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**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

**LEAGUE OF UNITED LATIN
AMERICAN CITIZENS, et al.,
Plaintiffs,**

3:21-CV-00259-DCG-JES-JVB

v.

2:19 p.m. to 6:00 p.m.

**GREG ABBOTT, IN HIS OFFICIAL
CAPACITY AS GOVERNOR OF THE
STATE OF TEXAS, et al.,
Defendants.**

OCTOBER 3, 2025

**INJUNCTION HEARING
BEFORE THE HONORABLE DAVID C. GUADERRAMA
HONORABLE JERRY E. SMITH
AND HONORABLE JEFFREY V. BROWN
AFTERNOON SESSION, DAY 3 OF 9 DAYS**

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36 Proceedings reported by court reporter. Transcript
37 produced via computer-aided transcription.

13:59 1

PROCEEDINGS

2 JUDGE GUADERRAMA: The record should reflect Chairman
3 Hawkins on the witness stand.

4 Mr. Bledsoe, whenever you're ready.

5 MR. BLEDSOE: Thank you, Your Honor.

6 **REPRESENTATIVE BARBARA GERVIN-HAWKINS,**
7 previously duly sworn by the Court, was examined and testified
8 as follows:

9 **CONTINUED DIRECT EXAMINATION**

10 **BY MR. BLEDSOE:**

11 Q. I'm looking for Exhibit 39 here. Let me pull that up.
12 Okay. Madame Chair, you recall this document of minutes from
13 the Select Committee?

14 A. I do.

15 Q. Okay. And at the top, what does it indicate?

16 A. It says, "The House Committee on Congressional
17 Redistricting, Select 89th Legislative Session." It has the
18 date, August 18, 2025, at 5:00 p.m. The room number, E1030.

19 Q. Okay. And does the first paragraph have any indication
20 about what time the meeting started?

21 A. Yes. It says 5:02.

22 Q. Okay. And does the next page show whether or not you were
23 present at the meeting?

24 A. Correct.

25 Q. And this is the meeting where you found out about the

14:19 1 committee substitute and got voted on to substitute for 2308,
2 and you voted out to go to the House?

3 A. Correct.

4 Q. Okay. And is -- what does this indicate about the ending
5 time for that meeting?

6 A. At 5:48 p.m., on the motion of the chair and without
7 objection, the meeting was adjourned subject to the call of the
8 chair.

9 Q. So back to what we talked about earlier. Does that kind of
10 indicate 46 minutes for the whole meeting?

11 A. Yes, sir.

12 Q. Now, Madame Chair, so how much later was it? Was it the --
13 August 20th when the matter went to the House floor?

14 A. I believe so.

15 Q. Okay. And so the bill was pending for -- of the new map
16 was pending from 5--something that day, on the 18th, until the
17 matter was debated two days later?

18 A. Right, on the floor of the House, yes, sir.

19 Q. Okay. And the -- did you participate in the debate?

20 A. I did.

21 Q. Okay. And what was your reason and desire for
22 accomplishing in terms of participating in the debate on the
23 floor?

24 A. First of all, I was just appalled at the fact that we were
25 given, what, seven new additional districts added. And I

14:20 1 wanted to be clear and I needed my colleagues to be clear on
2 the fact that there is, we started with five, now it's 12
3 districts that had been changed, and we had minimum to no time
4 to really review and/or look at.

5 Q. So let's understand what you mean by that. So are you
6 saying there was more impact on minority districts in 2333 than
7 existed under 2308?

8 A. Correct.

9 Q. Okay. And so that was -- and so 2333 was the new map that
10 came in that Monday at 5:00?

11 A. Correct.

12 Q. Okay. And so you're saying there were -- how would you
13 describe the level of changes that were between 2308 and 2333?

14 A. If you had seven new districts, I felt it was substantial.

15 Q. Okay. And was there ever debate or discussion about those
16 additional changes?

17 A. During the committee, I did ask. I said, "What are you
18 talking about?" You know, when we were told that the new
19 districts were added. And I said, "There's been no time for
20 public comment. No time for public input. We haven't had an
21 opportunity to analyze the changes." So of great concern, I
22 was.

23 Q. Okay. And so did that make a difference to your
24 colleagues?

25 A. It did. I mean, everybody was shocked that we went from

14:22 1 five to 12. And then what did those changes look like?
2 Because people hadn't had time to really look at it very
3 closely.

4 Plus, the no-public-input was a concern for everybody.

5 Q. The --

6 MR. BLEDSOE: Mr. Dunn, could you play clip 1, please?

7 MR. DUNN: This is from Brooks Exhibit 316, page 111,
8 96 to 111, line 16.

9 (Video played.)

10 REPRESENTATIVE HUNTER: In committee. I get lots of
11 letters, been through lots of letters, in these redistrictings.
12 To me, there's a letter.

13 REPRESENTATIVE GERVIN-HAWKINS: So did you --

14 REPRESENTATIVE HUNTER: And the lawyers looked at it,
15 took it all into account, and then we came up with this plan
16 that said it met the threshold, it met the requirements, it met
17 the law. So --

18 (Video concluded.)

19 Q. (BY MR. BLEDSOE) All right. And is the Chair
20 acknowledging to you that the DOJ letter was considered in the
21 formation of a map?

22 A. During this exchange?

23 Q. Yes.

24 A. I don't recall directly. We had many conversations, so
25 this particular interaction I'm not sure, but ongoingly, he

14:24 1 kept saying the maps weren't and then finally he did admit they
2 were. I'm not exactly sure of the date.

3 Q. But in this dialogue, he's talking about whether the letter
4 was considered. Is that right?

5 A. Correct.

6 Q. Okay.

7 A. And that's why he was saying he read many letters. Again,
8 this has been the ongoing, "I don't know. I read many. I
9 don't understand. It wasn't the reason." And we knew that
10 wasn't true.

11 Q. You knew what wasn't true?

12 A. That the DOJ letter -- I knew it wasn't true that -- well,
13 I knew it was true that the letter prompted all of this. And
14 so, when he was saying he didn't know and, you know, he reads
15 many letters and this wasn't pertinent, then I knew that was a
16 lie.

17 MR. BLEDSOE: Clip 2, please, Mr. Dunn.

18 MR. DUNN: This is Brooks Exhibit 316, page 116,
19 line 24 to 117, line 17.

20 (Video played.)

21 REPRESENTATIVE GERVIN-HAWKINS: At several hearings
22 before the master. Would you agree with that?

23 REPRESENTATIVE HUNTER: Ma'am, you just said the map
24 was dropped, and then we heard it. The fact is, it was filed
25 that Wednesday. The hearing was Friday. Let's get the

14:25 1 specifics down. And I've answered everything to you in
2 committee that I'm answering here.

3 Tuesday, after the Arlington hearing, the chairman of
4 the committee asked me if I would present the bill to this
5 body, which I said, "Yes."

6 Number two, I did not see or get the information till
7 that Tuesday. And then on Wednesday we filed the bill.

8 REPRESENTATIVE GERVIN-HAWKINS: Representative Hunter,
9 let's be clear. There are public hearings held without any
10 maps. Is that true?

11 (Video concluded.)

12 MR. DUNN: Answer, "Yes."

13 Q. (BY MR. BLEDSOE) So what was the purpose of your
14 discussion with Chair Hunter in reference to the amount of
15 notice given to the public before the first hearing here?
16 You were complaining about two days' notice and whether it was
17 one day or two days, from Wednesday to Friday. Why were you
18 arguing -- not "arguing." Why were you debating with him about
19 that?

20 A. Because I think we, as legislators, owe the public. We
21 make major decisions that impact their lives and their
22 leadership. We need to -- the public to have an opportunity to
23 weigh in on it.

24 And so I wanted everybody to be clear that that
25 process did not happen. And that's been the big concern

14:27 1 throughout this process. It was not what I would call the
2 appropriate process to take when we're making such major policy
3 decisions.

4 Q. Did the Legislature engage in any special outreach to
5 notify the public about the existence of this new proposed map?

6 A. Not at all.

7 Q. Okay. Are you aware of any special mailers and copies of
8 it that were sent to the public?

9 A. I'm not aware of any at all.

10 Q. Okay. And so, with no special notice of any kind to the
11 public, they notified the public of a public hearing two days
12 later?

13 A. Correct.

14 Q. Okay. And would that be difficult for members of the
15 public to attend or prepare for, for one reason or another?

16 A. Definitely. You know, the State of Texas is a big state.
17 You're talking about some people traveling as much as
18 eight hours. You're also talking about, are people in tune to
19 what's happening on the different formats? So it was very
20 difficult.

21 And so that's why a proper notice is the appropriate
22 thing to do.

23 Q. Okay.

24 MR. BLEDSOE: Could we do clip 3, please.

25 MR. DUNN: Brooks Exhibit 316, page 119, line 9 to

14:28 1 120, line 3.

2 (Video played.)

3 REPRESENTATIVE GERVIN-HAWKINS: Okay. Now, did you
4 look at any racial discrimination during these maps in terms of
5 the gerrymandering and the way you-all cut and packed and
6 cracked and jacked and everything else?

7 REPRESENTATIVE HUNTER: You know, to respond to you,
8 every time somebody doesn't like redistricting they use the
9 word "pack" and "crack." I use the word "U.S. Supreme Court,"
10 "Rucho." And that's where the problem is -- I have with your
11 statement. I don't agree with you.

12 Number two, we didn't have to have public hearings.
13 You keep bringing that up. We didn't have to. The Chairman of
14 the committee decided, and we included information from those
15 hearings in the filed map.

16 So I appreciate that you keep saying that no map was
17 there, but when the map was filed, they -- we had that
18 plus-12-hour hearing and we voted that Saturday. So you're
19 correct on that.

20 (Video concluded.)

21 Q. (BY MR. BLEDSOE) So how did you take his attitude in
22 reference to minority concerns when he said that, "Anyone who
23 objects to a map just says 'packed' and 'cracked' every time
24 there's any map"? What did you think about it when he said
25 that?

14:30 1 A. Well, first of all, I thought it was offensive. The
2 reality is this. We're making decisions that impact people.
3 We owe it to the people to make sure they're well informed. So
4 when one of my colleagues are acting, like, cavalier about it,
5 like it wasn't important, and then with so many things
6 happening that I know was out of the bounds of how we should be
7 operating, it was concerning to me of how he acted. And I
8 thought it was totally inappropriate.

9 Q. Did you think his response indicated to you, one way or the
10 other, whether he probably took seriously the concerns of
11 minority legislators about the vote dilution that was being
12 discussed on the floor?

13 A. It was obvious he didn't take it serious. Not only not
14 because of what he said on the floor, but throughout this whole
15 process. Not engaging us in any meaningful or rich
16 conversations. It was just, "This is gonna happen, and we
17 don't care what you-all think."

18 Q. Okay.

19 MR. BLEDSOE: Number 4, please, Mr. Dunn.

20 MR. DUNN: Brooks Exhibit 316, page 121, line 10 to
21 121, line 19.

22 (Video played.)

23 REPRESENTATIVE GERVIN-HAWKINS: I'm talking to the
24 Representative here, please, sir.

25 My other question is, do you believe the State of

14:31 1 Texas is required to create and maintain Minority Opportunity
 2 Districts?

3 REPRESENTATIVE HUNTER: I think the State of Texas
 4 should use every effort to follow the Voting Rights Act, *Rucho*,
 5 *Pettaway*, and all the laws. And the law firm told me that they
 6 had.

7 (Video concluded.)

8 Q. (BY MR. BLEDSOE) So he discusses -- he mentions *Pettaway*
 9 case here that talks about coalition districts. So did that
 10 indicate that that was still being considered well into the
 11 process, that *Pettaway* was still part of the discussion,
 12 *Pettaway* that was mentioned in the DOJ letter?

13 A. I don't -- I've read a couple cases. What is the *Pettaway*
 14 based on?

15 Q. Yes. But he said here you need to comply with *Pettaway*.
 16 Did he not?

17 A. He did say that.

18 Q. Okay. And so he was saying that *Pettaway* was referred to,
 19 did he not, in determining what the map should look like?

20 A. I'm not clear on your question.

21 Q. Okay. Well, he referenced *Pettaway* as one of the cases he
 22 looked at, right?

23 A. He did.

24 Q. Okay. And did he directly answer your question about
 25 whether or not it's important to keep Minority Opportunity

14:32 1 Districts? Did he directly answer your question?

2 A. No, he didn't.

3 Q. Okay. He could have simply said, "Yes." Is that correct?

4 A. Correct.

5 Q. Okay. But he just gave you the explanation about following
6 the Voting Rights Act and *Rucho* and *Pettaway*?

7 A. Correct.

8 Q. Okay.

9 MR. BLEDSOE: Next. Number 5, please, Mr. Dunn.

10 MR. DUNN: This is Brooks Exhibit 316, page 125,
11 line 7 to 125, line 21.

12 (Video played.)

13 REPRESENTATIVE HUNTER: That was incorporated into
14 this bill.

15 REPRESENTATIVE GERVIN-HAWKINS: So we revised the maps
16 yesterday so the public has not had a chance to --

17 REPRESENTATIVE HUNTER: Well, no. It was on Monday.

18 REPRESENTATIVE GERVIN-HAWKINS: All right. Monday.
19 Whatever day you say. But the public hadn't had a chance to
20 look at it.

21 REPRESENTATIVE HUNTER: What -- I think everybody in
22 the world that knows how to use District Viewer, social media,
23 gets on the computers. They can see the map.

24 (Video concluded.)

25 Q. (BY MR. BLEDSOE) So Madame Chair, how do you assess his

14:34 1 answer about District Viewer being an adequate response to the
2 public having input on the map?

3 A. It was not adequate in the sense many people don't even
4 know what District Viewer is. Some people don't have access to
5 digital devices, and they wouldn't know how to access that.
6 That's why I felt it was so important we needed to do proper
7 notification and not just assume people was going to go to
8 District Viewer.

9 MR. BLEDSOE: Number 6, please, Mr. Dunn.

10 MR. DUNN: This is Brooks Exhibit 316, page 126,
11 line 6 to 128, line 7.

12 (Video played.)

13 REPRESENTATIVE GERVIN-HAWKINS: So are you aware that
14 District 9 and 33 are no longer African American
15 voter-dominated districts in the new map?

16 REPRESENTATIVE HUNTER: Congressional District 9 is
17 going to be Hispanic, 50.15 percent, and African American
18 11.33 percent. What was the other one?

19 REPRESENTATIVE GERVIN-HAWKINS: 33.

20 REPRESENTATIVE HUNTER: Hispanic in Congressional
21 District 33 is 38.35. And by the way, the Black is from 19.45.

22 REPRESENTATIVE GERVIN-HAWKINS: So these maps do
23 eliminate two African American-leaning districts.

24 REPRESENTATIVE HUNTER: I'm not sure that they
25 eliminate, because I think anybody can win any election. But

14:35 1 did those demographics I just read change? The answer's yes.

2 REPRESENTATIVE GERVIN-HAWKINS: So there is your
3 racism right there. Correct?

4 REPRESENTATIVE HUNTER: I disagree.

5 REPRESENTATIVE GERVIN-HAWKINS: Okay.

6 REPRESENTATIVE HUNTER: Now, look, "racist" is a
7 discussion factor, and so is "political performance." And all
8 of this can be used. But let's not use it in a negative. I
9 respect you, and I hope you respect me. But we may disagree.
10 But all these factors are looked at.

11 The problem is, we've had new court cases that provide
12 new elements to the redrawing and redistricting. And that's
13 what we're following.

14 REPRESENTATIVE GERVIN-HAWKINS: Representative Hunter,
15 I do respect you tremendously, and I respect this body, but
16 what I don't respect is an obvious racist move on what we
17 try -- what you're attempting to do. But --

18 REPRESENTATIVE HUNTER: We disagree 100 percent.

19 REPRESENTATIVE GERVIN-HAWKINS: -- when you lose two
20 African American-leaning seats, then that tells you there is a
21 race issue going on.

22 REPRESENTATIVE HUNTER: And *Rucho*, it gave the exact
23 same argument --

24 REPRESENTATIVE GERVIN-HAWKINS: *Rucho*, *Bucho*, *Mucho*,
25 [inaudible] African American seats.

14:37 1

REPRESENTATIVE HUNTER: U.S. Supreme Court,
 Representative. I don't think that's right. Let's not demean
 the process. You know, I'm listening to your comments, and I
 haven't shot at you. But is race a factor? Yes. But I'm not
 gonna use it in a negative in our discussion.

2 (Video concluded.)

3 Q. (BY MR. BLEDSOE) So Madame Chair, could you tell the
 4 judges why it is that you raised race into the discussion?

5 A. First of all, CD9, which is held by — currently held by
 6 Congressman Al Green, has been an African American seat for
 7 decades. So Representative Hunter is well aware of what that
 8 district represents.

9 Also, when you look at the other district, again,
 10 these are historically African American districts.

11 And so no doubt I felt that there was an attack. When
 12 you take two districts that, for decades, have been African
 13 American-leaning and you change them, that tells me you're
 14 focusing on race. And that, to me, was a problem.

15 Q. And how did you assess Chair Hunter's response?

16 A. Well, he was evasive, as he's been throughout the whole
 17 process, and not being genuine in his responses in terms of
 18 what's been taken into consideration.

19 And I want to reiterate, this process was so
 20 disrespectful and demeaning and race based. And when you look
 21 at even the percentages of how the cracking and packing
 22
 23
 24
 25

14:38 1 occurred, it's obvious what was happening.

2 MR. BLEDSOE: 8 is it?

3 MR. DUNN: This is Brooks Exhibit 116, page 168, line
4 16 to 171, line 1.

5 (Video played.)

6 REPRESENTATIVE REYNOLDS: Would the gentlelady yield
7 for questions?

8 REPRESENTATIVE PLESA: I will.

9 REPRESENTATIVE REYNOLDS: The gentlelady yields for
10 questions. Thank you. Thank you, Representative Plesa.

11 Are you aware that in Houston, voting precincts with
12 high populations of non-citizens east of downtown would be
13 carved out of CD29, currently represented by increase woman
14 Sylvia Garcia's district and moved to a newly drawn district
15 that would have supported President Trump by 15 percentage
16 points in the 2020 election?

17 REPRESENTATIVE PLESA: Yeah, CD29 includes many low
18 citizenship voting precincts, especially in the areas east of
19 Downtown Houston. Many of these precincts also saw very low
20 turnout in November 2024.

21 In some precincts, only 30 percent of registered
22 voters cast ballots, versus the 62 percent in a typical Texas
23 precinct.

24 REPRESENTATIVE REYNOLDS: So this new district is
25 packing non-citizens who are predominantly Latino, and also

14:40 1 Latino citizens who are low-propensity voters, correct?

2 REPRESENTATIVE PLESA: You are correct.

3 REPRESENTATIVE REYNOLDS: It looks like many of the
4 voters who are low propensity or non-citizens in the Latino
5 community were moved into CD9. Is that correct?

6 REPRESENTATIVE PLESA: It appears so.

7 REPRESENTATIVE REYNOLDS: Are you aware that currently
8 CD9 is represented by Congressman Al Green?

9 REPRESENTATIVE PLESA: Yes.

10 REPRESENTATIVE REYNOLDS: CD35 also has low propensity
11 and non-citizen Latino community members moved into CD27 in the
12 Austin area. Is that correct?

13 REPRESENTATIVE PLESA: Yes, sir.

14 REPRESENTATIVE REYNOLDS: Are you aware of this
15 purposeful targeting of Latino populations?

16 REPRESENTATIVE PLESA: Yes, it seems to be targeting
17 them.

18 REPRESENTATIVE REYNOLDS: To quote law professor
19 Justin Levitt, isn't it true that putting people who can't,
20 themselves, vote in a district with people who can vote and
21 have very different concerns, they'll lose the representation
22 of folks who can't vote at all?

23 REPRESENTATIVE PLESA: This is the most cynical form
24 of cracking and packing on the basis of race.

25 REPRESENTATIVE REYNOLDS: Are you aware that Texas has

14:41 1 employed the strategy of packing low-propensity voters from
2 Latino communities in redistricting before?

3 REPRESENTATIVE PLESA: Yes.

4 REPRESENTATIVE REYNOLDS: And are you aware, finally,
5 that, based on the 2020 Census, that 95 percent of the growth
6 in Texas was because of minority population, African Americans,
7 Hispanics, and Asians. Are you aware of that?

8 REPRESENTATIVE PLESA: That's what the last census
9 showed us, and that's the information that we went by.

10 (Video concluded.)

11 Q. (BY MR. BLEDSOE) Okay. So those are two of your
12 colleagues, are they not?

13 A. Yes, sir.

14 Q. Okay. And can you -- can you explain to the judges what
15 the process was that they just undertook in laying out the
16 information in front of the Legislature?

17 A. I think they were just laying out a clear record of the
18 discriminatory practices that's been going on. And so they
19 were clear on how those districts were leaning in terms of
20 getting either low propens- -- low voter turnout folks, as well
21 as non-citizen voters, and packing certain districts with those
22 so that they could craft a district where folks that didn't
23 vote wouldn't vote, and wouldn't participate.

24 So I think they was developing a clear record of what
25 was happening.

14:42 1 Q. Okay. And did they even indicate, in their opinion, the
2 likelihood of Latino voters electing their candidate of choice
3 in Congressional District 9?
4 A. I think that they were laying it out pretty clearly.
5 Q. And they indicated that they made it into a Trump district.
6 Is that right?
7 A. That's correct.
8 Q. 15 points?
9 A. That's correct.
10 Q. Okay. The -- so they also talked about District 35, and I
11 guess that covers part of San Antonio?
12 A. Yes, sir.
13 Q. And they indicated, even there, that they isolated Latino
14 voters into a different district, Congressional District 27?
15 A. Correct.
16 Q. Okay. And you know the Congressman in 35, because he
17 represents part of your county?
18 A. I do.
19 Q. And who is that? Who is it? Greg Casar?
20 A. Correct.
21 Q. And is Greg Casar a minority member of Congress?
22 A. He is.
23 Q. He's Latino?
24 A. Yes, sir. Yes, sir.
25 Q. And his seat was eliminated by this map?

14:44 1 A. Correct.

2 Q. Okay. Thank you.

3 MR. BLEDSOE: And the last one, Number 9.

4 MR. DUNN: Page Brooks 316, page 205, line 18 to 206,
5 line 16.

6 (Video played.)

7 REPRESENTATIVE REYNOLDS: Representative Davis, are
8 you aware that the State of Texas has more African American
9 population than any other state in the United States of
10 America?

11 REPRESENTATIVE DAVIS: I am aware of that. This is
12 the largest African American community across the nation.

13 REPRESENTATIVE REYNOLDS: And are you aware that
14 currently there are four African American Congressional seats
15 in the State of Texas?

16 REPRESENTATIVE DAVIS: At this point there's four,
17 potentially one that we could do as a coalition district, or as
18 an emerging district, Opportunity District.

19 REPRESENTATIVE REYNOLDS: And so if we can identify
20 for the purposes of this record, you have the -- currently the
21 9th Congressional District that is Congressman Al Green; you
22 have the 18th Congressional District that was previously held
23 by Congressman Sylvester Turner, who is deceased, and the seat
24 is vacant; you have the 30th Congressional District held by
25 Congresswoman Jasmine Crockett and the 33rd Congressional

14:45 1 District held by Congressman Marc Veasey. Is that correct?

2 (Video concluded.)

3 Q. (BY MR. BLEDSOE) So the -- could you explain what Chair
4 Reynolds was doing with that presentation?

5 A. Again, establishing the record and the harm that's being
6 created.

7 Q. Okay. And I'm gonna ask you, in terms of your assessment
8 of -- of the map, did you take a look and see what the
9 reformation of the districts -- if anything happened with the
10 residences of the three African American Congresspersons? Were
11 they maintained within their districts, or were they all moved
12 out of their districts?

13 A. Many was moved out.

14 Q. Were all three moved out?

15 A. Yes, sir.

16 Q. Okay. And do you think that is significant?

17 A. Very significant, because, why would you move a
18 representative out of their district that they're serving?
19 That was just so unfair and so wrong.

20 Q. So they got the trifecta there, three out of three?

21 A. That's correct.

22 MR. BLEDSOE: And I believe my numbering was wrong, so
23 there's one more. That was number 8. So number 9, Mr. Dunn,
24 I'm sorry.

25 MR. DUNN: Brooks 316, page 219, line 8 to 220,

14:46 1 line 21.

2 (Video played.)

3 REPRESENTATIVE REYNOLDS: Based on this proposed map
4 in House Bill 4, how many African American Opportunity
5 Districts are there in Houston?

6 REPRESENTATIVE HUNTER: In the Houston area?

7 REPRESENTATIVE REYNOLDS: Yes.

8 REPRESENTATIVE HUNTER: On mine, or are you talking
9 about --

10 REPRESENTATIVE REYNOLDS: On yours.

11 REPRESENTATIVE HUNTER: Which amendment are you
12 talking --

13 REPRESENTATIVE REYNOLDS: I'm talking about on --

14 REPRESENTATIVE HUNTER: Are you talking about the
15 amendment?

16 REPRESENTATIVE REYNOLDS: On your --

17 REPRESENTATIVE HUNTER: So now you're going back to my
18 bill.

19 REPRESENTATIVE REYNOLDS: So --

20 REPRESENTATIVE HUNTER: All right. I'm gonna go ahead
21 and answer your questions, even though you're not staying on
22 the amendment.

23 First of all, CD18 now becomes a 50.8 percent Black
24 CVAP. In 2021, you're advocating for a 38.8 Percent CVAP. I
25 think my map is much more improving.

14:48 1 CD30 is now a 50.2 percent Black CVAP. In 2021, which
2 you've been defending, it's only 46 percent.

3 So you have two that are majority Black CVAP districts
4 in Texas.

5 REPRESENTATIVE REYNOLDS: As opposed to four, correct?

6 REPRESENTATIVE HUNTER: I don't know where you're
7 coming up with --

8 REPRESENTATIVE REYNOLDS: Well, currently we have
9 four. You have -- you have CD9, CD18, CD30, and CD33, and now
10 you have two, based on your map. You reduced it by 50 percent.

11 REPRESENTATIVE HUNTER: CD9 becomes a majority
12 Hispanic district.

13 REPRESENTATIVE REYNOLDS: Correct.

14 (Video concluded.)

15 Q. (BY MR. BLEDSOE) Okay. So was -- was Chair Hunter
16 responsive to those questions, in your mind?

17 A. No. He was avoiding the questions.

18 Q. Okay. And the -- and the fact of the matter is, I think
19 you mentioned earlier that 9 and 33, you said yourself on the
20 floor, were no longer going to elect African American
21 candidates of choice?

22 A. Correct and they packed the others. So that's when we talk
23 about packing and cracking. They literally -- when he talked
24 about the increase of African Americans, he was packing those
25 districts and taking them out of others.

14:49 1 Q. And does your definition of "packing" in those areas also
2 include the number of African American and Latinos put
3 together?

4 A. Correct.

5 Q. And so that goes for both the 18th Congressional District
6 and the 30th?

7 A. Correct.

8 Q. Exhibit 52 here, this is a Plan Overlap Population Analysis
9 from the Legislative Council. And this compares 2333 with
10 2193. And it shows you where the new distribution of
11 population comes from in each one of the districts.

12 And so we see there on the left side the actual
13 districts that were analyzed by Leg Council. Do you see that?

14 A. Yes, sir.

15 Q. Okay. And if you look at District Number 9 that we've
16 talked about -- do you see that?

17 A. Yes, sir.

18 Q. Okay. And on the very left-hand column, that's the amount
19 of percentage of the population that comes from each one of
20 those districts. Is that right?

21 A. Yes, sir.

22 Q. Okay. And can you tell the Court, in the new Congressional
23 District 9, how much of the population comes from District 9?

24 A. 2.9 percent.

25 Q. Okay. So, 97 percent of the population, they redid the

14:51 1

district.

2

A. Correct.

3

Q. And we heard the discussion on the floor in reference to the interconnection with Congressional District 29, did we not?

4

5

The talk with Reynolds about the voters moved in from the 29th into the 9th?

6

7

A. Yes.

8

Q. Okay. And so what number of voters were moved into the 9th from number 29?

9

10

A. Were moved into 29, or --

11

Q. From -- if you look here, if you look at number 29, how many voters in District 9, in District 9, how many of them came from District 29?

12

13

A. 43.7 percent.

14

Q. So it's almost half the district?

15

A. Correct.

16

Q. Okay. So they reformulated, moved almost half of 29 down to 9?

17

18

A. Correct.

19

Q. Okay. And if you go down now to 18, and if we look at 18, what percentage of the population in 18 comes from 18?

20

21

A. 25.8 Percent.

22

Q. Okay. So 18 now has 75 percent people from the outside?

23

A. Correct.

24

Q. And could you tell the Court what percentage of the new

25

14:53 1 18th come from the 9th Congressional District?

2 A. 64.5 percent.

3 Q. So, basically, the 9th becomes the 18th, so almost
4 two-thirds of the district comes from the 9th.

5 A. Correct.

6 Q. And if we go to the 29th, what percentage of the current
7 29th comes from the 29th? How many people -- what percentage
8 of the voters retained now end up in 29? How many of them came
9 from the 29th?

10 A. 37 percent.

11 Q. Okay. So 6 percent of the district comes from outside the
12 district. Is that right?

13 A. Correct.

14 Q. Okay. And how many come from the 18th Congressional
15 District?

16 A. Look like 58 percent.

17 Q. So -- so there are more people now from the 18th
18 Congressional District in the 29th than there are 29th still in
19 the 29th?

20 A. That was originally there. You're absolutely correct.

21 Q. So the 29th is the new 18th?

22 A. Correct.

23 Q. So now if we go down further and look at Exhibit -- look at
24 District 30, and we see under District 30 what percentage of
25 the district comes from District 30 that met that state in

14:55 1

District 30?

2

A. It's a little gray, but it looks like 68 percent.

3

Q. Okay. So he brought in another third. So he eliminated a third of the district, and they brought in a third.

4

A. Correct.

5

Q. All right.

6

JUDGE SMITH: I've looked over the witness list, and I don't see Mr. Bledsoe listed as a witness and I don't recall his being put under oath, but he's doing all the testifying here. I guess the State doesn't care, but I thought we normally went on Q and A with a witness who was under oath.

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MR. BLEDSOE: Okay. Thank you, Your Honor.

JUDGE SMITH: But if the State doesn't care, then I guess we don't care, either.

MR. BRYANT: Your Honor, the State does care. We wanted to give Mr. Bledsoe and the witness a good deal of leeway, but from now on I think we should do proper non-leading questions, and we will object on that basis.

JUDGE GUADERRAMA: Mr. Bledsoe?

MR. BLEDSOE: Thank you, Your Honor.

Q. (BY MR. BLEDSOE) So if we take a look at District 30 -- I mean -- just tell us where the voters came from.

A. So if you look at District 30, the voters, 12 percent, almost 13, came from District 6. 9 percent -- I mean -- yeah, 9 percent came from District 25. .6 came from District 32.

14:56 1 And 9 percent came from District 33.

2 Q. And if we take a look at the -- at the numbers -- and do
3 you see the next column in terms of voters that are moved? Do
4 they show the percentage of Anglo and non-Anglo?

5 A. Yes, they do.

6 Q. What -- tell the Court what they show about the voters
7 that -- that move voters. What's the percentage on that?

8 A. So specifically in District 30, of the District 6,
9 78 percent of that district was moved. From District 25,
10 76 percent of that district was moved. And District 32,
11 96.6 percent of that district was moved. And in District 33,
12 92 percent was moved.

13 Q. Okay. And so if you look into District 30 now, does that
14 show you the percentage of Whites and non-Whites that are in
15 the district today? Do you see that?

16 A. Yes.

17 Q. And so --

18 MR. BRYANT: Your Honor, State's gonna object to
19 simply having the witness read a document that is in evidence.
20 If there are questions that -- regarding the significance of
21 something in the document, then that might be proper, but
22 simply asking the witness to read numbers from documents is not
23 a proper examination.

24 MR. BLEDSOE: Your Honor, I'm simply asking her to
25 read so that she'll look at it, and I'll ask her a question. I

14:58 1 intend to definitely ask a question.

2 THE COURT: All right. So let's ask her a question.

3 MR. BLEDSOE: Thank you, Your Honor.

4 Q. (BY MR. BLEDSOE) Okay. So looking at that second column
5 where it's got Total Population in percentages, tell us, what
6 is the non-Anglo percentage in Congressional District 30 now?

7 A. 50 percent.

8 Q. Look at the second column, non-Anglo.

9 A. Oh. Oh. Non-Anglo says here -- we're talking about
10 District 30, right? Oh. Non-Anglo. And if you go all the way
11 down?

12 Q. It's non-Anglo. See that?

13 A. Are you talking about District -- which district are you --

14 Q. 30. 30? See that?

15 A. Now, that's District 29, sir. That 86.7 is District 29.

16 Q. Right there. You see that?

17 A. Isn't that the total on District 29?

18 Q. Right, that's the total. What's the total?

19 A. I see the total, but that's District 29.

20 Q. No, I'm looking for 30. Look at 30.

21 A. If you look at 30, you have to go down. Down.

22 Q. You see right here (indicating)?

23 A. It's on top -- that's on top, 86.7 percent.

24 Q. Right. Okay. And earlier you described what you felt was
25 packing in the 30th. Is that consistent with your description?

14:59 1 A. Yes.

2 Q. Okay. So if we now look at the 32nd Congressional
3 District, can you tell us, in the 32nd Congressional District,
4 which -- what is the -- and I guess this is actually two pages.
5 So let me see if I can do this at the same time. Let's see if
6 it works. But if it does, we'll see.

7 So we look at District 32?

8 A. Okay.

9 Q. Okay. Can you tell us what percentage of a district that
10 remains are individuals from the 32nd District? Can you tell
11 us?

12 A. 40 -- 41.

13 Q. Okay. And so what did that indicate to us about whether or
14 not there were substantial changes made in the district?

15 A. There was substantial changes made. Less than half of the
16 people remaining.

17 Q. Okay. And can you tell the Court if those -- and what --
18 what numbers of this new district came from letter 32? What
19 number actually came from District 33? It's at the very
20 bottom.

21 A. Yeah. 1.8? Oh, that's the -- I'm sorry; that's the
22 remaining, right?

23 Q. Okay. Okay. So there were a lot of different districts --
24 would you agree with me? -- where this population came from?

25 A. Correct.

15:02 1 MR. BRYANT: Objection, leading.

2 JUDGE GUADERRAMA: Sustained.

3 Q. (BY MR. BLEDSOE) So if we go -- so what I want you to do
4 now, Madame Chair, is I want you to look at this population
5 analysis, and I want you to take a look at the column that lays
6 out the racial percentages. And I want you to take a look at
7 the racial percentages and I want you to be able to give an
8 opinion as to whether or not there are substantial movements of
9 minority voters.

10 MR. BRYANT: Your Honor, I object. The witness is not
11 provided as an expert, should not be giving opinion testimony
12 on this subject.

13 JUDGE GUADERRAMA: I think she can do it on the math,
14 is what I'm thinking. What's your question?

15 MR. BLEDSOE: Thank you.

16 Q. (BY MR. BLEDSOE) So if you look at District Number 9, and
17 if you look at the second of the third column, where it shows
18 Asian, Black, and Hispanic voters, do you see that?

19 A. Could you put the document down so I can see the headings,
20 please?

21 Q. Huh?

22 A. Pull the document down so I can see the headings.

23 And so we're talking about District 9. And what's
24 your question again?

25 Q. Looking at this, looking at the columns marked Anglo,

15:03 1 Non-Anglo --

2 A. Yes.

3 Q. -- and then Asian, Black, and Hispanic, can you tell us
4 whether or not you have an opinion about whether there was
5 substantial movement of voters that were African American or
6 Latino minority voters?

7 A. Right. We're talking in the 61 percent and 92 percent.
8 So, yes, substantial movement.

9 Q. Okay. And take a look at the 18th and take an analysis
10 there, and those same columns, and tell us if you have an
11 opinion.

12 A. If you'd move the document over; it's a little crooked.

13 Q. You know, I'm not very good at this, so...

14 A. So on the 18th, you're looking at Black and Hispanic?

15 Q. Yes.

16 A. Which is 49 percent and 32 percent.

17 Q. Okay. And so how do you characterize that?

18 A. We're packing.

19 Q. Okay. And so now if we go to the -- I think you've
20 answered for the 30th, so let's go to the 33rd.

21 (Sotto voce discussion off the record.)

22 Q. (BY MR. BLEDSOE) Okay. With the 33rd here, what do you
23 assess, looking at those columns, about the level of movement
24 of minority voters?

25 A. In terms of the 33rd?

15:05 1

Q. Yes.

2 A. 15 percent and 55 -- African American, 55 percent Hispanic.

3 Q. And how do you characterize that?

4 A. Again, you know.

5 Q. So now Madame Chair, do you recognize the Texas Legislative
6 Council?

7 A. I do.

8 Q. Is that an authoritative body for the Texas Legislature?

9 A. Correct.

10 Q. Do they provide legal guidance on redistricting?

11 A. Yes.

12 Q. Okay. And in fact, they actually put out Exhibit
13 Number 4 -- they actually put out a guide to 2021 Legislative
14 Redistricting?

15 MR. BRYANT: Objection, leading.

16 JUDGE GUADERRAMA: Sustained.

17 Q. (BY MR. BLEDSOE) Would you read the front page and tell me
18 what that says?

19 A. Guide to 2021 Redistricting in Texas.

20 Q. Okay. And I want to show you some language that you might
21 be familiar with on page 2 of the document that's been
22 highlighted and ask you to take a look at that. And could
23 you -- and does that -- it all discuss what the Legislature
24 should do to avoid discriminating against minorities?

25 A. It does.

15:07 1 Q. Okay. And reading that, Madame Chair, do you have an
2 opinion about whether or not the Legislature complied with this
3 requirement from the Legislative Council in adopting the
4 '25 map in the Special Session?

5 MR. BRYANT: Your Honor, object to improper expert
6 opinion by one not proffered as an expert simply based on
7 whatever the Legislative Council said in this document.

8 MR. BLEDSOE: As a legislator, I'm just asking her if
9 she has an opinion about whether or not this was --

10 JUDGE GUADERRAMA: I'll overrule the objection. I'll
11 allow her to answer.

12 MR. BLEDSOE: Thank you.

13 JUDGE GUADERRAMA: Could we focus --

14 THE WITNESS: Thank you, Judge. It's blurred.

15 JUDGE GUADERRAMA: Thank you so much.

16 MR. BLEDSOE: Much better. Much better operator.

17 Q. (BY MR. BLEDSOE) Okay. Okay. Do you have an opinion?

18 A. I do. It says it's prohibitions against redistricting that
19 has the purpose, or effect, of discriminating on the basis of
20 race, color, or language groups.

21 And based on the numbers and the number shift, it is
22 obvious that was what was done.

23 Q. The -- Madame Chair, you're one of the legislators who
24 decided to go on a quorum break. Is that correct?

25 A. Yes, sir.

15:09 1 Q. And was that an easy decision to come to?

2 A. Not at all.

3 Q. Okay. Are there sacrifices that one must make if they
4 decide to undertake a quorum break?

5 A. Quite a few challenges, yes, and sacrifices were made.

6 Q. Give the Court an example of what's actually the kinds of
7 sacrifices that legislators might be required to undertake in
8 order to do that.

9 A. First of all, as a legislator, one of the things that we're
10 looking at is how it impacts our community and how it impacts
11 our work. And so, based on what was happening, it was so
12 profoundly wrong that, you know, we consider a quorum break as
13 a nuclear option, one that we don't want to touch if we don't
14 have to.

15 But when our colleagues was lying and being
16 disingenuous and not making sure the people know what was going
17 on, a decision had to be made. What could we do? Not to
18 mention the flood. You know, we asked our leadership, "The
19 priority we have right now is the flood." Because --

20 JUDGE SMITH: He didn't ask you why you went on the
21 quorum break. He asked you what sort of sacrifices, if any,
22 you make when you go on a quorum break. That's what he's
23 asking you.

24 THE WITNESS: Thank you, Your Honor.

25 JUDGE SMITH: I thought he was talking about your

15:11 1 personal, maybe professional, sacrifices. That's the question.

2 THE WITNESS: I'm sorry, sir. I will answer directly.

3 A. But it is -- it was an emotional time.

4 But we gave up jobs. We left families. Kids were
5 starting school in August. Some members were caregivers to
6 their elderly parents. And also looking at our constituency
7 bases, making sure work is getting done.

8 So when the decision was made to break quorum, all of
9 those sacrifices were included in that decision of what was the
10 impact that -- the adverse impact that would occur. And what
11 we realized, and what was going on was so wrong, that we had to
12 do it to bring attention to what was happening in the State of
13 Texas.

14 MR. BRYANT: Objection, Your Honor, nonresponsive.

15 MR. BLEDSOE: Your Honor, I think she directly
16 responded to it.

17 JUDGE GUADERRAMA: Nonresponsive objection belongs to
18 the person asking the question. It is theirs, so I'll sustain
19 that.

20 Q. (BY MR. BLEDSOE) So in reference to -- so you made the
21 decision. Was that an easy decision to come about?

22 A. Not at all.

23 Q. And could you tell the Court, is what I think Judge Smith
24 was getting at, but the question I want to ask you at this
25 point is, can you tell the Court how it was that you resolved

15:12 1 that it was the right thing to do?

2 A. I feel it was the right thing to do because here we could
 3 change the trajectory of how people voted, who they vote for.
 4 And it was so important that I felt, regardless of the cost --
 5 we were fined. I have a bill for \$9,234. We were ridiculed.
 6 We had bomb threats. We had all of those things. But that
 7 sacrifice was important because of what was happening.

8 And so we needed to alert our constituency base in
 9 Texas that, "This is wrong." And that, "You-all need to be
 10 aware of it."

11 Q. So I think some terms of the quorum break, the -- did --
 12 did you suffer harm as a result of the quorum break?

13 A. Lots of harm.

14 Q. Could you tell the Court what harm you suffered?

15 A. First of all, my sons, who felt -- [crying].

16 THE WITNESS: Thank you.

17 A. That I was putting my life on the line because of the
 18 threats. The harm that I felt, or that I experienced, is a
 19 bill out there for \$9,234. The harm that I felt was that, here
 20 we are, professionals, trying to give governance to our
 21 community, and we're under attack by our colleagues and by
 22 folks wanting to make a joke out of it when we're very serious
 23 about what was happening and how we had to put a stop to what
 24 was going on.

25 So it was an emotional deal. When I came back to the

15:15 1 floor of the House it was even hard to look at my colleagues,
 2 to deal with them. Some members didn't come back because of
 3 that.

4 So it was a devastating emotional experience,
 5 financial experience, as well as family impact.

6 Q. And were there any specific threats, Madame Chair, that you
 7 felt were directed to you that caused you great concern?

8 A. Well, I got a call that someone was delivering a pizza to
 9 my residence. And I live in a condo building with a concierge.
 10 And they called me, "The pizza's here." And I'm thinking, 'I
 11 didn't order no pizza.' But I realized, nationally, what's
 12 happening is, legislators are being killed for certain things.
 13 And it's a statement that says, "We know where you live." So
 14 can you imagine? You don't know who's out there trying to hurt
 15 you.

16 And so it's one of those situations that we had to do,
 17 but, you know -- and we paid the price for it.

18 Q. And Madame Chair, take your time, but does the constitution
 19 even speak to quorum breaks in your mind?

20 A. It does. And -- and I understand -- our forefathers
 21 were -- they understood that there could be a situation where
 22 the majority party would go rogue. And it gave the minority
 23 party that tool to use. We had no other tool to stop what we
 24 felt was happening.

25 And so we felt we were in the rules, in the

15:17 1 guidelines, because we was in the constitution. And so when we
 2 made that decision, Is it the right thing to do? Are we within
 3 the rules? And all those boxes were checked "Yes," and so we
 4 felt that it was important that we made -- that we did what we
 5 needed to do.

6 Q. So as a legislator who observed this whole process, do you
 7 think that this bill was adopted in good faith?

8 A. I know it wasn't. And you can tell by the lack of answers
 9 from the gentleman who led the charge, Representative Hunter.
 10 And throughout the whole process, it was not legitimate.

11 The lack of public notice. The lack of public
 12 hearing. The lack of maps. All of those things. The lack of
 13 answers. I had -- I asked many questions at the hearings and
 14 never could get a straight answer.

15 So it was obvious it was not a legitimate process.
 16 And as a legislator, I want to do good policy. I work across
 17 the aisle. I want to work with people, because I believe we
 18 can create a great society if we work together, with diverse
 19 views. And that didn't happen. And it was concerning.

20 MR. BRYANT: Objection, nonresponsive, narrative
 21 answer.

22 JUDGE GUADERRAMA: I'll sustain the narrative.

23 MR. BLEDSOE: Thank you. I'll pass the witness,
 24 Your Honor. Thank you.

25 JUDGE GUADERRAMA: Mr. Bryant?

15:19 1

CROSS-EXAMINATION

2 **BY MR. BRYANT:**

3 Q. Thank you very much. I'm David Bryant. I'm with the
4 Office of the Attorney General of Texas, and I represent the
5 State Defendants in this case.

6 Do you need some time before you --

7 A. No.

8 Q. -- answer questions? Because I -- you know, we can take --
9 or I would certainly be happy with you taking such time as you
10 need to be ready to answer further questions.

11 A. I'm okay.

12 Q. Okay. Thank you.

13 Representative, you -- the district that you represent
14 is District 120?

15 A. Correct.

16 Q. And is that generally in northeast San Antonio?

17 A. Core east side, northeast, yes, sir.

18 Q. And I have seen statistics, but I would like you to tell
19 me, since you know a lot more about it than anything I could
20 have read, that your district is approximately 25 percent
21 African American?

22 A. Approximately, yes, sir.

23 Q. And so three out of four constituents of your -- in your
24 district are non-African American?

25 A. Correct.

15:20 1 Q. And you do the very best you can to represent 100 percent
2 of those constituents?

3 A. I do.

4 Q. And does an Anglo voter in your district have any reason to
5 feel like they don't have the ability to communicate with you
6 as to what their concerns are?

7 A. Some may.

8 Q. Do they have any reason to believe that you won't listen to
9 them?

10 A. No.

11 Q. And do you know of any reason why a Black or Latino
12 constituent of District 120 cannot feel like you are their
13 voice in the Texas Legislature?

14 A. Would you repeat that again?

15 Q. Sure. Do you -- do any of your Latino or Anglo
16 constituents have a reason to feel like you won't properly
17 represent them in the Texas Legislature because you're not the
18 same race that they are?

19 A. Some do.

20 Q. Do they have any reason to? Are they justified in
21 perceiving that, if they do?

22 A. From my personal view, they don't, because I try to work
23 with everyone.

24 Q. Now, as far as you know, is that true of all of the
25 minority Congressmen who represent districts around Texas, who

15:22 1 also have constituents who are not of the same race they are?
2 Do they -- to your knowledge, do they try to represent
3 everybody in their district?

4 A. I believe they do.

5 Q. I want to ask you some questions about the Special Sessions
6 in the summer of 2025.

7 Now, is there any doubt in your mind that the
8 overriding reason those Special Sessions included redistricting
9 is because President Trump wanted a chance for Texas to elect
10 up to five more Republicans to Congress in 2026 and later
11 years?

12 A. No doubt in my mind.

13 Q. And President Trump publicly stated that that was his goal,
14 or desire, for Texas redistricting before the session was ever
15 called by the Governor.

16 A. I'm not sure of the timeline, but I remember that being on
17 the news.

18 Q. And to your knowledge, did President Trump ever state any
19 other goal for Texas redistricting in 2025 other than to try to
20 get a chance to elect up to five more Republicans to Congress
21 in 2026 and other years?

22 A. Would you repeat that again?

23 Q. Sure. To your knowledge, did President Trump ever state
24 any other goal, aside from electing up to five more Republicans
25 to Congress from Texas?

15:23 1 A. When you speak of his goals, I've heard several. But as it
2 relates to the redistricting, it was the five seats.

3 Q. Yes. And my question was intended to be about
4 redistricting. So I appreciate your answer.

5 His only goal, that you ever heard of, with
6 redistricting was to elect up to five more Republicans?

7 A. Picking up five seats.

8 Q. Okay. And that's a partisan goal. Isn't it? He's trying
9 to increase the number of members of his party in Congress.

10 A. That specific goal.

11 Q. And would you agree that President Trump, or the White
12 House, drove the redistricting effort in those Special Sessions
13 of the Texas Legislature this summer?

14 A. When you say he "drove," what do you mean?

15 Q. I mean he was the main driving force that made all that
16 happened in that Legislature -- Legislative Session actually
17 happen?

18 A. I believe the letter from DOJ was the reason why.

19 Q. Now, during the first Special Session, did you refer to it
20 as saying that the White House was reaching its arms into Texas
21 in making this redistricting happen?

22 A. I did say that.

23 Q. And do you believe that today?

24 A. Yes, sir.

25 Q. And you strongly objected to that?

15:25 1 A. Yes, sir.

2 Q. And as you sit here today, would you agree that
3 President Trump's overriding motivation and intention in
4 seeking redistricting in Texas in the summer of 2025 was to get
5 partisan gains in Congress for Republicans?

6 A. I believe there was more to it.

7 Q. Would you say that was his overriding and main goal?

8 A. I believe his overall and main goal was to pick up seats
9 and to hurt minorities. That's what I believe.

10 Q. And did President Trump ever say anything, publicly or
11 otherwise to your knowledge, about minorities in connection
12 with redistricting?

13 A. He has said so much about minorities.

14 Q. My question was, did President Trump, in discussing this
15 redistricting effort, ever say anything, to your knowledge,
16 about minorities?

17 A. Nothing specific, to my knowledge.

18 Q. Now, there has been quite a bit of testimony about this
19 July 7, 2025 letter from the Department of Justice to the
20 Governor of Texas and the Attorney General of Texas written by
21 Department of Justice official Harmeet Dhillon, so I'll ask you
22 some questions. I'll refer to it as "the Dhillon letter." And
23 will you understand what I'm talking about?

24 A. Yes, sir.

25 Q. Okay. Now, you became aware of the Dhillon letter shortly

15:26 1 after it was written and made public the first half of July?

2 A. I believe so.

3 Q. And become aware, also, that the Attorney General of Texas
4 responded to the Dhillon letter a few days later, around
5 July 11th?

6 A. I don't know the date, but I'm aware that he responded.

7 Q. Okay. And did the Attorney General of Texas publicly
8 dispute and refute the Dhillon letter there in the first half
9 of July?

10 A. I don't know. I'm not aware.

11 Q. Do you know that the -- you're not aware of what the
12 substance of the Attorney General's response was?

13 A. Correct, sir. I'm not aware.

14 Q. Now, is it correct that you concluded quickly, after you
15 saw that Dhillon letter, that that letter was illegal and
16 improper?

17 A. Not being an attorney, when I saw it I didn't know about
18 illegal, but I knew it was improper.

19 Q. Okay. And do you recall the hearing in the House Committee
20 on July 24th where you asked some questions to a Dr. Katz?

21 A. Vaguely.

22 Q. And do you recall that, in asking those questions, you
23 referred in the House to the Dhillon letter as being illegal
24 and improper?

25 A. I don't remember.

15:28 1 Q. So is it fair to say that you never took the Dhillon letter
2 seriously as an accurate or fair statement of the law?

3 A. I didn't look at it like that. I just looked at it in
4 combination of trying to take five seats. I didn't do an
5 analytical of the letter or try to judge that, other than it
6 was wrong.

7 Q. And do you know of anybody in the Texas Legislature who
8 ever relied on the Dhillon letter in voting for any
9 redistricting plan?

10 A. Repeat that again.

11 Q. Do you know of anybody in the Texas Legislature who relied
12 on and believed what was said in the Dhillon letter when they
13 voted on redistricting in August of 2025?

14 A. I'm not clear on your question.

15 Q. I'm sorry. I'll be happy to rephrase it --

16 A. Please.

17 Q. -- because I want it to be clear.

18 So this letter comes from Ms. Dhillon in July,
19 July 7th, of 2025, and a lot of things happened over the
20 ensuing month and a half that we'll talk about. But
21 ultimately, in the last half of August, the Legislature cast
22 final votes on redistricting, namely Plan C233 [sic]. Is that
23 right?

24 A. Correct.

25 Q. And when the Legislature voted in late August on Plan C233,

15:30 1 do you know of anybody who voted on the basis of anything that
 2 was said in that Dhillon letter back a month and a half
 3 earlier?

4 A. You mean voted for the maps?

5 Q. Voted for the maps.

6 A. I believe our Republican colleagues did.

7 Q. Okay. And what's your basis for saying that?

8 A. Because of what was happening in terms of what the
 9 president said he wanted, the unwillingness to take any
 10 amendments, the unwillingness to have any rich discussion, the
 11 unwillingness -- the whole process of not -- of not being
 12 transparent.

13 And it was a mandate. And that was the conversation,
 14 that, "This is what Trump wants. This is what we're gonna do."

15 Q. I probably didn't make my question clear enough,
 16 Representative, but my question was, did anybody on the
 17 Republican side of the Legislature ever say, "I'm gonna vote
 18 for Plan C233 because of the Dhillon letter"?

19 A. No one that I'm aware of said, specifically, "the Dhillon
 20 letter," no, sir.

21 Q. And do you believe that the Dhillon letter was just a way
 22 for the White House, or President Trump, to try to bring about
 23 his partisan goal of redistricting and getting up to five more
 24 Congressional seats from Texas?

25 A. You say do I believe?

15:31 1 Q. Yes, ma'am.

2 A. Yes, sir.

3 Q. You still believe that today?

4 A. Yes, sir.

5 Q. Now, you and other members of the Texas House of
6 Representatives were told by Representative Hunter on at least
7 one occasion, I think more than one, that Redistricting Plan
8 C2333 was based on a goal of, as he phrased it, quote,
9 improving political performance for -- by Republicans, unquote.
10 Do you recall that?

11 A. I don't recall that exactly, no, sir.

12 Q. Okay. Do you -- did you do any thinking or analysis about
13 whether Plan C2333 actually likely does improve the political
14 performance by Republicans in Congressional elections in Texas?

15 A. I believe it increases the seats.

16 Q. Okay. And do you believe that it is -- has some chance of
17 increasing Republican representation in Texas by up to five
18 seats?

19 A. I do.

20 Q. And so would you say that Plan C2333 was calculated to, and
21 likely will, achieve President Trump's partisan goal for asking
22 for redistricting in Texas in 2025?

23 A. Repeat that again.

24 Q. Sure. Do you believe that Plan C2333, that was adopted by
25 the Texas Legislature, likely will, or has a good chance of,

15:33 1 achieving President Trump's partisan goals?

2 A. Has a good chance of.

3 Q. Now --

4 (Sotto voce discussion off the record.)

5 MR. BRYANT: Pass the witness.

6 JUDGE GUADERRAMA: Mr. Bledsoe?

7 MR. BLEDSOE: Just briefly, Your Honor.

8 **REDIRECT EXAMINATION**

9 **BY MR. BLEDSOE:**

10 Q. You stated earlier that you thought that President Trump's
11 goals were intertwined with the DOJ letter?

12 A. Correct.

13 Q. Okay. And in fact, the person signing the letter, or
14 Harmeet Dhillon, is actually Assistant Attorney General in his
15 Justice Department, Civil Rights Division?

16 A. Yes, sir.

17 MR. BRYANT: Objection, leading.

18 JUDGE GUADERRAMA: Sustained.

19 Q. (BY MR. BLEDSOE) Where does this say that Harmeet Dhillon
20 works?

21 A. She's the Assistant Attorney General, Civil Rights
22 Division.

23 Q. Okay. And the heading shows what department?

24 A. U.S. Department of Justice.

25 Q. Okay. And the first sentence of the -- we went over

15:35 1 before, the -- do you think the request to go after those
2 districts was part of President Trump's goal?

3 A. Yes, sir. It specifically lays out the districts.

4 Q. And if you look at the first paragraph here -- I'll get it
5 right here. Okay. And what case does that cite in the first
6 paragraph?

7 A. The 14th amendment and *Pettaway versus Galveston County*.

8 Q. And is *Pettaway* a case that they continued to mention on
9 the floor?

10 A. Yes, sir.

11 Q. Okay. And did you -- and what -- what gives you the
12 confidence to believe that this DOJ letter was part of the
13 process as you went through it all the way to the vote on
14 August 20th? What makes you say that this -- you said this was
15 the driver, rather than President Trump. Why was this the
16 driver of the Legislature?

17 A. Would you repeat that?

18 Q. You said the driver -- you were asked if the driver was
19 President Trump's request about the new districts, and you said
20 no; the driver was this letter. Could you explain why you
21 think the driver of Texas redistricting was this letter?

22 A. The DOJ's letter?

23 Q. Yes.

24 A. Well, when the letter specifically lays out districts, and
25 we -- and those districts were cracked and packed, then I felt

15:37 1 it was the driver to it.

2 Q. Okay. Thank you. Thank you. Thank you, Madame Chair.

3 MR. BLEDSOE: Pass the witness.

4 JUDGE GUADERRAMA: Mr. Bryant?

5 MR. BRYANT: No further questions, Your Honor.

6 JUDGE GUADERRAMA: Ms. Perales, it seems like you were
7 getting --

8 MS. PERALES: My apologies, Your Honor. We have the
9 next witness, so I was just making my contact for logistical
10 purposes.

11 THE COURT: Okay. Mr. Bledsoe, may Chairwoman Hawkins
12 be permanently excused?

13 MR. BLEDSOE: Yes, sir.

14 THE COURT: Mr. Bryant?

15 MR. BRYANT: Yes, sir.

16 (Witness excused.)

17 JUDGE GUADERRAMA: Who's your next witness,
18 Ms. Perales?

19 MR. SILVA: Javier Silva for the LULAC Plaintiffs. At
20 this time, LULAC Plaintiffs would like to call Dr. Ana Juárez
21 to the stand.

22 JUDGE GUADERRAMA: Ana Juárez?

23 MR. SILVA: Yes.

24 (Witness present.)

25 JUDGE GUADERRAMA: Good afternoon, Dr. Juárez. Would

15:39 1 you raise your right hand, ma'am, to receive the oath?

2 THE WITNESS: Yes.

3 (Witness sworn.)

4 JUDGE GUADERRAMA: Thank you, Doctor. If you'll have
5 a seat in that chair, please and roll up to the microphone so
6 we can hear you clearly, we'd appreciate it. Thank you.

7 Mr. Silva, whenever you're ready.

8 MR. SILVA: Thank you.

9 **ANA MARIA JUÁREZ, Ph.D.,**

10 duly sworn by the Court, was examined and testified as follows:

11 **DIRECT EXAMINATION**

12 **BY MR. SILVA:**

13 Q. Good afternoon, Dr. Juárez, and thank you very much for
14 joining us today.

15 A. Thank you.

16 Q. Would you please state your full name for the Court?

17 A. Ana Maria Juárez.

18 Q. Dr. Juárez, in what city do you live?

19 A. San Marcos.

20 Q. And can you please tell us a bit about your educational
21 background, starting with college?

22 A. Yes. I attended several community colleges in California,
23 in Sacramento, and then --

24 JUDGE SMITH: You need to get a little closer to the
25 mic so we can hear you.

15:40 1 JUDGE GUADERRAMA: You can move the mic around. Thank
2 you.

3 A. I attended several community colleges in Sacramento. And
4 then I went to Laredo Junior College and got an associate of
5 arts degree there. Went on to Laredo State University and
6 completed a semester or two before I went on to UT Austin. I
7 got a bachelor of arts degree in 1980 and went on to a master's
8 degree, an MA, in anthropology as well. Then I stepped out for
9 a while, for six or seven years, before I decided to get a
10 Ph.D., also in anthropology. And I went to Stanford University
11 in 1989 and graduated in 1996.

12 Q. (BY MR. SILVA) Thank you. And can you tell us a bit about
13 what you do for a living?

14 A. Yes. I began teaching in the Department of Anthropology at
15 Texas State University in 1996, and I retired in 2021.

16 Q. Congrats on your retirement.

17 A. Thank you.

18 Q. Are you involved in any local organizations?

19 A. Yes, I am. I'm in -- I am involved with the Hays County
20 Historical Commission, the League of Women Voters, Mano Amiga,
21 the San Pedro Cemetery Association and San Marcos Area
22 Democrats, as well as many other kind of organizations, civic
23 and cultural organizations, in the area.

24 Q. And have you worked on anyone's campaigns?

25 A. Yes, I have.

15:42 1 Q. Can you -- in what capacity?

2 A. As a volunteer.

3 Q. Can you tell me about your most recent experience?

4 A. It was with Amanda -- I volunteered for Amanda Rodriguez,
5 who ran for City Council in San Marcos.

6 Q. And what is your ethnicity, if you'd like to share that
7 with us?

8 A. Mexican American and indigenous.

9 Q. Thank you.

10 MR. SILVA: Can we please show Exhibit 1340, LULAC PI?

11 Q. (BY MR. SILVA) Are you able to see that, Dr. Juárez?

12 A. Yes.

13 Q. And so here we have the Congressional Map for 2021.

14 Dr. Juárez, can you please tell me, what is your Congressional
15 District in this map?

16 A. 35.

17 Q. And who is your Congressional Representative?

18 A. Greg Casar.

19 Q. Are you familiar -- are you familiar with the neighborhoods
20 in CD35, along the I-35 corridor, in this 2021 map?

21 A. Yes, I'm very familiar with that. I am -- beginning in
22 2004, after an incident of vandalism against two Mexican
23 American cemeteries on opposite sides of town, I began to
24 volunteer to help the cemeteries and realized it would be a
25 great project to involve my students in.

15:44 1 And so we started -- it's been two decades now since
 2 I've been doing research with the cemetery. And then that
 3 spread into the local Mexican American churches, both the
 4 Protestant churches as well as the Catholic Church, which is
 5 predominantly Mexican. And -- as well as the neighborhoods.
 6 Worked with the families from the neighborhoods.

7 Q. And so looking at this map here, can you tell me a little
 8 bit about what cities we see in this part of the 2021 map along
 9 highway I-35?

10 A. Yes. We see towards the bottom is San Marcos. Next is
 11 Kyle. And next is Buda.

12 Q. Okay. I'd like to talk a little bit about this area of
 13 San Marcos that we see in CD35.

14 Can you tell me a little bit about what the
 15 neighborhoods are like in this area of San Marcos?

16 A. Yes. So the neighborhoods are -- are -- they are historic
 17 Mexican American neighborhoods that we have researched over the
 18 years. Because of the research I was doing, I realized that
 19 the Mexican -- the historic neighborhoods would never qualify
 20 for official Texas State historical districts.

21 So the first thing that I did after I retired was, I
 22 asked a friend to help me establish a Mexican American Cultural
 23 Heritage District. And so we did that. The City Council
 24 passed that unanimously in --

25 JUDGE SMITH: The question was just what the

15:46 1 neighborhood -- neighborhoods are like in this area of
2 San Marcos. That was the question.

3 THE WITNESS: Okay. Thank you.

4 A. Yes. So the neighborhoods are very low-income
5 neighborhoods. They are very small, primarily small, very old,
6 older houses. They are in desperate need of repair. Yeah.

7 Q. (BY MR. SILVA) Thank you. And how would you describe this
8 part of San Marcos, looking at the map, on the east side of
9 I-35 in terms of urban versus rural?

10 A. It is a combination of urban and suburban, with some areas
11 that still continue to be rural. But they are quickly
12 developing into more suburbs.

13 Q. And based on your experience living in this area, can you
14 please tell me what the roads are like, the conditions of the
15 roads in this area?

16 A. So the roads are pretty horrible. Very overcrowded.
17 They're very dangerous. And many need some serious repair.

18 Q. And can you also tell me about public transportation in
19 this area?

20 A. Yes. So public transportation is, we do have public
21 transportation in San Marcos, but it is very difficult, it is
22 very limited, and it is very difficult to get anywhere without
23 spending a few hours getting there.

24 Q. And can you please describe the -- your understanding of
25 the economic status of this area?

15:47 1 A. So San Marcos is definitely a low-to-moderate-income
2 community. A very high percentage of our students qualify for
3 free school lunch.

4 Q. Can you also tell me a little bit about what the housing is
5 like in this area?

6 A. The housing -- a lot of the housing on the east side is in
7 need of repair. It's older. There are some new neighborhoods.
8 A lot of them out of reach of the Mexican American community.
9 We have -- the demographic is, 70 percent of San Marcans
10 actually rent. Only 30 percent own.

11 Q. Is there a majority ethnic demographic in this area?

12 A. Yes.

13 Q. Can you please tell me what that is?

14 A. Mexican American.

15 Q. And what can you tell me about the people in San Marcos who
16 are not college students?

17 A. So they are -- it's a large community, as I said, Mexican
18 American. Largely Mexican American. A lot of them are
19 long-term residents with family not only in San Marcos, but
20 also in the neighboring communities, kind of spreading all the
21 way, you know -- family and friends in Buda, Kyle, all the way
22 down to San Antonio, and even Austin.

23 Q. And what is your understanding, historically, of the
24 experience of Latinos with respect to equal access to public
25 services in this area of San Marcos?

15:49 1 A. So historically, that has -- there has definitely not been
2 equal access. We may be one of the last school districts to
3 build a segregated Mexican school in 1949. The -- working with
4 the cemeteries, I learned that the local funeral home, the
5 largest funeral home in the area, actually recorded Mexican
6 Americans by their ethnoracial status as Mexicans, not by their
7 given names.

8 Q. Okay. I'd like to turn to Kyle next, one of the other
9 cities that you mentioned along this I-35 corridor.

10 Can you please tell me a bit about what the
11 neighborhoods in Kyle are like?

12 A. They're very similar to San Marcos in a lot of respects.
13 They are -- Kyle was a smaller community than San Marcos, so
14 not as much of a historically Mexican community. Not as much
15 of a historic community, period.

16 It has grown tremendously over the last year -- last
17 few decades, composed of -- but still has a Mexican American
18 majority living there. Very similar in terms of lower to
19 moderate income, education levels, and so forth.

20 A little bit wealthier than San Marcos is.

21 Q. And what do the roads look like in Kyle, based on your
22 experience?

23 A. Very similar. Dangerous, in need of repair, and we need
24 more of them.

25 Q. And how about public transportation in the Kyle area?

15:51 1 A. So I believe that Kyle does not have a bus system, but what
2 they have done recently is they have -- the City has provided
3 discounts for -- to use -- for residents to use Uber.

4 Q. Got it. Can you also tell me a bit about what the housing
5 is like in Kyle?

6 A. Yes. So the -- again, the historic housing, very similar.
7 The new kind of suburbs around there are more affordable
8 housing.

9 Q. And based on your experience and observations, what are
10 some of the issues that you've seen for the communities in
11 Kyle?

12 A. They would include things -- I think affordable housing is
13 probably number one. I think access to affordable health care
14 is right up there with it. Access to safe, good jobs is, I
15 think, another one. And then roads and public transportation
16 would be the -- I think another big one.

17 Q. Historically, what has been the experience of Latinos with
18 respect to equal access to public services in Kyle?

19 A. Again, very -- very similar in terms of the segregation. I
20 think their schools were actually segregated -- were actually
21 integrated much later than those in San Marcos.

22 Q. Got it. Next I'd like to turn to Buda.

23 Can you please tell me a bit about what the
24 neighborhoods in Buda are like?

25 A. So Buda was even smaller than Kyle historically. It is

15:53 1 very similar, but, again, it's kind of like the farther north
2 you go, the closer to Austin you go, the -- the more expensive
3 homes are. So you do have a slightly wealthier community that
4 lives there.

5 Q. And can you tell me a bit about -- can you tell me a bit
6 about what the public transportation is like in Buda?

7 A. I don't think they have a bus system or anything.

8 Q. And how about housing in this area?

9 A. Housing is -- is very limited and a little more expensive
10 for the Mexican American community there.

11 Q. And based on your observations and experience, what are
12 some of the issues that you've seen for the communities in
13 Buda?

14 A. I would say they're pretty much the same. Affordable
15 housing, the access to affordable health care, good, safe jobs,
16 and roads and public transportation.

17 Q. And based on your lived experience, do you consider these
18 communities of San Marcos, Kyle, and Buda to be similar in
19 their need for public services?

20 A. Yes.

21 Q. And why is that?

22 A. I think that the communities are very similar to each
23 other.

24 Q. And do you think that their proximity to I-35 plays a role
25 in that?

15:55 1 A. Absolutely. The -- they are all tied together by the --
 2 what is now IH35, but was, in the past, called the Old
 3 San Antonio Road. That road has served as a way to connect
 4 many of the families that live in the area. It was -- they're
 5 definitely tied in terms of, you know -- I personally have
 6 family in -- living all the way up, you know, in Austin, in
 7 San Antonio. My brother and sister in each of those cities.
 8 Down to Laredo. And if you count extended families, they're
 9 all living up and down the area.

10 Many of the families from San Pedro Cemetery as well
 11 have families in Schertz and Buda, Kyle, all along that area.

12 Q. And you described the families in these communities. I
 13 just want to clarify. Is this -- are these the same Mexican
 14 American communities that you were discussing earlier?

15 A. Yes.

16 Q. Okay. You mentioned San Antonio and Austin. Would you say
 17 that folks in these three areas, San Marcos, Kyle, and Buda,
 18 generally have occasion to go to San Antonio or Austin?

19 A. Absolutely. We -- so Buda, Kyle, and San Marcos are
 20 indistinguishable when you're driving along the freeway. It's
 21 a metropolitan area, and the communities, Buda, Kyle, and
 22 San Marcos, are all tied together in terms of, we share -- you
 23 know, we access -- we rely on other communities for our health
 24 care. For example, you know, I have my dentist in Buda. I
 25 have a neurologist that I see in Kyle, and --

15:57 1 JUDGE SMITH: The question is whether folks in these
2 three areas, San Marcos, Kyle, and Buda, generally have
3 occasion to go to San Antonio or Austin. That was the
4 question.

5 THE WITNESS: Yes.

6 A. So just like within those three communities, they, as well,
7 go to San Antonio and Austin. My podiatrist is in Austin. My
8 husband, who has a liver transplant, relies -- must go to
9 San Antonio to receive treatment from the liver transplant
10 hospital and so forth. So very, very connected.

11 Q. (BY MR. SILVA) And so you mentioned a bit about health
12 care access. Would you say that access to health care -- let
13 me rephrase this.

14 Actually, I'll withdraw that. And we can move on?

15 MR. SILVA: Can we please show Joint Exhibit 160? And
16 for the Court, this is Joint Exhibit 160 from the May/June
17 trial.

18 Q. (BY MR. SILVA) Dr. Juárez, please take a moment to look at
19 the map and familiarize yourself. And let me know when you're
20 ready.

21 A. I'm ready.

22 Q. Okay. I'll represent to you that this is the statewide
23 Congressional Map through the 2020 election.

24 MR. SILVA: Can we please zoom in to CD35 in Central
25 Texas?

15:59 1 Q. (BY MR. SILVA) Are you able to make that out on the
2 screen?

3 A. Yes.

4 Q. Do you recognize these as the boundaries of CD35 through
5 the 2020 election?

6 A. Yes.

7 Q. Do you recall, who was your member of Congress before Greg
8 Casar?

9 A. Lloyd Doggett.

10 Q. Okay.

11 MR. SILVA: I'd like to move to Exhibit 1328, LULAC
12 PI. And next I'd like to look at the -- let's look at the
13 Hispanic Citizen Voting Age population of CD35, when it was
14 created by the Texas Legislature in 2011.

15 Q. (BY MR. SILVA) What does this exhibit say that the
16 Hispanic CVAP was for CD35 in 2011?

17 A. 52.4.

18 Q. Thank you.

19 MR. SILVA: Can we please pull up Joint Exhibit 12?
20 For the Court, this is Joint Exhibit 12 from the May/June
21 trial.

22 And can we please zoom in on the Hispanic CVAP of CD35
23 in this map? This is at the end of the decade, when the Texas
24 Legislature redistricted in 2021.

25 Q. (BY MR. SILVA) What does this exhibit say --

16:00 1 A. It just disappeared, but it said 52.6.

2 Q. Let's see.

3 A. 52.6.

4 Q. Thank you.

5 MR. SILVA: Next can we please pull up Exhibit 1343,
6 LULAC PI?

7 Q. (BY MR. SILVA) Please take a moment to familiarize
8 yourself with this map. Once you're ready we'll look at the
9 Hispanic CVAP as laid out in this plan.

10 A. I'm ready.

11 Q. Okay.

12 MR. SILVA: Can we now please show Joint Exhibit 899?
13 And for the Court, this is Joint Exhibit 899 from the
14 May/June trial.

15 Q. (BY MR. SILVA) Dr. Juárez, what is the Hispanic CVAP in
16 District 35 of this exhibit?

17 A. 48.

18 Q. And is it correct to say that in 2022 Greg Casar ran for
19 and was elected at this district, as created in the 2021 map?

20 A. Yes. And he won by very large margins.

21 Q. And what --

22 JUDGE GUADERRAMA: Mr. Silva, before we move on, it's
23 4:00, time for our afternoon break.

24 MR. SILVA: Absolutely.

25 JUDGE GUADERRAMA: If we could all be back at 4:15,

16:02 1 we'll resume our proceedings then.

2 (Recess.)

3 JUDGE GUADERRAMA: The witness, Dr. Juárez, on the
4 witness stand.

5 Mr. Silva, whenever you're ready, sir.

6 Q. (BY MR. SILVA) Okay. Dr. Juárez, I believe we were just
7 discussing Plan C2193. And so is it correct to say that, in
8 2022, Greg Casar ran for and was elected in this district, in
9 CD35, as created in Plan C2193?

10 A. Yes. He won by large margins.

11 Q. And what is Greg Casar's ethnicity?

12 A. Mexican American.

13 MR. SILVA: Next can we please pull up Exhibit 4413,
14 LULAC PI?

15 Q. (BY MR. SILVA) So here we have the numbers, the ACS
16 estimates for Plan C2333, the Congressional Map passed by the
17 Texas Legislature in 2025?

18 MR. SILVA: Can we please look at the Hispanic CVAP
19 for CD35 in this Plan C2333?

20 Q. (BY MR. SILVA) Can you please tell me what the Hispanic
21 CVAP for CD35 is in Plan C2333?

22 A. 51.6.

23 MR. SILVA: And next can we please look at CD21?

24 Q. (BY MR. SILVA) Can you please tell me what the Hispanic
25 CVAP of CD21 is for Plan C2333?

16:18 1 A. 30.9.

2 MR. SILVA: And can we please look at CD27 next?

3 Q. (BY MR. SILVA) Can you please tell me what the Hispanic
4 CVAP of the CD27 is for Plan C2333?

5 A. 36.8.

6 Q. Okay.

7 MR. SILVA: Next can we please pull up Exhibit 1342,
8 LULAC PI?

9 Q. (BY MR. SILVA) Dr. Juárez, can you please tell me what
10 your Congressional District is according to the Plan C2333 2025
11 map?

12 A. 27. 0 auto.

13 MR. SILVA: Next can we please bring up one --
14 Exhibit 1341, LULAC PI?

15 Q. (BY MR. SILVA) And so now we're looking at where CD35 is
16 in the Plan C233 [sic] 2025 map. Do you see that, Dr. Juárez?

17 A. Yes.

18 Q. Now looking at Plan C2333, are you familiar at all with
19 Karnes or Wilson County?

20 A. No.

21 Q. As a resident of the I-35 corridor communities, do you have
22 occasion to visit Karnes or Wilson County?

23 A. No. I have only driven through it. I think.

24 Q. Thank you. And going back to your current congressman,
25 Congressman Greg Casar, do you believe that Congressman Casar

16:20 1 is the preferred candidate of Latino voters in CD35, as laid
2 out in the 2021 Plan C2193 map?

3 A. Yeah, absolutely. He's won by large margins in both years.

4 Q. And to the best of your knowledge -- oh, well, actually,
5 that answers my next question.

6 So one more. In your opinion, does the Plan C2333
7 2025 plan provide you, in CD27, with the opportunity to elect
8 the candidate of your choice?

9 A. No.

10 MR. SILVA: No further questions. Pass the witness.

11 JUDGE GUADERRAMA: Plaintiffs, anyone else? No?

12 Mr. Wassdorf?

13 **CROSS-EXAMINATION**

14 **BY MR. WASSDORF:**

15 Q. Good afternoon, ma'am.

16 A. Good afternoon.

17 MR. WASSDORF: Richard, could I ask you to go ahead
18 and get District Viewer up for me? Ali will help you navigate
19 it.

20 Q. (BY MR. WASSDORF) Ms. Juárez, we were talking some about
21 the various towns along the I-35 corridor a moment ago. Do you
22 remember that?

23 A. Yes.

24 Q. One of the things that you're talking about was how similar
25 San Marcos and Buda and Kyle were. Do you recall that?

16:21 1 A. Yes.

2 Q. But those aren't the only cities along the I-35 corridor.

3 Are they?

4 A. Correct.

5 Q. Are you aware that San Marcos has a population of about
6 80,000 people?

7 A. It sounds about right.

8 Q. And are you aware that New Braunfels, which I believe is
9 also along the I-35 corridor, has a population of about 90,000
10 people?

11 A. I'm not aware of their population.

12 Q. Are you aware that the population of Buda has about a
13 population of 15,000 people?

14 A. Yes, I know it's very small. That sounds about right.

15 Q. And are you aware that the population of Kyle these days,
16 after its enormous growth in recent years, is about 45,000
17 people?

18 A. It sounds about right.

19 Q. And so Buda and Kyle are very different size cities, as
20 compared to San Marcos. Aren't they?

21 A. Yes.

22 Q. They're also much closer to the City of Austin?

23 A. They are closer.

24 Q. In fact, some people would probably consider them suburbs
25 of the City of Austin these days.

16:22 1 A. I don't know about that.

2 Q. Do you think that a lot of people from Buda and Kyle
3 commute into Austin for work?

4 A. Yes. People from San Marcos, Buda, Kyle, all commute to
5 Austin.

6 Q. And probably more so in Buda and Kyle, though. Don't you
7 think?

8 A. I don't think so.

9 Q. Are you aware of who the major employers in the San Marcos
10 area are?

11 A. Yes.

12 Q. And do you have any idea who the major employers are?

13 A. So I think Texas State is one of the largest employers.
14 The outlet malls are a large employer. Probably the
15 Government, the Hays County Government, is a large one.
16 Amazon. Those would be kind of my top ones.

17 Q. Yeah.

18 A. But it's a pure guess.

19 Q. Amazon has a large distribution center in Hays County.
20 Doesn't it?

21 A. Correct, several.

22 Q. And all of those employers that you mentioned, Texas State,
23 the outlet malls, the Government, Amazon, all located in the
24 San Marcos area down in Hays County?

25 A. Yes.

16:24 1 Q. Not up in Travis County in Austin?

2 A. Correct.

3 MR. WASSDORF: Richard, could you pull up C2193? And
4 zoom in on the San Marcos area. Let's go back out one more and
5 kind of show the area in between Travis County and Bexar
6 County. In other words, move the map up. Down, then. Okay.
7 And so could you turn the city overlay on? Thank you.

8 Q. (BY MR. WASSDORF) So now we can see the cities here on the
9 map, and you see San Marcos here on the screen?

10 A. Yes.

11 Q. And so we can see there that we've got Congressional
12 District 21, which is kind of to the left side. We've got
13 Congressional District 35, which runs along the I-35 corridor,
14 and it stretches all the way up to Austin and all the way down
15 to San Antonio?

16 A. Correct.

17 Q. And then you also see that we have Congressional District
18 27 and 15 that -- so we've got -- right around San Marcos we've
19 got four Congressional Districts that each represent part of
20 that area. Do you see that?

21 A. Mm-hmm, yes.

22 MR. WASSDORF: Now, Brian, could we go to C2333?
23 Let's zoom into the same area. And could you turn the city
24 overlay on again. And zoom a little bit in on -- more on
25 San Marcos.

16:26 1 Q. (BY MR. WASSDORF) Now, we just saw a moment ago that there
2 were four Congressional Districts, 21, 27, 15, and 35, that all
3 kind of converged around the San Marcos area. How many
4 Congressional Districts do we see in that area now?

5 A. Eight?

6 Q. Right around San Marcos, don't we see --

7 A. Oh.

8 Q. -- Congressional District 21, 27, and 35?

9 A. Oh, okay. Yes.

10 Q. So just three. So now the residents in the San Marcos area
11 are represented by only three Congressional Districts, as
12 opposed to four. Is that right?

13 A. So can you tell me -- so the -- the district -- I'm not --
14 it's not very clear where the district lines are. Can you --

15 Q. Those are the bold black lines?

16 A. The bold black ones. Okay. So I see around San Marcos --
17 so 27 is to the right and 21 is to the left. Which other one
18 did you mention?

19 Q. 35?

20 A. And 35, of course. Uh-huh.

21 Q. And so we've only got three Congressional Districts in the
22 San Marcos area now?

23 A. So this is the 2025 map.

24 Q. Yes, ma'am.

25 A. Yes.

16:28 1 Q. Now while we're looking at this, you were talking a moment
2 ago about Congressional District 35 and Greg Casar.

3 A. Mm-hmm.

4 Q. Now, as we saw on 2193, which was the map before this, the
5 Congressional District 35 stretched up into Austin all the way
6 down along I-35 and into San Antonio. Do you remember that?

7 A. Yes.

8 Q. And do you know where Greg Casar lives?

9 A. Closer to Austin.

10 Q. He used to be a member of the City Council in Austin.

11 Didn't he?

12 A. Correct.

13 Q. And are you aware -- you stated previously that you were
14 previously represented by Lloyd Doggett?

15 A. Yes.

16 Q. And Lloyd Doggett currently sits in Congressional District
17 37. Is that right?

18 A. I don't know.

19 Q. Are you aware that he has announced that he is not retiring
20 and that Greg Casar is running and is expected to win in the
21 district up in Austin?

22 A. I don't know.

23 JUDGE BROWN: I'm sorry. That he's not retiring or
24 that he is retiring?

25 MR. WASSDORF: Lloyd Doggett is retiring. I may have

16:29 1 misspoken. I apologize.

2 Q. (BY MR. WASSDORF) Do you recall submitting some written
3 testimony to the Legislature during 2021 when the redistricting
4 was going on at that time?

5 A. Yes, vaguely.

6 MR. WASSDORF: Richard, could we pull that up, the
7 2021 testimony? And could we look at the fourth paragraph
8 down? It's two little lines.

9 Q. (BY MR. WASSDORF) Here in your testimony you said,
10 "Residents of one small county should not have to navigate
11 three senatorial districts. This map would draw Senate
12 District lines through several school districts, several County
13 Commissioner precincts, and several cities."

14 Did I read that correctly?

15 A. Yes.

16 MR. WASSDORF: Brian, could you zoom back out and look
17 at the first two lines?

18 Q. (BY MR. WASSDORF) Do you see here where it says, "I am
19 asking the Committee to oppose plans 2018 from the amendment by
20 Senator Joan Huffman to SB4"?

21 A. Yes.

22 MR. WASSDORF: I'd like to quickly switch back over to
23 District Viewer and take a look at this, Richard. So it's the
24 Senate. And it's actually going to be 2108.

25 Q. (BY MR. WASSDORF) And I'll represent to you, Ms. Juárez,

16:31 1 that map 2018 doesn't actually exist, and I believe that was a
2 typo, because the amendment by Senator Huffman is 2108.

3 A. Okay.

4 MR. WASSDORF: Now could you zoom in on the Hays
5 County area?

6 Q. (BY MR. WASSDORF) So do you see how Hays County has three
7 separate senatorial districts that represent portions of Hays
8 County? That would be 25, 21, and 19?

9 A. 18.

10 Q. Actually, I believe it's 19. It's the kind of purplish
11 color that kind of wraps around from the side over here and
12 goes up into Hays County.

13 A. Oh, okay. Wait, so which -- oh, this is 2018.

14 Q. Yes. This was the --

15 A. In the year 2018.

16 Q. Well, no, it was in the year 2021.

17 A. Okay.

18 Q. But it was -- it was the map that you were opposing in the
19 written testimony that you made?

20 A. This was a proposed map.

21 Q. Yes, ma'am.

22 A. Not -- not one that passed.

23 Q. Correct, ma'am.

24 A. Okay.

25 Q. And as we saw in your written testimony a moment ago,

16:33 1 you were complaining about the fact that Hays County was
2 represented by three senatorial districts.

3 A. Correct.

4 MR. WASSDORF: Now Richard, could we go look at the
5 Enacted Senate Map? I think it's 2168.

6 Q. (BY MR. WASSDORF) And so here we see Hays County. And,
7 indeed, it's no longer represented by three senatorial
8 districts; it's represented by just two, Senate District 25 and
9 Senate District 21. Do you see that?

10 A. Which map is this?

11 Q. This is the Enacted Map from the Senate from 2021.

12 A. Okay.

13 Q. Do you see how Hays County is represented only by Senate
14 District 25 and Senate District 21?

15 A. Yes.

16 Q. And so Senator Huffman proposed an amendment that would
17 divide Hays County into three senatorial districts. And you
18 submitted some testimony and you said you don't like that.
19 Right?

20 A. Yes.

21 Q. And then the map that eventually passed the Legislature
22 only had two senatorial districts in Hays County. Do you see
23 that?

24 A. Okay.

25 Q. Did you submit any written testimony or go testify before

16:34 1 the Legislature for the 2025 Redistricting Session?

2 A. No. I have not been very active at all since -- in a year
3 or so.

4 Q. Did you submit a map for the Legislature's consideration?

5 A. No.

6 Q. Yet, nonetheless, the -- under C2193, which was the prior
7 Congressional Map, there were four Congressional Districts that
8 we looked at earlier in the San Marcos area, right?

9 A. Yes. I suppose.

10 Q. And --

11 A. It's getting a little confusing --

12 Q. Yes, ma'am.

13 A. -- with all the proposed maps and -- that didn't pass, and
14 those that did pass. And so kind of having them -- yeah.

15 Q. And I apologize.

16 A. Not being able to see them all at the same time is -- yeah.

17 Q. Trust me, it's confusing for us, too.

18 And then, when we looked at C2333, which is the map
19 that is currently in place, there were, again, somewhat similar
20 to this map here, only two Congressional Districts that
21 represent Hays County. Do you recall that?

22 A. The current one?

23 Q. Yes, ma'am.

24 A. The proposed 2025 map?

25 Q. Yes, ma'am.

16:36 1 A. Yeah. So I want to go back to the -- in 20- -- when I
2 wrote that letter, we -- so Hays County is -- the reason I said
3 that is because Hays County is a community of interest, and we
4 share a lot in common. We -- the Hays County Health
5 Department. We have the Hays County Food Bank. We have the
6 Hays County --

7 MR. WASSDORF: Object to nonresponsive --

8 JUDGE GUADERRAMA: Sustained.

9 A. -- criminal justice system.

10 THE COURT: Sustained.

11 Q. (BY MR. WASSDORF) Yes, ma'am. My question is, is do you
12 recall, under the current map that we were talking about, that
13 Hays County is represented by only two Congressional Districts?

14 A. The 2025 --

15 Q. Yes, ma'am.

16 A. -- map?

17 Q. Yes, ma'am.

18 A. Yes.

19 Q. Now, are you aware that redistricting is a political
20 process?

21 A. Yes.

22 Q. And unfortunately, politicians have gotten pretty good at
23 it. Haven't they?

24 A. Texas -- all of Texas' districts are -- are wildly shaped.
25 They're very -- they're very oddly shaped.

16:37 1 Q. And, indeed, Congressional District 35, that stretches
2 along the I-35 corridor, is pretty oddly shaped. Wouldn't you
3 say?

4 A. I would, but the difference is that it includes --

5 MR. WASSDORF: Objection, nonresponsive.

6 A. It creates a community of interest.

7 JUDGE GUADERRAMA: Sustained.

8 MR. WASSDORF: Richard, could you pull up her written
9 submission again? And I'm gonna look at the third paragraph,
10 the third sentence beginning "Instead." Third paragraph, third
11 sentence, beginning with "Instead."

12 Q. (BY MR. WASSDORF) So you said here, in your written
13 testimony in 2021, "Instead, politicians in both parties have
14 developed sophisticated methods to gerrymander districts and
15 allow them to choose partisan voters."

16 Do you still agree with that?

17 A. I think both parties try. I think that, because the
18 Republican Party is in power in Texas, they have been
19 successful in creating district that do not represent the
20 interests of the communities that they serve.

21 Q. Because they're able to choose partisan voters, right?

22 A. Yes.

23 MR. WASSDORF: No further questions.

24 JUDGE GUADERRAMA: Mr. Silva?

25 MR. SILVA: Can we please pull up Exhibit 1343 LULAC

16:39 1 PI?

2 MS. PERALES: Tell me the number again.

3 MR. SILVA: 1343 LULAC PI.

4 **REDIRECT EXAMINATION**

5 **BY MR. SILVA:**

6 Q. Dr. Juárez, please take a moment to look at the Plan C2193
7 map from 2021.

8 A. Okay.

9 Q. Isn't it true that, on this map, Hays County is divided
10 into two districts for Plan C2193?

11 A. Correct.

12 Q. Thank you.

13 MR. SILVA: No further questions.

14 JUDGE GUADERRAMA: Mr. Wassdorf?

15 MR. WASSDORF: Nothing further, Your Honor.

16 JUDGE GUADERRAMA: May Dr. Juárez be permanently
17 excused?

18 MR. SILVA: Yes, thank you.

19 MR. WASSDORF: Yes, Your Honor.

20 JUDGE GUADERRAMA: Dr. Juárez, thank you so much for
21 coming down. You're excused and free to go, ma'am.

22 THE WITNESS: Thank you.

23 (Witness excused.)

24 THE COURT: Ms. Perales, your exhibit list goes
25 through 1329, and we're already up to 1343. I wonder if you

16:40 1 might file an amended exhibit list?

2 MS. PERALES: We're doing that this afternoon,
3 Your Honor.

4 JUDGE GUADERRAMA: All right. Thank you.

5 MS. PERALES: Thank you.

6 JUDGE GUADERRAMA: Mr. Bledsoe?

7 MR. BLEDSOE: Your Honor, the next witness would be
8 the trial deposition of Dr. Richard Murray, which would go till
9 the end of the day. And I think there are witnesses that will
10 be here tomorrow.

11 JUDGE GUADERRAMA: So is this -- is this the videotape
12 from the trial? Is this the same deposition, or what --

13 MR. BLEDSOE: No, new deposition.

14 MR. KERCHER: This is a new deposition of Dr. Murray.
15 The parties agreed that, because Dr. Murray is unable to make
16 it to El Paso that, rather than call him live, where Bledsoe
17 was able to ask his direct questions, Mr. Bryant was able to
18 ask his cross-examination questions, that that has been -- and
19 that was videoed so that the Court can watch it in much the
20 same way that we did during trial.

21 JUDGE GUADERRAMA: All right. So I don't have to rule
22 on any objections or anything?

23 MR. BRYANT: I made a number of objections,
24 Your Honor, but I'm fine with the Court ruling on it in its own
25 time.

16:42 1 THE COURT: Okay. All right. Thank you.

2 MR. DUNN: Shall I proceed?

3 MR. BLEDSOE: Shall I proceed, Your Honor?

4 JUDGE GUADERRAMA: Yes, sir.

5 MR. BLEDSOE: Thank you.

6 JUDGE GUADERRAMA: Mr. Dunn, are you driving the ship
7 on this?

8 MR. DUNN: I'm trying to, Your Honor. I think I might
9 be close to having it resolved. Okay. As you can tell, the
10 audio is here, the video is here, but the video's not making
11 it, and I don't know what to do about that.

12 THE COURT: Well, maybe we can just do the audio,
13 then?

14 MR. DUNN: I beg your pardon?

15 JUDGE GUADERRAMA: Maybe we can just do the audio.

16 MR. DUNN: I could try to set the laptop up here and
17 put the microphone.

18 JUDGE GUADERRAMA: Sure. That would be fine.

19 (Videotaped Deposition of Dr. Murray played.)

20 MR. BLEDSOE: Garry Bledsoe for --

21 MR. DUNN: Actually, why don't I do this? Maybe
22 that's a little better.

23 MR. NOTZON: Robert Notzon for the Plaintiff
24 Intervenors.

25 MR. BRYANT: David Bryant for the Office of the

16:45 1 Attorney General on behalf of Defendants.

2 (Witness sworn by the Court Reporter.)

3 MR. BLEDSOE: I think we've got kind of an agreement
4 here. I think that there are going to be five exhibits I don't
5 think there are any objections. I think that the new report,
6 Dr. Murray, is one exhibit. We've got the letter from the
7 Chairman of the House Select Committee on Redistricting to --
8 Harmeet Dhillon. And the DOJ letter to the Governor and the
9 Attorney General. And I think the only ones that were not
10 involved in the previous litigation from the previous
11 litigation, we have the report that we deposed Dr. Murray on,
12 as well as the Texas Legislative Council Guide on the 2021
13 redistricting. I think we have an agreement on those.

14 Is that right, David?

15 MR. BRYANT: That is correct that, of course, all the
16 previously admitted exhibits, we have no objection to. And I
17 believe that the August 22, 2025 analysis of Texas
18 Congressional Plan C2333 has been previously provided to the
19 Defendants.

20 So we have no objection to that document being subject
21 to examination today. And then the other documents of the
22 July 7, 2025 letter to Governor Abbott and Attorney General
23 Paxton from the U.S. Department of Justice Civil Rights
24 Division, and we have no objection to that.

25 MR. BLEDSOE: Okay. And the letter from Cody Vasut,

16:47 1 the chair of Redistricting, to Harmeet Dhillon, what about
2 that?

3 MR. BRYANT: No objection to that one as well.

4 THE REPORTER: I didn't get that name, sir. It's kind
5 of muffled. What was the name on that last objection?

6 MR. BRYANT: You mean the author of that letter?

7 THE REPORTER: Yes.

8 MR. BRYANT: I think it's Cody Vasut, V-A-S-U-T.

9 THE REPORTER: Thank you.

10 **RICHARD MURRAY, Ph.D.,**

11 duly sworn by the Court Reporter, was examined and testified as
12 follows:

13 **DIRECT EXAMINATION**

14 **BY MR. BLEDSOE:**

15 Q. So Dr. Murray, can you please describe your academic and
16 professional background relevant to your work on redistricting
17 and voting rights as an expert?

18 A. I have a Ph.D. in political science from the University of
19 Minnesota. I taught at University of Houston beginning in
20 1966, particularly specializing in America and Texas politics I
21 was coauthor through, I think, six editions of a basic text on
22 Texas politics, and written a number of other articles and
23 participated in a couple of books.

24 Q. And have you been accepted as an expert in the past?

25 A. I have.

16:49 1 Q. Okay. Have you been accepted as an expert in each
2 redistricting case that you've testified on?

3 A. I have.

4 Q. And starting when?

5 A. Starting in the summer of 1971, when I was an expert for
6 the Plaintiffs challenging the Texas State Senate Plan that had
7 been enacted, which eliminated a Black-controlled district in
8 Central Harris County.

9 Q. And in that instance, were you testifying against a
10 decision made by Democratic officials in Texas?

11 A. Yes. The Democrats controlled the Legislature in 1971, and
12 enacted a State Senate Plan that, again, eliminated --
13 effectively eliminated an African American-dominated district
14 in Harris County.

15 Q. Did you previously testify before this panel about the
16 existing map, C2193?

17 A. Yes.

18 Q. And is your report on C2193 relevant to your work on C2333?

19 A. Yes.

20 Q. Could you explain?

21 A. Well, of course that was the Enacted Plan that the regular
22 legislative session adopted. And when the Governor was pressed
23 by President Trump to make a different map after the
24 legislative session ended, that -- the new map now, C2333, took
25 a number of elements from the Enacted Map of 2021, but also

16:51 1 made very significant changes, particularly in the large
2 metropolitan areas, and, to a lesser degree, South Texas.

3 Q. And Dr. Murray, one of the documents that we have today
4 that we may go over with you is your report on C2193.

5 Is the historical discussion in your expert report
6 from the case that was tried in May and June, is that -- the
7 historical report relevant to that?

8 A. Yes, it is.

9 Q. And has anything changed to undermine that report and the
10 decision about the connection between history and current
11 decisions of the Texas Legislature?

12 A. Nothing has changed.

13 Q. And the -- now, what were you asked to do in reference to
14 the current map, C2333?

15 A. I was asked to review the map, particularly in the context
16 of the redistricting history in Texas of the Congressional
17 seats. And particularly to focus on whether the new map
18 violated, in my opinion, the rights of the minority voters in
19 Texas, specifically African Americans and Blacks, to due
20 process and to equal treatment under the law.

21 Q. And Dr. Murray, could you -- I believe you have there for
22 you -- I guess we'll mark that as Exhibit 2 -- your current
23 expert report. [Inaudible]?

24 A. I do.

25 Q. Okay. And could you describe to us what methodology and

16:53 1 approach you took to determine whether or not there was a vote
2 dilution or racial gerrymandering, involved in C2333?

3 A. In terms of data, I relied heavily on the reports available
4 from the Texas Legislative Council that analyzes all the maps
5 that were proposed or introduced in the last few years. And of
6 course, looking particularly at the current Enacted Map, in
7 terms of how it redistributed population as Spanish Surname
8 Voter Registration.

9 Also, I have maintained, independently, a number of
10 databases, population changes, and particularly the
11 metropolitan areas of Texas and Harris County. Since 2000 I've
12 maintained a database of every voting precinct in the county,
13 along with this racial and ethnic makeup.

14 So those were the primary sources that I relied upon
15 in producing this report.

16 Q. And are those the same sources you relied upon in producing
17 your report in the May/June case?

18 A. Yes.

19 Q. And are your sources identified in your report?

20 A. I'm not sure. Of course, the Legislative Council data is
21 widely available, and all experts rely heavily upon that.

22 Q. Okay. So I want to talk about what you concluded in your
23 report, Doctor. I want to go to Houston and talk about the
24 impact on Black voters and what you were able to determine.

25 And first, can you describe how Plan C2333 impacts

16:55 1 CD9, as discussed on page 2 of your report?

2 MR. BRYANT: Mr. Bledsoe, I'd like to interpose an
3 objection at this point. On September 25th, 2025, the Court in
4 this case issued an order to file a corrected chart of claims.
5 And if I understand that order correctly it states that,
6 because there are only two Intervenor Plaintiffs remaining in
7 this lawsuits, the Intervenor Plaintiffs has standing to
8 challenge, at most, two Congressional Districts at the upcoming
9 Preliminary Injunction Hearing. And the two Intervenor are
10 Representative Crockett and Representative Green.

11 So my understanding is that the Court has ruled that
12 the only testimony relevant to the Intervenor's claims would be
13 those related to the Congressional Districts in which
14 Representative Crockett and Representative Green live.

15 I know that Dr. Murray's analysis and report included
16 those, but it also includes a number of other Congressional
17 Districts, and at this time we would like to have a running, or
18 general, objection to Dr. Murray testifying about any
19 Congressional Districts other than those in which
20 Representative Crockett and Representative Green reside.

21 I don't want to interfere with the -- with your
22 examination of Dr. Murray, and so I'd like to just make that
23 objection once for the record and have that apply to the
24 deposition. Is that okay with you, Mr. Bledsoe?

25 MR. BLEDSOE: That's fine. Thank you. Thank you.

16:58 1 Q. (BY MR. BLEDSOE) So, Doctor, so let me -- I probably
 2 should have asked this question first, but -- and based on that
 3 objection, let me ask this question.

4 Is there a connection between different districts that
 5 you discovered in examining the impact on Black voters in the
 6 Houston area?

7 A. There is, particularly given the major changes that we saw
 8 in the 2333 plan. You know, if you change one district, you
 9 necessarily have to change additional districts. And of
 10 course, that was very much the case in Houston where, if you
 11 want to pick a starting point, existing Congressional District
 12 9, represented by Alexander Green, about 750,000 population was
 13 moved out of the existing district, 98 percent or so.

14 And of course, that forced a major shift across the
 15 entire metropolitan area. In a sense, most of the removal was
 16 pushed into the adjacent District 18, where I understand in the
 17 future Congressman Green will -- residence now exists. He, of
 18 course, lives now in District 9.

19 So District 18 had to absorb several hundred thousand
 20 new population, and tens of thousands of voters, which made it
 21 greatly overpopulated unless you pushed out several hundred
 22 thousand people, mostly over into District 29. So these are
 23 all linked together in a kind of counter -- or a clockwise
 24 motion, where 9 pushes to the north and west into 18, 18 pushes
 25 voters into the -- pushes voters into 29, which then is much

17:00 1 overpopulated. And so the eastern half of 29 is severed to get
 2 it back in population conformity.

3 So all these districts, starting with 9, then 18, then
 4 29, and ultimately the almost wholly new District 9, are very
 5 much impacted by this new map. And you can't just say, "Well,
 6 we'll pull out this one district." You can't do that with the
 7 equal population requirement. If you move many people out of
 8 one district, it's going to impact a number of adjacent
 9 districts. And that's what happened in Harris County.

10 MR. BRYANT: Objection, nonresponsive and narrative
 11 answer.

12 Q. (BY MR. BLEDSOE) Okay. So Doctor, could you describe in
 13 terms of -- you said a clockwise motion, I think, is what you
 14 described. And you indicated the connection. So could you
 15 tell us, what do you mean by the clockwise motion?

16 A. Well, and generally, the existing District 9 which, like
 17 every other, is exactly the equal population required. Almost
 18 all its population, 98 percent, were moved or pushed out, and
 19 the larger number was pushed to the north and west into
 20 existing District 18. These are two adjacent districts that
 21 have co-existed since the early 21st Century.

22 But both were dramatically changed by this new map.
 23 And that force further changes in the District 29, a district
 24 created by the Federal Court 30 years ago, currently
 25 represented by Congresswoman Sylvia Garcia. And those changes

17:02 1 dramatically shifted the nature of the district she currently
2 represents.

3 Q. And Doctor, you describe the 9th as an Opportunity
4 District. Can you explain why?

5 A. Well, since the 9th was created by legislative action in
6 Texas, in 2003, it has consistently, in every election for
7 Congress, elected the candidate preferred by Black voters in
8 the district.

9 (Video paused.)

10 JUDGE GUADERRAMA: Mr. -- if you want to try and hook
11 it up again?

12 MR. DUNN: All right. I apologize to have my back to
13 the Court.

14 (Video played.)

15 A. So it's been a very effective district in terms of giving
16 amp American voters the opportunity to elect a candidate of
17 their choice. And since that district was created, the
18 candidate they have supported and has won by large margins is
19 Al Green.

20 Q. And so your characterization -- is it your opinion that CD9
21 was not a coalition district?

22 A. No, it's a district that --

23 MR. BRYANT: Objection, leading.

24 Q. (BY MR. BLEDSOE) Well, was CD9 a coalition district?

25 A. No. Congressman Green won election in the effective

17:04 1 election in the Democratic primary in that district. And his
2 effective elective base are African American voters, who
3 dominated the district.

4 Q. And what about the general election? What impact would the
5 voters have in all those elections?

6 A. They have easily supported the lengths of the candidate of
7 their choice, who's won by margins of about three to one in
8 every election.

9 Q. So do they determine the outcome in the general election?

10 A. Yes.

11 Q. So the -- if we look at Congressional District 9, how would
12 you characterize that district today? What's the nature of it?
13 Who will -- what kind of voters will determine the outcome?

14 A. Existing District 9, or the recently Enacted District 9?

15 Q. 2333. What will that perform like?

16 A. Well, it totally removes any meaningful influence of Black
17 voters because the numerous high-performance Black
18 neighborhoods are all removed from the district. So 9, as
19 reconfigured, has almost no similarity to the existing
20 District 9.

21 Q. Are there racially polarized voters with the -- the
22 racially polarized voting dynamics that impact the outcome of
23 elections in the new district?

24 A. Very much so. The new territory added to constitute
25 Enacted District 9 includes the most racially polarized White

17:06 1 voting areas in Harris County, particularly in areas like Deer
2 Park and South Pasadena, for example, currently represented in
3 the state House by Member Briscoe Cain. Again, his district is
4 the highest in terms of racial polarization, where the majority
5 of White voters opposed, by very large margins, the candidates
6 supported by African American or Latino voters.

7 Q. And will the -- the State has made a lot about the fact
8 that Congressional District 9 now has a majority Latino
9 Voting-Age Population. Can you -- will this district elect the
10 Latino candidate of choice from what you've analyzed?

11 A. No. In my opinion, the Whites that were added to this
12 district, again, are very high registration, very high turnout,
13 and very high polarization against candidates preferred by
14 Hispanic voters.

15 Q. So it will not function as a Latino majority seat?

16 A. No.

17 MR. BRYANT: Objection, leading.

18 A. No, in my opinion.

19 Q. (BY MR. BLEDSOE) If we look at Congressional District 18,
20 where the voters -- well, let me first ask, is Congressman
21 Green harmed by the new configuration of Congressional District
22 9?

23 A. Of course. In Congressman Green's successful election
24 base, overwhelmingly Black voters are removed from District 9.

25 Q. In Congressional District 18, can you explain the

17:08 1 significance of the changes in Congressional District 18 in
2 reference to what you have discussed in your report?

3 A. Well, District 18 has a long history. It was created by
4 this Texas Legislature in 1971 and initially was represented by
5 Congresswoman Barbara Jordan. It's historically been a
6 district that combined the White neighborhoods on the north
7 side of Buffalo Bayou, where Congresswoman Jordan had grown up,
8 like Fifth Ward and Kashmere Gardens, and the Third Ward area
9 south of Downtown and Sunnyside.

10 This new map removes a number of the traditional areas
11 that have always been in the 18th District, like Independence
12 Heights and Acres Home, and instead, it has a huge amount of
13 territory and new voters mostly coming from Congressman Al
14 Green's existing Ninth District.

15 So it completely changes the makeup of District 18.
16 The traditionally dominant African American neighborhoods in
17 the existing 18th District are now overwhelmed by the addition
18 of not only a lot of new territory, but also a lot of new
19 voting precincts that are growing, whereas most of the
20 remaining precincts in District 18 are stable or losing
21 population. So the political makeup of District 18 is
22 dramatically altered by this map.

23 Q. And did you observe if -- in the changes made to 9 and 18,
24 if there was or was not compliance with redistricting
25 principles?

17:11 1 A. In my opinion, the changes made to District 9 and 18 do not
2 conform to traditional redistricting principles. These changes
3 were wholly unnecessary. The 18th District had, for 50 years,
4 been an effective Opportunity District for African American
5 voters. No need to change to preserve that. The 9th District,
6 again, for 20 years, had been an effective Opportunity
7 District.

8 And now you have created a merger and packed a very
9 large number of Black neighborhoods into a single district, and
10 effectively reduced the districts that African American voters
11 have the opportunity to elect from two to one in the Houston
12 metropolitan area.

13 MR. BRYANT: Objection, nonresponsive, narrative
14 answer.

15 Q. (BY MR. BLEDSOE) The -- if we look, Doctor, at the
16 population in Harris County -- in Harris County, the Harris
17 County area, of demographics, how does that compare to the
18 State's population?

19 A. Overall, the Anglo percentages are about the same.
20 Statewide, Texas now is about 60 percent combined minority
21 population, and about 40 percent Anglo. Statewide, about
22 40 percent of the population are Hispanic. That's about the
23 same percentage in metropolitan Houston and in Harris County.

24 Harris County is a little larger Black population,
25 approaching 20 percent, going up now. So it's a somewhat

17:12 1 larger Black population in Harris County and in the Houston
 2 metropolitan area than statewide.

3 So in a state that's very diverse, Harris County is
 4 even more. We have both larger African American population
 5 percentages and also larger Asian percentages. About the same
 6 Hispanic as the statewide data.

7 Q. And in reference to the districts that are anchored there,
 8 how did you assess the level of control of White voters over
 9 those districts?

10 A. Well, you have net transferred or increased the number of
 11 districts in metropolitan Houston that Whites control by an
 12 additional one district, the new configured 9th District.

13 Q. Are there any Latino Opportunity Districts in -- out of the
 14 Harris County grouping of Congressional seats?

15 A. Not in my opinion. So you reduce the Latino Opportunity
 16 District that exists, the 29th, by creating a new 29th District
 17 that, by no means, we have any reason to believe Latino voters
 18 will be able to elect a candidate of their choice.

19 Q. And they're approximately what percentage of the population
 20 in the Harris County area?

21 THE REPORTER: In the Harris County what? You're
 22 tapering off.

23 A. In the 29th District, the Spanish Surname Registered Voter
 24 percentage was reduced by this map from about 57 percent to
 25 36 percent. And at the same time the African American

17:15 1 population in the district was effectively doubled. And given
 2 historic and recent voting patterns, in my opinion, African
 3 American voters now will probably outnumber Latino voters in
 4 the upcoming March primary if this district is used as the
 5 basis of election. But there are a lot of other voters there,
 6 too, so this would be creating a very conflicting district
 7 between Black and Latino voters going forward.

8 Q. Now, the 18th District, was it already performing for
 9 African Americans, I think you indicated?

10 A. Could you repeat that, please?

11 Q. Did the 18th Congressional District perform for African
 12 Americans under C- -- under the current map?

13 A. Yes, as it has in every map Enacted since 1971.

14 Q. And is Congressman Green harmed by the new configuration of
 15 the 18th Congressional District?

16 A. Yes. His home office, his personal residence, were removed
 17 from his existing district. Most of his existing voters were
 18 moved to a district that they had previously not resided in.
 19 And these changes, of course, have come very late in the
 20 election cycle, with filing due in just a few weeks in Texas.

21 We now have the great majority of Congressman Green's
 22 constituents in a new number district that, you know, no one
 23 expected, until few weeks ago, where they would reside and
 24 vote.

25 Q. So you talk about the -- you mention the reassignment of

17:17 1 numbers. You talked about that in your report. Now, can you
2 tell us the consequence of the reassignment of numbers of the
3 Legislature and what you mean by that?

4 A. Well, voters, you know, don't follow Congressional Maps
5 very closely, but know -- most have some sense of who their
6 incumbent member is and the number of the district in which
7 they live. Particularly in Houston, for example, a lot of
8 these districts, like District 7, District 18, Districts now 29
9 and 9, have largely existed in their present form for two to
10 five decades. And then suddenly the numbers are changed. And
11 in the case of District 9, it has no relationship, virtually
12 none, to the old district.

13 So minimally, this is confusing to voters and has the
14 real potential to reduce voter participation based on
15 confusion. Suddenly people are told, "You don't live in that
16 district anymore, and when you vote it's a new district." So
17 particularly a late shift in numbers, which is unnecessary.
18 Why put a label, you know, that doesn't apply? The new
19 District 9 virtually has nothing to do with the old District 9.

20 So I think it -- coming late in the process is
21 evidence of intentional discrimination, particularly at the
22 minority voters who are mostly affected by these renumberings.

23 MR. BRYANT: Objection, nonresponsive and narrative
24 answer.

25 Q. (BY MR. BLEDSOE) Doctor, why do you feel that the

17:19 1 renumbering is an example of discrimination to African
2 Americans and Latinos?

3 A. My feeling about that, and opinion, is largely based on,
4 well, look at what happened to the White districts. 7 is still
5 pretty much 7. District 2 is still pretty much District 2.
6 The Congress member there, Congressman Crenshaw, didn't like
7 the first version of the new map because, for example, it split
8 his old home base of Kingwood. So when the Legislature
9 produced, at the very last minute, the new map 2333, all of
10 Kingwood was restored to his District 2. And with the same
11 number.

12 You have a west side district that was created in
13 2021, District 38. It was trimmed a little bit here and there,
14 but just about everybody that lived in the old District 38
15 still lives in the District 38.

16 So you didn't have the kind of radical surgery that
17 affected the three Minority Opportunity Districts, 9, 18, and
18 29. Nothing like that was done to the White-controlled
19 districts.

20 Q. And Dr. Murray, I noticed you just mentioned Congressional
21 District 7. And that's a White-controlled Democratic district.
22 Is that correct?

23 A. That is correct.

24 Q. Okay. And was that -- the treatment of the 7th different
25 compared to the 9th, the 18th, and the 29th?

17:20 1 A. The changes made the district even safer for the White
2 voters and the incumbent, who's Anglo. So there are four
3 districts in the metropolitan Houston area that were --
4 Democratic voters had been successful lately in electing
5 Congress members. This one, the one White-controlled district,
6 was not significantly modified in contrast to the three
7 minority-controlled districts.

8 Q. And does that --

9 MR. BRYANT: Objection, nonresponsive. Narrative
10 answer.

11 Q. (BY MR. BLEDSOE) Does your analysis of what occurred with
12 Congressional District 7, compared to what occurred with the
13 9th, 18th, and 29th, support your decision or opinion that the
14 map in the Harris County area was drawn with a racist -- or
15 motivated by intentional racial discrimination?

16 A. It does. Voters of color, particularly Black and Latino
17 voters, were treated very different in the metropolitan Houston
18 area than were White voters.

19 Q. And Dr. Murray, would the drafting -- with the redraw of
20 Congressional District 9, is that -- does that exhibit
21 intentional vote dilution --

22 MR. BRYANT: Objection, leading.

23 Q. (BY MR. BLEDSOE) -- of African American voters?

24 A. In my opinion it does, particularly because of the
25 last-minute addition to the reconfigured District 9 of Liberty

17:22 1 County.

2 The first proposed map kept District 9 entirely within
3 Harris County. But I think, upon further analysis, the map
4 drawers concluded that's not -- we're not assured that the
5 White-supported candidate will win in District 9 as long as
6 it's just in Harris County.

7 So the new map, 2333, added Liberty County, you know,
8 which is a predominantly rural county northwest of Harris
9 County with a very high, long history of opposing candidates
10 supported by Latino voters, usually by margins of about
11 80 percent to 20 percent.

12 So perhaps, under the first remap that was released
13 and considered by the Legislature, there would have been a
14 reasonable opportunity for Latino voters to have supported a
15 candidate who could win. That, in my opinion, is no longer the
16 case with the revisions that were enacted, most specifically,
17 Liberty County being added with the final map.

18 Q. Doctor, what is your sense of whether or not there was
19 intentional vote dilution in reference to Congressional
20 District 18?

21 A. Could you repeat that, please?

22 Q. Did you assess whether or not the intentional vote dilution
23 in the Houston area also included the changes in Congressional
24 District 18?

25 A. In 18, I don't think that -- what you have is more of a

17:24 1 packing of the Black voters from previous District 9 or
2 existing District 9 and 18, rather than a dilution, in my
3 opinion.

4 Q. But you have packing to the extent that is dilution?

5 A. Yes.

6 MR. BRYANT: Objection, leading.

7 A. 18, in my opinion, is a clear example of packing of African
8 American voters from two existing districts into one.

9 Q. (BY MR. BLEDSOE) Okay. Now, Dr. Murray, in your
10 assessment of the actual drawing of the map in the Houston area
11 and the changes that you described in reference to African
12 American voters compared to those of White voters, do you have
13 an opinion if this is consistent with racial gerrymandering?

14 A. It is consistent with racial gerrymandering which, you
15 know, is not unusual in Texas, but for many years was
16 constrained by courts enforcing the Voting Rights Act. And
17 this is a reversal of recent patterns, where electoral
18 opportunities for African American voters were generally
19 increased. And in this case, they are dramatically reduced.

20 Q. The -- so if we look at -- at DFW -- you mentioned DFW in
21 your report as well. That's where Congresswoman Jasmine
22 Crockett lives. I guess she currently lived in the 30th, but
23 she'll be in 33 in the new configuration. Is that right, Doc?

24 A. That's my understanding, that her residence was in the
25 existing 30th District, but the map moved the Congresswoman's

17:26 1 residence into District 33, which was substantially
2 reconfigured by this remap.

3 Q. Okay. And Dr. Murray, you testified about there being
4 three districts that were involved in a redraw in the Houston
5 area that was kind of combined in that clockwise thing that you
6 described. What occurred in Dallas-Fort Worth?

7 MR. BRYANT: Objection, vague.

8 Q. (BY MR. BLEDSOE) Well, were there districts that were
9 connected in the redrawing on the Dallas-Fort Worth portion of
10 the map that have relevance to the -- to the voting power of
11 African American and/or Latino voters?

12 A. Yes. Specifically as mentioned with Congresswoman
13 Crockett, the remap, which eliminated the Tarrant County
14 portion of existing District 33, pushed 33 entirely into Dallas
15 County. It brought in Congresswoman Crockett's residence,
16 which, of course, was not the case under the existing map.

17 So, again, you can't just isolate one district when
18 you're moving 400,000 people out of Tarrant County in
19 District 33 over into Dallas County, and in this case adding,
20 you know, a big chunk of new folks in Dallas County, including
21 Congresswoman Crockett. The effects ripple out very quickly,
22 as they did in the Houston metropolitan area.

23 I mean, when you make these changes in a metropolitan
24 area of 7 or 8 million people, they don't just stop at the
25 boundaries of one Congressional District. They necessarily

17:28 1 quickly spill over into at least the adjacent districts, if not
2 far beyond.

3 Q. So in terms of -- let's take a look at what occurred with
4 the districts.

5 Let's start out with CD30. In CD30, you classified
6 that as what kind of district in reference to African American
7 voting strength prior to the change?

8 A. District 30 was an Opportunity District since State Senator
9 Eddie Bernice Johnson in the Legislature pushed to create that
10 district in 1991. It has, in every election since 1991, by a
11 decisive margin, elected the candidate preferred by the African
12 American voters in the district. So it's been an obviously
13 performing district of opportunity for African American voters
14 for 35 years -- 34 years.

15 Q. And is it necessary for a district to have 50.1 percent
16 Black CVAP in order to be a Black Opportunity District?

17 A. Maybe in South Carolina and Mississippi, but not in Texas.
18 I looked at the state municipal elections, Congressional
19 elections, legislative elections. If African American voters
20 in almost any instance constitute 35 percent of the Voting Age
21 population, that becomes an Opportunity District for African
22 American voters. Because of high levels of cohesion, turnout,
23 particularly in the Democratic primaries, they become the
24 effective elections.

25 So 50 percent is a very arbitrary and unnecessary

17:30 1 number. The history of voting in Texas since the '60s is, you
2 don't need anywhere near that number to have an effective
3 Opportunity District, in contrast to, again, Deep South states
4 like Mississippi and South Carolina, Alabama, where virtually
5 everybody who's not an African American is an Anglo voter.

6 And that's not Texas. The people that are not African
7 American in Texas, more of them are minorities than Anglos. So
8 it's just a very different situation in our state.

9 Q. So in Congressional District 30, have African American
10 voters been able to determine the outcome in that Congressional
11 District since the time that it was created back in 1990?

12 A. Absolutely. There has never been a significant challenge
13 to the candidate preferred by African American voters in over
14 30 years.

15 Q. And are they doing this without the necessity of support
16 from other groups?

17 A. Could you repeat that, please?

18 Q. Are they doing this just by African American voters alone,
19 without needing the coalitions of other groups?

20 A. Still not entirely sure I understand the question.

21 Q. Okay. By African American Opportunity Districts, you mean
22 a district that African American voters themselves can elect a
23 candidate?

24 MR. BRYANT: Objection, leading.

25 A. Yes. This is not a coalition district. District 30, as

17:32 1 it's existed since 1991, is not a coalition district. It's the
2 district where African American voters have clearly, by any
3 standard, been able to elect the candidates of their choice in
4 whatever 16 or 17 Congressional elections.

5 Q. And that's true in the primary and the general election?

6 A. Absolutely.

7 MR. BRYANT: Objection, leading.

8 Q. (BY MR. BLEDSOE) Okay. Is that true in the general
9 election?

10 A. Yes, in the general election. Very often the candidate
11 preferred by African American voters, no one files against
12 them.

13 Q. The -- so in -- with -- what occurred in the 33rd in terms
14 of -- did you assess whether vote dilution occurred with the
15 changes in the 33rd Congressional District?

16 A. Well, the 33rd District was created largely, as I
17 understand it, by a federal court. It reflected the tremendous
18 growth, natural population growth, of Black and Latino voter --
19 or population and voters in the Dallas-Fort Worth area by now
20 combining these growing minority communities into a very
21 diverse district that was naturally occurring, that you just
22 had an out-migration of Whites in Dallas County and Tarrant
23 County, particularly between 2000 and 2010, and an in-migration
24 of Latino and African American voters.

25 And the Court recognized, I think, in drawing this

17:34 1 district, that this was naturally occurring and linked these
2 growing minority communities across the two counties into a new
3 Congressional District whatever 14 years ago. And it has
4 functioned as a district where minority voters have dominated
5 the district since it was created and went into effect in 2012.

6 MR. BRYANT: Objection, nonresponsive. Narrative
7 answer.

8 Q. (BY MR. BLEDSOE) Well, Doctor, in terms of Congressional
9 District 33, can you tell the Court why you say that it's a
10 naturally occurring district?

11 A. Well, again, there was no remapping after 2003, but the
12 populations were moving. I mean, people don't choose their
13 residence based on Congressional Districts, but you had a
14 situation in Tarrant and Dallas County where a lot of Anglo
15 residents were moving out to the suburban counties, like Denton
16 and Collin, and new minority populations were moving in, just
17 as sort of a natural evolution. Not uncommon across urban
18 America.

19 So this sort of natural population migration, Whites
20 moving out to suburban and exurban areas, minority populations
21 finding better housing and more opportunities in Dallas and
22 Tarrant County, created a new reality on the ground. And the
23 Court redrew the map here. Texas gained two or three
24 districts.

25 And so this was, you know, a new district that came

17:36 1 into existence reflecting the sort of natural population shift.
2 And, you know, as we saw in the elections that followed, the
3 minority populations clearly dominated the Congressional
4 elections.

5 Q. Was the African American candidate of choice elected since
6 the Court redrew Congressional District 33?

7 A. Yes. In each of the whatever seven elections since 2012,
8 the candidate preferred by African American voters has won in
9 this district.

10 Q. And Dr. Murray, could you tell us the -- under the new --
11 newly configured C2333, does Congressional District 33, is it
12 likely to elect the African American candidate of choice?

13 A. In my opinion, likely not. All of Tarrant County was
14 removed, including the high-performing African American
15 precincts that the winning candidate depended upon heavily in
16 the previous elections. Those are no longer in the
17 33rd District. So it's a very substantially modified district.

18 Perhaps if Congresswoman Crockett, running as an
19 incumbent, were to file, she might be able to put together a
20 coalition of voters to win. But if that -- any other candidate
21 supported strongly by the African American community would be
22 an underdog in the new district. It's -- it's not likely to
23 elect a candidate preferred by African American voters unless
24 Congresswoman Crockett chooses to contest the election.

25 Q. Doctor, you discussed the 33rd there on page 3 of your

17:38 1 report, and you analyzed actual changes that occurred in the
2 33rd relevant to the different demographic groups. Could you
3 tell us what those changes were and how those are relevant to
4 your analysis?

5 A. Well, the changes made major shifts in the population
6 makeup of the district. The Black percentage in the district
7 was reduced by about 25 percent, from 20.4 percent of the VAP
8 to 50.7.

9 Hispanic Voting-Age Population was similarly reduced
10 by about 4 percent, from 54 to 50 percent. But the Spanish
11 Surname Registered Voter count was reduced was from 36.5 to
12 31.2 percent.

13 The big gain in the reconfigured 33rd is Anglo, where
14 the Anglo VAP was increased from 15.7 to 26.8. And given that
15 Anglos are registered and voting at higher levels, it
16 dramatically increases Anglo influence in the reconfigured
17 33rd District.

18 Q. So in reference to the 33rd District, do you see that there
19 is harm to African American voters?

20 A. African American voters will go from being a very powerful
21 force and influence that have successfully supported their
22 candidate of their choice in every previous election to having
23 some influence, but by no means in the reconfigured 33rd,
24 likely to determine the outcome of the Congressional election.

25 Q. Now, Doctor, using the idea of -- I hate to flip around on

17:40 1 this -- naturally occurring districts, is the concept of
2 districts naturally occurring, was that also involved in your
3 Houston analysis?

4 A. Yes. I mean, the reason for the emergence of the
5 9th District in the 21st century was the big growth in the
6 shift of population where -- the dramatic increase in African
7 American population. And the population was moving into Fort
8 Bend County and then into Brazoria County. So this is a
9 natural population evolution that was the basis of the
10 9th District in Houston, just as it was in the 33rd District in
11 Dallas-Fort Worth.

12 MR. BRYANT: Objection, nonresponsive. Narrative
13 answer.

14 Q. (BY MR. BLEDSOE) So Doctor, in terms of naturally
15 occurring districts, can you -- is there any consequence, in
16 your opinion, in terms of the State eliminates naturally
17 occurring districts that have performed for African American
18 voters, as contrasted to Section 2 districts?

19 MR. BRYANT: Objection, vague.

20 A. Texas is the -- in terms of total population, the
21 fastest-growing state in the country. Between 2000 and 2010
22 and 2010 and 2020, the state net population increased by
23 4 million and 4 million again. Of that total of 8 million-gain
24 between 2000 and 2020, 90 to 95 percent were minorities.
25 That's a naturally occurring thing. People aren't moving to

17:42 1 Texas because of Congressional Districts. That's just people
2 seeking jobs and better opportunities.

3 So you've got a state historically controlled by
4 Anglos where the Anglo population percentage state-wise is
5 plunging. Not -- Anglo growth has largely stalled out.
6 Minority growth is surging. And that's, again, just naturally
7 occurring because of economic forces.

8 So you have to be pretty aggressive in trying to
9 protect Anglo political power, and that was what, in my
10 opinion, was done in the 2021 map, that that was not -- that
11 was more a protective map to preserve as many Anglo-controlled
12 districts as possible.

13 The difference in map 2333 is that it aggressively
14 seeks to roll back the influence of Black and Hispanic voters.
15 And, in my view, the only way you could do that was to violate
16 the equal protection that all persons should enjoy, including
17 members of racial minorities, by a very aggressive
18 Congressional remapping.

19 MR. BRYANT: Objection, nonresponsive. Narrative
20 answer.

21 Q. (BY MR. BLEDSOE) So Doctor, in terms of that -- in terms
22 of naturally occurring districts and the Fourteenth Amendment,
23 you've indicated that you believe the Fourteenth Amendment
24 applies to eliminating -- is it your opinion that the
25 elimination of naturally occurring districts that perform for

17:44 1 racial and ethnic minorities violates the Fourteenth Amendment?
2 A. In my opinion, it does. You get specific instances, like
3 you have a fast-growing Black and Hispanic population moving
4 into north Brazoria County. The map enacted by the Legislature
5 in 2021 recognized that and moved some of those voters into
6 Congressman Al Green's 9th District.

7 That was totally wiped out by the new map that put
8 those growing minority populations in north Brazoria County in
9 a district that runs deep in East Texas to the Louisiana
10 border. These voters now have been effectively neutered. They
11 have no connection to the heavily rural areas in far
12 East Texas. They're part of the metropolitan Houston
13 community. Many work at the Medical Center and other local
14 employment centers. And now they're in a Congressional
15 District dominated by voters that they have no familiarity with
16 and few shared interests.

17 Q. And Dr. --

18 MR. BRYANT: Objection, nonresponsive. Narrative
19 answer.

20 Q. (BY MR. BLEDSOE) Is there any -- what's the percentage of
21 African Americans in East Dallas, especially as it might relate
22 to the Dallas-Fort Worth elections?

23 MR. BRYANT: Objection, vague.

24 A. Texas now has the largest Black population, total, in the
25 country, surpassing Georgia and New York. But what's happening

17:45 1 within the state is that, outside the metro areas, like
2 East Texas, African American population is going down. People
3 are leaving the communities like Marshall, Lufkin.

4 So if you take districts from the metro area that have
5 a good many Blacks and link them up to rural East Texas or
6 Central Texas, you're very effectively diluting the influence
7 of Black voters in two regards. You're adding areas outside
8 the metropolitan area that are getting significantly less Black
9 as people move out. Again, seeking, perhaps, better
10 opportunities, and maybe less discriminatory local practices.
11 And you're splitting up the growing minority populations in
12 metropolitan Dallas/Fort Worth and Houston by putting some of
13 them, but not enough to have a meaningful influence, in the
14 Congressional Districts in with these areas where minority
15 populations, particularly by population, is declining.

16 Q. (BY MR. BLEDSOE) And in your report, Doctor, on page 3,
17 you also analyzed the 32nd Congressional District. Can you
18 tell us how that analysis connects with your analysis of the
19 30th and 33rd Congressional Districts in the new map -- in the
20 new C23333 map?

21 A. The 33rd -- 32nd District was created by the Texas
22 Legislature, I think, in 1991, and was a solid Republican
23 district. But this population movement that we've discussed,
24 particularly in Dallas-Fort Worth, where 200,000 net Anglos
25 moved out of Dallas County between 2000 and 2010, changed the

17:47 1 nature of the 32nd District. Not by redrawing it, but just by
2 natural population shift.

3 So what had been a solidly Republican district when it
4 was redrawn in 2011 was a district, in 2018, where a minority
5 Democrat, Colin Allred, was elected, defeating a long-term
6 incumbent Anglo member. That's, again, another instance of
7 natural population movement.

8 And the map adopted in 2021 recognized, I think,
9 things have changed in Dallas County. There was no effort to
10 dismantle that district now that minority voters had become a
11 controlling influence. So, in fact, the district was kept
12 almost entirely within Dallas County and a little sliver of
13 Collin County, which is also a rapidly changing county, and
14 minority voting influence was actually increased in the new map
15 adapted -- adopted in 2021.

16 This map totally goes in a very different direction.
17 It retains a minority of the district in Dallas County and a
18 little bit of Collin, but shifts the center of political
19 gravity over to the counties to the east, running almost to
20 Louisiana and Arkansas.

21 And so now you've got still a significant number of
22 minority voters in Dallas County, but not enough to influence
23 the election. So you dramatically reduce the opportunity for
24 Black and Hispanic voters in the reconfigured 32nd District.

25 Q. So the -- in reference to the 30, 32nd, and 33rd, the -- is

17:49 1 there vote dilution reconfiguration of those two -- those three
2 considered together?

3 A. Absolutely.

4 MR. BRYANT: Objection, vague.

5 A. Absolutely.

6 Q. (BY MR. BLEDSOE) African American voters in the 30th,
7 32nd, 33rd, combined, have suffered vote dilution?

8 MR. BRYANT: Objection, leading.

9 A. Absolutely. You've gone from a clear Opportunity District
10 that remains such, the 30th. But in the 30th and
11 33rd District, 32nd and 33rd districts, the African American
12 vote impact has been very substantially diluted. So the net
13 effect is -- is quite dramatic in rolling back the opportunity
14 for African American voters in the Dallas-Fort Worth area.

15 Q. (BY MR. BLEDSOE) The -- so numbers-wise, can you explain a
16 bit about the impact to Black and Brown voters that the C2333
17 had on their voting strength in the Dallas-Fort Worth area?

18 MR. BRYANT: Objection, vague.

19 A. Well, by population, the Dallas-Fort Worth metro area, the
20 fastest-growing metro area in the country and the fastest
21 growing in precinct minority voters, dominates about 11
22 Congressional Districts.

23 Three of those existing districts are clearly
24 districts where minority voters really are in control. And in
25 a fourth, very influential, that's reduced to, now, just two

17:51 1 districts. So you've got a metropolitan area that's 55 percent
2 Black and Hispanic but they have, really, influence in two out
3 of 11 districts.

4 Q. (BY MR. BLEDSOE) So do you see examples of -- of packing
5 in the reconfiguration of 30, 32, and 33?

6 A. There's clear evidence of packing, particularly with
7 District 30, which, you know, has been a performing Opportunity
8 District for 30-plus years, to whiten all the districts that
9 now exist in Tarrant County, none of which present a real
10 opportunity for African American voters. And in large part,
11 because of the packing of African American voters over into
12 Dallas County Districts 30 and 33.

13 Q. And the -- do you see evidence of cracking?

14 THE REPORTER: Evidence of what?

15 Q. (BY MR. BLEDSOE) Cracking. Do you see evidence of
16 cracking in the configuration -- reconfiguration of 30, 32, and
17 33 and seat 2333?

18 A. Surely. Particularly, of course in the case of
19 Districts 32 and 33. 33 was entirely moved out of Tarrant
20 County, so you have 400,000 people there that have to be
21 reassigned. They're split up into four different Congressional
22 Districts that run way out of the Fort Worth area.

23 And so the minority population that was very
24 influential, dominant, in District 33, in Tarrant County, lost
25 a tremendous amount of political opportunity by cracking.

17:53 1 Same pattern in Dallas County with District 32. You
2 keep about half of the existing district, which was, you know,
3 a naturally occurring district where minorities had come to
4 have significant influence and could potentially elect
5 candidates of their choice, but, by adding a series of counties
6 in East Texas, you effectively have cracked their voting
7 influence.

8 So 33 and 32 are clearly examples of extreme cracking
9 to dilute the influence of minority voters in Dallas and
10 Tarrant Counties.

11 Q. Was Congresswoman Jasmine Crockett hurt by the
12 reconfiguration of Congressional District 30?

13 A. Can you repeat that?

14 Q. Was Congresswoman Jasmine Crockett harmed by the
15 reconfiguration of Congressional District 30?

16 A. Yes. Her residence was moved out of the district and, you
17 know, she was given a substantial number of new voters that --
18 particularly in Tarrant County, that she had never represented.
19 Downtown Dallas, which, you know, is a major economic engine,
20 that historically has been in the 30th District, was moved out,
21 along with her residence.

22 And so, yes, Congresswoman Crockett was harmed by the
23 shift.

24 Q. And Dr. Murray, could you tell us -- tell the Court a bit
25 about why economic engines could be important to a minority

17:55 1 district?

2 A. Could you repeat that, please?

3 Q. Could you explain to the Court, in your opinion, why
4 economic engines have value to Congressional Districts?

5 A. Well, Congress members have to raise campaign funds. And
6 it's very helpful if, within your district that you represent,
7 you have significant economic interest that have business in
8 Washington and that are very interested in who their Congress
9 member is, and usually strive to have a good working
10 relationship with the incumbent member.

11 If you remove those variable economic assets, like
12 Downtown Dallas, it puts the incumbent Congress member, in
13 terms of fundraising, at a significant disadvantage from where
14 they were before. But also, Congressional members are
15 concerned about jobs and economic opportunity for their
16 constituents, if they're gonna stay around and office. And if
17 you remove these home offices and other centers of economic
18 growth and opportunity, it diminishes the ability of a Congress
19 member to deliver constituency services.

20 So it's a double whammy; you lose a potential base of
21 financial support if you, you know, can work with Downtown
22 business interests or other centers of economic activity. But
23 also, you -- you know, you've got major employers in Dallas,
24 like American Airlines. And if their home office is in your
25 Congressional District, it gives the Congress member a greater

17:57 1 opportunity to deliver services to constituents.

2 Q. And is Congresswoman Crockett harmed by the configuration
3 of Congressional District 33?

4 A. Yes, in my opinion.

5 Q. So Dr. Murray, I want to -- now, in your report, you talk
6 about other areas of the state. And you cover those other
7 areas to provide support for your conclusions, I presume, in
8 your report. Is that correct?

9 MR. BRYANT: Objection, leading.

10 A. That's correct.

11 Q. (BY MR. BLEDSOE) Okay. So could you -- if you take a look
12 at page 1 of your report, you talk about Bexar and Travis
13 County. Can you tell the Court how your analysis of Bexar and
14 Travis County impacts your conclusion about the -- the Houston
15 area and the Dallas area, resulting in discrimination?

16 A. Well, the legislated Enacted Map in 2021 created the
17 Thunderbolt District, as it was labeled at the time, that ran
18 from the eastern portion of Travis County and down on a pretty
19 narrow connecting corridor, to take in a larger area in Bexar
20 County that, I guess, was District 35.

21 And, you know, that district was a performing district
22 for minority voters, Hispanic voters. Combining East Travis
23 County with Bexar County could elect candidates of their choice
24 in the 35th Congressional District that the Legislature created
25 four years ago.

17:59 1 District 35 was very substantially modified. The
2 Anglo-dominated district in Travis County, 37, was left largely
3 intact, but 35 was removed entirely from Travis County. The
4 connector was severed, and, instead, three new counties to the
5 east of Bexar were added to the reconfigured 35th District,
6 which, the net effect is to dramatically reduce the influence
7 of the Hispanic voters in the existing 35th District.

8 Because the counties that were added to the east,
9 Guadalupe and Gonzales -- and I'm not sure what the third is --
10 have a history of opposing the candidates for -- preferred by
11 the urban Latinos, particularly in Bexar County.

12 Q. Now, so the -- is it your opinion, then, that the 35th will
13 no longer perform for Latino voters?

14 A. Well, it goes from what I would consider a clear
15 opportunity-to-elect district to a district where they have
16 influence, but it's very much diminished, particularly because
17 you brought in a lot of voters now with a history of being
18 polarized against a preferred candidate of Hispanic voters.

19 (Video concluded.)

20 MR. DUNN: We have stopped at Volume 1 with
21 five minutes and 24 seconds remaining.

22 JUDGE GUADERRAMA: All right. We'll recess until
23 tomorrow, 9:00. Thank you all.

24 (Evening recess.)

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C E R T I F I C A T E

I certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled matter. I further certify that the transcript fees and format comply with those prescribed by the Court and the Judicial Conference of the United States.

Signature: /s/Leticia Perez Date: October 17, 2025
Leticia Perez

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