Q. Did Senator Zaffirini review your amendments before she offered them?

A. I don't know.

Q. How did you provide them to her?

A. I don't recall. I don't recall whether those were hand carried to her office by a member of my staff or whether I brought proposed amendments to the committee hearing and provided them to her. I just -- I don't recall.

Q. And how many amendments did you ask Senator Zaffirini to carry?

A. Two.

Q. And can you describe those amendments for me, please?

A. Yes. I don't recall them by number, but one was a map that created a Tarrant County--only Senate District 10, which preserved the existing minority coalition and strengthened it by adding minority growth in Arlington. The other was a map that we presented to demonstrate that there was an opportunity to create a majority-minority citizen voting age population district in North Texas, and it was one which was a Tarrant
County-based district but also had a small portion of Dallas County in it.

Q. Okay. Did you send copies of these amendments to the Senate Redistricting Committee directly through Doug Davis or Senator Seliger?

A. I believe so, yes.
Q. Do you recall ever discussing these amendments with anybody from the Redistricting Committee?
A. Yes. When we introduced -- when they were introduced in the Redistricting Committee itself, they were laid out by Senator Zaffirini with talking points that I had asked her to include to describe the districts. Because I was not provided the opportunity to introduce them myself, I had to ask her to make comments about their introduction and why we believed that they should be considered.

Q. So whatever comments she made about these two amendments, you had actually written out talking points
for her?

A. I asked her to consider talking points that I prepared, yes.

Q. Okay. Did you have a preference as to which
amendment you would rather be -- have included in the
proposed map?
   A. I believed that a map that kept Tarrant County
 intact was a -- was a good map, a preferred map.
   Q. Okay. So earlier when you described -- that
 would have been the first amendment that you described
 here today, which is the one that was created in Tarrant
 County?
   A. Correct.
   Q. Okay. Why did you prefer that amendment as
 opposed to the other one?
   A. Because I felt it was important to keep the
district wholly contained within one county.
   Q. Okay. Now, the proposed remedial plan that you
 are offering in this litigation, which amendment is more
 similar to the plan S-156?
   A. When you say this litigation, are you referring
 to the Senate -- the Section 2 litigation?
   Q. Yes, ma'am.
   A. It is more similar to the second map that I
 described.
   Q. Okay. And why are you offering S-156, which is
 similar to the second amendment, as opposed to the first
 amendment which you prefer?
   A. It's my understanding that Section 2 looks at
citizen voting age population and the ability to create
a majority citizen voting age population in the minority
community, and the second of those two maps achieves
that goal under Section 2.

Q. Okay. Do you know of any other amendments that
were offered in the committee hearing?
A. I believe that Senator Zaffirini offered
amendments for her own district. I believe that Senator
Watson offered amendments for his district.
Q. Were Senator Zaffirini's amendments adopted in
any form?

A. During the committee hearing process, I do not believe so. But on the Senate floor, I believe that a map that she and Senator Watson had worked out was agreed to and was adopted. I believe that was the only change that was made to the Senate district map as it was proposed.

Q. And what happened to your amendments at the committee hearing?

A. They were ruled against by the majority of the members on the committee, or voted against, I guess is a better way to say that.

Q. Now, do you recall when the bill was debated on the Senate floor?

A. Yes.
A. Tuesday, May 17th, was the date that I introduced the amendment on the Senate floor.

Q. So when the Senate debated the proposed map on the House floor, you again offered both amendments on the House floor; is that correct?

A. On the Senate floor, correct.

Q. I'm sorry. I mean on the Senate floor. And prior to that, had you tried to persuade other members of the Senate to support your amendment?

A. Yes. Other members did support my amendment.

Q. Okay. But I'm talking about members who were not Democrats. Did you attempt to persuade any members who represented the majority, the majority party in the Senate?
A. No, because I knew it was fruitless.

You know, let me -- let me answer that differently. Yes. I went to the committee hearing on May the 10th, and the committee hearing is made up Republicans and Democrats, the members of the Redistricting Committee.

Q. Okay. I'm sorry. You're talking about a hearing that occurred on May 10th?

A. Correct. Or May 11th. May 12th. I'm sorry.

May 12th.

Q. Okay. May 12th.

A. On May the 12th, and I spoke passionately about why I thought the map should be changed. I cried. I tried to impose upon the members of that committee to understand the impact that this decision was going to have on the lives of very real people, not on me, and I hoped that I could appeal to their sense of care and concern for the members of this minority community.

And in spite of the fact that I was making a very personal and emotional plea, the members wouldn't even make eye contact with me from the senate redistricting table, the committee table. I knew it was fruitless to try to have further conversations with members of the Republican Senate about making this change, because I knew that they had no intention of
listening to any concerns that I, or other members of
Senate District 10, expressed with regard to our
unhappiness with that plan.

Q. Well, since being elected, Senator, have you
authored or sponsored bills during the regular
legislative session?

A. Yes.

Q. And tell me how you go about assessing whether
your bill has the votes to pass.

A. If it's a controversial bill, typically, we
walk the floor and ask members how they intend to vote.

Q. And that would include Democrats and
Republicans?

A. Correct.

Q. Okay. And have there been times when you knew
a particular member was not going to like a bill that
you were trying to pass and would not vote for it under
any circumstances?

A. Of course.
Q. And so how did you treat those members who you knew you could not persuade to vote in favor of your bill?

A. No. I knew it was absolutely a lost cause.
Q. (By MS. JORDAN) So let's talk about -- well, going back to the floor debate, did Senator Uresti offer an amendment on the floor to the redistricting plan?

A. I don't recall. He very well may have, because the change that was being made for -- between Senator Zaffirini and Senator Watson was also one that impacted Senator Uresti, the lines had to move in each of those areas. So he may have introduced an amendment relating to accommodating that agreement between the three of them.

Q. And do you recall whether that amendment was adopted?

A. As I said, I think the only amendment that was
adopted was one that helped satisfy the concerns between those three members. I don't recall who introduced it.

(Exhibit 13 marked for identification.)

Q. (By MS. JORDAN) Exhibit 13 is an overlay of the plan that was offered as an amendment during the legislative session which was called Alonzo in District Viewer. I mean, I'm sorry. It was called Plan S-139, Representative Alonzo (W. Davis) DFW 1 Amendment. And then it's overlaid with the plan that you are offering in this case as 156.

Now, can you tell me the differences between the amendment that was offered during the redistricting process -- I mean, during the legislative session and the map that you are offering in this case?

A. I'm having a hard time deciphering the overlay.

Q. Okay. According to the legend --

A. Is Plan 139 the one that was introduced during the legislative session and Plan 156 the one that was filed as part of this litigation?

Q. Yes, ma'am.

MR. HEBERT: Yes.
Q. (By MS. JORDAN) Uh-huh. So is it fair to say that the S-156 plan cuts off the arms in Dallas County?

A. Well, what -- what I can tell you about the S-156 plan, of course, the plan that we introduced in the legislative session, we had very little time to create. What we attempted to do in 156 was to make the district one that would create a majority-minority citizen voting age population district that was as compact as possible.

So to the extent that you see changes between the one that was introduced in the Senate and the one that we filed as part of this litigation, the changes were primarily motivated by the desire to make it as compact as possible.
Poll Shows Kim Brimer Prime for Upset

Lone Star Project poll and research show Kim Brimer unknown, vulnerable

A recent Lone Star Project poll reveals that Republican State Senator Kim Brimer has squandered almost 20 years in public office to remain largely unknown in his own backyard. With little to show for his time in Austin other than negative press accounts detailing questionable ethics, Brimer is clearly vulnerable to an adequately funded mainstream challenger. Without question, Tarrant County activists currently considering a challenge to Brimer are on solid ground (see story here).

The Lone Star Project commissioned the respected polling firm Opinion Analysts to conduct a survey of Texas Senate District 10 to help determine the viability of a challenge to incumbent Republican State Senator Kim Brimer. (see methodology below). The poll confirms earlier Lone Star Project vote analysis indicating underlying strength for a Democratic challenger and surprising weakness by the incumbent Brimer.

Poll Exposes Brimer Vulnerability

Despite holding public office in Tarrant County since 1988, first as a member of the State House and now as Senator from SD10, Kim Brimer is largely unknown within his own district. Less than 20 percent of those surveyed give Brimer a “favorable” rating and nearly 50 percent know so little about Brimer that they cannot rate him at all, which is extraordinary for a 20 year office holder.

In addition, other prominent Republican office holders have surprisingly low approval and/or performance ratings for a district previously considered safe for a Republican incumbent. Finally, Brimer’s own questionable ethics leave him particularly vulnerable to a mainstream Democrat who can build a coalition of Democratic partisans, independents and some “soft” Republicans.
**Kim Who?**

When asked their opinion of Kim Brimer, nearly 50 percent of those surveyed had never heard of him. Another 25 percent had a only neutral opinion. Incredibly, after more then nearly 20 years as a Tarrant County office holder, 75 percent of voters surveyed know so little about Kim Brimer that they had no strong opinion at all.

**Surprisingly Low Re-Elect Numbers**

When asked: "Would you like to see Kim Brimer re-elected as your State Senator, or would you prefer to see someone else in his place?" only 27.4 percent of SD 10 voters surveyed said they want to see Brimer Re-elected.

**Job "Dis" Approval Ratings**

Less than 25 percent of survey respondents give Brimer an "Excellent" or "Good" rating, while over 75 percent rate him "Only Fair", "Poor" or "Don't Know."

**No Coat-tails**

For more than a decade, "down ballot" Republican candidates in Texas have enjoyed a boost from George W. Bush and other "top of the ticket" GOP candidates. The survey indicates, however, that in SD10 "top of the ticket" Texan John Cornyn carries the same low approval ratings that have appeared in statewide surveys and, perhaps more telling, George W. Bush has a higher job "disapproval" than "approval." Just 31.6% of the voters surveyed have a favorable opinion of Senator John Cornyn and 46.5% disapprove of the job George W. Bush is doing as President.
Brimer – Chairman of Corrupt Caucus

Kim Brimer's ethical problems have been well publicized. Most notably, Brimer pioneered the sleazy practice of using special interest campaign contributions to make mortgage payments disguised as "rent" on a second home kept in the name of a spouse. Brimer used the scheme to funnel over $200,000 to his wife to pay for a second home in Austin. When survey respondents were asked if this activity would affect their level of support, 80% said it made them less likely to vote for Brimer. What's more, Brimer encouraged other elected officials to engage in this same unethical behavior. (Fort Worth Star-Telegram, February 22, 2007)

Kim Brimer "rent to own" Scheme

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(Source: LSP Poll, SD10 General Election Survey - May, 2007)

Comments from Lone Star Project Director, Matt Angle, on recent LSP Senate District 10 Poll and Kim Brimer:

- "Kim Brimer's record is short on substance, long on scandal, and his best days are behind him. There is every reason for District 10 voters to want a change."
- "A lazy incumbent with questionable ethics in a year when voters are looking for change could equal big trouble for Kim Brimer."
- "Anytime an incumbent's favorable rating is below 50 percent and their re-elect numbers are below 40 percent, they are in trouble. For a 20 year incumbent like Kim Brimer, it might be fatal."
- "Brimer's numbers are very low. John Cornyn's numbers are very low. Even George W. Bush's numbers are low. This poll is clear evidence that Kim Brimer has failed to build a base of support within SD10, and he cannot rely on other Republicans to bail him out."

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LONE STAR PROJECT
Fighting Back... with Facts

(202) 547-7610 - Fax (202) 547-8258
January 23, 2008
Contact: Matt Angle
On the web at http://www.lonestarproject.net/

Breaking News

Texas Court of Appeals Rejects Brimer Ballot Challenge
Kim Brimer's legal maneuver backfires

What Happened?
Today, the Texas 2nd District Court of Appeals in Fort Worth rejected an effort by allies of State Senator Kim Brimer to remove former Fort Worth City Councilwoman, Wendy Davis as his Democratic opponent in November. For several weeks, Brimer has been engaged in a frantic scramble of administrative and legal maneuvers to avoid facing Davis and allowing Senate District 10 voters a choice next November.

The merits of the case clearly favor Wendy Davis who, in keeping with State Law, resigned her post on the Fort Worth City Council in order to seek the Senate District 10 seat (See Lone Star Project Report and copy of Democratic Party brief here). Ironically, however, Kim Brimer’s sneaky tactical maneuver whereby he sought to hide his personal involvement in the case by enlisting surrogates to file the complaint on his behalf, gave the Court an easy avenue to deny the claim. Brimer’s "hide and watch" strategy backfired when the Court threw out the case ruling that Brimer surrogates do not have standing and that only Brimer himself can make a legal challenge of this type.

What’s Next?
The facts and the law favor Davis, and the Court has plainly ruled that the Brimer surrogates do not have standing. An honest next move by Kim Brimer would be to halt the legal challenge and begin preparing for a tough race against Wendy Davis. Given Brimer’s panicky response to the prospect of competitive elections, he may take the complaint to the Texas Supreme Court. The legal odds are stacked heavily against him, but Kim Brimer has appeared willing to go to virtually any length to avoid a competitive re-election contest against the popular and highly competent Wendy Davis.
Comments from Lone Star Project Director Matt Angle

Kim Brimer has spent 20 years running scams like using campaign money to buy a second home. This legal scam to block voters from deciding who should serve them in the Senate is shameful and should stop.

The Court pulled Kim Brimer out from behind his surrogate skirts. Now the legal games need to stop. Brimer should respect the rights of voters to decide for themselves.

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Democrats urge Fort Worth senator to forfeit $357,000
By JAY ROOT
Star-Telegram Staff Writer

AUSTIN -- Democrats are calling on state Sen. Kim Brimer, R-Fort Worth, to relinquish more
than $300,000 from his campaign account after the sale of a luxury condo he once rented in
Austin -- with donated political money -- from his wife.

For years, Brimer used a legal loophole to rent the property from his wife, Janna.

Because it was considered her separate property, the senator said the arrangement did not run
aftoul of laws that bar lawmakers from using campaign funds to buy real estate or second homes
in Austin.

But in 2007, the Legislature closed the loophole, which others had used, including Sen. Jane
an undisclosed sum in 2007.

Now a Democratic activist group says the longtime senator didn't take enough steps to separate
himself from the property and should not enjoy the profits from it.

"We respectfully call on you to surrender from you considerable wealth funds in the amount of at
least $357,000," said Matt Angle, head of the Lone Star Project, a Democratic-aligned group
devoted to challenging Republican politicians in Texas.

The group says it calculated the amount using appraisal figures and campaign records. Angle
suggested that Brimer give the money to charity.

The Brimer campaign did not address the contents of the letter but, through spokesman Jarod
Cox, accused Angle of working as a consultant for the senator's opponent, Democrat Wendy
Davis, and of improperly using his federal political action committee on her behalf.

Angle said he doesn't work for Davis and hasn't coordinated his activities with her campaign.
Cox later said he had no proof that Angle worked for Davis.

The so-called rent-to-own issue dates to the early 1990s, when the Legislature banned
lawmakers from buying real estate with campaign funds after it was disclosed that Sen. John
Montford, D-Lubbock, was making payments to buy a house with money donated by lobbyists and wealthy contributors.

Brimer, then a House member, found a loophole in 1996: "separate" spousal property.

Others followed his lead, and soon legislators were using the loophole to justify spousal rent payments. After the Star-Telegram and other news outlets exposed the practice, the Legislature wiped out the loophole — but didn't entirely end the issue.

Former Rep. Toby Goodman, R-Arlington, was recently fined $10,000 by the Texas Ethics Commission for allegedly violating the law as it existed before the loophole was closed.

Criticism over the campaign-paid housing issue was considered a major factor in his 2006 defeat.

Goodman has said he's done nothing wrong and plans to appeal the fine, which represents a civil violation and carries no criminal penalty.

In his letter to Brimer, Angle cited the Goodman case, which centered in part on the degree to which a spouse's property had to be separated from the lawmaker to qualify for the loophole.

Like Goodman, Brimer helped secure the loan for the property he later rented from his spouse, documents show.

Although the loophole has been closed, the Ethics Commission can take action on past behavior, officials said.

Jay Root reports from the Star-Telegram's Austin bureau. 512-476-4294
jroot@star-telegram.com

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RECENT POLLING CONFIRMS DAVIS POISED TO DEFEAT BRIMER IN NOVEMBER

New data confirms earlier polling, which showed long-time incumbent Kim Brimer on the ropes

Fort Worth – Wendy Davis, candidate for State Senate District 10, released today the results of a poll conducted for her campaign that verified that her record of leadership has positioned her for success this November. The poll revealed evidence that the failed record of her opponent, Senator Kim Brimer, has left voters displeased with his lack of representation and exhibiting an overwhelming desire for change. Confirming the results and showing a widening trend of an earlier poll conducted by the Lone Star Project in May of 2007 (attached), and turnout data from the March 4th, 2008 primary (below), the new data makes clear that Wendy Davis is extremely well-positioned to defeat Kim Brimer in November.

Among the May 2008 poll’s most salient findings:

- When respondents were asked “If the general election were held today, for whom would you vote?” - without hearing any information, positive or negative, about the candidates – 20-year Republican incumbent Kim Brimer starts the race in a statistical dead heat with challenger Wendy Davis (39% to 35%).

- Only 41% of the electorate can identify Kim Brimer, a shockingly low number for an incumbent of 20 years. (The Lone Star Project poll had Brimer’s recognition at just 49.7% when identifying him as State Senator Kim Brimer.)

- Only 25% of voters say that Brimer deserves to be reelected, while 42% believe it’s time to elect someone new. (This corresponds to the Lone Star Project poll, which found that only 27.4% of voters surveyed wanted to see Brimer reelected.)

The poll was conducted by Bennett, Petts & Normington (BPN), a respected national polling firm, with a sample size of 400 likely voters in Texas’s 10th State Senate District. The poll had a margin of error of 4.9%. BPN conducted polling for Paula Hightower Pierson in her successful bid against State Representative Toby Goodman in 2006 and for Dan Barrett’s special election win in House District 97 last fall.

This poll also echoes the March primary results, when twice as many Democrats as Republicans turned out to vote. Looking specifically at this race, only 33,543 Republicans voted for Kim Brimer, while 62,574 Democrats voted for Wendy Davis. Both candidates were uncontested in their primaries.

www.wendydavisonforsenate.com
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(202) 547-7610 - Fax (202) 547-8258
July 3, 2008
Contact: Matt Angle
On the web at LoneStarProject.net

Kim Brimer's Cowardly Holiday Scam
Desperate State Senator rénews bogus legal challenge to avoid facing Wendy Davis and the judgment of Senate District 10 voters

Displaying fear one seldom sees in a longtime office holder, Republican State Senator Kim Brimer has launched a desperate legal bid to try and save his political future. Recent polls show that Wendy Davis has picked up ground on Kim Brimer, even in comparison to the very encouraging poll conducted by the Lone Star Project in 2007. (See the LSP Poll Results Here and Davis Polling Here) Now, in a telling display of cowardice, he's refiling the flawed lawsuit on the eve of a holiday to avoid negative public scrutiny.

Six months ago, Republican Kim Brimer welcomed 2008 by orchestrating a New Year's Eve lawsuit challenging the candidate filing of his opponent Wendy Davis. The Brimer backed complaint was technically flawed and dismissed by the Court. (Read the LSP Report) Today, just as families are preparing to honor our country and celebrate our independence, Brimer renewed his frantic legal scramble to avoid the judgment of voters.

Brimer's Desperate Claim
Brimer's legal argument rests on the false claim that Wendy Davis could not qualify as a candidate for the State Senate while still serving as a Member of the Fort Worth City Council and that her council successor, Joel Burns, did not officially take office until January 8, 2008, six days after the filing deadline.

Facts
Wendy Davis resigned from the Fort Worth City Council well before the State candidate filing deadline. Her successor, Joel Burns, was certified as the winner of the Council District 9 Special Election on December 27, 2007 and sworn into office on January 1, 2008. When the filing deadline passed on January 2, 2008, Joel Burns was the Fort Worth City Councilperson representing District 9.
A simple timeline directly rebuts Brimer's flawed complaint:

- **August 9, 2007** - Wendy Davis announces resignation of her City Council Seat (Source: Fort Worth Star-Telegram, August 10, 2007)
- **November 6, 2007** - A special election to select a replacement for Davis was held resulting in a runoff election.
- **December 3, 2007** - Wendy Davis files the necessary papers to qualify as a candidate for Texas Senate District 10. (Source: Austin American-Statesman, December 3, 2007)
- **December 18, 2007** - Joel Burns wins the runoff election for Fort Worth City Council, District 9, Davis' former City Council Seat. (Source: Fort Worth Star-Telegram, December 18, 2007)
- **December 27, 2007** - Joel Burns is formally certified as the winner in the City Council Special Election (Source: Fort Worth Star Telegram, January 2, 2008)
- **January 1, 2008** – Joel Burns was sworn in as Fort Worth City Councilman, District 9. (Source: Fort Worth Star-Telegram, January 1, 2008)

**What's Brimer Up To?**

Kim Brimer fits the description of a panicky incumbent who often loses to an active and popular challenger. After spending 20 years in public office, he remains relatively unknown and not particularly popular among those who do know him. He has been involved in a series of ethics scandals and has very few legislative accomplishments. *(See the LSP Report on Brimer's most recent scandal here)*

Wendy Davis has proven to be a stronger candidate than even supporters originally thought. She has built a broad coalition of Democrats, Independents and Republicans, while steadily establishing an impressive fundraising base. She is clearly positioning herself to win in November.

Kim Brimer is mired in the incumbent danger zone and unable to pull himself out. Rather than face Wendy Davis and the judgment of voters in a straight-up election, he has launched a cowardly long-shot legal bid to deny Davis a place on the ballot and avoid voters altogether. Like with most other bullies, pressure has revealed the coward at Kim Brimer's core.
American Community Survey Special Tabulation
Using Census and American Community Survey Data

SENATE DISTRICTS - PLANS100

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The American Community Survey provided estimated citizen voting age population (CVAP) data at the block group level in a Special Tabulation. All block groups with more than 50% of the population in a district are included in the analysis. The percent for each CVAP population category is that group's CVAP divided by the CVAP total. Numbers in parentheses are margins of error at 90% confidence level. Black = Non-Hispanic Black.
<table>
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<tr>
<th>District</th>
<th>Total</th>
<th>VAP</th>
<th>CVAP</th>
<th>% Hispanic</th>
<th>% Black Alone</th>
<th>% Black + White American Indian</th>
<th>% White Alone</th>
<th>% American Indian Alone</th>
<th>% Asian Alone</th>
<th>% Native Hawaiian + Other Pacific Islander Alone</th>
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<td>% Black + American Indian Alone</td>
<td>% White Alone</td>
<td>% American Indian Alone</td>
<td>% Asian Alone</td>
<td>% Native Hawaiian Alone</td>
<td>% American Indian + White</td>
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</tr>
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</table>

The American Community Survey provided estimated citizen voting age population (CVAP) data at the block group level in a Special Tabulation. All block groups with more than 5% of the population in a district are included in the
### American Community Survey Special Tabulation

**Using Census and American Community Survey Data**

**SENATE DISTRICTS - PLANS139**

<table>
<thead>
<tr>
<th>District</th>
<th>Total</th>
<th>VAP</th>
<th>CVAP</th>
<th>% Hispanic</th>
<th>% Black Alone</th>
<th>% Black + White</th>
<th>% Black + American Indian</th>
<th>% White Alone</th>
<th>% American Indian Alone</th>
<th>% Asian Alone</th>
<th>% Native Hawaiian Alone</th>
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<td>0.1 (60.5%)</td>
<td>0.1 (60.5%)</td>
<td>72.0 (60.5%)</td>
<td>0.5 (60.4%)</td>
<td>7.2 (60.4%)</td>
<td>0.1 (60.5%)</td>
<td>0.4 (60.4%)</td>
<td>0.3 (60.4%)</td>
<td>0.1 (60.5%)</td>
</tr>
<tr>
<td>10</td>
<td>816,978</td>
<td>563,550</td>
<td>471,325 (65.2%)</td>
<td>27.5 (60.9%)</td>
<td>24.6 (60.8%)</td>
<td>0.1 (60.9%)</td>
<td>0.1 (60.9%)</td>
<td>24.8 (60.7%)</td>
<td>0.4 (60.8%)</td>
<td>1.7 (60.8%)</td>
<td>0.1 (60.9%)</td>
<td>0.5 (60.8%)</td>
<td>0.1 (60.9%)</td>
<td>0.1 (60.9%)</td>
</tr>
<tr>
<td>16</td>
<td>816,563</td>
<td>625,464</td>
<td>522,010 (65.4%)</td>
<td>13.9 (60.5%)</td>
<td>10.3 (60.6%)</td>
<td>0.1 (60.6%)</td>
<td>0.1 (60.6%)</td>
<td>71.4 (60.4%)</td>
<td>0.4 (60.6%)</td>
<td>4.0 (60.5%)</td>
<td>0.2 (60.6%)</td>
<td>0.4 (60.5%)</td>
<td>0.2 (60.6%)</td>
<td>0.1 (60.6%)</td>
</tr>
<tr>
<td>23</td>
<td>820,474</td>
<td>582,673</td>
<td>467,125 (66.176)</td>
<td>16.2 (60.6%)</td>
<td>48.3 (60.7%)</td>
<td>0.2 (60.6%)</td>
<td>0.2 (60.6%)</td>
<td>32.1 (60.6%)</td>
<td>0.3 (60.6%)</td>
<td>2.0 (60.6%)</td>
<td>0.1 (60.6%)</td>
<td>0.4 (60.6%)</td>
<td>0.1 (60.6%)</td>
<td>0.2 (60.6%)</td>
</tr>
</tbody>
</table>

The American Community Survey provided estimated citizen voting-age population (CVAP) data at the block group level in a Special Tabulation. All block groups with more than 50% of the population in a district are included in the analysis.

The percent for each CVAP population category is that group's CVAP divided by the CVAP total.

Numbers in parentheses are margins of error at 90% confidence level.

Black = Non-Hispanic Black
### American Community Survey Special Tabulation

Using Census and American Community Survey Data

**SENATE DISTRICTS - PLANS141**

<table>
<thead>
<tr>
<th>District</th>
<th>Total</th>
<th>VAP</th>
<th>CVAP</th>
<th>% Hispanic</th>
<th>% Black Alone</th>
<th>% Black + White Indian</th>
<th>% White Alone</th>
<th>% American Indian Alone</th>
<th>% Asian Hawaiian Alone</th>
<th>% Asian Indian + White</th>
<th>% Asian + White</th>
<th>% Remainder 2 or More Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>819,924</td>
<td>577,596</td>
<td>442,390 (±6,538)</td>
<td>20.3 (±0.7)</td>
<td>25.7 (±0.7)</td>
<td>0.1 (±0.7)</td>
<td>0.1 (±0.7)</td>
<td>48.3 (±0.7)</td>
<td>0.4 (±0.5)</td>
<td>3.4 (±0.6)</td>
<td>0.1 (±0.7)</td>
<td>0.1 (±0.7)</td>
</tr>
<tr>
<td>16</td>
<td>815,661</td>
<td>614,607</td>
<td>486,635 (±6,425)</td>
<td>13.8 (±0.6)</td>
<td>11.2 (±0.6)</td>
<td>0.1 (±0.6)</td>
<td>0.2 (±0.6)</td>
<td>68.6 (±0.4)</td>
<td>0.3 (±0.6)</td>
<td>5.0 (±0.5)</td>
<td>0.0 (±0.6)</td>
<td>0.1 (±0.6)</td>
</tr>
<tr>
<td>23</td>
<td>820,746</td>
<td>568,728</td>
<td>440,201 (±6,068)</td>
<td>24.0 (±0.7)</td>
<td>47.4 (±0.8)</td>
<td>0.2 (±0.7)</td>
<td>0.2 (±0.7)</td>
<td>25.6 (±0.7)</td>
<td>0.3 (±0.7)</td>
<td>1.1 (±0.6)</td>
<td>0.1 (±0.7)</td>
<td>0.1 (±0.7)</td>
</tr>
</tbody>
</table>

The American Community Survey provided estimated citizen voting age populations (CVAP) data at the block group level in a Special Tabulation. All block groups with more than 50% of the population in a district are included in the analysis.

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Black = Non-Hispanic Black
Statement of Senator Wendy R. Davis  
Senate Committee on Redistricting  
September 20, 2010

My name is Charles Boswell, and I am the District Director for State Senator Wendy Davis. She asked that I enter the following remarks for her in the record. 
[And I quote:]

As the State Senator for District 10, representing more than 700,000 people in Tarrant County since 2008, I want to thank you for convening this meeting. 

Certainly, we are all aware of the power of the redistricting process, which if care is not taken, can distort representation through maps and the manipulation of sophisticated computer modeling of voting patterns rather than empower communities to determine representation through the ballot box. We saw Texas and Tarrant County lose lawmakers with decades of seniority to serve only partisan interests during the mid-decade redistricting process. Part of the map that emerged was overturned by the U.S. Supreme Court because it violated the Voting Rights Act. 

Most damaging, is that such a process breaks the crucial connection citizens deserve and should demand from their elected officials. As a former member of the Fort Worth City council, I learned the enormous benefits of staying close and listening carefully to my constituents. When citizens are denied the effective means to impact who represents them and how they are represented, they are denied all their rights as citizens and encouraged to simply disengage in their own responsibilities as a citizen. When the connection is direct and citizen's interests are clearly expressed and never diluted, citizens and their representatives are powerful and effective community advocates. 

Concerns about representation should loom even larger this time around as most of the population growth of the past decade in our state has occurred through growth in African American and Latino communities, according to Census estimates. The process must take special care to enfranchise those communities where the growth has occurred – to give voters, not a mapmaker, the opportunity to choose their representatives. It must be a process that protects voters’ rights above all. 

I would like to take special note of the district that I represent, Texas Senate District 10 in Tarrant County, the third most populous county in our state. Population growth in Tarrant County has been driven largely by an increase in African American and Latino residents. According to the Census, Tarrant County’s African American community is the third largest in the state, and according to projections, its Latino population is at least 455,309. The lines of the 10th Senate District were drawn with partisan intent to elect a Republican, and it did so for years. However, growth in the African American and Latino populations enabled the creation of an effective coalition of like-minded people of all races to elect me, a Democrat, in 2008. 

I was elected to represent the will of these good people, and the legislature should take great care to preserve the communities of interest that make up Senate District 10. The legislature should also take care to preserve the influence of the nation’s 17th largest city, Fort Worth, and one of the nation’s fastest growing cities,
Arlington, through them having a significant voice in determining who serves Senate District 10.

To accomplish both goals, it is particularly important that Senate District 10 be contained entirely within the borders of Tarrant County and that it include minority communities in Southeast Fort Worth, the Latino north side of Fort Worth, and core neighborhoods in Arlington.

I have worked hard to effectively represent a broad coalition of views in Senate District 10. It is my hope that this process creates a legal map that preserves the will of these voters to elect a representative who will give voice to their concerns in Austin.

Respectfully,
State Senator Wendy R. Davis
SENATE
NOTICE OF PUBLIC HEARING

COMMITTEE: Redistricting, Select
TIME & DATE: 9:00 AM, Thursday, May 12, 2011
PLACE: Ext. Auditorium, E1.004
CHAIR: Senator Kel Seliger

To consider the following:

Public testimony will begin at 1:30 p.m. or upon adjournment of the Senate.

SB 31 Seliger
Relating to the composition of the districts for the election of members of the Texas Senate.
MINUTES

SENATE COMMITTEE ON REDISTRICTING, SELECT
Thursday, May 12, 2011
9:00 AM
Ext. Auditorium, E1.004

*****

Pursuant to a notice posted in accordance with Senate Rule 11.10 and 11.18, a public hearing of the Senate Committee on Redistricting, Select was held on Thursday, May 12, 2011, in the Ext. Auditorium, E1.004.

*****

MEMBERS PRESENT:
Senator Kel Seliger, Chair
Senator Mario Gallegos, Jr., Vice Chair
Senator John Carona
Senator Kevin Eltife
Senator Craig Estes
Senator Troy Fraser
Senator Juan Hinojosa
Senator Joan Huffman
Senator Eddie Lucio, Jr.
Senator Dan Patrick
Senator Carlos Uresti
Senator Jeff Wentworth
Senator Royce West
Senator Tommy Williams
Senator Judith Zaffirini

*****

MEMBERS ABSENT:
None

*****

The chair called the meeting to order at 9:10 AM. There being a quorum present, the following business was transacted:

Senator Zaffirini assumed the chair.

The chair laid out SB 31 and recognized the author, Senator Seliger, to explain the bill.
Senator Seliger resumed the chair.

Committee members made opening remarks.

Senator Watson made remarks and submitted documents to the Committee.

Senator Gallegos, Jr. moved adoption of the minutes from the previous hearings held on May 4, 2011 and May 6, 2011; without objection, it was so ordered.

Senator Birdwell made remarks.

The Committee set a 5:00 PM deadline on Thursday May 12, 2011 for amendments to be submitted to Plan S107.

Senator Van de Putte made remarks.

Senator Seliger moved that the Committee stand recessed until 1:30 PM or upon adjournment of the Senate. Without objection, it was so ordered.

At 2:20 PM the Committee reconvened.

Senator Davis made remarks and submitted documents to the Committee.

Witnesses testifying and registering on the bill are shown on the attached list.

The chair moved that the public testimony be closed; without objection, it was so ordered.

The chair announced that the Committee would meet at 8:00 AM Friday, May 13, 2011.

There being no further business, at 5:55 PM Senator Seliger moved that the Committee stand recessed subject to the call of the chair. Without objection, it was so ordered.
Senate Committee on Redistricting, Select Minutes
Thursday, May 12, 2011
Page 3

Senator Kel Seliger, Chair

Stephanie R. Hoover, Clerk
WITNESS LIST

Redistricting, Select
May 12, 2011 9:00 AM

FOR:

Dunlap, Ray  Community Development Manager (Town of Fairview / Allen Fairview Chamber of Commerce), Fairview, TX
Self, Keith  County Judge, Collin County (Collin County), McKinney, TX

AGAINST:

Adkisson, Tommy  County Commissioner (Self; Judge Nelson Wolff), San Antonio, TX
Alviar, Joe  District 10 voter (Self), Kennedale, TX
Angle, John D.  (Fort Worth City Council Members Burns, Espino, Moss, Hicks), Fort Worth, TX
Banks, Yannis  (TX NAACP), Austin, TX
Benham, Lon  State Rep Dist 90 (also providing written testimony) (Self), Ft. Worth, TX
Crenshaw, Sandra  (LAC PAC), Dallas, TX
DeLeon, Joseph  Chair-Elect (also providing written testimony) (Fort Worth Hispanic Chamber of Commerce), Burleson, TX
Elliot, Monte  (Self), Fort Worth, TX
Gutierrez, Felipe  (Self; The City of Kennedale / Residence), Kennedale, TX
Jenkins, John  (John Jenkins Rep AMAC), Arlington, TX
Jennings, Dee  (also providing written testimony) (Self), Forest Hill, TX
Lara, Rene  (Self), Austin, TX
Mears, Bertha S.  (Self), Austin, TX
Pfeifer, Jeri  (also providing written testimony) (Self; Everman ISD), Fort Worth, TX
Porter, Arline  Community (AA Community), Ft. Worth, TX
Privett, Anita  Advocacy VP- LWV- TX  (also providing written testimony) (League of Women Voters of Texas), Austin, TX
Scott, Stephen  Community Resident (All African Americans in my Community), Arlington, TX
Stanley, Alfred  (Self), Austin, TX
Veasey, Marc  State Representative- Dist 95 (District 95, Constituents), Ft. Worth, TX

ON:

Day, Bob  (also providing written testimony) (Self), Garland, TX

Registering, but not testifying:

Attaway, Major S.  Director of Economic Development FWMBC (Fort Worth Metropolitan Black Chamber), Fort Worth, TX
Benoit, LaTonya  (Self), Houston, TX
Berry, Stephanie  Pastor / School Teacher (SD 10), Forest Hill, TX
Burleson, Sandra  (Self), Houston, TX
Dunning, Gwen  Constituent (Self), Garland, TX
Francis, Kishma  (PATHS Forward (Leadership Program in FW)), Fort Worth, TX
Gaston, Altheria  Teacher (PATHS Forward Leadership Class), Fort Worth, TX
Harris, Cynthia R.  Bargaining Committee Member (UAW Local 218), Fort Worth, TX
WITNESS LIST

Redistricting, Select
May 12, 2011 9:00 AM

Jones, Jr., Mr. Shannon  (Self), Rhone, TX
Morrison, Jonathan  (PATHS Forward), Fort Worth, TX
Perry-Barker, Chandra  Director of Operations (PATHS Forward), Fort Worth, TX

On:
Beauchamp, James  Midland County Republican Chair (Midland County Republican Party), Midland, TX
Flores, Robert  Member (Texas Latino Redistricting Task Force, on behalf of Nina Perales), Austin, TX
Jones, Max  Intergovernmental Relations Assistant (Travis County Commissioners Court), Austin, TX