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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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TRANSCRIPT OF VIDEO-RECORDED
HEARING OF THE FLORIDA SENATE SELECT SUBCOMMITTEE ON
CONGRESSIONAL REAPPORTIONMENT
NOVEMBER 29, 2021

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1 SEN. BRADLEY: All right, members. The select
2 subcommittee on congressional reapportionment will now
3 come to order. Dana, please call the roll.

4 CLERK: Chair Bradley.

5 SEN. BRADLEY: Here.

6 CLERK: Senator Bean.

7 SEN. BEAN: Here.

8 CLERK: Senator Harrell.

9 SEN. HARRELL: Here.

10 CLERK: Senator Rouson.

11 SEN. ROUSON: Here.

12 CLERK: Senator Stewart.

13 SEN. STEWART: Here.

14 CLERK: A quorum is present, Madam Chair.

15 SEN. BRADLEY: Thank you. Please silence all
16 electronic devices. Anyone wishing to speak before the
17 subcommittee must fill out an appearance card and hand
18 it to a member of the Sergeant's Office. Should you
19 select to waive your speaking time, your position will
20 be read into the record.

21 Members, based on the feedback and guidance we
22 gave our- we gave staff at our last meeting, we have
23 four additional staff-produced maps on the workshop
24 agenda, today.

25 Our feedback should continue to conform to the

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1 directives issued unanimously by the full committee.
2 You will find a copy of the directives in your meeting
3 materials.

4 Our feed and guidance to staff should also
5 continue to be consistent with the cautions expressed
6 in the memorandum we received from President Simpson,
7 President-Designate Passidomo, and Leader Book [ph].

8 I would caution members in their questions,
9 feedback, or guidance to staff, today, to express
10 themselves carefully so that nothing in this meeting
11 is misperceived as motivated by any impermissible
12 purpose.

13 At our next meeting in January, I expect we will
14 submit a recommendation which will include a map or
15 set of maps to the full committee. When Chair
16 Rodriguez reconvenes the full committee to consider
17 our recommendations, members may offer amendments.

18 As a reminder, the map that we will be workshop-
19 workshopping today are not final. Any alterations that
20 are proposed, whether as guidance and feedback to the
21 staff or as an amendment offered in the future, should
22 adhere to the constitutional principles and apply them
23 consistently throughout the state.

24 I have been advised by counsel that these
25 additional plans brought forward by staff, today,

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1 comply with the complex layering of federal and state
2 standards and contain various trade-offs with the co-
3 equal Tier 2 standards presented in each plan.

4 I would also remind you that members of the
5 public have been continuing to submit plans and
6 comments to floridaredistricting.gov. If you are
7 interested in reviewing them, these plans can be
8 reviewed- can be viewed on the submitted plans and get
9 in- get-involved pages of the website.

10 Are there any questions before we proceed to the
11 presentation?

12 All right. Mr. Ferrin [ph], you are recognized
13 for a walk-through of the staff-prepared plans.

14 MR. FERRIN: Thank you, Madam Chair. So, since
15 our last meeting, we've been working with the drafts
16 that were published on November 10th and presented on
17 November 16th. Specifically, the staff was looking for
18 improvements in consistency in the application of the
19 various trade-offs that were presented in the maps.

20 As with the first set of drafts, we set an
21 ambitious goal to produce the maps several day- er,
22 publish the maps several days ahead of the senate's
23 traditional deadline for publication of meeting
24 materials.

25 And, so, the maps that, um, we have to workshop

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1 today were made publicly available on November 24th.
2 That really meant that we only had about a week or so
3 to look for areas of the map to adjust and improve
4 upon.

5 So, we took that time to closely review the
6 district boundaries within each redistricting plan and
7 discovered that by making some very minor adjustments,
8 we were able to achieve some measurable improvements.

9 Although not visible from space, changes were
10 made to most of the districts within each plan. And
11 you can see on this slide, here, where th- -- we used
12 Plan 8002, changed 26 districts, and that became 8018.
13 And so on and so forth.

14 And so, when we were doing that, we were ensuring
15 that there was consistent boundary usage and that
16 included placing district boundaries consistently on a
17 median or specific lane of a primary or secondary
18 road, in the middle of a river instead of using one
19 bank or the other, and correcting areas where a
20 boundary inadvertently fell on [inaudible] select
21 areas where the population was zeroed out. The next
22 few slides will contain some of these examples.

23 So, this is an example of an adjustment that was
24 made along a roadway in Duvall County. In all the
25 previous plans, the boundary between districts four

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1 and five followed different sides of I-95, uh, on the
2 Fuller Warren bridge in Jacksonville.

3 It also came off the road a little bit, there.
4 And then in the revised plans, we improved on the
5 consistency where the boundary was placed on the
6 roadway. And, overall, the boundary usage increased
7 for both districts four and five.

8 This one's a little difficult to see but, in all
9 the previous plans, the west-bound lane of U.S.
10 Highway 441 was used as part of the boundary between
11 districts in twen- 20 and 21. The city boundary of
12 Waxahachie Groves actually crosses this median and
13 ends on the east-bound lane of U.S. Highway 441.

14 It resulted in the city of Waxahachie Groves
15 being split three times between districts 18, 20, and
16 21. When we moved that boundary south to the east-
17 bound lane, all the revised plan take Waxahachie
18 Groves out of district 21, which is the green
19 district, there, and re- -- it- -- me- -- meaning that
20 it remains split but only between districts 18 and 20.
21 The unpopulated split is removed and the boundary
22 consistently follows the east-bound lane of U.S. 441,
23 which is also Southern Boulevard.

24 Here's an example of adjusting the boundary along
25 a primary or secondary road to keep another city

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1 whole. In all of the previous plans that we
2 workshopped a couple weeks ago, the cities of Pembroke
3 Park and West Park were split between districts 23 and
4 24.

5 In all of the revised plans that we're
6 workshopping today, the cities of Pembroke and West
7 Park are wholly within district 24 and we were able to
8 achieve that by shifting the boundary north to follow
9 the west-bound lane of State Road 824, which is
10 Pembroke Road.

11 Here's another example that involves districts 20
12 and 21. In the plans that we workshopped previously,
13 the boundary between districts 20 and 21 was the canal
14 that ran parallel to the city boundary of Coral
15 Springs and the Sawgrass Expressway.

16 And, although it's a waterway, it did not meet
17 our objectively-defined criteria as a contiguous water
18 body of greater than 10 acres. And so, in revising it,
19 we follow the city boundary of Coral Springs which
20 improves the city bound- or proves, excuse me,
21 improves the boundary usage rate for both districts 20
22 and 21.

23 This slide shows an example of an adjustment that
24 was made to where the population was balanced down to
25 plus or minus one person.

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1 In all the previous plans, district 11 extended
2 south of State Road 50 to pick up 45 people in that
3 little, uh, blip, there. All the revised plans
4 visually improve the boundary between districts 11 and
5 28 to keep it on State Road 50 and equalize the
6 population in a neighboring area to the east.

7 This is another example of the change that was
8 made to improve the utilization of existing geographic
9 boundaries while balancing population.

10 So, in all the plans that were previously
11 workshopped, or, excuse me, in just, uh, two of the
12 plans that were previously workshopped, which were
13 8002 and 8006, district one came off State Road 83 in
14 order to achieve the plus or minus one, uh, person
15 deviation. In the revised plans 8018 and 8022, we
16 visually improved the boundary usage between districts
17 one and two while zeroing the population, keeping more
18 of the boundary on State Road 83.

19 This slide shows an example of the change that
20 was made to improve the compactness and utilization of
21 political and geographic boundaries. In all previous
22 plans, the boundary between districts eight and 18
23 followed State Road 60 East. Zeroed the population
24 near Flora [ph] Ridge and Indian River County.

25 And, in revising this configuration, the boundary

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1 now adheres to the Indian River County line and
2 follows more qualifying boundaries which results in a
3 more visually compact and improved boundary usage
4 score for districts eight and 18.

5 The changes from 8002 to 8018 are shown in this
6 slide. Overall, we see a- a two percent decrease in
7 the use of non-political and geographic boundaries.
8 So, you go from 11 percent on the right, there, down
9 to nine. The plan also keeps five additional cities
10 whole, with all geography and population in one
11 district, bringing that total count from 351 to 356.

12 We also see, here, where we've got the use of
13 geographic, er, uh, political and geographic
14 boundaries and, particularly, the non-political
15 geographic boundary score, uh, listed for all the
16 districts. So, you can see improvements to the
17 specific districts. And, overall, we were able to
18 improve that score for 13 of the 28 districts in the
19 plan.

20 This slide is- has this- similar changes to 8004
21 and 8020. So, here again, we see a two percent
22 decrease in the use of non-political and geographic
23 boundaries. We go from nine to 11 percent. Or 11 to
24 nine percent. We keep another five cities whole with
25 all geography and population in one district. So, we

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1 go from 352 whole cities to 357.

2 And, again, we, we see that there is, uh, the
3 district-specific, uh, statistics for the use of non-
4 political and geographic boundaries is- is improved
5 for 13 of the 28 districts here on this slide.

6 Next, we'll look at the changes overall between,
7 uh, Plan 8006 and Plan 8022.

8 SPEAKER: [inaudible] stop just to see if there's
9 any questions.

10 MR. FERRIN: Sure.

11 SEN. BRADLEY: Just take a brief pause. Are there
12 any questions before we continue? Okay. Carry on.

13 MR. FERRIN: Thank you, Madam Chair. So, 8022
14 also sees a one percent decrease in th- in the use of
15 non-political and geographic boundaries. So, this one
16 is one in which, uh, Plan eighty- 8006 had a 10
17 percent non-u- -- non-political and geographic
18 boundary use and that's now down to nine on the
19 average. So, we also are able to keep another five
20 cities whole, which brings the total from 350 to 355.

21 And, then, this slide also shows the district-
22 specific boundary usage scores, uh, for, uh, not the
23 [ph] use of non-political and geographic boundaries.
24 We were able to, overall, d- -- decrease that score
25 for, uh, 12 districts in Plan 8022.

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1 This one shows the comparison between 8008 and
2 8024. We see a one percent decrease, again, in the use
3 of non-political and geographic boundaries and an
4 additional five cities kept whole. And, in this plan,
5 that brings the total from 351 to 356.

6 And, again, we have the district-specific non-
7 political geographic boundary usage scores presented,
8 here. And, once again, we were able to improve that
9 score for 12 of the congressional districts in the
10 plan.

11 Madam Chair, that's what we have.

12 SEN. BRADLEY: Thank you for that. Um, having
13 heard the, the changes in the new draft plans, are
14 there any questions, any comments? Senator Stewart.

15 SEN. STEWART: Thank you, Madam Chair. Um, it-
16 visually, looking at the 20 and even the, uh, 18, um,
17 the district 20 sort of has a wrap-around-looking
18 thing where, uh, the north and the south part have
19 encompassed, uh, some -- I don't know what those
20 neighborhoods are but if the explanation is, in order
21 to make them, uh, -- I don't know what would be the
22 explanation of why you would divide them like that.

23 And, over there -- because all the rest of them
24 look pretty, um, compact. Um, this one there kind of
25 stands out. And, then, in district nine, it- y- you've

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1 got that little finger and I don't know what that
2 little finger does, but, uh, in district nine.

3 MR. FERRIN: Uh, S- Senator Stewart, so let's a-
4 address district 20, first. So, uh, in the benchmark
5 [ph] plans, district 20 is majority/minority African-
6 American district.

7 And so, uh, in order to protect against, uh,
8 diminishment and retro-aggression, we re-drew that to
9 be, uh, over 50 percent African-American voting-age
10 population. And so, that is a- -- a re- -- part of the
11 reason why that district is configured the way it is
12 is, in order to get to that population, it had to be
13 drawn in a slightly less, uh, compact manner.

14 But, um, as far as district nine goes, I- I think
15 you're talking about the, the county boundary, there.
16 Uh, so, you're looking at the boundary between
17 districts 28 and district nine.

18 That is, actually, the whole [ph] Osceola County
19 boundary. So, we're following the county boundary the
20 whole way. Th- -- it's, uh, I believe that's actually
21 a lake.

22 SEN. STEWART: That little finger's a lake?

23 MR. FERRIN: I believe that's the case. Yes.

24 SEN. STEWART: Okay.

25 MR. FERRIN: And, so, it- our intention there was

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1 to, to keep all of Osceola County whole and, in order
2 to do that, we had to- uh, little finger in there.

3 SEN. STEWART: Those were my only two
4 observations, so, thank you for the explanation. Um,
5 and I haven't heard that anybody- any negative
6 feedback on that. It was just my observation. So,
7 thank you.

8 SEN. BRADLEY: Anything additional? All right. I
9 would encourag- first of all, thank you, staff. Um, in
10 a very short period of time, uh, Mr. Ferrin and y- and
11 your team have done, um, in a short period of time,
12 it's very meticulous work, and -- and I think that it
13 reinforces this process that we're in as a very, um, -
14 - you know, we're going to continue to improve and
15 make refinements, um, to the maps and -- and I think
16 we see that, today.

17 Um, to the members on the committee, if there are
18 amendments or if there is a vision you have for a
19 certain part of the state, um, you don't need to wait
20 until the final, uh, map is, is brought to the full
21 committee.

22 You can begin working with staff, um, and -- and
23 working to, uh, let them know what, what your thoughts
24 are, um, and let them get started working on that. Um,
25 there's -- w- -- we don't need to wait.

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1 I- -- it would be helpful for staff i- -- if they
2 had, uh, that ability to do that, uh, as we go
3 forward, uh, through the month of December. So, keep
4 that in mind.

5 Um, if there is something you want to see or an
6 area of concern, please get with staff early. Um,
7 they're here for you. They want to help and, uh, and
8 they will do that.

9 Senator Harrell.

10 SEN. HARRELL: I do have one question and I note
11 to submit a map, you have to come submit a complete
12 map. But, if we have specific suggestions say, on that
13 -- questions or suggestions -- on the little finger
14 lake, you know, uh, that made, uh, there was a
15 distortion -- at least, appeared to be.

16 Uh, do we just talk directly to staff on that
17 and, then, they might incorporate our particular ideas
18 within a next version? Or do we have to really produce
19 a map and submit the map?

20 SEN. BRADLEY: Um, thank you, Senator Harrell.
21 Um, and -- and, yes. I would get with staff, um, and -
22 - and just reminder: when you tweak one part of the,
23 the map with an amendment, it really becomes a new
24 map.

25 So, so every amendment is, itself, a, uh, a -- a

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1 new map. Um, so, get with staff and they will be more
2 than happy to, to step you through and -- and help
3 guide you, uh, and -- and see your, uh, suggestions
4 become a, uh, a -- a submitted plan or an amendment,
5 if that's your desire.

6 SEN. HARRELL: Thank you, and I also want to say
7 I'm very pleased to see, uh, the effort put in to
8 really making sure that we look at cities. I know we -
9 - there's real improvement in those cities.

10 Although, we do know city lines do change. It's
11 good, at least, to start with what is the existing
12 city. So, I was very pleased to see some of that, as
13 well. Thank you very much. We appreciate it.

14 SEN. BRADLEY: Very good. All right. Well,
15 members, we've come extraordinarily far in what has
16 been an extremely condensed amount of time. I believe
17 we are on the right track for success.

18 We have six weeks until our next meeting. I would
19 propose that we have staff consider the feedback and
20 guidance we have given them, here, today, ask them to
21 consider it through the lens of the overall directive
22 as well as applicable federal and state legal
23 standards.

24 I would also propose that staff continue to spend
25 time looking for improvements and consistency in the

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1 application of the various trade-offs in the maps.

2 Is there any other business before the committee?

3 Seeing none. Senator Harrell moves we adjourn? Is

4 there objection?

5 Show the motion adopted. We are adjourned.

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2 under penalty of perjury that to the best of my
3 ability the above 16 pages contain a full, true and
4 correct transcription of the tape-recording that I
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8 I further declare that I have no interest in the
9 event of the action.

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March 8, 2023

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Chris Naaden

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