UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

LEAGUE OF UNITED LATIN AMERICAN CITIZENS, et al., Plaintiffs v. GREG ABBOTT, et al., Defendants.	Civil Action Lead Case No.: 21-CV-00259-DCG-JES-JVB
ROSALINDA RAMOS ABUABARA, et al., Plaintiffs v. JOHN SCOTT, et al., Defendants.	Consolidated Case No.: 1:21-CV-00965-RP-JES-JVB

ABUABARA PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION TO DISMISS THE SECOND AMENDED COMPLAINT AND, IN THE ALTERNATIVE, CROSS-MOTION FOR LEAVE TO AMEND

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Plaintiffs Rosalinda Ramos Abuabara, Akilah Bacy, Orlando Flores, Marilena Garza, Cecilia Gonzales, Agustin Loredo, Cinia Montoya, Ana Ramón, Jana Lynne Sanchez, Jerry Shafer, Debbie Lynn Solis, Angel Ulloa, Mary Uribe, Luz Moreno, and Maria Montes (the "Abuabara Plaintiffs"), file this opposition to Defendants' Motion to Dismiss, ECF No. 399[1] ("Mot."), and in the alternative, cross-motion for leave to amend their complaint.

INTRODUCTION

Apparently recognizing that the Abuabara Plaintiffs' Second Amended Complaint ("Complaint") cures the supposed deficiencies Defendants targeted in their previous motions to dismiss, Defendants have conjured two new arguments based upon a misreading of this Court's earlier opinion, which granted, in part, motions to dismiss claims raised by other plaintiffs in these consolidated cases. Neither of Defendants' new arguments can withstand scrutiny.

First, Defendants argue that the Abuabara Plaintiffs have failed to allege their illustrative majority-minority districts are "culturally compact." As a threshold matter, there is no reason why Defendants could not have raised this argument in either one of their two earlier-filed motions to dismiss the Abuabara Plaintiffs' claims. As a result, Defendants waived it by not raising it earlier. But regardless, the argument lacks merit. It would impose a novel, heightened pleading requirement for "cultural compactness" that has never before been adopted by any court. It depends upon assertions of fact—about differences between Latino communities—that fall outside of the four corners of the Complaint and may not properly be considered on a motion to dismiss. And it ignores the Abuabara Plaintiffs' ample allegations of Latino voters' cultural and political similarities in the illustrative districts.

[1] All ECF No. citations are to the docket for *LULAC v. Abbott*, No. 3:21-cv-259, unless otherwise specified.

Second, Defendants contend that the Abuabara Plaintiffs' challenge to Enacted CD27 must be dismissed because they have failed to allege that illustrative CD10, into which a portion of Enacted CD27's population is placed in the Abuabara Plaintiffs' demonstration maps, is a politically cohesive majority-minority district. Defendants' Motion is based on an oversight—the Abuabara Plaintiffs accidentally omitted specific cohesion figures for Latino voters in illustrative CD10. But the Abuabara Plaintiffs do allege that illustrative CD10 is a majority-Latino district and that Latino voters in that district—and across Texas—are politically cohesive. Taken as a whole, the Complaint includes ample factual allegations to render those allegations more than plausible. And if the Court thinks the omission of specific cohesion figures is dispositive, it should allow the Abuabara Plaintiffs to amend to add one. There can be no prejudice to Defendants, who have had those figures, from one of the Abuabara Plaintiffs' expert reports, for months.

The Abuabara Plaintiffs therefore respectfully request that the Court deny Defendants' Motion or, in the alternative, grant the Abuabara Plaintiffs leave to amend their complaint.

ARGUMENT

I. The Abuabara Plaintiffs adequately allege compactness as required by Section 2.

To satisfy the first *Gingles* precondition for a Section 2 claim, the Abuabara Plaintiffs need to establish that the minority group at issue is "'sufficiently large and geographically compact to constitute a majority in a single-member district.'" *LULAC v. Perry*, 548 U.S. 399, 427–28 (2006) (quoting *Thornburg v. Gingles*, 478 U.S. 30, 50 (1986)). This requirement focuses on "the compactness of the minority population, not . . . the compactness of the contested district." *Id.* at 433 (quoting *Bush v. Vera*, 517 U.S. 952, 997 (1996) (Kennedy, J., concurring)).

Defendants do not dispute that the demonstration maps described in the Abuabara Plaintiffs' Complaint show that additional majority-Latino or majority–Black and Latino districts may be drawn in each of the geographic areas in which the Abuabara Plaintiffs bring Section 2

claims. *See* Second Am. Compl. ¶¶ 84, 127, 134, 136, 160, 165-66, 178-79, 181, 186-88, 197-98, 201 & Exs. 1-4. And Defendants do not deny that those illustrative districts are geographically compact. Nor could they: in nearly all cases, they are more compact than the districts they replace. *See id.* ¶¶ 96, 102, 116-17, 140, 160, 187, 198.[2] Rather, Defendants argue that the illustrative districts are not "culturally compact," contending that they combine distinct Latino communities with disparate interests. Mot. at 2–7. There are at least four problems with this argument, each independently sufficient to warrant denial of this motion.

First, Defendants' "cultural compactness" argument overreads the U.S. Supreme Court's decision in *LULAC*, which does not impose a freestanding "cultural compactness" requirement, much less one that must be specifically alleged at the pleading stage. *LULAC*'s application of Section 2's compactness requirement was a fact-bound determination based on the extensive trial record in that case. It concerned an extraordinarily non-compact district: a "long, narrow strip that winds its way from McAllen and the Mexican-border towns in the south to Austin, in the center of the State and 300 miles away." *LULAC*, 548 U.S. at 424. And the district court, *after a trial*, made specific "findings regarding the different characteristics, needs, and interests of the Latino community near the Mexican border and the one in and around Austin." *Id.* at 434. Yet despite the

[2] Defendants complain, in passing, about the geographic size of certain districts, particularly in El Paso, and about the division of certain cities. Mot. at 4–5. But large districts in West Texas, and the division of some cities, are the unavoidable consequence of Texas's geography combined with the equal-population requirement. El Paso is too populous for one district and too small for two, and it is surrounded by very sparsely populated counties. Any map, including the enacted map, will therefore include at least one congressional district stretching from El Paso far to the east. The enacted map combined parts of El Paso with substantial parts of Bexar County in CD23; the Abuabara Plaintiffs' illustrative plan instead reinforces CD23's status as a border district by incorporating portions of Webb County. Defendants' other complaints about geographic splits are no more meritorious; many apply at least equally—if not more so—to Texas's own map. Regardless, these are issues for trial, as the relevant facts go far beyond the face of the Abuabara Plaintiffs' Complaint.

unusual shape of the district and specific findings about differences between communities within it, the district court in *LULAC* did not evaluate compactness for Section 2 purposes *at all*, concluding that "a district would satisfy § 2 no matter how noncompact it was, so long as all the members of a racial group, added together, could control election outcomes." *Id.* at 432.

The Supreme Court held that the district court's failure in *LULAC* to assess compactness was error, and that the district in question was not, under those extreme facts, compact. *Id.* at 434. But its holding was limited. It recognized that "in some cases members of a racial group in different areas—for example, rural and urban communities—could share similar interests and therefore form a compact district if the areas are in reasonably close proximity." *Id.* at 435. And it specifically "emphasize[d] it is the enormous geographical distance separating the Austin and Mexican-border communities, coupled with the disparate needs and interests of these populations—*not either factor alone*—that render[ed] District 25 noncompact for § 2 purposes." *Id.* (emphasis added).[3]

LULAC's analysis was therefore heavily fact dependent and based on a complete evidentiary record following a trial. Defendants do not cite any case that has required allegations of "cultural compactness" at the pleading stage, and the Abuabara Plaintiffs are aware of none. In fact, *none* of the operative complaints filed in the last two decades of Texas redistricting litigation have specifically alleged "cultural compactness," rather than (like the Abuabara Plaintiffs'

[3] The other case on which Defendants rely, *Alabama State Conference of the NAACP v. Alabama*, No. 2:16-CV-731-WKW, 2020 WL 583803, at *22–25 (M.D. Ala. Feb. 5, 2022), is similarly inapt. There, the Middle District of Alabama found, again after a trial, that the plaintiffs had failed to prove a particular Black community was "sufficiently compact" due to a range of factors, including that the district was not "spatially concentrated" and was "formulated based upon a misconception concerning population deviations among districts," and because the map drawer did not consider "the regional, cultural, social, economic or political ties, if any" of the Black community in the proposed district." *Id.* at *21–25. The case provides further support for the Supreme Court's conclusion that there is "no precise rule" for Section 2 compactness. *LULAC*, 548 U.S. at 433.

complaint) geographic compactness and general "cohesiveness."[4]

Second, and relatedly, Defendants' "cultural compactness" argument violates the cardinal rule of motions to dismiss: it relies on assertions of fact that do not appear in the Complaint, and that contradict the Abuabara Plaintiffs' allegations. In deciding Defendants' motion, the Court must "confine [its] analysis to the complaint and its proper attachments," *Hale v. King*, 642 F.3d 492, 498 (5th Cir. 2011), and must "draw all reasonable inferences in the [Abuabara Plaintiffs'] favor." *Lormand v. US Unwired, Inc.*, 565 F.3d 228, 232 (5th Cir. 2009). Yet Defendants' "cultural compactness" argument relies entirely on *Defendants'* own unsupported assertions that the Abuabara Plaintiffs' illustrative districts combine "many different Latino communities," Mot. at 3, "many disparate populations," *id.* at 4, and neighborhoods with "unique interests, concerns, and history," *id.* at 6. As Defendants admit, *id.* at 5–6, none of those assertions on which their argument depends appear anywhere in the Complaint, and they are not properly before the Court at the pleading stage. In contrast, in *LULAC*, there were specific factual findings on each of those issues. *See* 548 U.S. at 434.

Third, the Abuabara Plaintiffs' allegations, which must be taken as true at the pleading stage, support the inference that the minority communities at issue have similar "characteristics, needs, and interests"—which is all that *LULAC* requires even after a full trial. *See* 548 U.S. at 434.

[4] *See, e.g.*, First Am. Compl. ¶¶ 19, 22, *Session v. Perry*, No. 2:30-CV-254 (E.D. Tex. Nov. 7, 2003), ECF No. 39; Pl.'s First Am. Compl. ¶¶ 14-16, *Session v. Perry*, No. 2:30-CV-254 (E.D. Tex. Nov. 7, 2003), ECF No. 33; Texas-NAACP First Am. Compl., Req. for Declaratory Judgement Relief, and Req. for Injunctive Relief ¶¶ 3, 21, *Session v. Perry*, No. 2:03-CV-354 (E.D. Tex. Nov. 7, 2003), ECF No. 37; Pls.' Sixth Am. Compl. ¶ 27, *Perez v. Texas*, No. 5:11-CV-0360 (W.D. Tex. Feb. 25, 2014), ECF No. 960; LULAC Intervenors' Third Am. Compl. ¶ 17, *Perez v. Texas*, No. 11-CA-360 (W.D. Tex. Sep. 15, 2013), ECF No. 894; Pl. MALC's Third Am. Compl. ¶¶ 40, 44, 50, 52, 54, 55, 63, *Perez v. Texas*, No. SA-11-CA-360 (W.D. Tex. Sep. 17, 2013), ECF No. 897; Third Am. Compl. of Pl.-Intervenors Texas State Conference of NAACP Branches, Et Al. ¶¶ 42, 43, *Perez v. Texas*, No. SA-11-CA-360 (W.D. Tex. Sep. 18, 2013), ECF No. 900.

The Complaint alleges that Latino voters in each of the Abuabara Plaintiffs' illustrative majority-Latino districts—and Black and Latino voters in each of the Abuabara Plaintiffs' illustrative Latino-Black coalition districts—are politically cohesive, overwhelmingly supporting the same candidates in general elections. Compl. ¶¶ 89, 99, 107, 114, 128. The Complaint also alleges that those voting patterns "are driven in significant part by attitudes about race and ethnicity," including views on Texas' voting laws, Confederate monuments in public spaces, and immigration policy, *id.* ¶ 207, and that Latino and Black voters in Texas share a long history of marginalization and discrimination, *id.* ¶ 8, which has touched upon "[their] rights . . . to register, to vote, or to participate in the electoral process," *id.* ¶ 210. Finally, the Complaint alleges that Latino and Black communities across Texas have similar political needs, as they "make up a disproportionate number of individuals living in poverty," have lower median incomes and higher unemployment rates, *id.* ¶¶ 239–240, and are underrepresented in the State's elected offices. *Id.* ¶ 242. These allegations that the minority communities in the illustrative districts vote cohesively and share similar characteristics like economic status, employment, political representation, and a history with discrimination at the very least give rise to a plausible inference of "cultural compactness." No more would be needed to survive a motion to dismiss even if allegations of "cultural compactness" were required at the pleading stage.

Finally, Defendants waived any pleading-stage "cultural compactness" argument when they failed to include it in their first two motions to dismiss for failure to state a claim. The Abuabara Plaintiffs' allegations regarding "cultural compactness" were no more detailed in prior complaints than they are in the present Complaint. Defendants' "cultural compactness" argument has therefore been available to them since Plaintiffs filed their original complaint. Yet Defendants opted not to raise it until now.

Under Federal Rule of Civil Procedure 12(g), "a party that makes a motion under [Rule 12] must not make another motion under [Rule 12] raising a defense or objection that was available to the party but omitted from its earlier motion." Fed. R. Civ. P. 12(g)(2). And while Rule 12(h)(2) allows a defendant to raise a failure to state a claim in other ways as well, it does not authorize a successive Rule 12(b)(6) motion like the one Defendants bring here.[5] Courts in this circuit have therefore repeatedly held that a defendant may not move to dismiss an amended complaint on grounds that could have been, but were not, raised in moving to dismiss an earlier complaint. *See, e.g.*, *Mullenix v. Univ. of Tex. at Austin*, No. 1:19-CV-1203-LY, 2021 WL 2172835, at *2 (W.D. Tex. Mar. 30, 2021) ("The University omitted the Equal Pay Act retaliation argument from its first motion to dismiss and therefore Rule 12(g)(2) bars the argument in the University's second motion to dismiss," even though "Mullenix amended her complaint between the first and second motions to dismiss"); *VeroBlue Farms USA, Inc. v. Wulf*, 465 F. Supp. 3d 633, 649 (N.D. Tex. 2020); *Hernandez v. Casey*, No. 3:16-CV-452-M-BH, 2017 WL 685679, at *3 (N.D. Tex. Jan. 12, 2017), *report and recommendation adopted*, No. 3:16-CV-452-M, 2017 WL 680309 (N.D. Tex. Feb. 21, 2017); *Inclusive Cmtys. Project, Inc. v. U.S. Dep't of Treasury*, No. 3:14-CV-3013-D, 2016 WL 6397643, at *8 (N.D. Tex. Oct. 28, 2016). Thus, the Court should not consider Defendants' argument regarding "cultural compactness."

[5] In *Doe v. Columbia-Brazoria Indep. Sch. Dist.*, 855 F.3d 681, 686 (5th Cir. 2017), the Fifth Circuit concluded that "Rule 12(h)(2) allows the filing of a second motion" to dismiss for failure to state a claim in at least some cases and held that a district court did not abuse its discretion by considering a defendant's successive motion to dismiss for failure to state a claim in a case where "there was no harm in allowing the second motion." Here, however, there is clear prejudice to the Abuabara Plaintiffs: had the issue been raised earlier, the Abuabara Plaintiffs could have addressed it, if necessary, in their Second Amended Complaint.

II. The Abuabara Plaintiffs adequately allege the *Gingles* preconditions in Illustrative CD10.

The Abuabara Plaintiffs have also adequately alleged the first and second *Gingles* preconditions—the possibility of an additional, compact majority-Latino district and Latino cohesion within such a district—with respect to their Section 2 challenge to CD27. Defendants argue that the Abuabara Plaintiffs fail to adequately describe one of the majority-Latino districts that replaces CD27 in the Abuabara Plaintiffs' demonstration maps. Mot. at 7–8. Defendants are wrong.

At the outset, Defendants' argument is narrower than they let on. As the Complaint makes clear, the Abuabara Plaintiffs' demonstration maps place portions of enacted CD27 into two separate, majority-Latino illustrative districts: CD10 and CD34. Compl. ¶ 114. Plaintiffs Garza and Montoya, who live in Nueces County in enacted CD27, would reside in CD34 under the Abuabara Plaintiffs' illustrative map, while Plaintiff Moreno, who lives in Gonzales County in enacted CD27, would reside in illustrative CD10. *Id.* Defendants do not challenge the adequacy of the Abuabara Plaintiffs' allegations with respect to illustrative CD34. *See* Mot. at 7–8. Thus, their arguments regarding illustrative CD10 could not possibly justify the complete dismissal of the Abuabara Plaintiffs' challenge to CD27 that Defendants request. *See id.*

In any event, the Abuabara Plaintiffs also adequately allege the first two *Gingles* preconditions with respect to illustrative CD10. The Complaint attaches, as Exhibits 1 and 2, full images of the Abuabara Plaintiffs' demonstration maps showing what counties and portions of counties would be included within illustrative CD10. Compl. ¶ 84 & Ex. 1 & 2.[6] And the Complaint specifically alleges that illustrative CD10 is an "additional majority-Latino district," *id.*

[6] The two demonstration maps are identical in the South and West Texas area, including illustrative CD10. *Id.* ¶ 84.

¶ 108,[7] and that "Latino voters in Proposed CD10 are politically cohesive and may elect their candidates of choice," *id.* ¶ 114.

Moreover, other allegations in the Complaint reinforce the reasonable inference that Latinos in illustrative CD10 are politically cohesive. The Complaint specifically alleges that Latino voters *across Texas* are politically cohesive, explaining that "ecological regression analysis suggests that in the 2020 presidential election, more than 70 percent of Latino voters and more than 95 percent of Black voters statewide supported President Biden, the Latino and Black candidate of choice," and that "in the 2018 governor's race, more than 70 percent of Latino voters and more than 95 percent of Black voters supported candidate Lupe Valdez, the Latino and Black candidate of choice." *Id.* ¶ 205. And the Complaint explains that this is "driven in significant part by attitudes about race and ethnicity," because "[m]embers of the Democratic Party—which Latino and Black voters in the state overwhelmingly prefer—are significantly more likely to view Texas's voting laws as racially discriminatory, support removing Confederate monuments from public spaces, oppose immediate deportation of undocumented immigrants, and support comprehensive immigration reform with a pathway to citizenship than members of the Republican Party, which white voters overwhelmingly prefer." *Id.* ¶ 207. The Complaint provides specific numbers to support Latino cohesion in each of the other illustrative districts that the Abuabara Plaintiffs allege. *See id.* ¶¶ 89, 99, 107, 122, 128, 137, 141-44, 150-51, 154, 161, 163-64, 166, 168, 172, 174, 177, 180, 182, 189, 190, 199-200, 203. That detail makes it more than plausible that Latinos in illustrative CD10, too, are politically cohesive.

[7] The Complaint elsewhere explains that the additional majority-Latino districts in the demonstration maps, which include illustrative CD10, are ones in which Latino voters "form a numerical majority of eligible voters"—that is, a majority of the citizen voting-age population. *Id.* ¶ 84.

At best, Defendants' arguments about illustrative CD10 arise from a mere oversight: the Abuabara Plaintiffs' unintentional omission from their 61-page Complaint of specific descriptions of Latino cohesion in illustrative CD10, along the lines of such paragraphs that were included for all other illustrative districts. *See, e.g.*, Compl. ¶¶ 163-64. The Complaint specifically cross-references such a discussion for illustrative CD10, *see id.* ¶ 114 ("*As explained below*, Latino voters in Proposed CD10 are politically cohesive and may elect their candidates of choice." (emphasis added)), but that discussion was unintentionally left out of the filed Complaint. As Defendants well know, the Abuabara Plaintiffs have done the necessary analysis to specifically allege facts showing Latino cohesion in illustrative CD10—such analysis was included in one of the Abuabara Plaintiffs' expert reports that was served on Defendants on May 20. *See* Expert Rep. of Dr. Stephen Ansolabehere, tbl. 14, 15 (May 20, 2022), Exhibit A hereto. Given the level of detail provided throughout the Complaint and in the demonstration maps attached thereto, Defendants have no plausible reason to wonder about the contours of Plaintiffs' claim or illustrative districts. *See Sanchez Oil & Gas Corp. v. Crescent Drilling & Prod., Inc.*, 7 F.4th 301, 309 (5th Cir. 2021) (The purpose of Rule 8's pleading requirements is "to give the defendant fair notice of what the claim is and the grounds upon which it rests." (quotation marks and alteration omitted)).

If the Court concludes that the Abuabara Plaintiffs' omission of additional factual detail regarding Latino cohesion in illustrative CD10 is dispositive of Defendants' newest motion to dismiss, it should allow the Abuabara Plaintiffs to file an amended complaint adding the omitted information. Amending for that limited purpose would in no way prejudice Defendants or alter the course of this litigation. A proposed amended complaint showing the changes in redline is attached as Exhibit B.

Leave to amend should be freely given. Fed. R. Civ. P. 15(a)(2). Rule 15 helps "ensure that an inadvertent error in pleading will not preclude a party from securing relief on the merits of a claim." *Arthur v. Maersk, Inc.*, 434 F.3d 196, 202 (5th Cir. 2006). A district court "may only deny leave for a substantial reason, such as undue delay, repeated failures to cure deficiencies, undue prejudice, or futility." *Residents of Gordon Plaza, Inc. v. Cantrell*, 25 F.4th 288, 302 (5th Cir. 2022) (quotation omitted). Indeed, Rule 15 makes clear that, even during trial itself, "[t]he court should freely permit an amendment when doing so will aid in presenting the merits and the objecting party fails to satisfy the court that the evidence would prejudice that party's action or defense on the merits." Fed. R. Civ. P. 15(b)(1).

None of the reasons for denying leave to amend apply here. The Abuabara Plaintiffs have not delayed in seeking leave to further amend. Nor have they "repeatedly failed to cure deficiencies": the issue that Defendants raise with illustrative CD10 was an error introduced only in the Abuabara Plaintiffs' latest Complaint. Defendants will not be prejudiced by allowing further amendment, which will only add additional factual detail on cohesion that has been available to Defendants, via the Ansolabehere Report, for months.[8] And amending at this juncture will not delay these proceedings. Fact discovery in this matter is already closed, Plaintiffs will serve their rebuttal expert reports just two days from today, and Dr. Ansolabehere is scheduled to be deposed later this week. By the time this motion is fully briefed, both fact and expert discovery will be concluded, and the parties will have filed summary judgment motions. Plaintiffs do not seek to add any additional claims or grounds for relief, but rather to conform their pleadings to reflect data that Defendants have had for over two months. Nothing that the Abuabara Plaintiffs would add in

[8] Defendants do not suggest that it would be futile for the Plaintiffs to further amend their complaint. And they do not argue that the ecological inference analysis Plaintiffs alleged for any other illustrative districts is insufficient to plead political cohesion.

a third amended complaint will come as a surprise to Defendants. In short, granting leave for further amendment would not in any way affect the litigation of this case or Defendants' ability to prepare for trial.

CONCLUSION

For these reasons, the Court should deny Defendants' Motion to Dismiss the Abuabara Plaintiffs' Second Amended Complaint in its entirety, or, in the alternative, should the Court find their allegations deficient with respect to illustrative CD10, grant leave to amend for the limited purpose of alleging demographic data and ecological inference estimates for illustrative CD10, as shown by Exhibit B hereto.

Dated: July 25, 2022.

Respectfully submitted,
/s/ David R. Fox

Renea Hicks
Attorney at Law
Texas Bar No. 09580400
Law Office of Max Renea Hicks
P.O. Box 303187
Austin, Texas 78703-0504
(512) 480-8231
rhicks@renea-hicks.com

Abha Khanna*
ELIAS LAW GROUP LLP
1700 Seventh Ave, Suite 2100
Seattle, WA 98101
Telephone: (206) 656-0177
akhanna@elias.law

David R. Fox*
Richard A. Medina*
Harleen K. Gambhir*
ELIAS LAW GROUP LLP
10 G Street NE, Suite 600
Washington, D.C. 20002
Telephone: (202) 968-4490
dfox@elias.law
rmedina@elias.law
hgambhir@elias.law

Kevin J. Hamilton*
PERKINS COIE
1201 Third Avenue
Suite 4900
Seattle, WA 98101-3099
Telephone: (206) 359-8000
khamilton@perkinscoie.com

Counsel for Plaintiffs

**Admitted Pro Hac Vice*

CERTIFICATE OF CONFERENCE

Counsel for the Abuabara Plaintiffs conferred with counsel for Defendants on the Abuabara Plaintiffs' alternative request for leave to amend their complaint, and counsel for Defendants indicated that they oppose the relief sought.

/s/ David R. Fox

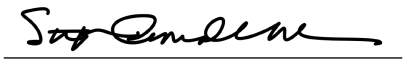
CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing document was filed electronically (via CM/ECF) on July 25, 2022, and that all counsel of record were served by CM/ECF.

/s/ David R. Fox

Exhibit A

Expert Report



Stephen Ansolabehere

May 20, 2022

I Statement of Inquiry and Executive Summary

1. I have been asked to evaluate (a) the distribution of Hispanic and Black voters in Texas to determine whether additional majority-minority congressional districts could be drawn, (b) the distribution of Hispanic and Black voters in Texas to determine whether additional majority-minority State House districts could be drawn in Harris and Tarrant Counties, and (c) racially polarized voting and minority representation in Texas's congressional districts and in Texas's State House districts in Harris and Tarrant Counties. I am compensated at the rate of $600 an hour. My compensation is in no way contingent upon my conclusions; I have been given complete autonomy in developing my analysis and conclusions, and all conclusions reached are my own.

2. Nearly all of the population growth in the State of Texas over the past decade is minority population. Since 2010, the population of the State of Texas has grown by nearly 4 million people: 95 percent of those additional people are minorities. Additionally, most of the growth in the adult citizen population – the potential electorate – since the 2010 census is minority. Texas added 3.3 million citizens of voting age, and 2.7 million of them were minorities. As a result, the percent of the Citizen Voting Age Population (CVAP) in the State of Texas that is white shrank from 57.7 percent a decade ago to 50.8 percent today. Yet, the State of Texas created only 13 Congressional Districts (CDs) where minorities will be able to elect their preferred candidates in its Enacted Map, as opposed to 25 CDs where whites will have the ability to elect their preferred candidates.

3. I conclude that the congressional map enacted by the State of Texas, Senate Bill 6 ("SB 6" or the "Enacted Map"), failed to create at least five possible districts in which minorities could have the opportunity to elect their preferred candidates in areas of the State where voting is racially polarized. Four of these CDs would be new majority-minority CDs: two in South and West Texas and one each in Dallas-Fort Worth and Harris County. Additionally,

CD-23 in SB 6 is majority-minority but is not a district in which minorities will have the opportunity elect their preferred candidates. The Demonstration Maps I've developed below show that CD-23 can be easily configured to allow minority voters the opportunity to elect their preferred candidates.

4. Demonstration maps presented in this report show that the State of Texas could have created at least 5 additional CDs where minorities make up a majority of the electorate, where voting is racially polarized, and where minorities would have the ability to elect their preferred candidates – for a total of 18 minority-opportunity CDs. Demonstration Map 1 presents 2 additional majority Hispanic CVAP districts in South and West Texas where Hispanics would have the opportunity to elect their preferred candidates. This map also reconfigures CD-23 to provide Hispanics an opportunity to elect their preferred candidates, and it draws one additional district each in Dallas-Fort Worth and Harris County that is majority Black plus Hispanic CVAP and in which minorities have the ability to elect their preferred candidates. Demonstration Map 2 is identical to Demonstration Map 1 in South and West Texas, but it draws one additional majority Hispanic CVAP district each in Dallas-Fort Worth and Harris County in which Hispanics will have the opportunity to elect their preferred candidates. Both Demonstration Maps show that the State of Texas could have created at least five more CDs than in the Enacted Map in which minorities are the majority of the CVAP and would have the opportunity to elect their preferred candidates.

5. In addition I conclude that the Texas State House district map failed to create additional minority House Districts (HD) in Harris and Tarrant County. The Demonstration Map shows that in Harris County it is possible to draw a reasonably compact majority Hispanic HD in southeastern Harris County. In Tarrant County the Enacted House District Map has the least compact districts in the entire State, and those districts divide the substantial minority population on the east side of the City of Fort Worth. The Demonstration Map makes

more compact versions of HD-90 and HD-95, both of which are minority districts. That improvement in the map results in the emergence of a compact minority district representing the east side of Fort Worth, Demonstration HD-94.

II Qualifications

6. I am the Frank G. Thompson Professor of Government in the Department of Government at Harvard University in Cambridge, MA. Formerly, I was an Assistant Professor at the University of California, Los Angeles, and I was Professor of Political Science at the Massachusetts Institute of Technology, where I held the Elting R. Morison Chair and served as Associate Head of the Department of Political Science. I am the Principal Investigator of the Cooperative Congressional Election Study (CCES), a survey research consortium of over 250 faculty and student researchers at more than 50 universities. I also directed the Caltech/MIT Voting Technology Project from its inception in 2000 through 2004, and served on the Board of Overseers of the American National Election Study from 1999 to 2013. I am an election analyst for and consultant to CBS News' Election Night Decision Desk. I am a member of the American Academy of Arts and Sciences (inducted in 2007). My curriculum vitae is attached to this report as Appendix B.

7. I worked as a consultant to the Brennan Center in the case of *McConnell v. FEC*, 540 U.S. 93 (2003). I have testified before the U.S. Senate Committee on Rules, the U.S. Senate Committee on Commerce, the U.S. House Committee on Science, Space, and Technology, the U.S. House Committee on House Administration, and the Congressional Black Caucus on matters of election administration in the United States. I filed an amicus brief with Professors Nathaniel Persily and Charles Stewart on behalf of neither party to the U.S. Supreme Court in the case of *Northwest Austin Municipal Utility District Number One v. Holder*, 557 U.S. 193 (2009), and an amicus brief with Professor Nathaniel Persily and others

in the case of *Evenwel v. Abbott*, 138 S.Ct. 1120 (2015). I have served as a testifying expert for the Gonzales intervenors in *State of Texas v. United States* before the U.S. District Court for the District of Columbia (No. 1:11-cv-01303); the Rodriguez plaintiffs in *Perez v. Perry*, before the U.S. District Court for the Western District of Texas (No. 5:11-cv-00360); for the San Antonio Water District intervenor in *LULAC v. Edwards Aquifer Authority* in the U.S. District Court for the Western District of Texas (No. 5:12-cv-00620); for the Department of Justice in *State of Texas v. Holder*, before the U.S. District Court for the District of Columbia (No. 1:12-cv-00128); for the Guy plaintiffs in *Guy v. Miller* in the First Judicial District Court in Carson City, Nevada (No. 11-OC-00042-1B); for the Florida Democratic Party in *In re Senate Joint Resolution of Legislative Apportionment* in the Florida Supreme Court (Nos. 2012-CA-412, 2012-CA-490); for the Romo plaintiffs in *Romo v. Detzner* in the Circuit Court of the Second Judicial Circuit in Florida (No. 2012-CA-412); for the Department of Justice in *Veasey v. Perry*, before the U.S. District Court for the Southern District of Texas (No. 2:13cv00193); for the Harris plaintiffs in *Harris v. McCrory* in the U.S. District Court for the Middle District of North Carolina (No. 1:13-cv-00949); for the Bethune-Hill plaintiffs in *Bethune-Hill v. Virginia State Board of Elections* in the U.S. District Court for the Eastern District of Virginia (No. 3:14-cv-00852); for the Fish plaintiffs in *Fish v. Kobach* in the U.S. District Court for the District of Kansas (No. 2:16-cv-02105-JAR); for intervenors in *Voto Latino, et al. v. Hobbs*, in the U.S. District Court for the District of Arizona (No. 2:19-cv-05685-DWL); for intervenors in *Johnson v. Wisconsin Elections Commission*, in the Wisconsin Supreme Court, (No. 2021AP1450-AO); for the Senate Majority Leader in *Harkenrider v. Hochul* in the New York Supreme Court (No. E2022-0116CV); and for the plaintiffs in *Black Voters Matter Capacity Building Institute, Inc. v. Lee* in the Circuit Court for the Second Judicial Circuit in and for Leon County, (No. 2022-ca-000666). I served as an expert witness and filed an Affidavit in the North Carolina State Board of Elections hearings regarding absentee ballot fraud in the 2018 election for Congressional District 9 in North Carolina. I served as a consulting expert to the Arizona Independent Redistricting

Commission in 2021. I have been accepted as an expert in every matter in which I have been proffered as an expert witness.

8. My areas of expertise include American government, with particular expertise in electoral politics, election administration, representation, redistricting, political geography, and public opinion, as well as statistical methods in social sciences and survey research methods. I have authored numerous scholarly works on voting behavior and elections, the application of statistical methods in social sciences, legislative politics and representation, and distributive politics. This scholarship includes articles in such academic journals as the Journal of the Royal Statistical Society, American Political Science Review, American Economic Review, the American Journal of Political Science, Legislative Studies Quarterly, Quarterly Journal of Political Science, Electoral Studies, and Political Analysis. I have published articles on issues of election law in the Harvard Law Review, Texas Law Review, Columbia Law Review, New York University Annual Survey of Law, and Election Law Journal, for which I am a member of the editorial board. I am associate editor of the Harvard Data Science Review, and have served as associate editor of the Public Opinion Quarterly. I have coauthored three scholarly books on electoral politics in the United States, The End of Inequality: Baker v. Carr and the Transformation of American Politics, Going Negative: How Political Advertising Shrinks and Polarizes the Electorate, and The Media Game: American Politics in the Media Age. I am coauthor with Benjamin Ginsberg, Hahrie Han, and Ken Shepsle of American Government: Power and Purpose.

9. The analysis in this report, including the three demonstration maps discussed, is my own. I was aided by a research assistant, Kevin DeLuca. The graphical representations of then enacted maps and my demonstration maps that are included within this report were generated in consultation with professional geographer and demographer Blake Esselstyn, GISP, AICP.

III Sources and Methods

10. Population and election data used in this report come from the Census Bureau and the Texas Legislative Council. These data are located at https://data.capitol.texas.gov/.

11. I examine all statewide general elections for State of Texas offices from 2016, 2018, and 2020. These are: US President, US Senate, Governor, Lt. Governor, Attorney General, State Supreme Court, Court of Criminal Appeals, Agricultural Commissioner, Comptroller, Land Commissioner, and Railroad Commissioner. For majority-minority CDs, I analyze the election results for US House of Representative in the precincts of each majority-minority CD in the Prior Map that are incorporated into the analogous CDs in the Enacted or Demonstration maps. Where there are substantial changes in a CD's boundaries, the US House election results for CDs under the Prior Map may cover only a fraction of the Voting Tabulation Districts (VTDs) in a newly configured CD.[1] As a result, US House election results in the Prior CDs give only a partial picture of voting behavior in the districts in the Enacted and Demonstration Maps.

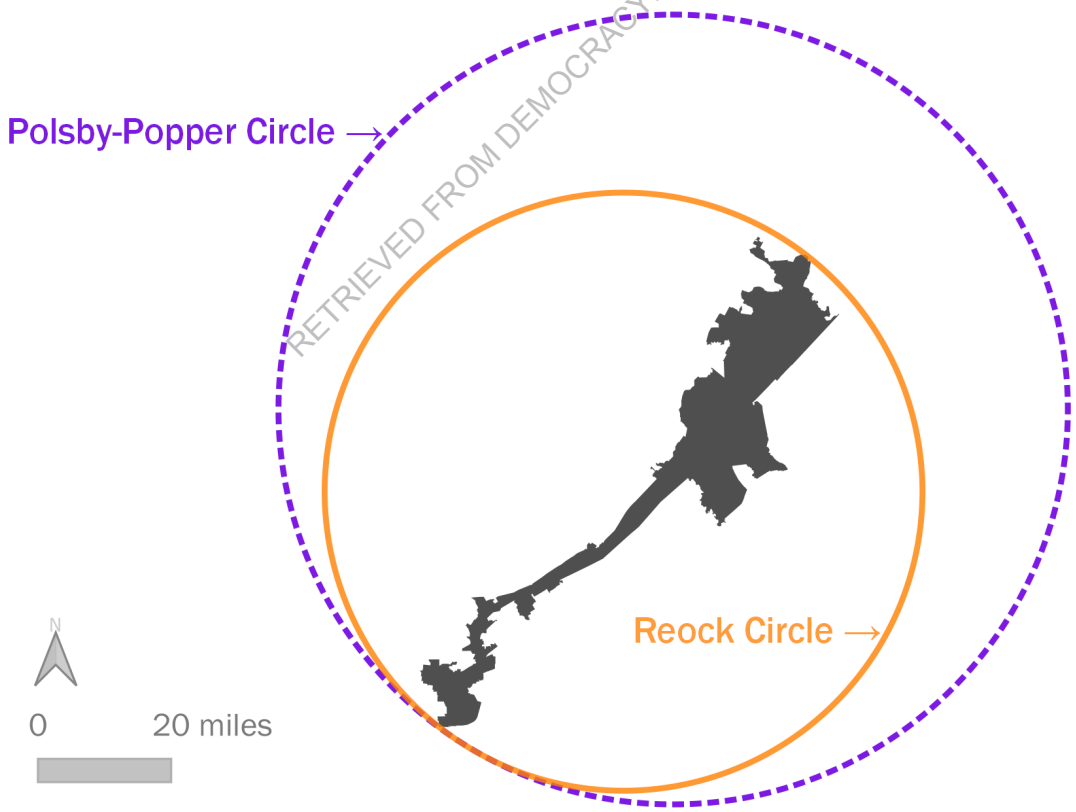
12. Precinct numbers of the locations of incumbents who represent minority districts were provided to me by counsel.

13. I examine two measures of geographic compactness: area dispersion (Reock) and perimeter dispersion (Polsby-Popper). The Reock measure is the ratio of the area of a district to the area of a circle whose diameter is the same as the length of a district. It ranges from 0 to 1, with lower values being less compact. It penalizes long, narrow districts. A district that is a perfect square will have a Reock score of 0.637. The Polsby-Popper measure is the ratio of the area of a district to the area of a circle whose perimeter is the same

[1]The State of Texas participates in the US Census Bureaus Voting Tabulation District program, which creates precinct geographies (VTDs) to align with the geographies of Census blocks, the lowest geographic level at which Census reports population data.

length as the perimeter of the district. It ranges from 0 to 1, with lower values being less compact. It penalizes shapes that have many indentations or highly irregular borders. A district that is a perfect square will have a Polsby-Popper score of 0.785. There are many measures of geographic compactness, but Reock and Polsby-Popper are the two most commonly used measures of compactness in research on district structure and have been long used in scholarship. As a reference, CD-35 in the Prior Map has a Reock measure of 0.097 and a Polsby-Popper measure of 0.055. In other words, the area of Prior CD-35 is about 10 percent of the area of a circle whose diameter is the length of that district. The area of Prior CD-35 is approximately 6 percent of the area of a circle whose perimeter is the same as the perimeter of this district.

Figure 1: Demonstration of Roeck and Polsby-Popper Compactness Measures



14. To measure the electoral preferences of racial groups I employ both ecological regression (ER) and ecological inference (EI) analyses. Both techniques use the relationship between electoral outcomes at the precinct level and the racial composition of precincts in a particular district, county, or other area of interest to infer the vote preferences of different racial groups. ER has the longest lineage of use for studying racial voting patterns. The method was developed in the 1950s by Leo Goodman and has been relied on in litigation under the Voting Rights Act since the mid-1980s. The Supreme Court of the United States in *Thornburg v. Gingles* recognized ER as an acceptable method for ascertaining the cohesiveness of racial groups in their voting and the extent of racially polarized voting. This technique estimates the best fitting linear relationship between the percent vote for a candidate or party and the percent of the population or electorate that is of a given group. Using that relationship, ER allows researchers to estimate the percent of people of a given group who vote for a given candidate or party.

15. In implementing ER, I analyze data at the precinct level. I aggregate blocks and, for the CVAP, block groups to the precinct. Where block groups are split across precincts, I follow best practices and allocate the CVAP counts in block groups according to the share of the VAP that is in each precinct. In each ER conducted using general elections, the dependent variable is the share of the two party vote won by the Democratic candidate. In each ER conducted using primary elections, the outcome is the percent of the total primary vote won by a given candidate. I conducted the ER analyses weighting by precinct turnout. I also estimate the ER analyses following the approach of Grofman and Migalski (1988) and correct for the level of turnout of different groups. Specifically, a first stage regression is run to measure each group's electoral participation and results are weighted to the estimated participation rates of the groups. In general elections, I find that the Grofman-Migalski approach is similar to the turnout weighted approach. However, in primary elections, where turnout is very low, I find substantial differences between these approaches.

16. Ecological Inference (EI) was developed by Gary King in the 1990s. It relies on the same general approach and assumptions as ER, but estimates the voting preferences of racial groups at the precinct level and aggregates to the district level. EI uses additional information from homogeneous precincts (precincts that have a very high percent of one group) to bound the estimates at the precinct level. The two methods diverge somewhat because EI gives more weight to the homogeneous precincts, which can be relatively rare, and less weight to precincts that have more equal or typical population distributions. Also, ER does not attempt to make precinct-level estimates. EI has also been widely used in cases involving the Voting Rights Act.

17. In implementing EI, I analyze data at the precinct level. As with the ER analysis, I aggregate blocks and, for the CVAP, block groups to the precinct. Where block groups are split across precincts, I follow best practices and allocate the CVAP counts in block groups according to the share of the VAP that is in each precinct. In each EI conducted using general elections, the dependent variable is the share of the two party vote won by the Democratic candidate. In each EI conducted using primary elections, the outcome is the percent of the total primary vote won by a given candidate. The EI estimation procedure estimates the turnout rate and vote preference of each group. ER is often preferred to EI for computational ease and because the two methods almost always yield qualitatively similar answers, if not the exact same results.[2] In the context of primary elections, EI appears to be a superior method because it allows for a more reliable adjustment for the differential turnout of racial groups in primaries. Differential turnout is far more consequential in primaries than in general elections.

[2]The EI analysis requires an iterative "hill climbing" estimation: an initial estimate is made and then the algorithm gauges which direction to "step" and how big of a step to make. The estimate is updated and a new step is calculated. That procedure continues until the steps are arbitrarily small or the maximum number of steps has been reached. The default for the EI program is 1,000 steps. Practical experience has revealed that some situations take many more steps to reach an accurate solution. I set the number of steps at 20,000, and all instances converge to an answer in fewer steps.

18. I analyze primary elections to ascertain whether Black and Hispanic voters coalesce in districts where Blacks plus Hispanics are the majority of the adult citizen population. The standard approach in the field of political science for assessing whether Blacks and Hispanics coalesce examines general elections, rather than primary elections.[3] Primaries are viewed as fundamentally different from general elections, especially because policy differences between the candidates are much less within a party than they are between parties and, consequently, personality and other factors matter much more in primaries, when the policy choices and implications for specific groups are not as distinctly drawn.[4] Primaries are further complicated because turnout is typically very low, because the choice of which primary to vote in is itself a form of political choice,[5] and because the large number of candidates in many primaries makes the application of criteria from general elections difficult to apply to primary elections. In my professional judgment, primary elections are not a reliable indicator of coalescence in political preferences of minority voters. However, courts have in some cases relied on primary elections, in addition to general elections, when weighing evidence concerning racial voting patterns. For completeness of this analysis, I provide an analysis of coalition behavior of Black and Hispanic voters in primary elections.

19. The analysis of primaries proceeds by, first, estimating the preferred candidate of Black and Hispanic voters in Democratic primaries, and, then, determining whether the groups preferred the same candidates. I consider a candidate to be the preferred candidate of a racial group if that candidate was preferred by a plurality of that group (i.e., that person is

[3]See, for example, Rene Rocha "Black-Brown Coalitions in Local School Board Elections," *Political Research Quarterly* 60 (2007): 315-327 and Karen Kaufmann, "Black and Latino Voters in Denver: Responses to Each Other's Political Leadership," *Political Science Quarterly* 118 (2003): 107-126.

[4]See, Shigeo Hirano and James M. Snyder Jr., *Primary Elections in the United States* (Cambridge University Press, 2019).

[5]People of a racial group who vote in a party's primary may not be representative of the group's preferences as a whole. For example, whites who vote in the Democratic primary in a heavily Republican district are likely not representative of the preferences of whites in the district overall. Relatedly, if most Black and Hispanic voters choose to vote in the Democratic primary rather than the Republican primary, that is itself a sign of political cohesion, even if those groups favor different candidates as their top choice.

the candidate most preferred by that group in the primaries).[6] In some instances, the shares of a group's primary election vote received by the top two candidates are very similar and not statistically different from one another. In these instances, a group is classified as having no "Single Preference." If a group has no clear first-choice candidate, that group is listed as not having a "Single Preference." Among the cases in which there is a singular preference for a group, I determine whether that preference is the same as for the other group. I use EI to estimate group preferences in 21 primary elections. In most instances, Hispanic voters and Black voters in fact have a single most-preferred candidate, as shown in the "Single Preference" columns in Table 16. I classify Blacks and Hispanics as coalescing in the primary if both groups have the same first-choice candidate.

20. This report presents the results of the analysis of population, compactness, racial voting patterns in general and primary elections, and general election district performance.

IV Findings Related to the Congressional District Map

A. Population Growth

21. Over the past decade, the population of the State of Texas grew by 4 million people, an increase from 25,145,561 to 29,145,505 people. That was the largest increase in total population of any state in the United States since 2010, and it earned the State of Texas two additional congressional districts in the decennial reapportionment.

22. Nearly all of the population growth in the State of Texas was people who identify as members of Hispanic, Black, Asian, Native American, or other non-white racial groups. Of the 3,999,944 additional people in the State of Texas, only 4.7 percent (187,252) were white Non-Hispanics. See Table 1. As a result, the overall racial composition of the population

[6] See *Ruiz v. City of Santa Maria* 160 F.3d 543 (9th Cir. 1998).

of the State of Texas became less white. At the beginning of this past decade 45.3 percent of the population of Texas was white Non-Hispanic, but by 2020, the white Non-Hispanic population had shrunk to 39.7 percent of the State's population. Hispanics alone have drawn even with white Non-Hispanics among the total population: Hispanics are now 39.3 percent of the total population in the State of Texas. Minorities of all groups combined are now over 60 percent of the population of the State of Texas. See Table 1.

23. The eligible electorate showed a similar shift. The CVAP is the best measure of the eligible electorate, and it is used as the standard for determining whether CDs are majority-minority districts. Based on the 2006-2010 American Community Survey (ACS), which was the data used in the prior redistricting cycle to gauge CVAP, there were 15,276,965 adult citizens in the State of Texas a decade ago. Of these people, 57.7 percent were white Non-Hispanics. According to the 2015-2019 ACS, the CVAP of the State of Texas grew by almost 3 million people to 18,181,330 people. At that time, 51.6 percent of adult citizens in Texas were white Non-Hispanic, and 48.4 percent identified with one or more racial or ethnic minority group. According to the 2016-2020 ACS, over the past decade, the CVAP of the State of Texas grew by 3.3 million people and is now 18,578,830. Of these people, 50.8 percent are white Non-Hispanics, and 49.2 percent identify with one or more racial or ethnic minorities.

24. About half of the growth in total population and more than half of the growth in CVAP in Texas was of people who identify as Hispanic. Of the 4 million additional people in the State of Texas since 2010, 1,980,796 are Hispanics. See Table 1. Of the nearly 3.3 million additional adult citizens in the State of Texas since 2010, 1,782,070 are Hispanics according to the 2016-2020 ACS. Non-Hispanic Blacks account for about 13 percent of the CVAP; and Asians are about 3.8 percent of the CVAP. See Table 2. The ACS 2015-2019, which were available to the State Legislature at the time of redistricting, show similar growth in the

minority populations in the State of Texas. See Table 2.

25. Equal population requires that districts have 766,987 people, plus or minus 1. Most congressional districts in the Prior Map were overpopulated, reflecting the substantial growth in population of the State overall, and the resulting apportionment of two additional congressional seats to Texas based on the 2020 census.

26. Growth occurred unevenly across CDs in the state. Eight CDs in the Prior Map had populations below the equal population level. The most underpopulated district in the map was CD-13 in the panhandle of Texas. It needed an additional 59,517 people to meet the equal population requirement. Neighboring CD-19 was also underpopulated, needing an additional 35,563 people. CD-1, along the Texas-Louisiana border, was underpopulated by 45,624 people.

27. Five CDs with majority-minority populations were also under-populated. CD-16, CD-27 and CD-34 in south and southwest Texas were underpopulated by 9,625 people, 27,290 people and 55,136 people, respectively. CD-29 in Harris County was underpopulated by 49,732 people. CD-33, which spans Dallas and Tarrant Counties, was underpopulated by 46,343 people. These CDs had to be reconfigured or have their footprint expanded in order to have 766,987 people.

28. The Prior Map also had many CDs that were substantially overpopulated. This was particularly true of four areas in the map: the Houston area (Harris and Fort Bend Counties), Austin (Travis and Williamson Counties), Dallas-Fort Worth (Dallas, Tarrant, and surrounding counties), and San Antonio (Bexar County).

29. CD-22 in Harris and Fort Bend Counties was the most overpopulated district in the

Prior Map, with an excess of 205,322 people. Also in Harris County, CD-2 was overpopulated by 47,717 people; CD-7, by 33,924 people; CD-18, by 29,921 people; CD-36, by 12,712 people. CD-10, which spanned the region from the western part of Harris County to northeastern Travis County, was overpopulated by 170,995 people.

30. In the Austin area, CD-31, which contained Williamson and Bell Counties to the north of Travis County, was over-populated by 166,785 people. CD-35, which extended from Austin to Bexar County, had an excess of 65,409 people.

31. The Dallas-Fort Worth area also experienced substantial population growth, resulting in large population excesses in some districts. The northern suburban areas of Dallas-Fort Worth contained CD-3 (Collin County) and CD-26 (Denton and Tarrant Counties). CD-3 and CD-26 were overpopulated by 166,021 and 176,119 people, respectively. CD-12 (Tarrant, Wise and Parker Counties) was overpopulated by 97,537 people. CD-24 (Tarrant, Dallas, and Denton Counties) was overpopulated by 55,719 people. CD-6 (Tarrant County and counties to the southeast) had an excess of 57,991 people.

32. All of the CDs that have some or all of their population in Bexar County (CD-20, CD-21, CD-23, CD-28, and CD-35) were overpopulated under the Prior Map. In particular, CD-21 had 81,083 in excess of the 766,987 people needed for a district, and CD 35 (also in Travis County) had 65,409 more people than is required.

33. The regions around Austin, Dallas-Fort Worth, Houston, and San Antonio have increased their population substantially. The CDs in these areas require considerable restructuring in order to conform with population equality.

B. Majority-Minority CDs in the Enacted Map

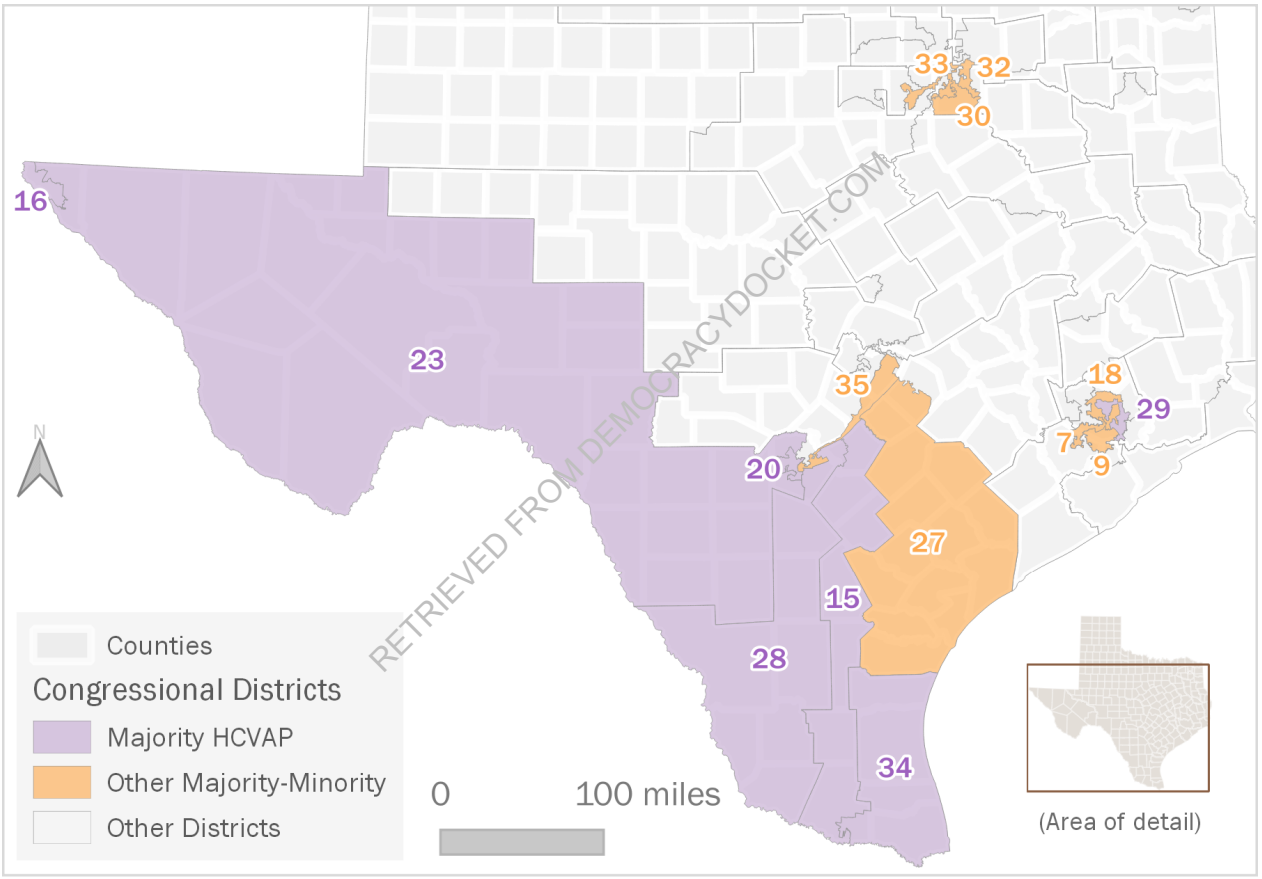
B.i Overall Assessment

34. The Enacted Map was passed into law as Senate Bill 6 (SB 6). In the indexing of proposed maps in the Texas Legislative Council's data system it is also called Plan C2193.

35. Detailed information about the Enacted Map is in Table 3 (Summary Characteristics of Majority-Minority CDs), Table 7 (Total and Citizen Voting Age Population), Table 10 (General Election Results), Table 13 (Racial Group Voting in General Elections), and Tables 17 and 18 (Compactness).

36. The Enacted Map creates 23 CDs in which whites are the majority of the CVAP. All of the majority white CDs are districts in which whites are able to elect their preferred candidates. The Enacted Map creates 15 CDs in which minorities are a majority of the CVAP. Only 13 of those majority-minority districts are districts in which minorities have the opportunity to elect their preferred candidates.

Figure 2: Majority-Minority Congressional Districts in the Enacted Map (SB 6)



B.ii Specific Districts and Areas

37. This section examines specific districts and areas where there are majority-minority districts in the Enacted Map. The first part of this section examines the seven majority Hispanic districts in the map. The remainder of the section examines the other eight majority non-white districts.

38. The Enacted Map creates seven majority Hispanic CDs. These are Enacted CD-15, CD-16, CD-20, CD-23, CD-28, CD-29, and CD-34. See Table 7.

39. Six of these districts – CD-15, CD-16, CD-20, CD-28, CD-29 and CD-34 – are districts in which Hispanics have the ability to elect their preferred candidates. CD-15, CD-16, CD-20, CD-28, and CD-34 are in South and West Texas; CD-29 is in Harris County. In these six districts, the Hispanic-preferred candidates won majorities of votes in almost all statewide elections examined. The lowest rate of success is in CD-15, where Hispanic preferred candidates won majorities in 28 of 35 (80 percent) elections examined. See Table 10.

40. Ecological regression analysis establishes that voting is racially polarized in CD-15, CD-16, CD-20, CD-28, CD-29, and CD-34. Hispanics in these CDs are cohesive, with around 75 to 85 percent of Hispanics voting for a given party or candidate. Whites also vote cohesively in these districts. In each of these CDs, majorities of whites vote for candidates opposing the Hispanic-preferred candidates. Indeed, the degree of white bloc voting is very high in CD-15, CD-16, CD-28 and CD-34. In CD-15, it is estimated that nearly 90 percent of the white vote goes to Republicans, while 76 percent of Hispanics vote for Democrats. In CD-28 and CD-34, approximately 80 percent of the white vote was for candidates of the opposite party as those preferred by Hispanics. In Enacted CD-16, 74 percent of whites voted

opposite to the preferences of a majority of Hispanics. See Table 13.

41. Enacted CD-23 is the seventh majority HCVAP district, but as it is configured in the Enacted Map, it is not a district in which Hispanics will have the opportunity to elect their preferred candidates. Voting is racially polarized in Enacted CD-23, and there are very high levels of white bloc voting. See Table 13. Election results in the precincts in Enacted CD-23 reveal that the white-preferred candidates won the majority of votes in 33 of 35 (94 percent) elections examined; the Hispanic-preferred candidates won a majority of votes in precincts in Enacted CD-23 in only 2 of 35 (6 percent) elections examined. See Table 10. Notably, SB 6 reduced the share of Hispanic voters in Enacted CD-23 by 5 percentage points as compared with Prior CD-23, even though the candidate preferred by Hispanic voters in Prior CD-23 was elected just once, in 2012, by a less than 5-point margin. Enacted CD-23 thus is not a district in which Hispanic voters have a reasonable opportunity to elect their preferred candidates.

42. There are 482,437 Hispanic people in Enacted CD-23. According to the 2016-2020 ACS, there are 264,260 Hispanic citizens of voting age in Enacted CD-23, and according to the 2015-2019 ACS, there are 263,709 Hispanic citizens of voting age in this CD. The vast majority of these people are in a district in which they do not have the opportunity to elect their preferred candidates.

43. The Enacted Map creates three other majority-minority districts in which Hispanics are the most populous group but not a majority of the CVAP: Enacted CD-27, Enacted CD-33, and Enacted CD-35. Enacted CD-27 is 49.4 percent HCVAP and 4.8 percent BCVAP. Enacted CD-33 is 42.9 percent HCVAP and 26.7 percent BCVAP. Enacted CD-35 is 47.6 percent HCVAP and 14.9 percent BCVAP. See Table 7. There, however, the similarities between these districts end.

44. Enacted CD-27, anchored in Nueces and San Patricio Counties in South Texas, does not afford Hispanics the opportunity to elect their preferred candidates. Hispanics comprise 49.4 percent of the CVAP in Enacted CD-27, and whites are 43.7 percent of the CVAP. Indeed, SB 6 increases by 2.5 percentage points the HCVAP in CD-27, from the Existing Map (Plan C2100) to the Enacted Map, yet still without making it a performing district. Among all the precincts included in Enacted CD-27, white-preferred candidates won the majority of votes in all elections examined and Hispanic-preferred candidates won in none. See Table 10.

45. Hispanics are cohesive in the version of CD-27 under the Enacted Map, and voting is racially polarized. More than four-fifths of Hispanics (86 percent) vote for Democratic candidates in Enacted CD-27. Whites exhibit extremely high levels of bloc voting in opposition to the Hispanic-preferred candidates. In Enacted CD-27, whites vote for candidates opposed to the Hispanic-preferred candidates 88 percent of the time. See Table 13. Given this high degree of white bloc voting, a different configuration and or demographic composition would be required for CD-27 to be a district in which Hispanics have the opportunity to elect their preferred candidates.

46. There are 410,805 Hispanic people in Enacted CD-27. According to the 2016-2020 ACS, there are 267,474 Hispanic Citizens of voting age in Enacted CD-27, and according to the 2015-2019 ACS, there are 262,789 Hispanic citizens of voting age in this CD. The vast majority of these people are in a district in which they do not have the opportunity to elect their preferred candidates.

47. Enacted CD-33, in Dallas and Tarrant County, is a district where voting is polarized and in which Hispanics and Blacks will be able to elect their preferred candidates. Hispanic-preferred candidates won the majority of the vote in 97 percent of general elections in the

precincts covered by CD-33 under the Enacted Map. The average vote share for Hispanic and Black preferred candidates is 75 percent. See Table 10.

48. In general elections, Blacks and Hispanics in Enacted CD-33 vote together at very high rates. See Table 13. In addition, as shown in Table 16, Blacks and Hispanics are cohesive in primary elections.

49. Enacted CD-35, which bridges Bexar and Travis Counties, is a district in which Hispanics and Blacks will be able to elect their preferred candidates, but voting is not racially polarized. In general elections, Blacks and Hispanics vote together at very high rates in the precincts included in Enacted CD-35. See Table 13. On average, whites in Enacted CD-35 also vote for the Hispanic-preferred candidates rather than the opposing candidates. Hispanic-preferred candidates won the majority of the vote in 97 percent of general elections in the precincts covered by CD-35 under the Enacted Map. Candidates preferred by Hispanics and Blacks won, on average, 72 percent of the vote. See Table 10.

50. The Enacted Map also contains three majority-minority CDs in which Blacks are a plurality of the adult citizen population. These are CD-9 and CD-18 in Harris County, and CD-30 in Dallas County. CD-9, CD-18, and CD-30 are historically Black opportunity districts. Enacted CD-9 has a Black CVAP of 47.1 percent and an HCVAP of 24.8 percent. Enacted CD-18 has a Black CVAP of 40.6 percent and an HCVAP of 29.1 percent. Enacted CD-30 has a Black CVAP of 49.0 percent and an HCVAP of 21.5 percent. See Table 7.

51. Enacted CD-9, Enacted CD-18, and Enacted CD-30 will be districts in which minorities have the opportunity to elect their preferred candidates. Across statewide general elections in 2016, 2018, and 2020, candidates preferred by Blacks won majorities of the votes in 97 percent of elections examined in CD-9, 97 percent of elections in CD-18, and 97 percent

of elections in CD-30. On average, candidates preferred by Blacks won 77 percent of the vote, 74 percent of the vote, and 77 percent of the vote in CD-9, CD-18, and CD-30, respectively. See Table 10.

52. Ecological inference (and ecological regression) analysis establishes that in every case in these elections a majority of Blacks and a majority of Hispanics preferred the Democratic candidate. According to EI analyses, whites split their vote evenly between Democratic and Republican candidates in Enacted CD-9, in Enacted CD-18, and in Enacted CD-30. The absence of white bloc voting in Enacted CD-18 and Enacted CD-30 suggests that a functioning minority district may be maintained with a lower minority CVAP than may be needed elsewhere in the state. See Table 13.

53. Finally, Enacted CD-7 and Enacted CD-32 are majority-minority districts in which Blacks and Hispanics account for roughly equal shares of the population and have the opportunity to elect their preferred candidates. See Tables 7 and 10.

C. Demonstration Map 1

54. I developed two maps to demonstrate that additional minority-opportunity Congressional districts could be developed in the State of Texas. I started with the Enacted Map and focused attention on three areas of the State: Dallas-Fort Worth, Houston, and the South and Southwest Texas region, leaving all districts outside of these areas unchanged from the Enacted Map. The South and Southwest Texas region is an envelope of counties that extends from El Paso to Travis County, from Travis to Nueces County, and from Nueces to Cameron County; this area also includes Bexar County.

55. Detailed information about Demonstration Map 1 is in Table 4 (Summary Char-

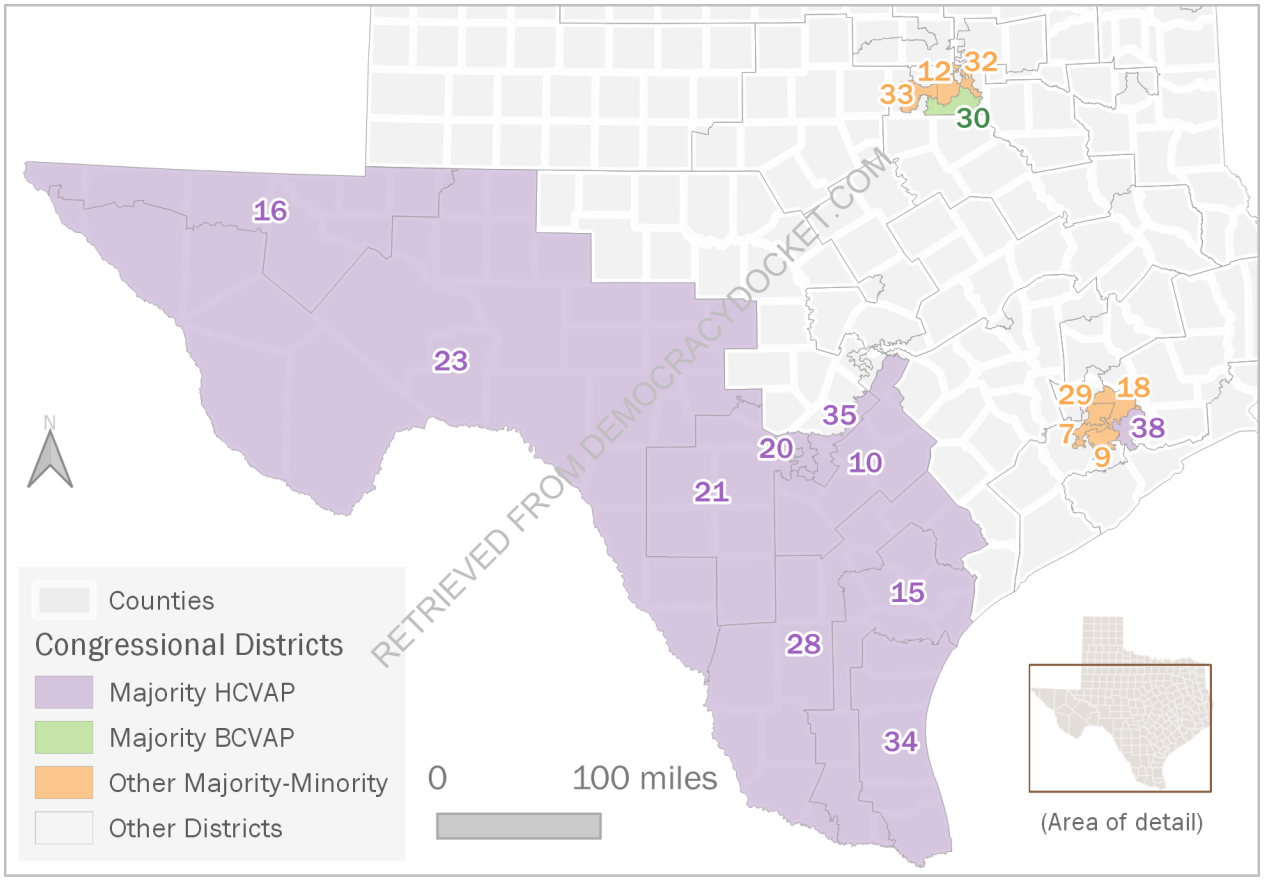
acteristics of majority-minority CDs), Table 8 (Total and Citizen Voting Age Population), Table 11 (General Election Results), Table 14 (Racial Group Voting in General Elections), and Table 17 (Compactness). A complete image of Demonstration Map 1 is attached as Exhibit 1, and block equivalency files will be provided simultaneously with this report.

C.i Overall Assessment

56. Demonstration Map 1 has 20 CDs in which whites are the majority of all people and 18 CDs in which minorities comprise the majority of the eligible electorate (CVAP). The majority-minority districts in Demonstration Map 1 are CD-7, CD-9, CD-10, CD-12, CD-15, CD-16, CD-18, CD-20, CD-21, CD-23, CD-28, CD-29, CD-30, CD-32, CD-33, CD-34, CD-35, and CD-38. See Table 8. Two of these districts – CD-7 and CD-32 – are identical to the configuration in the Enacted Map, SB 6.

57. Overall, Demonstration Map 1 shows that it is possible to create 5 more majority-minority CDs in which minorities would be able to elect their preferred candidates than under the Enacted Map. See Table 4 for a summary of Demonstration Map 1; see Table 6 for a summary and comparison to the Enacted Map.

Figure 3: Majority-Minority Congressional Districts in Demonstration Map 1

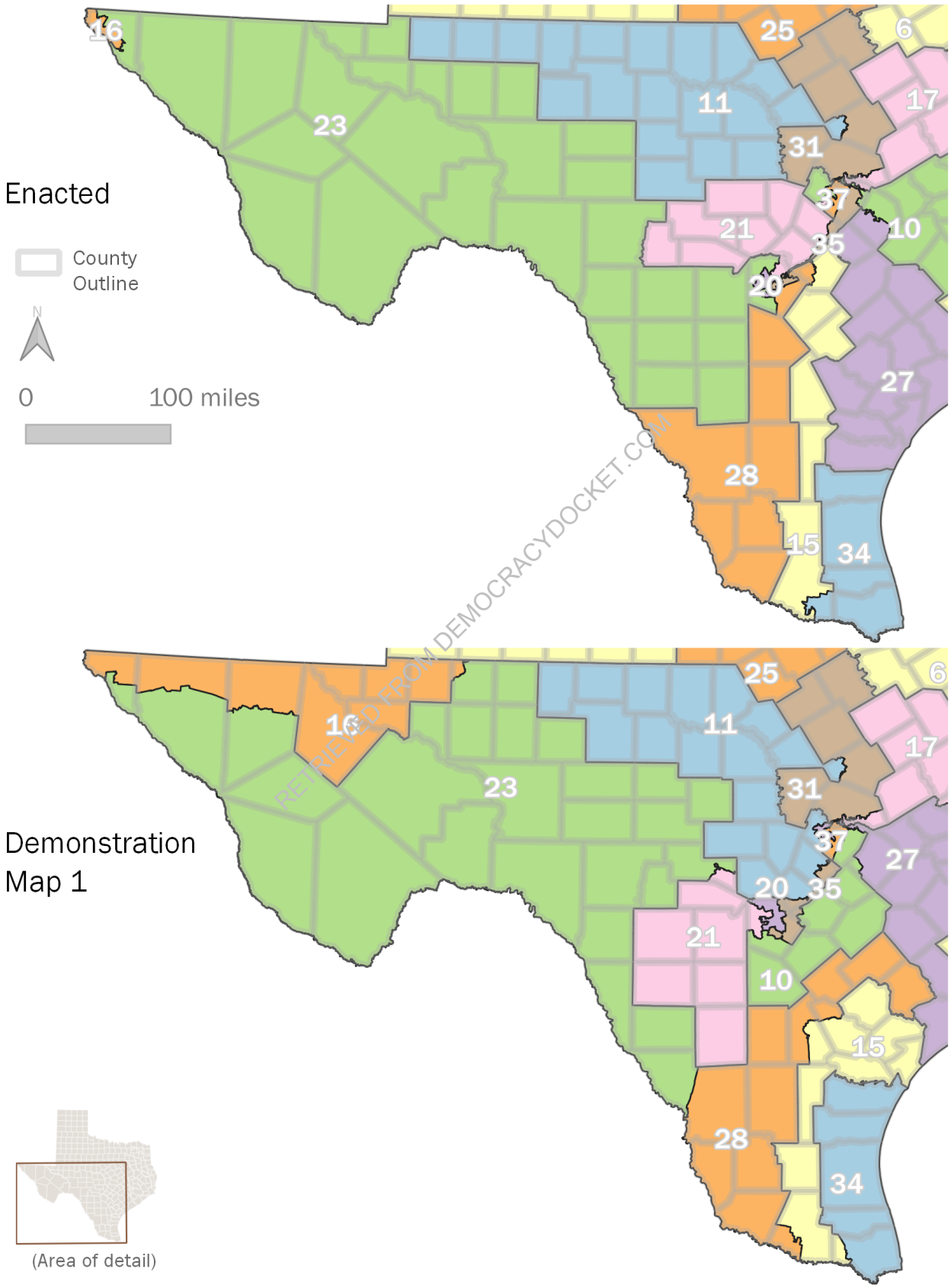


C.ii Areas of Qualitative Improvement in Minority Representation in Demonstration Map 1

58. A comparison of Demonstration Map 1 with the Enacted Map highlights three areas where minority representation is significantly improved.

59. First, Demonstration Map 1 makes substantial improvements in South and Southwest Texas. CD-23 in Demonstration Map 1 becomes a majority HCVAP district in which Hispanics would have the opportunity to elect their preferred candidates. In addition, under Demonstration Map 1, Nueces County and San Patricio Counties, which are majority Hispanic and majority HCVAP counties, are placed into districts (Demonstration CD-15 and Demonstration CD-34) in which Hispanics have the opportunity to elect their preferred candidates. As a further result of those two changes, two new reasonably compact, majority HCVAP districts emerge: Demonstration CD-21 and Demonstration CD-10. Demonstration CD-21 is located in western Bexar County and in counties to the west of Bexar that were in Enacted CD-23. Demonstration CD-10 takes in parts of Bexar and Travis Counties as well as Comal, Hayes, Guadalupe and Gonzales Counties that were scattered across Enacted CD-27, Enacted CD-15, Enacted CD-28, and Enacted CD-35. Demonstration CD-10 and Demonstration CD-21 are reasonably compact majority HCVAP districts in which Hispanics would have the opportunity to elect their preferred candidates. Their configuration allows for the improvement of the compactness of CD-35. See Tables 8, 11, and 17.

Figure 4: Demonstration Map 1 in South and West Texas



60. Second, Enacted CD-29 interferes with the creation of an additional, compact majority-minority district in the Houston area. Demonstration Map 1 replaces Enacted CD-29 with Demonstration CD-38 and Demonstration CD-29. Under the Demonstration Map, CD-38 is a majority-HCVAP district, like Enacted CD-29, but it is much more compact. Enacted CD-29 connects a triangular shaped part of north Houston to an area in southeastern Harris County in order to create a majority HCVAP district. Demonstration CD-38, by contrast, is a performing majority HCVAP district in the southeastern quadrant of Harris County. This district has the best Reock score of all CDs, meaning that it has the most compact area dispersion, and the tenth best Polsby-Popper, meaning that it has among the best perimeter shapes in the entire map. Further, CD-29 in Demonstration Map 1 connects the Hispanic area in north Houston with neighboring areas to the west and creates a highly compact majority-Black plus Hispanic district in which Blacks and Hispanics together would have the ability to elect their preferred candidates. CD-29 in Demonstration Map 1 has the eighth best Reock and ninth best Polsby-Popper. Both CD-38 and CD-29 in Demonstration Map 1 are more compact than Enacted CD-29 in terms of area dispersion and perimeter.

61. Third, Enacted CD-33 interferes with the creation of an additional, compact majority-minority district in the Dallas-Fort Worth area. Enacted CD-33 is a majority-minority district that spans Dallas and Tarrant Counties. It has an extremely low Polsby-Popper measure of .03, meaning that the area of Enacted CD-33 is only 3 percent of the area of a circle that has a perimeter of the same length. That is approximately the size of Connecticut relative to the size of Texas. Demonstration Map 1 creates a highly compact CD-12 on the Dallas side of this district and a highly compact CD-33 on the Tarrant side of this district. Like Enacted CD-33, both CD-12 and CD-33 in Demonstration Map 1 are majority Black plus Hispanic. These districts demonstrate that the non-compact configuration of Enacted CD-33 prevents the creation of an additional performing majority-minority CD (e.g., CD-12 in the Demonstration Map) in roughly the same location.

62. Overall, Demonstration Map 1 results in five additional, reasonably compact majority-minority CDs in which minorities would have the opportunity to elect their preferred candidates. That is accomplished without significantly worsening the compactness of majority-minority CDs; in fact, Demonstration Map 1 improves the overall compactness of majority-minority CDs. The Demonstration Map makes four existing majority-minority CDs (CD-15, CD-29, CD-33, and CD-35) more compact in both their area dispersion and perimeter, while one (CD-16) becomes less compact. Eight majority-minority Demonstration CDs are either unchanged in their compactness from the Enacted Map or are made better by the Demonstration Map on one measure but not on the other. See Table 17.

C.iii Analysis of Specific Districts and Areas

63. This section examines specific districts and areas where there are majority-minority districts in Demonstration Map 1.

64. In Demonstration Map 1, there are 11 majority-minority districts in which a single minority group is the majority of the CVAP. Of these 11 districts, 10 are majority HCVAP CDs and 1 is majority Black CVAP. These are CD-10, CD-15, CD-16, CD-20, CD-21, CD-23, CD-28, CD-30, CD-34, CD-35, and CD-38. See Table 4.

65. In each of the majority HCVAP or majority Black CVAP CDs in Demonstration Map 1, the relevant minority group is cohesive, and voting is racially polarized in general elections. Hispanics' cohesion levels are 85 percent in CD-10; 76 percent in CD-15; 83 percent in CD-16; 86 percent in CD-20; 84 percent in CD-21; 80 percent in CD-23; 77 percent in CD-28; 78 percent in CD-34, 85 percent in CD-35, and 85 percent in CD-38. In CD-30, nearly all Blacks voted for Democratic candidates. See Table 14.

66. Whites exhibit high rates of bloc voting for candidates opposed to minority-preferred candidates in each of these CDs: 67 percent in CD-10, 88 percent in CD-15; 89 percent in CD-16; 67 percent in CD-20; 78 percent in CD-21; 91 percent in CD-23; 91 percent in CD-28; 62 percent in CD-30; 81 percent in CD-34; 71 percent in CD-35; and 85 percent in CD-38. See Table 14. The high rates of polarization and of white bloc voting in opposition to minority preferred candidates in these areas create electoral circumstances where majority-minority districts, and in many cases a significant majority of minority voters, are needed for minorities to have the opportunity to elect their preferred candidates.

67. In each of the majority HCVAP CDs and Black CVAP CDs in Demonstration Map 1, minorities have the opportunity to elect their preferred candidates. See Table 11.

68. All of the majority HCVAP and Black CVAP Demonstration CDs that differ from the Enacted Map are reasonably compact compared to districts in the Prior and Enacted Maps. CD-15, CD-21, CD-35, and CD-38 are more compact in both area and perimeter than the versions of those CDs in the Prior Map. Demonstration 1's CD-35, which takes portions of Enacted CD-35, is much more compact than Prior or Enacted CD-35. It is comparable in its area and perimeter dispersion to Prior CD-15. It is more compact in its perimeter than Prior CD-18, Prior CD-29, Prior CD-33, or Prior CD-35. Demonstration CD-21 and CD-38 are highly compact majority HCVAP districts, and they are among the most compact CDs in the entire map. They are more compact in area dispersion than any district in the Enacted map; Demonstration CD-21 is more compact in perimeter dispersion than any district in the Enacted map besides Enacted CD-19 and Enacted CD-27; and Demonstration CD-38 is more compact in perimeter dispersion than all but nine districts in the Enacted map. See Table 17.

69. The exception is CD-16 under the Demonstration Map. Demonstration CD-16

is the only district in Demonstration Map 1 that became noticeably less compact. That said, CD-16 in Demonstration Map 1 is more compact in both area (Reock) and perimeter (Polsby-Popper) than Enacted CD-15. Table 17. It is more compact in its perimeter shape (Polsby-Popper) than 25 CDs in both the Prior and Enacted Maps. See Table 17. The less compact configuration of CD-16 under the Demonstration Map facilitates the reconfiguration of CD-23 into a district that will perform for Hispanic voters.

C.iii.1. South and West Texas

70. Demonstration Map 1 makes significant changes to the Enacted Map in South and West Texas, the portion of the state stretching from El Paso in the west to Brownsville in the Southeast, and north to Nueces and Bexar Counties.

71. The Enacted Map changed substantially the orientation of CD-16 and CD-23 in El Paso. Under the Prior Map, CD-16 took the northern part of the county, and CD-23 cut into the southern part of the county.

72. The Enacted Map reduced the HCVAP of CD-23. Hispanics are the majority of the HCVAP in Prior CD-23 and in Enacted CD-23. The Enacted Map, however, reduced the HCVAP in the district by 5 percentage points, from 63.2 percent in Prior CD-23 to 58.1 percent in Enacted CD-23. See Table 7.

73. The Enacted Map also reduced the electoral performance of CD-23 for Hispanics. Hispanics vote cohesively in CD-23 under the Enacted Map, voting, on average, 74 percent for Democrats. White voters in CD-23 in the Enacted Map are cohesive and opposed to the candidates preferred by Hispanics: Whites in this district vote 80 percent for Republicans. See Table 13. The Enacted Map shaved 3.6 percentage points off the average vote share won by candidates preferred by Hispanic voters in CD-23, reducing it from 48.9 percent in Prior

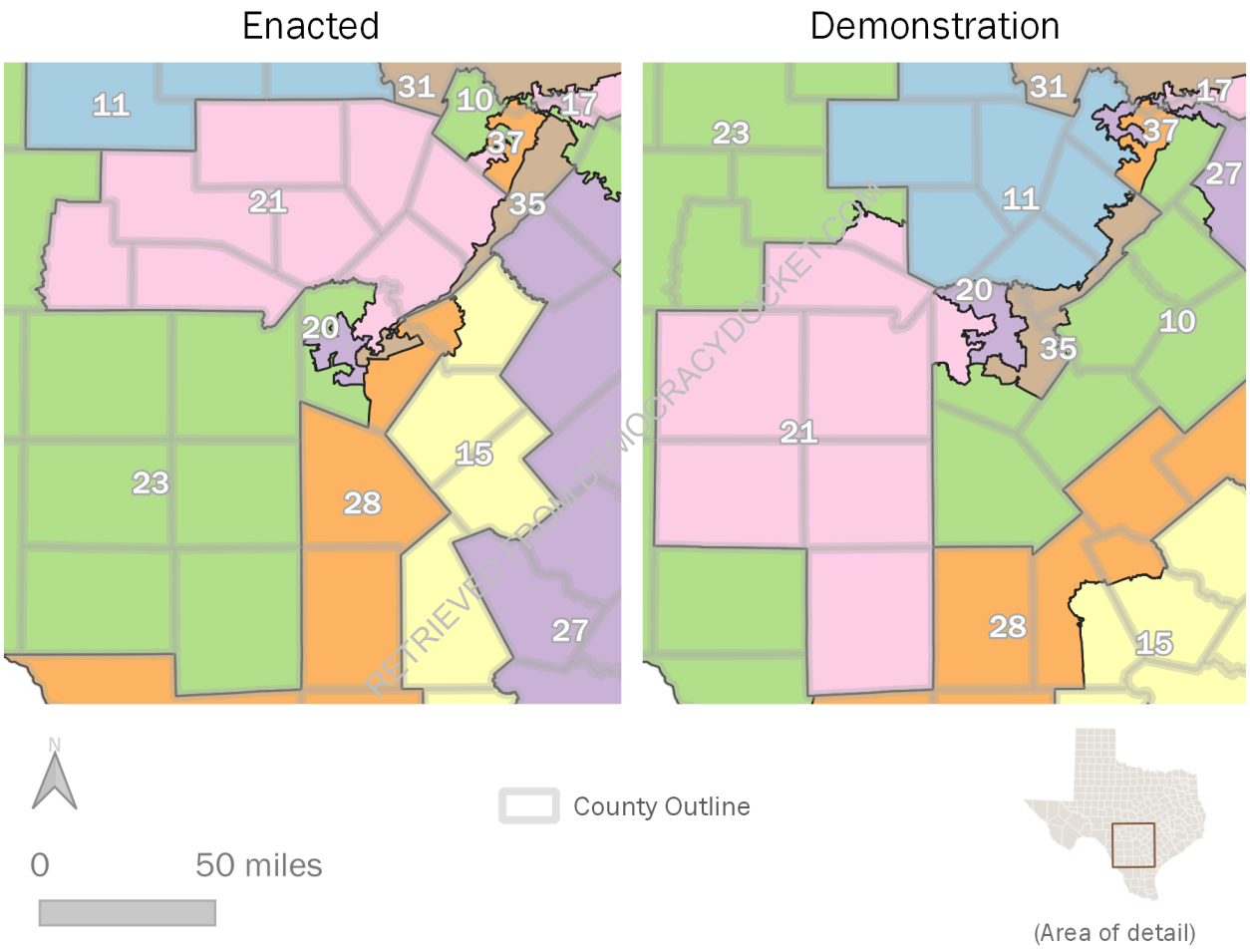
CD-23 to just 45.3 percent in Enacted CD-23. Candidates preferred by Hispanics won the majority of the vote in only 2 of 35 (about 6 percent) of elections analyzed, while candidates preferred by White voters won the majority of the vote in 94 percent of elections analyzed. See Table 10. CD-23 in the Enacted Map is not a district in which Hispanics would have the opportunity to elect their preferred candidates.

74. Demonstration Map 1 reconfigures CD-23 by shifting the district further west. As in the Prior Map, Demonstration CD-23 takes the southern portion of El Paso County and Demonstration CD-16 takes the northern portion. To the east, Demonstration Map 1 withdraws CD-23 from Bexar County and counties immediately to the west of Bexar. Demonstration CD-23 includes portions of Midland and Webb Counties. CD-16 takes the northern portions of El Paso County and follows the Texas-New Mexico border to Kermit and Midland.

75. Demonstration Map 1 shows that CD-23 can be drawn as a majority HCVAP district that will actually give Hispanics the opportunity to elect their preferred candidates. In the version of CD-23 in Demonstration Map 1, Hispanics are 72.0 percent of the CVAP. See Table 8. Hispanic-preferred candidates won, on average, 53.1 percent of the vote, and Hispanic-preferred candidates won majorities of votes in 97 percent of elections covered. See Table 11.

76. The reconfiguring of CD-23 and CD-16 leads to the emergence of a new majority Hispanic CVAP district. Demonstration CD-21 – a new majority HCVAP district in South and West Texas – is created in the western portions of Bexar County and counties that were part of Enacted CD-21, Enacted CD-23, and Enacted CD-28. Demonstration CD-21 takes the western third of Bexar County, as well as the entirety of Bandera, Frio, La Salle, Medina, Uvalde, and Zavala Counties, and a portion of Kerr County.

Figure 5: Demonstration Map 1 in Bexar and surrounding Counties



77. Hispanics would have the opportunity to elect their preferred candidates in Demonstration CD-21. Hispanics won, on average, 51 percent of the vote in Demonstration CD-21, and they won the majority of the vote in 25 of 35 elections examined. See Table 11. Voting is racially polarized in Demonstration CD-21. See Table 14.

78. Demonstration CD-21 is highly compact. It is more compact in both area and perimeter than Enacated CD-21. It has an area dispersion (Reock) higher than any CD in the Enacted Map, and it has a higher (better) perimeter compactness than all but two CDs in the Enacted Map. See Table 17.

79. Demonstration Map 1 also illustrates that Enacted CD-27 interferes with the emergence of a reasonably compact majority Hispanic CVAP district in this region. That district is CD-10 in Demonstration Map 1.

80. Enacted CD-27 submerges the substantial Hispanic populations of Nueces and San Patricio Counties in a district in which white-preferred candidates will usually defeat Hispanic-preferred candidates. Enacted CD-27 is a majority-minority CVAP district that is 49.4 percent HCVAP, and Hispanics vote cohesively in this district. See Tables 7 and 13. However, Enacted CD-27 is not a performing district for minority voters generally or Hispanics in particular. Candidates preferred by Hispanic voters in Enacted CD-27 win, on average, only 38 percent of the vote, and won the majority in none of the 35 elections analyzed. See Table 10. There is a very high level of White bloc voting, against the Hispanic-preferred candidates in Enacted CD-27. See Table 13.

81. Of particular concern is the inclusion of Nueces and San Patricio Counties in Enacted CD-27. Nueces County and San Patricio County are majority Hispanic CVAP counties. According to the 2016-2020 ACS, Hispanics are 60.0 percent of the HCVAP in Nueces County

and 53.7 percent of the HCVAP in San Patricio. There are a total of 217,052 Hispanics in Nueces and 38,220 Hispanics in San Patricio. Combined these counties have 255,274 Hispanic people. All of these people are put into CD-27 under the Enacted Map, a district in which Hispanics will not have the opportunity to elect their preferred candidates. Demonstration Map 1 corrects that as follows.

82. Demonstration Map 1 places Nueces County in Demonstration CD-34, and it places San Patricio County in Demonstration CD-15. Both Demonstration CD-15 and Demonstration CD-34 remain majority-HCVAP districts in which Hispanics have the opportunity to elect their preferred candidates, as they are under the Enacted Map. Moving San Patricio into Demonstration CD-15 and Nueces into Demonstration CD-34 into Nueces County pulls these districts south, and allows for a reconfiguration of CD-28 that is also further south and does not extend into Guadalupe County. Demonstration CD-28 curves eastward, parallel to the shape of Demonstration CD-15, Demonstration CD-34, and the Gulf Coast.

83. Moving Nueces and San Patricio Counties into performing, majority HCVAP districts (Demonstration CD-15 and Demonstration CD-34) pulls CD-28 and CD-15 to the south. This opens population in Bexar, Comal, Hayes, and Travis Counties, leading to the emergence of a new majority HCVAP district in which Hispanics would have the opportunity to elect their preferred candidates. That district is Demonstration CD-10.

84. Demonstration Map 1 repositions Enacted CD-10 to run from Travis to Bexar, rather than from Travis to Harris. This is a much shorter distance to travel from one end of the district to the other. Demonstration CD-10 attaches the Travis County portion of Prior CD-35 to the counties south and southwest. Demonstration CD-10 consists of the entirety of Atascosa County, portions of Bexar County, the entirety of Caldwell County, the entirety of Gonzales County, the entirety of Guadalupe County, portions of Travis County, and the

entirety of Wilson County. Gonzales and Caldwell Counties are in Enacted CD-27, Atascosa is in Enacted CD-28, Wilson County is in Enacted CD-15, and Guadalupe is split between Enacted CD-15 and Enacted CD-28. Guadalupe County is united under the Demonstration map; it was divided in the Enacted map.

85. Demonstration CD-10 is reasonably compact. It is more compact than Enacted CD-10 in its perimeter (Polsby-Popper score) and slightly less compact in its area (Reock score). See Table 17.

86. Demonstration CD-10 is a district where Hispanics would have the opportunity to elect their preferred candidates. Demonstration CD-10 is a majority HCVAP. See Table 8. Demonstration CD-10 covers areas where voting is racially polarized, and where Hispanics vote cohesively. See Table 14. Candidates preferred by Hispanics in Demonstration CD-10 won, on average 57 percent of the vote, and won majorities in 34 of 35 elections examined. See Table 11.

87. The configuration of Demonstration CD-10 has beneficial spillover effects on surrounding districts. In particular, the Demonstration Maps substantially improve the compactness of two of the least compact districts in the Enacted Congressional Map, Enacted CD-15 and Enacted CD-35. Demonstration CD-15 is substantially more compact than Enacted CD-15. Demonstration Map 1 results in a nearly two-fold improvement in the area dispersion of CD-15, and it also improves the perimeter compactness of CD-15. See Table 17. As discussed above, Demonstration CD-15 would remain a majority HCVAP district in which Hispanics have the opportunity to elect their preferred candidates.

88. The creation of Demonstration CD-10 allows for the improvement of CD-35. Demonstration CD-10 takes the Travis County portion of Enacted (and Prior) CD-35. Demonstra-

tion CD-35 moves further into Bexar County and takes portions of Comal and Hays Counties. This reconfiguration of the map in this area improves the compactness of CD-35. Under the Enacted Map CD-35 has an area dispersion (Reock) score of .08 and a perimeter irregularity (Polsby-Popper) score of .079. Demonstration CD-35 doubles the area compactness of CD-35, increasing the Reock to .17; the perimeter compactness score improves to .094. See Table 17.

89. Demonstration CD-35 would be a majority HCVAP district in which Hispanics have the ability to elect their preferred candidates. See Tables 8, 11, and 14.

90. Thus, it is possible to create two additional, reasonably compact majority HCVAP districts in South and West Texas. In doing so, it is also possible to configure CD-23 so that it performs as a district where minorities would have the opportunity to elect their preferred candidates. It is possible to incorporate the sizable Hispanic populations in Nueces and San Patricio Counties into CDs where they will have the opportunity to elect their preferred candidates. And, it is possible to improve the compactness of nearly every district affected, including two of the least compact districts in the State of Texas, Enacted CD-15 and Enacted CD-35. The net effect of the Demonstration Map in South and West Texas would be to create three additional performing majority HCVAP districts: CD-10, CD-21, and CD-23.

C.iii.2. Dallas-Fort Worth Area and Harris County

91. In Demonstration Map 1, CD-12 (Dallas) and CD-29 (Harris) would be new majority-minority districts, while Demonstration CD-38 is a more-compact majority HCVAP district that replaces Enacted CD-29. They are highly compact districts in which minorities would have the opportunity to elect their preferred candidates. They show that the configuration of districts in Dallas-Fort Worth and in Harris under the Enacted Map interferes with the emergence of additional reasonably compact, majority-minority districts in these areas.

Figure 6: Demonstration Map 1 in Dallas-Fort Worth

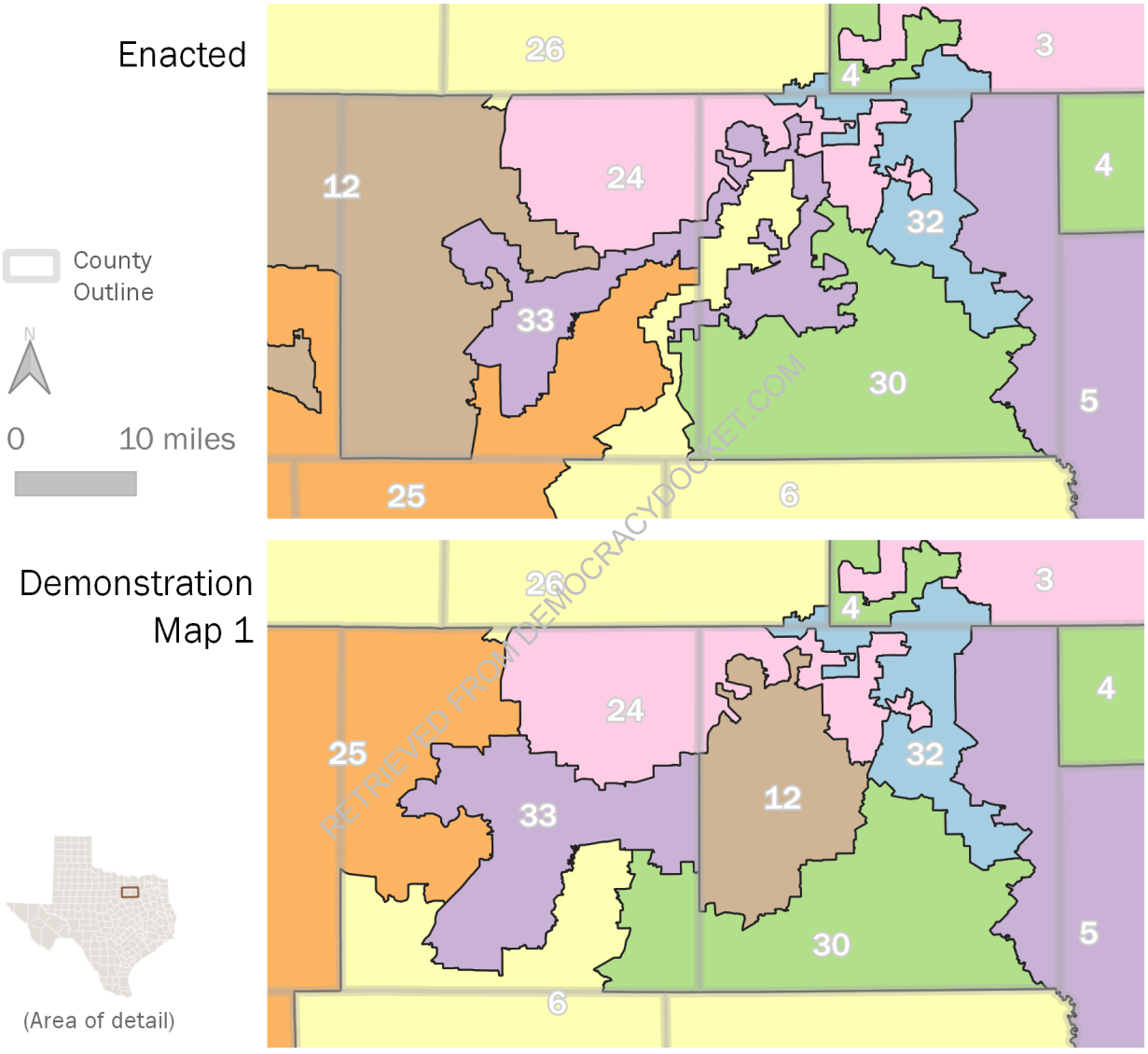
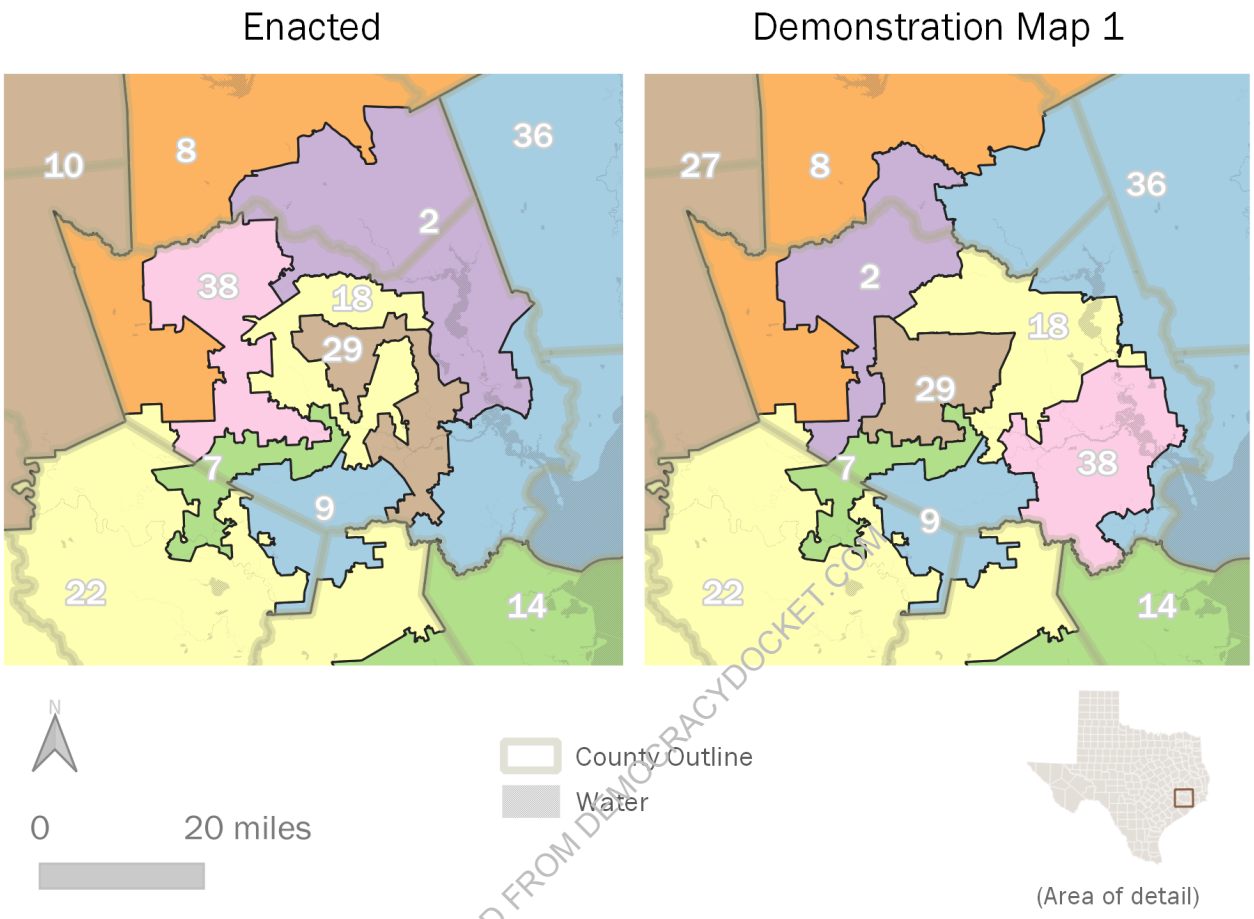


Figure 7: Demonstration Map 1 in Harris County



92. All of the new and reconfigured majority Black and Hispanic districts in Demonstration Map 1 in Dallas-Fort Worth and Harris County are reasonably compact. For example, CD-9 in Demonstration Map 1 closely resembles the version in the Enacted Map, which is highly compact in its area dispersion and has perimeter dispersion that is about average for CDs in the map. CD-18 in Demonstration Map 1 is somewhat less compact in area dispersion than the version of this district in the Enacted Map, but more compact in its perimeter dispersion. The versions of CD-12, CD-29, CD-33, and CD-38 in Demonstration Map 1 are more compact than the versions of these districts in the Enacted Map. See Table 17.

93. In the new majority-minority districts in which Blacks plus Hispanics constitute a majority of the CVAP in Demonstration Map 1, I examined the voting behavior in all contested statewide and federal primary and primary runoff elections in 2016, 2018, and 2020 using ecological inference, adjusting for each group's estimated primary election participation rates. Instances where a majority of a group votes the same way as a majority of another group are considered instances of cohesion; instances where majorities are opposed are considered not cohesive; and instances where it is unclear which way a group's votes were split are inconclusive. Table 16 presents the summary of the results.

94. Blacks and Hispanics vote cohesively in Democratic primaries and runoff elections in the Dallas-Fort Worth area. CD-12 and CD-33 under Demonstration Map 1 are districts where Blacks plus Hispanics are a majority of the population and where minorities have the opportunity to elect their preferred candidates. I analyzed twenty-one contested primary or runoff elections in precincts that comprise these Demonstration CDs. Setting aside the handful of cases where the data are not informative, majorities of Blacks and majorities of Hispanics voted for the same primary candidates 94 percent of the time in Demonstration Map CD-12 and 82 percent of the time in Demonstration CD-33 under Demonstration Map 1. Hispanics and Blacks are cohesive in their primary voting in Demonstration CD-12 and

Demonstration CD-33. See Table 16.

95. Very similar patterns of cohesive voting are reflected in the Harris County majority-minority districts. A majority of Blacks and a majority of Hispanics vote for the same candidates in primaries in Demonstration Map 1's version of CD-29 87 percent of the time.

96. Hence, Demonstration Map 1 offers five more majority-minority opportunity districts than the Enacted Map – two additional majority-HCVAP districts (Demonstration CD-10 and Demonstration CD-21), one reconfigured majority-HCVAP district that allows it to perform for Hispanic-preferred candidates (Demonstration CD-23), and two additional majority-Black plus Hispanic CVAP districts (Demonstration CD-12 and Demonstration CD-29)[7] in which the minority groups vote cohesively against white bloc voting to allow them an opportunity to elect their preferred candidates.

D. Demonstration Map 2

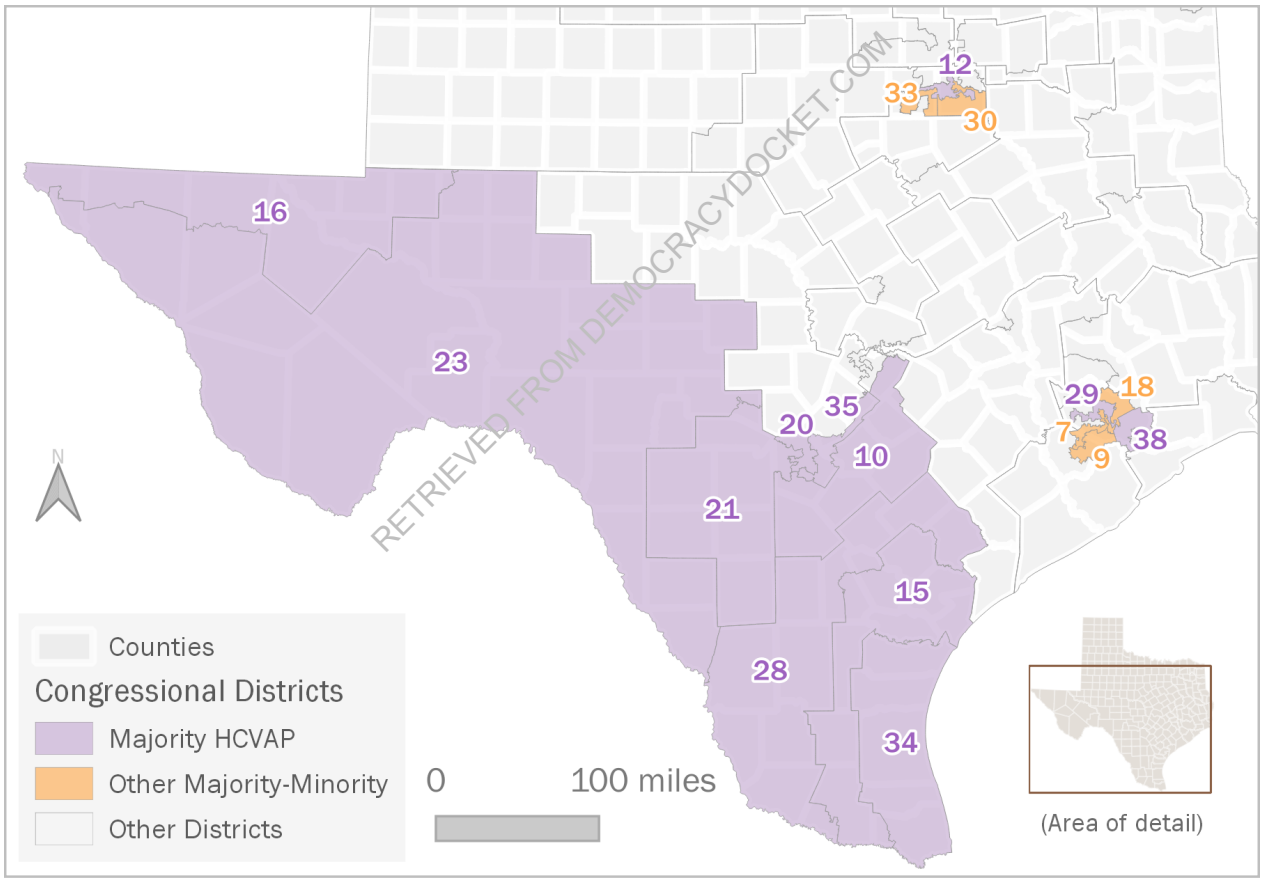
97. Demonstration Map 2 is identical to Demonstration Map 1 in South and West Texas but offers an alternative configuration of the Dallas-Fort Worth and Houston areas. The Dallas-Fort Worth and Houston area districts are adapted from Plan C2163.

98. Detailed information about Demonstration Map 2 is in Table 5 (summary Characteristics of majority-minority CDs), Table 9 (Total and Citizen Voting Age Population), Table 12 (General Election Results), Table 15 (Racial Group Voting in General Elections), and Table 18 (Compactness). A complete image of Demonstration Map 2 is attached as Exhibit 2, and block equivalency files will be provided simultaneously with this report.

[7]Enacted CD-29 was a majority HCVAP district, and it is replaced by CD-38 under Demonstration Map 1, a more-compact majority HCVAP district that unites a portion of Enacted CD-29 with additional Hispanic communities in southeast Houston.

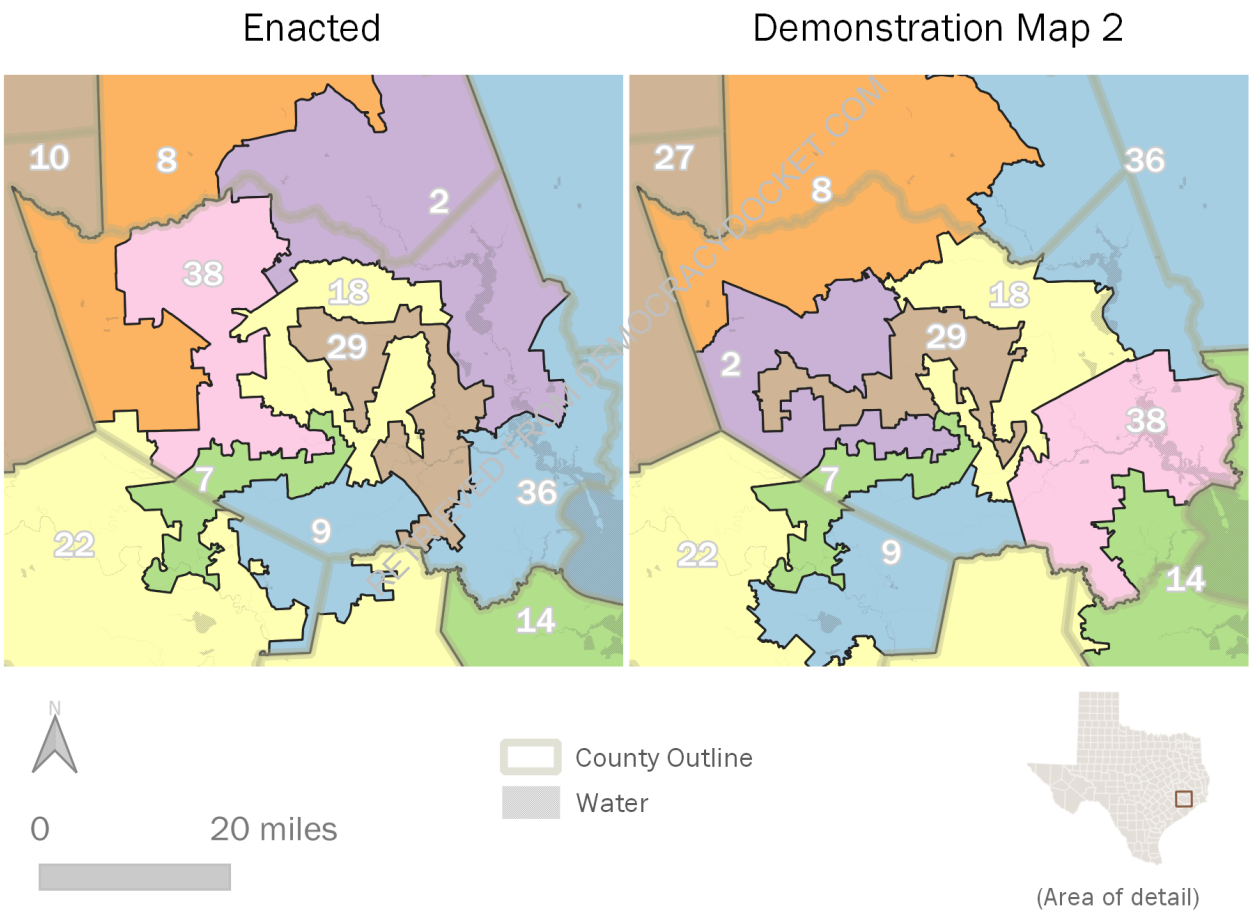
99. Demonstration Map 2 shows that additional majority Hispanic CVAP districts are possible in each of the Dallas-Fort Worth and Houston areas. Under Demonstration Map 2, Enacted CD-29 is split into two majority HCVAP districts – Demonstration CD-29 and Demonstration CD-38. Further, Demonstration Map 2 creates one additional majority HCVAP district in Dallas-Fort Worth, Demonstration CD-12. Information about the majority-HCVAP districts in this map are summarized in Table 5.

Figure 8: Majority-Minority Districts in Demonstration Map 2



100. In Demonstration Map 2, CD-29 and CD-38 in Harris County would be districts in which Hispanics are a majority of the CVAP – one more such district than in the Enacted Map. See Table 9. Both of these districts in Demonstration Map 2 would be districts in which Hispanics have the opportunity to elect their preferred candidates. The average vote for Hispanic preferred candidates is 56 percent in Demonstration CD-38 and 67 percent in Demonstration CD-29. See Table 12.

Figure 9: Enacted and Demonstration Map 2 in the Houston Area

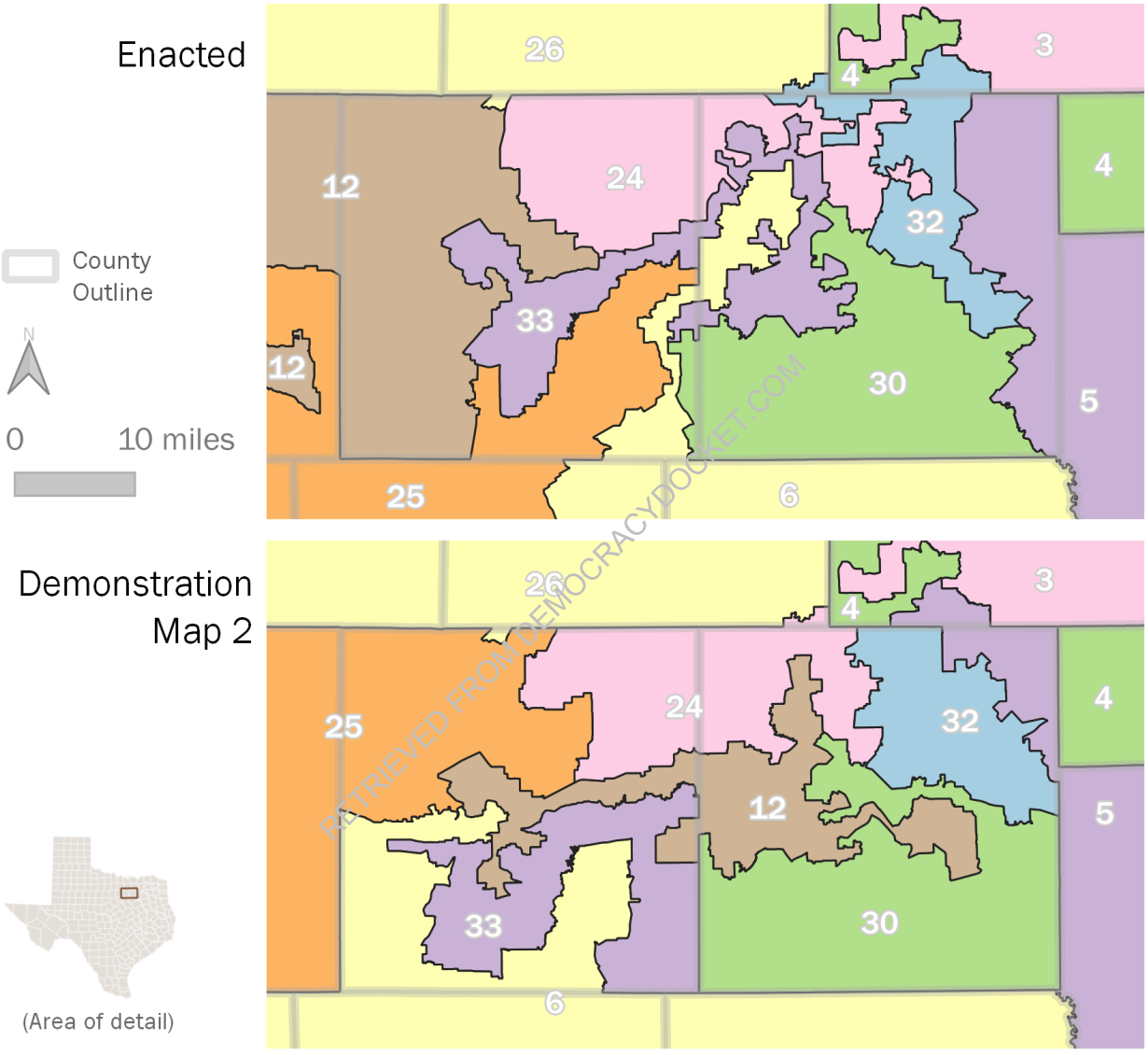


101. Hispanics are cohesive in these districts, voting for Democratic candidates, on average, 86 percent of the time in Demonstration CD-29 and 83 percent of the time in Demonstration CD-38 under Demonstration Map 2. Whites are also cohesive and exhibit a high rate of bloc voting in opposition to the Hispanic-preferred candidates in these areas. See Table 15.

102. The compactness of CD-29 in Demonstration Map 2 is somewhat lower than CD-29 under Demonstration Map 1. However, it has nearly the same area dispersion compactness and perimeter compactness as Enacted CD-29, and it is much more compact than majority-minority districts elsewhere in the Prior or the Enacted Maps, such as Prior and Enacted CD-35 and CD-15. See Table 18. Thus, it is possible to configure CD-29 as either a majority HCVAP, as in Demonstration Map 2, or a majority-minority (Black plus Hispanic) CVAP district, as in Demonstration Map 1. Either version of this CD would be a reasonably compact district in which minorities would have the opportunity to elect their preferred candidates.

103. Demonstration Map 2 shows that it is possible to configure Demonstration CD-12 as a majority HCVAP district in the Dallas-Fort Worth area. Demonstration CD-33 would remain a majority Black plus Hispanic CVAP district as in the Enacted Map.

Figure 10: Enacted Map and Demonstration Map 2 in the Dallas-Fort Worth Area



104. CD-12 and CD-33 under Demonstration Map 2 would be districts in which Hispanics have the opportunity to elect their preferred candidates. On average, Hispanic-preferred candidates won 70 percent of the vote in the precincts incorporated in Demonstration CD-12 and 61 percent of the vote in precincts in Demonstration CD-33 under Map 2. See Table 12.

105. Hispanics vote cohesively in the precincts incorporated into CD-12 and CD-33 in Demonstration Map 2. On average, 89 percent of Hispanics vote for Democratic candidates in CD-12, and 80 percent of Hispanics support Democratic candidates in CD-33. Whites are also cohesive: a majority of whites vote for candidates opposing the Hispanic-preferred candidates in Demonstration CD-12 and Demonstration CD-33. See Table 15.

106. Hispanics and Blacks vote cohesively in the primary elections in Demonstration CD-29 and Demonstration CD-33 under Demonstration Map 2. See Table 16.

107. CD-12 under Demonstration Map 2 is less compact than the analogous version of this district in Demonstration Map 1. Compared to CD-33 in the Enacted Map, which is also in the Dallas-Fort Worth area, it is more compact in its perimeter (Polsby-Popper) than Enacted CD-33, and somewhat less compact in its area (Reock) than Enacted CD-33. See Table 18. Demonstration Map 2 CD-33 is somewhat more compact than Prior CD-33. Hence it is possible to draw two majority-minority districts (Demonstration CD-12 and CD-33) that are as compact as Enacted CD-33 in roughly the same location as Enacted CD-33. In this regard, Enacted CD-33 interferes with the creation of two reasonably compact majority-minority districts in Dallas-Fort Worth, one of which could be configured to be majority HCVAP district.

108. Demonstration Map 2 shifts CD-32 westward to accommodate changes in the configuration of CD-12 in Dallas County. This makes Demonstration CD-32 into a majority Non-Hispanic white district under Demonstration Map 2. See Table 9. However, voting is

not polarized in Demonstration CD-32, so the candidates preferred by Blacks and Hispanics would also be able to win in this district.[8] See Table 15.

109. Thus, Demonstration Map 2 shows that it is possible to draw five more performing majority-HCVAP districts than the Enacted Map in areas where voting is polarized along racial lines – two additional majority-HCVAP districts in South and West Texas (CD-10 and CD-21), one reconfigured majority-HCVAP district that allows it to perform for Hispanic-preferred candidates (CD-23), one additional majority-HCVAP district in Dallas-Fort Worth (CD-12), and one additional majority-HCVAP district in Harris County (CD-38) in which Hispanics vote cohesively against white bloc voting to allow them an opportunity to elect their preferred candidates.

V Findings Related to the Texas House District Map

A. Harris County

110. Harris county has 4,713,145 people, according to the 2020 Census Enumeration. The ideal population of a House District (HD) for the Texas State House is 194,303 people, plus or minus five percent. Thus, Harris County has sufficient population for 24.26 HDs. In the Enacted Map there are 24 HDs in Harris.

111. The 2020 enumerated population of Harris County is 43.0 percent Hispanic, 20.7

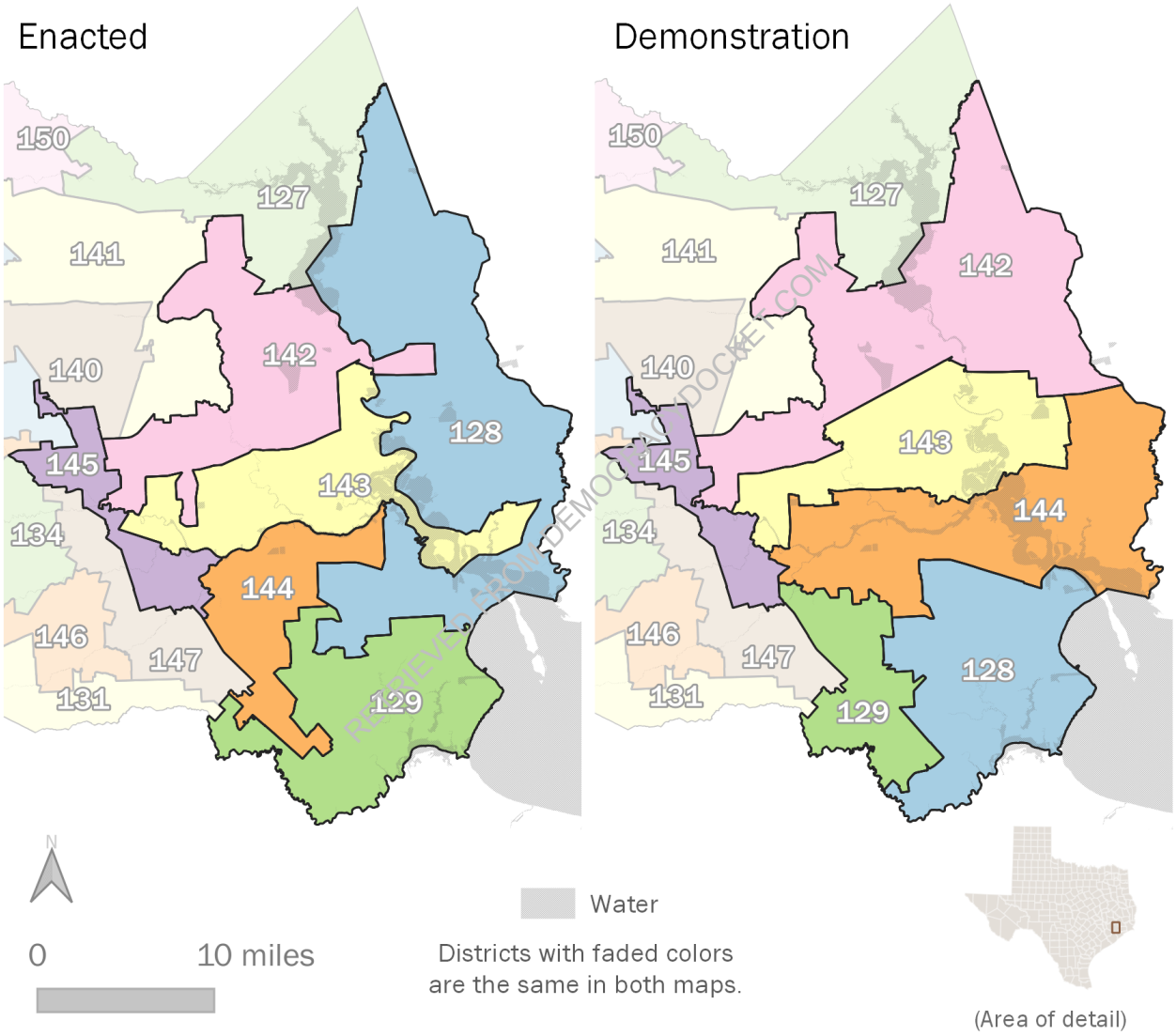
[8]It should be noted another configuration of CD-32 is possible. Specifically, it is possible to change the boundaries of Demonstration Map 2 CD-32 to make it majority Black plus Hispanic. That could be accomplished by rotating the populations of the CDs in Dallas and Tarrant Counties clockwise, keeping Demonstration Map 2 CD-12 unchanged. In that alternative, Demonstration Map 2 CD-32 would move south and east and would vacate north Dallas; CD-30 would shift westward, taking areas from CD-6 and CD-33. Demonstration Map 1 keeps CD-32 as it is in SB 6.

percent Black, and 8.3 percent Asian; it is 27.7 percent white. According to the 2016-2020 American Community Survey, the CVAP of Harris County is 61.4 percent non-white and 38.6 percent white. The CVAP of Harris County is 31.0 percent Hispanic, 22.7 percent Black, and 6.9 percent Asian.

112. Under the Enacted Map, there are 14 HDs in Harris County that are majority non-white CVAP and 10 HDs in Harris County that are majority white CVAP. HD-140, HD-143, HD-144, and HD-145 are majority Hispanic CVAP (HCVAP). HD-141 and HD-146 are majority Black CVAP (BCVAP). HD-131, HD-135, HD-137, HD-139, HD-142, HD-147, HD-148, and HD-149 are majority Black plus Hispanic CVAP. See table 19.

113. HD-128, HD-129, HD-142, HD-143, HD-144, and HD-145 are located in the eastern part of Harris County. The configuration of HD-128, HD-129, HD-143 and HD-144 in the Enacted Map are noticeably irregular. HD-128 forms a long arc along the eastern Harris County border. HD-142 and HD-143 extend arms into HD-128. HD-143 extends a narrow arm that follows the San Jacinto River to connect Baytown to the rest of the district. The average perimeter regularity (Polsby-Popper) score for HD-128, HD-129, HD-143 and HD-144 is .153. The perimeter compactness (Polsby-Popper) score for the entire Texas HD map is .254. See Table 25. Hence, the districts in southeastern Harris County are substantially less compact than the typical HD in the State of Texas.

Figure 11: Enacted and Demonstration State House Map in Harris County



114. The Demonstration Map renders the HDs in southeastern Harris County to be, on the whole, more compact districts than under the Enacted Map. The Demonstration Map makes HD-128, HD-142, HD-143, and HD-144 substantially more compact. See Table 25. Demonstration HD-129 has a more regular border than Enacted HD-129 and, thus, a higher perimeter compactness (Polsby-Popper) score. This improvement occurs because the arm of Enacted HD-144 that extended into HD-129 in the Enacted Map – and included majority Hispanic precincts intHD-144 – is removed from the configuration of HD-129 and HD-144 under the Demonstration Map. This change improves the area and perimeter of HD-144. The area dispersion (Reock) of Demonstration HD-129 is slightly lower than in the Demonstration Map under the Enacted Map, but the Demonstration HD-129 would still be more compact in both area and perimeter than the average HD in the Enacted Map. See Table 25. Overall, these changes result in substantial improvement in the configuration of the HDs in eastern Harris County. The average Reock of these five HDs is .333 under the Demonstration Map, compared to .295 under the Enacted Map. The average Polsby-Popper of these five HDs is .222 under the Demonstration Map, compared to .153 under the Enacted Map. Block equivalency files for the House Demonstration Map will be produced simultaneously with this report.

115. In improving the compactness of the districts in eastern Harris County, Demonstration HD-129 emerges as a majority HCVAP district. Specifically, the non-compact arm of Enacted HD-144 that cuts into the western side of Enacted HD-129 has a largely Hispanic population. There are 52,237 people in this cut, 56.6 percent of whom are Hispanic.[9] The CVAP in this area is 46.6 percent Hispanic, 17.4 percent Black, and 8.9 percent Asian. It is not necessary to configure Enacted HD-129 in this way in order to make Enacted HD-144 into a majority Hispanic HD because the remainder of Enacted HD-144 is 75.3 percent Hispanic.

[9]These are precincts 347, 755, 715, 393, 842, 417, 476, and 76.

116. Enacted HD-129 is racially polarized. Ecological Inference estimates show that 56 percent of Hispanics in Enacted HD-129 prefer Democrats, compared to just 28 percent of whites. See Table 23. The district as it is configured in the Enacted Map, however, does not afford Hispanics the opportunity to elect their preferred candidates. Candidates preferred by Hispanics won, on average, only 38.7 percent of votes cast and received the majority of votes in none of the 35 elections analyzed.

117. Demonstration HD-129 undoes the split of the minority population in this area, and shifts HD-129 westward. Doing so accommodates a very compact configuration of Demonstration HD-128. The resulting configuration of Demonstration HD-129 is 52.0 percent HCVAP. See Table 20.

118. Hispanics in Demonstration HD-129 vote cohesively. Ecological Inference analyses (Table 24) estimate that 78 percent of Hispanics in Demonstration HD-129 vote for Democratic candidates.

119. Voting is racially polarized in Demonstration HD-129. Whites in Demonstration HD-129 vote cohesively and for candidates opposed by majorities of Hispanics. Ecological Inference analyses estimate that just 27 percent of whites in Demonstration HD-129 vote for Democratic candidates. See Table 24. (See Table A10 for Ecological Regression estimates.) Thus, a substantial majority of whites in this part of Harris County vote for candidates and parties opposed to the candidates and parties preferred by majorities of Hispanics.

120. Demonstration HD-129 is a district in which Hispanics would have the opportunity to elect their preferred candidates. Across eleven statewide general elections conducted in precincts in Demonstration HD-129, Hispanic-preferred candidates won, on average, 53 per-

cent of the vote, and those candidates won 94 percent of contests. See Table 22.

121. Demonstration HD-129 shows that there is a sufficient number of adult citizen Hispanics in this part of Harris County to create a reasonably compact majority HCVAP HD, where voting is racially polarized and where Hispanics would have the opportunity to elect their preferred candidates. The Enacted Map creates irregularly shaped districts in this area, especially HD-144, that divide the Hispanic vote in ways that prevent the emergence of an additional majority HCVAP district in this part of Harris. The Demonstration Map shows that a reasonably compact majority HCVAP district that will perform for Hispanic voters can be configured.

B. Tarrant County

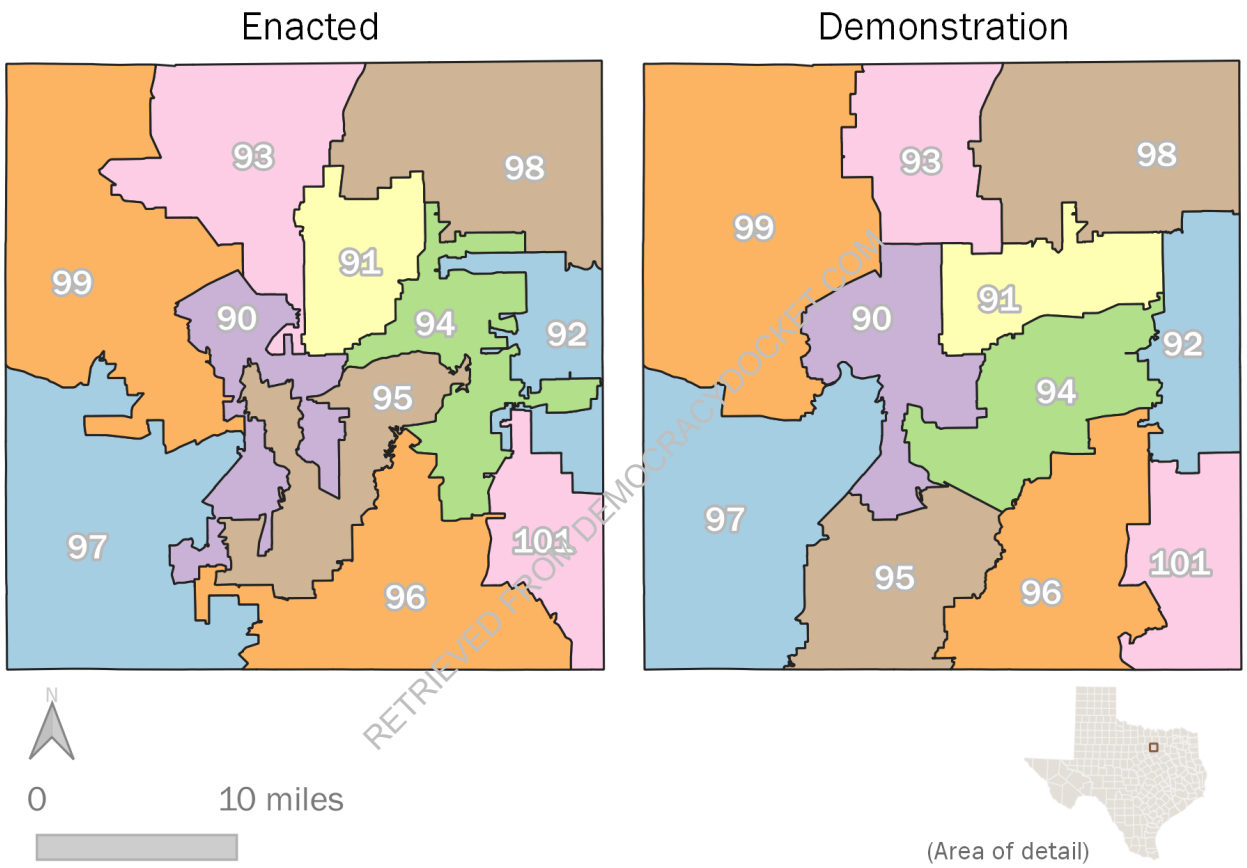
122. Tarrant County has a population of 2,110,640 people. The county has sufficient population for 10.9 HDs, and it has eleven HDs in the Enacted Map.

123. According to the 2020 Census Enumeration, Tarrant County is a majority-minority county: 57.1 percent of the total population are non-white and 42.9 percent are white. Tarrant County has a minority VAP of 53.1 percent and white VAP of 46.9 percent, and it has a minority CVAP of 44.2 percent and white CVAP of 55.8 percent.

124. Seven of the eleven HDs in Tarrant County are majority white districts. A majority of the total population and of the CVAP are white in Enacted HD-91,Enacted HD-93, Enacted HD-94, Enacted HD-96, Enacted HD-97, Enacted HD-98, and Enacted HD-99. There are four majority-minority HDs in the Enacted Map: HD-90, HD-92, HD-95, and HD-101. The majority of adult citizens in Enacted HD-90 are Hispanic. The majority of the CVAP in Enacted HD-92, Enacted HD-95 and Enacted HD-101 are Black or Hispanic. See Table 19.

125. The configurations of most of the HDs in Tarrant County have highly irregular shapes and very low compactness scores. See Table 25. In particular, Enacted HD-90 and Enacted HD-94 have the lowest perimeter compactness (Polsby-Popper) scores in the entire map. Enacted HD-90 and Enacted HD-94 have Polsby-Popper scores of .071 and .076, respectively. Enacted HD-95 has the 6th lowest score, and Enacted HD-92, the 7th lowest. Enacted HD-95 has a Polsby-Popper score of .091 and Enacted HD-92 has a Polsby-Popper score of .098. These low scores indicate that the boundaries of the districts have very irregular sides and deep indentations.

Figure 12: Enacted and Demonstration State House Map in Tarrant County



126. As a reference, consider the compactness measures applied to a square. The Polsby-Popper score (perimeter regularity) measures the area of the district relative to the area of a circle that has the same perimeter as the district. The Reock score (area dispersion) measures the area of the district relative to the area of the smallest circle that inscribes the district. A perfectly square district would have a Polsby-Popper score of .785 and a Reock score of .637. Tarrant County itself is almost a perfect square. Tarrant County has a Polsby-Popper score of .779 and a Reock of .626.

127. The average perimeter compactness score (Polsby-Popper) in the Enacted Map's Tarrant County HDs is .234, and the average area dispersion (Reock) is .382. By contrast, the average perimeter compactness score in the Demonstration Map's Tarrant County HDs is .375, and the average area dispersion is .467.

128. Of particular concern is how the Enacted Map treats central and eastern Fort Worth. The Enacted Map divides the eastern half of Fort Worth across Enacted HD-90, Enacted HD-94, and Enacted HD-95. This configuration splits a predominately minority area. The eastern half of Fort Worth, which extends from the North Freeway in the center of the city to the Dallas County border, has approximately 200,000 people, and it is a heavily minority population. Forty-four percent of the CVAP are Black in this part of Fort Worth, another 24 percent of the CVAP are Hispanic, and 28 percent are white adult citizens.

129. The non-compact configuration of Enacted HD-90 and Enacted HD-95 were not necessary to create minority HDs in Tarrant County. The Demonstration Map shows that HD-90 and HD-95 could be drawn much more compactly while remaining majority-minority districts. Under the Demonstration Map, HD-90 is a majority HCVAP district. See Table 20. The area dispersion (Reock) of HD-90 improves from .307 under the Enacted Map to .420 under the Demonstration Map, and the perimeter dispersion (Polsby-Popper) improves

from .071 under the Enacted Map to .213 under the Demonstration Map. Thus, it was not necessary to draw a highly irregularly shaped district – Enacted HD-90 – to create majority Hispanic CVAP district in the center of Fort Worth.

130. Turning to HD-95, the Demonstration Map shows that the highly irregular shape of this district was not necessary to create a majority-minority HD. The area dispersion (Reock) of HD-95 improves from .273 under the Enacted Map to .455 under the Demonstration Map, and the perimeter dispersion (Polsby-Popper) improves from .091 under the Enacted Map to .355 under the Demonstration Map. Thus, it was not necessary to draw highly irregularly shaped districts (Enacted HD-90 and Enacted HD-95) in order to create majority-majority CVAP districts in the center of Tarrant County.

131. Making HD-90 and HD-95 more compact allows for a much more compact version of HD-94 to be drawn to the east of HD-90 and HD-95. Demonstration HD-94 covers the eastern half of the City of Fort Worth and parts of Arlington. It has an area dispersion (Reock) of .354 and a perimeter regularity (Polsby-Popper) of .270. By contrast, the version of HD-94 in the Enacted Map has roughly the same area dispersion (Reock of .369), but a much more irregular boundary. Enacted HD-94 has a perimeter regularity (Polsby-Popper) score of .076 – almost four times smaller than Demonstration HD-94.

132. Demonstration HD-94 keeps the neighborhoods in the eastern half of Fort Worth whole. The district that emerges is not only much more compact than Enacted HD-94, but it is also a majority-minority HD. Demonstration HD-94 is 41.3 percent Black CVAP, 19.9 percent Hispanic CVAP, and 33.9 percent white CVAP.

133. The more compact configuration of Demonstration HD-90, Demonstration HD-94, and Demonstration HD-95 has the further effect of improving the overall compactness

of surrounding districts. HD-92, also one of the most non-compact districts in the entire map, improves its perimeter regularity (Polsby-Popper) score from .098 to .350. See Table 25. The area and perimeter compactness of all but one HD in Tarrant County are improved upon reconfiguring HD-90, HD-94, and HD-95. Only HD-91 becomes less compact. Its area dispersion measure shrinks from .511 to .346, and its perimeter dispersion goes from .457 to .311. Both are still better than the average Reock and average Polsby-Popper in the entire State of Texas. The average area dispersion (Reock) of the 11 HDs in Tarrant County improves from .381 under the Enacted Map to .467 under the Demonstration Map. The average perimeter regularity (Polsby-Popper) of the 11 HDs in Tarrant County improves from .234 under the Enacted Map to .375 under the Demonstration Map. See Table 27. Under the Demonstration Map, the majority-minority HD's 90 and 95 are no longer among the least compact districts in the map.

134. HD-94, under both the Enacted Map and the Demonstration Map, exhibits a high degree of cohesion of Black and Hispanic voters in general elections. Ecological Inference and Ecological Regression estimates show that a majority of Black and a majority of Hispanic voters in Enacted HD-94 vote for Democrats. See Tables 23 and A9. Similarly, under the Demonstration Map, Ecological Regression estimates and Ecological Inference estimates show that a majority of Black and a majority of Hispanic voters in Demonstration HD-94 vote for Democrats. See Tables 24 and A10.

135. There is also a high degree of cohesion among Black and Hispanic voters in Primary Elections under Demonstration HD-94. In primary elections in which Blacks had a clear first choice candidate and in which Hispanics had a clear first choice candidate, the two groups preferred the same candidate 80 percent of the time. See Table 16.

136. HD-94, under both the Enacted Map and the Demonstration Map, exhibits racially

polarized voting between whites and Black or Hispanic voters. The Ecological Regression and Ecological Inference estimates show that a majority of white voters in Enacted HD-94 vote for candidates opposed to the candidates preferred by minority voters. See Tables 23 and A9. Similarly, Ecological Regression estimates and Ecological Inference estimates show that a majority of Black and a majority of white voters in Demonstration HD-94 vote for candidates opposed to the candidates preferred by minority voters. See Tables 24 and A10. Thus, Blacks and Hispanics coalesce in primaries and vote together cohesively in general elections in Demonstration HD-94. Further, voting is racially polarized in this area of Tarrant County, indicating the potential need for a majority-minority HD to represent the substantial minority population in eastern Fort Worth.

137. Demonstration HD-94 shows that it is possible to create a reasonably compact majority-minority district in this area in which Blacks and Hispanics vote cohesively together and in which Blacks and Hispanics would have the opportunity to elect their preferred candidates. The configuration of Demonstration HD-94 is far more compact than the configuration of the majority white CVAP district drawn in this area of Tarrant County.

C. Summary

138. The Enacted House Map created highly non-compact majority-minority opportunity districts in both Harris and Tarrant Counties. The Demonstration Map shows that more compact configurations of HDs in these areas are possible. Upon correcting the irregularity of HD boundaries, additional majority-minority opportunity districts emerge. The Demonstration Map shows that it is possible to create an additional, compact majority HCVAP district in Harris County in which Hispanics would have the ability to elect their preferred candidate. That district is Demonstration HD-129. In Tarrant County it is possible to draw much more compact versions of HD-90 and HD-95, which are majority-minority districts.

Doing so allows an additional, compact majority-minority district representing eastern Fort Worth – Demonstration HD-94.

VI Conclusions

139. Growth in the minority population, especially the Hispanic population, drove Texas's population growth and its gain of two additional congressional districts. Minority groups account for 95 percent of the total population growth and 80 percent of the growth of the adult citizen population in the state over the past decade. Today, according to the 2016-2020 American Community Survey, the state of Texas is 50.8 percent CVAP white and 49.2 percent CVAP non-white.

140. Despite that population growth, the Enacted Map creates 25 CDs where the candidates preferred by white voters have the ability to win and only 13 CDs where the candidates preferred by minority voters would have the opportunity to win elections.

141. The Demonstration Maps for both the Congressional Districts and State House Districts reveal that the boundaries in the Enacted Maps interfered with the emergence of additional minority opportunity districts. Demonstration Maps 1 and 2 reveal that it is possible to create 18 majority-minority CDs in which minorities would have the opportunity to elect their preferred candidates. Thus, it is possible to create at least 5 additional, reasonably compact, majority-minority districts in areas where voting is racially polarized and in which minorities will have the opportunity to elect their preferred candidates to the United States Congress. The Demonstration State House Map shows that it is also possible to create an additional compact majority Hispanic CVAP HD in Harris county and an additional compact majority Black plus Hispanic CVAP HD in Tarrant County.

142. The additional majority-minority districts presented in the Demonstration Maps for United States Congress and for the Texas State House emerge by making the existing configurations of HDs and CDs, on the whole more, compact than in the Enacted Map. This fact reveals that the often highly non-compact configurations of districts in both the Congressional and House District Maps interfere with the creation of additional minority opportunity districts.

VII Tables

Summary of Tables

The tables in this report are organized by Map and by Content, such as population or election results. The Table of Tables offers a guide to all tables in this report.

The statistics for the Enacted Map are presented in Table 3 (minority district summary),Table 7 (populations), Table 10 (election results), and Table 13 (racial group voting patterns). The statistics for Congressional Demonstration Map 1 are presented in Table 4 (minority district summary), Table 8 (populations), Table 11 (election results), and Table 14 (racial group voting patterns). The statistics for Congressional Demonstration Map 2 are presented in Table 5 (minority district summary), Table 9 (populations), Table 12 (election results), and Table 15 (racial group voting patterns). Primary election analyses for both Demonstration Maps are in Table 16, and compactness measures for the Enacted and Demonstration Map 1 are in Table 17, and the compactness measures for the Enacted Map and Demonstration Map 2 are in Table 18. Statistics for the Enacted State House Map are in Tables 19, 21, and 23. Statistics for the Demonstration State House Map are in Tables 20, 22, and 24.

The tables may be referenced by content. First, statistics on the population and CVAP of Texas are in Tables 1 and 2. Second, summary assessments of majority-minority CDs are in Tables 3, 4, and 5. Table 6 presents an accounting of majority-white and majority-minority CDs in the Enacted and Demonstration Maps. Third, Population and CVAP statistics for all CDs are in Tables 7, 8, and 9. Fourth, general election outcomes in every CD that is majority-minority are in Tables 10, 11, and 12. Fifth, EI estimates of vote preferences of racial groups in every CD that is majority-minority are in Tables 13, 14, and 15. Table 16 offers a summary assessment of Black and Hispanic Cohesion in Democratic Primaries in Dallas-Fort Worth and Harris County majority-minority CDs. Sixth, Tables 17 and 18 present the compactness measures of every CD in the Enacted and Demonstration Maps.

Finally, Tables 19-27 show the same set of analyses for the Enacted and Demonstration State House district plans.

Table of Tables

Table 1: Total Population in the State Texas, 2010 to 2020

Group	2010	2020	Growth
Hispanic	9,460,921	11,441,717	1,980,796
Asian Alone, Non-Hispanic	948,426	1,561,518	613,092
Black Alone, Non-Hispanic	2,886,825	3,444,712	557,887
Other Non-White*, Non-Hispanic	452,044	1,112,961	660,917
White, Non-Hispanic	11,397,345	11,584,597	187,252
Total Population	25,145,561	29,145,505	3,999,944

*Native American and Multi-race.

Table 2: Citizen Voting Age Population in the State of Texas, 2010 to 2020

Group	ACS 2006-2010	ACS 2015-2019	ACS 2016-2020	Growth
Hispanic	3,889,570	5,429,160	5,671,640	1,782,070
Asian Alone, Non-Hispanic	422,480	674,830	703,155	280,675
Black Alone, Non-Hispanic	1,945,155	2,383,950	2,420,695	475,540
Other Non-White*, Non-Hispanic	198,950	313,060	354,330	155,380
White, Non-Hispanic	8,820,810	9,380,330	9,429,005	608,195
Total Population	15,276,965	18,181,330	18,578,830	3,301,865

*Native American and Multi-race.

Table 3: Enacted Map (SB 6): Characteristics of Majority-Minority CDs

District	Minority Groups That Make a Majority	Are Blacks and Hispanics Cohesive in General Election?	Are White and Minority Voters Polarized	Minorities Have Opportunity to Elect Preferred Candidates
7	**B + H + A**	**Yes**	No	**Yes**
9	**B + H***	**Yes**	**Yes**	**Yes**
15	**H majority**	**Yes**	**Yes**	**Yes**
16	**H majority**	**Yes**	**Yes**	**Yes**
18	**B + H**	**Yes**	**Yes**	**Yes**
20	**H majority**	**Yes**	**Yes**	**Yes**
23	*H majority*	*Yes*	*Yes*	*No*
27	*B + H*	*Yes*	*Yes*	*No*
28	**H majority**	**Yes**	**Yes**	**Yes**
29	**H majority**	**Yes**	**Yes**	**Yes**
30	**B + H**	**Yes**	**Yes**	**Yes**
32	**B + H + A**	**Yes**	**Yes**	**Yes**
33	**B + H**	**Yes**	**Yes**	**Yes**
34	**H majority**	**Yes**	**Yes**	**Yes**
35	**B + H**	**Yes**	No	**Yes**

Summary

Number Functioning Majority Hispanic Districts: 6
Number of Polarized majority-minority CDs and Minorities Opportunity to Elect: 5
Number Non-Polarized Districts that are majority Hispanic or Black + Hispanic : 2
Number Non-Functioning majority-minority Districts: 2

Notes: B= Black, H=Hispanic, A=Asian. Bold means functioning opportunity district. Italic means majority-minority but not an opportunity district. Regular font means not polarized.
*Also, Black + Asian majority CVAP.

Table 4: Demonstration Map 1: Characteristics of Majority-Minority CDs

District	Minority Groups That Make a Majority	Are Blacks and Hispanics Cohesive in General Election?	Are White and Minority Voters Polarized	Minorities Have Opportunity to Elect Preferred Candidates
7	**B + H + A**	**Yes**	No	**Yes**
9	**B + H***	**Yes**	**Yes**	**Yes**
10	**H majority**	**Yes**	**Yes**	**Yes**
12	**B + H**	**Yes**	**Yes**	**Yes**
15	**H majority**	**Yes**	**Yes**	**Yes**
16	**H majority**	**Yes**	**Yes**	**Yes**
18	**B + H**	**Yes**	**Yes**	**Yes**
20	**H majority**	**Yes**	**Yes**	**Yes**
21	**H majority**	**Yes**	**Yes**	**Yes**
23	**H majority**	**Yes**	**Yes**	**Yes**
28	**H majority**	**Yes**	**Yes**	**Yes**
29	**B + H**	**Yes**	**Yes**	**Yes**
30	**B majority**	**Yes**	**Yes**	**Yes**
32	**B + H + A**	**Yes**	No	**Yes**
33	**B + H**	**Yes**	**Yes**	**Yes**
34	**H majority**	**Yes**	**Yes**	**Yes**
35	**H majority**	**Yes**	**Yes**	**Yes**
38	**H majority**	**Yes**	**Yes**	**Yes**

Summary

Number Functioning Majority Hispanic Districts: 11
Number of Polarized majority-minority CDs and Minorities Opportunity to Elect: 5
Number Non-Polarized Districts that are majority Hispanic or Black + Hispanic : 2
Number Non-Functioning majority-minority Districts: 0

Notes: B= Black, H=Hispanic, A=Asian. Bold means functioning opportunity district.
Italic means majority-minority but not an opportunity district.
*Also, Black + Asian majority CVAP.

Table 5: Demonstration Map 2: Characteristics of Majority-Minority CDs

District	Minority Groups That Make a Majority	Are Blacks and Hispanics Cohesive in General Election?	Are White and Minority Voters Polarized	Minorities Have Opportunity to Elect Preferred Candidates
7	**B + H + A**	**Yes**	No	**Yes**
9	**B + H ***	**Yes**	**Yes**	**Yes**
10	**H majority**	**Yes**	**Yes**	**Yes**
12	**H majority**	**Yes**	**Yes**	**Yes**
15	**H majority**	**Yes**	**Yes**	**Yes**
16	**H majority**	**Yes**	**Yes**	**Yes**
18	**B + H**	**Yes**	**Yes**	**Yes**
20	**H majority**	**Yes**	**Yes**	**Yes**
21	**H majority**	**Yes**	**Yes**	**Yes**
23	**H majority**	**Yes**	**Yes**	**Yes**
28	**H majority**	**Yes**	**Yes**	**Yes**
29	**H majority**	**Yes**	**Yes**	**Yes**
30	**B + H**	**Yes**	**Yes**	**Yes**
33	**B + H***	**Yes**	**Yes**	**Yes**
34	**H majority**	**Yes**	**Yes**	**Yes**
35	**H majority**	**Yes**	**Yes**	**Yes**
38	**H majority**	**Yes**	**Yes**	**Yes**

Summary

Number Functioning Majority Hispanic Districts: 13
Number Functioning Opportunity Districts that are Majority Black + Hispanic: 4
Number Non-Polarized Districts that are majority Hispanic or Black + Hispanic : 1
Number Non-Functioning majority-minority Districts: 0

Notes: B= Black, H=Hispanic, A=Asian. Bold means functioning opportunity district. Italic means majority-minority but not an opportunity district.
*Also, Black + Asian majority CVAP.

Table 6: Number of Majority White and Majority-Minority CDs Under the Enacted Map and Demonstration Maps 1 and 2

District	Enacted Map	Demonstration Map 1	Demonstration Map 2
Majority White and White Opportunity to Elect	23	20	21
Majority White and Whites No Opportunity to Elect	0	0	0
Majority-Minority and Minority Opportunity to Elect	13*	18*	17**
Majority-Minority and Minority No Opportunity to Elect	2	0	0

*Includes two CDs that are not racially polarized (CDs 7 and 32).
**Includes one CD that is not racially polarized (CD 7). Demonstration Map 2 CD 32 is not included in this count because it is majority white, but it is nevertheless a district in which minorities have the opportunity to elect their preferred candidates, and it could be reconfigured as an 18th majority-minority district.

Table 7: Enacted Map: Total and Citizen Voting Age Populations of CDs

District	Total (Census)	CVAP	White CVAP	Hispanic CVAP (ACS 2016-2020)	Black CVAP	Asian CVAP
1	766,987	546,079	69.6%	8.8%	19.6%	0.8%
2	766,987	463,946	63.9%	20.1%	11.6%	3.0%
3	766,987	476,720	69.4%	10.5%	10.3%	8.2%
4	766,987	494,015	73.4%	9.6%	9.2%	5.7%
5	766,987	483,901	62.1%	17.5%	14.8%	4.0%
6	766,987	462,576	59.2%	21.3%	15.4%	2.7%
7	766,987	445,558	39.1%	21.1%	20.4%	17.7%
8	766,987	458,532	58.7%	21.7%	13.6%	4.6%
9	766,987	436,712	19.1%	24.8%	47.1%	8.1%
10	766,987	505,400	67.0%	16.9%	11.5%	3.0%
11	766,987	512,227	52.8%	32.5%	11.4%	1.5%
12	766,987	509,404	67.2%	17.7%	10.6%	2.9%
13	766,987	534,481	69.4%	20.0%	7.1%	1.5%
14	766,987	529,563	61.5%	17.8%	17.2%	2.3%
15	766,987	419,276	22.2%	74.6%	1.6%	1.1%
16	766,986	466,497	15.5%	78.7%	3.7%	1.0%
17	766,987	537,255	63.4%	17.5%	16.2%	1.7%
18	766,987	452,282	24.3%	29.1%	40.6%	5.0%
19	766,987	535,725	58.5%	32.7%	6.6%	0.9%
20	766,987	528,397	22.3%	68.5%	6.0%	2.0%
21	766,987	547,867	66.8%	26.3%	3.8%	1.6%
22	766,987	465,806	53.0%	23.7%	11.7%	10.2%
23	766,987	454,836	34.6%	58.1%	4.1%	1.8%
24	766,987	511,951	73.1%	11.9%	7.1%	6.1%
25	766,987	536,691	69.3%	15.1%	11.6%	2.3%
26	766,987	487,002	69.9%	13.1%	9.1%	6.0%
27	766,987	541,446	43.7%	49.4%	4.8%	1.2%
28	766,987	457,355	22.9%	69.7%	5.7%	0.9%
29	766,987	385,847	14.0%	64.8%	17.9%	2.8%
30	766,987	479,573	25.2%	21.5%	49.0%	3.2%
31	766,987	507,372	68.7%	18.1%	8.5%	2.3%
32	766,987	457,446	46.9%	21.0%	23.8%	6.6%
33	766,987	384,471	24.8%	42.9%	26.7%	4.4%
34	766,987	421,593	11.8%	86.8%	0.6%	0.5%
35	766,987	479,556	33.8%	47.6%	14.9%	2.1%
36	766,987	501,766	61.1%	21.3%	13.1%	3.2%
37	766,987	545,529	63.0%	22.2%	6.8%	5.6%
38	766,987	485,443	61.4%	18.7%	10.4%	8.0%

Notes: Rows in grey are districts where a majority of the citizen voting age population is non-white.

Table 8: Demonstration Map 1: Total and Citizen Voting Age Populations of CDs

District	Total (Census)	CVAP	White CVAP	Hispanic CVAP (ACS 2016-2020)	Black CVAP	Asian CVAP
1	766,987	546,079	69.6%	8.8%	19.6%	0.8%
2	766,987	482,785	63.0%	17.7%	11.2%	6.8%
3	766,987	476,720	69.4%	10.5%	10.3%	8.2%
4	766,987	494,015	73.4%	9.6%	9.2%	5.7%
5	766,987	483,901	62.1%	17.5%	14.8%	4.0%
6	766,987	522,451	70.3%	15.5%	11.3%	1.3%
7	766,987	445,558	39.1%	21.1%	20.4%	17.7%
8	766,987	457,065	58.5%	21.8%	13.6%	4.6%
9	766,987	442,341	19.7%	22.9%	48.3%	8.2%
10	766,987	469,991	38.1%	50.5%	8.8%	1.5%
11	766,987	525,433	66.8%	19.9%	9.5%	1.9%
12	766,987	411,733	35.9%	37.6%	19.2%	5.9%
13	766,987	534,481	69.4%	20.0%	7.1%	1.5%
14	766,987	529,563	61.5%	17.8%	17.2%	2.3%
15	766,987	430,810	20.3%	77.2%	1.4%	0.7%
16	766,987	462,989	27.4%	65.3%	4.7%	1.3%
17	766,987	534,391	62.4%	18.7%	15.9%	1.7%
18	766,987	450,465	24.6%	30.1%	40.4%	3.8%
19	766,987	535,725	58.5%	32.7%	6.6%	0.9%
20	766,987	538,332	37.7%	50.7%	8.3%	2.1%
21	766,987	518,315	36.8%	52.6%	6.6%	2.4%
22	766,987	465,806	53.0%	23.7%	11.7%	10.2%
23	766,987	466,191	24.1%	72.0%	2.6%	0.4%
24	766,987	511,951	73.1%	11.9%	7.1%	6.1%
25	766,987	532,161	77.4%	13.8%	5.6%	1.6%
26	766,987	487,002	69.9%	13.1%	9.1%	6.0%
27	766,987	516,767	67.2%	16.8%	12.0%	2.8%
28	766,986	415,528	18.3%	78.5%	2.0%	1.0%
29	766,987	428,624	39.6%	36.6%	16.6%	6.0%
30	766,987	464,244	24.3%	20.1%	50.8%	3.6%
31	766,987	507,372	68.7%	18.1%	8.5%	2.3%
32	766,987	457,446	46.9%	21.0%	23.8%	6.6%
33	766,987	441,944	37.1%	30.6%	27.5%	3.4%
34	766,987	492,290	23.8%	72.0%	2.5%	1.1%
35	766,987	500,851	37.2%	50.3%	9.6%	1.5%
36	766,987	497,301	70.6%	14.8%	11.5%	1.7%
37	766,987	545,529	63.0%	22.2%	6.8%	5.6%
38	766,987	425,947	29.8%	53.4%	11.9%	4.1%

Notes: Rows in grey are districts where a majority of the citizen voting age population is non-white.

Table 9: Demonstration Map 2: Total and Citizen Voting Age Populations of CDs

District	Total (Census)	CVAP	White CVAP	Hispanic CVAP (ACS 2016-2020)	Black CVAP	Asian CVAP
1	766,987	545,635	69.6%	8.8%	19.7%	0.8%
2	766,987	482,454	55.7%	20.2%	13.4%	9.2%
3	766,987	477,054	69.7%	10.5%	10.3%	7.8%
4	766,987	491,598	72.9%	9.7%	9.2%	6.1%
5	766,987	516,983	69.3%	12.3%	12.7%	4.0%
6	766,987	529,090	72.8%	15.9%	8.2%	1.5%
7	766,987	445,678	39.2%	21.1%	20.4%	17.7%
8	766,987	465,565	68.4%	16.9%	8.8%	4.6%
9	766,987	449,908	25.8%	21.0%	40.5%	11.6%
10	766,987	469,991	38.1%	50.5%	8.8%	1.5%
11	766,987	525,433	66.8%	19.9%	9.5%	1.9%
12	766,987	369,450	26.3%	52.4%	17.6%	2.7%
13	766,987	534,481	69.4%	20.0%	7.1%	1.5%
14	766,987	512,908	59.1%	17.2%	19.4%	3.1%
15	766,987	430,810	20.3%	77.2%	1.4%	0.7%
16	766,987	462,989	27.4%	65.3%	4.7%	1.3%
17	766,987	533,930	62.4%	18.7%	15.9%	1.7%
18	766,987	465,626	27.4%	26.0%	42.2%	3.2%
19	766,987	535,725	58.5%	32.7%	6.6%	0.9%
20	766,987	538,332	37.7%	50.7%	8.3%	2.1%
21	766,987	518,315	36.8%	52.6%	6.6%	2.4%
22	766,987	474,186	53.8%	26.0%	13.3%	5.8%
23	766,987	466,191	24.1%	72.0%	2.6%	0.4%
24	766,987	481,304	64.3%	13.0%	12.3%	8.4%
25	766,987	514,946	74.5%	15.9%	5.2%	2.6%
26	766,987	489,086	70.2%	13.0%	9.1%	6.0%
27	766,987	516,767	67.2%	16.8%	12.0%	2.8%
28	766,986	415,528	18.3%	78.5%	2.0%	1.0%
29	766,987	388,277	21.1%	51.4%	21.1%	5.5%
30	766,987	479,636	26.5%	20.2%	49.7%	2.5%
31	766,987	507,372	68.7%	18.1%	8.5%	2.3%
32	766,987	458,386	52.3%	21.3%	19.6%	5.3%
33	766,987	476,939	40.4%	20.9%	32.2%	5.0%
34	766,987	492,290	23.8%	72.0%	2.5%	1.1%
35	766,987	500,851	37.2%	50.3%	9.6%	1.5%
36	766,987	522,782	77.4%	11.6%	8.7%	0.9%
37	766,987	545,529	63.0%	22.2%	6.8%	5.6%
38	766,987	418,073	27.4%	53.0%	14.9%	3.8%

Notes: Rows in grey are districts where a majority of the citizen voting age population is non-white. District 12 in demonstration map 2 is equivalent to district 37 in Plan C2163.

Table 10: Enacted Map: General Election Results in CDs

District	Average Vote Share of Minority Preferred Candidate	Number of Elections Minority Preferred Candidate Wins	Number of Elections Minority Preferred Candidate Loses
7	61%	34	1
9	77%	34	1
10	36%	0	35
12	37%	0	35
15	53%	28	7
16	69%	34	1
18	74%	34	1
20	67%	34	1
21	35%	0	35
23	45%	2	33
27	38%	0	35
28	57%	34	1
29	72%	34	1
30	77%	34	1
32	61%	33	2
33	75%	34	1
34	63%	34	1
35	72%	34	1
38	35%	0	35

Notes: VTD election data from the Texas Legislative Council. Elections used in the analysis are all elections for US President, US Senate, US House, Governor, Lt. Governor, Attorney General, State Supreme Court, Court of Criminal Appeals, Agricultural Commissioner, Comptroller, Land Commissioner, and Railroad Commissioner, for 2016, 2018, and 2020.

Table 11: Demonstration Map 1: General Election Results in CDs

District	Average Vote Share of Minority Preferred Candidate	Number of Elections Minority Preferred Candidate Wins	Number of Elections Minority Preferred Candidate Loses
7	61%	34	1
9	77%	34	1
10	57%	34	1
12	66%	34	1
15	55%	34	1
16	53%	34	1
18	71%	34	1
20	53%	31	4
21	51%	25	10
23	53%	34	1
27	34%	0	35
28	56%	34	1
29	53%	32	3
30	75%	34	1
32	61%	33	2
33	62%	34	1
34	54%	33	2
35	54%	34	1
38	53%	33	2

Notes: VTD election data from the Texas Legislative Council. Elections used in the analysis are all elections for US President, US Senate, US House, Governor, Lt. Governor, Attorney General, State Supreme Court, Court of Criminal Appeals, Agricultural Commissioner, Comptroller, Land Commissioner, and Railroad Commissioner, for 2016, 2018, and 2020.

Table 12: Demonstration Map 2: General Election Results in CDs

District	Average Vote Share of Minority Preferred Candidate	Number of Elections Minority Preferred Candidate Wins	Number of Elections Minority Preferred Candidate Loses
7	61%	34	1
9	68%	34	1
10	57%	34	1
12	70%	34	1
15	55%	34	1
16	53%	34	1
18	71%	34	1
20	53%	31	4
21	51%	25	10
23	53%	34	1
27	34%	0	35
28	56%	34	1
29	67%	34	1
30	77%	34	1
32	55%	30	5
33	61%	34	1
34	54%	33	2
35	54%	34	1
38	56%	34	1

Notes: VTD election data from the Texas Legislative Council. Elections used in the analysis are all elections for US President, US Senate, US House, Governor, Lt. Governor, Attorney General, State Supreme Court, Court of Criminal Appeals, Agricultural Commissioner, Comptroller, Land Commissioner, and Railroad Commissioner, for 2016, 2018, and 2020.

Table 13: Enacted: General Election Vote Preference By Racial Group - EI Estimates - Congressional Districts

	Percent Democratic						Polarization	
District	White	[min,max]	Black	[min,max]	Hispanic	[min,max]	B-W	H-W
7	56	[43, 68]	78	[62, 88]	74	[45, 88]	22	18
9	51	[42, 61]	96	[87, 97]	81	[72, 86]	45	30
15	11	[10, 13]	47	[33, 63]	76	[64, 86]	36	64
16	25	[15, 41]	50	[44, 61]	84	[77, 90]	24	59
18	51	[38, 62]	96	[94, 96]	78	[65, 85]	45	27
20	36	[22, 55]	66	[42, 77]	84	[79, 89]	30	48
23	21	[12, 29]	57	[41, 69]	73	[61, 81]	37	53
27	12	[10, 15]	64	[50, 72]	86	[80, 90]	51	73
28	18	[11, 30]	87	[82, 90]	78	[65, 93]	69	60
29	39	[28, 53]	88	[85, 90]	84	[69, 93]	48	45
30	54	[40, 67]	95	[75, 97]	81	[76, 87]	42	28
32	54	[41, 63]	81	[68, 90]	85	[70, 90]	27	31
33	54	[44, 62]	93	[91, 94]	88	[83, 92]	39	34
34	22	[13, 33]	50	[27, 83]	76	[64, 85]	28	53
35	63	[46, 74]	79	[70, 88]	83	[73, 90]	15	20

Notes: VTD election data from the Texas Legislative Council. See text for list of elections used in the analysis. Ecological Inference (EI) results estimated using the EI package in R. The "[min,max]" columns report the minimum and maximum estimated percent of each racial group's Democratic support across all elections analyzed.

Table 14: DM1: General Election Vote Preference By Racial Group - EI Estimates - Congressional Districts

	Percent Democratic						Polarization	
District	White	[min,max]	Black	[min,max]	Hispanic	[min,max]	B-W	H-W
7	56	[41, 66]	78	[63, 90]	75	[50, 87]	22	19
9	54	[43, 63]	96	[91, 97]	80	[71, 85]	42	25
10	34	[25, 47]	89	[84, 92]	85	[76, 89]	55	51
12	52	[40, 62]	85	[79, 90]	86	[81, 90]	33	34
15	12	[9, 13]	53	[33, 71]	76	[65, 86]	41	65
16	11	[9, 17]	52	[39, 70]	83	[64, 88]	41	72
18	37	[23, 47]	94	[93, 95]	84	[73, 88]	57	46
20	33	[20, 44]	78	[72, 85]	87	[79, 91]	45	54
21	22	[14, 29]	78	[62, 85]	84	[77, 88]	56	63
23	9	[7, 12]	47	[31, 60]	80	[71, 87]	38	71
28	9	[7, 10]	42	[35, 53]	77	[63, 91]	34	68
29	35	[24, 45]	92	[88, 94]	86	[78, 90]	57	51
30	37	[26, 47]	96	[85, 97]	85	[79, 89]	59	47
32	54	[41, 64]	81	[68, 94]	84	[72, 90]	27	31
33	37	[25, 44]	92	[91, 93]	84	[80, 88]	55	47
34	19	[14, 24]	70	[55, 78]	78	[69, 86]	51	59
35	29	[15, 39]	78	[73, 83]	85	[80, 89]	49	57
38	15	[9, 19]	83	[78, 88]	85	[77, 92]	68	71

Notes: VTD election data from the Texas Legislative Council. Elections used in the analysis are all elections for US President, US Senate, US House, Governor, Lt. Governor, Attorney General, State Supreme Court, Court of Criminal Appeals, Agricultural Commissioner, Comptroller, Land Commissioner, and Railroad Commissioner, for 2016, 2018, and 2020. Ecological Inference (EI) results estimated using the EI package in R. The "[min,max]" columns report the minimum and maximum estimated percent of each racial group's Democratic support across all elections analyzed.

Table 15: DM2: General Election Vote Preference By Racial Group - EI Estimates - Congressional Districts

	Percent Democratic						Polarization	
District	White	[min,max]	Black	[min,max]	Hispanic	[min,max]	B-W	H-W
7	56	[41, 65]	79	[67, 86]	73	[56, 88]	23	17
9	42	[33, 53]	95	[72, 97]	77	[69, 84]	54	36
10	33	[26, 44]	89	[86, 91]	85	[77, 89]	56	52
12	43	[33, 49]	89	[79, 92]	89	[83, 93]	45	46
15	12	[9, 14]	52	[33, 64]	76	[65, 86]	40	64
16	11	[9, 19]	52	[41, 63]	83	[61, 90]	42	72
18	43	[30, 52]	96	[95, 97]	82	[70, 87]	53	40
20	33	[19, 47]	77	[63, 85]	87	[77, 91]	44	53
21	21	[14, 29]	78	[65, 88]	85	[79, 89]	57	63
23	9	[7, 12]	47	[34, 65]	80	[71, 86]	38	71
28	9	[8, 10]	42	[32, 56]	77	[62, 91]	33	68
29	31	[17, 45]	86	[81, 89]	86	[77, 92]	55	55
30	50	[39, 60]	95	[82, 97]	79	[74, 84]	45	28
32	51	[39, 64]	71	[57, 86]	76	[68, 86]	20	25
33	39	[27, 47]	92	[89, 94]	80	[72, 84]	53	41
34	19	[14, 25]	70	[53, 78]	78	[68, 86]	51	59
35	28	[16, 37]	79	[72, 85]	85	[80, 89]	51	57
38	15	[10, 27]	86	[82, 90]	83	[72, 90]	71	68

Notes: VTD election data from the Texas Legislative Council. Elections used in the analysis are all elections for US President, US Senate, US House, Governor, Lt. Governor, Attorney General, State Supreme Court, Court of Criminal Appeals, Agricultural Commissioner, Comptroller, Land Commissioner, and Railroad Commissioner, for 2016, 2018, and 2020. Ecological Inference (EI) results estimated using the EI package in R. The "[min,max]" columns report the minimum and maximum estimated percent of each racial group's Democratic support across all elections analyzed.

Table 16: Democratic Primary Group Agreement - EI Results - Summary Table

District	N Cases	Single Preference			Both Groups	
		Black	Hispanic	Both	Coalesce	Disagree
DM1 CD12	21	17 (81.0%)	18 (85.7%)	16 (76.2%)	15 (93.8%)	1 (6.2%)
DM1 CD29	21	16 (76.2%)	17 (81.0%)	15 (71.4%)	13 (86.7%)	2 (13.3%)
DM1 CD33	21	18 (85.7%)	18 (85.7%)	17 (81.0%)	14 (82.4%)	3 (17.6%)
DM2 CD29	21	17 (81.0%)	18 (85.7%)	15 (71.4%)	11 (73.3%)	4 (26.7%)
DM2 CD33	21	17 (81.0%)	15 (71.4%)	15 (71.4%)	14 (93.3%)	1 (6.7%)
HD94	21	18 (85.7%)	15 (71.4%)	15 (71.4%)	12 (80.0%)	3 (20.0%)

Notes: VTD election data from the Texas Legislative Council. Elections used in the analysis were Democratic primary and Democratic primary runoff elections for US President, US Senate, Governor, Lt. Governor, State Supreme Court, Court of Criminal Appeals, Comptroller, Land Commissioner, and Railroad Commissioner, for 2016, 2018, and 2020. A group has a Single Preference if one candidate wins a plurality of votes, and the estimated vote share of that candidate is statistically distinguishable from the vote share of the second place candidate. See Paragraph 19 for further discussion.

Table 17: Compactness of CDs Under SB 6 and Demonstration Map 1

	SB 6		Demonstration Map 1	
District	Area Dispersion (Reock)	Perimeter (Polsby-Popper)	Area Dispersion (Reock)	Perimeter (Polsby-Popper)
1	0.3428	0.1663	0.3428	0.1663
2	0.3927	0.2315	0.3200	0.1725
3	0.4381	0.3341	0.4381	0.3341
4	0.2172	0.0762	0.2172	0.0762
5	0.2990	0.1494	0.2990	0.1494
6	0.2598	0.1520	0.2776	0.2094
7	**0.2222**	**0.0914**	**0.2222**	**0.0914**
8	0.2904	0.2292	0.2940	0.2321
9	**0.4280**	**0.1617**	**0.4544**	**0.1601**
10	0.3421	0.1871	**0.3166**	**0.2582**
11	0.2176	0.2860	0.3193	0.1929
12	0.3722	0.2044	**0.5516**	**0.2740**
13	0.2432	0.2748	0.2432	0.2748
14	0.1810	0.1605	0.1810	0.1605
15	**0.1306**	**0.1154**	**0.2459**	**0.1315**
16	**0.2644**	**0.2283**	**0.1502**	**0.2063**
17	0.2534	0.1406	0.2437	0.1563
18	**0.4148**	**0.0682**	**0.3556**	**0.1645**
19	0.4613	0.5178	0.4613	0.5178
20	**0.4511**	**0.1287**	**0.3496**	**0.1324**
21	0.3645	0.2962	**0.5497**	**0.3570**
22	0.3736	0.1636	0.3736	0.1636
23	*0.2433*	*0.1940*	**0.2436**	**0.1585**
24	0.2294	0.1117	0.2294	0.1117
25	0.4001	0.2567	0.4774	0.4144
26	0.3513	0.1510	0.3513	0.1510
27	*0.4904*	*0.3716*	0.2924	0.1522
28	**0.2819**	**0.2120**	**0.2991**	**0.1619**
29	**0.3002**	**0.0932**	**0.4401**	**0.2566**
30	**0.3605**	**0.1906**	**0.2661**	**0.2012**
31	0.4900	0.1952	0.4900	0.1952
32	**0.2239**	**0.0764**	**0.2239**	**0.0764**
33	**0.1989**	**0.0379**	**0.3646**	**0.1734**
34	**0.4339**	**0.2752**	**0.3750**	**0.2895**
35	**0.0800**	**0.0785**	**0.1698**	**0.0942**
36	0.3481	0.2486	0.3877	0.2409
37	0.4241	0.1564	0.4241	0.1564
38	0.3932	0.1273	**0.5993**	**0.2455**

Notes: Higher numbers indicate more compact districts. Bolded cells are majority-minority districts. The Reock score is calculated by dividing the area of the district by the area of the smallest circle that could completely enclose the district. The Polsby-Popper score is roughly a ratio of the area of the district to the length of its perimeter. For reference, a district that is a perfect square has a Reock score of 0.6366 and a Polsby-Popper score of 0.7584.

Table 18: Compactness of CDs Under SB 6 and Demonstration Map 2

	SB 6		Demonstration Map 2	
	Area Dispersion	Perimeter	Area Dispersion	Perimeter
District	(Reock)	(Polsby-Popper)	(Reock)	(Polsby-Popper)
1	0.3428	0.1663	0.3482	0.2280
2	0.3927	0.2315	0.3674	0.1090
3	0.4381	0.3341	0.4458	0.3572
4	0.2172	0.0762	0.2168	0.0780
5	0.2990	0.1494	0.3647	0.1587
6	0.2598	0.1520	0.3160	0.2114
7	**0.2222**	**0.0914**	**0.2222**	**0.0910**
8	0.2904	0.2292	0.4410	0.2966
9	**0.4280**	**0.1617**	**0.3787**	**0.2046**
10	0.3421	0.1871	**0.3166**	**0.2582**
11	0.2176	0.2860	0.3193	0.1929
12	0.3722	0.2044	**0.1215**	**0.0505**
13	0.2432	0.2748	0.2432	0.2748
14	0.1810	0.1605	0.3672	0.2736
15	**0.1306**	**0.1154**	**0.2459**	**0.1315**
16	**0.2644**	**0.2283**	**0.1502**	**0.2063**
17	0.2534	0.1406	0.2438	0.1423
18	**0.4148**	**0.0682**	**0.3838**	**0.0850**
19	0.4613	0.5178	0.4613	0.5179
20	**0.4511**	**0.1287**	**0.3496**	**0.1324**
21	0.3645	0.2962	**0.5497**	**0.3570**
22	0.3736	0.1636	0.4902	0.3338
23	*0.2433*	*0.1940*	**0.2436**	**0.1585**
24	0.2294	0.1117	0.3050	0.1708
25	0.4001	0.2567	0.4143	0.3488
26	0.3513	0.1510	0.3515	0.1570
27	*0.4904*	*0.3716*	0.2924	0.1522
28	**0.2819**	**0.2120**	**0.2991**	**0.1619**
29	**0.3002**	**0.0932**	**0.2280**	**0.0812**
30	**0.3605**	**0.1906**	**0.4145**	**0.1477**
31	0.4900	0.1952	0.4900	0.1952
32	**0.2239**	**0.0764**	**0.3877**	**0.2382**
33	**0.1989**	**0.0379**	**0.2931**	**0.0946**
34	**0.4339**	**0.2752**	**0.3750**	**0.2895**
35	**0.0800**	**0.0785**	**0.1698**	**0.0942**
36	0.3481	0.2486	0.4342	0.2651
37	0.4241	0.1564	0.4241	0.1564
38	0.3932	0.1273	**0.5212**	**0.2120**

Notes: Higher numbers indicate more compact districts. Bolded cells are majority-minority districts. The Reock score is calculated by dividing the area of the district by the area of the smallest circle that could completely enclose the district. The Polsby-Popper score is roughly a ratio of the area of the district to the length of its perimeter. For reference, a district that is a perfect square has a Reock score of 0.6366 and a Polsby-Popper score of 0.7584.

State House District Tables

Table 19: Enacted Map: Total and Citizen Voting Age Populations of HDs

District	Total (Census)	CVAP	White CVAP	Hispanic CVAP	Black CVAP	Asian CVAP
		(ACS 2016-2020)				
Tarrant						
90	202,379	109,964	28.6%	50.1%	18.6%	1.9%
91	186,760	127,841	68.5%	18.2%	6.2%	5.4%
92	188,309	104,325	41.0%	23.3%	27.1%	6.5%
93	195,785	119,128	64.6%	16.8%	10.1%	6.2%
94	185,756	127,481	67.1%	13.6%	12.5%	5.0%
95	203,993	121,492	27.1%	21.5%	47.6%	2.4%
96	188,593	131,719	62.8%	13.2%	18.4%	3.5%
97	189,469	130,377	69.6%	15.7%	10.3%	2.9%
98	184,798	130,116	76.8%	9.9%	5.7%	6.1%
99	194,917	131,347	65.1%	22.5%	9.5%	1.6%
101	189,881	116,391	32.7%	22.4%	32.5%	10.5%
Harris						
128	192,949	116,114	57.1%	29.6%	10.7%	1.4%
129	201,896	130,384	58.1%	22.6%	8.6%	8.9%
142	193,612	112,570	17.7%	34.1%	45.1%	2.0%
143	200,529	100,672	16.7%	63.6%	17.8%	1.4%
144	203,960	107,249	21.4%	66.8%	8.0%	3.2%

Notes: Rows in grey are districts where a majority of the citizen voting age population is non-white.

Table 20: Demonstration Map: Total and Citizen Voting Age Populations of HDs

District	Total (Census)	CVAP	White CVAP	Hispanic CVAP	Black CVAP	Asian CVAP
		(ACS 2016-2020)				
Tarrant						
90	195,242	105,023	35.2%	51.2%	9.5%	2.7%
91	194,487	125,923	67.6%	16.5%	9.1%	4.5%
92	190,747	107,951	41.0%	24.3%	26.1%	6.7%
93	193,288	125,147	63.6%	16.8%	9.5%	7.6%
94	192,012	120,009	33.9%	19.9%	41.3%	3.7%
95	188,168	116,477	39.9%	22.9%	33.8%	2.3%
96	192,814	135,023	67.1%	13.3%	13.7%	3.7%
97	188,671	131,526	68.8%	15.2%	11.8%	2.7%
98	195,244	138,996	79.8%	9.7%	3.5%	5.6%
99	185,274	122,768	71.4%	19.3%	6.5%	1.6%
101	194,693	121,336	34.0%	20.8%	33.4%	10.1%
Harris						
128	203,691	132,672	63.4%	22.2%	7.6%	5.2%
129	203,044	117,556	29.2%	52.0%	10.3%	7.6%
142	193,285	115,861	28.5%	29.2%	39.5%	1.6%
143	196,556	98,724	18.6%	56.4%	22.8%	1.7%
144	196,922	100,001	31.9%	55.5%	10.5%	0.9%

Notes: Rows in grey are districts where a majority of the citizen voting age population is non-white.

Table 21: Enacted Map: General Election Results in HDs

District	Average Vote Share of Minority Preferred Candidate	Number of Elections Minority Preferred Candidate Wins	Number of Elections Minority Preferred Candidate Loses
Tarrant			
90	69%	34	1
91	35%	0	35
92	58%	34	1
93	38%	0	35
94	39%	0	35
95	76%	34	1
96	40%	0	35
97	39%	0	35
98	31%	0	35
99	37%	0	35
101	66%	34	1
Harris			
128	29%	0	35
129	39%	0	35
142	75%	34	1
143	69%	34	1
144	58%	34	1

Notes: VTD election data from the Texas Legislative Council. Elections used in the analysis are all elections for US President, US Senate, US House, Governor, Lt. Governor, Attorney General, State Supreme Court, Court of Criminal Appeals, Agricultural Commissioner, Comptroller, Land Commissioner, and Railroad Commissioner, for 2016, 2018, and 2020.

Table 22: Demonstration Map: General Election Results in HDs

District	Average Vote Share of Minority Preferred Candidate	Number of Elections Minority Preferred Candidate Wins	Number of Elections Minority Preferred Candidate Loses
Tarrant			
90	64%	34	1
91	37%	0	35
92	58%	34	1
93	38%	0	35
94	66%	34	1
95	60%	34	1
96	38%	0	35
97	41%	0	35
98	29%	0	35
99	32%	0	35
101	63%	34	1
Harris			
128	32%	0	35
129	53%	33	2
142	63%	34	1
143	66%	34	1
144	52%	33	2

Notes: VTD election data from the Texas Legislative Council. Elections used in the analysis are all elections for US President, US Senate, US House, Governor, Lt. Governor, Attorney General, State Supreme Court, Court of Criminal Appeals, Agricultural Commissioner, Comptroller, Land Commissioner, and Railroad Commissioner, for 2016, 2018, and 2020.

Table 23: Enacted Map: General Election Vote Preference By Racial Group - EI Estimates - State House Districts

	Percent Democratic						Polarization	
District	White	[min,max]	Black	[min,max]	Hispanic	[min,max]	B-W	H-W
Tarrant								
90	52	[37, 59]	86	[80, 92]	86	[80, 90]	34	34
91	27	[20, 33]	56	[41, 67]	67	[59, 75]	29	40
92	48	[38, 58]	83	[78, 87]	76	[66, 86]	34	28
93	24	[13, 35]	51	[41, 62]	69	[51, 76]	27	45
94	33	[24, 40]	64	[51, 76]	66	[47, 80]	31	34
95	44	[32, 54]	94	[90, 95]	81	[76, 86]	49	37
96	24	[18, 30]	79	[72, 87]	64	[54, 72]	55	40
97	32	[23, 41]	71	[63, 86]	59	[48, 73]	38	27
98	23	[13, 33]	61	[47, 75]	65	[56, 77]	38	42
99	27	[17, 35]	81	[78, 88]	67	[55, 75]	54	39
101	61	[45, 78]	81	[73, 90]	55	[41, 69]	20	-7
Harris								
128	11	[5, 18]	74	[43, 82]	62	[45, 74]	62	51
129	28	[17, 37]	66	[57, 77]	56	[45, 69]	37	27
142	30	[13, 44]	93	[91, 96]	80	[72, 87]	63	50
143	29	[21, 56]	84	[80, 93]	79	[70, 88]	55	50
144	36	[28, 47]	64	[52, 72]	77	[66, 87]	29	42

Notes: VTD election data from the Texas Legislative Council. Elections used in the analysis are all elections for US President, US Senate, US House, Governor, Lt. Governor, Attorney General, State Supreme Court, Court of Criminal Appeals, Agricultural Commissioner, Comptroller, Land Commissioner, and Railroad Commissioner, for 2016, 2018, and 2020. Ecological Inference (EI) results estimated using the EI package in R. The "[min,max]" columns report the minimum and maximum estimated percent of each racial group's Democratic support across all elections analyzed.

Table 24: Demonstration Map: General Election Vote Preference By Racial Group - EI Estimates - State House Districts

	Percent Democratic						Polarization	
District	White	[min,max]	Black	[min,max]	Hispanic	[min,max]	B-W	H-W
Tarrant								
90	36	[30, 40]	77	[74, 80]	85	[80, 88]	41	49
91	27	[25, 30]	64	[60, 67]	63	[53, 66]	37	36
92	47	[45, 51]	80	[76, 86]	69	[65, 76]	32	22
93	15	[13, 17]	52	[40, 63]	66	[60, 75]	37	51
94	31	[28, 37]	95	[95, 96]	87	[84, 90]	65	56
95	27	[22, 31]	91	[89, 93]	82	[79, 85]	64	55
96	20	[18, 26]	75	[64, 81]	70	[65, 76]	55	50
97	29	[24, 37]	81	[75, 86]	73	[67, 76]	52	43
98	15	[12, 21]	53	[43, 63]	71	[60, 78]	38	56
99	15	[12, 18]	55	[47, 63]	68	[65, 73]	40	53
101	39	[29, 45]	85	[76, 89]	70	[60, 80]	46	31
Harris								
128	20	[17, 25]	67	[57, 72]	50	[39, 56]	47	30
129	27	[20, 35]	68	[63, 73]	78	[71, 83]	41	50
142	12	[8, 16]	95	[94, 96]	85	[82, 88]	83	73
143	26	[17, 63]	88	[87, 91]	83	[76, 89]	62	57
144	19	[15, 42]	77	[70, 86]	85	[83, 86]	57	66

Notes: VTD election data from the Texas Legislative Council. Elections used in the analysis are all elections for US President, US Senate, US House, Governor, Lt. Governor, Attorney General, State Supreme Court, Court of Criminal Appeals, Agricultural Commissioner, Comptroller, Land Commissioner, and Railroad Commissioner, for 2016, 2018, and 2020. Ecological Inference (EI) results estimated using the EI package in R. The "[min,max]" columns report the minimum and maximum estimated percent of each racial group's Democratic support across all elections analyzed.

Table 25: Compactness of Enacted and Demonstration State House Districts

	Enacted State HDs		Demonstration State HDs	
	Area Dispersion	Perimeter	Area Dispersion	Perimeter
District	(Reock)	(Polsby-Popper)	(Reock)	(Polsby-Popper)
Tarrant				
90	**0.3069**	**0.0710**	**0.4453**	**0.2099**
91	0.5006	0.4573	0.3464	0.3112
92	**0.2876**	**0.0975**	**0.4226**	**0.3500**
93	0.4118	0.3031	0.5608	0.4835
94	0.3689	0.0763	**0.3536**	**0.2698**
95	**0.2729**	**0.0913**	**0.4548**	**0.3545**
96	0.2976	0.1785	0.4122	0.3158
97	0.4964	0.2618	0.4786	0.4422
98	0.4962	0.4511	0.5489	0.4758
99	0.4139	0.2465	0.6068	0.4971
101	**0.3435**	**0.3397**	**0.5012**	**0.4163**
Average	0.3815	0.2340	0.4665	0.3751
Harris				
128	**0.2940**	**0.1184**	0.4929	0.2860
129	0.3946	0.1589	**0.3561**	**0.1933**
142	**0.2812**	**0.1573**	**0.2727**	**0.1581**
143	**0.1736**	**0.1359**	**0.2666**	**0.2662**
144	**0.3326**	**0.1957**	**0.2776**	**0.2052**
Average	0.2952	0.1532	0.3332	0.2218
Statewide Average	0.3460	0.2540	0.3535	0.2667

Notes: Higher numbers indicate more compact districts. Bolded cells are majority-minority districts. The "Average" row calculates the average compactness scores for all of the districts above it. The Reock score is calculated by dividing the area of the district by the area of the smallest circle that could completely enclose the district. The Polsby-Popper score is roughly a ratio of the area of the district to the length of its perimeter. For reference, a district that is a perfect square has a Reock score of 0.6366 and a Polsby-Popper score of 0.7584.

AI Appendix A

AI.I Methodology

1. The population data I obtained from the Texas Legislative Council must be linked to the electoral data because the election data are reported in a geography that does not perfectly match the geographic level at which the CVAP data are reported. CVAP data are reported at the Census block group level. A Census block group is a cluster of neighboring Census blocks, and typically has a couple of thousand people. The election data are reported at the precinct, or Voting Tabulation District (VTD), level. Precincts are defined by local election offices for the purpose of administering elections; VTDs are a census definition of area that are equivalent to or linked to precincts. I aggregate blocks and, for CVAP, block groups to the VTD level. Where block groups are split across precincts, I follow best practices and allocate the CVAP counts in block groups according to the share of the VAP that is in each precinct. I do this in three steps: first, we calculate the share of the block group's total VAP that comes from each of the blocks within it. Second, we allocate the CVAP population of the block group to blocks by multiplying the block's share of the block group VAP by the estimated number of CVAP for each racial group in the block group. Last, we aggregate up the CVAP populations to the VTD level. In scholarship on elections and demography, this is the most common and widely accepted practice for linking precincts to Census areas.[10] It does assume an even

[10]Amos, Brian, Michael P. McDonald, and Russell Watkins. "When Boundaries Collide: Constructing a National Database of Demographic and Voting Statistics." *Public Opinion Quarterly* 81 (2017): 385-400. Ansolabehere, Stephen, Persily Nathaniel, and Stewart Charles III. "Regional Differences in Racial Polarization in the 2012 Presidential Election: Implications for Constitution-

distribution of CVAP population across blocks within a block group.[11]

2. In evaluating cohesion, I perform ecological regression analyses and ecological inference analyses for all estimates of racial cohesion and polarization in general elections. Ecological regression is a long-accepted methodology in the political science field for measuring racial voting patterns using aggregate election data and census data. It is the standard methodology used to measure racial voting patterns using aggregate data. Ecological inference is a newer methodology and is also used in scholarship on the measurement of group voting patterns. The ecological inference estimates are much less precise than the ecological regression estimates. The Tables 13, 14, and 15 present the average estimates and the ranges of estimates from ecological inference for the Enacted and Demonstration congressional maps, and Tables 23 and 24 present the average estimates and the ranges of estimates from ecological inference for certain Tarrant and Harris county districts in the Enacted and Demonstration state house maps. In the appendix, Tables A6-A10 present the equivalent analysis using ecological regression and presents the average estimates and the ranges of estimates from ecological regression for the Enacted and Demonstration congressional and state house districts. The ranges of the ecological inference results are

ality of Section 5 of the Voting Rights Act." *Harvard Law Review* 126 (2013): 205-220. Eitan Hersh and Clayton Nall, "The Primacy of Race in the Geography of Income-Based Voting: New Evidence from Public Voting Records." *American Journal of Political Science* 60 (2016): 289-303. Bernard Grofman, Lisa Handley, and David Lublin, "Drawing Effective Minority Districts: A Conceptual Framework and Some Empirical Evidence." *North Carolina Law Review* 79 (2000-2001): 1383-430.

[11] An alternative approach is to include the entirety of a block group in a VTD if more than 50 percent of its area is in the VTD, and to exclude block groups if less than 50 percent of an area is included. I prefer the approach I have employed because it ensures that all block groups are accounted for. The two approaches differ only slightly, and which method is used has no substantive effect on conclusions drawn.

quite large compared to the confidence intervals for ecological regression.

Table A1: Enacted Map: Total and Citizen Voting Age Populations of CDs - 2015-2019 ACS

District	Total (Census)	CVAP	White CVAP	Hispanic CVAP (ACS 2015-2019)	Black CVAP	Asian CVAP
1	766,987	545,834	70.1%	8.4%	19.6%	0.8%
2	766,987	467,366	65.0%	19.3%	11.3%	3.0%
3	766,987	457,208	70.8%	9.8%	9.7%	8.2%
4	766,987	486,639	74.2%	8.9%	9.5%	5.2%
5	766,987	476,501	63.7%	16.5%	14.6%	3.8%
6	766,987	462,115	60.0%	20.7%	15.1%	2.7%
7	766,987	435,219	41.2%	19.8%	20.0%	17.5%
8	766,987	446,637	60.2%	20.7%	13.1%	4.6%
9	766,987	440,285	19.6%	24.4%	46.7%	8.6%
10	766,987	498,131	67.7%	16.2%	11.6%	3.0%
11	766,987	506,171	53.7%	32.0%	11.1%	1.4%
12	766,987	493,806	68.2%	16.6%	10.7%	2.9%
13	766,987	531,681	70.4%	19.6%	6.7%	1.5%
14	766,987	523,340	62.4%	17.2%	17.0%	2.3%
15	766,987	413,370	22.7%	74.1%	1.6%	1.1%
16	766,986	454,920	15.9%	78.4%	3.8%	1.0%
17	766,987	533,187	63.9%	16.9%	16.4%	1.6%
18	766,987	445,657	24.9%	27.9%	41.5%	4.8%
19	766,987	532,275	59.0%	32.2%	6.6%	0.9%
20	766,987	516,565	22.9%	67.8%	6.1%	2.0%
21	766,987	540,406	67.5%	25.7%	3.8%	1.7%
22	766,987	443,283	54.6%	23.3%	11.3%	9.5%
23	766,987	463,769	34.7%	58.1%	4.3%	1.6%
24	766,987	521,692	74.0%	11.6%	6.6%	5.8%
25	766,987	529,507	70.1%	14.3%	11.7%	2.5%
26	766,987	473,574	71.1%	12.4%	8.8%	5.9%
27	766,987	538,980	44.4%	48.7%	4.9%	1.1%
28	766,987	452,043	22.8%	69.4%	6.1%	0.8%
29	766,987	380,606	15.0%	62.4%	19.4%	2.7%
30	766,987	474,915	25.9%	20.5%	49.7%	2.9%
31	766,987	488,664	69.3%	17.7%	8.6%	2.3%
32	766,987	448,456	48.5%	20.2%	23.0%	6.6%
33	766,987	373,602	25.8%	41.4%	27.3%	4.3%
34	766,987	411,504	12.1%	86.6%	0.6%	0.5%
35	766,987	458,438	34.0%	48.1%	14.4%	2.1%
36	766,987	507,725	61.3%	20.8%	13.6%	3.1%
37	766,987	529,626	65.0%	20.9%	6.5%	5.7%
38	766,987	477,778	62.7%	17.9%	10.0%	8.1%

Notes: Rows in grey are districts where a majority of the citizen voting age population is non-white. CVAP tabulations come directly from the Texas Legislative Council ACS special tabulation report for enacted districts (red116 of Plan C2193).

Table A2: Demonstration Map 1: Total and Citizen Voting Age Populations of CDs - 2015-2019 ACS

District	Total (Census)	CVAP	White CVAP	Hispanic CVAP (ACS 2015-2019)	Black CVAP	Asian CVAP
1	766,987	545,834	70.1%	8.4%	19.6%	0.8%
2	766,987	478,044	65.1%	16.1%	10.4%	7.0%
3	766,987	457,208	70.8%	9.8%	9.7%	8.2%
4	766,987	486,639	74.2%	8.9%	9.5%	5.2%
5	766,987	476,501	63.7%	16.5%	14.6%	3.8%
6	766,987	517,724	71.3%	14.9%	11.1%	1.3%
7	766,987	435,219	41.2%	19.8%	20.0%	17.5%
8	766,987	448,592	60.2%	20.9%	13.0%	4.6%
9	766,987	447,171	20.3%	22.5%	47.8%	8.7%
10	766,987	464,309	37.9%	50.5%	9.1%	1.4%
11	766,987	517,240	67.4%	19.8%	9.1%	1.8%
12	766,987	406,906	37.3%	36.0%	19.6%	5.7%
13	766,987	531,681	70.4%	19.6%	6.7%	1.5%
14	766,987	523,340	62.4%	17.2%	17.0%	2.3%
15	766,987	436,608	20.7%	76.0%	2.1%	0.7%
16	766,987	459,500	28.6%	64.0%	5.0%	1.2%
17	766,987	528,055	63.0%	18.1%	16.0%	1.6%
18	766,987	444,551	25.0%	28.7%	41.7%	3.6%
19	766,987	532,275	59.0%	32.2%	6.6%	0.9%
20	766,987	531,084	38.4%	50.3%	8.1%	2.1%
21	766,987	505,185	37.5%	51.8%	6.8%	2.4%
22	766,987	443,283	54.6%	23.3%	11.3%	9.5%
23	766,987	464,731	24.4%	71.7%	2.6%	0.4%
24	766,987	521,692	74.0%	11.6%	6.6%	5.8%
25	766,987	518,618	78.2%	12.9%	5.6%	1.7%
26	766,987	473,574	71.1%	12.4%	8.8%	5.9%
27	766,987	511,926	68.0%	15.9%	12.1%	2.7%
28	766,986	402,388	18.9%	77.9%	2.0%	0.8%
29	766,987	421,054	40.2%	36.1%	16.8%	5.9%
30	766,987	459,889	24.7%	19.0%	51.5%	3.7%
31	766,987	488,604	69.3%	17.7%	8.6%	2.3%
32	766,987	448,456	48.5%	20.2%	23.0%	6.6%
33	766,987	431,333	38.2%	29.6%	27.6%	3.3%
34	766,987	482,633	24.2%	72.2%	1.9%	1.1%
35	766,987	483,298	37.5%	50.3%	9.3%	1.5%
36	766,987	497,941	70.3%	14.7%	12.1%	1.7%
37	766,987	529,626	65.0%	20.9%	6.5%	5.7%
38	766,987	428,701	31.6%	51.0%	12.7%	3.9%

Notes: Rows in grey are districts where a majority of the citizen voting age population is non-white. CVAP tabulations for districts 1, 3, 4, 5, 7, 8, 13, 14, 19, 22, 24, 26, 31, 32, and 37 come from the special tabulation report (r116) of the legislature's SB6 Plan (Plan C2193).

Table A3: Demonstration Map 2: Total and Citizen Voting Age Populations of CDs - 2015-2019 ACS

District	Total (Census)	CVAP	White CVAP	Hispanic CVAP (ACS 2015-2019)	Black CVAP	Asian CVAP
1	766,987	544,667	70.0%	8.4%	19.7%	0.7%
2	766,987	474,040	57.1%	20.0%	12.7%	8.8%
3	766,987	458,753	71.1%	9.8%	9.7%	7.8%
4	766,987	483,228	73.9%	8.8%	9.5%	5.6%
5	766,987	512,291	70.6%	11.8%	12.2%	3.8%
6	766,987	520,866	74.0%	15.1%	7.7%	1.6%
7	766,987	432,148	40.9%	19.7%	20.3%	17.6%
8	766,987	460,962	70.2%	15.3%	8.3%	4.8%
9	766,987	440,454	26.1%	20.9%	40.9%	11.4%
10	766,987	464,309	37.9%	50.5%	9.1%	1.4%
11	766,987	517,240	67.4%	19.8%	9.1%	1.8%
12	766,987	363,805	27.1%	50.6%	18.6%	2.7%
13	766,987	531,681	70.4%	19.6%	6.7%	1.5%
14	766,987	513,844	59.7%	16.7%	19.2%	3.2%
15	766,987	436,608	20.7%	76.0%	2.1%	0.7%
16	766,987	459,500	28.6%	64.0%	5.0%	1.2%
17	766,987	526,625	62.9%	18.2%	16.0%	1.6%
18	766,987	457,561	28.2%	24.9%	42.9%	3.0%
19	766,987	532,275	59.0%	32.2%	6.6%	0.9%
20	766,987	531,084	38.4%	50.3%	8.1%	2.1%
21	766,987	505,185	37.5%	51.8%	6.8%	2.4%
22	766,987	467,384	55.0%	24.9%	13.0%	6.0%
23	766,987	464,731	24.4%	71.7%	2.6%	0.4%
24	766,987	483,198	65.9%	12.7%	11.2%	8.0%
25	766,987	503,293	75.1%	14.7%	5.6%	2.8%
26	766,987	475,441	71.2%	12.4%	8.8%	5.9%
27	766,987	511,926	68.0%	15.9%	12.1%	2.7%
28	766,986	402,388	18.9%	77.9%	2.0%	0.8%
29	766,987	385,904	21.7%	49.9%	22.0%	5.7%
30	766,987	477,659	27.2%	19.2%	50.2%	2.4%
31	766,987	488,604	69.3%	17.7%	8.6%	2.3%
32	766,987	453,766	54.2%	20.0%	19.1%	5.2%
33	766,987	468,841	41.6%	20.1%	32.0%	4.8%
34	766,987	482,633	24.2%	72.2%	1.9%	1.1%
35	766,987	483,298	37.5%	50.3%	9.3%	1.5%
36	766,987	519,543	77.7%	11.4%	8.7%	1.0%
37	766,987	529,626	65.0%	20.9%	6.5%	5.7%
38	766,987	416,055	28.7%	50.8%	16.0%	3.6%

Notes: Rows in grey are districts where a majority of the citizen voting age population is non-white. CVAP tabulations for districts 2, 7, 9, 12, 18, 24, 29, 30, 32, 33, and 38 come from the special tabulation report (r116) of Plan C2163. District 12 in demonstration map 2 is equivalent to district 37 in Plan C2163. CVAP tabulations for districts 1, 3, 4, 13, 19, 26, 31, and 37 come from the special tabulation report (r116) of the legislature's SB6 Plan (Plan C2193).

Table A4: Enacted Map: Total and Citizen Voting Age Populations of HDs - 2015-2019 ACS

District	Total (Census)	CVAP	White CVAP	Hispanic CVAP (ACS 2015-2019)	Black CVAP	Asian CVAP
Tarrant						
90	202,379	104,541	30.2%	49.4%	18.2%	1.4%
91	186,760	127,809	68.5%	17.8%	6.5%	5.3%
92	188,309	102,994	42.1%	23.1%	26.8%	5.9%
93	195,785	111,980	63.5%	16.4%	11.6%	6.1%
94	185,756	127,602	69.9%	12.2%	11.7%	4.5%
95	203,993	116,650	27.3%	19.6%	49.5%	2.4%
96	188,593	128,588	64.0%	14.1%	16.2%	3.9%
97	189,469	132,667	71.4%	13.7%	11.1%	2.4%
98	184,798	128,027	79.3%	9.2%	3.7%	6.1%
99	194,917	128,183	67.0%	20.7%	9.0%	1.9%
101	189,881	114,075	32.5%	22.7%	32.8%	10.4%
Harris						
128	192,949	117,343	58.0%	28.7%	10.8%	1.6%
129	201,896	126,653	59.5%	22.3%	8.2%	8.2%
142	193,612	109,121	19.7%	31.1%	46.7%	1.6%
143	200,529	99,010	18.7%	59.7%	19.9%	1.0%
144	203,960	109,096	23.0%	64.4%	9.1%	2.9%

Notes: Rows in grey are districts where a majority of the citizen voting age population is non-white.

Table A5: Demonstration Map: Total and Citizen Voting Age Populations of HDs - 2015-2019 ACS

District	Total (Census)	CVAP	White CVAP	Hispanic CVAP (ACS 2015-2019)	Black CVAP	Asian CVAP
Tarrant						
90	195,242	99,634	35.4%	51.9%	9.7%	1.6%
91	194,487	126,010	69.0%	15.9%	8.6%	4.2%
92	190,747	105,090	43.5%	24.7%	23.4%	6.4%
93	193,288	122,197	64.7%	15.7%	10.0%	7.2%
94	192,012	115,957	35.4%	17.4%	42.2%	3.8%
95	188,168	111,715	42.0%	21.5%	32.9%	2.6%
96	192,814	135,658	67.8%	12.8%	13.5%	4.1%
97	188,671	132,613	70.5%	14.0%	12.0%	2.0%
98	195,244	137,347	80.8%	8.8%	3.2%	5.6%
99	185,274	117,801	71.4%	18.0%	7.0%	2.1%
101	194,693	119,093	34.1%	21.0%	33.6%	9.8%
Harris						
128	203,691	130,884	65.3%	22.2%	5.9%	5.1%
129	203,044	117,352	30.0%	50.8%	11.5%	6.6%
142	193,285	113,411	30.2%	27.0%	40.4%	1.4%
143	196,556	99,013	21.7%	51.9%	24.7%	1.3%
144	196,922	99,063	32.7%	53.1%	12.4%	0.8%

Notes: Rows in grey are districts where a majority of the citizen voting age population is non-white.

Table A6: Enacted Map: General Election Vote Preference By Racial Group - ER Estimates

	Percent Democratic						Polarization	
District	White	CI	Black	CI	Hispanic	CI	B-W	H-W
7	50	[49, 51]	97	[95, 99]	96	[93, 99]	47	46
9	30	[29, 31]	100	[99, 100]	78	[75, 80]	70	48
10	19	[17, 21]	87	[84, 90]	100	[96, 100]	68	81
12	16	[14, 17]	100	[98, 100]	100	[97, 100]	84	84
15	0	[0, 1]	.	[., .]	74	[74, 75]	.	74
16	17	[15, 18]	.	[., .]	81	[80, 83]	.	65
18	38	[37, 39]	100	[99, 100]	47	[45, 50]	62	9
20	28	[26, 29]	.	[., .]	81	[80, 82]	.	53
21	19	[17, 20]	100	[93, 100]	85	[83, 86]	81	66
23	11	[10, 12]	.	[., .]	70	[69, 71]	.	59
27	4	[4, 5]	.	[., .]	76	[76, 77]	.	72
28	7	[6, 8]	.	[., .]	76	[75, 77]	.	69
29	34	[32, 36]	89	[87, 90]	72	[70, 73]	54	37
30	42	[41, 43]	99	[99, 100]	60	[58, 63]	58	19
32	42	[41, 43]	100	[99, 100]	100	[98, 100]	58	58
33	39	[38, 40]	93	[92, 94]	82	[81, 83]	54	43
34	9	[7, 10]	.	[., .]	73	[72, 74]	.	64
35	49	[47, 51]	94	[91, 97]	80	[78, 82]	45	31
38	18	[16, 19]	100	[96, 100]	94	[91, 97]	82	76

Notes: VTD election data from the Texas Legislative Council. Elections used in the analysis are all elections for US President, US Senate, US House, Governor, Lt. Governor, Attorney General, State Supreme Court, Court of Criminal Appeals, Agricultural Commissioner, Comptroller, Land Commissioner, and Railroad Commissioner, for 2016, 2018, and 2020. "CI" stands for 95% confidence intervals. Missing values indicate insufficient data for estimates.

Table A7: Demonstration Map 1: General Election Vote Preference By Racial Group - ER Estimates

	Percent Democratic						Polarization	
District	White	CI	Black	CI	Hispanic	CI	B-W	H-W
7	50	[49, 51]	97	[95, 99]	96	[93, 99]	47	46
9	32	[31, 33]	100	[99, 100]	76	[73, 79]	68	44
10	7	[4, 9]	100	[96, 100]	75	[73, 78]	93	69
12	44	[43, 45]	97	[95, 99]	83	[81, 84]	53	38
15	1	[0, 1]	.	[., .]	74	[73, 75]	.	73
16	0	[0, 1]	.	[., .]	88	[86, 89]	.	88
18	23	[22, 24]	100	[99, 100]	75	[72, 78]	77	52
20	17	[16, 17]	.	[., .]	89	[88, 90]	.	73
21	11	[10, 12]	.	[., .]	86	[84, 87]	.	74
23	0	[0, 1]	.	[., .]	79	[79, 80]	.	79
27	16	[14, 17]	82	[79, 85]	84	[80, 87]	67	68
28	0	[0, 1]	.	[., .]	76	[75, 76]	.	76
29	23	[22, 24]	100	[98, 100]	88	[86, 90]	77	65
30	16	[15, 17]	100	[99, 100]	71	[68, 75]	84	55
32	42	[41, 43]	100	[99, 100]	100	[98, 100]	58	58
33	21	[20, 22]	100	[99, 100]	80	[78, 82]	79	59
34	9	[9, 10]	.	[., .]	73	[73, 74]	.	64
35	18	[17, 19]	63	[59, 67]	86	[85, 87]	45	69
38	4	[3, 5]	100	[96, 100]	83	[82, 85]	96	80

Notes: VTD election data from the Texas Legislative Council. Elections used in the analysis are all elections for US President, US Senate, US House, Governor, Lt. Governor, Attorney General, State Supreme Court, Court of Criminal Appeals, Agricultural Commissioner, Comptroller, Land Commissioner, and Railroad Commissioner, for 2016, 2018, and 2020. "CI" stands for 95% confidence intervals. Missing values indicate insufficient data for estimates.

Table A8: Demonstration Map 2: General Election Vote Preference By Racial Group - ER Estimates

	Percent Democratic						Polarization	
District	White	CI	Black	CI	Hispanic	CI	B-W	H-W
7	50	[49, 51]	97	[95, 99]	98	[95, 100]	47	48
9	16	[15, 17]	100	[99, 100]	97	[93, 100]	84	81
10	7	[4, 9]	100	[96, 100]	75	[73, 78]	93	69
12	25	[24, 26]	100	[98, 100]	88	[87, 89]	75	63
15	1	[0, 1]	.	[., .]	74	[73, 75]	.	73
16	0	[0, 1]	.	[., .]	88	[86, 89]	.	88
18	31	[30, 32]	100	[99, 100]	58	[55, 62]	69	28
20	17	[16, 17]	.	[., .]	89	[88, 90]	.	73
21	11	[10, 12]	.	[., .]	86	[84, 87]	.	74
23	0	[0, 1]	.	[., .]	79	[79, 80]	.	79
27	16	[14, 17]	82	[79, 85]	84	[80, 87]	67	68
28	0	[0, 1]	.	[., .]	76	[75, 76]	.	76
29	17	[15, 18]	99	[97, 100]	77	[76, 79]	82	61
30	40	[39, 41]	100	[99, 100]	50	[47, 53]	60	10
32	40	[39, 41]	100	[98, 100]	95	[93, 98]	60	56
33	25	[25, 26]	100	[99, 100]	100	[96, 100]	75	75
34	9	[9, 10]	.	[., .]	73	[73, 74]	.	64
35	18	[17, 19]	.	[., .]	86	[85, 87]	.	69
38	4	[2, 5]	100	[97, 100]	78	[76, 80]	96	74

Notes: VTD election data from the Texas Legislative Council. Elections used in the analysis are all elections for US President, US Senate, US House, Governor, Lt. Governor, Attorney General, State Supreme Court, Court of Criminal Appeals, Agricultural Commissioner, Comptroller, Land Commissioner, and Railroad Commissioner, for 2016, 2018, and 2020. "CI" stands for 95% confidence intervals. Missing values indicate insufficient data for estimates.

Table A9: Enacted Map: General Election Vote Preference By Racial Group - ER Estimates - State House Districts

	Percent Democratic						Polarization	
District	White	CI	Black	CI	Hispanic	CI	B-W	H-W
Tarrant								
90	36	[35, 38]	81	[79, 84]	85	[84, 87]	45	49
91	24	[21, 26]	95	[87, 100]	78	[74, 81]	71	54
92	25	[23, 26]	100	[97, 100]	100	[95, 100]	75	75
93	22	[19, 25]	51	[43, 58]	82	[77, 86]	29	60
94	24	[22, 26]	100	[97, 100]	100	[94, 100]	76	76
95	26	[24, 27]	100	[99, 100]	79	[73, 85]	74	53
96	16	[14, 17]	100	[97, 100]	100	[91, 100]	84	84
97	26	[24, 29]	100	[97, 100]	79	[72, 86]	74	52
98	19	[16, 22]	100	[94, 100]	100	[94, 100]	81	81
99	19	[17, 22]	100	[97, 100]	74	[70, 79]	81	55
101	46	[43, 48]	87	[85, 89]	57	[53, 61]	41	11
Harris								
128	2	[0, 5]	100	[96, 100]	78	[72, 84]	98	76
129	27	[25, 30]	100	[95, 100]	57	[54, 61]	73	30
142	3	[0, 5]	100	[98, 100]	64	[58, 69]	97	61
143	6	[3, 8]	84	[81, 87]	74	[72, 77]	79	69
144	11	[7, 14]	58	[52, 64]	69	[67, 72]	47	59

Notes: VTD election data from the Texas Legislative Council. Elections used in the analysis are all elections for US President, US Senate, US House, Governor, Lt. Governor, Attorney General, State Supreme Court, Court of Criminal Appeals, Agricultural Commissioner, Comptroller, Land Commissioner, and Railroad Commissioner, for 2016, 2018, and 2020. "CI" stands for 95% confidence intervals. Missing values indicate insufficient data for estimates.

Table A10: Demonstration Map: General Election Vote Preference By Racial Group - ER Estimates - State House Districts

	Percent Democratic						Polarization	
District	White	CI	Black	CI	Hispanic	CI	B-W	H-W
Tarrant								
90	33	[31, 34]	88	[84, 93]	84	[83, 86]	56	52
91	25	[23, 27]	100	[96, 100]	68	[64, 72]	75	43
92	29	[27, 31]	100	[97, 100]	86	[82, 90]	71	57
93	29	[26, 32]	57	[52, 62]	65	[61, 70]	28	37
94	22	[21, 23]	100	[99, 100]	100	[92, 100]	78	78
95	17	[16, 19]	100	[98, 100]	100	[91, 100]	83	83
96	18	[16, 21]	100	[95, 100]	100	[93, 100]	82	82
97	25	[23, 28]	100	[97, 100]	100	[93, 100]	75	75
98	21	[18, 24]	100	[91, 100]	88	[83, 93]	79	68
99	18	[15, 20]	100	[91, 100]	82	[78, 86]	82	64
101	20	[18, 22]	100	[96, 100]	100	[92, 100]	80	80
Harris								
128	24	[21, 28]	100	[94, 100]	22	[18, 26]	76	-2
129	19	[17, 22]	60	[52, 68]	72	[69, 74]	41	52
142	0	[0, 1]	100	[98, 100]	100	[90, 100]	100	100
143	0	[0, 2]	99	[95, 100]	75	[70, 79]	99	75
144	0	[0, 2]	67	[61, 74]	76	[73, 79]	67	76

Notes: VTD election data from the Texas Legislative Council. Elections used in the analysis are all elections for US President, US Senate, US House, Governor, Lt. Governor, Attorney General, State Supreme Court, Court of Criminal Appeals, Agricultural Commissioner, Comptroller, Land Commissioner, and Railroad Commissioner, for 2016, 2018, and 2020. "CI" stands for 95% confidence intervals. Missing values indicate insufficient data for estimates.

Table A11: Democratic Primary Group Agreement - EI Results - Summary Table

District	N Cases	Single Preference			Both Groups	
		Black	Hispanic	Both	Coalesce	Disagree
DM1 CD12	21	17 (81.0%)	18 (85.7%)	16 (76.2%)	15 (93.8%)	1 (6.2%)
DM1 CD29	21	16 (76.2%)	17 (81.0%)	15 (71.4%)	13 (86.7%)	2 (13.3%)
DM1 CD33	21	18 (85.7%)	18 (85.7%)	17 (81.0%)	14 (82.4%)	3 (17.6%)
DM2 CD29	21	17 (81.0%)	18 (85.7%)	15 (71.4%)	11 (73.3%)	4 (26.7%)
DM2 CD33	21	17 (81.0%)	15 (71.4%)	15 (71.4%)	14 (93.3%)	1 (6.7%)
HD94	21	18 (85.7%)	15 (71.4%)	15 (71.4%)	12 (80.0%)	3 (20.0%)

Notes: VTD election data from the Texas Legislative Council. Elections used in the analysis were Democratic primary and Democratic primary runoff elections for US President, US Senate, Governor, Lt. Governor, State Supreme Court, Court of Criminal Appeals, Comptroller, Land Commissioner, and Railroad Commissioner, for 2016, 2018, and 2020.

AI.II Democratic Primaries

Table A12: Primary Analysis - EI Estimates - HD94

Year	Election	Candidate	Estimated Percent Support			Estimated Turnout Rate		
			White	Black	Hispanic	White	Black	Hispanic
2016	President	Other	1.4	0.5	2.2	6.5	17.8	12.6
2016	President	Clinton	60.5	90.4	58.6	6.5	17.8	12.6
2016	President	Sanders	38.2	9.2	39.2	6.5	17.8	12.6
2016	RR Comm 1	Garrett	26.1	17.5	30.4	4.4	12.8	15.1
2016	RR Comm 1	Yarbrough	33.1	42.4	30.2	4.4	12.8	15.1
2016	RR Comm 1	Burnam	40.8	40.0	39.5	4.4	12.8	15.1
2016	RR Comm 1 Runoff	Yarbrough	60.4	71.6	64.9	0.7	1.2	2.2
2016	RR Comm 1 Runoff	Garrett	39.6	28.4	35.1	0.7	1.2	2.2
2018	Comptroller	Chevalier	56.0	29.3	46.6	4.3	6.2	10.2
2018	Comptroller	Mahoney	44.0	70.7	53.4	4.3	6.2	10.2
2018	Governor	Davis	8.7	20.4	18.9	5.8	8.0	7.9
2018	Governor	Valdez	51.0	53.9	38.8	5.8	8.0	7.9
2018	Governor	Ocegueda	2.3	2.1	4.5	5.8	8.0	7.9
2018	Governor	Yarbrough	4.3	4.9	9.4	5.8	8.0	7.9
2018	Governor	White	25.2	13.2	15.8	5.8	8.0	7.9
2018	Governor	Other	8.5	5.5	12.5	5.8	8.0	7.9
2018	Governor Runoff	Valdez	53.7	64.1	71.0	1.9	1.9	4.8
2018	Governor Runoff	White	46.3	35.9	29.0	1.9	1.9	4.8
2018	Land Comm	Morgan	29.2	46.4	45.4	4.8	6.0	9.5
2018	Land Comm	Suazo	70.8	53.6	54.6	4.8	6.0	9.5
2018	Lt. Governor	Cooper	46.7	55.9	42.1	4.6	7.2	8.0
2018	Lt. Governor	Collier	53.3	44.1	57.9	4.6	7.2	8.0
2018	RR Comm 1	Spellmon	41.9	66.6	43.0	4.1	6.8	8.2
2018	RR Comm 1	McAllen	58.1	33.4	57.0	4.1	6.8	8.2
2018	U.S. Sen	Kimbrough	12.5	38.7	26.5	5.8	6.1	9.5
2018	U.S. Sen	Hernandez	17.7	25.7	32.3	5.8	6.1	9.5
2018	U.S. Sen	ORourke	69.8	35.6	41.3	5.8	6.1	9.5
2020	CCA 3	Wood	13.7	21.7	23.4	10.2	11.1	9.7
2020	CCA 3	DavisFrizell	78.6	65.8	57.8	10.2	11.1	9.7

continued

2020	CCA 3	Demond	7.7	12.5	18.8	10.2	11.1	9.7
2020	CCA 4	Miears	14.6	10.9	31.0	9.2	10.6	11.5
2020	CCA 4	Clinton	85.4	89.1	69.0	9.2	10.6	11.5
2020	President	Other	9.5	4.0	11.3	11.2	13.9	13.5
2020	President	Bloomberg	9.4	12.8	18.5	11.2	13.9	13.5
2020	President	Warren	11.7	3.4	8.2	11.2	13.9	13.5
2020	President	Sanders	26.2	29.7	29.1	11.2	13.9	13.5
2020	President	Biden	43.2	50.0	33.0	11.2	13.9	13.5
2020	RR Comm 1	Stone	22.1	22.0	19.2	9.0	11.2	10.9
2020	RR Comm 1	Watson	18.2	36.2	30.6	9.0	11.2	10.9
2020	RR Comm 1	Alonzo	23.1	28.0	36.8	9.0	11.2	10.9
2020	RR Comm 1	Castaneda	36.7	13.8	13.5	9.0	11.2	10.9
2020	RR Comm 1 Runoff	Alonzo	31.9	56.7	47.9	4.2	7.9	9.4
2020	RR Comm 1 Runoff	Castaneda	68.1	43.3	52.1	4.2	7.9	9.4
2020	Sup Ct 6	Praeger	14.6	23.8	32.3	8.9	11.1	11.2
2020	Sup Ct 6	Cheng	85.4	76.2	67.7	8.9	11.1	11.2
2020	Sup Ct 7	Voss	30.4	24.6	30.6	8.8	11.3	10.9
2020	Sup Ct 7	Williams	69.6	75.4	69.4	8.8	11.3	10.9
2020	Sup Ct 8	Triana	74.6	53.6	53.7	9.0	11.1	10.0
2020	Sup Ct 8	Kelly	25.4	46.4	46.3	9.0	11.1	10.0
2020	Sup Ct Chief	Zimmerer	10.6	15.5	29.1	10.1	11.4	10.7
2020	Sup Ct Chief	Meachum	89.4	84.5	70.9	10.1	11.4	10.7
2020	U.S. Sen	Garcia	9.3	5.0	10.0	9.4	13.3	11.0
2020	U.S. Sen	Edwards	4.6	2.2	5.7	9.4	13.3	11.0
2020	U.S. Sen	Other	28.4	26.2	38.2	9.4	13.3	11.0
2020	U.S. Sen	Ramirez	9.1	3.6	7.9	9.4	13.3	11.0
2020	U.S. Sen	Hegar	26.8	3.3	9.4	9.4	13.3	11.0
2020	U.S. Sen	West	21.8	59.7	28.7	9.4	13.3	11.0
2020	U.S. Sen Runoff	West	47.7	89.2	73.7	4.1	9.7	8.0
2020	U.S. Sen Runoff	Hegar	52.3	10.8	26.3	4.1	9.7	8.0

Notes: VTD election data from the Texas Legislative Council. Elections used in the analysis were Democratic primary and Democratic primary runoff elections for US President, US Senate, Governor, Lt. Governor, State Supreme Court, Court of Criminal Appeals, Comptroller, Land Commissioner, and Railroad Commissioner, for 2016, 2018, and 2020. Ecological Inference (EI) results estimated using the EI package in R.

Table A13: Primary Analysis - EI Estimates - DM1 CD12

Year	Election	Candidate	Estimated Percent Support			Estimated Turnout Rate		
			White	Black	Hispanic	White	Black	Hispanic
2016	President	Other	0.8	1.3	1.1	10.3	11.3	9.4
2016	President	Clinton	66.3	84.0	63.9	10.3	11.3	9.4
2016	President	Sanders	32.9	14.7	35.0	10.3	11.3	9.4
2016	RR Comm 1	Burnam	42.0	22.0	17.8	6.6	9.2	7.6
2016	RR Comm 1	Garrett	26.6	30.0	40.5	6.6	9.2	7.6
2016	RR Comm 1	Yarbrough	31.4	48.1	41.7	6.6	9.2	7.6
2016	RR Comm 1 Runoff	Garrett	40.9	32.6	35.3	0.6	1.2	0.8
2016	RR Comm 1 Runoff	Yarbrough	59.1	67.4	64.7	0.6	1.2	0.8
2018	Comptroller	Chevalier	70.1	47.8	49.1	7.2	6.8	4.8
2018	Comptroller	Mahoney	29.9	52.2	50.9	7.2	6.8	4.8
2018	Governor	Yarbrough	1.4	3.1	2.0	8.9	7.4	6.0
2018	Governor	Davis	2.7	12.1	5.0	8.9	7.4	6.0
2018	Governor	Valdez	65.4	64.3	77.1	8.9	7.4	6.0
2018	Governor	Ocegueda	1.5	2.5	2.6	8.9	7.4	6.0
2018	Governor	Other	5.4	8.2	5.0	8.9	7.4	6.0
2018	Governor	White	23.6	9.9	8.2	8.9	7.4	6.0
2018	Governor Runoff	Valdez	66.0	69.9	78.7	3.3	3.0	2.4
2018	Governor Runoff	White	34.0	30.1	21.3	3.3	3.0	2.4
2018	Land Comm	Suazo	76.3	55.3	75.4	7.3	6.1	5.3
2018	Land Comm	Morgan	23.7	44.7	24.6	7.3	6.1	5.3
2018	Lt. Governor	Collier	68.1	34.7	40.0	7.0	7.4	5.2
2018	Lt. Governor	Cooper	31.9	65.3	60.0	7.0	7.4	5.2
2018	RR Comm 1	McAllen	56.2	39.3	55.3	6.9	7.0	4.5
2018	RR Comm 1	Spellmon	43.8	60.7	44.7	6.9	7.0	4.5
2018	U.S. Sen	Kimbrough	5.8	32.2	12.9	9.8	6.9	4.8
2018	U.S. Sen	ORourke	84.5	36.3	41.6	9.8	6.9	4.8
2018	U.S. Sen	Hernandez	9.7	31.5	45.5	9.8	6.9	4.8
2020	CCA 3	DavisFrizell	80.6	66.6	67.2	16.0	12.4	7.8
2020	CCA 3	Wood	14.1	18.5	23.0	16.0	12.4	7.8
2020	CCA 3	Demond	5.3	14.9	9.8	16.0	12.4	7.8
2020	CCA 4	Clinton	88.4	80.9	75.5	15.5	12.4	7.9

continued

2020	CCA 4	Miears	11.6	19.1	24.5	15.5	12.4	7.9
2020	President	Warren	13.4	6.8	7.0	18.5	14.0	9.3
2020	President	Sanders	22.8	23.6	54.2	18.5	14.0	9.3
2020	President	Biden	41.9	47.9	16.9	18.5	14.0	9.3
2020	President	Other	9.8	9.8	11.0	18.5	14.0	9.3
2020	President	Bloomberg	12.1	11.9	10.9	18.5	14.0	9.3
2020	RR Comm 1	Watson	11.5	27.3	8.5	14.9	11.3	9.2
2020	RR Comm 1	Castaneda	46.1	16.4	20.7	14.9	11.3	9.2
2020	RR Comm 1	Stone	24.5	23.9	9.1	14.9	11.3	9.2
2020	RR Comm 1	Alonzo	18.0	32.4	61.7	14.9	11.3	9.2
2020	RR Comm 1 Runoff	Alonzo	17.9	51.4	55.1	7.9	9.9	3.3
2020	RR Comm 1 Runoff	Castaneda	82.1	48.6	44.9	7.9	9.9	3.3
2020	Sup Ct 6	Praeger	22.2	22.2	26.3	16.6	12.3	8.0
2020	Sup Ct 6	Cheng	77.8	77.8	73.7	16.6	12.3	8.0
2020	Sup Ct 7	Voss	26.8	23.4	31.1	15.7	12.9	8.1
2020	Sup Ct 7	Williams	73.2	76.6	68.9	15.7	12.9	8.1
2020	Sup Ct 8	Triana	73.7	59.3	69.7	15.9	11.9	8.1
2020	Sup Ct 8	Kelly	26.3	40.7	30.3	15.9	11.9	8.1
2020	Sup Ct Chief	Zimmerer	7.2	16.1	25.6	16.9	12.5	7.9
2020	Sup Ct Chief	Meachum	92.8	83.9	74.4	16.9	12.5	7.9
2020	U.S. Sen	Ramirez	9.5	6.4	14.0	16.2	14.7	8.4
2020	U.S. Sen	Garcia	5.2	6.5	20.0	16.2	14.7	8.4
2020	U.S. Sen	Other	17.1	7.5	31.0	16.2	14.7	8.4
2020	U.S. Sen	Hegar	26.7	6.5	5.3	16.2	14.7	8.4
2020	U.S. Sen	Edwards	14.3	6.5	5.2	16.2	14.7	8.4
2020	U.S. Sen	West	27.1	66.6	24.5	16.2	14.7	8.4
2020	U.S. Sen Runoff	Hegar	52.1	17.6	34.2	8.0	10.6	3.3
2020	U.S. Sen Runoff	West	47.9	82.4	65.8	8.0	10.6	3.3

Notes: VTD election data from the Texas Legislative Council. Elections used in the analysis were Democratic primary and Democratic primary runoff elections for US President, US Senate, Governor, Lt. Governor, State Supreme Court, Court of Criminal Appeals, Comptroller, Land Commissioner, and Railroad Commissioner, for 2016, 2018, and 2020. Ecological Inference (EI) results estimated using the EI package in R.

Table A14: Primary Analysis - EI Estimates - DM1 CD29

Year	Election	Candidate	Estimated Percent Support			Estimated Turnout Rate		
			White	Black	Hispanic	White	Black	Hispanic
2016	President	Other	0.9	1.1	1.7	8.6	17.1	6.7
2016	President	Sanders	36.0	14.9	28.2	8.6	17.1	6.7
2016	President	Clinton	63.2	84.0	70.1	8.6	17.1	6.7
2016	RR Comm 1	Yarbrough	29.9	60.3	37.1	4.7	13.1	5.4
2016	RR Comm 1	Garrett	19.2	26.6	46.9	4.7	13.1	5.4
2016	RR Comm 1	Burnam	50.9	13.0	15.9	4.7	13.1	5.4
2016	RR Comm 1 Runoff	Yarbrough	44.5	74.8	57.5	0.7	3.3	0.9
2016	RR Comm 1 Runoff	Garrett	55.5	25.2	42.5	0.7	3.3	0.9
2018	Comptroller	Mahoney	36.3	58.2	58.6	7.3	9.5	2.8
2018	Comptroller	Chevalier	63.7	41.8	41.4	7.3	9.5	2.8
2018	Governor	Other	3.2	7.2	9.6	9.1	9.5	3.1
2018	Governor	White	72.3	48.2	20.4	9.1	9.5	3.1
2018	Governor	Yarbrough	1.6	16.5	7.4	9.1	9.5	3.1
2018	Governor	Davis	1.8	21.1	8.5	9.1	9.5	3.1
2018	Governor	Valdez	19.0	9.2	46.4	9.1	9.5	3.1
2018	Governor	Ocegueda	2.1	3.7	7.7	9.1	9.5	3.1
2018	Governor Runoff	White	83.7	75.9	56.9	3.6	2.7	1.2
2018	Governor Runoff	Valdez	16.3	24.1	43.1	3.6	2.7	1.2
2018	Land Comm	Suazo	77.2	53.2	70.5	7.5	9.1	3.1
2018	Land Comm	Morgan	22.8	46.8	29.5	7.5	9.1	3.1
2018	Lt. Governor	Cooper	17.2	66.8	63.8	7.1	9.3	3.2
2018	Lt. Governor	Collier	82.8	33.2	36.2	7.1	9.3	3.2
2018	RR Comm 1	Spellmon	24.6	55.9	34.8	7.0	9.3	2.9
2018	RR Comm 1	McAllen	75.4	44.1	65.2	7.0	9.3	2.9
2018	U.S. Sen	Kimbrough	3.5	42.5	17.1	9.2	9.1	2.8
2018	U.S. Sen	Hernandez	5.8	28.9	39.9	9.2	9.1	2.8
2018	U.S. Sen	ORourke	90.7	28.6	43.0	9.2	9.1	2.8
2020	CCA 3	Wood	11.8	19.2	20.9	13.2	14.5	4.4
2020	CCA 3	DavisFrizell	70.3	58.8	61.6	13.2	14.5	4.4
2020	CCA 3	Demond	17.9	22.0	17.4	13.2	14.5	4.4
2020	CCA 4	Clinton	89.1	85.0	74.5	12.8	14.3	4.4

continued

2020	CCA 4	Miears	10.9	15.0	25.5	12.8	14.3	4.4
2020	President	Biden	41.6	46.1	15.7	17.7	16.2	6.1
2020	President	Warren	14.3	6.2	9.2	17.7	16.2	6.1
2020	President	Bloomberg	17.4	18.8	11.3	17.7	16.2	6.1
2020	President	Other	9.4	5.8	8.1	17.7	16.2	6.1
2020	President	Sanders	17.4	23.2	55.6	17.7	16.2	6.1
2020	RR Comm 1	Stone	23.1	26.6	10.0	12.7	14.1	5.4
2020	RR Comm 1	Castaneda	53.2	16.9	24.9	12.7	14.1	5.4
2020	RR Comm 1	Alonzo	16.2	28.9	53.8	12.7	14.1	5.4
2020	RR Comm 1	Watson	7.5	27.5	11.3	12.7	14.1	5.4
2020	RR Comm 1 Runoff	Castaneda	81.9	46.7	48.0	6.7	10.9	2.3
2020	RR Comm 1 Runoff	Alonzo	18.1	53.3	52.0	6.7	10.9	2.3
2020	Sup Ct 6	Praeger	30.7	29.4	31.4	13.5	14.5	4.4
2020	Sup Ct 6	Cheng	69.3	70.6	68.6	13.5	14.5	4.4
2020	Sup Ct 7	Williams	48.2	80.3	59.5	13.4	14.3	4.5
2020	Sup Ct 7	Voss	51.8	19.7	40.5	13.4	14.3	4.5
2020	Sup Ct 8	Triana	66.1	65.3	78.1	13.2	14.1	4.9
2020	Sup Ct 8	Kelly	33.9	34.7	21.9	13.2	14.1	4.9
2020	Sup Ct Chief	Zimmerer	17.6	28.1	39.3	14.3	15.2	4.0
2020	Sup Ct Chief	Meachum	82.4	71.9	60.7	14.3	15.2	4.0
2020	U.S. Sen	Edwards	12.2	30.6	9.0	14.8	14.9	5.6
2020	U.S. Sen	Other	32.8	39.6	46.7	14.8	14.9	5.6
2020	U.S. Sen	Garcia	3.0	6.4	19.6	14.8	14.9	5.6
2020	U.S. Sen	West	11.5	11.7	6.0	14.8	14.9	5.6
2020	U.S. Sen	Ramirez	6.5	3.4	10.2	14.8	14.9	5.6
2020	U.S. Sen	Hegar	34.0	8.4	8.5	14.8	14.9	5.6
2020	U.S. Sen Runoff	West	34.2	65.9	46.9	7.0	10.7	2.5
2020	U.S. Sen Runoff	Hegar	65.8	34.1	53.1	7.0	10.7	2.5

Notes: VTD election data from the Texas Legislative Council. Elections used in the analysis were Democratic primary and Democratic primary runoff elections for US President, US Senate, Governor, Lt. Governor, State Supreme Court, Court of Criminal Appeals, Comptroller, Land Commissioner, and Railroad Commissioner, for 2016, 2018, and 2020. Ecological Inference (EI) results estimated using the EI package in R.

Table A15: Primary Analysis - EI Estimates - DM1 CD33

Year	Election	Candidate	Estimated Percent Support			Estimated Turnout Rate		
			White	Black	Hispanic	White	Black	Hispanic
2016	President	Other	1.1	0.7	1.5	6.7	17.2	9.3
2016	President	Clinton	53.8	87.3	65.8	6.7	17.2	9.3
2016	President	Sanders	45.1	12.0	32.7	6.7	17.2	9.3
2016	RR Comm 1	Yarbrough	27.1	41.2	24.0	4.4	14.2	8.2
2016	RR Comm 1	Garrett	27.3	22.0	29.1	4.4	14.2	8.2
2016	RR Comm 1	Burnam	45.6	36.8	46.9	4.4	14.2	8.2
2016	RR Comm 1 Runoff	Yarbrough	57.0	69.6	63.8	0.5	1.2	0.9
2016	RR Comm 1 Runoff	Garrett	43.0	30.4	36.2	0.5	1.2	0.9
2018	Comptroller	Chevalier	57.1	39.3	43.5	4.3	9.1	3.7
2018	Comptroller	Mahoney	42.9	60.7	56.5	4.3	9.1	3.7
2018	Governor	Ocegueda	2.7	2.2	5.5	5.6	9.6	3.9
2018	Governor	Davis	5.9	21.4	7.8	5.6	9.6	3.9
2018	Governor	Yarbrough	3.0	4.5	5.9	5.6	9.6	3.9
2018	Governor	Other	8.3	6.9	10.2	5.6	9.6	3.9
2018	Governor	White	26.7	14.5	13.0	5.6	9.6	3.9
2018	Governor	Valdez	53.5	50.5	57.6	5.6	9.6	3.9
2018	Governor Runoff	Valdez	63.4	64.7	66.9	1.8	2.5	1.8
2018	Governor Runoff	White	36.6	35.3	33.1	1.8	2.5	1.8
2018	Land Comm	Suazo	70.2	57.5	67.6	4.9	8.9	3.7
2018	Land Comm	Morgan	29.8	42.5	32.4	4.9	8.9	3.7
2018	Lt. Governor	Collier	53.9	45.9	43.9	4.7	9.6	3.6
2018	Lt. Governor	Cooper	46.1	54.1	56.1	4.7	9.6	3.6
2018	RR Comm 1	McAllen	57.3	40.4	62.7	4.3	8.9	3.7
2018	RR Comm 1	Spellmon	42.7	59.6	37.3	4.3	8.9	3.7
2018	U.S. Sen	Kimbrough	10.3	29.7	16.6	6.0	8.7	3.5
2018	U.S. Sen	ORourke	72.6	39.7	47.8	6.0	8.7	3.5
2018	U.S. Sen	Hernandez	17.1	30.5	35.7	6.0	8.7	3.5
2020	CCA 3	DavisFrizell	80.9	64.6	61.6	9.5	13.9	5.6
2020	CCA 3	Wood	12.5	21.6	24.0	9.5	13.9	5.6
2020	CCA 3	Demond	6.6	13.8	14.4	9.5	13.9	5.6
2020	CCA 4	Miears	13.1	14.0	34.4	9.4	13.9	5.4

continued

2020	CCA 4	Clinton	86.9	86.0	65.6	9.4	13.9	5.4
2020	President	Other	8.4	4.9	9.5	10.7	16.9	7.5
2020	President	Warren	11.6	3.9	7.1	10.7	16.9	7.5
2020	President	Biden	37.1	52.5	18.9	10.7	16.9	7.5
2020	President	Sanders	33.8	25.3	51.0	10.7	16.9	7.5
2020	President	Bloomberg	9.0	13.4	13.5	10.7	16.9	7.5
2020	RR Comm 1	Castaneda	43.1	13.3	16.7	9.1	14.3	6.3
2020	RR Comm 1	Watson	14.4	35.4	15.3	9.1	14.3	6.3
2020	RR Comm 1	Stone	19.6	23.1	13.8	9.1	14.3	6.3
2020	RR Comm 1	Alonzo	22.8	28.2	54.2	9.1	14.3	6.3
2020	RR Comm 1 Runoff	Alonzo	27.6	53.4	52.2	4.5	11.5	3.0
2020	RR Comm 1 Runoff	Castaneda	72.4	46.6	47.8	4.5	11.5	3.0
2020	Sup Ct 6	Praeger	10.4	25.1	32.7	9.5	14.0	5.4
2020	Sup Ct 6	Cheng	89.6	74.9	67.3	9.5	14.0	5.4
2020	Sup Ct 7	Williams	63.0	77.9	53.5	9.1	14.6	5.6
2020	Sup Ct 7	Voss	37.0	22.1	46.5	9.1	14.6	5.6
2020	Sup Ct 8	Triana	79.7	56.1	63.7	9.6	13.8	5.4
2020	Sup Ct 8	Kelly	20.3	43.9	36.3	9.6	13.8	5.4
2020	Sup Ct Chief	Meachum	89.8	85.7	69.0	9.8	14.1	5.7
2020	Sup Ct Chief	Zimmerer	10.2	14.3	31.0	9.8	14.1	5.7
2020	U.S. Sen	West	11.7	55.1	9.4	8.6	16.3	6.7
2020	U.S. Sen	Ramirez	13.1	3.8	17.7	8.6	16.3	6.7
2020	U.S. Sen	Garcia	13.9	4.8	21.1	8.6	16.3	6.7
2020	U.S. Sen	Other	29.1	29.3	39.0	8.6	16.3	6.7
2020	U.S. Sen	Hegar	26.6	4.0	7.7	8.6	16.3	6.7
2020	U.S. Sen	Edwards	5.5	3.0	5.1	8.6	16.3	6.7
2020	U.S. Sen Runoff	Hegar	60.6	11.0	53.9	4.6	12.2	3.0
2020	U.S. Sen Runoff	West	39.4	89.0	46.1	4.6	12.2	3.0

Notes: VTD election data from the Texas Legislative Council. Elections used in the analysis were Democratic primary and Democratic primary runoff elections for US President, US Senate, Governor, Lt. Governor, State Supreme Court, Court of Criminal Appeals, Comptroller, Land Commissioner, and Railroad Commissioner, for 2016, 2018, and 2020. Ecological Inference (EI) results estimated using the EI package in R.

Table A16: Primary Analysis - EI Estimates - DM2 CD29

Year	Election	Candidate	Estimated Percent Support			Estimated Turnout Rate		
			White	Black	Hispanic	White	Black	Hispanic
2016	President	Sanders	59.4	15.2	23.3	6.1	10.2	9.0
2016	President	Other	2.9	1.6	1.1	6.1	10.2	9.0
2016	President	Clinton	37.7	83.1	75.7	6.1	10.2	9.0
2016	RR Comm 1	Yarbrough	34.7	57.1	38.8	4.7	7.4	6.4
2016	RR Comm 1	Garrett	31.6	28.8	43.1	4.7	7.4	6.4
2016	RR Comm 1	Burnam	33.7	14.1	18.1	4.7	7.4	6.4
2016	RR Comm 1 Runoff	Garrett	40.5	35.2	35.8	1.0	1.1	0.7
2016	RR Comm 1 Runoff	Yarbrough	59.5	64.8	64.2	1.0	1.1	0.7
2018	Comptroller	Chevalier	62.1	51.0	36.1	4.9	4.7	3.9
2018	Comptroller	Mahoney	37.9	49.0	63.9	4.9	4.7	3.9
2018	Governor	Ocegueda	6.0	5.1	6.4	5.9	6.0	4.1
2018	Governor	White	50.6	45.1	34.8	5.9	6.0	4.1
2018	Governor	Yarbrough	4.5	7.2	4.5	5.9	6.0	4.1
2018	Governor	Valdez	23.5	11.6	42.3	5.9	6.0	4.1
2018	Governor	Davis	7.2	21.4	6.5	5.9	6.0	4.1
2018	Governor	Other	8.3	9.5	5.5	5.9	6.0	4.1
2018	Governor Runoff	White	67.0	62.6	57.2	2.1	1.7	0.9
2018	Governor Runoff	Valdez	33.0	37.4	42.8	2.1	1.7	0.9
2018	Land Comm	Morgan	30.1	45.5	18.6	5.1	5.2	4.0
2018	Land Comm	Suazo	69.9	54.5	81.4	5.1	5.2	4.0
2018	Lt. Governor	Cooper	51.6	65.3	51.9	4.5	5.7	3.9
2018	Lt. Governor	Collier	48.4	34.7	48.1	4.5	5.7	3.9
2018	RR Comm 1	McAllen	62.3	40.7	72.3	4.5	5.3	3.9
2018	RR Comm 1	Spellmon	37.7	59.3	27.7	4.5	5.3	3.9
2018	U.S. Sen	Hernandez	24.9	28.7	30.7	6.4	5.3	3.8
2018	U.S. Sen	ORourke	61.8	37.0	55.1	6.4	5.3	3.8
2018	U.S. Sen	Kimbrough	13.3	34.3	14.2	6.4	5.3	3.8
2020	CCA 3	DavisFrizell	64.8	62.6	67.6	11.9	8.5	5.8
2020	CCA 3	Wood	16.8	19.2	15.7	11.9	8.5	5.8
2020	CCA 3	Demond	18.4	18.2	16.7	11.9	8.5	5.8
2020	CCA 4	Miears	20.6	17.2	13.4	12.4	8.2	5.6

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2020	CCA 4	Clinton	79.4	82.8	86.6	12.4	8.2	5.6
2020	President	Other	9.2	6.8	6.3	13.9	10.4	7.0
2020	President	Bloomberg	11.4	17.2	13.8	13.9	10.4	7.0
2020	President	Biden	31.7	52.2	21.7	13.9	10.4	7.0
2020	President	Warren	12.9	7.4	8.4	13.9	10.4	7.0
2020	President	Sanders	34.8	16.4	49.8	13.9	10.4	7.0
2020	RR Comm 1	Castaneda	43.3	17.1	30.3	11.8	8.4	6.2
2020	RR Comm 1	Watson	8.7	28.5	8.0	11.8	8.4	6.2
2020	RR Comm 1	Alonzo	24.5	26.4	51.9	11.8	8.4	6.2
2020	RR Comm 1	Stone	23.5	28.0	9.8	11.8	8.4	6.2
2020	RR Comm 1 Runoff	Castaneda	68.7	46.5	55.4	6.5	6.1	2.7
2020	RR Comm 1 Runoff	Alonzo	31.3	53.5	44.6	6.5	6.1	2.7
2020	Sup Ct 6	Cheng	67.7	69.3	76.4	12.5	7.9	5.8
2020	Sup Ct 6	Praeger	32.3	30.7	23.6	12.5	7.9	5.8
2020	Sup Ct 7	Williams	51.9	79.0	61.2	13.4	9.5	5.0
2020	Sup Ct 7	Voss	48.1	21.0	38.8	13.4	9.5	5.0
2020	Sup Ct 8	Triana	71.1	61.6	80.6	12.2	7.0	6.3
2020	Sup Ct 8	Kelly	28.9	38.4	19.4	12.2	7.0	6.3
2020	Sup Ct Chief	Meachum	78.8	77.1	67.1	12.7	8.4	5.6
2020	Sup Ct Chief	Zimmerer	21.2	22.9	32.9	12.7	8.4	5.6
2020	U.S. Sen	Ramirez	9.7	5.1	8.6	12.3	9.4	6.4
2020	U.S. Sen	Other	32.4	37.0	55.0	12.3	9.4	6.4
2020	U.S. Sen	West	7.7	13.2	6.4	12.3	9.4	6.4
2020	U.S. Sen	Hegar	28.2	10.5	8.8	12.3	9.4	6.4
2020	U.S. Sen	Garcia	11.1	7.0	13.5	12.3	9.4	6.4
2020	U.S. Sen	Edwards	10.9	27.1	7.7	12.3	9.4	6.4
2020	U.S. Sen Runoff	Hegar	69.2	32.7	53.9	6.7	7.0	2.6
2020	U.S. Sen Runoff	West	30.8	67.3	46.1	6.7	7.0	2.6

Notes: VTD election data from the Texas Legislative Council. Elections used in the analysis were Democratic primary and Democratic primary runoff elections for US President, US Senate, Governor, Lt. Governor, State Supreme Court, Court of Criminal Appeals, Comptroller, Land Commissioner, and Railroad Commissioner, for 2016, 2018, and 2020. Ecological Inference (EI) results estimated using the EI package in R.

Table A17: Primary Analysis - EI Estimates - DM2 CD33

Year	Election	Candidate	Estimated Percent Support			Estimated Turnout Rate		
			White	Black	Hispanic	White	Black	Hispanic
2016	President	Other	0.7	0.5	1.8	8.4	16.4	8.8
2016	President	Clinton	56.0	89.5	53.8	8.4	16.4	8.8
2016	President	Sanders	43.3	9.9	44.5	8.4	16.4	8.8
2016	RR Comm 1	Garrett	19.1	20.1	37.5	5.3	12.2	10.5
2016	RR Comm 1	Yarbrough	22.0	45.0	31.3	5.3	12.2	10.5
2016	RR Comm 1	Burnam	58.8	34.9	31.2	5.3	12.2	10.5
2016	RR Comm 1 Runoff	Yarbrough	56.2	70.6	59.5	0.4	1.0	1.1
2016	RR Comm 1 Runoff	Garrett	43.8	29.4	40.5	0.4	1.0	1.1
2018	Comptroller	Mahoney	43.3	62.9	59.4	5.5	7.4	6.3
2018	Comptroller	Chevalier	56.7	37.1	40.6	5.5	7.4	6.3
2018	Governor	Davis	4.3	25.6	12.0	6.5	8.3	5.8
2018	Governor	Valdez	53.9	49.5	45.1	6.5	8.3	5.8
2018	Governor	Ocegueda	2.6	2.2	5.8	6.5	8.3	5.8
2018	Governor	Other	8.0	6.3	11.1	6.5	8.3	5.8
2018	Governor	Yarbrough	2.6	4.1	7.1	6.5	8.3	5.8
2018	Governor	White	28.5	12.5	18.9	6.5	8.3	5.8
2018	Governor Runoff	White	40.8	37.1	37.4	2.2	2.1	2.7
2018	Governor Runoff	Valdez	59.2	62.9	62.6	2.2	2.1	2.7
2018	Land Comm	Morgan	26.2	41.6	42.4	5.9	6.8	6.9
2018	Land Comm	Suazo	73.8	58.4	57.6	5.9	6.8	6.9
2018	Lt. Governor	Cooper	41.8	57.3	53.1	5.5	7.7	6.2
2018	Lt. Governor	Collier	58.2	42.7	46.9	5.5	7.7	6.2
2018	RR Comm 1	McAllen	62.1	39.5	46.1	5.3	7.2	6.1
2018	RR Comm 1	Spellmon	37.9	60.5	53.9	5.3	7.2	6.1
2018	U.S. Sen	Hernandez	10.0	33.6	41.1	6.8	7.9	4.8
2018	U.S. Sen	ORourke	83.0	33.5	33.6	6.8	7.9	4.8
2018	U.S. Sen	Kimbrough	7.0	32.9	25.3	6.8	7.9	4.8
2020	CCA 3	Wood	11.1	21.6	24.1	10.5	13.0	6.9
2020	CCA 3	Demond	6.3	11.5	19.8	10.5	13.0	6.9
2020	CCA 3	DavisFrizell	82.6	66.8	56.1	10.5	13.0	6.9
2020	CCA 4	Clinton	87.2	88.4	60.4	10.1	13.2	7.3

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2020	CCA 4	Miears	12.8	11.6	39.6	10.1	13.2	7.3
2020	President	Sanders	27.8	25.2	48.6	12.8	15.5	10.0
2020	President	Warren	13.0	3.1	7.8	12.8	15.5	10.0
2020	President	Bloomberg	10.7	12.2	13.0	12.8	15.5	10.0
2020	President	Biden	39.3	55.1	20.5	12.8	15.5	10.0
2020	President	Other	9.2	4.5	10.1	12.8	15.5	10.0
2020	RR Comm 1	Stone	22.2	21.2	21.6	10.4	12.9	8.6
2020	RR Comm 1	Castaneda	41.5	12.1	19.6	10.4	12.9	8.6
2020	RR Comm 1	Watson	13.6	35.4	20.3	10.4	12.9	8.6
2020	RR Comm 1	Alonzo	22.6	31.3	38.5	10.4	12.9	8.6
2020	RR Comm 1 Runoff	Castaneda	74.2	44.7	50.0	5.7	10.3	5.5
2020	RR Comm 1 Runoff	Alonzo	25.8	55.3	50.0	5.7	10.3	5.5
2020	Sup Ct 6	Praeger	13.8	24.3	28.0	10.8	12.9	8.0
2020	Sup Ct 6	Cheng	86.2	75.7	72.0	10.8	12.9	8.0
2020	Sup Ct 7	Williams	65.7	78.9	51.3	10.2	13.8	7.7
2020	Sup Ct 7	Voss	34.3	21.1	48.7	10.2	13.8	7.7
2020	Sup Ct 8	Kelly	22.6	43.5	39.8	10.7	12.9	7.0
2020	Sup Ct 8	Triana	77.4	56.5	60.2	10.7	12.9	7.0
2020	Sup Ct Chief	Zimmerer	8.8	11.2	41.3	11.2	12.9	7.7
2020	Sup Ct Chief	Meachum	91.2	88.8	58.7	11.2	12.9	7.7
2020	U.S. Sen	Hegar	25.1	3.2	8.8	10.7	14.7	9.0
2020	U.S. Sen	West	18.3	56.2	16.2	10.7	14.7	9.0
2020	U.S. Sen	Other	27.6	28.6	37.8	10.7	14.7	9.0
2020	U.S. Sen	Ramirez	13.6	3.8	10.2	10.7	14.7	9.0
2020	U.S. Sen	Edwards	5.5	3.2	6.9	10.7	14.7	9.0
2020	U.S. Sen	Garcia	9.8	4.9	20.1	10.7	14.7	9.0
2020	U.S. Sen Runoff	Hegar	56.6	10.6	36.7	6.3	11.1	5.3
2020	U.S. Sen Runoff	West	43.4	89.4	63.3	6.3	11.1	5.3

Notes: VTD election data from the Texas Legislative Council. Elections used in the analysis were Democratic primary and Democratic primary runoff elections for US President, US Senate, Governor, Lt. Governor, State Supreme Court, Court of Criminal Appeals, Comptroller, Land Commissioner, and Railroad Commissioner, for 2016, 2018, and 2020. Ecological Inference (EI) results estimated using the EI package in R.

Appendix B

STEPHEN DANIEL ANSOLABEHERE

Department of Government
Harvard University
1737 Cambridge Street
Cambridge, MA 02138
sda@gov.harvard.edu

EDUCATION

Harvard University	Ph.D., Political Science	1989
University of Minnesota	B.A., Political Science B.S., Economics	1984

PROFESSIONAL EXPERIENCE

ACADEMIC POSITIONS

2016-present	Frank G. Thompson Professor of Government, Harvard University
2008-present	Professor, Department of Government, Harvard University
2015-present	Director, Center for American Politics, Harvard University
1998-2009	Elting Morison Professor, Department of Political Science, MIT (Associate Head, 2001-2005)
1995-1998	Associate Professor, Department of Political Science, MIT
1993-1994	National Fellow, The Hoover Institution
1989-1993	Assistant Professor, Department of Political Science, University of California, Los Angeles

FELLOWSHIPS AND HONORS

American Academy of Arts and Sciences	2007
Carnegie Scholar	2000-02
National Fellow, The Hoover Institution	1993-94
Harry S. Truman Fellowship	1982-86

PUBLICATIONS

Books

2022 *American Government*, 17th edition. With Ted Lowi, Benjamin Ginsberg and Kenneth Shepsle. W.W. Norton.

2014 *Cheap and Clean: How Americans Think About Energy in the Age of Global Warming*. With David Konisky. MIT Press. Recipient of the Donald K. Price book award.

2008 *The End of Inequality: One Person, One Vote and the Transformation of American Politics*. With James M. Snyder, Jr., W. W. Norton.

1996 *Going Negative: How Political Advertising Divides and Shrinks the American Electorate*. With Shanto Iyengar. The Free Press. Recipient of the Goldsmith book award.

1993 *Media Game: American Politics in the Television Age*. With Roy Behr and Shanto Iyengar. Macmillan.

Journal Articles

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2016 Revisiting Public Opinion on Voter Identification and Voter Fraud in an Era of

Increasing Partisan Polarization*"* (with Nathaniel Persily) *Stanford Law Review* 68: 1455-1489

2015 "The Perils of Cherry Picking Low Frequency Events in Large Sample Surveys" (with Brian Schaffner and Samantha Luks) *Electoral Studies* 40 (December): 409-410.

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1991 "The Vanishing Marginals and Electoral Responsiveness," (with David Brady and Morris Fiorina) *British Journal of Political Science* 22 (November): 21-38.

1991 "Mass Media and Elections: An Overview," (with Roy Behr and Shanto Iyengar) *American Politics Quarterly* 19/1 (January): 109-139.

1990 "The Limits of Unraveling in Interest Groups," *Rationality and Society* 2: 394-400.

1990 "Measuring the Consequences of Delegate Selection Rules in Presidential Nominations," (with Gary King) *Journal of Politics* 52: 609-621.

1989 "The Nature of Utility Functions in Mass Publics," (with Henry Brady) *American Political Science Review* 83: 143-164.

Special Reports and Policy Studies

2010 *The Future of Nuclear Power*, Revised.

2006 *The Future of Coal.* MIT Press. Continued reliance on coal as a primary power source will lead to very high concentrations of carbon dioxide in the atmosphere, resulting in global warming. This cross-disciplinary study – drawing on faculty from Physics, Economics, Chemistry, Nuclear Engineering, and Political Science – develop a road map for technology research and development policy in order to address the challenges of carbon emissions from expanding use of coal for electricity and heating throughout the world.

2003 *The Future of Nuclear Power.* MIT Press. This cross-disciplinary study – drawing on faculty from Physics, Economics, Chemistry, Nuclear Engineering, and Political Science – examines the what contribution nuclear power can make to meet growing electricity demand, especially in a world with increasing carbon dioxide emissions from fossil fuel power plants.

2002 "Election Day Registration." A report prepared for DEMOS. This report analyzes the possible effects of Proposition 52 in California based on the experiences of 6 states with election day registration.

2001 *Voting: What Is, What Could Be.* A report of the Caltech/MIT Voting Technology Project. This report examines the voting system, especially technologies for casting and counting votes, registration systems, and polling place operations, in the United States. It was widely used by state and national governments in formulating election reforms following the 2000 election.

2001 "An Assessment of the Reliability of Voting Technologies." A report of the Caltech/MIT Voting Technology Project. This report provided the first nationwide assessment of voting equipment performance in the United States. It was prepared for the Governor's Select Task Force on Election Reform in Florida.

Chapters in Edited Volumes

2016 "Taking the Study of Public Opinion Online" (with Brian Schaffner) *Oxford Handbook of Public Opinion*, R. Michael Alvarez, ed. Oxford University Press: New York, NY.

2014 "Voter Registration: The Process and Quality of Lists*" The Measure of American Elections*, Barry Burden, ed..

2012 "Using Recounts to Measure the Accuracy of Vote Tabulations: Evidence from New Hampshire Elections, 1946-2002" in Confirming Elections, R. Michael Alvarez, Lonna Atkeson, and Thad Hall, eds. New York: Palgrave, Macmillan.

2010 "Dyadic Representation" in Oxford Handbook on Congress, Eric Schickler, ed., Oxford University Press.

2008 "Voting Technology and Election Law" in *America Votes!,* Benjamin Griffith, editor, Washington, DC: American Bar Association.

2007 "What Did the Direct Primary Do to Party Loyalty in Congress" (with Shigeo Hirano and James M. Snyder Jr.) in *Process, Party and Policy Making: Further New Perspectives on the History of Congress*, David Brady and Matthew D. McCubbins (eds.), Stanford University Press, 2007.

2007 "Election Administration and Voting Rights" in *Renewal of the Voting Rights Act*, David Epstein and Sharyn O'Hallaran, eds. Russell Sage Foundation.

2006 "The Decline of Competition in Primary Elections," (with John Mark Hansen, Shigeo Hirano, and James M. Snyder, Jr.) *The Marketplace of Democracy*, Michael P. McDonald and John Samples, eds. Washington, DC: Brookings.

2005 "Voters, Candidates and Parties" in *Handbook of Political Economy*, Barry Weingast and Donald Wittman, eds. New York: Oxford University Press.

2003 "Baker v. Carr in Context, 1946 – 1964" (with Samuel Isaacharoff) in *Constitutional Cases in Contex*t, Michael Dorf, editor. New York: Foundation Press.

2002 "Corruption and the Growth of Campaign Spending"(with Alan Gerber and James Snyder). *A User's Guide to Campaign Finance*, Jerry Lubenow, editor. Rowman and Littlefield.

2001 "The Paradox of Minimal Effects," in Henry Brady and Richard Johnston, eds., *Do Campaigns Matter*? University of Michigan Press.

2001 "Campaigns as Experiments," in Henry Brady and Richard Johnson, eds., Do *Campaigns Matter*? University of Michigan Press.

2000 "Money and Office," (with James Snyder) in David Brady and John Cogan, eds., *Congressional Elections: Continuity and Change*. Stanford University Press.

1996 "The Science of Political Advertising," (with Shanto Iyengar) in *Political Persuasion and Attitude Change*, Richard Brody, Diana Mutz, and Paul Sniderman, eds. Ann Arbor, MI: University of Michigan Press.

1995 "Evolving Perspectives on the Effects of Campaign Communication," in Philo Warburn, ed., *Research in Political Sociology*, vol. 7, JAI.

1995 "The Effectiveness of Campaign Advertising: It's All in the Context," (with Shanto Iyengar) in *Campaigns and Elections American Style*, Candice Nelson and James A. Thurber, eds. Westview Press.

1993 "Information and Electoral Attitudes: A Case of Judgment Under Uncertainty," (with Shanto Iyengar), in *Explorations in Political Psychology*, Shanto Iyengar and William McGuire, eds. Durham: Duke University Press.

Working Papers

2009 "Sociotropic Voting and the Media" (with Marc Meredith and Erik Snowberg), American National Election Study Pilot Study Reports, John Aldrich editor.

2007 "Public Attitudes Toward America's Energy Options: Report of the 2007 MIT Energy Survey" CEEPR Working Paper 07-002 and CANES working paper.

2006 "Constituents' Policy Perceptions and Approval of Members' of Congress" CCES Working Paper 06-01 (with Phil Jones).

2004 "Using Recounts to Measure the Accuracy of Vote Tabulations: Evidence from New Hampshire Elections, 1946 to 2002" (with Andrew Reeves).

2002 "Evidence of Virtual Representation: Reapportionment in California," (with Ruimin He and James M. Snyder).

1999 "Why did a majority of Californians vote to lower their own power?" (with James Snyder and Jonathan Woon). Paper presented at the annual meeting of the American Political Science Association, Atlanta, GA, September, 1999.
Paper received the award for the best paper on Representation at the 1999 Annual Meeting of the APSA.

1999 "Has Television Increased the Cost of Campaigns?" (with Alan Gerber and James Snyder).

1996 "Money, Elections, and Candidate Quality," (with James Snyder).

1996 "Party Platform Choice - Single- Member District and Party-List Systems,"(with James Snyder).

1995 "Messages Forgotten" (with Shanto Iyengar).

1994 "Consumer Contributors and the Returns to Fundraising: A Microeconomic Analysis," (with Alan Gerber), presented at the Annual Meeting of the American Political Science Association, September.

1992 "Biases in Ecological Regression," (with R. Douglas Rivers) August, (revised February 1994). Presented at the Midwest Political Science Association Meetings, April 1994, Chicago, IL.

1992 "Using Aggregate Data to Correct Nonresponse and Misreporting in Surveys" (with R. Douglas Rivers). Presented at the annual meeting of the Political Methodology Group, Cambridge, Massachusetts, July.

1991 "The Electoral Effects of Issues and Attacks in Campaign Advertising" (with Shanto Iyengar). Presented at the Annual Meeting of the American Political Science Association, Washington, DC.

1991 "Television Advertising as Campaign Strategy: Some Experimental Evidence" (with Shanto Iyengar). Presented at the Annual Meeting of the American Association for Public Opinion Research, Phoenix.

1991 "Why Candidates Attack: Effects of Televised Advertising in the 1990 California Gubernatorial Campaign," (with Shanto Iyengar). Presented at the Annual Meeting of the Western Political Science Association, Seattle, March.

1990 "Winning is Easy, But It Sure Ain't Cheap." Working Paper #90-4, Center for the American Politics and Public Policy, UCLA. Presented at the Political Science Departments at Rochester University and the University of Chicago.

Research Grants

1989-1990 Markle Foundation. "A Study of the Effects of Advertising in the 1990 California Gubernatorial Campaign." Amount: $50,000

1991-1993 Markle Foundation. "An Experimental Study of the Effects of Campaign Advertising." Amount: $150,000

1991-1993	NSF. "An Experimental Study of the Effects of Advertising in the 1992 California Senate Electoral." Amount: $100,000
1994-1995	MIT Provost Fund. "Money in Elections: A Study of the Effects of Money on Electoral Competition." Amount: $40,000
1996-1997	National Science Foundation. "Campaign Finance and Political Representation." Amount: $50,000
1997	National Science Foundation. "Party Platforms: A Theoretical Investigation of Party Competition Through Platform Choice." Amount: $40,000
1997-1998	National Science Foundation. "The Legislative Connection in Congressional Campaign Finance. Amount: $150,000
1999-2000	MIT Provost Fund. "Districting and Representation." Amount: $20,000.
1999-2002	Sloan Foundation. "Congressional Staff Seminar." Amount: $156,000.
2000-2001	Carnegie Corporation. "The Caltech/MIT Voting Technology Project." Amount: $253,000.
2001-2002	Carnegie Corporation. "Dissemination of Voting Technology Information." Amount: $200,000.
2003-2005	National Science Foundation. "State Elections Data Project." Amount: $256,000.
2003-2004	Carnegie Corporation. "Internet Voting." Amount: $279,000.
2003-2005	Knight Foundation. "Accessibility and Security of Voting Systems." Amount: $450,000.
2006-2008	National Science Foundation, "Primary Election Data Project," $186,000
2008-2009	Pew/JEHT. "Measuring Voting Problems in Primary Elections, A National Survey." Amount: $300,000
2008-2009	Pew/JEHT. "Comprehensive Assessment of the Quality of Voter Registration Lists in the United States: A pilot study proposal" (with Alan Gerber). Amount: $100,000.
2010-2011	National Science Foundation, "Cooperative Congressional Election Study," $360,000

2010-2012	Sloan Foundation, "Precinct-Level U. S. Election Data," $240,000.
2012-2014	National Science Foundation, "Cooperative Congressional Election Study, 2010-2012 Panel Study" $425,000
2012-2014	National Science Foundation, "2012 Cooperative Congressional Election Study," $475,000
2014-2016	National Science Foundation, "Cooperative Congressional Election Study, 2010-2014 Panel Study" $510,000
2014-2016	National Science Foundation, "2014 Cooperative Congressional Election Study," $400,000
2016-2018	National Science Foundation, "2016 Cooperative Congressional Election Study," $485,000
2018-2020	National Science Foundation, "2018 Cooperative Congressional Election Study," $844,784.
2019-2022	National Science Foundation, RIDIR: "Collaborative Research: Analytic Tool for Poststratification and small-area estimation for survey data." $942,607

Professional Boards

Editor, Cambridge University Press Book Series, Political Economy of Institutions and Decisions, 2006-2016

Member, Board of the Reuters International School of Journalism, Oxford University, 2007 to present.

Member, Academic Advisory Board, Electoral Integrity Project, 2012 to present.

Contributing Editor, *Boston Review*, The State of the Nation.

Member, Board of Overseers, American National Election Studies, 1999 - 2013.

Associate Editor, Public Opinion Quarterly, 2012 to 2013.

Editorial Board of Harvard Data Science Review, 2018 to present.
Editorial Board of American Journal of Political Science, 2005 to 2009.
Editorial Board of Legislative Studies Quarterly, 2005 to 2010.
Editorial Board of Public Opinion Quarterly, 2006 to present.
Editorial Board of the Election Law Journal, 2002 to present.

Editorial Board of the Harvard International Journal of Press/Politics, 1996 to 2008.
Editorial Board of Business and Politics, 2002 to 2008.
Scientific Advisory Board, Polimetrix, 2004 to 2006.

Special Projects and Task Forces

Principal Investigator, Cooperative Congressional Election Study, 2005 – present.

CBS News Election Decision Desk, 2006-present

Co-Director, Caltech/MIT Voting Technology Project, 2000-2004.

Co-Organizer, MIT Seminar for Senior Congressional and Executive Staff, 1996-2007.

MIT Energy Innovation Study, 2009-2010.
MIT Energy Initiative, Steering Council, 2007-2008
MIT Coal Study, 2004-2006.
MIT Energy Research Council, 2005-2006.
MIT Nuclear Study, 2002-2004.
Harvard University Center on the Environment, Council, 2009-present

Expert Witness, Consultation, and Testimony

2001	Testimony on Election Administration, U. S. Senate Committee on Commerce.
2001	Testimony on Voting Equipment, U.S. House Committee on Science, Space, and Technology
2001	Testimony on Voting Equipment, U.S. House Committee on House Administration
2001	Testimony on Voting Equipment, Congressional Black Caucus
2002-2003	*McConnell v. FEC*, 540 U.S. 93 (2003), consultant to the Brennan Center.
2009	Amicus curiae brief with Professors Nathaniel Persily and Charles Stewart on behalf of neither party to the U.S. Supreme Court in the case of *Northwest Austin Municipal Utility District Number One v. Holder*, 557 U.S. 193 (2009).
2009	Testimony on Voter Registration, U. S. Senate Committee on Rules.
2011-2015	*Perez v. Perry*, U. S. District Court in the Western District of Texas (No. 5:11-cv-00360). Exert witness on behalf of Rodriguez intervenors.
2011-2013	*State of Texas v. United States,* the U.S. District Court in the District of Columbia (No. 1:11-cv-01303), expert witness on behalf of the Gonzales intervenors.
2012-2013	*State of Texas v. Holder*, U.S. District Court in the District of Columbia (No. 1:12-cv-00128), expert witness on behalf of the United States.
2011-2012	*Guy v. Miller* in U.S. District Court for Nevada (No. 11-OC-00042-1B), expert witness on behalf of the Guy plaintiffs.
2012	*In re Senate Joint Resolution of Legislative Apportionment*, Florida Supreme

	Court (Nos. 2012-CA-412, 2012-CA-490), consultant for the Florida Democratic Party.
2012-2014	*Romo v. Detzner*, Circuit Court of the Second Judicial Circuit in Florida (No. 2012 CA 412), expert witness on behalf of Romo plaintiffs.
2013-2014	*LULAC v. Edwards Aquifer Authority*, U.S. District Court for the Western District of Texas, San Antonio Division (No. 5:12cv620-OLG,), consultant and expert witness on behalf of the City of San Antonio and San Antonio Water District
2013-2014	*Veasey v. Perry*, U. S. District Court for the Southern District of Texas, Corpus Christi Division (No. 2:13-cv-00193), consultant and expert witness on behalf of the United States Department of Justice.
2013-2015	*Harris v. McCrory,* U. S. District Court for the Middle District of North Carolina (No. 1:2013cv00949), consultant and expert witness on behalf of the Harris plaintiffs. (later named *Cooper v. Harris*)
2014	Amicus curiae brief, on behalf of neither party, Supreme Court of the United States, *Alabama Democratic Conference v. State of Alabama*.
2014- 2016	*Bethune-Hill v. Virginia State Board of Elections*, U. S. District Court for the Eastern District of Virginia (No. 3:2014cv00852), consultant and expert on behalf of the Bethune-Hill plaintiffs.
2015	Amicus curiae brief in support of Appellees, Supreme Court of the United States, *Evenwell v. Abbott*
2016-2017	*Perez v. Abbott*, U. S. District Court in the Western District of Texas (No. 5:11-cv-00360). Exert witness on behalf of Rodriguez intervenors.
2017-2018	*Fish v. Kobach*, U. S. District Court in the District of Kansas (No. 2:16-cv-02105-JAR). Expert witness on behalf of the Fish plaintiffs.
2020	*Voto Latino, et al. v. Hobbs*, in the U.S. District Court for the District of Arizona (No. 2:19-cv-05685-DWL).
2020	*Wood v. Raffensperger*, in Fulton County, Georgia, Superior Court, (No. 2020CV342959).
2021	Consultant to the Arizona Independent Redistricting Commission.
2021	*Johnson v. Wisconsin Elections Commission*, in the Wisconsin Supreme Court, (No. 2021AP1450-AO).
2022	*Harkenrider v. Hochul*, No. E2022-0116CV (N.Y. Sup. Ct. 2022). Expert witness on behalf of the Senate Majority Leader.
2022	*Black Voters Matter Capacity Building Institute, Inc. v. Lee*, No. 2022-ca-000666 (Fla. Cir. Ct. 2022). Expert witness on behalf of the Black Voters Matter Capacity Building Inc. Plaintiffs.

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

LEAGUE OF UNITED LATIN AMERICAN CITIZENS, et al., Plaintiffs v. GREG ABBOTT, et al., Defendants.	Civil Action Lead Case No.: 3:21-CV-00259-DCG-JES-JVB
ROSALINDA RAMOS ABUABARA, AKILAH BACY, ORLANDO FLORES, MARILENA GARZA, CECILIA GONZALES, AGUSTIN LOREDO, CINIA MONTOYA, ANA RAMÓN, JANA LYNNE SANCHEZ, JERRY SHAFER, DEBBIE LYNN SOLIS, ANGEL ULLOA, MARY URIBE, LUZ MORENO, and MARIA MONTES; Plaintiffs, v. JOHN SCOTT, in his official capacity as Texas Secretary of State, and GREGORY WAYNE ABBOTT, in his official capacity as the Governor of Texas; Defendants.	Consolidated Case No.: 1:21-CV-00965-RP-JES-JVB

~~SECOND~~ [PROPOSED] THIRD AMENDED COMPLAINT
FOR DECLARATORY AND INJUNCTIVE RELIEF

Plaintiffs Rosalinda Ramos Abuabara, Akilah Bacy, Orlando Flores, Marilena Garza, Cecilia Gonzales, Agustin Loredo, Cinia Montoya, Ana Ramón, Jana Lynne Sanchez, Jerry Schafer, Debbie Lynn Solis, Angel Ulloa, Mary Uribe, Luz Moreno, and Maria Montes file this

Complaint for Declaratory and Injunctive Relief against Defendants John Scott in his capacity as Texas Secretary of State and Gregory Wayne Abbott in his capacity as Governor of the State of Texas, and allege as follows:

1. Plaintiffs bring this voting rights action to challenge Texas Senate Bill 6 and House Bill 1, which establish new congressional and state House districts for Texas based on the 2020 census, on the grounds that they violate Section 2 of the Voting Rights Act, 52 U.S.C. § 10301, because they strategically crack and pack Texas communities of color. Senate Bill 6 and House Bill 1 particularly dilute the voting power of Texas's Latino and Black communities to ensure that white Texans, who now make up less than 40 percent of Texas's population, nevertheless form a majority of eligible voters in more than 60 percent of Texas's congressional districts and nearly 60 percent of Texas's House districts.

2. Ninety-five percent of Texas's population growth between 2010 and 2020 came from communities of color. Black, Latino, and Asian communities all grew far faster than Texas's white population, with the Latino community growing fastest of all. As a direct result of this growth, Texas was apportioned two additional congressional seats.

3. Yet Senate Bill 6 appropriates those additional congressional districts—and more—for white Texans. By doing so, Senate Bill 6 allows white Texans to choose representatives for congressional seats that exist only because of population growth in communities of color. Senate Bill 6 does so by packing and cracking communities of color along racial lines to ensure that those groups' growing populations will not translate to increased political influence.

4. Section 2 of the Voting Rights Act prohibits this absurd result. There is widespread racially polarized voting in Texas. Latino and Black Voters across the state consistently and

cohesively favor particular candidates for office, but those candidates are repeatedly defeated as a result of bloc voting by white Texans.

5. Latino communities in south and west Texas, from the border region north to Bexar County and south to the Gulf of Mexico (hereinafter "South and West Texas"), are sufficiently numerous and geographically compact to form a majority of eligible voters in at least eight congressional districts in the region—two more than Senate Bill 6 provides in that region. And this may be done without reducing the number of other districts in the region or statewide in which Latino communities are able to elect their representatives of choice. Senate Bill 6 also strategically draws at least one of the Latino-majority districts—CD23—to ensure that Latino Texans, despite their numerical majority, will rarely if ever succeed in electing their representatives of choice.

6. Moreover, Senate Bill 6 improperly cracks and packs Latino and Black voters in convoluted districts in the Dallas–Fort Worth and Houston metropolitan areas, to avoid creating either an additional district in each metropolitan area in which a majority of eligible voters are Latino or an additional, more compact district in each metropolitan area in which coalitions of Latino and Black voters would form a majority and have the opportunity to elect their representatives of choice.

7. House Bill 1 improperly cracks and packs Latino voters in Harris County, to avoid creating an additional House district in which a majority of eligible voters are Latino, and improperly cracks and packs Latino and Black voters in Tarrant County in convoluted districts with twisting lines to avoid creating an additional, more compact district in which coalitions of Latino and Black voters would form a majority and have the opportunity to elect their representatives of choice.

8. Latino and Black voters in Texas have suffered from a long history of marginalization and discrimination, including, as here, the dilution of their voting strength through redistricting. Latino Texans now make up almost as large a proportion of Texas's population as white Texans, yet they have been systematically denied an equal opportunity to elect representatives of their choice. The result is a persistent neglect of their needs and concerns. As evidenced by an array of factors, such as the history of racial discrimination in voting, the perpetuation of racial appeals in Texas elections, and the socio-economic effects of decades of discrimination against Latino and Black Texans that hinder their ability to participate effectively in the political process, Texas's failure to create at least eight performing majority-Latino congressional districts in South and West Texas, plus additional districts in Dallas–Fort Worth and Houston in which either a majority of eligible voters are Latino or coalitions of Latino and Black Texans would have a reasonable opportunity to elect their representatives of choice, has resulted in the dilution of Latino and Black voting strength in violation of Section 2.

9. Accordingly, Plaintiffs seek an order (i) declaring that Senate Bill 6 and House Bill 1 violate Section 2 of the Voting Rights Act; (ii) enjoining Defendants from conducting future elections under Senate Bill 6 and House Bill 1; (iii) ordering a congressional redistricting plan that includes eight congressional districts in South and West Texas in which Latino voters have a reasonable opportunity to elect their candidate of choice, without reducing the number of other districts in which Latino voters may already do so, plus additional districts in Dallas–Fort Worth and Houston in which either Latino Texans or Latino and Black Texans together have a reasonable opportunity to elect their representatives of choice; (iv) ordering a state House redistricting plan that includes an additional district in Tarrant County in which Latino and Black Texans have a reasonable opportunity to elect their candidates of choice, and an additional district in Harris

County in which Latino Texans have a reasonable opportunity to elect their candidates of choice, and (v) providing such additional relief as is appropriate.

JURISDICTION AND VENUE

10. Plaintiffs bring this action under Section 2 of the Voting Rights Act, 52 U.S.C. § 10301.

11. This Court has original jurisdiction over the subject matter of this action under 28 U.S.C. §§ 1331 and 1343 because the matters in controversy arise under the laws of the United States and involve the assertion of deprivation, under color of state law, of rights under federal law.

12. This Court has personal jurisdiction over Defendants, who reside in Texas and are sued in their official capacities, pursuant to Fed. R. Civ. P. 4(k)(1)(A).

13. Venue is proper in this Court and this Division under 28 U.S.C. §§ 124(d)(1) and 1391(b) because a substantial part of the events that give rise to Plaintiffs' claims occurred in this judicial district.

14. This Court has the authority to enter declaratory and injunctive relief under Federal Rules of Civil Procedure 57 and 65 and 28 U.S.C. §§ 2201 and 2202.

PARTIES

15. Plaintiff Rosalinda Ramos Abuabara is a Latina citizen of the United States and of the State of Texas, a registered voter, and a resident of San Antonio, in Bexar County. Under Senate Bill 6, she resides in Texas's 23rd congressional district ("CD23"). Ms. Abuabara intends to vote in future congressional elections in CD23, or in any other district in which she is eligible to vote.

16. Plaintiff Akilah Bacy is an African-American citizen of the United States and of the State of Texas, a registered voter, and a resident of Houston, in Harris County. Under Senate

Bill 6, she resides in Texas's 38th congressional district ("CD38"). Ms. Bacy intends to vote in future congressional elections in CD38, or in any other district in which she is eligible to vote.

17. Plaintiff Orlando Flores is a Latino citizen of the United States and of the State of Texas, a registered voter, and a resident of Fabens, in El Paso County. Under Senate Bill 6, he resides in CD23. Mr. Flores intends to vote in future congressional elections in CD23, or in any other district in which he is eligible to vote.

18. Plaintiff Marilena Garza is a Latina citizen of the United States and of the State of Texas, a registered voter, and a resident of Corpus Christi, in Nueces County. Under Senate Bill 6, she resides in Texas's 27th congressional district ("CD27"). Ms. Garza intends to vote in future congressional elections in CD27, or in any other district in which he is eligible to vote.

19. Plaintiff Cecilia Gonzales is a Latina citizen of the United States and of the State of Texas, a registered voter, and a resident of Arlington, in Tarrant County. Under Senate Bill 6, she resides in Texas's 25th congressional district ("CD25"). Under House Bill 1, she resides in Texas's 94th house district ("HD94"). Ms. Gonzales intends to vote in future congressional elections in CD25 and house elections in HD94, or in any other districts in which she is eligible to vote.

20. Plaintiff Agustin Loredo is a Latino citizen of the United States and of the State of Texas, a registered voter, and a resident of Baytown, in Harris County. Under Senate Bill 6, he resides in Texas's 36th congressional district ("CD36"). Under House Bill 1, he resides in Texas's 143rd house district ("HD143"). Mr. Loredo intends to vote in future congressional elections in CD36 and house elections in HD143, or in any other districts in which he is eligible to vote.

21. Plaintiff Cinia Montoya is a Latina citizen of the United States and of the State of Texas, a registered voter, and a resident of Corpus Christi, in Nueces County. Under Senate Bill

6, she resides in CD27. Ms. Montoya intends to vote in future congressional elections in CD27, or in any other district in which she is eligible to vote.

22. Plaintiff Ana Ramón is a Latina citizen of the United States and of the State of Texas, a registered voter, and a resident of San Antonio, in Bexar County. Under Senate Bill 6, she resides in Texas's 21st congressional district ("CD21"). Ms. Ramón intends to vote in future congressional elections in CD21, or in any other district in which she is eligible to vote.

23. Plaintiff Jana Lynne Sanchez is a Latina citizen of the United States and of the State of Texas, a registered voter, and a resident of Fort Worth, in Tarrant County. Under Senate Bill 6, she resides in Texas's 33rd congressional district ("CD33"). Under House Bill 1, she resides in Texas's 90th House District ("HD90"). Ms. Sanchez intends to vote in future congressional elections in CD33 and house elections in HD90, or in any other district in which she is eligible to vote.

24. Plaintiff Jerry Shafer is a Latino citizen of the United States and of the State of Texas, a registered voter, and a resident of Baytown, in Harris County. Under Senate Bill 6, he resides in CD36. Under House Bill 1, he resides in Texas's 143rd house district ("HD143"). Mr. Shafer intends to vote in future congressional elections in CD36 and house elections in HD143, or in any other districts in which he is eligible to vote.

25. Plaintiff Debbie Lynn Solis is a Latina citizen of the United States and of the State of Texas, a registered voter, and a resident of Dallas, in Dallas County. Under Senate Bill 6, she resides in Texas's 33rd congressional district ("CD33"). Ms. Solis intends to vote in future congressional elections in CD33, or in any other district in which she is eligible to vote.

26. Plaintiff Angel Ulloa is a Latina citizen of the United States and of the State of Texas, a registered voter, and a resident of El Paso, in El Paso County. Under Senate Bill 6, she

resides in Texas's 16th congressional district ("CD16"). Ms. Ulloa intends to vote in future congressional elections in CD16, or in any other district in which she is eligible to vote.

27. Plaintiff Mary Uribe is a Latina citizen of the United States and of the State of Texas, a registered voter, and a resident of San Antonio, in Bexar County. Under Senate Bill 6, she resides in Texas's 21st congressional district (CD21). Ms. Uribe intends to vote in future congressional elections in CD21, or in any other district in which she is eligible to vote.

28. Plaintiff Luz Moreno is a Latina citizen of the United States and of the State of Texas, a registered voter, and a resident of Gonzales, Texas in Gonzales County. Under Senate Bill 6, she resides in Texas's 27th congressional district (CD27). Ms. Moreno intends to vote in future congressional elections in CD27, or in any other district in which she is eligible to vote.

29. Plaintiff Maria Montes is a Latina citizen of the United States and of the State of Texas, a registered voter, and a resident of Houston, Texas in Harris County. Under Senate Bill 6, she resides in Texas's 29th congressional district (CD29). Ms. Montes intends to vote in future congressional elections in CD29, or in any other district in which she is eligible to vote.

30. Defendant John Scott is sued in his official capacity as the Secretary of State of Texas. As Secretary of State, Mr. Scott serves as Texas's Chief Election Officer. Tex. Elec. Code § 31.001(a). As "the chief election officer of the state," *id.*, Mr. Scott is required to "obtain and maintain uniformity in the application, operation, and interpretation of" Texas's election laws, including by issuing directives and instructions to all state and local authorities having duties in the administration of these laws, *id.* § 31.003. Mr. Scott is further empowered to remedy voting rights violations by ordering any official to correct conduct that "impedes the free exercise of a citizen's voting rights." *Id.* § 31.005(b). Mr. Scott prescribes the form that individuals must complete for a place on a political party's general primary ballot, *see id.* §§ 141.031, 172.021-.024.

And political parties who wish to hold a primary must deliver written notice to the Secretary of State noting their intent to hold a primary election, *id.* § 172.002, and the party chairs must certify to the Secretary of State the name of each candidate who has qualified for placement on the general primary election ballot, *id.* § 172.028. The Secretary of State also serves as the filing authority for independent candidates for federal office, including members of Congress. *See id.* § 142.005. Finally, the adopted redistricting plans are filed with the Secretary of State to ensure that elections are conducted in accordance with those plans.

31. Defendant Gregory Wayne Abbott is sued in his official capacity as the Governor of the State of Texas. Under Texas's election laws, Governor Abbott "shall order . . . each general election for . . . members of the United States Congress" by proclamation. Tex. Elec. Code § 3.003.

LEGAL BACKGROUND

32. Section 2 of the Voting Rights Act, 52 U.S.C. § 10301(a), prohibits any "standard, practice, or procedure" that "results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color[.]" Thus, in addition to prohibiting practices that deny outright the exercise of the right to vote, Section 2 prohibits vote dilution. A violation of Section 2 is established if it is shown that "the political processes leading to nomination or election" in the jurisdiction "are not equally open to participation by [minority voters] in that its members have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice." 52 U.S.C. § 10301(b).

33. The dilution of voting strength "may be caused by the dispersal of [members of a racial or ethnic group] into districts in which they constitute an ineffective minority of voters or from the concentration of [members of that group] into districts where they constitute an excessive majority." *Thornburg v. Gingles*, 478 U.S. 30, 46 n.11 (1986).

34. The United States Supreme Court, in *Thornburg v. Gingles*, identified three necessary preconditions ("the *Gingles* preconditions") for a claim of vote dilution under Section 2 of the Voting Rights Act: (1) the minority group must be "sufficiently large and geographically compact to constitute a majority in a single-member district"; (2) the minority group must be "politically cohesive"; and (3) the majority must vote "sufficiently as a bloc to enable it . . . usually to defeat the minority's preferred candidate." 478 U.S. at 50-51.

35. Once all three preconditions are established, the statute directs courts to consider whether, under the totality of the circumstances, members of a racial group have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice. 52 U.S.C. § 10301(b). The Senate Report on the 1982 amendments to the Voting Rights Act identifies several non-exclusive factors that courts should consider when determining if, under the totality of the circumstances in a jurisdiction, the operation of the electoral device being challenged results in a violation of Section 2.

36. These Senate factors include: (1) the history of official voting-related discrimination in the state or political subdivision; (2) the extent to which voting in the elections of the state or political subdivision is racially polarized; (3) the extent to which the state or political subdivision has used voting practices or procedures that tend to enhance the opportunity for discrimination against the minority group, such as unusually large election districts, majority-vote requirements, and prohibitions against bullet-voting; (4) the exclusion of members of the minority group from candidate slating processes; (5) the extent to which minority group members bear the effects of discrimination in areas such as education, employment, and health, which hinder their ability to participate effectively in the political process; (6) the use of overt or subtle racial appeals

in political campaigns; and (7) the extent to which members of the minority group have been elected to public office in the jurisdiction.

37. The Senate Report itself and the cases interpreting it have made clear that "there is no requirement that any particular number of factors be proved, or that a majority of them point one way or the other." *United States v. Marengo Cnty. Comm'n*, 731 F.2d 1546, 1566 n.33 (11th Cir. 1984) (quoting S. Rep. No. 97-417, at 29 (1982)); *see also id.* ("The statute explicitly calls for a 'totality-of-the circumstances' approach and the Senate Report indicates that no particular factor is an indispensable element of a dilution claim.").

FACTUAL ALLEGATIONS

A. The 2020 Census

38. On April 26, 2021, the U.S. Census Bureau announced that based on the 2020 decennial census, Texas would gain two additional seats in the United States House of Representatives. On August 12, the Census Bureau then released the detailed population and demographic data needed to draw new congressional districts. The Census Bureau's data revealed that Texas's population grew by nearly four million people between 2010 and 2020.

39. Texas's growth came overwhelmingly from communities of color. Texas's white population grew by just 187,252 between 2010 and 2020. In contrast, Texas's Latino population grew by 1,980,796; Texas's Asian population grew by 613,092; and Texas's Black population grew by 557,887. The number of Texans identifying as members of multiple races also grew significantly. In all, non-white Texans accounted for 95 percent of Texas' population growth from 2010 to 2020, and Latinos accounted for more than half of that growth. Latino Texans now make up just under 40 percent of Texas's population—only half a percentage point less than white Texans. Had it not been for the growth in its communities of color, Texas likely would have lost congressional seats instead of gaining them.

40. Communities of color also grew significantly in their share of Texas's voting-age population. More than 36 percent of voting-age Texans are now Latino—an increase of almost three percentage points since 2010. More than 12 percent of voting-age Texans are now Black and more than 5 percent are Asian. Only 43 percent of Texas's voting age population is now white—a decrease of more than 6 percentage points since 2010.

41. The 2020 census did not collect citizenship information. Based on the Census Bureau's 2015-2019 American Community Survey ("ACS"), Texas's citizen voting age population was 29.9 percent Latino, 13.1 percent Black, 3.7 percent Asian, and 51.6 percent white. Based on the 2016-2020 ACS, Texas's citizen voting age population was 30.5 percent Latino, 13 percent Black, 3.8 percent Asian, and 50.8 percent white.

B. The Redistricting Process

42. Senate Bill 6 and House Bill 1 are the direct results of the Texas Legislature's failure to meaningfully engage with voters and abdication of its map-drawing responsibility to outside interests.

43. After a lengthy delay due to the coronavirus pandemic, the Texas Legislature began collecting public input on the redistricting process in January 2021.

44. From January to March 2021, the Senate Special Committee on Redistricting, led by Republican Senator Joan Huffman, heard public testimony during a series of hearings with a regional focus. Each hearing was held over the Zoom two-way video conferencing platform.

45. Although taking testimony remotely might as a matter of first impression appear to open the opportunity to give testimony to a greater number of people, the process was entirely inaccessible to many Texans. Not only did all but one of the twelve hearings held in those three months take place on weekdays during regular work hours—precluding working Texans from

testifying unless they took time off work to do so—only Texans with a computer or other device with an internet connection and video/audio capability, such as a smartphone or tablet, were able to participate in the hearings. Witnesses were required to have both audio and video capabilities in order to provide virtual testimony. And those who did not have access to such a personal device were advised—in the middle of a global pandemic that prohibited in-person regional hearings—to visit their local public library.

46. The Senate held four additional virtual hearings in September 2021.

47. On September 7, 2021, Governor Abbott announced a third special session of the Texas Legislature, commencing on September 20, for the purpose of redrawing legislative and congressional districts in accordance with the results of the 2020 census. One week later, on September 27, Senator Joan Huffman released congressional Plan 2101—the first proposed congressional district map, which later became Senate Bill 6, and scheduled a public hearing on it three days later.

1. Senate Bill 6

48. On September 30, 2021, Senate Bill 6 was considered by the Special Committee on Redistricting. The Committee considered invited and in-person public testimony.

49. During the September 30 hearing, Senator Huffman admitted that Plan 2101, the base map for Senate Bill 6, was drawn not by any Texas legislator or their staff but by the State's Republican congressional delegation's lawyer, indicating that the public testimony was nothing more than a perfunctory formality.

50. When asked by Senator John Whitmire about the fact that Plan 2101 paired two Houston Democrats in Harris County in the same district, Senator Huffman admitted that this plan had been provided to her by the Texas Republican congressional delegation. After Senator

Huffman received the plan, she made "some changes," and those changes were incorporated into Plan 2101 before she introduced it as Senate Bill 6.

51. On October 4, 2021, the Senate Special Committee on Redistricting met to consider Senate Bill 6. After a public hearing in which witnesses were overwhelmingly opposed to the plan, the committee reported it favorably with minor amendments in the Dallas–Fort Worth Area.

52. On October 8, 2021, the full Senate considered Senate Bill 6. Senate Bill 6 was amended to make minor changes to the border between CD6 and CD17 in East Texas. All other amendments that were offered failed. Senate Bill 6 then passed out of the Senate on party lines by a vote of 18-13.

53. Senate Bill 6 then moved to the Texas House.

54. Like the Senate, prior to the consideration of Senate Bill 6, the House had held a series of virtual hearings for the purpose of considering public testimony on the redistricting process.

55. And, like the Senate, the process for providing public input during the map drawing process was held entirely online and almost entirely during the work week, all but ensuring the process was inaccessible for most Texans.

56. And, like the Senate, the individuals responsible for redrawing the congressional maps did not directly receive or respond to public comments and criticisms during these hearings.

57. On September 29, 2021, just after Plan 2101 became public, the Texas Tribune reported that Adam Foltz, a Republican lawyer and political operative who had previously played a key role in another state's redistricting process described by federal judges as "needlessly secret," had been hired by the House Redistricting Committee. Despite being paid by the non-partisan

Texas Legislative Council, Foltz was reporting directly to the Chair of the House Redistricting Committee, Representative Todd Hunter.

58. Foltz's work was entirely separate from the House Redistricting Committee's public facing work and, until the Texas Tribune's story broke, at least one Democratic member of the Committee was unaware of Foltz's involvement in the process.

59. The House process for considering Senate Bill 6 allowed for only limited public testimony. Senate Bill 6 was received by the House on October 8, 2021, and referred to the House's Redistricting Committee that same day. The Committee sat on the bill for five days until October 13, 2021, when they noticed a hearing for October 14, 2021—the very next day.

60. Despite the less than 24 hours' notice that was provided for the hearing, 94 Texans testified before the House Redistricting Committee—93 of them opposed Senate Bill 6. Nonetheless, later that same day the House Redistricting Committee met again and passed Senate Bill 6 along a party line vote.

61. On Saturday, October 16, the full House considered Senate Bill 6. The House considered a total of twenty-six amendments, of which five were adopted. Those amendments kept the general outline of Senate Bill 6 the same but made relatively minor changes in numerous counties and districts. The House rejected proposed amendments that would have created additional majority-minority districts. Early in the morning on Sunday, October 17, the House then voted 79 to 56 to pass Senate Bill 6 as amended.

62. The Senate refused to concur in the House's amendments to Senate Bill 6, and a conference committee was immediately appointed. Less than 24 hours after the House version of Senate Bill 6 was adopted, on the evening of October 17, the conference committee issued a report.

The conference committee report adopted some of the House's amendments, rejected others, and made several other changes.

63. Representative Todd Hunter, the Chair of the House Redistricting Committee, described the conference committee as a "casual discussion," explaining that the House "showed deference to the Senate. They took the lead and I agreed."

64. On October 18, 2021, both the House and Senate passed the conference committee report, sending Senate Bill 6 to the Governor.

65. Governor Abbott signed Senate Bill 6 on October 25, 2021.

2. House Bill 1

66. Representative Hunter, as Chair of the House Redistricting Committee, solicited proposed House maps from members beginning on September 9, 2021 in accordance with the longstanding tradition of the Texas House.

67. On September 30, 2021, Representative Hunter filed a proposed redistricting plan for the House—House Bill 1. The same day, House Bill 1 was referred to the House Redistricting Committee.

68. The House Redistricting Committee held only one hearing on its proposed plan—on October 4, 2021—with little advance notice. During the October 4 hearing, Representative Hunter acknowledged that he had hired Adam Foltz, as reported in the September 29 Texas Tribune story. The Committee did not allow any invited testimony, during which the Committee would have had the opportunity to hear from redistricting experts.

69. On October 5, Representative Hunter reconvened the House Redistricting Committee for 15 minutes and introduced a committee substitute for House Bill 1. The committee approved the substitute without any further opportunity for public testimony. The substituted bill did not improve electoral opportunities for minority voters.

70. On October 12, the full House began its consideration of House Bill 1. During floor debate, minority members of the House proposed several amendments to improve the electoral opportunities and influence of minority voters in the House map. The House rejected each of those amendments. Meanwhile, members from regions of the state far from the affected areas proposed floor amendments that substantially altered several majority-minority districts. The House adopted those amendments over the opposition of members of the delegation from the affected areas by a vote of 72-70.

71. The House voted 83-63 to approve House Bill 1 late that night, at 3 a.m. on October 13—less than two weeks after the proposed maps were introduced by Representative Hunter. The enacted version of House Bill 1 reduced the number of districts in which Latinos make up a majority of eligible voters down to 30, from 33 in the previously enacted map. Meanwhile, the number of districts with a white majority among eligible voters increased from 83 to 89.

72. The Texas Senate's Special Committee on Redistricting held a public hearing on House Bill 1, lasting less than 20 minutes, on October 15. The only public testimony received was against the Bill. The Committee approved the Bill and the full Senate passed House Bill 1 the same day by a vote of 18-13.

73. Governor Abbot signed House Bill 1 into law on October 25, 2021.

C. Political Behavior and Social Science Methodology

1. Ecological Regression and Ecological Inference Analysis

74. Section 2 of the Voting Rights Act requires plaintiffs to establish, among other things, that the relevant minority group is politically cohesive and that the majority group votes as a bloc to prevent the minority group from electing its candidates of choice.

75. Election results do not report the race or ethnicity of the voters who supported each candidate, but social scientists have developed statistical techniques to enable them to infer the

political preferences of racial and ethnic groups from the precinct-level results of past elections. Two such techniques are "ecological regression" and "ecological inference." Using ecological regression and ecological inference analysis, it is possible to reliably estimate the vote shares that candidates received from particular racial and ethnic groups in past elections. Moreover, because ecological regression and ecological inference analysis rely upon precinct-level results, it is possible to estimate such vote shares in hypothetical districts, in addition to actual historical districts.

76. Ecological regression and ecological inference analysis are accepted, reliable means by which plaintiffs in Section 2 cases may meet their burden of showing that minority groups are politically cohesive and that majority groups vote as a bloc to prevent the minority groups from electing their candidates of choice. *See, e.g.*, *Thornberg v. Gingles*, 478 U.S. 30, 52–53 (1986); *Rodriguez v. Harris Cnty., Tex.*, 964 F. Supp. 2d 686, 759 (S.D. Tex. 2013).

2. Non-Performing Majority-Minority Districts

77. Even in districts where a majority of eligible voters are members of a politically cohesive minority group, that group may still be unable to elect its candidates of choice if the majority group engages in extreme bloc voting in opposition to the minority group's preferred candidates.

78. For example, in a district in which 55% of eligible voters are Latino and 45% are white, if the groups turn out at similar rates and 95% of white voters favor candidates from the Republican Party, then even if 85% of Latino voters favor candidates from the Democratic Party, white voters' favored candidates will consistently defeat Latino voters' favored candidates. Differences in turnout between racial and ethnic groups will often exacerbate this phenomenon.

79. As explained below in the context of particular districts, this possibility is not hypothetical. Ecological regression and ecological inference analysis demonstrate that it occurs in

some Texas congressional districts, where minority voters—despite making up a numerical majority of the eligible electorate—are prevented from electing their candidates of choice by extreme bloc voting by white voters.

D. Senate Bill 6

80. Senate Bill 6 creates significant problems focused in three parts of the State: in the districts in South and West Texas and neighboring districts to the north, which systematically dilute Latino voting strength, and in the Dallas–Fort Worth and Houston metropolitan areas, where Senate Bill 6 packs and cracks non-white voters to reduce the number of districts in which they have an opportunity to elect their candidates of choice.

1. South and West Texas

81. The U.S.–Mexico Border stretches for 1,254 miles across south Texas, from El Paso to Brownsville. The majority of Texans living in the border region are Latino, and Latino Texans in the border region cohesively support political candidates affiliated with the Democratic Party. North of the border, however, are many predominantly white, rural counties whose white residents vote as a bloc to oppose Latino voters' favored candidates.

82. In Senate Bill 6, this region is divided into nine districts: CD16, CD23, CD28, CD15, and CD34 along the U.S.–Mexico Border, and CD27, CD35, CD20, and CD21 just north of the border districts.

83. As explained in more detail in the paragraphs that follow, Senate Bill 6 systematically combines predominantly Latino areas in the border region with white counties in the interior to dilute the votes of Latino Texans and limit the number of congressional districts in which they may elect their candidates of choice. It also carefully packs and cracks non-white voters in Bexar County, denying those communities the opportunity to elect their candidate of choice. But for this packing and cracking, Latino eligible voters could form a numerical majority in two

additional districts in South and West Texas without compromising their ability to elect their candidates of choice in the existing districts.

84. Attached to this Complaint as Exhibits 1 and 2 are two demonstration maps illustrating an alternative configuration of congressional districts in South and West Texas, which show how Latino eligible voters could form a numerical majority of eligible voters in two additional districts in the region without compromising their ability to elect their candidates of choice in the existing districts, and while modifying Congressional District 23 to allow Latino voters in that district to elect their candidates of choice. The maps are identical in South and West Texas—as explained below, they differ only in Harris County and Dallas–Fort Worth.

a. CD16

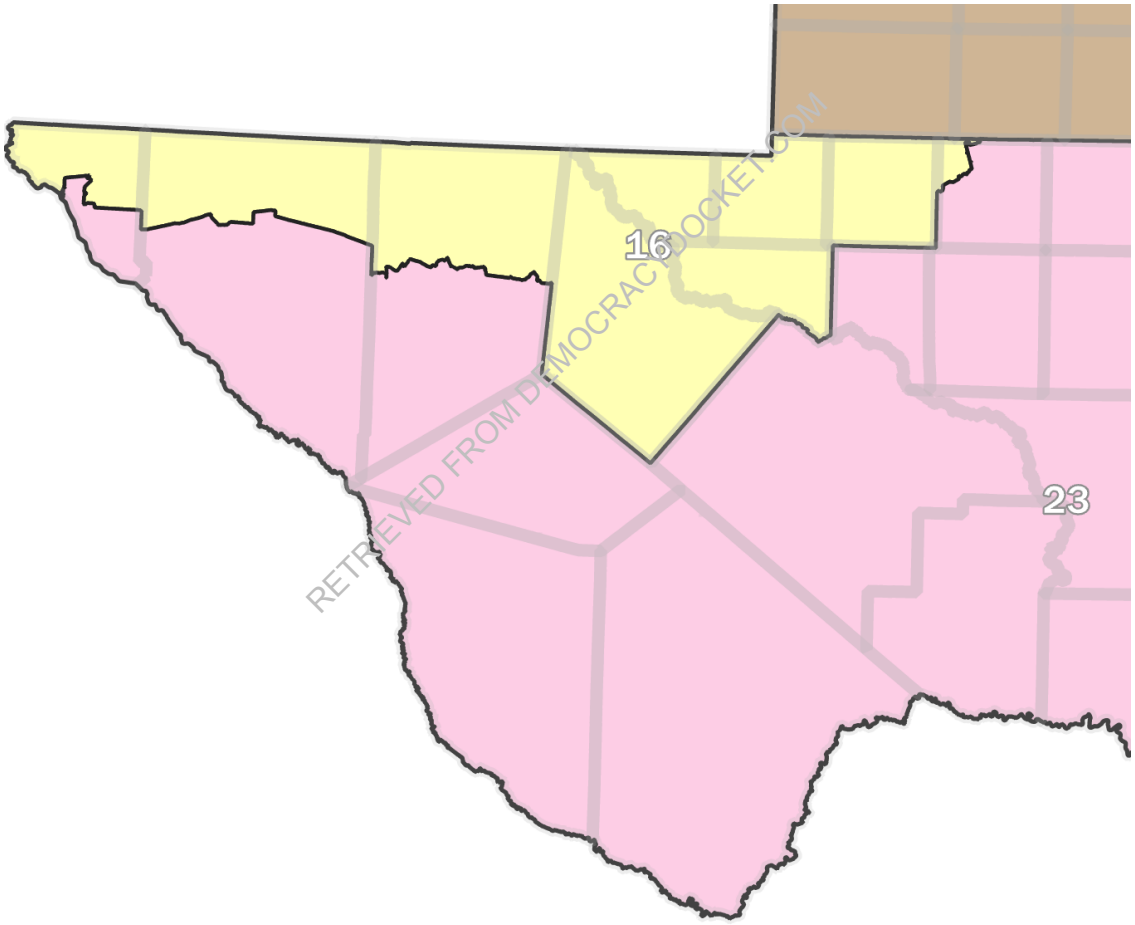
85. CD16 is the western-most congressional district in Texas, centered in El Paso. It has long been an overwhelmingly Latino district. Under the previously enacted map, 76.5 percent of CD16's voting-eligible population—that is, of its U.S. Citizen population of voting age—was Latino. Senate Bill 6 packs CD16 still further with voting-eligible Latino Texans, so that 77.8 percent of CD16's eligible voters are now Latino. Senate Bill 6 does this by excising the comparatively white northeast portion of El Paso County from CD16, and replacing it with a more densely Latino area further south. The result is a less compact district that increases the packing of Latino voters in El Paso in CD16, further diluting their voting rights, including the voting rights of Plaintiff Angel Ulloa. By doing so, Senate Bill 6 also reduces the ability of Latino voters in neighboring districts, including Plaintiffs Orlando Flores and Rosalinda Ramos Abuabara in CD23, to elect their candidates of choice.

86. White voters in Enacted CD16 consistently vote as a bloc in opposition to Latino voters' preferred candidates. Ecological inference analysis based on precinct-level results from past elections in the geographic area that is included within Enacted CD16 shows that 75 percent

of white voters in Enacted CD16 voted in opposition to the candidates that 84 percent of Latino voters in the district favored.

87. Plaintiffs' demonstration maps reduce the packing of Latino voters in CD16 while ensuring that Latino voters still account for the majority of Proposed CD16's voting-eligible population (65.3 percent).

88. Under Plaintiffs' demonstration maps, Proposed CD16 would include the following areas:



89. Latino voters in Proposed CD16 are politically cohesive. Ecological inference analysis based on precinct-level results from past elections in the geographic area that is included within Proposed CD16 shows that 83 percent of Latino voters in Proposed CD16 support Democratic Party candidates in general elections.

90. Plaintiffs' Proposed CD16 would prevent Latino voters in CD16, including Plaintiff Angel Ulloa, from having their voting rights diluted, by reducing the packing of Latino voters in the district from 77.8 percent to 65.3 percent. As explained in the paragraphs that follow, this change would allow for the creation of additional districts in the region in which Latino voters form a numerical majority and may elect their candidates of choice.

b. CD23

91. Immediately east of CD16 is CD23, a large, predominantly rural district stretching along the U.S–Mexico Border from El Paso County to Maverick County. But CD23's vast geographic size is misleading, because the district includes many very sparsely populated counties in West Texas. In fact, the bulk of CD23's population is located in two pockets separated by more than 500 miles: in El Paso County at CD23's western extreme and in Bexar County at CD23's eastern extreme. Senate Bill 6 surgically alters CD23's boundaries in El Paso and Bexar Counties to reduce the district's population of voting-eligible Latinos from 63.1 percent under the previously enacted map to 58.1 percent under the new map.

92. In previous litigation, a federal court ultimately concluded that the prior version of CD23 was a highly competitive district that still allowed Latino voters an opportunity to elect their candidates of choice, even though more often than not such candidates were in fact defeated. But Senate Bill 6's five percentage-point reduction in CD23's Latino voting-eligible population transforms CD23 into a non-competitive district and will prevent Latino voters in CD23, including Plaintiffs Orlando Flores and Rosalinda Ramos Abuabara from electing their candidates of choice in the future.

93. White voters in Enacted CD23 consistently vote as a bloc in opposition to Latino voters' preferred candidates. Ecological inference analysis based on precinct-level results from past elections in the geographic area that is included within Enacted CD23 shows that 79 percent

of white voters in Enacted CD23 voted in opposition to the candidates that 73 percent of Latino voters in the district favored.

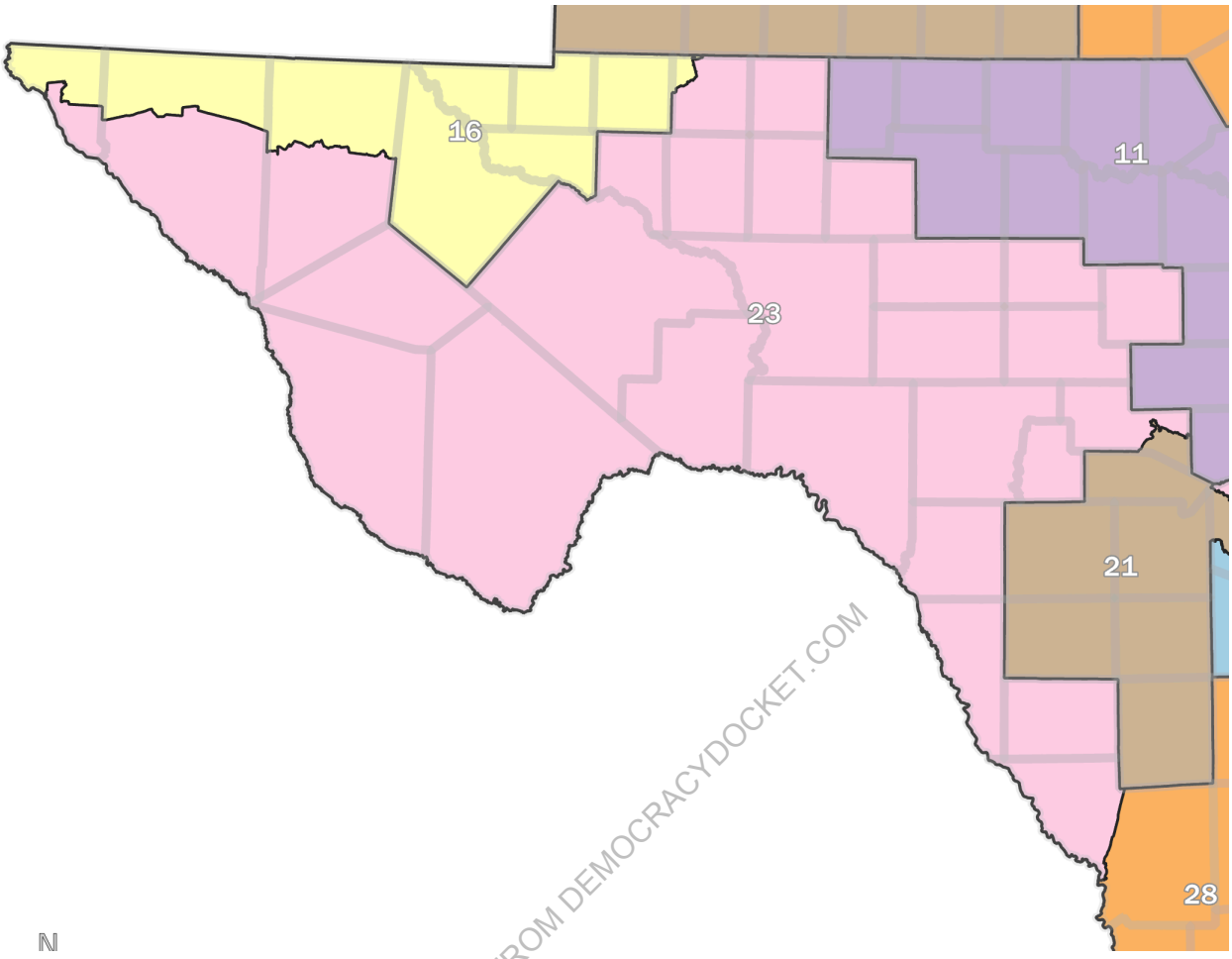
94. White voters' extreme bloc voting, together with lower turnout among Latino voters in many parts of Enacted CD23 relative to white voters, means that white voters' candidates of choice will consistently win in Enacted CD23 despite Latino voters' numerical majority. In particular, analysis of precinct-level results from statewide elections in 2016, 2018, and 2020 shows that Latino voters' favored candidates in Enacted CD23 would have won just 2 out of the last 35 elections in Enacted CD23, with an average vote share of just 45 percent.

95. Latino voters' inability to elect their candidates of choice in Enacted CD23 is no surprise. Latino voters were able to elect their preferred Congressional candidate in the prior CD23 just once, in 2012, and by less than a 5-point margin. Senate Bill 6's five percentage-point reduction in CD23's Latino voting-eligible population means that Latino voters' candidate of choice would not have won even that one election.

96. Plaintiffs' demonstration maps reconfigure CD23 into a more compact district that would enable Latino voters in these areas, including Plaintiff Orlando Flores, to elect their candidates of choice in Proposed CD 23, while also allowing for the creation of an additional majority Latino district—Proposed CD21.

97. Latino voters make up 72 percent of the voting eligible population in Proposed CD23.

98. Under Plaintiffs' demonstration maps, Proposed CD23 would include the following areas:



99. Latino voters in Proposed CD23 are politically cohesive. Ecological inference analysis based on precinct-level results from past elections in the geographic area that is included within Proposed CD23 shows that 80 percent of Latino voters in Proposed CD23 support Democratic Party candidates in general elections.

100. Plaintiffs' Proposed CD23 would allow Latino voters in CD23, including Plaintiff Orlando Flores, to elect their candidates of choice in the future, rather than having their candidates defeated by extreme bloc voting by white voters under Enacted CD23.

c. CD28

101. South of CD23 along the U.S.–Mexico border is CD28, which stretches from the City of Laredo and Starr County in the south to Bexar County in the north. Senate Bill 6 leaves CD28 largely unchanged, with a Latino voting-eligible population that is just under 70 percent.

Plaintiffs do not challenge CD28, although Plaintiffs' demonstration maps require some changes to CD28 to address issues in surrounding districts.

d. CD15

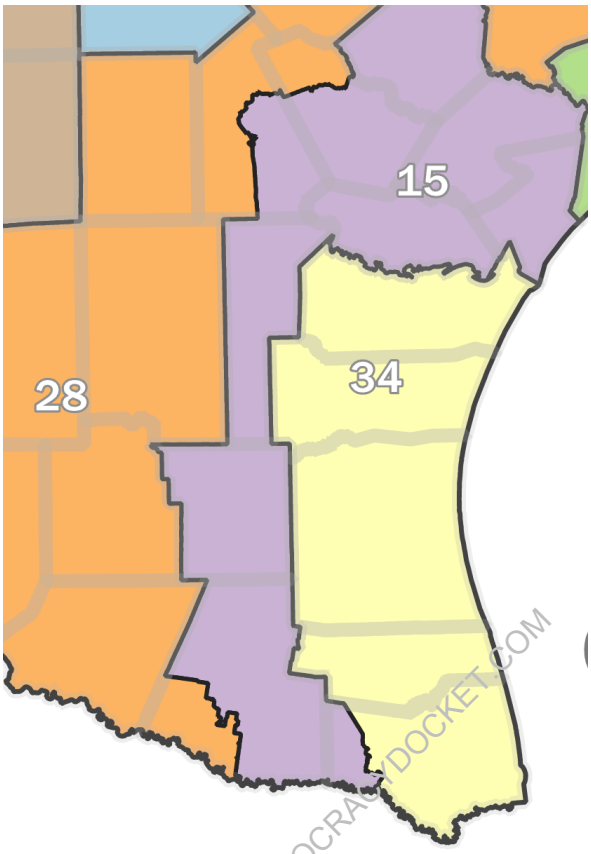
102. Just east of CD28 is CD15, a skinny, more than 250-mile-long district running from McAllen to Guadalupe County. More than 70 percent of CD15's voting-eligible population is Latino, a percentage that is largely unchanged from the previous map. Plaintiffs do not challenge CD15, although Plaintiffs' demonstration maps require changes to CD15, which make CD15 more compact than it is in the Enacted Map, to address issues in surrounding districts.

e. CD34

103. Southeast of CD15 is CD34, which includes the southernmost portion of Texas's gulf coast. Under the prior enacted map, nearly 79 percent of CD34's voting eligible population was Latino. Senate Bill 6 further packs Latino voters into CD34 by adding more of Hidalgo County into CD34, and by eliminating a tail that previously stretched north through several rural counties. As a result, Enacted CD34's voting-eligible population is now nearly 87 percent Latino.

104. None of the Plaintiffs live in Enacted CD34. But Plaintiffs Marilena Garza and Cinia Montoya live in Enacted CD27 in Nueces County, immediately north of CD34. As explained in the next section, white bloc voting in Enacted CD27 prevents Latino voters in Nueces County, including Plaintiffs Garza and Montoya, from electing their candidates of choice.

105. Under Plaintiffs' demonstration maps, Proposed CD34 would include Nueces County, including Plaintiffs Garza and Montoya:



106. Latino voters make up 72 percent of the voting-eligible population in Proposed CD34.

107. Latino voters in Proposed CD34 are politically cohesive. Ecological inference analysis based on precinct-level results from past elections in the geographic area that is included within Proposed CD34 shows that 78 percent of Latino voters in Proposed CD34 support Democratic Party candidates in general elections.

108. Plaintiffs' Proposed CD34 would allow Latino voters in Nueces County and throughout Proposed CD34, including Plaintiffs Marilena Garza and Cinia Montoya, the opportunity to elect their candidates of choice. This change also leads to the emergence of two additional majority-Latino districts—Proposed CD21 and Proposed CD10—that are described in more detail below.

f. CD27

109. North of Enacted CD34 is Enacted CD27, which combines predominantly Latino Nueces County with predominantly white counties to its north and west, creating a district with a voting eligible population that is just 48.65 percent Latino.

110. Plaintiffs Marilena Garza, Cinia Montoya, and Luz Moreno reside in Enacted CD27.

111. White voters in Enacted CD27 consistently vote as a bloc in opposition to Latino voters' preferred candidates, including the candidates preferred by Plaintiffs Marilena Garza, Cinia Montoya, and Luz Moreno. Ecological inference analysis based on precinct-level results from past elections in the geographic area that is included within Enacted CD27 shows that 88 percent of white voters in Enacted CD27 voted in opposition to the candidates that 86 percent of Latino voters in the district favored.

112. White voters' extreme bloc voting, together with lower turnout among Latino voters in Enacted CD27 as compared with white voters, means that white voters' candidates of choice will consistently win in Enacted CD27 despite Latino voters' numerical plurality. In particular, analysis of precinct-level results from statewide elections in 2016, 2018, and 2020 shows that Latino voters' favored candidates in Enacted CD27 would have won zero out of the last 35 elections in Enacted CD27, with an average vote share of just 38 percent.

113. Enacted CD27's configuration therefore ensures that Latino voters in CD27, including Plaintiffs Marilena Garza, Cinia Montoya, and Luz Moreno, will be unable to elect their candidates of choice. By adopting such a configuration, Senate Bill 6 dilutes the votes of Latino voters in Enacted CD27, including Latino voters in Nueces County.

114. Plaintiffs' demonstration maps remedy this vote dilution by placing Nueces County, where Plaintiffs Marilena Garza and Cinia Montoya live, in Proposed CD34, a district

with a 72 percent Latino voting-eligible population. As explained above, Latino voters in Proposed CD34 are politically cohesive and may elect their candidates of choice. Plaintiffs' demonstration maps further address the vote dilution caused by Enacted CD27 by placing other portions of Enacted CD27, including the area where Plaintiff Luz Moreno lives, in Proposed CD10. As explained below, Latino voters in Proposed CD10 are politically cohesive and may elect their candidates of choice.

g. CD10

115. Enacted CD10, northeast of Enacted CD27, stretches across a wide swath of Texas from Harris to Travis County, and then extends a narrow finger around Austin to pick up predominantly white suburbs to the city's northwest. The voting-eligible population in Enacted CD10 is just 16.9 percent Latino.

116. None of the Plaintiffs live in Enacted CD10. But Plaintiff Luz Moreno lives in Enacted CD27, just south of Enacted CD10. As explained above, white bloc voting in Enacted CD27 prevents Latino voters in that district, including Plaintiff Moreno, from electing their candidates of choice

117. Under Plaintiffs' demonstration maps, Proposed CD10 is repositioned to run from Travis County to Bexar County, resulting in a much more compact district where Latinos make up 50.5 percent of the voting-eligible population.

118. Latino voters in Proposed CD10 are politically cohesive. Ecological inference analysis based on precinct-level results from past elections in the geographic area that is included within Proposed CD10 shows that 85 percent of Latino voters in Proposed CD10 support Democratic Party candidates in general elections.

~~114.~~119. Plaintiffs' Proposed CD10 would allow Latino voters who are currently in districts where white block voting prevents them from electing their candidates of choice, including Plaintiff Luz Moreno, the opportunity to elect their candidates of choice.

~~g.~~h. CD35

~~115.~~120. Northwest of Enacted CD27 is Enacted CD35, a narrow strip of a district that stretches along I-35 from Travis County to Bexar County, often covering an area little wider than I-35's median strip. The district combines separate Latino populations in Travis and Bexar County, for a voting-eligible population that is just under 48 percent Latino. While the Supreme Court ruled in 2018 that the existing CD35 was not necessarily an illegal racial gerrymander, the fact remains that there is no need for such contortions in this area.

~~116.~~121. Plaintiffs do not directly challenge Enacted CD35. But its unusual and unnecessary configuration interferes with the creation of additional minority opportunity districts, which Plaintiffs do challenge. Unlike in other parts of Texas, Latino and white voters in Travis County frequently favor the same political candidates—those affiliated with the Democratic Party. Latino voters in Travis County may therefore elect their candidates of choice even if they do not form a majority of eligible voters in their districts. And Bexar County is a majority-Latino county, so it is entirely possible to create compact districts which allow Latinos in Bexar County to elect their candidates of choice without resorting to the geographic gymnastics typified by CD35. By unnecessarily combining two, differently situated populations of Latino voters in an oddly-shaped, non-compact district in CD35, Senate Bill 6 impairs the ability of Latino voters in neighboring districts, including Plaintiffs Marilena Garza, Cinia Montoya, and Luz Moreno in CD27, Plaintiffs Ana Ramón and Mary Uribe in CD21, and Plaintiffs Orlando Flores and Rosalinda Ramos Abuabara in CD23, to elect their candidates of choice.

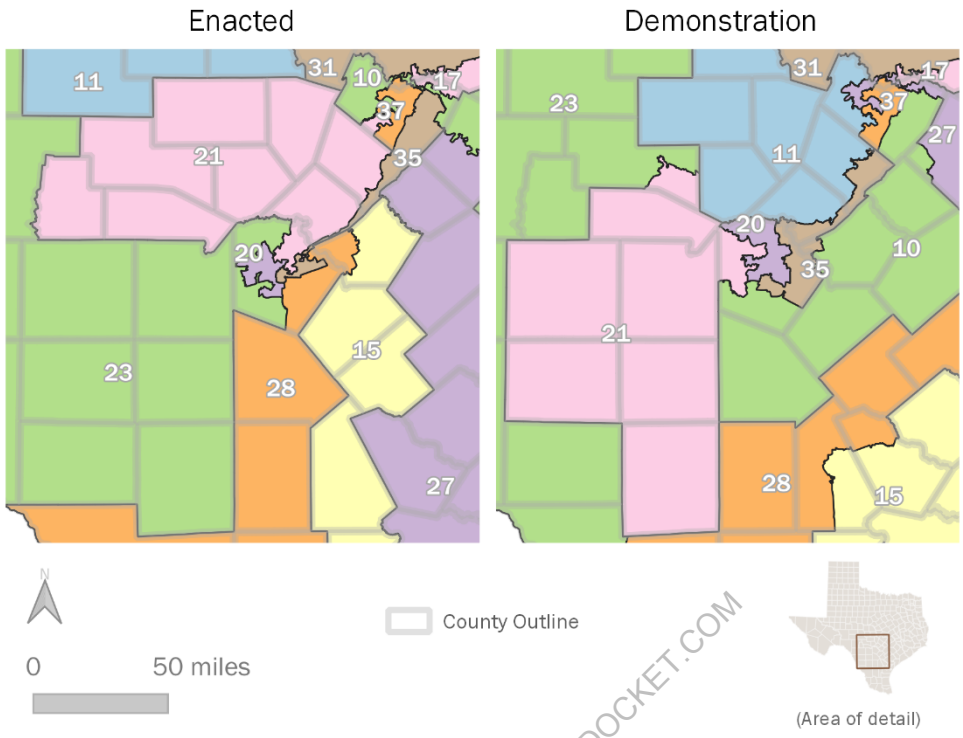
~~117.~~122. To address the other districts that Plaintiffs do challenge, Plaintiffs' Demonstration Maps reconfigure Enacted CD35 to make it substantially more compact by moving the district further into Bexar County and taking in portions of Comal and Hays Counties. Plaintiffs' Demonstration Maps do so without diluting the votes of Latino voters in neighboring districts.

~~h.~~i. CD20

~~118.~~123. CD20 is a small district centered in San Antonio, strategically drawn to cover many of the most Latino portions of Bexar County, while excluding precincts—like those covering Lackland Air Force Base—that are less Latino. The result is a district with a voting-eligible population that is 69.94 percent Latino, an increase of four percentage points from the prior enacted map.

~~119.~~124. None of the Plaintiffs live in Enacted CD20. But Plaintiffs Ana Ramón and Mary Uribe live in Enacted CD21, immediately north of Enacted CD20. As explained in the next section, white bloc voting in Enacted CD21 prevents Latino voters in that district, including Plaintiffs Ramón and Uribe, from electing their candidates of choice.

~~120.~~125. Under Plaintiffs' demonstration maps, Proposed CD20 would include the following areas, including the residences of Plaintiffs Ramón and Uribe:



~~121.~~126. Latino voters make up 50.7 percent of the voting-eligible population in Proposed CD20.

~~122.~~127. Latino voters in Proposed CD20 are politically cohesive. Ecological inference analysis based on precinct-level results from past elections in the geographic area that is included within Proposed CD20 shows that 87 percent of Latino voters in Proposed CD20 support Democratic Party candidates in general elections.

~~123.~~128. Plaintiffs' Proposed CD20 would allow Latino voters who are currently in districts where white bloc voting prevents them from electing their candidates of choice, including Plaintiffs Ana Ramón and Mary Uribe, the opportunity to elect their candidates of choice.

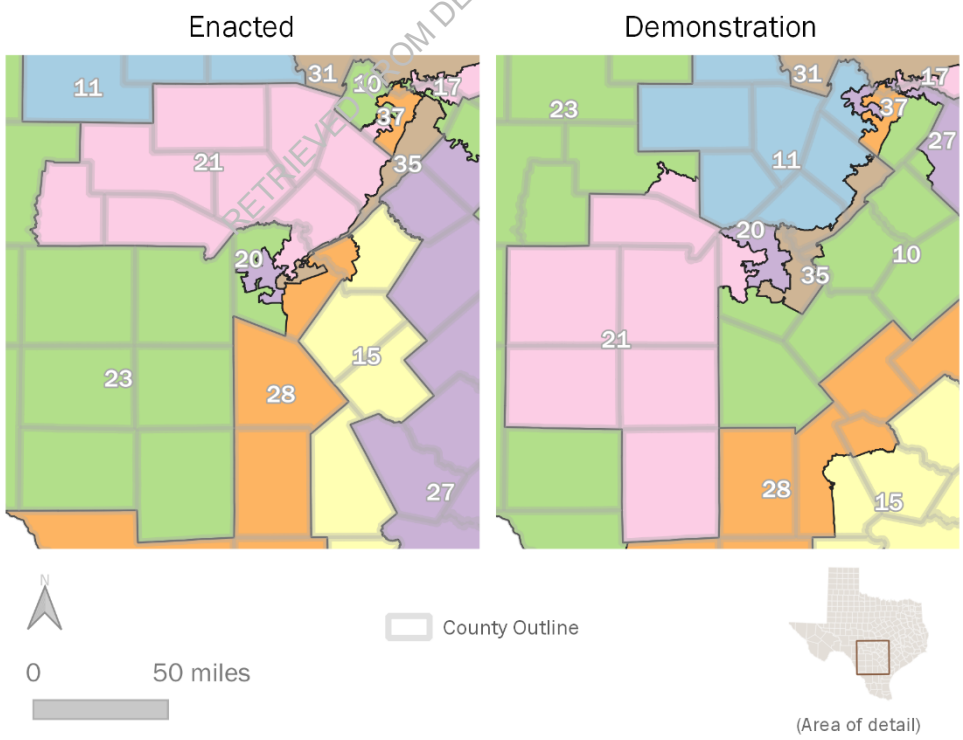
~~i.~~j. CD21

~~124.~~129. Enacted CD21 combines eight largely rural, predominantly white counties with more diverse slices of Bexar and Travis Counties to form a district that is 25.78 percent Latino.

~~125.~~130. By cracking slices of Latino voters from Bexar and Travis Counties and placing those voters in a predominantly white, rural district, Senate Bill 6 dilutes the votes of Enacted CD21's Latino residents, including Plaintiffs Ana Ramón and Mary Uribe, and impairs their ability to elect their candidates of choice.

~~126.~~131. White voters in Enacted CD21 consistently vote as a bloc in opposition to Latino voters' preferred candidates. Ecological inference analysis based on precinct-level results from past elections in the geographic area that is included within Enacted CD21 shows that 75 percent of white voters in Enacted CD21 voted in opposition to the candidates that 76 percent of Latino voters in the district favor.

~~127.~~132. As Plaintiffs' demonstration maps show, Latino voters are sufficiently numerous and geographically compact to allow the creation of Proposed CD21, a majority-Latino district: 52.6 percent of Proposed CD21's voting-eligible population is Latino.



~~128.~~133. Latino voters in Proposed CD21 are politically cohesive. Ecological inference analysis based on precinct-level results from past elections in the geographic area that is included within Proposed CD21 shows that 84 percent of Latino voters in Proposed CD21 support Democratic Party candidates in general elections. Proposed CD21 would allow those voters, including Plaintiff Rosalinda Ramos Abuabara, the opportunity to elect their candidates of choice.

2. Dallas–Fort Worth

~~129.~~134. Senate Bill 6 carves up Dallas and Tarrant Counties, the core of the diverse Dallas–Fort Worth metropolitan area, among nine extraordinarily convoluted congressional districts. Non-white voters have a reasonable opportunity to elect their candidates of choice in just three of those districts: CD30, a predominantly Black district in southern Dallas County; CD32, a diverse coalition district in northwest Dallas County, and CD33, a bizarrely-shaped, predominantly Latino district that includes portions of Fort Worth and Downtown Dallas. Non-white voters elsewhere in the area are cracked among six predominantly rural districts in which such voters are unable to elect their candidates of choice. These districts are CD5, CD6, CD12, CD24, CD25, and CD26.

~~130.~~135. Plaintiffs specifically challenge the configurations of Enacted CD25 and Enacted CD33, but remedying the problems with those districts would require changes to other districts in Dallas and Tarrant Counties.

a. CD25

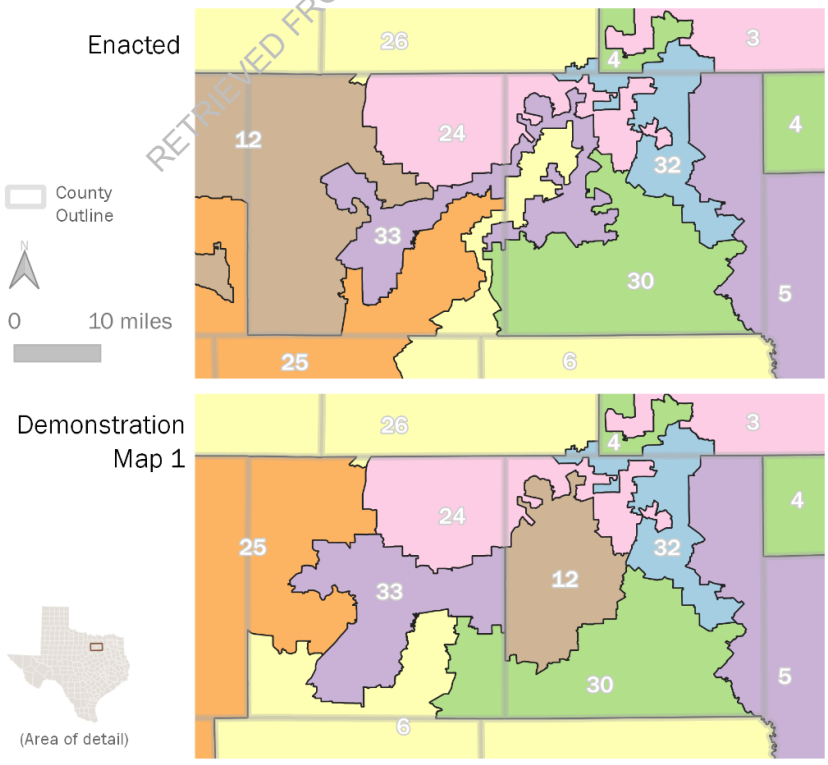
~~131.~~136. Enacted CD25 is a predominantly white and rural congressional district with an arm that stretches into parts of central Tarrant County with substantial Black and Latino populations. Nearly 70 percent of Enacted CD25's voting-eligible population is white.

~~132.~~137. By cracking predominantly Black and Latino portions of Tarrant County and placing those voters in overwhelmingly white, rural Enacted CD25, Senate Bill 6 dilutes the

votes of Enacted CD25's Latino residents, including Plaintiff Cecilia Gonzales, and impairs their ability to elect their candidates of choice.

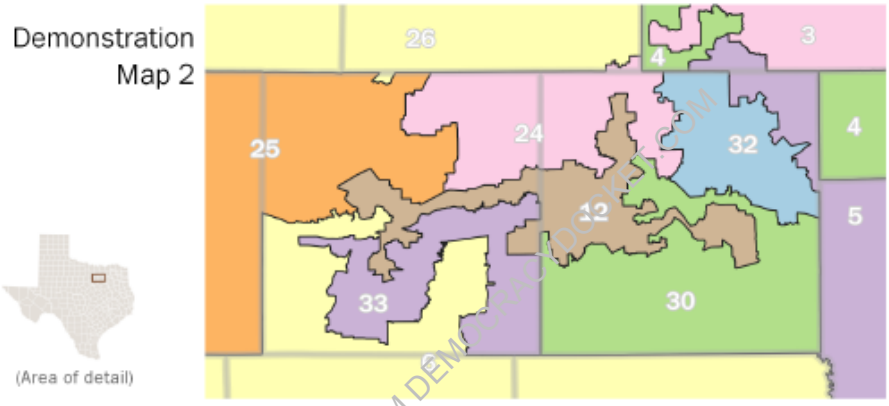
~~133.~~138. White voters in Enacted CD25 consistently vote as a bloc in opposition to Black and Latino voters' preferred candidates. Ecological inference analysis based on precinct-level results from past elections in the geographic area that is included within Enacted CD25 shows that 86 percent of white voters in Enacted CD25 voted in opposition to the candidates that 78 percent of Latino voters and 91 percent of Black voters in the district favor.

~~134.~~139. As Plaintiffs' first demonstration map shows, Black and Latino Voters in Dallas and Tarrant Counties are sufficiently numerous and geographically compact to allow the drawing of a revised configuration of congressional districts in the area that would create an additional majority–Black and Latino voting-eligible-population district and therefore allow additional minority voters, including Plaintiff Cecilia Gonzales, an opportunity to elect their candidates of choice:



~~135.~~140. Under Plaintiffs' first demonstration map, Plaintiff Cecilia Gonzales would reside in Proposed CD33, a 58.1 percent Black and Latino district wholly contained within Tarrant County. As explained in the next section, Black and Latino voters in the first demonstration map's Proposed CD33 are politically cohesive and may elect their candidates of choice.

~~136.~~141. Alternatively, as Plaintiffs' second demonstration map shows, Latino voters in Dallas and Tarrant Counties are also sufficiently numerous and compact to allow the creation of an additional, majority-Latino voting-eligible-population district in the area:



~~137.~~142. Under Plaintiffs' second demonstration map, Plaintiff Cecilia Gonzales would reside in Proposed CD33, a 53.1 percent Black and Latino district. As explained in the next section, Black and Latino voters in the second demonstration map's Proposed CD33 are politically cohesive and may elect their candidates of choice.

b. CD33

~~138.~~143. Enacted CD33 is a meandering, extraordinarily non-compact district that stretches from Fort Worth to downtown Dallas, packing many of the region's Black and Latino communities, including Plaintiffs Jana Lynne Sanchez and Debbie Lynn Solis, into a district with a voting-eligible population that is 69.6 percent Black and Latino.

~~139.~~144. White voters in Enacted CD33 do not vote as a bloc in opposition to Black and Latino voters' preferred candidates. But ecological inference analysis shows that white voters in surrounding districts do engage in such bloc voting, including in Enacted CD6 (88 percent in opposition to minorities' favored candidates), Enacted CD12 (78 percent in opposition to minorities' favored candidates), Enacted CD24 (70 percent in opposition to minorities' favored candidates), and Enacted CD25 (86 percent in opposition to minorities' favored candidates). By packing a supermajority of minority voters into Enacted CD33, Senate Bill 6 dilutes those voters' votes while leaving other minority voters in Dallas–Fort Worth, including Plaintiff Cecilia Gonzales, exposed to white bloc voting that prevents them from electing their candidates of choice.

~~140.~~145. Under Plaintiffs' first demonstration map, Plaintiff Jana Lynne Sanchez would reside in Proposed CD33, a significantly less packed, much more compact 53.1 percent Black and Latino district.

~~141.~~146. Black and Latino voters in the first demonstration map's Proposed CD33 are politically cohesive. Ecological inference analysis based on precinct-level results from past elections in the geographic area that is included within the first demonstration map's Proposed CD33 shows that 92 percent of Black voters and 84 percent of Latino voters in the district support Democratic Party candidates in general elections. Proposed CD33 would allow those voters, including Plaintiffs Jana Lynne Sanchez and Cecilia Gonzales, the opportunity to elect their candidates of choice.

~~142.~~147. Black and Latino voters in the first demonstration map's Proposed CD33 are also politically cohesive in primary elections. Ecological inference analysis shows that a plurality of both groups favor the same candidates in Democratic Party primary elections in more than 80 percent of the elections examined in which each group had a clear first-choice candidate.

~~143.~~148. Under Plaintiffs' first demonstration map, Plaintiff Debbie Lynn Solis would reside in Proposed CD12, a compact 56.8 percent Black and Latino voting-eligible-population district in Dallas County. As explained in the next section, Black and Latino voters in the first demonstration map's Proposed CD12 are politically cohesive and may elect their candidates of choice.

~~144.~~149. Alternatively, under Plaintiffs' second demonstration map, Plaintiffs Jana Lynne Sanchez and Debbie Lynn Solis would each reside in the second demonstration map's Proposed CD12, a majority-Latino district in which 52.4 percent of eligible voters are Latino. As explained below, Latino voters in proposed CD12 are politically cohesive and may elect their candidates of choice.

c. CD12

~~145.~~150. Enacted CD12 is a predominantly white congressional district (67.2 percent of the voting-eligible population) in Parker and Tarrant Counties.

~~146.~~151. White voters in Enacted CD12 consistently vote as a bloc in opposition to Black and Latino voters' preferred candidates. Ecological inference analysis based on precinct-level results from past elections in the geographic area that is included within Enacted CD12 shows that 78 percent of white voters in Enacted CD12 voted in opposition to the candidates that 77 percent of Latino voters and 83 percent of Black voters in the district favor.

~~147.~~152. None of the Plaintiffs live in Enacted CD12. But Plaintiffs Jana Lynne Sanchez and Debbie Lynn Solis live in Enacted CD33, immediately east of CD12. As explained in the previous section, Enacted CD33 is a packed district that dilutes the votes of Latino voters in that district, including Plaintiffs Sanchez and Solis.

~~148.~~153. Under Plaintiffs' first demonstration map, Proposed CD12 would include Plaintiff Debbie Lynn Solis.

~~149.~~154. Proposed CD12 in the first demonstration map is a compact, majority–Black and Latino district in Dallas County. 56.8 percent of the first demonstration map's Proposed CD12's voting-eligible population is Black or Latino.

~~150.~~155. Black and Latino voters in the first demonstration map's Proposed CD12 are politically cohesive. Ecological inference analysis based on precinct-level results from past elections in the geographic area that is included within the first demonstration map's Proposed CD12 shows that 85 percent of Black voters and 86 percent of Latino voters in the district support Democratic Party candidates in general elections. Proposed CD12 would allow those voters, including Plaintiff Debbie Lynn Solis, the opportunity to elect their candidates of choice without having their votes diluted by residing in a packed district.

~~151.~~156. Black and Latino voters in the first demonstration map's Proposed CD12 are also politically cohesive in primary elections. Ecological inference analysis shows that a plurality of both groups favor the same candidates in Democratic Party primary elections in more than 90 percent of the elections examined in which each group had a clear first-choice candidate.

~~152.~~157. Under Plaintiffs' second demonstration map, Proposed CD12 would include Plaintiffs Jana Lynne Sanchez and Debbie Lynn Solis.

~~153.~~158. Proposed CD12 in the second demonstration map is a majority Latino district in Dallas and Tarrant Counties. In the second demonstration map, 52.4 percent of Proposed CD12's voting eligible population is Latino.

~~154.~~159. Latino voters in the second demonstration map's Proposed CD12 are politically cohesive. Ecological inference analysis based on precinct-level results from past elections in the geographic area that is included within the second demonstration map's Proposed CD12 shows that 89 percent of Latino voters in the district support Democratic Party candidates

in general elections. The second demonstration map's Proposed CD12 would allow those voters, including Plaintiffs Jana Lynne Sanchez and Debbie Lynn Solis, the opportunity to elect their candidates of choice without having their votes diluted by residing in a packed district.

3. Houston

~~155.~~160. Harris County is the largest county in Texas and is home to more non-white residents than any other Texas county. In fact, there are more non-white residents in Harris County than there are *total* residents in any other Texas county. Just under 30 percent of Harris County residents are white—20 percent of the county's residents are Black and nearly 45 percent are Latino.

~~156.~~161. Senate Bill 6 separates highly diverse Harris County into eight congressional districts. In terms of voting eligible population, five of those congressional districts—CD7, CD8, CD9, CD18, and CD29—are majority non-white, while three—CD2, CD36, and CD38—are majority white. This configuration deprives Latino and Black voters in CD2, CD36, and CD38 of the opportunity to elect their candidates of choice, while diluting the votes of Black and Latino voters in CD29, a packed district.

~~157.~~162. Plaintiffs specifically challenge the configurations of CD29, CD36, and CD38, but remedying the problems with those districts would require changes to other districts in Harris County.

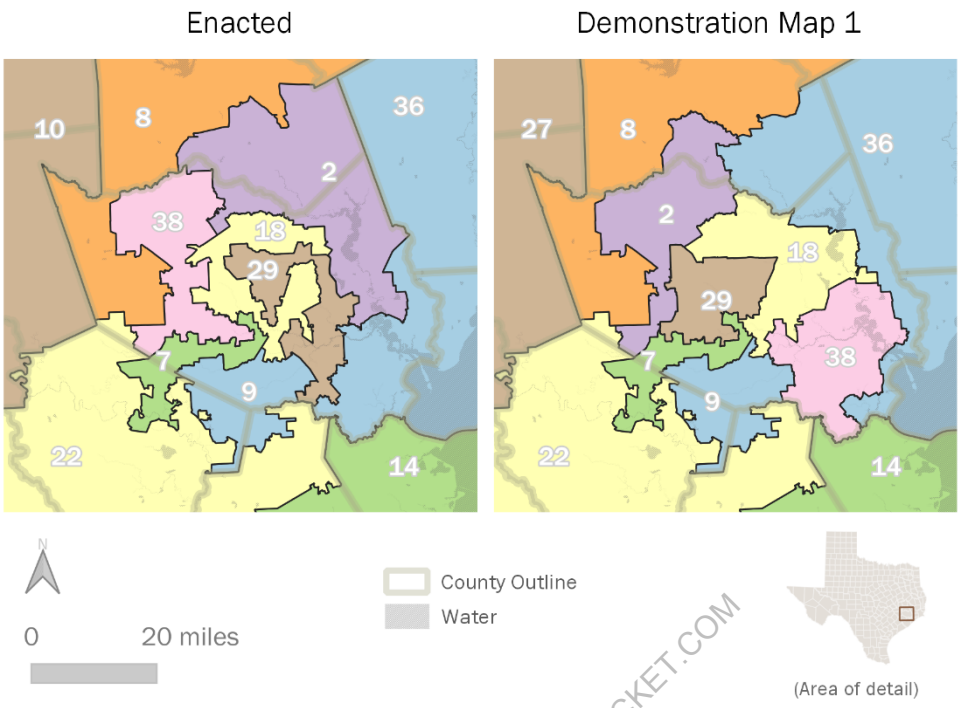
a. CD29

~~158.~~163. Senate Bill 6 is able to draw three majority-white districts in the diverse Harris County area principally via its configuration of CD29, an extraordinarily non-compact district which both (a) cracks compact Latino communities in southeast Harris County between CD29 and the predominantly white and rural CD36, and then (b) captures a separate, dense triangle

of Latino voters north of Houston and places it in CD29. Such a configuration is unnecessary and improper.

~~159.~~164. White voters in Enacted CD29 do not vote as a bloc in opposition to Black and Latino voters' preferred candidates. But ecological inference analysis shows that white voters in surrounding districts do engage in such bloc voting, including in Enacted CD2 (81 percent in opposition to minorities' favored candidates), Enacted CD22 (82 percent in opposition to minorities' favored candidates), Enacted CD36 (88 percent in opposition to minorities' favored candidates), and Enacted CD38 (77 percent in opposition to minorities' favored candidates). By packing a supermajority of minority voters into Enacted CD29, including Plaintiff Maria Montes, Senate Bill 6 dilutes those voters' votes while leaving other minority voters in the Harris County area, including Plaintiffs Akilah Bacy, Jerry Shafer, and Agustin Loredo, exposed to white bloc voting against their candidates of choice.

~~160.~~165. As plaintiffs' first demonstration map shows, Enacted CD29 can be split in half to create two, more-compact districts in which minority voters form a majority of eligible voters and have an opportunity to elect their candidates of choice:



~~161.~~166. In the first demonstration map, the southeastern portion Enacted CD29 is combined with the southwestern-most portion of Enacted CD36 to form the first demonstration map's Proposed CD38, a compact district in southeastern Harris County in which Latinos make up 53.4 percent of eligible voters. As explained below, Latino voters in the first demonstration map's Proposed CD38, including Plaintiffs Jerry Shafer and Agustin Loredo, are politically cohesive.

~~162.~~167. The remainder of Enacted CD29 is then combined with additional areas to the west to form the first demonstration map's Proposed CD29, a compact district with a voting-eligible population that is 53.2 percent Black and Latino.

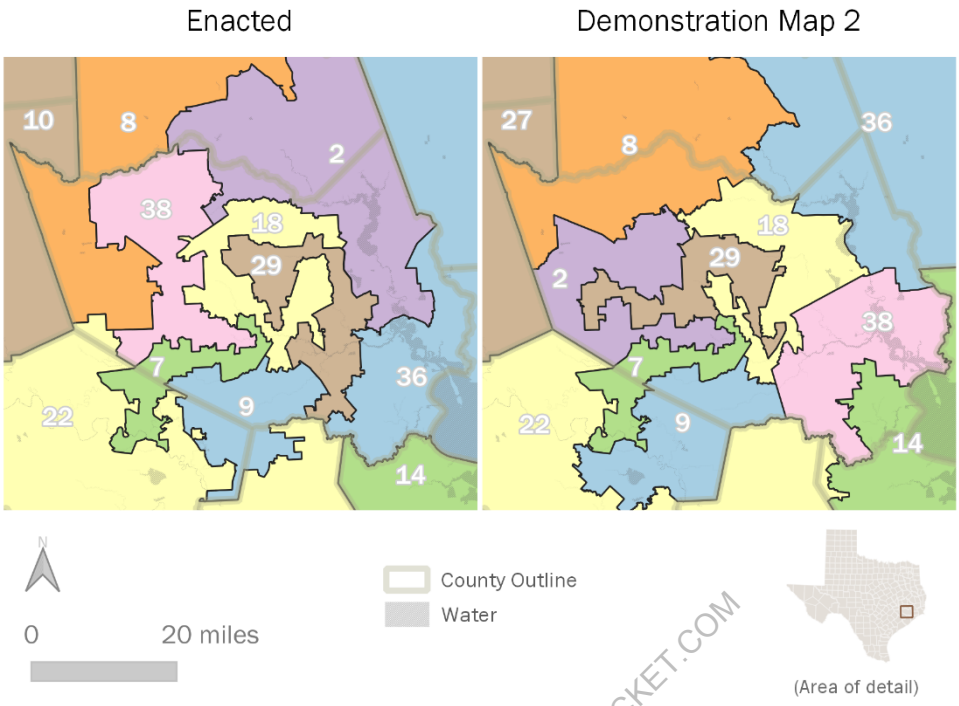
~~163.~~168. Black and Latino voters in the first demonstration map's Proposed CD29 are politically cohesive. Ecological inference analysis based on precinct-level results from past elections in the geographic area that is included within the first demonstration map's Proposed CD29 shows that 92 percent of Black voters and 86 percent of Latino voters in the district support

Democratic Party candidates in general elections. The first demonstration map's Proposed CD29 would allow those voters, including Plaintiffs Akilah Bacy and Maria Montes, the opportunity to elect their candidates of choice without (in the case of Plaintiff Montes) having their votes diluted by residing in a packed district.

~~164.~~169. Black and Latino voters in the first demonstration map's Proposed CD29 are also politically cohesive in primary elections. Ecological inference analysis shows that a plurality of both groups favor the same candidates in Democratic Party primary elections in more than 85 percent of the elections examined in which each group had a clear first-choice candidate.

~~165.~~170. Alternatively, Plaintiffs' second demonstration map shows that Enacted CD29 could instead be split into two different districts, the second demonstration map's Proposed CD29 and Proposed CD38, each of which has a majority-Latino voting-eligible population.

~~166.~~171. In the second demonstration map, much like the first, Proposed CD38 combines the easternmost portions of Enacted CD29 with the westernmost portions of Enacted CD36, in a district in which Latinos make up a majority (53 percent) of eligible voters. As explained below, Latino voters in the second demonstration map's Proposed CD38, including Plaintiffs Jerry Shafer and Agustin Loredo, are politically cohesive.



~~167.~~172. Many of the remaining portions of Enacted CD29, including the residence of Plaintiff Maria Montes, are included in the second demonstration map's Proposed CD29, a district in central and western Harris County in which 51.4 percent of eligible voters are Latino.

~~168.~~173. Latino voters in the second demonstration map's Proposed CD29 are politically cohesive. Ecological inference analysis based on precinct-level results from past elections in the geographic area that is included within the second demonstration map's Proposed CD29 shows that 86 percent of Latino voters in the district support Democratic Party candidates in general elections. The second demonstration map's Proposed CD29 would allow those voters, including Plaintiff Maria Montes, the opportunity to elect their candidates of choice without having their votes diluted by residing in a packed district.

b. CD36

~~169.~~174. Enacted CD36 is a predominantly white and rural district that cracks predominantly Latino areas in southeastern Harris County, including Baytown, where Plaintiffs

Jerry Schafer and Agustin Loredo live, into a large district stretching all the way to the Louisiana border.

~~170.~~175. White voters in Enacted CD36 consistently vote as a bloc in opposition to Latino voters' preferred candidates. Ecological inference analysis based on precinct-level results from past elections in the geographic area that is included within Enacted CD36 shows that 88 percent of white voters in Enacted CD36 voted in opposition to the candidates that 78 percent of Latino voters in the district favor.

~~171.~~176. As explained above, Plaintiffs' first demonstration map shows that the southwestern-most portions of Enacted CD36 may be combined with the southeastern portions of Enacted CD29 to form the first demonstration map's Proposed CD38, a compact, majority-Latino district in southeastern Harris County.

~~172.~~177. As explained below, Latino voters in the first demonstration map's Proposed CD38, including Plaintiffs Jerry Shafer and Agustin Loredo, are politically cohesive.

~~173.~~178. Plaintiffs' second demonstration map similarly combines the southwestern-most portions of Enacted CD36 with the southeastern portions of Enacted CD29 to form the second demonstration map's Proposed CD38, a compact, majority-Latino district in southeastern Harris County.

~~174.~~179. As explained below, Latino voters in the second demonstration map's Proposed CD38, including Plaintiffs Jerry Shafer and Agustin Loredo, are politically cohesive.

c. **CD38**

~~175.~~180. Enacted CD38 is a congressional district in western Harris County in which 61.4 percent of eligible voters are white.

~~176.~~181. White voters in Enacted CD38 consistently vote as a bloc in opposition to Black and Latino voters' preferred candidates, including the candidates preferred by Plaintiff

Akilah Bacy. Ecological inference analysis based on precinct-level results from past elections in the geographic area that is included within Enacted CD38 shows that 77 percent of white voters in Enacted CD38 voted in opposition to the candidates that 65 percent of Latino voters and 65 percent of Black voters in the district favor.

~~177.~~182. In Plaintiffs' first demonstration map, Plaintiff Akilah Bacy resides instead in Proposed CD29. As explained above, the first demonstration map's Proposed CD29 is a majority–Black and Latino district in which Black and Latino voters are politically cohesive and may elect their candidates of choice.

~~178.~~183. Proposed CD38 in Plaintiffs' first demonstration map is relocated to southeastern Harris County, where it combines the western portion of Enacted CD36 with the eastern portion of Enacted CD29. Plaintiffs Agustin Loredo and Jerry Shafer live in the first demonstration map's Proposed CD38.

~~179.~~184. The voting-eligible population of the first demonstration map's Proposed CD38 is 53.4 percent Latino.

~~180.~~185. Latino voters in the first demonstration map's Proposed CD38 are politically cohesive. Ecological inference analysis based on precinct-level results from past elections in the geographic area that is included within the first demonstration map's Proposed CD38 shows that 85 percent of Latino voters in the district support Democratic Party candidates in general elections. The first demonstration map's Proposed CD38 would allow those voters, including Plaintiffs Agustin Loredo and Jerry Shafer, the opportunity to elect their candidates of choice.

~~181.~~186. Proposed CD38 in Plaintiffs' second demonstration map is similar to Proposed CD38 in Plaintiffs' first demonstration map: a compact district in southeastern Harris County in which a majority (53%) of eligible voters are Latino.

~~182.~~187. Latino voters in the second demonstration map's Proposed CD38 are politically cohesive. Ecological inference analysis based on precinct-level results from past elections in the geographic area that is included within the second demonstration map's Proposed CD38 shows that 83 percent of Latino voters in the district support Democratic Party candidates in general elections. The second demonstration map's Proposed CD38 would allow those voters, including Plaintiffs Agustin Loredo and Jerry Shafer, the opportunity to elect their candidates of choice.

E. House Bill 1

~~183.~~188. House Bill 1 systematically dilutes the voting strength of non-white voters in two key areas of the state: Tarrant County and Harris County.

4. Tarrant County

~~184.~~189. House Bill 1 divides Tarrant County into eleven House districts. Approximately 55% of Tarrant County's population is non-white, but non-white voters in the county have a reasonable opportunity to elect candidates of their choice in just four of its districts: HD90, HD92, HD95, and HD 101. In particular, House Bill 1 packs Black and Latino voters into two bizarrely shaped and interlocking House districts spanning the city of Fort Worth: HD90 and HD95. HD90 is a predominantly Latino district that wraps around Fort Worth in a meandering U shape, covering large areas to the north and south of the city, as well as narrower slivers to the east and west. HD 95 is a minority coalition district that spans the south and east of Fort Worth, except for a narrow spur that pulls in Fort Worth's downtown area. The county's remaining non-white voters are either in HD92, a diverse, barely contiguous district in the eastern portion of the county;

in HD101, a diverse coalition district in the southeastern portion of the county; or cracked among the remaining seven districts in suburban areas of the county, including in Enacted HD94, the 67.1% white voting-eligible-population district in which Plaintiff Cecilia Gonzales resides.

~~185.~~190. White voters in Enacted HD94 consistently vote as a bloc in opposition to Black and Latino voters' preferred candidates, including the candidates preferred by Plaintiff Cecilia Gonzales. Ecological inference analysis based on precinct-level results from past elections in the geographic area that is included within Enacted HD94 shows that 67 percent of white voters in Enacted HD94 voted in opposition to the candidates that 66 percent of Latino voters and 64 percent of Black voters in the district favored.

~~186.~~191. Attached to this Complaint as Exhibit 3 is a demonstration map showing an alternative configuration of districts in Tarrant County.

~~187.~~192. Under plaintiffs' demonstration map, HD90 and HD95 are reconfigured into more compact districts, with Proposed HD90's voting-eligible population remaining majority-Latino as in Enacted HD90, and Proposed HD95's voting-eligible population remaining majority–Black and Latino as in Enacted HD95.

~~188.~~193. These changes to Proposed HD90 and Proposed HD95 allow for the creation of Proposed HD94. Unlike Enacted HD94, a majority of the voting-eligible population of Proposed HD94 (61.2 percent) is Black or Latino.

~~189.~~194. Black and Latino voters in Proposed HD94 are politically cohesive. Ecological inference analysis based on precinct-level results from past elections in the geographic area that is included within Proposed HD94 shows that 95 percent of Black voters and 87 percent of Latino voters in the district support Democratic Party candidates in general elections. Proposed

HD94 would allow those voters, including Plaintiff Cecilia Gonzales, the opportunity to elect their candidates of choice.

~~190.~~195. Black and Latino voters in the demonstration map's Proposed HD94 are also politically cohesive in primary elections. Ecological inference analysis shows that a plurality of both groups favor the same candidates in Democratic Party primary elections in 80 percent of the elections examined in which each group had a clear first-choice candidate.

5. Harris County

~~191.~~196. Harris County, the most populous county in Texas, is home to more non-white residents than any other Texas county. Less than 30 percent of Harris County residents are white, while 20 percent of the county's residents are Black and nearly 45 percent are Latino. Harris County is divided into 25 House districts.

~~192.~~197. House Bill 1 packs Latino voters in southeast Harris County into two House districts: HD143 and HD144, while cracking others into HD128 and HD129. HD143 is a predominantly Latino district that stretches east from Houston through the city's eastern suburbs, stopping at the San Jacinto River and then inexplicably leaping across the San Jacinto Bay to capture portions of predominantly Latino Baytown. The Baytown portion of HD143 is entirely separated from the rest of the district by water. HD144 is also a predominantly Latino district, covering the southeastern suburbs of Pasadena and South Houston as well as parts of Houston proper.

~~193.~~198. Much of the remaining Latino population in southeast Harris County is cracked between two predominantly white districts: HD128 and HD129, which encompass the outer, predominantly white parts of the county as well as portions of predominantly Latino southeastern suburbs.

~~194.~~199. The white population of each of these enacted districts votes as a bloc to defeat Latino voters' candidates of choice. Ecological inference analysis based on precinct-level results from past elections in the geographic area that is included within Enacted HD128, HD129, HD142, HD143, and HD144 shows that between 89 percent (in Enacted HD128) and 64 percent (in Enacted HD144) of white voters in each district vote in opposition to the candidates that between 62 percent (in Enacted HD128) and 80 percent (in Enacted HD142) of Latino voters in those districts favor.

~~195.~~200. Plaintiffs Agustin Loredo and Jerry Shafer reside in Enacted HD143, in which 56.4 percent of eligible voters are Latino, 22.8 percent are Black, and just 18.6 percent of eligible voters are white.

~~196.~~201. The packing of a supermajority of non-white voters into Enacted HD143 dilutes their votes, including the votes of Plaintiffs Agustin Loredo and Jerry Shafer.

~~197.~~202. Attached to this Complaint as Exhibit 4 is a demonstration map showing an alternative configuration of districts in eastern Harris County.

~~198.~~203. The demonstration map includes more compact versions of HD143 and HD144, Proposed HD143 and Proposed HD144, which remain districts in which a majority of eligible voters are Latino, but which reduce the packing of those districts with supermajorities of non-white voters.

~~199.~~204. Latino voters in Proposed HD143 are politically cohesive. Ecological inference analysis based on precinct-level results from past elections in the geographic area that is included within Proposed HD143 shows that 83 percent of Latino voters in the district support Democratic Party candidates in general elections. Proposed HD143 would allow those voters the

opportunity to elect their candidates of choice without having their votes diluted by being packed into a district with a supermajority of minority voters.

~~200.~~205. Latino voters in Proposed HD144 are also politically cohesive. Ecological inference analysis based on precinct-level results from past elections in the geographic area that is included within Proposed HD144 shows that 85 percent of Latino voters in the district support Democratic Party candidates in general elections. Proposed HD144 would allow those voters, including Plaintiffs Agustin Loredo and Jerry Shafer, the opportunity to elect their candidates of choice without having their votes diluted by being packed into a district with a supermajority of minority voters.

~~201.~~206. By reducing the packing of supermajorities of minority voters into HD143 and HD144, and thus reducing the dilution of votes of the residents of those districts, including of Plaintiffs Jerry Schafer and Agustin Loredo, the demonstration map allows the creation of Proposed HD129, a district in which 52 percent of eligible voters are Latino.

~~202.~~207. Unlike Proposed HD129, Enacted HD129 is district in which a majority of the voting-eligible population (58.1 percent) is white. White voters in Enacted HD129 vote as a bloc to defeat Latino voters' candidates of choice. Ecological inference analysis based on precinct-level results from past elections in the geographic area that is included within Enacted HD129 shows that 72 percent of white voters in that district vote in opposition to the candidates that 56 percent of Latino voters in that district favor.

~~203.~~208. Latino voters in Proposed HD129 are politically cohesive. Ecological inference analysis based on precinct-level results from past elections in the geographic area that is included within Proposed HD129 shows that 78 percent of Latino voters in the district support Democratic Party candidates in general elections. Proposed HD129 would allow those voters the

opportunity to elect their candidates of choice. Proposed HD129 would do this as a direct result of reducing the dilution of votes by other Latino voters in eastern Harris County, including Plaintiffs Agustin Loredo and Jerry Schafer, who are packed into supermajority-minority districts like HD143 in the enacted map.

F. Racial Polarization

~~204.~~209. As courts have long recognized, voting in nearly every region of Texas is severely racially polarized. *See Veasey v. Abbott*, 830 F.3d 216, 258 (5th Cir. 2016) (en banc) (noting State's failure to contest evidence that "racially polarized voting exists throughout Texas"); *Perez v. Abbott* ("*Perez I*"), 250 F. Supp. 3d 123, 180 (W.D. Tex. 2017) (three-judge panel) (noting "the existence of racially polarized voting throughout Texas").

~~205.~~210. Black and Latino voters across Texas cohesively vote for the same candidates. For example, ecological regression analysis suggests that in the 2020 presidential election, more than 70 percent of Latino voters and more than 95 percent of Black voters statewide supported President Biden, the Latino and Black candidate of choice. Similarly, in the 2018 governor's race, more than 70 percent of Latino voters and more than 95 percent of Black voters supported candidate Lupe Valdez, the Latino and Black candidate of choice. In contrast, non-Hispanic white voters in Texas consistently vote as a bloc to defeat those candidates, with just 15 percent of white Texas voters supporting President Biden and just 10 percent of white Texas voters supporting Lupe Valdez.

~~206.~~211. In the sections above, Plaintiffs have made specific allegations about racially polarized voting in the specific enacted and proposed districts at issue in their claims.

~~207.~~212. The racially polarized voting patterns in Texas are driven in significant part by attitudes about race and ethnicity. Members of Texas's two major political parties exhibit sharp

disagreements over issues relating to race and ethnicity. Members of the Democratic Party—which Latino and Black voters in the state overwhelmingly prefer—are significantly more likely to view Texas's voting laws as racially discriminatory, support removing Confederate monuments from public spaces, oppose immediate deportation of undocumented immigrants, and support comprehensive immigration reform with a pathway to citizenship than members of the Republican Party, which white voters overwhelmingly prefer.

~~208.~~213. In 2008, the Cooperative Congressional Election Study found that *60 percent* of Texas Republicans supported re-imposing a literacy test for voting, compared to just 24 percent of the state's Democrats.

G. Texas's History of Discrimination

~~209.~~214. Texas's attempts to dilute the Latino vote through redistricting are nothing new. This is simply the latest iteration of centuries-long efforts by Texas officials to suppress non-white political participation.

~~210.~~215. "Texas has a long, well-documented history of discrimination that has touched upon the rights of Blacks and Hispanics to register, to vote, or to participate otherwise in the electoral process. Devices such as the poll tax, an all-white primary system, and restrictive voter registration time periods are an unfortunate part of this State's minority voting rights history." *Patino v. City of Pasadena*, 230 F. Supp. 3d 667, 682–83 (S.D. Tex. 2017) (quoting *League of United Latin Am. Citizens v. Perry* ("*LULAC*"), 548 U.S. 399, 439–40 (2006)); *see also Perez v. Abbott* ("*Perez II*"), 253 F. Supp. 3d 864, 888, 906 (W.D. Tex. 2017) (three-judge panel noting that "Texas's history of official discrimination touching on the right of Hispanics to register, vote, and otherwise to participate in the democratic process is well documented").

~~211.~~216. Texas's ongoing history of voting discrimination against minorities has deep historical roots. In 1866, Texas prohibited freed slaves from voting and holding office. After Reconstruction-era policies expanded ballot access, Texas systematically fought to suppress minority voting rights.

~~212.~~217. In the decades before white Texans coalesced around the Republican Party, white Texans dominated the Democratic Party—and stopped minority voters from participating in its primaries. This was particularly problematic because the historic Democratic Party so dominated the State's politics into the mid-twentieth century that no other party was even relevant. By 1923, Texas had passed a law explicitly providing that "in no event shall a negro participate in a Democratic primary in the State of Texas and declaring ballots cast by negroes as void." S.B. 44, 38th Leg., 2d Sess. (Tex. 1923). After the U.S. Supreme Court invalidated that law, Texas maneuvered around the ruling by allowing political parties to set their own qualifications, after which Black and Latino voters were immediately barred from political participation once again.

~~213.~~218. Texas further engaged in systematic disenfranchisement of Latino voters by capitalizing on language barriers and literacy disparities, going so far as to prohibit anyone from assisting "illiterate" individuals or non-English speakers at the polls. These restrictions remained in place until federal court intervention in 1970.

~~214.~~219. Texas also used a poll tax to disenfranchise Black and Latino voters, who were significantly more likely to be living in poverty. This significantly depressed Black and Latino registration and turnout throughout much of the twentieth century.

~~215.~~220. After the Voting Rights Act of 1965 increased registration rates among Black and Latino Texans, the State quickly legislated counteractive measures. The following year, Texas enacted a law requiring that every voter reregister each year, a measure intended to mimic

the poll tax's burden on minority voters. After a federal court found this annual-registration requirement unconstitutional, *see Beare v. Smith*, 321 F. Supp. 1100, 1101–02 (S.D. Tex. 1971) (three-judge panel), *aff'd sub nom. Beare v. Briscoe*, 498 F.2d 244 (5th Cir. 1974), Texas purged minority voters from its rolls by requiring all voters in the State to reregister before voting in future elections. These and other tactics against minority voters eventually led Congress to include Texas as a covered state under Section 5 of the Voting Rights Act in 1975.

~~216.~~221. While Texas's efforts to limit Black and Latino voters' access to the franchise have a long and shameful heritage, they are by no means a thing of the past. The State continues to lead the nation in efforts to suppress minority political participation.

~~217.~~222. A 2018 study by the U.S. Commission on Civil Rights found that Texas had "the highest number of recent [Voting Rights Act] violations in the nation." U.S. Comm'n on C.R., *An Assessment of Minority Voting Rights Access in the United States* 74 (2018). In every redistricting cycle since 1970, a federal court has ruled at least once that the State violated the Voting Rights Act or the U.S. Constitution during the redistricting process.

~~218.~~223. In 2006, the U.S. Supreme Court held that the State had enacted a congressional map that unlawfully diluted the voting strength of Latino voters in West Texas in direct response to those voters' growing political power. *See LULAC*, 548 U.S. at 436–42. These actions "b[ore] the mark of intentional discrimination that could give rise to an equal protection violation." *Id.* at 440.

~~219.~~224. During the 2010 redistricting cycle, federal courts found that Texas had intentionally diluted Black and Latino voting strength in crafting new congressional and state legislative maps. *See Perez II*, 253 F. Supp. 3d at 949–62; *Perez I*, 250 F. Supp. 3d at 145–80 (W.D. Tex. 2017); *Texas v. United States*, 887 F. Supp. 2d 133, 159–66, 177–78 (D.D.C. 2012)

(three-judge panel), *vacated and remanded on other grounds*, 570 U.S. 928 (2013). A three-judge court "found that the Texas Legislature intentionally discriminated in 2011 in numerous and significant ways" during the last decennial redistricting, and the Supreme Court "never addressed or in any way called into question [that court's] findings as to the Legislature's discriminatory purpose in enacting the 2011 plans." *Perez v. Abbott*, 390 F. Supp. 3d 803, 811–12 (W.D. Tex. 2019).

~~220.~~225. In 2016, an en banc panel of the U.S. Court of Appeals for the Fifth Circuit concluded that there was evidence that Texas's 2011 law requiring photo identification for voters was motivated by a discriminatory purpose. *See Veasey*, 830 F.3d at 225, 234–43. The Fifth Circuit further "conclude[d] that the district court did not clearly err in determining that [the photo identification law] ha[d] a discriminatory effect on minorities' voting rights in violation of Section 2 of the Voting Rights Act." *Id.* at 265.

~~221.~~226. Texas also uses the enormous power of its criminal justice system to suppress minority political participation. Since Attorney General Paxton took office in 2015, at least 72 percent of the prosecutions brought by his Election Integrity Unit have been against Black and Latino individuals—who make up just over 50 percent of the State's population.

~~222.~~227. Because the rules governing voter registration and ballot casting can be confusing, the threat of criminal prosecution for violating such rules significantly deters eligible voters from participating in the political process. The severe racial and ethnic disparities in Texas's election-related prosecutions thus intimidate minority voters against participating in the State's elections.

~~223.~~228. Attorney General Paxton has not been alone in intimidating minority voters. In 2019, former Acting Secretary of State David Whitley issued an advisory decision to county

registrars claiming to have a list of 95,000 noncitizens who were unlawfully registered to vote. The list was rife with errors, particularly because it failed to account for noncitizens who had since become naturalized. A federal judge called Secretary Whitley's actions in this incident "ham-handed and threatening" and lamented that these actions stoked "fear and anxiety" among the State's minority population and "intimidate[d] the least powerful among us." *Tex. League of United Latin Am. Citizens v. Whitley*, No. SA-19-CA-74-FB, 2019 WL 7938511, at *1 (W.D. Tex. Feb. 27, 2019).

~~224.~~229. In addition to the threat of criminal prosecution, Black and Latino Texans routinely face intimidation and misinformation at the polls.

~~225.~~230. Dallas County's former elections administrator stated in 2018 that the severity and intensity of voter harassment and intimidation had reached levels she had not seen in her 30 years of service. During that year's election, a white poll worker in North Houston yelled racial insults at a Black voter, stating, "Maybe if I'd worn my blackface makeup today you could comprehend what I'm saying to you," and, "If you call the police, they're going to take you to jail and do something to you, because I'm white."

~~226.~~231. The 2020 election was no better. On the first day of early voting at a Dallas polling place, an older white man falsely told a long line of mostly Black and Latino voters that they would not be allowed to vote if they were not inside the building by the time the polls closed.

~~227.~~232. At a different Dallas polling location, supporters of former president Trump blared messages aimed at Latino and Black voters while one of them told the voters that he sends people to the morgue.

~~228.~~233. On October 29, cars and military-style trucks gathered in the parking lot of a Fort Bend polling place with loudspeakers, bullhorns, and a coffin.

~~229.~~234. Incidents of Trump supporters engaging in similar intimidating behavior were reported in Tarrant, Montgomery, and Harris Counties.

~~230.~~235. And just this year, the Texas Legislature re-doubled its efforts to make it more difficult for Black and Latino Texans to vote, enacting an omnibus voter suppression bill that burdens voters, restricts access to the franchise, and targets the very measures that communities of color disproportionately relied on to increase voter turnout in 2020 and other recent elections. *See generally* SB 1, 87th Leg., 2d Called Sess. (Tex. 2021). Disturbingly, SB 1 even empowered partisan poll watchers to employ voter intimidation tactics by granting them increased freedom in the polling place while limiting the oversight powers of election workers.

H. Use of Racial Appeals in Political Campaigns

~~231.~~236. Political campaigns in Texas commonly resort to racial appeals that rely on stereotypes. During the 2018 campaign for the U.S. Senate, Senator Cruz ran ads capitalizing on fears founded on the stereotype that Latino immigrants are violent criminals and mocked his opponent's call for an investigation into the police shooting of an unarmed Black man in the man's own apartment.

~~232.~~237. In support of former congressman Pete Olson, who was facing a challenge by Sri Preston Kulkarni in 2018, the Fort Bend County Republican Party circulated an advertisement depicting Ganesha, a Hindu deity, asking, "Would you worship a donkey or an elephant? The choice is yours."

~~233.~~238. That same year, former congressman Pete Sessions claimed that his Black opponent, now-congressman Colin Allred, wanted to legalize crack cocaine, and ran a digital ad placing Congressman Allred's name over a picture of a dark-skinned hand clasping a white woman's mouth.

~~234.~~239. Local campaigns have also included racial appeals. For example, Vic Cunningham, a white candidate for Dallas County Commissioner in 2018, explained to the *Dallas Morning News* that he believed it would be "Christian" only if his children married a person "that's Caucasian."

~~235.~~240. Race played an enormous role in the 2020 election, fueled in significant part by police killings of Black Americans like George Floyd and Breonna Taylor. In Texas, Republican officials publicly mocked the worldwide outrage and protests that these killings provoked. One county Republican chair posted a Martin Luther King Jr. quote on a background with a banana. Other county Republican chairs spread false conspiracy theories on social media suggesting that George Floyd's murder was staged in an effort to limit Black support for former president Trump and that the protesters demanding racial justice nationwide were being paid by George Soros. Taking these blatantly false assertions a step further, Republican Agriculture Commissioner Sid Miller publicly stated that Soros was starting a "race war."

~~236.~~241. During the 2020 U.S. Senate race, Republican incumbent John Cornyn engaged in several racial appeals. He nicknamed potential opponent Royce West, who is Black, "Restful Royce"—a clear reference to a longstanding racist stereotype.

~~237.~~242. Senator Cornyn also publicly blamed China's "culture" for the coronavirus outbreak, playing into the same racial appeals used by former president Trump and other Republicans, who, for example, referred to the pandemic as the "Kung-Flu." An Asian American studies expert called this language "textbook racist discourse."

~~238.~~243. And, just a few months ago, a Republican candidate in the State's special congressional election for CD6 outright declared that she did not want Chinese immigrants in the United States.

I. Ongoing Effects of Texas's History of Discrimination

~~239.~~244. The long history of discrimination against Black and Latino Texans has produced stark disparities between the everyday lives of minority and white Texans. Black and Latino Texans make up a disproportionate number of individuals living in poverty. According to the U.S. Census Bureau's 2019 American Community Survey ("ACS") 5-Year Estimate, 8.4 percent of white Texans lived below the poverty line, compared to 19.3 percent of Black Texans and 20.7 percent of Latino Texans.

~~240.~~245. Disparities also exist in the areas of employment and income. According to the 2019 5-year ACS Estimate, the median income among non-Latino white Texan households ($75,879) was significantly higher than that among Black Texan households ($46,572) and Latino Texan households ($49,260). And according to a 2018 study by the Economic Policy Institute, non-white Texans had a significantly lower unemployment rate (3.9 percent) than Black Texans (5.7 percent) and Latino Texans (4.5 percent).

~~241.~~246. Low-income voters face a number of hurdles to voter participation including working multiple jobs, working during polling place hours, lack of access to childcare, lack of access to transportation, and higher rates of illness and disability. All of these hurdles make it more difficult for poor and low-income voters to participate effectively in the political process.

J. Extent to Which Latino and Black Texans Have Been Elected to Public Office

~~242.~~247. The ongoing disparities in minority political participation are also reflected by the fact that Latino and Black lawmakers are underrepresented in the State's elected offices. While Latino Texans constitute more than 36 percent of Texas's voting-age population and nearly 30 percent of its citizen voting-age population, and Black Texans constitute more than 12 percent of Texas's voting age population and more than 13 percent of its citizen voting age population,

just two of Texas's twenty-seven statewide elected State officials are Latino, and none is Black. Less than 20 percent of the seats in Texas's delegation to the U.S. House of Representatives, and less than 25 percent of the seats in the Texas Senate and Texas House are held by Latino lawmakers. At the local level, many communities with large Latino populations lack any minority representation at all.

CLAIMS FOR RELIEF

COUNT I

SECTION 2 OF THE VOTING RIGHTS ACT – SENATE BILL 6

~~243.~~248. Plaintiffs re-allege and incorporate by reference all prior paragraphs of this Complaint and the paragraphs in the counts below as though fully set forth herein.

~~244.~~249. Section 2 of the Voting Rights Act prohibits the enforcement of any voting qualification or prerequisite to voting or any standard, practice, or procedure that results in the denial or abridgement of the right of any U.S. citizen to vote on account of race, color, or membership in a language minority group. 52 U.S.C. § 10301(a).

~~245.~~250. The district boundaries created by Senate Bill 6 combine to "crack" and "pack" Latino Texans, resulting in the dilution of the electoral strength of the state's Latino and Black residents, in violation of Section 2 of the Voting Rights Act.

~~246.~~251. Latino Texans in South and West Texas are sufficiently numerous and geographically compact to constitute a majority of eligible voters in two additional congressional districts, for a total of eight such districts in that region.

~~247.~~252. Additionally, Senate Bill 6's CD23, which contains a majority of Latino eligible voters, is drawn to ensure that Latino voters do not have a reasonable opportunity to elect their candidates of choice. Latino voters in South and West Texas are sufficiently numerous and

geographically compact to permit CD23 to be drawn in ways that would give the Latino residents of that district a reasonable opportunity to elect their candidates of choice.

~~248.~~253. In addition, Black and Latino voters in the Dallas–Fort Worth and Houston metropolitan areas are sufficiently numerous and geographically compact to either (a) allow for an additional district in each of the Dallas–Fort Worth and Houston areas in which a majority of eligible voters are Latino, or (b) allow for an additional district in each of the Dallas–Fort Worth and Houston areas in which Black and Latino eligible voters are, together, a majority of eligible voters.

~~249.~~254. In sum, under Section 2 of the Voting Rights Act, the Texas legislature was required (a) to create two additional districts in which Latino Texans in South and West Texas have the opportunity to elect their candidates of choice, (b) to draw CD23 in a manner that would give Latino Texans in that district a reasonable opportunity to elect their candidates of choice, and (c) to create two additional districts—one each in the Dallas–Fort Worth and Houston areas—in which either Latino Texans or Black and Latino Texans together have a reasonable opportunity to elect their candidates of choice. Not one of these additional districts would reduce the number of minority opportunity districts in their respective regions or in the enacted map as a whole.

~~250.~~255. Black and Latino voters in Dallas–Fort Worth and Houston, and Latino voters in South and West Texas, are politically cohesive, and elections in the state reveal a clear pattern of racially polarized voting that allows the bloc of white voters usually to defeat minority-preferred candidates.

~~251.~~256. The totality of the circumstances establishes that the congressional map established by Senate Bill 6 has the effect of denying Black and Latino voters an equal opportunity

to participate in the political process and to elect candidates of their choice, in violation of Section 2 of the Voting Rights Act, 52 U.S.C. § 10301.

~~252.~~257. By engaging in the acts and omissions alleged herein, Defendants have acted and continue to act to deny Plaintiffs' rights guaranteed to them by Section 2 of the Voting Rights Act. Defendants will continue to violate those rights absent relief granted by this Court.

COUNT II

SECTION 2 OF THE VOTING RIGHTS ACT – HOUSE BILL 1

~~253.~~258. Plaintiffs re-allege and incorporate by reference all prior paragraphs of this Complaint and the paragraphs in the counts below as though fully set forth herein.

~~254.~~259. Section 2 of the Voting Rights Act prohibits the enforcement of any voting qualification or prerequisite to voting or any standard, practice, or procedure that results in the denial or abridgement of the right of any U.S. citizen to vote on account of race, color, or membership in a language minority group. 52 U.S.C. § 10301(a).

~~255.~~260. The district boundaries created by House Bill 1 combine to "crack" and "pack" Latino Texans, resulting in the dilution of the electoral strength of the state's Latino and Black residents, in violation of Section 2 of the Voting Rights Act.

~~256.~~261. Latino and Black Texans in Tarrant County are sufficiently numerous and geographically compact to constitute a majority of eligible voters in one additional House district, for a total of five such districts in that county.

~~257.~~262. Latino voters in Harris County are sufficiently numerous and geographically compact to allow for an additional district in the county in which a majority of eligible voters are Latino.

~~258.~~263. In sum, under Section 2 of the Voting Rights Act, the Texas legislature was required (a) to create an additional district in Tarrant County in which Black and Latino Texans

together have a reasonable opportunity to elect their candidates of choice, and (b) to create an additional district in Harris County in which Latino Texans have a reasonable opportunity to elect their candidates of choice. Not one of these additional districts would reduce the number of minority opportunity districts in their respective regions or in the enacted map as a whole.

~~259.~~264. Black and Latino voters in Tarrant County, and Latino voters in Harris County, are politically cohesive, and elections in the state reveal a clear pattern of racially polarized voting that allows the bloc of white voters usually to defeat minority-preferred candidates.

~~260.~~265. The totality of the circumstances establishes that the House map established by House Bill 1 has the effect of denying Black and Latino voters an equal opportunity to participate in the political process and to elect candidates of their choice, in violation of Section 2 of the Voting Rights Act, 52 U.S.C. § 10301.

~~261.~~266. By engaging in the acts and omissions alleged herein, Defendants have acted and continue to act to deny Plaintiffs' rights guaranteed to them by Section 2 of the Voting Rights Act. Defendants will continue to violate those rights absent relief granted by this Court.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court:

a. Declare that Senate Bill 6 violates Section 2 of the Voting Rights Act.

b. Order the adoption of a valid congressional redistricting plan that includes:

   i. Two additional districts in South and West Texas, from the border region north to Bexar County and south to the Gulf of Mexico, in which Latino voters have a reasonable opportunity to elect their candidates of choice, without reducing the number of such districts currently in the region or elsewhere in the State;

ii. A district that gives the Latino residents of TX-23 a reasonable opportunity to elect their candidates of choice;

iii. An additional district in the Dallas–Fort Worth metropolitan area in which Latino voters or Black and Latino voters have a reasonable opportunity to elect their candidates of choice, without reducing the number of minority opportunity districts currently in the region; and

iv. An additional district in the Houston metropolitan area, in which Latino voters or a coalition of Black and Latino voters have a reasonable opportunity to elect their candidates of choice, without reducing the number of minority opportunity districts currently in the region.

c. Declare that House Bill 1 violates Section 2 of the Voting Rights Act.

d. Order the adoption of a valid House redistricting plan that includes:

i. An additional district in Tarrant County in which Black and Latino voters have a reasonable opportunity to elect their candidates of choice, without reducing the number of minority opportunity districts currently in the county; and

ii. An additional district in the southeastern portion of Harris County in which Latino voters have a reasonable opportunity to elect their candidates of choice, without reducing the number of minority opportunity districts currently in the region.

e. Enjoin Defendants, as well as their agents and successors in office, from enforcing or giving any effect to the boundaries of the congressional or state House districts as drawn in Senate Bill 6 and House Bill 1, including an injunction barring Defendants from conducting any further congressional or House elections under the current map.

f. Hold hearings, consider briefing and evidence, and otherwise take actions necessary to determine and order a valid plan for new congressional and state House districts in the State of Texas; and

g. Grant such other or further relief the Court deems to be appropriate, including but not limited to an award of Plaintiffs' attorneys' fees and reasonable costs.

Dated: ~~June~~ July 25~~6~~, 2022.

Respectfully submitted,

/s/ ~~Abha Khanna~~David R. Fox

Abha Khanna*
ELIAS LAW GROUP LLP
1700 Seventh Ave, Suite 2100
Seattle, WA 98101
Telephone: (206) 656-0177
akhanna@elias.law

Aria C. Branch*
David R. Fox*
~~Francesca Gibson*~~
Richard A. Medina*
Harleen Gambhir*
ELIAS LAW GROUP LLP
10 G Street NE, Suite 600
Washington, D.C. 20002
Telephone: (202) 968-4490
abranch@elias.law
dfox@elias.law
~~fgibson@elias.law~~
rmedina@elias.law
hgambhir@elias.law

Kevin J. Hamilton*
PERKINS COIE
1201 Third Avenue
Suite 4900
Seattle, WA 98101-3099
Telephone: (206) 359-8000
khamilton@perkinscoie.com

Counsel for Plaintiffs

*Admitted *Pro Hac Vice*

Renea Hicks
Attorney at Law
Texas Bar No. 09580400

Law Office of Max Renea Hicks
P.O. Box 303187
Austin, Texas 78703-0504
(512) 480-8231
rhicks@renea-hicks.com