

11/29/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 1

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

)

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

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

11/29/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 2

1 SEN. BURGESS: The select committee on
2 legislative reapportionment will now come to order.
3 Dana, please call the roll.

4 CLERK: Chair Burgess.

5 SEN. BURGESS: Here.

6 CLERK: Senator Bracy.

7 SEN. BRACY: Here.

8 CLERK: Senator Gibson.

9 SEN. GIBSON: Here.

10 CLERK: Senator Rodrigues.

11 SEN. RODRIGUES: Here.

12 CLERK: Senator Stargel.

13 SEN. STARGEL: Here.

14 CLERK: A quorum is present, Mr. Chair.

15 SEN. BURGESS: Thank you very much, Dana. A
16 quorum is present. Uh, please, everybody, if you would
17 silence all the electronic devices. I'm going to
18 verify that my- -- yep, we're good. I've silenced my
19 electronic device.

20 And, anyone wishing to testify before the sub-
21 kitty- -- committee must fill out an appearance card
22 and hand it to a member of the Sergeant's Office.
23 Should you elect to waive your speaking time, your
24 position will be read into the record.

25 Senators, based on the feedback and guidance we

11/29/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 3

1 gave staff at our last meeting, uh, we have a, we
2 have, now, four additional staff-produced maps on our
3 workshop agenda for today. Our feedback should
4 continue to conform to the directives issued
5 unanimously by the full committee. You will find a
6 copy of those directives in your meeting materials.

7 Our feedback and guidance to staff should also
8 continue to be consistent with the cautious- --
9 cautions expressed in the memorandum we received from
10 President Simpson, Preside- -- President-Designate
11 Passidomo, and Leader Book [ph].

12 I would caution members in their questions,
13 feedback, or guidance to staff, today, to express
14 themselves carefully so that nothi- -- nothing said in
15 this meeting is misperceived as motivated by any
16 impermissible purpose.

17 At our nex- -- next meeting in January, I expect
18 that we will submit a recommendation, which will
19 include a map or set of maps, to the full committee.
20 When Chair Rodriguez reconvenes the full committee to
21 consider our recommendations, members may offer
22 amendments, at that time.

23 As a reminder, the maps that we will be
24 workshopping today are not final. Any alterations that
25 are proposed, whether as guidance and feedback to the

11/29/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 4

1 staff or as an amendment offered in the future, should
2 adhere to the constitutional principles and apply them
3 consistently throughout the state.

4 I have been advised by counsel that these
5 additional plans brought forward by staff, today,
6 comply with the complex layering of federal and state
7 standards and contain various trade-offs within the
8 co-equal Tier 2 standards presented in each plan.

9 I would also remind you that members of the
10 public have been continuing to submit plans and
11 comments to floridaredistricting.gov. If you are
12 interested in reviewing them, these plans can be
13 viewed on the submitted plans and get-involved pages
14 of the website.

15 Are there any questions before we proceed to the
16 presentations and public comment portion of the
17 meeting, today?

18 Seeing none, Mr. Ferrin [ph], you are recognized
19 for a walk-through of our new staff-prepared plans.

20 MR. FERRIN: Thank you, Mr. Chairman. So, uh,
21 Senators, we've been working with the drafts that were
22 published on November 10th and presented on November
23 17th at our last committee meeting.

24 Uh, specifically, we were looking for
25 improvements in consistency in the application of the

11/29/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 5

1 various trade-offs that were presented in those maps.
2 And, as with the first set of drafts, we set a, uh,
3 ambitious goal to publish the maps several days ahead
4 of the Senate's traditional deadline for publication
5 of meeting materials.

6 And the maps that we have to workshop today were
7 made publicly available on November 24th. That really
8 meant that we had less than a week to look for areas
9 of the map to adjust and improve upon.

10 And so, we took that time to closely review the
11 district boundaries within each redistricting plan. We
12 discovered that by making some very minor adjustments,
13 we were able to achieve some measurable improvements.

14 And although some of these may not be visible
15 from space, the changes were made to most of districts
16 in each plan. And, for example, we took Plan 8010 and
17 changed 37 of the 40 districts, and that has become
18 Plan 8026.

19 Uh, Plan 8012, uh, changed 36 districts and has
20 become 8028. So on and so forth.

21 So, this was done to ensure that there was
22 consistent boundary usage, including placing district
23 boundaries consistently on a median or specific lane
24 of a primary or secondary road, in the middle of a
25 river instead of using one bank or another, and

11/29/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 6

1 correcting areas where a boundary inadvertently fell
2 on non-qualifying boundary.

3 In the Senate plans, we, we were able to increase
4 the use of political and geographic boundaries,
5 throughout, and that had the effect of keeping a few
6 more cities whole and improving some of the visual
7 compactness of the districts.

8 We were also able to draw a couple examples of a
9 configuration of a majority/minority African-American
10 district in Miami-Dade County for the subcommittee's
11 consideration. The next few slides will go through
12 some of these examples.

13 So, this is an example where we were able to
14 consistently follow a roadway. In the most recent set
15 of Senate plans, the boundary of districts 10 and 16
16 has been drawn to consistently follow the east-bound
17 lane of State Road 52 instead of the median or the
18 shoulder of the road-way. These improvements resulted
19 in an increase of boundary usage for both districts 10
20 and 16.

21 This slide shows where we were able to alter the
22 boundary of districts 11 and 12 to better util-
23 utilize political and geographic boundaries and
24 improve the visual compactness.

25 In the previous configurations that we

11/29/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 7

1 workshopped, last week, the boundary followed State
2 Road 50, and, then, deviated from poli- -- political
3 and geographic boundaries until it reached the Florida
4 Turnpike.

5 And that can be seen kind of on the right side of
6 each of those images on the screen. The revised
7 version better utilizes easily ascertainable and
8 commonly understood boundaries by following the
9 Florida Turnpike more consistently, departing from it
10 at Johns Lake to keep all of the population of the
11 city of Oakland in district 11.

12 And, as a result, the boundary usage increases
13 for both districts, with district 12 increasing its
14 boundary usage by three percent.

15 This is another example of where moving the
16 boundary to a different geographical feature resulted
17 in better utilization of political and geographic
18 boundaries and improved the visual compactness of the
19 district.

20 In all previous versions of the Senate maps, the
21 boundary of districts 20 and 21 followed the Lumsden
22 [ph] Road and the CSX Railway. Uh, and this is in
23 eastern Hillsborough County. The revised versions, it
24 follows Lumsden Road and State Road 60. And this
25 configuration results in more visually compact 20 and

11/29/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 8

1 21 while also increasing the use of political and
2 geographic boundaries for these districts.

3 This example is- -- uh, is, shows the use of
4 municipal boundaries where no other qualifying
5 boundaries existed. So, in the previous versions, the
6 boundary between districts 36 and 37 follows Northwes-
7 -- Northwest 36th Street, which is not classified by
8 the U.S. Census Bureau, uh, as a primary or secondary
9 road.

10 And so, in Plans twenty- -- 8026 and 8028, the
11 boundary deviates from the road to follow the
12 municipal boundary of Virginia Gardens, which keeps it
13 wholly within district 36 and increases the boundary
14 usage for both districts.

15 In circumstances where political and geographic
16 boundaries bordered a large nature preserve or
17 unpopulated area, municipalities were followed where
18 feasible to keep cities whole. In this example, the
19 boundaries of Coral Springs and Tamarack, which border
20 the Everglades, are kept whole. And this is in Plan,
21 uh, 8026.

22 This is an example, uh, where we considered the
23 impermanent and changing nature of municipal
24 boundaries and created an unpopulated split in the
25 city of Eagle Lake to follow U.S. Highway 17 in

11/29/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 9

1 between districts 22 and 26. This change is reflected
2 in, uh, the, the newly released plans 8028 and 8030.
3 And it actually makes this split consistent with the
4 same, uh, area in 8026 and 8034.

5 And so, to kind of walk through some of the, the
6 higher-level metrics on these plans, this shows the
7 changes to eighty-twen- 8010 and 8026. And, here, we
8 can see that we've, uh, kept three additional cities
9 whole with all of their population in one district.
10 So, we're going up from 360 to 363 cities kept whole.

11 This slide shows the individual districts within
12 Plan 8026 as compared to 8010, and their, uh,
13 adjustments to the use of non-political and geographic
14 boundaries. So, in this circumstance, we would
15 consider a, a decrease, uh, to be a good, uh,
16 improvement. And so, uh, overall, we were able to
17 decrease the use of non-political and geographic
18 boundaries in 16 of the 40 districts.

19 This is the comparison with, uh, Plans 8012 and
20 8028. We've got two additional cities with all their
21 population in one district. So, that's bringing, uh,
22 from 367 to 369 whole cities.

23 We've decreased the average use of non-political
24 and geographic boundaries by one percent and made some
25 minor differences in population deviations and

11/29/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 10

1 compactness of the districts. Mathematical compactness
2 of the districts.

3 Here's the slide that shows the individual
4 districts and their usage rates for non-political and
5 geographic boundaries. And here we can see that 13
6 districts have seen a decrease in the use of non-
7 political and geographic boundaries in Plan 8028.

8 And then, moving to Plan 8030, as compared to
9 Plan 8014, we've got two additional cities with all
10 their population kept in- -- whole in one district. So
11 that's going from 366 to 368.

12 We've dropped the average use of non-political
13 and geographic boundaries by one percent. So, we're
14 now down to five percent. And then there's, uh, some
15 similar and minor differences observed in population
16 deviation and the compa- -- mathematical compactness
17 scores for Plan 8030.

18 This sees a decrease in the use of non-political
19 and geographic boundaries for 16 of the 40 districts.
20 And th- -- however, there's a minor increase in two
21 districts, which is 35 and 36.

22 And that's a re- -- direct result of an
23 adjustment that was made to district 35 as I- I kind
24 of mentioned before, making that a majority/minority
25 African-American district in Miami-Dade County. And

11/29/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 11

1 we'll talk a little bit more about that, coming up.

2 And, then, we'll look real quick at, uh, Plan
3 8034 as compared to 8016. And so, this is a plan where
4 we have two additional cities with all their
5 population in one district. So, we've gone from 364 to
6 366, and we've observed negligible differences in the
7 population deviation, so barely measurable.

8 And then, finally, Plan 8034 sees a decrease in
9 the use of non-political and geographic boundaries for
10 11 of the districts. Minor increase, again, to
11 districts 35 and 36 which is a direct result of our
12 redrawing that as a African-American majority/minority
13 district in Plan 8034.

14 And then, the next few slides are-- kind of
15 illustrate some of the, the more substantial changes.
16 So, we walked through some of the smaller ones. Uh,
17 but just to give you guys a, uh, er, a sense of the
18 changes that were made, this one, uh, shows the change
19 that we discussed, uh, along the Turnpike in the city
20 of Oakland.

21 It shows, uh, corresponding changes to this--
22 that were [sic] occurred to the southeast and then
23 around the cities of Eatonville, Maitland, and Werner
24 Park. The changes in this [sic] areas helped balance
25 the population between districts nine, 11, 12, and 13,

11/29/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 12

1 and increased the political and geographic boundary
2 usage and keep all of the city of Eatonville whole in
3 district 11.

4 And, so, the slide shows the configuration as it
5 was in 8010 and 8014, as it was in 8012 and 8016, as
6 it- -- and as it is in all four of the plans that we
7 would be workshopping, today.

8 This next one shows districts 35, 36, 37, and 38
9 as drawn in Plan 8014 and as redrawn in Plan 8030. In
10 8014, district 35 had a black voting-age population of
11 49.38 percent.

12 In the revised plan, district 35 is drawn as a
13 majority/minority district with the, uh, black voting
14 age population of 50.07. District 35 is protected from
15 diminishment under Tier 1 of the Florida Constitution.
16 In both plans, the opportunity for African-Americans
17 to participate in the political process and to elect
18 candidates of their choice is not diminished.

19 The benchmark Senate plan has two African-
20 American districts in Mi- -- one in Miami-Dade and one
21 in Broward County. One of those was a
22 majority/minority and the other was an effective maj-
23 -- minority district.

24 And so, ef- -- in the effective minority
25 district, uh, which was district 35 in the benchmark,

11/29/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 13

1 the b- -- black voting-age population was 47.79
2 percent. In our Plan 8014, which is the one on the
3 left in the screen, both African-American districts
4 were drawn as effective minority districts.

5 So, Senate district 33, which is the one in
6 Broward County, was at 46.24 and Senate district 35
7 was at, uh, 49.38 percent. And that's for black
8 voting-age population.

9 The other plans that we workshopped at our last
10 meeting contained a majority/minority district in
11 Broward. So, one that was over 50 percent. Plan 8030
12 is drawn to provide the select subcommittee with a
13 configuration that contains the majority/minority
14 district in Miami-Dade and the effective minority
15 district in Broward.

16 And then, lastly, in Plan, um, districts 34, 35,
17 36, 37, and 38, this slide shows us how they were
18 drawn in Plan 8016, on the left, a- and as redrawn in
19 Plan 8034, on the right. In Plan 8016, district 35 has
20 a black voting-age population, again, of 49.38
21 percent.

22 And, in the revised plan, it's drawn as a
23 majority/minority district, again with a black voting-
24 age population of 50.07. Both, uh, Plan 8016 and Plan
25 83rd- 8034 also have a majority/minority district in

11/29/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 14

1 Broward County.

2 And so, the select subcommittee now has a
3 configuration to consider that contains two south
4 Florida African-American districts that are drawn as
5 majority/minority districts.

6 And one other note, Mr. Chairman, is that, uh, in
7 this plan, we did have to balance population, uh,
8 between Senates [sic] districts 38 and 34 as a result
9 of the adjustment to district 35. Didn't have to do
10 that in the other plan.

11 And I will freely admit that we mistakenly
12 published a plan, uh, as 8032 that didn't have that
13 executed correctly and, so, we had to do- -- republish
14 8034. So, if anybody's wondering what happened to 32,
15 uh, that one's on me.

16 And that, uh, Mr. Chairman, would be the
17 presentation for today.

18 SEN. BURGESS: Thank you, Mr. Ferrin, and th-
19 thank you for the acknowledgment that even our amazing
20 staff are humans. So, uh, that's totally
21 understandable and appreciate [sic] that
22 clarification. Uh, with these changes, senators, um,
23 are there any questions or discussion amongst the
24 body? Seeing none, um, now we will go to public
25 comment.

11/29/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 15

1 Do we have any public- -- we do have public
2 comment. Mrs. Cecile Scoon, representing the, uh,
3 president of League of Women Voters of Florida. you
4 are welcome to approach the podium.

5 MS. SCOON: Thank you.

6 SEN. BURGESS: Thank you. I pronounced your name
7 correctly, right?

8 MS. SCOON: Yes. You did.

9 SEN. BURGESS: Okay. I just wanted to make sure.

10 MS. SCOON: [crosstalk] -- French, French version.

11 SEN. BURGESS: And you are recognized.

12 MS. SCOON: Thank you very much. Uh, Cecile
13 Scoon, League of Women Voters. Um, do appreciate the
14 maps and also having the- -- right here in front of me
15 to look at.

16 I would say that the kind of analysis that was
17 presented with the changes is exactly the kind of
18 analysis that I would like to, independently, look at
19 and verify, myself, at some of the other benchmark,
20 um, districts and the nearby districts that --

21 As was done, here, when you, uh, adjust for
22 whatever reasons, trying to match Tier 1, which are
23 the mandatory requirements of the -- increasing the
24 access for racial minorities' and, uh, language
25 minorities' ability to choose a representative of

11/29/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 16

1 their choice and an equal opportunity to participate
2 in the- -- in the process, electoral process --

3 When you do that, um, as you did in this example,
4 making a small change to get a better number or to
5 decrease the going across city boundaries and things
6 like that, by this example, you had to make other
7 changes in the surrounding districts. And that is one
8 of the reasons why in, like, 34, 35, 36, 38- seven,
9 and 38, all of them were im- -- basically, impacted
10 by, uh, a relatively modest change t- to lessen the,
11 uh, impacts on the Tier 2 guidelines. Is what I
12 understood was said.

13 And, the same -- in the same manner, we need to
14 be able to check what's going on if we tinker with
15 some of the other benchmark areas and some of the
16 other new growth areas. And, in order for us to do
17 that, we believe that we need the precinct-level
18 information so we can get the voting-age population of
19 a [sic] black community and the Hispanic -- and the
20 other language, uh, and racial, uh, minorities.

21 And, um, we understand that the legislators have
22 access to this information as was [ph] provided to
23 them by contract with FSU [ph]. And we need that
24 information to be able to independently verify and
25 check.

11/29/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 17

1 And I really appreciate, um, your staff, um, you
2 know, mentioning, hey, everybody, in doing your best,
3 you're going to not always hit the, you know, the mark
4 right at -- the bull's eye. And you are able to make a
5 change.

6 Well, we think that's a responsibility of
7 citizens to be able to track that and look at it
8 ourselves, and different voting rights organizations,
9 uh, partisan or non-partisan, -- the League is non-
10 partisan -- but each side should be able to verify
11 that information.

12 And you demonstrated the need to do that by your
13 analysis, here, th- this afternoon because you had to
14 -- when you tinkered in one area, again, to improve,
15 um, the, um, splitting cities and other geographical
16 areas -- because you wanted to lessen that -- uh,
17 which is part of our Tier 2 requirements -- you ended
18 up having to tinker all around.

19 Well, we need access to that information so we
20 can see if there's ways that we can tinker in other
21 ways that can benefit increasing the mandatory
22 requirements, which are the, um, increasing the
23 opportunities for the language and racial minorities.

24 And, so, we're not understanding why we're not
25 able to have access to the information when you,

11/29/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 18

1 yourself, are using it to confirm and make these
2 changes. Well, the citizens would like that
3 information and citizen groups would like that same
4 information.

5 So, we make that public request for that data and
6 the analysis that you used in order to determine, um,
7 the racial, uh, voting-age groups so that we can
8 basically look with you. And see if there's any other
9 changes like the map that you had to change.

10 We just want to look with you and confirm with
11 you and, uh, -- you've given so much of the
12 information, already, that there's that little,
13 missing gap that we would like to be able to do the
14 same kind of tinkering with the in-depth, uh, data
15 that could assure us that the, uh, -- basically, fair
16 districts are being abided by which- -- our read of
17 that is to maximize the opportunities for, uh,
18 political involvement and, uh, to choose a
19 representative of their choice of these minority
20 groups.

21 So, we would continue to ask for that
22 information.

23 SEN. BURGESS: Thank you very much, Ms. Scoon. I
24 appreciate your --

25 MS. SCOON: Thanks.

11/29/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 19

1 SEN. BURGESS: -- testimony, today.

2 MS. SCOON: Thank you.

3 SEN. BURGESS: Thank you for your participation.

4 Um, and, I have been assured by staff -- and that's
5 why I was leaning over -- is that all the data that we
6 are utilizing is available on our software, um, and is
7 access- accessible to the public.

8 With that said, I don't see any further public
9 testimony. Oh. Senator Gibson, you are recognized.

10 SEN. GIBSON: Thank you. And, thank you for that
11 information, Mr. Chair, and, just for public sake, is
12 it -- it's on the website in a particular -- or, is it
13 labelled in a certain way, or --? Just so we can make
14 sure everybody --

15 SEN. BURGESS: I'm going to defer to Mr. Ferrin
16 on that --

17 SEN. GIBSON: Thank you.

18 SEN. BURGESS: -- to be able to say,
19 specifically, where it is on the website. That way,
20 everybody can go ahead and access it.

21 MR. FERRIN: Uh, thank you, Mr. Chairman. And,
22 and, uh, specifically -- so, all the data that we used
23 to analyze our plans, conduct a functional analysis,
24 review the compactness, the boundary analysis scores,
25 all of that is built into the redistricting

11/29/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 20

1 application. So, that's accessible to anyone that
2 wants to get in there and look at the districts that
3 we've drawn or draw their own districts, and run those
4 analyses. They can do that. It's all the same data.

5 Um, and, and if it's specifically precinct-level
6 information, there's links to that on our website that
7 is housed by the Division of Elections. And, so,
8 that's the, the input data that is available, there,
9 if anyone wants to go download that data directly from
10 the Division of Elections. And the supervisors of
11 elections, they're availa- -- that's available to do
12 so. It's publicly available information.

13 SEN. BURGESS: Comments? Nobody else? Um, I'm
14 going to go ahead and recognize Senator, uh, Gibson
15 for --

16 Uh, actually, you know what, I'm sure I have some
17 closing comments that I, uh, you know, would also like
18 to put down here. So, as I said before, um -- what
19 we're going to do, Senator, is, is reconvene in
20 January. At that point in time, we're hoping that we
21 might be able to make a recommendation or
22 recommendations to the full committee.

23 Um, we do have, uh, a good six weeks ahead of us,
24 uh, I believe. Right around that amount of time from
25 today to when we would probably reconvene again. And,

11/29/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 21

1 and so, uh, with that information and, and that
2 ability, we're asking staff to kind of take the
3 feedback we've received today and go back to the
4 drawing board and see if there's any other necessary,
5 um, changes that we should look at and, if so, report
6 back.

7 Uh, and, seeing no other further questions or
8 comment, I'm going to, uh, recognize, now, Senator
9 Gibson's motion to adjourn and, without objection,
10 we'll stand adjourned.

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

11/29/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 22

1 I, Chris Naaden, a transcriber, hereby declare
2 under penalty of perjury that to the best of my
3 ability the above 21 pages contain a full, true and
4 correct transcription of the tape-recording that I
5 received regarding the event listed on the caption on
6 page 1.

7

8 I further declare that I have no interest in the
9 event of the action.

10

11

12

13

14



15

March 8, 2023

16

Chris Naaden

17

18

19

20

21

22

23

24

25

11/29/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 1

A	amazing 14:19 ambitious 5:3 amendment 4:1 amendments 3:22 American 12:20 amount 20:24 analyses 20:4 analysis 15:16,18 17:13 18:6 19:23,24 analyze 19:23 anybody's 14:14 appearance 2:21 application 4:25 20:1 apply 4:2 appreciate 14:21 15:13 17:1 18:24 approach 15:4 are- 11:14 area 8:17 9:4 17:14 areas 5:8 6:1 11:24 16:15,16 17:16 ascertainable 7:7 asking 21:2 assure 18:15 assured 19:4 availa- 20:11 available 5:7 19:6 20:8,11,12 average 9:23 10:12	believe 16:17 20:24 benchmark 12:19,25 15:19 16:15 benefit 17:21 best 17:2 22:2 better 6:22 7:7 7:17 16:4 bit 11:1 black 12:10,13 13:1,7,20,23 16:19 board 21:4 body 14:24 Book 3:11 border 8:19 bordered 8:16 boundaries 5:11 5:23 6:4,23 7:3 7:8,18 8:2,4,5 8:16,19,24 9:14 9:18,24 10:5,7 10:13,19 11:9 16:5 boundary 5:22 6:1,2,15,19,22 7:1,12,14,16,21 8:6,11,12,13 12:1 19:24 Bracy 2:6,7 bringing 9:21 brought 4:5 Broward 12:21 13:6,11,15 14:1 built 19:25 bull's 17:4 Bureau 8:8 Burgess 2:1,4,5 2:15 14:18 15:6 15:9,11 18:23 19:1,3,15,18 20:13 Byrd 1:6	candidates 12:18 caption 22:5 card 2:21 carefully 3:14 Cause 1:2 caution 3:12 cautions 3:9 cautious- 3:8 Cecile 15:2,12 Census 8:8 certain 19:13 Chair 2:4,14 3:20 19:11 Chairman 4:20 14:6,16 19:21 change 9:1 11:18 16:4,10 17:5 18:9 changed 5:17,19 changes 5:15 9:7 11:15,18,21,24 14:22 15:17 16:7 18:2,9 21:5 changing 8:23 check 16:14,25 choice 12:18 16:1 18:19 choose 15:25 18:18 Chris 22:1,16 circumstance 9:14 circumstances 8:15 cities 6:6 8:18 9:8 9:10,20,22 10:9 11:4,23 17:15 citizen 18:3 citizens 17:7 18:2 city 7:11 8:25 11:19 12:2 16:5 clarification 14:22 classified 8:7 CLERK 2:4,6,8 2:10,12,14	closely 5:10 closing 20:17 co-equal 4:8 come 2:2 coming 11:1 comment 4:16 14:25 15:2 21:8 comments 4:11 20:13,17 committee 2:1,21 3:5,19,20 4:23 20:22 Common 1:2 commonly 7:8 community 16:19 compa- 10:16 compact 7:25 compactness 6:7 6:24 7:18 10:1 10:1,16 19:24 compared 9:12 10:8 11:3 comparison 9:19 complex 4:6 comply 4:6 conduct 19:23 configuration 6:9 7:25 12:4 13:13 14:3 configurations 6:25 confirm 18:1,10 conform 3:4 consider 3:21 9:15 14:3 consideration 6:11 considered 8:22 consistency 4:25 consistent 3:8 5:22 9:3 consistently 4:3 5:23 6:14,16 7:9 Constitution 12:15
B	b- 13:1 back 21:3,6 balance 11:24 14:7 bank 5:25 barely 11:7 based 2:25 basically 16:9 18:8,15	C		
a- 13:18 abided 18:16 ability 15:25 21:2 22:3 able 5:13 6:3,8 6:13,21 9:16 16:14,24 17:4,7 17:10,25 18:13 19:18 20:21 access 15:24 16:22 17:19,25 19:20 access- 19:7 accessible 19:7 20:1 achieve 5:13 acknowledgment 14:19 action 22:9 additional 3:2 4:5 9:8,20 10:9 11:4 adhere 4:2 adjourn 21:9 adjourned 21:10 adjust 5:9 15:21 adjustment 10:23 14:9 adjustments 5:12 9:13 admit 14:11 advised 4:4 African- 12:19 African-Ameri... 6:9 10:25 11:12 13:3 14:4 African-Ameri... 12:16 afternoon 17:13 age 12:14 13:24 agenda 3:3 ahead 5:3 19:20 20:14,23 al 1:2 alter 6:21 alterations 3:24	call 2:3			

11/29/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 2

constitutional 4:2	deviation 10:16 11:7	drawn 6:16 12:9 12:12 13:4,12 13:18,22 14:4 20:3	fair 18:15	10:5,7,13,19 11:9 12:1
contain 4:7 22:3	deviations 9:25		feasible 8:18	geographical 7:16 17:15
contained 13:10	device 2:19	dropped 10:12	feature 7:16	get-involved 4:13
contains 13:13 14:3	devices 2:17	<hr/> E <hr/>	federal 4:6	Gibson 2:8,9 19:9,10,17 20:14
continue 3:4,8 18:21	differences 9:25 10:15 11:6	Eagle 8:25	feedback 2:25 3:3,7,13,25 21:3	Gibson's 21:9
continuing 4:10	different 7:16 17:8	easily 7:7	fell 6:1	give 11:17
contract 16:23	DIGITAL 1:23	east-bound 6:16	Ferrin 4:18,20 14:18 19:15,21	given 18:11
copy 3:6	diminished 12:18	eastern 7:23	fill 2:21	go 6:11 14:24 19:20 20:9,14 21:3
Coral 8:19	diminishment 12:15	Eatonville 11:23 12:2	final 3:24	goal 5:3
Cord 1:6	direct 10:22 11:11	ef- 12:24	finally 11:8	going 2:17 9:10 10:11 16:5,14 17:3 19:15 20:14,19 21:8
correct 22:4	directives 3:4,6	effect 6:5	find 3:5	good 2:18 9:15 20:23
correcting 6:1	directly 20:9	effective 12:22 12:24 13:4,14	first 5:2	GROUP 1:23
correctly 14:13 15:7	discovered 5:12	eighty-twen- 9:7	five 10:14	groups 18:3,7,20
corresponding 11:21	discussed 11:19	elect 2:23 12:17	Florida 1:11 7:3 7:9 12:15 14:4 15:3	growth 16:16
counsel 4:4	discussion 14:23	elections 20:7,10 20:11	floridaredistrict... 4:11	guidance 2:25 3:7,13,25
County 6:10 7:23 10:25 12:21 13:6 14:1	district 5:11,22 6:10 7:11,13,19 8:13 9:9,21 10:10,23,25 11:5,13 12:3,10 12:12,13,14,23 12:25,25 13:5,6 13:10,14,15,19 13:23,25 14:9	electoral 16:2	follow 6:14,16 8:11,25	guidelines 16:11
couple 6:8	districts 5:15,17 5:19 6:7,15,19 6:22 7:13,21 8:2,6,14 9:1,11 9:18 10:1,2,4,6 10:19,21 11:10 11:11,25 12:8 12:20 13:3,4,16 14:4,5,8 15:20 15:20 16:7 18:16 20:2,3	electronic 2:17 2:19	followed 7:1,21 8:17	guys 11:17
created 8:24	Division 20:7,10	ended 17:17	following 7:8	<hr/> H <hr/>
crosstalk 15:10	do- 14:13	ensure 5:21	follows 7:24 8:6	hand 2:22
CSX 7:22	doing 17:2	equal 16:1	forth 5:20	happened 14:14
<hr/> D <hr/>	download 20:9	er 11:17	forward 4:5	HEARING 1:11
D.C 1:24	draw 6:8 20:3	et 1:2	four 3:2 12:6	helped 11:24
Dana 2:3,15	drawing 21:4	event 22:5,9	freely 14:11	hey 17:2
data 18:5,14 19:5 19:22 20:4,8,9		Everglades 8:20	French 15:10,10	higher-level 9:6
days 5:3		everybody 2:16 17:2 19:14,20	front 15:14	Highway 8:25
deadline 5:4		EVIDENCE 1:23	FSU 16:23	Hillsborough 7:23
declare 22:1,8		exactly 15:17	full 3:5,19,20 20:22 22:3	Hispanic 16:19
decrease 9:15,17 10:6,18 11:8 16:5		example 5:16 6:13 7:15 8:3 8:18,22 16:3,6	functional 19:23	hit 17:3
decreased 9:23		examples 6:8,12	further 19:8 21:7 22:8	hoping 20:20
defer 19:15		executed 14:13	future 4:1	housed 20:7
demonstrated 17:12		existed 8:5	<hr/> G <hr/>	humans 14:20
departing 7:9		expect 3:17	gap 18:13	<hr/> I <hr/>
determine 18:6		express 3:13	Gardens 8:12	I- 10:23
deviated 7:2		expressed 3:9	geographic 6:4 6:23 7:3,17 8:2 8:15 9:13,17,24	
deviates 8:11		eye 17:4		
		<hr/> F <hr/>		

11/29/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 3

illustrate 11:15	it- 12:6	looking 4:24	12:20 13:14	Northwest 8:7
im- 16:9	J	Lumsden 7:21,24	middle 5:24	note 14:6
images 7:6	January 3:17	M	minor 5:12 9:25	nothi- 3:14
impacted 16:9	20:20	M 1:24	10:15,20 11:10	November 1:13
impacts 16:11	Johns 7:10	Maitland 11:23	minorities 16:20	4:22,22 5:7
impermanent	K	maj- 12:22	17:23	number 16:4
8:23	keep 7:10 8:18	majority/mino...	minorities' 15:24	NW 1:24
impermissible	12:2	6:9 10:24 11:12	15:25	O
3:16	keeping 6:5	12:13,22 13:10	minority 12:23	Oakland 7:11
improve 5:9 6:24	keeps 8:12	13:13,23,25	12:24 13:4,14	11:20
17:14	kept 8:20 9:8,10	14:5	18:19	objection 21:9
improved 7:18	10:10	making 5:12	misperceived	observed 10:15
improvement	kind 7:5 9:5	10:24 16:4	3:15	11:6
9:16	10:23 11:14	mandatory 15:23	missing 18:13	occurred 11:22
improvements	15:16,17 18:14	17:21	mistakenly 14:11	offer 3:21
4:25 5:13 6:18	21:2	manner 16:13	modest 16:10	offered 4:1
improving 6:6	kitty- 2:21	map 3:19 5:9	motion 21:9	Office 2:22
in- 10:10	know 17:2,3	18:9	motivated 3:15	Oh 19:9
in-depth 18:14	20:16,17	maps 3:2,19,23	moving 7:15 10:8	Okay 15:9
inadvertently 6:1	L	5:1,3,6 7:20	municipal 8:4,12	one's 14:15
include 3:19	labelled 19:13	15:14	8:23	ones 11:16
including 5:22	Lake 7:10 8:25	March 22:15	municipalities	opportunities
increase 6:3,19	lane 5:23 6:17	mark 17:3	8:17	17:23 18:17
10:20 11:10	language 15:24	match 15:22	my- 2:18	opportunity
increased 12:1	16:20 17:23	materials 3:6 5:5	N	12:16 16:1
increases 7:12	large 8:16	mathematical	Naaden 22:1,16	order 2:2 16:16
8:13	lastly 13:16	10:1,16	name 15:6	18:6
increasing 7:13	layering 4:6	maximize 18:17	nature 8:16,23	organizations
8:1 15:23 17:21	Leader 3:11	meant 5:8	nearby 15:20	17:8
17:22	League 15:3,13	measurable 5:13	necessary 21:4	overall 9:16
independently	17:9	11:7	need 16:13,17,23	P
15:18 16:24	leaning 19:5	median 5:23 6:17	17:12,19	page 22:6
individual 9:11	left 13:3,18	meeting 3:1,6,15	negligible 11:6	pages 4:13 22:3
10:3	legislative 1:12	3:17 4:17,23	new 4:19 16:16	Park 11:24
information	2:2	5:5 13:10	newly 9:2	part 17:17
16:18,22,24	legislators 16:21	member 2:22	nex- 3:17	participate 12:17
17:11,19,25	lessen 16:10	members 3:12,21	nine 11:25	16:1
18:3,4,12,22	17:16	4:9	non- 10:6 17:9	participation
19:11 20:6,12	links 20:6	memorandum	non-partisan	19:3
21:1	listed 22:5	3:9	17:9	particular 19:12
input 20:8	little 11:1 18:12	mentioned 10:24	non-political	partisan 17:9,10
interest 22:8	look 5:8 11:2	mentioning 17:2	9:13,17,23 10:4	Passidomo 3:11
interested 4:12	15:15,18 17:7	metrics 9:6	10:12,18 11:9	penalty 22:2
involvement	18:8,10 20:2	Mi- 12:20	non-qualifying	percent 7:14 9:24
18:18	21:5	Miami-Dade	6:2	10:13,14 12:11
is- 8:3		6:10 10:25	Northwes- 8:6	
issued 3:4				

11/29/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 4

<p>13:2,7,11,21 perjury 22:2 ph 3:11 4:18 7:22 16:22,23 placing 5:22 plan 4:8 5:11,16 5:16,18,19 8:20 9:12 10:7,8,9 10:17 11:2,3,8 11:13 12:9,9,12 12:19 13:2,11 13:16,18,19,19 13:22,24,24 14:7,10,12 plans 4:5,10,12 4:13,19 6:3,15 8:10 9:2,6,19 12:6,16 13:9 19:23 please 2:3,16 podium 15:4 point 20:20 poli- 7:2 political 6:4,23 7:2,17 8:1,15 10:7 12:1,17 18:18 population 7:10 9:9,21,25 10:10 10:15 11:5,7,25 12:10,14 13:1,8 13:20,24 14:7 16:18 portion 4:16 position 2:24 precinct-level 16:17 20:5 present 2:14,16 presentation 14:17 presentations 4:16 presented 4:8,22 5:1 15:17 preserve 8:16 Preside- 3:10 president 3:10</p>	<p>15:3 President-Desi... 3:10 previous 6:25 7:20 8:5 primary 5:24 8:8 principles 4:2 probably 20:25 proceed 4:15 process 12:17 16:2,2 pronounced 15:6 proposed 3:25 protected 12:14 provide 13:12 provided 16:22 public 4:10,16 14:24 15:1 18:5 19:7,8,11 public- 15:1 publication 5:4 publicly 5:7 20:12 publish 5:3 published 4:22 14:12 purpose 3:16 put 20:18</p> <hr/> <p>Q</p> <p>qualifying 8:4 questions 3:12 4:15 14:23 21:7 quick 11:2 quorum 2:14,16</p> <hr/> <p>R</p> <p>racial 15:24 16:20 17:23 18:7 Railway 7:22 rates 10:4 re- 10:22 reached 7:3 read 2:24 18:16 real 11:2 really 5:7 17:1</p>	<p>reapportionme... 1:12 2:2 reasons 15:22 16:8 received 3:9 21:3 22:5 recognize 20:14 21:8 recognized 4:18 15:11 19:9 recommendation 3:18 20:21 recommendati... 3:21 20:22 reconvene 20:19 20:25 reconvenes 3:20 record 2:24 redistricting 5:11 19:25 redrawing 11:12 redrawn 12:9 13:18 reflected 9:1 regarding 22:5 relatively 16:10 released 9:2 remind 4:9 reminder 3:23 report 21:5 representative 15:25 18:19 representing 15:2 republish 14:13 request 18:5 requirements 15:23 17:17,22 responsibility 17:6 result 7:12 10:22 11:11 14:8 resulted 6:18 7:16 results 7:25 review 5:10 19:24</p>	<p>reviewing 4:12 revised 7:6,23 12:12 13:22 right 7:5 13:19 15:7,14 17:4 20:24 rights 17:8 river 5:25 road 5:24 6:17 7:2,22,24,24 8:9,11 road-way 6:18 roadway 6:14 Rodriguez 2:10 2:11 Rodriguez 3:20 roll 2:3 run 20:3</p> <hr/> <p>S</p> <p>sake 19:11 Scoon 15:2,5,8,10 15:12,13 18:23 18:25 19:2 scores 10:17 19:24 screen 7:6 13:3 secondary 5:24 8:8 see 9:8 10:5 17:20 18:8 19:8 21:4 seeing 4:18 14:24 21:7 seen 7:5 10:6 sees 10:18 11:8 select 1:11 2:1 13:12 14:2 SEN 2:1,5,7,9,11 2:13,15 14:18 15:6,9,11 18:23 19:1,3,10,15,17 19:18 20:13 Senate 1:11 6:3 6:15 7:20 12:19 13:5,6 Senate's 5:4</p>	<p>Senates 14:8 Senator 2:6,8,10 2:12 19:9 20:14 20:19 21:8 senators 2:25 4:21 14:22 sense 11:17 Sergeant's 2:22 set 3:19 5:2,2 6:14 seven 16:8 shoulder 6:18 shows 6:21 8:3 9:6,11 10:3 11:18,21 12:4,8 13:17 sic 11:22,24 14:8 14:21 16:19 side 7:5 17:10 silence 2:17 silenced 2:18 similar 10:15 Simpson 3:10 six 20:23 slide 6:21 9:11 10:3 12:4 13:17 slides 6:11 11:14 small 16:4 smaller 11:16 software 19:6 south 14:3 southeast 11:22 space 5:15 speaking 2:23 specific 5:23 specifically 4:24 19:19,22 20:5 split 8:24 9:3 splitting 17:15 Springs 8:19 staff 3:1,7,13 4:1 4:5 14:20 17:1 19:4 21:2 staff-prepared 4:19 staff-produced 3:2</p>
--	--	--	--	--

11/29/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 5

stand 21:10	time 2:23 3:22	um 13:16 14:22	voting- 13:23	Z
standards 4:7,8	5:10 20:20,24	14:24 15:13,20	voting-age 12:10	0
Stargel 2:12,13	tinker 16:14	16:3,21 17:1,1	13:1,8,20 16:18	1
state 4:3,6 6:17	17:18,20	17:15,15,22	18:7	1 12:15 15:22
7:1,24	tinkered 17:14	18:6 19:4,6	W	22:6
Street 1:24 8:7	tinkering 18:14	20:5,13,18,23	waive 2:23	10 6:15,19
sub- 2:20	today 3:3,13,24	21:5	walk 9:5	10th 4:22
subcommittee	4:5,17 5:6 12:7	unanimously 3:5	walk-through	11 6:22 7:11
1:11 13:12 14:2	14:17 19:1	understand	4:19	11:10,25 12:3
subcommittee's	20:25 21:3	16:21	walked 11:16	12 6:22 7:13
6:10	totally 14:20	understandable	want 18:10	11:25
submit 3:18 4:10	track 17:7	14:21	wanted 15:9	13 10:5 11:25
submitted 4:13	trade-offs 4:7 5:1	understanding	17:16	16 6:15,20 9:18
substantial 11:15	traditional 5:4	17:24	wants 20:2,9	10:19
Suite 1:24	transcriber 22:1	understood 7:8	Washington 1:24	17 8:25
supervisors	TRANSCRIPT	16:12	way 19:13,19	1730 1:24
20:10	1:10	unpopulated	ways 17:20,21	17th 4:23
sure 15:9 19:14	transcription	8:17,24	we'll 11:1,2 21:10	2
20:16	22:4	usage 5:22 6:19	we're 2:18 9:10	2 4:8 16:11 17:17
surrounding	true 22:3	7:12,14 8:14	10:13 17:24,24	20 7:21,25
16:7	trying 15:22	10:4 12:2	20:19,20 21:2	20036 1:24
T	Turnpike 7:4,9	use 6:4 8:1,3 9:13	we've 4:21 9:8,20	202 1:25
t- 15:15 16:10	11:19	9:17,23 10:6,12	9:23 10:9,12	2021 1:13
take 21:2	twenty- 8:10	10:18 11:9	11:5,6 20:3	2023 22:15
talk 11:1	two 9:20 10:9,20	util- 6:22	21:3	21 7:21 8:1 22:3
Tamarack 8:19	11:4 12:19 14:3	utilization 7:17	website 4:14	22 9:1
tape-recording	U	utilize 6:23	19:12,19 20:6	232-0646 1:25
22:4	U.S 8:8,25	utilizes 7:7	week 5:8 7:1	24th 5:7
testify 2:20	uh 2:16 3:1 4:20	utilizing 19:6	weeks 20:23	26 9:1
testimony 19:1,9	4:24 5:2,19,19	V	welcome 15:4	29 1:13
th- 10:20 14:18	7:22 8:3,8,21	v 1:4	Werner 11:23	3
17:13	8:22 9:2,4,8,12	various 4:7 5:1	which- 18:16	32 14:14
thank 2:15 4:20	9:15,15,16,19	verify 2:18 15:19	wholly 8:13	33 13:5
14:18,19 15:5,6	9:21 10:14 11:2	16:24 17:10	wishing 2:20	34 13:16 14:8
15:12 18:23	11:16,17,18,19	version 7:7 15:10	Women 15:3,13	16:8
19:2,3,10,10,17	11:21 12:13,25	versions 7:20,23	wondering 14:14	35 10:21,23 11:11
19:21	13:7,24 14:6,7	8:5	working 4:21	12:8,10,12,14
Thanks 18:25	14:12,15,16,20	VIDEO-RECO...	workshop 3:3 5:6	12:25 13:6,16
the- 15:14 16:2	14:22 15:2,12	1:10	workshopped 7:1	13:19 14:9 16:8
things 16:5	15:21,24 16:10	viewed 4:13	13:9	36 5:19 8:6,13
think 17:6	16:11,20,20	Virginia 8:12	workshopping	10:21 11:11
this- 11:21	17:9,16 18:7,11	visible 5:14	3:24 12:7	12:8 13:17 16:8
three 7:14 9:8	18:14,15,17,18	visual 6:6,24 7:18	X	360 9:10
Tier 4:8 12:15	19:21,22 20:14	visually 7:25	Y	
15:22 16:11	20:16,17,23,24	Voters 15:3,13	yep 2:18	
17:17	21:1,7,8	voting 12:13 17:8		

11/29/2021

Common Cause, et al. v. Cord Byrd

Audio Transcription

Page 6

363 9:10	8032 14:12			
364 11:5	8034 9:4 11:3,8			
366 10:11 11:6	11:13 13:19,25			
367 9:22	14:14			
368 10:11	812 1:24			
369 9:22	83rd- 13:25			
36th 8:7				
37 5:17 8:6 12:8				
13:17				
38 12:8 13:17				
14:8 16:9				
38- 16:8				
4				
4:22-cv-109 1:4				
40 5:17 9:18				
10:19				
46.24 13:6				
47.79 13:1				
49.38 12:11 13:7				
13:20				
5				
50 7:2 13:11				
50.07 12:14 13:24				
52 6:17				
6				
60 7:24				
7				
8				
8 22:15				
8010 5:16 9:7,12				
12:5				
8012 5:19 9:19				
12:5				
8014 10:9 12:5,9				
12:10 13:2				
8016 11:3 12:5				
13:18,19,24				
8026 5:18 8:10,21				
9:4,7,12				
8028 5:20 8:10				
9:2,20 10:7				
8030 9:2 10:8,17				
12:9 13:11				