

**An Assessment of Voting Rights Progress in Texas
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In August 2005, Texas joined California, Hawaii and Mexico to become the fourth state in which most residents were not Anglo. According to Census Bureau estimates, 50.2 percent of the Texas population now belonged to a minority group.

When the initial Voting Rights Act was crafted under the watchful eyes of President Lyndon Johnson, Texas was one of four southern states not caught by the trigger mechanism in Section 4. It is hardly surprising that the Texas president would set a threshold that would not bring his home state under the most demanding features of the legislation. The history of the Lone Star state is not free of racial disfranchisement, as University of Houston professor and Texas politics maven Richard Murray points out:

In the immediate aftermath of the Civil War, blacks became a political force in Texas in counties that had high percentages of slaves. The Twelfth Legislature, elected under a new constitution pushed through by Radical Republicans, included two black senators and nine black representatives. Within a few years, however, white conservative Democrats regained control of Texas politics and began the systematic disenfranchisement of the African-American population, which was completed with the approval of a state poll tax in 1901 and the establishment of a white primary system. By 1906 there were only about 5,000 black voters on the rolls.¹

Murray goes on to note that the state maintained the white primary until 1944, and the poll tax remained a prerequisite for participation in state elections until 1966. Although political scientist V. O. Key dismissed the poll tax as a significant source of black disenfranchisement at the time of its adoption, later scholars assert that it and the white primary excluded Latinos as well as blacks.² Nonetheless, black participation in Texas was sufficiently high that the initial Voting Rights Act trigger did not snare the state.

The notable successes achieved by African-Americans in Section 5 states made Texas Latinos eager for a similar legislative assist in promoting political activities among their population. A major impetus for the extension of the legislation in 1975 that included

1 Richard W. Murray. "Richard W. Murray Report", at page 12; see also Robert Brischetto, David R. Richards, Chandler Davidson, and Bernard Grofman, "Texas" in Chandler Davidson and Bernard Grofman, eds., *Quiet Revolution in the South: The Impact of the Voting Rights Act, 1965-1990* (Princeton, NJ: Princeton University Press, 1994).

2 V. O. Key, Jr., *Southern Politics in State and Nation* (Knoxville, TN: Tennessee Press, 1949; 1984) especially chapters 27 and 28. See also Brischetto, et al, *op. cit.*; and Jerry L. Polinard, "Expert Report of Jerry L. Polinard Regarding Congressional Redistricting Plan 1374C" Submitted in *Sessions v. Perry*, 2003, p. 5.

language minorities came from the Texas Latin community.³

The 1975 reauthorization extended the provisions of the act to address voting discrimination against linguistic minorities, defined as “American Indian, Asian American, Alaskan Natives” or people “of Spanish heritage.” The reauthorization also recalibrated the presence of tests or devices and levels of electoral participation to November 1972. The definition of “test or device” was rewritten to encompass the provision of minority language electoral information to political subdivisions and states where a linguistic minority constituted more than five percent of the citizen voting age population (VAP). More precisely, the minority language provision triggers coverage of any jurisdiction or political subdivision where: Over five percent of the voting-age citizens were, on November 1, 1972, members of a single language minority group; registration and election materials were provided only in English on November 1, 1972; and fewer than 50 percent of the voting-age citizens were registered to vote or voted in the 1972 Presidential election. The minority language provision covered all of Alaska, Arizona, and Texas, and parts of California, Florida, Michigan, New York, North Carolina, and South Dakota.

Minority Registration and Turnout

While Texas was not subject to the initial Voting Rights Act or its 1970 amendments, the Commission on Civil Rights treated it like other southern states and reported the incidence of black registration in this state in the wake of the 1965 legislation. By 1967, the Voter Education Project (VEP) estimated that a higher proportion of the nonwhite than white population had registered to vote in Texas. The VEP estimates reported by the Commission on Civil Rights indicated that 61.6 percent of nonwhites compared with 53.3 percent of whites had signed up to vote.⁴ Texas was the only one of the eleven southern states in which nonwhite registration rates exceeded the white figure. The explanation for this unusual pattern may well reflect low levels of participation of the Hispanic population. The Civil Rights Commission report provides no separate figures for Spanish-surnamed voters so that surmise cannot be fully explored.

Every two years, the U.S. Bureau of the Census conducts a national survey to determine the rates at which Americans registered and voted in the previous general election. These surveys rely upon self-reports of the individuals who were sampled and, consequently are almost certainly inflated. However despite the problem of over-reporting, these figures – which now extend over almost two generations -- can be used to make rough comparisons across time and across different states and regions, on the assumption that the inflation is of similar magnitude across time and space. Most states do not indicate

³ Abigail M. Thernstrom, *Whose Votes Count?* (Cambridge: Harvard University Press, 1987), pp. 48-62.

⁴ U.S. Commission on Civil Rights, *Political Participation* (Washington, D.C.: U.S. Government Printing Office, 1968), pp. 222-223.

the race or ethnicity of registrants in their official registration records so these estimates are the best available figures.

Table 1 provides the Census Bureau estimates of participation by ethnicity in Texas from 1980 through 2004. The figures for Latino registration are relatively consistent over the generation included in the table. The lowest percentage of Latinos who report having registered is 39.1 percent in 2002. That figure, however, is not significantly different from figures reported in 1980, 1990, 1994, and 1998. On the high side, 45.5 percent of the adult Latinos report having been registered in 1988.

(Table 1 goes here)

The registration rates for Anglos are also relatively constant over time, ranging from a low of 58.2 percent in 1986 to a high of 66.5 percent in 1988. In 1980, the difference between Anglo and Latino registration was 22.1 percentage points; 24 years later, the difference is 20 percentage points. The 2000 and 2002 figures present two of the smallest differences in recent years with white registration being approximately 18 percentage points higher than Latino registration. These are not the smallest differences since in the two mid-term elections of the 1980s, the differences were 15.1 and 16.2 percentage points.

White figures are impacted by the way the group is defined. In the earlier years, Hispanic “whites” were not excluded from the calculation of Anglos and in order to maintain comparability throughout the time period, the white figures presented in Tables 1 and 2 include Hispanics. Separate breakouts for non-Hispanic whites have been available for Texas only since 1998. At that time, the proportion of the voting age Anglo, non-Hispanics who reported registering stood at 69.4 percent, almost 30 percentage points higher than the figure for the Hispanics. In 2004, the non-Hispanic white registration figure had increased to 73.6 percent, again, approximately 30 percentage points higher than for Latinos.

The gap between Latino and black registration has grown over time. In 1980, the difference was approximately 17 percentage points while in 2004 it had reached almost 27 percentage points, the greatest in the time period covered.

The lower part of Table 1 provides registration figures for the non-South as a baseline for comparison. Throughout the time period, registration rates for Texas Latinos exceeded that for those outside the South. In most years, the difference has been roughly ten percentage points. The registration rates were most similar in 1980 when 39.3 percent of the Texas Latinos compared with 35.5 percent of those outside the region reported being registered. The largest difference occurred in 1988 when 45.4 percent of Texas Latinos but only 32.4 percent of non-southern Latinos had registered. Latino registration rates follow a see-saw pattern so in 2000, approximately ten percentage points more Texas than non-southern Latinos had registered while in 2002, the disparity shrank to 8.5 percentage points.

Table 2 provides the estimates made by the Census Bureau for Texas turnout by ethnic group. For each of the three groups a distinctive saw-tooth pattern is visible. In presidential elections, Latino turnout ranges from 27.9 percent in 1996 to a high of 33.2 percent in 1988. The first presidential election (1980) had almost an identical rate of Latino turnout as the most recent two, all between 29 and 30 percent of the voting age population. The share of the Latino voting age population that has turned out in mid-term elections ranges from a low of 15.3 percent in 1998 to a high of 26.8 percent in 1982. In presidential elections, Hispanic turnout is approximately 60 percent of the Anglo turnout. For the first two mid-term elections in the series, Latino participation ran at a bit above 60 percent of Anglo participation. Since then, Latinos have participated at only about half the rate of Anglos in mid-term elections.

(Table 2 goes here)

Prior to 1996, Anglos had the highest voting rates. In the five most recent elections, however, African-Americans have turned out to vote at higher rates than Anglos. Latinos have always been a distant third in turnout rates.

The bottom half of Table 2 provides data for the non-South as a point of comparison. In most years, Texas Latino participation rates track closely with those for Latinos outside of the South. In seven election years, participation rates were higher among Latinos in Texas than outside the South. The differences were usually small with the greatest disparity coming in 1988 when Latino participation in Texas was approximately seven percentage points higher than in the non-South. Only in 1998 was the turnout rate among non-southern Latinos substantially greater than for those in Texas.

Since 1992, Texas has reported figures for the number of registrants with Spanish surnames. This provides an indicator of the rates at which Latinos are registering to vote. The problem with using surnames is that some Latinos have Anglo names. This may be particularly true of Latinas who have Anglo husbands and take their names, or the offspring of such unions who nonetheless consider themselves Latino. Of course, the reverse pattern also occurs with Anglo women and their children often assuming the surnames of their Latino husbands. Thus the measure is not perfect but it does provide an additional indicator of the potential for Hispanic participation in Texas.

Table 3 reports the number of registrants as well as the proportion of registrants who have Spanish surnames. In 1992, Spanish-surnamed registrants made up approximately one-seventh of the Texas electorate. The numbers and share of all registrants with Spanish-surnames has grown so that by 2004, slightly more than one in five registrants had a Spanish-surname. The 20.75 percent of the registrants who have Spanish surnames is less than the 28.6 percent of the 2000 voting age population who were Latinos. However the presence of Latinos among registrants is approaching the 22.3 percent of the citizen voting age population that was Hispanic in 2000.

(Table 3 goes here)

Minority Officeholding

Texas has led all states in the number of Latino officeholders. In 1996, Texas boasted almost 1,700 Latinos in public office and by 2003 that number had swelled to almost 2,000, one of whom held a statewide post. California, the state with the second largest number of Latino officeholders, had roughly half the number found in Texas while New Mexico, the state that ranked third in the number of Latino officeholders, had fewer than one-third as many as Texas. Indeed, more than 40 percent of all Hispanics holding elected office in the nation served in the Lone Star State. The great bulk of the Texas Latino officeholders are Democrats although there is currently one Hispanic in the state's Republican congressional delegation and a few serve in the state legislature.

Minority Members of Congress

Henry Gonzales became the first Latino member in Congress from Texas when he won a special election in January of 1962. A second Hispanic, Kika de la Garza won in the southern most district of the state - - a district that includes Brownsville, Harlingen, and McAllen - - in 1964. The 1982 reapportionment which brought Texas three new seats coincided with the creation of a third heavily Hispanic district in south Texas that elected Solomon Ortiz. A fourth Latino joined the Texas delegation in 1984 when Albert Bustamante triumphed in a district that extended from the San Antonio suburbs to the border.

The redistricting of 1992 was intended to increase the number of Latino members in the House to six. One new district extended north out of the Rio Grande Valley while a second, strangely shaped, predominately Hispanic district was drawn in Houston. The Valley district performed and elected Frank Tejeda but in Houston, even though 54 percent of the VAP was of Hispanic origin, the leading Latino candidate, Ben Reyes, ultimately lost by 1,200 votes to an Anglo Democratic after a contested runoff. Reyes had led in the initial primary and then finished 180 votes behind Gene Green in the runoff. Reyes challenged the runoff results claiming that Republicans had participated. Although he prevailed in his litigation, he lost in the second runoff. 5

The 1992 elections also saw a Republican Latino elected as Henry Bonilla defeated Albert Bustamante after press reports surfaced that the incumbent was under investigation by the FBI for racketeering.⁶ Bonilla easily won the Republican primary

5 Douglas D. Abel and Bruce I. Oppenheimer, "Candidate Emergence in a Majority Hispanic District: The 29th District in Texas," in Thomas A. Kazee, editor, *Who Runs for Congress? Ambition, Context and Candidate Emergence* (Washington, DC: Congressional Quarterly, 1994), pp. 45-66.

6 Murray, 2001, *op. cit.*

by beating an Anglo opponent. This geographically-expansive district that extends along the Texas-Mexican border from El Paso to San Antonio has a large number of Latino non-citizens so that the Anglo vote, which tends to be Republican, has a heightened influence. A sixth Latino won a seat in 1996 when Silvester Reyes triumphed in the El Paso open seat long held by Anglo Democrats.

After winning control of both legislative chambers in 2002 Republican lawmakers carried out a controversial mid-decade redistricting in which they created an additional 68.6 percent Hispanic seat anchored in the South Valley as shown in Table 4. As in 1992, Latino hopes for an additional member of Congress were dashed when an Anglo Democrat won the new district in 2004. Liberal Lloyd Doggett, whose Austin district had been splintered in the Republican gerrymander, ran for reelection in the new district that extended from the Valley to the Austin suburbs. Doggett easily defeated a Latina in the Democratic primary. As a consequence, the numbers of Latinos in Congress has not increased and Anglos now two districts that have large Latino concentrations since Rep. Gene Green continues to turn back challenges in the Houston district.

(Table 4 goes here)

One issue in the litigation involving the Republican plan of 2003 focused on the one Texas Republican Latino in Congress. Most experts who testified in the trial challenging the new plan did not consider Henry Bonilla to be Latinos' candidate of choice since most of them had backed his Democratic challengers. Allan Lichtman's estimates, reported in Table 5, are that in contested general elections from 1992 through 2002, Bonilla captured between 8 and 30 percent of the Hispanic vote along with 83 - 88 percent of the Anglo vote.⁷ The 2003 map reduced the likelihood that a Democrat could win in Bonilla's 23rd district.

The analysis performed for the G.I. Forum by Professor Richard Engstrom revealed that in three of six Hispanic-majority Valley districts the vote share for Hispanic-preferred candidates fell when compared to the map used in 2002. However only in one district – Bonilla's CD23 – did the share of votes for Hispanic-preferred candidates fall below a majority.⁸

(Table 5 goes here)

In sum, Texas currently has eight majority-Latino congressional districts. However, in one of these districts the Latino citizen VAP is so low that the state's own expert in the 2003 litigation did not consider it to be one likely to elect the candidate preferred by

7 See, for example, Allan J. Lichtman, "Report of Allan J. Lichtman on Voting Rights Issues In Texas Congressional Redistricting," submitted in *Sessions v. Perry*, 2003, at 52-53.

8 Richard L. Engstrom, "REPORT: G.I. Forum v Texas," submitted in *Sessions v. Perry*, 2003.

Latinos.⁹ Of the seven remaining majority Latino districts, five elect Hispanics while two others elect Anglo Democrats who are the candidate of choice in general elections. Overall, 21.8 percent of Texas congressional districts are Latino majority districts that elect a candidate of choice in the general election, a number roughly comparable to the state's Latino citizen VAP in the most recent census.

Although Texas was not brought under Section 5 as a result of discrimination against African-Americans, the Department of Justice has been concerned about representation of blacks in Congress. In the 1950s, congressional mapmakers deliberately split the black electorate in Harris County to reduce its political influence. Electing an African American would wait until the 1971 redistricting when state Senator Barbara Jordan won the newly-obtained Texas congressional district in central city Houston.¹⁰

When Jordan arrived in Congress in 1972, she joined Georgia's Andrew Young as the South's first two African-American representatives elected in the 20th century. The seat that Jordan won has remained in the hands of an African-American ever since and is now filled by her third successor, Sheila Jackson Lee. During much of the time that the district had sent an African-American to Congress, it has had only a black plurality, not a black majority.

A second black female senator, Eddie Bernice Johnson, used her position to create a majority-black district in Dallas in 1992. Johnson easily won that district and continues to represent it. She has testified that but for the personal ambition of fellow Democrat Martin Frost, a black district could have been created in the metroplex a decade earlier.¹¹

The mid-decade redistricting carried out by Republicans in 2003 resulted in a third African American going to Congress. Al Green won District 9, a district located in southwest Harris County that was 37 percent black and only 17.4 percent Anglo. Green bested Anglo Democrat Chris Bell, who had represented portions of the new district, in the Democratic primary by an almost 2:1 margin. Green dominated the black vote in the March 2004 primary, and easily won the November general election by a 72-26 margin. Bell had won the old 25th District in 2002, although he was not the candidate of choice of blacks in this district that was 22 percent black and 31 percent Hispanic.

Changes to the majority-black congressional districts in Dallas and Houston did not imperil the ability of African-American voters to elect their candidate of choice in 2004

⁹ Ronald Keith Gaddie, "Expert Report of Ronald Keith Gaddie, Ph.D.," submitted for *Sessions v. Texas*, 2003, at 2, 8-9; but also see Andy Taylor, "28 CFR 51.27 (m) and (n) Voting Rights Analysis, Submitted October 20, 2003 for The State of Texas." Houston, TX, October 20 2003.

¹⁰ Richard Murray, "An Analysis of the Impact of Texas Congressional District Plan 01374C On Congressional Districts 18 and 30" submitted in *Sessions v. Perry*, November 2003, at 13.

¹¹ Eddie Bernice Johnson testimony in *Sessions v. Perry*.

as reported in Table 6. African-American incumbents were reelected in 2004 with 89 percent and 93 percent respectively in districts 18 and 30 as neither faced major party opposition. Richard Murray, who provided evidence on behalf of the two black incumbents in the 2003 trial, indicated that changes to the Dallas district had “minimal” impact on the African-American population, though the new Latino wards might portend increased “black-brown” competition in the future.¹² In Houston, Murray warned that the growing Latino presence might ultimately threaten blacks’ ability to elect their candidate of choice in District 18.¹³

(Table 6 goes here)

Minority State Legislators

Latinos have a long history of serving in the Texas House. Data compiled by the Mexican American Legislative Caucus shows a Latino in the state House as far back as 1947. For the period recorded in Table 7, which begins with 1965, there have always been at least nine Latinos in the House. The number of Latino representatives almost doubles between 1973 and 1977, increasing from 10 to 18. The numbers hover around 20 until implementation of a new districting plan in 1993 when the number of rises to 26. Around the turn of the century, the number of Latinos in the Texas House reached 30 or 20 percent before falling back to 27 currently.

(Table 7 goes here)

Although Latinos had served in the Senate previously, none were members in 1965. Henry Gonzalez, who had been the only Hispanic senator, left the chamber in 1962 when he won a special election to Congress. Since a Latino senator won in 1966, the numbers have slowly increased reaching seven in 1997. At that point, Latinos held 22.6 percent of the Senate and 18.7 percent of the House seats. These figures are slightly below the 22.3 percent Hispanic in the 2000 citizen voting age population. The number of Hispanic senators has remained relatively constant since 1987 and has never exceeded seven in the 31-member chamber.

Table 7 also shows the numbers and percentage of African-American legislators. The first African-American legislator to be elected to the Senate, Barbara Jordan, triumphed in a Houston District in 1966. She held that seat for three terms before giving it up for a successful run for Congress. After a decade without an African-American state senator, Houston sent another black senator in 1982, and then four years later, Eddie Bernice Johnson, also destined to become a congresswoman, became the first black senator from Dallas. African-Americans continue to hold a pair of Senate seats so that their representation in the Senate is roughly half their percentage of the 2000 VAP.

¹² Murray, 2003, p.12.

¹³ *Ibid.*, p. 9.

African-Americans have been present in the House since 1967 without interruption. They experienced a substantial increase from two to eight after the 1971-72 redistricting. Their number increased again in 1977 to 13. In the almost three decades since then, the number of black representatives has fluctuated between 13 and 14.

State Minority Candidates

A number of minority candidates have sought statewide office in Texas. The state maintains a database showing candidate race for all levels of offices, for primaries and general elections. Of the 140 major party nominees for statewide office since 1992, six are African-American and thirteen are Hispanic, and six of the minority candidates are Republicans while thirteen are Democrats. Democratic minority candidates have met with limited success statewide. In 1992, Morris Overstreet was reelected to the Criminal Court of Appeals, and in 1994 Dan Morales was returned to the position of attorney general (see Table 14). Both left office after losing primary bids for higher office (Overstreet for attorney general, Morales for governor). Raul A. Gonzalez, now a lawyer in private practice, received 81 percent of the vote in his reelection to the state Supreme Court in 1994. Since 1996, no minority Democrat has won statewide office in Texas; indeed, no Democrat of any race has won statewide office. As indicated in Table 8, the high water mark for any Democrat since 1996 is 46.53 percent of the vote won by Charlie Holcomb in a bid for the Criminal Appeals court.

(Table 8 goes here)

Figures 1 and 2 illustrate the decline of the Democratic vote in general, and also the independence of this decline from the race of the Democratic candidates. Figure 1 illustrates the shift in the total vote share for Democrats running statewide, and also indicates Hispanic (yellow dot) and African-American (black dot) candidates. From 1992 to 1994 votes are shifting away from Democratic candidates although the range in vote share for Democrats is substantial and a number of Democrats attract a majority of the vote. Starting in 1996, no Democrat commands a popular plurality of the vote, though the range of votes obtained is wide. From 2000-2004, all Democratic candidates perform poorly, regardless of race, and the votes for most are tightly clustered in the low-40s. Nearly all of the loss of support by Democrats comes among Anglo voters. Figure 2 illustrates the shift in the Anglo vote share for Democrats running statewide, and also indicates Hispanic (yellow dot) and African-American (black dot) candidates. As indicated in Figure 2, in 1992 and 1994 seven Democrats running statewide received majority Anglo support, including all three of the successful minority candidates running for office. Since 1996, no Democrat has approached majority support among Anglo voters and since 2000 no Democrat has commanded over 35 percent of the Anglo voter statewide.

(Figures 1 and 2 go here)

Candidate race is not a factor in the decline of support for Democratic candidates in the 66 statewide contests from 1992-2004 where Democrats stood. A test of the difference of mean vote by race of candidate -- for the overall vote and the Anglo vote share -- shows that differences in the vote shares for Anglo, African-American, and Hispanic candidates are insignificant ($F=.285$ and $.940$, respectively). When one subjects the percentage of the Anglo vote captured by Democrats to a multivariate test, controlling for the race or ethnicity of the Democratic candidate and a temporal counter set to 0 in 1992 and increasing by a value of +1 for each passing year, the decline of the Anglo vote for Democrats is not significantly related to a candidate's ethnicity. African-American and Hispanic candidates fare no worse than Anglo Democrats. Indeed, the coefficients for black and Hispanic candidates are actually positive.¹⁴ On the other hand, the negative coefficient reported in footnote 15 shows that the Democratic vote share drops by just more than two percentage points each election.

Democrats hoped to reverse their series of losses in 2002 when they fielded what became known as the "Dream Ticket" because of its ethnic diversity. Democrats nominated African-American Dallas Mayor Ron Kirk for the Senate over 1996 Senate nominee, Hispanic Victor Morales and Anglo congressman Ken Bentsen. For governor, Hispanic businessman Tony Sanchez prevailed, while for the powerful post of lieutenant governor, Democrats chose an Anglo, former comptroller John Sharp. The primary victories of Kirk and Sanchez (and Morales' attaining a runoff with Kirk for the Senate) affirmed the observation of Texas politics expert Richard Murray, that "Black and Hispanic candidates have real opportunities to secure the Democratic nomination both at the state level and in many districts where minority voters are a majority of the primary electorate . . . as the Democratic primary electorate has shrunk, it has become much more heavily black and Hispanic in composition."¹⁵ The dream ticket intended to appeal to all ethnic and racial groups turned out to be nothing more than a pipe dream, as Kirk ran little better than other Democrats among Anglo voters, Sanchez ran worse, and Sharp, the top Democratic vote-getter, only managed a paltry 34 percent of the Anglo vote. Richard Murray notes that "general election voting in Texas very much follows class and racial/ethnic lines," and, in Texas it is evident that race and party are structured together

¹⁴ The result of the regression is:

	<u>b</u>
Intercept	45.48
Counter	-2.06*
African-American	5.05
Hispanic	0.54

Adjusted-R-Squared = .38; N=66; * $p < .01$, two-tailed test.

¹⁵ Murray, 2003, p. 10.

in vote choice, but the race of a candidate is not the issue. Democratic candidates, regardless of their ethnicity, are failing with Anglo voters.¹⁶

Texas political scientist Jerry Polinard observes that “the continuing impact of race on elections can be seen by studying recent statewide results. While Hispanic candidates are able to win elections in local areas and in districts that are drawn specifically for them or that are heavily Hispanic, Hispanics hold statewide offices in percentages far less than their percentage of the population as a whole.”¹⁷ Hispanics constitute over a third of all adult Texans and 22.3 percent of the voting age population in the most recent census, and they held no more than two of the 27 statewide constitutional offices in Texas in the 1990s. However, since 1994, two Hispanics and four African Americans identified in the Texas state candidate database have been nominated for statewide offices as Republicans. Of these six, all but one – Teresa Doggett in 1994– prevailed in the general election, and all of the winners pulled 63 – 85 percent of the Anglo vote, showings consistent with the performance of Anglo Republicans.

Racial Voting Patterns

This section will review analyses of voting patterns in Texas elections from the previous decade. The emphasis will be on congressional elections with both primaries and general elections being reviewed. Each of the three major ethnic groups in Texas is frequently cohesive when going to the polls. Analyses of Democratic congressional primaries in Texas reveal various coalitions emerging among the three sets of players. Sometimes Anglos, African-Americans, and Latinos vote together, but in other contests, Hispanics coalesce with Anglos against the preference of black voters. A third arrangement is for black voters to align with Anglos against the preferences of Latinos. A fourth pattern is for blacks and Latinos to share a candidate preference that is rejected by Anglos. In general elections, partisanship trumps ethnicity as a voter cue.

¹⁶ Murray, 2001, p. 10.

¹⁷ Polinard, 2003, p. 5.

Primary Elections

Table 9 presents estimates of Anglo, African-American, and Hispanic voter support for candidates in select 1992 Democratic congressional primaries and runoffs. In four of the nine primaries analyzed, most Anglo, African-American, and Latino voters shared a candidate preference. Included in this group was the majority-Hispanic District 16, which renominated the Anglo incumbent. Despite facing a Latino challenger, incumbent Ron Coleman got his strongest support from Hispanic voters. Eddie Bernice Johnson also drew majority support for all ethnic groups in winning the nomination in the newly-created 30th District.

In Houston's District 18, blacks overrode the preference of Anglo and Hispanic voters to renominate the African-American incumbent Mickey Leland. In two other districts, minorities backed a Hispanic candidate while Anglos favored an Anglo. In District 29, black and Hispanic voters coalesced behind a Latino, Ben Reyes who lost to an Anglo Gene Green in the runoff.¹⁸ The black and Hispanic preference in District 23, Albert Bustamante, was renominated over Anglo opposition.

(Table 9 goes here)

The presence of substantial black and Latino communities in Houston and Dallas - Fort Worth has raised questions about the cohesion of those groups in party primaries. Table 10 contains homogenous precinct analysis and ecological regression estimates of minority and Anglo voter cohesion in select Democratic primaries in Dallas, Tarrant and Harris counties featuring minority-versus-Anglo candidates in Democratic primaries. While African-American and Hispanic voters coalesce in general elections, they do not necessarily unite behind a brown or black candidate when there is also an Anglo in the primary field.¹⁹ In each county, Morris Overstreet, the black candidate for attorney general, got the bulk of the African-American vote but was rejected overwhelmingly by other voters. In Tarrant and Dallas counties, black and Anglo voters united against DeLeon, the Latino candidate for agriculture commissioner who ran very well with Latino voters. In primaries that pit an Anglo against a Latino, blacks and Anglos coalesce in support of the Anglo candidate. When an Anglo faced an African American, Latinos and Anglos united behind the Anglo.²⁰ A similar pattern was observed in

¹⁸ Initially Green was not the candidate of choice of Latino voters although as he gained seniority, he also gained Latino support and, as noted earlier, has been their candidate of choice in recent elections.

¹⁹ Ronald Keith Gaddie, "Supplement #3" submitted in *Del Rio v. Perry*, 2001.

²⁰ The data presented are consistent with the finding of a three judge Federal panel in 2001, that African-American and Hispanic voters do not coalesce in Democratic primaries:

The Latino and African-American plaintiffs thus present competing positions, reflecting a political reality that they are competitors in the political process. This

Austin municipal elections in the 1970s.²¹
(Table 10 goes here)

General Elections

African-American and Hispanic candidates can win Democratic Party nominations although these successes may not be based on the support from a coalition of the minorities. In statewide general elections, Anglo voter support for Democrats is declining. In congressional elections, Anglo support for Democratic candidates varies greatly, both in the majority-minority districts and in predominantly Anglo districts that have more minority residents than average.

Tables 11 through 14 present Jonathan Katz's ecological inference estimates of Anglo and minority voter support in Texas congressional districts from 1992 through 2000.²² Table 11 estimates the Hispanic versus non-Hispanic voter preferences for contested elections in seven Hispanic-majority districts. In 22 of the 27 contests, Hispanic and Anglo preferences differed in the general election. Hispanic and Anglo preferences concurred in congressional District 29 (1994, 1996, and 2000), District 20 (1998) and District 28 (1994). All involved incumbents although many of the contests in which the groups disagree also had incumbents. Eight uncontested general elections account for the balance of cases. Anglo preferences for Republicans are most pronounced in congressional District 23, though this district also shows the strongest Hispanic support for a Republican, incumbent Henry Bonilla. The Hispanic preference prevailed in every contest except those involving Rep. Bonilla, indicating that, while Anglo and Hispanic preferences were opposed, the racial polarization is not legally significant.

(Table 11 goes here)

During the 1990s African-Americans and other voters usually opposed each other in general elections in the two districts with black members of Congress. In the Dallas-based District 30, Table 12 shows that the non-black electorate never cast a majority of its votes for the Democratic candidate, Eddie Bernice Johnson. In contrast, in the 1996 and 2000 elections in Houston's CD 18, majorities of black and non-black voters lined up

competition finds expression in an absence of cohesive voting between Latinos and African-Americans at the point in which it is meaningfully measured, the Democratic primaries.

See *Balderas v. Perry*, 6:01-CV-158, p. 12.

21 Charles S. Bullock, III, and Susan A. MacManus, "Voting Patterns in a Tri-Ethnic Community: Conflict or Cohesion: The Case of Austin, Texas, 1975-1985," *National Civic Review*, 79 (January-February, 1990): 5-22.

22 Jonathan N. Katz, "Report on Texas Congressional Redistricting: Minority Opportunities and Partisan Fairness," submitted in *Del Rio v. Perry*, 2001.

behind the Democrat. Despite disagreements in candidate choice between black and other voters in six of eight contested elections, the African-American choice always won.

(Table 12 goes here)

A review of Tables 11 and 12 shows that in heavily minority districts, the black electorate is more uniformly Democratic than are the Hispanic voters. Only congressional District 27 has Latino cohesion (more than 91 percent in each election) comparable to that exhibited among African Americans in Districts 18 and 30.

Table 13 presents results for eight districts with a greater than average black population in the 1990s. Black cohesion in these predominantly Anglo districts is usually comparable to that found in the districts that elected African Americans. With one exception African Americans preferred the Democratic candidate and in all but seven elections black cohesion exceeded 80 percent. Anglos gave more than 60 percent support to Democrats only twice while their support slips below 40 percent eight times. In 16 of the 32 cases for which Katz provided estimates, all of which involve only white candidates, black and non-black majorities supported the same candidate, a higher incidence of agreement than found in Tables 11 and 12 when the Democratic candidates were usually minorities.²³

(Table 13 goes here)

Table 14 presents estimates for congressional District 24 in the Dallas-Fort Worth area. These figures show overwhelming African-American and Hispanic support for Martin Frost (D), while in two of the three elections, the Anglo vote went to Frost's Republican challenger.

(Table 14 goes here)

There is a clear racial structure to the partisan preferences of Texas voters. The white vote is now solidly Republican in statewide elections and in the congressional elections when the Democratic nominee is a minority. When the Democratic candidate is an Anglo, Anglo voters offer less support than do minority voters although white Democratic incumbents are more likely to carry the bulk of the Anglo vote than are even minority incumbents. Despite infrequently attracting majorities among Anglos, the minority-preferred candidate has consistently won in predominantly-minority districts, except of CD 23 represented by Republican Henry Bonilla since 1992.

Conclusions

²³ Six Democrats escaped GOP opposition while in two other contests Katz's Ei models did not converge.

Voting rights progress in Texas has consisted of a stability of minority voter mobilization, an increase in minority candidacies and the election of minority representatives, and the emergence of a statewide partisan environment that militates against the election of minority-preferred candidates to statewide posts.

Census estimates show Latino voter registration and participation holding stable over the past two decades. Latino participation in Texas compares favourably with figures for the rest of the nation. In contrast to the Census Bureau estimates that show little longitudinal change, Spanish surname registration data maintained by Texas indicate an increase in Hispanic voter registration. From 1992 to 2004, the share of the Texas registrants who have Spanish surnames has increased by more than 40 percent so that the proportion of registered voters with a Spanish surname is only slightly less than the share the state's citizen voting age population that is Hispanic.

The numbers of Latinos and African Americans serving in Congress and the state legislature have grown since Texas was brought under Section 5 of the Voting Rights Act in 1975. Following the 2003 congressional redistricting African Americans constitute almost a tenth of the delegation and a quarter of the districts have Hispanic majorities although two of these lack Hispanic majorities when voting age citizens are considered. In all but one of these districts, the winner of the general election is the candidate of choice of most Hispanics and the remaining district elects a Hispanic Republican who has polled between 8 and 43 percent of the Hispanic vote during his tenure.²⁴ In the congressional delegation and the state Senate, the proportion of districts electing a Hispanic candidate of choice is consistent with the Hispanic citizen VAP share in the last census.

While minorities' numbers are increasing in the congressional delegation and the state legislature, white Democrats are becoming scarce. After the 2004 election, only three of the eleven Democrats representing Texas in Congress were Anglo Democrats. The Texas House had fewer Anglo than Latino Democrats. In the Senate, the minority Democrats outnumbered the Anglo Democrats. The evidence from these legislative delegations dovetails with the patterns derived from statewide elections to underscore that Democrats win in districts having heavy concentrations of minority voters. When the electorate is overwhelmingly Anglo, Republicans usually win although some Democratic incumbents can hang on because of the name recognition they have developed or the reputation for service they have developed.

Currently, there are three African-Americans and two Hispanics holding statewide elective office out of a total of twenty-seven offices. No Hispanic-preferred candidate has prevailed statewide since 1996, even though Hispanics such as former Secretary of

²⁴ OLS and homogenous precinct estimates made by Lichtman and reported in Table 5 show Bonilla polling from 8 to 37 percent of the Hispanic vote while Katz's Ei estimates reported in Table 11 show Bonilla to be more attractive to Hispanic voters, taking from 30.5 to 43.3 percent of their votes between 1992 and 2000.

State Tony Garza and former Supreme Court Justice Alberto Gonzales (now US Attorney General) have won statewide elections as Republicans during the 1990s.

No Democrat has prevailed in a statewide contest since 1996, and the decline of voter support in general – and Anglo voter support in particular – is consistent for all Democrats seeking all offices in Texas, regardless of the race of the candidate. While the results of congressional elections suggest that minority Democratic candidates attract smaller shares of the Anglo vote than do Anglo Democrats, it is currently impossible for Democrats to win statewide in the Lone Star State. The fate of the 2002 Dream Ticket underscores the unacceptability of Democratic nominees regardless of their ethnicity. The black candidate for the U.S. Senate, the Latino nominee for governor and the Anglo candidate for lieutenant governor all went down to defeat despite being well funded and getting extensive media coverage.

TABLE 1
 REPORTED REGISTRATION BY RACE IN TEXAS AND OUTSIDE THE SOUTH,
 1980-2004

	1980	1982	1984	1986	1988	1990	1992	1994	1996	1998	2000	2002	2004
TEXAS													
Black	56.4	56.6	65.3	66.6	64.2	60	63.5	58.5	63.2	62.1	69.5	65.1	68.4
White	61.4	59.4	66	58.2	66.5	61.1	66.1	59.7	62.7	59.7	61.8	57.7	61.5
Latino	39.3	43.2	45.2	43.1	45.5	40	42.9	39.2	42.7	39.7	43.2	39.1	41.5
Non-South													
Black	60.6	61.7	67.2	63.1	65.9	58.4	63	58.3	62	58.5	61.7	57	NA
White	69.3	66.7	70.5	66.2	68.5	64.4	70.9	65.6	68.1	63.9	65.9	63	NA
Latino	35.5	33.9	39	33.2	32.4	30.4	32.9	29.1	33.8	31.9	32.7	30.6	NA

Source: Various post-election reports by the U.S. Bureau of the Census.

TABLE 2

REPORTED TURNOUT BY RACE IN TEXAS AND OUTSIDE THE SOUTH, 1980-2004

	1980	1982	1984	1986	1988	1990	1992	1994	1996	1998	2000	2002	2004
TEXAS													
Black	40.7	37.8	51.2	39.8	47	38.7	50.1	33.1	47.1	35.5	57.5	44.3	55.8
White	52.7	40.6	55.5	37.5	55.2	42.5	57.2	39.4	46.7	33.5	48.1	35	50.6
Latino	29.7	26.8	32.7	23.6	33.2	22.5	33.1	18.9	27.9	15.3	29.5	19.1	29.3
Non-South													
Black	52.8	48.5	58.9	44.2	55.6	38.4	53.8	40.2	51.4	40.4	53.1	39.3	NA
White	62.4	53.1	63	48.7	60.4	48.2	64.9	49.3	57.4	44.7	57.5	44.7	NA
Latino	29.8	25.8	32.8	23.8	26.8	20.5	27.4	20.8	26.3	21.4	26.8	18.2	NA

Source: Various post-election reports by the U.S. Bureau of the Census.

TABLE 3

SPANISH SURNAME VOTER REGISTRATION, 1992-2004

<u>YEAR</u>	<u>TOTAL REGISTRATION</u>	<u>SPANISH REGISTRATION</u>	<u>SURNAME % REGISTERED</u>
1992	8,444,786	1,216,514	14.40550418
1994	8,639,197	1,315,422	15.22620679
1996	9,538,779	1,559,789	16.35208238
1998	9,587,025	1,790,764	18.67903755
2000	10,267,241	2,002,942	19.50808401
2002	10,333,415	2,111,446	20.4331869
2004	10,958,702	2,274,125	20.75177334

TABLE 4

LATINO MAJORITY CONGRESSIONAL DISTRICTS IN TEXAS, 2002 AND 2004

A. 2002 DISTRICTS (BALDERAS MAP)

DISTRICT	CitizenVAP Balderas	SSVR Balderas	Expected* %Democrat	Observed** %Democrat
15	69.3	67.0	64.2	100.0
16	69.9	67.5	61.6	100.0
20	61.6	61.5	62.5	100.0
23	57.4	55.3	57.2	47.2
27	63.5	61.6	59.1	61.1
28	61.4	59.6	66.1	71.1
29	42.8	42.5	67.5	95.2

B. 2004 DISTRICTS (HB-3 MAP)

DISTRICT	CitizenVAP HB-3	SSVR HB-3	Expected* %Democrat	Observed** %Democrat
15	58.5	56.7	60.7	57.8
16	69.9	67.5	61.6	67.5
20	60.8	59.9	63.1	65.5
23	45.8	44.0	48.7	29.4
25	55.0	55.6	72.5	67.6
27	60.4	58.0	58.7	63.1
28	56.2	54.3	61.7	59.0
29	46.7	45.9	64.5	94.1

Note: VAP and Citizen VAP figures are from the 2000 census; Spanish Surname Voter Registration is from the 2002 election cycle.

*"Expected" vote is % Democratic vote in 2002 Lieutenant-Governor's race in Texas, 2002

**Observed vote is actual % Democratic vote for candidate in respective election.

TABLE 5

ESTIMATES OF HISPANIC AND ANGLO VOTER PREFERENCES FOR HENRY
BONILLA IN CONGRESSIONAL DISTRICT 23, 1992-2002

Year	OLS %Hispanic	OLS %Anglo	HP %Hispanic	HP %Anglo	Ei %Hispanic	Ei %Anglo
1992	23	87	32	90	30.5	85.4
1994	29	83	34	87	43.3	78.0
1996	30	83	32	89	37.7	88.5
1998	26	85	37	89	40.0	83.9
2000	20	83	32	88	34.6	78.4
2002	8	88	---	---	---	---

Source: Allan J. Lichtman, "Report of Allan J. Lichtman on Voting Rights Issues In Texas Congressional Redistricting," submitted in *Sessions v. Perry*, 2003; Allan J. Lichtman, "Report on Congressional Districts in Texas," submitted in *Del Rio v. Perry*, 2001. Ei estimates are from Jonathan N. Katz, "Report on Texas Congressional Redistricting: Minority Opportunities and Partisan Fairness," submitted in *Del Rio v. Perry*, 2001.

TABLE 6

BLACK ACCESS DISTRICTS, BALDERSAS (2002) AND HB-3 (2004)

DISTRICT	% Black VAP	% Latino VAP (SSVR)	Expected* %Democrat	Observed** %Democrat
<u>2002</u>				
18	42.1%	29.1% (14.2%)	76.4	76.9
30	40.3%	27.7% (11.4%)	74.2	74.3
<u>2004</u>				
9	36.5%	30.3% (13.7%)	71.0	72.2
18	40.3%	32.2% (16.0%)	75.0	88.9
30	41.0%	30.7% (12.5%)	78.5	93.0

*"Expected" vote is % Democratic vote in 2002 Lieutenant-Governor's race in Texas, 2002

**Observed vote is actual % Democratic vote for candidate in respective election.

TABLE 7

LATINO AND AFRICAN-AMERICAN STATE LEGISLATORS, 1965-2005

Year	Black Senate	Black House	Latino Senate	Latino House	Percent Black Senate	Percent Black House	Percent Latino Senate	Percent Latino House
1965	0	0	0	9	0	0	0	6
1967	1	2	1	10	3.225	1.333	3.225	6.667
1969	1	2	1	11	3.225	1.333	3.225	7.333
1971	1	2	1	9	3.225	1.333	3.225	6
1973	0	8	2	10	0	5.333	6.451	6.667
1975	0	9	2	14	0	6	6.451	9.333
1977	0	13	3	18	0	8.667	9.677	12
1979	0	13	4	17	0	8.667	12.90	11.333
1981	0	13	3	17	0	8.667	9.677	11.333
1983	1	13	3	21	3.225	8.667	9.677	14
1985	1	13	4	19	3.225	8.667	12.90	12.667
1987	2	13	6	19	6.451	8.667	19.354	12.667
1989	2	13	6	19	6.451	8.667	19.354	12.667
1991	2	13	5	22	6.451	8.667	16.129	14.667
1993	2	14	6	26	6.451	9.333	19.354	17.333
1995	2	13	6	27	6.451	8.667	19.354	18
1997	2	14	7	28	6.451	9.333	22.580	18.667
1999	2	14	7	30	6.451	9.333	22.580	20
2001	2	14	7	30	6.451	9.333	22.580	20
2003	2	14	6	27	6.451	9.333	19.354	18
2005	2	14	6	27	6.451	9.333	19.354	18

TABLE 8

CANDIDATE RACE AND ETHNICITY, MINORITY PREFERENCES, AND STATEWIDE ELECTION OUTCOMES IN TEXAS, 1992-2004

Year	Office	Candidate	%Vote	%Anglo Vote
1992	Railroad Commissioner	Lena Guerrero(I)-D	39.26	32.5
1992	Justice, Supreme Court, Place 1	Oscar H. Mauzy(I)-D	43.10	37.7
1992	Judge, Court of Criminal Appeals	Pete Benavides(I)-D	49.49	40.4
1992	Judge, Court of Criminal Appeals	<u>Morris L. Overstreet(I)-D</u>	51.04	53.3
1992	Justice, Supreme Court, Place 2	Rose Spector-D	52.22	46.8
1992	Judge, Court of Criminal Appeals	Charles F. (Charlie) Bai	52.80	50.9
1992	Justice, Supreme Court, Place 3	Jack Hightower(I)-D	56.79	55.6
1994	Commissioner of Agriculture	Marvin Gregory-D	35.98	24.0
1994	U. S. Senator	Richard Fisher-D	38.30	27.3
1994	Justice, Supreme Court, Place 3	Jimmy Carroll-D	43.24	40.2
1994	Justice, Supreme Court, Place 2	Alice Oliver Parrott-D	43.81	37.3
1994	Railroad Commissioner (Unexpired)	Mary Scott Nabers(I)-D	44.86	43.5
1994	Judge, Court of Criminal Appeals	Betty Marshall-D	45.53	40.5
1994	Governor	Ann W. Richards(I)-D	45.87	36.0
1994	Judge, Court of Criminal Appeals	Charles Campbell(I)-D	46.04	41.9
1994	Railroad Commissioner	James E. Nugent(I)	48.14	48.6
1994	Commissioner, General Land Office	Garry Mauro(I)-D	50.19	48.6
1994	State Treasurer	Martha Whitehead(I)-D	50.29	46.4
1994	Attorney General	Dan Morales(I)-D	53.70	55.1
1994	Comptroller of Public Accounts	John Sharp(I)-D	55.48	57.4
1994	Lieutenant Governor	Bob Bullock(I)-D	61.48	63.7
1994	Justice, Supreme Court, Place 1	Raul A. Gonzalez(I)-D	81.31	80.6
1996	Justice, Supreme Court, Place 3	John B. Hawley-D	15.89	10.2
1996	Railroad Commissioner	Hector Uribe-D	39.01	23.6
1996	Chief Justice, Supreme Court	Andrew Jackson Kupper-D	40.57	29.2
1996	Justice, Supreme Court, Place 2	Gene Kelly-D	42.66	32.7
1996	U. S. Senator	Victor M. Morales-D	43.94	28.9
1996	Judge, Court of Criminal Appeals	Bob Perkins-D	44.53	36.8
1996	Justice, Supreme Court, Place 1	Patrice Barron-D	45.51	34.1
1996	Judge, Court of Criminal Appeals	Frank Maloney(I)-D	46.20	35.7
1996	Judge, Court of Criminal Appeals	Charles Holcomb-D	46.53	38.7
1998	Governor	Garry Mauro-D	31.18	18.4
1998	Commissioner, General Land Office	Richard Raymond-D	39.85	28.4
1998	Justice, Supreme Court, Place 3	David Van Os-D	39.89	28.0
1998	Railroad Commissioner	Joe B. Henderson-D	40.63	33.3
1998	Justice, Supreme Court, Place 1	Mike Westergren-D	41.81	30.6
1998	Commissioner of Agriculture	L.P. (Pete) Patterson-D	42.08	31.7

Year	Office	Candidate	%Vote	%Anglo Vote
1998	Judge, Court of Criminal Appeals	Winston Cochran-D	42.21	32.3
1998	Justice, Supreme Court, Place 4	Jerry Scarbrough-D	43.09	33.7
1998	Attorney General	Jim Mattox-D	44.18	36.6
1998	Judge, Court of Criminal Appeals	Charles F. Baird-D	46.03	36.1
1998	Justice, Supreme Court, Place 2	Rose Spector(I)-D	46.47	36.3
1998	Lieutenant Governor	John Sharp-D	48.19	37.9
1998	Comptroller of Public Accounts	Paul Hobby-D	48.99	39.7
2000	U. S. Senator	Gene Kelly-D	32.34	17.7
2000	Judge, Court of Criminal Appeals	William R. Barr-D	43.08	29.7
2000	Presiding Judge, Criminal Appeals	Bill Vance-D	43.89	30.3
2002	Comptroller of Public Accounts	Marty Akins-D	32.92	18.3
2002	Commissioner of Agriculture	Tom Ramsay-D	37.81	21.7
2002	Judge, Court of Criminal Appeals	John W. Bull-D	39.14	24.4
2002	Governor	Tony Sanchez-D	39.96	21.5
2002	Judge, Court of Criminal Appeals	J.R. Molina-D	40.00	22.8
2002	Chief Justice, Supreme Court	Richard G. Baker-D	40.50	25.2
2002	Attorney General	Kirk Watson-D	41.08	24.4
2002	Commissioner, General Land Office	David Bernsen-D	41.48	28.0
2002	Railroad Commissioner	Sherry Boyles-D	41.48	29.3
2002	Justice, Supreme Court, Place 1	Linda Yanez-D	41.54	23.8
2002	Justice, Supreme Court, Place 2	Jim Parsons-D	41.88	27.0
2002	Judge, Court of Criminal Appeals	Pat Montgomery-D	42.60	26.8
2002	Justice, Supreme Court, Place 3	William E. Moody-D	43.23	28.7
2002	U. S. Senator	<u>Ron Kirk-D</u>	43.32	27.2
2002	Justice, Supreme Court, Place 4	Margaret Mirabal-D	45.90	29.4
2002	Lieutenant Governor	John Sharp-D	46.03	34.0
2004	Justice, Supreme Court, Place 9	David Van Os-D	40.76	24.4
2004	Railroad Commissioner	Bob Scarborough-D	40.94	28.5
2004	Judge, Court of Criminal Appeals	J.R. Molina-D	42.14	25.3

TABLE 9
 ECOLOGICAL REGRESSION ESTIMATES OF RACIAL VOTING PATTERNS IN
 SELECTED TEXAS CONGRESSIONAL PRIMARY ELECTIONS OF 1992

Name/Race	Whites	Blacks	Hispanics
<i>1992, Democratic Primary</i>			
District 2			
Groce	14.3	5.0	14.9
Williamson	17.4	1.9	12.5
Wilson A	68.3	93.1	72.7
District 4			
Hall A	64.2	93.0	40.2
Sanders A	35.8	7.0	59.8
District 16			
Artalejo	1.2	11.0	6.1
Coleman-A	53.9	60.4	69.4
Jones	13.3	- 4.9	2.0
Ponzio H	31.5	33.5	22.4
District 18			
Leland B	-125.0	87.1	25.0
Spates	225.0	12.9	75.0
District 23			
Bustamante-H	21.1	71.2	83.6
Mulvaney	78.9	28.8	16.4
District 25			
Andrews-A	82.1	85.2	92.7
Whipple	17.9	14.8	7.3
District 29			
Burks B	5.5	15.4	- 1.1
Garcia H	34.2	- 6.2	17.9
Green A	80.8	35.4	1.1
Luna H	0.0	-16.9	27.4
Reyes H	-20.5	72.3	54.7
District 30			
Hanutz B	-70.0	6.1	.6
Johnson B	170.0	93.9	93.4

1992 Democratic Runoff

District 29

Green A	151.6	40.6	14.4
Reyes H	-51.6	59.4	85.6

Source: Ronald E. Weber. "Preliminary Report of Ronald E. Weber in *Vera vs. Richards*,

TABLE 10
ESTIMATES OF MINORITY AND ANGLO VOTER COHESION IN DEMOCRATIC
PRIMARIES IN DALLAS, TARRANT, AND HARRIS COUNTIES

	Ecological Regression			Homogenous Precincts		
	<u>%Black</u>	<u>%Hisp.</u>	<u>%Anglo</u>	<u>%Black</u>	<u>%Hisp.</u>	<u>%Anglo</u>
TARRANT COUNTY						
<i>1998 Agriculture Commissioner</i>						
DeLeon (H)	17.8	77.8	33.3	20.5	87.5	26.6
Patterson (A)	82.2	22.2	66.7	79.5	12.5	73.4
<i>1998 Attorney General</i>						
Kelly (A)	2.5	18.7	18.8	3.0	18.9	10.4
Mattox (A)	23.8	>100	>100	26.9	67.6	64.5
Overstreet (B)	73.7	<0	<0	70.1	13.5	25.0
HARRIS COUNTY						
<i>2000 Constable #3</i>						
Jones (A)	26.9	*	>100	32.3	47.7	79.6
Clowers (A)	14.6	*	23.1	18.0	10.8	15.7
Pappillion (B)	52.5	*	<0	49.7	41.5	4.6
<i>1998 Agriculture Commissioner</i>						
DeLeon (H)	51.4	73.7	7.7	50.6	87.1	39.2
Patterson (A)	48.6	26.3	92.3	49.4	12.9	60.8
<i>1998 Attorney General</i>						
Kelly (A)	13.7	38.2	30.8	11.1	30.6	7.2
Mattox (A)	19.1	>100	>100	20.4	53.4	62.1
Overstreet (B)	67.2	<0	<0	70.4	16.0	30.7
DALLAS COUNTY						
<i>1998 Agriculture Commissioner</i>						
DeLeon (H)	23.4	80.8	36.3	52.1	96.1	46.1
Patterson (A)	76.6	19.2	63.8	47.9	3.9	53.9
<i>1998 Attorney General</i>						
Kelly (A)	1.8	9.7	7.8	1.9	4.0	5.4
Mattox (A)	34.1	100.0	88.7	36.2	75.4	67.6
Overstreet (B)	64.1	<0	3.5	61.9	20.6	27.0

TABLE 11

HISPANIC AND NON-HISPANIC VOTING BEHAVIOR IN MAJORITY-HISPANIC CONGRESSIONAL GENERAL ELECTIONS, ECOLOGICAL INFERENCE (E_i) ESTIMATES, 1992-2000

District/Year	Proportion Hispanic	Proportion Anglo	District/Year	Proportion Hispanic	Proportion Anglo
CD15			CD27		
1992	0.748	0.341	1992	0.912	0.242
1994	0.851	0.381	1994	0.933	0.35
1996	0.896	0.26	1996	0.946	0.409
1998	0.882	0.387	1998	0.948	0.489
2000	---	---	2000	0.91	0.431
CD16			CD28		
1992	0.746	0.202	1992	---	---
1994	0.769	0.351	1994	0.888	0.508
1996	0.921	0.391	1996	0.946	0.465
1998	---	---	1998	---	---
2000	0.929	0.294	2000	---	---
CD20			CD29		
1992	---	---	1992	0.643	0.43
1994	0.758	0.49	1994	0.857	0.502
1996	0.892	0.339	1996	0.745	0.566
1998	0.747	0.509	1998	---	---
2000	---	---	2000	0.891	0.552
CD23					
1992	0.695	0.146			
1994	0.567	0.22			
1996	0.623	0.115			
1998	0.6	0.161			
2000	0.654	0.216			

Source: Jonathan N. Katz, "Report on Texas Congressional Redistricting: Minority Opportunities and Partisan Fairness," submitted in *Del Rio v. Perry*, 2001.

TABLE 12

BLACK AND NON-BLACK VOTING BEHAVIOR IN CONGRESSIONAL DISTRICTS ELECTING AFRICAN AMERICANS, ECOLOGICAL INFERENCE (Ei) ESTIMATES, 1992-2000

District/Year	Proportion Black	Proportion Anglo	District/Year	Proportion Black	Proportion Anglo
CD18			CD30		
1992	0.947	0.332	1992	0.945	0.382
1994	0.965	0.47	1994	0.926	0.377
1996	0.945	0.62	1996	0.958	0.363
1998	---	---	1998	0.931	0.446
2000	0.941	0.549	2000	---	---

Source: Jonathan N. Katz, "Report on Texas Congressional Redistricting: Minority Opportunities and Partisan Fairness," submitted in *Del Rio v. Perry*, 2001.

TABLE 13

BLACK AND ANGLO VOTING BEHAVIOR IN NON-MINORITY-MAJORITY CONGRESSIONAL DISTRICTS, WITH HIGHER THAN AVERAGE MINORITY POPULATIONS, ECOLOGICAL INFERENCE (Ei) ESTIMATES, 1992-2000

District/Year	Proportion Black	Proportion Anglo	District/Year	Proportion Black	Proportion Anglo
CD1	16.10%		CD11	15.60%	
1992	---	---	1992	0.853	0.651
1994	---	---	1994	0.847	0.57
1996	0.883	0.463	1996	0.892	0.52
1998	0.93	0.541	1998	---	---
2000	0.98	0.505	2000	0.848	0.514
CD2	15.00%		CD22	14.30%	
1992	0.569	0.56	1992	---	---
1994	0.718	0.542	1994	---	---
1996	0.613	0.518	1996	0.21	0.312
1998	0.608	0.588	1998	0.503	0.294
2000	---	---	2000	0.596	0.292
CD5	16.30%		CD24	20.50%	
1992	0.974	0.528	1992	0.853	0.504
1994	0.863	0.438	1994	0.746	0.435
1996	0.7	0.902	1996	0.919	0.453
1998	0.902	0.363	1998	0.773	0.466
2000	0.853	0.371	2000	0.795	0.521
CD9	20.60%		CD25	23.00%	
1992	0.904	0.464	1992	0.936	0.412
1994	0.861	0.384	1994	0.921	0.379
1996	0.942	0.435	1996	0.928	0.389
1998	---	0.518	1998	0.86	0.508
2000	---	0.488	2000	0.954	0.471

Source: Jonathan N. Katz, "Report on Texas Congressional Redistricting: Minority Opportunities and Partisan Fairness," submitted in *Del Rio v. Perry*, 2001.

TABLE 14

ECOLOGICAL INFERENCE (Ei) ESTIMATES FOR MINORITY GROUPS IN
CONGRESSIONAL DISTRICT 24, 1996 - 2000

	Proportion Black	Proportion Anglo	Proportion Hispanic
CD24			
1996	0.919	0.453	0.995
1998	0.773	0.466	0.989
2000	0.795	0.521	0.843
	20.50%*		30.7% (14.3%)**

Source: Jonathan N. Katz, "Report on Texas Congressional Redistricting: Minority Opportunities and Partisan Fairness," submitted in *Del Rio v. Perry*, 2001.

* % African-American voting age population.

** % Hispanic voting age population (% Spanish surname voter registration)

FIGURE 1: DEMOCRATIC STATEWIDE VOTE SHARES SINCE 1992, TOTAL VOTE, WITH RACE / ETHNICITY OF CANDIDATE

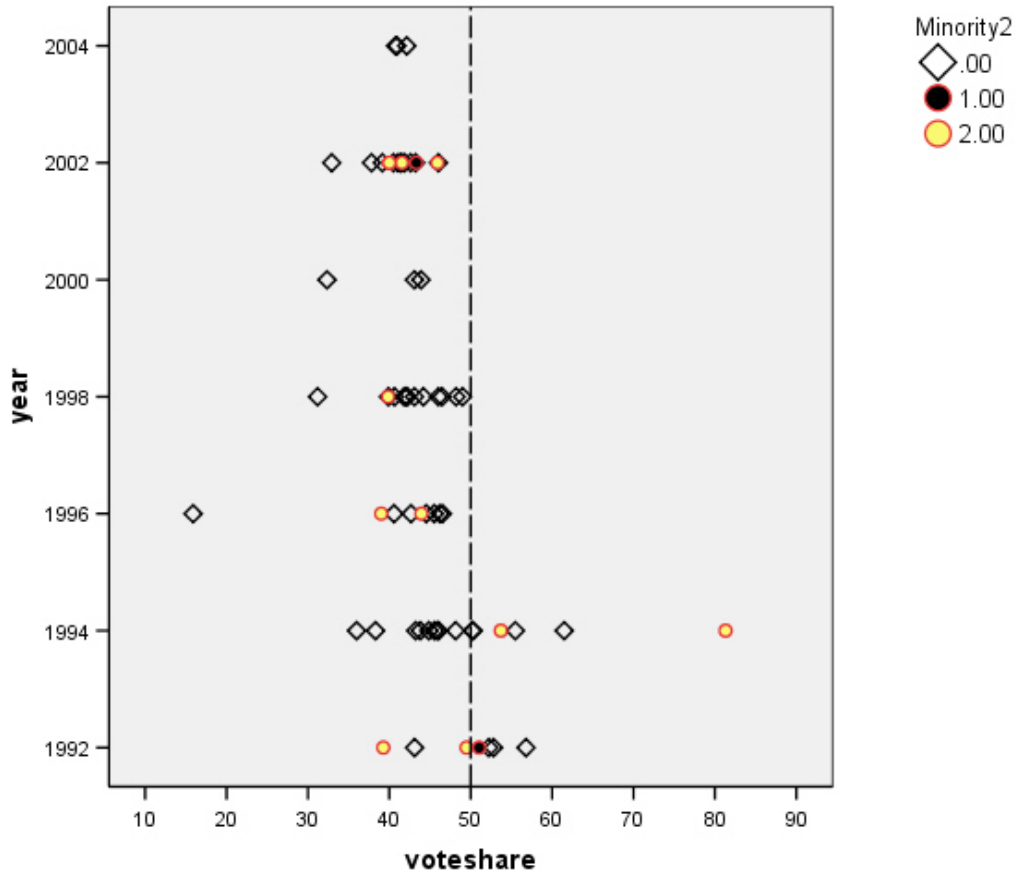
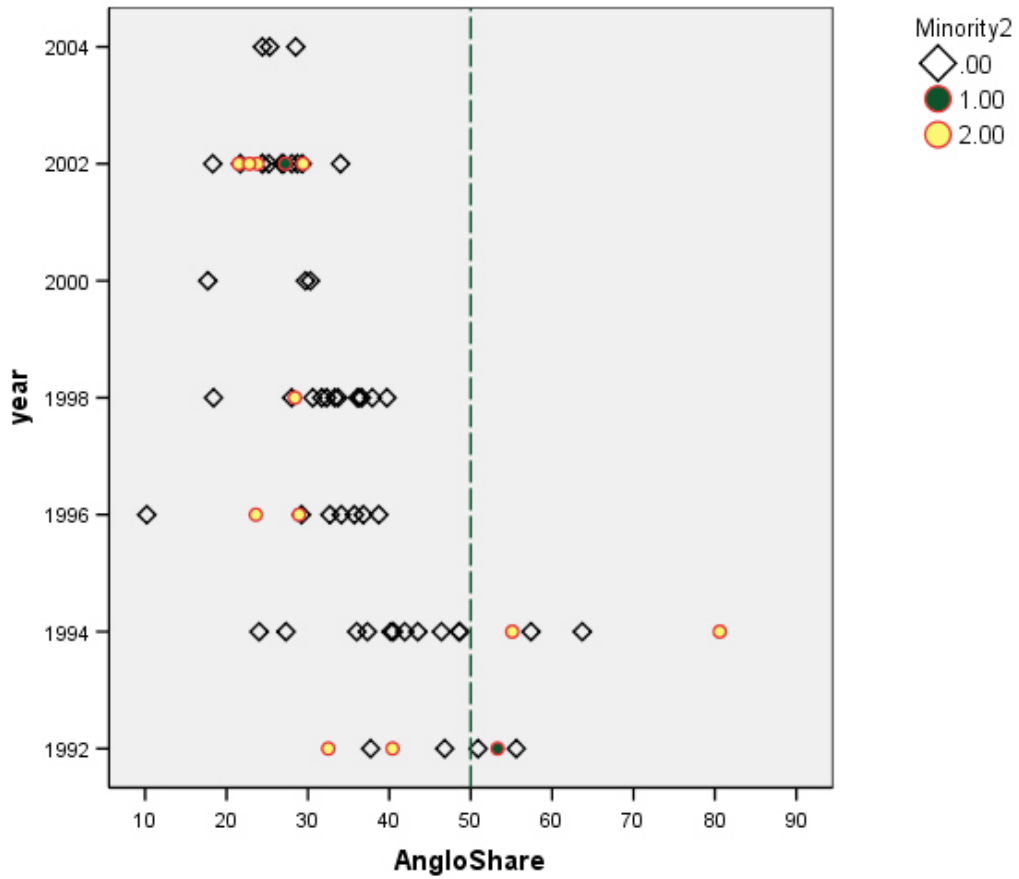


FIGURE 2: ESTIMATED DEMOCRATIC STATEWIDE SHARES OF THE ANGLO VOTE SINCE 1992, WITH RACE / ETHNICITY OF CANDIDATE



Note: From data provided by the Texas State Board of Elections and estimates of whit support performed by the authors (see also Table 14). Diamonds are Anglo candidates, black dots are African-American candidates, yellow dots are Hispanic candidates.