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SENATE JURISPRUDENCE COMMITTEE
PUBLIC HEARING
FOR
CONGRESSIONAL REDISTRICTING

TEXAS A&M INTERNATIONAL UNIVERSITY
LAREDO, TEXAS

COPY

JUNE 28TH, 2003
10:00 A.M. - 3:00 P.M.

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APPEARANCES:

- Senator Robert Duncan
- Senator Mario Gallegos
- Senator Chris Harris
- Senator Todd Staples
- Senator Kyle Janek
- Senator Judith Zaffirini

1 PROCEEDINGS

2 (Proceedings began at 10:24 a.m.)

3 CHAIRMAN DUNCAN: The Senate Committee On
4 Jurisprudence will come to order. The Clerk will call
5 the row.

6 THE CLERK: Senator Duncan?

7 CHAIRMAN DUNCAN: Here.

8 THE CLERK: Senator Gallegos?

9 VICE CHAIRMAN GALLEGOS: Here.

10 THE CLERK: Senator Staples?

11 SENATOR STAPLES: Here.

12 THE CLERK: Senator Harris?

13 SENATOR HARRIS: Here.

14 CHAIRMAN DUNCAN: For Mr. President, I
15 would also like to introduce, and I will hear further
16 from other members, but Senator Zaffirini who is our
17 host here today and has help us set up the room and make
18 the arrangements for the meeting. And then also Senator
19 Kyle Janek from Houston who is here today to take part
20 in our hearings as well.21 There's a little housekeeping that I need
22 to do in order to start the meeting. So, let me go
23 ahead and let's get all of that going.24 First, I would like our translator to
25 make an announcement that he is available to translate

1 for persons who might find a Spanish translation to be
2 helpful. I'd like to introduce to you, Tio Blas, which
3 I believe you all know very well here.

4 Mr. Blas, would you explain to the
5 audience and to the members of the Committee how the
6 translation services will work.

7 THE INTERPRETER: Thank you, Senator
8 Duncan. Can you hear me well? Now, you can.

9 CHAIRMAN DUNCAN: Yes, sir.

10 THE INTERPRETER: Okay. I'll be
11 translating simultaneously. When a person is speaking
12 in English, I'll be translating into Spanish. When a
13 person is testifying in Spanish, I'll be translating
14 into English. We have the equipment over here on this
15 table. So anyone who needs the equipment who doesn't
16 speak the two languages should have headphones.

17 (Spanish)

18 CHAIRMAN DUNCAN: Thank you, Mr. Blas.

19 On behalf of the Senate Jurisprudence
20 Committee, I want to thank you all of you for taking
21 time in coming here today and share your views with us.

22 Governor Perry has called the Texas
23 Legislature into Special Session to consider
24 congressional redistricting. This is not a simple or
25 casual task and is one that we know people have strong

1 feelings about. We want to here what your views are on
2 this important topic.

3 Now these proceedings are being
4 transcribed so that we can make them a part of the
5 legislative record and can share them with persons who
6 are not here today. As we consider this issue, we are
7 constrained by various legal requirements that you
8 should be aware of.

9 First, any plan that would be adopted
10 must comply with a federal institutional requirement of
11 one person, one vote. If the 32 Texas Congressional
12 Districts are to be equal in size, they will need to
13 have 651,619 persons each. We will need to draw
14 districts that will be at or very near that size.

15 Second, the State of Texas is covered by
16 Section 5 of the Federal Voting Rights Act. As a
17 result, we are obligated to be sure that any changes we
18 make do not result in a retrogression in minority-voting
19 stream.

20 In other words, any plan drawn by the
21 Legislature may not have the purpose or affect of
22 worsening the position of minority voters when
23 compared to the current plan, which was drawn in 2001 by
24 a Federal Court.

25 And that map over there, which is the

1 only map that we have, is the current plan that was
2 drawn by the Federal Court in 2001. That will be the
3 only map that we will be talking about today unless one
4 of you have a map that you would like to bring forward.

5 Third, we need to make sure that any plan
6 the Legislature adopts ensures that minority voters do
7 not have less opportunities than other members of the
8 electorate to participate in the political process and
9 to elect candidates of their choice.

10 Finally, we need to conform to the
11 Supreme Courts repeated direction over the past 10 years
12 that redistricting not result in racial gerrymandering.
13 In particular, we need to be sure that race is not the
14 predominate force in the redistricting process to the
15 subordination of traditional redistricting or
16 traditional districting principles.

17 I want to assure you in the audience and
18 in this region -- pertinent to the people in this region
19 that the Senate comes here today to hear you and to hear
20 your voice. The Texas Senate has not developed a map.
21 As far as I know, no individual members on this
22 Committee has developed a map. As far as I know, no
23 individual members of the Senate has yet developed a
24 map.

25 I do know when visiting with the members

1 of this Committee that we have all decided that it will
2 be best and better to hear what the people have to say
3 and what their concerns are before a senate proposal
4 would be drawn. That's why we're here today. You're
5 our first hearing. We intend to have a quorum at every
6 hearing.

7 In addition, like today, we'll have
8 additional senators who will be interested in hearing
9 what the people have to say. In addition to that, I
10 think that I need to explain, there are a few members
11 that are absent today. We have had for some reason or
12 another a number of particular casualties among our
13 members.

14 So, Senator Averitt could not be today
15 because of the death in his family. Senator Lucio, as
16 you may know, has suffered a heart attack and is not yet
17 been cleared to travel. We, actually, shifted the
18 meetings. We were going to be in McAllen today. So
19 that Senator Lucio will be cleared to travel and
20 participate toward next week. So we want to make sure
21 that he is involved.

22 Senator West has a family reunion that he
23 had to be at today. And Senator Bivins, who formally
24 was on this Committee, had a death in his family. And
25 so, he has asked because of that family circumstance

1 that he will probably not be able to make many of the
2 hearings and is asked that Governor Dewhurst replace
3 him. Governor Dewhurst has done that as of yesterday
4 and in his replaced with Senator Todd Staples of
5 Palestine, who is here on my left today.

6 With that explanation, let me go ahead
7 and first recognize and I want to say thank you to
8 Dr. Ray Keck and Texas A&M International University.
9 Dr. Keck, would you approach.

10 DR. KECK: Thank you, Senator Duncan.
11 Well, welcome, members of the Committee. It's an
12 enormous pleasure, enormous moment of great pride for us
13 in Laredo to welcome the Texas Senate Committee on
14 redistricting to the university that was created and
15 sustained because of your faith in education in Texas
16 and most especially in Laredo.

17 We are very aware that we are a state
18 institution. And we came into being because of a
19 conviction that this part of the state needed the
20 blessings of higher education. And it has been your
21 support, your continued support, your aggressive
22 support, that keeps us growing at a tremendous and
23 exciting rate.

24 The building you are sitting in, we have
25 only been in one year. Right behind this building,

1 you'll notice another lovely building as you walk out
2 the west doors to your left, that's the Fine Performing
3 Arts building. We're in the process of moving into that
4 building right now.

5 We broke ground led by Lieutenant
6 Governor Dewhurst last Wednesday for a science center
7 and planetarium on the east side of the campus not far
8 from where we are sitting. It will be finish in 20
9 months. We will begin work on phase five because of
10 tuition revenue bonds that you approve in the last
11 session just completed. So, we are tremendously
12 grateful.

13 We hope that you leave convinced that
14 your resources, the State's resources, which you made
15 available to this region, this institution have been
16 well placed. The university is the spot where people
17 enjoy a free exchange of ideas and of opinions and of
18 information. And in that spirit, we welcome you. We
19 are grateful for the opportunity. And we assure you, we
20 will continue to make you proud that you created this
21 university in Laredo. Thank you. (Applause)

22 CHAIRMAN DUNCAN: This is a beautiful
23 university. You all do an excellent job and a beautiful
24 university and a beautiful town. We appreciate you're
25 hosting us. We know that this is a little bit of an

1 extraordinary effort because you are traditionally and
2 typically closed, at least, as a result of some of the
3 budget issues we've got on --

4 DR. KECK: -- state funds.

5 CHAIRMAN DUNCAN: In the summer, we're
6 kind of cutting back. But we appreciate you all making
7 the effort to have this fine, fine facility available
8 for us.

9 I would also like to next to introduce to
10 you one of my favorite people in the Senate. Somebody
11 I've spent more time with in the last four years on the
12 senate floor and in working groups than anybody. And
13 somebody who I've grown to respect as much as anybody in
14 the Senate, who actually helped us coordinate this.
15 Senator -- your Senator -- Judith Zaffirini.

16 SENATOR ZAFFIRINI: Thank you, Senator
17 Duncan. And to the members of the Committee, I say,
18 bienvenidos a Laredo; my hometown. And I know how
19 pleased you are to see the fruit of your labor by
20 visiting our beautiful university. Thank each of you
21 for your votes for this wonderful university in my
22 wonderful hometown. And to everyone who is here at this
23 hearing, welcome to you. And I am so delighted that you
24 will see the Senate in action.

25 Many of you have heard about stories and

1 have read the stories about redistricting today.
2 Please, please, understand that all of the controversies
3 to date have focused on the House, on the House of
4 Representatives, not on the Senate. So the criticisms
5 that you have heard, all pertain to the House of
6 Representatives and not to the Senate.

7 The members who are here are my friends.
8 Each of them is a friend. Each of them is a colleague.
9 And each of them is hear to listen. I am so delighted
10 that our Lieutenant Governor David Dewhurst, who has
11 lead us in such a fair and bipartisan and outstanding
12 way, worked with us to ensure that the first hearing of
13 the Senate was in Laredo.

14 In comparison to the House where there is
15 a plan, some awful plans, plans that you oppose, plans
16 that I oppose. The Senate does not have a plan. The
17 Senate does not have a bill. The Senate is not here to
18 defend them. The Senate is hear to listen. And ladies
19 and gentlemen, that is the way it should be.

20 And I am so glad that all of you are here
21 to speak loudly and clearly. You will see that the
22 Senate will treat you with the most respect, all the
23 respect and the proper decorum that you deserve so
24 well. And I am very confident that all of my
25 constituents will return the same courtesy to my friends

1 and colleagues in the Texas Senate.

2 The criticisms are in many ways
3 justified. For example, there are some people who say
4 there is no need to redistrict now. I agree with that
5 perspective. There are many people who have seen plans
6 and say as residents of Webb County, it's not right to
7 divide Webb County. I agree. Webb County should not be
8 divided in any plan.

9 There are many who say Webb County should
10 not be moved to a district dominated by the Valley or
11 Bexar County or Travis County. I agree with all of
12 those perspectives. But that's not a Senate plan.

13 All of those issues that have been
14 brought up, correct issues, many of them right on target
15 about racial gerrymandering, etcetera, etcetera, do not
16 pertain to the Senate.

17 And so I am delighted, not only to
18 welcome my friends and colleagues of the Senate to
19 Laredo, but also to welcome my friends and constituents
20 from Laredo and from other counties to this Senate
21 hearing.

22 Ladies and gentlemen, you will see the
23 Senate in action. You will see professionalism,
24 courtesy, respect, and proper demeanor at its very
25 best. That is our tradition. And it is a tradition

1 that is insisted upon by our Lieutenant Governor
2 Dewhurst. Thank you for being with us today. Let us
3 have a productive hearing. Thank you. (Applause)

4 CHAIRMAN DUNCAN: Members, just as a
5 matter of kind of ground rules on how we are going to
6 conduct the hearings today:

7 First of all, let me announce to the
8 audience and to the members and to the staff is that
9 would you please turn off your cell phones or put them
10 on vibrate. I think it's discourteous to those who are
11 speaking to us to be interrupt by a cell phone.

12 I don't know about you, but it always
13 makes me a little bit dissatisfied whenever I'm
14 interrupt by a cell phone. And we want to hear your
15 testimony, so that would help us.

16 Also members, I think at this point in
17 time, we have how many cards?

18 THE CLERK: 70.

19 CHAIRMAN DUNCAN: We have 70 cards. So
20 that's outstanding turnout for this hearing.
21 Unfortunately, I think the problem is: We don't -- We
22 want to make sure everybody gets heard. Traditionally
23 in the Senate, we will set time limits.

24 So, not for purpose of restricting what
25 you have to say, but for the purpose of ensuring that

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1 everyone in the audience who wishes to testify has an
2 opportunity to testify.

3 I would suggest and members of -- and
4 would entertain a motion to limit testimony to five
5 minutes. That's up for discussion.

6 VICE CHAIRMAN GALLEGOS: Move.

7 CHAIRMAN DUNCAN: Senator Gallegos moves
8 that the testimony be limited to five limits for
9 person. Is there any objection?

10 (No response.)

11 CHAIRMAN DUNCAN: Hearing none is so
12 ordered. Members, at this time I would like to before
13 we do our opening statements -- Okay. Okay. I'm
14 advised that in as far as with regard to the motion to
15 limit testimony, we need a record vote on that.

16 So, Senator Gallegos moves that the
17 testimony today in the Laredo hearing on the 27th, I
18 believe, of -- or 28th of June, be limited to a time
19 period of five minutes. Clerk, call the row.

20 THE CLERK: Senator Duncan?

21 CHAIRMAN DUNCAN: Aye.

22 THE CLERK: Senator Gallegos?

23 VICE CHAIRMAN GALLEGOS: Aye.

24 THE CLERK: Senator Harris?

25 SENATOR HARRIS: Aye.

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1 THE CLERK: Senator Staples?

2 SENATOR STAPLES: Aye.

3 CHAIRMAN DUNCAN: There being four ayes
4 and no nays, the time limits will apply. Also, for the
5 audience we will take -- we're taking this testimony and
6 we are using a court reporter to transcribe or to take
7 down your testimony and our questions and discussions
8 with you.

9 And so, when you do that, it's necessary
10 for you to introduce yourself before you begin
11 speaking. And then if you're in a dialog with a member
12 of the Committee, let that person finish their question
13 before you respond.

14 And likewise, members, before -- if
15 someone is testifying, ask permission to interrupt. So
16 that we will get a good record. And that we can ensure
17 that we have this testimony for others to read. That it
18 would be intelligible and understandable.

19 With that, the next order of business
20 would be for, I think, the members to give an opening
21 statement if they so desire. Senator Harris?

22 SENATOR HARRIS: Mr. Chairman, I think
23 from my standpoint, statement that I want to make is
24 simply that I am hear to listen. I want to know your
25 all's concerns.

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1 I very much respect this part of the
2 state. And I think it's very important from my
3 standpoint that as much as possible we protect the
4 community of interest in Webb County. Thank you,
5 Mr. Chairman.

6 CHAIRMAN DUNCAN: Thank you, Senator.
7 Senator Gallegos?

8 VICE CHAIRMAN GALLEGOS: Thank you,
9 Mr. Chairman. Buenos dias a todos.

10 ALL AUDIENCE MEMBERS: Buenos dias.

11 VICE CHAIRMAN GALLEGOS: Yo soy Mario
12 Gallegos de Houston. (Spanish)

13 Let me just say in English that I'm very
14 happy to be here in Laredo. With Mr. President and with
15 one of my favorite Senators, Judy Zaffirini, I come here
16 on a regular basis every November, December, and
17 January. I try to keep Judy from knowing that I'm here.
18 (Laughter)

19 VICE CHAIRMAN GALLEGOS: But I've been
20 coming here since 1990. And I really -- I consider
21 Laredo one of my second homes. And so, I too, have an
22 interest in what Laredo has to say about this process,
23 whether you have a complaint about the process, whether
24 you have any recommendations, or like the Chairman said,
25 if you have a map that you want to introduce yourselves,

1 everything is being recorded and on the record.

2 I want to welcome the citizens of
3 Laredo. I want to welcome the G.I. forum, LULAC, all
4 the other interested groups that are here to testify.
5 And we'll be hear also to listen. Mr. Chairman, the
6 appropriate time I'd also like to read something into
7 the record. But from my part, como su Senador de
8 Houston, bienvenidos y aki stoy. Gracias (In spanish.)
9 (Applause)

10 CHAIRMAN DUNCAN: Thank you, Senator
11 Gallegos. Senator Staples?

12 SENATOR STAPLES: Thank you,
13 Mr. Chairman. I appreciate the opportunity to be here
14 in Laredo with you. I thank you, Chairman Duncan, and
15 Lieutenant Governor David Dewhurst for your efforts to
16 make sure that all citizens in Texas have a voice in
17 this process and will participate fairly.

18 I have the privilege of sitting adjacent
19 to Senator Zaffirini on the Senate floor. And I can
20 tell you, there is no more efficient or effective voice
21 for the citizens of Texas than Judith Zaffirini. And I
22 have gained immensely by watching you and learning from
23 this process.

24 I represent a part of Texas that is in
25 Eastern Texas from a part of Tyler and Smith County down

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1 to Conroe area and all the way to the Louisiana border.
2 And so I have a very dynamic makeup in my district.

3 And I have learned immensely how
4 important it is to build relationships. And how
5 important it is for all Texans and all parts of Texas to
6 benefit from whatever public policy that has passed.

7 I'm glad to be here as a fellow Aggie at
8 Texas A&M International and certainly appreciate the
9 hospitality that you have shown. And the graciousness
10 that the citizens of Webb County and surrounding
11 counties have shown.

12 I know that the political process can be
13 one of the most emotional processes that we have. But I
14 think we all understand today that the democratic
15 process is working where every citizen can have a voice
16 in the process. Every interest group can participate.

17 And that is always something that we must
18 always worked to preserve even when different interests
19 and perspectives are shown. So, it is an honor to be
20 here today to participate and to listen to what you have
21 to say. Thank you. (Applause)

22 CHAIRMAN DUNCAN: Thank you, Senator
23 Staples. Senator Janek?

24 SENATOR JANEK: Thank you, Mr. Chairman.
25 To let the folks that are here know, I'm not a member of

1 the Committee. But the decisions that the Senate makes
2 on your representation of Congress is important to me.

3 I didn't want to -- My name is
4 Kyle Janek, and I'm from Houston. I didn't want to just
5 stay in Houston and worry about the greater Houston
6 area. What we do is important to you. And the way it
7 affects you is important to me.

8 So we, in fact, are here to listen with
9 no preconceived ideas of any particular map. I know you
10 have busy lives and families and hobbies and jobs. And
11 I'm grateful that you took time from your busy schedule
12 to come help us understand the needs of Laredo and
13 surrounding areas. Thank you. (Applause)

14 CHAIRMAN DUNCAN: Members before we move
15 into the public testimony, I want to introduce to you
16 our counsel that we've contracted with -- or at least in
17 the process of -- I don't know if we've actually got
18 that signed yet or not.

19 But three who I think are some of the
20 most capable redistricting attorneys in the State of
21 Texas if not in the country. Because this is such a
22 complex issue and we want to do it right. And we want
23 to make sure that we are in compliance with all of the
24 laws and the regulations that are designed to protect
25 the people. I think we selected the best legal minds

1 that can guide us down that path.

2 In specific, these members -- these
3 attorneys will be working under my direction and will be
4 here to assist each member of the Committee and each
5 member of the Senate in their questions with regard to
6 redistricting laws.

7 They will not be drawing maps. That is
8 not their role. I have expressly told them it is not
9 their job to draw maps. It is their job to look at your
10 ideas, to look at your amendments to any plans, and to
11 your plans and give you, at least, their thoughts with
12 regard to whether those ideas or plans would comply with
13 the Federal U.S. Constitution and the Federal Voting
14 Rights Act.

15 And I think you'll find we've done a good
16 job here. Let me first kind of introduce you to the
17 head of the legal team. It will be David Guinn. David,
18 will you approach please.

19 MR. GUINN: Yes, sir.

20 CHAIRMAN DUNCAN: Will you just introduce
21 yourself and tell a little bit about your
22 qualifications.

23 MR. GUINN: Mr. Chairman, members of the
24 Committee, I'm David Guinn. I'm a law professor at
25 Baylor University Law School and have been with them for

1 38 years. I hold the Morrison chair in the
2 Constitutional Law and had the privilege of teaching
3 Senator Harris.

4 VICE CHAIRMAN GALLEGOS: Oh, no.

5 MR. GUINN: My undergraduate instruction
6 is in Political Science. My law degrees are from Baylor
7 and the University of Michigan Law School. The past 25
8 years, I've had the privilege of working with Professor
9 Mike Morrison in redistricting in Texas and Arkansas.
10 He will describe our practice very briefly in a moment.

11 And in that 25 years, we've had the
12 privilege of working on several occasions with a
13 gentleman who is probably the most prominent Voting
14 Rights lawyer in Texas; Mr. Robert Heath. Gentleman.

15 MR. MORRISON: My name is Mike Morrison.
16 I taught at the Baylor Law School for 27 years. David
17 and I worked for the last quarter of the century on
18 redistricting.

19 We've done several hundred Section 5
20 submissions on cities, counties, school districts, in
21 our college districts, Texas and Arkansas.

22 In the early 80s, we worked with
23 Secretary of State and our Governor in a Congressional
24 Senate and House redistricting. In the 90s, we worked
25 the legislative counsel in the House and process.

1 As the Senator has said, we have been
2 hired to advise the Senate at this time concerning
3 whatever issues may arise. And we're pleased to be
4 here. And Senator Zaffirini, thank you for hosting us.

5 SENATOR ZAFFIRINI: Thank you.

6 (Applause)

7 MR. HEATH: Thank you, Mr. Chairman. My
8 name is Bob Heath. I'm an attorney in private practice
9 in Austin, have worked with redistricting issues. This
10 is the fourth dicennial redistricting.

11 I started the first time in the 1970s.
12 Although, I was a law student at that time but was
13 involved as an employee of the Senate. Then working on
14 some of the redistricting issues. And then as a lawyer
15 in the 80s, 90, and 2000 redistricting. We worked in my
16 law firm with governmental bodies in redistricting
17 process.

18 CHAIRMAN DUNCAN: Thank you, Bob.

19 (Applause) Senator Gallegos.

20 VICE CHAIRMAN GALLEGOS: For the record,
21 let me, if I can ask it, the three attorneys will be
22 working strictly for the Committee in the Senate on
23 redistricting?

24 CHAIRMAN DUNCAN: That's correct.

25 VICE CHAIRMAN GALLEGOS: While they're

1 under our umbrella, they don't have any other clients
2 dealing with redistricting or anything?

3 CHAIRMAN DUNCAN: That's correct.

4 VICE CHAIRMAN GALLEGOS: Okay.

5 CHAIRMAN DUNCAN: They have no other
6 clients. And Mr. Guinn might want to address that
7 directly.

8 MR. GUINN: Your Honor, we still have one
9 Section 5 submission to make to the Justice Department
10 involving home rural city, a small home rural city in
11 Johnson County. That's it. But all of our other
12 submissions, I believe, 58 in number, have now be
13 precleared as of two weeks ago.

14 VICE CHAIRMAN GALLEGOS: And that's all
15 you have?

16 MR. GUINN: Yes, sir.

17 VICE CHAIRMAN GALLEGOS: And you've
18 already submitted all the paperwork and everything on
19 there?

20 MR. GUINN: No, sir. The one for the
21 City of King has not been submitted at this time. As a
22 matter of fact, they are not even to the point yet of
23 selecting a plan.

24 VICE CHAIRMAN GALLEGOS: Okay. That's
25 all. Thank you, Mr. Chairman.

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1 CHAIRMAN DUNCAN: Thank you. And just to
2 make clear, those are municipal redistricting plans,
3 and --

4 MR. GUINN: Yes, sir.

5 CHAIRMAN DUNCAN: -- and they don't have
6 any anything to do with --

7 MR. GUINN: No, sir.

8 CHAIRMAN DUNCAN: -- Congressional
9 redistricting?

10 MR. GUINN: It's a home rural city. And
11 the only other one that we had outstanding was the City
12 of Pleak, which we precleared --

13 VICE CHAIRMAN GALLEGOS: And that's not
14 nonpartisan to the election, right?

15 MR. GUINN: That's correct.

16 VICE CHAIRMAN GALLEGOS: All right.

17 Thank you.

18 CHAIRMAN DUNCAN: Mr. Heath?

19 MR. HEATH: And just to indicate, my firm
20 would have a similar situation, and we would have some
21 cities for our school districts. But a nonpartisan
22 redistricting. I can't think of anything that would not
23 be fitting in that category.

24 VICE CHAIRMAN GALLEGOS: Thank you.

25 CHAIRMAN DUNCAN: Thank you, Mr. Heath.

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1 All right. Any other questions? Members? All right.
2 Senator Zaffirini, and one of the things that we were
3 kind of waiting to see who all was here so that we could
4 make sure that we introduce those elected officials and
5 other local officials that I think should be recognized
6 here today.

7 SENATOR ZAFFIRINI: Yes, Mr. Chairman.
8 First, we have representing State Representative Richard
9 Raymond, his wife, Michelle Raymond. (Applause) The
10 Honorable Elizabeth Flores. (Applause)

11 Two members of the Laredo City Council:
12 The Honorable Eliseo Valdez and the Honorable Jose
13 Valdez, Jr. (Applause) Representing the Webb County
14 Judge Louis H. Bruni, his Chief of Staff Raul Casso.
15 (Applause) The chair of the Webb County Democratic
16 Party, Roberto Balli. (Applause)

17 The second party is here? Welcome, too.
18 (Applause) A County Commissioner from Zapata, the
19 Honorable Angel Garza. (Applause)

20 Mr. Chairman and members, earlier I
21 welcomed you to Texas A&M International University. And
22 I do want to make a special note so that all of you will
23 understand what we voted for and also the impact of the
24 reductions that we voted on.

25 When we voted for the seven percent

1 reductions that were necessary, Texas A&M International
2 University coped with that decision partly by closing
3 the university on Friday and on Saturday. And they are
4 doing very well. It is my understanding that they will
5 report their findings to us.

6 But that is why you will not see more
7 people on campus. And that is why we will not have the
8 banquet that you would have enjoyed had we been open and
9 all of our facilities available. (Applause) Just to
10 make sure that you are welcome to Laredo, the Laredo
11 Chamber of Commerce represented today by Miguel Conchas.
12 (Applause)

13 Reports you see at your place, and we
14 have extras down the hall. The cup that is emblazoned
15 with the logo of the City of Laredo and this beautiful
16 pewter tray that also has the logo, the City of Laredo.

17 And down the hall and to your right, you
18 will find refreshments all day long; pan dulce. They
19 are pastries to you to some of you. And sandwiches and
20 fruit and cookies for the members of the staff. And
21 those are courtesy of the Laredo National Bank. So, we
22 thank Texas A&M International University, the Laredo
23 Chamber of Commerce and the Laredo National Bank.

24 And Mr. Chairman, I would appreciate it
25 if you will first call Michelle Raymond and the Mayor of

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1 the City of Laredo to testify in view of their
2 testimony. Thank you. (Applause)

3 CHAIRMAN DUNCAN: Thank you very much.
4 Before I call Michelle to come up, I wanted to
5 acknowledge that Representative Raymond would have liked
6 to have been here today. And he and I talked about the
7 scheduling and issues we had with Senator Lucio in
8 McAllen.

9 And Senator Raymond is working hard
10 today. I think he's in Dallas, who -- he is on a
11 redistricting committee and has to take care of his
12 responsibilities where he has been assigned to attend
13 that hearing.

14 And I don't know if he will be able to
15 make it in today. If he is, we'll certainly work him
16 in. But we have the best half of Richard Raymond,
17 Michelle Raymond, to testify for us today. Michelle?

18 MS. RAYMOND: Mr. Chairman, members, I
19 want to thank you. My name is Michelle Raymond. And I
20 want to thank you for allowing me to read a letter on
21 behalf of my husband, who, of course, you mentioned
22 could not be here because he's at a redistricting
23 hearing in Dallas.

24 "Dear Mr. Chairman and members, I am
25 sorry I am unable to be with you today as you take

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1 testimony on the issue of whether or not Texas should,
2 once again, take up the issue of congressional
3 redistricting.

4 As you know, I'm a member of the House
5 Committee on Redistricting and has been assigned to a
6 subcommittee in Dallas today for a hearing regarding
7 congressional redistricting. Is also with regret, I
8 must inform you, the Chairman of the House Committee on
9 Redistricting has not allowed any hearings to be held in
10 Laredo.

11 When I asked him to have field hearings
12 in South Texas, including Laredo, his response to me was
13 that it would be too difficult for him and the others on
14 the Committee to understand witnesses because we are a,
15 quote, non-English speaking part of the state, end
16 quote.

17 He finally agreed to have one hearing on
18 the border, which was held in Brownsville this Thursday,
19 but there was a lack of a forum and no testimony was
20 taken.

21 Accordingly, the House Committee on
22 Redistricting will for the first time since the passage
23 of the Voting Rights Act take up congressional
24 redistricting without having an official hearing in
25 South Texas or any part of the border.

1 I would like you to record -- I would
2 like your record to reflect that I am strongly
3 opposed to the Senate taking up the issue of
4 Congressional Redistricting.

5 I have had discussions both public and
6 private with Republicans. And it is clear that the only
7 reason this unprecedented action is being considered is
8 because US House Majority Leader Tom DeLay wants five to
9 seven more Republicans elected to Congress from Texans.
10 But at what cost? Frankly, it will be in the cost of
11 minorities, soon to be a majority in Texas and rule
12 Texans.

13 The map passed by House Committee, which
14 was drawn by Tom DeLay's Virtual Director, Jim Ellis,
15 not only did not add more money to the district, it
16 could easily mean one less Hispanic-opportunity district
17 that we currently have and one less African-opportunity
18 district than we currently have. In addition, we will
19 never have another member elected from rural Texas.

20 Also, we are guaranteed to have at least
21 one current Hispanic member with a significant seniority
22 and possibly two Hispanic members no longer in
23 Congress. You should also know that the new changes
24 also mean that only one Republican member of Congress
25 will be in danger of losing. And he happens to be the

1 only one who is Hispanic.

2 As much as I protested some of the
3 proposed idea, like: Splitting Webb County into two;
4 splitting the Hispanic areas of Fort Worth into six
5 districts; passing Hispanic and African-American
6 precincts in Dallas into 85% district; paring two
7 Hispanic members of Congress from South Texas; and
8 countless others; retrogressive ideas.

9 My concerns and the concerns of my
10 constituents fell on deaf ears. We, in South Texas,
11 have never done anything to undermine the growth,
12 economic prosperity or equal representation of other
13 parts of Texas. We all -- All we are asking is for you
14 not to undermine our rights.

15 Let there be no doubt. If you perceive
16 with Congressional Redistricting, a terrible plan that
17 has been certified by the US Supreme Court to be
18 constitutional and in compliance with the Voting Rights
19 Act, you will be taking away rights it took us decades
20 to win.

21 Recently, a well-known Republican, a
22 well-known political scientist from Houston stated in
23 the Houston Chronicle that Republicans were bringing up
24 this issue because in eight years when redistricting
25 should legally be taken up, there will be too many

1 Hispanics in Texas. And the Republicans won't be able
2 to make any gains. He went on to say, "they," referring
3 to the Republicans, have to do it now even if minorities
4 get hurt.

5 I know all the members of this panel, and
6 I serve with you, many of you, in the House. I hope you
7 will take -- that you will think of the future and not
8 take us back to the past. Regardless of which party you
9 happen to be a member, the future can be bright for all
10 Texans if we treat each other with respect, dignity, and
11 equality. Sincerely, Richard Raymond State
12 Representative District 42."

13 CHAIRMAN DUNCAN: Thank you, Michelle.
14 (Applause) Senator Gallegos.

15 VICE CHAIRMAN GALLEGOS: Ms. Raymond, I
16 could assure you that your husband's voice is here
17 through you. And that it is duly noted and duly
18 recorded his -- obviously, his concerns about the
19 redistricting process.

20 And I can assure you, it's unfortunate
21 that that comment was made by the Chairman of House
22 Appropriations. But I can assure you that on this
23 Committee, there would never be a statement like that
24 made by the Senate Committee. And I think Judy would
25 concur with me, will never hear that out of the Texas

1 Senate. We'll hear you in English, Spanish, or whatever
2 language you have here in this hall and be proud to come
3 down here and listen to your testimony.

4 MS. RAYMOND: Thank you, Senator.

5 Mr. Chairman?

6 SENATOR HARRIS: Mr. Chairman?

7 MS. RAYMOND: Okay.

8 CHAIRMAN DUNCAN: Senator Harris?

9 SENATOR HARRIS: In response to what my
10 fellow Senator has just said, I would like to take that
11 a step further in saying that, where he says, "any
12 member of this Committee," I think that goes for all of
13 the members of the Texas Senate. Every member of the
14 Senate.

15 And please don't think for a moment that
16 there are preconceived ideas or that we are not here
17 with an open mind. We are. And we very much respect
18 you as Texans. Thank you. (Applause)

19 CHAIRMAN DUNCAN: Thank you, Senator
20 Harris. Senator Zaffirini?

21 SENATOR ZAFFIRINI: Mr. Chairman and
22 members, I want you to note how easy it was to arrange a
23 translator. We have so many translators available in
24 Laredo. And that he is translating, not only from
25 English to Spanish, but also from Spanish to English.

1 Because there are some people, actually very few in
2 Laredo, who speak only one language.

3 Most of us are not only bilingual but
4 also bicultural and biliterate and very, very proud of
5 it. And I'm also proud to tell my friends and
6 constituents in the audience that many of the senators
7 are also bilingual. And many are trying to be even more
8 effective in a second language.

9 Senator Staples, who sits in front of me,
10 practices all the time. He learned how to say, "Take
11 the bull by the horn." (Laughter) And he practices all
12 the time. And it's all about communication.

13 But I do want to thank Michelle Raymond
14 for representing her husband. I know how disappointed
15 he was that the House hearing was scheduled at the same
16 time that the Laredo hearing was. And I know how badly
17 he wanted to be here. And how hard he's worked to
18 address this issue.

19 But please, I'd like to make it very
20 clear, I know Ms. Raymond wanted to make it very clear,
21 that his comments pertained to the House, to the House
22 actions, to the House plan, to the House activities, and
23 not to the Senate.

24 So, I certainly thank you. And please
25 express to Representative Raymond how glad we were that

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1 he asked you to represent him. Thank you.

2 CHAIRMAN DUNCAN: Thank you. (Applause)

3 MS. RAYMOND: Mr. Chairman, I would like
4 to submit this letter for the record.

5 CHAIRMAN DUNCAN: Would you bring it
6 forward and give it to the -- give it to me and we'll --
7 That's the last -- Usually, I'm the last person they
8 want to have a document. (Laughter) Thank you.

9 All right. Elizabeth Flores, the Mayor
10 of the City of Laredo. (Applause)

11 MAYOR FLORES: Thank you very much.
12 Mr. Chairman, how are you?

13 CHAIRMAN DUNCAN: Good to see you.

14 MAYOR FLORES: Good to see you, sir.

15 Vice Chairman Gallegos. Good morning, members. And I
16 want to especially say good morning to my Senator,
17 Senator Judith Zaffirini.

18 Before I begin my testimony, I want to
19 thank you, Senator, for all you did and have done in the
20 State Legislature to help the residents of your
21 district. And, Senator, I want to thank you for being
22 always fair, compassionate, and passionate. Thank you
23 for working as hard as you do. And thank you for
24 representing us so well in Austin. You are truly one of
25 the best Senators of any State in the Union.

1 Ladies and gentlemen, and I want to
2 especially want to welcome all my friends who have been
3 here before, welcome to Laredo. And as the Senator has
4 said, welcome to Laredo an English-speaking community.
5 (Applause) Whose population is very proud to be
6 bilingual.

7 I want to thank you, Senators, also for
8 voting on issues that were so important to Laredo. I
9 sincerely hope that the testimony, opinions, and
10 heartfelt comments you hear today will be taken into
11 account when you begin your work on redistricting at
12 your Special Session.

13 I believe that most presenters will tell
14 you that Laredo stands firmly and largely united against
15 any redistricting that will divide our community and
16 send us towards an unwanted partnership with communities
17 with which we share no interest.

18 It has taken us a very long time to get
19 to a place where we recognize our representatives and
20 work with them to promote the needs of Laredo and
21 surrounding areas.

22 I am not here, Senators, as a Democrat
23 nor as a Republican. I'm here of the Mayor of the
24 seventh best performing city in the United States and
25 the first in Texas.

1 This recognition came to Laredo because
2 of our diverse and stable economy. This is the seventh
3 city in the country and the first in Texas where jobs
4 are being created, economies are growing, and businesses
5 are thriving.

6 I'm here to tell you that this has
7 happened in Laredo because of the partnerships between
8 private and public entities. Our businesses and growing
9 population coupled with our government and health care
10 industries have made this happen for Laredo and for
11 Texas. In fact, there are other cities in Texas, two
12 other cities in Texas in the top ten: Brownsville and
13 McAllen.

14 We have learned that our city, state, and
15 federal government, play an important role in our local
16 economy. We have learned to work with our elected
17 officials. I read with interest and some dismay, my
18 husband will tell you I was pretty pissed -- (Laughter)

19 VICE CHAIRMAN GALLEGOS: My kind of lady.

20 MAYOR FLORES: -- at Republican Senator
21 Jeff Wentworth's comments in the Houston Chronicle. He
22 said, and I quote, "We are the majority party. We are
23 entitled to the majority of the members of Congress from
24 Texas."

25 I cannot even believe his comments. For

1 Senator Wentworth has been a good friend and has been in
2 Laredo. I believe that the voters of this state should
3 tell us what party and what candidate is entitled to
4 hold office, not the legislature debating redistricting
5 to strengthen the majority of Congress. Everyone should
6 earn their place the old-fashion way, Senators, just
7 like each and every one of you have. Go for the vote.

8 As you well know, there are two Laredos.
9 There are positive stories after stories about a
10 prosperous Laredo. But there is also a Laredo that has
11 great needs and needs the best representation possible.

12 Our Laredo is 97% Hispanic and 50% -- or
13 over 50% percent of our population is under the age of
14 27 years. This population needs role models and leaders
15 they can identify with, look like, and talk like. They
16 need to know that their vote counts.

17 What do you think they are thinking as
18 they read the stories about the hearings, the special
19 session, and the attempt to "gain the majority because
20 the majority is entitled?" We have never in Laredo
21 received anything because we are "entitled." We have
22 had to work for it.

23 A few years from now, no one will
24 remember what is said here today. But we will remember
25 this:

1 It was a sad day in Texas when
2 redistricting was brought up the way that it was. It
3 was a sad day when half of our leaders had to leave the
4 state in protest. It was a sad day when it was
5 announced that a Special Session was called when there
6 was no money in the budget.

7 Put aside your party for a moment and
8 think first as a Texan. But for all these sad memories,
9 it will be much sadder if you, as a legislator, give the
10 majority their wish because they somehow "feel
11 entitled." Thank you very much.

12 CHAIRMAN DUNCAN: Thank you, Mayor.
13 (Appause) All right. Thank you, Mayor Flores. And I
14 want to remind everyone as you step up to the microphone
15 to state your full name, and so that we can make sure
16 and get it in the record. We have a card, but we want
17 to make sure it appears in the transcript. Senator
18 Gallegos?

19 VICE CHAIRMAN GALLEGOS: Would this be an
20 appropriate time for me to enter something in?

21 CHAIRMAN DUNCAN: This will be, I think a
22 good time. Senator Gallegos, you're recognized.

23 VICE CHAIRMAN GALLEGOS: Thank you,
24 Mr. Chairman.

25 CHAIRMAN DUNCAN: Statement in record.

1 VICE CHAIRMAN GALLEGOS: Mr. Chairman and
2 members, let me take this opportunity to make the
3 following points:

4 First, the Legislature's consideration of
5 congressional redistricting in mid decade without any
6 court order, compelling to do so is unprecedented. The
7 Attorney General has ruled that we are not compelled to
8 do congressional redistricting. But we have the
9 discretion to do so if we so choose.

10 Governor Perry's decision to call this
11 special session and the Senate's consideration of
12 congressional redistricting pursuant to that call is bad
13 public policy in my mind. And as former chair, cochair
14 of the Redistricting Committee, never before has a Texas
15 Legislature exercised its discretion to undertake
16 congressional redistricting in mid decade absent a court
17 order to do so, and we should not do it now.

18 Second, in the past, the House and Senate
19 sat together on redistricting committees and conducted
20 well thought out public field hearings across the
21 State. This time the process has changed. And I
22 respect the Chair and the Lieutenant Governor on some of
23 it, especially comments that have been made by House
24 Members.

25 And the House has chosen to split up the

1 redistricting committee into little subcommittees. And
2 is conducting simultaneous field hearings in various
3 cities. The Senate is holding public hearings. This
4 change in process impacts voters in my mind and their
5 rights to be heard during the redistricting process.

6 In the past, our redistricting procedures
7 allowed Senators to hear testimony that was presented
8 during the House field hearings, also. But that is no
9 longer the case. And the House Members will be denied
10 the right to hear from the public hearing during our
11 Senate hearings.

12 While it is true these proceedings will
13 be recorded, it is unlikely anyone will listen to the
14 tapes or have the time to read any transcripts given the
15 expedited redistricting process we are involved in now.

16 The abilities of voters to show their
17 views regarding the districts they want to be placed in
18 or as is more likely the case, the districts to which
19 they are currently assigned and which they prefer to
20 remain, will be adversely effected by this change
21 process.

22 Any time we make sudden changes in the
23 electoral process, with little notice to the public and
24 hearings conducted on the expedited process, it is
25 especially harmful to minority voters. The Spanish-

1 speaking community was shut out of redistricting process
2 during the regular session when the House refused to
3 hold hearings outside of Austin.

4 Incredibly, the stated excuse given was
5 that most of the House Redistricting Committee Members
6 did not speak Spanish. They wouldn't be able to
7 understand many of the Spanish-speaking voters.

8 With that background, Mr. Chairman, let
9 me make a couple of observations about the current
10 congressional map, I guess that we see over to my left.

11 The current map was found to be in
12 compliance with the Voting Rights Act. It was, as you
13 know, devised by a three-judge court after lengthy
14 court, costly court proceedings. The three-judge court
15 that drew the current map was made up of three federal
16 judges, one Republican and two Democrats.

17 They found the map to be in full
18 compliance with the Voting Rights Act and the United
19 States Constitution and to be free of any political
20 bias. The Supreme Court of the United States agreed
21 with their decision.

22 If we consider changing the districts, we
23 run the risk that any redrawn map will violate the
24 Voting Rights Act and/or the Constitution. The 24th
25 Congressional District is protected by the Voting Rights

1 Act. That's Congressman Frost.

2 Let me give you one example of how
3 dangerous it is for anyone to tinker with that current
4 congressional map in the House not yet in the Senate:

5 In the Dallas/Fort Worth area, there are
6 two majority-minority districts: The 24th represented
7 by Congressman Martin Frost. And the 30th, represented
8 by Congresswoman Eddie Bernice Johnson. The Frost 24th
9 is nearly 65% under the current map. And EBJ's 30th is
10 over not 70% minority. Both districts are entitled to
11 protection under the Voting Rights Act because black
12 voters effectively control the outcome of both
13 districts.

14 A recent study in the voting of patterns
15 from 2002 showed that the black candidate, Ron Kirk,
16 carried the districts in the primary, runoff, and
17 general election. Kirk was able to carry the 24th Frost
18 district despite the fact that the Hispanic voters
19 preferred Victor Morales and Anglo voters supported
20 former Congressman Ken Bentsen. Thus, both districts
21 are clearly protected under the Voting Rights Act.

22 Do not be fooled into believing that the
23 fact was that the 24th was represent by an Anglo,
24 Congressman Frost, means its entitled to less protection
25 in the 30th, EBJ, which is represented by a black, Eddie

1 Bernice Johnson.

2 Under the Voting Rights Act, it is not
3 the race of the candidate that matters. It's the rights
4 of the voters to elect their preferred candidate that
5 matters. The Supreme Court case that says this is in
6 the 1986 decision in Thornburg vs. Gingles.

7 Dismantling the 24th as an effective
8 minority district will violate the Voting Rights Act,
9 will result in wasteful and costly litigation, and the
10 State will lose. And of course, mostly importantly,
11 it's discriminatory and unfair to black voters in the
12 Metroplex.

13 The 24th under the Crab King, whatever
14 the map is called, Mr. Chairman. The 24th Congressional
15 District is like Senate District 15, Senator Whitmire's
16 District in Houston. The situation regarding the 24th
17 is remarkably similar to the one faced by the State of
18 Texas in 2001. At that time, the LRB was considering
19 the drawing of the districts for House and Senate. The
20 Attorney General had gone to Washington to talk -- the
21 attorney general at that time, now US Senator John
22 Cornyn, to talk with the Justice Department of the LRB's
23 redistricting proposals. He was asked at the last LRB
24 hearing by then Land Commissioner Dewhurst, now
25 Lieutenant Governor Dewhurst, if it was true that the

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1 Justice Department had said that the 15th Senate
2 district represented then and now by Senator Whitmire,
3 who is Anglo, should be protected under the Voting
4 Rights Act because it was a majority-minority district.
5 Attorney General said "yes".

6 The transcript of the LRB hearing, and
7 here's the exact exchange. I'm not going to go to the
8 whole transcript. It is provided to the members for
9 your viewing. Here's the exact exchange from the LRB
10 hearing on July 24th, 2001:

11 Commissioner Dewhurst speaking: "I would
12 like your opinion as to whether or not the drawing of
13 Senate District 15, as we are drawn it in the past week
14 and posted on the Red Apple this past Friday, if that
15 rendition of Senate District 15 would be legally
16 defensible.

17 John Cornyn: "I believe having heard the
18 testimony of Senate Redistricting Committee and the
19 testimony of Senator Wentworth before the board and
20 others expressed some concern that because Senate
21 District 15 is a district that is an aggregate majority-
22 minority population; that is, adding together the
23 African-American and Hispanic population exceeds 50%, I
24 believe somewhere around 60%, and there was a concern
25 that to lower the amount might be subject to a negative

1 review by the Department of Justice in Washington, or
2 perhaps without showing compelling or necessary
3 circumstances for changing it, might raise a legal
4 objection to the plan."

5 Commissioner Dewhurst: "Well, what
6 transpired was that on Friday night when I talked to
7 your lawyers after your consultation with the Department
8 of Justice, you advised us that we needed to change that
9 and restore the 15th to a majority-minority district."

10 Speaker Laney: "Would like to share that
11 with the rest of us on this committee, the Department of
12 Justice, what did the Department of Justice might have
13 said to you?"

14 John Cornyn: "Well, I think, basically
15 have insofar as relates to the aggregate treatment of
16 majority-minority districts when you talk about
17 aggregating Hispanic and African-American population."

18 "The current Congressional District is
19 politically fair." Mr. Chairman, I'm not going to read
20 the rest. Basically, what that says is the testimony on
21 the LRB confirms that the same voting patterns, the same
22 voting districts as Congressman Frost is the same as
23 Senate District 15, Senator Whitmire's, which was
24 protected by the LRB.

25 What I'm saying is that any map that

1 comes before us diluting a Frost district that we have
2 presently on that map, over to my left, would be subject
3 to an objection by the Department of Justice. And it
4 says so by the testimony of the LRB, John Cornyn's visit
5 to the Department of Justice, and his testimony on the
6 LRB Committee. That's in this transcript that I'm
7 providing you.

8 So, I would like this put into the
9 record, Mr. Chairman. And that any subject to what we,
10 not us, but the Legislative Redistricting Board, which
11 was made of mostly of Republicans, only one Democrat,
12 that there were able to secure Senate District 15, a
13 majority-minority district protected under the Voting
14 Rights Act.

15 They acted upon it. It's in the
16 transcript. And I just want it for the record to show
17 that any map diluting any majority-minority district
18 could be subject to objection of the Department of
19 Justice as told to you just as that I have read the
20 transcript to you by John Cornyn, who is now US Senator
21 Cornyn and Land Commissioner David Dewhurst, who is now
22 Lieutenant Governor.

23 I did want to put it in. As we look,
24 even though we don't have, Mr. Chairman, we don't have
25 any maps in the Senate yet. I would be cautious because

1 of this testimony that's on transcript and duly noted
2 that we do not dilute any district similar to
3 Congressman Frost similar to Senator Whitmire and the
4 gerrymandering of three others under the House plan, not
5 the Senate plan. I'm talking strictly House here. And
6 that as we look at these maps that we take a look at
7 what was said in that LRB Committee Hearing.

8 Mr. Chairman, I wanted to add that and
9 add that to the record. Thank you, Mr. Chairman.

10 CHAIRMAN DUNCAN: Thank you, Senator
11 Gallegos. (Applause) The Chair calls -- And you want
12 to submit this in writing as well; don't you?

13 VICE CHAIRMAN GALLEGOS: I've submitted
14 it to the Committee and to --

15 CHAIRMAN DUNCAN: Okay.

16 VICE CHAIRMAN GALLEGOS: -- to the court
17 reporter and to the --

18 CHAIRMAN DUNCAN: -- to the clerk.

19 VICE CHAIRMAN GALLEGOS: -- clerk.

20 CHAIRMAN DUNCAN: All right.

21 SENATOR ZAFFIRINI: Mr. Chairman?

22 CHAIRMAN DUNCAN: Senator Zaffirini.

23 SENATOR ZAFFIRINI: I endorse Senator
24 Gallegos' statement. And also would like to point out
25 to the Committee that I also have submitted written

1 testimony. And I have placed it at each one's place
2 before the hearing and would like to make that official
3 as written testimony.

4 And I'd also like to be sure that the
5 members of the audience know that if they do not want to
6 testify orally today, they can also submit written
7 testimony or do both, testify orally and in writing, or
8 alternatively, if you don't want to testify, just want
9 to report a position, you can simply turn in a witness
10 card and just make a record that you do not want to
11 testify orally, but you want your position reported.
12 And that will be very helpful.

13 I'd also like to ask that everyone who
14 testifies not to repeat testimony so that you can use
15 your five minutes wisely. We have so much to say. So
16 it's easier to do like what I just did, endorse Senator
17 Gallego's statement rather than repeat it. And then add
18 to what you have already heard. And that way we can
19 hear from all 70 people. Thank you.

20 CHAIRMAN DUNCAN: Thank you, Senator
21 Zaffirini. The Chair calls Jose Valdez, Jr.
22 representing the City of Laredo. Mr. Valdez, would you
23 approach. (Applause)

24 MR. VALDEZ: Thank you, Mr. Chairman.
25 Senators on the Committee, I welcome you to Laredo. And

1 Senators wanting to get informed on our concerns, local
2 concerns, welcome you. And my Senator, Senator
3 Zaffirini, thank you for hosting this event here.

4 First of all, I think it's very hard to
5 say anything after the Mayor and after Ms. Raymond. And
6 Senator Gallegos has just mentioned I think they
7 basically have covered a lot of the concerns.

8 I also just want to let everybody know
9 that our community is booming. And we are a growing
10 community and very fortunate for the place that we're at
11 in the economic standpoint. But we also have a lot of
12 concerns.

13 We are very -- In spite of all that good
14 things, we also do have a lot of concerns as far as the
15 poverty level here in Laredo. And by changing the
16 redistricting of the mass, you know, we're going to be
17 affected tremendously.

18 I think every person here, every Senator
19 here, every representative throughout the Texas,
20 reflects his and her community. And by doing this,
21 we're not going to have a voice. We're not going to
22 have a person that's going to reflect our community.
23 The.

24 Intent in this map here is to divide our
25 county, our city. And that's going to hurt us

1 tremendously. And this is happening, not just in
2 Laredo, but in Houston, Dallas and different areas where
3 minorities need to have their representation also.

4 I don't want to say this is a Republican/
5 Democrat thing. I think we all kind of understand that
6 it might be. But as our county judge so eloquently said
7 the other day in one of the meetings locally, "They
8 might have the votes today but tomorrow, the winds of
9 change are on horizon."

10 So, what happens today will eventually
11 happen tomorrow. And tomorrow, they might not be in a
12 position of power at the state level. So, I caution
13 everyone at the -- a representative to relook and
14 reevaluate what they're doing as far as the
15 redistricting.

16 And I encourage you all, and what I hear
17 is very positive, and I appreciate that. Because I
18 think that you all want to get educated as far as what
19 the concerns are.

20 I think the Senator, Senator Zaffirini,
21 the Mayor, our representative, Mr. Raymond, which is a
22 good friend of mine, and I think that they have all
23 pointed out what the concerns are. So I don't want to
24 keep repeating myself as far as the concerns are.

25 But I just want to say that I want to

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1 thank Chairman -- Ms -- Senator Zaffirini for hosting
2 this event. And for you all to come down here and
3 listen to our concerns.

4 And also want to thank my State
5 Representative for airing and defending what he feels
6 and what we feel are an injustice to what is happening
7 to our minority society here, which is really on the
8 rise because we are the largest minority; the Hispanics
9 throughout the United States. And we eventually will be
10 a big impact on future elections.

11 I think the positive that has come out of
12 what has occurred at the House of Representatives is
13 that I think voter apathy will start changing. I think
14 we're going to get more Hispanics involved than we have
15 due to this controversy. And I think that that's a
16 positive.

17 Unfortunately, you'd like to see these
18 positives happen on a positive note. But I think that
19 everybody here is on the right track. And we support
20 any and every effort that you all can make to listen to
21 our concerns and your concerns of your constituents.

22 So with that, I want to thank you and
23 thank you for giving me this opportunity to come here
24 and voice my opinion. I'm usually sitting on that side
25 because I'm a council member. So, it's a little bit

1 different. But I appreciate this. I really do. Thank
2 you very much.

3 CHAIRMAN DUNCAN: Thank you, councilman.
4 (Applause) Chair calls Emilio Martinez. Mr. Martinez,
5 please state your name and who you represent.

6 MR. MARTINEZ: Good morning, I'm Emilio
7 Martinez. And I'm here as a citizen of this state and
8 this country, and most especially, I'm of this
9 community.

10 I have been very disturbed from what I
11 have been reading and hearing. And essentially, that
12 what we are involved here is a sham process. That the
13 House has received marching orders; secret meetings;
14 back door meetings; our representatives are being
15 excluded; shouted down; maps being made in secret; deals
16 being made in secret. This is a hallmark of a tyranny,
17 not a democratic government.

18 I find it interesting that the House map
19 isn't on there. It should be. Because you are going to
20 be asked to deal with it. You should not have excluded
21 it. Because you should let people know what is being
22 out there. What is being proposed, you will have to
23 take up.

24 I have heard things that have very
25 disturbing. Rules being made on the go. Process being

1 changed. In fact, one of the things was said that if in
2 the Senate, that if they don't have enough votes to take
3 up the issue, you're going to change the rules to suit a
4 partisan political plan.

5 Well and good. I thought Republicans
6 hated quotas but apparently they're pushing a quota
7 now. (Laughter and Applause) And they're not even
8 pushing a quota based on population, which is how
9 redistricting should be driven but rather voting
10 patterns.

11 Are you going to look at our voting
12 patterns? Absolutely not. Let me give you a comparison
13 of other two cities that are similar in population
14 size: Lubbock, Amarillo. Are you going to split them
15 in half? Hell no.

16 Because you got mostly Anglos there and
17 you're going to respect them. But you sure as hell
18 don't respect us. You want to split us up so that we
19 have no voice. So you split people in two. They're not
20 effective. You divide and conquer. We're asked to be
21 Texans.

22 You say we're all part of one state. But
23 I can only conclude from the way the State has treated
24 our community, our border areas, that it's nothing short
25 of a malevolent neglect. North Texas is isolated like

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1 we are. And you listen to them. You provide them with
2 a tier one university Texas staff. We have to go to
3 lawsuits to make the State understand that we also need
4 our education. (Applause)

5 We are talking about this being subject
6 to the Voting Rights Act and to the Federal Court
7 supervision. We have Federal Court supervision because
8 of Texas' bad past. A state which promoted unequal
9 education. A state which promoted segregated schools.
10 And we hear half truths. I'm concerned about the
11 process. This is not a fair way to do things. This is
12 neither fair nor just. Thank you.

13 (Applause)

14 CHAIRMAN DUNCAN: The Chair calls, I
15 believe it's Rocha, Rosa. C. Rocha, Jr. It doesn't
16 make sense.

17 THE CLERK: Roger.

18 CHAIRMAN DUNCAN: Roger. I'm sorry.
19 Dr. Rocha. You're writing is kind of like a doctor.
20 (Applause) Dr. Rocha, state your full name and who you
21 represent.

22 DR. ROCHA: Good morning. My name is
23 Roger C. Rocha, Jr. I am the Texas LULAC Deputy State
24 Director. (Applause) Senator, I'm here representing
25 the state of LULAC, and I want to go on record, which I

1 know I'm going to be placed on record.

2 LULAC adamantly opposes redistricting.
3 We feel that this is a discrimination against Hispanics,
4 against our right to vote, against our right to choose
5 who we want in Austin. We feel that the legislature
6 could better spend money on education, health care for
7 the elderly, teacher salaries. I could go on, but you
8 know them better than I do.

9 I know I had some discussion with Senator
10 Staples, Senator Jatneck (Phonetic.)

11 CHAIRMAN DUNCAN: Senator Janek. Close
12 enough.

13 DR. ROCHA: We'll get there. But there's
14 other issues that we can address. I'm going to endorse
15 what both Senator Gallegos and Senator Zaffirini have
16 said. So, I don't want to kill my five minutes. I'm
17 going to endorse what this gentleman just said a while
18 ago just right now prior to me coming up here. This is
19 wrong.

20 I know there is no map up there, but I
21 see you all glancing at one. My question is: Why isn't
22 there one up there for the public such as us? And why
23 are you all privy to having a map right now? You can
24 correct me if I'm wrong.

25 Today, we ask you as LULAC, as Hispanics,

1 as a community, you have the power in the Senate to kill
2 this redistricting. You do. We implore you to do
3 this. This is wrong. This should not even be -- This
4 should not be taken up right now. There are more
5 issues.

6 An example: Seven million dollars
7 already appropriated for this, not only for the Special
8 Session, but attorney's fees, with all due respect to
9 the attorneys that are on my left. That's money that
10 can be best spent somewhere else.

11 I will leave you with this message, and I
12 hope you carry this back to the legislators in Austin,
13 LULAC is going to be looking at this very, very
14 closely. Fortunately, for us, we don't have to pay our
15 attorneys. But we're ready. We know that this will end
16 up in the courts. And ironically, the courts are going
17 to say what the final map is going to look like.

18 Also, Hispanics are not going to be used
19 as political pawns. Period.

20 AUDIENCE: Yeah. Yeah. (Applause)

21 DR. ROCHA: Hispanics as a group is going
22 to be remember what is being done. And we are not going
23 to soon forgive or forget. When it's time to learn our
24 language and our cultures, with all due respect, people
25 who are running for office do this so very well, don't

1 only look at us favorably when it's time to run and be
2 elected, look at us favorably overall.

3 Do away with redistricting. It's going
4 to hurt the community. Thank you.

5 CHAIRMAN DUNCAN: Thank you, Roger.

6 (Applause) Chair calls Jose Roberto Juarez.
7 Mr. Juarez, will you please approach. Oh, he wishes not
8 to testify. Excuse me. I'm sorry. He wishes to
9 register against a redistricting proposal. (Applause)
10 Thank you, Mr. Juarez.

11 Juan Castaneda. Mr. Castaneda, would you
12 approach and state your name and who you represent.

13 MR. CASTANEDA: Thank you. My name is
14 Juan Castaneda. I am the President of the Laredo
15 Chapter 965 AARP Incorporated here in Laredo.

16 And I can presently say that I'm mostly
17 representing most of my membership in Laredo that attend
18 my meetings and our Chapter. We are against the
19 redistricting. Because it is -- It's not just that we,
20 the minority, you know, we are no longer -- now we are
21 the majority of the minorities, you know, that we should
22 be subject in this matter by the legislatives.

23 So, what I'm trying to say is that we are
24 against it. And I can't say anymore because everybody
25 has already put a lot into it. And I respect

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1 everybody's wishes. And as you know, most of the
2 Senators here in Laredo do not want to be split at all.
3 And we respect that. Thank you. (Applause)

4 CHAIRMAN DUNCAN: Thank you,
5 Mr. Castaneda. Senator Harris?

6 SENATOR HARRIS: Mr. Chairman, what was
7 the interest group that he said he was a member of --

8 CHAIRMAN DUNCAN: AARP.

9 SENATOR HARRIS: That's the seniors; is
10 it not?

11 CHAIRMAN DUNCAN: That's correct.

12 SENATOR HARRIS: He can't be. He looks
13 way too young. (Applause)

14 MR. CASTANEDA: Well, I'm only 56 years
15 old. But they needed somebody young enough to be able
16 to help them out with things (Laughter) That's why I'm
17 here, just like what your job is over there at the
18 Senate.

19 SENATOR HARRIS: Well, I'm your age. And
20 I switched diets and -- (Laughter)

21 MR. CASTANEDA: I'm able to do it for
22 them, you know. And I'm here to represent.

23 SENATOR HARRIS: Thank you, sir.

24 MR. CASTANEDA: Thank you. (Applause)

25 CHAIRMAN DUNCAN: Chair calls Gregorio

1 Lopez, Jr. He is -- Mr. Lopez? He just wishes to
2 register a position against redistricting but does not
3 wish to testify. Thank you, Mr. Lopez. (Applause)

4 The Chair recognizes Maria Antonio M.
5 Juarez who does not wish to testify but wants to
6 register a position against. (Applause)

7 Wishing to testify, the Chair would
8 recognize Reynaldo Veliz. Mr. Veliz, would you
9 approach. State your name and who you represent.

10 MR. VELIZ: Reynaldo Veliz. And I
11 represent no particular organization. I will say this:
12 That I'm a veteran of the Armed Forces, US Navy and,
13 currently, I'm a local firefighter.

14 Reading -- First of all, I'm opposed to
15 the redistricting because for all the obvious reasons.
16 And I endorse Mr. Raymond's statement adamantly. And
17 you are here and assuring us that you are going to
18 listen us, and you're going to take some of this back to
19 Austin.

20 And if you will take anything, I would
21 just like to tell you a little story, you know, that
22 came back to mind with everything that's coming about in
23 the papers. The remarks said by, I believe it was
24 Mr. Craddick.

25 I served in Desert Storm back in '91. I

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1 was in an aircraft carrier. We were out in the Persian
2 Gulf. And there was -- One of our planes spotted an
3 Iraqi jet heading towards the battle group. So we
4 immediately went into General quarters. And I was part
5 of the fire team there. And as we sat there, you know,
6 me and my fellow shipmates, all quiet pondering our
7 futures and pondering what was going to happen.

8 A friend of mine, a Puerto Rican brother
9 of mine, Jose Jones, made a -- he broke the silence.
10 And he made this remark. He said, "You know what? "F"
11 that." He said, "I'm here and I'm willing to die for my
12 country." And right after that, the gentleman
13 interrupted; Bill Adams, a guy from South Carolina.

14 And he said, "Wait a minute. What do you
15 mean, 'You're willing to die for your country?'" He
16 said, "Don't you mean, 'my' country?" And Jose said,
17 "Well, yes. You know what I mean." He says, "Anyways,
18 you know, I'm willing to die for it."

19 Needless to say, I was very upset. After
20 we stood down from General quarters, I went up to Jose,
21 and, you know, I complained to him. I said, "Jose, why
22 do you let this guy, you know, tell you this, you know?
23 We're here serving our country, serving our citizens
24 back home. And you and I have every right to be called:
25 'Americans' just like them."

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1 So if you take anything back,
2 Mr. Staples, Mr. Janek, the members up there, please
3 take this: That we might be a little darker than you
4 guys, you know, darker than Mr. DeLay, than
5 Mr. Craddick.

6 We must speak more than one language, you
7 know. And the language that they speak does have a
8 name. It's not English. It's not American. It's
9 ignorance. It's bigotry; okay? (Applause)

10 And take this: The citizens of Laredo
11 regardless of our color, we are Americans, and just like
12 all of you up there, who are entitled to everything like
13 you are. I'm a veteran, you know. And we have a lot of
14 veterans in this community. I'm entitled to proper
15 representation. And this proposed map is not going to
16 give us that; okay? That's all. (Applause)

17 CHAIRMAN DUNCAN: The Chair has a card
18 from Guadalupe Baldaria (Phonetic) who does not wish
19 to -- I'm sorry. Bazaldia (Phonetic.)

20 THE CLERK: Bazaldua.

21 CHAIRMAN DUNCAN: Bazaldua. Excuse me.
22 I'm from West Texas and I'm language challenged.
23 (Laughter) I don't speak Spanish. And I don't speak
24 English very well. (Laughter) So, excuse me. And I
25 apologize for any mispronunciation of a name.

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1 Does not wish to testify but does want to
2 register a position against redistricting. Opposed.

3 (Applause)

4 The Chair recognizes Paul de la Pina
5 (Phonetic.) Please approach and state your name so that
6 I can understand how to say it correctly.

7 MR. PENA: That's one of those linguistic
8 challenges. "De la Pina" would be of the pineapple. My
9 name is "de la Pena" of the cliff-hanging rock.

10 (Laughter) (Applause)

11 CHAIRMAN DUNCAN: All right. De la Pena
12 of the cliff-hanging rock.

13 MR. PENA: They say that I'm always on
14 the edge. So, that's okay.

15 First of all, I would like to thank the
16 Honorable Representative Richard Raymond for all of his
17 efforts in the House and for the many efforts that he
18 has made on the Redistricting Committee by his remarks
19 by his wife. Thank you to LULAC and all the other
20 organizations that have rallied around this
21 controversial moment in history.

22 I'd like to thank Dr. Ray Keck and all
23 those in Texas A&M International because they are
24 hosting this event. And thank all of you Senators for
25 being here. My neighbor, Senator Zaffirini, thank you

1 for your continued support in the Senate and for all the
2 great work that you do.

3 So, benvenuti (Italian.) Bienvenidos a
4 Laredo (Spanish.) My paternal grandparents were from
5 Mexico. My maternal grandfather came to Texas in 1949
6 from Italy as a refugee after the Second World War. And
7 it is on that behalf that I'm here to speak to you as an
8 American citizen, first generation, a Texan and proud of
9 it.

10 It was the 14th Amendment approved by the
11 Congress in 1866 and ratified two years later, which for
12 the first time enshrined in the constitution the ideas
13 of birthright, citizenship, and equal rights for all
14 Americans. The principle of equality, before the law
15 affected all Americans, as the Emancipation Proclamation
16 passed in 1863 had not yet taken effect.

17 In the words of Congressman William
18 Lawrence of Ohio, "Millions of people of foreign birth
19 will flock to our shores to find here a land of
20 liberty."

21 Therefore, we come here to you today to
22 invoke our 14th Amendment rights. Soon after -- Soon
23 afterwards, the 15th Amendment ratified in 1870 barred
24 the states from making race a qualification for voting.

25 Both amendments to the constitution,

1 which are being questioned today, with the proposed
2 blatant act of redistricting in the State of Texas were
3 reviewed over a 10-year period at the end of the Civil
4 War. And at that time, the idea of national citizenship
5 was suggested.

6 The reconstruction amendments transformed
7 the constitution from a document, which concerned itself
8 with as you are aware, federal state relationships and
9 property rights to a vehicle through which members of
10 vulnerable minorities could gain some protection under
11 the law laying claim to substantive freedom while being
12 protected against abusive power by all levels of the
13 government.

14 We have seen such misconduct by some of
15 the leaders of the federal government who have sought to
16 misrepresent the very essence of democracy in America
17 and within our state.

18 We have also seen misconduct by our
19 Governor Rick Perry, who has chosen partisan politics
20 and his own agenda to appease the law breakers in
21 Washington seeking to dismantle minority strongholds in
22 various congressional districts.

23 In the words of the great 19th Century
24 orator, Frederick Douglass, from a speech in 1869, he
25 condemned prejudice against immigrants from China

1 insisting that America's deputy was to serve as an
2 asylum for people.

3 Gathered here from all corners of the
4 globe by a common aspiration for national liberty. It
5 is this desire for national liberty that we, the voters
6 of the State of Texas of Webb County, seek by sending a
7 message to Austin, and likewise, to Washington D.C. not
8 allowing for the proposed illegal redistricting to occur
9 at this time in this forum.

10 If we decide to redistrict at the whim
11 and beckon call of the ruling party, then where has
12 democracy gone? What has happened to the birthright of
13 every citizen afforded by the Constitution of the United
14 States?

15 Another 100 years would pass until
16 America would witness the true meaning of President
17 Lincoln's dream. A dream taken up by such great
18 Americans as Cesar Chavez, President John F. Kennedy,
19 Martin Luther King, Jr, Congressman Henry B. Gonzalez,
20 and Congresswoman Barbara Jordan. (Applause)

21 The Voting Rights Act and the Civil
22 Rights Act of the 1960s were no mistake. And they were
23 a turning point in American history. Similar in
24 historical significance to when the original amendments
25 were added to the Constitution

1 If we allow any party to dictate the
2 wants and desires of any minority by disregarding the
3 very vehicle that gives them the same protection under
4 the law, then we, too, are culpable for their
5 weaknesses.

6 CHAIRMAN DUNCAN: Paul, you need to wrap
7 up, please.

8 MR. PENA: I sure will.

9 CHAIRMAN DUNCAN: Thank you.

10 MR. PENA: We will have to explain to our
11 children and grandchildren that we stood by and did
12 nothing while a small minority in Austin and Washington
13 chose to interpret the law and take the law into their
14 own hands. We have come too far to go back in time.

15 It is time for solidarity. It is time
16 for national unity. And it is a time to recognize our
17 differences and celebrate our diversity as Texans and
18 citizens of the greatest Democratic/Republic on earth.

19 For these reasons, I am opposed to
20 redistricting in Texas at this time. Until and only
21 until redistricting is proposed after the national
22 census respecting the wishes of our Founding Fathers and
23 the Constitution of the United States of America.

24 CHAIRMAN DUNCAN: Thank you, Paul.

25 (Applause)

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1 Chair calls Mr. Ramiro Sanchez.

2 Mr. Sanchez, please approach and state your name and who
3 you represent.

4 MR. SANCHEZ: Thank you, Mr. Chairman.
5 My name is Ramiro Sanchez. I represent people in the
6 streets. People that cannot come up here and speak.
7 People that cannot defend themselves.

8 And a lot of us that we couldn't defend
9 ourselves. That we have the ability to defend
10 ourselves. We have tremendous diversity. We have a
11 tremendous obstacles that obstruct our desire to be free
12 and independent.

13 I strongly support Senator --
14 Mr. Raymond's position. Judith Zaffirini and Mayor
15 Flores. That even though we are in the minority;
16 unrecognized majority; unrecognized majority, please I
17 beg you not to pass this redistricting. We are being
18 isolated. We are being even to the point that you could
19 say discriminated, sir. Because we have a right.

20 I am, too, an American, regarding to the
21 gentleman that referred to us as Texans. We are Texans,
22 sir. We are tax-paying Americans, please, refer to us
23 as Americans.

24 I thank you very much for spending your
25 time here with us. But most of all, I appreciate your

1 concerns, addressing our concerns also. It is very
2 important that we do not deviate from the standard
3 procedure that we hold. It is very little that we
4 hold. And if we divide that, we're going to have even
5 less.

6 We like to have a representative. We
7 like to have our own representative here locally. And
8 as we do it now, we would like to have it for the
9 future. And most of all, one more time, I beg you, I
10 beg you, sir, not to do this. Please. Thank you very
11 much. (Applause)

12 VICE CHAIRMAN GALLEGOS: Also showing not
13 wishing to testify but showing no on redistricting is
14 Consuelo S. Lopez. That will be duly noted. (Applause)

15 Also wishing to be noted testifying
16 against redistricting, Abraham Rodriguez III.
17 (Applause)

18 Okay. The Chair calls Enrique de la
19 Garza. State your name and who you represent.

20 MR. DE LA GARZA: Yes, sir. My name is
21 Enrique Tomas de la Garza.

22 Mr. Chairman and the members, before
23 Washington was established, and that's Washington D.C.
24 was established in the United States, Laredo existed.
25 Before Austin was established, Laredo existed. Before

1 all the Rick Perrys and Tom DeLays came to this part of
2 the country, Laredo existed. (Laughter) Before all the
3 great US wars: World War I, World War II, Korean
4 Conflict, Vietnam, Gulf of War, and the many precious
5 young men that went; Laredo existed.

6 For over 200 years, Laredo was a
7 forgotten community for government, except during
8 election years. Now, DeLay and Perry want to break up
9 Laredo. Why? Because they know that Laredo is a town
10 to be reckon with by the number of voters that we have;
11 nearly a 100,000 voters.

12 They know that Laredo can be a political,
13 a potential political cloud to be dealt with. Laredo
14 can lead the other communities along South Texas and
15 become the Italian that is being awakening. Since they
16 cannot target on Laredo by itself, they bring in the
17 other communities and start or try to divide them.

18 DeLays the strong advocate of the 2nd
19 Amendment of the United States Constitution. Should he
20 also be a strong advocate for the part that says that
21 the Government is "of the People, by the People, and for
22 the People?"

23 Laredo has survived many wars, droughts
24 evaluations, floods, and discriminations. We will
25 survive the attack by Perry and DeLay.

1 When the government employee goes against
2 the wishes of the people, it is time to alter or abolish
3 that government that is also in the United States.

4 When a government like a governor
5 blackmails the people of this community and other
6 communities along the border, then it is time to do
7 something about it. I hope that there's enough people
8 here in the State of Texas, which it seems like they
9 are, to go against this redistricting and tell these two
10 individuals that it is not the proper thing to do.

11 And to comment a little on the other
12 person, and the person that said that we don't speak
13 English here, the few people that are here is only an
14 example of Laredo. We speak pretty good English. Thank
15 you. (Applause)

16 CHAIRMAN DUNCAN: Thank you. I want to
17 make sure that those of you in the audience may or may
18 not be aware, those who have come in later, you -- these
19 cards that you are required to fill out to testify, you
20 can also fill these cards out even if you don't wish to
21 testify but you would wish that your name be shown in
22 the record and I'll read these in the record as we go
23 through that you are for or against the process of
24 redistricting.

25 And so with that, let me move to our next

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1 witness. Let me also announce the intent of the Chair.
2 We are having these hearings transcribed by a court
3 reporter.

4 And we also have Mr. Tio Blas doing our
5 interpreting for us. Translation for those who may need
6 that. So, if you need these services, we have
7 microphones for you here, over here on the corner.

8 Let me also say that because we have
9 persons who cannot get up and go to the restroom freely
10 like all of us can here that we will probably take about
11 a 15-minute break at 12:30, so that we can give them a
12 little bit of rest. They're going nonstop.

13 And I think we will do that. But we will
14 not leave the building and we will start promptly back
15 at 12:45. So, at 12:30, we will take a short break for
16 15 minutes. And then we'll continue with business.

17 The Chair calls Eliseo Valdez, Jr. for
18 the City of Laredo. Mr. Valdez, will you please
19 approach and state -- (Applause)

20 MR. VALDEZ: Morning Chairman, Committee
21 members, welcome to Laredo. Welcome to District 5. I'm
22 Eliseo Valdez, the district on which this university
23 sits. Senator Zaffirini, it's great to see you again.
24 You make me awfully proud.

25 I'm here to express my opinion and to let

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1 you know that I'm against this proposed plan. I feel
2 that the proposed plan is divisive and unconstitutional,
3 aside from being illegal. It will surely deny us fair
4 representation.

5 I feel in the current plan that we have
6 is fair, even though the Republicans hold about 20 of
7 the 32 districts and about 65 -- 62% of the districts.

8 But my main concern is that for many
9 years all communities south of San Antonio have been
10 denied their fair share of funding either whether it be
11 for infrastructure funding, educational funding, or
12 health fundings for health programs.

13 It's only been in the last 10 years of so
14 because of the strong leadership of Senator Zaffirini,
15 State Rep. Richard Raymond that we're finally starting
16 to put Laredo on the map and get our fair share.

17 And we've gained some ground, you know.
18 We are the health of NAFTA, one of the most important
19 cities of the State of Texas and the rest of the
20 nation. But I feel that this plan will surely pull the
21 carpet out from under us at a time in the history of
22 Laredo when we need the most help. I hope and pray that
23 the whole process will accomplish something.

24 This process shouldn't be about meeting
25 GOP quotas. It should be about allowing us to continue

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1 to exercise and the thing that so many people have
2 fought for, for so many years.

3 A process of allowing us to select people
4 that are truly in tune and sensitive to our needs. So
5 here again, I hope and pray and ask that you do your due
6 diligence and do what's right for the citizens of this
7 country. Thank you. (Applause)

8 CHAIRMAN DUNCAN: Thank you, Mr. Valdez.
9 I know we have people coming and going as the day goes.
10 So, the Senate does not have a plan and nor have we ever
11 had a plan. The plan did have a plan. I think it was
12 Map 11AC. We chose not to bring that map and make it
13 the focal point.

14 The Senate intends to look at this
15 independently. The Constitution of the State of Texas
16 has designed a bicameral legislature. We chose to have
17 our hearings and to develop, if there is a plan, that it
18 will be developed independently after hearing your
19 testimony.

20 So, I want to make sure everyone knows
21 why there is only one map, the only map that we are
22 looking at now is the existing plan. And so, I just
23 want to make sure that everyone understands that.

24 SENATOR ZAFFIRINI: Mr. Chairman?

25 CHAIRMAN DUNCAN: Yes, Senator Zaffirini.

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1 SENATOR ZAFFIRINI: Just to clarify. I'm
2 glad that you have discard the fact that there is no
3 plan before the Senate. And that's why we don't have
4 anything other than the status quo.

5 But it is my understanding that the
6 intention probably is that if the House passed a bill
7 that included the plan, and if that plan that has been
8 deposed came over to the Senate, that more likely than
9 not, the Senate would substitute a different plan that
10 will be developed after the hearings.

11 CHAIRMAN DUNCAN: We've been pretty good
12 about doing that on every other things. (Laughter)
13 (Applause)

14 SENATOR ZAFFIRINI: Very important
15 clarification, in fact, I don't recall ever just
16 considering a House version of a bill on any
17 controversial issue. (Laughter) That's most of all
18 issues.

19 CHAIRMAN DUNCAN: That's what -- That's
20 what the process is all about.

21 SENATOR ZAFFIRINI: All right. Thank
22 you.

23 CHAIRMAN DUNCAN: Thank you. The Chair
24 recognizes -- Okay. Okay. Chair has a card for Raul
25 Casso who does not wish to testify but would like to

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1 register a position against. (Applause) Thank you,
2 Mr. Casso.

3 The Chair also has a card from Renee
4 La Pierre (Phonetic.)

5 MS. LAPERRIERE: La Perriere.

6 CHAIRMAN DUNCAN: La Perriere. Thank
7 you. Excellent. Who does not wish to testify but wants
8 to register her position against. Thank you.

9 (Applause)

10 The Chair recognizes Jaime Mendoza.
11 Mr. Mendoza, state your name and who you represent.

12 MR. MENDOZA: Jaime Mendoza. I represent
13 many young Hispanic individuals. I'm here today because
14 there's a misconception that Hispanics only speak
15 Spanish or only democrat. That is a mistake. And that
16 is not true.

17 According to the RNC and the DNC, the
18 Hispanic population is a swinging vote. If the
19 Democratic party were to take the Hispanic vote for
20 granted like they have done for many, many, many,
21 years. They would be in for a shock, for a, you know, a
22 surprise.

23 I'm here today to say that I am a
24 Republican. I have been since the fifth grade. I
25 admire George W. -- Herbert W. -- Herbert Walker Bush.

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1 I have so for many, many years. I do not need a person
2 of brown color to be a role model for me. I look at
3 success. I look at integrity and honesty. And I can
4 find that in many, many Republican leaders.

5 I support Laredo and Tom DeLay. He was
6 born here in Laredo. I give much money to them.
7 Unfortunately, I am a minority. A minority within a
8 minority. Because I am Republican.

9 It is unfortunate that my people behind
10 me will ridicule -- will make fun of me, will call me a
11 "coconut," will call me a "sell-out," yet we have
12 certain values here, who says that is wrong. But yet I
13 can turn around and many people here are thinking under
14 their breath, "Who is this coconut? Who is this
15 Gringo? Que se creen por que sta aki." (Spanish.)

16 Okay. Many people do that. I went to
17 the University of Texas at Austin. And I got in on my
18 own merit. I did not need affirmative action. I chose
19 to attend the University of Texas once Hopwood and Dan
20 Morales decided that affirmative action could not be
21 used in the admission process because I got in on my own
22 merit. I got in because of my brain and not the color
23 of my skin.

24 Forty percent of all Hispanics voted
25 Republican according -- depending on who you speak

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1 with. You can speak to Democrats who say it's thirty
2 percent. You can speak with Republicans that say it's
3 above forty percent. So let's say it's thirty-five
4 percent. Thirty-five percent is a huge amount of
5 people. We are a minority.

6 But I'm here to ask you, sir, and
7 Committee to please consider redistricting. I do not
8 want to lose Congressman Bonilla as our Congressman
9 because he's powerful Congressman. He's worthy of the
10 position he holds because of the person he is, not
11 because of his last name.

12 I admire Congressman Bonilla as I do
13 many, many Republican leaders. I do not look at their
14 last name or their ability to speak Spanish. As many
15 Hispanics do not know how to speak Spanish.

16 The future or, you know, according to
17 many Democrats, the future Mayor of San Antonio, Joaquin
18 Castro, over 20 days with the city councilman, plans to
19 run for Mayor of San Antonio. She does not know a word
20 of Spanish. But does that make him any less of a
21 Hispanic or American citizen?

22 Let me tell you this: My -- My culture
23 shock at the University of Texas wasn't because of the
24 Anglo-Saxons or because of the Asians or because of
25 anybody else. Just because of the minority of the

1 Hispanic population that kept calling me a coconut.

2 I'm not a Catholic. I'm a Protestant
3 Christian. I choose to believe in the way I do because
4 of who I am and because what my mother's taught me, not
5 because of my last name or the color of my skin.

6 I do ask -- I do ask that you open up
7 redistricting. It is fair. It's a violation of
8 separation of powers that the judicial branch has set
9 the redistricting policy. Many people here speak about
10 what's fair and what's not and what should not be done
11 and what has not been done before.

12 Well, it is unprecedented that 52
13 Democrats walked out of the House. That is disgusting.
14 It is cowardly. And I think it should be punished.

15 Mr. Richard Raymond should have stood on
16 his ground. I respect Mr. Raymond for what he's
17 standing on, what he believes on. I respect him for
18 that. I do not agree with his politics.

19 But I do ask you, sir, and Senator
20 Zaffirini, please consider redistricting. I know that
21 there was a Supreme Court decision this past week or so
22 that speaks about what Senator Gallegos was talking
23 about; John -- John Ashcroft. Well, his argument was
24 overstricken by the US Supreme Court. So I just ask
25 that you consider redistricting. Not all Hispanics are

1 against redistricting, and not all Hispanics are
2 Democrat. Thank you. (Applause)

3 CHAIRMAN DUNCAN: Thank you, Mr. Mendoza.

4 The Chair recognizes John Peter Montalvo
5 of LULAC. (Applause) State your name and who you
6 represent.

7 MR. MONTALVO: Yes. My name is John
8 Peter Montalvo. I am President of LULAC Council 624 and
9 also a board member for LISD. Senators, thank you for
10 being the first stop in Laredo. Appreciate your help.
11 We have a message.

12 Message that we have is that we, in
13 Laredo, oppose redistricting. We oppose the Special
14 Session whereby close to seven million dollars will be
15 spent. This monies could be used for other items that
16 we cut in the budget of our state for this coming year.

17 The children's health for the CHIPS; the
18 teacher's health care; the Pre-K grants; the cuts in the
19 textbooks, the school textbooks; and the elderly health
20 care reduced.

21 We forget. We sit in positions. At
22 times, we are 20, 25, 30, 35, 40, 50. And we never
23 believe we become elderly at one point. We have to have
24 that in mind. We have to see that those people get
25 their rights. They get their fair share. That we

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1 have --

2 By having a divided state, a divided
3 city, a divided county, would not help the citizens of
4 Texas. Would not help minorities. Would not help the
5 blacks. It will not help the whites. All of us are all
6 in this together. This should be nonpartisan. And we
7 should treat everybody equal.

8 We go out and fight in wars. And the
9 first thing we bring out and we say is what we want to
10 make this nation a democratic society. And make them
11 Democrat on the democrat -- on the democratic society
12 and is also offered freedom and equality.

13 And here we are in the great State of
14 Texas in a nation, which is -- may not be the best, but
15 it's number one in the world. Second to none. And here
16 we are trying to do redistricting and trying to send
17 back all those people all those years that we fought,
18 that our father's fought, that we fought, to bring
19 equality and give us the right as voters, as
20 representatives, as people in this community to have
21 that freedom to vote for which at home we want to vote
22 for.

23 This I could see in the fork that this is
24 going to divide our State. I hate to say it. I hate to
25 see it. But it's reality. The House is going on a

1 political suicide. Because what's going to happen, they
2 have the can opener. They're going to open that can of
3 worms. And I hate to see that sleeping giant wake up.
4 And I just hope that we have no rioting and that we have
5 no problems in the rest of the State.

6 If we're suppose to change, redistrict
7 every 10 years, why can't we do it and why can't we hold
8 to that? This is the message that we would like to send
9 to the House of Representatives. And thank you very
10 much for your time. (Applause)

11 CHAIRMAN DUNCAN: Thank you,
12 Mr. Montalvo. All right. The Chair calls John Castro.
13 Mr. Castro, would you approach, state your name, and who
14 you represent.

15 MR. CASTRO: Hello, sir. My name is John
16 Castro. I am representing the Laredo Students in
17 Democratic Actions. (Applause)

18 When the issue of Congressional
19 Redistricting was pending for legal and before the Texas
20 Supreme Court in September 2001, Andy Taylor during
21 Redistricting Council for Governor Perry informed the
22 Supreme Court that when Governor Rick Perry decided not
23 to call a session of legislature that summer. His
24 decision meant that no longer would legislative branch
25 of government be involved in the redistricting process.

1 According to the Associated Press on June
2 29th, 2001, Perry said that he would not -- that he
3 would leave redistricting up to the courts.

4 According to the Forth Worth Star
5 Telegram on July 12th, 2001, Perry said it would be a
6 waste of taxpayers money to hold a Special Session.

7 According to the Dallas Morning News on
8 January 30th, 2003, Perry pledged not to call a Special
9 Session on the topic of redistricting.

10 And finally, on February 24th, 2003,
11 Perry said that he would not call sessions dealing with
12 Congressional Redistricting once again.

13 Well, it is now obvious that either those
14 statements were lies, which displays that Perry's
15 dishonest and attempting to deceive the American people
16 or the elements within the National Republican Party are
17 pressuring the Governor to pursue the redistricting
18 plan, which displays that Perry has a weak character.
19 Either way, it displays a deep character flaw and we can
20 not have that type of person as Governor of our State.

21 (Applause)

22 So, while 170,000 children are having
23 their health care taken away from them due to lack of
24 funding and while the state's educational system is
25 dwindling due to a lack of funding, and while social

1 services are being eliminated throughout the state due
2 to lack of funding, Perry decided that this will be the
3 best time to use 1.7 million dollars of our tax monies
4 to call these redistricting hearings into action.

5 And the argument being made by Republican
6 Congressman Tom DeLay that the 32 members of Texas
7 Congressional Delegation does not reflect to Republican
8 voting patterns, has already been proven false by an
9 analysis conducted by a Rice University professor who is
10 a Republican's expert witness in the Texas court case
11 two years ago.

12 That professor's analysis concluded that
13 20 of the current districts actually favored
14 Republicans. And that voters have consciously chosen
15 Democrats to represent them in Congress in several of
16 those districts.

17 In addition, the Congressional Research
18 Services of the Library of Congress determined that no
19 legislature in the 227-year history of America has ever
20 redrawn Congressional lines in the middle of the decade
21 without being ordered to do so by a court.

22 In fact, the Republican-dominated Supreme
23 Court, the highest authority in the State of Texas,
24 determined that the current Congressional district map
25 was fair and equally represented both Republicans and

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1 Democrats.

2 This proves that these redistricting
3 plans are unethically, immoral, unDemocratic, and more
4 importantly, unconstitutional attempt by the Republican
5 party to steal the political voice of Latinos and remove
6 the car from the hands of the people through the unjust
7 Republican redrawing of our Congressional districts.

8 If these meetings were supposedly fair
9 and Democratic, the Republicans would allow the courts
10 or the people to determine if and where the new
11 Congressional district lines should be.

12 Furthermore, they claim that the Texas
13 Republican Parties is discriminating against Hispanics
14 stems from the Republican refusal to allow Committee
15 Vice Chairman Mike Villarreal, who is of Hispanic
16 descent to lead a subcommittee and instead being three
17 Anglo-Republicans to lead the three panels.

18 The fictitious, undemocratic
19 Congressional Redistricting hearings, that's,
20 conclusions and final decisions have already been
21 predetermined by more powerful, deceitful forces within
22 the National Republican Party are one of the many
23 undemocratic methods being utilized by Republicans to
24 undermine democracy, liberty, justice, the American
25 citizens of South Texas, and their right to fair and

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1 equal representation. Thank you. (Applause)

2 VICE CHAIRMAN GALLEGOS: Mr. Chairman?

3 CHAIRMAN DUNCAN: Mr. Castro.

4 Mr. Castro, could you approach. Senator Gallegos has a
5 question.

6 VICE CHAIRMAN GALLEGOS: Mr. Castro, let
7 me ask you: First, how old are you?

8 MR. CASTRO: 19.

9 VICE CHAIRMAN GALLEGOS: Thank you.
10 Okay. Just for the record on your testimony, did I hear
11 it right? You said 20 of the 32 Congressional districts
12 are a majority Republican?

13 MR. CASTRO: Yes, I believe that's
14 correct, sir.

15 VICE CHAIRMAN GALLEGOS: I believe was
16 that your testimony?

17 MR. CASTRO: Yes, sir.

18 VICE CHAIRMAN GALLEGOS: But yet some of
19 those 20 districts chose to elect -- of what's
20 Republican chose to elect Democrats?

21 MR. CASTRO: Yes.

22 VICE CHAIRMAN GALLEGOS: Is that what you
23 said?

24 MR. CASTRO: Yes.

25 VICE CHAIRMAN GALLEGOS: So, 20 of the 32

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1 are a Republican majority. Yet of the 20, some of those
2 districts chose -- the electorates -- the voters in
3 those districts chose to elect Democrats?

4 MR. CASTRO: Yes.

5 VICE CHAIRMAN GALLEGOS: Is that correct?

6 MR. CASTRO: Yes.

7 VICE CHAIRMAN GALLEGOS: Okay. Thank
8 you. (Applause)

9 CHAIRMAN DUNCAN: Chair recognizes Javier
10 Mendoza. Mr. Mendoza approach and -- You just test --
11 No, you didn't.

12 THE CLERK: He has a twin, sir.

13 MR. MENDOZA: Yeah, that's my brother.

14 CHAIRMAN DUNCAN: Your brother. Are you
15 all -- You do look a little bit alike. You all wore
16 nearly the same clothes. (Laughter)

17 MR. MENDOZA: Good afternoon. For the
18 record, my name is Javier Mendoza. I do not represent
19 the Webb County or Republican party on my behalf right
20 now. I am here as a citizen. An American first. A
21 Republican second.

22 First of all, I want to clarify some of
23 the mistakes or false allegations from the Democrats or
24 from the other side. First of all, this issue, if I may
25 ask the Senator, Senator Zaffirini a question. She says

1 that the Senate do not have the votes for this issue; am
2 I correct?

3 So why did Richard Raymond and the
4 chickenDs go to Oklahoma? Because I was Government
5 teacher. I taught Government in Alexander High School,
6 the best high school in Laredo. And in order for you to
7 pass a law, and correct me if I'm mistaken, it has to go
8 through both the House and the Senate; am I correct?

9 And for the Governor to get -- And once
10 it passes both House and the Senate, it must go to
11 signature for the Governor. Unless if the language is
12 not identical, then it must go to Conference Committee;
13 am I correct?

14 CHAIRMAN DUNCAN: Correct.

15 MR. MENDOZA: Now, the issue here is that
16 there are some representatives in the House, State
17 Representatives, that want to run for you as Congress,
18 such as Richard Raymond. So he made this an issue.
19 Because how many times did you see Richard Raymond
20 headlined on the front pages of several newspapers
21 around the State of Texas several times?

22 This has nothing to do with race. This
23 has nothing to do with Hispanics or with Anglos. This
24 has to do with the House of Representatives who ran
25 away, who did not do their job, who want to see

1 elections for the US House of Representatives. That is
2 a fact.

3 Because as the Senator has said, Senator
4 Zaffirini, has said this was not an issue in the
5 Senate. We all agreed. Now based on government and how
6 the Texas -- how Texas works, the Congress, it must go
7 through both the House and the Senate.

8 So my question is to Richard Raymond:
9 Why did he run away? This was not going to happen.
10 Redistricting was not going to happen. Unless if David
11 Dewhurst would have changed the tradition in the Senate
12 where you would need 21 votes. And they did not have
13 that. And Lieutenant Governor Dewhurst said do not do
14 that at that time.

15 So this is just a political agenda by
16 Richard Raymond and the chickenDs. This has nothing to
17 do with race. I am Hispanic. I favor the Republican
18 party. And I want to thank the Republican party for
19 promoting the Hispanic community.

20 They have done more in eight years and
21 controlled than the Democrats have done for 140 years.
22 And that is a fact. And that, as a Hispanic, I am proud
23 to say I am an American first and a Republican second.

24 Now going back to the issue, I don't
25 understand if you see this map, who is our US

1 Congressman? Congressman Bonilla, a Hispanic. How many
2 times have you heard these people fight for him to stay
3 as a representative? Not once. Who do they talk
4 about? Solomon Ortiz or Ruben Hinojosa.

5 They're saying this is not nonpartisan.
6 But I'm assuming because Congressman Bonilla is a
7 Republican. They do not want him here. He's brought
8 more money than any Democrat Congressman has in the
9 past.

10 If you see that map, the South Texas is
11 controlled by Republicans. They have done more for
12 South Texas than any Democrat that has controlled. If
13 you would see the previous Congressman was Congressman
14 Bustamante who was indicted a Democrat.

15 Now, if this is the type of people they
16 want to elect, so be it. But 19% or 18% of Laredo
17 favored Congressman Bonilla. Over 80% voted for Henry
18 Cuellar.

19 Isn't it ironic that the very fact that
20 our Congressman only got 19% of the vote? We don't have
21 a voice because the Congressman that we wanted or, you
22 know, Henry Bonilla is not the congressman we want.

23 So how is our voice going to be diluted?
24 If we divide Webb County, we will have two Democrat
25 Congressmen. And that's what they want. They want a

1 Democrat Congressman.

2 Now, the question here is: Why don't
3 they see that? Because we have organizations like LULAC
4 and NAACP who always try to promote themselves, the
5 people on top. Then those organizations, when they
6 start bringing race, and it's sad to see, and I hope you
7 don't believe all Hispanics are that way. We don't
8 bring race as an issue. I sure don't.

9 UNIDENTIFIED AUDIENCE MEMBER: You sure
10 are.

11 MR. MENDOZA: No. I'm defending myself.
12 Now, if you hear the background, you hear these people,
13 you know, heckling me. Now that's sad. I'm 25 years
14 old. And these people are older than that, you know?

15 All I'm doing is bringing the facts. I'm
16 just bringing the facts here. They are afraid that are
17 voices are going to be diluted.

18 But in fact, we're going to have
19 representatives that they are going to support. Because
20 right now, Congressman Bonilla only received 19% of the
21 vote here in Webb County. But you never hear about him.

22 He is a Hispanic Congressman, who brought
23 millions and millions of funding. For example, the
24 health care in the Southside has his name on it. But
25 yet, you never -- you never see them recognize

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1 Congressman Bonilla for his accomplishments. And that
2 is sad. Thank you for your time. (Applause)

3 CHAIRMAN DUNCAN: Thank you,
4 Mr. Mendoza. Okay. The Chair has a card for Mary
5 Trevino who does not wish to testify but would like to
6 register a position. Ms. Trevino, are you in the
7 audience?

8 (No response.)

9 CHAIRMAN DUNCAN: She does not register a
10 position whether she would favor a redistricting plan or
11 not. We'll hold that card. And, perhaps, if she could
12 come in and give a position.

13 We also have a card from Ubaldo
14 Villarreal who would not like to testify but would like
15 to be registered against a redistricting plan being
16 passed. (Applause)

17 We have a card from Rene de la Vina who
18 would like to testify. De la Vina, please approach,
19 state your name, and who you represent.

20 MR. DE LA VINA: Well, first, welcome to
21 Laredo. For the record, my name is Rene de la Vina.
22 And I am a teacher, and I'm also a member of LULAC, the
23 United Latin-American citizens. (Applause)

24 I'm going to give you my point of view
25 from a teacher's perspective. I'm a Special Education

1 teacher. In reference to this redistricting of Webb
2 County.

3 First, and this is for the House of
4 Representatives, a message for them, first, I'd like to
5 say is, you now, during the session, many of our State
6 officials took away half of our health insurance from
7 teachers. Then later, then they wanted to dip into our
8 teacher retirement and take some of that. They also
9 want to take most of our teacher's rights away also.

10 And now, they want to water down our
11 voting rights by redistricting Webb County. State
12 Representative Richard Raymond has filed a lawsuit in
13 reference to redistricting Webb County.

14 Well, I'll tell you one thing: That is
15 just the beginning. Because there's going to be a lot
16 more Richard Raymond-related lawsuits if this
17 redistricting passes.

18 There's a lot of angry teachers and
19 citizens from Webb County and South Texas that are
20 against redistricting Webb County. I think it's a waste
21 of taxpayer money to have a special legislative session
22 when we should be pumping all this money for our
23 children and education.

24 Again, I please ask you to vote against
25 the redistricting of Webb County. Thank you very much.

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1 (Applause)

2 CHAIRMAN DUNCAN: Thank you,
3 Mr. de la Vina. The Chair has a card from Fernando Pena
4 who does not wish to testify but would like to register
5 a position against the redistricting plan. (Applause)

6 The Chair also has a card from Mr. W.W.
7 Riggs who does not wish to testify but would like to
8 register a position against a redistricting a plan.
9 (Applause)

10 The Chair has a card from Hector Mario
11 Nieto, Sr. who would testify, if necessary, but has
12 registered against. Mr. Nieto, would like you like to
13 testify or just register.

14 MR. NIETO: It is not necessary.

15 CHAIRMAN DUNCAN: Thank you. Thank you
16 very much. (Applause) The Chair has a card from
17 Yolanda C. Nieto who represents everyone. That's
18 great. (Laughter) And I assume that she would register
19 against a plan. (Applause)

20 MS. NIETO: (Nods.)

21 CHAIRMAN DUNCAN: Again, Cordelia E.
22 Nieto who is here today does not wish to testify unless
23 it's requested and would like to register a position
24 against a redistricting plan. (Applause) Chair has a
25 card from L.M. Bazaldna (Phonetic.)

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1 THE CLERK: Bazaldua.

2 CHAIRMAN DUNCAN: Bazaldua. I'm sorry.
3 I couldn't read those right. Bazaldua and family who
4 does not wish to testify but would like to register a
5 position against. (Applause)

6 The Chair has a card from Michelle R.
7 Garza who does not wish to testify but would like to
8 register a position against a redistricting plan.
9 (Applause)

10 The Chair has a card from Aida Garza who
11 does not wish to testify but would like to register a
12 position against a redistricting plan. (Applause)

13 Mr. Javier Martinez Jr., do you wish to
14 testify or do you --

15 MR. MARTINEZ: (Nods.)

16 THE CLERK: Yes.

17 CHAIRMAN DUNCAN: All right. You'll be
18 our last witness before our break. And I will also --
19 After you testify, I will also read the names of those
20 persons who are next up. So that you can be promptly
21 ready whenever we reconvene after a short break.

22 Mr. Martinez, please state your name and
23 who you represent.

24 MR. MARTINEZ: Thank you, Mr. Chairman.
25 My name is Javier Martinez. I'm a citizen here in

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1 Laredo.

2 I'd like to thank the body that's here.
3 Senator Zaffirini, our Senator who has worked tirelessly
4 here in this community for children and their education
5 and their health care and for families, working men and
6 women everyday. So, I thank you very much for helping
7 host this event.

8 I'd like to thank all of you for your
9 comments this morning. Because I think that what you
10 have done and demonstrating to us is that you have still
11 an open mind to this issue. And you are still, I think,
12 the ability for us to persuade you away from this idea
13 of redistricting in the State of Texas.

14 I think that if we have something, and I
15 think the adage still exists today that "If it ain't
16 broke, don't fix it." We have a system in place that
17 after the census is completed, redistricting is done.

18 I think the Senator's comments back in
19 May of the paper that I read that this is not the time
20 for redistricting. I agree with the Senator.

21 I heard her comments this morning that
22 this is not the time for redistricting. I agree with
23 her. There will be a time for redistricting. That time
24 will be in the year 2011 after the census is done in the
25 year 2010.

1 I encourage you to do that. Don't set a
2 precedent. And I know that there are senators, one I
3 used to work for who advocates tort reform. Let's not
4 set a precedence today in redistricting that is only
5 going to -- all difference to all legal counsel that are
6 here.

7 But I do think it's important that we
8 don't set a precedent where we're going to have lawsuit
9 after lawsuit or when majorities change in other
10 chambers in Washington or other chambers in the State
11 House or other chambers here in our Texas Senate.

12 I think if we set a bad precedent, how
13 can we teach our children to be good adults and to be
14 mature and to respect the opinions of the few? How do
15 we expect them to do that? When we see today the
16 bickering that is going on.

17 And Richard Raymond is representing
18 Laredo well. He is not being a coward. He is being a
19 loyal opposition. He's doing his job. (Applause)

20 So, I encourage all of you not to go down
21 that path of pettiness and ignorance, which is bigotry.
22 I encourage all of you to be very much like our Senator,
23 be a champion for the children of the State of Texas; be
24 a champion for the teachers in the State of Texas; be a
25 champion for the working families in the State of Texas;

1 be a champion for them. Because their efforts, they
2 strive to give their children a better future than their
3 own. I thank you very much. (Applause)

4 CHAIRMAN DUNCAN: Thank you very much.

5 All right, members, we'll take a short
6 break for our court reporter and our translator as well
7 as for us. And there are a couple of sandwiches back
8 there. We will, promptly, before you -- before
9 everybody gets up -- let me read some names.

10 When we reconvene at 12:50, we will call
11 Jesus Guerra, Robert Balli, and Julio Alacon, and learn
12 how to pronounce those better before we get back. But
13 please be ready to testify in that order as soon as we
14 return at 12:50. The Committee will stand in recess
15 until 12:50 a.m. or p.m. rather.

16 (Recess from 12:34 to 1:01 p.m.)

17 CHAIRMAN DUNCAN: All right. The Senate
18 Committee On Jurisprudence will come back to order from
19 recess. We will hear from -- The Chair recognizes Jesus
20 Guerra who represents himself, is also a member of the
21 school board. Mr. Guerra, would you please approach,
22 state your name, and who you represent, please.

23 MR. GUERRA: Good afternoon, Mr. Chairman
24 and members of the Texas Senate Committee. My name is
25 Jesus Guerra. I'm a retired postmaster. I'm also a

1 current member of the Laredo Independent School District
2 Board of Trustees, an officer.

3 CHAIRMAN DUNCAN: Bless your heart.

4 MR. GUERRA: I want to thank you all for
5 giving us this opportunity to have access to opine over
6 this issue of redistricting. I want to thank my Senator
7 Zaffirini for all her work and for bringing you all and
8 making you available to us.

9 And I'd like to address the issue from
10 the standpoint of what Senator Chris Harris stated and
11 endorse what he said. What Senator Mario Gallegos said
12 and endorse what he stated and what he has presented for
13 the record.

14 Also, the wife of our Representative,
15 Mr. Richard Raymond, and what she has present us as
16 record. As well as so eloquently stated by Mr. Emilio
17 Martinez, which I don't know if he's still here or not.
18 Enrique de la Garza, and others that have the same
19 consensus of content in the delivery of the message.

20 Where I differentiate a little bit in
21 their presentation is: I need to let you know that I'm
22 a 5th generation Texan and American. 11th generation,
23 still standing, of an immigrant that came and debarked
24 in Veratus (Phonetic) in the mid 1600s, Jose Antonio
25 Guerra (Spanish) and we're still standing.

1 And as Mr. Enrique de la Garza so
2 eloquently stated "Laredo will stand." However, the
3 division of Laredo Webb County is not in our best
4 interest. And I address an issue from the standpoint of
5 communities in interest in common.

6 We are a border region. Webb County
7 borders Mexico. Maverick County borders Mexico. Zapata
8 County borders Mexico. O'Riley County borders Mexico.
9 And any county from Brownsville to El Paso that borders
10 Mexico has an inherent and inclusive common interest as
11 an opportunity.

12 We have been known, and it has been going
13 and has been recognized throughout our nation and for
14 that matter internationally. Laredo is the gateway to
15 the Americas; has been, will be, and will continue to
16 be.

17 A division of this common region who has
18 interest, interest, and interest, with an inherent value
19 for its populations. And mind you, we have an emerging
20 population that's coming. That is coming. And we have
21 worked hard for better than 145 years of whenever the
22 State of Texas can to be. It could be more or less,
23 doesn't matter. A couple years. I'm not a history
24 buff, but I found a couple of dates.

25 And we have worked hard. And

1 persevered. I have letters that I hold dear to me where
2 my predecessors are taking about the "barbaros"
3 (Spanish) that they put up. The "barbaros" translated
4 into English are "barbaric." And they were friends in
5 Indians; the Comanche, the Apache, the Carancahua, the
6 Kaaawa, the Galveston area where that was also a big
7 disembarkation of immigrants.

8 And I could go on about immigration. But
9 that's not the issue here. We're talking about
10 redistricting my county, my city, which we've been
11 standing here for a long, long time. And we will
12 continue to stand. We have inherited industry in
13 communities in interest. Not talking about --

14 CHAIRMAN DUNCAN: Mr. Guerra, I'll have
15 to start wrapping up.

16 MR. GUERRA: We have -- We have rolled
17 into the economy. We have made a significant impact on
18 Texas economy as well as the nation. To stop us on the
19 verge of contributing to this continent's economy as
20 well as excellent economy would be an error on your
21 part. To dilute us in a political voice would be an
22 error on your part. To divide us, would be an error on
23 your part.

24 I subscribe to you all and plead that you
25 maintain the integrity of this community's interest and

1 regional area for the best interest of the State of
2 Texas as well as the United States of America. Thank
3 you.

4 CHAIRMAN DUNCAN: Thank you, Mr. Guerra.
5 (Applause) Senator Gallegos has a question for you here

6 MR. GUERRA: Yes, sir.

7 VICE CHAIRMAN GALLEGOS: Mr. Guerra, let
8 me first say I admire citizens that sit on the Board of
9 Trustees, any Board of Trustees, to tell you the truth,
10 that you take the input from our -- from the parents and
11 provide that the environment where our children are
12 taught.

13 My mother is 77 years old and still
14 serves on the HISD Board of Trustees. It's the largest
15 school district in the State of Texas. She's retiring
16 this year. So, I was kind of worried about it, Chris.
17 Because I didn't know what she wanted to do next, run
18 against me? Run against me, and she could probably
19 win. But I do admire those citizens that do wish to sit
20 on Board of Trustees, especially our school districts.
21 I just admire what you do.

22 MR. GUERRA: Thank you, sir. I also
23 forgot to mention to you, I'm also a Vietnam Veteran.

24 VICE CHAIRMAN GALLEGOS: My mother --
25 Okay. Let me go -- Let me touche you. My mother served

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1 in the Pentagon in the War Department during World War
2 II.

3 MR. GUERRA: Bless her heart. (Applause)

4 CHAIRMAN DUNCAN: Chair has a card from
5 Patricia --

6 SENATOR HARRIS: Would your mother be
7 easier to work with? (Laughter)

8 CHAIRMAN DUNCAN: The Chair has a card
9 from Patricia A. Martinez who does not wish to testify
10 but would like to register a position against a
11 redistricting plan. (Applause) The Chair has a card
12 from Salvador Munoz who does not wish to testify but
13 would also like to register against a plan. (Applause)

14 The Chair has a card from Ricardo Pena
15 who would like to register who does not wish to testify
16 but would like to register a position against a
17 redistricting plan. (Applause) The Chair has a card
18 from Franca Larson (sic) who does not wish to testify
19 but would like to register against a plan. (Applause)

20 The Chair has card from Paul de la Pena
21 who does not wish to testify but would like to register
22 against a plan. (Applause) The Chair has a card from
23 Mr. Peter Lizcano who does not wish to testify. I do
24 not have a position registered on behalf of Mr. Lizcano.
25 Is he here?

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1 (No response.)

2 CHAIRMAN DUNCAN: Okay. We will leave
3 that open and --

4 SENATOR ZAFFIRINI: He's probably against
5 it.

6 CHAIRMAN DUNCAN: -- and allow him to
7 register a position if necessary. Mr. Armando Chapa,
8 Jr. has submitted a card; does not wish to testify but
9 would like to register a position against. (Applause)

10 The Chair recognizes Roberto Balli who
11 would like to testify. Mr. Balli, would you please
12 approach and state your name and who you represent

13 MR. BALLI: Good afternoon. My name is
14 Roberto Balli. I'm with the Webb County Democratic
15 Party. And thank you very much, Mr. Chairman.

16 I'm here to testify today against
17 redistricting. I would like to say that the previous
18 testimonies and statements of Michelle Raymond, Senator
19 Zaffirini, Senator Gallegos, Emilio Martinez, Roger
20 Rocha, Javier Martinez, Councilmen Joe Valdez and Eliseo
21 Valdez, Mr. Veliz, John Peter Montalvo, John Castro,
22 Jesus Guerra, among others who testified against. I
23 support all of their testimony that's in the record and
24 agree with that testimony.

25 The reason that -- The point that I'd

1 like to make is: We took up redistricting only two
2 years ago. And it brings the question to the citizens
3 of what has changed in two years?

4 The point of redistricting being taken up
5 every 10 years is that we look at the census. We look
6 at the change in the population over 10 years. But over
7 a period of two years, how much could the population
8 have changed?

9 The only change that we can see in two
10 years is that there has been a change in the control of
11 -- of some political control from one party to another
12 in the State Congressional system. And that the
13 Republicans have taken control over the last two years.
14 That is the only change.

15 That is not an appropriate reason for
16 redistricting. And appropriate reason is a change in
17 population. And we take that up every 10 years.

18 And it concerns us as citizens because it
19 seems that the process that's being used is -- is
20 faulty. Not just the fact that we are taking it up in a
21 nonredistricting year. But also in the fact that these
22 hearings have all been bunched up over a period of one
23 week.

24 Where the hearings have been bunched up
25 to where our own State Representative Richard Raymond,

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1 who would have loved to have been at this hearing, could
2 not be here. And it appears to us that that was done
3 quite intentionally.

4 And it -- it saddens us because we would
5 hope that this entire process would be a process that
6 would be fair, that would be equitable, and that would
7 be meaningful. And when you try to take away that, when
8 you take that away from the citizens, then they have to
9 question the legitimacy of this entire process.

10 And something else that is upsetting to
11 the citizens of this community is the map that has been
12 drawn up by the House of Representatives. A map which
13 would split Laredo in two. And the reasons people are
14 concerned about it, is because by splitting the
15 community into two Congressional districts, not only --

16 They say you dilute the vote, but more
17 importantly, that you confuse the citizens. They
18 have -- They may think that they are going in to vote
19 for one Congressman and then they show up at the ballot
20 box and there are other people on the ballot. And
21 that's confusing. And that creates a small percentage
22 of people who will not be able to vote properly. And
23 that is inappropriate.

24 And I would just like to make one other
25 point. And that is some statements were made today by

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1 Javier Mendoza about State Representative Richard
2 Raymond. And I think those statements are very unfair.

3 State Representative Richard Raymond has
4 been involved on the Redistricting Committees of the
5 House since the beginning of this year. He has fought
6 hard. He has worked hard for the citizens of this
7 community and for the citizens of the State of Texas.

8 He worked hard for us during the entire
9 session. And he continues to work hard for us. We're
10 all very proud of State Representative Richard Raymond.
11 And I think that the personal attacks that were made on
12 him were inappropriate. And that most of the people in
13 this room feel that they were. Thank you very much.

14 (Applause)

15 CHAIRMAN DUNCAN: Senator Gallegos.

16 VICE CHAIRMAN GALLEGOS: Mr. Balli, let
17 me ask you again on some of your testimony. Is it your
18 testimony of this Committee that Mr. Raymond was
19 intentionally kept from coming to this Committee by --
20 not by the Senate Committee but by the House? Is that
21 what you're saying?

22 MR. BALLI: That he is what I'm saying.

23 VICE CHAIRMAN GALLEGOS: So it appears to
24 you, I'm trying -- I can't go back to the court
25 reporter -- but what you said to this Committee, that it

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1 appears to you and others; is that what you said?

2 MR. BALLI: It appears to me and to
3 others that --

4 VICE CHAIRMAN GALLEGOS: That he was
5 intentionally kept from this meeting.

6 MR. BALLI: That's correct.

7 VICE CHAIRMAN GALLEGOS: Your State
8 Representative?

9 MR. BALLI: My State Representative,
10 Mr. Raymond.

11 VICE CHAIRMAN GALLEGOS: Okay. Thank
12 you. Thank you.

13 CHAIRMAN DUNCAN: Let me clarify that
14 Senator, since it's arranged is that the House Committee
15 schedules had been set before the Senate Committee
16 schedules. And we scheduled originally and had planned
17 to be in McAllen today and in Laredo on Monday or
18 Tuesday.

19 We want Senator Lucio to be able to be
20 involved in these processes. As a member of the
21 Committee and as an important member of the Senate, and
22 president pro tem, as you know, he had a heart attack
23 and was ill.

24 And it was requested of us, if I am
25 correct, is that if we could delay that hearing, then,

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1 and exchange it, then it would work to allow him to be
2 able to participate at the maximum. So that is the
3 reason we switched the hearings.

4 And there was certainly no intention on
5 my part to deny Mr. Raymond. In fact, we talked, and I
6 tried to come up with some different ideas about how to
7 get him here or at least make sure that he was
8 represented here and certainly regret that it couldn't
9 work out but sometimes things just don't. But anyway,
10 we appreciate his input here today through his wife and
11 through his letter.

12 And I appreciate the concerns that you
13 have. But as Chairman of the Committee I'll represent
14 to you that there was no intent or culpability on
15 anybody's part, including the House, as far as I know
16 with regard to the conflict in the schedules.

17 MR. BALLI: Thank you. (Applause)

18 CHAIRMAN DUNCAN: We have a card for
19 Julio Alcaron -- or excuse me, Alarcon.

20 VICE CHAIRMAN GALLEGOS: Alacon.

21 CHAIRMAN DUNCAN: Alacon. I do not know
22 if you wish to testify or not?

23 (No response.)

24 CHAIRMAN DUNCAN: Okay. I will assume
25 you would like to register a position, and we do not

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1 have that position. So, if Mr. Alacon is available, if
2 someone could find him or her or him, so that we can get
3 the card completed for it. Thank you.

4 Chair has a card from or rather the Chair
5 calls Beatriz Salinas-Riojas who does wish to testify
6 and would register as against. Would you please
7 approach, state your name and who you represent.

8 MS. SALINAS-RIOJAS: I have a sore throat
9 right now so please forgive me. But I feel it is
10 important for me to be here. My name is Beatriz
11 Salinas-Riojas.

12 And I've been an educator for the past 20
13 years. First as a science teacher, then as a counselor.
14 Now, I'm a Federal Program Director where I have 900
15 students that I'm trying to get to college right now.
16 And they are mostly low income and first generation.

17 I'm one of those people that were turned
18 off by the political process for many years, even though
19 I have a Master's degree. And sometimes I voted.
20 Sometimes I didn't. Sometimes I was Democrat.
21 Sometimes Republican. Depending on the issues that
22 affected our community.

23 Today, I can only give you my
24 perspective. I am both disappointed and glad.
25 Disappointed of -- because of what I consider to be an

1 attack on the economic prosperity of Laredo and South
2 Texas, not only of ourselves, but of the entire State.

3 And because I have seen how Laredo has
4 progressed for the past 25 years. I'm a native
5 Laredoan. My street wasn't paved when I was a
6 colleague. My house was very, very poor.

7 But I got to go to an Ivy League School
8 and scholarship because of what they call "affirmative
9 action." They are helping kids do the same things.
10 They have the same hopes and dreams that I once had.

11 Disappointed because of laws that quickly
12 passed at the state level that eventually hurt working
13 families and their children.

14 For example, the recent move to allow
15 state colleges and universities to name their price on
16 tuition and fees is going to hurt all our students.
17 Hispanics, Blacks and Anglos, who cannot afford it, who
18 are on limited incomes, their choices will narrow by
19 circumstance. And since I am an educator for the past
20 20 years, I know that our prosperity will decline not
21 only in this area.

22 But I am glad this happened. I am really
23 glad. Because many of us who didn't listen to Austin
24 before, are now listening to what happens there.
25 Because again, I see this as an economic issue and an

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1 issue of prosperity.

2 Since I am a first-generation American
3 and my parents were from Mexico, they came here to
4 prosper; and prosper, they did. I was the oldest in my
5 family. And all five of us went to colleges and
6 universities in this state except myself. I went to
7 Brown.

8 I have a brother who is a programmer in
9 San Antonio. A sister who is Human Resources in
10 Houston. Another brother who has a small business here
11 in Laredo. Today, Hispanics are making Texas prosperous
12 more than every. And we have come a long way.

13 I hope that I have taught my children
14 that our current prosperity did not happen all of a
15 sudden. But that it always looked at what has happened
16 in the past to the present. You cannot understand the
17 present without looking at the past.

18 As an educator, I am always concerned
19 about future generations and about my community. I have
20 listened to Raymond. I listened to him yesterday. And
21 he explained to us that the Senate could stop
22 redistricting. They could stop this.

23 And so I am here, even though I have a
24 cold that -- And because I have so many children that I
25 have to see their futures, I have to look ahead for

1 them, that you help us to bring back dignity into the
2 political process. And that you help people, like
3 myself, believe in you again and vote and to make us
4 more prosperous as the entire State will prosper. And I
5 thank you. That's it.

6 CHAIRMAN DUNCAN: Thank you.

7 MS. SALINAS-RIOJAS: Thank you very much.

8 (Applause)

9 CHAIRMAN DUNCAN: The Chair recognizes
10 Abraham Rodriguez. Mr. Rodriguez, would you approach
11 please and state your name and who you represent.

12 MR. RODRIGUEZ: Yes, my name is Abraham
13 Rodriguez. I'm here, first and foremost, just to tell
14 you I am against this redistricting initially. I am
15 very well aware of the position that you've outlined to
16 us. That there is no map that you're proposing.

17 I don't know that there have been any
18 deliberations by you, as a Committee, or by the Senate
19 as a whole with regard to redistricting.

20 But, you know, I was born and raised in
21 this community. I am a descendant of immigrants from
22 Mexico. We have five in our family. And I am very
23 proud to say that all my brothers and sisters were
24 fortunate to receive higher education, who were
25 fortunate to be given an opportunity to excel. Most of

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1 us are in education.

2 My background, I -- I was a member of the
3 school board for 17 years. I finally retired. I can
4 say I'm a card-carrying AARP member. So I qualify as an
5 advocate for the elderly also.

6 In my role as a regular housing
7 authority, that is a microcosm of my community. I deal
8 with the youth. I deal with the elderly. I deal with
9 frail people that meet their care and services. And I
10 deal with the young adults that are facing tremendous
11 challenges.

12 You, as a Senate, should be looking at
13 those issues and trying to address those. Redistricting
14 is not an issue that should be on the table now. There
15 are too many critical issues there that directly impact
16 me, my children, my grandchildren, my community, the
17 elderly. That's what we need to be focusing on.

18 Redistricting is not, should not, be an
19 issue for you to take. You say you have no plan. Let
20 there not be a plan from the Senate. You say that you
21 will not develop -- You will develop an alternative or a
22 substitute. Let there not be a substitute. Let the
23 Senate not take up the issue of redistricting. That is
24 what I'm asking you, as a Committee.

25 The issue of redistricting from the House

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1 side is a darn dirty move by certain individuals that
2 are trying to achieve a power grab because this will be
3 the only chance that they will have.

4 Our communities across the State are
5 here, they will be coming out and voting those people
6 out. I also, don't really appreciate very much the fact
7 that a US Senator or a Congressman for that matter is --
8 is trying to run the businesses of the State.

9 He should concentrate on the National
10 issues and let us Texans take care of our business. We
11 don't need somebody from Washington telling us -- And by
12 the way, he's not from Laredo; okay? Somebody mentioned
13 that. He's not from Laredo. I can attest to that. He
14 was around here for some time but he's not.

15 This issue of redistricting is there's a
16 fundamental flaw, I believe, in the way that it's being
17 handled. From the federal -- from the constitutions
18 that we -- demands that we have a census every 10 years.

19 This is not an issue of redistricting for
20 Democrats or for Republicans. This is an issue of
21 redistricting because of the population and everything
22 from funding from the federal and many times from the
23 State is based on population. It's about people. It's
24 about representation by the people, or for the people.

25 We elect our representatives. It's not

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1 about Democrats or Republicans. This is an issue of
2 people. And you're dividing communities. You would
3 divide communities and the redistricting plan for the
4 House would be dividing communities and making them
5 weak, so that they will not have a strong voice and be
6 able to effectively have their representation and their
7 concerns heard at both the Senate and the House.

8 I ask you: There is no plan from the
9 Senate. There should not be an alternative plan or
10 whatever you might want to call it. And the Senate
11 should not take up the redistricting plan. Thank you
12 very much. (Applause)

13 CHAIRMAN DUNCAN: Thank you,
14 Mr. Rodriguez. The Chair recognizes Luis A. Diaz de
15 Leon who -- Please approach, Mr. De Leon. State your
16 name and who you represent.

17 MR. DIAZ DE LEON: Could you also draw
18 the card on my wife, Josefina Diaz de Leon.

19 CHAIRMAN DUNCAN: Okay. She is also here
20 with you. Josefina V. Diaz de Leon, would you like to
21 approach and testify with your husband? I'll call you
22 both here regarding your husband.

23 MR. DIAZ DE LEON: We each have five
24 minutes; right?

25 CHAIRMAN DUNCAN: You each have five

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1 minutes. That's correct.

2 MS. DIAZ DE LEON: One of the main things
3 I want to thank you for being here with us and
4 representing us. Especially, it's an honor for Laredo
5 and Webb County to have you all here to hear us. And
6 I'm just hoping that what you hear from us is real. And
7 that what you take back is not something that's in a
8 paper form. What we're speaking is from the heart.

9 Like our Mayor, I'm so happy that she
10 came and honored us by saying that she was for us
11 against redistricting. And for Raymond to take a stand
12 and be the first one of us to -- to deal against these
13 redistricting.

14 So, I want to just thank you for hearing
15 us. And -- And I hope that you realize how important
16 our issue is.

17 CHAIRMAN DUNCAN: Thank you, Ms. De Leon.
18 (Applause)

19 MR. DIAZ DE LEON: I'm Luis Alfonso Diaz
20 de Leon.

21 CHAIRMAN DUNCAN: By the way, Mr. De
22 Leon, that's a hard act to follow. (Laughter)

23 MR. DIAZ DE LEON: It's always been that
24 way. It's been 55 years. The important things that I
25 have to say are that as a Commander of the American G.I.

1 Forum, when I think back to yesterday I was very proud
2 to see our State Commander taking the position that he
3 took down in Brownsville. (Applause)

4 I was also very proud of Josefina who is
5 a Commander of the Felix Longoria Chapter. And if all
6 of you are not acquainted of the history of G.I. Forum,
7 you need to read about it. We all grew out of Felix
8 Longoria. And the incident in Three Rivers, Texas,
9 where they refused to bury him in his hometown.

10 And we had the interference of Democrat
11 Linda Jensen, who at that time was more of a Dixiecrat
12 who pulled his remains out of Three Rivers and deposited
13 them in Arlington cemetery telling the Longoria family
14 that he was going to be buried with the heroes.

15 He is no Kennedy with a special tool.
16 He's just another one of the thousands of the veterans
17 that are buried there. I could be buried there if I
18 asked or any of the federal cemeteries.

19 Anyway, the point is that I am against
20 this redistricting because I think that it's a way of
21 dividing us. At this time, I am working very hard with
22 las colonias on Highway 59.

23 And my wife is a member of a group of
24 over a hundred women who sooner or later Bruni will find
25 in the County Commissioners Court telling them that they

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1 want water. They want sewage. They want pavement. And
2 if we allow them to divide us, we'll be dividing the
3 colonias of my road from the colonias of 59 or 359. And
4 this is not right. We're all Laredoans, Webb County
5 residents. And we want to exert our rights.

6 Most people think that because I am a
7 Second World War Veteran that my militancy came out of
8 that. No. It came out before that. I am first-
9 generation Texan deported to Mexico in 1929 or 1930.
10 It's called "lo repatriaros" (Phonetic.) They sent us
11 out of Oklahoma back to Mexico. My father and mother,
12 Mexican citizens. My brother and I and my sister, U.S.
13 citizens.

14 And when my mother found herself in the
15 streets of San Luis Potosi, she said to my father,
16 "Nomás de Laredo y los vamos para Laredo y ayi nos
17 quedamos (Spanish.) So we came to Laredo. Thanks to my
18 mother.

19 I later went to Corpus Christi at the age
20 of 15. And I went to Northside Junior High, right on
21 the top of the hill. And every time I went to eat on
22 Leopard Street, I saw the signs at 15, "No Negros, no
23 Mexicans, or dogs allowed." So, being a Laredoan, I
24 would question my Chicano, Hispanic brothers in Corpus
25 Christi. "Why do you allow things to be said? In

1 Laredo, nothing like this happens."

2 Anyway, to make a long story short, I go
3 into the Navy, and I suffered the same thing that this
4 young man that testified a while ago. I became "Big
5 Pancho" and the guy from L.A. became "Little Pancho."
6 And that's how that destroyer that I served, we were
7 always called.

8 Again, why were they doing this? Because
9 this country of ours, yours and mine, still has what is
10 called Institution of Racism. And it's alive and
11 kicking. It kicked us back then. And it's trying to
12 kick us right now.

13 So, thank you for your attention. And I
14 hope that you hold the line and keep in mind, "que no ay
15 mal que por bien no venga y enfermeda que cures cien
16 anos" (Spanish.) (Applause)

17 The interpreter will help you out. And I
18 am glad that this bad thing came. Because I have
19 already contacted Carlos Guerra and said, "Ay, Carlos,
20 que pasa? We're not moving. Everybody's sitting back.
21 And they're doing things that are not right."

22 I was talking to the 40s and 50s and 60s
23 and the 70s. So, it was good to be at Our Lady of the
24 Lake a few weeks ago because Gutierrez and the other
25 people. And when we walked in, he told us something

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1 very important. He said: We're not here to tell war
2 stories. We're here to see what's happening in 2003,
3 and what's going to happen in the next 25 years.

4 So we broke into committees and took
5 action. We would follow that action on September the
6 27th at San Marcos State University. And you'll hear
7 from us not as Nacionilla (Phonetic) or Mayo (Spanish),
8 just as a group of Latinos coming together, Hispanos,
9 Chicanos, whatever you want to call us. Then bringing
10 out the issues that concern us, not only in the State,
11 but nationally also. So, thank you very much.

12 CHAIRMAN DUNCAN: Thank you, Mr. De Leon.

13 (Applause)

14 MR. DIAZ DE LEON: Senator Gallegos, I am
15 the grandfather of Miliano Diaz De Leon, whom you met
16 several years ago in your home.

17 VICE CHAIRMAN GALLEGOS: Thank you.

18 (Applause)

19 CHAIRMAN DUNCAN: Chair recognizes Daniel
20 Rodriguez. Mr. Rodriguez, would you approach, and state
21 your name, and whom you represent.

22 MR. RODRIGUEZ: Good evening. For the
23 record, my name is Daniel Rodriguez. I come to you, not
24 part of any big organization, or anything like that. I
25 come to you as a citizen of Laredo, as a Mexican-

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1 American, and as a proud Hispanic.

2 I'd like to state first of all, I would
3 like to endorse what Mr. Rodriguez just said, who is my
4 father by the way, the -- the -- the issue of
5 redistricting is just utterly, I think, stupid. Because
6 mainly, the issue what -- what they should be worrying
7 about right now is: education, health care, medicare
8 Medicaid.

9 They shouldn't be worrying about
10 redistricting. They had their chance. In 2000, they
11 had a census. And in 2001, Perry and the Republicans
12 had a chance. They couldn't do it. The Supreme Court
13 did it for them. They shouldn't be bringing this back.
14 They shouldn't. Because this happens every 10 years.
15 There is a set system to this. And they have more
16 important things to worry about. More like -- such as
17 education. Like I said before. That's basically it.

18 What they're -- All they're trying to do
19 really is -- is bring down the Hispanic community.
20 Laredo, which is dominantly a Democratic city, which
21 votes Democratic. They say, "Okay. In the last
22 election, Laredo did you vote for me? No. You didn't
23 vote for Perry. You voted for Tony Sanchez. So, for
24 doing that, let me -- for doing that, let me divide you
25 up. Let me break you up."

1 That's what they want to do. That's
2 their way of getting power. They want to separate the
3 Hispanics. Because for some reason, they think we're at
4 the bottom. We don't count. We don't count to them, to
5 Perry.

6 And DeLay -- DeLay should -- should just
7 go over to his little House in the White House or
8 wherever. He has no business here. He can claim that
9 he's from Laredo. He can say whatever he wants. But he
10 has no business here.

11 And the fact that I've been keeping --
12 I've been reading the newspaper. I've read what they --
13 what the House has been saying. What sickens me the
14 most, what got me sick to my stomach was when
15 Representative Crout stated to Mr. Raymond. "I'm sorry
16 Mr. Raymond but we can't hold meetings in South Texas
17 because we would have trouble learning -- We would have
18 trouble understanding what they said."

19 Why do you think we have translators?
20 Who do you think this man is right there translating
21 into Spanish for me? Who do you think that is? And
22 better yet, instead of that instead of having a
23 translator, why don't the people over there in the House
24 of Representatives get off their little chair that their
25 sitting on and go learn the language, go learn what

1 the -- what the major-minority is trying to be.

2 That's the majority-minority right now;
3 Hispanics. And yet, they don't want to learn the
4 language. They don't want to do the culture. They
5 don't want to do anything. They don't want anything to
6 do with Hispanics. That sickens me.

7 It sickens me that someone is
8 representing me, me a Hispanic. That doesn't -- that
9 doesn't -- That basically says, you're not important.
10 You're not important because you speak Spanish and
11 you're from the South.

12 And that really gets me angry. Let me
13 tell you. What I'm speaking right now, I'm stuttering
14 because I get full of emotion. I'm sorry. That's just
15 me but -- I think it's -- a part of the -- It's just a
16 Republicanize move, pawn move to try and gain more power
17 and to try to separate Mexican-Americans. That's what
18 they want to do.

19 And I encourage you, just like
20 Mr. Rodriguez, said, don't even consider redistricting.
21 Don't even consider it. Take it off the table. It
22 shouldn't even be an issue right now. Wait until 10
23 years and then bring it up. They shouldn't be bringing
24 it up right now two years after they had a chance. They
25 shouldn't be bringing it up right now. They should

1 bring it up in 10 years. Thank you.

2 CHAIRMAN DUNCAN: Thank you, Daniel.

3 (Applause) I have a card from Mr. Armando Cisneros who
4 would like to register a position against redistricting
5 plan. I have a card from Patricia Cisneros who would
6 not like to testify but would like to register a
7 position against redistricting plan. I have a card from
8 Ronnie Castro. Mr. Castro who wishes to testify.
9 Mr. Castro, would you approach, state your name, and who
10 you represent.

11 MR. CASTRO: Hello, my name is Ronnie
12 Castro. I represent Laredo Students in Democratic
13 Action.

14 I think the majority of people understand
15 what the Congressional Redistricting proposal is all
16 about. It's nothing more than a political gain of
17 conquer and divide or divide and conquer. Lose a little
18 here, gain a little there. But in the overall scheme,
19 one party has a tighter grip over the State of Texas.

20 And the redistricting hearings throughout
21 Texas are only a show intended to make the people
22 believe that they actually have a say in what the
23 politicians in power decide to do. (Applause)

24 The truth is that they don't, at least,
25 not in meetings like those. But we will. As more and

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1 more people unite against the right wing take over of
2 America, that includes labor, environmentalist,
3 students, and community activities who are growing in
4 number and finally saying enough. (Applause)

5 CHAIRMAN DUNCAN: Chair recognizes
6 Elizabeth Marie Villanueva. Would you please approach
7 and state your name and who you represent.

8 MS. VILLANUEVA: Thank you, members of
9 the Senate for giving me, finally, the chance to speak
10 to someone from the State Congress. I am against
11 redistricting or any power play that State or federal
12 government wants to bring upon us to continue with their
13 political games and still not deal with what's most
14 important: The needs and the wants of the people.

15 That child that you see there was my
16 child. And she and I and so many others have fallen
17 through the cracks of the health care system. We need
18 to have universal health care coverage. US Congressman
19 John Connors and so many others already have such bills
20 before the Federal Congress.

21 Whatever piecemeal plans you have are not
22 going to cut it anymore. We need to have universal
23 health care coverage. And redistricting and whatever
24 other topics the politicians feel like dealing with
25 instead of what's really important don't matter. At

1 least, they didn't to her.

2 It's too late for her because she is
3 gone. But you can do it for other families that are
4 going to continue being caregivers. And they will be,
5 because medical technology is extending lives, not
6 shortening lives.

7 And I vowed to her that her death was not
8 going to be in vain. That some good was going to come.
9 As they say, "que no ay mal que por bien no venga"
10 (Spanish.) That if just one family is prevented from
11 the problems that caregivers have to go through, I will
12 at least be happy with saying that I tried. And at
13 least, I did that. Because so many others don't even do
14 that.

15 When you see so many parents walking away
16 from perfectly healthy children because they just don't
17 have the time or the desire to take care of them, you
18 know, it's -- it's very sad, very sad to see, to hear.

19 And I just, you know, I can't state it
20 any other way. But all the speeches that have been made
21 here have been very good. We -- We don't need to be
22 dealing with anything but what's important.

23 The taxpayer's money and our wishes,
24 we're the one that put you all into offices. And our
25 wishes are the ones that have been to be met. Not --

1 not what -- I don't know, I just -- I mean, it can't be
2 said any better than it has been said by everyone that
3 has been testifying today.

4 Please don't waste time on what's not
5 important. Please give your time to what is important.
6 I mean, that's why you all took public office. To --
7 To Governor Perry and everyone, that does and has an
8 interest in listening to you, that this issue is not
9 important. It should be taken up only when you all know
10 that it's supposed to be. And not at the moment. Thank
11 you. (Applause)

12 CHAIRMAN DUNCAN: Thank you. The Chair
13 recognizes or rather Chair has a card for Rose M. Cruz
14 who does not wish to testify but would like to register
15 a position against a redistricting plan. Corina --
16 Chair has a card from Corina Delton who does not wish to
17 testify but would like to register a position against
18 redistricting.

19 The Chair would call Rosen Anguiano -- or
20 I'm sorry -- Robert. Robert. Now that I'm looking at
21 it right, I can read it well.

22 MR. ANGUIANO: Robert Anguiano.

23 CHAIRMAN DUNCAN: Robert Anguiano.

24 MR. ANGUIANO: Buenas tardes. Me llamo
25 Robert Anguiano (Spanish.) I'm representing Kingsville

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1 County. And I came down here to Webb County because I'm
2 here as a concerned citizen. I'm also an officer of
3 LULAC Council No. 24.

4 As you've heard mentioned before, LULAC
5 takes a strong stance against the voting Congressional
6 Redistricting plans. But I'm concerned here today also
7 is that you've been hearing that the speakers come up
8 here -- speakers to speaker. And I think you hear the
9 underlining frustrations that people are expressing.

10 What I'm asking from you is: You hear
11 loudly and clearly, our answer is "No." "No." "No."
12 So if you guys are hearing that, are you going to go
13 back to your Senate Committee to your Senate Floor and
14 say you know, you heard from the citizens, they said
15 "no," so we're going to kill this project or are you
16 still going to consider alternative plans for
17 redistricting?

18 Does that mean, I heard the words, "not
19 yet," which sends a red flag in my mind. And the only
20 person up here on the podium that's taken a stand
21 against redistricting is the Senator Zaffirini. I
22 haven't heard any of you guys on where you stand. So
23 that bewilders me too.

24 I mean, what's the point of us testifying
25 here if you guys already have your mind made up? I

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1 spoke briefly to your constitutional lawyers that you
2 have a past practice in place already.

3 Redistricting happens every 10 years
4 after the census that is taken. So you already have a
5 past practice in place. He's tried to explain to me
6 that it's up to the Legislature to redistricting. Yeah,
7 but practice is already established over a year after
8 year.

9 That is only done after the census. And
10 then, according to the Chairman's latest introduction
11 remarks, the Supreme Court already approved our current
12 Congressional districts.

13 So, I'm asking you, and I asked them, I
14 mean, what federal statutes are we -- state sanctions
15 that we're violating that we have to revisit
16 redistricting. It's just a political for a ploy. What
17 were witnessing here is power corrupts and absolute
18 power corrupts; absolutely.

19 But one other thing I want to do is thank
20 the Republican to vote for the Mayor of Webb County of
21 Laredo mentioned is that one thing you've done, you've
22 pissed us off.

23 And one thing you've created is
24 solidarity among our communities. Whether we call each
25 other Chicanos, Latinos, Hispanics, whatever, you have

1 created a solidarity among our communities. And we're
2 going to follow you all the way to Austin. And we're
3 going to fight you all the way. And you've already
4 heard that we're going to go to court. And believe me,
5 we're going to see you in court.

6 CHAIRMAN DUNCAN: Thank you,
7 Mr. Anguiano. (Applause) The Chair calls Juana
8 Francisca Lara. Ms. Lara, you want to testify? You
9 indicated earlier that you didn't but then you scratched
10 that out. Okay. Let the record reflect that Ms. Lara
11 has registered against a redistricting plan.

12 The Chair has a card from Elvira Gaytan
13 who does not wish to testify but would like to register
14 a position against the redistricting plan. (Applause)
15 The Chair has a card -- Chair calls Ramiro Rodriguez.
16 Mr. Rodriguez, would you please approach, state your
17 name, and who you represent. Mr. Ramiro Rodriguez.
18 Okay. Let me let the record reflect that Mr. Rodriguez
19 has registered a position against redistricting.
20 (Applause)

21 The Chair has a card from Dolor as V.
22 Rodriguez who does not wish to testify but would like to
23 register a position against redistricting. (Applause)
24 The Chair recognizes Richard Goisslor. Thank you,
25 Mr. Goisslor, would you approach and state your name and

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1 who you represent.

2 MR. GOISSLOR: Good afternoon. My name
3 is Richard Goisslor. I represent myself at this.

4 First, I want to thank you all for coming
5 down here. I may not agree with some of you on
6 positions, but you all have my respect for serving. I
7 know you're not the highest paid legislators in the
8 United States. I thank you for coming to Laredo and
9 listening to us.

10 I know the House has to do the evil deed
11 and then hand it off to you all. And what I would ask
12 you all to consider, and I'd like to expound on what
13 Mr. Castro said, and I read from a professor of Rice
14 University who said that five of these districts were 60
15 to 70% Republicans.

16 These were Republican districts. They
17 elected Perry. They elected Kay Bailey. They went the
18 full Republican slate and statewide offices. But when
19 it came to the Congressional seat, they chose a
20 Democrat.

21 But to me, that tells me the Republicans
22 up in Central Texas and North Texas voted for a
23 Democrat. So I find this power grab coming out, it
24 insults Republicans. I feel that my duty as a voter is
25 that when I go into a booth, there's names there. And

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1 in all conscience, that I should choose the person --
2 I've never voted a stray ticket ever in my life.

3 I believe you choose the person that will
4 best serve the district, your country, your state. And
5 your Republicans and Democrats and independents and
6 these five Congressional districts that are
7 predominantly Republican chose a Democrat.

8 And I ask you not to take a position when
9 they hand it off to you. And respect what Texas voters
10 decided. This was decided -- I mean, if you're going to
11 a district and voted for every Republican on the
12 statewide level and they chose a Democratic Congressman,
13 that's the wishes of a Republican district. They felt
14 that this person best represented their interest.

15 And that's what I would ask you. The
16 voters of Texas made a decision and respect it. And
17 when they hand this dirty football off to you all, just
18 toss it back and say "no". Thank you. (Applause)

19 CHAIRMAN DUNCAN: Thank you. Chair has a
20 card from Richard de Anda. Mr. De Anda?

21 UNIDENTIFIED AUDIENCE MEMBER: He had to
22 leave.

23 CHAIRMAN DUNCAN: Okay. He would like to
24 register a position against redistricting. Thank you.
25 (Applause) And the Chair also has a card from Gonzalez,

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1 Maria -- I can't read that. Maria Inez Gonzalez. But
2 it does not wish whether she wishes to testify or not.

3 (No response.)

4 CHAIRMAN DUNCAN: Chair hears none or
5 there are no remarks. She has registered a position
6 against redistricting. (Applause) The Chair has a card
7 from Jorge Morales. Mr. Morales would not like to
8 testify but would like to register a position against
9 redistricting.

10 The Chair has a card from Eduardo
11 Acosta. Mr. Acosta does not wish to testify but would
12 like to serve as a resource if necessary. Any questions
13 from Mr. Acosta? Chair hears none. Thank you,
14 Mr. Acosta. The Chair has a card from Guillermo Garza
15 who does not wish to testify but would like to register
16 a position against redistricting. (Applause)

17 The Chair has a card from Roberto G.
18 Ortiz. It does not indicate whether Mr. Ortiz wishes to
19 testify. Mr. Ortiz, are you in the audience?

20 MR. ORTIZ: Yes, sir.

21 CHAIRMAN DUNCAN: Mr. Ortiz indicates
22 that he would like to register a position against
23 redistricting. Thank you, Mr. Ortiz. (Applause)
24 The Chair recognizes -- rather has a card from
25 Candelario R. Rodriguez who does not wish to testify but

1 would like to register against redistricting.

2 (Applause)

3 Chair has a card from Nasser

4 M-O-M-A-Y-E-Z Momayezi and who does not wish to testify

5 but would like to register a position against

6 redistricting. (Applause) The Chair also has a card

7 from Mary Rios who does not indicate whether she wishes

8 to testify or not. Ms. Rios, are you in the audience?

9 (No response.)

10 CHAIRMAN DUNCAN: The Chair does not see

11 her or see an indication of her presence but would note

12 that her card is marked to register against

13 redistricting. (Applause)

14 The Chair has a card from Mr. Adalberto

15 Bosquez who does not wish to testify but would like to

16 register a position against redistricting.

17 Chair has a card for Mr. Anthony R.

18 Pederson who does not wish to testify but would like to

19 register a position for a redistricting plan.

20 The Chair has a card from Mr. Cruz M. or

21 Cruz V. Torres. Mr. Torres does not indicate whether he

22 wishes to testify. Is Mr. Torres in the audience?

23 Chair does not see or hear from him but he has

24 registered a position against a redistricting plan.

25 Let me go back and note on back of

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1 Mr. Pederson's card, we do have a position on that card,
2 which will be indicated, I think, in the record. It
3 indicates -- Well, I'll read it into the record. "I
4 favor a Republican District 14 Democrats District plan.
5 Since the Republicans do not go under 58% of the votes,
6 it should be in the majority. Mr. Anderson Pederson."

7 I have a card from Adelina Dovalina.
8 Ms. Dovalina does not indicate a position or whether she
9 wishes to testify or not. Is Ms. Dovalina in the
10 audience? Ms. Dovalina would you -- Okay. I do not see
11 her or hear from her but she has indicated that she has
12 registered a position against the redistricting plan.

13 (Applause)

14 Chair recognizes Carlos Carranco, Jr.
15 Mr. Carranco, will you please approach, state your name,
16 and who you represent. (Applause)

17 MR. CARRANCO: Good afternoon. Welcome
18 to Laredo. Senator Gallegos, Senator Duncan, Senator
19 Janek, Senator Staples, and especially members of the
20 Committee, and especially our Senator Zaffirini, thank
21 you for joining your colleagues here today.

22 I come today against redistricting. I
23 think it's unfair. And I think all the people in this
24 room, including yourselves, know how powerful you are.
25 What a great amount of influence that you yield.

1 My recollection of American history is
2 really vague. But I remember Jerry Mandrake and
3 remember that they pledge their lives, their liberty,
4 and their sacred honor. And were seen as traitors, but
5 what a country, but yet they did the right thing.

6 And I think Senator Raymond, and all his
7 other colleagues, they did the right thing. They did
8 what their conscience told them. And in the tradition
9 of Gandhi and King, doing the right thing is very
10 important. And it shows to this community how
11 fundamentally sound their principles are with regards to
12 representation. And that's what you all do.

13 And I salute you. Because serving -- As
14 being public servants is very difficult. It's a
15 difficult task. But I know how savvy, how intelligent,
16 and how powerful you are.

17 And I know you will do the right thing.
18 Because it would seem very ironic to me that three or
19 four hundred years from now in some part of this State
20 in a room similar to this that there will be people on
21 that stage of black skin or brown skin, and there be
22 people who come before you with white skin, and that no
23 heed will be given to their word or better yet that
24 there are people there in your position in a position of
25 have. And people would come to this podium in a

1 position of have not.

2 And that this great country that was
3 funded -- founded on principles of Democracy. And you
4 know, that's really -- It was -- We teach it as a
5 Democracy. But in all reality it wasn't. Five percent
6 of the population was the only one that voted. It's
7 increased somewhat, not very much. But I appeal to you
8 common sense and to yourselves -- and to yourself of
9 conscience that you vote accordingly and that you not
10 consider redistricting. Because that's the right thing
11 to do. Thank you very much. (Applause)

12 CHAIRMAN DUNCAN: Thank you.

13 SENATOR ZAFFIRINI: Mr. Chairman?

14 CHAIRMAN DUNCAN: Senator Zaffirini.

15 SENATOR ZAFFIRINI: When Richard Goisslor
16 came up and testified, I was looking through my volumes
17 of information related to redistricting. And I found
18 the information to a statement that he made that was
19 somewhat general. And with your permission, I would to
20 read the facts into the record.

21 CHAIRMAN DUNCAN: Certainly.

22 SENATOR ZAFFIRINI: Related to
23 Mr. Goisslor's testimony, according to the figures that
24 we have in our background material regarding
25 redistricting:

1 "Six Democrats are currently elected from
2 districts with Republican statewide vote majorities,
3 including 52.2% Republican in Representative Lampson's
4 district, 56.4% Republican in Representative Turner's
5 district, 58.1% Republican in Representative Sanlin's
6 districts, 62.8% Republican in Representative Edward's
7 districts, 67.2% Republican in Representative Stenholm's
8 district, and 68.1% Republican in Representative Hall's
9 district."

10 By comparison, there was one Republican
11 who was elected in a Democratic majority district and
12 that is Representative Bonilla's district.

13 And the House plan that everybody is
14 so -- that is objecting so strongly too, Representative
15 Bonilla's current Hispanic majority district, the 23rd,
16 is completely reconfigured into an Anglo majority
17 Republican district with only a portion of that part of
18 Bexar County that was in the existing district carried
19 over to the proposed district.

20 So those are the facts related to
21 Mr. Goisslor's testimony.

22 CHAIRMAN DUNCAN: Senator, thank you.
23 And what sources are those? Is it from?

24 SENATOR ZAFFIRINI: This is background
25 information that I have in my notebook.

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1 CHAIRMAN DUNCAN: Okay.

2 SENATOR ZAFFIRINI: And I'll get you a
3 copy of that.

4 CHAIRMAN DUNCAN: Would you submit that
5 for the record?

6 SENATOR ZAFFIRINI: Yes, I will. Um-hmm.

7 CHAIRMAN DUNCAN: Thank you very much.
8 The Chair recognizes -- or rather as a card for John
9 Anthony Balli who does not wish to testify but would
10 like to register a position against redistricting.
11 (Applause)

12 The Chair calls Ray A. Ayala who --
13 Mr. Ayala here? Thank you. Would you state your name
14 and who you represent.

15 MR. AYALA: Yes. Good afternoon,
16 Senators. My name is Ray A. Ayala. I am a --
17 representing myself. I'm a retired schoolteacher.
18 Served in the military. My family. My brothers. I
19 have one brother who served in the Navy. One in the Air
20 Force. One in the Marines. And I served in the Army.
21 And when we served, we served to preserve our country as
22 a democracy, not as a Republican-controlled country or
23 State.

24 We let individuals vote or to make a
25 decision as to who should be our representatives not Tom

1 DeLay making a power play out of Washington, calling the
2 shots, saying what districts will be divided. And so
3 that they can try to get the representatives that they
4 want. That's my first part that I have to say.

5 The next thing is: I believe the process
6 that you are going to get reversed, this whole thing has
7 been perverted. You have become a part of this
8 perverted system. You should not be here today holding
9 hearings.

10 You should have studied this matter,
11 gotten testimony from experts, gotten the whole process
12 worked out. Once you had done that, you should have
13 come down here and presented what the experts had come
14 up with, not Jim Ellis, the aide to Congressman DeLay.

15 Once you have done that, then you should
16 have come before us and said that this hearings, so that
17 people could see the actual proposed maps that you are
18 intending to use for the redistricting.

19 This whole process has been turned upside
20 down. You hold a hearings. You don't tell us what the
21 maps are. And then you go back and you go and make a
22 decision on what is going to be presented to you by the
23 House.

24 If anybody does anything relating in this
25 redistricting, it is wrong if you're go doing it this

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1 way. You may have attorneys who are advising you. You
2 may have the Governor and everybody else who wants this
3 redistricting to happen. They are stretching the law
4 they are doing everything possible to pervert this
5 system.

6 This is un-American. UnDemocratic. And
7 there's no two ways about it. That's the only thing
8 that you are doing. You're using everything that you
9 have right now, as far as decision and power, to pervert
10 the system; the Democratic system. You will dilute our
11 representation. This is railroaded hearings. And we
12 know it. This is a sham, whatever we're going through.

13 Representative Raymond was not allowed to
14 be here. Representative Villarreal was not allowed to
15 be in San Antonio where the hearings are being held.
16 It's a manipulation of the system for one benefit of one
17 party.

18 It just crass. That's all that it is.
19 We don't have anything. You know, we don't have
20 anything that you've done so far. How can -- If you
21 even come and ask us: What are we for or against? This
22 is insane. The process that you're using. You cannot
23 justify it.

24 Your lawyers may be stretching every inch
25 of the law to see if they can get it in under the

1 federal guidelines. You have a Justice Department that
2 has to approve it, which is controlled by the
3 Republicans, which will say that yes, it's okay.

4 I do not believe that what you've done is
5 right. And I demand that you go back, you redo these
6 things. You do the right thing. That you do things the
7 right way. Now, one other things that --

8 CHAIRMAN DUNCAN: Mr. Ayala, you'll have
9 to start wrapping up if you could please.

10 MR. AYALA: Sure. Just one other thing
11 to point out. This meeting was announced for yesterday
12 at 3 p.m. It was changed to today. It came out in the
13 paper. In the Laredo Times, it had been announced that
14 it was going to be held yesterday. That's one thing.

15 This is a great place for a meeting. But
16 not for a political-type meeting. For educational
17 matters, yes. For political matters, it should have
18 been held in the middle of the community where people
19 can come and address the issues and tell you how they
20 feel. This is a very small meeting because it's so
21 remote from where people are located.

22 CHAIRMAN DUNCAN: Thank you, Mr. Ayala.
23 Mr. Gallegos has a question.

24 VICE CHAIRMAN GALLEGOS: Let me ask you.
25 I'm trying to -- Your testimony. Is it your -- Is it in

1 your testimony that you feel what you've read and heard
2 that you feel that these redistricting hearings are
3 just -- what I'm hearing from you. But I want you to
4 tell me. That it's merely to replace the Democrats that
5 have been elected to Congress with Republicans. Is that
6 what you are saying?

7 MR. AYALA: Exactly. There's no other
8 word for it. It's a sham. And it's a power grab.
9 There's no other thing. You know, we have so many
10 things that need to be done that you have failed to do
11 as an elected body that represents this State.

12 You miserably failed in education, health
13 care, elderly care. And now a Special Session for
14 redistricting when it should have been done in 2001.
15 And you failed to do. It and the courts did it for you.

16 And it was drawn by a Republican. And
17 they approved that -- John Cornyn was the Attorney
18 General. He drew up those maps. The court approved
19 them. They were already gerrymandered to some degree.

20 And now you are trying to completely
21 process. I hope that this doesn't come back to bite
22 you. Because at some point, Democrats will come to
23 power and when they do, immediately the first call will
24 be to redistrict.

25 And that's going to be the problem. You

1 either need to stick to the 10-year redistricting, which
2 should have been the case. And if you don't, then what
3 you're doing is setting some bad precedent for every
4 time political parties take control to come back
5 immediately and do changes. If you want to have that,
6 and cause chaos for this State. Then go ahead and do
7 it.

8 CHAIRMAN DUNCAN: Thank you, Mr. Ayala.

9 (Applause)

10 VICE CHAIRMAN GALLEGOS: Thank you.

11 CHAIRMAN DUNCAN: I would like to state a
12 little bit among the Committee is that, you know, I made
13 a decision as Chairman to start and go to the people
14 first and hear what their concerns were.

15 I'm hearing a lot of different concerns
16 here in this community, which I appreciate and have
17 learned a lot. And it's kind of which comes first, the
18 chicken or the egg? And you know, I'm certain that
19 anybody would be criticized if came down and said, "this
20 is the map. What do you think? Without hearing first
21 from the people who the map would effect.

22 And so, I really believe that, and I know
23 Mr. Ayala disagrees, and I respect his position. But I
24 would say that I hope that it's perceived. And I hope
25 that, you know, it's understood that we are actually

1 putting this process in place to try to hear what
2 people's concerns are in the beginning. And then try to
3 address those in the initial map, whoever, whatever map
4 comes forth or whatever map is presented to the
5 Committee. So, I hope that we can have that
6 understanding and as to that process works.

7 The Chair has other cards. Mr. or Mrs --
8 Ms. Guadalupe Ayala does not wish to testify but would
9 like to register a position against redistricting.

10 (Applause)

11 Sylvia Palumbo would -- has registered --
12 would not like to testify but does register a position
13 against redistricting. (Applause) Daniel Guevara does
14 not wish to testify but would like to register a
15 position against redistricting. (Applause) Jesus
16 Eligio Cantu does not wish to testify but would like to
17 register a position against redistricting. (Applause)

18 Joseph Holland does not wish to testify
19 but would like to register a position against
20 redistricting. (Applause) Aurora Santacruz does not
21 wish to testify but would also like to represent or
22 present a position -- register a position against
23 redistricting. (Applause)

24 Moses J. Ramirez does not wish to testify
25 but would like to register a position against

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1 redistricting. (Applause) Tom Vaughan does not wish to
2 testify but would like to register a position against
3 redistricting. (Applause) Olivia Aguilar does not wish
4 to testify but would like to register a position against
5 redistricting. (Applause)

6 Liz A Sandoval does not wish to testify
7 but would like to register a position against a
8 redistricting plan. (Applause) Elizabeth R. Sandoval
9 does not wish to testify but would like to register a
10 position against a redistricting plan. (Applause)

11 Diana Song does not wish to testify but
12 would like to register a position against Congressional
13 redistricting. (Applause) Belinda Lozano does not wish
14 to testify but would like to register a position against
15 Congressional redistricting (Applause)

16 Saul Gonzalez, Jr., does not wish to
17 testify but would like to register a position against
18 redistricting. (Applause) Yolanda A. Gonzalez does not
19 wish to testify but would like to register a position
20 against Congressional redistricting. (Applause)

21 Roy A. Lopez does not wish to testify but
22 would like to register a position against redistricting.

23 Jan Little does not wish to testify but
24 would like to register a position against
25 redistricting. (Applause)

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1 The Chair calls David R. Vasquez.

2 Mr. Vasquez, would you approach and state your name and
3 who you represent.

4 MR. VASQUEZ: Good afternoon, Chairman,
5 members of the Committee, Senator Zaffirini. I would
6 like to make a comment real quick. I'm a student here
7 at TAMIU, Texas A&M International University. I'm a
8 major in Political Science. I'm a senior. I'm against
9 redistricting of our community, you know, separating our
10 community or whatever.

11 Wow. It's -- From back there, you know,
12 it's different. When you get up here, (Laughter) you
13 got your own mind set. But what was I going to say?

14 CHAIRMAN DUNCAN: Relax because we've all
15 been where you are.

16 MR. VASQUEZ: Right. Right. Right. I
17 don't want to do for a living. Well, anyways, I just,
18 you know, I love Laredo. I love the community. And I
19 think redistricting or, you know, would just -- kind of,
20 you know, keep us from growing. We're growing, you
21 know, everyday. The city's growing. This university is
22 growing, you know.

23 And I think allowing this to happen will
24 only -- will only just -- just prevent us from
25 continuing to grow. I hate to see this university not

1 grow anymore. Because I wish this university would grow
2 a lot more. And I think redistricting would only do
3 that. As far as the community is concerned, funding,
4 health care, you know, you heard everyone's position. I
5 don't want to bore you anymore.

6 So, you know, I just want to voice my
7 concern. And, you know, Senator Zaffirini, I know you
8 continued to fight for our university. I'm happy we got
9 you. And Representative Raymond fighting for us, you
10 know. And I hope you all continue to, you know, listen
11 to us.

12 I know you all don't have a plan drawn
13 out yet or you're still considering. But I think if we
14 actually lived in a Democratic society, I think the only
15 way that we can actually hear the people or only way the
16 people can be heard is to vote.

17 So I think, I mean, I know you all have
18 been elected to -- as our voice, you know, to speak on
19 our behalf. But I think when -- when something like
20 redistricting, you know, funding, how the taxpayer's
21 dollars should be spent, I think that the only way that
22 should be done is -- is through the people. And the
23 only way that voice or that, you know, concern could be
24 heard is to vote.

25 I don't see any other way around it. I

1 don't think we should have people, you know, from
2 wherever telling -- or one person speaking what hundreds
3 of other thousands of people feel. You know, what I
4 mean? One person cannot, you know, just cannot say what
5 hundreds of thousands of people feel.

6 So I think the only way to do that is to
7 vote, you know, if that's possible. You know, if we
8 have a vote, I think that's the only way we can solve
9 this issue. You know, just have a vote. And I think
10 that's the only way a voice can be heard.

11 I'm against redistricting please consider
12 it. And, you know, I trust you all will make the right
13 decision. Good luck. Thank you.

14 CHAIRMAN DUNCAN: Thank you, David. Good
15 job. The Chair calls Judith Gutierrez or Gutierrez.
16 Ms. Gutierrez?

17 SENATOR ZAFFIRINI: She's coming.

18 CHAIRMAN DUNCAN: Oh, okay.

19 SENATOR ZAFFIRINI: Mr. Chairman?

20 CHAIRMAN DUNCAN: Yes.

21 SENATOR ZAFFIRINI: Thank you for calling
22 her. Judith Gutierrez is a very effective, very dynamic
23 Webb County Commissioner knows hoping to be asked to
24 recognize her. And I'm delighted that she's going to
25 testify.

1 CHAIRMAN DUNCAN: Thank you. (Applause)

2 COMMISSIONER GUTIERREZ: Thank you very
3 much for those kind remarks. Good afternoon, members of
4 the Committee. My name is Judith Gutierrez. I'm a
5 Commissioner for Precinct 2 here in Webb County. And I
6 am also standing here opposing for redistricting that is
7 about to take place in this Special Session.

8 I represent a very diversified precinct
9 in this community, which includes most of the colonias
10 rural Webb County. This university and a lot of other
11 areas that are very, very important, you know, to this
12 community.

13 And I would just like to share my
14 thoughts with the panel today, with the Committee, if
15 you will, with regard to this redistricting plan. My
16 question is: Why now? I think that is, you know, what
17 has been asked today. You know, why after the facts?

18 Which is one of the things that I --
19 keeps resonating, you know, with this -- this Committee,
20 with this community, and in front of this Committee. I
21 know that it is important to all of us, the
22 redistricting.

23 We just went through redistricting
24 last -- '91. And I think that the framers of the
25 Constitution and the people that were writing, you know,

1 what -- how redistricting should be addressed based on
2 census, you know, and when that would happen is very
3 specific.

4 And it shouldn't be done just because.
5 And especially right now. And I know that, you know,
6 you have gone through a very, very brutal, you know,
7 legislative session. We all have read about it. And I
8 think that that is one of the reasons that it is more of
9 a concern because we do represent a lot of those people
10 that are going to be affected by the cuts, if you will,
11 to a lot of programs.

12 I want to thank, and publicly thank, our
13 State Senator Zaffirini for adding millions of dollars
14 to health and human services. Senator, on behalf of
15 myself and of Webb County, thank you very much for
16 saving a lot of those programs and a lot of the people
17 that were not going to be -- into the services are going
18 to be protected now. Because you spent all of the
19 countless hours, you know, going through that budget.
20 And I know had it not been for that, that a lot of the
21 people would have been -- had their services cut.

22 (Applause) Thank you, Senator.

23 You know, I noted that you had speaker
24 after speaker, you know, come before you. I know the
25 Mayor was here and a lot of eloquent speakers. I know

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1 the Mayor talked about our vibrant community and talked
2 about the demographics and the economic impact and, you
3 know, what -- everything that it relates to our
4 particular community.

5 And we certainly don't want to get
6 redundant and, you know, have all of those things
7 brought up again. But I share -- What I want to share
8 with you is, you know, my thoughts. Because I think
9 democracy is very, very important as it relates to our
10 country. And if we look at it as it relates to the rest
11 of the world, then we know that we have to be able to be
12 true to this process of democracy.

13 Other countries are watching us. And
14 every time that we want to do something different that
15 if a particular party is in power that they would want
16 at their will do whatever it is that they have to, to be
17 able to get, you know, to where to the point that they
18 want to get. And that is, to get more Republican seats
19 or more Republican representation.

20 But I submit to you that this country was
21 based, and is based, and it makes us strong, is a
22 two-strong party system. And that's what democracy is
23 all about. And I think that all of you share that view
24 with me. Because that is what it's all about. And we
25 cannot lose sight of that fact.

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1 I come as an elected official. I come as
2 a private citizen. I come as a mother and a
3 grandmother. I've very concerned with this process.
4 I'm very concerned, you know, when I'm reading, you
5 know, of what all the cuts -- the cuts that have been
6 made by the State and trying to balance a ten billion
7 dollar budget.

8 And I can appreciate the work that you
9 do, because we at the county level also have to balance
10 our budget. We have to live within our means. And we
11 do that. And we do that very well. But also, I have to
12 express to you that there are concerns at the local
13 level, county governments across the State of Texas are
14 concerned about these cuts that were made at the State
15 level. And now the burden or the responsibility will be
16 on county government.

17 And that is a fact. We are where "beware
18 of the government where the rubber hits the road." And
19 that has been said over and over and over again.

20 CHAIRMAN DUNCAN: Commissioner, let me
21 ask just a question. And it's been -- hearing the
22 testimony today, it's kind of been on my mind as we go
23 through is: The testimony has been fairly significantly
24 in favor of not doing anything with redistricting. I'm
25 looking at you redistrict and see that it's fairly --

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1 I'm hearing a couple things. I'm hearing one is: Don't
2 divide Webb County.

3 COMMISSIONER GUTIERREZ: Don't divide
4 Webb County.

5 CHAIRMAN DUNCAN: I'm hearing that also
6 that there's a definite statement that we don't want to
7 do any redistricting. Period. But I look at your
8 district and say look at -- it's kind of like my Senate
9 district.

10 I got 46 counties. So, I know what a big
11 district is like. But this district runs all the way to
12 El Paso and also into San Antonio. So, I guess what I'm
13 hearing is you're satisfied with that configuration and
14 with that, what I would call somewhat less than compact,
15 district?

16 COMMISSIONER GUTIERREZ: Well, Senator I
17 can tell you that, you know, about the legalities of the
18 Voting Rights Act to comply with the one person, one
19 vote. And then with a minority in a compliance. You
20 know, my biggest concern is communities of interest, you
21 know, which is a third factor in this big --

22 CHAIRMAN DUNCAN: Um-hmm.

23 COMMISSIONER GUTIERREZ: -- picture of
24 redistricting. And we have to look at that because if
25 there are no communities of interest, you know, then,

1 you know, we are diluting, you know, what our issues
2 are. We need to be able to be effective. I have a very
3 diversified, you know, precinct myself as, you know, you
4 have very well noted.

5 But, you know, we went through
6 redistricting level at the local level also. Remember
7 that whole redistricting plan. But we have come back
8 afterwards and say, you know, oops, you know, we want to
9 do it another way. You know, why don't we just try, you
10 know, this other -- this other map.

11 And at this point, I guess my question
12 is: Do we have a map or don't we have a map of
13 redistricting? Or is everything that I heard that the
14 testimony that you're hearing or taking with you today,
15 is there going to be any consideration for the map that
16 is going to be done?

17 CHAIRMAN DUNCAN: Well, the only map
18 right now that we're considering is that one right over
19 there and that could be the Congressional districts.
20 And I think, I don't know if I'm being heard? I have a
21 soft voice. So I got to talk hard in it.

22 I mean, that's the only thing before us
23 right now. But I'm, in looking at that map, I'm just
24 wondering, and I'm not trying to put you on the spot,
25 you can respond after you've had some type for cool

1 reflection on it.

2 But I'm just saying this looks like a
3 very large district. Obviously, El Paso, San Antonio,
4 and Laredo have some community of -- have a community of
5 interest. Also, probably some competing interest as
6 well.

7 And I'm just interested in, I guess if
8 there is satisfaction with that, and I'm just curious as
9 why that works better than any other plan, as long as
10 you don't divide Webb County. And that's kind of what
11 I'm wondering. I'm hearing what the people are saying.
12 And I'm trying to apply it to the current map.

13 COMMISSIONER GUTIERREZ: Correct. As
14 opposed to the new map to split Webb County in two? Is
15 that what --

16 CHAIRMAN DUNCAN: Again, that map is a
17 House designed plan. And I'm not even sure that they're
18 going to come out with that map again. I don't know. I
19 we're looking at this independently.

20 That's why we're doing our hearings
21 separately. That's why we're doing -- We're not
22 starting with anything. We want to hear from you
23 first. And that's kind of the genesis of my question
24 is: Is this the best that we can do with regard to Webb
25 County and Laredo in this region of the Rio Grande?

1 COMMISSIONER GUTIERREZ: Well, Senator
2 Duncan, I can only say that that is the whole question
3 with regard to why redistricting now at this point? Why
4 redo the lines when we already have the lines?

5 CHAIRMAN DUNCAN: Okay. That's fair
6 enough.

7 COMMISSIONER GUTIERREZ: You know, we
8 have been living there in this plan for quite a number
9 of years. And we don't need to spend the amount of
10 money that we're going to be spending on redistricting.

11 I would rather spend it on the CHIP
12 Program, on education, I mean, on all the other programs
13 that are going to be -- that the services that are going
14 to be cut.

15 I also, you know, as member of the
16 Commissioner's Court, I also serve with the Texas
17 Council of H.M.R. Centers. And I'm very concerned with
18 regard to all the issue of H.M.R. We were 43rd in the
19 nation going into this budgetary process. And now, I'm
20 afraid that we have gone up to 50. I don't know.

21 But I think that we need to really
22 question, I mean, there's a big question mark. If there
23 was a very big need to balance a ten million dollar
24 budget, and you did. And now, we come back to spend
25 additional funds that, I don't know where they came from

1 because, I mean, we heard that everything that was in
2 the budget was in the budget? I didn't know there was
3 any discretionary funds? Maybe we should have spend
4 that in education or health care. Other things that are
5 very, very important to the people of this State.

6 CHAIRMAN DUNCAN: Thank you very much.

7 SENATOR ZAFFIRINI: Mr. Chairman?

8 CHAIRMAN DUNCAN: Senator Zaffirini.

9 SENATOR ZAFFIRINI: Thank you.

10 Mr. Chairman, if I could follow up on some of your
11 questions?

12 CHAIRMAN DUNCAN: Certainly.

13 SENATOR ZAFFIRINI: Commission Gutierrez,
14 we have heard time and time again the issue related to
15 the question that Senator Duncan raised. And that is
16 our number one concern, if there were a plan, and there
17 is no plan at this point, but if there were, our number
18 one issue would be that Webb County would not be
19 divided; is that correct?

20 COMMISSIONER GUTIERREZ: That's correct.
21 That it would stay intact.

22 SENATOR ZAFFIRINI: And under our current
23 district, the district that you see on the map over to
24 there to your right.

25 COMMISSIONER GUTIERREZ: Yes, the green.

1 SENATOR ZAFFIRINI: Although Laredo and
2 Webb County were undercounted in terms of the census,
3 and we had a real problem with that based on the poverty
4 in many of the areas and the lack of volunteers,
5 etcetera.

6 We're showing Laredo's pop -- Webb
7 County's population that district 193,117. The Bexar
8 County population, which is the second biggest county in
9 the current district shows 172,051. We have a member of
10 Congress elected from San Antonio.

11 So, throughout the border region, the
12 entire 1250 mile border itself, we currently have a
13 member of Congress from the Valley and we have one from
14 El Paso. And our member of Congress is from San Antonio
15 and is Hispanic. And he was elected, even though Bexar
16 County has a smaller population than Bexar.

17 Is one of the consensus concerns that you
18 have identify the fact that Laredo needs to be an anchor
19 in any district and not be dominated by a county that
20 would have a larger population than Webb?

21 COMMISSIONER GUTIERREZ: Senator,
22 certainly, you know, the idea of the community of
23 interest comes to mind. You know, because if you look
24 at what border, you know, Laredo as the border, and San
25 Antonio is a huge metropolitan area, you know, and you

1 find that, you know, we might have competing interest,
2 you know, with the representations at times. So, I
3 would dare say that I think that Laredo should be an
4 anchor. If that's the question, yes.

5 SENATOR ZAFFIRINI: And basically, it is
6 more or less an anchor in the current district and that
7 is one of the strengths. But even so, we don't have a
8 seat.

9 And what we found in different
10 redistricting hearings, and specifically in 2001 is that
11 when you're dealing with a Mexican-American population
12 that includes a lot of poverty areas that the voter
13 turnout is lower.

14 And that that is the problem when you are
15 comparing just population figures versus voting age
16 population because the Mexican-American population is
17 also younger and voter turnout.

18 And is it not one of the major concerns
19 of the residents of this county that if any plan were
20 developed, that we would not be dominated by Bexar or
21 Travis or Hidalgo or any county that is larger than
22 Laredo?

23 COMMISSIONER GUTIERREZ: That's correct,
24 Senator. You're correct in that. It would seem to me
25 that it, you know, it would be a little bit ludicrous to

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1 be quite honest, for lack of a better word.

2 I mean, and to have that kind of -- that
3 kind of a redistricting map that would include those
4 larger areas where Laredo, and we know how, you know,
5 how Laredo -- the impact, the economic impact, you know,
6 how -- how it -- as it relates to the economy of the
7 State of Texas and the United States.

8 That I think that we need to have a
9 voice, ourselves.

10 SENATOR ZAFFIRINI: And that many people
11 here, certainly not the members of this Committee, would
12 think that Laredo was in the valley. But there are
13 people who do think that Laredo (Laughter) -- And that's
14 how we react, Senators, when some people think we're in
15 the Valley. (Laughter)

16 CHAIRMAN DUNCAN: You noticed I was very
17 careful not to say that.

18 SENATOR ZAFFIRINI: Yes, I did. I did
19 notice. But no member of this Committee. But there are
20 those who would move Webb County into a district with
21 the Valley.

22 And I have stressed time and time again,
23 and I believe you would agree, that that is a consensus
24 issue that Laredo actually competes with the Valley, be
25 it Hidalgo or Cameron or both. We are competition.

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1 That is why no plan should include Webb in a district
2 that would be dominated by the Valley, our competition.

3 COMMISSIONER GUTIERREZ: And you're
4 absolutely right. And I think that as, you know, as
5 County Judges and Commissioners and as we gather, you
6 know, to network, you know, with the different counties
7 across the State of Texas, certainly, we know.

8 Because once we start talking to our
9 colleagues, you know, from the district counties, we
10 realize the diversity, you know, and the difference that
11 exists between those areas and this particular area.

12 SENATOR ZAFFIRINI: And one of the things
13 that we like about our current district, I believe
14 you'll agree, is that it is a Hispanic district. And we
15 do have a Hispanic member of Congress. He is a
16 Republican member of Congress but he is a Hispanic. His
17 opponent was also a Hispanic. So, a Democrat majority
18 district elected a Republican who is Hispanic.

19 COMMISSIONER GUTIERREZ: That's true,
20 Senator. As have majority Republican districts and
21 other parts of the State elected Democratic
22 representation. And that needs to be said over and over
23 again.

24 You know, because if you consider that,
25 then the people -- and true democracy is taking place.

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1 And people are voting, you know, for their
2 representatives, you know, irregardless of what their
3 political affiliation is.

4 So, if you look at that, yes, you know.
5 We do have a Republican Representative, US Congressman
6 Bonilla, in a very Hispanic and Congressional district.

7 SENATOR ZAFFIRINI: And in fact, I shared
8 those figures related to Richard Garza's testimony and
9 Chairman Duncan asked that I submit that in writing.

10 And I submitted a copy of the report,
11 which was developed by a professor from Rice University
12 whose name is John Alfred from Rice University. He was
13 the lead expert witness for Governor Rick Perry and
14 Attorney General John Cornyn in the redistricting
15 disputes.

16 And basically, his report shows when I
17 stated before you arrived that were six Democrats
18 elected for Congress in Republican districts and one
19 Republican, Bonilla, elected in the Democratic
20 district. So, basically, it has nothing to do with the
21 partisanship within that district and the voters are,
22 basically, the person that they prefer.

23 COMMISSIONER GUTIERREZ: The concerns,
24 Senators, is, of course, you know, that the idea of
25 redistricting and petting two Congressman against each

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1 other, like in the Valley, San Juan Ortiz and Hinojosa,
2 Representative Hinojosa, you know, we would lose that --
3 that -- those -- one vote there.

4 And what are we picking up? But I guess
5 in your observations, you're absolutely correct,
6 Senator. If you look at the representation in those
7 areas that they keep electing Democrats, that's not our
8 fault. I mean, let's not have a redistricting just
9 because of that.

10 And let's, you know, let's spend this
11 money in the areas that we should spend the money. I
12 don't think that we should have redistricting. But if
13 we must have redistricting, let's keep Laredo intact.
14 And that's basically what I have to say.

15 SENATOR ZAFFIRINI: And you would agree
16 that Laredo has a lot of strong community of interest
17 with San Antonio but sometimes competes?

18 COMMISSIONER GUTIERREZ: Yes, and it is
19 true. I mean, you know, we don't have the military,
20 which is one of the competing interests. We have the
21 border. And, you know, that's another area that, you
22 know, we do compete in.

23 SENATOR ZAFFIRINI: And would you agree
24 that one of the reasons that we like the status quo and
25 prefer it to any alternative plan at this point in time,

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1 is that we're used to it. We're just comfortable with
2 it. It's a community of interest, plus, strong plus,
3 historical configuration.

4 COMMISSIONER GUTIERREZ: Correct.

5 SENATOR ZAFFIRINI: Those are our
6 history. Those are our friends. That's who we work
7 with? And that's part of it.

8 COMMISSIONER GUTIERREZ: But my question
9 again is: Why -- Redistricting, why now?

10 SENATOR ZAFFIRINI: Thank you,
11 Commissioner.

12 COMMISSIONER GUTIERREZ: Thank you.

13 CHAIRMAN DUNCAN: Commissioner, don't go.
14 Senator Gallegos has a question. Commissioner, Senator
15 Gallegos has a question.

16 SENATOR ZAFFIRINI: She was too busy
17 kissing, Mr. Gutsman.

18 COMMISSIONER GUTIERREZ: Well, I have
19 to. That's what we do here. We kiss everybody.

20 CHAIRMAN DUNCAN: You don't have to kiss
21 Senator Gallegos.

22 VICE CHAIRMAN GALLEGOS: No.
23 Commissioner, let me ask you: Other than the specific
24 questions that Senator Zaffirini asked you in reference
25 to Laredo, the testimony that we have heard or that I

1 that I have heard today with the only map that's showing
2 in this room today, the testimony that I heard today,
3 overwhelmingly, by over ten to one or even less than one
4 margin, is that -- is that other than the specific
5 questions that you just answered to Senator Zaffirini
6 that it's your contingent that the map that you see
7 there and the testimony that we've heard -- that I've
8 heard -- is you want to leave that map alone. And no
9 redistricting, whatsoever, until the next census. Is
10 that what you are telling us?

11 COMMISSIONER GUTIERREZ: What we're
12 saying is: Why redistricting at this point, Senator?
13 Why? I mean, you know, we had already gotten used to
14 the fact that we had a redistricting plan.

15 Now, you know, we're having redistricting
16 again. I mean, or open, you know, maybe Monday, I think
17 is, you know, when you all are supposed to go back to
18 session.

19 So, I mean, it doesn't as for me, an
20 elected official, that I see the amount of money that
21 it's going to take to have a Special Session. And what
22 we have just been through in the cuts, you know, to all
23 of these programs that are so important and vital, by
24 the way. Sometimes, it's a matter of -- and I'm sure
25 you've heard this -- life or death.

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1 VICE CHAIRMAN GALLEGOS: Um-hmm.

2 COMMISSIONER GUTIERREZ: You know, that
3 redistricting seems to be way down at the bottom of
4 priorities. And that's what I'm saying. I mean, if,
5 you know, we're talking about redistricting and whether
6 we should have redistricting or not.

7 And if redistricting is going to happen
8 anyway, then we have to look at Laredo and Webb County.
9 And I have heard that it's going to be split in half.
10 Or maybe I'm wrong. I don't know. But if that's going
11 to happen then, you know, we want to keep Laredo intact.

12 VICE CHAIRMAN GALLEGOS: But what I was
13 speaking to is the map that you see before you. That
14 number one, from testimony that I've heard and the
15 figures that I've heard is that Webb County and Laredo
16 is a Democratic city.

17 But you want to keep it as is right now
18 with a Republican-Hispanic Congressman; as is. Even
19 though it's the Democrats that voted for a Republican-
20 Hispanic to represent Laredo. And that's basically the
21 testimony that I'm hearing here today. Is that your
22 contingent?

23 COMMISSIONER GUTIERREZ: Senator, and
24 it's just the Democratic system that we have. You know,
25 it's, overwhelmingly, Democratic district. A Republican

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1 Representative. That's democracy. You know, how can
2 you want to undue democracy. That's what I'm saying.
3 Why are we messing around with democracy?

4 VICE CHAIRMAN GALLEGOS: Thank you.

5 CHAIRMAN DUNCAN: Thank you, Senator.
6 Thank you, Commissioner. (Applause) Okay. The Chair
7 has a card from Carlos Valle. Valle, who would like to
8 register a position against redistricting.

9 The Chair has a card from Carlos Limon
10 who does not wish to testify but would like to register
11 a position against redistricting. The Chair has a card
12 from Yolanda Limon who does not wish to testify but
13 would like to register a position against redistricting.
14 Chair has a card from Blanca E. Limon who does not wish
15 to testify but would like to register a position against
16 redistricting.

17 Chair has a card from Ricardo Medrano who
18 does not wish to testify but would like to register a
19 position in favor of redistricting.

20 The Chair has a card from Carmen Saucedo
21 who does not wish to testify but would like to register
22 a position against redistricting. The Chair has a card
23 from M.G. Saucedo who does not wish to testify but would
24 like to register a position against redistricting.

25 The Chair has a card from Duendesita

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1 Villanueva who does not wish to testify but would like
2 to register a position against redistricting. I hope I
3 pronounced that correctly.

4 The Chair has a card from Mario Alvarado
5 who does not wish to testify but would like to register
6 a position against redistricting.

7 The Chair has a card from Webb County
8 Judge Louis Bruni who does not wish to testify but would
9 like to register a position against redistricting.

10 Chair has a card from Rosario A. Valdez
11 who does not wish to testify but would like to register
12 a position against redistricting.

13 Chair has a card from Jose Francisco Vela
14 who does not wish to testify but would like to register
15 a position against redistricting.

16 Chair has a card from Josie Pappas who
17 does not wish to testify but would like to register a
18 position against redistricting.

19 The Chair has a card from Maria Veliz who
20 does not wish to testify but would like to register a
21 position against redistricting.

22 Chair has a card from Rolando Herrera who
23 does not wish to testify but would like to register a
24 position against redistricting.

25 The Chair also has a card from Martin

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1 Saenz who does not wish to testify but would like to
2 register a position against redistricting.

3 Okay. And then the Chair also has a card
4 from Julio Alacon who does not indicate his position on
5 wishing to testify or on or against redistricting and
6 has not signed his card. So we need for him to sign a
7 card and indicate his position. Is Mr. Alacon in the
8 audience?

9 (No response.)

10 CHAIRMAN DUNCAN: Okay. Thank you, we'll
11 note his attendance today and perhaps he could write a
12 letter or something to the Committee that would indicate
13 his position.

14 Is there anyone else in the audience who
15 would like to testify on for or against a redistricting
16 plan, a congressional redistricting plan for the State
17 of Texas.

18 VICE CHAIRMAN GALLEGOS: Mr. Chairman.

19 CHAIRMAN DUNCAN: Hold on a second. I'm
20 going to close testimony. Is there anyone else?

21 (No response.)

22 CHAIRMAN DUNCAN: Okay. The Chair hears
23 none. The public testimony will be closed. Senator
24 Gallegos.

25 VICE CHAIRMAN GALLEGOS: Mr. Chairman,

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1 I'd like to say that on some of the witnesses that came
2 up, with all due respect to their point of view, about
3 Representative Raymond and what some of he had did,
4 himself, and some of his colleagues did, I would want to
5 remind the citizens in the crowd and this Committee that
6 in the Legislature, we have tools, parliamentary rules
7 that we use.

8 I think that Representative Raymond and
9 his colleagues chose to use that tool, one of the
10 parliamentary procedures in order to break a forum on
11 whether it's redistricting whatever other issues.
12 That's allowed to you by the rules of the House. And we
13 have some of the similar rules in the Senate.

14 I would like to remind the people in the
15 crowd that Abraham Lincoln once jumped out of a second-
16 floor building to break a quorum in the legislature.
17 And I wonder what happened to him? I just wanted to
18 make that note.

19 CHAIRMAN DUNCAN: Thank you.

20 THE CLERK: We got one more.

21 CHAIRMAN DUNCAN: Thank you, Senator.
22 Well, we have one more card. We got several cards.
23 Let's see what we have here. Okay. Let me go ahead and
24 read these cards into the record, and members, before we
25 close.

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1 The Chair also has -- Some cards have
2 been turned in. Rolando Smith does not wish to testify
3 but would like to register a position against
4 redistricting. Sergio Mora does not wish to testify but
5 would like to register a position against
6 redistricting. Karen Estes Mejia does not wish to
7 testify but would like to register a position against
8 redistricting.

9 Juanita M. Cardenas does not wish to
10 testify but does not register a position one way or the
11 other. Ms. Cardenas, are you in the audience.
12 Ms. Cardenas. Okay. We would reflect --- She's
13 indicated from the audience that she is against. And we
14 have reflected that on the card.

15 Again, once again, is there anyone else
16 who would like to testify on for/against redistricting
17 or submit a card registering a position?

18 (No response.)

19 CHAIRMAN DUNCAN: All right. The Chair
20 hears none. Once again, testimony is closed.

21 Members, first of all, I would like to
22 state that I appreciate very much the audience and the
23 citizens of Laredo in the way they have conducted this
24 hearing.

25 Your testimony has been very articulate.

1 It's been very clear. Your message has been heard. And
2 I think that we appreciate your participation in this
3 process. I also appreciate your courtesy, not only to
4 the Committee, but to each other. I think that this has
5 been a productive hearing.

6 I want to say thank you to the staff and
7 to those of you who have been going over there working
8 on the side with running to Mr. Blas, Tio Blas, and to
9 those who have been running the microphones and the
10 court reporter who can't wave at us right now. She'll
11 lose her spot.

12 And then to all the staff who helped
13 arrange this. And in particular, to Senator Zaffirini
14 for all the hard work she did to put this together and
15 to make this hearing where public input was certainly
16 important and the focus of this meeting.

17 SENATOR ZAFFIRINI: Mr. Chairman?

18 CHAIRMAN DUNCAN: Senator Zaffirini.

19 SENATOR ZAFFIRINI: I'd like to thank you
20 and to Lieutenant Governor Dewhurst for making the
21 decision to bring this first hearing for Laredo. I know
22 that you were impressed with my constituents.

23 And that all of you who are my friends
24 and colleagues and serve on this Committee and a guest,
25 Senator Janek, realize now why I am so proud of your

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1 constituents and why I work so hard for them.

2 These are people who care. These are
3 people who are responsible. They are respectful. And
4 they really appreciate the opportunity to have this
5 Committee, the Senate Committee on Jurisprudence come to
6 address this issue because it is our responsibility
7 since the Special Session was called in Laredo.

8 I hope that you enjoyed meeting many new
9 friends. And I hope that you enjoyed the hospitality of
10 Texas A&M International University, a beautiful place
11 made possible by your votes in the Texas Senate.

12 And the members will not forget to take
13 the cup that was provided by the Laredo Chamber of
14 Commerce and the beautiful pewter tray that is courtesy
15 of the Laredo Convention and Visitors Bureau. Thank you
16 again. And I will keep you all in my prayers that the
17 Lord will continue to inspire you to excel and always to
18 agree with me. (Applause)

19 CHAIRMAN DUNCAN: Members, any other
20 comments? Okay. Chair hear none. The Senate Committee
21 on Jurisprudence will stand in recess until further call
22 of the Chair.

23 (Proceedings concluded at 2:54 p.m.)
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COURT REPORTER CERTIFICATE

COUNTY OF BEXAR)

STATE OF TEXAS)

I, MARY F. LOPEZ, a Certified Shorthand Reporter in and for the State of Texas, do hereby certify that this transcript is as true and correct a record as possible, transcribed by me through computer-aided transcription.

And further certify that I am not a relative or employee of any of the parties hereto, nor interested directly or indirectly in the outcome of this session.

WITNESS MY HAND, this the 8th day of July, A.D. 2003.

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