

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

TERRY PETTEWAY, THE
HONORABLE DERRECK ROSE,
MICHAEL MONTEZ, SONNY
JAMES and PENNY POPE,

Plaintiffs,

v.

GALVESTON COUNTY, TEXAS,
and HONORABLE MARK HENRY,
in his official capacity as Galveston
County Judge,

Defendants.

Civil Action No. 3:22-cv-57

UNITED STATES OF AMERICA,

Plaintiff,

v.

GALVESTON COUNTY, TEXAS,
GALVESTON COUNTY
COMMISSIONERS COURT, and
HONORABLE MARK HENRY, in
his official capacity as Galveston
County Judge,

Defendants.

Civil Action No. 3:22-cv-93

DICKINSON BAY AREA BRANCH
NAACP, GALVESTON BRANCH
NAACP, MAINLAND BRANCH
NAACP, GALVESTON LULAC
COUNCIL 151, EDNA COURVILLE,
JOE A. COMPIAN, and LEON
PHILLIPS,

Civil Action No. 3:22-cv-117

“chutzpah.”¹ Plaintiffs’ position is inconsistent with the docket, rulings and procedural facts of this case, and Plaintiffs’ conduct has led to delay.

2. First, in its April 19, 2023 Order the Court considered and determined that Defendants reasonably sought to collect documents and testimony from Commissioner Holmes, and that they acted diligently when it became clear that a subpoena to Commissioner Holmes was the only way to get compliance.² See ECF 140, at 1. In particular, it recognized that Defendants had been requesting information from Commissioner Holmes since October 2022, and that he therefore had “ample time” to produce responsive documents to Defendants. *Id.* at 1-2. Thus, Defendants’ diligence is not questionable. Moreover, the Court observed that “Commissioner Holmes unquestionably possesses information relevant to this case, and he has unquestionably known that since this litigation began. All parties should be in possession of that information as we move toward the dispositive motion phase of this litigation” *Id.* at 2. Again, Defendants have acted with alacrity in their discovery obligations.

¹ “Chutzpah” in its most classic and basic sense refers to the nauseating audacity found in a fictional person that killed his parents, is charged with it, and then throws himself on the mercy of the Court due to the hardship created by being an orphan. See *Checkpoint Sys., Inc. v. United States Int’l Trade Comm’n*, 54 F.3d 756, 763 n. 7 (Fed. Cir. 1995).

² DOJ and NAACP Plaintiffs spill a lot of ink excoriating Defendants for “their inability to collect relevant documentation from one of their clients,” ECF 150, at 3. But as Defendants made clear in their letter to the Court regarding the parties’ dispute over the Holmes subpoena, “Defense counsel has not represented Commissioner Holmes *in his individual capacity*. Defense counsel represents the County (and the Commissioners act for the County).” ECF 139, at 2 (emphasis added). Plaintiffs cannot continue to rely on arguments the Court has already declared to be a “tempest in a teapot.” See ECF 140, at 2.

3. Despite a clear instruction from the Court, eight days have elapsed since the Court's April 19, 2023 order validating the subpoena to Commissioner Holmes; yet, to date, Defendants have not received a single document. Instead, counsel frustratingly provided a privilege log. Neither Plaintiffs nor Commissioner Holmes have provided their position for another discovery dispute letter in which Defendants propose to address: (1) the failure to produce any documents in response to the subpoena, and (2) his production of a privilege log listing 1,183 pages of withheld documents. Due to opposing counsel's obstruction, Defendants are no closer to getting requisite and pertinent discovery materials. *See* Correspondence with All Counsel (attached hereto as Exhibit A).

4. The outstanding subpoena response is not the only delay impacting dispositive motion preparations. This Court recently considered a discovery dispute that arose when Plaintiff DOJ revealed on its privilege log the identities of over 60 new local "witnesses" which they had obscured through redactions until approximately 5 weeks before discovery closed. *See* DOJ's Supplemental Privilege Log (attached hereto as Exhibit B). After considering a discovery dispute letter over whether a representative of DOJ could be deposed (ECF 126), the Court at an April 12, 2023 hearing ordered DOJ to respond to contention interrogatories. And on April 20, 2023 DOJ replied to those interrogatories by laying out 56 pages of facts relayed by 66 interviewees. *See* DOJ's Contention Interrogatory Responses (attached hereto as Exhibit C). These facts and identities have been in DOJ's possession since this suit was filed, and Defendants specifically requested disclosure of such information in their discovery requests submitted in 2022.

5. Nevertheless, Defendants were denied access to that information until one

day before the discovery deadline. Defendants had little to no opportunity to consider the information, follow up on it, or use it in defense of this matter. Undoubtedly, this conduct is an abuse of the discovery process and has likely prejudiced Defendants' case. Instead of dwelling on the matter, however, Defendants sought to reasonably extend the dispositive motions deadline to allow the parties time to collect and/or consider information that was (and still is) being withheld from Defendants. It is unfathomable that Plaintiffs now seek to be rewarded for withholding discovery by demanding a shorter extension for the dispositive motions deadline and offering a different schedule of deadlines.

6. The documents and testimony sought are crucial to Defendants' case on summary judgment. Specifically, in relation to Commissioner Holmes, Plaintiffs allege that he was shut out of the redistricting process. The existence or accuracy of statements made by local residents regarding alleged voting rights violations in the community may be pertinent to the claims asserted by Plaintiffs. Petteway Plaintiffs' self-serving claim that it is not "conceivable that ... the subpoena ... could somehow resolve the obvious factual disputes" in this case misses the mark, and citation to *Veasey v. Abbott*, 830 F.3d 216, 234 (5th Cir. 2016) is inapposite. *See* ECF 151, at 2. In fair discovery practice, Plaintiffs cannot unilaterally decide what information Defendants are or are not entitled to, should not be in a position to determine what is important to Defendants' case, and certainly should not play a role in withholding information until the end of discovery. Plaintiffs' dilatory tactics with respect to investigations involving local residents and Commissioner Holmes' subpoena justify the extension of time that Defendants seek.

7. Finally, there is no merit to Petteway Plaintiffs' contention that the pending

depositions of Mr. Bryan and Mr. Oldham, and the potential reopening of other depositions (including those of Judge Henry and Commissioners Apffel and Giusti), should not counsel in favor of extending the dispositive motions deadline because “Defendants are in control of that evidence and those witnesses.” ECF 150, at 2. That argument is a red herring intended to distract the Court from the facts. *Plaintiffs* caused the subject depositions to be postponed or held open—principally by contesting Defendants’ proper assertions of privilege. This Court still has that dispute under advisement. Once the Court rules on the privilege issues raised by Plaintiffs in their Motions to Compel (ECF 102, 103, 131), the parties will need time to schedule and prepare. Defendants’ request for an extension of time, unlike that of Plaintiffs, properly accounts for that need.

8. To conclude, based on the outstanding discovery issues, Defendants sought an extension of the impending dispositive motion deadline. Plaintiffs’ response was to refuse the extension requested and push the Court for a completely new scheduling order. Defendants do not necessarily oppose Plaintiffs’ scheduling proposal in its entirety—but Defendants do maintain that the dates Plaintiffs proposed specifically for dispositive motions briefing are unfair. Defendants instead propose June 2, 2023 as the appropriate date for dispositive motions. Opposition briefs should be due on June 23, 2023, with reply briefs due July 7, 2023. The fourteen days requested for reply briefs is necessary because Defendants will likely be responding to three opposition briefs. Seven days is therefore insufficient.

WHEREFORE, Defendants respectfully renew their request for the Court to extend the time for the parties to file their Motions for Summary Judgment from April 28, 2023 to

June 2, 2023. Additionally, after considering Plaintiffs' opposition briefs, Defendants request that the Court set the date for opposition briefs to dispositive motions on June 23, 2023, with reply briefs due July 7, 2023.

DATE: April 28, 2023

Respectfully Submitted,

HOLTZMAN VOGEL BARAN
TORCHINSKY & JOSEFIAK PLLC

GREER, HERZ & ADAMS, L.L.P.

By: /s/ Dallin B. Holt

Dallin B. Holt

Attorney in Charge

Texas Bar No. 24099466

S.D. of Texas Bar No. 3536519

Jason B. Torchinsky*

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(409) 797-3262 (Telephone)

(866) 422-4406 (Facsimile)

Counsel for Defendants

CERTIFICATE OF SERVICE

I certify that on the 28th day of April, 2023, a true and correct copy of the foregoing was served via email upon all counsel of record.

/s/ Dallin B. Holt
Dallin B. Holt

From: [Hilary Harris Klein](#)
To: [Angela Olalde](#); [Valencia Richardson](#); [Randy Howry](#); [Bernadette Reyes](#)
Cc: [Sarah Chen](#); [Shawn Sheehy](#); [Joaquin Gonzalez](#); [Meza, Catherine \(CRT\)](#); [Dallin Holt](#); [Vall-Ilobera, Diana](#); [Jason Torchinsky](#); [Jordan Raschke Elton](#); [Joseph Russo](#); [Mark Gaber](#); [Neil Baron](#); [Simone Leeper](#); [Sonni Waknin](#); [Silberstein, Andrew](#); [Hani Mirza](#); [Suriani, JoAnna](#); [Garrett, Kathryn](#); [Polizzano, Michelle](#); [Zhu, Molly](#); [Nickolas Spencer](#); [Mancino, Richard](#); [Gear, Bruce \(CRT\)](#); [Jayaraman, Tharuni \(CRT\)](#); [Newkirk, Zachary \(CRT\)](#); [Mateo Forero](#); K'Shaani.Smith@usdoj.gov; [Wake, Brittany \(CRT\)](#); chad@brazilanddunn.com; [Alexandra Copper](#)
Subject: RE: [External]RE: Petteway, et al v. Galveston County: Privilege Log of Commissioner Stephen Holmes
Date: Thursday, April 27, 2023 9:53:31 AM
Attachments: [image001.png](#)

Angie,

NAACP Plaintiffs will also have a brief position to submit to the letter, and will send that along as early as we can this morning.

Kind regards,

Hilary

Hilary Harris Klein
hilaryhklein@scsj.org

From: Angela Olalde <aolalde@greerherz.com>
Sent: Wednesday, April 26, 2023 1:43 PM
To: Valencia Richardson <VRichardson@campaignlegalcenter.org>; Randy Howry <rhowry@howrybreen.com>; Bernadette Reyes <bernadette@uclavrp.org>
Cc: Sarah Chen <schen@texascivilrightsproject.org>; Shawn Sheehy <sshreehy@holtzmanvogel.com>; Hilary Harris Klein <hilaryhklein@scsj.org>; Joaquin Gonzalez <joaquin@texascivilrightsproject.org>; Meza, Catherine (CRT) <Catherine.Meza@usdoj.gov>; Dallin Holt <dholt@holtzmanvogel.com>; Vall-Ilobera, Diana <DVall-Ilobera@willkie.com>; Jason Torchinsky <jtorchinsky@holtzmanvogel.com>; Jordan Raschke Elton <jraschkeelton@greerherz.com>; Joseph Russo <JRusso@greerherz.com>; Mark Gaber <MGaber@campaignlegalcenter.org>; Neil Baron <neil@ngbaronlaw.com>; Simone Leeper <SLeeper@campaignlegalcenter.org>; Sonni Waknin <sonni@uclavrp.org>; Silberstein, Andrew <ASilberstein@willkie.com>; Hani Mirza <hani@texascivilrightsproject.org>; Suriani, JoAnna <JSuriani@willkie.com>; Garrett, Kathryn <KGarrett@willkie.com>; Polizzano, Michelle <MPolizzano@willkie.com>; Zhu, Molly <MZhu@willkie.com>; Nickolas Spencer <nas@naslegal.com>; Mancino, Richard <RMancino@willkie.com>; Gear, Bruce (CRT) <Bruce.Gear@usdoj.gov>; Jayaraman, Tharuni (CRT) <Tharuni.Jayaraman@usdoj.gov>; Newkirk, Zachary (CRT) <Zachary.Newkirk@usdoj.gov>; Mateo Forero <mforero@holtzmanvogel.com>; K'Shaani.Smith@usdoj.gov; Wake, Brittany (CRT) <Brittany.Wake@usdoj.gov>; chad@brazilanddunn.com; Alexandra Copper <ACopper@campaignlegalcenter.org>
Subject: [External]RE: Petteway, et al v. Galveston County: Privilege Log of Commissioner Stephen Holmes

Will do, and apologies!

From: Valencia Richardson <VRichardson@campaignlegalcenter.org>
Sent: Wednesday, April 26, 2023 12:41 PM

To: Angela Olalde <aolalde@greerherz.com>; Randy Howry <rhowry@howrybreen.com>; Bernadette Reyes <bernadette@uclavrp.org>

Cc: Sarah Chen <schen@texascivilrightsproject.org>; Shawn Sheehy <ssheehy@holtzmanvogel.com>; Hilary Harris Klein <hilaryhklein@scsj.org>; Joaquin Gonzalez <joaquin@texascivilrightsproject.org>; Meza, Catherine (CRT) <Catherine.Meza@usdoj.gov>; Dallin Holt <dholt@holtzmanvogel.com>; Vall-Ilobera, Diana <DVall-Ilobera@willkie.com>; Jason Torchinsky <jtorchinsky@holtzmanvogel.com>; Jordan Raschke Elton <jraschkeelton@greerherz.com>; Joseph Russo <JRusso@greerherz.com>; Mark Gaber <MGaber@campaignlegalcenter.org>; Neil Baron <neil@ngbaronlaw.com>; Simone Leeper <SLeeper@campaignlegalcenter.org>; Sonni Waknin <sonni@uclavrp.org>; Silberstein, Andrew <ASilberstein@willkie.com>; Hani Mirza <hani@texascivilrightsproject.org>; Suriani, JoAnna <JSuriani@willkie.com>; Garrett, Kathryn <KGarrett@willkie.com>; Polizzano, Michelle <MPolizzano@willkie.com>; Zhu, Molly <MZhu@willkie.com>; Nickolas Spencer <nas@naslegal.com>; Mancino, Richard <RMancino@willkie.com>; Gear, Bruce (CRT) <Bruce.Gear@usdoj.gov>; Jayaraman, Tharuni (CRT) <Tharuni.Jayaraman@usdoj.gov>; Newkirk, Zachary (CRT) <Zachary.Newkirk@usdoj.gov>; Mateo Forero <mforero@holtzmanvogel.com>; K'Shaani.Smith@usdoj.gov; Wake, Brittany (CRT) <Brittany.Wake@usdoj.gov>; chad@brazilanddunn.com; Alexandra Copper <ACopper@campaignlegalcenter.org>

Subject: Re: Petteway, et al v. Galveston County: Privilege Log of Commissioner Stephen Holmes

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Angie, my colleague Alex has not been included in these emails. She's copied here now. Please include her moving forward.

Thanks,
Valencia

From: Angela Olalde <aolalde@greerherz.com>

Sent: Wednesday, April 26, 2023 1:29:42 PM

To: Randy Howry <rhowry@howrybreen.com>; Valencia Richardson <VRichardson@campaignlegalcenter.org>; Bernadette Reyes <bernadette@uclavrp.org>

Cc: Sarah Chen <schen@texascivilrightsproject.org>; Shawn Sheehy <ssheehy@holtzmanvogel.com>; Hilary Harris Klein <hilaryhklein@scsj.org>; Joaquin Gonzalez <joaquin@texascivilrightsproject.org>; Meza, Catherine (CRT) <Catherine.Meza@usdoj.gov>; Dallin Holt <dholt@holtzmanvogel.com>; Vall-Ilobera, Diana <DVall-Ilobera@willkie.com>; Jason Torchinsky <jtorchinsky@holtzmanvogel.com>; Jordan Raschke Elton <jraschkeelton@greerherz.com>; Joseph Russo <JRusso@greerherz.com>; Mark Gaber <MGaber@campaignlegalcenter.org>; Neil Baron <neil@ngbaronlaw.com>; Simone Leeper <SLeeper@campaignlegalcenter.org>; Sonni Waknin <sonni@uclavrp.org>; Silberstein, Andrew <ASilberstein@willkie.com>; Hani Mirza <hani@texascivilrightsproject.org>; Suriani, JoAnna <JSuriani@willkie.com>; Garrett, Kathryn <KGarrett@willkie.com>; Polizzano, Michelle <MPolizzano@willkie.com>; Zhu, Molly <MZhu@willkie.com>; Nickolas Spencer <nas@naslegal.com>; Mancino, Richard <RMancino@willkie.com>; Gear, Bruce (CRT) <Bruce.Gear@usdoj.gov>; Jayaraman, Tharuni (CRT) <Tharuni.Jayaraman@usdoj.gov>; Newkirk, Zachary (CRT) <Zachary.Newkirk@usdoj.gov>; Mateo Forero <mforero@holtzmanvogel.com>;

K'Shaani.Smith@usdoj.gov <K'Shaani.Smith@usdoj.gov>; Wake, Brittany (CRT)
<Brittany.Wake@usdoj.gov>; chad@brazilanddunn.com <chad@brazilanddunn.com>
Subject: RE: Petteway, et al v. Galveston County: Privilege Log of Commissioner Stephen Holmes

Apologies, attached are the exhibits. There is an exhibit numbering error in the draft that I'll fix (changing the 10/31 letter to "Exhibit 3).

From: Angela Olalde

Sent: Wednesday, April 26, 2023 12:26 PM

To: 'Randy Howry' <rhowry@howrybreen.com>; 'Valencia Richardson' <VRichardson@campaignlegalcenter.org>; 'Bernadette Reyes' <bernadette@uclavrp.org>

Cc: 'Sarah Chen' <schen@texascivilrightsproject.org>; 'Shawn Sheehy' <ssheehy@holtzmanvogel.com>; 'Hilary Harris Klein' <hilaryhklein@scsj.org>; 'Joaquin Gonzalez' <joaquin@texascivilrightsproject.org>; 'Meza, Catherine (CRT)' <Catherine.Meza@usdoj.gov>; 'Dallin Holt' <dholt@holtzmanvogel.com>; 'Vall-Ilobera, Diana' <DVall-Ilobera@willkie.com>; 'Jason Torchinsky' <jtorchinsky@holtzmanvogel.com>; Jordan Raschke Elton <jraschkeelton@greerherz.com>; Joseph Russo <JRusso@greerherz.com>; 'Mark Gaber' <MGaber@campaignlegalcenter.org>; 'Neil Baron' <neil@ngbaronlaw.com>; 'Simone Leeper' <SLeeper@campaignlegalcenter.org>; 'Sonni Waknin' <sonni@uclavrp.org>; 'Silberstein, Andrew' <ASilberstein@willkie.com>; 'Hani Mirza' <hani@texascivilrightsproject.org>; 'Suriani, JoAnna' <JSuriani@willkie.com>; 'Garrett, Kathryn' <KGarrett@willkie.com>; 'Polizzano, Michelle' <MPolizzano@willkie.com>; 'Zhu, Molly' <MZhu@willkie.com>; 'Nickolas Spencer' <nas@naslegal.com>; 'Mancino, Richard' <RMancino@willkie.com>; 'Gear, Bruce (CRT)' <Bruce.Gear@usdoj.gov>; 'Jayaraman, Tharuni (CRT)' <Tharuni.Jayaraman@usdoj.gov>; 'Newkirk, Zachary (CRT)' <Zachary.Newkirk@usdoj.gov>; 'Mateo Forero' <mforero@holtzmanvogel.com>; 'K'Shaani.Smith@usdoj.gov' <K'Shaani.Smith@usdoj.gov>; 'Wake, Brittany (CRT)' <Brittany.Wake@usdoj.gov>; 'chad@brazilanddunn.com' <chad@brazilanddunn.com>

Subject: RE: Petteway, et al v. Galveston County: Privilege Log of Commissioner Stephen Holmes

Hello all, attached is Defendants' position statement on the Commissioner Holmes privilege log dispute. Happy to discuss if anyone would like to hop on a call. Otherwise, if you have a position to include please let me know.

Angie

From: Angela Olalde

Sent: Tuesday, April 25, 2023 4:21 PM

To: 'Randy Howry' <rhowry@howrybreen.com>; 'Valencia Richardson' <VRichardson@campaignlegalcenter.org>; Bernadette Reyes <bernadette@uclavrp.org>

Cc: Sarah Chen <schen@texascivilrightsproject.org>; Shawn Sheehy <ssheehy@holtzmanvogel.com>; Hilary Harris Klein <hilaryhklein@scsj.org>; Joaquin Gonzalez <joaquin@texascivilrightsproject.org>; Meza, Catherine (CRT) <Catherine.Meza@usdoj.gov>; Dallin Holt <dholt@holtzmanvogel.com>; Vall-Ilobera, Diana <DVall-Ilobera@willkie.com>; Jason Torchinsky <jtorchinsky@holtzmanvogel.com>; Jordan Raschke Elton <jraschkeelton@greerherz.com>; Joseph Russo <JRusso@greerherz.com>; Mark Gaber

<MGaber@campaignlegalcenter.org>; Neil Baron <neil@ngbaronlaw.com>; Simone Leeper <SLeeper@campaignlegalcenter.org>; Sonni Waknin <sonni@uclavrp.org>; Silberstein, Andrew <ASilberstein@willkie.com>; Hani Mirza <hani@texascivilrightsproject.org>; Suriani, JoAnna <JSuriani@willkie.com>; Garrett, Kathryn <KGarrett@willkie.com>; Polizzano, Michelle <MPolizzano@willkie.com>; Zhu, Molly <MZhu@willkie.com>; Nickolas Spencer <nas@naslegal.com>; Mancino, Richard <RMancino@willkie.com>; Gear, Bruce (CRT) <Bruce.Gear@usdoj.gov>; Jayaraman, Tharuni (CRT) <Tharuni.Jayaraman@usdoj.gov>; Newkirk, Zachary (CRT) <Zachary.Newkirk@usdoj.gov>; Mateo Forero <mforero@holtzmanvogel.com>; K'Shaani.Smith@usdoj.gov; Wake, Brittany (CRT) <Brittany.Wake@usdoj.gov>; chad@brazilanddunn.com

Subject: RE: Petteway, et al v. Galveston County: Privilege Log of Commissioner Stephen Holmes

Randy,

Will you produce the documents you've withheld based on attorney-client privilege to defense counsel for review? Looks like those are Bates #s 181 and 319-46. Actually, for 319-46, it looks like Commissioner Holmes and Chad Dunn were emailing, so there wouldn't be a privilege.

Also, if there is an asserted legislative process privilege, it seems that privilege would attach to the *Commissioners Court/County* and so those documents should also be turned over to counsel for the County. Please let me know your thoughts, hopefully I can narrow any dispute for the court.

Angie

From: Randy Howry <rhowry@howrybreen.com>

Sent: Tuesday, April 25, 2023 2:13 PM

To: 'Valencia Richardson' <VRichardson@campaignlegalcenter.org>; Angela Olalde <aolalde@greerherz.com>; Bernadette Reyes <bernadette@uclavrp.org>

Cc: Sarah Chen <schen@texascivilrightsproject.org>; Shawn Sheehy <ssheehy@holtzmanvogel.com>; Hilary Harris Klein <hilaryhklein@scsj.org>; Joaquin Gonzalez <joaquin@texascivilrightsproject.org>; Meza, Catherine (CRT) <Catherine.Meza@usdoj.gov>; Dallin Holt <dholt@holtzmanvogel.com>; Vall-Ilobera, Diana <DVall-Ilobera@willkie.com>; Jason Torchinsky <jtorchinsky@holtzmanvogel.com>; Jordan Raschke Elton <jraschkeelton@greerherz.com>; Joseph Russo <JRusso@greerherz.com>; Mark Gaber <MGaber@campaignlegalcenter.org>; Neil Baron <neil@ngbaronlaw.com>; Simone Leeper <SLeeper@campaignlegalcenter.org>; Sonni Waknin <sonni@uclavrp.org>; Silberstein, Andrew <ASilberstein@willkie.com>; Hani Mirza <hani@texascivilrightsproject.org>; Suriani, JoAnna <JSuriani@willkie.com>; Garrett, Kathryn <KGarrett@willkie.com>; Polizzano, Michelle <MPolizzano@willkie.com>; Zhu, Molly <MZhu@willkie.com>; Nickolas Spencer <nas@naslegal.com>; Mancino, Richard <RMancino@willkie.com>; Gear, Bruce (CRT) <Bruce.Gear@usdoj.gov>; Jayaraman, Tharuni (CRT) <Tharuni.Jayaraman@usdoj.gov>; Newkirk, Zachary (CRT) <Zachary.Newkirk@usdoj.gov>; Mateo Forero <mforero@holtzmanvogel.com>; K'Shaani.Smith@usdoj.gov; Wake, Brittany (CRT) <Brittany.Wake@usdoj.gov>; chad@brazilanddunn.com

Subject: Petteway, et al v. Galveston County: Privilege Log of Commissioner Stephen Holmes

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Counsel,

Please see attached the privilege log of Commissioner Stephen Holmes.

As part of the preparation of this privilege log, I considered the privilege logs submitted by other parties. I tried to be consistent with the information contained in those logs. Likewise, I have reviewed some of the depositions that have been provided. I have attempted to be consistent with discovery responses and objections propounded by other parties.

Having said that, I am new to this case. I am happy to discuss this log to consider whether it can or should be modified.

Thank you,

Randy Howry

Howry Breen & Herman, LLP

1900 Pearl Street | Austin, Texas 78705

O: 512.474.7300 | F: 512.474.8557 | D: 512.439.4101

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Petteway v. Galveston County, Texas, No. 3:22-cv-57 (S.D.Tex.)
Dickinson Bay Area NAACP v. Galveston County, Texas, No. 3:22-cv-93 (S.D.Tex.)
United States v. Galveston County, Texas, No. 3:22-cv-117 (S.D.Tex.)

**Updated Privilege Log for United States' Response to Defendants' First Set of Requests for Production
 March 15, 2023**

Key: AWP = Attorney Work Product Privilege
 TPM = Rule 26(b)(3)(A) Trial Preparation Materials

BEGDOC	ENDDOC	Privilege Asserted	Document Description	From/Author	To/Recipient	Date
US0002492	US0002495	AWP/TPM	Attorney notes and mental impressions of interview with Mark Salinas conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear, Newkirk.	File	4/19/2022
US0002496	US0002497	AWP/TPM	Attorney notes and mental impressions of interview with Paul Bland conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear, Newkirk.	File	4/21/2022
US0002498	US0002511	AWP/TPM	Attorney notes and mental impressions of interview with Stephen Holmes conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear, Meza, Newkirk, Jayaraman, Wake.	File	12/28/2021
US0002512	US0002515	AWP/TPM	Attorney notes and mental impressions of interview with Nakisha Paul conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Jayaraman.	File	4/21/2022
US0002516	US0002518	AWP/TPM	Attorney notes and mental impressions of interview with Henry Gomez conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Jayaraman.	File	4/21/2022
US0002519	US0002522	AWP/TPM	Attorney notes and mental impressions of interview with Joe Compian conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear.	File	3/16/2022
US0002523	US0002523	AWP/TPM	Attorney notes and mental impressions of interview with Lillie A. Aleman conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear.	File	2/23/2022
US0002524	US0002525	AWP/TPM	Attorney notes and mental impressions of interview with Cornelia Banks conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear.	File	3/1/2022
US0002526	US0002527	AWP/TPM	Attorney notes and mental impressions of interview with Paul Bland conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear.	File	2/23/2022
US0002528	US0002530	AWP/TPM	Attorney notes and mental impressions of interview with Tommie D. Boudreaux conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear, Newkirk.	File	2/22/2022
US0002531	US0002531	AWP/TPM	Attorney notes and mental impressions of interview with Anna Charles conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Wake.	File	12/10/2021

BEGDOC	ENDDOC	Privilege Asserted	Document Description	From/Author	To/Recipient	Date
US0002532	US0002532	AWP/TPM	Attorney notes and mental impressions of interview with Andre Perkins conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear.	File	4/13/2022
US0002533	US0002533	AWP/TPM	Attorney notes and mental impressions of interview with Monica Cooper conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Wake.	File	12/23/2021
US0002534	US0002535	AWP/TPM	Attorney notes and mental impressions of interview with Edna Courville conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Newkirk.	File	12/10/2021
US0002536	US0002543	AWP/TPM	Attorney notes and mental impressions of interview with Patrick Doyle conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s)	File	12/17/2021
US0002544	US0002544	AWP/TPM	Attorney notes and mental impressions of interview with Dr. Annette Jenkins conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear.	File	3/23/2022
US0002545	US0002545	AWP/TPM	Attorney notes and mental impressions of interview with Edward Munoz conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear.	File	2/18/2022
US0002546	US0002546	AWP/TPM	Attorney notes and mental impressions of interview with Brenda Flanagan conducted in preparation for litigation.	Voting Section Attorney(s)/Analyst(s) Gear.	File	3/16/2022
US0002547	US0002548	AWP/TPM	Attorney notes and mental impressions of interview with Tierr'ishia Gibson conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Wake.	File	12/9/2021
US0002549	US0002550	AWP/TPM	Attorney notes and mental impressions of interview with Tierr'ishia Gibson conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear.	File	2/18/2022
US0002551	US0002551	AWP/TPM	Attorney notes and mental impressions of interview with Geraldine Glover Dorsey conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Wake.	File	12/23/2021
US0002552	US0002554	AWP/TPM	Attorney notes and mental impressions of interview with Heidi Gordon conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear.	File	12/21/2021
US0002555	US0002557	AWP/TPM	Attorney notes and mental impressions of interview with Heidi Gordon conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear/Wake.	File	1/20/2022
US0002558	US0002558	AWP/TPM	Attorney notes and mental impressions of interview with Bernice Hall conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear/Wake.	File	12/29/2021
US0002559	US0002560	AWP/TPM	Attorney notes and mental impressions of interview with Roxy H. Williamson conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear.	File	12/9/2021
US0002561	US0002561	AWP/TPM	Attorney notes and mental impressions of interview with Ted Hanley conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear.	File	3/16/2022

BEGDOC	ENDDOC	Privilege Asserted	Document Description	From/Author	To/Recipient	Date
US0002562	US0002562	AWP/TPM	Attorney notes and mental impressions of interview with James Henderson conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Wake.	File	12/27/2021
US0002563	US0002563	AWP/TPM	Attorney notes and mental impressions of interview with Keith Henry conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear.	File	3/23/2022
US0002564	US0002565	AWP/TPM	Attorney notes and mental impressions of interview with Felix Herrera conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear.	File	2/23/2022
US0002566	US0002566	AWP/TPM	Attorney notes and mental impressions of interview with Stephen Holmes conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear, Wake.	File	12/22/2021
US0002581	US0002587	AWP/TPM	Attorney notes and mental impressions of interview with Teresa Hudson conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear.	File	3/1/2022
US0002588	US0002590	AWP/TPM	Attorney notes and mental impressions of interview with Sam Collins III conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear.	File	9/28/2022
US0002591	US0002592	AWP/TPM	Attorney notes and mental impressions of interview with Corlie Jackson conducted in preparation for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear.	File	12/22/2021
US0002593	US0002595	AWP/TPM	Attorney notes and mental impressions of interview with Keith Henry conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Newkirk.	File	9/26/2022
US0002597	US0002598	AWP/TPM	Attorney notes and mental impressions of interview with Winifred Langham conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear.	File	12/9/2021
US0002599	US0002599	AWP/TPM	Attorney notes and mental impressions of interview with Wanda Lartigue conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Wake.	File	12/27/2021
US0002600	US0002603	AWP/TPM	Attorney notes and mental impressions of interview with Fidencio Leija conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear.	File	8/30/2022
US0002604	US0002605	AWP/TPM	Attorney notes and mental impressions of interview with Lucretia Lofton conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear, Newkirk.	File	12/9/2021
US0002606	US0002607	AWP/TPM	Attorney notes and mental impressions of interview with Lucretia Lofton conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear.	File	1/19/2022
US0002608	US0002611	AWP/TPM	Attorney notes and mental impressions of interview with Lucille McGaskey conducted for litigation purposes.	Voting Section Attorney(s)/Analyst Gear.	File	9/29/2022
US0002612	US0002613	AWP/TPM	Attorney notes and mental impressions of interview with Mary Patrick conducted for litigation purposes.	Voting Section Attorney(s)/Analyst Gear.	File	2/17/2022

BEGDOC	ENDDOC	Privilege Asserted	Document Description	From/Author	To/Recipient	Date
US0002614	US0002615	AWP/TPM	Attorney notes and mental impressions of interview with Dedrick Johnson conducted for litigation purposes.	Voting Section Attorney(s)/Analyst Gear.	File	2/26/2022
US0002616	US0002617	AWP/TPM	Attorney notes and mental impressions of interview with Evelyn McDaniel conducted for litigation purposes.	Voting Section Attorney(s)/Analyst Wake.	File	12/13/2021
US0002618	US0002619	AWP/TPM	Attorney notes and mental impressions of interview with Lilian Macgregw conducted for litigation purposes.	Voting Section Attorney(s)/Analyst Gear.	File	3/23/2022
US0002620	US0002621	AWP/TPM	Attorney notes and mental impressions of interview with Cornelia Banks conducted for litigation purposes.	Voting Section Attorney(s)/Analyst Gear.	File	3/3/2022
US0002622	US0002622	AWP/TPM	Attorney notes and mental impressions of interview with Kim Yancy conducted for litigation purposes.	Voting Section Attorney(s)/Analyst Wake.	File	1/20/2022
US0002623	US0002623	AWP/TPM	Attorney notes and mental impressions of interview with Leonora Mendez conducted for litigation purposes.	Voting Section Attorney(s)/Analyst Wake.	File	12/23/2021
US0002624	US0002624	AWP/TPM	Attorney notes and mental impressions of interview with Kim Milstead conducted for litigation purposes.	Voting Section Attorney(s)/Analyst Gear.	File	2/17/2022
US0002625	US0002625	AWP/TPM	Attorney notes and mental impressions of interview with Karen Murphy conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Wake.	File	12/27/2021
US0002626	US0002627	AWP/TPM	Attorney notes and mental impressions of interview with Judith Oppenheim conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Wake.	File	12/27/2021
US0002628	US0002631	AWP/TPM	Attorney notes and mental impressions of interview with Felix Herrera conducted for litigation purposes.	Voting Section Attorney(s)/Analyst Gear.	File	4/20/2022
US0002632	US0002641	AWP/TPM	Attorney notes and mental impressions of interview with Joe Compian, Magdalena Alvarado, and Mary Longoria conducted for litigation purposes.	Voting Section Attorney(s)/Analyst Gear, Newkirk.	File	4/22/2022
US0002642	US0002642	AWP/TPM	Attorney notes and mental impressions of interview with Tom Watkins conducted for litigation purposes.	Voting Section Attorney(s)/Analyst Gear.	File	12/10/2021
US0002643	US0002644	AWP/TPM	Attorney notes and mental impressions of interview with Mikal Williams conducted for litigation purposes.	Voting Section Attorney(s)/Analyst Gear.	File	3/11/2022
US0002645	US0002646	AWP/TPM	Attorney notes and mental impressions of interview with Ann Willis conducted for litigation purposes.	Voting Section Attorney(s)/Analyst Gear.	File	3/22/2022
US0002647	US0002649	AWP/TPM	Attorney notes and mental impressions of interview with Bryan-Keyth Wilson conducted for litigation purposes.	Voting Section Attorney(s)/Analyst Wake.	File	4/22/2022

BEGDOC	ENDDOC	Privilege Asserted	Document Description	From/Author	To/Recipient	Date
US0002650	US0002651	AWP/TPM	Attorney notes and mental impressions of interview with Kim Yancy conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear.	File	9/30/2022
US0002652	US0002652	AWP/TPM	Attorney notes and mental impressions of interview with Veronica V. Horn conducted for litigation purposes.	Voting Section Attorney(s)/Analyst Gear, Newkirk, Wake.	File	11/24/2021
US0002653	US0002657	AWP/TPM	Attorney notes and mental impressions of interview with Keith Henry conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear, Newkirk.	File	4/20/2022
US0002658	US0002661	AWP/TPM	Attorney notes and mental impressions of interview with Kim Yancy conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear, Newkirk.	File	4/19/2022
US0002662	US0002663	AWP/TPM	Attorney notes and mental impressions of interview with Dora Porter conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Newkirk.	File	1/10/2022
US0002664	US0002664	AWP/TPM	Attorney notes and mental impressions of interview with Elizabeth Protas conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Wake.	File	12/23/2021
US0002665	US0002666	AWP/TPM	Attorney notes and mental impressions of interview with Robert Quintero conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear.	File	2/24/2022
US0002668	US0002673	AWP/TPM	Attorney notes and mental impressions of interview with Lucille McGaskey conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear, Newkirk.	File	4/21/2022
US0002674	US0002674	AWP/TPM	Attorney notes and mental impressions of interview with Mandalyn Salazar conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear.	File	12/22/2021
US0002675	US0002676	AWP/TPM	Attorney notes and mental impressions of interview with Mark Salinas conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear.	File	12/21/2021
US0002677	US0002678	AWP/TPM	Attorney notes and mental impressions of interview with Betsy Sanchez conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Wake.	File	12/9/2021
US0002679	US0002679	AWP/TPM	Attorney notes and mental impressions of interview with Jerry Lee conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear.	File	3/23/2022
US0002680	US0002681	AWP/TPM	Attorney notes and mental impressions of interview with Ethel Shelton conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Newkirk.	File	12/9/2021
US0002682	US0002682	AWP/TPM	Attorney notes and mental impressions of interview with Barbara Taylor conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Wake.	File	12/10/2021
US0002683	US0002684	AWP/TPM	Attorney notes and mental impressions of interview with Kerry Tillmon conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear.	File	11/22/2021

BEGDOC	ENDDOC	Privilege Asserted	Document Description	From/Author	To/Recipient	Date
US0002685	US0002687	AWP/TPM	Attorney notes and mental impressions of interview with Sharon B. Lewis conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear, Newkirk.	File	9/27/2022
US0002688	US0002690	AWP/TPM	Attorney notes and mental impressions of interview with Kerry W. Tillmon and Tarris Woods conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear, Newkirk.	File	4/18/2022
US0002691	US0002695	AWP/TPM	Attorney notes and mental impressions of interview with Roxy H. Williamson conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear, Newkirk.	File	4/19/2022
US0002696	US0002700	AWP/TPM	Attorney notes and mental impressions of interview with Sharon Lewis and Anthony Griffin conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear, Newkirk.	File	4/19/2022
US0002701	US0002705	AWP/TPM	Attorney notes and mental impressions of interview with Tierr'ishia Gibson conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear, Newkirk.	File	4/20/2022
US0002717	US0002720	AWP/TPM	Attorney notes and mental impressions of interview with Dedrick Johnson conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear, Newkirk.	File	4/20/2022
US0002721	US0002730	AWP/TPM	Attorney notes and mental impressions of interview with Mary Patrick, Ruth Declouet, Annette Scott, Nan Wilson, and Leon Phillips conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear, Newkirk.	File	4/18/2022
US0002731	US0002732	AWP/TPM	Attorney notes and mental impressions of interview with Heidi Gordon and John Young conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Gear, Newkirk.	File	4/22/2022
US0002754	US0002756	AWP/TPM	Attorney notes and mental impressions of interview with Mary Patrick conducted for litigation purposes.	Voting Section Attorney(s)/Analyst(s) Wake.	File	12/20/2021

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

TERRY PETTEWAY, THE
HONORABLE DERRECK ROSE,
MICHAEL MONTEZ, SONNY JAMES
and PENNY POPE,

Plaintiffs,

Civil Action No. 3:22-cv-57

v.

GALVESTON COUNTY, TEXAS, and
HONORABLE MARK HENRY, in his
official capacity as Galveston County
Judge,

Defendants.

UNITED STATES OF AMERICA,

Plaintiff,

Civil Action No. 3:22-cv-93

v.

GALVESTON COUNTY, TEXAS,
GALVESTON COUNTY
COMMISSIONERS COURT, and
HONORABLE MARK HENRY, in his
official capacity as Galveston County
Judge,

Defendants.

DICKINSON BAY AREA BRANCH
NAACP, GALVESTON BRANCH
NAACP, MAINLAND BRANCH
NAACP, GALVESTON LULAC
COUNCIL 151, EDNA COURVILLE,
JOE A. COMPIAN, and LEON
PHILLIPS,

Plaintiffs,

Civil Action No. 3:22-cv-117

v.

GALVESTON COUNTY, TEXAS,	§
HONORABLE MARK HENRY, in his	§
official capacity as Galveston County	§
Judge, and DWIGHT D. SULLIVAN, in	§
his official capacity as Galveston County	§
Clerk	§
	§
<i>Defendants.</i>	§

**THE UNITED STATES’ RESPONSES AND OBJECTIONS TO
DEFENDANTS’ APRIL 12, 2023 CONTENTION INTERROGATORIES
TO THE UNITED STATES OF AMERICA**

Pursuant to Federal Rule of Civil Procedure 33, the April 12, 2023, order of the court, and the agreement of the parties, Plaintiff the United States of America hereby provides the following objections and responses to each of the contention interrogatories served by Defendants on April 12, 2023 (“Interrogatories”).

GENERAL OBJECTIONS

1. The United States objects to the Interrogatories, including to the instructions and definitions, to the extent they purport to impose upon the United States any obligations different from, or greater than, those established or required by the Federal Rules of Civil Procedure and to the extent that they call for disclosure of information beyond the scope of what is required to be disclosed under Rule 26(a)-(b).

2. The United States objects to the Interrogatories to the extent they are unduly burdensome, overly broad, vague, and not reasonably calculated to lead to the discovery of admissible evidence.

3. The United States objects to each of the Interrogatories to the extent they seek to discover (a) internal documents prepared in anticipation of litigation by attorneys of the United

States Department of Justice or non-attorney employees of the Department working under the supervision of Department attorneys and (b) the mental impressions, conclusions, opinions, litigation strategies, or legal theories of attorneys of the United States Department of Justice or non-attorney employees of the Department working under the supervision of Department attorneys. Such work is protected from disclosure under the work product doctrine. *See* Fed. R. Civ. P. 26(b)(3); *Hickman v. Taylor*, 329 U.S. 495 (1947). This protection applies both to work produced by government attorneys in anticipation of litigation, *see United States v. Mann*, 61 F.3d 326, 331 (5th Cir. 1995), and to the work product of a staff member of a federal agency who works under the supervision of a government attorney. *See* Fed. R. Civ. P. 26(b)(3); *Sterling Drug Inc. v. Harris*, 488 F. Supp. 1019, 1026-27 (S.D.N.Y. 1980).

4. The United States objects to the Interrogatories to the extent that they seek information that is pre-decisional and deliberative. Such information is protected from disclosure pursuant to the deliberative process privilege. *See, e.g., U.S. Fish and Wildlife Serv. v. Sierra Club, Inc.*, 141 S. Ct. 777, 785 (2021); *Dep't of Interior v. Klamath Water Users Protective Ass'n*, 532 U.S. 1, 8 (2001); *May v. Dep't of Air Force*, 777 F.2d 1012, 1014-15 (5th Cir. 1985). Application of the deliberative process privilege is necessary to prevent injury to the quality of decisions made by government agencies. *See NLRB v. Sears, Roebuck & Co.*, 421 U.S. 132, 150-51 (1975); *J.H. Rutter Rex Mfg. Co. v. NLRB*, 473 F.2d 223, 234 (5th Cir. 1973); *EEOC v. Fina Oil & Chem. Co.*, 145 F.R.D. 74, 75 (E.D. Tex. 1992).

5. The United States objects to the Interrogatories to the extent that they seek to discover information and documents protected from disclosure by the common interest doctrine, which limits waiver of the attorney-client privilege “if a privileged communication is shared with a third person who has a common legal interest with respect to the subject matter of the

communication.” *Hodges, Grant & Kaufmann v. IRS*, 768 F.2d 719, 721 (5th Cir. 1985); *see also In re LTV Sec. Litig.*, 89 F.R.D. 595, 604 (N.D. Tex. 1981) (Higginbotham, J.).

6. The United States objects to the Interrogatories to the extent that they seek to discover internal documents prepared during the course of an investigation. Internal Department of Justice documents are also covered by recognized investigatory and law enforcement privileges. *See In re U.S. Dep’t of Homeland Sec.*, 459 F.3d 565, 569-70 (5th Cir. 2006) (recognizing law enforcement privilege); *see also Tuite v. Henry*, 181 F.R.D. 175, 176-77 (D.D.C. 1998) (setting out scope of the privilege), *aff’d*, 203 F.3d 53 (D.C. Cir. 1999); *McPeck v. Ashcroft*, 202 F.R.D. 332, 336 (D.D.C. 2001) (same).

7. The United States objects to the Interrogatories to the extent they seek information already in the possession, custody, or control, or otherwise equally available to Defendants.

8. By answering these Interrogatories, the United States does not concede the relevance or materiality of the information requested, nor of the subject matter to which an Interrogatory refers. Rather, the responses are made expressly subject to, and without in any way waiving or intending to waive, any question or objection as to the competency, relevancy, privilege, or admissibility as evidence, of any of the matters referred to in the responses.

9. These general objections apply to each individual Interrogatory unless specifically otherwise stated. Reiteration of any general objection in response to a specific Interrogatory shall not be construed to limit the applicability of any other general objection. Moreover, any attempt to answer or respond to any Interrogatory to which a general objection is made does not in any way waive the objection.

RESERVATION OF RIGHTS

The United States' responses to the Interrogatories are made without waiving or intending to waive, but, on the contrary, intending to preserve and preserving:

1. All questions as to the competency, relevance, materiality, privilege, and admissibility of any response, evidence, information, or document for any purpose at any hearing in this matter or any other proceedings;
2. The right to object on any grounds to the use of the information provided in any hearing in this matter or in any other proceeding; and
3. The right to object on any grounds at any time to subsequent interrogatories or other discovery, including but not limited to demands for further responses to the Interrogatories.

SPECIFIC RESPONSES AND OBJECTIONS

DEFENDANTS' CONTENTION INTERROGATORY NO. 1

State Your objection(s) to Galveston County commissioners court redistricting plans from 2010-present, including the bases for those objections.

RESPONSE:

The United States' general objections are incorporated by reference herein. The United States specifically objects to this Interrogatory to the extent that it seeks information that contains attorney mental impressions, recommendations, thoughts, opinions, or other attorney work product, which are protected by the work product doctrine. The United States also objects to this Interrogatory to that extent that it seeks information that contains the pre-decisional mental impressions, recommendations, thoughts, or opinions of government officials, which are protected by the deliberative process privilege.

Subject to and without waiving these objections, the United States responds as follows:

On March 5, 2012, pursuant to Section 5 of the Voting Rights Act of 1965, the United States Attorney General interposed an objection to Galveston County’s 2011 Commissioners Court proposed redistricting plan because the County did not meet its burden of showing that the proposed plan had neither the purpose nor the effect of denying or abridging the right to vote on account of race or color or membership in a language minority group. The factors that formed the bases of the Attorney General’s objection are set forth in the letter sent to the County’s counsel. US0000017-21.

With respect to the post-2020 Census redistricting of the Galveston County Commissioners Court, the United States incorporates its response to Defendants’ Contention Interrogatory 2 below.

DEFENDANTS’ CONTENTION INTERROGATORY NO. 2

State the facts and information relating to Your claims and allegations in this Lawsuit (whether in Your Complaint, court filings, or discovery responses), including:

- i. The facts relating to your allegation that there is a sufficiently large and geographically compact minority group, or groups, of voters to constitute a voting majority in a single-member district in Galveston County.
- ii. The facts relating to Your allegation that black and Latino voters in Galveston County vote in a politically cohesive manner.
- iii. The facts relating to Your allegation that non-Hispanic white voters in Galveston County vote sufficiently as a bloc so as to usually defeat the preferred candidate of black and Latino voters in Galveston County.
- iv. The facts supporting your allegation that the “2021 commissioners court redistricting plan . . . has both the result and intent of diluting the voting strength of the County’s minority voters”
- v. The facts supporting your allegation that the adopted Commissioners Court plan has, or will have, a discriminatory result.
- vi. The facts supporting your allegation that, under the totality of the circumstances, the political processes leading to nomination or election in Galveston County are not equally open to participation by members of a protected class of citizens.

RESPONSE:

The United States' general objections are incorporated by reference herein. The United States specifically objects to this Interrogatory to the extent that it seeks information that contains attorney mental impressions, recommendations, thoughts, opinions, or other attorney work product, which are protected by the work product doctrine. The United States also objects to this Interrogatory to that extent that it seeks information that contains the pre-decisional mental impressions, recommendations, thoughts, or opinions of government officials, which are protected by the deliberative process privilege.

Subject to and without waiving these objections, the United States responds as follows: The United States' First Amended Complaint and the United States' expert reports set out factual allegations, data, and analyses showing that all three *Gingles* preconditions are present in Galveston County. First, the analysis included in Mr. Anthony Fairfax's report and the related illustrative plan support the United States' contention that Black and Hispanic persons in Galveston County are "sufficiently large and geographically compact" to constitute a majority in one single member district out of four districts for the commissioners court. *Thornburg v. Gingles*, 478 U.S. 30, 50 (1986). Mr. Fairfax's report further demonstrates that it is possible to draw an illustrative districting plan in Galveston County in which Black and Hispanic persons constitute a majority of the citizens of voting age in one out of four commissioners court precincts under the 2020 Census and the 2016-2020 ACS estimates.

Next, Dr. Jessica Trounstine's (corrected) expert report and related data support the United States' contention that voting in Galveston County is racially polarized, satisfying the second and third *Gingles* preconditions. Specifically, Dr. Trounstine's analysis shows that Black and Hispanic voters in Galveston County are politically cohesive and have regularly voted for

the same candidates in recent elections; and further, white voters in Galveston County vote sufficiently as a bloc to usually defeat preferred candidates of Black and Hispanic voters in the absence of a majority-minority district. This report and related data also demonstrate that the 2021 Galveston County Commissioners Court redistricting plan denies Black and Hispanic voters in Galveston County an equal opportunity to elect a candidate of choice to office.

Factual allegations in the United States' First Amended Complaint relevant to the totality of the circumstances and the Senate Factors also support the United States' claim that the 2021 Galveston County Commissioners Court redistricting plan has a discriminatory result. For decades, Galveston County has been the site of official racial discrimination affecting the right to vote. Between 1976 and 2013, during which time Galveston County was a covered jurisdiction under Section 4 of the Voting Rights Act, the United States Attorney General interposed six objections under Section 5 to proposed changes affecting voting in the County and in its political subdivisions. The most recent objections under Section 5, in 2012, involved the County's proposed commissioners court and justice of the peace and constable redistricting plans.

In addition to factual allegations related to the history of official discrimination in Galveston County, allegations in the First Amended Complaint regarding the presence of racially polarized voting, the present-day effects of past discrimination in areas such as education, employment, and income on Black and Hispanic County residents as detailed in census data, local political campaigns characterized by racial appeals, the extent to which minority candidates are elected to local office, and the lack of rationale for the elimination of the only commissioners precinct in which Black and Hispanic voters constitute a majority of the electorate, also support the United States' Section 2 discriminatory results claim.

Additional totality of the circumstances evidence is presented in Dr. Rene Rocha's expert

report. The Dr. Rocha's report details the significant socioeconomic disparities that exist among Galveston County's Black, Hispanic, and white residents in income, education, employment, home ownership, and health-care coverage, the use of racial appeals in County elections, and facts related to official voting-related discrimination against minority voters in Galveston County as evidenced by Section 5 objections to voting-related changes proposed by the County and political subdivisions in the County.

In support of the United States' Section 2 discriminatory intent claim, its First Amended Complaint sets forth factual allegations relevant under the standard set forth in *Vill. of Arlington Heights v. Metro. Hous. Dev. Corp.*, 429 U.S. 252, 266 (1977), such as allegations regarding the impact of the 2021 Galveston County Commissioners Court redistricting plan on Black and Hispanic voters, the historical background of the redistricting process and the commissioners court's decision to adopt the 2021 plan, the sequence of events leading up to adoption of the 2021 plan, the procedural and substantive deviations from prior redistricting cycles, and contemporaneous statements by the decision-makers.

The facts supporting the United States' allegation that the 2021 commissioners court redistricting plan was enacted, at least in part, with the purpose of denying or abridging the right of Black and Hispanic voters in Galveston County to vote on account of their race or color, are described in further detail in Dr. Max Krochmal's expert report. Dr. Krochmal's report sets forth the historical background of race relations and political opportunities for Black and Hispanic residents in Galveston County and examines the sequence of events leading up to, and deviation from normal processes surrounding, the adoption of the 2021 commissioners court redistricting plan.

The United States will also rely upon the testimony of one or more of the individuals

identified in its supplemental disclosures, as well as one or more members of the Galveston County Commissioners Court to support its allegations.

DEFENDANTS' CONTENTION INTERROGATORY NO. 3

How You would modify the 2021 Redistricting Plan to satisfy the claims You raise?

RESPONSE:

The United States' general objections are incorporated by reference herein. The United States specifically objects to this Interrogatory to the extent that it seeks information that contains attorney mental impressions, recommendations, thoughts, opinions, or other attorney work product, which are protected by the work product doctrine. The United States also objects to this Interrogatory to that extent that it seeks information that contains the pre-decisional mental impressions, recommendations, thoughts, or opinions of government officials, which are protected by the deliberative process privilege.

Subject to and without waiving these objections, the United States responds as follows: As set forth in the United States' First Amended Complaint, the United States seeks an order directing Defendants to devise and implement a permanent redistricting plan for the Galveston County Commissioners Court that complies with Section 2 of the Voting Rights Act.

Further, the United States directs Defendants to the expert report of Anthony Fairfax and related data and shape files served by the United States on January 13, 2023. Mr. Fairfax's report presents an illustrative plan for the commissioners court that maintains Commissioner Precinct 3 as a district with a majority of Black and Hispanic citizens of voting age under the 2020 Census data by shifting a single voting precinct, VTD 218, from the 2012 plan. This plan set forth in Mr. Fairfax's report is simply illustrative. As his report notes, there would be other possible configurations that would maintain a commissioner precinct in which Black and

Hispanic voters constitute a majority of the voting age population.

DEFENDANTS' CONTENTION INTERROGATORY NO. 4

Please Identify the conversations or communications You have had with the following people, and the facts You discussed with them:

RESPONSE:

The United States' general objections are incorporated by reference herein. The United States specifically objects to this Interrogatory to the extent that it seeks information that contains attorney mental impressions, recommendations, thoughts, opinions, or other attorney work product, which are protected by the work product doctrine. The United States also objects to this Interrogatory to that extent that it seeks information that contains the pre-decisional mental impressions, recommendations, thoughts, or opinions of government officials, which are protected by the deliberative process privilege.

Subject to and without waiving these objections, the United States' response is set out in the table in Attachment A.

Attachment A
 United States’ Responses and Objection to Defendants’
 April 12, 2023 Contention Interrogatories

		Communications Produced to Defendants	Facts Discussed with the United States
1	Brandy Chapman		In October 2022, Dr. Max Krochmal, one of the United States’ expert witnesses, communicated with Brandy Chapman, chief deputy of the Galveston County Clerk’s Office to seek assistance locating commissioners court records.
2	Andre Perkins		The United States attempted to contact Andre Perkins on April 13, 2022; Mr. Perkins did not return the call.
3	Ann Willis		<p>The United States communicated with Ann Willis on March 22, 2022.</p> <p>Ms. Willis is the President of the Bolivar Chamber of Commerce; Ms. Willis stated that Chamber membership was unaware of the plan to create a coastal precinct until approximately two weeks before the commissioners voted on the plans.</p> <p>The Bolivar Chamber of Commerce held a public meeting on November 11, 2021, to discuss redistricting between 30 and 35 people attended the meeting.</p> <p>Commissioner Apffel reviewed the two proposed plans during the meeting and said that a coastal precinct would give Bolivar access to two commissioners.; Ms. Willis later learned that was not correct.</p> <p>Ms. Willis stated that the Bolivar residents were very concerned about the plans because Bolivar is a small location with no city government, that does not collect taxes, and their main attraction is tourism.</p> <p>Ms. Willis stated that the residents were concerned that the issues unique to the</p>

			<p>Peninsula would be lost to bigger issues facing Galveston and that the commissioner for the coastal precinct would only focus on “West Beach/Galveston;”</p> <p>Ms. Willis attended the November 12, 2021, special session; Ms. Willis stated that the people were flowing out of the meeting room into the hallway.</p> <p>Ms. Willis has known Commissioner Holmes for more than 20 years; she stated that even though he is not the commissioner in Bolivar, Commissioner Holmes has worked to resolve issues on the Peninsula.</p> <p>Ms. Willis stated that under the adopted plan, Commissioner Holmes could not be reelected.</p> <p>Ms. Willis stated that when she asked about joining Bolivar Peninsula and Galveston in a single precinct during the 2011 redistricting process, she was told by the commissioners that the courts would not allow it.</p>
4	Anna Charles	US0001624-25	The United States attempted to contact Anna Charles on December 10, 2021; Ms. Charles did not return the call.
5	Annette Scott		<p>The United States communicated with Annette Scott on April 18, 2022.</p> <p>Ms. Scott is an assistant supervisor for support in the Galveston schools; she is affiliated with the NAACP and Galveston County Communities and Schools.</p> <p>There are some LULAC members who are members of the NAACP; we go to each other’s meetings.</p>
6	Anthony Griffin	US0001296 US0001297; US0001298	<p>The United States communicated with Anthony Griffin on April 9, 2022.</p> <p>Ms. Lewis stated that Commissioner Holmes is a voice for the minority community. The loss of Commissioner</p>

			<p>Holmes and the ability to elect in precinct 3 will be devastating.</p> <p>Mr. Lewis believes that the impact will not be immediate but will be felt over time. The elderly and minority community will feel the effects in areas such as hidden taxes. The other commissioners give lip service, but issues important to the minority community will not be placed on an agenda.</p>
7	Barbara Taylor	US0001622-23	<p>The United States communicated with Barbara Taylor on December 10, 2021.</p> <p>Ms. Taylor stated she did not like the 2021 maps drawn by the commissioner's court, and that she preferred the configuration of the map that was in place prior to the November 12 meeting. Additionally, she was not aware of any opportunities for the public to give input on the maps.</p> <p>Ms. Taylor spoke with Commissioner Holmes and expressed her concerns about the maps to him. The configuration of the adopted map does not work for minority voters and dilutes their votes.</p>
8	Bernice Hall	US0001654-55	<p>The United States communicated with Bernice Hall on December 29, 2021.</p> <p>Ms. Hall did not attend the November 12 commissioners court session.</p> <p>Ms. Hall stated that the new commissioners court map fractures the interests of minority voters in the County.</p> <p>Commissioner Holmes is particularly involved with seniors. During hurricane season, he was instrumental in making sure seniors still received their services.</p>
9	Betsy Sanchez	US0001660-61	<p>The United States communicated with Betsy Sanchez on December 9, 2021.</p> <p>Ms. Sanchez stated that Galveston has always had a diverse population and tends to support Democrats.</p>

			<p>She stated that Hurricane Ike affected the demographics of the island; the public housing was torn down, and they lost a lot of lower to moderate income residents.</p> <p>The County's population has grown on the mainland, but the County seat is Galveston, which is where the minority vote has been incredibly disenfranchised;</p> <p>The current commissioners court is all male and has one African American commissioner who is also a Democrat.</p> <p>Ms. Sanchez stated that the lines were drawn to make sure the African American commissioner will be voted out.</p> <p>Ms. Sanchez stated that the map groups Galveston with Bolivar and that Galveston and Bolivar have very different issues; she further stated that it doesn't make sense for the commissioner that serves Galveston to be the same commissioner that serves Bolivar.</p> <p>Ms. Sanchez did not attend the November 12, 2021, special session, information about this meeting was not widely circulated.</p> <p>Ms. Sanchez stated that there was only one meeting and it was not held in Galveston;</p> <p>Ms. Sanchez stated that her husband was bombarded with messages stating "Keep Galveston County red. Vote map 2;" she further stated that her husband received these messages because he is a physician, and they assume someone with a good job would vote Republican, but both she and her husband vote Democrat.</p> <p>Ms. Sanchez stated that she feels that the Black and Hispanic communities vote together, but that she has observed that the</p>
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			Hispanic community does not tend to speak up as much as the Black community.
10	Brenda Flanagan		The United States attempted to contact Brenda Flanagan on March 16, 2022; Ms. Flanagan did not return the call.
11	Bryan-Keyth Wilson [CONFIDENTIAL] ¹		<p>The United States communicated with Bryan-Keyth Wilson on April 22, 2022.</p> <p>Mr. Wilson is a member of the NAACP.</p> <p>Mr. Wilson stated that he does not feel that the needs of the Black community would be met without Commissioner Holmes or another minority commissioner on the court; he also stated that all commissioners do a good job of meeting the needs of the Black community.</p> <p>The NAACP has supported Hispanic candidates in Galveston; they are currently campaigning for a Hispanic candidate for city commissioner.</p> <p>The Dickinson Branch NAACP has a Hispanic Vice President, Madalyn Salazar.</p> <p>Mr. Wilson stated that when the NAACP hosts town halls and symposiums, they do not see Hispanic community members in the audience.</p> <p>Mr. Wilson did not recall any racial appeals during elections, but he remembered fliers being placed in his mailbox in West Texas City in 1997 that said “Thank you for killing your own”</p> <p><i>Mr. Wilson stated that Joseph Lowery has been active on social media and has been out in the community doing things with racist undertones such as holding disparaging signs.</i></p>

¹ Pursuant to the terms of the Standing Protective Order entered in this case, ECF No. 121, the United States is designating the information received during communications with Bryan Keyth Wilson as Confidential. The information relayed by Mr. Wilson (presented in italicized text) could compromise Mr. Wilson’s safety and implicates a legitimate expectation of privacy.

			<p>Mr. Wilson stated that the maps are terrible for marginalized communities and a shoe-in for Republican candidates.</p> <p>Mr. Wilson stated that if Helen Truscott, who is Black, had won the race for district judge, she would have been the first Black woman to sit on a court at the level; she lost to Lonnie Cox who is white.</p>
12	Corlie Jackson	US0001529	<p>The United States communicated with Corlie Jackson on December 22, 2021.</p> <p>Ms. Jackson is involved with the Democratic Women of Galveston and several religious organizations; she has also been involved in assisting with campaigns within commissioners court Precinct 3.</p> <p>Ms. Jackson stated that the commissioners court was unresponsive during the 2021 redistricting cycle; the maps were not widely available to the public; the maps were posted online only for a short period immediately prior to the November 12 special session and no demographic data was posted.</p> <p>Ms. Jackson believes this was done intentionally to minimize input from the community, especially residents of Precinct 3.</p> <p>The Republican party sent out email blasts to select voters asking them to support the proposed plans and “keep Galveston red;” she was surprised at how brazen they were.</p> <p>Ms. Jackson stated that the Bolivar Peninsula has separate schools and is primarily a vacation home beachfront location; it is also primarily Anglo and conservative; in her opinion, the population on the Peninsula is not welcoming to people of color.</p>

			<p>Galveston is much different and more diverse than the Bolivar Peninsula; Galveston’s interests and concerns are very different that the Peninsula’s concerns.</p> <p>Galveston has big oil refineries and is heavily industrial with may factories and shipyards.</p> <p>Ms. Jackson stated that the Black and Hispanic community in Precinct 3 is very happy with Commissioner Holmes’ representation; Holmes attends almost every cultural and religious event and function in Precinct 3; when people need his help, Commissioner Holmes is easy to reach.</p>
13	Cornelia Banks		<p>The United States communicated with Cornelia Banks on March 3, 2022.</p> <p>Ms. Banks is a member of LULAC and was a former Galveston County City Councilmember from 2000 to 2008.</p> <p>She stated that she worked with the NAACP Legal Defense Fund on voter registration and translating materials into Spanish. She also stated that she was involved with a task force including the NAACP, LULAC, and other that worked together on issues impacting city residents. She stated that she believes Black and Hispanics in Galveston will support specific candidates.</p> <p>Ms. Banks stated that Anglos in Galveston County sought to prevent public housing for black and Hispanic residents after Hurricane Ike.</p>
14	Dedrick Johnson		<p>The United States communicated with Dedrick Johnson on February 26, 2022, and April 20, 2022.</p> <p>Mr. Johnson is the Mayor of Texas City. He is a member of the Mainland Chapter of the NAACP.</p>

			<p>Mayor Johnson stated that he was not given an opportunity to provide input on the Commissioners Court redistricting plan.</p> <p>He stated that there were no notices provided to the public regarding the redistricting process. He attended the November 12, 2021 special meeting and made statements opposing the plan. He stated that the majority of the people attending the special session opposed the plans but it appeared that the Commissioners were not listening to the attendees. He stated that the room at the Annex was too small to accommodate the crowd and required attendees to line up in the hallway. He also stated the room had no sound system set up during the hearing and not everyone could hear the proceedings. He also stated that there was little or no parking outside of the Annex building due to construction and it was difficult for people to get into the building.</p> <p>Mayor Johnson stated that Commissioner Holmes told him that he had little input into the redistricting process, his recommendations made to the redistricting lawyer were not included in the redistricting plans.</p> <p>Mayor Johnson stated that the adopted plan will dilute the minority voting strength in Precinct 3 and prevent the minority community from electing Commissioner Holmes or any other candidate of choice.</p> <p>Mayor Johnson stated that, in his opinion, the adopted commissioners court plan was motivated by both partisanship and race; the plan splits two historically Black and Hispanic voting precincts in Precinct 3—Carver Park and South Acres.</p>
15	Dora Porter	US0001694-95	The United States communicated with Dora Porter on January 10, 2022;

			<p>Ms. Porter attended the November 12, 2021, special session.</p> <p>Ms. Porter stated that the special session was very crowded; she further stated, “I was in a wheelchair, so I could sit! It was very crowded. It was unbelievable. With all the places to hold this meeting, why were we in this small room?”</p> <p>Ms. Porter stated that race is “what it’s all about.” She further stated, “Hundreds of new homes going up and that is changing the area. It’s like doing away with so much diversity, so we can have more control so we can have less diversity. People building and they have to go by our orders. It’s basically about control.”</p> <p>Ms. Porter stated, “we had been so well-represented by Commissioner Holmes. They didn’t give us a full explanation yet. Holmes has served us in so many different aspects;”</p> <p>Ms. Porter stated “one of the reasons the area has been so well-kept these years is Commissioner Holmes;”</p> <p>Ms. Porter stated that Commissioner Holmes provides various constituent services: such as, public service for seniors, youth, schoolchildren, and law enforcement.”</p>
16	Dr. Annette Jenkins		<p>The United States attempted to contact Dr. Annette Jenkins on March 23, 2022; Dr. Jenkins did not return the call.</p>
17	Edward Munoz	US0001483	<p>The United States communicated with Edward Munoz on February 18, 2022.</p> <p>Mr. Munoz is the chair of the Galveston County Democratic Party’s Diversity and Inclusion Committee. The committee focuses on concerns in the Hispanic, Black, LGBTQIA, and Asian communities.</p>

			The committee was planning a public hearing to address the County's 2021 redistricting process and enacted plan.
18	Elizabeth Protas		<p>The United States communicated with Elizabeth Protas on December 27, 2021;</p> <p>Dr. Protas learned about the redistricting maps when they were posted in <i>The Galveston Daily News</i>.</p> <p>Dr. Protas stated that she has concerns that the only minority member will essentially be redistricted out of his seat; she stated that she does think this seems fair.</p> <p>Dr. Protas stated that all County residents should be represented and the redistricting maps are not doing it.</p> <p>Dr. Protas did not attend the special session.</p> <p>Dr. Protas stated that the special session was held in the annex, which is a small space, and considering the state of pandemic, she did not feel comfortable being there with so many people she did not know.</p> <p>Dr. Protas stated that she feels that Black and Hispanic voters would definitely vote together to support strong candidates.</p>
19	Ethel Shelton	US0001626-27	<p>The United States communicated with Ethel Shelton on December 9, 2021.</p> <p>Ms. Shelton stated that she did not hear about the November 12, 2021, special session until roughly a week before and through word of mouth; she further stated that she has previously received something in the mail alerting her to a meeting, which did not happen this time.</p> <p>Ms. Shelton stated that the meeting room was too small to accommodate the meeting and that it was not held in the County building; she was forced to watch the special</p>

			<p>session in an adjoining conference room through a live stream.</p> <p>Ms. Shelton stated that “immediately after that meeting, while we were still there, they voted for the map that they had redrawn. That said to me, they were giving us the opportunity just for the record that they listened to our concerns, but really it was just a game;”</p> <p>Ms. Shelton stated that there was no opportunity to give input prior to the special session; there was no chance to review the proposed maps and the adopted map at the special session.</p> <p>Ms. Shelton stated that the process was unfair and that “they don’t want us to have one voice in county government.”</p> <p>Ms. Shelton stated that Commissioner Holmes meets with his constituents.</p> <p>Ms. Shelton stated that Black and Hispanic voters vote together in Galveston.</p>
20	Evelyn McDaniel	US0001638-39	<p>The U.S. communicated with Evelyn McDaniel on December 13, 2021.</p> <p>Mrs. McDaniel is a 76 year-old Galveston resident.</p> <p>Mrs. McDaniel stated that she attended the November 12, 2021, special meeting and recalls that the Annex courtroom could only comfortably accommodate about 60 people. She stated that the commissioners lacked any regard for the citizens present and had blank faces while residents expressed their concerns. She stated that one commissioner threatened to have residents removed from the room if they made noise.</p> <p>She stated that Judge Henry hired the firm known for gerrymandering, was responsible for drafting the adopted map, and never</p>

			<p>involved the community until the day of the meeting.</p> <p>Ms. McDaniel stated that under the adopted map, the cohesiveness and sense of community in Precinct 3 will be gone.</p>
21	Felix Herrera		<p>The United States communicated with Felix Herrera on February 23, 2022, and April 20, 2022.</p> <p>In 2020 and 2022, Mr. Herrera ran unopposed for a seat on the Texas City Commission.</p> <p>Mr. Herrera worked with Commissioner Holmes and local churches to do outreach and education in the Black and Hispanic communities regarding the COVID-19 vaccine.</p> <p>He has family in Precinct 3 and believes a lot of Commissioner Holmes' support comes from the Black and Hispanic community in Precinct 3.</p> <p>Mr. Herrera stated that people vote for candidates who look like them. He stated that his district is mostly in Commissioner Apffel's precinct, but he worked with Commissioner Holmes on educating Hispanics about the COVID-19 vaccine. In his opinion, he did not believe that the commissioners court needed to draw the map to ensure that each precinct would become Republican because Republicans already ruled the court with 4-1 votes. Mr. Herrera stated that the communities of color in Precinct 3 will no longer be heard under the adopted map.</p>
22	Fidencio Lejia		<p>The United States communicated with Fidencio Lejia on August 30, 2022.</p> <p>Mr. Lejia is a Santa Fe City council member, elected in 2019. He is an active member of the Santa Fe and Dickinson Chamber of Commerce.</p>

			<p>He states that in Santa Fe there is a lack of minority representation on the school board, as well as in elected positions at the county level.</p> <p>Mr. Lejia stated that Galveston County is not opening the door for Hispanic candidates.; neither the Democratic nor the Republican party represent the Hispanic community.</p> <p>Mr, Lejia indicated he considered a run for County judge; he was contacted by Tyler Drummond, who questioned him about his intention to run against Judge Henry.</p> <p>He stated that the new commissioners court map splits Santa Fe down the middle. The map dilutes the minority vote and shows the commissioners had a desire to get rid of Commissioner Holmes.</p> <p>Mr. Lejia stated that he called commissioner Giusti and asked if the commissioners were going to set up a committee to work on redistricting, Giusti told him he did not know, and would call him back, but never did.</p> <p>Mr. Lejia stated that the commissioners’ justification of the need to create a coastal district was unfounded.</p> <p>Mr. Lejia stated that the community did not know what was going on with the commissioners court redistricting.</p>
23	Geraldine Glover Dorsey	US0002353-54	<p>The United States communicated with Geraldine Glover Dorsey on December 23, 2021.</p> <p>Ms. Dorsey is 85 years old and she does not have an email address, computer, or smart phone.</p>

			<p>Ms. Dorsey stated that the November 12 meeting was held at an inconvenient time and place, and Ms. Dorsey changed her schedule around to make sure she could attend.</p> <p>From what she has observed, the Black and Hispanic community tend to support the same candidates and definitely support Stephen Holmes.</p>
24	Heidi Gordon	<p>US0001278 US0001319; US0001320; US0001488; US0001507; US0001519; US0001520; US0001527; US0001528; 2US0001530; US0001531-35; US0001536; US0001537; US0001538-49</p>	<p>The United States communicated with Heidi Gordon on December 21, 2021, January 20, 2022, and April 21, 2022.</p> <p>When Ms. Gordon first attempted to access the proposed commissioners court maps posted on the County website, they were still images not connected to GIS. There was no topographical data displayed or clear boundaries.</p> <p>The proposed maps posted the County website were not interactive from November 4 to November 12, the day of the special session.</p> <p>On November 4, 2021 the Democratic Women of Galveston conducted a virtual meeting at which Commissioner Holmes discussed the redistricting process.</p> <p>The Democratic Women of Galveston engaged in a texting campaign to get as many people to go online and oppose commissioners court maps 1 and 2.</p> <p>During the November 12 special session, Judge Henry made a very brief comment that there was some opposition to the maps, but then went on to talk about the people who either supported map 1 or 2. The opposition to the plan was ignored. The commissioners did not respond to any questions or concerns about the proposed maps during the special session.</p>

		<p>The normal location for meetings to be held is in Galveston. The room at the Annex is small, has no microphones, and cannot accommodate large crowds.</p> <p>On November 12, a large portion of the Annex parking lot was blocked off and the building was under construction. Many of the attendees were elderly, using walkers and wheelchairs, and there was nowhere for them to sit. People were lined up in the hallways and had trouble hearing what was being said, including if their name was called to speak.</p> <p>In the adopted plan, precinct 336 was split between Commissioner Precincts 1 and 4 and renumbered to 436 and 196. Precinct 336 was previously well-established and known for its large minority population and high Black voter turnout. The commissioners attempted to split Precinct 336 ten years ago.</p> <p>There is a growing Hispanic population near Carver Park.</p> <p>Precinct 347, which abuts Precinct 336 to the east, is heavily minority. The new commissioners court plan combines Precinct 347 with Precinct 142 and moved into Precinct 1.</p> <p>Precinct 338 was moved into Precinct 4 and renumbered as Precinct 438</p> <p>Blacks and Hispanics vote together as a community.</p>
25	Henry Gomez	<p>The United States communicated with Henry Gomez on April 21, 2022.</p> <p>Mr. Gomez stated that Republicans want Galveston County to be Republican.</p> <p>Commissioner Holmes makes sure senior citizens in the County get programs.</p>

			<p>Mr. Gomez had the support of the Black community as a candidate for Texas City Commission. He stated that Black and Hispanic voters in Galveston County tend to support the same candidates.</p> <p>There was tension between the Black and Hispanic communities in the 1930s and 1940s that no longer exists. During his 2020 campaign for Texas City Commission he was subjected to “constant harassment and racial overtones.”</p>
26	James Henderson	US0001612-13	<p>The United States communicated with James Henderson on December 27, 2021.</p> <p>Mr. Henderson opposes the adopted commissioners court plan redistricting map because it will cancel out the only minority representation in Galveston County.</p> <p>He doesn't recall seeing any notice about the proposed redistricting plan.</p>
27	Jerry Lee	US0001652-53	<p>The United States attempted to contact Jerry Lee on March 23, 2022; Mr. Lee did not return the call.</p>
28	John Young		<p>The United States communicated with John Young on April 21, 2022.</p> <p>Mr. Young stated that during the 2011 redistricting process, there were numerous hearings and opportunities for public comment; he attended two or more of the public meetings.</p> <p>He does not recall the locations of the meetings, but stated that the venues were a lot larger, including a high school auditorium, there were microphones set up, and large maps on display.</p> <p>Mr. Young recalls that during the 2011 public meetings there was opportunity for public comment and the commissioners court answered questions; he recalls that Mark Henry and Ken Clark were present.</p>

29	Judith Oppenheim		<p>The United States communicated with Judith Oppenheim on December 27, 2021.</p> <p>Ms. Oppenheim is resident of Precinct 4 and has worked with Fair Maps and testified to various groups in the Texas State Legislature about redistricting plans.</p> <p>Ms. Oppenheim attended the November 12, 2021, special meeting and stated that the location of the November 12 meeting was inconvenient for residents of Precinct 3 because the drive from the Island to the Calder Annex courthouse in League City is a 30-40 minute drive and there is no public transportation.</p> <p>She also stated that the road leading to the Annex was under construction at the time of the meeting and there were no available parking spots, forcing residents attending the meeting to park in an unfamiliar place. She observed many logistical and audio issues during the meeting, such as there being no microphones. In her opinion, she had never seen government officials treat their citizens so poorly.</p>
30	Karen Murphy	US0001606-07	<p>The United States communicated with Karen Murphy on December 12, 2021.</p> <p>Ms. Murphy is a resident of La Marque, Texas and did not attend the November 12, 2021 special meeting. In her opinion, the redistricting map chosen by the commissioners court removes the ability of residents to elect a candidate of choice.</p>
31	Keith Henry	US0001425	<p>The United States communicated with Keith Henry on April 20, 2022, and September 26, 2022;</p> <p>Mr. Henry is a Texas City Commissioner.</p> <p>Mr. Henry stated he had never seen a more egregious drawing of the lines, with respect to the commissioners court plan.</p>

			<p>He stated that a lot of the Latino vote is crossover and typically Latino voters vote on the candidate, not the party; his campaign produced materials in Spanish.</p> <p>Mr. Henry believes that Kim Yancy is a candidate who gets support from Black voters, but only from few Latino voters because her district has so few Latinos.</p> <p>Mr. Henry described a 2020 Republican primary race in Santa Fe that included a white and Latino candidate; the Latino candidate was the better candidate, but he lost; Mr. Henry believes the only explanation for the loss was that the candidate was Latino.</p> <p>Mr. Henry stated he would advise Commissioner Holmes to retire because many communities in his new redrawn district are not voting for a minority.</p> <p>Robin Armstrong ran against Ken Clark when it was well known at the time that Clark was ill, but Clark still won—Mr. Henry stated that this reflects that Armstrong had some issues on the Republican side and is reflects the racial dynamics of the county.</p> <p>West Texas City has been a predominantly and historically middle-class African American community; the community has always felt ostracized in terms of electoral methods.</p> <p>Texas City and La Marque have large African American populations.</p> <p>Hitchcock and League City, which is the most populous, are predominantly white and conservative.</p> <p>Mr. Henry stated that Precinct 336 is over 75% African American and 15-20%</p>
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		<p>Hispanic; Mr. Henry also stated that Precinct 336 is the largest Democratic bloc in the County, very blue collar, and overwhelmingly union.</p> <p>Mr. Henry stated that Precinct 336 is a community of interest and is predominantly Black with a large populace of Democratic voters.</p> <p>Precinct 336 has the South Acres community; many people in the South Acres community migrated from Louisiana and became upwardly mobile once they moved to South Acres.</p> <p>Mr. Henry stated that Precinct 338 is “336 junior,” is very similar, and contains the Ashburn Oaks subdivision, which is diverse.</p> <p>Mr. Henry stated that two of the poorest mailing routes (not zip codes) in the County are located in Precincts 336 and 338, <i>e.g.</i>, Carver Park.</p> <p>Mr. Henry stated that the 2021 Commissioners Court map cut out Precinct 336 and much of Precinct 338; he further stated that the map stripped away 15,000-20,000 votes from minority elected officials.</p> <p>Mr. Henry stated that it was his understanding that the map redraws the lines around Commissioner Holmes’ house.</p> <p>Mr. Henry stated that Precinct 336 was diluted by connecting it with a white conservative area.</p> <p>Mr. Henry stated that he believed that Precinct 336 was split because it was a dominant minority voting electorate.</p> <p>Mr. Henry stated that Precinct 336 historically votes and is where anybody who is politically prominent on the mainland is</p>
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			<p>from; Mr. Henry further stated that while Carver Park has historically had some voter apathy, they turned out in the past election.</p> <p>Mr. Henry stated that Black voters in Precinct 336 vote Democratic.</p> <p>Mr. Henry stated that the impact of the new commissioners court map will be that there will not be any Black representatives; he further stated that he will not be able to represent the district in which he rides his bike;</p> <p>Mr. Henry stated that the impact of the new commissioners court map will be at the County level and up, including the state level; he did not think there would be an impact on non-partisan municipal elections;</p> <p>Mr. Henry stated that Commissioner Holmes did not have an opportunity to participate in the redistricting process.</p> <p>Mr. Henry stated that he has campaign literature in both English and Spanish.</p> <p>Mr. Henry stated that Latino voters are swing voters, not reliably Democratic.</p> <p>Mr. Henry stated that the goal is to get 25-30% of Latino vote, and 80%+ of the Black vote.</p> <p>Mr. Henry stated that you cannot be successful as a candidate without the support of LULAC as they are influential in the Latino community.</p> <p>Mr. Henry stated that he is a member of LULAC and the NAACP; but he has not observed the groups work together.</p> <p>Mr. Henry stated that African Americans and Latinos are similar with respect to cultural issues and ideologies because</p>
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		<p>African Americans very much relate to being ostracized or stereotyped.</p> <p>Mr. Henry stated that the issues that unite the African American and Latino voting communities are policing issues/police reform, education, housing, and health.</p> <p>One of Mr. Henry’s staffers is Latino and very entrenched in the Latino community. Mr. Henry stated that food insecurity initiatives (<i>e.g.</i>, Turkey giveaway) have diverse attendance.</p> <p>Mr. Henry stated that Galveston is a place where you experience discrimination at a very early age.</p> <p>Mr. Henry stated that there is a video of the county judge and sheriff saying that they were going to put a wall around Mark Salinas’ house.</p> <p>La Marque Middle School is predominantly African American.</p> <p>Hurricane Ike increased the number of minority people on the mainland.</p>
32	Kerry Tillmon	<p>The U.S. communicated with Pastor Kerry Tillmon on December 12, 2021.</p> <p>Pastor Tillmon stated that he spoke with Commissioner Holmes during the redistricting process. They were both concerned about how the other commissioners were drawing the precincts, and the impact it would have on Black and Latino residents. He stated that whether we have the votes to do anything about it or not, Holmes keeps the other commissioners honest and the issues in the light of day.</p> <p>Commissioner Holmes also told him that he had been excluded from the redistricting process.</p>

			<p>Commissioner Holmes also requested that pastors inform their congregations about the County’s redistricting process motivate people to show up at the November 12 special session.</p> <p>Pastor Tillmon said the general feeling in the audience during the November 12 special session was that “the writing was on the wall.” The community was kept in the dark, and they rolled out the proposed maps just weeks before it was passed. Pastor Tillmon stated that as issues come up in Galveston, he works with the NAACP, the Coalition for Justice, LULAC, and Democratic groups.</p>
33	Kerry W. Tilmon		See entry above for Kerry Tillmon.
34	Kim Milstead		<p>The United States communicated with Kim Milstead on February 17, 2022.</p> <p>Ms. Milstead is a Community Relations Specialist with the Community Relations Service in the Department of Justice Houston Office.</p> <p>She worked with the Strengthening Police Community Planning Council, formed shortly after the 2019 incident involving a police officer who walked a tied up black man down the street by horseback.</p> <p>The council is made up of ten different groups including LULAC the NAACP, local clergy, and others.</p>
35	Kim Yancy [CONFIDENTIAL] ²	US0001350; US0001551; US0001602-03	<p>The U.S., communicated with Kim Yancy, on April 19, 2022 and September 30, 2022;</p> <p>Ms. Yancy is a current city council member in La Marque and elected in a non-partisan election.</p>

² Pursuant to the terms of the Standing Protective Order entered in this case, ECF No. 121, the United States is designating the information received during communications with Kim Yancy as Confidential. The information relayed by Ms. Yancy (presented in italicized text) could compromise Ms. Yancy’s safety and implicates a legitimate expectation of privacy.

			<p>La Marque is very diverse; La Marque, Dickinson, and League City are diverse blue-collar cities with people primarily working in factories.</p> <p>Her district is 81% minority, and she received support from both the Black and Latino communities during her election.</p> <p>The first Black mayor of La Marque was elected in 2009 and recalled in 2011.</p> <p>Ms. Yancy and Keith Bell, who are the only Black elected officials in La Marque, are the subjects of recall efforts.</p> <p><i>Ms. Yancy stated that Joseph Lowery has threatened her family, has posted racially offensive material on his website, and has made racial comments.</i></p> <p>Ms. Yancy stated that Robin Armstrong is not the minority community's choice.</p> <p>Ms. Yancy stated that the minority community has a personal relationship with Commissioner Holmes unlike other commissioners who do not come to the community.</p> <p>Ms. Yancy stated that Commissioner Holmes is the voice for the minority community.</p> <p>Ms. Yancy stated that Commissioner Holmes can question the status quo, raise issues, and bring things to the attention of the minority community; she further stated that if not for Commissioner Holmes, these types of issues would not come up because they would not be raised by the Anglo commissioners.</p> <p>Ms. Yancy stated that members of the minority community were being assessed liens for failure to make payments for</p>
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			<p>services provided by the city and before she joined the city council, some minority residents were losing their property.</p> <p>Ms. Yancy stated that in 2020, the County sheriff was quoted in the news saying, “Racism does not exist in Galveston County.”</p> <p>Ms. Yancy was the president of the NAACP of Dickinson Bay Area between 2016 and 2021.</p> <p>Ms. Yancy stated that La Marque is about 80% minority--61% Black and 25% Latino. Ms. Yancy stated that she has always had a good relationship with Latino voters and has been successful in getting middle class voters.</p> <p>Ms. Yancy stated that City of Galveston LULAC is not active.</p> <p>Ms. Yancy stated that Commissioner Holmes gives the community a lot of resources, lets the community know about Amoco giving money to Black churches, gives a lot to the NAACP banquet, gives to Black events and attends them, and attends events at the Girls and Boys Club.</p> <p>Ms. Yancy stated that the main thing is the information that Commissioner Holmes provides, <i>e.g.</i>, he provided information regarding COVID once a week by email; Commissioner Clark gives no information.</p> <p>Ms. Yancy stated that she invites Commissioner Clark to NAACP events, but he does not attend.</p> <p>Ms. Yancy stated that she thinks the new map was drawn to “take our voice away,” <i>i.e.</i>, to get the Democratic, Black, and Latino voice out.</p>
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			<p>Ms. Yancy stated that the Latino vote is a sleeping giant and that when they are woken up, they can rule the town; she further stated that they are not consolidated and that she believes that has to do with class.</p> <p>Ms. Yancy stated that the Robert Quiroga runs the Galveston County Community Action, which was started in 1965 by Black Baptist preachers.</p> <p>Ms. Yancy stated that Mr. Quiroga is the first Latino to lead the Galveston County Community Action and that this is probably one of the first merging of the two cultures; Ms. Yancy further stated that they need each other, but that there is not always trust.</p> <p>Ms. Yancy stated that over the last ten years, the Galveston County Community Action has done a lot for the Latino community and that it is in three counties.</p> <p>Ms. Yancy stated that she believed that the redrawing of the lines was all about race because they don't want us to have a voice or be a part of politics.</p>
36	Leon Phillips	US0001684-85	<p>The United States communicated with Leon Phillips on April 18, 2022.</p> <p>Mr. Phillips is the president of the Galveston Coalition for Justice. Its mission is to assist individuals navigating government and financial systems (e.g., housing).</p> <p>He attended the November 12 special session and described it as a dog and pony show; they used the same people that drew the maps in 2011.</p> <p>African Americans and Hispanics worked together during redistricting.</p> <p>Without representation on the commissioners court, there will be a loss of</p>

			services; also a huge effect on voter turnout because people will think why go vote.
37	Leonora Mendez	US0001640-41	<p>The United States communicated with Leonora Mendez on December 23, 2021.</p> <p>Ms. Mendez represents a senior program in Galveston and many seniors in the program reside in Precinct 3.</p> <p>Ms. Mendez did not attend the November 12, 2021, special meeting. She heard from attendees of the special meeting that the hearing room was small and attendees stood in the hallway. In her opinion, the approved redistricting map completely diluted the minority population and minorities will not have representation. Black and Hispanic residents alike would elect Commissioner Holmes over and over. Commissioner Holmes is hands-on with the community and is greatly respected.</p>
38	Lilian Macgrew		<p>The United States communicated with Lilian Macgrew on March 24, 2022.</p> <p>Ms. Macgrew is a founder of Galveston Black Nurses.</p> <p>Ms. Macgrew attended the November 12, 2021, special meeting and stated that the Annex building was too small to accommodate the crowd requiring attendees to be packed into the room, the hallway, and the surrounding rooms. She stated that there was no parking due to construction. In her opinion, the commissioners scheduled the meeting at the Annex building at 1:30 pm in the afternoon because they did not think residents to attend the meeting. She stated that the time of the meeting was inconvenient because people were working.</p> <p>Ms. Macgrew also stated that the majority of the people who attended the special meeting opposed the proposed redistricting plans, but it appeared that the commissioners already</p>

			<p>knew they would adopt one of the plans. She stated that the commissioners did not discuss or consider any changes. She stated that the commissioners were dismissive, rude, and appeared not to pay any attention to the attendees. Ms. Macgrew stated that the public had no opportunity to provide input prior to the special session the court did a poor job advertising the notice for the meeting. She stated that the commissioners silenced the minority population by diluting the voting strength in a way that prevents them from electing their candidate of choice.</p> <p>She stated that in 2011, the NAACP, LULAC, and other organizations worked together to draw redistricting plans and focused on preserving the black and Hispanic coalitions in Precinct 3. She stated that these same organizations formed a network of communication and come together to address issues that impact the minority community in Galveston, such as housing, health and redistricting.</p>
39	Lillie A. Aleman		<p>The United States communicated with Lillie A. Aleman (president, Galveston County LULAC) on February 23, 2022.</p> <p>LULAC is very active in the Galveston Community, and has worked with the NAACP to register and educate voters in both the Black and Hispanic community.</p> <p>Ms. Aleman stated that LULAC set up voter registration booths at various events such as the Day of the Dead (Oct. 2021), Cinco De Mayo (May 2021), and a Martin Luther King Day event (Jan. 2022); she further stated and there was significant Black and Hispanic turnout and support for these events.</p> <p>Ms. Aleman stated that, in her opinion, Black and Hispanic communities vote</p>

			<p>cohesively to elect their candidates of choice.</p> <p>Ms. Aleman stated that Hispanic residents in Galveston County are spread out and tend to be quiet; she further stated that the Hispanic community did come out to protest the 2019 incident when a police officer walked a black man down the street on horseback.</p> <p>Ms. Aleman stated that the Hispanic community joined with the Black community to support the rebuilding of low-income housing in Galveston; she further stated that LULAC joined with the NAACP for peaceful protest against the Housing Authority, including public meetings to create community awareness and to keep the pressure on the County to re-build public low-income housing.</p>
40	Lucille McGaskey	<p>US0001265-71; US0001277; US0001554-55; US0001556; US0001557-61; US0001562-68; US0001569; US0001570; US0001571; US0001596-97</p>	<p>The United States communicated with Lucille McGaskey on April 21, 2021 and September 29, 2022;</p> <p>McGaskey is a member of the NAACP, was the President of the Coalition of Black Democrats of Galveston County and joined the Texas Women’s Association.</p> <p>Ms. McGaskey has never a member of LULAC, but she and the NAACP have collaborated with LULAC on several projects related to community issues. She stated that most of the time the Black and Hispanic communities collaborate and have worked together for years.</p> <p>She stated that she attended the November 12, 2021, special session; the commissioners did not respond to the audience; in her opinion, the commissioners’ facial expressions and behavior during the meeting gave her the impression they already knew they would approve Map 2 and did not care about the audience’s views on the maps.</p>

			<p>Ms. McGaskey stated that she is not aware of any African American or Hispanic candidates who have commissioners court elections aside from Precinct 3.</p> <p>Ms. McGaskey stated that if you need something or need some information, Commissioner Holmes is whom call you call; she stated that he makes available what is happening in the County, including roads, changing routes, construction, and where money is flowing.</p> <p>Ms. McGaskey stated that Commissioner Holmes participates in different events, including Cinco De Mayo, Juneteenth and is also involved with Greek organizations and scholarship funds.</p> <p>Ms. McGaskey stated that Precinct 3 will be devastated if Commissioner Holmes is not re-elected, particularly the older population; she stated that she does not see any of the other commissioners picking up Commissioner Holmes' mantel with respect to conveying information.</p> <p>Ms. McGaskey stated that the other commissioners are not sources of information and that she has not seen them at events and only sees them at commissioners court meetings; she stated that she does not believe that anything is preventing them from coming; she stated that she has not seen Judge Henry there.</p> <p>Ms. McGaskey also stated that she knows Commissioner Armstrong personally, as well as his family. She stated that Commissioner Armstrong lives in Friendswood, and has different values than the residents of Galveston. She said that there are no communities of interest between residents of Friendswood and Galveston. In her opinion, Judge Henry appointed Commissioner Armstrong to</p>
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			<p>replace Commissioner Holmes with another black person.</p> <p>Ms. McGaskey stated that Helen Truscott received support of the Latino community even though Latino turnout was low.</p> <p>Ms. McGaskey was Ms. Truscott's campaign manager and that their ground game during the primary election included all of the communities, including Bolivar; they had materials in Spanish and English, but they intentionally did not have Ms. Truscott's picture on any of the campaign materials, had Spanish speaking volunteers, conducted phone banks, had literature drops, and had events, and attended events, including AKA, shrimp ball, crawfish ball, Little League games, parades, and Cinco De Mayo.</p> <p>Ms. McGaskey stated that the Truscott campaign reached out to LULAC and the NAACP; LULAC supported them; during the general election, the results did not match the primary results in the white precincts.</p> <p>Ms. McGaskey stated they did not put Ms. Truscott's photograph in the non-Black areas of the County.</p> <p>Ms. McGaskey stated that there are three LULACs, and there used to be four.</p> <p>Ms. McGaskey stated that she has done voter registration drives at high schools, storefronts, churches, and at the College of the Mainland.</p> <p>Ms. McGaskey stated that Clear Lake is near NASA and is a conservative area.</p> <p>Ms. McGaskey stated that League City has an older population and is mostly white.</p>
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			<p>Ms. McGaskey stated that in the 1990s there was an effort to register members of the Hispanic community, and she asked them “what are your interests?”</p> <p>Ms. McGaskey stated that there are issues common to the Black and Hispanic communities, namely health, education (there used to be a bigger problem with minorities not getting into AP classes and keeping kids in schools), raises, getting a good job and benefits.</p> <p>Ms. McGaskey stated that whether there are issues that separate the two communities depends on whom you ask.</p> <p>Ms. McGaskey stated that prior to COVID, she worked with the health department to get shots and boosters in low income areas; she stated that she worked with health department again and saw in the newspaper that there were not any vaccination areas in the Black and Hispanic areas of the County; she worked with Felix Herrera, a Texas City Commissioner, to set up a vaccination site for the Hispanic population in Texas City.</p> <p>Ms. McGaskey stated that Commissioner Holmes set up a vaccination center at St. Matthews Church and was not aware of any other commissioners working with him.</p> <p>Disparities between people of color and the white population have grown larger, <i>e.g.</i>, graduation rates.</p> <p>Ms. McGaskey is involved in the Community Action Council and that the disparities in housing are “horrible right now;” she stated while there is no race on applications for assistance, race can be determined by looking at where someone lives.</p>
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			<p>Ms. McGaskey stated that redlining has occurred, <i>i.e.</i>, there are areas that used to have a lot of mom and pop shops that are now all chain.</p> <p>Ms. McGaskey stated that the poor white population lives in the Chelsea area in Texas City, near City Hall.</p> <p>Ms. McGaskey stated that most, though not all, white voters—both rich and poor—tend to vote together.</p>
41	Lucretia Lofton	US0001586-87	<p>The United States communicated with Lucretia Lofton on December 9, 2021, and January 19, 2022.</p> <p>Ms, Lofton is the president of the NAACP’s Dickinson Branch in Galveston County.</p> <p>The NAACP was not asked for input on the proposed commissioners court maps.</p> <p>Ms. Lofton had no knowledge of Commissioner Holmes’s proposed plans.</p> <p>Ms. Lofton learned about the November 12 special session from a reporter. She attended the special session but did not make it into the main room where the hearing was held. The hearing was held at an inconvenient location and time. The meeting room was crowded.</p> <p>Ms. Lofton stated that while older people and people with flexible schedules were able to attend the special session, younger people and people who work could not. There were no handouts, maps, or data shared during the meeting.</p> <p>The commissioners court did not acknowledge or respond to any of the public input given during the special session.</p> <p>The west side of the City of Dickinson is predominantly White and well-</p>

			<p>developed. The east side of Dickinson is more rural, less developed, and populated by Blacks and Hispanics.</p> <p>Similar to Dickinson, the east side of League City is populated by a majority of Blacks and Hispanics.</p> <p>Carver Park was originally settled by freedmen (African Americans) following the civil war and now also has a large Hispanic population. Currently, the area is a well-established middle-class community made up of Blacks and Hispanics.</p> <p>Santa Fe is an original sundown town with a very small Black population, but it has a large Hispanic population.</p> <p>Ms. Lofton stated that Black residents tend to steer clear of the area because it is well-known for its Klan activity.</p> <p>Hitchcock has a significant Black and Hispanic population.</p> <p>La Marque has a significant Black and Hispanic population.</p>
42	Magdalena Alvarado		<p>The United States communicated with Magdalena Alvarado on April 22, 2022.</p> <p>Ms. Alvarado co-founded the program To Be and To Do; “Ser y Hacer” to help people become citizens and register to vote. Ms. Alvarado speaks limited English.</p> <p>She stated that other than Commissioner Holmes, none of the commissioners have championed any services or issues that have an impact on the minority community in Galveston.</p>
43	Mandalyn Salazar	US0001526	<p>The United States communicated with Mandalyn Salazar on December 22, 2021;</p> <p>Ms. Salazar is the Second VP for the Galveston NAACP, and she worked for LULAC’s National Office.</p>

			<p>Ms. Salazar has assisted on several campaigns in Precinct 3 and also volunteers for multiple organizations in Galveston County.</p> <p>Ms. Salazar stated that she considers herself to be a Hispanic Affairs expert and that she also works closely with the Black community in Galveston County, including in Precinct 3.</p> <p>Ms. Salazar stated that Hispanics are not monolithic; in Galveston County, there are Mexicans, Salvadorans, and Hondurans, and there are Hispanics that have been in Texas for generations and others who speak primarily Spanish; she stated that some vote Democrat and some vote Republican; she further stated many members of the Hispanic population in Galveston identify as White.</p> <p>Ms. Salazar stated that when an effort is made to educate Hispanic voters, particularly limited-English Spanish speaking communities, they will vote as a coalition with Black voters.</p> <p>Ms. Salazar stated that when you bridge the language barrier, Blacks and Hispanics in Precinct 3 have the same issues and concerns.</p> <p>Ms. Salazar stated that she can affirmatively say that Hispanic and Black voters turned out as a minority coalition and elected Mr. Johnny Simpson of the Dickinson City Council to office; she further stated that Mr. Simpson was only the second minority elected to the Dickinson City Council.</p>
44	Mark Salinas	US0001439; US0001462; US0001464-65; US0001466-67; US0001469-70;	The United States communicated with Mark Salinas on February 2, April 19, and December 21, 2022.

		<p>US00001471; US00001472</p>	<p>Mr. Salinas stated that in 2020, he was the first Latino to run for County sheriff; there has not been any Black sheriff in the County; there was a Black deputy chief in 2010, Don Allen.</p> <p>Mr. Salinas was primarily supported by Black and Hispanic voters; he campaigned in Black, white, and Hispanic communities; he received assistance from the NAACP and Democratic precinct chairs.</p> <p>Mr. Salinas stated that shortly before election night, he learned that his name was left off the ballot in the City of Hitchcock precinct, which has a combined Latino and Black population of over 50%; he challenged the election results, but nothing was done.</p> <p>Mr. Salinas stated that based on his review of the election results, he received significant support from both the Latino and Black community and some votes from the Anglo community.</p> <p>Mr. Salinas stated that he did a significant amount of block walking in the predominately Black and Hispanic communities of Galveston, Texas City, La Marque, and Dickinson.</p> <p>Mr. Salinas stated that he visited low income, medium income, and wealthy areas of the County.</p> <p>Mr. Salinas stated that he also campaigned in predominately white areas of the County.</p> <p>Mr. Salinas stated that he knocked on approximately 17,000 doors with the help of his supporters.</p> <p>Mr. Salinas stated that he was very successful in registering voters in both the Black and Hispanic communities.</p>
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			<p>Mr. Salinas stated when he saw the proposed maps that were posted on the county website, he contacted Commissioner Holmes.</p> <p>Mr. Salinas stated that the proposed maps completely gutted Commissioner Holmes’ precinct and moved Commissioner Holmes to an area where he was unlikely to be reelected.</p> <p>Mr. Salinas, stated that the plans were posted on October 29, 2021.</p> <p>Mr. Salinas stated that he spoke with Heidi Gordon, from the Democratic Women’s Club, who told him that when she attempted to access the data to the plans on the county website, she discovered that the link for the data was disabled; Mr. Salinas stated that during his race for County sheriff, he was assisted by multiple groups, including the NAACP.</p> <p>Mr. Salinas stated that he participated in an NAACP march and protest in Galveston County after George Floyd was murdered.</p> <p>Mr. Salinas did not attend the November 12, 2021, commissioners court special session; he states that there is a large courtroom in Galveston for commissioners court meetings; the League City location is smaller; the meeting about funding for a border wall was also held in the League City annex.</p>
45	Mary Longoria		<p>The United States communicated with Mary Longoria on April 22, 2022.</p> <p>Ms. Longoria serves on the Galveston Community College District Board of Regents and co-founded the program To Be and To Do; “Ser y Hacer” to help people become citizens and register to vote.</p>

			<p>Mrs. Longoria stated that her husband was not successful in a Republican primary for the State House in District 11 in certain counties because of his Spanish surname, but his surname was considered a positive in Galveston County. She stated that Anglos have told her that they would never vote for a Mexican-American candidate.</p> <p>Mrs. Longoria stated that the Latino population is growing in La Marque, Texas City, Dickinson, and Bay Cliff because they are more affordable.</p> <p>She stated that during the 2011 redistricting process, Gulf Coast Interfaith and LULAC met with the commissioners multiple times, though Judge Henry would not meet with them.</p> <p>Ms. Longoria stated that, in 2011, the NAACP, LULAC, Gulf Coast Interfaith, and other organizations submitted additional plans. She stated that the public was invited to workshops to discuss the plans. She also stated that there was no discussion of a coastal precinct in 2012.</p> <p>Mrs. Longoria stated that during the 2021 redistricting process, she learned about the proposed maps in the newspaper a few days before the November 12, 2021 special meeting.</p> <p>Mrs. Longoria stated that residents in Friendswood have nothing in common with those living in La Marque. She stated that Commissioner Holmes was always very accessible to his constituents in Precinct 3 and would engage with them on issues including affordable housing. The other commissioners have not championed any services or issues that have an impact on the minority community in Galveston.</p>
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46	Mary Patrick	US0001444; US0001445; US0001446; US0001553	<p>The United States communicated with Mary Patrick on December 20, 2021, February 17, 2022, and April 18, 2022.</p> <p>Ms. Patrick is the Galveston NAACP Branch President and works for the Galveston County School District; she is a member of the Avenue L Baptist Church and LULAC.</p> <p>During the 2021 redistricting process, Ms. Patrick and her executive committee started contacting as many people as they could as soon as the maps were posted on the County website and asked people to provide feedback on the maps.</p> <p>Ms. Patrick stated that, the City of Galveston did a good job during the 2021 redistricting process; they publicized the process and the mayor allowed for public input; the Mayor is a member of the NAACP.</p> <p>In contrast, the commissioners court did not publicize the process until the maps were posted online; Ms. Patrick only learned that the maps were posted online when someone mentioned the posting to her.</p> <p>Ms. Patrick did not attend the November 12, special session because she had to work that day.</p> <p>Ms. Patrick stated that the black and Hispanic community in Galveston County often work together on issues that impact both communities, including education and policing, and that many of the NAACP members are also LULAC members. She also stated that LULAC and the NAACP as well as other organizations are members of the Strengthening Police Community Planning Council, which was organized after the incident involving a white police</p>
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			<p>officer walking a tied up black man down the street by horse back.</p> <p>Ms. Patrick also stated that the NAACP has worked with LULAC, as well as Black sororities and fraternities to register and get out the vote of the black and Hispanic communities in Galveston.</p>
47	Mikal Williams		<p>The United States communicated with Mikal Williams on March 11, 2022.</p> <p>Mr. Williams was a Democratic Party candidate for Texas Congressional District 14 in 2022.</p> <p>Mr. Williams stated that he was present during the November 12 2021, Commissioners Court special meeting at the League City Annex Building and videotaped the session and the surrounding building.</p> <p>Mr. Williams stated that he observed that most attendees were opposed to the commissioner court plans. He stated that many attendees of the meeting could not fit into the room where the hearing was held, were required to stand in the hallways, and could not hear what was being said in the court room.</p>
48	Monica Cooper	US0001636-37	<p>The United States communicates with Monica Cooper on December 23, 2021.</p> <p>Ms. Cooper did not attend the November 12, 2021, special session because she did not find out about it until after it occurred.</p> <p>She is upset about the new commissioners court plan because she believes it will deter voter participation.</p>
49	Nakisha Paul	US0001251-52; US0001255-56; US0001258; US0001259-61; US0001262-64	<p>The United States communicated with Nakisha Paul (President, Board of Trustees Texas City Independent School District) on April 21, 2022.</p> <p>Ms. Paul stated that with the new commissioners court plan, the County has</p>

			<p>removed the “representative of the people,” Commissioner Holmes.</p> <p>Commissioner Holmes has a call with ministers and has an education chat on a monthly basis, and no one else has these types of calls. He also checks in on the elderly population every month and helped volunteers during the freeze in 2021.</p> <p>The Texas City Independent School District’s redistricting process differed from the County Commissioners Court process. The Texas City ISD board had a specific timeline and held a public hearing.</p> <p>Ms. Paul stated that the November 12 special session was held in the smallest courtroom in the middle of the day. Elderly attendees had no chairs available and the microphone was not being passed.</p> <p>Ms. Paul has support from both the Black and Hispanic community when she ran for the Board of Trustees for the Texas City Independent School District. She received 78% of the vote.</p> <p>She met with the Hispanic community on a regular basis regarding the annexation of the Le Marque School District.</p> <p>She is working to encourage more voter participation in the Hispanic community.</p> <p>The Black voting age population votes together; voters in voting precincts 336, 338, 331, and 330 have a voting pattern that is consistent.</p>
50	Nan Wilson		<p>The United States communicated with Nan Wilson on April 18, 2022.</p> <p>Ms. Wilson is chair of the Economic Development Committee of the Galveston City NAACP.</p>

			<p>Three chapters of the NAACP and two chapters of LULAC are involved in creating a joint business directory focusing on minority-owned businesses.</p>
51	Patrick Doyle		<p>The United States communicated with Patrick Doyle on December 17, 2021.</p> <p>Mr. Doyle was a Galveston County Justice of the Peace in Precinct 5 for ten years. He served 8 years as a Galveston County Commissioner in Precinct 1. During that time, he participated in two redistricting cycles.</p> <p>Mr. Doyle stated that if the 2011 maps were rejected, the 2021 maps have to be rejected as well.</p> <p>Mr. Doyle stated Cheryl Johnson, the Tax Assessor, usually told the commissioners how much time her procedure would take and would give her input. The commissioners always calculated the time they needed to pass the maps and never had any issues.</p> <p>During the 2011 cycle, the court engaged folks to help with drawing the plans. There were preliminary conversations, and they established a calendar for when the process started and when it should end. They developed a clear timetable for public hearings and engaged in executive sessions to discuss the maps. The county judge was very organized. They set up meetings to get as much input as they could: one on the island two on the mainland, one in north county and one in Texas City. There may have been one in Bolivar. There was large attendance and a lot of input. The normal process was to advertise in newspapers like the Galveston Daily News. It may have been posted on the county website and they may have done an email blast.</p>

			<p>There was a third party that drew the maps. His memory is that the commissioners approved the third-party. The first time they met with this third-party, maps were presented. Mr. Doyle did not have any input into those maps.</p> <p>Mr. Doyle was opposed to the 2011-12 commissioners court map and cannot recall any concessions the court made. He does not recall having any direct access to the map drawer.</p>
52	Paul Bland		<p>The United States communicated with Paul Bland on February 23 and April 21, 2022.</p> <p>Mr. Bland is the president of the Galveston Pan-Hellenic Council; the organization has engaged in voter registration efforts focused on Black and Hispanic communities in Galveston County; the voter registration materials they disseminate are bilingual.</p> <p>Mr. Bland is a member of the NAACP. The NAACP has conducted voter registration drives with LULAC.</p> <p>The minority community in Galveston County is angry about the commissioners court plan and does not believe it represents the minority community.</p> <p>Commissioner Holmes is the only minority commissioner, and the only commissioner that works to address the concerns of the Black and Hispanic communities. Judge Henry is not responsive to the concerns of the minority community.</p> <p>Precinct 336 was split between other commissioner districts and was a historically strong African American voting bloc.</p>
53	Robert Quintero		<p>The United States communicated with Robert Quintero on February 24, 2022.</p>

			<p>Mr. Quintero was born in Galveston in 1964 and has been a member of LULAC for approximately 45 years.</p> <p>Mr. Quintero's father was the first Mexican-American to be elected to the Galveston City Council; when he ran in the 1970s, he received support from both the Black and Hispanic communities.</p> <p>Mr. Quintero has been involved in registering voters in Galveston since he first joined LULAC.</p> <p>Mr. Quintero is one of the organizers of the Cinco De Mayo event in Galveston; he stated that the event attracts a significant portion of the Black and Hispanic communities in Galveston; he further stated that during the event, LULAC works with the NAACP to register and educate Black and Hispanic voters and to encourage voter turnout.</p> <p>LULAC and the NAACP have also joined efforts in registering Black and Hispanic voters at the high school and college levels.</p> <p>LULAC has worked closely with the Coalition of Black Democrats and the NAACP to address issues that have impacted the Black and Hispanic community in Galveston, including the destruction of public housing following Hurricane Ike in 2008; he further stated that the destruction of public housing had a direct impact on the Black and Hispanic community and resulted in the reduction of minority population in Galveston; he further stated that they participated in protests and public meetings to pressure the Housing Authority to build public housing and that the County did not begin building public housing until 2012 and construction is ongoing.</p>
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			<p>Mr. Quintero stated that LULAC has also been involved in Black Lives Matter and formed a LULAC Latinos Black Lives Matter Committee to bring awareness to the Black and Hispanic communities.</p> <p>Mr. Quintero stated that he has no doubt that Black and Hispanic voters vote cohesively together in Galveston.</p> <p>Mr. Quintero stated Roger Quiroga ran for mayor in 2020 and received significant Black and Hispanic support but lost in a runoff election that was scheduled during the Christmas holiday.</p> <p>Mr. Quintero stated that Roger Quiroga is running for mayor again in 2022 and that he is confident that Mr. Quiroga will receive significant Black and Hispanic support.</p> <p>Mr. Quintero stated that LULAC has worked with other organizations such as the NAACP and conducted block walks, going door-to-door registering voters in the minority community.</p> <p>Mr. Quintero stated that he believes the plan was drawn on the basis of party and race and that it dilutes the voting strength of the minority community in Precinct 3.</p> <p>Mr. Quintero stated that in Galveston, a majority of the Black and Hispanic population votes as Democrats, and therefore you cannot separate party from race.</p> <p>Mr. Quintero stated that LULAC was not invited to the table during the 2021 redistricting process and that the process seemed very rapid with little notice before the meeting was called to adopt the plan.</p> <p>Mr. Quintero stated that he believes that the community and community organizers</p>
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		<p>should have been invited to participate in the redistricting process, but they were not.</p> <p>Mr. Quintero stated that Commissioner Holmes has performed above and beyond his duties, that he attends every event, is always present, and has done a great job of representing the minority community.</p> <p>When other commissioners decided to send money to support the border instead of public housing, Commissioner Holmes opposed it and has been a supporter of public housing.</p> <p>Mr. Quintero stated that the adopted plan moves Black and Hispanic voters into predominantly white Republican voting precincts, their voice is silenced, and their vote is diluted.</p> <p>Mr. Quintero stated that he has never seen Commissioner Apffel at any minority events.</p> <p>Mr. Quintero stated that Judge Henry does not attend minority events but does allow LULAC to use a room in the Galveston County Annex Building for free and has also provided donations to the LULAC scholarship fund; LULAC has publicly recognized Judge Henry for these efforts.</p>
54	Ruth Declouet	<p>The United States communicated with Ruth Declouet on April 18, 2022.</p> <p>Ms. Declouet is the treasurer of the Galveston City NAACP; she is also a member of LULAC.</p> <p>Both LULAC and NAACP were involved in rebuilding after Hurricane Ike.</p> <p>Ms. Declouet attended the November 12 special session; there were people crowded in the hallway and more kept coming in.</p>

55	Sam Collins III		<p>The United States communicated with Sam Collins III on September 28, 2022.</p> <p>Mr. Collins is a founding member of the Bryan Museum’s Delegados Advocate Board and serves on several other boards in Galveston County.</p> <p>Mr. Collins and his family are lifetime members of the NAACP.</p> <p>Mr. Collins participated in a project with Dr. Juan Galvan and a reporter. The project involved connecting the Black and Hispanic community by doing a story about the underground railroad to Mexico.</p> <p>Mr. Collins stated there has been an effort to keep the Hispanic and Black communities (in Galveston) divided not only by race, but through economics.</p> <p>Commissioner Holmes visits all their churches and educates the community about available programs that citizens and residents may qualify for when they become available. Other commissioners do not have the same outreach in the minority community, and they have not shown up the way Stephen Holmes has for the community. Minorities from other commissioner court precincts ask Holmes for advice when they have an issue. People feel more comfortable speaking with him because he is more visible at community events, and more vocal on issues, such as bail reform in the county.</p> <p>Mr. Collins states that without a minority representative, there will not be a voice on the commission to advocate for the community.</p>
56	Sharon B. Lewis		<p>The United States communicated with Sharon B. Lewis on April 9, 2022.</p>

			<p>Ms. Lewis stated that LULAC and NAACP worked together in getting single-member districts in the City of Galveston (this was in the early 1990s).</p> <p>Last year, the organizations worked on housing issues that impacted the minority community.</p>
57	Stephen Holmes	US0002357-58	<p>The United States communicated with Stephen Holmes on December 22 and 28, 2021.</p> <p>Mr. Holmes represents Precinct 3 on the Galveston County Commissioners Court; he was first appointed to the court in 1999; he first ran for the seat in 2000 and every four years thereafter.</p> <p>The 2021 cycle is the third redistricting cycle in which Commissioner Holmes has participated.</p> <p>The newly adopted commissioners court plan splits the minority community into four precincts.</p> <p>Precinct 336 is a predominately Black precinct in west Texas City that has always had great voter turnout; Commissioner Holmes recalls that the court attempted to split Precinct 336 during the 2001 cycle; he recalls that one of the 2011 proposed plans also included a split of Precinct 336.</p> <p>The newly adopted 2021 plan splits Precinct 336 down the middle—half is in Commissioner Apffel’s precinct and the other half in Commissioner Clark’s precinct.</p> <p>The other commissioners are long-time residents of Galveston County and are familiar with the location of minority communities.</p> <p>In prior redistricting cycles, the commissioners court held public meetings</p>

			<p>prior to drawing the map; the commissioners court would also put together a resolution that included a timeline for the process and redistricting criteria; that did not occur during the 2021 cycle.</p> <p>In both 2001 and 2011 the commissioners court set up at least four public hearings; they attempted to choose convenient locations and held meetings in the evening to allow for more participation.</p> <p>Prior to the November 12, 2021, special session, the only other redistricting related commissioner court agenda item was the hiring of redistricting counsel in April 2021.</p> <p>Commissioner Holmes voted against retaining the Holtzman Vogel firm and Dale Oldham; Mr. Oldham was also involved in the 2011 redistricting.</p> <p>Commissioner Holmes first met with Dale Oldham virtually on September 20, 2021; they met again on September 23, October 19, and October 22.</p> <p>Commissioner Holmes contacted Michael Shannon to ask if he could provide him with demographic statistics for the redistricting proposals; he never received the data he requested.</p> <p>Two proposed maps and incomplete data were posted on the County's website on October 29, 2021.</p> <p>Commissioner Holmes did not post anything on social media or make comments to the press about the proposed commissioners court plan prior to adoption of the plan; he did express his views to the press after the plan was adopted.</p> <p>The Bolivar Peninsula is an unincorporated area of Galveston County that is about 95%</p>
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			<p>white; Galveston is an incorporated city that is diverse and has shipping industries and hotel and restaurant industries.</p> <p>On November 12, 2021, a special session was held at the League City Annex and proposed Map 2 was adopted.</p> <p>Commissioner Holmes relayed his thoughts about the proposed plans when they were presented to him by Mr. Oldham; the changes he requested were not input into the proposed plans.</p> <p>Commissioner Holmes entered his own proposed plans into the record at the November 12 special session; he also presented a study on racially polarized voting during the special session; he did not share any details about the study prior to the November 12 hearing.</p> <p>The November 12 session was held on a Friday at 1:30 pm at the League City Annex; the agenda for the meeting was posted on November 9.</p> <p>Regular commissioners court meetings are held in Galveston at the old county courthouse; the courthouse meeting room can seat about 250 people and additional seating can be added at the courthouse; the parking garage can fit 400 to 500 vehicles.</p> <p>The Calder Road annex meeting room can seat about 65 to 75 people and the parking lot fits about 60 cars; at the time of the meeting some of the parking was blocked due to construction.</p> <p>Commissioner Holmes stated there were at least 200-250 people at the November 12 special session.</p> <p>A special session related to the removal of a Confederate statue from the county</p>
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			courthouse was also held at the Calder Road annex.
58	Tarris Woods	US0001455; US0001456	<p>The United States communicated with Tarris Woods on April 18, 2022.</p> <p>The 2021 commissioners court plan will be devastating to the minority community in Galveston County and erode our ability to elect a representative of choice.</p> <p>Commissioner Holmes works with both the Black and Hispanic communities, represents our desires, keeps us informed about issues such as property taxes, community investments, and county contracts which involve millions of dollars; Commissioner Holmes brings our concerns before the full commissioners court; community pressure will sometimes cause the commissioners court to back down.</p>
69	Ted Hanley		<p>The United States communicated with Ted Hanley on March 16, 2022.</p> <p>The scheduled interview call did not occur.</p>
60	Teresa Hudson	US0001473	<p>The United States communicated with Teresa Hudson on March 1, 2022.</p> <p>Ms. Hudson was a candidate for district judge of the 405th Judicial District in 2020. She was encouraged to run by many in Galveston because there was no minority representation in the judicial system in Galveston County; she lost the election.</p> <p>Currently, all judges on the panel for the 405th Judicial District are white.</p> <p>Ms. Hudson stated the demographics of Galveston County are diverse, but the County's leadership does not reflect that diversity.</p> <p>She stated the Republican Party made negative comments about Ms. Hudson and the minority candidate running for sheriff, Mark Salinas; a comment was made about</p>

			<p>Mark Salinas going back to the other side of the border.</p> <p>Ms. Hudson stated that during her election for district judge, her name was left off the ballot for 3 precincts, which happen to be precincts with significant minority population; Mark Salinas was also left off the ballot.</p> <p>She had a Hispanic campaign manager and got her name out in the Hispanic community; judicial candidates are limited on what they can do during the campaign.</p> <p>Ms. Hudson’s analysis of her election results showed that minority communities voted for her.</p>
61	Tierr’ishia Gibson	US00001403-04; US0001405-07; US0001424; US0002325-26; US0002334-35	<p>The United States communicated with Tierr’ishia Gibson (Galveston County Democratic Party Chariwoman) on December 9, 2021, February 18, 2022, and April 20, 2022.</p> <p>During the 2021 redistricting process Ms. Gibson communicated with Commissioner Holmes on a weekly basis. She asked Holmes when and how the community could become involved in drawing maps, including reviewing the plans that have been drawn by the county commissioners.</p> <p>Ms. Gibson state that many in the minority community in Galveston County, especially elders, do not have computers and could not access the commissioner court maps that were posted online for comment.</p> <p>During the November 12, 2021, special session, two parking lots were fenced off, and no signs were posted to tell people they were in the right location. Some people had to leave because there wasn’t enough parking, others parked on the street. There was very limited accessibility people with disabilities.</p>

			<p>Ms. Gibson stated that the adopted commissioner court plan has an impact on both race and party; minority residents will not have the ability to move any positive legislation; for example, the County Judge opposes Meals on Wheels and the building of a senior center on the Island.</p> <p>Ms. Gibson stated that Commissioner Holmes is the only commissioner who engages with the minority community and provides them with information; the other commissioners have no relationship with the minority community.</p> <p>According to Ms. Gibson, Blacks, Hispanics, and Asians in the County work together to register voters and get out the vote.</p>
62	Tom Watkins	US0001592-93;	<p>The United States communicated with Tom Watkins on December 10, 2021. Mr. Watkins is a 73-year-old resident of Precinct 3.</p> <p>Mr. Watkins stated that Commissioner Holmes meets the needs of the residents and community in Precinct 3. He stated that Commissioner Holmes learned about the posted maps by looking on the Galveston County Facebook page and the person hired to draw the maps refused to draw the maps Holmes wanted. Mr. Watkins attended the November 12, 2021, special meeting and, in his opinion, the turnout during the special meeting caught the commissioners off guard.</p> <p>Mr. Watkins stated that he observed elderly residents standing in the hallway during the meeting.</p> <p>In his opinion, the commissioners adopted the map in response to requests from the predominately white Bolivar Peninsula to be connected to Galveston.</p>

63	Tommie D. Boudreaux	US0001476; US0001478; US0001480-81; US0001482; US0001608-09	<p>The United States communicated with Tommie D. Boudreaux (co-author of a book titled <i>African Americans of Galveston</i>) on February 2, 2023.</p> <p>Galveston was a port of entry for immigrants and its population used to be a lot more diverse, including Italian and Jewish immigrants.</p> <p>Over the years, many minority residents who could afford to build homes in the inner city, while white residents moved out to the suburbs.</p> <p>African Americans have left the island seeking cheaper rental units. During Hurricane Ike, some affordable housing locations were destroyed and there was a reluctance to rebuild.</p>
64	Veronica V. Horn		<p>The United States communicated with Veronica Van Horn on November 24, 2021;</p> <p>Ms. Van Horn stated that the County attorney's office was dissolved in 2019 and that the County's legal work is contracted to an outside general counsel, Paul Ready.</p>
65	Wanda Lartigue	US0001642-43	<p>The United States communicated with Wanda Lartigue on December 27, 2021.</p> <p>Ms. Lartigue is a resident of previous Precinct 3.</p> <p>She did not attend the November 12 special session; it was in the middle of the day when most people were at work; she heard from a friend that it was difficult to find parking, the room was very small, she was in the hallway and could not hear anything.</p> <p>Ms. Lartigue believes that Hispanic community definitely supports Commissioner Holmes; although she does not know whether there is cohesion between</p>

			Black and Hispanic residents for other candidates.
66	Winifred Langham	US0001594-95; US0002332-33	<p>The United States communicated with Winifred Langham on December 9, 2021.</p> <p>Ms. Langham stated the redistricting maps were posted two weeks prior to the November 12 special session but with no notice; so people were unaware that the maps were available.</p> <p>The Republican commissioners sent out an email about the plans to blast Republican voters, but did not notify the entire Galveston community.</p> <p>There were no other meetings related to redistricting other than the November 12 special session and no opportunity for the community to provide input on the plans.</p> <p>The November 12 meeting was held in a small room in the Annex building with no microphones; in addition, the building was under construction; the meeting was held at 1:30 pm in the afternoon when people were working.</p> <p>During the special session, it was clear that the commissioners court did not really want to hear from the community.</p> <p>Right before Ms. Langham spoke, Commissioner Guisti told the crowd that the Secretary of State’s Office was requiring them to submit plans by the next day.</p> <p>Ms. Langham believed the adopted commissioners court plan was passed with an intent to disenfranchise the minority community.</p>

DECLARATION

Pursuant to 28 U.S.C. § 1746, I, Catherine Meza, declare under penalty of perjury that I am an employee of the United States Department of Justice, that I have reviewed the foregoing United States' Responses and Objections to Defendants' April 12, 2023, Contention Interrogatories, and that they are true and correct to the best of my knowledge, information, and belief at the time of this declaration.

Executed on: April 20, 2023

/s/ Catherine Meza

Catherine Meza
Voting Section
Civil Rights Division
U.S. Department of Justice

CERTIFICATE OF SERVICE

I hereby certify that on April 20, 2023, I served a true and correct copy of the foregoing via electronic mail on all counsel of record.

/s/ Catherine Meza

Catherine Meza

Voting Section

Civil Rights Division

U.S. Department of Justice

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