.

11:01:45

15 JUDGE GUADERRAMA: Mr. Dunn, it's 11:00. It's
16 time for our break. Is this a good time?

17 MR. DUNN: Yes, sir.

18 JUDGE GUADERRAMA: So let's all break to 11:15.
19 Representative, be back at 11:15, please.

11:01:55

20 MR. QUESADA: Your Honor, could I make one
21 housekeeping request?

22 JUDGE GUADERRAMA: Yes, sir.

23 MR. QUESADA: Chairman Romero is going to be one
24 of our witnesses; and I would ask that he be excused from
25 the Rule, as he was the last time.

11:02:04

1 MR. KERCHER: As the party representative for
2 MALC?

3 MR. QUESADA: As the party representative for the
4 Mexican American Legislative Caucus.

11:02:12 5 MR. KERCHER: State defendants do not object.

6 JUDGE GUADERRAMA: So Chairman Romero is exempted
7 from the rule.

8 MR. QUESADA: Thank you.

9 MR. VELEZ: This Court stands in recess.

11:02:34 10 (Recess from 11:02 a.m. to 11:21 a.m.)

11 JUDGE GUADERRAMA: Be seated, please.

12 The record should reflect Representative Thompson is
13 on the witness stand.

14 Mr. Dunn, whenever you are ready.

11:21:38 15 MR. DUNN: Thank you, Your Honor.

16 BY MR. DUNN:

17 Q. Before we took our break, I was calling your attention
18 to the hearing in Exhibit 303 in Arlington, page 88,
19 line 9 to 89, line 24, which I'll play now on the screen.

11:21:51 20 (Video played.)

21 CHAIRMAN HUNTER: -- 21. And I want to add to
22 what you said. Let's not make this a negative. I'm not
23 trying to make a negative. I'm just asking about the
24 racial demographics. You keep bringing up race; and I
11:22:14 25 want to remind you and everybody on the panel who came to

1 me in 2021 to make the changes, do them favors. I don't
2 want to be hearing that I and the Republicans were the
3 only ones that did these things.

11:22:41

4 I had some of you come in and thank me for the maps.
5 Now, am I going to disclose the representatives' names or
6 senators here today? No. Because that's a private
7 conversation. But when you knock me and the
8 Republicans --

11:22:56

9 REPRESENTATIVE THOMPSON: I'm not knocking you.
10 I thanked you.

11 CHAIRMAN HUNTER: I'm talking about some of the
12 comments made earlier.

11:23:09

13 I want everybody to know that I worked with both sides
14 and incorporated a lot of their information. So if there
15 is a race issue, the Democrats were involved with the
16 Republicans in putting --

17 (Video concluded.)

18 BY MR. DUNN:

11:23:21

19 **Q.** Now, do you hear Chairman Hunter talking about some of
20 the amendments and changes he accepted in 2021?

21 **A.** Yes. Yes.

22 **Q.** And you talked earlier in your testimony about how
23 Chairman Hunter accepted some changes in relation to CD 9
24 and 18.

11:23:32

25 Do you recall that?

1 **A.** I do.

2 **Q.** And I'm sorry. I feel like I'm shouting. I know they
3 got you some speakers. So now am I too loud?

4 **A.** No. I can hear you well.

11:23:42

5 **Q.** Okay. All right. How does the process with regard to
6 amendments in 2021 compare with what happened in 2025 when
7 you tried to address the changes to Congressional
8 Districts 9 and 18?

9 **A.** There were no amendments in the 2025 hearing offered.

11:24:03

10 **Q.** Was it clear to you that any changes you would try to
11 make to CD 9 and 18 would be denied?

12 **A.** Absolutely felt that way. It looked like it was an
13 effort in futility to offer any amendments.

14 **Q.** Were there any amendments on the floor debate by
15 Democrats and by members of color and they were all
16 rejected?

11:24:22

17 **A.** They were.

18 **Q.** Now, at the same hearing, at Exhibit 309, page 98,
19 line 21 to 101, line 7.

11:24:35

20 (Video played.)

21 REPRESENTATIVE PIERSON: Sure. The stakeholders
22 who testified during the field hearings testified that the
23 population of Black voters in the state did not have
24 proportionate representation.

11:25:02

25 REPRESENTATIVE HUNTER: Oh, throughout the state,

1 yes.

2 REPRESENTATIVE PIERSON: Yes.

11:25:13

3 Well, this current map that you have submitted
4 actually show where there is not just one, but two
5 majority Black CVAP districts drawn on this map. Is that
6 true?

7 REPRESENTATIVE HUNTER: That is correct. And let
8 me give everybody details.

11:25:33

9 CD 18 is now 50.8 percent Black CVAP. In 2021 it was
10 only 38.8 percent.

11 CD 30 is now 50.2 percent Black CVAP. In 2021 it was
12 46 percent.

11:25:55

13 REPRESENTATIVE PIERSON: So that's two Black CVAP
14 districts. How many Black districts are there on the
15 current map?

16 REPRESENTATIVE HUNTER: I don't have all the
17 counts on that.

11:26:07

18 REPRESENTATIVE PIERSON: The answer is zero. So
19 overall Black voters in the state of Texas go from zero to
20 two majority Black CVAP seats out of the 38 seats in
21 Texas; is that accurate?

11:26:25

22 REPRESENTATIVE HUNTER: It's accurate, but I want
23 to add: Whether you are Republican or Democrat, under
24 this plan, you can win. And whether you're Asian, African
25 American, Anglo, Latino, Latina, Hispanic, anybody can run

1 and win; but you're correct --

2 (Video concluded.)

3 MR. DUNN: "-- on the calculation" is the end of
4 his sentence.

11:26:41

5 BY MR. DUNN:

6 **Q.** All right. That conversation that you just observed
7 in the committee hearing between Representative Pierson
8 and Chairman Hunter, do you have an impression of whether
9 or not that was a sort of orchestrated conversation?

11:26:52

10 **A.** Absolutely orchestrated in my opinion.

11 **Q.** In other words, both members, Chairman Hunter and
12 Representative Pierson, intended to have that conversation
13 about the topics that they were having it about?

14 **A.** Yes.

11:27:05

15 **Q.** And you note in there that Chairman Hunter provides a
16 number of statistics for how this map changes the Black
17 population, in particular, in Congressional District 18
18 and Congressional District 30.

19 **A.** Yes, I do.

11:27:21

20 **Q.** Now, would you describe that Representative Pierson's
21 position and her comments are essentially arguing that the
22 new map improved representation for African Americans?

23 **A.** It was like a gift to the African American community.

24 **Q.** What is your response to that?

11:27:36

25 **A.** My response is that if you look at the maps that they

1 drew, they did packing. They took -- when they
2 consolidated the 9th and the 18th together, they packed
3 African Americans in those districts. They packed African
4 Americans in the Dallas area as well. They packed -- they
5 packed those districts. And in packing those districts,
6 they denied the representation of those African Americans
7 to have a voice in their government.

11:27:56

8 **Q.** Was there any reason to do that? In other words, was
9 Congressional District 18 and Congressional District 30
10 not electing the Black citizens' candidates of choice?

11:28:13

11 **A.** There was no reason to do it at all.

12 **Q.** Now, if I could take you to later in this hearing on
13 page 7. Again, this is Brooks Exhibit 309, page 776,
14 line 17 to 777, line 24.

11:28:37

15 (Video played.)

16 REPRESENTATIVE THOMPSON: Okay. And for
17 Congressional District 9, do you recall what criteria or
18 consideration you may have used to develop this district,
19 if there -- if any?

11:29:07

20 REPRESENTATIVE HUNTER: I personally did not. I
21 was given the information, the data, from counsel who
22 provided me the information.

23 REPRESENTATIVE THOMPSON: Do you have any idea
24 why there was a decrease in the Black Citizen Voting Age
25 population from 45 percent in the 2021 enacted maps to

11:29:23

1 12.1 percent in this proposed district map?

2 REPRESENTATIVE HUNTER: Now, on the -- let me
3 make sure I'm correct. On this one, the data they provide
4 me was the -- Hispanic went from 25.73 to 50.41. And then
5 the Black CVAP went from 45.06 to 11.92.

11:29:47

6 REPRESENTATIVE THOMPSON: Okay. So it's 11 point
7 what?

8 REPRESENTATIVE HUNTER: 92.

9 REPRESENTATIVE THOMPSON: 11.92.

11:30:01

10 And is there any particular legal basis for doing
11 that?

12 REPRESENTATIVE HUNTER: I'm -- I'm not able to
13 tell you that.

14 REPRESENTATIVE THOMPSON: Did someone provide you
15 with this information?

11:30:09

16 REPRESENTATIVE HUNTER: Yes. Counsel.

17 REPRESENTATIVE THOMPSON: Oh, that would
18 be -- that would be the law firm --

19 (Video concluded.)

11:30:21

20 MR. DUNN: "-- the law firm that you're talking
21 about."

22 And Chairman Hunter says "The law firm."

23 BY MR. DUNN:

24 Q. In that exchange, you are asking about Congressional

11:30:29

25 District 9 and the changes made in the map; is that right?

1 **A.** I am.

2 **Q.** And Chairman Hunter initially tells you that he was
3 just providing -- he doesn't know why it was drawn that
4 way, does he?

11:30:40 5 **A.** Correct.

6 **Q.** But he mentions that he was given some information and
7 that information was the racial information he just
8 provides?

9 **A.** Right.

11:30:49 10 **Q.** And was that true in discussions of various districts
11 around the state that elect minority candidates of choice,
12 that when individuals would ask on the committee about why
13 those districts were drawn the way they were, Chairman
14 Hunter would regularly provide them racial data on how his
11:31:09 15 new districts would be?

16 **A.** He did.

17 **Q.** Now I want to go to the August 18th House committee
18 hearing, which is Brooks Exhibit 315, page 27, line 8 to
19 page 27, line 15.

11:31:29 20 (Video played.)

21 REPRESENTATIVE THOMPSON: Mr. Chairman Hunter,
22 the Senate yesterday voted on a map. And we have a
23 substitute. What is going to pass? Do we vote the Senate
24 map out? We -- is it going to be the House substitute?

11:31:45 25 REPRESENTATIVE HUNTER: Now, I can't predict, but

1 I sure do love the House map and the authors.

2 REPRESENTATIVE THOMPSON: All right. Thank you.

3 I think you have answered my question.

4 (Video concluded.)

11:31:54

5 BY MR. DUNN:

6 **Q.** Was it the House map that ended up passing at the end
7 of the day?

8 **A.** It did.

11:32:00

9 **Q.** And was it clear that the process -- that the House
10 and Chairman Hunter in particular were the ones in charge
11 of this map?

12 **A.** Yes.

11:32:14

13 **Q.** Now, going back to the Department of Justice letter
14 again for a moment. It mentioned Congressional
15 District 9, 18, and 29.

16 Do you recall that?

17 **A.** I do.

18 **Q.** What does this new map do, that the State passed, to
19 those three districts?

11:32:22

20 **A.** It consolidates 9 and 18 by taking the southeast part
21 of the 9th Congressional District and bringing two-thirds
22 of that and connecting one-third of the 18th on the
23 north -- on the northeast side. And 29, it embellished
24 the African American population. It ups it. And reduces

11:32:52

25 the -- and it increases the African American population in

1 that particular district by taking a part of the 18th
2 Congressional District and adding it into the 29th
3 Congressional District.

11:33:12

4 **Q.** Now, what is your opinion as to whether -- as to how
5 those changes affect the ability of Black citizens in
6 Houston to elect their candidate of choice to Congress?

11:33:30

7 **A.** Potentially it denies the right of Latinos to be able
8 to elect a representative in the 29th Congressional
9 District. It pits two minority groups against each other
10 intentionally, in my opinion, by fighting over
11 representation. The Blacks and the Browns are now
12 fighting. I think that's been an intentional thing done.
13 It didn't have to be that way, but that's what it ended up
14 being.

11:33:45

15 **Q.** What does it do to a Black's ability to elect the
16 candidate of choice in Houston? They go from how many
17 districts to how many?

18 **A.** It may be two districts, but only one really. And
19 that's the 18th.

11:33:57

20 **Q.** Now, were you continuously throughout this legislative
21 process asking why that had to be so?

22 **A.** I did.

23 **Q.** What was the answer?

24 **A.** Because we can.

11:34:10

25 **Q.** Did the State do exactly what the Department of

1 Justice told them to do?

2 **A.** 100 percent.

3 MR. DUNN: Pass the witness.

4 JUDGE GUADERRAMA: Plaintiffs' counsel. Mr. Fox.

11:34:24

5 MR. FOX: Thank you.

6 **CROSS-EXAMINATION**

7 BY MR. FOX:

11:34:43

8 **Q.** I am David Fox for the Gonzales plaintiffs. I don't
9 think we have ever met before. It's a pleasure to meet
10 you, Representative. I just have a few questions for you
11 today.

12 You have represented Houston in the Texas House for
13 many decades now since the 1970s?

14 **A.** Yes.

11:34:55

15 **Q.** Are you familiar with the political views and
16 preferences of Black voters in Houston, do you think?

17 **A.** Very.

18 **Q.** Based on your familiarity, is Congressman Green the
19 preferred candidate of Black voters in existing

11:35:09

20 Congressional District 9?

21 **A.** Yes.

22 **Q.** And in your experience did Congressman Green have any
23 difficulty winning elections in the current Congressional
24 District 9?

11:35:22

25 **A.** No.

1 Q. Is that true in primary elections?

2 A. Never had any problems.

3 Q. And is that true in general elections?

4 A. Never had any problems.

11:35:30 5 Q. Was Congresswoman Sheila Jackson Lee the preferred
6 candidate of Black voters in Congressional District 18?

7 A. She was.

8 Q. Did she ever have any difficulty winning elections in
9 that district?

11:35:42 10 A. Never.

11 Q. Not in primary elections?

12 A. Never.

13 Q. And not in general elections?

14 A. Never.

11:35:47 15 Q. Was Congressman Turner the preferred candidate of
16 Black voters in Congressional District 18?

17 A. Yes.

18 Q. Did he ever have difficulty in winning elections in
19 District 18 for office?

11:35:57 20 A. No.

21 Q. And do you recall that a Congresswoman Erica Lee
22 Carter ran in a special election in CD 18?

23 A. I did.

24 Q. Was she the preferred candidate of Black voters in
11:36:09 25 that district?

1 **A.** She was.

2 **Q.** Did she have any difficulty winning that election?

3 **A.** No.

11:36:15

4 MR. FOX: Thank you very much. No further
5 questions from me.

6 JUDGE GUADERRAMA: Thank you, Mr. Fox.

7 Anyone else from plaintiffs?

8 (No response.)

9 All right. Mr. Kercher.

11:36:26

10 **CROSS-EXAMINATION**

11 BY MR. KERCHER:

12 **Q.** Good morning, Dean Thompson. Can you hear me okay?

13 **A.** I can.

14 **Q.** Holler at me if you can't. Okay?

11:36:43

15 One of my good friends and OAG colleagues Colleen Tran
16 Rodriguez worked in your office for a long time; is that
17 right?

18 **A.** She did.

19 **Q.** She says that you are a Texas treasure and that I'm
20 supposed to tell you hello.

11:36:56

21 **A.** Thank you very much.

22 **Q.** So hello.

23 You did not testify in the trials that we had in this
24 litigation earlier this year about the maps that were

11:37:09

25 passed in 2021, right? You didn't fly out to El Paso for

1 that?

2 **A.** I did not.

3 **Q.** But you did get your deposition taken as a part of
4 that litigation.

11:37:19 5 Do you recall that?

6 **A.** I do.

7 **Q.** Do you remember being asked with regard to the 2021
8 congressional map whether, as far as you knew, anyone
9 intended to discriminate against different racial groups
10 in that map?

11:37:34

11 **A.** I don't remember, but you have the deposition there.
12 You may want to tell me and refresh my memory with my
13 answer.

14 **Q.** It's like you have done this before, Dean Thompson.

11:37:48

15 MR. KERCHER: Richard, would you please bring up
16 Dean Thompson's 2022 deposition at page 75, lines 20
17 through 24.

18 BY MR. KERCHER:

19 **Q.** Dean Thompson, can you see that on your screen?

11:38:01

20 **A.** I can.

21 **Q.** Take a moment to review it.

22 **A.** I think my answer was that [as read:] I cannot tell
23 you what was in the mind of the person who drew those
24 lines.

11:38:16

25 **Q.** That's right. You were asked whether the 2021

1 congressional map was passed with an intent to racially
2 discriminate. And your answer was that you didn't know
3 what was in the hearts and minds of your colleagues. Is
4 that fair?

11:38:27

5 **A.** I didn't.

6 **Q.** And you also couldn't recall any conversations that
7 you had heard during that 2021 legislative process that
8 made you believe or that you thought were evidence of
9 intentional discrimination in the legislature.

11:38:46

10 Do you remember that?

11 **A.** Are you talking about the whole legislature?

12 **Q.** I'm talking -- well, let's bring up the portion of
13 your deposition I'm referencing and see if that doesn't
14 help clarify the question. Is that fair?

11:38:58

15 **A.** Sure.

16 MR. KERCHER: Richard, could you bring up Dean
17 Thompson's 2022 deposition, page 91, lines 15 through 21.

18 BY MR. KERCHER:

19 **Q.** Can you see that okay, Dean Thompson?

11:39:15

20 **A.** I do.

21 **Q.** Take a moment to review it. Let me know when you are
22 done.

23 **A.** That was my answer then.

24 **Q.** And to be clear, you were asked in that deposition

11:39:39

25 whether you could recall any conversations from the 2021

1 redistricting process that you thought were evidence of
2 someone intending to racially discriminate.

3 Your answer was you couldn't recall any, right?

11:39:56

4 **A.** Let me ask you a question. When a person from your
5 office deposed me, they came in asking whether or not that
6 we thought that Senator Joan Huffman was prejudiced
7 towards someone. And I got insulted as a result of that
8 question.

9 **Q.** Why is that?

11:40:18

10 **A.** Here is why. I have known Joan Huffman from the time
11 that she was a prosecutor in Harris County. I knew her
12 when she was a judge. And I had worked with her as a
13 Senator. And in my experience in working with her, I had
14 not encountered problems in those capacities. And I was
15 insulted to have been asked by your office such a
16 question.

11:40:36

17 **Q.** And I appreciate you describing for the Court the
18 important relationship you have with Senator Huffman,
19 Chair Huffman.

11:40:50

20 Do I understand your answer correctly to be that you
21 feel that the very insinuation that Joan Huffman is racist
22 is an insult to her?

11:41:07

23 **A.** I felt that you were trying to get me to say something
24 that was not -- that was not true, in my opinion; and you
25 were -- and you were trying to drag out information that

1 was not important or pertinent to that by trying to say
2 that Democrats were prejudiced or felt that she was
3 prejudiced.

4 **Q.** And when you say that you felt --

11:41:21

5 **A.** And I was very insulted about it. And I'm insulted by
6 that question even to this day.

7 **Q.** Now I want to make sure that I understand your
8 testimony.

9 **A.** I hope you do.

11:41:29

10 **Q.** When you say I was asking, I didn't depose you, but
11 somebody from my office asked you that question; is that
12 right?

13 **A.** Right.

14 **Q.** And I just want to make sure I understand.

11:41:36

15 When you say you were insulted by the question, you
16 are insulted by the idea that someone would suggest that
17 Senator Huffman is a racist; is that true?

18 **A.** I was insulted to have been asked that question about
19 her.

11:42:00

20 **Q.** When you were talking a moment ago with Mr. Dunn about
21 the work that you did in 2021, particularly on the
22 congressional map, you talked about how your office became
23 a really important office during that legislative process
24 because you were working with Republicans and Democrats to
25 get changes made to the congressional map; is that right?

11:42:17

1 **A.** We worked -- we worked on our maps as the state
2 legislative maps. And when it came to the congressional
3 maps, we individually worked from our office. And if I
4 gave the impression that we worked from the congressional
5 office from my office, then I would like to make that
6 correction at this time.

11:42:38

7 **Q.** So I want to make sure I understand. I think I know
8 what you are saying. When you say that your office was
9 important for getting changes made on the congressional
10 map in 2021, that's not because you were working with all
11 of the Texas congressional delegation, but because you
12 were working with your fellow members in the Texas House;
13 is that right?

11:42:50

14 **A.** Right. And I was particularly working with Chairman
15 Todd Hunter, because I was on the committee and he was my
16 chair.

11:43:05

17 **Q.** And --

18 **A.** And as you know -- and as you know, when you are
19 working, you have to call other congressional people when
20 you are moving lines around.

11:43:17

21 **Q.** Was Chairman Hunter helpful to you as you were doing
22 the work that your office undertook on the 2021
23 congressional map?

24 **A.** He was sensitive to the reason that we needed to have
25 the two congressional districts. He was -- he was helpful

11:43:33

1 in the fact that when I got ready to do my amendments, he
2 told me where to send them, to see whether or not they
3 would meet their -- whatever group we were working with,
4 it would meet their approval.

11:43:55

5 **Q.** I think you said a moment ago when you were talking to
6 Mr. Dunn that Chairman Hunter in 2021 took the time to
7 learn about communities of interest and traditionally
8 African American congressional districts during that 2021
9 process; is that right?

11:44:09

10 **A.** He was the chairman of the committee, yes.

11 **Q.** And you know then that after that legislative process
12 where your office played a key role where Chairman Hunter
13 took the time to become familiar with communities of
14 interest in the Harris County area, the plaintiffs
15 immediately turned around and filed a lawsuit saying that
16 those districts were racially discriminatory.

11:44:29

17 Did you know that?

18 **A.** Every redistricting we have lawsuits about. And so --

19 **Q.** My question is just a little bit different, Dean
20 Thompson.

11:44:44

21 **A.** Okay.

22 **Q.** We agree that unfortunately --

23 **A.** I'm answering your question.

24 **Q.** I'm not --

11:44:49

25 **A.** The answer is: This is a routine process, as well as

1 you know, your office has always been working on it. And
2 I am aware of that.

11:45:05

3 **Q.** When you say it's a routine process, you mean that as
4 soon as the Texas Legislature undertakes redistricting, we
5 all know there is going to be a lawsuit filed regardless
6 of what the map looks like, right?

7 **A.** There's going to be a lawsuit filed upon the
8 evaluation of certain interest groups as they feel that
9 the map may or may not represent their interests.

11:45:20

10 **Q.** You understand that as part of that lawsuit, which
11 this hearing is an extension of, the plaintiffs argue that
12 in 2021 there were all kinds of procedural irregularities
13 about how unusual the redistricting process was in 2021.

14 Are you aware of that claim?

11:45:43

15 **A.** I'm aware that they have some concerns with the
16 lawsuit. And I'm not keenly aware of what all the issues
17 may be.

18 **Q.** Okay. And as we discussed, the plaintiffs did not
19 call you to testify and get your testimony in the trial
20 about the 2021 maps, right?

11:45:58

21 **A.** I was extended an invitation to come testify at the
22 times not amenable to my schedule.

23 **Q.** And now that the 2021 map, congressional map is no
24 longer at issue, they are more than happy to get your
25 testimony about what happened in the 2021 legislative

11:46:16

1 process, right?

2 **A.** That's your opinion. That's your opinion. But it's
3 not mine.

4 **Q.** I appreciate your diplomatic delicacy.

11:46:32

5 **A.** Any time.

6 **Q.** Mr. Dunn asked you a little bit about that letter from
7 the Department of Justice.

8 Do you recall that?

9 **A.** I do.

11:46:44

10 **Q.** And do you recall the response from my office
11 repudiating the claim from the Department of Justice that
12 the maps in 2021 were drawn with racial intent, right?

13 **A.** I thought your response was good.

11:47:07

14 **Q.** It's your belief, right, that Lieutenant Governor Dan
15 Patrick would never have passed a race-based map?

16 **A.** If he did, I would be absolutely shocked.

17 **Q.** And that's --

18 **A.** And this is -- in 2025, I would be absolutely shocked.

11:47:27

19 **Q.** Would you be just as shocked if the Texas House of
20 Representatives passed a race-based map?

21 **A.** Well, which one are we talking about? 2021 or 2025?

22 **Q.** Well, let's just talk ever.

23 **A.** I think that -- I think based upon -- you are talking
24 about congressional maps, right?

11:47:43

25 **Q.** Yes, ma'am.

1 **A.** Okay. I think that from the -- I think that -- no, I
2 wouldn't be shocked about it. Because let me tell you
3 why. We have -- they told us that they have -- they are
4 doing what they want to do. They are doing it because
5 they can.

11:47:58

6 So if this map proves either this is racial based --
7 and I know it is, because in the district that I live, the
8 congressional district that I live in, you-all packed,
9 you-all packed my district. Not you but, you know, the
10 district was packed.

11:48:11

11 MR. KERCHER: Richard, could we please bring up
12 State Defendants Exhibit Number 1279, page 26, line 16
13 through page 27, line 22.

14 (Video played.)

11:48:31

15 REPRESENTATIVE THOMPSON: Mr. Chairman, I resent
16 the Texas Department of -- the United States Department of
17 Justice sitting down here accusing our state that we have
18 drawn some race-based maps and actually are putting scorn
19 upon our elected officials, because you and I know that
20 Dan Patrick never would have passed a map out of the
21 Senate and we never would have passed one out of the House
22 that would have included this.

11:48:50

23 (Video concluded.)

24 MR. KERCHER: To clarify the record, that was
25 just page 27, line 9 through 22 from Defendants'

11:49:04

1 Exhibit 1279.

2 BY MR. KERCHER:

3 **Q.** Do you remember making those remarks, Dean Thompson?

4 **A.** I sure do.

11:49:15 5 **Q.** And during the 2025 redistricting process, Chairman
6 Hunter talked about the partisan intent of the map.

7 Do you remember that?

8 **A.** I do.

9 **Q.** Yesterday the plaintiffs played part of Chairman
11:49:28 10 Hunter's lay out of the map on the House floor on
11 August 20th. Were you on the floor for that layout?

12 **A.** I was.

13 **Q.** The plaintiffs started their clip at page 29, line 20,
14 but I want to take you back to the beginning of Todd
11:49:45 15 Hunter's layout of the bill.

16 MR. KERCHER: Richard, could we please bring up
17 Defendants' Exhibit Number 1319. And here let's play
18 page 26, line 9 through 29, line 19.

19 MR. DUNN: Date, please?

11:50:01 20 MR. KERCHER: August 20th.

21 (Video played.)

22 REPRESENTATIVE HUNTER: Thank you, Mr. Speaker.

23 Members, I believe, according to the rules, I will
24 have 20 minutes. I'm going to give a short opening
11:50:19 25 because many of you have not been involved, and I want you

1 to know exactly what is happening.

2 We are here today to take up the congressional plan.
3 This plan I'm about to lay out was introduced by myself on
4 Monday, August 18th, and it was passed by the House Select
11:50:40 5 Committee on Congressional Redistricting on August 18th.

6 Due to the governor's proclamation, the House studied
7 the current Texas congressional districts. This plan
8 originated in the first called special session before the
9 chamber lacked a quorum. Due to the available time, which
11:51:02 10 we all need to remember, we're in 30-day special sessions,
11 in the first called session -- and I want all of you to
12 know this, Members -- in the first called session we held
13 three public hearings. We were not required to hold those
14 hearings. So three hearings were held for the public. No
11:51:30 15 requirement for those hearings.

16 All sessions, anyone was invited to register and
17 testify. Arrangements were made for anyone to submit
18 written comments. One session, we allowed remote witness
19 presentations. One session was held on Saturday. And one
11:51:48 20 session was held after normal working hours.

21 All members of the committee were offered the
22 offer -- opportunity to state their views and questions.
23 Other interested members of the House were allowed to
24 attend and participate.

11:52:04 25 After the public hearings, during the first called

1 special, the committee held a 12-plus hour hearing to
2 allow further testimony once the plan was introduced.

11:52:26

3 All sessions were live streamed and recorded and
4 RedApp was open for use. As well at these hearings, we
5 heard testimony from a number of members and witnesses,
6 including Congress.

11:52:49

7 Now, at the outset, it's important to note that
8 redistricting can be done at any point in time. Let me
9 repeat that, Members. Redistricting can be done at any
10 point in time.

11:53:11

11 And I want everybody to know this. You want
12 transparency? Here's the U.S. Supreme Court legal
13 transparency. The underlying goal of this plan is
14 straightforward: Improve Republican political
15 performance.

11:53:29

16 Now, when drawing congressional districts, we have to
17 look at them a little different when it comes to
18 population requirements. We have to draw districts with
19 population as nearly equal as possible to the ideal
20 district size.

11:53:48

21 This is different than when you do state legislative
22 districts. The ideal size for a congressional district is
23 about 766,987.

24 The plan before you meets the population requirements
25 for one person, one vote, under the U.S. Constitution. If

1 somebody proposes an amendment, they will need to meet the
2 same requirements. We are allowed to draw congressional
3 districts on the basis of political performance as
4 recognized by the U.S. Supreme Court in *Rucho v. Common*
11:54:11 5 *Cause*. These districts were drawn primarily using
6 political performance to guide the redrawing of districts.

7 Also, the Fifth Circuit in *Petteway v. Galveston*
8 indicates that the law has changed. The Court held that
9 Section 2 does not require us to draw coalition districts.

11:54:35 10 So given partisan political performance as an
11 acceptable reason and clarification from these courts, we
12 have redrawn the congressional map with that emphasis.

13 Another important law is the Voting Rights Act.
14 Although race cannot be the predominant factor in drawing
11:54:56 15 maps, Section 2 of the act prohibits enactment of any plan
16 that restricts minority citizens from having an
17 opportunity to elect their preferred candidate of choice
18 if certain circumstances exist.

19 This plan includes political considerations, public
11:55:13 20 testimony, recognition of population growth, and recent
21 changes in voter trends.

22 Now, let's talk about this map. 37 of the 38
23 congressional districts have changed to some degree. The
24 primary changes are focused on only five districts for
11:55:37 25 partisan purposes.

1 (Video concluded.)

2 BY MR. KERCHER:

3 Q. Dean Thompson, do you remember, if not verbatim, that
4 Chair Hunter said those words in his floor layout of the
5 map?
11:55:51

6 A. I don't remember the exact words; but I do remember,
7 you know, that he did lay out his map.

8 Q. Do you feel like he kept his word to make a short
9 layout?

10 A. Pardon me?
11:56:00

11 Q. Do you feel like he kept his word to make a short
12 layout?

13 A. Oh, my goodness.

14 Q. Has Chair Hunter ever made a short layout in the years
15 you have worked with him?
11:56:12

16 A. No.

17 Q. But after that portion is the portion of the layout
18 that we heard from plaintiffs' counsel. Chairman Hunter
19 does go on to talk a little bit about the racial makeup of
20 some of the districts in the map.
11:56:23

21 Do you recall that generally?

22 A. Yes.

23 Q. Now, you have already mentioned that Chair Hunter was
24 Chair of the redistricting committee in 2021, right?

25 A. Yes.
11:56:33

1 Q. And you know, as we discussed, that ever since 2021
2 the maps passed in that session have been the subject of
3 litigation, including claims of intentional
4 discrimination, right?

11:56:45 5 A. Yes.

6 Q. Are you aware that in 2022 Chairman Hunter provided
7 over 600 pages of deposition testimony about the 2021
8 redistricting process?

9 A. No.

11:56:59 10 Q. And that during all those long hours, these same
11 plaintiffs' lawyers questioned him repeatedly about the
12 racial makeup of the districts in the 2021 map.

13 Did you know that?

14 A. No.

11:57:14 15 Q. Does it surprise you then, that after years of being
16 asked questions about the racial makeup of the districts
17 passed under his chairmanship in 2021, that Chair Hunter,
18 as the sponsor of the redistricting map in 2025, showed up
19 ready to answer some of those questions?

11:57:37 20 A. Would it surprise me?

21 Q. Yes, ma'am.

22 A. What is wrong -- no. It wouldn't. What is wrong with
23 a person being able to ask questions about past events?

24 Q. Well, I guess my question is a little bit different.

11:57:54 25 What would be wrong about Chairman Hunter showing up

1 prepared to answer questions about the racial makeup of a
2 map under consideration for redistricting?

3 **A.** Well, I hope he does show up to answer those
4 questions.

11:58:07 5 **Q.** And when you were involved in the redistricting
6 process, whether it was in 2021 or 2025, did you ever look
7 at the racial makeup of the districts in proposed maps?

8 **A.** Yes.

11:58:22 9 **Q.** Did you do that with the intent to discriminate or
10 with the intent to educate?

11 **A.** I did it with the intent on knowing whether or not
12 those persons in those particular districts would have an
13 opportunity to have a voice in their government.

14 **Q.** You were asked by Mr. Dunn on direct examination a
11:58:48 15 little bit about the DOJ letter. And I want to talk to
16 you a little bit about the other parts of the public
17 conversation around Texas redistricting that we saw
18 earlier this summer. Okay?

19 **A.** Yes.

11:59:06 20 **MR. KERCHER:** Richard, could you please bring up
21 State Defendants' Exhibit 1415, which starts at Bates
22 Number 21139. If you'll scroll down to the next page.
23 Thank you, sir.

24 **BY MR. KERCHER:**

11:59:26 25 **Q.** Dean Thompson, I'll represent to you that this is an

1 article from the *New York Times*. If you squint, you can
2 see it was published on June 9th, 2025.

3 Are you familiar with this article?

4 **A.** No.

11:59:37

5 **Q.** Well, I'll represent to you that it was the subject of
6 some questioning of Chair Huffman during her examination
7 in the trial earlier this year.

11:59:55

8 Were you aware that the *New York Times* reported in
9 June 2, 2000- -- in June of this year that President Trump
10 was having conversations with high-level political
11 Republicans, officials, in Texas about redistricting?

12 **A.** Yes.

12:00:11

13 **Q.** Were you aware that the *New York Times* also published
14 the -- information saying that the pressure from the
15 President to redistrict in 2025 unnerved some Texas
16 congressional Republicans?

17 **A.** Yes.

12:00:36

18 MR. KERCHER: Richard, if we could go to
19 page 2141, which is the next one down. We see the
20 paragraph that begins "At an emergency meeting..."

21 BY MR. KERCHER:

22 **Q.** Can you see that okay on your screen, Dean Thompson?

23 **A.** I do.

12:00:48

24 **Q.** The *New York Times* further reported, quote [as read:]
25 At an emergency meeting on Monday night in the Capitol,

1 congressional Republicans from Texas professed little
2 interest in redrawing their districts, according to a
3 person briefed on the gathering who was not authorized to
4 comment publicly. The 20-minute meeting organized by
5 Representative Michael McCaul, a senior member of the
6 State Delegation, focused on the White House push.

12:01:06

7 Is that information that you understood the *New York*
8 *Times* had published in June of this year?

9 **A.** I didn't know what the *New York Times* published. I
10 just heard people talking about some of it.

12:01:22

11 **Q.** Did you know Representative McCaul has since declared
12 that he will not run for reelection?

13 **A.** I read it in the newspaper.

14 MR. KERCHER: Richard, if we could go to
15 page 21143. Looking at the paragraph that begins "Still
16 those pushing..."

12:01:44

17 BY MR. KERCHER:

18 **Q.** Dean Thompson, this paragraph from the article reads
19 [as read:] Still those pushing for the plan believe that
20 Republicans could potentially pick up as many as four or
21 five House seats in 2026, according to two of the people
22 with knowledge of the discussions.

12:01:56

23 Were you aware that the *New York Times* had reported
24 that?

12:02:08

25 **A.** I was aware that they were trying to pick up those

1 number of seats; but I don't know who was saying it,
2 whether it was the *New York Times* or even who was saying
3 it.

12:02:24

4 MR. KERCHER: Richard, if you could bring up
5 State Defendants' Exhibit 1352.

6 BY MR. KERCHER:

7 Q. Dean Thompson, are you familiar with the website
8 called "Roll Call"?

9 A. No.

12:02:34

10 Q. Are you aware that sometimes "Roll Call" publishes
11 transcripts of presidential press interviews or gaggles,
12 as they are called?

13 A. No.

14 Q. Okay.

12:02:51

15 MR. KERCHER: Richard, if we could go down to the
16 next page.

17 BY MR. KERCHER:

18 Q. And up in the top left-hand corner of Exhibit 1352,
19 Dean Thompson, you see that it says "Roll Call"?

12:03:07

20 A. I do.

21 MR. KERCHER: Richard, if we could please go down
22 to -- let's see here.

23 BY MR. KERCHER:

24 Q. And you can see that the title says [as read:] Press

12:03:17

25 Gaggle: Donald Trump speaks to reporters before Marine

1 One departure July 15th, 2025.

2 Do you see that?

3 **A.** I do.

12:03:28 4 MR. KERCHER: Richard, if we could please scroll
5 down to page 3383 in Exhibit 1352, please. If you'll
6 scroll down a little bit for me, sir.

7 BY MR. KERCHER:

8 **Q.** All right. Dean Thompson, do you see at the bottom of
9 there the page it says [as read:]

12:03:57 10 QUESTION: Mr. President, how many more seats do you
11 want the Republicans to draw?

12 And the President responds: Five.

13 Do you see that?

14 **A.** I do.

12:04:06 15 MR. KERCHER: Richard, if we could scroll to the
16 next page, please, sir. And if we could again see --
17 thank you.

18 BY MR. KERCHER:

19 **Q.** The next question reads [as read:]

12:04:16 20 QUESTION: Then what if California, New York, Illinois
21 and other blue states --

22 Then the rest of the question is inaudible.

23 President Trump responds [as read:] Yeah, well,
24 that's okay, too. But five, I think we get five. And

12:04:29 25 there could be some other states. We're going to get

1 another three or four or five in addition. Texas would be
2 the biggest one and that will be five.

3 Do you see that?

4 **A.** I do.

12:04:41

5 **Q.** You can see that the next question is largely
6 inaudible, but the president responds, and I can hear his
7 voice as I read it and I'm struggling not to do the
8 impression I do for my children.

12:04:56

9 The president responds [as read:] No. No. Just a
10 very simple redrawing. We pick up five seats. But we
11 have a couple of other states where we'll pick up seats
12 also.

13 Do you see that?

14 **A.** I do.

12:05:07

15 **Q.** Are you aware that in June, the middle of -- excuse
16 me -- in the middle of July, President Trump was publicly
17 calling on Texas to redraw its congressional map to get
18 five additional Republican districts?

19 **A.** Yes.

12:05:21

20 **Q.** Are you aware that at the same time President Trump
21 was actively talking about getting other states to redraw
22 their congressional districts also for additional
23 Republican advantage?

24 **A.** According to what you showed me, yes.

12:05:37

25 **Q.** Well, even if I hadn't showed you this, Dean Thompson,

1 were you aware that the President was talking about
2 getting other states to redistrict?

3 **A.** My -- I really wasn't paying that much attention. I
4 was focused on Texas.

12:05:52

5 **Q.** Are you aware that since these remarks the State of
6 Missouri has redistricted for partisan Republican
7 advantage?

8 **A.** I really do not have an opinion.

12:06:06

9 **Q.** If you thought it was true, you can see where he got
10 into a fight with Adam Kincaid about the nature of that
11 Missouri map.

12 Did you see that?

13 **A.** No. I didn't.

12:06:21

14 **Q.** Dean Thompson, you are not accusing anyone in the
15 House redistricting committee of being guided by the DOJ
16 letter, are you?

17 **A.** I think -- I think it worked -- well, they were guided
18 by the President. And the President and the DOJ follows
19 up with its letter to our state.

12:06:37

20 **Q.** So when you say they are guided by the President, you
21 are referring to the President's announcement that he
22 wanted five additional Republican seats out of Texas; is
23 that right?

24 **A.** Yes.

12:06:50

25 MR. KERCHER: Richard, would you please bring up

1 State Defendants' Exhibit 1289. That's August 1st,
2 page 87, line 11 through 88, line 4.

3 (Video played.)

4 REPRESENTATIVE HUNTER: And the Department of
5 Justice letter is a letter.
12:07:09

6 REPRESENTATIVE THOMPSON: Yes.

7 REPRESENTATIVE HUNTER: That's not guiding me.
8 I'm presenting a plan. And they can then review the plan.

9 REPRESENTATIVE THOMPSON: I get it.

10 REPRESENTATIVE HUNTER: And if they have -- they
11 believe that I've addressed issues, good. If they believe
12 I haven't, good. But whatever they've sent, I'm not
13 ignoring, I'm not accepting. I'm doing this plan.
12:07:17

14 So whatever their involvement is, they just sent a
15 letter, as far as I'm concerned.
12:07:37

16 REPRESENTATIVE THOMPSON: I'm not accusing anyone
17 of -- on the committee of being guided by the DOJ. But if
18 I recall, the governor called a special session to address
19 the flooding issue in Kerrville and the dead bodies that
20 were up there at that particular time as a result of July
21 the 4th.
12:07:55

22 Subsequently, there was an amended -- amendment to the
23 call. And I understand the Constitution gives him the
24 right -- only him the right to call a special session and
25 only him the right to set the agenda. And the call also
12:08:13

1 included redistricting; and it raised the issue, according
2 to the July 7th letter, that the Department of Justice
3 said that the maps of the 21 -- 2021 maps evidently used
4 racial in its drawings. We know that issue is also before
5 the courts and there has not been a resolution to that
6 lawsuit.

12:08:43

7 (Video concluded.)

8 BY MR. KERCHER:

9 **Q.** Dean Thompson, was this exchange between you and
10 Chairman Hunter scripted or staged?

12:08:55

11 **A.** No.

12 **Q.** Mr. Dunn asked you about an exchange between
13 Representative Katrina Pierson and Chairman Hunter, about
14 whether you thought that might have been scripted or
15 staged.

12:09:13

16 Do you remember that?

17 **A.** I certainly do.

18 **Q.** But you know sometimes that it happens in hearings or
19 on the floor, as members are trying to make a record for
20 or against a bill, that they will coordinate with other
21 members to make that record, right?

12:09:24

22 **A.** I know in presenting legislation, and if you are
23 working with a team of individuals, you do coordinate to
24 take maybe parts or presenting different aspects of
25 legislation pending before the House.

12:09:44

1 Q. And so, for example, when there is a floor debate,
2 there is what we call the back mic in the House, right,
3 where members can question the bill author, for example,
4 about the bill, right?

12:09:56

5 A. Right.

6 Q. And sometimes folks who are opposed to a bill that's
7 being debated will coordinate amongst themselves about who
8 is going to ask what kinds of questions of the author,
9 right?

12:10:07

10 A. Right.

11 Q. And, similarly, those who support the legislation will
12 coordinate to ask -- to figure out who is going to ask
13 what kinds of questions to the bill author, right?

14 A. Right.

12:10:18

15 Q. So, for example, if you recall in the 2021 legislative
16 session, which is the 87th Regular, there was a bill
17 S.B. 315 that raised the minimum age to work in
18 sexually-oriented businesses.

19 Do you recall that bill?

12:10:35

20 A. No.

21 Q. You were a sponsor of that bill in the House, no?

22 A. That doesn't mean I recall it right now.

23 Q. And I'm not picking on you. I'm just trying to
24 refresh your recollection.

12:10:44

25 A. Okay.

1 Q. Do you understand -- do you recall being a sponsor of
2 a bill that raised minimum age to work in strip clubs from
3 18 to 21?

4 A. I do. But I didn't recall the number of the bill.

12:10:55

5 Q. That's fair.

6 I bet if we were to go back and look at the
7 legislative debate of that bill, we would see some
8 softballs being lodged from the back mic to the bill
9 author, to the bill proponent, in order to make a record
10 to ensure that there was a good reason to pass that bill,
11 right?

12:11:09

12 A. Right.

13 Q. And I'll tell you why I know that, because I was in
14 charge of defending that bill against a First Amendment
15 challenge.

12:11:18

16 You were the House sponsor for that bill, right?

17 A. I was.

18 Q. Alongside Chairman Hunter, right?

19 A. I don't know who. I don't know who else was
20 participating.

12:11:27

21 Q. Do you recall that Chairman Huffman was the Senate
22 author of the bill?

23 A. Oh, yeah. I thought you said Hunter.

24 Q. Well, in the House you and Chairman Hunter were
25 cosponsors.

12:11:37

1 Do you recall that?

2 **A.** I don't remember the co-sponsors.

3 **Q.** That's fair. You've probably had a lot of
4 co-sponsors.

12:12:00

5 In 2021, when Chair Hunter was chairing the
6 redistricting committee, you knew that he had retained
7 outside counsel to help him in that capacity, right?

8 **A.** He told us. He announced it to the entire committee.

12:12:16

9 **Q.** And you recall that the name of the law firm he
10 retained was Butler Snow?

11 **A.** I don't recall the names.

12 **Q.** And, of course, it was Chair Vasut who lead the
13 redistricting committee in 2025, right?

14 **A.** Yes.

12:12:29

15 **Q.** And did you know that he also hired Butler Snow for
16 his counsel in that process?

17 **A.** I think sometime in the course of our hearing that
18 question may have been asked, and I think that was the
19 answer he gave.

12:12:43

20 **Q.** Did you have any misgivings or concerns about the fact
21 that the chair of the House redistricting committee hired
22 outside counsel?

23 **A.** They always hire outside counsel.

12:13:03

24 **Q.** During the 2025 redistricting session, did you reach
25 out to the Office of the Attorney General to get any legal

1 counsel?

2 **A.** No.

3 **Q.** What about in 2021?

4 **A.** No.

12:13:12 5 **Q.** Did you hire separate counsel to get legal advice
6 about redistricting in the 2025 redistricting session?

7 **A.** Why would I want it?

8 **Q.** I'm sorry?

9 **A.** Why would I want it?

12:13:23 10 **Q.** Oh, I'm not accusing. I'm just asking whether.

11 **A.** On making \$13.56 a day, you think I can hire somebody
12 to come out and represent me?

13 **Q.** Did you move in the redistricting committee to hire
14 counsel to represent the entire committee?

12:13:37 15 **A.** I don't recall whether we did or not, but -- I really
16 don't recall that.

17 **Q.** At some point during the 2025 debate about the new
18 redistricting map, you objected to the way that CD 9 was
19 drawn in the new map.

12:14:10 20 Do you remember that?

21 **A.** I did. And I object to it to this day.

22 **Q.** And I think the transcript shows that you said that at
23 least part of your objection was that it's going to elect,
24 and I'm quoting here, a Republican, not a Black.

12:14:27 25 Do you remember saying that?

1 **A.** I don't. But it's the truth.

2 **Q.** Do you remember that Representative Pierson objected
3 to the way that you described the difference between a
4 Republican and, as you put it, a Black?

12:14:40

5 **A.** I do not.

6 MR. KERCHER: Richard, could you please bring up
7 State Defendants' Exhibit 1289, which is from the
8 August 1st House committee transcript, page 825, line 7 to
9 page 826, line 17.

12:15:03

10 (Video played.)

11 REPRESENTATIVE THOMPSON: -- 9 being a
12 district -- being a district for minorities. Because the
13 way 9 is configured and the error that went in, it's
14 going to elect a Republican, not a Black as previously
15 said.

12:15:14

16 And I -- I live in 18 and I object to the new one. It
17 is "packing" in 18.

18 CHAIRPERSON VASUT: Understood, Dean.

19 Representative Barbara Gervin-Hawkins.

12:15:22

20 REPRESENTATIVE PIERSON: I need to respond to the
21 inquiry, since I mentioned that.

22 CHAIRPERSON VASUT: Dean Thompson, goose gander.
23 And, Representative Pierson, you are entitled to a brief
24 -- brief response.

12:15:34

25 REPRESENTATIVE PIERSON: I just wanted to also

1 state that just because you are a Republican doesn't mean
2 you won't be Black if you are elected. That's all.

3 REPRESENTATIVE THOMPSON: I didn't hear.

4 REPRESENTATIVE PIERSON: Okay. So just because
12:15:42 5 you're Republican doesn't mean you won't be Black if you
6 are elected.

7 REPRESENTATIVE THOMPSON: I won't be Black?

8 REPRESENTATIVE PIERSON: The Republican. You
9 said the district is going to elect a Republican. And you
10 said, therefore, not a Black. And I'm just saying you
11 could be Black and...

12 REPRESENTATIVE THOMPSON: I apologize. I meant
13 to say it's not a Democratic district. It's a --

14 REPRESENTATIVE PIERSON: Thank you.

12:15:57 15 (Video concluded.)

16 BY MR. KERCHER:

17 **Q.** So according to that exchange, your objection to the
18 way that CD 9 was drawn under the 2025 plan is because it
19 would not elect a Democrat. Is that true?

12:16:07 20 **A.** Because it had previously been a Democratic district
21 and it was taken from Democrats.

22 **Q.** Some of the work that you did in the 2021 legislative
23 session on redistricting involved you working both with
24 Representative Green, with Congressman Green, and with the
12:16:41 25 late Congresswoman Sheila Jackson Lee; is that right?

1 **A.** Yes.

2 **Q.** And your office coordinated Congressman Green and
3 Congressman Jackson Lee, and then worked with then
4 Chairman Hunter to make sure that those two congressional
5 members were not paired in the map that got drawn in '21,
6 right?

12:16:58

7 **A.** We worked on some amendments. He never told us he was
8 going to -- not to see that those were not paired, but he
9 did work -- he did work with us and he was concerned about
10 it. He was -- he was familiar with our concerns, and he
11 was helpful.

12:17:19

12 **Q.** Is it right to say that you worked closely with
13 Congressman Green during the 2021 redistricting session?

14 **A.** Yes.

12:17:32

15 **Q.** And he understands how redistricting works generally
16 from that experience with you in the Texas Legislature.
17 Fair to say?

18 **A.** I think he had experience before that time, yes.

12:17:49

19 MR. KERCHER: Richard, could you please bring up
20 State Defendants' Exhibit 1284 from the July 28th Senate
21 committee, page 36, line 5 through page 37, line 7.

22 THE WITNESS: Could I have a drink of water?

23 JUDGE SMITH: This one is unopened. You may have
24 it.

12:18:25

25 THE WITNESS: Thank you, Your Honor.

1 MR. KERCHER: Thank you.

2 (Video played.)

3 REPRESENTATIVE GREEN: Well, we've had positive
4 outcomes, but it was when Section 2 and Section 5 of the
12:18:34 5 Voting Rights Act, when they had more strength than they
6 have now. The Voting Rights Act is being chipped away,
7 and the only thing left for us now is Section 2. And
8 we're not going to win under Section 2 unless we show that
9 this act by the State of Texas, if it doesn't, and I pray
12:18:50 10 that it won't, I take no delight in saying what I say, but
11 if we don't say that this is racial, if we don't indicate
12 that, we're not going to get to Section 2 and we can't
13 win.

14 And people are very smart. They understand that if
12:19:02 15 they say that this is just politics, this is partisan
16 politics, or this is a power grab, they understand now
17 that the law has devolved to the point where you can say
18 that, and then I've got to prove, no, that's not what your
19 intent was. And that is almost impossible.

12:19:20 20 So let's not have the State of Texas do what the
21 President is asking and that is something that's
22 unconstitutional.

23 (Video concluded.)

24 BY MR. KERCHER:

12:19:30 25 Q. Were you familiar with Congressman Green's remarks in

1 that Senate hearing?

2 **A.** No.

3 **Q.** Finally, you talked with Mr. Dunn about the late
4 Barbara Jordan, correct?

12:19:43

5 **A.** Yes.

6 **Q.** Of course, she is a great and historic figure in
7 Texas, right?

8 **A.** She was.

12:19:55

9 **Q.** Well, the reason I guess I say "is" is because her
10 legacy continues, right?

11 **A.** It does.

12 **Q.** Would it surprise you to learn -- she was your friend.
13 I learned about her in my Texas public school education.
14 Does that surprise you?

12:20:06

15 **A.** No.

16 **Q.** So even though she was from Houston and vigorously
17 represented that area, her legacy belongs to the whole
18 state. Fair to say?

19 **A.** Yes.

12:20:17

20 **Q.** Would it surprise you to learn that my children know
21 about Barbara Jordan, not just because of their public
22 school curriculum, but also because of the statue of her
23 in the Austin-Bergstrom International Airport?

24 **A.** No.

12:20:31

25 **Q.** You have seen that statue, right?

1 **A.** Yes.

2 **Q.** It's quite majestic. She's seated kind of like the
3 Lincoln Memorial?

12:20:43

4 **A.** I don't know how she is seated, but I have seen the
5 statue.

6 **Q.** All right. Dean Thompson, thanks for coming all the
7 way out here, and thanks for putting up with my questions.
8 We appreciate your service.

12:20:52

9 JUDGE GUADERRAMA: Thank you, Mr. Kercher.
10 Mr. Dunn.

11 MR. DUNN: Just a few.

12 JUDGE GUADERRAMA: Yes, sir.

13 **REDIRECT EXAMINATION**

14 BY MR. DUNN:

12:20:58

15 **Q.** Hello again, Dean Thompson. You were asked some
16 questions about the public hearings and all the testimony
17 that the committee took the time to receive.

18 Do you recall that generally?

19 **A.** I do.

12:21:07

20 **Q.** What is your opinion on whether or not the map that
21 passed reflects the views of the public who took the time
22 to come and stand in line and talk for precisely two
23 minutes and express their views?

12:21:25

24 **A.** It does not reflect the views of the public and the
25 testimony that -- the testimony from the public that I

1 heard.

2 **Q.** You were shown the introductory part of Chairman
3 Hunter's layout. And counsel referenced that yesterday we
4 played in court the rest of that layout, where Chairman
5 Hunter talks about individual districts and describes them
6 in their racial terms.

12:21:41

7 Do you remember that generally?

8 **A.** Yes.

9 **Q.** Did anybody ask him a question --

12:21:49

10 **A.** I don't know.

11 **Q.** -- at that stage?

12 **A.** I don't -- I don't recall whether a question was asked
13 of him at that stage.

14 **Q.** Because counsel intimated that it wouldn't be out of
15 the ordinary for a member of the legislature to ask the
16 chair of the bill on redistricting what the racial makeup
17 of the districts were.

12:21:58

18 Do you remember that?

19 **A.** Yes, I do.

12:22:08

20 What normally happens is, when a person is laying out
21 their bill, you give them the courtesy of not interrupting
22 them. And usually when that happens, if they are
23 interrupted, people will ask: Would you allow me to
24 continue to lay out my bill.

12:22:23

25 **Q.** And in a normal bill layout, as somebody who has been

1 there as long as anybody except one, it sounds like, do
2 you prepare for your layout?

3 **A.** You do.

4 **Q.** Are you careful about preparing your remarks?

12:22:36

5 **A.** You are.

6 **Q.** Do you have a reason for everything you say?

7 **A.** Yes.

8 **Q.** You were also asked some questions about depositions
9 that were taken in this case of Chairman Hunter.

12:22:47

10 Do you recall that generally?

11 **A.** Yes.

12 **Q.** Are you aware that Chairman Hunter invoked legislative
13 privilege?

14 **A.** No.

12:22:55

15 **Q.** Now, you also were shown an exchange between you and
16 Representative Pierson talking about the election of an
17 African American to represent districts.

18 Do you recall that?

19 **A.** I do.

12:23:11

20 **Q.** What are the types of candidates that the African
21 American community in CD 9 and CD 18 support?

22 **A.** Democrats.

23 **Q.** Is that why you reference one of the districts not
24 being made to elect a Democrat makes a difference?

12:23:26

25 **A.** It is.

1 Q. Why is that? Why is it you are focused on CD 9
2 electing a Democrat with respect to the voters there?

3 A. Because it previously has been a Democratic district
4 and it represents the persons, the interests in those
5 areas in CD 9.

12:23:44

6 Q. And to just be crystal clear, what kind of candidates
7 do the Black citizens in CD 9 prefer?

8 A. African Americans.

9 Q. And what kind of partisan candidates do they prefer?

12:24:00

10 A. Democrats.

11 Q. Thank you, Dean.

12 JUDGE GUADERRAMA: Mr. Fox -- sorry --

13 Mr. Bledsoe.

14 MR. BLEDSOE: Thank you, Your Honor.

12:24:08

15 **CROSS-EXAMINATION**

16 BY MR. BLEDSOE:

17 Q. Madam Chair Thompson, Ms. T, I've got a few questions
18 for you there. And thank you so much for all you have
19 done and continue to do in the legislature.

12:24:25

20 First of all, I want to talk about one of those maybe
21 sensitive topics that you have talked about so far today
22 and that is the issue of intentional discrimination.

23 And I think you said in one of the shots that was
24 shown on the screen that you don't -- you are not in the
25 business of reading people's minds. But it is true that

12:24:49

1 you can look at the product or the evidence of what
2 someone does to determine whether or not it results in
3 discrimination.

4 Would you agree with me?

12:25:08 5 **A.** Yeah. Opportunity to examine things and be able to
6 make an opinion of that.

7 **Q.** Uh-huh.

8 And, in fact, earlier in your testimony you complained
9 about the packing of Black voters and combining of 9 and
10 18 into one district; is that right?

11 **A.** Yes. Yes.

12 **Q.** And is that an example of discrimination?

13 **A.** I think it is.

14 **Q.** And in the 9th Congressional District, I think you
15 testified earlier that the 9th had been electing an
16 African American candidate of choice since 2007 or so or
17 '05 with Congressman Green?

18 **A.** Yes.

19 **Q.** Okay. And so was that an African American opportunity
12:25:57 20 district?

21 **A.** It was.

22 **Q.** Was it discrimination to eliminate that district?

23 **A.** I think so.

24 **Q.** And in CD 29, Latino citizens have been able to elect
12:26:13 25 their candidate of choice without the aid of or without

1 the need to join in coalition with any other voters; isn't
2 that correct?

12:26:29

3 **A.** They have had a problem in 29 for a long time. And
4 then recently they were able to elect a candidate of their
5 choice.

6 **Q.** But they have, in the last few years, Sylvia Garcia
7 has been winning based on the Hispanic vote?

8 **A.** Yes. Yes.

12:26:45

9 **Q.** In fact, in the 2021 session, Ms. T, isn't it true
10 that you were approached by that group of congresspersons
11 and you put together a bill, C2131, that was the bill that
12 you thought should be adopted that would lead to what 9,
13 18, and 29 should look like.

12:27:13

14 You had C2131 that was actually on the agenda at the
15 2021 hearing when you were on the redistricting committee,
16 do you remember that, when Congressman Green showed up?

17 **MR. KERCHER:** Objection, Your Honor. We're not
18 going to object to Mr. Bledsoe doing a redirect even
19 though he didn't direct, but we do object to the leading
20 nature of his questions.

12:27:26

21 **JUDGE GUADERRAMA:** Sustained.

22 **MR. BLEDSOE:** Thank you.

23 **BY MR. BLEDSOE:**

24 **Q.** Do you remember if you were able to get C2131 passed?

12:27:36

25 **A.** Yes.

1 Q. Okay. Well, not 2131. That was not the one that was
2 passed.

3 Let me ask you this: The bill that you were
4 approached that ultimately ended up being passed, was that
5 a bill that was a compromise that led to movement from
6 voters from the 7th to the 18th and back?

7 A. Yes.

8 Q. Okay. And, in fact, that you had talked to
9 Congressman Green during that time period and you -- were
10 you aware that Meyerland had been removed from his
11 district?

12 A. Yes.

13 Q. Were you aware that the international community had
14 been moved from his district?

15 A. I know that sort of parts of his district had been
16 removed, but I could not identify -- I could not identify
17 or do I recall those in -- some of those entities that you
18 are asking me about.

19 Q. Were you -- were you aware that 30 percent of his
20 voters were moved to the 7th Congressional District?

21 A. I don't recall that, Mr. Bledsoe. I apologize. I
22 just don't recall it.

23 Q. Okay. But the bill that you -- and were you aware
24 that Brazoria County had been added to his district when
25 it hadn't previously been there?

1 **A.** I was aware. I was aware of that, yes.

2 **Q.** Were you aware that high turnout precincts dominated
3 by White voters had been added to his district?

4 **A.** Yes. I was aware of that.

12:29:22

5 **Q.** And indeed the -- were there areas from the 18th that
6 had been moved to the 9th that were in that proposed plan
7 C2193?

8 **A.** Yes.

12:29:44

9 **Q.** Okay. And none of those things were changed by the
10 amendment, correct?

11 **A.** No.

12 **Q.** Okay. And so based on that, do you agree that it's
13 appropriate for Congressman Green or Congresswoman Jackson
14 Lee to think that there was discrimination?

12:30:03

15 **A.** Yes.

16 **Q.** Now, it's important, is it not, that the -- and you
17 were -- you were asked about Missouri. And are you aware
18 that the seat that was taken in Missouri was another
19 African American seat?

12:30:28

20 **A.** Yes.

21 **Q.** And do you think that is significant in terms of what
22 happened in Texas?

23 **A.** Yes.

24 **Q.** What does it suggest to you?

12:30:40

25 **A.** It suggests to me that those persons who had a voice

1 would no longer have one.

2 **Q.** The -- and the -- in fact, as you know, I have
3 commented to you before, how masterful your work was in
4 getting that amendment passed at the legislature.

12:31:08

5 But would you tell the Court, isn't it true that one
6 of the things that was so unusual, I think Congresswoman
7 Jasmine Crockett talked about this, is that some of the
8 members who voted in favor of that amendment, quite a few
9 of them, ended up changing their vote after the vote.

12:31:28

10 Do you remember that?

11 **A.** I remember the amendment to my amendment being about
12 100-and-some-odd votes. And the amendment as amended
13 being 119 or 120 votes going into the main bill of Todd
14 Hunter's.

12:31:48

15 **Q.** Thank you.

16 And the -- so does this bill harm African American
17 voters?

18 **A.** The 2025?

19 **Q.** Yes.

12:32:01

20 **A.** It does. It does. It harms them. Yes.

21 **Q.** And do you think it's discriminatory?

22 **A.** Yes.

23 MR. BLEDSOE: Thank you. Pass the witness, Your
24 Honor.

12:32:11

25 JUDGE GUADERRAMA: Thank you, Mr. Bledsoe.

1 Mr. Fox, did you have anything?

2 MR. FOX: No, Your Honor.

3 THE COURT: Mr. Kercher?

4 MR. KERCHER: Nothing further from the State

12:32:18 5 Defendants, Your Honor.

6 May this witness be excused?

7 JUDGE GUADERRAMA: Mr. Dunn?

8 MR. DUNN: Yes.

9 JUDGE GUADERRAMA: Mr. Fox?

12:32:25 10 MR. FOX: Yes.

11 JUDGE GUADERRAMA: Mr. Bledsoe?

12 MR. BLEDSOE: Yes.

13 JUDGE GUADERRAMA: Dean Thompson, thanks so much
14 for coming in and being with us this morning. You are
15 excused and free to go, ma'am.

16 THE WITNESS: Judge, it's good to see you.

17 JUDGE GUADERRAMA: Who's your next witness?

18 MS. COHAN: Your Honors, plaintiff Texas NAACP
19 are calling Tiffinni Young.

12:32:45 20 JUDGE GUADERRAMA: Tiffinni?

21 MS. NWACHUKWU: Tiffinni, T-i-f-f-i-n-n-i, Young.

22 JUDGE GUADERRAMA: Young.

23 Ms. Young, come on up, please.

24 Good afternoon, Ms. Young. If you'd raise your right

12:34:06 25 hand to receive the oath.

1 Do you solemnly swear or affirm the testimony that you
2 will give in this proceeding will be the truth, the whole
3 truth, and nothing but the truth so help you God?

4 THE WITNESS: Yes, sir.

12:34:14 5 JUDGE GUADERRAMA: Thank you, ma'am.

6 Have a seat in that chair, please. And if you'll roll
7 into the microphone, lean into it a little, we'll be able
8 to hear you.

9 THE WITNESS: Yes, sir. Hello. Can you hear me?
10 Testing.

11 MS. NWACHUKWU: Again, Jennifer Nwachukwu on
12 behalf of plaintiff Texas NAACP.

13 **TIFFINNI A. YOUNG,**
14 having been first duly sworn, testified as follows:

12:34:33 15 **DIRECT EXAMINATION**

16 BY MS. NWACHUKWU:

17 **Q.** Ms. Young, can you state your name for the record?

18 **A.** Tiffinni A. Young.

19 **Q.** What race do you identify as?

12:34:45 20 **A.** Black, African American.

21 **Q.** Now, without sharing your address, can you tell the
22 Court what city and county you live in?

23 **A.** The city of Dallas, located in Dallas County.

24 **Q.** And, again, without sharing your address, how long
12:35:01 25 have you lived at your current home?

1 **A.** Most of my life, minus moving out of the state for
2 college and moving out of the state for law school.

3 **Q.** So is it fair to say then that you have lived in the
4 city of Dallas for the majority of your life?

12:35:20 5 **A.** Yes.

6 **Q.** Have you lived anywhere else in Dallas County?

7 **A.** Yes.

8 **Q.** And where are those places?

9 **A.** So I lived in downtown Dallas for a couple of years
10 and also lived kind of still in southeast Dallas, which is
11 where I reside now, but in a neighborhood called Buckner
12 Terrace. Not too far from where I live now.

13 **Q.** Just to be clear for the record, that's with respect
14 to the city of Dallas, not the county of Dallas?

12:35:52 15 **A.** Yes. That's the city of Dallas. And then also in the
16 county of Dallas, when I moved back home from college, I
17 lived in the city of Mesquite for a couple of years.

18 **Q.** And approximately when was that?

19 **A.** I want to say maybe -- I graduated from college in
12:36:09 20 2000. So maybe about 2001. I don't remember the years
21 exactly, but maybe like 2001 is when I moved to Mesquite,
22 Texas.

23 **Q.** Now, Ms. Young, are you a registered voter at your
24 current address?

12:36:22 25 **A.** Yes.

1 Q. Do you regularly vote in state and federal elections?

2 A. Yes.

3 Q. And do you plan to vote in future state and federal
4 elections?

12:36:32

5 A. Yes.

6 Q. Can you briefly describe your educational background
7 for the Court?

12:36:46

8 A. Sure. I did my undergraduate studies in political
9 science in Florida. Agricultural and Mechanical
10 University in Tallahassee, Florida. And then attended law
11 school at the University of Arkansas School of Law. And
12 did my last year of law school as a visiting student back
13 home in Fort Worth. It was then known as Texas Wesleyan's
14 law school. Now it's Texas A&M law school.

12:37:07

15 Q. And just for the record, when you moved back to the
16 state of Texas for your last year of law school as a
17 visiting student, what year was that?

18 A. 2006 to 2007 school year, academic year.

19 Q. Now, Ms. Young, have you ever held political office?

12:37:23

20 A. Yes.

21 Q. What offices?

22 A. I was elected to the Dallas City Council in 2015 and
23 served one term, 2015 to 2017.

24 Q. What area of Dallas did you represent as a city
25 councilwoman?

12:37:40

1 **A.** Primarily southeast Dallas, far east Dallas.
2 District 7 was the district, the formal district number.
3 But southeast Dallas, far east Dallas, South Avenue in
4 South Dallas proper, Fair Park where State Fair of Texas
5 is. And then an area known as Joppee.

12:38:02

6 **Q.** Did you campaign when you ran for city council?

7 **A.** Absolutely.

8 **Q.** What ways did you campaign for that office?

9 **A.** You name it. I did door knocking to meet voters,

12:38:22

10 phone calls, went to community meetings, neighborhood
11 association meetings, showed up to the schools, to the
12 churches to meet the community, as well as text messages
13 and emails to send out to the voters, and mailings.

14 **Q.** Now, through your campaign efforts did you learn about
15 the character of the community in District 7?

12:38:45

16 **A.** Yes.

17 **Q.** Was the city council seat that you held a partisan
18 role?

19 **A.** It was nonpartisan.

12:39:00

20 **Q.** When you were on the city council, did you ever do
21 work in other parts of the city of Dallas?

22 **A.** So I did have an opportunity to learn other parts of
23 the city while I was on the council.

24 **Q.** And how did you learn about other parts of the city?

12:39:17

25 **A.** So as a member of the council, we are single-member

1 districts. But we are voting on issues that affect the
2 entire city and issues that, you know, were present in
3 other parts of the district. So I made sure -- it was my
4 due diligence to go out with my colleagues to some of
5 their community meetings, to learn about issues in all of
6 the parts of the city, go on bus tours with other council
7 members to, you know, learn what the fabric of each of
8 those communities were because their constituents are
9 coming down to City Hall to talk about the issues. So I
10 wanted to make sure I was educating myself and getting out
11 to really meet neighbors in other parts of the city.

12 **Q.** Now, aside from your role as a city council member,
13 have you held any other public offices?

14 **A.** Yes.

15 **Q.** And what other public offices have you held?

16 **A.** So I was -- prior to serving as a council member, I
17 was appointed by two different council members to serve on
18 the City of Dallas Park and Recreation Board.

19 And then after I completed my service as a council
20 member, a couple of years ago I was appointed by a council
21 member to serve on the City of Dallas Bond Task Force.

22 **Q.** So let's start with the City of Dallas park board.
23 Can you briefly explain to the Court what the park board
24 is?

25 **A.** Sure. The park board is a quasi-judicial board

1 comprised of 14 members appointed each by a council
2 member. One chair that's appointed by the mayor. And we
3 basically have the purview to hire and fire the park and
4 recreation department director, as well as setting the
5 policies for the park and recreation department for the
6 City of Dallas.

12:41:11

7 **Q.** When were you on the park board?

8 **A.** So I served twice. The first time was approximately
9 2007 to the end of 2008. And then served -- that was for
10 one district. And then served for another district
11 from -- it was in 2012, maybe mid-2012 to the end of 2014.

12:41:30

12 **Q.** Now, you mentioned that you were on the park board
13 twice. What geographic area or district did you cover in
14 your first term on the park board?

12:41:52

15 **A.** Yeah. So the first term I represented District 4,
16 which is an area known as Oak Cliff.

17 **Q.** And when you say District 4 for the park board, is
18 that also the same district number and area as the City of
19 Dallas City Council?

12:42:15

20 **A.** Yes. District 4 correlates to the council district,
21 yes.

22 **Q.** And can you also tell the Court about the other
23 district that you represented while you were on the park
24 board?

12:42:26

25 **A.** And so the second time that I served, it was

1 representing District 7, which is also the council
2 district that I represented as a council member.

3 **Q.** Can you explain to the Court what kind of work that
4 you did as a board member?

12:42:41

5 **A.** Sure. As a park board member you are, one, an
6 advocate for the community. So making sure I'm keeping
7 the community abreast of any issues, if there was -- were
8 needs.

12:43:00

9 In the park and recreation department the community
10 would also convey those needs to me. So attending
11 community meetings to keep them abreast of what was
12 happening in the department, as well as kind of keeping up
13 with what was going on, not only across the country, but
14 in communities near the city of Dallas so that we
15 were -- that I was doing my due diligence as I was looking
16 to set policy, kind of knowing what the norms were and
17 what other places were doing.

12:43:19

18 And then again, you know, going into the other council
19 districts for ribbon cuttings and community events as
20 well.

12:43:37

21 **Q.** And so in your role as a board member, you also had
22 the opportunity to engage in activities in other areas
23 outside of the areas that you represented?

24 **A.** Yes. On a pretty regular basis.

12:43:55

25 **Q.** Now, you also mentioned the City of Dallas Bond Task

1 Force. Can you explain to the Court briefly what that is?

2 **A.** Sure. So in 2023, the City of Dallas called for a
3 bond election. And the voters -- well, the voters will
4 vote to approve or not approve the City of Dallas issuing
12:44:20 5 bonds for capital improvement projects or different
6 projects around the city.

7 And, again, each council member appoints one person to
8 represent that particular council district. The mayor
9 appoints the chair. And so I represented Council
12:44:39 10 District 7 on the Bond Task Force.

11 And we then kind of go around and do bus tours to the
12 different projects, to the different districts, to, you
13 know, see them in person and kind of get briefings to
14 learn what that would look like.

12:44:56 15 And then we make a recommendation on the different
16 projects to the council members, and they approve the bond
17 to go to the voters.

18 **Q.** And just for the record, when were you on the Bond
19 Task Force?

12:45:08 20 **A.** In 2023.

21 **Q.** And as a member of the task force, can you just
22 briefly explain the geographic areas that your work
23 covered?

24 **A.** It was the entire city of Dallas. Again, I
12:45:22 25 represented Council District 7; but we were looking at

1 bond projects all across the city, street improvements,
2 capital, you know, infrastructure projects, new buildings,
3 rec centers projects. So we were looking at projects
4 across the entire city of Dallas.

12:45:44

5 **Q.** And just going back for a moment to our discussion
6 about the park board, was that an elected role or is it an
7 appointment?

8 **A.** Appointed.

9 **Q.** Now, have you held any other public service roles?

12:46:02

10 **A.** Yes. I currently serve and have served as the
11 precinct chair, the elected precinct chair from our
12 precinct, which is 1089, for the last four to five years
13 now.

14 **Q.** Now that we've talked about your public service, let's
15 transition now and talk about your professional work.

12:46:21

16 So, Ms. Young, what do you do for a living?

17 **A.** So currently I have a company called TAY Strategies,
18 LLC. And I do non-profit consulting primarily and
19 community engagement work.

12:46:41

20 **Q.** When did you start TAY Strategies?

21 **A.** In 2019.

22 **Q.** What geographic areas does your consulting firm cover?

23 **A.** Yeah. So I have done work outside the state of Texas
24 and inside the state of Texas. I have worked across the
25 Dallas-Fort Worth Metroplex, as well as across the state

12:47:04

1 of Texas. But certainly across the Dallas-Fort Worth
2 Metroplex.

3 **Q.** And when you say the Dallas-Fort Worth Metroplex, are
4 you referring to Dallas and Tarrant Counties?

12:47:22

5 **A.** So, yes, Dallas and Tarrant Counties. I have done
6 some work in Ellis County as well.

7 **Q.** So now I'd like to talk about your civic engagement
8 efforts.

9 Do you belong to any civic organizations?

12:47:38

10 **A.** Yes.

11 **Q.** Which ones are you a part of?

12 **A.** One second. Sorry.

13 I am a member of the -- I call it FAMU, my University
14 of Florida A&M college family. I call it FAMU for short.

12:47:58

15 I am part of the alumni association. I am a member of
16 Delta Sigma Theta Sorority, Incorporated. And I am a
17 member of the NAACP.

18 **Q.** So let's start with your participation as a member of
19 the FAMU Alumni Association.

12:48:18

20 Can you explain to the Court what that alumni
21 association is?

22 **A.** Sure. Once you graduate, you become a member of the
23 alumni association, or you can become a member. I'm

24 currently a lifetime member. I have lifetime membership

12:48:31

25 with the association nationally. We have local chapters

1 across the states. And we recruit students from our
2 particular area to attend the university. We give out
3 scholarships. And we do community service around the
4 area.

12:48:50

5 **Q.** And just for the record, your alumni association, what
6 geographic area does that cover?

7 **A.** So we are chartered as the Dallas-Fort Worth chapter.
8 And so we are in Tarrant County, Dallas County. We have
9 some members that go all the way down to like Tyler,

12:49:12

10 Texas. So it kind of stretches. We have members in other
11 surrounding counties of Dallas and Tarrant as well.

12 **Q.** And do you hold any leadership positions in this
13 group?

12:49:27

14 **A.** Yes. I'm currently serving as the vice president of
15 the chapter.

16 **Q.** Now, you also mentioned that you are a member of Delta
17 Sigma Theta Sorority, Incorporated.

18 What kind of work does the organization do?

12:49:42

19 **A.** Yeah. So we are a public service organization founded
20 in 1913, international. We have chapters internationally
21 and in the states. We primarily help the Black community
22 in the areas of like education, political awareness,
23 economic development, physical and mental health, and just
24 doing programs in the area, giving out scholarships, and
25 doing community service.

12:50:09

1 Q. Now, does Delta Sigma Theta Sorority, Incorporated,
2 have any local chapters?

3 A. Yes. There are chapters across the country.

4 Q. And are there also chapters in the state of Texas?

12:50:24

5 A. Yes.

6 Q. What chapter are you a member of?

7 A. I'm a member of the Dallas Alumnae Chapter.

8 Q. And for the Dallas Alumnae Chapter, what geographic
9 area of Texas does that cover?

12:50:37

10 A. Yes. We do work inside the entire area of Dallas
11 County only.

12 Q. And do you hold any leadership positions in your
13 sorority?

12:50:53

14 A. Yes. Currently I serve as the social action chair for
15 my Dallas Alumnae Chapter. And then I serve regionally as
16 the -- on the protocol committee. So there is a number of
17 states for our region.

18 Q. Now, you mentioned that you are the chair of the
19 social action committee.

12:51:11

20 Can you explain to the Court what that committee does?

21 A. Sure. So the social action committee really hits on
22 the political awareness area. And we do voter education,
23 voter engagement, just making sure that the community is
24 abreast of the issues, and just really work in those same

12:51:37

25 areas. Again, educational, economic development kind of

1 all goes into the social action.

2 **Q.** Now, you also mentioned that you are a member of the
3 NAACP. And by that do you also mean the Texas State
4 Conference of the NAACP?

12:51:57 5 **A.** Correct. Yes.

6 **Q.** And what local branch are you a member of?

7 **A.** I'm a member of the Dallas branch.

8 **Q.** And in terms of the Dallas branch, is that only the
9 city of Dallas or does that include Dallas County?

12:52:14 10 **A.** We do work in the city and around the county of
11 Dallas, yes.

12 **Q.** Ms. Young, are you familiar with the mission of the
13 NAACP -- excuse me -- the Texas NAACP?

14 **A.** Yes.

12:52:28 15 **Q.** And what do you understand some of the key components
16 of the mission to be?

17 **A.** Yes. NAACP is one of our oldest civil rights
18 organizations. So being a champion for civil rights;
19 being a champion for voting rights; making sure that the,
12:52:48 20 in particular, communities of color's access to the ballot
21 is protected; making sure that, in particular, communities
22 of color have an opportunity to select candidates for
23 office that reflect their interests.

24 I know it to be an organization that focuses on voter
12:53:13 25 protection and, like, legal redress and making sure that,

1 you know, voting rights are protected.

2 **Q.** Is the work of the Texas NAACP important to you?

3 **A.** Yes, it is.

4 **Q.** Why is that?

12:53:28

5 **A.** One, I think about my grandmother, who I still have
6 her NAACP card. So it's something that is entrenched in
7 me. I have been a member since I was in high school. We
8 had a chapter at my high school. It's important to me
9 because people poured into me, it's important to me to

12:53:51

10 make sure that I'm pouring back into people coming behind
11 me. So I'm still actively engaged with the organization
12 and making sure that I'm mentoring young people that, you
13 know, will continue to pave the way for the future as it
14 relates to civil rights; making sure that we still have an
15 organization that's on the ground, working day in and day
16 out, to protect our rights.

12:54:10

17 **Q.** You mentioned earlier that you have lifetime
18 membership in other civic organizations that you are a
19 part of.

12:54:22

20 Are you also a lifetime member of the Texas NAACP?

21 **A.** Yes. About three to four years ago I finally made it
22 and was able to purchase a single life membership. I get
23 a little teary-eyed thinking about my grandma; but, yes, I
24 was able to do that.

12:54:42

25 **Q.** Now, Ms. Young, have you been involved with the

1 NAACP's work related to voting?

2 **A.** Yes.

3 **Q.** And in what capacity?

12:55:00

4 **A.** I have worked to knock on doors. And I have worked to
5 call voters with the NAACP. I also have volunteered
6 previously with, like, election protection.

7 **Q.** Happy to give you a moment if you need it.

8 **A.** I'm fine.

12:55:18

9 **Q.** Okay. Now, you just talked about some of the work
10 that you have done with the Texas NAACP.

11 Why is this work important to you?

12:55:42

12 **A.** Again, it's important to make sure that not only mine,
13 but my community and others' civil rights are protected.
14 It's important to know that we're educating others because
15 everybody hasn't been blessed to have similar experiences
16 that I've been blessed to have. So making sure that, you
17 know, those rights are protected. And then that there are
18 those of us that are out there fighting the good fight
19 every day to make sure that that work continues to go
20 forward.

12:56:02

21 MS. NWACHUKWU: Your Honor, I have a series of
22 maps to show Ms. Young. Would you prefer that I start the
23 testimony on those maps at this stage?

12:56:18

24 JUDGE GUADERRAMA: Well, we'll be breaking in
25 five minutes. Can you go those five minutes or do you

1 want to wait till after lunch before you start the maps?

2 MS. NWACHUKWU: We can start with the first map.

3 I think we can finish that in five minutes.

4 JUDGE GUADERRAMA: Sure. All right.

12:56:29 5 BY MS. NWACHUKWU:

6 Q. So, Ms. Young, I want to talk to you now about your
7 congressional districts that you've lived in, and I want
8 to show you a set of maps.

9 This first map or series of maps is Texas NAACP PI
10 Exhibit 219, which we have already shared with opposing
11 counsel.

12 I would like to give you a copy of that. And I will
13 also make sure to show that to State's counsel before
14 approaching the bench.

12:57:35 15 MS. NWACHUKWU: Your Honor, may my co-counsel
16 approach the witness?

17 JUDGE GUADERRAMA: Yes, ma'am.

18 MS. NWACHUKWU: And I also provided a copy to the
19 State. Would Your Honors also like a copy of the exhibit?

12:57:47 20 JUDGE GUADERRAMA: If we're not going to see it
21 otherwise, that's probably a good idea.

22 MS. NWACHUKWU: May I approach, Your Honor?

23 JUDGE GUADERRAMA: Yes, ma'am.

24 Thank you.

12:58:16 25 BY MS. NWACHUKWU:

1 Q. Now, I want to show you the first map in Exhibit 219.

2 Ms. Young, what is this image?

3 A. U.S. Congressional Districts 113 through 117
4 Congresses from the years 2013 to 2022, Plan C2100.

12:58:48

5 Q. Now I want to turn your attention to the next map that
6 is in Exhibit 219, which is also on the screen for you.

7 And, Ms. Young, what image is on the screen?

12:59:14

8 A. Yes. This is just a blown-up image of the previous
9 map of -- blown-up image of the Dallas County portion of
10 the previous plan, C2100 map.

11 Q. Now, are you familiar with the area that is reflected
12 on this image?

13 A. Yes.

14 Q. And how are you familiar with it?

12:59:26

15 A. One, I live in that area. I have worked in and around
16 the area. And then I have friends and family that live in
17 the area, so I have visited around the area.

18 Q. Based on the image in front of you, what congressional
19 district did you live in under Plan C2100?

12:59:45

20 A. In Congressional District 30.

21 MS. NWACHUKWU: Your Honors, I have another map
22 that will have a series of questions. Is it appropriate
23 to pause the testimony at this stage?

24 JUDGE GUADERRAMA: Sure. We can do that.

01:00:07

25 So I'm looking at your exhibits that you have -- the

1 exhibit list you provided. It only goes to 218. This is
2 219. Do we need an updated exhibit list?

01:00:24

3 MS. NWACHUKWU: Yes, Your Honor. We will update
4 the exhibit list later this afternoon with the exhibits
5 that we will move into evidence at the end of Ms. Young's
6 testimony.

7 JUDGE GUADERRAMA: Okay.

8 MR. LOOMIS: And, Your Honor, we have been
9 provided a copy, so there is no issue there.

01:00:34

10 JUDGE GUADERRAMA: Of this?

11 MR. LOOMIS: Yes, Your Honor.

12 JUDGE GUADERRAMA: Okay. All right. So let's go
13 ahead and recess for lunch. It's going to be 1:00. Be
14 back at 2:00 -- oh, sorry. 2:15. Back at 2:15.

01:00:50

15 MR. VELEZ: All rise.

16 (Morning session adjourned at 1:00 p.m.)

17 Date: October 13, 2025

18 **COURT REPORTER'S CERTIFICATE**

19 *I, Laura Wells, certify that the foregoing is a*
20 *correct transcript from the record of proceedings in the*
21 *above-entitled matter.*

22 _____/s/ Laura Wells

23 *Laura Wells, CRR, RMR*

24

25