

# Talking Points for Testimony on House Map

**Where Things Currently Stand:** Over the past two weeks, the Texas Legislature has released district map proposals for the Senate, state House, and Congress. All 3 map proposals would take away representation for communities of color, and the maps have been getting progressively worse. The newly released House map proposal would reduce the number of districts in which communities of color could elect candidates of choice by six (6), possibly more. We need to start calling this what it is: **intentional discrimination.**

- The proposed House map bears all the hallmarks of intentional racial discrimination.
- The House map proposal reduces the strength of numerous districts that are currently electing candidates of choice. Under the new proposal, the map adds six more districts where white residents make up the majority of eligible voters while the number of Hispanic and Black districts would each drop by three (3).
- Even without the preclearance provision of the Voting Rights Act being in place, Texas must still abide by Section 2 of the Voting Rights Act and the Fourteenth Amendment.
- According to the 2020 Census, 95% of population growth in Texas came from communities of color in suburban and urban communities. The proposed map does not reflect this fact.
- Texas is one of the most diverse states in the nation. It is not appropriate to draw maps “color-blind”. Racial data **must** be taken into consideration when drawing districts that uphold the Voting Rights Act.
- Unfortunately, the State of Texas has a very long history of discriminating against voters of color in their district maps. The State has violated the Voting Rights Act or intentionally discriminated against voters of color in every decade for the past 50 years. Therefore, it is not appropriate to draw maps “color-blind”. Racial data **must** be taken into consideration when drawing districts that uphold the Voting Rights Act.
- We would also like to respectfully remind the Committee of Judge Rodriguez’s remarks during the Section 3 bail-in hearing held recently in 2019, when he asked if the Texas Attorney General’s office could guarantee that lawmakers would not repeat abuses the court had criticized in the 2011 redistricting effort. Judge Rodriguez warned, “*that, given the record produced in 2011, the State must implement a process that, by any reasonable definition, is ‘fair and open’.*”

The Court further stated:

*“Even without being subject to preclearance, Texas must still comply with the requirements of the Fourteenth Amendment and Section 2 of the VRA in the upcoming redistricting cycle, and undoubtedly its plans will be subject to judicial scrutiny. Texas would be well advised to conduct its redistricting process openly, with the understanding that consideration of bail-in is always an option for whatever federal court or courts may be tasked with review of future legislative actions”.*

- **Again, Texas lawmakers have failed to provide Texans with an open, fair, and transparent process that affords time for proper deliberation and community input.** The House map proposal was released a mere four (4) days before the hearing, making it extremely difficult for the public to notify their communities about the maps, let alone determine their potential impact.
- **Unfortunately, the first hearing on the State House map proposal is being held at the exact same time that the Senate is holding a hearing for amendments on the Congressional map proposal.**
- We are simply asking for a written explanation of how communities of color will be able to elect representatives of their choice. We respectfully request that such an explanation be provided in advance of any future public hearings, so the public can comment, and certainly before any committee vote.
- If the committee believes these maps are good faith proposals that meet its constitutional duty to protect communities of color, then it should be able to provide written explanations showing the demographic and statistical basis for its reasoning. We also request that the legislators involved in drawing of the maps waive their attorney-client privilege with the Attorney General’s office. The public is owed a full explanation of the thought-process that went into making the maps.