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Audio Transcription

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

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TRANSCRIPTION OF AUDIO FILE

House State Legislative
Redistricting Subcommittee
The Florida Channel
October 20, 2021

DIGITAL EVIDENCE GROUP
1730 M Street, NW, Suite 812
Washington, D.C. 20036
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1 (Beginning of Video Recording.)

2 CHAIR BYRD: The State Legislative
3 Redistricting Subcommittee will come to order.
4 D.J., please call the roll.

5 FEMALE VOICE: Chair Byrd?

6 CHAIR BYRD: Here.

7 FEMALE VOICE: Vice Chair Robinson?

8 MR. ROBINSON: Here.

9 FEMALE VOICE: Ranking Member Daley?

10 MR. DALEY: Here.

11 FEMALE VOICE: Representative
12 Arrington?

13 MS. ARRINGTON: Here.

14 FEMALE VOICE: Barnaby?

15 MS. BARNABY: Here.

16 FEMALE VOICE: Bell?

17 MS. BELL: Here.

18 FEMALE VOICE: Brannan?

19 MR. BRANNAN: Here.

20 FEMALE VOICE: Chambliss?

21 MR. CHAMBLISS: Here.

22 FEMALE VOICE: Garrison?

23 MR. GARRISON: Here.

24 FEMALE VOICE: Hart?

25 MS. HART: Here.

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1 FEMALE VOICE: Hawkins?
2 MR. HAWKINS: Here.
3 FEMALE VOICE: Maney?
4 MR. MANEY: Here.
5 FEMALE VOICE: McLain? McLain?
6 MR. MCLAIN: Here.
7 FEMALE VOICE: Melo?
8 MS. MELO: Here.
9 FEMALE VOICE: Mooney?
10 MR. MOONEY: Here.
11 FEMALE VOICE: Persons-Mulicka?
12 MS. PERSONS-MULICKA: Here.
13 FEMALE VOICE: Salzman?
14 MS. SALZMAN: Here.
15 FEMALE VOICE: Snyder?
16 MR. SNYDER: Here.
17 FEMALE VOICE: Tant?
18 MS. TANT: Here.
19 FEMALE VOICE: Valdes?
20 MS. VALDES: Present.
21 FEMALE VOICE: Woodson?
22 MS. WOODSON: Here.
23 FEMALE VOICE: A quorum is present, Mr.
24 Chair.
25 CHAIR BYRD: Thank you, D.J. Members,

1 a few reminders before we begin. Please
2 silence all electronic devices. To the
3 members of the public, if you wish to comment,
4 please fill out a form and submit it to the
5 Sergeant's Staff. And also Members and
6 Presenters and Members of the Public, please
7 ensure that your microphone is on when you are
8 speaking and off when you are finished.

9 Members, welcome back to week 3. So
10 far in our committee process we have benefited
11 from a redistricting primer, a Legislator
12 University course on how to use the map-
13 drawing application, and a more advanced
14 training on the map-drawing tools available to
15 help us analyze maps in alignment with our
16 Constitutional standards.

17 Today, we will take the next step in
18 our efforts by reviewing the concepts we've
19 been learning about and applying them while
20 looking at the currently enacted House map.

21 Our goal is to view more tangible
22 examples to concepts we have been discussing
23 such as compactness and using county
24 boundaries. Seeing how these concepts can
25 potentially interact with one another will

1 help us understand some of the future decision
2 points we may encounter as we deliberate maps
3 and will also enable us to apply a consistent
4 methodology for our maps as we continue to
5 move through our process.

6 During the last redistricting cycle,
7 the Florida Supreme Court supported the
8 House's ability to consistently apply
9 methodology for drawing districts across the
10 entire state. From the Court's own words,
11 "The majority decision today reflects that
12 while a variety of different rationales and
13 concepts may be available for application in
14 redistricting, the rationales are concepts
15 actually used must be applied consistently.
16 Applying a particular rationale is one part --
17 in one part of Florida, but a completely
18 different rationale in another part of the
19 state creates legitimate Constitutional
20 questions as to the boundaries drawn and the
21 justifications for those boundaries as
22 asserted by the drafters."

23 I'd also like to take the opportunity
24 to point out that the same concepts we'll
25 review today can additionally be used when

1 members are viewing the publicly submitted
2 maps on our website. These same concepts will
3 help to provide a framework through which you
4 can review a map or even help find trends that
5 may appear throughout public submissions.

6 Now, as we move through today's
7 presentation, there's something I'd like for
8 you to keep in the back of your mind, and it's
9 actually something we touched on during last
10 week's meeting and is important and warrants
11 repeating.

12 There is no single correct map. There
13 is no such thing as the best map. Even as we
14 see within the tiers of our standards,
15 decisions must be weighed among one another
16 with the goal of drawing a legally compliant
17 map. And as I think we will come to
18 appreciate even more today, Florida is a
19 unique shape and has unique geography. We
20 have an abundance of waterways and coastlines
21 across the state. Counties do not always have
22 a smooth -- have smooth boundary lines as well
23 as cities that have unique boundary lines.

24 As we work to create new district
25 boundary lines, all of these considerations

1 will come into play.

2 Now, I'd like to turn it over to Leda
3 to present on the current Florida House map.

4 MS. KELLY: Thank you, Mr. Chair, and
5 D.J., if you could assist me with the
6 PowerPoint. Thank you. So members, also as
7 well as that you have a place in front of you
8 is just a printout of the current House map.
9 We know sometimes the TVs are a little hard to
10 see so we wanted you to have something a
11 little easier to reference.

12 As the Chair mentioned, today, we're
13 going to walk through some more tangible
14 examples that take place surrounding our
15 Constitutional standards and the existing
16 House map. Again, just to reiterate, we are
17 walking through the existing, currently,
18 enacted House map that was passed in 2012. I
19 just don't want there to be any confusion on
20 that point.

21 Moving on to the next slide, again,
22 you've seen this slide and will probably
23 continue to see it several times throughout
24 the course of this process. It outlines our
25 Constitutional standards through which we are,

1 you know, required to produce and approve
2 maps. Real quickly I'll run through the
3 tiers, just to make sure everyone has a
4 refresher.

5 Our Tier 1 standards prohibit favoring
6 or disfavoring any political party or
7 incumbent, along with protecting racial and
8 language minority groups' ability to elect
9 candidates of their choice, and using similar
10 language to that of what is in the Section 5
11 of the Voting Rights Act. Tier 1 also says
12 that Districts shall be contiguous territory.

13 Moving on to Tier 2, Tier 2 states that
14 our Districts shall be nearly as equal in
15 population as practicable, be compact, and
16 shall follow existing political and
17 geographical boundaries where feasible.

18 As I am sure you are aware, Tier 1
19 takes precedent over Tier 2, however when
20 you're moving and evaluating the standards
21 amongst the tiers, they are considered co-
22 equals.

23 Moving on to our next slide. So these
24 are some statistics we haven't covered yet in
25 any of our Committee meetings, and they will

1 be concepts that we cover throughout the
2 presentation, so I want to take a second to
3 stop and look at those.

4 Here are some of the statistics that
5 surround the 2012 House map and different ways
6 of analyzing, again, the standards by which we
7 are required to draw. The first one here,
8 luckily for us, back in 2012 and still today,
9 Florida has 67 counties. The number of
10 counties that were kept whole in the 2012
11 House map is 37. There were 30 county splits
12 that occurred in the House map. There were
13 410 cities back in the 2012 House map. Later
14 today, we'll find out that this decade there
15 are 412.

16 The number of cities that were kept
17 whole is 335. The number of cities splits was
18 75. And the overall map deviation was 4
19 percent, and that's another one where we will
20 dive into and make sure that the Committee
21 understands how that deviation is calculated.

22 Our overall compactness scores, which
23 we kind of dug into and explored last time,
24 for the overalls the State House map, our
25 Reock score was .43. Convex Hull was .8. And

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1 our Polsby-Popper score was also .43. This
2 slide will serve as a good point of reference
3 kind of as we go through the different buckets
4 of today's presentation, so feel free to
5 reference it if you need.

6 The first item that I'd like to get
7 into and talk about is related to population,
8 and two of the standards really kind of focus
9 on this concept of ideal population and even
10 how you can use existing geographical and
11 political boundaries to help achieve the
12 deviations and ideal population that we're
13 looking for.

14 So again, in the 2012 House map, the
15 ideal population was 156,678 people.
16 Obviously with Florida having grown this
17 decade, our ideal population is larger, but
18 the next couple slides that we're going to go
19 through, that 156,678 number will be a good
20 point of reference for you.

21 So let's talk about ideal population
22 and deviation. State legislative districts
23 are typically allowed a larger deviation
24 percentage than Congressional districts. The
25 courts have generally said that 10 percent

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1 deviation is acceptable.

2 Now there are some court rulings out
3 there that gives some leeway on that threshold
4 both above the 10 percent and below 10
5 percent. But historically, Florida has always
6 been well within that threshold, and again,
7 last decade's map was right at 4 percent for
8 our State House map.

9 So you may be asking, how do we
10 calculate ideal population? It's very simple.
11 You can see in this graph here, we have a row
12 that indicates Florida's total population,
13 both from 2010 and 2020. And it's a little
14 simple basic math function. You take your
15 total population, divide it by the number of
16 districts you're aiming for, and that equates
17 to your ideal, in this case, House district
18 population.

19 So again, you can see we were right
20 over 156,000 for 2010. In 2020, we'll be
21 closer to 179,000. While we're talking about
22 ideal population and deviation, just for your
23 point of reference, the Congressional
24 districts that will be drawn have a much
25 stricter population threshold. It's generally

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1 accepted that it generally would require that
2 they're plus or minus one person, however
3 there are again, court rulings out there that
4 have allowed deviations in very specific
5 circumstances as it relates to the
6 Congressional Map. So I just wanted to
7 provide that context for you as well.

8 It should also be noted that I think
9 for the Florida House map, I do not believe
10 that we have ever gone above the 4 percent
11 deviation, and with regards to the
12 Congressional map, we've always been within
13 that plus or minus 1 percent as well.

14 So now that we have talked about
15 population, let's talk about the concept of
16 keeping counties whole. So based on the
17 graphic that was shown a couple pages back,
18 there are 38 counties within the State of
19 Florida that were too small to fit within a
20 single House district or be a district by
21 itself. These counties had to be combined
22 with other whole counties or parts of counties
23 to create an entire district.

24 And just for your point of reference,
25 the graphic that I'm referencing is on Slide

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1 6.

2 So if we move on, we'll show two good
3 examples in the current House map that
4 illustrate this principle. The first one here
5 shown on the left is House -- current House
6 District 22. You can see as indicated by the
7 blue lines, those are our county boundaries,
8 the left kind of portion of the district you
9 can see is comprised of the entirety of Levy
10 County.

11 Now Levy County wasn't quite big enough
12 to constitute an entire House district, so it
13 goes outside and kind of to the Southeast
14 portion of that District, reaches over into
15 Marion County to grab the remaining population
16 that was needed to create an entire House
17 district.

18 The district on the right is House
19 District 76, and this is actually comprised
20 entirely of Charlotte County. Now, we'll come
21 back to this in little bit because this was a
22 unique circumstance that occurred last decade,
23 but the population of Charlotte County was
24 within an acceptable threshold to actually be
25 an entire district in and of itself, and it is

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1 the only District in the current House map
2 that is made up just one county.

3 So we talked about keeping counties
4 whole. Let's kind of talk about the flip side
5 of the coin which is keeping Districts wholly
6 within a county. So these are the areas of
7 which in the 2012 -- 2010 Census, 2012 House
8 map, there were 29 counties that were too
9 large to meet ideal population thresholds and
10 therefore had to go and reach outside of
11 counties.

12 We can actually go to the next slide.
13 Thanks, D.J. So for this example I'd like to
14 look at Lee County. Lee County's population
15 was 618,754, so when you do the simple math,
16 you can realize there are approximately four
17 House districts that fit within the sheer
18 population of Lee County, and so this is a
19 really good example for this one.

20 You can see that it is comprised here
21 of the green district on the side, the red
22 district, the orange district in the Northeast
23 corner, as well as the district here that kind
24 of appears as light purple color. So given
25 the overall population of Lee County, we were

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1 able to fit four entire House districts within
2 that county very succinctly.

3 So now let's talk about overall
4 deviation. And this deviation can be applied
5 whether it's to a specific district or to the
6 overall House map, which is the example we're
7 going to walk through.

8 Now, Charlotte County, the brown county
9 that appears here on the top, and Lee County,
10 the green county on the bottom, we have kind
11 of already touched on. But in the 2012 House
12 map, both of these had very unique situations
13 that allowed Florida to dictate the upper and
14 lower bounds of our deviation for our
15 statewide map.

16 So you can see here, Charlotte County
17 on the top had a population of 159,978 people.
18 This is 3,300 people over the ideal population
19 of a House district, or if you convert that to
20 percentages, it's plus 2.1 percent deviation.

21 Moving on to Lee County, and D.J., I'll
22 have you go to the next slide, please. Lee
23 County's population, as we just touched on,
24 was 618,754 people which did allow for four
25 districts within that county.

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1 As the team back a decade ago was
2 drawing this map, their goal of keeping Cape
3 Coral whole within Lee County allowed them to
4 produce a District 77, which I apologize that
5 is a typo on the slide, it should say 77.
6 District 77 was formed with a population of
7 173,745 people. This District was 2,933
8 people under the ideal population of the State
9 House districts, or converted into
10 percentages, negative 1.9 percent deviation.

11 So with that being said, on the next
12 slide, you can see here that with Charlotte
13 County encompassing .2 -- .1 percent of we'll
14 call it a high water mark district, Lee
15 County, District 76 within Lee County,
16 comprised the low water mark district of
17 negative 1.9 percent. If you take those two
18 benchmarks and subtract them from one another
19 you get an overall deviation of 4 percent, and
20 that is where I referenced earlier the current
21 State House map has an overall deviation of 4
22 percent.

23 So those results, obviously, for this
24 decade our population has shifted and grown.
25 Those may not be the exact examples or

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1 situations that we are evaluating this decade,
2 but the concept of calculating of overall
3 deviation, that will be a similar process, and
4 the map behind it will be similar.

5 This slide, just to kind of be able to
6 draw a contrast to the slide we saw
7 previously, this is a map based on the 2020
8 Census geography. So our current population
9 and as we mentioned our current ideal
10 population for a House district will be
11 179,485 people.

12 The counties indicated in the green, of
13 which there are 29 of them, are counties that
14 are over ideal population, and the counties
15 indicated in the orange, of which there are 38
16 of them, are under our ideal population for
17 this decade.

18 What's interesting is even though they
19 are different counties, we actually have the
20 same exact number of over/under population
21 counties as last decade. I thought that was a
22 fun fact.

23 So moving on. We are now going to move
24 on and talk about Florida's municipalities.
25 And a lot of the concepts we're going to talk

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1 about here also apply to that similar Tier 2
2 standard of, where feasible, being able to use
3 existing political and geographical
4 boundaries.

5 So based on our 2010 population -- I'm
6 sorry, based on our 2020 population, Florida
7 now has 412 incorporated municipalities. And
8 I actually want to pause for a second. This
9 image here on the right, I know it may be a
10 little difficult to see. D.J., if you don't
11 mind just kind of slowly clicking through the
12 next handful of slides.

13 What we have here is we have gone in
14 and all of the formally incorporated
15 municipalities across the state, we've
16 highlighted them in the color purple. And
17 what I think is just truly fascinating when
18 you look at how large our state is, there's a
19 large chunk of territory that is either
20 unincorporated territory, perhaps it's the
21 Everglades, perhaps it's farmland, but it is
22 not formally confined within a defined legal
23 municipality boundary. And I think just given
24 the size of Florida as a state, I found this
25 very interesting whenever we put it together

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1 graphically.

2 And D.J., if you'd like to move on to
3 slide 20, please.

4 So again, just to show, these are our
5 current municipals -- municipality populations
6 that are over our ideal population for this
7 decade. These are all, you know, generally
8 speaking, the larger cities across Florida. I
9 don't think anything on this map will surprise
10 anyone.

11 One fun fact is that Cape Coral, this
12 decade, has made our top ten list. Last
13 decade, it was actually number eleven in terms
14 of population, and so, you know, earlier we
15 illustrated that when the drawers were
16 creating House District 76, they had a goal of
17 keeping Cape Coral whole. However, now it is
18 clocking in at 194,000 people, too large to be
19 kept whole within a House district. So I
20 think that just really is a good point to
21 illustrate how large Florida has grown over
22 the last decade.

23 So continuing to talk about
24 municipalities. One of the considerations the
25 Florida Supreme Court has outlined is whenever

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1 you're considering political boundaries,
2 they're generally accepted as county
3 boundaries and also these city and
4 municipality boundaries.

5 What's interesting, whenever you start
6 to dive into this, is that a lot of Florida's
7 municipalities have some very unique boundary
8 lines. And so as we go through the map
9 drawing process, should the decision point
10 come before us of whether or not we'd like to
11 keep a city whole or perhaps a county whole,
12 we wanted to put out some of the things that
13 should, you know, be considered for keeping
14 cities whole particular in this instance.

15 So the example that's on the slide here
16 is actually down in Southeast Florida, and
17 it's how three municipalities have very
18 intertwined district boundaries, or excuse me,
19 municipal boundaries. The blue district shown
20 here is the City of Davie, the red is
21 Southwest Ranches, and the green is Pembroke
22 Pines.

23 And you can see with the geography
24 that's shown here on the screen, there's some
25 sections of the Southwest Ranches community

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1 that are actually inside of the Pembroke Pines
2 boundary and likewise with Davie. And so I
3 think it goes to show as we look at Florida's
4 cities across the entire state, we'll see a
5 lot of intertwining geography and also
6 geography that has holes in it.

7 So you can see there's territory
8 between Davie in the blue and Pembroke Pines
9 in the green where it is just unincorporated
10 area. However, it's fully encompassed by two
11 municipalities.

12 The next slide here, I think this is
13 another fun Florida fact. There are actually
14 four incorporated municipalities in the State
15 of Florida that cross county boundaries. So
16 again, as we go to weigh decision points about
17 whether to split cities or to split counties,
18 there's actually some that could come into
19 direct contradiction with each other.

20 So the first one here is Longboat Key,
21 which actually crosses the county boundaries
22 of Sarasota and Manatee Counties. Marine
23 Land, which is one of Florida's smallest
24 cities, is between the St. Johns and Flagler
25 County boundaries. Flagler Beach falls

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1 between Flagler and Volusia Counties, and
2 Fanning Springs is over on the West Coast,
3 between Levy and Gilchrist Counties.

4 The county lines here, just for your
5 point of reference, are indicated by those
6 blue lines.

7 This next example is just to
8 additionally illustrate some very unique
9 municipal boundaries that exist within the
10 state. Again, we talked about with the
11 Southeast Florida example some areas where
12 they're intertwined or perhaps have holes, if
13 you look really closely because it is kind of
14 hard to see, on the northern part of New
15 Smyrna Beach, there's actually some completely
16 discontinuous territory. That is part of the
17 former municipality boundary. There's some
18 little specs of red up there.

19 And likewise down in the southern City
20 of Edgewater, there's a lot of areas that are
21 connected just by, you know, thin territory
22 and also there's some unincorporated area
23 between both of those two cities.

24 This next example is of North Port,
25 which resides in Sarasota County. This one is

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1 interesting because the City of North Port
2 actually is completely discontinuous, and it's
3 split by the Myakka River. So again, as we go
4 to consider, you know, what is a geographical
5 boundary such as a waterway like the Myakka
6 River, or keeping city boundaries whole, which
7 would be the city of North Port in the green,
8 those are two instances that occur in the same
9 tier of our Constitutional Standards that
10 we'll have to weigh, should that come before
11 us.

12 So now let's talk about keeping cities
13 whole. We have talked about keeping counties
14 whole, now let's talk about keeping cities
15 whole. This is an image here in the panhandle
16 of Florida, as you can see between Districts 3
17 and District 4, a lot of the boundaries follow
18 whether it's I-10 or perhaps some municipal
19 boundaries.

20 However, there's this little bump in
21 District 4 that I believe we got questions
22 about last decade and D.J., if you could go to
23 the next slide, we'll actually zoom in so we
24 can see it clearer. This territory was added
25 into District 3 to allow the City of Crestview

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1 to be kept whole as part of that district.

2 Now, what's interesting if you are able
3 to -- well I know you can't, but Members, if
4 you're able to look at your presentation, the
5 very northern city boundaries of Crestview as
6 they appear on this map with this decades
7 geography, actually are now outside of current
8 House District 3. And I think that's a really
9 good example of how municipalities can and
10 oftentimes do change their boundaries
11 throughout the decade, as well as the Census
12 Bureau works with the local entities to make
13 sure that their Census Block Geography aligns
14 to the best possible of the local municipal
15 geography.

16 So again, this is a good example of an
17 attempt to keep a city whole and then
18 additionally use surrounding waterways to
19 finish off that boundary.

20 Let's talk about roadways. So this is
21 a really great example. As we demonstrated in
22 the program during our last Committee meeting,
23 these really bold red lines can be turned on
24 within our map-drawing application and they
25 indicate primary and secondary roads.

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1 This is an image of House District 91
2 in Southeast Florida that does use a lot of
3 primary and secondary roads to create their
4 boundaries. Whether it's the North South
5 boundaries or even the East West boundaries
6 and only does it deviate to account for some
7 of the other districts that are surrounding
8 it.

9 This next example is using railroads or
10 railways to be able to define boundaries. So
11 this is a series of districts found in
12 Pinellas County. We are looking here
13 obviously within the red box and D.J., if you
14 actually go to the next slide it will zoom in,
15 kind of the center connecting point between
16 these four districts is actually a local
17 railway in Pinellas County.

18 Railroads are another acceptable
19 geographical feature that the Supreme Court
20 identified that are also, quite frankly, good
21 for drawing lines. They create nice clean,
22 crisp, lines, and so where it was able to be
23 done, it was used here in Pinellas County to
24 differentiate the boundaries between these
25 four districts.

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1 Let's move on to waterways. So the
2 image on the screen here is of Northeast
3 Florida, and the St. Johns River is a
4 prominent river in Northeast Florida. D.J.,
5 if you go to the next slide it will zoom in.

6 So as you can see here, the Districts
7 that reside in Duval County as well as two of
8 the districts in Clay County all use that
9 riverway as obviously, some of them are county
10 boundaries, but as a waterway to create that
11 District boundary as well.

12 So when you first look at this, you
13 know, perhaps its twists and turn with the
14 river, but again, when we are charged where
15 feasible to use these existing geographical
16 and political boundaries, they were able to do
17 that in this instance for these House
18 districts in Northeast Florida.

19 This next item is just another example
20 of waterways. I think it can't be
21 understated, Florida has a lot of waterways.
22 We are going to talk through several of them
23 because they do create very unique boundaries,
24 however, they are very easily identifiable and
25 often times coincide with our existing county

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1 boundaries as well, which is an example we
2 have up here of the Suwanee River here in
3 North Florida.

4 So the Counties of Columbia, Hamilton,
5 Suwanee, Lafayette, Levy, Gilchrist, and Dixie
6 Counties all share part of these boundaries as
7 well as a couple House districts.

8 And D.J., if you go to the next slide,
9 you can see here how obviously this is you
10 know, a prominent well known river throughout
11 Florida, and it creates some very interesting
12 geography whenever you look at how the river
13 twists and turns.

14 The next one, we'd like to take a
15 second and talk about Lake Okeechobee.
16 Obviously this is a very prominent feature
17 that we have here in the State of Florida and
18 a very large waterbody relative to other lakes
19 that are found across the state.

20 What I'd like to point out and I find
21 interesting about this is the Census Bureau
22 and respectively the county boundaries have
23 all worked to create ownership amongst the
24 five counties surrounding Lake Okeechobee.
25 And so you can see these blue lines here come

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1 to a point in the middle of Lake Okeechobee.
2 And what that does is at a local level give
3 each individual county, you know, a perhaps,
4 ownership of the lake.

5 Likewise, the Census Bureau has census
6 blocks that go throughout the lake as well,
7 but as we're drawing and as we're making
8 considerations in this region of the state,
9 understanding that Okeechobee, Martin, Palm
10 Beach, Hendry, and Glades County are all
11 affected by the decisions we make surrounding
12 Lake Okeechobee.

13 Now, moving over to the other coast of
14 the state. The other thing we wanted to be
15 able to demonstrate for the Committee are this
16 concept of water blocks. Now, water blocks
17 are a type of Census Block. They are defined
18 by the U.S. Census Bureau, however, they go
19 off the coast of Florida.

20 As I mentioned in our last meeting, if
21 you're on the East Coast of Florida, the water
22 blocks go out three miles. If you're on the
23 West Coast, or the Gulf Coast of Florida, they
24 go out nine miles. And you can see here, the
25 blue lines indicated are your county

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1 boundaries, whereas the lighter gray lines are
2 the water blocks, or Census Blocks, that are
3 dictated by the U.S. Census Bureau.

4 And so I think you know, whenever we're
5 considering things like compactness scores or
6 perhaps where our lines are drawn, being able
7 to understand where those Census Blocks split
8 and how that could affect where, again, its
9 compactness scores or actual boundary lines is
10 really important given the amount of coastline
11 that Florida has.

12 The next item is Florida's Everglades.
13 Obviously this is a very large portion of our
14 State in the Southern Region. What is
15 fascinating about this, in my personal
16 opinion, is that it is such a large area of
17 our state with such little population.

18 And so if you can see you know, whether
19 on your presentations or here on the screen,
20 the lines that are drawn across the southern
21 part of Florida are individual Census Blocks.
22 Now, you can see in Southeast Florida, you
23 know, the Miami-Dade, Broward area, they're
24 very densely packed, highly populated,
25 however, as you go towards the middle of the

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1 State they become much, much larger and have
2 very little population in them.

3 I think whenever we are going through
4 our map-drawing exercises, being able to
5 understand that even if you're grabbing a
6 large piece of geography, it may not affect
7 the population counts that are being pulled
8 into that district is a good point of
9 reference for areas like the Everglades. If
10 you can see close enough, there's even some
11 Census Blocks across the Everglades that have
12 zero population in them.

13 So the next bucket of items I'd like to
14 talk about is bringing us back to our Tier 2
15 standard of compactness. We talked about
16 these last times, however, in the context of
17 looking at the currently enacted House map, we
18 wanted to give some tangible examples that
19 speak to the different types of scores that we
20 have.

21 So here we're looking at District 23,
22 as you may remember the Reock score measures
23 you know, generally speaking, how circular in
24 nature a district is. The Convex Hull
25 measures similar concepts but with a polygon

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1 shape. And the Polsby-Popper test really
2 helps look at some of the indentations and
3 jaggedness of Districts.

4 So this District, just when you
5 visually inspect it, is fairly circular in
6 nature and you can see it scores a .62 on the
7 Reock score. This one also happens to score
8 fairly well on Convex Hull as well as Polsby-
9 Popper. And also just as a reminder, these
10 scores are done on a scale of 0 to 1. And all
11 three of them are scored in that same fashion.

12 Moving on to District 42, just as
13 another point of reference for an example.
14 This District has a more squared-off shape in
15 nature, and so you can see here it scores very
16 high on the Convex Hull score. However, it
17 also scores fairly well on the Reock score in
18 comparison to our other districts.

19 The last slide I'd like to cover today
20 is another Florida fun fact. As you know,
21 what's stated several times throughout our
22 Constitutional standards, all of our districts
23 must be contiguous. There is actually one
24 area of Florida that is, by Census Bureau
25 definition, noncontiguous, and we are actually

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1 one of only six states that has this
2 noncontiguous territory.

3 And as you can see here on the slides,
4 we are talking about down in Monroe County in
5 Southern Florida, the Dry Tortugas is
6 technically a noncontiguous piece of
7 geography, however, obviously it is part of
8 our state and has to be accounted for as we
9 draw our district boundaries.

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

12 CHAIR BYRD: Thank you, Leda. We are
13 now going to hear from the Public. Is
14 there -- are there any Public comments? No?
15 No ones registered? Anybody wish to speak?
16 No? Okay.

17 Now, Member comments. Any Member
18 comments or questions? Yes, Ranking Member,
19 you are recognized.

20 MR. DALEY: Thank you, Mr. Chair. And
21 I'll try to be brief, but there are a couple
22 comments and then a couple questions, if you
23 don't mind. I'd like to reiterate my call, if
24 it's possible to change our time, our meeting
25 time, so it doesn't conflict with the

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1 Congressional meeting. I know, again, the
2 presentation today is likely similar if not
3 the same or at least in content -- context,
4 but moving forward I think that's going to
5 change and to allow Public the opportunity to
6 participate in both of those meetings, would
7 like to ask for a time change if at all
8 possible?

9 Also, wanted to mention, listen, I know
10 things are moving a million miles an hour and
11 the Committee's doing a lot of work but it is
12 my understanding that the Committee packet
13 actually dropped today at 10:45, that's only a
14 couple hours before this meeting. If it's
15 possible in the future to get it out sooner,
16 not just for the benefit of the Committee, but
17 of the Public, that would be greatly
18 appreciated.

19 Now, onto my questions. And I guess
20 the first one, Mr. Chair, would be how we plan
21 to deal with the prison population. And the
22 reason that I ask is that in previous years in
23 Florida and in other states, prisons with
24 large populations are counted, and the
25 individuals in those prisons are counted in

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1 the areas where they geographically reside.
2 And what that can do is increase the voting
3 strength of the voters in that district while
4 diluting the strength of the districts where
5 those prisoners will likely return to for that
6 period of ten years.

7 So I know that ten years ago we counted
8 the prison system and the prisoners where they
9 were geographically located, but it's my
10 understanding that we aren't required to do it
11 that way. As a matter of fact, we have the
12 Census data from the Census Bureau, and I sure
13 hope we know the last known address of all of
14 our Florida State prisoners.

15 We could go ahead and pull them out of
16 the count for that given district and either
17 keep them out of the count so we don't
18 artificially increase the power of that
19 district or we could also insert them back
20 into the system, into the count, based on
21 where their previous address was located.

22 There's already twelve states that do
23 this. So my question, and I don't know if we
24 have an answer today, Mr. Chair, and I
25 appreciate your time and talking with me

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1 before the meeting, but if the Committee could
2 look at what we are going to do in dealing
3 with the prison population in terms of the
4 count?

5 CHAIR BYRD: Sure thing, and thank you
6 for the question. And I'm going to let Leda
7 address the issue of the prison populations.

8 MS. KELLY: Thank you, Mr. Chair. And
9 thank you, Ranking Member, for the question.
10 The Census Bureau, as you stated, counts
11 prison populations where they are incarcerated
12 on Census Day. That data is then distributed
13 down to all of the States and as it's stated
14 in statute, we use that data as it comes to us
15 from the Census Bureau. We do not alter or
16 manipulate it in any form or fashion. Thank
17 you.

18 MR. DALEY: Follow up, Mr. Chair.
19 And thank you for that answer. I do
20 appreciate it. I guess my understanding is we
21 are the legislature, we have the opportunity
22 to change that in the statute. I don't know
23 if it's -- if the technical term is the
24 implementing language that'll go along with
25 the maps, but my understanding is while we can

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1 utilize the Census data, The Census Bureau
2 also has information relating to how many of
3 those, you know, individual counts in that
4 given area ward the prison population. We can
5 combine that with the DOC data and move them
6 back to the districts so we're not
7 disenfranchising their district back home for
8 that period of time. So I would just ask that
9 we take a look at that.

10 CHAIR BYRD: Questions?

11 MR. DALEY: Actually, I'm sorry, Mr.
12 Chair, that was awkward. I should have just
13 continued.

14 CHAIR BYRD: Yeah (inaudible).

15 MR. DALEY: I just have one additional
16 question. I guess that comes to when we're
17 discussing the actual drawing of the maps. I
18 know that there was some conversation in the
19 Senate the other day, and I don't know if they
20 voted as a Committee or what, but there was
21 conversation in there about starting with the
22 existing maps as they exist today as the
23 starting point or starting fresh and ignoring
24 everything for the past ten years.

25 And I think my concern is if we're

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1 starting fresh, it's an opportunity to start
2 in an unconstitutional direction, and the maps
3 that we have today, both the Congressional and
4 the Senate maps, were drawn by the Court.
5 They've been deemed Constitutional, and
6 obviously the House maps weren't challenged
7 last time around, so those are Constitutional.
8 So what I would ask, is there any -- has there
9 been any decision made in this Committee or in
10 the larger Committee on how we're going to
11 start when it comes to the actual drawing of
12 the maps?

13 CHAIR BYRD: Thank you for the
14 question. And it's important for the
15 Committee to know and for the Public, map
16 drawing has not begun. We have not drawn any
17 maps. We are in the educational process now.

18 It's also important to remember that
19 you know Florida's much different in 2021 than
20 it was when the last Census was done in 2010.
21 We've grown by two and a half million people.
22 And so while some of the districts based upon
23 the Tier 1 and Tier 2 standards may look
24 similar as we begin drawing maps, they could
25 look radically different based upon where that

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1 population in the state has grown and where it
2 has shrunk.

3 So you know, it's kind of a combination
4 question where some of it may look the same
5 which would be we have the standards from the
6 last map versus a, you know, starting fresh
7 based upon that population. But you know, map
8 drawing has not begun.

9 MR. DALEY: Thanks, Mr. Chair.

10 CHAIR BYRD: Yup. Representative
11 Valdes? Question? You're recognized.

12 MS. VALDES: Thank you very much, Chair
13 Byrd. It's not so much of a question but more
14 so of reflection back from this morning's
15 Education Committee where we talked about
16 dropout prevention as well as the DJJ and
17 different programs that we have out there for
18 our youth at risk.

19 And one of the things that resonated
20 with me as we were discussing listening to
21 staff go through the presentation as well as
22 following up on Ranking Member Daley's
23 question on the prison population, we do
24 something very similar in the educational
25 system where the students that either drop out

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1 from high school and/or fall into the DJJ
2 program, that those children are charged back
3 to their district, if you will. So if we can
4 do it in the educational system, I'm sure that
5 there's a way that we can do that with the
6 prison population, as well, that we can, you
7 know, at least put them back to where they may
8 be going home to afterwards.

9 CHAIR BYRD: Thank you for the comment.
10 Anyone else? Anyone else? All right.
11 Members, I hope you found today's exercise to
12 be another step in understanding our
13 Constitutional standards oh -- what's that?
14 Did you have a question? Oh, okay. Rep.
15 Woodson has a question. You're recognized.

16 MS. WOODSON: Thank you, Chair Byrd.
17 Actually, my -- it's more of a comment but
18 kind of a question as well. To piggyback on
19 both of my colleagues, what they said, if the
20 prison population is not counted in the
21 geography area where they reside, that can
22 impact major fundings, as well, when we look
23 at fundings that down to the community for the
24 various services that are being provided.

25 I think that's something that we might

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1 need to keep in mind because this population
2 would come back to the community that they
3 come from. So this is just some food for
4 thought that we need to keep in mind in the
5 sense that we should look at how we're
6 counting them in the area that they reside.
7 Thank you, Mr. Chair.

8 CHAIR BYRD: Thank you, Representative
9 Woodson. Anyone else? Going once, going
10 twice? All right.

11 So I hope you found today's exercise to
12 be another step in understanding our
13 Constitutional standards as well as a little
14 more about our great state. In our future
15 meetings, I look forward to delving into Tier
16 1 of our Constitutional standards.

17 And I would encourage all of you to
18 take a look at the map and the presentation
19 and you will start to see in the current
20 districts how these Tiers are applied and how
21 these standards are applied. I mean, I've
22 started to look at the map in a different way
23 as I see geographic boundaries, railroads,
24 rivers, and other factors, so it'll start to
25 make sense if you spend some time looking at

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1 the current map. This concludes our agenda
2 for today and Representative Brannan moves we
3 rise. Unless there's an objection upon the
4 motion of Representative Brannan, the meeting
5 is adjourned. Thank you.

6 (End of Video Recording.)

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

DATED this 5th day of March, 2023.

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

WENDY SAWYER, CDLT

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