Exhibit 5 to Davis Intervenors’ Opposition to Plaintiff State of Texas’ Motion for Summary Judgment

Sworn Declaration of Commissioner Roy Brooks
DECLARATION OF TARRANT COUNTY COMMISSIONER Roy Brooks

Pursuant to 28 U.S.C. 1746, I, Roy Brooks declare that:

1. My name is Roy Brooks, and I am an African American resident of Forth Worth, Texas who has served as a County Commissioner of Tarrant County (Precinct 1) for almost eight years. For 14 years prior to that I was the Precinct 1 Administrator. I also served for six years on the Forest Hill City Council, which is a predominately black suburb adjacent to Fort Worth. My Commissioners’ Precinct includes almost every predominantly African-American neighborhood in the City of Fort Worth and much of the Hispanic growth neighborhoods in the southern part of our County. With well over 20 years of public service under my belt, I have a great deal of experience and perspective to comment upon the voting behavior and the influence of minority citizens in Tarrant County and North Texas.

2. The reconfigured Senate District 10 proposed by the State of Texas is a deliberate attempt to undermine and destroy the ability of African Americans and Hispanics in Tarrant County to elect their candidate of choice. If the Voting Rights Act remains viable at all, the proposed Senate District 10 will be struck down, redrawn and restored as a majority-minority district where African Americans and Hispanics can elect their candidate of choice to the state senate.

3. The 2008 election of Wendy Davis is recognized throughout our community as a benchmark example of African American and Hispanic voters in Fort Worth working together cohesively and effectively to elect the candidate of our choice.

4. The growth of the minority population in District 10 and the emerging political strength of minority voters had been watched and nurtured carefully by me and other minority leaders since early in the past decade. By the 2006 election and the relatively strong performance of our District Attorney candidate, Terri Moore, in those voting precincts SD10, we realized that the opportunity to elect our candidate of choice to the state senate had arrived. The Republican Anglo incumbent, Kim Brimer, had largely ignored our community from the beginning of his service, rarely visiting our neighborhoods, and failing to seek our views or even soliciting our votes. We finally had the ability to make a change in 2008 in Senate District 10 and had every reason to do so.

5. African American and Hispanic leaders deliberately and aggressively recruited Wendy Davis to run in 2008. African American and Hispanic leaders pledged to
each other and to the community at large to concentrate our efforts and our financial resources in order to inform, unite and mobilize minority voters. We knew that Wendy Davis would not be the candidate of choice of Anglo voters. To elect our candidate of choice, African Americans and Hispanics had to come together and vote together, which we did.

6. Like other African American leaders in Texas and across the country, I was excited about Barrack Obama’s campaign and supported him wholeheartedly, voicing my support of his campaign often and proudly. I also subscribed to the practical and hardnosed view that all politics is local. I knew that local time and local resources would be best spent building and supporting our local coalition united to elect our candidate of choice in Senate District 10.

7. The election of Wendy Davis confirmed the wisdom of our approach. By focusing on the District 10 race, we succeeded in electing our candidate of choice who would be beholden to our community specifically.

8. Most important, the 2008 election of Wendy Davis demonstrated the ability of minority voters in District 10 to unite, organize and exercise the voting strength needed to elect our candidate of choice. Davis won because she received overwhelming support from African American and Hispanic voters sufficient to exceed and defeat the heavy Anglo support given to her opponent. With Senator Davis, African American and Hispanic voters in Senate District 10 have a strong voice in the State Senate and someone who effectively represents our particularized needs.

9. The coalition of minority voters that elected Senator Davis to office did so because we were interested in obtaining representation that would fully represent our interests in the State senate. In Senate District 10 prior to 2008, the particular interests of the minority community were not adequately represented in the Texas Senate. In Senator Davis, we have elected someone who fights for issues that are particularly important to the minority community, such as education and health care, to name just two.

10. The State’s dismantling of Senate District 10 was not subtle or particularly clever. African American neighborhoods in southeast Fort Worth were broken off and attached to a rural senate district that extends south past Waco. Hispanic neighborhoods in Fort Worth’s North side were attached to an ex-urban district extending north into heavily Anglo Northwest Tarrant County and Denton County. Other smaller minority neighborhoods were left in a depleted SD10 that would be dominated by Anglo voters. In short, minority voters have been fractured into
other districts where we no longer will have an opportunity to effectively participate in the political process or to elect our preferred candidate to the state senate.

11. The proposed map is much more than an effort by Republicans to draw Republican districts. It is a message from State leaders to African American and Hispanic voters in Tarrant County telling us – how dare you organize and mobilize to make your own political choices.

12. Those looking for proof that District 10 should be protected under the Voting Rights Act as a minority opportunity district need look no further than the large and growing minority population within existing senate district 10 and the 2008 election of Wendy Davis. Reliance on any other election or any other candidate’s performance in the district will lead to an incomplete and incorrect conclusion.

I declare under penalty of perjury that the foregoing is true and correct.

Dated this 20th day of October, 2011.

ROY BROOKS