

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 1

Common Cause, et al.)

)

v.) 4:22-cv-109

)

Cord Byrd)

)

TRANSCRIPTION OF AUDIO FILE

11022 Senate Select Subcommittee on Legislative
Reapportionment - The Florida Channel

January 10, 2022

DIGITAL EVIDENCE GROUP

1730 M Street, NW, Suite 812

Washington, D.C. 20036

(202) 232-0646

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 2

1 (Beginning of Video Recording.)

2 CHAIR BURGESS: Good afternoon,
3 everybody. The Committee on Legislative
4 Reapportionment will now come to order. Dana,
5 please call the role.

6 MS. IVEY: Chair Burgess.

7 CHAIR BURGESS: Here.

8 MS. IVEY: Senator Bracy.

9 MR. BRACY: Here.

10 MS. IVEY: Senator Gibson.

11 MS. GIBSON: Here.

12 MS. IVEY: Senator Rodriguez.

13 MS. RODRIGUEZ: Here.

14 MS. IVEY: Senator Stargel.

15 MS. STARGEL: (Inaudible).

16 MS. IVEY: The quorum is present, Mr.
17 Chair.

18 CHAIR BURGESS: Please silence all
19 electronic devices, and anyone wishing to
20 speak before the committee should complete an
21 appearance form and hand it to a member of the
22 sergeant's office. Should you select to waive
23 your speaking time, your position will be
24 included in the committee meeting records.

25 Senators, based on the feedback and

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 3

1 guidance we gave staff at our last meeting, we
2 have four additional staff-produced maps on
3 our workshop agenda today that have further
4 improved upon the prior drafts we had
5 reviewed.

6 Our feedback should continue to conform
7 to the directives issued unanimously by the
8 full committee. You'll find a copy of the
9 directives in your meeting materials. I would
10 caution members in their questions, feedback,
11 or guidance to staff today to express
12 themselves carefully so that nothing said in
13 this meeting is misperceived as motivated by
14 an impermissible purpose.

15 By the conclusion of this meeting, we
16 will have reviewed 12 total plans. I propose
17 that before we adjourn that we submit a
18 recommendation which will consist of a map or
19 set of maps to Chairman Rodrigues. I propose
20 that we focus our recommendation on the last
21 four plans, so the plans presented before us
22 here today, as they have consistently-shown
23 metric improvement week over week.

24 If there's a district configuration in
25 one of the prior plans that anyone here finds

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 4

1 preferable, the appropriate time to address
2 that is by offering it as an amendment at the
3 full committee later this week.

4 I've been advised by counsel that these
5 additional plans brought forward by staff
6 today comply with the complex layering of
7 federal and state standards and contain
8 tradeoffs within the coequal Tier 2 standards
9 presented in each plan.

10 Before we begin with Mr. Ferrin's
11 presentation, are there any questions before
12 proceeding?

13 Seeing none -- and before I pass it off
14 to Mr. Ferrin, I neglected to say happy New
15 Year to everybody. It is great to see you
16 here in 2022. And then, Mr. Ferrin, you are
17 recognized for a walk-through of these new
18 staff-prepared plans.

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

20 So today we have four additional maps
21 for the Select Subcommittee to workshop. And
22 when preparing these plans, we reviewed the
23 maps from the last meeting in the Select
24 Subcommittee and as instructed, looked for
25 improvements and consistency in the

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 5

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

3 When we talk about the consistency of
4 application, we're referring to the treatment
5 of one area of the state like another. The
6 maps we reviewed in November illustrated a few
7 different ways of drawing districts, and we
8 went back and reviewed those to examine
9 whether one or the variations was more
10 appropriate in terms of matching the
11 methodology applied throughout the state.

12 We, also, looked for the opportunity to
13 improve upon some of the Tier 2 metrics,
14 particularly compactness and the utilization
15 of political and geographic boundaries. This,
16 also, had the effect of keeping some
17 additional cities whole.

18 The plans being presented today present
19 policy choices for the Select Subcommittee,
20 show improvements in Tier 2 metrics, and do
21 not retrogress or diminish the ability for
22 racial and language minorities to participate
23 in the political process and elect candidates
24 of their choice.

25 Plans 8044, 8046 both have effective

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 6

1 minority districts for African Americans.
2 They have -- excuse me -- four effective
3 minority districts for African Americans in
4 District 6, District 11, District 19, and
5 District 33. And one majority minority
6 African -- African American district, which is
7 District 35.

8 Plans 8045 and 8050 have three
9 effective minority districts for African
10 Americans in Districts 6, 11, 19, and then two
11 majority minority African American districts
12 in Districts 33 and 35.

13 All four of the plans being workshopped
14 today have five majority minority Hispanic
15 districts in Districts 15, 36, 37, 39, and 40.

16 Our review of the prior plans, also,
17 resulted in a narrowing of some of the options
18 previously workshopped. In making those
19 recommendations, we've referred both to the
20 plain language of Article III of Section 21 of
21 the Florida Constitution, applicable case law,
22 and the directives of the committee that were
23 issues on October 18th, 2021. A copy of these
24 directives is included in the meeting
25 materials for reference.

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 7

1 As with the plans previously
2 workshopped, we didn't review any political
3 data other than where a review of that
4 political data was required to perform an
5 appropriate functional analysis to evaluate
6 whether or not a proposed district denied or
7 abridged a racial or language minority group's
8 ability to participate in the political
9 process or diminish their ability to elect
10 candidates of their choice. As I've
11 mentioned, our conclusion is that the plans
12 we'll be reviewing today do not retrogress or
13 diminish the opportunities for minority
14 voters.

15 The staff-drawn plans being workshopped
16 today were published to
17 www.floridaredistricting.gov on Wednesday,
18 January 5th, 2022. The plan packets were
19 published in the meeting materials and are
20 available on the Select Subcommittee's page of
21 the flsenate.gov website.

22 As we've discussed before, these
23 packets contain everything used to analyze the
24 redistricting plan. Data comes from the
25 redistricting application and is reformatted

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 8

1 for easier consumption.

2 On the cover page, we have a statewide
3 map with insets of South Florida,
4 Jacksonville, Tampa Bay, and Orlando. The
5 second page, we have census and boundary
6 statistics that show the population deviation,
7 Black and Hispanic voting age population,
8 area, perimeter, compactness scores, whole
9 counties and cities, and the percentage of
10 boundary overlap with existing and political
11 geographic boundaries. This information is
12 shown for each district, as well as for the
13 plan overall.

14 The additional table on the census and
15 boundaries statistics page shows information
16 about the number of whole and split cities and
17 counties. Included here are plan-level counts
18 of cities and counties with only one district,
19 so cities that are -- are -- cities and
20 counties that are kept whole by their
21 geography, districts with only one county,
22 meaning that the district is wholly contained
23 entirely within a county, counties and cities
24 with all population in a single district,
25 which is whole counties or cities by

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 9

1 population, and this is presented because the
2 Florida Supreme Court has indicated that an
3 unpopulated split should not be counted.

4 We, also, count the aggregate number of
5 county or city splits and the aggregate --
6 aggregate number of county or city splits with
7 population. And the aggregate splits are --
8 count -- the way those are calculated is by
9 counting the number of times a political
10 subdivision is split and show the districts as
11 split -- excuse me -- so that if a county has
12 three districts and it counts as three
13 aggregate splits, and if it has two districts,
14 it counts as two aggregate splits.

15 The third and fourth pages of the
16 packet list the counties and cities that are
17 split and show the districts that split the
18 subdivision and the percentage of its
19 population in an area within each of those
20 districts.

21 The remaining pages contain the
22 functional analysis of the districts for which
23 it is necessary to evaluation whether or not a
24 proposed district denies or abridges a racial
25 or language minority groups' ability to

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 10

1 participate in the political process or if it
2 diminishes their ability to elect
3 representatives of their choice.

4 Page 5 of the packet contains the BVAP,
5 which is census respondents who identified as
6 being Black, either singly or in combination
7 with other race and/or ethnicity, including
8 Hispanic. And it shows HVAP, which is census
9 respondents who identified as Hispanic and of
10 any race or combination of races, including
11 Black.

12 It, also, has a 2020 general election
13 voter registration information for
14 registration by party, registration by race or
15 ethnicity, registration by race or ethnicity
16 and party, and for registration by party and
17 race or ethnicity.

18 Page 6 has the data needed for a
19 functional analysis normalized and shown
20 across all available statewide elections to
21 make it digestible and to help control for
22 extraneous variables that may have driven
23 turnout or performance in a particular
24 election.

25 It contains the average voter turnout

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 11

1 in 2012, 2014, 2016, 2018, and 2020 primary
2 elections by party and race or ethnicity. It
3 has the average voter turnout in 2012, 2014,
4 2016, and 2018, and 2020 general elections by
5 party, by race and ethnic, and by race or
6 ethnicity and party.

7 And finally, this page contains
8 information about the districts' general
9 election performance in the statewide
10 elections from 2012 through 2020.
11 Specifically, it shows the average performance
12 or the vote share for the Democrat and
13 Republican candidate.

14 It shows the count of wins and
15 statewide contest for Democrat and Republican
16 candidates. It shows the maximum margin of
17 victory in a statewide contest for either the
18 Democrat or Republican candidate.

19 It shows the minimum margin of victory
20 in a statewide contest for either the Democrat
21 or Republican candidate, and then it shows the
22 average margin of victory in the statewide
23 contest for either the Democrat or Republican
24 candidate.

25 Page 7 of the packet shows the

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 12

1 percentage of the votes received by each
2 candidate in contests for which there was a
3 statewide primary election, and those were
4 held in 2012, 2014, 2016, and 2018.

5 And then finally, on Page 8, we show
6 the percentage of votes received by each
7 candidate in the contest for which there was a
8 statewide general election, and that includes
9 all five years -- or all five cycles, 2012,
10 2014, 2016, 2018, and 2020.

11 And Mr. Chairman, if there's no
12 questions now, we can proceed to the
13 districts.

14 CHAIR BURGESS: I say we go ahead and
15 proceed.

16 MR. FERRIN: All right.

17 CHAIR BURGESS: Hold on one second.
18 Senator Bracy, do you have a question before
19 we proceed?

20 MR. BRACY: Yeah, I do. I talked to
21 staff about the Tampa Bay area, and I think I
22 brought this question up at the last
23 committee. But I wanted to see if you can
24 explain the reason for not crossing the Bay --
25 or for crossing the Bay in all of the

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 13

1 configurations that we see, as opposed to not
2 crossing the Bay in that Tampa area seat.

3 CHAIR BURGESS: Thank you, Senator
4 Bracy. And certainly, that came up in
5 discussion, and I'll let Mr. Ferrin piggyback
6 with a more detailed answer. But staff did --
7 my understanding is staff did look at those
8 options.

9 However, there were -- was a
10 significant number of -- of potential voters
11 that would be disenfranchised under not
12 crossing the Bay, and so in order to avoid
13 that potential diminishment, there was just no
14 way to make that work practically. And with
15 that, I'll kick it to Mr. Ferrin for a more
16 detailed explanation, but.

17 MR. FERRIN: Thank you, Mr. Chairman
18 and Senator. I think in looking at -- at a
19 configuration like that, it was likely that
20 diminishment would occur based on the fact
21 that in order to draw a -- a minority district
22 solely within Hillsborough County, it begins
23 to look like a fairly spidery, noncompact
24 configuration there. Does some damage to the
25 surrounding districts and their metrics, as

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 14

1 well.

2 In addition to, as -- as Senator
3 Burgess mentioned, potentially
4 disenfranchising the voters -- Black voters in
5 Pinellas County that have had the ability to
6 elect a candidate of their choice for --
7 for -- since about 1992 when the courts
8 ordered a configuration that resulted in a
9 district that did cross the Bay between
10 Hillsborough and Pinellas County.

11 MR. BRACY: What -- what would be the
12 percentage that it would have dropped, if we
13 didn't cross the Bay? Like, I guess, what
14 would be the Black percentage now in that
15 district? What would it have been if it
16 didn't cross the Bay?

17 CHAIR BURGESS: Mr. Ferrin, you're
18 recognized.

19 MR. FERRIN: My recollection from
20 having looked at it was -- was somewhere close
21 to 30 percent, either just shy of it or just
22 above. I don't remember specifically. The
23 configurations we're looking at today are a
24 little bit higher. Is that what you were
25 talking about, or you talking about specific

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 15

1 other --

2 CHAIR BURGESS: Senator Bracy.

3 MR. BRACY: Yeah, I'm just trying to
4 understand, like, how much it would have
5 diminished the ability for Black voters to
6 vote for the candidate of their choice. So
7 right now, if it's -- if it is, I guess, a
8 minority majority district where African
9 Americans make up 50 percent, did it drop to
10 30 percent? Like, was that -- I guess I'm
11 trying to measure how much of a diminishment
12 that would have been.

13 CHAIR BURGESS: Mr. Ferrin?

14 MR. FERRIN: So it's -- it's not
15 currently a majority minority district. It's
16 currently an effective minority district, and
17 the question of diminishment is -- is less
18 about how much diminishment but is it
19 diminished because I think the courts have
20 been clear that diminishment -- any
21 diminishment is diminishment.

22 And so it -- the way we've drawn it,
23 the Black voters within the District 19 are
24 able to effectively control the Democratic
25 primary in a district that performs for

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 16

1 Democrats.

2 If we look at drawing it differently, I
3 think we're looking at a situation where the
4 Black voters would not be able to control the
5 primary numerically, would not make up a
6 majority of the primary turnout, and that
7 would, potentially, constitute diminishment.

8 MR. BRACY: Okay. That's all I have
9 for right now. Thank you.

10 CHAIR BURGESS: Any other questions
11 before we move on to the presentations on the
12 particular maps?

13 Seeing none, Mr. Ferrin, you're
14 recognized to proceed with our four maps.

15 MR. FERRIN: Thank you, Mr. Chairman.
16 So we'll start in the Panhandle where
17 Districts 1 and 2 split Okaloosa County. The
18 image on the screen shows a configuration that
19 was workshopped in November as Plan 8028 on
20 the left. In that plan, the boundary between
21 Districts 1 and 2 kept the City of Crestview
22 whole by utilizing some of its maniple
23 boundaries for its border.

24 In today's plans, 8044 through 8050,
25 which is shown on the right, the boundary

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 17

1 follows State Road 85, Interstate 10, and the
2 Yellow River. While this configuration splits
3 the Cities of Crestview and Laurel Hill, this
4 boundary follows only static geographic
5 features throughout the county. This is
6 consistent with how other areas of the state
7 have been drawn where population distribution
8 caused to have split a county.

9 Examples of similar district boundaries
10 include in Pasco County where district
11 boundaries follow the Suncoast Parkway and
12 State Road 52, in Volusia County where the
13 boundaries between Districts 7 and 14 adheres
14 to State Roads 40, 5A, and 430, in Brevard
15 County where the districts' boundary between
16 14 and 17 follow State Roads 50 and 405
17 through Titusville to the Kennedy Space
18 Center, and then in Manatee County where
19 between Districts 21 and 23, we follow State
20 Road 70 almost all the way through the county
21 to the Gulf of Mexico.

22 This slide illustrates the comparisons
23 between Districts 1 and 2 in 8028 and all four
24 of the plans being workshopped today. The top
25 table, which displays Districts 1 and 2 in the

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 18

1 new plans, has lower nonpolitical and
2 geographic scores and increased compactness
3 scores on two of the three measurements. The
4 configuration in the plans being workshopped
5 today demonstrates that it is feasible to use
6 existing political and geographic boundaries
7 for the entire boundary between Districts 1
8 and 2 while balancing the population between
9 them and provides a more consistent
10 application of methodology when considering
11 the use of static geographic features versus
12 impermanent municipal boundaries as directed
13 by the committee.

14 Improvements in compactness, the use of
15 static geographic boundaries, and the
16 consistency in statewide application led to
17 the inclusion of this configuration in the
18 plans we're workshopping today.

19 Moving to Northeast Florida, we can see
20 that there's two separate configurations of 5
21 and 8 in the plans for today. The plans today
22 do have the same Districts 4, 6, and 7. And
23 so we'll look first in Duval County, where the
24 configurations we're workshopping today
25 appeared most recently in Plans 8030 and 8034,

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 19

1 and that's shown on the right.

2 The alternative configuration on the
3 left was previously workshopped as 8026 and
4 8028, and that configuration utilizes more of
5 the Duval County boundaries where they are
6 shared between Nassau and Clay. The plans for
7 today, 8044 through 8050 demonstrate that
8 it's feasible to draw a compact district that
9 uses -- utilizes political and geographic
10 boundaries for the entire boundary between
11 Districts 4 and 6 while not diminishing the
12 ability for African Americans to participate
13 in the political process and elect candidates
14 of their choice in District 6.

15 FEMALE VOICE: Chair?

16 CHAIR BURGESS: I'm sorry?

17 MS. GIBSON: Are we waiting until the
18 end of the presentation?

19 CHAIR BURGESS: Is there a question?
20 Would you -- we can certainly stop and ask a
21 question, if that's your preference.

22 Mr. Ferrin, if you don't mind, Senator
23 Gibson has a quick question, and we'll address
24 that while we're on the point in this map.
25 You're recognized, Senator Gibson.

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 20

1 MS. GIBSON: Thank you, Mr. Chair.

2 I think I have to go -- okay. Can we
3 go back to where it's left and right
4 because -- I'm sorry. Make sure I got the
5 numbers straight. So can you repeat a little
6 of what you said? The left -- the map on the
7 left, does it have less square miles than the
8 map on the right? Or what -- what was your --
9 what was the point that you were --

10 MR. FERRIN: Thank you. And Senator
11 Gibson, I'm going to go ahead and skip to the
12 table here because this does show that for
13 these districts that we have on the top, the
14 configuration as it was in the image on the
15 right, and the bottom table is as it was in
16 the image on the left.

17 And so looking at the differences here,
18 we can see that for Black voting age
19 population in the top table, we're at 41.62
20 percent. The bottom one, we're at 42.66. And
21 so the bottom one being the more triangular-
22 shaped District 6, the top one being the
23 circle that mostly follows the beltway and the
24 Suncoast Parkway -- or the First Coast
25 Expressway.

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 21

1 MS. GIBSON: The duck one?

2 MR. FERRIN: You calling it the duck?

3 Okay. I'll defer to you on that, Senator. So
4 on -- as far as some of the Tier 2 metrics go,
5 both districts are, obviously, going to have
6 the same overall area. You can see as it
7 relates to the specific districts, District 6
8 has less area in the top configuration of 248
9 square miles. And the bottom, it's 454.

10 We've, also, got a much lower perimeter
11 in terms of miles for the top configuration,
12 which is 69 versus 94. The Convex Hull,
13 Polsby-Popper, and Reock ratio scores, we can
14 look at them both for the individual districts
15 and for the configuration of the two districts
16 as a whole because the two districts interact
17 with each other, so by impacting one of them's
18 compactness score, we're necessarily going to
19 impact the others, right?

20 So if we look first at the kind of
21 overall, which is in the graded -- gray shaded
22 area there, that's the average for the two.
23 So we see that the Convex Hull is .81 for the
24 top set and .79 for the bottom. Polsby-Popper
25 is .45 at the top, .44 at the bottom. And

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 22

1 Reock is .56 at the top and .49 on the bottom.

2 And so that would lead us to draw the
3 conclusion that it's, at least metrically --
4 I'll recognize that visual compactness is
5 probably in the eye of the beholder, but at
6 least metrically, the -- the duck, as you
7 stated, was -- is going to be more compact on
8 the mathematics.

9 In terms of cities and counties, that's
10 kind of irrelevant here because Duval County
11 is entirely incorporated in the City of
12 Jacksonville, right? And so then we would
13 look at the city -- the political and the
14 geographic boundaries.

15 And we see -- one of the best ways to
16 use this metric is to look at the -- the
17 proportion of the district's boundaries that
18 did not follow political and geographic
19 features because all of the other features
20 are -- are considered to be on equal footing
21 under the constitution, whether they are
22 political or geographic.

23 And so we look at that nonpolitical and
24 geographic boundary score, and we see that in
25 the bottom section for the average on the two

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 23

1 districts, we're at 3 percent nonboundary
2 usage, and at the top, we're at zero, so -- so
3 the top configuration's going to have, you
4 know, entire total compliance with the use of
5 political and geographic boundaries, which in
6 this particular circumstance, there's --
7 there's a small variety of those type of
8 features that it follows because it follows
9 the beltway, I-95, and the First Coast
10 Expressway, as well as the Duval/Clay County
11 line.

12 MS. GIBSON: I'm sorry. And that
13 was --

14 MR. FERRIN: So that's the one on the
15 right in this slide. So that's going to be
16 metrically more compact, going to have better
17 compliance with the -- better demonstrate that
18 it's feasible to use political and geographic
19 boundaries for the entire boundary of the
20 district, and the image on the left we were
21 forced to come off of that a little bit in
22 order to balance the population between the
23 two districts.

24 MS. GIBSON: And can you show me that?
25 Mr. Chair, can you show me the -- where's the

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 24

1 population line?

2 MR. FERRIN: So the population for both
3 of these works out to be a little over 9,000
4 overpopulated. So if you're -- if you're
5 summing up the population of Duval and Nassau,
6 we're looking at -- thank you. We're looking
7 at a little more than -- almost 10,000 people
8 over the ideal population for two Senate
9 districts. And so we have to divide that
10 evenly between the two districts. And so that
11 gets us the deviation of roughly 4,500 in each
12 district overpopulated.

13 MS. GIBSON: I'm sorry. I'm sorry.
14 Forty-five hundred in each --

15 MR. FERRIN: Right. So the idea --

16 MS. GIBSON: 4 and 6 are overpopulated?

17 MR. FERRIN: By -- yes. By roughly
18 4,500, and that can be kind of split, so in
19 the top configuration, it's 4,000 -- District
20 4 is over 4,000; District 6 is over almost
21 5,000, but in the bottom configuration,
22 they're both closer to 4,500, which would be
23 kind of the average overpopulation for the
24 districts in the area.

25 MS. GIBSON: And the bottom is the one

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 25

1 on the right? No.

2 MR. FERRIN: The bottom table is the
3 image on the left.

4 MS. GIBSON: On the left. Okay.

5 MR. FERRIN: So the --

6 MS. GIBSON: And that overpopulation --
7 I'm sorry. Could you repeat what you said on
8 the overpopulation portion? That they're --

9 MR. FERRIN: Right.

10 MS. GIBSON: -- about equal overly
11 populated?

12 MR. FERRIN: Well, so --

13 MS. GIBSON: 4 and 6?

14 MR. FERRIN: Yes.

15 MS. GIBSON: All right.

16 MR. FERRIN: Our overall requirement
17 was to draw districts that are less than 1
18 percent, and so in order to do that, we had to
19 balance -- you know, we wanted to take these
20 two counties and contain two -- two districts
21 within them. And in order to do that, each
22 district had to be overpopulated by somewhere
23 between 4,000 or 5,000 people and balance that
24 as best we could accordingly.

25 MS. GIBSON: So --

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 26

1 CHAIR BURGESS: Senator Gibson --

2 MS. GIBSON: -- in -- thank you, Mr.
3 Chair. In the one of the left, is there any
4 diminishment to -- in District 6?

5 CHAIR BURGESS: From the one on the
6 right, Senator Gibson?

7 MS. GIBSON: Yes, thank you. Sorry.

8 CHAIR BURGESS: Okay. You're
9 recognized, Mr. Chair.

10 MR. FERRIN: Thank you. And so our
11 review of the functional analysis indicates
12 that there is -- neither of these
13 configurations diminish the opportunity to
14 elect -- they both allow for Black voters to
15 control the Democratic primary and both are --
16 constitutes districts that are going to
17 perform for Democrat candidates, and
18 therefore, we're led to the direction of
19 concluding that these are likely to perform at
20 a very similar rate, despite the 1 percent
21 difference in Black voting age population
22 between the two configurations.

23 CHAIR BURGESS: Senator Gibson?

24 MS. GIBSON: Now when -- I think this
25 is my last one. Thank you, Mr. Chair. And so

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 27

1 in terms of the square mile difference between
2 the two, what does that look like?

3 CHAIR BURGESS: Mr. Ferrin?

4 MR. FERRIN: So the -- the top
5 configuration there, which was the more
6 compact adhered to the beltway and the First
7 Coast Expressway. That's 280 square miles.
8 And the bottom configuration, which followed
9 the Nassau/Duval County line and more of the
10 Duval/Clay County line 454 square miles, so
11 let's call it roughly a 200-square-mile
12 difference.

13 MS. GIBSON: Um-hum. Well, it's not my
14 last question.

15 MR. RODRIGUES: Yeah. Senator Gibson.

16 MS. GIBSON: Thank -- thank -- thank
17 you, Mr. Chair. The current -- the current
18 configuration of Senate District 6, which I
19 used to call it Bullwinkle, but then in 2012,
20 we cut one of the ears on top, and now we're
21 getting an even smaller area that's a duck.
22 And so what was the square miles -- what's the
23 square miles in the current -- if you have it,
24 and if not, we can get it later -- in the
25 current configuration of Senate District 6?

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 28

1 CHAIR BURGESS: Mr. Ferrin?

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

3 And so just noting that we really weren't

4 instructed to consider the benchmark

5 configurations when drawing these plans,

6 nonetheless, we end up with a square mileage

7 for benchmark Senate District 6 of 240.

8 CHAIR BURGESS: Does that answer your
9 question, Senator Gibson?

10 MS. GIBSON: Two hundred and forty. I
11 have one last question, then.

12 CHAIR BURGESS: Recognized.

13 MS. GIBSON: So within the current --
14 if it's 240 -- 248 in the top one, and it's
15 240 -- it was -- it's 240 -- it's 240
16 currently, I think you said, so I guess I'm
17 trying to understanding if it's that similar,
18 then there's no -- not much growth in the
19 current configuration of the -- of the
20 district?

21 CHAIR BURGESS: Mr. Ferrin, you're
22 recognized.

23 MR. FERRIN: Let me take a shot at that
24 one, if I can. So -- well, that -- that --
25 you're not far off, Senator. So the current

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 29

1 district was underpopulated by 11,000 people,
2 and that's current District 6, so that's the
3 benchmark.

4 So when we take the district boundaries
5 as they were drawn in 2016, we apply the 2020
6 census data, and we discover that there --
7 there's been an underpopulation. So that --
8 that district failed to keep pace with the
9 growth for the rest of the state to the tune
10 of 11,000 people, or it kept close pace to the
11 growth of the rest of the state. But we also
12 have to balance that with neighboring District
13 4, which was overpopulated by 20,000 people.

14 CHAIR BURGESS: Does that answer your
15 question, Senator Gibson?

16 MS. GIBSON: Overpopulated -- I'm
17 sorry. 4 was overpopulated with 20,000 and 6
18 was 11?

19 MR. FERRIN: It was underpopulated by
20 11.

21 MS. GIBSON: And -- thank you, Mr.
22 Chair. And this strikes a balance in the
23 square miles (inaudible)?

24 CHAIR BURGESS: Mr. Ferrin?

25 MR. FERRIN: It strikes a balance

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 30

1 between population. We don't really -- in --
2 in drawing Senate plans, I mean, the area
3 certainly factors in in a sense of
4 compactness, but we certainly didn't go about
5 this by looking to match the square mileage of
6 the benchmark districts. That was not what we
7 factored into our calculus when drawing these.

8 MS. GIBSON: Thank you, Mr. Chair.

9 CHAIR BURGESS: Thank you, Senator
10 Gibson. Senator --

11 MALE VOICE: (Inaudible) --

12 CHAIR BURGESS: Oh. Senator Bracy.

13 MR. BRACY: Thank you. What is the
14 Black -- the Black voting age population
15 currently, compared to this Jacksonville seat
16 that's drawn?

17 CHAIR BURGESS: Mr. Ferrin?

18 MR. FERRIN: So in the benchmark plan,
19 the population of District 6, the BVAP was
20 43.06 percent.

21 MR. BRACY: And this map that we're
22 looking at is what, now?

23 MR. FERRIN: It would be 41.62.

24 MR. BRACY: Okay. So with the Black
25 voting age population going down, is that not

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 31

1 considered diminishment?

2 MR. FERRIN: So Senator, as we've
3 discussed, diminishment is not solely based on
4 Black -- on voting age population. It's based
5 on the effectual ability to elect candidates
6 of their choice, and so we have to look to the
7 functional analysis for that.

8 And so in this case, a review of the
9 functional analysis, whether the District is
10 at 42.6 or 41.6 percent, both of the analyses
11 indicates that both of those districts are
12 going to perform at a similar level.

13 CHAIR BURGESS: Senator Bracy?

14 MR. BRACY: I got it. Okay.

15 CHAIR BURGESS: Okay.

16 MR. BRACY: Just -- sorry. But just
17 understanding the functional analysis, like,
18 what is the -- the metric to determine that it
19 meets the standard to elect the candidate of
20 their choice?

21 CHAIR BURGESS: Mr. Ferrin?

22 MR. FERRIN: So we look at a number of
23 different things, one of which is -- is the
24 primary turnout and primary turnout by race.
25 We look at voter registration by race. We

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 32

1 look at voter turnout by race, and we look at
2 the election results and the overall
3 performance of the district to determine who
4 kind of wins in generals and which primary
5 election we should be looking to to determine
6 the ability to control the primary.

7 MS. GIBSON: Where can I find
8 (inaudible)?

9 CHAIR BURGESS: Senator Bracy, do you
10 have a follow-up?

11 MR. BRACY: I do. I guess I'm saying,
12 like, is there a set number when you're
13 looking at the functional analysis that when
14 it meets that threshold, that is enough to
15 meet the -- the ability for a district to
16 elect a candidate of their choice, or is it
17 kind of an arbitrary analysis of these
18 numbers?

19 MR. FERRIN: Thank you, Mr. Chairman.
20 So it's certainly not arbitrary. It's a
21 totality of those circumstances, and we review
22 those. And it's in -- keep in mind it's
23 relation to the benchmark district.

24 MR. BRACY: Um-hum.

25 MR. FERRIN: So if a benchmark district

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 33

1 is performing for an African American
2 candidate or for a Hispanic candidate for, you
3 know, 35 percent VIP, but the -- the analysis
4 dictates -- you know, we're looking at the --
5 we're comparing the benchmark functional
6 analysis to the revised district functional
7 analysis.

8 And if we're not seeing those numbers
9 slip as a result of a reduction in -- or in
10 the voting age population or we're not seeing
11 them gain or whatever, we're considering that
12 that -- the nature of the performance of that
13 district is not changed based on our
14 reconfiguration.

15 If -- if dropping the VDAP or the HVAP
16 a few points starts to change the nature of
17 primary control or voter registration -- voter
18 cohesion in terms of registration and overall
19 election performance, that's when we start
20 looking at that as a -- a possibility that we
21 could be infringing on diminishment.

22 So as long as we're performing in a
23 manner consistent with the benchmark, we
24 consider that. So there is no magic number.
25 It's an overall totality of the circumstances

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 34

1 analysis.

2 MR. BRACY: Okay. Okay. Thank you.

3 CHAIR BURGESS: Thank you, Senator
4 Bracy. Mr. Ferrin, seeing no questions at
5 this time, you are recognized to proceed with
6 the presentation.

7 MR. FERRIN: Thank you, Mr. Chairman.
8 So we kind of last left off on this slide of
9 the tables between Districts 4 and 6. I
10 believe we've -- we've covered that, and so
11 we'll move next to Districts 5 and 6 which are
12 configured differently in the plans that we're
13 looking at today.

14 And so Plans 8044 and 8048 have
15 Gilchrist County in District 8, whereas Plans
16 8046 and 8050 have it in District 5. In both
17 variations, Alachua County is split to
18 equalize population and moving Gilchrist
19 County between Districts 5 and 8 demonstrates
20 how Alachua can be split differently while
21 drawing districts that are mathematically and
22 visually compact and utilize readily
23 ascertainable and commonly understood
24 geographic features for the entire -- entirety
25 of their boundaries.

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 35

1 So this slide shows the comparison of 5
2 and 8 as they appear in 8044 and 8048 as
3 compared to how they appear in 8046 and 8050.
4 The top table shows the metrics for 8004 and
5 48, with Gilchrist in District 8, and the
6 bottom shows the metrics for Plan 8046 and
7 8050 with Gilchrist County in District 5.
8 Both configurations possess the same number of
9 whole counties and municipalities, and both
10 use political and geographic boundaries for
11 the entire length of the district.

12 The difference between the variations
13 is in the Convex Hull and Reock compactness
14 scores where the version of District 5 and 8
15 that appear in 84 -- 8044 and 8048 have a
16 higher overall Reock score for the two
17 districts, and the versions in Plans 8046 and
18 8050 has a higher overall Convex Hull score.

19 Because the Tier 2 metrics are very
20 similar and one compactness score doesn't
21 carry more weight than the other, both
22 configurations are present in the plans before
23 the committee today.

24 So the next region to review is Tampa
25 Bay and the I-4 Corridor, and all districts

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 36

1 within this region are the same in the plans
2 being workshopped today. From the last
3 workshop, minor adjustments were made to
4 Districts 10, 16, 18, and 20 to more
5 consistently follow the Suncoast Parkway in
6 Pasco County and I-75 in Hillsborough County.
7 Similar changes were made between Districts 11
8 and 13 along I-4 in Orange and between
9 Districts 14 and 17 along State Road 50 in
10 Brevard.

11 The left and middle images on this
12 slide demonstrate the previous configurations
13 of the boundaries of Districts 16 and 24 and
14 Districts 19 and 21. The right image shows
15 that in Plans 8044 through 8050. In
16 Hillsborough County, today's plan use the same
17 boundary of Districts 19 and 21, and that's
18 from Plan 8034.

19 In Pinellas County, District 19 and
20 24's boundary was adjusted to keep the City of
21 Gulfport whole. In Pinellas County, the
22 boundary primarily follows 22nd Avenue North,
23 13th Avenue North, 58th Street South, and the
24 municipal boundary of Gulfport now.

25 Boundary parts of these geographic

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 37

1 features were necessary to maintain the
2 ability to elect in this tier-one-protected
3 district. Additionally, as the maps being
4 reviewed today all use the boundary between
5 Districts 16 and 24 as it appeared in Plan
6 8034 at the subcommittee's last workshop.

7 When compared to the most recently
8 workshopped plans, today's iterations reflect
9 improved metrics in the Tampa Bay region. The
10 average district parameter is smaller. The
11 mathematical compactness scores for Convex
12 Hull and Polsby-Popper increase, while the
13 Reock score remains the same. The
14 nonpolitical and geographic boundary usage
15 rate is reduced and an additional city is kept
16 whole.

17 This slide shows the metrics for
18 Districts 10, 16, 18, 19, 20, 21, and 24, as
19 configured in each plan. The reviews drafts
20 row displays the metrics for Plans 8044
21 through 8050, and the other four plans show
22 the Tier 2 metrics for the different
23 combinations of the Districts 10, 16, 18, 19,
24 20, 21, and 24.

25 We can see that the revised drafts have

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 38

1 the higher Convex Hull and Polsby-Popper
2 scores than previous configurations and the
3 same, Reock. And they, also, keep an
4 additional city whole while using -- scoring
5 the lowest nonpolitical and geographic
6 boundary usage rate.

7 Districts 22 and 26 are the same in all
8 the configurations of the plans being
9 workshopped today. It was most recently used
10 in Plans 8026 and 8034. The left image shows
11 Districts 22 and 26 as previously workshopped
12 in Plans 8028 and 8030, and the right image
13 shows it in today's.

14 In this configuration, the shape of
15 District 22 is impacted by the boundary
16 between Osceola and Polk where it uses --
17 which it uses for the entirety of its eastern
18 border in its usages of easily ascertainable
19 and commonly understood geographic features.

20 This slide shows the metrics for
21 Districts 22 and 26 in today's plans and for
22 the alternative configuration that existed in
23 Plans 28 and 30. We can see that the
24 Districts 22 and 26 in the revised plans have
25 lower mathematical compactness scores and keep

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 39

1 one less city whole, but this configuration
2 scores lower on its use of nonpolitical and
3 geographic boundaries.

4 In the configuration of the plans being
5 workshopped today was selected to consistently
6 apply the methodology of using static
7 geographic features, where feasible, rather
8 than using permanent municipal boundaries and
9 switching from one feature type to another.

10 While we also drew the other
11 configuration follow political and geographic
12 boundaries, it contains a wider variety of
13 these features, and throughout the rest of the
14 map, as I mentioned with the examples earlier,
15 we looked to avoid hopping from one feature
16 type to another. And so recommending this
17 configuration is consistent with the
18 methodology applied in other areas of the
19 state and follows the directives issues by the
20 committee.

21 In the southern portion of the State,
22 Districts 23, 27, 28, 35, 36, 37, 39, and 40
23 remain the same as they were presented in
24 Plans 8030 and 8034 at the last subcommittee
25 meeting. Districts 36, 37, 39, and 40 are all

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 40

1 majority minority Hispanic districts, and
2 District 35 is a majority minority African
3 American district.

4 The minor technical change made along
5 the boundary of Districts 25 and 29 to more
6 consistently follow the East Coast Railway in
7 St. Lucie County. And in Palm Beach County,
8 Districts 29, 30, and 31 were reconfigured in
9 all the plans we're reviewing today.

10 For the plans being workshopped today,
11 there are differences in how Broward County is
12 configured. Plans 8044 and 8046 show that
13 image on the left and have the alternative
14 configuration of District 33 where it's drawn
15 as an effective minority majority American
16 district -- excuse me -- as an effective
17 minority district on the right. I'm sorry,
18 that's on the left.

19 Some minor technical changes were,
20 also, made to more consistently follow primary
21 and secondary roads in that configuration. In
22 Plans 8048 and 8050 -- this is the image on
23 the right -- they have the additional majority
24 minority African American District 33 that was
25 workshopped in Plan 8034 -- 8043. These two

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 41

1 plans, also, contain similar minor technical
2 changes along the boundary of Districts 32 and
3 38 and along the Florida Turnpike.

4 The functional analysis of both of
5 these configurations of District 33 shows that
6 the -- these configurations don't deny or
7 abridge the opportunity for minorities to
8 participate in the political process. It does
9 not diminish their ability to elect candidates
10 of their choice.

11 Looking more closely at Senate
12 Districts 29, 30, and 31 in Palm Beach County
13 where these were reconfigured, we looked to
14 the instructions from the subcommittee to
15 continue to look for improvements in the maps.
16 These redrawn districts shown here are on the
17 right and the prior configurations are on the
18 left.

19 District 29 still contains all of
20 Martin County and part of St. Lucie and Palm
21 Beach Counties, but in Palm Beach County, the
22 boundary is moved to primarily follow Southern
23 Boulevard, which is State Road 80, the Florida
24 Turnpike, Military Trail, and PGA Boulevard.

25 District 30 is wholly contained within

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 42

1 Eastern Palm Beach County where it uses the
2 municipal boundaries of Boynton Beach, uses
3 Hypoluxo Road, the Florida Turnpike, Military
4 Trail, and as I mentioned, PGA Boulevard.
5 District 31 is wholly contained within the
6 rest of Southern Palm Beach County.

7 This slide illustrates the comparisons
8 between the configuration of District 29, 30,
9 and 31 in Plans 8028 through 8034 and all of
10 the plans being workshopped today.

11 In the top table, which is Plans 8044
12 through 8050, we see that there's increased
13 amount of mathematical compactness, we keep
14 two additional cities whole, and utilize more
15 political or geographic boundaries, and that's
16 what drove the decision to include this
17 improved configuration in all four of today's
18 plans.

19 This slide shows the comparison of
20 Broward County, which is configured
21 differently in the plans that we're reviewing
22 today. So in Plans 8044 and 8046 on the left
23 and 8048 and 8050 are on the right.

24 So on the left, we have District 33
25 drawn as an effective minority African

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 43

1 American district, and on the right, we've got
2 it drawn as a majority minority African
3 American district.

4 The functional analysis that's included
5 with these meeting materials shows that
6 neither configuration constitutes a
7 diminishment under the interpretation provided
8 by the Supreme Court in Apportionment 1, and
9 that the benchmark plan -- and we would just,
10 also, note that the benchmark plan did only
11 contain one majority minority African American
12 district, and that was District 33 in the
13 benchmark plan and was located within Broward
14 County. But when the plan was initially
15 drawn, the only majority minority African
16 American district in that plan was in District
17 35 that crossed the Miami-Dade/Broward County
18 line.

19 Due to population and demographic
20 changes between 2010 and 2020 censuses, these
21 two districts kind of exchanged statuses.
22 Benchmark District 33 became a majority
23 minority district, and benchmark District 35
24 became the effective minority district.

25 The tables on this slide show the

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 44

1 different versions of these districts within
2 Broward. The first one shows the metrics when
3 District 33 is drawn as an effective African
4 American district, and in Plans 8044 and 8046,
5 the second table is going to show the metrics
6 when District 33 is drawn as a majority
7 minority district in Plans 8048 and 8050.

8 You can see that in the first set of
9 plans, we have the higher Convex Hull and
10 Polsby-Popper compactness scores and that we
11 use more political and geographic boundaries
12 and keep an additional city whole.

13 And so the policy choice here for the
14 committee is between an arrangement with an
15 additional African American majority minority
16 district or one that -- with generally higher
17 Tier 2 metrics and an effective minority
18 African American district.

19 This table shows the 12 state Senate
20 plans for which this committee has
21 workshopped. As shown in the Plan column, the
22 first four plans, which are 8010, 8012, 8014,
23 and 8016, these were presented on -- to the
24 committee on November 17th.

25 The second set, which was 8026, 8028,

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 45

1 8030, and 8034, were presented to the
2 committee on November 19th. And then Plans
3 8044 through 8050 were released on January 5th
4 for discussion today.

5 We can see overall improvements in the
6 Tier 2 metrics over the three workshops, which
7 is the result of consistently following the
8 committee's directive to seek out improvements
9 and consistency in apply the various tradeoffs
10 presented within the maps.

11 In our last four plans that we reviewed
12 today, we matched the lowest overall
13 population deviation at 1.92 percent, which is
14 the same population deviation that was in the
15 benchmark plan.

16 And just as a side note, we were able
17 to go back and do some research, and since
18 1982, which is when we went to single-member
19 senate districts, the Senate plans have always
20 been under 1 percent for each district, plus
21 or minus 1 percent, an overall deviation of --
22 of 2 percent or less.

23 And so we, also, see here on this slide
24 how we've been able to improve the average
25 mathematical compactness for both Convex Hull

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 46

1 and Polsby-Popper scores, while our average
2 Reock score remains pretty consistent
3 throughout the 12 plans at either .46 or .47.
4 We also can see the improvement in the use of
5 political and geographic boundaries with
6 today's plans. They have the lowest overall
7 average of nonpolitical and geographic
8 boundary usage at 4 percent, and that's in the
9 right-most column on the slide.

10 And additionally, we see that the three
11 iterations show improvements in keeping
12 counties and municipalities whole. All four
13 of today's plans have the highest number of
14 counties and cities kept whole within a
15 district.

16 However, we would, also, like to note
17 that according to the Census Bureau's
18 voluntary boundary and annexation survey for
19 which we got some more recent data over the
20 holiday break, we've -- since the TIGER
21 deadline of January 1st, 2020, for locking
22 down census geometry for the redistricting
23 cycle, 92 of Florida's municipalities have
24 altered their -- their boundaries, which --
25 and that amounts to about 22 percent of our

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 47

1 cities.

2 So while we talk about the cities that
3 we kept whole here, it -- it's worth noting
4 that, in reality, there may have been some
5 annexations that would cross some of our
6 proposed district lines. And so we just try
7 to keep that in the back of our minds.

8 And then finally, plan -- this slide is
9 just going to show the count of state senate
10 districts that fall within a specific range of
11 nonpolitical or geographic boundary usage. We
12 show it this way to demonstrate the iterative
13 improvement in the range of distribution of
14 nonpolitical or geographic scores for each
15 plan.

16 So for example, the number of districts
17 with a score below 10 percent raise from 31 to
18 35 districts in the first iteration to 37
19 districts in the plans being presented today.
20 And the number of plans with 100 percent usage
21 of political or geographic boundaries
22 increased from 8 to 10 to approximately 13 or
23 14 -- well, the count of 13 or 14.

24 Also, over two-thirds of the districts
25 presented in today's plans achieve scores

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 48

1 equal to or greater than 95 percent boundary
2 usage, and the only 3 that are higher than 10
3 percent for nonpolitical or geographic
4 boundary usage are Districts 19, 31, and 33.
5 District -- I think it's 30, not 31.

6 But in District 30, part of the reason
7 for that being an outlier is because Hypoluxo
8 Road and PGA Boulevard both are which -- of
9 which are six-lane highways, are not
10 recognized by the Census Bureau as primary or
11 secondary roads within the dataset that we
12 used for our analysis.

13 District 34's configuration -- that was
14 the other one in the list. I think it's
15 supposed to be 34 and not 33. That's impacted
16 by the configuration of 33 to its south, and
17 it, also, follows State Road 808, which is
18 Glades Road, for the majority of its northern
19 boundary. Most of that road is classified as
20 a major roadway by the census, but the portion
21 west of Highway 441 is not, even though it's
22 still a four-lane highway at that point.

23 And then District 19 is the other one
24 that's over 10 percent, and as we've
25 discussed, that's a minority district that's

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 49

1 protected from diminishment under Tier 1. And
2 it does use some other significant roadways,
3 such as 22nd Avenue in St. Petersburg and East
4 Fletcher Avenue. Those don't actually count
5 as primary or secondary roads in our census
6 dataset, either, although they're both locally
7 well-known four-lane highways.

8 And so the kind of takeaway from that
9 is that because we relied on the U.S. Census
10 Bureau's classification for these roads that
11 we're going to be using as boundaries, certain
12 ones of them may not meet our -- our strict
13 requirements for inclusion, but they're,
14 nonetheless, widely known as major geographic
15 boundaries in the area.

16 And so the takeaway is that our -- our
17 analysis is kind of a conservative estimate on
18 the boundary usage, but it's still a pretty
19 good indicator of how well we comply with the
20 constitutional requirements to, where
21 feasible, utilize political and geographic
22 boundaries.

23 And that, Mr. Chairman, those are the
24 plans for today.

25 CHAIR BURGESS: Thank you very much,

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 50

1 Mr. Ferrin.

2 Senators, as you can see and the reason
3 that I kind of directed us in the beginning to
4 think about these last four as -- as we're
5 discussing which to propose to Chair Rodrigues
6 and the full committee today is because I
7 think Slides 23 and 24 really demonstrate that
8 each and every one of the plans that are
9 before us today that are new are -- are built
10 upon the plans that -- the eight plans that we
11 reviewed in the prior committee meetings, and
12 you can see that those metrics have improved
13 every step of the way to try to comply with
14 all the coequal standards and make sure that
15 it meets constitutional muster.

16 So my preference, Senators, is before
17 we go into discussion here, would be to do our
18 best to, at a minimum, try this narrow down to
19 two, and that would be my request of the
20 committee today is at a minimum, if we could
21 take these four and narrow our recommendation
22 to two.

23 Obviously, if -- if others feel
24 differently, this is -- this is a select
25 committee, and we're here to hear your

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 51

1 thoughts. So that's -- that would be my
2 preference as the chair. And I feel we are in
3 a position to possibly be able to do that.

4 So I think the -- the main discussion
5 points before us are kind of obviously between
6 Districts 5 and 8 with the Alachua and
7 Gilchrist County scenario and of course with
8 District 33 and both the effective minority
9 and majority minority district options that
10 are before us with -- with District 33.

11 So with that, I would like to -- I
12 think what we'll do first before going into
13 public discussion -- public comment is have
14 discussion amongst the members since we just
15 saw the presentation; it's fresh. Then we'll
16 go into public comment, and then we'll circle
17 back with potential recommendations, Senators,
18 if everybody agrees with that plan of attack.
19 So with that, I'll open the floor up to fellow
20 Senators for any input, feedback, or
21 references.

22 MS. GIBSON: (Inaudible).

23 CHAIR BURGESS: Senator Gibson, you are
24 recognized.

25 MS. GIBSON: Thank you, Mr. Chair. And

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 52

1 I look at the -- I'm going back to the square
2 miles kind -- the section is. The very
3 interesting thing to me is that the Black
4 voting age population age districts are very
5 close, except for when you get to the 33 and
6 30 -- well, 33 more; at least 35 is 144 -- is
7 very tight. And it seems to continue to be
8 tight, even as I was asking questions about
9 even Senate District 6. It seems to me that
10 we have an opportunity -- and where we have
11 opportunities to increase square area and
12 still remain, obviously, within the
13 constitution, we should do that.

14 And I want to use Senate District 6
15 as -- as an example. So this 4 and 6, as we
16 talked about earlier, were pre -- they
17 didn't -- it didn't change -- it deviate or
18 change much. Actually, I think the BVAP was
19 higher in whatever that bottom -- I don't -- I
20 have the -- it's in 26 and 28, I think that
21 is. Is that right?

22 Right. Thank you, Jay.

23 As so we have an opportunity to
24 increase the area, and I know for a fact that
25 would -- and it may not be constitutional, but

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 53

1 it's certainly economically impacts that
2 district because the tighter square area lend
3 itself to a creation of a poverty district,
4 too, which we should not do.

5 And -- and if the larger area is
6 constitutional and affords a district that not
7 only can elect the candidate of their choice
8 but also do so in a more economically sound
9 district, we should be able to do that and
10 stay within -- and stay within the
11 constitution.

12 And I think we certainly be reviewing
13 for and fix in -- in those -- in all -- in the
14 constitutional manner that we should, of
15 course. And both of them, as far as I can
16 see, based on 8026, meet the constitutional
17 requirements that we're -- we are required to
18 follow and is more inclusive of more African
19 American voters in 8026. Thank you.

20 CHAIR BURGESS: Yes, Senator, thank
21 you. And thank you for your feedback on that.
22 I mean, that's exactly what we're here to do
23 and discuss today as a subcommittee. And you
24 know, obviously, in all four of the maps
25 before us today that we're looking to provide

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 54

1 a recommendation for, 4 and 6 are -- are the
2 same.

3 So with your feedback and with that
4 guidance, I would recommend that at the full
5 community, if you -- if you feel it
6 appropriate that that would be the time to
7 submit that amendment to -- to offer that
8 conversation forward and see if those changes
9 are something that the full committee would be
10 willing to accept.

11 MS. GIBSON: Thank you, Mr. Chair.

12 CHAIR BURGESS: Thank you, Senator
13 Gibson. I appreciate that.

14 Senator Bracy, you're recognized.

15 MR. BRACY: Thank you. I'm going to
16 give my opinion on one of these maps, but I
17 wanted to go back -- and I'm sorry for
18 belaboring the point that I was -- the
19 questions that I had before. And this may be
20 for staff. I know he's talking to Senator
21 Gibson. No, that's okay.

22 So when you look at functional
23 analysis, which takes into account many
24 factors, and you have a district that --
25 looking at the functional analysis and having

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 55

1 all these factors in that functional
2 analysis -- analysis, let's say it reduces the
3 district's ability to elect the candidate of
4 their choice by, say, 2 percent, and the staff
5 determines that reduction is okay but then --
6 and doesn't reduce their ability to elect a
7 candidate of their choice, but then another
8 district -- proposed district, it may reduce
9 their chances by 7 percent, let's say, and
10 staff says, well, we decided that's too much
11 of a reduction.

12 I guess I'm trying to get to how you're
13 analyzing that data. If it's not a specific
14 number -- 5 percent reduction is -- is enough
15 but 10 percent is too much. How are you
16 determining it, if there's not a specific
17 number you're going by?

18 CHAIR BURGESS: Mr. Ferrin, if you feel
19 comfortable, I'll allow you to go into a
20 little more depth there. What I'll say based
21 on that is, obviously, we have coequal
22 tradeoffs that are to be considered and in
23 that analysis, I would -- I would submit that
24 I believe that the ultimate deciding factor in
25 a lot of what you've probably reviewed, Mr.

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 56

1 Ferrin, was, does the ultimate outcome or the
2 effective outcome within those functional
3 analyses change based on that, with the
4 totality of the circumstances, really, when it
5 relates to the other factors that you've --
6 and directives you've been asked to review.
7 Would that be accurate?

8 MR. FERRIN: Yes, Mr. Chairman. I
9 think you've captured it very eloquently.

10 CHAIR BURGESS: I don't know if I'm
11 eloquent, but I'll -- I'll take it. Senator
12 Bracy, any follow-up or?

13 MR. BRACY: Well, I'll just say, when
14 it comes to, I guess, the district in South
15 Florida, I think having the minority majority
16 district, I think, would be my preference, as
17 opposed to, I guess, the effective because
18 I -- then, I think in that instance, the
19 district still has the ability to elect the
20 candidate of their choice. And so that --
21 that would be my preference, but that's all I
22 have to give on that.

23 CHAIR BURGESS: Thank you, Senator
24 Bracy. Actually, that's -- that's exactly
25 what we're looking for is -- is what's your

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 57

1 preference. You know, what -- what are you
2 looking at when it comes to these two most
3 significant changes within the four provided
4 before us? And that -- that's precisely what
5 we need to hear. And Senator Gibson, other
6 Senators on the committee, I don't know if
7 there's a preference when -- Senator Stargel
8 for comments.

9 MS. STARGEL: (Inaudible) -- can you --
10 what Senator Bracy said, can you translate
11 that into the map so that I can follow what he
12 was saying? Like, which of the maps that he
13 was preferring.

14 CHAIR BURGESS: Absolutely, Senator. I
15 would say that that would be 8050 and 8048,
16 Mr. Ferrin? Yep.

17 So 8050 and 8048 would show the
18 majority minority and 8046 and 8044 would show
19 the effective minority. And it's important to
20 point out that with both versions of the map
21 that we have before us today, they all would
22 perform in the same effect and manner, the
23 effective minority would keep consistent with
24 the benchmark standard and also provide a
25 more -- it would, also, meet with more of the

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 58

1 two tier standards, quite frankly, whereas
2 the -- the majority minority certainly is --
3 is a constitutional and possible approach, as
4 well.

5 It would be the addition of a new
6 majority minority district and -- but it would
7 not necessarily have as much in terms of the
8 compactness and maybe some of the other Tier 2
9 standards.

10 So really, it's -- it's sort of one of
11 those choices our committee staff, in my
12 opinion, has done so well to get us to this
13 point that -- that we have some of these very
14 challenging decisions before us because of the
15 great work that they've done. And that's
16 where our focus is really narrowed to those
17 two areas.

18 If I could do this -- and -- and if the
19 committee would indulge me for a second --
20 I -- I would say that I have a preference when
21 it comes to 5 and 8, and so I'll just go ahead
22 and throw that out there. Districts 5 and 8
23 in Alachua and Gilchrist. And -- and in
24 reviewing that, visually/optically, I would
25 say that 46 and 50 have a more compact look to

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 59

1 them in keeping Gilchrist within District 5.
2 That configuration would, also, follow with
3 the more rural counties of Columbia, Baker,
4 Union, and Bradford.

5 It keeps with the directive to draw
6 plans where -- I believe where feasible,
7 results in districts consisting of whole
8 counties in less populated areas, so with the
9 more rural-minded analysis that we've been
10 asked to consider where practical.

11 So I don't know -- you know, since 33
12 may be more of a question that we need to
13 discuss further, I'm wondering if, perhaps, we
14 could at least finalize a decision on 5 and 8
15 in the process, if the committee feels
16 comfortable with that direction.

17 MS. GIBSON: Mr. Chair, can you repeat
18 what you just said?

19 CHAIR BURGESS: Sure, sure. So my
20 preference when it comes to 5 and 8 would
21 be -- I believe that would be Maps 8046 and
22 8050.

23 MS. GIBSON: Okay.

24 CHAIR BURGESS: So for me, those appear
25 more visually compact. There's a bit of

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 60

1 bulge, as you can see in 5, I'd call it.

2 No -- no science there. That's just what I'm
3 going to call it. And it, also, keeps
4 Gilchrist within 5, which is consistent with
5 the -- the --

6 MS. GIBSON: What?

7 CHAIR BURGESS: -- the usage of keeping
8 rural counties together where practical. And
9 I'm just throwing that out there, Committee,
10 so obviously, feel free to weigh in or tell me
11 I'm off the reservation, if -- if you want to.

12 Senator Gibson for a question.

13 MS. GIBSON: I have a technical
14 question. So when we're recommending, we're
15 recommending the map in its entirety, not
16 recommending a new map be made with the things
17 that we're putting -- I'm -- I'm confused --

18 CHAIR BURGESS: That is correct. In --

19 MS. GIBSON: -- a little bit.

20 CHAIR BURGESS: That is correct. And
21 my apologies if I haven't been clear enough on
22 that. I'll definitely address that. So we
23 have the four maps before us. We're
24 recommending 1, 2, 3, or all 4 of those, if we
25 can't come to a decision in their entirety to

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 61

1 the full committee.

2 As a select committee, we're not
3 allowed to take a vote. However, we are
4 charged with making those recommendations to
5 Chairman Rodrigues and the full committee.

6 My preference would be to see if we
7 could get it to, at a minimum, two.
8 Obviously, if we could all come to an
9 agreement and say, here's the one, you know,
10 that would certainly make work a little easier
11 on the big committee, but understanding
12 there's some big decisions here to be made, I
13 think probably the more practical approach and
14 fairness would be to put two of the four
15 forward, if the committee feels comfortable
16 doing so.

17 And if it's the committee's preferences
18 that we just can't come to that conclusion, of
19 course, we can send the four up there, and if
20 there's -- obviously, the discussions of 4 and
21 6, those amendments could be proffered during
22 the big committee for consideration. However,
23 at -- we -- we do, through our charge, need to
24 come to a decision when it comes to these maps
25 as to -- as to which to send up.

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 62

1 Senator Stargel?

2 MS. STARGEL: Thank you, Mr. Chair. I
3 don't have a strong preference. I think the
4 staff did a phenomenal job of putting together
5 these four maps, so I don't have a strong
6 preference. But considering what was just
7 said, you were -- you were saying that you had
8 a preference of 46 and 50, and Senator Bracy
9 said he had a preference of 48 and 50, so I
10 think together 50's kind of a common. So that
11 might be one to consider.

12 MS. GIBSON: Where are these two?
13 They're not in --

14 CHAIR BURGESS: I think that's a great
15 suggestion personally, Senator Stargel.
16 Senator Bracy?

17 MR. BRACY: Thank you. I just wanted
18 to go back to your points about District 5 and
19 District 8, Gilchrist County, which side it
20 will be on. I wanted to just ask staff if
21 they could kind of highlight what changes for
22 both districts would happen, if -- if, like,
23 Gilchrist was in 5, as opposed to 8. It looks
24 like there's some changed with Alachua County,
25 too. A little more -- Alachua County is in

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 63

1 one.

2 CHAIR BURGESS: Thank you, Senator
3 Bracy. Absolutely. And at a very high level,
4 the interesting thing about 5 and 8 is really
5 the tradeoffs and -- that make it almost a
6 statistical tie in a lot of ways, you know,
7 with small variations in each other.

8 But almost the ultimate total outcome
9 in the same, and that's kind of why we had a
10 bit of a hard time narrowing that down further
11 and wanted to put this forth to the committee.
12 So Mr. Ferrin, you can talk about the details
13 within that, but that's really why that's such
14 a, you know, decision before us.

15 MR. FERRIN: Thank you, Mr. Chairman,
16 and I'll -- I'll just maybe try to jump back
17 to the slide here, and maybe we can look at
18 that.

19 But -- but -- so here's the image where
20 we see that on the left, Gilchrist County's
21 with District 8, and on the right it's with
22 District 5, and that has the result of moving
23 the boundaries within Alachua a little bit, as
24 well.

25 And so the net effect of all that, as

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 64

1 shown here in the -- in the metrics for the
2 plans, is very, very close. You have one
3 that -- that does a little better on a Convex
4 Hull score versus one that does a little
5 better on the Reock score when you're looking
6 at the two different plans as they compare to
7 each other.

8 They're both well within the 1 percent
9 population deviation range, obviously. They
10 both use political and geographic boundaries
11 for the entire district boundary where it is
12 split in Alachua, and so these are all easily
13 recognizable and commonly understood features.
14 And so the metrics themselves don't
15 necessarily lend themselves to -- I -- obvious
16 choice, and so we left the hard work for the
17 committee.

18 CHAIR BURGESS: Thank you, Mr. Ferrin,
19 for doing such a good job that you left the
20 hard work for us.

21 Does that answer your question, Senator
22 Bracy?

23 MR. BRACY: Yes.

24 CHAIR BURGESS: Perfect. Any thoughts
25 on the 5/8 discussion? You know, if we can

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 65

1 narrow that down, Senators, then we can kind
2 of gear our focus, then, to District 33, which
3 depending on the direction we go, obviously,
4 changes the status from an effective minority
5 or a majority minority.

6 So being that 5 and 8 are such a --
7 such a small transition, just depending on
8 which way we go with Gilchrist, I'm hoping we
9 can at least narrow that down. Anybody in
10 agreeance there?

11 MR. BRACY: Well, wait. I just -- I
12 had a question. So I'm looking at District --
13 the left map, and it has a little bit of
14 Alachua County. Is that, like, an urban area,
15 that little tip, that is added to the left
16 map? Is it -- is it a densely-populated area?

17 CHAIR BURGESS: Mr. Ferrin?

18 MR. FERRIN: So within Alachua County,
19 the core of the population of that county is
20 going to be centered in and around
21 Gainesville. And so the -- the population of
22 Gilchrist is somewhere around 15,000 people, I
23 think. And so as a result of putting that
24 into 5, you do have to push up the boundary
25 of -- of District 8, along -- somewhere along

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 66

1 the eastern side of the boundary there.

2 And so that you can that they do use a
3 lot of similar boundaries coming into Alachua
4 County from the east, but then there is about
5 15,000 people's worth of deviation or -- or
6 movement there in Gainesville where 5 is going
7 north.

8 CHAIR BURGESS: Senator Bracy?

9 MR. BRACY: What is the current
10 district for, like, that Alachua County area?
11 The current district number. Is it 5 now?

12 CHAIR BURGESS: Mr. Ferrin?

13 MR. FERRIN: I believe all of Alachua
14 County's contained within Senate District 8
15 currently.

16 MR. BRACY: Okay.

17 CHAIR BURGESS: Senator Bracy, any
18 follow-up?

19 MR. BRACY: Well, I would -- I would
20 just say that I think that I would prefer to
21 keep it as close to the way it is currently in
22 keeping Alachua in 8, and so I don't know
23 which map that is, but --

24 CHAIR BURGESS: I don't know that that
25 changes --

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 67

1 MR. BRACY: -- (inaudible).

2 CHAIR BURGESS: -- and -- and I know
3 that we could all probably have reasonable
4 disagreement on those shifts, but I -- I would
5 submit that essentially none of them would
6 probably keep that -- keep Alachua entirely
7 whole, so --

8 MR. BRACY: Um-hum.

9 CHAIR BURGESS: It's -- really, the
10 difference is all in Gilchrist.

11 MR. BRACY: Right.

12 MS. STARGEL: Mr. Chairman?

13 CHAIR BURGESS: Senator Stargel?

14 MS. STARGEL: I think the difference
15 from that area -- I'm not super familiar -- is
16 just -- it's a couple different roads'
17 difference that -- they're populated areas.
18 So I believe that little bit of shift gives
19 you Gilchrist.

20 Like I said, it's not my area of the
21 state, so I'm not super familiar, but from
22 what I do know, I do agree with you in that
23 Gilchrist as a county, I would believe, is
24 probably more likeminded to the more rural
25 north than the more urban south, which is the

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 68

1 gray district.

2 And I -- and I see what you're saying,
3 Senator Bracy, but I think that's just a
4 difference of, like, just a few roads to make
5 up a population. I don't think it really
6 changes city -- unless I'm mistaken, Mr.
7 Ferrin, if that changes a city breakup or
8 anything like that. It was just moving roads
9 to accommodate people that was -- because
10 Gilchrist is a very sparsely populated county,
11 so that's why a small movement in an urban
12 area accommodates the entire County of
13 Gilchrist, correct? Okay.

14 MR. FERRIN: Yes.

15 CHAIR BURGESS: So my preference,
16 Senators, would, obviously, be to narrow the
17 choices to 46 and 50. Just depends on whether
18 or not we can -- at least -- in terms of
19 eliminating the -- the question of which
20 direction to go in 5 and 8.

21 And then that gears the conversation
22 more towards 33 and you know, whether or not
23 we want to pursue one direction or provide
24 both of those options, then, to the full
25 committee to determine which -- which

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 69

1 direction to go in the effective minority or
2 the majority minority options.

3 MR. BRACY: Senator -- Chairman?

4 CHAIR BURGESS: Mr. Bracy?

5 MR. BRACY: I would say, why don't we
6 just give both options to the next committee
7 and like, the South Florida seat in in the
8 District 5/District 8. So maybe one map with
9 the Gilchrist in District 5, one of them
10 with -- in District 8. And then the same for
11 the South Florida seat, one that has the
12 effective minority, one that may have the
13 majority minority or minority majority, just
14 so that there's the option.

15 CHAIR BURGESS: So your suggestion,
16 Senator Bracy, would be to move the four final
17 ones that we have before us, the most current,
18 just forward to the full committee for those
19 considerations?

20 MR. BRACY: Well, I was saying, I feel
21 like we can do maybe two, if we could
22 encompass everything I just said in the two
23 maps.

24 CHAIR BURGESS: In order -- if I
25 understand correctly, Senator Bracy, and I'm

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 70

1 sorry if I misunderstood, that would -- to do
2 both options for both areas would require the
3 four maps before us to proceed --

4 MR. BRACY: Oh.

5 CHAIR BURGESS: -- because each map has
6 a different configuration to the other.

7 MS. STARGEL: (Inaudible).

8 CHAIR BURGESS: Senator Stargel?

9 MS. STARGEL: Thank you, Mr. Chairman.
10 I think if you did 50 and 46, 50 accomplishes
11 the two -- I'm sorry. 50 and 44 gives you the
12 difference in Alachua between the two, and
13 then it, also, gives you the difference
14 between 33 between the two. Am I --
15 potentially?

16 CHAIR BURGESS: So Senator Stargel, if
17 I understand correctly, that would lock us
18 into -- here. I'm going to kick this over to
19 Mr. Ferrin real quick for a bit of an
20 explanation on the -- like, the -- the outcome
21 of sending 44 and 50 up, if that's okay.

22 MR. FERRIN: Thank you, Mr. Chairman.
23 And so the way this was set up was to
24 provide -- you know, we have the two decisions
25 before the subcommittee, and so the four maps

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 71

1 provide all options and all combinations of
2 those decisions.

3 So if we were to send two to the
4 chairman for him to -- to put forward for
5 consideration before the full committee, it
6 would -- I would recommend that at least it
7 eliminate one of the choices, rather than try
8 to -- if we're trying to preserve both
9 choices, we probably need to recommend the
10 four maps.

11 And I hope that's clear. I understand
12 there's moving parts and pieces here, but I
13 think that's -- sounds to me like maybe where
14 we are, Mr. Chairman, on --

15 CHAIR BURGESS: Sure. Senator Stargel,
16 does that follow --

17 MS. STARGEL: Yeah, that makes sense.
18 But one final thing. I think given that,
19 though, with the discussion, I -- I personally
20 liked your idea of trying to narrow it down.
21 It makes the decision a little bit easier.
22 Given that, I would just like to move maybe
23 that we put forth 8050, which accomplished
24 what was the priority of Senator Bracy and the
25 priority of you and just put forth the one

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 72

1 map.

2 CHAIR BURGESS: Thank you, Senator
3 Stargel, that would certainly narrow things
4 down. Any discussion on that, Senators?

5 Senator Gibson?

6 MS. GIBSON: Thank you, Mr. Chair. So
7 because those are -- those areas are in 8050
8 but the -- the drawing of 4 and 6 is not in
9 8050, we'll send forward 8050. But if I
10 wanted to get the drawings of 4 and 6 as it is
11 in 8026, I guess, and 8028, I would have to do
12 an amendment -- is that correct -- at the --
13 which committee?

14 CHAIR BURGESS: At the next committee
15 meeting for the -- for the full redistricting
16 committee. That is correct, Senator Gibson.
17 The amendment process would be at this
18 juncture. If we sent -- if we decide together
19 to send 8050 forward as the -- as the map to
20 consider at the full committee, then an
21 amendment would be the appropriate process to
22 consider that going forward.

23 MS. GIBSON: And (inaudible)?

24 CHAIR BURGESS: Yes.

25 MS. GIBSON: And that's because we've

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 73

1 already passed by 80 -- we've moved -- we've
2 moved on to a new road from 80- -- from 8026
3 and 8028; is that correct?

4 CHAIR BURGESS: So to your point -- if
5 I understand your question correctly, Senator
6 Gibson, I mean, all 12 maps before us are
7 certainly up for consideration. The reason
8 I'm focusing us in on the last four is -- is
9 because of the work -- the hard work and --
10 and the commitment to improving the metrics to
11 build upon each iteration to get to this
12 point.

13 So you know, certainly I'm not in any
14 way -- I want to be clear -- trying to take
15 the other maps off the table. However, it --
16 in its totality, it might be -- it might take
17 away in some of the -- like, in -- in
18 addressing 4 and 6 maybe in a prior iteration,
19 it might, also, take away a significant number
20 of improvements that were made across the
21 state as a whole in its totality on those
22 maps.

23 So that's why, you know, if we're
24 focusing in on 4 and 6 in this discussion, it
25 might be more appropriate, if you feel

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 74

1 comfortable with the other areas that we've
2 made improvements on, say, within 8050 or
3 these four that are before us today, that an
4 amendment targeting sort of that area of
5 discussion would be the most surgical way of
6 doing it.

7 MS. GIBSON: At the next committee?

8 CHAIR BURGESS: Yes, Senator, at the --

9 MS. GIBSON: Got it.

10 CHAIR BURGESS: -- next committee, at
11 the full committee.

12 MS. GIBSON: I just want to make sure
13 my voice isn't being silenced. That's all.

14 CHAIR BURGESS: Never. Absolutely not.

15 MS. GIBSON: Thank you.

16 CHAIR BURGESS: We are in this
17 together.

18 MR. BRACY: Chairman?

19 CHAIR BURGESS: Senator Bracy?

20 MR. BRACY: Yes, I would like to
21 recommend all four of the maps that we just
22 discussed today, just to give the next
23 committee the options of what we're talking
24 about, and I respect Senator Stargel's
25 recommendation.

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 75

1 But I -- I think that there just needs
2 to be more discussion, more analysis on these
3 maps. So since the last four are the product
4 of the staff's work and -- in revising it and
5 making it tighter, I just would say, it's
6 probably best -- I know you want to narrow it,
7 but we just send all four and then continue to
8 work at the next committee. That would be my
9 suggestion.

10 CHAIR BURGESS: Okay. So Senator
11 Bracy, in -- your preference would be to move
12 the four forward for consideration to Chair
13 Rodrigues, and in doing so, one of those four,
14 if I understand the process correctly -- and
15 this could be a question for Mr. Ferrin --
16 would then be brought forward at the next
17 committee for the committee's final
18 consideration and any potential amendments to
19 that. Mr. Ferrin, for any clarification.

20 MR. FERRIN: That -- that's right, Mr.
21 Chair. That's my understanding of the process
22 is that in order to get in the proper posture
23 for the parliamentary aspect of this, Chairman
24 would file -- consider the recommendations of
25 the subcommittee and file and amendment that

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 76

1 contains one of these maps, and then we would
2 be in a position to consider other maps that
3 either staff has drawn or members have drawn
4 as amendments to that and then be in a
5 position to -- to select the final
6 configuration on Thursday and then move
7 forward from there.

8 CHAIR BURGESS: Understanding that,
9 Senator Bracy, and that come Thursday we may
10 very well just see one of these four that we
11 move forward for the final consideration,
12 would you still prefer to send those four, or
13 would you prefer that we narrow it down within
14 our capacity?

15 MR. BRACY: Just so that I understand
16 it correctly, if we passed four maps, Chairman
17 Rodrigues would pick one of those maps and
18 would take that to the committee for a vote;
19 is that correct?

20 CHAIR BURGESS: Senator Bracy, that's
21 my understanding that we as a select committee
22 were charged with getting it to as -- as
23 focused and as narrow of an option pool that
24 we could. That way, come time for the, you
25 know, the full committee, Senator Rodrigues

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 77

1 would -- would have the chance to review our
2 work and then be able to make final proposals
3 for the committee to consider and any
4 potential amendments at that time.

5 Senator Stargel?

6 MS. STARGEL: Thank you, Mr. Chairman.
7 So at that point, then, if anyone had a strong
8 opinion about one of the ones that went or
9 something, you would do it through an
10 amendment process off of that one map so that
11 we're all working off the same map?

12 CHAIR BURGESS: That's correct,
13 Senator.

14 Which is why I think it's important
15 that we -- if we feel comfortable focus this
16 as much as possible. I think the suggestion
17 of 8050 is a strong one because certainly it
18 addresses two preferences that have been put
19 on the table and -- and you know, again,
20 Senator Bracy, if it's a strong preference
21 that you see the four go forward, then
22 certainly we can -- we can bump those up. I
23 mean, like I said, we're -- we're kind of a
24 team here is the way I view it and we're
25 making a team suggestion, but if -- if the

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 78

1 team feels that we can at least narrow and
2 focus to two, I think that's -- that's for the
3 benefit of the process and for certainly the
4 considerations at the next level.

5 Senator Stargel?

6 MS. STARGEL: Thank you, Mr. Chairman.
7 I apologize. So let's -- we send -- let's say
8 we send 8050, and the entire community of
9 Gilchrist calls me and says, you know, we
10 don't like that; we want to be in the other
11 one, we would have the opportunity to do an
12 amendment to amend back to something that was
13 discussed today, if necessary?

14 CHAIR BURGESS: Yes, Senator, that's
15 absolutely correct.

16 MR. BRACY: I got a question, though.

17 CHAIR BURGESS: Senator?

18 MR. BRACY: Yeah. How will we amend a
19 map, if -- if we -- if he has one chosen map,
20 how could we amend it to, let's say, include
21 an effective majority? Basically, the
22 amendment would be to take the old map.
23 Because I don't know how you would amend a map
24 that's already done.

25 CHAIR BURGESS: Thank you, Senator

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 79

1 Bracy. You know, in -- in -- and I'll let Mr.
2 Ferrin kind of explain the process a little
3 bit on this and the impact of -- obviously,
4 changing an area sometimes changes surrounding
5 things, too, but in -- like, in these four
6 maps that are before us, really the only areas
7 of some change are 5 and 8 and 33 and some of
8 the surrounding areas down in Southeast
9 Florida.

10 So it is possible to focus in on a more
11 surgical approach through an amendment, and if
12 there's a preference that the committee goes
13 for. But Mr. Ferrin might be able to best be
14 able to address how that amendment would --
15 would come forward, in what form, and -- and
16 you know, is it an entire map based on that,
17 and some other changes and so forth.

18 MR. FERRIN: Yes, thank you, Mr.
19 Chairman. And Senator Bracy, any time we draw
20 a map, we draw an entirely new map, and so
21 that entire map is capable of being filed as
22 an amendment.

23 And so if you were to -- if the
24 committee makes a recommendation today, and
25 you disagree with, say, part of that

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 80

1 recommendation, you can come see me, and we
2 can draft any one of these plans that we've
3 already drawn, or if you have new ideas, draft
4 those into anyone of the plans that we've
5 already drawn and file those as an amendment
6 to the chairman's amendment for Thursday's
7 committee.

8 MR. BRACY: Um-hum. Got it. Yeah.
9 Yeah, my concern in picking what I think is
10 important, the minority majority over an
11 effective minority, there may be others that
12 don't think that -- they don't see it the way
13 I do, and so I guess that's why I wanted to
14 give more than one choice.

15 Let me ask this -- this final question.
16 In making -- going back to this 33 and 34,
17 making that district an effective -- effective
18 minority, right, district -- what does it do
19 to the other districts surrounding it? Does
20 it make it more likely that they can elect a
21 candidate of their choice when you -- does
22 that make sense what I just asked?

23 CHAIR BURGESS: Mr. Ferrin, you're
24 recognized.

25 MR. FERRIN: Thank you. Senator Bracy,

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 81

1 so the -- the movement of -- the change
2 between the effective minority and the
3 majority minority district is unlikely to have
4 any impact on the surrounding districts in
5 terms of their ability to perform for
6 minorities simply based off of the -- the
7 density of the population not getting to that
8 level.

9 In terms of comparing the two, I think
10 one way to look at it is that the creation of
11 the majority minority district does have some
12 impacts to the surrounding districts in terms
13 of their Tier 2 metrics, so compactness, use
14 of political and geographic boundaries as --
15 or features as boundaries, some of the cities
16 are kept whole -- more kept whole as a result.

17 And so those are where, I think, the
18 meaningful tradeoffs are is between Tier 2
19 and -- and your decision to decide to make a
20 majority minority versus an effective minority
21 district.

22 CHAIR BURGESS: Senator Bracy for a
23 follow-up?

24 MR. BRACY: Yeah, just if there is not
25 any increase for a change in how a district

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 82

1 can elect the candidate of their choice -- and
2 I'm understanding you're saying there are some
3 other factors, compactness or what have you,
4 but it's essentially the same result. What's
5 the point? I mean, I get -- I don't -- now
6 that I'm talking through it, it just doesn't
7 seem like there's much difference between the
8 two, so I don't -- what are we talking about?

9 CHAIR BURGESS: I think the difference,
10 Senator Bracy -- and that's actually,
11 honestly, your -- it's -- it's -- it's not
12 wrong in the sense that it's -- it's, like, if
13 it has the same net effect in -- in practice,
14 then what -- what are we talking about with
15 these distinction.

16 And I think the question that staff
17 came across in drawing these so well and then,
18 obviously, the question before us today is --
19 is some of the implications of going either
20 way. And you know, in the tradeoffs, do
21 you -- do you stay consistent with the
22 benchmark, maybe having a little more
23 consistency when it comes to the static
24 boundaries and some of the other directives
25 we've been given, or do you maybe sacrifice

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 83

1 some of those in -- in the other tradeoffs to
2 be able to create, constitutionally, a new
3 majority minority district. And so in
4 those -- that's just -- it's the mechanics
5 that's before us, really.

6 Both have the same practical effect,
7 and -- and you know, I think we're at 46.15
8 percent, so no diminishment as an effective
9 minority, and then obviously, as a BVAP, we'd
10 be at just over 50 percent. Is that right,
11 Mr. Ferrin?

12 So plus or minus 4 -- 4 percentage
13 points there does change the classification of
14 the district. The effective minority,
15 although having the same effect, does stay
16 more consistent with some of the other
17 criteria that staff was asked to consider in
18 drawing the rest of the state.

19 And so I think the reason that's before
20 us is because that -- that is probably more in
21 line with how it was drawn, but in doing so,
22 the realization that we could, also, create a
23 new majority minority district, maybe just not
24 with some -- some adherence to some of those
25 other standards --

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 84

1 MR. BRACY: Right.

2 CHAIR BURGESS: -- was -- was a
3 question that we need to pose to the committee
4 today.

5 MR. BRACY: Right. Right. That makes
6 sense.

7 CHAIR BURGESS: That's a longwinded
8 answer, and I don't --

9 MR. BRACY: No, I get it, though.

10 CHAIR BURGESS: -- (inaudible) did it
11 as well as our staff could, but --

12 MR. BRACY: Well, then, I guess I stand
13 by my original point that I think the majority
14 minority may be a better option for that
15 particular seat.

16 CHAIR BURGESS: That would be 33.

17 Oh, I'm sorry. You're talking about
18 the maps. Do any other senators have any
19 preferences when it comes to effective
20 minority/majority minority?

21 The 33 -- District 33 equation that
22 we're talking about here, Senator. Any
23 preference either way?

24 FEMALE VOICE: (Inaudible).

25 CHAIR BURGESS: So that would be Maps

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 85

1 46 and Maps -- if we -- if we can all agree on
2 the -- the notion that Gilchrist, for purposes
3 of staying compact, and also, remaining within
4 a rural consistency moving forward, and of
5 course, if Gilchrist would -- you know, has
6 strong preferences and an amendment is
7 proffered, we could always change that at the
8 full committee.

9 If we could at least put that question
10 to bed, then we could maybe look to moving
11 forward, if there is no other strong
12 preference outside of Senator Bracy's good
13 points, 8,046 and 8050 would leave the final
14 question related to 33 available to
15 consideration when it comes to the full
16 committee.

17 Would we be able to get to that point,
18 Senators? Senator Gibson?

19 MS. GIBSON: Thank you. So are you
20 saying now we're moving two maps -- two of
21 these maps forward, or we're just moving one?
22 I'm -- I'm --

23 CHAIR BURGESS: It's really the
24 committee's preference. My preference, as
25 I've said and I guess I'm -- I'm gearing

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 86

1 discussion to maybe get to that point, is --
2 is, you know, could we resolve enough debate
3 to where two of the maps can be kept here and
4 two of the maps would be put forward.

5 MS. GIBSON: Could I follow up?

6 CHAIR BURGESS: Yes.

7 MS. GIBSON: Thank you. And so is the
8 discussion that Senator Bracy was having and
9 his concerns in both or one of the maps?

10 CHAIR BURGESS: If we moved 8046 and
11 8050, then the discussion would be in District
12 33, which would be -- I -- I -- I don't want
13 to put words in your mouth, Senator Bracy, but
14 I think where your stronger preference might
15 lie. The question of what to do with
16 Districts 5 and 8 were, also, raised by
17 Senator Bracy. I would defer to Senator Bracy
18 as to whether or not he feels comfortable
19 moving in a particular direction there, and if
20 changes are made at the big committee, then
21 they can be submitted through an amendment.

22 MS. GIBSON: Okay.

23 CHAIR BURGESS: Senator, I -- I wasn't
24 trying to put words in your mouth, so
25 please --

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 87

1 MR. BRACY: No. Well, just so --

2 CHAIR BURGESS: -- feel free to --

3 MR. BRACY: -- I understand, 46 and 50
4 are the ones you're proposing?

5 CHAIR BURGESS: That would be correct,
6 Senator. So 46 would be the effective
7 minority --

8 MR. BRACY: Okay.

9 CHAIR BURGESS: -- for -- yes. And
10 then 50 would be the majority minority.

11 MR. BRACY: Got it.

12 CHAIR BURGESS: Sorry. I'm just making
13 sure I'm straight on my numbers here, too.

14 MR. BRACY: is there any difference in
15 the 5 -- District 5 and District 8?

16 CHAIR BURGESS: In that proposal -- in
17 that proposal that I just put forward, there
18 would not be. That would -- that would put
19 Gilchrist within District 5.

20 MR. BRACY: Yeah, I'm fine with that.

21 CHAIR BURGESS: Okay. So we've
22 narrowed down to two, Senators. Do we feel
23 comfortable --

24 MS. GIBSON: There are two -- there are
25 two going forward?

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 88

1 CHAIR BURGESS: Correct. Correct,
2 Senator Gibson. There are two going forward.
3 We have 8046 and 8050. Would everybody be
4 okay moving those options forward to our full
5 committee for consideration?

6 Senator Gibson?

7 MS. GIBSON: Sure, Mr. Chair. Keeping
8 in mind that what I have a concern about,
9 which doesn't constitutionally change anything
10 or impact anything -- actually improves --
11 improves the districts -- is not there and
12 that I have -- I can at least offer an
13 amendment in the next committee; is that
14 correct? Because neither of those two maps
15 represent the -- the areas of concern that I
16 have. Am I right?

17 CHAIR BURGESS: That is correct,
18 Senator Gibson.

19 MS. GIBSON: Thank you.

20 CHAIR BURGESS: Yes. In -- in 4 and --
21 District 4 and District 6 are consistent
22 within all four of these iterations, and in
23 considering these four to move forward, an
24 amendment would be the appropriate process at
25 which point you have -- you have the ability

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 89

1 to do so at the next -- next committee -- at
2 the full committee. You're correct on your
3 analysis there.

4 Seeing no further points, we do have
5 some public discussion, so I don't want to
6 overlook that before we make final decisions.
7 This is, obviously, what the committee has
8 discussed, but we do want to make sure to hear
9 the feedback from the public before moving
10 forward. And I'll -- I'll come back to the
11 committee after this.

12 So Ms. Cecile Scoon with -- the
13 President of the Florida League of Woman
14 Voters, you are recognized.

15 MS. SCOON: (Inaudible).

16 CHAIR BURGESS: You're welcome. Thank
17 you. Please come to the podium.

18 MS. SCOON: (Inaudible) League of Women
19 Voters of Florida. It's actually really
20 interesting and engaging to have the -- have
21 you all have these conversations back and
22 forth, weighing the different options that you
23 have. It's encouraging to me and I'm sure all
24 of us who are watching.

25 But I did want to point out that

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 90

1 overall -- and today in particular -- there
2 have been a focus on improving the Tier 2, and
3 there's charts that show how Tier 2 has been
4 improved on pretty much every section, and
5 there are now charts on improving Tier 1.
6 Tier 1 is mandatory. Tier 1 is what tracks
7 the Voting Rights Act, which is still in
8 effect.

9 So I feel like there should be more
10 effort to improve Tier 1 compliance, and when
11 there's so much discussion back and forth
12 between is it compact, you know, are the
13 little points going up and down, those are --
14 those are certainly relevant; that's in Fair
15 Districts. But the primary and the only thing
16 that's mandatory is what's in Tier 1.

17 Now, Tier 1 is not just about no
18 regression. That's very important. That's a
19 big part of it, but there's also a separate
20 part which says that if -- you must,
21 essentially, give racial minorities and
22 language minorities every opportunity to
23 select a representative of their choice, and
24 that means you need to maximize that. And I
25 just haven't heard a lot of discussion about

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 91

1 maximizing that.

2 What I hear is, so long as it meets the
3 benchmark, we're good. So long as we meet the
4 benchmark, you know, that's fine. And I feel
5 like Fair Districts actually requires you to
6 do a deeper analysis and deeper work, sort of
7 what Senator Bracy was saying.

8 He wanted to be sure -- he is saying, I
9 want to elevate a Tier 1 requirement, which is
10 mandatory, over concerns from the Tier 2
11 compactness. And that's the way it should be.
12 That is the analysis. That is the way Fair
13 Districts was set up.

14 And so I would ask you, on behalf of
15 the League and the many citizens, to look at
16 the map from that perspective. Tier 1 should
17 always be maximized, and it should always be
18 elevated, but the conversation and the charts
19 are reflecting improvements only on the things
20 that are not mandatory, such as Tier 2.

21 So I would just, you know, ask you to
22 keep in mind what Senator Bracy is saying
23 because he, again, is trying to shift the
24 balance to the mandatory and the things that
25 must be done versus balancing, you know, Tier

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 92

1 1 against Tier 2; Tier 1 wins.

2 CHAIR BURGESS: Thank you very much for
3 your comments. Any further public discussion?

4 Seeing none, we will come back to the
5 committee to see if there's any further
6 feedback before moving forward with our
7 proposed two maps.

8 Seeing none, Senators --

9 MR. BRACY: Sorry. I did have a quick
10 comment.

11 CHAIR BURGESS: Senator Bracy.

12 MR. BRACY: Yeah, I know I've asked a
13 lot about the crossing the Bay issue, and it's
14 there's been talk about diminishment and other
15 factors, and I think the spokesperson from
16 League of Women Voters makes an excellent
17 point that Tier 1 should trump all of the
18 other tiers, and so I think in that instance,
19 I'm not sure if we did that.

20 Obviously, we did it in District 19,
21 but there could have been an opportunity to do
22 it in the district next to it, if the -- if we
23 didn't cross the Bay. So -- but that's here
24 nor there. We got the maps that we have, and
25 I just thought it a point to make -- to make

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 93

1 during this committee.

2 But staff, thank you for your work.

3 Chairman, done a great job leading this
4 effort, and look forward to see what comes up
5 in the next committee. Thanks.

6 CHAIR BURGESS: Thank you very much,
7 Senator Bracy. I appreciate that. Staff has
8 done an amazing job. And like anything we do
9 in this process, there's certainly various,
10 you know, ways you can approach something,
11 and -- and we have, you know, legislative
12 deference and legislative decision-making that
13 is happening here in the public today.

14 And I appreciate those words of
15 encouragement from our public presenter, and
16 you know, in doing so, I feel like we've done
17 a really great job of expressing these
18 opinions out here in the open. Thank you to
19 our staff for everything you've done to this
20 point.

21 Senators, I propose that we do submit
22 the two recommendations that we just concluded
23 to Chair Rodrigues, that Plans 8046 and
24 8050 -- I want to make sure I got those
25 numbers correct -- 8046 and 8050 most

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 94

1 consistently-adhere to the directives that
2 we've been issued. They provide options, and
3 they should be taken into consideration for
4 the substance of Senator Rodrigues's bill that
5 will be before the full committee on Thursday.

6 Thank you so much, Senators, for
7 helping us get to these recommendations, for
8 helping us narrow these decisions down, and
9 see you all on the full committee on Thursday.
10 And seeing no further comments, Senator Gibson
11 moves that we adjourn. Without any objection,
12 we are adjourned.

13 (End of Video Recording.)

14

15

16

17

18

19

20

21

22

23

24

25

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 95

1

CERTIFICATE

2

3

I, Wendy Sawyer, do hereby certify that I was

4

5

authorized to and transcribed the foregoing recorded

6

7

proceedings, and that the transcript is a true record, to

8

9

the best of my ability.

10

11

12

13

DATED this 15th day of March, 2023.

14

15

16

17

18

19

20

21

22

23

24

25



WENDY SAWYER, CDLT

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 1

A				
ability 5:21 7:8,9 9:25 10:2 14:5 15:5 19:12 31:5 32:6,15 37:2 41:9 55:3,6 56:19 81:5 88:25 95:9	adhered 27:6 adherence 83:24 adheres 17:13 adjourn 3:17 94:11 adjourned 94:12 adjusted 36:20 adjustments 36:3 advised 4:4 affords 53:6 African 6:1,3,6,6 6:9,11 15:8 19:12 33:1 40:2 40:24 42:25 43:2,11,15 44:3 44:15,18 53:18	72:21 74:4 75:25 77:10 78:12,22 79:11 79:14,22 80:5,6 85:6 86:21 88:13,24 amendments 61:21 75:18 76:4 77:4 American 6:6,11 33:1 40:3,15,24 43:1,3,11,16 44:4,15,18 53:19 Americans 6:1,3 6:10 15:9 19:12	7:25 18:10,16 applied 5:11 39:18 apply 29:5 39:6 45:9 Apportionment 43:8 appreciate 54:13 93:7,14 approach 58:3 61:13 79:11 93:10	10:20 85:14 Avenue 36:22,23 49:3,4 average 10:25 11:3,11,22 21:22 22:25 24:23 37:10 45:24 46:1,7 avoid 13:12 39:15
				B
abridge 41:7 abridged 7:7 abridges 9:24 absolutely 57:14 63:3 74:14 78:15 accept 54:10 accommodate 68:9 accommodates 68:12 accomplished 71:23 accomplishes 70:10 account 54:23 accurate 56:7 achieve 47:25 Act 90:7 added 65:15 addition 14:2 58:5 additional 3:2 4:5,20 5:17 8:14 37:15 38:4 40:23 42:14 44:12,15 additionally 37:3 46:10 address 4:1 19:23 60:22 79:14 addresses 77:18 addressing 73:18	afternoon 2:2 age 8:7 20:18 26:21 30:14,25 31:4 33:10 52:4 52:4 agenda 3:3 aggregate 9:4,5,6 9:7,13,14 agree 67:22 85:1 agreeance 65:10 agreement 61:9 agrees 51:18 ahead 12:14 20:11 58:21 al 1:2 Alachua 34:17,20 51:6 58:23 62:24,25 63:23 64:12 65:14,18 66:3,10,13,22 67:6 70:12 allow 26:14 55:19 allowed 61:3 altered 46:24 alternative 19:2 38:22 40:13 amazing 93:8 amend 78:12,18 78:20,23 amendment 4:2 54:7 72:12,17	amount 42:13 amounts 46:25 analyses 31:10 56:3 analysis 7:5 9:22 10:19 26:11 31:7,9,17 32:13 32:17 33:3,6,7 34:1 41:4 43:4 48:12 49:17 54:23,25 55:2,2 55:23 59:9 75:2 89:3 91:6,12 analyze 7:23 analyzing 55:13 and/or 10:7 annexation 46:18 annexations 47:5 answer 13:6 28:8 29:14 64:21 84:8 Anybody 65:9 apologies 60:21 apologize 78:7 appear 35:2,3,15 59:24 appearance 2:21 appeared 18:25 37:5 applicable 6:21 application 5:1,4	appropriate 4:1 5:10 7:5 54:6 72:21 73:25 88:24 approximately 47:22 arbitrary 32:17 32:20 area 5:5 8:8 9:19 12:21 13:2 21:6 21:8,22 24:24 27:21 30:2 49:15 52:11,24 53:2,5 65:14,16 66:10 67:15,20 68:12 74:4 79:4 areas 17:6 39:18 58:17 59:8 67:17 70:2 72:7 74:1 79:6,8 88:15 arrangement 44:14 Article 6:20 ascertainable 34:23 38:18 asked 56:6 59:10 80:22 83:17 92:12 asking 52:8 aspect 75:23 attack 51:18 AUDIO 1:12 authorized 95:5 available 7:20	back 5:8 20:3 45:17 47:7 51:17 52:1 54:17 62:18 63:16 78:12 80:16 89:10,21 90:11 92:4 Baker 59:3 balance 23:22 25:19,23 29:12 29:22,25 91:24 balancing 18:8 91:25 based 2:25 13:20 31:3,4 33:13 53:16 55:20 56:3 79:16 81:6 Basically 78:21 Bay 8:4 12:21,24 12:25 13:2,12 14:9,13,16 35:25 37:9 92:13,23 Beach 40:7 41:12 41:21,21 42:1,2 42:6 bed 85:10 beginning 2:1 50:3 begins 13:22 behalf 91:14 beholder 22:5 belaboring 54:18 believe 34:10 55:24 59:6,21

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 2

66:13 67:18,23 beltway 20:23 23:9 27:6 benchmark 28:4 28:7 29:3 30:6 30:18 32:23,25 33:5,23 43:9,10 43:13,22,23 45:15 57:24 82:22 91:3,4 benefit 78:3 best 22:15 25:24 50:18 75:6 79:13 95:9 better 23:16,17 64:3,5 84:14 big 61:11,12,22 86:20 90:19 bill 94:4 bit 14:24 23:21 59:25 60:19 63:10,23 65:13 67:18 70:19 71:21 79:3 Black 8:7 10:6,11 14:4,14 15:5,23 16:4 20:18 26:14,21 30:14 30:14,24 31:4 52:3 border 16:23 38:18 bottom 20:15,20 20:21 21:9,24 21:25 22:1,25 24:21,25 25:2 27:8 35:6 52:19 Boulevard 41:23 41:24 42:4 48:8 boundaries 5:15 8:11,15 16:23 17:9,11,13 18:6 18:12,15 19:5 19:10 22:14,17 23:5,19 29:4 34:25 35:10 36:13 39:3,8,12	42:2,15 44:11 46:5,24 47:21 49:11,15,22 63:23 64:10 66:3 81:14,15 82:24 boundary 8:5,10 16:20,25 17:4 17:15 18:7 19:10 22:24 23:19 36:17,20 36:22,24,25 37:4,14 38:6,15 40:5 41:2,22 46:8,18 47:11 48:1,4,19 49:18 64:11 65:24 66:1 Boynton 42:2 Bracy 2:8,9 12:18 12:20 13:4 14:11 15:2,3 16:8 30:12,13 30:21,24 31:13 31:14,16 32:9 32:11,24 34:2,4 54:14,15 56:12 56:13,24 57:10 62:8,16,17 63:3 64:22,23 65:11 66:8,9,16,17,19 67:1,8,11 68:3 69:3,4,5,16,20 69:25 70:4 71:24 74:18,19 74:20 75:11 76:9,15,20 77:20 78:16,18 79:1,19 80:8,25 81:22,24 82:10 84:1,5,9,12 86:8,13,17,17 87:1,3,8,11,14 87:20 91:7,22 92:9,11,12 93:7 Bracy's 85:12 Bradford 59:4	break 46:20 breakup 68:7 Brevard 17:14 36:10 brought 4:5 12:22 75:16 Broward 40:11 42:20 43:13 44:2 build 73:11 built 50:9 bulge 60:1 Bullwinkle 27:19 bump 77:22 Bureau 48:10 Bureau's 46:17 49:10 Burgess 2:2,6,7 2:18 12:14,17 13:3 14:3,17 15:2,13 16:10 19:16,19 26:1,5 26:8,23 27:3 28:1,8,12,21 29:14,24 30:9 30:12,17 31:13 31:15,21 32:9 34:3 49:25 51:23 53:20 54:12 55:18 56:10,23 57:14 59:19,24 60:7 60:18,20 62:14 63:2 64:18,24 65:17 66:8,12 66:17,24 67:2,9 67:13 68:15 69:4,15,24 70:5 70:8,16 71:15 72:2,14,24 73:4 74:8,10,14,16 74:19 75:10 76:8,20 77:12 78:14,17,25 80:23 81:22 82:9 84:2,7,10 84:16,25 85:23	86:6,10,23 87:2 87:5,9,12,16,21 88:1,17,20 89:16 92:2,11 93:6 BVAP 10:4 30:19 52:18 83:9 Byrd 1:6 <hr/> C <hr/> calculated 9:8 calculus 30:7 call 2:5 27:11,19 60:1,3 calling 21:2 calls 78:9 candidate 11:13 11:18,21,24 12:2,7 14:6 15:6 31:19 32:16 33:2,2 53:7 55:3,7 56:20 80:21 82:1 candidates 5:23 7:10 11:16 19:13 26:17 31:5 41:9 capable 79:21 capacity 76:14 captured 56:9 carefully 3:12 carry 35:21 case 6:21 31:8 Cause 1:2 caused 17:8 caution 3:10 CDLT 95:25 Cecile 89:12 census 8:5,14 10:5,8 29:6 46:17,22 48:10 48:20 49:5,9 censuses 43:20 Center 17:18 centered 65:20 certain 49:11	certainly 13:4 19:20 30:3,4 32:20 53:1,12 58:2 61:10 72:3 73:7,13 77:17 77:22 78:3 90:14 93:9 CERTIFICATE 95:1 certify 95:3 chair 2:2,6,7,17 2:18 12:14,17 13:3 14:17 15:2 15:13 16:10 19:15,16,19 20:1 23:25 26:1 26:3,5,8,9,23 26:25 27:3,17 28:1,8,12,21 29:14,22,24 30:8,9,12,17 31:13,15,21 32:9 34:3 49:25 50:5 51:2,23,25 53:20 54:11,12 55:18 56:10,23 57:14 59:17,19 59:24 60:7,18 60:20 62:2,14 63:2 64:18,24 65:17 66:8,12 66:17,24 67:2,9 67:13 68:15 69:4,15,24 70:5 70:8,16 71:15 72:2,6,14,24 73:4 74:8,10,14 74:16,19 75:10 75:12,21 76:8 76:20 77:12 78:14,17,25 80:23 81:22 82:9 84:2,7,10 84:16,25 85:23 86:6,10,23 87:2 87:5,9,12,16,21 88:1,7,17,20
--	---	---	--	--

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 3

89:16 92:2,11 93:6,23 chairman 3:19 4:19 12:11 13:17 16:15 28:2 32:19 34:7 49:23 56:8 61:5 63:15 67:12 69:3 70:9,22 71:4,14 74:18 75:23 76:16 77:6 78:6 79:19 93:3 chairman's 80:6 challenging 58:14 chance 77:1 chances 55:9 change 33:16 40:4 52:17,18 56:3 79:7 81:1 81:25 83:13 85:7 88:9 changed 33:13 62:24 changes 36:7 40:19 41:2 43:20 54:8 57:3 62:21 65:4 66:25 68:6,7 79:4,17 86:20 changing 79:4 Channel 1:14 charge 61:23 charged 61:4 76:22 charts 90:3,5 91:18 choice 5:24 7:10 10:3 14:6 15:6 19:14 31:6,20 32:16 41:10 44:13 53:7 55:4 55:7 56:20 64:16 80:14,21 82:1 90:23 choices 5:19	58:11 68:17 71:7,9 chosen 78:19 circle 20:23 51:16 circumstance 23:6 circumstances 32:21 33:25 56:4 cities 5:17 8:9,16 8:18,19,19,23 8:25 9:16 17:3 22:9 42:14 46:14 47:1,2 81:15 citizens 91:15 city 9:5,6 16:21 22:11,13 36:20 37:15 38:4 39:1 44:12 68:6,7 clarification 75:19 classification 49:10 83:13 classified 48:19 Clay 19:6 clear 15:20 60:21 71:11 73:14 close 14:20 29:10 52:5 64:2 66:21 closely 41:11 closer 24:22 Coast 20:24 23:9 27:7 40:6 coequal 4:8 50:14 55:21 cohesion 33:18 Columbia 59:3 column 44:21 46:9 combination 10:6 10:10 combinations 37:23 71:1 come 2:4 23:21 60:25 61:8,18 61:24 76:9,24	79:15 80:1 89:10,17 92:4 comes 7:24 56:14 57:2 58:21 59:20 61:24 82:23 84:19 85:15 93:4 comfortable 55:19 59:16 61:15 74:1 77:15 86:18 87:23 coming 66:3 comment 51:13 51:16 92:10 comments 57:8 92:3 94:10 commitment 73:10 committee 2:3,20 2:24 3:8 4:3 6:22 12:23 18:13 35:23 39:20 44:14,20 44:24 45:2 50:6 50:11,20,25 54:9 57:6 58:11 58:19 59:15 60:9 61:1,2,5 61:11,15,22 63:11 64:17 68:25 69:6,18 71:5 72:13,14 72:16,20 74:7 74:10,11,23 75:8,17 76:18 76:21,25 77:3 79:12,24 80:7 84:3 85:8,16 86:20 88:5,13 89:1,2,7,11 92:5 93:1,5 94:5,9 committee's 45:8 61:17 75:17 85:24 common 1:2	62:10 commonly 34:23 38:19 64:13 community 54:5 78:8 compact 19:8 22:7 23:16 27:6 34:22 58:25 59:25 85:3 90:12 compactness 5:14 8:8 18:2 18:14 21:18 22:4 30:4 35:13 35:20 37:11 38:25 42:13 44:10 45:25 58:8 81:13 82:3 91:11 compare 64:6 compared 30:15 35:3 37:7 comparing 33:5 81:9 comparison 35:1 42:19 comparisons 17:22 42:7 complete 2:20 complex 4:6 compliance 23:4 23:17 90:10 comply 4:6 49:19 50:13 concern 80:9 88:8,15 concerns 86:9 91:10 concluded 93:22 concluding 26:19 conclusion 3:15 7:11 22:3 61:18 configuration 3:24 13:19,24 14:8 16:18 17:2 18:4,17 19:2,4 20:14 21:8,11	21:15 24:19,21 27:5,8,18,25 28:19 38:14,22 39:1,4,11,17 40:14,21 42:8 42:17 43:6 48:13,16 59:2 70:6 76:6 configuration's 23:3 configurations 13:1 14:23 18:20,24 26:13 26:22 28:5 35:8 35:22 36:12 38:2,8 41:5,6 41:17 configured 34:12 37:19 40:12 42:20 conform 3:6 confused 60:17 conservative 49:17 consider 28:4 33:24 59:10 62:11 72:20,22 75:24 76:2 77:3 83:17 consideration 61:22 71:5 73:7 75:12,18 76:11 85:15 88:5 94:3 considerations 69:19 78:4 considered 22:20 31:1 55:22 considering 18:10 33:11 62:6 88:23 consist 3:18 consistency 4:25 5:3 18:16 45:9 82:23 85:4 consistent 17:6 18:9 33:23 39:17 46:2
---	---	---	--	--

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 4

57:23 60:4 82:21 83:16 88:21 consistently 36:5 39:5 40:6,20 45:7 consistently-ad... 94:1 consistently-sh... 3:22 consisting 59:7 constitute 16:7 constitutes 26:16 43:6 constitution 6:21 22:21 52:13 53:11 constitutional 49:20 50:15 52:25 53:6,14 53:16 58:3 constitutionally 83:2 88:9 consumption 8:1 contain 4:7 7:23 9:21 25:20 41:1 43:11 contained 8:22 41:25 42:5 66:14 contains 10:4,25 11:7 39:12 41:19 76:1 contest 11:15,17 11:20,23 12:7 contests 12:2 continue 3:6 41:15 52:7 75:7 control 10:21 15:24 16:4 26:15 32:6 33:17 conversation 54:8 68:21 91:18 conversations 89:21	Convex 21:12,23 35:13,18 37:11 38:1 44:9 45:25 64:3 copy 3:8 6:23 Cord 1:6 core 65:19 correct 60:18,20 68:13 72:12,16 73:3 76:19 77:12 78:15 87:5 88:1,1,14 88:17 89:2 93:25 correctly 69:25 70:17 73:5 75:14 76:16 Corridor 35:25 counsel 4:4 count 9:4,8 11:14 47:9,23 49:4 counted 9:3 counties 8:9,17 8:18,20,23,25 9:16 22:9 25:20 35:9 41:21 46:12,14 59:3,8 60:8 counting 9:9 counts 8:17 9:12 9:14 county 8:21,23 9:5,6,11 13:22 14:5,10 16:17 17:5,8,10,12,15 17:18,20 18:23 19:5 22:10 23:10 27:9,10 34:15,17,19 35:7 36:6,6,16 36:19,21 40:7,7 40:11 41:12,20 41:21 42:1,6,20 43:14,17 51:7 62:19,24,25 65:14,18,19 66:4,10 67:23	68:10,12 County's 63:20 66:14 couple 67:16 course 51:7 53:15 61:19 85:5 Court 9:2 43:8 courts 14:7 15:19 cover 8:2 covered 34:10 create 83:2,22 creation 53:3 81:10 Crestview 16:21 17:3 criteria 83:17 cross 14:9,13,16 47:5 92:23 crossed 43:17 crossing 12:24,25 13:2,12 92:13 current 27:17,17 27:23,25 28:13 28:19,25 29:2 66:9,11 69:17 currently 15:15 15:16 28:16 30:15 66:15,21 cut 27:20 cycle 46:23 cycles 12:9	decided 55:10 deciding 55:24 decision 42:16 59:14 60:25 61:24 63:14 71:21 81:19 decision-making 93:12 decisions 58:14 61:12 70:24 71:2 89:6 94:8 deeper 91:6,6 defer 21:3 86:17 deference 93:12 definitely 60:22 Democrat 11:12 11:15,18,20,23 26:17 Democratic 15:24 26:15 Democrats 16:1 demographic 43:19 demonstrate 19:7 23:17 36:12 47:12 50:7 demonstrates 18:5 34:19 denied 7:6 denies 9:24 densely-popula... 65:16 density 81:7 deny 41:6 depending 65:3,7 depends 68:17 depth 55:20 despite 26:20 detailed 13:6,16 details 63:12 determine 31:18 32:3,5 68:25 determines 55:5 determining 55:16 deviate 52:17 deviation 8:6	24:11 45:13,14 45:21 64:9 66:5 devices 2:19 dictates 33:4 difference 26:21 27:1,12 35:12 67:10,14,17 68:4 70:12,13 82:7,9 87:14 differences 20:17 40:11 different 5:7 31:23 37:22 44:1 64:6 67:16 70:6 89:22 differently 16:2 34:12,20 42:21 50:24 digestible 10:21 DIGITAL 1:23 diminish 5:21 7:9 7:13 26:13 41:9 diminished 15:5 15:19 diminishes 10:2 diminishing 19:11 diminishment 13:13,20 15:11 15:17,18,20,21 15:21 16:7 26:4 31:1,3 33:21 43:7 49:1 83:8 92:14 directed 18:12 50:3 direction 26:18 59:16 65:3 68:20,23 69:1 86:19 directive 45:8 59:5 directives 3:7,9 6:22,24 39:19 56:6 82:24 94:1 disagree 79:25 disagreement
---	--	---	--	--

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 5

67:4	43:1,3,12,12,16	45:19 47:10,16	earlier 39:14	elevate 91:9
discover 29:6	43:16,22,23,23	47:18,19,24	52:16	elevated 91:18
discuss 53:23	43:24 44:3,4,6	48:4 51:6 52:4	ears 27:20	eliminate 71:7
59:13	44:7,16,18	58:22 59:7	easier 8:1 61:10	eliminating 68:19
discussed 7:22	45:20 46:15	62:22 80:19	71:21	eloquent 56:11
31:3 48:25	47:6 48:5,6,13	81:4,12 86:16	easily 38:18	eloquently 56:9
74:22 78:13	48:23,25 51:8,9	88:11 90:15	64:12	encompass 69:22
89:8	51:10 52:9,14	91:5,13	east 40:6 49:3	encouragement
discussing 50:5	53:2,3,6,9	districts' 11:8	66:4	93:15
discussion 13:5	54:24 55:8,8	17:15	eastern 38:17	encouraging
45:4 50:17 51:4	56:14,16,19	divide 24:9	42:1 66:1	89:23
51:13,14 64:25	58:6 59:1 62:18	doing 61:16	economically	engaging 89:20
71:19 72:4	62:19 63:21,22	64:19 74:6	53:1,8	entire 18:7 19:10
73:24 74:5 75:2	64:11 65:2,12	75:13 83:21	effect 5:16 57:22	23:4,19 34:24
86:1,8,11 89:5	65:25 66:10,11	93:16	63:25 82:13	35:11 64:11
90:11,25 92:3	66:14 68:1 69:8	draft 80:2,3	83:6,15 90:8	68:12 78:8
discussions 61:20	69:9,10 80:17	drafts 3:4 37:19	effective 5:25 6:2	79:16,21
disenfranchised	80:18 81:3,11	37:25	6:9 15:16 40:15	entirely 8:23
13:11	81:21,25 83:3	draw 13:21 19:8	40:16 42:25	22:11 67:6
disenfranchising	83:14,23 84:21	22:2 25:17 59:5	43:24 44:3,17	79:20
14:4	86:11 87:15,15	79:19,20	51:8 56:2,17	entirety 34:24
displays 17:25	87:19 88:21,21	drawing 5:7 16:2	57:19,23 65:4	38:17 60:15,25
37:20	92:20,22	28:5 30:2,7	69:1,12 78:21	equal 22:20
distinction 82:15	district's 22:17	34:21 72:8	80:11,17,17	25:10 48:1
distribution 17:7	55:3	82:17 83:18	81:2,20 83:8,14	equalize 34:18
47:13	districts 5:7 6:1,3	drawings 72:10	84:19 87:6	equation 84:21
district 3:24 6:4,4	6:9,10,11,12,15	drawn 15:22 17:7	effectively 15:24	essentially 67:5
6:4,5,6,7 7:6	6:15 8:21 9:10	29:5 30:16	effectual 31:5	82:4 90:21
8:12,18,22,24	9:12,13,17,20	40:14 42:25	effort 90:10 93:4	estimate 49:17
9:24 13:21 14:9	9:22 12:13	43:2,15 44:3,6	eight 50:10	et 1:2
14:15 15:8,15	13:25 16:17,21	76:3,3 80:3,5	either 10:6 11:17	ethnic 11:5
15:16,23,25	17:13,19,23,25	83:21	11:20,23 14:21	ethnicity 10:7,15
17:9,10 19:8,14	18:7,22 19:11	drew 39:10	46:3 49:6 76:3	10:15,17 11:2,6
20:22 21:7	20:13 21:5,7,14	driven 10:22	82:19 84:23	evaluate 7:5
23:20 24:12,19	21:15,16 23:1	drop 15:9	elect 5:23 7:9	evaluation 9:23
24:20 25:22	23:23 24:9,10	dropped 14:12	10:2 14:6 19:13	evenly 24:10
26:4 27:18,25	24:24 25:17,20	dropping 33:15	26:14 31:5,19	everybody 2:3
28:7,20 29:1,2	26:16 30:6	drove 42:16	32:16 37:2 41:9	4:15 51:18 88:3
29:4,8,12 30:19	31:11 34:9,11	duck 21:1,2 22:6	53:7 55:3,6	EVIDENCE 1:23
31:9 32:3,15,23	34:19,21 35:17	27:21	56:19 80:20	exactly 53:22
32:25 33:6,13	35:25 36:4,7,9	Due 43:19	82:1	56:24
34:15,16 35:5,7	36:13,14,17	Duval 18:23 19:5	election 10:12,24	examine 5:8
35:11,14 36:19	37:5,18,23 38:7	22:10 24:5	11:9 12:3,8	example 47:16
37:3,10 38:15	38:11,21,24	Duval/Clay 23:10	32:2,5 33:19	52:15
40:2,3,14,16,17	39:22,25 40:1,5	27:10	elections 10:20	examples 17:9
40:24 41:5,19	40:8 41:2,12,16	E	11:2,4,10	39:14
41:25 42:5,8,24	43:21 44:1		electronic 2:19	excellent 92:16

exchanged 43:21	feel 50:23 51:2	finds 3:25	61:15 69:18	gain 33:11
excuse 6:2 9:11	54:5 55:18	fine 87:20 91:4	71:4 72:9,19,22	Gainesville 65:21
40:16	60:10 69:20	first 18:23 20:24	75:12,16 76:7	66:6
existed 38:22	73:25 77:15	21:20 23:9 27:6	76:11 77:21	gear 65:2
existing 8:10 18:6	87:2,22 90:9	44:2,8,22 47:18	79:15 85:4,11	gearing 85:25
explain 12:24	91:4 93:16	51:12	85:21 86:4	gears 68:21
79:2	feels 59:15 61:15	five 6:14 12:9,9	87:17,25 88:2,4	general 10:12
explanation	78:1 86:18	fix 53:13	88:23 89:10	11:4,8 12:8
13:16 70:20	fellow 51:19	Fletcher 49:4	92:6 93:4	generally 44:16
express 3:11	FEMALE 19:15	floor 51:19	four 3:2,21 4:20	generals 32:4
expressing 93:17	84:24	Florida 1:14 6:21	6:2,13 16:14	geographic 5:15
Expressway	Ferrin 4:14,16,19	8:3 9:2 18:19	17:23 37:21	8:11 17:4 18:2
20:25 23:10	12:16 13:5,15	41:3,23 42:3	42:17 44:22	18:6,11,15 19:9
27:7	13:17 14:17,19	56:15 69:7,11	45:11 46:12	22:14,18,22,24
extraneous 10:22	15:13,14 16:13	79:9 89:13,19	50:4,21 53:24	23:5,18 34:24
eye 22:5	16:15 19:22	Florida's 46:23	57:3 60:23	35:10 36:25
F	20:10 21:2	flsenate.gov 7:21	61:14,19 62:5	37:14 38:5,19
fact 13:20 52:24	23:14 24:2,15	focus 3:20 58:16	69:16 70:3,25	39:3,7,11 42:15
factor 55:24	24:17 25:2,5,9	65:2 77:15 78:2	71:10 73:8 74:3	44:11 46:5,7
factored 30:7	25:12,14,16	79:10 90:2	74:21 75:3,7,12	47:11,14,21
factors 30:3	26:10 27:3,4	focused 76:23	75:13 76:10,12	48:3 49:14,21
54:24 55:1 56:5	28:1,2,21,23	focusing 73:8,24	76:16 77:21	64:10 81:14
82:3 92:15	29:19,24,25	follow 17:11,16	79:5 88:22,23	geography 8:21
failed 29:8	30:17,18,23	17:19 22:18	four-lane 48:22	geometry 46:22
Fair 90:14 91:5	31:2,21,22	36:5 39:11 40:6	49:7	getting 27:21
91:12	32:19,25 34:4,7	40:20 41:22	fourth 9:15	76:22 81:7
fairly 13:23	50:1 55:18 56:1	53:18 57:11	frankly 58:1	Gibson 2:10,11
fairness 61:14	56:8 57:16	59:2 71:16 86:5	free 60:10 87:2	19:17,23,25
fall 47:10	63:12,15 64:18	follow-up 32:10	fresh 51:15	20:1,11 21:1
familiar 67:15,21	65:17,18 66:12	56:12 66:18	full 3:8 4:3 50:6	23:12,24 24:13
far 21:4 28:25	66:13 68:7,14	81:23	54:4,9 61:1,5	24:16,25 25:4,6
53:15	70:19,22 75:15	followed 27:8	68:24 69:18	25:10,13,15,25
feasible 18:5 19:8	75:19,20 79:2	following 45:7	71:5 72:15,20	26:1,2,6,7,23
23:18 39:7	79:13,18 80:23	follows 17:1,4	74:11 76:25	26:24 27:13,15
49:21 59:6	80:25 83:11	20:23 23:8,8	85:8,15 88:4	27:16 28:9,10
feature 39:9,15	Ferrin's 4:10	36:22 39:19	89:2 94:5,9	28:13 29:15,16
features 17:5	file 1:12 75:24,25	48:17	functional 7:5	29:21 30:8,10
18:11 22:19,19	80:5	footing 22:20	9:22 10:19	32:7 51:22,23
23:8 34:24 37:1	filed 79:21	forced 23:21	26:11 31:7,9,17	51:25 54:11,13
38:19 39:7,13	final 69:16 71:18	foregoing 95:5	32:13 33:5,6	54:21 57:5
64:13 81:15	75:17 76:5,11	form 2:21 79:15	41:4 43:4 54:22	59:17,23 60:6
federal 4:7	77:2 80:15	forth 63:11 71:23	54:25 55:1 56:2	60:12,13,19
feedback 2:25 3:6	85:13 89:6	71:25 79:17	further 3:3 59:13	62:12 72:5,6,16
3:10 51:20	finalize 59:14	89:22 90:11	63:10 89:4 92:3	72:23,25 73:6
53:21 54:3 89:9	finally 11:7 12:5	forty 28:10	92:5 94:10	74:7,9,12,15
92:6	47:8	Forty-five 24:14	G	85:18,19 86:5,7
	find 3:8 32:7	forward 4:5 54:8		86:22 87:24

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 7

88:2,6,7,18,19 94:10 Gilchrist 34:15 34:18 35:5,7 51:7 58:23 59:1 60:4 62:19,23 63:20 65:8,22 67:10,19,23 68:10,13 69:9 78:9 85:2,5 87:19 give 54:16 56:22 69:6 74:22 80:14 90:21 given 71:18,22 82:25 gives 67:18 70:11 70:13 Glades 48:18 go 12:14 20:2,3 20:11 21:4 30:4 45:17 50:17 51:16 54:17 55:19 58:21 62:18 65:3,8 68:20 69:1 77:21 goes 79:12 going 20:11 21:5 21:18 22:7 23:3 23:15,16 26:16 30:25 31:12 44:5 47:9 49:11 51:12 52:1 54:15 55:17 60:3 65:20 66:6 70:18 72:22 80:16 82:19 87:25 88:2 90:13 good 2:2 49:19 64:19 85:12 91:3 graded 21:21 gray 21:21 68:1 great 4:15 58:15 62:14 93:3,17	greater 48:1 GROUP 1:23 group's 7:7 groups' 9:25 growth 28:18 29:9,11 guess 14:13 15:7 15:10 28:16 32:11 55:12 56:14,17 72:11 80:13 84:12 85:25 guidance 3:1,11 54:4 Gulf 17:21 Gulfport 36:21 36:24 <hr/> H hand 2:21 happen 62:22 happening 93:13 happy 4:14 hard 63:10 64:16 64:20 73:9 hear 50:25 57:5 89:8 91:2 heard 90:25 held 12:4 help 10:21 helping 94:7,8 high 63:3 higher 14:24 35:16,18 38:1 44:9,16 48:2 52:19 highest 46:13 highlight 62:21 highway 48:21 48:22 highways 48:9 49:7 Hill 17:3 Hillsborough 13:22 14:10 36:6,16 Hispanic 6:14 8:7	10:8,9 33:2 40:1 Hold 12:17 holiday 46:20 honestly 82:11 hope 71:11 hoping 65:8 hopping 39:15 Hull 21:12,23 35:13,18 37:12 38:1 44:9 45:25 64:4 hundred 24:14 28:10 HVAP 10:8 33:15 Hypoluxo 42:3 48:7 <hr/> I I-4 35:25 36:8 I-75 36:6 I-95 23:9 idea 24:15 71:20 ideal 24:8 ideas 80:3 identified 10:5,9 III 6:20 illustrated 5:6 illustrates 17:22 42:7 image 16:18 20:14,16 23:20 25:3 36:14 38:10,12 40:13 40:22 63:19 images 36:11 impact 21:19 79:3 81:4 88:10 impacted 38:15 48:15 impacting 21:17 impacts 53:1 81:12 impermanent 18:12 impermissible	3:14 implications 82:19 important 57:19 77:14 80:10 90:18 improve 5:13 45:24 90:10 improved 3:4 37:9 42:17 50:12 90:4 improvement 3:23 46:4 47:13 improvements 4:25 5:20 18:14 41:15 45:5,8 46:11 73:20 74:2 91:19 improves 88:10 88:11 improving 73:10 90:2,5 inaudible 2:15 29:23 30:11 32:8 51:22 57:9 67:1 70:7 72:23 84:10,24 89:15 89:18 include 17:10 42:16 78:20 included 2:24 6:24 8:17 43:4 includes 12:8 including 10:7,10 inclusion 18:17 49:13 inclusive 53:18 incorporated 22:11 increase 37:12 52:11,24 81:25 increased 18:2 42:12 47:22 indicated 9:2 indicates 26:11 31:11 indicator 49:19	individual 21:14 indulge 58:19 information 8:11 8:15 10:13 11:8 infringing 33:21 initially 43:14 input 51:20 insets 8:3 instance 56:18 92:18 instructed 4:24 28:4 instructions 41:14 interact 21:16 interesting 52:3 63:4 89:20 interpretation 43:7 Interstate 17:1 irrelevant 22:10 issue 92:13 issued 3:7 94:2 issues 6:23 39:19 iteration 47:18 73:11,18 iterations 37:8 46:11 88:22 iterative 47:12 IVEY 2:6,8,10,12 2:14,16 <hr/> J Jacksonville 8:4 22:12 30:15 January 1:15 7:18 45:3 46:21 Jay 52:22 job 62:4 64:19 93:3,8,17 jump 63:16 juncture 72:18 <hr/> K keep 29:8 32:22 36:20 38:3,25 42:13 44:12
--	--	---	--	--

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 8

47:7 57:23 66:21 67:6,6 91:22 keeping 5:16 46:11 59:1 60:7 66:22 88:7 keeps 59:5 60:3 Kennedy 17:17 kept 8:20 16:21 29:10 37:15 46:14 47:3 81:16,16 86:3 kick 13:15 70:18 kind 21:20 22:10 24:18,23 32:4 32:17 34:8 43:21 49:8,17 50:3 51:5 52:2 62:10,21 63:9 65:1 77:23 79:2 know 23:4 25:19 33:3,4 52:24 53:24 54:20 56:10 57:1,6 59:11,11 61:9 63:6,14 64:25 66:22,24 67:2 67:22 68:22 70:24 73:13,23 75:6 76:25 77:19 78:9,23 79:1,16 82:20 83:7 85:5 86:2 90:12 91:4,21 91:25 92:12 93:10,11,16 known 49:14	leading 93:3 League 89:13,18 91:15 92:16 leave 85:13 led 18:16 26:18 left 16:20 19:3 20:3,6,7,16 23:20 25:3,4 26:3 34:8 36:11 38:10 40:13,18 41:18 42:22,24 63:20 64:16,19 65:13,15 legislative 1:13 2:3 93:11,12 lend 53:2 64:15 length 35:11 let's 27:11 55:2,9 78:7,7,20 level 31:12 63:3 78:4 81:8 lie 86:15 liked 71:20 likeminded 67:24 line 23:11 24:1 27:9,10 43:18 83:21 lines 47:6 list 9:16 48:14 little 14:24 20:5 23:21 24:3,7 55:20 60:19 61:10 62:25 63:23 64:3,4 65:13,15 67:18 71:21 79:2 82:22 90:13 locally 49:6 located 43:13 lock 70:17 locking 46:21 long 33:22 91:2,3 longwinded 84:7 look 13:7,23 16:2 18:23 21:14,20 22:13,16,23 27:2 31:6,22,25	32:1,1 41:15 52:1 54:22 58:25 63:17 81:10 85:10 91:15 93:4 looked 4:24 5:12 14:20 39:15 41:13 looking 13:18 14:23 16:3 20:17 24:6,6 30:5,22 32:5,13 33:4,20 34:13 41:11 53:25 54:25 56:25 57:2 64:5 65:12 looks 62:23 lot 55:25 63:6 66:3 90:25 92:13 lower 18:1 21:10 38:25 39:2 lowest 38:5 45:12 46:6 Lucie 40:7 41:20	75:5 77:25 80:16,17 87:12 MALE 30:11 Manatee 17:18 mandatory 90:6 90:16 91:10,20 91:24 manipule 16:22 manner 33:23 53:14 57:22 map 3:18 8:3 19:24 20:6,8 30:21 39:14 57:11,20 60:15 60:16 65:13,16 66:23 69:8 70:5 72:1,19 77:10 77:11 78:19,19 78:22,23 79:16 79:20,20,21 91:16 maps 3:2,19 4:20 4:23 5:2,6 16:12,14 37:3 41:15 45:10 53:24 54:16 57:12 59:21 60:23 61:24 62:5 69:23 70:3 70:25 71:10 73:6,15,22 74:21 75:3 76:1 76:2,16,17 79:6 84:18,25 85:1 85:20,21 86:3,4 86:9 88:14 92:7 92:24 March 95:13 margin 11:16,19 11:22 Martin 41:20 match 30:5 matched 45:12 matching 5:10 materials 3:9 6:25 7:19 43:5 mathematical	37:11 38:25 42:13 45:25 mathematically 34:21 mathematics 22:8 maximize 90:24 maximized 91:17 maximizing 91:1 maximum 11:16 mean 30:2 53:22 73:6 77:23 82:5 meaning 8:22 meaningful 81:18 means 90:24 measure 15:11 measurements 18:3 mechanics 83:4 meet 32:15 49:12 53:16 57:25 91:3 meeting 2:24 3:1 3:9,13,15 4:23 6:24 7:19 39:25 43:5 72:15 meetings 50:11 meets 31:19 32:14 50:15 91:2 member 2:21 members 3:10 51:14 76:3 mentioned 7:11 14:3 39:14 42:4 methodology 5:11 18:10 39:6 39:18 metric 3:23 22:16 31:18 metrically 22:3,6 23:16 metrics 5:13,20 13:25 21:4 35:4 35:6,19 37:9,17 37:20,22 38:20 44:2,5,17 45:6
---	---	--	--	---

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 9

50:12 64:1,14 73:10 81:13 Mexico 17:21 Miami-Dade/B... 43:17 middle 36:11 mile 27:1 mileage 28:6 30:5 miles 20:7 21:9 21:11 27:7,10 27:22,23 29:23 52:2 Military 41:24 42:3 mind 19:22 32:22 88:8 91:22 minds 47:7 minimum 11:19 50:18,20 61:7 minor 36:3 40:4 40:19 41:1 minorities 5:22 41:7 81:6 90:21 90:22 minority 6:1,3,5 6:9,11,14 7:7 7:13 9:25 13:21 15:8,15,16 40:1 40:2,15,17,24 42:25 43:2,11 43:15,23,24 44:7,15,17 48:25 51:8,9 56:15 57:18,19 57:23 58:2,6 65:4,5 69:1,2 69:12,13,13 80:10,11,18 81:2,3,11,20,20 83:3,9,14,23 84:14,20 87:7 87:10 minority/majo... 84:20 minus 45:21 83:12 misperceived	3:13 mistaken 68:6 misunderstood 70:1 motivated 3:13 mouth 86:13,24 move 16:11 34:11 69:16 71:22 75:11 76:6,11 88:23 moved 41:22 73:1,2 86:10 movement 66:6 68:11 81:1 moves 94:11 moving 18:19 34:18 63:22 68:8 71:12 85:4 85:10,20,21 86:19 88:4 89:9 92:6 municipal 18:12 36:24 39:8 42:2 municipalities 35:9 46:12,23 muster 50:15 <hr/> N narrow 50:18,21 65:1,9 68:16 71:20 72:3 75:6 76:13,23 78:1 94:8 narrowed 58:16 87:22 narrowing 6:17 63:10 Nassau 19:6 24:5 Nassau/Duval 27:9 nature 33:12,16 necessarily 21:18 58:7 64:15 necessary 9:23 37:1 78:13 need 57:5 59:12 61:23 71:9 84:3	90:24 needed 10:18 needs 75:1 neglected 4:14 neighboring 29:12 neither 26:12 43:6 88:14 net 63:25 82:13 Never 74:14 new 4:14,17 18:1 50:9 58:5 60:16 73:2 79:20 80:3 83:2,23 nonboundary 23:1 noncompact 13:23 nonpolitical 18:1 22:23 37:14 38:5 39:2 46:7 47:11,14 48:3 normalized 10:19 north 36:22,23 66:7 67:25 Northeast 18:19 northern 48:18 note 43:10 45:16 46:16 noting 28:3 47:3 notion 85:2 November 5:6 16:19 44:24 45:2 number 8:16 9:4 9:6,9 13:10 31:22 32:12 33:24 35:8 46:13 47:16,20 55:14,17 66:11 73:19 numbers 20:5 32:18 33:8 87:13 93:25 numerically 16:5 NW 1:24	O objection 94:11 obvious 64:15 obviously 21:5 50:23 51:5 52:12 53:24 55:21 60:10 61:8,20 64:9 65:3 68:16 79:3 82:18 83:9 89:7 92:20 occur 13:20 October 6:23 offer 54:7 88:12 offering 4:2 office 2:22 Oh 30:12 70:4 84:17 Okaloosa 16:17 okay 16:8 20:2 21:3 25:4 26:8 30:24 31:14,15 34:2,2 54:21 55:5 59:23 66:16 68:13 70:21 75:10 86:22 87:8,21 88:4 old 78:22 ones 49:12 69:17 77:8 87:4 open 51:19 93:18 opinion 54:16 58:12 77:8 opinions 93:18 opportunities 7:13 52:11 opportunity 5:12 26:13 41:7 52:10,23 78:11 90:22 92:21 opposed 13:1 56:17 62:23 option 69:14 76:23 84:14 options 6:17 13:8	51:9 68:24 69:2 69:6 70:2 71:1 74:23 88:4 89:22 94:2 Orange 36:8 order 2:4 13:12 13:21 23:22 25:18,21 69:24 75:22 ordered 14:8 original 84:13 Orlando 8:4 Osceola 38:16 outcome 56:1,2 63:8 70:20 outlier 48:7 outside 85:12 overall 8:13 21:6 21:21 25:16 32:2 33:18,25 35:16,18 45:5 45:12,21 46:6 90:1 overlap 8:10 overlook 89:6 overly 25:10 overpopulated 24:4,12,16 25:22 29:13,16 29:17 overpopulation 24:23 25:6,8 <hr/> P pace 29:8,10 packet 9:16 10:4 11:25 packets 7:18,23 page 7:20 8:2,5 8:15 10:4,18 11:7,25 12:5 pages 9:15,21 Palm 40:7 41:12 41:20,21 42:1,6 Panhandle 16:16 parameter 37:10 Parkway 17:11
---	---	---	---	---

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 10

20:24 36:5 parliamentary 75:23 part 41:20 48:6 79:25 90:19,20 participate 5:22 7:8 10:1 19:12 41:8 particular 10:23 16:12 23:6 84:15 86:19 90:1 particularly 5:14 parts 36:25 71:12 party 10:14,16,16 11:2,5,6 Pasco 17:10 36:6 pass 4:13 passed 73:1 76:16 people 24:7 25:23 29:1,10,13 65:22 68:9 people's 66:5 percent 14:21 15:9,10 20:20 23:1 25:18 26:20 30:20 31:10 33:3 45:13,20,21,22 46:8,25 47:17 47:20 48:1,3,24 55:4,9,14,15 64:8 83:8,10 percentage 8:9 9:18 12:1,6 14:12,14 83:12 Perfect 64:24 perform 7:4 26:17,19 31:12 57:22 81:5 performance 10:23 11:9,11 32:3 33:12,19 performing 33:1 33:22 performs 15:25	perimeter 8:8 21:10 permanent 39:8 personally 62:15 71:19 perspective 91:16 Petersburg 49:3 PGA 41:24 42:4 48:8 phenomenal 62:4 pick 76:17 picking 80:9 pieces 71:12 piggyback 13:5 Pinellas 14:5,10 36:19,21 plain 6:20 plan 4:9 7:18,24 8:13 16:19,20 30:18 35:6 36:16,18 37:5 37:19 40:25 43:9,10,13,14 43:16 44:21 45:15 47:8,15 51:18 plan-level 8:17 plans 3:16,21,21 3:25 4:5,18,22 5:18,25 6:8,13 6:16 7:1,11,15 16:24 17:24 18:1,4,18,21,21 18:25 19:6 28:5 30:2 34:12,14 34:15 35:17,22 36:1,15 37:8,20 37:21 38:8,10 38:12,21,23,24 39:4,24 40:9,10 40:12,22 41:1 42:9,10,11,18 42:21,22 44:4,7 44:9,20,22 45:2 45:11,19 46:3,6 46:13 47:19,20 47:25 49:24	50:8,10,10 59:6 64:2,6 80:2,4 93:23 please 2:5,18 86:25 89:17 plus 45:20 83:12 podium 89:17 point 19:24 20:9 48:22 54:18 57:20 58:13 73:4,12 77:7 82:5 84:13 85:17 86:1 88:25 89:25 92:17,25 93:20 points 33:16 51:5 62:18 83:13 85:13 89:4 90:13 policy 5:19 44:13 political 5:15,23 7:2,4,8 8:10 9:9 10:1 18:6 19:9 19:13 22:13,18 22:22 23:5,18 35:10 39:11 41:8 42:15 44:11 46:5 47:21 49:21 64:10 81:14 Polk 38:16 Polsby-Popper 21:13,24 37:12 38:1 44:10 46:1 pool 76:23 populated 25:11 59:8 67:17 68:10 population 8:6,7 8:24 9:1,7,19 17:7 18:8 20:19 23:22 24:1,2,5 24:8 26:21 30:1 30:14,19,25 31:4 33:10 34:18 43:19 45:13,14 52:4	64:9 65:19,21 68:5 81:7 portion 25:8 39:21 48:20 pose 84:3 position 2:23 51:3 76:2,5 possess 35:8 possibility 33:20 possible 58:3 77:16 79:10 possibly 51:3 posture 75:22 potential 13:10 13:13 51:17 75:18 77:4 potentially 14:3 16:7 70:15 poverty 53:3 practical 59:10 60:8 61:13 83:6 practically 13:14 practice 82:13 pre 52:16 precisely 57:4 prefer 66:20 76:12,13 preferable 4:1 preference 19:21 50:16 51:2 56:16,21 57:1,7 58:20 59:20 61:6 62:3,6,8,9 68:15 75:11 77:20 79:12 84:23 85:12,24 85:24 86:14 preferences 61:17 77:18 84:19 85:6 preferring 57:13 preparing 4:22 present 2:16 5:18 35:22 presentation 4:11 19:18 34:6 51:15	presentations 16:11 presented 3:21 4:9 5:2,18 9:1 39:23 44:23 45:1,10 47:19 47:25 presenter 93:15 preserve 71:8 President 89:13 pretty 46:2 49:18 90:4 previous 36:12 38:2 previously 6:18 7:1 19:3 38:11 primarily 36:22 41:22 primary 11:1 12:3 15:25 16:5 16:6 26:15 31:24,24 32:4,6 33:17 40:20 48:10 49:5 90:15 prior 3:4,25 6:16 41:17 50:11 73:18 priority 71:24,25 probably 22:5 55:25 61:13 67:3,6,24 71:9 75:6 83:20 proceed 12:12,15 12:19 16:14 34:5 70:3 proceeding 4:12 proceedings 95:7 process 5:23 7:9 10:1 19:13 41:8 59:15 72:17,21 75:14,21 77:10 78:3 79:2 88:24 93:9 product 75:3 proffered 61:21 85:7
---	--	---	---	---

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 11

proper 75:22	questions 3:10	28:12,22 34:5	10:13,14,14,15	83:18
proportion 22:17	4:11 12:12	48:10 51:24	10:16 31:25	result 33:9 45:7
proposal 87:16	16:10 34:4 52:8	54:14 80:24	33:17,18	63:22 65:23
87:17	54:19	89:14	regression 90:18	81:16 82:4
proposals 77:2	quick 19:23	recollection	related 85:14	resulted 6:17
propose 3:16,19	70:19 92:9	14:19	relates 21:7 56:5	14:8
50:5 93:21	quite 58:1	recommend 54:4	relation 32:23	results 32:2 59:7
proposed 7:6	quorum 2:16	71:6,9 74:21	released 45:3	retrogress 5:21
9:24 47:6 55:8		recommendation	relevant 90:14	7:12
92:7	R	3:18,20 50:21	relied 49:9	review 6:16 7:2,3
proposing 87:4	race 10:7,10,14	54:1 74:25	remain 39:23	26:11 31:8
protected 49:1	10:15,17 11:2,5	79:24 80:1	52:12	32:21 35:24
provide 53:25	11:5 31:24,25	recommendati...	remaining 9:21	56:6 77:1
57:24 68:23	32:1	6:19 51:17 61:4	85:3	reviewed 3:5,16
70:24 71:1 94:2	races 10:10	75:24 93:22	remains 37:13	4:22 5:6,8 37:4
provided 43:7	racial 5:22 7:7	94:7	46:2	45:11 50:11
57:3	9:24 90:21	recommending	remember 14:22	55:25
provides 18:9	Railway 40:6	39:16 60:14,15	Reock 21:13 22:1	reviewing 7:12
public 51:13,13	raise 47:17	60:16,24	35:13,16 37:13	40:9 42:21
51:16 89:5,9	raised 86:16	reconfiguration	38:3 46:2 64:5	53:12 58:24
92:3 93:13,15	range 47:10,13	33:14	repeat 20:5 25:7	reviews 37:19
published 7:16	64:9	reconfigured	59:17	revised 33:6
7:19	rate 26:20 37:15	40:8 41:13	represent 88:15	37:25 38:24
purpose 3:14	38:6	record 95:7	representative	revising 75:4
purposes 85:2	ratio 21:13	recorded 95:5	90:23	right 12:16 15:7
pursue 68:23	readily 34:22	Recording 2:1	representatives	16:9,25 19:1
push 65:24	real 70:19	94:13	10:3	20:3,8,15 21:19
put 61:14 63:11	reality 47:4	records 2:24	Republican	22:12 23:15
71:4,23,25	realization 83:22	redistricting 7:24	11:13,15,18,21	24:15 25:1,9,15
77:18 85:9 86:4	really 28:3 30:1	7:25 46:22	11:23	26:6 36:14
86:13,24 87:17	50:7 56:4 58:10	72:15	request 50:19	38:12 40:17,23
87:18	58:16 63:4,13	redrawn 41:16	require 70:2	41:17 42:23
putting 60:17	67:9 68:5 79:6	reduce 55:6,8	required 7:4	43:1 52:21,22
62:4 65:23	83:5 85:23	reduced 37:15	53:17	63:21 67:11
	89:19 93:17	reduces 55:2	requirement	75:20 80:18
Q	Reapportionm...	reduction 33:9	25:16 91:9	83:10 84:1,5,5
question 12:18	1:14 2:4	55:5,11,14	requirements	88:16
12:22 15:17	reason 12:24 48:6	reference 6:25	49:13,20 53:17	right-most 46:9
19:19,21,23	50:2 73:7 83:19	references 51:21	requires 91:5	Rights 90:7
27:14 28:9,11	reasonable 67:3	referred 6:19	research 45:17	River 17:2
29:15 59:12	received 12:1,6	referring 5:4	reservation 60:11	road 17:1,12,20
60:12,14 64:21	recognizable	reflect 37:8	resolve 86:2	36:9 41:23 42:3
65:12 68:19	64:13	reflecting 91:19	respect 74:24	48:8,17,18,19
73:5 75:15	recognize 22:4	reformatted 7:25	respondents 10:5	73:2
78:16 80:15	recognized 4:17	region 35:24 36:1	10:9	roads 17:14,16
82:16,18 84:3	14:18 16:14	37:9	rest 29:9,11	40:21 48:11
85:9,14 86:15	19:25 26:9	registration	39:13 42:6	49:5,10 68:4,8

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 12

roads' 67:16	44:5,25 58:19	64:21 66:8,17	show 5:20 8:6	65:7 68:11
roadway 48:20	secondary 40:21	67:13 68:3 69:3	9:10,17 12:5	smaller 27:21
roadways 49:2	48:11 49:5	69:16,25 70:8	20:12 23:24,25	37:10
Rodrigues 3:19	section 6:20	70:16 71:15,24	37:21 40:12	solely 13:22 31:3
27:15 50:5 61:5	22:25 52:2 90:4	72:2,5,16 73:5	43:25 44:5	sorry 19:16 20:4
75:13 76:17,25	see 4:15 12:23	74:8,19,24	46:11 47:9,12	23:12 24:13,13
93:23	13:1 18:19	75:10 76:9,20	57:17,18 90:3	25:7 26:7 29:17
Rodrigues's 94:4	20:18 21:6,23	76:25 77:5,13	shown 8:12 10:19	31:16 40:17
Rodriguez 2:12	22:15,24 37:25	77:20 78:5,14	16:25 19:1	54:17 70:1,11
2:13	38:23 42:12	78:17,25 79:19	41:16 44:21	84:17 87:12
role 2:5	44:8 45:5,23	80:25 81:22	64:1	92:9
roughly 24:11,17	46:4,10 50:2,12	82:10 84:22	shows 8:15 10:8	sort 58:10 74:4
27:11	53:16 54:8 60:1	85:12,18 86:8	11:11,14,16,19	91:6
row 37:20	61:6 63:20 68:2	86:13,17,17,23	11:21,25 16:18	sound 53:8
rural 59:3 60:8	76:10 77:21	87:6 88:2,6,18	35:1,4,6 36:14	sounds 71:13
67:24 85:4	80:1,12 92:5	91:7,22 92:11	37:17 38:10,13	south 8:3 36:23
rural-minded	93:4 94:9	93:7 94:4,10	38:20 41:5	48:16 56:14
59:9	seeing 4:13 16:13	senators 2:25	42:19 43:5 44:2	67:25 69:7,11
	33:8,10 34:4	50:2,16 51:17	44:19	Southeast 79:8
S	89:4 92:4,8	51:20 57:6 65:1	shy 14:21	southern 39:21
sacrifice 82:25	94:10	68:16 72:4	side 45:16 62:19	41:22 42:6
saw 51:15	seek 45:8	84:18 85:18	66:1	Space 17:17
Sawyer 95:3,25	select 1:13 2:22	87:22 92:8	significant 13:10	sparsely 68:10
saying 32:11	4:21,23 5:19	93:21 94:6	49:2 57:3 73:19	speak 2:20
57:12 62:7 68:2	7:20 50:24 61:2	send 61:19,25	silence 2:18	speaking 2:23
69:20 82:2	76:5,21 90:23	71:3 72:9,19	silenced 74:13	specific 14:25
85:20 91:7,8,22	selected 39:5	75:7 76:12 78:7	similar 17:9	21:7 47:10
says 55:10 78:9	senate 1:13 24:8	78:8	26:20 28:17	55:13,16
90:20	27:18,25 28:7	sending 70:21	31:12 35:20	specifically 11:11
scenario 51:7	30:2 41:11	sense 30:3 71:17	36:7 41:1 66:3	14:22
science 60:2	44:19 45:19,19	80:22 82:12	simply 81:6	spidery 13:23
Scoon 89:12,15	47:9 52:9,14	84:6	single 8:24	split 8:16 9:3,10
89:18	66:14	sent 72:18	single-member	9:11,17,17
score 21:18 22:24	Senator 2:8,10,12	separate 18:20	45:18	16:17 17:8
35:16,18,20	2:14 12:18 13:3	90:19	singly 10:6	24:18 34:17,20
37:13 46:2	13:18 14:2 15:2	sergeant's 2:22	situation 16:3	64:12
47:17 64:4,5	19:22,25 20:10	set 3:19 21:24	six-lane 48:9	splits 9:5,6,7,13
scores 8:8 18:2,3	21:3 26:1,6,23	32:12 44:8,25	skip 20:11	9:14 17:2
21:13 35:14	27:15 28:9,25	70:23 91:13	slide 17:22 23:15	spokesperson
37:11 38:2,25	29:15 30:9,10	shaded 21:21	34:8 35:1 36:12	92:15
39:2 44:10 46:1	30:12 31:2,13	shape 38:14	37:17 38:20	square 20:7 21:9
47:14,25	32:9 34:3 51:23	shaped 20:22	42:7,19 43:25	27:1,7,10,22,23
scoring 38:4	53:20 54:12,14	share 11:12	45:23 46:9 47:8	28:6 29:23 30:5
screen 16:18	54:20 56:11,23	shared 19:6	63:17	52:1,11 53:2
seat 13:2 30:15	57:5,7,10,14	shift 67:18 91:23	Slides 50:7	St 40:7 41:20
69:7,11 84:15	60:12 62:1,8,15	shifts 67:4	slip 33:9	49:3
second 8:5 12:17	62:16 63:2	shot 28:23	small 23:7 63:7	staff 3:1,11 4:5

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 13

12:21 13:6,7 54:20 55:4,10 58:11 62:4,20 76:3 82:16 83:17 84:11 93:2,7,19 staff's 75:4 staff-drawn 7:15 staff-prepared 4:18 staff-produced 3:2 stand 84:12 standard 31:19 57:24 standards 4:7,8 50:14 58:1,9 83:25 Stargel 2:14,15 57:7,9 62:1,2 62:15 67:12,13 67:14 70:7,8,9 70:16 71:15,17 72:3 77:5,6 78:5,6 Stargel's 74:24 start 16:16 33:19 starts 33:16 state 4:7 5:5,11 17:1,6,12,14,16 17:19 29:9,11 36:9 39:19,21 41:23 44:19 47:9 48:17 67:21 73:21 83:18 stated 22:7 statewide 8:2 10:20 11:9,15 11:17,20,22 12:3,8 18:16 static 17:4 18:11 18:15 39:6 82:23 statistical 63:6 statistics 8:6,15 status 65:4	statuses 43:21 stay 53:10,10 82:21 83:15 staying 85:3 step 50:13 stop 19:20 straight 20:5 87:13 Street 1:24 36:23 strict 49:12 strikes 29:22,25 strong 62:3,5 77:7,17,20 85:6 85:11 stronger 86:14 subcommittee 1:13 4:21,24 5:19 39:24 41:14 53:23 70:25 75:25 subcommittee's 7:20 37:6 subdivision 9:10 9:18 submit 3:17 54:7 55:23 67:5 93:21 submitted 86:21 substance 94:4 suggestion 62:15 69:15 75:9 77:16,25 Suite 1:24 summing 24:5 Suncoast 17:11 20:24 36:5 super 67:15,21 supposed 48:15 Supreme 9:2 43:8 sure 20:4 50:14 59:19,19 71:15 74:12 87:13 88:7 89:8,23 91:8 92:19 93:24 surgical 74:5 79:11	surrounding 13:25 79:4,8 80:19 81:4,12 survey 46:18 switching 39:9 <hr/> T <hr/> table 8:14 17:25 20:12,15,19 25:2 35:4 42:11 44:5,19 73:15 77:19 tables 34:9 43:25 take 25:19 28:23 29:4 50:21 56:11 61:3 73:14,16,19 76:18 78:22 takeaway 49:8,16 taken 94:3 takes 54:23 talk 5:3 47:2 63:12 92:14 talked 12:20 52:16 talking 14:25,25 54:20 74:23 82:6,8,14 84:17 84:22 Tampa 8:4 12:21 13:2 35:24 37:9 targeting 74:4 team 77:24,25 78:1 technical 40:4,19 41:1 60:13 tell 60:10 terms 5:10 21:11 22:9 27:1 33:18 58:7 68:18 81:5 81:9,12 thank 4:19 13:3 13:17 16:9,15 20:1,10 24:6 26:2,7,10,25 27:16,16,16 28:2 29:21 30:8	30:9,13 32:19 34:2,3,7 49:25 51:25 52:22 53:19,20,21 54:11,12,15 56:23 62:2,17 63:2,15 64:18 70:9,22 72:2,6 74:15 77:6 78:6 78:25 79:18 80:25 85:19 86:7 88:19 89:16 92:2 93:2 93:6,18 94:6 Thanks 93:5 them's 21:17 thing 52:3 63:4 71:18 90:15 things 31:23 60:16 72:3 79:5 91:19,24 think 12:21 13:18 15:19 16:3 20:2 26:24 28:16 48:5,14 50:4,7 51:4,12 52:18 52:20 53:12 56:9,15,16,18 61:13 62:3,10 62:14 65:23 66:20 67:14 68:3,5 70:10 71:13,18 75:1 77:14,16 78:2 80:9,12 81:9,17 82:9,16 83:7,19 84:13 86:14 92:15,18 third 9:15 thought 92:25 thoughts 51:1 64:24 three 6:8 9:12,12 18:3 45:6 46:10 threshold 32:14 throw 58:22 throwing 60:9	Thursday 76:6,9 94:5,9 Thursday's 80:6 tie 63:6 tier 4:8 5:13,20 21:4 35:19 37:22 44:17 45:6 49:1 58:1 58:8 81:13,18 90:2,3,5,6,6,10 90:16,17 91:9 91:10,16,20,25 92:1,1,17 tier-one-protec... 37:2 tiers 92:18 TIGER 46:20 tight 52:7,8 tighter 53:2 75:5 time 2:23 4:1 34:5 54:6 63:10 76:24 77:4 79:19 times 9:9 tip 65:15 Titusville 17:17 today 3:3,11,22 4:6,20 5:18 6:14 7:12,16 14:23 17:24 18:5,18,21,21 18:24 19:7 34:13 35:23 36:2 37:4 38:9 39:5 40:9,10 42:10,22 45:4 45:12 47:19 49:24 50:6,9,20 53:23,25 57:21 74:3,22 78:13 79:24 82:18 84:4 90:1 93:13 today's 16:24 36:16 37:8 38:13,21 42:17 46:6,13 47:25 top 17:24 20:13
--	--	---	--	---

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 14

20:19,22 21:8 21:11,24,25 22:1 23:2,3 24:19 27:4,20 28:14 35:4 42:11 total 3:16 23:4 63:8 totality 32:21 33:25 56:4 73:16,21 tracks 90:6 trade-offs 5:1 tradeoffs 4:8 45:9 55:22 63:5 81:18 82:20 83:1 Trail 42:4 transcribed 95:5 transcript 95:7 TRANSCRIPT... 1:12 transition 65:7 translate 57:10 treatment 5:4 Trial 41:24 triangular- 20:21 true 95:7 trump 92:17 try 47:6 50:13,18 63:16 71:7 trying 15:3,11 28:17 55:12 71:8,20 73:14 86:24 91:23 tune 29:9 turnout 10:23,25 11:3 16:6 31:24 31:24 32:1 Turnpike 41:3,24 42:3 two 6:10 9:13,14 18:3,20 21:15 21:16,22 22:25 23:23 24:8,10 25:20,20,20 26:22 27:2	28:10 35:16 40:25 42:14 43:21 50:19,22 57:2 58:1,17 61:7,14 62:12 64:6 69:21,22 70:11,12,14,24 71:3 77:18 78:2 81:9 82:8 85:20 85:20 86:3,4 87:22,24,25 88:2,14 92:7 93:22 two-thirds 47:24 type 23:7 39:9,16 U U.S 49:9 ultimate 55:24 56:1 63:8 Um-hum 27:13 32:24 67:8 80:8 unanimously 3:7 underpopulated 29:1,19 underpopulation 29:7 understand 15:4 69:25 70:17 71:11 73:5 75:14 76:15 87:3 understanding 13:7 28:17 31:17 61:11 75:21 76:8,21 82:2 understood 34:23 38:19 64:13 Union 59:4 unpopulated 9:3 urban 65:14 67:25 68:11 usage 23:2 37:14 38:6 46:8 47:11 47:20 48:2,4 49:18 60:7	usages 38:18 use 18:5,11,14 22:16 23:4,18 35:10 36:16 37:4 39:2 44:11 46:4 49:2 52:14 64:10 66:2 81:13 uses 19:9 38:16 38:17 42:1,2 utilization 5:14 utilize 34:22 42:14 49:21 utilizes 19:4,9 utilizing 16:22 V v 1:4 variables 10:22 variations 5:9 34:17 35:12 63:7 variety 23:7 39:12 various 5:1 45:9 93:9 VDAP 33:15 version 35:14 versions 35:17 44:1 57:20 versus 18:11 21:12 64:4 81:20 91:25 victory 11:17,19 11:22 Video 2:1 94:13 view 77:24 VIP 33:3 visual 22:4 visually 34:22 59:25 visually/optically 58:24 voice 19:15 30:11 74:13 84:24 voluntary 46:18 Volusia 17:12	vote 11:12 15:6 61:3 76:18 voter 10:13,25 11:3 31:25 32:1 33:17,17 voters 7:14 13:10 14:4,4 15:5,23 16:4 26:14 53:19 89:14,19 92:16 votes 12:1,6 voting 8:7 20:18 26:21 30:14,25 31:4 33:10 52:4 90:7 W wait 65:11 waiting 19:17 waive 2:22 walk-through 4:17 want 52:14 60:11 68:23 73:14 74:12 75:6 78:10 86:12 89:5,8,25 91:9 93:24 wanted 12:23 25:19 54:17 62:17,20 63:11 72:10 80:13 91:8 Washington 1:24 wasn't 86:23 watching 89:24 way 9:8 13:14 15:22 17:20 47:12 50:13 65:8 66:21 70:23 73:14 74:5 76:24 77:24 80:12 81:10 82:20 84:23 91:11,12 ways 5:7 22:15 63:6 93:10	we'll 7:12 16:16 18:23 19:23 34:11 51:12,15 51:16 72:9 we're 5:4 14:23 16:3 18:18,24 19:24 20:19,20 21:18 23:1,2 24:6,6 26:18 27:20 30:21 33:4,5,8,10,11 33:22 34:12 40:9 42:21 49:11 50:4,25 53:17,22,25 56:25 60:14,14 60:17,23 61:2 71:8 73:23 74:23 77:11,23 77:23,24 83:7 84:22 85:20,21 91:3 we've 6:19 7:22 15:22 21:10 31:2 34:10,10 43:1 45:24 46:20 48:24 59:9 72:25 73:1 73:1 74:1 80:2 80:4 82:25 87:21 93:16 94:2 website 7:21 Wednesday 7:17 week 3:23,23 4:3 weigh 60:10 weighing 89:22 weight 35:21 welcome 89:16 well-known 49:7 Wendy 95:3,25 went 5:8 45:18 77:8 weren't 28:3 west 48:21 wholly 8:22 41:25 42:5
--	--	---	--	--

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 15

widely 49:14	Z	1992 14:7	24's 36:20	4
wider 39:12	zero 23:2	19th 45:2	240 28:7,14,15,15	4 18:22 19:11
willing 54:10	0	1st 46:21	28:15	24:16,20 25:13
wins 11:14 32:4	1	2	248 21:8 28:14	29:13,17 34:9
92:1			25 40:5	46:8 52:15 54:1
wishing 2:19	1 16:17,21 17:23	2 4:8 5:13,20	26 38:7,11,21,24	60:24 61:20
Woman 89:13	17:25 18:7	16:17,21 17:23	52:20	72:8,10 73:18
Women 89:18	25:17 26:20	17:25 18:8 21:4	27 39:22	73:24 83:12,12
92:16	43:8 45:20,21	35:19 37:22	28 38:23 39:22	88:20,21
wondering 59:13	49:1 60:24 64:8	44:17 45:6,22	52:20	4,000 24:19,20
words 86:13,24	90:5,6,6,10,16	55:4 58:8 60:24	280 27:7	25:23
93:14	90:17 91:9,16	81:13,18 90:2,3	29 40:5,8 41:12	4,500 24:11,18,22
work 13:14 58:15	92:1,1,17	91:10,20 92:1	41:19 42:8	4:22-cv-109 1:4
61:10 64:16,20	1.92 45:13	20 36:4 37:18,24	3	40 6:15 17:14
73:9,9 75:4,8	10 1:15 17:1 36:4	20,000 29:13,17	3 23:1 48:2 60:24	39:22,25
77:2 91:6 93:2	37:18,23 47:17	200-square-mile	30 14:21 15:10	405 17:16
working 77:11	47:22 48:2,24	27:11	38:23 40:8	41.6 31:10
works 24:3	55:15	20036 1:24	41:12,25 42:8	41.62 20:19 30:23
workshop 3:3	10,000 24:7	2010 43:20	48:5,6 52:6	42.6 31:10
4:21 36:3 37:6	100 47:20	2012 11:1,3,10	31 40:8 41:12	42.66 20:20
workshopped	11 6:4,10 29:18	12:4,9 27:19	42:5,9 47:17	43.06 30:20
6:13,18 7:2,15	29:20 36:7	2014 11:1,3 12:4	48:4,5	430 17:14
16:19 17:24	11,000 29:1,10	12:10	32 41:2	44 21:25 70:11,21
18:4 19:3 36:2	11022 1:13	2016 11:1,4 12:4	33 6:5,12 40:14	441 48:21
37:8 38:9,11	12 3:16 44:19	12:10 29:5	40:24 41:5	45 21:25
39:5 40:10,25	46:3 73:6	2018 11:1,4 12:4	42:24 43:12,22	454 21:9 27:10
42:10 44:21	13 36:8 47:22,23	12:10	44:3,6 48:4,15	46 46:3 58:25
workshopping	13th 36:23	202 1:25	48:16 51:8,10	62:8 68:17
18:18,24	14 17:13,16 36:9	2020 10:12 11:1,4	52:5,6 59:11	70:10 85:1 87:3
workshops 45:6	47:23,23	11:10 12:10	65:2 68:22	87:6
worth 47:3 66:5	144 52:6	29:5 43:20	70:14 79:7	46.15 83:7
wrong 82:12	15 6:15	46:21	80:16 84:16,21	47 46:3
www.floridare...	15,000 65:22 66:5	2021 6:23	84:21 85:14	48 35:5 62:9
7:17	15th 95:13	2022 1:15 4:16	86:12	49 22:1
X	16 36:4,13 37:5	7:18	34 48:15 80:16	5
Y	37:18,23	2023 95:13	34's 48:13	5 10:4 18:20
Yeah 12:20 15:3	17 17:16 36:9	21 6:20 17:19	35 6:7,12 33:3	34:11,16,19
27:15 71:17	1730 1:24	36:14,17 37:18	39:22 40:2	35:1,7,14 51:6
78:18 80:8,9	17th 44:24	37:24	43:17,23 47:18	55:14 58:21,22
81:24 87:20	18 36:4 37:18,23	22 38:7,11,15,21	52:6	59:1,14,20 60:1
92:12	18th 6:23	38:24 46:25	36 6:15 39:22,25	60:4 62:18,23
Year 4:15	19 6:4,10 15:23	22nd 36:22 49:3	37 6:15 39:22,25	63:4,22 65:6,24
years 12:9	36:14,17,19	23 17:19 39:22	47:18	66:6,11 68:20
Yellow 17:2	37:18,23 48:4	50:7	38 41:3	69:9 79:7 86:16
Yep 57:16	48:23 92:20	232-0646 1:25	39 6:15 39:22,25	87:15,15,19
	1982 45:18	24 36:13 37:5,18		5,000 24:21 25:23
		37:24 50:7		

1/10/2022

Common Cause, et al. v. Cord Byrd

Audio Transcript

Page 16

5/8 64:25	8004 35:4	808 48:17		
5/District 69:8	8010 44:22	81 21:23		
50 15:9 17:16	8012 44:22	812 1:24		
36:9 58:25 62:8	8014 44:22	84 35:15		
62:9 68:17	8016 44:23	85 17:1		
70:10,10,11,21	8026 19:3 38:10			
83:10 87:3,10	44:25 53:16,19	9		
50's 62:10	72:11 73:2	9,000 24:3		
52 17:12	8028 16:19 17:23	92 46:23		
56 22:1	19:4 38:12 42:9	94 21:12		
58th 36:23	44:25 72:11	95 48:1		
5A 17:14	73:3			
5th 7:18 45:3	8030 18:25 38:12			
	39:24 45:1			
6	8034 18:25 36:18			
6 6:4,10 10:18	37:6 38:10			
18:22 19:11,14	39:24 40:25			
20:22 21:7	42:9 45:1			
24:16,20 25:13	8043 40:25			
26:4 27:18,25	8044 5:25 16:24			
28:7 29:2,17	19:7 34:14 35:2			
30:19 34:9,11	35:15 36:15			
52:9,14,15 54:1	37:20 40:12			
61:21 72:8,10	42:11,22 44:4			
73:18,24 88:21	45:3 57:18			
69 21:12	8045 6:8			
	8046 5:25 34:16			
7	35:3,6,17 40:12			
7 11:25 17:13	42:22 44:4			
18:22 55:9	57:18 59:21			
70 17:20	86:10 88:3			
79 21:24	93:23,25			
	8048 34:14 35:2			
8	35:15 40:22			
8 12:5 18:21	42:23 44:7			
34:15,19 35:2,5	57:15,17			
35:14 47:22	8050 6:8 16:24			
51:6 58:21,22	19:7 34:16 35:3			
59:14,20 62:19	35:7,18 36:15			
62:23 63:4,21	37:21 40:22			
65:6,25 66:14	42:12,23 44:7			
66:22 68:20	45:3 57:15,17			
69:8,10 79:7	59:22 71:23			
86:16 87:15	72:7,9,19			
8,046 85:13	74:2 77:17 78:8			
80 41:23 73:1	85:13 86:11			
80- 73:2	88:3 93:24,25			