

HISTORY OF 1980s REDISTRICTING PLANS

Harris County and Surrounding Area

U.S. CONGRESS

Congressional Districts 2, 6, 7, 8, 9, 14, 18, 22, and 25 are in the Houston hearing region. Between 1983 and 1990, the districts have been represented as follows:

District 2 -- Charles Wilson
District 6 -- Phil Gramm (elected 1982)
 Joe L. Barton (elected 1984, 1986, and 1988)
District 7 -- Bill Archer
District 8 -- Jack Fields
District 9 -- Jack Brooks
District 14 -- William Patman (elected 1982)
 Mac Sweeney (elected 1984 and 1986)
 Greg Laughlin (elected 1988)
District 18 -- Mickey Leland (elected 1982-1988)
 Craig Washington (elected 1989 special election)
District 22 -- Ron Paul (elected 1982)
 Tom DeLay (elected 1984, 1986, and 1988)
District 25 -- Michael Andrews

The Texas Legislature first considered congressional redistricting during the regular session of the 67th Legislature. The House congressional plan was contained in H.B. 1400, which was passed by the House. The Senate congressional plan was contained in S.B. 799, which was substituted for the House version. H.B. 1400 as substituted was passed by the Senate and sent back to the House. A conference committee was appointed to formulate a compromise plan, but the regular session ended with no agreement.

Governor Clements called a special session of the legislature on July 13, 1981. The Senate met as a Committee of the Whole to hear S.B. 1, the congressional redistricting bill. The first plan gave Harris County four whole districts: Bill Archer's District 7, Jack Fields's District 8, Mickey Leland's District 18, and one with no incumbent, District 22 in south and southeast Harris County. Harris County would also have shared two districts with surrounding counties: Baytown would have been included in Jack Brooks's District 9 along with Galveston, Chambers, and Jefferson counties, and southwest Harris County would have been grouped with Fort Bend

County and most of Brazoria County in the new District 25.

Senator John Wilson offered a substitute plan that was adopted by the committee. Districts in the Houston area included District 18 in the center of Houston, considered safe for Mickey Leland; District 8, running from a small segment of Montgomery County and taking in most of eastern Harris County, including Baytown; District 25, a new southeastern Harris County district that took in Pasadena; District 7, in western Harris County; part of District 9, an east Texas district that would have reached into Harris County from the south and would have taken in the NASA area; and a small portion of southwest Harris County in District 22, a southeast Texas district represented by Republican Ron Paul. A compromise plan was offered on the Senate floor by Senator Jack Ogg, the Senate sponsor from Houston, but was defeated 16-15. The Senate then approved the Wilson plan by a vote of 19-12 and sent it to the House.

In the House, Representative Tim Von Dohlen, the House sponsor, offered a plan that would create a new, predominantly minority district and a new Republican district in Harris County. Under the Von Dohlen plan, Mickey Leland's inner city District 18 would have had a minority population of 64.9--47.6 percent Hispanic and 17.3 percent Black. The new District 27, south of the 18th District, would have had a 60.2 percent minority population--46.5 percent Black and 13.7 percent Hispanic. The new 25th Congressional District in northwest Harris County would have reached into Waller, Washington, Burleson, and Lee counties. The 8th District of U.S. Representative Jack Fields would have stretched north into Montgomery County and southeast to Armand Bayou. U.S. Representative Bill Archer's 7th District would generally have been located south of I.H. 10 and west of Kirby Drive. Von Dohlen later offered a new plan that included a horseshoe-shaped 22nd Congressional District around western Harris County and that would have reached into Fort Bend, Waller, Colorado, Austin, Washington, Burleson, Lee, and Milam counties and a part of Williamson County. This plan would have paired U.S. Representative Ron Paul of the 22nd District in the 14th District with U.S. Representative Bill Patman. The proposed 14th District would have stretched from the coastal counties of Brazoria, Matagorda, Calhoun, Refugio, and Aransas into Comal County in south central Texas. This plan was adopted by the House Committee on Regions, Compacts and Districts on a 14-5 vote. The House, however, refused to adopt the Von Dohlen plan and sent it back to committee.

The House ended up passing an amended version of S.B. 1 that was accepted by the Senate and signed by the governor on August 14, 1981. S.B. 1 as passed included District 2 in east Texas; District

6 in east central Texas; District 7 in west and northwest Harris County; District 9 in the upper Gulf Coast, including a portion of southeast Harris County; District 14, which covered the mid-Gulf Coast and south central Texas; District 18, the Houston central city; District 22, Fort Bend County and parts of Brazoria County and southwestern Harris County; and District 25, southeast Harris County.

On September 14, 1981, a lawsuit styled Seamon v. Upham was filed in U.S. District Court challenging the S.B. 1 congressional plan. A three-judge panel was appointed to hear the case. The lawsuit challenged 16 districts, including Districts 6, 7, 8, 18, 22, and 25. The congressional plan had been submitted to the department of justice for preclearance as required by the Voting Rights Act, and on January 29, 1982, the department filed an objection to S.B. 1, thus invalidating the plan. The court had postponed the February 1 filing deadline and again postponed the deadline to March 19 and retained jurisdiction to draw an interim plan.

The plaintiffs alleged that Blacks and Hispanics had been excluded from any meaningful role in the drawing of district plans. In Harris County, the plaintiffs said that the minority communities added to Mickey Leland's District 18 from Jack Fields's District 8 had reduced District 8's minority impact from 40 percent to 29.3 percent and that this was even more significant because the District 8 incumbent was already considered unsympathetic to minority concerns. The new District 25, with a combined minority population of 38.7 percent, replaced District 22 in Harris County, which had a 31.2 percent combined minority population and which had had a significant impact in several close elections. S.B. 1 had thus replaced one Black district (18) and two minority impact districts (8 and 22) with one Black district (18) and one minority impact district (25), when in fact another district dominated by minority voters could have been drawn.

On February 27, 1982, the federal court panel ordered a new congressional redistricting plan to be used for the 1982 elections that would remain in effect until the state enacted a different plan. The court drew its own plan using the S.B. 1 lines as a starting point. In Harris County, the court found no retrogression, even though the minority percentages were reduced in Districts 8 and 22, because minorities still retained influence there and because a new impact district (25) had been created. The court stressed that its task was not to maximize minority voting potential or engage in racial line-drawing but to avoid retrogression. The court's decision was appealed to the U.S. Supreme Court, which ruled that the panel should have limited its

plan to those districts that were found objectionable by the justice department (15 and 17). The panel's plan, however, was allowed to stand for the 1982 elections. In any case, the districts in the hearing region would not have been affected by the Supreme Court ruling. A population breakdown of the districts in the hearing region as determined in the court ordered redistricting plan is attached.

On May 28, 1983, the 68th Legislature enacted S.B. 480, which essentially retained the federal court's 1982 plan. S.B. 480 made no changes to District 2, 7, 9, or 14. In District 6, a portion of Tarrant County replaced a portion of Dallas County. Districts 8, 18, and 25 each had a few census tracts added in Harris County. District 22 had one census tract added in Brazoria County. On September 27, 1983, the justice department declined to object to the new congressional redistricting plan, and on January 30, 1984, the federal district court upheld the plan as adopted by the 68th Legislature.

S.B. 1 AND
COURT-ADOPTED CONGRESSIONAL REDISTRICTING PLAN

PERCENT OF POPULATION

	<u>BLACK</u>	<u>HISPANIC</u>
<u>DISTRICT 2</u>	15.53	3.21
<u>DISTRICT 6</u>	10.85	5.87
<u>DISTRICT 7</u>	3.15	7.08
<u>DISTRICT 8</u>	16.74	12.52
<u>DISTRICT 9</u>	21.38	7.61
<u>DISTRICT 14</u>	11.49	20.05
<u>DISTRICT 18</u>	40.81	31.21
<u>DISTRICT 22</u>	9.61	13.57
<u>DISTRICT 25</u>	24.99	13.74

CONGRESSIONAL DISTRICT POPULATION ANALYSIS

FEDERAL COURT PLAN

1982 Federal Court Plan
Used in
1982 elections only

District	Variation From Ideal		Population					% of Population		
	Amount	%	Total	Black	Hispanic	Other	Black	Hispanic	Minority	Other
1	+ 39	+ .01	527,016	103,258	8,378	415,380	19.59	1.59	21.18	78.82
2	- 205	- .04	526,772	81,820	16,906	428,046	15.53	3.21	18.74	81.26
3	- 124	- .02	526,853	17,502	21,528	487,823	3.32	4.09	7.41	92.59
4	+ 14	--	526,991	73,672	14,035	439,284	13.98	2.66	16.64	83.36
5	- 185	- .04	526,792	103,411	64,454	358,927	19.63	12.24	31.87	68.13
6	+ 416	+ .08	527,393	57,213	30,981	439,199	10.85	5.87	16.72	83.28
7	+ 106	+ .02	527,083	16,615	37,320	473,148	3.15	7.08	10.23	89.77
8	+ 551	+ .10	527,528	88,302	66,030	373,196	16.74	12.52	29.26	70.44
9	- 534	- .10	526,443	112,560	40,073	373,810	21.38	7.61	23.99	71.01
10	- 34	- .01	526,943	54,566	97,278	375,099	10.36	18.46	28.82	71.18
11	- 106	- .02	526,871	74,580	49,052	403,239	14.16	9.31	23.47	76.53
12	+ 97	+ .02	527,074	90,979	54,697	381,398	17.26	10.38	27.64	72.36
13	- 137	- .03	526,840	27,091	46,875	452,874	5.14	8.90	14.04	85.96
14	- 57	- .01	526,920	60,531	105,659	360,730	11.49	20.05	31.54	68.46
15	+ 226	+ .04	527,203	2,486	378,195	146,522	.47	71.74	72.21	27.79
16	+ 424	+ .08	527,401	19,226	317,592	190,583	3.65	60.22	63.86	36.14
17	- 146	- .03	526,831	16,932	59,260	450,639	3.21	11.25	14.46	85.54

CONGRESSIONAL DISTRICT POPULATION ANALYSIS (cont'd)

District	Variation From Ideal		Population				% of Population		
	Amount	%	Total	Black	Hispanic	Other	Black	Hispanic	Minority
18	+ 416	+ .08	527,393	215,230	164,616	147,547	40.81	31.21	72.02
19	+ 828	+ .16	527,805	28,361	131,919	367,525	5.37	24.99	30.37
20	- 644	- .12	526,333	46,167	324,910	155,256	8.77	61.73	70.50
21	+ 67	+ .01	527,044	15,205	117,197	394,642	2.88	22.24	25.12
22	- 375	- .07	526,602	50,585	71,439	404,578	9.61	13.57	23.18
23	- 429	- .08	526,548	21,641	279,406	225,501	4.11	53.06	57.17
24	- 300	- .06	526,677	169,810	70,770	286,097	32.24	13.44	45.68
25	- 176	- .03	526,801	131,660	72,400	322,741	24.99	13.74	38.74
26	+ 308	+ .06	527,285	16,404	20,571	490,310	3.11	3.90	7.01
27	- 37	- .01	526,941	14,443	324,102	188,396	2.74	61.51	64.25
STATE TOTALS			14,228,383	1,710,250	2,985,643	9,532,490	12.0	21.0	33.0
									67.0

Source: U.S. Census Bureau, 1980 Census of Population and Housing, C-1, Districts of Congress

Comparison of Population by Group in Existing Districts, SB 1 and Court Plan

District	Existing District			SB 1			Court Plan		
	Black	Hispanic	Other	Black	Hispanic	Other	Black	Hispanic	Other
3	3.33	4.44	91.23	3.16	5.23	91.62	3.32	4.09	92.59
5	18.31	10.77	70.92	5.11	6.96	87.93	19.63	12.24	68.13
24	25.51	11.86	62.63	46.54	17.29	36.17	32.24	13.44	54.32
26	- New District -			3.47	4.18	92.35	3.11	3.90	92.99
28 15	0.46	77.29	24.25	0.24	80.36	19.40	0.47	71.74	27.79
27	- New District -			2.97	52.90	44.13	2.74	61.51	35.75