

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

SHANNON PEREZ, *et al.*,

Plaintiffs,

v.

STATE OF TEXAS, *et al.*,

Defendants.

CIVIL ACTION NO.
SA-11-CA-360-OLG-JES-XR
[Lead case]

JOINT ADVISORY REGARDING REMEDY FOR STATE HOUSE DISTRICT HD90

The Texas Latino Redistricting Task Force (“TLRTF”), the Mexican American Legislative Caucus (“MALC”), and the State Defendants file this joint advisory in advance of the May 2, 2019 remedial hearing.

In light of the Court’s ruling that a remedy is required for HD 90, the parties agree that Plan H411 remedies the constitutional violation found by this Court while respecting legislative intent. Plan H411 eliminates the boundary changes that led this Court to find racial gerrymandering in HD 90. Plan H411 also reflects legislative intent by maintaining HD 90 as a Latino opportunity district and by including the Como neighborhood in HD 90. *See* attached reports from the Texas Legislative Council. The parties believe that Plan H411 remedies the violation found in HD 90 without incorporating any legal defect that would prevent its adoption by this Court.

CONCLUSION

The parties respectfully request that the Court adopt Plan H411 as a remedy for the constitutional violation found in HD 90.

Date: April 25, 2019

Respectfully submitted.

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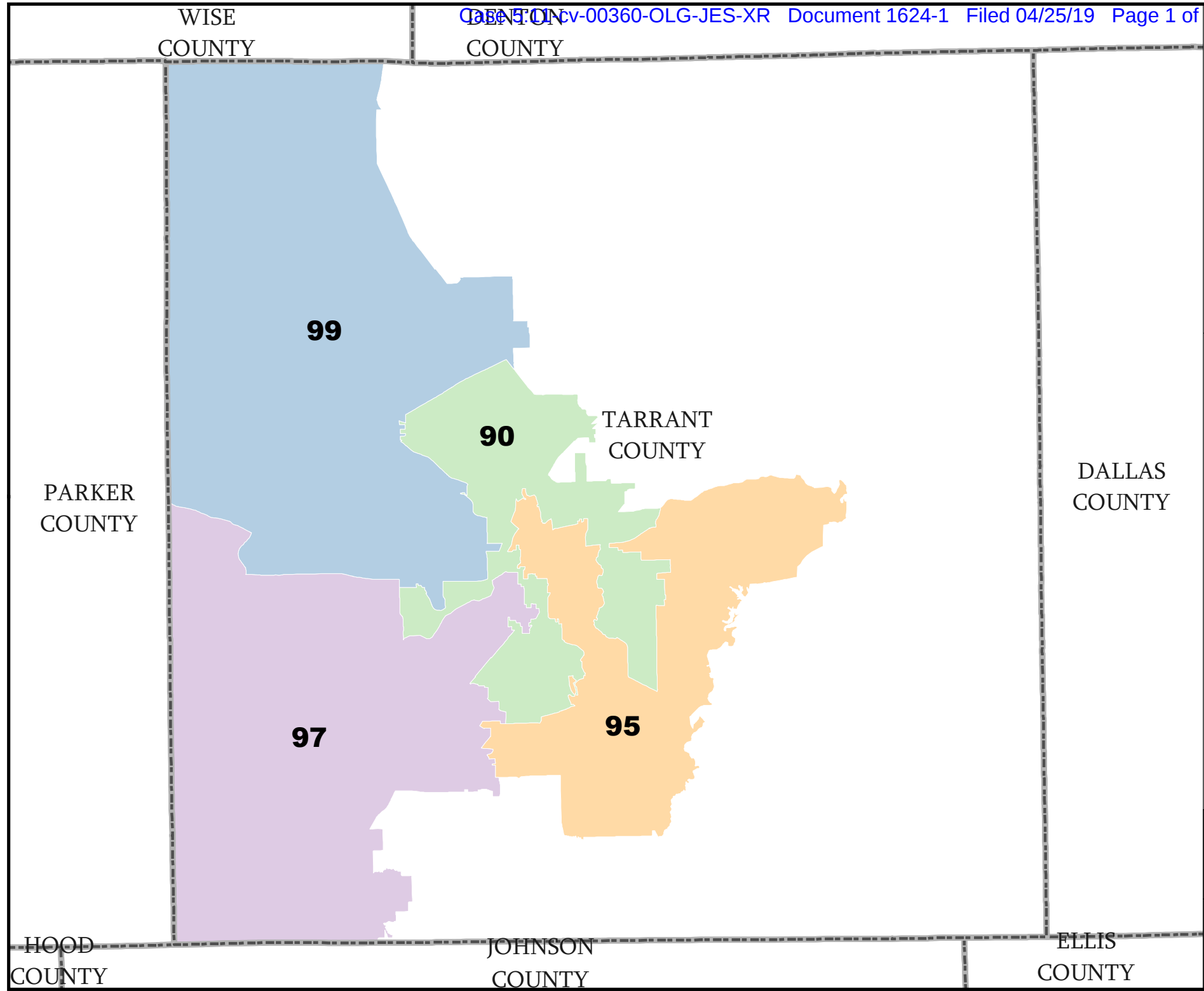
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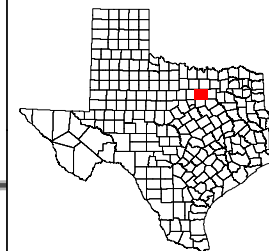
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TARRANT COUNTY

State House Districts
Proposed Plan
PLANH411

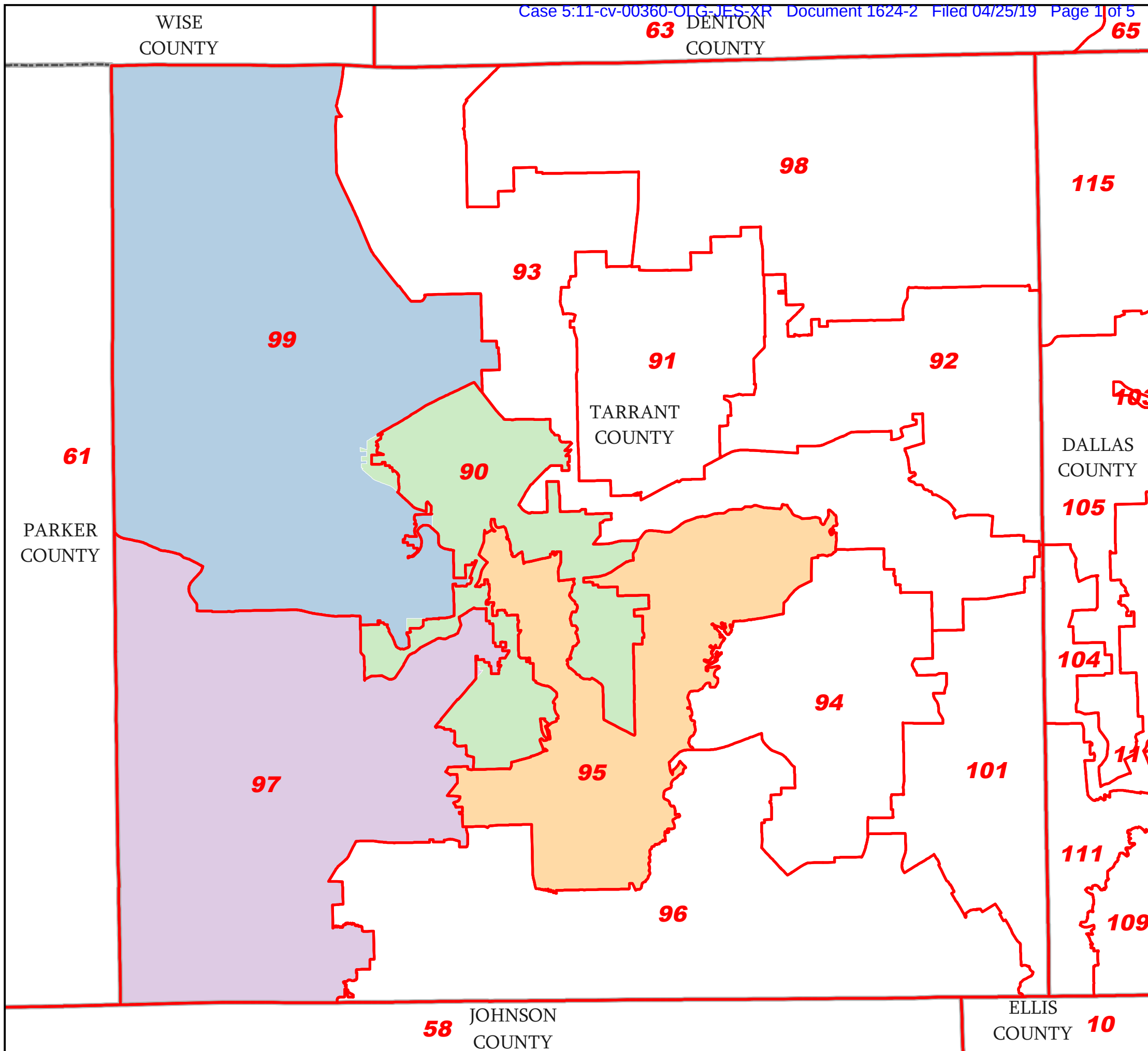


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PLANH411

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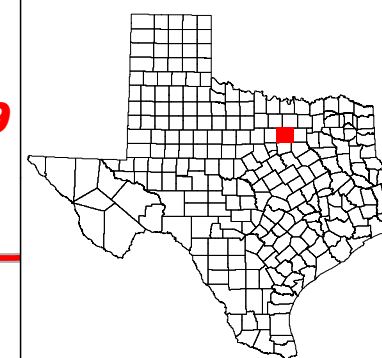


TARRANT COUNTY

State House Districts
86th Legislature (2019-2020)
PLANH358

with
State House Districts
Proposed Plan
PLANH411

 **PLANH358**
 COUNTIES
 **PLANH411**



44438
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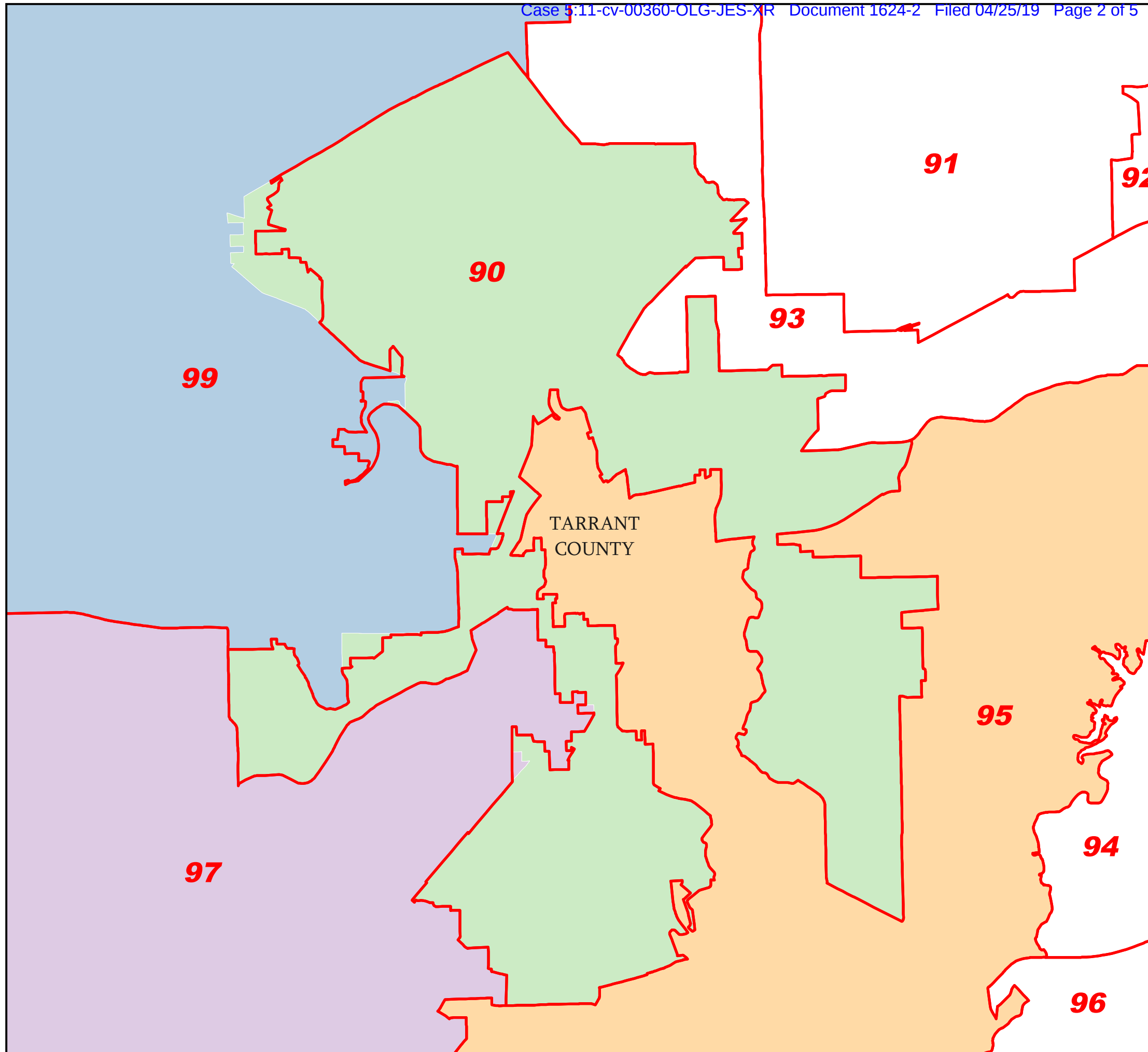
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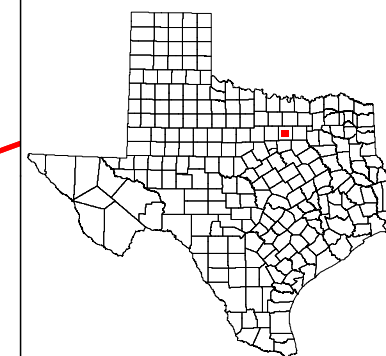
DISTRICT 90

State House Districts
86th Legislature (2019-2020)
PLANH358

with
State House Districts
Proposed Plan
PLANH411



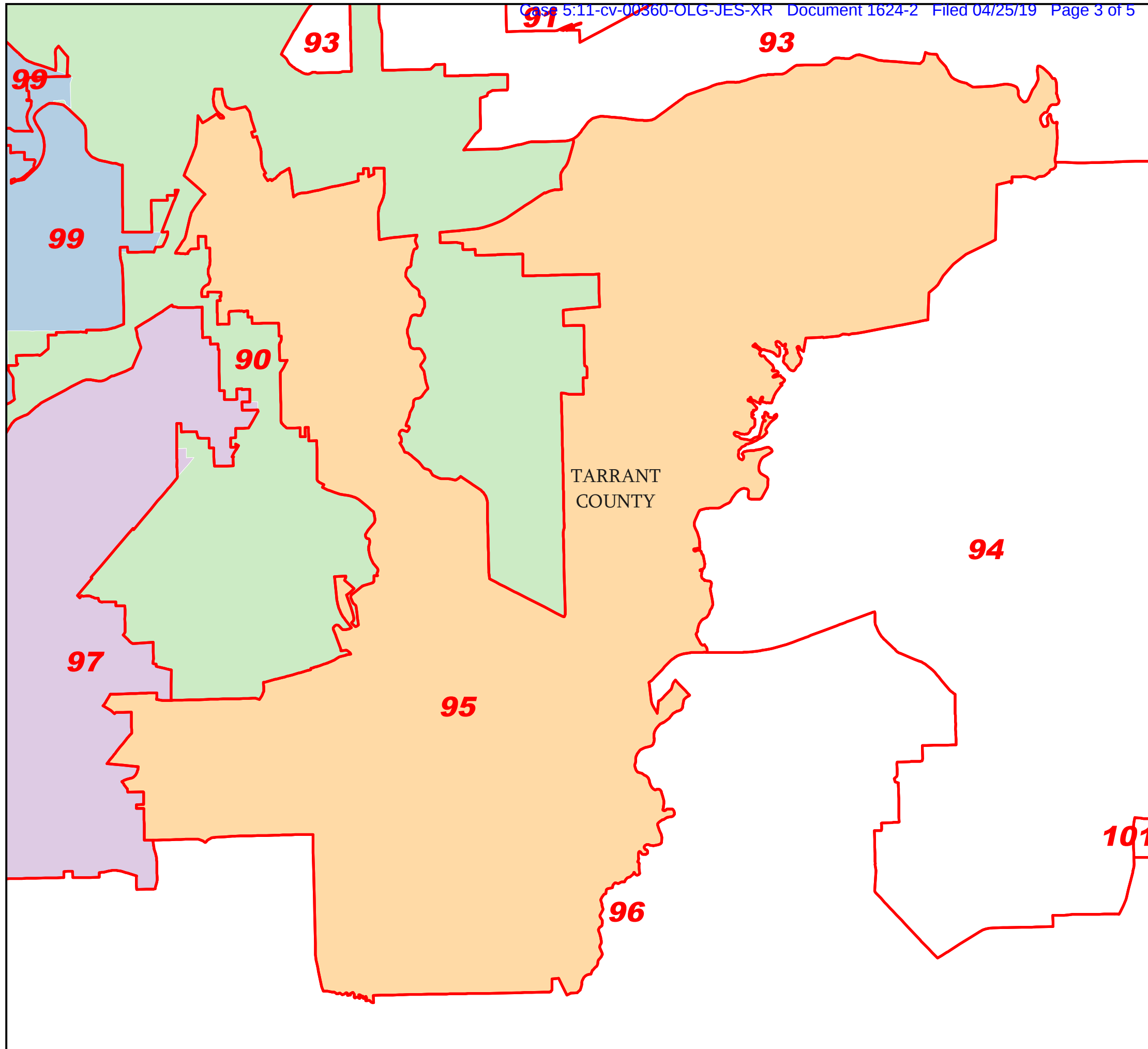
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 COUNTIES
 **PLANH411**



44439
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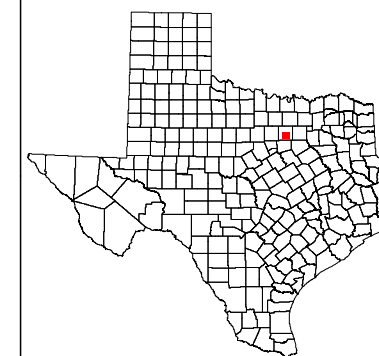


DISTRICT 95

State House Districts
86th Legislature (2019-2020)
PLANH358

with
State House Districts
Proposed Plan
PLANH411

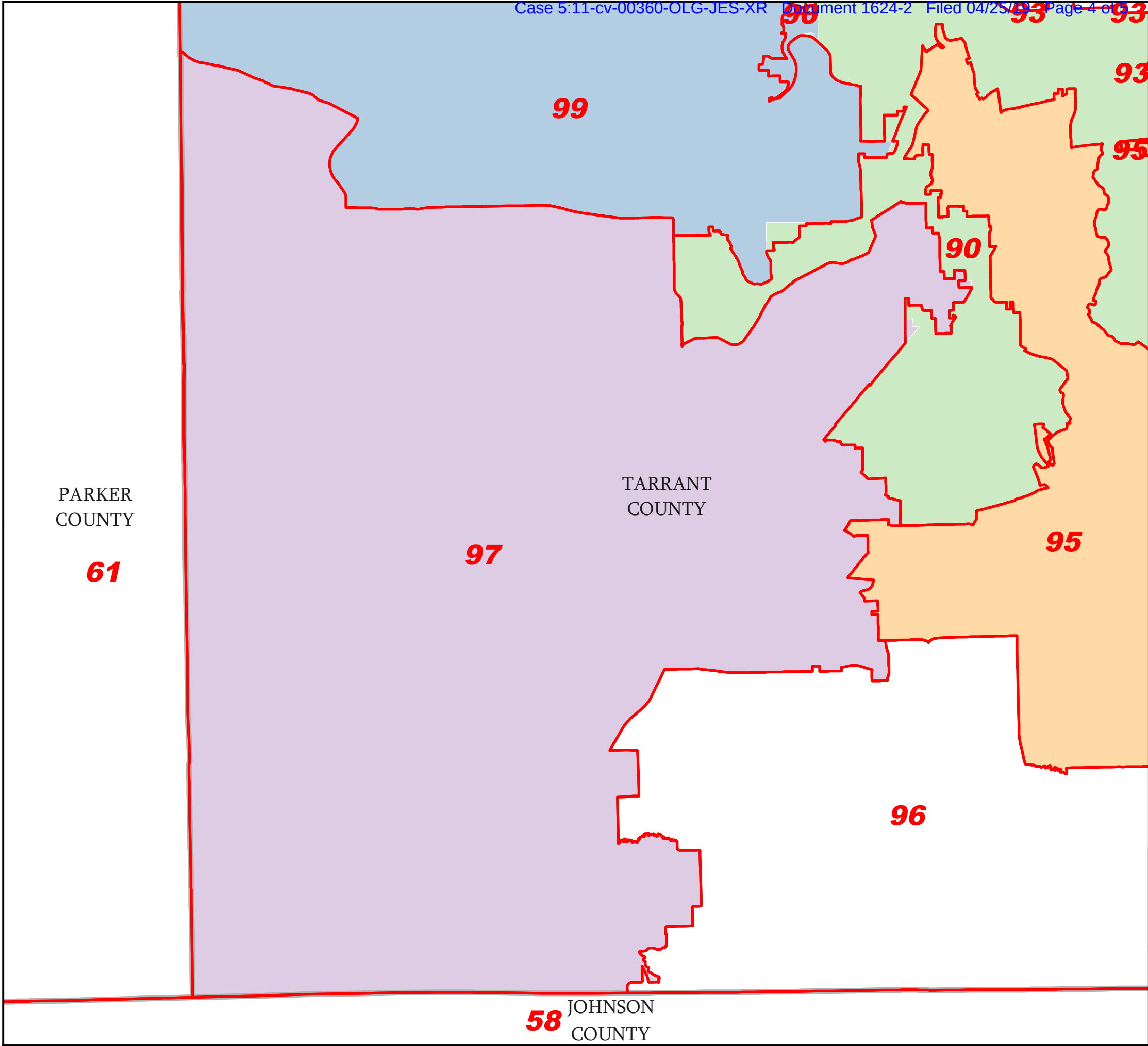
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 COUNTIES
 **PLANH411**



44439
2010 Census
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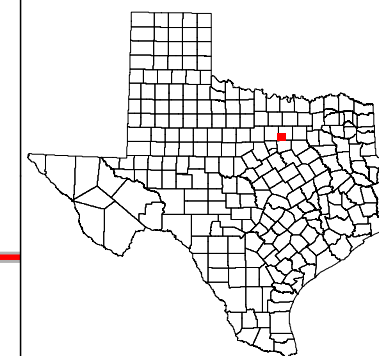


DISTRICT 97

State House Districts
86th Legislature (2019-2020)
PLANH358

with
State House Districts
Proposed Plan
PLANH411

-  **PLANH358**
-  COUNTIES
-  **PLANH411**



44439
2010 Census
PLANH358
PLANH411

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WISE
COUNTY

DENTON
COUNTY

63

DISTRICT 99

State House Districts
86th Legislature (2019-2020)
PLANH358

with
State House Districts
Proposed Plan
PLANH411

61

PARKER
COUNTY

99

TARRANT
COUNTY

93

98

91

90

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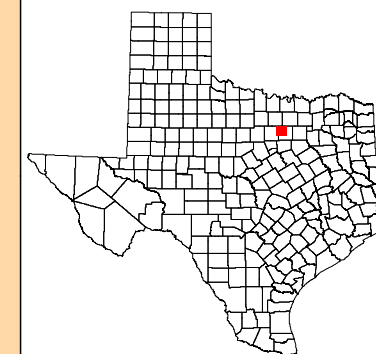
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97

 **PLANH358**
 COUNTIES
 **PLANH411**



44439
2010 Census
PLANH358 2013-06-21 13:29:25
PLANH411 2019-02-07 15:14:13

Map ID 8000
04/23/19 10:09:10



District Population Analysis with County Subtotals
HOUSE DISTRICTS - PLANH411

Total State Population	25,145,561
Total Districts Required	150
Ideal District Population	167,637
Unassigned Population	24,484,901
Districts in Plan	4
Unassigned Geography	Yes
Districts Contiguous	Yes

	Population	-----Deviation-----	
		Total	Percent
Plan Overall Range		7,267	4.33%
Smallest District (95)	161,634	-6,003	-3.58%
Largest District (97)	168,901	1,264	0.75%
Average (mean)	165,165	3,104	1.85%

PLANH411

District Population Analysis with County Subtotals

HOUSE DISTRICTS - PLANH411

	Deviation		Total	Anglo	Black	Hisp	B+H	Other	%A	%B	%H	%BH	%O
DISTRICT 90	-4,376	Total:	163,261	21,626	18,020	121,961	138,861	2,774	13.2	11.0	74.7	85.1	1.7
	-2.61 %	VAP:	108,428	18,455	12,829	75,585	87,894	2,079	17.0	11.8	69.7	81.1	1.9
	Tarrant (9%)		163,261	21,626	18,020	121,961	138,861	2,774	13.2	11.0	74.7	85.1	1.7
DISTRICT 95	-6,003	Total:	161,634	36,645	74,684	46,614	119,813	5,176	22.7	46.2	28.8	74.1	3.2
	-3.58 %	VAP:	115,752	32,338	52,245	28,099	79,664	3,750	27.9	45.1	24.3	68.8	3.2
	Tarrant (9%)		161,634	36,645	74,684	46,614	119,813	5,176	22.7	46.2	28.8	74.1	3.2
DISTRICT 97	1,264	Total:	168,901	106,818	23,585	32,103	54,794	7,289	63.2	14.0	19.0	32.4	4.3
	0.75 %	VAP:	131,335	89,622	15,832	20,663	36,090	5,623	68.2	12.1	15.7	27.5	4.3
	Tarrant (9%)		168,901	106,818	23,585	32,103	54,794	7,289	63.2	14.0	19.0	32.4	4.3
DISTRICT 99	-773	Total:	166,864	111,729	9,223	39,934	48,546	6,589	67.0	5.5	23.9	29.1	3.9
	-0.46 %	VAP:	122,934	87,896	5,915	24,484	30,148	4,890	71.5	4.8	19.9	24.5	4.0
	Tarrant (9%)		166,864	111,729	9,223	39,934	48,546	6,589	67.0	5.5	23.9	29.1	3.9

Population and Voter Data
with Voter Registration Comparison

HOUSE DISTRICTS - PLANH411

District	Deviation	Population							Total Voter Registration			Non-Suspense Voter Registration				
		Total	%A	%B	%H	%BH	%O	General Election	Turnout	Total	SSVR	TO/VR	Total	SSVR	TO/VR	
90	-4,376 -2.61%	Total:	163,261	13.2	11.0	74.7	85.1	1.7	2018	27,071	62,043	50.6 %	43.6 %	55,774	52.5 %	48.5 %
		VAP:	108,428	17.0	11.8	69.7	81.1	1.9	2016	28,257	58,226	49.9 %	48.5 %	52,711	51.6 %	53.6 %
95	-6,003 -3.58%	Total:	161,634	22.7	46.2	28.8	74.1	3.2	2018	43,612	91,676	13.4 %	47.6 %	78,355	14.1 %	55.7 %
		VAP:	115,752	27.9	45.1	24.3	68.8	3.2	2016	47,436	88,118	12.1 %	53.8 %	76,258	12.6 %	62.2 %
97	1,264 0.75%	Total:	168,901	63.2	14.0	19.0	32.4	4.3	2018	67,408	111,572	10.6 %	60.4 %	95,945	10.7 %	70.3 %
		VAP:	131,335	68.2	12.1	15.7	27.5	4.3	2016	70,254	107,316	10.0 %	65.5 %	93,114	10.0 %	75.4 %
99	-773 -0.46%	Total:	166,864	67.0	5.5	23.9	29.1	3.9	2018	59,130	110,322	15.2 %	53.6 %	96,253	15.5 %	61.4 %
		VAP:	122,934	71.5	4.8	19.9	24.5	4.0	2016	63,761	103,413	14.4 %	61.7 %	90,955	14.8 %	70.1 %

For technical reasons, election results in Texas Legislative Council reports may vary slightly from the official election results. Complete official results for all elections are maintained by the Office of the Texas Secretary of State.
SSVR = Spanish surname voter registration

Case 5:11-cv-00360-OLG-JES-XR Document 1624-3 Filed 04/25/19 Page 4 of 6

American Community Survey Special Tabulation

Using Census and American Community Survey Data

HOUSE DISTRICTS - PLANH411

2010 Census			Special Tabulation of Citizen Voting Age Population (CVAP) from the 2013-2017 American Community Survey with Margins of Error												
				Hispanic CVAP	Not Hispanic or Latino Citizen Voting Age Population (CVAP)										
					% Black Alone	% Black + White	% Black + American Indian	% White Alone	% American Indian Alone	%Asian Alone	% Native Hawaiian Alone	% American Indian + White	% Asian + White	% Remainder 2 or More Other	
District	Total	VAP	CVAP	% Hispanic											
90	163,261	108,428	78,510 (±2,554)	55.8 (±1.7)	16.6 (±1.5)	0.1 (±0.2)	0.1(±0.2)	25.4 (±1.2)	0.3 (±0.2)	1.0 (±0.3)	0.0 (±0.2)	0.3 (±0.2)	0.2 (±0.2)	0.2 (±0.3)	
95	161,634	115,752	103,460 (±2,683)	16.9 (±1.1)	49.5 (±1.5)	0.4 (±0.2)	0.2(±0.2)	30.0 (±1.1)	0.3 (±0.2)	1.7 (±0.4)	0.1 (±0.2)	0.3 (±0.2)	0.2 (±0.2)	0.3 (±0.2)	
97	168,901	131,335	130,735 (±2,807)	14.6 (±1.0)	13.7 (±1.1)	0.3 (±0.2)	0.1(±0.1)	67.9 (±0.9)	0.2 (±0.1)	2.2 (±0.4)	0.1 (±0.1)	0.4 (±0.2)	0.4 (±0.2)	0.2 (±0.2)	
99	166,864	122,934	128,805 (±3,113)	17.6 (±1.2)	5.3 (±0.8)	0.2 (±0.1)	0.0(±0.1)	72.8 (±1.0)	0.4 (±0.2)	2.5 (±0.5)	0.0 (±0.1)	0.6 (±0.2)	0.3 (±0.2)	0.2 (±0.2)	

The American Community Survey provided estimated citizen voting age population (CVAP) data at the block group level in a Special Tabulation. Because the MOE can only be calculated using whole block groups, all block groups with more than 50% of the population in a district are included in the analysis. The Red-118 report provides a summary of the block groups used 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.

Case 5:11-cv-00360-OLG-JES-XR Document 1624-3 Filed 04/25/19 Page 5 of 6

Hispanic Population Profile

Using Census, 2013-2017 American Community Survey, Voter Registration, and Turnout Data

HOUSE DISTRICTS - PLANH411

2010 Census				2013-2017 ACS Special Tabulation				2018 General Election				
District	Total	VAP	% HVAP	Citizen VAP	MOE	% HCVAP	MOE	Total Voter Registration		Non-Suspense Voter Registration		
								Total	%SSVR	Total	%SSVR	%SSTO
90	163,261	108,428	69.7	78,510	(±2,554)	55.8	(±1.7%)	62,043	50.6	55,774	52.5	49.7
95	161,634	115,752	24.3	103,460	(±2,683)	16.9	(±1.1%)	91,676	13.4	78,355	14.1	12.5
97	168,901	131,335	15.7	130,735	(±2,807)	14.6	(±1.0%)	111,572	10.6	95,945	10.7	9.3
99	166,864	122,934	19.9	128,805	(±3,113)	17.6	(±1.2%)	110,322	15.2	96,253	15.5	13.0

The American Community Survey provided estimated citizen voting age population (CVAP) data at the block group level in a Special Tabulation. Because the MOE can only be calculated using whole block groups, all block groups with more than 50% of the population in a district are included in the analysis. The Red-118 report provides a summary of the block groups used in the analysis.

MOE = Margin of error at 90% confidence level

% HVAP = Hispanic voting age population / voting age population

% HCVAP = Hispanic citizen voting age population / citizen voting age population

SSVR = Spanish surname voter registration (SSVR/VR)

SSTO = Spanish surname turnout (SSTO/TO) data, starting with 2012, obtained from the Office of the Texas Secretary of State.

HOUSE DISTRICTS
PLANH411 Compared with PLANH358
2018 General Election

PLANH411	PLANH358		Total Population						Total Voter Registration		Turnout	
			Total	%A	%B	%H	%BH	%O	Total	SSVR-T	Total	TO/VR
90			163,261	13.2	11.0	74.7	85.1	1.7	62,043	50.6 %	27,071	43.6 %
	90	97.3 %	158,864	12.2	11.3	75.5	86.1	1.7	59,519	51.6 %	25,825	43.4 %
	99	2.7 %	4,397	52.2	2.4	44.2	46.2	1.6	2,524	26.6 %	1,246	49.4 %
*95			161,634	22.7	46.2	28.8	74.1	3.2	91,676	13.4 %	43,612	47.6 %
	95	100.0 %	161,634	22.7	46.2	28.8	74.1	3.2	91,676	13.4 %	43,612	47.6 %
97			168,901	63.2	14.0	19.0	32.4	4.3	111,572	10.6 %	67,408	60.4 %
	90	0.0 %	32	28.1	15.6	56.3	71.9	0.0	39	17.9 %	24	61.5 %
	97	100.0 %	168,869	63.2	14.0	19.0	32.4	4.3	111,533	10.6 %	67,384	60.4 %
99			166,864	67.0	5.5	23.9	29.1	3.9	110,322	15.2 %	59,130	53.6 %
	90	0.5 %	788	24.6	2.0	73.1	75.1	0.3	218	58.3 %	77	35.3 %
	99	99.5 %	166,076	67.2	5.5	23.7	28.9	4.0	110,104	15.1 %	59,053	53.6 %

* = The district in the first plan is identical to the district in the second plan.
For technical reasons, election results in Texas Legislative Council reports may vary slightly from the official election results. Complete official results for all elections are maintained by the Office of the Texas Secretary of State.
SSVR-T = Total Spanish surname voter registration