

[REDACTED]

Date: 2025-08-07
First Name: Michael
Last Name: Curry
Title: N/A
Organization: self
Address: [REDACTED]
City: Austin
State: Texas
Zipcode: [REDACTED]
Phone: [REDACTED]

Affirm public info: I agree

Regarding: Congressional

Message:
Senator Phil King and members of the Senate Special Committee on Congressional Redistricting

I live in Congressional District 37, State Senate District 14, and State House District 49.

I have testified before the Texas Legislature numerous times over the past forty years—initially as a State Assistant Attorney General providing subject matter expertise, and subsequently as a private citizen. While I regret that I cannot appear in person for this hearing, I respectfully submit this written testimony, which I affirm to be accurate to the best of my ability.

In each prior instance, the legislation under consideration had an ostensibly legitimate purpose. The public debate typically centered on whether the proposed measure would fulfill its stated objectives, introduce unintended consequences, or fall short of its goals.

Today is different.

The proposed redistricting has only a political purpose. It advances no policy. It discharges no Constitutional duty. Its only purpose, one freely admitted by some of your colleagues, is to gain Congressional seats for the Republican party – a purpose outside the scope of the duties for which you were elected. To the complaint that out-of-state Democrats are not doing their job, the answer is, you are not doing yours. You are wielding, or rather, abusing a power granted to you for a legitimate purpose and redirecting it toward an illegitimate end. And so, no honest debate is to be had.

So, we are left with stating for the record that we see what you are doing. Everyone in the hearing room, in the State, and across the nation sees what you are doing. And, we object. I have been an attorney for nearly 50 years. SB 4 is to my mind the legislative equivalent of jury tampering. Supporters of SB4 are concerned that Republican representatives cannot win the case for re-election on the merits (or that Democratic representatives can), so you propose to change the jury – the voters – to increase your chance of winning. You may be comfortable manipulating the electorate in this way, but many of your neighbors, friends, and family know this is wrong, whether they tell you or not. They are quietly ashamed of you. We are all ashamed of you.

None of us would permit our children to cheat in school. And none of us would accept the excuse that “everyone does it.” Can you justify cheating at work?

Some of you or your colleagues have said that the Supreme Court recently held that political gerrymandering is legal. Here is what the Supreme Court said:

“Excessive partisanship in districting leads to results that reasonably seem unjust. But the fact that such gerrymandering is “incompatible with democratic principles,” [citation omitted] does not mean that the solution lies with the federal judiciary. We conclude that partisan gerrymandering claims present political questions beyond the reach of the federal courts.” *Rucho v. Common Cause* (2019).

It is not illegal because it is beyond the reach of the federal courts. Not everything that is not illegal is moral. What you are doing is “incompatible with democratic principles.”

However, there is a way in which your actions may be illegal in addition to being undemocratic and immoral – if they diminish the voting rights of racial or ethnic minorities. See *Rucho*. If SB4 passes, I’m sure the courts will have an opportunity to correct that.

It is never too late to do the right thing, to stand up for democracy, and to discharge the duties of your office honorably. Vote no on SB 4.

