Common Cause, et al.)
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TRANSCRIPTION OF AUDIO FILE

11322 House Redistricting Committee

The Florida Channel

January 13, 2022

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Common Cause v. Cord Byrd
4:22-CV-109-AW-MAF (N.D.Fla.)
Joint Exhibit
JX 0025

(Beginning of Video Recording.)

CHAIR LEEK: Members of the Redistricting Committee will come to order. D.J., please call the role.

MS. ELLERKAMP: Chair Leek?

CHAIR LEEK: Here.

MS. ELLERKAMP: Vice Chair Fein? Vice Chair Fein?

MR. FEIN: (inaudible).

MS. ELLERKAMP: Ranking Member Geller? Ranking Member Geller?

MS. ELLERKAMP: Representative Andrade?

MR. ANDRADE: Here.

MS. ELLERKAMP: Avila?

CHAIR LEEK: There's Ranking Member Geller.

MS. ELLERKAMP: Avila? Bush? Bush? Byrd?

MR. BYRD: Here.

MS. ELLERKAMP: Clemons?

MR. CLEMONS: Here.

MS. ELLERKAMP: Drake has been excused. Driskell?

MS. DRISKELL: Here.

MS. ELLERKAMP: Goff-Marcil?

MS. GOFF-MARCIL: Here.
MS. ELLERKAMP: Grall?
MS. GRALL: Here.
MS. ELLERKAMP: Grant?
MR. GRANT: Here.
MS. ELLERKAMP: Jenne? Jenne? Latvala?
MR. LATVALA: Here.
MS. ELLERKAMP: Mariano has been excused. Omphroy? Omphroy? Payne?
MR. PAYNE: Here.
MS. ELLERKAMP: Robinson?
MR. ROBINSON: Here.
MS. ELLERKAMP: Rommel?
MR. GROMMEL: Here.
MS. ELLERKAMP: Sirois?
MR. SIROIS: Here.
MS. ELLERKAMP: Slosberg-King?
MS. SLOSBERG-KING: Here.
MS. ELLERKAMP: Thompson?
MR. THOMPSON: Here.
MS. ELLERKAMP: Cooke?
MS. COOKE: Here.
MS. ELLERKAMP: (Inaudible) is present, Mr. Chair.

1 CHAIR LEEK: Thank you, D.J. Members,
2 a few reminders before we begin. Please
3 silence all electronic devices and if you
4 wish -- if anyone in the audience wishes to
5 make a public comment, please fill out a form
6 and turn it in to the Sergeant Staff. Also,
7 as a reminder for our Members and presenters,
8 please ensure that you turn your microphone on
9 when you are speaking and off when you are
10 finished.
11 Well, we're back. It's great to have
12 this committee back together again. Session's
13 kicked off and it's an exciting time for all
14 of us. I know we are now within our
15 Constitutional time frame for approving
16 district boundaries.
17 The last time our committee met was to
18 receive a legal presentation and prior to that
19 we learned about the map drawing application
20 and Constitutional standards. Since then, the
21 House debuted workshop maps.
22 I'm going to say again, workshop maps,
23 whose purpose is to illustrate the policy
24 decisions that may come before our committee
25 in the variety of ways district boundaries can

be constructed.

The subcommittee subsequently met to dive in and workshop these map options, yet our full redistricting committee has not had the opportunity to also workshop these maps. I feel it is a critical step for members of our committee, as well as it helps educate the members of the committee.

So what we have prepared for the committee today is a presentations that will walk us through each region of the Congressional and State House workshop maps with some education reminders added throughout.

The goal is to ensure that all of the concepts we discussed during our initial couple of meetings are refreshed and everyone understands more thoroughly the composition of the current workshop products.

I truly believe that when we're done today you will view the district boundaries of these maps with a completely different level of understanding and perspective. I do want to point out to Members that these workshop maps are most likely not the versions that

will come before this committee for consideration and a vote.

Just like any other piece of legislation, the subcommittees will deliberate on maps that come before them and then vote to send work products to the full redistricting committee.

As we move through the presentation, we will take questions at the end of the Congressional portion and then following the conclusion of the State House portion of the presentation. I want to ensure that we have enough time to get through both parts of the presentation, Member questions, as well as public comments. And with that, we will hear from Staff Director, Leda Kelly, for today's presentation. Leda?

MS. KELLY: Thank you, Chair. Morning, Members. Great to be back with you. As the Chair just mentioned, the first thing we are going to do is view the Constitutional standards which I'm sure you all are very familiar with but just to make sure everyone's on the same page.

We'll then segue into a portion where

we workshop the two Congressional map options. Followed by the portion where we workshop the two State House map options that are before you. And once we conclude that and Member questions, we'll segue into public input.

On the desk in front of you we did a printout of the maps. These are the maps that have been available since December but we wanted to make sure you guys had a version that was a little, perhaps easier to see, and that you could either take notes on or just reference right in front of you. So again, that's the printout of the two Congressional workshop options as well as the two State House options.

So covering the first section, and I won't belabor this, but just to make sure we are all on the same page, Article 3 Section 16 of the Florida Constitution is the first section that deals with redistricting.

It directs us to conduct, to approve new district boundaries in the second regular session following the redistrict -- the United States Census, excuse me. Which is this regular session that we entered into on

Tuesday. For the Senate maps, you're required to have 30 and 40 Senatorial districts. In the House you're required to have between 80 and 120 representative districts.

Districts shall be contiguous and consecutively numbered and then there's additional language in section 16 that dictates the timeline for establishing new districts following regular session.

Going into our next slide. This is a graphic that I know you guys have seen several times and it outlines the two tiers of Constitutional standards that are contained within sections 20 and 21 also within Article 3 of the Constitution.

I'll read through these real quick and then we'll segue into the substantive part of today's presentation. Tier 1 standards. The first one states no apportionment, plan, or individual district, shall be drawn with the intent to favor or disfavor a political party or an incumbent.

The second standard states, districts shall not be drawn with the intent or result of denying or abridging the equal opportunity

of racial or language minorities to participate in the political process or to diminish their ability to elect representatives of their choice, excuse me.

The third one consists that, districts shall consist of contiguous territory. Moving into Tier 2, the first standard states, districts shall be as nearly equal in population as is practicable. Districts shall be compact and finally, districts shall, where feasible utilize existing political and geographical boundaries.

Members, as a reminder, Tier 1 predominates over Tier 2 should there be a conflict. However, whenever you are working within the respective Tier, all the standards are coequal.

With that, I'd like to segue into our Congressional map workshops. The way we have chosen to go through our presentation today, just so you guys kind of know what to expect, we've divvied it up by regions of the state and we've actually been able to put workshop A and workshop B next to each other when there are differing options.

So you have a side by side comparison and again, the maps in front of you if you'd like to see the larger portion of that. I will now turn it over to our Chief Map Drawer, Jason Poreda, to take it away. Thank you.

MR. POREDA: Thank you, Leda. Okay. So we'll begin with the Congressional map and we're going to start in the panhandle and work our way down to the South just to keep the order of the districts together as we go through the State and make it a little bit more organized as we look at both options throughout the State.

So first, Districts 1, 2, 3, and 4 in the Congressional map are the same in both options. But we'll talk briefly about the 4 districts here. District 1 and 2 come together in Walton County due to equal population purposes with the exact population requirement that we have with Congressional districts.

District 1 achieved that within Walton County. Fortunately, we were able to use mostly an entire state road except we deviated around the cities using the municipal

lines of the City of Freeport and DeFuniak Springs, to keep both of those cities whole in their districts, respectively, and creating a nice, straight line within Walton County.

The next district that I'm going to talk mostly about, again they're all the same in both options, this is Congressional District 3. Congressional District 2 and 4's shape is largely impacted by that particular Congressional district. So Congressional District 3 is protected by Tier 1 of our Constitutional standards that Lita just mentioned before.

In order to ensure the black populations within the district have the ability to elect a candidate of their choice, a functional analysis was conducted by staff to ensure this ability to elect candidates of their choice was not diminished when compared to the benchmark district in this area.

This process for the analysis was done on a district by district basis where necessary and in the same process that The Florida Supreme Court used in its apportionment rulings from the last cycle as

the appropriate type of analysis to determine the voting strength of the minority populations in a particular district and their ability to elect candidates of their choice within the district. Looking at the voting strength in both general and primary elections.

This was done using election results, voter registration data, and voter turnout data, for the five election cycles over the last decade, which is ten elections in total; five primary elections and five general elections from 2012 to 2020.

All of this data that was used for this analysis is available to everyone including every member of the public within the Esri redistricting application and was used only in those districts where necessary and appropriate.

Congressional District 2 is made up almost entirely of whole counties throughout the rest of the region and Congressional District 3 and Congressional District 2, come together in Leon County. Congressional District 2 is actually able to achieve its

1 equal population standard within Leon County
2 where these two districts come together.
3 So that unlike the district,
4 Congressional District 2 that is currently in
5 the current map, it has to achieve equal
6 population in Marion County, splitting an
7 additional county, we were able to achieve
8 that within Leon County.
9 You can see Congressional District 3
10 goes from Duval County all the way over Leon
11 into Gadsden County, including all of Gadsden
12 County which is the only majority-minority
13 Black county in the State of Florida that is
14 maintained within that protected Congressional
15 district.
16 So Congressional District 2 is made up
17 almost entirely of whole counties except for
18 where it borders along with District 3 in Leon
19 County, Jefferson County, and Columbia County.
20 Congressional District 3 then travels into
21 Duval and takes a large portion of Duval
22 County.
23 Congressional District 4 contains all
24 of Nassau County, the remaining portion of
25 Duval County, and then it gets the remainder

of its population down in St. Johns County. It achieves its equal population right around the city of St. Augustine but we do keep the city of St. Augustine whole within actually the other Congressional District that we'll talk about in a minute.

We could have taken Congressional District 4 into Clay County, kind of wrapping around District 3, but that would've created a more visually uncompact shape so the decision was to keep that district in St. Johns County, similar to the current district.

So in the next slide we're going to talk about Districts 5, 6, and 11. And this is where you can start to see some of the differences between the two Congressional options that we have made available. Where you can see just a slight difference of a policy choice of whether or not to take Congressional District 5 South or take Congressional District 5 East to the coast impacts the other two districts that you see in this slide including further down -- as we move further down the State.

So first, Congressional District 5 in

this iteration keeps five whole counties together and then gets the remaining portion of its population in Marion County keeping the entire city of Ocala whole.

By doing this and not taking it east and option A, Congressional District 6 then takes the remaining portion of St. Johns County, including all of the city of St. Augustine, all of Flagler County, and then gets the remaining portion of its population in Volusia and Lake County.

Because we chose to go south with Congressional District 5 we're keeping Alachua County whole within Congressional District 5 and that opened up the eastern coastal counties to be included in Congressional District 6.

Congressional District 11 then includes the remaining portion of Marion County, so it's only split twice, all of Sumter County, and then the remaining portion of Lake County, and then into Citrus County to achieve equal population. Volusia County -- 6 is in Volusia County and then 11 over in Citrus County achieves that.

In option B, the policy choice was made instead of keeping Alachua County whole and splitting Marion County, what if we flip that? What if we tried to keep Marion County whole and split Alachua County and took Congressional District 5 instead of going South, over to the East portion into the coast to take that remaining portion of St. Johns County and include it just to see what the different policy choice would be and the resulting change in all of the districts.

So District 5 splits Alachua County, goes over to the east coast. Congressional District 6 then, because it cannot start in St. Johns County, starts all the way in Volusia County and then actually goes down and takes all of Seminole County because of the different choice made with Congressional District 5.

Congressional District 11 then gets the remaining portion of its population in Volusia County, the top portion of Lake County, and then up into Alachua County, keeping Marion County whole. So you can see just that simple choice of keep this county whole or keep that

county whole or keep all of these counties together and go East or go South, which are just policy choices that the committee might see.

So when you see districts on the map, try to keep in mind the decisions that were made with the districts are going to impact not just that district but all of the districts in the region, sometimes even further along the map particularly in a Congressional map because we have to achieve that equal population standard.

So in the next slide here, you can start to see that impact of the previous decision, in Congressional District 5 continues to impact Congressional District 7 and 10. But I'm going to skip ahead, real quick, to talk about Congressional District 8, 9, and 16.

You can see they are mostly the same in both options where the counties of Polk, Osceola, Brevard, and Indian River, are all kept whole in their respective districts. Congressional District 8 is all of Brevard and Indian River County. It then goes up into

1 Volusia County to get the remaining portion of
2 its population which is about 2,800 people
3 including the entire City of Oak Hill using 95
4 and some other good boundaries to do so.
5 Congressional District 9 contains all
6 of Osceola County, which is just under 390,000
7 people and then gets the remaining portion of
8 its population, about half of the district,
9 from Orange County. Congressional District 9
10 also happens to be a majority-minority
11 district now.
12 It is not in the benchmark district but
13 keeping with this nice Tier 2 drawing, keeping
14 a county whole, then using a lot of major
15 roads in Orange County to achieve the rest of
16 its population, it just happens to be a
17 majority-minority district now with the growth
18 in Hispanic population in central Florida.
19 Now, going over to 16, Polk County this
20 decade was able to kept whole we then achieved
21 equal population in district 16 by going into
22 Hillsborough County following a state road to
23 keep a nice vertical district boundary there.
24 Now going back to Districts 7 and 10,
25 you can see the decision of what to do with

TD 5 and how Congressional District 6 either took Seminole County or didn't take Seminole County impacts the shapes of those two districts.

In either case, Orange County is split into three different districts, and in each case there's a district wholly within Orange County. In option A that is Congressional District 10 and in option B it's Congressional District 7.

These two districts, even though their shapes may look a little different, they are the most analogous to each other even though they have different numbers. They actually have a large portion of its -- their shared population between the two options despite the different shape.

The biggest difference, obviously, is that Seminole County contains Congressional District 7 in option A whereas because Congressional District 6 has Seminole County it has to stay entirely within Orange. So that's just kind of a difference and again, that started back with deciding what to do with Congressional District 5 further up the

State.

So you can see here in option B, Congressional District 10 takes the remaining portion of Orange County and then goes east to take some portion of Lake County, all of Sumter County, and then also part of Citrus County to fill out the remaining population of its district.

In either case though, Orange County, like I said, is split three times. One whole district within the county, about 380,000 people of Orange County is in Congressional District 9 but divided a little bit differently. And Congressional District 10 or 7, depending on what option you're in takes the remaining portion of Orange County and includes it as part of its district.

So now moving further West into the Greater Tampa Bay area. You can see that in both options the area that these four districts takes up is exactly the same. You can see Citrus County is split in the same way in both options and then the districts down in Pinellas and Hillsborough County and Pasco County are split a little bit differently to

1 achieve different policy choices that we
2 wanted to demonstrate before the committees.
3 In either case, Hernando County is kept
4 whole within Congressional District 12 in
5 option B or Congressional District 15 in
6 option A. In Congressional -- in workshop
7 option A, Congressional District 13 crosses
8 the bay and goes into Hillsborough County,
9 actually all four of these districts contain a
10 piece of Hillsborough County and part of the
11 reason why we wanted to demonstrate this
12 option was a way to improve compactness
13 scores.
14 The compactness scores of Districts 12,
15 15, and 14, in option A are actually all
16 better than their counterparts in option B.
17 In option B that was a way of demonstrating
18 that you could keep a district entirely within
19 Pinellas County, and then also entirely within
20 Hillsborough County, and then attaching the
21 rest of the populations of those counties
22 north into Pasco County and beyond.
23 And that was a way of showing the
24 tradeoff of keeping districts wholly within
25 counties compared to going toward the

mathematical compactness scores. There is some other advantages with these particular districts that'll help educated some of those policy choices in a more detailed manner throughout here and I'm going to turn it back over to Staff Director Leda Kelly to talk about some of those -- some of those, more differences.

MS. KELLY: Thank you, Jason. And we're going to stay in this region but this is one of the chances we want to take to illustrate where you know, whenever we talk about our Tier 2 requirements of using political and geographical boundaries where feasible, this is a good chance to illustrate that.

So the section that I have up here on the screen is a zoomed into option A. We're kind of looking at the area where 12, 13, and 14, come together. And as Jason mentioned, one of the abilities was in this iteration was the ability to improve compactness scores.

We've also illustrated by the red circles on the screen help to draw your attention to the major roadways that we've

used in the area as well. You'll hear us talk a lot about using whether its city boundaries, or county boundaries, or perhaps roadways, as mechanisms to create our boundary lines.

And this was a good example of very common roadways in the area. The Courtney Campbell Causeway, Dale Mabry, I4, not only well known in the area, but they create these very nice clean lines as well. Also staying in this same area, I want to zoom in. Now this is option B. and this is the kind of where District 12 and District 13 come together.

Now, if you're looking at the map holistically, you may say, why is there a little jut up there? Why is that kind of an odd shape? Whenever you zoom in and look at the actual boundary lines that have been selected you see that it's the City of Clearwater.

As I'm sure, Members, you're all very familiar, a lot of municipal lines have very unique geography, sometimes they're even discontiguous from their selves. But as you look at this example that's on the screen, the

aqua blue color is actually the City of Clearwater and you can see we followed those city boundaries between District 12 and 13 to actually create what is our Congressional District boundary.

So again, just trying to draw some illustration to why things may look unique. I encourage you to dig that next level to see what those boundaries may be. And now I'll turn it back over to the team. Thank you.

MALE VOICE: Okay. Moving into southwest Florida, we'll start with District 17. We were able to take the remaining about 112,000 people in Hillsborough County and pair that with Manatee County which is kept whole.

So we're still about 250,000 people short which we're able to go down into Sarasota County to form kind of a nice square-ish looking district. That small indent and the southern portion follows the Venice Municipal lines so we're able to keep those cities whole in their respected districts.

District 18 is a combination of seven whole counties the remaining population from Sarasota and goes into Lee County to achieve

its equal population. So we're able to keep Highlands, Charlotte, Descto, Hardee, Glades, and Hendry Counties all whole within District 18 in both options.

And then District 19 is made up of that remaining population of Lee County and drops down in Collier County to achieve equal population. Again, following major roadways and trying to keep as many cities whole as possible within the districts.

Moving over to the East coast. This area is dictated mostly by CD 20, which is a Tier 1 protected district, and we wanted to illustrate that there are multiple ways to draw Tier 1 compliant districts.

In option A, CD 20 after running a functional analysis does ensure the minority groups ability to elect a candidate of their choice is able to be kept entirely within Broward County.

It includes the City of Miramar and some of the northern Broward cities in order to protect those populations ability to elect their vote. And it dictates kind of how the other districts are shaped around it.

In option B, CD 20 is more similar to how the current benchmark version looks connecting the communities in northern Palm Beach County with those in Broward County.

We were able to, in each option, District 25 is kept wholly within Broward County and District 22 is kept wholly within Palm Beach County. So in both options there are districts kept using wholly within each county. District 21 includes all of St. Lucie and Martin Counties and then takes -- or gains its remaining population from Palm Beach County in different orientations based on what was done with CD 20. CD 23 in both options is the only district that crosses that Broward County, Palm Beach County line.

MS. KELLY: Members, I'd like to take a minute to talk about compactness. I think this is a really good example of the different types of compactness scores that we have. And the first one I want to remind and refresh everyone about is actually what is referred to as the eyeball test or visual compactness.

And so I'd like you to look at both CD 20s that are on the screen. As Kyle

1 described, the one in workshop A on the left
2 is contained wholly within Broward County.
3 The one on the right is contained between
4 Broward and Palm Beach County.
5 Whenever you look at this, everyone has
6 and it's a subjective test, but everyone kind
7 of has a reaction to what they feel is more
8 compact, more visually appealing passes the
9 quote, unquote, eyeball test. So I want you
10 to think to yourself which one you personally
11 think is more compact.
12 And I want you to keep that in the back
13 of your mind and we'll come back to that here
14 in a second because the next thing I'd like to
15 talk through is the actual types of
16 mathematical compactness scores we have and
17 how some of these have to be used in
18 combination with one another.
19 Compactness scores, kind of as Jason
20 alluded to in some of our previous districts,
21 are not an end all, be all. They do need to
22 be used in context of not only what you're
23 drawing, but the surrounding region as well.
24 And there's no one compactness score that is
25 superior to other compactness scores including

the eyeball test.

So Members, this slide was added after the meeting packet was sent out. It will be reflected in the action packet but I wanted to be able to include it so you guys had a very quick and easy point of reference. The three compactness scores, and I won't spend a long time going over them, but they do measure different functionality of a district, if you will. The first one is the Reock score.

This one is commonly used and it establishes, what is the smallest circle you can put around a district? And it's a ratio between that size of the district and the size of that circle. This is very commonly used within the redistricting industry.

The second one on the screen is the Convex Hull score. And sometimes you'll hear people refer to this as the rubber band test because as opposed to being a circle, it's a what's the smallest polygon that you can fit around a district?

So as you can see the black lines encompassing the red district on the screen may look like a rubber band. The third test

that's up there is the Polsby-Popper score. And that's a ratio of the circumference of the circle to the perimeter of the district.

All of these tests are measured on a scale of 0 to 1 and the closer to 1 you are, the more mathematically compact your district is. Now, this slide I'd like to illustrate how sometimes mathematical compactness and going back to what you guys, you know, thought as far as the eyeball test aren't always in harmony with one another and that's okay. They're not intended to be.

You can see here option A which coincides with our workshop A. And option B, you can see the Reock scores, Convex Hull, and Polsby-Popper, for them don't necessarily line up between the two districts. However, whenever you look at this, option B has two out of the three that outperform option A.

Now, with that being said, option B is the option if you'll remember back to when I had you guys do kind of your own mental check in, that's the option that spans between Palm Beach and Broward County, which I would venture to say, just looking at it, face

value, most people would say, I didn't believe that that would be more mathematically compact then the other option.

Again, there's not one right answer, there's not one wrong answer, and both types of compactness methodologies have to be used, you know, in tandem with one another but this is just a very good and clear visual example to demonstrate that so we wanted to take time to do so. I will now turn it back over to Kyle. Thank you.

MALE VOICE: All right. Moving into Miami Dade County. We'll start with District 24. That's another protected Black district and is being created in both options to ensure the minority population has the ability to elect a candidate of their choice.

The main differences between the two options in 24, which is pretty small on the screen, but at the northern part of where the district crosses into Broward and kind of where it borders District 20 to the North.

Those are the kind of major differences, most notable differences in the two options. And again, that's just based on

how it interacts with the population up against CD 20.

CD 27 in both options is the district we were able to contain wholly within Miami Dade County. 26 and 28 both use the remaining populations of Miami Dade County and pair 28 with Monroe County and 26 with Collier County.

And all three districts, 26, 27, and 28, are all protected majority, minority, Hispanic districts. And with Staff performing functional analysis they all protect the minorities abilities to elect a candidate of their choice.

MS. KELLY: These next two slides are just pieces of geography that I'd like to point out that are obviously very unique to Florida but we do still have to incorporate them whenever we're going through the redistricting process.

So as I am sure everyone is aware, the Everglades spans a large portion of the southern part of our State. Within this, as you can see on the screen, this is an image of south Florida. The red numbers, if you can see that, if not it's in your packet, are the

amount of people that live within those respective Census Blocks.

And you can see there's zeros within a lot of those blocks and in some minute populations, 15, 29 people, there's a sole person in one of these blocks. Even though that is a largely unpopulated area, there are Census Blocks there and we do have to account for that whenever we are redistricting.

So if I flip back to the previous slide, you could see District 28 spans a large portion of South Florida. A lot of that may be unpopulated Census Blocks, however, we are legally required to allocate every single Census Block, all 390,000 of them to a district during the course of our redistricting process.

My other piece of, I call this my fun fact for Florida. There's 6 states in the country that have discontiguous territory that is legally allowed to be incorporated with a district and for us that is the Dry Tortugas National Park down off of Key West.

And so again, normally all of our districts have to be contiguous, which we've

1 covered several times, but this is a very
2 unique piece of Florida geography that we have
3 to account for and we do so accordingly. And
4 with that, Mr. Chair, that concludes our
5 Congressional presentation.
6 CHAIR LEEK: Thank you, Members. We'll
7 open it up to questions from Members. Ranking
8 Member Geller?
9 MR. GELLER: Thank you, (inaudible)
10 Chair and Happy New Year to you and everyone.
11 I understand that these maps are just workshop
12 maps, they're not formal maps. Who actually,
13 physically, prepared these workshop maps?
14 CHAIR LEEK: I believe your question
15 is, who actually ran the mouse and the
16 software?
17 MR. GELLER: Yeah.
18 CHAIR LEEK: Okay.
19 MR. GELLER: I mean, as we've heard,
20 there were some choices that had to be made at
21 certain points which is unavoidable. So I
22 want to know who was doing the choosing.
23 CHAIR LEEK: Yeah. I think it's a
24 collective effort of Staff.
25 MR. GELLER: Well, then I'm asking who

specifically?

CHAIR LEEK: Well, looking at the titles I would go to Chief Map Drawer and then I would also add Kyle and Leda into that. Our Staff, the three here doing the presentation.

MR. GELLER: The three that are doing the presentation are the people who did the drawing?

CHAIR LEEK: That's correct.

MR. GELLER: Thank you.

CHAIR LEEK: Representative Driskell, you're recognized?

MS. DRISKELL: Thank you, Mr. Chair and good morning. I had a question going back to it was page 16 in my packet, but now that we added that additional slide it may be page 17? But where we were talking about Districts 24, 26, 27, and 28.

And just for example, we were talking about District 24 and it was referenced that this is a Black district that no matter whether you look at workshop A or B maps, you can still elect candidates of their choice? I was curious about that.

And could you talk about, I guess I had

1 two questions. The first is, what was the
2 approach in drawing this as a Black seat? Was
3 it that you looked at the Black voting age
4 population? Just what was taken into account
5 in drawing this particular seat?
6 CHAIR LEEK: Thank you. Ms. Kelly,
7 you're recognized?
8 MS. KELLY: Thank you, Chair. And
9 thank you, Representative. So with this
10 district and with the other district as well
11 it's not just one necessary step. There is
12 several steps that go into it. The first and
13 we've, you know, mentioned this before, is
14 just looking at the general population and any
15 shifts or changes that may have occurred from
16 last decade and what's reflected in the
17 benchmark map to this decade and what you know
18 we are charged to do with especially in the
19 Congressional map, that plus or minus one
20 equalizing population.
21 From there, we looked at the benchmark
22 map to understand, you know, whether that was
23 a performing district and, as I believe it was
24 Jason outlined earlier, this Florida Supreme
25 Court last decade was able to outline some of

the methodology and what factors go into that.

So I know you mentioned for this district, would be specific to Black voting age population, but we also looked at registered voter, voter turnout, and then election results. And this decade we were very thankful our data set on that front was very expansive compared to what was last decade and so we have election cycles going from 2012 to 2020 and that includes primary and general elections.

So you get data points like the ability to control a primary, you know, the Black Democrats ability to control a primary or, you know, respective with Hispanic districts as well. You also get all of our state wide elections in which most cycles I believe had 14 elections so we have a very expansive data set that we're able to use in conjunction with how The Supreme Court outlined that during last decade. I hope that answers your question. Thank you.

CHAIR LEEK: Yeah, Representative Driskell, that was an excellent question. I also think that was an excellent answer so

1 thank you guys, both. That's what we're doing
2 here today, right?
3 So we have put workshop maps in front
4 of you that take different approaches that are
5 both legally compliant, but one focuses more
6 on compactness, one focuses just roughly more
7 on political and geographical distinctions.
8 But that question that you asked I thought was
9 very, very, good and helpful. Representative
10 Driskell?
11 MS. DRISKELL: Thank you, Mr. Chair.
12 And thank you for that explanation. As we
13 move forward as a Committee, would it be
14 possible as we look at the maps to also get
15 that data about the minority voting age
16 population when we're looking at Hispanic maps
17 and looking at -- I mean Hispanic districts
18 and Black districts?
19 CHAIR LEEK: I think it's already
20 available, the answer is yes.
21 MS. DRISKELL: Thank you, Mr. Chair.
22 One more question?
23 CHAIR LEEK: Representative Driskell?
24 MS. DRISKELL: Yes. One of the things
25 that I don't think we've talked about much is

1 language minorities but I know that that can
2 be a particular criteria to consider
3 especially down in south Florida where we have
4 so much diversity. Could you share with the
5 committee whether language minorities have
6 been taken into account and if so, how?
7 CHAIR LEEK: Thank you. Ms. Kelly?
8 MS. KELLY: Uh-hum. Thank you, Mr.
9 Chair. Yes, ma'am, thank you, Representative
10 Driskell for that question. So for language
11 minorities I assume you're asking about the
12 Haitian population, I know that's come up in a
13 couple of our committees.
14 MS. DRISKELL: Yes.
15 MS. KELLY: Yeah, perfect, thank you.
16 So whenever we receive the information from
17 the Census Bureau, and thank you for this
18 question because this is a piece of
19 information I feel like Members may not just
20 be aware of.
21 Whenever we receive our data set from
22 the Census Bureau it comes in specific
23 categories. Now, this past cycle the Census
24 Bureau allowed for the first time the ability
25 to fill in what your racial affiliation may be

1 and so a lot of people opted to fill in
2 Haitian, if they felt like that, they self-
3 identified as Haitian. However, whenever the
4 population data comes to us the Census Bureau
5 does not give us that delineated breakdown of
6 what those additional responses may be.
7 We receive it at a categorical level
8 of, you know, single race White, Black, Asian
9 American, other and I'm drawing a blank on the
10 last one but there's a fifth category as well.
11 So whenever we look at our population as far
12 as how the data is given to us, the Census
13 Bureau doesn't actually provide that level of
14 information broken down by the Census Block
15 which is what we're required to draw on.
16 Now, there's been some questions about
17 the ACS data so I'd like to talk about that
18 for a second. The American Community Survey is
19 an additional data set that the Census Bureau
20 provides. It's an official Census Bureau
21 product.
22 However, it's not done on a one for one
23 basis like the Census count is. The American
24 Community Survey is a true survey, it's an
25 estimation of the population and they have a

one year running survey and a five year running survey. Within that though, they don't sample every single individual household like the Census.

They'll send a certain amount of Census surveys -- excuse me surveys, from the Census Bureau to households within an area. Whenever they receive that data back they then run their algorithms and extrapolate what may be in that region.

However, for the purposes of redistricting we need to know the individual person down to the Census Block level. So that presents somewhat of a challenge for us.

What we've encouraged Members who have come to us or have raised these questions is we obviously want to ensure we're protecting all the appropriate communities that we're required to protect and if you have feedback from, whether it's our workshop maps or anything in that region that you'd like to share, we highly encourage you to come to Staff because we all want to make sure we're taking that into account. Thank you.

CHAIR LEEK: And I think it's worth

1 noting here also again, that you know we are
2 legally required to use the Census data as
3 given to us. Representative Driskell, for a
4 follow up?
5 MS. DRISKELL: Thank you, Mr. Chair.
6 Which I'm wondering if that puts us in a bind
7 because it's my understanding of the
8 Constitutional factors that we have to
9 consider language minorities. So is it that
10 the Census does not give a set data at all?
11 Is it that they don't include that
12 information in the initial data set and we
13 have to drill down deeper? I mean, what do we
14 need to do to get that data to make sure that
15 we are Constitutionally compliant when it
16 comes to language minorities?
17 CHAIR LEEK: Yeah, and that's, I mean
18 that's a great question. You know, I will say
19 the fact that we have you know, coequal
20 factors and different tiers, necessarily
21 creates tension, but still legally compliant,
22 and beyond that I'll defer to Ms. Kelly.
23 MS. KELLY: Absolutely. And so to your
24 initial question about how is it presented?
25 The Census Bureau doesn't provide that as part

of the PL 94171 data set that we receive and are legally required to use for redistricting.

It's not like, you know, we didn't just drop a tab and use that data set, it's actually not included at all. One thing I will say though, is whenever you think about how, you know, communities and populations respond to the Census data or even self-identify within the elections world as well, their voter registration, things of that nature, they you know I would assume most of the Haitian community would self-identify as black which is a racial population we obviously work to ensure is protected within that.

So we are inherently working to protect that community even though we don't have any concrete data that speaks specifically to the Haitian population.

CHAIR LEEK: Okay. One more follow up?

MS. DRISKELL: Okay.

CHAIR LEEK: All right. Representative Driskell?

MS. DRISKELL: Thank you. It's kind of more of a comment but I don't know if we are

1 going to have comments or should I wait, Mr.
2 Chair, or?
3 CHAIR LEEK: Go ahead.
4 MS. DRISKELL: Okay. And the comment
5 is just, and thank you for that because we
6 absolutely should be doing what we can to
7 protect the Black districts.
8 It's just that I think within language
9 minorities, you know, the Black populations
10 not a monolith and it's the Haitian community,
11 I'm not a part of it but I would imagine it
12 has maybe some specific, you know, issues that
13 are specific to them and so then it sounds
14 like, Mr. Chair, going back to I think a
15 comment that you made two questions ago, that
16 perhaps it's that we need to hear some
17 community feedback about those maps and hear
18 from the community that may be the language
19 minority about what, you know, what they think
20 of the maps, et cetera, and if they feel
21 protected or not.
22 CHAIR LEEK: Yeah. Thank you and I'll
23 reiterate, you know, something I've said many,
24 many, times before. First of all, we have,
25 right? So we have heard some of the

1 representatives but if you represent those
2 communities or you have an interest in those
3 communities, please reach out to the
4 constituents in those communities, bring back
5 their input and we are happy to take it.
6 And let me -- this is probably a good
7 time for me to also say, you know, thank you
8 to those Members who have sought out Staff,
9 sought out me, sought out the Vice Chair, you
10 know, sought out the subcommittee Chairs, to
11 give input. We appreciate that.
12 And the goal for the entire thing is to
13 be able to ask questions like Representative
14 Driskell is asking right now because that
15 means that you have a level of understanding
16 that is going to be necessary for each of us
17 to make the decisions on the maps as we move
18 forward so thank you. Let me make sure
19 there's not somebody else, Representative
20 Geller? Right? Ranking Member Geller?
21 MR. GELLER: And thank you, Mr. Chair.
22 And I want to follow up on a couple of those
23 very excellent questions that Rep. Driskell
24 asked. First, returning to language
25 minorities and I guess, I don't know if I

1 should direct this, Mr. Chair, to you or to
2 the Staff Director --
3 CHAIR LEEK: We will figure it out.
4 MR. GELLER: -- you'll make the call.
5 But if I'm following this correctly which is
6 always, you know, questionable, frankly, I see
7 that there are three Black districts that are
8 being protected. One is from Leon to Duval,
9 one is in the Orlando area, and one is in Dade
10 County. And then there is one additional one,
11 a fourth one, that's the one we looked at with
12 very different iterations for number 20, is
13 that accurate so far?
14 CHAIR LEEK: Ms. Kelly?
15 MS. KELLY: (inaudible).
16 CHAIR LEEK: Yup. I'm having a little
17 trouble understanding you. (inaudible).
18 MR. GELLER: Oh. Let me try and talk
19 close, more closely into the mic.
20 CHAIR LEEK: But I think, I think you
21 said there are four --
22 MR. GELLER: I think it's four total, I
23 counted three and then adding in the one --
24 CHAIR LEEK: Protected district?
25 MR. GELLER: -- that has different

1 configurations. One from Leon to Duval, one
2 in Orlando, one in Miami, and then there's
3 that one 20 that we looked at with two very
4 different iterations. Is that correct for
5 Black districts?
6 CHAIR LEEK: I think that the question
7 is are there four protected districts?
8 MR. GELLER: Those four.
9 MS. KELLY: Let me clarify just to make
10 sure. The Black protected districts, 3, 20,
11 which was the south Florida one with different
12 iterations, and 24.
13 MR. GELLER: There is not one in the
14 Orlando area? Did I misunderstand that?
15 MS. KELLY: Correct.
16 MR. GELLER: Okay. So with that said,
17 and if this was said, I didn't hear it and
18 there was a brief reference. Which if any are
19 either protected or expected Spanish language
20 districts?
21 CHAIR LEEK: We're trying to do -- the
22 reason there's you know, some hesitation here
23 is we're trying to take the question that you
24 have and overlay the law on it to make sure
25 that we're talking about the same things, but

1 Ms. Kelly, if you can answer that?
2 MS. KELLY: Yes, I will try. Thank
3 you, Chair. Representative, so with regards
4 to the Black districts, which one are
5 protected Spanish language?
6 MR. GELLER: Not with regard to the
7 Black district, overall --
8 MS. KELLY: Okay.
9 MR. GELLER: -- which, if any, of these
10 districts are, in terms of language affinity,
11 language community, which are either protected
12 or expected Hispanic districts where Spanish
13 speaking citizens can be sure that they're
14 able to have representatives of their choice?
15 CHAIR LEEK: I'm not sure what the
16 expected part means but we can certainly
17 answer the protected part.
18 MS. KELLY: And so --
19 MR. GELLER: Predicted, perhaps?
20 MS. KELLY: -- switching gears to our
21 protected Hispanic districts, I feel like is
22 what you are asking about. So whenever you're
23 looking at the map there 25, 26, and 27, in
24 south Florida are protected Hispanic
25 districts.

We also talked about Congressional District 9, which is not a protected district, it's not quite performing but it is a majority-minority district with the natural population that we all know has influx there over the decade.

MR. GELLER: So 9 is viewed as a Hispanic district?

CHAIR LEEK: Ms. Kelly, you're recognized.

MS. KELLY: I'm so sorry, Representative, could you repeat that question?

MR. GELLER: Mr. Chair?

CHAIR LEEK: You're recognized.

MR. GELLER: The proposed Congressional District 9 is viewed as -- let me let you define how it's viewed in terms of the Hispanic language. I don't want to use the wrong words. I'll let you choose the words that define what 9 is in terms of Spanish language community.

CHAIR LEEK: Ms. Kelly?

MS. KELLY: It is a majority-minority district which means that over 50 percent of

its population is self identifies as Hispanic.

MR. GELLER: Follow up, Mr. Chair.

CHAIR LEEK: You're recognized.

MR. GELLER: And then is there a Black district that meets that same standard in the Orlando area? It's not language based but it's community and affinity based and minority choice of representation.

CHAIR LEEK: Ms. Kelly?

MS. KELLY: Thank you, Mr. Chair. Not over 50 percent in the Orlando area, no, sir.

MR. GELLER: Final, I think follow up, Mr. Chair, if I may? And then moving the south Florida again, let me ask. I heard the very thoughtful exchange between you and Rep. Driskell, but let me just say for the record that there are numerous Haitian Americans either in my own district or immediately contiguous to my district in Northeast Dade and Southeast Broward.

I would -- it would be difficult for me to recount for the record, the number of them that I've heard from expressing great concern about whether or not their particular language group, Haitian Creole, is going to have

1 attention paid to it or the district drawn
2 that will be sensitive to electing Haitian
3 Creole speakers.
4 So having heard what you said, I'm not
5 asking for repetition but I would like a
6 little more explication that I can go back and
7 tell the many, many, Haitian Creole speakers
8 who have contacted me about this?
9 CHAIR LEEK: Okay. I think there was a
10 question at the end there. And I think that
11 question repeated the question that
12 Representative Driskell asked and the
13 explanation was given. We'll give you that
14 explanation again but --
15 MR. GELLER: I'm hoping --
16 CHAIR LEEK: -- we've got a whole other
17 set of maps to get through so before we start
18 repeating answers, if you don't mind, we'll
19 get to other questions?
20 MR. GELLER: Chair, let me just be
21 clear. As I said, I heard that answer. I was
22 hoping for a little more -- I don't want us to
23 waste time, just repeating.
24 CHAIR LEEK: Okay. Well --
25 MR. GELLER: Hoping for a little more

1 info.
2 CHAIR LEEK: -- if you don't mind
3 getting with Ms. Kelly --
4 MR. GELLER: Whatever she -- okay.
5 CHAIR LEEK: -- you can do that because
6 I think the explanation that she gave was
7 actually very thorough and I'm not sure there
8 is more to provide but maybe there is a
9 different way to frame it so that it -- listen
10 guys, the stuff we are doing here is very,
11 very, technical and very, very, legal and it
12 requires a degree of precision that doesn't
13 necessarily make it easy to communicate. And
14 so we're trying but it -- there might be a
15 better way to do that if you don't mind
16 getting with Ms. Kelly, I'd appreciate it.
17 MR. GELLER: Thank you, Chair.
18 Representative Onfroy, you're recognized.
19 MS. OMPHROY: Thank you so very much,
20 Chair. I appreciate it. I appreciate this
21 presentation. I thought it was extremely
22 thorough. I actually identify with the
23 demographics that is being spoken about
24 currently.
25 I am of Caribbean American; I represent

the largest Caribbean American population in the State of Florida. My grandmother is Haitian and Portuguese so I identify with the Haitian population because I am such. And I can tell you that I have one question.

So I know that on the Census report, my Aunt, when she was a member of this Florida House, worked on Census and lobbied for the designation of the different Caribbean American ethnic groups within the State of Florida.

So we know that we were able to self-identify. And I just want to clarify, did they tell you the self-identified people in that population group or did they just keep that as, you know, additional fodder. And then I would ask, Chair, if I could have a follow up after the question is answered?

CHAIR LEEK: Thank you, Representative Omphroy. Just to be clear the information that we have comes from the Federal Government not the State Government.

MS. OMPHROY: No, I meant the Federal Government, because they asked us in the Census to identify. I was asked to identify

1 what I was. If I could say that I was
2 Jamaican, I could say that I was Haitian, I
3 could say that I was from Barbados, I could
4 say that I was from, you know, it was allowed
5 this year.
6 It was something that was fought for
7 within my community that I represent majority
8 of. And so I'm wondering, did they not
9 transfer that information or was that
10 information they gathered and then didn't do
11 anything with as far as transferring it down
12 to the State?
13 CHAIR LEEK: Thank you. And I'm going
14 to defer to Ms. Kelly here in a second. But I
15 think this may also help you, Representative
16 Geller. I think we're talking about the
17 difference between the survey versus the
18 Census level data.
19 MS. KELLY: Thank you, Mr. Chair. And
20 thank you, Representative. So the boxes that
21 you were able to fill you, handwrite in your
22 self-identification on the Census Bureau, it
23 was still sent back with your Census form
24 whether you filled it out, handwritten or if
25 you did it online this decade, which first

time ever they allowed that.

There is many other things that the Census Bureau uses that information for so as far as redistricting goes that information was not delineated and sent to us. However, there's a whole world of demographers and statisticians that use that information in completely separate and different ways where it may be showing up.

I can't speak to that; I'm not well versed in those data sets. But as far as redistricting that detailed, next level detailed information is not part of our PL data set.

CHAIR LEEK: And Representative Driskell, I see the look on your face. So let me see if I can explain this. That information while collected is not collected in the same detail as the information that is necessary and legally required for us to use in redistricting.

So while that survey was given to you, you know, some people responded, some people did not. It is not the same detailed information that we are required to use for

1 redistricting. Is that fair?
2 MS. OMPHROY: I had one more follow up,
3 sorry.
4 CHAIR LEEK: Representative Omphroy?
5 MS. OMPHROY: Thank you so very much,
6 Chair. So in our mapping out of things,
7 culturally, you know, I'm just going to say in
8 Broward County 40 percent of the Black
9 population identifies as being Caribbean
10 American with the largest group being the
11 Jamaican population at 13.7 percent, if I'm
12 not mistaken. And the Haitian population at
13 13.1 percent, right?
14 I happen to be grateful to be part of
15 both of those populations. So did we have to
16 take into account cultural groups in regards
17 to the Census because Caribbean American
18 population is looked at as a cultural group
19 and so I just want to put that out there also.
20 Thank you.
21 CHAIR LEEK: Thank you. Let me try to
22 answer that if I can. So the question was is
23 any -- does any State have to take that into
24 account and The Supreme Court has told us no.
25 You have to follow Tier 1 and Tier 2 that

1 communities of interest it's not one of the
2 criteria within it.
3 Now that information is available to us
4 through, you know, whatever means it is and it
5 doesn't mean that we can't take it into
6 account, but it cannot supplant any of the
7 legal requirements that we must take into
8 account. Just a second. (inaudible). I want
9 to check and make sure that the stuff I'm
10 saying is right. So was I right?
11 MS. KELLY: Yes.
12 CHAIR LEEK: Thank you. Representative
13 Driskell, you're recognized.
14 MS. DRISKELL: Thank you, Mr. Chair.
15 And I think you may have just answered the
16 question that formulated in my mind based on
17 the exchange we just had with you and Rep.
18 Omphroy which is, so it sounds like that
19 information is available to us, we are not
20 required to use it but we could make a policy
21 decision as a legislative body to use it?
22 CHAIR LEEK: Yeah, kind of. Remember
23 because the survey information is not as
24 precise as is necessary for the required legal
25 data that we have to use, right?

1 But it is a community of interest that
2 is not really measured in any other way other
3 than a survey and I'll turn it over to Ms.
4 Kelly at that point. That's -- she says I'm
5 right. I always like it when that happens.
6 MS. DRISKELL: Thank you. That was
7 helpful.
8 CHAIR LEEK: Ranking Member Geller,
9 you're recognized.
10 MR. GELLER: And thank you, Mr. Chair.
11 Also, a quick follow up on that as well. As I
12 understand it we've used the term protected
13 districts and that's why I was curious about,
14 you know, what we're doing in terms of Spanish
15 language and if there is any effort made to
16 identify and provide that for the language
17 group of Haitian Creole.
18 In view of what we were just hearing, I
19 think and again, please I know much less about
20 this than our Staff Director certainly, and
21 maybe you as well, Mr. Chair, but I understand
22 that what we are protecting is based on what
23 exists going into this process that we cannot
24 have retrogression from.
25 We have to at least maintain, I think

is called benchmark, and I just like to know how we decided and what criteria were applied for what is a benchmark district that has to be protected, particularly in terms of the two that we talked about in the Orlando area, Black district but maybe not a benchmark district, a Hispanic district with maybe more ability to elect but maybe not a benchmark district.

How did we decide what had to be protected as opposed to what was just there and could be affected?

CHAIR LEEK: Okay so this gets into the weeds of what is a protected district and you've heard terms like majority, minority, you know, performing district, coalition districts, there are a whole host of districts that may fall into that protected district category.

For the specifics of what, and I think Ms. Kelly answered this before, but there is no one piece of data that makes it protected. But for the specifics of those districts that you referenced, I think I'm going to have to defer to Ms. Kelly.

1 MR. GELLER: Benchmark.
2 CHAIR LEEK: Benchmark is another legal
3 term but we'll let Ms. Kelly explain it.
4 MS. KELLY: Thank you, Mr. Chair. And
5 thank you, Representative, that's actually the
6 first thing I wanted to clarify. The
7 benchmark is related to the current, you can
8 think of it as the current map, right? The
9 current map and you can view the current map
10 with the data from last decade and you can
11 view the current map with the data from this
12 decade.
13 And so whenever we go in and analyze,
14 you know, what is happening in that area and
15 that district, and this goes back to the
16 question I heard from Rep. Driskell so I won't
17 repeat, just for the sake of time.
18 But you're able to look at that area
19 with the voting age population, your
20 registered voters, voter turnout, as well as
21 the election results. And all of those data
22 points together help to identify whether or
23 not it would be performing and therefore, as
24 you said related to Tier 1, would be required
25 for protection moving forward from the

benchmark map.

MALE VOICE: Thank you.

CHAIR LEEK: Members, we're going to move on here and I'm just going to start by saying, you know, for those of you who had to suffer through these types of conversations and discussions in law school, I'm sorry you're having to do it again. For those of you who did not have to suffer this in law school, I'm doubly sorry. So let's move into the next presentation, please. Ms. Kelly, you're recognized.

MS. KELLY: Thank you, Mr. Chair. And I'm going to turn it over to the team.

MR. POREDA: Thank you. Okay. So we are going to move into our two options for the State House map. And we will again, start in the panhandle and work our way down into the Monroe County area, kind of weaving throughout the State so we can hit every region.

So here you see the majority of the panhandle with District 1 through 9 in the current map, or I'm sorry, 1 through 9 in the two options that we have before you. Their orientations are all very similar.

Districts 5 and 6 are actually the same in both. Both whole county combinations. District 6 is actually Bay County in and of itself. District 5 is made up of five other entirely whole counties and nothing else.

We're able to do some of these things because in the State House map, unlike the Congressional map, we have a little bit more flexibility with population deviation offer ideal so because of that we're able to keep some counties whole and not include any other piece of a county or city in order to make up what is the entirety of a district.

We also have the ability to combine certain counties together and put a certain number of districts within them to help us maintain the county boundaries. One example of that is District 1 through 4, where you see that three county combination of Escambia, Santa Rosa, and Okaloosa, can fit four House districts within the allowed population deviation.

And within Districts 1 through 4 you can see that Districts 3 and 4 are very similar, but Districts 1 and 2 just show some

1 difference in what we in both options keeping
2 the city of Pensacola whole but different
3 options for orienting those two districts in
4 that region and the policy choice of either
5 doing a Pensacola very tightly compact
6 district which would then make District 1 have
7 to wrap around it and go into Santa Rosa
8 County or to kind of split the difference and
9 include Pensacola with a district that crosses
10 over to Santa Rosa County.
11 That's just a simple Tier 2 policy
12 choice that we wanted to demonstrate in this.
13 Another example of that is District 7, 8, and
14 9. So District 8 is one of our protected
15 Black districts. It's a majority-minority
16 Black district that we performed a functional
17 analysis to ensure the ability to elect for
18 the minority community in that region.
19 That is the District that exists in the
20 benchmark and that we recreated here. Unlike
21 the previous decade where after creating that
22 district and protecting that minority
23 community there was enough population leftover
24 in Leon County to fit a district entirely
25 within Leon.

1 Unfortunately with population shifts
2 over the decade and because district
3 populations have increased from an ideal
4 population of about 156,000 to now about
5 180,000 there is not enough population left in
6 Leon County to satisfy the entirety that would
7 be enough of a House district.
8 So Leon County will have to be
9 connected to other neighboring counties in
10 some way, shape, or form. We've presented two
11 different options for how that policy choice
12 could be made. Where in option A most of
13 Tallahassee and south Leon County is connected
14 to the counties to the West and then the
15 northern portion of Leon County is connected
16 to Jefferson County and the other counties to
17 the East.
18 In option B most of Leon County is
19 connected with Jefferson and Madison and then
20 the remaining counties are all connected
21 together with a small portion of Leon County.
22 Those are just two different options presented
23 with this new mathematical challenge that we
24 have with Leon County in this particular area.
25 MS. KELLY: And Jason, I'll step in

1 real quick. Members, this is another example
2 that I'd like to show for keeping cities
3 whole. So before I switch to the next slide,
4 District 4, which is the yellow district, you
5 can see on the East and West it follows county
6 lines very clean as well as on the south and
7 then on the northern portion it follows
8 portions of I 10 but there's this little bump
9 up. And you may ask why is there a little
10 bump up.
11 Well, whenever you zoom in and actually
12 look at what city geography is there
13 incorporated city, this is the city boundaries
14 of Crestview. And so as you can see instead
15 of continuing along I 10 which would split the
16 City of Crestview south of the interstate and
17 north of the interstate, that little bump up
18 is created to respect those city boundaries
19 and to allow that city to be kept whole within
20 District 4. So again, just another quick
21 example of why a district may look the way it
22 does.
23 MR. POREDA: Thank you, Leda. And now
24 continuing further east, we'll go with
25 District 10 through 18, which is the greater

1 Jacksonville area. And you can see here in
2 our option A and option B we presented two
3 different ways of looking at the Duval and
4 Nassau County area.
5 And then also District 10 and 11 show
6 how keeping a district wholly within Clay
7 County is still possible but connecting it to
8 the other neighboring counties you can do so
9 in a different way. Both Tier 2 compliant,
10 it's just a matter of a policy choice of
11 whether or not we split the county vertically
12 or horizontally.
13 This could be an opportunity to look at
14 compactness scores and figure out which
15 orientation is best or there could be another
16 orientation that maybe not as extreme as
17 totally horizontal or totally vertical, but
18 this is a way of presenting to the committee
19 different policy choices that could be used,
20 still keeping the same county combination
21 together and keeping a district wholly within
22 Clay but splitting up the county in a slightly
23 different way.
24 In Nassau Duval going back to that, you
25 can see this is an example of how we can keep

1 Nassau County whole but we can connect it to
2 the east side of Duval County, keeping five
3 other districts wholly within Duval County or
4 going to the other way and taking Nassau
5 County into Duval County on the West side and
6 keeping the five districts wholly within Duval
7 County pushed over more towards the East side.
8 Another thing I want to point out here
9 is that Districts 13 and 14 are both Tier 1
10 protected districts within Duval County of the
11 Black population there. We ran functional
12 analysis on both of these districts to ensure
13 the minority communities' ability to elect
14 candidates of their choice in both
15 districts -- oh, sorry.
16 District 18 is solely within St. Johns
17 County and this is just a different way of
18 showing how we can use good boundaries, one
19 uses a river, one uses a road, and then both
20 options keep the City of St. Augustine whole
21 but in what will be the remaining portion of
22 Duval -- or St. Johns County not in House
23 District 18.
24 MS. KELLY: (inaudible).
25 MR. POREDA: Yeah. So now we move into

the area just south of that area I was just discussing. District 18 is kind of used as a bridge here so we'll continue talking about St. Johns in that area and then move east to kind of talk about how some of those decisions will impact the rest of this region.

So as I mentioned before District 18 is the northern portion of St. Johns County then you can see below that in option A and option B Districts 18, 19, and 20, look very similar but there are some subtle differences between the two.

In both of our options we kept Flagler County whole and then connected it to a portion of that St. Johns area and all of the City of St. Augustine. Both options look very similar but they do follow different boundary lines to go north to kind of present different options to the committee.

One follows a railways, one follows a highway. But they both keep the city whole. We did explore some options trying to keep St. Johns County just in two different districts but to do that that would force us to split either Flagler County or Putnam County or in

some cases, both.

It would also negatively impact the compactness of a lot of the districts to the South. So we decided to present some subtle differences between Districts 19 and 20 in these options even though they look somewhat similar.

District 20 contains all of Putnam County in both options. A little bit of that western portion of St. Johns County that's not in District 18 or 19, and then continues into Marion County in a similar but slightly different way.

I'll point out District 21, the green district there in the middle, that is another Tier 1 protected Black performing district that have performed a functional analysis on and in both options even though they look different we've ensured the minority communities ability to elect candidates of their choice. They are in that district.

We are actually able in both options to just split Alachua County into two different districts in this case, 21 and 22. One of the differences between these two options and how

1 we build that minority protected district is
2 how much population is in that district that's
3 in Alachua County.
4 In option A it has a little less or --
5 I'm sorry, District 21 has a little bit more
6 of Alachua County which enables District 22 to
7 have all of Levy and all of Gilchrist County
8 and then get the remaining portion of its
9 population needed to get close to the
10 population deviation just within Alachua.
11 In option B because District 22 has
12 more of Alachua County, District 21 has a
13 little less, its only able to include all of
14 Gilchrist County. The tradeoffs here are
15 obviously District 21 in option B is a little
16 bit more visually compact, it's more
17 mathematically compact as well.
18 But the tradeoff is that in option B,
19 Levy County has to get split a little bit by
20 Congressional District 24. District 24 is
21 also not wholly within Marion County like it
22 is in option A.
23 And also, Lake County, as you go
24 further down to District 25 and 26, in option
25 A are both wholly within Lake County whereas

in option B only District 25 is wholly within Lake County.

Another difference between the two options is that in option A there are five districts in Marion County and in option B there are only four even though there is no district wholly within the county.

So these are different Tier 2 tradeoffs after drawing the Tier 1 protected district in between that you can make that'll affect how an entire region can come together.

I'll talk a little bit now about going south into Sumter, Pasco, and Hernando County. Those three counties kept together is approximately the right population for five House districts. So we've split up -- we've kept three districts wholly in Pasco, one wholly in Hernando, and then added the rest to keep Sumter whole in both options that are the same in both options.

Moving a little bit back to the East, kind of working underneath the District 18, 19, and 20 area that I discussed earlier is in Volusia County. And you can see that because we keep Flagler County whole and Putnam County

whole, we do some different stuff with Marion in the two different options but as we get into Volusia County the districts look similar but there are some subtle differences with how the boundaries come together.

But because we keep Flagler County whole the District 28 is going to be very similar in both options with some subtle differences and following different municipal lines but the overall shape of the district is more or less the same or very similar to each other.

A lot of these municipal lines in western Volusia County out toward Deltona and Deland, we keep as many of those cities whole as possible and actually in option A we keep all of those cities whole either in District 27 or 29. District 29 does split one of the cities over there in the west but in either case because of the overlapping municipal lines on the east coast, we do have to split, I believe, Port Orange in both options.

But we keep as many cities in Volusia County whole. Another portion of Volusia County is attached to the District 27 which is

either just in Lake in option B or Lake and Marion in option A and then the remaining portion of Volusia County would be connected down to the space coast which I'll turn over to Kyle to talk about.

MR. KYLE: Oh. (inaudible).

MR. POREDA: Oh, I'm sorry, yeah, we're something else.

MS. KELLY: I have one thing. Before I switch to the next slide I'd like to draw everyone's attention to District 23 which is composed in part of Citrus County. And you can see on the western coast there's a little portion of it that kind of hangs out into the Gulf and you may be wondering what that is.

So earlier we talked about the Everglades and the Census Blocks that comprise over the Everglades. The Census Bureau also identifies water blocks for us as well and so while there may not be no population on this, we do also still have to assign these water blocks to the respective districts that we're creating which is what may create some of that unique geography like what you're seeing in the Citrus County area.

On the West coast of Florida these water blocks go out 9 miles and then on the East coast they go out 3 miles offshore. So again, just draw your attention to that. Thank you. (inaudible) Kyle.

MALE VOICE: Okay, moving over onto the east coast. We'll start with District 30 which takes the remaining portion of southern Volusia and combines it with the northern portion of Brevard County.

It does split, as Jason said, Port Orange, this has a piece of Port Orange in the northern part. It also splits Titusville in Brevard County. The next three districts are similar with varying boundary lines, Districts 31, 32, and 33.

And some of those choices are whether or not you follow a primary roadway, a riverway, or use municipal lines. But they all form rather compact, stacked, districts in all three are kept wholly within Brevard County leaving the remaining population of Brevard County to be paired with Indian River County which is able to be kept whole in District 34 and that kind of makes up our

1 space coast.
2 Moving into the Orange, Osceola, and
3 Seminole areas. We'll start with Districts 40
4 and 41. Both are protected Tier 1 Black
5 districts. HD 40 is a majority-minority
6 protected Black district. Both are the same
7 in both options in our functional analysis
8 ensures that the minority populations within
9 both districts are protected their ability to
10 elect a candidate of their choice.
11 Districts 46 and 43 are majority-
12 minority Hispanic districts that one is kept
13 entirely within Orange County and 46 entirely
14 within Osceola County. Our functional
15 analysis ensures that minority communities'
16 ability to elect a candidate of their choice
17 is not diminished.
18 They're an additional -- because of the
19 Hispanic growth along this I4 corridor, we've
20 made some very Tier 2 compliant compact
21 districts, both District 47 and 44 following
22 those major roadways using municipal lines of
23 St. Cloud in District 47 and Bell Isle in
24 District 44.
25 We made some very compact districts

that are also majority-minority Hispanic districts. 35 -- District 35 takes the remaining portion of Osceola County and combines it with the western population of Orange County.

Most of the other districts in Orange County are all similar because they're shaped by the minority districts that are protected by Tier 1. The main difference is in the Seminole County area are Districts 38 and 37, in option A 38 falls some of the Winter Springs boundary lines which creates a split in some additional cities.

And when we use major roadways we're able to keep some of those cities whole versus splitting them in option B. So it's kind of some Tier 2 tradeoffs, whether or not you use municipal lines to keep the cities whole or follow some good clean boundary lines along the primary roads which results in splitting some of these cities. So those are some of those options in this central Florida region.

Moving into Pole County we have two very different configurations. Starting in option A the boundaries are a little ore

jagged in all of them, however, we are able to keep all municipalities whole within each district in Pole County.

So for example, District 51 in workshop A keeps all of Lakeland whole within it. District 48 keeps the cities of Davenport and Haines City whole within it likewise in 50 Auburndale is kept whole and 49 we have Lake Wales and some of the southern Polk cities all kept whole within that.

Now in option B we chose to use more primary roadways, I believe we used the CSX railway to divide 50 and 49. But these are all other Tier 2 coequal boundaries to use that results in a more visually compact districts however, we split more cities following these roadways.

MS. KELLY: And just to extrapolate more on what Kyle was just saying. The option that -- the slide that I've clicked over to is option A. So on the right -- I'm sorry, on the left you can see the original image we were just looking at and on the right the yellow illuminated areas are those incorporated municipalities throughout Polk

1 County. And as you can see if you really
2 squint all of the city boundaries are
3 maintained when creating those individual
4 districts.
5 Similarly, moving onto, this was option
6 B that was presented on this screen, just
7 highlighting how by perhaps doing a more
8 visually compact formulation of Polk County
9 following major railways, roadways, like Kyle
10 mentioned, we do end up splitting many more
11 cities.
12 This is the compactness results for
13 Polk County as well. And again, you know the
14 option A on the right we'd work to keep cities
15 and option B on the left was using more
16 railways and roadways, and you can see those
17 additional coequal Tier 2 tradeoffs.
18 Option B has better mathematical
19 compactness as well but by choosing
20 mathematical compactness you'd also be
21 choosing to split more cities. So again,
22 they're not always mutually exclusive and
23 there are tradeoffs you have to make within
24 especially Tier 2.
25 MR. KYLE: Moving into the West coast.

1 We have Pinellas, Hillsborough, and Manatee.
2 And this three county combination we were able
3 to figure out we could fit sixteen districts
4 wholly within these three counties. Starting
5 out with Districts 62 and 63, both of these
6 are protected Tier 1 performing Black
7 districts.
8 A functional analysis ensures that the
9 minority candidates in each district can elect
10 the candidate of their choice. District 62 is
11 the only district that crosses the Pinellas
12 and Hillsborough County line. So we were able
13 to five additional districts wholly within
14 Pinellas.
15 In workshop A the Pinellas districts we
16 chose to stick more towards the roadway
17 boundaries and the clean lines that create
18 some smaller compact shaped districts and then
19 in workshop B we chose the option of keeping
20 more cities whole, being able to keep
21 Clearwater wholly within a district, Safety
22 Harbor wholly within a district, Pinellas Park
23 and Seminole in some different districts as
24 well.
25 Into Hillsborough some of the similar

1 decision points were made and illustrated here
2 between 67 and 68. They in both iterations
3 follow primary roadways but one orientation we
4 have Plant City that is split in option A
5 whereas Plant City is kept whole in option B.
6 Another difference between the two is
7 the interaction with Manatee County. In
8 option A we have two districts that cross that
9 Manatee Hillsborough line in 70 and 69.
10 Whereas in option B we have only one district
11 that crosses that line and we're able to fit
12 both 71 and 72 both wholly within Manatee
13 County.
14 Moving a little further south we'll
15 start with Sarasota County. We have two
16 different orientations. One is more
17 horizontal and then another is with two
18 districts more vertical. Both are able to
19 keep the City of Sarasota whole but the
20 compactness is affected in these two
21 orientations using I believe that's I-75 to
22 divide the two in the more vertical nature.
23 So those are kind of some of those
24 policy decisions. However, using 75 in option
25 B splits the City of Venice. Moving into

1 District 76. We have part of Charlotte
2 County, part of Lee County, and all of Desoto
3 County. And that kind of makes a nice square
4 district.
5 We have some differences down in Lee
6 County around the Cape Coral District 79 in
7 Fort Myers and how those cities can be kept
8 whole but in kind of different orientations
9 based on how District 77 is shaped around that
10 area.
11 Districts 82 and 81 in -- down in
12 Collier and 82 includes parts of Hendry,
13 there's a different boundary line there one is
14 Alligator Alley which divides it more in a
15 horizontal nature in workshop B. Workshop A
16 follows 75 south and then kind of keeps that
17 more of a coastal district.
18 Those kind of illustrate some decisions
19 that affect the compactness score of both
20 districts and how they're interacted together.
21 And then District 83 is a four county
22 combination of just whole counties that makes
23 a district in the central part of the state.
24 MS. KELLY: And as we segue over to the
25 east coast of Florida, I want to take a second

to talk about Lake Okeechobee because I know Members may have questions about how that is divided and can be attributed to the surrounding districts whatever those may look like.

So within Lake Okeechobee the Census Bureau has divided it into five regions. So whenever we go to assign our neighboring districts and create those neighboring districts, those districts will reach out their respective point within Lake Okeechobee. So again, negatively impacts our compactness score just a little bit with that point being created. However, we obviously have to account for those blocks that are included throughout Lake Okeechobee.

MR. POREDA: Thank you. And now we'll move back over to the East coast of Florida starting with St. Lucie in Martin County with District 84, 85, and 86. You can see actually the City of Port St. Lucie is one of the cities that's actually too big for a House district so these are two different options for keeping a district wholly within St. Lucie County and then how we bridge that

get the remaining population that we need for the other districts into Martin County.

District 85 in both options is primarily within the City of Port St. Lucie but in one option in option A 85 is the district that crosses that county line whereas in option B it's 84 that kind of goes around the other side of it and wraps down into Martin.

The majority of the rest of Martin County is in District 86 but in order for population purposes, in order to get within the appropriate deviation that we need for House districts a little bit of that district has to go down into Palm Beach County to get the remaining portion of its population.

You can see that the remaining districts are all entirely within Palm Beach County. In fact, these three counties together, the outside county line of all these county combinations are kept together. So we actually don't even cross the Palm Beach Broward County Line similar to how the current map does. We are able to duplicate that concept here with all of these districts.

So looking at Palm Beach County a little bit closer you can see that a lot of the districts' orientations are actually governed a lot by how District 88 is drawn in kind of the North/Northeast side of Palm Beach County.

Now, District 88 is a majority-minority protected Tier 1 Black district that we have there in that area of the county. In option B the district follows a more similar orientation to the current benchmark district.

In option A we were able to take that district and not have the extension that does so far South breaking a lot of city lines as we go South. As a result, Districts 93, 89, 92, 90, and 91, further South of that are able to keep all the cities in Palm Beach County from District 88 down to the Broward County line whole in their respective districts and we are also able to create slightly more compact shapes because we don't have District 88 kind of extending further south creating a long district along the coast like in District 90.

But these are two different options,

both District 88 we performed functional analysis to ensure the minority groups ability to elect a candidate of their choice in both options. So this is a way of presenting two different versions of a Tier 1 protected district and how that may impact all of the other districts around it within Palm Beach County. But both valid choices.

So moving into Broward County, you can see two slightly different orientations trying to give the committee two different options for how we're orienting these districts. I'll first draw your attention to Districts 97, 98, and 99. Those are three Black performing protected districts. They're in north Broward County.

District 97 and 99 are majority-minority Black. All three of these districts had a functional analysis performed on them to ensure the minority groups ability to elect candidates of their choice. Similar to the benchmark districts that exist there in that region.

And South Broward, Districts 104 and 105 are similarly protected Black districts.

1 These two districts are in Broward and cross
2 the Miami Dade County line. These are the
3 only two districts that cross the Broward and
4 Miami Dade County line. We performed a
5 functional analysis on both Districts 104 and
6 105 to ensure the minority groups ability to
7 elect candidates of their choice in each
8 district. Which is all similar to the
9 benchmark districts that are in this region.
10 Districts 95, 96, and 103, are kind of
11 the western side of Broward. I'll draw your
12 attention specifically to 96 and 103. A lot
13 of those more or less populated blocks in the
14 Florida Everglades that Lita talked about
15 earlier. We have to account for them all and
16 there is different ways of doing that. And
17 here we showed you two different ways where
18 you could include all of those types of blocks
19 in one district or you can break them up into
20 two different districts creating more longer,
21 rectangular districts.
22 But either option is the same otherwise
23 those districts are the same and all of those
24 extra blocks were added have no population in
25 them so it is truly just a choice perhaps a

1 good opportunity to look at compactness scores
2 and pick which option is better or whatever is
3 visually better. But that is a policy choice
4 that the committee can make.
5 MS. KELLY: So sticking to the Broward
6 County area, I know we mentioned this several
7 times, but south Florida especially gives us a
8 really good way to illustrate how some of our
9 municipal lines not only sometimes have very
10 unique geography but also sometimes interlock
11 with one another.
12 So it also is a factor whenever we talk
13 about keeping cities whole or keeping counties
14 whole and how we can look at that. So this is
15 the Broward County area, this is Davie, Cooper
16 City, Pembroke Pines, and Southwest Ranches,
17 and each city has a different color that's
18 been used to illustrate their city boundaries.
19 And you can see, you know, with Davie
20 and Southwest Ranches, there's a section of
21 the blue municipal lines that drop in between
22 two discontiguous pieces of the red boundary
23 lines.
24 There's an area between the red and the
25 green that is unincorporated all together and

so that is not a formal city line and so we use this just to illustrate Florida's, you know, 412 incorporated municipalities all have very unique lines. And we'll work to preserve them when possible but this is just a good illustration of how that may not always be possible given their actual make up.

This next slide is also just a I'll call this a fun Florida fact as well. There is actually four cities in the State of Florida that cross county lines. And so whenever, you know, if it comes to pass where this is a decision of keeping a city whole versus keeping a county whole, these would be four unique situations where those may not be able to be done in tandem. So we have Longboat Key, Marineland, Flagler Beach, and Fanning Springs.

MR. POREDA: Thanks, Leda. And now we will move down into Dade County. So as I said before, Districts 104 and 105 cross the Miami Dade County line, Miami Dade Broward County line. Those are the only two districts that do that.

Here you can see the remaining

1 districts other than District 120 which we'll
2 get to at the end, all of the remaining
3 districts are entirely within Miami Dade
4 County. I'll start with Districts 107, 108,
5 and 112, here in our options. Those are all
6 Tier 1 protected Black districts that are
7 performing.
8 Districts 107 and 108 are majority-
9 minority Black districts. And all three of
10 those districts had functional analysis
11 performed on them to ensure those minority
12 groups in all three of those districts have
13 the ability to elect candidates of their
14 choice.
15 Districts 107, 108, and 112, are all
16 entirely within Miami Dade. They also follow
17 a lot municipal lines in that area for example
18 the western boundary of 108 and 112 in this
19 iteration is actually the Hialeah city lines.
20 We don't cross the Hialeah city line there.
21 In this area of the State, there's a
22 lot of very vertical roadway -- major
23 roadways. But also a lot of city lines that
24 are right up against each other. So even
25 opportunities where we might not be able to

1 keep a city whole because it either has too
2 much population or because of where its
3 geographically located compared to other
4 districts, we do try to use those municipal
5 lines where we can to ensure that perhaps the
6 city is split fewer ties than it would be
7 otherwise and because those municipal lines
8 are more well recognized then some of the
9 other possible boundary lines in the area.
10 We also, in Miami Dade County, use in
11 addition to a lot of the major roadways that
12 people are familiar with, those municipal
13 lines, there is also a great deal of canals
14 and manmade waterways in Miami Dade County
15 that are like you can see in different
16 communities throughout our State but there is
17 a lot of them here in Miami Dade County.
18 So where possible we try to use some of
19 those more recognizable ones to try to divide
20 the districts. District 106 on the west coast
21 after you get past 107, 108, and 112, that is
22 a district along the coast that contains, I
23 believe, seven entire whole cities there in
24 the beach communities including the bottom you
25 see a little bump on the bottom of 106 that's

1 actually the City of Miami Beach.
2 So we're using a lot of the municipal
3 lines to create the district lines there in
4 District 106. The next group of districts
5 which include 109, 110, 111, 113, 114, 115,
6 116, and 119, are all protected Tier 1
7 majority-minority Hispanic districts that in
8 each one of them have had functional analysis
9 performed on them to ensure that the minority
10 groups ability to elect a candidate of their
11 choice is maintained as is in the benchmark.
12 So all of those districts fall into
13 that category. District 117 is actually a
14 performing Black district where the functional
15 analysis was performed to ensure the minority
16 communities ability to elect a candidate of
17 their choice and you can see here there is two
18 different versions of that.
19 One in option A looks a little bit more
20 similar to the current benchmark district and
21 the little hook on the bottom of that district
22 is actually the entirety of Florida City that
23 we use the municipal lines of that city and
24 include it within the district.
25 District 117 in option B is a it does

not go into either Homestead or Florida City and is a slightly more visually compact looking district that is just a slightly different orientation just to show the committee that there is different options and the ability to do that.

You can actually see the Homestead municipal lines actually in the aqua district, which I'll get to later that's District 120, by not splitting the City of Homestead with District 117 we were able to keep that district -- that city whole within the aqua district down below.

You can see District 119 is a lot bigger in option B then it is in option A. That's another example of trying to use those less populated or unpopulated blocks in western Dade County as a way of showing how you can change compactness scores in a district simply by which district you include a lot of those non populated blocks in.

And the next slide is District 120 which you can see our Dry Tortugas that we have attached which is considered part of Monroe County so in order to keep Monroe

1 County whole you have to include that with
2 whatever district includes all of Monroe
3 County and goes up into Miami Dade County.
4 And as I said in option B that actually has
5 all of the City of Florida City and Homestead
6 within it. And that is both options.
7 Chairman?
8 CHAIR LEEK: Thank you. We are going
9 to turn to Member questions now. I want to
10 thank those of you that are still awake in the
11 audience and those of you that are still awake
12 up here. Believe it or not, members, that is
13 the abbreviated version of the presentation
14 because these are workshop maps, so yeah we
15 couldn't do the whole version.
16 Because these are workshop maps we
17 tried to keep it high level. Stick to those
18 things within the law that were being
19 considered and provide you different options
20 of how things can be considered. So we have
21 done that with the State maps.
22 I'm going to remind everyone that while
23 you may have a question that's specific to a
24 district we are not going to consider your
25 incumbency or political make up of any

1 particular district. I don't care to know
2 where you live. I don't know where you live,
3 don't care to know where you live, so you
4 know, keep your comments within the law if you
5 would, please. And up first, Representative
6 Thompson?
7 MS. THOMPSON: Thank you, Mr. Chair. I
8 want to be sure that I understand the
9 percentage of minorities that must be present
10 in a district for it to be protected. I think
11 I heard 52, is that accurate?
12 CHAIR LEEK: Actually I think you're
13 mixing things within the law. So it's not the
14 percentage of minorities who live within a
15 district, it's whether the districts performs
16 and I'll turn it over to Ms. Kelly.
17 MS. KELLY: Thank you, Mr. Chair. And
18 thank you, Representative, that's actually a
19 very good question. Whenever we perform our
20 functional analysis and whenever we're
21 addressing the question that you've posed, it
22 is truly district by district.
23 Every district has different voting
24 patterns, voting strengths, and a different
25 amount of voting age population that reside

1 within that district. The Courts have
2 actually been very clear that there is no
3 bright line test for, you know, if you're over
4 50 percent you're in a performing district,
5 they actually have struck down maps that try
6 to apply those arbitrary thresholds. So
7 unfortunately it's not quite as cut and dry as
8 that, it is truly a district by district
9 analysis.
10 CHAIR LEEK: Representative Thompson,
11 you're recognized.
12 MS. THOMPSON: Thank you. This is a
13 follow up. What are the actual performances
14 in the districts that you have identified as
15 protected minority or Black districts?
16 CHAIR LEEK: Let me try to address it
17 up front here. These are workshop maps. So
18 the maps when you -- I think that's a great
19 question. But probably for a different day
20 when you actually get maps to vote on, right?
21 When you see the districts that are going to
22 come before you to vote on. With that said,
23 Ms. Kelly, you want to chime in there?
24 MS. KELLY: Thank you, Mr. Chair.
25 Representative, do you mind asking your

1 question again, I don't quite understand what
2 you're asking?
3 MS. THOMPSON: What I'm a -- thank you
4 very much. What I'm concerned about is if a
5 district can perform as a minority district
6 and therefore is protected, if the actual
7 percentages are above whatever that
8 performance threshold is and you can shift
9 some of those individuals into a different
10 district you would have more minority
11 districts. So that's my question.
12 CHAIR LEEK: Yeah, let me take a stab
13 at that because I think the premise is not
14 quite on par with what we are talking about.
15 The number of citizens within a district who
16 are minority does not determine whether it's a
17 performing.
18 You can have a district that is not a
19 majority-minority that performs and could be
20 protected. So we're kind of, we're kind of
21 mixing apple and oranges there a little bit.
22 Does that help? No, I can see that it
23 doesn't. I'm trying though. I don't think we
24 can answer your question as it's posed is kind
25 of my point.

MS. THOMPSON: All right. Thank you.

CHAIR LEEK: Ranking Member Geller? It's good. All right. Let me, Representative Skidmore is a guest with us today. You know, per our rules, we are going to allow Members to ask for the committee to ask questions first. If there are no Members with questions then Representative Skidmore, I'll recognize you. Any Members with questions? I'm seeing none. Representative Skidmore?

MS. SKIDMORE: Thank you, Mr. Chair. It's actually more of a technical question. Could you remind us what the ideal population is for each House district and what the highest and lowest deviation you were able to create in either workshop A or workshop B?

CHAIR LEEK: I think its roughly 179,000 in each district and the law precedent would say you could go plus or minus 10 percent in Florida we typically --

MS. KELLY: Plus or minus 5.

CHAIR LEEK: -- plus or minus 5 percent in the State of Florida, we have historically stayed under that. Any other questions? Representative Goff-Marcil?

1 MS. GOFF-MARCIL: Thank you, Mr. Chair.
2 I think I understood what you were saying
3 before about --
4 CHAIR LEEK: You're the only one.
5 MS. GOFF-MARCIL: -- performing
6 (inaudible) -- performing as opposed to the
7 actual people that are in the district. But
8 could you help me understand what you mean
9 when you say majority-minority but then you
10 also say protected Black, protected Hispanic
11 and then you say minority-majority, you kind
12 of interchange with those, can you just --
13 CHAIR LEEK: I am going to kick this
14 one to our legal experts over here but it
15 roughly the difference is, you know, one of
16 residency versus how the district performs
17 voting. But, Ms. Kelly?
18 MS. KELLY: Perfect. Thank you, Mr.
19 Chair. And thank you, Representative.
20 Majority-minority just signifies that it's
21 over 50 percent. That's all.
22 CHAIR LEEK: You're recognized.
23 MS. GOFF-MARCIL: So when you're using
24 those terms it can be a protected majority-
25 minority or it could be majority-minority but

not protected? Okay. Thank you.

MS. KELLY: Yes.

CHAIR LEEK: Yeah. Yeah. That's right. Majority-minority is not the determining factor of whether it's protected, it's performance. Any other questions? Representative, what do I call you, Representative Slossberg still?

MS. SLOSSBERG-KING: Slossberg-King.

CHAIR LEEK: Okay. Got you.

MS. SLOSSBERG-KING: How many --

CHAIR LEEK: Congratulations.

MS. SLOSSBERG-KING: -- how many protected districts do we have in the State under these maps?

CHAIR LEEK: The benchmark districts, you mean the ones that were protected last time, because we don't have maps yet, so?

MS. SLOSSBERG-KING: Or under these workshopped proposals?

CHAIR LEEK: Ms. Kelly?

MS. KELLY: Thank you, Mr. Chair. And I'm embarrassed to say I actually don't know that number off the top of my head. May I follow up with you afterwards? And thank you

so much.

CHAIR LEEK: Representative Driskell?

MS. DRISKELL: Thank you, Mr. Chair. Can I get that information as well? Thank you.

CHAIR LEEK: You may. Ranking Member Geller?

MR. GELLER: (inaudible).

CHAIR LEEK: Oh. Sorry. Wants the same information.

MR. GELLER: But thank you.

CHAIR LEEK: You're welcome. Representative Omphroy, you're recognized? Same here. All right. Just hand out that information. Anybody else? Any Members have questions before we move into public comment? Thank you. Thank you, Members for those questions.

Now we'll hear from the public. I'd remind you to keep your comments on topic and to the extent your comments align with our Constitutional standards would be beneficial as the maps we must ultimately vote on have to be in alignment with the standards.

As always, please address your

1 questions through the Chair. We have one
2 member comment today. Ms. Cecille Scoon?
3 League of Women Voters. Ms. Scoon, you are
4 recognized.
5 MS. SCOON: Thank you. Good afternoon.
6 My name is Cecille Scoon, I'm President
7 of the League of Women Voters in Florida and I
8 have taking notes and very much appreciate
9 Staff's explanations and that have helped me
10 to understand what's going on every time a
11 little bit more, so it's been -- and the
12 questions back and forth.
13 I do have some concerns and
14 observations and that is it's my understanding
15 that our Tier 1 requirements in our fair
16 districts and the Voting Rights Act, which
17 Tier 1 basically picks up the Voting Rights
18 Act standards, there's two ways that you look
19 at minorities. And one is non-diminishment or
20 non-retrogression, which I think your Staff
21 has spoken to extensively and when I've heard
22 them talk about functional analysis, it's with
23 that first part of Tier 1 and the Voting Right
24 Act.
25 What's missing is the responsibility

and obligation to maximize the opportunities for language minorities and racial minorities to have the opportunity to select a representative of their choosing.

And in order to do that, you need to do the functional analysis not only on the benchmark districts which have been determined by litigation in 2015, which you guys are doing with regards to non-retrogression. You also need to look around the State at all the different places of population change and things that we know because we got a new Congress and Congressional seats. So we know there's been movement. We know there's been change.

And because you're only using the functional analysis data and research for the non-retrogression and you're not looking for opportunities where there could be more opportunities for racial and language minorities, you're not meeting the standards of fair districts or the Voting Rights Act. You're only doing one half of it.

And I think many of the questions that the Representatives have raised are getting at

that issue. That, how do people make sure that these opportunities are maximized which is required by our Constitution and by the Voting Rights Act? So I would ask your Staff to -- ask you all to ask your Staff, I know that's how it works, to do that additional analysis using data that they're able to use.

I heard, I think it was correctly stated that this committee and the legislators must use the Census data, you know, that's required. But as I also heard, there are times when additional data is used and it was stated, you know, the voting patterns, and history of different areas, to make sure that adding into the functional analysis so there are opportunities for you to use varied data to add in.

There would be opportunities for you to look at the information however it was gleaned through the survey for Haitians or any other group. There are other tools that could be used to make sure that the other half of Tier 1 and the other half of the Voting Rights Act, which requires maximization of these opportunities are done properly.

And because every single time and I was taking notes, every single time a comment about functional analysis and data usage was used it was used only with regards to non-retrogression, which is the first step.

But then there's the other step of maximizing opportunities and it was never mentioned. It's clear that that has not been done. So we would ask you to ask your Staff to go through the maps with that eye and use the -- follow the full guidelines of the law, State and Federal. Thank you.

CHAIR LEEK: Thank you very much for your comments. And Members, that concludes our meeting for today. I appreciate it. I know that we have gotten into some very technical things. I can tell you that the questions have gotten better and evolved over time and you can tell that now we're starting to get the material, we understand what are those things are that we have to consider. And with that, Representative Rommel moves that adjourn. Thank you very much.

(End of Video Recording.)

CERTIFICATE

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

DATED this 15th day of March, 2023.

WENDY SAWYER, CDLT

A

abbreviated 92:13
abilities 22:21 31:12
ability 9:3 11:16 11:18 12:4 22:22 25:18,23 30:16 36:12,14 38:24 58:8 61:14 62:17 66:13 68:20 74:9,16 84:2,20 85:6 88:13 90:10,16 91:6 104:9
able 9:23 10:23 12:25 13:7 18:20 24:13,17 24:21 25:1,19 26:5 28:5 31:4 35:25 36:19 44:13 47:14 52:12 53:21 59:18 61:6,10 68:22 69:13 73:24 75:15 76:1 78:2,12,20 79:11,18 82:24 83:12,16,20 87:16 88:25 91:11 96:15 102:7
abridging 8:25
absolutely 41:23 43:6
account 32:8 33:3 35:4 38:6 40:24 55:16,24 56:6,8 81:15 85:15
accurate 45:13 93:11
achieve 12:25 13:5,7 15:22 17:11 18:15 21:1 24:25 25:7
achieved 10:22 18:20
achieves 14:2 15:25
ACS 39:17
Act 100:16,18,24 101:22 102:4 102:23
action 28:4
actual 23:18 27:15 87:7 94:13 95:6 97:7
add 34:4 102:17
added 5:13 28:2 34:16 70:18 85:24
adding 45:23 102:15
addition 89:11
additional 8:7 13:7 34:16 39:6 39:19 45:10 52:16 74:18 75:13 77:17 78:13 102:6,12
address 94:16 99:25
addressing 93:21
adjourn 103:23
advantages 22:2
affect 70:10 80:19
affiliation 38:25
affinity 47:10 49:7
afternoon 100:5
age 35:3 36:4 37:15 59:19 93:25
ago 43:15
ahead 17:17 43:3
al 1:2
Alachua 15:13 16:2,5,12,23 68:23 69:3,6,10 69:12
algorithms 40:9
align 99:21
alignment 99:24
Alley 80:14
Alligator 80:14
allocate 32:14
allow 64:19 96:5
allowed 32:21 38:24 53:4 54:1 61:21
alluded 27:20
American 39:9 39:18,23 51:25 52:1,10 55:10 55:17
Americans 49:17
amount 32:1 40:5 93:25
analogous 19:13
analysis 11:17,21 12:1,15 25:17 31:11 62:17 66:12 68:17 74:7,15 78:8 84:2,19 85:5 88:10 90:8,15 93:20 94:9 100:22 101:6 101:17 102:7 102:15 103:3
analyze 59:13
Andrade 2:12,13
answer 30:4,5 36:25 37:20 47:1,17 50:21 55:22 95:24
answered 52:18 56:15 58:21
answers 36:21 50:18
Anybody 99:15
appealing 27:8
apple 95:21
application 4:19 12:17
applied 58:2
apply 94:6
apportionment 8:19 11:25
appreciate 44:11 51:16,20,20 100:8 103:15
approach 35:2
approaches 37:4
appropriate 12:1 12:19 40:18 82:13
approve 7:21
approving 4:15
approximately 70:15
aqua 24:1 91:8 91:12
arbitrary 94:6
area 11:20 20:19 20:20 22:19 23:1,6,8,10 25:12 32:7 40:7 45:9 46:14 49:6 49:11 58:5 59:14,18 60:19 63:24 65:1,4 67:1,1,4,15 70:23 72:25 75:10 80:10 83:9 86:6,15,24 88:17,21 89:9
areas 74:3 76:24 102:14
Article 7:18 8:14
Asian 39:8
asked 37:8 44:24 50:12 52:24,25
asking 33:25 38:11 44:14 47:22 50:5 94:25 95:2
assign 72:21 81:8
assume 38:11 42:11
attached 71:25 91:24
attaching 21:20
attention 22:25 50:1 72:11 73:4 84:13 85:12
attributed 81:3
Auburndale 76:8
audience 4:4 92:11
AUDIO 1:12
Augustine 14:3,4 15:9 66:20 67:16
Aunt 52:7
authorized 104:5
available 7:8 12:15 14:17 37:20 56:3,19
Avila 2:14,17
awake 92:10,11
aware 31:20 38:20

B

B 9:24 16:1 19:9 20:2 21:5,16,17 23:11 26:1 29:14,18,20 34:22 63:18 65:2 67:10 69:11,15,18 70:1,5 72:1 75:16 76:11 77:6,15,18 78:19 79:5,10 79:25 80:15 82:7 83:9 90:25 91:15 92:4 96:16
back 4:11,12 6:19 18:24 19:24 22:5 24:10 27:12,13 29:9 29:21 30:10 32:10 34:14 40:8 43:14 44:4 50:6 53:23 59:15 65:24 70:21 81:18 100:12

band 28:19,25
Barbados 53:3
based 26:13 30:25 49:6,7 56:16 57:22 80:9
basically 100:17
basis 11:22 39:23
bay 20:19 21:8 61:3
beach 26:4,8,12 26:16 27:4 29:24 82:15,18 82:22 83:1,5,17 84:7 87:17 89:24 90:1
Beginning 2:1
belabor 7:17
believe 5:20 30:1 33:14 35:23 36:17 71:22 76:12 79:21 89:23 92:12
Bell 74:23
benchmark 11:20 18:12 26:2 35:17,21 58:1,3 58:6,8 59:1,2,7 60:1 62:20 83:11 84:22 85:9 90:11,20 98:16 101:7
beneficial 99:22
best 65:15 104:9
better 21:16 51:15 77:18 86:2,3 103:18
beyond 21:22 41:22
big 81:22
bigger 91:15
biggest 19:18
bind 41:6
bit 10:11 20:13 20:25 61:8 68:9 69:5,16,19 70:12,21 81:13 82:14 83:2 90:19 95:21 100:11
black 11:14 13:13 28:23 30:14 34:21 35:2,3 36:3,13 37:18 39:8 42:13 43:7 43:9 45:7 46:5 46:10 47:4,7 49:4 55:8 58:6 62:15,16 66:11 68:16 74:4,6 78:6 83:8 84:14 84:18,25 88:6,9 90:14 94:15 97:10
blank 39:9
Block 32:15 39:14 40:13
blocks 32:2,4,6,8 32:13 72:17,19 72:22 73:2 81:15 85:13,18 85:24 91:17,21
blue 24:1 86:21
body 56:21
borders 13:18 30:22
bottom 89:24,25 90:21
boundaries 4:16 4:25 5:21 7:22 9:12 18:4 22:14 23:2,3 24:3,9 61:17 64:13,18 66:18 71:5 75:25 76:14 77:2 78:17 86:18
boundary 18:23 23:4,18 24:5 67:17 73:15 75:12,19 80:13 86:22 88:18 89:9
boxes 53:20
break 85:19
breakdown 39:5
breaking 83:14
Brevard 17:22,24 73:10,14,21,23
bridge 67:3 81:25
brief 46:18
briefly 10:16
bright 94:3
bring 44:4
broken 39:14
Broward 25:20 25:22 26:4,6,15 27:2,4 29:24 30:21 49:20 55:8 82:23 83:18 84:9,15 84:24 85:1,3,11 86:5,15 87:22
build 69:1
bump 64:8,10,17 89:25
Bureau 38:17,22 38:24 39:4,13 39:19,20 40:7 41:25 53:22 54:3 72:18 81:7
Bush 2:17,17
Byrd 1:6 2:18,19

C

call 2:4 32:18 45:4 87:9 98:7
called 58:1
Campbell 23:7
canals 89:13
candidate 11:16 25:18 30:17 31:12 74:10,16 78:10 84:3 90:10,16
candidates 11:18 12:4 34:23 66:14 68:20 78:9 84:21 85:7 88:13
Cape 80:6
care 93:1,3
Caribbean 51:25 52:1,9 55:9,17
case 19:5,7 20:9 21:3 68:24 71:20
cases 68:1
categorical 39:7
categories 38:23
category 39:10 58:19 90:13
Cause 1:2
Causeway 23:7
CD 25:12,16 26:1 26:14,14,24 31:2,3
CDLT 104:23
Cecille 100:2,6
Census 7:24 32:2 32:8,13,15 38:17,22,23 39:4,12,14,19 39:20,23 40:4,5 40:6,13 41:2,10 41:25 42:8 52:6 52:8,25 53:18 53:22,23 54:3 55:17 72:17,18 81:6 102:10
central 18:18 75:22 80:23
certain 33:21 40:5 61:15,15
certainly 47:16 57:20
CERTIFICATE 104:1
certify 104:3
cetera 43:20
Chair 2:2,5,6,7,8 2:15 3:25 4:1 6:18,20 33:4,6 33:10,14,18,23 34:2,9,11,13 35:6,8 36:23 37:11,19,21,23 38:7,9 40:25 41:5,17 42:20 42:22 43:2,3,14 43:22 44:9,21 45:1,3,14,16,20 45:24 46:6,21 47:3,15 48:9,14 48:15,23 49:2,3 49:9,10,13 50:9 50:16,20,24 51:2,5,17,20 52:17,19 53:13 53:19 54:15 55:4,6,21 56:12 56:14,22 57:8 57:10,21 58:13 59:2,4 60:3,13 92:8 93:7,12,17 94:10,16,24 95:12 96:2,11 96:17,22 97:1,4 97:13,19,22 98:3,10,12,16 98:21,22 99:2,3 99:6,9,12 100:1 103:13
Chairman 92:7
Chairs 44:10
challenge 40:14 63:23
chance 22:15
chances 22:11
change 16:11 91:19 101:11 101:15
changes 35:15
Channel 1:14
charged 35:18
Charlotte 25:2 80:1
check 29:22 56:9
Chief 10:4 34:3
chime 94:23
choice 9:4 11:16 11:19 12:4 14:19 16:1,10 16:18,25 25:19 30:17 31:13

34:23 47:14 49:8 62:4,12 63:11 65:10 66:14 68:21 74:10,16 78:10 84:3,21 85:7,25 86:3 88:14 90:11,17
choices 17:3 21:1 22:4 33:20 65:19 73:17 84:8
choose 48:20
choosing 33:22 77:19,21 101:4
chose 15:12 76:11 78:16,19
chosen 9:20
circle 28:12,15,20 29:3
circles 22:24
circumference 29:2
cities 10:25 11:2 24:22 25:9,22 64:2 71:15,17 71:19,23 75:13 75:15,18,21 76:6,9,16 77:11 77:14,21 78:20 80:7 81:22 83:17 86:13 87:10 89:23
citizens 47:13 95:15
Citrus 15:22,24 20:6,22 72:12 72:25
city 11:1 14:3,4 15:4,8 18:3 23:2,19 24:1,3 25:21 61:12 62:2 64:12,13 64:13,16,18,19 66:20 67:16,21 76:7 77:2 79:4 79:5,19,25 81:21 82:4 83:14 86:16,17 86:18 87:1,13 88:19,20,23 89:1,6 90:1,22 90:23 91:1,10 91:12 92:5,5
clarify 46:9 52:13 59:6
Clay 14:8 65:6,22
clean 23:9 64:6 75:19 78:17
clear 30:8 50:21 52:20 94:2 103:8
Clearwater 23:20 24:2 78:21
Clemons 2:20,21
clicked 76:20
close 45:19 69:9
closely 45:19
closer 29:5 83:2
Cloud 74:23
coalition 58:16
coast 14:21 16:7 16:13 25:11 71:21 72:4,13 73:1,3,7 74:1 77:25 80:25 81:18 83:23 89:20,22
coastal 15:15 80:17
coequal 9:17 41:19 76:14 77:17
coincides 29:14
collected 54:18 54:18
collective 33:24
Collier 25:7 31:7 80:12
color 24:1 86:17
Columbia 13:19
combination 24:23 27:18 61:19 65:20 78:2 80:22
combinations 61:2 82:21
combine 61:14
combines 73:9 75:4
come 2:3 4:24 6:1 6:5 10:17 12:23 13:2 22:20 23:12 27:13 38:12 40:16,22 70:11 71:5 94:22
comes 38:22 39:4 41:16 52:21 87:12
comment 4:5 42:25 43:4,15 99:16 100:2 103:2
comments 6:15 43:1 93:4 99:20 99:21 103:14
committee 1:13 2:3 4:12,17,24 5:4,7,8,10 6:1,7 17:3 37:13 38:5 65:18 67:19 84:11 86:4 91:5 96:6 102:9
committees 21:2 38:13
common 1:2 23:6
commonly 28:11 28:15
communicate 51:13
communities 26:3 40:18 42:7 44:2,3,4 56:1 68:20 89:16,24 90:16
communities' 66:13 74:15
community 39:18 39:24 42:12,17 43:10,17,18 47:11 48:22 49:7 53:7 57:1 62:18,23
compact 9:10 27:8,11 29:6 30:2 62:5 69:16 69:17 73:20 74:20,25 76:15 77:8 78:18 83:21 91:2
compactness 21:12,14 22:1 22:22 26:18,20 26:23 27:16,19 27:24,25 28:7 29:8 30:6 37:6 65:14 68:3 77:12,19,20 79:20 80:19 81:12 86:1 91:19
compared 11:19 21:25 36:8 89:3
comparison 10:1
completely 5:22 54:8
compliant 25:15 37:5 41:15,21 65:9 74:20
composed 72:12
composition 5:18
comprise 72:17
concept 82:25
concepts 5:16
concern 49:23
concerned 95:4
concerns 100:13
conclude 7:4
concludes 33:4 103:14
conclusion 6:11
concrete 42:18
conduct 7:21
conducted 11:17
configurations 46:1 75:24
conflict 9:15
Congratulations 98:12
Congress 101:13
Congressional 5:12 6:10 7:1 7:13 9:19 10:7 10:15,20 11:7,8 11:10,10 12:20 12:22,23,24 13:4,9,14,16,20 13:23 14:5,7,16 14:20,21,25 15:6,13,14,16 15:18 16:6,13 16:18,20 17:11 17:15,16,18,24 18:5,9 19:1,8,9 19:19,21,25 20:3,12,14 21:4 21:5,6,7 24:4 33:5 35:19 48:1 48:16 61:8 69:20 101:13
conjunction 36:19
connect 66:1
connected 63:9 63:13,15,19,20 67:14 72:3
connecting 26:3 65:7
consecutively 8:6
consider 38:2 41:9 92:24 103:21
consideration 6:2
considered 91:24 92:19,20
consist 9:6
consists 9:5
constituents 44:4
Constitution 7:19 8:15 102:3
Constitutional 4:15,20 6:21 8:13 11:12 41:8 99:22

Constitutionally 41:15
constructed 5:1
contacted 50:8
contain 21:9 31:4
contained 8:13 27:2,3
contains 13:23 18:5 19:19 68:8 89:22
context 27:22
contiguous 8:5 9:6 32:25 49:19
continue 67:3
continues 17:16 68:11
continuing 64:15 64:24
control 36:13,14
conversations 60:6
Convex 28:18 29:15
Cooke 3:22,23
Cooper 86:15
Coral 80:6
Cord 1:6
correct 34:9 46:4 46:15
correctly 45:5 102:8
corridor 74:19
count 39:23
counted 45:23
counterparts 21:16
counties 12:21 13:17 15:1,16 17:1,21 21:21 21:25 24:24 25:3 26:11 61:5 61:11,15 63:9 63:14,16,20 65:8 70:14 78:4 80:22 82:19 86:13
country 32:20
county 10:18,23 11:4 12:24 13:1 13:6,7,8,10,11 13:12,13,19,19 13:19,22,24,25 14:1,8,11 15:3 15:8,9,11,14,19 15:20,21,22,23 15:24,24 16:2,3 16:4,5,9,12,15 16:16,17,22,22 16:23,24,25 17:1,25 18:1,6 18:9,14,15,19 18:22 19:2,3,5 19:8,19,21 20:4 20:5,6,7,9,11 20:12,16,22,24 20:25 21:3,8,10 21:19,20,22 23:3 24:14,15 24:18,25 25:6,7 25:20 26:4,4,7 26:8,10,13,16 26:16 27:2,4 29:24 30:13 31:5,6,7,7 45:10 55:8 60:19 61:2,3,12 61:17,19 62:8 62:10,24 63:6,8 63:13,15,16,18 63:21,24 64:5 65:4,7,11,20,22 66:1,2,3,5,5,7 66:10,17,22 67:8,14,23,25 67:25 68:9,10 68:12,23 69:3,6 69:7,12,14,19 69:21,23,25 70:2,5,7,13,24 70:25,25 71:3,6 71:14,24,25 72:3,12,25 73:10,14,22,23 73:24 74:13,14 75:3,5,7,10,23 76:3 77:1,8,13 78:2,12 79:7,13 79:15 80:2,2,3 80:6,21 81:20 81:25 82:2,6,11 82:15,19,20,21 82:23 83:1,6,9 83:17,18 84:8,9 84:16 85:2,4 86:6,15 87:11 87:14,20,22,22 88:4 89:10,14 89:17 91:18,25 92:1,3,3
couple 5:17 38:13 44:22
course 32:16
Court 11:24 35:25 36:20 55:24
Courtney 23:6
Courts 94:1
covered 33:1
covering 7:16
create 23:4,8 24:4 72:23 78:17 81:9 83:20 90:3 96:16
created 14:9 30:15 64:18 81:14
creates 41:21 75:12
creating 11:3 62:21 72:23 77:3 83:22 85:20
Creole 49:25 50:3 50:7 57:17
Crestview 64:14 64:16
criteria 38:2 56:2 58:2
critical 5:6
cross 79:8 82:22 85:1,3 87:11,21 88:20
crosses 21:7 26:15 30:21 62:9 78:11 79:11 82:6
CSX 76:12
cultural 55:16,18
culturally 55:7
curious 34:24 57:13
current 5:19 13:5 14:12 26:2 59:7 59:8,9,9,11 60:23 82:23 83:11 90:20
currently 13:4 51:24
cut 94:7
cycle 11:25 38:23
cycles 12:10 36:9 36:17

D

D.C 1:24
D.J 2:4 4:1
Dade 30:13 31:5 31:6 45:9 49:19 85:2,4 87:20,22 87:22 88:3,16 89:10,14,17 91:18 92:3
Dale 23:7
data 12:9,10,14 36:7,12,18 37:15 38:21 39:4,12,17,19 40:8 41:2,10,12 41:14 42:1,4,8 42:18 53:18 54:11,14 56:25 58:22 59:10,11 59:21 101:17 102:7,10,12,16 103:3
DATED 104:13
Davenport 76:6
Davie 86:15,19
day 94:19 104:13
deal 89:13
deals 7:20
debuted 4:21
decade 12:11 18:20 35:16,17 35:25 36:6,9,21 48:6 53:25 59:10,12 62:21 63:2
December 7:8
decide 58:10
decided 58:2 68:4
deciding 19:24
decision 14:10 17:15 18:25 56:21 79:1 87:13
decisions 4:24 17:6 44:17 67:5 79:24 80:18
deeper 41:13
defer 41:22 53:14 58:25
define 48:18,21
DeFuniak 11:1
degree 51:12
Deland 71:15
deliberate 6:4
delineated 39:5 54:5
Deltona 71:14
Democrats 36:14
demographers 54:6
demographics 51:23
demonstrate 21:2 21:11 30:9 62:12
demonstrating 21:17
denying 8:25
depending 20:15
described 27:1
designation 52:9

desk 7:6
Desoto 25:2 80:2
despite 19:16
detail 54:19
detailed 22:4 54:12,13,24
determine 12:1 95:16
determined 101:7
determining 98:5
deviated 10:25
deviation 61:9,22 69:10 82:13 96:15
devices 4:3
dictated 25:12
dictates 8:8 25:24
didn't 30:1
difference 14:18 19:18,23 53:17 62:1,8 70:3 75:9 79:6 97:15
differences 14:16 22:8 30:18,24 30:24 67:11 68:5,25 71:4,9 80:5
different 5:22 16:10,18 19:6 19:12,14,17 21:1 26:13,19 28:9 37:4 41:20 45:12,25 46:4 46:11 51:9 52:9 54:8 62:2 63:11 63:22 65:3,9,19 65:23 66:17 67:17,18,23 68:13,19,23 70:8 71:1,2,9 75:24 78:23 79:16 80:8,13 81:23 83:25 84:5,10,11 85:16,17,20 86:17 89:15 90:18 91:4,5 92:19 93:23,24 94:19 95:9 101:11 102:14
differently 20:14 20:25
differing 9:25
difficult 49:21
dig 24:8
DIGITAL 1:23
diminish 9:3
diminished 11:19 74:17
direct 45:1
Director 6:16 22:6 45:2 57:20
directs 7:21
discontiguous 23:24 32:20 86:22
discussed 5:16 70:23
discussing 67:2
discussions 60:7
disfavor 8:21
distinctions 37:7
district 4:16,25 5:21 7:22 8:20 10:17,22 11:5,8 11:8,10,11,15 11:20,22,22 12:3,5,20,23,23 12:25 13:3,4,9 13:15,16,18,20 13:23 14:5,8,9 14:11,12,20,21 14:25 15:6,13 15:14,17,18 16:6,12,14,19 16:20 17:8,15 17:16,18,24 18:5,8,9,11,12 18:17,21,23 19:1,7,9,10,20 19:21,25 20:3,8 20:11,13,14,17 21:4,5,7,18 23:12,12 24:3,5 24:12,19,23 25:3,5,13 26:6 26:7,10,15 28:9 28:13,14,22,24 29:3,6 30:13,14 30:21,22 31:3 32:11,16,22 34:20,21 35:10 35:10,23 36:3 45:24 47:7 48:2 48:2,4,8,17,25 49:5,18,19 50:1 58:3,6,7,7,9,14 58:16,18 59:15 60:22 61:3,4,13 61:18 62:6,6,9 62:13,14,16,19 62:22,24 63:2,7 64:4,4,20,21,25 65:5,6,21 66:16 66:23 67:2,7 68:8,11,14,15 68:16,21 69:1,2 69:5,6,11,12,15 69:20,20,24 70:1,7,9,22 71:7,10,17,18 71:25 72:11 73:7,25 74:6,21 74:23,24 75:2 76:3,4,6 78:9 78:10,11,21,22 79:10 80:1,4,6 80:9,17,21,23 81:20,23,24 82:3,6,11,14 83:4,7,8,10,11 83:13,18,21,23 83:23 84:1,6,17 85:8,19 88:1 89:20,22 90:3,4 90:13,14,20,21 90:24,25 91:3,8 91:9,11,12,13 91:14,20,20,22 92:2,24 93:1,10 93:15,22,22,23 94:1,4,8,8 95:5 95:5,10,15,18 96:14,18 97:7 97:16
districts 8:2,4,5,9 8:23 9:5,8,9,10 10:10,14,17,21 11:3 12:18 13:2 14:14,22 16:11 17:5,7,9,23 18:24 19:4,6,11 20:21,23 21:9 21:14,24 22:3 24:22 25:10,15 25:25 26:9 27:20 29:17 31:8,10 32:25 34:17 36:15 37:17,18 43:7 45:7 46:5,7,10 46:20 47:4,10 47:12,21,25 57:13 58:17,17 58:23 61:1,16 61:21,23,24,25 62:3,15 66:3,6 66:9,10,12,15 67:10,23 68:3,5 68:24 70:5,16 70:17 71:3 72:22 73:14,15 73:20 74:3,5,9 74:11,12,21,25 75:2,6,8,10 76:16 77:4 78:3 78:5,7,13,15,18 78:23 79:8,18 80:11,20 81:4,9 81:10,10 82:2 82:14,18,25 83:15,19 84:7 84:12,13,15,18 84:22,24,25 85:1,3,5,9,10 85:20,21,23 87:21,23 88:1,3 88:4,6,8,9,10 88:12,15 89:4 89:20 90:4,7,12 93:15 94:14,15 94:21 95:11 98:14,16 100:16 101:7 101:22
districts' 83:3
dive 5:3
diversity 38:4
divide 76:13 79:22 89:19
divided 20:13 81:3,7
divides 80:14
divvied 9:22
doesn't 41:25
doing 15:5 33:22 34:5,6 37:1 43:6 51:10 57:14 62:5 77:7 85:16 101:9,23
don't 50:22 51:2 98:23
doubly 60:10
Drake 2:22
draw 22:24 24:6 25:15 39:15 72:10 73:4 84:13 85:11
Drawer 10:4 34:3
drawing 4:19 18:13 27:23 34:8 35:2,5 39:9 70:9
drawn 8:20,24 50:1 83:4
drill 41:13
Driskell 2:23,24 34:11,13 36:24 37:10,11,21,23 37:24 38:10,14 41:3,5 42:21,23 42:24 43:4 44:14,23 49:16 50:12 54:16

56:13,14 57:6 59:16 99:2,3
drop 42:4 86:21
drops 25:6
dry 32:22 91:23 94:7
due 10:18
duplicate 82:24
Duval 13:10,21 13:21,25 45:8 46:1 65:3,24 66:2,3,5,6,10 66:22

E

earlier 35:24 70:23 72:16 85:15
easier 7:10
east 14:21 15:5 16:7,13 17:2 20:4 25:11 63:17 64:5,24 66:2,7 67:4 70:21 71:21 73:3,7 80:25 81:18
eastern 15:15
easy 28:6 51:13
educate 5:7
educated 22:3
education 5:13
effort 33:24 57:15
either 7:11 19:1,5 20:9 21:3 46:19 47:11 49:18 62:4 67:25 71:17,19 72:1 85:22 89:1 91:1 96:16
elect 9:3 11:16,18 12:4 25:18,23 30:17 31:12 34:23 58:8 62:17 66:13 68:20 74:10,16 78:9 84:3,20 85:7 88:13 90:10,16
electing 50:2
election 12:8,10 36:6,9 59:21
elections 12:7,11 12:12,13 36:11 36:17,18 42:9
electronic 4:3
ELLERKAMP 2:5,7,10,12,14 2:17,20,22,25 3:2,4,6,9,12,14 3:16,18,20,22 3:24
embarrassed 98:23
enables 69:6
encompassing 28:24
encourage 24:8 40:22
encouraged 40:15
ensure 4:8 5:15 6:12 11:14,18 25:17 30:15 40:17 42:14 62:17 66:12 84:2,20 85:6 88:11 89:5 90:9 90:15
ensured 68:19
ensures 74:8,15 78:8
entered 7:25
entire 10:24 15:4 18:3 44:12 70:11 89:23
entirely 12:21 13:17 19:22 21:18,19 25:19 61:5 62:24 74:13,13 82:18 88:3,16
entirety 61:13 63:6 90:22
equal 8:25 9:8 10:18 13:1,5 14:2 15:22 17:12 18:21 25:1,7
equalizing 35:20
Escambia 61:19
especially 35:18 38:3 77:24 86:7
Esri 12:16
establishes 28:12
establishing 8:8
estimation 39:25
et 1:2 43:20
ethnic 52:10
Everglades 31:21 72:17,18 85:14
everyone's 6:23 72:11
EVIDENCE 1:23
evolved 103:18
exact 10:19
exactly 20:21
example 23:5,25 26:19 30:8 34:19 61:17 62:13 64:1,21 65:25 76:4 88:17 91:16
excellent 36:24 36:25 44:23
exchange 49:15 56:17
exciting 4:13
exclusive 77:22
excuse 7:24 9:4 40:6
excused 2:22 3:10
exist 84:22
existing 9:11
exists 57:23 62:19
expansive 36:8 36:18
expect 9:21
expected 46:19 47:12,16
experts 97:14
explain 54:17 59:3
explanation 37:12 50:13,14 51:6
explanations 100:9
explication 50:6
explore 67:22
expressing 49:23
extending 83:22
extension 83:13
extensively 100:21
extent 99:21
extra 85:24
extrapolate 40:9 76:18
extreme 65:16
extremely 51:21
eye 103:10
eyeball 26:23 27:9 28:1 29:10

F

face 29:25 54:16
fact 32:19 41:19 82:19 87:9
factor 86:12 98:5
factors 36:1 41:8 41:20
fair 55:1 100:15 101:22
fall 58:18 90:12
falls 75:11
familiar 6:23 23:22 89:12
Fanning 87:18
far 29:10 39:11 45:13 53:11 54:4,11 83:14
favor 8:21
feasible 9:11 22:15
Federal 52:21,23 103:12
feedback 40:19 43:17
feel 5:6 27:7 38:19 43:20 47:21
Fein 2:7,8,9
felt 39:2
fewer 89:6
fifth 39:10
figure 45:3 65:14 78:3
FILE 1:12
fill 4:5 20:7 38:25 39:1 53:21
filled 53:24
Final 49:12
finally 9:10
finished 4:10
first 6:20 7:16,19 8:19 9:7 10:14 14:25 26:21 28:10 35:1,12 38:24 43:24 44:24 53:25 59:6 84:13 93:5 96:7 100:23 103:5
fit 28:21 61:20 62:24 78:3 79:11
five 12:10,12,12 15:1 40:1 61:4 66:2,6 70:4,15 78:13 81:7
Flagler 15:9 67:13,25 70:25 71:6 87:17
flexibility 61:9
flip 16:3 32:10
Florida 1:14 7:19 11:24 13:13 18:18 24:12 31:17,24 32:12 32:19 33:2 35:24 38:3 46:11 47:24 49:14 52:2,7,11

73:1 75:22 80:25 81:19 85:14 86:7 87:9 87:11 90:22 91:1 92:5 96:20 96:23 100:7
Florida's 87:2
focuses 37:5,6
fodder 52:16
follow 41:4 42:20 44:22 49:2,12 52:18 55:2,25 57:11 67:17 73:18 75:19 79:3 88:16 94:13 98:25 103:11
followed 7:2 24:2
following 6:10 7:23 8:9 18:22 25:8 45:5 71:9 74:21 76:17 77:9
follows 24:20 64:5,7 67:20,20 80:16 83:10
force 67:24
foregoing 104:5
form 4:5 24:18 53:23 63:10 73:20
formal 33:12 87:1
formulated 56:16
formulation 77:8
Fort 80:7
forth 100:12
Fortunately 10:23
forward 37:13 44:18 59:25
fought 53:6
four 20:20 21:9 45:21,22 46:7,8 61:20 70:6 80:21 87:10,15
fourth 45:11
frame 4:15 51:9
frankly 45:6
Freeport 11:1
front 7:6,12 10:2 36:7 37:3 94:17
full 5:4 6:6 103:11
fun 32:18 87:9
functional 11:17 25:17 31:11 62:16 66:11 68:17 74:7,14 78:8 84:1,19 85:5 88:10 90:8 90:14 93:20 100:22 101:6 101:17 102:15 103:3
functionality 28:9
further 14:23,24 17:10 19:25 20:18 64:24 69:24 79:14 83:16,22

G

Gadsden 13:11 13:11
gains 26:11
gathered 53:10
gears 47:20
Geller 2:10,11,16 33:8,9,17,19,25 34:6,10 44:20 44:20,21 45:4 45:18,22,25 46:8,13,16 47:6 47:9,19 48:7,14 48:16 49:2,4,12 50:15,20,25 51:4,17 53:16 57:8,10 59:1 96:2 99:7,8,11
general 12:6,12 35:14 36:11
geographical 9:12 22:14 37:7
geographically 89:3
geography 23:23 31:15 33:2 64:12 72:24 86:10
getting 51:3,16 101:25
Gilchrist 69:7,14
give 39:5 41:10 44:11 50:13 84:11
given 39:12 41:3 50:13 54:22 87:7
gives 86:7
Glades 25:2
gleaned 102:19
go 9:20 10:10 15:12 17:2,2 24:17 34:3 35:12 36:1 43:3 50:6 59:13 62:7 64:24 67:18 69:23 73:2,3 81:8 82:15 83:15 91:1 96:19 103:10
goal 5:15 44:12
goes 13:10 16:13 16:16 17:25 20:4 21:8 24:25 54:4 59:15 82:7 92:3
Goff-Marcil 2:25 3:1 96:25 97:1 97:5,23
going 4:22 6:21 8:10 10:8 11:5 14:13 16:6 17:7 17:17 18:19,21 18:24 21:25 22:5,10 28:8 29:9 31:18 34:14 36:9 43:1 43:14 44:16 49:25 53:13 55:7 57:23 58:24 60:3,4,14 60:16 65:24 66:4 70:12 71:7 92:8,22,24 94:21 96:5 97:13 100:10
good 18:4 22:15 23:5 26:19 30:8 34:14 37:9 44:6 66:18 75:19 86:1,8 87:5 93:19 96:3 100:5
gotten 103:16,18
governed 83:4
Government 52:21,22,24
Grall 3:2,3
grandmother 52:2
Grant 3:4,5
graphic 8:11
grateful 55:14
great 4:11 6:19 41:18 49:23 89:13 94:18
greater 20:19 64:25
green 68:14 86:25
GROMMEL 3:15
group 1:23 49:25 52:15 55:10,18 57:17 90:4 102:21
groups 25:18 52:10 55:16 84:2,20 85:6 88:12 90:10
growth 18:17 74:19
guess 34:25 44:25
guest 96:4
guidelines 103:11
Gulf 72:15
guys 7:9 8:11 9:21 28:5 29:9 29:22 37:1 51:10 101:8

H

Haines 76:7
Haitian 38:12 39:2,3 42:12,19 43:10 49:17,25 50:2,7 52:3,4 53:2 55:12 57:17
Haitians 102:20
half 18:8 101:23 102:22,23
hand 99:14
handwrite 53:21
handwritten 53:24
hangs 72:14
happen 55:14
happening 59:14
happens 18:10,16 57:5
happy 33:10 44:5
Harbor 78:22
Hardee 25:2
harmony 29:11
HD 74:5
head 98:24
hear 6:15 23:1 28:18 43:16,17 46:17 99:19
heard 33:19 43:25 49:14,23 50:4,21 58:15 59:16 93:11 100:21 102:8 102:11
hearing 57:18
help 22:3,24 53:15 59:22 61:16 95:22 97:8
helped 100:9

helpful 37:9 57:7
helps 5:7
Hendry 25:3 80:12
Hernando 21:3 70:13,18
hesitation 46:22
Hialeah 88:19,20
high 92:17
highest 96:15
Highlands 25:2
highlighting 77:7
highly 40:22
highway 67:21
Hill 18:3
Hillsborough 18:22 20:24 21:8,10,20 24:14 78:1,12 78:25 79:9
Hispanic 18:18 31:10 36:15 37:16,17 47:12 47:21,24 48:8 48:19 49:1 58:7 74:12,19 75:1 90:7 97:10
historically 96:23
history 102:14
hit 60:20
holistically 23:15
Homestead 91:1 91:7,10 92:5
hook 90:21
hope 36:21
hoping 50:15,22 50:25
horizontal 65:17 79:17 80:15
horizontally 65:12
host 58:17
House 1:13 4:21 5:12 6:11 7:3 7:15 8:3 52:8 60:17 61:7,20 63:7 66:22 70:16 81:23 82:14 96:14
household 40:3
households 40:7
Hull 28:18 29:15

I

I-75 79:21
I4 23:7 74:19
ideal 61:10 63:3 96:13
identified 39:3 94:14
identifies 49:1 55:9 72:19
identify 42:9 51:22 52:3,13 52:25,25 57:16 59:22
illuminated 76:24
illustrate 4:23 22:12,15 25:14 29:7 80:18 86:8 86:18 87:2
illustrated 22:23 79:1
illustration 24:7 87:6
image 31:23 76:22
imagine 43:11
immediately 49:18
impact 17:7,14 17:16 67:6 68:2 84:6
impacted 11:9
impacts 14:22 19:3 81:12
improve 21:12 22:22
inaudible 2:9 3:24 33:9 45:15 45:17 56:8 66:24 72:6 73:5 97:6 99:8
include 16:9 28:5 41:11 61:11 62:9 69:13 85:18 90:5,24 91:20 92:1
included 15:16 42:5 81:15
includes 15:18 20:17 25:21 26:10 36:10 80:12 92:2
including 12:15 13:11 14:23 15:8 18:3 27:25 89:24
incorporate 31:17
incorporated 32:21 64:13 76:25 87:3
increased 63:3
incumbency 92:25
incumbent 8:22
indent 24:19
Indian 17:22,25 73:23
individual 8:20 40:3,12 77:3
individuals 95:9
industry 28:16
influx 48:5
info 51:1
information 38:16,19 39:14 41:12 52:20 53:9,10 54:3,4 54:7,13,18,19 54:25 56:3,19 56:23 99:4,10 99:15 102:19
inherently 42:16
initial 5:16 41:12 41:24
input 7:5 44:5,11
intended 29:12
intent 8:21,24
interacted 80:20
interaction 79:7
interacts 31:1
interchange 97:12
interest 44:2 56:1 57:1
interlock 86:10
interstate 64:16 64:17
ish 24:19
Isle 74:23
issue 102:1
issues 43:12
it's 27:6 28:13 43:10 95:16
iteration 15:1 22:21 88:19
iterations 45:12 46:4,12 79:2

J

Jacksonville 65:1
jagged 76:1
Jamaican 53:2 55:11
January 1:15
Jason 10:5 22:9 22:20 27:19 35:24 63:25 73:11
Jefferson 13:19 63:16,19
Jenne 3:6,6
Johns 14:1,11 15:7 16:8,15 66:16,22 67:4,8 67:15,23 68:10
jut 23:16

K

keep 10:9 11:2 14:3,11 16:4,25 16:25 17:1,6 18:23 21:18 24:21 25:1,9 27:12 52:15 61:10 65:25 66:20 67:21,22 70:19,25 71:6 71:15,16,23 75:15,18 76:2 77:14 78:20 79:19 83:17 89:1 91:11,25 92:17 93:4 99:20
keeping 15:3,13 16:2,23 18:13 18:13 21:24 62:1 64:2 65:6 65:20,21 66:2,6 78:19 81:24 86:13,13 87:13 87:14
keeps 15:1 76:5,6 80:16
Kelly 6:16,18 22:6,9 26:17 31:14 35:6,8 38:7,8,15 41:22 41:23 45:14,15 46:9,15 47:1,2 47:8,18,20 48:9 48:11,23,24 49:9,10 51:3,16 53:14,19 56:11 57:4 58:21,25 59:3,4 60:11,13 63:25 66:24 72:9 76:18 80:24 86:5 93:16,17 94:23 94:24 96:21 97:17,18 98:2 98:21,22
kept 17:23 18:20 21:3 24:15 25:19 26:6,7,9 64:19 67:13 70:14,17 73:21 73:24 74:12 76:8,10 79:5 80:7 82:21

Key 32:23 87:17
kick 97:13
kicked 4:13
kind 9:21 14:8 19:23 22:19 23:11,16 24:18 25:24 27:6,19 29:22 30:21,23 42:24 56:22 60:19 62:8 67:2 67:5,18 70:22 72:14 73:25 75:16 79:23 80:3,8,16,18 82:7 83:5,22 85:10 95:20,20 95:24 97:11
know 4:14 8:11 9:21 22:12 29:9 30:7 33:22 35:13,17,22 36:2,13,15 38:1 38:12 39:8 40:12 41:1,18 41:19 42:3,7,11 42:25 43:9,12 43:19,23 44:7 44:10,25 45:6 46:22 48:5 52:6 52:12,16 53:4 54:23 55:7 56:4 57:14,19 58:1 58:16 59:14 60:5 77:13 81:1 86:6,19 87:3,12 93:1,2,3,4 94:3 96:4 97:15 98:23 101:12 101:13,14 102:5,10,13 103:16
known 23:8
Kyle 26:25 30:11 34:4 72:5,6 73:5 76:19 77:9 77:25

L

Lake 15:11,21 16:22 20:5 69:23,25 70:2 72:1,1 76:8 81:1,6,11,16
Lakeland 76:5
language 8:7 9:1 38:1,5,10 41:9 41:16 43:8,18 44:24 46:19 47:5,10,11 48:19,22 49:6 49:24 57:15,16 101:2,20
large 13:21 19:15 31:21 32:11
largely 11:9 32:7
larger 10:3
largest 52:1 55:10
Latvala 3:7,8
law 46:24 60:7,9 92:18 93:4,13 96:18 103:11
League 100:3,7
learned 4:19
leaving 73:22
Leda 6:16,17 10:6 22:6 34:4 64:23 87:19
Lee 24:25 25:6 80:2,5
Leek 2:2,5,6,15 4:1 33:6,14,18 33:23 34:2,9,11 35:6 36:23 37:19,23 38:7 40:25 41:17 42:20,22 43:3 43:22 45:3,14 45:16,20,24 46:6,21 47:15 48:9,15,23 49:3 49:9 50:9,16,24 51:2,5 52:19 53:13 54:15 55:4,21 56:12 56:22 57:8 58:13 59:2 60:3 92:8 93:12 94:10,16 95:12 96:2,17,22 97:4 97:13,22 98:3 98:10,12,16,21 99:2,6,9,12 103:13
left 27:1 63:5 76:22 77:15
leftover 62:23
legal 4:18 51:11 56:7,24 59:2 97:14
legally 32:14,21 37:5 41:2,21 42:2 54:20
legislation 6:4
legislative 56:21
legislators 102:9
Leon 12:24 13:1 13:8,10,18 45:8 46:1 62:24,25 63:6,8,13,15,18 63:21,24
let's 60:10
level 5:22 24:8 39:7,13 40:13 44:15 53:18 54:12 92:17
Levy 69:7,19
likewise 76:7
line 11:4 26:16 29:16 78:12 79:9,11 80:13 82:6,20,23 83:19 85:2,4 87:1,22,23 88:20 94:3
lines 11:1 23:4,9 23:18,22 24:21 28:23 64:6 67:18 71:10,13 71:21 73:15,19 74:22 75:12,18 75:19 78:17 83:14 86:9,21 86:23 87:4,11 88:17,19,23 89:5,7,9,13 90:3,3,23 91:8
listen 51:9
Lita 11:12 85:14
litigation 101:8
little 7:10 10:11 19:12 20:13,25 23:16 45:16 50:6,22,25 61:8 64:8,9,17 68:9 69:4,5,13,15,19 70:12,21 72:13 75:25 79:14 81:13 82:14 83:2 89:25 90:19,21 95:21 100:11
live 32:1 93:2,2,3 93:14
lobbied 52:8
located 89:3
long 28:7 83:23
Longboat 87:17
longer 85:20
look 10:12 19:12 23:17,25 24:7 26:24 27:5 28:25 29:18 34:22 37:14 39:11 54:16 59:18 64:12,21 65:13 67:10,16 68:6,18 71:3 81:4 86:1,14 100:18 101:10 102:19
looked 35:3,21 36:4 45:11 46:3 55:18
looking 12:5 22:19 23:14 24:19 29:25 34:2 35:14 37:16,17 47:23 65:3 76:23 83:1 91:3 101:18
looks 26:2 90:19
lot 18:14 23:2,22 32:4,12 39:1 68:3 71:13 83:2 83:4,14 85:12 88:17,22,23 89:11,17 90:2 91:14,21
lowest 96:15
Lucie 26:10 81:19,21,25 82:4

M

M 1:24
ma'am 38:9
Mabry 23:7
Madison 63:19
main 30:18 75:9
maintain 57:25 61:17
maintained 13:14 77:3 90:11
major 18:14 22:25 25:8 30:23 74:22 75:14 77:9 88:22 89:11
majority 31:9 53:7 58:15 60:21 82:10
majority- 74:11 84:17 88:8 97:24
majority-mino... 13:12 18:10,17 48:4,24 62:15 74:5 75:1 83:7 90:7 95:19 97:9 97:20,25 98:4
MALE 24:11 30:12 60:2 73:6
Manatee 24:15

78:1 79:7,9,12
manmade 89:14
manner 22:4
map 4:19 5:3 7:1 7:3 9:19 10:4,7 10:15 13:5 17:5 17:10,11 23:14 34:3 35:17,19 35:22 47:23 59:8,9,9,11 60:1,17,23 61:7 61:8 82:24
mapping 55:6
maps 4:21,22 5:5 5:12,22,25 6:5 7:7,7 8:1 10:2 33:11,12,12,13 34:22 37:3,14 37:16 40:20 43:17,20 44:17 50:17 92:14,16 92:21 94:5,17 94:18,20 98:15 98:18 99:23 103:10
March 104:13
Mariano 3:9
Marineland 87:17
Marion 13:6 15:3 15:19 16:3,4,23 68:12 69:21 70:5 71:1 72:2
Martin 26:11 81:19 82:2,9,10
material 103:20
mathematical 22:1 27:16 29:8 63:23 77:18,20
mathematically 29:6 30:2 69:17
matter 34:21 65:10
maximization 102:24
maximize 101:1
maximized 102:2
maximizing 103:7
mean 33:19 37:17 41:13,17 56:5 97:8 98:17
means 44:15 47:16 48:25 56:4
meant 52:23
measure 28:8
measured 29:4 57:2
mechanisms 23:4
meeting 28:3 101:21 103:15
meetings 5:17
meets 49:5
member 2:10,11 2:15 6:14 7:4 12:16 33:8 44:20 52:7 57:8 92:9 96:2 99:6 100:2
members 2:2 4:1 4:7 5:6,8,24 6:19 9:13 23:21 26:17 28:2 33:6 33:7 38:19 40:15 44:8 60:3 64:1 81:2 92:12 96:5,7,9 99:15 99:17 103:14
mental 29:22
mentioned 6:20 11:13 22:20 35:13 36:2 67:7 77:10 86:6 103:8
met 4:17 5:2
methodologies 30:6
methodology 36:1
Miami 30:13 31:4,6 46:2 85:2,4 87:21,22 88:3,16 89:10 89:14,17 90:1 92:3
mic 45:19
microphone 4:8
middle 68:15
miles 73:2,3
mind 17:6 27:13 50:18 51:2,15 56:16 94:25
minorities 9:1 31:12 38:1,5,11 41:9,16 43:9 44:25 93:9,14 100:19 101:2,2 101:21
minority 12:2 25:17 30:16 31:9 37:15 43:19 49:7 58:15 62:18,22 66:13 68:19 69:1 74:8,12,15 75:8 78:9 84:2 84:18,20 85:6 88:9,11 90:9,15 94:15 95:5,10 95:16 97:25
minority-majo... 97:11
minus 35:19 96:19,21,22
minute 14:6 26:18 32:4
Miramar 25:21
missing 100:25
mistaken 55:12
misunderstand 46:14
mixing 93:13 95:21
monolith 43:10
Monroe 31:7 60:19 91:25,25 92:2
morning 6:18 34:14
mouse 33:15
move 6:8 14:24 37:13 44:17 60:4,10,16 66:25 67:4 81:18 87:20 99:16
movement 101:14
moves 103:22
moving 9:6 20:18 24:11 25:11 30:12 49:13 59:25 70:21 73:6 74:2 75:23 77:5,25 79:14 79:25 84:9
multiple 25:14
municipal 10:25 23:22 24:21 71:9,13,20 73:19 74:22 75:18 86:9,21 88:17 89:4,7,12 90:2,23 91:8
municipalities 76:2,25 87:3
mutually 77:22
Myers 80:7

N

name 100:6
Nassau 13:24 65:4,24 66:1,4
National 32:23
natural 48:4
nature 42:11 79:22 80:15
nearly 9:8
necessarily 29:16 41:20 51:13
necessary 11:23 12:18 35:11 44:16 54:20 56:24
need 27:21 40:12 41:14 43:16 82:1,13 101:5 101:10
needed 69:9
negatively 68:2 81:12
neighboring 63:9 65:8 81:8,9
never 103:7
new 7:22 8:8 33:10 63:23 101:12
nice 11:4 18:13 18:23 23:9 24:18 80:3
non 91:21
non- 103:4
non-diminishm... 100:19
non-retrogressi... 100:20 101:9 101:18
normally 32:24
north 21:22 30:22 64:17 67:18 84:15
North/Northeast 83:5
Northeast 49:19
northern 25:22 26:3 30:20 63:15 64:7 67:8 73:9,13
notable 30:24
notes 7:11 100:8 103:2
noting 41:1
number 45:12 49:22 61:16 95:15 98:24
numbered 8:6
numbers 19:14 31:24
numerous 49:17
NW 1:24

O

Oak 18:3
obligation 101:1

observations 100:14
obviously 19:18 31:16 40:17 42:14 69:15 81:14
Ocala 15:4
occurred 35:15
odd 23:17
offer 61:9
official 39:20
offshore 73:3
oh 45:18 66:15 72:6,7 99:9
Okaloosa 61:20
okay 10:6 24:11 29:11 33:18 42:20,21 43:4 46:16 47:8 50:9 50:24 51:4 58:13 60:15 73:6 98:1,10
Okeechobee 81:1 81:6,11,16
Omphroy 3:10 3:10 51:19 52:20,23 55:2,4 55:5 56:18 99:13
once 7:4
ones 89:19 98:17
Onfroy 51:18
online 53:25
open 33:7
opened 15:15
opportunities 88:25 101:1,19 101:20 102:2 102:16,18,25 103:7
opportunity 5:5 8:25 65:13 86:1 101:3
opposed 28:20 58:11 97:6
opted 39:1
option 15:6 16:1 19:8,9,20 20:2 20:15 21:5,6,7 21:12,15,16,17 22:18 23:11 25:16 26:1,5 29:13,14,18,19 29:20,21,23 30:3 63:12,18 65:2,2 67:9,9 69:4,11,15,18 69:22,24 70:1,4 70:5 71:16 72:1 72:2 75:11,16 75:25 76:11,19 76:21 77:5,14 77:15,18 78:19 79:4,5,8,10,24 82:5,5,7 83:9 83:12 85:22 86:2 90:19,25 91:15,15 92:4
options 5:3 7:1,3 7:14,15 9:25 10:12,16 11:7 14:17 17:21 19:16 20:20,23 25:4 26:8,14 30:15,19,25 31:3 60:16,24 62:1,3 63:11,22 66:20 67:13,16 67:19,22 68:6,9 68:18,22,25 70:4,19,20 71:2 71:8,22 74:7 75:22 81:24 82:3 83:25 84:4 84:11 88:5 91:5 92:6,19
Orange 18:9,15 19:5,7,22 20:4 20:9,12,16 71:22 73:12,12 74:2,13 75:5,6
oranges 95:21
order 2:3 10:10 11:14 25:22 61:12 82:11,12 91:25 101:5
ore 75:25
organized 10:12
orientation 65:15 65:16 79:3 83:11 91:4
orientations 26:13 60:25 79:16,21 80:8 83:3 84:10
orienting 62:3 84:12
original 76:22
Orlando 45:9 46:2,14 49:6,11 58:5
Osceola 17:22 18:6 74:2,14 75:3
outline 35:25
outlined 35:24 36:20
outlines 8:12
outperform 29:19
outside 82:20
overall 47:7 71:10
overlapping 71:20
overlay 46:24

P

packet 28:3,4 31:25 34:15
page 6:24 7:18 34:15,16
paid 50:1
pair 24:14 31:6
paired 73:23
Palm 26:3,8,12 26:16 27:4 29:23 82:15,18 82:22 83:1,5,17 84:7
panhandle 10:8 60:18,22
par 95:14
Park 32:23 78:22
part 8:17 20:6,17 21:10 30:20 31:22 41:25 43:11 47:16,17 54:13 55:14 72:12 73:13 80:1,2,23 91:24 100:23
participate 9:2
particular 11:9 12:3 22:2 35:5 38:2 49:24 63:24 93:1
particularly 17:10 58:4
parts 6:13 80:12
party 8:21
Pasco 20:24 21:22 70:13,17
pass 87:12
passes 27:8
patterns 93:24 102:13
Payne 3:10,11
Pembroke 86:16
Pensacola 62:2,5 62:9
people 18:2,7 20:12 24:14,16 28:19 30:1 32:1 32:5 34:7 39:1 52:14 54:23,23 89:12 97:7 102:1
percent 48:25 49:11 55:8,11 55:13 94:4 96:20,22 97:21
percentage 93:9 93:14
percentages 95:7
perfect 38:15 97:18
perform 93:19 95:5
performance 95:8 98:6
performances 94:13
performed 62:16 68:17 84:1,19 85:4 88:11 90:9 90:15
performing 31:10 35:23 48:3 58:16 59:23 68:16 78:6 84:14 88:7 90:14 94:4 95:17 97:5,6
performs 93:15 95:19 97:16
perimeter 29:3
person 32:6 40:13
personally 27:10
perspective 5:23
physically 33:13
pick 86:2
picks 100:17
piece 6:3 21:10 32:18 33:2 38:18 58:22 61:12 73:12
pieces 31:15 86:22
Pinellas 20:24 21:19 78:1,11 78:14,15,22
Pines 86:16
PL 42:1 54:13
places 101:11
plan 8:19
Plant 79:4,5
please 2:4 4:2,5,8 44:3 57:19 60:11 93:5 99:25
plus 35:19 96:19 96:21,22
point 5:24 28:6

31:16 57:4 66:8 68:14 81:11,13 95:25
points 33:21 36:12 59:22 79:1
Pole 75:23 76:3
policy 4:23 14:19 16:1,10 17:3 21:1 22:4 56:20 62:4,11 63:11 65:10,19 79:24 86:3
political 8:21 9:2 9:11 22:14 37:7 92:25
Polk 17:21 18:19 76:9,25 77:8,13
Polsby-Popper 29:1,16
polygon 28:21
populated 85:13 91:17,21
population 9:9 10:19,19 13:1,6 14:1,2 15:3,10 15:23 16:21 17:12 18:2,8,16 18:18,21 19:16 20:7 24:24 25:1 25:6,8 26:12 30:16 31:1 35:4 35:14,20 36:4 37:16 38:12 39:4,11,25 42:13,19 48:5 49:1 52:1,4,15 55:9,11,12,18 59:19 61:9,21 62:23 63:1,4,5 66:11 69:2,9,10 70:15 72:20 73:22 75:4 82:1 82:12,16 85:24 89:2 93:25 96:13 101:11
populations 11:15 12:3 21:21 25:23 31:6 32:5 42:7 43:9 55:15 63:3 74:8
Poreda 10:5,6 60:15 64:23 66:25 72:7 81:17 87:19
Port 71:22 73:11 73:12 81:21 82:4
portion 6:10,11 6:25 7:2 10:3 13:21,24 15:2,7 15:10,19,21 16:7,8,21,22 18:1,7 19:15 20:4,5,16 24:20 31:21 32:12 63:15,21 64:7 66:21 67:8,15 68:10 69:8 71:24 72:3,14 73:8,10 75:3 82:16
portions 64:8
Portuguese 52:3
posed 93:21 95:24
possible 25:10 37:14 65:7 71:16 87:5,7 89:9,18
practicable 9:9
precedent 96:18
precise 56:24
precision 51:12
Predicted 47:19
predominates 9:14
premise 95:13
prepared 5:9 33:13
present 3:24 67:18 68:4 93:9
presentation 4:18 6:8,12,14,17 8:18 9:20 33:5 34:5,7 51:21 60:11 92:13
presentations 5:10
presented 41:24 63:10,22 65:2 77:6
presenters 4:7
presenting 65:18 84:4
presents 40:14
preserve 87:4
President 100:6
pretty 30:19
previous 17:14 27:20 32:10 62:21
primarily 82:4
primary 12:6,12 36:10,13,14 73:18 75:20 76:12 79:3
printout 7:7,13
prior 4:18
probably 44:6 94:19
proceedings 104:7
process 9:2 11:21 11:23 31:19 32:17 57:23
product 39:21
products 5:19 6:6
properly 102:25
proposals 98:20
proposed 48:16
protect 25:23 31:11 40:19 42:16 43:7
protected 11:11 13:14 25:13 30:14 31:9 42:14 43:21 45:8,24 46:7,10 46:19 47:5,11 47:17,21,24 48:2 57:12 58:4 58:11,14,18,22 62:14 66:10 68:16 69:1 70:9 74:4,6,9 75:8 78:6 83:8 84:5 84:15,25 88:6 90:6 93:10 94:15 95:6,20 97:10,10,24 98:1,5,14,17
protecting 40:17 57:22 62:22
protection 59:25
provide 39:13 41:25 51:8 57:16 92:19
provides 39:20
public 4:5 6:15 7:5 12:16 99:16 99:19
purpose 4:23
purposes 10:19 40:11 82:12
pushed 66:7
put 9:23 28:13 37:3 55:19 61:15
Putnam 67:25 68:8 70:25
puts 41:6

Q

question 33:14 34:14 36:22,24 37:8,22 38:10 38:18 41:18,24 46:6,23 48:13 50:10,11,11 52:5,18 55:22 56:16 59:16 92:23 93:19,21 94:19 95:1,11 95:24 96:12
questionable 45:6
questions 6:9,14 7:5 33:7 35:1 39:16 40:16 43:15 44:13,23 50:19 81:2 92:9 96:6,7,9,24 98:6 99:16,18 100:1,12 101:24 103:18
quick 8:16 17:18 28:6 57:11 64:1 64:20
quite 48:3 94:7 95:1,14
quote 27:9

R

race 39:8
racial 9:1 38:25 42:13 101:2,20
railway 76:13
railways 67:20 77:9,16
raised 40:16 101:25
ran 33:15 66:11
Ranches 86:16 86:20
Ranking 2:10,11 2:15 33:7 44:20 57:8 96:2 99:6
ratio 28:13 29:2
reach 44:3 81:10
reaction 27:7
read 8:16
real 8:16 17:17 64:1
really 26:19 57:2 77:1 86:8
reason 21:11 46:22
receive 4:18 38:16,21 39:7 40:8 42:1
recognizable 89:19
recognize 96:8

recognized 34:12 35:7 48:10,15 49:3 51:18 56:13 57:9 60:12 89:8 94:11 97:22 99:13 100:4
record 49:16,22 104:7
recorded 104:5
Recording 2:1 103:24
recount 49:22
recreated 62:20
rectangular 85:21
red 22:23 28:24 31:24 86:22,24
redistrict 7:23
redistricting 1:13 2:3 5:4 6:6 7:20 12:17 28:16 31:19 32:9,17 40:12 42:2 54:4 54:12,21 55:1
refer 28:19
reference 7:12 28:6 46:18
referenced 34:20 58:24
referred 26:22
reflected 28:4 35:16
refresh 26:21
refreshed 5:17
regard 47:6
regards 47:3 55:16 101:9 103:4
region 5:11 12:22 17:9 22:10 27:23 40:10,21 60:20 62:4,18 67:6 70:11 75:22 84:23 85:9
regions 9:22 81:7
registered 36:5 59:20
registration 12:9 42:10
regular 7:22,25 8:9
reiterate 43:23
related 59:7,24
remainder 13:25
remaining 13:24 15:2,7,10,19,21 16:8,21 18:1,7 20:3,7,16 24:13 24:24 25:6 26:12 31:5 63:20 66:21 69:8 72:2 73:8 73:22 75:3 82:1 82:16,17 87:25 88:2
remember 29:21 56:22
remind 26:21 92:22 96:13 99:20
reminder 4:7 9:13
reminders 4:2 5:13
Reock 28:10 29:15
Rep 44:23 49:15 56:17 59:16
repeat 48:12 59:17
repeated 50:11
repeating 50:18 50:23
repetition 50:5
report 52:6
represent 44:1 51:25 53:7
representation 49:8
representative 2:12 8:4 34:11 35:9 36:23 37:9 37:23 38:9 41:3 42:22 44:13,19 47:3 48:12 50:12 51:18 52:19 53:15,20 54:15 55:4 56:12 59:5 93:5 93:18 94:10,25 96:3,8,10,25 97:19 98:7,8 99:2,13 101:4 103:22
representatives 9:4 44:1 47:14 101:25
required 8:1,3 32:14 39:15 40:19 41:2 42:2 54:20,25 56:20 56:24 59:24 102:3,11
requirement 10:20
requirements 22:13 56:7 100:15
requires 51:12 102:24
research 101:17
reside 93:25
residency 97:16
respect 64:18
respected 24:22
respective 9:16 17:23 32:2 36:15 72:22 81:11 83:19
respectively 11:3
respond 42:8
responded 54:23
responses 39:6
responsibility 100:25
rest 12:22 18:15 21:21 67:6 70:18 82:10
result 8:24 83:15
resulting 16:11
results 12:8 36:6 59:21 75:20 76:15 77:12
retrogression 57:24 103:5
returning 44:24
right 7:12 14:2 27:3 30:4,12 37:2 42:22 43:25 44:14,20 55:13 56:10,10 56:25 57:5 59:8 70:15 76:21,23 77:14 88:24 94:20 96:1,3 98:4 99:14 100:23
Rights 100:16,17 101:22 102:4 102:23
river 17:22,25 66:19 73:23
riverway 73:19
road 10:24 18:22 66:19
roads 18:15 75:20
roadway 73:18 78:16 88:22
roadways 22:25 23:3,6 25:8 74:22 75:14 76:12,17 77:9 77:16 79:3 88:23 89:11
Robinson 3:12,13
role 2:4
Rommel 3:14 103:22
Rosa 61:20 62:7 62:10
roughly 37:6 96:17 97:15
rubber 28:19,25
rules 96:5
rulings 11:25
run 40:8
running 25:16 40:1,2

S

Safety 78:21
sake 59:17
sample 40:3
Santa 61:20 62:7 62:10
Sarasota 24:18 24:25 79:15,19
satisfy 63:6
Sawyer 104:3,23
saying 56:10 60:5 76:19 97:2
says 57:4
scale 29:5
school 60:7,10
Scoon 100:2,3,5,6
score 27:24 28:10 28:18 29:1 80:19 81:13
scores 21:13,14 22:1,22 26:20 27:16,19,25 28:7 29:15 65:14 86:1 91:19
screen 22:18,24 23:25 26:25 28:17,24 30:20 31:23 77:6
seat 35:2,5
seats 101:13
second 7:22 8:23 27:14 28:17 39:18 53:14 56:8 80:25
section 7:16,18 7:20 8:7 22:17 86:20
sections 8:14
see 7:10 10:3 13:9 14:15,18,22 16:9,24 17:4,5 17:14,20 18:25

20:2,19,22 23:19 24:2,8 28:23 29:13,15 31:23,25 32:3 32:11 45:6 54:16,17 60:21 61:18,24 64:5 64:14 65:1,25 67:9 70:24 72:13 76:22 77:1,16 81:21 82:17 83:2 84:10 86:19 87:25 89:15,25 90:17 91:7,14 91:23 94:21 95:22
seeing 72:24 96:9
seen 8:11
segue 6:25 7:5 8:17 9:18 80:24
select 101:3
selected 23:19
self 49:1
self- 39:2 42:8 52:12
self-identificati... 53:22
self-identified 52:14
self-identify 42:12
selves 23:24
Seminole 16:17 19:2,2,19,21 74:3 75:10 78:23
Senate 8:1
Senatorial 8:2
send 6:6 40:5
sensitive 50:2
sent 28:3 53:23 54:5
separate 54:8
Sergeant 4:6
session 7:23,25 8:9
Session's 4:12
set 36:7,19 38:21 39:19 41:10,12 42:1,4 50:17 54:14
sets 54:11
seven 24:23 89:23
shape 11:9 14:10 19:17 23:17 63:10 71:10
shaped 25:25 75:7 78:18 80:9
shapes 19:3,12 83:21
share 38:4 40:22
shared 19:15
shift 95:8
shifts 35:15 63:1
short 24:17
show 61:25 64:2 65:5 91:4
showed 85:17
showing 21:23 54:9 66:18 91:18
side 10:1,1 66:2,5 66:7 82:8 83:5 85:11
signifies 97:20
silence 4:3
similar 14:12 26:1 60:25 61:25 67:10,17 68:7,12 71:3,8 71:11 73:15 75:7 78:25 82:23 83:10 84:21 85:8 90:20
similarly 77:5 84:25
simple 16:24 62:11
simply 91:20
single 32:14 39:8 40:3 103:1,2
sir 49:11
Sirois 3:16,17
situations 87:15
sixteen 78:3
size 28:14,14
Skidmore 96:4,8 96:10,11
skip 17:17
slide 8:10 14:13 14:23 17:13 28:2 29:7 32:11 34:16 64:3 72:10 76:20 87:8 91:22
slides 31:14
slight 14:18
slightly 65:22 68:12 83:20 84:10 91:2,3
Slosberg-King 3:18,19
Slossberg 98:8
Slossberg-King 98:9,9,11,13,19
small 24:19 30:19 63:21
smaller 78:18
smallest 28:12,21
software 33:16
sole 32:5
solely 66:16
somebody 44:19
somewhat 40:14 68:6
sorry 48:11 55:3 60:7,10,23 66:15 69:5 72:7 76:21 99:9
sought 44:8,9,9 44:10
sounds 43:13 56:18
south 10:9 14:20 15:12 16:7 17:2 31:24 32:12 38:3 46:11 47:24 49:14 63:13 64:6,16 67:1 68:4 70:13 79:14 80:16 83:14,15,16,22 84:24 86:7
Southeast 49:20
southern 24:20 31:22 73:8 76:9
southwest 24:12 86:16,20
space 72:4 74:1
Spanish 46:19 47:5,12 48:21 57:14
spans 29:23 31:21 32:11
speak 54:10
speakers 50:3,7
speaking 4:9 47:13
speaks 42:18
specific 36:3 38:22 43:12,13 92:23
specifically 34:1 42:18 85:12
specifics 58:20,23
spend 28:7
split 15:20 16:5 19:5 20:10,22 20:25 62:8 64:15 65:11 67:24 68:23 69:19 70:16 71:18,21 73:11 75:12 76:16 77:21 79:4 89:6
splits 16:12 73:13 79:25
splitting 13:6 16:3 65:22 75:16,20 77:10 91:10
spoken 51:23 100:21
Springs 11:2 75:12 87:18
square 80:3
square- 24:18
squint 77:2
St 14:1,3,4,11 15:7,8 16:8,15 26:10 66:16,20 66:22 67:4,8,15 67:16,22 68:10 74:23 81:19,21 81:25 82:4
stab 95:12
stacked 73:20
staff 4:6 6:16 11:17 22:6 31:10 33:24 34:5 40:23 44:8 45:2 57:20 100:20 102:4,5 103:9
Staff's 100:9
standard 8:23 9:7 13:1 17:12 49:5
standards 4:20 6:22 8:13,18 9:16 11:12 99:22,24 100:18 101:21
start 10:8 14:15 16:14 17:14 24:12 30:13 50:17 60:4,17 73:7 74:3 79:15 88:4
started 19:24
starting 75:24 78:4 81:19 103:19
starts 16:15
state 5:12 6:11 7:3,14 9:22 10:11,13,24 13:13 14:24 18:22 20:1 31:22 36:16 52:2,10,22 53:12 55:23

60:17,20 61:7 80:23 87:10 88:21 89:16 92:21 96:23 98:14 101:10 103:12
stated 102:9,13
states 7:24 8:19 8:23 9:7 32:19
statisticians 54:7
stay 19:22 22:10
stayed 96:24
staying 23:9
step 5:6 35:11 63:25 103:5,6
steps 35:12
stick 78:16 92:17
sticking 86:5
straight 11:4
Street 1:24
strength 12:2,6
strengths 93:24
struck 94:5
stuff 51:10 56:9 71:1
subcommittee 5:2 44:10
subcommittees 6:4
subjective 27:6
subsequently 5:2
substantive 8:17
subtle 67:11 68:4 71:4,8
suffer 60:6,9
Suite 1:24
Sumter 15:20 20:6 70:13,19
superior 27:25
supplant 56:6
Supreme 11:24 35:24 36:20 55:24
sure 6:22,23 7:9 7:17 23:21 31:20 40:23 41:14 44:18 46:10,24 47:13 47:15 51:7 56:9 93:8 102:1,14 102:22
surrounding 27:23 81:4
survey 39:18,24 39:24 40:1,2 53:17 54:22 56:23 57:3 102:20
surveys 40:6,6
switch 64:3 72:10
switching 47:20

T

tab 42:4
take 6:9 7:11 10:5 14:19,20 16:8 19:2 20:5 22:11 24:13 26:17 30:9 37:4 44:5 46:23 55:16,23 56:5,7 80:25 83:12 95:12
taken 14:7 35:4 38:6
takes 13:21 15:7 16:17 20:3,15 20:21 26:11 73:8 75:2
talk 10:16 11:6 14:6,14 17:18 22:6,12 23:1 26:18 27:15 34:25 39:17 45:18 67:5 70:12 72:5 81:1 86:12 100:22
talked 37:25 48:1 58:5 72:16 85:14
talking 34:17,19 46:25 53:16 67:3 95:14
Tallahassee 63:13
Tampa 20:19
tandem 30:7 87:16
TD 19:1
team 24:10 60:14
technical 51:11 96:12 103:17
tell 50:7 52:5,14 103:17,19
ten 12:11
tension 41:21
term 57:12 59:3
terms 47:10 48:18,21 57:14 58:4,15 97:24
territory 9:6 32:20
test 26:23 27:6,9 28:1,19,25 29:10 94:3
tests 29:4
thank 4:1 6:18 10:5,6 22:9 24:10 30:11 33:6,9 34:10,13 35:6,8,9 36:22 37:1,11,12,21 38:7,8,9,15,17 40:24 41:5 42:24 43:5,22 44:7,18,21 47:2 49:10 51:17,19 52:19 53:13,19 53:20 55:5,20 55:21 56:12,14 57:6,10 59:4,5 60:2,13,15 64:23 73:5 81:17 92:8,10 93:7,17,18 94:12,24 95:3 96:1,11 97:1,18 97:19 98:1,22 98:25 99:3,4,11 99:17,17 100:5 103:12,13,23
thankful 36:7
Thanks 87:19
that's 30:14 57:13 68:10 79:21 81:22
They're 74:18
thing 6:20 27:14 42:5 44:12 59:6 66:8 72:9
things 24:7 37:24 42:10 46:25 54:2 55:6 61:6 92:18,20 93:13 101:12 103:17 103:21
think 26:18 27:10 27:11 33:23 36:25 37:19,25 40:25 42:6 43:8 43:14,19 45:20 45:20,22 46:6 49:12 50:9,10 51:6 53:15,16 56:15 57:19,25 58:20,24 59:8 93:10,12 94:18 95:13,23 96:17 97:2 100:20 101:24 102:8
third 9:5 28:25
Thompson 3:20 3:21 93:6,7 94:10,12 95:3 96:1
thorough 51:7,22
thoroughly 5:18
thought 29:9 37:8 51:21
thoughtful 49:15
three 19:6 20:10 28:6 29:19 31:8 34:5,6 45:7,23 61:19 70:14,17 73:14,21 78:2,4 82:19 84:14,18 88:9,12
threshold 95:8
thresholds 94:6
Tier 8:18 9:7,13 9:14,16 11:11 18:13 22:13 25:13,15 55:25 55:25 59:24 62:11 65:9 66:9 68:16 70:8,9 74:4,20 75:9,17 76:14 77:17,24 78:6 83:8 84:5 88:6 90:6 100:15,17,23 102:22
tiers 8:12 41:20
ties 89:6
tightly 62:5
time 4:13,15,17 6:13 28:8 30:9 38:24 44:7 50:23 54:1 59:17 98:18 100:10 103:1,2 103:19
timeline 8:8
times 8:12 20:10 33:1 43:24 86:7 102:12
titles 34:3
Titusville 73:13
today 5:10,21 9:20 37:2 96:4 100:2 103:15
today's 6:16 8:18
told 55:24
tools 102:21
top 16:22 98:24
topic 99:20
Tortugas 32:22 91:23
total 12:11 45:22
totally 65:17,17
tradeoff 21:24 69:18
tradeoffs 69:14 70:8 75:17 77:17,23

transcribed 104:5
transcript 104:7
TRANSCRIPT... 1:12
transfer 53:9
transferring 53:11
travels 13:20
tried 16:4 92:17
trouble 45:17
true 39:24 104:7
truly 5:20 85:25 93:22 94:8
try 17:6 45:18 47:2 55:21 89:4 89:18,19 94:5 94:16
trying 24:6 25:9 46:21,23 51:14 67:22 84:10 91:16 95:23
Tuesday 8:1
turn 4:6,8 10:4 22:5 24:10 30:10 57:3 60:14 72:4 92:9 93:16
turnout 12:9 36:5 59:20
twice 15:20
two 7:1,3,13,14 8:12 13:2 14:16 14:22 19:3,11 19:16 29:17,18 30:18,25 31:14 35:1 43:15 46:3 58:4 60:16,24 62:3 63:10,22 65:2 67:12,23 68:23,25 70:3 71:2 75:23 79:6 79:8,15,17,20 79:22 81:23 83:25 84:4,10 84:11 85:1,3,17 85:20 86:22 87:23 90:17 100:18
type 12:1
types 26:20 27:15 30:5 60:6 85:18
typically 96:20

U

Uh-hum 38:8
ultimately 99:23
unavoidable 33:21
uncompact 14:10
underneath 70:22
understand 33:11 35:22 57:12,21 93:8 95:1 97:8 100:10 103:20
understanding 5:23 41:7 44:15 45:17 100:14
understands 5:18
understood 97:2
unfortunately 63:1 94:7
unincorporated 86:25
unique 23:23 24:7 31:16 33:2 72:24 86:10 87:4,15
United 7:23
unpopulated 32:7,13 91:17
unquote 27:9
usage 103:3
use 10:24 31:5 36:19 41:2 42:2 42:4 48:19 54:7 54:20,25 56:20 56:21,25 66:18 73:19 75:14,17 76:11,14 87:2 89:4,10,18 90:23 91:16 102:7,10,16 103:10
uses 54:3 66:19 66:19
utilize 9:11

V

v 1:4
valid 84:8
value 30:1
varied 102:16
variety 4:25
varying 73:15
Venice 24:20 79:25
venture 29:25
versed 54:11
version 7:9 26:2 92:13,15
versions 5:25 84:5 90:18
versus 53:17 75:15 87:14 97:16
vertical 18:23 65:17 79:18,22 88:22
vertically 65:11
Vice 2:7,7 44:9
Video 2:1 103:24
view 5:21 6:21 57:18 59:9,11
viewed 48:7,17 48:18
visual 26:23 30:8
visually 14:10 27:8 69:16 76:15 77:8 86:3 91:2
VOICE 24:11 30:12 60:2 73:6
Volusia 15:11,23 15:23 16:16,21 18:1 70:24 71:3 71:14,23,24 72:3 73:9
vote 6:2,5 25:24 94:20,22 99:23
voter 12:9,9 36:5 36:5 42:10 59:20
voters 59:20 100:3,7
voting 12:2,5 35:3 36:3 37:15 59:19 93:23,24 93:25 97:17 100:16,17,23 101:22 102:4 102:13,23

W

wait 43:1
Wales 76:9
walk 5:11
Walton 10:18,23 11:4
want 5:23 6:12 22:11 23:10 26:21 27:9,12 33:22 40:17,23 44:22 48:19 50:22 52:13 55:19 56:8 66:8 80:25 92:9 93:8 94:23
wanted 7:9 21:2 21:11 25:13 28:4 30:9 59:6 62:12
Wants 99:9
Washington 1:24
waste 50:23
water 72:19,21 73:2
waterways 89:14
way 9:19 10:9 13:10 16:15 20:22 21:12,17 21:23 51:9,15 57:2 60:18 63:10 64:21 65:9,18,23 66:4 66:17 68:13 84:4 86:8 91:18
ways 4:25 25:14 54:8 65:3 85:16 85:17 100:18
we'll 6:25 7:5 8:17 10:7,16 14:5 24:12 27:13 30:13 33:6 50:13,18 59:3 64:24 67:3 73:7 74:3 79:14 81:18 87:4 88:1 99:19
we're 4:11 5:20 10:8 14:13 15:13 22:10,18 24:16,17,21 25:1 31:18 36:19 37:1,16 39:15 40:17,18 40:23 46:21,23 46:25 51:14 53:16 57:14 60:3 61:6,10 72:7,22 75:14 79:11 84:12 90:2 93:20 95:20,20 103:19
we've 9:22,23 22:23,25 32:25 33:19 35:13 37:25 40:15 50:16 57:12 63:10 68:19 70:16,16 74:19
weaving 60:19
weeds 58:14
welcome 99:12
Wendy 104:3,23
west 20:18 32:23 63:14 64:5 66:5 71:19 73:1 77:25 89:20
western 68:10 71:14 72:13 75:4 85:11

88:18 91:18
White 39:8
wholly 19:7 21:24 26:6,7,9 27:2 31:4 65:6,21 66:3,6 69:21,25 70:1,7,17,18 73:21 78:4,13 78:21,22 79:12 81:24
wide 36:16
Winter 75:11
wish 4:4
wishes 4:4
Women 100:3,7
wondering 41:6 53:8 72:15
words 48:20,20
work 6:6 10:8 42:14 60:18 77:14 87:4
worked 52:8
working 9:15 42:16 70:22
works 102:6
workshop 4:21 4:22 5:3,5,12 5:19,24 7:1,2 7:14 9:23,24 21:6 27:1 29:14 33:11,13 34:22 37:3 40:20 76:4 78:15,19 80:15 80:15 92:14,16 94:17 96:16,16
workshopped 98:20
workshops 9:19
world 42:9 54:6
worth 40:25
would've 14:9
wrap 62:7
wrapping 14:8
wraps 82:8
wrong 30:5 48:20

X

Y

yeah 33:17,23 36:23 38:15 41:17 43:22 56:22 66:25 72:7 92:14 95:12 98:3,3
year 33:10 40:1,1 53:5
yellow 64:4 76:24
you've 58:15
Yup 45:16

Z

zeros 32:3
zoom 23:10,17 64:11
zoomed 22:18

0

0 29:5

1

1 8:18 9:13 10:14 10:17,22 11:11 25:13,15 29:5,5 55:25 59:24 60:22,23 61:18 61:23,25 62:6 66:9 68:16 70:9 74:4 75:9 78:6 83:8 84:5 88:6 90:6 100:15,17 100:23 102:23
10 17:17 18:24 19:9 20:3,14 64:8,15,25 65:5 96:19
103 85:10,12
104 84:24 85:5 87:21
105 84:25 85:6 87:21
106 89:20,25 90:4
107 88:4,8,15 89:21
108 88:4,8,15,18 89:21
109 90:5
11 14:14 15:18,24 16:20 65:5
110 90:5
111 90:5
112 88:5,15,18 89:21
112,000 24:14
113 90:5
11322 1:13
114 90:5
115 90:5
116 90:6
117 90:13,25 91:11
119 90:6 91:14
12 21:4,14 22:19 23:12 24:3
120 8:4 88:1 91:9 91:22
13 1:15 21:7 22:19 23:12 24:3 66:9
13.1 55:13
13.7 55:11
14 21:15 22:20 36:18 66:9
15 21:5,15 32:5
156,000 63:4
15th 104:13
16 7:18 8:7 17:19 18:19,21 34:15
17 24:13 34:16
1730 1:24
179,000 96:18
18 24:23 25:4 64:25 66:16,23 67:2,7,10 68:11 70:22
180,000 63:5
19 25:5 67:10 68:5,11 70:23

2

2 9:7,14 10:14,17 11:8 12:20,23 12:25 13:4,16 18:13 22:13 55:25 61:25 62:11 65:9 70:8 74:20 75:17 76:14 77:17,24
2,800 18:2
20 8:14 25:12,16 26:1,14 30:22 31:2 45:12 46:3 46:10 67:10 68:5,8 70:23
20036 1:24
2012 12:13 36:10
2015 101:8
202 1:25
2020 12:13 36:10
2022 1:15
2023 104:13
20s 26:25
21 8:14 26:10 68:14,24 69:5 69:12,15
22 26:7 68:24 69:6,11
23 26:14 72:11
232-0646 1:25
24 30:14,19 34:17 34:20 46:12 69:20,20
25 26:6 47:23 69:24 70:1
250,000 24:16
26 31:5,7,8 34:18 47:23 69:24
27 31:3,8 34:18 47:23 71:18,25
28 31:5,6,9 32:11 34:18 71:7
29 32:5 71:18,18

3

3 7:18 8:15 10:14 11:8,11 12:23 13:9,18,20 14:9 46:10 61:24 73:3
30 8:2 73:7
31 73:16
32 73:16
33 73:16
34 73:25
35 75:2,2
37 75:10
38 75:10,11
380,000 20:11
390,000 18:6 32:15

4

4 10:14,16 13:23 14:8 61:18,23 61:24 64:4,20
4's 11:8
4:22-cv-109 1:4
40 8:2 55:8 74:3,5
41 74:4
412 87:3
43 74:11
44 74:21,24
46 74:11,13
47 74:21,23
48 76:6
49 76:8,13

5

5 14:14,20,21,25 15:13,14 16:6 16:12,19 17:15 19:1,25 61:1,4 96:21,22
50 48:25 49:11 76:7,13 94:4 97:21
51 76:4
52 93:11

6

6 14:14 15:6,17 15:23 16:14 19:1,21 32:19 61:1,3
62 78:5,10
63 78:5

67 79:2
68 79:2
69 79:9

7

7 17:16 18:24 19:10,20 20:15 62:13
70 79:9
71 79:12
72 79:12
75 79:24 80:16
76 80:1
77 80:9
79 80:6

8

8 17:18,24 62:13 62:14
80 8:3
81 80:11
812 1:24
82 80:11,12
83 80:21
84 81:20 82:7
85 81:20 82:3,5
86 81:20 82:11
88 83:4,7,18,22 84:1
89 83:15

9

9 17:19 18:5,9 20:13 48:2,7,17 48:21 60:22,23 62:14 73:2
90 83:16,24
91 83:16
92 83:16
93 83:15
94171 42:1
95 18:3 85:10
96 85:10,12
97 84:13,17
98 84:13
99 84:14,17