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Regarding: Congressional

Message:  
Misuse of Legislative Process

During the hearing, Chair King stated that the testimony received was “mixed,” attempting to frame nuanced public input as evidence of divided opinion. In doing so, he conflated distinct concerns—separating objections to past discrimination from opposition to redistricting now. That framing is misleading. The overwhelming testimony was against proceeding with redistricting during an abnormal, rushed special session marked by limited field hearings, no proposed maps, and a lack of meaningful public input. Importantly, the testimony also overwhelmingly opposed this process being initiated at the specific request of former President Trump, while active litigation remains pending, and under a DOJ letter that explicitly targeted specific minority-majority districts, imposed a political deadline, and coincided with Trump’s public statements that he wanted Texas redistricting to deliver five additional GOP congressional seats. The testimony addressed the central question before the Legislature—whether to redistrict now—and the resounding answer from Texans was “No.” While many acknowledged the need to correct longstanding flaws in the existing maps, they made clear that redistricting under these manipulated and politically tainted circumstances is unacceptable. The overwhelming testimony opposed this effort to take an already obscenely gerrymandered map and make it more gerrymandered. In sum, the message from the people was unambiguous: “Not like this, and not right now.”

And regarding the active litigation, without the plaintiffs’ involvement and judicial oversight, no redrawing now can be presumed to remedy their harm. Instead, it appears the initiation of this process is attempting to preempt legal accountability while excluding both the courts and the very communities whose rights are at issue within the courts. Texans deserve a lawful and participatory process—not one that bypasses judicial review and manipulates public testimony to justify predetermined outcomes. As such, if the Legislature now claims that its rushed redistricting effort is intended to address or remedy the legal

claims currently pending in federal court—particularly those brought under Section 2 of the Voting Rights Act and the Equal Protection Clause—then it is critically important to acknowledge that this is not how litigation of rights within our judicial system works. Plaintiffs must be directly involved in any proposed resolution of their claims. Legislative redistricting, in that respect—if truly intended as a corrective measure—must either be part of a negotiated settlement subject to judicial review, and the process must be fair, transparent, and subject to legal standards. Yet, it does not seem that the plaintiffs have been involved throughout this process, and no information indicates the respective court(s) have been involved either. This is not a settlement, it is a unilateral political maneuver under the false guise of attenuated compliance. Without plaintiffs’ involvement and judicial oversight, any such redrawing lacks legitimacy and fails to ensure that the past harm alleged has been resolved or addressed. Worse, it suggests the Legislature is attempting to bypass judicial review and manipulate public testimony to justify predetermined outcomes, which would not resolve the perceived discrimination at issue—it would significantly compound the harm.

#### Violations of Established Legislative Procedure

This redistricting process has included several notable shortcuts and deviations from reasonable and prudent legislative procedure. These include:

- Severely limiting hearings and public notice: Hearings were announced with limited notice, with no maps released in advance, making meaningful public input as to actual impact impossible. The information regarding the hearings was confusing, hard to find, and difficult to interpret under the circumstances. It was also very surprising and disappointing to learn that the committee failed to use its authority to seek clarification or obtain a legally sound basis for this mid-decade, special session redistricting. Instead, information from the hearings indicates that an invitation to the Department of Justice to provide clarification was not sent until close to the conclusion of the field hearing process.
- Bypassing normal committee review procedures: The process also lacked meaningful committee review and was compressed into sessions not designed for full deliberation. This is evident throughout the hearing records, where committee members—across both House and Senate—directed numerous questions to the Chairs expressing confusion and seeking clarification about this special session, mid-decade effort. Their inquiries reflected frustration and a lack of clear purpose for the process itself. Additionally, the hearing record contains substantial public testimony and written comments comparing this process to previous redistricting efforts, further underscoring the stark procedural deviations and irregularities present in this session.
- Suppression of Public Participation: Public comment was restricted by the number of hearings, the scheduled times, and their format. This can also be found throughout the hearings’ record as there were many individuals who were unable to testify, many who expressed challenges in trying to testify, and many other statements regarding the significant obstacles and limitations.
- Rushing legislation without proper time for review: The entire process was fast-tracked during a period when many Texans were unable to participate due to flood recovery and other conflicts based upon how and when these hearings were scheduled.

## Improper Use of State Resources and Public Funds for Legal Counsel

It also seems highly irregular and ethically concerning for redistricting committee chairs to retain personal legal counsel using public funds. Both House and Senate committees involved committee member questions as to whether the chairs had retained legal counsel and to whom the scope of representation applies. Legal resources like the Texas Legislative Council exist to support the legislative process—not to shield individual officials from accountability when they are accused of violating Texans’ constitutional rights. If public funds are being used to protect an official from potential personal liability for unconstitutional conduct, that is an abuse of taxpayer resources and violates the purpose for which those funds were intended.

## Misleading Use of Historical Narratives

During the Senate committee hearing on 7/29/25, the Chair referenced the Democratic Party’s historical ties to Jim Crow laws, while omitting the subsequent political realignment and Republican “Southern Strategy,” which was misleading and revisionist. The comments failed to acknowledge that the modern Republican Party now dominates the same Southern states that resisted civil rights under past Democratic leadership. His remarks served not to clarify, but to mislead, and echoed a pattern of using incomplete history to justify present-day discrimination.

Specifically, the history of political parties in the United States—especially regarding civil rights and Jim Crow laws—is complex and often misrepresented in modern political rhetoric. While it’s true that the Democratic Party once included many of the architects and enforcers of segregation, it’s also true that the ideological centers of both major parties have shifted dramatically over time, especially since the mid-20th century.

Following Reconstruction, it was primarily Southern Democrats—often referred to as “Dixiecrats”—who enacted and upheld Jim Crow laws. These laws enforced racial segregation and voter suppression across the South for decades. At the time, the Democratic Party was a broad coalition, including both white Southern conservatives and Northern liberals. The Southern wing dominated the party in the South and fiercely opposed civil rights for Black Americans.

By the 1950s and 1960s, as the civil rights movement gained national momentum, the Democratic party began to fracture along regional lines. The Civil Rights Act of 1964 and the Voting Rights Act of 1965 were championed by Democratic President Lyndon B. Johnson and passed with bipartisan support—but not evenly across the country. The majority of Southern Democrats in Congress opposed the legislation, while most Northern Democrats and Republicans supported it. So, while it is true that Republican lawmakers voted in favor of the Civil Rights Act at a higher rate than Democrats overall—this reflected regional, not ideological, divides.

Notably, the passage of civil rights laws marked a turning point in American party politics. Many white Southern Democrats—angry at their party’s embrace of civil rights—began shifting their allegiance to the Republican Party. In response, Republican leaders like Richard Nixon and

Ronald Reagan adopted what became known as the “Southern Strategy,” appealing to disaffected white voters through language emphasizing states’ rights and traditional values. Over time, this led to a significant realignment: the South became increasingly Republican, while the Democratic Party became identified with civil rights, diversity, and progressive policy. So, while the comments were presented as purportedly accurate, they failed to provide the full historical context regarding the political realignment that occurred following the civil rights era. In doing so, the remarks became a selective and incomplete interpretation of history—directly contradicting their stated intent to clarify. In fact, this misleading framing serves as a specific, recorded example of the very concerns raised by many testifying constituents: that revisionist narratives are being used to justify and normalize discriminatory practices in the present day.

In short, it is misleading to say that Democrats are “the party of Jim Crow” or “opposed civil rights,” as was implied. That characterization ignores the massive ideological shifts that have occurred since the 1960s. While the Democratic Party once included segregationists, many of those individuals and their successors ultimately realigned with the Republican Party. Today, the Democratic Party is widely associated with civil rights advocacy, while the Republican Party now dominates in the same Southern states that once resisted integration under Democratic control. These facts must be understood within the historical political context that has fundamentally changed over time. Using past affiliations to attack the modern Democratic Party is historically misleading and intellectually dishonest.

#### Objection to Speaker Mistreatment

In addition to the limitations placed on constituent testimony, there have also been significant acts of mistreatment toward constituent speakers. Most notably, the arrest of Isaiah Martin—a person of color, testifying as both a citizen and a candidate for Congressional District 18—stands as a deeply troubling and a highly visible example of punitive action taken against someone exercising his constitutional rights.

Watching him physically forced to the floor, removed, and arrested—all from simply testifying before the House committee was not only alarming—it served as a specific, recorded example of the very concerns raised by many testifying constituents: that unconstitutional actions are being used to justify and normalize discriminatory practices in the present day. While I have not yet been able to view all hearing recordings, I saw another concerning incident during the July 29, 2025, Senate Committee hearing. A resident attempted to testify about how unlawful redistricting impacts access to reproductive care, particularly considering recent legal actions taken by the Texas Attorney General. After she shared that she was nervous to speak—but before her allotted time had expired and before she could finish her remarks—the Chair interrupted her, dismissed the relevance of her testimony to representation or voting rights, and—while cutting her off—asked her to restate her name and affiliation. While clarifying affiliation may have been procedurally appropriate, the speaker had already provided her name and appeared to have followed the required registration protocol. Given these circumstances and the act of interrupting her, requiring her to restate her name and clarify affiliation—particularly in light of the topic she was attempting to address—appeared targeted and chilling.

In addition, the criticism of constituents who testified forcefully at the hearings was inappropriate and unacceptable. The First Amendment protects every citizen's right to speak freely, including the right to criticize public officials. The U.S. Supreme Court has long made clear that elected leaders must tolerate robust and even harsh criticism. In *New York Times Co. v. Sullivan* (1964), the Court affirmed that public officials have less protection from criticism than private citizens because "debate on public issues should be uninhibited, robust, and wide-open." That includes strong, even offensive speech. Politicians must be able to take criticism—no matter how harsh—because doing so is a fundamental expectation in a functioning democracy. Attempting to discredit or intimidate speakers for exercising these rights undermines democratic legitimacy itself.

It is also deeply harmful to watch elected officials, through these committees and this process, engage in a structurally unfair and exclusionary hearing format—and then arrest, chastise, and silence constituents who speak out against the very pattern of discrimination and harm occurring in Texas. These actions target and mistreat people for doing exactly what the Constitution protects. Moreover, these actions serve to prove the very point made in much of the testimony: that some Texas officials are not seeking public input—they are seeking to impose power. With these officials continuing to align themselves with Trump's command for five more GOP seats, over the will of Texans, it appears apparent that what is desired here is not public engagement, but authoritarian control in violation of Texans' constitutional rights, which will invariably harm minority communities and people of color most.

As a woman and person of color, I have been shocked to my core watching Mr. Martin's arrest, the conduct of this process, the silencing of the constituent during the July 29 hearing, and the public chastisement of Texans as they exercised their constitutional right to testify. A clear example of racism is witnessing a white male in power criticize and shame constituents of color, alongside their communities, and tell them they are wrong for how they feel. These moments expose not only alarming deficiencies in leadership, but also structural inequality, unlawful animus toward minority communities, and the systemic exclusion that Texans of color confront every day.

This statement again emphasizes that now is neither the appropriate time nor the appropriate set of circumstances to force through a rushed special session redistricting—particularly one with no legitimate basis for initiation and little to no support from everyday Texans. The process should be halted immediately, based on the overwhelming public testimony opposing it and the complete lack of compelling justification for why it is being pursued now, especially in such a compressed and restrictive format. The absence of credible urgency, transparency, or public backing underscores what this effort truly represents: a politically motivated attempt to disenfranchise communities of color and, in effect, nullify the protections of the Voting Rights Act—not a legitimate legislative necessity.

