

# Exhibit 10

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GALVESTON COUNTY, TEXAS,  
HONORABLE MARK HENRY, in his  
official capacity as Galveston County Judge,  
and DWIGHT D. SULLIVAN, in his  
official capacity as Galveston County Clerk

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*Defendants.*

**Expert Witness Report of Max Krochmal, Ph.D.  
On Behalf of the United States of America**

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## **1. Introduction**

On November 12, 2021, the Galveston County (Texas) Commissioners Court, a legislative body, passed a redistricting ordinance that redrew the map of its single-member voting districts, called “precincts.” Immediately prior to acting, the commissioners heard dozens of public comments, nearly all of which condemned the new maps for breaking apart Precinct 3, the county’s one historic minority opportunity district. The incumbent in the district likewise denounced the change. On March 24, 2022, the United States filed suit, alleging that the plan violated Section 2 of the Voting Rights Act by denying Black and Hispanic citizens the equal opportunity to elect candidates of their own choosing.<sup>1</sup>

At the request of the United States, I have prepared the following report. It evaluates the historical background of race relations and political opportunities for Black and Hispanic residents in Galveston County and Texas as well as the specific sequence of events leading up to the change in the commissioner precincts. It further examines whether there were deviations from previous procedures throughout the redistricting process, and it seeks to explore the role of racial discrimination in the adoption of the new maps. Throughout the study, it details the ways in which African Americans and Latinx Americans experienced and responded to racial/ethnic inequities, including the relationship between the two groups.

After careful evaluation of the available evidence, I have concluded that the 2021 redistricting occurred in the context of a history of official discrimination affecting the right to vote and as well as discrimination in other aspects of life directed toward both African Americans and Latinx Americans in Galveston County and Texas, that the County Commissioners in that instance used a skeletal process to enact the new commissioner precincts, and that race appears to have been a factor in enacting the new electoral map. Finally, the evidence indicates that Black and Latinx residents of Galveston County have historically constituted a political coalition and continue to support one another’s causes and combine to elect mutually-agreeable candidates of their choosing. Although the two groups’ interests are not identical, there is substantial overlap and similarity in their historical and present-day experiences and positioning.

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<sup>1</sup> A note on terminology: throughout this paper, I will use “African American” and “Black” interchangeably to denote all people of African descent in the U.S. Although there are Black, African-descended immigrants in the U.S., in Texas and Galveston, the vast majority of African Americans are native-born U.S. citizens, rendering this usage accurate if somewhat approximate overall. I also use “Latinx Americans,” “Latinx,” “Hispanic,” and the Census’s preferred “Hispanic/Latino” interchangeably to refer people of Latin American and Spanish Caribbean descent living in the U.S., regardless of citizenship status. I use “Mexican American” to refer specifically to Mexican-descended peoples in the U.S. in the mid-twentieth century, most but not all of whom were U.S. citizens. The term invokes the cohort described in Mario T. Garcia, *Mexican Americans: Leadership, Ideology, & Identity, 1930-1960* (New Haven: Yale University Press, 1989). I use “white,” “Anglo,” and “Anglo-American” interchangeably and in various combinations for clarity; all describe the group the Census calls “non-Hispanic whites.” Last, I use “people of color” to refer to commonalities among African Americans, Latinx Americans, Asian Americans and Pacific Islanders, Native Americans and indigenous peoples, Arab Americans, people of more than one race, and others outside the 2020 category of “non-Hispanic white.”

## **2. Qualifications & Methodology**

### **2.1. Scholarly Training and Experience**

In researching and presenting this report, I draw on my formal graduate training as well as more than a decade as a practicing, award-winning professional historian, public scholar, and university professor. I have a deep knowledge of Texas's social and political history, having written one monograph and two collaborative books centered on the overlapping histories of African Americans and Mexican Americans in the Lone Star State. My complete Curriculum Vita is attached to this report as Appendix A.

My Duke University Ph.D. dissertation focused on the above subjects and formed the foundation of my 2016 book, *Blue Texas: The Making of a Multiracial Democratic Coalition in the Civil Rights Era*. While the book's title evokes present-day political formations, the text itself centers on the historical efforts of Black, Latinx, and white civil rights and labor organizers beginning in the 1930s. It demonstrates the gradual process by which activists in all three groups came together to challenge the state's traditionally conservative and segregationist Democratic Party. After a series of setbacks, including intra-racial conflicts, African American and Mexican American civil rights activists discovered inter-racial coalitions as the secret weapons in their hitherto separate, decades-long battles against Jim Crow and "Juan Crow" (systemic, often state-sanctioned, discrimination against Latinx Americans; see below for additional information on "Juan Crow"). The book ends in the 1960s, when civil rights activists succeeded in breaking open the state's political system but also confronted the limits of independent political representation for Black and Latinx communities. Much of the book centers on voting rights—how activists engaged with voter registration despite the poll tax, how they built political capacity in their communities, and how they won a semblance of independent political representation for their long-neglected neighborhoods.<sup>2</sup>

My second book project extends these themes via a statewide oral history project and collaborative anthology, *Civil Rights in Black and Brown: Histories of Resistance and Struggle in Texas*. Based on over 500 new life history format interviews (featuring open-ended questions and lasting approximately 1-2 hours each), the book explores the meaning of civil rights among African Americans and Mexican Americans across Texas, from the large metropolitan areas to the cities of the Panhandle Plains, from along the Rio Grande to the small towns of East Texas. The interviews and accompanying archival sources provide incontrovertible evidence of the long histories of systemic racism in Texas, the presence and persistence of both Jim Crow and Juan Crow, and the equally omnipresent resistance to racial discrimination by residents in communities across the state. It unveils the centrality of state-enacted and state-sanctioned physical violence in maintaining inequality, the importance of educational equity and political opportunity to Black and Latinx communities, and a wide range of coalitions, cooperation, and at times conflict between the two groups. Our researchers for *Civil Rights in Black and Brown* conducted roughly a dozen interviews with Black and Latinx leaders in Galveston County, sources that have been consulted as part of this report.<sup>3</sup>

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<sup>2</sup> Max Krochmal, *Blue Texas: The Making of a Multiracial Democratic Coalition in the Civil Rights Era*, Justice, Power, and Politics (Chapel Hill: University of North Carolina Press, 2016).

<sup>3</sup> Max Krochmal and J. Todd Moye, eds., *Civil Rights in Black and Brown: Histories of Resistance and Struggle in Texas* (Austin: University of Texas Press, 2021). Clips from the Galveston interviews are included on the project website, the *Civil Rights*

I have also worked closely with government agencies, nonprofits, and grassroots community leaders to recover, present, and teach the histories of African Americans and Mexican Americans in Texas. One such collaboration with Fort Worth Independent School District produced another book, *Latinx Studies in the K-12 Classroom: A Practical Guide*.<sup>4</sup> Other projects led to public programs, exhibits, websites, and the creation of new archives.<sup>5</sup> My work as a public scholar has also compelled me to attend many meetings of local government bodies, giving me firsthand experience participating as a community member, and teaching me how to observe the political process. These included meetings of the Tarrant County Commissioners Court, City of Fort Worth, and Fort Worth Independent School District. I have also been a close observer and participant in state-level Texas politics.<sup>6</sup>

I spent more than a decade as a professor of history at Texas Christian University and am a former resident of Fort Worth, Texas. I am now a full professor of history at the University of New Orleans, where I also hold the Czech Republic Endowed Professorship in Justice and direct an interdisciplinary Ph.D. program in Justice Studies. The Department of Justice is compensating me for my work on this report at the rate of \$250 per hour. My compensation is not dependent upon my findings nor on the outcome of litigation, and I am free to reach any conclusions warranted by the evidence and my interpretations and scholarly training. This is my first experience serving as an expert witness for litigation, though I have long studied voting rights as part of my scholarship.

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in *Black and Brown Interview Database*, <https://crbb.tcu.edu/>, and a complete archive is available at University of North Texas Libraries, *Portal to Texas History*, <https://texas.history.unt.edu/explore/collections/CRBB/>.

<sup>4</sup> David Colón and Max Krochmal, *Latinx Studies Curriculum in K-12 Schools: A Practical Guide* (Fort Worth: Texas Christian University Press, 2022).

<sup>5</sup> For example, see Max Krochmal and Moisés Acuña Gurrola, eds., *Viva Mi Historia: The Story of Fort Worth Latino Families*, <https://holatarrantcounty.org/vivamihistoria/>. This website, now hosted by the grassroots nonprofit HOLA Tarrant County, grew out of a collaboration with the City of Fort Worth Human Relations Unit and Library and numerous local nonprofits with *Latino Americans: 500 Years of History* grant funding from the National Endowment for the Humanities and the American Library Association. It also led to the creation of a new archive at the city library, *Latino Americans: 500 Years of History*, <http://www.fortworthtexasarchives.org/digital/collection/p16084coll25>.

<sup>6</sup> This participant-observation led me to write op-eds on each of these levels of government. See Max Krochmal and J. Todd Moye, “A draft congressional map lays out one future for Texas. But there is a better path,” *Washington Post*, September 28, 2021, <https://www.washingtonpost.com/outlook/2021/09/28/draft-congressional-map-lays-out-one-future-texas-there-is-better-path/>; Max Krochmal, “If They Care About Equity, Fort Worth Schools Must Extend Virtual Learning,” *Fort Worth Weekly*, September 22, 2020, <https://www.fwweekly.com/2020/09/22/if-they-care-about-equity-fort-worth-schools-must-extend-virtual-learning/>; Max Krochmal, “Tarrant sheriff needs to give straight story on immigration program’s costs, drawbacks,” *Fort Worth Star-Telegram*, June 17, 2019, <https://www.star-telegram.com/opinion/opn-columns-blogs/article231638593.html>; Max Krochmal, “The Texas Senate Race Is Not ‘Historic,’” *Los Angeles Review of Books*, November 4, 2018, <https://lareviewofbooks.org/article/the-texas-senate-race-is-not-historic/>; “Protesters, the council and the many meanings of racism,” *Fort Worth Star-Telegram*, August 18, 2017, <http://www.star-telegram.com/opinion/opn-columns-blogs/other-voices/article168083772.html>; and Max Krochmal, “Texas Democrats must get back to their progressive roots,” *TribTalk (Texas Tribune)*, November 21, 2016, <https://www.tribtalk.org/2016/11/21/texas-democrats-must-get-back-to-their-progressive-roots/>.



## **2.2. The Historical Method**

My methodology for the present study mirrored the normal practices in my profession, guided by my graduate training at Duke and the standards of the American Historical Association.<sup>7</sup> I evaluate as much written evidence as possible, which in this case included dozens of secondary sources produced by other scholars, over three hundred newspaper articles, webpages of broadcast news outlets, minutes and agendas from the Galveston County Commissioners Court over several decades, the digitized video streams of selected commissioners' meetings, flyers and other artifacts culled from social media, archived oral history interviews, and fieldwork in Galveston County in which I drew on written sources to identify, contact, and meet informally with Black and Latinx residents, explored local public history institutions, and attended community events. I also searched in the archives of the Rosenberg Library's Galveston & Texas History Center, where I consulted vertical subject files related to Mexican-origin people in Galveston County and annual reports of the Galveston County Commissioners Court.

As historians, we are often forced to interpret events in the past based on a fragmentary documentary record. To mitigate against errors in collecting evidence, we try to find sources from a variety of authors and contexts. We cast our nets widely and try to be as comprehensive as possible everywhere that we search. The digitization of many archives and newspapers has provided newfound access to rare documents, but keyword searches also present challenges to researchers.<sup>8</sup> To avoid missing important information, when looking in newspaper databases, County Commissioners archives, and even Google searches, I used multiple search terms and experimented with various forms of language, including antiquated usages. For example, I learned that a single, simple search for "redistricting" did not return all of the news articles or Commissioners Court discussions related to the issue, so I also searched for "voting precincts" and for the names of key actors who emerged in the process, people such as Wayne Johnson, Ray Holbrook, and Mark Henry (detailed below). Still, the historical record can remain incomplete and/or inaccessible. Because I used only online databases, and not microfilm, I was unable to access the *Galveston Daily News* for the years 2000 to 2004. This leaves a gap that I was forced to fill, in part, using the *Houston Chronicle* archive, which spans 1985 to the present.

Such limitations aside, using the standards of our discipline, historians can infer, deduce, and ultimately narrate history even while some questions remain. We weigh each document or single piece of evidence fairly against other evidence and cross-reference them to check for veracity. We look for patterns to confirm historical claims, such as when a single event or theme recurs in multiple texts. We also look for deviations from patterns, for example, when a normally formulaic document includes marginal notes or other extraneous information or, in other cases, when some of the standard fields were omitted or incomplete. It is always challenging to determine the motives of historical actors; still, this is what we are trained to do. We use all the information we can gather to

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<sup>7</sup> See American Historical Association, *Statement on Standards of Professional Conduct*, updated 2019, <https://www.historians.org/jobs-and-professional-development/statements-standards-and-guidelines-of-the-discipline/statement-on-standards-of-professional-conduct>.

<sup>8</sup> For a thoughtful exploration of these challenges, along with mitigation strategies, see Lara Putnam, "The Transnational and the Text-Searchable: Digitized Sources and the Shadows They Cast," *American Historical Review* 121, no. 2 (April 2016): 377–402, <https://doi.org/10.1093/ahr/121.2.377>.

make informed, evidence-based decisions on what happened in the past and why and how events took place. We interrogate our evidence alongside and within the wider context surrounding its production, and we explore moments of contingency when events could have unfolded differently (without trading in counterfactuals). Doubts always linger, and more evidence or new readings can produce debate among fair-minded practitioners. Yet historians must work around and through the silences of the record to arrive at evidence-based claims about the past. We establish facts and interpretations based on a preponderance of sources, using a sort of qualitative algorithm to wrangle the many layers of sometimes divergent historical sources into a coherent statement of truth.<sup>9</sup>

These careful approaches—that together comprise the “historical method”—allow us to make educated, accurate claims about the causes of historical events and about continuity or change over time. This report thus uses the historical method to explore the broad histories of race and racism in Texas and Galveston County, before turning to the specific histories of redistricting and political representation on the Galveston County Commissioners Court.

### **2.3. The “Theory of Racial Formation” and the Meaning of “Racist”**

This report draws on the latest historical and social scientific research to examine the historical role of race. Scholars now agree that race is a social construction with little if any connection to biology. Humans created the concept of race and mapped it rather imperfectly onto bodies and phenotypes as part of a pair of world-historical transformations that confronted our species at the dawn of the modern age: the “discovery” of the New World by Europeans and their repopulating of it via the trans-Atlantic slave trade. Tribal divisions had long separated people, while ancestry groups remain important in scientific research. But the historical, cultural, and social process of race-making centered on ascribing meaning to perceived physical differences in order to explain the ravages of imperialism. In short, European thinkers created ideas of racial difference to justify conquest and the consequent inequality between the metropole and its colonial hinterlands, first in the periphery of Europe (such as Ireland) and then overseas. Racism is not the result of innate difference but rather the reflection of underlying social conflicts that, in turn, produced racial categories. Racism begot the races, not the other way around. Enlightenment philosophers further justified the concept of racial difference, and the color lines sharpened amidst industrialization and the expansion of European colonialism in the 19<sup>th</sup> century.

Scholars Michael Omi and Howard Winant’s “theory of racial formation” represents one of the leading academic approaches to understanding, in their words, “the sociohistorical process by which racial identities are created, lived out, transformed, and destroyed.” Taking this concept and other theories of race to heart, historians have explored the ways in which racial formation—the system of race and the racial categories themselves—have changed over time throughout U.S. history, explaining, for example, how Irish immigrants, who initially experienced marginalization in the U.S., gradually became white. The process is not unidirectional nor instantaneous. Rather, groups are racialized via a series of “racial projects” in which racial meanings or understandings of difference

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<sup>9</sup> For more on historical methods, see Thomas Andrews and Flannery Burke, “What Does It Mean to Think Historically?,” *Perspectives on History*, January 2007, <https://www.historians.org/research-and-publications/perspectives-on-history/january-2007/what-does-it-mean-to-think-historically>; William Kelleher Storey, *Writing History: A Guide for Students*, 4th edition (New York: Oxford University Press, 2012); Peter N. Stearns, *Thinking History* (New York: American Historical Association and Oxford University Press, 2004).

get attached to particular acts of organizing and distributing resources. A government could create a new policy, for example, that provides disproportionate benefits to one racial group at the expense of the other, thereby extending disparities. Omi and Winant posit that a given racial project can be understood as “racist” if it “creates or reproduces structures of domination based on racial significations and identities.” Conversely, a racial project can be understood as “anti-racist,” if it does the opposite—for example, a social movement could organize a protest that creates a new discourse on how the nation understands racial inequity. In sum, humans ascribe racial meaning to concrete actions and systems, producing race and racism as meaningful, material reality (and not mere illusion).<sup>10</sup>

Social scientific research has long demonstrated that durable racial inequality persists in the U.S. and worldwide, as measured by a wide range of social and economic factors. African Americans earn less income on average than whites, for example. Many scholars call these persistent patterns of disparities based on race “structural racism” or, when located in particular governmental, business, or educational organizations, “institutional racism.” In the language of Omi and Winant, the many disparities add up to “structures of domination based on racial significations and identities.” Reflecting these insights, in this report, I will use “racism” to signify the cumulative structural disparities that exist in U.S. racial formation—not mere individual attitudes or prejudice—and “racist” to denote a specific “racial project” that “creates or reproduces” these larger structures of inequality. I will use “racial formation” to refer to the entire process in which racial categories are created, given meaning, deployed, contested, and reformulated via racist and antiracist projects.<sup>11</sup>

#### **2.4. “Juan Crow” and Racial Formation in Texas**

Latinx Americans have often occupied an ambiguous position within U.S. racial formations that were conventionally understood in terms of Black and white. The full range of their experiences is beyond the scope of this report, but it is sufficient to note that Latin America includes a wide range of European, Indigenous, and African origin peoples and an infinite palette of phenotypes. Upon entering the U.S., most Latinx immigrants and their children were perceived as neither unambiguously Black nor white, while their foreignness became their most salient characteristic. This was true even for the occupants of the area that would become the U.S. Southwest, which previously was claimed as the northern frontier of the former New Spain (prior to 1821) and Mexico

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<sup>10</sup> Michael Omi and Howard Winant, “The Theory of Racial Formation,” in *Racial Formation in the United States*, Third (New York: Routledge, 2014), 105–36. (quotations on 109, 125, 128). Among the many deeper histories in dialogue with this concept, see Natalia Molina, *How Race Is Made in America: Immigration, Citizenship, and the Historical Power of Racial Scripts* (Berkeley: University of California Press, 2014); David R. Roediger, *The Wages of Whiteness: Race and the Making of the American Working Class* (New York: Verso, 1991); Noel Ignatiev, *How the Irish Became White* (New York: Routledge, 1995); Alexander Saxton, *The Indispensable Enemy: Labor and the Anti-Chinese Movement in California* (Berkeley: University of California Press, 1971). Also see George M. Fredrickson, *Racism: A Short History* (Princeton, N.J.: Princeton University Press, 2002).

<sup>11</sup> For further discussions on this topic, see Eduardo Bonilla-Silva, *Racism without Racists: Color-Blind Racism and the Persistence of Racial Inequality in America*, 4th edition (Lanham: Rowman & Littlefield Publishers, 2013); Michael K. Brown et al., *Whitenashing Race: The Myth of a Color-Blind Society* (Berkeley: University of California Press, 2003). Also see Joe R. Feagin, *Systemic Racism: A Theory of Oppression*, 1st edition (New York: Routledge, 2006).

(1821 to 1848). In any event, by the late 19<sup>th</sup> century, most Latinx people in Texas and the U.S. Southwest were of Mexican descent, and most possessed phenotypically brown skin.<sup>12</sup>

More important than their ancestry, however, were the structures of domination that surrounded them. Anglo-American settlers in Texas and the Southwest ascribed to brown Mexican Americans a series of racial meanings that together cast them as inferior and undeserving. They did so because the region depended economically upon the labor of Mexican-origin people, and like their colonial predecessors in Europe, they attached racial meaning to justify structures of inequality. Mexicans and Mexican Americans were not constructed as Black, but they were not white either. Instead, most Mexican Americans became a nonwhite Other, and they were treated differently as a result. To take just one example, Anglo-American commercial farmers perceived Mexican-origin people as uniquely adept at labor in the fields because they were deemed inherently unintelligent, docile, and hard-working. These ideas, in turn, justified the substandard company housing provided to migratory workers and the creation of separate “Mexican schools” for their children. The already scant educational offerings closed entirely when extra hands were needed in the fields for planting, hoeing, and harvesting, making the calendar for Mexican schools even shorter than their Anglo counterparts.<sup>13</sup>

The structures of domination that white Anglo-Americans developed to dominate Mexican American labor—paired with the ideas that naturalized the inequality—comprised a caste system that many historians refer to as “Juan Crow.” First coined to describe the U.S. restriction of immigration from Mexico, the term in this context instead refers to the domestic Mexican American counterpart to the system of Jim Crow, a web of practices or racial projects that deepened structural racism in the U.S. Southwest with respect to Mexican Americans, further casting them as a nonwhite racial “other.” Prominent historians have also used the term “Jaime” Crow to describe this systemic discrimination and inequity, but “Juan” remains most prominent. As I write in *Civil Rights in Black and Brown*,

Mexican Americans were confined to separate and inferior schools, segregated under-resourced neighborhoods, political disfranchisement, and the very bottom of the occupational ladder. Since South Texas farmers were subsidized in different areas by a mix of federal and state agencies . . . it is fair to say that all these aspects of Juan Crow were

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<sup>12</sup> For an introduction to racial formations in Latin America, see George Reid Andrews, *Afro-Latin America, 1800-2000* (New York: Oxford University Press, 2004); Richard Graham, ed., *The Idea of Race in Latin America, 1870-1940*, 5th Paperback Printing edition (Austin: University of Texas Press, 1990). On the ways in which Mexican ideas about race traveled to the U.S., see Benjamin H. Johnson, “The Cosmic Race in Texas: Racial Fusion, White Supremacy, and Civil Rights Politics,” *Journal of American History* 98, no. 2 (September 1, 2011): 404–19, <https://doi.org/10.1093/jahist/jar338>; Ruben Flores, *Backroads Pragmatists: Mexico’s Melting Pot and Civil Rights in the United States* (Philadelphia: University of Pennsylvania Press, 2014).

<sup>13</sup> David Montejano, *Anglos and Mexicans in the Making of Texas, 1836-1986* (Austin: University of Texas Press, 1987); Arnoldo De León, *They Called Them Greasers: Anglo Attitudes toward Mexicans in Texas, 1821–1900* (Austin: University of Texas Press, 1983); Guadalupe San Miguel, *Let All of Them Take Heed: Mexican Americans and the Campaign for Educational Equality in Texas, 1910-1981* (Austin: University of Texas Press, 1987); David Gutiérrez, *Walls and Mirrors: Mexican Americans, Mexican Immigrants, and the Politics of Ethnicity* (Berkeley: University of California Press, 1995); Neil Foley, *The White Scourge: Mexicans, Blacks, and Poor Whites in Texas Cotton Culture*, American Crossroads (Berkeley: University of California Press, 1997).

created and enforced by the state, and that this, too, represented de jure segregation—despite the absence of state and local statutes mandating it. State and local governments chose where and how to build and fund schools, where to build roads or provide services such as running water and sewers, who would qualify to vote, and who would have access to paid employment or unemployment relief.

Most critically, the state determined how it would punish Mexicanos who stepped out of line. . . Mexican Americans were likewise victims of extralegal violence and state-sponsored terror.<sup>14</sup>

Structural racism thus targeted Mexican Americans across the Southwest. In Texas, Juan Crow overlapped with the Jim Crow segregation of African Americans, which likewise sought to contain and discipline agricultural workers. The state's racial formations prioritized white Anglos at the expense of both African Americans and Mexican Americans—and both groups, in turn, shaped that process through their own collective actions.<sup>15</sup>

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<sup>14</sup> Max Krochmal, “Lone Star Civil Rights: Histories, Memories, and Legacies,” in Krochmal and Moye, *Civil Rights in Black and Brown*, 4–5; Laura E. Gómez, *Manifest Destinies: The Making of the Mexican American Race*, 2nd edition (NYU Press, 2018); Albert M. Camarillo, “Navigating Segregated Life in America’s Racial Borderhoods, 1910s–1950s,” *Journal of American History* 100, no. 3 (December 2013): 645–62; José Jorge Mendoza, “Doing Away with Juan Crow: Two Standards for Just Immigration Reform,” *APA Newsletter on Hispanic/Latino Issues in Philosophy* 15, no. 2 (2015): 14–20. The usage of “Juan” by a recent Macarthur fellow indicates its growing acceptance. See Kelly Lytle Hernández, *Bad Mexicans: Race, Empire, and Revolution in the Borderlands* (New York, NY: W. W. Norton & Company, 2022). For more on state-sanctioned violence against Mexicans, Monica Muñoz Martínez, *The Injustice Never Leaves You: Anti-Mexican Violence in Texas* (Cambridge, Mass.: Harvard University Press, 2018); William D. Carrigan and Clive Webb, *Forgotten Dead: Mob Violence against Mexicans in the United States, 1848-1928* (New York: Oxford University Press, 2013).

<sup>15</sup> The Jim Crow system of segregation worked differently than did Juan Crow, and anti-Blackness remained foundational to U.S. and regional racial formations. African Americans and Mexican Americans often diverged in how they confronted systemic racism, with each group prioritizing its own community’s experiences and needs. The two groups typically had distinct leaders, hailed from largely separate cultures and diasporas, often lived in segregated monoracial neighborhoods, practiced different religious denominations, at times spoke different languages, and held disparate views on how to achieve equity. Yet similarities of political strategy, class, tactics, and other factors frequently brought African Americans and Mexican Americans of similar ideological persuasions together across racial and ethnic lines. Many Mexican Americans recognized the similarities between Juan Crow and Jim Crow and sought to build coalitions with African Americans, and vice-versa. For other members of both groups, distance and indifference were the norm. Still other African Americans and Mexican Americans experienced conflict with one another over resources, power, or positioning. In extreme but unrepresentative cases, a minority of Mexican American activists exhibited anti-Black prejudice and positioning while they confronted Juan Crow. For examples of coalitions, see Krochmal, *Blue Texas*; Lauren Araiza, *To March for Others: The Black Freedom Struggle and the United Farm Workers* (Philadelphia: University of Pennsylvania Press, 2013); Gordon Keith Mantler, “Black, Brown, and Poor: Martin Luther King Jr., the Poor People’s Campaign and Its Legacies” (Ph.D. diss., Duke University, 2008). On conflict, see Brian D. Behnken, *Fighting Their Own Battles: Mexican Americans, African Americans, and the Struggle for Civil Rights in Texas* (Chapel Hill: University of North Carolina Press, 2011); Neil Foley, “Becoming Hispanic: Mexican Americans and the Faustian Pact with Whiteness,” *Reflexiones*, 1997, 53–70; Neil Foley, *Quest for Equality: The Failed Promise of Black-Brown Solidarity* (Cambridge, Mass.: Harvard University Press, 2010). For more subtle rejoinders that better characterize the relationship of Mexican American activists to whiteness, see Carlos K. Blanton, “George I. Sánchez, Ideology, and Whiteness in the Making of the Mexican American Civil Rights Movement, 1930-1960,” *Journal of Southern History* 72, no. 3 (August 2006): 569–604; Carlos K. Blanton, “The Citizenship Sacrifice: Mexican Americans, the Saunders-Leonard Report, and the Politics of Immigration, 1951-1952,” *Western Historical Quarterly* 40, no. 3 (Autumn 2009): 299–320; Thomas A. Guglielmo, “Fighting for Caucasian Rights: Mexicans, Mexican Americans, and the Transnational Struggle for Civil Rights in World War II Texas,” *Journal of American History* 92, no. 4 (March 2006): 1212–37; Johnson, “The Cosmic Race in Texas.” On Mexican Americans in the Jim Crow South, see Cecilia Márquez, “Juan Crow and the Erasure of Blackness in the



### **3. Historical Background of Racial Formation in Texas**

#### **3.1. Early Texas and the Rise of Segregation**

The political entity that is now Texas began as a settler-colony of slaveholders. Scholars now agree that the area's early economic and political life centered on the cultivation of cotton by enslaved African-descended people, from its growth as a Mexican outpost (1821-1836), through the period of the Texas Republic (1836-1845), and following its annexation by the United States. White Anglo-American settlers banished indigenous peoples from the territory and relegated most Mexicans to unskilled wage labor in both the fields and the cities. After becoming a state, Texas joined the Confederate rebellion, with the explicit purpose of defending the institution of chattel slavery.<sup>16</sup>

After the rebellion's failure, and a brief period of Reconstruction, large scale planters moved to reestablish their dominion of the countryside. They devised new methods of labor control, such as sharecropping, and at the turn of the twentieth century, they developed the twin caste systems of Jim Crow and Juan Crow. Both were novel inventions aimed at establishing and maintaining white supremacy as a way of life. The new regimes included social, economic, and political dimensions. Commercial farmers created new counties to wrest power from Mexican ranchers in South Texas, while East Texas planters dominated local politics and, via malapportionment, state government. New tools such as the poll tax (enacted 1903) and all-white primary (1923) bolstered their position. The former required voters in Texas to pay an annual fee that reached \$1.25 in order to register to vote. The amount represented a substantial sum for wage workers and sharecroppers, and its timing—due each January—meant that the tax came during a season when agricultural laborers rarely had cash on hand. Further, the triumphant Democratic Party, which had “redeemed” Texas and the rest of the “solid South” from Black- and Republican-led Reconstruction, enacted the white primary to limit participation in the Democratic Party's all-important nominating contests. Even if they could manage to pay their poll taxes, then, all Black and most Latinx voters could not cast ballots in the elections and caucuses that really mattered.<sup>17</sup>

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Latina/o South,” *Labor* 16, no. 3 (September 1, 2019): 79–85; Julie M. Weise, *Corazon de Dixie: Mexicanos in the U.S. South since 1910* (Chapel Hill: The University of North Carolina Press, 2015).

<sup>16</sup> On the settling of Texas, see Andrew J. Torget, *Seeds of Empire: Cotton, Slavery, and the Transformation of the Texas Borderlands, 1800-1850* (Chapel Hill: The University of North Carolina Press, 2015); Randolph B. Campbell, *An Empire for Slavery: The Peculiar Institution in Texas, 1821–1865* (Baton Rouge: LSU Press, 1989). On Texas's early Indigenous history and the conquest, see, for example, Juliana Barr, *Peace Came in the Form of a Woman: Indians and Spaniards in the Texas Borderlands* (Chapel Hill: University of North Carolina Press, 2007); Pekka Hamalainen, *The Comanche Empire* (New Haven: Yale University Press, 2008); Brian DeLay, *War of a Thousand Deserts: Indian Raids and the U.S.-Mexican War* (New Haven: Yale University Press, 2008); F. Todd Smith, *From Dominance to Disappearance: The Indians of Texas and the Near Southwest, 1786-1859* (Lincoln: University of Nebraska Press, 2005); Gary Clayton Anderson, *The Conquest of Texas: Ethnic Cleansing in the Promised Land, 1820–1875* (Norman: University of Oklahoma Press, 2005). On secession, see “A declaration of the causes which impel the State of Texas to secede from the Federal Union, February 2, 1861, Texas State Library and Archives Commission, <https://www.tsl.texas.gov/ref/abouttx/secession/2feb1861.html>.

<sup>17</sup> Randolph B. Campbell, *Grass-Roots Reconstruction in Texas, 1865-1880* (Baton Rouge: Louisiana State University Press, 1997); Carl H. Moneyhon, *Texas After the Civil War: The Struggle of Reconstruction* (College Station: Texas A&M University Press, 2004); Lawrence Goodwyn, *The Populist Moment: A Short History of the Agrarian Revolt in America* (New York: Oxford University Press, 1978); Montejano, *Anglos and Mexicans in the Making of Texas, 1836-1986*; Darlene Clark Hine, *Black Victory: The Rise and Fall of the White Primary in Texas*, New ed. (Columbia: University of Missouri Press, 2003); O. Douglas

Beyond these political repercussions, the systems of Jim Crow and Juan Crow shaped the jobs available to Black and Latinx people; determined where they could live and which schools they could attend; subjected them to disparate policing, extralegal violence, court proceedings, incarceration, and convict-lease labor; provided differential and unequal access to healthcare and public services; and generally sought to dehumanize, dominate, and deter African Americans and Latinx Americans. The history of segregation in Texas paralleled that of other Southern and Southwestern states. Jim Crow was more visible in East Texas, while Juan Crow predominated in South Texas and West Texas. In the cities, both caste systems often converged. Indeed, as Texas modernized and urbanized in the first half of the 20th century, cities and counties passed a bevy of ordinances and enacted a series of practices to institutionalize segregation in the urban environment. The systems of Jim Crow and Juan Crow did not merely separate Black and Latinx peoples from whites but rather aimed to impose methods of racial domination that together comprised a regime of laws and customs that became deeply entrenched, shaping the life chances and opportunities available to Black and Latinx Texans across the state. No area was left untouched.<sup>18</sup>

### **3.2. Civil Rights Struggles and the Voting Rights Act**

African Americans and Latinx Americans resisted Jim Crow and Juan Crow continuously, but their efforts began to bear fruit in World War II. Black Texans under the leadership of the NAACP filed legal challenges that ultimately led to the U.S. Supreme Court, and were successful in overturning the white primary (*Smith v. Allright*, 1944) and segregation in graduate and professional schools (*Sweatt v. Painter*, 1950). They seized the wartime promise of fair employment practices to challenge persistent discrimination on the job. Mexican Americans joined in these efforts and also built a pair of organizations to advocate for their interests, the League of United Latin American Citizens (LULAC, founded in 1929), and the American G. I. Forum, a veterans' group (established 1948).<sup>19</sup>

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Weeks, "Election Laws," Handbook of Texas Online, June 12, 2010, <https://tshaonline.org/handbook/online/articles/wde01>.

<sup>18</sup> For a lengthier summary of the making of Jim Crow and Juan Crow in Texas, see Krochmal, "Lone Star Civil Rights," 3-7, in Krochmal and Moye, *Civil Rights in Black and Brown*. Also see C. Vann Woodward, *The Strange Career of Jim Crow* (New York: Oxford University Press, 2001); Bernadette Pruitt, *The Other Great Migration: The Movement of Rural African Americans to Houston, Texas, 1900-1941* (College Station: Texas A&M University Press, 2013); William H. Chafe, Raymond Gavins, and Robert Korstad, eds., *Remembering Jim Crow: African Americans Tell About Life in the Segregated South* (New York: New Press, 2001); Leslie Brown and Anne Valk, *Living with Jim Crow: African American Women and Memories of the Segregated South* (New York: Palgrave Macmillan, 2010); Leon F. Litwack, *Trouble in Mind: Black Southerners in the Age of Jim Crow*, 1st ed (New York: Alfred A. Knopf, 1998); Grace Elizabeth Hale, *Making Whiteness: The Culture of Segregation in the South, 1890-1940* (New York: Pantheon, 1998); Martinez, *The Injustice Never Leaves You*; Nicholas Villanueva Jr., *The Lynching of Mexicans in the Texas Borderlands* (University of New Mexico Press, 2017); Carrigan and Webb, *Forgotten Dead*.

<sup>19</sup> For an overview of the Black and Latinx liberation struggles in Texas, see Krochmal, "Lone Star Civil Rights," 7-14, in Krochmal and Moye, *Civil Rights in Black and Brown*. Also see Merline Pitre, *In Struggle Against Jim Crow: Lulu B. White and the NAACP, 1900-1957* (College Station: Texas A&M University Press, 1999); Cynthia Orozco, *No Mexicans, Women, or Dogs Allowed: The Rise of the Mexican American Civil Rights Movement* (Austin: University of Texas Press, 2009); Emilio Zamora, *Claiming Rights and Righting Wrongs in Texas: Mexican Workers and Job Politics During World War II* (College Station: Texas A&M University Press, 2009); Gabriela González, *Redeeming La Raza: Transborder Modernity, Race, Respectability, and Rights* (New York: Oxford University Press, 2018); Benjamin Marquez, *LULAC: The Evolution of a Mexican American Political Organization*, 1st ed (Austin: University of Texas Press, 1993); Will Guzman, *Civil Rights in the Texas Borderlands: Dr. Lawrence A. Nixon and Black Activism* (University of Illinois Press, 2015); Gary M. Lavergne, *Before Brown: Heman Marion Sweatt, Thurgood Marshall, and the Long Road to Justice*, Amazon Kindle Edition (Austin: University of Texas Press, 2010);

Members of these organizations, along with grassroots leaders in both Black and Latinx communities, banded together in a series of political coalitions as early as the 1930s. As I detail in *Blue Texas*, by the early 1960s they came together with white liberals and labor leaders in the simply named “Democratic Coalition of Texas.” To be sure, Black and Latinx Texans experienced systemic white supremacy differently, yet they consistently sought out allies across lines of race and ethnicity. They did so in both the 1950s and 1960s, when Mexican Americans were legally considered a “class apart” or “other whites,” as well as into the 1970s and beyond, when they became an “identifiable ethnic minority” for the purposes of school desegregation, antipoverty efforts, and urban policy.<sup>20</sup>

Although the systems of Jim Crow and Juan Crow were not fully dismantled by the civil rights movements of the 1960s and 1970s, the legal regime changed significantly, particularly in relation to politics. The Voting Rights Act of 1965 increased federal enforcement authority with respect to the electoral process, but despite pervasive systemic racism, neither Texas nor any of its political subdivisions were initially included under the Act’s Section 4 formula that required covered jurisdictions to preclear voting changes with the federal government. Voting discrimination based on race persisted, but ironically, the successful registration campaigns of the Democratic Coalition, the NAACP, Texas Council of Voters, and other groups had enrolled enough Black voters that the state was not subjected to the same scrutiny as other Southern states. Yet a decade later, when Congress reauthorized the Voting Rights Act in 1975, it extended the law to protect “language minorities,” including Spanish-speaking peoples of the Southwest. Activists led by the Raza Unida Party, Southwest Voter Registration Education Project, and the Mexican American Legal Defense and Education Fund (MALDEF) documented numerous cases of voter suppression, cases in which Mexican Americans were denied their equal exercise of the franchise. In coalition with African American organizations, they filed numerous lawsuits that, for the first time, created minority-opportunity districts for Black and Latinx communities in Texas.

Organizers had struggled to achieve independent political representation since the 1930s. They fielded candidates who both looked like them and spoke to their issues, but at-large elections, white bloc voting, and the poll tax and white primary had all stood in the way. They still achieved some successes by the 1960s, particularly in state legislative races. But it was the extension of the VRA in 1975 that finally added Texas to Section 4(b), the Act’s coverage formula, subjecting the state and its subdivisions to the preclearance requirements of Section 5. For the first time, Black and Latinx voters in Texas possessed meaningful rights and enjoyed the active backing of the federal government, a shift that forced most of the state’s larger cities to finally create single-member voting districts that would allow Black and Latinx voters to elect candidates of their own choosing. The late 1970s subsequently saw a substantial rise of Black and Latinx elected officials in Houston, Dallas, San Antonio, and medium- and small-sized cities across the state. In 1970, there were just 29 Black

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Michael A. Olivas, ed., *Colored Men And Hombres Aquí: Hernandez V. Texas and the Emergence of Mexican American Lawyering* (Houston: Arte Público Press, 2006); Krochmal, *Blue Texas*.

<sup>20</sup> Krochmal, *Blue Texas*; Guadalupe San Miguel, *Brown, Not White: School Integration and the Chicano Movement in Houston*, University of Houston Series in Mexican American Studies (College Station: Texas A&M University Press, 2001); Behnken, *Fighting Their Own Battles*; Foley, *Quest for Equality*; William S. Clayson, *Freedom Is Not Enough: The War on Poverty and the Civil Rights Movement in Texas* (Austin: University of Texas Press, 2010); Krochmal and Moye, *Civil Rights in Black and Brown*.



elected officials in all of Texas. By 1980, that number reached 196, a 675% increase that resulted mostly from the election of new municipal and school board officials (153 of the 196 served at that level). By 2000, 475 Black people were elected to office, yet that total still comprised just 1.7% of the total number of elected officials in Texas.<sup>21</sup>

Mexican Americans also gained increased visibility and political power following the Hart-Celler Immigration and Nationality Act of 1965, the Immigration Reform and Control Act of 1986, and parallel Mexican political and economic developments. By the 1990s, many Mexican laborers abandoned circular migration (regular travel back and forth between Mexico and the U.S.) and made permanent homes in the United States. Some gained amnesty from the 1986 law, many more naturalized via family reunification provisions, and all of their U.S.-born children are birthright citizens. Some remain undocumented. Consequently, Texas and the United States have experienced “browning.” As the *Texas Tribune* summarized the 2020 Census: “Non-Hispanic white Texans now make up just 39.8% of the state’s population — down from 45% in 2010. Meanwhile, the share of Hispanic Texans has grown to 39.3%.” Further, “Texans of color accounted for 95% of the state’s population growth” since 2010, half of it attributable to Hispanic/Latino people. African Americans comprise 11.82% of the state’s population. Taken together, Black and Latinx Texans already constitute the state’s majority.<sup>22</sup>

### **3.3. Partisan Realignment**

The struggle for Black political representation and the signing of the Voting Rights Act triggered a partisan realignment in the South and eventually nationwide. African Americans after the Civil War first exercised the franchise as Republicans, members of the party of Lincoln. The first Black Congressman of the 20<sup>th</sup> century, Oscar De Priest of Illinois, was a Republican, first elected in 1928. By 1936, African Americans rewarded Franklin D. Roosevelt for including them in the New Deal, flocking into his Democratic Party. Yet in Texas and across the South, the Democratic Party remained the province of unreconstructed segregationists, exemplified by “Dixiecrat” and the States Rights Party’s 1948 nominee for the presidency, Strom Thurmond of South Carolina. Liberal New Deal Democrats sought to unseat the segregationists and wrest control of the party across the South. In Texas in the 1960s, African Americans and Mexican Americans joined with white liberals

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<sup>21</sup> “Black elected officials in Texas, 1970-2000,” Texas Politics Project (University of Texas), [https://texaspolitics.utexas.edu/archive/html/vce/features/0503\\_03/blacks.html](https://texaspolitics.utexas.edu/archive/html/vce/features/0503_03/blacks.html) (accessed January 6, 2023); Ari Berman, *Give Us the Ballot: The Modern Struggle for Voting Rights in America* (New York: Farrar, Straus and Giroux, 2015); Maggie Rivas-Rodriguez, *Texas Mexican Americans and Postwar Civil Rights* (Austin: University of Texas Press, 2015); Benjamin Márquez, *The Politics of Patronage: Lawyers, Philanthropy, and the Mexican American Legal Defense and Educational Fund* (Austin: University of Texas Press, 2021); Juan Sepúlveda, *The Life and Times of Willie Velásquez: Su Voto Es Su Voz* (Houston: Arte Publico Press, 2003); Krochmal, *Blue Texas*.

<sup>22</sup> Alexa Ura et al, “People of color make up 95% of Texas’ population growth, and cities and suburbs are booming, 2020 census shows,” *Texas Tribune*, August 12, 2021, <https://www.texastribune.org/2021/08/12/texas-2020-census/>. Ana Raquel Minian, *Undocumented Lives: The Untold Story of Mexican Migration* (Cambridge, Massachusetts: Harvard University Press, 2018); Steve Phillips, *Brown Is the New White: How the Demographic Revolution Has Created a New American Majority*, Revised and Updated Edition (New York London: The New Press, 2018).

and labor to create the Democratic Coalition, which helped to reelect both Lyndon B. Johnson to the presidency and a liberal U.S. Senator, Ralph W. Yarborough, in 1964.<sup>23</sup>

Yet even before Johnson signed the Voting Rights Act, white conservative Democrats in the South began defecting to the Republican Party, a trend that accelerated throughout the remainder of the 20<sup>th</sup> century. African Americans, meanwhile, voted in ever greater percentages for the Democratic Party, which became known as the party of civil rights. White Southerners left *en masse*. In 1984, every Southern state voted to reelect Republican president Ronald Reagan. In 2004, white Southerners voted 70-30 in favor of Republican George W. Bush, while Black Southerners voted 90-9 in favor of his opponent, Democrat John Kerry. By 2014, Republicans controlled every governorship and state legislature in the region, and all but three U.S. Senate seats (two from Virginia, and one from Florida). The once Democratic “Solid South” is now heavily Republican.<sup>24</sup>

Race represented the most important factor in these transformations. African Americans (along with Latinx Americans) broke down the doors of the formerly all-white Democratic Party and fought to make it their own, in partnership with white liberals and trade unionists. To be sure, this demographic shift had an ideological effect on the party, even as some conservative Democrats remained in the fold and advocated “moderate” positions. At the same time, the New Right enhanced its influence in the Republican Party, shifting the party to the ideological right since 1964. Nationwide, amidst a white backlash beginning in the 1970s, both parties retreated from civil rights advocacy and instead called for “law and order” and “welfare reform,” practicing “dog-whistle politics” in order to appeal to white voters. Yet people of color still cast their lot with the Democrats, while the Republicans’ ideological positioning proved unattractive to nonwhites. According to exit polls, in Texas in 2020, 90% of African Americans, 58% of Latinx Americans, and 63% of Asian Americans voted against the incumbent Republican President Donald Trump (compared to just 33% of whites). In Texas, as across the South and nation, such polarization meant that party often served as a proxy for race.<sup>25</sup>

<sup>23</sup> Lizabeth Cohen, *Making a New Deal: Industrial Workers in Chicago, 1919-1939* (Cambridge [England]: Cambridge University Press, 1990); Harvard Sitkoff, *The Struggle for Black Equality 1954-1992*, American Century Series (New York: Hill and Wang, 1993); Patricia Sullivan, *Days of Hope: Race and Democracy in the New Deal Era* (Chapel Hill: University of North Carolina Press, 1996); Joseph Crespino, *Strom Thurmond's America: A History*, Reprint edition (New York: Hill and Wang, 2013); Krochmal, *Blue Texas*.

<sup>24</sup> Eric Schickler, *Racial Realignment: The Transformation of American Liberalism, 1932–1965* (Princeton, New Jersey: Princeton University Press, 2016); Kevin P. Phillips, *The Emerging Republican Majority*, Revised edition (Princeton: Princeton University Press, 2014).; John Woolley and Gerhard Peters, “Statistics: 1984,” *The American Presidency Project* (University of California, Santa Barbara), <https://www.presidency.ucsb.edu/statistics/elections/1984>; “U.S. President / Region: South / Exit Poll,” *CNN.com*, 2004, <http://www.cnn.com/ELECTION/2004/pages/results/states/US/P/00/epolls.3.html> (accessed January 6, 2023); Nate Cohn, “Demise of the Southern Democrat Is Now Nearly Complete,” *New York Times*, December 4, 2014, <https://www.nytimes.com/2014/12/05/upshot/demise-of-the-southern-democrat-is-now-nearly-compete.html>.

<sup>25</sup> Lisa McGirr, *Suburban Warriors: The Origins of the New American Right* (Princeton, N.J.: Princeton University Press, 2001); Ian Haney López, *Dog Whistle Politics: How Coded Racial Appeals Have Reinvented Racism and Wrecked the Middle Class*, Illustrated edition (Oxford New York: Oxford University Press, 2015); Elizabeth Hinton, *From the War on Poverty to the War on Crime: The Making of Mass Incarceration in America*, 1 edition (Cambridge, Mass.: Harvard University Press, 2016); Adam Goodman, *The Deportation Machine: America's Long History of Expelling Immigrants* (Princeton: Princeton University

## **4. Historical Background of Racial Formation in Galveston County & Environs**

### **4.1. Slavery, Industry, and Segregation**

The history of race and racism in Galveston County largely reflects this statewide story. The area grew around its county seat and port, an entrepôt for the domestic trade in enslaved people as well as the export of cotton. Although few plantations existed on Galveston Island, the city was steeped in the institution and profited from its exchange with large slave labor camps on the county's mainland. At the dawn of the Civil War, City of Galveston ordinances included special provisions for the policing of enslaved and free people of color, including a \$1.50 charge by the city marshal for each instance of whipping them (\$1 if requested by a purported owner of the enslaved), a requirement for special searches and inspections of all sea ships departing to "all ports other than those of slave states," and the enlistment of a Night Watch to enforce an evening curfew and various restrictions on enslaved peoples' waged labor, marketplace exchanges, and bearing of arms. Many of Galveston's leading citizens were intimately tied to slavery, and it occupied a central location in the city. For example, in the words of journalist Gary Cartwright, "[t]he largest slave market west of New Orleans, in fact, flourished on the Strand, operated by the mayor of Galveston, [Colonel John] S. Sydnor." Approximately 18% of the county's population was enslaved in 1860, but slavery still drove Galveston County's economy and shaped its local government. Many white residents of Galveston also endorsed the explicitly proslavery declaration of secession by which Texas joined the Confederate rebellion.<sup>26</sup>

Of course, Galveston County also became home to the war's final symbolic act of abolition, as Union troops landed on the island and read aloud the Emancipation Proclamation on June 19, 1865. Enslaved people were told that they were now and forever free. The event became a cornerstone of African American collective memory, radiating outward from Galveston and Texas, and in 2021, Juneteenth became a U.S. federal holiday. Yet the promise of equality under the 13<sup>th</sup>, 14<sup>th</sup>, and 15<sup>th</sup> Amendments ultimately betrayed the freedmen and freedwomen. By the end of the 19<sup>th</sup> century,

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Press, 2020). "Texas Exit Polls: How Different Groups Voted," *New York Times*, 2020, <https://www.nytimes.com/interactive/2020/11/03/us/elections/exit-polls-texas.html> (accessed January 18, 2023).

<sup>26</sup> This history would not be possible without the painstaking recovery work led by Black residents of Galveston, including the leaders and volunteers at the African-American Museum. I'm deeply indebted to their efforts. For an overview of local Black history, see Izola Ethel Fedford Collins, *Island of Color: Where Juneteenth Started*, Illustrated edition (Bloomington, Ind: AuthorHouse, 2004). For academic histories of the city and environs, see David G. McComb, *Galveston: A History* (University of Texas Press, 1986); Gary Cartwright, *Galveston: A History of the Island* (Texas Christian University Press, 1998), (quotation on 79). For additional academic research on slavery in Galveston, see Robert S. Shelton, "Slavery in a Texas Seaport: The Peculiar Institution in Galveston," *Slavery & Abolition* 28, no. 2 (August 2007): 155–68, <https://doi.org/10.1080/01440390701427990>; Robert S. Shelton, "On Empire's Shore: Free and Unfree Workers in Galveston, Texas, 1840-1860," *Journal of Social History* 40, no. 3 (Spring 2007): 717–30, <https://doi.org/10.1353/jsh.2007.0070>. For the slave codes, see W. & D. Richardson. *Galveston City Directory, 1859-1860*, book, 1859; Galveston, Texas. (<https://texashistory.unt.edu/ark:/67531/metaph636854/>; accessed December 9, 2022), University of North Texas Libraries, The Portal to Texas History, <https://texashistory.unt.edu/>; crediting Rosenberg Library, 37, 38 (quotation), 40; United States Census Bureau, *Population of the United States in 1860: Texas*, <https://www2.census.gov/library/publications/decennial/1860/population/1860a-34.pdf> (accessed December 8, 2022). For an overview of enslavement in Galveston, see Katelyn Landry, *Facing the Gulf: Learning Stories of Slavery in Galveston, 1816-1865* (Rice University and Galveston Historical Foundation), <https://digitalprojects.rice.edu/facingthegulf/> (accessed January 6, 2023).

sharecropping had emerged as the dominant labor system in the countryside, and Jim Crow reigned supreme.<sup>27</sup>

The presence of the port did provide African Americans in the City of Galveston with a degree of economic opportunity and stability that exceeded that of their inland counterparts. The all-white Screwmen's Benevolent Association, founded in 1866, eventually accommodated the threat of Black strikebreakers by forging a pact with African American stevedores, first organized as the Cotton Jammer's Association in 1879. Carried over into two segregated locals of the International Longshoremen's Union (ILA), the "fifty-fifty" plan stipulated that stevedoring would be shared among the two races, with each group of workers alternating either the ends, or the two sides, of each cargo ship. The system produced relative peace on the docks and elevated Black longshoremen to a privileged status within the African American community. They were joined in relative prosperity by other Black "labor aristocrats" such as railroad workers and the unskilled laborers in the growing petrochemical industry, and a small Black middle class of doctors, lawyers, barbers, beauticians, and teachers. These strata allowed many African Americans in Galveston County to resist and survive the worst of Jim Crow.<sup>28</sup>

Still, white supremacist segregation achieved its desired ends in Galveston County. Whites confined most African Americans to poorly-paid jobs in industry, agriculture, hospitality, tourism, and domestic service. The oil gusher at Spindletop in 1901 and the opening of the Houston Ship Channel in 1914 led to the rapid industrialization of the Upper Texas Gulf Coast. Galveston's port suffered from the competition across the bay, but the archipelago of oil and gas refineries extended to mainland Galveston County, including the massive complex in Texas City. Still, African Americans and Mexican Americans did not share equally in the boom. Systemic employment discrimination confined them to unskilled positions, often focused on dirty and dangerous tasks. World War II-era fair employment measures had little effect. Deindustrialization and plant closures later in the twentieth century deepened these spatialized patterns of segregation and inequality. Although African Americans and Mexican Americans used Title VII of the Civil Rights of 1964 to finally gain access to operative and skilled positions in industry, they typically lacked plant-wide

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<sup>27</sup> Annette Gordon-Reed, *On Juneteenth* (New York: Liveright, 2021); Elizabeth Hayes Turner, "Juneteenth: Emancipation and Memory," in *Lone Star Past: Memory and History in Texas*, ed. Gregg Cantrell and Elizabeth Hayes Turner (College Station: Texas A&M University Press, 2007), 143–75; David W. Blight, *Race and Reunion: The Civil War in American Memory* (Cambridge, Mass.: Belknap Press of Harvard University Press, 2001).

<sup>28</sup> "Screwmen's Benevolent Association," Handbook of Texas Online, 1976, <https://www.tshaonline.org/handbook/entries/screwmens-benevolent-association>; James C. Maroney, "International Longshoremen's Association," Handbook of Texas Online, 1995, <https://www.tshaonline.org/handbook/entries/international-longshoremens-association>; Gregg Andrews, "Black Working-Class Political Activism and Biracial Unionism: Galveston Longshoremen in Jim Crow Texas, 1919-1921," *Journal of Southern History* 74, no. 3 (August 2008): 627–68; Joseph Abel, "Opening the Closed Shop: The Galveston Longshoremen's Strike of 1920-1921," *Southwestern Historical Quarterly* 110, no. 3 (January 2007): 316–47. On the Black middle-class in the age of Jim Crow, see Izola, *Island of Color*. For a detailed case study of the interior life of Black communities in the Age of Jim Crow, see Leslie Brown, *Upbuilding Black Durham: Gender, Class, and Black Community Development in the Jim Crow South* (Chapel Hill: University of North Carolina Press, 2008).



seniority and were therefore the first to be let go during layoffs. Industrial jobs disappeared just as workers of color were entering more lucrative skilled and managerial positions.<sup>29</sup>

At the same time, the postwar boom in suburban single-family housing remained predominately white. Northern Galveston County grew around NASA and developed prosperous bedroom communities serving nearby Houston. Many people of color remained in historically-Black and -Latinx urban areas—Galveston’s historic Central district for African Americans, which also became home to the city’s first public housing projects, and the East End or “Tortilla Flat” cluster of Mexican Americans. Other Black and Latinx people congregated in apartments, houses vacated by fleeing whites, and new developments adjacent to heavy industry on the Mainland. Local historian Izola Collins notes that the postwar South Acre Manor development in La Marque offered “quality homes . . . to African American working people at a fraction of the cost . . . . Soon everyone was talking about the fact that a family could buy a house and land for less than you could by a lot in Galveston.” Yet such options remained limited, as many Black and Latinx residents struggled to qualify for mortgages in the face of ongoing discrimination.<sup>30</sup>

Last but not least, the gradual desegregation of schools in Galveston County, which aimed to create equal opportunity for all, instead exacerbated racial inequity. On Galveston Island, desegregation resulted in the demotion of the historically-Black Central High School into a middle school, along with a loss of Black teachers and coaches. Collins writes of her experience at Hitchcock, on the Mainland, that “[i]ntegration was a very desirable goal, but it did seem very unfair that all the transportation problems, all the discipline problems, all the academic problems had to be borne by

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<sup>29</sup> For an overview of Black employment in the region, see Ernest Obadele-Starks, *Black Unionism in the Industrial South* (Texas A&M University Press, 2000). For Latinx people, see Zamora, *Claiming Rights and Righting Wrongs in Texas*; Cletus E. Daniel, *Chicano Workers and the Politics of Fairness: The FEPC in the Southwest, 1941-1945* (Austin: University of Texas Press, 1991). This and the following section also draw on my fieldwork in Galveston County in October, 2022, and interviews from the *Civil Rights in Black and Brown Oral History Project*, including: Oral History Interview with Robert Quintero, interviewed by Sandra Enríquez and Samantha Rodriguez, July 19, 2016, Galveston, Texas, *The Portal to Texas History*, University of North Texas Libraries, <https://texashistory.unt.edu/ark:/67531/metaph987521/>; Oral History Interview with Cornelia Harris Banks, July 6, 2016, interviewed by Sandra Enríquez and Samantha Rodriguez, Galveston, Texas, *The Portal to Texas History*, University of North Texas Libraries, <https://texashistory.unt.edu/ark:/67531/metaph987489/>; Oral History Interview with Clifton Lyons and Diana O’Neal, interviewed by Sandra Enríquez and Samantha Rodriguez, June 29, 2016, Galveston, Texas, *The Portal to Texas History*, University of North Texas Libraries, <https://texashistory.unt.edu/ark:/67531/metaph987475/>; Oral History Interview with Sam Collins, interviewed by Sandra Enríquez and Samantha Rodriguez, June 26, 2016, Galveston, Texas, *The Portal to Texas History*, University of North Texas Libraries, <https://texashistory.unt.edu/ark:/67531/metaph987529/>; Oral History Interview with David O’Neal, interviewed by Sandra Enríquez and Samantha Rodriguez, July 18, 2016, Galveston, Texas, *The Portal to Texas History*, University of North Texas Libraries, <https://texashistory.unt.edu/ark:/67531/metaph987538/>; Oral History Interview with Lupe Mendez, interviewed by Sandra Enríquez and Samantha Rodriguez, July 6, 2016, Missouri City, Texas, *The Portal to Texas History*, University of North Texas Libraries, <https://texashistory.unt.edu/ark:/67531/metaph987491/>; Oral History Interview with Lillie Aleman, interviewed by Sandra Enríquez and Samantha Rodriguez, July 11, 2016, Galveston, Texas, *The Portal to Texas History*, University of North Texas Libraries, <https://texashistory.unt.edu/ark:/67531/metaph987503/>.

<sup>30</sup> Collins, *Island of Color*, 391. For national perspectives on housing inequity, see Richard Rothstein, *The Color of Law: A Forgotten History of How Our Government Segregated America* (New York: Liveright, 2017); Keeanga-Yamahtta Taylor, *Race for Profit: How Banks and the Real Estate Industry Undermined Black Homeownership* (Chapel Hill: The University of North Carolina Press, 2019); Thomas J. Sugrue, *The Origins of the Urban Crisis: Race and Inequality in Postwar Detroit* (Princeton, N.J.: Princeton University Press, 1996).

the students of color, and never the other way around.” Such observations proved apt throughout Galveston County and much of the South. For their part, many white families left urban school districts for private or suburban schools.<sup>31</sup>

#### **4.2. The Latinx Experience & Local Racial Formations**

Latinx Americans had been present in Galveston County since the colonial era. After annexation by the U.S., some Mexican-descended entrepreneurs opened restaurants, and a few, like Thomas Gonzales, thrived in the cotton-based economy, achieving entrée into the island’s elite.

Yet Juan Crow constrained Mexican Americans in Galveston County as it did statewide. Most worked as “day laborers, in private homes as domestic servants, or in various positions at hotels, restaurants, and commercial laundries.” Like African Americans, they struggled to get more lucrative jobs in industry due to employment discrimination. For example, Pedro “Pete” Enriquez returned from World War II, where he had participated in the D-Day invasion, to learn that the local telecommunications company would not give him a job because it “didn’t hire Mexicans.”<sup>32</sup> Similarly, although most Mexican American children attended white Anglo schools, they often faced discrimination, including taunting from Anglo kids and institutional practices such as academic tracking, prohibitions on speaking Spanish, and the erasure of their history, language, and culture.<sup>33</sup>

On the other hand, the relatively small numbers of Latinx Americans made segregation somewhat less rigid in Galveston County versus elsewhere in Texas, and many Mexican Americans sought inclusion in Anglo institutions. In 1949, upwardly mobile Mexican American businessmen, labor leaders, and veterans organized the county’s first LULAC chapter, which became council #151. The group advocated for equal employment and improved educational opportunities for Latinx children. The organization’s early appearances in the *Galveston Daily News* showcase the organization hosting

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<sup>31</sup> Collins, *Island of Color*, 400. On school desegregation generally, see Ansley T. Erickson, *Making the Unequal Metropolis: School Desegregation and Its Limits* (Chicago: University of Chicago Press, 2016); William Henry Chafe, *Civilities and Civil Rights: Greensboro, North Carolina, and the Black Struggle for Freedom* (New York: Oxford University Press, 1980).

<sup>32</sup> “Galveston’s Hispanic History,” *Galveston History Foundation*, September 15, 2020, online, <http://galvestonhistory.org/news/national-hispanic-american-heritage-month> (accessed December 10, 2022) (first quotation); Quintero oral history interview, clip two, 00:01:48 (second quotation); Alemán oral history interview, clip one, 00:01:49. Also see Edward Simmen, “Galveston and the Mexican Immigrant: A Preliminary Study, From 1830-1930,” ca. 1990, manuscript, Fundación Universidad de las Américas Puebla, copy in vertical file “Mexican-Americans in Galveston 1,” Galveston & Texas History Center, Rosenberg Library.

<sup>33</sup> Alemán oral history interview, clip one, 00:07:05; Mendez oral history interview, clip one, 00:13:31, 00:15:17; Quintero oral history interview, clip two, 00:06:54-00:10:15; Simmen, “Galveston and the Mexican Immigrant,” 52-57; Oral History Interview with Luciano Salinas, interviewed by Sandra Enríquez and Samantha Rodriguez, July 14, 2016, Galveston, Texas, *The Portal to Texas History*, University of North Texas Libraries, <https://texashistory.unt.edu/ark:/67531/metaph987536/>. De facto “Mexican schools” included the public Goliad Elementary and the Catholic school at St. Peter’s. On Juan Crow segregation and the erasure of Mexican culture in Texas and Southwestern schools generally, see Valenzuela, Angela. *Subtractive Schooling: U.S.-Mexican Youth and the Politics of Caring* (Albany: State University of New York Press, 1999); Guadalupe San Miguel, Jr., *Chicana/o Struggles for Education: Activism in the Community* (College Station: Texas A&M University Press, 2013); Carlos Kevin Blanton, *The Strange Career of Bilingual Education in Texas, 1836-1981* (College Station: Texas A&M University Press, 2007); Philis M. Barragán-Goetz, *Reading, Writing, Revolution: Escuelitas and the Emergence of a Mexican American Identity in Texas* (Austin: University of Texas Press, 2020); David G. García, *Strategies of Segregation: Race, Residence, and the Struggle for Educational Equality*, First edition (Oakland, California: University of California Press, 2018).

dances to raise money for scholarships. The council hosted a Texas regional gathering in Galveston County in 1952, an event that mixed legal advocacy and discussion of educational inequities with a formal welcome by the mayor and a keynote address by the former Congressman and anticommunist crusader Martin Dies, Jr. The group advocated for the labor and civil rights of Mexican guest workers in the U.S., demanded the restriction of unauthorized immigration from Mexico, and generally remained distant from the Black freedom struggle. By the mid-1950s, the Galveston council sponsored a team in the regional LULAC baseball league, playing against their counterparts in Baytown and Houston in an only slightly ethnic remix of America's pastime.<sup>34</sup>

Galveston County's Latinx population skyrocketed in the late 20<sup>th</sup> and early 21<sup>st</sup> centuries. It nearly quadrupled between 1960 and 2000, from 11,872 to 44,939 (379% growth), and then almost doubled again by 2020, to 88,636 (197% growth). While most of this increase reflected the natural growth of longstanding Hispanic residents, newer migrants from Mexico and Latin America also bolstered their numbers and reinvigorated the community's sense of *latinidad* (Latinness). After remaining relatively flat, the number of foreign-born people in Galveston County (of any origin) jumped from 4,553 in 1970 to 20,678 in 2000, with most of this group hailing from Mexico. These trends continued into the 21<sup>st</sup> century. By 2020, the total Hispanic population (both native-born and immigrant) surpassed 25% of the county's total—a 747% increase since 1960. In comparison, non-Hispanic African Americans comprise 12.3% of the county's 2020 population; non-Hispanic whites, 54.6%.<sup>35</sup>

This growing Latinx population arrived on the heels of white flight, deindustrialization, and economic and demographic stagnation among African Americans in Galveston County. Often occupying the lower rungs of the labor market, Latinx migrants found themselves living, working, attending school, and often going to church alongside their native-born Black counterparts. Galveston Island's long Spanish/Mexican history and status as a destination for European immigrants gave Galveston County an unusually large Catholic presence, a denomination that also incorporated substantial numbers of African Americans. Many Black and Latinx residents experienced physical proximity to one another, even though each group hailed from historically distinct cultures.

This proximity and the two groups' overlapping histories of segregation and resistance are producing new racial projects that appear to be shifting larger racial formations in the greater Houston area, which includes Galveston County. For older residents of color today, the memories of segregation reinforce a sense of group difference, yet African Americans and Latinx Americans simultaneously turn to one another for political solidarity and mutual support, and sometimes they see each other at

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<sup>34</sup> "LULACs Plan Scholarships," *Galveston Daily News*, May 28, 1950, 22; "LULACs Plan Dance July 29 At Buccaneer," *Galveston Daily News*, July 8, 1950, 7; "Latin-American Group to Meet," *Galveston Daily News*, January 17, 1952, 8; "Dies to Speak At Lulac Meet," *Galveston Daily News*, January 25, 1952, 19; "New LULAC Head Chosen," *Galveston Daily News*, January 28, 1952, 1-2; "Lulacs Nip Baytown," *Galveston Daily News*, August 8, 1955, 5; "LULAC League All-Star Tilt Slated Today," *Galveston Daily News*, June 16, 1957, 14. On LULAC generally, see Marquez, *LULAC*; Craig Allan Kaplowitz, *LULAC, Mexican Americans, and National Policy*, Fronteras Series (College Station: Texas A&M University Press, 2005); Orozco, *No Mexicans, Women, or Dogs Allowed*.

<sup>35</sup> Decennial Census of the United States, 1960-2020; ACS Community Survey 5-Years estimates (for foreign-born in 2010 and 2020)—both accessed via Social Explorer.

church. Many also remember the vibrancy of the postwar labor movement and its promise of bringing together workers of all colors, at least on the job and in the Democratic Party (which itself remained viable longer in Galveston County as compared to many locales in the South, due to the prominence of organized labor). For many younger residents, the lines between Black and Latinx cultures have blurred considerably, as musical and artistic forms (such as bilingual hip-hop and reggaeton, murals, graffiti, and other street art) and deep political collaboration have grown out of their shared experiences of poverty and policing amidst economic restructuring, unequal schooling in the post-civil rights era, ongoing discrimination in many walks of life, and political alienation. As ethnic studies scholar John D. Márquez writes in his perceptive study of the Baytown, an industrial city in Harris and Chambers Counties, mirroring and located across the bay from Texas City in Galveston County:

[The] Houston [area]’s location on the Southern Gulf Coast and its history as a region shaped by racial dynamics of the Old South have created a condition through which blacks and Latinos/as have shared a common experience as targets for state sanctioned racial violence and numerous other forms of discrimination. That shared struggle has produced a wariness of racial power—or a subjectivity—that often bonds the two groups politically . . . evident across a diverse discursive terrain.

In other words, Márquez contends that Black and Latinx people in the region are developing a sense of collective identity and positioning relative to whites in close dialogue with another, at times co-creating “hybridity” in which the legacies of Jim Crow and Juan Crow blend together, and activists and ordinary residents blend their political efforts, producing a “new subjectivity” defined by a broad sense of “Black-Brown solidarity” throughout their overlapping communities.<sup>36</sup>

While the longstanding racial and ethnic categories have not disappeared, common experiences of segregation and resistance have brought African Americans and Latinx Americans in Galveston County together, from the labor-based coalitions of the 1960s to the newer hybrid subjectivities of the early 21<sup>st</sup> century. The history of redistricting and political representation reflects this growing synergy.

## **5. Legislative and Political History of Redistricting in Galveston County**

### **5.1. The Early Years**

Political change came gradually to Galveston County. Although African Americans and Latinx Americans voted in larger numbers than ever in the mid-twentieth century, few Black and Latinx candidates were elected to office. In 1961, the City of Galveston held its first election under a new charter creating a city manager form of government, a popular method of municipal reform in which elected officials hire professional staff to implement their decisions rather than directly supervising the provision of city services. The League of Women Voters had proposed the change back in 1958, but it took on a new meaning following the successful student-led sit-in movement that desegregated downtown lunch counters in early 1960. Members of the elite-led Citizens’ Charter Committee endorsed seven candidates for the new council, including T. D. Armstrong, who stood

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<sup>36</sup> John D. Márquez, *Black-Brown Solidarity: Racial Politics in the New Gulf South* (Austin: University of Texas Press, 2013), quotation on 11.; Lupe Mendez interview, *Civil Rights in Black and Brown*, author’s fieldwork.



to become the city's first Black council member since 1883. Five candidates won majorities in the first election, while two, including Armstrong, were forced into a run-off, in which Armstrong won the final spot by a mere three votes. In one sense, history was made. Armstrong, who had run failed campaigns in at-large elections for school board in 1944 and city finance commissioner in 1957, finally won. Yet white bloc votes did not trickle down to a qualified African American candidate, even with a powerful establishment endorsement resulting, in part, from his background as a college-educated owner of two motels, a drugstore, café, and funeral home. He appeared on an *Ebony* magazine list of the nation's richest Black people, coming in at #4—just below classical singer Marian Anderson and three spots above Harry Belafonte. Yet voting was sufficiently polarized along racial lines that even this highly-qualified Black candidate could not secure as many votes among white voters as compared to the other white members of the slate.<sup>37</sup>

The pattern of scant representation continued throughout the 1960s and 1970s, despite the extension of the Voting Rights Act in 1975. Indeed, African American and Latinx residents of Galveston County lagged behind their counterparts in much of urban Texas, rarely electing Black officials into the 1980s. Robert C. Williams won election to the Hitchcock City Commission in 1973, becoming the first elected Black city official on the Mainland, while Texas City created single-member districts and added to that trend by electing two Black city commissioners in 1978. Yet the City of Galveston and most local governments in the county continued to use at-large voting systems that diluted the Black vote. In contrast, in the face of voting rights lawsuits in the late 1970s, major cities like Dallas, Fort Worth, Houston, and San Antonio all adopted new voting systems that included single-member districts, allowing Black and Latinx neighborhoods to elect candidates of their own choosing. Even so, leadership in county government remained overwhelmingly white, with only five county-level Black elected officials serving at that level across the whole state in 1980.<sup>38</sup>

It was in this context in August, 1979, that the Galveston County Commissioners Court began planning for the redistricting cycle that would follow the 1980 Census, the first in which Texas fell under the purview of the Voting Rights Act's coverage formula. County Judge Ray Holbrook, a white Democrat, initiated the process by gathering nominations and then appointing a committee of roughly 30 citizens that would study and make recommendations for the redrawing of the county's voting precincts (informally known as "boxes"), its smallest electoral units, and reducing the overall number from 62 to around 40. These boxes would then be used as the basis for remapping the Commissioners Court precincts (the four single-member districts), which lawmakers would also seek to align with forthcoming redistricting maps for Texas legislative and Congressional districts. The "Voting Precinct Redistricting Committee" conducted its work over the course of 1980, but it failed

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<sup>37</sup> Kelton D. Sams, Jr., *Growing Up in Galveston, Texas: Walls Came Tumbling Down* (Houston, Texas: CreateSpace Independent Publishing Platform, 2015), 67–69; Collins, *Island of Color*, 383–87; McComb, *Galveston*, 214; Cartwright, *Galveston*, 281–92. Also see Galveston Historical Foundation, "People, Places and Stories of Galveston's Black History: Thomas Deboy Armstrong," <https://www.galvestonhistory.org/news/black-history-month> (accessed January 6, 2023).

<sup>38</sup> "Williams Seeks Position," *Galveston Daily News*, March 31, 1973, 17; Mark Muhich, "Williams withdraws from race," *Galveston Daily News*, February 7, 1999, A8; Terri Burke, "First Blacks on TC Commission Sworn In," *Galveston Daily News*, April 12, 1978, 1; "Black elected officials in Texas, 1970-2000," Texas Politics Project (University of Texas), [https://texaspolitics.utexas.edu/archive/html/vce/features/0503\\_03/blacks.html](https://texaspolitics.utexas.edu/archive/html/vce/features/0503_03/blacks.html); Krochmal, *Blue Texas*.

to reduce the total number of boxes, likely because the redistricting map unveiled in Austin in May, 1981, split the county into three state senate districts using the old voting precinct lines. Notably, the Legislative Redistricting Board assigned the eastern part of the county's coastline to Senate District 4 because "Many people from Beaumont and Port Arthur own summer homes on Bolivar Peninsula," in the words of the incumbent senator. "I think they identify more with [adjacent] Chambers County than Galveston County."<sup>39</sup>

In any event, on November 23, 1981, the Galveston County Commissioners Court ratified the committee's work by adopting revised boundaries for its 62 voting precincts. The day prior to this public meeting, the *Galveston Daily News* announced that the body would hold a public hearing to adopt new maps for the four Commissioners Court precincts. "The changes, already discussed by county commissioners for some time, are not expected to change the [Court's] political complexion," the article noted, along with presenting specific proposed revisions to the districts and a drawing of the new maps. Yet it appears that there was no public discussion of the maps at the Court's previous meeting on November 16, nor was I able to locate any record of a public discussion taking place throughout 1980 or 1981. Rather, it seems that the maps were developed in conjunction with the "Voting Precinct Redistricting Committee" and without any other public deliberation, while the press was informed of the changes before they were formally presented. Meeting the day after the article appeared in the newspaper, on November 23, the Court set a public hearing on the new precincts for the following week, November 30, which was also the state's deadline for making changes to election precincts. In other words, the Commissioners Court scrambled to pass a local map at the last possible moment before the deadline, and they did so without providing meaningful opportunities for public input.<sup>40</sup>

The Commissioners Court held the public hearing and then immediately voted to adopt the new maps on November 30, 1981. The local press and other observers viewed the changes primarily through a partisan lens. Fifteen years after the original Voting Rights Act was enacted, the County Judge and all the commissioners remained members of the Democratic Party. One was Hispanic; the other four were white Anglos, all men. After unsuccessfully protesting the new maps, Galveston County Republican Party chairman A. O. Evans pointed out that 26.7% of the county's population lived north of the Dickinson Bayou, while all four commissioners and the County Judge lived to its south. The development of the northern portion of the county had driven its growth, Evans argued, and together residents in that section formed a community of interest that lacked representation. Evans did not mention that these new residents were mostly white. He did complain that the hearing was a ruse in that the commissioners ignored public input and "had their minds made up in

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<sup>39</sup> Joel Kirkpatrick, "Committee eyed for redrawing of voting lines," *Galveston Daily News*, August 24, 1979, 1-2; "County officials approve long list of appointments," *Galveston Daily News*, January 8, 1980, 7; Darla Morgan, "County redistricting plans unveiled," *Galveston Daily News*, May 12, 1981, 1-2 (quotations on 2); Excerpt on voting precinct study committee, Minutes, Commissioners' Court of Galveston County, November 5, 1979, Galveston County Clerk, Book 53, page 158 (also see 53-496, 53-565, 53-704, 53-864, 54-8, 54-12).

<sup>40</sup> Joel Kirkpatrick, "County precinct boundary shifts to be considered," November 22, 1981, 1-2 (quotations on 1); Commissioners' Court of Galveston County, Resolution, November 23, 1981, Galveston County Clerk, microfilm, 300-01-1381 to 300-01-1442. On the previous meeting, see Joel Kirkpatrick, "County receives Gilchrist bingo petition," *Galveston Daily News*, November 17, 1981, 1; and "Part of story omitted Tuesday," *Galveston Daily News*, November 18, 1981, 2.

advance.” He also issued a threat: “You ought to play fair with us (the north county area) or we won’t play fair with you when we have the numbers.”<sup>41</sup>

There is scant evidence of public or private discussions among the commissioners or the general public regarding the maps’ impact on African Americans and Latinx Americans. One post-mortem editorial that mostly rehashed Evans’s partisan critiques included a brief but direct reference: “Another complication [in redistricting] is ethnic and racial equality, which the federal courts insist must be achieved.” Yet it was the Republicans’ criticisms that hit home. Three weeks later, on December 21, three members of the Commissioners Court voted to create a new Justice of the Peace precinct based in Friendswood. Galveston County’s demographics and politics were changing, as more white suburbanites entered the GOP.<sup>42</sup>

In January 1982, the County submitted its proposed changes to the commissioners court precincts, the justice of the peace and constable precincts, and voting precincts to the U.S. Attorney General for review under Section 5 of the Voting Rights Act. The proposed redistricting of the county commissioners precincts slightly increased the percentage of African Americans in two districts, increasing the Latinx share in one (Precinct 1) and decreasing the Latinx share in the other (Precinct 3). The submission also noted that Precinct 2, which was composed of 68.9% non-Hispanic whites under the old map and 76% non-Hispanic whites under the new map, was currently represented by a Mexican American (Frank Carmona). In short, the maps changed only minimally, slightly increasing the combined voting strength of the county’s Black and Latinx residents, but stopping short of creating a precinct with in which the “total minority” vote would constitute a majority. While the press focused on the County’s changing politics, review under Section 5 focused on whether the change made members of a racial or language minority group worse off than they had been before, and since there had been no backsliding, the Attorney General precleared all of the changes to the electoral system by April, 1982.<sup>43</sup>

## **5.2. Election of the First Black Commissioner**

Questions of race became paramount in local politics in late 1983, when a vacancy occurred for the seat representing Precinct 3 on the Galveston County Commissioners’ Court. A delegation of African American ministers led by the director of human relations for the Texas AFL-CIO met with County Judge Holbrook to urge him to appoint a Black replacement. They put forward two candidates whom they believed were well-qualified, one a city commissioner (council member) in Texas City and the other a successful prosecutor in the District Attorney’s office. Holbrook dodged the request, saying that he wanted to “keep the appointment non-political” by choosing someone

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<sup>41</sup> Joel Kirkpatrick, “New county commissioner precinct boundaries OK’d,” *Galveston Daily News*, December 1, 1981, 1-2 (quotations on 1).

<sup>42</sup> Editorial, “Looking northward,” *Galveston Daily News*, December 4, 1981, 4-A; Joel Kirkpatrick, “Friendswood area JP court created,” *Galveston Daily News*, December 22, 1981, 1-2; Joel Kirkpatrick, “County museum director resigns,” *Galveston Daily News*, April 20, 1982, 1; Minutes, Commissioners’ Court of Galveston County, excerpt on realignment of election precincts, April 19, 1982, Galveston County Clerk, microfilm, 300-02-0580.

<sup>43</sup> Submission E4737, February 3, 1982, and Submission E4771, February 6, 1982, including Chart A, files submitted by Galveston County to the United States Department of Justice (in author’s possession). Pandora Ryan, “District lines set for elections,” *Galveston Daily News*, March 6, 1982, 1.

who would not use the incumbency to seek reelection. The next day, Holbrook appointed Jerry Hopkins, who was white, the wife of the outgoing commissioner, to the post. Holbrook stated that Hopkins had agreed not to run again, and he also noted that it was a “difficult area to represent because of the large minority population and the largest Republican contingent in the county,” as Precinct 3 then stretched from La Marque to Friendswood. The Black ministers and allies were not convinced. “You had an opportunity to do it today, and you didn’t do it,” said Johnnie Henderson, the AFL-CIO director. “We begged you, and we’ve been good to you in the precincts, and you didn’t do it.” Henderson vowed to field a qualified Black candidate the following year.<sup>44</sup>

Accordingly in 1984, David M. Porter, a Black man and the five-term elected secretary-treasurer of the Laborers’ Union Local 116, ran for County Commissioner in Precinct 3. The Galveston County Coalition of Black Democrats, led by Henderson, endorsed Porter and also Janet Brooks Pettitt, a Black woman who sought the county-wide position of Tax Assessor-Collector in a crowded field. Their goal “was to unify the community behind one black candidate for each office,” Henderson explained. “We want to unite outlying communities in the county and go after some of the bread and butter jobs.” Porter’s advertisements boasted of his endorsement by the Galveston County Central Labor Council, while reports noted that he was also a member of the NAACP. In the Democratic Party primary on Saturday, May 5, Porter finished first, defeating the second-place candidate, La Marque Mayor Ron Crowder, by 43 votes. Each counted almost 30% of the total, with Paul Hopkins, Jr., the son of the two previous commissioners, finishing third with 24%. Because no candidate garnered a majority, the primary contest went into a runoff on June 2. Porter lost the runoff by just 13 votes, 2,229 to 2,216. It was a thin margin for many Black activists, and Porter awaited a complete recount before conceding the race. For her part, Pettitt finished fifth among eight candidates in the primary, but she missed the runoff in her tight county-wide race by less than 500 votes out of 17,408 cast. The election of an African American county official would have to wait.<sup>45</sup>

Four years later in 1988, Wayne Johnson III, the prosecutor put forward by Henderson back in 1983, announced his campaign for the same seat, Commissioner Precinct 3. Johnson was “BOI” (“Born on the Island”), had attended La Marque public schools, and was a former aide and intern to several Democratic Party politicians. After being admitted to the bar, he began work as a prosecutor in his home county and soon climbed the ranks of the DA’s office, earning a reputation as a “hard-nosed,” “tough” felony prosecutor nicknamed “Maximum Wayne” by a district judge owing to his penchant for seeking severe sentences. He tried 56 jury trials, including 21 felonies, and handled literally thousands of cases in county court. In 1984, Johnson took a job as a Texas Assistant Attorney General, a post to which he “will carry conservative views,” in the words of a leading Galveston political reporter. Johnson first defended the state in *Ruiz v. Estelle*, a sweeping civil rights

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<sup>44</sup> Joel Kirkpatrick, “Ministers lobby for black in county post,” *Galveston Daily News*, November 2, 1983, 1 (first quotation); Joel Kirkpatrick, “Mrs. Hopkins appointed to county post,” *Galveston Daily News*, November 3, 1983, 1 (second quotation), 2 (third and fourth quotations).

<sup>45</sup> Robert Stanton, “Blacks endorse candidates,” *Galveston Daily News*, January 26, 1984, 2-A (quotations); “Seeks election,” *Galveston Daily News*, April 29, 1984, 6-A; Joel Kirkpatrick, “Wilson vs. Ryan in tax post runoff; Crowder vs. Porter for commissioner,” *Galveston Daily News*, May 6, 1984, 1-A; Joel Kirkpatrick, “County voter turnout light, several runoffs slated,” *Galveston Daily News*, May 7, 1984, 2-A; Porter paid advertisement, *Galveston Daily News*, June 2, 1984, 16-A; Joel Kirkpatrick, “Vote totals to remain unchanged; Porter may contest result,” *Galveston Daily News*, June 9, 1984, 2-A; “Porter concedes,” *Galveston Daily News*, June 15, 1984, 3-A.

class action on behalf of state prisoners, and then became head of the AG's Crime Victim Compensation Division. "I don't view them [criminals] as the underdogs," he said. "I view the victim of the criminal as the unjustly abused underdog." Johnson's campaign ads emphasized his education, professional experience, and toughness as a prosecutor. One newspaper announcement boasted, "TO WAYNE JOHNSON, STOPPING CRIME IS NOT JUST A CAMPAIGN ISSUE...IT'S HIS CAREER!"<sup>46</sup>

Such views, experience, and positioning did not allow Johnson to escape the racial undertones of his campaign. In what the newspaper referred to as the hardest fought contest of the 1988 Democratic primary, Johnson defeated the white incumbent, Ron Crowder, with 55% of the vote amidst high turnout. Yet five days after the election, Crowder, himself put in office by just 13 votes four years earlier, still refused to concede. He admitted that Johnson's field operation had exceeded his own, but he blamed the loss on "liberals and labor and the black vote"; indeed, Johnson had won "because of the black vote, pure and simple." While Johnson did enjoy deep backing among Black voters, he rejected this characterization and boasted of his diverse range of supporters. Johnson noted that he had won the City of La Marque, the hometown of both men, where Crowder had previously served as mayor and in which Black voters constituted less than 20% of the electorate at that time. If Johnson could win there, the challenger reasoned, it was not just from Black votes. Still, reports highlighted the historic nature of Johnson's victory: he became the county's first Black nominee for county commissioner since Reconstruction.<sup>47</sup>

In the general election, Bob Wicklander, a white member of the Friendswood City Council, carried the banner for the Republican Party and the county's growing northern suburbs. Johnson earned endorsements from a wide range of elected officials, including Dickinson Mayor Ron Morales, who was Hispanic, and La Marque Mayor Jack Nash, who was white. Henry Cisneros of San Antonio, the nation's first big city Latino mayor, came to Galveston County to stump for Democratic candidates, including a gathering with Johnson. Galveston's labor leaders likewise endorsed Johnson. As votes were tallied early on election night, showing Johnson with a sizable lead, reporters again questioned him about the salience of his racial background. "I did not run in this race to be the first black county commissioner in Galveston County," he responded, emphasizing his "qualifications and preparation" instead.<sup>48</sup>

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<sup>46</sup> Joel Kirkpatrick, "Hard-nosed lawyer will carry conservative views to Austin," *Galveston Daily News*, March 4, 1984, 2 (all quotations except the final); Johnson campaign advertisements, *Galveston Daily News*, February 21, 1988, 13; February 29, 1988, 6 (final quotation); "Announces," *Galveston Daily News*, January 1, 1988, 5; Joel Kirkpatrick, "In praise of Wayne Johnson III," *Galveston Daily News*, January 6, 1986, 6; "Wayne Johnson named to head AG division," *Galveston Daily News*, December 9, 1984, 10-C.

<sup>47</sup> Joel Kirkpatrick, "Anatomy of an upset: Crowder still not congratulating Johnson for election day victory," *Galveston Daily News*, March 13, 1988, 1, 11 (quotations on 1); Joel Kirkpatrick, "County election votes to be canvassed Friday," *Galveston Daily News*, March 10, 1988, 1; "Johnson shocks Crowder in race," *Galveston Daily News*, March 9, 1988, 1.

<sup>48</sup> Joel Kirkpatrick, "Johnson in front of Wicklander," *Galveston Daily News*, November 9, 1988, 1 (first quotation), 15 (second quotation); Joel Kirkpatrick, "Absentee votes give Johnson win," *Galveston Daily News*, November 10, 1988, 1; Joel Kirkpatrick, "Demos big winners throughout county," *Galveston Daily News*, November 10, 1988, 1, 11; "Labor council backs Johnson," *Galveston Daily News*, January 14, 1988, 3; Jack Stengler, "Mayors give endorsement to Johnson in county race," *Galveston Daily News*, October 19, 1988, 11; "More and More Civic Leaders Are Supporting Wayne Johnson," advertisement, *Galveston Daily News*, October 23, 1988, 11; Kevin Moran, "Campaign '88 – Election contests



Johnson eked out a narrow victory, reflecting the unique difficulty facing Black candidates in the heavily-white district. On the one hand, it was indeed historic, an expression of the desire among African American voters to elect a candidate of their own choosing. In the heavily Black voting precinct #36, Johnson carried 99% of election day ballots—1,818 to 18. In La Marque’s box #31, Johnson won by a 5-to-1 ratio. Yet Wicklander’s strength in the north county and among white voters was undeniable. His final tally of 10,040 votes in Precinct 3, which encompassed only roughly one-quarter of the county’s population, was equivalent to 87.5% of the GOP’s straight-ticket vote county-wide. The Democratic Party remained dominant, winning nearly 70% of the straight-ticket votes in the county. Johnson won by a margin of just 454 votes out of more than 20,000 cast. Thus, although precise numbers are not knowable, the small margin of Johnson’s victory is likely the result of many erstwhile white Democrats who either crossed party lines or split their tickets to vote for Wicklander (and against Johnson). In short, Johnson had won the race despite, not because of, his Blackness.<sup>49</sup>

### **5.3. Johnson’s First Term**

Johnson could not avoid confronting the racial dynamics of his position. Although he took conservative stances throughout the campaign, Johnson soon found himself marginalized on the Commissioners’ Court. After a brief honeymoon period in which he proposed to create a military style boot camp for county jail inmates, Johnson became embroiled in a dispute with the county parks department and parks board that would come to define his first term in office.

The conflict often featured discussions of transparency in government, but the underlying issue throughout was race. Acting on a request from a constituent, on May 1, 1989, Johnson asked the parks department director about alleged discrimination in hiring and promotion. The director defended the department’s employment practices, and no immediate action was taken, but the political damage had been done. County Judge Holbrook was embarrassed and upset that Johnson had not raised the sensitive issue behind closed doors, as was customary. Johnson made it clear that he was being denied access to park board meetings and records and that he wanted greater oversight of the board and department. Accordingly, the Commissioners’ Court adopted a resolution promising “full and unimpeded access to the executive sessions” of all appointed boards.<sup>50</sup>

Yet Johnson continued to chafe at the park board’s operations. When Johnson and a group of his supporters attended a special parks board meeting, its chairman derided their presence as a “dog and

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heating up in metropolitan area – Galveston County,” *Houston Chronicle*, October 30, 1988, 5; Christi Daugherty, “Cisneros says polls don’t vote, people do,” *Galveston Daily News*, November 7, 1988, 1, 11.

<sup>49</sup> “Precinct-by-precinct look at Galveston County results,” *Galveston Daily News*, November 10, 1988, 7; Kirkpatrick, “Demos big winners throughout county.”

<sup>50</sup> Joel Kirkpatrick, “Racism alleged,” *Galveston Daily News*, May 2, 1989, 1, 11; Joel Kirkpatrick, “When dust settled, right prevailed,” *Galveston Daily News*, May 8, 1989, 5 (quotation); “Commissioners gain access to county boards,” *Galveston Daily News*, May 9, 1989, 10; Kathy Thomas, “Johnson alleges park board attempted to violate state law,” *Galveston Daily News*, May 17, 1989, 14. Another underlying conflict was the dismissal of Pete Fredriksen, who had served as Johnson’s campaign manager, from a job in the parks department; also see Joel Kirkpatrick, “Fredriksen to manage 3 beach pocket parks,” *Galveston Daily News*, March 23, 1989, 12; On the historic nature of the election and the honeymoon period, see: Glen Harris, “Johnson, other elected officials sworn in at county courthouse,” *Galveston Daily News*, January 3, 1989, 1; Glen Harris, “Swearing-in was proud moment,” *Galveston Daily News*, January 4, 1989, 18.

pony show,” a remark that belittled their participation in the political process, prompting one activist to say that “he hoped the remark was not being made because many of those present were [B]lack.” In response, Johnson supporters protested at the next Commissioners’ Court meeting, demanding that the parks board chairman apologize for his comments. Three months later, in August, Johnson demanded an audit of the parks department and ended up going to court to force Judge Holbrook to put the issue on the Commissioners Court’s agenda (a district judge sided with Johnson, agreeing that any commissioner did, in fact, have the right to place items on the agenda). Johnson further pointed out irregular procurement practices in the department, including roughly \$250,000 in no-bid gasoline purchases, and he also demanded the appointment of Black representatives to the beach parks board. Holbrook stonewalled Johnson’s proposed appointments, while the appointed board fought the audit by claiming that they were an independent agency not subject to county oversight. Johnson again went to court to resolve the matter, and the Texas Supreme Court finally ruled in his favor in November, 1992.<sup>51</sup>

The dispute between Johnson and the parks department and board soured his relationship with Judge Holbrook, the other commissioners, and many of his erstwhile supporters—including white labor leaders and especially conservative white Democrats. Johnson’s combative tone and confrontational style, which he maintained were simply deployed in the service of equal opportunity and government transparency, shattered the traditions of outward civility to which white elected officials and party stalwarts had become accustomed. Just as the sit-in protests of the early 1960s had forced shopkeepers to directly confront their discriminatory practices, Johnson’s advocacy and the presence of his unruly supporters in the courtroom raised uncomfortable questions for Galveston County’s white officialdom. For the county’s Black voters, Johnson became the embodiment of self-determination, an elected official of their own choosing who wasn’t afraid to raise uncomfortable questions about the lingering effects of Jim Crow and ongoing systemic racism. He was unapologetic. “I want personal access [to parks records] because I feel uncomfortable in trusting that I’ll get all the information I need otherwise,” Johnson said at the workshop where he first raised the issue. “If the price of me getting along with somebody is that I let them stop me from representing my constituents, then I don’t need their friendship.”<sup>52</sup>

#### **5.4. Single-Member Districts in the City of Galveston**

The parks board dispute was just the beginning of Johnson’s battles with the rest of the Commissioners Court. Throughout his first term, Johnson clashed with his colleagues, most

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<sup>51</sup> Joel Kirkpatrick, “Counties to pressure state on jails,” *Galveston Daily News*, May 23, 1989, 10; Joel Kirkpatrick, “Remarks made during meeting spur protests,” *Galveston Daily News*, May 25, 1989 (quotation), 2; Joel Kirkpatrick, “Hallisey says audit request is personal vendetta,” *Galveston Daily News*, August 18, 1989, 14; Kevin Moran, “Galveston commissioners told to put parks audit on agenda,” *Houston Chronicle*, August 19, 1989, 24; Kevin Moran, “Bid to reappoint beach parks trustees stalls amid allegations,” *Houston Chronicle*, August 24, 1989, 36; Kevin Moran, “Galveston County commissioner takes heat, loses panel bid,” *Houston Chronicle*, September 13, 1989, 22; Kevin Moran, “Galveston park board ordered to get auditor’s approval for purchases,” *Houston Chronicle*, February 28, 1990, 20; Kevin Moran, “Galveston beach park not a county entity, court decides,” *Houston Chronicle*, April 26, 1991, 27; Kevin Moran, “Court orders county agency to open books,” *Houston Chronicle*, November 19, 1992, 36.

<sup>52</sup> Kirkpatrick, “Racism alleged,” 11 (quotations); Kevin Moran, “Park funding sparks two Galveston races,” *Houston Chronicle*, March 8, 1992; Kirkpatrick, “When dust settled, right prevailed.” One of Johnson’s critics in the labor movement, Charles Delgado, was Hispanic; the rest appear to be white. On the role of manners and the sit-ins’ role in creating a “new language” in race relations, see Chafe, *Civilities and Civil Rights*.

poignantly on the precise issue of political representation. Beginning in 1990, Johnson “was instrumental” in a series of lawsuits aimed at creating single-member districts in municipalities and school districts across the County. By 1992, Johnson, the NAACP, attorney Anthony Griffin, and several groups of Black plaintiffs had favorably settled cases in the cities of La Marque and Hitchcock as well as the school districts in both locales and Texas City (the municipal government of Texas City already had single-member districts).<sup>53</sup>

Yet the first such case, *Arceneaux v. City of Galveston*, filed in 1990, dragged on for nearly three years. With Johnson serving as a consultant, Black plaintiffs led by the NAACP contended that the city’s at-large electoral system denied African Americans the ability to elect candidates of their own choosing. City officials responded by proposing a system with four single-member districts, two at-large seats, and a mayor, and voters ratified it in a new charter. In December 1992, following a Section 5 review of this proposed change, the U.S. Attorney General objected, concluding that the city had failed to establish that the 4-2-1 plan did not have a discriminatory purpose and would not have discriminatory effect. It wasn’t until February, 1993, that the parties reached a settlement creating a 6-1 plan, that is, six single-member districts plus a mayor, with two of the districts drawn to produce large Black majorities. The *Galveston Daily News* editorial board opined that “Equal representation was a long time coming, but it should benefit all residents of Galveston.”<sup>54</sup>

Significantly, Hispanic activists led by LULAC, and assisted by former Galveston County Commissioner Frank Carmona and an attorney from Houston, filed to intervene in the case, but attorney Griffin and the Black plaintiffs opposed their motion. It appears that Griffin did so for practical reasons in order to bring the case to a long-awaited resolution, not because of any deep-seated racial animus. In any case, the judge accepted the motion to intervene but still ratified without edits the NAACP’s 6-1 plan, which did not include a majority Hispanic seat—just a “Hispanic impact district” in which they represented 37% of the voting age population (and “a combined minority population of 53 percent”). Hispanic activists remained unsatisfied and filed an appeal after the fact, yet the LULAC leaders notably did not demand the cancellation of the already-postponed city election, nor did they oppose the judge’s overall order to approve the plan. Some progress, it seemed, was better than none. In the end, the appeal failed, and a white incumbent ran unopposed in the heavily-Hispanic District 4. Latinx leaders rallied around Richard R. Flores, who finished a strong third in one of the new Black districts (one Flores ad featured photographs of him alongside activists in both Hispanics Unidos and the NAACP). As expected, two African Americans won their respective races, marking the beginning of electoral self-determination in the city. Despite not seeing eye to eye in court and in negotiations with the city, both Black and Hispanic leaders appeared poised to put their differences aside and work together in the future. Attorney Griffin commented

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<sup>53</sup> Alicia C. Simmons, “Courts curbing voting rights?,” *Galveston Daily News*, June 16, 1996, 1 (quotation); Jim Brigance, “Revolution,” *Galveston Daily News*, March 14, 1993, 15-H.

<sup>54</sup> “What’s fair” (editorial), *Galveston Daily News*, February 12, 1993, 8 (quotation); Kevin Moran, “Galveston vote change sought,” *Houston Chronicle*, August 11, 1990, 28; Jack Stengler, “Plaintiffs give city plan for single-member districts,” *Galveston Daily News*, September 20, 1991, 1; Herbert Taylor, “Galveston City Council suit is still not settled,” *Galveston Daily News*, December 20, 1992, 9; Maggie Sieger, “All 3 minority districts may be on ballot in May,” *Galveston Daily News*, February 3, 1993, 2; Maggie Sieger, “Judge Oks interim plan; May 1 election set,” *Galveston Daily News*, February 10, 1993, 1.



that he “blame[d] the city of Galveston for pitting blacks against Hispanics . . . adding that he was against any gratuitous effort to stir hostility” and that they “still have a long way to go.” Such moments of conflict underscore that Black and Latinx activists did not share identical interests, yet they still managed to form coalitions and work together in this and most cases.<sup>55</sup>

### **5.5. Redistricting of Galveston County, 1991**

Meanwhile, the biggest and most significant fight over representation took place within the County government itself, where the decennial redistricting boiled over into a voting rights lawsuit. The cycle kicked off in April, 1991, when Johnson, who had desegregated the Commissioners Court just two years earlier, proposed to his colleagues that they hire the firm of Emory, Young, and Associates, Inc., as a redistricting consultant. Apparently fearing “secret negotiations” between Johnson and the consultants, two commissioners amended the motion to allow communication with the firm only in open public meetings. Judge Holbrook still opposed the firm’s selection, but the motion passed by a 4-1 vote.<sup>56</sup>

In May, the Court finalized the contract and adopted “guidelines” for the reapportionment process to create new Commissioners Court precincts, the coterminous Justice of the Peace and Constable districts, and election or voting precincts. The guidelines mandated that the Court work in an “open, fair, and efficient manner” that respects the principle of “one-man, one-vote” by creating precincts of roughly equal size under a plan that specifically would not “A. dilute the voting strength of protected minorities; B. Fragment minority communities; C. Pack minority communities into districts more than necessary to elect minority representatives.” Instead, the guidelines stated, the maps should respect historic boundaries and “clearly identifiable communities of interest” in creating districts that are “reasonably compact and contiguous” and that would align county voting precincts with existing single-member city council districts. The guidelines further specified that “No final plans shall be adopted without at least one well-publicized public hearing,” that all records would be made accessible to the public, and that the Court would “consider all plans presented, whatever their source.” They pledged to “comply with both the letter and spirit” of the Voting Rights Act. The Court also adopted a timetable with target dates, aiming to adopt the new boundaries by August 26, 1991, in order to submit their proposed changes to the Attorney General by September 16. Finally, the Court ratified the contract, including both the ban on communication between individual Commissioners and the consultant and another unusual provision that required a 4/1 supermajority vote of the Court to approve any final plan. It appears that Johnson advocated

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<sup>55</sup> Maggie Sieger, “Hispanics balk at election remap,” *Galveston Daily News*, January 27, 1993, 1, 11 (first and second quotations on 1); Brigance, “Revolution” (Griffin quotations); Maggie Sieger, “Hispanic intervention challenged,” *Galveston Daily News*, January 7, 1993; “Keep talking” (editorial), *Galveston Daily News*, January 11, 1993, 6; Maggie Sieger, “Isle Hispanics file appeal with Justice Dept. over voting plan,” *Galveston Daily News*, March 6, 1993, 13; “Isle candidate,” *Galveston Daily News*, April 6, 1993, 16; Maggie Sieg er, “Lawsuit led to six isle districts,” *Galveston Daily News*, April 18, 1993, 4-D; Flores campaign ad, April 30, 1993, *Galveston Daily News*, 13; Maggie Sieger, “Write-in upsets Rourke,” *Galveston Daily News*, May 2, 1993, 1, 15; Map of districts with district demographics caption, *Galveston Daily News*, October 31, 1993, 44; Janice Smith, “Attorney asks GISD to redraw district lines, threatens suit,” *Galveston Daily News*, April 13, 1993, 11; Janice Simon, “Isle Hispanics threaten lawsuit over single-member districts,” *Galveston Daily News*, May 25, 1993, 11. La Marque ISD was next. See Renee Brown, “Attorney says he’ll file suit over LMISD voting districts,” *Galveston Daily News*, February 20, 1994, 13-A.

<sup>56</sup> “Commissioner’s Ct. Redistricting – Received communication from Comm. Wayne Johnson...,” Minutes, Commissioners Court of Galveston County, April 8, 1991, microfilm no. 300-10-1874.

for this latter provision to bolster his position as the sole Commissioner of color in what had already proved to be a generally hostile deliberative body.<sup>57</sup>

By July, both the 4/1 rule and the gag order had been revisited. After other commissioners objected that the supermajority requirement might violate the state Constitution, Johnson requested an agenda item to amend the consultant's contract to explicitly confirm the need for a 4/1 vote, unless it "conflicts with state law or with the Constitution of the State of Texas." Commissioner Barr sided with Johnson, but Holbrook and the two other commissioners voted down the motion, leaving the issue as-is in the adopted contract but still unsettled legally and philosophically. The ban on one-on-one communication was less contentious, with all members of the Court agreeing to replace it with two structured sets of individual conferences with each commissioner—one before the presentation of a draft redistricting plan, and again afterwards. It is likely that the prohibition had slowed the consultant's progress, delaying the public hearings until the final days of August.<sup>58</sup>

The Commissioners Court held three public hearings to discuss the draft plans and to receive input from the community. Numerous speakers, most of them Black and Latinx, participated in the gatherings. The first was held at the Galveston County Courthouse on the island, and the others at the College of the Mainland in Texas City, a central location. Both were proximate to African American and Latinx American communities. Robert Hoskins of the NAACP used the first gathering to present "a plan that would create a County Commissioners' Precinct that has a combined Black and Hispanic population of 56.64%." The proposed new Precinct 3 "would unite the minority communities in Dickinson, West Texas City, La Marque, Texas City and Galveston," in contrast to the current district lines that "serve to needlessly divide the minority community." Hoskins also registered his opposition to the consultant's "least change" plan that was also before the Court because it failed to create a minority opportunity district and, he believed, violated the Voting Rights Act. Hoskins' plan and commentary were entered into the official minutes, including two procedural objections: first, that "Commissioner [Billy] Pegues at the start of this process complained publicly of the presence" of several Black ministers and the president of a Jewish congregation, in what Hoskins called a "tirade... [that] was calculated to exclude participation of minority group members in this process." Second, Hoskins objected to the "gag rule" barring commissioners from speaking individually to the consultant, a prohibition that was, in his view, "aimed at keeping Commissioner Johnson alone..."

At the second public hearing, Sally Dávila of LULAC Council 255 in Texas City entered the organization's own proposed plan for Commissioners Court precincts into the minutes. It differed from the NAACP's suggested map, but it likewise would have created a single coalition minority opportunity district that would be comprised of a population that was 15.6% Hispanic and 41% Black and built from many of the same voting precincts. The plan sought to ensure "that the

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<sup>57</sup> Emory, Young & Associates Inc Contract, Agreement for Professional Services, Timetable and Guidelines, Minutes, Commissioners Court of Galveston County, May 20, 1991, microfilm no. 300-10-2201-2204.

<sup>58</sup> Amending Contract with Emory, Young and Associates, Minutes, Commissioners Court of Galveston County, June 3, 1991, microfilm no. 300-10-2280; Emory, Young, and Assoc. – Received Communication from Wayne Johnson..., Minutes, Commissioners Court of Galveston County, July 22, 1991, microfilm no. 300-11-0099; Galveston County Redistricting Agreement, Minutes, Commissioners Court of Galveston County, August 19, 1991, microfilm no. 300-11-0351.

Hispanic populations voting strength is not diminished” and “that the Black community retain the necessary voting strength to insure the election of a candidate of their choice.”

Apparently, the duo was convincing: on September 9, the Court approved a commissioners precinct redistricting map created by the consultants but reflecting the NAACP plan with LULAC input, creating a new blueprint for Precinct 3 that would survive substantially intact for the next three decades. The resolution passed 4-0, with Judge Holbrook “recorded as not voting.”<sup>59</sup>

The adoption of a plan for Justice of the Peace and Constable districts proved more controversial. Hoskins presented the NAACP’s opinion on the matter at the second public hearing and then revised it at a third public hearing, held at the College of the Mainland on September 17. The NAACP’s proposed maps would split the massive Galveston Island precinct, which currently elected two J.P.’s and Constables on an at-large basis, into two single-member districts, one of which, Precinct 2, would have a substantial combined Black and Hispanic majority. The at-large system represented “an obstacle to the election of minority candidates,” Hoskins noted. Moreover, the NAACP pointed out the current disparity between the Galveston Island precinct, which served over 60,000 residents, with one on Bolivar Peninsula that encompassed just 2,807 residents. The initial NAACP plan paired the peninsula with the island’s eastern half, but the revised version combined it with precincts on the mainland instead. In both cases, the NAACP proposed to create a second minority opportunity district, Precinct 3, which would cover portions of Texas City, La Marque, Dickinson, and Hitchcock and would be 53.8% Black and Hispanic. The current Precinct 5 was already represented by a Hispanic J.P. and a Black Constable and would be left relatively untouched.<sup>60</sup>

At its next meeting on September 23, the Commissioners Court ignored the NAACP recommendations and instead approved a plan with minimal alterations to the preexisting map. The Court did so after receiving a request from Constable Joe Scrofne, the white incumbent in the existing Precinct 3, who proposed instead that he should “relinquish” two key minority boxes in Hitchcock and a third, predominately-white box to his colleague in Precinct 4. Scrofne claimed that the move was for the voters’ convenience: “it would be more accessible to the people in that area to have the West County Building available to them instead of our office in La Marque.” The Court voted to move the three boxes that Scrofne had jettisoned and, “subject to some minor adjustments on voting precincts, . . . that no other changes be made” to the J.P. and Constable lines. Commissioner Johnson voted no, adding “that the Voting Right Act [sic] calls for the creation of the maximum number of Justice of the Peace and Constable Precincts that can be created” and that the Court could easily do so by creating the two districts proposed the NAACP. Three days later, the Commissioners Court approved the lines again, correcting a few minor errors. On the evening of September 30—the last moment before the October 1 submission deadline—the Court approved its

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<sup>59</sup> Public hearing notice and attachment, Minutes, Commissioners Court of Galveston County, August 26, 1991, microfilm no. 300-11-0440.

<sup>60</sup> Public hearing notice and attachment, Minutes, Commissioners Court of Galveston County, August 29, 1991, microfilm no. 300-11-0450; Emory, Young & Associates – Redistricting Plan – adoption of commissioner precinct lines, Minutes, Commissioners Court of Galveston County, September 9, 1991, microfilm no. 300-11-0489; Public hearing notice and attachment, Minutes, Commissioners Court of Galveston County, September 17, 1991, microfilm no. 300-11-0676.

final submission of all of the electoral changes that it would submit for Section 5 review. Moments before, Johnson proposed another amendment to the consultant's contract, now reversing the language to require only a simple 3-2 majority. This motion passed 3-2, with Judge Holbrook and Commissioner Pegues objecting. The vote to create Commissioners Court Precinct 3 was now formalized by a 3-2 vote, and the new J.P. and Constable precincts were created by a 4-1 tally—with Johnson the lone dissenter. The entire packet would be sent to the U.S. Attorney General for review.<sup>61</sup>

Soon thereafter, Attorney Anthony Griffin and the NAACP Legal Defense Fund filed a federal voting rights suit in protest of the largely unaltered J.P. and Constable districts. In January, 1992, Griffin attended a special emergency meeting of the Commissioners Court to confer with its members and the County attorney. The meeting ended in stalemate. In April, the Court passed its own revised maps, moving the heavily Black box #334 in Hitchcock back into Justice of the Peace Precinct 3, thereby creating a single minority opportunity J.P. precinct on the mainland. Yet they left the massive at-large precinct on Galveston Island untouched. On March 17, 1992, the U.S. Attorney General objected to the Justice of the Peace and Constable precincts. In particular, the Attorney General explained how the “county rebuffed” proposals that would have created a majority Black and Hispanic precinct and, in fact, “fragment[ed] a significant minority community . . . from nearby minority communities” when it “adopted a major transfer of territory and population between Districts 3 and 4.” The Attorney General also noted that population equalization “appears to have been a post hoc justification, as the county was well aware of population disparities that existed (and will continue to exist under the proposed plan), but exhibited no interest in making any such adjustments in other areas.”<sup>62</sup>

The J.P. and Constable precinct case went to federal court in August. “Galveston County’s first black commissioner since Reconstruction testified Monday that commissioners would rather protect the jobs of white incumbents than redraw precincts to give blacks a better chance to get elected,” the *Houston Chronicle* quipped. Johnson was the first witness called by the plaintiffs. After just one day, the court called both parties into his chambers and hammered out a settlement, which came in the form of a court ordered plan the next day. The judge’s plan created the two combined minority

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<sup>61</sup> Communication from Constable Joe Scrofne, Minutes, Commissioners Court of Galveston County, September 23, 1991, microfilm no. 300-11-0718; Emory, Young & Assoc. – Redistricting Election and Justice of the Peace precincts, Minutes, Commissioners Court of Galveston County, September 23, 1991, microfilm no. 300-11-0719; Decision on redistricting process, Minutes, Commissioners Court of Galveston County, September 26, 1991, microfilm no. 300-11-0805; Amending contract with Emory, Young & Assoc., Public hearing notice and attachment, Minutes, Commissioners Court of Galveston County, September 30, 1991, microfilm no. 300-11-0847; Submission Letter – Voting Rights Act, Public hearing notice and attachment, Minutes, Commissioners Court of Galveston County, September 30, 1991, microfilm no. 300-11-0848; Final Decision on Redistricting process for voting precincts, Minutes, Commissioners Court of Galveston County, September 30, 1991, microfilm no. 300-11-0851; Redistricting Changes on the Justice of the Peace Precincts, Minutes, Commissioners Court of Galveston County, September 30, 1991, microfilm no. 300-11-0925; Redistricting – the precinct boundary lines of county commissioner precincts, Minutes, Commissioners Court of Galveston County, September 30, 1991, microfilm no. 300-11-0936; Anne Comstock, “Commissioners pass remap plan 3-2,” *Galveston Daily News*, October 1, 1991, 10-A.

<sup>62</sup> Letter from John R. Dunne to Ray Holbrook, March 17, 1992, U.S. Department of Justice (in author’s possession); Bob Whitby, “Commissioners give tentative approval to voting plan,” *Galveston Daily News*, April 1, 1992, 1; Minutes, Commissioners Court of Galveston County, January 18, 1992, microfilm no. 300-11-2474.

opportunity J.P. and Constable precincts advocated by the NAACP. Yet the judge retained the small, isolated precinct on the Bolivar Peninsula, allowing Galveston County to supersede state law by creating nine single-member precincts. That same evening, the Commissioners Court ratified the new maps by a 4-0 vote at an emergency meeting, which Holbrook did not attend. Four months later, the court ordered the County to pay \$231,396 in plaintiff's attorney fees.<sup>63</sup>

The successful voting rights case represented an unequivocal victory for the NAACP and Commissioner Johnson, and the Black and Latinx people of Precincts 2 and 3 would soon elect their candidates of their own choosing—the first Black Justice of the Peace in county history, along with two Black Constables.

County Judge Holbrook remained defiant, citing scripture in claiming that the ruling was “almost more than Galveston County can stand,” adding that “The Commissioners Court has not discriminated against minorities” and merely sought to save costs and make the J.P. courts more convenient and accessible to residents. Commissioner Janek agreed that the commissioners had been more than fair: “We did everything in our power to help Wayne Johnson,” Janek said. “But he wasn’t satisfied. Just greedy.” Of course, Johnson saw it differently, noting that the Court majority had only themselves to blame for violating the law and marking the historic nature of the decision. “This is the first time since the slaves were freed on this island that a political district was drawn for the purpose of ensuring full voting rights of the minority population,” Johnson concluded. The court added that “[i]t particularly regrets the intensity of the seeming intransigence” of the Commissioners Court majority, “who even in the face of their own settlement, seemed dedicated to increasing community divisiveness and tension.”<sup>64</sup>

By December, the voters went to the polls twice under the court-ordered plans, first reelecting Johnson and then elevating Penny Pope as the first Black Justice of the Peace as well as Terry Petteway and Earl Tottenham as Constables. Over three hundred people attended an “emotional ceremony” for their combined swearing-in by Judge Morris Overstreet of the Texas Court of Criminal Appeals, the first Black judge elected to a statewide court in Texas. The title of one retrospective article in the *Galveston Daily News* said it all: “Revolution: 1992 year of turmoil, litigation, that resulted in election of blacks to offices they’ve never held before.”<sup>65</sup>

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<sup>63</sup> Kevin Moran, “Galveston commissioners favor whites, one testifies,” *Houston Chronicle*, August 18, 1992, 16; Jim Brigance, “Kent imposes NAACP suit settlement,” *Galveston Daily News*, August 19, 1992, 1; “Redistricting plan approved,” *Galveston Daily News*, August 20, 1992, 14; Scott Fitzgerald, “County ordered to pay attorney fees,” *Galveston Daily News*, December 19, 1992, 1.

<sup>64</sup> Ray Holbrook, “Ruling almost more than county can stand,” *Galveston Daily News*, August 21, 1992, 10 (Holbrook quotations); Jim Brigance, “Janek: Judge like a dictator,” *Galveston Daily News*, August 19, 1992, 14-A (Janek quotation); Kevin Moran, “Galveston Co. redistricting lawsuit settled – Ninth precinct with black majority planned,” *Houston Chronicle*, August 19, 1992, 21 (Johnson quotation); “Key players in redistricting suit against county discuss ruling,” *Galveston Daily News*, December 19, 1992, 13-A (court quotation).

<sup>65</sup> Scott Fitzgerald, “Gray wins 2-year term,” *Galveston Daily News*, December 13, 1992, 1; “Overstreet swears in black officials during emotional ceremony,” *Galveston Daily News*, January 3, 1993, 1; Jim Brigance, “Revolution,” *Galveston Daily News*, March 14, 1993, 15-H (final quotation).



### 5.5.1. Conclusion: 1991 Redistricting

In hindsight, several aspects of the 1991 redistricting cycle bear repeating. The County adopted a set of criteria, a timetable, and standards for an open and fair process, including public hearings. Despite deep animosity and mistrust that existed between Judge Holbrook and Commissioner Johnson, the Commissioners Court initially agreed that it would endeavor to adhere to the “letter and spirit” of the Voting Rights Act. The community participated meaningfully in the process, attending well-publicized hearings at convenient locations geographically near the county’s Black and Latinx neighborhoods, where they presented their own plans for full consideration by the Court and even had their comments entered into the official meeting minutes. In the end, the County Judge and white majority believed that they had gone far enough in accommodating Johnson by making his district safer. However, they lost sight of their own stated commitment to fair treatment and knowingly ignored their Black and Hispanic constituents. Their claims that they kept the unfair J.P. and Constable precincts intact for the voters’ convenience lacked credibility. Rather, in the view of the Attorney General, the commissioners were presented “repeatedly” with opportunities to respond to the needs of their Black and Latinx constituents, but instead, they approved a redistricting plan for reasons that “do not withstand Section 5 scrutiny.”<sup>66</sup>

### 5.6. Two Decades of Peace on the Commissioners Court

Chastened by his defeat in the redistricting process, and what he called “four years of mistrust, turmoil, and chaos,” County Judge Holbrook announced his retirement from public service in August, 1993. The following year, he was replaced by Jim Yarbrough, a white Democrat. African Americans in Galveston County achieved another first in 1994 by electing Gerald Burks as County Treasurer, the first county-wide Black elected official. In 1996, Commissioner Johnson won reelection with 75% of the vote, maintaining the previous balance and extending a period of relative calm on the Court. Three years later, in 1999, Johnson collapsed at Hobby Airport, dying from a heart attack at the age of 45. County Judge Yarbrough praised him profusely, and a pair of Galveston County Republicans immediately set up a scholarship in his honor to benefit La Marque High School students.<sup>67</sup>

#### 5.6.1. Appointment of Stephen Holmes

To replace Johnson, County Judge Yarbrough appointed Stephen Holmes, an African American, Dickinson native, and assistant District Attorney. Unlike Johnson, who had lived and breathed politics since his youth, Holmes was a “political newcomer.” Yarbrough commented that he sought to avoid wading into any factional disputes in the county and instead looked for “someone outside the political spectrum.” Yarbrough fielded over 250 phone calls in which community members

<sup>66</sup> See “Voting rights” (editorial), *Galveston Daily News*, August 21, 1992, 10. Emory, Young & Associates Inc Contract, Agreement for Professional Services, Timetable and Guidelines, Minutes, Commissioners Court of Galveston County, May 20, 1991, microfilm no. 300-10-2202 (first quotation); Letter from John R. Dunne to Ray Holbrook, March 17, 1992 (remaining quotations).

<sup>67</sup> Wanda Garner Cash, “Holbrook will not run again,” *Galveston Daily News*, August 6, 1993, 1, 15-A (quotation on 15); “Voters choice,” *Galveston Daily News*, November 9, 1994, 1; Noe Hernandez, “A new era,” *Galveston Daily News*, November 9, 1994, 1; Kevin Moran, “Galveston commissioner suffers fatal heart attack,” *Houston Chronicle*, January 26, 1999, 13; Steve Mayo, “Johnson: ‘A thread woven throughout the community,’” *Galveston Daily News*, January 27, 1999, 1, 14; Carter Thompson, “Scholarship in Johnson’s name announced,” *Galveston Daily News*, January 27, 1999, A14; “Word on the street,” *Galveston Daily News*, January 27, 1999, A13.

suggested possible candidates; attorney Elisa Vasquez first recommended Holmes to him. “My hope was that we could get through this process without pulling the community apart,” Yarbrough added. His calculations proved correct. Recognizing the importance of Precinct 3 as a minority opportunity district, Yarbrough chose Holmes. “A crowd of about 200 people . . . cheered the appointment” when it was announced in the courthouse lobby, the *Houston Chronicle* reported. Among them was local NAACP president and retired union leader Leroy Hoskins, a past leader of redistricting fights.<sup>68</sup> Yarbrough’s recognition of the Black community’s investment in Precinct 3, paired with Holmes’ newcomer status, encouraged an ongoing atmosphere of peace on the Commissioners Court.

### 5.6.2. Redistricting, 2001

Accordingly, the 2001 redistricting process proved uneventful, beginning with the court’s unanimous adoption of criteria for the new maps in May. The commissioners agreed that “easily identifiable geographic boundaries should be followed,” that “communities of interest should be maintained in a single district” even if that meant breaking up the larger cities, and that districts should be composed of whole voting precincts when possible and have “relatively equal” population sizes. Additional criteria specified that “any redistricting plan should, to the extent possible, be based on existing districts,” preserving compact and contiguous districts that also recognized “incumbent-constituency relations . . . and [incumbents’] history in representing certain areas.” The Justice of the Peace / Constable districts should further consider the “level of workload, the location of county facilities, and the convenience of the people” for each justice court. Last but not least, the maps needed to pay careful attention to the voting rights of communities of color, the criteria noted. “The redistricting plan should be narrowly tailored to avoid retrogression in the position of racial minorities and language minorities as defined in the Voting Rights Act . . . .” and “should not fragment a geographically compact minority community or pack minority voters in the presence of polarized voting . . . .” As justification, the adopted criteria also cited the need to comply with the court order in *Hoskins v. Hannah*, which had produced the contentious settlement of 1992. The Commissioners Court also adopted guidelines for community members to submit their own redistricting proposals, requiring that they be submitted before June 8 to the County Clerk’s office, in writing to avoid misunderstandings.<sup>69</sup>

In June, the Court created a schedule for public hearings, and in mid-July, they held three such meetings, gathering community input in League City (Precinct 4), the West County building (Precinct 2), and the College of the Mainland (Precinct 3). Each meeting was held at 7:00 p.m., making it accessible to people who worked in the daytime. A fourth hearing was held as part of the Commissioners Court’s regular meeting in Galveston (Precinct 1). Throughout the process, most Court meetings took place in the Holbrook Building Conference Room, 601 Tremont, an alternative location opened in 1995 and located just a few blocks from the County Courthouse. Judge Yarbrough explained that the 1992 court order prohibited them from altering two of the J.P. precincts, so they were off the table. Less than 10 community members addressed the Court at the

<sup>68</sup> Kevin Moran, “Commissioner position filled in Galveston,” *Houston Chronicle*, February 5, 1999, 29 (all quotations); “Yarbrough begins search to fill seat on county commissioners court,” *Galveston Daily News*, January 27, 1999, 1, 14.

<sup>69</sup> “Galveston County Resolution Adopting Criteria For Use in Redistricting 2001 Process” and “Guidelines for Persons Submitting Specific Redistricting Proposals,” in Agenda and Minutes, Commissioner Court of Galveston County, May 7, 2001 (quotations on microfilm pages 300-29-1179 to 1180)

July meeting, and only four at a subsequent hearing in September. On October 8, 2001, the Court approved the barely revised Commissioners Court and Justice of the Peace/Constable precincts by a 4-1 vote, the lone dissenter in both cases being Commissioner Ken Clark of north county, who believed that the lines did not adequately reflect the population growth in his area. After another unanimous vote on the J.P. and Constable precincts in November, the Court submitted the changes for Section 5 review to the U.S. Attorney General, who then informed the county on February 5, 2002, that no objection would be interposed to proposed changes. The process was complete, and painless.<sup>70</sup>

A spirit of cooperation appeared to have triumphed. Galveston County still voted heavily Democratic in 1998, while George W. Bush carried the county for the first time in the 2000 presidential election. Black political representation had been cemented as a seemingly permanent feature in local politics, in coalition with Hispanic communities. The conflicts of the early 1990s were at least temporarily submerged.<sup>71</sup>

## **6. Political Context of the 2021 Redistricting**

### **6.1. Political Changes and Racial Formation, 2003-2010**

#### *6.1.1. Hurricane Ike*

Several events eroded the political accommodation of the early 2000's. In September 2008, Hurricane Ike made landfall on Galveston Island, bringing with it an estimated 12-14 foot storm surge that entered the city from the Bay Side and damaged 80% of the City of Galveston. The devastation continued on the Mainland, where the unincorporated communities of Freddiesville (near Hitchcock) and Bacliff / San Leon (on Galveston Bay) nearly disappeared from the map. The bay's levee system sustained \$2 million in damage, while the Texas City Dike held back the surge "but took a massive blow" that would cost \$6 million to repair. Yet the immediate response to the storm was uneven. Some seven months after the storm, "Blue-tarped roofs still are common in west Texas City and many parts of La Marque," noted one newspaper report. Unable to garner an adequate share of federal relief funds, these poorer and racially diverse areas of the county remained limited to their own resources, fundraisers, and volunteers and thus struggled to recover from the storm. The Galveston County Commissioners Court had provided outsized resources to unincorporated areas on Bolivar Peninsula, the heavily white enclave that had long had an outsized influence in local politics, rather than unincorporated places with more diverse residents on the Mainland. For example, in the first six months after the storm, the county's contractor had removed

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<sup>70</sup> See Agenda and Minutes, Commissioner Court of Galveston County, for the following dates: June 11, 2001; July 16, 2001; July 17, 2001; July 19, 2001; July 23, 2001; September 6, 2001; October 8, 2001; November 5, 2001; January 14, 2002; February 11, 2002. On the Tremont meeting location, see the minutes for January 9, 1995. Agendas and Minutes and detailed packets for many (but not all) discussion items since 1995 are available on the county website, <http://agenda.galvestoncountytexas.gov/sirepub/meetresults.aspx>. On Clark's position, see Betty L. Martin, "Population shifts may spark redistricting," *Houston Chronicle*, January 17, 2001, 1.

<sup>71</sup> "Dems dominate county races," *Galveston Daily News*, November 4, 1998, 1; Dave Leip's Atlas of U.S. Presidential Elections, online, <https://uselectionatlas.org/RESULTS/index.html> (accessed December 16, 2002).



almost twice as much debris from the peninsula versus the communities of Freddiesville and Bacliffe / San Leon.<sup>72</sup>

The political fallout in the wake of Ike wreaked havoc on Galveston Island's stock of public housing. After the storm, four public housing complexes were declared uninhabitable and eventually demolished, even though housing advocates believed that many units had suffered minimal damage. In December, 2008—three months after the storm—members of the Galveston Coalition for Justice pleaded with the Commissioners Court to establish a mobile home community to provide temporary housing on the island. The County and Federal Emergency Management Agency (FEMA) were in the process of opening two such sites—one on High Island, at the foot of the Bolivar Peninsula, and another, larger one in Bacliff—but the commissioners balked at a proposal to set up a community in a lot in front of the County Justice Center at 53<sup>rd</sup> & Broadway, at the foot of the causeway bridge. “While not formally rejecting that plan, every member of [the] commissioners’ court has expressed reservations, saying the county has a potential buyer for the property,” the *Daily News* reported. “A few commissioners expressed concern that putting a mobile home community at the site would not put forward the best image that the community was recovering from the storm.” By April, 2009, with federal emergency and housing dollars poised to flow into Galveston, white residents protested the federal mandate that tied the funding to rebuilding the lost public housing. In an online petition and on social media, they used “overtly racist” language, in the words of a former editor of the *Daily News*, denouncing the “darkies” living in public housing, among other epithets.<sup>73</sup>

Black and Latinx residents who were displaced by the storm saw the shifting policies of the City and its Galveston Housing Authority (GHA) as a conspiracy to permanently banish them from the area. Some of their fears appeared to be confirmed in October, 2009, a little more than a year after Ike made landfall, when the GHA's executive director presented a plan to rebuild just 340 of the apartments in traditional row houses and duplexes, while the rest of federally mandated 569 units would be made available scattered “throughout other island neighborhoods.” David Miller of the local NAACP pointed out that over 3,000 people were already on the waitlist for public housing before the storm, so there was ample demand for more units, while Leon Phillips of the Galveston Coalition for Justice contended that residents of the island's historic neighborhoods would reject schemes such as Section 8 vouchers that would place public housing recipients in their midst. By 2012, four years after the storm, the housing issue formed the bedrock of an insurgent mayoral campaign in which a white candidate won the election based on a single-issue promise to stop the rebuilding of concentrated public housing. Although the federal Department of Housing and Urban Development (HUD) ultimately forced the City of Galveston to back down from this campaign promise, the process of rebuilding all 569 units remained unfinished in October, 2021, with

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<sup>72</sup> Robert Draper, “The Calm Before the Storm,” *Texas Monthly*, August 2015, <https://www.texasmonthly.com/articles/calm-before-the-storm/>; T.J. Aulds, “Mainland communities struggling after Ike,” *Galveston Daily News*, November 28, 2008; T.J. Aulds, “Mainland communities still recovering,” *Galveston Daily News*, April 5, 2009 (quotations).

<sup>73</sup> T.J. Aulds, “County hears pleas for trailers,” *Galveston Daily News*, December 8, 2008; Draper, “The Calm Before the Storm,” *Texas Monthly* (“overtly racist” quotation); Leon Phillips, “Biased stop-GHA petition is suspect,” *Galveston Daily News*, April 3, 2009 (“darkies” quotation); Leigh Jones, “Public housing to be torn down,” *Galveston Daily News*, May 15, 2009.

construction finally underway on the last phase. The protracted and uneven recovery process meant that thousands of the City of Galveston's poorer residents and people of color never returned to the island. In 2015, *Texas Monthly* reported that "as many as six thousand" Black people fled the city when the storm destroyed their homes, and "[s]even years later, the houses were still not rebuilt." Many who left became mainlanders, while others settled further afield, outside Galveston County.<sup>74</sup>

As all levels of government struggled to provide immediate and long-term relief to Galveston's residents, new coalitions emerged among Black, Hispanic, and white nongovernmental organizations. The Galveston Coalition for Justice's Leon Phillips, who is African American, partnered with Latinx American and white activists to provide immediate relief to residents affected by the storm. They paired lobbying for housing with calls for fair treatment by police agencies and support for a living wage. Meanwhile, Gulf Coast Interfaith brought together mostly Catholic lay leaders with Protestant ministers, rabbis, a mosque leader, and their respective congregations to advocate for many of the same issues. The group, which was composed of predominantly Latinx and Black members, helped organize a range of social service agencies to coordinate their responses to the emergency after the storm and to facilitate long-term recovery in Galveston County. Writing a guest op-ed in the *Daily News*, three leaders of Gulf Coast Interfaith reported that the collaboration they had forged with the United Way and service providers secured and administered about \$35 million of the total \$90 million of federal block grant funds allocated to the Houston-Galveston area. As a result, more than 16,000 people in the "region received help replacing lost furniture and appliances reconnecting utilities and addressing other basic unmet needs like identification documents and birth certificates," another 6,000 people received mental health or substance abuse treatment, and "more than 400 families . . . had new roofs and minor repairs completed." Gulf Coast Interfaith, which is nonpartisan and includes members of both major parties, also provided input into the county redistricting process in 2011-2012 (see Section 6.2). Finally, beginning in 2013, Gulf Coast Interfaith, the Galveston Coalition for Justice, and a long list of additional partners and sponsors organized an annual Living Wage Conference to share ideas and strategies for creating good jobs, education, and training in the county. The list of supporters for the 2015 conference, for example, includes the Gulf Coast Homeless Coalition, United Way, LULAC Council 151, Galveston Northside Taskforce, NAACP Galveston Unit 6180, Galveston Catholic Charities, Restaurant Opportunities Centers United, Galveston Ministerial Alliance, Galveston County Labor Council AFL-CIO, and more—including Commissioner Stephen Holmes, the sole elected official on the list and the only representative of Galveston County.<sup>75</sup>

Hurricane Ike and its aftermath thus deepened the historical trends that had been evident in Galveston County, especially in terms of racial formation. Although formal Jim Crow and Juan

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<sup>74</sup> Leigh Jones, "Advocacy groups oppose public housing plan," *Galveston Daily News*, October 22, 2009 (first quotation); Leigh Jones, "Racial tensions talk dominates housing meeting," *Galveston Daily News*, October 30, 2009; Draper, "The Calm Before the Storm," *Texas Monthly* (final two quotations); author's fieldwork.

<sup>75</sup> Cornelia Banks, Joe Compian, and Laura Murrell, "Urge Representatives to pass hurricane grant bill," *Galveston Daily News*, November 13, 2010 (quotations); T.J. Aulds, "Meetings to offer recovery advice," *Galveston Daily News*, July 21, 2009; Leigh Jones, "Officials seek Perry's help getting federal funds," *Galveston Daily News*, September 10, 2009; Heber Taylor, "A cleaner, simpler district map," *Galveston Daily News*, March 18, 2012; Joseph Baucum, "Employment survey could be beneficial for local residents," *Galveston Daily News*, September 29, 2015; "3<sup>rd</sup> Annual Living Wage Conference," September 28, 2015, Galveston, copy of digital flyer in author's possession; author's fieldwork.

Crow were no longer embraced, local government agencies, including the County of Galveston, carried out response and recovery efforts that perpetuated or exacerbated extant racial inequities. As in Baytown, African American and Latinx Americans forged a heightened sense of solidarity between their communities, at times blurring the lines between them as shared experiences of marginalization and resistance produced hybrid coalitions and deep political partnerships.

### *6.1.2. Changes in State and National Politics*

While local events in Galveston County both exacerbated racial conflict and engendered deepening coalitions between Black and Latinx residents, state and national politics encouraged further polarization. In 2003, U.S. House Majority Leader Tom DeLay helped his colleagues in the Texas state legislature pass a sweeping redistricting plan that tilted the state heavily in favor of the Republican Party, resulting in significant gains for the GOP. In the next election, Republicans gained five seats in the Texas Congressional delegation, plus a sixth when a white Democrat switched parties. Although voting rights litigation challenging the new maps ultimately failed in court, the long-term effects on race and representation became evident. By 2014, just seven of 63 Democratic state legislators were white people, while just eight out of 118 Republicans in the legislature were minorities. The white Democrats who had long been the core of the party in the South had all but disappeared. “Overall, the demographic makeup of the Legislature does not reflect the state’s population,” reported the *Texas Tribune*. White residents comprised 44% of the state’s population, but 65% of the legislators were white, while Hispanics numbered 38% of the state’s residents and just 23% of the legislators (African Americans achieved near-parity, at 12% and 11%, respectively). The trends that resulted in these statistics grew clearer each election. By the time of the 2010 Census, Republican lawmakers in Texas (who were overwhelmingly white) could be confident of their ability to draw ostensibly partisan maps that would result in a significant advantage for their party—along with the continued disappearance of white Democratic rivals and the underrepresentation of people of color in government (and in the GOP).<sup>76</sup>

National politics also contributed to polarization, including racial animus. Most important, in 2010, Tea Party conservatives swept into office on a wave of discontent stemming from the election of President Barack Obama two years earlier and the Democratic Party’s passage of the Affordable Care Act in March, 2010. As a result, in November 2010, the Republican Party regained control of the U.S. House of Representatives, while Texas Governor Rick Perry won an unprecedented third four-year term. In Galveston County, Mark Henry made history by becoming the first Republican County Judge since Reconstruction. As a candidate, Henry made it clear that he identified with the Tea Party movement and that he would bring its new, more abrasively partisan tone to the Commissioners Court. In an op-ed published prior to the election, Henry addressed Democratic charges that he was running a negative campaign focused on national politics. Henry countered that “local Democrats are responsible for giving us Obama-style policies here in Galveston,” including an expanded budget and deficit and a 10.5% hike in the county tax rate. Obama wasn’t on the ballot,

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<sup>76</sup> Jeffrey Toobin, “Drawing the Line,” *New Yorker*, February 26, 2006, <https://www.newyorker.com/magazine/2006/03/06/drawing-the-line-3>; Alexa Ura, “In Legislature, Even Fewer White Democrats,” *Texas Tribune*, November 9, 2014, <https://www.texastribune.org/2014/11/09/white-democrats-continue-fall-texas-legislature/>.

Henry acknowledged, but “We can deal with him in 2012. This year we can get started much closer to home.”<sup>77</sup>

## **6.2. Redistricting in Galveston County, 2011-2012**

Such statements denouncing the nation’s first Black president doubtlessly increased the stakes of the 2011 redistricting cycle in Galveston County, a jurisdiction with a long history of official discrimination in the electoral process and polarized voting behavior. The process began in earnest in May 2011, when the county engaged the firm of Beirne, Maynard & Parsons, L.L.P., as its legal counsel for redistricting. Unlike the hiring of Emory, Young, and Associates in 1991, the County did not conduct interviews or seek bids for legal counsel, nor did they specify any redistricting criteria for the lawyers to follow, nor did they acknowledge the significance of the Voting Rights Act in the process, except in reference to the final submission. They also did not impose any restrictions on communication between individual commissioners and the firm.<sup>78</sup>

The lack of criteria surprised Commissioner Ken Clark, the member of the Court who was most engaged with the redistricting process. Clark represented the northern portion of the county and had objected to the previous plan in 2001, believing it did not fairly represent his precinct’s growing population. Consequently, “I probably started working on this redistricting as soon as the last one ended,” he told the *Galveston Daily News* in 2011. That spring, Clark wrote to the County Attorney to request the criteria for that year’s redistricting, and Judge Henry reportedly planned to put a discussion of it on the court’s agenda. But on June 2, outside counsel Joe Nixon wrote to Henry and asked that they discuss the issue privately. “The judge said Nixon recommended against setting criteria because it ‘would tie the county’s hands if changes needed to be made,’” according to newspaper reports. The article continues: “Records obtained by *The Daily News* show that the county was set to adopt guidelines almost the same as the ones used 10 years ago during the last redistricting effort. But before the commissioners even got a chance to consider the criteria, it was pulled from the agenda.” Indeed, the draft criteria—which was never considered at a public meeting—differed little from the document adopted a decade prior. It again called on the commissioners to maintain intact existing communities of interest, to adopt a redistricting plan that would be “narrowly tailored to avoid retrogression in the position of racial minorities and language minorities,” and to create maps that would “not fragment a geographically compact minority community or pack minority voters in the presence of polarized voting.”<sup>79</sup>

Because the Court did not consider nor adopt criteria in a public meeting, the process then proceeded without any clear goals. Instead, Clark sent Nixon outlines of his preferred maps, and on August 2, the Commissioners Court discussed a preliminary redistricting plan for the Commissioners Court, Justice of the Peace, and Constable precincts prepared by the law firm and formally submitted for approval by Judge Henry. The initial agenda for the meeting indicated that

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<sup>77</sup> Mark Henry, “Policies of Democrat leaders have local impact,” *Galveston Daily News*, July 30, 2010; author’s fieldwork.

<sup>78</sup> Minutes, Commissioners Court of Galveston County, May 10, 2011; May 17, 2011; May 24, 2011 (item 17).

<sup>79</sup> T.J. Aulds, “Redistricting: What do Democrats say on issue?” *Galveston Daily News*, August 30, 2011 (Henry inner quotation and quotations from newspaper report); T.J. Aulds, “Redistricting: How will commissioners vote?” *Galveston Daily News*, August 29, 2011 (Clark quotation); “Galveston County Resolution Adopting Criteria for Use in Redistricting 2011 Process,” May 7, 2011 (private file), courtesy United States Department of Justice (in author’s possession).

the Court might approve the maps that same day, but apparently objections from Commissioners Holmes and Patrick Doyle scuttled that plan.

A week later, the Court approved a calendar for the rest of the redistricting process and scheduled a series of public hearings to be held throughout the county, including one in each commissioner precinct. On the evening of August 15, a small number of residents gave public comments at the hearing at the county's Calder Road Annex in League City, in Commissioner Precinct 4. At the regular court meeting on the afternoon on August 16, Commissioner Holmes introduced his own maps, contending that his set of maps had the best chance of preclearance by the Department of Justice. That evening, a slightly larger group attended the second hearing at the West County building in Santa Fe. Both meetings included commenters who favored Holmes' approach. The third hearing in Crystal Beach, on the Bolivar Peninsula on the evening of August 17, featured approximately twenty speakers. The final two hearings, held in Texas City and at the Galveston County Courthouse on the island, took place on the evenings of August 22 and 23, respectively. Each featured dozens of speakers, the vast majority of whom were African American or Latinx, and most of whom supported Holmes' proposals while opposing those put forward by Clark and Henry. The official Commissioners Court minutes that are posted on the county's website include only one artifact from this week of testimony by nearly 100 speakers: a formal resolution adopted by the League City Council in favor of more representation for the north county area. In contrast to 1992, none of the suggestions put forward by Holmes, the NAACP, LULAC, or other civic leaders were included in the official records (except in the video recordings, which were posted online using antiquated streaming software and unavailable for this report). At a regular meeting of the Commissioners Court during the day on August 23, Commissioner Holmes introduced yet another set of maps, but no action was taken.<sup>80</sup>

On August 29, County Judge Henry and other commissioners met privately with outside counsel and developed a final redistricting plan with only minor tweaks from the plan they had discussed back on August 2. Holmes, the sole person of color on the Commissioners Court, was not invited. Henry and other commissioners added much of the predominately white Bolivar Peninsula to the majority Black and Latinx Commissioner Precinct 3 and reduced the number of Justice of the Peace and Constable districts from eight to five, effectively cracking the county's minority population but still maintaining a separate Justice of the Peace precinct for the numerically sparse Bolivar Peninsula. Despite the many opportunities for public input, not much had changed from the original maps presented by the outside counsel a month earlier. The Commissioners Court formally adopted the new maps at its August 30 meeting, by a 3-2 vote (with Holmes and Doyle dissenting).

The split vote triggered a lawsuit filed by county elected officials. On November 14, 2011, "[t]hree county constables, two justices of the peace, and two county commissioners" sued the county and County Judge Henry over the redrawn Commissioner, J.P. and Constable maps. Commissioners Holmes and Doyle were parties to the suit, *Petteway v. Galveston County*, that claimed that the plans could not be implemented because neither had been reviewed by the Attorney General under

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<sup>80</sup> Aulds, "Redistricting: What do Democrats say on issue?"; Aulds, "Redistricting: How will commissioners vote?"; Minutes, Commissioners Court of Galveston County, August 2, 2011; August 9, 2011; August 15, 2011; August 16, 2011 (Item 12); August 17, 2011; August 22, 2011; August 23, 2011 (Item 8); August 30, 2011 (Item 24).



Section 5. The complaint further asserted that even if the plans did comply with Section 5, they violated Section 2 of the Voting Rights Act by not providing Black and Latinx voters with an equal opportunity to elect candidates of choice. On March 12, 2012, the U.S. Attorney General informed the county that it had failed to establish that the redistricting plan for the commissioners court and the changes affecting the number and alignment of the justice of the peace/constable districts were not adopted with a discriminatory purpose and would have a discriminatory effect.<sup>81</sup> The effect of the objection was to render both plans unenforceable.

Following the Attorney General's objection, the county began negotiating a revised redistricting plan for the Commissioners Court precincts. Yet this, too, was marred by controversy. First, Judge Henry and Commissioner Clark sought to discredit the Attorney General's objection by claiming that it was "political" and part of the "Obama administration's continuing attack on Texas."<sup>82</sup>

Next, Judge Henry scheduled consultation meetings with outside counsel during Executive Sessions of the Commissioners Court, but he barred Commissioners Holmes and Doyle, who had also joined the *Petteway* litigation against the county over the redistricting process, from attending the gathering. Henry first did so in November, 2011, soon after the lawsuit was filed, refusing the duo admittance to an Executive Session to discuss the continued engagement of the Beirne, Maynard & Parsons law firm to defend the county in federal court. The County Attorney supported this course of action but "did not find any legal precedent that barred Holmes and Doyle from participating in the vote after the closed-door session is over," according to a newspaper report. The Executive Session of the three Commissioners and attorneys lasted nearly an hour. Holmes and Doyle abstained from the subsequent vote on the contract.<sup>83</sup>

When Henry again barred Holmes and Doyle from an Executive Session in March, 2012, the duo objected, demanding that the case should be discussed in a public hearing instead. What happened next represents a departure from normal procedures of the Commissioners Court; indeed, I found no other similar instance in the meeting minutes that I reviewed. After noting the attendance of all five commissioners and the county clerk, the minutes for the March 13, 2012, special meeting read:

1. Call to Order by Judge Henry at 10:01 A.M. at the Galveston County Courthouse.

Judge Henry left the meeting to go into executive session at 10:02 A.M.

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<sup>81</sup> T.J. Aulds, "County's redistricting plans challenged," *Galveston Daily News*, November 15, 2011 (quotation); Minutes, Commissioners Court of Galveston County, August 30, 2011 (especially Items 25 and 26); T.J. Aulds, "Two more redistricting map proposals offered," *Galveston Daily News*, August 30, 2011; T.J. Aulds, "Commissioners approve precinct boundaries," *Galveston Daily News*, August 31, 2011; *Petteway v. Galveston County*, 3:13-cv-00511 (S.D. Tex. Nov. 14, 2011); T.J. Aulds, "DOJ tosses county's redistricting maps," *Galveston Daily News*, March 5, 2012; Harvey Rice, "Galveston County – Feds say new map dilutes minority vote," *Houston Chronicle*, March 7, 2012, 2; Letter from Thomas E. Perez to James E. Trainor III, March 5, 2012, copy received and filed in Minutes, Commissioners Court of Galveston County, March 20, 2012 (quotation).

<sup>82</sup> Aulds, "DOJ tosses county's redistricting maps" (Clark and Henry quotations); Mike Gunning, "Redistricting 'plans may not be implemented,'" *Galveston Daily News*, November 22, 2011; T.J. Aulds, "DOJ: Redistricting plan lacks information," *Galveston Daily News*, December 22, 2011.

<sup>83</sup> Minutes, Commissioners Court of Galveston County, November 18, 2011; T.J. Aulds, "2 barred from meeting to discuss lawsuit," *Galveston Daily News*, November 17, 2011.

Motion by Commissioner Doyle to waive executive session and go into a public hearing, seconded by Commissioner Holmes.

Motion by Commissioner Doyle to discuss items 2a and 4 in the open public, seconded by Commissioner Holmes.

Failed: 2-2

Aye: Commissioner Doyle, Commissioner Holmes

Nay: Commissioner O'Brien, Commissioner Clark

Abstain: (None)

Absent: County Judge Henry

Commissioner Clark and Commissioner O'Brien left the meeting to go into executive session.

The meeting then proceeds to item 2, which begins, "Break into Executive Session." Following the details on the two cases, the minutes add, "Commissioners Doyle and Holmes did not attend executive session."<sup>84</sup>

The report in the *Galveston Daily News* described the situation as "a standoff." Immediately after the opening gavel, Holmes introduced "a motion that commissioners discuss the issue in open session." Doyle seconded. Then,

Before there could be a vote, Judge Mark Henry walked out of the meeting room. That left a split 2-2 vote on Holmes' motion with Precinct 4 Commissioner Ken Clark and Precinct 2 Commissioner Kevin O'Brien voting against.

Soon after, O'Brien and Clark joined Henry in a backroom. Holmes and Doyle protested the closed meeting and refused to attend. The county's redistricting attorneys shuttled between the closed-door session with commissioners and representatives from the justice department who were in a conference room upstairs at the courthouse.

Holmes contended the 2-2 vote meant commissioners were undecided about going into executive session. Henry, bucking the advice of County Attorney Harvey Bazaman, contended that because the motion failed to get a majority vote the closed-door session could go on as scheduled.

Several hours later, Henry, Clark, and O'Brien returned to the main chamber and voted to instruct outside counsel to submit a settlement offer to the Department of Justice. There was no public input on the maps that they had created behind closed doors. Holmes and Doyle again abstained. The reporter added, "The Democratic members of the court, with the support of legal advice from the county attorney, maintained the court's actions violated state open meetings laws and refused to participate in the closed-door sessions or the vote."<sup>85</sup>

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<sup>84</sup> Minutes, Commissioners Court of Galveston County, March 13, 2012 (Special Meeting, 10:00 A.M.).

<sup>85</sup> T.J. Aulds, "Commissioners in standoff over closed meeting," *Galveston Daily News*, March 14, 2012.

On March 18, Heber Taylor, the editor of the *Galveston Daily News*, weighed in and called for “[a] cleaner, simpler district map” that would be based on facts, be non-partisan, and protect racial minorities. He praised a map submitted by Gulf Coast Interfaith that drew clear lines that follow recognizable geographic boundaries such as railroads and highways. “You don’t need a global positioning system to tell which county commissioner’s district you’re in,” Taylor wrote. The map proposed by Gulf Coast Interfaith also took into account the three major demographic trends facing Galveston County: population growth since 2000 had taken place in the north county, the City of Galveston had lost population, and the overall population grew, led by Latinos. “If you draw a map that reflects those basic facts you can do so simply. Interfaith proved that,” Taylor wrote. And “Unlike the county’s map, it wouldn’t be a challenge for the [J]ustice [D]epartment,” he added. The map would keep Precinct 3 as a minority opportunity district and make Precinct 1, represented by Doyle, a 50-50 “minority impact district.” The Interfaith map would make Democrats happy this time, Taylor admitted, but both parties should strive to “be above politics” by prioritizing “simple fairness.”<sup>86</sup>

On the evening of March 22, after holding a pro forma public hearing that same afternoon, the Court majority approved “Settlement #2” by a 3-2 vote, split along the same lines, with Holmes and Doyle still voting in opposition. The U.S. Attorney General precleared the revised commissioners court plan the following day, and a three-judge panel hearing their federal case ruled that the upcoming election would use the new maps created by the settlement.

Meanwhile, the *Pettenway* court, based on the Attorney General’s March 12, 2012 objection, permanently enjoined Galveston County from implementing the 2011 Justice of the Peace and Constable maps that had reduced the number of precincts to five—another subject and case that had been discussed in the closed-door Executive Session on March 13. Judge Henry promised to appeal and revisit the issue after the next elections. For the moment, the county retained all nine J.P. and eight Constables positions.

For their part, both Holmes and Doyle remained disappointed with the revision of the commissioners court plan, claiming that the Justice Department had “bailed out a failed process” led by Judge Henry and the Court majority. At the same time, Doyle added that he was “ecstatic” that he and Holmes had “forced them to comply with the Voting Rights Act.” Doyle also announced that he would not seek reelection in Precinct 1.<sup>87</sup>

### **6.3. Elimination of Justice of the Peace Precincts, 2013**

In February 2013, Judge Henry and new Commissioner Ryan Dennard (who replaced Doyle after redistricting) put forward a new proposal to defund the Justice of the Peace offices and reallocate

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<sup>86</sup> Heber Taylor, “A cleaner, simpler district map,” *Galveston Daily News*, March 18, 2012.

<sup>87</sup> T.J. Aulds, “DOJ gives green light to county redistricting map,” *Galveston Daily News*, March 24, 2012 (Doyle quotations); T.J. Aulds, “Redistricting is back on the agenda,” *Galveston Daily News*, March 20, 2012; Minutes, County Commissioners Court of Galveston County, March 13, 2012; March 20, 2012; March 22, 2012; Letter from T. Christian Herren, Jr., to James E. Trainor III, March 23, 2012, received and filed in Minutes, March 28, 2012; T.J. Aulds, “Another redistricting map set for DOJ,” *Galveston Daily News*, March 22, 2012; T.J. Aulds, “Commissioners approve new redistricting map,” *Galveston Daily News*, March 23, 2012; T.J. Aulds, “Doyle won’t seek re-election,” *Galveston Daily News*, March 25, 2012.

their salaries and budgets based on the caseload of each precinct. Most of the J.P.s in both political parties categorically rejected the court's exploring the issue—just as they had opposed a similar proposal in 2011.

On August 11, 2013, the *Galveston Daily News* reported that County Judge Henry had revived the cost-saving scheme yet again. But scarcely a week later, on August 19, the Commissioners Court suddenly passed, by a 4-1 vote, a redistricting plan with striking similarities to the maps that were the subject of the Section 5 objection two years earlier. The newest resolution, passed after an extraordinary motion that required public speakers to give their comments under oath, abolished five J.P. positions and four Constables and heavily revised the four remaining Justice and Constable precincts, including by collapsing Bolivar Peninsula into the previously Black and Latinx precinct on the Mainland (and mostly separate from Galveston Island).<sup>88</sup>

On June 25, 2013, the United States Supreme Court rendered a judgment in *Shelby County, Alabama v. Holder* that effectively ended the Voting Rights Act's preclearance requirements. Galveston County's adoption in August 2013 of the Justice of the Peace precinct plan that had been permanently enjoined after the Attorney General's Section 5 determination came less than two months after *Shelby*—making it the first political subdivision in Texas to redistrict following the decision. There were no public hearings, nor criteria, nor a timeline for the 2013 redistricting. Six of the Justices of the Peace, Constables, and local activists who had opposed the 2011 redistricting now filed a new federal suit, charging that the plan eliminated as many as four total minority opportunity-to-elect districts. The plaintiffs included Penny Pope, the county's first Black J.P.; three other African American elected officials; Michael Montez, a Latino Republican Constable; and a Black resident voter.<sup>89</sup> After a 2014 trial, the court ruled in favor of the defendants regarding the plaintiffs' vote-dilution claims because the 2013 plan actually “increased the percentage of Galveston County residents living in a majority-minority district.” In 2022, the court also ruled in favor of the defendants on the intentional discrimination claim, reasoning that the 2013 plan “did not reduce the influence of minority voters” and that the plan “achieved significant cost savings” to the Justice of the Peace courts. Yet the court included a caveat that is revealing: “If the reduction in size had been accompanied by a decrease in the percentage of majority-minority precincts, then there might be an argument that the efficiency rationale was pretext for decreasing the power of minority voters.”<sup>90</sup>

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<sup>88</sup> Minutes, County Commissioners Court of Galveston County, August 19, 2013; T.J. Aulds, “Justices of the Peace object to basing pay on caseload,” *Galveston Daily News*, February 20, 2013; Wes Swift, “County commissioners to press on with JP plans,” *Galveston Daily News*, August 11, 2013; T.J. Aulds, “Judges oppose proposed redistricting plans,” *Galveston Daily News*, August 17, 2011; Mark Henry, “Reducing size of government shouldn't be hard,” *Galveston Daily News*, August 18, 2013; Wes Swift, “County slashes JPs to 4,” *Galveston Daily News*, August 20, 2013; Harvey Rice, “Galveston County resurrects remapping - Officials OK redistricting that feds had previously barred as discriminatory,” *Houston Chronicle*, August 21, 2013, 1.

<sup>89</sup> Wes Swift, “The ghosts of Shelby County rise in JP decision,” *Galveston Daily News*, August 20, 2013; Harvey Rice, “Lawsuit says Galveston County remap discriminatory,” *Houston Chronicle*, August 26, 2013; Wes Swift, “6 sue county over the new maps for JPs,” *Galveston Daily News*, August 27, 2013; “Thrashing justice in Galveston County” (editorial), *Houston Chronicle*, September 11, 2013; *Pettenay et al. v. Galveston County*, 3:13-cv-00308 (S.D. Tex. August 26, 2013).

<sup>90</sup> Ruling on Bench Trial, *Pettenay et al. v. Galveston County*, 3:13-cv-00308 (S.D. Tex. August 31, 2022) (emphasis added).

### 6.3.1. Conclusion: 2013 Redistricting

As an historian, using the tools of interpretation and inference that are standard in the discipline, I can only conclude that the Court majority likely acted when it did as a direct response to the Supreme Court’s removal of minority voting rights protections. They surely acted with the knowledge that, less than two years earlier in 2011, the Attorney General had rejected a similar plan, and a federal court had permanently enjoined the County from using it. Even if the newest action no longer required Section 5 preclearance, and regardless of whether it would withstand future legal challenges, the racially disparate impact of diluting the combined minority vote of a longstanding Black-Latinx political coalition remained. Although African Americans would continue to occupy one J.P. and Constable seat until the present moment, the 2013 redistricting more than halved the bench of aspiring Black and Latinx leaders. In 2011, three people of color—two Black and one Latinx—had served as Constables, along with two Black Justices of the Peace. Now only one J.P. and constable precinct provided an opportunity for minority representation. The elected officials were now fewer and thus further away from, and less accessible to, their constituents. The reduction also meant that, in the future, fewer Black and Latinx people would be able to carry the experience of having served in local office into campaigns for offices at the county, state, and federal level. African American and Latinx American community leaders made known their opposition to the plan, which was, politically speaking, a direct attack on their longstanding inter-minority coalition.<sup>91</sup>

### **6.4. Incidents Relating to Racial Formation in Galveston County, 2019-2021**

The prevailing atmosphere of tolerance and accommodation that dominated local racial politics at the turn of the millennium had given way to a climate of hostility and exclusion by the end of its second decade. By 2018, African Americans and Latinx Americans could only hope to compete for a single seat at each level of Galveston County’s government, including the Commissioners Court. A series of high-profile incidents further exposed the persistence of racial animus and inequity.

First, on August 3, 2019, mounted officers of the City of Galveston Police Department arrested and publicly humiliated Donald Neely, a 44-year old Black man experiencing homelessness and mental illness, detaining him for criminal trespass before attaching his handcuffs to a rope and leading him several blocks through the city. With obvious racial overtones, and after discussing the bad optics, the two officers rode on horses while the tied Neely walked in the Texas sun, passing the site of a former market in enslaved African Americans. The incident went viral and prompted outrage on social media, a “National March on Galveston” on September 15, the subsequent release of the officers’ body camera footage, and a million-dollar lawsuit. The City’s Police Chief Vernon Hale “said he believed the officers used poor judgment when making their decision to move Neely across the downtown. Hale has apologized for causing Neely unnecessary embarrassment,” according to the *Galveston Daily News*. The officers had used outdated protocols which have since been abandoned, the report continued. “The department has stopped using the method of using a line to tether arrestees, and has put on hold plans to create a regular mounted patrol.” An investigation by

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<sup>91</sup> The case went to trial in 2014, and a final ruling was issued on August 31, 2022. For updates, see Harvey Rice, “Galveston Commissioners aren’t waiting for judge’s decision,” *Houston Chronicle*, November 18, 2015; John Wayne Ferguson, “D.C. group adds new complaint to long-simmering redistricting lawsuit,” *Galveston Daily News*, January 18, 2022; John Wayne Ferguson, “Federal judge nixes piggyback challenge of Galveston County redistricting map,” *Galveston Daily News*, February 21, 2022.



the Texas Rangers state police agency “resulted in no charges being filed against the officers,” while “[t]he city refused to release documents from a policy review conducted by the Galveston County Sheriff’s Office.” Although Galveston County was not directly involved with the incident itself, the Sheriff’s Office regularly provides oversight and regularly coordinates activities with municipal law enforcement. In this case, the Sheriff’s Department’s silence following its much-publicized review of the incident was itself revealing.<sup>92</sup>

Next, in the summer of 2020, amidst the national reckoning and protests following the police killing of George Floyd in Minneapolis, Black residents and allies in Galveston County called on local governments to enact change. On June 6, hundreds of people took to the streets of Galveston and up to a thousand more marched in League City to protest persistent racial inequity. Shortly after, Isaac Fanuiel IV, a Black man and Galveston native, renewed his 2015 demand that county commissioners remove a Confederate statue, titled “Dignified Resignation,” from the Courthouse grounds. Citing the national significance of the history of Emancipation on the island on June 19, Fanuiel urged county residents to celebrate Juneteenth by removing the statue. That day, protestors at the County Courthouse briefly covered the statue in a sheet, symbolically if temporarily taking it down. Ten days later, on June 29, Fanuiel presented his idea to the Commissioners Court, and he did so again at the court’s subsequent meetings on July 13, July 27, and August 10, with each meeting drawing more supporters to the cause.

Finally, Commissioner Holmes had Judge Henry put it on the agenda for August 24. Listed as item 83, the title of the action item included the statue’s name but did not mention the “Confederacy” or its Confederate connection. Judge Henry scheduled the meeting to take place at the League City Annex, 174 Calder Road, some 27 miles north of their regular meeting site at the County Courthouse and the statue itself. The change of venue had its predictable effect. Whereas sixteen people had given public comments at the August 10 meeting in Galveston, only twelve addressed the Court on August 24 in predominately white League City, and three of those speakers opposed the county taking action. Citing months of constituent requests to do something, Holmes then introduced his motion to remove it. Before he finished his sentence, however, Judge Henry interrupted him and asked, “To where?” Then, rather than deliberate on the substance of the issue, Henry and the rest of the commissioners remained silent. The motion failed for lack of a second. “It’s 2020, and we know racism when we see it,” Fanuiel concluded. “It was racist behavior.”<sup>93</sup>

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<sup>92</sup> John Wayne Ferguson, “In Neely review, Galveston’s chief is intentionally hands-off,” *Galveston Daily News*, October 5, 2019 (quotations); Keri Heath and John Wayne Ferguson, “Rangers, sheriff’s office to investigate Neely’s arrest,” *Galveston Daily News*, August 8, 2019; John Wayne Ferguson, “Rangers: Criminal investigation into Neely arrest ‘not warranted,’” *Galveston Daily News*, August 16, 2019; Kathryn Eastburn, “Marchers protest police actions, demand justice for Neely,” *Galveston Daily News*, September 16, 2019; Nick Powell, “‘This is gonna look really bad.’ Galveston releases recordings of Donald Neely arrest,” *Houston Chronicle*, October 2, 2019; John Wayne Ferguson, “City of Galveston sued for \$1M over ‘outrageous’ 2019 arrest,” *Galveston Daily News*, October 9, 2020.

<sup>93</sup> John Wayne Ferguson, “Confederate statue stays put after Galveston County commissioners fail to vote,” *Galveston Daily News*, August 24, 2020 (Fanuiel quotations); Video of Galveston County Commissioners Court meeting, August 24, 2020, <https://livestream.com/accounts/21068106/events/6315620/videos/210214074>; John Wayne Ferguson, “Petition calls for removal of Galveston statute dedicated to Confederate soldiers,” *Galveston Daily News*, July 4, 2015; Keri Heath, “Hundreds protest racial injustice across Galveston County Saturday,” *Galveston Daily News*, June 6, 2020; Isaac Fanuiel IV, “Juneteenth 2020 must be a call to action,” *Galveston Daily News*, June 17, 2020; John Wayne Ferguson, “Protestors cover Confederate statue in Galveston, renew calls for its removal,” *Galveston Daily News*, June 19, 2020;

A third incident in the spring of 2021 again displayed the racial disparities prevalent in local government. On April 24, City of Galveston Police, with backup from the Galveston County Sheriff's Office, deployed aggressive tactics to contain Black and Latinx motorists at a "slab car" gathering on the island. As the *Houston Chronicle* explains, slabs, "an acronym for slow, low (or loud) and bangin' – were born in the early-'80s working-class African-American neighborhoods on Houston's south side." Cadillacs and other luxury sedans were customized and "made distinctive by their candy-colored paint jobs and their 30-spoke wire rims, as well as booming sound systems." The previous summer, in June 2020, an unpermitted gathering of slab enthusiasts caused traffic congestion on the seawall on an unruly weekend that also featured a shooting. As a result, in 2021, Galveston officials prepared what activists described as a "military-style" operation to quell fears of disorder among the Black and Latinx visitors. Law enforcement banned parking along the seawall, prepared road blockades in case they needed to close off an entire section of the island, donned camouflage and tactical gear, deployed SWAT teams, and stopped hundreds of vehicles before getting out measuring tapes to see if the cars' protruding rims (known as "swangers") exceeded the legal vehicle width limit of eight feet. As many as 33 people were arrested on April 24 alone, including Andre Malone, who was pulled over "for having expired tags, was tased, then thrown to the ground and punched by one officer while the other officer had his knee on his neck." Activist Candace Matthews later remarked that Malone did not receive medical attention after being tased four times and yelling, "Please my heart can't take it anymore." Civil rights activists from Houston and Galveston staged a press conference on May 5, arguing that the approach to policing the slab car rally was more aggressive as compared to other high-profile events, including a large motorcycle rally and the island's Mardi Gras celebrations (where the width of large floats are never examined, they noted). "It was racial profiling at its best," remarked Matthews. "They used every pretext imaginable to stop cars. . . . When have you ever seen a police officer walking around with a measuring tape?" The combined city and county law enforcement effort suggested to many observers that large, unsanctioned gatherings of Black and Latinx people were unwelcome in Galveston. "I can understand where the SWAT may be more intimidating," Chief Hale said. "Certainly, we'll look at how we use those resources for major events . . . but there absolutely is a time and a place for those units."<sup>94</sup>

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Michael A. Smith, "County must begin process to remove 'Dignified Resignation,'" *Galveston Daily News*, June 26, 2020; Minutes, Commissioners Court of Galveston County, June 29, 2020; July 13, 2020; July 27, 2020; August 10, 2020; August 24, 2020.

<sup>94</sup> Nick Powell, "Activists raise claims of police brutality at Galveston slab car event," *Houston Chronicle*, May 6, 2021 (all quotations except as noted); Keri Heath, "Groups call Galveston's slab weekend policing racial profiling," *Galveston Daily News*, May 4, 2021 (press conference quotations); Keri Heath, "Galveston reviews policies, looks for ways to accommodate 'slab' cars," *Galveston Daily News*, May 10, 2021 (Hale quotation); Keri Heath, "Police tow more than 100 cars during slab weekend," *Galveston Daily News*, April 26, 2021; Keri Heath, "Car event policing was racial profiling, groups assert," *Galveston Daily News*, May 5, 2021; Laura Elder, "Galveston must police all festivals and rallies with equal zeal" (editorial), *Galveston Daily News*, May 10, 2021; John Wayne Ferguson, "Galveston asks to withhold body-cam video from slab arrest," *Galveston Daily News*, May 11, 2021; Keri Heath, "Galveston leaders are aware, but not too worried about Slab Beach Party," *Galveston Daily News*, June 4, 2020; Keri Heath, "Traffic blocks up entire length of seawall Saturday night," *Galveston Daily News*, June 6, 2020; Keri Heath, "Two wounded during night of shooting, gridlock in Galveston," *Galveston Daily News*, June 7, 2020; and Keri Heath, "Galveston seeks legal action against slab car promoter," *Galveston Daily News*, June 25, 2020. Coverage frequently mentioned the ties between the slab car events and Beach Party Weekend, "an event that during its heydays in the 1990s and early 2000s, when it was organized by the Kappa Alpha Psi

Finally, the Galveston County Commissioners Court further contributed to the polarization of local racial politics in July, 2021, when it declared a local state of disaster in response to “the influx of foreign nationals unlawfully crossing the Texas-Mexico border.” Echoing Governor Greg Abbott, who had issued a similar declaration on May 31 and then expanded it on June 25, Judge Henry took unilateral action on June 29 before asking the Commissioners Court to extend his order indefinitely on July 2. He proposed that the Court authorize county law enforcement to assist in policing immigration, create a “Galveston County Border Security Response Team” led by the Sheriff and the three white Constables (but not the one Black Constable), and allocate up to 10% of the \$6.6 million of American Rescue Plan funds available to the county (which had been provided for COVID-related relief) to help build a wall on the border. At a contentious Commissioners Court meeting on July 2, again held at the League City Annex, twenty-six residents addressed the Court, with all of the Black and Latinx speakers opposing the measure and white Anglos split. Commissioner Holmes spoke against the resolution, arguing that there was neither an imminent threat nor a need to extend the disaster declaration beyond its original seven days. He did not directly address the immigration issue or questions of race and racism surrounding it, though he had previously opposed a 2017 proposal by the Sheriff’s Office to collaborate more closely with Immigration and Customs Enforcement. Despite Holmes’ objection and the passionate pleas of Black and Latinx residents, the Court approved the disaster declaration by a 3-1 vote (one was absent).<sup>95</sup>

Each of these incidents contributed to a hostile climate surrounding race in Galveston County. Moreover, each had been sanctioned by and sometimes directly enacted by the Commissioners Court itself. Many of the underlying issues of structural racism that had been flagged by civil rights activists since the protests in the summer of 2020 remained unacknowledged and unaddressed. Members of the NAACP and other activists articulated their ongoing grievances in the “Galveston County BLM Too Manifesto.” Among other goals, they called for county-wide oversight over juvenile justice programs to disrupt the school to prison pipeline, county-wide economic development strategies benefitting Black people, and sweeping reform to the local criminal justice system. Many of the group’s objectives directly addressed the institutional role of the county, especially in the criminal justice and carceral systems. The authors demanded “True Preventive Community Policing,” “Bail reform in Galveston County,” “Increase[d] Black Police/Sheriff Patrol in County Sheriff Department [sic],” and the mandated use of body cameras and the creation of a Diversity Advisory Committee in the Sheriff’s Department. Pastor Johnnie Simpsons, Jr., of Dickinson praised the manifesto and its authors. “The people behind this are so active in the local community,” he said. “It’s easy to get caught up in the national news, which warrants discussion. But

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fraternity, drew thousands of Black college students to Galveston.” See Keri Heath, “Galveston prepares for car weekend reminiscent of ‘slab’ event,” *Galveston Daily News*, April 19, 2022.

<sup>95</sup> State of Texas, County of Galveston, “Declaration of Local State of Disaster,” June 29, 2021, Consent Agenda Item 1 in Minutes, County Commissioners Court of Galveston County, July 2, 2021. Also see the video of that meeting, <https://livestream.com/accounts/21068106/events/6315620/videos/222978927>; and Minutes, June 28, 2021; Alejandro Serrano, “Galveston County Judge Mark Henry issues disaster declaration in response to border situation,” *Houston Chronicle*, June 30, 2021; Harvey Rice, “Galveston Commissioners vote to negotiate cooperation with ICE,” *Houston Chronicle*, February 15, 2017; Cindy Horswell, “Immigration - Counties fightback against border kids -Montgomery, Brazoria, Smith and Galveston seek resolutions banning new migrant shelters,” *Houston Chronicle*, July 20, 2014, 1.

local people want to make a local impact in the community.” Galveston County Criminal District Attorney Jack Roady, a white Republican, agreed that “the document raises some legitimate concerns,” adding that he was “optimistic” that local “public and community leaders” could address many of the issues contained in the manifesto.<sup>96</sup>

By 2021, Galveston County leaders were faced with a choice. They could celebrate the fact that some reconciliation was taking place, as evidenced by the creation of a new mural commemorating Juneteenth, titled “Absolute Equality,” on the city’s famed downtown thoroughfare, The Strand.<sup>97</sup> At the same time, they had been presented with calls for racial justice and confronted with myriad examples of ongoing racial disparities. The 2013 Justice of the Peace redistricting litigation remained pending in federal court. The Commissioners Court could have followed its own historic example by creating a redistricting process that included criteria, a timeline, and opportunities for meaningful public input. They could have pledged to comply with the “letter and spirit” of the Voting Rights Act, as they had in 1991. Instead, they triggered another incident and yet another lawsuit.

## **7. Adoption of the 2021 Maps & Procedural Departures From Prior Redistricting Cycles**

### **7.1. Introduction**

Given the long view of race and racism in Galveston County, along with its more recent legislative and political history, it is perhaps unsurprising that the Commissioners Court sought another change in its political maps following the most recent Census. A careful weighing of contemporary evidence, set against the backdrop of Galveston County’s history of racial formation and politics, suggests that Judge Henry and the Commissioners Court knowingly enacted a policy that disadvantaged the county’s African American and Latinx American residents. From a scholarly perspective, the redistricting fits Omi and Winant’s definition of a “racist project” because it “creates or reproduces structures of domination based on racial significations and identities.”

### **7.2. Procedural Departures: Lack of Criteria, Calendar, and Public Discussion**

Unlike previous redistricting cycles, much of the 2021 edition was not characterized by sound and fury but by virtual silence. After deferring a scheduled discussion in January, the Commissioners Court took its first action related to the issue on April 5, when it hired outside counsel “based on 2020 census”—the agenda language did not name “redistricting.” Unlike 1991, there was no bid process, nor were there any interviews. Rather, the contract went to a firm that, in addition to its partners and associates, worked with an individual consultant, Dale Oldham, who had also assisted Joe Nixon and the Beirne, Maynard & Parsons firm on the redistricting maps passed in 2011 (and

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<sup>96</sup> NAACP of Dickinson Bay Area et al, “Galveston County BLM Too Manifesto,” September 2020, available via *Galveston Daily News*, [https://www.galvnews.com/news/pdf\\_5e0b029f-775b-580f-a524-d9acb90f5d6e.html](https://www.galvnews.com/news/pdf_5e0b029f-775b-580f-a524-d9acb90f5d6e.html) (accessed December 21, 2022); Matt Degrood, “Manifesto raises longstanding issues Black community wants addressed in Galveston County,” *Galveston Daily News*, September 4, 2020 (Simpson and Roady quotations). For one example of the larger trend, in 2020 the County Sheriff’s Office acknowledged that it had failed to deploy 47 body cameras purchased back in 2012. See John Wayne Ferguson, “Galveston County cops, residents talk police reform,” *Galveston Daily News*, June 12, 2020.

<sup>97</sup> On the mural, see Elizabeth Trovall, “The Story Behind Galveston’s New Juneteenth Mural,” *Texas Standard*, July 18, 2021, <https://www.texasstandard.org/stories/the-story-behind-galvestons-new-juneteenth-mural/>.

which the Attorney General objected to in 2012). For the next seven and a half months, the Commissioners Court engaged in zero public conversations about redistricting. The word “redistricting” does not appear on any agenda or minutes.

The Court did not adopt criteria for redistricting as it had in 1991 and 2001, nor did it discuss a calendar or timeline as it had previously, including in 2011. There were no public forums in any part of the county. Appendix B summarizes several facets of the procedures used by the county in each redistricting process since 1981, including the departures from the normal trends that were evident in 2021.

The census data necessary for county officials to conduct the redistricting became available on August 12. These data included demographic details showing the ongoing expansion of the Hispanic population across the county (and state) as well as geographic breakdowns revealing the substantial growth taking place in League City. It was not until Friday, October 29, however, that the county’s two proposed redistricting plans, designated as Map 1 and Map 2, become public, and they were not revealed at a public meeting, nor did they appear on the website of Galveston County’s newspaper of record until Wednesday, November 3.<sup>98</sup>

At the end of the process, as the Commissioners Court voted to adopt new maps, Judge Henry would point to a state-imposed deadline to justify his refusal to consider further public input or proposed amendments to the redistricting plan. Yet Judge Henry mischaracterized the nature of the deadline, which in fact referred to an established section of Texas election law that governs the candidate-filing period. The statute reads: “An application for a place on the general primary election ballot must be filed not later than 6 p.m. on the second Monday in December of an odd-numbered year unless the filing deadline is extended under Subchapter C. An application, other than an application for the office of precinct chair, may not be filed earlier than the 30th day before the date of the regular filing deadline.” By statute, the window in 2021 thus occurred between November 13 and December 13. It was foreseeable to Judge Henry, other commissioners (all of whom had run for office one or more times), and county staff that new maps would need to be prepared before the candidate-filing period opened, otherwise, candidates would not know what district they were contesting. Henry acknowledged his understanding of the standard redistricting timeline in his deposition for the present case:

Q. Do you remember what timeline [the] re[di]stricting of commissioner’s precincts had to be completed by in the 2011 redistricting process?

A. It would have to have been done before the filing deadline, really the filing opening for the next election, which would have opened about November 20th maybe.

Q. Mid November?

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<sup>98</sup> Minutes, Commissioners Court of Galveston County, January 25, 2021; April 5, 2021; May 17, 2021; Ura et al, “People of color make up 95% of Texas’ population growth”; John Wayne Ferguson, “Galveston County population tops 350k, according to census,” *Galveston Daily News*, August 12, 2021; Andrew Schneider, “Galveston County leaders are preparing to eliminate the county’s sole minority-represented precinct,” *Houston Public Media*, November 11, 2021, <https://www.houstonpublicmedia.org/articles/news/politics/2021/11/11/413124/galveston-county-leaders-are-preparing-to-eliminate-the-countys-sole-minority-represented-precinct/> (accessed December 21, 2022).



A. Yes, in that ballpark.

Indeed, had the commissioners adopted a redistricting calendar, as they had done in most previous cycles, the relevant state laws and final deadline would have been readily available to the public and thus clear to all participants.<sup>99</sup>

### **7.3. Projected Impact of Proposed Maps**

It was immediately apparent to observers that proposed Map 2, which Judge Henry quickly endorsed, would “drastically reduce Precinct 3 Commissioner Stephen Holmes’ chance of being reelected,” in the words of a *Galveston Daily News* reporter, and ensure that “white voters make up a majority of the population in all four new commissioner precincts.” Local chapters of the NAACP contended that Map 2 would undermine minority voting strength, in part by splitting the municipalities of La Marque and Texas City into multiple commissioner precincts.

Judge Henry lauded Map 2 because it would create a new “coastal precinct” connecting the Bolivar Peninsula with Galveston Island, despite the fact that the Bolivar Peninsula Chamber of Commerce remained skeptical of the proposal, preferring instead to retain its current commissioner and fearing competition with divergent interests on the island.

Nonetheless, Judge Henry’s proposed community along the beach would remain a principal justification for unnecessarily fragmenting Black and Hispanic cities and neighborhoods into separate districts in which they would not constitute, combined, more than 38% of any precinct’s population. As a result, Black and Latinx residents together comprised nearly 40% of the county’s population in 2020, but they would not constitute a majority in any commissioner precinct.

As one Black minister wrote in an op-ed, Henry was “bent on taking Galveston County back to blatant segregation years” in “an attempt of the dwindling minority race [read: non-Hispanic whites in Texas] to divide and conquer the masses as they devise ways to keep us fighting among ourselves while they gain control.” Yet the minister rejected these tactics, pointing out that “For the last two decades in Galveston County, we’ve dedicated ourselves to working together.” Given the county’s history of white bloc voting, and of sustained Black-Latinx coalitions, it was clear even before it was adopted that Map 2 would deny Galveston County minorities equal opportunity to elect their preferred candidates.<sup>100</sup>

### **7.4. Procedural Departures: Use of Special Meetings and Auxiliary Meeting Location**

After almost a year of public-facing inaction that featured many procedural departures from past cycles, Judge Henry did not schedule a single “public hearing” on the 2021 decennial redistricting. Instead, he scheduled a single public meeting on the subject, the agenda of which included an action item calling for a final vote of approval on new Commissioners Court and Justice of the Peace and

<sup>99</sup> Tex. Elec. Code § 172.023(a)-(b)); Transcript of Oral and Videotaped Deposition of Mark A. Henry, January 17, 2023, *Pettevay et al. v. Galveston County et al.*, 3:22-cv-00057 (S.D. Tex.), 74:23-75:6.

<sup>100</sup> John Wayne Ferguson, “Political Buzz: County’s redistricting might cut out lone Democrat,” *Galveston Daily News*, November 3, 2021 (first quotation); John Wayne Ferguson, “County’s proposed maps would break up minority voting power,” *Galveston Daily News*, November 9, 2021; Rev. James E. Daniels, “Divisive maps won’t fracture unity in Precinct 3,” *Galveston Daily News*, November 9, 2021 (final quotations); John Wayne Ferguson, “Political Buzz: Does the coast want a single commissioner?” *Galveston Daily News*, November 10, 2021.

Constable precinct maps. Judge Henry scheduled this vote to take place not at a regular meeting of the Commissioners Court at the Galveston County Courthouse but at a hastily called “special meeting” to be held at the League City Annex at 1:30 in the afternoon of a weekday. By contrast, Judge Henry confirmed in a deposition that he had scheduled and the Commissioners Court held five public hearings during the 2011 redistricting cycle in the evening, a time of day which was chosen because it was helpful for people who worked. “People could come after work if they wanted to come,” he stated.<sup>101</sup>

The location of the meeting was itself a departure from past practice. Historically, the County Commissioners Court held weekly “regular meetings” in the Galveston County Courthouse, 722 Moody Avenue. Beginning in 1995, “workshops” (meetings at which commissioners and staff worked together to tackle a particularly complex task, usually the budget, without taking action) and other selected meetings were held in the Holbrook Building a few blocks away. There is no evidence that this constituted a barrier for citizen participation during the 2001 redistricting process. In 2011, except for the “public hearings” (meetings designed to address specific subjects such as redistricting or regional hurricane recovery, which are widely advertised to gain public input and usually do not result in votes or formal action) held in the four precincts, all of the deliberations around redistricting were held in the County Courthouse at 722 Moody in Galveston. In 2012, the Court switched to biweekly “regular meetings,” initially held on Tuesday mornings.

On August 6, 2013—days before Judge Henry would propose to abolish the Justice of the Peace precincts in the wake of the *Shelby* decision—the Commissioners Court approved an order designating five “auxiliary courts, auxiliary county building, and auxiliary county seats” to be utilized “in the event the County of Galveston becomes precluded from conducting business or judicial functions within the county seat due to meteorological or catastrophic events” such as hurricanes—in other words, for emergencies. The abolition of the J.P. precincts on August 19, 2013, did not constitute such an emergency, as that decision was still made in the courthouse. But on September 23, 2013, the Court held its first “special meeting” (meetings outside the regularly scheduled weekly or biweekly gatherings) at the League City Annex, 174 Calder Road, where commissioners approved a new tax levy. They met again at the same location on October 10, where they conducted routine, non-emergency business. Neither meeting stemmed from “meteorological or catastrophic events,” that is, from the types of emergencies identified in the resolution authorizing auxiliary locations.<sup>102</sup>

The resolution established five auxiliary courthouses throughout the county, but the League City Annex soon emerged as the Commissioners Court’s venue of choice. Over the next five years, from 2014 to 2018, the Commissioners Court held 46 “special meetings” and one emergency meeting at the League City Annex, and just two additional “emergency meetings” at another auxiliary courthouse, the Galveston County Office of Emergency Management in Dickinson, immediately

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<sup>101</sup> Henry deposition transcript, 331:10-11; see also 331-333.

<sup>102</sup> T.J. Aulds, “County commissioners choose to hold fewer meetings,” *Galveston Daily News*, December 7, 2011; T.J. Aulds, “Commissioners have another new time for meetings,” *Galveston Daily News*, April 2, 2013; Maryanne Rogers, “Commissioners court meetings keep changing,” *Galveston Daily News*, October 14, 2013; “Order designating auxiliary courts, auxiliary county building, and auxiliary county seats,” in Minutes, Commissioners Court of Galveston County, August 6, 2013.

following Hurricane Harvey. A review of the agendas and minutes of the League City meetings suggests that they were often held there for the commissioners' convenience, that in most cases the meetings were routine in nature, and that they were often limited to brief gatherings to approve consent agendas, payroll runs, and the occasional real estate deal or legal contract. No "public hearings" were held there, nor was it the site of any significant controversies.<sup>103</sup>

Still, the choice of League City meant that significant county business had been moved to a remote location that did not reflect the county as a whole, and one that differed especially from the historic county seat, the City of Galveston—27 miles away. According to the 2020 Census, non-Hispanic whites comprised 60.7% of the population of League City, while the same group numbered 54.6% of Galveston County (and 47.3% of the City of Galveston). Only 20.9% of League City's population was Hispanic/Latinx, and just 7.3% African American, while the same groups comprised 25.3% and 12.3%, respectively, of the entire county (and 29.4% and 16.4% of Galveston city). Other statistical indicators were likewise divergent, according to the 2021 American Community Survey. In League City, 49.3% of the population held Bachelor's degrees or higher, compared to 33.2% for the whole county and 30.4% for Galveston. Just 8.3% of League City residents lacked health insurance, versus 15.7% in the county and 23% in the City of Galveston. Likewise, only 5.7% of League City residents lived in poverty, as compared to 12.1% in the county and 18.6% on the island. Median household income showed the reverse: \$112,273 in League City, \$79,328 in Galveston County, and \$52,899 in the City of Galveston. Commissioner Court meetings in League City thus offered privileged access to non-Hispanic whites, well-educated, and higher income residents.<sup>104</sup>

Geography compounded these differences, as the League City Annex sits 27 miles north of the Galveston County Courthouse. For the county's poorer Black and Latinx residents, many of whom remained concentrated in the City of Galveston, attending a meeting in League City required crossing the causeway to the Mainland and traveling more than thirty minutes by car. When one searches on Google Maps for public transit directions between the main courthouse and the League City Annex, the software responds that it "could not calculate transit directions." The Gulf Coast Transit District offers one "new" fixed route bus that connects the University of Texas Medical Branch campus on the island to the mainland, but its final southbound run leaves League City Park and Ride at 6:00pm (and requires more than an hour on board). There is public transportation connecting League City to the heavily Black and Latinx mainland population centers of Texas City, La Marque, and Hitchcock. It appears that one Dickinson bus route includes a stop at the League

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<sup>103</sup> This paragraph draws on my own analysis of Galveston County Commissioners Court Agendas and Minutes, 2011-2018, <http://agenda.galvestoncountytexas.gov/sirepub/meetresults.aspx>. For an example of a workshop, see August 12, 2013. For "public hearings" on the hurricane recovery district, see October 31 and December 3, 2013. For the "emergency meetings," see August 31 and September 1, 2017, and a non-hurricane-related "emergency" related to a judicial dispute on September 25, 2014.

<sup>104</sup> United States Bureau of Census, 2020 Redistricting Data, via Social Explorer; United States Bureau of Census, "Quick Facts: Galveston city, Texas; League City, Texas; Galveston County, Texas," citing 2021 American Community Survey, <https://www.census.gov/quickfacts/fact/table/galvestoncitytexas,leaguecitytexas,galvestoncountytexas/PST045222>.

City Park and Ride, but it is not currently possible to download the detailed weekday schedule on the internet.<sup>105</sup>

The pattern of limiting activity at the League City Annex to routine business remained the dominant trend through 2021. Throughout this period, the Court’s “regular meetings” were scheduled to occur biweekly on Mondays, starting at 9:30am, at the Galveston County Courthouse. The onset of the COVID-19 pandemic forced the Court to cancel a series of “regular meetings” and reschedule them as “special meetings” on the same day and time but held at the League City Annex. Such adjustment paralleled changes happening across the much of the world, as many businesses, universities, governments, and even traffic courts moved to virtual videoconference or new in-person configurations. Galveston County Commissioners continued to meet in-person, but in the smaller, more controlled auxiliary courtroom at the League City Annex. Still, any worries that Judge Henry harbored about the virus must have dissipated by June 15, 2020, when the Court returned to its normal location at the County Courthouse and appeared poised to resume its previous schedule of “regular meetings.”<sup>106</sup>

But the very next “regular meeting,” scheduled for June 29, 2020, was moved back to League City—just the second time outside of COVID in which a “regular meeting” was replaced by a “special meeting” at an auxiliary location (the other happened on December 30, 2019, when the Court held a “workshop” in League City on the county’s mental health services budget). The move to the annex in the summer of 2020 occurred at the first biweekly meeting following the protest against the Confederate memorial that had taken place at the Courthouse on June 19. Given the geographic distance from Galveston and the relatively larger white population in League City, the decision to hold the meeting at the League City Annex may have been calculated to reduce public participation by the county’s Black and Latinx residents. In any event, the change in location did not deter Isaac Fanuiel and four other residents from speaking in favor of the monument’s removal at the remote gathering on June 29, and Fanuiel and others made the trek again two weeks later, on July 13, for a second biweekly “special meeting” that replaced the “regular meeting” that ordinarily would have occurred in Galveston on that date. The following two “regular meetings” of the Court, on July 27 and August 10, returned to the County Courthouse. Two weeks later, on August 24, the date that Commissioner Holmes introduced the resolution to remove the statue, Henry converted the “regular meeting” into a “special” gathering in League City once again. After the controversy subsided, the Court held a series of very brief special meetings in League City—often lasting less than a half-hour—while the “regular meetings” returned to Galveston, resuming their biweekly schedule on Monday mornings.

Why the sudden shifts? A careful examination of the Court calendar between January 1, 2019, and November 12, 2021, reveals a clear pattern. A total of 98 Commissioners Court meetings occurred

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<sup>105</sup> Gulf Coast Transit District, “Galveston County Fixed Route,” <https://www.gulfcoasttransitdistrict.com/galveston-park-ride> (accessed January 20, 2023); Gulf Coast Transit District, “League City Park and Ride,” <https://www.gulfcoasttransitdistrict.com/texas-city-park-ride> (accessed January 20, 2023); Google Maps driving and transit directions between 722 Moody Ave, Galveston, TX 77550 and 174 Calder Dr, League City, TX 77573.

<sup>106</sup> See Galveston County Commissioners Court Agendas and Minutes, 2019-2021 <http://agenda.galvestoncountytexas.gov/sirepub/meetresults.aspx>. This and the subsequent paragraphs depend on my own content analysis and coding of the Commissioners Court’s published minutes of each meeting in this period.

during this period, of which 39 meetings were held at the League City Annex. I used meeting agendas and minutes to code the League City meetings based on their duration, form, and content. As in the previous five-year period, most of the League City meetings (20) were limited to the approval of consent agendas, payroll runs, contracts, legal deliberations in Executive Session, and other quick and easy business; these were coded “perfunctory.” Nine (9) meetings that took place at the annex were coded “normal” as they replaced the Court’s regular meetings, including six that occurred during the early months of the pandemic, the two after Juneteenth (discussed above), and one that seemed to have been moved due to the Labor Day holiday. Seven (7) additional meetings were coded “workshop,” as the League City venue had replaced the Holbrook Building as Judge Henry’s preferred site for hammering out the budget (however, during the period of intensive budget workshops in August and September 2019, the Court held “regular meetings” just once per month, not biweekly, and, as noted above, the auxiliary court’s location would have diminished the opportunities for public input from Black and Latinx constituents).

The final three (3) meetings were coded “anomalous.” Each of these three meetings included the discussion of contentious issues that were destined to attract strong interest from Black and Latinx constituents. All of them were scheduled during the workday. Only the first replaced a “regular meeting” at the Courthouse; the remainder took place at irregular days and times. The three “anomalous” meetings occurred on August 24, 2020, the date of the Confederate statue removal motion; July 2, 2021, the date that the Court extended its immigration-related declaration of disaster; and November 12, 2021, the adoption of the latest redistricting plan. All three of these “anomalous” meetings took place at the League City Annex. In his deposition, Judge Henry acknowledged that he chooses the location, dates, and times for “special meetings.” He also agreed that special meetings did not have to take place in League City; rather they “can happen anywhere that we have adequate facilities and audio visual.”<sup>107</sup>

In contrast, of the 59 meetings that took place at the Galveston County Courthouse in the same period, only one was coded “anomalous.” The gathering was a “special meeting” on August 23, 2021, held immediately following a “regular meeting” that same morning. The sole agenda item considered joining “litigation against the Biden Administration for immigration enforcement.” Commissioners discussed the item for less than twenty minutes in Executive Session, then reconvened for a public vote in which the Court, by a 4-1 vote (with Holmes dissenting), authorized counsel to join the suit filed by the Kinney County Sheriff on July 1. The *Galveston Daily News* reported that the action grew out of the disaster declaration in June and the experiences of local law enforcement in assisting their counterparts on the border. “Galveston County’s interest in joining the lawsuit had been apparent before Monday,” the paper noted, as evidenced by the fact that the county “was erroneously listed among the plaintiffs” when the case was first filed, more than seven weeks before the Court voted on it. There were no public comments at either the “regular meeting” or the “special meeting” on August 23.<sup>108</sup>

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<sup>107</sup> Henry deposition transcript, 15:7-8.

<sup>108</sup> John Wayne Ferguson, “Galveston County to join lawsuit over immigration enforcement,” *Galveston Daily News*, August 24, 2021, A1; Minutes, Regular Meeting, Commissioners Court of Galveston County, August 23, 2021; Minutes, Special Meeting, Commissioners Court of Galveston County, August 23, 2021.



This final exception meeting notwithstanding, the above analysis of meeting locations, agendas, and minutes suggests that Judge Henry scheduled the Court’s most controversial meetings—the meetings that would generate the most interest among county residents—at the League City Annex, a location that would have the effect of minimizing input from Black and Latinx citizens. Moreover, given Judge Henry’s previous experience participating in public hearings that were held in the evening during the 2011 redistricting, and with other “public hearings” throughout his tenure, his decision to hold these controversial meetings during the daytime also suggests that he did not prioritize the gathering of meaningful public input from Black, Latinx, and other people working on day shifts. In sum, in 2013, the County Commissioners Court first authorized the auxiliary courthouse at the League City Annex to be used in case of natural disasters or comparable emergencies. Yet the Court instead used the alternate venue for its own convenience and routine business that garnered little public engagement. In 2020, after serving as a temporary home during COVID, Judge Henry began scheduling meetings on controversial subjects related to race in League City, decisions that discouraged public input from the county’s Black and Latinx residents.

### **7.5. Adoption of the Commissioner Court Precincts**

The agenda for the meeting on November 12, 2021, did not include a “public hearing.” It bears repeating that even in the tumultuous redistricting cycle of 2011, the County held public hearings in the evenings, after work, in each precinct of the county and in the County Courthouse itself. But in 2021, Judge Henry gaveled the meeting to order and announced that public comments related to redistricting would be held, with Commissioner Holmes’ assent, until the item on the action agenda, “3.a. Consideration of an order establishing new commissioner precinct boundaries.” Previous redistricting cycles had included multiple meetings with similar agenda items, including the discussion of preliminary plans, the introduction of new plans, testimony by citizens, and other public processes before the final decision was made. Most such agenda items included the word “redistricting,” making them readily identifiable to the public. Not in 2021—this agenda item, the first time the Court publicly tackled the complex redistricting process in more than seven months, would be the only agenda item featuring substantive discussion of a plan.<sup>109</sup>

Despite Judge Henry’s decisions that minimized public participation, Black and Latinx Americans flocked to the meeting in League City, packing an estimated 80-100 people into its small conference room, adjoining hallways, and overflow space. Based on my review of the video recording of the meeting, Judge Henry appeared visibly discomfited by the situation, while Commissioner Holmes agreed to sit behind on a folding table on the floor below his three colleagues on the dais (Commissioner Clark was absent).

After passing the consent agenda, Henry turned to the redistricting item, but before beginning, he ended up issuing a threat. Many of the attendees were elderly, and someone called from the back, “We cannot hear you sir, we can – not hear you [sic].” Henry responded, “I’m going to speak at this tone. That’s all I can do. I’m not going to scream. I don’t have a microphone.” He then resumed reading the agenda in monotone—“Consideration of an order establishing new commissioner—” as the crowd murmured its disapproval, leading Henry to cut himself off. “I will clear you out!” he

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<sup>109</sup> Agenda, Commissioners Court of Galveston County, November 12, 2021.

exclaimed. “If you make noise, I will clear you out of here. I’ve got constables here. Consideration of an order to establish a new commissioner precinct bounds [sic]. Public comment.”

Judge Henry’s warning set the tone for the rest of the meeting. He called names from a sign-up list, assisted by a Constable, often demonstrating impatience but not making any attempt to organize a line of speakers, or even naming the subsequent speaker so they could prepare for their respective turn. Henry appeared annoyed as thirty-six people spoke on the issue, including the Mayor of Texas City and a Galveston City Councilwoman. Thirty-five of the speakers (97%) opposed the hasty adoption of the proposed redistricting plans. Only one, a resident of the Bolivar Peninsula, supported Map 2. At one point between speakers, Judge Henry explained that the issue could not be postponed because the Court faced a deadline from the Secretary of State. He did not acknowledge the County’s months of inaction, nor explain why a redistricting timeline had not been prepared. After the conclusion of public comments, Henry read the results of an unscientific online comment form in which 168 of the 440 respondents (38%) “just called me names mostly.” Over three-quarters of the remaining votes, 208, supported Map 2, he said. “With that, I’m going to make a motion to approve Map 2.”

After a colleague seconded the motion, Commissioner Holmes gave a 17-minute speech denouncing the redistricting plan. He noted the procedural irregularities, including the lack of criteria, a timeline, and public hearings. Holmes further claimed that Map 2 diluted minority participation and suggested that it violated the Voting Rights Act, and he connected the present issue to the long struggle for justice among Black residents of Galveston—including their collective pride in building community and electoral power in Precinct 3, the court’s one, longstanding minority opportunity district. Holmes also presented two of his own maps (Holmes 1 and Holmes 2), both of which would make only minor changes to the existing district lines. Last, Holmes noted that the outside counsel—the same lawyer he believed had deceived him in 2011—had met with him briefly but had not included him meaningfully in the county’s map-making process. The crowd gave Holmes a standing ovation. Within a minute, Judge Henry called the vote and adjourned the meeting. As the *Houston Chronicle* editorial board put it, “The all-white, all-male majority listened to speaker after speaker, many of them Black and pleading for fair representation, and passed the maps anyway, 3-1.”<sup>110</sup>

## **7.6. Subsequent Litigation and Appointment of Dr. Robin Armstrong**

As expected, the Court’s adoption of the new Commissioners Court boundaries produced a series of lawsuits, including the United States’ complaint for which this study was commissioned. In addition to the federal intervention, the *Petteway* plaintiffs moved to amend their long-dormant 2013 case to include additional evidence from the 2021 redistricting. The Court denied the motion and ordered a

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<sup>110</sup> “New maps raise ire in Galveston County; Republican commissioners redraw Precinct 3 in way that diminishes minority voting power” (Editorial), *Houston Chronicle*, December 7, 2021, A-9 (final quotation); Minutes, Commissioners Court of Galveston County, November 12, 2021, and video, <https://livestream.com/accounts/21068106/events/6315620/videos/227296657?fbclid=IwAR3D-m6ZPsPcjqSnQznh5RYVsnGLvI66yl-fhDoyUyKjCBclFf07nLp8lFk> (all Court quotations); John Wayne Ferguson, “Galveston County commissioners OK redistricting map despite protest,” *Galveston Daily News*, November 12, 2021; Jasper Scherer, “Galveston GOP plan targets seat of top Black officeholder,” *Houston Chronicle*, November 29, 2021, A-1. Also see Mary Patrick, Leon Phillips, and Edna Courville, “Galveston County, birthplace of Juneteenth, is denying Black and Latino people an equal vote,” *Houston Chronicle*, June 17, 2022; Alexa Ura, “A GOP power grab shatters 30 years of political progress for Black voters in Galveston County,” *Texas Tribune*, May 20, 2022.

new case opened, and a coalition of civil rights organizations led by the local chapters of the NAACP and LULAC filed a separate case against the county in April, 2022. Judge Henry, a named defendant in all three cases, did not comment in initial newspaper reports on the litigation, though one paraphrased his position, saying he “has denied the maps were created with discriminatory intent and suggested lawsuits challenging the maps were themselves motivated by partisan politics.”

Judge Henry then appointed a Black Republican activist to fill a sudden vacancy on the Court, the Commissioner’s seat for Precinct 4 in the north county. The position became available when Ken Clark, the Court’s longest-serving and first Republican commissioner, died from cancer in May, 2022. A week later, Henry swore in Dr. Robin Armstrong, who is African American and a “prominent and vocal Trump supporter,” to fill the post. Shortly thereafter, in June, the county filed motions to dismiss the cases, contending that Armstrong’s appointment had rendered the complaints “moot.”<sup>111</sup>

A physician, Armstrong had served as an unofficial advisor to Judge Henry throughout the COVID pandemic. Armstrong was also a well-known Republican Party activist, having served as a national committeeman from Texas. He sought the party’s nomination for Texas Senate District 11 in the March, 2022, primary, but finished third, with just 14.38% of the vote, behind two white candidates. In the Galveston County portion of the district, Armstrong won 16.2% of the vote. In July, when the Galveston County Republican Party Executive Committee voted to choose a replacement for the deceased Clark’s name on the November general election ballot, the interim incumbent Armstrong won, but only by a vote of 9-6. Both the March primary results and this behind-the-scenes vote suggest ongoing skepticism among white voters for Black candidates, even within the Republican Party.

A doctor and resident of Friendswood near the Harris County line, Armstrong shares virtually nothing in common with the largely working-class residents of the historic Commissioner Precinct 3. He has not been part of the long struggle against Jim Crow and for racial justice in Galveston County. His swearing-in did not attract hundreds of jubilant Black and Latinx supporters, nor was his appointment viewed as a milestone by observers. Indeed, in his deposition in this case, Armstrong acknowledged that, in addition to family members, “the press was there [at his swearing-in]. That was it. . . . And there were a few people in the audience but not that many.” Armstrong’s story could not be more different from Wayne Johnson’s path-breaking election in 1988, which itself came on the heels of David M. Porter’s narrow loss in 1984.

Armstrong’s appointment does not remedy the county’s decision in the 2021 redistricting plan to dismantle Commissioner Precinct 3, which had provided the combined minority community’s best and longstanding opportunity to elect a candidate of their own choice for a seat on the county

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<sup>111</sup> John Wayne Ferguson, “Civil rights groups announce lawsuit over county voting map,” *Galveston Daily News*, April 14, 2022 (Henry quotation); Petteway v. Galveston, 3:13-cv-57 (S.D. Tex. 2022), ECF No. 1; John Wayne Ferguson, “Galveston County argues Armstrong’s appointment makes map suit moot,” *Galveston Daily News*, June 17, 2022; John Wayne Ferguson, “Federal government sues Galveston County over redistricting,” *Galveston Daily News*, March 24, 2022; John DeLapp, “Longtime Galveston County commissioner Clark dies,” *Houston Chronicle*, May 10, 2022; John Wayne Ferguson, “Physician appointed to fill Precinct 4 commission seat in Galveston County,” *Galveston Daily News*, May 17, 2022; John Wayne Ferguson, “Political Buzz: Trump endorses Middleton in state Senate race,” *Galveston Daily News*, December 29, 2021 (quotation on support for Trump).

governing body. As a *Galveston Daily News* editor opined, the United States’ complaint “has nothing directly to do with Precinct 4, which has been a north-county Republican stronghold for years, practically forever. It’s about Precinct 3, which for all of recent history has been the only one in the county where minority voters — Black and Hispanic — constituted a majority of the electorate.”<sup>112</sup>

In sum, Armstrong’s only similarity to the voters of Precinct 3 is the color of his skin. In appointing Armstrong to this role, and then filing a motion to dismiss the United States’ voting rights case based on this fact, Judge Henry’s actions seem to suggest that the 2021 redistricting had nothing to do with party politics and everything to do with race. Coming on the heels of a decade of racial polarization on the Commissioners Court and in Galveston County, it indicates that Judge Henry and the Commissioners Court majority sought to obfuscate rather than acknowledge their role in perpetuating and extending the racial inequalities confronting Black and Latinx residents.

## **8. Conclusion: The 2021 Redistricting and Racial Formation**

As described above, historians are duty-bound to weigh all available evidence fairly, to make inferences based on the data at hand, and to interpret the events of the past by evaluating specific events alongside the larger context in which they occur. The above history of Galveston County does not include every detail in the area’s annals. Yet it does provide a textured view of the county’s racial formation, from the era of Jim Crow and Juan Crow to the present moment.

The evidence collected here demonstrates that white voters and elected officials in Galveston County have long resisted sharing power and influence with African Americans and Latinx Americans. White citizens have voted as a bloc to elect and reelect white candidates who were not committed to “antiracist” projects, including both Democrats such as Ray Holbrook and Billy Pegues and Republicans such as Ken Clark and Mark Henry. Indeed, among all of the white elected officials who appear in this narrative, only Patrick Doyle, who represented a racially diverse district, made a clear effort to advocate specifically on behalf of his nonwhite constituents.

For this reason, Black and Latinx residents of Galveston County came together over several decades in a political coalition that emphasized their shared interest in self-determination and in independently electing candidates of their own choosing to represent their neighborhoods. African American and Latinx American communities did not exhibit identical needs and priorities, and their histories at times diverged. Yet their common desire to elect politicians who looked like them and substantively advocated for their issues allowed Black and Latinx activists to work in concert, time and again. In the political arena, they rallied around Commissioner Wayne Johnson III and collaborated with him as he sought to bring accountability to the Commissioners Court and foster

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<sup>112</sup> Transcript of Oral and Videotaped Deposition of Dr. Robin Armstrong, January 10, 2023, *Pettenay et al. v. Galveston County et al.*, 3:22-cv-00057 (S.D. Tex. 2022), 137:19-24 (quotation on 137); Michael A. Smith, “Controversy over Galveston County precinct maps still alive and kicking,” *Galveston Daily News*, July 8, 2022 (quotation); John Wayne Ferguson, “Middleton raising, spending most in race for state Senate,” *Galveston Daily News*, February 3, 2022; John Wayne Ferguson, “Middleton’s move sets off flurry of state-level primary filings,” *Galveston Daily News*, December 15, 2021; Keri Heath, “Armstrong elected as GOP pick for Precinct 4 commissioner,” *Galveston Daily News*, July 27, 2022; Texas Secretary of State, Texas Election Results for 2022 March 1<sup>st</sup> Republican Primary, <https://results.texas-election.com/races>; Galveston County, Past Election Results, Canvass Report for March 1, 2022, Primary Election; Ferguson, “Physician appointed”; Ferguson, “Political Buzz: Trump endorses”; Ferguson, “Galveston County argues Armstrong’s appointment.”

true representative democracy to the various local governments in the county. Members of LULAC and other Hispanic/Latino advocates worked in close cooperation with Johnson, members of the NAACP, and other Black activists to rewrite the rules of local politics, wielding the rights promised under federal law to remap their school districts, city councils, and Galveston County itself, including its County Commissioner precincts and Justice of the Peace and Constable courts. These antiracist projects made the county more equitable, undermining its historic patterns of racial domination.

Johnson's advocacy rendered him an outcast on the Commissioners Court, but from 1991 forward, his efforts, along with those of grassroots leaders, cemented Precinct 3 as a political home of historical significance to the county's Black and Latinx communities. Located in the center of county from Dickinson through the shores of Galveston Island, Precinct 3 remained sufficiently compact and contiguous to reflect the shared interests of a combined Black-Latinx majority population. Additionally, as the only district with a nonwhite majority, Precinct 3 plays a critical role in ensuring that Galveston County government as a whole is representative of all its residents. The county is now only 55% white, but the approved 2021 redistricting map promises to give white-preferred candidates 100% of the positions on the Commissioners Court. By that measure, even the 2011 plan for the Court in fact underrepresented the Black, Latinx, and Asian American peoples of Galveston County, which together comprise 45% of the 2020 population but were represented descriptively in just 25% of the court's single-member precincts.

The standards of the discipline of history permit another conclusion: that the evidence indicates discriminatory intent in the Commissioners Court majority's creation of the 2021 redistricting plan. As he had after *Shelby* in 2013 and again during the Confederate memorial debate in 2020, Judge Henry demonstrated dismissiveness towards his Black and Latinx constituents. He enacted a process for adoption characterized by procedural departures that, history suggests, likely would not have passed muster under the old preclearance requirements of the Voting Rights Act. Judge Henry's decisions to forego the conventions of past redistricting cycles and to minimize public input, especially from communities of color, and his issuing of threats and seeming impatience from the dais all suggest a general disregard for the county's African American and Latinx American citizens. Henry's appointment of a Black Republican activist to the Court should not distract from the underlying issue: that Black and Latinx residents will no longer have the ability to elect their preferred candidates in any commissioner precinct.

The Court's adoption of the newest redistricting map can be classified as a "racist project" as social scientists understand that term—an act that promotes and furthers structural inequality according to race. If history is any indication, the creation of four majority-white commissioner precincts paired with white bloc voting all but ensures that Black and Latinx communities will experience less effective representation from Galveston County officialdom writ large, an outcome that will likely produce yet more racial disparities and strife in the future.



Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.  
Executed this 27th day of January 2023.



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MAX KROCHMAL

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**Appendix A – Curriculum Vita**

Please see attached document.

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# Max Krochmal

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Department of History, University of New Orleans  
2000 Lakeshore Dr, New Orleans, LA 70148

November 21, 2022

## Education

2011 Ph.D., History, Duke University, Durham, North Carolina  
2007 M.A., History, Duke University  
2004 B.A., Community Studies, University of California, Santa Cruz

## Positions Held

2022- Professor of U. S. History, Czech Republic Endowed Professor in Justice, and Director of Ph.D. in Justice Studies, University of New Orleans  
2022 Cátedra Fulbright-García Robles de Estudios Estadounidenses (U.S. Studies Chair), Department of International Studies, Universidad Iberoamericana, Mexico City  
2017-2022 Associate Professor of History, Texas Christian University  
2015-2020 Founding Chair, Department of Comparative Race and Ethnic Studies, TCU  
2011-2020 Faculty Director, *TCU Justice Journey*  
Fall 2019 Interim Director, Latinx Studies Program, TCU  
2016-2017 Administrative Fellow, Office of the Dean, Addicks College of Liberal Arts, TCU  
2011-2017 Assistant Professor of History, TCU

## National Awards & Fellowships

2022 Oral History Association Book Award, for *Civil Rights in Black and Brown*  
2021-2022 Fulbright-García Robles Fellowship, U.S. Studies Chair, México  
2021- OAH Distinguished Lecturer, Organization of American Historians  
2015-2019 National Endowment for the Humanities (NEH) Collaborative Research Grant, \$200,000 (principal investigator), for *Civil Rights in Black and Brown*  
2017 Frederick Jackson Turner Award, Organization of American Historians, for *Blue Texas*  
Non-Fiction Book Award, National Association for Chicana and Chicano Studies (NACCS) Tejas Foco, for *Blue Texas*  
Coral Horton Tullis Memorial Prize for Best Book in Texas History, Texas State Historical Association, for *Blue Texas*  
2016 Ramirez Family Award for Most Significant Scholarly Book, Texas Institute of Letters, for *Blue Texas*  
2013-2014 Summerlee Fellowship in Texas History, Clements Center for Southwest Studies, Southern Methodist University, Dallas, \$45,000, for *Blue Texas*

- 2011-2012 Post-Doctoral Fellowship, United States Studies Centre, University of Sydney (Australia), \$86,000 AUD. *Declined.*
- 2010-2011 *Alternate*, Charlotte W. Newcombe Doctoral Dissertation Fellowship, Woodrow Wilson National Fellowship Foundation
- 2010 Walter Rundell Research Award, Western History Association, \$1,500
- Trennert-Iverson Conference Scholarship, Western History Association, \$750

**Grants & Contracts**

- 2022-2023 Expert testimony on behalf of the U.S., on redistricting and voting rights, Voting Section, Civil Rights Division, United States Department of Justice
- 2019-2020 Multicultural Education Institute, volume 3, contract for services awarded by Fort Worth Independent School District, \$10,000 (co-PI)
- 2018-2019 “Latina/o Studies by the Experts: A Pathway to Culturally-Relevant Curriculum,” Competitive contract awarded by Fort Worth Independent School District, \$86,091 (principal investigator)
- 2015 *Latino Americans: 500 Years of History* Grant, National Endowment for the Humanities and American Library Association, lead researcher/coordinator for the City of Fort Worth Human Relations Commission (grantee), \$10,000.
- 2014-2015 Summerlee Foundation, Dallas, matching gift for *Civil Rights in Black and Brown*, \$40,000
- 2014 Brown Foundation, Inc., of Houston, matching gift for *Civil Rights in Black and Brown*, \$100,000

**Internal Awards & Grants (Selected)**

- 2020-2021 A. M. Pate, Jr., Research Professorship in History, Texas Christian University, \$17,500+
- 2020 Diversity in Research Prize, AddRan College of Liberal Arts, \$2,500 (sole recipient)
- Mid-Career Summer Research Program, AddRan College of Liberal Arts, \$5,000
- 2018 Deans’ Research & Creativity Award, Texas Christian University (campus-wide), \$2,500
- 2016-2017 Instructional Development Grant (second author to Dr. Emily Farris, \$3,600
- 2016 *Finalist*, Wassenich Award for Mentoring in the TCU Community (campus-wide)
- 2015-2016 Creativity and Innovation in Learning Grant, AddRan College of Liberal Arts, \$2,500
- 2015 Outstanding Faculty/Staff Award, Office of Inclusiveness and Intercultural Services
- 2013 Grant Submission Incentive Program, AddRan College of Liberal Arts, \$5,000
- 2012-2013 Institute for Urban Living and Innovation, Small Grant Research Program, \$2,000
- Service-Learning Grant, Center for Community Involvement and Service-Learning, \$1,000
- 2012 Elizabeth Youngblood Proffer Faculty Award for Outstanding Contribution to the Mission of Student Affairs, Division of Student Affairs, TCU
- Outstanding Faculty/Staff Award, Office of Inclusiveness and Intercultural Services
- 2011-2012 Institute for Urban Living and Innovation, Small Grant Research Program, \$2,000
- Service-Learning Grant, Center for Community Involvement and Service-Learning, *Declined*
- 2010 Top 5% of Undergraduate Teaching Evaluations, Duke University
- 2009 Anne Firor Scott Research Award in Women’s History, Department of History, Duke University
- Aleane Webb Dissertation Research Award, Duke University Graduate School

- 2004 Steck Family Award for Finest Senior Thesis, University of California, Santa Cruz  
Chancellor's Award and Dean's Award, University of California, Santa Cruz  
William Friedland Award (highest honors), Department of Community Studies, University of California, Santa Cruz

## Scholarly Publications & Reviews

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### Book Projects-in-Progress

- 20xx Max Krochmal, *The Radical 1980s: The Rainbow Coalition and the Remaking of Immigrant Rights* (monograph in development).
- 2024 Jarod Roll, Erik Gellman, Max Krochmal, Sarah McNamara, eds., *Organizing Agribusiness from Farm to Factory: A New Food and Labor History of America's Most Diverse Union* (University of North Carolina Press, under contract)

### Books

- 2022 David Colón and Max Krochmal, et al, *Latinx Studies Curriculum in K-12 Schools: A Practical Guide* (TCU Press).
- 2021 Max Krochmal and Todd Moye, eds., *Civil Rights in Black and Brown: Histories of Resistance and Struggle in Texas* (Austin: University of Texas Press).

#### Critical Reception

- Texas Book Festival, Austin Public Library, October 31, 2021 (featured in-person panel)  
*Diverse Voices Book Review*, by Hopeton Hay, April 5, 2022, <https://spoti.fi/3vb5MU6>  
*New Books in Latino Studies*, February 14, 2022, <https://newbooksnetwork.com/civil-rights-in-black-and-brown>
- 2016 Max Krochmal, *Blue Texas: The Making of a Multiracial Coalition in the Civil Rights Era*, Justice, Power, and Politics (Chapel Hill: University of North Carolina Press). 552pp. Paperback edition published by UNCP, August, 2020.

#### Academic Reviews

- Marc Simon Rodriguez, *American Historical Review* 123, no. 5 (December 2018), 1691-1692.  
Shana Bernstein, *Pacific Historical Review* 87, no. 4 (Fall 2018): 742-743.  
Gregory M. Markley, *Oral History Review* 45, no. 2 (Summer/Fall 2018): 367-369.  
Jennifer E. Brooks, *Journal of Southern History* 84, no. 1 (February 2018): 208-209.  
Merline Pitre, *Journal of American History* 104, no. 3 (December 2017): 814-815.  
Greta de Jong, *Labor: Studies in Working-Class History* 14, no. 4 (December 2017): 106-107.  
Kyle Wilkison, *Western Historical Quarterly* 48, no. 4 (Winter 2017): 443-444.  
Daniel Nabors, *Southwestern Historical Quarterly* 121, no. 2 (October 2017): 243-245.  
B. W. Monroe, *CHOICE* 54, no. 9 (May 2017),  
<http://choicereviews.org/review/10.5860/CHOICE.203018>

#### Media Reviews

- Sammy Feldblum, "Review: In Blue Texas, All That is Old is New Again," *Scalawag*, May 2, 2017, <http://www.scalawagmagazine.org/articles/review-in-blue-texas-all-that-is-old-is-new-again>



Michael Barnes, "Texas Titles," *Austin American Statesman*, March 12, 2017, <http://austinfound.blog.statesman.com/2017/03/11/eddie-wilson-writes-the-definitive-history-of-the-armadillo-world-headquarters/>

Jose Skinner, "In 'Blue Texas,' a Historical Blueprint for Texas Activists," *Texas Observer*, January 16, 2017, <https://www.texasobserver.org/blue-texas/>

Jackie Hoermann-Elliott, "Blue Texas," *Fort Worth Weekly*, December 7, 2016, <https://www.fwweekly.com/2016/12/07/blue-texas/>

Alyson Ward, "Books to Watch for This Week," *Houston Chronicle*, November 11, 2016, <http://www.houstonchronicle.com/life/books/article/Books-to-watch-for-this-week-10608928.php>

### Peer-Reviewed Articles and Book Chapters

2023 Max Krochmal and Cecilia Sánchez Hill, "Latinx Palimpsest: Remaking a Colonia on the Edge of Aztlán," in Andrew Sandoval-Strausz, ed., *MetropoLatinx: The Significance of Latinidad in Urban History* (under review, University of Chicago Press).

2022 Stephen Pitti and Max Krochmal, "Foro: Civil Rights in Black and Brown," *US Latina & Latino Oral History Journal* 6 (forthcoming, University of Texas Press; [editorial review only](#)).

2021 Max Krochmal, "From Police Brutality to the "United Peoples Party": San Antonio's Hybrid SNCC Chapter, the Chicano Movement, and Political Change," in Krochmal and Moye, eds., *Civil Rights in Black and Brown* (University of Texas Press): 259-286.

Max Krochmal, "Introduction – Lone Star Civil Rights: Histories, Memories, and Legacies," in Krochmal and Moye, eds., *Civil Rights in Black and Brown* (University of Texas Press): 1-22.

Max Krochmal, "Recovering, Cataloguing, and Interpreting the Hidden Histories of Struggle in Texas," in Krochmal and Moye, eds., *Civil Rights in Black and Brown* (University of Texas Press): 305-324.

Max Krochmal, "Goodwyn and the Democratic Coalition of Texas," in Wesley C. Hogan and Paul Ortiz, eds., *People Power: History, Organizing, and Larry Goodwyn's Democratic Vision in the Twenty-First Century* (University Press of Florida): 19-33.

2016 Max Krochmal, "Connecting to Activists and the Public through the Civil Rights in Black and Brown Oral History Project," *Labor: Studies in Working-Class History of the Americas* 13, no. 3/4 (December 2016): 15-17.

2014 Max Krochmal, "San Antonio Chicano Organizers (SACO): Labor Activists and *el Movimiento*," in Mario T. García, ed., *The Chicano Movement: Perspectives from the Twenty-First Century*, New Directions in American History (New York: Routledge, 2014): 203-226.

2012 Max Krochmal, "Chicano Labor and Multiracial Politics in Post-World War II Texas: Two Case Studies," in Robert H. Zieger, ed., *Life and Labor in the New New South* (Gainesville: University Press of Florida, 2012), 133-176.

2010 Max Krochmal, "An Unmistakably Working-Class Vision: Birmingham's Foot Soldiers and Their Civil Rights Movement," *Journal of Southern History* LXXVI, no. 4 (November 2010): 923-960.

### Book Reviews

- 2017 Review of Richard J. Gonzales, *Raza Rising: Chicanos in North Texas* (Denton: University of North Texas Press, 2016), *Southwestern Historical Quarterly* 121, no. 2 (October 2017): 246-247.
- Review of Robert Bussel, *Fighting for Total Person Unionism: Harold Gibbons, Ernest Calloway, and Working-Class Citizenship* (Urbana: University of Illinois Press, 2015), *Journal of Southern History* 83, no. 1 (February 2017): 227.
- 2014 Review of Sonia Song-Ha Lee, *Building a Latino Civil Rights Movement: Puerto Ricans, African Americans, and the Pursuit of Racial Justice in New York City* (Chapel Hill: University of North Carolina Press, 2014), *Choice* 52, no. 3 (November 2014), <http://choicereviews.org/review/10.5860/CHOICE.185421>.
- Review of Bruce A. Glasrud and James C. Maroney, eds., *Texas Labor History* (College Station: Texas A&M University Press, 2013), *Texas Books in Review* XXXIV, no. 1 (Spring 2014): 6, 21.
- 2013 Review of Kevin M. Kruse and Stephen Tuck, eds., *Fog of War: The Second World War and the Civil Rights Movement* (New York: Oxford University Press, 2012), *Journal of Southern History* 79, no. 2 (May 2013): 526-528.
- 2012 Review of Brian D. Behnken, ed., *The Struggle in Black and Brown: African American and Mexican American Relations During the Civil Rights Era* (Lincoln: University of Nebraska Press, 2011), *Journal of American History* 99, no. 3 (December 2012): 992-993.
- 2011 Book Note, on Mignette Y. Patrick Dorsey, *Speak Truth to Power: The Story of Charles Patrick, a Civil Rights Pioneer* (Tuscaloosa: University of Alabama Press, 2010), *Journal of Southern History* 77, no. 2 (May 2011): 510-511.
- 2009 Review of Bruce Glasrud and Archie P. McDonald, eds., *Blacks in East Texas History: Selections from the East Texas Historical Journal* (College Station: Texas A&M University Press, 2008), *Journal of South Texas* 22, no. 2 (Fall 2009): 190-192.

### Editing & Peer-Review Activity

- 2022 Collaborative Research Grants Review Panelist, National Endowment for the Humanities, Division of Research Programs
- Interview Panel, Fulbright-García Robles Fellowships, Comisión México Estados Unidos para el Intercambio Educativo y Cultural (COMEXUS), January 10.
- 2021-22 Selection and Assessment Team, National Writing Project, “Building a More Perfect Union: Pandemic Recovery Grants for Humanities Organizations,” Grantmaking Award, National Endowment for the Humanities / American Rescue Plan, \$3,131,435, awarded October.
- 2018- **Board of Contributing Editors, *Labor: Studies in Working-Class History***
- 2015- **Editorial Board, *U.S. Latina & Latino Oral History Journal***
- 2021- Book manuscript reviewer, University of Pennsylvania Press (Politics and Culture in Modern America)

- 2018- Book manuscript reviewer, University of North Carolina Press (Justice, Power, and Politics; David J. Weber Series in the New Borderlands History; general list)
- 2016- Book manuscript reviewer, University of Texas Press (Historia USA; general list)
- 2012- Reviewer for fellowship book manuscript workshops, Clements Center for Southwest Studies, Southern Methodist University (eight reviews to date)
- 2021 Manuscript reviewer: Lorrin Thomas, Lees Seminar, Department of History, Rutgers University, Camden, March 26.
- Manuscript reviewer: Tiffany J. González, Bonquois Postdoctoral Fellow in Women's History, Newcomb Institute, Tulane University, February 5.
- 2020 Peer reviewer, *Modern American History*
- 2018 Peer reviewer, *Journal of American Ethnic History*
- 2016 Media Projects Panel, National Endowment for the Humanities
- 2014 Peer reviewer, *Journal of the West*
- Peer reviewer, *Journal of Civil and Human Rights*

## Essays & Media Contributions

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### Published Essays & Op-Eds (editorial review; single-authored unless noted)

- 2021 “A draft congressional map lays out one future for Texas. But there is a better path,” *Washington Post*, September 28 (co-authored with J. Todd Moyer), <https://www.washingtonpost.com/outlook/2021/09/28/draft-congressional-map-lays-out-one-future-texas-there-is-better-path/>
- 2020 “If They Care About Equity, Fort Worth Schools Must Extend Virtual Learning,” *Fort Worth Weekly*, September 22, <https://www.fweekly.com/2020/09/22/if-they-care-about-equity-fort-worth-schools-must-extend-virtual-learning/>
- 2019 “Tarrant sheriff needs to give straight story on immigration program’s costs, drawbacks,” *Fort Worth Star-Telegram*, June 17, <https://www.star-telegram.com/opinion/opn-columns-blogs/article231638593.html>
- 2018 “Race, Democracy, and Civic Engagement in U.S. History,” *Take Care* blog symposium (invited), published by Protect Democracy, December 6, <https://takecareblog.com/blog/race-democracy-and-civic-engagement-in-u-s-history>
- “The Texas Senate Race Is Not ‘Historic,’” *Los Angeles Review of Books*, November 4, <https://lareviewofbooks.org/article/the-texas-senate-race-is-not-historic/>

- 2017 “Protesters, the council and the many meanings of racism,” *Fort Worth Star-Telegram*, August 18, <http://www.star-telegram.com/opinion/opn-columns-blogs/other-voices/article168083772.html>
- 2016 “Texas Democrats must get back to their progressive roots,” *TribTalk (Texas Tribune)*, November 21, <https://www.tribtalk.org/2016/11/21/texas-democrats-must-get-back-to-their-progressive-roots/>
- 2013 “Texas Tornado,” in Benj DeMott, ed., “Love Is the Message: Tributes to Lawrence Goodwyn,” *First of the Month: A Website of the Radical Imagination*, December 18, [http://www.firstofthemonth.org/archives/2013/12/love\\_is\\_the\\_mes.html](http://www.firstofthemonth.org/archives/2013/12/love_is_the_mes.html)
- “50 Years Later, New Movement on the March,” *Dallas Morning News*, August 12, 15-A
- “TCU Students Hit the Road to Understand Freedom,” *Fort Worth Star-Telegram*, January 22, (co-authored and edited with students Pearce Edwards and Mimi Woldeyohannes)
- 2012 “History’s Lessons Show Obama is the Better Choice,” *Fort Worth Star-Telegram*, October 21 (invited official response to paper’s endorsement of Romney); reprinted by *History News Network*, <https://historynewsnetwork.org/article/148942>
- 2009 “Promoting Unions and Recovery,” *Raleigh News & Observer*, March 4 (co-authored with Robert Korstad).

### Television and Radio Appearances

- 2021 Kristen Cabrera, “‘Civil Rights in Black and Brown:’ New book examines Texas’ overlooked activists,” *Texas Standard (National Public Radio)*, November 9, <https://www.texasstandard.org/stories/civil-rights-in-black-and-brown-new-book-examines-texas-overlooked-activists/>
- William Joy, “What is critical race theory? North Texas professors explain the highly debated topic,” *WFAA 8 ABC*, June 21, <https://www.wfaa.com/article/news/local/what-is-critical-race-theory-north-texas-professors-explain-highly-debated-topic/287-f61d01ca-fd84-4e86-9f36-2cb2bca5ebc9>
- Thomas Harms, “Mémoire et réparations de l’esclavage, éternels défis pour le Texas [Memory and reparations of slavery: the eternal challenges for Texas],” *Radio France Internationale*, June 18, <https://rfi.my/7V01.T> [English translation: <https://houstonvote.tumblr.com/post/654801358098251776/juneteenth-20-minutes-prodcast-on-radio-france>]
- Miranda Suarez, “May 1 Election Will Bring Political Change To Fort Worth For The First Time In Years,” *KERA News*, April 26, <https://www.keranews.org/politics/2021-04-26/may-1-election-will-bring-political-change-to-fort-worth-for-the-first-time-in-years>
- 2020 Stella M. Chávez, “Empowered And Emboldened, Today’s Protesters Aim To Further Push For Equality Started In 1960s,” *KERA News*, August 11, <https://www.keranews.org/news/2020-08-11/empowered-and-emboldened-todays-protesters-aim-to-further-push-for-equality-started-in-1960s>

Hady Mawajdeh, “How Growing Diversity In North Texas May Have Shaped The El Paso Walmart Shooting Suspect,” *WAMU 88.5 American University Radio*, August 3, <https://wamu.org/story/20/08/03/how-growing-diversity-in-north-texas-may-have-shaped-the-el-paso-walmart-shooting-suspect/> (first aired on KERA)

Stella M. Chávez, “Black Lives Matter protests are shaking up how this young Latino voter views US politics,” *The World (Public Radio International)*, July 1, <https://www.pri.org/stories/2020-07-01/black-lives-matter-protests-are-shaking-how-young-latino-voter-views-us-politics>

Wayne Carter, “Fort Worth ISD Promises Race Conversations Will Continue,” *NBC 5 DFW*, June 26, <https://www.nbcdfw.com/news/local/carter-in-the-classroom/fort-worth-isd-promises-race-conversations-will-continue/2396436/>

Chris Sommer, “Expert Says Removing Confederate Statues Will Help Bring Change,” *KRLD News Radio 1080*, June 11, <https://krlr.radio.com/articles/news/expert-says-removing-confederate-statues-help-bring-change>

2018

Joy Diaz, Michael Marks, and Shelly Brisbin, “This Year’s Midterm Gains For Liberals Mirror An Earlier Time In Texas Politics,” *Texas Standard* (National Public Radio), November 12, <http://www.texasstandard.org/stories/this-years-midterm-gains-for-liberals-mirror-an-earlier-time-in-texas-politics/>

Christopher Connelly, “How One Texas Progressive Group Is Mobilizing Unlikely Black And Latino Voters,” *KERA News*, October 31, <http://www.keranews.org/post/how-one-texas-progressive-group-mobilizing-unlikely-black-and-latino-voters>

Joy Diaz, “Fort Worth ISD Taps TCU Researchers for Help with Latino History Curriculum,” *Texas Standard* (statewide radio show on NPR network), September 20 (first aired 9/18/18), <http://www.texasstandard.org/stories/fort-worth-isd-taps-tcu-researchers-for-help-with-latino-history-curriculum/>

“Blue Texas,” *C-SPAN Cities Tour*, April 9, <https://www.c-span.org/video/?446414-1/blue-texas>

Molly Evans, “How Texas’ Shifting Demographics May Preview Larger Changes In America,” *KERA News*, March 9, <https://www.keranews.org/post/how-texas-shifting-demographics-may-preview-larger-changes-america>

Christopher Connelly, “TCU Aims To Draw Students Of Color, Build ‘Cultural Competence’ In New Program,” *KERA News*, January 3, <http://keranews.org/post/tcu-aims-draw-students-color-build-cultural-competence-new-program>. Reprinted in the *Texas Standard* (NPR, Jan. 4), *Texas Tribune* (Jan. 4), and *Fort Worth Star-Telegram* (Jan. 5, 4A).

2017

Joy Diaz, “Mexicans Used to Think Racism Was A U.S. Thing. Not Anymore,” *Texas Standard* (National Public Radio), December 5, <https://www.texasstandard.org/stories/mexicans-used-to-think-racism-was-a-u-s-thing-not-anymore/>

“How Texas Is Changing,” with Steve Klineberg, interviewed by Krys Boyd on *Think*, KERA, November 10, <http://think.kera.org/2017/11/10/how-texas-is-changing/>



- 2016 Larry Collins, "North Texas Students Concerned About DACA Future, Educators Show Support," *NBC 5 – KXAS*, September 22, <http://www.nbcdfw.com/news/local/North-Texas-Students-Concerned-About-DACA-Future-Educators-Show-Support-446570203.html>
- New Books Network* podcast, African American Studies, interviewed by James P. Stancil II, July 13, <http://newbooksnetwork.com/max-krochmal-blue-texas-the-making-of-a-multiracial-democratic-coalition-in-the-civil-rights-era-unc-2016/>
- Alexandra Hart, "Texas' Robust Civil Rights Movement Brought Together Activists Across Racial Lines," *Texas Standard* (National Public Radio), December 30, <http://www.texasstandard.org/stories/texas-robust-civil-rights-movement-brought-together-activists-across-racial-lines/>
- Justin Martin, "Oral History Project Chronicles Civil Rights Struggle In Texas With People Who Lived It," *KERA News*, November 30, <https://www.keranews.org/post/oral-history-project-chronicles-civil-rights-struggle-texas-people-who-lived-it>
- "Blue Texas," *C-SPAN Book TV*, BookPeople, Austin, Texas, November 21, <https://www.c-span.org/video/?418227-2/blue-texas>
- "Unions After World War II," *C-SPAN Lectures in History*, November 1, <https://www.c-span.org/video/?417470-1/unions-world-war-ii>
- Joy Diaz, "Here's Why the Voices Caught Between the Black/White Binary Aren't in American History Books," *Texas Standard* (National Public Radio), August 12, <http://www.texasstandard.org/stories/heres-why-the-voices-caught-between-the-blackwhite-binary-arent-in-american-history-books/>
- 2013 Rhonda Fanning, "How Hillary Clinton Found a Mentor in a Texas Labor Organizer," *Texas Standard* (National Public Radio), July 28, <http://www.texasstandard.org/stories/hillary-clinton-found-a-mentor-in-texas-labor-organizer/>
- "Special Panel on New Books," *Sal Castro Memorial Conference on the Emerging Historiography of the Chicano Movement*, University of California, Santa Barbara, Department of Chicana and Chicano Studies, February 26, *C-SPAN*, <https://www.c-span.org/video/?404679-2/chicano-movement-authors> (begins at 33:41)
- Karen Grigsby Bates, "Mexican-American Vets Ignited Kennedy's Latino Support," *Morning Edition*, National Public Radio, November 21, <http://www.npr.org/blogs/codeswitch/2013/11/21/246412894/mexican-american-vets-ignited-kennedys-latino-support>

### Newspaper Coverage & Appearances

- 2022 Eduardo Medina, "In Twilight of Life, Civil Rights Activists Feel 'Urgency to Tell Our History,'" *New York Times*, February 19, 2022, <https://www.nytimes.com/2022/02/19/us/civil-rights-movement-oral-history.html>
- Edward Brown, "Clinging to Power," *Fort Worth Weekly*, January 12, <https://www.fweekly.com/2022/01/12/clinging-to-power/>

- 2021 Edward Brown, “Juneteenth Jubilation,” *Fort Worth Weekly*, June 23, <https://www.fweekly.com/2021/06/23/juneteenth-jubilation/>
- Kaley Johnson, “Critical race theory bill is solution to a problem that doesn’t exist, Fort Worth supt. Says,” *Fort Worth Star-Telegram*, May 29, <https://www.star-telegram.com/news/local/fort-worth/article251701313.html>
- Sharon Grigsby, “Aledo ninth-graders’ ‘slave auction’ of Black classmates should be a wake-up call to all white parents,” *Dallas Morning News*, April 16, <https://www.dallasnews.com/news/commentary/2021/04/16/aledo-ninth-graders-slave-auction-of-black-classmates-should-be-a-wake-up-call-to-all-white-parents/>
- 2020 Edward Brown, “Public Safety or Over-Policing?” *Fort Worth Weekly*, November 18, <https://www.fweekly.com/2020/11/18/public-safety-or-over-policing/>
- Zayna Syed, “Black-owned bookstore in Fort Worth calls recent months of activism ‘The Great Awakening,’” *Dallas Morning News*, August 4, <https://www.dallasnews.com/arts-entertainment/2020/08/04/black-owned-bookstore-in-fort-worth-calls-recent-months-of-activism-the-great-awakening/>
- Mark Dent, “Younger, diverse Fort Worth takes ‘a pivotal turn’ in week of George Floyd protests,” *Fort Worth Star-Telegram*, June 7, <https://www.star-telegram.com/news/local/fort-worth/article243303186.html>
- “Community Justice Center Arrives,” *Fort Worth Weekly*, February 26, <https://www.fweekly.com/2020/02/26/community-justice-center-arrives/>
- 2019 Edward Brown, “On Tap in Fort Worth: Prof. Max Krochmal,” *Fort Worth Weekly*, June 17, 2019, <https://www.fweekly.com/2019/06/17/on-tap-in-fort-worth-prof-max-krochmal/>
- Michael Granberry, “The National Endowment for the Humanities comes to North Texas bearing gifts — to preserve history,” *Dallas Morning News*, February 19, 2019, <https://www.dallasnews.com/arts-entertainment/architecture/2019/02/19/the-national-endowment-for-the-humanities-comes-to-north-texas-bearing-gifts-to-preserve-history/>
- Hanaa’ Tameez, “What does no citizenship question on census mean for Fort Worth and Tarrant County?” *Fort Worth Star-Telegram*, January 15, 2019, <https://www.star-telegram.com/news/local/fort-worth/article224561625.html>
- 2018 Diane Smith, “There is a national push for Latino studies. Fort Worth schools are leading the way,” *Fort Worth Star-Telegram*, September 19, 2018, <https://www.star-telegram.com/news/local/education/article218346990.html>
- Edward Brown, “Separate & Unequal: A city-appointed task force documents systemic racism in Fort Worth and offers a way forward,” *Fort Worth Weekly*, June 27, 2018, <https://www.fweekly.com/2018/06/27/separate-unequal/>
- Hanaa’ Tameez, “Pauline Gasca Valenciano, a legacy of activism and public service in Fort Worth,” *Fort Worth Star-Telegram*, June 15, 2018, <https://www.star-telegram.com/news/local/community/fort-worth/article213101339.html>

Sarah Smith, "About 70 percent of TCU students are white. And the black ones? Most are athletes," *Fort Worth Star-Telegram*, April 12, 2018, <http://www.star-telegram.com/news/local/education/article207914819.html>

Diane Smith, "Meet the post-millennials who want adults to make Texas schools safer," *Fort Worth Star-Telegram*, March 16, 2018, <http://www.star-telegram.com/news/local/education/article204859869.html>

2017 Jeff Caplan, "Trump vs. the NFL: Did anyone win? Was anything accomplished?" *Fort Worth Star-Telegram*, September 30, 2017, <http://www.star-telegram.com/news/local/article176379751.html>

Mitch Mitchell and Diane Smith, "Immigrant Allies to Fort Worth City Leaders: 'You Should Care About SB 4,'" *Fort Worth Star-Telegram*, June 20, 2017, <http://www.star-telegram.com/news/local/community/fort-worth/article157272864.html>

Tasneem Raja, "After Trump, East Texas Progressives Are 'Coming Out of the Woodwork,'" *Texas Observer*, April 5, 2017, <https://www.texasobserver.org/after-trump-east-texas-progressives-are-coming-out-of-the-woodwork/> (originally printed in *Tyler Loop*)

2016 Diane Smith, "Fort Worth's Opal Lee has step-by-step plan to highlight Juneteenth," *Fort Worth Star-Telegram*, August 31, 2016, <http://www.star-telegram.com/news/local/community/fort-worth/article99107727.html>

Bud Kennedy, "How Reagan's 'Make America Great Again' became a Trump takeaway," *Fort Worth Star-Telegram*, July 20, 2016, <http://www.star-telegram.com/opinion/opn-columns-blogs/bud-kennedy/article90636182.html>

Julie Garcia, "Two students conduct civil rights research in Corpus Christi," *Corpus Christi Caller Times*, June 15, 2016, <http://www.caller.com/news/local/two-students-conduct-civil-rights-research-in-corpus-christi-34edbfd9-75a4-1cff-e053-0100007f8b7b--383032941.html> (on *Civil Rights in Black and Brown Oral History Project*).

Sandra Baker, "Fort Worth Hispanics call for big changes before 2017 election," *Fort Worth Star-Telegram*, January 28, 2016, <http://www.star-telegram.com/news/local/article57122808.html>

2015 Diane Smith, "Refugees in Fort Worth learn about Thanksgiving traditions," *Fort Worth Star-Telegram*, November 26, 2015, <http://www.star-telegram.com/news/local/community/fort-worth/article46480885.html>

Mercedes Olivera, "Oral history project to preserve stories of Latinos in Fort Worth," *Dallas Morning News*, September 26, 2015, <http://www.dallasnews.com/news/columnists/mercedes-olivera/20150925-oral-history-project-to-preserve-stories-of-latinos-in-fort-worth.ece>

Jeff Prince, "Fort Worth Documenting Its Latino History," *Fort Worth Weekly*, September 25, <https://www.fweekly.com/2015/09/25/fort-worth-documenting-its-latino-history/>

Diane Smith, “Oral histories of Fort Worth’s Hispanic communities sought,” *Fort Worth Star-Telegram*, September 13, 2015, <http://www.star-telegram.com/news/local/community/fort-worth/article35061657.html>

Editorial Board, “The human side of history,” *Fort Worth Star-Telegram*, July 30, 2015, <http://www.star-telegram.com/opinion/editorials/article29469856.html>

Diane Smith, “Civil-rights history project gets \$200,000 grant,” *Fort Worth Star-Telegram*, July 29, 2015, <http://www.star-telegram.com/news/local/community/fort-worth/article29173057.html>

2013 Ronnie Dugger, “Lawrence Goodwyn, A Man of Words and Ideals,” *Texas Observer*, November 7, 2013, <http://www.texasobserver.org/man-words-ideals/>

William Yardley, “Lawrence Goodwyn, Historian of Populism, Dies at 85,” *New York Times*, October 4, 2013, <http://www.nytimes.com/2013/10/05/us/lawrence-goodwyn-historian-of-populism-dies-at-85.html>

Jesse Washington, “Fears over Zimmerman Verdict Riots Prove Overblown,” *Associated Press*, July 24, 2013, <http://www.jessewashington.com/no-trayvon-riots.html>

2012 Eli Magana, “1968 Sanitation Strikers Speak to Young Activists,” *AFSCME Now*, January 13, 2012, <https://www.afscme.org/now/archive/blog/1968-sanitation-strikers-speak-to-young-activists>

## Public History

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### Website (Peer-Reviewed)

2019 Max Krochmal et al, *Civil Rights in Black and Brown: Oral Histories of the Multiracial Freedom Struggles in Texas*, <http://crbb.tcu.edu>

#### Peer Review

Eric Buckenmeyer, *The Oral History Review* 46, no. 2 (2019): 419-420, <https://doi.org/10.1093/ohr/ohz013>

### Websites & Presentations of Public Humanities Projects (Non-Refereed)

2021 Principal investigator for class project, *Memories of Poly: Oral Histories of Polytechnic Heights, Fort Worth, Texas*, <https://memoriesofpoly.wordpress.com/> (beta site)

2019 Invited speaker and video producer (with Briana Salas), “Chicano Trailblazer: Dr. Rudy Rodriguez and 50 Years of Bilingual Education in Fort Worth,” *Hispanic Heritage Month History Project*, Fort Worth Library, September 26.

2018 Invited speaker and video producer (with Moisés Acuña Gurrola), “Fort Worth Pioneer: Pauline Gasca Valenciano,” *Hispanic Heritage Month History Project*, Fort Worth Library, October 11.

2016 Principal investigator and editor, *Viva Mi Historia: The Story of Fort Worth Latino Families*, oral history harvests, community presentation, and website, produced in collaboration with the

City of Fort Worth with *Latino Americans* grant funding from the National Endowment for the Humanities and the American Library Association,  
<https://holatarrantcounty.org/vivamihistoria/>

- 2015 “Texas Communities Oral History Project,” presentation of student websites and community dinner, TCU, December 9: *The History of LGBT Rights in Fort Worth*, <https://fortworthlgbt.wordpress.com>; *Fort Worth Mass Incarceration: An Oral History*, <https://massincarcerationfw.wordpress.com/>; and *The Plant and the Playground: Labor and Community in the Fort Worth Aerospace Industry*, <https://plantandplayground.wordpress.com/>.
- 2013 “North Texas Activists in Their Own Words,” presentation of student websites and community dinner, TCU, May 2, 2013, co-sponsored by the Tarrant County Black Historical and Genealogical Society. *Fort Worth Mexicano Activism*, <http://fortworthmexicanoactivism.wordpress.com/>; and Civil Rights in Fort Worth, <http://fortworthcivilrights.wordpress.com/>.
- 2011 “Community Organizers in Their Own Words: Three Oral History Projects,” presentation of student websites and community dinner, Center for Documentary Studies, Duke University, April 29, 2011, <http://dukeorahistory.wordpress.com/>.

#### Invited Public Lectures at Museums and in the Community (Selected)

- 2022 Invited panelist, “Critical Race Theory,” *The Dock Bookshop*, Fort Worth, January 20, docklive.tv via Crowdcast
- 2021 Invited panelist, **Texas Book Festival**, Austin Public Library, October 31 (in-person), on *Civil Rights in Black and Brown* (with Todd Moye)
- Invited panelist, “Civil Rights in Black and Brown: Oral Histories of the Multiracial Struggle Against Police Brutality in Texas,” *History of Courage/Valor for Change: 2021 Virtual Symposium*, **Mexican American Civil Rights Institute**, San Antonio, August 13.
- Invited workshop, “Introduction to *Civil Rights in Black and Brown*,” **Dallas Holocaust and Human Rights Museum** Upstander Institute, August 3.
- 2020 Invited lecture on *Blue Texas*, High Noon Talks, **Bullock Texas State History Museum**, Austin, May 7 (via Zoom).
- Invited lecture, “The Black Freedom Movement in Texas,” United Fort Worth *Freedom School*, UFW Community Justice Center, Fort Worth, Texas, February 12.
- 2019 Invited lecture on *Blue Texas*, Brown Bag Lecture Series, Dallas Historical Society, April 9.
- 2018 Invited talk, “Community Organizing and Coalition Building in the Multiracial Civil Rights Movement in Texas,” *New History at Old Red: Building Community – A Conference on Texas, the United States, and World History*, The Old Red Museum of Dallas County History and Culture, October 20.
- Invited panelist, “What Remains: The Legacy and Future of Confederate Monuments,” *Tuesday Evenings at the Modern*, The Modern Art Museum of Fort Worth, October 16.



Panel participant, screening of *I Am Not Your Negro, Movies that Matter*, City of Fort Worth Human Relations Unit, KERA public broadcasting, and Tarrant County Black Historical and Genealogical Society, Fort Worth Botanic Garden, January 11.

- 2017 Invited talk and introduction of candidate, *Tacos with Beto*, Beto O'Rourke for U.S. Senate campaign, Americado Taco-Bar, Fort Worth, December 14.
- Staged oral history interview, "A Conversation with Opal Lee," City of Fort Worth MLK Day / Juneteenth Committee, Fort Worth City Hall, June 19.
- Invited workshop leader, *Texas Young Active Labor Leaders (Y'ALL)* Conference, Texas AFL-CIO, Houston, January 21.
- 2016-2017 Book talks on *Blue Texas* at The Twig Bookstore, San Antonio; Half Price Books Flagship, Dallas; Brazos Bookstore, Houston; and Book People, Austin—all in November, 2016—at the TCU Bookstore, December 5, 2016, and at the Calaboose Museum, San Marcos, February 4, 2017.
- 2016 Panel participant, *Willie Velasquez: Your Vote is Your Voice* – Fort Worth Screening Event, hosted by KERA Public Broadcasting, Modern Art Museum of Fort Worth, September 29.
- Keynote address, *31st Annual Martin Luther King Jr. Holiday Celebration*, City of Fort Worth, January 15.
- 2014 Plenary lecture, "The Power of Labor and Community in San Antonio," national *AFL-CIO Martin Luther King Civil Rights Conference*, San Antonio, January 16.
- 2013 Invited lecture: "*Viva Kennedy* and the Multiracial Struggle for Civil Rights in Texas," *Dallas, John F. Kennedy and the Struggle for Civil Rights*, The Sixth Floor Museum at Dealey Plaza, Dallas, funded by Humanities Texas, July 30.
- Invited talk: "What Justice for Trayvon Can Learn from the Civil Rights Movement," Rally of NAACP Student Branches of University of Texas, Arlington, University of North Texas, and Texas Christian University, held in Arlington, July 18.
- Public lecture, "Oral History, Black History, and Democracy in America," Community History Workshop, TCU Center for Texas Studies and the Fort Worth Public Library, February 2.
- 2012 Public lecture, "The View from the Ground: Local People and the New History of the Civil Rights Movement," Fort Worth Museum of Science and History, June 2.
- Public lecture, "Immigration Up Close and Personal," Fort Worth Museum of Science and History, February 11.

#### **Other Public and Digital History Research Experience**

- 2012 Oral history interviewer, *40th Reunion of La Raza Unida Party*, Austin, July 6-7, 2012, in partnership with Emilio Zamora and Martha Cotera, Nettie Lee Benson Latin American Collection, University of Texas, Austin.

- 2010 *Student Nonviolent Coordinating Committee (SNCC) 50<sup>th</sup> Anniversary Conference*, Oral History Project Coordinator, in collaboration with SNCC and the Southern Oral History Program (of the University of North Carolina, Chapel Hill), Raleigh, North Carolina, April 14-18, 2010.
- 2007-2010 *Behind the Veil: Documenting African American Life in the Jim Crow South*, Editorial Assistant / Research Associate, Center for Documentary Studies, Duke University, 2007-2010.
- 2009 “Victory at Moncure Plywood: Personal Histories of Racial Injustice and Labor Relations in the South,” presentation of student research and community dinner, co-sponsored by the North Carolina State AFL-CIO, Center for Documentary Studies, Duke University, April 29.
- 2008 Pietermaritzburg Agency for Christian Social Awareness (PACSA) 30<sup>th</sup> Anniversary Oral History Book Project, coordinator for *DukeEngage* service learning program in collaboration with the University of KwaZulu-Natal, South Africa, May-June

## Scholarly Talks & Conference Presentations

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### Keynote Addresses and Invited Plenary Presentations at Scholarly Meetings

- 2021 Panel participant and moderator, “The Role of the Electoral College in American Society,” *The Future of the Past* webinar series, *Organization of American Historians*, December 16.
- Keynote address, “Civil Rights in Black and Brown: Histories of Resistance and Struggle in Texas,” *Texas Oral History Association*, Trinity University, San Antonio, September 25 (virtual).
- 2019 Invited lecture, “The Black and Brown Civil Rights Movements in Texas,” *Texas Library Association*, Austin, April 16.
- Invited presentation on Presidential Panel, “Textual Transactions through Public Pathways: Cultural Interventions in and beyond the Academy,” *Modern Language Association*, Chicago, January 5.
- 2018 Invited luncheon speaker, “Blue Texas: Back to the Future,” *Texas Center for Working-Class Studies*, Plano, March 22.
- Keynote address, “Documenting and Disseminating the Chicano/a Movement: Lessons from the Civil Rights in Black and Brown Oral History Project,” ***Sal Castro Memorial Conference on the Emerging Historiography of the Chicano Movement***, University of California, Santa Barbara, February 23.
- 2017 Plenary lecture, “Toward a Blue Texas: Community Organizing and Coalition-Building, Past, Present, and Future,” ***Southern Historical Association***, Dallas, November 9
- Keynote luncheon address on *Blue Texas*, *Southern Labor Studies Association*, Tampa, Florida, March 4.

- 2016 Keynote address, “Reaching Across the Color Line: Lessons from the Civil Rights in Black and Brown Oral History Project,” *Association of Personal Historians*, Fort Worth, October 25
- Invited panelist, “Special Panel on Recently Published Books,” *Sal Castro Memorial Conference on the Emerging Historiography of the Chicano Movement*, University of California, Santa Barbara, February 26.

### Invited Lectures and Symposia at Universities and Colleges

- 2023 Invited presentations, “Mario T. Garcia, Oral History, and Testimonio” and “Special Panel on Recently Published Books,” *Sal Castro Memorial Conference on the Emerging Historiography of the Chicano Movement*, **University of California, Santa Barbara**, February 17-18.
- 2022 Invited lecture on panel, “Red, Blue, and Brown: Tejano History, Politics, and the 2022 Election,” *Center for Presidential History*, Southern Methodist University, Dallas, September 15.
- Invited lecture, “The Craft of Oral History: Lessons from the Civil Rights in Black and Brown Project,” Department of History Methods Lab, **Duke University**, September 12.
- Invited talk, “Civil Rights in Black and Brown Oral History Project,” Departamento de Relaciones Internacionales, **Universidad Iberoamericana**, Mexico City, April 28.
- Invited talk, “Building Coalitions & Collaborating for Change: A New Vision for Southern Studies,” Center for the Study of the American South, **University of North Carolina**, Chapel Hill, March 21.
- Invited panelist, “Civil Rights in Black and Brown: New Latinx Oral Histories,” Center for the Study of Race, Indigeneity, and Transnational Migration, **Yale University**, February 22.
- 2021 Invited paper (with Cecilia Sanchez Hill), “Polytechnic Heights of Fort Worth: Latinx/Black Relations in an Urban Cowtown,” *MetropoLatinx History Symposium*, Latina/o Studies Program, **Pennsylvania State University**, December 10.
- Invited lecture (with Moisés Acuña Gurrola), “Viva Mi Historia: The Story of Fort Worth Latino Families,” Tarrant County College, Trinity River Campus, September 23.
- Invited roundtable participant, “Histories of Race and White Supremacy in Urban Texas,” University of Texas, Dallas, February 12.
- 2020 Invited keynote lecture, “The Chicano Movement in Brief,” *Abrazando el Espíritu Hispanic Heritage Month Celebration*, Tarrant County College District, October 16.
- 2019 Public Lecture, “Blue Texas: Looking Back to the Future,” Lone Star College – Kingwood, Houston, September 23.
- Invited panel participant, “History, Intersectionality and Liberation in the Age of Black Lives Matter,” *From Segregation to Black Lives Matter: A Symposium and Celebration of the Opening of the Joel Buchanan Archive of African American Oral History*, Samuel Proctor Oral History Program, **University of Florida**, March 22.

- 2018 Public Lecture, "Civil Rights in Black and Brown: Oral Histories of Liberation in Texas," *Willis Library Lecture Series*, University of North Texas, November 29
- Lecture, "Toward a Blue Texas: Community Organizing and Coalition-Building, Past, Present, and Future," *Plática*, **Center for Mexican American Studies, University of Texas, Austin**, March 28 (cancelled due to weather).
- Public lecture on *Blue Texas, Academic Festival X: American Identities in the 21<sup>st</sup> Century*, Cameron University, Lawton, Oklahoma, March 26.
- Invited lecture, "Civil Rights Unionism: The View from the International," *Organizing Agribusiness from Farm to Factory: Toward a New History of America's Most Ambitious Labor Union*, Porter Fortune Symposium, **University of Mississippi**, Oxford, March 1-3.
- 2017 Public lecture, "*Blue Texas: Back to the Future*," Center for the Study of the Southwest, Texas State University, San Marcos, October 25.
- Public lecture, "Rethinking Multiracial Coalition-Building: Lessons from Blue Texas" *Critical Orientations to Race and Ethnicity Workshop*, **Stanford University**, October 17.
- Public lecture on *Blue Texas*, Hispanic Heritage Month, Palo Alto College, San Antonio, October 4.
- Public lecture on *Blue Texas*, Tarrant County College Southeast, Arlington, Texas, April 20.
- Public lecture on *Blue Texas*, Center for the Study of Race and Democracy, **Lyndon B. Johnson School of Public Affairs, University of Texas, Austin**, March 28.
- Public lecture on *Blue Texas*, 50<sup>th</sup> Anniversary Exhibit Opening and Celebration of the Texas Labor Archives, Friends of the Library, University of Texas, Arlington, March 24.
- Public lecture on *Blue Texas*, Black History Month, Tarrant County College Trinity Campus, February 23.
- Public lecture, "The Community-Organizer-in-Chief: Obama's Promise and Many Legacies for Working People," *The Obama Legacy: Preliminary Perspectives Conference*, Texas State University – San Marcos, February 3.
- 2014 Public lecture: "Black/Latino/a Coalitions in the Long Struggles for Civil Rights," Hispanic Heritage Month Lecture, Mountain View College, Dallas, October 2.
- Public lecture, "Black and Brown at Work: Labor, Civil Rights, and the Texas Democratic Coalition, 1962-64," Clements Center for Southwest Studies, Southern Methodist University, Dallas, February 19.
- 2013 Invited Paper: "Black-Brown Coalitions in Houston: A Brief Overview," *The Past and Present of Race and Place in Houston, Texas*, **Rice University**, February 26.

### Conference Papers and Participation on Panels at Scholarly Meetings

- 2022 Max Krochmal and Cecilia Sánchez Hill, “Creating Spaces for Community-Engaged Research, Latinx Public History, and Political Transformation in Fort Worth, Texas, the 13th Biggest City in the U.S.,” *Western History Association*, San Antonio, October 14.
- Roundtable panelist, “Reflections on *No Separate Refuge* and the Work of Sarah Deutsch,” *Western History Association*, San Antonio, October 13.
- “Mexican American Labor and the Migrant Worker ‘Problem’ in Postwar Texas,” *Southern Labor Studies Association*, Chapel Hill, North Carolina, September 9.
- Plenary Chair, “Reflections on *Civil Rights Unionism: Tobacco Workers and the Struggle for Democracy in the Mid-Twentieth-Century South*,” *Southern Labor Studies Association*, Chapel Hill, North Carolina, September 9.
- “U.S. Chicana History and Migration Studies Across Borders,” Fulbright-García Robles Symposium, *Comisión México Estados Unidos para el Intercambio Educativo y Cultural* (COMEXUS), Mexico City, May 20.
- 2021 Roundtable panelist, “South by Southwest: Rethinking Southern History through New Narratives of Texas,” *Southern Historical Association* (solicited by program committee), New Orleans, November 4 (cancelled due to COVID).
- “The *Civil Rights in Black and Brown* Project,” for panel, “Latinx Public History: Taking Our History Out of the Shadows,” *Western History Association* (solicited by program committee), Portland, October 27-30 (postponed to San Antonio, 2022).
- “Latinx Fort Worth,” on roundtable panel, “Building Justice in the City: Latinx Urban History,” *Urban History Association*, Detroit, October 21-24 (twice cancelled due to COVID).
- Max Krochmal, David A. Colón, Gabriel S. Huddleston, Emily M. Farris, Cecilia Hill, Joseph Niedziela, and Santiago O. Piñón, “Designing a Latina/o Studies K–12 Social Studies Curriculum Overlay: An Interdisciplinary Approach.” *American Educational Research Association Annual Meeting, Division B—Curriculum Studies*, virtual, April 9.
- “Civil Rights in Black and Brown and Latino/a History in North Texas,” co-presenter with Katherine Bynum, on roundtable panel, “Taking Forgotten Latina/o/x History to the Public,” *American Historical Association*, Seattle, January 7-10 (cancelled due to COVID).
- 2020 Chair, “From the Consent of the Governed: The State of (In)Equality for Mexicans, Vietnamese, and the LGBT Community in Texas,” *Organization of American Historians*, Washington, D.C., April 3 (cancelled due to COVID).
- 2019 Roundtable panelist, “Latinxs in the “Nuevo” South: A State of the Field Conversation,” *American Studies Association*, Honolulu, November 7.
- Roundtable panelist, “Making the Case for Latino Political History,” *Western History Association*, Las Vegas, October 18.



“UCAPAWA and Immigration,” in “UCAPAWA/FTA: America’s Most Ambitious Civil Rights Union, Part 2: Toward a National Synthesis,” *Labor and Working-Class History Association*, Durham, North Carolina, June 1.

Roundtable panelist and panel organizer, “Black and Brown Spaces of Liberation in Postwar Cities: A State-of-the-Field,” *Organization of American Historians*, Philadelphia (unable to attend due to illness).

2018 Chair and panel organizer, “Labor and the University,” *Organization of American Historians*, Sacramento, April 14.

2017 Invited participant, author-meets-critics panel on *Blue Texas*, *East Texas Historical Association*, Galveston, October 14.

“Experiential Learning and Program Building in the Belly of the Beast,” in panel, “Teaching and Researching Black and Brown History in Contemporary Contexts,” *Pacific Coast Branch - American Historical Association*, Northridge, California, August 5.

Invited panelist, “Civil Rights in Black and Brown Oral History Project: A Digital Humanities Collaboration,” *Texas Library Association*, San Antonio, April 21.

Chair and presenter, “Writing Chicano History: Mario T. Garcia and Oral History,” *Organization of American Historians*, New Orleans, April 8.

Roundtable panelist, “*Civil Rights in Black and Brown* and Other Community-Engaged Public History Teaching and Service,” Labor and Working-Class History Association (LAWCHA) Luncheon, *Organization of American Historians*, New Orleans April 8.

Chair and presenter, “The Civil Rights in Black and Brown Oral History Project,” *Organization of American Historians*, New Orleans April 7.

2016 Chair and presenter, “The Civil Rights in Black and Brown Project,” *Oral History Association*, Long Beach, California, October 14.

“Blue Texas: The Making of a Multiracial Democratic Coalition in the Civil Rights Era [for Geographers],” *Race, Ethnicity, and Place*, Kent State University, Ohio, September 22.

“Dean Emeritus of Chicano Politics: Albert A. Peña of San Antonio,” *Organization of American Historians*, Providence, R.I., April 8.

“La Causa, the Chicano/a Movement, and Texas Politics in the 1960s,” *Texas Center for Working-Class Studies*, Collin College, Plano, March 31.

“Starr County Strike 50 Years Later: La Causa, the Chicano/a Movement, and Texas Politics in the 1960s,” *Texas State Historical Association*, Irving, March 4.

2015 “Civil Rights in Black and Brown: A First Look from the Field,” *Latinos, the Voting Rights Act, and Political Engagement Conference*, Austin, Texas, November 12.

Chair and Comment, “Unjust Laws and Practices: Organized Labor, Immigrant Rights, and the 1965 Immigration and Nationality Act along the U.S.-Mexico Border,” *Immigrant America: New Immigration and Immigration Histories from 1965 to 2015*, Immigration and Ethnic History

Society and the Immigration History Research Center, University of Minnesota, Minneapolis, October 24.

Chair and panelist, “Unwieldy Acronym, Ambitious Vision: UCAPAWA’s Farm to Factory Organizing in 1930s-1940s America,” *Labor and Working-Class History Association*, Georgetown University, Washington, DC, May 30.

Chair, “Citizenship, Health, and the Bracero Program,” *Labor and Working-Class History Association*, Georgetown University, Washington, DC, May 29.

Roundtable Participant, “Remembering Lawrence C. Goodwyn: Reflections on How to Study and Organize Around Class, Race, and Power,” *Labor and Working-Class History Association*, Georgetown University, Washington, DC, May 28.

Chair, “Student Works-in-Progress,” *Texas Center for Working-Class Studies Conference*, Collin College, Plano, Texas, April 10.

2014 Chair, “Race and Ethnic Issues,” *Race, Ethnicity, and Place (REP) VII*, Fort Worth, October 24. My students from the Justice Journey also presented on this panel.

Invited Panelist, “Civil Rights in Black and Brown,” *Scholarly Communication: A Changing Landscape*, conference sponsored by the TCU Library, October 23.

Panelist, “Voices of the Voting Rights Act in Texas” Roundtable, *Oral History Association*, Madison (Wisc.), October 11.

Chair, “Living Histories of the Madison Movement,” *Oral History Association*, Madison (Wisc.), October 10.

“Beyond Emma Tenayuca: The Pecan Sheller Strike and Multiracial Coalition-Building in Texas,” *Association for the Study of African American Life and History (ASALH)*, Memphis, September 26.

Chair, “Fighting for Economic Justice across the Color Line: Black-Latino Organizing Post-1965,” *Organization of American Historians*, Atlanta, April.

Chair and Commentator, “Civil Rights in Texas,” *Texas State Historical Association*, San Antonio, March 8.

2013 Chair & Commentator, “Reinventing the Past: Recovering Lost Communities and Challenging New Stories,” *Oral History Association*, Oklahoma City, October 11.

Invited Panelist, “State-of-the-Field: New Race Histories: Color Lines and Freedom Struggles,” *Organization of American Historians*, San Francisco, April 12.

Moderator, “Roundtable: Immigrant Rights and Resistance in the Nuevo South,” *Southern Labor Studies Association*, New Orleans, March 9.

Chair and Commentator, “Race, Labor, Politics, and the Transformation of Class Consciousness in the Lone Star State,” *Southern Labor Studies Association*, New Orleans, March 7.

- “Black and Brown at Work: Labor, Civil Rights, and the Texas Democratic Coalition of 1963,” *Dallas Area Social Historians*, January 25.
- 2012 “Democratic Coalitions: The Texas AFL-CIO, Civil Rights, and Electoral Politics,” *Texas State Historical Association*, Houston, March 1.
- Invited Conference Paper: “San Antonio Chicano Organizers (SACO): Labor Activists and *el Movimiento*,” *Chicano! A Conference on the Emerging Historiography of the Chicano Movement*, Department of Chicana/o Studies, University of California, Santa Barbara, February 18.
- 2011 Roundtable Presentation: “Working-Class Interracialism: Stories of Electoral Political Coalitions and Civil Rights Struggles from the Texas Labor Archives,” *Southern Labor Studies Association and Labor and Working-Class History Association Conference*, Atlanta, April 7.
- 2010 “Black Texans and the Struggle for Jobs and Freedom, 1945-1970,” *Southern Historical Association 76<sup>th</sup> Annual Meeting*, Charlotte, November 7.
- “Black and Brown Workers and the Struggle for Democracy in Texas, 1945-1965,” *Western History Association 50<sup>th</sup> Annual Meeting*, Incline Village, Nevada, October 14.
- “Black and Brown at Work: Chicano Labor Organizers, African American Civil Rights, and the Struggle for Democracy in San Antonio, 1956-1978,” *Southwest Labor Studies Association 36<sup>th</sup> Annual Conference*, Santa Cruz, California (UCSC Center for Labor Studies), May 8.
- 2009 “A ‘Faustian Pact?’ Mexican American Workers and Jim Crow in post-World War II Texas,” *Organization of American Historians Annual Meeting*, Seattle, March 27.
- 2007 Roundtable participant: “Labor Historians and Scholar-Activism,” in Concluding Session, *Working-Class Activism in the South and Nation: Contemporary Challenges in Historical Context*, Labor and Working-Class History Association and the Southern Labor Studies Association, Duke University, May 19.
- “‘For Democracy in the South’: Packinghouse Workers’ Civil Rights Unionism, 1952-1962,” *New Perspectives on the Black South*, University of North Carolina, Chapel Hill, February 23.

#### **Invited Lectures for K-12 Educators and Education Advocates**

- 2022 Invited lecture, “Chicanx History Crash Course,” Fulbright-García Robles Fellows Orientation (virtual), *Comisión México Estados Unidos para el Intercambio Educativo y Cultural (COMEXUS)*, August 24.
- 2021 Invited lecture, “Civil Rights in Black and Brown,” *Leadership ISD* Community Fellows, December 16 (virtual).
- Invited lecture, “Structural Racism and Liberation Struggles in Texas,” *Leadership ISD* Tarrant County Civic Voices Fellowship, September 18, Fort Worth.
- Invited lecture, “The Chicano Movement in Brief,” *Owning the New Normal: Social Studies Metroplex Virtual Conference*, Education Service Centers Regions 10 & 11, June 22.

- Invited lecture, "The Chicano Movement in Brief," *Multicultural Education Institute v. 4*, Fort Worth ISD, co-sponsored by TCU Comparative Race and Ethnic Studies, February 13-15.
- 2020 Invited lecture, "Mexican Americans in Texas," Education Service Center Region 11 and TCU Center for Texas Studies, Fort Worth, November 18.
- Invited lecture, "History of Race: Structural Racism and Liberation Struggles in Texas," Fort Worth ISD *Racial Equity Summit III*, November 13 (virtual).
- Invited lecture, "Structural Racism and Liberation Struggles in Texas," *Leadership ISD* Tarrant County Civic Leaders Fellowship, September 26 (virtual).
- Invited lecture, "The Hidden History of Black/Latinx Solidarity in Texas," *Racial Equity Summit III*, Division of Equity and Excellence, Fort Worth Independent School District, March 21 (cancelled).
- Conference organizer and lectures, "Migration and the Making of Latino/a Communities" and "The Chicano Movement in Brief," *Multicultural Education Institute v. 3*, Fort Worth ISD, TCU, February 1.
- 2019 Invited lecture, "Historical Context of Educational Inequality in Texas," *Leadership ISD* Tarrant County Civic Leaders Fellowship, North Side High School, Fort Worth, September 13.
- Invited lecture, "The Black and Latinx Civil Rights Movements in Texas," Fort Worth ISD and TCU Center for Texas Studies, Jean McClung Middle School, August 13.
- Invited lecture and workshop, "Securing African American Civil Rights in Texas," *Texas: From Republic to Mega-State*, Humanities Texas, University of Texas, San Antonio, June 26.
- Conference organizer and lectures, "Migration and the Making of Latino/a Communities," and "The Chicano Movement in Brief," *Latinx Studies Professional Development*, Fort Worth ISD, co-sponsored by TCU Comparative Race and Ethnic Studies, June 17-18.
- Invited lecture, "The Hidden History of Black/Latinx Solidarity in Texas," *Multicultural Education Institute v. 2*, Fort Worth ISD, co-sponsored by TCU Comparative Race and Ethnic Studies, February 2.
- 2018 Invited lecture, "Historical Context of Educational Inequality in Texas," *Leadership ISD* Tarrant County Civic Leaders Fellowship, Diamond Hill-Jarvis High School, Fort Worth, September 21.
- Invited lecture, "The Emergence of Jim Crow," *The Gilded Age: An Institute for Texas Teachers*, **Humanities Texas**, Southern Methodist University, Dallas, June 27.
- Invited lecture, "African Americans and Latinos/as in the 1920s and 30s," *America in the 1920s and 1930s: An Institute for Texas Teachers*, **Humanities Texas**, Lyndon B. Johnson Presidential Library, and College of Liberal Arts, University of Texas, Austin, June 12.

Keynote address, "Historical Context of Educational Inequality in Texas," *Racial Equity Summit*, Division of Equity and Excellence, Fort Worth Independent School District (co-sponsored by TCU Comparative Race and Ethnic Studies), March 24.

Keynote address, "Racial Equity in Education in Texas: Past, Present, and Future," Teacher Waiver Day, McLean 6<sup>th</sup> Grade Center, McLean Middle School, *Fort Worth Independent School District*, and TCU Center for Public Education, February 2.

Invited lecture, "The Civil Rights Movement in Texas," Education Service Center Region 20 and TCU Center for Texas Studies, San Antonio, January 20.

2017 Invited lecture, "Historical Context of Educational Inequality in Texas," *Fort Worth Independent School District Racial Equity Committee*, Fort Worth, December 5.

Invited talk on *Blue Texas, Leadership ISD* Harris County Civic Leaders Fellowship, Houston, October 13.

Invited lecture, "Historical Context of Educational Inequality in Texas," *Leadership ISD* Tarrant County Civic Leaders Fellowship, Dunbar High School, Fort Worth, September 22.

Invited lecture, "The Civil Rights Movement in Texas," Birdville ISD and TCU Center for Texas Studies, Haltom City, Texas, August 16.

Invited lecture, "The Civil Rights Movement in Texas," *Three Centuries of Texas History: An Institute for Texas Teachers*, **Humanities Texas** and University of North Texas, Denton, June 22.

Invited lecture, "Historical Foundations of Educational Inequality in Fort Worth and Texas," *Urban Policy Fellowship* training week, Fort Worth, June 16.

2016 Invited lecture, "Historical Context of Educational Inequality in Fort Worth," *Leadership ISD* Tarrant County Civic Leaders Fellowship, Lena Pope Center, Fort Worth, September 2.

Panel participant, *Teach for America Fort Worth Community Day*, training for incoming corps members, Uplift Mighty Preparatory School, Fort Worth, June 17.



# Teaching and Mentoring

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## Courses Taught

### University of New Orleans

HIST 4555/5555 – The Civil Rights Era  
HIST 6603 – Research in New Orleans History (spring 2023)  
JUST 7030 – Justice Studies Prospectus (fall 2023)

### Other Institutions

RI 6466X – Relaciones Internacionales México-Estados Unidos – “The Mexican American Experience,”  
Universidad Iberoamericana, Ciudad de México, 2022

CRES 30803 – TCU Justice Journey (cross-listed with HIST 30823/30833)  
CRES 40003 – Comparative Race and Ethnic Studies Capstone Seminar

HIST 10613 – U.S. History: A Survey Since 1877  
HIST 10703 – The African-American Experience Since 1619  
HIST 10713 – Multicultural America Survey  
HIST 10723 – History of Latinas/os in the United States (Fall 2022)  
HIST 30613 – History of Working People in America  
HIST 30803 – Recent U.S. Urban History: Race, Space, and Community Activism  
HIST 30813 – Oral History Field Research  
HIST 30823 – Latino/a Civil Rights Struggles, in combination with the *TCU Justice Journey*  
HIST 30833 – The Civil Rights Movement, in combination with the *TCU Justice Journey*  
HIST 49963 – History Major Seminar in U.S. History: Texas Labor Archives

HIST 70603 – Graduate Seminar: Emerging Historiography II, U.S. since 1865  
HIST 70603 – Graduate Seminar in U.S. History: Readings in Black and Latinx Civil Rights  
HIST 80603 – Research Seminar in U.S. History: 20th Century Race, Class, and Gender  
HIST 80603 – Research Seminar in U.S. History: Urban History  
HIST 80603 – Graduate Oral History Research Seminar

HNRS 20503-670 – Cultural Contact Zones: Oral History Field Research, Fall 2015  
Introduction to Oral History,” Center for Documentary Studies, Duke University, Spring 2011 (cross-listed in History).  
“The American West,” Department of History, North Carolina State University, Fall 2010.  
“Gateway Seminar: Social Movements,” Department of History, Duke University, Fall 2010.  
“Western U.S. History,” Department of History, Duke University, Summer Session Term I 2009.  
“Behind the Veil: Methods. African American Oral History and the Jim Crow South,” Center for Documentary Studies, Duke University, Spring 2009  
“Documenting and Engaging Movements for Social Change,” Duke University *DukeEngage* (experiential learning non-credit course taught in South Africa), Summer 2008, co-taught with William Chafe, Robert Korstad, and Rachel Seidman.

## Student Advising and Mentoring

### Current UNO M.A. Committee Membership

Jordan Hammon

Gracie Johnson  
Kristina M. Smith

Current TCU Ph.D. Advisees (as Primary Advisor / Chair)

Cecilia Sánchez Hill, entered Ph.D. program in fall 2018 (ABD)  
Justin Jolly, entered Ph.D. program in fall 2019 (preparing for exams)

Completed Doctoral Dissertations Directed (as Chair)

Moisés Acuña Gurrola, “Reform, Train, Rehabilitate: The History of Juvenile Incarceration in Texas, 1883 – 1979” (Texas Christian University, 2022). Dr. Acuña Gurrola is Assistant Professor of History, California State University, Bakersfield.  
Katherine Bynum, “Civil Rights in the ‘City of Hate’: Grassroots Organizing Against Police Brutality in Dallas, Texas, 1935-1990” (Texas Christian University, 2020). Dr. Bynum is Assistant Professor of History, Arizona State University.

Completed Master’s Degrees Directed (as Chair)

Briana Salas, 2022 (non-thesis examination)  
Brittany R. White, “*Jose Cisneros v. Corpus Christi Independent School District: Mexican Americans, African Americans, and the Failed Promise of the Desegregation of Schools*,” M.A. thesis, TCU, 2017. Winner of Distinguished Masters’ Thesis Award, TCU (campus-wide), awarded Spring 2018.  
Osmin Hernandez, “*Justicia for Santos!: Mexican American Civil Rights and the Santos Rodríguez Affair in Dallas, Texas, 1969-1978*,” M.A. thesis, TCU, 2016.  
Zachary Adams, “*‘American in Name, in Deed, in Truth, and in Fact’: The Multiple Meanings of Ethnic Mexican Citizenship in the United States from 1910 to 1930*,” M.A. thesis, TCU, 2012.

External Membership on Graduate Committees

Eladio Bobadilla, Ph.D., History, Duke University, 2019  
Emmet Gillespie, Ph.D., History, University of Sydney, Australia, 2019

TCU Graduate Committee Membership – Ph.D.s

Chelsea Stallings, History, TCU (in progress)  
Leah LaGrone Ochoa, History, 2021  
Tasha C. Ginn, Educational Leadership, Ed.D., TCU, 2021  
James Chase Sanchez, English (Rhetoric & Composition), TCU, 2017  
Meredith May, History, TCU, 2017  
Beth Hessel, History, TCU, 2015  
R. Jeff Wells, History, TCU, 2014  
Jensen Branscombe, History, TCU, 2013  
David Grua, History, TCU, 2013  
Joseph Stoltz, History, TCU, 2013

TCU Graduate Committee Membership – Master’s

Zsófia Hutvagner, History, TCU, 2020  
Katherine Kaitcer, History, TCU, 2020  
Janelle Montgomery, Art History, College of Fine Arts, TCU, 2017  
Nicholas Vail, History, TCU, 2016  
Joseph Schiller, History, TCU, 2016  
Richard A. Thomas, Master’s in Theology, Brite Divinity School, 2015  
Chloe Anderson, Curriculum Studies, College of Education, TCU, 2014

Jonathan Jones, History, TCU, 2013  
Scarlet Jernigan, History, TCU, 2012  
Meredith May, History, TCU, 2012  
Teresa Powers Stephenson, Curriculum Studies, College of Education, TCU, 2012

#### Undergraduate Students and Research Projects

Instructor, CRES Capstone Seminar, fall 2019  
Advisor for Comparative Race and Ethnic Studies (CRES) Major, Minor, and Emphasis students, since spring 2017  
Advised 9 undergraduate students as they completed research and websites for the *Texas Communities Oral History Project* and presented their three small-group projects at a community dinner on December 9, 2015. More than 75 people attended.  
Advised 7 History majors in completing independent research projects for the History Major Seminar. Under my supervision, all 7 students presented at the *Texas Center for Working-Class Studies* conference, Collin College, April 10, 2015.  
Provided ongoing mentoring and career/graduate school placement assistance for Adam Powell and Andrew Pennison, two history majors, and Abel Perez-Arita and Samantha Koehler, students in HIST 40873, 2015-2016.  
Provided mentoring for Kortnie Maxoutopolis and Kenneth Lott, two of my students in HIST 40873 (May 2014), as they prepared a presentation for the *Race, Ethnicity, and Place* conference.  
Provide informal advising for TCU undergraduates and recent graduates, including Caleigh Prewitt, Miles Davison, Wynton Brown, Janette Quezada, Pearce Edwards, Dillon White, Melissa Morales, and Jonathan Davis.  
Advisor for undergraduate research paper: Risa Isard, "The ALFA Female: Sexuality & Separatism, Coalition Building & Counterculture in the Atlanta Lesbian Feminist Alliance," Duke University, winner of Chester P. Middlesworth Award, David M. Rubenstein Rare Books and Manuscripts Library, Duke University, 2010-2011.

#### **Grants Received for Teaching**

Instructional Development Grant (second author to Dr. Emily Farris), TCU, 2016-2017, \$3,600, for "TCU Justice Journey: Latino/a Civil Rights Struggles."  
Creativity and Innovation in Learning Grant Program, AddRan College of Liberal Arts, TCU, 2015-16, \$2,500, for "African American Studies and Critical Race and Ethnic Studies."  
Faculty Service-Learning Grant, Center for Community Involvement and Service-Learning, TCU, 2012-2013, \$1,000.  
Faculty Service-Learning Grant, Center for Community Involvement and Service-Learning, TCU, 2011-2012, \$1,000. *Declined.*

## Service

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### Service to the Profession & Memberships

*See also, "Editing, Consulting, & Peer Reviews," above*

#### Tenure and Promotion Reviews

Texas A&M International University

SUNY – Stony Brook

Ithaca College

#### Organization of American Historians

OAH Distinguished Lecturer, 2021-

Liberty Legacy Foundation Award Committee, 2023-24

Committee on Committees, 2020-2022

Program Committee, 2021 Annual Meeting, Chicago (held virtually) / organized three sessions, including one featuring local community organizers

Candidate for Nominating Board, 2019 (not elected)

Liaison to LAWCHA, 2016-2019

#### Labor and Working-Class History Association (LAWCHA)

Editorial board of *LABOR: Studies in Working-Class History*, 2018-present

Program Committee & Liaison to Organization of American Historians, 2016-2020 / organized six sessions for 2020 OAH, two for 2019; five for 2018; two for 2017

Board of Directors, 2013-2017

Membership Committee and Texas State Organizer, 2014-2017

Program Committee, Conference at Georgetown University, May 2015

Social Media Committee, 2013-2016

Chair, Graduate Student Committee 2009-2011

Executive Secretary, 2006-2007

#### Oral History Association

Stetson Kennedy Vox Populi Award Committee, 2016-present

Diversity Committee, 2013-2016

Program Committee, 2013 Annual Meeting, Oklahoma City

Scholarships Committee, 2013

### Southern Labor Studies Association

**President, 2022-24**

Vice-President, 2021-22

Robert H. Zieger Essay Prize Committee, 2014-present

Graduate Student Workshop reviewer, 2020

Member of Executive Board, 2012-2014

Program Committee, 2013 Biennial Meeting, New Orleans

Communications Committee, 2011-2014 (developed website)

Graduate Committee Chair & Executive Board, 2009-2011

#### Texas State Historical Association

Coral Horton Tullis Memorial Prize Committee, 2018 and 2019

Organized panel for 2016 Annual Meeting, Irving

Program Committee, 2015 Annual Meeting, Corpus Christi

#### African American Intellectual History Society

American Historical Association / Pacific Coast Branch

#### American Studies Association

Association for the Study of African American Life and History (ASALH)

Charter Member, Dallas-Fort Worth Branch

#### Southern Historical Association

Texas Oral History Association  
Western History Association

### **Service to UNO**

#### Service to the Department of History

Graduate Faculty, 2022-

#### College Service

Director, Ph.D. in Justice Studies, 2022-  
COLAEHD Administrative Group (Chair's & Directors), 2022-  
Retention, Tenure, and Promotion Committee, 2022-

#### University Service

Fulbright U.S. Student Scholars Interview Panel, Fall 2022  
Advisory Committee, School of Interdisciplinary Studies, 2022-

### **Service to TCU (2011-2022)**

#### Service to the Department of History

Advisory Committee, 2021-2022  
Chair, African American History Search Committee, 2019-2020  
Graduate Committee, 2015-2019, 2020-2021  
Diversity Committee, 2017-2018  
Modern Mexico Search Committee, 2017-2018  
Borderlands History Search Committee, 2015-2016  
Dissertation Fellowship Committee, 2015  
Benjamin Schmidt Professorship in War, Conflict, and Society Search Committee, 2014-2015  
Ad Hoc Committee on the Portfolio System for Admission to Ph.D. Candidacy, 2012-2013  
Observation of graduate student instructors, 2012-2013

#### College Service

Dean's Leadership Council, School of Interdisciplinary Studies, Spring 2019-2020  
Academic / Curriculum Committee, School of Interdisciplinary Studies, Spring 2019-2020  
Administrative Fellow, Office of the Dean, AddRan College of Liberal Arts, TCU, 2016-2017  
Faculty Committee, TCU Center for Urban Studies, 2014-present  
Founder and Coordinator, Annual TCU Cesar Chavez Day Celebration, 2015-present  
---Keynote Address by John Morán Gonzalez, April 9, 2018  
---"TCU Justice Journey Student Presentations," March 29, 2017  
---*Viva Mi Historia* and *Latino Fort Worth*, March 30, 2016, in partnership with the City of Fort Worth  
---Keynote Address by Jose Angel Gutierrez, TCU, April 1, 2015  
Planning Committee for *Race, Ethnicity, and Place VII*, inter-disciplinary conference hosted by TCU's AddRan College of Liberal Arts, Fort Worth, October 2014.

#### University Service

Founding Director/Chair, Department of Comparative Race and Ethnic Studies, 2015-2020 (elevated to departmental status and housed in School of Interdisciplinary Studies, 2018-2020)  
Panelist, *Selma: Movie Screening & Discussion*, Common Reading and Schieffer College, Fall 2021  
Faculty Appeal Hearing Committee (Promotion), Fall 2021



Peer reviewer, Race Relations Initiative Draft Report, Spring 2021.  
Faculty Advisory Board, Ronald E. McNair Post-Baccalaureate Achievement Program, starting spring 2020  
Diversity, Equity, and Inclusiveness (DEI) Committee, 2016-2019  
Selection Committee, inaugural Associate Vice-Provost and Dean, School of Interdisciplinary Studies, 2018.  
Interdisciplinary Studies Task Force, 2017-2018  
DEI Sub-Committee on Faculty and Staff Recruitment and Retention, 2016-2019  
DEI Sub-Committee on Curriculum, 2017-2019  
DEI Sub-Committee on Bias Response Team, 2016-2017  
Ad Hoc Committee on Status of Research, 2016-2018  
Instructional Development Grant Committee, 2014-2017  
Faculty Senate, 2014-2017  
Faculty Relations Committee, 2014-2017  
TCU Diversity Commission, 2015-2016, and co-chair of its Curriculum Committee  
Honors College Lecturer Search Committee, Spring 2016  
Featured in TCU “Dreamers, Doers, and Trailblazers” marketing campaign, 2015-2016  
Planned campus visit of Heather Ann Thompson, sponsored by Honors College, April 2015.  
Honors College Thesis Preparation Course Curriculum Committee, 2015 (spring and fall)  
Search Committees, Associate Director, Center for Community Involvement and Service Learning, Division of Student Affairs, Fall 2012 (failed) and Spring-Summer 2013 (successful).  
Faculty participant / interviewer in Search for Director, TCU Leadership Center, Student Development Services, Division of Student Affairs, August 2012.  
Diversity Commission, Division of Student Affairs, 2011-2012  
Service-Learning Quality Enhancement Plan Proposal Committee, 2011-2012

### **Community Service & Consulting**

United Fort Worth (grassroots immigrant rights, decarceration / criminal justice reform, and civic empowerment organization), active since founding, 2017-2022  
Tarrant 4 Change, Founding Board Member, 2022  
Fort Worth Independent School District Racial Equity Committee, 2016-2021 (co-chair, 2017-21).  
Advisory Council, Fund to Advance Racial Equity, North Texas Community Foundation, 2020-2022  
Historians of Latino Americans (HOLA) Tarrant County, founding member, 2019-2022  
Cesar Chavez Committee of Tarrant County, 2013-2022  
Board of Directors, People’s History in Texas, Inc., Austin, 2013-present  
Tarrant County Black Historical & Genealogical Society, member, 2012-2022  
Department of Diversity & Inclusion (previously Human Relations Unit), City of Fort Worth, consultant and researcher, panelist for *Movies that Matter* film screenings, 2013-2022  
National Association for the Advancement of Colored People, member, 2011-present

### **Previous Professional Experience**

Graduate Student Instructor and Adjunct Professor, Center for Documentary Studies and Department of History, Duke University, 2009-2011 (four courses as instructor of record)  
Lecturer, North Carolina State University, Raleigh, 2010 (one course)  
On-the-Ground Coordinator, “Documenting and Engaging Movements for Social Change,” *DukeEngage* program in South Africa, Duke University, 2010  
Research Associate, *Behind the Veil: Documenting African American Life in the Jim Crow South*, Center for Documentary Studies, Duke University, 2007-2010  
Labor and Working-Class History Association (LAWCHA), Executive Secretary, 2006-2007  
Political Action Organizer, Service Employees International Union (SEIU) Research Department (contracted through Prewitt Organizing Fund), 2006

Worksite Organizer, SEIU Local 715 (now 521), San Jose, California, 2004-2005

Organizer, SEIU Local 250 (now UHW), Oakland, San Jose, and Salinas, California, 2003

Organizing Intern, SEIU Local 415 (now 521), Santa Cruz, California, 2003

Intern / Researcher, *Federación Nacional de Campeños e Indígenas Libres del Ecuador* (Ecuadorian Banana Workers' Union *FENACLE*), Guayaquil, Ecuador, 2002

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**Appendix B - Table summarizing several facets of redistricting process used by County Commissioners Court.**

<u>Year</u>	<u>Adopted Criteria?</u>	<u>Adopted Timeline?</u>	<u>Held Public Hearings?</u>	<u>Vote</u>	<u>Attorney General's Response</u>
1981	Unknown	Unknown	One, held after maps were created outside public meetings and held immediately before vote	5-0	No objection
1991	Yes	Yes	Three, one at Courthouse, two at College of the Mainland	4-0 on CC (Holbrook note voting) 4-1 on JP (Johnson opposed)	No objection Objected, then court ordered settlement
2001	Yes	Yes	Four, in League City, Santa Fe, College of Mainland, and Courthouse	4-1 on CC (Clark opposed) 5-0 on JP	No objection No objection
2011	No	Yes, but delayed and rushed	Five, in League City, Santa Fe, Crystal Beach, TX City, Courthouse	3-2 (Holmes and Doyle opposed)	Objection, followed by settlement #2 approved by 3-2 vote
2013	No	No	None	4-1 (Holmes opposed)	
2021	No	No	None; only public comment held at time of vote, at auxiliary courthouse in League City	4-1 (Holmes opposed)	