Exhibit 6 to Davis Intervenors’ Opposition to Plaintiff State of Texas’ Motion for Summary Judgment

Sworn Declaration of Boyd Richie
AFFIDAVIT OF BOYD RICHIE

My name is Boyd Richie. I currently serve as Chair of the Texas Democratic Party. I was appointed by the State Democratic Executive Committee in April of 2006 and have been re-elected by majority vote of the delegates attending the Texas Democratic Party conventions in 2006, 2008 and 2010.

During my tenure as Party Chair, considerable time and resources have been committed to key local races at the legislative and county levels. In choosing where to focus our limited resources, close attention has been paid to the demographic changes that have taken place in Texas over the last decade and the resultant increase in the voting strength and electoral opportunities of Hispanic and African American voters. Because the vast majority of African-American and Hispanic voters vote overwhelmingly for Democratic candidates over Republican candidates, areas of minority population growth can afford new electoral opportunities for minority voters and the Democratic candidates they support. This has been particularly true in key urban areas such as Dallas and Tarrant Counties where the Anglo population decreased over the decade while both the Hispanic and African American populations have increased making it possible that minority voters can unite in coalition to elect their candidates of choice in specific county and legislative elections. Indeed, between 2000 and 2010, the black and Hispanic population grew so dramatically (while Anglo population declined) that Democrats now control all of the countywide offices in Dallas County.

I have been asked to provide a sworn declaration in this case to address the local political and electoral dynamics in Senate District 10. It is especially important to look at the unique and particularized circumstances in Senate District 10, particularly the situation that existed in 2008 when minority voters in that district formed a coalition and elected their preferred candidate to office, State Senator Wendy Davis.

To truly understand the political and electoral dynamics in Senate District 10 that led to Senator’s Davis’ election in 2008, it is important to contrast that local election with other electoral contests that were on the ballot that same year. In 2008, it was no secret nationally, statewide or locally in Tarrant County that Texas would not be a state targeted by the Obama campaign to reach the 270 electoral votes needed to win the presidency. Moreover, Tarrant County, while containing the third largest concentration of African voters in Texas and a large and growing Hispanic population, is the most reliably Republican large urban county in Texas. Democratic statewide candidates, particularly when they have very limited financial resources like Texas statewide candidates did in 2008, do not devote resources to Tarrant County.

Local Tarrant County minority leaders, and the State Party that I chair, were well aware that devoting precious local resources to national and statewide campaigns in 2008 and
2010 that were not targeting Tarrant County was neither practical politically nor defensible to our donors and other supporters. In 2008, we made the practical and common sense decision to concentrate our efforts and resources in Tarrant County to the Senate District 10 race, where a deliberate and focused effort to unite and turn out minority voters would actually elect the minority voters’ candidate of choice, who would then go to the Legislature and serve the community. Had these resources been diverted to the national or statewide campaigns that were then ongoing, even if these statewide candidates had carried Senate District 10, they still would not have won the statewide vote. Intense local efforts on their behalf would not have resulted in an ultimate victory and indeed, would have diverted important financial resources away from the Senate District 10 race. Such a misuse and misdirection of resources on national or statewide campaigns in 2008 might well have prevented the victory for minority voters that was realized in Wendy Davis’ election.

Senate District 10 in Tarrant County is an important example of a district where, in 2008, local minority leaders recognized that their voting strength had grown and reached a level where they could recruit, unite behind and elect their candidate of choice. These leaders recruited and united behind candidate Wendy Davis in 2008. A conscious, pragmatic decision was made to devote time, effort and resources to the Senate District 10 race, knowing that it would draw resources away from efforts to elect statewide Democratic candidates or to advance the Obama Presidential campaign. Though that was a hard choice to make as Party Chair, the Texas Democratic Party recognized the practical wisdom of this decision and focused its efforts in Tarrant County and in Senate District 10 in particular. To do this, there was a concerted effort to build support from and mobilize African-American and Hispanic voters and to have them unite in their electoral support for Wendy Davis. We did this, even to the exclusion of efforts for the Obama campaign or other statewide candidates that were going on at that time.

This locally conceived and driven strategy was successful. In 2008, Wendy Davis was elected to the State Senate due to overwhelming support from African American and Hispanic voters. The large turnout level of support from minority voters for Wendy Davis overcame the large majority of Anglos who voted against her. The election results in Senate District 10 in 2008 are far and away the most reliable measure of Senate District 10 as a minority opportunity district rather than any national, statewide or county-wide election contest that may be reconstituted within District 10.

I understand that in 2001, the State of Texas when it drew Senate District 10 and submitted its state senate redistricting map for preclearance approval, noted that Senate District 10 would likely grow into a minority opportunity district over the course of the decade. That prediction came true. The election of Wendy Davis in 2008 in Senate District 10 with the strong support of African American and Hispanic voters clearly
illustrates that Senate District 10 has evolved into an effective minority opportunity district for African American and Hispanic voters. The emergence of Senate District 10 as a minority opportunity district is not surprising. In 2006, a local DA candidate and a local judicial candidate (running countywide in Tarrant County) did particularly well in their election, especially among minority voters. Local leaders, such as African-American state Representative Marc Veasey, African-American Tarrant County Commissioner Roy Brooks and Hispanic Constable Sergio DeLeon noted the 2006 results and realized that the minority voting population in Senate District 10 within Tarrant County was sufficiently large and growing, and could be united and mobilized to elect their candidate of choice. These minority leaders then made the decision to recruit a candidate who they felt would run a viable campaign, both electorally and financially, and garner the solid support of the minority community in Tarrant County.

It is also apparent in my view that State Republican leaders in the Texas Legislature recognized that minority voters in Senate District 10 can elect their candidate of choice when they redrew the district in 2011. The reconfiguration of Senate District 10 is an example of systematically undermining minority voting strength to prevent African-American and Hispanic voters from electing their preferred candidate. The precise separation and removal of African-American and Hispanic neighborhoods from Senate District 10 into Anglo voter-controlled districts stretching far outside of the Dallas/Fort Worth region is clearly a deliberate effort to dismantle an effective minority opportunity district and intentionally discriminate against African-American and Hispanic voters.

Signed this 11th day of October, 2011.

BOYD RICHIE

SWORN TO AND SUBSCRIBED BEFORE ME, on this 11th day of October, 2011, to which I certify my hand and official seal.

MICHAEL ADAM MURPHY
Notary Public, State of Texas
My Commission Expires May 03, 2015

NOTARY PUBLIC