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**To:** [Senate Redistricting](#)  
**Subject:** INETMAIL: Redistricting Public Input  
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Regarding: Senate

Message:

September 6, 2021

What should your goals be in redistricting and what process should you use to achieve them? The public believes these are your goals: Goal number 1: draw a very safe district for myself. Goal number 2: if I am in the majority party, draw lines to advantage my party as much as possible but not so much that a federal court rules that we violated the Constitution or the Voting Rights Act. Prove the public wrong by having a much nobler and simpler goal: have our representatives look and act representative of Texas, which we clearly do not have now.

My name is Tim Dowling. I am from Corpus Christi, where we are blessed to have House redistricting chairman Todd Hunter as our Representative and Juan Hinojosa as our Senator, and we are cursed to have Michael Cloud as our Congressman. The table immediately below based on the 2020 Census provides the latest evidence that Texas's legislative representatives are not genuinely representative of the people of our great state.

Comparing 2020 Texas Census data to Texas legislators (all numbers are percentages)

	Census	Congress	Senate	House
Anglo	39.7	67	71	68
Hispanic	39.3	19	23	26
African American	11.8	14	6	5
Asian	5.4	0	0	1
Other	3.8	0	0	0

The 2020 Census indicates Anglos make up less than 40% of our population but they have 67% of the Congressional seats, 71% of the Texas Senate, and 68% of the House. Very clearly Anglos are way overrepresented, and everybody else is way underrepresented. In addition, the 2020 Census indicates that Texas's population increased 4 million in the past ten years, and more than 95% of that growth was from minority communities. Accordingly there is no credible way the two new Congressional seats

allocated to Texas for 2022 should not be minority opportunity districts. One of these minority opportunity districts should be in Harris County and one in Dallas County.

is for the 2024 lines to be drawn by In the 2020 Texas Congressional elections Republicans collected only 53% of the vote but they got 64% of the seats. That is clearly not representative of how Texans vote.

Your goal should be that our legislators are truly representative of Texans both by party and ethnicity. Texans will then believe they are much better represented than they are now. That will greatly reduce the current very corrosive distrust of government that makes it very difficult to get important work done for the benefit of Texas.

There must be no more ridiculous partisan gerrymandering such as the 2013 Congressional map where although Austin is heavily Democratic, Austin citizens were “cracked” so severely that six members of Congress have a portion of Austin in their district, and five of those six are Republican. That is not at all properly representative of one of the great cities in the nation.

The ideal process to achieve these goals an independent redistricting commission. There were multiple bills introduced in the House to make that happen: specifically, HB 3094 and its related HJR 121 and 127, and HB 282. A much less preferable option is HB 1025 and its related HJR 590, as it would establish a bipartisan commission instead of an independent one. But any of these bills would be a huge improvement over the conflict of interest and corrupt process Texas now uses to draw legislative maps. Very regrettably there is not enough time now for an independent redistricting commission to draw the 2022 lines, but at least adopt the redistricting transparency procedures contained in House Bill 3112 for 2022 redistricting.

Second, don't be in a hurry when redistricting. What you do now could last through 2030: five election cycles. Take the necessary time to do it right.

The federal District Court in 2019 in its “bail in” ruling (390 F. Supp. 3d 803 (W.D. Tex 2019)), clearly indicated that this Legislature this year must have a “fair and open” redistricting process. We will not have that if the public is not involved in drawing maps. The public must be given the opportunity to comment on proposed maps AFTER having enough time to evaluate each of them. No “committee substitute” maps (or similar shenanigans) should be allowed to fall from the sky with little or no notice before they can receive meaningful public comment (as has happened in the past).

The current pre-maps comment hearings, are a necessary, but not a sufficient, part of a “fair and open” redistricting process. The public and the Legislature are like the owner of a building to be built and his architect. The public is the owner and you are the architect. Before coming up with a plan, the architect extensively consults with the owner about all the major features the owner wants in the building. The current hearings are like that consultation.

After this consultation, the architect prepares a written drawing for the owner's building. The construction of building, however, does

not get underway at this point. The architect presents her now tangible plan to the owner. The owner has time to study the plan to ensure that the actual plan is consistent with the prior conceptual discussions. The owner tells the architect what he likes about plan, and more importantly, also tells the architect, how the plan needs to be improved. The architect listens and then prepares a revised plan for the owner's consideration.

In the present context, this means that after the current hearings end, you prepare proposed maps for Congress, the Senate, and the House. After you do so, the public then must have at least ten days to study each map. Then additional public hearings must be held on each map. Start with the less contentious maps--the Senate and the House--before moving on to Congress. Allow at least two days of hearings for the House and the Senate each, and three days for Congress. If more time is necessary for adequate public hearings, take the time to do it right.

There are important additions to this owner/architect analogy. The following information should be made available on the Committee's website regarding each map when it is proposed. First, relevant data about the population residing in different geographic areas must be included in each map in a form reasonably usable by the public. Second, the data used by the committee's map drawers is fully disclosed. Third, statements from committee members supporting each map, as well as dissenting statements of other committee members, are made public when each map is released by being posted on the committee's website. Fourth, the public is given access to Red Appl (the program you use to draw maps) when each map is released so that the public can prepare alternative maps for your consideration.

There should be no non-public communications about what any map should look like. This should be like our local City Councils, where the Open Meetings Act prohibits discussions about public business unless it is done in public session (with limited exceptions). This includes if any legislator wants to provide input regarding how her or his district should be drawn. That must be done in public session.

If you at least comply with the spirit of these procedures, even if you do adopt all of these details, Texas will have the "fair and open" redistricting process the federal court very clearly told you is required to avoid future possible "bail in" (which would then require all future changes to Texas's election laws or procedures must go through federal preclearance). If you think to yourself "this will just take too long and I want to get back to my regular life," that very thought makes an overwhelmingly compelling case for why this supremely important task (drawing the lines for Texas's legislative boundaries) should be in the hands of people without that time pressure--people on an independent redistricting commission who draw the lines for 2024 and thereafter.

Thank you for considering my comments. I would be happy to answer any questions you have.

Sincerely yours,

Tim Dowling

