

'IT'S UP TO US'

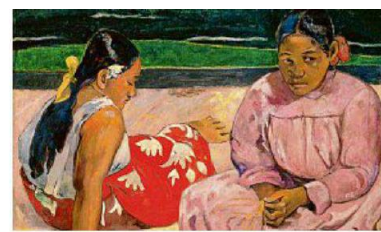
Mixon calls out team as Texans look to step up against Lions. PAGE C1



SUNDAY

LIONSTONE CLOSING

Houston real estate firm to move its assets. PAGE B1



WORLD OF ART

MFAH shows explore Gauguin, spiritual beliefs across cultures. PAGE G1

HOUSTON CHRONICLE

HOUSTONCHRONICLE.COM • SUNDAY, NOVEMBER 10, 2024 • VOL. 124, NO. 28 • \$5.00



A line forms down the hallway outside the Harris County Justice of the Peace court for Precinct 5, Place 1 last month. Photos by Kirk Sides/Staff photographer

Latinos in Texas swung to Trump

Local leaders say GOP focus on crime, high prices resonated

By Sam González Kelly and Jhair Romero STAFF WRITERS

Despite growing up in a liberal Mexican American household in Houston's Denver Harbor neighborhood, Tessie Kempinski hasn't supported a Democrat in a presidential election since Jimmy Carter in 1976. For decades, the 67-year-old has been an outlier as a Republican-supporting Latina, but when she woke up to the news Wednesday that Donald Trump had regained the White House — with unprecedented levels of Latino support nationwide — she felt vindicated. "What people don't understand is my hairdresser, my nail Latinos continues on A8

Courts crushed by 'vast disparity' in caseloads

County last redistricted justices of the peace over 50 years ago

By R.A. Schuetz, Mike Morris and Caroline Ghisolfi STAFF WRITERS

It's not uncommon for Israel Garcia's Gulfton-area courtroom, just west of the Loop, to overflow with hundreds of people waiting for their eviction cases to be heard. "Today, we have a very heavy docket," the Harris County justice of the peace told litigants who had shown up early enough on a recent Thursday to nab a space in the courtroom. "We can only seat about 100 people in here. So we



Justice of the Peace Israel Garcia adjudicates a civil case, one of thousands his crowded court deals with each year.

have 100 people in the hallway." Those outside would have to listen up so they didn't miss their chance to argue their case. When a suit was about to be heard, a clerk stationed at the courtroom door called the name of each plaintiff and defendant three times to alert those waiting in the hall. That same morning, across the city, the scene was drastically different in an East End courtroom. There, the docket featured only one eviction case. Even though that courtroom is noticeably smaller — Courts continues on A6

Can Trump bring back low prices?

By Paul Wiseman ASSOCIATED PRESS

WASHINGTON — Fed up with high prices and unimpressed with an economy that by just about any measure is a healthy one, Americans demanded change when they voted for president. They could get it. President-elect Donald Trump has vowed to topple many of the Biden administration's economic policies. Trump campaigned on promises to impose huge tariffs on foreign goods, slash taxes on individu- Economy continues on A9

Cruz now poised to lead powerful committee in D.C.

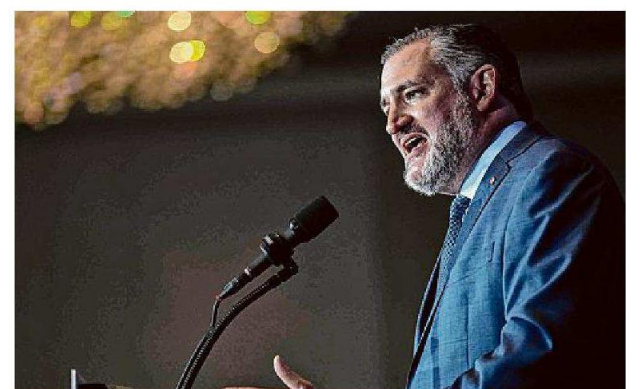
By James Osborne WASHINGTON BUREAU

After 12 years as a self-proclaimed Washington outsider, U.S. Sen. Ted Cruz of Texas is fresh off a successful reelection campaign and on the cusp of taking over one of the Senate's most coveted and powerful positions. As ranking member on the Senate Commerce, Science and Transportation Committee, Cruz is in line to chair that panel after

Republicans won control of the U.S. Senate last week. That will give Cruz, one of the most divisive figures in U.S. politics, authority to litigate issues ranging from the rules around commercial space exploration to questions about whether to rein in the powerful tech industry and limit the pharmaceutical industry's ability to profit off prescription medication. The very mandate of the committee, to oversee not

only specific agencies and industries but "interstate commerce" itself, gives Cruz a nearly limitless platform to weigh in on the direction of U.S. business and potentially reconfigure American law, depending on whether Republicans are able to retain control of the House. "Being the chairman of the commerce committee comes with an incredible amount of power," said Kevin DeGood, director of infrastructure policy at

the Democrat-leaning Center for American Progress. "Their mandate is so wide, Sen. Cruz could hold hearings on almost any topic he likes and use that to advance his own conservative agenda." With former President Donald Trump set to return to the White House, Cruz will be at the forefront of a Republican charge to roll back government regulations that U.S. industry has long attacked Cruz continues on A7



Elizabeth Conley/Staff photographer Sen. Ted Cruz could lead the Senate Commerce, Science and Transportation Committee.

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COURTS

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with only seven benches — there was no question of whether there would be enough space to seat everyone or time to hear their cases.

The dramatic difference between the two courtrooms is no accident.

Most elected offices regularly redistrict so they each serve populations of roughly the same size. But Harris County's justice of the peace precincts haven't been redrawn since 1973, in large part because they share their precinct lines with the county's eight elected constables, who are more powerful here than in other counties.

When Harris County last redistricted these boundaries in 1973, the political fallout helped cost two members of Commissioners Court their seats, and the lawsuits brought by two affected constables took four years to resolve. Commissioners Court has discussed redistricting several times since but dropped it each time. The constables' political clout, meanwhile, has only grown over the years.

Commissioner Rodney Ellis said he first floated the idea of redistricting constables and justices of the peace for the 2024 election cycle five years ago, but "my colleagues didn't have the appetite."

The idea was further complicated by a state law meant to prevent large cities and counties from "defunding" police agencies. The law, which took effect in 2022, could penalize the county for moving funds from one constable to another.

Still, Ellis said that "equity and justice call for us to do something" about uneven caseloads.

"It's such a vast disparity. It's mind-boggling," he said. "Fundamental fairness would indicate there ought to be some proportionality in who serves in those positions."

Unequal caseloads

While Harris County justices of the peace are low on the ballot, they are the judges the public are most likely to interface with. They oversee a high volume of cases that have a large impact on people's lives, including eviction and credit card debt suits.

There are 16 justice of the peace courts in the county. But just four of them handle more than half the county's civil cases, according to an analysis of county data by the Houston Chronicle.

Some courts hear 15 times the civil cases that other courts do, with similar disparities in the volume of criminal cases — mostly traffic tickets — that the justices handle. That imbalance can be felt on the ground: Tenants and tenant advocates report worse experiences in overburdened courts. The situation could be remedied by the Commissioners Court, which can redraw precincts to make caseloads



Kirk Sides/Staff photographer

The courtroom for Harris County Justice of the Peace Precinct 5, Place 1 is filled to capacity as people wait to have their eviction cases heard before Judge Israel Garcia on Oct. 3 in Houston.

more balanced. Other counties in Texas do this regularly.

Two years ago, David McClendon, a data scientist with the Houston firm January Advisors, wrote about the lopsided caseloads. He said that whenever he talks about the problem, people seem to agree that redistricting to even out caseloads is a "common sense" solution.

"I'm curious why this easy, in my mind, change hasn't happened yet," he said.

Garcia had harsher words. "Harris County should be in the Hall of Shame," he said. "I'm 58 years old. The last time they redrew lines was 52 years ago."

Unequal justice

The imbalanced caseload, according to Garcia, has put judges in an impossible situation. As it stands, he said, he often works 80-hour weeks. But if he spent 10 minutes on each of the over 300 cases on his schedule, one day's worth of cases would take more than 52 hours. And some days, he's scheduled for even more than that.

"It's not a justice of the peace problem," he said. "It's a redistricting problem. ... I wish somebody would understand that I have no control over the population growth."

Officials are required to redraw the boundaries of state representatives, county commissioners and city council members every 10 years, after each decennial census, to make sure that residents are equally represented despite shifts in population. Similarly, state district courts are reapportioned after every decennial census to balance out "judicial burden," which looks not only at the population of the area served but also at the number of cases being filed in that area.

But while the number of justices of the peace depends on a county's population, no laws explicitly state that their precinct boundaries must be redrawn as the population shifts.

Since 1973, the last time

precinct boundaries were redrawn, suburban population spurts outside of Houston's city limits have outpaced the city's more moderate growth. Because civil suits are generally filed in the defendant's area of residence, the inflow of thousands of new residents in Harris County suburbs has meant thousands more cases on the dockets of the areas' local courts every year.

McClendon emphasized that the disparities impact democracy. "These are elected judges," he said. "And in the places where they have the largest caseloads, (residents) can get the least amount of justice in terms of time in front of a judge. Those people get the most diluted vote."

How we got here

Harris County commissioners shoulder the responsibility for allowing voter power in populous justice of the peace precincts to diminish. Experts believe commissioners have done so because constables, which share the same precinct boundaries, have become so politically powerful.

In the 1970s, the Commissioners Court, during a dispute with the sheriff's office, began funding patrol deputies for the county's constables. Constables embraced that change, combined it with the ability to charge neighborhoods for added patrols, and, with the commissioners' approval, aggressively expanded their ranks. Now, Harris County constables employ more deputies than all but five police agencies in the state.

Constables, who also enforce evictions, have the same precincts as justices of the peace. But they have far less incentive to support redistricting. Changing boundaries could interrupt relationships with communities that have been served for years. What's more, residents who appreciate a strong constable presence in their neighborhoods provide constables with political clout.

So for decades, county commissioners have cho-

sen inaction, benefiting the constables over the justice system.

An additional redistricting hurdle was enacted at the start of 2022, when a new state law began punishing large cities and counties that "defund" police agencies. Even "reallocating" funding from one constable to another could prevent the county from growing its property tax revenues until the change was rescinded or blessed by voters in a referendum.

The Chronicle reached out to all Harris County commissioners and constables to understand their thinking on redistricting and how it would impact constables' operations.

Commissioner Adrian Garcia called the caseload disparities "a significant problem," but said in an e-mail that the new "defunding" law blocks the court from addressing them.

"This may have not been an intended consequence of the law, but it is certainly a predictable one when the state chooses to meddle in local affairs to score political points," Garcia said.

Commissioner Lesley Briones, whose precinct overlaps with the county's most overburdened justice of the peace courts, pointed to the court's work funding free legal aid as a way it has tried to make justice of the peace courtrooms more equitable and said she would work with her colleagues "to find innovative ways to create a more just system."

Neither Garcia nor Briones mentioned the prospect of a referendum, and Ellis said he doesn't think he could find three votes to call one if attorneys determined the "defunding" law required it.

Commissioner Tom Ramsey, County Judge Lina Hidalgo and none of the constables responded to requests for comment.

Unequal resources

The idea of a trial is that both parties have the opportunity to present their sides before a judgment is reached.

But the two courts in Precinct 5, which stretches south from Waller through Katy toward Sugar Land, had nearly 45,000 civil cases last year. If the judges there gave each case an average of 10 minutes, both would have had to work 15 hours a day (without bathroom or lunch breaks) to hear them all. And that's before they got started on their traffic ticket hearings.

The two courts in Precinct 4, which covers most of the north portion of the county from its northwestern tip to Atascocita in the northeast, handled over 35,000 civil cases. Judges there would have had to work nearly 12 hours a day to give each 10 minutes in court.

By contrast, the courts with the lowest caseload that year, in Houston's Precinct 6, had to spend less than three hours a day to give each of its 4,000 civil cases 10 minutes in court.

That makes a difference

in the types of resources that can be provided to those seeking justice.

For example, the courtrooms of Justices Steve Duble (Precinct 1) and Dolores Lozano (Precinct 2) text everyone with an upcoming eviction hearing to encourage them to show up for their day in court.

When they show up, landlords and tenants have access to an array of resources. In Duble's court on a recent Wednesday, people were greeted by Loreta Kovacic, the court's eviction diversion facilitator.

Kovacic estimates she connects with 80% of tenants before their court date — something made possible by the court asking for tenant contact information when a case is filed. They already had been put in touch with Lone Star Legal, which provides free legal services to those who qualify.

Every litigant should have access to the programs Duble and Lozano are implementing, Ellis said, not only those who happen to live in their precincts.

"Everybody deserves their day in court — not their 5 minutes in court," he said.

Kovacic also directs people to other resources — such as rent relief, job training, child care or help filing for disability — as the situation warrants. Downstairs, there's a legal resource center for landlords and tenants who are representing themselves. As a certified mediator, Kovacic guides landlords and tenants who are willing to come up with action plans that satisfy both.

"Just talking to people — it's a huge thing," Kovacic said. Since she started working in the court, about a year ago, the percentage of cases that are decided by "default," or because one or both parties have not shown up, has fallen from 27% of cases in 2023 to 19% of cases in the first three quarters of this year. Tenants and landlords can have their hearing in person or over video chat. That morning, cases argued before the judge that morning each took about 10 minutes.

Garcia's court, on the other hand, had a different cadence.

The plaintiff's name would be called three times, then the defendant's. The pace was kept brisk by the number of people who did not arrive for their hearing. Those cases could be decided in under a minute in favor of the party that did appear. If neither party showed up, the case would be dismissed.

Nonetheless, enough people were present that, by the afternoon, things were far behind. When both sides were present, Garcia would also slow down to ask questions and see whether an agreement could be reached; lawyers from Neighborhood Defender Services of Texas

ABOUT THE DATA

How we calculated caseloads

The Houston Chronicle collected justice of the peace civil court case data through Harris County's data download service. Altogether, the service yielded more than 1.2 million records. About 600 of those records had to be excluded from this analysis because they did not list filing dates.

The Chronicle calculated caseload changes for the decade between Jan. 1, 2014, and Dec. 31, 2023.

How we tallied residents

The U.S. Census, the golden standard for demographic data in the country, does not group population statistics by locally defined boundaries such as justice of the peace precincts. As a result, the Chronicle had to combine different geographic groupings to estimate the number of residents living in each precinct over the years.

This analysis uses Census tracts as the geographic units that make up a precinct's area and population. Census tracts are some of the U.S. Census' smallest geographic subdivisions. Though they can vary greatly in size, tracts are designed to be as homogeneous in population characteristics, economic status, and living conditions as possible.

Though tracts are meant to remain consistent over time, the Census updates tract boundaries every 10 years. Any statistics presented in this analysis for 2010 through 2019 reflect 2010 Census tract boundaries. Statistics for 2020 or later reflect the Census's newest boundaries, defined in 2020. The maps shown on this page leverage 2010-2020 crosswalks made available by the Census to calculate changes over time and display 2020 tract boundaries.

The Chronicle calculated population changes for the decade between Jan. 1, 2013, and Dec. 31, 2022, the latest year of available data at the Census tract level.

connected with qualifying tenants in the lobby.

Two hundred and nineteen cases were scheduled for the 8 a.m. docket and another 91 cases for 1 p.m. But the morning docket did not end until 2:45 p.m. — meaning some people spent six hours waiting for their hearing.

In Garcia's office, he had a framed and matted copy of McClendon's op-ed in the Houston Chronicle calling for redistricting.

"This is just evictions," he said of that day's docket. "Credit cards is a booming, booming docket. There's a lot of people in debt that are being sued. That's going to be the next wave, if it isn't already."

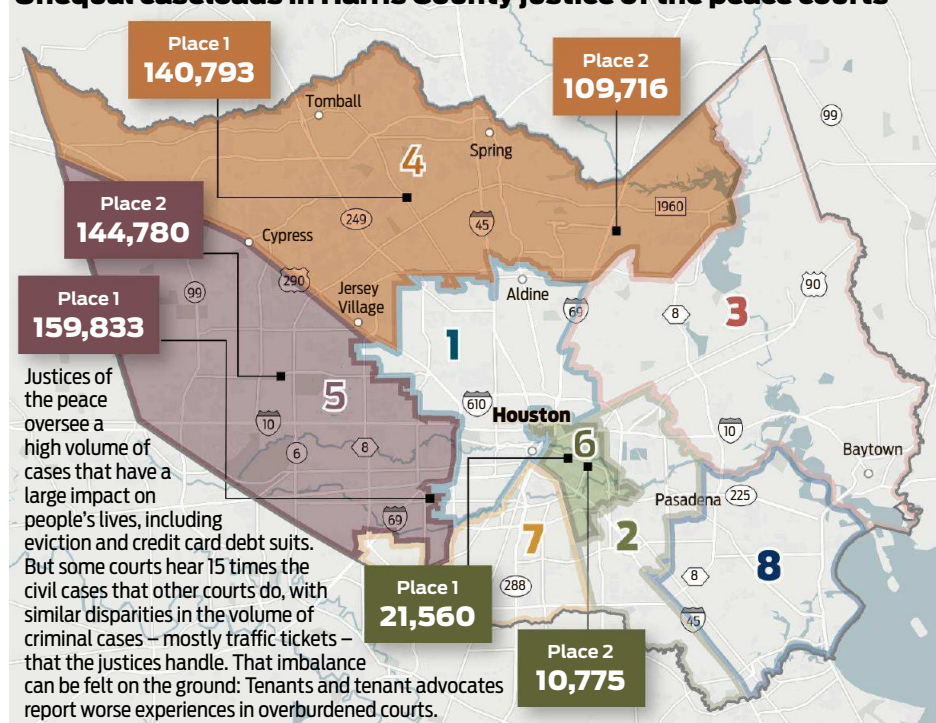
Data backs him up. While Precinct 5 saw an 81% surge in eviction cases over a decade, in that period it saw a 355% spike in debt claim suits.

"These aren't just contractual disputes," said Taylor Laredo, a community navigator at the nonprofit Texas Housers, who has sat in on many dockets as a court observer. "People's lives, people's housing are at stake."

Even if Commissioners Court does not redistrict, he urged steps to be taken to reduce megadockets that can lead to people having to take a full day off in order to attend a hearing.

"Perhaps justices of the peace set a rule to limit the number of evictions that can be heard in a single docket or a single day," he said. "We need to come up with best practices in the interest of court efficiency and in the interest of fairness to all parties."

Unequal caseloads in Harris County justice of the peace courts



Source: Harris County; U.S. Census

Map: Caroline Ghisolfi and Ken Ellis/Staff