

# Texas Redistricting Paper

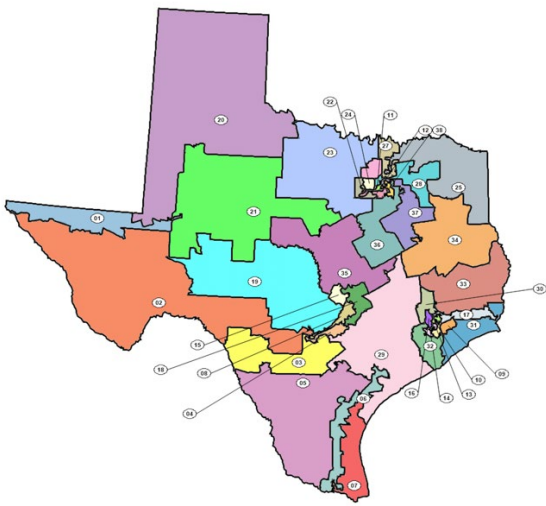
Sandy Pecht

Draw Congress: Stanford Redistricting Project

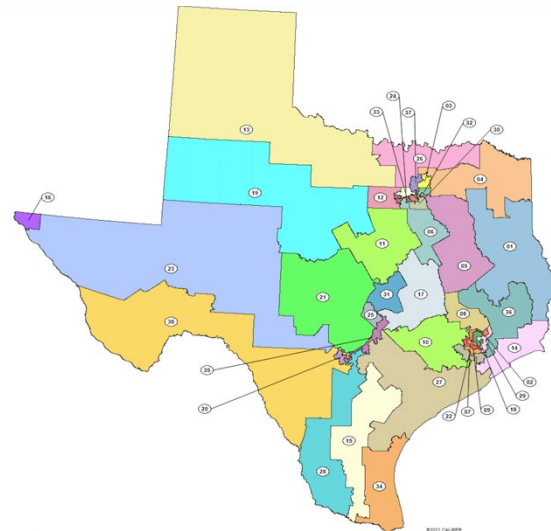
Prof. Persily

Autumn 2021

January 17, 2022



Proportionality Map



Good Government Map

## INTRODUCTION

In this paper, I analyze two maps I drew of Texas. First, I consider my proportionality map. My two goals here were to 1) draw a politically proportional map that 2) complies with the VRA to the maximum extent possible. To my first goal, my map contains 20 Republican districts and 18 Democratic districts, for a 53%R – 47%D split. Texas voted 53% Trump and 47% Biden in the 2020 presidential election, so the districts are as balanced as possible in partisan terms. To my second goal, about 30% of Texas’s citizen voting-age population (CVAP) is Latino. Twenty-nine percent of 38 districts comes to 11 Latino districts, which I have drawn. However, it is impossible to draw five Black districts, as would correspond to Black voters’ share of CVAP (at least without violating *Shaw*<sup>1</sup>). Instead, I drew three Black opportunity districts and one Black-Latino coalition district where Black voters’ candidate of choice would likely prevail.

Second, there is my good government map. This plan aims to draw districts which preserve communities of interest, respect political subdivisions, and are compact. Compactness may be at odds with the other two goals. This tension can be exacerbated by the constitutional requirement of perfect population equality, which often forces districts to either split subdivision lines or become awkwardly shaped. On top of this, it is often difficult for a good government map to provide proportional Democratic representation due to how compactness can punish urban vote concentration. As it happens, my map would actually have been a slight Democratic gerrymander using 2020 election results, but its many competitive districts mean it may be a slight Republican gerrymander in the 2022 environment.

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<sup>1</sup> *Shaw v. Reno*, 509 U.S. 630 (1993).

## **PROPORTIONALITY MAP**

### ***Preliminary concern: Malapportionment***

My proportionality plan is not malapportioned and does not violate Article I. *See Wesberry*.<sup>2</sup> Per the 2020 Census, Texas has a population of 24,145,505. Splitting this among 38 districts yields an ideal value of slightly less than 766,987. Every district could contain the ideal value except for one, which would be short one person. Consequently, my districts all have a deviation of 0, except for 35, which has a deviation of -1.

### ***Voting Rights Act (VRA) district locations***

Again, my goal was to draw a map that provides proportional political representation while complying with the VRA to the fullest extent possible.

#### *Latino representation*

First, I set out to draw Latino-majority districts. Historically, Texas has heavily discriminated against Latinos, including in redistricting. For example, the court-ordered map in place since 2013 contained only eight districts with Latino-majority CVAP. Plan C2193, the map enacted in October, reduces Latino electoral opportunity even further, despite explosive Latino population growth over the last decade. C2193 contains seven, or arguably six, Latino § 2 districts: five Latino-majority districts,<sup>3</sup> one reliable Latino opportunity district,<sup>4</sup> and one Black-Latino coalition district.<sup>5</sup> C2193 also has two Latino-majority districts that will likely fail to elect the Latino candidate of choice.<sup>6</sup> However, Latinos are 29% of CVAP in Texas, which would translate to 11 out of 38 districts. To that end, Latino civil rights groups are requesting “at least

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<sup>2</sup> *Wesberry v. Sanders*, 376 U.S. 1 (1964).

<sup>3</sup> Districts 16, 20, 28, 29, and 34.

<sup>4</sup> District 35, with 48% Latino CVAP in 2019.

<sup>5</sup> District 33, with 42% Latino CVAP and 28% Black CVAP in 2019.

<sup>6</sup> Districts 15 and 23. The previous version of 15 had already failed to elect the Latino candidate of choice, and then C2193 made the district even more Republican.

three more Latino opportunity districts,” i.e. at least 10 or 11.<sup>7</sup> I drew all 11 Latino-majority districts.

#### *Locations of Latino-majority districts*

Districts 01 and 02 both join the Latino community in El Paso with another urban Latino population center. 01 takes the northern half of El Paso county and runs east through a few extremely sparsely populated counties before terminating in Odessa and Midland. The intervening counties between El Paso and Ector County (containing Odessa) account for less than 1% of the district’s population. 02 begins in the southern half of El Paso and runs east to Crane County, then south to the city of Del Rio. The district concludes with a northwestern piece of San Antonio. This is the first of the new Latino districts. Both the old Texas map and the recently enacted C2193 had districts with similar geography to 02. However, despite being majority-Latino, the district in the old map failed to elect the Latino candidate of choice. C2193 reduced the Latino CVAP from 62% to 56%<sup>8</sup> and widened the political margin from roughly R+0.5<sup>9</sup> to R+7.<sup>10</sup> I flipped the partisanship by moving more of the heavily Democratic El Paso south into my district 02 and jettisoning some of the heavily Republican rural areas in the east.

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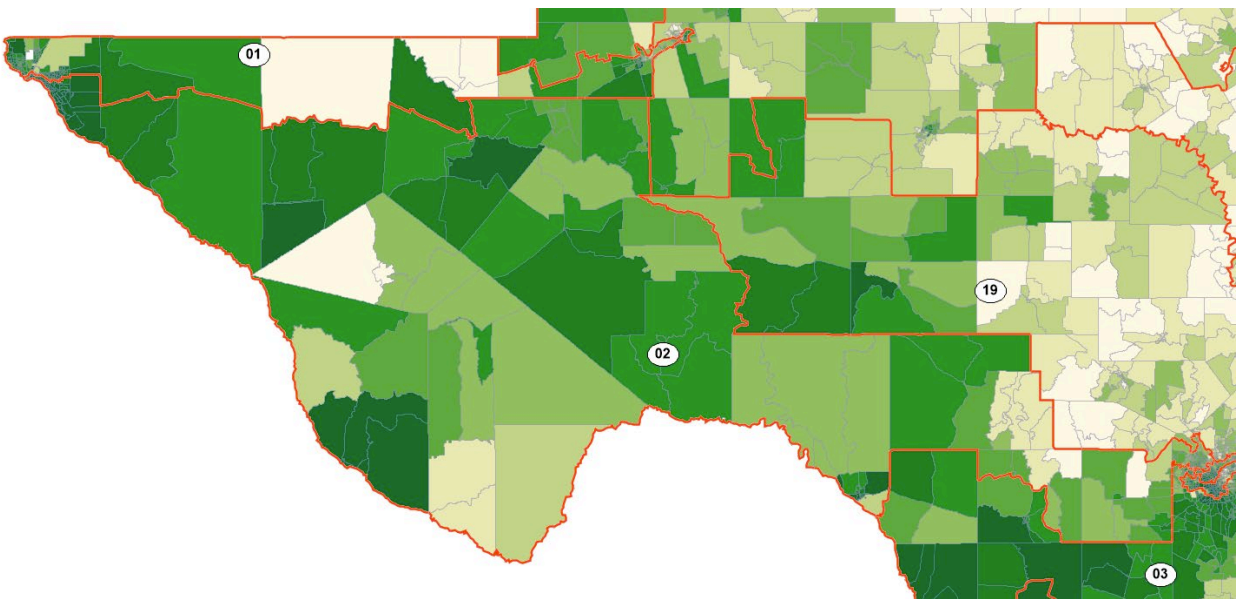
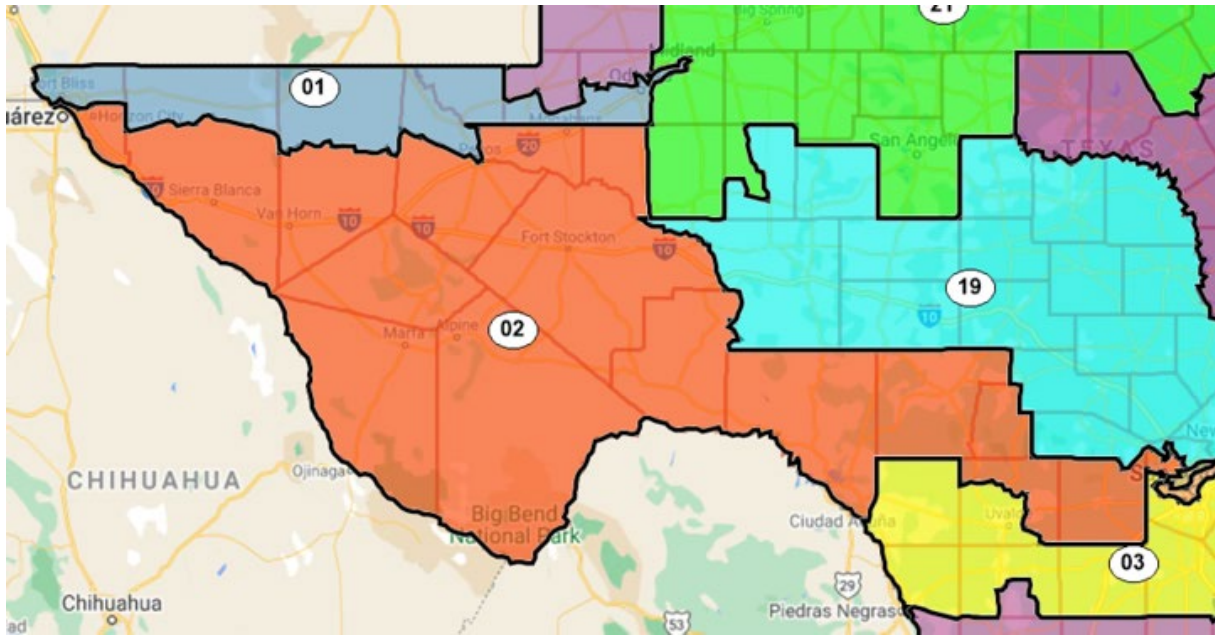
<sup>7</sup> Amended Complaint at 57, *LULAC v. Abbott*, No. 3:21-cv-00259 (W.D. Tex. filed Dec. 7, 2021). As of January 17, 2022, this case has had no impact on caselaw. The only developments of note were Texas arguing the VRA has no private right of action and the judge rejecting this argument in the face of overwhelming precedent to the contrary.

<sup>8</sup> Complaint at 12, *United States v. Texas*, No. 3:21-cv-00299 (W.D. Tex. filed Dec. 6, 2021).

<sup>9</sup> <https://www.justice.gov/opa/press-release/file/1453656/download>

<sup>9</sup> <https://davesredistricting.org/maps#viewmap::19b1b774-7706-485b-a21a-896bbcbddbba>

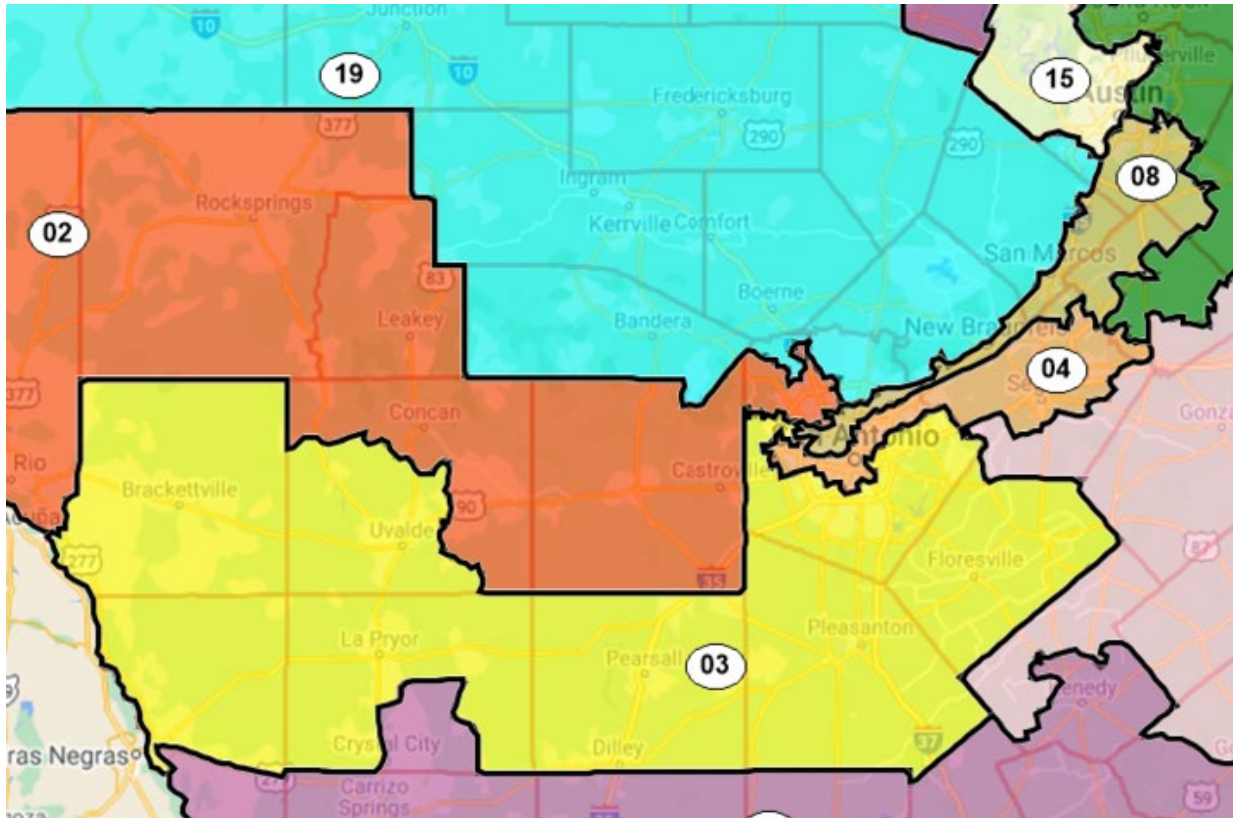
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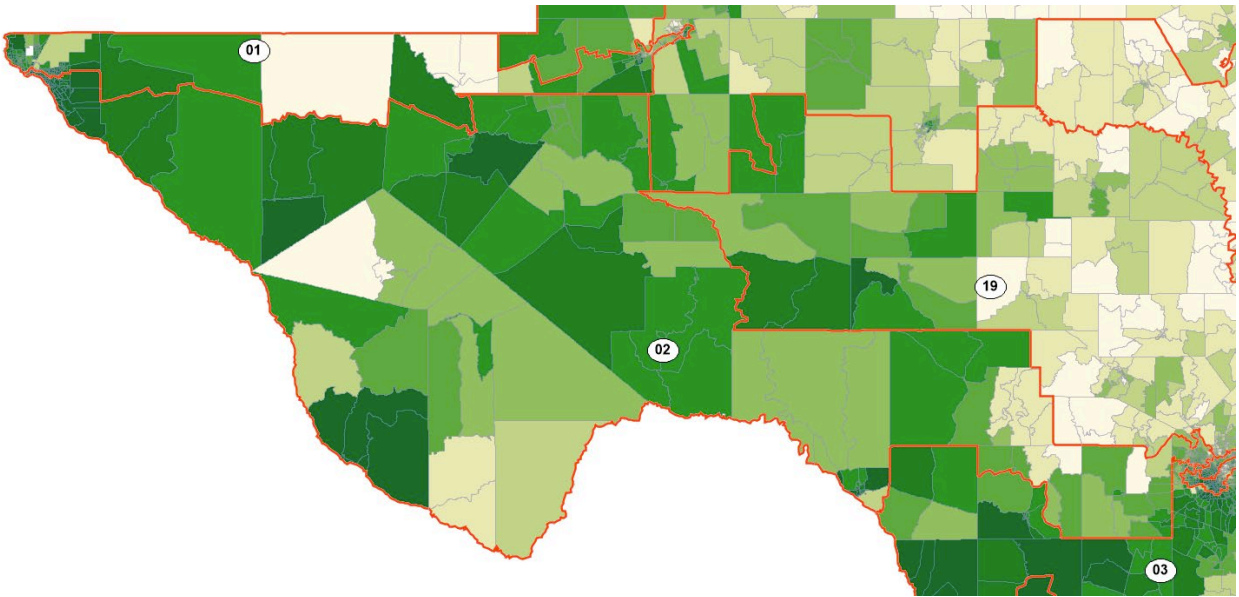


Heatmap of Latino CVAP

Another new Latino district comes from drawing three districts (03, 04, and 08) around San Antonio and Austin. Texas' prior and current maps only draw two Latino districts from this region. Most of 03's population comes from the outskirts of the city and the southern half of

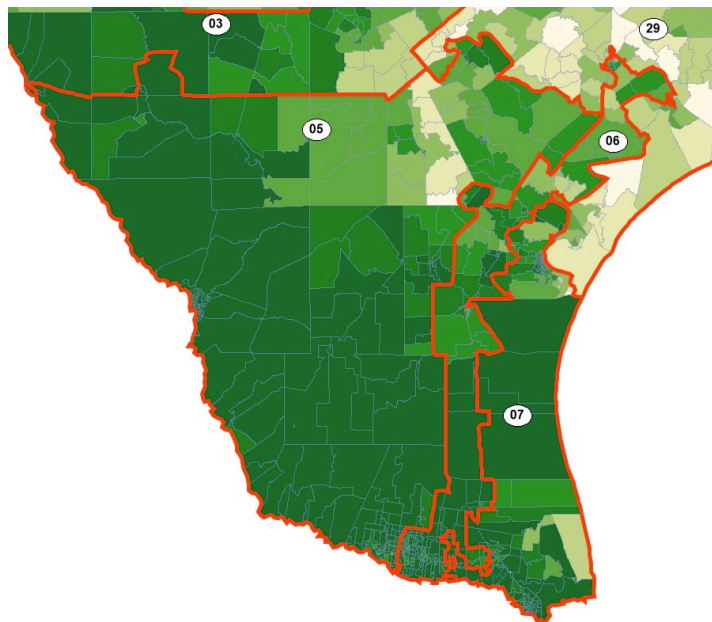
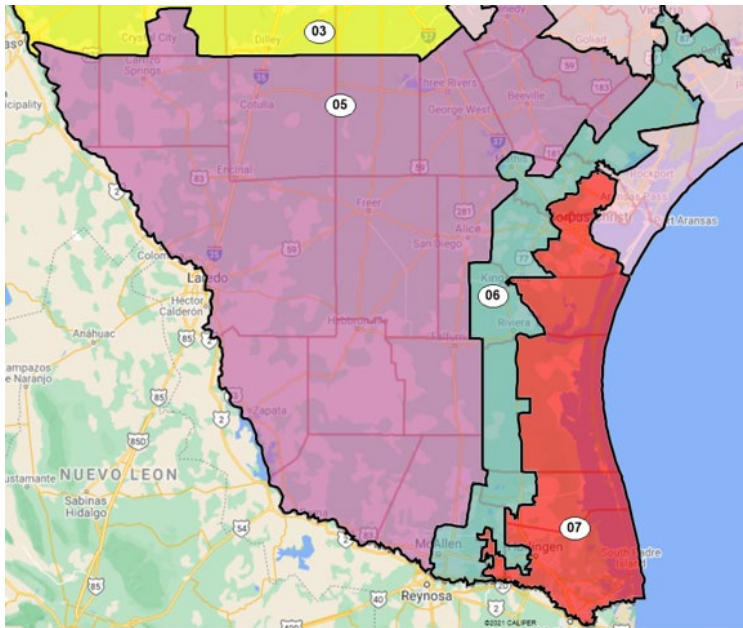
Bexar county. The district then moves west until it reaches the Mexican border. 04 begins in the city center and rounds out its population with roughly half of Guadalupe County to the northeast. Lastly, 08 closely resembles the old TX-35 and connects San Antonio with Austin via a tiny strip through Comal County.





Heatmap of Latino CVAP

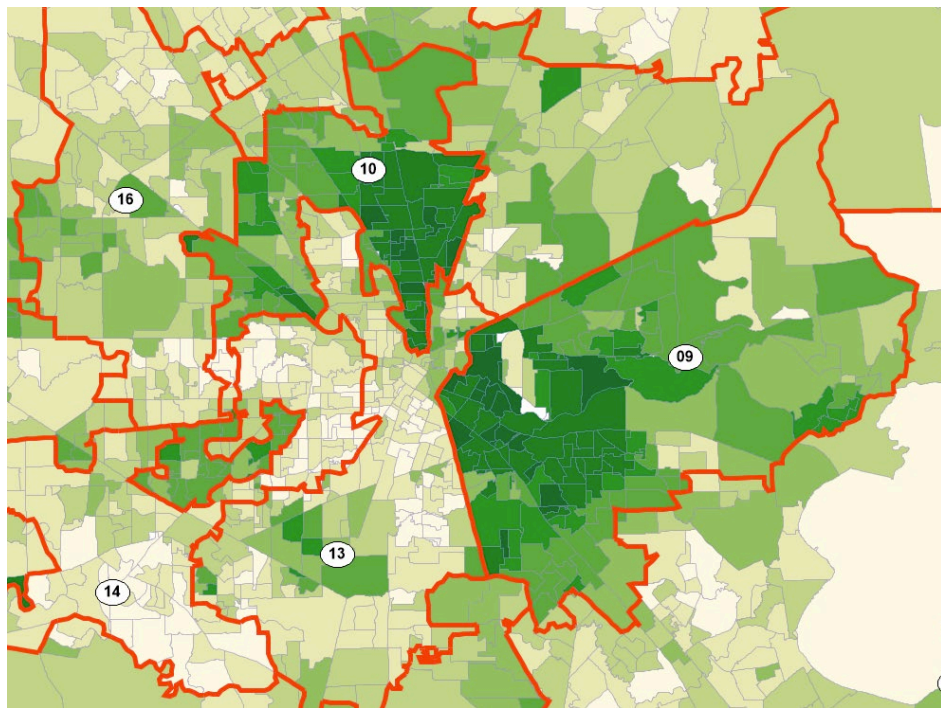
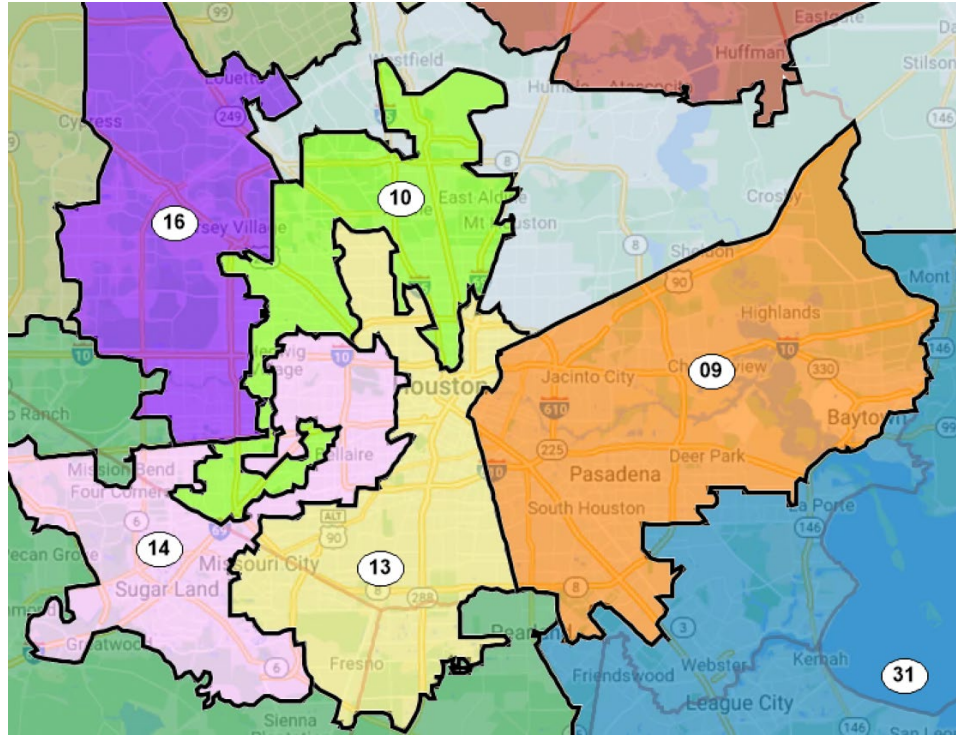
Despite adding a district emanating from San Antonio, I was still able to draw three more Latino districts in the Rio Grande Valley (RGV). Note none of my Valley districts come close to San Antonio, let alone Austin. *Cf. LULAC v. Perry*, 548 U.S. 399 (2006). 05 encompasses the least dense areas of the Valley and is formed primarily from Laredo, Starr County, and the western half of Hidalgo County. Starr County is the most Latino county in the nation, with approximately 98% of its population identifying as Latino. 06 is anchored in the eastern half of Hidalgo County and extends north to Victoria. Rounding out South Texas is 07, beginning in Cameron County and ending around Corpus Christi.



Heatmap of Latino CVAP

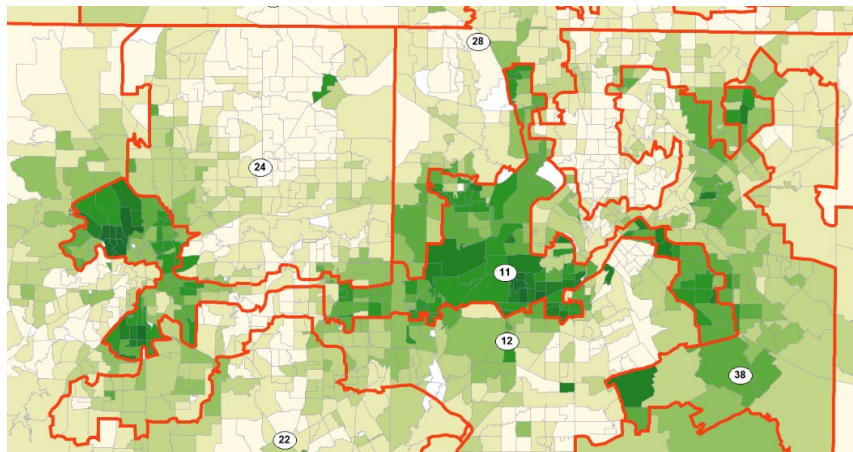
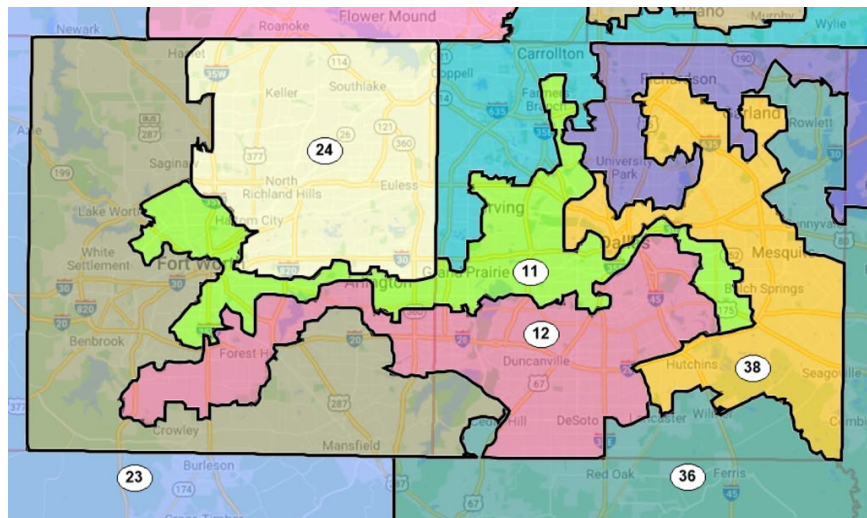
My final new Latino-majority district comes from drawing two in Harris County. 09 contains the southeastern quadrant of Houston, running from the city center down to Southbelt/Ellington and east to Baytown. 10 is considerably more gnarled, and I discuss it further in the “*Legality of Latino districts*” section *infra*.





Heatmap of Latino CVAP

My last Latino district, 11, connects the Latino populations in Dallas and Fort Worth and closely resembles the current TX-33. It excises some of the city of Grand Prairie above Route 30 and replaces this population with a branch out east to Pleasant Grove. By making 11 less compact than in C2193, I am able to draw this Latino-majority district and a Black-Latino coalition district in eastern Dallas. Dallas in C2193, on the other hand, contains only a Black-Latino coalition district and Black-Latino coalition influence district.<sup>11</sup>



Heatmap of Latino CVAP

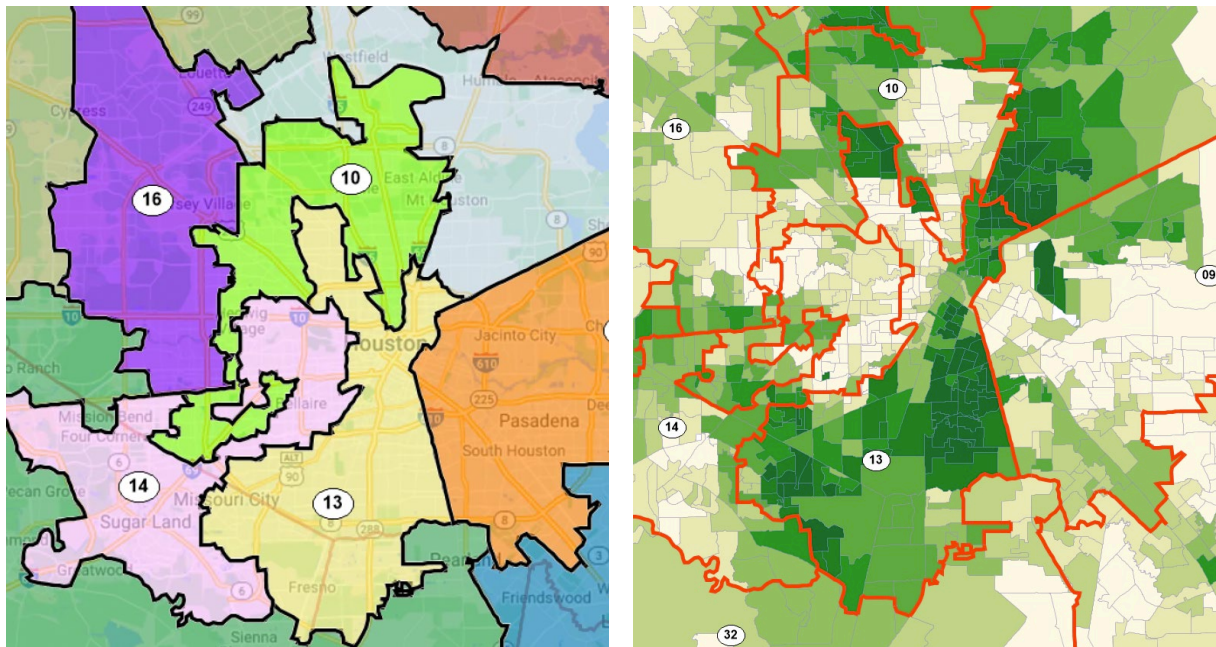
<sup>11</sup> I.e., C2193 contains one district with over 50% Black and Latino combined CVAP (district 33), and another district with only 43% Black and Latino CVAP (district 32).

### *Black representation*

Black voters are 13% of CVAP in Texas, which would translate to five Black opportunity districts out of 38 statewide. However, it is impossible to draw five compact such districts, so my plan contains three Black opportunity districts and one Black-Latino coalition district. The Black-Latino coalition district will likely elect the Black candidates of choice.

### *Locations of Black-majority and opportunity districts*

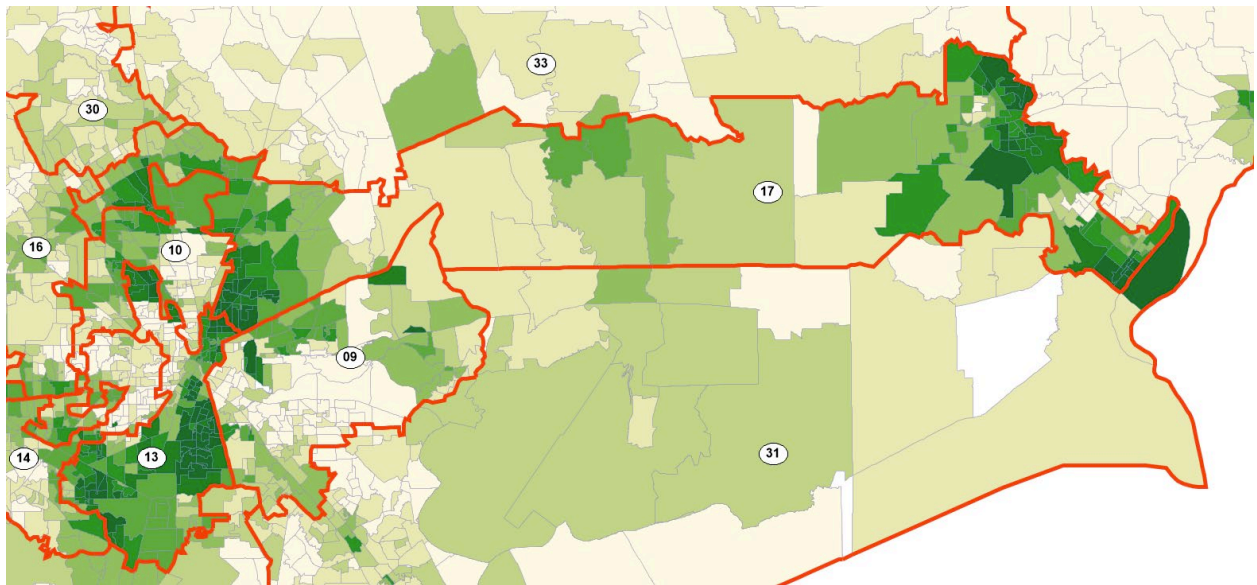
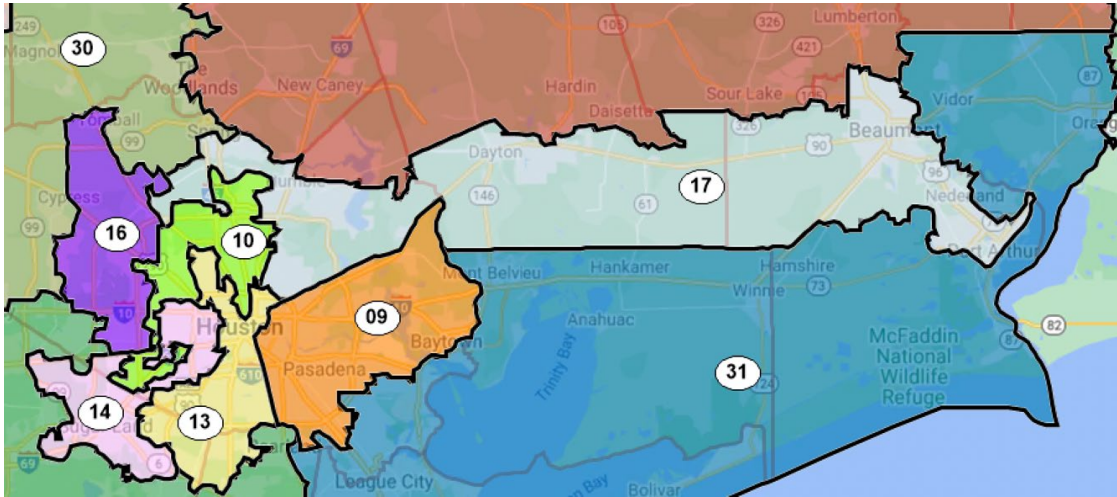
Two districts are in Houston. District 13 connects the highly Black corridor ending in the Acres Homes neighborhood with the Black suburbs south of Houston, such as Missouri City.



Heatmap of Black CVAP

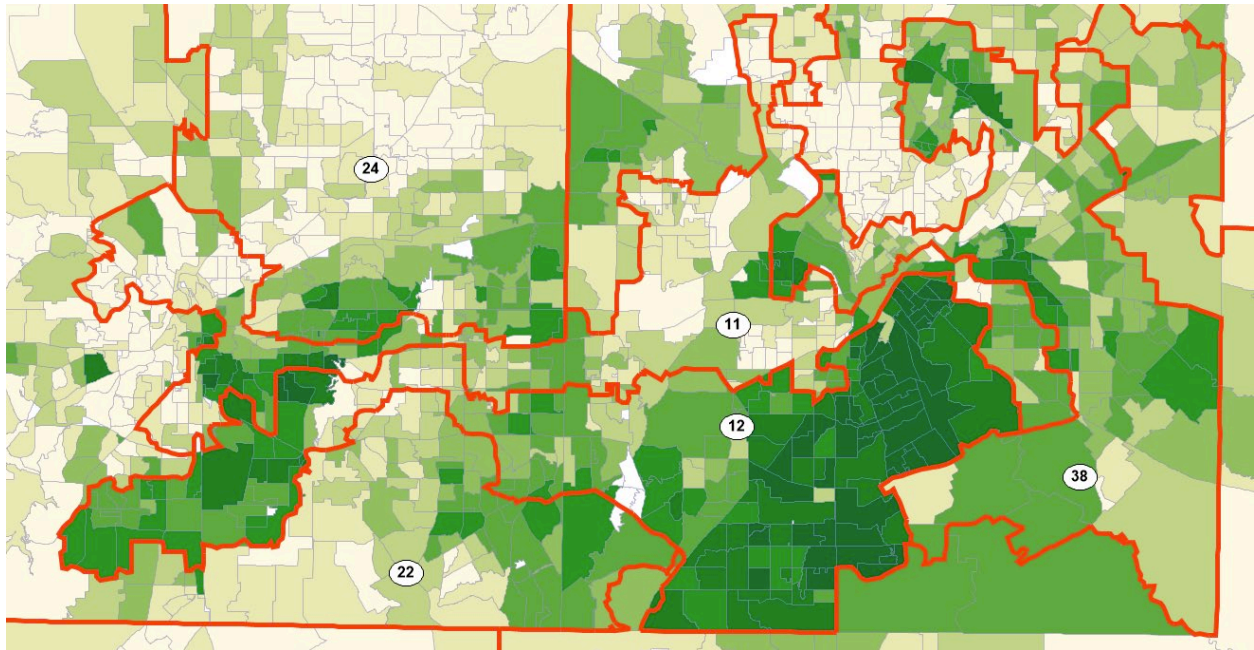
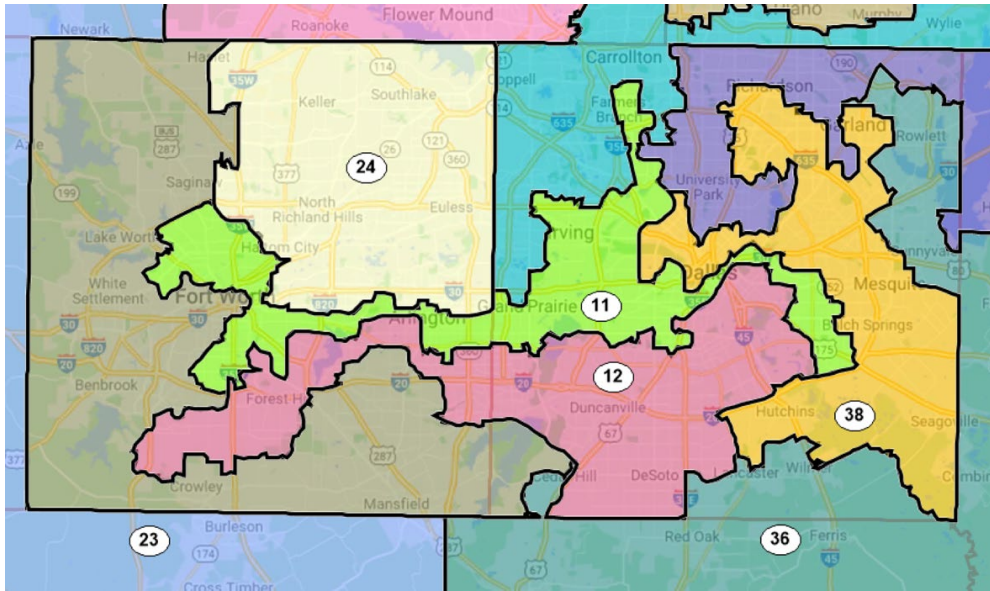
District 17 connects the remaining Black pockets of Houston with the large Black populations in the nearby cities of Beaumont and Port Arthur. Extending 17 out to Beaumont

makes it much easier to construct the second Latino-majority district in Houston. 17 looks somewhat unnatural, but this is largely because I kept almost all voting districts whole.



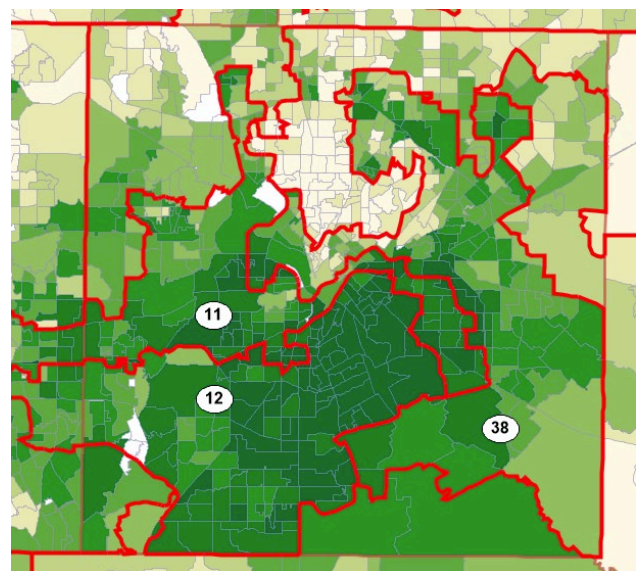
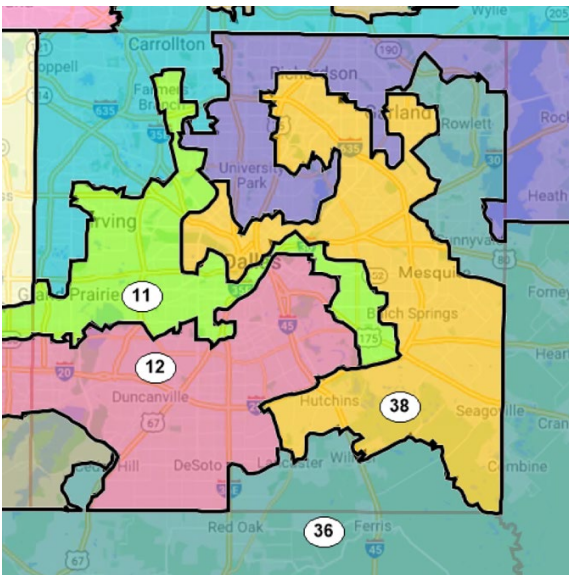
Heatmap of Black CVAP

My third Black district, 12, comes from the core of the pre-existing TX-30 in Dallas, but now it connects to Fort Worth. Sacrificing some of its compactness lets me draw a true coalition district, 38, with over 50% Black-Latino CVAP (unlike district 32 in C2193).



Heatmap of Black CVAP

38 traces out the voting districts with the highest combined share of Black and Latino CVAP remaining. The district is somewhat bizarrely shaped, rather like a hand with a thumb and three fingers. One finger is in the center of the city. A second finger encompasses Lake Highlands, a sizeable Black and Latino neighborhood separated from the city center by a curling claw of white voters. In the third finger, there is the city of Garland, with a large Latino and average Black presence. These fingers come together, then move east to the county border and south to the city of Wilmer. See “*Legality of Black opportunity districts*” *infra* for further analysis of coalition districts.



Heatmap of Black + Latino CVAP

### *Asian representation*

At 4% of Texas CVAP, Asian-Americans are hypothetically numerous enough to form a CVAP majority in one Congressional district. However, they are not nearly compact enough in

practice. Of all my districts, 14 has the highest Asian-American CVAP, at only 22%.<sup>12</sup> It is based in southwest Houston. The core of the district is Sugar Land and other high-Asian-American and high-minority concentration suburbs, connected to a spiral of conservative white voters inside Houston.

### ***VRA districts' legality***

#### *Outline of standards*

Drawing districts using race as the predominant concern triggers strict scrutiny and will likely violate the Fourteenth Amendment, if those districts are not narrowly tailored to avoid a VRA violation. *Shaw*. Bizarre shapes can be evidence that racial concerns predominated. *Id.* Lower courts have held, and the Supreme Court has assumed without deciding, that narrowly tailoring a district to comply with the Voting Rights Act is the only compelling state interest that can rescue a district from a *Shaw* violation. *See, e.g., LULAC v. Perry.*

It is not entirely clear what compliance with the VRA requires. At a minimum, the VRA requires the creation of districts that satisfy the *Gingles*<sup>13</sup> prongs and the totality of the circumstances. *Gingles* requires 1) the minority group comprise over 50%<sup>14</sup> of citizen voting-age population<sup>15</sup> in a single-member district, 2) the minority group be politically cohesive, and 3) white voters bloc vote to defeat the minority group. If a minority group passes the *Gingles* prongs, courts look to the totality of the circumstances to determine if a minority group has less opportunity to elect its candidates of choice. Courts place special emphasis here on criteria known as the “Senate factors.”

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<sup>12</sup> To be clear, I am *not* saying I intentionally drew a district to maximize Asian-American representation. I am saying that after I drew the entire map, when I sorted all 38 districts by Asian-American CVAP from highest to lowest, district 14 ranked first.

<sup>13</sup> *Thornburg v. Gingles*, 478 U.S. 30 (1986).

<sup>14</sup> *Bartlett v. Strickland*, 556 U.S. 1 (2009).

<sup>15</sup> The Supreme Court has assumed, and virtually all lower courts have held, that the minority group must form a majority of CVAP (not, e.g., total population). *See, e.g., LULAC v. Perry.*

Less clear is whether, after the demise of retrogression, the VRA still protects the creation of opportunity districts with, e.g., 40-50% minority CVAP.

Outside of VRA compliance, line-drawers can also defend their maps by arguing that what seems like racial consideration is actually mere partisan politics. *Easley v. Cromartie*.

### *Legality of Latino-majority districts*

#### *Gingles* prongs and totality of the circumstances

Latinos pass the three threshold requirements and the totality of the circumstances test in *Gingles*. Whites certainly bloc vote against the Latinos' preferred candidates in Texas, backing Trump by over 30 points in 2020, for one example, so *Gingles*' third prong is met. The totality of the circumstances inquiry is easy for Texas, with a long and storied history of discrimination.<sup>16</sup> The only element remotely in doubt is *Gingles*' second prong, minority political cohesion. Latinos have historically met this requirement easily, but 2020 saw a significant rightward shift. Texas Latinos supported Biden over Trump by only 58% to 41%. Republicans also recently won a state house seat in San Antonio, a Latino and long-time Democratic stronghold.<sup>17</sup> Nevertheless, a court is unlikely to throw out decades of polarization after one weaker election cycle. As long as a district is over 50% Latino CVAP, elects the Latino candidate of choice, and is not outlandishly bizarre, a court is generally likely to require the district's creation. All of my Latino districts, 01 through 11, are at least 50.1% Latino by CVAP, satisfying the first prong of *Gingles*. Thus, barring truly extreme line-drawing, all of my districts could likely be required by the VRA, and thus survive a *Shaw* challenge.

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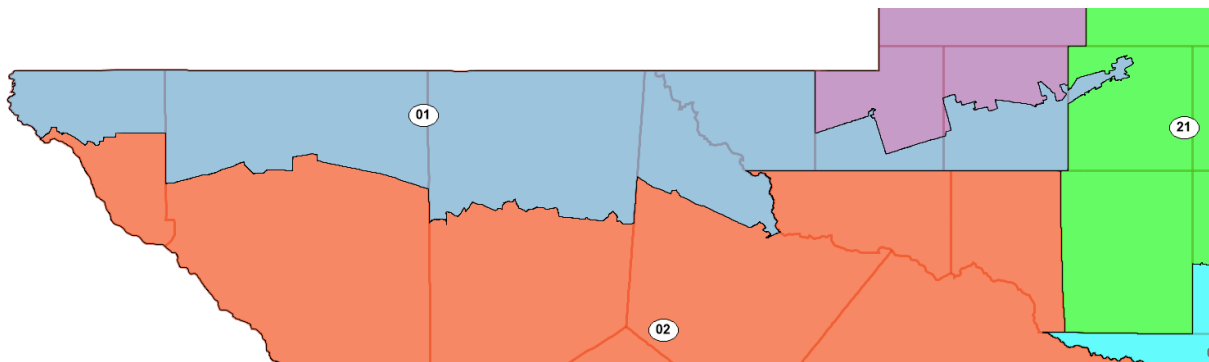
<sup>16</sup> See, e.g., Complaint at 5-6, 40-42, *United States v. Texas*, No. 3:21-cv-00299 (W.D. Tex. filed Dec. 6, 2021). <https://www.justice.gov/opa/press-release/file/1453656/download> <https://www.justice.gov/opa/press-release/file/1453656/download>

<sup>17</sup> <https://www.nytimes.com/2021/11/03/us/elections/john-lujan-san-antonio-house.html>



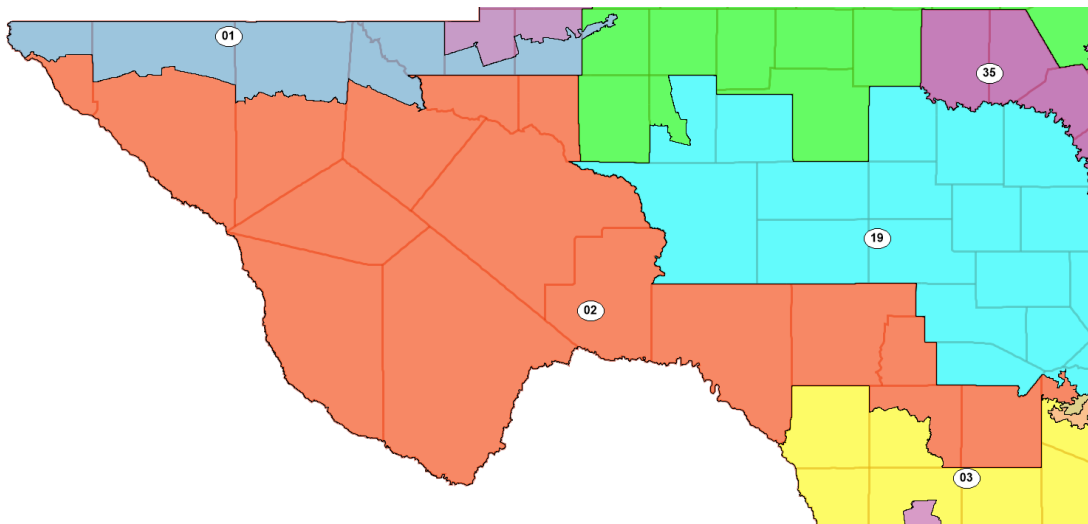
### District analysis

District 01 likely avoids a *Shaw* violation. To start, it is not particularly bizarre. It is reasonably rectangular until it reaches Winkler County, where the district begins more closely discriminating against whiter voting districts. On the one hand, the district does split every county it runs through, but on the other, this allows the district to remain more compact. In particular, by splitting Hudspeth, Culberson, and Reeves through the middle (rather than repurposing Route 10 as the dividing line between 01 and 02 further south), I kept 01, and especially 02, more compact. As with all of my districts, I always kept voting districts whole, working with census blocks only to avoid malapportionment. Even then, I aimed to only split one voting district per congressional district to achieve population equality. District 01 would have voted for Biden over Trump by 12 points, 56%-44%, likely making it a safe district for Latinos' candidates of choice.



District 02 almost certainly avoids a *Shaw* violation. It is very similar to the existing VRA district TX-23, but with some of the whiter counties shaved off from the north and east. The only potential legal worry is that, because I replaced those counties with Latinos in El Paso, the district might raise similar issues to *LULAC v. Perry*. In *LULAC*, a proposed Latino VRA

district was struck down because the Latinos it connected in Austin and the southern RGV were too disparate, both geographically and culturally. However, I was unable to find this “cultural compactness” analysis in any court case, suggesting only the most severely dissimilar conglomerations fail *Gingles*’ second prong. Also, Latinos in liberal cities El Paso and San Antonio are likely far more similar than Latinos in liberal Austin and the more conservative RGV. For example, TX-16, the existing district which includes almost all of El Paso and is 77% Latino CVAP, usually votes around 65%D-35%R or higher, even in 2020. This 30-point margin is almost identical to the results in TX-20, a majority-Latino district based entirely in San Antonio. A full consideration of the similarities between the various Latino populations is outside the scope of this paper, but I am confident district 02 would stand.

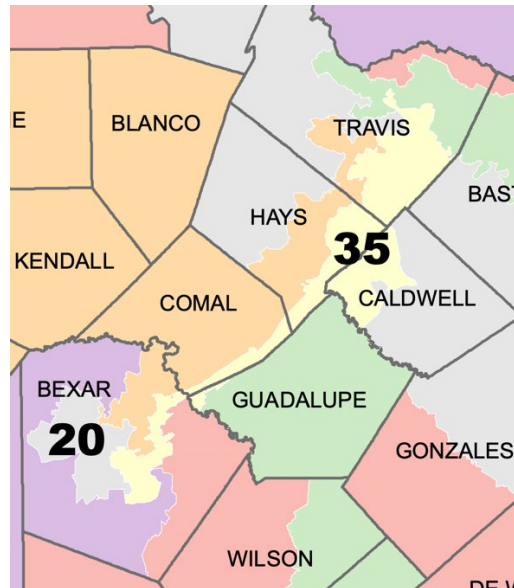
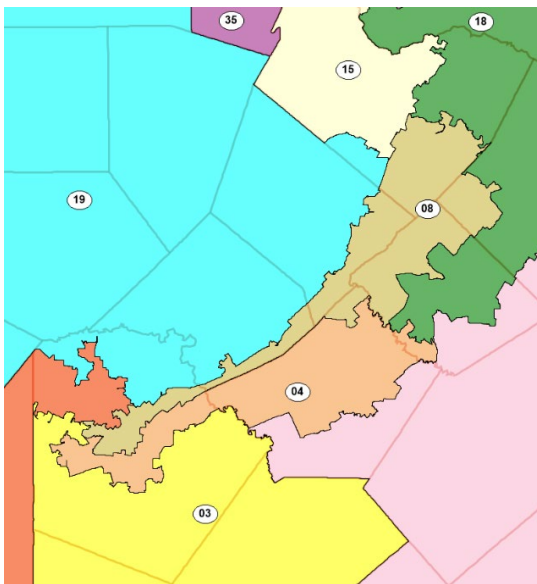


District 03 is compact and does not violate *Shaw*. Perhaps 03 could be challenged for risk of failing to perform, as it has only a 10-point partisan margin. However, the district is only 27% white, so Democrats would need to drop 18 more points in the white vote (from their current position of -33 points statewide) for this district to flip. Because Latinos make up 60% of CVAP

in 03, the only plausible way for the district to flip (at least for a few years) is for Latinos to move further right. However, in this scenario, Latinos would likely be breaking for Democrats by less than 10 points. Political cohesion would no longer exist and the VRA would no longer require Latino districts.

District 04 is more compact than the existing TX-35 and, unlike TX-35, does not combine reach up to Austin. Because TX-35 has never been struck down, my district 04 likely would not either.

District 08, to step out of order for a moment, is drawn from TX-35, but I shaved off population from both Austin and San Antonio to make it more compact. As a more compact version of TX-35, I expect it does not violate *Shaw*.

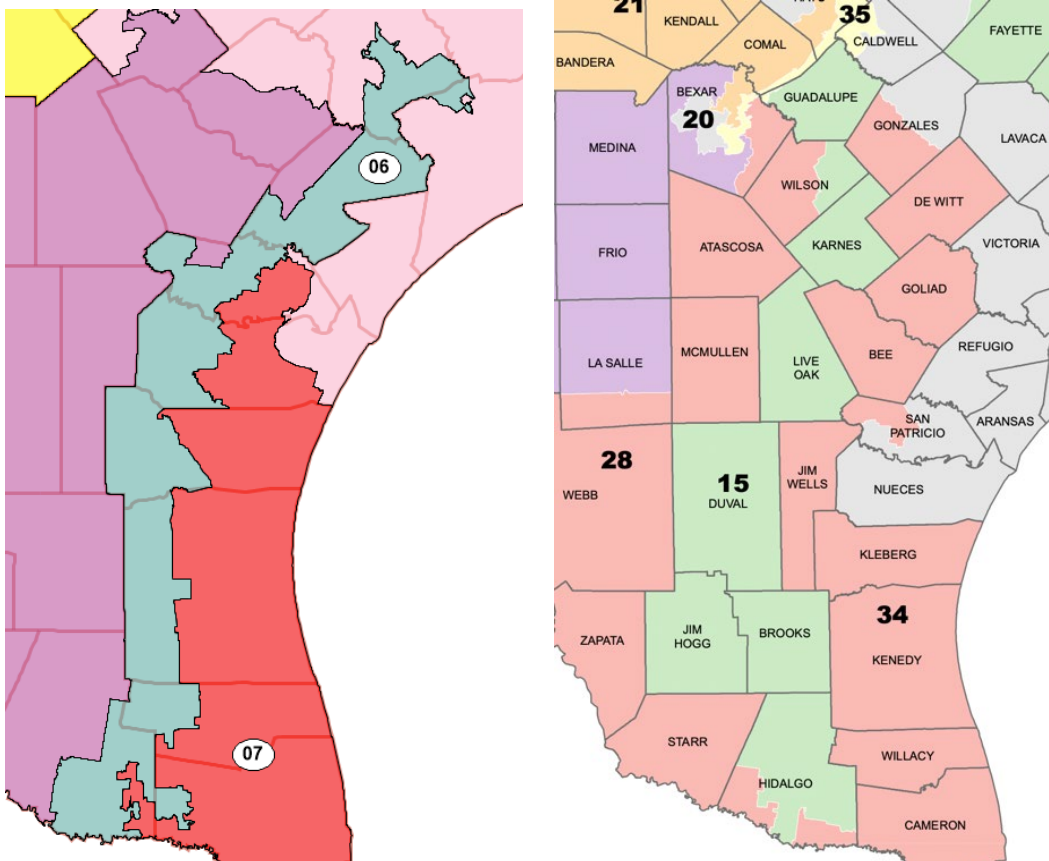


TX-35, as in place from 2012-2021.<sup>18</sup>

District 05 is compact and does not violate *Shaw*.

<sup>18</sup> Source: [https://redistricting.capitol.texas.gov/docs/maps/c\\_2012\\_2020\\_FINAL\[21R%202109\].pdf](https://redistricting.capitol.texas.gov/docs/maps/c_2012_2020_FINAL[21R%202109].pdf)

District 06 is very thin, never even a full county wide, and has somewhat jagged and bumpy edges. However, a thin and tall district is required in the Rio Grande Valley if San Antonio is to support another Latino district (in my map, district 03). The southern tip of 06 is particularly bizarre-looking, but all the voting districts in that area are heavily Latino; I manipulated Hidalgo and Cameron to achieve population equality, not for racial reasons. A more compact division between 06 and 07 could be drawn in those counties, but it could come at the expense of respecting political subdivisions. In any event, 06 is not significantly more bizarre than its historical analogue TX-15, nor is it significantly less compact.



TX-15, as in place from 2012-2020.<sup>19</sup>

<sup>19</sup> Source: [https://redistricting.capitol.texas.gov/docs/maps/c\\_2012\\_2020\\_FINAL\[21R%202109\].pdf](https://redistricting.capitol.texas.gov/docs/maps/c_2012_2020_FINAL[21R%202109].pdf)

District 07 is compact and does not violate *Shaw*.

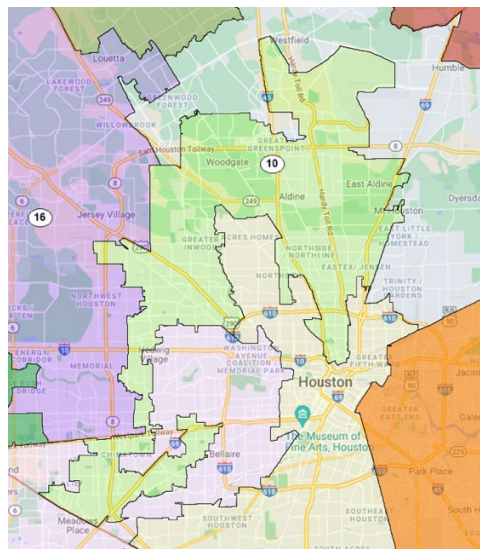
A geographic note on the Rio Grande Valley as a whole: my elongated districts do not stretch as far as the pre-existing elongated districts, and one of my districts (05) arguably isn't elongated at all, but a regular district. None of them comes within 100 hundred miles of Austin, nor does any of them connect to San Antonio, so they are not vulnerable to *LULAC*. To accomplish this, I had to sacrifice political subdivisions and split counties, but this allowed me to keep the three Rio Grande Valley districts despite adding a new Latino district in San Antonio.

A political note on the Rio Grande Valley: District 05, 06, and 07 are the most politically competitive of my Latino districts; they vote Democratic by 7, 9, and 10 points, respectively. However, they are also 86%, 80%, and 74% Latino CVAP. Consequently, these are still functional VRA districts for reasons similar to 03 above. For these districts to turn red, the Latino vote would need to decline to around 55%D – 45%R. At this point, the VRA would no longer apply to Latinos in the RGV, though *LULAC v. Perry* suggests the possibility of a future court striking down Latino § 2 claims in the Valley while allowing Latino § 2 claims in the liberal cities further north.

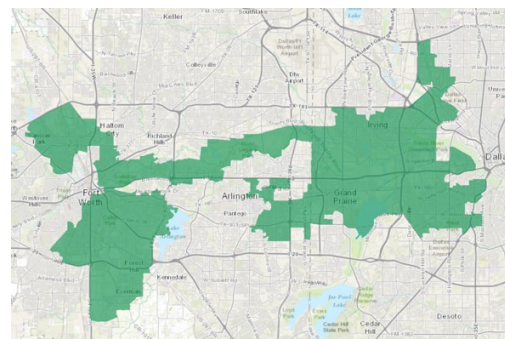
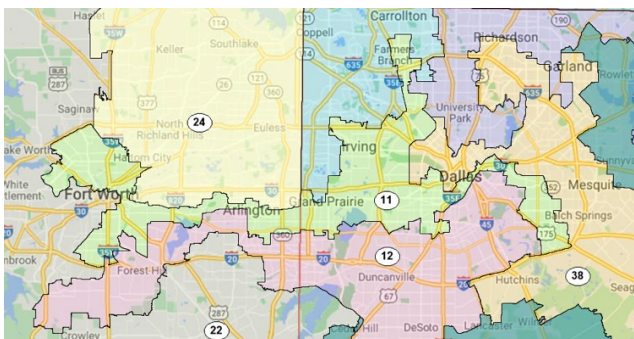
District 09 is compact and not vulnerable to a *Shaw* challenge.

District 10 is the most bizarre Latino district, but it is so bizarre precisely because it is so narrowly tailored to comply with the VRA. Virtually all Texas plans use a triangular region in North Houston as the basis of a Latino district, and mine is no exception. This triangle is roughly bounded by the intersections of Route 10, Route 69, and Route 45/Veterans Memorial Highway. I then ran the district west to the Latino neighborhood of Langwood and south to the Latino neighborhood of Westwood. To contrast, the enacted C2193 runs the district east into Pasadena,

the core of my other Latino district. By moving west instead of east, I am able to draw a new Latino district. Unfortunately, my district 10 looks somewhat bizarre, but this allows it to reach 50.1% Latino CVAP. I could smooth out the edges by breaking up voting districts, but this would simply sacrifice one traditional criteria (respecting political subdivisions) in favor of another (compactness). Because I everywhere chose to prioritize respecting voting districts, as I value administrability over beauty contests, I leave the district as is.



District 11 is not attractive but, as mentioned, it is mostly formed from the never-struck-down TX-33. Given it is not significantly more bizarre than TX-33, I doubt it would fall to *Shaw*.



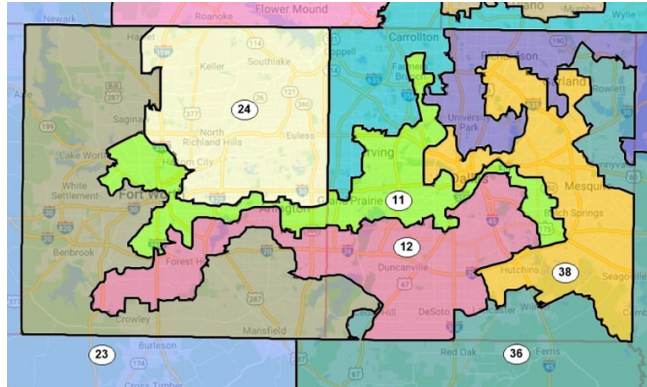
### *Legality of Black opportunity districts*

Black opportunity districts in Texas face a different set of legal hurdles than do Latino districts. Namely, it is the ability to form a majority, rather than political cohesion, that could be a problem. The districts in operation from 2013-2021 and the newly enacted C2193 both drew three districts where Black CVAP is between 40-50%. However, it is not clear that compliance with the VRA requires such districts. In fact, the Supreme Court has been quite clear that minority groups cannot sue for a VRA district if they fall under 50% of CVAP. *Bartlett*. So, if Republicans (or anyone) brought a plausible *Shaw* claim against a 45% Black district, it is not clear how Texas could claim the district is narrowly tailored to serve a compelling government interest. To my understanding, for the district to survive, a court would have to find that the VRA does require districts with 40-50% minority CVAP, but that courts cannot provide such districts as remedies under *Gingles* and *Bartlett*. Historically, such districts might have been protected by retrogression, but post-*Shelby County*<sup>20</sup> it is not clear whether they can still withstand a *Shaw* challenge.

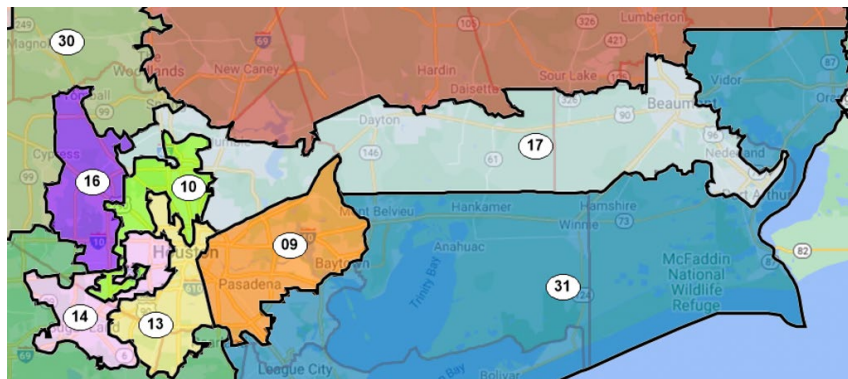
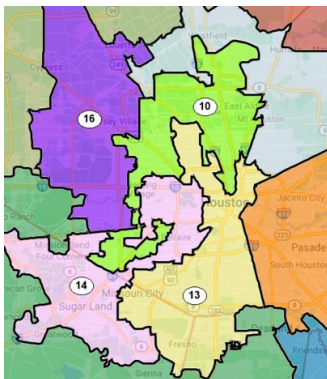
Nonetheless, I drew three Black districts, two (13, 17) of which are opportunity districts. District 12, on the other hand, contains over 50% Black CVAP. It is not particularly pleasing to the eye, but a Black-majority district is clearly required in Dallas-Fort Worth. A more compact district that better respects political subdivisions could be created by staying entirely within Dallas County, rather than moving west to Tarrant County. However, doing so would eliminate the possibility of a Black-Latino coalition district in east Dallas (in my plan, 38). Whether 12 is a *Shaw* violation could thus turn on whether courts will find the VRA requires Black-Latino coalition districts in Texas, or at least in Dallas.

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<sup>20</sup> *Shelby County v. Holder*, 570 U.S. 529 (2013).



Districts 13 and 17 in Houston are the Black opportunity districts, with 46% and 40% Black CVAP, respectively. Both are heavily Democratic and will elect the Black candidates of choice. District 13 is a compact blob with a truncated V-shape on top. The blob and the “V” are heavily Black neighborhoods and are split in the official Texas maps, each forming the core of a Black district. I shortened the right side of the “V” and attached it to the south Houston blob to form district 13, and then connected the remainder of the “V” to the Black population in Beaumont to form district 17. Each is potentially vulnerable to a *Shaw* claim, though I think 17 is fairly compact given that it splits almost no voting districts, except to reach perfect population equality. Whether the districts would survive could depend on whether opportunity districts with 40-50% minority CVAP are narrowly tailored to comply with the VRA.





However, there are two alternative defenses of the Black Houston districts. First, I could argue they are motivated merely by partisanship, not race. Per *Cromartie*, I could show that the Blackest voting districts are also the most heavily Democratic, and then claim I was simply trying to sweep up more Democratic voters. Note it is harder for me to draw safe Democratic seats in Houston because I added a second Latino VRA district; this supports the decision to extend 17 out to Beaumont.

My second defense would be that the VRA requires Black-Latino coalition districts, if not in Texas generally then at least in Houston. This would eliminate the *Gingles* prong 1 issue, as 13 and 17 are approximately 60% Black and Latino CVAP each. While a full empirical analysis of political cohesion is outside the scope of this paper, Texas courts have found Black and Latino voters to be politically cohesive in the past.<sup>21</sup> I also assume there is a long history of Latinos supporting the Black candidates who represent the Black opportunity districts in Houston. However, permitting 13 and 17 (and 38, the actual coalition district) as coalition districts could be difficult if a court finds the districts would provide extra representation to Latinos. Maps need not maximize minority representation; proportionality is usually as far as courts will go.<sup>22</sup> Because Latinos already have the proportional 11 VRA districts with 50+% LCVAP, Black-Latino districts would not be required by the VRA to provide Latinos the opportunity to elect their candidates of choice. I am unsure if a court would be swayed by the argument that the districts would function as Black opportunity districts, since that argument somewhat undermines the point of the coalition in the first place.

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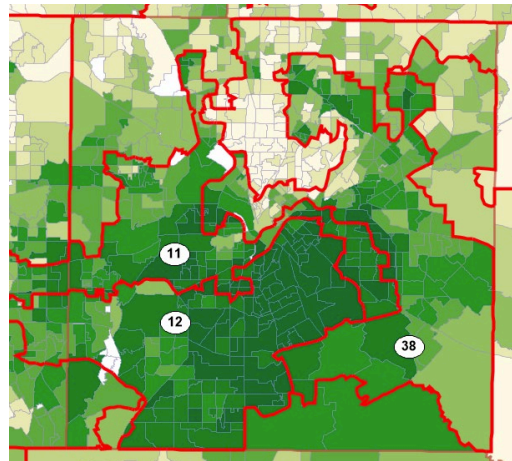
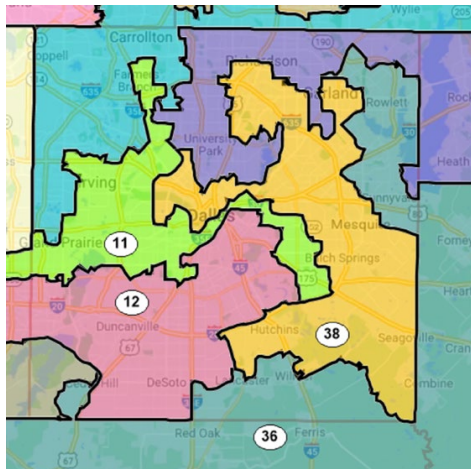
<sup>21</sup> See *LULAC v. Midland Ind. Sch. Dist.*, 812 F.2d 1494; *LULAC v. Clements*, 986 F.2d 728.

<sup>22</sup> *Johnson v. De Grandy*, 512 U.S. 997 (1994).

What if the mapmaker was more risk-averse and feared that districts with less than 50% minority CVAP are not narrowly tailored to avoid a VRA violation (and thus vulnerable to *Shaw* claims)? Then they could draw 13 as 50.1% Black CVAP and 17 as 36% Black CVAP, rather than 46% and 40.1%. This would ensure 13 could defend against a *Shaw* claim. However, it would come at the cost of Black concentration in 17. District 17 would still likely elect Black candidates, but it would be closer to being a true coalition district rather than a Black opportunity district. I erred on the side of three Black-majority or opportunity districts and one coalition, rather than two Black-majority and two coalitions, to provide more proportional representation for Black Texans. Unfortunately, this approach could be more vulnerable to *Shaw* challenges.

### *Legality of district 38*

My 38th district is a coalition with 51% Black-Latino CVAP that elects Democrats by a 36-point margin. It looks strange; as described above, it resembles a hand with fingers composed of Black and Latino neighborhoods. To defend against a *Shaw* claim, I would argue Black and Latino voters are sufficiently politically cohesive. I would also argue my predominant concern was not race, but partisanship. Once my Latino and Black VRA districts have been drawn in Dallas, 38 is a very reasonable attempt to collect the most Democratic voting districts remaining.



In practice, 38 is more Black (28% of CVAP) than Latino (24%). This, combined with Black voters' higher propensity to vote in the Democratic primary, makes Black voters' candidate of choice more likely to win the primaries. Because the district is 68%D-32%R, this candidate will probably go on to win the general election. In practice, then, this district will likely function as a Black opportunity district. Actual elections support this conjecture, as the roughly corresponding existing district (TX-32) has been represented by a Black man, Colin Allred, since it flipped to Democratic control in 2018. That district is only about 6-7 points Democratic. Notably, TX-32 was even less Black (14% BCVP) when it elected Allred. TX-32 was also less Latino at the time (15% LCVAP), but this does not hurt my theory that my new district would elect Black candidates. Black voters are a larger share of Democratic voters in my new district (37%) than in TX-32 (24%), and my district is much more solidly Democratic than TX-32. Overall, both in theory and by comparison to the existing district, my district 38 is likely to function as a Black district.

### ***Remaining districts***

#### *Legality of remaining districts*

Because all of my districts comply with Article I's mandate of perfect population equality, and because *Rucho*<sup>23</sup> eliminated partisan gerrymandering suits, all remaining districts are legal, regardless of how preposterous they look. The only potential exception is 14, discussed *infra*. My primary motivation for the remainder was drawing the proportional number of Democratic and Republican seats. However, this can be done in an almost infinite number of ways, so my guiding principle was maintaining communities of interest. As in my good

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<sup>23</sup> *Rucho v. Common Cause*, 139 S.Ct. 2484 (2019).

government map, I aimed to group similar neighborhoods in urban areas and similar industries and geographies in rural areas. A secondary principle was responsiveness, i.e. including a few districts that would flip in either direction if voters shifted rightward or leftward. This allows the map to retain its partisan fairness over time. While I essentially ignored compactness concerns, I did try to maintain voting districts for administrative ease (though voting districts will soon be redrawn anyway).

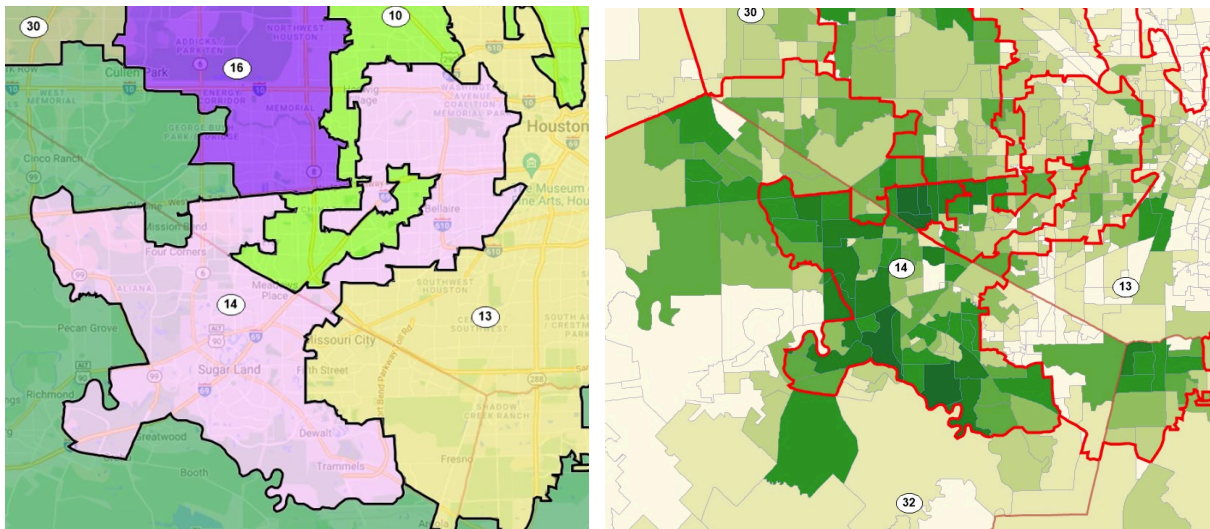
#### *Legality of district 14*

District 14 is fairly bizarre-looking and could be vulnerable to a *Shaw* challenge. However, the district was drawn by connecting a reasonably compact core of minority voters to another spiral-shaped group of white voters left over by the previously drawn Black and Latino VRA districts. This spiral includes extremely white areas with long histories of racial discrimination, particularly in education. For example, one town in the claw, Spring Valley Village, is currently being sued for vote dilution in school board elections.<sup>24</sup> Because the spiral is almost entirely enclosed by VRA districts 10 and 13, and because there was no reason to weaken those districts by including the spiral, I was forced to attach the area to Sugar Land and its suburbs. In other words, I drew 14 as an otherwise compact district, paying no heed to race at all, then attached it to the leftover non-compact area not encompassed by necessary VRA districts. To the extent I did pay attention to race, it was only to preserve some Asian-American communities of interest around Sugar Land. Note preserving those communities is not what makes the district non-compact. Race therefore did not predominate over compactness, a traditional redistricting principle.

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<sup>24</sup> Complaint, *Elizondo v. Spring Branch Independent Sch. Dist.*, No. 4:21-cv-01997 (S.D. Tex. filed June 8, 2021).

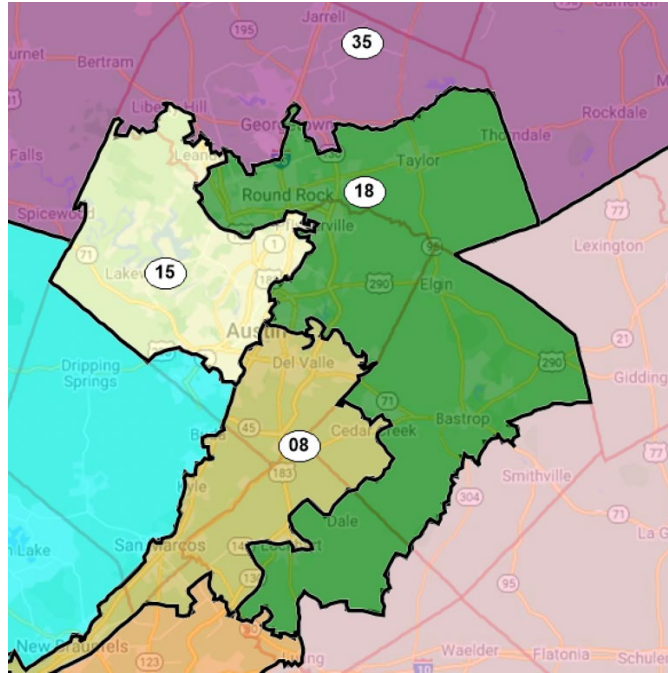
I have two additional or alternative defenses to *Shaw*. First, very weak and unlikely to work, is claiming a Black-Latino-Asian VRA district. 14 is 53% Black+Latino+Asian CVAP, but no court has ever, to my knowledge, held a Black-Latino-Asian coalition district to be required by §2. Second, significantly stronger, is again arguing the district is shaped by politics, not race. Given that the white claw must connect to southwest Houston suburbs because of the already-drawn VRA districts, I traced out the most Democratic voting districts to ensure a safe Democratic district with a 17-point margin.



Heatmap of Asian CVAP

*Locations of remaining Democratic districts*

After drawing 11 Latino VRA districts and 4 Black VRA districts, I only needed three more Democratic districts for partisan proportionality. As noted, district 14 rounds up a critical mass of Democrats in and around Houston, and preserves several Asian-American communities of interest. Finally, districts 15 and 18 are both anchored in the city with the largest pockets of Democratic support left over after drawing the VRA districts, Austin. Both districts then extend into the more conservative and sparsely populated suburban and rural surrounding areas.



### *Locations of Republican districts*

Almost half the map had already been drawn after the VRA and Democratic districts were completed. This meant the Republican districts were often drawn by taking a leftover Democratic hub and connecting it to enough rural counties to flip the seat red. When possible, I also tried to keep counties whole, as well as group counties by shared geography and industries.

### Overview of Texas geography

Texas can be divided into four main geographic regions, each usually containing their own subregions.<sup>25</sup> I used these regions and subregions to determine broad communities of interest and to decide how to draw the large, rural districts Texas must contain.

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<sup>25</sup> All geographic information comes from <https://www.texasalmanac.com/articles/physical-regions>, which was reviewed by David Butler, Texas State University System Regents' Professor of Geography.



Source: <https://www.allenisd.org/cms/lib/TX01001197/Centricity/Domain/1097/regions%20of%20texas.pdf>

First, the Mountains and Basins. Most of the population here resides in El Paso. This region contains part of the Permian Basin, which accounts for about 20% of America's crude oil production.

Second, the Great Plains. This region contains two main subregions: the High Plains, and the Edwards Plateau. Located in the north, the High Plains is a vast prairie with significant wheat farming, along with oil and gas activity. Moving south, the Edwards Plateau is an enormous savanna, and its primary industry is livestock. The Edwards Plateau also contains the Hill Country. Much of the Permian Basin is also located in the Great Plains

Third, the North Central Plains, which in turn contains three subregions: the Rolling Plains, the Cross Timbers, and the Grand Prairie. Bordering the Great Plains, the Rolling Plains

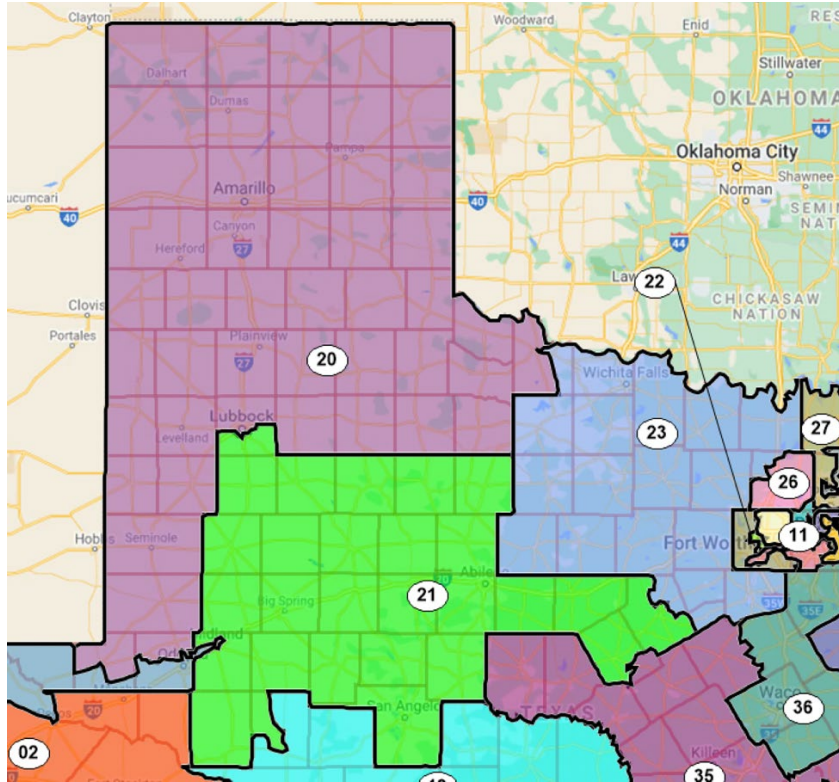
are well suited for cattle-raising and ranches. Further east is the Grand Prairie, a rural area where the main industries are livestock and staple crops. Surrounding the Grand Prairie are the Eastern and Western Cross Timbers. The Western Cross Timbers are excellent for farming, while the Eastern Cross Timbers contain Fort Worth.

Finally, the Coastal Plains, which itself has five subregions. Along the Mexican border lies the South Texas Plains. This area contains farming and ranching, major cities such as San Antonio, and the Rio Grande Valley. To the northeast is the Gulf Coast Plain, which has farming, fishing, and oil industries. Further northeast, bordering Louisiana, comes the Piney Woods, which produces almost all of Texas' lumber. West of the woods is the Post Oak Belt. Its major industry is farming, with some mining as well. Lastly, west of the oaks is the Blackland Prairie. While some farming remains, today this area contains more cities than any other subregion in Texas, including Dallas.

#### Plains of North Texas

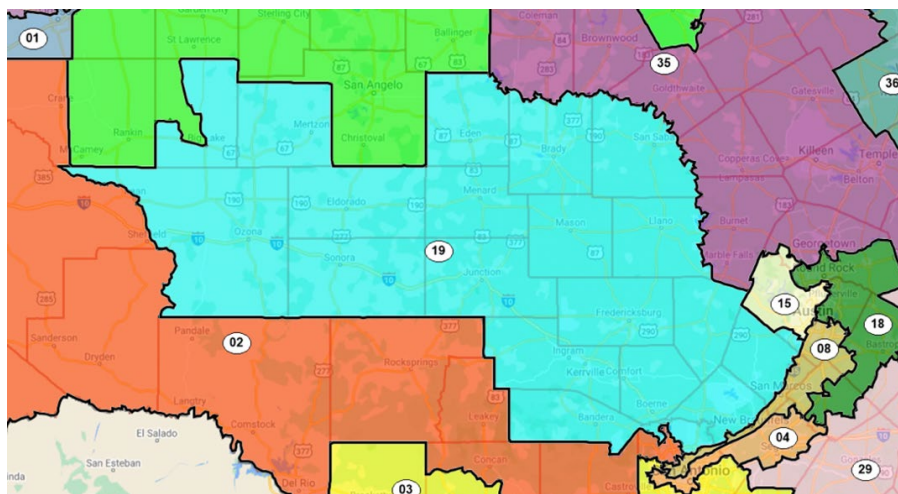
Starting from the top and moving south, I drew a district (20) from most of the rural High Plains subregion and added the northern half of the Rolling Plains to reach population equality. This district is similar to the pre-existing TX-13 and TX-19. Its main population centers are Amarillo, half of Lubbock, and the parts of Odessa not encompassed by a Latino VRA district. District 21 was drawn from the southern half of the Rolling Plains. It contains San Angelo, the other half of Lubbock, and the parts of Midland not encompassed by a Latino VRA district. District 23 connects the rest of the Rolling Plains to most of the Western Cross Timbers, creating a district with vibrant farming and ranching industries. It draws its population mostly from Wichita Falls and the outskirts of the Dallas-Fort Worth metro area.





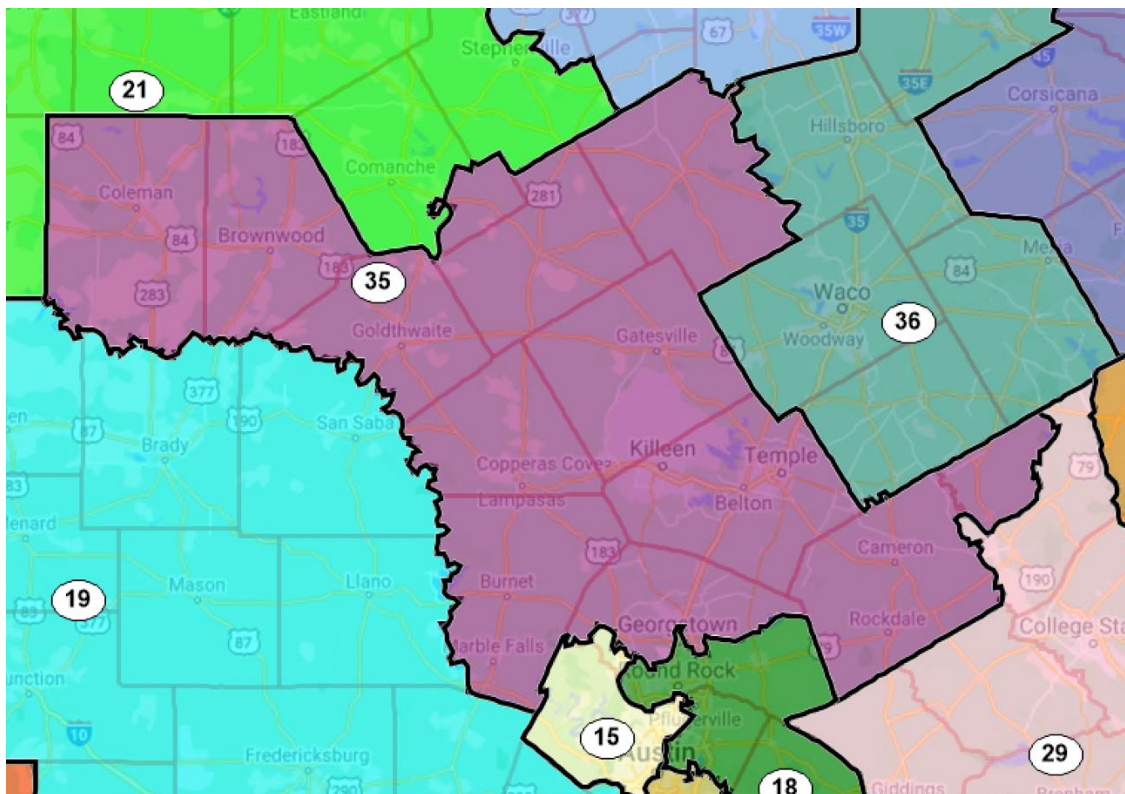
Edwards Plateau

District 19 was drawn from all counties on the Edwards Plateau except those required for VRA districts. Still, its population mostly comes from the counties linking Austin to San Antonio.



## Grand Prairie

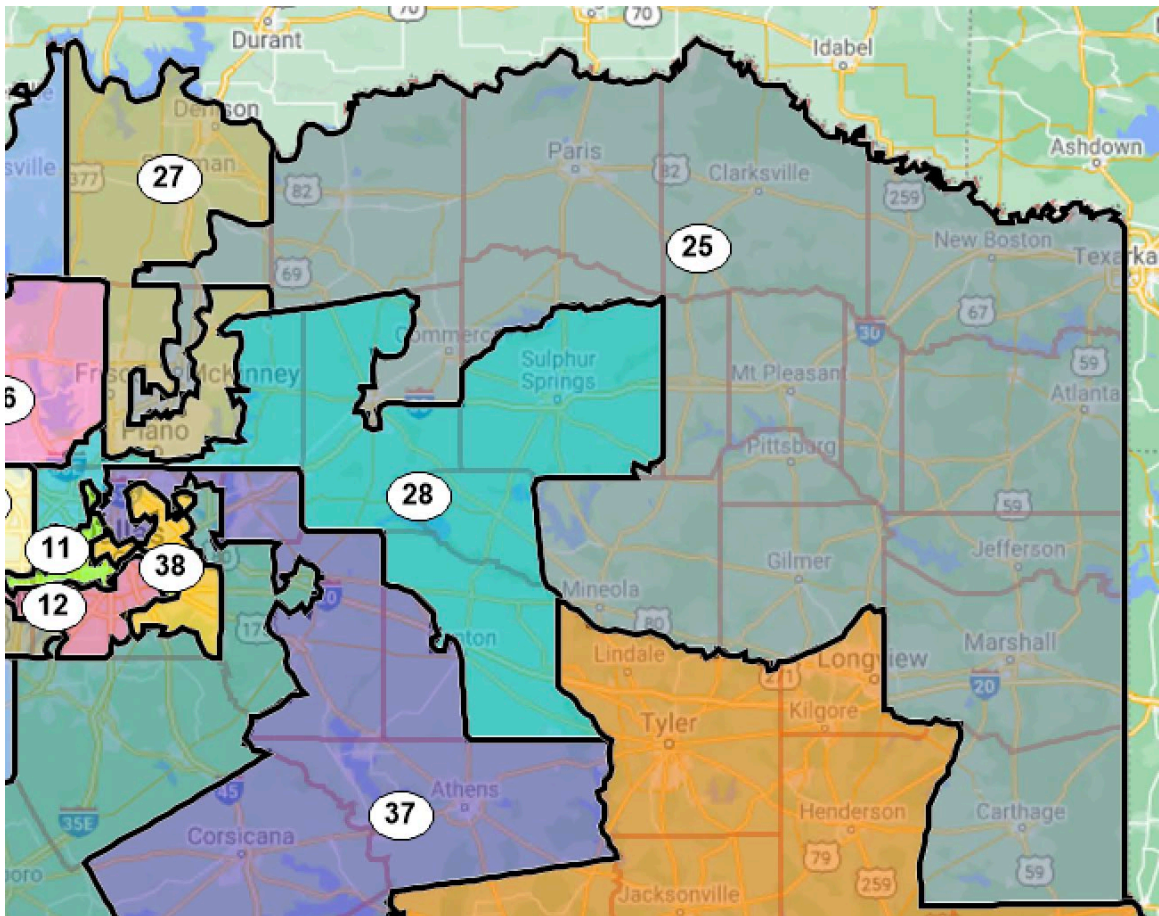
In the center of the state, district 35 is anchored in Bell and Williamson counties but extends out to Coleman in the northwest. It was drawn to cover most of the southern Grand Prairie.



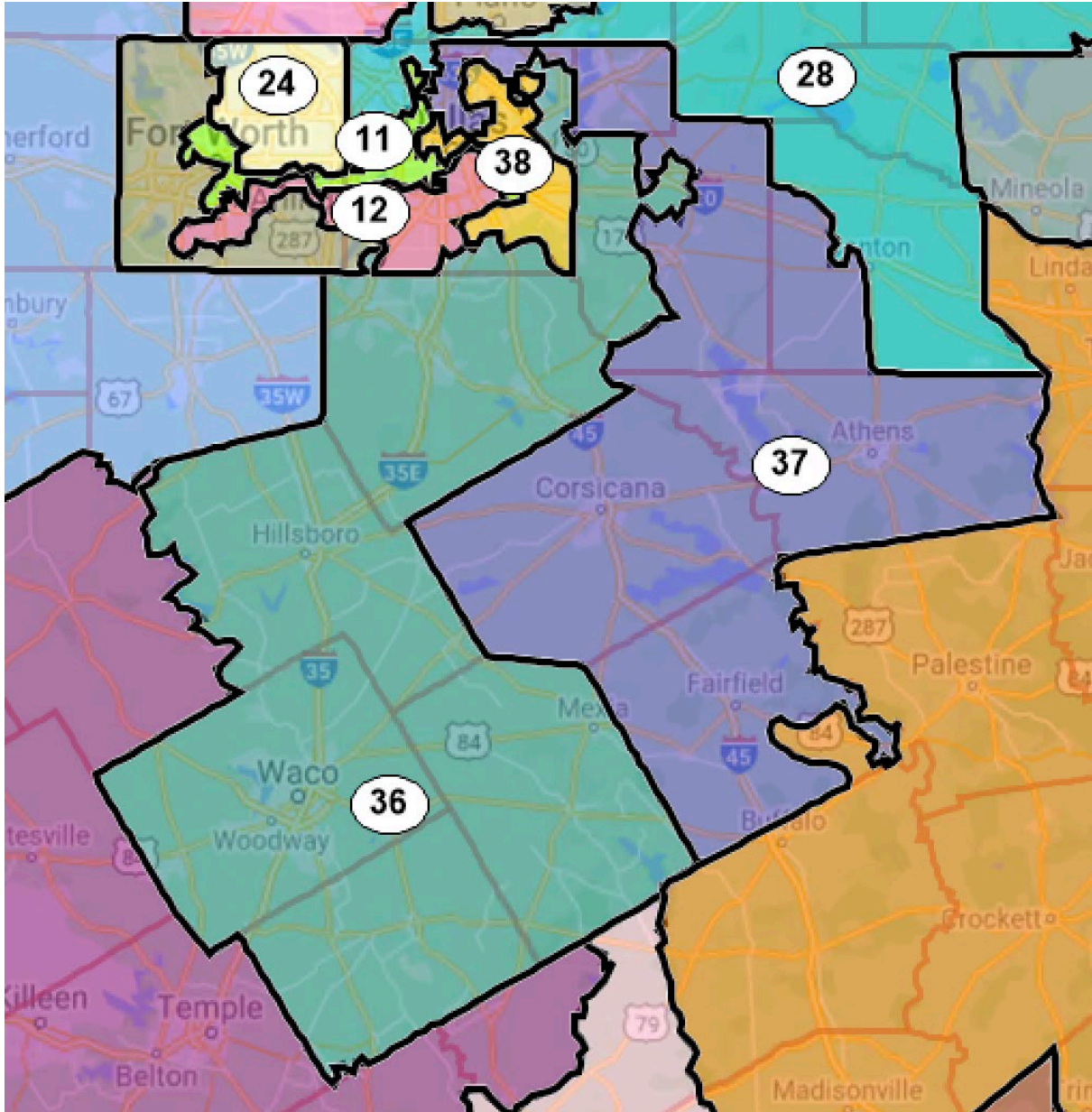
## Rural areas connecting to Dallas-Fort Worth

Returning north, five districts carve pieces out of the Dallas-Fort Worth metro area and counterbalance them with deep red rural counties, mostly separated by geographic subregion. District 27 combines most of Grayson County with approximately half of Collin County. 27's fishing-hook shape resulted from my efforts to split Collin County such that 25, 27, and 28 would all vote Republican. In the neighboring 25, almost one-third of the total population resides in the thin strip reaching into Collin County, with the remainder gathered from heavily forested

counties in the Post Oak Belt and Piney Woods. District 28 is a similar story; nearly 80% of the population is in a thin strip winding around northern Dallas and the rest is picked up from rural counties in the Post Oak Belt to the east.



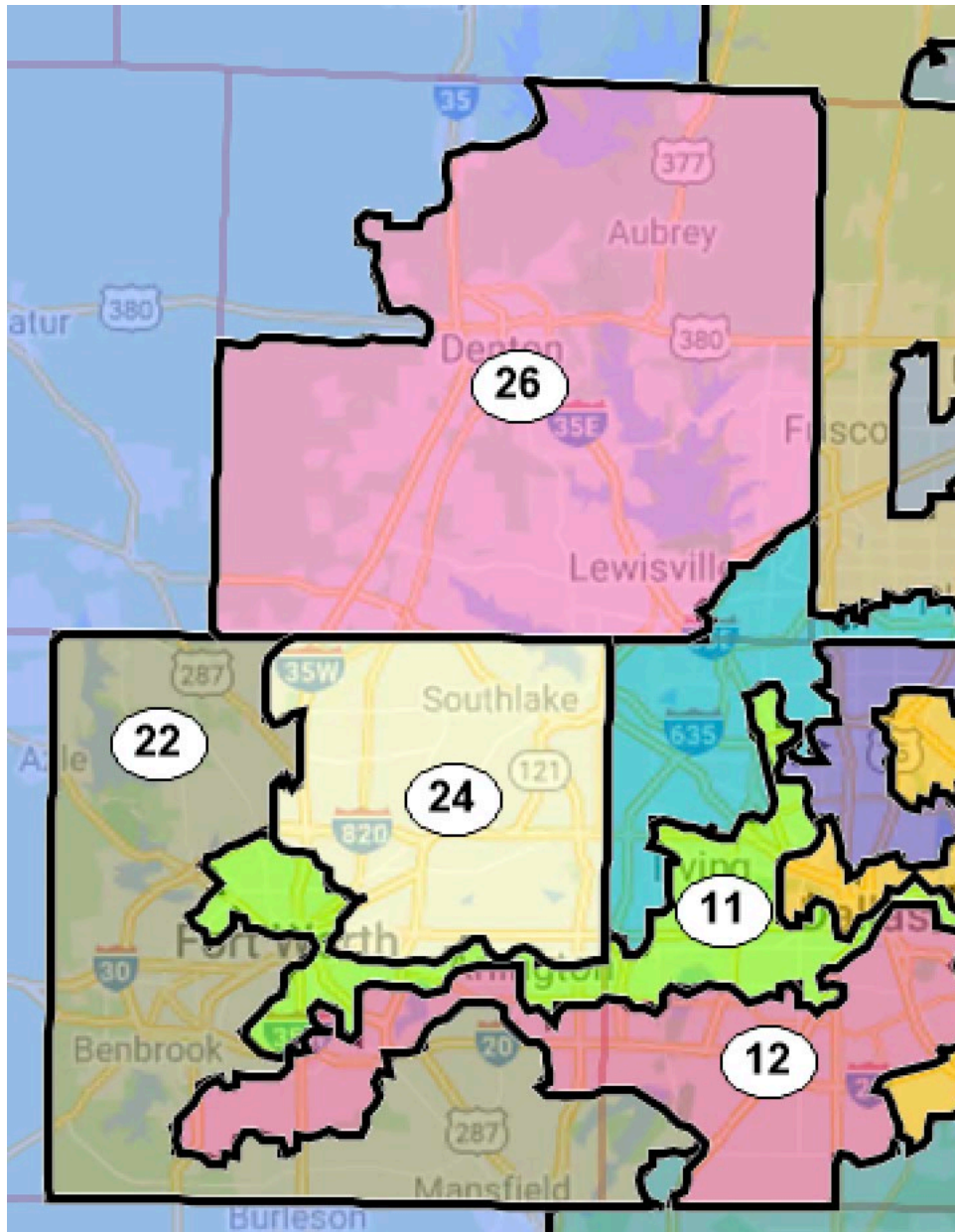
District 37 follows the rationales of 28: Most people reside in a very small hook shape in northern Dallas left over after drawing the VRA districts, with the rest residing in more rural and suburban counties to the south. Lastly, district 36 has a more evenly distributed population, combining urban and suburban sections of the Dallas metro area with Waco to the south. 36 represents the middle swath of the Blackland Prairie, while 37 contains counties in the Post Oak Belt.



Dallas-Fort Worth metro area

Three compact Republican seats were drawn in the Dallas-Fort Worth area without stretching into rural conservative counties. District 26 was drawn to cover most of Denton County, excluding the northwestern and southeastern corners. District 24 is mostly bounded by

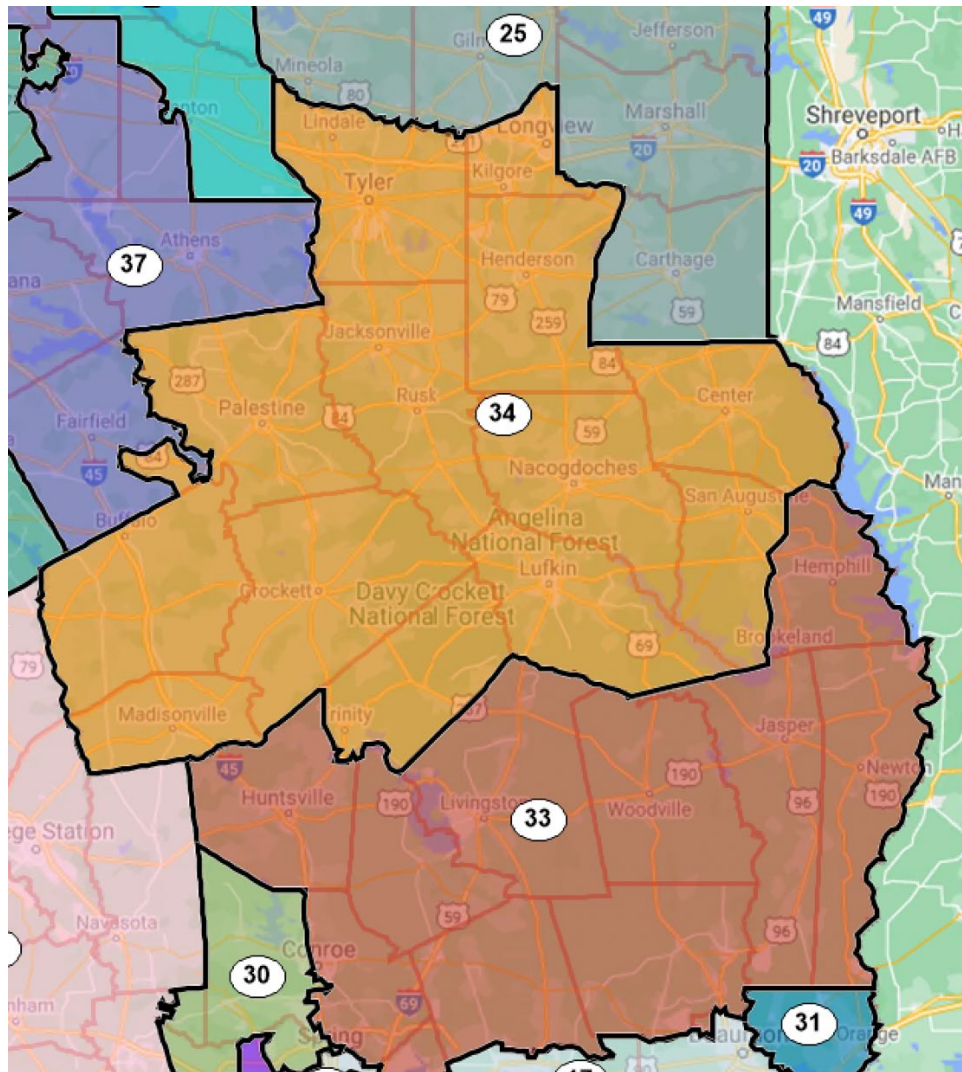
Tarrant County and VRA district borders. Lastly, district 22 includes the remaining area in Tarrant and Dallas Counties; it too is defined by county and VRA district borders.



Piney Woods

Districts 33 and 34 were drawn almost entirely from the southern and central sections of the Piney Woods, respectively. These districts would represent the lumber and timber industries.

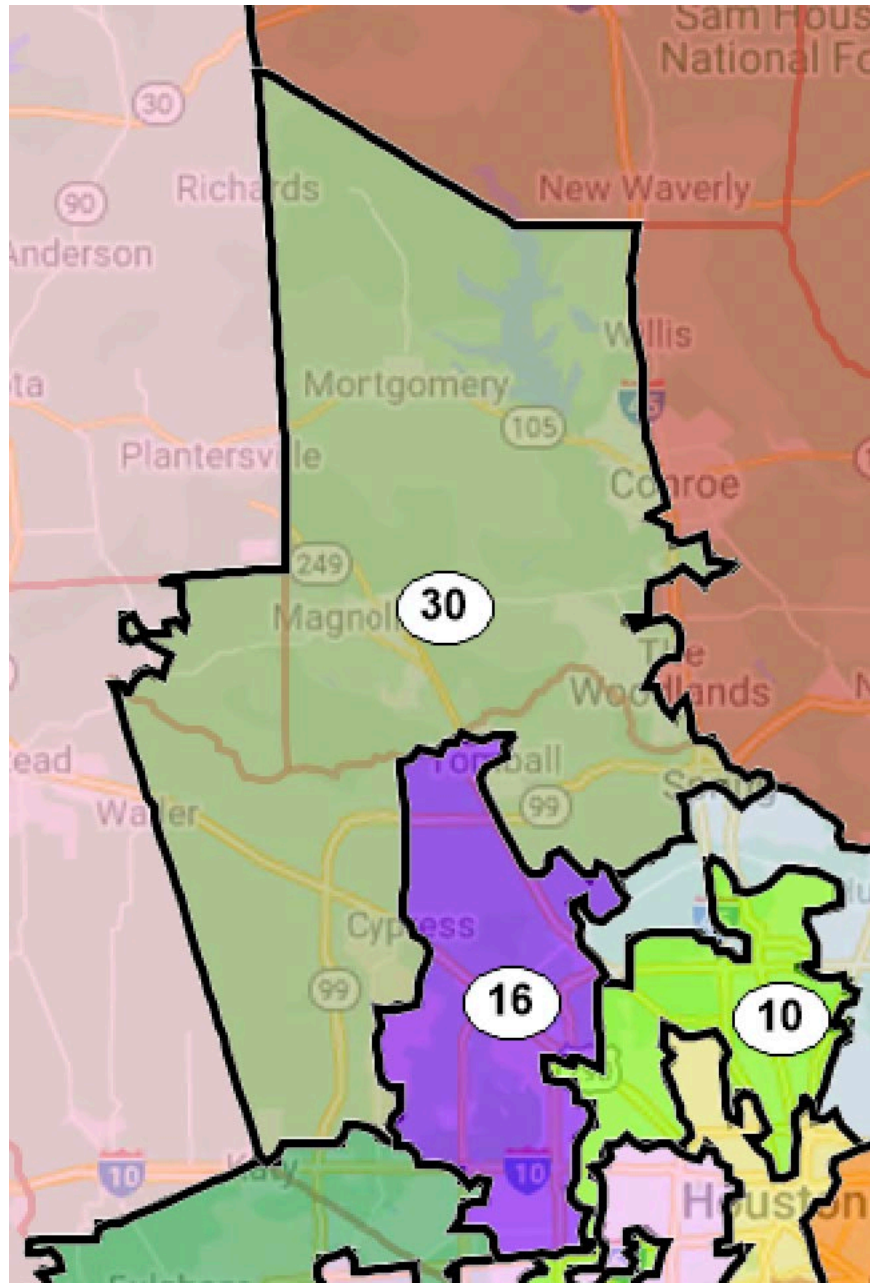
In contrast to most of the other geographically large districts, 34 is fairly evenly proportioned between its counties. While Smith and Gregg represent 34's largest counties, they are still not a majority of the population. District 33, on the other hand, mostly comes from the Houston suburbs, with more rural counties filling out the population requirements.



### Houston

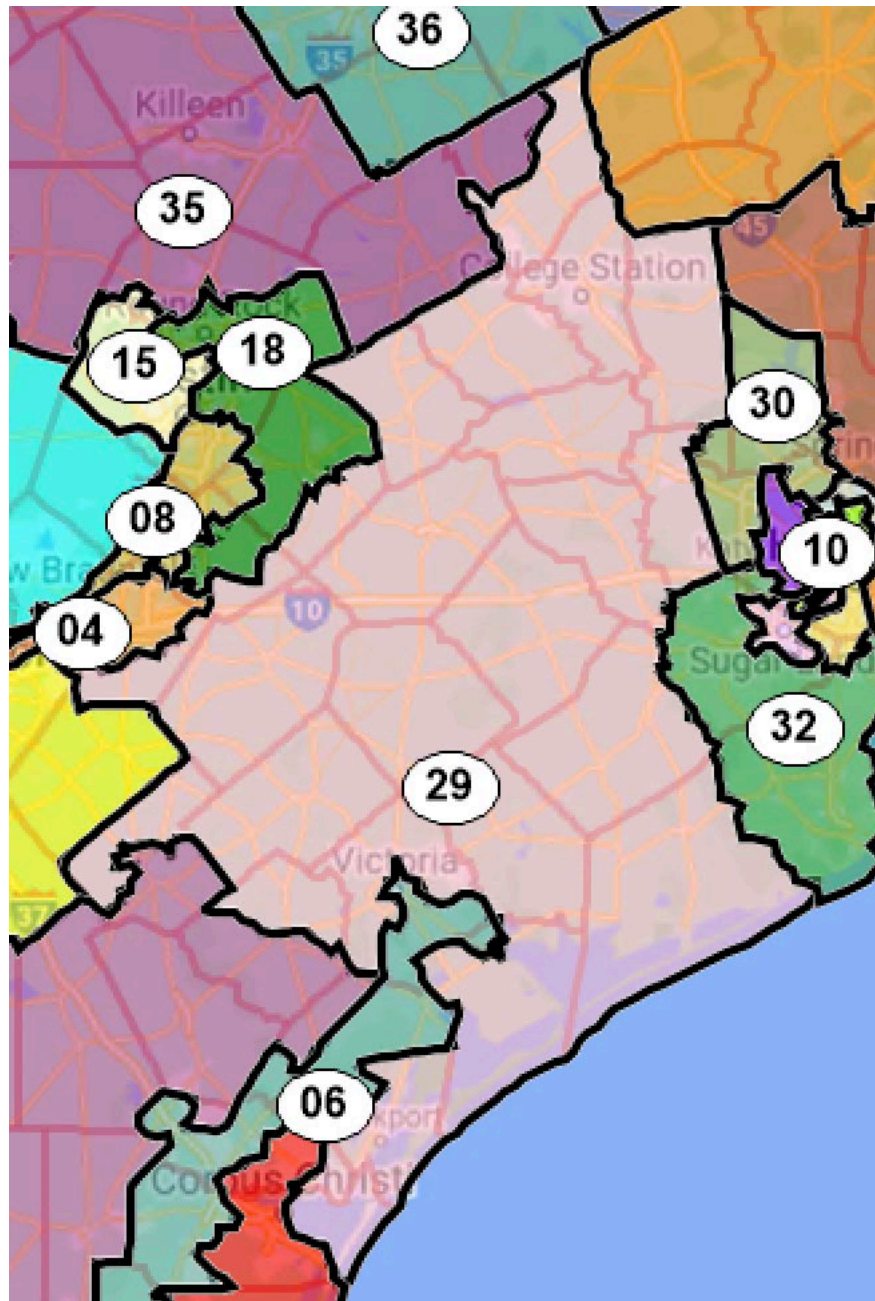
Two more GOP districts exhaust what remains of Houston. District 16 rests entirely within Harris County and voted for Trump by only a 3-point margin in 2020. It was drawn to

give Republicans a slight edge, to maintain the map's partisan competitiveness. District 30 joins the rest of northwest Harris County with Montgomery County, one of the most conservative counties in the state despite its many suburbs.



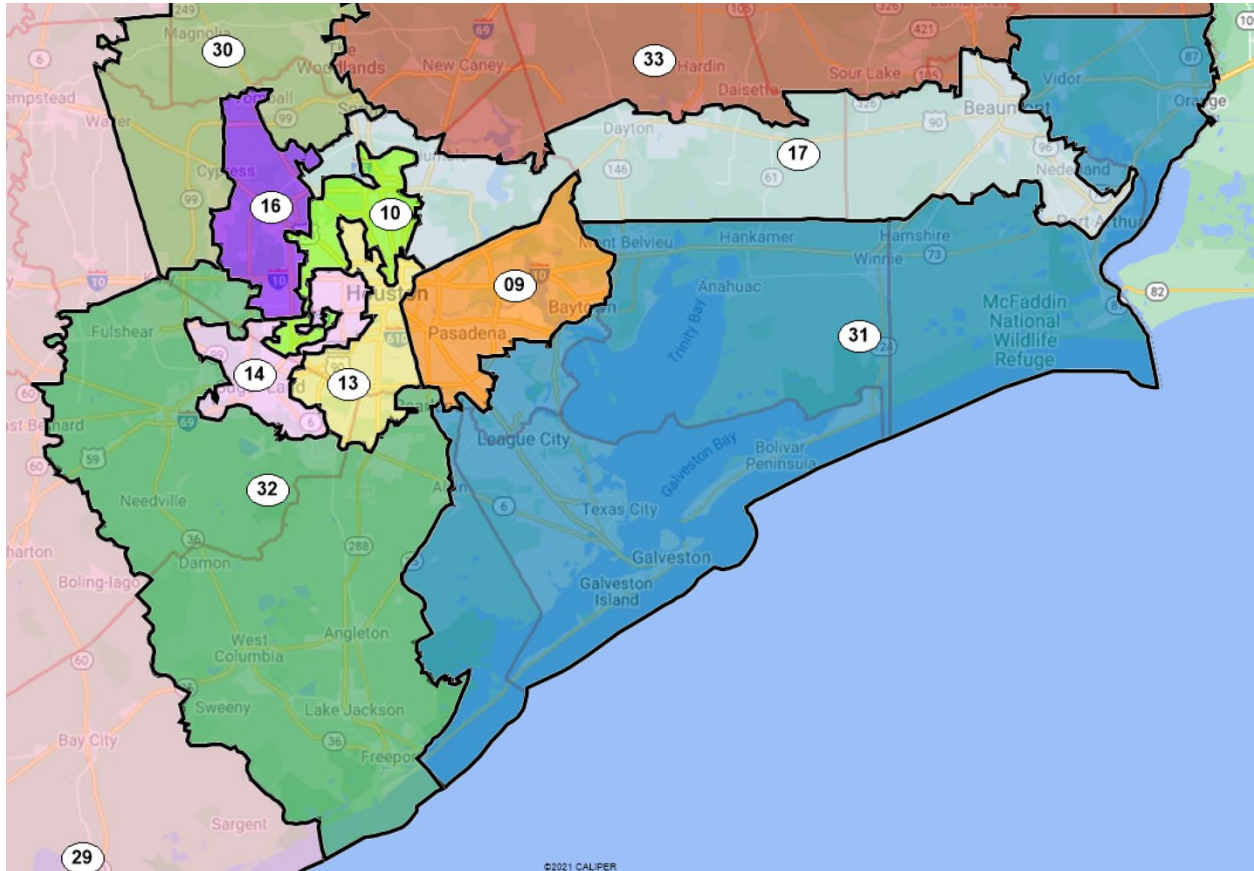
### Gulf Coastal Plains

Concluding the GOP districts are 29, 31, and 32. District 29 absorbs most of the white, conservative rural areas north of the RGV, east of Austin and San Antonio, and west of Houston. It covers most of the Gulf Coastal Plains, along with 31 and 32.





32 combines the least Democratic areas in Fort Bend County with most of Brazoria County. 31 adds the last portion of Harris County to Galveston and a swath of the southwestern conservative coastline.



### ***Responsiveness***

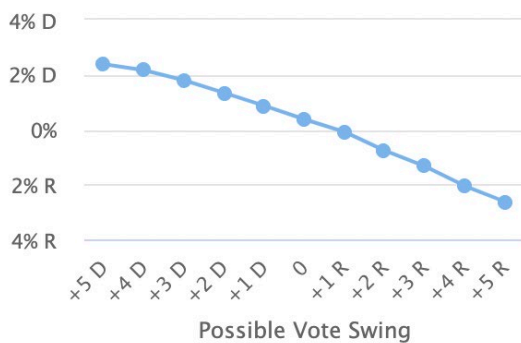
In an effort to maintain partisan proportionality despite the chance of continuing political shifts, I drew several districts with the potential to flip sides. Six districts are within a 10-point margin; three currently favor Democrats and three favor Republicans.

The Republican-leaning districts are 16 (3-point margin), 22 (6-point margin), and 28 (8-point margin). This means a uniform 3-point leftward shift from the 2020 results (53%R-47%D) translates to a one-seat gain for Democrats. In this scenario, Republicans win 51.5% of the vote

and 50% of the seats. A 6-point swing would mean Republicans win 50% of the vote and 47% of the seats, and an 8-point swing would give Republicans 48% of the vote and 45% of the seats.

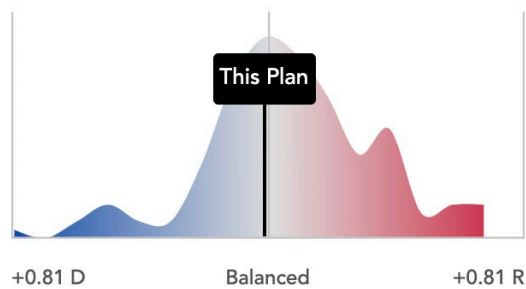
Complying with the VRA makes it more difficult to draw seats with roughly evenly spaced margins. Rather than 3-, 6-, and 8-point margins, the weakest Democratic districts have 7-, 8-, and 9-point margins (districts 05, 07, and 06, respectively). This means Republicans could generate a 6-point swing without netting an additional seat. However, if the GOP pulls off a 9-point swing, they would suddenly pick up three seats. Note that the reverse is true for Democrats (i.e., a 9-point swing would generate three new Democratic seats).

### Sensitivity Testing



Sensitivity testing shows us a plan's expected efficiency gap given a range of possible vote swings. It lets us evaluate the durability of a plan's skew.

### Declination: 0.01 D



The difference between mean Republican vote share in Republican districts and mean Democratic vote share in Democratic districts along with the relative fraction of seats won by each party leads to a declination that favors Democrats in 55% of predicted scenarios.\*

Source: <https://planscore.campaignlegal.org/plan.html?20211111T204055.623965893Z>

## **GOOD GOVERNMENT MAP**

### ***Introduction***

My good government map has three guiding principles. Respect political subdivisions, preserve communities of interest, and keep districts compact. In urban areas, the communities of interest are typically neighborhoods. In rural areas, I used geographic areas with shared industries and characteristics as communities of interest.

Drawing a good government map of Texas is difficult because of the many VRA districts required. The often twisted geographies of the VRA districts limit how compact the statewide plan can be. Some compactness can be gained by splitting voting districts, but this undercuts the second major aim of good government maps: respecting political subdivisions. However, voting districts will be changed shortly, if they have not been already.

### ***Preliminary note on malapportionment***

My good government map is not as immune to malapportionment claims as my proportionality map, but it is still unlikely to violate *Wesberry*. Nineteen districts have some deviation from the ideal value; nine districts have a deviation of 1, and ten have a deviation of -1.

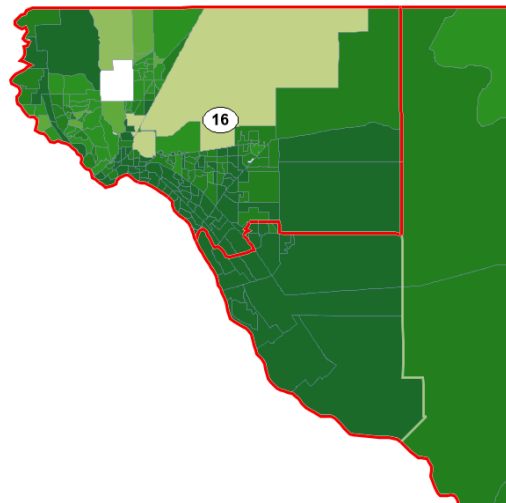
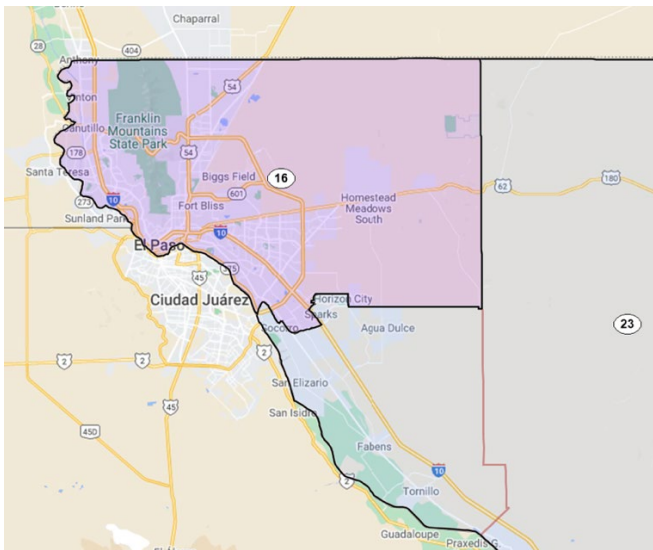
### ***VRA districts***

Any redistricting plan of Texas must begin with the VRA districts. Before the state enacted its new map with zero additional VRA districts (and arguably eliminated the Latino opportunity districts in TX-23 and TX-15), it was widely believed that any redistricting plan must include at least one new Latino-majority district. Texas grew enough last decade to gain two seats, and Latinos fueled half of that growth. My good government plan uses this

conservative benchmark and consequently contains nine Latino VRA districts, one more than the plan in place from 2013-2021 and two or three more than the recently enacted C2193.<sup>26</sup>

*Locations of Latino-majority districts*

Starting in the west, the first Latino district is 16 and is contained entirely within El Paso County. District 16 manages to sit inside only one county, is almost entirely one community of interest, is required by the Voting Rights Act, and is still compact.



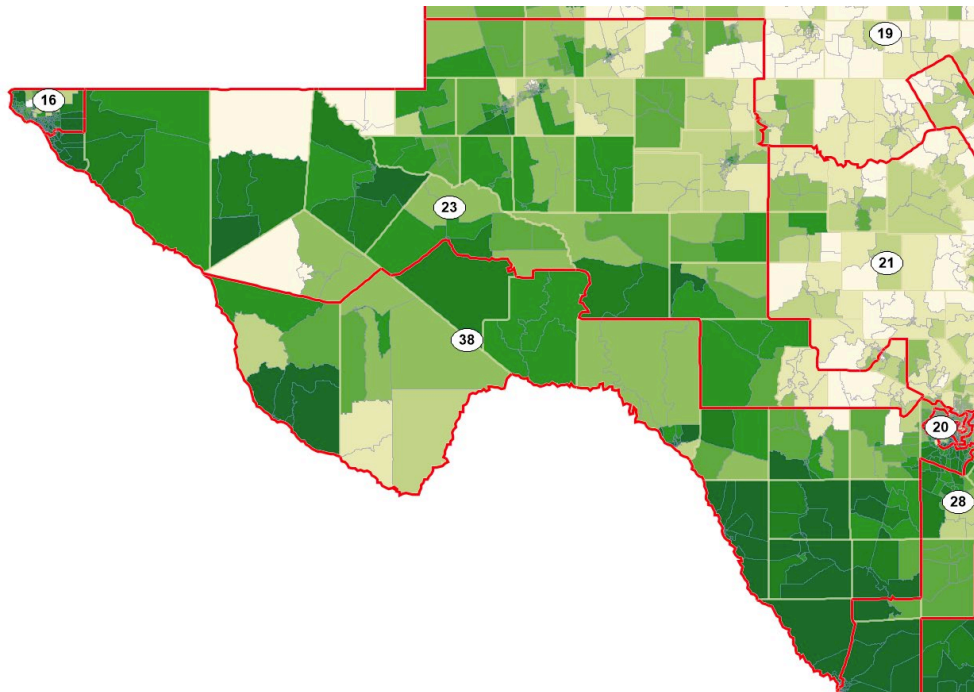
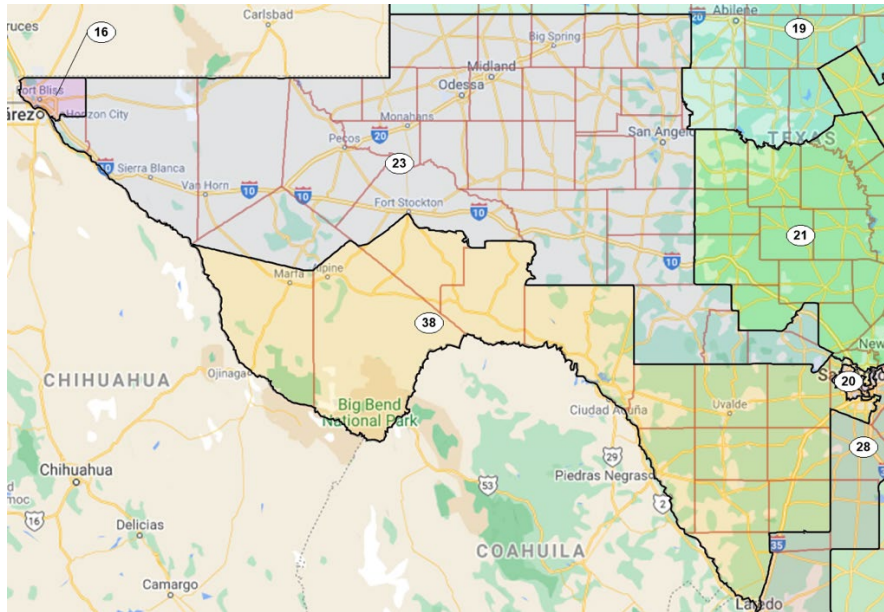
Heatmap of Latino CVAP

Moving southeast, I drew the new Latino-majority district (38) by splitting the former TX-23 in half. The top half became a deep red district joining the little remaining of El Paso to the sweeping central plains, while the bottom half replaced those white rural counties with more Latino sections of San Antonio. TX-23 was notorious for stretching 500 miles to connect El Paso, San Antonio, and Laredo. *LULAC v. Perry* (Roberts, C.J., dissenting). My new 38

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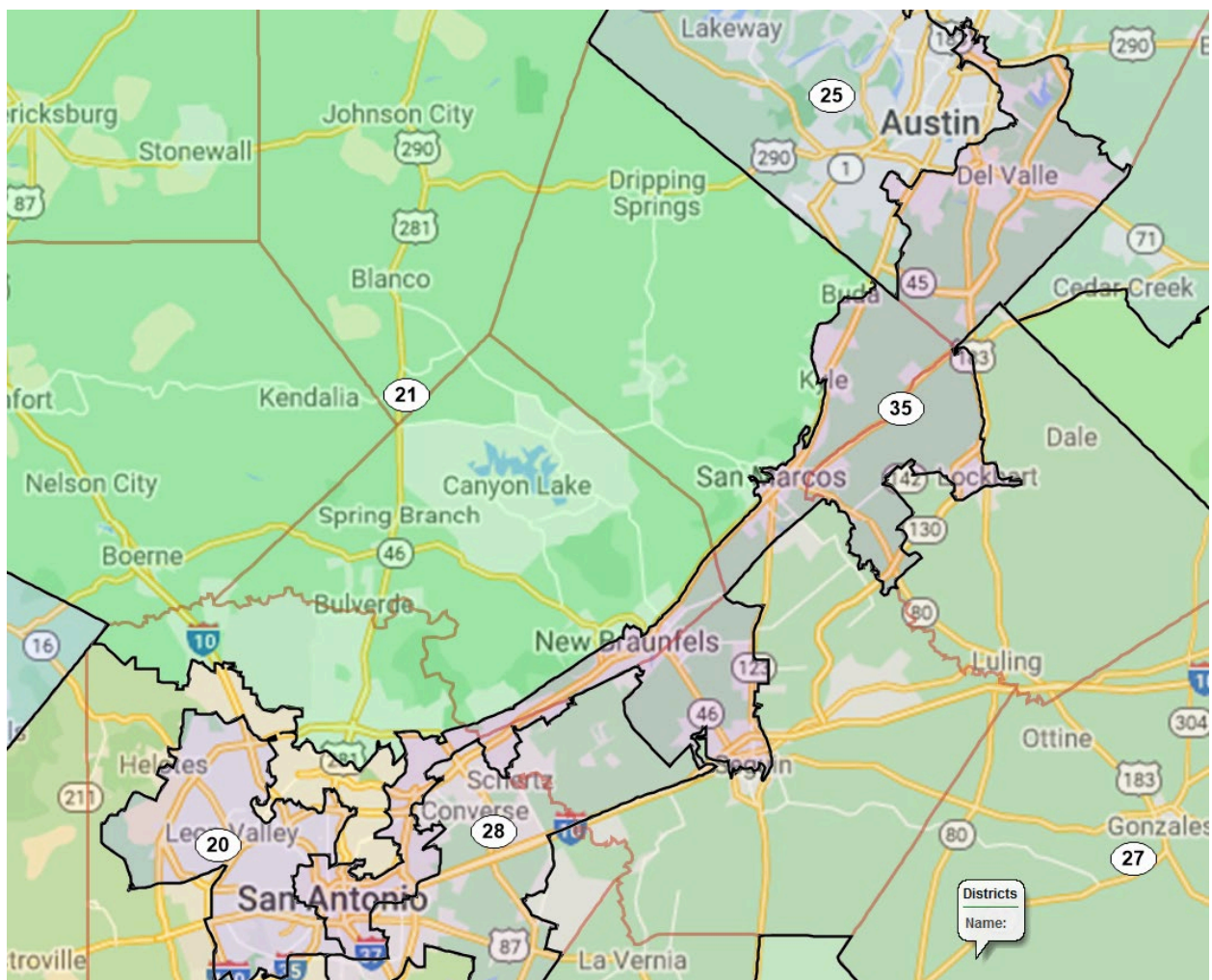
<sup>26</sup> I did not draw a second Latino district in Houston. While possible, as shown in my Proportionality Map, the second district must be extremely gnarled. It is plausible a court might not find such a district required, so I declined to draw it here. Also, if I did draw it, there would be less and less difference between my two maps, which seems to defeat the purpose of the exercise.

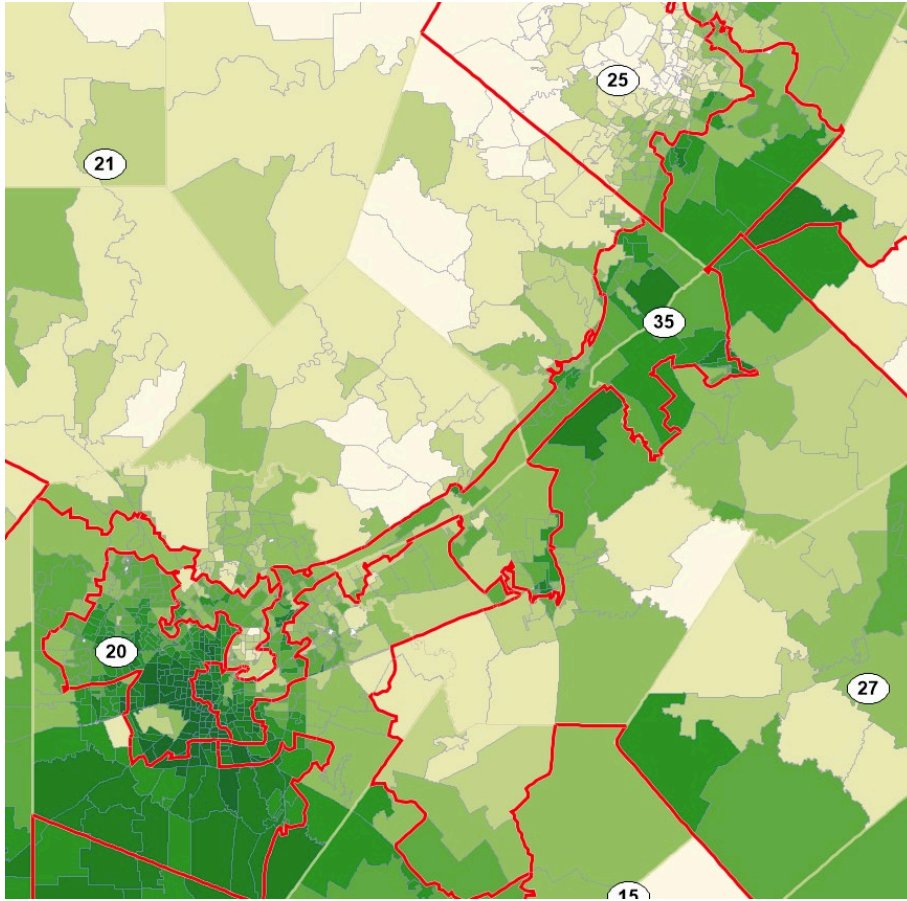
mitigates this somewhat by removing El Paso from the equation. Unfortunately, to maintain the Rio Grande Valley districts, I was unable to keep Laredo whole. This was the first major community of interest I was forced to divide; it would not be the last.



Heatmap of Latino CVAP

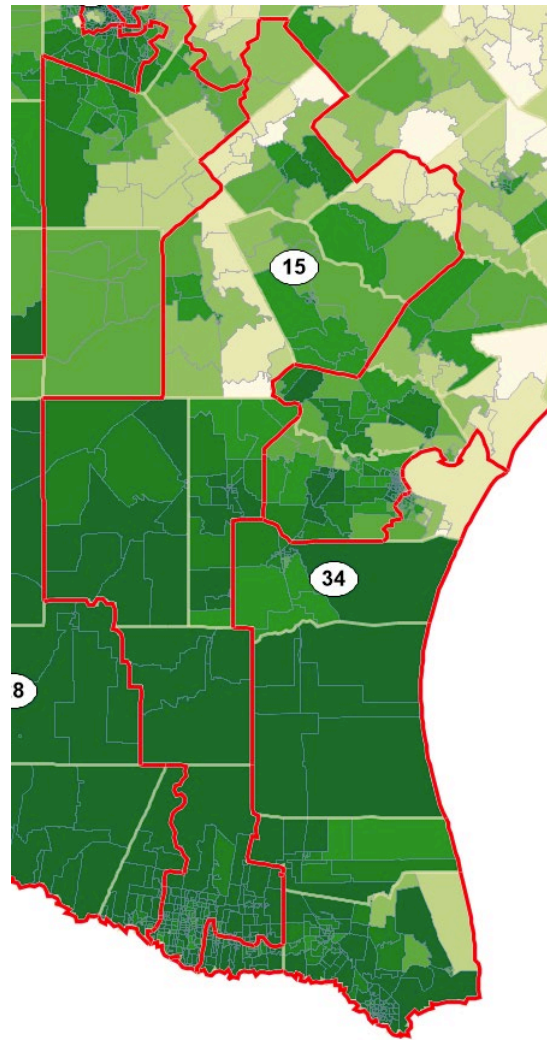
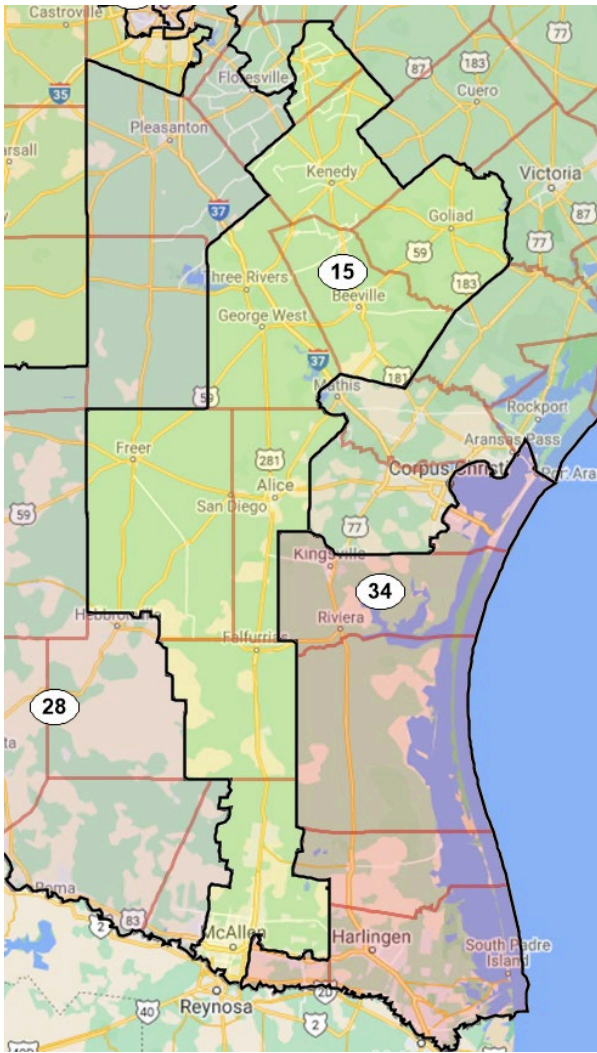
I changed little about districts 20 and 35 because neither has ever been successfully challenged in court. District 20 in particular is almost identical to its previous borders and is quite compact. District 35, on the other hand, connects San Antonio to Austin and remains fairly bizarre. While I did shave down the bulb in San Antonio, I needed to add a scoop of Guadalupe county. My version of 35 is ultimately more compact than C2193's version on some measures (e.g., Reock), less compact on others (e.g., Schwartzberg), and very similar on others (e.g., Length-Width). Still, I believe the minimal edits to a pre-existing district should be able to defeat any *Shaw* challenges.





Heatmap of Latino CVAP

Next comes the Rio Grande Valley. District 34 is the least objectionable and is in fact fairly compact. It runs from Corpus Christi down the eastern coastline and encloses Cameron County before terminating in a small outgrowth from Hidalgo County. Slightly less compact is district 15, which runs from the center of Hidalgo County up to Wilson County.

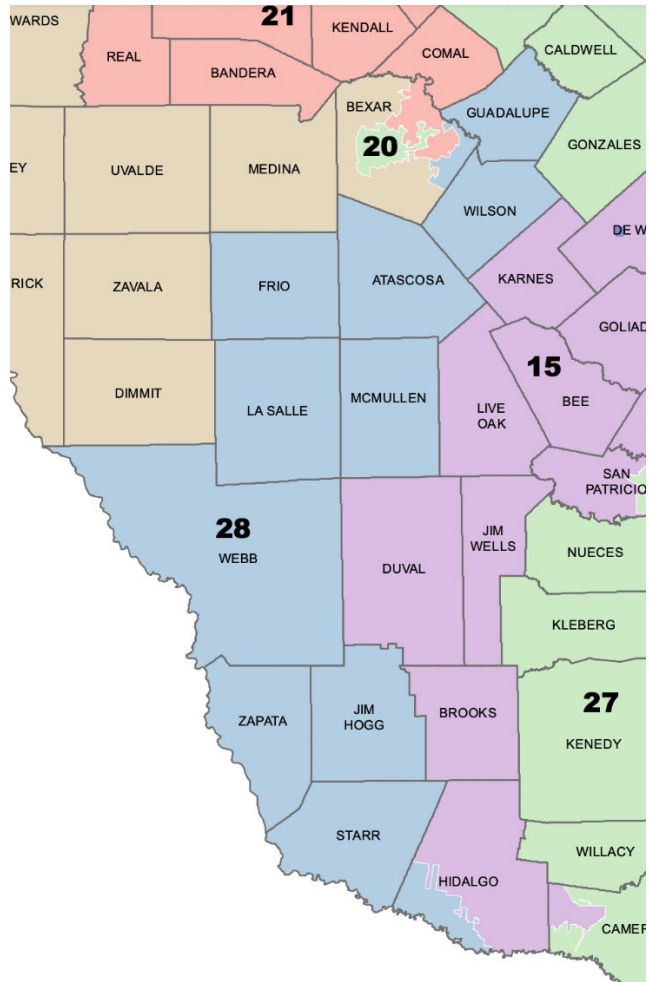
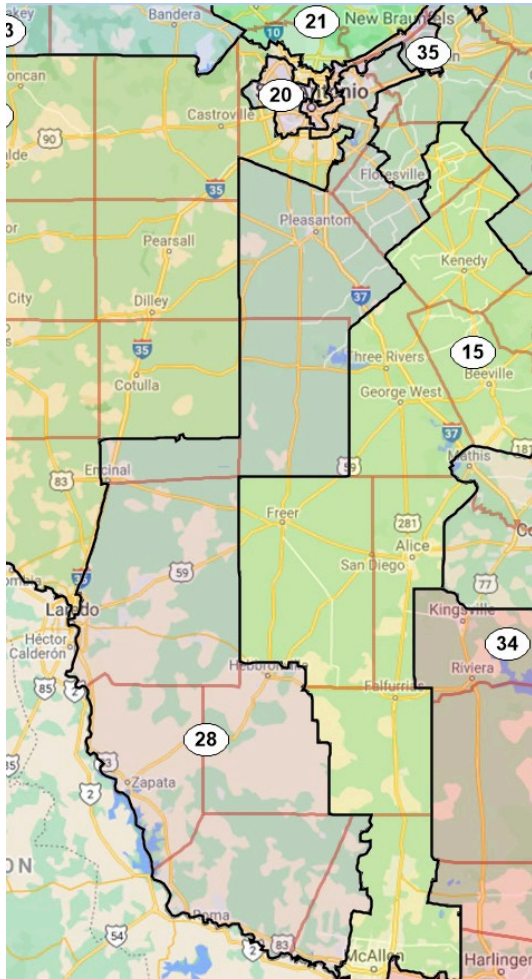


Heatmap of Latino CVAP

My final RGV district, 28, is perhaps most in danger of violating *LULAC v. Perry*, though I still strongly doubt 28 crosses the line. In *LULAC*, the illegal district wound its way from Hidalgo County up through Austin. A neighboring district ran from Zapata County, into San Antonio, then up to the border of Travis County (containing Austin), and was not even challenged. My district begins in Hidalgo (like the illegal *LULAC* district) but terminates in San Antonio. And unlike the illegal *LULAC* district, which contained all of Austin, my district barely crosses the San Antonio city limits. Instead, my district 28 more closely resembles the TX-28

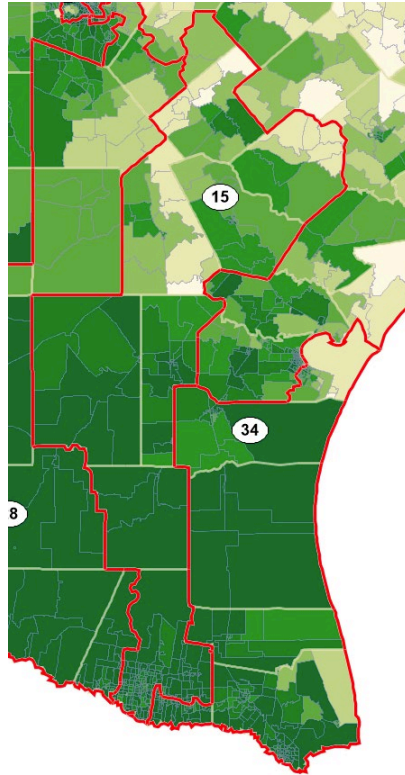


ordered by the Eastern District of Texas after *LULAC*. That TX-28, which has persisted mostly unaltered since 2006, similarly runs from Hidalgo County to San Antonio.



TX-28, as in place from 2006-2010.<sup>27</sup>

<sup>27</sup> Source: [https://redistricting.capitol.texas.gov/docs/maps/map\\_c\\_2006G\\_2010.pdf](https://redistricting.capitol.texas.gov/docs/maps/map_c_2006G_2010.pdf)

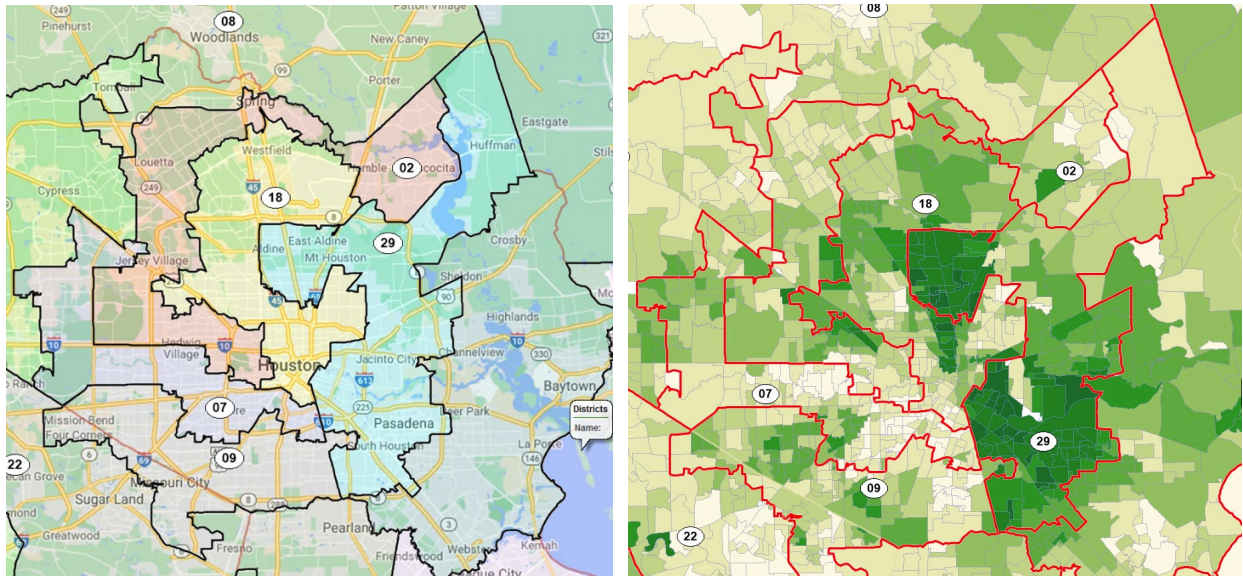


Heatmap of Latino CVAP

A note on compactness in the RGV: My Latino-majority districts in the Valley are more compact than those in existence from either 2013-2021 or from 2021 to the present. Note this is despite the fact I added an extra VRA district based in San Antonio and Laredo. Across all three districts, I kept 15 of 21 counties whole. By comparison, in my racial and partisan fairness map, the central and right-most districts do not contain a single whole county between them; every single county in districts 06 and 07 of my proportionality map is split. This illustrates a typical trade-off affecting good government maps of Texas: generally, the more a map complies with the VRA, the less it will respect political subdivisions and remain compact.

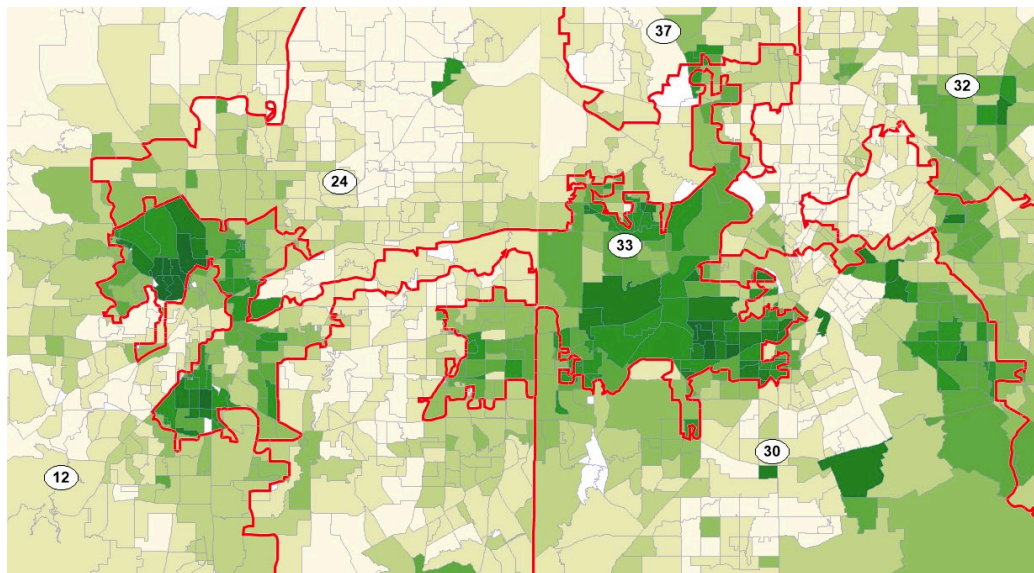
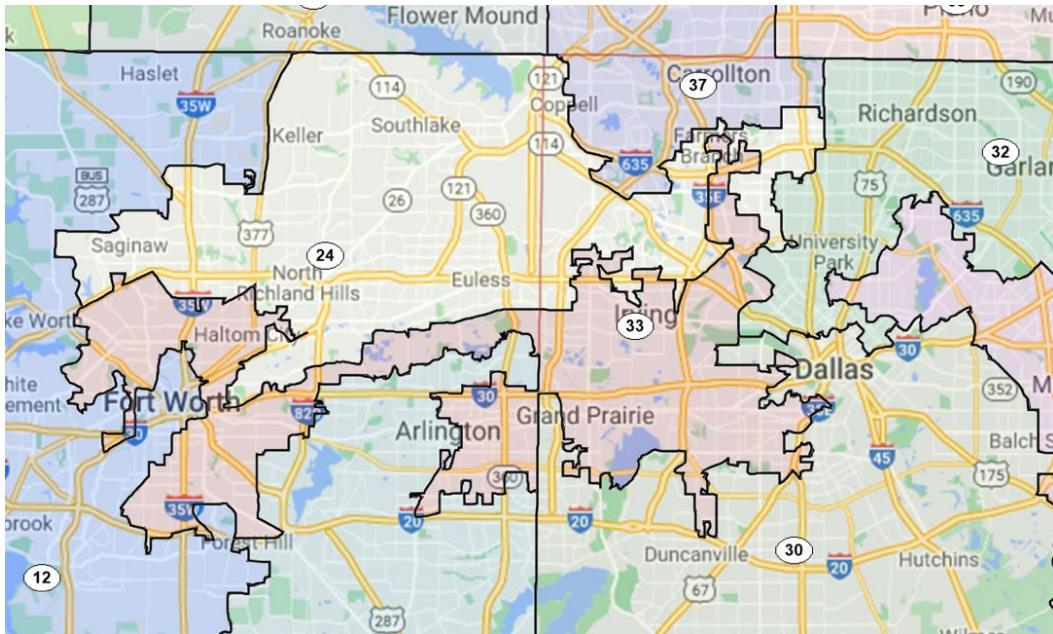
The final two Latino districts are Houston and Dallas. District 29 covers eastern Houston and surrounding cities. It includes heavily Latino neighborhoods such as Greater Hobby Area, Edgebrook, Greater East End, and Northshore, as well as highly Latino cities, such as South

Houston, Pasadena, Galena Park, and Jacinto City. Houston has extremely contorted boundaries, so I found it more worthwhile to keep neighborhoods intact, rather than city or town borders. I also added most of the aforementioned Latino triangle, bounded by Routes 10, 45, and 69. Finally, I extended the district to the Harris County border to reach population equality.



Heatmap of Latino CVAP

Completing the Latino seats is district 33. It joins the Latino communities in eastern Dallas with the ones in western Fort Worth, and also picks up the heaviest Latino neighborhoods of Arlington in between. This is the Latino district with the most bizarre borders, but I doubt it would fall to a *Shaw* challenge because it largely mirrors the existing TX-33. Bizarre borders are required to achieve 50% Latino CVAP in Dallas. My slight modifications were mostly trimming the southern bulb in Fort Worth and adding people from Arlington and southern Dallas.



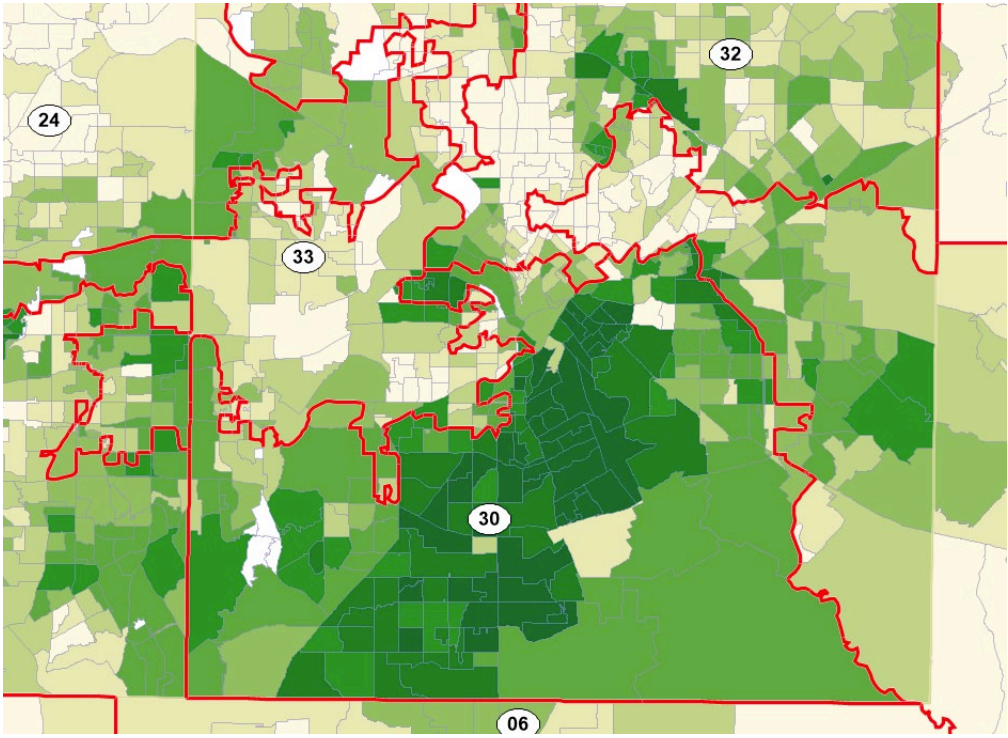
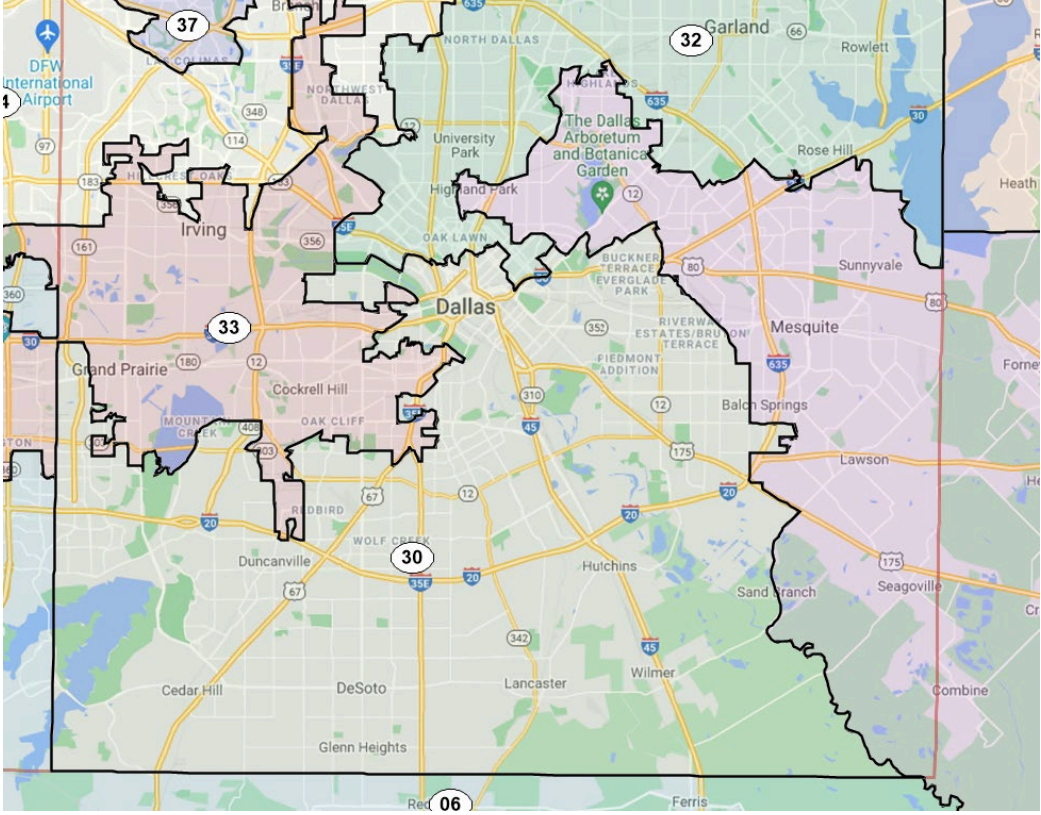
Heatmap of Latino CVAP

Once again, some of these districts have closer partisan margins than may be common for VRA districts. The three RGV districts have approximately 7-point margins, but because they are so overwhelming Latino, the districts can only flip if Latino polarization declines to a level

failing the second *Gingles* prong. One potential concern is district 38, which has a mere 6-point margin using the 2020 election data and is only 61% Latino. Only a slight decline in Latino voting would flip the district, but explosive Latino growth in San Antonio will provide a countervailing force over time. It's also not clear that 2020's electoral dynamics will persist. Biden received the lowest share of the Latino vote in decades, possibly ever, though his performance was only a shade worse than Kerry's in 2004. If Latinos return to the Democratic party at all, due either to reversion to the mean or as part of a longer-term trend, then 38 will quickly turn safe blue.

*Location of Black-majority and opportunity districts*

District 30, in Dallas, is the least complicated. It is the only one I drew with over 50% Black CVAP and, because I did not attempt a coalition district in eastern Dallas, it is quite compact. Most of the district is bounded by the Latino district I had already drawn to the north and by the county borders to the west and south. All that remained was for me to draw as smooth a line to the east as was practicable using voting districts. Unfortunately, I did end up splitting Oak Lawn, the most prominent gay neighborhood in Dallas.



Heatmap of Black CVAP

Houston was more complex. I wanted to stay especially close to the lines of the pre-existing Black districts because, as discussed earlier, I am unsure how courts will evaluate districts with 40-50% minority CVAP this cycle. My district 09 hews extremely closely to the original TX-09 lines. It contains 45% Black CVAP and will certainly elect Black voters' candidates of choice, so my plan is at least not vulnerable to a § 2 suit. I pared back some of the furthest outgrowths and filled in some empty spaces between bulges, so the district is slightly more compact than before. The district also takes care to preserve communities of interest, including several "Super Neighborhoods": Sunnyside, one of the oldest Black communities in Houston;<sup>28</sup> Fort Bend Houston, a middle-class Black neighborhood;<sup>29</sup> Central Southwest, a middle-class Black and Latino neighborhood;<sup>30</sup> and South Acres/Crestmont Park, a lower- and middle-income Black neighborhood.<sup>31</sup> Houston is divided into 88 Super Neighborhoods, where residents "are encouraged to work together to identify, plan, and set priorities to address the needs and concerns of their community."<sup>32</sup> Super Neighborhoods may even have analogues to town councils. Hopefully, making 09 more compact while preserving communities of interest, and arguably preserving political subdivisions in the Super Neighborhoods, would be enough to defeat a *Shaw* claim.

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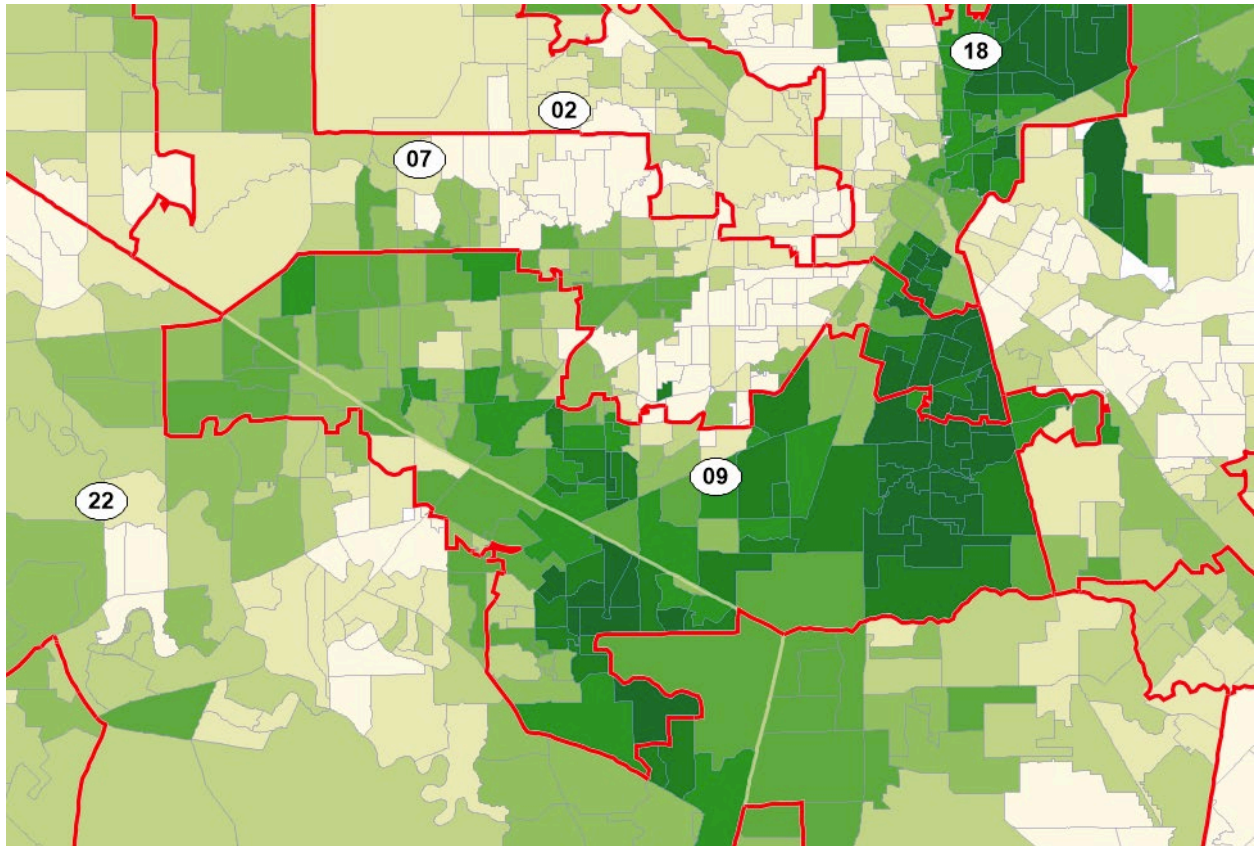
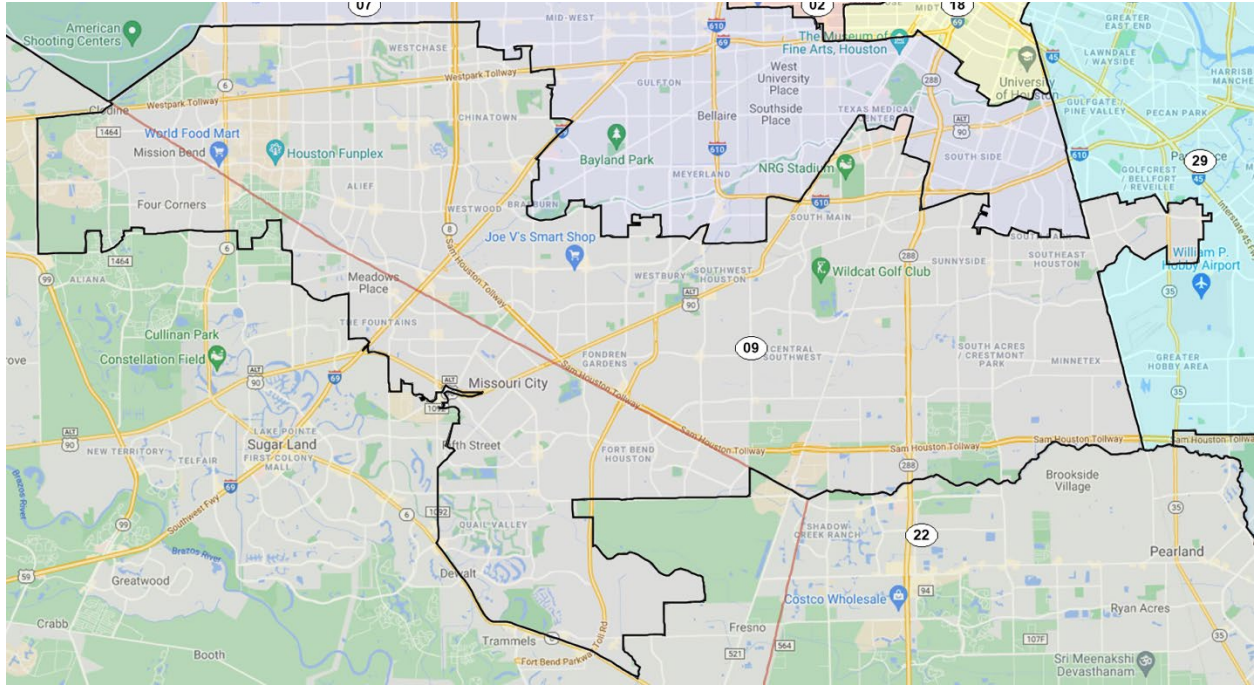
<sup>28</sup> <https://www.houstontx.gov/superneighborhoods/71.html>

<sup>29</sup> <https://www.houstontx.gov/superneighborhoods/41.html>

<sup>30</sup> <https://www.houstontx.gov/superneighborhoods/40.html>

<sup>31</sup> <http://www.houstontx.gov/superneighborhoods/76.html>

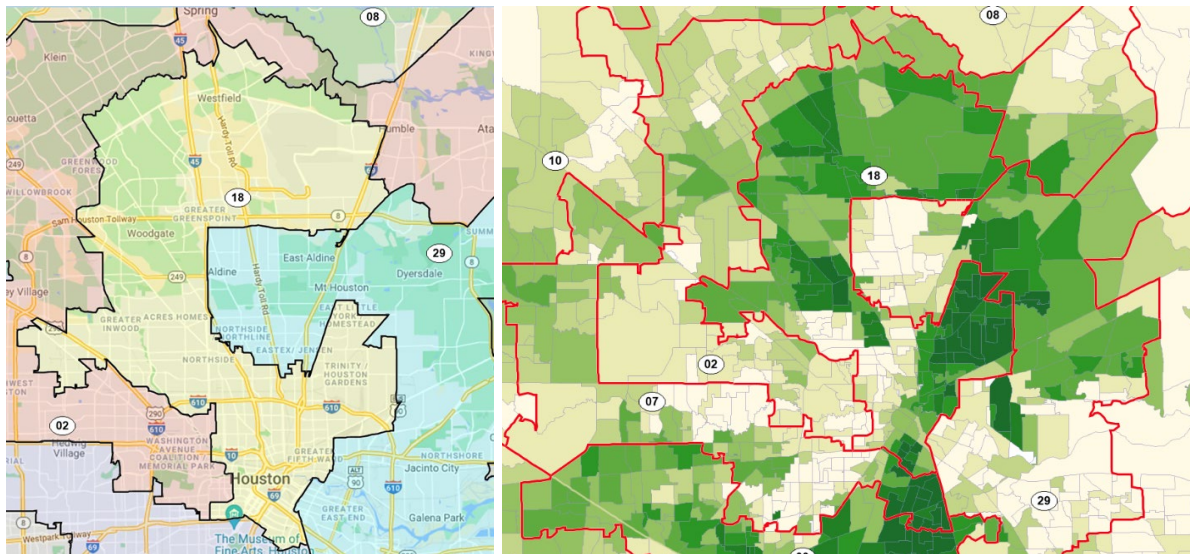
<sup>32</sup> <https://www.houstontx.gov/about/houston/snc.html>



Heatmap of Black CVAP



District 18 also uses a pre-existing (i.e., never successfully challenged) district as its basis. I then made it less bizarre and more compact where possible, even at the expense of Black voter concentration. This makes it more difficult to claim race predominated over traditional districting principles in the drawing of 18. For example, I trimmed some heavily Black but strangely protruding neighborhoods, such as South Side and parts of East Houston. Then, rather than keep the sharp “V” shape which characterizes most Black districts in that part of Dallas, I absorbed some Latino neighborhoods to transform the “V” into more of a triangle. Overall, this made the district significantly more compact. However, it is only 38% Black CVAP, and it is also 30% Latino CVAP. Another possible defense would be to claim a coalition district is required, as the district is 68% Black and Latino. Ultimately, given the compactness of the district and its preservation of voting districts, I think the strongest strategy would be to argue race did not predominate over traditional districting principles.



Heatmap of Black CVAP

### *Non-VRA districts*

With the VRA satisfied, I looked to draw compact districts composed of whole counties. I generally aimed to break only one county per district outside of metro areas.<sup>33</sup> In urban areas, I tried to group similar communities together; in rural areas, I tried to group whole counties by shared geography and industries.



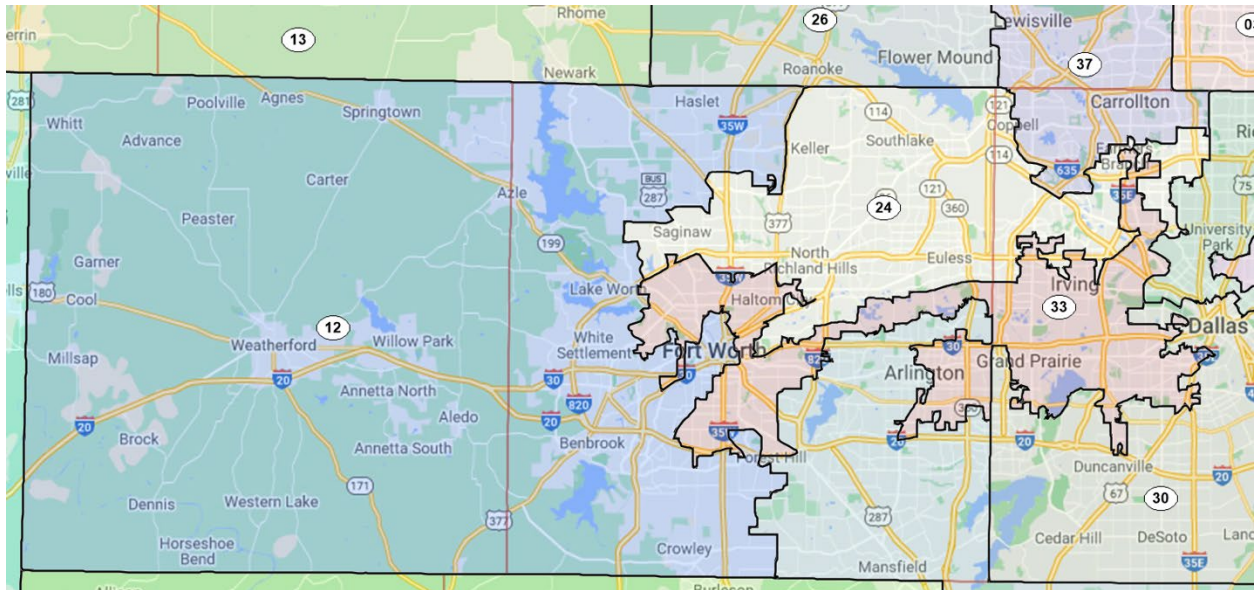
A reminder of the geographic regions and subregions of Texas.

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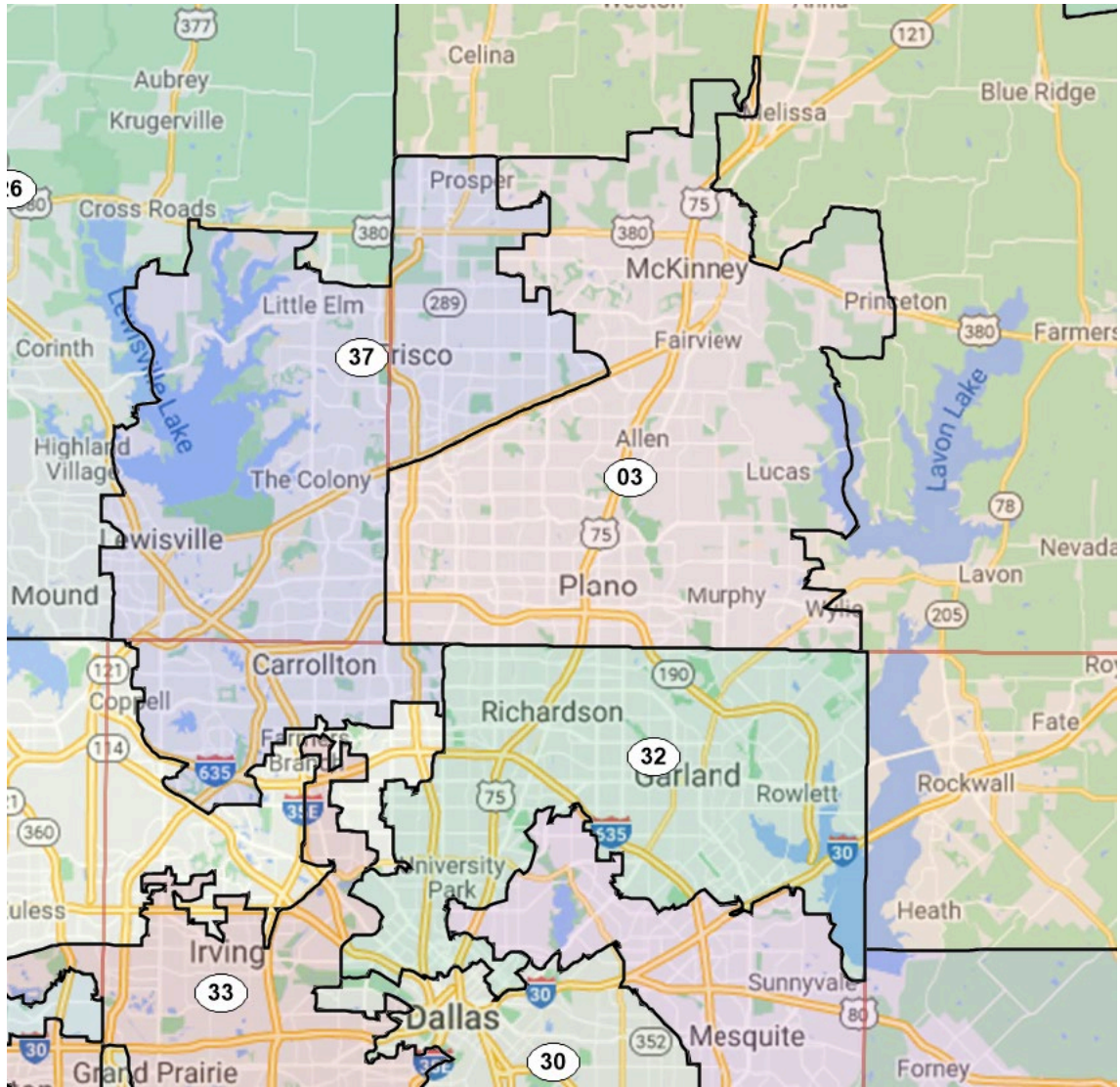
<sup>33</sup> An average of one county per district is generally the minimum number possible while still maintaining population equality.

## Dallas

District 12 is quite compact and is almost entirely defined by the borders of Parker County, Tarrant County, and the Dallas-Fort Worth VRA districts. District 24 is less compact as it sits atop the Latino-majority district. The district is composed almost entirely of suburbs, many of them very wealthy, such as Keller and Southlake. It contains the enormous Dallas-Fort Worth airport, along with perhaps the most country clubs of any district.

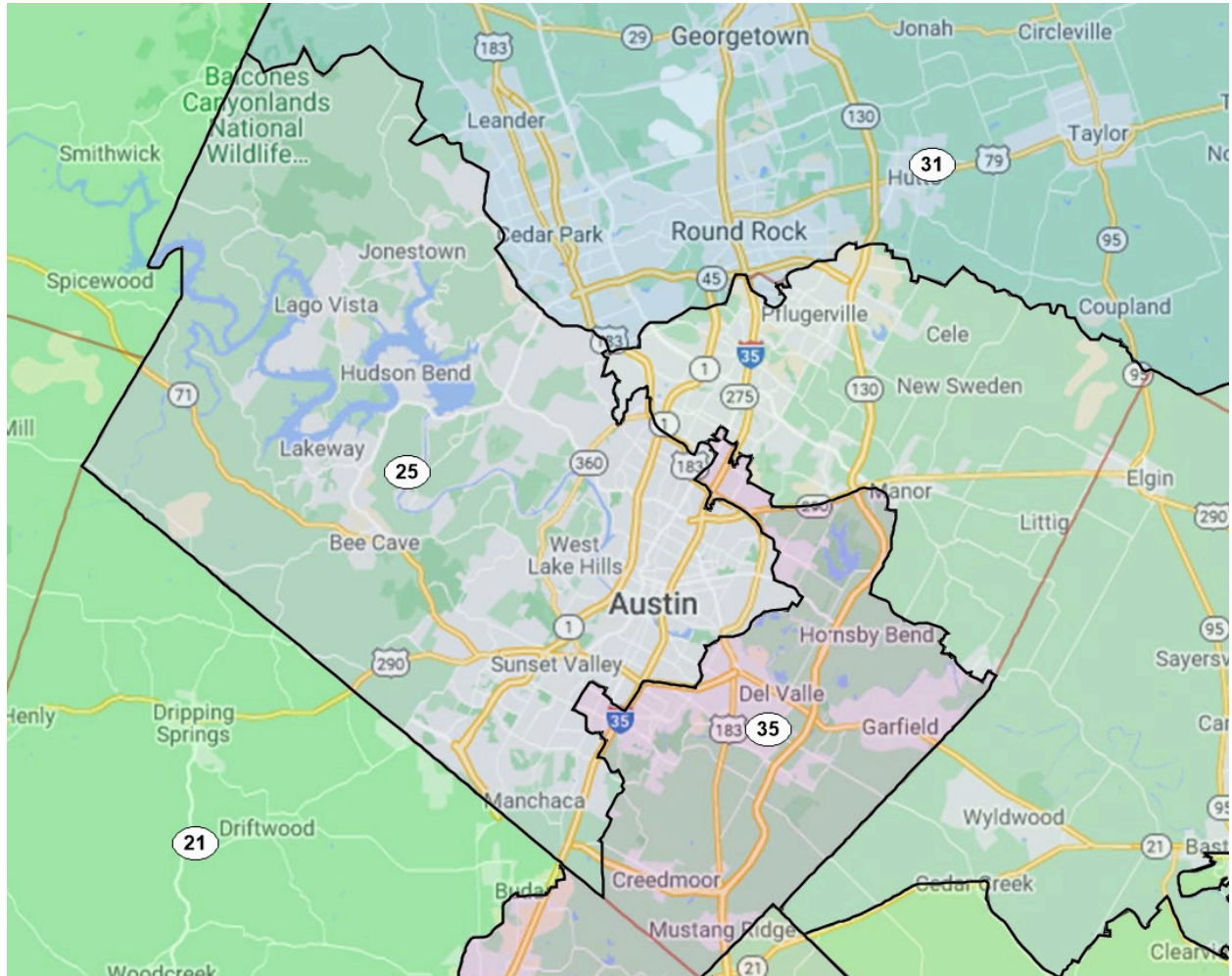


District 37 is fairly compact. It contains the suburbs of Coppell, Carrollton, Lewisville, and Frisco. The district juts out east seemingly unnecessarily in order to keep Frisco, which crosses county lines, whole. I drew district 03 by adhering to the Collin County and Frisco boundaries. I chose to finish 03 with suburbs in the north rather than the east because, while moving east would perhaps be more compact, it would require crossing Lavon Lake. The resulting district would actually be less compact by land borders. Completing the Dallas area is 32, bounded primarily by county lines in the northeast and VRA districts in the southwest.



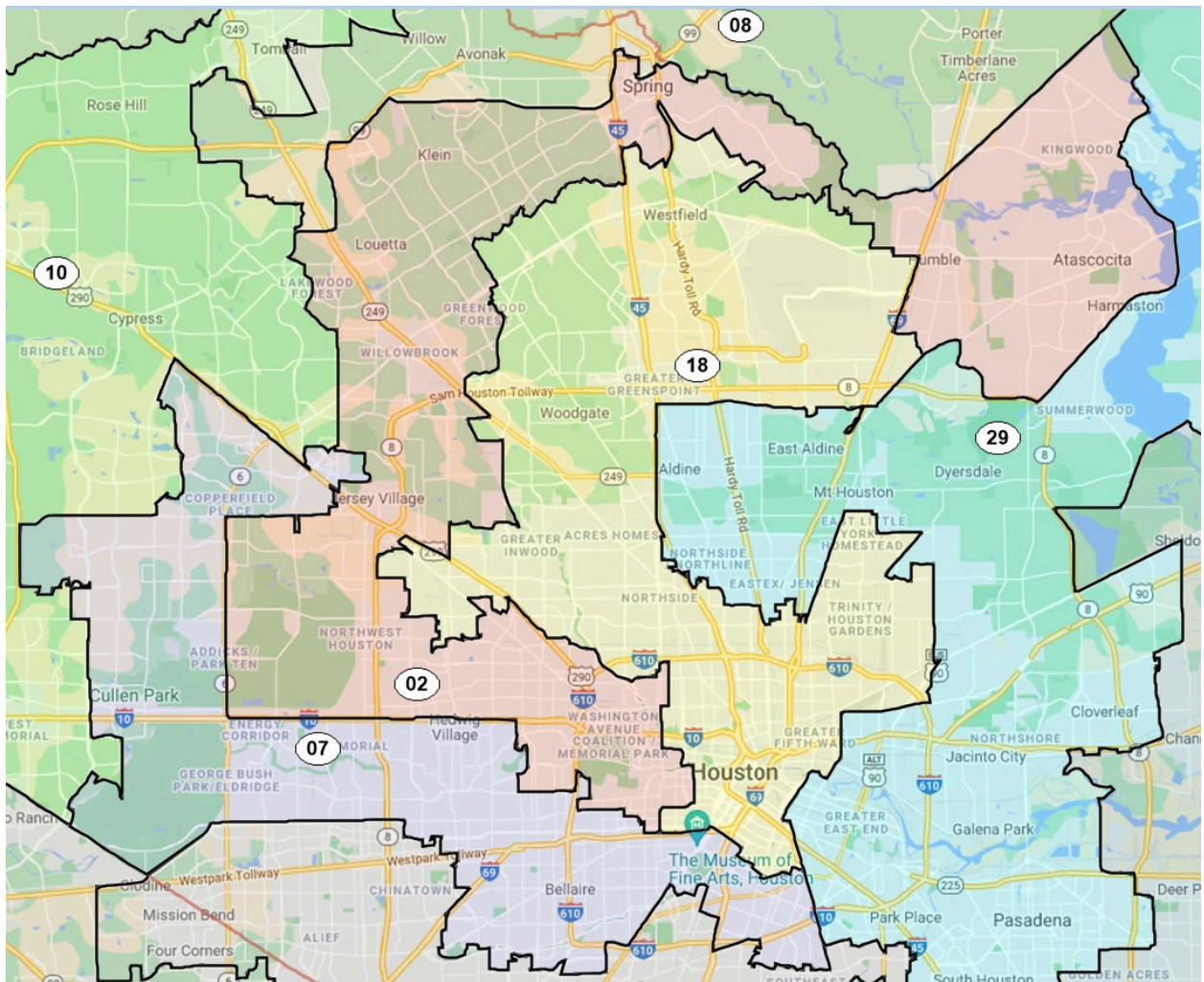
*Austin/Travis County*

I drew district 25 to preserve political subdivisions without contravening the VRA. The district follows Travis County lines and the Latino VRA district until it reaches population equality.

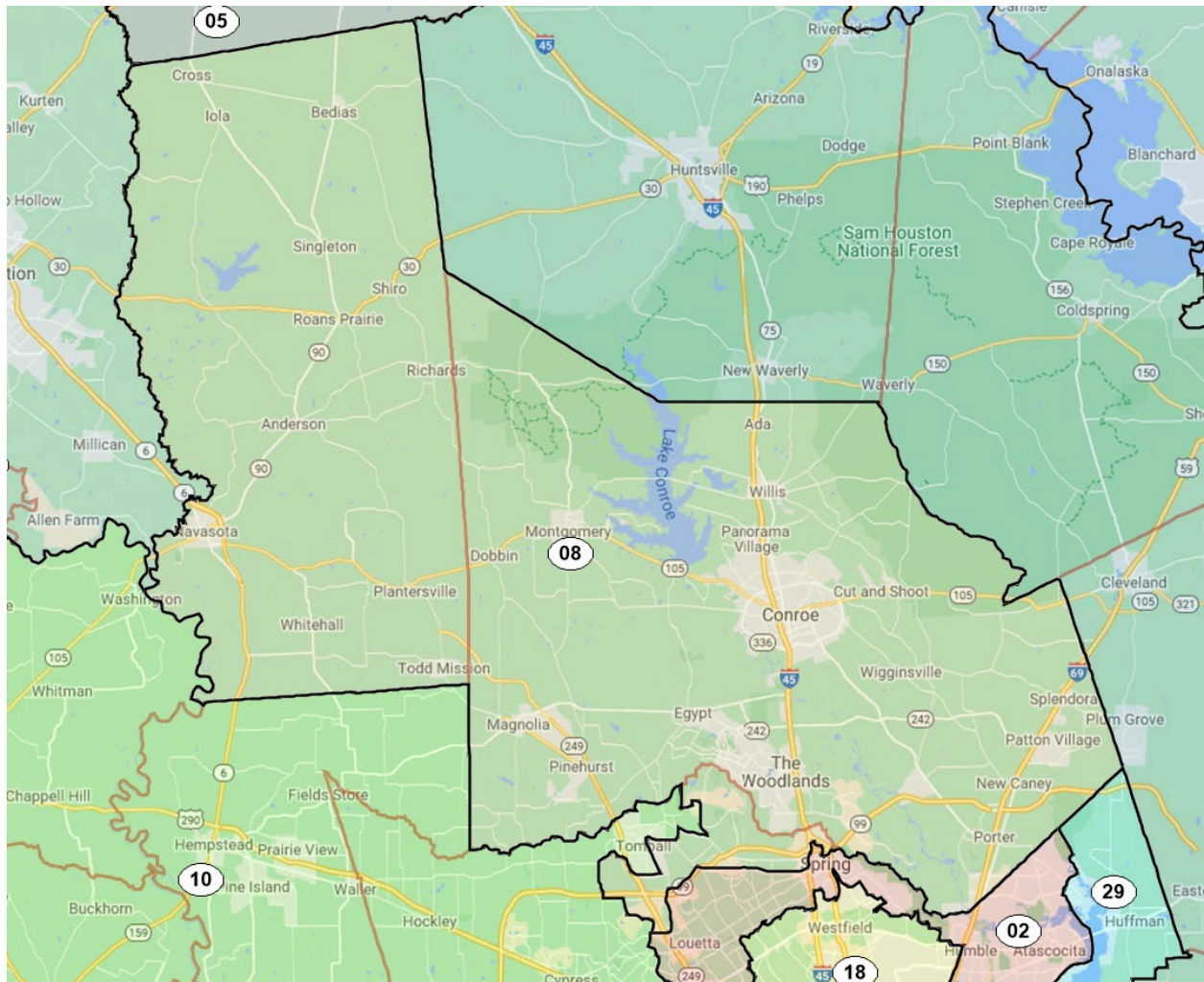


## *Houston*

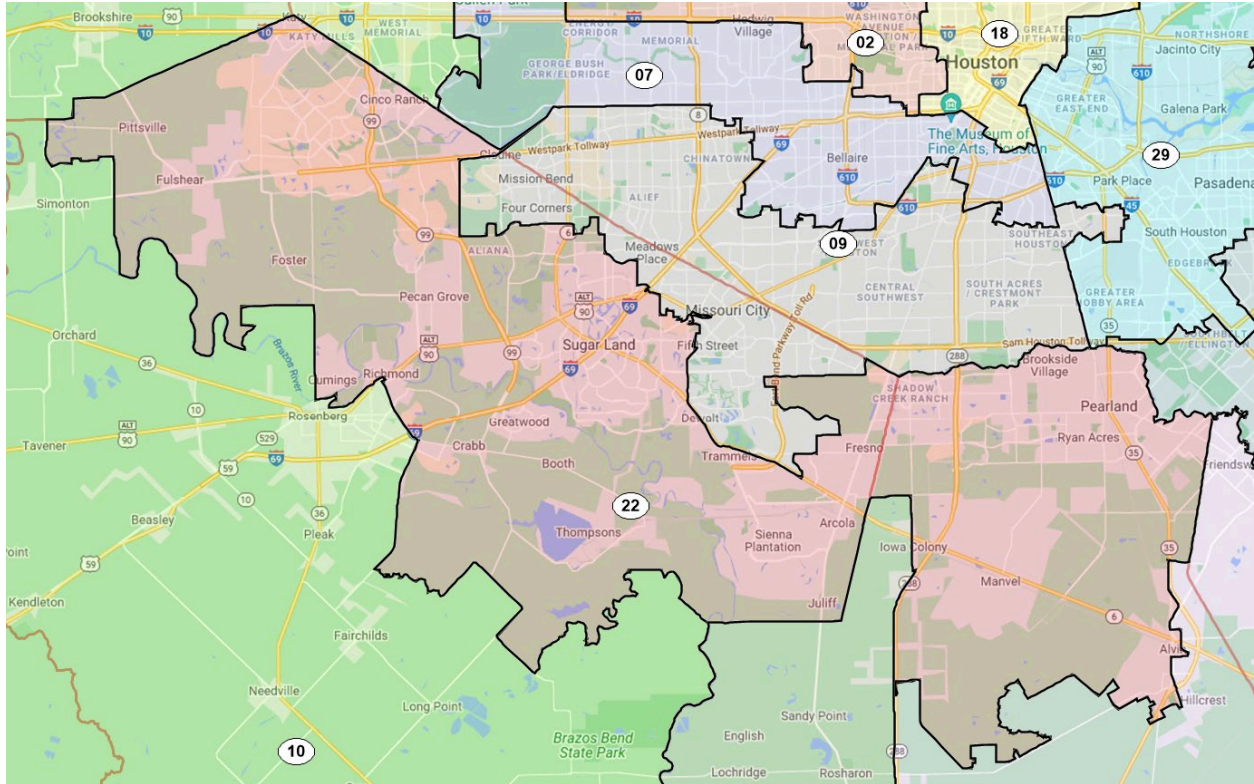
Districts 07 and 02 are mostly composed of rich white suburbs. 07 contains wealthy enclaves such as Bellaire, Hunters Creek Village, Piney Point Village, and Bunker Hill Village. It contains at least five country clubs and two golf courses. District 02 is quite similar, though slightly more balanced: It has an equal number of country clubs and golf courses (five of each). I extended 02 up around the top of 18, a Black opportunity district, which creates a somewhat contorted shape. However, doing so allows me to retain the Harris County border mostly intact without having to put heavily white areas into VRA districts.



Immediately north of 02 rests district 08. I aimed to keep ruby red Montgomery County whole, then included a small tentacle into wealthy white enclaves at the northern edge of Harris County to reach population equality.



To the southwest, district 22 covers the parts of Sugar Land and its suburbs not subsumed by the neighboring Black opportunity district. As mentioned previously, Sugar Land and its surrounding areas contain many Asian-American communities of interest, such that 22 has the highest Asian-American CVAP of any district in my good government map (18%).

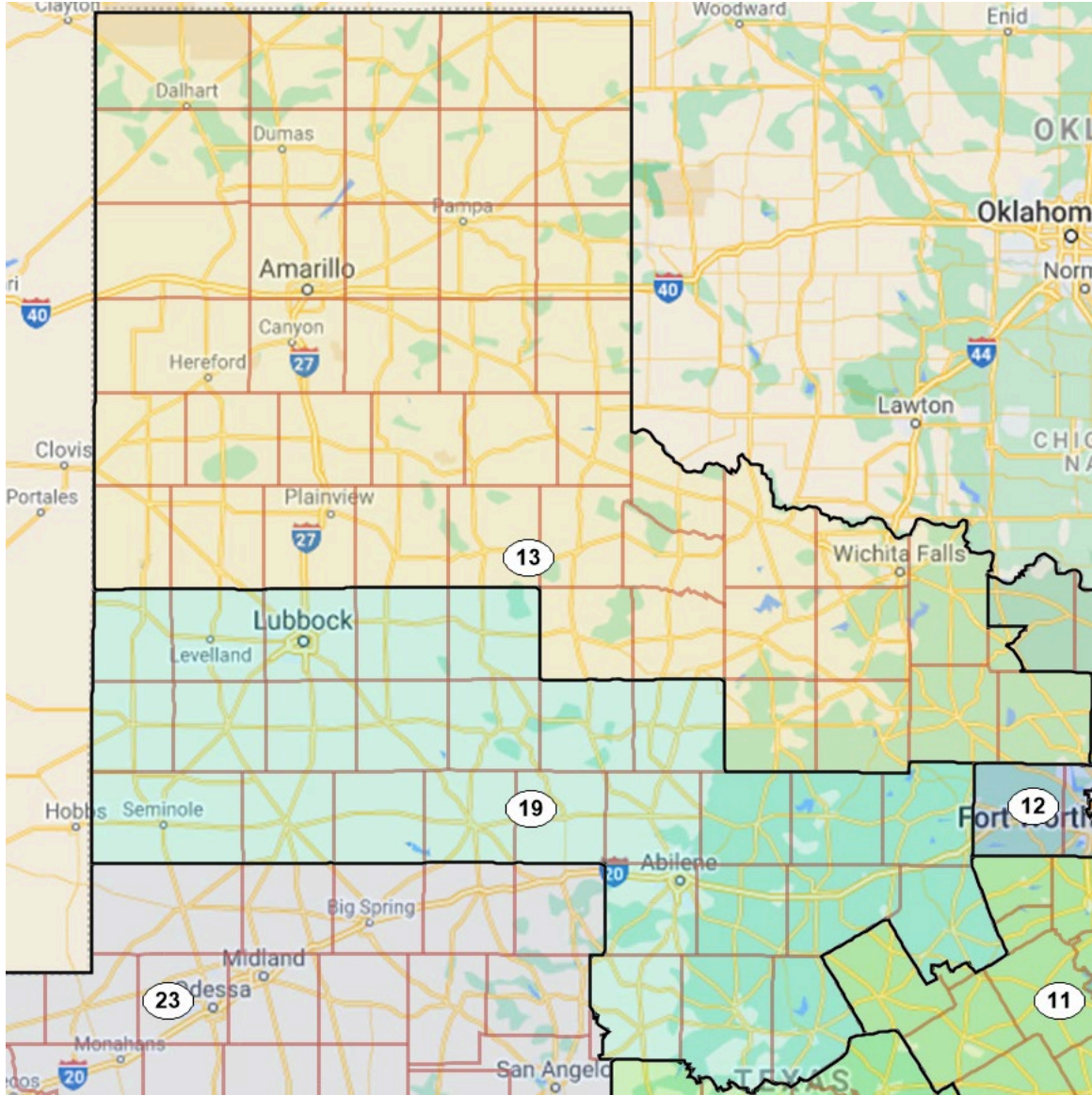


### *Remaining districts*

#### North Texas

I began with two similar rural districts in northern Texas. First is a seat running along the Oklahoma border, combining the northern halves of the High Plains, Rolling Plains, and Western Cross Timbers. This district, 13, is anchored by Amarillo and Wichita Falls, with vast expanses of farming and ranching communities supplying the remainder. It splits only one county, Montague. Similarly, district 19 runs from the western border across the southern halves of the High Plains, Rolling Plains, and Cross Timbers. Most of the population coming from Lubbock, Abilene, and farming and ranching communities similar to 13.

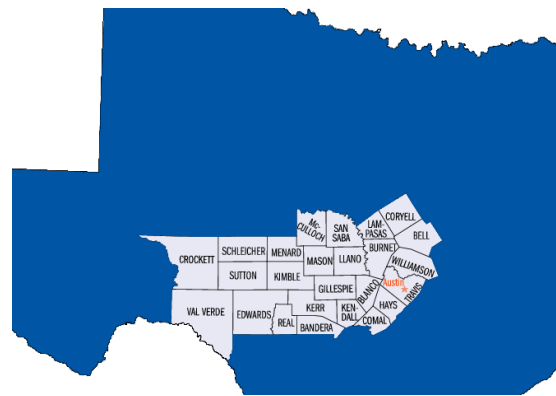
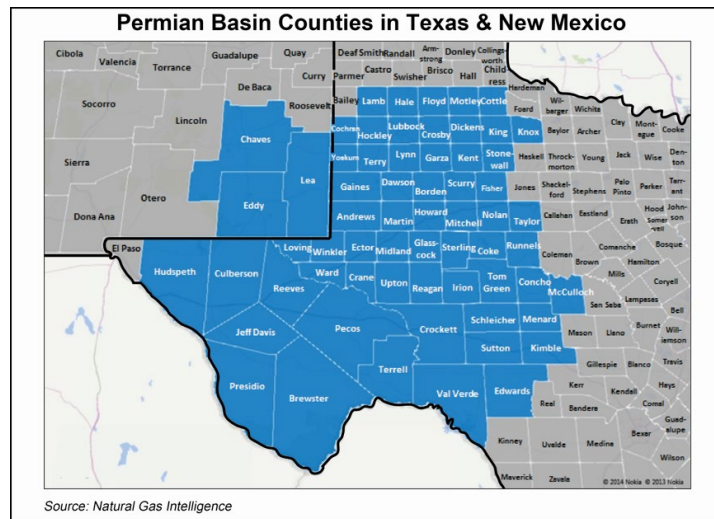
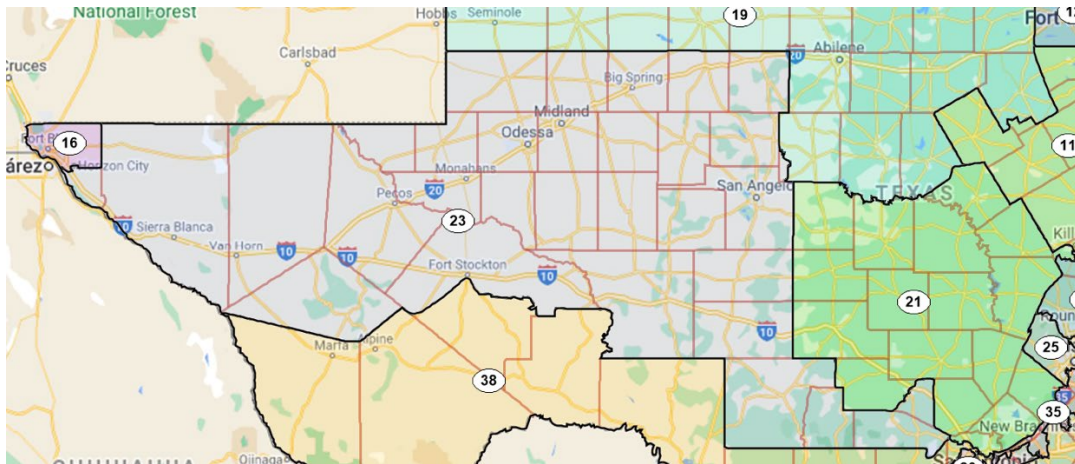




### Permian Basin

District 23 covers most of the Permian Basin. The major population centers are Odessa, Midland, and San Angelo, all hubs of the oil and gas industry. In terms of geography, 23 joins the western half of the Edwards Plateau to the parts of the Mountains and Basins regions not already claimed by VRA districts. To the east, district 21 traces out the remainder of the Hill

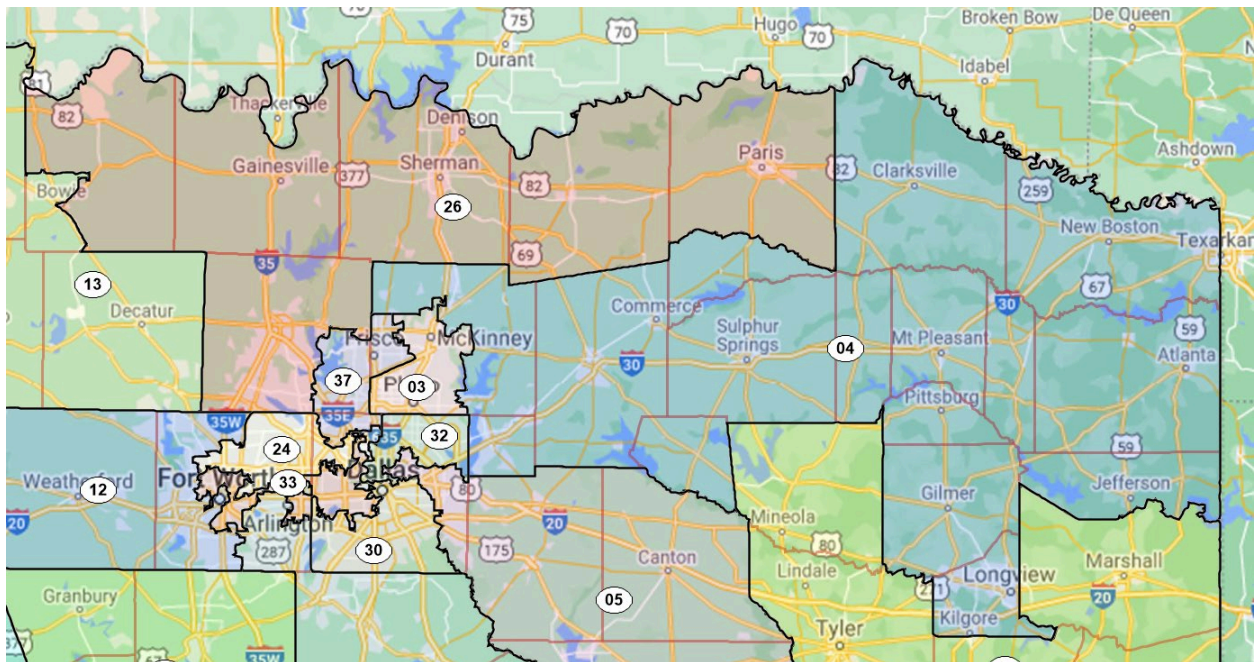
Country. This includes sections of the Permian Basin and the Edwards Plateau, but most of its population comes from the small path of suburbs between Austin and San Antonio.



Texas Hill Country

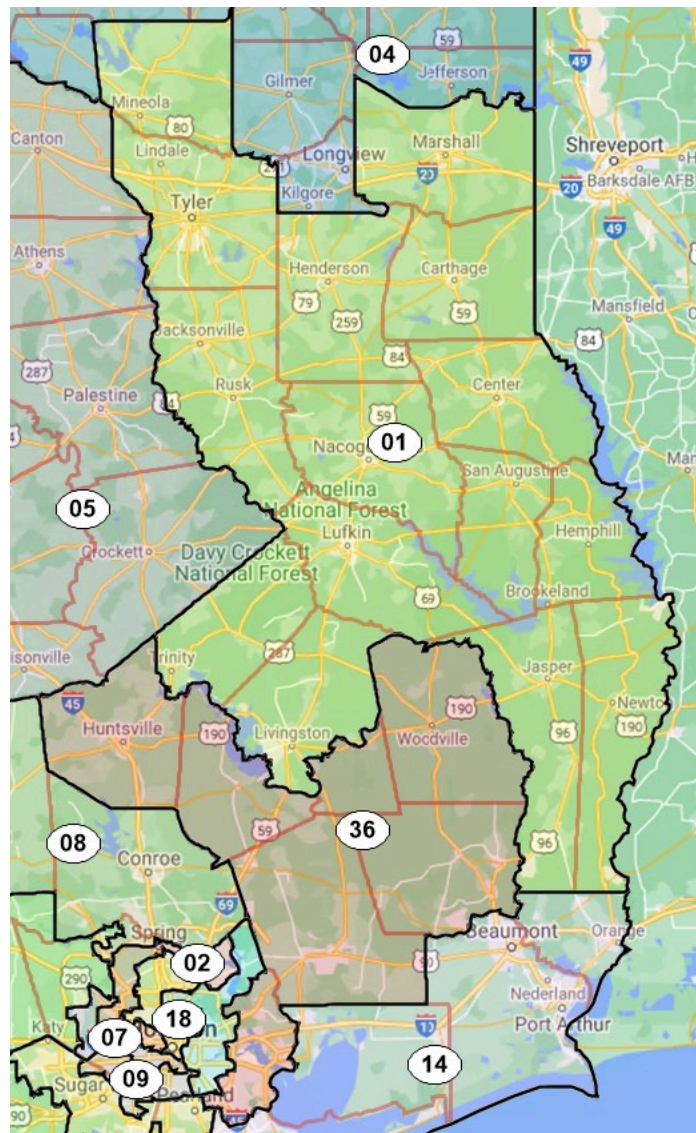
## Northeast Texas

District 26 covers the northern rim of the Dallas-Fort Worth metroplex. It follows the Cross Timbers as they travel along the Oklahoma border, drop into Denton County, and run into the Post Oak Belt. District 04 picks up where 26 left off in the Post Oak Belt and continues into the Piney Woods. Both districts draw most of their population from the Dallas-Fort Worth suburbs, but still contain sizeable rural farming communities.



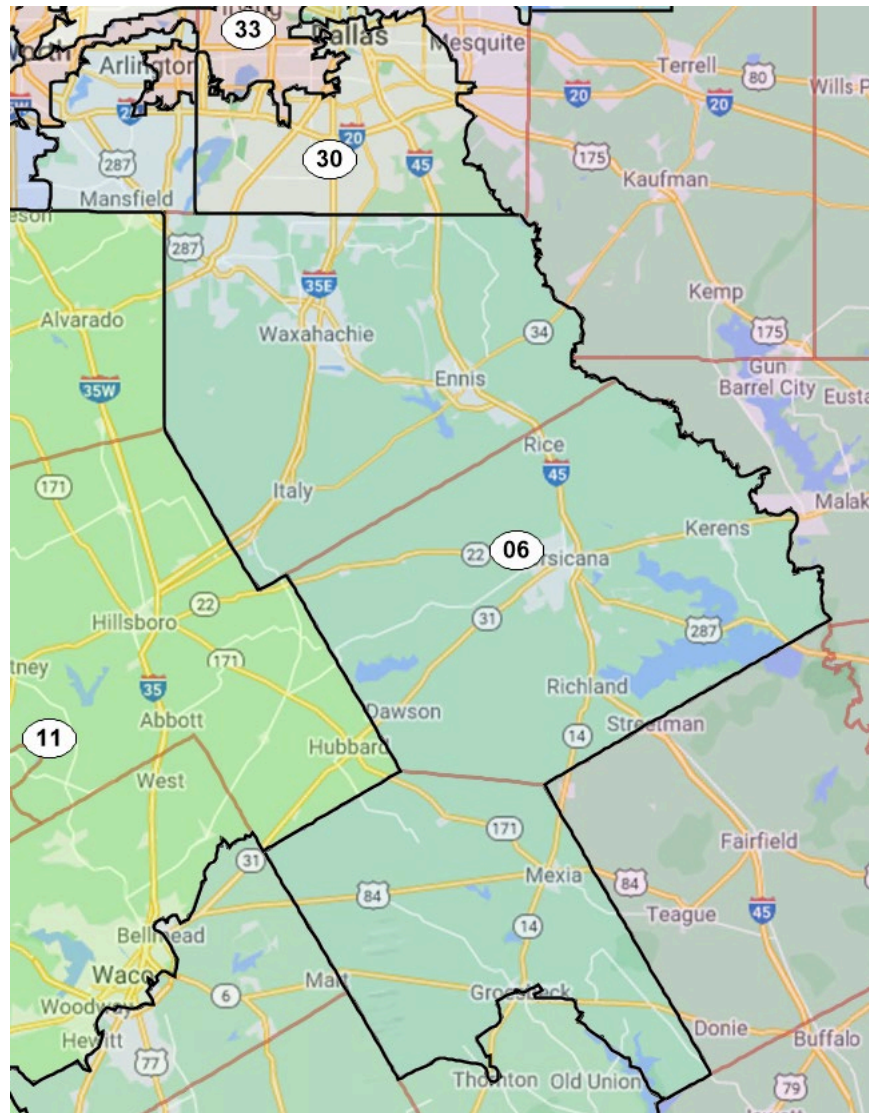
## Piney Woods

The Piney Woods are covered by district 01 in the north and district 36 in the south. Together, these two districts comprise almost all of Texas' lumber production. 01's population is distributed fairly evenly among its different Piney Woods counties, and it would likely rely heavily on the timber industry. By contrast, timber would be a smaller share of 36's economy, since that district draws most of its population from Houston suburbs.



## Blackland Prairie

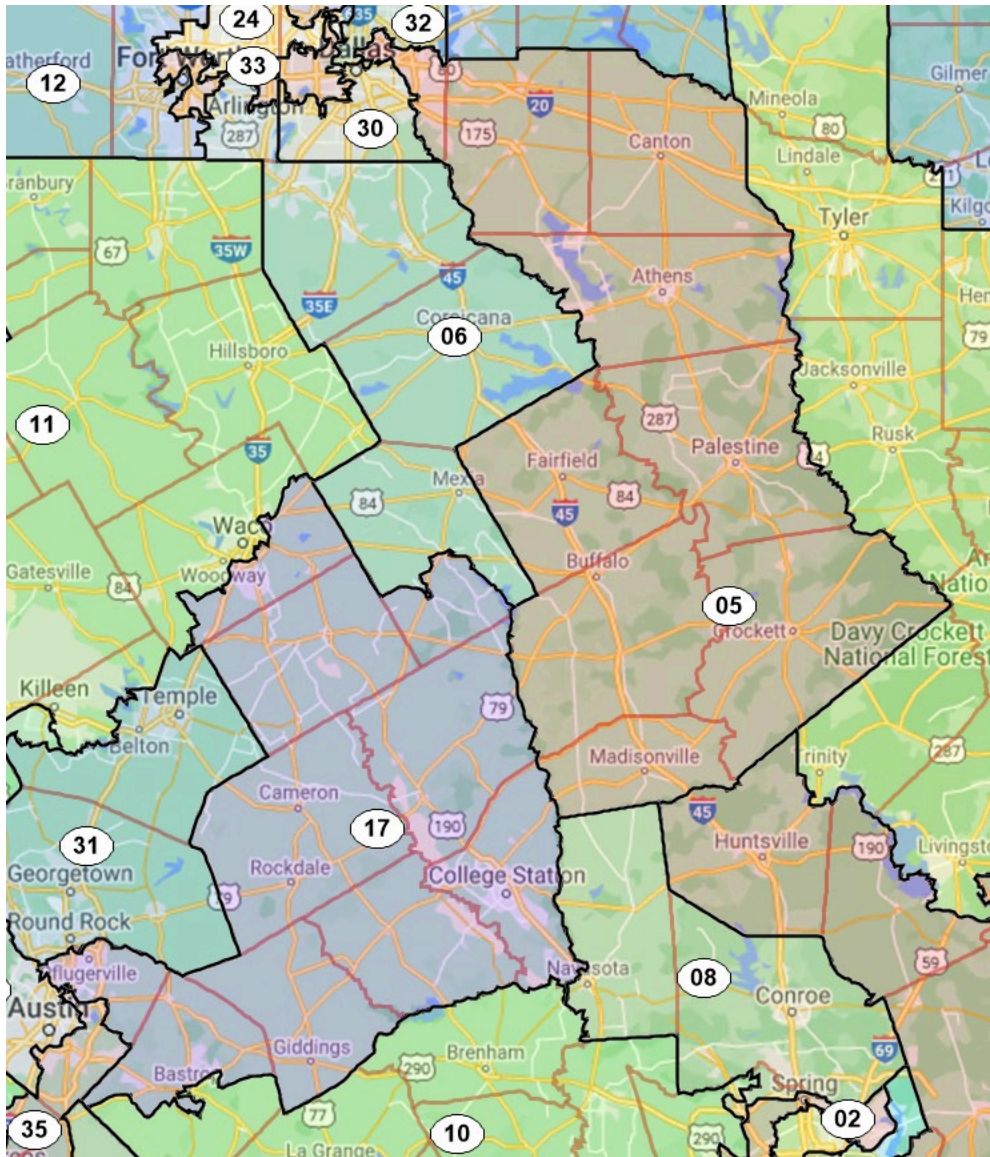
District 06 combines counties in the crop-heavy Blackland Prairie before acquiring most of its population from the southwest Fort Worth area, including most of Arlington.



## Post Oak Belt

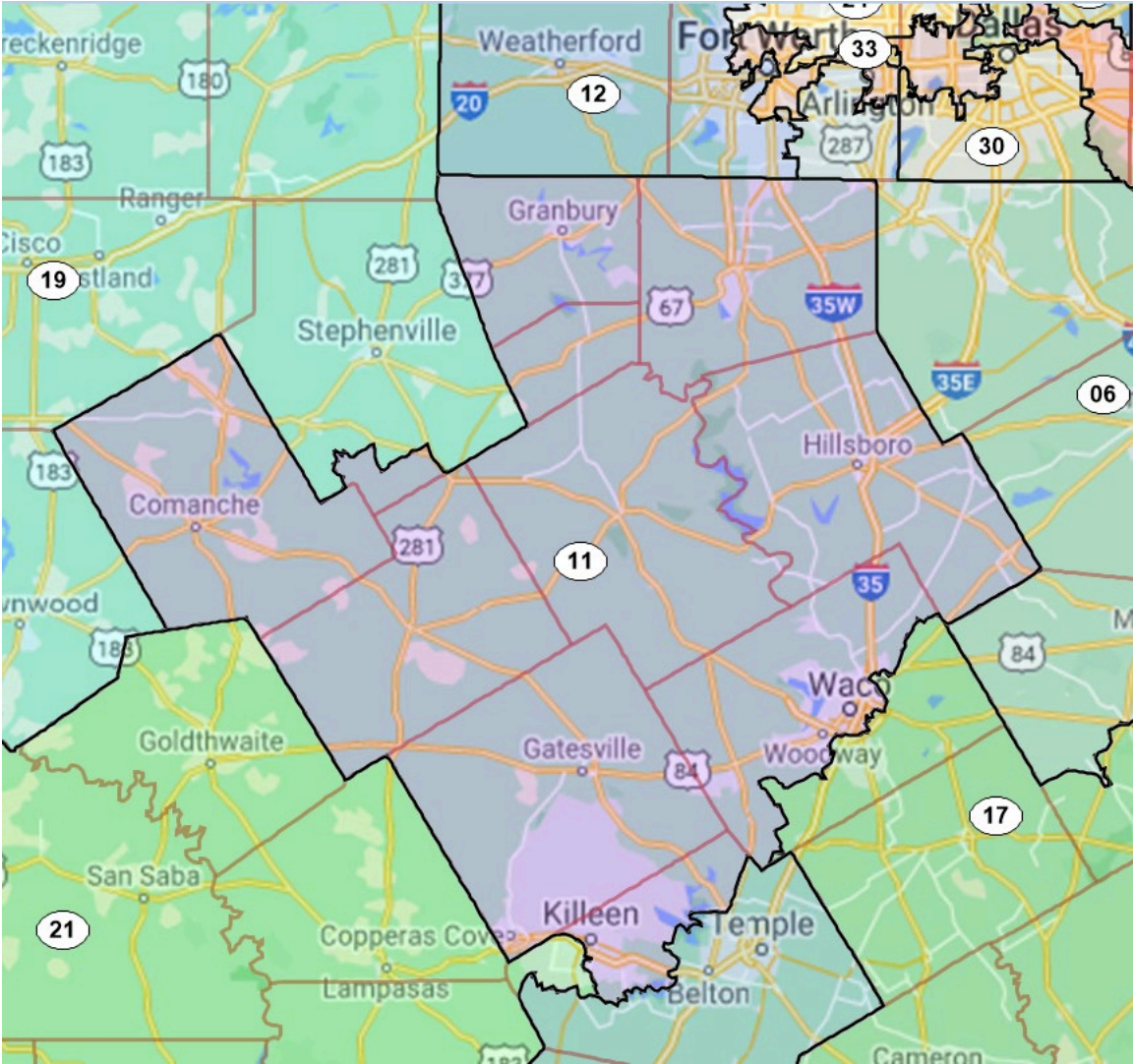
District 05 joins eight counties in the Post Oak Belt, though half its population comes from a tiny slice of Dallas. Most of the remaining Post Oak Belt is gathered into the semi-rural

district 17. Still, a majority of 17's population comes from Austin suburbs and the Bryan-College Station metro area.



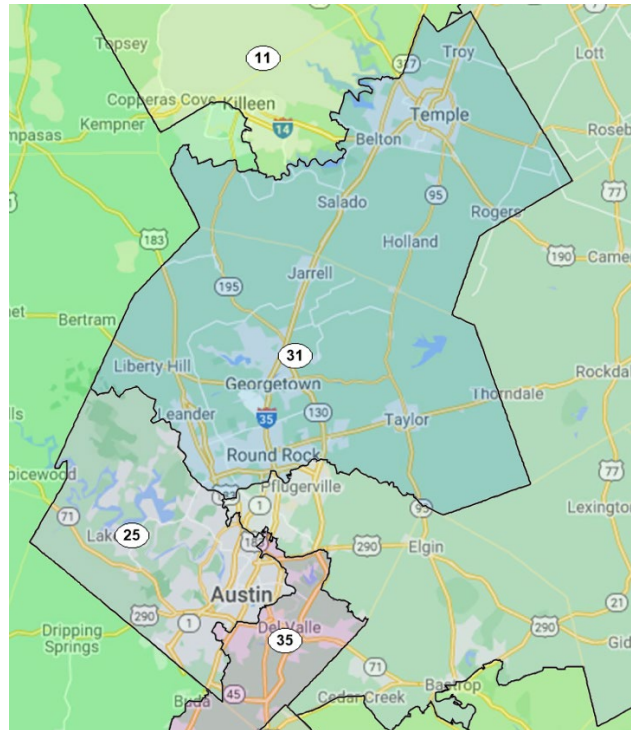
Grand Prairie

District 11 traces out the remainder of the Grand Prairie almost exactly and contains a mix of urban, suburban, and rural areas. While many inhabitants reside in Johnson County, part of the Dallas-Fort Worth-Arlington metro area, 11's population is fairly evenly distributed.



### Austin suburbs

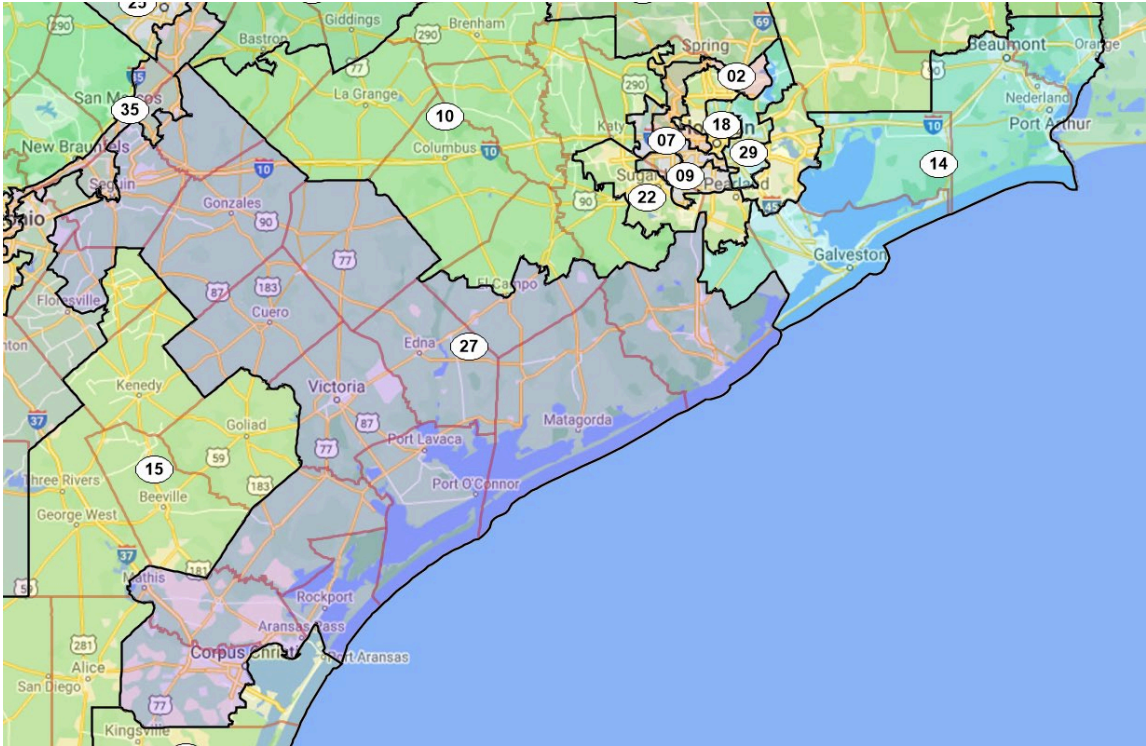
District 31 is heavily urban and suburban and was drawn from Bell and Williamson counties. It is composed almost entirely of Austin's suburbs. Many of these suburbs, such as Georgetown, Round Rock, and Cedar Park, are some of the fastest-growing cities in the nation.



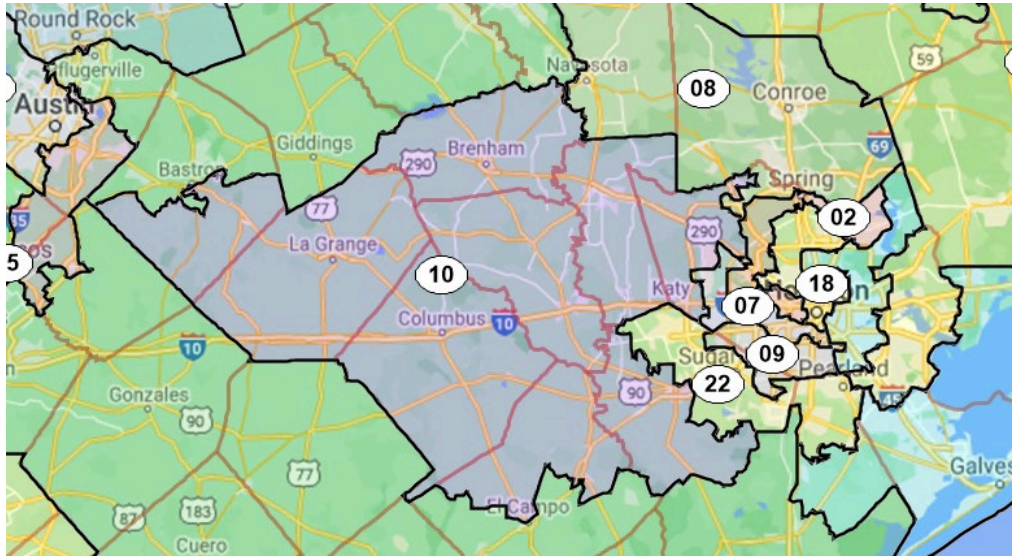
### Gulf Coast Plain

My map splits the Gulf Coast Plain into three districts surrounding Houston. District 14 contains the four coastal counties east of Houston, while district 27 contains the six coastal counties to Houston's south. 27 also contains some of the inland counties on the Gulf Coast Plain as well. Both of these districts have booming fishing and oil industries. Note 14 must be split in two by Galveston Bay to preserve county borders; however, a narrow chain of islands does connect the two parts.





I separated most of the inland counties into district 10. These counties, including the southwestern half of Fort Bend County and the northwestern section of Harris County, are almost entirely suburbs of Houston. In general, district 10 would have a diverse economy compared to the heavily oil-reliant Houston proper.



### *Compactness*

Texas has many VRA districts, many of which must inevitably be less compact than non-VRA districts would be in the corresponding locations. Consequently, the compactness of an entire Texas redistricting plan cannot be very high. In particular, drawing VRA districts in cities often means tracing out otherwise inexplicable-looking urban segregation patterns.

There are many examples. For instance, the VRA almost certainly requires a Latino-majority district connecting Austin and San Antonio. Making this district more compact would require contorting other VRA districts, or even eliminating them entirely. For another example, in Houston, Latino residents are concentrated in two areas separated from each other by a wall of Black voters. The Black- and Latino-majority VRA districts must wrap around each other to some degree, simply by virtue of demographic living patterns. And in Dallas, Latinos can form a majority of CVAP in single-member district, but that district must be carefully constructed.

Nevertheless, my overall plan is better than the enacted Texas plan, C2193, on every measure of compactness. The differences are small, presumably because my plan adds an additional Latino VRA district while C2193 eliminates one or two. Note this weakens any potential argument Texas might make in VRA litigation about prioritizing traditional redistricting principles: Texas could have drawn a map that is both more compliant with the VRA and more compact.

For all measures except Schwartzberg and Alternate Schwartzberg, higher scores are more compact than lower scores. For those two exceptions, scores closer to 1 (lower) are more compact than scores greater than 1 (higher).

Measure	Good Gov	C2193	Proportionality
Reock	<b>0.35</b>	0.33	0.33
Schwartzberg	<b>2.27</b>	2.36	2.48
Alternate Schwartzberg	<b>2.47</b>	2.55	2.71
Polsby-Popper	<b>0.21</b>	0.19	0.17
Population Polygon	<b>0.61</b>	0.59	0.56
Area/Convex Hull	<b>0.68</b>	0.66	0.66
Population Circle	<b>0.34</b>	0.34	0.33
Ehrenburg	<b>0.31</b>	0.28	0.13

Below is a table with compactness scores for all the districts in my good government plan.

District	Reock	Schwartzberg	Alternate Schwartzberg	Polsby-Popper	Population Polygon	Area/Convex Hull	Population Circle	Ehrenburg	Perimeter	Length-Width
01	0.33	2.03	2.71	0.14	0.73	0.71	0.36	0.30	1,080.95	63.79
02	0.23	3.34	3.49	0.08	0.42	0.42	0.25	0.16	192.42	4.79
03	0.46	1.99	2.09	0.23	0.83	0.75	0.56	0.34	122.87	3.15
04	0.37	2.08	2.56	0.15	0.47	0.66	0.18	0.31	828.50	51.55
05	0.41	1.66	2.16	0.21	0.55	0.78	0.23	0.37	665.68	34.36
06	0.31	2.09	2.29	0.19	0.53	0.66	0.21	0.37	435.27	25.19
07	0.21	2.96	3.02	0.11	0.52	0.49	0.25	0.11	131.26	6.47
08	0.40	1.69	1.96	0.26	0.75	0.77	0.45	0.27	306.43	6.51
09	0.30	2.41	2.48	0.16	0.67	0.65	0.33	0.19	114.49	11.87
10	0.40	2.11	2.38	0.18	0.33	0.77	0.22	0.47	623.18	41.81
11	0.54	1.69	1.74	0.33	0.80	0.80	0.36	0.36	524.67	21.48

District	Reock	Schwartzberg	Alternate Schwartzberg	Polsby-Popper	Population Polygon	Area/Convex Hull	Population Circle	Ehrenburg	Perimeter	Length-Width
12	0.52	1.74	1.77	0.32	0.62	0.90	0.45	0.56	226.67	17.35
13	0.34	1.55	1.63	0.38	0.79	0.76	0.45	0.58	1,199.31	77.73
14	0.28	1.91	2.23	0.20	0.59	0.72	0.14	0.24	465.98	24.58
15	0.20	2.24	2.37	0.18	0.62	0.58	0.33	0.21	770.29	127.13
16	0.49	1.33	1.36	0.54	0.95	0.93	0.90	0.48	129.19	13.90
17	0.47	1.98	2.34	0.18	0.45	0.71	0.26	0.42	636.33	16.56
18	0.41	2.75	2.85	0.12	0.63	0.63	0.44	0.21	145.09	6.81
19	0.32	1.73	1.79	0.31	0.88	0.74	0.42	0.24	1,031.92	136.04
20	0.50	2.29	2.35	0.18	0.72	0.68	0.59	0.20	117.73	1.71
21	0.59	1.55	1.65	0.37	0.48	0.84	0.23	0.48	701.07	5.66
22	0.26	2.56	2.80	0.13	0.53	0.64	0.21	0.18	227.50	16.75
23	0.25	1.82	1.92	0.27	0.80	0.72	0.37	0.31	1,424.89	243.26
24	0.27	3.10	3.18	0.10	0.62	0.67	0.28	0.45	188.95	19.59
25	0.44	1.54	1.60	0.39	0.78	0.88	0.48	0.47	137.23	5.70

District	Reock	Schwartzberg	Alternate Schwartzberg	Polsby-Popper	Population Polygon	Area/Convex Hull	Population Circle	Ehrenburg	Perimeter	Length-Width
26	0.27	2.02	2.48	0.16	0.41	0.64	0.11	0.15	640.61	85.17
27	0.37	2.33	2.50	0.16	0.56	0.63	0.17	0.24	1,017.44	21.04
28	0.20	2.41	2.60	0.15	0.52	0.61	0.19	0.22	895.29	147.40
29	0.24	2.82	2.88	0.12	0.61	0.57	0.28	0.14	181.06	15.87
30	0.42	2.40	2.51	0.16	0.75	0.80	0.43	0.36	168.19	10.85
31	0.53	1.56	1.67	0.36	0.71	0.76	0.53	0.44	259.90	2.17
32	0.40	2.25	2.31	0.19	0.70	0.71	0.42	0.39	111.00	6.81
33	0.21	5.70	5.90	0.03	0.44	0.41	0.27	0.16	309.56	16.67
34	0.32	1.86	2.21	0.20	0.62	0.65	0.44	0.27	591.09	70.75
35	0.11	4.32	4.55	0.05	0.43	0.37	0.25	0.13	412.47	7.36
36	0.42	2.21	2.74	0.13	0.25	0.62	0.13	0.27	693.92	0.74
37	0.44	1.95	2.02	0.25	0.67	0.72	0.41	0.32	117.87	5.66
38	0.22	2.29	2.74	0.13	0.37	0.57	0.23	0.27	1,672.54	171.36

Below is the corresponding table with compactness scores for C2193. I ran the official plan files<sup>34</sup> through Maptitude to generate the table. Districts for my good government map generally correspond to districts in C2193 (e.g., 01 in my map occupies roughly a similar area as 01 does in C2193).

District	Reock	Schwartzberg	Alternate Schwartzberg	Polsby-Popper	Population Polygon	Area/Convex Hull	Population Circle	Ehrenburg	Perimeter	Length-Width
1	0.32	2.01	2.53	0.16	0.83	0.70	0.58	0.25	890.67	60.43
2	0.40	2.02	2.09	0.23	0.59	0.69	0.27	0.33	190.82	3.63
3	0.50	1.66	1.72	0.34	0.68	0.85	0.41	0.47	235.31	21.03
4	0.26	3.07	3.63	0.08	0.34	0.53	0.25	0.19	947.53	74.24
5	0.35	2.13	2.61	0.15	0.58	0.64	0.41	0.37	569.16	47.48
6	0.30	2.20	2.55	0.15	0.29	0.62	0.15	0.33	701.58	52.06
7	0.23	3.16	3.30	0.09	0.56	0.48	0.35	0.14	134.82	5.52
8	0.29	1.98	2.11	0.22	0.34	0.63	0.14	0.31	409.66	8.92
9	0.46	2.40	2.47	0.16	0.73	0.68	0.49	0.30	129.87	3.08
10	0.37	2.11	2.32	0.19	0.30	0.66	0.15	0.53	727.84	26.09
11	0.25	1.77	1.81	0.31	0.84	0.74	0.44	0.39	892.15	181.99

District	Reock	Schwartzberg	Alternate Schwartzberg	Polsby-Popper	Population Polygon	Area/Convex Hull	Population Circle	Ehrenburg	Perimeter	Length-Width
12	0.43	2.13	2.19	0.21	0.64	0.74	0.48	0.28	245.19	20.63
13	0.26	1.77	1.89	0.28	0.83	0.67	0.35	0.35	1,260.63	107.97
14	0.19	2.19	2.49	0.16	0.54	0.56	0.10	0.24	520.51	29.79
15	0.12	2.78	2.99	0.11	0.69	0.54	0.16	0.16	842.35	200.40
16	0.27	1.98	2.09	0.23	0.96	0.73	0.90	0.23	131.55	1.45
17	0.29	2.25	2.70	0.14	0.52	0.65	0.08	0.30	987.29	108.42
18	0.42	3.73	3.84	0.07	0.51	0.54	0.39	0.12	207.36	0.27
19	0.50	1.37	1.37	0.53	0.97	0.84	0.52	0.41	845.62	53.95
20	0.45	2.68	2.78	0.13	0.72	0.63	0.60	0.14	132.33	1.47
21	0.41	1.72	1.81	0.31	0.42	0.83	0.24	0.37	510.77	61.93
22	0.36	2.29	2.47	0.16	0.38	0.65	0.31	0.28	533.38	18.25
23	0.26	1.93	2.25	0.20	0.28	0.73	0.15	0.31	1,939.12	204.08
24	0.27	2.88	2.96	0.11	0.55	0.67	0.24	0.43	174.67	22.28
25	0.46	1.89	1.97	0.26	0.32	0.71	0.26	0.33	666.06	28.62

<sup>34</sup> <https://data.capitol.texas.gov/dataset/planc2193>

District	Reock	Schwartzberg	Alternate Schwartzberg	Polsby-Popper	Population Polygon	Area/Convex Hull	Population Circle	Ehrenburg	Perimeter	Length-Width
26	0.35	2.27	2.59	0.15	0.75	0.63	0.37	0.20	416.15	4.98
27	0.44	1.55	1.65	0.37	0.91	0.82	0.20	0.39	630.67	74.84
28	0.25	2.04	2.19	0.21	0.57	0.64	0.20	0.30	831.07	103.63
29	0.29	3.23	3.30	0.09	0.62	0.57	0.29	0.13	169.25	4.82
30	0.42	2.14	2.25	0.20	0.68	0.75	0.46	0.34	153.68	10.42
31	0.45	2.10	2.25	0.20	0.62	0.72	0.44	0.20	602.83	40.29
32	0.23	3.51	3.60	0.08	0.53	0.48	0.32	0.14	157.16	2.21
33	0.23	4.81	5.14	0.04	0.42	0.39	0.27	0.11	274.00	9.60
34	0.40	1.64	1.93	0.27	0.81	0.74	0.56	0.28	503.94	54.32
35	0.08	3.47	3.57	0.08	0.51	0.44	0.22	0.23	290.85	7.66
36	0.35	1.70	2.01	0.25	0.48	0.77	0.17	0.34	565.81	11.64
37	0.37	2.41	2.55	0.15	0.81	0.72	0.62	0.23	136.15	9.33
38	0.39	2.69	2.83	0.12	0.44	0.59	0.30	0.29	176.94	7.93

Of my five most compact districts by Reock score,<sup>35</sup> only one is a VRA district.<sup>36</sup> By contrast, four of my five least compact districts are VRA districts.<sup>37</sup> My sixth least compact district is 38, the new VRA district. Here we see how the VRA can reduce a plan’s overall compactness.

Compared to C2193, I generally gained compactness in larger districts and lost compactness to the VRA and in Houston. For this section, I define “much more (or less) compact” as a difference of 0.1 in Reock scores between my district and the corresponding C2193 district. For example, district 02 has a Reock score of 0.23 in my map and 0.40 in C2193, for a difference of 0.17. There is no ironclad reason for choosing Reock over another measure or for choosing 0.10 over a larger or smaller difference. I chose them merely to illustrate districts where my map is generally more or less compact than the enacted Texas plan.

<sup>35</sup> Districts 11, 12, 21, 31, and 20.

<sup>36</sup> District 20, in San Antonio.

<sup>37</sup> Districts 35, 15, 28, and 33.

*More compact than C2193*

Seven of my districts are much more compact than C2193.<sup>38</sup> Five of these are large, rural Republican districts.<sup>39</sup> Four of these five are non-compact in C2193 because they have tentacles attaching to urban areas, presumably in order to dilute urban Democratic votes.<sup>40</sup> 04 reaches into Dallas, 08 into Houston, 17 into Austin, and 21 into San Antonio. My versions of these districts are much more compact because I eliminated the snaking tentacles. Here we see how good government criteria can, contrary to conventional wisdom, favor Democrats in specific circumstances: If Republicans crack blue cities, prioritizing compactness can undo some of the partisan gerrymander.

The other two biggest compactness improvements over C2193 also illustrate counterintuitive principles. District 16 is much more compact in my map because I kept El Paso whole and used San Antonio to create a new Latino-majority district. In C2193, Texas split El Paso to supplement district 23 with low-propensity Latino voters, ensuring 23 will be majority-Latino but still usually fail to elect the Latino candidate of choice.<sup>41</sup> Here we see how the VRA can actually make districts more compact. Lastly, district 32 is much more compact in my map because I strove to preserve county borders. My 32 is entirely within Dallas County, while C2193's district 32 crosses into Denton and Collin Counties. Here we see how preserving political subdivisions can at times enhance compactness.

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<sup>38</sup> Districts 04, 08, 11, 16, 17, 21, and 32.

<sup>39</sup> Districts 04, 08, 11, 17, and 21.

<sup>40</sup> Districts 04, 08, 17, and 21.

<sup>41</sup> <https://www.justice.gov/opa/press-release/file/1453656/download>, pages 10-14

*Less compact than C2193*

Five of my districts are much less compact than C2193.<sup>42</sup> Two of them, 19 and 38, are due to the VRA. The other three (02, 09, 22) are in or around Houston.

I drew 38 to be a new Latino-majority district to satisfy the VRA. C2193 did not, so that map's district 18 can be much more compact than mine. Because I drew 38 along the Rio Grande, I had to adjust the districts stacked on top, i.e. 23, 19, and 13. Given population densities and my desire to preserve county boundaries, my redrawn 19 had to be less compact than C2193's.

As for the Houston districts, C2193 is more compact for three reasons. First, Texas drew one of the newly added districts (38) in Houston and took the opportunity to reconfigure the existing districts. I drew the new districts in Dallas and San Antonio instead, and then used the existing Houston districts as my starting points since they had never been successfully challenged in litigation. Second, I chose to make other districts more compact while simultaneously preserving county borders. For instance, I made 08 much more compact and kept Montgomery County whole, directly north of Houston.

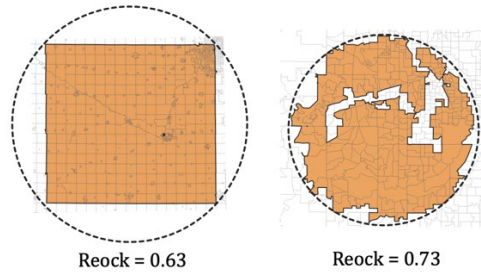
Third, I made another Houston district more compact, though not all measures reflect this. District 18, the Black opportunity district in north Houston, has about the same Reock score in both maps.<sup>43</sup> Reock scores compare the district's area to the area of a circle enclosing the district. This makes the measure worse at detecting convoluted internal borders. For example, Reock says the district on the right is more compact:

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<sup>42</sup> Districts, 02, 09, 19, 22, and 38.

<sup>43</sup> 0.41 in my map, 0.42 in C2193.





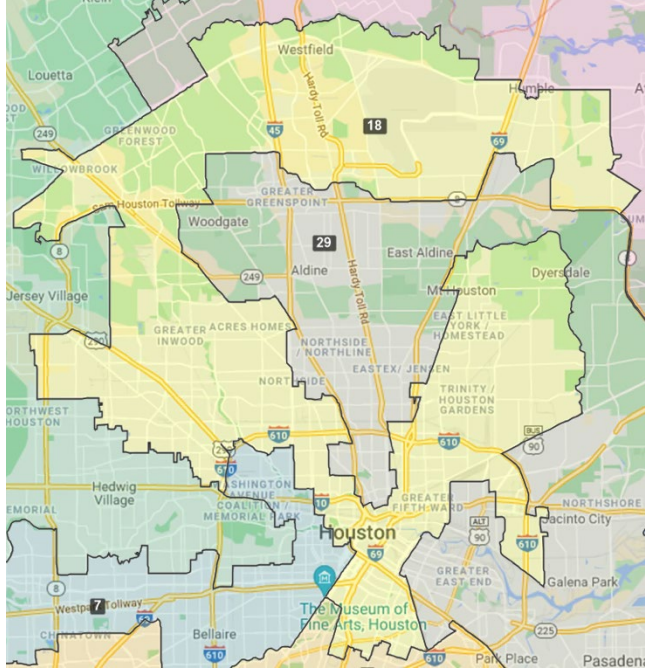
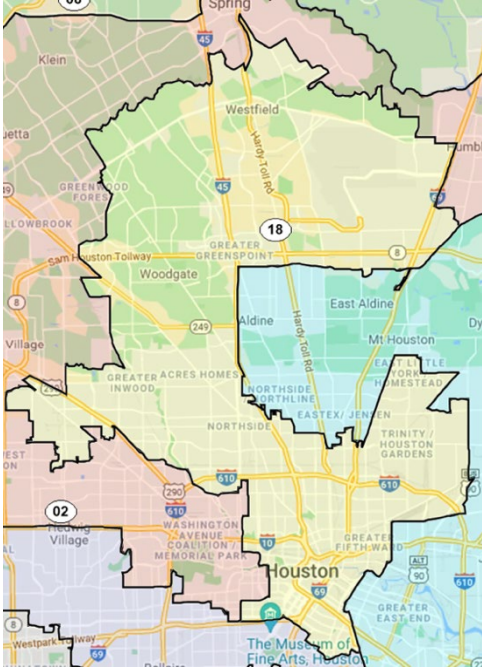
Source: <https://www.ncsl.org/Portals/1/Documents/Redistricting/Redistricting-Principles-Amy-Becker.pdf>

Both district 18s are similar on the Polsby-Popper and Population Circle measures as well, with mine being slightly more compact (difference = 0.05)

But my district 18 is much more compact (or almost much more compact, difference = 0.09 instead of 0.10) on the other five measures. These measures better reflect how district 18 zigzags more sharply in C2193 than in my plan. For example, the Schwartzberg measures compare the district's perimeter to the circumference of a circle with area equal to the district's area. My district has a perimeter of 145, while C2193's district has a perimeter 40% larger at 207.<sup>44</sup> Overall, district 18 illustrates how different measures may perform better (e.g., Schwartzberg) or worse (e.g., Reock) at capturing compactness, depending on the details of the district. My district 18 is on the left below, C2193's is on the right.

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<sup>44</sup> I assume Maptitude reports Perimeter in terms of miles, but I cannot find confirmation of this anywhere.



District 18

Measure	Good Gov	C2193
Reock	0.41	<b>0.42</b>
Schwartzberg	<b>2.75</b>	3.73
Alternate Schwartzberg	<b>2.85</b>	3.84
Polsby-Popper	<b>0.12</b>	0.07
Population Polygon	<b>0.63</b>	0.51
Area/Convex Hull	<b>0.63</b>	0.54
Population Circle	<b>0.44</b>	0.39
Ehrenburg	<b>0.21</b>	0.12

Table of compactness scores for district 18 in each map.

## *Political Subdivisions*

Along with maintaining compactness and preserving communities of interest, I aimed to respect political subdivisions. Wherever possible, I kept counties intact, since Texas administers elections at the county level. In the geographically large districts, this goal was mostly realized. In urban areas around Dallas, Houston, San Antonio, and Austin, counties were split more often. And of course, some counties are so large they must be split to avoid malapportionment.

Complying with the VRA also often required splitting counties. For instance, district 35 splits every county between Austin and San Antonio. Drawing two Black opportunity districts around Houston also requires crossing county lines. And 33, the Dallas-Fort Worth Latino-majority district, must be drawn and must cross the Dallas-Tarrant county line. Nevertheless, I split the same number of counties (30) and retained the same number (224) as C2193, again despite adding a VRA district while C2193 eliminated one or two.

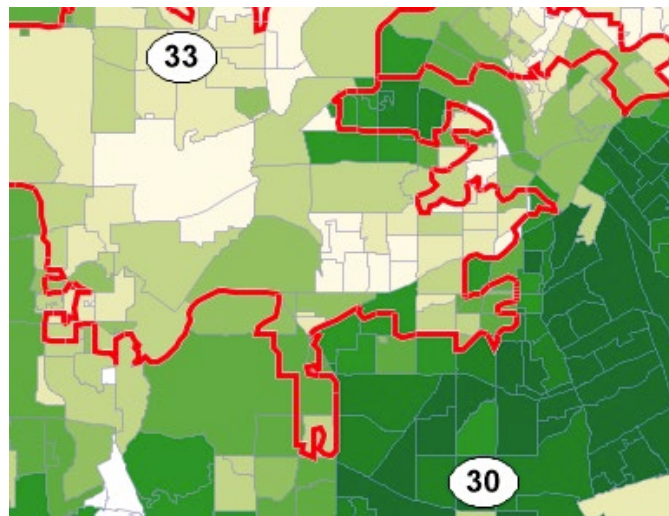
On a smaller geographical level, I declined to keep towns and cities intact. Cities in Texas often have extremely twisted and crooked borders, so preserving these borders would reduce compactness. I split 217 cities and towns and left 1,621 undivided. This is similar to C2193, which split 202 cities and left 1,636 undivided.<sup>45</sup> My map split only 15 more towns than C2193. Note, though, I usually only divided towns between two or occasionally three districts, while C2193 often split them among many districts. C2193 split towns between four or more districts 12 times, while I did so only 7 times.

Of the 217 splits, 59 came from my VRA districts, or 27%. As VRA districts constitute 12 out of 38 districts, or 31%, there are seemingly fewer splits due to VRA districts than is proportional. However, this comparison is deceptive, as many VRA districts border each other.

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<sup>45</sup> To find data on city and town splits for C2193, I used the Maptitude “Communities of Interest (Landscape, 11x8.5)” report with “City/Town” as the layer.

Thus, VRA districts sometimes require city splits that have already been counted as splits due to another VRA district. For example, take Dallas, where the Latino-majority district (33) and Black-majority district (30) border each other. Each district requires splitting many towns along that shared border, as the Latino and Black communities live in different, sharply demarcated sections of the same towns. In other words, District 33 would require the splitting of Dallas, Duncanville, and Grand Prairie, even if district 30 did not need to be drawn. Likewise, district 30 would require those splits even absent district 33.



Note how sharply Black CVAP declines crossing from 30 into 33.

Of the 15 more towns I split than C2193, 5 came from district 33 alone. My district 33 split 14 towns, while C2193's 33 split only 9. This allowed me to draw 33 as a Latino-majority district, while C2193's reduced it to Black-Latino coalition district. However, I did manage to split fewer towns in district 15 (11 towns to C2193's 12), despite C2193 eliminating 15 as a Latino opportunity district. And in 23, which C2193 also eliminates as a Latino opportunity

district, I split only one more town than did the enacted map.<sup>46</sup> Ergo, it is difficult for Texas to claim it failed to draw those VRA districts because it was preserving town borders.

My map also splits only 185 voting districts, while C2193 splits 218. Texas' enacted map splits 1 voting district into 3 congressional districts; my map never does this. Note these subdivisions are less relevant because they will soon be redrawn.

### ***Partisan Fairness and Competition***

Partisan fairness and competition were not goals of the plan, but it's interesting to look at how compatible they are with a good government ethos. Remarkably, my good government plan may actually be a slight *Democratic* gerrymander.<sup>47</sup> This may be slightly overstating the case, since many of the districts are highly competitive and easily flip to either party, but at least based on the 2020 presidential results, each party would win 19 of 38 seats. In a map proportional to 2020, where the vote split 53%R – 47%D, Republicans should win 20 seats and Democrats only 18. A Democratic advantage is fairly surprising, as conventional wisdom states that good government plans should generally favor Republicans. Prioritizing compactness and respecting political subdivisions would be expected to favor the more rural coalition, punishing Democrats for having more concentrated urban support. One potential reason for the surprising result is my focus on aligning communities of interest, which may have inadvertently packed Republicans in some more rural areas.

The largest factor creating the unusual Democratic gerrymander is, I imagine, the Voting Rights Act. Specifically, the Latino vote de-polarized significantly, but not enough to eliminate VRA protection. Because Texas Latinos only voted about 58%D – 42%R or so in 2020, I was

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<sup>46</sup> Comparing C2193's district 23 to my district 38.

<sup>47</sup> I swear I didn't plan this.

forced to start the map by distributing Latino Democratic votes highly efficiently in order to form an extra VRA district. On top of this, I was unwilling to destroy a Black district in Houston, so the floor for Democrats was set fairly high at 12 VRA seats.

Given how many districts are highly competitive, another potential factor is random chance. Two of the Democratic wins would be by only roughly 1-point margins.<sup>48</sup> Overall, the plan has two Democratic districts with less than 2-point margins;<sup>49</sup> one more with less than a 5-point margin;<sup>50</sup> and four more with less than 10-point margins.<sup>51</sup> Republicans, on the other hand, would win three districts by less than 5-point margins<sup>52</sup> and one by less than a 10-point margin.<sup>53</sup> In total, 11 of 38 districts would be decided by less than 10 points. Thus, the fact that Democrats happened to win 19 seats in 2020 could simply be Democrats getting slightly lucky. A 2-point swing in my district 03 and the map is perfectly politically proportional. To illustrate further, Republicans currently appear to have pulled off a roughly 10-point swing since 2020, judging by the NJ and VA governor elections. If a 10-point swing came to Texas in 2022, my plan would shift from partisan parity to 26R-12D – the same split obtaining in C2193 after such a swing. Republicans in this instance would receive 63% of the popular vote and hold 68% of the seats in my map. This would be a mild Republican gerrymander more in line with expectations for a good government map.

Overall, the main political takeaway from my good government map is that traditional redistricting principles need not favor Republicans, especially when applied after the VRA.

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<sup>48</sup> Districts 03 and 22.

<sup>49</sup> Again, districts 03 and 22.

<sup>50</sup> District 17.

<sup>51</sup> Districts 15, 28, 34, and 38.

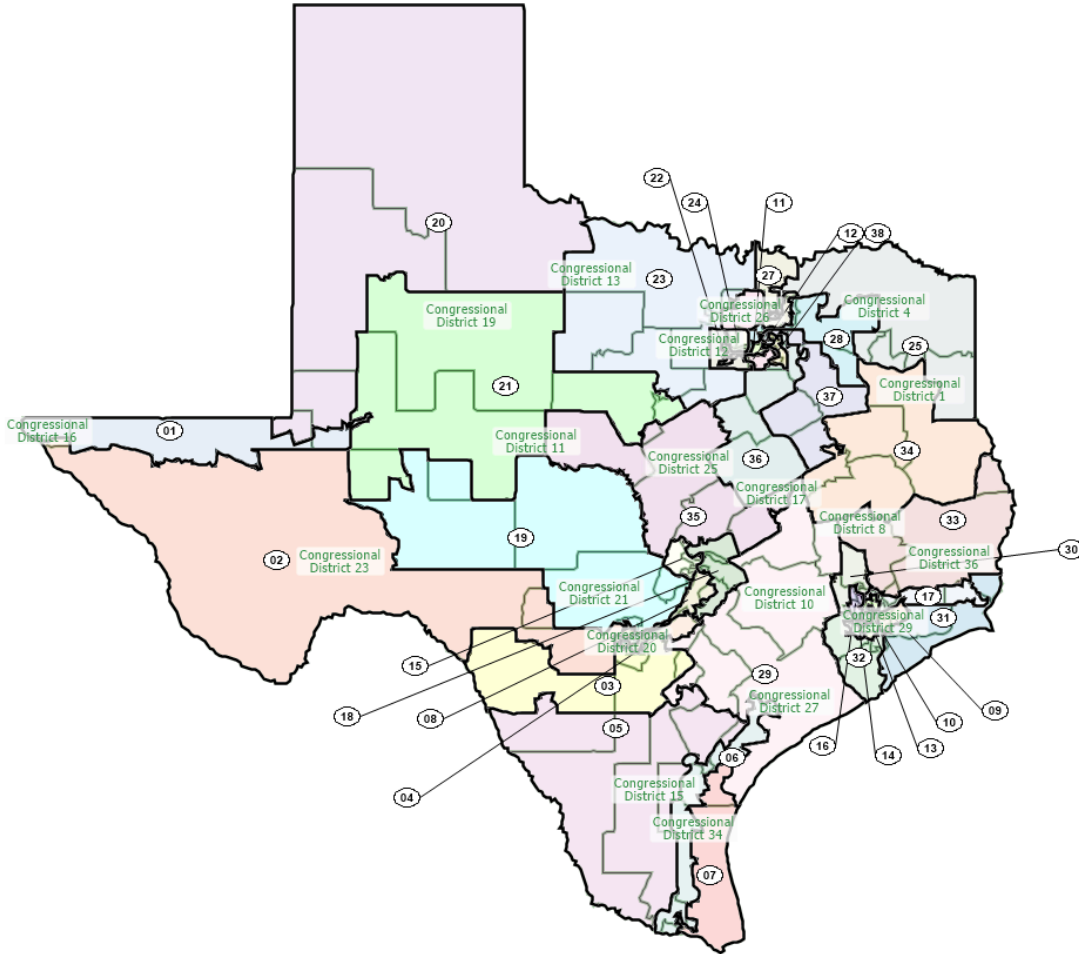
<sup>52</sup> Districts 02, 06, and 31.

<sup>53</sup> District 24.

## APPENDIX

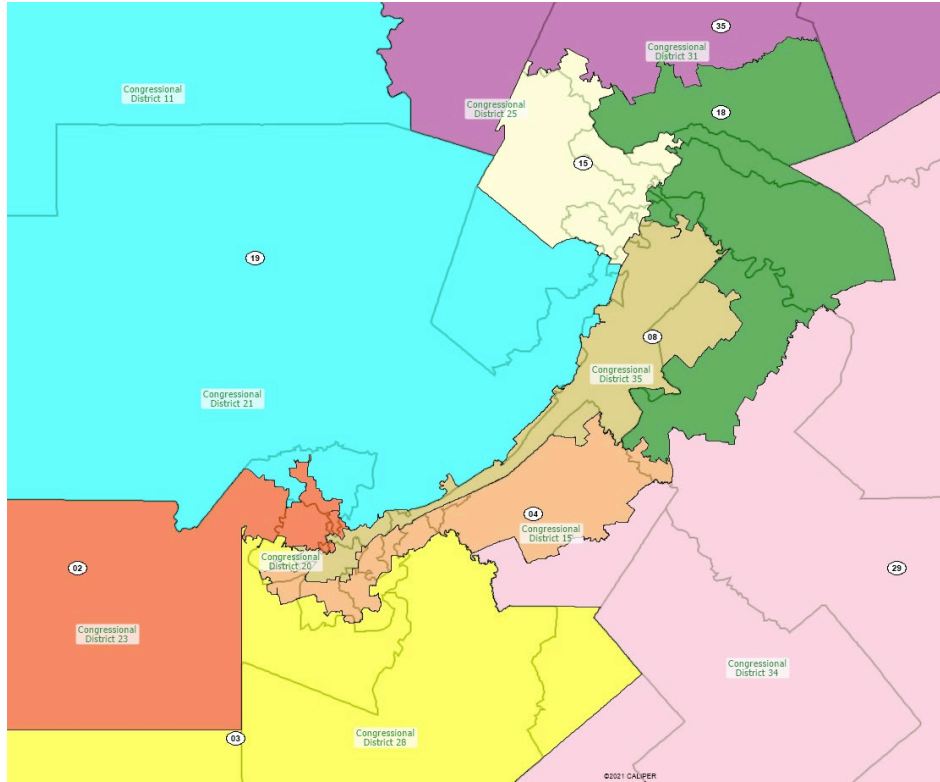
Because I created insets for Houston, Dallas, and Austin-San Antonio for all sets of images, I have an unusually large number of images. Nonetheless, all pictures I posted on the DrawCongress website appear in this paper, with a few exceptions. I have compiled those exceptions to form this appendix.

### Proportionality Map Files

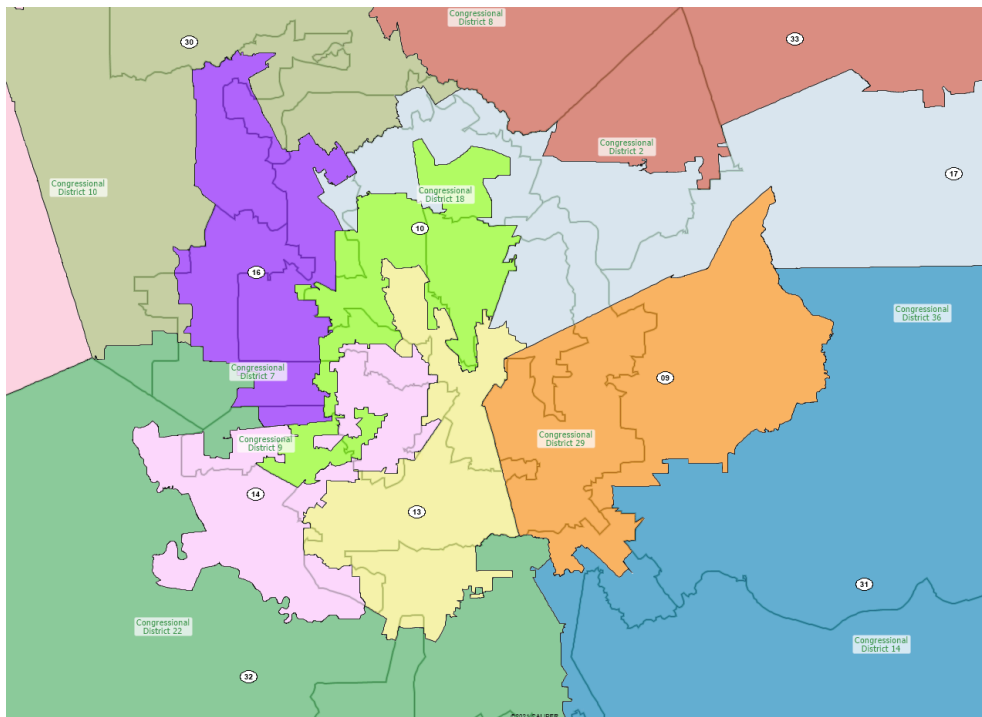


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Statewide comparison with prior boundaries

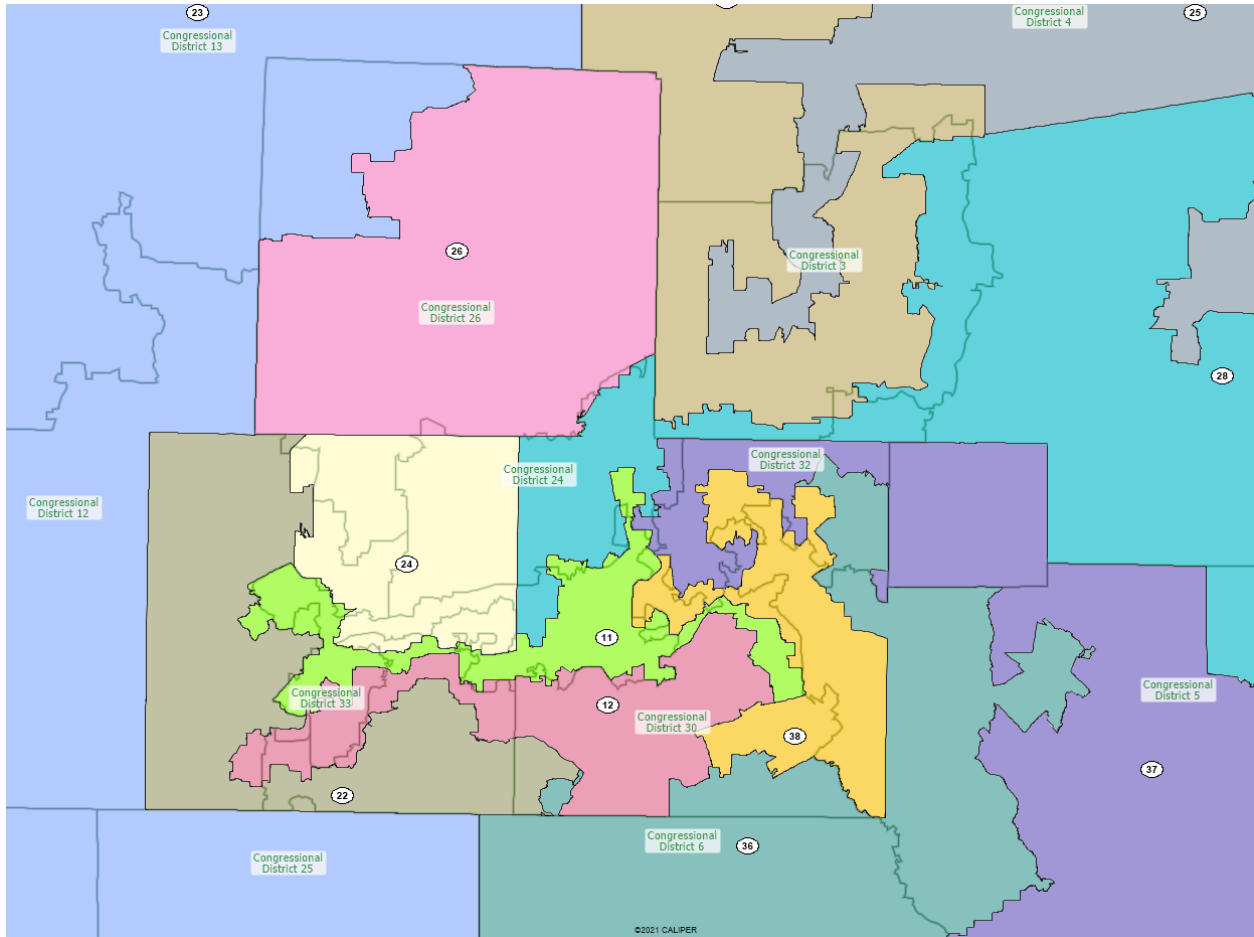


Austin and San Antonio inset, comparison with prior boundaries



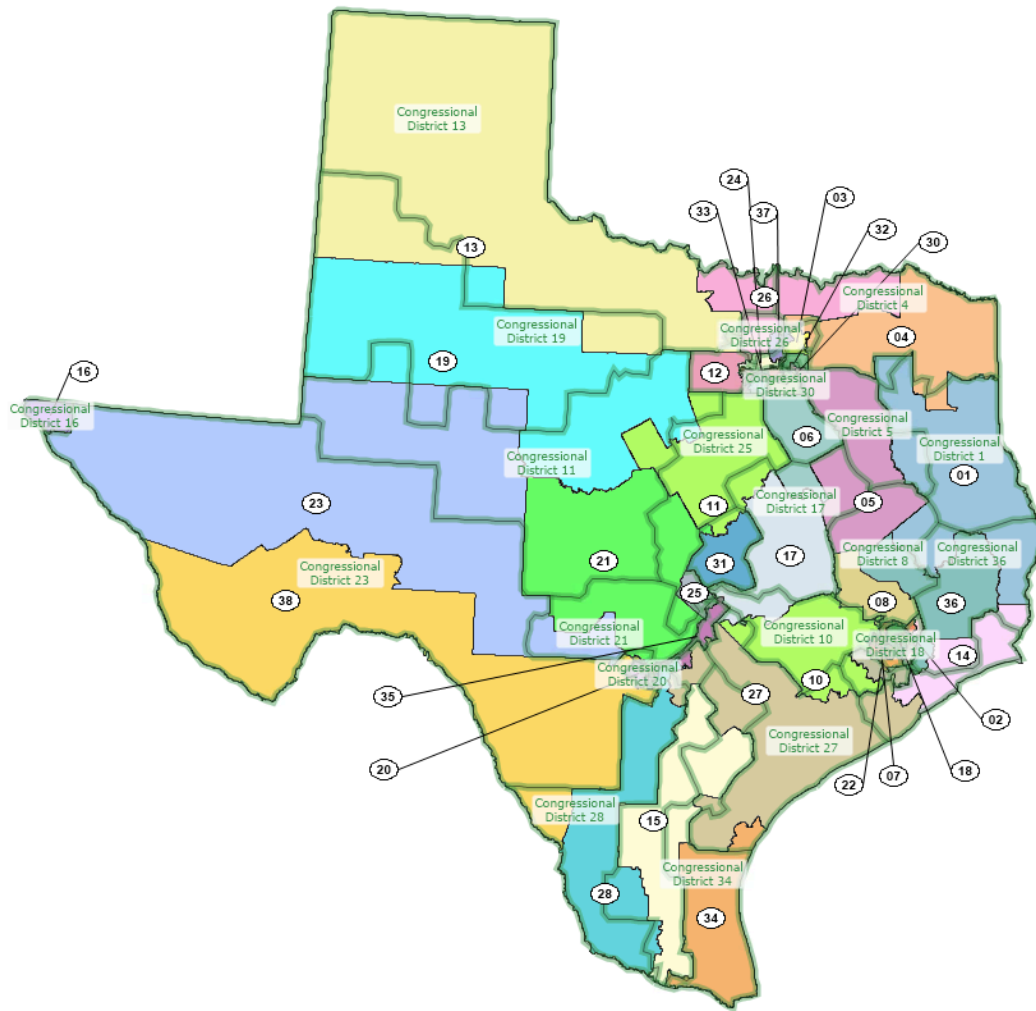
Houston inset, comparison with prior boundaries





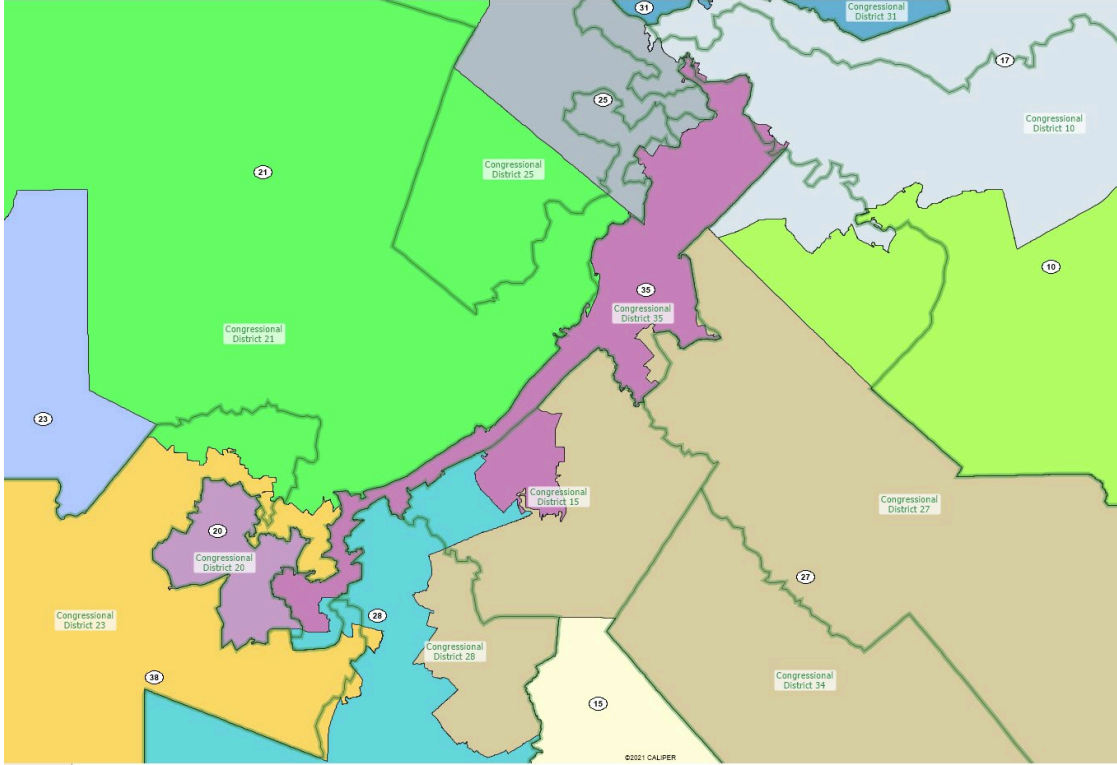
Dallas-Fort Worth inset, comparison with prior boundaries

# Good Government Map Files

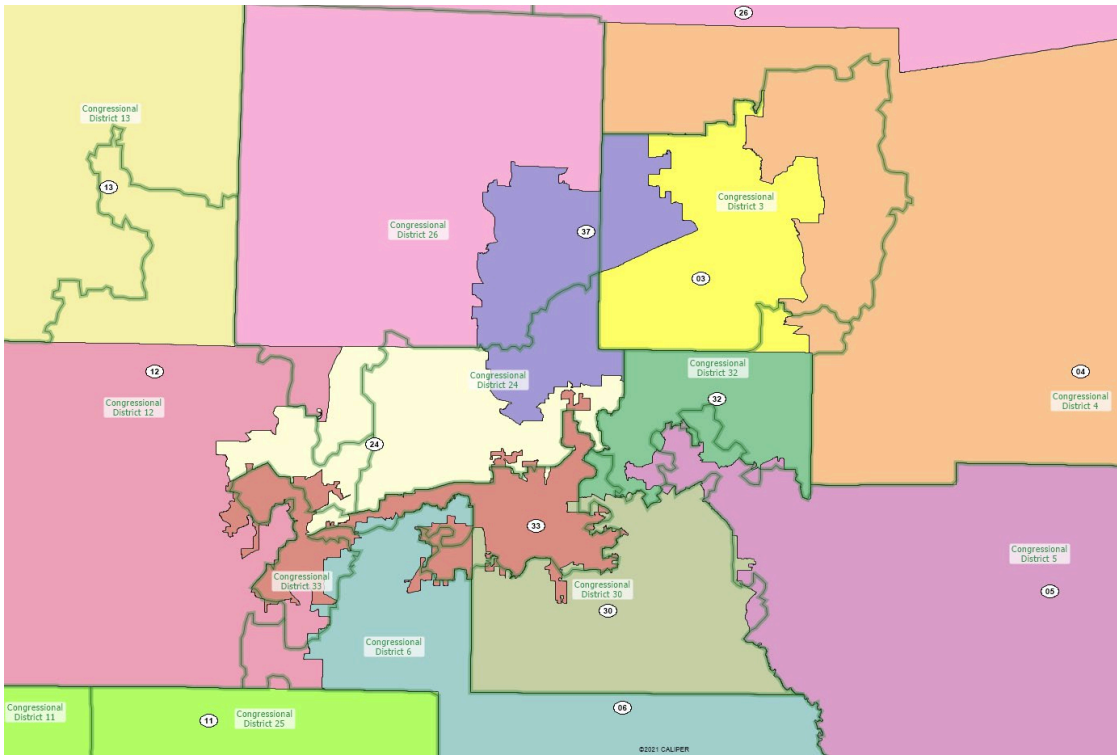


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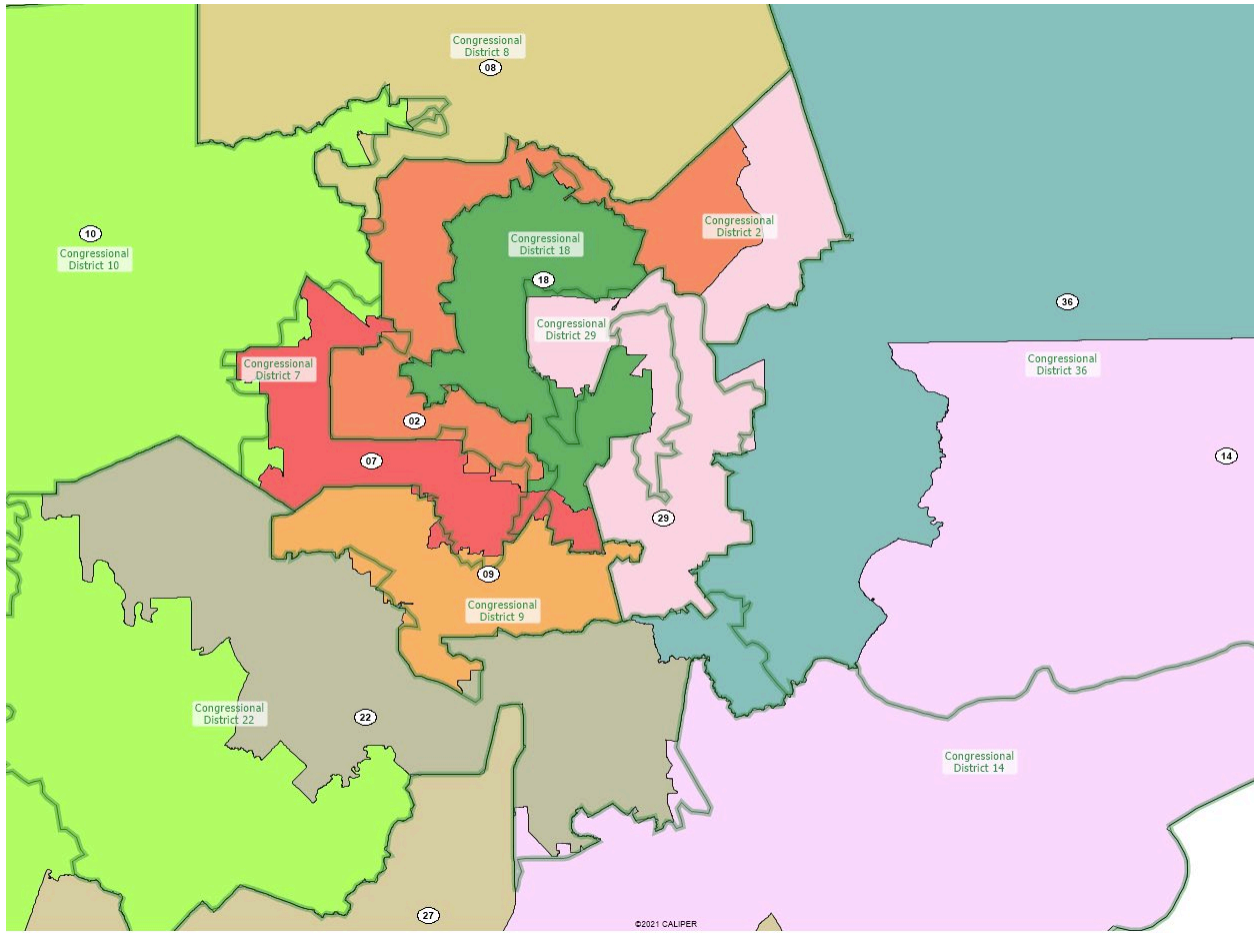
Statewide comparison with prior boundaries



Austin and San Antonio inset, comparison with prior boundaries



Dallas-Fort Worth inset, comparison with prior boundaries



Houston inset, comparison with prior boundaries