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Common Cause, et al.)
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v.) 4:22-cv-109
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Cord Byrd)

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TRANSCRIPTION OF AUDIO FILE
House Redistricting Committee
The Florida Channel
October 12th, 2021

DIGITAL EVIDENCE GROUP
1730 M Street, NW, Suite 812
Washington, D.C. 20036
(202) 232-0646

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1 (Beginning of Video Recording.)

2 CHAIRMAN LEEK: Thank you, all. The
3 Redistricting Committee will come to order.
4 D.J., please call the roll.

5 FEMALE VOICE: Chair Leek?

6 CHAIRMAN LEEK: Here.

7 FEMALE VOICE: Vice Chair Fine?

8 MR. FINE: Here.

9 FEMALE VOICE: Ranking Member Geller?

10 MR. GELLER: Here.

11 FEMALE VOICE: Represent Andrade?

12 MR. ANDRADE: Here.

13 FEMALE VOICE: Avila?

14 MR. AVILA: Here.

15 FEMALE VOICE: Bush?

16 MR. BUSH: Here.

17 FEMALE VOICE: Byrd? Clemons?

18 MR. CLEMONS: Here.

19 FEMALE VOICE: Drake:

20 MR. DRAKE: Here.

21 FEMALE VOICE: Driskell?

22 MS. DRISKELL: Here.

23 FEMALE VOICE: Goff-Marcil?

24 MS. GOFF-MARCIL: Here.

25 FEMALE VOICE: Grall?

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1 MS. GRALL: Here.

2 FEMALE VOICE: Grant? Grant? Jenne?

3 MR. JENNE: Here.

4 FEMALE VOICE: Latvala?

5 MR. LATVALA: Here.

6 FEMALE VOICE: Mariano?

7 MS. MARIANO: Here.

8 FEMALE VOICE: Omphroy?

9 MS. OMPHROY: Here.

10 FEMALE VOICE: Payne?

11 MR. PAYNE: Here.

12 FEMALE VOICE: Robinson?

13 MR. ROBINSON: Here.

14 FEMALE VOICE: Rommel?

15 MR. ROMMEL: Here.

16 FEMALE VOICE: Sirois?

17 MR. SIROIS: Here.

18 FEMALE VOICE: Slosberg?

19 MS. SLOSBERG-KING: Here.

20 FEMALE VOICE: Thompson? Thompson?

21 Tuck?

22 MS. TUCK: Here.

23 FEMALE VOICE: Quorum is present, Mr.

24 Chair.

25 CHAIRMAN LEEK: Thank you, D.J.

1 Members, a few reminders before we begin.
2 Please silence all electronic devices, and if
3 you wish to make a public comment, please fill
4 out a form, and turn it into the Sergeant's
5 staff.

6 Also, as a reminder for our members and
7 presenters, please ensure that you turn your
8 microphone on when you are speaking and off
9 when you are finished.

10 Members, with this being the second
11 committee meeting, I want to remind you,
12 again, that this is a noteworthy
13 responsibility for our committees to
14 undertake. A thorough educational effort to
15 ensure that everyone has the understanding
16 they need to be able to propose, analyze, and
17 most importantly, vote on legally compliant
18 boundaries.

19 Today, we will review some new updates
20 that have been rolled out on our website for
21 accessibility and public input as well as
22 discuss some of our map-drawing application's
23 advanced functionality as we discussed last
24 meeting, and how those tools can assist us in
25 aligning with our Constitutional standards for

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1 map-drawing.

2 Before we dive into the substance of
3 our meeting, I want to take a moment to
4 address an opinion piece that was published
5 last week. While this piece is just two UF
6 professors' opinions, it alleges gross
7 inaccuracies and attempts to cast a dark
8 shadow on the work that this committee is
9 undertaking. And I want to take time to
10 correct this on the record today, especially
11 since these individual made no attempt to fact
12 check their allegations with our committee
13 first.

14 I know I have received questions, and
15 Representative Geller, Ranking Member Geller,
16 I thank you for reaching out to me. I truly
17 do. I know that I have received questions
18 about this piece and do not want any of our
19 members or constituents to wonder whether this
20 process is being conducted above board, as
21 both the Speaker and myself have been very
22 clear from the beginning that this process
23 will follow all laws and the Florida
24 Constitution.

25 The first inaccuracy in this opinion

1 piece alleges is that we are hiding elections
2 data from public view. This could not be
3 further from the truth, as you will see today
4 in our presentation.

5 This elections data is fully accessible
6 within our map-drawing application with the
7 intent and purpose of it being used to conduct
8 a functional analysis. These functional
9 analyses ensure that racial and language
10 minority groups' ability to elect a candidate
11 of their choice is not diminished, which is
12 required by the Florida Constitution.

13 As we described during our first
14 committee meeting, our goal was to get a
15 mapping application debuted to members and to
16 the public as soon as we could upon receipt of
17 the redistricting data from the U.S. Census
18 Bureau.

19 Staff continued to work with our vendor
20 to ensure their tool's configuration could
21 correctly display the data needed to conduct a
22 functional analysis. And that was updated
23 this past Friday as that functionality was
24 complete.

25 The article also falsely states that we

1 are shielding data from public records
2 requests. We are not shielding public
3 records. This contract is written so that the
4 legislature maintains the responsibility of
5 responding to and producing public records,
6 not any vendor or contractor.

7 The article also false insinuates that
8 the legislature is using geocoding services.
9 This also could not be further from the truth.
10 There are no geocoding services anywhere
11 within our application, and that technology is
12 specifically not being used in order to
13 protect against favoring or disfavoring an
14 incumbent, a Constitutional standard we must
15 follow.

16 Members, as we will all come to
17 experience, there are outside entities that
18 will try to impute their own political desires
19 into our process. Resist. And we will not
20 concede to it. I encourage you to remember
21 the situation moving forward as individuals
22 and news outlets that perpetuate these
23 external political narratives aim to harm the
24 integrity of our process and our members.

25 We will transition to the PowerPoint

1 talking points.

2 We're going to -- let's get through the
3 agenda, and Representative Geller, as we
4 discussed, we'll get you some time at the end.

5 MR. GELLER: Thank you.

6 CHAIRMAN LEEK: Thank you. Moving into
7 the agenda, members, like I mentioned earlier
8 today, we are going to look at some of the new
9 updates to our website as well as some of
10 Esri's advanced functionality that will help
11 us align with our Constitutional standards.

12 As we have been doing, our goal is to
13 continue educating this committee about the
14 standards that will produce legally compliant
15 maps.

16 With that being said, first up, let's
17 talk about the Floridaredistricting.gov.
18 Members, like we promised during our first
19 committee meeting, as we go through this
20 process and new functionality becomes
21 available, we're going to roll it out publicly
22 as soon as possible. And today, we have some
23 new items on our website that we'd like to
24 share.

25 Ms. Kelly?

1 MS. KELLY: Thank you, Mr. Chair. Let
2 me get our website pulled up here. So the
3 first item I wanted to address with the
4 committee today is actually a debut of a new
5 page on our website called Submitted Plans.

6 So as I bring it up here, this is the
7 page where all maps that are submitted to our
8 committee will be displayed so that anyone can
9 access them and the reports that are
10 associated with them.

11 A couple pieces of functionality I want
12 to click through to be able to show our -- you
13 know, our goal of making this very user
14 friendly. First and foremost are the buttons
15 you see here up at the top. These are the
16 respective maps that are currently enacted.
17 So our House, Senate, and Congressional
18 benchmark plans.

19 If you click on those buttons, it pops
20 up the details page that's associated with
21 each of those maps.

22 So you can see here in this chart-like
23 function, there's a lot of the logistical
24 information regarding the map. What you can
25 also see down here are all of the archive

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1 records, also associated with the map. You're
2 allowed to download those as well as some of
3 the files are available for uploading into the
4 software as well.

5 Going back to the main page, I'd like
6 to scroll down to kind of the body of this
7 webpage. This top section here is the search
8 capability that allows you to search through
9 any of the plans that are on this website.

10 As you can see here, you're allowed to
11 search by plan type, so if you're looking for
12 Senate, House, or Congressional maps. You're
13 also allowed to select from who has submitted
14 the map.

15 So the Courts, Senate, Public, or House
16 members as well. Currently on here are only
17 constituent maps that have been submitted, but
18 eventually, once the committee or members
19 start submitting maps, as well, they will also
20 be placed here for the public and members
21 alike to view.

22 You can also search by a plan name or
23 submitted by, if you happen to know an
24 individual or a specific plan you were looking
25 for as well as being able to sort by date,

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1 name, submitted type, and plan type.

2 So if I continue to scroll down here,
3 I'll click on this first plan here. Again,
4 you see a similar page with information. One
5 item I'd like to point out here is the web
6 map. This is -- our -- I will open it here.
7 This is a feature we've added to make these
8 maps very easily accessible. Some of the text
9 files and the dot plan files that are includes
10 in the archives section can be downloaded and
11 reuploaded into your Esri map drawing profile.
12 However, that takes several steps to do, and
13 we wanted to make these maps easily accessible
14 for people who are just trying to search
15 through the website.

16 So you can see here this individual's
17 map that was submitted is fully displayed, and
18 similar to some of the other functionality in
19 our website, whenever you click on a given
20 district, it drops down the statistics that
21 are associated with it. So again, it's a
22 great way to get kind of a first look at any
23 map that's supported on the website.

24 You can see here, you can scroll
25 through and also view any that are there as

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1 well.

2 Moving on, the next page I'd like to
3 look at is actually on our Get Involved page.
4 So we've added a couple things to this page.
5 First and foremost, you know, I think hearing
6 the comments from members after our last
7 committee and making sure that this website is
8 as accessible to people as possible, we've
9 added this button here that says provide
10 public input.

11 Whenever you click on this, it allows
12 members of the public and anyone to fill out
13 and provide commentary in an open text format
14 that comes directly to our committee and will,
15 in turn, be made available to the public and
16 members for viewing.

17 Additionally, we've added some guidance
18 for folks who are looking for instructions on
19 how to use the Adobe fillable PDF. I think we
20 had heard comments and suggestions that some
21 folks may not be familiar with that or may
22 need help adding their digital signature. So
23 right here below, we have added a step-by-step
24 guide of how to do that as well as you scroll
25 down to the bottom of the website, there's an

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1 Adobe icon here, where you can download a free
2 version of Adobe Reader so that it is, again,
3 accessible for as many people as possible.

4 The other item I'd like to point out --
5 and this is not available on the website yet.
6 However, it is in progress between the House
7 and the Senate. We are working to contract a
8 translation service so that our PDFs can be
9 translated into languages that make it more
10 accessible for other Floridians. Again, that
11 is still in progress, but our goal is to debut
12 that as soon as we can get everything
13 solidified.

14 So Mr. Chair, that concludes my
15 presentation.

16 CHAIRMAN LEEK: Thank you, Ms. Kelly.
17 On the next topic I'd like to discuss today --
18 Ranking Member Geller, recognized.

19 MR. GELLER: Yes, just a couple of
20 quick questions on that presentation, if I
21 might. You said that the first thing on
22 there -- and thank you, Mr. Chair -- the first
23 thing on there was the existing maps, the maps
24 that exist today. Does that mean that we're
25 going to be using those as a starting point

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1 for the work that the committee has to do and
2 then making adjustments as necessary?

3 CHAIRMAN LEEK: I'll take that
4 question. We're kind of getting ahead of
5 things. That's not really on the presentation
6 there. But no, it doesn't, as a matter of
7 course, because all of the numbers have
8 changed. The maps that you got were based on
9 data that was ten years old, right?

10 We're ten years further along.
11 Populations have shifted, and so it doesn't
12 necessarily mean that.

13 MR. GELLER: Second question. It said
14 that -- you said -- sorry, (inaudible) you're
15 a person. You said that it would show all
16 maps that are filed, whether by members, the
17 committee, or the public. Are amendments
18 going to be accessible from that same point,
19 or is there a separate system to be able to
20 view amendments?

21 CHAIRMAN LEEK: Ms. Kelly?

22 MS. KELLY: Thank you, Mr. Chair. Yes,
23 anything that comes through, whether it's the
24 committee process or you know, once we get to
25 the floor, the floor process, will be made

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1 available to view on the website.

2 MR. GELLER: Including amendments on --
3 is it there or would they be someplace
4 different?

5 MS. KELLY: They will be found there.
6 Yes, sir.

7 MR. GELLER: Thank you.

8 CHAIRMAN LEEK: Thank you. Okay. The
9 next topic I'd like to discuss today is
10 focused on some of our map drawing
11 application's advanced drawing tools and how
12 they can help us analyze the Constitutional
13 standards by which we must make our maps
14 compliant.

15 For those of you who were able to join
16 Legislator University, consider this your 201
17 course. And for those of you who were not
18 able to join, I encourage you to watch the
19 posted recording. You can find it on
20 myfloridahouse.gov as well as on the
21 floridaredistricting.gov website.

22 What I'd like to do now is walk through
23 the next several slides so we can discuss the
24 concepts and the related map drawing tools,
25 and then I will hand the mic back over to Leda

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1 to walk us through our actual demonstration of
2 some of these tools.

3 First off, let's take a moment for a
4 refresher. The Florida Supreme Court has made
5 it clear that Florida's Constitutional
6 standards for redistricting have two distinct
7 tiers. In tier one, a whole map or an
8 individual district shall not be drawn with
9 the intent to favor or disfavor a political
10 party or incumbent.

11 Districts shall protect racial and
12 language minority groups' ability to elect
13 candidates of their choice. Finally in tier
14 one, districts shall consists of contiguous
15 territory.

16 In tier two, districts shall be nearly
17 as equal in population as practicable, shall
18 be compact, and where feasible, following
19 existing geographical and political
20 boundaries.

21 It's important to remember tier one
22 standards take priority over tier two
23 standards in the case of conflict. However,
24 within each tier, the standards are equally
25 weighed amongst one another.

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1 As we dive in, another important
2 concept to keep in mind is that there is no
3 single correct map. There is no such thing as
4 the best map. As seen even in our standards,
5 all decisions must be weighed among one
6 another with the goal of drawing legally
7 compliant maps.

8 We're going to start with tier two
9 standards. So first up, let's talk about
10 "where feasible, using existing political and
11 geographical boundaries". From the Florida
12 Supreme Court ruling in 2012, they delineated
13 that political boundaries primarily encompass
14 county and municipal boundaries, which are our
15 first two bullets here.

16 The Court then went on to say that
17 geographical boundaries are easily
18 ascertainable and commonly understood such as
19 rivers, railways, interstates, and state
20 roads. In the map drawing application, there
21 are two tools that we will walk through that
22 coincide within political and geographical
23 boundaries. The Reference Layers tool and the
24 Boundary Analysis Report.

25 Next up is compactness. In Florida,

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1 compactness has been defined by the courts as
2 geographical compactness in relation to the
3 shape of a district. There is no single
4 "official" or best compactness test the courts
5 rely on when reviewing redistricting plans.

6 The compactness measures shown the
7 screen here are the three scores the Florida
8 Supreme Court supported during the 2012
9 redistricting cycle.

10 The Reock, Convex-Hull, and Polsby
11 Popper. Each test is unique and places
12 priority on certain characteristic of a
13 district. Therefore, it is best to view them
14 in tandem and in context of your district, not
15 in isolation.

16 Let's explore these three scores
17 further. The Reock Score takes the area of a
18 district and finds the smallest, minimum
19 bounding circle that fits around the district.
20 Like all three of these scores, Reock is rated
21 on a scale of 0 to 1, with values falling
22 closer to 1 indicating a more compact
23 district. Districts that are circular in
24 shape earn a higher Reock score.

25 A Convex-Hull score applies a similar

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1 principle, but instead of a circle, it uses a
2 polygon. This measure accounts for
3 indentations in districts and oftentimes a
4 square or rectangular district will earn a
5 high Covex -- or excuse me -- Convex-Hull
6 score.

7 The Polsby Popper score is a ratio of
8 the area of a district to the area of a
9 circle, whose circumference is equal to the
10 perimeter of the district. This score
11 accounts for jagged edges of a district. The
12 more jagged edges that a district has, the
13 larger the circle resulting in a lower score.

14 There is also another test, which is
15 commonly referred to as the eyeball test.
16 Oftentimes, it is said that districts that
17 look bizarre or are oddly shaped may be
18 evidence of a partisan or racial gerrymander.
19 And while that may be true in some situations,
20 I would encourage this committee to also
21 remember that the state in which we live and
22 the geography in which we are assigning
23 districts, Florida is just simply an oddly
24 shaped state to begin with.

25 For starters, we're a peninsula

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1 surrounded by water on three sides of which we
2 cannot move. Our counties are often uniquely
3 shaped and may have flags that come off one
4 side of the county in addition to which very
5 few of them are nice, even squares like some
6 counties you find in western states.

7 Compactness scores are used for
8 evaluation within context of that district and
9 as points of reference. The compactness test
10 function in the map drawing application
11 calculates these scores for us for each
12 district.

13 The Florida Constitution mandates that
14 districts shall be as nearly equal in
15 population as is practicable. In our map
16 drawing application, there are two tools to
17 help you view population figures at various
18 levels of geography.

19 The Identity Tool allows you to select
20 units of geography and see how much population
21 is contained within that piece of geography.
22 And the Themes Tool, which enables you to
23 apply a color-coded theme across the entire
24 map, to which you can have color-coded pieces
25 of geography that indicate population levels

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1 in a given area.

2 Now, let's move on to our tier one
3 standards. When defining district contiguity,
4 the Florida Supreme Court has said a district
5 lacks -- I guess I'm going to have to keep
6 saying that word -- contiguity when a part is
7 isolated from the rest by the territory of
8 another district or when the lands mutually
9 touch only on a common corner or at a right
10 angle.

11 In our map drawing application, our
12 Check Integrity functionality will evaluate
13 the districts you've created in your map and
14 identify if any are not congruous.

15 The last two Constitutional standards
16 allow me to speak to a new concept I'd like to
17 introduce called functional analysis. Last
18 decade, the Court said a functional analysis
19 can be conducted to ensure the standard is
20 met, which states we must not deny or diminish
21 a racial or language minority group's ability
22 to elect a candidate of their choice.

23 This functional analysis is conducted
24 by analyzing registered voters, voter turnout,
25 and election results for a given district.

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1 Let me be clear. This elections data, as it
2 is known, is not used on the front end to draw
3 districts but only on the back end as an
4 analysis tool to ensure that a district drawn
5 is based on population protects the racial and
6 language minority as required to do so.

7 Using elections data on the front end
8 of the map drawing process could inherently
9 violate the other tier one standard listed
10 here that prohibits us from favoring or
11 disfavoring a political party or incumbent.
12 This functional analysis data is being made
13 available as part of the reports functionality
14 of our map-drawing application.

15 With that, I'd like to ask Ms. Kelly to
16 walk through these examples in the actual map-
17 drawing application. Ms. Kelly?

18 MS. KELLY: Thank you, Mr. Chair. Make
19 it -- our program pulled up here. So here
20 we're in our Esri map-drawing application, and
21 what I have pulled up on screen is our
22 benchmark House districts. So this is our
23 currently enacted House district.

24 Again, as the Chair mentioned, for
25 those of you who weren't able to attend the

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1 Legislator University, we do have that posted
2 both on the myfloridahouse.gov website as well
3 as on floridaredistricting.gov, and I do
4 encourage you to watch that to learn about
5 some of the more basic functionality that will
6 take you through this application.

7 So what I'd like to walk through now
8 are some of the examples that the Chair just
9 outlined, and we have worked to tailor them to
10 help meet and align and analyze Florida's
11 Constitutional standards.

12 So the first one I'd like to pull up is
13 called the Reference Layer functionality.
14 You'll find it here on the left-hand side of
15 the column, and you'll see that Reference
16 Layers has a drop-down feature. I'm going to
17 take our map and zoom in just to be able to
18 demonstrate this a little bit clearer, and I'm
19 going to un-fill our districts so that it also
20 is a little more clear.

21 What each of these filters allow you to
22 do is to create different filters that overlay
23 on top of the map. So you can see the first
24 one here is the Florida Senate districts that
25 are currently enacted. As I check the next

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1 one, it shows up in green as our current House
2 districts. And this third one shows up in red
3 as our current Congressional districts.

4 I'll uncheck those. This next one is
5 our primary and secondary roads. The Supreme
6 Court identified major state roads as a good
7 boundary when drawing districts, and so we've
8 made it a very visible layer here with the --
9 indicated by the dark red lines.

10 So as you're in, creating districts,
11 it's very prominent if you'd like to use this
12 as a boundary for one of your districts.

13 Turning that one on and for our
14 railroads, I'm actually going to switch our
15 base map so that it stands out a little bit
16 more. The railroad are indicated across the
17 state by these light orange lines, as you can
18 see here.

19 We also have city functionality.
20 Whenever you turn this on, every city is
21 illuminated. You can see these colored-in
22 areas that have some crosshatching patterns in
23 them, and those are the cities across Florida.
24 I can zoom out so everyone can see how they
25 appear across the state.

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1 Now, what's really cool about this
2 one -- and I'll come back to this in a
3 second -- is that you can also use this level
4 of geography to assign geography as well.
5 While we're here, I also would like to click
6 on the counties layer, which you can see
7 illuminates in bright blue lines, and this
8 last item here, while it takes a second to
9 load, so I'm not going to demonstrate it right
10 now, it's all the water across Florida. So
11 this is lakes, rivers, as well as our
12 coastline.

13 On the east side of Florida, our
14 coastline as defined by the Census Bureau,
15 goes out three miles. On the west coast, it
16 goes out nine miles. So again, I won't load
17 that for time's sake, but that is quite
18 fascinating to look at.

19 So as you're looking here at reference
20 layers, trying to identify things which you
21 can create boundaries with, I'd like to click
22 on this Identify Tool. This tool is also
23 contained here in this left side column, down
24 on the third tab here, and in conjunction with
25 this little blue circle here. And if I hover

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1 over it, it says identify a feature.

2 So to demonstrate this, I'm going to
3 drop down what is called our place layer, and
4 you can see as I hover over the map, it has
5 the cursor turns into a little I. If I click
6 on one of these colored-in cities with the
7 crosshatching, it actually will identify the
8 city here for me. You can see I've clicked on
9 Tallahassee. And as I scroll this column
10 down, it actually will also tell me the
11 population of Tallahassee. So Tallahassee has
12 196,169 people in it.

13 So say you were drawing with this tool,
14 and you're -- you say, you know, I want to add
15 Tallahassee to a district. I really like
16 that. That sounds good. What you can do is
17 go down here and select a district as well as
18 from this drop-down menu here, and you can
19 actually click assign to right in this window.

20 Now, the program will take a second to
21 load, but what the program automatically does
22 is calculates the boundaries of that city and
23 assigns it to whatever district you've asked
24 it to assign it to. So again, being very
25 respectful of those city/county boundaries, it

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1 automatically identifies that.

2 The next item I'd like to look at is
3 the compactness test that the Chair mentioned.
4 This is found here in our review tab and here
5 on the left-hand side. Whenever you click on
6 this, it will pop up the window that goes
7 through each of the three compactness tests
8 that we talked through earlier, and each
9 district has the compactness scores
10 automatically calculated for it.

11 Compactness tests, as an FYI, can also
12 be run under the reports window here where it
13 says district compactness, if you'd like a
14 version of the report that you can download
15 and save for your purposes.

16 The next item that I'd like to talk
17 about is the Check Integrity Tool, which is
18 found right here next to the Compactness Tool.
19 If you click on this, it runs a series of
20 integrity checks. Now, in relation to the
21 presentation the Chair just gave, we're
22 actually going to look at this last one called
23 Connectivity. This is what will tell us if
24 our districts are contiguous.

25 Now, as you can see, I'm coming up with

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1 a red X, which means somewhere in my map, I
2 have a district that is not contiguous. So
3 for demonstration purposes, I'm going to zoom
4 out here, and I'm actually going to turn back
5 on the district fills.

6 Now, as you remember -- let me turn the
7 cities off for right now -- I assigned the
8 City of Tallahassee to District 1. So if I
9 click on the details pop-up, it will actually
10 identify the districts for you that are
11 discontinuous.

12 So here in District 1, because, as we
13 all know, District 1 is currently over in the
14 Western Panhandle, but I assigned Tallahassee
15 to it. Those are two separate parts of the
16 district, which flags in the program.

17 Now, what you can see also happened is,
18 as I assigned District 1 -- Tallahassee to
19 District 1, I inherently created District 8
20 and District 9 separate geography there. So
21 the program flags that for you as well.

22 So as that pops you, you can go in and
23 correct your districts and click refresh, and
24 it will automatically refresh, if you were to
25 have any additional errors.

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1 The next item, clicking back over here
2 to the review tab, is our reports. So the VAP
3 summary report, as the Chair mentioned, is
4 where we'll find the data that we'll need to
5 run our functional analysis. These three
6 categories down here is where you'll find the
7 collection of this data. It includes
8 registered voters, voter turnout, and election
9 results. Those are primary and general
10 election results for statewide elections from
11 2012 all the way through 2020.

12 So if you were running your summary
13 report and you'd like to add that, all you
14 have to do is expand the column, and you can
15 scroll through and add whichever categories
16 you'd like to to your respective report and
17 then run your report.

18 The next report I would like to
19 highlight for the committee is called a
20 boundary analysis report. It's found here
21 under the metes and bounds category. Now, it
22 does take a second to generate. So I went
23 ahead and ran one for demonstration purposes.
24 This is a long list, and it is a list of every
25 single district. And what this helps to

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1 identify is the percentage of that district
2 that follows one of the categories that we
3 have here.

4 So it could be city, county, roads,
5 water, rail, or that portion of the district
6 that doesn't follow any geographical or
7 political boundaries.

8 So if you see here, District 7, which
9 is a large coastal county here in the
10 Panhandle, you can see it follows county
11 boundaries 96 percent of the time, as well as
12 water 52 percent of the time, which makes
13 sense because it's a coastal district.

14 So again, this is a report similar to
15 compactness scores, where it's -- there's not
16 one benchmark or one threshold that makes a
17 district good or not, but it's used to help
18 understand the percentage of the district that
19 may be in alignment with Constitutional
20 standards.

21 So clicking back over to our program
22 here, the next item I'd like to highlight is
23 our Themes Tool. I'm going to zoom out. So
24 the Themes Tool is found here on our create
25 tab, and what this allows you to do -- one

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1 second. Let me turn off our district fills.
2 What this allows you to do is to basically
3 apply color-coding across the entire state.
4 You can set your fields here that you'd like
5 it to show, and when you click update, it
6 actually applies a theme across the entire
7 state.

8 So the one that I just applied was
9 dealing with total population. And as you can
10 see here, the color coordinating says that as
11 we go from red to green, the areas become more
12 populous. And so we'll come down to South
13 Florida with some of our more populous
14 counties, and you can see the color
15 differentiations there.

16 You can drop down and obviously select
17 other factors by which you'd want to apply
18 themes. But this is a good visual tool that
19 you're looking -- if you're looking to
20 actually look at the state as a whole.

21 The other thing about Themes that I'd
22 like to point out -- and you can see it as I
23 continue to zoom in here -- at the different
24 levels of geography that show in the program,
25 it will indicate the total population, since

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1 that's what I've selected here, of those
2 respective geographies.

3 So you can see, as I continue to zoom
4 in, now we're getting all the way down to the
5 block level. You can see exactly how many
6 people may live in that respective block. So
7 again, as you're looking at population totals,
8 as you're looking at communities for assigning
9 to districts, this will help identify the
10 population that goes along with that.

11 Mr. Chair, that concludes my
12 presentation. Thank you.

13 CHAIRMAN LEEK: Thank you, members. I
14 want to open it up to any questions at this
15 point on the presentation. So we're going to
16 have an opportunity -- Representative Geller,
17 I know you want to -- you have some questions,
18 want to say a couple things. But are there
19 questions about Ms. Kelly's presentation?

20 All right. Members, seeing no
21 questions about Ms. Kelly's presentation, is
22 there public comment? Seeing no public
23 comment, let me turn it over to Ranking Member
24 Geller. Ranking Member Geller, you're
25 recognized.

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1 MR. GELLER: Thank you, Mr. Chair. I
2 have just a couple of things. Let me just
3 being by saying, first of all, Mr. Chair, that
4 you were extremely generous with your time
5 with me when we had the opportunity to speak
6 yesterday. And I appreciate that, and I
7 appreciate that open door, and I think it,
8 frankly, bodes well for the work of this
9 committee that was something that I want the
10 record to show that that communication is
11 taking place.

12 We spoke a little about that article
13 that you spoke about earlier. And my comments
14 on it, I think, were reported, and I think
15 that I tried to indicate that I thought those
16 are questions that were raised. Some of those
17 appeared to me to be legitimate questions.
18 But I wanted to reserve judgment until we had
19 a chance to look at facts. One side of any
20 argument is always persuasive.

21 You indicated to me that there was some
22 kind of a response or rebuttal to it, and I'm
23 wondering is that something that's in writing
24 or just the comments that were made when they
25 interviewed people in the press?

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1 CHAIRMAN LEEK: Thank you. What I
2 indicated to you was I believe there was an
3 article out of the Miami Herald that walked
4 through the rebuttal points from the both
5 chambers.

6 MR. GELLER: Thank you. And so let me
7 just say that I don't ever believe everything
8 I read in the newspaper. I've said things
9 that didn't look like what I said that have
10 appeared in the newspaper. This wasn't even
11 in the newspaper. This was a couple of
12 private individuals, but people with some
13 history.

14 So particularly so that these questions
15 are on the record, I took from it a few
16 things. One had to do with their concern that
17 geo mapping was available, and just my
18 understanding, from having spoken with you, is
19 that that is not something that is available
20 for use here in the state that that is --
21 because it's a national software, that that's
22 something that some other states may wish to
23 use, but it's not functional on our website in
24 Florida. So do I have that correct?

25 CHAIRMAN LEEK: Yeah, we address that,

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1 also, in the opening comments. But that
2 allegation in the article is just plainly
3 false.

4 MR. GELLER: So that's important to put
5 that to rest. Thank you. There was another
6 one that said that it was not possible to
7 export anything except maps, that there was
8 some data associated with maps that could not
9 be exported. Do we have -- is someone -- it
10 can be you, Mr. Chair, but if there's somebody
11 with more technical answer to it, I'd
12 certainly appreciate it.

13 CHAIRMAN LEEK: I believe I know the
14 answer to that, but I am going to ask Ms.
15 Kelly to address that. Ms. Kelly, you're
16 recognized.

17 MS. KELLY: Thank you, Mr. Chair. Yes,
18 what the Esri contract says is the base map.
19 So whenever I was doing the demonstration, I
20 switched it into that light gray map. It's
21 the canvas on which we draw our districts on
22 top of. That is an Esri work product that
23 they produce with other geographical entities.

24 That is what the contract speaks to.
25 Our maps have the ability to be exported,

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1 imported into other software, or likewise,
2 imported into our software as long as they're
3 drawn on the Census block level. So we do
4 have full functionality to import and export.

5 MR. GELLER: And some then, if they
6 wanted to take some map and test it with one
7 of those other softwares that were cited in
8 that article, they can do that.

9 MS. KELLY: Yes, sir.

10 MR. GELLER: Okay. Those are two
11 important things for the public to understand
12 clearly. The last one that you and I
13 discussed, Mr. Chair, and I hope is under
14 review, I understand there was some kind of a
15 nondisclosure agreement as to certain
16 software. It seemed to me that that
17 nondisclosure might be drawn too broadly, and
18 I hope that some review was underway to see if
19 that can be more narrowly tailored.

20 We understand that people don't want,
21 you know -- I'm going to use the wrong word
22 but their source codes or something to be made
23 publicly available. But I am concerned that
24 there may be some chilling effect that people
25 have when they look at the idea that they may

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1 be, you know, violating some kind of an NDA.

2 So I hope that one would be under review.

3 And I just want to close by saying I
4 think it's important that some of these
5 answers are given now. They're given on the
6 record. If there's more to it, if they have
7 further concerns and I'm not their spokesman,
8 but I've read the article, and I read the
9 response article. If there are other issues,
10 we'll continue to raise them, but I, again, I
11 want to say that the Chair and the committee
12 and the House leadership's willingness to
13 address these I think is important. We need
14 public confidence.

15 And before I close, I just do want to
16 raise just a couple of things, again, that I
17 know --

18 CHAIRMAN LEEK: Representative Geller,
19 do you mind if I address the nondisclosure
20 issue before you move on?

21 MR. GELLER: Oh, please, please,
22 please. Thank you, sir.

23 CHAIRMAN LEEK: And I'm -- Ms. Kelly,
24 correct me where I'm wrong here -- but
25 regrettably, the article conflates the public

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1 records part of the agreement with
2 nondisclosure. It's not a nondisclosure.
3 What that section they're talking about is in
4 the public records section and discusses how
5 the state, who is responsible for public
6 records requests, will process that
7 information and that they are required to give
8 us all the information that is the scope of a
9 public records request so that we can process
10 it.

11 It keeps them from going off on their
12 own and deciding what they're going to
13 disclose and what they're not. It maintains
14 the state as the sole, responsible entity for
15 complying with public records requests.

16 MR. GELLER: I can't see we can ask
17 more than that, Mr. Chair. That seems
18 appropriate to me, and I appreciate that
19 answer on the record as well.

20 So to close, I just want to say, again,
21 I hope that there will be some change in the
22 posture as to every map counting against our
23 seven-bill limit, and specifically, what I
24 would ask to be reviewed, as you and I
25 discussed -- because I want to be clear it's

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1 my hope not to raise things here unless I hear
2 from and have a question -- that we don't have
3 a chance to talk about, first, the goal here
4 is one we all share. We all want an open
5 process that I hope will result in a fair
6 outcome, and we all want public confidence in
7 what we do, and you know, I think those are
8 things that are shared here, and certainly
9 your open door and your conduct indicates to
10 me that that's the case.

11 But I think we introduce bills that are
12 called repealers. We introduce things that
13 call for memorials to Congress. Those things
14 do not count against our bill slots. I
15 understand we have to manage what may be a
16 very difficult process, and I'm keenly aware
17 God knows how many maps we're going to get
18 compared to ten years ago.

19 I do think it's important that we try
20 to carve out whether every legislator, every
21 House member, I should say, is limited to two
22 or three, but we should have bills that don't
23 count against our bill slots. The
24 announcement of that came, frankly, after many
25 or most of us have kind of already committed

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1 our seven bill slots.

2 I'm not suggesting that we, you know,
3 have 1,000 House maps introduced by members.
4 I know we can have -- as you pointed out -- we
5 can make amendments. But in terms of since
6 the committee can introduce committee bills,
7 committee maps without limit, I would urge
8 that we be given the opportunity, if we're
9 limited to three maps, even two maps each,
10 that those be like repealers or memorials or
11 claims bills outside of our seven-bill limit.

12 I understand that may take some doing
13 to conform to our rules, but I think that's
14 doable. I would urge that again. And most
15 importantly, Mr. Chair, I saw in the very
16 thorough presentation Ms. Kelly made -- thank
17 you for that -- that there is a place for the
18 public to submit input, and that's a good
19 thing.

20 I still think that we should have a
21 process that I discussed with you that is not
22 what was done ten years ago. The technology
23 has changed. The COVID has taught us every
24 kind of new approach, but if we had something
25 that allowed the public to submit testimony by

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1 Zoom, you know, maybe on a day and a time --
2 in fact, I don't think that the committee
3 needs to all be sitting here. I don't want to
4 criticize the other chamber, but having people
5 have to come to Tallahassee and then putting
6 them in a room three blocks away on Zoom
7 anyway, why should they have to come to
8 Tallahassee to do that?

9 We could hear people in our living
10 rooms or in the immortal words of the Vice
11 Chair, sitting in our bathtubs, an image I'm
12 still trying to erase. But we could all, as
13 many of us as possible, the comments would all
14 be transcribed. They'd be available to any
15 member that wanted to read those that wasn't
16 able to attend every day. They could be
17 archived.

18 We could be sitting at home watching
19 it. We're not going to be voting on the
20 bills. We're not going to be, you know, in
21 committee raising our hand. We're just
22 watching public comment. The public could do
23 that from home. The only additional thing I'd
24 say for those people who do not have access to
25 computers or to Zoom or know how to use it, if

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1 we said this is Orlando day or this is Tampa
2 day, you know, somebody from a different city
3 could chime in.

4 But there should be some location on
5 that day where any member of the public could
6 be at a legislative office or maybe at the
7 county hall or something, where every member
8 of the public who wanted to be heard could
9 come in, there'd be somebody there that would
10 help them, talk to Zoom, and they could make
11 their point.

12 I simply think that it's something that
13 would help public confidence, and you told me
14 you would give it some consideration. As I
15 said, I'll take you at your word, Mr. Chair.
16 I think those two issues are important, and I
17 look forward to seeing where we can get on it.

18 Thank you very much. I appreciate the
19 time.

20 CHAIRMAN LEEK: Thank you, Ranking
21 Member Geller. I want to address a couple of
22 things there. In the number of bills -- and
23 I'm glad you brought up the rules because I
24 think you were ranking members on the Rules
25 Committee last year. Of course, we can only

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1 expand the number of bills during our
2 organization session, which would occur in
3 this case, I think, after the filing deadline.

4 And also, that's a good time to point
5 out that we did expand the number of bills
6 last year.

7 But really, I don't think that's the
8 biggest point. What you guys need to know is
9 that every member of the Florida House of
10 Representatives can file today an unlimited
11 number of amendments to the maps proposed,
12 which means you can file as many maps as you
13 want, regardless of how many bill slots you
14 may have. It's there for you.

15 So the question is to what end is
16 expanding the number of bill slots. And where
17 I struggle with that is I'm not sure it gets
18 us anyplace different than we are today.

19 One of the things I want you all to
20 know -- and in particular, I want the citizens
21 of Florida and the viewing public to know is
22 that Joe Geller and I have a wonderful working
23 relationship.

24 MR. GELLER: Yes, sir.

25 CHAIRMAN LEEK: And we have had a

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1 wonderful working relationship for the six
2 years that I've been in here -- I don't know,
3 you've been in here like 30, right? But the
4 entire time that I've known Joe, it's a
5 relationship of respect, trust, and openness.
6 And so I want everyone to know that we've got
7 a good process.

8 I think we have folks -- and
9 Representative Geller and myself are willing
10 to listen to each other, who are willing to
11 understand where the other side's coming from,
12 and listen, Representative Geller and I don't
13 always end up on the same place. In fact,
14 frequently don't, I would say.

15 But it is a relationship of respect,
16 and I want to thank you for reaching out to me
17 and talking to me about this.

18 MR. GELLER: And thank you for openness
19 and for your thoughtfulness. And I agree with
20 what you just said completely.

21 CHAIRMAN LEEK: Thank you. Members, I
22 know this is a lot of information to take in,
23 and I've said it before, and I'll say it
24 again. The redistricting task is not an easy
25 task. Understanding the foundational concepts

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1 that underly the maps that we will be voting
2 on is a critical initial step, and I
3 appreciate the seriousness and dedication that
4 you bring to this committee.

5 With that, members, this concludes our
6 committee agenda for today. Vice Chairman
7 Fine moves that we rise, unless there's
8 objection. The meeting is adjourned. Thank
9 you.

10 (End of Video Recording.)

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CERTIFICATE

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I, Wendy Sawyer, do hereby certify that I was authorized to and transcribed the foregoing recorded proceedings, and that the transcript is a true record, to the best of my ability.

DATED this 6th day of March, 2023.



WENDY SAWYER, CDLT

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