

Exhibit 7

In the Matter Of:
FLORIDA CONGRESSIONAL REDISTRICTING

TRANSCRIPT OF 2026D SPECIAL SESSION

April 28, 2026



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TRANSCRIPT OF 2026D SPECIAL SESSION

Tuesday, April 28, 2026

2:00 p.m. - 6:00 p.m. (EST)

1 CHAIR PASSIDOMO: Good afternoon.
2 Committee on Rules will now come to order.
3 Cindy, please call the roll.
4 MS. FUTCH: Chair Passidomo?
5 CHAIR PASSIDOMO: Here.
6 MS. FUTCH: Vice Chair Jones?
7 VICE CHAIR JONES: Here.
8 MS. FUTCH: Senator Avila?
9 SENATOR AVILA: Here.
10 MS. FUTCH: Senator Berman?
11 SENATOR BERMAN: Here.
12 MS. FUTCH: Senator Boyd?
13 SENATOR BOYD: Here.
14 MS. FUTCH: Senator Bradley? Senator Brodeur?
15 SENATOR BRODEUR: Here.
16 MS. FUTCH: Senator Burgess?
17 SENATOR BURGESS: Here.
18 MS. FUTCH: Senator Burton? Senator Davis?
19 Senator DiCeglie?
20 SENATOR DICEGLIE: Here.
21 MS. FUTCH: Senator Gaetz? Senator Garcia?
22 Senator Grall? Senator Harrell? Senator Hooper?
23 SENATOR HOOPER: Here.
24 MS. FUTCH: Senator Martin?
25 SENATOR MARTIN: Here.

1 MS. FUTCH: Senator Osgood?

2 SENATOR OSGOOD: Here.

3 MS. FUTCH: Senator Pizzo?

4 SENATOR PIZZO: Here.

5 MS. FUTCH: Senator Rodriguez? Senator Rouson?

6 SENATOR ROUSON: Here.

7 MS. FUTCH: Senator Simon? Senator Trumbull?

8 SENATOR TRUMBULL: Here.

9 MS. FUTCH: Senator Wright?

10 SENATOR WRIGHT: Here.

11 MS. FUTCH: Quorum present.

12 CHAIR PASSIDOMO: Thank you. Please silence all
13 electronic devices. Senate Bill 6D, medical freedom, is
14 temporarily postponed, as you all know.

15 Anyone wishing to speak before the committee,
16 please fill out an appearance form and, you know, we
17 thought we were going to have a line set up, but I think
18 we still need to do that for the speakers, when we come to
19 it.

20 So here's what we're going to do: Fill out an
21 appearance form, hold onto it until a member of the
22 sergeant's office collects a copy when you get in line to
23 speak, and that's going to happen later on in the
24 proceedings.

25 Should you select to waive your speaking time, go

1 ahead and give your form to the sergeant's office, and I
2 will read your position in -- into the record.

3 I think it's probably going to be a long day, so
4 if anyone needs an accommodation, please see the
5 sergeant's office for assistance.

6 Okay. We're going to take up Tab 4, the
7 presentation on the congressional reapportionment by the
8 governor's office. Once the presentation concludes,
9 please direct all questions -- members, please direct all
10 questions regarding the map to our presenters.

11 Any questions that senators should -- have should
12 be asked to the presenters, and not -- and not when we're
13 on the bill, unless you have a question specifically for
14 Senator Gaetz, and then we'll have time for that when we
15 take up the bill.

16 So, gentlemen, you're up. Did you have lunch?
17 Did you have a chance to go to the restroom? Are you all
18 set? So we're going to start with -- so Jason Poreda --
19 you're going to -- you're going to go first and then Mo
20 Jazil is going to come after.

21 MR. POREDA: Actually, could we switch and have
22 Mo go first, if that's all right --

23 CHAIR PASSIDOMO: Sure.

24 MR. POREDA: -- Madam Chair? Thank you.

25 CHAIR PASSIDOMO: Mr. Jazil, you are recognized.

1 MR. JAZIL: Thank you, Madam Chair, Vice Chair,
2 members of the Committee. I appreciate the opportunity to
3 speak with you here today. My remarks will be limited to
4 the executive branch's legal position on redistricting.

5 I have never drawn a redistricting plan, I don't
6 intend to draw a redistricting plan, and so I leave it to
7 Mr. Poreda to address any factual questions, particularly
8 factual questions about the plan that you'll be seeing
9 here today.

10 To begin, I note that there is nothing in the
11 federal or state constitutions that prohibits mid-cycle
12 congressional redistricting.

13 The governor's stated reasons for redrawing the
14 congressional plan now are twofold.

15 One, it's to account for the greater population
16 growth between 2020 and 2025 in the suburban and ex-urban
17 communities throughout the state; and two, it's to ensure
18 that the state has a race-neutral congressional plan.

19 As you know, between decennial censuses, the
20 American Community Survey and the State's Office of
21 Economic and Demographic Research puts out high quality
22 estimates of growth at the county level. This data,
23 however, is not broken down into the granular detail you
24 need at the census block level to draw a congressional
25 map. So it's perfectly fine to account for the county

1 level data, but then draw a map using the decennial data,
2 to comply with the federal constitution's one person, one
3 vote standard.

4 The Supreme Court's polarity opinion in LULAC v.
5 Perry from 2006, and its decision in Georgia v. Ashcroft
6 from 2003 allow for this.

7 Next is the use of race in redistricting. This
8 is an evolving area of the law. We've had several
9 important cases decided at both the federal and state
10 level since Article III, Section 20(a) was added to the
11 Florida Constitution after the 2010 election.

12 And as you've likely heard, the US Supreme Court
13 is poised to address the issue again in a case called
14 Louisiana v. Callais.

15 To level set and to discuss basic equal
16 protection principles outside of redistricting, cases
17 concerning the 14th Amendment's equal protection clause
18 say that some distinctions are just so odious, so suspect
19 that they need to pass the strictest of scrutiny to stand.

20 Race is the paradigmatic example of such an
21 odious suspect classification.

22 So in simple terms, if you're making distinctions
23 based on race, the constitutional bar that you have to
24 meet is really, really high. It's almost insurmountable.

25 So you can never clear that bar, nor should you,

1 if you try to pass a law that segregates kids and schools
2 based on race, or if you pass miscegenation laws.

3 In redistricting, however, we try to take race
4 into account in the legislative process. We try to be
5 race conscious, without having race predominate. There
6 are problems with that. It's a difficult line to draw.

7 It's also a line that's inconsistent with equal
8 protection principles.

9 The governor's position, then, on the issue is
10 this: Race should not be used at all when drawing
11 districts. We should instead adhere to those basic
12 background equal protection principles that say race has
13 no role in the process.

14 Again, there's three benefits to this approach.

15 One, it's consistent with the overwhelming weight
16 of the equal protection case law.

17 We're not discriminating based on race.

18 Two, it avoids questions like what level of race
19 consciousness is enough, what level of race consciousness
20 is too much. Those are difficult questions and it avoids
21 those questions.

22 Three, it puts us in a position to where we are
23 going to best comply with the Callais decision when it
24 comes out.

25 Now I'd also like to talk about the Voting Rights

1 Act and Article III, Section 20(a) of the Florida
2 Constitution. These are Florida's analogs to the Voting
3 Rights Act.

4 At the most fundamental level, if compliance with
5 the Voting Rights Act or the Florida Constitution requires
6 that you violate the equal protection clause, the equal
7 protection clause trumps. It's a superior law. The US
8 Constitution says it's the supreme law of the land.

9 When it comes to the VRA in particular, the
10 Supreme Court has assumed without deciding -- assumed
11 without deciding -- for decades, that complying with that
12 statute is a compelling interest that justifies being race
13 conscious in the redistricting process.

14 That's in part because the Voting Rights Act,
15 when it was enacted in the '60s, was enacted with a robust
16 legislative record detailing a history of race-based
17 discrimination that needed a race-based solution.

18 It was also enacted by Congress, consistent with
19 Congress's exclusive powers under Section 2 of the 15th
20 Amendment to the US Constitution. Only Congress gets to
21 implement that amendment, not the states.

22 Now, Callais is going to deal with the tension
23 that's inherent in trying to have a race-based solution
24 that is inconsistent with the broader themes of the equal
25 protection clause under the 14th Amendment, this notion of

1 race consciousness and race predominance.

2 Callais also has an unusual procedural history.
3 It was re-listed and re-argued. Other cases that have
4 been re-listed and re-argued include Brown v. Board of
5 Education, Roe v. Wade, Citizens United. These are big
6 seminal cases, so there's every expectation that Callais
7 will be a seminal case too.

8 I'd like to turn now to the Florida Constitution,
9 and Article III, Section 28.

10 When it was added to the Florida Constitution, it
11 was added through a citizen initiative process. There was
12 no legislative record, unlike the Voting Rights Act.

13 Also, as I pointed out, Section 2 of the 15th
14 Amendment is giving exclusive power to Congress, not the
15 states. Remember, these were the reconstruction
16 amendments. They were taking power away from the states,
17 arguably. And so the states don't have the power, under
18 Section 2 of the 15th Amendment, to do the things that
19 Congress does.

20 And the Florida Supreme Court recently recognized
21 in the Black Voters Matters case that trying to comply
22 with the Florida analogs, the Florida race-based
23 provisions in Article III, Section 20, is not a compelling
24 interest for the use of race.

25 That brings us to the inevitable conclusion of

1 that logical chain. If you can't point to the Florida
2 Constitution as the basis to use race, then what effect,
3 if any, should the race-based provisions in Article III,
4 Section 20(a) have?

5 And the governor's position is this: They should
6 have no effect. Every time you try to comply with
7 Article III, Section 20(a), you're forced to look at
8 racial data, assess whether sorting people on the basis of
9 race is feasible, and whether this race-based sorting
10 results in the kind of performance you want in a
11 particular region or a particular race.

12 That entire exercise, it's the governor's
13 position, is inconsistent with the equal protection clause
14 of the 14th Amendment; again, the equal protection clause
15 being the Supreme Law of the land, as the US Constitution
16 puts it in the supremacy clause.

17 Because the race-based provisions in Article III,
18 Section 20 are inconsistent with federal law, the next
19 question becomes, well, what about the rest of
20 Article III, Section 20 that has other things in it?

21 The executive branch's position on this is this:
22 The rest of Article III, Section 20 can't be saved. It is
23 inseverable from the other provisions. Why?

24 Article III, Section 20 was sold to the voters in
25 2010 as a package. It was reviewed by the Florida Supreme

1 Court to assess whether or not the various components of
2 that package were directly connected to one another, which
3 is the test required under Article 11, Section 3, the
4 citizen initiative part of the Florida Constitution.

5 And to quote the Florida Supreme Court from 2009,
6 all of these provisions were a comp -- were component
7 parts or aspects of a single dominant plan or scheme.

8 Next, when presented to the voters in 2010,
9 Article III, Section 20 did not have a severability
10 clause. It did not say that if one part of this is found
11 to be unconstitutional, the remainder stands.

12 Contrast that with the term limits provision that
13 was added by the voters in the '90s. This was a provision
14 that said there should be term limits for members of
15 Congress and there should be term limits for members of
16 the legislature.

17 Now, the part about members of Congress was
18 struck down because it violated the qualifications clause
19 of the US Constitution. The remainder would -- still
20 stood on the books. Why? Because there was a
21 severability clause and it could work together.

22 That brings me to my final point about
23 severability. You-all have gone through the redistricting
24 process. You know that it's a tiered standard. It's a
25 tiered architecture. These provisions were presented to

1 the voters as a tier. They were conceived of as a tier,
2 they were approved of as a tier, and once you start taking
3 out a tier from this architecture, the structure falls.

4 It is not severable.

5 And because it's not severable, it does not apply
6 and it should not apply.

7 In sum, Senators, the issues on the table are
8 weighty, even, but the governor's position has the benefit
9 of being consistent, simple, and likely right.

10 I'll stop there. I'm happy to answer legal
11 questions at the end of the presentation. Madam
12 President, with your permission, I'd like to ask
13 Mr. Poreda to present the map.

14 CHAIR PASSIDOMO: Sure, that's fine. Actually, I
15 think that makes sense because then we'll hear the whole
16 presentation and members start writing down your
17 questions, and then we can go back and forth between
18 Mr. Jazil and Mr. Poreda. So you are recognized,
19 Mr. Poreda, for your presentation of the map.

20 MR. POREDA: Thank you.

21 Do you know if the PowerPoint...

22 CHAIR PASSIDOMO: I'm not in charge of the
23 PowerPoint. We'd end up in jail.

24 MR. POREDA: Sorry, one second. Here we go.

25 All right.

1 CHAIR PASSIDOMO: You are recognized.

2 MR. POREDA: Thank you, Chair, Vice Chair, and
3 the rest of this Committee, thank you for having me today.

4 My name is Jason Poreda. I am currently employed
5 by the Office of Policy and Budget in the Executive Office
6 of the Governor. I have been drawing redistricting maps
7 since about -- well, in the 2012 redistricting cycle,
8 joining the legislative Committee staff in late 2010. So
9 it has been about 15 or 16 years of me dealing with
10 redistricting in one way or another.

11 I was on staff in both 2012 and in 2022, doing
12 the regular redistricting process. I was also involved
13 during litigation that proceed -- that happened after the
14 2012 process and after the 2022 process.

15 Most recently, having to testify in the Southern
16 District of Florida just this past January in the Cubanos
17 case were some House districts and a congressional
18 district were at issue.

19 So I have had extensive experience with
20 redistricting, and I'm happy to present this map to you.

21 Before I go into the plan, I know a lot of you
22 have had some experience with redistricting. I recognize
23 a lot of you from when you were in the House, but real
24 quick, just to make sure we're all on the same page,
25 there's a few terms and a few numbers I just want to make

1 sure we're all aware of as we go forward.

2 First, the US Census Bureau is the agency and the
3 federal government that apportions the 435 House Districts
4 to the respective 50 states.

5 In 2021, Florida received that apportionment
6 count of 28, which was one more than previously awarded to
7 Florida after the 2010 census.

8 Our population, Florida's total population under
9 the 2020 census was 21,538,187. You divide that number by
10 28, and you get the ideal population of a congressional
11 district, which is 769,221, exactly.

12 Unlike in state legislative redistricting where
13 the standard of equality is that the districts be
14 substantially equal, where courts have interpreted that
15 you get a little bit of latitude with that, typically at
16 most about plus or minus 5 percent or a 10 percent margin,
17 with congressional redistricting the standard is that they
18 have to be as nearly equal as possible, which has been
19 interpreted over the years since the '60s to mean exact
20 population equality.

21 That means every district has to hit that exact
22 population -- ideal population to the single person.

23 In Florida, after the 2020 census, that means 27
24 of our 28 districts will have 769,221 people exactly.
25 There'll be one district that will have one fewer person

1 than that.

2 And you can see here the difference between 2010
3 and the 2020 census and how much our population changed,
4 which was just over 2.7 million people, gaining one seat,
5 and you can see the difference that happens with the math
6 and the ideal population of our districts as it changed
7 throughout the decade.

8 We know, as Mr. Jazil pointed out, we know from
9 the legislative office of economic research, and --
10 demo -- Economic and Demographic Research through the use
11 of the American Community Survey, which is a rolling
12 sample provided by the US Census Bureau, where they sample
13 one to three percent of the US population every year and
14 come up with population estimates for every state in the
15 union, EDR worked with the University of Florida and came
16 up with some very accurate population estimates for
17 Florida.

18 We know that we have gained approximately about
19 nine percent of our population. We have gained -- which
20 translates to just over 1.8 million people, on top of what
21 we already have had in 2020. Now, that number,
22 1.8 million, is after the last estimate, which was
23 published in July of last year, which is after April.

24 Every year, the American Community Survey is
25 updated in April, with the results released in July.

1 So this is almost a year old.

2 So only after five years after the previous
3 census, Florida has already gained 1.8 million people,
4 according to population estimates.

5 Now, with redistricting, because we have to
6 redistrict down to the single person and such -- with such
7 exactness, we have to use the 2020 census block
8 information and how they look, and that'll be my next
9 point.

10 So the census blocks, that's the smallest unit of
11 geography provided to us for the purpose -- when I say
12 "us," I mean every state -- for the purposes of
13 redistricting. You can see them. Here are some examples.
14 Sometimes they are very regularly shaped. Sometimes they
15 have zero people. Sometimes they have thousands of
16 people. Sometimes they are very irregularly shaped. And
17 sometimes, again, they have sometimes zero people or very
18 few people. It -- it varies greatly.

19 Now, when we talk about drawing districts, which
20 is a term that gets thrown around in redistricting, really
21 it's not drawn. We cannot put lines wherever we want. We
22 have to use the census geography and the associated
23 demographic information that is with each individual
24 census block, and build a district that way. It's almost
25 like building a puzzle, more than it is drawing a

1 district, but "drawing" is kind of the term we use for
2 that. But these are the challenges that we have.

3 Sometimes -- sometimes you might want to put a
4 line for a district in a particular place, but you do not
5 have the census geography available to do so. We are
6 locked into the geography that is provided to Florida.

7 Here in Florida, we have 390,066 census blocks
8 that all need to be accounted for, whether they have zero
9 population or 10,000 people or somewhere in between or
10 some other number.

11 So the map that we are presenting here today
12 is -- real quick, as a practical matter, when I refer to
13 the benchmark map, I am referring to the currently enacted
14 congressional map, just so there's no confusion.

15 This is the proposed map that I'm presenting here
16 today. The benchmark map, when I refer to that, is the
17 one that's currently enacted.

18 The mathematical compactness scores kind of on
19 average for this map are consistent with that of the
20 benchmark map. The Reock score, which measure -- which is
21 a mathematical measure which compares the area of
22 districts to that of a circle, the smallest circle that
23 can fit around the district, the average score for the 28
24 districts in this map is 0.46, which is consistent with
25 the benchmark map. Same with the Polsby-Popper score,

1 which measures the area of a circle of the same perimeter
2 that is of the districts in the map, and that average is
3 0.81; which is, again, consistent with the benchmark map.

4 And the last mathematical compactness score that
5 courts use all around the country is the convex hull
6 score. That compares it to the smallest polygon shape --
7 think of a rubber band going around the district -- and
8 the area of that polygon, compared to the area of the
9 district -- also consistent with the benchmark.

10 The score for that is 0.41, on average.

11 In addition, the legislature's map drawing tool
12 which you-all used in the last redistricting, has a
13 boundary analysis tool which measures how much of the
14 boundary of the districts follow -- sometimes this is the
15 major geographical features or political boundaries that
16 we have loaded in the system. So think roadways, major
17 roadways; think waterways, think county lines, municipal
18 lines, and the percentage of the district boundaries that
19 follow those lines.

20 In this new map, the, on average, 85.7 percent of
21 the boundaries follow those -- those boundary lines.

22 In addition, this map keeps 48 of our 67 counties
23 whole, and it keeps 382 of our 412 municipalities whole,
24 which is approximately just over 93 percent of the
25 municipalities in Florida are kept whole in one district

1 or another.

2 Now, let me walk you through the map, kind of
3 district by district. But first, there are seven
4 districts in this map that have not changed at all from
5 the benchmark. That is Districts 1 through 7. There are
6 10 other districts which are largely the same, if not
7 almost exactly the same, to what they are in the benchmark
8 district. So there are really only 11 districts in this
9 map that have considerable change, compared to the
10 benchmark map that we have currently enacted.

11 The biggest change from this map to the benchmark
12 map that we have is that I drew this map as in a
13 race-neutral way, meaning I did not consider race at all.

14 Also, tried to consider where those changing
15 populations are, based on EDR's estimate. We cannot
16 assign them to census blocks or equalized population based
17 on those estimates, but we can certainly know which
18 counties are growing faster than others, which counties
19 are growing faster than the state average or slower than
20 the state average, and try to account for those in the
21 orientations of the district so those populations can be
22 accounted for in some way.

23 The other -- so because I drew this map with
24 race-neutral way, the biggest change you'll see is
25 Congressional District 20, which is currently in

1 Palm Beach, and Broward County, which has arms that extend
2 out into the more populated areas from the unpopulated
3 areas of both of those counties, in both Broward and
4 Palm Beach County. That district is absent from this map
5 because I drew it again in a race-neutral way.

6 So that's where I'm going to start, because
7 that's where the biggest change in the map was, and kind
8 of what governed a lot of the other changes throughout the
9 map.

10 So the first district that I'm going to talk
11 about is District 21, which is a district that you'll
12 notice is very similar to the benchmark map. It contains
13 all of St. Lucie County, all of Martin County, and then
14 gets its remaining population from the northern part of
15 Palm Beach County, as it does today.

16 Its boundary within Palm Beach County is slightly
17 different, though it has the exact same share of county
18 population for the district, but in order to orient it a
19 little bit differently, without the considerations of CD20
20 coming into Palm Beach County we were able to change the
21 boundary there for that district.

22 The next district that I drew is District 23,
23 coming down here. Now, where possible, when I was drawing
24 maps for the past 15 years, I try to, where I can or where
25 it's feasible, put an entire district within a large

1 county if it cannot be kept entirely whole within a
2 district like some of the smaller counties can.

3 This is my attempt and -- of doing that in Palm
4 Beach County. So District 23 starts where District 21
5 ends, around the Riviera Beach area. It follows on the
6 eastern side, obviously the coast, all the way down; and
7 on the western side, I tried to find some easily
8 recognizable boundaries, to establish the western boundary
9 of District 23 as it travels south through Palm Beach
10 County. You can see the Florida Turnpike is one of those.
11 You can see the municipal lines of Greenacres -- that's
12 where it kind of pops out a little bit, until finally
13 settling at US 441 or State Route 7, straight down the
14 whole way, right before you get into the less populated
15 Everglades portion of Palm Beach County, and that goes
16 south until you need to equalize population around the
17 Delray Beach area.

18 And as every district has to have that equal
19 population, you can only go so -- so far south, and all of
20 the census blocks and census block groups have different
21 populations and you need to kind of adjust to do that, and
22 that's why that's there.

23 Next what I did -- and it's a little bit cut off
24 on the page -- but as we'll get to it later in the
25 presentation, the remaining portion of Palm Beach County,

1 at least in the most populated area, following that same
2 441 road, all the way south to the Broward County line, is
3 about 230,000 people, which includes the city of
4 Boca Raton. I put that into a district as a placeholder,
5 knowing that it had to be connected somewhere else to get
6 the remaining population for its district, but not knowing
7 if I was going to go west or continue south or how that
8 was going to look like. But I knew that that had to be
9 there, and I liked that western boundary along US 441, so
10 I put that as a placeholder and moved to a different part
11 of the map, which is the southern part of the map.

12 Now, this happens a lot in redistricting.

13 Sometimes people think of redistricting as some
14 sort of sequential sequence, where you start with
15 District 1 and you just kind of continue on throughout the
16 map, or you start at the bottom and you work your way up.

17 Really what happens, it's a very iterative
18 process, and in order to not box yourself in to forcing
19 yourself into certain decisions, you'll often jump around
20 the map, starting from the south, starting from the north,
21 kind of working your way toward the middle, and that's
22 what I did here.

23 So I moved south to Monroe County, taking that
24 District 28 now into Miami-Dade, in an extremely similar
25 way that it does in the benchmark map. There are certain

1 districts, like District 1 and 2 in the Panhandle, that
2 are boxed in on three sides. You can really only go one
3 way, so the district kind of draws itself in the
4 Panhandle.

5 Similar to the southern part of the state; you
6 have Monroe County that then needs to be attached to
7 Miami-Dade County as it comes north, and there's really
8 only one way to do that. So you come up, and the
9 boundaries within the county are almost identical to how
10 they are on the benchmark map, because there really was no
11 reason to change that district.

12 District 27, in a similar way. It's a very
13 compact district -- maybe one of the most compact
14 districts on the map -- and we made a slight change to the
15 western side of District 27, just to clean up how it
16 equalizes population, but otherwise is identical to the
17 current map.

18 So next, working up from there, with my
19 experience with the Cubanos trial this past January, I
20 know that the fact that the city of Miami was divided into
21 three different districts because there was a district
22 that came under -- on top of District 27, which in the
23 enacted map is District 26, it went under District 24,
24 that was done to equalize some of the racial aspects of
25 that district, but of course we're drawing race neutrally

1 here. So I tried to split Miami, if I could, with
2 District 24 just twice.

3 Now, by doing so, that pulled District -- the
4 current District 24 away from the coast, because that area
5 of Miami is very densely populated. It's a lot of people.

6 So when you add that to District 24, in order to
7 help -- hopefully respect the municipal boundaries of the
8 cities on the coast, that district got pulled more
9 centrally into that part of Northern Miami-Dade County.

10 Then drew north, trying to respect as many
11 municipal boundaries and major roads as I could, until I
12 got to the Broward County line, and which it still needed
13 a little bit of additional population, as it does now on
14 the current map, and went into Broward County in a way
15 that I could to equalize population.

16 District 26 now, in the current map goes all the
17 way to Collier County, in addition to attaching that
18 similar portion of Miami-Dade County.

19 In this map, because we're drawing in a
20 race-neutral way, I included all of the city of Hialeah
21 and all of the remaining portion of Miami-Dade County, and
22 instead of going west, went north to Broward County, to
23 create a very rectangular district that is very, very
24 compact. It dips down at the top, rather than going
25 straight over, simply to avoid having to split the city of

1 Weston. So that -- it dips down to the same road that
2 goes all the way across, and you can see that
3 T-intersection between the red district, the District 25
4 that I'll talk about shortly in District 26, that's the
5 Florida Turnpike. So all three districts use that same
6 boundary within Broward County -- a very easily
7 recognizable boundary.

8 So from there, I actually drew -- moved up to
9 District 20. Going back to the same principle that I had
10 talked about previously where, if possible, I would --
11 when I draw, I try to include a district entirely within a
12 large county, if I can.

13 And because District 27 is entirely within Dade,
14 District 23 is now entirely within Palm Beach, I tried to
15 do that same thing here in Broward County.

16 So District 20 is now entirely within Broward
17 County, respecting as many cities as I could in that area.
18 It's a very dense area of smaller municipalities in
19 northern Broward County, and I included as many of them as
20 I could, to keep as many holes as I could.

21 Also using as many good boundaries -- for
22 example, there's a railway and it forms kind of the
23 eastern boundary of the northern part of District 20, and
24 formed that. And that district came very -- together
25 very, very quickly. It's a very densely populated area.

1 But by doing so, that left the area in Southern
2 Palm Beach County that I talked about before, about
3 230,000 people, without a district.

4 And then there was an area between District 20
5 and District 24 and that area in Miami-Dade along the
6 coast that had 24 -- District 24 in it in the benchmark,
7 that now didn't have a district.

8 So I, as a map drawer, had a choice. I could
9 connect those areas to other districts, multiple
10 districts, potentially creating multiple districts that
11 had either fingers or arms or L-shaped districts that went
12 down.

13 Instead of doing that, because I'm drawing in a
14 race-neutral way and because I'm trying new ideas in a
15 map, under a different context, I decided to connect all
16 those areas together, and it created a coastal district
17 that connected Dade, Broward, and Palm Beach County along
18 the coast altogether, using as good of boundaries as I
19 could on the eastern side to match the coastal eastern
20 boundary.

21 So again, it's US 441 on the western side in
22 Palm Beach County, and then both on the north and south
23 side, on top of District 20, District 25 uses the Florida
24 Turnpike as its boundary for either side, unless it
25 borders with District 20 and District 24, which is

1 generally municipal lines or other major roadways in those
2 areas, except for where I have to equalize population.

3 From there, there was areas of Broward and Palm
4 Beach County that were left without a district.

5 Now, this is where I can talk about the
6 Everglades, because this is a area of the state and
7 southern -- southern part of the state that's, for a map
8 drawer, difficult to draw, because you have a lot of very
9 high populated area to the east along the coast and a lot
10 of area in the middle that sometimes has absolutely no
11 population at all or is very sparse -- sparsely populated,
12 and it has to go into a district somewhere.

13 So do you try to split it up and put it into
14 multiple districts or should you put it all together?

15 Well, in this case, taking that area in West Palm
16 Beach and West Broward and attaching it with entirely all
17 of Hendry County and then going south into Collier County
18 to fill out the remaining population for the district made
19 the most sense in this map, rather than trying to connect
20 multiple districts even further away than they were, to
21 account for that low populated area.

22 Within Collier County, it uses most of Collier
23 County except for when it has to achieve equal population,
24 but I was able to use I-75 down -- or I'm sorry, not
25 I-75 -- Collier Boulevard down south until I had to go

1 east, and the little knob at the end is actually the
2 municipal boundaries for the city of Naples. So I was
3 able to keep Naples whole, which ends up in District 19,
4 just north of it.

5 District 19 may look different than in the active
6 map, but it is actually very, very similar to the
7 currently enacted map, which does a very similar thing,
8 but in a slightly different way. It achieves its entire
9 district population by having Lee and Collier County
10 connected. It does the same thing here.

11 You can see that the divot on the top of
12 District 19 is actually the municipal lines for Fort
13 Myers, which is entirely within District 17, the red
14 district just to the north. I managed to go around that
15 and make sure that that city was kept intact.

16 It's a little tough to see, it's kind of cut off,
17 but Fort Myers and the rest of Lee County are attached to
18 all of Charlotte County, and then District 17 goes into
19 Sarasota County, and the benchmark map is a very similar
20 district, but it includes all of Sarasota County.

21 In this case, because the population totals are a
22 little bit different because we're coming at it with a
23 different perspective, I had to find a boundary line
24 within Sarasota County to divide that area up, and I was
25 able to use I-75 throughout the entire length of the

1 county until when I asked it to equalize population.

2 From here, I actually move all the way north --
3 whoops, sorry -- all the way north to the top part of the
4 district in the Orlando area.

5 Now, I was trying to mitigate change where I
6 could throughout the map, but knowing that because of the
7 population equality issue with congressional districts,
8 when you move one district line, you start moving an
9 entire part of the state, it's inevitably going to affect
10 other parts of the state -- more than you would think,
11 because congressional restricting is a zero sum game.

12 So here, in trying to mitigate the change as much
13 as I could, I took District 8, which currently is all of
14 Indian River County and all of Brevard County and attached
15 by about 2,800 people to Orange County.

16 Instead, here, I attached Brevard County, which
17 we know is a county that has grown a little bit faster
18 than the state average, entirely on its own, and attached
19 it to Orange County.

20 The difference there, Indian River's about
21 160,000 people. So instead of going into Orange County by
22 only about 3,000 people, it goes into Orange County about
23 160,000 people, leaving Indian River by itself, to a
24 district that I'll talk about next -- or later.

25 Because District 8 came into Orange County more,

1 it pushed District 10 further west. Now, it's basically
2 the same. It has largely the same population that it had
3 previously. Its boundaries change, but it's also a
4 district that is entirely within Orange County, and -- but
5 is largely the same as in the benchmark map.

6 Same with District 11. It has the same three
7 counties as it did before, only this time it -- previously
8 in the enacted benchmark map, it went into the northern
9 part of Polk County. I was able to not do that.

10 So this district just goes into Sumter, Lake and
11 Eastern Orange County, and by doing this orientation in
12 Central Florida the way I did, I did not have to impact
13 any districts to the north. So this is what kept
14 Districts 1 through 7 the same, is by doing these changes
15 here and kind of keeping those changes centralized as much
16 as I could.

17 So next -- we've completed District 8, 10, and
18 11. There's a little portion of Orange County that needs
19 a district, and currently there's a district, District 9,
20 that goes from Osceola County up into Orange County, and
21 this district does the same; however, because of the
22 different population totals and because they did something
23 different with Brevard County, that left District 9
24 needing a lot more population than it had before.

25 So it attaches that part of Orange County and

1 Osceola County with some of its southern, more rural
2 counties. So it attaches Okeechobee County with part of
3 Southern Polk County, Highlands County, and Glades County,
4 in addition to Indian River County.

5 So Indian River County, instead of being attached
6 to one other bigger county in Brevard, it is now attached
7 to some other smaller rural counties, so it has a greater
8 voice than it had previously in the district it was in
9 before.

10 You can also see now Polk County, one of the
11 fastest growing states we know, from EDR's data, has a
12 district almost entirely in and of itself. It goes -- it
13 does cross the county boundary into Osceola just a little
14 bit, previously District 9 across that same border, but
15 from the other way, and that's because there's a lot of
16 communities there that live along the border, that cross
17 over all the time.

18 So keeping them together, I felt like was a
19 good -- good choice in this particular map. Also, the
20 geography along that border can be very -- keeping the
21 county whole can look very jagged, so I attempted to
22 mitigate that where I could. So District 18 is a very
23 compact district, almost entirely within Polk County.

24 Also within Polk County, every municipality is
25 kept whole. There are two other districts that have to

1 eat up the -- or take up population in the southern part,
2 District 9 and another district I'll talk about here in a
3 sec.

4 So District 16 next. I already talked about all
5 the districts that surround it, for the most part.

6 So it really kind of developed itself. It has
7 three entire whole counties. It attaches Manatee with
8 DeSoto and Hardee County, and then has the remaining
9 portion of Southern Polk County, in addition to that
10 portion of Sarasota County that didn't make it into
11 District 17, again using I-75 throughout the entirety of
12 that border, except where you -- where you need to
13 equalize.

14 I then had a choice: Take that district into
15 Southern Hillsborough County and complete its
16 population -- it needed about 250,000 more people in order
17 to achieve the ideal population of the district -- or go
18 into Pinellas County, which you can do via the Skyway
19 Bridge through Tampa Bay to get to Southern St. Pete.

20 Now, I made the choice to go into St. Pete for
21 two reasons; one, in an attempt to give Hillsborough
22 County a district entirely within it, which it currently
23 does not have, and because we know that Pinellas County is
24 actually one of the slowest growing counties, compared to
25 the population estimates that we have received from EDR.

1 So knowing that it is a slow -- slower growing
2 county, and to give Hillsborough, which is a much faster
3 growing county, a chance to have a district entirely
4 within it, I chose to go and put the remaining portion of
5 that district into Southern St. Pete, by about 250,000
6 people.

7 From there we go into the rest of Pinellas
8 County, which currently has District 13 entirely within
9 it. Now, unfortunately, the populations didn't quite work
10 out. This district had to be pushed north into Pasco
11 County just by about 60,000 people, to equalize
12 population. But that's why that was made.

13 But it's still a district that is largely and
14 almost entirely within Pinellas County. Of the 769,000
15 people, only about 600 -- 60,000 of it is in Pasco County.

16 Now, with District 14, as I said, to try to keep
17 a district wholly within it, working from the south and
18 going north, it keeps all of Plant City within the
19 district and until it gets over toward the water blocks
20 that I mentioned before, that kind of get a little
21 difficult to draw with -- on the western side of
22 Hillsborough County, but trying to use as many major
23 roadways as I could to build a boundary, and balance
24 throughout there.

25 That left the rest of Pasco County, all of

1 Citrus, all of Hernando, and the northern portion of
2 Hillsborough County without a district.

3 So I knew I had enough population for two
4 districts left, so I had a choice. I could try to do
5 something as you see here, where I keep two counties whole
6 and try to find a way to divide Pasco and the remaining
7 population in Hillsborough County, where the bulk of the
8 population that was needed was, or I could have divided up
9 the other counties and done something that may have been a
10 little visually more -- more pleasing, but in my
11 redistricting experience, it's always better to keep
12 counties whole when you can, so I chose to keep those two
13 counties whole.

14 And then in the central part of Pasco County,
15 it's sometimes difficult to find block lines to divide
16 that down south. I chose to use I-75 for the majority of
17 the division of Pasco County just because it's such a
18 recognizable major road.

19 And then falling down into Hillsborough County,
20 where I then continued using I-75 along with other major
21 roadways, to try to divide them as vertically as I could
22 with the roadways that I had available to me to do so, and
23 split that population up in the way to make two equal
24 districts there. So that is the plan.

25 CHAIR PASSIDOMO: Okay, members, we're going to

1 ask questions of either Mr. Jazil or Mr. Poreda, and who
2 wants to start? Senator Osgood, you're recognized.

3 SENATOR OSGOOD: Thank you, Madam Chair.

4 My first question is a legal question.

5 How are you today?

6 MR. JAZIL: I'm doing well, ma'am.

7 How are you?

8 SENATOR OSGOOD: Good. And you gave your
9 presentation swiftly. So how does this map comply with
10 the Florida Fair District Amendment?

11 CHAIR PASSIDOMO: And you can go back and forth
12 until you can't.

13 SENATOR OSGOOD: Thank you.

14 MR. JAZIL: Thank you, Senator. As part of my
15 legal presentation, the conclusion I got to was that in
16 order to comply with the equal protection clause, you do
17 not need to comply with the Fair Districting Amendments.

18 So that's my legal position. Whether or not it
19 actually complies or doesn't is a factual question, and I
20 defer to Mr. Poreda on that. But my legal position is you
21 don't need to, if you follow the logic of my analysis.

22 SENATOR OSGOOD: Okay. I'll ask the same
23 question to the other gentlemen. How are you today, sir?

24 MR. POREDA: Thank you, Madam Chair.

25 I'm sorry, can you repeat the question?

1 SENATOR OSGOOD: How are you today?

2 MR. POREDA: I'm good. The other question.

3 SENATOR OSGOOD: The question is, how does this
4 map comply with the Florida Fair District Amendment?

5 MR. POREDA: Well, as Mr. Jazil just testified,
6 it -- it does not have to. I did not use race when
7 drawing this map, so the racial provisions, I didn't look
8 at at all and did not do any functional analysis to do
9 that, so I have no comment on that.

10 SENATOR OSGOOD: Okay. Madam Chair, thank you.

11 CHAIR PASSIDOMO: Recognize.

12 SENATOR OSGOOD: What population data was used,
13 given that the last official census was 2020?

14 MR. POREDA: As I stated earlier in my
15 presentation, when you're doing redistricting, because you
16 have to get to such population equality, we had to use the
17 2020 census data and the associated census blocks, the
18 390,066 census blocks, and the associated populations and
19 demographic information that's within those census blocks
20 provided to us by the Census Bureau.

21 SENATOR OSGOOD: Okay. So no voter files or
22 estimates were used?

23 MR. POREDA: For what? I'm sorry, I don't quite
24 understand the question.

25 SENATOR OSGOOD: For the population data.

1 MR. POREDA: For the population data? So I did
2 use the population estimate data that I referred to before
3 as kind of a guide, knowing which counties, um, may have
4 grown faster than others, or maybe faster than the state
5 average, but that is just -- I had to balance to the
6 census data that was provided to me, because every
7 district has to have -- maintain that population equality
8 that I talked about before.

9 So, every district is using that population, but
10 using a guide, knowing what counties may or may not be
11 growing faster than others, I kind of tried to orient the
12 districts to accommodate for that, but at -- to the best
13 of my ability, but they still had to be balanced to the
14 2020 census data.

15 SENATOR OSGOOD: Did you analyze any partisan
16 performance of districts before finalizing the maps?

17 MR. POREDA: So not using race and not having to
18 comply with the Fair Districts Amendments, the entire
19 suite of redistricting criteria that are available to
20 other states, I used here, including partisan data, yes.

21 SENATOR OSGOOD: Okay, and I didn't -- I haven't
22 asked anything about race.

23 My final question is, were you the only
24 participant, as far as the maps drawn, or were there any
25 consultants involved?

1 MR. POREDA: I am the only one that drew the map.
2 I'm the only one that moved any lines on the map and
3 everything else. Any other internal conversations I had
4 with the EOG staff or our counsel, I'm going to keep
5 between us.

6 SENATOR OSGOOD: Okay. Thank you.

7 CHAIR PASSIDOMO: Senator Jones.

8 VICE CHAIR JONES: Thank you so much, Madam
9 Chair. Chair, can I be recognized for a series?

10 CHAIR PASSIDOMO: You are recognized to go back
11 and forth.

12 VICE CHAIR JONES: Thank you so much.

13 Hey, Jason, good to see you again.

14 I want to start off with -- is it "Ma"?

15 How do I pronounce your name?

16 MR. JAZIL: Mo Jazil, Senator.

17 VICE CHAIR JONES: Mo Jazil, okay.

18 So you -- you made mention of the Fair District
19 Act and I just was just listening to Senator Osgood, and
20 in your presentation, you made mention of the
21 unconstitutionality of it.

22 So is it your argument that the citizen-led
23 initiative that was voted on by 63 percent of people, that
24 it was inconsistent with the federal law?

25 Is that your argument?

1 MR. JAZIL: It -- it -- Madam Chair? It has
2 become inconsistent with federal law, as it's evolved on
3 race, Senator. So the race-based provisions have become
4 inconsistent with federal law.

5 VICE CHAIR JONES: So why didn't the Florida
6 Supreme Court knock that down in 2010?

7 MR. JAZIL: As I was explaining, Senator, the law
8 has evolved since 2010. We've had several U.S. Supreme
9 Court cases since 2010. We've also had another Florida
10 Supreme Court decision as of 2025.

11 So again, on the racial issues, the law is
12 continuing to move.

13 VICE CHAIR JONES: Yeah.

14 MR. JAZIL: And it's evolved to the point where a
15 law that was previously on thin ice, the ice is cracking,
16 and it's about to crack further.

17 VICE CHAIR JONES: Yeah, I hear you, but the law
18 is the law. So if the law is the law and the -- and the
19 law is consistent, and if it came before the Supreme
20 Court, you would think that the Supreme Court would have
21 seen that inconsistency with the federal law and would
22 have knocked the citizen-led initiative down, correct?

23 MR. JAZIL: Not in -- not --

24 VICE CHAIR JONES: We go back and forth.

25 MR. JAZIL: Not in 2010, Senator.

1 VICE CHAIR JONES: Not in 2010?

2 MR. JAZIL: In 2010, you did not have the Cooper
3 case in the US Supreme Court, you didn't have the
4 Wisconsin case from the US Supreme Court, you didn't have
5 Allen v. Milligan from the US Supreme Court, you didn't
6 have Black Voters Matters from the Florida Supreme Court.
7 So again, not in 2010 is the answer, sir.

8 VICE CHAIR JONES: So you and I will agree that
9 the Voting Rights Act of 1965 remains the law of the land
10 today, correct?

11 MR. JAZIL: Yes, sir.

12 VICE CHAIR JONES: So the governor, he has
13 publicly stated that he believed the Voting Rights Act is
14 unconstitutional. Were these maps drawn to fully comply
15 with the Voting Rights Act as they exist today?

16 CHAIR PASSIDOMO: You're recognized.

17 MR. JAZIL: No racial data was taken into
18 account, sir, but I'd like to take a step back and talk
19 about the Voting Rights Act.

20 So if we assume that Callais changes nothing,
21 even then, all the Voting Rights Act says is there are
22 preconditions. If you can create a majority-minority
23 district, which that is one of the preconditions. There's
24 several others.

25 If you satisfy the preconditions, then at the end

1 of it, the map that you have to create does not need to be
2 majority-minority.

3 And I don't know the results of this map, sir,
4 but if there are two black-performing districts in
5 Southeast Florida, even if Callais results in no change to
6 the Voting Rights Act, you would not be violating the
7 Voting Rights Act in Southeast Florida, which is where the
8 VRA district was.

9 VICE CHAIR JONES: So you and I would agree that
10 you all are operating within a hypothetical, correct?

11 Because there have been no -- there's been no
12 decision on the Louisiana vs. Callais, correct?

13 MR. JAZIL: No, sir, we're not. Because at the
14 end of the day, there are other districts in Southeast
15 Florida, other than the benchmark District 20 where race
16 was a factor, to comply with a Fair Districting Amendment.

17 So if you're going to change the districts down
18 there where race was a factor, you would have to deal with
19 that region of the state.

20 So it's not a hypothetical, sir.

21 VICE CHAIR JONES: In the governor's transmittal
22 letter, he suggests that the FDA -- the FDA, the
23 federal -- the -- our -- what the people voted on.

24 MR. JAZIL: Article.

25 VICE CHAIR JONES: Yeah, excuse me.

1 They say that it's not -- he said that it's not
2 enforceable at all. Does that mean that this map was in
3 fact drawn with partisan intent?

4 MR. JAZIL: Your Honor, Senator, my assessment or
5 my analysis was that partisan intent can be taken into
6 account. The map drawer is going to answer the question
7 of whether or not partisan intent was in fact taken into
8 account.

9 VICE CHAIR JONES: And so does this map make any
10 attempt to comply with tier two criteria on compactness
11 and minimizing county splits?

12 Maybe that's a question for Jason.

13 MR. JAZIL: Yes, sir. You would like for me
14 to --

15 VICE CHAIR JONES: It's up to you.

16 CHAIR PASSIDOMO: I don't have a problem if y'all
17 just stand up there and you could go back and forth,
18 depending on who's more appropriate to answer the
19 question.

20 MR. POREDA: Thank you, Madam Chair.

21 Can you repeat the question?

22 VICE CHAIR JONES: Yeah, so does this map attempt
23 to comply with tier two criteria on compactness and
24 minimizing county splits?

25 MR. POREDA: So, the tier two criteria does not

1 require the minimization of county splits, but it does
2 talk about following existing political and geographical
3 boundaries.

4 VICE CHAIR JONES: Mm-hmm.

5 MR. POREDA: Other than race, which I did not use
6 for this, all of the other traditional redistricting
7 criteria, including compactness, including follow --
8 following traditional geographic and political boundaries,
9 and among many other contiguity, many other redistricting
10 criteria, I did factor in, yes.

11 VICE CHAIR JONES: Jason, you would agree, based
12 off of the presentation you just said, that you just gave
13 us, that this -- this map is probably just a tad bit less
14 compact than the current map, correct?

15 MR. POREDA: I don't think I agree with the
16 premise of the question. I think that this map's
17 compactness overall, on average, is consistent with that
18 of the enacted map. Compactness is also something that is
19 kind of in the eye of the beholder.

20 The mathematical compactness scores are good, and
21 courts have used them as a guide, but they're not a gold
22 standard. Just because something is changed by 1/10th or
23 something like that does not necessarily mean it is better
24 or not.

25 VICE CHAIR JONES: Mm-hmm.

1 MR. POREDA: In addition to all of the other
2 redistricting criteria, there are many different ways to
3 draw a map that can comply with all of these different
4 criteria, and the objective is not to find the, quote,
5 best map. The objective is to find a map that satisfies
6 all the criteria, and that can be done in multiple
7 different ways, using multiple different methodologies.

8 VICE CHAIR JONES: So Jason, the criteria in
9 which you said that you were -- that you already -- you
10 used and you said -- and -- and -- and you can quote me,
11 if I misquote you, that you will use criteria from other
12 states and also -- but you didn't use the Fair District
13 Act criteria in crafting this map, but you used criteria
14 from other states, correct?

15 Now, and that question -- the other question
16 would be, are you speaking of other states being states
17 that has already passed this, like Texas and other places?

18 Is that the type of criteria that you used?

19 MR. POREDA: No. When I say other criteria, I
20 mean traditional redistricting criteria.

21 VICE CHAIR JONES: Okay.

22 MR. POREDA: That has been consistently used in
23 Florida, in addition to every other 50 state.

24 There's an entire litany of different criteria
25 that other states use, Florida uses, including

1 compactness, including following existing political and
2 geographical boundaries, contiguity, equal population --
3 all sorts of other things -- a lot of which are listed in
4 what used to be our tier two of the Fair Districting
5 Amendment. All of those factors came into play.

6 The only thing that I did not consider is race.

7 VICE CHAIR JONES: So, the governor cited the
8 forthcoming Louisiana v. Callais decision from the
9 US Supreme Court as a potential reason to redraw.

10 He -- he said that in multiple interviews, but he
11 also acknowledged that no decision has been issued yet.

12 So I ask, so why are we drawing these today,
13 Jason?

14 MR. JAZIL: If I could, Senator, I'll handle the
15 LA question.

16 VICE CHAIR JONES: Oh, sure.

17 MR. JAZIL: Yeah. So, Senator, you've got the
18 Black Voters Matter case and you've got the Callais case.
19 They are walking side by side, but they're walking as two
20 separate things, and the Black Voters Matter case deals
21 with the Fair Districting Amendments, and Callais deals
22 with the Voting Rights Act.

23 The Fair Districting Amendments are on shakier
24 ground because the Fair Districting Amendments don't
25 emanate from Congress's powers under Section --

1 VICE CHAIR JONES: But you-all won that case,
2 correct?

3 MR. JAZIL: Yes, sir, we did.

4 VICE CHAIR JONES: Right. But so -- and so if
5 you're looking at the Louisiana vs. Callais case that
6 has -- that has been issued, there has been no issuance of
7 that, and matter of fact, Florida is not even a party in
8 that case, am I correct.

9 MR. JAZIL: True, sir. But the Fair Districting
10 Amendments case, the Black Voters Matters case, the
11 logical import of that decision is that trying to take
12 race into account to comply with the Fair Districting
13 Amendment runs smack dab into the equal protection clause.

14 The court did not have to confront that issue
15 because it wasn't brought up. But the import of what the
16 court is saying and the import of where the law is
17 evolving on the use of state-based race-neutral provisions
18 is getting very clear -- because again, remember, the
19 Voting Rights Act is in a separate bucket.

20 The Voting Rights Act was created with a
21 legislative record in 1965, and the Voting Rights Act was
22 created consistent with Congress's powers under Section 2.

23 Neither of those two things is true for the Fair
24 Districting Amendments, Article III, Section 20(a).

25 So if the court -- if the US Supreme Court is

1 only assuming without deciding that you can maybe use the
2 Voting Rights Act, then it is for sure going to come to
3 the conclusion that using the Fair Districting Amendments
4 is not a compelling interest for racial consciousness.

5 The Florida Supreme Court said that. It did not
6 get to the next question, next logical step of, okay, if
7 it's not a compelling interest -- if it's not a compelling
8 interest, then can it be used at all?

9 That's the next logical step. And so that has
10 been the development on the Fair Districting side, the
11 Article III, Section 20 side, sir.

12 VICE CHAIR JONES: So why not challenge the -- so
13 why not challenge the Fair District Act, then, to the
14 Florida Supreme Court?

15 MR. JAZIL: So sir, as executive branch
16 officials, the public official standing doctrine prohibits
17 us from challenging the constitutionality of a state
18 provision in the first instance.

19 The way to tee this thing up in the structural
20 constitution that we have is for the legislature to pass a
21 bill and for the legislature to have a bill saying, "We
22 have looked at the law. This is how we believe we can
23 comply with the law," and that then tees up the issue for
24 the courts.

25 The legislature, the executive branch, cannot go

1 challenging a state statute or state constitutional
2 provision. The way to tee this up is to pass a law, have
3 it plainly before the courts and have them address it.

4 VICE CHAIR JONES: A few more questions, Madam
5 Chair.

6 The governor's transmittal letter says that the
7 proposed map is based on 2020 census and data -- Jason,
8 you made mention of it -- but attempts to account for
9 population growth in Florida by reconfiguring districts
10 around the areas of high growth.

11 My first question is, doesn't this proposed map
12 have the same number of districts as the current map, so
13 how does that account for population growth?

14 MR. POREDA: Thank you, Madam Chair.

15 So as I reoriented the districts in South Florida
16 and Central Florida, I tried to, as a guide -- because I
17 know which counties, based on the EDR statistics, have
18 grown faster or slower than other counties in the state or
19 compared to the state average, so we know that where
20 certain areas might be -- have more people than is in the
21 current 2020 census.

22 Despite the fact that I still had to balance
23 everything using that 2020 data, I was able to slightly
24 restructure everything in order to account for those
25 changes in population a little bit better.

1 So the actual populations of the districts, like,
2 might be more balanced now than before, but I don't know
3 for certain. Nobody really does, until we conduct another
4 census.

5 VICE CHAIR JONES: Jason, so you will agree with
6 me that if that -- if that population growth has changed
7 in congressional areas, that mean all of our seats up here
8 should be -- also be withdrawn from the House and the
9 Senate; am I correct?

10 MR. POREDA: Well, I'll let Mr. Jazil talk about
11 that, but I believe there's a different standard with
12 state legislative redistricting, compared to congressional
13 redistricting, but I'll let him expound on that.

14 CHAIR PASSIDOMO: Talk into the microphone.

15 MR. JAZIL: Thank you, Madam Chair.

16 CHAIR PASSIDOMO: They can't hear you,
17 apparently, on the Florida channel. So when you answer,
18 please stay as close as you can.

19 MR. JAZIL: So Senator, the legislative
20 redistricting is governed by Article III, Section 16.
21 That's the legislative reapportionment.

22 A, the governor has no role; and B, that
23 provision has separate strictures that apply here, and
24 I'll let counsel for the Senate and the House speak to
25 that.

1 VICE CHAIR JONES: Have the governor taken any
2 action to prepare for the 2030 census, to ensure that
3 Florida receives seats in accordance with its population
4 in the next round of reapportionment?

5 MR. POREDA: I don't have that information, but I
6 can -- we can look -- get back to you on that.

7 VICE CHAIR JONES: And have the governor
8 requested that the legislature allocate funding for the
9 2030 census preparations that need to be completed over
10 the next year, Jason?

11 MR. POREDA: It's the same question. We don't
12 have that information. I'm just here presenting the map
13 on behalf of the executive office of the governor, but I'm
14 sure that's information --

15 VICE CHAIR JONES: A few more questions, Madam
16 Chair.

17 The governor has said we need to redistrict
18 because certain districts in the 2022 map were drawn
19 because of race, correct, Jason?

20 MR. POREDA: Drawn with race as a consideration,
21 yes.

22 VICE CHAIR JONES: Okay. So which districts in
23 the current map were drawn because of race?

24 MR. POREDA: There's no district in the current
25 -- well, when you say "the current map," do you mean the

1 benchmark map --

2 VICE CHAIR JONES: The benchmark.

3 MR. POREDA: -- currently enacted map?

4 VICE CHAIR JONES: Yes, sir.

5 MR. POREDA: Well, clearly, Congressional
6 District 20 is an example of that. And then I believe
7 that there was three districts in South Florida;
8 District 26, 27, 28, where race was a consideration.

9 VICE CHAIR JONES: I'm going to go down to
10 District 24, Jason. In the -- in the District 24 seat,
11 that's Congresswoman Wilson's district, do you consider
12 that District 24 compact?

13 MR. POREDA: In the proposal or --

14 VICE CHAIR JONES: In District -- in the -- in
15 District 24.

16 MR. POREDA: In the proposal or the enacted map?

17 VICE CHAIR JONES: In the enacted map. In the
18 proposal. In the proposal, excuse me.

19 MR. POREDA: This is the proposal?

20 VICE CHAIR JONES: Yes, sir.

21 MR. POREDA: In the proposal? Yes, I -- I
22 believe it is.

23 VICE CHAIR JONES: So current District 24
24 includes parts of Broward, it includes parts of Miami-Dade
25 County, both of which are larger than a single

1 congressional district.

2 So does current District 24 split more counties
3 than necessary?

4 MR. POREDA: No.

5 VICE CHAIR JONES: Okay. So the only cities
6 current District 24 splits are Miami and Miramar.

7 So does it split more cities than necessary?

8 Because in the current -- in the district you
9 have -- you have Miramar, you have Dania in there, you
10 have Hollywood in there, you have West Park in there, you
11 have Hallandale in there, so that would go against what
12 you are -- what you presented is based off what -- not --
13 not what you presented, I don't want to put words in your
14 mouth.

15 MR. POREDA: Yeah.

16 VICE CHAIR JONES: Based on the law.

17 MR. POREDA: So, I disagree with the premise with
18 that, and I'll take a step back and look at the region as
19 a whole, because you're looking at a specific one district
20 and talking about what it is doing.

21 When you're drawing districts, you have to
22 balance all of the standards, including city splits,
23 including county splits, including compactness and
24 everything altogether, not just for the single district,
25 but how the region comes together as a whole.

1 And in some cases, you're not able to --
2 especially with the equal population standard of a
3 congressional district, where you have to get down to plus
4 or minus a single person -- sometimes you're just simply
5 just not able to keep a city whole, despite trying.

6 But that's not the overriding goal of everything
7 else. There's all the other redistricting criteria you'd
8 need to take in account too.

9 There's also, in that area of Broward County,
10 some of the municipal lines which are not regular in shape
11 and can change throughout the decade, more than a county
12 line or anything. Cities are -- I believe it's Cooper
13 City and Southwest Ranches are actually interlocked with
14 each other. Dania Beach has some sprawling areas of it
15 that goes out to the coast and comes down. Same with
16 Hollywood. Some of these municipal lines are not very
17 easy to draw around.

18 VICE CHAIR JONES: Mm-hmm.

19 MR. POREDA: So sometimes it just necessitates,
20 as I showed you, the block lines. If I were to show you a
21 bigger issue with some of the -- with the block lines
22 overlaid with some of the municipal lines, you'll
23 understand how difficult that can be sometimes. So that's
24 simply just part of the balancing of all of the standards.

25 Yeah, we'd like to keep more cities whole, if we

1 can, in addition to everything else, but sometimes finding
2 like the turnpike that I found to have three districts
3 come together and use the turnpike, which is a
4 recognizable major roadway for the people on that area, is
5 preferable than trying to use a municipal line that might
6 extend out and look very jagged and without people knowing
7 that that is the actual municipal line.

8 So sometimes using those political and
9 geographical features, which are also a redistricting
10 standard, in lieu of a municipal line or something else is
11 preferable.

12 But that's all part of the balancing of all of
13 the standards, where you can't just lean on just cities or
14 just counties or just one aspect of the redistricting
15 criteria. You have to look at the whole picture and how
16 the whole picture is affected in the entire region, rather
17 than looking at one specific district where it may split a
18 city that it didn't before, or something along those
19 lines. It's just part of the -- the necessary balancing
20 that happens when you're drawing a complete redistricting
21 map.

22 VICE CHAIR JONES: And my last question, and then
23 I'll hand it off to some of my other colleagues, and that
24 is just to get clarity on the usage of the Fair District
25 Act or the non-usage in this case, because I think the

1 terminology that we're using, as it pertains to the Fair
2 District Act, is that it is inconsistent with -- with
3 federal law.

4 Is that the reasoning why, Jason, that -- that
5 you've made mention that partisan party -- basically party
6 did take -- not precedent, but you looked at partisan
7 politics in creating these maps because you-all believe
8 that the Fair District Act is inconsistent with federal
9 law; am I correct?

10 MR. POREDA: So I can tell you that, as I
11 mentioned before, I used all redistricting criteria except
12 for race. That was the only thing that was neutral.

13 Partisan or electoral performance data was --

14 VICE CHAIR JONES: Was used.

15 MR. POREDA: -- a consideration, but certainly
16 not at the exclusion of all of the other standards.

17 And you can look at our map and how I tried to
18 draw as compact districts as I can, kind of combining all
19 of those principles, without leaning on one more than the
20 other.

21 Like, example, with the cities, I could have kept
22 more cities whole, but that would have been at the
23 detriment of visual compactness or mathematical
24 compactness, in some cases, or having to break certain
25 counties.

1 There's actually a city, Longboat Key, that is
2 actually split because it is between Manatee and Sarasota
3 Counties.

4 VICE CHAIR JONES: Yeah.

5 MR. POREDA: So it has to be split, but I could
6 have kept that city whole and split another county.
7 That's part of the tradeoff that kind of happens with that
8 throughout the map when you're trying to balance all of
9 these things together and trying to put an entire
10 redistricting map together, it's just part of the -- part
11 of everything that you need to consider when you're
12 drawing a map.

13 VICE CHAIR JONES: Thank you.

14 Thank you, Madam Chair.

15 CHAIR PASSIDOMO: Senator Pizzo.

16 SENATOR PIZZO: Thank you. Afternoon, everyone.
17 I have a few questions, Madam Chair.

18 CHAIR PASSIDOMO: You're recognized to go back
19 and forth until you're not.

20 SENATOR PIZZO: These are going to be rather
21 rudimentary. They're not trick questions. They're sort
22 of very elementary in -- in nature.

23 Can either one of you, probably Mo, define
24 majority-minority for me?

25 MR. JAZIL: Sure, Senator. So majority-minority

1 is where you have a minority group, and that minority
2 group, in and of itself, can get to 50 percent plus one.
3 That would be a majority-minority district. And I can go
4 on with other questions, if you'd like.

5 SENATOR PIZZO: Can you -- can you give me an
6 example of a majority-minority?

7 MR. JAZIL: Sure. So a majority-minority
8 district, if we're looking at this through the Voting
9 Rights Act lens, which I think you are, Senator, it's the
10 first Gingles precondition.

11 And the way that -- Gingles is a US Supreme Court
12 case, and Gingles lays out these preconditions that you
13 have to show, if you're challenging a state's lack of a
14 district for a minority.

15 And so those preconditions, the first one is you
16 have to show a large compact community, and large is
17 majority-minority. So the Supreme Court said you've got
18 to focus on just one race, and you've got to see if that
19 race gets to 50 percent, plus one. And that -- that would
20 be a majority-minority district. That's the first
21 precondition, then there are others.

22 You have to show that that minority community
23 votes cohesively.

24 SENATOR PIZZO: Understood.

25 MR. JAZIL: For a particular group and a

1 particular candidate, and then you have to show that the
2 majority votes against the minority's choice.

3 And so those are the three Gingles preconditions.

4 And there's a totality of circumstance test under
5 Gingles, and that together is used to assess whether or
6 not the Voting Rights Act requires a majority -- it
7 requires a district for the minority community.

8 SENATOR PIZZO: Gotcha. Can you have a
9 situation -- I mean, traditionally, historically, I think
10 we're talking about Black, Hispanic, right? Can you have
11 a white majority-minority district?

12 MR. JAZIL: There's no case saying that you
13 can't. I'm aware of at least one case where a white
14 community at a municipal level in a majority black city
15 argued that they should be allowed to create a
16 majority-minority district for the white community.

17 Because again, if you're looking at a
18 municipality, it's on a smaller scale, so you can have a
19 majority-minority that's white.

20 SENATOR PIZZO: So let me give you an example.

21 Senator Corey Simon is in a majority white
22 district and he's a black state senator.

23 How does that reconcile with what the directives
24 and the edicts are of -- of the Constitution?

25 MR. JAZIL: The edicts of the Constitution or the

1 Voting Rights Act?

2 SENATOR PIZZO: The Voting Racks Act, through
3 that lens first.

4 MR. JAZIL: Sure. So the Voting Rights Act,
5 Senator, the -- the question comes down to -- so on the
6 totality of circumstance test, if we are looking at an
7 African-American elected from a majority white district,
8 that cuts against the notion that you need a VRA district.
9 So that goes in the totality of circumstance tests.

10 If we're looking at the Gingles preconditions,
11 however, the race of the person who is elected does not
12 matter. It is whether or not the minority can elect the
13 person of their choice in a primary that they control --
14 that's the first test.

15 So if, for example, the minority's choice is a
16 Democrat, you see whether or not the minority can control
17 the Democratic primary, and then you see whether or not
18 that minority's choice can prevail in the general.

19 So it's a -- you assess both those things and --

20 SENATOR PIZZO: You would -- you would agree,
21 sometimes erroneously, that the public conflates the idea
22 that the candidate is actually representative of the same
23 either race or -- or -- or group that -- that's in
24 question, correct?

25 MR. JAZIL: I'd say --

1 CHAIR PASSIDOMO: Mr. Jazil, I think we're still
2 having trouble hearing you, so maybe raise the mic and get
3 closer together.

4 SENATOR PIZZO: You can actually raise the
5 podium. There's a button on the right.

6 CHAIR PASSIDOMO: Oh, there you go.

7 MR. JAZIL: I apologize, Madam President.

8 So Senator, I agree with the "sometimes," but
9 I -- I simply note this: That, again, as you pointed out
10 with the example of Senator --

11 SENATOR PIZZO: Simon.

12 MR. JAZIL: Simon, I apologize. It's my first
13 time testifying before the legislature.

14 But "sometimes" is the key word there because
15 again, in the totality of circumstance test, if you have a
16 community, if you have the state of Florida, for example,
17 and the state of Florida is consistently electing
18 minorities to elected office, that goes in the totality of
19 circumstance test.

20 And again, I note that Florida -- the VRA used to
21 have a pre-clearance regime. Florida was never in the
22 pre-clearance regime for race, ever.

23 SENATOR PIZZO: Okay. You had -- so what really
24 caught my ear was when you said, in looking at these
25 proposed congressional redistricting plan maps, you

1 actually don't know and can't speak to how they're going
2 to perform, can you?

3 MR. JAZIL: No, sir. We didn't take racial data
4 into account. So if you were trying to figure out how
5 these maps would perform, you would take the racial data,
6 you would take the black voting age population, you would
7 do the kinds of functional analyses that this chamber and
8 the House did last cycle, and assess whether or not a
9 particular minority community can control a primary and
10 then control the general, and we didn't take racial data
11 into account, we didn't do any functional analysis, so I
12 don't know how this map will or will not perform.

13 SENATOR PIZZO: Perhaps tangentially -- I mean,
14 we're not swearing you in. I don't think you got sworn in
15 the House, but surely, you know, in -- in the past, the
16 Florida Supreme Court has liked to press Play on the
17 Florida General recordings, but how -- how are you
18 prepared, if I can ask this an intellectual exercise, to
19 defend what is proposed as you stand here for -- that this
20 is going to pass the legal smell test and say, you don't
21 know how this is going to perform?

22 MR. JAZIL: So sir, taking your points in turn, I
23 am an officer of the court, so under the Rules of
24 Professional Responsibility 4-349, I have a duty of candor
25 to this body, and I intend to tell the truth, number one.

1 Number two --

2 SENATOR PIZZO: Me too.

3 MR. JAZIL: Number two, the argument I've laid
4 out, Senator, for why we believe the FDA does not apply is
5 one argument. We can cabin that and set that aside.

6 SENATOR PIZZO: Mm-hmm.

7 MR. JAZIL: The other argument about -- let's
8 assume that Callais comes out and Callais changes nothing.

9 If there's a separate Voting Rights Act lawsuit,
10 and in that Voting Rights Act lawsuit, the argument is
11 being made that we're somehow violating the Voting Rights
12 Act, we would, in that litigation, as part of our defense
13 of the map, hire an expert to assess whether or not the
14 map performs for African-Americans.

15 And we would only do that, Senator, if the
16 plaintiff satisfied their burdens under the Voting Rights
17 Act to meet the Gingles preconditions; to show that there
18 are alternative maps that could be drawn. There are
19 several steps in the Voting Rights Act process and --

20 SENATOR PIZZO: Yeah.

21 MR. JAZIL: -- we'd go through that.

22 SENATOR PIZZO: All right. So -- well then, that
23 narrows it down to -- to my next question -- nicely,
24 actually. Nice segue.

25 Jason had mentioned that he was race blind,

1 race-neutral, didn't even pay attention to that, but did
2 contemplate partisan data.

3 So I'm just going by the 2026 numbers from the
4 Secretary of State's office that shows registered
5 Republicans at 5,545,000 and change, NPAs at 3,338,000,
6 minority parties at 478,315, I think, and 4,052,000 for
7 Democrats.

8 So roughly 41 percent of the registered voters in
9 the state of Florida -- I'm just going by Secretary of
10 State's data -- are Republican, but proposing 24 out of 28
11 congressional maps would mean 86 percent of all
12 congressional districts are actually Republican districts.

13 So the minority of registered voters in the state
14 of Florida at 41 percent of the total 13,414,000 that are
15 registered to vote in Florida, as of the last count, only
16 41 percent are Republican, but 86, 87 percent of the
17 districts proposed in this plan would be Republican.

18 How do you reconcile that?

19 It's a really basic question because I -- I don't
20 know how to reconcile it in my head.

21 MR. JAZIL: So, Senator, from -- from a legal
22 perspective -- and I'm not making normative judgments
23 about whether this --

24 SENATOR PIZZO: But Mo, it's math. Math is one
25 right answer. So let's keep it as simple as math.

1 MR. JAZIL: I understand, Senator, and I'm not
2 challenging your math. The question about how do I
3 reconcile the fact that Democrats are underrepresented as
4 a proportion of the registered voters, that's a normative
5 question, and I'm not answering whether that's --

6 SENATOR PIZZO: Mo, how is the majority of
7 Florida registered?

8 CHAIR PASSIDOMO: Senator Pizzo, let him answer
9 the question.

10 SENATOR PIZZO: Sure.

11 CHAIR PASSIDOMO: And then -- okay?

12 SENATOR PIZZO: But Mo is used to this in court,
13 Your Honor. We're -- to the back and forth.

14 CHAIR PASSIDOMO: I know, but we're --

15 SENATOR PIZZO: And so am I.

16 CHAIR PASSIDOMO: I'm the judge right here, so.

17 SENATOR PIZZO: Let -- let me pose it -- let --
18 let me pose a question.

19 CHAIR PASSIDOMO: Let him answer the question.

20 SENATOR PIZZO: Let me pose the question this
21 way: Why is 59 percent of registered voters in Florida no
22 longer represented?

23 MR. JAZIL: Senator --

24 SENATOR PIZZO: Mo?

25 MR. JAZIL: A couple points. A couple of points,

1 Senator.

2 SENATOR PIZZO: Sure.

3 MR. JAZIL: And again, you're framing this as a
4 disparate impact on the Democrats in the state.

5 One, if we're --

6 SENATOR PIZZO: No, I'm not a Democrat, Mo.

7 CHAIR PASSIDOMO: Let him answer the question.

8 MR. JAZIL: Sir, I'm going by your numbers.

9 If you're framing this as a disparate impact on
10 Democrats, i.e., the Democrats are being harmed by this,
11 Democrats aren't a protected class, for purposes of the
12 equal protection clause, so that's not a constitutional
13 issue.

14 Rucho says that in federal court, constitutional
15 issues don't touch on partisanship issues. Partisanship
16 is not something that's justiciable in federal court.

17 SENATOR PIZZO: Mm-hmm.

18 MR. JAZIL: So the facts that Democrats are
19 underrepresented or overrepresented is not an issue that
20 goes to federal court.

21 And second, sir, I'd simply note this: There is
22 a lot of literature on political geography that shows up
23 in courts. Democrats live together. Democrats live in
24 highly concentrated segments of a region.

25 And if you're going to do that and you're trying

1 to hit a magic number of 729,221, you're more likely to
2 draw fewer Democratic districts in highly concentrated
3 areas than you are more Democratic districts. So it's not
4 a one-to-one comparison that you can make in that regard.

5 SENATOR PIZZO: So Mo, what you just then sort of
6 resorted to was talking about economics. You went from
7 we're race blind, we are geographically blind, but we can
8 find the greatest concentration of -- of -- of disparate
9 economic circumstances, which is -- which is tantamount
10 to -- to -- to -- to being race.

11 I mean, if -- just your -- I'm just using your
12 words, but let me -- I -- I just want to go back for a
13 second because I need to make this very, very clear.

14 I'm not talking about a disparate impact on
15 Democrats. I'm not talking about a disparate impact on
16 minority parties of 478,000. I'm not talking about a
17 disparate impact on people like me that are NPAs, the
18 3,338,000 of us.

19 What I'm talking about is not one particular
20 party. I'm talking about the majority. And because state
21 senate districts and house districts can be -- can be
22 disparate as it relates to the numbers, you can get in and
23 around the number, but the 769,221 must be so exact that
24 only one of these 28 will have one less.

25 But Jason, trying to convince my mom to move down

1 here so we can balance it out.

2 Here's my question: Why are 59 percent of a
3 number -- whether it's Repub -- in Virginia, I'm sure it's
4 the inverse -- but why is the majority of Florida
5 registered voters now subject to a minority of -- of
6 registered voters overly dominating the congressional
7 Districts 24 to 28, which is 86 percent? Why are
8 5,545,000 Floridians getting to enjoy 86 percent of
9 congressional districts, when they are the minority?

10 MR. JAZIL: So, Senator, first a correction.

11 Disparate impact has nothing to do with economic
12 status. "Disparate impact" is a term of art from equal
13 protection case law.

14 SENATOR PIZZO: Mm-hmm.

15 MR. JAZIL: So I am in no way suggesting that
16 we're taking economic considerations into account.

17 I'm simply pointing out --

18 SENATOR PIZZO: But you said Democrats live
19 together, in concentrated sections of poverty, sometimes.

20 CHAIR PASSIDOMO: Senator Pizzo.

21 SENATOR PIZZO: Yeah.

22 CHAIR PASSIDOMO: I just -- it's hard for me
23 to --

24 SENATOR PIZZO: Sure. Okay.

25 CHAIR PASSIDOMO: -- hear what he wants to say if

1 you're interrupting and let's just try to -- I'll have to
2 go back through the chair, otherwise.

3 MR. JAZIL: So Senator, me referencing the fact
4 that Democrats live in concentrated areas, is me
5 referencing literature in the political science that comes
6 up in redistricting cases as folks are trying to make the
7 point that we can or can't draw a district.

8 That has nothing to do with economics, that's --
9 it's just where geography is, political geography.

10 So I'm saying nothing about economics.

11 Again, to your other question about is this
12 right? Is this wrong? Is this fair? Is this unfair?

13 Those are normative questions that I'm not going
14 to answer because that does not go to the legality of an
15 action or inaction. That's a policy question for this
16 body.

17 SENATOR PIZZO: Gotcha. Just two more quick
18 questions. Madam Chair? Jason, you said that you relied
19 on census data, but it's been the worst kept secret in
20 Tallahassee and throughout Florida that members of the
21 executive branch don't agree with that census data from
22 2020. What did you use? You said you used some
23 projections, some other supplementary sources -- whatever.

24 I mean, like HSMV? Driver's license,
25 registration? I mean, what did you use as -- as a

1 curative measure to the census data that -- that the
2 governor himself has -- and -- and I think the attorney
3 general as well has said, "I don't agree -- we don't agree
4 with the census data whatsoever. We were undercounted, we
5 were underrepresented."

6 So -- so what did you use to actually make sure
7 that you got to 769,221.

8 MR. POREDA: So the 769,221 number is based
9 entirely on the 2020 census data.

10 SENATOR PIZZO: But you don't -- but the governor
11 has said and the -- James Uthmeier, the attorney general,
12 I believe has said, "We got screwed in the census."

13 So you're using data -- the underlying -- the
14 basis of the data you're using to craft 28 new maps is
15 based on data that you -- that you're -- that you're --
16 that you guys don't agree with at all.

17 MR. POREDA: I mean, I can only --

18 SENATOR PIZZO: Reconcile that for me.

19 MR. POREDA: I can only tell you what I did,
20 Senator, and what I did is use the 2020 census data,
21 combined with the census geography that currently exists
22 and tried to use the data that came from EDR to figure out
23 where counties have grown faster or slower, to try to
24 reorient the districts in such a way.

25 I did not alter the actual census data in any

1 way, and used the same census block data that has been
2 available since it was released in 2021 to every state in
3 the union to do their redistricting.

4 SENATOR PIZZO: All right. Here's my final
5 question. It alludes to what Senator Jones was asking
6 about, about why didn't you guys challenge, why didn't you
7 guys take the initiative, why didn't you try.

8 Mo, you had -- your response to Senator Jones
9 was, it's really not the purview of the executive branch
10 to be able to go ahead and -- and make challenges and all
11 those issues, but on February 1st, 2022, Governor DeSantis
12 requested an advisory opinion from the Florida Supreme
13 Court inquiring as to Article III, Section 20(a) of the
14 Florida Constitution, requires a retention of a district
15 in Northern Florida, et cetera, et cetera.

16 The Florida Supreme Court declined to provide an
17 opinion in response to the governor's request, noting that
18 the scope of the governor's request is broad and contains
19 certain multiple questions that implicate complex federal
20 and state constitutional matters and proceedings
21 interpreting the Voting Rights Act of 1965.

22 Moreover, the governor's request might
23 necessitate fact-intensive analysis and consideration of
24 other congressional districts, not just District 5.

25 Do you, both of you gentlemen -- you can answer

1 this independently -- because the Florida Supreme Court
2 said at that time, we have no record before us setting
3 forth a functional analysis of statistical evidence such
4 as voting age of minority populations, elections, votes,
5 whatever -- do you feel confident that what you've
6 proposed here has gone through and contemplated a very
7 deliberate treatment of imp -- to implicate complex
8 federal and state constitutional matters and proceedings
9 interpreting the Voting Right -- Rights Act?

10 Do you think that you guys have -- have properly
11 vetted and -- and been deliberate enough on this map to
12 satisfy that test as to why they declined an advisory
13 opinion?

14 MR. JAZIL: Yes.

15 SENATOR PIZZO: Because you just said that you --
16 you have no idea how this is going to perform.

17 MR. JAZIL: Yes. And -- and if I could
18 elaborate, sir. You're referring to the advisory opinion
19 request that was made before the Black Voters Matter case
20 ended up at the Florida Supreme Court and before the
21 Florida Supreme Court addressed some of these other
22 issues.

23 SENATOR PIZZO: Mm-hmm.

24 MR. JAZIL: So, you're giving us a snapshot in
25 time. When -- when you move the clock forward, you see

1 that the Florida Supreme Court has said and done more.

2 And in light of what the Florida Supreme Court
3 has said and done, and in light of what has gone on
4 elsewhere at the federal court level, we do feel confident
5 that the position we're putting forward is a simple,
6 consistent, and we believe correct constitutional position
7 on behalf of the executive branch.

8 CHAIR PASSIDOMO: Okay. Any other, any -- oh,
9 Jason.

10 SENATOR PIZZO: I asked for independent answers
11 from both gentlemen.

12 CHAIR PASSIDOMO: Oh, I'm sorry.

13 I missed that part.

14 MR. POREDA: I would echo Mo Jazil's comments.

15 CHAIR PASSIDOMO: Okay. Any other questions?

16 Senator Bradley, you are recognized.

17 SENATOR BRADLEY: Thank you, Madam Chair, and
18 thank you both for your presentation.

19 And I think that some of the -- my fellow
20 senators' questions have sort of given rise to, I think,
21 what some of the confusion is.

22 This map is drawn using the 2020 census numbers
23 of 769,221.

24 MR. POREDA: That is correct, ma'am.

25 SENATOR BRADLEY: And most of the discussion

1 going into this redistricting process has talked about the
2 fact that Florida has experienced a lot of population
3 growth over the set -- over the last several years.

4 So one, hearing this, maybe our constituents at
5 home, friends and neighbors, may assume that that
6 population growth is going to be reflected in this map.

7 How is that pop -- that -- that population is not
8 reflected in larger districts. So you -- you testified
9 or -- or -- yeah, you testified -- unsworn, but
10 testified -- that you have the 2020 census data, and then
11 my guess is you overlaid the EDR and state demographic
12 metrics, looked at the two maps to see where the heavy
13 population growth was; is that fair.

14 MR. POREDA: So I used the 2020 census data
15 exclusively. I did not overlay any other data over the
16 map itself. Simply the data that was reported, that's
17 publicly available, you can see which county, growth has
18 happened. So you can kind of tell which counties have
19 grown more than the state average or more than other
20 counties, based on their previous population, to kind of
21 get a different sense of how the population has changed.

22 And even though you have to balance back to
23 769,221, you can orient the districts in such a way where
24 you can anticipate that those areas may have more people
25 than are actually there in the 2020 census data.

1 So you can orient them in such a way to
2 approximately account for them, but they still have to be
3 balanced to the 2020 census data.

4 So in that respect, they are balanced completely
5 to -- to the 2020 census data. So there's no actual new
6 data incorporated into it.

7 SENATOR BRADLEY: Sure.

8 MR. POREDA: Other than using what was available
9 kind of as a guide to understand where, what some
10 districts may be overpopulated or what areas might need
11 more -- more voice, those bedroom communities that have
12 grown up around our urban areas, and try to give them
13 better representation moving forward for the second half
14 of this decade.

15 SENATOR BRADLEY: And you looked at that EDR data
16 statewide?

17 MR. POREDA: Statewide and by county, yes, ma'am.

18 SENATOR BRADLEY: Why is nothing reflected with
19 regard to population changes in -- in Northeast Florida,
20 for instance, which has experienced substantial growth,
21 and across the Panhandle? Why is our population
22 changes -- why are people only in certain parts of the
23 state, why did they merit adjusted lines based on
24 population, and not other folks in the state?

25 MR. POREDA: So I certainly considered that, but

1 also in -- in trying to balance all of the standards with
2 this redistricting, as you always do, you can't lean on
3 one thing more than the other.

4 And in a lot of the panhandle counties, they --
5 some of them did grow, some of them did not grow nearly as
6 fast, and there wasn't as much need for a change in some
7 of those areas. I could have made more changes throughout
8 the map, but there's also a desire to keep as much of the
9 current map available as possible.

10 The other big edict with -- with -- that I had
11 with this was drawing this map in a race-neutral way.

12 The biggest change with that was in South
13 Florida, particularly with Congressional District 20, and
14 that impacted the rest of the map from there, greater than
15 the other parts of the map which didn't have that same
16 issue, being drawn in a race-neutral way.

17 So it was trying to balance all of the criteria
18 that I was using to draw the map and didn't find it
19 necessary to continue drawing further north than I did.

20 SENATOR BRADLEY: So more of a race-based map
21 than necessarily one to address population?

22 MR. POREDA: A neu -- race-neutral map.

23 SENATOR BRADLEY: Race-neutral. Race-neutral, as
24 opposed to population, per se?

25 MR. POREDA: They -- they were done in

1 conjunction. There was not one more -- there was not the
2 population growth aspect or the race-neutrality aspect
3 were kind of drawn in conjunction together. There wasn't
4 one that was predominant over the other. It was all kind
5 of a balancing of all of the standards, including
6 compactness and some of the issues we talked about before.

7 And when you look at redistricting, you kind of
8 have to look at the map as a whole. And yes, some areas
9 are never going to be exactly how you want or whatever,
10 but that's because in a -- as a map drawer, you have to
11 look at the map as a whole. You have to look at regions
12 as a whole. You can't look at single districts or even a
13 single county and make a decision on a map, based on that
14 particular county. You have to see the whole picture and
15 how it's all going to be put together.

16 And the biggest race-neutral change was South
17 Florida and those impacts move into Central Florida,
18 trying to take those population growth issues into account
19 as I was making the biggest change in the map that was
20 there, and just found it unnecessary to go further north.

21 SENATOR BRADLEY: And when did you begin working
22 on this map that we're seeing here?

23 MR. POREDA: Approximately about two weeks ago.

24 SENATOR BRADLEY: Two weeks ago.

25 And when did -- when did you complete your work?

1 MR. POREDA: Over the weekend.

2 SENATOR BRADLEY: And who -- who -- can you
3 identify individuals that you were in consultation with
4 through the map making process? Any outside groups
5 involved? Any -- can you give us a sense of who was --
6 who was colla -- who -- who you collaborated with in the
7 rendition of this map?

8 MR. POREDA: So I'm the only map drawer. I'm the
9 only one that moved any lines around on the map.

10 I did work with other EOG staff and counsel, but
11 I'll leave it at that.

12 SENATOR BRADLEY: Okay. And then the last is a
13 -- just a legal question. I just want to make sure that
14 we're -- that we're clear.

15 You had indicated that the Callais decision was
16 the last logical step in order to render the Fair
17 Districts Amendment -- that the race provision in the Fair
18 District Amendment to be unconstitutional and would
19 require that not to be considered for purposes of
20 Florida -- Florida redistricting, right?

21 You have step one is Callais. That hasn't been
22 decided yet, and that is sort of the last logical step; I
23 think you described it in your memo as you feel as though
24 the Supreme Court has signaled that that would be
25 unconstitutional, and that they are poised to affirm that

1 it's unconstitutional, but they have not yet done so; is
2 that correct?

3 MR. JAZIL: That's not quite right, ma'am. If we
4 go through Callais, Callais runs through the Voting Rights
5 Act lane, to the equal protection clause.

6 Black Voters Matter runs through the Article III,
7 Section 20(a), the Fair Districting Amendment lane, to the
8 equal protection clause.

9 So Callais is dealing with whether or not
10 Section 2 of the Voting Rights Act can serve as a
11 compelling reason for the use of race in redistricting.

12 The Black Voters Matters case has already said
13 that use of the Fair Districting Amendments is not a
14 compelling reason to use race. So two different lanes.

15 So if we're going through the Fair Districting
16 Amendments, Article III, Section 20(a), the next logical
17 step of what the Florida Supreme Court has already said is
18 that we shouldn't be using race because race cannot be a
19 compelling interest for a state analog to provision that
20 is not supported by a legislative record like the one for
21 the Voting Rights Act, and that is not something that was
22 enacted consistent with Section 2 of the 15th Amendment,
23 which again, the Voting Rights Act was.

24 So slightly different. Callais itself is the
25 last logical step. It's the -- it's going to be the most

1 recent say of the US Supreme Court on the Section 2 of the
2 Voting Rights Act, and whether or not Section 2 of the
3 Voting Rights Act is at war with the equal protection
4 clause.

5 SENATOR BRADLEY: So in -- in your testimony, the
6 Callais decision has -- has no basis, but we -- we have --
7 we are in our legal prerogative to enact this map,
8 regardless of the decision in Callais?

9 MR. JAZIL: Ma'am, my -- my assessment of Callais
10 is this: Callais has most import -- if you look at the
11 benchmark plan, Callais has the most import when it comes
12 to Congressional District 20. Congressional District 20
13 is the VRA district. That's the one that Callais is going
14 to have the most impact on.

15 The other districts in Southeast Florida, as you
16 heard from Mr. Poreda, there's some districts in Southeast
17 Florida that weren't Voting Rights Act districts, but were
18 created with an eye towards race, to comply with the Fair
19 Districting Amendments.

20 Those are the ones where you don't need to wait
21 for Callais, where you can do something, and if you're
22 making changes in Southeast Florida to comply with state
23 law and the changes in state law, you can make other
24 changes there, in an effort to be forward-thinking and be
25 prepared for Callais.

1 Because the alternative is Callais comes out in
2 late June, we get sued in July, and then there are other
3 steps beyond that.

4 SENATOR BRADLEY: Right. So certainly we're
5 waiting on Callais to address that one -- that one
6 district, to give us the -- the legal justification there.

7 But in addition, the next logical step that you
8 make is then to say, and if that decision is -- is
9 received the way the court has signaled, that the Fair
10 Districts Amendment is null and void, and you made a --
11 a -- an argument with regard to severability, that is
12 simply your argument. That's not a position that's been
13 adopted by the court, short of a -- of a -- a question by
14 a Supreme Court justice during argument; is that correct?

15 MR. JAZIL: That is correct. The severability
16 argument is the executive branch's argument on the issue.

17 SENATOR BRADLEY: Sure. So really the map is
18 sort of based on -- it's a legal theory that's sort of
19 underpinned by two "ifs." If Callais comes out and if the
20 Supreme Court were to adopt your severability --
21 non-severability argument, then we would be able to adopt
22 a map that does not regard race and is drawn with partisan
23 intent; is that correct.

24 MR. JAZIL: Yes, ma'am.

25 SENATOR BRADLEY: Thank you.

1 CHAIR PASSIDOMO: Senator Rouson.

2 SENATOR ROUSON: Thank you very much, Madam
3 Chair.

4 Let's talk about proposed CD14. It seems like
5 the lines converge in downtown Tampa, and Tampa's split up
6 between three different proposed districts; is that
7 correct?

8 MR. POREDA: Yes. In this map, Tampa is -- the
9 municipality of Tampa is split between three different
10 districts. That was unfortunate. The -- never like to do
11 that, but the Tampa municipal lines extend from the
12 eastern -- literally the entire eastern side of the
13 county, all the way to the northern side of the county.

14 It is simply one of the matters that because we
15 had to assign people to different districts, it just
16 wasn't possible to keep that -- in this orientation, to
17 keep that split only twice.

18 Much like other counties in the state that have
19 to be split for equal population or things along those
20 lines, the -- the -- the actual geography of the
21 municipality, if you can see it, it goes -- it's very,
22 very long. It cuts the county in half.

23 And as a map drawer, sometimes it's one of those
24 difficulties, where you have to split a city more than you
25 would want, simply because the math has to work out.

1 SENATOR ROUSON: Well, is there any other -- I'm
2 sorry, Madam Chair?

3 CHAIR PASSIDOMO: No, you're all right.

4 SENATOR ROUSON: Is there any other city of this
5 size in the proposed map that you split three ways like
6 you do Tampa?

7 MR. POREDA: Orlando.

8 SENATOR ROUSON: Southern Pinellas, which is
9 St. Petersburg, you connected -- what -- what counties do
10 you connect it with, in the proposed map?

11 MR. POREDA: So Southern Pinellas County is
12 connected to Manatee, DeSoto, Hardee, and Sarasota
13 Counties.

14 SENATOR ROUSON: And you think that by connecting
15 Hardee and DeSoto to Pinellas, the residents would be
16 served and be able to elect a representative of their
17 choice?

18 MR. POREDA: I mean, I can't necessarily speak to
19 the representative of your choice question, but I know
20 that that district will -- is -- Southern Pinellas County
21 is connected directly with Bradenton and Miami-Dade -- or
22 Manatee County through the -- the Sunshine Skyway Bridge.

23 So there's a direct pathway there.

24 People travel every day.

25 Beyond the other issue, I can't necessarily speak

1 to that.

2 CHAIR PASSIDOMO: Senator, I think -- I'm sorry,
3 did you have any more questions? Oh, okay. Senator
4 Gaetz, you had some questions, and then Senator Berman.

5 SENATOR GAETZ: I yield to Senator Berman.

6 CHAIR PASSIDOMO: All right, Senator Berman.

7 SENATOR BERMAN: Thank you, Senator Gaetz, and
8 thank you, Chair Passidomo. So I have a lot of questions.

9 So, Mr. Poreda, did you draw any earlier maps
10 before you drew this map two weeks ago?

11 MR. POREDA: No, ma'am. The -- the map that you
12 see here, other than my prior experience with
13 redistricting, this is -- is the map that I started
14 working on. It's an iterative process, but it resulted in
15 the map that you see here.

16 SENATOR BERMAN: Thank you, Madam Chair.

17 When you say "it's an iterative process," were
18 there people -- you said you did work with -- consult with
19 other people, not actually draw -- change the lines, but
20 other people in the governor's office, you did consult
21 with. Could you tell us who those people are?

22 MR. POREDA: I'm just going to leave it to other
23 executive office of the governor staff and counsel.

24 SENATOR BERMAN: Okay. Thank you.

25 Can you tell us who reviewed this map before it

1 was published yesterday?

2 MR. POREDA: I'm going to leave that with the
3 same answer I just gave.

4 SENATOR BERMAN: I -- I'm confused why you can't
5 tell us who had the opportunity to review this map.

6 What -- what -- what privilege or what reason is
7 there for not telling us who reviewed this map?

8 MR. POREDA: I've been advised by counsel to just
9 leave it at EOG staff and counsel that -- yeah, and that's
10 it.

11 SENATOR BERMAN: Counsel, could you explain to us
12 what legal basis there is not to tell us, as legislators,
13 who had the opportunity to review this map before it was
14 published?

15 MR. JAZIL: Yes, Senator. One of the issues that
16 came up in the 2022 litigation, and we expect to come up
17 now, are the exact contours of the executive and
18 legislative privilege.

19 In 2022, a circuit court judge in this state
20 concluded that the legislative privilege applies to the
21 governor when he's proposing legislation, and the lines
22 that were drawn are what we're trying to adhere to here
23 and be consistent with.

24 SENATOR BERMAN: Okay. All right.

25 So I'd like to go a lot more into the issue of

1 the partisanship that was put into this map. How did you
2 use the partisan data in drawing this map?

3 MR. POREDA: I used partisan data in the same way
4 that I applied any of the other traditional redistricting
5 principles. I did not use it on the exclusion of any of
6 the other principles like compactness or following
7 geographic boundaries. It was just another -- something
8 else that was a consideration as I was drawing.

9 SENATOR BERMAN: Did you set out to give more
10 seats to Republicans?

11 MR. POREDA: No.

12 SENATOR BERMAN: Did you ever create a map that
13 colored each district by its partisan leaning?

14 MR. POREDA: No.

15 SENATOR BERMAN: Okay. Could you tell us where
16 the map that was given to Fox News that had colors came
17 from?

18 MR. POREDA: I -- I don't know.

19 SENATOR BERMAN: Okay. You talked about how
20 you -- you focused on compactness.

21 Does this plan increase the compactness scores?

22 MR. POREDA: It's consistent with the benchmark.

23 SENATOR BERMAN: Isn't the Reock lower, under
24 this, than the benchmark?

25 MR. POREDA: Well, talking about mathematical

1 compactness scores real quick -- and to answer your
2 question, I think it is technically one-tenth of a percent
3 less; however, that's an average throughout the entire
4 map, and I can tell you that mathematical compactness
5 scores are a guide. They are certainly not a gold
6 standard, and exact numbers can't be -- can't be looked
7 at. Again, it's a ratio, comparing areas to that of an
8 imaginary circle that goes around the district.

9 So if -- if it's in the same range, I would call
10 that to be consistent.

11 SENATOR BERMAN: Was it important for the
12 governor to reduce the number of county splits, when
13 preparing this map?

14 MR. POREDA: Ma'am, I can't speak for the
15 governor, I can only speak for myself, as I drew the map.

16 And I can tell you that keeping counties whole
17 was definitely a consideration, as you can see it
18 throughout the map. It certainly wasn't the predominant
19 factor, like all of the other traditional redistricting
20 criteria, and I balanced that with everything else and
21 kept as many whole as -- as feasible in this new
22 orientation of the map.

23 SENATOR BERMAN: Going back to the partisanship,
24 I left one question out. Can you tell us what you -- what
25 districts you used the partisan information in?

1 MR. POREDA: There was no specific district.
2 Just like looking at compactness or any of the other
3 traditional redistricting principles, I only use that
4 information sporadically throughout the map, but I cannot
5 identify a specific district.

6 It was mixed in just like all of the other
7 traditional redistricting criteria, to not exclude any of
8 it, and consider it for every district that I drew.

9 SENATOR BERMAN: Okay. All right.

10 I have so many questions.

11 Do you know why the governor's -- why your office
12 chose to provide legislatures and the public less than one
13 day to review the proposed map before the start of the
14 special session?

15 MR. POREDA: I can't speak to that, ma'am.

16 SENATOR BERMAN: Are you aware of who the
17 governor's office chose to share the map with before
18 transmitting it to the legislature?

19 MR. POREDA: I'm not sure if I -- can you repeat
20 the question?

21 SENATOR BERMAN: Was anyone given the map before
22 we, in the legislature, got a copy of the map?

23 MR. POREDA: I don't know.

24 SENATOR BERMAN: Okay. So you have no knowledge
25 about the release of the maps to Fox News before the

1 legislature received them?

2 MR. POREDA: I do not.

3 SENATOR BERMAN: I want to go back to Fair
4 Districts and Black Voters Matter ruling, which I have the
5 case right here. I guess this goes to the attorney.

6 Is it your position that Black Voters Matter
7 ruling invalidated the entire Fair Districts Amendment?

8 MR. JAZIL: No, ma'am. My position is that Black
9 Voters Matter says that trying to comply with Article III,
10 Section 20(a) of the Fair Districting Amendments is not a
11 compelling interest.

12 If you look at page 47 of the slip opinion, the
13 Florida Supreme Court talks about how it's not deciding
14 whether every district intentionally drawn violates the
15 federal constitution. That issue can wait for another
16 day, is what the court said.

17 And I note again, Senator, if trying to comply
18 with the Fair Districting Amendments is not a compelling
19 enough reason to be race conscious, then how can you ever
20 be consistent with the Federal equal protection clause, if
21 you're trying to comply with the Fair Districting
22 Amendments?

23 Because if trying to comply with it is not a
24 compelling enough reason for race to be put into the mix,
25 then anytime you're trying to apply the Fair Districting

1 Amendments, you are, by implication, taking racial data
2 into account, and that creates the problem that we're
3 talking about, the equal protection problem.

4 SENATOR BERMAN: I'm reading from the
5 Constitution right here. Section 20 says that, "No
6 apportionment plan shall be drawn with the intent to favor
7 or disfavor a political party or an incumbent."

8 Do you agree that that portion of the amendment
9 is still valid currently?

10 MR. JAZIL: Is it valid currently? Yes, ma'am.

11 However, I, again, note that if the race-based
12 provision has to fall, then the whole thing has to fall
13 because these things are not severable, is our position.

14 SENATOR BERMAN: Okay. And would you agree that
15 the maps were drawn with partisan intent?

16 MR. POREDA: As the map drawer, I'll speak to
17 that, and no, I disagree with that. I did not draw it
18 with partisan intent.

19 SENATOR BERMAN: But you used partisan data when
20 you drew the map, is that -- isn't that correct?

21 MR. POREDA: I used it, along with all of the
22 other traditional redistricting criteria. It was not at
23 the exclusion at -- of everything else and was not
24 predominant over anything else.

25 And my intent was not to draw a partisan map in

1 any way, but it was considered, in certain circumstances;
2 generally when the entire district was nearly complete,
3 using all of the other balancing of all of the other
4 standards, making sure that everything was good, it may
5 have come into play in that final balancing, to try to get
6 down to equal or something along those lines, as an
7 example, but it was certainly not a factor and it was not
8 my intent to create or draw a partisan map.

9 SENATOR BERMAN: Okay. Thank you.

10 I'd like to go to some of the specific districts
11 now. District 20 in Palm Beach County, the governor's
12 transmittal letter says that current District 20, the
13 benchmark one, is not compact and had odd appendages that
14 are a telltale sign of racial predominance.

15 Isn't current District 20 more compact than
16 current District 25 in the proposed map?

17 MR. POREDA: Ma'am, I don't have the -- can you
18 tell me what data you're looking at? I don't know -- I
19 don't have the current enacted breakdown of everything, so
20 I don't know what you're comparing that to.

21 SENATOR BERMAN: I'm comparing the current
22 District 20, which is the one that you've talked about
23 ad nauseam about how it was the whole reason why you had
24 to redraw the entire map, and that -- how does that
25 compare to current District 25 -- to proposed District 25,

1 under your map?

2 MR. POREDA: Yeah. So I -- I apologize, ma'am, I
3 don't have the current enacted compactness stats, district
4 by district, but I will caution you that comparing a
5 single district to another single district in any map is
6 sometimes -- it's hard to do because especially as a map
7 drawer, because you step back and you look at an entire
8 region put together. There may be some districts that
9 have gone down in compactness, when compared to the
10 benchmark. There's going to be others that have gone up.

11 So doing a district by district comparison might
12 not be completely fair to the entire extent of the map.

13 As a map drawer, you look at it globally, you
14 look at it regionally, and yeah, there might be some
15 district that might be a little less compact than another
16 district and another map, but looked at in totality, it's
17 consistently compact, and those compactness decisions were
18 made throughout the map.

19 So, I'm sure I can get that data and compare it
20 for you for that specific district, but I would caution
21 you that that's not really, in my opinion, a good, fair
22 comparison, especially with compactness scores.

23 SENATOR BERMAN: How about using appendages,
24 which is the term that the governor used? So do you
25 believe that districts that have appendages that may not

1 -- uh, I know you talked about going along with lines of
2 cities like you did with Cape Coral, but when you look at
3 the new district, the proposed District 20, it has a
4 strange appendix that goes up from the right side, and I
5 believe that crosses through many different cities.

6 How do you justify putting an appendix --
7 appendix -- appendage that crosses through many different
8 cities?

9 MR. POREDA: So again, keeping cities whole or
10 whether or not you split a city or not, on an individual
11 basis, when you're drawing a map -- certainly you like to
12 take into consideration and not do that when you can --
13 but sometimes it -- it makes a benefit.

14 So the -- the area you're talking about, I
15 wouldn't call it an appendage. Yes, it -- there's an area
16 that follows the railway, that goes up toward the northern
17 part of the county, but that -- that's what that is. It's
18 following the railway up to the border and then going back
19 down to the rest of the county.

20 And as far as appendages go, the appendages that
21 were on the currently-enacted District 20 were far more
22 far reaching and far more irregularly shaped, and
23 certainly didn't follow just a railway to go up and add
24 population.

25 Yes, some cities were split, but those cities

1 that it -- I think it's two cities that it splits, that
2 area of the district, and neither city is split more than
3 two times in that particular instance, and it was simply
4 because I needed to achieve equal population in that area
5 and get the district to come together.

6 SENATOR BERMAN: Thank you.

7 So in 2022, the governor argued that it was elim
8 -- important to eliminate the previous CD5 that stretched
9 from Tallahassee to Jacksonville, and we know that that
10 was the Supreme Court case.

11 In this map, we have CD22, which connects Marco
12 Island on the west to Heartland in the Southeast Florida.

13 So you have a district that stretches almost the
14 entire length of the state of Florida.

15 Can you tell us how that is consistent with the
16 arguments that were made against the previous CD5?

17 MR. POREDA: Yes, ma'am. So as I talked about
18 when I presented the districts, the Everglades, the area
19 of very little population in that part of the state, south
20 of Lake Okeechobee and the Everglades, is a very difficult
21 place to draw. It has to be included in districts
22 somewhere, and in this particular case, and in many cases,
23 including most of that area into a single district is
24 generally the preferred way in order to limit the impact
25 that that zero population area is going to have on

1 multiple districts, by including it in the same one.

2 In addition to the fact the district you're
3 talking about, part of the objection to it was that it was
4 a count -- a long district that included multiple
5 counties, for a race-based reason. This is a race-neutral
6 map, and those rural areas with very little populations,
7 such as the Everglades, still needed to be included in a
8 map. So there really is not -- you have to include it
9 somewhere.

10 So it's -- I think that's an apples to orange
11 comparison, personally.

12 SENATOR BERMAN: Do you think this is comp --
13 consistent with the Fair Districts Act, which says that
14 districts have to be compact and where feasible, use
15 existing political and geographical boundaries?

16 Do you think District 27 complies with the Fair
17 Districts Act? The proposed district?

18 MR. POREDA: Well, as I mentioned before, and as
19 Mo -- Mr. Jazil has commented about the Fair District Act,
20 separately from whether or not the Fair District Act is
21 struck down or not, I certainly used compactness and used
22 all of those -- what used to be tier two issues of
23 compactness, contiguity, following political and
24 geographical boundaries.

25 I certainly employed that, along with all of the

1 other traditional redistricting criteria, to the best of
2 my ability, throughout the map, including -- District 22,
3 I think you're referring to. District 27 is in the
4 southern part of the state.

5 SENATOR BERMAN: 22.

6 MR. POREDA: But yes, I included it there.

7 It's just that district included that low
8 population area of the Everglades that it just has to go
9 somewhere and it has to be included into a district;
10 otherwise, the whole map would not be in compliance
11 because every -- all of those census blocks I talked about
12 before have to be accounted for, and that low population
13 area has to be included somewhere.

14 It's just a difficult area to draw in, and
15 there's really not many census blocks available to divide
16 it up. That -- it also includes an entirely whole county,
17 in Hendry County, attached to that western part of
18 Palm Beach and Broward Counties and most of the rural part
19 of Collier County.

20 SENATOR BERMAN: Okay. And then I would just
21 want to go back to a couple legal questions -- and I'd
22 prefer if you'd not use the appellation "ma'am," and call
23 me "Senator," please.

24 Can you tell me, uh, why the governor's office,
25 um, believe -- has -- believes that the Supreme Court has

1 signaled, through Callais, that it will, uh, that it will
2 result in a change of the law?

3 MR. JAZIL: Thank you for the question.

4 A couple of points there.

5 Number one, this case was relisted and re-argued.
6 That happens very rarely, so that's the first point.

7 Second point, the Supreme Court, sua sponte,
8 asked another question in the case that went to the issue
9 of whether or not Section 2 can withstand constitutional
10 scrutiny.

11 And the third point, the succession in which the
12 Supreme Court has been hearing these cases suggests that
13 the Supreme Court is grappling with the issue of at what
14 point Section 2 of the Voting Rights Act runs afoul of the
15 equal protection clause.

16 SENATOR BERMAN: Okay, thank you.

17 And then I just -- and you may not have the
18 answer to this, but we've read that the governor has
19 claimed that Justice Alito will be authoring the opinion.

20 Does the governor have inside information about
21 the court's internal workings? How would he know who's
22 authoring the opinion?

23 MR. JAZIL: Senator, that's -- that's an educated
24 guess that one can get to by looking at who has been
25 issuing opinions from the most recent term, and Justice

1 Alito seems to be a person who's issued one majority
2 opinion, by last count -- I may be off by a bit -- and so
3 that is perhaps where the information's coming from.

4 SENATOR BERMAN: Thank you. My last question.

5 The email from Mr. Axelman to President Gaetz
6 stated, "The proposed redistricting plan is race-neutral,
7 complies with the US Constitution, allocates equal
8 population, and is compact and contiguous."

9 The statement specifically omitted compliance
10 with the Florida Constitution, with the Fair Districts
11 Amendments. Is this an admission that the proposed plan
12 violates the state constitution?

13 MR. JAZIL: Senator, as I've explained, our legal
14 position is that we do not need to comply with
15 Article III, Section 20(a). Mr. Poreda has given you his
16 factual input, and from there, you can draw the
17 conclusions that you think are most appropriate.

18 SENATOR BERMAN: Thank you.

19 No further questions.

20 CHAIR PASSIDOMO: Is there -- Senator Gaetz, you
21 are recognized.

22 SENATOR GAETZ: Thank you -- excuse me -- thank
23 you, Madam Chair.

24 I'd like to return for a moment to the Fair
25 Districts Amendment.

1 It seems that you've been as careful as you can
2 to -- to emphasize that you are not using race, but use --
3 rather are using race-neutral, um, methodology in line
4 drawing. By the same token, Mr. Poreda, it seems that you
5 have -- and I think you just mentioned it a moment ago --
6 you've used the tier two features of the Fair District
7 Amendment rather considerably, having to do with
8 compactness and -- and maintaining municipal and county
9 lines. You've used the tier two, um, features of the Fair
10 Districts Amendment in -- in the rest of your line
11 drawing.

12 And -- and so my question, I guess, is this: Are
13 you persuaded -- and maybe this is a legal question,
14 Counselor -- are you persuaded that you have to -- that
15 you have to obviate the entire Fair Districts Amendment,
16 including tier two provisions, which Mr. Poreda has used
17 liberally, in order to win the theory of your case?

18 MR. JAZIL: Your Honor, if --

19 SENATOR GAETZ: I'm not a lawyer.

20 MR. JAZIL: Senator, I apologize.

21 SENATOR GAETZ: I'm just a country boy for the
22 panhandle.

23 MR. JAZIL: Senator, and I'm just a country
24 lawyer from North Florida, but it's been a long day.

25 SENATOR GAETZ: Yeah.

1 MR. JAZIL: And I apologize for using the
2 inappropriate appellations from time to time.

3 But our -- our legal position is that you do not
4 need to comply with any of Article 20 if you agree with
5 our arguments; however, there's nothing that prohibits the
6 use of the factors that are listed in tier two of
7 Article 20, if a map drawer chooses to use them or if the
8 legislature enacts a statute saying that any map drawer,
9 whoever draws a map, must abide by these criteria.

10 And so that -- that's the legal point, and I'll
11 leave it to Mr. Poreda to...

12 MR. POREDA: Thank you, Senator. Yes.

13 I mean, those items listed in what is tier two
14 are traditional redistricting principles that are used,
15 throughout Florida, have been used throughout Florida,
16 even before the -- the standards were enacted, including
17 across the country. Those are kind of -- and -- and it
18 goes beyond that, to communities of interest and a bunch
19 of other -- keeping cores of existing districts and things
20 that are not specifically listed, that are considered
21 traditional redistricting principles that many other
22 states have been using for decades.

23 SENATOR GAETZ: Madam Chair. So you would not be
24 troubled, then, would you, if the courts said you are
25 correct in using race-neutral considerations in drawing

1 districts, but -- but the rest of the Fair Districts
2 Amendment, particularly the provisions in tier two, still
3 apply.

4 You wouldn't be troubled by that, would you?

5 You still would be able to make the case that
6 you're trying to make before the courts.

7 Or is it necessary that the entire Fair Districts
8 Amendment be invalidated by the courts?

9 MR. JAZIL: Senator, the argument we're making --
10 to abide by sort of the intellectual components of the
11 argument we're making, if the argument is that all of
12 Article 20 is a tiered structure, which based on the text,
13 it is; and if the argument is that all of Section 20 was
14 put forward to the voters as a package deal; and the
15 argument is that when the Florida Supreme Court in 2009
16 reviewed this, they saw this as one big component, then if
17 I'm following that argument to its logical conclusion,
18 then it's all of Section 20 should go down.

19 However, Senator, if a court disagrees with this
20 analysis and has a reason to keep tier two in place, that
21 would be consistent with the equal protection clause, it
22 wouldn't run afoul of it, and it would be consistent with
23 how Mr. Poreda has described his map drawing.

24 SENATOR GAETZ: Madam Chair?

25 CHAIR PASSIDOMO: You're recognized.

1 SENATOR GAETZ: Final point. And again, for
2 those of us who -- who are not members of the legal
3 profession, would you explain why it is that -- that the
4 severability clause necessarily pertains to the Fair
5 Districts Amendment, the lack of a severability clause,
6 when there are many, many cases where the legislature
7 passes bills and -- and later, sections of those bills are
8 struck down by courts, but the rest of the bill remains
9 intact. Why have you chosen to apply the severability
10 argument here?

11 MR. JAZIL: Thank you, Senator.

12 A couple of points. When we take a look at the
13 severability analysis for a statute that this body passes,
14 that is an analysis where the starting point is a bill the
15 legislature puts forward, where all the various provisions
16 are properly connected. That's the single subject
17 requirement for this body: Properly connected components
18 of an issue are put together in a bill and it's put
19 forward.

20 And then you have the courts assessing whether or
21 not all the various provisions are valid. If one
22 provision is invalid, it can strike down a portion if the
23 remainder works together as an operable provision.

24 Courts, however, still strike the entire thing
25 down if the components of the bill are interconnected.

1 And so if we're importing that analysis to the
2 constitutional setting, a couple of differences.

3 When a citizen initiative is enacted, the
4 starting point, the single subject requirement, talks
5 about directly connected. The adverb requires a deeper,
6 more ingrained connection. That's number one.

7 Number two, when we're looking at a
8 constitutional provision and assessing whether or not it
9 can be severed, the same question comes up of can the
10 other provisions operate by themselves or were they
11 intended to work together?

12 And the other question comes up -- because it was
13 put before the voters -- would the voters have voted for
14 this thing if it was put forward in sort of this severed
15 version?

16 And so the question, when it comes to the Fair
17 Districting Amendments, is a couple of parts.

18 We're talking about directly connected, as a
19 starting point. We're talking about a provision that,
20 when it was presented to the voters, was sold as, okay,
21 this is a package. This is how we're going to have racial
22 protections, partisan prohibitions and traditional
23 redistricting criteria. So it was packaged to the voters
24 as sort of this one big reform.

25 And the text of what was put before the voters

1 supported that. The text talked about tiers and how the
2 tiers work together.

3 There's a provision in the Fair Districting
4 Amendments that talks about how, if there's a conflict
5 between tiers, which tier controls. Again, that -- that
6 is a signal that these things are working together.

7 And so in the final analysis, the question then
8 comes down to, okay, given all of this, how it was
9 packaged to the voters, how it was conceived, how it was
10 approved, how voters reacted to this and how the text kind
11 of works together, can you separate them?

12 It's a complicated question -- I'll concede that,
13 sir -- but our assessment of that question is that they
14 work together, they can't be severed, because when you
15 start at the headwaters, you've got directly connected as
16 the starting point for single subject, which requires a
17 deeper connection.

18 And as you flow through the analysis, you've got
19 a provision that was conceived, approved, and structured
20 in a way where it all works together.

21 That -- that's my best answer, sir. I've used a
22 lot of words. Hopefully they've proven to be a revelation
23 and not a disappointment.

24 SENATOR GAETZ: Madam Chair, thank you very much.

25 For those of us who are unwashed, it was a fairly

1 tortured analysis, I give you that, but you don't need to
2 win the argument, do you?

3 In order for you to prevail in your theory of
4 this case, you don't need the entirety of the Fair
5 Districts Amendment to be struck down. You only need, do
6 you not, the portion of the Fair Districts Amendment that
7 deals with -- with -- with race as a factor in
8 redistricting?

9 And the reason I ask that is because you seem to
10 be carrying a bit more of a burden on this matter than you
11 need to, in my judgment, but I'm -- I guess I'm wondering,
12 do you really need to have the entirety of Fair District
13 struck down in order for you to -- for your theory of the
14 case to be accepted by the courts?

15 MR. JAZIL: For the race-neutrality theory?

16 No, sir.

17 SENATOR GAETZ: Thank you, Madam Chair.

18 CHAIR PASSIDOMO: Okay. Members, any -- you are
19 recognized.

20 SENATOR DAVIS: No, we're not quite done,
21 match -- mapmaker -- mapmaker.

22 Thank you guys for your presentation. It's been
23 a long day, and we're going to make sure that our speakers
24 in the audience have enough time as well.

25 I just have a few questions.

1 Jason, you talked about -- you -- you talk a lot
2 about the population estimates specifically.

3 So what did you do with the population estimates
4 specifically? You talk about that in the sense of when
5 you -- you changed plans in areas with more growth.

6 Tell us specifically what you did with those
7 population estimates.

8 MR. POREDA: Thank you, ma'am. First of all,
9 Senator, good to see you again.

10 Second of all, I used them as I described before.

11 They were not directly overlaid with any of the
12 data or any of the counties or districts.

13 I simply would look at the data that has been
14 provided, knowing which areas have grown faster, to the
15 state average. So you can kind of do the math to figure
16 out how much those estimates have said the entire state
17 has grown, and figure out which counties have grown at a
18 similar rate to that state average, higher or lower, to
19 then determine what areas might, after balancing -- again,
20 using the 2020 census data -- might account for a greater
21 population growth, based on those estimates and what
22 counties or what areas; and specifically, that data points
23 to a lot of counties that are around the big urban
24 centers.

25 So the bedroom communities to the south or to the

1 north or east or west of -- of some of the bigger urban
2 areas, those are the ones that have grown the most.

3 For example, I think Sumter County is the county
4 that has grown the most over the last five years. Polk
5 County. Some of these areas -- Pasco County. Some of
6 these areas around the bigger urban areas have grown up
7 quite a bit.

8 And those are the areas -- I tried to -- like,
9 for example, District 18, Polk County, an area that has
10 grown rather fast, I put a district that is almost
11 entirely within Polk County and to account for, rather
12 than that county being attached to a district that has all
13 of the rural counties to the south. So if that county
14 grew faster, attached with all the other populations of
15 the south, it's now going to have -- potentially have even
16 well more people than the ideal population of the
17 district.

18 So by keeping a district entirely within Polk,
19 and having those other counties put into other districts,
20 it might do a better job of equalizing the population,
21 based on the growth.

22 But that is just my estimate or guess, really,
23 looking at that data as a guide, when I really had to
24 balance everything based on the 2020 census data.

25 SENATOR DAVIS: Did you try to make sure that the

1 districts using all of that were closer to equal -- equal
2 by using that, the population in that sense.

3 MR. POREDA: So I, again, could only use them as
4 a guide. They had to balance to that magic number I said
5 before of the ideal population of a congressional
6 district. So every district in this map equals 769,221
7 people, based on the 2020 census data, except for one
8 district, in this district, it's District 8 -- or in this
9 map it's District 8 that has one person fewer than that
10 number.

11 SENATOR DAVIS: How did you -- how -- how did you
12 actually use the data? How did you use it, trying to get
13 to that end -- end number?

14 MR. POREDA: Which data are you referring to?

15 SENATOR DAVIS: Where you're talking about the
16 data with this -- the population estimates.

17 MR. POREDA: Well, the population estimate,
18 again, that was just a guide. There was no way to
19 actually balance all of that. Again, I used it as a
20 guide, as I was -- as a drawing tool, knowing that, say,
21 Pasco County or Polk County grew faster.

22 So in my map-making decisions, try to account for
23 that without actually physically balancing it, since I had
24 to use the 2020 census data. That's what everything is
25 balanced to, using those population estimates to know what

1 counties may have grown faster or slower.

2 Another example when we talked about District 16,
3 and I -- because I know that Hillsborough County has grown
4 faster than Pinellas County, and that choice that I had,
5 take District 16 to Hillsborough or take it to Pinellas,
6 I -- because of those population -- population estimates
7 showing that Pinellas County has grown slower than
8 Hillsborough County, I chose to try to put a district
9 entirely within Hillsborough, instead of Pinellas. That
10 was simply a decision that I made, using those population
11 estimates as a guide -- or helpful guide as part of that
12 decision, not entirely that, but as part of it.

13 SENATOR DAVIS: You talk about population,
14 population, but I'll go back to really quickly the map
15 that popped out, and I think my leader talked about that
16 CNN map. It's -- it's really, really hard for us to sit
17 here and deal with this particular map, knowing that that
18 first map that the governor did his interview with was a
19 partisan gerrymandered map.

20 Does anyone -- and you guys have already answered
21 it, but I'm going to answer it again: Do you-all know
22 where that first official map came from that was an
23 obvious partisan gerrymander?

24 MR. JAZIL: Senator, are you discussing the
25 benchmark plan from --

1 SENATOR DAVIS: No, I'm discussing the map that
2 was shown on CNN before any of us -- was it -- Fox before
3 any of us actually saw it.

4 MR. POREDAS: So I'm aware of the map that you're
5 referring to that came out. It is the same map, but I did
6 not put those colors on that map, and I don't know who
7 released it.

8 SENATOR DAVIS: So Jason, this is strictly for
9 you. When we're talking about the scores, the Popper
10 score, the Reock score, I think when we were dealing with
11 redistricting some time ago, Robert Popper was the
12 gentleman that came out and testified from the governor's
13 office.

14 And from my notes here and from that time, he
15 identified how he uses -- how we use the Popper score and
16 things like that -- I see you smiling.

17 But when you look at what he testified to in
18 those last maps -- and I think I already have the answer,
19 I want you to confirm it for me -- three districts in your
20 map are even lower in scores than Robert Popper's maps
21 that he testified to during redistricting some time ago.

22 It's the new 15, 25, and 28 in your map.

23 What's -- what's the difference, and why would we
24 have something with lower Popper scores than Robert
25 Popper's map when he testified for the governor's office?

1 MR. POREDA: Thank you, Senator. I remember when
2 he testified, I don't remember what map you are
3 specifically referring to or what criteria he was using to
4 identify any of that.

5 I do know that mathematical compactness scores,
6 both -- of all the three, of the three big ones, the
7 Polsby-Popper score, the convex hull score, and the Reock
8 score are good guides to help with redistricting; however,
9 they all have flaws. Each one of them can misinterpret
10 how some compactness is done.

11 For example, Reock -- the Reock score does not
12 treat rectangles or squares very well, and other shapes
13 like that. Other scores may have similar things, where
14 you could -- they don't do a great job of calculating the
15 scores on different shapes.

16 So I would caution using them as a hard and fast
17 rule, and use them more as a guide, as a tool, in
18 conjunction together, especially looking at an entire
19 region, because sometimes one district might have gone
20 down, but that might have helped improve other districts
21 in the area or in the region.

22 And that -- that's what I'll say with that.

23 But again, I can't speak specifically to the
24 districts or the analysis that he did, because I don't
25 have that in front of me and I don't remember what

1 districts he was analyzing at that particular time.

2 SENATOR DAVIS: Mr. Jazil, I think this one is
3 for you. So with the maps that were drawn the last time,
4 and Mr. Poreda, Jason, being the map drawer, we've heard a
5 lot about race-neutral, population, and why we're here
6 today.

7 So my question I posed to you is, do you think
8 the maps that he drew in 20 -- 2022 are un --
9 unconstitutional or were they unconstitutional?

10 Are they unconstitutional?

11 MR. JAZIL: So -- so Senator, if the question is
12 do I think that the 2022 enacted map is unconstitutional,
13 my answer is no, not yet, is my best answer.

14 SENATOR DAVIS: And last one, going back to --
15 well, not last one, but let's go back to that map, because
16 I'm just really curious how we're not looking at that --
17 by the way, partisan gerrymandered map that was seen by
18 the nation.

19 Are you guys concerned that that was the first
20 map that the nation saw? That map was partisan
21 gerrymandered. That's what was seen by the world, with
22 Florida redistricting.

23 So is there not a concern that that map was out
24 there? Is -- is the governor not concerned that's what he
25 presented? Because that was a partisan gerrymandered show

1 of a map. That was the first map released to media.

2 MR. POREDA: Thank you for the question, Senator.

3 I'm aware of the map that went out, but again, I
4 did not produce that map. I don't know who produced it or
5 how or what data was overlaid to show that particular
6 result. So I -- I don't -- I don't -- I certainly am not
7 going to speak for the governor, so I -- I don't know.

8 SENATOR DAVIS: Okay. So, Senator -- Senator
9 Bradley was on top of what specifically the rural -- rural
10 counties, but if we're dealing with race-neutral and we're
11 dealing with population, I think you answered it, but I'm
12 going to give you specific counties.

13 St. Johns County is the fastest growing county --
14 let's name them. Walton County is the third fastest
15 growing county in population.

16 If we are dealing with race-neutral and
17 population, why was CD6, nor CD7, touched in any way?

18 Those are North Florida areas. And I know you
19 said you started from 21 and you went out, but I've seen
20 your work before, and I'm going to say it. This, in my
21 opinion, is not your work. I've seen your work, Jason.

22 The -- the -- I heard you say the populations
23 have to be exact in the congressional districts, but you
24 didn't follow some of the county lines that you could have
25 followed to make things compact -- more compact.

1 You didn't follow some of the municipal lines and
2 things like that, that you could have done.

3 CHAIR PASSIDOMO: Senator Davis?

4 SENATOR DAVIS: Yes.

5 CHAIR PASSIDOMO: I'm sorry to interrupt.

6 SENATOR DAVIS: I'm sorry.

7 CHAIR PASSIDOMO: You're asking questions.

8 SENATOR DAVIS: Yes.

9 CHAIR PASSIDOMO: And I -- and I think when
10 you're casting aspersions on whether or not it was him or
11 not, I think that's inappropriate.

12 SENATOR DAVIS: Okay. Thank you, Madam Chair.

13 So you -- you -- you -- again, I've seen your
14 work. This is questionable, for me, but I -- I just
15 wanted you to want to answer that: Why was those North
16 Florida counties not touched, CD6, CD7, when St. Johns
17 County is number 1 in population and Walton County is
18 number 3?

19 MR. POREDA: Thank you, ma'am. First of all, let
20 me address, I am definitively the only person who drew
21 this map, and I appreciate that you like my previous work.

22 This is also my work. It might have a slightly
23 different interpretation or methodology in how I applied
24 all of the traditional redistricting principles, but this
25 is definitely my work, as is all of the other work.

1 I would also disagree slightly with your
2 interpret -- interpretation of some of the compactness and
3 some of the following county and municipal lines.

4 An example of that would be the CD15, which I
5 could have made look more visually compact if I split more
6 counties, but I didn't.

7 So some of those more traditional principles that
8 you've seen in previous work that I've done is in this.

9 This is just a slightly different way of putting
10 the pieces together. As I've mentioned, for many years
11 since I started this, there's always more than one map
12 that can be a good map. There -- you're not trying to
13 find the best map or anything. There are many different
14 ways that you can put all that together.

15 And that dovetails into your final point of the
16 question of why St. Johns County, which is, according to
17 the estimates, the fastest growing county in the state.

18 I have Walton County at number 5, not number 3,
19 but -- on the EDR, but to your point, in balancing all of
20 the different redistricting criteria and trying to
21 mitigate the changes that this mid-decade redistricting is
22 doing in the map, we could -- I could have driven -- drawn
23 all throughout the map and changed every district, but I
24 had a desire to balance everything, including the
25 principle that is keeping the core of retaining existing

1 districts, in addition to all of the other criteria that
2 I'm putting in the map, and trying to mitigate the changes
3 as much as I can.

4 So there are some counties in redistricting,
5 because you're looking holistically across the entire map.

6 You can never draw a redistricting map where
7 every region is per -- where every county and where every
8 city is perfectly happy with the way things went.

9 And that's because you're looking at the map
10 holistically and you're trying to put the entire map
11 together in all the different districts.

12 So there's -- in Walton County or St. Johns
13 County, it just wasn't necessary to change all of the
14 other counties surrounding them that may have not grown as
15 fast, just to get the St. Johns County to factor that in.

16 It will certainly be addressed during the next
17 redistricting cycle when that comes up, but in this
18 particular one, in this mid-decade redistricting, it just
19 wasn't necessary to make those changes more far-reaching
20 than they needed to be, considering this was starting
21 mostly with the population growth, but also drawing a
22 race-neutral map, where the one district that was really
23 at issue was CD20 in South Florida.

24 So the majority of the changes were there that
25 then rippled from there, until the ripple ran out.

1 CHAIR PASSIDOMO: Any other questions from any
2 other members? Okay. Thank you, gentlemen. Appreciate
3 your thorough responses to our questions.

4 What we're going to do next is we're going to
5 move to Tab 5, SD -- SB 8-D on establishing the
6 congressional districts of the State by Senator Gaetz.

7 You are recognized to explain the bill.

8 SENATOR GAETZ: Thank you, Madam Chair.

9 Senate Bill 8-D is the governor's bill proposing
10 28 congressional districts. Counsel's and Mr. Poreda's
11 presentation and explanation on behalf of Governor
12 DeSantis is the bill. What you have heard from these two
13 gentlemen is the bill, Senate Bill 8-D.

14 So as chair of ethics and elections, I have filed
15 the bill that you have just heard explained so that it
16 might be considered by this Committee and by the Senate.

17 Thank you, Madam Chair.

18 CHAIR PASSIDOMO: Thank you.

19 Senators, are there any questions specifically of
20 Senator Gaetz on... You are recognized.

21 SENATOR PIZZO: Thanks. President Gaetz, did you
22 get a copy of this proposed clutch of 28 congressional
23 districts after it was -- some of us saw it on national
24 media?

25 CHAIR PASSIDOMO: Senator Gaetz, you're

1 recognized.

2 SENATOR GAETZ: Thank you, Madam Chair.

3 Senator Pizzo, I received from the governor's
4 office a -- an email at 11:58 in the morning that, uh, had
5 included in it the governor's proposal. I did not receive
6 the -- the map that was released to Fox News before anyone
7 else saw it, I would suspect.

8 I, uh, the first thing I saw was the governor's
9 proposal, as it was transmitted to me.

10 I then transmitted it to the president's office,
11 and it was immediately transmitted to all senators, but I
12 did not see any other map or characterization of a map
13 before that point.

14 SENATOR PIZZO: Just follow-up?

15 CHAIR PASSIDOMO: You're recognized.

16 SENATOR PIZZO: And I believe that was an
17 11:13 a.m. email this past Saturday, correct?

18 CHAIR PASSIDOMO: You're recognized.

19 SENATOR GAETZ: Thank you. No, it was not. It
20 was 11:15 a.m. Eastern Time, April 27th.

21 SENATOR PIZZO: 27th, sorry. Thank you, ma'am.

22 CHAIR PASSIDOMO: Any other questions of Senator
23 Gaetz? You're recognized, Senator Berman.

24 SENATOR BERMAN: Thank you, Madam Chair.

25 Senator Gaetz, did the legislature have any input

1 into the map before it was presented to you on Monday?

2 SENATOR GAETZ: Madam Chair?

3 SENATOR BERMAN: You're recognized.

4 SENATOR GAETZ: Thank you, Madam Chair.

5 No, Leader Berman, speaking for myself, I had no
6 input into the development of the maps. I met with no one
7 from the governor's office or no one representing the
8 governor's office, as to this matter.

9 The first time I saw this proposal was when,
10 uh -- was at 11:15 in the morning on the 27th of April,
11 and then immediately had it transmitted to all members of
12 the Senate.

13 SENATOR BERMAN: Thank you. Follow up?

14 CHAIR PASSIDOMO: You're recognized.

15 SENATOR BERMAN: Thank you.

16 What is the legislative objective in engaging in
17 this mid-district -- mid-decade redistricting now?

18 CHAIR PASSIDOMO: You're recognized.

19 SENATOR GAETZ: Madam Chair. I can only speak
20 for myself and my perspective in that regard.

21 I can say that the governor has a constitutional
22 role in congressional redistricting.

23 Unlike the governor's role in legislative
24 redistricting, which is limited, extraordinarily limited,
25 the governor has a role in congressional redistricting.

1 And so we, as the legislature, received the
2 governor's proclamation to come to special session to take
3 up this matter.

4 And so it would seem to me that the leg -- the
5 legislature's interest is in -- in following the law, by
6 assembling in special session and taking up the governor's
7 proposal.

8 SENATOR BERMAN: Were -- thank you.

9 Were we influenced by the mid-districting
10 reddec -- mid-decade redistricting efforts in states like
11 Texas, California, Virginia?

12 SENATOR GAETZ: Madam Chair? I was not
13 influenced by any mid-districting efforts in any other
14 state. My only -- the only influence on me was, uh, when,
15 as chairman of the Committee of Ethics and Elections, I
16 was asked if I would receive the bill from the governor's
17 office and transmit it to the Senate.

18 SENATOR BERMAN: I -- I guess the follow-up would
19 be, do you know if that was part of the governor's
20 motivation in directing us to prepare a map, a response to
21 Texas, California, Virginia?

22 CHAIR PASSIDOMO: You're recognized.

23 SENATOR GAETZ: Thank you, Madam Chair.

24 Respectfully, I can't speak to the governor's
25 motivation, I can only report to you what occurred, and

1 that is that the governor made a proposal. The proposal
2 is in front of you now. It's been explained by the
3 governor's representatives, and -- and -- and that is the
4 entirety of my knowledge of the matter.

5 SENATOR BERMAN: Okay. Final question.

6 So this is not like 2022, when we had to enact a
7 new map, in light of the census.

8 So isn't it true that this legislature now has
9 the ability to stop any redistricting at this point?

10 CHAIR PASSIDOMO: You're recognized.

11 SENATOR GAETZ: Thank you, Madam Chair.

12 I defer to -- to counsel for the Senate as to
13 what the legislature can and can't do.

14 But it is my understanding that -- that having
15 presented this bill, which was explained by the governor's
16 representative, having presented this bill now to this
17 Committee, that this Committee has the prerogative of
18 voting it up or down, and either presenting it or not
19 presenting it to the full Senate, which has the
20 prerogative of voting it up or down.

21 But beyond that, I would defer to counsel as to
22 the legislature's prerogatives.

23 SENATOR BERMAN: Okay, thank you.

24 CHAIR PASSIDOMO: Senator Jones.

25 VICE CHAIR JONES: Thank you so much, Madam

1 Chair. Very quickly, it's -- Senator Gaetz, thank you so
2 much.

3 So -- so would you agree that even if -- if
4 there's a change in parties of the incoming governor, that
5 mean that the incoming governor could come in and do the
6 same thing to a congress -- to the congressional
7 districts; am I correct?

8 CHAIR PASSIDOMO: You're recognized.

9 SENATOR GAETZ: Thank you, Madam Chair.

10 I have no knowledge of what the incoming governor
11 could or should or might do. I can only tell you that we
12 have been called here in response to the governor's call
13 for a special session. I -- I have no idea what any
14 future governor might do.

15 VICE CHAIR JONES: Well -- thank you, Madam
16 Chair. What I'm trying to say is, do you believe that
17 we're setting a type of precedent that any executive
18 officer could come in and just -- and do what the governor
19 is doing right now? Or should I ask differently: Has
20 this been done in any known history by any other governor,
21 that you know of?

22 CHAIR PASSIDOMO: Senator Gaetz.

23 SENATOR GAETZ: Thank you, Madam Chair.

24 I -- I would defer to counsel for the Senate to
25 answer the legal aspect of your question.

1 I would just say that from my own research, it
2 appears that there have been four times that -- that the
3 Florida legislature has done a mid-decade redistricting in
4 response to various stimuli, various provocation.

5 But I -- I -- I certainly wouldn't want to
6 venture a legal opinion as to what a future governor might
7 do or what a future legislature could do.

8 VICE CHAIR JONES: Thank you.

9 CHAIR PASSIDOMO: All right. Any other
10 questions? Okay, what we're going to do is we have -- I
11 don't know if you-all know, we've got people sitting in
12 various rooms throughout this building that want to
13 testify. A number of people have their cards with them.

14 I'm going to take a five-minute break so those of
15 us who have been sitting here patiently could use
16 facilities, and in the meantime, the sergeant's office is
17 putting together sort of a line of people -- because I
18 want to be able to get everybody here.

19 We have about -- I think we have about 90 cards.
20 About half of them, bless your heart, are waiving, but --
21 and there may be more who want to speak.

22 So, while we take our break, sergeant's office
23 can kind of manage that, we'll be back and then we'll go
24 through public testimony.

25 So how we're working this, just for those of you

1 who are probably watching this on the Florida channel, we
2 have, in order to accommodate all of our public speakers,
3 we are having them -- they're in different places all over
4 this building. They're all coming in, we're lining up.

5 And as you come to the podium -- we're going to
6 start with the line. I don't know who -- who's -- since I
7 don't have the cards here, please state your name, and
8 we're going to try -- I want everybody who has taken the
9 time and effort to come to the Capitol, to have an
10 opportunity to speak. I am glad that we have a lot of
11 people who have filled out cards to speak but have changed
12 to waive, and I really appreciate that.

13 We're going to limit, unfortunately, to about a
14 half a minute, and I know that doesn't seem like a lot,
15 but it actually is, if you're concise and state new
16 points, and if -- and if you are listening and you hear
17 some of -- somebody saying exactly what you wanted to say,
18 go ahead and waive in support or against the bill.

19 So let's start, whoever's first in line.

20 MEMBER OF THE PUBLIC: Greetings, y'all. I'm
21 Yeremia Ruiz Evans. I'm a second year political science
22 honors scholar attending Florida Agricultural Mechanical
23 University.

24 Let me start by saying about 10 years ago, I was
25 back in elementary school, and on the playground we played

1 lots of games. I was never good at any, but one thing
2 about that is -- oh, a little glitch. If I'm -- if I was
3 losing the game, I never tried to change the rules.

4 If we apply that to today, if you're losing an
5 election, the -- the solution would be organizing better.
6 That's how we're going to win elections, that's how it
7 should be. We should definitely vote no on this map, find
8 a better solution. Thank you. Have a great day.

9 CHAIR PASSIDOMO: Thank you for your testimony.

10 And then hand the yellow card to Sergeant when
11 you're finished. You're recognized.

12 MEMBER OF THE PUBLIC: Yes, thank you, Chair.

13 Quinn Diaz from Equality of Florida. Equality of
14 Florida opposes this map because it takes power from
15 voters and hands it to politicians. When maps are
16 manipulated, elections become less competitive,
17 accountability weakens, and voters lose real choice.

18 That is exactly what this map is designed to do,
19 to predetermine outcomes, and the harm falls hardest on
20 communities of color, which are split and packed so their
21 voting power is diluted. That's just not unfair, it's
22 unconstitutional, and exactly what Florida voters banned.

23 Maps cannot favor a political party or diminish
24 minority voting power. This map does both.

25 Our constitutional protections exist for this

1 moment, to stop this. Please reject this map. Thank you.

2 CHAIR PASSIDOMO: Thank you. Next.

3 And I congratulate you-all on 30 seconds exactly.
4 You must have been practicing. You're recognized.

5 MEMBER OF THE PUBLIC: Hello, Aureliconoda Rauì,
6 SPLC. We urge you to end this partisan process. To be
7 clear, crystal clear, if this wasn't about partisanship in
8 Congress, you'd also be redrawing the state legislative
9 maps right now, but you're not because that has no bearing
10 on the national conversation about the partisan control of
11 Congress after the midterm elections.

12 You don't have to do this. Our democracy depends
13 on people in positions like yours choosing to follow
14 the -- the law, even when it's inconvenient for polit --
15 party politics.

16 Without a new census or a court order, this comes
17 down to politics, and politics isn't a lawful reason to
18 redraw maps in Florida. Please do the right thing, follow
19 the law, and end this process immediately. Thank you.

20 CHAIR PASSIDOMO: Thank you. Next.

21 MEMBER OF THE PUBLIC: Good afternoon, Chair
22 Passidomo. I'm Kara Gross, the interim political director
23 of the ACLU of Florida, and the ACLU of Florida opposes
24 this partisan power grab. I want to be very clear, the
25 State's entire position is that they don't need to uphold

1 the Constitution. Article III, Section 20 of the Florida
2 Constitution is clear; no district shall be drawn with the
3 intent to favor or disfavor a political party.

4 What Governor DeSantis and the Florida
5 legislature are attempting to do is unconstitutional,
6 illegal, and an affront to every Floridian who voted in
7 favor of fair district amendments. We urge you to uphold
8 the law and to stop wasting taxpayer dollars passing
9 unconstitutional bills. Thank you.

10 CHAIR PASSIDOMO: Thank you. Wrong way. You're
11 going the wrong -- go that way. We'll get this right.

12 You're recognized, sir.

13 MEMBER OF THE PUBLIC: Good afternoon, Senators.
14 I'm the Reverend Dr. Russell Meyer of the Florida Faith
15 Advocacy Office, and I now live in Jacksonville, after
16 having lived in Lakeland and then in Tampa. It would be
17 nice to vote for the same congressperson two elections in
18 a row.

19 This is a time when we are facing the moment of
20 the process of corruption. Corruption occurs when the
21 diversity of opinions are silenced in a society so that
22 only one opinion matters, and then that corruption works
23 down and harms every household in the nation.

24 And we know this is the case just by reading the
25 news about what happened in Hungary a few weeks ago.

1 People rose up overwhelmingly, even though they
2 couldn't have access to media and et cetera, and rejected
3 the corruption of that state. This -- this process has
4 been moved forward by the same process that corrupted
5 Hungary. Say no. Stop the corruption now. Thank you.

6 CHAIR PASSIDOMO: Thank you for your testimony.

7 MEMBER OF THE PUBLIC: Good afternoon. My name
8 is Amy Keith with Common Cause. We ask you to please
9 reject this map. The people of Florida knew they were
10 banning partisan maps 15 years ago when they passed the
11 Fair Districts Amendment, and the people of Florida still
12 want to ban partisan maps. Poll after poll after poll,
13 Republicans, Democrats, and Independents, have told us
14 that the people of Florida reject partisan maps.

15 And the US Supreme Court affirmed in Common Cause
16 v. Rucho in 2019 that states do have a right to ban
17 partisan gerrymandering, and that is what we did in the
18 state of Florida. We banned it for a reason.

19 We banned it because the people of Florida do not
20 want their communities chopped up for the benefit of a
21 political party. We also know the people of Florida
22 deserve to have a meaningful voice in a transparent
23 redistricting process.

24 This map defies the law of Florida, it defies the
25 will of the people of Florida, and it does so while

1 shutting the people of Florida out. Who are the map
2 drawers afraid of? It sounds like they are afraid of the
3 voters, and they should be.

4 CHAIR PASSIDOMO: Thank you.

5 You're recognized, ma'am.

6 MEMBER OF THE PUBLIC: Hello, good afternoon. My
7 name is Giordani Cipietro. I am a young Hispanic student
8 and a first-time voter in the Osceola County.

9 I believe voting should mean that we have a voice
10 and a fair representation, but this bill, that promise
11 does not feel in reach of us. Community -- communities
12 like mine, diverse, hardworking, and growing, deserve to
13 be heard, not diluted.

14 As a first-time voter, this makes me discouraged
15 and makes me feel like whether my vote truly counts.

16 This isn't about me, it's about ensuring every
17 voice in our community is represented. I urge you to
18 consider the impact of this vote, of this bill, and
19 protect fair representation. Thank you all.

20 CHAIR PASSIDOMO: Thank you.

21 MEMBER OF THE PUBLIC: Good afternoon. Karen
22 Woodall, Florida Center for Fiscal and Economic Policy.

23 Y'all, I've seen four decades of redistricting.

24 In 1982, there were 24 public hearings throughout
25 the state. In 1992, there were 32. In 2010, there were

1 26, and in 2020, there was a web portal created for input
2 from constituents.

3 Throughout all that, there were multiple meetings
4 with more testimony and the involvement of, like, you
5 guys, the elected officials, the legislators.

6 I have never heard of one person drawing a map
7 with absolutely no impact. I would urge you to reject
8 this exclusive process. There's no urgency.

9 Please vote no on this.

10 CHAIR PASSIDOMO: Thank you.

11 MEMBER OF THE PUBLIC: Hello, Katherine Belina
12 representing myself. I'm going to waste a couple --

13 CHAIR PASSIDOMO: Sorry, say your name again.

14 MEMBER OF THE PUBLIC: Katherine Belina
15 representing myself. I'm going to waste a little bit of
16 my time, and just say it was very difficult to watch this
17 side pay absolutely no attention to the entire hearing,
18 most of them.

19 CHAIR PASSIDOMO: Please don't comment about us.

20 MEMBER OF THE PUBLIC: Yeah, and it's hard to
21 show that they don't even interested in what we're saying.
22 It's -- I -- I got up at 4:00 o'clock in the morning and
23 traveled two-and-a-half hours to be here. So it would
24 just be common courtesy to listen to what the voters are
25 saying.

1 With that being said, you know, I can say what
2 some of the senators didn't want to say, is we are not
3 stupid. The voters aren't stupid. The people behind me
4 aren't stupid and nobody up here is stupid. We all know
5 what's going on here today. This is gerrymandering.

6 That map shown yesterday was the correct map.
7 They even said it was the correct map. It's the same map,
8 just not drawn in red. I don't understand how anybody
9 don't see this as corruption and can be okay with what is
10 happening here today. It -- it -- it's mind boggling.
11 I'm shaking in frustration. And please, I implore you to
12 vote no. This map will be changed one day, but your names
13 are going to be forever in history voting yay or nay on
14 this bill. Thank you.

15 CHAIR PASSIDOMO: Thank you for your comment.

16 Ma'am -- ma'am, the other way. I'm sorry. We're
17 getting with the plan. You're good. We're good.

18 You're recognized.

19 MEMBER OF THE PUBLIC: Hello. My name is Ash.
20 I'm from District 15 and it seems as though the governor
21 is retaliating because we flipped our seat to a Democrat.

22 One man is moving us into majority MAGA counties
23 like Pasco and Citrus. We do not want this. They're
24 erasing all of the minorities that are in Tampa.

25 This legislation has already made it clear in our

1 regular session that they will do anything to further
2 perpetuate white supremacy and systemic racism in this
3 state. It's abhorrent. Please stand with all of your
4 constituents and stop the blatant attempts of the erasers
5 happening in this state, and vote down on redistricting.

6 Thank you.

7 CHAIR PASSIDOMO: Thank you for your comments.

8 MEMBER OF THE PUBLIC: Hey, my name is Colton
9 Taylor. I'm speaking on behalf of myself. I just want to
10 echo the comments that the mapmakers said that this is the
11 same map that was shown on Fox News, it's just he didn't
12 draw it in red. But yeah, I think that the governor's
13 afraid, I think the president's afraid. They want to try
14 to rig the elections to make sure that they stay in power.

15 I would highly recommend just voting down on
16 this, just to keep Florida free. We don't want voters
17 disenfranchised. We want everything to be free and fair,
18 just like Trump always talks about. So yeah, please vote
19 down. Thanks.

20 CHAIR PASSIDOMO: Thank you for your comments.

21 MEMBER OF THE PUBLIC: Thank you, Madam Chair.
22 My name's Harrison. I am with Voices of Florida Fund.

23 And this is my fourth year doing legislative
24 advocacy at the Capitol, and I think out of all of the
25 time that I've been here, this is one of the messiest

1 legislative processes I've seen.

2 This Committee is expected to vote on a map that
3 they have had less than 24 hours to actually digest and
4 look at and talk to voters about. This is the first time
5 I know of that a Senate Committee is actually seeing this
6 map.

7 On top of that, you know, everything does point
8 to the fact that this is a partisan power grab. There
9 were some wonderful questions that were asked, really
10 important ones, but I don't think that we really got a lot
11 of meaningful answers on any of those.

12 And I think that between that, between the data
13 that was accessed, between the map that Fox News was sent,
14 this is very obviously a partisan power grab, which is
15 illegal under the Florida Constitution. And so, like --
16 it's illegal. I think that this bill just has no legal
17 ground to stand on, so thank you.

18 CHAIR PASSIDOMO: Thank you for your comments.

19 Next. You're recognized.

20 MEMBER OF THE PUBLIC: Good afternoon. Mike
21 Sells, District 4 super voter, representing Indivisible
22 Jax Riverside and Ford Party.

23 Thank you for your time. Redistricting
24 typically, after the census, is a yearlong process. What
25 are we -- what are we actually doing here, right?

1 We're -- we're actually humoring an off-cycle
2 gerrymandering directive from the felon-in-chief to our
3 state beta, right? It was designed with bad data, in a
4 condensed timeframe, to do one thing, blot out the
5 vibrancy of our state.

6 This is an example being -- a living example that
7 race -- being race-neutral isn't benevolent. It's the
8 exact reason why we need DEI, in our state. They kept
9 repeating, we looked at the totality when we created this
10 map. We looked at it too. Garbage in, garbage out.

11 CHAIR PASSIDOMO: Thank you for your comments.

12 Next. Hello.

13 MEMBER OF THE PUBLIC: Hello. Larry Downs Jr.
14 Plumbing, LLC, because fecal matters. All right.

15 CHAIR PASSIDOMO: I know. I like the hat.

16 MEMBER OF THE PUBLIC: Real -- real quick, real
17 quick. Listen, I think we're screwed either way. I mean,
18 I'm a libertarian. I think all Democrats and Republicans
19 have really done a number on us. I'm 56 years old. I've
20 watched it all my life. I know they can think Democrats
21 are great and Republicans are great. They're not.
22 They're not. I -- I hate to be offensive, but it's true.

23 We just end up with more laws, more nonsense,
24 more debt, more bombs, more band-aids, and more vaccines.

25 Let's get rid of 'em.

1 CHAIR PASSIDOMO: Larry, you're going the wrong
2 way -- well, of course.

3 MEMBER OF THE PUBLIC: And he was very polite to
4 me. So I'm Leslie Grubel and I'm from Longwood in
5 Seminole County.

6 And I want to say the testimony here has shown me
7 something today. Redistricting is, of course, one of the
8 most impactful decisions our legislature could make.

9 As a citizen, I feel we are taking the cart
10 before the horse, and it is moving fast, honey.

11 The assumptions about population growth --
12 assumptions, guesses -- assumption about future court
13 rulings, assumptions by lawyers -- all, to me, this
14 suggests that we should wait. We should wait for these
15 answers. We should get the facts. The facts, not
16 assumptions, not guesses, and wait for the traditional
17 census data, and wait for the future court cases.

18 Let's not guess. This is way too important for
19 your elections and for our votes.

20 And I want to also add, if I have a moment --

21 CHAIR PASSIDOMO: Well, your moment's done, but
22 real quick.

23 MEMBER OF THE PUBLIC: Thank you, okay.

24 There was an Emerson College polling voting
25 survey in 2026, and it said 50 center -- 56 percent of the

1 people think that redistricting mid-decade is a bad idea.

2 CHAIR PASSIDOMO: Okay. Well, thank you for your
3 testimony.

4 MEMBER OF THE PUBLIC: Hello. My name is Jason
5 Thornton. I'm a 17-year-old high school student
6 representing Gencruleo in strong opposition of mid-decade
7 redistricting. This bill -- but the problem is Florida is
8 not structured like other states. You are taking the
9 power from the people and quite frankly, setting a
10 negative connotation for new voters.

11 Why vote, if the elected officials in Tallahassee
12 will just redistrict your county when the election gets
13 close enough? No state should be gerrymandered or
14 mid-decade redistricted as it shifts the power from the
15 people. I urge you to take this account when voting
16 onward. Thank you for your time.

17 CHAIR PASSIDOMO: Thank you for your brevity.

18 MEMBER OF THE PUBLIC: Good afternoon, Chair and
19 members. My name is Samantha Cadis, representing the Cleo
20 Institute, and I often am here speaking to you about being
21 a good environmental steward, not building golf courses on
22 our state parks, but I'm here to tell you that every issue
23 I care about starts with voting, especially young votes,
24 and I care that every Floridian who is registered to vote
25 deserves equal access to the ballot.

1 And I fear that if you redistrict, this will
2 intimidate and confuse young voters who are voting for the
3 first time or the second time. And a young, confused
4 voter flat out doesn't vote. And I'm very concerned that
5 this redistricting process will silence the youth vote, so
6 please vote no. Thank you.

7 CHAIR PASSIDOMO: Thank you for your comments.
8 You have to bring that down a little bit.

9 MEMBER OF THE PUBLIC: Oh, thank you. Good
10 afternoon, Senators. My name is Colleen Cann. I'm from
11 Davenport in Polk County. That's District 5.

12 I came here to urge you not to redistrict
13 Florida. It is against the Florida Constitution. It is
14 nothing more than a partisan power grab, and it will
15 further disenfranchise your already vulnerable,
16 marginalized constituents. Thank you for your time.

17 CHAIR PASSIDOMO: Thank you for your comments.

18 MEMBER OF THE PUBLIC: I'm Brian Higgins. I'm a
19 registered Republican, and I do want to -- and a member of
20 Jacksonville Indivisible.

21 So I ask you that you follow your oath complying
22 with the Florida's Constitution by voting no on SB 8-D,
23 since the redistricting map was not created by the
24 legislature, as the Constitution requires.

25 And that map is clearly a partisan creation and

1 not based on factual population data.

2 Just remember that what you vote can come back to
3 haunt you in the future, and voters remember. Thank you.

4 CHAIR PASSIDOMO: Thank you for your comments.

5 Oh, my.

6 MEMBER OF THE PUBLIC: Good afternoon. My name
7 is Cheryl Bell. I'm from St. Augustine, St. Johns County.

8 The Fair District Amendments to the Florida
9 Constitution enacted in 2010 were created to prevent
10 mid-district -- mid-decade redistricting.

11 These amendments prevent illegal and unfair
12 gerrymandering for parties or incumbents.

13 Today we're looking at redistricting in the
14 mid-decade, and it's, frankly, illegal in the state of
15 Florida. These amendments were created by the people, and
16 as it stands today, most people, regardless of party
17 affiliation, want to avoid gerrymandering at all costs, so
18 I ask that you please vote against these maps. Thank you.

19 CHAIR PASSIDOMO: Thank you for your comments.

20 MEMBER OF THE PUBLIC: Hello. My name's Cyn
21 Doyle. I'm with Lake County Indivisibles. Let's all be
22 honest. This all came from Trump. Everything he touches
23 turns into destruction. Let's not have him destroy our
24 state, our great state of Florida. We are better than
25 this. We're better than him. You all don't have to bow

1 down to him. Be with us, we the people. We love you.

2 You're asking the right questions. Keep it up.

3 Thank you.

4 CHAIR PASSIDOMO: Thank you for your energetic
5 comments.

6 MEMBER OF THE PUBLIC: Good afternoon. My name
7 is Shannon Kever, and I am with Voices of Florida Fund.

8 And I am also representing my family because I am
9 a very tired homeschool mom of two special needs kids who
10 had to make special arrangements to be here.

11 So to those of you who are defending democracy,
12 thank you. This is not redistricting. I'm not going to
13 use that word. It's gerrymandering, it's cheating.

14 And if you guys want to get elected, get out,
15 talk to your voters, get to know them, and then when you
16 get in office, actually represent them.

17 That is how you do this the right way. This is a
18 250-year experiment of democracy that I would like to keep
19 going, and I would really like my children to have a voice
20 when they grow up. Also, I've been hearing today
21 racial -- race-neutral, race-neutral, race-neutral, and it
22 just seems that when I'm hearing "race-neutral" coming
23 from white legislators, it's always one race that seems to
24 have their voices diminished, and that's wrong.

25 Thank you.

1 CHAIR PASSIDOMO: Thank you for your comments.

2 MEMBER OF THE PUBLIC: Hi, there. I'm Zaide
3 Smith. I just want to take a second for you guys to
4 consider the crowd of people behind me, the packed room,
5 the line snaking out the door.

6 These people traveled hours and hours to talk to
7 you, and y'all know the price of gas right now. This was
8 not easy for these folks, but they came here because they
9 have faith in you. You are their elected officials.

10 They chose you to represent them. Please do not
11 let them down. I am begging you to not let them down.
12 They want their voices heard. That's why they came all
13 the way here today. There was an elderly gentleman that
14 passed out in the heat outside today, waiting to come in
15 and talk to y'all. That's how important it is to have
16 their voices heard. That's what that means to them.

17 So please sit with that and think on how
18 important it is to them to be heard and then hear them
19 today. Thank you.

20 CHAIR PASSIDOMO: Thank you for your comments.

21 MEMBER OF THE PUBLIC: My name is Lily Smith and
22 I am 15 years old. You all know today -- today's map
23 breaks Florida's Fair District Amendment, which states no
24 opponent plan or individual district shall be drawn with
25 the intent to favor or disfavor a political party or

1 incumbent. This law could lead to expensive court battles
2 and many legal issues in the future. This map threatens
3 to weaken the power of communities of color, making an --
4 making it an unethical political move that silence voters
5 in marginalized communities.

6 So ask yourself, should you support this illegal
7 bill that only serves the right to a few people in power,
8 or do you want to stand up and vote no on these racist
9 maps? Please choose where you stand. Thank you.

10 CHAIR PASSIDOMO: Thank you for your comments.

11 MEMBER OF THE PUBLIC: Governor DeSantis last
12 night made his priorities crystal clear. His --

13 CHAIR PASSIDOMO: Just say your name, please.

14 Your name for the record.

15 MEMBER OF THE PUBLIC: Oh, I'm sorry. Lisa
16 Lloyd. Governor -- the governor made his priorities
17 crystal clear. It's not us, it's not the state of
18 Florida. It's not even -- I'm going to gesture on this
19 side -- it's not Republicans. They're sitting here.

20 He's -- he's pretty much interested in his own --
21 getting a job. So the problem is, those of you who are
22 still sitting here have careers here that you're planning
23 to be here for a while, and the litigation's going to take
24 place. Once this kicks in, if you pass it, which I would
25 strongly disadvise, because it's going to make you look

1 bad. It's already a joke across the country -- just
2 saying -- on Twitter and -- and everything else this
3 morning. We went from dangling chads to dummymandering.
4 That's our new phrase.

5 CHAIR PASSIDOMO: Ma'am.

6 MEMBER OF THE PUBLIC: And it means that --

7 CHAIR PASSIDOMO: Ma'am, I've -- I've let --
8 everybody's kept to 30 seconds. You're at 52.

9 MEMBER OF THE PUBLIC: I'm sorry?

10 CHAIR PASSIDOMO: Can you do another just 10, 15.

11 MEMBER OF THE PUBLIC: Yeah. I can't hear you.

12 CHAIR PASSIDOMO: Can you wrap it up, please?

13 MEMBER OF THE PUBLIC: And I've even got some
14 ears in. I was just going to say, let me just explain
15 the -- the dummymandering, so y'all know what it is --

16 CHAIR PASSIDOMO: Ma'am, you've already --
17 you've -- you've kind of overspent your time. Appreciate
18 it. Thank you.

19 MEMBER OF THE PUBLIC: Good afternoon. My name
20 is Latoya Reid Lewis. I'm a member of the Florida State
21 Conference NAACP. I'm also a resident of Polk County,
22 District 18, but I'm speaking on the behalf of community
23 of members who feel they are being fairly -- not fairly
24 represented by this Senate Bill 8-D.

25 My concern is not just the map, it's the intent

1 behind it. This bill redraws con -- congressional
2 districts in a way that raises serious concerns about
3 fairness, transparency, and equal representation.

4 So I ask why. What problem is this solving, that
5 the current map does not? And if -- if there is not about
6 impacting representation, then what is its true purpose?

7 Redistricting determines who has a voice and who
8 does not. When communities are divided without meaningful
9 input, it weakens that voice and erodes trust in its
10 process. Floridians deserve transparency, they deserve
11 fairness and they deserve to be a part of decisions that
12 directly impact their vote.

13 If inclusion is not part of this process, then I
14 respectfully oppose SB -- SB 8-D, and I ask you to oppose
15 it, and this map be redrawn with honesty, transparency,
16 and accountability. Thank you.

17 CHAIR PASSIDOMO: Thank you for your comments.

18 Ma'am, you're next.

19 MEMBER OF THE PUBLIC: My name is Beverly
20 Cassius, and I'm coming from Orlando. I'm a member of
21 Florida Rising. And basically, we're here to talk about
22 this redistricting and how it is basically taking power
23 and our voice from the black and brown community.

24 The only thing I'm requesting of you is to go
25 ahead and honor the Constitution, enforce it, give the

1 Constitution the power here, and say no.

2 Thank you so much.

3 CHAIR PASSIDOMO: Thank you for your comments.

4 MEMBER OF THE PUBLIC: Hello. My name is Deborah
5 Courtney. I'm from Jacksonville, Florida.

6 And my question for all of you is, why are you
7 doing redistricting now? I doubt that your phones have
8 been ringing off the hook from your constituents going,
9 hey, we need some new maps.

10 And if you notice the people in this room, I
11 don't think one person has talked in favor of this map.

12 So it's my understanding that you represent us,
13 not the people in Washington who have called for this
14 redistricting. So I'm asking you to please represent your
15 constituents, honor the Fair Districts map in the
16 legislation that we all voted for, and vote down this
17 partisan gerrymandered map. Thank you.

18 CHAIR PASSIDOMO: Thank you for your comments.

19 MEMBER OF THE PUBLIC: Hello, good afternoon.

20 My name is Katherine Ashby, and I'm here to urge
21 you to vote against SB 8.

22 No court has ordered new maps. No census has
23 been taken. The only thing driving this process is a
24 political calculation, not legal necessity.

25 Mid-decade redistricting is not prohibited, but

1 redistricting to prevent a -- benefit a political party
2 is. That's exactly what's happening here.

3 First, the governor -- governor's rationale fails
4 because even if the FDA is deemed unconstitutional, there
5 is no court order requiring new maps.

6 Second, any improper consideration of race was
7 supposedly remedied in 2022 when the governor redrew the
8 congressional maps.

9 Third, Callais has not been decided, and until it
10 is, the governor's entire rationale is merely conjecture.

11 The United States Supreme Court in *Rucho v.*
12 *Common Cause* cited the Fair Districts Amendment as a model
13 for how states can address extreme partisan
14 gerrymandering, and in the *League of Women Voters v.*
15 *Detzner*, the Florida Supreme Court held that once a
16 redistricting process is tainted by improper partisan
17 purpose, the burden shifts to the legislature to justify
18 the map. That burden will be yours to carry, for a map
19 you didn't even draw. I urge you to vote against SB 8.

20 Thank you.

21 CHAIR PASSIDOMO: Thank you for your comments.

22 MEMBER OF THE PUBLIC: Hello. Good afternoon.

23 My name is Teresa Guzman Pagan. I have the
24 pleasure of serving as the Director of Expanding Democracy
25 at Florida Rising. And I live in Florida's 27th District,

1 and here it puts me with the keys, which is mind-boggling
2 to me. None of you want to be here. None of you really
3 believe in this. Please pass a budget. Address the
4 affordability crisis. Please listen to -- to our
5 constituents. You know, it's an election year.

6 If you vote yes on this, it will be your stamp of
7 approval and you'll suffer the consequences this November,
8 so. Thank you.

9 CHAIR PASSIDOMO: Thank you for your comments.

10 MEMBER OF THE PUBLIC: My name is Asia Diaz. I'm
11 an Orlando resident and a proud staff member of Engaged
12 Florida. I work on the ground with Florida youth,
13 registering them to vote and hearing about what matters to
14 them. Speaking to students, we've noticed a decreased
15 faith in our government because of unconstitutional
16 actions like this from our very representatives.

17 This redistricting will worsen the pattern we
18 see. Our taxpayer dollars should be spent on addressing
19 the needs of your constituents, not on the governor's map.
20 I stand here strong, proud, and uplifted by the voices of
21 my community to say we oppose this unconstitutional
22 mid-decade redistricting. Thank you.

23 CHAIR PASSIDOMO: Thank you for your comments.

24 MEMBER OF THE PUBLIC: Hello. My name is Chloe
25 Scott speaking for Engaged Florida, the University of

1 Central Florida's League of Women Voter chapter, and
2 honestly, young people everywhere.

3 Having done extensive partisan outreach in both
4 my community and my college campus, honestly, I'm very
5 troubled by all of this. It's just discouraging.

6 My generation's outlook on politic -- on politics
7 and their faith in the institution of government is
8 severely damaged, and bills such as this are only going to
9 worsen it.

10 It's because of this that -- that we came here
11 today to call on our representatives of this beautiful
12 state to please do the right thing because we deserve
13 better. Thank you.

14 CHAIR PASSIDOMO: Thank you for your comments.

15 Oh, I watched you in the house.

16 You're going to be a little --

17 MEMBER OF THE PUBLIC: Sure. I'll -- I'll be a
18 little bit more chill in here.

19 CHAIR PASSIDOMO: I appreciate that. In 30
20 seconds, it's hard to go off.

21 MEMBER OF THE PUBLIC: It is. It's a little bit.
22 It's a little bit. Welcome, Committee. My name is
23 Matthew Gerholtski. And every single morning, I wake up in
24 the heart of downtown Orlando where I see a perfect view
25 of the courthouse. And every single day, I wonder about

1 the true justice that happens in that room.

2 And today, we're not seeing true justice through
3 this process. What we're seeing today is the erosion of
4 our democracy. We saw it in 2018 when Amendment 4 passed,
5 and then the legislature stole some of those rights.

6 We saw it when the legislature attacked direct
7 democracy right after Amendment 3, Amendment 4, just
8 because the governor did not like those issues.

9 And now we're seeing it today because the
10 governor is so scared of unemployment that he wants to get
11 a Trump cabinet position, but instead, I think he should
12 seek employment at Waffle House with his bestie James
13 Fishback. So today --

14 CHAIR PASSIDOMO: On that note --

15 MEMBER OF THE PUBLIC: I implore all of you to
16 vote against the rigging of our maps and to not stand for
17 the continued rigging of our democracy here in the state
18 of Florida.

19 CHAIR PASSIDOMO: Thank you for your comments.

20 Yes, you are.

21 MEMBER OF THE PUBLIC: Good afternoon. I am Rob
22 Woods. I am a -- I was born and raised in Pinellas
23 County, bringing greetings from the Suncoast.

24 I bought in, from elementary school all the way
25 up through college that we're supposed to be this

1 cohesive, everyone get along, let's make a bill, let's
2 just do -- let's do something that helps everyone else.

3 I was also told that the number one rule in
4 politics is that you need to know how to count.

5 Apparently, one side's counting a little bit
6 harder than the other, and I'm asking that that don't
7 happen. It seems as if we are back in that period of
8 reconstruction, moving back to Jim Crowism, and it's
9 unfortunate. I'm not here to pull a race card, I'm just
10 here because I served this country, having bought in.
11 I -- I pay my taxes. I do -- I'm just an ordinary guy.
12 No special organization or anything. Just asking you guys
13 to do the right thing, and just please remember, no means
14 no. Thank you.

15 CHAIR PASSIDOMO: Thank you for your comments.

16 So -- oh, one more.

17 MEMBER OF THE PUBLIC: Last but certainly not
18 least.

19 CHAIR PASSIDOMO: And -- and I do want to say to
20 those of -- of you who are here in this room or who are up
21 in the other rooms, everybody, the brevity was really
22 appreciated, and also so many of you that switched to
23 waive, and I'm going to -- after he's done, I'm going to
24 read all of those into the record.

25 MEMBER OF THE PUBLIC: Good afternoon, good

1 evening. My name's Robert Blemman from Tallahassee,
2 Florida. And I wasn't originally going to speak, but
3 seeing everybody up here, how this has motivated people,
4 it's transcended races, it's transcended ages, genders,
5 sexualities, everything.

6 And I think that we have to understand the first
7 document created in this country was the Mayflower
8 Compact. That was created to create just and equal laws
9 for everybody. And I cannot come to understand how it's
10 just and equal for 40 percent of the population to rule
11 over 60 percent of the population.

12 I don't understand how the minority can control
13 the majority. It doesn't make any sense to me.

14 And if anybody can explain to me why we think
15 that's okay, they can be more than happy to. But I just
16 wanted to say that. I think that this country was founded
17 on self-go -- self-governance and the policy of us being
18 free and having liberty and justice for all.

19 CHAIR PASSIDOMO: Thank you.

20 MEMBER OF THE PUBLIC: Thank you.

21 CHAIR PASSIDOMO: Thank you for your comments.

22 Anyone else who wish -- who has an appearance
23 card wasn't -- okay.

24 I am going to go through these. Gloria Calvin
25 waives against. Deborah Morningstar waives against.

1 Nita -- Nila Money waives in support. Susan Horowitz
2 waives against. Madeline Ballman waives against. Mary
3 Doheny waives in support. Pamela Birchfort waives -- from
4 the NAACP waives against. Linda Bell WAIVES in support.
5 Wrigley Thomas waives against. Christian Gonzalez
6 Orbegasa -- I'm really bad at this, I apologize -- waives
7 against. DeMarian Jones waives against, Tiasha Guzby
8 waives against. Dzellous Douglas waives against. Marius
9 Williams waives against. Marvin Douglas waives against.
10 Jeremiah Birch waives against. Amber Woods waives
11 against. Rebecca Parsons, against. Oliver Torres,
12 against. Mary Winn, League of Women Voters, against.
13 Barbara Harris, against. Princess Agano, against.
14 Antoine Williams -- or Antoine Williams, against. Sarah
15 Peacock, against. Ray Al -- Alcantara, against. Lawrence
16 Radcliffe, against. Zion Alford Bee, against. Larry
17 Hannon, against. Pakita Leone, against. Oh, boy, this is
18 one I -- Akita Mus -- that's a great name, but I can't say
19 it. You're against. Okay.
20 Heidi White, against. Allison Clark, against.
21 Margaret Simonos, against. Douglas Curry, against.
22 Mariah -- Maria Clopez, against. Denise Webb, against.
23 Anthony Bridgeforth, in support. Rubidi -- Ruby
24 Bridgeforth is against -- must be a family thing. I'd
25 like to hear your dinner conversations.

1 Daryl Alfred, against. Terry Condos, against.
2 Kathy Fitzpatrick, against. Mary Jo Kilcohen, against.
3 Melanie or -- Malcolm, last name. Merlene,
4 that's a pretty name, but I didn't -- against. Michelle
5 De La Cruz, against. Joanne Brooks, against. Joey
6 Arellano, against. Jessica Kelly, against. Marsha
7 Debrowski, against. Jenny Powell -- Paulosky, against.
8 Linda -- I'm sorry -- Linda Bridge, against. Barbara
9 Turner, Deli -- Deli -- Delisai, against. Kate Wrenchin,
10 against. Judy Shirkin -- Shirklin, against. Vicki
11 Pepper, against. Carol Brady, against. Joy Burgess,
12 against. Zion Forreman Jr., against. Nadine Huey,
13 against. Jonathan Burgess, against. Jessica Solano,
14 against. Jessica Ransom, against. And Charlita Sowell,
15 against. Okay. That's all public testimony.

16 We are in debate. Who would like to debate.

17 Well, the word, quickly.

18 SENATOR PIZZO: It's a relative term.

19 CHAIR PASSIDOMO: Yes, relative.

20 You're recognized.

21 SENATOR PIZZO: Equals MC squared.

22 Couple just sort of like housekeeping things, not
23 a debate. President Gaetz, I mean, there -- there's a
24 reason why you were asked to do this, because you're just
25 an absolute gentleman and have incredible, impeccable

1 moral and ethical code. So -- so your summer is not
2 wasted answer -- answering a bunch of unnecessary
3 inquiries, nobody, I don't think on either side of the
4 aisle thinks that you had any prior knowledge of this
5 whatsoever -- participation, communication, contact --
6 whatever. I know that might seem insignificant in
7 passing, but having some prior experience with litigation
8 closed session, it could be a very big deal.

9 That's number one.

10 Number two, I'm -- I'm -- I'm very interested to
11 see the FDLE investigation, as it relates to the leaking
12 of -- of map information that was produced at the
13 executive branch, that somehow made its way to national
14 media. I really want to know that our -- that our systems
15 and IT is secure, but somehow that map got to national
16 media and got leaked.

17 So I want to, you know, be sure that we keep that
18 on our radar, to make sure that we have secure servers
19 and -- and devices.

20 There's really nothing new in this. Some of us
21 may recall that after former Senator Rodriguez, now
22 Chancellor Rodriguez, had worked pretty diligently on maps
23 before, to the point that he got rid of a smartphone and
24 went to a flip phone because he didn't want to receive any
25 text messages, the governor tweeted, "This map is dead on

1 arrival." And then, you know, we -- we knew we had to,
2 like, redo it all -- all of a sudden.

3 It's nothing new and novel that we got something
4 handed to us from the governor's office. It's happened on
5 a number of bills. Some of us on this dais have received
6 language and had to backfill an idea that was announced
7 or -- or -- or said.

8 But let me say this: In other states, they're
9 celebrating the same idea inversely of -- of what
10 happened. We talked about configurations and shapes and
11 all that stuff. The Virginia map looks -- looks violative
12 of many of the concerns that -- that people have here.

13 Here's -- here's where we are: I'm going to
14 borrow a phrase from not the patriarch, but let's say the
15 avuncular figure of my former party. Don't boo, vote.

16 This should result in an overwhelming number of
17 the 4,052,000 Democrats, or the disenfranchised 3,338,000
18 NPAs, or the 478,000 minor party members, like that's --
19 like this gentleman from the Forward Party, to get out and
20 show in great, huge, great, rigorous numbers, a voracious
21 statement, signaling that this is violative of everything
22 that we hold to be dear and true, that we learned in first
23 grade. So don't boo, vote. Come out in huge numbers in
24 November.

25 CHAIR PASSIDOMO: Any other debate? You want to

1 save it for tomorrow? No, you're recognized.

2 SENATOR BERMAN: Thank you, Madam Chair.

3 And I think a lot of us are saving a lot of
4 things for tomorrow, but I do want to talk a little bit
5 about what we found out today, because it was actually
6 kind of shocking, some of the things that came out from
7 the map readers -- mapmaker.

8 You know, we all know that when we've done this
9 project before, we've spent countless hours.

10 In 2022, we dedicated eight hours to educating
11 members on redistricting law, nine hours considering 13
12 different map options, and four more hours for final
13 deliberation, with public comment at every stop.

14 And here we are with 24 hours of having a map,
15 and that's it. That's all we've done.

16 So this process is wrong. We shouldn't be doing
17 a map, be giving a map -- get -- having been given a map
18 24 hours. We heard the mapmaker's been working on it for
19 two weeks, and yet we get it 24 hours and we see it first
20 on Fox News, in color, and they have no idea how that
21 happened.

22 So there's so much wrong with this process, but
23 what I really object to is that it's violative of the Fair
24 District Amendment that 63 percent of us passed in 2010,
25 and we said we don't want maps that are gerrymandered. We

1 don't want maps that are drawn to favor an incumbent or a
2 political party. We want them to be drawn to deny -- to
3 give racial and language minorities equal opportunity. We
4 want them to be contiguous. We want them to be contact --
5 compact. We want them to make use of existing city,
6 county, and geographical boundaries, and this map does
7 none of that.

8 So -- and I'm also -- the thing I'm also the most
9 shocked about is that we heard today that they used
10 partisan data when they drew the map. They told us that,
11 that they used partisan data. And the reason why they
12 can't say that it's okay that we -- that Fair Districts
13 doesn't have to be struck down is because Fair Districts
14 says do not use partisan data. This is clearly
15 unconstitutional, and we heard that today.

16 And I just have so many problems with the
17 procedure and the violation, the illegal violation of
18 our -- of our constitution, and this is gerrymandered,
19 rig -- map rigging, and I don't see how anybody can
20 support it. Thank you.

21 CHAIR PASSIDOMO: Senator Jones.

22 VICE CHAIR JONES: Thank you so much, Madam
23 Chair. This is the epitome of playing in American
24 people's faces and also Floridian's faces. I don't know
25 if you all did, but I did, and I listened intently for a

1 reason to the map drawers and what they were saying and
2 how they were answering questions, because members, I
3 don't care what's happening across the country.

4 Based off of what we voted on in 2010, the people
5 of Florida basically told us, even they're telling us now,
6 that you-all -- we had a deal, and the deal was that we
7 weren't going to do what we're doing now.

8 But the fact that, that map drawers, he came
9 up -- and I wrote it down, because I want -- I want us to
10 understand, like, what we're -- what we're doing, because
11 it's dangerous. He said that what was presented by --
12 what was voted on by the American -- by the Floridians,
13 2010, he said there was -- it was constitutionally --
14 basically not right. I don't know the legal term.

15 Senator Pizzo, you can help me later. Confirm -- infirm.

16 Members, so what the people voted on, the map
17 drawers basically just said that Floridians were wrong --
18 so wrong that the Supreme Court didn't even challenge it,
19 y'all. And I asked the question.

20 There is and there was nothing wrong with the
21 Voting Rights Act of 1965. There is and there was nothing
22 wrong on July 19th, 1868, when the equal protection clause
23 was put -- brought forth. There is and there was nothing
24 wrong with the 2010 Fair Districts Act.

25 And I'm just going to be honest with you all,

1 because you all heard the same testimony I did. The map
2 drawer just said himself that they did use partisan data
3 to draw the maps. So nobody up here can say that this is
4 not politically motivated because it just would not be
5 true. He said it himself.

6 But to take it a step further, let's be honest on
7 why we're doing this. We're doing this because this is
8 the national temperature in conversation that's happening.

9 The governor himself said that he would follow
10 suit. Last week was canceled, whether they want to say
11 they were waiting on Virginia or not, it was canceled
12 because they wanted to see what the outcome of Virginia
13 would be, and it just so happened -- hap -- so happened
14 that now we are in legislative session to add four seats,
15 and I'm going to pause here.

16 Fox News receiving a map before us, the
17 legislators -- the legislators, is wild, to me. And
18 members, Democrats and Republicans, y'all should be pissed
19 off, because it's crazy that Fox News got the maps before
20 we, the elected body got the maps.

21 We should all be upset with the governor's
22 office. Yes, he can draw the maps, but it's crazy and
23 wild that the governor's office sent the maps to the news
24 station they -- before they even brought it to us.

25 Y'all know what that mean? He has no respect for

1 us. The governor has no respect for us who are duly
2 elected, just like him, who release maps to a news station
3 before he released maps to 40 members of the Florida
4 Senate.

5 Guys, we're not here because the Constitution is
6 wrong. Guys, we're not here because there's something
7 wrong with the Fair District Act. We're not here because
8 the Florida Senate or the Florida House said that they
9 want to draw maps. We are here because the President of
10 the United States gave an order, and this is the direction
11 that we're going in.

12 But the one thing that should block Florida is
13 that the people of this state said they did -- that they
14 did not want it. Shame on us, my colleagues. Shame on us
15 for listening to Washington DC before you listen to the 24
16 million people in this state.

17 And I end with this: I don't even know where
18 this vote is going to go today, because I haven't spoken
19 to anybody because I don't want to be subpoenaed by
20 nobody. But here's what I will tell my colleagues: I
21 hope and pray that this is not the precedent that we are
22 setting for the breaking down of our democratic process.

23 Hear me when I tell y'all, and I mean it with
24 every fiber of my being, I don't care what party you in --
25 and to my Republican colleagues, you win. You were

1 already winning. So there was no need. There is no need
2 for this. Let's respect the will of the people.

3 My daddy used to always tell me -- not used to,
4 because he's still alive, thank God -- my daddy always
5 said that there is one thing about a lie. It has no legs.

6 Guys, we cannot let this walk because we're not
7 being honest with Floridians and we're not being honest
8 with the American people.

9 CHAIR PASSIDOMO: Any other debate?

10 Senator Bradley, you're recognized.

11 SENATOR BRADLEY: Thank you, Madam Chair.

12 And I know everybody says this, but I really
13 wasn't planning on -- on debating.

14 I represent the same number of folks that
15 everybody here represents, and being a senator and have --
16 being in elected office carries a tremendous
17 responsibility. And I don't have the pleasure -- I don't
18 sit here as a senator, looking at a map saying, boy,
19 that -- that map looks great for the Rs. I don't -- I
20 don't sit here with the luxury of saying, boy, that map
21 looks good or that map looks bad, picking the map that I
22 like, that I think would be helpful.

23 I have a duty to uphold the Constitution that I
24 swore to defend, and the -- the attorneys came before us
25 and they said that without the Callais decision, we are --

1 we are operating on a signal from the Supreme Court.

2 As currently cons -- as the current state of the
3 law, that is unconstitutional.

4 And on top of that, the -- the -- it also rests
5 on a legal theory that the Supreme Court has not even
6 opined on or heard that the Fair Districts Amendment would
7 be entirely voided. That's a big deal.

8 I -- I would love to hear -- I would love for
9 that decision to come out, for the governor to get an
10 advisory opinion on the effect of the Fair Districts
11 Amendment, and then let's do this.

12 I -- I just -- I -- I can't do it, it's just
13 unconstitutional and -- and I -- it's a tough one, but
14 I -- I'm -- I'm -- I'm a no.

15 CHAIR PASSIDOMO: Any other debate? Senator
16 Gaetz, you are recognized for any final comments.

17 SENATOR GAETZ: Thank you, Madam Chair.

18 I appreciate the debate, and I appreciate the
19 extensive public testimony. Regardless of what we may
20 believe personally or our opinions, the fact is that the
21 governor has a constitutional role in congressional
22 redistricting. He has the authority and he has the right
23 to propose congressional redistricting when he believes
24 that it is appropriate.

25 There are seven other states in the country where

1 congressional redistricting is being done in the middle of
2 a -- of a -- of a 10-year period, in the middle of a
3 decade, and we've done it ourselves four times before, for
4 various purposes.

5 It is true that, as Senator Pizzo said, I -- I
6 received my map just a few seconds before you received
7 yours. I had no previous knowledge of any other maps that
8 were drawn.

9 But I will tell you that the governor did not
10 violate any rule of the Senate in the timing that he used.

11 My understanding, and I defer to Madam Chair, is
12 that -- that technically, amendments would be available up
13 to four hours before the Rules Committee proceeds or goes
14 into session.

15 So even though the governor came to us, what we
16 would consider, many of us, less time than we would've
17 liked to have had, the governor did not violate any Senate
18 rule.

19 So it fell to me, as chairman of Ethics and
20 Elections to bring the bill to you, and I bring the bill
21 to you out of respect and deference to the governor, who
22 has the authority and the responsibility to offer a
23 proposal for our consideration.

24 I ask that you give the governor's proposal your
25 thoughtful and respectful consideration, as I know you

1 will. I ask that you take into account the authority that
2 he has, not to tell us what to do, but to propose
3 proposal -- to propose items in the area of redistricting
4 for congressional districts that he can.

5 There are extraordinary issues at play here.
6 Probably the greatest one is the potential conflict or the
7 real conflict between what some view as the clear
8 definition of the 14th Amendment in this case, and what
9 some view as the clear imperative of the Fair Districts
10 Amendment on the other side.

11 My guess is that no matter what this legislature
12 does, if we pass the governor's proposal, that it will
13 nonetheless, be litigated. I think we can all bet a farm
14 on that. And either -- if it -- either if it passes and
15 with -- and without litigation or whether it passes and it
16 is litigated, I believe this issue will come to the fore.

17 The issue will be ripened by the action of this
18 legislature to determine whether or not the equal
19 protection clause of the 14th Amendment obviates the need
20 for any race-related redistricting or not, or whether the
21 Fair Districts Amendment or part of it may be obviated
22 by -- by action, court action that has occurred since it
23 was adopted.

24 With that, I ask you to please consider sending
25 this legislation to the floor of the Senate so that all of

1 our members would have the opportunity to debate it, to
2 consider it, and to cast their votes on it.

3 Thank you, Madam Chair.

4 CHAIR PASSIDOMO: Thank you.

5 Cindy, please call the roll on SB 810.

6 8 -- what did I say? 8-D.

7 MS. FUTCH: Senator Avila? Senator Berman?
8 Senator Boyd.

9 SENATOR BOYD: Yes.

10 MS. FUTCH: Senator Bradley? Senator Brodeur?

11 SENATOR BRODEUR: Yes.

12 MS. FUTCH: Senator Burgess?

13 SENATOR BURGESS: Yes.

14 MS. FUTCH: Senator Burton? Senator Davis?
15 Senator DiCeglie?

16 SENATOR DICEGLIE: Yes.

17 MS. FUTCH: Senator Gaetz? Senator Garcia?
18 Senator Grall? Senator Harrell? Senator Hooper?

19 SENATOR HOOPER: Yes.

20 MS. FUTCH: Senator Martin?

21 SENATOR MARTIN: Yes.

22 MS. FUTCH: Senator Osgood?

23 SENATOR OSGOOD: No.

24 MS. FUTCH: Senator Pizzo?

25 SENATOR PIZZO: No.

1 MS. FUTCH: Senator Rodriguez? Senator Rouson?

2 SENATOR ROUSON: No.

3 MS. FUTCH: Senator Simon? Senator Trumbull?

4 Senator Wright?

5 SENATOR WRIGHT: Yes.

6 MS. FUTCH: Vice Chair Jones?

7 VICE CHAIR JONES: No.

8 MS. FUTCH: Chair Passidomo?

9 CHAIR PASSIDOMO: Yes.

10 By your vote, SB 810 (sic) is reported favorably.

11 Okay. Again, to the members of the public, thank
12 you so much for your patience and your comments.

13 Is there any senator -- I guess everybody's here
14 that voted. Is there any other business before the
15 Committee? What is your business?

16 SENATOR PIZZO: Happy birthday to Lieutenant
17 Governor Jay Collins. It's his birthday today.

18 And I want to thank publicly Tom Wright for
19 engineering and coordinating a really cool charity
20 donation last week.

21 CHAIR PASSIDOMO: All right.

22 Without any other business, Senator Jones moves
23 we adjourn. If there's no objections -- seeing none --
24 show the motion adopted. We are adjourned.

25 (End of recording.)

C E R T I F I C A T E

I, TERRI NESTORE, Certified Shorthand Reporter/
Transcriptionist, do hereby certify that I was authorized
to transcribe the foregoing recorded proceeding, and that
the transcript is a true and accurate transcription, to
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I further certify that I am not of counsel or
attorney for either or any of the parties to said
proceedings, nor in any way interested in the events of
this cause, and that I am not related to any of the
parties thereto.

Dated this 30th day of April, 2026.

TERRI NESTORE

TERRI NESTORE, CSR 5614, RPR, CRR

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FLORIDA CONGRESSIONAL REDISTRICTING

April 28, 2026
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