

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 1

---

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

---

TRANSCRIPTION OF AUDIO FILE  
Senate Committee on Reapportionment  
The Florida Channel  
September 20, 2021

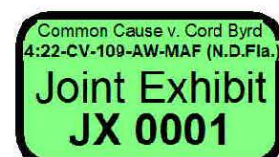
---

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

www.DigitalEvidenceGroup.com Digital Evidence Group C'rt 2023

202-232-0646

JX 0001-0001



HT\_0006078

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 2

1 (Beginning of Video Recording.)

2 CHAIR RODRIGUES: Senate Committee on  
3 Reapportionment will now come to the order.  
4 Dana, please call the roll.

5 MS. IVEY: Chair Rodrigues.

6 CHAIR RODRIGUES: Here.

7 MS. IVEY: Vice Chair Broxson.

8 MR. BROXSON: Here.

9 MS. IVEY: Senator Bean.

10 MR. BEAN: Here.

11 MS. IVEY: Senator Bracy.

12 MR. BRACY: Here.

13 MS. IVEY: Senator Bradley.

14 MS. BRADLEY: Here.

15 MS. IVEY: Senator Burgess.

16 MR. BURGESS: Here.

17 MS. IVEY: Senator Gibson.

18 MS. GIBSON: Here.

19 MS. IVEY: Senator Harrell.

20 MS. HARRELL: Here.

21 MS. IVEY: Senator Rodriguez.

22 MS. RODRIQUEZ: Here.

23 MS. IVEY: Senator Rouson.

24 MR. ROUSON: Here.

25 MS. IVEY: Senator Stargel.

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 3

1 MS. STARGEL: Here.

2 MS. IVEY: Senator Stewart.

3 MS. STEWART: Here.

4 MS. IVEY: The quorum is present, Mr.  
5 Chair.

6 CHAIR RODRIGUES: Thank you. And let  
7 the record show that Senator Bracy is excused  
8 from today's meeting. Before we begin, please  
9 silence your cellphones and all electronic  
10 devices so that those don't go off during the  
11 meeting.

12 And let me begin by saying, this is the  
13 first time the senate committee has met with  
14 an audience since the conclusion of the 2020  
15 session. And I, for one, am happy to see you  
16 back. Welcome back to the Florida State  
17 Senate. With that, I'll start with --

18 (Applause)

19 CHAIR RODRIGUES: Thank you, President.

20 Start with the observation that COVID-  
21 19 precautions, where applicable, are being  
22 taken. Anyone wishing to testify before the  
23 committee must fill out an appearance card and  
24 hand it to a member of the sergeant's office.  
25 Should you waive your speaking time, your

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 4

1 position will be read into the record.

2 Since this is our first meeting, I'd  
3 like to start with the first agenda item and  
4 introduce our committee staff. Then I'd like  
5 to go to the members of our committee for them  
6 to introduce themselves and say a few words,  
7 if they would like.

8 So with our staff, I'll start with  
9 staff director, who is sitting on my left,  
10 your right, Jay Ferrin. And then on my right,  
11 your left, is Jason Rojas, who is our special  
12 counsel to our committee. Danna Ivey -- wave,  
13 Dana -- is our committee administrative  
14 assistant.

15 Yin Li (phonetic) -- wave, Yin -- and  
16 Justin Ichromueller (phonetic) are our policy  
17 analysts. And Megan Magnole is our committee  
18 legislative research assistant. And that is  
19 our staff. We are blessed that Jay and Jason  
20 have some experience in redistricting, and so  
21 we're going to learn from their experience,  
22 and their wisdom will help guide us on this  
23 process.

24 Now let's move over to our members and  
25 have our members introduce themselves. I'd



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 5

1 like to start with President Bean at the end  
2 and work our way down the row, if we could do  
3 so.

4 MR. BEAN: Mr. Chairman, thank you so  
5 much. I was trying not to make eye contact  
6 with you so you would start on the other end,  
7 but we did, and so I am pleased to start by  
8 introducing myself. It's Aaron Bean. I  
9 represent Jacksonville. It's good to see you  
10 all, and it's good to see you in audience. It  
11 is an historic day, and we are excited to have  
12 you back and looking forward to working with  
13 you in the chair -- the Chair and the  
14 committee, Mr. Chairman.

15 MR. ROUSON: Good afternoon. Thank  
16 you, Mr. Chairman, for this opportunity. I'm  
17 Darryl Rouson, representing District 19,  
18 portions of Hillsborough and Pinellas  
19 Counties. Very proud to be here, very happy  
20 to be here and be a part of this committee and  
21 the whole reapportionment/redistricting  
22 process.

23 Some of you know I served on  
24 redistricting in 2010 when we traveled the  
25 state to make sure that we got input of

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 6

1 citizens, residents, and voters. I look  
2 forward to working with the staff to develop  
3 constitutional maps that are fair to  
4 everybody. Thank you.

5 MS. STEWART: Good afternoon. I'm  
6 Senator Linda Stewart. I'm from Orlando,  
7 Orange County, and I am pleased to have been  
8 chosen to serve on this very notable  
9 committee. I know that we all are going to  
10 strive to make it a fair and open process.  
11 And I know everyone here is interested in  
12 making sure that happens.

13 I did, too, also serve on a  
14 redistricting committee when I was in the  
15 County Commission. It's a very tough job.  
16 It's not something that is particularly easy.  
17 But you can in the end come to a resolution  
18 that everybody could be pleased with, and I'm  
19 hoping that will happen with this committee.  
20 So thanks -- thank you very much.

21 Thank you, Mr. Chair, and good  
22 afternoon to everyone and all of my Senate  
23 colleagues. It's exciting to see you back for  
24 committees. And this is not my first -- how  
25 should I say -- redistricting, and so I'm

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 7

1 excited to be a part of this committee again  
2 this year and certainly glad to see that Jay  
3 is our leading staff. I burned the carpet ten  
4 years ago going back and forth to his office.  
5 So I'm looking forward to -- hopefully, I  
6 won't have to do it as much.

7 Looking forward, of course, to our  
8 constitutional duty, certainly, on behalf of  
9 the citizens of the State of Florida in terms  
10 of reapportionment and using that data which  
11 has phenomenally increased our population and  
12 certainly gives us the opportunity.

13 And I expect that we will do the right  
14 thing on behalf of the people of State of  
15 Florida and their representation. And I'm  
16 ready to rock and roll. Thank you, Mr. Chair.

17 MR. BROXSON: Mr. Chair, Doug Broxson  
18 in District 1. And frankly, when I heard you  
19 were appointed to be chair, my heart jumped  
20 because I think all the members on both sides  
21 of the aisle saw your performance over the  
22 last couple years, how fair and deliberate and  
23 how you invest in every issue. And I think  
24 you positioned yourself to deliver very  
25 deliberate constitutional maps.



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 8

1 I would have to say, being from  
2 District 1 that my district was part of the  
3 first redistricting in which there were two  
4 counties, St. Johns and Escambia, so we've got  
5 a little bit more work to do than then, but  
6 I'm looking forward to your leadership, sir,  
7 and serving under you is an honor.

8 CHAIR RODRIGUES: Thank you. I'm Ray  
9 Rodrigues. I represent District 27 in the  
10 Florida State Senate, which is Lee County in  
11 southwest Florida. I'm excited for this  
12 opportunity.

13 Thank you very much, Mr. Chair, and  
14 happy -- happy Monday, everybody. It's good  
15 to be back in the capital and see all your  
16 smiling faces. Nobody better could have been  
17 picked to lead this once-in-a-decade process,  
18 Chairman Rodrigues, and very excited to have  
19 the honor and the massive responsibility to be  
20 able to endeavor on this with you. Thank you.

21 MS. RODRIGUEZ: Good afternoon, Mr.  
22 Chairman, and thank you for having me on this  
23 committee. My name is Ana Marie Rodriguez,  
24 and I'm the state senator for District 39,  
25 which includes portions of West Miami-Dade



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 9

1 County and all of Monroe County, so it is the  
2 southern-most district in the State of Florida  
3 and in the United States, and it's an honor to  
4 be here on this committee. Thank you.

5 MS. HARRELL: Thank you very much, Mr.  
6 Chairman. I'm Senator Gayle Harrell. I  
7 represent District 25, which is Martin, St.  
8 Lucie, and parts of Palm Beach County. And I  
9 am so delighted to be on this  
10 redistricting/reapportionment committee. This  
11 is my third time around redistricting. Maybe  
12 Senator Bean and I share that, whether you  
13 were here in 2010, I don't remember.

14 But we -- this is the third time  
15 around. I am excited to be a part of this  
16 amazing committee and the wonderful people on  
17 it.

18 This will be a very fair, open process.  
19 I have every confidence that we will come up  
20 with constitutional maps that meet every  
21 requirement we have under Fair Districts, and  
22 I have full confidence in the committee and  
23 our wonderful staff. And I look forward to  
24 working with you, Mr. Chairman, and our  
25 various vice chairs and subcommittee chairs to

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 10

1 make this the best ever. Thank you.

2 MS. BRADLEY: Thank you, Mr. Chairman.

3 My name is Jennifer Bradley. I am the state

4 senator for District 5, which is -- includes

5 11 rural counties across north Florida calling

6 Clay County home. It is a tremendous honor to

7 be a part of this committee. It is, as

8 Senator Burgess said, it's a once-in-a-decade

9 process, and it's constitutionally required,

10 and it's a weighty responsibility that we take

11 on. And it's one that we take very, very

12 seriously. And I just couldn't think of a

13 better group to be thoughtful and to be led by

14 just very capable staff. And I look forward

15 to a great process with great dialogue and

16 input, so look forward to it. Thank you.

17 MS. STARGEL: Good afternoon. I'm

18 Kelli Stargel. I represent District 22, which

19 is North Polk/South Lake County. Also had the

20 honor of serving on the redistricting

21 committee back in 2010. Looking forward to

22 the process this time, looking forward to your

23 leadership, Chairman, and -- and so let's get

24 to work.

25 CHAIR RODRIGUES: Thank you, members,

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 11

1 and since they were too humble to say so, I  
2 will say this: Senator Bradley will be  
3 chairing our Select Subcommittee on  
4 Congressional Reapportionment, and Senator  
5 Burgess will be chairing our Select  
6 Subcommittee on Legislative Reapportionment.  
7 And I look forward to working with both of  
8 you. And I am very excited for the makeup of  
9 this committee.

10 I think the President has done a  
11 tremendous job of ensuring that the entire  
12 state has representation. If you look, we've  
13 got representation from northwest Florida,  
14 northeast Florida, southeast Florida,  
15 southwest Florida, I-4 Corridor, and the  
16 heartland of Florida.

17 We've got urban districts represented;  
18 we've got rural districts represented. I  
19 really feel like if you take the cross section  
20 of Florida, the President's done a good job of  
21 putting together a committee that represents  
22 citizens in every one of those sections.

23 So the job in front of us is going to  
24 be a tremendous one, and before we begin, I'd  
25 like to just take a moment and talk about the



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 12

1 task that we are going to be embarking on. As  
2 senators appointed to this committee, we have  
3 the responsibility of guiding our chamber  
4 through the process of fulfilling our  
5 constitutional obligation to redraw  
6 legislative and congressional district  
7 boundaries.

8 The last time the legislature embarked  
9 on this task, it was the first time since the  
10 adoption of the amendments governing the  
11 standards for redrawing of legislative and  
12 congressional districts, which have since been  
13 codified in Article III, Sections 20 and 21 of  
14 the Florida Constitution.

15 Those that came before us did not have  
16 the benefit of how the Florida Supreme Court  
17 would interpret those standards or a true  
18 understanding of the role the judiciary would  
19 play. Some hard lessons were learned through  
20 that previous cycle, and I believe we will  
21 learn from those lessons.

22 The Florida Supreme Court's  
23 interpretation of the then brand-new  
24 amendments fundamentally altered the way we do  
25 redistricting here in the State of Florida.



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 13

1 The Court relied on geometric compactness,  
2 consistent use of political and geographic  
3 boundaries, equal population, and functional  
4 analysis of minority districts to serve as  
5 objective indicators of intent when reviewing  
6 a plan or district. The Court summarily  
7 rejected the use of subjective principles,  
8 such as communities of interest, partisan  
9 favoritism, partisan proportionality, and  
10 incumbent protection.

11 The Court, also, expanded the role of  
12 the judiciary in the redistricting process.  
13 The Court limited legislative privilege to  
14 allow for the deposition of sitting  
15 legislators and compelled evidence and  
16 testimony from nonparty political consultants  
17 not directly involved in the legislative  
18 decision-making process.

19 Ultimately, after considering both  
20 direct and circumstantial evidence obtained  
21 through discovery and depositions of  
22 legislators, staff, and nonparty political  
23 consultants, the State Supreme Court of  
24 Florida ruled that the legislatures, senate,  
25 and congressional plans had been drawn with

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 14

1       improper intent.

2               The concurred with a trial court's  
3       finding, and I'm quoting from the trial court  
4       in the Apportionment 7 decision when it wrote,  
5       "Political consultants or operatives did, in  
6       fact, conspire to manipulate and influence the  
7       redistricting process. They accomplished this  
8       by writing scripts and organizing groups of  
9       people to attend public hearings to advocate  
10      for adoption of certain component or  
11      characteristics in the maps and by submitting  
12      maps, impartial maps, through the public  
13      process. They made a mockery of the  
14      legislature's proclaimed transparent and open  
15      process of redistricting by doing all of this  
16      in the shadow of that process."

17              After finding the plans to have been  
18      drawn with unconstitutional and improper  
19      intent, the Court flipped the burden of proof.  
20      Legislative deference was lost, and the  
21      presumption of constitutionality of the  
22      legislature's redistricting plans was gone.

23              Fortunately, we now have the insight  
24      into both the judiciary's expanded scope of  
25      review and how courts have interpreted and

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 15

1 applied the constitutional standards related  
2 to redistricting.

3 I intend for this committee to conduct  
4 the process in a manner that is consistent  
5 with case law that developed during the last  
6 decade is beyond reproach and free from any  
7 hint of constitutional -- excuse me -- free  
8 from any hint of unconstitutional intent. I  
9 agree with the Florida Supreme Court when it  
10 said, "Legislative apportionment is primarily  
11 a matter for legislative consideration and  
12 determination."

13 The Court has indicated that it will  
14 defer to the legislature's decision to draw a  
15 district in a certain way, so long as that  
16 decision does not violate the constitutional  
17 requirements, and it is my intention to  
18 strictly adhere to the constitutional  
19 requirements so that our legislative  
20 discretion is preserved.

21 When we've talked about the issues of  
22 communication and record retention, it is  
23 important moving forward that all senators  
24 should be aware that in prior redistricting  
25 cycles, significant litigation has followed



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 16

1 passage of new maps. Sitting legislators may  
2 be compelled to produced records or to be  
3 subject to questioning under oath about  
4 conversations with colleagues, about  
5 conversations with legislative staff, or with  
6 outside parties who may attempt to persuade  
7 the legislature to pass maps or disfavor --  
8 that favor or disfavor a political party or an  
9 incumbent.

10 Senators should take care to insulate  
11 themselves from interests that may  
12 intentionally or unintentionally attempt to  
13 inappropriately influence the redistricting  
14 process. Senators should continue to adhere  
15 to the Records Retention Policy as directed by  
16 Article I, Section 24 of the Florida  
17 Constitution, Section 11.0431 of the Florida  
18 Statutes, and Senate Rule 1.48.

19 Senators and staff should, also, be  
20 mindful that correspondence, emails, texts,  
21 and other electronic communications related to  
22 the enactment of new districts, whether sent  
23 or received, on official senate accounts or  
24 devices or personal email accounts or devices,  
25 may be a permanent or archival value, and



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 17

1       those records should be preserved accordingly.

2               If you have questions about record  
3       retention, I encourage you to contact our  
4       Senator General Counsel for guidance.

5               As we move forward, we're going to look  
6       at what the approach to this process will be.  
7       While remaining to committed to having an  
8       open, transparent, and interactive process, we  
9       are taking steps to safeguard against the kind  
10      of shadow process that occurred in the last  
11      cycle. We will protect our process against  
12      the astroturfing that occurred in the past  
13      where partisan, political operatives from both  
14      parties wrote scripts and recruited speakers  
15      to advocate for certain plans or district  
16      configurations to create a false impression of  
17      a wide-spread grassroots movement.

18              Anyone testifying before our committee  
19      or select subcommittees must disclose certain  
20      information. In addition to stating whether  
21      or not they are a registered lobbyist,  
22      speakers must disclosed whether or not they  
23      received compensation or anything of value --  
24      travels, meals, lodgings, et cetera -- as part  
25      of or exchange for their testimony. This

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 18

1 policy is being adopted senate-wide in the  
2 form of revised appearance cards.

3 To prevent secretive submissions by  
4 partisan operatives, we are requiring publicly  
5 submitted written comments, suggestions, and  
6 maps with a signed form. This form must  
7 contain the identity of the submitter.  
8 Submitters must state whether or not they have  
9 received any compensation or anything of value  
10 from any groups or organizations that have an  
11 interest in redistricting as part of or in  
12 exchange for their comments, suggestions, or  
13 map.

14 Submitter must list every person,  
15 group, or organization they have collaborated  
16 with on their comment, suggestion, or map.  
17 And finally, submitters must acknowledge that  
18 their communications and submissions may be  
19 included, reviewed, and examined in all steps  
20 of the legislative process until and even  
21 after new district maps are enacted into law.

22 Additionally, our staff will not review  
23 or consider publicly submitted comments,  
24 suggestions, or maps for inclusion in their  
25 work product unless and until a senator asks

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 19

1       them to do so in writing. Publicly submitted  
2       maps will be available on the joint website  
3       the Senate is doing with the House,  
4       www.floridaredistricting.gov, for members to  
5       review.

6               Any member who requests staff to review  
7       and consider such a submission should be  
8       prepared to appear before a committee or its  
9       select subcommittees and explain their  
10      intentions for doing so. This is consistent  
11      with all other aspects of our legislative  
12      process and is akin to advocating for  
13      inclusion of a policy in a proposed committee  
14      bill.

15             My encouragement to each of you as  
16      committee members is to make yourself  
17      accessible to the public who wishes to have  
18      their maps considered so that you meet with  
19      them, listen to them, and give them that  
20      access.

21             Are there any questions before we  
22      proceed to the presentations on our agenda?  
23      Senator Gibson, you're recognized.

24             MS. GIBSON: Thank you, Mr. Chair.  
25      During the last redistricting cycle, there was



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 20

1 a particular email address that we used to  
2 send any emails or -- that we received related  
3 to redistricting. There was this one  
4 depository for forwarding those emails. Is  
5 that -- will that be the case this time, or --  
6 can you clarify how such emails get sent?  
7 Clarify, please. Sorry.

8 CHAIR RODRIGUES: And thank you for the  
9 question. That is a good question. What we  
10 have had staff do is prepare a response that  
11 can be given to those who contact us directly  
12 on the subject of redistricting. The response  
13 will direct the contactor to the  
14 [www.floridaredistricting.gov](http://www.floridaredistricting.gov) website and ask  
15 them to place their idea onto that website.

16 That website will serve as the official  
17 repository of all our redistricting data.  
18 What I have done as an individual senator is  
19 created a redistricting file, and each person  
20 who contacts me gets that response, and then  
21 their email goes into my redistricting file so  
22 that it is archived and available in the  
23 future.

24 MS. GIBSON: Thank you.

25 CHAIR RODRIGUES: Sure.



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 21

1 MS. GIBSON: May I have a follow-up for  
2 clarity, please?

3 CHAIR RODRIGUES: Yeah.

4 MS. GIBSON: Thank you. And I  
5 didn't -- I forgot to say my district when I  
6 first introduced myself. I want to make sure  
7 everyone knows Duval is in the house. Senator  
8 Bean has a portion of Jacksonville, and I have  
9 the other.

10 On the -- I talked about burning the  
11 carpet in the last cycle, but it was for  
12 amendments that I wanted to make with staff,  
13 and so in your -- in your explanation, that is  
14 still a legal process as a part of this  
15 committee for any -- any senator, actually,  
16 this committee or not, correct?

17 CHAIR RODRIGUES: That is correct.

18 MS. GIBSON: All right. Thank you very  
19 much.

20 CHAIR RODRIGUES: Senator Stewart,  
21 you're recognize for a question.

22 MS. STEWART: For clarification, so a  
23 grassroots organization comes to me and asks  
24 would I submit a map on their behalf, is that  
25 form something that would have to be filled

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 22

1 out as -- and come with the map that I -- they  
2 ask me to submit?

3 CHAIR RODRIGUES: The grassroots  
4 organization would need to submit that map  
5 through the Florida Redistricting.gov website,  
6 and then they would need to ask you to be the  
7 sponsor of it.

8 And so they would need to complete  
9 whatever is required to submit it on the  
10 website, and there's -- as you go onto the  
11 website, there are cues that will guide you  
12 through the process. And once they've  
13 completed that, then they can meet with you  
14 and lobby you to champion their map, in which  
15 case you can move forward, bring that map  
16 forward, and say, I wish to sponsor this as  
17 either a part of the process or as an  
18 amendment, whatever the case may be.

19 Senator Rouson, you look like you may  
20 have a question.

21 MR. ROUSON: Yes, thank you, Mr. Chair.  
22 You indicated in your introductory remarks  
23 that this would be an open and interactive  
24 process. Could you expound upon interactive?  
25 I expect that means the public will be able to

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 23

1 participate both through comments, testimony,  
2 and submission of maps. But is there any  
3 other opportunity for public participation?

4 CHAIR RODRIGUES: The examples that  
5 you've given are what has been contemplated  
6 and agreed upon so far between the Florida  
7 Senate and the Florida House.

8 So to begin with, we've agreed -- and  
9 what's different in this cycle than in the  
10 previous cycle is that the Senate and the  
11 House are using the same vendor; we're using  
12 the same software. As a result of that, we  
13 can do a joint website to receive all of the  
14 public submissions.

15 We will have committee meetings, which  
16 will -- as all committee meetings are -- be  
17 publicly noticed and have the opportunity for  
18 public comment. So the public will have that  
19 opportunity. And of course, the public can  
20 reach out to any of us as individual senators  
21 to meet with us and ask us to champion their  
22 ideas that they have submitted through the  
23 website.

24 MR. ROUSON: And -- thank you, Mr.  
25 Chair for that explanation. Is there any



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 24

1 guidance on how to handle media inquiries or  
2 citizen inquiries of individual senators?

3 CHAIR RODRIGUES: The only guidance  
4 that I've seen put together so far is the  
5 guidance that directs them to put their ideas  
6 into the interactive website. If we need  
7 additional guidance, I'm sure we can work with  
8 staff to come up with it.

9 MR. ROUSON: And do you anticipate  
10 that -- you know, last time when we did this,  
11 we took this show on the road, to borrow a  
12 term, and people were able to come to their  
13 local arena or venue to testify. Is there any  
14 thought to virtual appearances by members of  
15 the public?

16 CHAIR RODRIGUES: Both of those  
17 concepts are still under consideration at this  
18 time.

19 Do we have any questions on this side?  
20 Seeing none, we'll move on to Agenda Item 2,  
21 Tab 2. We'll actually go ahead and do Tabs 2,  
22 3, and 4. And I'm going to recognize our  
23 staff director, Mr. Ferrin, for presentations  
24 on our committee's jurisdiction, redistricting  
25 terminology, timeline, and on the census and

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 25

1 census data. Mr. Ferrin, you're recognized.

2 MR. FERRIN: Thank you, Mr. Chairman,  
3 and good afternoon, members. Happy to be here  
4 or back here.

5 I wanted to -- we wanted to start out  
6 today with a general overview of the committee  
7 process, committee jurisdiction. Get -- make  
8 sure everyone's familiar with a lot of the  
9 terminology we'll use throughout this process.  
10 I know a lot of you have been involved in it  
11 in different capacities in the past, but this  
12 is probably a good opportunity for a refresher  
13 and review of the basic subject matter.

14 So today's presentations are a high-  
15 level orientation of what redistricting is and  
16 why we do it. I anticipate that in subsequent  
17 meetings we'll have opportunities to delve a  
18 little further into more detail on the legal  
19 environment, the way that we measure the  
20 criteria that we'll be using and talking about  
21 today, and the methodology that we'll use to  
22 draw districts.

23 So to begin with the committee's  
24 jurisdiction, the Senate Committee on  
25 Reapportionment creates redistricting plans

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 26

1 for the Florida -- for Florida's congressional  
2 and state legislative districts to account for  
3 population shifts revealed by data from the  
4 2020 census. As you know, we do this every  
5 ten years, as directed by the Florida  
6 Constitution, which states that the  
7 legislature, at its regular session in the  
8 second year following each decennial census,  
9 shall apportion the state in accordance with  
10 the constitution of the state and of the  
11 United States.

12 This cycle of our regular session will  
13 begin on January 11th, 2022, and as the census  
14 data that was released in a Legacy format on  
15 August 12th and formally delivered on  
16 September 16th revealed, Florida grew by about  
17 2.7 million people and gained one additional  
18 seat in Congress. For various reasons that  
19 we'll discuss later today, this data was  
20 delivered more than four months after the  
21 April 1st, 2021, deadline prescribed in  
22 federal law.

23 The data that was released in August  
24 was the same data that was delivered last  
25 week. The difference between a Legacy format



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 27

1 data and the formal release that we got last  
2 week is that the Legacy data is coded in a  
3 series of tables. They're unformatted,  
4 without clear field labels, and so they have  
5 to be processed in order to be useful. The  
6 formal data release is a much more pre-  
7 formatted and user-friendly format that's  
8 currently available on data.census.gov and is  
9 being added to our redistricting software.

10 We can jump to the constitutional  
11 authority for redistricting. The legislature  
12 and its committees drive the authority to  
13 redraw congressional districts from the  
14 elections clause of the United States  
15 Constitution. It directs state legislatures  
16 to regulate the times, places, and manner of  
17 conducting elections for Congress.

18 We derive our authority to redraw state  
19 legislative districts from Article III,  
20 Section 16 of the Florida Constitution, which  
21 directs the legislature to adopt a  
22 redistricting plan for state legislative  
23 districts in the second year after each  
24 census. In this case, that would be 2022.

25 As I previously mentioned, the regular

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 28

1 session will begin on January 11th. In  
2 redistricting years, the regular session has  
3 always started in January rather than March,  
4 and this is to afford the greatest amount of  
5 time possible for adoption and implementation  
6 of redistricting plans.

7 One of the questions that usually pops  
8 up at some point during this process is, what  
9 is the difference between reapportionment and  
10 redistricting. They're frequently used  
11 interchangeably, and for all intents and  
12 purposes mean the drawing of new district  
13 boundaries for the purposes of representation.  
14 The term redistricting refers to the process  
15 by which boundaries of electoral districts are  
16 redrawn to adjust for uneven population growth  
17 revealed by the latest decennial census.  
18 State legislatures, county commissions, and  
19 city commissions redistrict.

20 Reapportionment is the process of  
21 assigning seats in a legislative body amongst  
22 preexisting political subdivisions such as  
23 states or counties. Following each census,  
24 the 435 seats in the United States House of  
25 Representatives are apportioned to each state

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 29

1 based on state population. Each state gets at  
2 least one seat, but the larger the state  
3 population, the more congressional  
4 representation the state will receive.

5 As I mentioned, based on the 2020  
6 census, Florida received an additional seat to  
7 bring the total number to 28, and that's in  
8 the U.S. House. We have two United States  
9 Senate representatives, as well.

10 The term reapportionment gets used in  
11 Florida because it's used to assign -- because  
12 Florida used to assign districts based on  
13 county boundaries. Article III, Section 16 of  
14 the Florida Constitution, also, refers to the  
15 process of redrawing State House and State  
16 Senate districts as legislative apportionment.

17 So aside from the constitutional  
18 requirements to redraw boundaries every ten  
19 years, why do we do this? The primary reason  
20 is to comply with the equal population  
21 requirements of the United States and Florida  
22 Constitutions. The equal population standard  
23 for the congressional districts is based on  
24 Article I, Section 2 of the United States  
25 Constitution, as interpreted by the U.S.



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 30

1 Supreme Court in Wesberry v. Sanders in 1964.

2 The Court stated that representatives  
3 be chosen by the people of the several states  
4 means that, as nearly as is practicable, one  
5 person's vote in a congressional election is  
6 to be worth as much as another's. This has  
7 come to be known as the one-person, one-vote  
8 principle and compels us to draw congressional  
9 districts that have a population variance of  
10 plus or minus one person.

11 The equal population standard for state  
12 legislative districts is based on the 14th  
13 Amendment's equal protection clause, as  
14 interpreted by the United States Supreme Court  
15 in Reynolds v. Sims in 1964.

16 The Court stated that because there is  
17 a significantly larger number of seats in  
18 state legislative bodies to be distributed  
19 within a state than congressional seats, it  
20 may be feasible to use the political  
21 subdivision lines while still affording  
22 adequate representation to all parts of the  
23 state.

24 The Court, also, stated that  
25 mathematical nicety is not a constitutional

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 31

1        requisite but nevertheless, states that the  
2        overriding objective must be substantial  
3        equality of the population amongst the various  
4        districts. This has been interpreted and  
5        applied to mean that districts should have no  
6        more than a 10 percent difference in their  
7        population.

8                Florida's Constitution also contains  
9        provisions regarding equal population in  
10       Article III, Section 20 and 21, which states  
11       in Subsection B, the district shall be as  
12       nearly equal in population as is practicable.

13               The equal population criteria contained  
14       in the United States Constitution is contained  
15       in Article I, Section 2, and in the Fourteenth  
16       Amendment, but other redistricting criteria  
17       exists in the Florida Constitution, the  
18       Federal Voting Rights Act, and in Florida  
19       statutes.

20               Protections against diminishment or  
21       reduction in the ability of racial or language  
22       minorities to elect representatives of their  
23       choice are in the Florida Constitution and in  
24       the Federal Voting Rights Act.

25               Prohibitions on drawing a plan or

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 32

1 district with intent to favor or just favor a  
2 political party or incumbent are in the  
3 Florida Constitution. Requirements for  
4 districts to be contiguous are in -- contained  
5 in the Florida Constitution.

6 Requests for districts to be compact  
7 are in the Florida Constitution, and  
8 requirement for district boundaries to, where  
9 feasible, utilize existing political and  
10 geographic features are in the Florida  
11 Constitution.

12 The requirement to use data from the  
13 most recent decennial census is contained in  
14 Section 11.031 of Florida Statutes and in  
15 Article X, Section 8 of the Florida  
16 Constitution.

17 The minority voting right -- excuse me.  
18 The minority protections of the Voting Rights  
19 Act are applied in the redistricting context.  
20 The Voting Rights Act prohibits any state or  
21 political subdivision from enacting a map that  
22 results in the denial or abridgment of any  
23 U.S. citizen's right to vote on account of  
24 race, color, or status as a member of a racial  
25 or language minority group. And it prohibits



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 33

1 purposeful discrimination and protects against  
2 retrogression or backsliding in the ability of  
3 racial minorities to elect representatives of  
4 their choice.

5 The Voting Rights Act contains a couple  
6 of pertinent sections. Section 2 compels the  
7 drawing of a majority/minority district -- or  
8 excuse me -- compels the drawing of a district  
9 that performs for racial and language minority  
10 where what are known as the Gingles Conditions  
11 are met. These conditions come from Thornburg  
12 v. Gingles, a 1986 case out of North Carolina.

13 They require us to draw a performing  
14 minority district where, one, a minority  
15 population is geographically compact, and it's  
16 sufficiently numerous to be a majority in a  
17 single district; two, the minority population  
18 is politically cohesive; three, the majority  
19 votes sufficiently as a block to enable it to  
20 usually defeat the minority-preferred  
21 candidate; and four, under all of the  
22 circumstances, minority population has less  
23 opportunity than others to participate in the  
24 political process and elect representatives of  
25 its choice.

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 34

1           The other pertinent section is Section  
2       5, and Section 5 differs somewhat from Section  
3       2 in that it doesn't necessarily compel the  
4       creation of minority -- minority districts.  
5       Rather, it prohibits purposeful discrimination  
6       and protects against retrogression or  
7       backsliding in the existing ability of racial  
8       and language minorities to elect  
9       representatives of their choice. It contains  
10      a coverage formula that was applied to  
11      determine if there was a history of  
12      discrimination against racial or language  
13      minorities in a particular jurisdiction.

14           In Florida, Hardee, Henry,  
15      Hillsborough, and Monroe Counties were  
16      coverage jurisdictions until the coverage  
17      formula was invalidated by the United States  
18      Supreme Court in 2013 in a case called Shelby  
19      County v. Holder. It's worth noting that the  
20      Shelby decision means that the pre-clearance  
21      process established by the Voting Rights Act  
22      is no longer in effect, but it does not affect  
23      the validity of the diminishment standard in  
24      the Florida Constitution.

25           The Florida Constitution contains

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 35

1       several other provisions related to  
2       redistricting. Article III, Section 16 is our  
3       guidance to the -- the general rationale for  
4       dividing House and Senate districts. It  
5       requires the state to be divided in 30 or --  
6       30 to 40 contiguous and consequently-numbered  
7       senatorial districts and into between 80 and  
8       120 contiguous and consequently-numbered house  
9       districts. A district is considered to be  
10      contiguous if all of its territories in actual  
11      contact and are uninterrupted by the territory  
12      of another district. The courts have ruled  
13      that contact at a corner or a right-angle is  
14      insufficient, but territory may cross bodies  
15      of water.

16               Consequently-numbered districts have  
17      been interpreted to mean that districts cannot  
18      skip numbers. We cannot, for example, number  
19      all the Senate Districts with odd numbers. It  
20      does not mean that District 1 has to share a  
21      boundary with District 2 and District 2 has to  
22      share a boundary with District 3 and so on and  
23      so forth. And one other note on this is  
24      provision in the constitution is that -- that  
25      it technically does allow the state



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 36

1 legislative districts to overlap, either  
2 partially or entirely. However, this has not  
3 been done since the state switched to single-  
4 member districts.

5 Moving on to Article III, Sections 20  
6 and 21. These were added to the constitution  
7 by the voters in 2010. Article III, Section  
8 20, which deals with congressional, and  
9 Section 21, which deals with legislative  
10 provisions, prohibit line drawing that  
11 intentionally favors or disfavors a political  
12 party or incumbent. The sections, also,  
13 afford protection to racial and language  
14 minorities and provide additional standards  
15 for the drawing of plans and districts.

16 Subsection A states that no  
17 apportionment plan or district shall be drawn  
18 with the intent to favor or disfavor a  
19 political part of incumbent. Districts shall  
20 not be drawn with the intent or a result of  
21 denying or abridging the equal opportunity of  
22 racial or language minorities to participate  
23 in a pollical process or to diminish their  
24 ability to elect representatives of their  
25 choice. And then finally, districts shall

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 37

1 be -- of -- consist of contiguous territory.

2 Subsection B states that unless  
3 compliance with the standards of the  
4 section -- subsection conflict with the  
5 standards in Subsection A or with federal law,  
6 districts shall be nearly equal in population  
7 that is practicable. Districts shall be  
8 compact, and districts shall, where feasible,  
9 utilize existing political geographic  
10 boundaries.

11 Subsection C clarifies that the order  
12 in which the standards within Subsections A  
13 and B are set forth shall not be read to  
14 establish any priority of one standard over  
15 the other within that subsection.

16 The criteria that we just went over has  
17 been broken out into two tiers by the Florida  
18 Supreme Court in Apportionment 1. Tier one  
19 consists of the provisions contained in  
20 Subsection A relating to diminishment and  
21 intent to favor/disfavor a political party or  
22 incumbent, as well as the contiguity  
23 provision.

24 Tier two apply, unless these -- unless  
25 they conflict with tier one or federal law,

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 38

1 and these are dealing with the equal  
2 population, district compactness, and  
3 utilization of political and geographic  
4 boundaries. And as I've already noted, as  
5 long as they don't -- they cannot be read to  
6 establish any one priority over another within  
7 that tier.

8 We can take a breather or move on to  
9 terminology.

10 CHAIR RODRIGUES: Do we have any -- do  
11 the members have any questions? Yes, let's go  
12 ahead and do questions before we move on.  
13 Senator Gibson, you're recognized for a  
14 question.

15 MS. GIBSON: Thank you, Mr. Chair. On  
16 the districts shall be compact in tier two, I  
17 know previously we used Reock scores, I think,  
18 and Convex Hull scores ad nauseum, those  
19 words. And so since it's not -- there's no  
20 real definition in the materials that we have  
21 that speaks to compactness, is there some  
22 anticipation that -- or why did we use Convex  
23 Hull and Reock scores?

24 And then, if you could talk about the  
25 appropriateness of following that same method



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 39

1 in this cycle. Thank you, Mr. Chair.

2 CHAIR RODRIGUES: You're recognized.

3 MR. FERRIN: Thank you, Mr. Chairman  
4 and Senator Gibson. We -- you're correct. We  
5 used a score called a Reock score, a Convex  
6 Hull score, and then a Polsby-Popper score.  
7 And those three scores are all on a -- they're  
8 scored on a range of zero to one, so it's a  
9 proportional measurement. They measure  
10 different things.

11 Generally speaking, a Reock is going to  
12 measure how much a district resembles a  
13 circle. A Convex Hull is a test for,  
14 basically, indentations. So a star would  
15 score very poorly on a Convex Hull, but a  
16 square or a rectangle would score highly. And  
17 then Polsby-Popper is a perimeter ratio so  
18 that -- that kind of tests for jagged edges,  
19 so to speak. And so the smoother the edges of  
20 a district, the higher the score would be  
21 there.

22 Those are the three that I would  
23 anticipate using in addition to, as the  
24 Supreme Court stated, the Intraocular Test,  
25 which is just a visual review for compactness.

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 40

1 I believe that you will see those three  
2 available in the software very soon.

3 CHAIR RODRIGUES: Any further  
4 questions? Okay. Let's move on to the next  
5 tab.

6 MR. FERRIN: Thank you, Mr. Chairman.  
7 So the terminology, a lot of this I've already  
8 kind of mentioned, and some of you may be  
9 familiar with. We've talked about equal  
10 population and the requirements in the U.S.  
11 Constitution for equally-weighted votes.

12 The equal population, as I've  
13 mentioned, for congressional districts is plus  
14 or minus one person. It's generally higher in  
15 terms of legislative districts. The courts  
16 have allowed in the past in different  
17 circumstances up to a 10 percent overall  
18 range. The legislature here in Florida has  
19 typically drawn Senate and House districts  
20 with deviations of less than 1 or 2 percent.

21 The ideal population is the total state  
22 population divided by the number of districts,  
23 and so that's our target population as we're  
24 drawing districts in terms of what we're  
25 trying to get to. Ideal populations based on

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 41

1 the 2020 census are as follows:

2 For congressional, it's 769,221. For  
3 Florida Senate districts, it's going to be  
4 538,455. And for the House, it'll be 4 -- or  
5 excuse me -- 179,485.

6 Voting age population refers to the  
7 number of --

8 MR. BEAN: Mr. Chairman, I'm sorry to  
9 interrupt. Can you give those numbers one  
10 more time? I was writing them down. I  
11 missed -- missed them. Starting with the  
12 congressional.

13 MR. FERRIN: Thank you, Mr. Chairman  
14 and Senator Bean. So congressional is 7-6-9-  
15 2-2-1. The Senate districts will be 5-3-8-4-  
16 5-5. The House districts will be 1-7-9-4-8-5,  
17 and I believe I've got a slide later on that's  
18 going to have those numbers on it and compare  
19 them to the old numbers.

20 And so back to the voting age  
21 population, that's the number of people in a  
22 district or a plan that are -- excuse me -- in  
23 a district that are over 18 years of age and  
24 represents the potential electorate in a  
25 district.



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 42

1           And then population deviation is the  
2           difference between the ideal population and  
3           the population of a district or plan. It's  
4           calculated for individual districts and the  
5           redistricting plan as a whole. We often  
6           express this as a percentage, and that's  
7           calculated by dividing the deviation of a  
8           district by the ideal population.

9           At the district level, population  
10          deviation is measured as the amount of a  
11          district's total population minus its ideal  
12          population, and that can be positive or  
13          negative. At the plan level, population  
14          deviation is the numeric range between the  
15          smallest total population and the largest  
16          total population of a district.

17          This slide contains some redistricting  
18          terms related to map drawing and the criteria  
19          found in the Florida Constitution. A  
20          benchmark plan is the last legally-enforceable  
21          redistricting plan enforcer effect. A  
22          proposed redistricting plan is compared to a  
23          benchmark plan to analyze its compliance with  
24          protections for racial and language minorities  
25          under federal and state law. In Florida, the

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 43

1 benchmark plans will be named and referred to  
2 as follows:

3 For the congressional plan, you'll see  
4 that as FLCD 2016 for 2016 in its date of  
5 adoption. FLHD 2012 would be the House  
6 benchmark, and FLSD 2016 would be the Senate  
7 benchmark. And those are your current  
8 districts today.

9 Retrogression occurs when a  
10 redistricting plan reduces the opportunity of  
11 a racial or language minority to participate  
12 in the political process or elect  
13 representatives of their choice when compared  
14 to the benchmark plan. Retrogression can  
15 apply to a whole redistricting plan or to an  
16 individual district.

17 Diminishment is similar in that it  
18 occurs when a redistricting plan eliminates a  
19 majority minority district or potentially  
20 weakens a historically-performing minority  
21 district where doing so would actually reduce  
22 the ability of racial or language minority  
23 groups to elect candidates of their choice, as  
24 compared to the benchmark plan.

25 Geographic boundaries. For geographic

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 44

1 boundaries, we use easily ascertainable and  
2 commonly understood features, such as rivers,  
3 railways, and primary and secondary roads.  
4 Primary and secondary roads are actually  
5 defined by the United States Census Bureau in  
6 their -- their data -- geographical dataset.  
7 They include interstates, U.S. highways, and  
8 state highways. County roads are not included  
9 in that as -- as some of the roads in those  
10 categories can range from a six-lane highway  
11 to a dirt road.

12 And then finally, political boundaries  
13 in the redistricting context has been defined  
14 by the courts as county or incorporated  
15 municipality boundaries, so your cities, town,  
16 villages, et cetera. We have 412 of those  
17 here in Florida for this cycle.

18 This slide here has an image for the  
19 geographical hierarchy that's used by the  
20 census. So the smallest feature that we'll  
21 use is the census block. Blocks are formed by  
22 streets, roads, bodies of water, and other  
23 physical features and legal boundaries that  
24 are shown on U.S. Census Bureau maps.

25 Census block groups are clusters of



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 45

1 census blocks within a census tract. Tracts  
2 are small, relatively-permanent statical  
3 subdivisions of a county and are delineated by  
4 the local participants as part of the U.S.  
5 Census Bureau's Participants Statistical Areas  
6 Program.

7 Counties are the primary legal  
8 subdivisions of the state and are used for  
9 reporting census -- decennial census data. So  
10 each of those nests within each other.

11 Here we have some definitions and terms  
12 related to the different kinds of districts  
13 that can be drawn for racial or language  
14 minority opportunities. The -- these are kind  
15 of listed in the order of significance. So a  
16 majority minority district is a district in  
17 which racial or language minority groups  
18 comprise a majority, which is 50 percent plus  
19 1 or more of the voting age population of the  
20 district.

21 An effective minority district is a  
22 district that contains sufficient voting age  
23 population to provide the minority community  
24 with an opportunity to elect a candidate of  
25 choice but falls short of a majority.

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 46

1 A crossover district is a district in  
2 which a racial or language minority group is  
3 not a numerical majority but is potentially  
4 large enough to elect its preferred candidate  
5 by persuading enough majority voters to cross  
6 over to support the minorities' preferred  
7 candidate.

8 A coalition district is a district in  
9 which more than one racial or language  
10 minority group working together can form a  
11 majority to elect their candidates of choice.

12 And then lastly is an influence  
13 district, which is a district in which the  
14 racial or language minority community,  
15 although not sufficiently large enough to  
16 elect a candidate of its choice, is able to  
17 influence the outcome of an election and elect  
18 a candidate who will be responsive to the  
19 interests and concerns of the minority  
20 community.

21 That would conclude that portion of the  
22 presentation, sir, Mr. Chairman.

23 CHAIR RODRIGUES: Do we have any  
24 questions on this tab?

25 Seeing none, let's move on to Tab 4,

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 47

1 Census -- Census Data Explanation.

2 MALE VOICE: (Inaudible).

3 CHAIR RODRIGUES: Oh, I'm sorry. I  
4 missed the timeline. Let's go back and  
5 complete the timeline.

6 MR. FERRIN: Thank you, Mr. Chairman.

7 So the beginning of this -- this  
8 process starts with April 1st, 2020, which is  
9 the census day. And the census responses,  
10 although they're collected over a period of  
11 time, are used -- are tied to April 1st. So  
12 if you're filling out a response later on in  
13 the summer, the question that the Census  
14 Bureau is asking you as a respondent is where  
15 were you residing on April 1st, 2020.

16 April 26th was the day that the Census  
17 Bureau released the state-wide population  
18 totals for apportioning the seats in the  
19 United States House of Representatives. That  
20 was originally scheduled under the kind of  
21 normal cycle to have been December 31st, 2020.

22 On August 12th, 2021, the Census Bureau  
23 published tabular population demographic and  
24 housing data for all 50 states. That was the  
25 delivery and availability of the Legacy format



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 48

1 census data. That should have been available  
2 on April 1st, 2021.

3 Last week, on September 16th, we  
4 received the formal delivery of the formatted,  
5 P.L. 94-171 redistricting data, which is the  
6 same data that was delivered as -- in the  
7 Legacy format. That was delivered to the  
8 states last week. That date should have,  
9 also, been April 1st.

10 Typically, in a cycle, that data is  
11 released together. It was broken up this  
12 cycle. Due to the delays, the Census Bureau  
13 opted to get the Legacy format data out there  
14 as soon as possible and then continue working  
15 to deliver the formatted data by the end of  
16 September.

17 And then lastly there, you see in --  
18 later this month or within the month, we plan  
19 on launching the joint website and the free  
20 publicly-available map-drawing application.

21 Here we have a list of the interim  
22 committee weeks and the prospective dates for  
23 interim committee meetings. So our next week  
24 that we would be available to meet would be  
25 October 11th, followed by October 18th to

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 49

1 22nd, November 1st through 5th, November 15th  
2 through 19th, and November 29th through  
3 December 3rd. Because we're kind of going  
4 full-blast here and operating at full speed, I  
5 would expect at this time, unless told  
6 differently, that we would plan on meeting  
7 each of those weeks.

8 This slide has some of the important  
9 session and post-session dates on it. So we  
10 will -- as I mentioned, we'll convene on  
11 January 11th, 2022, for regular session. The  
12 60th day of that session would be March 11th,  
13 2022.

14 June 13th to 17th is qualifying for  
15 state and federal offices. The mailing of the  
16 overseas ballots, which is the first sort of  
17 ballot delivery and -- and everything would  
18 have to be finalized, not only in advance of  
19 qualifying, but the date for supervisors to  
20 mail the first ballots overseas is July 9th,  
21 2022.

22 August 23rd is the primary election.  
23 The supervisors will, also, have to send out  
24 ballots on September 24th for the general  
25 election, and then we have the general

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 50

1 election date of November 8th, 2022.

2 Part of the timeline process is  
3 governed by Article III, Section 16 of the  
4 Florida Constitution, which includes the  
5 provisions for the automatic facial review of  
6 the state legislative redistricting plans.  
7 Article III, Section 16 states that within 15  
8 days after the passage of the joint resolution  
9 of apportionment, the attorney general shall  
10 petition the Supreme Court of the state for a  
11 declaratory judgment determining the validity  
12 of the apportionment.

13 The Supreme Court shall permit  
14 adversary interests to present their views and  
15 within 30 days from the filing of the petition  
16 shall enter its judgment. A judgment of the  
17 Supreme Court of the state determining that  
18 the apportionment to be -- is -- to -- excuse  
19 me -- determining the apportionment to be  
20 valid, shall be binding upon all the citizens  
21 of the state.

22 Should the Supreme Court determine that  
23 the apportionment made by the legislature is  
24 invalid, the governor by proclamation shall  
25 reconvene the legislature within five days



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 51

1       thereafter in extraordinary apportionment  
2       session, during which the legislature shall  
3       adopt a joint resolution of apportionment  
4       conforming to the judgment of the Florida  
5       Supreme Court.

6               Within 15 days after the adjournment of  
7       an extraordinary apportionment session, the  
8       attorney general is again required to file a  
9       petition to the Supreme Court setting forth  
10      the apportionment resolution adopted by the  
11      legislature.

12             If none was adopted during the  
13      extraordinary apportionment session, the  
14      attorney general is required to report that  
15      fact to the court. Otherwise, consideration  
16      of the validity of the joint resolution shall  
17      be -- had -- as provided in -- for in cases of  
18      such joint resolution being adopted at a  
19      regular or special apportionment session.

20             And then lastly, if the legislature  
21      fails to adopt a resolution of apportionment  
22      or if the Supreme Court finds the  
23      apportionment to be invalid again, the court  
24      has 60 days after receiving the petition from  
25      the attorney general to file with the

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 52

1 secretary of state an order making the  
2 apportionment.

3 The next slide that we have here is a  
4 bit of a flow chart that shows the path for  
5 the state legislative redistricting plans that  
6 we just walked through. The color coding here  
7 indicates which paths were followed for which  
8 decade. This will be available on the website  
9 when we launch it, and so I won't walk through  
10 the particulars of the past history. I think  
11 we may have an opportunity to do that at  
12 subsequent meetings, as well.

13 CHAIR RODRIGUES: Do we have any  
14 questions on the timeline?

15 Seeing none, now we can move forward to  
16 the Census/Census Data Explanation.

17 MR. FERRIN: Thank you, Mr. Chairman.

18 Established by the U.S. Constitution,  
19 the census has been conducted every ten years  
20 since 1790 to determine the number of people  
21 living in the United States. Article I,  
22 Section 2 of the U.S. Constitution requires  
23 this to be an actual enumeration of all people  
24 in the United States. Actual enumeration  
25 means a physical count, and the Constitution

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 53

1 has been determined to not allow for the use  
2 of sampling in lieu of an actual count.

3 For redistricting, Florida is one of 21  
4 states that explicitly requires the use of  
5 census data for redistricting. As I mentioned  
6 in Article X, Section 8, states that -- each  
7 decennial census of the state taken by the  
8 United States shall be an official census of  
9 the state. The fourth statute -- the  
10 statutory provision in Florida, also,  
11 designates the most recently federally  
12 conducted federal census as the official  
13 census for redistricting.

14 I've already touched a little bit on  
15 the hierarchy that's used by the census, but  
16 it's worth noting that the geography comes  
17 from a different source than the actual  
18 demographic and population data. The  
19 geographic data that we use for redistricting  
20 comes in the form of TIGER/Line shape files  
21 that are released by the Census Bureau.

22 And these are extracts of selected  
23 geographic information from the United States  
24 Census Bureau's database. It includes polygon  
25 boundaries with geographic areas and features,



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 54

1 linear features, including roads and  
2 hydrography, and point features, such as  
3 landmarks.

4 The state does not contain any  
5 sensitive or -- information or data on  
6 population on demographics. That's linked to  
7 later from censuses and other surveys through  
8 a standard geographic identifier that we refer  
9 to as the geo ID. And one other note is that  
10 Census Bureau is constantly updating this. We  
11 use the 2020 version that was released earlier  
12 this year.

13 We can talk a little bit about the race  
14 and ethnicity categories in the census data,  
15 so since 1980, the Census Bureau has asked  
16 each person counted to identify their race and  
17 whether or not they are of Hispanic or Latino  
18 origin. An individual's response to the race  
19 and ethnicity questions are based on self-  
20 identification. The United States Office of  
21 Management and Budget established these  
22 standards in 1997, and they are as follows:

23 For racial categories, it's American  
24 Indian or Native Alaskan. And these are  
25 person having origins in any of the original

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 55

1 peoples of North and South America, including  
2 Centra America, and who maintains -- excuse  
3 me -- maintains tribal affiliation or  
4 community attachment.

5 Asian means a person having origins in  
6 any of the original peoples of the Far East,  
7 Southeast Asia or the Indian Subcontinent,  
8 including for example Cambodia, China, India,  
9 Japan, Korea, Malaysia, Pakistan, and the  
10 Philippine Islands.

11 Black or African American means a  
12 person having origins in any of the Black  
13 racial groups of Africa.

14 Native or Hawaiian or Pacific Islander  
15 is a person having origins of any of the  
16 original people of Hawaii, Guam, Samoa, or  
17 other Pacific Islands.

18 And then White is a person having  
19 origins in any of the original peoples of  
20 Europe, the Middle East, or North Africa.

21 The ethnicity question on the Census  
22 Bureau or census forms asks whether or not a  
23 respondent is of Hispanic or Latino origin or  
24 if they are not Hispanic or Latino. Hispanic  
25 or Latino has traditionally meant a person of

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 56

1 Cuban, Mexican, Puerto Rican, South America --  
2 South or Central American, or other Spanish  
3 culture origin, regardless of race.

4 So it's important to note that the  
5 categories of race include the national origin  
6 and sociocultural groups. People can chose to  
7 report more than one race to indicate their  
8 racial mixture, and in fact, race alone can  
9 result in up to 63 different combinations.  
10 And people who identify their origin as  
11 Hispanic, Latino, and Spanish may be of any  
12 race.

13 Talk briefly about group quarters. So  
14 in 2020, the census continued -- Census Bureau  
15 continued to count prisoners, college  
16 students, and people in other resident  
17 situations, such as nursing homes, at the  
18 group location where they lived and slept most  
19 of the time. This is the way it's been done  
20 in the past, and by far, the majority of  
21 states use population and residence data  
22 reported in the census as is.

23 A handful of states have changed their  
24 procedures for allocating incarcerated --  
25 incarcerated persons for redistricting



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 57

1 purposes. And these states, whenever it's  
2 possible, they reallocate prisoners from the  
3 prison location to their residence prior to  
4 incarceration. To date, eight states, which  
5 includes California, Colorado, Delaware,  
6 Maryland, Nevada, New Jersey, New York,  
7 Virginia, and Washington, have passed laws  
8 about how incarcerated persons are counted and  
9 allocated during the redistricting process.

10 Personal -- protecting privacy within  
11 census data. So since 2000, the Bureau has  
12 used a practice called data swapping between  
13 census blocks as its main disclosure avoidance  
14 technique. And for an example of data  
15 swapping, we can consider a census block with  
16 just 20 people in it, including one Filipino  
17 American without any disclosure of  
18 (inaudible), it might be possible to figure  
19 out the identity of that individual.

20 With the data swapping applied, that  
21 person's data might be swapped with that of an  
22 Anglo-American from a nearby census block  
23 where other Filipino Americans reside. The  
24 details for that person would be aggregated  
25 with the others, and therefore, it would be

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 58

1 not be identifiable. Yet the total population  
2 would remain accurate.

3 Since recent developments and the  
4 advent of big data and technical advancement  
5 make it theoretically possible to take the  
6 many data products that the Census Bureau  
7 produces and cross-reference them with each  
8 other or with outside data sources to the  
9 point that (inaudible) could be compromised,  
10 the Census Bureau chose to review their  
11 disclosure avoidance techniques and reconsider  
12 other methods. In 2018, they selected  
13 differential privacy for use during the 2020  
14 census.

15 With differential privacy, the total  
16 population in each state is as enumerated.  
17 But all other levels of geography -- so tract,  
18 counties, census block group -- have some  
19 variance from the raw data. And the Census  
20 Bureau refers to this as noise. And noise  
21 would not be injected into the state  
22 population, but the smaller units it can be  
23 expected.

24 And it's important to note here that  
25 when reaggregated, that level of noise is --

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 59

1 is -- goes away and results in a usable and  
2 accurate count.

3 I mentioned the TIGER geometry that we  
4 use in the geographical data. It's worth  
5 noting that during the 2020 legislative  
6 session, Florida -- the legislature passed two  
7 bills that made changes to its political  
8 subdivisions. Senate Bill 616 adjusted the  
9 boundary lines of Indian River County and St.  
10 Lucie County. That bill was signed into law  
11 by Governor DeSantis on June 9th, 2020. And  
12 Committee Substitute for House Bill 1215  
13 abolished the City of Weeki Wachee, which was  
14 one square mile and a population of nine.  
15 That, also, took effect -- was signed and took  
16 effect on June 9th, 2020.

17 Because we used the January 1, 2020,  
18 data from the Census Bureau rather than the  
19 census day -- or in addition to the fact that  
20 these became law after census day, these  
21 changes are not reflected in our geographical  
22 population and demographic data, so we'll  
23 still have the City of Weeki Wachee in our  
24 dataset.

25 I've mentioned this a little bit before



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 60

1 already related to the census delays, and this  
2 slide is taken from a presentation that the  
3 Census Bureau delivered to us back in, I  
4 believe it was, May. But these are some of  
5 the factors that the Bureau has cited for the  
6 delay and the reasons the data was delivered  
7 late.

8 This includes COVID-19, four tropical  
9 systems that made landfall, wildfires on the  
10 West Coast, civil unrest, and legal  
11 challenges. And most of those occurred during  
12 the door-to-door follow-up -- nonresponse  
13 follow-up count portion of the census, which  
14 did disrupt the collection and then,  
15 subsequently, the processing of the data.

16 And we can go -- we can break there or  
17 go right into same additional data points.

18 CHAIR RODRIGUES: Do we have questions  
19 on what's been presented? Senator Gibson,  
20 you're recognized for a question.

21 MS. GIBSON: Thank you, Mr. Chair.  
22 Going back to the race and ethnicity in the  
23 census data, I thought there were questions of  
24 race that were not represented in the handout.  
25 For example, I think there were individual --

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 61

1 do you know if these are all the categories  
2 that were questions on the census, by any  
3 chance? And if not, if we can make sure that  
4 we have that for the next time because I  
5 thought there were -- there was some biracial  
6 or other questions, even an "other" that was  
7 reported when it came to race and ethnicity.

8 And I'm asking that in light of -- as  
9 we begin to look at districts and minority  
10 districts and how those -- how those  
11 categories of race play into any potential  
12 diminishment or -- if you understand what I'm  
13 saying.

14 CHAIR RODRIGUES: You're recognized.

15 MR. FERRIN: Thank you, Mr. Chairman  
16 and Senator Gibson. That's, actually, an  
17 excellent point. I did neglect to mention  
18 that there is a field for other race. It's  
19 available on the -- where respondents can  
20 write in whatever they want, and the Census  
21 Bureau will tabulate them that way.

22 But it's important to remember that for  
23 redistricting purposes, we can -- we can  
24 cross-tabulate. So -- so if a person can mark  
25 multiple races -- and in fact, they can select

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 62

1 all of them. And when they do that, we, in  
2 the redistricting dataset that we compile and  
3 use in our software, we will count every  
4 person that has indicated that race as part of  
5 that group.

6 So for example, with African -- Black  
7 or African American population, we count  
8 anyone who responded that they were any  
9 combination of race that included Black or  
10 African American, and we also include whether  
11 or not they were Hispanic. And so all that's  
12 accounted for, and when we do the functional  
13 analysis and we review that, we're looking at  
14 the categories of anyone who would have  
15 responded that they were that race in any  
16 combination. Hopefully, that answers your  
17 question.

18 MS. GIBSON: So a -- sorry, Mr. --

19 CHAIR RODRIGUES: Go ahead. You're  
20 recognized.

21 MS. GIBSON: A combination leans  
22 towards a particular race, so if -- if someone  
23 put that they were African American and White  
24 or African American and Hispanic, what's the  
25 dominant race that we're counting them as --



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 63

1 CHAIR RODRIGUES: You're recognized.

2 MS. GIBSON: -- because, obviously,  
3 they're not counting themselves that way.

4 MR. FERRIN: Thank you, Mr. Chairman.  
5 So we follow the OMB guidance, which I didn't  
6 go into in great detail, but provides that for  
7 the purposes of analyzing against,  
8 essentially, discriminatory behavior and  
9 Department of Justice review for things like  
10 redistricting plans, we are supposed to count  
11 all available population.

12 So -- so essentially, if you marked  
13 that you were a -- a Black or African American  
14 and White, you would be counted in the Black  
15 population because you would, theoretically,  
16 have standing to bring a discriminatory claim  
17 in that circumstance.

18 CHAIR RODRIGUES: Senator Rouson,  
19 you're recognized for a question.

20 MR. ROUSON: Thank you very much, Mr.  
21 Chairman. And I think you mentioned it, but I  
22 just want to be clear, and I want the public  
23 to be clear. On group quarters, Florida  
24 continues to count prisoners and college  
25 students at the location where they were on

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 64

1 April 1st of 2020, as opposed to their home or  
2 before they were incarcerated?

3 CHAIR RODRIGUES: You're recognized.

4 MR. FERRIN: Thank you, Mr. Chairman  
5 and Senator Rouson. The Census Bureau counts  
6 them there. We do not edit the census data  
7 and reassign them to another geographic  
8 location.

9 CHAIR RODRIGUES: Any further  
10 questions? Senator Bradley, you're  
11 recognized.

12 MS. BRADLEY: Thank you, Mr. Chairman.  
13 In the previous slide, you outlined what the  
14 census delays. And I just wondered if you  
15 could give a sense of the overall  
16 participation rate, even with those delays, of  
17 the 2020 census, maybe compared to prior years  
18 or whether it was a -- what the participation  
19 rate was in 2020.

20 CHAIR RODRIGUES: You're recognized.

21 MR. FERRIN: Thank you, Mr. Chairman  
22 and Senator Bradley. This -- Florida had a  
23 99.9 percent enumeration rate, so -- so the  
24 Census Bureau calculates the total number of  
25 households that they have on record, and 99.9

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 65

1 percent of those households responded to the  
2 census in 2020. I don't know the 2010 number  
3 off the top of my head.

4 MS. BRADLEY: (Inaudible).

5 MR. FERRIN: But I know the 2021 was  
6 99.9.

7 CHAIR RODRIGUES: Any further  
8 questions?

9 Seeing none, let's move on to Census  
10 Data.

11 MR. FERRIN: Thank you, Mr. Chairman.  
12 And so to speak a little bit about some of the  
13 trends that we've seen in the census data, one  
14 of the underlying themes is the shift in -- or  
15 continued trend towards population  
16 congregation in metropolitan areas.

17 So the population of the U.S. metro  
18 areas grew by 9 percent from 2010 to 2020,  
19 resulting in 86. -- 80 -- excuse me -- 86  
20 percent of the population living in the United  
21 States metro areas, as compared to 85 in 2010.

22 Around 52 percent of the counties in  
23 the United States saw their 2020 census  
24 populations decrease from the 2010 census.  
25 The largest county remains Los Angeles County.



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 66

1 The largest city remains New York. But across  
2 the United States, 312 of the 384 metro areas  
3 gained population. Only a few lost. But one  
4 of the fastest growing ones in the United  
5 States was, actually, The Villages. It grew  
6 39 percent from about 93,000 people to 130,000  
7 or so.

8 Here we have some of the Florida-  
9 specific facts. So we did surpass New York,  
10 become the third-largest state officially. As  
11 we just discussed, 99.9 percent of the housing  
12 units were counted in the 2020 census. Our  
13 total growth was 2,736,877 people from 2010 to  
14 2020, and that's almost 15 percent. As I  
15 mentioned earlier, The Villages was the  
16 fastest-growing metro area in the country and  
17 also in the State of Florida.

18 Talking about the self-response rate,  
19 which was for the first time this year  
20 available online -- so in the past, self-  
21 response meant that you received your Census  
22 Bureau questionnaire in the mail, you filled  
23 it out and responded. It didn't require a  
24 door-to-door visit or a nonresponse follow-up.  
25 We did improve that a little bit this -- this

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 67

1 cycle and went from 63 percent to 63.8.

2 Additionally, Jacksonville remains the  
3 largest incorporated place in Florida, and  
4 it's got 9 million -- or excuse me -- 949,611  
5 people. And Jacksonville, as many of you  
6 know, is also -- coincide with the county  
7 boundaries of Duval.

8 Osceola County had the largest county  
9 growth rate at 45 percent and growing by about  
10 120,000 people. Not surprisingly, then,  
11 Florida State Senate District 15 had a similar  
12 growth rate, 51 percent, growing 241,000  
13 people, which is nearly half of what a senate  
14 district used to be.

15 And in the same general area, Florida  
16 House District 44 grew 51 percent, and that's  
17 by about 80,000, and I believe an ideal  
18 district last cycle was somewhere in the  
19 neighborhood of 150,000. Congressional  
20 District 9, similarly, grew by about a third.  
21 So 259,000 people from 2010 to 2020.

22 One of the other things that's been  
23 noted in the -- the census data across the  
24 country has been that we've had some shifts in  
25 how people identify themselves racially.

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 68

1           So that being said, the White  
2           population still remains the largest race or  
3           ethnicity group in the United States, over 204  
4           million people identifying as White alone.  
5           Another 35 million bring the total to 235.4  
6           million reported being either White alone or  
7           in combination with another group. But  
8           specifically, the White alone population  
9           decreased, and what that means is that we're  
10          seeing a trend in which more people are  
11          identifying as being White in combination with  
12          some other race.

13               Likewise, the multiracial or two or  
14          more race population changed. The multiracial  
15          population was measured at 9 million people  
16          across the country in 2010, and that's now at  
17          33.8 million people, which is a 276 percent  
18          increase. In Florida, I believe, it exceeded  
19          that.

20               The in-combination multiracial  
21          populations for all race groups accounted for  
22          most of the overall changes within each racial  
23          categories, so it wasn't necessarily people  
24          identifying as a single race African American  
25          or single race Asian; it was people combining



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 69

1       them across different races.

2               And then the next largest races --  
3       racial populations were Asian alone or in  
4       combination. They're up to 24 million  
5       nationwide, and they exceed the American  
6       Indian and Alaskan Native alone or in  
7       combination group, followed by the Native  
8       Hawaiian and other Pacific Islander Group.

9               Not surprisingly, as I'm sure many  
10       people expected, the Hispanic or Latino  
11       population, which includes people of any race,  
12       was 61 -- 62.1 million in 2020. This is a  
13       growth of 23 percent. The population that has  
14       identify itself of not being Hispanic or  
15       Latino origin grew 4.3 percent since 2010.

16              A lot of this data is currently visible  
17       and available via the Census website. They've  
18       provided some demographic map viewers, as well  
19       as access to the tabular data and now the  
20       interactive tables that you can select which  
21       types of information you would like to see in  
22       which geographical level. That, also,  
23       includes current state legislative and  
24       congressional districts. That's all available  
25       on data.census.gov. And that would conclude

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 70

1 this portion. We can pause or keep going, Mr.  
2 Chairman.

3 CHAIR RODRIGUES: Do we have any  
4 questions on this portion?

5 Seeing no questions, let's continue on.

6 MR. FERRIN: Thank you, Mr. Chairman.  
7 So the last thing we have for you today is  
8 some maps to look at. So these -- these  
9 display the over/under populations for the  
10 different districts we have here in Florida,  
11 so these are the current congressional  
12 district boundaries.

13 Here you can see where we have listed  
14 the 2010 population versus the state, as well  
15 as the difference, the ideal population of the  
16 old congressional districts, which was  
17 696,000, and the new one, 769,000. So almost  
18 a 73,000-person change there, as well as the  
19 number of districts that we have.

20 One of the things to kind of note about  
21 this map is that because we are gaining a  
22 congressional district, the color coding there  
23 is going to look a little different. It's --  
24 it's -- these districts are going to trend --  
25 show to be slightly more over-populated than

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 71

1       they should, if we would to divide and color  
2       them by 28 districts -- or excuse me -- 27  
3       instead of 28.

4               Here we have the same map and same data  
5       points for the State Senate districts, so you  
6       can see here that a lot of the districts in  
7       North Florida or currently underpopulated, as  
8       are the districts in South Florida, as well as  
9       some in the Tampa Bay area. Most of the  
10      growth in the state, as is displayed by this,  
11      occurred along the I-4 Corridor and up along  
12      the First Coast in St. Johns and Flagler  
13      Counties. Other districts that are  
14      overpopulated include in Lee County, District  
15      27, but the -- the one that's far and away the  
16      most is District 15.

17             Lastly, we have the same kind of slide  
18      for the Florida House and their current  
19      districts, so looking at this at a more  
20      granular level, smaller districts, is going to  
21      display some of the population trends in a  
22      little more detail. So you can see here,  
23      really, the underpopulation and the  
24      significance of it in the Big Bend area. You  
25      can see the dark blue colors show the



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 72

1 overpopulation, particularly in Central  
2 Florida and along the I-4 Corridor, and then  
3 you can see the bright red and shading and  
4 colors down there in South Florida, as well.

5 All of these will be visible on our  
6 website, when it launches in an interactive  
7 manner that will allow users to click around  
8 and get some more data on the specific  
9 districts, including the population numbers  
10 from 2010, 2020, and the percent differences,  
11 as well. And that would include the  
12 presentations, Mr. Chairman.

13 CHAIR RODRIGUES: Do we have any  
14 questions on the map showing the under and  
15 over populations of our various chambers?  
16 Okay. Senator Rouson, you are recognized.

17 MR. ROUSON: Thank you very much. This  
18 may go back to an earlier slide, but the  
19 boundaries were adjusted in St. -- in St.  
20 Lucie and Martin Counties. Did that  
21 significantly add or shed population because  
22 of the boundary adjustment?

23 CHAIR RODRIGUES: You're recognized.

24 MR. FERRIN: Thank you, Mr. Chairman.  
25 Let me -- the answer is no. The boundary

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 73

1 shift between Indian River County and St.  
2 Lucie County was one parcel that was six-  
3 tenths of an acre that went from St. Lucie to  
4 Indian River, and then Indian River -- excuse  
5 me, five and a half acres of land were  
6 transferred from Indian River to St. Lucie  
7 County.

8 The land -- it's my understanding and  
9 recollection was -- those five and a half  
10 acres were vacant. There was one house that  
11 had a piece of property. Their parcel was  
12 divided by the counties, and so they took the  
13 one parcel that had a house on it, moved it  
14 all to one county, and the other one took some  
15 vacant land in exchange, and it was -- should  
16 have had little to no -- I mean, the residents  
17 of that one house, but other than that, no  
18 changes in population would have -- would have  
19 occurred.

20 MR. ROUSON: Thank you.

21 CHAIR RODRIGUES: Any other questions?

22 Seeing none, that includes Tab 4.

23 We'll now move on to Tab 5, which is public  
24 comment. We'll start with Jonathan Webber  
25 with Florida Conservation Voters. Jonathan,

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 74

1           you're recognized.

2                   MR. WEBBER: Thank you, Chair. Good  
3 morning -- afternoon. My name is Jonathan  
4 Webber. I'm the deputy director of Florida  
5 Conservation Voters. It's wonderful to be  
6 back in the same room with all of you and  
7 seeing your faces. We have a lot of important  
8 work to do ahead of us, although I will say I  
9 will miss the basketball buzzer, which did  
10 happen in the civic center in the beginning  
11 there. I'll miss that.

12                   Fair political districts are the most  
13 important aspect of our democratic republic.  
14 The integrity -- integrity of our entire  
15 system is in those little lines on the map,  
16 which are now completely in your hands.

17                   Eleven years ago, 63 percent of Florida  
18 voters approved the two amendments related to  
19 the redistricting process. Thank you so much  
20 for reviewing them. These amendments are now  
21 part of the state constitution, and like you,  
22 I will be referring to these words in the  
23 constitution regularly as we engage over the  
24 coming weeks and months.

25                   But the words in the constitution are



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 75

1       only part of the story, and I strongly and  
2       respectfully encourage you -- encourage the  
3       following:

4               So please ensure that all map drafts  
5       become visible in real time and that all  
6       actual work of map-making is livestreamed with  
7       audio and video. Preserve all communications  
8       about redistricting and make them available as  
9       public records.

10              Make all mapping data available in the  
11       public -- to the public in a common, usable  
12       format.

13              Solicit extensive input from the  
14       public.

15              Seek out and work to understand  
16       opposing perspectives and points of view.

17              Provide ample notice of all proceedings  
18       and public comment opportunities.

19              Find ways to get the people of Florida  
20       involved in a meaningful way, even if they do  
21       not have the means to travel to Tallahassee,  
22       which includes virtual verbal input  
23       opportunities. Input and committee meetings  
24       is not just enough, especially when Floridians  
25       who want to comment on multiple maps sometimes

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 76

1 cannot make it to multiple meetings.

2 And ensure language accessibility for  
3 our rich and diverse population. Translation  
4 services is a must.

5 And I know that each and every one of  
6 you is taking this process seriously, and I  
7 want you to know that so are the people of  
8 Florida. I'll close by saying the  
9 redistricting process demands your best. It  
10 demands our best. Future generations are  
11 watching, and current generations are counting  
12 on you. Thank you all so much. Best of luck.

13 CHAIR RODRIGUES: Thank you for your  
14 comments. Next we have Rich Templin with the  
15 Florida AFL-CIO. Mr. Templin, you're  
16 recognized.

17 MR. TEMPLIN: Thank you, Mr. Chairman.  
18 What an awesome new space you guys have to  
19 work in. This is my first time being in it,  
20 so pretty cool.

21 I represent the Florida AFL-CIO. The  
22 Florida AFL-CIO, we represent 1.3 million  
23 union members, their families, and retirees in  
24 every area of the state. We have ten central  
25 labor councils in every single geographic

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 77

1 region of Florida, and we have members in all  
2 67 counties. And like Leader Gibson, I was  
3 here ten years ago, participated in the  
4 process, and I can tell you that our members  
5 get very engaged in this. It's something that  
6 they care a lot about. I actually think that  
7 they enjoy it as much as it was interactive in  
8 the past and I know will be again in the  
9 future.

10 So I'm really just here to avail my  
11 organization to you because in so much as  
12 getting the word out about how the public can  
13 participate and how the public can watch the  
14 process and to get to the goals that you all  
15 have set for transparency and clarity, we're  
16 going to be doing that.

17 And we're going to be taking all of the  
18 rules and procedures that you establish and  
19 working within those to engage as much of our  
20 members as possible, and so we really look  
21 forward to watching this process move forward.

22 It was very encouraging what we heard  
23 today, Mr. Chairman. Thank you. And we're --  
24 we're here, and our members want to be a part  
25 of the process. We're a very bipartisan



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 78

1 group, and so we just want to be here to help.  
2 Thank you very much.

3 CHAIR RODRIGUES: Thank you. Next we  
4 have Cecile Scoon with the Florida League of  
5 Women Voters. She is the new president. Is  
6 she in the room? Thank you. You're  
7 recognized.

8 MS. SCOON: Thank you so much for this  
9 opportunity. My name is Cecile Scoon, and as  
10 stated, I'm the new president of the League of  
11 Women Voters of Florida, and I'm coming here  
12 as a citizen, I'm coming here as the  
13 president, as a member of the league, and as  
14 a -- or the league is a member of the Fair  
15 Districts Coalition that was, also -- many of  
16 these organizations were involved in the  
17 redistricting in 2010 and everything that  
18 transpired.

19 It's been really very good feeling to  
20 hear the recounting of the actual history and  
21 the problems that, you know, our state ran  
22 into and the waste of time and energy and  
23 upset in the, you know, creation of distrust  
24 with the people when people in the past  
25 represented to promise to follow the law and

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 79

1 then they didn't. They kind of, you know,  
2 went around the back door and did all those  
3 things.

4 So one of the things that we came up  
5 with to try to win back the trust of the  
6 people is to ask for representatives and  
7 senators to sign a pledge.

8 And the pledge is found on the Fair  
9 Districts website, which is  
10 fairdistrictscoalition.org, and essentially,  
11 it's a -- it's a paragraph, and it's basically  
12 just reiterating everything -- many of the  
13 things that you already said to being  
14 transparent, following the law, you know,  
15 adhering to the rules of fairness and  
16 everybody getting their equal say, no harm to  
17 minority, language, or racial groups, no  
18 political gerrymandering, and things of that  
19 nature.

20 So it's basically just saying, would  
21 you pledge to follow the law that the citizens  
22 voted on over 63 percent in the Citizens'  
23 Initiative that led to the Fair District  
24 Amendments.

25 So I would ask you all, since we're all

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 80

1 here and we're starting anew, to consider  
2 signing that pledge and look it over, and if  
3 there are any questions, please let us know.  
4 So we're very excited about this opportunity.  
5 We're looking forward to the continued  
6 interaction and for public input.

7 We would ask that the public input be  
8 interactionable, in other words the public  
9 would have a question or statement and then  
10 you would hear it in real time and then  
11 respond. I know there are many avenues  
12 available with digital and email and all the  
13 other things, but it really lights a fire in  
14 the citizens' heart to feel excited that they  
15 spoke to their representative, they were heard  
16 by the elected officials, and that there was a  
17 response of some kind to their -- to a  
18 question. So we really, really ask you for  
19 that.

20 And the other thing I'd like to say is,  
21 on the issue of -- I think Senator Rouson had  
22 the question about how was the different  
23 committees to interact with the media, and I'm  
24 not sure I heard a specific answer to that  
25 because we just want to know how we're going



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 81

1 to hear from you. Are you going to be  
2 accessible to the media, also? Or you know,  
3 how is that going to work out? Thank you.

4 CHAIR RODRIGUES: I just have one  
5 question before you go.

6 MS. SCOON: Yes.

7 CHAIR RODRIGUES: The language in the  
8 Fair Districts pledge -- is the language in  
9 the Fair Districts pledge the exact language  
10 that is in the Fair Districts Amendment that  
11 was adopted into the constitution?

12 MS. SCOON: I don't think it's exact.  
13 I've got it right here. It's like a paragraph  
14 and a half. Would you like me to read it?

15 CHAIR RODRIGUES: No, ma'am.

16 MS. SCOON: Okay.

17 CHAIR RODRIGUES: I'm just going to  
18 share with you my particular position --

19 MS. SCOON: Sure.

20 CHAIR RODRIGUES: -- which is, if the  
21 language is not exact, I can't pledge to it.  
22 When I took my oath of office, I pledged to  
23 uphold the Constitution of the State of  
24 Florida, which includes the language that was  
25 adopted by the voters in that Fair Districts

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 82

1 Amendment. So if you're asking me to pledge  
2 to do something that is outside of that  
3 amendment, you're putting me in a position  
4 where I would be violating my oath of office,  
5 and I just can't do that.

6 MS. SCOON: Yes, I -- I --

7 CHAIR RODRIGUES: But I appreciate your  
8 participation.

9 MS. SCOON: yes.

10 CHAIR RODRIGUES: And I appreciate your  
11 enthusiasm.

12 MS. SCOON: Thank you. I understand  
13 your analysis. I don't think it's outside.  
14 It's not -- it doesn't mirror the exact words,  
15 but I think -- it's certainly well within the  
16 intent, but I -- I respect what you're saying.  
17 Thank you, sir.

18 CHAIR RODRIGUES: Thank you.  
19 Appreciate it. Do we have any other public  
20 comment?

21 Seeing none, do we have any comments  
22 from the members before we conclude? Is there  
23 any other business to appear before the  
24 committee?

25 Seeing none, Senator Stargel moves that

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 83

1 we adjourn. Without objection, we'll show  
2 that motion's been adopted. We are adjourned.  
3 (End of Video Recording.)



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 84

1

## CERTIFICATE

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

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 15th day of March, 2023.

A handwritten signature in black ink, appearing to read "Wendy Sawyer", is written over a horizontal line.

WENDY SAWYER, CDLT

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 1

<b>A</b>				
<b>Aaron</b> 5:8	<b>address</b> 20:1	24:20	<b>Angeles</b> 65:25	47:11,15,16
<b>ability</b> 31:21 33:2	<b>adequate</b> 30:22	<b>aggregated</b> 57:24	<b>Anglo-American</b>	48:2,9 64:1
34:7 36:24	<b>adhere</b> 15:18	<b>ago</b> 7:4 74:17	57:22	<b>archival</b> 16:25
43:22 84:5	16:14	77:3	<b>another's</b> 30:6	<b>archived</b> 20:22
<b>able</b> 8:20 22:25	<b>adhering</b> 79:15	<b>agree</b> 15:9	<b>answer</b> 72:25	<b>area</b> 66:16 67:15
24:12 46:16	<b>adjourn</b> 83:1	<b>agreed</b> 23:6,8	80:24	71:9,24 76:24
<b>abolished</b> 59:13	<b>adjourned</b> 83:2	<b>ahead</b> 24:21	<b>answers</b> 62:16	<b>areas</b> 45:5 53:25
<b>abridging</b> 36:21	<b>adjournment</b>	38:12 62:19	<b>anticipate</b> 24:9	65:16,18,21
<b>abridgment</b>	51:6	74:8	25:16 39:23	66:2
32:22	<b>adjust</b> 28:16	<b>aisle</b> 7:21	<b>anticipation</b>	<b>arena</b> 24:13
<b>access</b> 19:20	<b>adjusted</b> 59:8	<b>akin</b> 19:12	38:22	<b>Article</b> 12:13
69:19	72:19	<b>al</b> 1:2	<b>appear</b> 19:8	16:16 27:19
<b>accessibility</b> 76:2	<b>adjustment</b>	<b>Alaskan</b> 54:24	82:23	29:13,24 31:10
<b>accessible</b> 19:17	72:22	69:6	<b>appearance</b> 3:23	31:15 32:15
81:2	<b>administrative</b>	<b>allocated</b> 57:9	18:2	35:2 36:5,7
<b>accomplished</b>	4:13	<b>allocating</b> 56:24	<b>appearances</b>	50:3,7 52:21
14:7	<b>adopt</b> 27:21 51:3	<b>allow</b> 13:14 35:25	24:14	53:6
<b>account</b> 26:2	51:21	53:1 72:7	<b>Applause</b> 3:18	<b>ascertainable</b>
32:23	<b>adopted</b> 18:1	<b>allowed</b> 40:16	<b>applicable</b> 3:21	44:1
<b>accounted</b> 62:12	51:10,12,18	<b>altered</b> 12:24	<b>application</b> 48:20	<b>Asia</b> 55:7
68:21	81:11,25 83:2	<b>amazing</b> 9:16	<b>applied</b> 15:1 31:5	<b>Asian</b> 55:5 68:25
<b>accounts</b> 16:23	<b>adoption</b> 12:10	<b>amendment</b>	32:19 34:10	69:3
16:24	14:10 28:5 43:5	22:18 31:16	57:20	<b>aside</b> 29:17
<b>accurate</b> 58:2	<b>advance</b> 49:18	81:10 82:1,3	<b>apply</b> 37:24	<b>asked</b> 54:15
59:2	<b>advancement</b>	<b>Amendment's</b>	43:15	<b>asking</b> 47:14
<b>acknowledge</b>	58:4	30:13	<b>appointed</b> 7:19	61:8 82:1
18:17	<b>advent</b> 58:4	<b>amendments</b>	12:2	<b>asks</b> 18:25 21:23
<b>acre</b> 73:3	<b>adversary</b> 50:14	12:10,24 21:12	<b>apportion</b> 26:9	55:22
<b>acres</b> 73:5,10	<b>advocate</b> 14:9	74:18,20 79:24	<b>apportioned</b>	<b>aspect</b> 74:13
<b>Act</b> 31:18,24	17:15	<b>America</b> 55:1,2	28:25	<b>aspects</b> 19:11
32:19,20 33:5	<b>advocating</b> 19:12	56:1	<b>apportioning</b>	<b>assign</b> 29:11,12
34:21	<b>affect</b> 34:22	<b>American</b> 54:23	47:18	<b>assigning</b> 28:21
<b>actual</b> 35:10	<b>affiliation</b> 55:3	55:11 56:2	<b>apportionment</b>	<b>assistant</b> 4:14,18
52:23,24 53:2	<b>afford</b> 28:4 36:13	57:17 62:7,10	14:4 15:10	<b>astroturfing</b>
53:17 75:6	<b>affording</b> 30:21	62:23,24 63:13	29:16 36:17	17:12
78:20	<b>AFL-CIO</b> 76:15	68:24 69:5	37:18 50:9,12	<b>attachment</b> 55:4
<b>ad</b> 38:18	76:21,22	<b>Americans</b> 57:23	50:18,19,23	<b>attempt</b> 16:6,12
<b>add</b> 72:21	<b>Africa</b> 55:13,20	<b>amount</b> 28:4	51:1,3,7,10,13	<b>attend</b> 14:9
<b>added</b> 27:9 36:6	<b>African</b> 55:11	42:10	51:19,21,23	<b>attorney</b> 50:9
<b>addition</b> 17:20	62:6,7,10,23,24	<b>ample</b> 75:17	52:2	51:8,14,25
39:23 59:19	63:13 68:24	<b>Ana</b> 8:23	<b>appreciate</b> 82:7	<b>audience</b> 3:14
<b>additional</b> 24:7	<b>afternoon</b> 5:15	<b>analysis</b> 13:4	82:10,19	5:10
26:17 29:6	6:5,22 8:21	62:13 82:13	<b>approach</b> 17:6	<b>audio</b> 1:12 75:7
36:14 60:17	10:17 25:3 74:3	<b>analysts</b> 4:17	<b>appropriateness</b>	<b>August</b> 26:15,23
<b>Additionally</b>	<b>age</b> 41:6,20,23	<b>analyze</b> 42:23	38:25	47:22 49:22
18:22 67:2	45:19,22	<b>analyzing</b> 63:7	<b>approved</b> 74:18	<b>authority</b> 27:11
	<b>agenda</b> 4:3 19:22	<b>anew</b> 80:1	<b>April</b> 26:21 47:8	27:12,18



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 2

<b>authorized</b> 84:3	40:1 41:17 60:4	<b>Bradley</b> 2:13,14	45:24 46:4,7,16	<b>Census/Census</b>
<b>automatic</b> 50:5	67:17 68:18	10:2,3 11:2	46:18	52:16
<b>avail</b> 77:10	<b>benchmark</b>	64:10,12,22	<b>candidates</b> 43:23	<b>censuses</b> 54:7
<b>availability</b> 47:25	42:20,23 43:1,6	65:4	46:11	<b>center</b> 74:10
<b>available</b> 19:2	43:7,14,24	<b>brand-new</b> 12:23	<b>capable</b> 10:14	<b>Centra</b> 55:2
20:22 27:8 40:2	<b>Bend</b> 71:24	<b>break</b> 60:16	<b>capacities</b> 25:11	<b>central</b> 56:2 72:1
48:1,24 52:8	<b>benefit</b> 12:16	<b>breather</b> 38:8	<b>capital</b> 8:15	76:24
61:19 63:11	<b>best</b> 10:1 76:9,10	<b>briefly</b> 56:13	<b>card</b> 3:23	<b>certain</b> 14:10
66:20 69:17,24	76:12 84:5	<b>bright</b> 72:3	<b>cards</b> 18:2	15:15 17:15,19
75:8,10 80:12	<b>better</b> 8:16 10:13	<b>bring</b> 22:15 29:7	<b>care</b> 16:10 77:6	<b>certainly</b> 7:2,8,12
<b>avenues</b> 80:11	<b>beyond</b> 15:6	63:16 68:5	<b>Carolina</b> 33:12	82:15
<b>avoidance</b> 57:13	<b>big</b> 58:4 71:24	<b>broken</b> 37:17	<b>carpet</b> 7:3 21:11	<b>CERTIFICATE</b>
58:11	<b>bill</b> 19:14 59:8,10	48:11	<b>case</b> 15:5 20:5	84:1
<b>aware</b> 15:24	59:12	<b>Broxson</b> 2:7,8	22:15,18 27:24	<b>certify</b> 84:2
<b>awesome</b> 76:18	<b>bills</b> 59:7	7:17,17	33:12 34:18	<b>cetera</b> 17:24
<b>B</b>	<b>binding</b> 50:20	<b>Budget</b> 54:21	<b>cases</b> 51:17	44:16
<b>B</b> 31:11 37:2,13	<b>bipartisan</b> 77:25	<b>burden</b> 14:19	<b>categories</b> 44:10	<b>chair</b> 2:2,5,6,7
<b>back</b> 3:16,16	<b>biracial</b> 61:5	<b>Bureau</b> 44:5,24	54:14,23 56:5	3:5,6,19 5:13
5:12 6:23 7:4	<b>bit</b> 8:5 52:4 53:14	47:14,17,22	61:1,11 62:14	5:13 6:21 7:16
8:15 10:21 25:4	54:13 59:25	48:12 53:21	68:23	7:17,19 8:8,13
41:20 47:4 60:3	65:12 66:25	54:10,15 55:22	<b>Cause</b> 1:2	10:25 19:24
60:22 72:18	<b>Black</b> 55:11,12	56:14 57:11	<b>CDLT</b> 84:24	20:8,25 21:3,17
74:6 79:2,5	62:6,9 63:13,14	58:6,10,20	<b>Cecile</b> 78:4,9	21:20 22:3,21
<b>backsliding</b> 33:2	<b>blessed</b> 4:19	59:18 60:3,5	<b>cellphones</b> 3:9	23:4,25 24:3,16
34:7	<b>block</b> 33:19	61:21 64:5,24	<b>census</b> 24:25	38:10,15 39:1,2
<b>ballot</b> 49:17	44:21,25 57:15	66:22	25:1 26:4,8,13	40:3 46:23 47:3
<b>ballots</b> 49:16,20	57:22 58:18	<b>Bureau's</b> 45:5	27:24 28:17,23	52:13 60:18,21
49:24	<b>blocks</b> 44:21 45:1	53:24	29:6 32:13 41:1	61:14 62:19
<b>based</b> 29:1,5,12	57:13	<b>Burgess</b> 2:15,16	44:5,20,21,24	63:1,18 64:3,9
29:23 30:12	<b>blue</b> 71:25	10:8 11:5	44:25 45:1,1,5	64:20 65:7 70:3
40:25 54:19	<b>bodies</b> 30:18	<b>burned</b> 7:3	45:9,9 47:1,1,9	72:13,23 73:21
<b>basic</b> 25:13	35:14 44:22	<b>burning</b> 21:10	47:9,13,16,22	74:2 76:13 78:3
<b>basically</b> 39:14	<b>body</b> 28:21	<b>business</b> 82:23	48:1,12 52:19	81:4,7,15,17,20
79:11,20	<b>borrow</b> 24:11	<b>buzzer</b> 74:9	53:5,7,8,12,13	82:7,10,18
<b>basketball</b> 74:9	<b>boundaries</b> 12:7	<b>Byrd</b> 1:6	53:15,21,24	<b>chairing</b> 11:3,5
<b>Bay</b> 71:9	13:3 28:13,15	<b>C</b>	54:10,14,15	<b>Chairman</b> 5:4,14
<b>Beach</b> 9:8	29:13,18 32:8	<b>C</b> 37:11	55:21,22 56:14	5:16 8:18,22
<b>Bean</b> 2:9,10 5:1,4	37:10 38:4	<b>calculated</b> 42:4,7	56:14,22 57:11	9:6,24 10:2,23
5:8 9:12 21:8	43:25 44:1,12	<b>calculates</b> 64:24	57:13,15,22	25:2 39:3 40:6
41:8,14	44:15,23 53:25	<b>California</b> 57:5	58:6,10,14,18	41:8,13 46:22
<b>beginning</b> 2:1	67:7 70:12	<b>call</b> 2:4	58:19 59:18,19	47:6 52:17
47:7 74:10	72:19	<b>called</b> 34:18 39:5	59:20 60:1,3,13	61:15 63:4,21
<b>behalf</b> 7:8,14	<b>boundary</b> 35:21	57:12	60:23 61:2,20	64:4,12,21
21:24	35:22 59:9	<b>calling</b> 10:5	64:5,6,14,17,24	65:11 70:2,6
<b>behavior</b> 63:8	72:22,25	<b>Cambodia</b> 55:8	65:2,9,13,23,24	72:12,24 76:17
<b>believe</b> 12:20	<b>Bracy</b> 2:11,12	<b>candidate</b> 33:21	66:12,21 67:23	77:23
	3:7		69:17	<b>chairs</b> 9:25,25



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 3

<b>challenges</b> 60:11	<b>clarity</b> 21:2	23:18 73:24	43:13,24 64:17	30:5,8,19 36:8
<b>chamber</b> 12:3	77:15	75:18,25 82:20	65:21	40:13 41:2,12
<b>chambers</b> 72:15	<b>clause</b> 27:14	<b>comments</b> 18:5	<b>compel</b> 34:3	41:14 43:3
<b>champion</b> 22:14	30:13	18:12,23 23:1	<b>compelled</b> 13:15	67:19 69:24
23:21	<b>Clay</b> 10:6	76:14 82:21	16:2	70:11,16,22
<b>chance</b> 61:3	<b>clear</b> 27:4 63:22	<b>Commission</b> 6:15	<b>compels</b> 30:8	<b>consequently-n...</b>
<b>change</b> 70:18	63:23	<b>commissions</b>	33:6,8	35:6,8,16
<b>changed</b> 56:23	<b>click</b> 72:7	28:18,19	<b>compensation</b>	<b>Conservation</b>
68:14	<b>close</b> 76:8	<b>committed</b> 17:7	17:23 18:9	73:25 74:5
<b>changes</b> 59:7,21	<b>clusters</b> 44:25	<b>committee</b> 1:13	<b>compile</b> 62:2	<b>consider</b> 18:23
68:22 73:18	<b>coalition</b> 46:8	2:2 3:13,23 4:4	<b>complete</b> 22:8	19:7 57:15 80:1
<b>Channel</b> 1:14	78:15	4:5,12,13,17	47:5	<b>consideration</b>
<b>characteristics</b>	<b>Coast</b> 60:10	5:14,20 6:9,14	<b>completed</b> 22:13	15:11 24:17
14:11	71:12	6:19 7:1 8:23	<b>completely</b> 74:16	51:15
<b>chart</b> 52:4	<b>coded</b> 27:2	9:4,10,16,22	<b>compliance</b> 37:3	<b>considered</b> 19:18
<b>China</b> 55:8	<b>codified</b> 12:13	10:7,21 11:9,21	42:23	35:9
<b>choice</b> 31:23 33:4	<b>coding</b> 52:6	12:2 15:3 17:18	<b>comply</b> 29:20	<b>considering</b>
33:25 34:9	70:22	19:8,13,16	<b>component</b> 14:10	13:19
36:25 43:13,23	<b>cohesive</b> 33:18	21:15,16 23:15	<b>comprise</b> 45:18	<b>consist</b> 37:1
45:25 46:11,16	<b>coincide</b> 67:6	23:16 25:6,7,24	<b>compromised</b>	<b>consistent</b> 13:2
<b>chose</b> 56:6 58:10	<b>collaborated</b>	48:22,23 59:12	58:9	15:4 19:10
<b>chosen</b> 6:8 30:3	18:15	75:23 82:24	<b>concepts</b> 24:17	<b>consists</b> 37:19
<b>circle</b> 39:13	<b>colleagues</b> 6:23	<b>committee's</b>	<b>concerns</b> 46:19	<b>conspire</b> 14:6
<b>circumstance</b>	16:4	24:24 25:23	<b>conclude</b> 46:21	<b>constantly</b> 54:10
63:17	<b>collected</b> 47:10	<b>committees</b> 6:24	69:25 82:22	<b>constitution</b>
<b>circumstances</b>	<b>collection</b> 60:14	27:12 80:23	<b>conclusion</b> 3:14	12:14 16:17
33:22 40:17	<b>college</b> 56:15	<b>common</b> 1:2	<b>concurred</b> 14:2	26:6,10 27:15
<b>circumstantial</b>	63:24	75:11	<b>conditions</b> 33:10	27:20 29:14,25
13:20	<b>color</b> 32:24 52:6	<b>commonly</b> 44:2	33:11	31:8,14,17,23
<b>cited</b> 60:5	70:22 71:1	<b>communication</b>	<b>conduct</b> 15:3	32:3,5,7,11,16
<b>cities</b> 44:15	<b>Colorado</b> 57:5	15:22	<b>conducted</b> 52:19	34:24,25 35:24
<b>citizen</b> 24:2 78:12	<b>colors</b> 71:25 72:4	<b>communications</b>	53:12	36:6 40:11
<b>citizen's</b> 32:23	<b>combination</b>	16:21 18:18	<b>conducting</b> 27:17	42:19 50:4
<b>citizens</b> 6:1 7:9	62:9,16,21 68:7	75:7	<b>confidence</b> 9:19	52:18,22,25
11:22 50:20	68:11 69:4,7	<b>communities</b>	9:22	74:21,23,25
79:21	<b>combinations</b>	13:8	<b>configurations</b>	81:11,23
<b>citizens'</b> 79:22	56:9	<b>community</b>	17:16	<b>constitutional</b>
80:14	<b>combining</b> 68:25	45:23 46:14,20	<b>conflict</b> 37:4,25	6:3 7:8,25 9:20
<b>city</b> 28:19 59:13	<b>come</b> 2:3 6:17	55:4	<b>conforming</b> 51:4	12:5 15:1,7,16
59:23 66:1	9:19 22:1 24:8	<b>compact</b> 32:6	<b>congregation</b>	15:18 27:10
<b>civic</b> 74:10	24:12 30:7	33:15 37:8	65:16	29:17 30:25
<b>civil</b> 60:10	33:11	38:16	<b>Congress</b> 26:18	<b>constitutionality</b>
<b>claim</b> 63:16	<b>comes</b> 21:23	<b>compactness</b>	27:17	14:21
<b>clarification</b>	53:16,20	13:1 38:2,21	<b>congressional</b>	<b>constitutionally</b>
21:22	<b>coming</b> 74:24	39:25	11:4 12:6,12	10:9
<b>clarifies</b> 37:11	78:11,12	<b>compare</b> 41:18	13:25 26:1	<b>Constitutions</b>
<b>clarify</b> 20:6,7	<b>comment</b> 18:16	<b>compared</b> 42:22	27:13 29:3,23	29:22



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 4

<b>consultants</b> 13:16,23 14:5	57:8 63:14 66:12	31:13,16 37:16 42:18	<b>data.census.gov</b> 27:8 69:25	48:15
<b>contact</b> 5:5 17:3 20:11 35:11,13	<b>counties</b> 5:19 8:4 10:5 28:23	<b>cross</b> 11:19 35:14 46:5	<b>database</b> 53:24	<b>delivered</b> 26:15 26:20,24 48:6,7
<b>contactor</b> 20:13	34:15 45:7	<b>cross-reference</b> 58:7	<b>dataset</b> 44:6 59:24 62:2	60:3,6
<b>contacts</b> 20:20	58:18 65:22	<b>cross-tabulate</b> 61:24	<b>date</b> 43:4 44:6 48:8 49:19 50:1	<b>delivery</b> 47:25 48:4 49:17
<b>contain</b> 18:7 54:4	71:13 72:20	<b>crossover</b> 46:1	57:4	<b>delve</b> 25:17
<b>contained</b> 31:13 31:14 32:4,13 37:19	<b>counting</b> 62:25 63:3 76:11	<b>Cuban</b> 56:1	<b>DATED</b> 84:6	<b>demands</b> 76:9,10
<b>contains</b> 31:8 33:5 34:9,25 42:17 45:22	<b>country</b> 66:16 67:24 68:16	<b>cues</b> 22:11	<b>dates</b> 48:22 49:9	<b>democratic</b> 74:13
<b>contemplated</b> 23:5	<b>counts</b> 64:5	<b>culture</b> 56:3	<b>day</b> 5:11 47:9,16 49:12 59:19,20	<b>demographic</b> 47:23 53:18 59:22 69:18
<b>context</b> 32:19 44:13	<b>county</b> 6:7,15 8:10 9:1,1,8	<b>current</b> 43:7 69:23 70:11 71:18 76:11	84:6	<b>demographics</b> 54:6
<b>contiguity</b> 37:22	10:6,19 28:18	<b>currently</b> 27:8 69:16 71:7	<b>days</b> 50:8,15,25 51:6,24	<b>denial</b> 32:22
<b>contiguous</b> 32:4 35:6,8,10 37:1	29:13 34:19	<b>cycle</b> 12:20 17:11 19:25 21:11 23:9,10 26:12	<b>deadline</b> 26:21	<b>denying</b> 36:21
<b>continue</b> 16:14 48:14 70:5	44:8,14 45:3	39:1 44:17	<b>dealing</b> 38:1	<b>Department</b> 63:9
<b>continued</b> 56:14 56:15 65:15 80:5	59:9,10 65:25	47:21 48:10,12 67:1,18	<b>deals</b> 36:8,9	<b>deposition</b> 13:14
<b>continues</b> 63:24	65:25 67:6,8,8	<b>cycles</b> 15:25	<b>decade</b> 15:6 52:8	<b>depositions</b> 13:21
<b>convene</b> 49:10	71:14 73:1,2,7 73:14		<b>December</b> 47:21 49:3	<b>depository</b> 20:4
<b>conversations</b> 16:4,5	<b>couple</b> 7:22 33:5		<b>decennial</b> 26:8 28:17 32:13 45:9 53:7	<b>deputy</b> 74:4
<b>Convex</b> 38:18,22 39:5,13,15	<b>course</b> 7:7 23:19		<b>decision</b> 14:4 15:14,16 34:20	<b>derive</b> 27:18
<b>cool</b> 76:20	<b>court</b> 12:16 13:1 13:6,11,13,23	<b>D</b>	<b>decision-making</b> 13:18	<b>DeSantis</b> 59:11
<b>Cord</b> 1:6	14:3,19 15:9,13	<b>D.C</b> 1:24	<b>declaratory</b> 50:11	<b>designates</b> 53:11
<b>corner</b> 35:13	30:1,2,14,16,24	<b>Dana</b> 2:4 4:13	<b>decrease</b> 65:24	<b>detail</b> 25:18 63:6 71:22
<b>correct</b> 21:16,17 39:4	34:18 37:18	<b>Danna</b> 4:12	<b>decreased</b> 68:9	<b>details</b> 57:24
<b>correspondence</b> 16:20	39:24 50:10,13	<b>dark</b> 71:25	<b>defeat</b> 33:20	<b>determination</b> 15:12
<b>Corridor</b> 11:15 71:11 72:2	50:17,22 51:5,9 51:15,22,23	<b>Darryl</b> 5:17	<b>defer</b> 15:14	<b>determine</b> 34:11 50:22 52:20
<b>councils</b> 76:25	<b>court's</b> 12:22 14:2	<b>data</b> 7:10 20:17 25:1 26:3,14,19 26:23,24 27:1,2 27:6 32:12 45:9 47:1,24 48:1,5 48:6,10,13,15 52:16 53:5,18 53:19 54:5,14 56:21 57:11,12 57:14,20,21 58:4,6,8,19 59:4,18,22 60:6 60:15,17,23 64:6 65:10,13 67:23 69:16,19 71:4 72:8 75:10	<b>deference</b> 14:20	<b>determined</b> 53:1
<b>counsel</b> 4:12 17:4	<b>courts</b> 14:25 35:12 40:15 44:14		<b>defined</b> 44:5,13	<b>determining</b> 50:11,17,19
<b>count</b> 52:25 53:2 56:15 59:2 60:13 62:3,7 63:10,24	<b>coverage</b> 34:10 34:16,16		<b>definition</b> 38:20	<b>develop</b> 6:2
<b>counted</b> 54:16	<b>COVID-</b> 3:20		<b>definitions</b> 45:11	<b>developed</b> 15:5
	<b>COVID-19</b> 60:8		<b>Delaware</b> 57:5	<b>developments</b> 58:3
	<b>create</b> 17:16		<b>delay</b> 60:6	<b>deviation</b> 42:1,7 42:10,14
	<b>created</b> 20:19		<b>delays</b> 48:12 60:1 64:14,16	<b>deviations</b> 40:20
	<b>creates</b> 25:25		<b>deliberate</b> 7:22 7:25	<b>devices</b> 3:10 16:24,24
	<b>creation</b> 34:4 78:23		<b>delighted</b> 9:9	<b>dialogue</b> 10:15
	<b>criteria</b> 25:20		<b>delineated</b> 45:3	<b>difference</b> 26:25 28:9 31:6 42:2 70:15
			<b>deliver</b> 7:24	



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 5

<b>differences</b> 72:10	<b>district</b> 5:17 7:18	40:22 73:12	46:17 49:22,25	<b>equal</b> 13:3 29:20
<b>different</b> 23:9	8:2,2,9,24 9:2,7	<b>dividing</b> 35:4	50:1	29:22 30:11,13
25:11 39:10	10:4,18 12:6	42:7	<b>elections</b> 27:14	31:9,12,13
40:16 45:12	13:6 15:15	<b>doing</b> 14:15 19:3	27:17	36:21 37:6 38:1
53:17 56:9 69:1	17:15 18:21	19:10 43:21	<b>electoral</b> 28:15	40:9,12 79:16
70:10,23 80:22	21:5 28:12	77:16	<b>electorate</b> 41:24	<b>equality</b> 31:3
<b>differential</b> 58:13	31:11 32:1,8	<b>dominant</b> 62:25	<b>electronic</b> 3:9	<b>equally-weight...</b>
58:15	33:7,8,14,17	<b>door</b> 79:2	16:21	40:11
<b>differently</b> 49:6	35:9,12,20,21	<b>door-to-door</b>	<b>Eleven</b> 74:17	<b>Escambia</b> 8:4
<b>differs</b> 34:2	35:21,22 36:17	60:12 66:24	<b>eliminates</b> 43:18	<b>especially</b> 75:24
<b>digital</b> 1:23 80:12	38:2 39:12,20	<b>Doug</b> 7:17	<b>email</b> 16:24 20:1	<b>essentially</b> 63:8
<b>diminish</b> 36:23	41:22,23,25	<b>drafts</b> 75:4	20:21 80:12	63:12 79:10
<b>diminishment</b>	42:3,8,9,16	<b>draw</b> 15:14 25:22	<b>emails</b> 16:20 20:2	<b>establish</b> 37:14
31:20 34:23	43:16,19,21	30:8 33:13	20:4,6	38:6 77:18
37:20 43:17	45:16,16,20,21	<b>drawing</b> 28:12	<b>embarked</b> 12:8	<b>established</b> 34:21
61:12	45:22 46:1,1,8	31:25 33:7,8	<b>embarking</b> 12:1	52:18 54:21
<b>direct</b> 13:20	46:8,13,13	36:10,15 40:24	<b>enable</b> 33:19	<b>et</b> 1:2 17:24
20:13	67:11,14,16,18	42:18	<b>enacted</b> 18:21	44:16
<b>directed</b> 16:15	67:20 70:12,22	<b>drawn</b> 13:25	<b>enacting</b> 32:21	<b>ethnicity</b> 54:14
26:5	71:14,16 79:23	14:18 36:17,20	<b>enactment</b> 16:22	54:19 55:21
<b>directly</b> 13:17	<b>district's</b> 42:11	40:19 45:13	<b>encourage</b> 17:3	60:22 61:7 68:3
20:11	<b>districts</b> 9:21	<b>drive</b> 27:12	75:2,2	<b>Europe</b> 55:20
<b>director</b> 4:9	11:17,18 12:12	<b>Due</b> 48:12	<b>encouragement</b>	<b>everybody</b> 6:4,18
24:23 74:4	13:4 16:22	<b>duty</b> 7:8	19:15	8:14 79:16
<b>directs</b> 24:5	25:22 26:2	<b>Duval</b> 21:7 67:7	<b>encouraging</b>	<b>everyone's</b> 25:8
27:15,21	27:13,19,23		77:22	<b>evidence</b> 1:23
<b>dirt</b> 44:11	28:15 29:12,16	<b>E</b>	<b>endeavor</b> 8:20	13:15,20
<b>disclose</b> 17:19	29:23 30:9,12	<b>earlier</b> 54:11	<b>energy</b> 78:22	<b>exact</b> 81:9,12,21
<b>disclosed</b> 17:22	31:4,5 32:4,6	66:15 72:18	<b>enforcer</b> 42:21	82:14
<b>disclosure</b> 57:13	34:4 35:4,7,9	<b>easily</b> 44:1	<b>engage</b> 74:23	<b>examined</b> 18:19
57:17 58:11	35:16,17,19	<b>East</b> 55:6,20	77:19	<b>example</b> 35:18
<b>discovery</b> 13:21	36:1,4,15,19,25	<b>easy</b> 6:16	<b>engaged</b> 77:5	55:8 57:14
<b>discretion</b> 15:20	37:6,7,8 38:16	<b>edges</b> 39:18,19	<b>enjoy</b> 77:7	60:25 62:6
<b>discrimination</b>	40:13,15,19,22	<b>edit</b> 64:6	<b>ensure</b> 75:4 76:2	<b>examples</b> 23:4
33:1 34:5,12	40:24 41:3,15	<b>effect</b> 34:22	<b>ensuring</b> 11:11	<b>exceed</b> 69:5
<b>discriminatory</b>	41:16 42:4 43:8	42:21 59:15,16	<b>enter</b> 50:16	<b>exceeded</b> 68:18
63:8,16	45:12 61:9,10	<b>effective</b> 45:21	<b>enthusiasm</b>	<b>excellent</b> 61:17
<b>discuss</b> 26:19	69:24 70:10,16	<b>eight</b> 57:4	82:11	<b>exchange</b> 17:25
<b>discussed</b> 66:11	70:19,24 71:2,5	<b>either</b> 22:17 36:1	<b>entire</b> 11:11	18:12 73:15
<b>disfavor</b> 16:7,8	71:6,8,13,19,20	68:6	74:14	<b>excited</b> 5:11 7:1
36:18	72:9 74:12	<b>elect</b> 31:22 33:3	<b>entirely</b> 36:2	8:11,18 9:15
<b>disfavors</b> 36:11	78:15 79:9 81:8	33:24 34:8	<b>enumerated</b>	11:8 80:4,14
<b>display</b> 70:9	81:9,10,25	36:24 43:12,23	58:16	<b>exciting</b> 6:23
71:21	<b>distrust</b> 78:23	45:24 46:4,11	<b>enumeration</b>	<b>excuse</b> 15:7
<b>displayed</b> 71:10	<b>diverse</b> 76:3	46:16,17	52:23,24 64:23	32:17 33:8 41:5
<b>disrupt</b> 60:14	<b>divide</b> 71:1	<b>elected</b> 80:16	<b>environment</b>	41:22 50:18
<b>distributed</b> 30:18	<b>divided</b> 35:5	<b>election</b> 30:5	25:19	55:2 65:19 67:4



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 6

71:2 73:4 <b>excused</b> 3:7 <b>existing</b> 32:9 34:7 37:9 <b>exists</b> 31:17 <b>expanded</b> 13:11 14:24 <b>expect</b> 7:13 22:25 49:5 <b>expected</b> 58:23 69:10 <b>experience</b> 4:20 4:21 <b>explain</b> 19:9 <b>explanation</b> 21:13 23:25 47:1 52:16 <b>explicitly</b> 53:4 <b>expound</b> 22:24 <b>express</b> 42:6 <b>extensive</b> 75:13 <b>extracts</b> 53:22 <b>extraordinary</b> 51:1,7,13 <b>eye</b> 5:5	<b>far</b> 23:6 24:4 55:6 56:20 71:15 <b>fastest</b> 66:4 <b>fastest-growing</b> 66:16 <b>favor</b> 16:8 32:1,1 36:18 <b>favor/disfavor</b> 37:21 <b>favoritism</b> 13:9 <b>favors</b> 36:11 <b>feasible</b> 30:20 32:9 37:8 <b>feature</b> 44:20 <b>features</b> 32:10 44:2,23 53:25 54:1,2 <b>federal</b> 26:22 31:18,24 37:5 37:25 42:25 49:15 53:12 <b>federally</b> 53:11 <b>feel</b> 11:19 80:14 <b>feeling</b> 78:19 <b>Ferrin</b> 4:10 24:23 25:1,2 39:3 40:6 41:13 47:6 52:17 61:15 63:4 64:4 64:21 65:5,11 70:6 72:24 <b>field</b> 27:4 61:18 <b>figure</b> 57:18 <b>file</b> 1:12 20:19,21 51:8,25 <b>files</b> 53:20 <b>filing</b> 50:15 <b>Filipino</b> 57:16,23 <b>fill</b> 3:23 <b>filled</b> 21:25 66:22 <b>filling</b> 47:12 <b>finalized</b> 49:18 <b>finally</b> 18:17 36:25 44:12 <b>Find</b> 75:19 <b>finding</b> 14:3,17	<b>finds</b> 51:22 <b>fire</b> 80:13 <b>first</b> 3:13 4:2,3 6:24 8:3 12:9 21:6 49:16,20 66:19 71:12 76:19 <b>five</b> 50:25 73:5,9 <b>Flagler</b> 71:12 <b>FLCD</b> 43:4 <b>FLHD</b> 43:5 <b>flipped</b> 14:19 <b>Florida</b> 1:14 3:16 7:9,15 8:10,11 9:2 10:5 11:13 11:14,14,15,16 11:20 12:14,16 12:22,25 13:24 15:9 16:16,17 22:5 23:6,7 26:1,5,16 27:20 29:6,11,12,14 29:21 31:17,18 31:23 32:3,5,7 32:10,14,15 34:14,24,25 37:17 40:18 41:3 42:19,25 44:17 50:4 51:4 53:3,10 59:6 63:23 64:22 66:17 67:3,11 67:15 68:18 70:10 71:7,8,18 72:2,4 73:25 74:4,17 75:19 76:8,15,21,22 77:1 78:4,11 81:24 <b>Florida's</b> 26:1 31:8 <b>Florida-</b> 66:8 <b>Floridians</b> 75:24 <b>flow</b> 52:4 <b>FLSD</b> 43:6 <b>follow</b> 63:5 78:25 79:21	<b>follow-up</b> 21:1 60:12,13 66:24 <b>followed</b> 15:25 48:25 52:7 69:7 <b>following</b> 26:8 28:23 38:25 75:3 79:14 <b>follows</b> 41:1 43:2 54:22 <b>foregoing</b> 84:3 <b>forgot</b> 21:5 <b>form</b> 18:2,6,6 21:25 46:10 53:20 <b>formal</b> 27:1,6 48:4 <b>formally</b> 26:15 <b>format</b> 26:14,25 27:7 47:25 48:7 48:13 75:12 <b>formatted</b> 27:7 48:4,15 <b>formed</b> 44:21 <b>forms</b> 55:22 <b>formula</b> 34:10,17 <b>forth</b> 7:4 35:23 37:13 51:9 <b>Fortunately</b> 14:23 <b>forward</b> 5:12 6:2 7:5,7 8:6 9:23 10:14,16,21,22 11:7 15:23 17:5 22:15,16 52:15 77:21,21 80:5 <b>forwarding</b> 20:4 <b>found</b> 42:19 79:8 <b>four</b> 26:20 33:21 60:8 <b>Fourteenth</b> 31:15 <b>fourth</b> 53:9 <b>frankly</b> 7:18 <b>free</b> 15:6,7 48:19 <b>frequently</b> 28:10 <b>front</b> 11:23 <b>fulfilling</b> 12:4 <b>full</b> 9:22 49:4	<b>full-blast</b> 49:4 <b>functional</b> 13:3 62:12 <b>fundamentally</b> 12:24 <b>further</b> 25:18 40:3 64:9 65:7 <b>future</b> 20:23 76:10 77:9
<b>F</b> <b>faces</b> 8:16 74:7 <b>facial</b> 50:5 <b>fact</b> 14:6 51:15 56:8 59:19 61:25 <b>factors</b> 60:5 <b>facts</b> 66:9 <b>fails</b> 51:21 <b>fair</b> 6:3,10 7:22 9:18,21 74:12 78:14 79:8,23 81:8,9,10,25 <b>fairdistrictscoa...</b> 79:10 <b>fairness</b> 79:15 <b>falls</b> 45:25 <b>false</b> 17:16 <b>familiar</b> 25:8 40:9 <b>families</b> 76:23				<b>G</b> <b>gained</b> 26:17 66:3 <b>gaining</b> 70:21 <b>Gayle</b> 9:6 <b>general</b> 17:4 25:6 35:3 49:24,25 50:9 51:8,14,25 67:15 <b>generally</b> 39:11 40:14 <b>generations</b> 76:10,11 <b>geo</b> 54:9 <b>geographic</b> 13:2 32:10 37:9 38:3 43:25,25 53:19 53:23,25 54:8 64:7 76:25 <b>geographical</b> 44:6,19 59:4,21 69:22 <b>geographically</b> 33:15 <b>geography</b> 53:16 58:17 <b>geometric</b> 13:1 <b>geometry</b> 59:3 <b>gerrymandering</b> 79:18 <b>getting</b> 77:12 79:16 <b>Gibson</b> 2:17,18 19:23,24 20:24 21:1,4,18 38:13 38:15 39:4 60:19,21 61:16



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 7

62:18,21 63:2 77:2 <b>Gingles</b> 33:10,12 <b>give</b> 19:19 41:9 64:15 <b>given</b> 20:11 23:5 <b>gives</b> 7:12 <b>glad</b> 7:2 <b>go</b> 3:10 4:5 22:10 24:21 38:11 47:4 60:16,17 62:19 63:6 72:18 81:5 <b>goals</b> 77:14 <b>goes</b> 20:21 59:1 <b>going</b> 4:21 6:9 7:4 11:23 12:1 17:5 24:22 39:11 41:3,18 49:3 60:22 70:1 70:23,24 71:20 77:16,17 80:25 81:1,3,17 <b>good</b> 5:9,10,15 6:5,21 8:14,21 10:17 11:20 20:9 25:3,12 74:2 78:19 <b>governed</b> 50:3 <b>governing</b> 12:10 <b>governor</b> 50:24 59:11 <b>granular</b> 71:20 <b>grassroots</b> 17:17 21:23 22:3 <b>great</b> 10:15,15 63:6 <b>greatest</b> 28:4 <b>grew</b> 26:16 65:18 66:5 67:16,20 69:15 <b>group</b> 1:23 10:13 18:15 32:25 46:2,10 56:13 56:18 58:18 62:5 63:23 68:3 68:7 69:7,8	78:1 <b>groups</b> 14:8 18:10 43:23 44:25 45:17 55:13 56:6 68:21 79:17 <b>growing</b> 66:4 67:9,12 <b>growth</b> 28:16 66:13 67:9,12 69:13 71:10 <b>Guam</b> 55:16 <b>guidance</b> 17:4 24:1,3,5,7 35:3 63:5 <b>guide</b> 4:22 22:11 <b>guiding</b> 12:3 <b>guys</b> 76:18  <b>H</b> <b>half</b> 67:13 73:5,9 81:14 <b>hand</b> 3:24 <b>handful</b> 56:23 <b>handle</b> 24:1 <b>handout</b> 60:24 <b>hands</b> 74:16 <b>happen</b> 6:19 74:10 <b>happens</b> 6:12 <b>happy</b> 3:15 5:19 8:14,14 25:3 <b>hard</b> 12:19 <b>Hardee</b> 34:14 <b>harm</b> 79:16 <b>Harrell</b> 2:19,20 9:5,6 <b>Hawaii</b> 55:16 <b>Hawaiian</b> 55:14 69:8 <b>head</b> 65:3 <b>hear</b> 78:20 80:10 81:1 <b>heard</b> 7:18 77:22 80:15,24 <b>hearings</b> 14:9 <b>heart</b> 7:19 80:14	<b>heartland</b> 11:16 <b>help</b> 4:22 78:1 <b>Henry</b> 34:14 <b>hierarchy</b> 44:19 53:15 <b>high-</b> 25:14 <b>higher</b> 39:20 40:14 <b>highly</b> 39:16 <b>highway</b> 44:10 <b>highways</b> 44:7,8 <b>Hillsborough</b> 5:18 34:15 <b>hint</b> 15:7,8 <b>Hispanic</b> 54:17 55:23,24,24 56:11 62:11,24 69:10,14 <b>historic</b> 5:11 <b>historically-pe...</b> 43:20 <b>history</b> 34:11 52:10 78:20 <b>Holder</b> 34:19 <b>home</b> 10:6 64:1 <b>homes</b> 56:17 <b>honor</b> 8:7,19 9:3 10:6,20 <b>hopefully</b> 7:5 62:16 <b>hoping</b> 6:19 <b>house</b> 19:3 21:7 23:7,11 28:24 29:8,15 35:4,8 40:19 41:4,16 43:5 47:19 59:12 67:16 71:18 73:10,13 73:17 <b>households</b> 64:25 65:1 <b>housing</b> 47:24 66:11 <b>Hull</b> 38:18,23 39:6,13,15 <b>humble</b> 11:1 <b>hydrography</b>	54:2  <b>I</b> <b>I-4</b> 11:15 71:11 72:2 <b>Icromueler</b> 4:16 <b>ID</b> 54:9 <b>idea</b> 20:15 <b>ideal</b> 40:21,25 42:2,8,11 67:17 70:15 <b>ideas</b> 23:22 24:5 <b>identifiable</b> 58:1 <b>identification</b> 54:20 <b>identifier</b> 54:8 <b>identify</b> 54:16 56:10 67:25 69:14 <b>identifying</b> 68:4 68:11,24 <b>identity</b> 18:7 57:19 <b>III</b> 12:13 27:19 29:13 31:10 35:2 36:5,7 50:3,7 <b>image</b> 44:18 <b>impartial</b> 14:12 <b>implementation</b> 28:5 <b>important</b> 15:23 49:8 56:4 58:24 61:22 74:7,13 <b>impression</b> 17:16 <b>improper</b> 14:1 14:18 <b>improve</b> 66:25 <b>in-combination</b> 68:20 <b>inappropriately</b> 16:13 <b>inaudible</b> 47:2 57:18 58:9 65:4 <b>incarcerated</b> 56:24,25 57:8 64:2	<b>incarceration</b> 57:4 <b>include</b> 44:7 56:5 62:10 71:14 72:11 <b>included</b> 18:19 44:8 62:9 <b>includes</b> 8:25 10:4 50:4 53:24 57:5 60:8 69:11 69:23 73:22 75:22 81:24 <b>including</b> 54:1 55:1,8 57:16 72:9 <b>inclusion</b> 18:24 19:13 <b>incorporated</b> 44:14 67:3 <b>increase</b> 68:18 <b>increased</b> 7:11 <b>incumbent</b> 13:10 16:9 32:2 36:12 36:19 37:22 <b>indentations</b> 39:14 <b>India</b> 55:8 <b>Indian</b> 54:24 55:7 59:9 69:6 73:1,4,4,6 <b>indicate</b> 56:7 <b>indicated</b> 15:13 22:22 62:4 <b>indicates</b> 52:7 <b>indicators</b> 13:5 <b>individual</b> 20:18 23:20 24:2 42:4 43:16 57:19 60:25 <b>individual's</b> 54:18 <b>influence</b> 14:6 16:13 46:12,17 <b>information</b> 17:20 53:23 54:5 69:21 <b>Initiative</b> 79:23
--	---	--	--	---



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 8

<b>injected</b> 58:21	4:25	13:12	42:24 43:11,22	<b>legislative</b> 4:18
<b>input</b> 5:25 10:16	<b>introduced</b> 21:6	<b>judiciary's</b> 14:24	45:13,17 46:2,9	11:6 12:6,11
75:13,22,23	<b>introducing</b> 5:8	<b>July</b> 49:20	46:14 76:2	13:13,17 14:20
80:6,7	<b>introductory</b>	<b>jump</b> 27:10	79:17 81:7,8,9	15:10,11,19
<b>inquiries</b> 24:1,2	22:22	<b>jumped</b> 7:19	81:21,24	16:5 18:20
<b>insight</b> 14:23	<b>invalid</b> 50:24	<b>June</b> 49:14 59:11	<b>large</b> 46:4,15	19:11 26:2
<b>insufficient</b> 35:14	51:23	59:16	<b>larger</b> 29:2 30:17	27:19,22 28:21
<b>insulate</b> 16:10	<b>invalidated</b> 34:17	<b>jurisdiction</b>	<b>largest</b> 42:15	29:16 30:12,18
<b>integrity</b> 74:14	<b>invest</b> 7:23	24:24 25:7,24	65:25 66:1 67:3	36:1,9 40:15
74:14	<b>involved</b> 13:17	34:13	67:8 68:2 69:2	50:6 52:5 59:5
<b>intend</b> 15:3	25:10 75:20	<b>jurisdictions</b>	<b>lastly</b> 46:12	69:23
<b>intent</b> 13:5 14:1	78:16	34:16	48:17 51:20	<b>legislators</b> 13:15
14:19 15:8 32:1	<b>Islander</b> 55:14	<b>Justice</b> 63:9	71:17	13:22 16:1
36:18,20 37:21	69:8	<b>Justin</b> 4:16	<b>late</b> 60:7	<b>legislature</b> 12:8
82:16	<b>Islands</b> 55:10,17		<b>latest</b> 28:17	16:7 26:7 27:11
<b>intention</b> 15:17	<b>issue</b> 7:23 80:21	<b>K</b>	<b>Latino</b> 54:17	27:21 40:18
<b>intentionally</b>	<b>issues</b> 15:21	<b>keep</b> 70:1	55:23,24,25	50:23,25 51:2
16:12 36:11	<b>it'll</b> 41:4	<b>Kelli</b> 10:18	56:11 69:10,15	51:11,20 59:6
<b>intentions</b> 19:10	<b>item</b> 4:3 24:20	<b>kind</b> 17:9 39:18	<b>launch</b> 52:9	<b>legislature's</b>
<b>intents</b> 28:11	<b>Ivey</b> 2:5,7,9,11	40:8 45:14	<b>launches</b> 72:6	14:14,22 15:14
<b>interact</b> 80:23	2:13,15,17,19	47:20 49:3	<b>launching</b> 48:19	<b>legislatures</b>
<b>interaction</b> 80:6	2:21,23,25 3:2	70:20 71:17	<b>law</b> 15:5 18:21	13:24 27:15
<b>interactionable</b>	3:4 4:12	79:1 80:17	26:22 37:5,25	28:18
80:8		<b>kinds</b> 45:12	42:25 59:10,20	<b>lessons</b> 12:19,21
<b>interactive</b> 17:8	<b>J</b>	<b>know</b> 5:23 6:9,11	78:25 79:14,21	<b>let's</b> 4:24 10:23
22:23,24 24:6	<b>Jacksonville</b> 5:9	24:10 25:10	<b>laws</b> 57:7	38:11 40:4
69:20 72:6 77:7	21:8 67:2,5	26:4 38:17 61:1	<b>lead</b> 8:17	46:25 47:4 65:9
<b>interchangeably</b>	<b>jagged</b> 39:18	65:2,5 67:6	<b>Leader</b> 77:2	70:5
28:11	<b>January</b> 26:13	76:5,7 77:8	<b>leadership</b> 8:6	<b>level</b> 25:15 42:9
<b>interest</b> 13:8	28:1,3 49:11	78:21,23 79:1	10:23	42:13 58:25
18:11	59:17	79:14 80:3,11	<b>leading</b> 7:3	69:22 71:20
<b>interested</b> 6:11	<b>Japan</b> 55:9	80:25 81:2	<b>league</b> 78:4,10,13	<b>levels</b> 58:17
<b>interests</b> 16:11	<b>Jason</b> 4:11,19	<b>known</b> 30:7	78:14	<b>Li</b> 4:15
46:19 50:14	<b>Jay</b> 4:10,19 7:2	33:10	<b>leans</b> 62:21	<b>lieu</b> 53:2
<b>interim</b> 48:21,23	<b>Jennifer</b> 10:3	<b>knows</b> 21:7	<b>learn</b> 4:21 12:21	<b>light</b> 61:8
<b>interpret</b> 12:17	<b>Jersey</b> 57:6	<b>Korea</b> 55:9	<b>learned</b> 12:19	<b>lights</b> 80:13
<b>interpretation</b>	<b>job</b> 6:15 11:11,20		<b>led</b> 10:13 79:23	<b>Likewise</b> 68:13
12:23	11:23	<b>L</b>	<b>Lee</b> 8:10 71:14	<b>limited</b> 13:13
<b>interpreted</b>	<b>Johns</b> 8:4 71:12	<b>labels</b> 27:4	<b>left</b> 4:9,11	<b>Linda</b> 6:6
14:25 29:25	<b>joint</b> 19:2 23:13	<b>labor</b> 76:25	<b>Legacy</b> 26:14,25	<b>line</b> 36:10
30:14 31:4	48:19 50:8 51:3	<b>Lake</b> 10:19	27:2 47:25 48:7	<b>linear</b> 54:1
35:17	51:16,18	<b>land</b> 73:5,8,15	48:13	<b>lines</b> 30:21 59:9
<b>interrupt</b> 41:9	<b>Jonathan</b> 73:24	<b>landfall</b> 60:9	<b>legal</b> 21:14 25:18	74:15
<b>interstates</b> 44:7	73:25 74:3	<b>landmarks</b> 54:3	44:23 45:7	<b>linked</b> 54:6
<b>Intraocular</b>	<b>judgment</b> 50:11	<b>language</b> 31:21	60:10	<b>list</b> 18:14 48:21
39:24	50:16,16 51:4	32:25 33:9 34:8	<b>legally-enforce...</b>	<b>listed</b> 45:15
<b>introduce</b> 4:4,6	<b>judiciary</b> 12:18	34:12 36:13,22	42:20	70:13



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 9

<b>listen</b> 19:19	<b>maintains</b> 55:2,3	25:13	<b>methodology</b>	<b>motion's</b> 83:2
<b>litigation</b> 15:25	<b>majority</b> 33:16	<b>meals</b> 17:24	25:21	<b>move</b> 4:24 17:5
<b>little</b> 8:5 25:18	33:18 43:19	<b>mean</b> 28:12 31:5	<b>methods</b> 58:12	22:15 24:20
53:14 54:13	45:16,18,25	35:17,20 73:16	<b>metro</b> 65:17,21	38:8,12 40:4
59:25 65:12	46:3,5,11 56:20	<b>meaningful</b>	66:2,16	46:25 52:15
66:25 70:23	<b>majority/mino...</b>	75:20	<b>metropolitan</b>	65:9 73:23
71:22 73:16	33:7	<b>means</b> 22:25 30:4	65:16	77:21
74:15	<b>makeup</b> 11:8	34:20 52:25	<b>Mexican</b> 56:1	<b>moved</b> 73:13
<b>lived</b> 56:18	<b>making</b> 6:12 52:1	55:5,11 68:9	<b>Miami-Dade</b>	<b>movement</b> 17:17
<b>livestreamed</b>	<b>Malaysia</b> 55:9	75:21	8:25	<b>moves</b> 82:25
75:6	<b>MALE</b> 47:2	<b>meant</b> 55:25	<b>Middle</b> 55:20	<b>moving</b> 15:23
<b>living</b> 52:21	<b>Management</b>	66:21	<b>mile</b> 59:14	36:5
65:20	54:21	<b>measure</b> 25:19	<b>million</b> 26:17	<b>multiple</b> 61:25
<b>lobby</b> 22:14	<b>manipulate</b> 14:6	39:9,12	67:4 68:4,5,6	75:25 76:1
<b>lobbyist</b> 17:21	<b>manner</b> 15:4	<b>measured</b> 42:10	68:15,17 69:4	<b>multiracial</b> 68:13
<b>local</b> 24:13 45:4	27:16 72:7	68:15	69:12 76:22	68:14,20
<b>location</b> 56:18	<b>map</b> 18:13,16	<b>measurement</b>	<b>mindful</b> 16:20	<b>municipality</b>
57:3 63:25 64:8	21:24 22:1,4,14	39:9	<b>minorities</b> 31:22	44:15
<b>lodgings</b> 17:24	22:15 32:21	<b>media</b> 24:1 80:23	33:3 34:8,13	
<b>long</b> 15:15 38:5	42:18 69:18	81:2	36:14,22 42:24	<b>N</b>
<b>longer</b> 34:22	70:21 71:4	<b>meet</b> 9:20 19:18	<b>minorities'</b> 46:6	<b>name</b> 8:23 10:3
<b>look</b> 6:1 9:23	72:14 74:15	22:13 23:21	<b>minority</b> 13:4	74:3 78:9
10:14,16 11:7	75:4	48:24	32:17,18,25	<b>named</b> 43:1
11:12 17:5	<b>map-drawing</b>	<b>meeting</b> 3:8,11	33:9,14,14,17	<b>national</b> 56:5
22:19 61:9 70:8	48:20	4:2 49:6	33:22 34:4,4	<b>nationwide</b> 69:5
70:23 77:20	<b>map-making</b>	<b>meetings</b> 23:15	43:11,19,20,22	<b>Native</b> 54:24
80:2	75:6	23:16 25:17	45:14,16,17,21	55:14 69:6,7
<b>looking</b> 5:12 7:5	<b>mapping</b> 75:10	48:23 52:12	45:23 46:2,10	<b>nature</b> 79:19
7:7 8:6 10:21	<b>maps</b> 6:3 7:25	75:23 76:1	46:14,19 61:9	<b>nauseum</b> 38:18
10:22 62:13	9:20 14:11,12	<b>Megan</b> 4:17	79:17	<b>nearby</b> 57:22
71:19 80:5	14:12 16:1,7	<b>member</b> 3:24	<b>minority-prefe...</b>	<b>nearly</b> 30:4 31:12
<b>Los</b> 65:25	18:6,21,24 19:2	19:6 32:24 36:4	33:20	37:6 67:13
<b>lost</b> 14:20 66:3	19:18 23:2	78:13,14	<b>minus</b> 30:10	<b>necessarily</b> 34:3
<b>lot</b> 25:8,10 40:7	44:24 70:8	<b>members</b> 4:5,24	40:14 42:11	68:23
69:16 71:6 74:7	75:25	4:25 7:20 10:25	<b>mirror</b> 82:14	<b>need</b> 22:4,6,8
77:6	<b>March</b> 28:3	19:4,16 24:14	<b>missed</b> 41:11,11	24:6
<b>Lucie</b> 9:8 59:10	49:12 84:6	25:3 38:11	47:4	<b>negative</b> 42:13
72:20 73:2,3,6	<b>Marie</b> 8:23	76:23 77:1,4,20	<b>mixture</b> 56:8	<b>neglect</b> 61:17
<b>luck</b> 76:12	<b>mark</b> 61:24	77:24 82:22	<b>mockery</b> 14:13	<b>neighborhood</b>
	<b>marked</b> 63:12	<b>mention</b> 61:17	<b>moment</b> 11:25	67:19
<b>M</b>	<b>Martin</b> 9:7 72:20	<b>mentioned</b> 27:25	<b>Monday</b> 8:14	<b>nests</b> 45:10
<b>M</b> 1:24	<b>Maryland</b> 57:6	29:5 40:8,13	<b>Monroe</b> 9:1	<b>Nevada</b> 57:6
<b>ma'am</b> 81:15	<b>massive</b> 8:19	49:10 53:5 59:3	34:15	<b>nevertheless</b> 31:1
<b>Magnole</b> 4:17	<b>materials</b> 38:20	59:25 63:21	<b>month</b> 48:18,18	<b>new</b> 16:1,22
<b>mail</b> 49:20 66:22	<b>mathematical</b>	66:15	<b>months</b> 26:20	18:21 28:12
<b>mailing</b> 49:15	30:25	<b>met</b> 3:13 33:11	74:24	57:6,6 66:1,9
<b>main</b> 57:13	<b>matter</b> 15:11	<b>method</b> 38:25	<b>morning</b> 74:3	70:17 76:18



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 10

78:5,10 <b>nicety</b> 30:25 <b>nine</b> 59:14 <b>noise</b> 58:20,20,25 <b>nonparty</b> 13:16 13:22 <b>nonresponse</b> 60:12 66:24 <b>normal</b> 47:21 <b>north</b> 10:5,19 33:12 55:1,20 71:7 <b>northeast</b> 11:14 <b>northwest</b> 11:13 <b>notable</b> 6:8 <b>note</b> 35:23 54:9 56:4 58:24 70:20 <b>noted</b> 38:4 67:23 <b>notice</b> 75:17 <b>noticed</b> 23:17 <b>noting</b> 34:19 53:16 59:5 <b>November</b> 49:1,1 49:2 50:1 <b>number</b> 29:7 30:17 35:18 40:22 41:7,21 52:20 64:24 65:2 70:19 <b>numbers</b> 35:18 35:19 41:9,18 41:19 72:9 <b>numeric</b> 42:14 <b>numerical</b> 46:3 <b>numerous</b> 33:16 <b>nursing</b> 56:17 <b>NW</b> 1:24	<b>obtained</b> 13:20 <b>obviously</b> 63:2 <b>occurred</b> 17:10 17:12 60:11 71:11 73:19 <b>occurs</b> 43:9,18 <b>October</b> 48:25,25 <b>odd</b> 35:19 <b>office</b> 3:24 7:4 54:20 81:22 82:4 <b>offices</b> 49:15 <b>official</b> 16:23 20:16 53:8,12 <b>officially</b> 66:10 <b>officials</b> 80:16 <b>Oh</b> 47:3 <b>Okay</b> 40:4 72:16 81:16 <b>old</b> 41:19 70:16 <b>OMB</b> 63:5 <b>once</b> 22:12 <b>once-in-a-decade</b> 8:17 10:8 <b>one-person</b> 30:7 <b>one-vote</b> 30:7 <b>ones</b> 66:4 <b>online</b> 66:20 <b>open</b> 6:10 9:18 14:14 17:8 22:23 <b>operating</b> 49:4 <b>operatives</b> 14:5 17:13 18:4 <b>opportunities</b> 25:17 45:14 75:18,23 <b>opportunity</b> 5:16 7:12 8:12 23:3 23:17,19 25:12 33:23 36:21 43:10 45:24 52:11 78:9 80:4 <b>opposed</b> 64:1 <b>opposing</b> 75:16 <b>opted</b> 48:13 <b>Orange</b> 6:7	<b>order</b> 2:3 27:5 37:11 45:15 52:1 <b>organization</b> 18:15 21:23 22:4 77:11 <b>organizations</b> 18:10 78:16 <b>organizing</b> 14:8 <b>orientation</b> 25:15 <b>origin</b> 54:18 55:23 56:3,5,10 69:15 <b>original</b> 54:25 55:6,16,19 <b>originally</b> 47:20 <b>origins</b> 54:25 55:5,12,15,19 <b>Orlando</b> 6:6 <b>Osceola</b> 67:8 <b>outcome</b> 46:17 <b>outlined</b> 64:13 <b>outside</b> 16:6 58:8 82:2,13 <b>over-populated</b> 70:25 <b>over/under</b> 70:9 <b>overall</b> 40:17 64:15 68:22 <b>overlap</b> 36:1 <b>overpopulated</b> 71:14 <b>overpopulation</b> 72:1 <b>overriding</b> 31:2 <b>overseas</b> 49:16 49:20 <b>overview</b> 25:6	<b>parcel</b> 73:2,11,13 <b>part</b> 5:20 7:1 8:2 9:15 10:7 17:24 18:11 21:14 22:17 36:19 45:4 50:2 62:4 74:21 75:1 77:24 <b>partially</b> 36:2 <b>participants</b> 45:4 45:5 <b>participate</b> 23:1 33:23 36:22 43:11 77:13 <b>participated</b> 77:3 <b>participation</b> 23:3 64:16,18 82:8 <b>particular</b> 20:1 34:13 62:22 81:18 <b>particularly</b> 6:16 72:1 <b>particulars</b> 52:10 <b>parties</b> 16:6 17:14 <b>partisan</b> 13:8,9 17:13 18:4 <b>parts</b> 9:8 30:22 <b>party</b> 16:8 32:2 36:12 37:21 <b>pass</b> 16:7 <b>passage</b> 16:1 50:8 <b>passed</b> 57:7 59:6 <b>path</b> 52:4 <b>paths</b> 52:7 <b>pause</b> 70:1 <b>people</b> 7:14 9:16 14:9 24:12 26:17 30:3 41:21 52:20,23 55:16 56:6,10 56:16 57:16 66:6,13 67:5,10 67:13,21,25 68:4,10,15,17	68:23,25 69:10 69:11 75:19 76:7 78:24,24 79:6 <b>peoples</b> 55:1,6,19 <b>percent</b> 31:6 40:17,20 45:18 64:23 65:1,18 65:20,22 66:6 66:11,14 67:1,9 67:12,16 68:17 69:13,15 72:10 74:17 79:22 <b>percentage</b> 42:6 <b>performance</b> 7:21 <b>performing</b> 33:13 <b>performs</b> 33:9 <b>perimeter</b> 39:17 <b>period</b> 47:10 <b>permanent</b> 16:25 <b>permit</b> 50:13 <b>person</b> 18:14 20:19 30:10 40:14 54:16,25 55:5,12,15,18 55:25 57:24 61:24 62:4 <b>person's</b> 30:5 57:21 <b>personal</b> 16:24 57:10 <b>persons</b> 56:25 57:8 <b>perspectives</b> 75:16 <b>persuade</b> 16:6 <b>persuading</b> 46:5 <b>pertinent</b> 33:6 34:1 <b>petition</b> 50:10,15 51:9,24 <b>phenomenally</b> 7:11 <b>Philippine</b> 55:10 <b>phonetic</b> 4:15,16
<b>O</b> <b>oath</b> 16:3 81:22 82:4 <b>objection</b> 83:1 <b>objective</b> 13:5 31:2 <b>obligation</b> 12:5 <b>observation</b> 3:20		<b>P</b> <b>P.L.</b> 48:5 <b>Pacific</b> 55:14,17 69:8 <b>Pakistan</b> 55:9 <b>Palm</b> 9:8 <b>paragraph</b> 79:11 81:13		



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 11

<b>physical</b> 44:23 52:25	<b>Polk/South</b> 10:19	<b>potential</b> 41:24 61:11	38:6	<b>promise</b> 78:25
<b>picked</b> 8:17	<b>pollical</b> 36:23	<b>potentially</b> 43:19 46:3	<b>prison</b> 57:3	<b>proof</b> 14:19
<b>piece</b> 73:11	<b>Polsby-Popper</b> 39:6,17	<b>practicable</b> 30:4 31:12 37:7	<b>prisoners</b> 56:15 57:2 63:24	<b>property</b> 73:11
<b>Pinellas</b> 5:18	<b>polygon</b> 53:24	<b>practice</b> 57:12	<b>privacy</b> 57:10 58:13,15	<b>proportional</b> 39:9
<b>place</b> 20:15 67:3	<b>poorly</b> 39:15	<b>pre-</b> 27:6	<b>privilege</b> 13:13	<b>proportionality</b> 13:9
<b>places</b> 27:16	<b>pops</b> 28:7	<b>pre-clearance</b> 34:20	<b>probably</b> 25:12	<b>proposed</b> 19:13 42:22
<b>plan</b> 13:6 27:22 31:25 36:17 41:22 42:3,5,13 42:20,21,22,23 43:3,10,14,15 43:18,24 48:18 49:6	<b>population</b> 7:11 13:3 26:3 28:16 29:1,3,20,22 30:9,11 31:3,7 31:9,12,13 33:15,17,22 37:6 38:2 40:10 40:12,21,22,23 41:6,21 42:1,2 42:3,8,9,11,12 42:13,15,16 45:19,23 47:17 47:23 53:18 54:6 56:21 58:1 58:16,22 59:14 59:22 62:7 63:11,15 65:15 65:17,20 66:3 68:2,8,14,15 69:11,13 70:14 70:15 71:21 72:9,21 73:18 76:3	<b>presentation</b> 46:22 60:2	<b>problems</b> 78:21	<b>prospective</b> 48:22
<b>plans</b> 13:25 14:17,22 17:15 25:25 28:6 36:15 43:1 50:6 52:5 63:10	<b>populations</b> 40:25 65:24 68:21 69:3 70:9 72:15	<b>presentations</b> 19:22 24:23 25:14 72:12	<b>procedures</b> 56:24 77:18	<b>protect</b> 17:11
<b>play</b> 12:19 61:11	<b>portion</b> 21:8 46:21 60:13 70:1,4	<b>presented</b> 60:19	<b>process</b> 4:23 5:22 6:10 8:17 9:18 10:9,15,22 12:4 13:12,18 14:7 14:13,15,16 15:4 16:14 17:6 17:8,10,11 18:20 19:12 21:14 22:12,17 22:24 25:7,9 28:8,14,20 29:15 33:24 34:21 36:23 43:12 47:8 50:2 57:9 74:19 76:6 76:9 77:4,14,21 77:25	<b>protecting</b> 57:10
<b>please</b> 2:4 3:8 20:7 21:2 75:4 80:3	<b>positions</b> 5:18 8:25	<b>Preserve</b> 75:7	<b>processed</b> 27:5	<b>protection</b> 13:10 30:13 36:13
<b>pleased</b> 5:7 6:7 6:18	<b>positioned</b> 7:24	<b>preserved</b> 15:20 17:1	<b>proceed</b> 19:22	<b>protections</b> 31:20 32:18 42:24
<b>pledge</b> 79:7,8,21 80:2 81:8,9,21 82:1	<b>positive</b> 42:12	<b>president</b> 3:19 5:1 11:10 78:5 78:10,13	<b>proceedings</b> 75:17 84:4	<b>protects</b> 33:1 34:6
<b>pledged</b> 81:22	<b>possible</b> 28:5 48:14 57:2,18 58:5 77:20	<b>President's</b> 11:20	<b>process</b> 4:23 5:22 6:10 8:17 9:18 10:9,15,22 12:4 13:12,18 14:7 14:13,15,16 15:4 16:14 17:6 17:8,10,11 18:20 19:12 21:14 22:12,17 22:24 25:7,9 28:8,14,20 29:15 33:24 34:21 36:23 43:12 47:8 50:2 57:9 74:19 76:6 76:9 77:4,14,21 77:25	<b>proud</b> 5:19
<b>plus</b> 30:10 40:13 45:18	<b>post-session</b> 49:9	<b>presumption</b> 14:21	<b>proceedings</b> 75:17 84:4	<b>provide</b> 36:14 45:23 75:17
<b>point</b> 28:8 54:2 58:9 61:17		<b>pretty</b> 76:20	<b>process</b> 4:23 5:22 6:10 8:17 9:18 10:9,15,22 12:4 13:12,18 14:7 14:13,15,16 15:4 16:14 17:6 17:8,10,11 18:20 19:12 21:14 22:12,17 22:24 25:7,9 28:8,14,20 29:15 33:24 34:21 36:23 43:12 47:8 50:2 57:9 74:19 76:6 76:9 77:4,14,21 77:25	<b>provided</b> 51:17 69:18
<b>points</b> 60:17 71:5 75:16		<b>prevent</b> 18:3	<b>processed</b> 27:5	<b>provides</b> 63:6
<b>policy</b> 4:16 16:15 18:1 19:13		<b>previous</b> 12:20 23:10 64:13	<b>processing</b> 60:15	<b>provision</b> 35:24 37:23 53:10
<b>political</b> 13:2,16 13:22 14:5 16:8 17:13 28:22 30:20 32:2,9,21 33:24 36:11,19 37:9,21 38:3 43:12 44:12 59:7 74:12 79:18		<b>previously</b> 27:25 38:17	<b>proclaimed</b> 14:14	<b>provisions</b> 31:9 35:1 36:10 37:19 50:5
<b>politically</b> 33:18		<b>primarily</b> 15:10	<b>proclamation</b> 50:24	<b>public</b> 14:9,12 19:17 22:25 23:3,14,18,18 23:19 24:15 63:22 73:23 75:9,11,11,14 75:18 77:12,13 80:6,7,8 82:19
		<b>primary</b> 29:19 44:3,4 45:7 49:22	<b>produced</b> 16:2	<b>publicly</b> 18:4,23 19:1 23:17
		<b>principle</b> 30:8	<b>produces</b> 58:7	<b>publicly-availa...</b> 48:20
		<b>principles</b> 13:7	<b>product</b> 18:25	<b>published</b> 47:23
		<b>prior</b> 15:24 57:3 64:17	<b>products</b> 58:6	<b>Puerto</b> 56:1
		<b>priority</b> 37:14	<b>Program</b> 45:6	<b>purposeful</b> 33:1 34:5
			<b>prohibit</b> 36:10	<b>purposes</b> 28:12
			<b>Prohibitions</b> 31:25	
			<b>prohibits</b> 32:20 32:25 34:5	



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 12

28:13 57:1 61:23 63:7 <b>put</b> 24:4,5 62:23 <b>putting</b> 11:21 82:3	43:11,22 45:13 45:17 46:2,9,14 54:23 55:13 56:8 68:22 69:3 79:17 <b>racially</b> 67:25 <b>railways</b> 44:3 <b>ran</b> 78:21 <b>range</b> 39:8 40:18 42:14 44:10 <b>rate</b> 64:16,19,23 66:18 67:9,12 <b>ratio</b> 39:17 <b>rationale</b> 35:3 <b>raw</b> 58:19 <b>Ray</b> 8:8 <b>reach</b> 23:20 <b>read</b> 4:1 37:13 38:5 81:14 <b>ready</b> 7:16 <b>reaggregated</b> 58:25 <b>real</b> 38:20 75:5 80:10 <b>reallocate</b> 57:2 <b>really</b> 11:19 71:23 77:10,20 78:19 80:13,18 80:18 <b>reapportionme...</b> 1:13 2:3 7:10 11:4,6 25:25 28:9,20 29:10 <b>reapportionme...</b> 5:21 <b>reason</b> 29:19 <b>reasons</b> 26:18 60:6 <b>reassign</b> 64:7 <b>receive</b> 23:13 29:4 <b>received</b> 16:23 17:23 18:9 20:2 29:6 48:4 66:21 <b>receiving</b> 51:24 <b>recognize</b> 21:21 24:22	<b>recognized</b> 19:23 25:1 38:13 39:2 60:20 61:14 62:20 63:1,19 64:3,11,20 72:16,23 74:1 76:16 78:7 <b>recollection</b> 73:9 <b>reconsider</b> 58:11 <b>reconvene</b> 50:25 <b>record</b> 3:7 4:1 15:22 17:2 64:25 84:4 <b>recorded</b> 84:3 <b>Recording</b> 2:1 83:3 <b>records</b> 16:2,15 17:1 75:9 <b>recounting</b> 78:20 <b>recruited</b> 17:14 <b>rectangle</b> 39:16 <b>red</b> 72:3 <b>redistrict</b> 28:19 <b>redistricting</b> 4:20 5:24 6:14,25 8:3 9:11 10:20 12:25 13:12 14:7,15,22 15:2 15:24 16:13 18:11 19:25 20:3,12,17,19 20:21 24:24 25:15,25 27:9 27:11,22 28:2,6 28:10,14 31:16 32:19 35:2 42:5 42:17,21,22 43:10,15,18 44:13 48:5 50:6 52:5 53:3,5,13 53:19 56:25 57:9 61:23 62:2 63:10 74:19 75:8 76:9 78:17 <b>Redistricting.g...</b> 22:5 <b>redistricting/re...</b>	9:10 <b>redraw</b> 12:5 27:13,18 29:18 <b>redrawing</b> 12:11 29:15 <b>redrawn</b> 28:16 <b>reduce</b> 43:21 <b>reduces</b> 43:10 <b>reduction</b> 31:21 <b>refer</b> 54:8 <b>referred</b> 43:1 <b>referring</b> 74:22 <b>refers</b> 28:14 29:14 41:6 58:20 <b>reflected</b> 59:21 <b>refresher</b> 25:12 <b>regarding</b> 31:9 <b>regardless</b> 56:3 <b>region</b> 77:1 <b>registered</b> 17:21 <b>regular</b> 26:7,12 27:25 28:2 49:11 51:19 <b>regularly</b> 74:23 <b>regulate</b> 27:16 <b>reiterating</b> 79:12 <b>rejected</b> 13:7 <b>related</b> 15:1 16:21 20:2 35:1 42:18 45:12 60:1 74:18 <b>relating</b> 37:20 <b>relatively-per...</b> 45:2 <b>release</b> 27:1,6 <b>released</b> 26:14,23 47:17 48:11 53:21 54:11 <b>relied</b> 13:1 <b>remain</b> 58:2 <b>remaining</b> 17:7 <b>remains</b> 65:25 66:1 67:2 68:2 <b>remarks</b> 22:22 <b>remember</b> 9:13 61:22	<b>Reock</b> 38:17,23 39:5,11 <b>report</b> 51:14 56:7 <b>reported</b> 56:22 61:7 68:6 <b>reporting</b> 45:9 <b>repository</b> 20:17 <b>represent</b> 5:9 8:9 9:7 10:18 76:21 76:22 <b>representation</b> 7:15 11:12,13 28:13 29:4 30:22 <b>representative</b> 80:15 <b>representatives</b> 28:25 29:9 30:2 31:22 33:3,24 34:9 36:24 43:13 47:19 79:6 <b>represented</b> 11:17,18 60:24 78:25 <b>representing</b> 5:17 <b>represents</b> 11:21 41:24 <b>reproach</b> 15:6 <b>republic</b> 74:13 <b>Requests</b> 32:6 <b>requests</b> 19:6 <b>require</b> 33:13 66:23 <b>required</b> 10:9 22:9 51:8,14 <b>requirement</b> 9:21 32:8,12 <b>requirements</b> 15:17,19 29:18 29:21 32:3 40:10 <b>requires</b> 35:5 52:22 53:4 <b>requiring</b> 18:4 <b>requisite</b> 31:1
<b>Q</b> <b>qualifying</b> 49:14 49:19 <b>quarters</b> 56:13 63:23 <b>question</b> 20:9,9 21:21 22:20 38:14 47:13 55:21 60:20 62:17 63:19 80:9,18,22 81:5 <b>questioning</b> 16:3 <b>questionnaire</b> 66:22 <b>questions</b> 17:2 19:21 24:19 28:7 38:11,12 40:4 46:24 52:14 54:19 60:18,23 61:2,6 64:10 65:8 70:4 70:5 72:14 73:21 80:3 <b>quorum</b> 3:4 <b>quoting</b> 14:3	<b>R</b> <b>race</b> 32:24 54:13 54:16,18 56:3,5 56:7,8,12 60:22 60:24 61:7,11 61:18 62:4,9,15 62:22,25 68:2 68:12,14,21,24 68:25 69:11 <b>races</b> 61:25 69:1 69:2 <b>racial</b> 31:21 32:24 33:3,9 34:7,12 36:13 36:22 42:24			



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 13

<b>research</b> 4:18	62:13 63:9	<b>Rouson</b> 2:23,24	33:6 34:1,1,2,2	60:19 61:16
<b>resembles</b> 39:12	<b>reviewed</b> 18:19	5:15,17 22:19	35:2 36:7,9	63:18 64:5,10
<b>reside</b> 57:23	<b>reviewing</b> 13:5	22:21 23:24	37:4 50:3,7	64:22 72:16
<b>residence</b> 56:21	74:20	24:9 63:18,20	52:22 53:6	80:21 82:25
57:3	<b>revised</b> 18:2	64:5 72:16,17	<b>sections</b> 11:22	<b>senatorial</b> 35:7
<b>resident</b> 56:16	<b>Reynolds</b> 30:15	73:20 80:21	12:13 33:6 36:5	<b>senators</b> 12:2
<b>residents</b> 6:1	<b>Rican</b> 56:1	<b>row</b> 5:2	36:12	15:23 16:10,14
73:16	<b>rich</b> 76:3,14	<b>Rule</b> 16:18	<b>see</b> 3:15 5:9,10	16:19 23:20
<b>residing</b> 47:15	<b>right</b> 4:10,10	<b>ruled</b> 13:24	6:23 7:2 8:15	24:2 79:7
<b>resolution</b> 6:17	7:13 21:18	35:12	40:1 43:3 48:17	<b>send</b> 20:2 49:23
50:8 51:3,10,16	32:17,23 60:17	<b>rules</b> 77:18 79:15	69:21 70:13	<b>sense</b> 64:15
51:18,21	81:13	<b>rural</b> 10:5 11:18	71:6,22,25 72:3	<b>sensitive</b> 54:5
<b>respect</b> 82:16	<b>right-angle</b> 35:13		<b>seeing</b> 24:20	<b>sent</b> 16:22 20:6
<b>respectfully</b> 75:2	<b>Rights</b> 31:18,24	<b>S</b>	46:25 52:15	<b>September</b> 1:15
<b>respond</b> 80:11	32:18,20 33:5	<b>safeguard</b> 17:9	65:9 68:10 70:5	26:16 48:3,16
<b>responded</b> 62:8	34:21	<b>Samoa</b> 55:16	73:22 74:7	49:24
62:15 65:1	<b>River</b> 59:9 73:1,4	<b>sampling</b> 53:2	82:21,25	<b>sergeant's</b> 3:24
66:23	73:4,6	<b>Sanders</b> 30:1	<b>Seek</b> 75:15	<b>series</b> 27:3
<b>respondent</b> 47:14	<b>rivers</b> 44:2	<b>saw</b> 7:21 65:23	<b>seen</b> 24:4 65:13	<b>seriously</b> 10:12
55:23	<b>road</b> 24:11 44:11	<b>Sawyer</b> 84:2,24	<b>select</b> 11:3,5	76:6
<b>respondents</b>	<b>roads</b> 44:3,4,8,9	<b>saying</b> 3:12 61:13	17:19 19:9	<b>serve</b> 6:8,13 13:4
61:19	44:22 54:1	76:8 79:20	61:25 69:20	20:16
<b>response</b> 20:10	<b>rock</b> 7:16	82:16	<b>selected</b> 53:22	<b>served</b> 5:23
20:12,20 47:12	<b>Rodrigues</b> 2:2,5	<b>scheduled</b> 47:20	58:12	<b>services</b> 76:4
54:18 66:21	2:6 3:6,19 8:8,9	<b>Scoon</b> 78:4,8,9	<b>self-</b> 54:19 66:20	<b>serving</b> 8:7 10:20
80:17	10:25 20:8,25	81:6,12,16,19	<b>self-response</b>	<b>session</b> 3:15 26:7
<b>responses</b> 47:9	21:3,17,20 22:3	82:6,9,12	66:18	26:12 28:1,2
<b>responsibility</b>	23:4 24:3,16	<b>scope</b> 14:24	<b>senate</b> 1:13 2:2	49:9,11,12 51:2
8:19 10:10 12:3	38:10 39:2 40:3	<b>score</b> 39:5,5,6,6	3:13,17 6:22	51:7,13,19 59:6
<b>responsive</b> 46:18	46:23 47:3	39:15,16,20	8:10 13:24	<b>set</b> 37:13 77:15
<b>result</b> 23:12	52:13 60:18	<b>scored</b> 39:8	16:18,23 19:3	<b>setting</b> 51:9
36:20 56:9	61:14 62:19	<b>scores</b> 38:17,18	23:7,10 25:24	<b>shading</b> 72:3
<b>resulting</b> 65:19	63:1,18 64:3,9	38:23 39:7	29:9,16 35:4,19	<b>shadow</b> 14:16
<b>results</b> 32:22	64:20 65:7 70:3	<b>scripts</b> 14:8	40:19 41:3,15	17:10
59:1	72:13,23 73:21	17:14	43:6 59:8 67:11	<b>shape</b> 53:20
<b>retention</b> 15:22	76:13 78:3 81:4	<b>seat</b> 26:18 29:2,6	67:13 71:5	<b>share</b> 9:12 35:20
16:15 17:3	81:7,15,17,20	<b>seats</b> 28:21,24	<b>senate-wide</b> 18:1	35:22 81:18
<b>retirees</b> 76:23	82:7,10,18	30:17,19 47:18	<b>senator</b> 2:9,11,13	<b>shed</b> 72:21
<b>retrogression</b>	<b>Rodriguez</b> 8:21	<b>second</b> 26:8	2:15,17,19,21	<b>Shelby</b> 34:18,20
33:2 34:6 43:9	8:23	27:23	2:23,25 3:2,7	<b>shift</b> 65:14 73:1
43:14	<b>Rodrigues</b> 8:18	<b>secondary</b> 44:3,4	6:6 8:24 9:6,12	<b>shifts</b> 26:3 67:24
<b>revealed</b> 26:3,16	<b>Rodriquez</b> 2:21	<b>secretary</b> 52:1	10:4,8 11:2,4	<b>short</b> 45:25
28:17	2:22	<b>secretive</b> 18:3	17:4 18:25	<b>show</b> 3:7 24:11
<b>review</b> 14:25	<b>Rojas</b> 4:11	<b>section</b> 11:19	19:23 20:18	70:25 71:25
18:22 19:5,6	<b>role</b> 12:18 13:11	16:16,17 27:20	21:7,15,20	83:1
25:13 39:25	<b>roll</b> 2:4 7:16	29:13,24 31:10	22:19 38:13	<b>showing</b> 72:14
50:5 58:10	<b>room</b> 74:6 78:6	31:15 32:14,15	39:4 41:14	<b>shown</b> 44:24



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 14

<b>shows</b> 52:4	<b>soon</b> 40:2 48:14	36:14 37:3,5,12	54:20 56:21,23	<b>submitters</b> 18:8
<b>side</b> 24:19	<b>sorry</b> 20:7 41:8	54:22	57:1,4 65:21,23	18:17
<b>sides</b> 7:20	47:3 62:18	<b>standing</b> 63:16	66:2,5 68:3	<b>submitting</b> 14:11
<b>sign</b> 79:7	<b>sort</b> 49:16	<b>star</b> 39:14	<b>statical</b> 45:2	<b>subsection</b> 31:11
<b>signed</b> 18:6 59:10	<b>source</b> 53:17	<b>Stargel</b> 2:25 3:1	<b>stating</b> 17:20	36:16 37:2,4,5
59:15	<b>sources</b> 58:8	10:17,18 82:25	<b>Statistical</b> 45:5	37:11,15,20
<b>significance</b>	<b>South</b> 55:1 56:1,2	<b>start</b> 3:17,20 4:3	<b>status</b> 32:24	<b>Subsections</b>
45:15 71:24	71:8 72:4	4:8 5:1,6,7 25:5	<b>statute</b> 53:9	37:12
<b>significant</b> 15:25	<b>southeast</b> 11:14	73:24	<b>statutes</b> 16:18	<b>subsequent</b> 25:16
<b>significantly</b>	55:7	<b>started</b> 28:3	31:19 32:14	52:12
30:17 72:21	<b>southern-most</b>	<b>starting</b> 41:11	<b>statutory</b> 53:10	<b>subsequently</b>
<b>signing</b> 80:2	9:2	80:1	<b>steps</b> 17:9 18:19	60:15
<b>silence</b> 3:9	<b>southwest</b> 8:11	<b>starts</b> 47:8	<b>Stewart</b> 3:2,3 6:5	<b>substantial</b> 31:2
<b>similar</b> 43:17	11:15	<b>state</b> 3:16 5:25	6:6 21:20,22	<b>Substitute</b> 59:12
67:11	<b>space</b> 76:18	7:9,14 8:10,24	<b>story</b> 75:1	<b>sufficient</b> 45:22
<b>similarly</b> 67:20	<b>Spanish</b> 56:2,11	9:2 10:3 11:12	<b>Street</b> 1:24	<b>sufficiently</b> 33:16
<b>Sims</b> 30:15	<b>speak</b> 39:19	12:25 13:23	<b>streets</b> 44:22	33:19 46:15
<b>single</b> 33:17	65:12	18:8 26:2,9,10	<b>strictly</b> 15:18	<b>suggestion</b> 18:16
68:24,25 76:25	<b>speakers</b> 17:14	27:15,18,22	<b>strive</b> 6:10	<b>suggestions</b> 18:5
<b>single-</b> 36:3	17:22	28:18,25 29:1,1	<b>strongly</b> 75:1	18:12,24
<b>sir</b> 8:6 46:22	<b>speaking</b> 3:25	29:2,4,15,15	<b>students</b> 56:16	<b>Suite</b> 1:24
82:17	39:11	30:11,18,19,23	63:25	<b>summarily</b> 13:6
<b>sitting</b> 4:9 13:14	<b>speaks</b> 38:21	32:20 35:5,25	<b>subcommittee</b>	<b>summer</b> 47:13
16:1	<b>special</b> 4:11	36:3 40:21	9:25 11:3,6	<b>supervisors</b>
<b>situations</b> 56:17	51:19	42:25 44:8 45:8	<b>subcommittees</b>	49:19,23
<b>six-</b> 73:2	<b>specific</b> 66:9 72:8	49:15 50:6,10	17:19 19:9	<b>support</b> 46:6
<b>six-lane</b> 44:10	80:24	50:17,21 52:1,5	<b>Subcontinent</b>	<b>supposed</b> 63:10
<b>skip</b> 35:18	<b>specifically</b> 68:8	53:7,9 54:4	55:7	<b>Supreme</b> 12:16
<b>slept</b> 56:18	<b>speed</b> 49:4	58:16,21 66:10	<b>subdivision</b>	12:22 13:23
<b>slide</b> 41:17 42:17	<b>spoke</b> 80:15	66:17 67:11	30:21 32:21	15:9 30:1,14
44:18 49:8 52:3	<b>sponsor</b> 22:7,16	69:23 70:14	<b>subdivisions</b>	34:18 37:18
60:2 64:13	<b>square</b> 39:16	71:5,10 74:21	28:22 45:3,8	39:24 50:10,13
71:17 72:18	59:14	76:24 78:21	59:8	50:17,22 51:5,9
<b>slightly</b> 70:25	<b>St</b> 8:4 9:7 59:9	81:23	<b>subject</b> 16:3	51:22
<b>small</b> 45:2	71:12 72:19,19	<b>state-wide</b> 47:17	20:12 25:13	<b>sure</b> 5:25 6:12
<b>smaller</b> 58:22	73:1,3,6	<b>stated</b> 30:2,16,24	<b>subjective</b> 13:7	20:25 21:6 24:7
71:20	<b>staff</b> 4:4,8,9,19	39:24 78:10	<b>submission</b> 19:7	25:8 61:3 69:9
<b>smallest</b> 42:15	6:2 7:3 9:23	<b>statement</b> 80:9	23:2	80:24 81:19
44:20	10:14 13:22	<b>states</b> 9:3 26:6,11	<b>submissions</b> 18:3	<b>surpass</b> 66:9
<b>smiling</b> 8:16	16:5,19 18:22	27:14 28:23,24	18:18 23:14	<b>surprisingly</b>
<b>smoother</b> 39:19	19:6 20:10	29:8,21,24 30:3	<b>submit</b> 21:24	67:10 69:9
<b>sociocultural</b>	21:12 24:8,23	30:14 31:1,10	22:2,4,9	<b>surveys</b> 54:7
56:6	<b>standard</b> 29:22	31:14 34:17	<b>submitted</b> 18:5	<b>swapped</b> 57:21
<b>software</b> 23:12	30:11 34:23	36:16 37:2 44:5	18:23 19:1	<b>swapping</b> 57:12
27:9 40:2 62:3	37:14 54:8	47:19,24 48:8	23:22	57:15,20
<b>Solicit</b> 75:13	<b>standards</b> 12:11	50:7 52:21,24	<b>submitter</b> 18:7	<b>switched</b> 36:3
<b>somewhat</b> 34:2	12:17 15:1	53:4,6,8,23	18:14	<b>system</b> 74:15



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 15

<b>systems</b> 60:9	<b>territory</b> 35:11	66:10	<b>TRANSCRIPT...</b>	<b>understand</b>
<hr/> <b>T</b> <hr/>	35:14 37:1	<b>Thornburg</b> 33:11	1:12	61:12 75:15
<b>tab</b> 24:21 40:5	<b>test</b> 39:13,24	<b>thought</b> 24:14	<b>transferred</b> 73:6	82:12
46:24,25 73:22	<b>testify</b> 3:22 24:13	60:23 61:5	<b>Translation</b> 76:3	<b>understanding</b>
73:23	<b>testifying</b> 17:18	<b>thoughtful</b> 10:13	<b>transparency</b>	12:18 73:8
<b>tables</b> 27:3 69:20	<b>testimony</b> 13:16	<b>three</b> 33:18 39:7	77:15	<b>understood</b> 44:2
<b>Tabs</b> 24:21	17:25 23:1	39:22 40:1	<b>transparent</b>	<b>uneven</b> 28:16
<b>tabular</b> 47:23	<b>tests</b> 39:18	<b>tied</b> 47:11	14:14 17:8	<b>unformatted</b>
69:19	<b>texts</b> 16:20	<b>tier</b> 37:18,24,25	79:14	27:3
<b>tabulate</b> 61:21	<b>thank</b> 3:6,19 5:4	38:7,16	<b>transpired</b> 78:18	<b>unintentionally</b>
<b>take</b> 10:10,11	5:15 6:4,20,21	<b>tiers</b> 37:17	<b>travel</b> 75:21	16:12
11:19,25 16:10	7:16 8:8,13,20	<b>TIGER</b> 59:3	<b>traveled</b> 5:24	<b>uninterrupted</b>
38:8 58:5	8:22 9:4,5 10:1	<b>TIGER/Line</b>	<b>travels</b> 17:24	35:11
<b>taken</b> 3:22 53:7	10:2,16,25	53:20	<b>tremendous</b> 10:6	<b>union</b> 76:23
60:2	19:24 20:8,24	<b>time</b> 3:13,25 9:11	11:11,24	<b>United</b> 9:3 26:11
<b>talk</b> 11:25 38:24	21:4,18 22:21	9:14 10:22 12:8	<b>trend</b> 65:15	27:14 28:24
54:13 56:13	23:24 25:2	12:9 20:5 24:10	68:10 70:24	29:8,21,24
<b>talked</b> 15:21	38:15 39:1,3	24:18 28:5	<b>trends</b> 65:13	30:14 31:14
21:10 40:9	40:6 41:13 47:6	41:10 47:11	71:21	34:17 44:5
<b>talking</b> 25:20	52:17 60:21	49:5 56:19 61:4	<b>trial</b> 14:2,3	47:19 52:21,24
66:18	61:15 63:4,20	66:19 75:5	<b>tribal</b> 55:3	53:8,23 54:20
<b>Tallahassee</b>	64:4,12,21	76:19 78:22	<b>tropical</b> 60:8	65:20,23 66:2,4
75:21	65:11 70:6	80:10	<b>true</b> 12:17 84:4	68:3
<b>Tampa</b> 71:9	72:17,24 73:20	<b>timeline</b> 24:25	<b>trust</b> 79:5	<b>units</b> 58:22 66:12
<b>target</b> 40:23	74:2,19 76:12	47:4,5 50:2	<b>try</b> 79:5	<b>unrest</b> 60:10
<b>task</b> 12:1,9	76:13,17 77:23	52:14	<b>trying</b> 5:5 40:25	<b>updating</b> 54:10
<b>technical</b> 58:4	78:2,3,6,8 81:3	<b>times</b> 27:16	<b>two</b> 8:3 29:8	<b>uphold</b> 81:23
<b>technically</b> 35:25	82:12,17,18	<b>today</b> 25:6,21	33:17 37:17,24	<b>upset</b> 78:23
<b>technique</b> 57:14	<b>thanks</b> 6:20	26:19 43:8 70:7	38:16 59:6	<b>urban</b> 11:17
<b>techniques</b> 58:11	<b>themes</b> 65:14	77:23	68:13 74:18	<b>usable</b> 59:1 75:11
<b>tell</b> 77:4	<b>theoretically</b>	<b>today's</b> 3:8 25:14	<b>types</b> 69:21	<b>use</b> 13:2,7 25:9
<b>Templin</b> 76:14	58:5 63:15	<b>told</b> 49:5	<b>typically</b> 40:19	25:21 30:20
76:15,17	<b>thing</b> 7:14 70:7	<b>top</b> 65:3	48:10	32:12 38:22
<b>ten</b> 7:3 26:5	80:20	<b>total</b> 29:7 40:21	<hr/> <b>U</b> <hr/>	44:1,21 53:1,4
29:18 52:19	<b>things</b> 39:10 63:9	42:11,15,16	<b>U.S</b> 29:8,25 32:23	53:19 54:11
76:24 77:3	67:22 70:20	58:1,15 64:24	40:10 44:7,24	56:21 58:13
<b>tenths</b> 73:3	79:3,4,13,18	66:13 68:5	45:4 52:18,22	59:4 62:3
<b>term</b> 24:12 28:14	80:13	<b>totals</b> 47:18	65:17	<b>useful</b> 27:5
29:10	<b>think</b> 7:20,23	<b>touched</b> 53:14	<b>Ultimately</b> 13:19	<b>user-friendly</b>
<b>terminology</b>	10:12 11:10	<b>tough</b> 6:15	<b>unconstitutional</b>	27:7
24:25 25:9 38:9	38:17 52:10	<b>town</b> 44:15	14:18 15:8	<b>users</b> 72:7
40:7	60:25 63:21	<b>tract</b> 45:1 58:17	<b>underlying</b> 65:14	<b>usually</b> 28:7
<b>terms</b> 7:9 40:15	77:6 80:21	<b>Tracts</b> 45:1	<b>underpopulated</b>	33:20
40:24 42:18	81:12 82:13,15	<b>traditionally</b>	71:7	<b>utilization</b> 38:3
45:11	<b>third</b> 9:11,14	55:25	<b>underpopulation</b>	<b>utilize</b> 32:9 37:9
<b>territories</b> 35:10	67:20	<b>transcribed</b> 84:3	71:23	<hr/> <b>V</b> <hr/>
	<b>third-largest</b>	<b>transcript</b> 84:4		



9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 16

v 1:4 30:1,15 33:12 34:19 vacant 73:10,15 valid 50:20 validity 34:23 50:11 51:16 value 16:25 17:23 18:9 variance 30:9 58:19 various 9:25 26:18 31:3 72:15 vendor 23:11 venue 24:13 verbal 75:22 version 54:11 versus 70:14 vice 2:7 9:25 video 2:1 75:7 83:3 view 75:16 viewers 69:18 views 50:14 villages 44:16 66:5,15 violate 15:16 violating 82:4 Virginia 57:7 virtual 24:14 75:22 visible 69:16 72:5 75:5 visit 66:24 visual 39:25 VOICE 47:2 vote 30:5 32:23 voted 79:22 voters 6:1 36:7 46:5 73:25 74:5 74:18 78:5,11 81:25 votes 33:19 40:11 voting 31:18,24 32:17,18,20 33:5 34:21 41:6 41:20 45:19,22	<b>W</b> Wachee 59:13,23 waive 3:25 walk 52:9 walked 52:6 want 21:6 61:20 63:22,22 75:25 76:7 77:24 78:1 80:25 wanted 21:12 25:5,5 Washington 1:24 57:7 wasn't 68:23 waste 78:22 watch 77:13 watching 76:11 77:21 water 35:15 44:22 wave 4:12,15 way 5:2 12:24 15:15 25:19 56:19 61:21 63:3 75:20 ways 75:19 we'll 24:20,21 25:9,17,20,21 26:19 44:20 49:10 59:22 73:23,24 83:1 we're 4:21 17:5 23:11 40:23,24 49:3 62:13,25 68:9 77:15,17 77:23,24,25 79:25 80:1,4,5 80:25 we've 8:4 11:12 11:17,18 15:21 23:8 40:9 65:13 67:24 weakens 43:20 Webber 73:24 74:2,4 website 19:2 20:14,15,16	22:5,10,11 23:13,23 24:6 48:19 52:8 69:17 72:6 79:9 week 26:25 27:2 48:3,8,23 Weeki 59:13,23 weeks 48:22 49:7 74:24 weighty 10:10 Welcome 3:16 Wendy 84:2,24 went 37:16 67:1 73:3 79:2 Wesberry 30:1 West 8:25 60:10 White 55:18 62:23 63:14 68:1,4,6,8,11 wide-spread 17:17 wildfires 60:9 win 79:5 wisdom 4:22 wish 22:16 wishes 19:17 wishing 3:22 Women 78:5,11 wondered 64:14 wonderful 9:16 9:23 74:5 word 77:12 words 4:6 38:19 74:22,25 80:8 82:14 work 5:2 8:5 10:24 18:25 24:7 74:8 75:6 75:15 76:19 81:3 working 5:12 6:2 9:24 11:7 46:10 48:14 77:19 worth 30:6 34:19 53:16 59:4 write 61:20 writing 14:8 19:1	41:10 written 18:5 wrote 14:4 17:14 www.floridare... 19:4 20:14 <b>X</b> X 32:15 53:6 <b>Y</b> Yeah 21:3 year 7:2 26:8 27:23 54:12 66:19 years 7:4,22 26:5 28:2 29:19 41:23 52:19 64:17 74:17 77:3 Yin 4:15,15 York 57:6 66:1,9 <b>Z</b> zero 39:8 <b>0</b> <b>1</b> 1 7:18 8:2 35:20 37:18 40:20 45:19 59:17 1-7-9-4-8-5 41:16 1.3 76:22 1.48 16:18 10 31:6 40:17 11 10:5 11.031 32:14 11.0431 16:17 11th 26:13 28:1 48:25 49:11,12 120 35:8 120,000 67:10 1215 59:12 12th 26:15 47:22 130,000 66:6 13th 49:14 14th 30:12 15 50:7 51:6	66:14 67:11 71:16 150,000 67:19 15th 49:1 84:6 16 27:20 29:13 35:2 50:3,7 16th 26:16 48:3 1730 1:24 179,485 41:5 1790 52:20 17th 49:14 18 41:23 18th 48:25 19 3:21 5:17 1964 30:1,15 1980 54:15 1986 33:12 1997 54:22 19th 49:2 1st 26:21 47:8,11 47:15 48:2,9 49:1 64:1 <b>2</b> 2 24:20,21,21 29:24 31:15 33:6 34:3 35:21 35:21 40:20 52:22 2-2-1 41:15 2,736,877 66:13 2.7 26:17 20 1:15 12:13 31:10 36:5,8 57:16 2000 57:11 20036 1:24 2010 5:24 9:13 10:21 36:7 65:2 65:18,21,24 66:13 67:21 68:16 69:15 70:14 72:10 78:17 2012 43:5 2013 34:18 2016 43:4,4,6
--	---	--	---	---

9/20/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 17

<b>2018</b> 58:12	<b>4</b>	<b>85</b> 65:21		
<b>202</b> 1:25	<b>4</b> 24:22 41:4	<b>86</b> 65:19,19		
<b>2020</b> 3:14 26:4	46:25 73:22	<b>8th</b> 50:1		
29:5 41:1 47:8	<b>4.3</b> 69:15			
47:15,21 54:11	<b>4:22-cv-109</b> 1:4	<b>9</b>		
56:14 58:13	<b>40</b> 35:6	<b>9</b> 65:18 67:4,20		
59:5,11,16,17	<b>412</b> 44:16	68:15		
64:1,17,19 65:2	<b>435</b> 28:24	<b>93,000</b> 66:6		
65:18,23 66:12	<b>44</b> 67:16	<b>94-171</b> 48:5		
66:14 67:21	<b>45</b> 67:9	<b>949,611</b> 67:4		
69:12 72:10		<b>99.9</b> 64:23,25		
<b>2021</b> 1:15 26:21	<b>5</b>	65:6 66:11		
47:22 48:2 65:5	<b>5</b> 10:4 34:2,2	<b>9th</b> 49:20 59:11		
<b>2022</b> 26:13 27:24	73:23	59:16		
49:11,13,21	<b>5-3-8-4-</b> 41:15			
50:1	<b>5-5</b> 41:16			
<b>2023</b> 84:6	<b>50</b> 45:18 47:24			
<b>204</b> 68:3	<b>51</b> 67:12,16			
<b>21</b> 12:13 31:10	<b>52</b> 65:22			
36:6,9 53:3	<b>538,455</b> 41:4			
<b>22</b> 10:18	<b>5th</b> 49:1			
<b>22nd</b> 49:1	<b>6</b>			
<b>23</b> 69:13	<b>60</b> 51:24			
<b>232-0646</b> 1:25	<b>60th</b> 49:12			
<b>235.4</b> 68:5	<b>61</b> 69:12			
<b>23rd</b> 49:22	<b>616</b> 59:8			
<b>24</b> 16:16 69:4	<b>62.1</b> 69:12			
<b>241,000</b> 67:12	<b>63</b> 56:9 67:1			
<b>24th</b> 49:24	74:17 79:22			
<b>25</b> 9:7	<b>63.8</b> 67:1			
<b>259,000</b> 67:21	<b>67</b> 77:2			
<b>26th</b> 47:16	<b>696,000</b> 70:17			
<b>27</b> 8:9 71:2,15	<b>7</b>			
<b>276</b> 68:17	<b>7</b> 14:4			
<b>28</b> 29:7 71:2,3	<b>7-6-9-</b> 41:14			
<b>29th</b> 49:2	<b>73,000-person</b>			
<b>3</b>	70:18			
<b>3</b> 24:22 35:22	<b>769,000</b> 70:17			
<b>30</b> 35:5,6 50:15	<b>769,221</b> 41:2			
<b>312</b> 66:2	<b>8</b>			
<b>31st</b> 47:21	<b>8</b> 32:15 53:6			
<b>33.8</b> 68:17	<b>80</b> 35:7 65:19			
<b>35</b> 68:5	<b>80,000</b> 67:17			
<b>384</b> 66:2	<b>812</b> 1:24			
<b>39</b> 8:24 66:6				
<b>3rd</b> 49:3				