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To: Senate Redistricting
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Affirm public info: I agree

Regarding: Senate

Message:

Thank you for the opportunity to provide these written comments.

I would like to tell you the story of Mockingbird Lane in Denton, my hometown.

Mockingbird Lane is a two-lane road that takes a wobbly route from the north side to the south. It winds through many older neighborhoods on streets with other bird names, like Cardinal Drive, Bluebird Circle, and Bob-O-Link Lane. As a college student, I shared a rental home in the “Bird Streets” neighborhood along with several classmates from the University of North Texas. Today, the area is home to more than 9,000 people, and our city’s highest concentration of Latino families.

Mockingbird is not a natural divide in our city, like Loop 288 or Interstate 35. But it is a political divider because the last redistricting cracked Denton in half, right through these neighborhoods.

People on the east side of Mockingbird live in Sen. District 12. People on the west side, like me, were lumped into Sen. District 30. This district covers more than a dozen rural North Texas counties, plus slivers of urban Denton and Collin Counties.

District 30 used to hub out of Wichita Falls – a good town, but quite different from Denton. In other words, District 30 was gerrymandered, as evidenced by the following:

the longtime senator from Wichita Falls lost in the primaries to a resident of Prosper, a town with even less in common with Wichita Falls. Then, before he even finished one term, voters had the choice of two more candidates from wealthy Collin County suburbs to replace him.

How can you call that fair representation for the people of Archer, Clay, and Young Counties, let alone the people who’ve been divided from their neighbors in Denton?

You may not know that the boundaries the Legislature draws echo in other ways that deepen this unfairness. As the legislature cracked Denton along Mockingbird Lane to suit its needs, that line became the line for Denton, too. The law

firms that help the Legislature turn around and offer these same lines to cities for their own district boundaries, telling local officials to be confident in following the state. So not only are residents unfairly represented at the federal and state level, but also at the local level.

Thanks to gerrymandering and other voter suppression efforts, Texas elections have some of the poorest voter turnout in the nation. This greatly weakens our state and local democratic rule, and makes it vulnerable to extremists, as we have seen in recent months.

This must stop.

It is time for the Texas Legislature to be transparent to the people it represents.

Redistricting cannot be done behind closed doors and with contracts that hide the scope of work from the people. The best way to be transparent is to delegate the matter to an independent citizen commission, as has been modeled in other states. You can find more information about these robust processes at the Brennan Center for Justice, brennancenter.org.

Thank you for your consideration.

[REDACTED]



Dividing line Dividing line By Peggy Heinkel-Wolfe - Denton Record-Chronicle (TX) - April 9, 2017 - page NEWS_A01

April 9, 2017 | Denton Record-Chronicle (TX) | PEGGY HEINKEL-WOLFE AND CAITLYN JONES

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Dione Harbour has to be careful when she opens the front door to her east Denton home. Her small dog Max Jr. has been known to duck past her legs, bolt across **Mockingbird** Lane and end up in a neighbor's yard.

What Harbour (and certainly Max Jr.) didn't know is when the dog crosses **Mockingbird**, he also crosses a boundary line that splits the neighborhood into different state **Senate** and City Council voting districts.

"That's bizarre," Harbour said when she found out her neighbors across the street have a different state senator and City Council member than she does.

State Sen. Jane Nelson, R-Flower Mound, represents Harbour and her neighbors on the east side of **Mockingbird** Lane in **District** 12. Keely Briggs represents them in **District** 2 on the City Council.

Across the street, state Sen. Craig Estes, R-Wichita Falls, represents the neighbors on the west side of **Mockingbird** in **District** 30. Kevin Roden represents them in Denton's **District** 1.

Mockingbird Lane is a symbol of an arcane political science called reapportionment, or redistricting. Every 10 years, politicians in Austin convene to draw new boundaries for congressional districts, state **Senate** and state House districts. Put a microscope on **Mockingbird**, and you can learn a lot more about why we vote at a certain location and for certain candidates.

Why a line here?

Mockingbird, a two-lane street, takes a wobbly route as it wends from Mingo Road to East McKinney Street. On either side of **Mockingbird**, the neighborhood's oldest homes line the other "bird" streets - Cardinal Drive, Bluebird Circle and Kingfisher, Oriole, Hummingbird, Bob-O-Link and Meadowlark lanes. They boast large lots, big trees and colorful landscapes with shrubs and flowers and gazing balls. New homes have popped up, too, while a few old pastures remain undeveloped, at least for now.

Known as the Singing Oaks-Bird Streets neighborhood, the 2.2-square-mile area is designated as Tract 206.02 in the 2010 U.S. Census. It's home to almost 9,000 people. It also happens to house

Denton's highest concentration of Latino and Hispanic families.

Bryce Matthiesen moved this spring from Lewisville to a new home on Water Oak Street on the west side of **Mockingbird** Lane. He attends the University of North Texas. The new basketball courts at Milam Park offer a fun workout four blocks from his house. He didn't know **Mockingbird** Lane sits like a political wall between neighbors, both at the city and state level.

"That's crazy," Matthiesen said.

Nelva Scott has lived on the east side of **Mockingbird** since 1968. She said the area is quiet and she has no plans to move.

"Most neighbors have been here a long time and there's not much trouble," Scott said.

A political dividing line can make it more difficult for a neighborhood to wield a unified front if residents have an issue with city government or state government. For example, crews have been rebuilding failed streets all over the city for more than five years. Scott said she and her neighbors wonder when city crews will ever rebuild **Mockingbird**, which is in poor condition.

"I'm not a complainer," Scott said. "I'm the type that doesn't like to start friction."

Politically significant dividing lines such as **Mockingbird** Lane are common.

"A split along streets like this can be found in neighborhoods all over the country, not just Texas," said Luis Roberto Vera Jr., the national general counsel for the League of United Latin American Citizens, a national civil rights organization that files redistricting lawsuits when **district** lines appear to divide, or dilute, minority voting strength.

For this reason, **Mockingbird** Lane and other boundaries like it can become lightning rods during political **district**-drawing battles that erupt every 10 years. When politicians draw lines that dilute people's political power in some areas and concentrate it in others, those boundaries become problematic, Vera said.

"We've created a monster of gerrymander," Vera said, referring to nationwide redistricting issues.

Counting people

The population of Texas reached a significant milestone in 2011: the majority of the state's population no longer was white. It was 45 percent white, 37 percent Latino, 12 percent black, 3

percent Asian and 3 percent "other."

Denton's population also shifted in 2011, but not as much as the state as a whole: 62 percent white, 22 percent Latino, 10 percent black, 4 percent Asian and 2 percent "other."

The Singing Oaks-Bird Streets neighborhood is densely populated, with apartments and duplexes alongside single-family homes. As a census tract, it is one of the city's most populous and includes a higher concentration of Hispanics than any other tract in Denton. About 41 percent, or about 3,600 of the nearly 9,000 people living there, identified themselves as Hispanic or Latino in 2010.

Lee Elementary School serves the neighborhood on both sides of **Mockingbird**. The school has one of the higher concentrations of Hispanic and Latino students in the Denton school **district**. Nearly half of Lee Elementary students are English-language learners, and three-fourths are considered economically disadvantaged. The median home value in the Singing Oaks-Bird Streets neighborhood sits at about \$161,000, about \$35,000 less than Denton's median home value.

If **Mockingbird** Lane did not divide the neighborhood for political districts, the concentration of minorities would likely change in **Senate District 12** (Nelson) and **Senate District 30** (Estes).

In other words, if the whole neighborhood went to **District 30**, the percentage of Hispanics represented by Estes could increase from the current 15.3 percent to 15.5 percent. Or, if the whole neighborhood went to **District 12** instead, the percentage of Hispanics represented by Nelson could increase from the current 19.8 percent to 20 percent.

It's not immediately clear how the concentration would change for City Council districts. The city does not publish population data with **district** boundary maps on its website.

Redistricting fights

Every 10 years, officials with the U.S. Census count the population. Then, political boundaries get redrawn so each representative **district** has about the same number of people in it, whether federal, state or local.

Texas has a history of trouble after drawing those boundaries. Maps for congressional districts and state legislative districts have been challenged in court and by the U.S. Department of Justice, which has authority under the federal Voting Rights Act to make sure each person's vote counts.

A long, complicated fight over Texas House and U.S. congressional districts ended recently when a federal appeals court declared three Texas congressional districts illegal. The court said officials

drew political lines to either take in too many minorities or take in too few.

A similar fight over Texas **Senate** districts ended several years ago. That battle focused primarily on the Fort Worth-area seat previously held by state Sen. Wendy Davis, a Democrat.

The boundaries of Nelson's **district** were part of that battle. **District** 12 roughly follows U.S. Highway 380 through Denton County and includes the zig-zag along **Mockingbird** Lane. The boundaries of **District** 12 have been upheld in court as constitutional, not just when the Davis case settled, but in the previous redistricting cycle, too.

"My philosophy with redistricting is to keep communities of interest together to the extent possible. Especially in populated areas, that is not always possible," Nelson said in an email to the Denton Record-Chronicle.

Estes did not return multiple requests for comment sent by email and phone.

By itself, the boundary on **Mockingbird** Lane in Denton might not be of a concern, said Ernest Herrera, an attorney with MALDEF, the Mexican American Legal Defense Fund.

"But it could be one piece of evidence in a larger case [brought under the Voting Rights Act]," Herrera said.

A local line, too

Local political boundaries also get redrawn after the census. When Denton became a city, voters cast ballots for all council seats. These were called at-large elections. But the majority of white voters always seemed to hold sway over Hispanic and black minorities when it came time to elect council members.

After Texas became subject to the Voting Rights Act, Denton's at-large council seats came under scrutiny. To avoid trouble with federal law, the city drew council districts to improve representation of minorities on the City Council. Since then, black candidates from central and Southeast Denton frequently won a council seat in **District** 1.

Council member Dalton Gregory, who represented **District** 2 during the last City Council redistricting, said the city hired a political consultant to help with the job. The City Council worked with the consultant to draw **district** boundaries to comply with the Voting Rights Act and keep neighborhoods together.

But the people in the Singing Oaks-Bird Streets neighborhood were split up along **Mockingbird Lane**. To the west, they are with other central and Southeast Denton residents of **District 1**. To the east, they are with the other residents of **District 2**, which covers an expansive territory reaching to the city's northern and eastern boundaries.

No seat at the table

Political boundary lines need to be drawn someplace, and the results rarely make everyone happy, said Michael Li, an expert on Texas redistricting. He is now an attorney with the Democracy Program at Brennan Center for Justice at New York University School of Law.

Texas brings plenty of gamesmanship to its drawing of political boundaries, Li said. But the process the Texas Legislature follows isn't open or fair.

"The maps get drawn behind closed doors," Li said. "Even if people felt they should keep their neighborhood together, there isn't an ability to argue for that."

The last time the Denton City Council drew its boundaries, in 2011, the meetings were public. No neighborhood representatives testified.

Council members made sure they didn't draw boundaries that would put two sitting council members in the same **district**, which would force them to run against each other in the next election.

If a **district** becomes too Democratic or too Republican, that can be tough on voters, too, Li said.

The political climate becomes extreme and leads to candidates vying to outdo each other in party primaries.

"And it [the extremism] doesn't self-correct in the general election," Li said. "Then, the primary is the only election that matters."

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EDITOR'S NOTE: This report was developed after reviewing records from the U.S. Census, the U.S. Supreme Court, the Texas Legislature, the Texas Education Administration, the Denton Central Appraisal **District**, the city of Denton and conversations with elected officials and Texas redistricting

experts.

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