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IN THE SUPREME COURT OF FLORIDA

Case No.: SC26 - _____
L.T. Case Nos. 1D2026-1539, 2026-CA-914

Equal Ground Education Fund, Inc., et al.,

Petitioners,

v.

Cord Byrd, in his official capacity as Florida Secretary of State, the Florida House of Representatives, and the Florida Senate,

Respondents.

APPENDIX OF EMERGENCY PETITION FOR CONSTITUTIONAL WRIT
Volume 2

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 4, 2026 I electronically filed the foregoing using the State of Florida ePortal Filing System, which will serve an electronic copy to counsel in the Service List below.

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IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

EQUAL GROUND EDUCATION FUND, INC., MARCOS VILAR, BRANDON NELSON, LISA BARIKA, KISHA LINEBAUGH, ROCHELLE REBACK, ELIZABETH WELLS, SUSAN WILSON, ANDREA DAVNIE HILL, EMMA KURTZ, LYNNELLE MAYS, STEVEN LICARI, ANNE BLANFORD, SHARON LASCOLA, JANET WECHTER, KERRY MARIE, LINDA ROSENTHAL, DANIELLA PIERRE, and PHILIP FORTMAN, Plaintiffs, v. CORD BYRD, in his official capacity as Florida Secretary of State, the FLORIDA SENATE, and the FLORIDA HOUSE OF REPRESENTATIVES, Defendants.	Case No. 2026 CA 000914

PLAINTIFFS' NOTICE OF FILING EXHIBITS IN SUPPORT OF PLAINTIFFS' MEMORANDUM OF LAW IN SUPPORT OF MOTION FOR TEMPORARY INJUNCTION – VOLUME 1

Plaintiffs hereby give notice of the filing of Exhibits 1 through 19, Exhibits 21 through 24 and Exhibits 26 through 72 to Plaintiffs' Memorandum of Law in Support of Motion for Temporary Injunction, as follows:

Exhibits – VOLUME 1	
Exhibit 1	Affidavit of Christina Ford, dated May 5, 2026
Exhibit 2	Affidavit and Expert Report of Dr. Jonathan Rodden, dated May 5, 2026
Exhibit 3	Affidavit and Expert Report of Dr. Jowei Chen, dated May 5, 2026
Exhibit 4	Affidavit and Expert Report of Dr. Christopher Warshaw, dated May 5, 2026

Exhibit 5	Affidavit of Joe Scott, Broward Cnty. Supervisor of Elections
Exhibit 6	Ron DeSantis, Exec. Off. of the Governor of Fla., *Proclamation* (Jan. 7, 2026), https://perma.cc/WD3U-8FQY
Exhibit 7	Memorandum from Senate President Ben Albritton to All Senators (Apr. 15, 2026), https://perma.cc/E2TA-9YPX
Exhibit 8	Memorandum from Senate President Ben Albritton to All Senators (Apr. 24, 2026), https://perma.cc/YYQ4-WUCG
Exhibit 9	Memorandum from Senate President Ben Abritton to All Senators (Apr. 27, 2026), https://perma.cc/5QDJ-5ZVZ
Exhibit 10	Excerpts of Senate Rules Packet, available at https://perma.cc/YF92-ANJN
Exhibit 11	Tr. of *Hr'g on HB 1D Before the H. Select Comm. on Cong. Redistricting*, 2026 Spec. Sess. D (Fla. Apr. 28, 2026)
Exhibit 12	Tr. of *Hr'g on HB 1D Before S. Comm. on Rules*, 2026 Spec. Sess. D (Fla. Apr. 28, 2026)
Exhibit 13	Tr. of *Hr'g on HB 1D Before Fla. H.R.*, 2026 Spec. Sess. D (Fla. Apr. 29, 2026)
Exhibit 14	Tr. of *Hr'g on HB 1D Before Fla. S.*, 2026 Spec. Sess. D (Fla. Apr. 29, 2026)
Exhibit 15	*2026 Congressional Maps*, Fla. Senate, available at https://www.flsenate.gov/Session/Redistricting/Congressional
Exhibit 16	*2026 Congressional, Special Session 2026-D*, Fla. Senate, https://www.flsenate.gov/Session/Redistricting/Congressional [https://perma.cc/GS6N-6HQB] (last visited May 5, 2026)
Exhibit 17	Email from Ashley E. Davis, Gen. Counsel to the Fla. Sec'y of State, to Fla. Supervisors of Elections (May 4, 2026 at 1:04 p.m. EST)
Exhibit 18	Tr. of Meeting of H. Redistricting Comm. (Fla. Jan. 13, 2022), https://www.flhouse.gov/VideoPlayer.aspx?eventID=7654
Exhibit 19	Tr. of Meeting of H. Cong. Redistricting Subcomm. (Fla. Feb. 18, 2022), https://www.flhouse.gov/VideoPlayer.aspx?eventID=7944
Exhibit 21	Tr. of Meeting of S. Comm. on Reapportionment (Fla. Apr. 19, 2022), https://thefloridachannel.org/videos/4-19-22-senate-committee-on-reapportionment
Exhibit 22	Tr. of Meeting of H. Cong. Redistricting Subcomm. (Fla. Apr. 19, 2022), https://thefloridachannel.org/videos/4-19-22-house-congressional-redistricting-subcommittee/
Exhibit 23	Apr. 19, 2022 Meeting Packet, H. Cong. Redistricting Subcomm., 2022 Spec. Sess. C (Fla. 2022), available at https://perma.cc/42TZ-2VGK

Exhibit 24	Plan 8015 Packet, H. Redistricting Comm., 2022 Spec. Sess. C (Fla. Feb. 25, 2022), available at https://perma.cc/83N5-5LEX
Exhibit 26	*Redistricting 2022*, Fla. Senate, https://www.flsenate.gov/Session/Redistricting [https://perma.cc/J4ZQ-NF32] (last visited May 5, 2026)
Exhibit 27	*Florida Redistricting*, Fla. House of Reps. & Fla. Senate, www.floridaredistricting.gov [https://perma.cc/DL7X-R6JJ](last visited May 5, 2026)
Exhibit 28	Trial Tr. Vol. III, *Cubanos Pa'lante v. Fla. House of Reps.*, No. 1:24-cv-21983-JB (S.D. Fla. Jan. 29, 2026), Dkt. No. 201
Exhibit 29	J. David Goodman & Shane Goldmacher, *White House Pushes Texas to Redistrict, Hoping to Blunt Democratic Gains*, N.Y. TIMES (June 9, 2025), available at https://www.nytimes.com/2025/06/09/us/politics/trump-texas-redistricting.html
Exhibit 30	Press Release, *Governor Abbott Announces Special Session Agenda*, Off. of Tex. Governor (July 9, 2025), https://perma.cc/QE6J-DK7E
Exhibit 31	David A. Lieb, *A State-by-State Look at the Narrowing Redistricting Battle for the U.S. House*, PBS News (Apr. 22, 2026), https://perma.cc/C9HD-Q25X
Exhibit 32	Joe Gruters (@JoeGruters), X (Dec. 10, 2025), https://perma.cc/NP9V-BG8S (reposted from Matt Morse, @MattMorseTV)
Exhibit 33	Kadia Goba & Hannah Knowles, *Can Florida Save Trump's Plan to Keep GOP in Power?*, Wash. Post (Mar. 13, 2026), https://www.washingtonpost.com/politics/2026/03/13/florida-trump-redistricting-midterms-congress/
Exhibit 34	Ally Mutnick, Jake Sherman & John Bresnahan, *Florida Upset Sparks GOP Redistricting Concerns*, PunchBowl News (Mar. 26, 2026), https://perma.cc/N3MG-SPQT
Exhibit 35	Claire Heddles, *Donalds Says FL Should Counter Democrats by Redistricting. That's Illegal Here*, Mia. Herald (Apr. 14, 2026, 9:22 AM), https://perma.cc/K7Q2-GEZY
Exhibit 36	*Virginia Passes Gerrymandered House Map, Lifting Democrats' Midterm Chances*, N.Y. Times (Apr. 23, 2026), https://www.nytimes.com/live/2026/04/21/us/virginia-redistricting-election
Exhibit 37	Hannah Knowles (@KnowlesHannah), X (Apr. 22, 2026, 6:23 PM), https://perma.cc/C33S-CV5Q
Exhibit 38	Gary Fineout & Erin Doherty, *'All Eyes Are on Ron DeSantis': Florida Could Make or Break the GOP's Redistricting Edge*, Politico (Apr. 23, 2026), https://www.politico.com/news/2026/04/23/florida-redistricting-desantis-republicans-maps-trump-00887120?nname=florida-

	playbook&nid=0000014f-1646-d88f-a1cf-5f46b4500000&nrid=0000014f-88fb-d780-a9ef-9dfb14fe0000
Exhibit 39	Automated Tr. of WPLG Local 10, *This Week In South Florida: Florida House Speaker Daniel Perez* (YouTube, Apr. 19, 2026), available at https://www.youtube.com/watch?v=r4GpbRH-omk
Exhibit 40	Matt Dixon, *Ron DeSantis Releases New Congressional Map Creating Four More GOP-Leaning Seats in Florida*, NBC News (Apr. 27, 2026, 12:56 PM), https://perma.cc/P2ZK-PT8M
Exhibit 41	Preston Mizell, *Ron DeSantis Unveils New Florida Congressional Map that Would Give the GOP an Extra Four Seats*, Fox News (Apr. 27, 2026, 10:00 AM), https://www.foxnews.com/politics/ron-desantis-unveils-new-florida-congressional-map-would-give-gop-extra-four-seats
Exhibit 42	Mary Ellen Klas, Kirby WilsonW4/19ilson, and Lawrence Mower, *DeSantis continues redistricting feud with GOP lawmakers by vetoing congressional map*, Mia. Herald (Mar. 29, 2022), https://perma.cc/PCM9-ESF2
Exhibit 43	Andrew Pantazi, Avery Lotz, & Marc Caputo, *DeSantis unveils gerrymandered Florida map as redistricting war rages*, Axios (Apr. 27, 2026), https://www.axios.com/2026/04/27/desantis-florida-map-gerrymandering-redistricting-war
Exhibit 44	Evan Axelbank, *Florida special session: Governor's congressional map push sparks debate*, Fox13 (Apr. 22, 2026), https://perma.cc/M8NJ-RLZ6
Exhibit 45	Erin Geiger Smith, *States Pass Constitutional Amendments on Redistricting, Parental Rights, Water Preservation, and More*, State Ct. Rep. (Nov. 5, 2025), https://statecourtreport.org/our-work/analysis-opinion/states-pass-constitutional-amendments-redistricting-parental-rights-water [https://perma.cc/W4RK-VU8E]
Exhibit 46	Expert Report of Mary E. Adkins, dated September 9, 2024, filed in *Nord Hodges v. Passidomo*, 796 F. Supp. 3d 1082 (M.D. Fla. 2025) (No. 8:24-cv-00879-CEH-UAM)
Exhibit 47	Linda Honold & Adrien Schless-Meier, *Case Studies of State Redistricting Campaigns, Volume 3: FairDistrictsFlorida.org*, Brennan Ctr. for Just. (Oct. 2015), https://perma.cc/K52J-T6DY
Exhibit 48	*About Election 2010 amendments*, Fla. Today, Oct. 17, 2010, at 36
Exhibit 49	*Voters to decide on 6 amendments to state constitution*, Tallahassee Democrat, Oct. 17, 2010, at 11
Exhibit 50	Scott Maxwell, *Confused by those amendments? I'll explain*, Orlando Sentinel, Oct. 10, 2010, at B1, B7
Exhibit 51	John Lantigua, *Amendments' goals: Curb tailor-made voting districts*, Palm

	Beach Post, Oct. 11, 2010, at 1A, 8A
Exhibit 52	Opinion, *Know Your Amendments*, Palm Beach Post, Oct. 17, 2010, at 5S
Exhibit 53	Fla. Dep't of State, Nov. 2, 2010 General Election Results, available at https://results.elections.myflorida.com/Index.asp?ElectionDate=11/2/2010&DATAMODE=
Exhibit 54	Affidavit of Equal Ground Education Fund, Inc.
Exhibit 55	Affidavit of Andrea Davnie Hill
Exhibit 56	Affidavit of Lynnelle Mays
Exhibit 57	Affidavit of Anne Blanford
Exhibit 58	Affidavit of Philip Fortman
Exhibit 59	Affidavit of Marcos Vilar
Exhibit 60	Affidavit of Brandon Nelson
Exhibit 61	Affidavit of Lisa Barika
Exhibit 62	Affidavit of Kisha Linebaugh
Exhibit 63	Affidavit of Rochelle Reback
Exhibit 64	Affidavit of Elizabeth Wells
Exhibit 65	Affidavit of Susan Wilson
Exhibit 66	Affidavit of Steven Licari
Exhibit 67	Affidavit of Sharon Lascola
Exhibit 68	Affidavit of Janet Wechter
Exhibit 69	Affidavit of Linda Rosenthal
Exhibit 70	Affidavit of Daniella Pierre
Exhibit 71	Affidavit of Emma Kurtz
Exhibit 72	Affidavit of Kerry Marie

Dated: May 6, 2026

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 6, 2026 I electronically filed the foregoing using the State of Florida ePortal Filing System, which will serve an electronic copy to all counsel of record and counsel in the Service List below, including counsel for the Florida Senate and Florida House of Representatives by consent.

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EXHIBIT 1

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

EQUAL GROUND EDUCATION FUND, INC., *et al.*,

Plaintiffs,

v.

CORD BYRD, in his official capacity as Florida Secretary of State, the FLORIDA SENATE, and the FLORIDA HOUSE OF REPRESENTATIVES,

Defendants.

Case No.: 2026 CA 000914

AFFIDAVIT OF CHRISTINA FORD IN SUPPORT OF PLAINTIFFS' MOTION FOR A TEMPORARY INJUNCTION

STATE OF VIRGINIA
COUNTY OF ARLINGTON

BEFORE ME, the undersigned authority, personally appeared Christina Ford, who, after first being duly sworn, deposes, and says:

I am an attorney with the law firm Elias Law Group LLP, and I am counsel for Plaintiffs. I submit this affidavit to provide the Court with true and correct copies of documents submitted in support of Plaintiffs' Motion for Temporary Injunction.

1. **Exhibit 2** is a true and correct copy of the Affidavit and Expert Report of Dr. Jonathan Rodden, dated May 5, 2026.

2. **Exhibit 3** is a true and correct copy of the Affidavit and Expert Report of Dr. Jowei Chen, dated May 5, 2026.

3. **Exhibit 4** is a true and correct copy of the Affidavit and Expert Report of Dr. Chris Warshaw, dated May 5, 2026.

4. **Exhibit 5** is a true and correct copy of the Affidavit of Joe Scott, Broward County Supervisor of Elections, dated May 4, 2026.

5. **Exhibit 6** is a true and correct copy of the Proclamation issued by Florida Governor Ron DeSantis on January 7, 2026. The Proclamation is publicly available at https://perma.cc/WD3U-8FQY.

6. **Exhibit 7** is a true and correct copy of a Memorandum from Florida Senate President Ben Albritton to All Senators. The memorandum is dated April 15, 2026, and is publicly available at https://perma.cc/E2TA-9YPX.

7. **Exhibit 8** is a true and correct copy of a Memorandum from Florida Senate President Ben Albritton to All Senators. The memorandum is dated April 24, 2026, and is publicly available at https://perma.cc/E2TA-9YPX.

8. **Exhibit 9** is a true and correct copy of a Memorandum from Florida Senate President Ben Albritton to All Senators. The memorandum is dated April 27, 2026, and is publicly available at https://perma.cc/5QDJ-5ZVZ.

9. **Exhibit 10** is a true and correct copy of excerpts from the packet prepared for the Florida Senate Rules Committee's April 28, 2026 meeting, discussing the 2026 Plan. Exhibit 10 contains pages 118–131 and 215–218 of the original packet. The full packet is publicly available at https://perma.cc/6F7B-XSC4.

10. **Exhibit 11** is a true and correct copy of a certified transcript of the April 28, 2026 hearing before the Florida House Select Committee on Congressional Redistricting.

11. **Exhibit 12** is a true and correct copy of a certified transcript of the April 28, 2026 hearing before the Florida Senate Rules Committee.

12. **Exhibit 13** is a true and correct copy of a certified transcript of the April 29, 2026 proceeding before the Florida House of Representatives.

13. **Exhibit 14** is a true and correct copy of a certified transcript of the April 29, 2026 proceeding before the Florida Senate.

14. **Exhibit 15** is a true and correct copy is a true and correct copy of maps provided by the Florida Senate of Florida's 2026 Congressional Plan. The maps are publicly available at https://www.flsenate.gov/Session/Redistricting/Congressional.

15. **Exhibit 16** is a true and correct copy of the webpage entitled "2026 Congressional – Special Session 2026-D" that appears on the Florida Senate website. The webpage is publicly available at https://perma.cc/GS6N-6HQB.

16. **Exhibit 17** is a true and correct copy of an email sent by Ashley E. Davis, General Counsel to the Florida Department of State, to Florida Supervisors of Elections, dated May 4, 2026. This email was obtained via public records request on May 4, 2026.

17. **Exhibit 18** is a true and correct copy of a certified transcript of the January 13, 2022 hearing before the Florida House Redistricting Committee. A recording of the meeting is publicly available at https://www.flhouse.gov/VideoPlayer.aspx?eventID=7654.

18. **Exhibit 19** is a true and correct copy of a certified transcript of the February 18, 2022 hearing before the Florida House Congressional Redistricting Subcommittee. A recording of the meeting is publicly available at https://www.flhouse.gov/VideoPlayer.aspx?eventID=7944.

19. **Exhibit 20** is a true and correct copy of a certified transcript of the February 25, 2022 hearing before the Florida House Redistricting Committee. The transcript was originally filed as trial exhibit JX0038 in *Common Cause Florida v. Byrd*, Case No. 4:22-cv-109 (N.D.

Fla.), Dkt. No. 201-38. A recording of the meeting is publicly available at https://thefloridachannel.org/videos/2-25-22-house-redistricting-committee/.

20. **Exhibit 21** is a true and correct copy of a certified transcript of the April 19, 2022 hearing before the Florida Senate Committee on Reapportionment. A recording of the meeting is publicly available at https://thefloridachannel.org/videos/4-19-22-senate-committee-on-reapportionment.

21. **Exhibit 22** is a true and correct copy of a certified transcript of the April 19, 2022 hearing before the Florida House Congressional Redistricting Subcommittee. A recording of the meeting is publicly available at https://thefloridachannel.org/videos/4-19-22-house-congressional-redistricting-subcommittee/.

22. **Exhibit 23** is a true and correct copy of the April 19, 2022 Meeting Packet prepared for the Florida House Congressional Redistricting Subcommittee's April 19, 2022 meeting. The meeting packet is publicly available at https://perma.cc/42TZ-2VGK.

23. **Exhibit 24** is a true and correct copy of the February 25, 2022 Meeting Packet prepared for the Florida House Redistricting Committee's February 25, 2022 meeting. The meeting packet is publicly available at https://perma.cc/83N5-5LEX.

24. **Exhibit 25** is a true and correct copy of maps provided by the Florida Senate of Florida's 2022 Congressional Plan. The maps are publicly available at https://www.flsenate.gov/Session/Redistricting/MapsAndStats.

25. **Exhibit 26** is a true and correct copy of the website entitled "Redistricting 2022." The website was published by the Florida Senate and is publicly available at https://perma.cc/J4ZQ-NF32.

26. **Exhibit 27** is a true and correct copy of the website entitled "Florida Redistricting." The website was published by the Florida House of Representatives and the Florida Senate to provide access to information about the 2022 redistricting cycle. The website is publicly available at https://perma.cc/DL7X-R6JJ.

27. **Exhibit 28** is a true and correct copy of Volume III of the trial transcript in *Cubanos Pa'lante v. Fla. House of Reps.*, No. 1:24-cv-21983-JB (M.D. Fla.), Dkt. No. 201.

28. **Exhibit 29** is a true and correct copy of the article entitled "White House Pushes Texas to Redistrict, Hoping to Blunt Democratic Gains." The article was published by the *New York Times* on June 9, 2025, and is publicly available at https://www.nytimes.com/2025/06/09/us/politics/trump-texas-redistricting.html.

29. **Exhibit 30** is a true and correct copy of the press release entitled "Governor Abbott Announces Special Session Agenda." The press release was published by the Office of the Texas Governor on July 9, 2025, and is publicly available at https://perma.cc/QE6J-DK7E.

30. **Exhibit 31** is a true and correct copy of the article entitled "A state-by-state look at the narrowing redistricting battle for the U.S. House." The article was published by *PBS News* on April 22, 2026, and is publicly available at https://perma.cc/C9HD-Q25X.

31. **Exhibit 32** is a true and correct copy of a social media post from Joe Gruters, dated December 10, 2025. The post is publicly available at https://perma.cc/NP9V-BG8S.

32. **Exhibit 33** is a true and correct copy of the article entitled "Can Florida save Trump's plan to keep GOP in power?" The article was published by the *Washington Post* on March 13, 2026, and is publicly available at https://www.washingtonpost.com/politics/2026/03/13/florida-trump-redistricting-midterms-congress/.

33. **Exhibit 34** is a true and correct copy of the article entitled "Florida upset sparks GOP redistricting concerns." The article was published by *PunchBowl News* on April 14, 2026, and is publicly available at https://perma.cc/N3MG-SPQT.

34. **Exhibit 35** is a true and correct copy of the article entitled "Donalds says FL should counter Democrats by redistricting. That's illegal here." The article was published by the *Miami Herald* on April 14, 2026, and is publicly available at https://www.miamiherald.com/news/politics-government/article315392027.html.

35. **Exhibit 36** is a true and correct copy of the article entitled "Virginia Passes Gerrymandered House Map, Lifting Democrats' Midterm Chances." The article was published by the *New York Times* on April 23, 2026, and is publicly available at https://www.nytimes.com/live/2026/04/21/us/virginia-redistricting-election.

36. **Exhibit 37** is a true and correct copy of a social media post from *Washington Post* reporter Hannah Knowles on April 22, 2026. The post is publicly available at https://perma.cc/C33S-CV5Q.

37. **Exhibit 38** is a true and correct copy of the article entitled "'All eyes are on Ron DeSantis': Florida could make or break the GOP's redistricting edge." The article was published by *Politico* on April 23, 2026, and is publicly available at https://www.politico.com/news/2026/04/23/florida-redistricting-desantis-republicans-maps-trump-00887120?nname=florida-playbook&nid=0000014f-1646-d88f-a1cf-5f46b4500000&nrid=0000014f-88fb-d780-a9ef-9dfb14fe0000.

38. **Exhibit 39** is a true and correct copy of an automated transcript of the video entitled "This Week In South Florida: Florida House Speaker Daniel Perez." The video was

published by WPLG Local 10 on April 19, 2026, and is publicly available at https://www.youtube.com/watch?v=r4GpbRH-omk.

39. **Exhibit 40** is a true and correct copy of the article entitled "Ron DeSantis releases new congressional map creating four more GOP-leaning seats in Florida." The article was published by *NBC News* on April 27, 2026, and is publicly available at https://perma.cc/P2ZK-PT8M.

40. **Exhibit 41** is a true and correct copy of the article entitled "Ron DeSantis unveils new Florida congressional map that would give the GOP an extra four seats." The article was published by *Fox News* on April 27, 2026, and is publicly available at https://www.foxnews.com/politics/ron-desantis-unveils-new-florida-congressional-map-would-give-gop-extra-four-seats.

41. **Exhibit 42** is a true and correct copy of the article entitled "DeSantis continues redistricting feud with GOP lawmakers by vetoing congressional map." The article was published by the *Miami Herald* on March 29, 2022, and is publicly available at https://perma.cc/PCM9-ESF2.

42. **Exhibit 43** is a true and correct copy of the article entitled "DeSantis unveils gerrymandered Florida map as redistricting war rages." The article was published by *Axios* on April 27, 2026, and is publicly available at https://www.axios.com/2026/04/27/desantis-florida-map-gerrymandering-redistricting-war.

43. **Exhibit 44** is a true and correct copy of the article entitled "Florida special session: Governor's congressional map push sparks debate." The article was published by *Fox13* on April 22, 2026, and is publicly available at https://perma.cc/M8NJ-RLZ6,

44. **Exhibit 45** is a true and correct copy of the article entitled "States Pass Constitutional Amendments on Redistricting, Parental Rights, Water Preservation, and More." The article was published by *State Court Report* on November 5, 2025, and is publicly available at https://perma.cc/W4RK-VU8E.

45. **Exhibit 46** is a true and correct copy of the Expert Report of Mary E. Adkins, dated September 9, 2024. This report was produced by the Secretary of State during discovery in *Nord Hodges v. Passidomo*, Case No. 8:24-cv-00879 (M.D. Fla.).

46. **Exhibit 47** is a true and correct copy of a document titled "Case Studies of State Redistricting Campaigns, Volume 3: FairDistrictsFlorida.org." The document was published by the *Brennan Center for Justice* in October 2015, and is publicly available at https://perma.cc/K52J-T6DY.

47. **Exhibit 48** is a true and correct copy of the article entitled "About Election 2010 amendments." The article was published by *Florida Today* on October 17, 2010.

48. **Exhibit 49** is a true and correct copy of the article entitled "Voters to decide on 6 amendments to state constitution." The article was published by the *Tallahassee Democrat* on October 17, 2010.

49. **Exhibit 50** is a true and correct copy of the article entitled "Confused by those amendments? I'll explain." The article was published by the *Orlando Sentinel* on October 10, 2010.

50. **Exhibit 51** is a true and correct copy of the article entitled "Amendments' goals: Curb tailor-made voting districts." The article was published by the *Palm Beach Post* on October 11, 2010.

51. **Exhibit 52** is a true and correct copy of the article entitled "Know Your Amendments." The article was published by the *Palm Beach Post* on October 17, 2010.

52. **Exhibit 53** is a true and correct copy of the website entitled "November 2, 2010 General Election Results," published by the Florida Department of State. The website is publicly available at https://results.elections.myflorida.com/Index.asp?ElectionDate=11/2/2010&DATAMODE=.

53. **Exhibit 54** is a true and correct copy of the Affidavit of Jasmine Burney, Founder and Senior Advisor of Equal Ground Education Fund, Inc., a plaintiff in the above captioned mater, dated May 4, 2026.

54. **Exhibit 55** is a true and correct copy of the Affidavit of Andrea Davnie Hill, a plaintiff in the above captioned matter, dated May 5, 2026.

55. **Exhibit 56** is a true and correct copy of the Affidavit of Lynnelle Mays, a plaintiff in the above captioned matter, dated May 4, 2026.

56. **Exhibit 57** is a true and correct copy of the Affidavit of Anne Blanford, a plaintiff in the above captioned matter, dated May 4, 2026.

57. **Exhibit 58** is a true and correct copy of the Affidavit of Philip Fortman, a plaintiff in the above captioned matter, dated May 4, 2026.

58. **Exhibit 59** is a true and correct copy of the Affidavit of Marcos Vilar, a plaintiff in the above captioned matter, dated May 4, 2026.

59. **Exhibit 60** is a true and correct copy of the Affidavit of Brandon Nelson, a plaintiff in the above captioned matter, dated May 4, 2026.

60. **Exhibit 61** is a true and correct copy of the Affidavit of Lisa Barika, plaintiff in the above captioned matter, dated May 5, 2026.

61. **Exhibit 62** is a true and correct copy of the Affidavit of Kisha Linebaugh, a plaintiff in the above captioned matter, dated May 4, 2026.

62. **Exhibit 63** is a true and correct copy of the Affidavit of Rochelle Reback, a plaintiff in the above captioned matter, dated May 4, 2026.

63. **Exhibit 64** is a true and correct copy of the Affidavit of Elizabeth Wells, plaintiff in the above captioned matter, dated May 4, 2026.

64. **Exhibit 65** is a true and correct copy of the Affidavit of Susan Wilson, a plaintiff in the above captioned matter, dated May 4, 2026.

65. **Exhibit 66** is a true and correct copy of the Affidavit of Steven Licari, a plaintiff in the above captioned matter, dated May 4, 2026.

66. **Exhibit 67** is a true and correct copy of the Affidavit of Sharon Lascola, a plaintiff in the above captioned matter, dated May 5, 2026.

67. **Exhibit 68** is a true and correct copy of the Affidavit of Janet Wechter, a plaintiff in the above captioned matter, dated May 4, 2026.

68. **Exhibit 69** is a true and correct copy of the Affidavit of Linda Rosenthal, a plaintiff in the above captioned matter, dated May 4, 2026.

69. **Exhibit 70** is a true and correct copy of the Affidavit of Daniella Pierre, a plaintiff in the above captioned matter, dated May 5, 2026.

70. **Exhibit 71** is a true and correct copy of the Affidavit of Emma Kurtz, a plaintiff in the above captioned matter, dated May 4, 2026.

71. **Exhibit 72** is a true and correct copy of the Affidavit of Kerry Marie, a plaintiff in the above captioned matter, dated May 4, 2026.

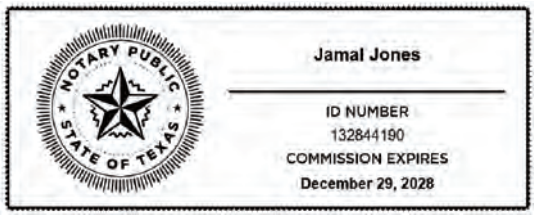
FURTHER AFFIANT SAYETH NOT.

Christina Ford

Christina Ford

State of Texas

County of Harris



Jamal Jones 12/29/2028

Sworn to and subscribed before me on 05/05/2026 by Christina Ford.

Electronically signed and notarized online using the Proof platform.

Exhibit 2

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

EQUAL GROUND EDUCATION FUND, INC., *et al.*, Plaintiffs, v. CORD BYRD, in his official capacity as Florida Secretary of State, the FLORIDA SENATE, and the FLORIDA HOUSE OF REPRESENTATIVES, Defendants.	Case No. 2026 CA 000914

AFFIDAVIT OF DR. JONATHAN RODDEN

STATE OF CALIFORNIA
COUNTY OF SANTA CLARA

BEFORE ME, the undersigned authority, personally appeared Jonathan Rodden, who, after first being duly sworn, deposes and says:

1. I was retained by Plaintiffs in *Equal Ground Education Fund, Inc., et al. v. Byrd, et al.*
2. I prepared an expert report in support of Plaintiffs' motion for a temporary injunction. The expert report is true and correct to the best of my knowledge.
3. If called to testify under oath, my testimony would be consistent with this report.

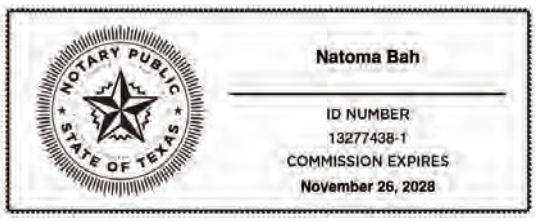
FURTHER AFFIANT SAYETH NOT.

Texas

Dallas

Natoma Bah

11/26/2028



Jonathan Rodden 05/05/2026

Jonathan Rodden

Electronically signed and notarized online using the Proof platform.

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

EQUAL GROUND EDUCATION FUND, INC., et al., Plaintiffs, v. CORD BYRD, in his official capacity as Florida Secretary of State, the FLORIDA SENATE, and the FLORIDA HOUSE OF REPRESENTATIVES, Defendants.	Case No. 2026 CA 000914

EXPERT REPORT OF JONATHAN RODDEN, Ph.D.

I. INTRODUCTION AND SUMMARY OF FINDINGS

I have been asked to examine Florida's 2026 Congressional Redistricting Plan (henceforth the 2026 Plan) to analyze the role of partisanship in the reconfiguration of the districts and assess the extent to which the reconfigured plan abides by traditional redistricting criteria. Below is a summary of my overall conclusions.

Statewide:

- The 2022 Plan included 3 overwhelmingly Democratic districts and 5 Democratic-leaning but more competitive districts, for a total of 8 Democratic districts and 20 Republican districts. The 2026 Plan, in contrast, was drawn to include 4 overwhelmingly Democratic districts but zero competitive Democratic-leaning districts, leaving the remaining 24 districts as Republican-leaning districts.
- The most extensive changes in the 2026 Plan were made to reconfigure the 2022 Plan's Democratic-leaning districts into Republican-leaning districts. Changes made to Republican-leaning districts were limited to bringing in Democratic neighborhoods that had been extracted from urban centers, while still maintaining comfortable Republican majorities in those districts. The 2022 Plan's districts that had comfortable Republican majorities and were not proximate to targeted Democratic-leaning districts were not changed at all.
- The 2026 Plan's changes to district boundaries had nothing to do with recent population shifts in Florida and cannot be explained by efforts to make the districts more compact or to respect political subdivisions. On the contrary, the 2026 Plan's reconfiguration resulted in less-compact districts and an increase in the number of split counties and cities.

Regionally:

- In the Tampa Bay Area, the 2026 Plan divides the city of Tampa in a pinwheel configuration that splits the urban core into 3 districts, thereby demolishing an urban-oriented district that has elected Democrats since the 1960s and making the region's districts less compact.
- In Orlando, the 2026 Plan packs Democrats to the maximum extent possible into a single Orlando district and then spreads the substantial number of remaining Democratic voters evenly across other districts in the area. The 2026 Plan effects a major reconfiguration of the formerly Democratic-leaning District 9, which is now a sprawling non-compact district that extracts Democrats from Orlando and combines them with residents on the shores of Lake Okeechobee.
- In Southeast Florida, the 2026 Plan did not significantly alter existing safe Republican districts in and around Miami. However, the 2026 Plan radically reconfigured the rest of the area to obliterate

2 Democratic-leaning districts. The 2026 Plan did so by packing Democrats into 3 districts and drawing a non-compact, meandering coastal district, the new District 25, that closely follows lines of partisan segregation and splits almost every incorporated city in its path.

II. QUALIFICATIONS AND EXPERIENCE

I am currently a tenured Professor of Political Science at Stanford University and the founder and director of the Stanford Spatial Social Science Lab—a center for research and teaching with a focus on the analysis of geo-spatial data in the social sciences. I am engaged in a variety of research projects involving large, fine-grained geo-spatial data sets including ballots and election results at the level of polling places, individual records of registered voters, census data, and survey responses. I am also a senior fellow at the Stanford Institute for Economic Policy Research and the Hoover Institution. Prior to my employment at Stanford, I was the Ford Professor of Political Science at the Massachusetts Institute of Technology. I received my Ph.D. from Yale University and my B.A. from the University of Michigan, Ann Arbor, both in political science. A copy of my current C.V. is included as Exhibit A.

In my current academic work, I conduct research on voting, demographics, geography, and aspects of election administration, including registration, the structure of precincts, redistricting, and methods of voting. Recent papers and books focus on the relationship between the patterns of political representation, geographic location of demographic and partisan groups, and the drawing of electoral districts. I have published papers using statistical methods to assess political geography, balloting, and representation in a variety of academic journals including *Statistics and Public Policy*, *Proceedings of the National Academy of Science*, *Science Advances*, *American Economic Review Papers and Proceedings*, the *Journal of Economic Perspectives*, the *Virginia Law Review*, the *American Journal of Political Science*, the *British Journal of Political Science*, the *Annual Review of Political Science*, and the *Journal of Politics.* One paper was selected by the American Political Science Association as the winner of the Michael Wallerstein Award for the best paper on political economy, another received an award from the American Political Science Association section on social networks, and another received an award for the best paper published in the journal in the last year.

In 2025, I was selected as an Andrew Carnegie Fellow. In 2021, I received a John Simon Guggenheim Memorial Foundation Fellowship, and, for my 2006 book *Hamilton's Paradox: The Promise and Peril of Fiscal Federalism*, received the Martha Derthick Award of the American Political Science Association for "the best book published at least ten years ago that has made a lasting contribution to the study of federalism and intergovernmental relations."

I have written a series of papers, along with my co-authors, using automated redistricting algorithms to assess partisan gerrymandering. This work has been published in the *Quarterly Journal of Political Science*, *Election Law Journal*, and *Political Analysis*, and it has been featured in more popular publications like the *Wall Street Journal*, the *New York Times*, and *Boston Review*. I authored a book titled *Why Cities Lose*, published by Basic Books in June of 2019, on the relationship between political districts, the residential geography of social groups, and their political representation in the United States and other countries that use winner-take-all electoral districts. The book was reviewed in *The New York Times*, *The New York Review of Books*, *Wall Street Journal*, *The Economist*, and *The Atlantic*, among others.

I have expertise in the use of large data sets and geographic information systems (GIS) and conduct research and teaching on applied statistics related to elections. I frequently work with geo-coded voter files and other large administrative data sets, including in recent papers published in the *Annals of Internal Medicine* and *The New England Journal of Medicine.* I have developed a national data set of geo-coded precinct-level election results that has been used extensively in policy-oriented research related to redistricting and representation.

I have been accepted and have testified as an expert witness in over a dozen election law and redistricting cases, all of which are listed in my CV. Much of the testimony in these cases had to do with geography, electoral districts, voting, ballots, and election administration.

III. DATA SOURCES CONSULTED

In preparing this report, I consulted data from a variety of sources. I obtained boundaries of Florida congressional districts from the Florida Legislature's website. I consulted population data as well as corresponding geographic boundary files from the 2020 Decennial United States Census for 2020 U.S. census blocks. I also consulted population data and geographic boundary files for U.S. census block groups from the 5-year American Community Survey (ACS) for 2020-2024. I also consulted precinct-level election results for Florida statewide elections held in 2020 and 2024 at the level of precincts, as well as data that were disaggregated from precincts to 2020 census blocks and made available at the GitHub repository of Dave's Redistricting App.[1] Throughout the report, I present data on the partisanship of districts based on precinct-level outcomes of the following elections: 2020

[1] https://github.com/dra2020/block_data, accessed on April 16, 2026. This web page also describes the disaggregation process in detail.

Presidential, 2022 Senate, 2022 Governor, 2022 Attorney General, 2022 Treasurer, 2024 Presidential, and 2024 Senate. I report Democratic votes as a share of the two-party vote (Democrats plus Republicans), which is to say, I do not examine votes for third-party candidates such as those from the Libertarian Party or Green Party.

For information about city splits and geographic compactness associated with the 2026 Plan, I consulted the Executive Report of the Governor for Plan EOGPCRP2026. For the 2022 Plan, I consulted a similar report for Plan P000C0109, dated April 13, 2022. In preparing maps presented in this report, I also use geographic boundary files of census places, cities, and counties from the U.S. Census Bureau, along with basemaps provided by the software company ESRI.

IV. STATEWIDE ANALYSIS

As in other U.S. states, partisan voting behavior in Florida is highly correlated with population density. Voters in urban centers vote overwhelmingly for Democratic candidates, as do voters in inner- and middle-ring suburbs. The vote shares of Republican candidates increase as one moves to outer-ring suburbs, and rural areas vote overwhelmingly for Republican candidates. Traditional redistricting criteria in the United States involve the minimization of splits of counties, cities, and other municipalities and the construction of geographically compact districts. As a result, if map drawers pay no attention to partisanship and draw districts strictly according to traditional redistricting criteria, keeping cities together to the extent possible, they will draw at least 1 Democratic district in each major metro area, and in especially large metro areas, they will draw multiple Democratic districts. This has largely been the case in Florida's largest metropolitan areas in recent decades, including in the Tampa Bay, Orlando, and Miami metropolitan areas.

A map drawer who wishes to minimize the number of Democratic seats has a clear playbook: If a metro area is not very large, it is possible to reach into the core of the city and split it into multiple fragments, like a pinwheel or pizza, connecting the urban core with far-off rural areas to create non-compact districts that introduce unnecessary crossings of city and often county boundaries, so that Republican voters outnumber Democratic voters in every fragment, thereby removing any Democratic-leaning seats in the metro area. The 2026 Plan takes this approach in the cities of St. Petersburg and Tampa, which are now split in ways that allow exurban and rural Republican voters to dominate Democratic voters in the entire region.

In other instances, an urban concentration of Democrats is so large that it is not possible for a partisan-motivated map drawer to avoid creating a Democratic district. Here, the playbook of a partisan-motivated map drawer is to concentrate as many of the Democrats of the urban core as possible in a single, overwhelmingly Democratic district, and then slice the remaining Democrats on the edges of the city into small fragments that are combined in a district with and overwhelmed by exurban and rural Republicans. The 2026 Plan takes this approach in the Orlando Area. While prior redistricting plans created either 2 or 3 reliable Democratic districts in the Orlando Area, the 2026 Plan produces only 1.

Southeast Florida is a sprawling combination of several cities that spill into one another along the coast. Here again, the concentrations of Democrats are too large and sprawling to avoid the construction of a Democratic district. Given the area's population and partisanship, it is necessary to create at minimum 3 Democratic districts—in North Miami, Fort Lauderdale, and West Palm Beach. The 2026 Plan packs Democrats in these districts and then carefully extracts beachfront Republican areas, slicing through the boundaries of almost every single municipality along the way, and places those areas in the new District 25, an elongated district along the coast. While Southeast Florida has produced 5 reliably Democratic districts in the past, it now has only 3 Democratic-leaning districts.

One indicator that a map drawer has pursued an intentional partisan strategy is the creation of many districts that are below 45 percent vote share for the disfavored party, rather than 48 or 49 percent, because the latter might elect candidates of the disfavored party in a wave election. A partisan map drawer will also try to avoid creating too many districts that the favored party wins by overwhelming majorities, opting instead to use those extra voters whenever possible to avoid possible wins by the disfavored party in more competitive districts.

The 2026 Plan's configuration is consistent with this partisan strategy. The plan appears designed to minimize Democratic representation in Florida's 3 metro areas where Democrats have typically been represented in Congress. The 2026 Plan avoided making changes to districts where 1) Republican candidates already enjoyed comfortable majorities and 2) the district was not in sufficient proximity to 1 of the 3 targeted metro areas as to require it to absorb extracted urban Democrats. For example, the 2026 Plan made no changes to North Florida, as the 2022 Plan had already split the heavily Democratic city of Jacksonville in a way that allowed its 2 fragments to be overwhelmed by exurban and rural Republicans.

A good way to quantify the extent to which a district has been altered is to identify the census blocks that were contained in both the old and new districts, count the population residing in those

census blocks, and divide by the total district population. In districts that have not been changed, like those in Jacksonville and North Florida, 100 percent of the "district core" has been retained. In a district that has been completely moved, with no overlap between the old and new district, as with District 23 in Southeast Florida, none of the district core has been retained.

Figure 1 plots this "core retention" statistic for the 2026 Plan's districts on the vertical axis, and the Democratic share of the two-party vote in the 2022 Plan's version of the district (averaged over statewide elections in 2020 and 2024) on the vertical axis. The data markers are colored orange for the districts that make up the Tampa-St. Petersburg-Clearwater area, blue for districts that make up the Orlando-Kissimmee-Sanford area, and pink for the districts that make up the Miami-Fort Lauderdale-Pompano Beach area, with the remaining data markers colored black.

Figure 1: Core Retention and Democratic Vote Share

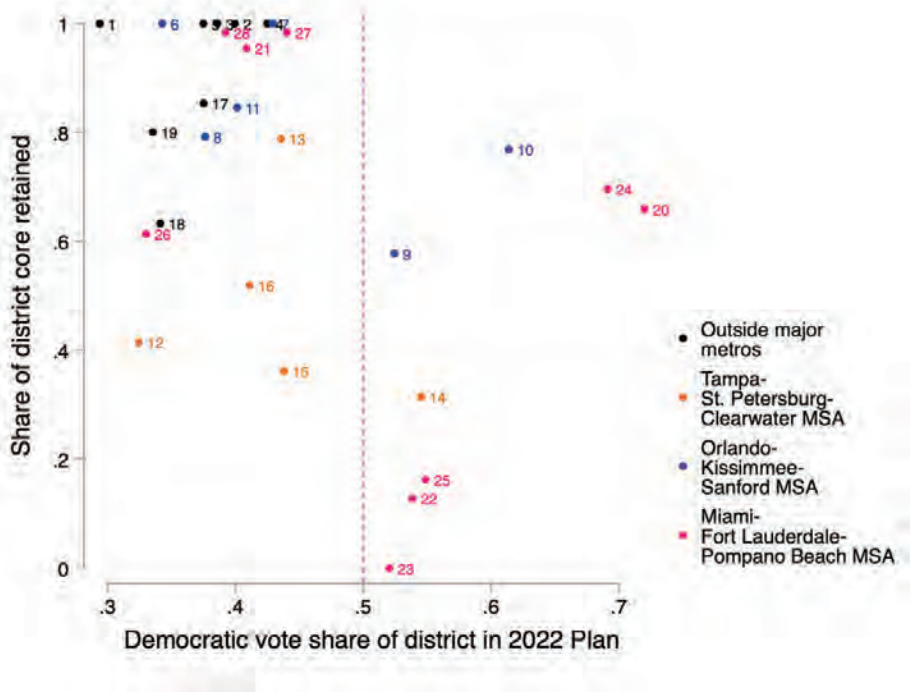


Figure 1 shows that no changes were made in Districts 1 through 7 and almost no changes were made in Districts 21, 27, and 28. In those areas, the Democratic vote share was already low enough that Republican candidates had been elected under each of the elections held under the 2022 Plan, and changes to the district were not necessary in order to facilitate the reorientation of 1 of the 3 targeted metro areas. The most dramatic changes were made in the 3 targeted metro areas, with the largest changes in the Southeast Florida area, where the 2026 Plan eliminated 2 Democratic seats, in the Orlando

area, where the 2026 Plan eliminated 1 Democratic seat, and in the Tampa area, where the 2026 Plan eliminated Democratic representation completely.

Figure 2 presents 1 panel with thin vertical lines representing the Democratic vote share of each district in the 2022 Plan, above another panel with the same lines for the 2026 Plan. This comparison shows the change in the distribution of partisanship across districts between the 2022 and 2026 Plans. The 2022 Plan included 3 overwhelmingly Democratic districts and 5 Democratic-leaning but more competitive districts. The 2026 Plan, in contrast, only has 4 overwhelmingly Democratic districts but zero competitive Democratic-leaning districts.

Figure 2: Distribution of Partisanship Across Districts of the 2022 and 2026 Plans

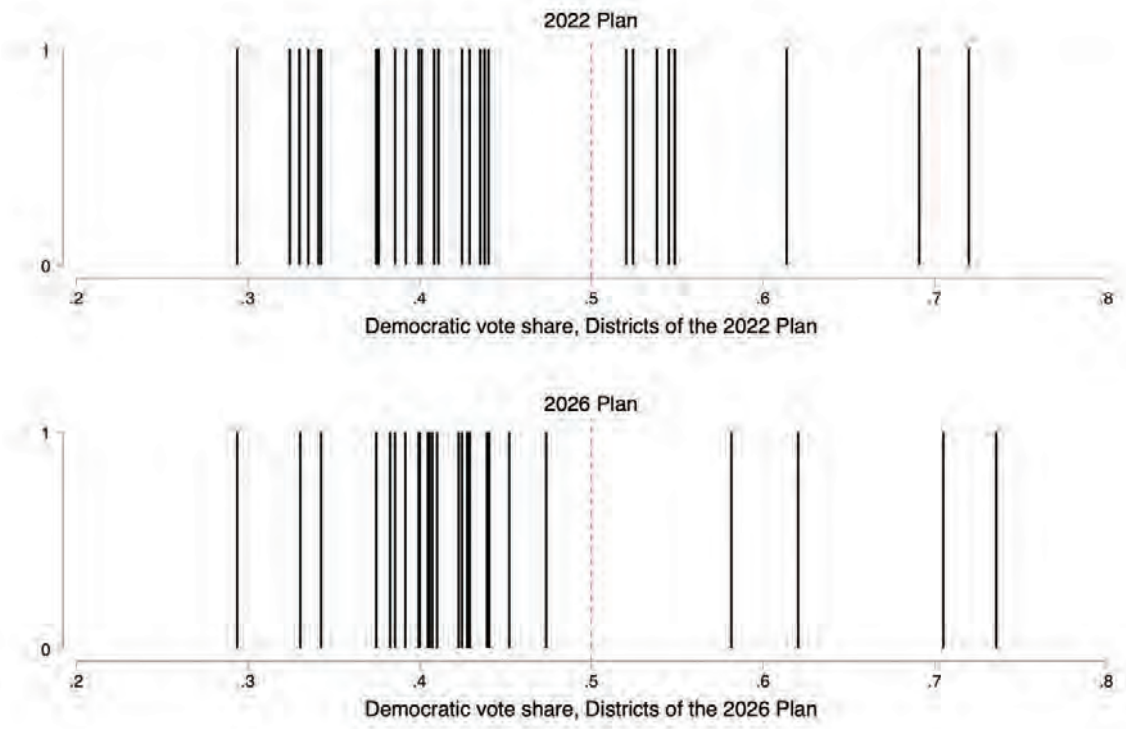


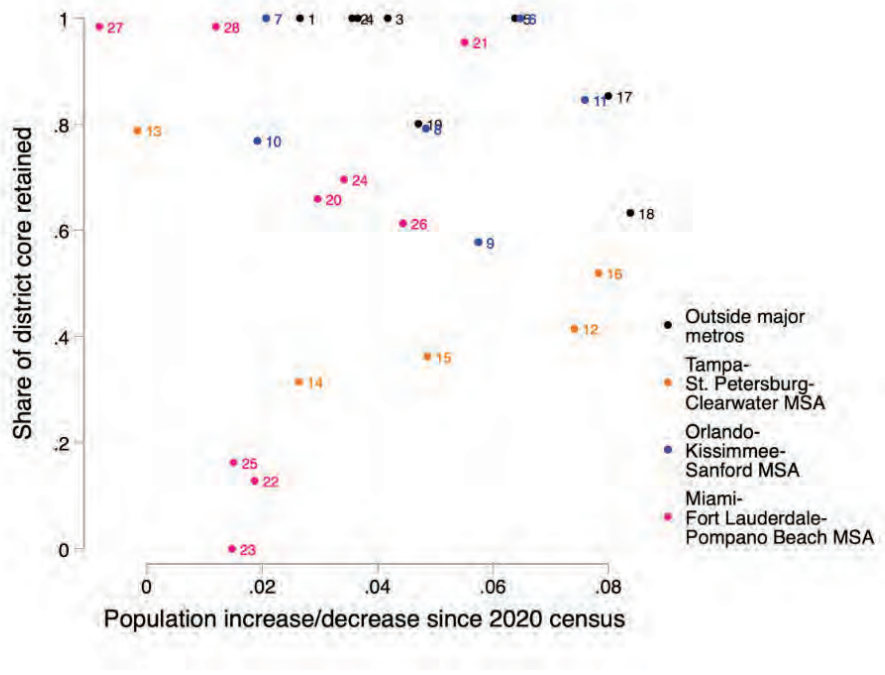
Figure 2 also reflects that the 2022 Plan included 11 districts in the range between 38 and 45 percent Democratic, in which Republicans could expect to win by comfortable but not overwhelming margins. The 2026 Plan included 20 such districts. The 2022 Plan included 9 districts where the Democratic vote share was very low—below 38 percent—while the 2026 Plan only includes 4 such districts. This is because some of the most rural Republican districts now include a mix of geographically distant urban and suburban Democrats, which moved these districts gently to the right in the second

panel of Figure 2 (making them more Democratic) without putting the districts in danger of producing Democratic victories.

The Governor's Office, in a letter to Senator Gaetz and Representative Redondo, dated April 27, 2026,[2] suggested that the 2026 Plan "attempts to account for . . . dramatic population changes" since the 2020 census, which has been unevenly distributed across Florida. This claim is difficult to understand, since the same population data from the 2020 decennial Census were used in the 2022 and 2026 Plans, and strict population equality was required in both plans, meaning that it is not possible for the 2026 Plan to account for either supposed undercounts in the 2020 Census or post-census population shifts.

Misguided as the logic might be, if population shifts since 2020 were a guiding principle in the drawing of the 2026 Plan, we should expect to see more changes to districts in areas where Florida's population is growing or declining. Using 2020-2024 American Community Survey (ACS) data, **Figure 3** depicts the percent changes in the population of each of the 2022 Plan's districts between 2020 and 2024 on the horizontal axis, and the share of the 2022 Plan's district core retained on the vertical axis.

Figure 3: Share of District Core Retained and Percent Change in Population Since the 2020 Census, 2022 Districts



[2] Memorandum to All Senators from Senate President Ben Albritton (Apr. 27, 2026), https://flsenate.gov/PublishedContent/Offices/President/4_27_26_Combined_PDF_Congressional_Map_Submission_by_Governor_DeSantis.pdf (Letter from Governor's Office enclosed).

If the 2026 Plan were intended to respond to population shifts within Florida, we might expect to see a negative relationship, such that growing areas were more likely to be more substantially altered (that is, to retain a smaller share of their core), or perhaps an inverted U-shaped relationship, where growing *and* declining places would be more substantially altered, with a large share of the district core left untouched in areas without population change. But instead, Figure 3 is essentially a cloud of data, with no discernable relationship. Some of the most rapidly growing areas, like Districts 5 and 6 in the Jacksonville area, were left untouched, while others, like Districts 12 and 16 in the Tampa Bay area, were substantially altered. In the Miami area, some urban districts experiencing population decline or stasis, like Districts 27 and 28, were left untouched, while others, like Districts 22, 23, and 25, were dismantled. A simple linear regression reveals that population change has nothing to do with the extent to which the 2026 Plan altered a district.

As documented in greater detail below, the 2026 Plan also cannot be explained as an effort to comply more successfully with traditional redistricting criteria:

- The 2022 Plan split 17 counties a total of 31 times, whereas the 2026 Plan split 19 counties a total of 34 times.
- The 2022 Plan split 16 cities a total of 20 times, while the 2026 Plan split 30 cities a total of 36 times.
- On the Reock measure of geographic compactness, the 2026 Plan (.45) was slightly less compact on average than the 2022 Plan (.47).
- On the Polsby-Popper measure of geographic compactness, the 2026 Plan (.41) was slightly less compact on average than the 2022 Plan (.43).
- On the Convex-Hull measure of geographic compactness, the 2026 Plan (.81) was very similar to the 2022 Plan (.81).

V. TAMPA-ST. PETERSBURG-CLEARWATER METROPOLITAN STATISTICAL AREA

The Tampa-St. Petersburg-Clearwater MSA (henceforth the Tampa Bay Area) includes the counties of Hillsborough, Pinellas, Hernando, and Pasco, which are divided in the 2026 Plan into the districts numbered 12 through 16. In the redistricting plan in place from 2016 to 2020 (henceforth the 2015 Plan), District 13 was a compact district that contained the whole city of St. Petersburg and was entirely in Pinellas County, and District 14 was a compact district containing the whole city of Tampa

and was entirely in Hillsborough County (see **Figure 4**). These compact districts that respected city and county boundaries reliably elected Democratic members of Congress in 2016, 2018, and 2020.

The 2022 Plan created a different arrangement. St. Petersburg was split into 2 fragments. The western part of St. Petersburg was placed in District 13, while the eastern part of the city was placed in District 14, which reached across Tampa Bay to include much of the city of Tampa. Northern parts of Tampa were placed in District 15 (see Figure 4). This arrangement produced a reliably Democratic District 14, with a competitive but Republican-leaning District 13, and a compact, competitive but Republican-leaning District 15 that included much of suburban Tampa. A single district composed primarily of the population of the city of Tampa has existed and elected a Democratic member of Congress in every single U.S. Congressional election since 1962.

The 2026 Plan deviates substantially from this pattern. The clear goal of the reconfiguration was to turn District 14 from a comfortably Democratic to a comfortably Republican district, ending over 60 years of Democratic congressional representation of the city of Tampa and making the Tampa Bay Area delegation entirely Republican for the first time since the 1960s, while also shoring up the more competitive suburban District 15 for Republicans. To achieve this, the 2026 Plan implemented a "pinwheel" approach to Tampa, dividing it into 3 segments, reaching out to the suburban and rural periphery to overwhelm urban Democrats.

The third panel of Figure 4 depicts this pinwheel approach in a map of the entire region, while **Figure 5** zooms in on the cities of St. Petersburg and Tampa. In the 2015 Plan, neither city was split, and neither city was in a district that extended beyond the county boundary. In the 2022 Plan, both cities were split once, but neither city was combined with territory that extended more than a few miles beyond the county boundary. In the 2026 Plan, Tampa is split into 3 districts, and 2 of the districts (District 15 and 12) extend far beyond the county boundary. District 15 reaches from downtown Tampa north to includes Pasco, Hernando, and Citrus County, extending 70 miles beyond the Hillsborough County boundary to include cities like Crystal River and Homosassa Springs. Similarly, the 2026 Plan's District 16 has a much larger footprint than its 2022 counterpart. District 16 now extracts the urban core of St. Petersburg from Pinellas and connects it with rural parts of 5 other counties, including counties as far east as Hardee, Polk, and Desoto, which is well over 100 miles away.

Figure 4: Tampa Bay Area Districts, 2015, 2022, and 2026 Plans

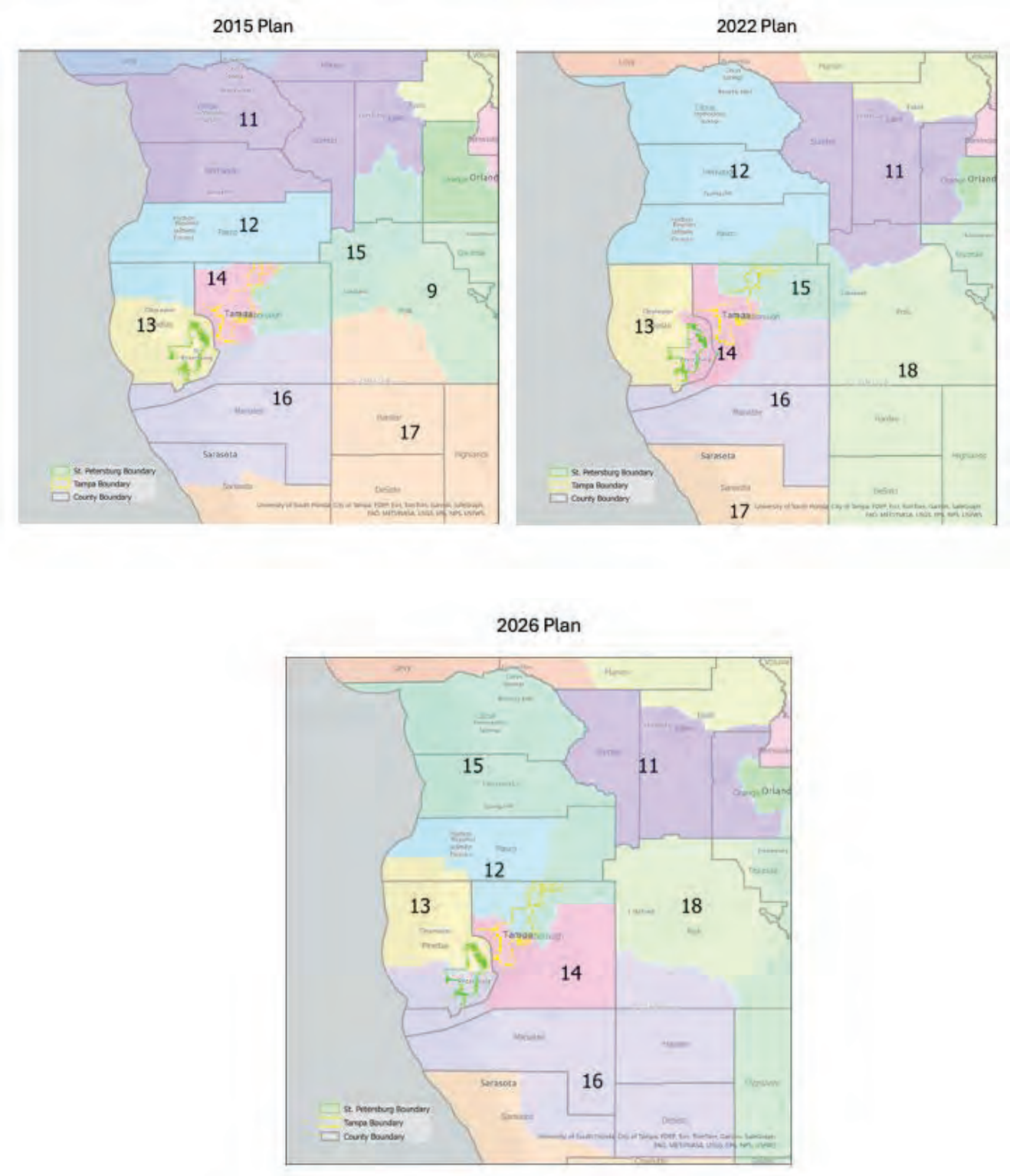


Figure 5: 2026 Plan, Zoom in on Tampa and St. Petersburg

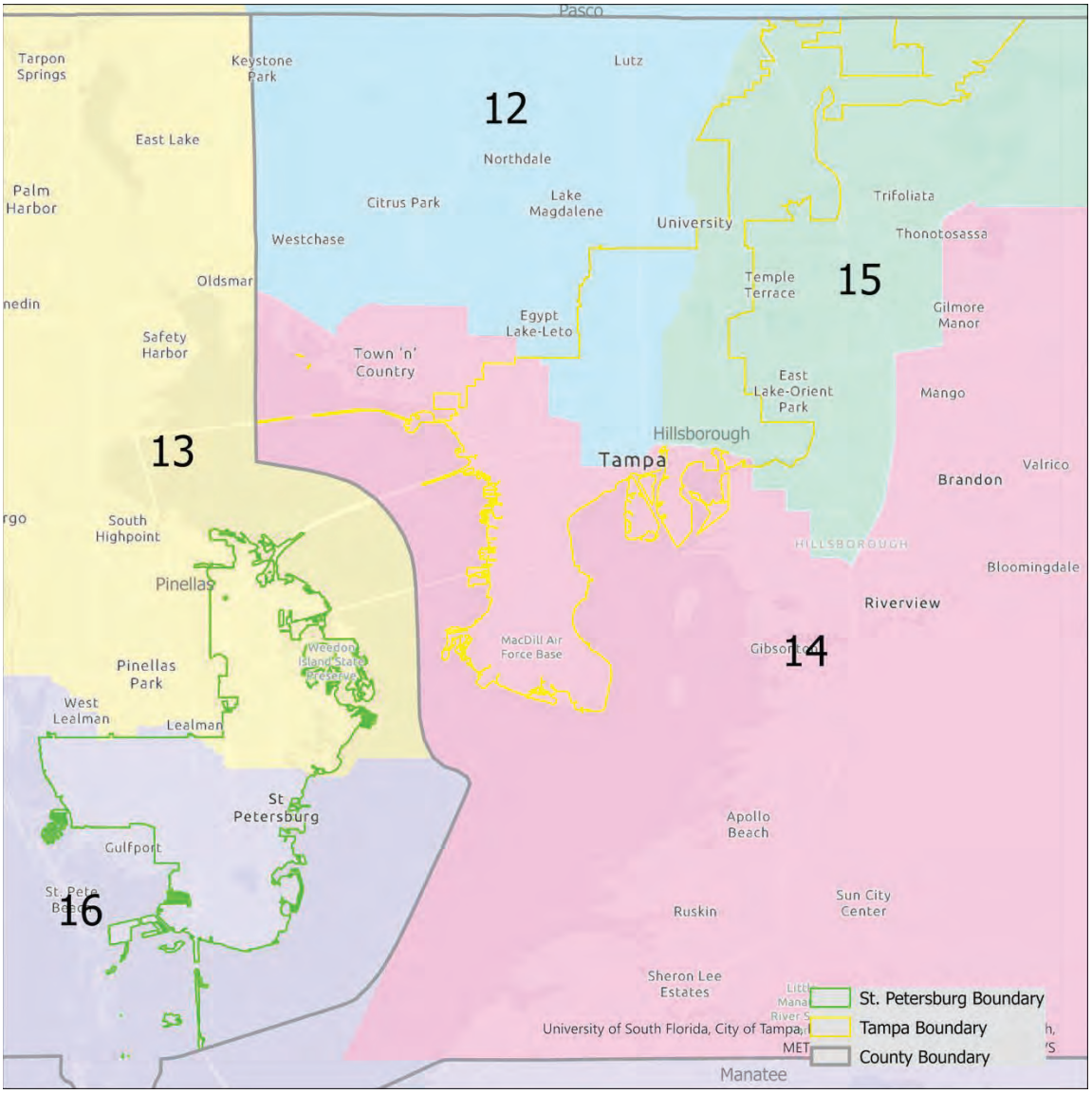


Figure 6 displays precinct-level partisanship along with the boundaries of Tampa and St. Petersburg and the boundaries of the 2026 Plan, focusing on the cities of Tampa and St. Petersburg, while **Figure 7** zooms out to the surrounding area. These figures illuminate the extraction of the most urban and Democratic part of the core of St. Petersburg into sprawling, rural District 16, and the extraction of the most urban and Democratic party of the core of Tampa into a very rural and sprawling District 15.

Figure 6: 2026 Plan, Zoom in on Tampa and St. Petersburg and Precinct-Level Partisan Data

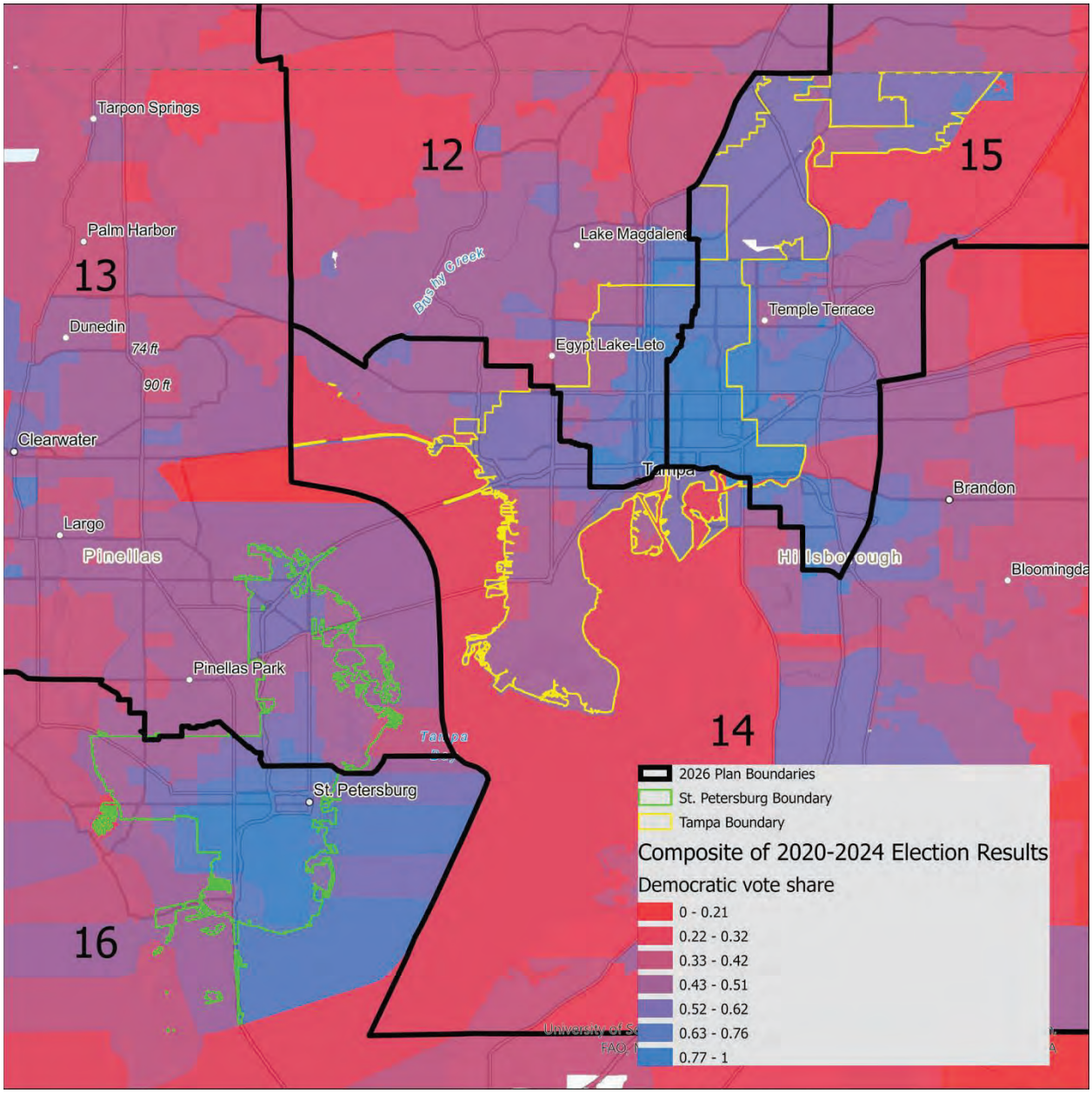


Figure 7: 2026 Plan Boundaries, Zoom out on Tampa and St. Petersburg Precinct-Level Partisan Data

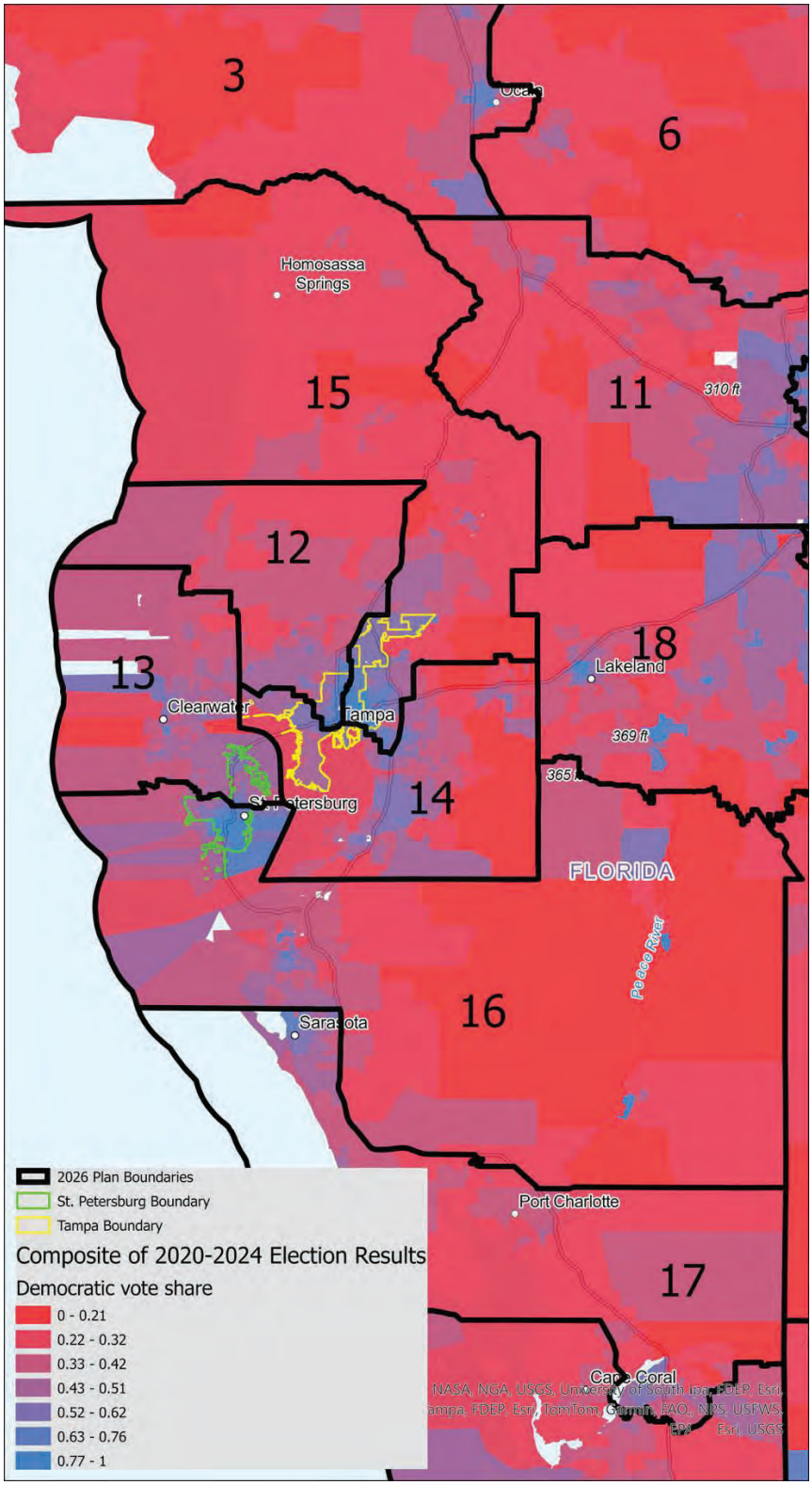


Table 1 provides data that demonstrates exactly how the 2026 Plan's district lines were drawn to achieve partisan goals in the Tampa Bay Area. Each column is a district in the Tampa Bay Area. The first line in the table, labeled "Share of core retained," calculates how much of the corresponding 2022 Plan's district population was retained in the 2026 Plan. For example, the number of people that were in District 12 in the 2022 Plan and are still in District 12 in the 2026 Plan, divided by the number of people in a congressional district (769,221) is 0.415, which corresponds to a 41.5% share of core retained. We see that District 13 retained a relatively large share of its prior population: around 79 percent. District 16 kept a little over half of its prior population, and District 12 kept around 40 percent of its prior population. The most altered districts were Districts 14, which kept only 31 percent of its prior population, and District 15, which kept only 36 percent.

Table 1: Changes to Partisanship of Tampa Bay Area Congressional Districts Comparing 2022 to 2026 Plans

	D12	D13	D14	D15	D16
Share of core retained	41.5%	78.8%	31.5%	36.2%	52.0%
Dem share of district core	34.8%	42.1%	45.8%	48.8%	37.4%
Dem share area moved into district	48.8%	46.2%	43.0%	35.8%	48.9%
Dem share area moved out of district	30.8%	48.5%	59.1%	41.0%	45.5%
Dem share in minus out	18.0%	-2.4%	-16.0%	-5.2%	3.4%
2022 Dem share	32.4%	43.5%	54.5%	43.8%	41.1%
2026 Dem share	42.3%	42.9%	43.9%	40.0%	42.9%
Partisan Change	9.8%	-0.7%	-10.6%	-3.8%	1.8%

Districts 14 and 15 were also the districts whose partisanship changed most dramatically. The rest of Table 1 documents these changes. The second line in the table tells us the Democratic vote share of the district "core"—the area that was in the district in the 2022 Plan and remained in the district in the 2026 Plan. To calculate this figure, I rely on an index that averages over the Democratic share of the two-party vote in all statewide elections held from 2020 to 2024, using precinct-level election returns that have been projected to the level of census blocks. The next line tells us the Democratic vote share in the areas that were moved *into* the district, and the following line tells us the Democratic vote share in the areas that were moved *out of* the district. The next two lines give us a sense of change, by tracking the difference between the Democratic vote share in the places moved *into* the district and the places

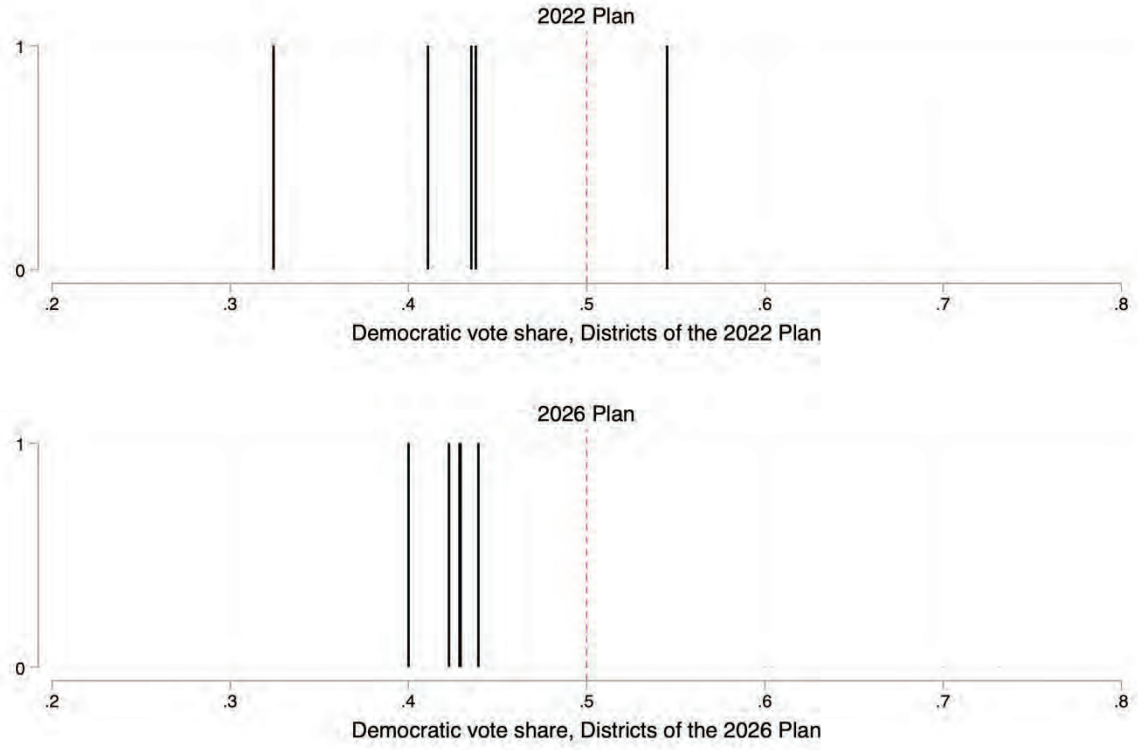
moved *out of* the district. A positive number means that the exchange of people made the district more *Democratic*, and a negative number means it made the district more *Republican.* The bottom 3 lines tell us the net effect of the changes.

Of the districts in the Tampa Bay Area, District 14 retained the smallest share of its core: just 31.5 percent. Under the 2022 Plan, the Democratic share of the two-party vote in District 14 was 54.5 percent. Under the 2026 Plan, the area retained in District 14—the district core—was substantially less Democratic: 46 percent. In other words, the 2026 Plan moved heavily Democratic areas (with a 59 percent Democratic vote share) out of District 14. The 2026 Plan correspondingly moved heavily Republican areas (with an approximately 57 percent Republican vote share) into District 14. The difference between the Democratic vote share of places moved into the district and moved out of the district was massive: 16 percentage points. The net effect of these moves was to make the district more Republican by 11 percentage points overall.

The 2026 Plan also bolstered Republican support in District 15. The 2026 Plan added rural areas with a Republican vote share of around 64 percent into District 15 and removed more competitive areas, thereby making the district more Republican by around 4 percentage points. The 2026 Plan also made District 13 slightly more Republican by removing some Democratic areas in St. Petersburg. In general, the 2026 Plan added Democrats who had previously been in Tampa- and St. Petersburg-focused districts to more suburban and rural districts that had higher Republican vote shares under the 2022 Plan. For example, the 2026 Plan sliced urban Democrats out of Tampa and combined them with the Republican population of District 12, which had been 68 percent Republican (32 percent Democratic) under the 2022 Plan and is 58 percent Republican (42 percent Democratic) under the 2026 Plan.

The cracking of Tampa and St. Petersburg and dispersion of their population into surrounding suburban and rural districts was carried out in a way that led to an extreme compression of the distribution of partisanship across districts in the area, suggesting that the map drawer may have aimed for a Democratic vote share target of around 40 to 44 percent (of the two-party vote). **Figure 8** presents 1 panel with thin lines representing the Democratic vote share of Districts 12 through 16 in the 2022 Plan, with another panel below showing the same for the 2026 Plan. While the 2022 Plan involved a relatively wide spread of Democratic vote shares from 32 percent to 55 percent, all the districts in the 2026 Plan in the Tampa Bay Area now fall between 40 and 44 percent Democratic vote share.

Figure 8: Distribution of Partisanship across Tampa Bay Area Districts Comparing 2022 and 2026 Plans



The 2026 Plan's extraction of Democratic neighborhoods from their respective cities required extreme violations of traditional redistricting principles, including the creation of noncompact districts and the excessive division of counties and cities.

Table 2 provides 3 commonly used compactness scores for the Tampa Bay Area districts in both the 2022 and 2026 Plans. On average, the Tampa Bay Area districts became substantially less compact on each measure. Districts 13, 14, and 15 became less compact on every measure, and District 16 became less compact on 2 of the 3 measures. District 15 is especially noteworthy. It was one of the most compact districts in Florida in the 2022 Plan, but it is one of the *least* compact districts in the 2026 Plan.

Table 2: Compactness Scores for Tampa Bay Area Districts between 2022 and 2026 Plans

Dist.	Reock 2022 Plan	Reock 2026 Plan	Reock Diff.	Polsby-Poppper 2022 Plan	Polsby-Popper 2026 Plan	Polsby-Popper Diff.	Convex Hull 2022 Plan	Convex Hull 2026 Plan	Convex Hull Diff.
12	0.45	0.42	-0.03	0.38	0.41	0.03	0.75	0.77	0.02
13	0.51	0.50	-0.01	0.58	0.55	-0.03	0.93	0.89	-0.04
14	0.48	0.52	0.04	0.47	0.44	-0.03	0.83	0.81	-0.02
15	0.58	0.33	-0.25	0.58	0.26	-0.32	0.88	0.66	-0.22
16	0.45	0.39	-0.06	0.45	0.37	-0.08	0.73	0.79	0.06
Ave.	0.49	0.43	-0.06	0.49	0.41	-0.09	0.82	0.78	-0.04

The 2026 Plan also resulted in an excessive number of county and city splits. The population of Hillsborough County can be divided into only 2 congressional districts, but the 2026 Plan divides it into 4 (Districts 12, 14, 15, and 16). Pasco County can easily be kept within a single congressional district, but instead the 2026 Plan divides it into 3 (Districts 12, 13, and 15). Immediately to the east of the Tampa Bay Area, Polk County can be contained entirely with a single congressional district, but the 2026 Plan divides it into 3 (Districts 9, 16, and 18).

In addition to county boundaries, efforts to extract Democrats from urban areas also required the map drawer to ignore municipal boundaries. In the 2020 Census, Tampa had a population of 384,959, meaning that it can easily be kept in a single district, as it was in the 2015 Plan.[3] Instead, the 2026 Plan divides Tampa's population almost equally into thirds between District 12 (121,400 residents), which is based in Pasco County but dips down into Tampa; District 15 (125,256 residents), which combines the counties of Pasco, Hernando, and Citrus with part of Tampa; and District 14 (138,303 residents), which is dominated by exurban parts of Hillsborough County. This is a substantial change from even the 2022 Plan. The largest fragment of Tampa in the 2022 Plan included 75 percent of the city's population (in District 14), whereas the largest fragment of Tampa in the 2026 Plan includes only 36 percent of the city's population (still District 14).

The population of St. Petersburg was 258,308 in the 2020 Census, which makes it very easy to include the city in a single Pinellas County district, as it was in the 2015 Plan. Instead, the 2026 Plan places 88,616 St. Petersburg residents in District 13, which extends beyond Pinellas County into Pasco County, while extracting 169,692 St. Petersburg residents from Pinellas County and combining them in

[3] Indeed, Jacksonville is the only city in Florida that must be split between congressional districts because of its population.

District 16 with residents of faraway areas including Manatee, Hardee, and DeSoto Counties along with parts of Sarasota and Polk Counties, requiring an 80-mile drive from the center of St. Petersburg to the southeast corner of the district.

The 2026 Plan's effort to carve up Democratic enclaves also led to copious splits of smaller suburban census designated places, in addition to larger cities like Tampa and St. Petersburg. The 2026 Map pays little attention to municipal boundaries and splits far more municipalities in the Tampa Bay Area than is necessary. For example, the 2026 Plan splits Pinellas County via an east-west boundary separating Districts 13 and 16. Along the way, this boundary slices through 2 cities—St. Petersburg (in 2 separate areas) and Seminole—as well as the census designated places of Lealman and West Lealman. In Hillsborough County, in addition to the city of Tampa, the 2026 Plan splits 8 additional census designated places, including Town 'n' Country, Egypt Lake-Leto, Palm River, Progress Village, Brandon, Thonotosassa, Lutz, and University.

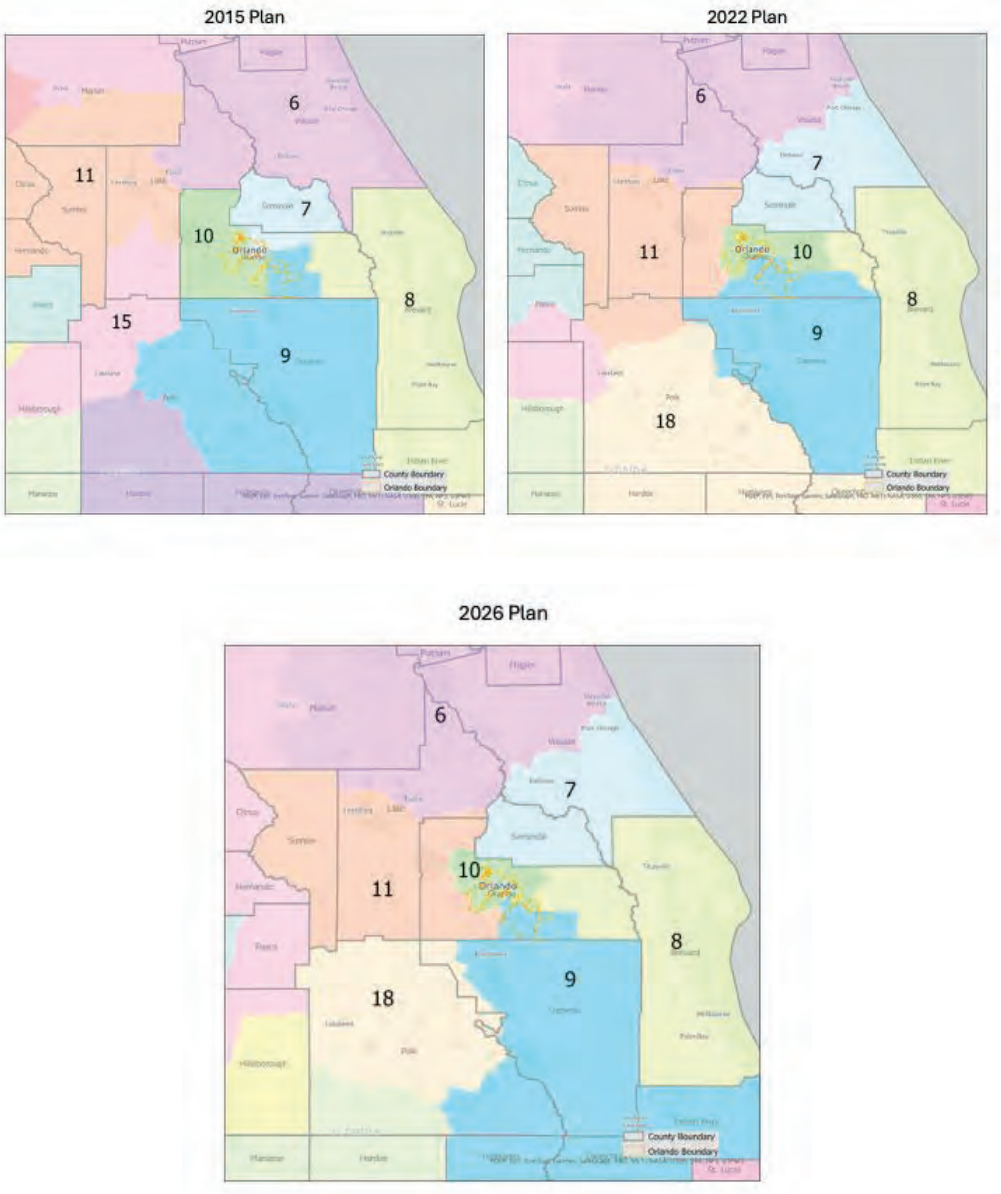
VI. ORLANDO-KISSIMMEE-SANFORD METROPOLITAN STATISTICAL AREA

The Orlando-Kissimmee-Sanford MSA (henceforth the Orlando Area) consists of the counties of Orange (which contains the city of Orlando), Osceola, Lake, and Seminole, which are divided in both the 2022 and 2026 Plans into the districts numbered 6 through 11. In the 2026 Plan, the MSA now also includes a sliver of district 18, which reaches into Osceola County and extracts a few precincts along the county boundary. Under the 2015 Plan, Democrats were elected in Districts 7, 9, and 10 in each congressional election when the plan was in place (2016, 2018, and 2020). Under the 2022 Plan, Districts 9 and 10 elected Democratic candidates in each election when it was in place (2022 and 2024). In the 2022 Plan, District 9 is kept to Orange, Osceola, and Polk Counties.

The 2026 Plan creates a substantially different arrangement of this region to benefit Republicans. Given the large number of Democratic voters in the region, it is not possible to avoid the construction of a Democratic-leaning district. The 2026 Plan packs Democrats into District 10 and removes them from District 9 by scattering those voters across several districts. The map drawer achieved this by placing the southern portion of Orlando in a very rural, non-compact version of District 9 that reaches 120 miles away to the southwestern shore of Lake Okeechobee.

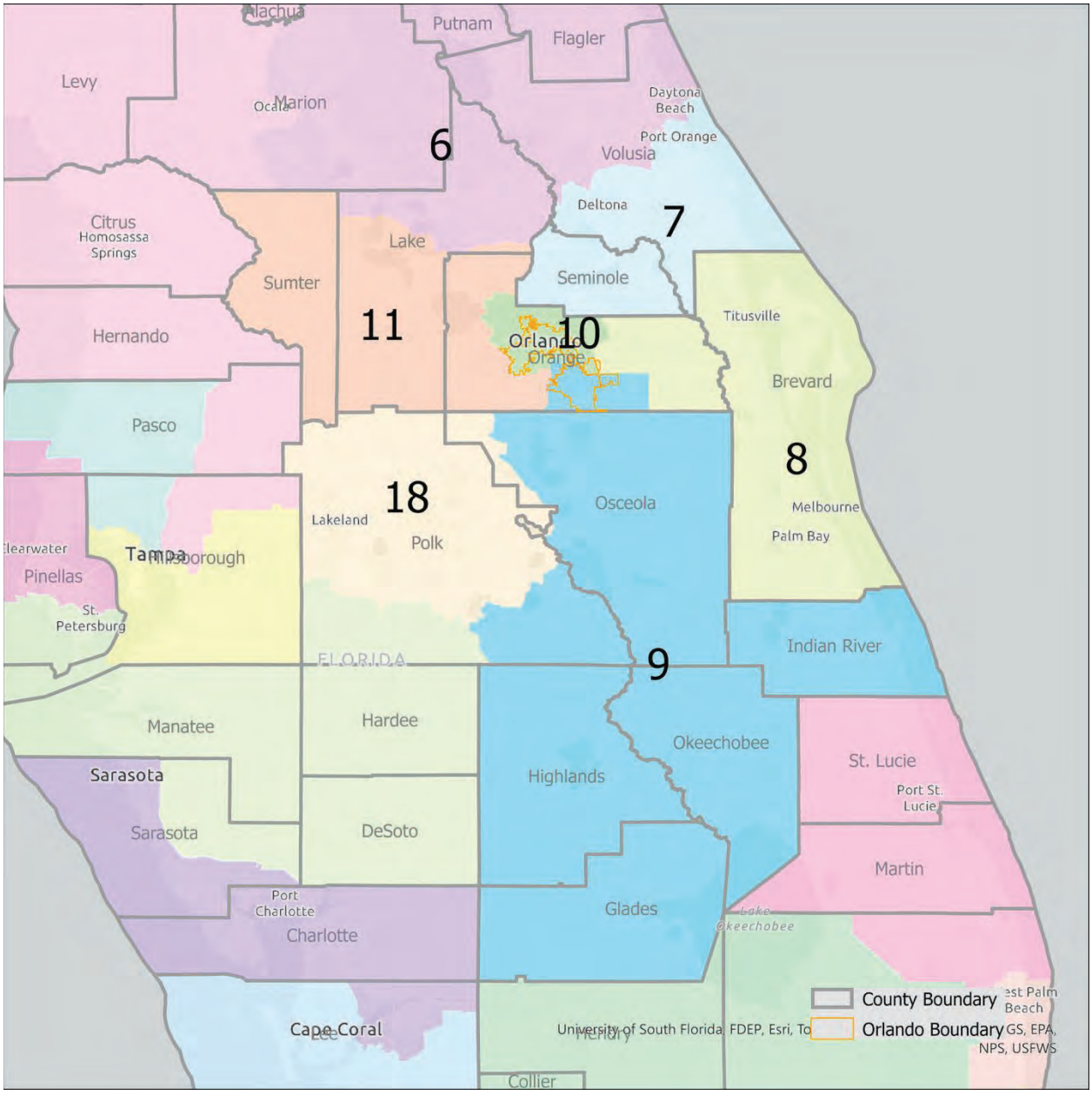
Figure 9 displays the districts for these counties in the 2015 Plan, the 2022 Plan, and the 2026 Plan. Each of these plans splits Orange County into 4 districts.[4] The 2015 and 2022 Plans split the city of Orlando into 3 districts, while the 2026 Plan splits Orlando into 4 districts. Because the 2026 version of District 9 extends far away from the Orlando-Kissimmee-Sanford MSA, it is necessary to provide a wider zoom, presented in **Figure 10**, to see its full extent.

Figure 9: Orlando-Kissimmee-Sanford Districts, 2015, 2022, and 2026 Plans



[4] The 2022 and 2026 Plans also include a small, unpopulated segment that extends into District 7. This seems to be a quirk of a mismatch between the geography of counties and precincts rather than an intentional choice.

Figure 10: Orlando-Kissimmee-Sanford Districts, 2026 Plan



The specific way the 2026 Plan splits Orange County and the city of Orlando has important implications for the partisanship of the districts. **Figure 11** displays the districts of the 2026 Plan in the Orlando Area with precinct-level data on partisanship from the statewide elections from 2020 to 2024. **Figure 12** provides a wider zoom of the same map. They show that the 2026 Plan places the most Democratic parts of Orlando in District 10. The 2026 Plan then splits the remaining Democratic-leaning parts of Orlando and its surrounding suburbs into Districts 6, 7, 8, 9, 11, and 18. The 2026 Plan

distributes Democratic neighborhoods that had formerly been in District 9, such as those in Orange and Osceola Counties, between Districts 8, 10, 11, and 18 in a way that reduces the Democratic vote share of District 9. Instead of using the county boundary between Polk and Osceola Counties as the boundary between Districts 9 and 18, the 2026 Plan carves off heavily Democratic census blocks along the county boundary out of District 9 and moves them into District 18 (see Figure 11). This maneuver allowed Democrats to be most efficiently distributed between Districts 18 and 9. Notably, the districts around District 10 were drawn to have near-identical vote shares. District 8 ended up with a Democratic vote share of 40.7 percent, District 9 with 40.6 percent, District 11 with 40.5 percent, and District 18 with 40.5 percent. District 6 was not altered, but its Democratic vote share was already 43 percent under the 2022 Plan.

Figure 11: Orlando Area Districts, 2026 Plan, with Precinct-Level Partisanship

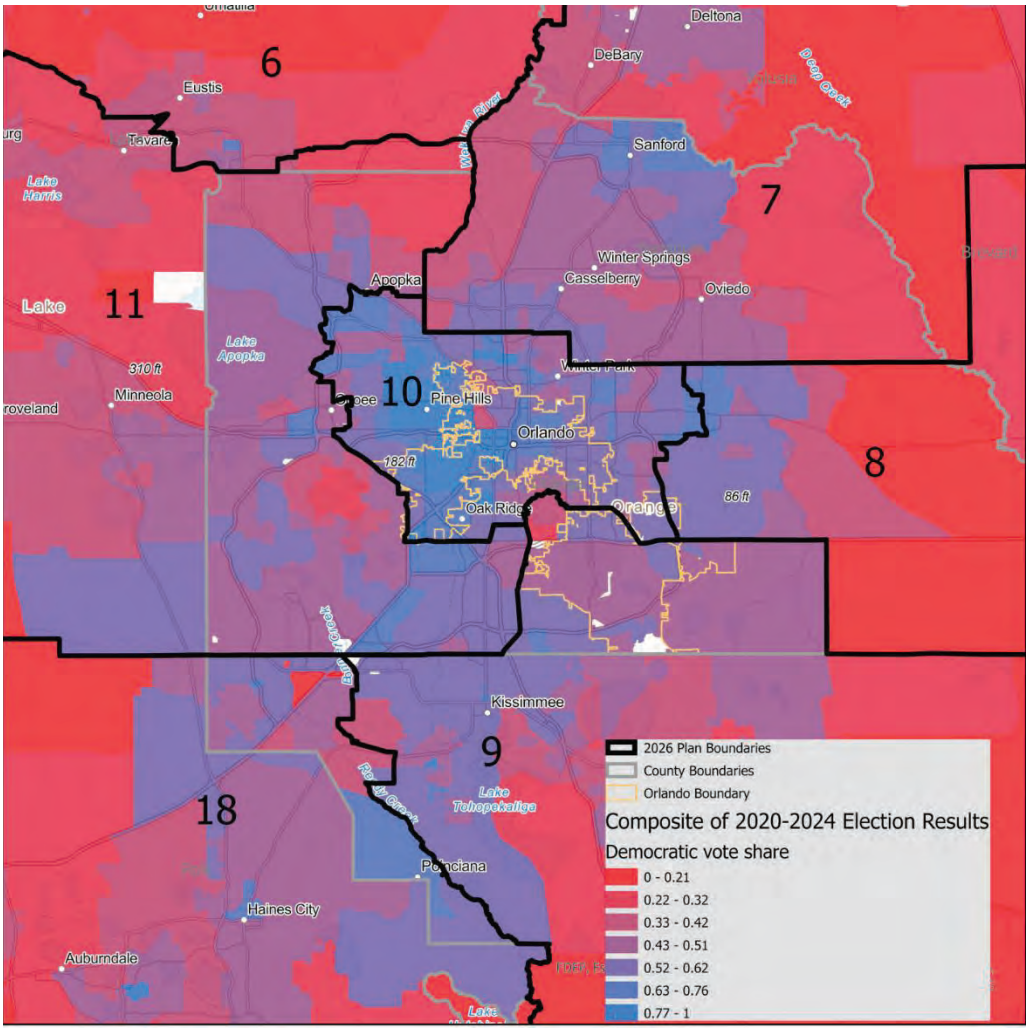


Figure 12: Orlando Area Districts, 2026 Plan, with Precinct-Level Partisanship, Zoom to Broader Region

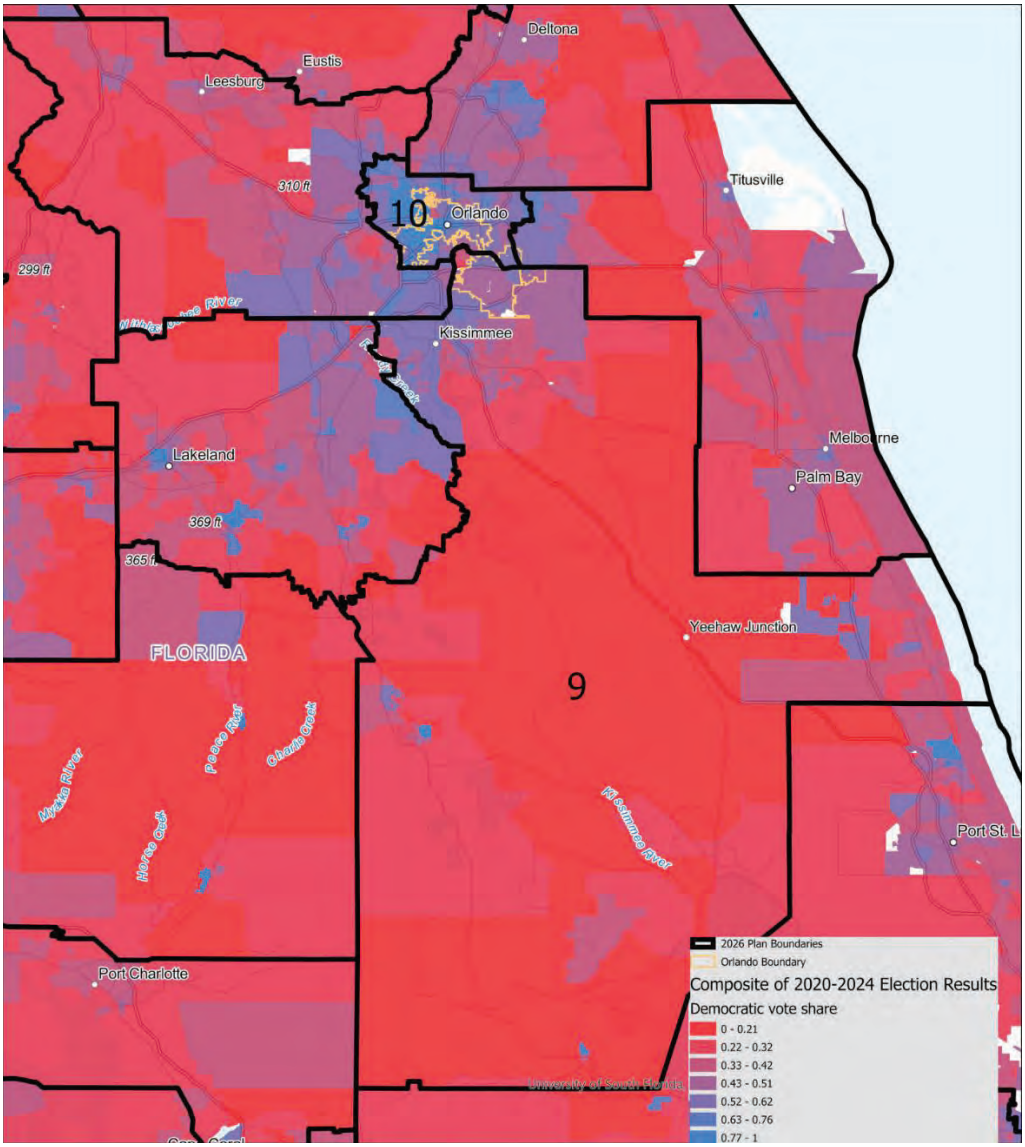


Table 3 summarizes how the 2026 Plan changed the partisanship of the main districts in the Orlando Area. It does not include Districts 6 or 7, which were unaltered. The 2026 Plan changed the population of District 9 dramatically, as it retained only 57.8% of the population of the 2022 Plan's District 9. Under the 2022 Plan, District 9 was a Democratic-leaning district. The 2026 Plan retained a slightly Republican-leaning part of the former District 9 and added overwhelmingly Republican areas (with a 69 percent Republican vote share) and moved out Democratic areas (with a 56 percent Democratic vote share). The partisan difference between the areas moved in and out of District 9 by the 2026 Plan was a full 25 percentage points.

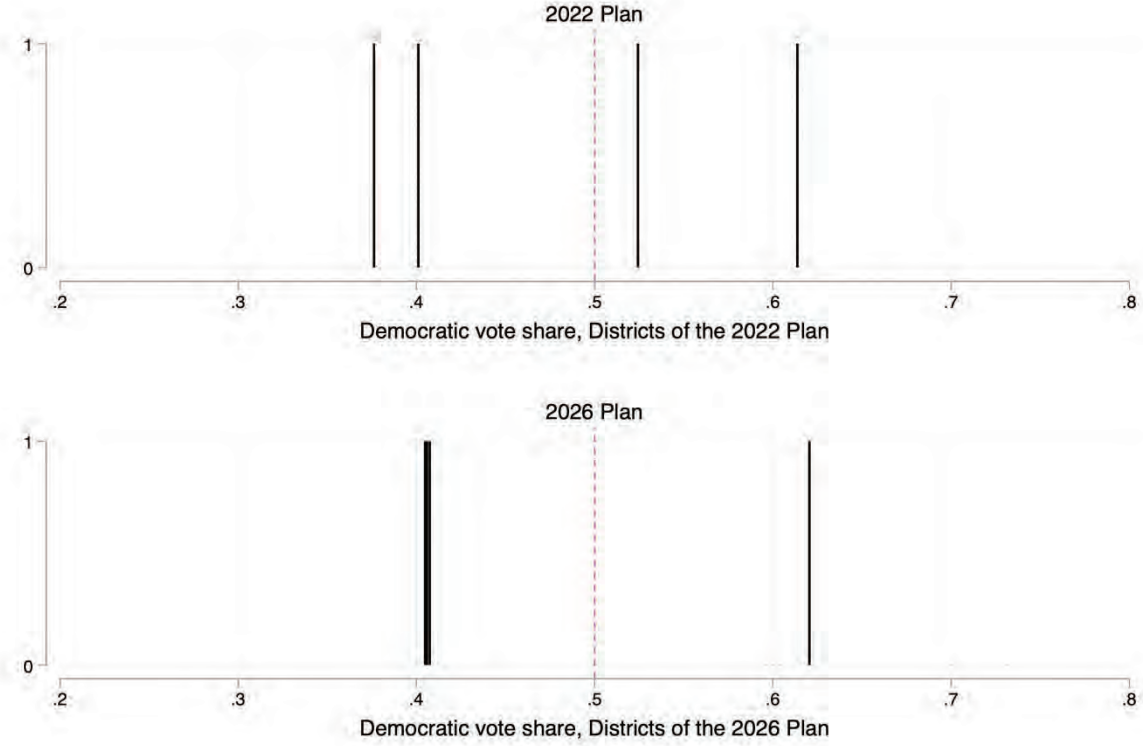
The Democrats removed from District 9 had to go somewhere, and Table 3 indicates where many of them went. Districts 8, 10, and 11 all became more Democratic in the 2026 Plan. For example, the 2026 Plan moved areas into District 8 that had a 19 percent higher Democratic vote share than the areas moved out (represented in the "Dem share in minus out" row). District 18 is not included in Table 3, because only a very small part of it dips into the Orlando Area, but it also became substantially more Democratic, reaching almost exactly the same partisanship as Districts 8, 9, and 11.

Table 3: Changes to Partisanship of Orlando Area Districts Between 2022 and 2026 Plans

	D8	D9	D10	D11
Share of core retained	79.2%	57.8%	76.9%	84.6%
Dem share of district core	38.3%	49.7%	64.0%	38.6%
Dem share area moved into district	54.4%	31.5%	56.2%	57.1%
Dem share area moved out of district	35.1%	56.3%	53.6%	51.7%
Dem share in minus out	19.3%	-24.8%	2.5%	5.4%
2022 Dem share	37.6%	52.4%	61.4%	40.1%
2026 Dem share	40.7%	40.6%	62.0%	40.5%
Partisan Change	3.1%	-11.8%	0.7%	0.4%

As in the Tampa Bay Area, these moves led to a striking change in the distribution of partisanship across districts in the region. Recall that in Tampa Bay, the 2026 Plan's map drawer ensured that all the districts ended up in a narrow band between a Democratic vote share of 40 percent and 44 percent. In the Orlando Area, it was not possible to avoid the retention of a Democratic district, but as described above, the remainder of the districts ended up with virtually identical Democratic vote shares around 40.5 percent, as can be seen in **Figure 13**. All of the districts to which Democrats were moved in effecting the destruction of a Democratic-leaning District 9 remain safe Republican districts in the 2026 Plan.

Figure 13: Distribution of Partisanship across Orlando Area Districts Comparing 2022 and 2026 Plans



As in the Tampa Bay Area, the districts in the Orlando Area contradict traditional redistricting criteria. Most strikingly, the 2026 Plan violates county boundaries more than is necessary in the Orlando Area. The population of Orange County was around 1.4 million in the 2020 Census, meaning that it could contain one whole congressional district and a large part of a second district. In the 2026 Plan, District 10 is contained within Orange County, but the remainder of the county is divided between *3* additional districts: 8, 9, and 11. Since Lake County has around 384,000 residents, it can easily be kept whole, but the 2026 Plan divides it into 2 districts (6 and 11) in the 2026 Plan. Likewise, Osceola County, with a population of 389,000, can easily be kept whole, but the 2026 Plan divides it between Districts 9 and 18. Taken together, the population of the Orlando Area is around 2.7 million, meaning that it can contain 3 whole districts and part of a 4th. In the 2026 Plan, however, the Orlando Area is divided into 7 districts.

The 2026 Plan similarly violates municipal boundaries in the Orlando Area more than is necessary. The population of the city of Orlando is 307,573 according to the 2020 Census, far below the population of a congressional district. Yet the 2026 Plan splits Orlando between 4 different districts: 8,

9, 10, and 11. Considering the Orlando Area more broadly, the 2022 Plan split just a single incorporated city in the area—Orlando. The 2026 Plan, in addition to splitting Orlando, also splits the cities of Apopka and Ocoee. The 2026 Plan's district lines also pay very little attention to the boundaries of census designated places, including splitting Alafaya, University, Paradise Heights, Gotha, Sky Lake, Pine Castle, and Taft.

The 2026 Plan's changes also reduce the compactness of the districts in the Orlando Area on 2 of the 3 measures cited by the Florida Legislature as compared to the 2022 Plan. **Table 4** provides compactness metrics for the districts in the Orlando Area that were altered between the 2022 and 2026 Plans. Notably, District 9 became less compact on all 3 measures, especially Polsby-Popper and Convex Hull, by reaching into Orange County, extracting part of Orlando, and connecting it with faraway rural counties to the south and east. District 11 also became less compact on each measure. District 8 became more compact on the Reock score because it dropped Indian River County and thus became somewhat less elongated. While the 2022 and 2026 Plans are roughly similar in terms of the Reock score when averaged across districts because of that change, the 2026 Plan in the Orlando Area is less compact according to the Polsby-Popper and Convex Hull scores.

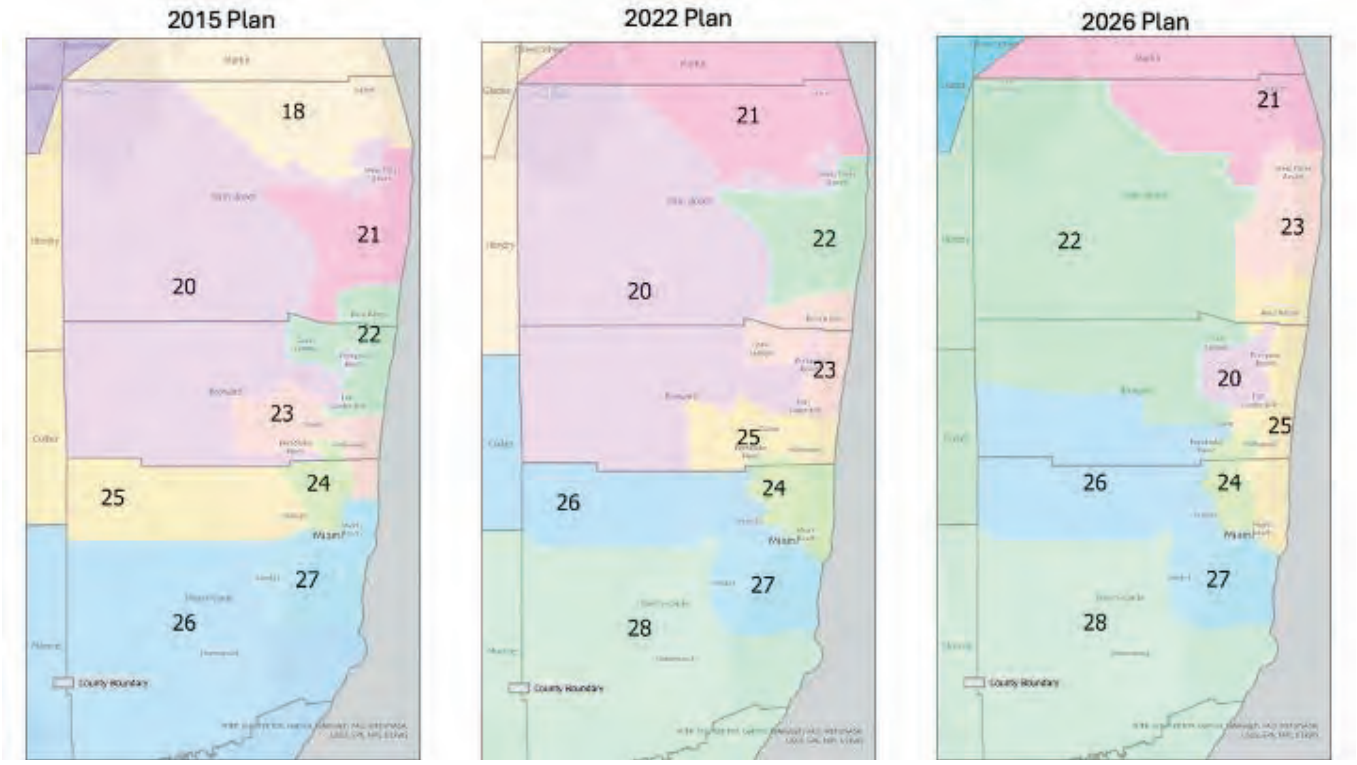
Table 4: Compactness Scores for Districts of the Orlando-Kissimmee-Sanford MSA Comparing 2022 Plan and 2026 Plan

Dist.	Reock 2022 Plan	Reock 2026 Plan	Reock Diff.	Polsby-Poppper 2022 Plan	Polsby-Popper 2026 Plan	Polsby-Popper Diff.	Convex Hull 2022 Plan	Convex Hull 2026 Plan	Convex Hull Diff.
6	0.74	0.74	0.00	0.48	0.48	0.00	0.92	0.92	0.00
7	0.47	0.47	0.00	0.40	0.40	0.00	0.83	0.83	0.00
8	0.32	0.44	0.12	0.45	0.44	-0.01	0.78	0.74	-0.04
9	0.49	0.47	-0.02	0.47	0.36	-0.11	0.86	0.78	-0.08
10	0.41	0.45	0.04	0.37	0.37	0.00	0.75	0.79	0.04
11	0.52	0.41	-0.11	0.36	0.33	-0.03	0.82	0.77	-0.05
Ave.	0.49	0.50	0.00	0.42	0.40	-0.03	0.83	0.81	-0.02

VII. MIAMI-FORT LAUDERDALE-POMPANO BEACH METROPOLITAN STATISTICAL AREA

The Miami-Fort Lauderdale-Pompano Beach MSA (henceforth Southeast Florida) is composed of the counties of Palm Beach, Broward, and Miami-Dade. The region has been divided into 9 congressional districts since at least the 2015 Plan, though the numbering of the districts changed after Florida gained an additional congressional seat in the 2020 Census (see **Figure 14**). Under both the 2015 and 2022 Plans, Democratic candidates consistently won at least 5 seats in Southeast Florida. In the 2016 general election, Democratic candidates won Districts 20 through 24. In the 2018 general election, Democratic candidates won those same 5 districts and also picked up 2 more (Districts 26 and 27) but then lost them narrowly in the 2020 congressional election. After the 2022 Plan was implemented, Democratic continued to consistently win the same 5 districts, numbered Districts 20, 22, 23, 24, and 25 in the 2022 Plan.

Figure 14: Congressional Districts in Southeast Florida, 2015, 2022, and 2026 Plans

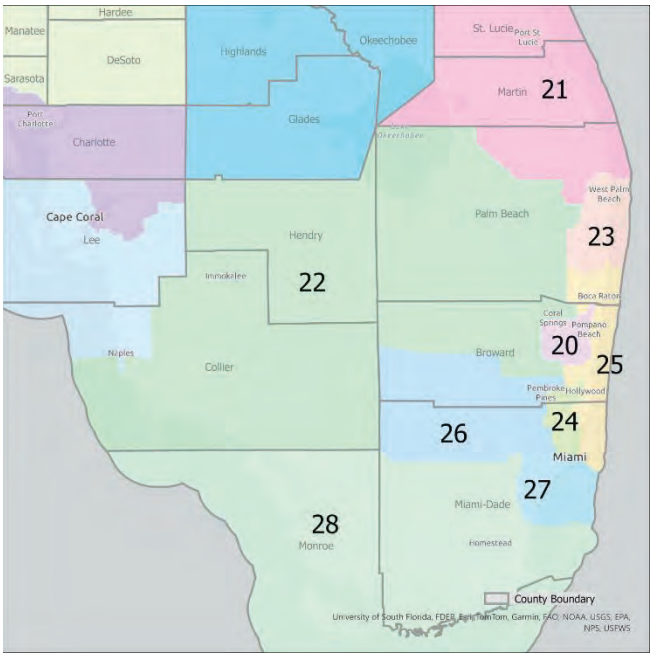


The 2026 Plan eliminates 2 of the 5 Democratic seats in Southeast Florida by packing as many of the region's Democratic voters as possible into 3 overwhelmingly Democratic districts, now numbered Districts 20, 23, and 24. The 2026 Plan accomplishes this packing by dramatically reconfiguring each of the districts in Southeast Florida other than Districts 27 and 28, where Republican candidates already enjoyed comfortable wins.

The 2026 Plan's District 23 is largely in the West Palm Beach area that had previously been numbered as District 22 (see Figure 14). The 2026 Plan's District 22 is now a sprawling rural district that extracts Democrats from suburban coastal areas, snipping off bits of communities like Royal Palm Springs from Palm Beach County, and communities like Coral Springs, Coconut Creek, Sunrise, and Plantation in Broward County, all near the Atlantic coast, and combining them with distant rural voters, reaching all the way to the Gulf Coast and Marco Island. It is not possible to see the full span of District 22 in Figure 14, so **Figure 15** zooms out to the district's full extent.

District 25, once a compact district in the Hollywood area that reliably elected Democratic candidates, is now an extremely non-compact district that meanders along the coast from Delray Beach in the north to southern tip of Miami Beach, excluding Democratic neighborhoods and including the most Republican coastal areas along the way. In an otherwise very Democratic area, this coast-hugging maneuver made it possible to carve out a Republican-leaning district by forgoing compactness and respect for political subdivision boundaries.

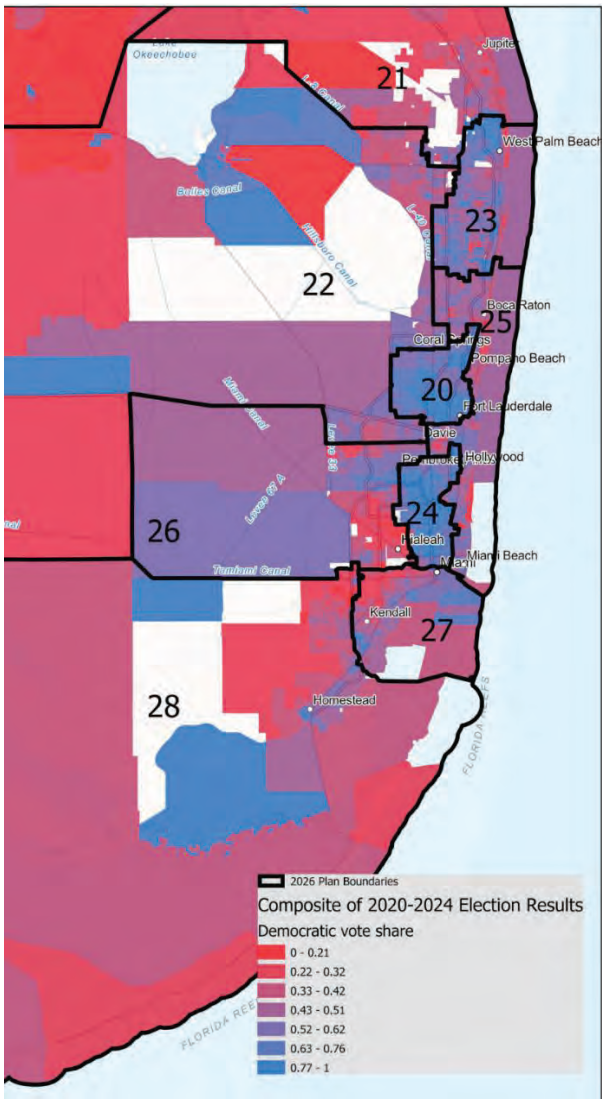
Figure 15: The Full Extent of District 22 in the 2026 Plan



Figures 16 and 17 superimpose the boundaries of the 2026 Plan on precinct-level data on partisanship from statewide elections from 2020 to 2024.

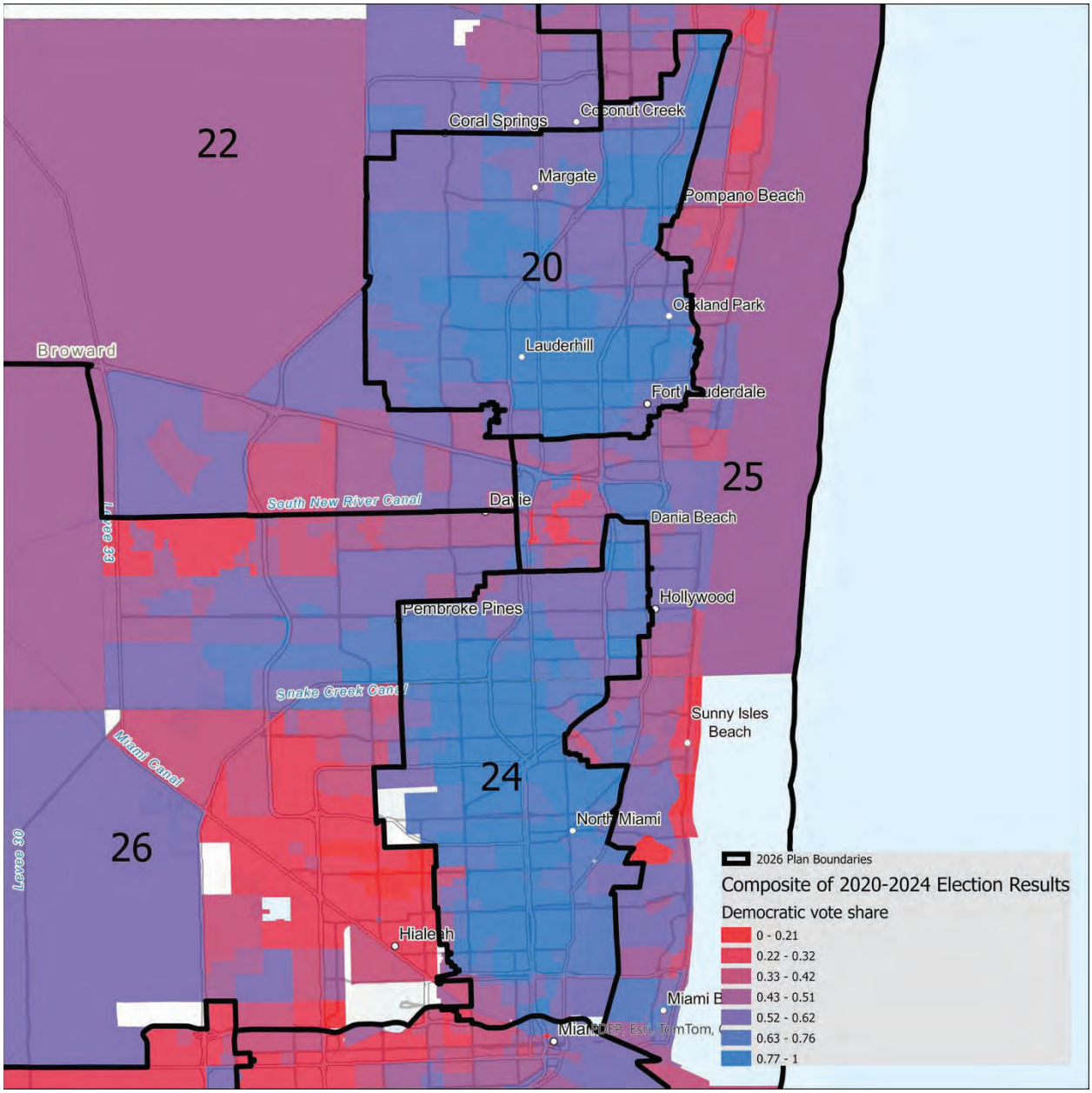
These figures demonstrate how the districts in Southeast Florida were drawn to pack Democrats residing in more densely populated areas into Districts 20, 23, and 24, while scattering suburban Democrats across more exurban and rural-oriented inland Districts 21, 22, 26, and 28. These figures also demonstrate how District 25 was drawn to connect coastal Republican communities and exclude Democratic neighborhoods to the extent possible.

Figure 16: Precinct-Level Partisanship of 2026 Plan's Districts in Southeast Florida[5]



[5] Areas in Figures 16 and 17 portrayed in white are precincts that include places like Lake Okeechobee and parts of the Everglades and other wildlife management areas where population is very low or zero and no votes are reported.

Figure 17: Precinct-Level Partisanship of 2026 Plan's Districts in Southeast Florida, Detailed Image



Through the changes described above, the 2026 Plan advantages Republicans in Southeast Florida by packing and cracking Democrats. **Table 5** details how the 2026 Plan achieved this result. Table 5 is somewhat more difficult to interpret than the prior similar tables in this report because of the extremity of the 2026 Plan's reconfiguration in South Florida. For example, the 2022 Plan's version of District 23 contains *no* territory associated with the 2026 Plan's version of District 23, which means that the core retention of District 23 is zero. An alternate method of analysis could involve comparing each

district of the 2026 Plan to the corresponding district in the 2022 Plan that has the highest core retention. For the sake of consistency, I approach the analysis in the region in the same way as the Tampa and Orlando Areas. The basic facts of the 2026 Plan's reconfiguration of the Southeast Florida Area are clear in Table 5 regardless.

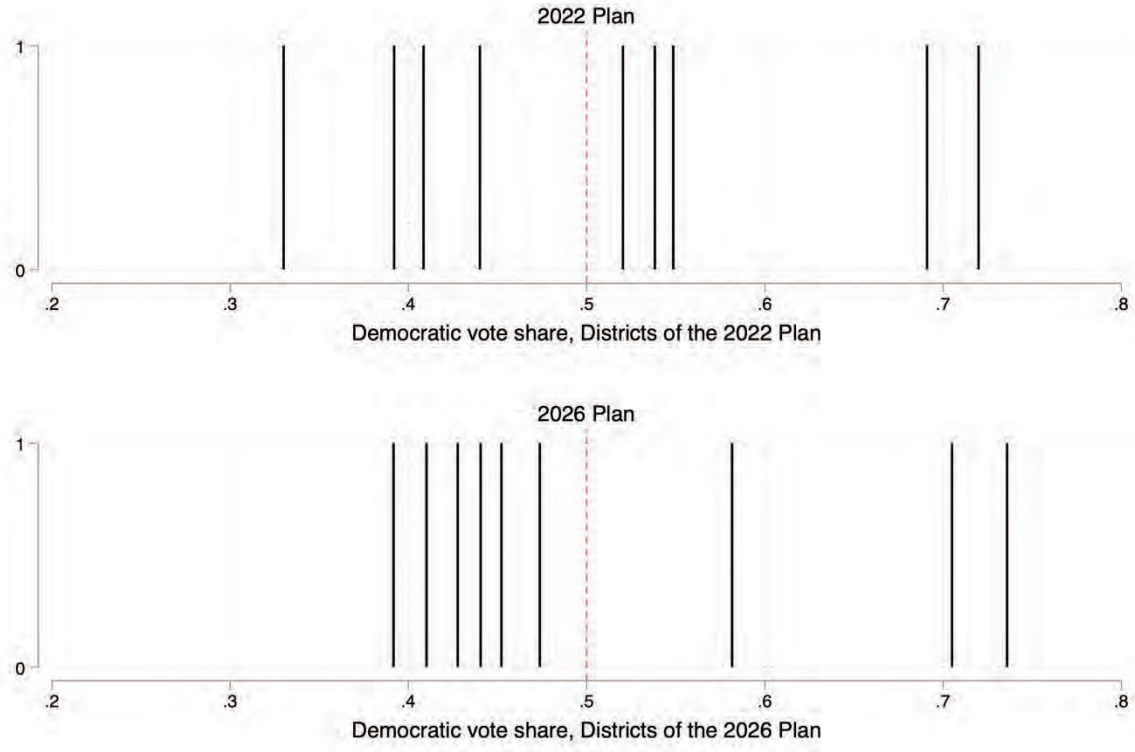
Other than District 23, the 2 districts with the lowest core retention are Districts 22 and 25—the 2 districts from which the 2026 Plan most aggressively extracted Democrats. The 2026 Plan's District 22 retains only 12.8 percent of its 2022 core, and the 2026 Plan's District 25 retains only 16.3 percent. Both districts had been Democratic-leaning under the 2022 Plan. The 2026 Plan moved areas into District 22 that had a Democratic vote share of 45 percent and moved out areas that had a Democratic vote share of 55 percent (a 10 percentage-point difference). Likewise, the 2026 Plan moved areas into District 25 that had a Democratic vote share of 47 percent and moved out areas with a Democratic vote share of 56 percent (a 9 percentage-point difference). The net effect of these exchanges, taking into account the partisan vote share of the small core retained in each district, was that the 2026 Plan made District 22 around 55 percent Republican, and District 25 around 57 percent Republican.

Table 5: Changes to Partisanship of Miami-Fort Lauderdale-Pompano Beach Congressional Districts, 2022 to 2026 Plans

	D20	D21	D22	D23	D24	D25	D26	D27	D28
Share of core retained	65.9%	95.4%	12.8%	0.0%	69.6%	16.3%	61.4%	98.4%	98.4%
Dem share of district core	75.7%	68.0%	46.9%	NA	78.9%	48.4%	31.6%	44.2%	39.3%
Dem share area moved into district	62.0%	57.4%	44.9%	58.2%	60.4%	47.2%	55.6%	35.3%	34.2%
Dem share area moved out of district	64.1%	49.5%	55.0%	52.0%	49.7%	56.0%	34.7%	34.2%	35.3%
Dem share in minus out	-2.1%	7.9%	-10.1%	6.1%	10.7%	-8.8%	20.9%	1.1%	-1.1%
2022 Dem share	72.0%	40.8%	53.8%	52.0%	69.1%	54.9%	33.0%	44.0%	39.2%
2026 Dem share	70.5%	41.0%	45.2%	58.2%	73.6%	47.4%	42.8%	44.1%	39.2%
Partisan Change	-1.5%	0.2%	-8.6%	6.1%	4.5%	-7.5%	9.8%	0.0%	0.0%

Figure 18 provides a visualization of how the 2026 Plan changed the partisanship of the districts in Southeast Florida. Both the 2022 Plan and the 2026 Plan include 2 very Democratic districts (Districts 20 and 24). But whereas the 2022 Plan had previously included 3 additional competitive but Democratic-leaning districts (Districts 22, 23, and 25), the 2026 Plan now has just 3 Democratic districts total (Districts 20, 23, and 24). The 2026 Plan includes 6 districts in Southeast Florida with a Democratic vote share in the range of 38 to 47 percent, whereas the 2022 Plan had only 3 districts in this range.

Figure 18: Distribution of Partisanship across Districts in the Miami-Fort Lauderdale-Pompano Beach MSA, 2022 and 2026 Plans



Achieving the 2026 Plan's partisan results in Southeast Florida required disregarding traditional redistricting principles. The 2026 Plan divides Broward and Miami-Dade Counties into more districts than the 2022 Plan. The 2026 Plan divides Palm Beach County, which leans slightly Democratic (51 percent), into 4 districts, only 1 of which leans Democratic (District 23). The 2026 Plan also divides Broward County, which is strongly Democratic (60 percent), into 5 districts, only 1 of which leans Democratic (District 20). In contrast, previous district plans divided Broward County into just 4 districts. Similarly, the 2026 Plan divides Miami-Dade County, which is around 47 percent Democratic, into 5 districts, only 1 of which leans Democratic (District 24). In contrast, previous district plans divided Miami-Dade County into 4 districts.

The 2026 Plan also demonstrates greater disregard for cities compared to the 2022 Plan. For example, the 2026 Plan's coast-hugging District 25 radically alters the structure of districts in Southeast Florida and splits a very large number of cities (and unincorporated municipalities) as it moves from north to south. Many of these split cities are displayed in **Figure 19**, which focuses on the Palm Beach

Area, **Figure 20**, which focuses on Pompano Beach-Fort Lauderdale Area, and **Figure 21**, which focuses on areas further to the South.

In the Palm Beach Area, the 2026 Plan split the cities of West Palm Beach, Riviera Beach, and Royal Palm Beach. In the Fort Lauderdale Area, the 2026 Plan split the cities of Deerfield Beach, Coconut Creek, Coral Springs, Pompano Beach, Fort Lauderdale, Plantation (split into 3 districts), and Sunrise. In Broward County, 37 percent of the population lives in a split municipality. Further to the south, the 2026 Plan split the cities of Davie (split into 3 districts), Dania Beach, Hollywood (split into 3 districts), Pembroke Pines, Miramar, Hallandale Beach, North Miami Beach, North Miami, and Miami. In Miami-Dade County, around 29 percent of the population lives in a split municipality.

All told, in just Southeast Florida, the 2026 Plan splits 19 cities a total of 22 times. In comparison, the 2022 Plan split 10 cities a total of 13 times in the same counties in Southeast Florida. Some of the 2026 Plan's districts remarkably split almost as many or more cities than they keep whole. For example, the 2026 Plan's District 24 splits 8 cities and keeps 7 whole, and the 2026 Plan's District 25 splits 11 cities and keeps 15 whole. Districts 22 and 25 alone in the 2026 Plan split 15 cities, just one less than the 16 cities split across the *entire state* in the 2022 Plan.

Figure 19: Split Cities in the Palm Beach Area

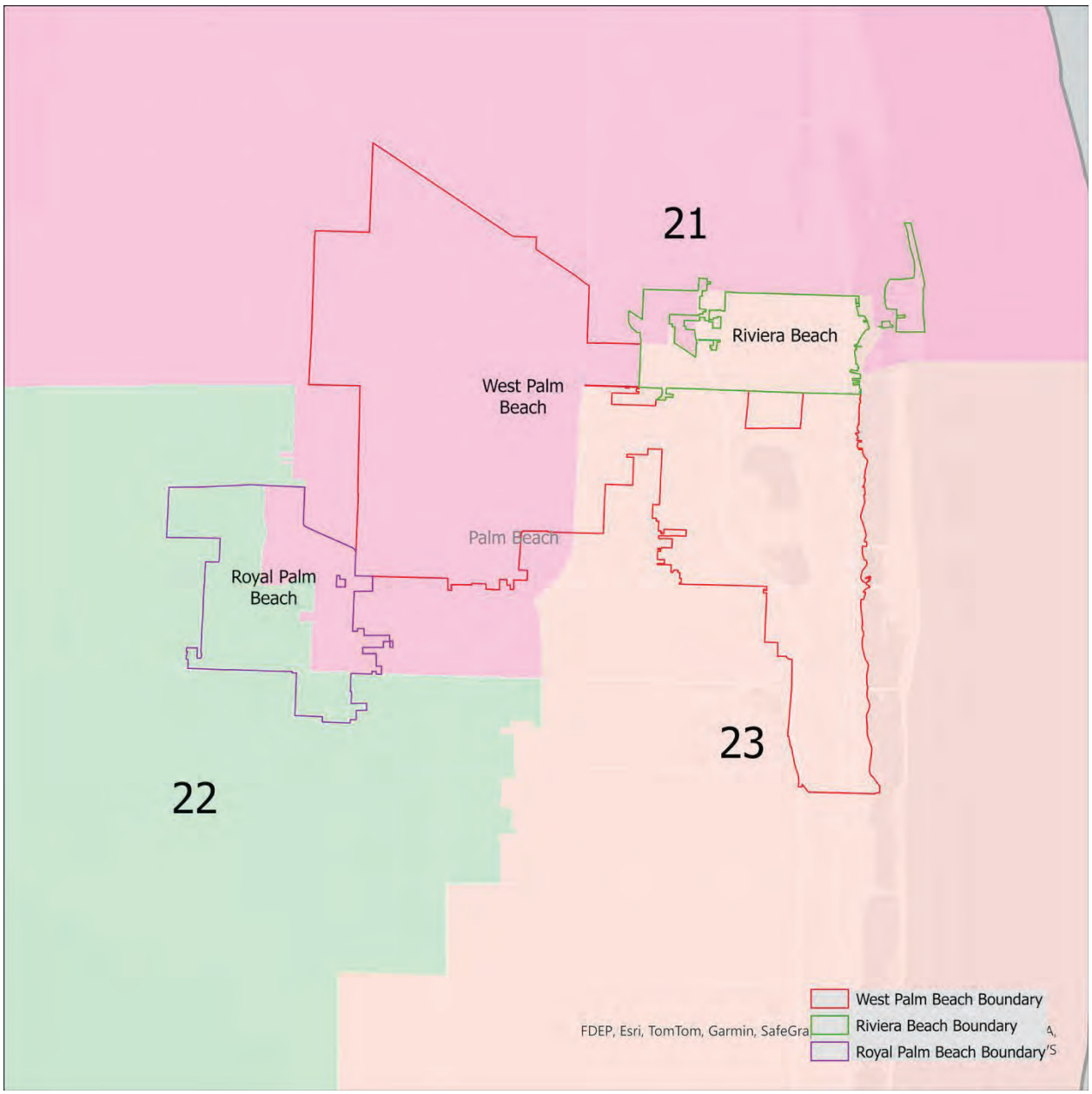


Figure 20: Split Cities in the Pompano Beach-Fort Lauderdale Area

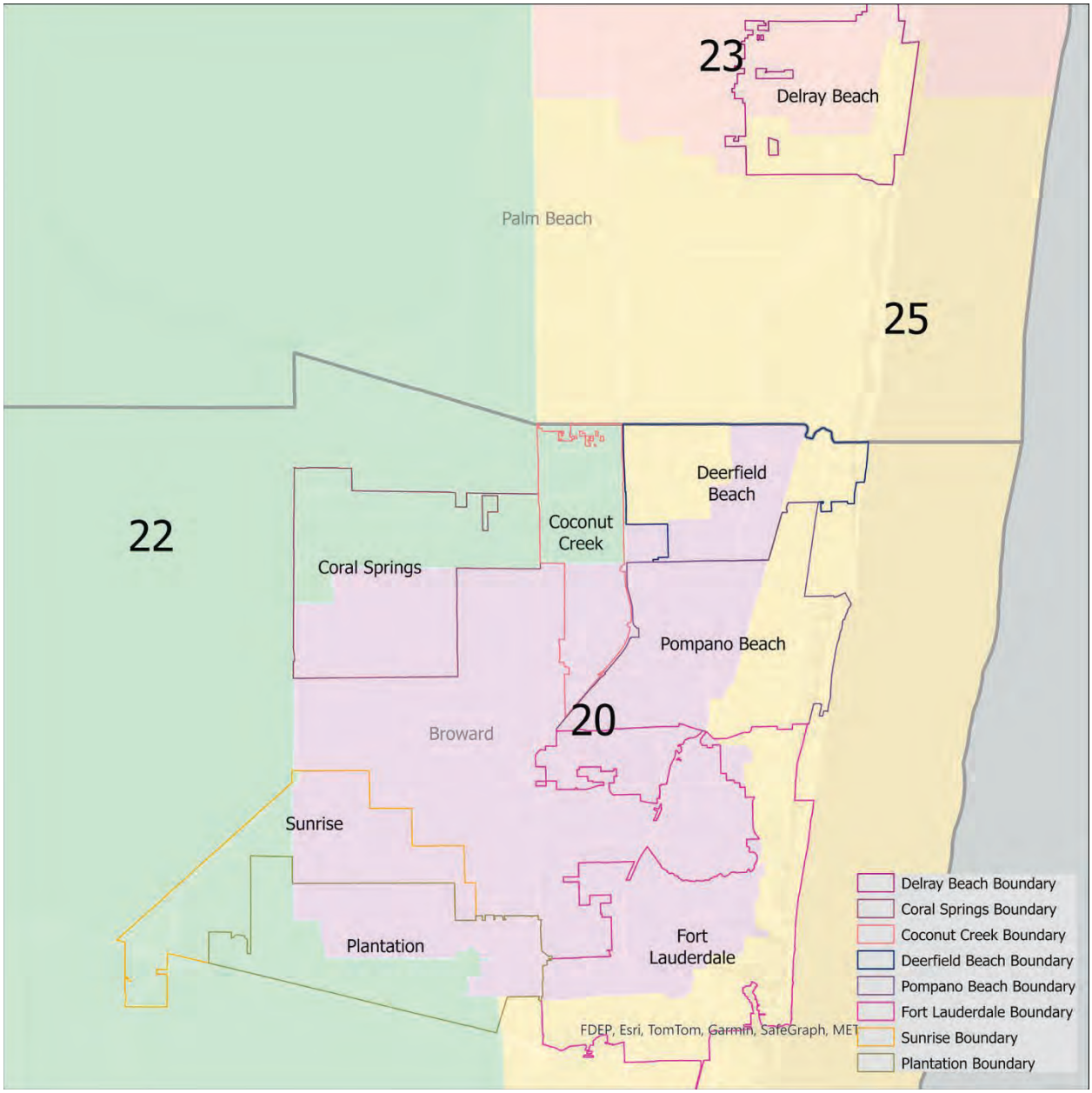


Figure 21: Split Cities in the Miami Area

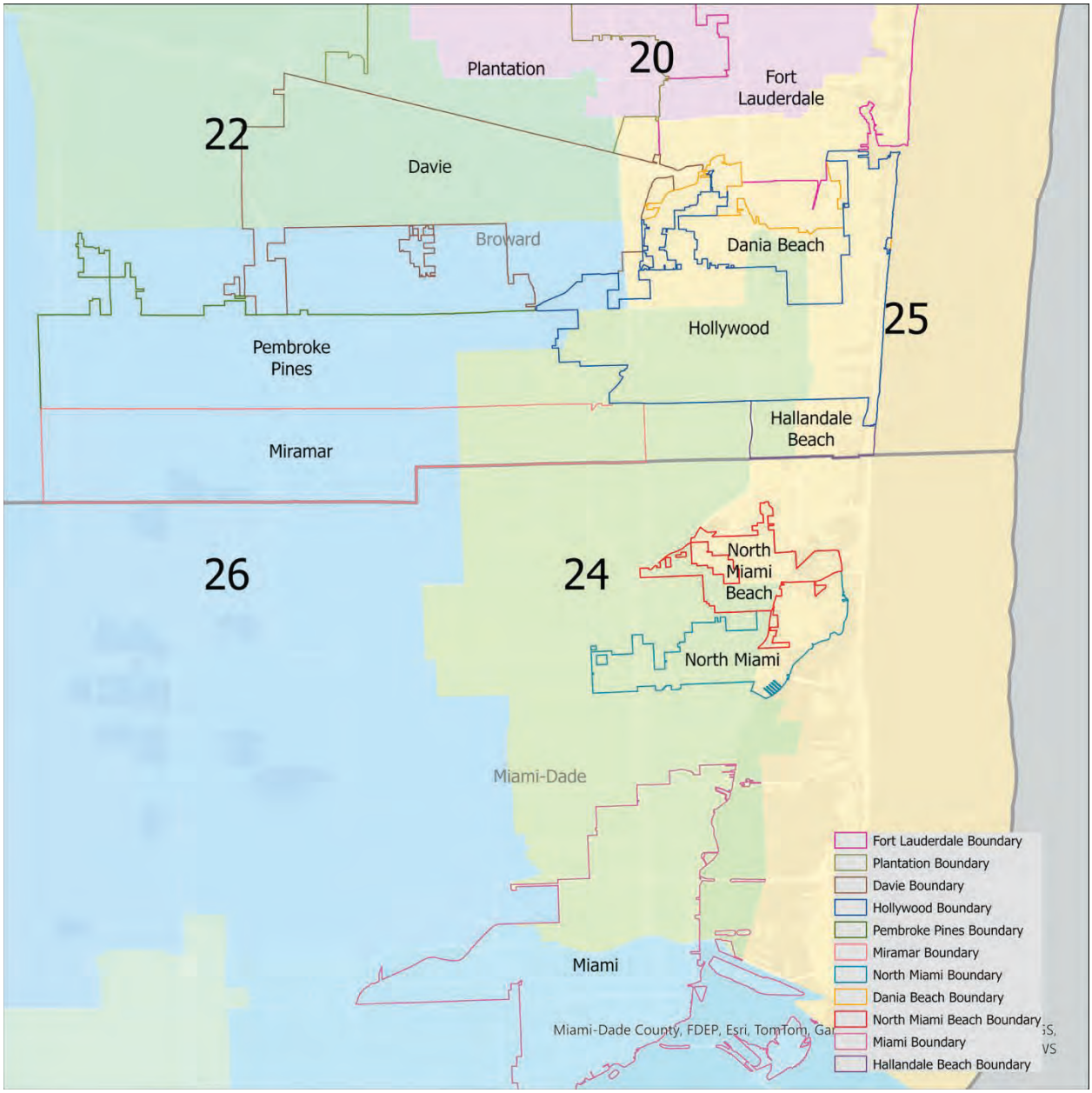


Table 6 demonstrates that even districts that appear relatively compact in the 2026 Plan, such as CD 24, are less compact on every measure as compared to the 2022 Plan. In the region as a whole, the Southeast Florida districts became somewhat less compact in the 2026 Plan than in the 2022 Plan on the Reock measure, while staying largely the same on the Polsby-Popper and Convex Hull metrics.

The non-compactness of District 25 in the 2026 Plan truly stands out. On both the Reock and Polsby-Popper measures, it is easily the least compact district in the state, and it is less compact than *any* of the districts in the 2022 Plan.

Table 6: Compactness Scores for Southeast Florida Districts
Comparing 2022 Plan and 2026 Plan

Dist.	Reock 2022 Plan	Reock 2026 Plan	Reock Diff.	Polsby-Poppper 2022 Plan	Polsby-Popper 2026 Plan	Polsby-Popper Diff.	Convex Hull 2022 Plan	Convex Hull 2026 Plan	Convex Hull Diff.
20	0.50	0.48	-0.02	0.28	0.41	0.13	0.77	0.81	0.04
21	0.50	0.49	-0.01	0.49	0.51	0.02	0.82	0.82	0.00
22	0.44	0.48	0.04	0.42	0.40	-0.02	0.74	0.80	0.06
23	0.50	0.49	-0.01	0.29	0.46	0.17	0.79	0.90	0.11
24	0.48	0.38	-0.10	0.48	0.32	-0.16	0.90	0.80	-0.10
25	0.42	0.17	-0.25	0.38	0.16	-0.22	0.81	0.69	-0.12
26	0.29	0.53	0.24	0.33	0.55	0.22	0.77	0.90	0.13
27	0.71	0.67	-0.04	0.73	0.69	-0.04	0.95	0.95	0.00
28	0.22	0.22	0.00	0.24	0.24	0.00	0.55	0.55	0.00
Ave.	0.45	0.43	-0.03	0.40	0.42	0.01	0.79	0.80	0.00

In an April 27, 2026 letter to Senator Gaetz and Representative Redondo, Governor DeSantis's team justified the reconfiguration of the districts in Southeast Florida on the grounds that the 2022 Plan's District 20 was insufficiently compact.[6] However, by one measure, the 2026 Plan's District 20 is *less* compact than its predecessor, and neither the Reock nor Polsby-Popper scores of the 2022 Plan's District 20 are especially low when compared overall with the districts of the 2022 or 2026 Plans. Districts 15 and 25 in the 2026 Plan, for instance, are less compact than District 20 in the 2022 Plan on all 3 of the measures of geographic compactness considered in this report.

Out of the 28 districts in the 2026 Plan, the 2022 Plan's CD 20 would have been ranked the 8th most compact according to its Reock score (0.5). Other Southeast Florida districts in the 2026 Plan are far less compact, including District 25 (the coast-hugging district), with a Reock Score of 0.17. In fact, District 20 in the 2026 Plan is *less* compact on the Reock Score than District 20 in the 2022 Plan. Similarly, on the Convex-Hull Score, 8 districts in the 2026 Plan are less compact than the 2022 Plan's District 20. District 25 in the 2026 Plan is far less compact on the Convex-Hull measure (0.69) than was District 20 in the 2022 Plan (0.77). And finally, on the Polsby-Popper measure, the 2026 Plan's District 25 is also much less compact (with a score of 0.16), as compared to the 2022 Plan's District 20 (0.28).

[6] *Supra* note 2.

VIII. CONCLUSION

The 2026 Plan reflects partisan goals, rather than an effort to respond to population shifts or to improve traditional redistricting criteria as compared to the 2022 Plan. The plan severely altered metro-area districts that had reliably elected Democratic representatives in the past, by splitting Democratic cities in highly unusual ways and combining their fragments with faraway rural areas to create 4 new Republican-leaning districts. These changes resulted in a very large number of comfortably Republican districts but very few overwhelmingly Republican districts. The 2026 Plan packed as many Democratic voters as possible into the remaining 4 Democratic districts, while leaving untouched Republican districts far away from major metro areas. These changes are consistent with and likely reflect an intentional effort to benefit the Republican Party.

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Education

Ph.D. Political Science, Yale University, 2000.

Fulbright Scholar, University of Leipzig, Germany, 1993–1994.

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Academic Positions

Professor, Department of Political Science, Stanford University, 2012–present.

Senior Fellow, Stanford Institute for Economic Policy Research, 2020–present.

Senior Fellow, Hoover Institution, Stanford University, 2012–present.

Director, Spatial Social Science Lab, Stanford University, 2012–present.

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Associate Professor, Department of Political Science, Stanford University, 2007–2012.

Fellow, Center for Advanced Study in the Behavioral Sciences, Palo Alto, CA, 2006–2007.

Ford Career Development Associate Professor of Political Science, MIT, 2003–2006.

Visiting Scholar, Center for Basic Research in the Social Sciences, Harvard University, 2004.

Assistant Professor of Political Science, MIT, 1999–2003.

Instructor, Department of Political Science and School of Management, Yale University, 1997–1999.

Publications

Books

Why Cities Lose: The Deep Roots of the Urban-Rural Divide. Basic Books, 2019.

Decentralized Governance and Accountability: Academic Research and the Future of Donor Programming. Co-edited with Erik Wibbels, Cambridge University Press, 2019.

Hamilton's Paradox: The Promise and Peril of Fiscal Federalism, Cambridge University Press, 2006. Winner, Gregory Luebbert Award for Best Book in Comparative Politics, 2007; Martha Derthick Award for lasting contribution to the study of federalism, 2021.

Fiscal Decentralization and the Challenge of Hard Budget Constraints, MIT Press, 2003. Co-edited with Gunnar Eskeland and Jennie Litvack.

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It Takes a Village: Peer Effects and Externalities in Technology Adoption, 2020, *American Journal of Political Science* 64(3): 536-553, (with Romain Ferrali, Guy Grossman, and Melina Platas). Winner, 2020 Best Conference Paper Award, American Political Science Association Network Section.

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Federalism and Inter-regional Redistribution, Working Paper 2009/3, Institut d'Economia de Barcelona.

Representation and Regional Redistribution in Federations, Working Paper 2010/16, Institut d'Economia de Barcelona (with Tiberiu Dragu).

Changing the Default: The Impact of Motor-Voter Reform in Colorado (with Justin Grimmer), 2022.

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The United States of America, in *Building a Successful Fiscal Federation: Constitutional Lessons for the EU*, edited by Stefan Griller, Florian Huber and Sonja Punscher Riekmann, 2026 Hart Publishing.

Recessions and Ratchets: Federal Funds and Public Sector Employment, in *American Federalism Today*, edited by Michael Boskin, 2025, Hoover Institution Press.

The Urban-Rural Divide in Historical Political Economy, in *Oxford Handbook of Historical Political Economy*, edited by Jeffery A. Jenkins and Jared Rubin, 2023, Oxford University Press.

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Soft Budget Constraints and German Federalism (Chapter 5), 2003, in Rodden, et al, *Fiscal Decentralization and the Challenge of Hard Budget Constraints* (see above).

Federalism and Bailouts in Brazil (Chapter 7), 2003, in Rodden, et al., *Fiscal Decentralization and the Challenge of Hard Budget Constraints* (see above).

Lessons and Conclusions (Chapter 13), 2003, in Rodden, et al., *Fiscal Decentralization and the Challenge of Hard Budget Constraints* (see above).

Online Interactive Visualization

Stanford Election Atlas, 2012 (collaboration with Stephen Ansolabehere at Harvard and Jim Herries at ESRI)

Other Publications

Supporting Advanced Manufacturing in Alabama, Report to the Alabama Innovation Commission, Hoover Institution, 2021.

How America's Urban-Rural Divide has Shaped the Pandemic, 2020, *Foreign Affairs*, April 20, 2020.

An Evolutionary Path for the European Monetary Fund? A Comparative Perspective, 2017, Briefing paper for the Economic and Financial Affairs Committee of the European Parliament.

Amicus Brief in *Rucho et al. v. Common Cause*, 2019, Supreme Court of the United States, with Wesley Pegden and and Samuel Wang.

Amicus Brief in *Gill et al. v. Whitford et al.*, 2017, Supreme Court of the United States, with Jowei Chen and Wesley Pegden.

Representation and Regional Redistribution in Federations: A Research Report, 2009, in *World Report on Fiscal Federalism*, Institut d'Economia de Barcelona.

On the Migration of Fiscal Sovereignty, 2004, *PS: Political Science and Politics* July, 2004: 427–431.

Decentralization and the Challenge of Hard Budget Constraints, *PREM Note* 41, Poverty Reduction and Economic Management Unit, World Bank, Washington, D.C. (July).

Decentralization and Hard Budget Constraints, *APSA-CP* (Newsletter of the Organized Section in Comparative Politics, American Political Science Association) 11:1 (with Jennie Litvack).

Book Review of *The Government of Money* by Peter Johnson, *Comparative Political Studies 32,7: 897-900.*

Fellowships, Honors, and Grants

Andrew Carnegie Fellow, 2025.

Frances Rosenbluth Best Paper Award, 2025, *Comparative Political Studies*.

National Science Foundation, funding for study "Segregation, Suburbanization, and Representation," 2023.

John Simon Guggenheim Memorial Foundation Fellowship, 2021.

Martha Derthick Award of the American Political Science Association for "the best book published at least ten years ago that has made a lasting contribution to the study of federalism and intergovernmental relations," 2021.

National Institutes of Health, funding for "Relationship between lawful handgun ownership and risk of homicide victimization in the home," 2021-2024.

National Collaborative on Gun Violence Research, funding for "Cohort Study Of Firearm-Related Mortality Among Cohabitants Of Handgun Owners." 2020.

Fund for a Safer Future, Longitudinal Study of Handgun Ownership and Transfer (LongSHOT), GA004696, 2017-2018.

Stanford Institute for Innovation in Developing Economies, Innovation and Entrepreneurship research grant, 2015.

Michael Wallerstein Award for best paper in political economy, American Political Science Association, 2016.

Common Cause Gerrymandering Standard Writing Competition, 2015.

General support grant from the Hewlett Foundation for Spatial Social Science Lab, 2014.

Fellow, Institute for Research in the Social Sciences, Stanford University, 2012.

Sloan Foundation, grant for assembly of geo-referenced precinct-level electoral data set (with Stephen Ansolabehere and James Snyder), 2009-2011.

Hoagland Award Fund for Innovations in Undergraduate Teaching, Stanford University, 2009.

W. Glenn Campbell and Rita Ricardo-Campbell National Fellow, Hoover Institution, Stanford University, beginning Fall 2010.

Research Grant on Fiscal Federalism, Institut d'Economia de Barcelona, 2009.

Fellow, Institute for Research in the Social Sciences, Stanford University, 2008.

United Postal Service Foundation grant for study of the spatial distribution of income in cities, 2008.

Gregory Luebbert Award for Best Book in Comparative Politics, 2007.

Fellow, Center for Advanced Study in the Behavioral Sciences, 2006-2007.

National Science Foundation grant for assembly of cross-national provincial-level dataset on elections, public finance, and government composition, 2003-2004 (with Erik Wibbels).

MIT Dean's Fund and School of Humanities, Arts, and Social Sciences Research Funds.

Funding from DAAD (German Academic Exchange Service), MIT, and Harvard EU Center to organize the conference, "European Fiscal Federalism in Comparative Perspective," held at Harvard University, November 4, 2000.

Canadian Studies Fellowship (Canadian Federal Government), 1996-1997.

Prize Teaching Fellowship, Yale University, 1998-1999.

Fulbright Grant, University of Leipzig, Germany, 1993-1994.

Michigan Association of Governing Boards Award, one of two top graduating students at the University of Michigan, 1993.

W. J. Bryan Prize, top graduating senior in political science department at the University of Michigan, 1993.

Other Professional Activities

Selection committee, best paper award, American Journal of Political Science.

Selection committee, best paper award, American Political Economy

International Advisory Committee, Center for Metropolitan Studies, Sao Paulo, Brazil, 2006–2010.

Selection committee, Mancur Olson Prize awarded by the American Political Science Association Political Economy Section for the best dissertation in the field of political economy.

Selection committee, Gregory Luebbert Best Book Award.

Selection committee, William Anderson Prize, awarded by the American Political Science Association for the best dissertation in the field of federalism and intergovernmental relations.

Courses

Undergraduate

Politics, Economics, and Democracy

Introduction to Comparative Politics

Introduction to Political Science

Political Science Scope and Methods

Institutional Economics

Spatial Approaches to Social Science

Graduate

Political Economy

Political Economy of Institutions

Federalism and Fiscal Decentralization

Politics and Geography

Consulting

2017. Economic and Financial Affairs Committee of the European Parliament.

2016. Briefing paper for the World Bank on fiscal federalism in Brazil.

2013-2018: Principal Investigator, SMS for Better Governance (a collaborative project involving USAID, Social Impact, and UNICEF in Arua, Uganda).

2011-2014: Consultation with investment groups and hedge funds on European debt crisis.

2011-2014: Lead Outcome Expert, Democracy and Governance, USAID and Social Impact.

2010: USAID, Review of USAID analysis of decentralization in Africa.

2006–2009: World Bank, Independent Evaluations Group. Undertook evaluations of World Bank decentralization and safety net programs.

2008–2011: International Monetary Fund Institute. Designed and taught course on fiscal federalism.

1998–2003: World Bank, Poverty Reduction and Economic Management Unit. Consultant for *World Development Report*, lecturer for training courses, participant in working group for assembly of decentralization data, director of multi-country study of fiscal discipline in decentralized countries, collaborator on review of subnational adjustment lending.

Expert Testimony

2026. Expert witness in *Wise et al. v. State of Missouri, et al.* No. 2516-CV31273 (Mo. Dist. Ct. 2025).

2025. Expert witness in *Williams v. Hall* No. 1:23-cv-01057 (M.D. NC. 2025).

2023. Expert witness in *Agee, Jr. et al v. Benson et al,* No. 1:22-cv-00272 (W.D. Mi. 2023).

2022. Expert witness in *Rivera v. Schwab* No. 2022-cv-89 (Kan. Dist. Ct. 2022).

2022. Drew Pennsylvania Congressional redistricting plan that was chosen by the Pennsylvania Supreme Court for implementation in *Carter v. Chapman* No. 7 MM 2022, 2022WL 549106 (Pennsylvania Supreme Court).

2022. Written expert testimony in *Benninghoff v. 2021 Legislative Reapportionment Commission* (Pennsylvania Supreme Court).

2022 Expert witness in *Bennett v. Ohio Redistricting Commission*, No. 2012-1198 (Ohio Supreme Court).

2022 Expert witness in *Adams v. DeWine* No. 2012-1428 (Ohio Supreme Court).

2022 Expert witness in *Neiman v. LaRose* No. 2022-0298 (Ohio Supreme Court)

2019: Written expert testimony in *McLemore, Holmes, Robinson, and Woullard v. Hosemann*, United States District Court, Mississippi.

2019: Expert witness in *Nancy Corola Jacobson v. Detzner*, United States District Court, Florida.

2018: Written expert testimony in *League of Women Voters of Florida v. Detzner* No. 4:18-cv-002510, United States District Court, Florida.

2018: Written expert testimony in *College Democrats of the University of Michigan, et al. v. Johnson, et al.*, United States District Court for the Eastern District of Michigan.

2017: Expert witness in *Bethune-Hill v. Virginia Board of Elections*, No. 3:14-CV-00852, United States District Court for the Eastern District of Virginia.

2017: Expert witness in *Arizona Democratic Party, et al. v. Reagan, et al.*, No. 2:16-CV-01065, United States District Court for Arizona.

2016: Expert witness in *Lee v. Virginia Board of Elections*, 3:15-cv-357, United States District Court for the Eastern District of Virginia, Richmond Division.

2016: Expert witness in *Missouri NAACP v. Ferguson-Florissant School District*, United States District Court for the Eastern District of Missouri, Eastern Division.

2014-2015: Written expert testimony in *League of Women Voters of Florida et al. v. Detzner, et al.*, 2012-CA- 002842 in Florida Circuit Court, Leon County (Florida Senate redistricting case).

2013-2014: Expert witness in *Romo v Detzner*, 2012-CA-000412 in Florida Curcuit Court, Leon County (Florida Congressional redistricting case).

Last updated: May 5, 2026

Exhibit 3

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

EQUAL GROUND EDUCATION FUND, INC., *et al*., Plaintiffs, v. CORD BYRD, in his official capacity as Florida Secretary of State, the FLORIDA SENATE, and the FLORIDA HOUSE OF REPRESENTATIVES, Defendants.	Case No. 2026 CA 000914

AFFIDAVIT OF DR. JOWEI CHEN

STATE OF MICHIGAN
COUNTY OF WASHTENAW

BEFORE ME, the undersigned authority, personally appeared Jowei Chen, who, after first being duly sworn, deposes and says:

1. I was retained by Plaintiffs in *Equal Ground Education Fund, Inc., et al. v. Byrd, et al*.
2. I prepared an expert report in support of Plaintiffs' motion for a temporary injunction. The expert report is true and correct to the best of my knowledge.
3. If called to testify under oath, my testimony would be consistent with this report.

FURTHER AFFIANT SAYETH NOT.

Jowei Chen 05/05/2026

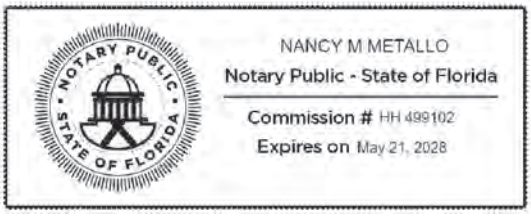
Jowei Chen

State of Florida

County of Orange

This foregoing instrument was acknowledged before me by means of online notarization,

this 05/05/2026 by Jowei Chen.



Nancy M Metallo

Nancy M Metallo

___ Personally Known OR ___ Produced Identification

Type of Identification Produced ___DRIVER LICENSE

Notarized remotely online using communication technology via Proof.

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

EQUAL GROUND EDUCATION FUND, INC., *et al.*, Plaintiffs, v. CORD BYRD, in his official capacity as Florida Secretary of State, the FLORIDA SENATE, and the FLORIDA HOUSE OF REPRESENTATIVES, Defendants.	Case No. 2026 CA 000914

EXPERT REPORT OF JOWEI CHEN, Ph.D.

1. My name is Dr. Jowei Chen. I am an Associate Professor in the Department of Political Science at the University of Michigan, Ann Arbor, and I have significant experience in fields of redistricting, political geography, statistical measures of partisan favoritism, and redistricting simulation analysis. I have been retained by Plaintiffs in the above-captioned matter. My background and qualifications are set forth below.

2. ***Questions Addressed:*** Plaintiffs' counsel asked me to analyze Florida's 2026 congressional map (the "2026 Plan") by conducting a redistricting simulation analysis. Specifically, I generated a large number of both race-blind and partisan-blind computer-simulated congressional districting plans that follow the redistricting criteria in Article III, Section 20 of the Florida Constitution (the "Fair Districts Amendment")—population equality, contiguity, geographic compactness, and respect for county boundaries, where feasible. Plaintiffs' counsel then asked me to address the following questions:

A) Can the 2026 Plan's partisan characteristics be explained by a race-neutral plan, by a desire to prioritize the traditional redistricting criteria in the Fair Districts Amendment, or by Florida's political geography?

B) To what extent does the 2026 Plan and any individual districts favor or disfavor a political party, and is there evidence it was drawn with that purpose?

3. ***Summary of Findings:*** I found that the 2026 Plan creates a significant pro-Republican electoral bias compared to the 5,000 computer-simulated plans produced by a race-blind and partisan-blind algorithm that adheres to the traditional redistricting criteria set out by the Fair Districts Amendment. On every measure I analyze, the 2026 Plan creates more Republican-favoring districts than all 5,000 of the computer-simulated plans.

4. The partisan bias in the 2026 Plan is extreme. In an election in which Democrats and Republicans each take 50% of the vote, Democrats would win between 11 and 14 seats under most of the 5,000 simulated plans. Under the 2026 Plan, however, Democrats would win only 8 seats.

5. This pro-Republican partisan bias in the 2026 Plan is not the result of a race-neutral plan, by an attempt to prioritize the traditional redistricting criteria in the Fair Districts Amendment, or by Florida's political geography. Analysis of the 5,000 computer-simulated plans reveals that a race-blind and partisan-blind map-drawing process adhering to the traditional redistricting criteria set out in the Fair Districts Amendment never once produces a congressional plan that is as favorable to the Republican Party as the 2026 Plan.

6. Additionally, I found that the 2026 Plan divided significantly more counties than necessary and does not reflect a reasonable attempt to draw geographically compact districts. The 2026 Plan not only splits more counties than all of the computer-simulated plans, it also

divides these counties significantly more times. Moreover, using all three measures of geographic compactness that Florida employs – Reock, Polsby-Popper, and Convex Hull – the 2026 Plan is significantly less compact than all 5,000 of the computer-simulated plans. Hence, it is clear that the 2026 Plan does not reflect a reasonable effort to draw geographically compact districts.

7. Overall, these findings demonstrate that the 2026 Plan's pro-Republican bias is not the result of a race-neutral plan, adherence to the Fair Districts Amendment, or Florida's political geography. Instead, I found that partisan considerations predominated in the drawing of the 2026 Plan as a whole and in many individual districts, including districts that my analysis shows to be extreme partisan outliers, and that the partisan-neutral redistricting criteria of geographic compactness and adhering to political boundaries were subordinated to this partisan goal.

8. ***Qualifications.*** I am also a Research Associate Professor at the Center for Political Studies of the Institute for Social Research at the University of Michigan and a Research Associate at the Spatial Social Science Laboratory at Stanford University. In 2004, I received a B.A. in Ethics, Politics, and Economics from Yale University. In 2007, I received a M.S. in Statistics from Stanford University, and in 2009, I received a Ph.D. in Political Science from Stanford University.

9. I have published academic papers on legislative districting and political geography in several political science journals, including *Yale Law Journal*, *California Law Review*, *The American Journal of Political Science*, *The American Political Science Review*, and *Election Law Journal*. My academic areas of expertise include legislative elections, spatial statistics, geographic information systems (GIS) data, redistricting, racial politics, legislatures,

and political geography. I have expertise in the use of computer simulations of legislative districting and in analyzing political geography, elections, and redistricting. My full CV is attached to the end of this report.

10. I have authored expert reports in the following redistricting court cases: *The League of Women Voters of Florida v. Detzner* (Fla. 2d Jud. Cir., Leon Cnty. 2012); *Romo v. Detzner* (Fla. 2d Jud. Cir., Leon Cnty. 2013); *Missouri National Association for the Advancement of Colored People v. Ferguson-Florissant School District & St. Louis County Board of Election Commissioners* (E.D. Mo. 2014); *Raleigh Wake Citizens Association v. Wake County Board of Elections* (E.D.N.C. 2015); *Brown v. Detzner* (N.D. Fla. 2015); *City of Greensboro v. Guilford County Board of Elections* (M.D.N.C. 2015); *Common Cause v. Rucho* (M.D.N.C 2016); *The League of Women Voters of Pennsylvania v. Commonwealth of Pennsylvania* (No. 261 M.D. 2017); *Georgia State Conference of the NAACP v. The State of Georgia* (N.D. Ga. 2017); *The League of Women Voters of Michigan v. Johnson* (E.D. Mich. 2017); *Whitford v. Gill* (W.D. Wis. 2018); *Common Cause v. Lewis* (N.C. Super. 2018); *Harper v. Lewis* (N.C. Super. 2019); *Baroody v. City of Quincy, Florida* (N.D. Fla. 2020*); McConchie v. Illinois State Board of Elections* (N.D. Ill. 2021); *Harper v. Hall* (N.C. Super. 2021); *Adams v. DeWine*, 195 N.E.3d 74, 86-87 (Ohio 2022); *Rivera v. Schwab and Abbott* (Wyandotte Cnty. Dist. Ct., Kan. 2022); *Norelli v. David Scanlan* (Hillsborough County Super. Ct. 2022); *Republican Party of New Mexico v. Oliver et al.* (Lea Cnty. D. Ct. N.M. 2023); *Tony McCombie v. Illinois State Board of Elections et al.* (Ill. 2025); *League of Women Voters of Utah et al. v. Utah State Legislature et al*. (3d Jud. Dist. Ct., Salt Lake Cnty., Utah 2025). I have testified at deposition or at trial in the following cases: *Romo v. Detzner* (Fla. 2d Jud. Cir., Leon Cnty. 2013); *Missouri National Association for the Advancement of Colored People v. Ferguson-*

Florissant School District & St. Louis County Board of Election Commissioners (E.D. Mo. 2014); *Raleigh Wake Citizens Association v. Wake County Board of Elections* (E.D.N.C. 2015); *City of Greensboro v. Guilford County Board of Elections* (M.D.N.C. 2015); *Common Cause v. Rucho* (M.D.N.C. 2016); *The League of Women Voters of Pennsylvania v. Commonwealth of Pennsylvania* (No. 261 M.D. 2017); *Georgia State Conference of the NAACP v. The State of Georgia* (N.D. Ga. 2017); *The League of Women Voters of Michigan v. Johnson* (E.D. Mich. 2017); *Whitford v. Gill* (W.D. Wis. 2018); *Common Cause v. Lewis* (N.C. Super. Ct. 2018); *Baroody v. City of Quincy, Florida* (N.D. Fla. 2020); *McConchie v. Illinois State Board of Elections* (N.D. Ill. 2021); *Harper v. Hall* (N.C. Super. Ct. 2021); *Rivera v. Schwab and Abbott* (Wyandotte Cnty. Dist. Ct., Kan. 2022); *Republican Party of New Mexico v. Oliver et al.* (Lea Cnty. D. Ct. N.M. 2023); *League of Women Voters of Utah et al. v. Utah State Legislature et al*. (3d Jud. Dist. Ct., Salt Lake Cnty., Utah 2025).

11. I am being compensated $600 per hour for my work in this case. My compensation is in no way contingent upon the conclusions I reach in this case.

The Computer-Simulated Districting Algorithm

12. ***The Use of Computer-Simulated Districting Plans***: In conducting my academic research on legislative and congressional districting, partisan and racial gerrymandering, and electoral bias, I have developed computer simulation programming techniques that allow me to produce a large number of nonpartisan, race-neutral districting plans that adhere to various districting criteria using US Census geographies as building blocks. This simulation process ignores all partisan and racial considerations when drawing districts. Instead, the computer simulations are programmed to draw districting plans that adhere to neutral districting goals, such as equalizing population, minimizing the division of political jurisdictions across multiple districts, pursuing geographic compactness, and contiguity.

13. These computer simulation methods are widely used by academic scholars to analyze districting maps. For over a decade, political scientists have used such computer-simulated districting techniques to analyze the racial and partisan intent of legislative map-drawers.[1] In recent years, several courts have also relied upon computer simulations to assess partisan bias in enacted districting plans.[2]

14. The value of simulations like these is that it allows us to account for the precise level of electoral bias in districting caused by a state's unique political geography. In other words, districting simulations like these allow me to identify how much of the electoral bias in

[1] *E.g.*, Carmen Cirincione, Thomas A. Darling, Timothy G. O'Rourke. "Assessing South Carolina's 1990s Congressional Districting," Political Geography 19 (2000) 189–211; Jowei Chen, "The Impact of Political Geography on Wisconsin Redistricting: An Analysis of Wisconsin's Act 43 Assembly Districting Plan." Election Law Journal.

[2] *See, e.g.*, *League of Women Voters of Pa. v. Commonwealth*, 178 A. 3d 737, 818-21 (Pa. 2018); *Raleigh Wake Citizens Association v. Wake County Board of Elections*, 827 F.3d 333, 344-45 (4th Cir. 2016); *City of Greensboro v. Guilford County Board of Elections*, No. 1:15-CV-599, 2017 WL 1229736 (M.D.N.C. Apr 3, 2017); *Common Cause v. Rucho*, No. 1:16-CV-1164 (M.D.N.C. Jan 11, 2018); *The League of Women Voters of Michigan v. Johnson* (E.D. Mich. 2017); *Common Cause v. David Lewis* (N.C. Super. 2018); *Harper v. Hall* (N.C. Feb 14, 2022); *Adams v. DeWine*, 195 N.E.3d 74, 86-87 (Ohio 2022); *League of Women Voters of Utah et al. v. Utah State Legislature et al*. (3d Jud. Dist. Ct., Salt Lake Cnty., Utah 2025).

the 2026 Plan is caused by Florida's political geography and how much is caused by the map-drawer's intentional efforts to favor one political party over the other.

15. I began by using a computer algorithm programmed to produce 5,000 random congressional redistricting plans that follow the neutral districting criteria outlined in the Fair Districts Amendments, creating districts that (a) consist of contiguous territory; (b) are as nearly equal in population as is practicable; (c) are geographically compact; and (d) follow county boundaries. My algorithm does not consider race, partisanship, or incumbent residence in any way in constructing districts. By randomly drawing districting plans that adhere to neutral traditional redistricting criteria, the computer simulation process gives us an indication of the range of districting plans that plausibly and likely emerge when map-drawers are not motivated primarily by partisan goals.

a. ***Geographic Contiguity:*** The simulation algorithm required each congressional district to "consist of contiguous territory" (Fla. Const. art. III, § 20(a)), which means that no part of the district is isolated from other territory. Because many parts of Florida are connected only by water (such as the Keys), I do not consider water boundaries to break contiguity, which is the approach I understand Florida has taken.

b. ***Population Equality:*** The simulation algorithm required each congressional district to be "as nearly equal in population as practicable" (Fla. Const. art. III, § 20(b)). Because Florida's 2020 Census population was 21,538,187, the algorithm populated each districting plan such that 27 districts have a population of precisely 769,221, and one district has a population of 769,220. All 5,000 of the computer-simulated plans satisfy this population equality requirement with no deviations.

c. ***Geographic Compactness:*** The Fair District Amendment requires that "districts shall be compact" (Fla. Const. art. III, § 20(b)). Hence, the simulation algorithm prioritized the drawing of geographically compact districts. In considering geographic compactness, the algorithm used the same three quantitative measures of compactness that Florida used during the 2022 and 2026 congressional redistricting process: the Reock Score, the Convex Hull Score, and the Polsby-Popper Score. I explain these three compactness measures in the following section of this report.

d. ***Political and Geographic Boundaries:*** The Fair District Amendment requires that "districts shall, where feasible, utilize existing political and geographical boundaries" (Fla. Const. art. III, § 20(b)). In my redistricting work, I find that the most important boundary is typically county boundaries. Florida contains a total of 67 counties. The computer-simulation algorithm thus attempts to avoid splitting counties into multiple districts. Even when splitting a county is necessary because the county's population is too large for one district, the algorithm avoids splitting the county into an excessive number of districts. In addition, I use the 2022 Plan as a maximum limit for the number of counties that the computer-simulated plans are permitted to split. The 2022 Plan preserves 50 counties intact and splits the remaining 17 counties. The 2022 Plan splits these 17 counties a total of 31 times. My algorithm similarly guarantees that each simulated plans splits 17 or fewer counties and that the total number of county splits does not exceed 31 total county splits.

Evaluation of the 2026 Plan Against Traditional Redistricting Criteria

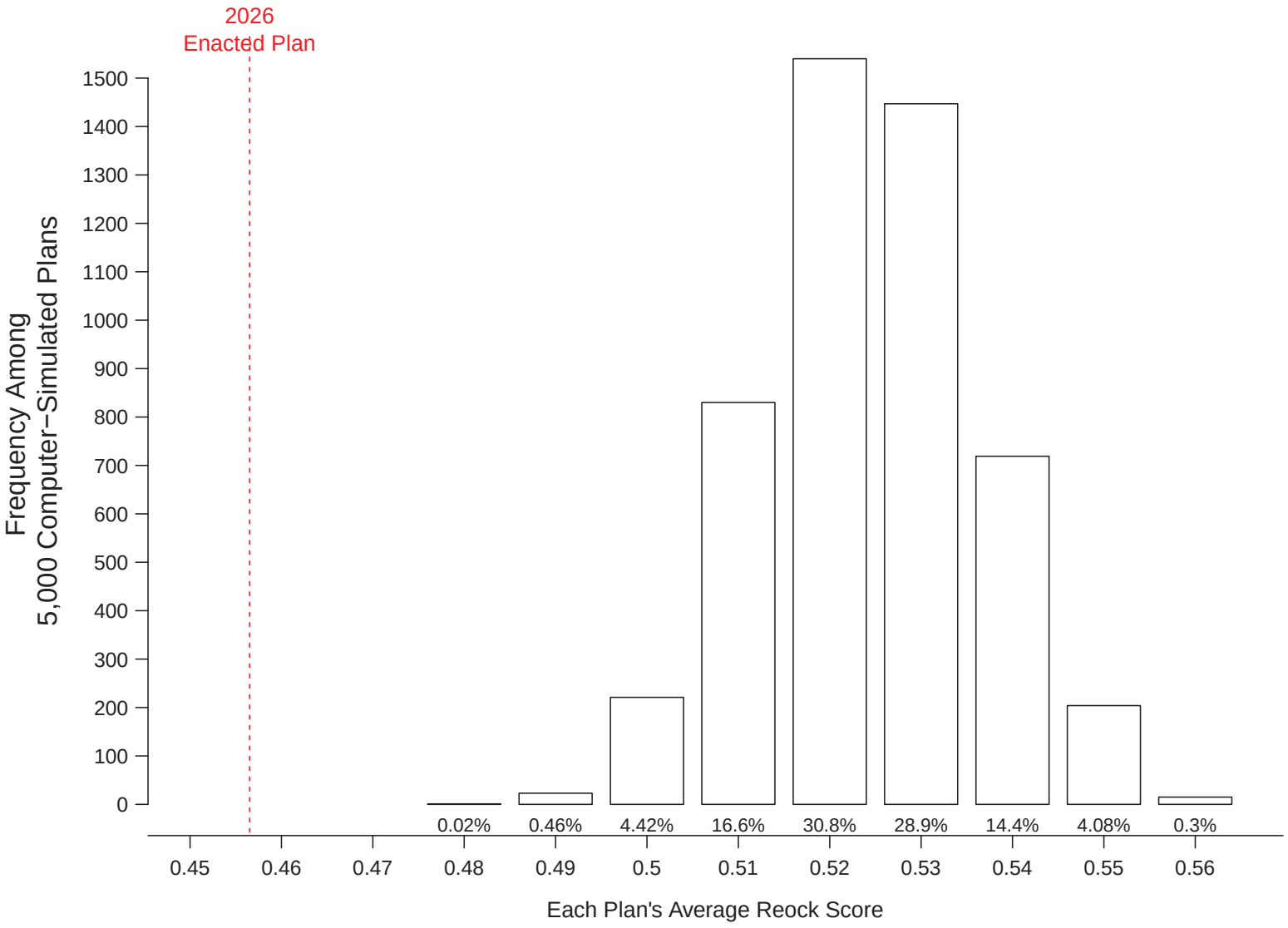
16. In this section, I evaluate the extent to which the 2026 Plan complies with the Fair Districts Amendment's Tier II criteria by comparing the 2026 Plan to my 5,000 computer-simulated plans. I find that the 2026 Plan is significantly less geographically compact than is reasonably possible, splits more counties than is necessary, and fails to minimize splits within those counties that are divided into multiple districts. I explain each of these findings below:

17. ***Measuring the Geographic Compactness of the 2026 Plan***: The Fair Districts Amendment mandates that Florida's congressional districts "shall be compact." To measure the geographic compactness of its congressional districting plans in 2022 and 2026, Florida has employed three measures of geographic compactness: Reock, Convex Hull, and Polsby-Popper. Each of these three measures assigns a quantitative score, ranging from 0 to 1. A higher score indicates a more compact district. For each measure, the plan-wide score is calculated as the average of the scores of the individual 28 districts.

18. ***Compactness Measured Using the Reock Score:*** The Reock score for each individual district is calculated as the ratio of the district's area to the area of the smallest bounding circle that can be drawn to completely contain the district. Under this metric, a district that is a perfect circle would be very compact, while a district in the shape of a star would be less compact. Higher Reock scores indicate more geographically compact districts.

19. **Figure 1** is a histogram reporting the statewide Reock score for the 2026 Plan as well as for every computer-simulated plan. This Figure illustrates that the 5,000 computer-simulated plans have Reock scores ranging from 0.48 to 0.56. By contrast, the 2026 Plan has a Reock score of only 0.46. Therefore, the 2026 Plan is a statistical outlier, exhibiting a lower Reock score than 100% of the computer-simulated plans.

Figure 1: Comparisons of 2026 Enacted Plan to 5,000 Computer−Simulated Plans on Geographic Compactness Using Each Plan's Reock Score



20. ***Compactness Measured Using the Convex Hull Score:*** The Convex Hull score for each individual district is calculated as the ratio of the district's area to the area of the district's smallest convex polygon that completely encloses the entirety of the district. A circle, square, or any other shape with only convex angles would have a high Convex Hull score. Higher Convex Hull scores indicate more geographically compact districts.

21. **Figure 2** is a histogram reporting the Convex Hull score for the 2026 Plan as well as for every computer-simulated plan. This Figure illustrates that the 5,000 computer-simulated plans have Convex Hull scores ranging from 0.809 to 0.865, and the vast majority of the simulated plans have Convex Hull scores between 0.83 and 0.85. By contrast, the 2026 Plan has a Convex Hull score of only 0.807. Therefore, the 2026 Plan is a statistical outlier, exhibiting a lower Convex Hull score than 100% of the computer-simulated plans.

22. ***Compactness Measured Using Polsby-Popper Score:*** The Polsby-Popper score for each individual district is calculated as the ratio of the district's area to the area of a hypothetical circle whose circumference is identical to the length of the district's perimeter. A district with jagged edges will have a lower Polsby-Popper score as compared to a district with smooth edges. Higher Polsby-Popper scores indicate greater district compactness.

23. **Figure 3** is a histogram reporting the Polsby-Popper score for the 2026 Plan as well as for every computer-simulated plan. This Figure illustrates that the 5,000 computer-simulated plans have Polsby-Popper scores ranging from 0.37 to 0.48, but the vast majority of the simulated plans have Polsby-Popper scores between 0.42 and 0.46. By contrast, the 2026 Plan has a Polsby-Popper score of only 0.41. The 2026 Plan is a statistical outlier, exhibiting a lower Polsby-Popper score than 98.14% of the computer-simulated plans.

24. ***Compactness Measured Using All Three Measures:*** Because the Governor's

Figure 2: Comparisons of 2026 Enacted Plan to 5,000 Computer−Simulated Plans on Geographic Compactness Using Each Plan's Convex Hull Score

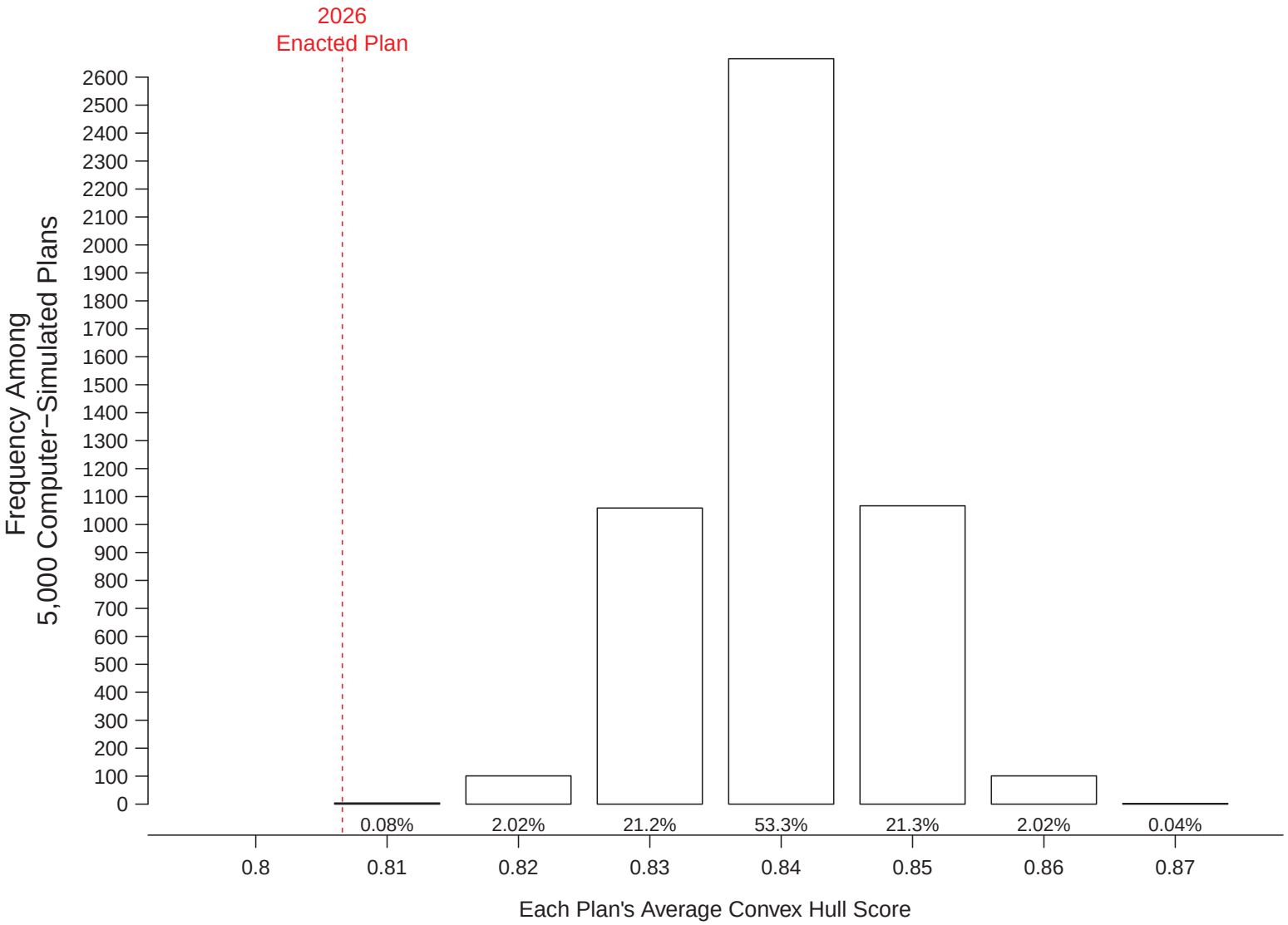
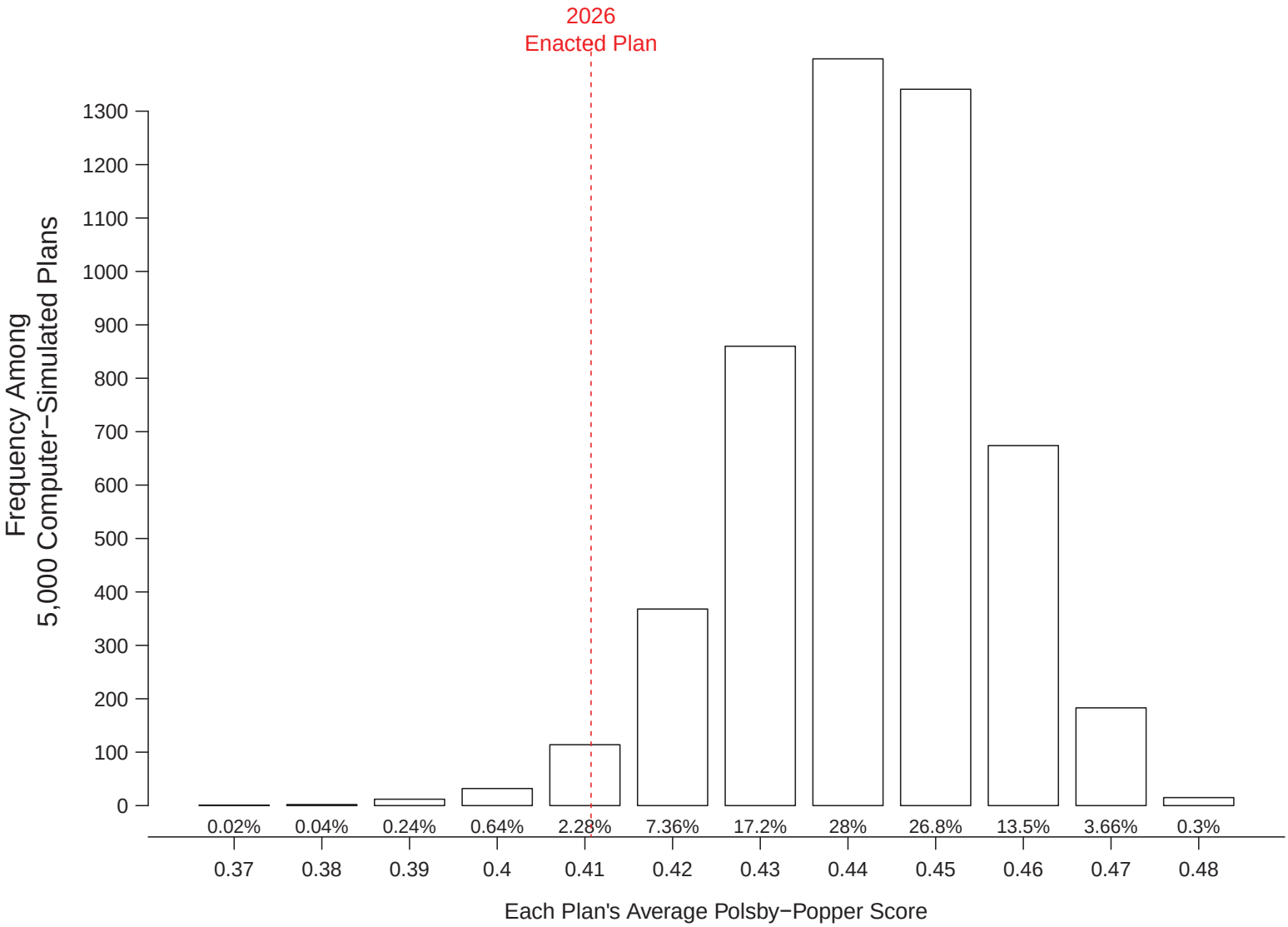


Figure 3: Comparisons of 2026 Enacted Plan to 5,000 Computer−Simulated Plans on Geographic Compactness Using Each Plan's Polsby−Popper Score



Office and Legislature used all three measures of compactness to evaluate its congressional plans in 2022 and 2026, I evaluate the 2026 Plan and each of the 5,000 simulated plans by considering all three, calculating the sum of the plan's Reock, Convex Hull, and Polsby-Popper scores. Because each of these three measures ranges from 0 to 1, the combined sum of all three measures for a single plan therefore ranges from 0 to 3.

25. **Figure 4** is a histogram reporting the combined sum of the Reock, Convex Hull, and Polsby-Popper scores for the 2026 Plan and for each of the 5,000 simulated plans. This Figure illustrates that the 5,000 computer-simulated plans exhibit a combined sum of their respective compactness scores ranging from 1.72 to 1.89, and the vast majority of the simulated plans have combined scores between 1.77 and 1.84. By contrast, the 2026 Plan has a combined score of only 1.67. Therefore, the 2026 Plan is a statistical outlier, exhibiting a lower combined compactness score than 100% of the computer-simulated plans.

26. **Figure 5** is a plot that compares the 2026 Plan to the 5,000 simulated plans with respect to the plans' Convex Hull scores and Reock scores. Similarly, **Figure 6** is a plot that compares the 2026 Plan to the 5,000 simulated plans with respect to the plans' Polsby-Popper scores and Reock scores. These two plots illustrate the very significant degree to which the 2026 Plan is less geographically compact than virtually all of the computer-simulated plans, using any of the three measures of compactness.

27. Based on these comparisons, I conclude that 2026 Plan is less compact than what could reasonably have been expected to occur from a districting process that was designed to draw compact districts. It is therefore clear that the 2026 Plan was the product of a mapdrawing process that did not adhere to the Fair District Amendment's mandate that Florida's congressional districts "shall be compact."

Figure 4: Comparisons of 2026 Enacted Plan to 5,000 Computer−Simulated Plans on Geographic Compactness Using Reock, Polsby−Popper, and Convex Hull

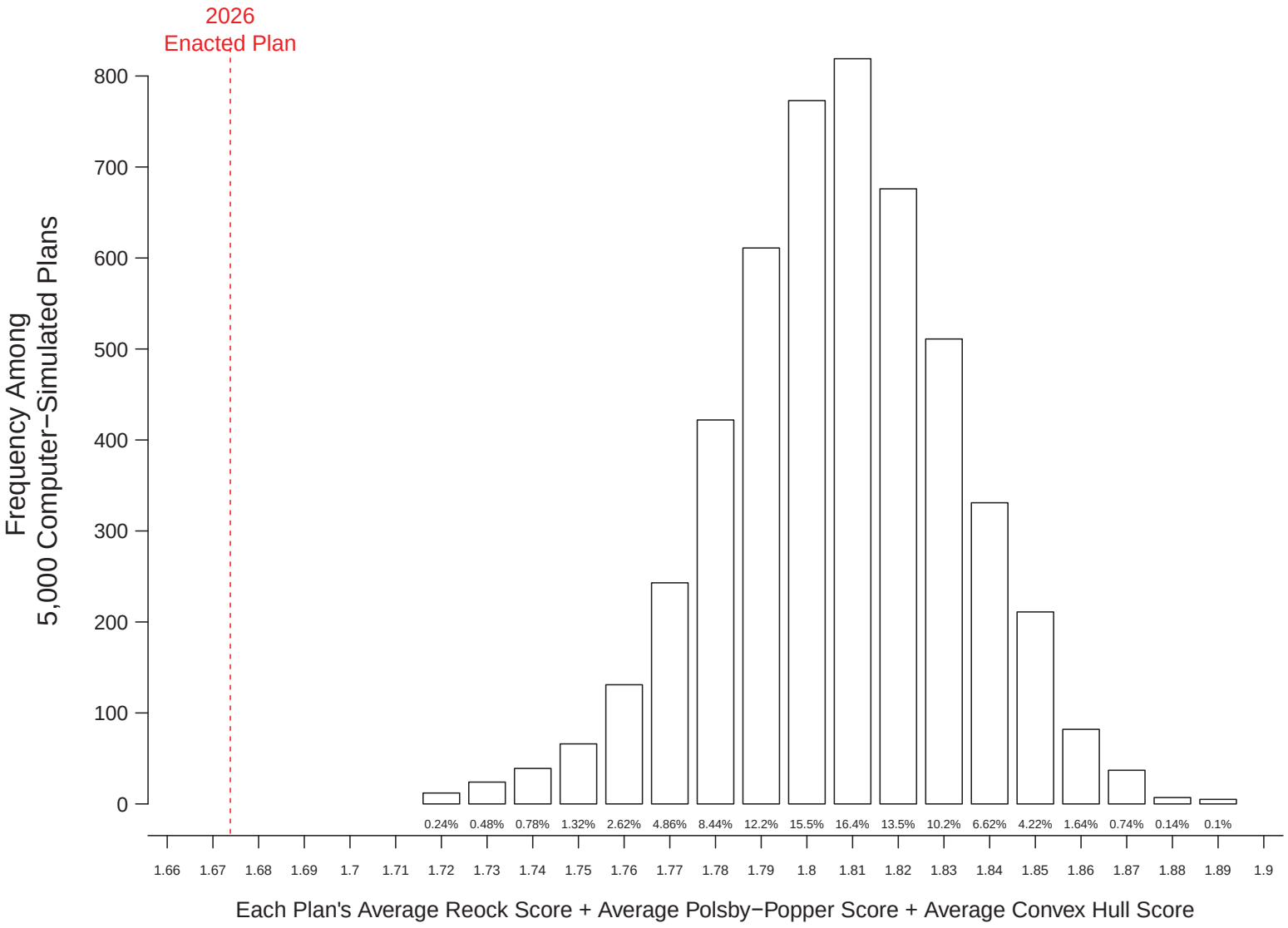


Figure 5: Comparisons of 2026 Enacted Plan to 5,000 Computer−Simulated Plans on Convex Hull and Reock Compactness Scores

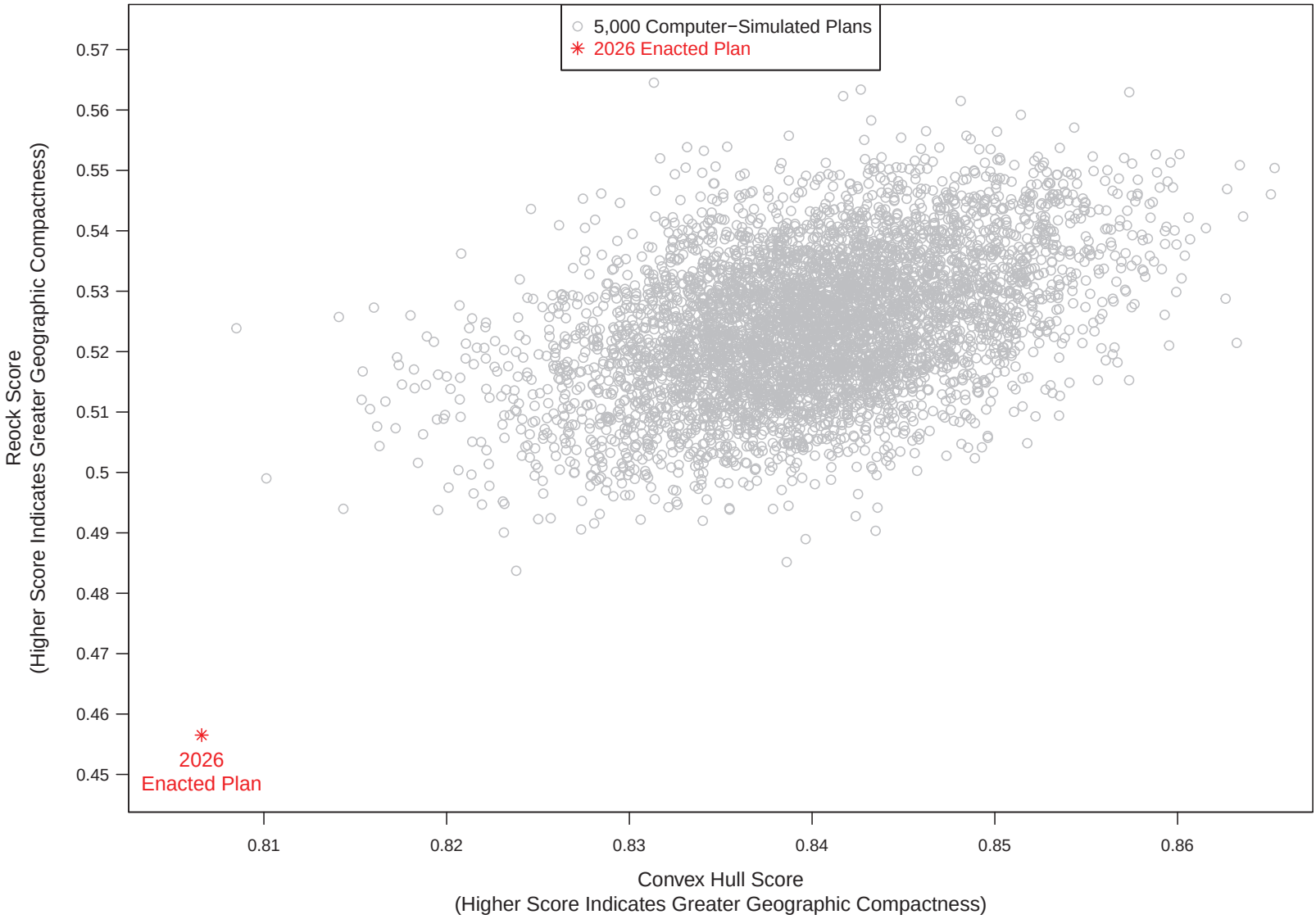
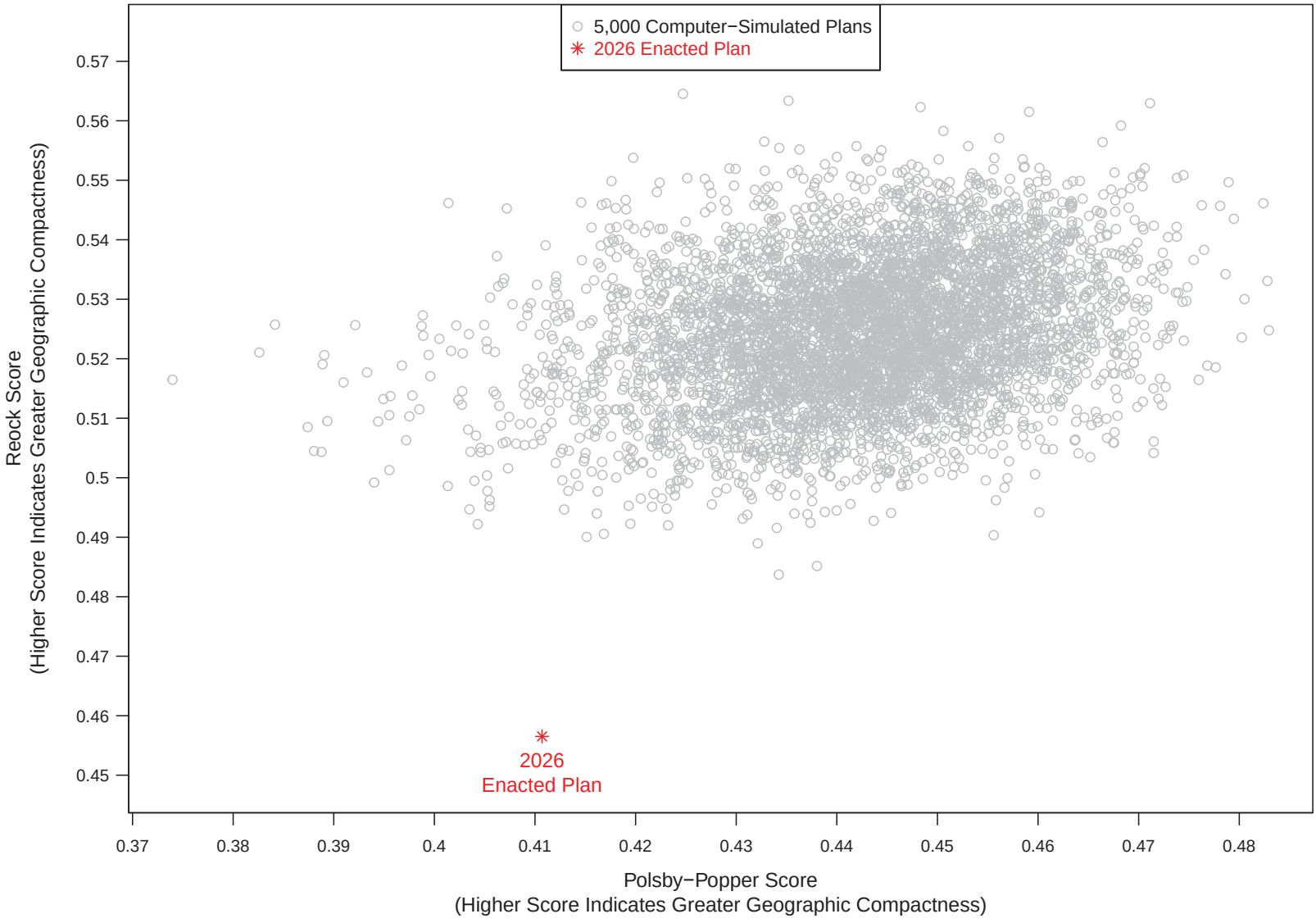


Figure 6: Comparisons of 2026 Enacted Plan to 5,000 Computer−Simulated Plans on Polsby−Popper and Reock Compactness Scores



28. ***Measuring County Splits in the 2026 Plan:*** There are two ways to measure county splits. One way is to count up the total number of counties that are kept whole in a redistricting plan. Another way is to count the total number of times a county is split into more than one district in each plan. A county fully contained within a single district counts as zero splits. A county that is split into two districts counts as one split. And a county split into three districts counts as two splits. And so on.

29. The 2026 Plan keeps 48 counties whole, meaning that it splits 19 of Florida's 67 counties into two or more districts. These 19 split counties contain a combined total of 34 county splits, meaning that once a county is split, it is often split more than once. **Table 1** details these 34 county splits.

Table 1: County Splits in the 2026 Plan

	County:	Congressional Districts:	Total Number of County Splits:
1	Broward	(CD-20, 22, 24, 25, 26)	4
2	Collier	(CD-19, 22)	1
3	Duval	(CD-4, 5)	1
4	Hillsborough	(CD-12, 14, 15, 16)	3
5	Lafayette	(CD-2, 3)	1
6	Lake	(CD-6, 11)	1
7	Lee	(CD-17, 19)	1
8	Marion	(CD-3, 6)	1
9	Miami-Dade	(CD-24, 25, 26, 27, 28)	4
10	Orange	(CD-7, 8, 9, 10, 11)	4
11	Osceola	(CD-9, 18)	1
12	Palm Beach	(CD-21, 22, 23, 25)	3
13	Pasco	(CD-12, 13, 15)	2
14	Pinellas	(CD-13, 16)	1
15	Polk	(CD-9, 16, 18)	2
16	St. Johns	(CD-5, 6)	1
17	Sarasota	(CD-16, 17)	1
18	Volusia	(CD-6, 7)	1
19	Walton	(CD-1, 2)	1
Total Number of County Splits in the 2026 Plan:			**34**

30. **Figure 7** reports the number of counties split into two or more districts in the 2026 Plan as well as in the 5,000 computer-simulated plans. As the Figure illustrates, every one of the computer-simulated plans splits only 15 to 17 counties. By contrast, the 2026 Plan's splits 19 counties, more than in 100% of the computer-simulated plans. The 2026 Plan accordingly does not keep counties whole where feasible.

31. I next evaluate the number of total county splits. A congressional plan in Florida can contain as few as 27 total county splits (i.e., one fewer than the total number of 28 districts) if the mapdrawer is attempting to minimize the splitting of counties, where feasible. The 2026 Plan's 34 county splits is therefore seven more splits than is necessary.

32. **Figure 8** reports the number of county splits in the 2026 Plan as well as in the

Figure 7: Number of Split Counties
in the 2026 Enacted Plan and the Computer−Simulated Plans

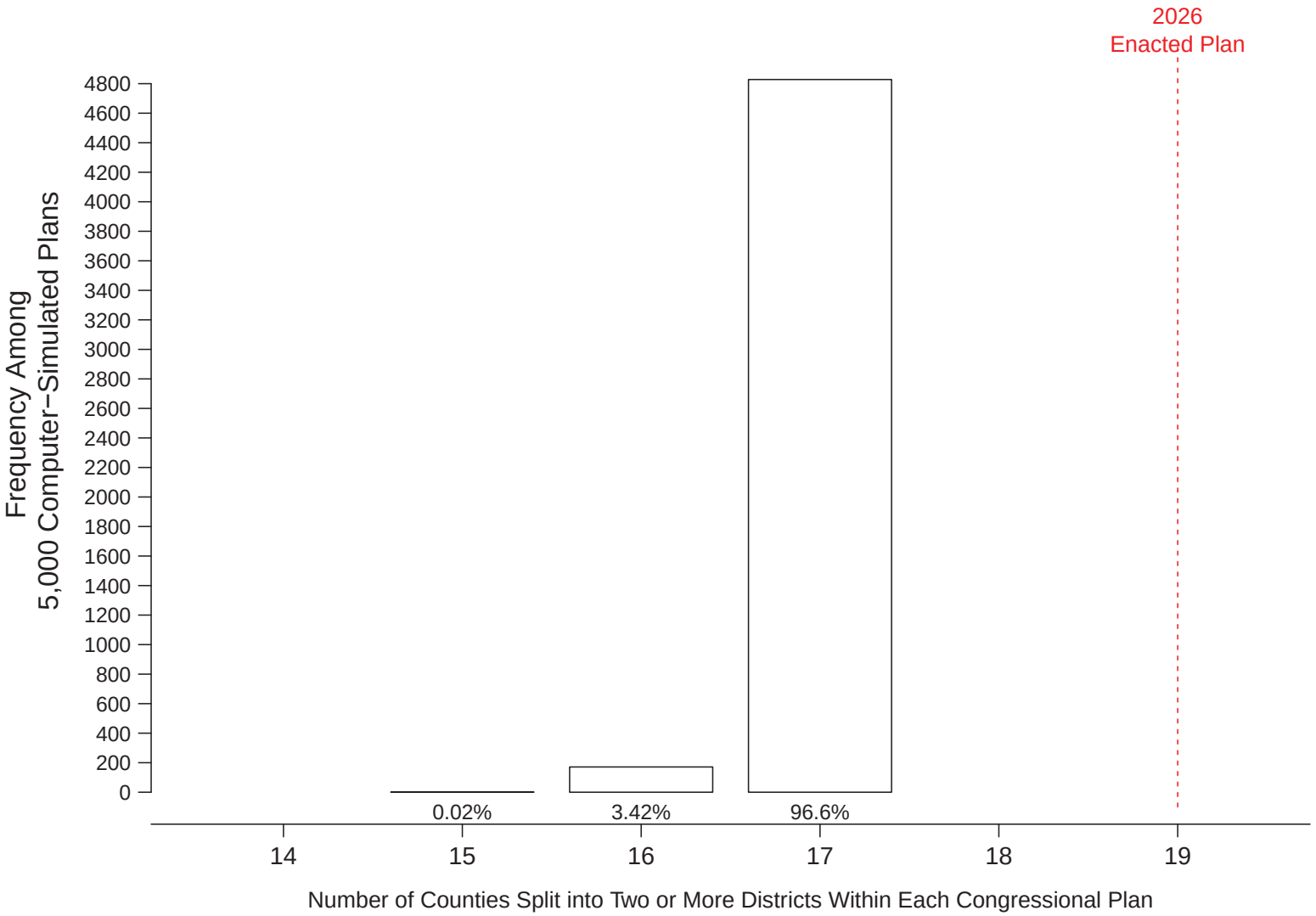
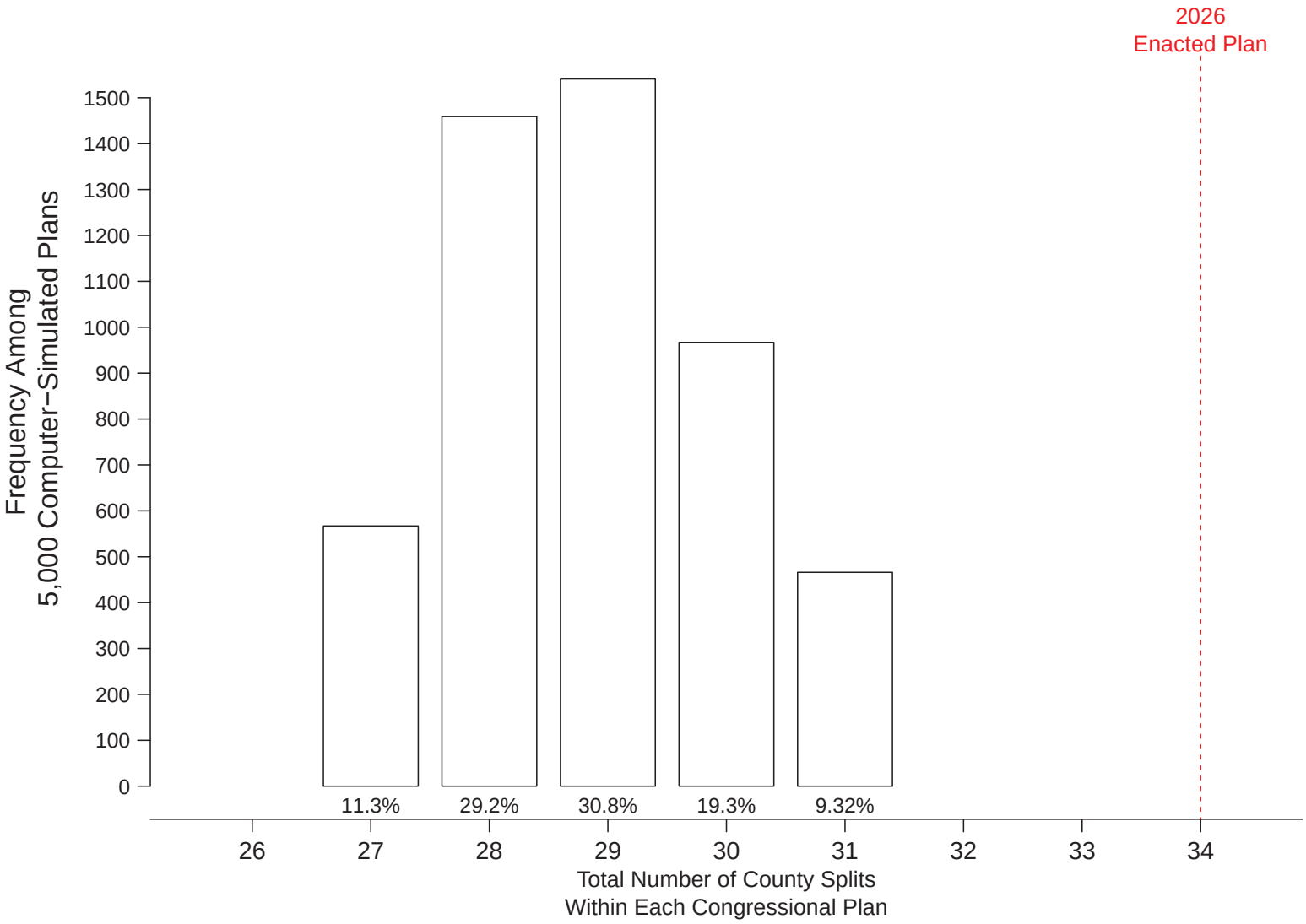


Figure 8: Number of County Splits
in the 2026 Enacted Plan and the Computer−Simulated Plans



5,000 computer-simulated plans. As the Figure illustrates, every one of the computer-simulated plans has from 27 to 31 total county splits. By contrast, the 2026 Plan's 34 total county splits is more than in 100% of the computer-simulated plans. The 2026 Plan accordingly does not minimize the total number of county splits where feasible.

33. In summary, the results in Figure 7 and Figure 8 make clear that the 2026 Plan was not the result of an attempt to avoid splitting counties. The 2026 Plan contains significantly more total county splits and more split counties than would have normally emerged under a mapdrawing process attempting to minimize county splits, where feasible.

Examining Whether the 2026 Plan Favors or Disfavors a Political Party

34. Plaintiffs' counsel asked me to determine whether and to what extent the 2026 Plan favors either of the two major political parties in Florida.

35. To assess the partisan performance of the 2026 Plan as compared to the computer-simulated plans, I use the actual precinct-level election results from recent, statewide election contests in Florida. Past voting history in federal and statewide elections is a strong predictor of future voting history, and is commonly used to assess the partisan performance of districts. Using such recent election results is the standard way that redistricting scholars typically assess the partisanship of electoral districts in a proposed or hypothetical districting map. Overlaying these past election results onto a districting plan enables me to calculate the Republican or Democratic share of the votes cast from within each district in the 2026 Plan and the computer-simulated plans.

36. ***The 2020-2024 Statewide Election Composite***: To measure the partisanship of all districts in the computer-simulated plans and in the 2026 Plan, I calculated the percentage of votes from each district favoring Republican or Democratic candidates in every contested general election contest for a political (non-judicial) office held in Florida from 2020-2024 in which a Democratic candidate and a Republican candidate both appeared on the ballot. In other words, I used the results of the following eight elections: 2020 U.S. President, 2022 U.S. Senator, 2022 Governor, 2022 Attorney General, 2022 Chief Financial Officer, 2022 Commissioner of Agriculture, 2024 U.S. President, and 2024 U.S. Senator. I used elections from these years because mapdrawers and redistricting scholars typically evaluate redistricting plans using results from recent elections, and voting behavior from recent elections are generally the most accurate indication of the current partisanship of a congressional district. When summed

across all 8 of these election contests, Republican candidates received 57.4% of the two-party votes (i.e., votes cast for Republican and Democratic candidates) cast statewide in these contests.

37. I then obtained precinct-level results for these elections, and I disaggregated these election results down to the census block level. I then aggregated these block-level election results to the district level for each computer-simulated plan and the 2026 Plan. For each district, the Statewide Election Composite is a percentage, ranging from 0% to 100%, indicating the percentage of two-party votes that favored Republican candidates. A percentage above 50% indicates a district that favored Republican candidates over Democrats, while a percentage below 50% indicates a district that favored Democrats over Republicans.

38. I refer to the aggregated election results from these eight statewide elections as the "2020-2024 Statewide Election Composite." For the 2026 Plan and each of the 5,000 computer-simulated plans, I then calculated the number of districts within each plan that favored Republican candidates over Democratic candidates and the total number of districts Democrats or Republicans would have won under that particular redistricting plan.

39. ***The 2016-2024 Statewide Election Composite.*** In addition to the composite above, throughout this section I also provide results using a broader composite of elections by using the results from every contested statewide general election contest for a political (non-judicial) office held in Florida during 2016-2024. Although recent elections are typically most probative, there is value in examining results against a composite which reflects a wider variety of trends in election results, including elections that might be more favorable to the Democratic Party. Florida held a total of 15 statewide election contests from 2016-2024. In addition to the eight election contests that occurred during November 2020, 2022, and 2024, which I analyzed above, I included contests for the following elections: 2016 U.S. President, 2016 U.S. Senator,

2018 U.S. Senator, 2018 Governor, 2018 Attorney General, 2018 Chief Financial Officer, and 2018 Commissioner of Agriculture. When summed across all 15 of these election contests, Republican candidates received 54.68% of the two-party votes (i.e., votes cast for Republican and Democratic candidates) cast statewide in these contests.

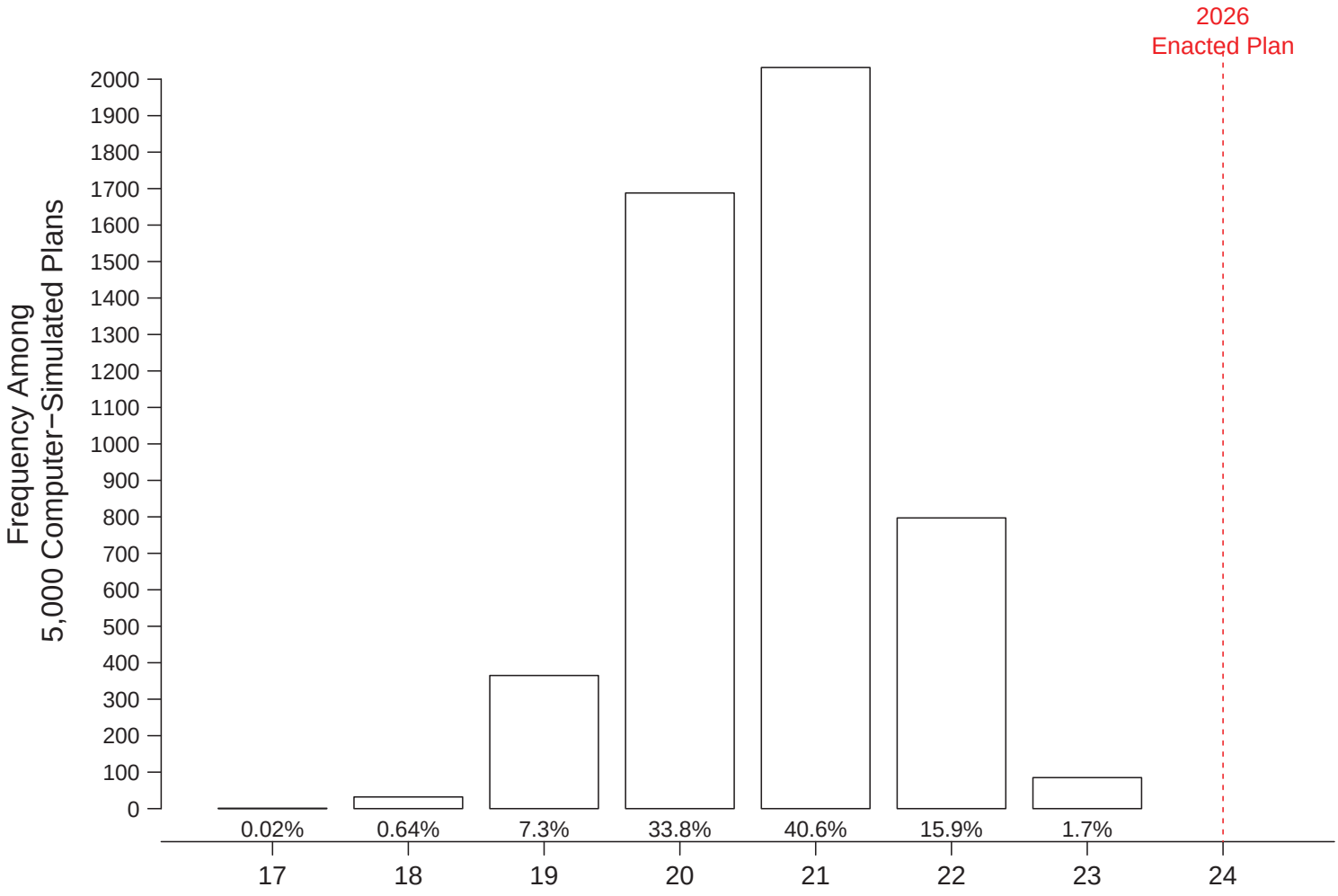
Plan-Wide and District Level Partisan Comparisons of the 2026 Plan and the Computer-Simulated Plans

40. In this section, I present partisan comparisons of the 2026 Plan to the computer-simulated plans at both a plan-wide level and a district-by-district level using several common measures of districting plan partisanship.

41. Overall, I find that at the plan-wide level, the 2026 Plan creates a degree of partisan bias favoring Republicans that is more extreme than in all 5,000 of the computer-simulated plans. I also find that many individual districts in the 2026 Plan are statistical outliers, exhibiting extreme partisan characteristics that are rarely or never observed in the race-blind and partisan-blind computer-simulated plan districts that are drawn to comply with the Fair Districts Amendment. And finally, I find that using common measures of partisan bias, the 2026 Plan displays more extreme bias than any one of the computer-simulated plans. In other words, I find that the 2026 Plan favors Republicans and disfavors Democrats, and that it does so to an extreme degree that cannot be explained by a race-neutral plan, by a desire to prioritize the traditional redistricting criteria in the Fair Districts Amendment, or by Florida's political geography. I describe these findings in detail below.

42. ***Plan-wide Total Number of Democratic and Republican Districts (2020-2024 Statewide Election Composite):*** **Figure 9** compares the partisan breakdown of the computer-simulated plans to the partisanship of the 2026 Plan. Specifically, Figure 9 uses the 2020-2024 Statewide Election Composite to measure the number of Republican-favoring districts created in each of the 5,000 simulated plans. Across the entire state, Republican candidates collectively won a 57.4% share of the votes in the eight elections in the 2020-2024 Statewide Election Composite. But within the 28 districts in the 2026 Plan, Republicans have over a 50% vote share in 24 of the 28 districts (or in 86% of the districts).

Figure 9:
Comparisons of 2026 Enacted Plan to 5,000 Computer−Simulated Plans on Number of Republican−Favoring Districts



43. In other words, the 2026 Plan created 24 Republican-favoring districts, as measured using the 2020-2024 Statewide Election Composite. By contrast, not one of the 5,000 computer-simulated plans create 24 or more Republican-favoring districts. The 2026 Plan's creation of 24 such Republican districts is entirely outside of the range of the simulated plans.

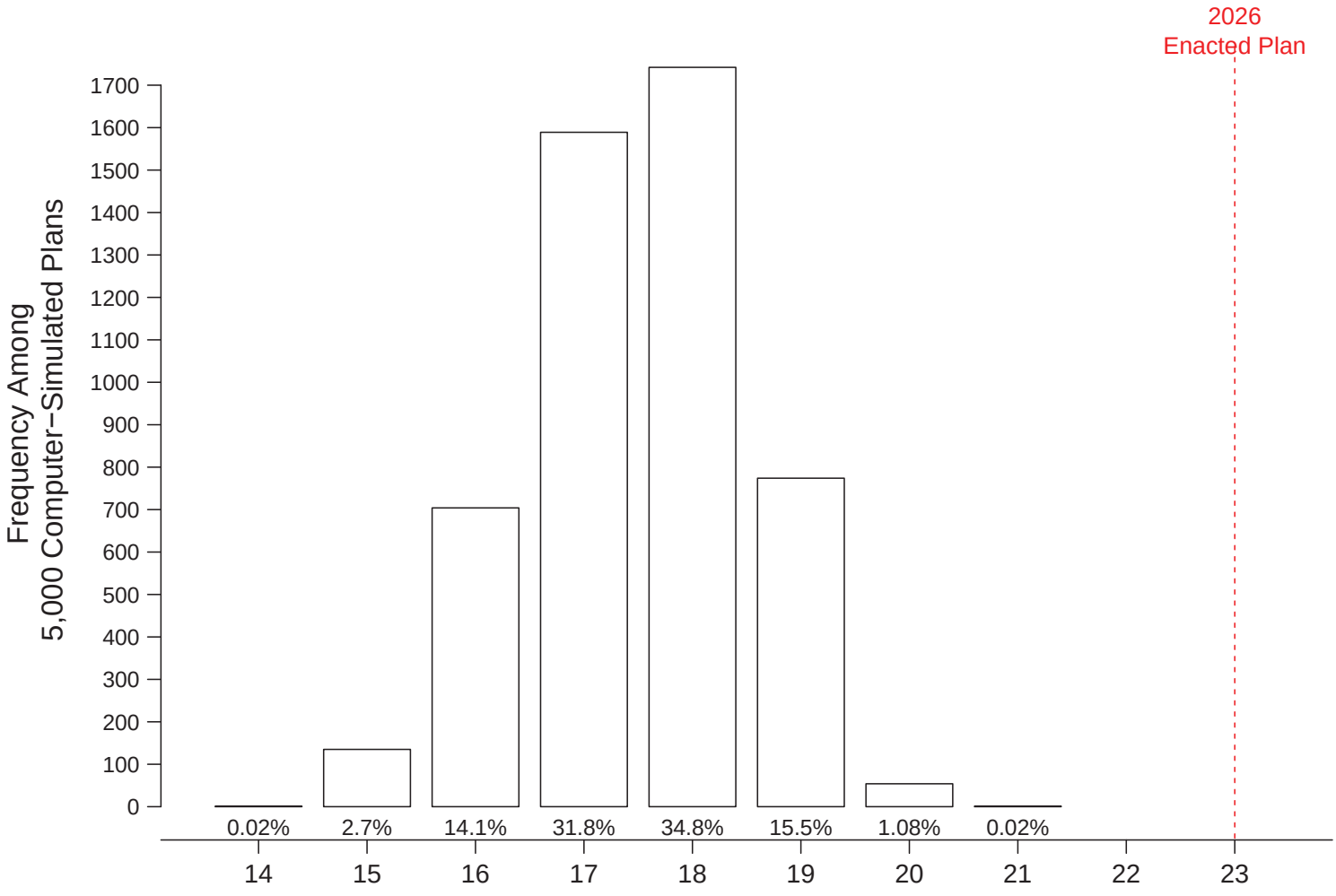
44. Hence, in terms of the total number of Republican-favoring districts created by each plan, the 2026 Plan is a statistical partisan outlier when compared to the 5,000 computer-simulated plans.

45. ***Plan-wide Total Number of Safe Republican Districts:*** **Figure 10** compares the computer-simulated plans and the 2026 Plan with respect to the number of safe Republican districts with over 55% Republican vote share within each plan. Once again, I use the 2020-2024 Statewide Election Composite to measure the partisanship of each district. Within the 28 districts in the 2026 Plan, Republicans have over a 55% vote share in 23 of the 28 districts. In other words, the 2026 Plan created 23 safe Republican districts, as measured using the 2020-2024 Statewide Election Composite. By contrast, none of the 5,000 computer-simulated plans create 23 or more Republican-favoring districts. Instead, the majority of the simulations created a plan with either 17 or 18 safe Republican districts, and the middle 95% of the simulated plans contained from 15 to 19 safe Republican districts.

46. Hence, in terms of the total number of safe Republican districts created by each plan, the 2026 Plan is a statistical partisan outlier when compared to the 5,000 computer-simulated plans. The 2026 Plan creates more safe Republican districts than all 100% of the computer-simulated plans.

47. ***Plan-wide Total Number of Electorally Close Districts:*** The 2026 Plan's maximization of safe Republican districts necessarily comes at the expense of creating more

Figure 10:
Comparisons of 2026 Enacted Plan to 5,000 Computer−Simulated Plans on Number of Safe Republican Districts



electorally close districts.

48. I label districts with a Republican vote share from 47.5% to 52.5% as "close" districts to reflect the fact that such districts have a nearly even share of Republican and Democratic voters, and election outcomes in the district could therefore swing in favor of either party.

49. As **Figure 11** reports, the 2026 Plan contains zero districts whose Republican vote share is between 47.5% to 52.5%, as measured using the 2020-2024 Statewide Election Composite. The 2026 Plan contains no "close" districts.

50. Figure 11 illustrates that the 2026 Plan's creation of zero "close" districts is a statistical outlier: Only 1.38% of the 5,000 simulated plans similarly fail to have a single "close" district. In contrast to the 2026 Plan, the vast majority of the computer-simulated plans contain two to five "close" districts. Over 98% of the computer-simulated plans create more "close" districts than the 2026 Plan does.

51. ***Plan-wide Total Number of Electorally Competitive Districts:*** Is the 2026 Plan still a statistical outlier compared to the simulated plans if we use a broader definition of electorally competitive districts? **Figure 12** focuses on the number of districts in each plan whose Republican vote share is between 45% to 55%. As Figure 12 illustrates, the 2026 Plan contains only one district (CD-25) whose Republican vote share is between 45% to 55%, as measured using the 2020-2024 Statewide Election Composite. In particular, CD-25's Republican vote-share using a 2020-2024 Statewide Election Composite is 52.8%, indicating that in most elections, it would elect a Republican.

52. As Figure 12 illustrates, the 2026 Plan's creation of only one "competitive" district is an extreme statistical outlier: All 5,000 of the simulated plans have more than one

Figure 11:
Comparisons of 2026 Enacted Plan to 5,000 Computer−Simulated Plans on Number of Electorally Close Districts

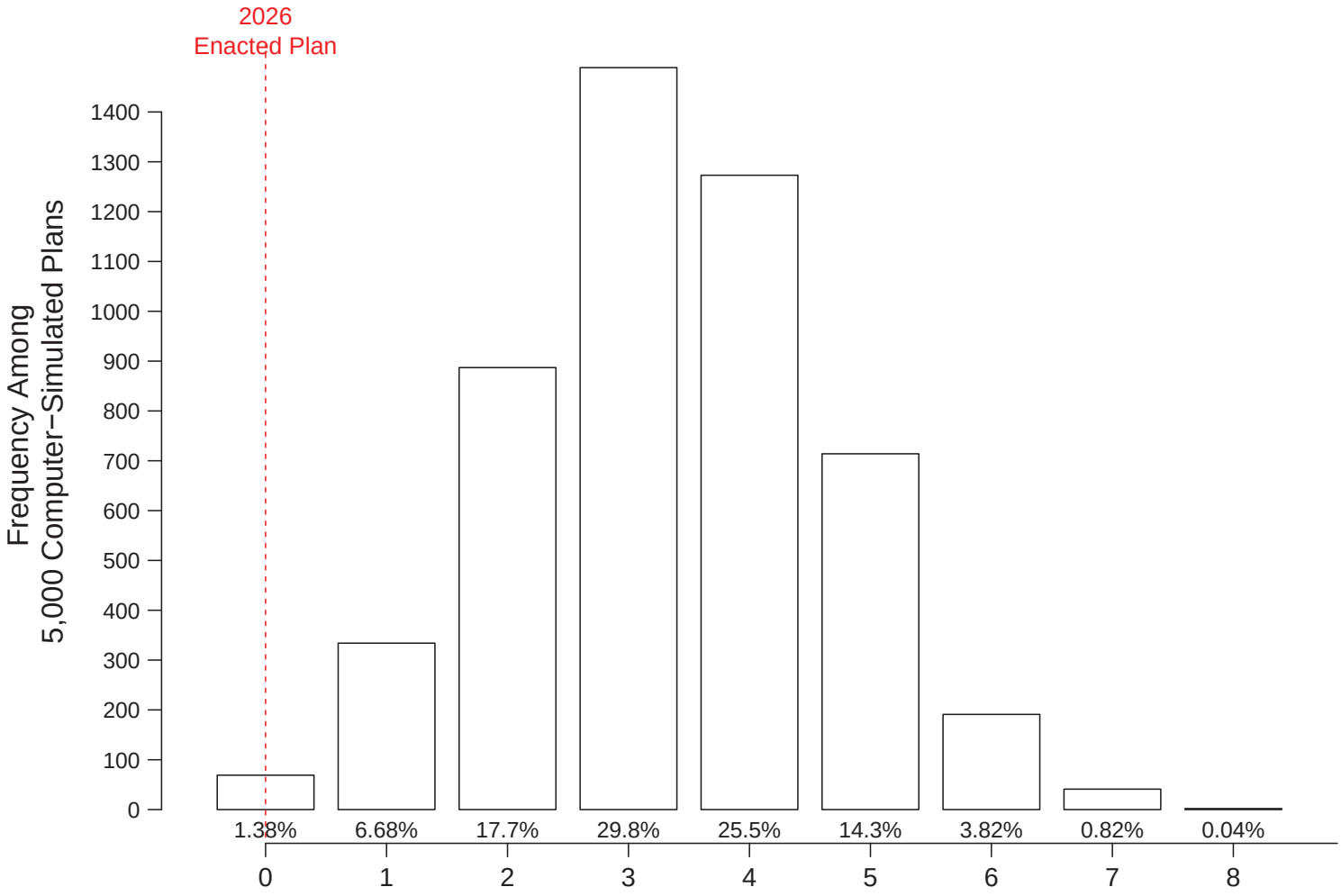
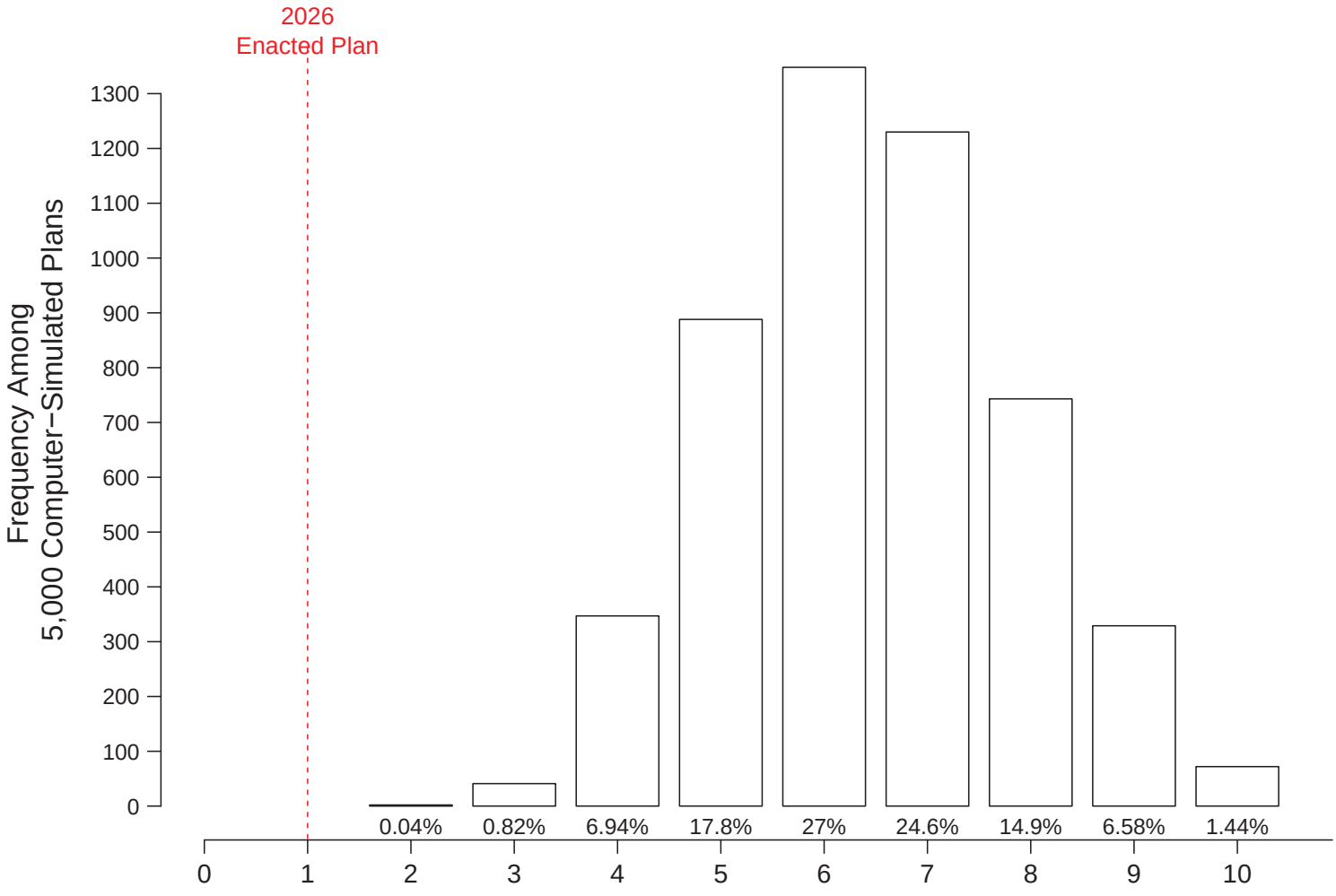


Figure 12:
Comparisons of 2026 Enacted Plan to 5,000 Computer−Simulated Plans on Number of Electorally Competitive Districts

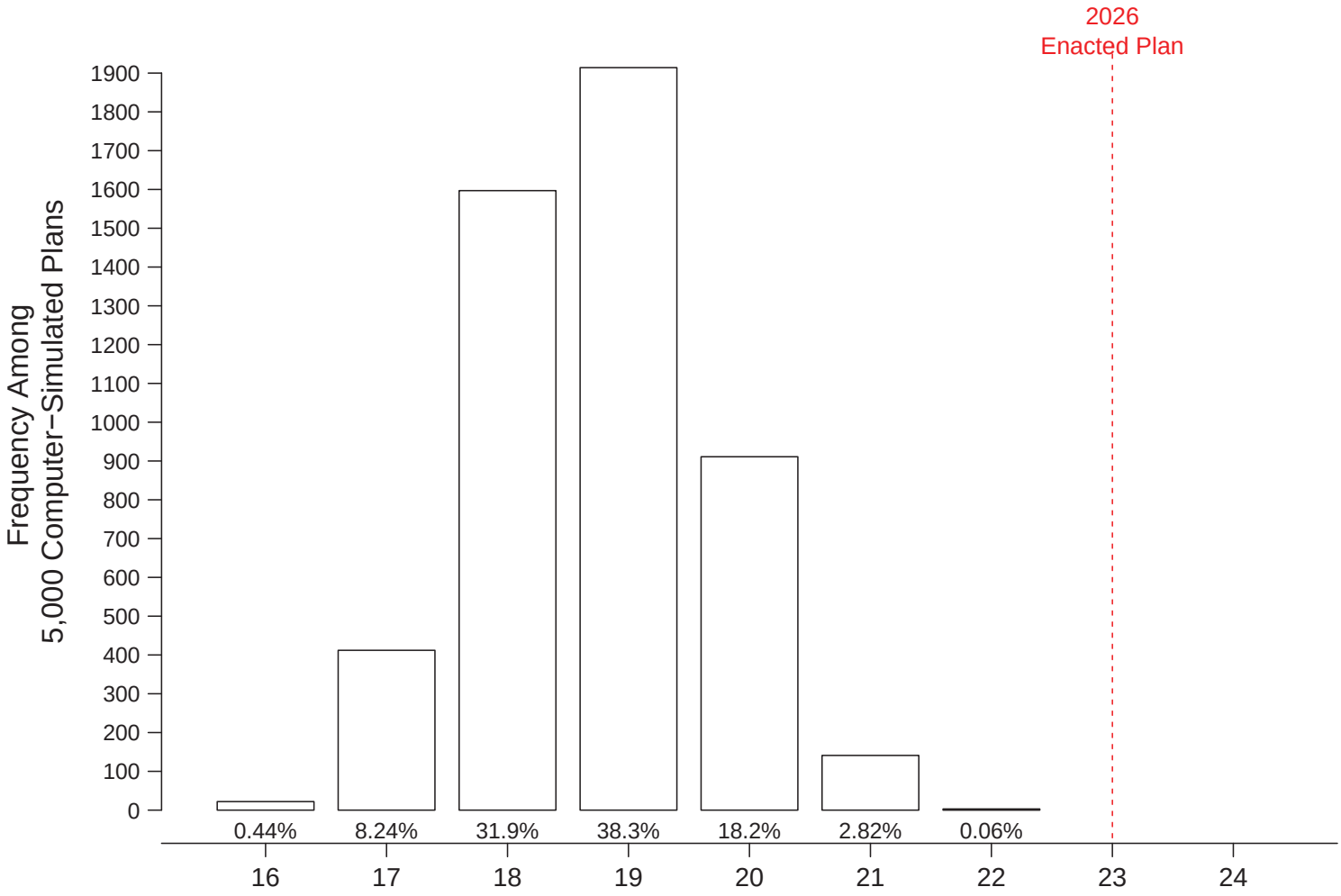


"competitive" district. The vast majority of the computer-simulated plans contain five to eight "competitive" districts, and some contain as many as ten "competitive" districts. Thus, the 2026 Plan is a statistical outlier in terms of its lack of "competitive" districts. One hundred percent of the computer-simulated plans create more "competitive" districts than the 2026 Plan does.

53. ***Plan-wide Number of Democratic and Republican Districts (2016-2024 Statewide Election Composite):*** My conclusions regarding the Republican bias of the 2026 Plan are only reinforced and strengthened when partisanship is measured using a longer range of Florida statewide election results from the past decade. **Figure 13** compares the partisan breakdown of the computer-simulated plans to the partisanship of the 2026 Plan using the 2016-2024 Statewide Election Composite to measure the number of Republican-favoring districts created in each plan. Across the entire state, Republican candidates collectively won a 54.7% share of the votes in the 15 elections in the 2026-2024 Statewide Election Composite. But within the 28 districts in the 2026 Plan, Republicans have over a 50% vote share in 23 of the 28 districts. By contrast, none of the 5,000 computer-simulated plans create 23 or more districts where Republicans have over a 50% vote share, and none create such 22 districts. The majority of the simulated plans create 17 to 20 Republican districts, and the 2026 Plan's creation of 23 such Republican districts is entirely outside of the range of the simulated plans. In other words, under a 2016-2024 Statewide Election Composite, the 2026 Plan creates only 5 Democratic districts, whereas the majority of the simulated plans would create 9 or 10 Democratic districts.

54. Hence, in terms of the total number of Republican districts created by each plan, the 2026 Plan is a statistical outlier when compared to the 5,000 computer-simulated plans. The 2026 Plan creates more Republican districts than all 100% of the computer-simulated plans, meaning that the 2026 Plan's Republican bias cannot be explained by a race-neutral plan, by

Figure 13:
Comparisons of 2026 Enacted Plan to 5,000 Computer−Simulated Plans on Number of Republican−Favoring Districts



Number of Districts With Over 50% Republican Vote Share Using the 2016−2024 Statewide Election Composite
(54.68% Statewide Republican 2−Party Vote Share)

attempted adherence to the Fair Districts Amendment, or by Florida's political geography.

55. Next, I consider individual-level districts in the 2026 Plan as compared to the 5,000 computer-simulated plans.

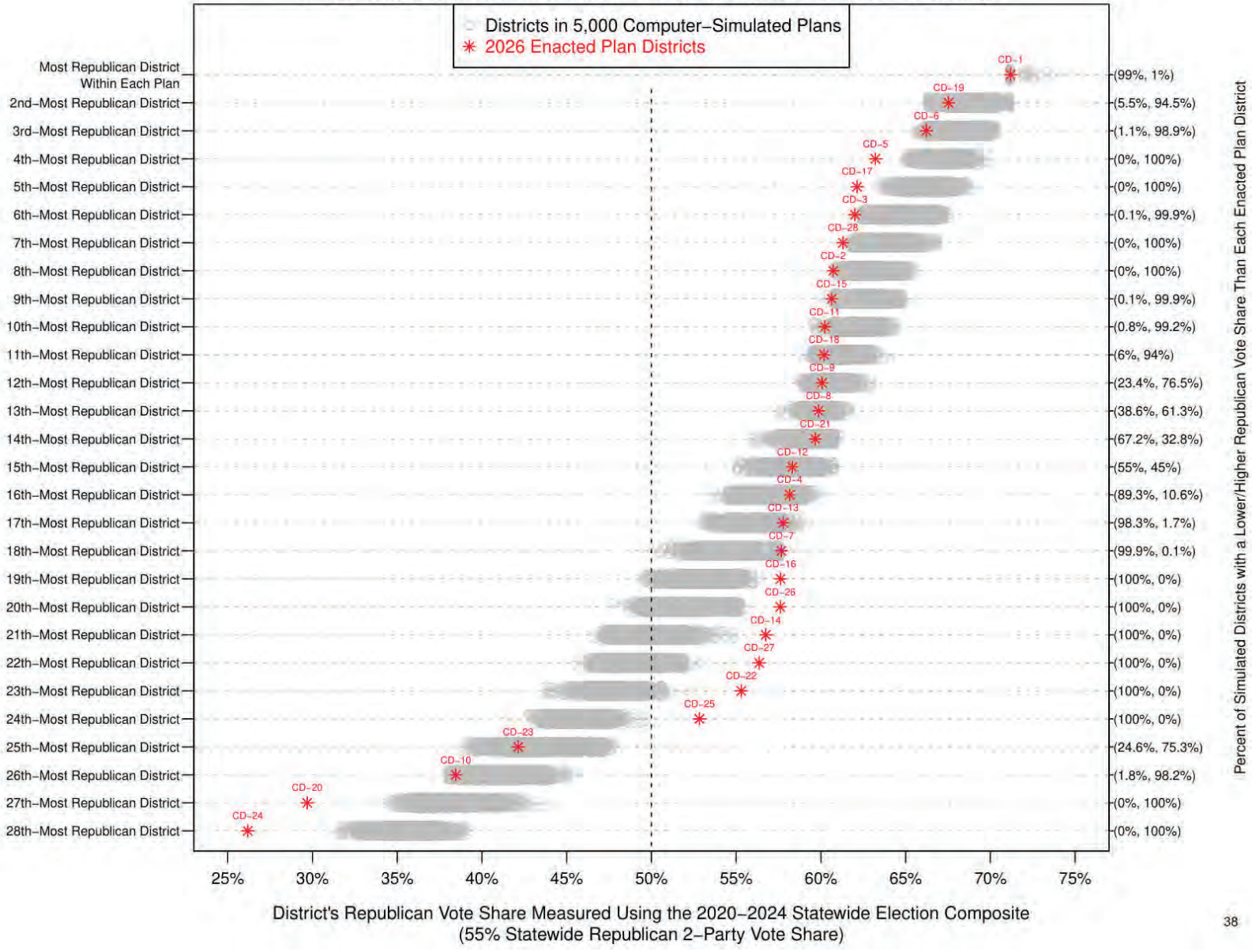
56. ***Partisan Outlier Districts in the 2026 Plan (2020-2024 Composite):*** In **Figure 14**, I directly compare the partisan distribution of districts in the 2026 Plan to the partisan distribution of districts in the 5,000 computer-simulated plans. I first order the 2026 Plan's districts from the most to the least-Republican, as measured by Republican vote share using the 2020-2024 Statewide Election Composite. The most-Republican district appears on the top row, and the least-Republican district appears on the bottom row. Next, I analyze each of the 5,000 computer-simulated plans and similarly order each simulated plan's districts from the most- to the least-Republican. I then directly compare the most-Republican 2026 Plan district (CD-1) to the most-Republican simulated district from each of the 5,000 computer-simulated plans. I then directly compare the second-most-Republican district in the 2026 Plan (CD-19) to the second-most-Republican district from each of the 5,000 simulated plans. And so on.

57. In each row of this Figure, the 2026 Plan's district is depicted with a red star and labeled in red with its district number; meanwhile, the 5,000 computer-simulated districts are depicted with 5,000 gray circles on each row.

58. The two percentages (in parentheses) in the right margin of this Figure report the percentage of these 5,000 simulated districts that are less Republican than, and more Republican than, the 2026 Plan district.

59. Overall, the results reveal a dramatic contrast between the partisanship of the 5,000 computer-simulated districts drawn using neutral redistricting criteria and the partisanship of the 2026 Plan districts.

Figure 14:
Comparisons of 2026 Enacted Plan Districts to 5,000 Computer–Simulated Plans' Districts



60. ***Outliers in Safe Democratic Districts.*** As the bottom row of Figure 14 illustrates, the most-Democratic district in the 2026 Plan (CD-24) is more heavily Democratic than 100% of the most-Democratic districts in each of the 5,000 computer-simulated plans. Every single one of the computer-simulated counterpart districts would have been more politically moderate than CD-24 in terms of partisanship. It is thus clear that CD-24 packs together Democratic voters to a more extreme extent than the most-Democratic district in 100% of the computer-simulated plans. I therefore identify CD-24 as an extreme partisan outlier when compared to its 5,000 computer-simulated counterparts, using a standard threshold test of 95% for statistical significance.

61. The next-to-bottom row of Figure 14 reveals a similar finding regarding CD-20 in the 2026 Plan. This row illustrates that the second-most-Democratic district in the 2026 Plan (CD-20) is more heavily Democratic than 100% of the second-most-Democratic districts in each of the 5,000 computer-simulated plans. Every single one of its computer-simulated counterpart districts would have been more politically moderate than CD-20 in its partisanship. In other words, CD-20 packs together Democratic voters to a more extreme extent than the second-most-Democratic district in 100% of the computer-simulated plans. I therefore identify CD-20 as an extreme partisan outlier when compared to its 5,000 computer-simulated counterparts.

62. The third-from-bottom row of Figure 14 reveals a similar finding regarding CD-10 in the 2026 Plan. This row illustrates that the third-most-Democratic district in the 2026 Plan (CD-10) is more heavily Democratic than 98.2% of the third-most-Democratic districts in each of the 5,000 computer-simulated plans. Virtually all of its computer-simulated counterpart districts would have been more politically moderate than CD-10 in its partisanship. In other words, CD-10 packs together Democratic voters to a more extreme extent than the third-most-Democratic district in nearly all of the computer-simulated plans. I therefore identify CD-10 as

an extreme partisan outlier when compared to its 5,000 computer-simulated counterparts.

63. ***Outliers in Safe Republican Districts.*** Meanwhile, the third to tenth rows from the top of Figure 14 reveal a similar finding, but this time for safe Republican districts. These eight rows collectively depict the third-most Republican to the tenth-most Republican districts within each plan. In any congressional plan in Florida, including in my simulations, these eight districts are always safe Republican districts. However, the 2026 Plan's district in each of these districts is less heavily Republican than 98.9% or more of the computer-simulated districts in its respective row. Hence, these eight districts in the 2026 Plan – CD-2, 3, 5, 6, 11, 15, 17, and 28 – are statistical outliers in terms of their partisanship.

64. Considering the partisan outliers in both safe Democratic and safe Republican districts together, this Figure reveals that a total of 11 districts in the 2026 Plan were drawn to include more Democratic voters than virtually all of their counterpart districts in the 5,000 computer-simulated plans. It is notable that among these 11 districts, three (CD-10, 20, and 24) are the most extreme Democratic districts in the 2026 Plan, while the remaining eight (CD-2, 3, 5, 6, 11, 15, 17, and 28) are among the ten most heavily Republican districts in the 2026 Plan. This fact is notable because adding "extra" Democratic voters to these 11 lopsided districts is unlikely to ever change the partisan outcome of a general election contest in these 11 districts. The first three districts (CD-10, 20, and 24) will still always favor Democratic candidates, while the remaining eight districts (CD-2, 3, 5, 6, 11, 15, 17, and 28) will still always favor Republican candidates. Hence, adding "extra" Democratic voters to these 11 lopsided districts does not affect which party wins each district.

65. However, these "extra" Democratic voters in 11 of the most partisan-extreme districts in the 2026 Plan had to come from the remaining districts in the 2026 Plan. Having

fewer Democratic voters in these more moderate districts enhances Republican performance in these (relatively) more moderate districts, thus swinging these districts into becoming safer, more Republican-favoring districts than the simulated plans would otherwise produce.

66. ***Outliers in Republican-leaning Districts***. The 17th to 24th rows in Figure 14 confirm this precise effect. Within most of these eight rows, the simulated plans' districts are generally politically moderate and electorally competitive, with Republican vote shares mostly in the 45% to 55% range. However, within all eight of these rows, the 2026 Plan district is a partisan outlier. In each of these eight rows, the 2026 Plan's district is more heavily Republican than over 98% of its counterpart districts in the 5,000 computer-simulated plans. In fact, six of these eight rows contain 2026 Plan districts that are more heavily Republican than over 100% of their counterpart districts in the computer-simulated plans. In summary, the eight 2026 Plan districts in the 17th through 24th rows (CD-7, 13, 14, 16, 22, 25, 26, and 27) of Figure 14 are partisan statistical outliers.

67. Thus, in total, Figure 14 illustrates that 19 of the 28 districts in the 2026 Plan are statistical partisan outliers.

68. Altogether, these findings demonstrate that the 19 partisan outlier districts in the 2026 Plan collectively increase the number of districts that are designed to structurally favor Republican candidates as compared to the computer-simulated plans.

69. The simulation results in Figure 14 demonstrate that the unusually large number of partisan outliers at the district level found in the 2026 Plan are not explained by a race-neutral plan, by an attempt to prioritize the traditional redistricting criteria in the Fair Districts Amendment, or by Florida's political geography.

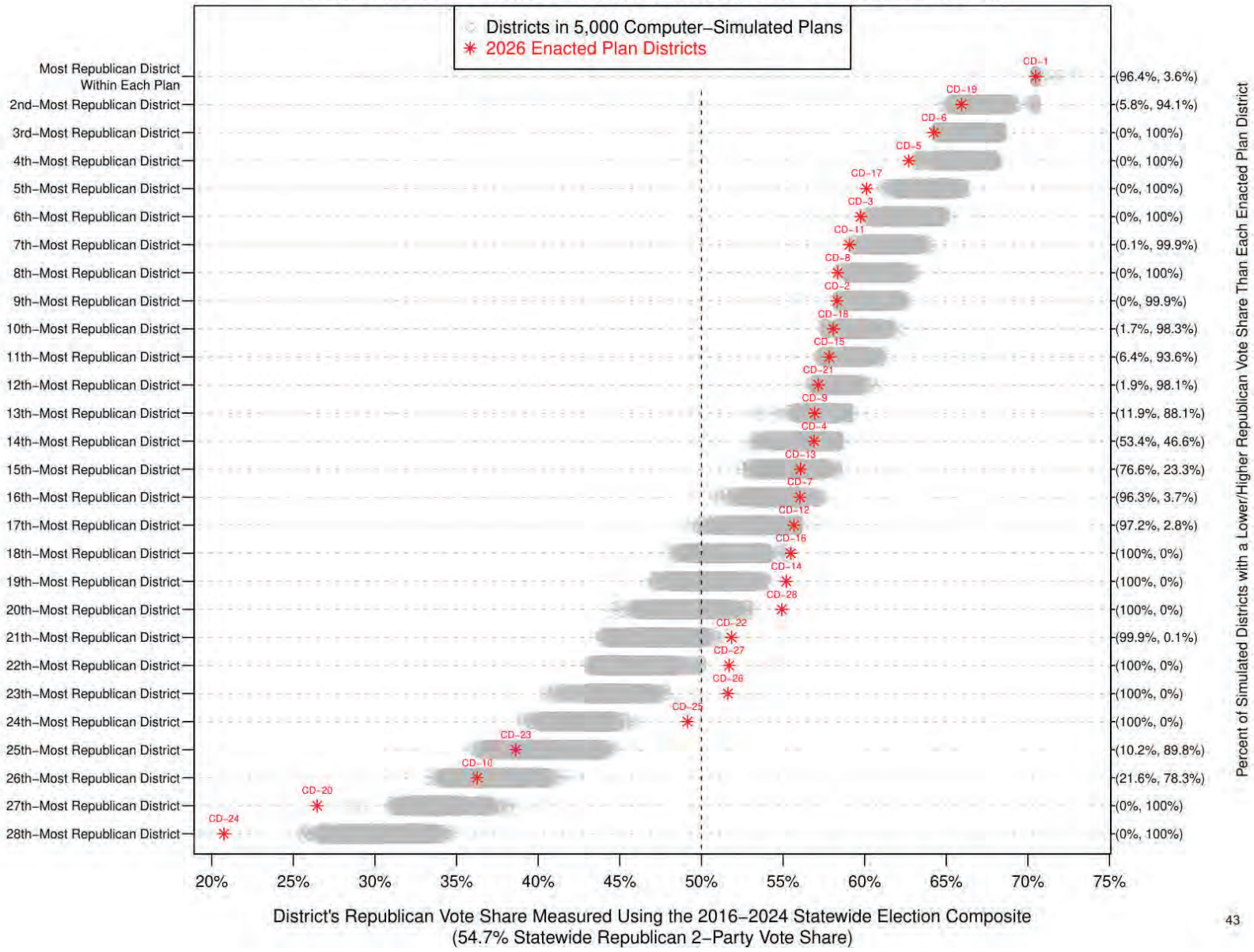
70. ***Partisan Outlier Districts in the 2026 Plan (2016-2024 Statewide Election Composite):*** In **Figure 15**, I directly compare the partisan distribution of districts in the 2026 Plan to the partisan distribution of districts in the 5,000 computer-simulated plans using the 2016-2024 Statewide Election Composite. As before, I order the 2026 Plan's districts from the most to the least-Republican district. Next, I analyze each of the 5,000 computer-simulated plans and similarly order each simulated plan's districts from the most- to the least-Republican district.

71. This Figure reveals largely the same patterns as illustrated by Figure 14, which used the 2020-2024 Statewide Election Composite. In Figure 15, a total of 11 districts in the 2026 Plan were drawn to include more Democratic voters than virtually all of their counterpart districts in the 5,000 computer-simulated plans. Just as in my prior analysis, all of these districts are in districts that are already safe Democratic seats or safe Republican seats, meaning that Democratic votes are wasted in these districts.

72. However, these "extra" Democratic voters in 11 of the most partisan-extreme districts in the 2026 Plan had to come from the remaining more moderate districts in the 2026 Plan. Having fewer Democratic voters in these more moderate districts enhances Republican candidate performance in these relatively more moderate districts, thus swinging these districts into becoming safer, more Republican-favoring districts.

73. Just as in my prior analysis, the 18th to 24th rows in Figure 15 (i.e., rows 18 through 24) confirm this precise effect. The districts within these seven rows are relatively more politically moderate, and the 2026 Plan district in each of these seven rows (CD-14, 16, 22, 25, 26, 27, 28) is more favorable for Republicans than virtually all of the simulated districts in its respective row. In summary, the seven 2026 Plan districts in the 18th through 24th rows (CD-14, 16, 22, 25, 26, 27, 28) of Figure 15 are partisan statistical outliers.

Figure 15: 2016–2024 Statewide Election Composite
Comparisons of 2026 Enacted Plan Districts to 5,000 Computer–Simulated Plans' Districts



74. Altogether, these findings demonstrate that using the 2016-2024 Statewide Election Composite, there are 18 partisan outlier districts in the 2026 Plan as compared to the computer-simulated plans.

75. I am also able to analyze my computer-simulated plans against the 2026 Plan on a number of common measures of partisan bias.

76. ***The Efficiency Gap:*** A commonly used measure of a districting plan's partisan bias is the efficiency gap.[3] To calculate the efficiency gap of the 2026 Plan and every computer-simulated plan, I first measure the number of Republican and Democratic votes within each 2026 Plan district and each computer-simulated district, as measured using the 2020-2024 Statewide Election Composite. Using this measure of district-level partisanship, I then calculate each districting plan's efficiency gap using the method outlined in *Partisan Gerrymandering and the Efficiency Gap.*[4]

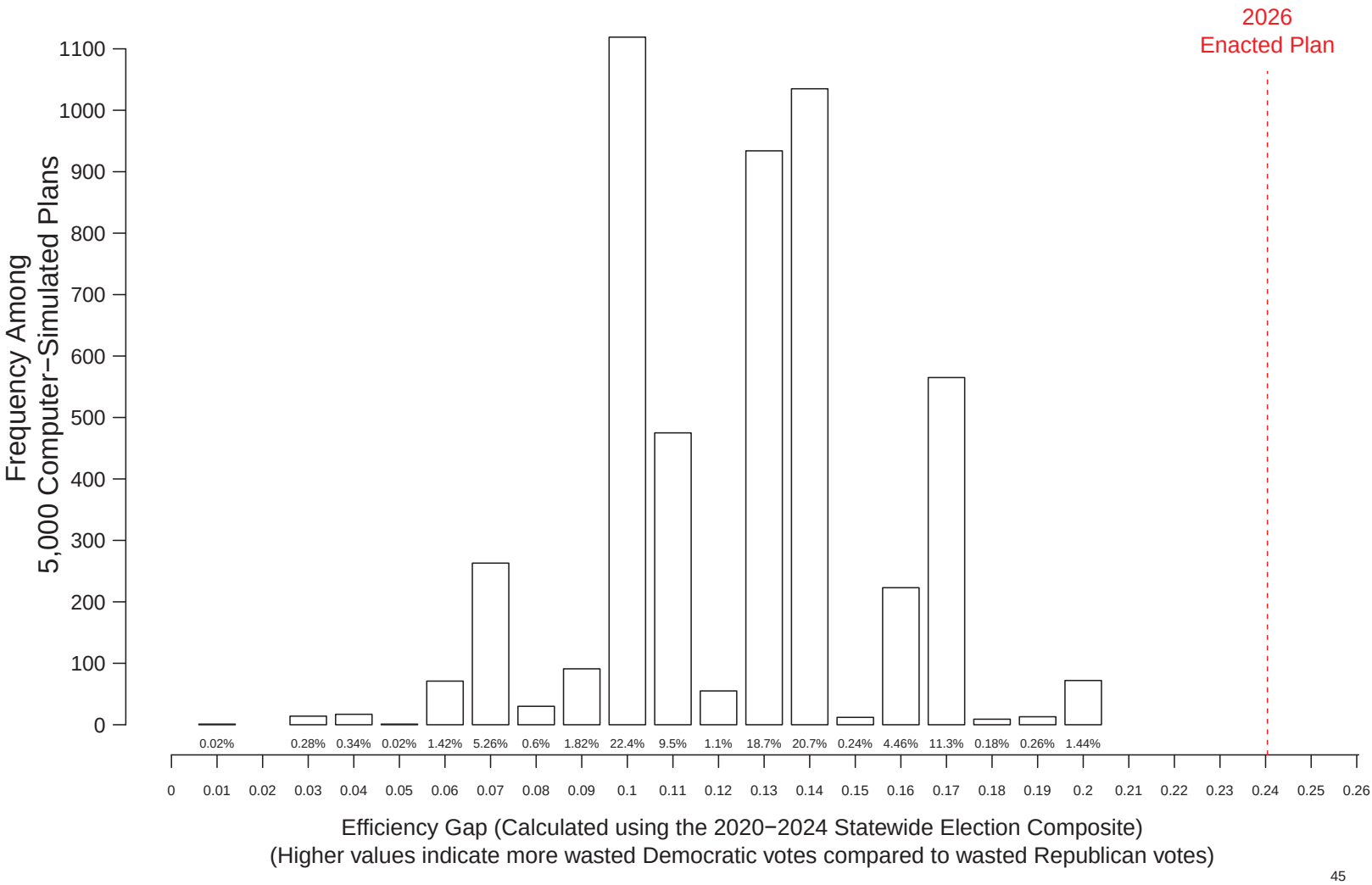
77. The efficiency gap tells us the degree to which more Democratic or Republican votes are wasted across an entire districting plan. A significantly positive efficiency gap indicates far more Democratic wasted votes, while a significantly negative efficiency gap indicates far more Republican wasted votes.

78. The results in **Figure 16** illustrate that the 2026 Plan exhibits an efficiency gap of +24.0%, indicating that the plan results in far more wasted Democratic votes than wasted

[3] Eric McGhee, "Measuring Partisan Bias in Single-Member District Electoral Systems." Legislative Studies Quarterly Vol. 39, No. 1: 55–85 (2014).

[4] Nicholas O. Stephanopoulos & Eric M. McGhee, *Partisan Gerrymandering and the Efficiency Gap*, 82 University of Chicago Law Review 831 (2015). To calculate the efficiency gap, I use the following process: Specifically, districts are classified as Democratic victories if, using the 2020-2024 Statewide Election Composite, the sum total of Democratic votes in the district during these elections exceeds the sum total of Republican votes; otherwise, the district is classified as Republican. For each party, I then calculate the total sum of surplus votes in districts the party won and lost votes in districts where the party lost. Specifically, in a district lost by a given party, all of the party's votes are considered lost votes; in a district won by a party, only the party's votes exceeding the 50% threshold necessary for victory are considered surplus votes. A party's total wasted votes for an entire districting plan is the sum of its surplus votes in districts won by the party and its lost votes in districts lost by the party. The efficiency gap is then calculated as total wasted Democratic votes minus total wasted Republican votes, divided by the total number of two-party votes cast statewide across all eight elections.

Figure 16: Efficiency Gap:
Comparisons of 2026 Enacted Plan to 5,000 Computer−Simulated Plans



Republican votes. The 2026 Plan's efficiency gap is larger, by a significant margin, than the efficiency gaps exhibited by 100% of the computer-simulated plans. This comparison reveals that the significant level of Republican bias exhibited by the 2026 Plan cannot be explained as the result of a race-neutral plan, by an attempt to prioritize the traditional redistricting criteria in the Fair Districts Amendment, or by Florida's political geography.

79. ***The Lopsided Margins Measure:*** Another measure of partisan bias in districting plans is the "lopsided margins" test. The basic premise captured by this measure is that a partisan-motivated map-drawer may attempt to pack the opposing party's voters into a small number of extreme districts that are won by a lopsided margin.

80. The lopsided margins test is performed by calculating the difference between the average margin of victory in Republican-favoring districts and the average margin of victory in Democratic-favoring districts.

81. The 2026 Plan contains four Democratic-favoring districts (CD-10, 20, 23, and 24), and these four districts have an average Democratic vote share of 65.88%, as measured using the 2020-2024 Statewide Election Composite. By contrast, the 2026 Plan contains 24 Republican-favoring districts, and these 24 districts have an average Republican vote share of 60.14%.

82. The difference between the average Democratic margin of victory in Democratic-favoring districts and the average Republican margin of victory in Republican-favoring districts is +5.7%. I refer to this calculation of +5.7% as the 2026 Plan's lopsided margins measure. Substantively, this +5.7% lopsided margins measure indicates that in the 2026 Plan, Democratic voters are concentrated in Democratic-favoring districts to a more extreme extent than Republican voters are concentrated in Republican-favoring districts. This asymmetric

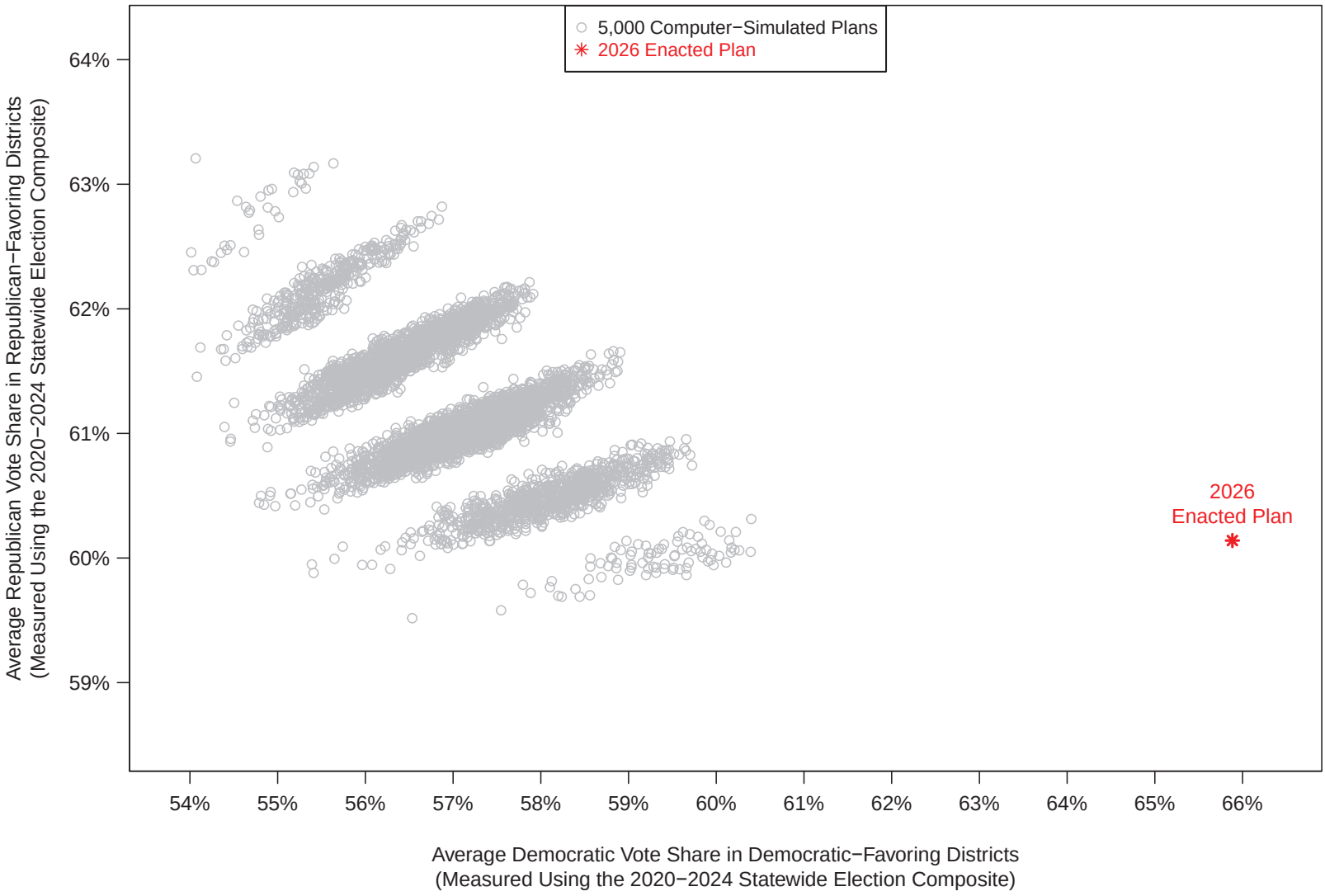
concentration of Democratic voters enables the 2026 Plan to create relatively more Republican-favoring districts, as Republican voters are spread out more efficiently across a relatively larger number of districts.

83. **Figure 17** compares the average vote shares for all Democratic-favoring districts and for all Republican-favoring districts within the 2026 Plan and all 5,000 computer-simulated plans. The results in this Figure illustrate that the 2026 Plan is a statistical outlier with respect to how it concentrates Democratic voters into extremely Democratic-heavy districts: The simulated plans exhibit an average Democratic vote share ranging from 54% to 60% in its Democratic-favoring districts, far less than the 65.88% average Democratic voter share observed in the comparable 2026 Plan districts, indicating that Democratic voters are significantly less concentrated in extreme Democratic districts under the computer-simulated plans.

84. As **Figure 18** illustrates, the 2026 Plan is a statistical outlier with respect to its +5.7% lopsided margins measure. This Figure illustrates that the 2026 Plan's lopsided margins measure of +5.7% is significantly more favorable to the Republicans than all 5,000 of the computer-simulated plans, which exhibit a lopsided margins measure ranging from -9% to 0%. The finding that all 5,000 simulated plans have a lopsided margins measure that is less biased in favor of Republicans indicates that the 2026 Plan's extreme concentration of Democrats into Democratic-favoring districts was not simply the result of Florida's political geography, or an attempt to draw a race-neutral plan that adhered to traditional redistricting criteria.

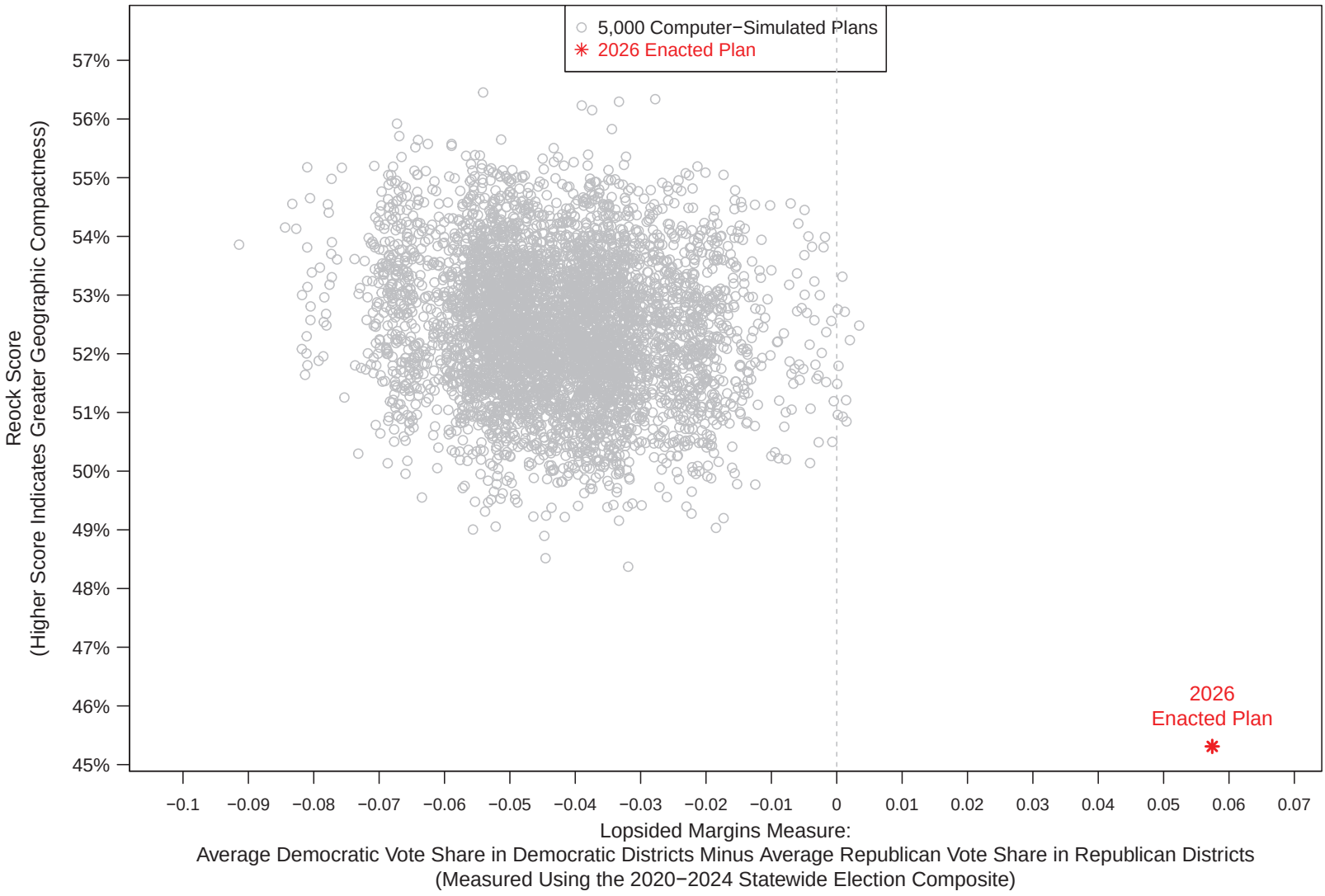
85. The vertical axis of Figure 18 illustrates that the 2026 Plan achieved this extreme partisan outcome by drawing districts that are significantly less geographically compact than all 5,000 computer-simulated plans, as measured by their average Reock scores. By subordinating the geographic compactness of the 2026 Plan's districts, the 2026 Plan mapdrawer was able to

Figure 17:
Comparisons of 2026 Enacted Plan to 5,000 Computer−Simulated Plans on Vote Margins in Democratic versus Republican−Favoring Districts



48

Figure 18:
Comparisons of 2026 Enacted Plan to 5,000 Computer−Simulated Plans on Lopsided Margins Measure and Compactness



instead achieve a more extreme partisan outcome favoring Republicans than was exhibited by any of the 5,000 computer-simulated plans.

86. ***Partisan Symmetry Based on Uniform Swing:*** Finally, another common measure of partisan bias is based on the concept of partisan symmetry and asks the following question: Under a given districting plan and given a particular election-based measure of district partisanship, what share of seats would each party win in a hypothetical tied election (i.e., 50% vote share for each of two parties)?[5]

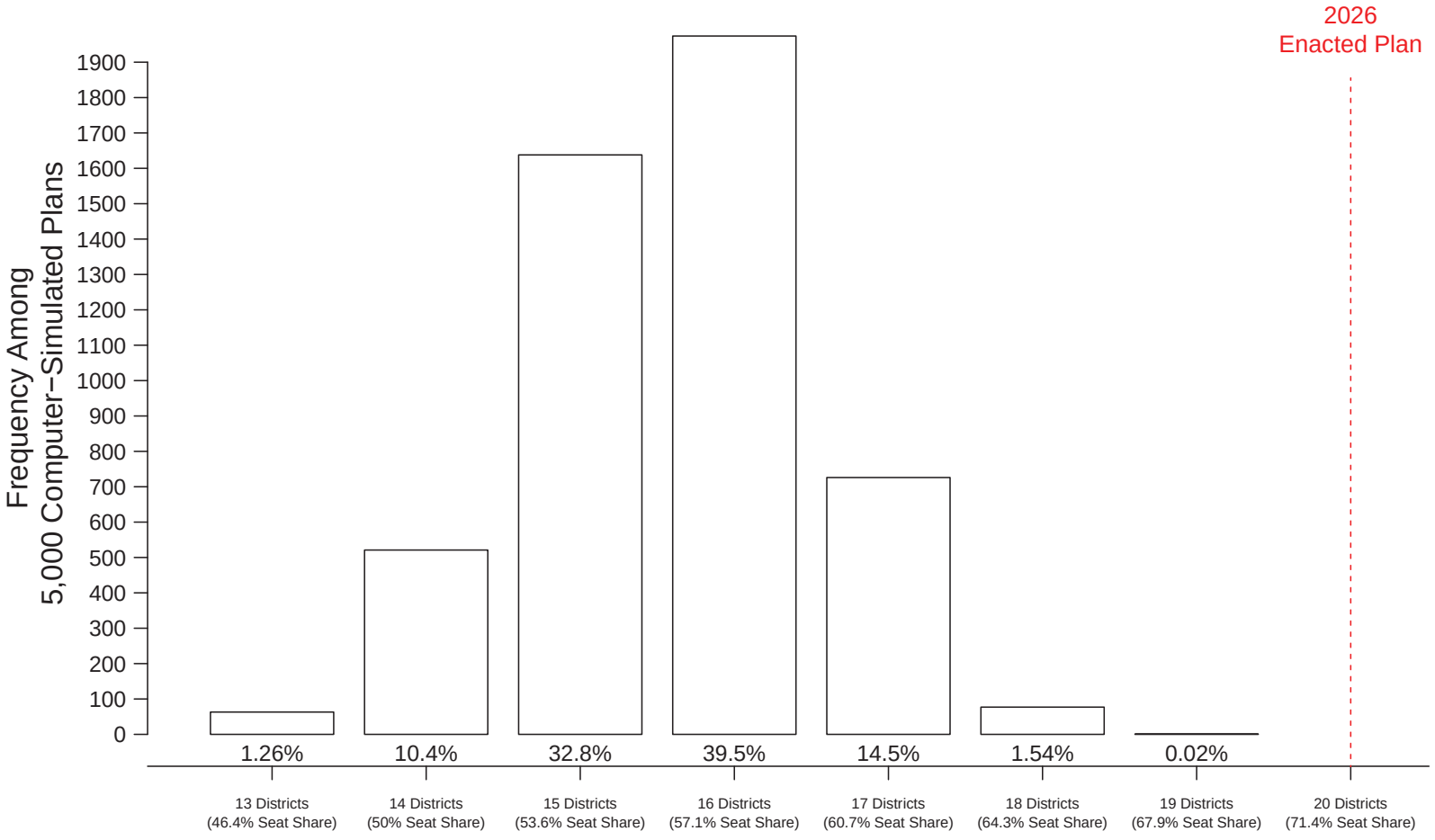
87. Specifically, I use the 2020-2024 Statewide Election Composite to calculate the Partisan Symmetry measure for both the 2026 Plan and for the computer-simulated plans. The 2020-2024 Statewide Election Composite produces a statewide Republican vote share of 57.39%. Therefore, I use a uniform swing of -7.39% in order to estimate the partisanship of districts under a hypothetical tied election in which each party wins exactly 50% of the statewide vote. I then compare the number of Republican-favoring districts in the 2026 Plan and the simulated plans.

88. Under the 2026 Plan, 71.4% of the districts (20 out of 28) are Republican-favoring, even if Republicans receive only 50% of the vote. By contrast, under the 5,000 simulated plans, if Republicans receive only 50% of the vote, Republicans would win between 14 to 17 seats under the vast majority of the simulated plans, as **Figure 19** reports.

89. Stated another way, Figure 19 reveals that under the 5,000 simulated plans, in an election in which Democrats and Republicans each take 50% of the vote, Democrats would win between 11 and 14 seats under most plans. Under the 2026 Plan, however, in an election in

[5] To approximate the district-level outcomes in a hypothetical tied election, one normally uses a uniform swing in order to simulate a tied statewide election. We then calculate whether each party would receive more than or less than 50% of the seats under this hypothetical tied election in a given districting plan. This particular measure is often referred to in the academic literature as "partisan bias." In order to avoid confusion with other measures of partisan bias described in this report, I will refer to this measure as "Partisan Symmetry Based on Uniform Swing."

Figure 19:
Comparisons of 2026 Enacted Plan to 5,000 Computer−Simulated Plans
On Partisan Symmetry Based on Uniform Swing



Number of Republican−Favoring Districts in a Hypothetical Statewide Tied (50%−50%) Election
(Applying a −7.39% Uniform Swing to the 2020−2024 Statewide Election Composite)

which Democrats and Republicans each take 50% of the vote, Democrats will win only 8 seats.

90. Accordingly, Figure 19 reveals the 2026 Plan's partisan symmetry measure is more favorable to Republicans than all 100% of the simulated plans. Substantively, the 2026 Plan's 71.4% partisan symmetry measure reflects the 2026 Plan's creation of a durable Republican majority for Florida's congressional delegation, such that even when Democrats win 50% of the statewide vote, Republicans would still be favored in 20 out of 28 (71.4%) of the congressional districts, while Democrats would only be favored in only 8 out of the 28 (28.6%) districts.

Regional Comparisons of 2026 Plan and Simulated Plan Districts

91. In this section, I analyze the extent to which the 2026 Plan creates extreme partisan outcomes by subordinating Tier II redistricting criteria in specific cities and counties in Florida. In particular, I analyze the 2026 Plan's districts around Orlando, Tampa Bay, and Miami, and I find that the 2026 Plan's individual districts in all of these regions exhibit extreme political bias when compared to the computer-simulated districts in the same regions. Below, I describe my findings within each region:

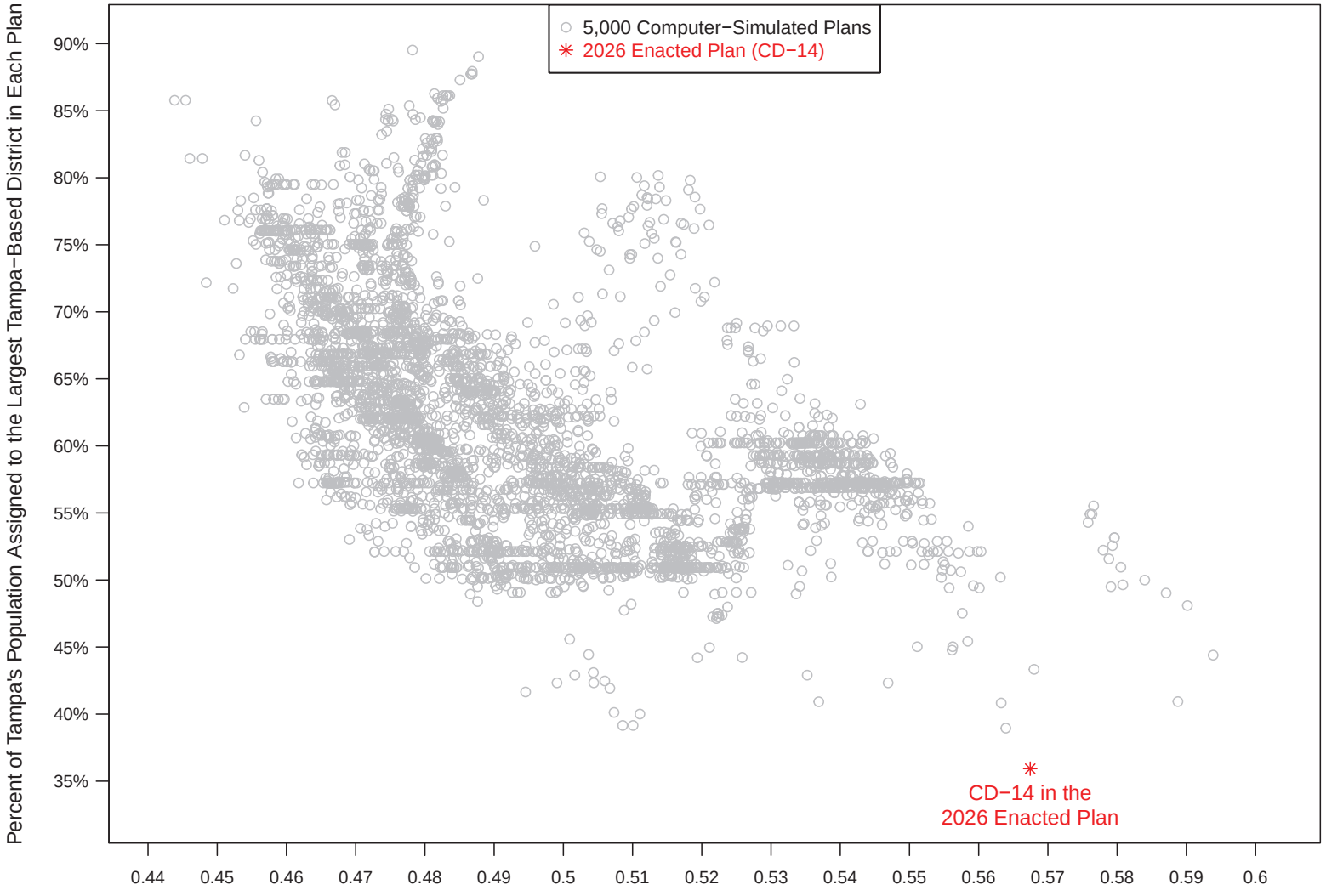
92. ***Tampa:*** The 2026 Plan divides Tampa into three districts (CD-12, 14, and 15), each containing nearly one-third of Tampa's total population. Consequently, although CD-14 contains the largest amount of Tampa's population, there is not a single district in the 2026 Plan that contains a majority of Tampa's population. In **Figure 20**, I compare these Tampa-based districts in the 2026 Plan to the comparable Tampa-based districts in the 5,000 computer-simulated plans to determine how statistically anomalous the 2026 Plan's Tampa-based districts are.[6]

93. Overall, Figure 20 reveals that the 2026 Plan fractures Tampa's population to a significantly greater extent than 100% of the simulated plans. Nearly all of the simulated plans produce a single district containing over half of Tampa's population, and most simulated plans contain a district containing over 60% of Tampa's population. Hence, the 2026 Plan is a statistical outlier in the extent to which it fractures Tampa's population into multiple districts.

94. The horizontal axis of this Figure reveals that fracturing Tampa's population in

[6] I created Figure 20 by identifying the district that contains the largest share of Tampa's population. This district in the 2026 Plan is CD-14, which contains 35.9% of Tampa's residents. The horizontal axis of Figure 20 reports the Republican vote share, as measured by the 2020-2024 Statewide Election Composite, of this largest Tampa-based district in the 2026 Plan and in the 5,000 computer-simulated plans. The vertical axis of this Figure reports the percent of Tampa's population that resides within this largest Tampa-based district within each plan.

Figure 20: Comparison of Tampa−Based District in the 2026 Enacted Plan and the 5,000 Computer−Simulated Plans



this manner also enabled the 2026 Plan to create a safer Republican district in Tampa. The 2026 Plan's CD-14 has a higher Republican vote share than 99.64% of the simulated plan's largest Tampa-based district. Thus, CD-14 is a partisan outlier when compared to the simulated plans' largest Tampa-based districts, and Figure 20 illustrates that the extreme degree to which the 2026 Plan fractured Tampa's population enabled the mapdrawer to create an anomalously safe Republican district in Tampa.

95. **Figure 21** illustrates that the 2026 Plan's mapdrawer also sacrificed the geographic compactness of the three Tampa-based districts in order to create a more safely Republican district for Tampa. This Figure reveals that when compared to the computer-simulated plans, the 2026 Plan's Tampa-based districts are a statistical outlier both in terms of their partisanship and their lack of geographic compactness: The 2026 Plan is less geographically compact than 99.64% of the simulated plans in terms of each plan's Tampa-based districts. In other words, the 2026 Plan achieves its statistically anomalous partisan outcome by drawing significantly less compact districts than the Tampa-based districts in nearly all of the simulated plans.

96. Together, these findings suggest an important relationship between the pro-Republican bias of the 2026 Plan's Tampa-based districts and these districts' lack of geographic compactness. By subordinating the Fair Districts Amendment's mandate of drawing geographically compact districts, the 2026 Plan created a Tampa-based district that is more favorable to the Republicans than in nearly all of the simulated plans.

97. Next, **Figure 22** analyzes the unique combination of counties combined together by the 2026 Plan's CD-15, which combines Northeast Tampa (Hillsborough County) together with Citrus County, which is much further north. How statistically rare is a Florida congressional

Figure 21: Comparison of Tampa−Based District in the 2026 Enacted Plan and the 5,000 Computer−Simulated Plans

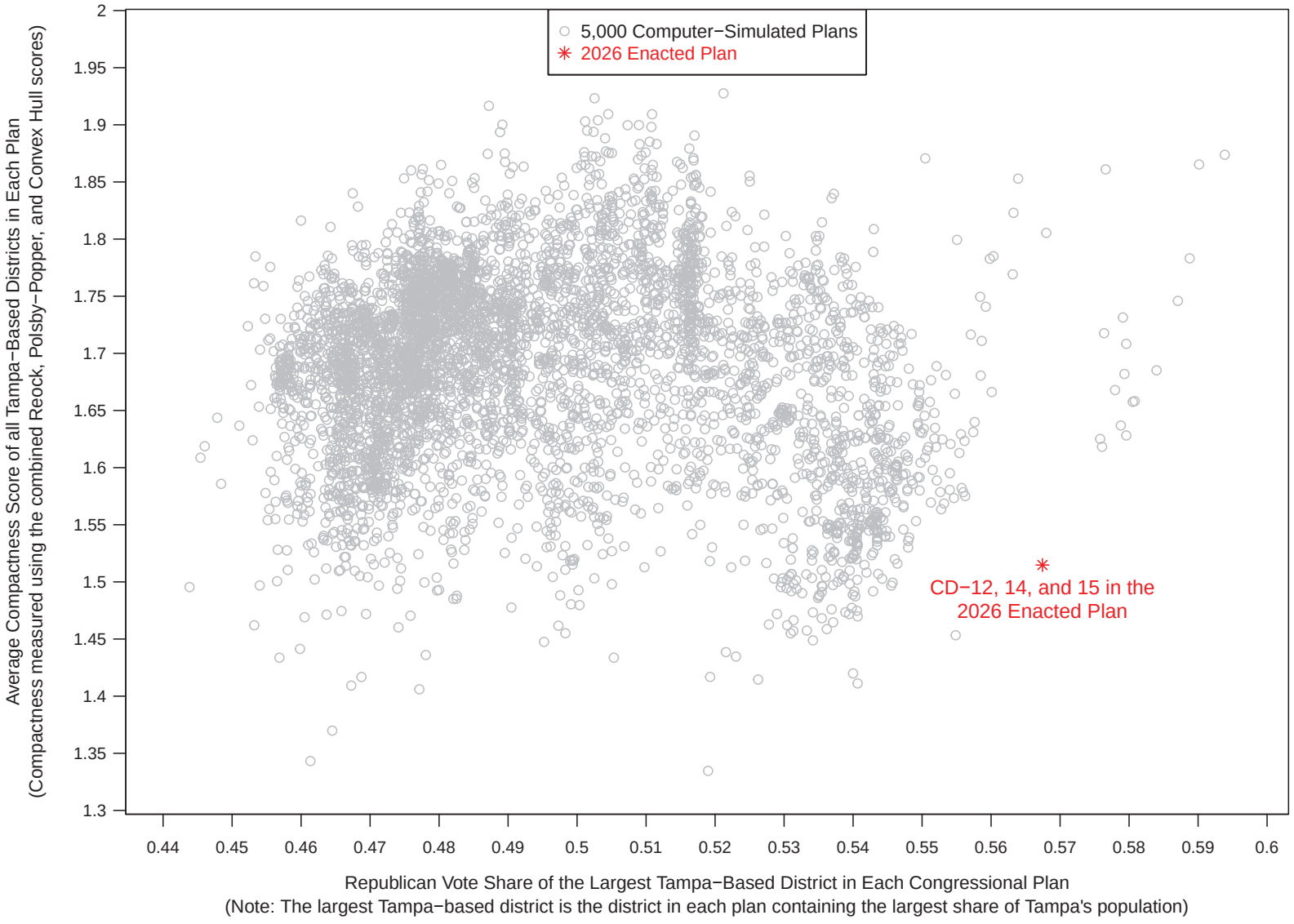
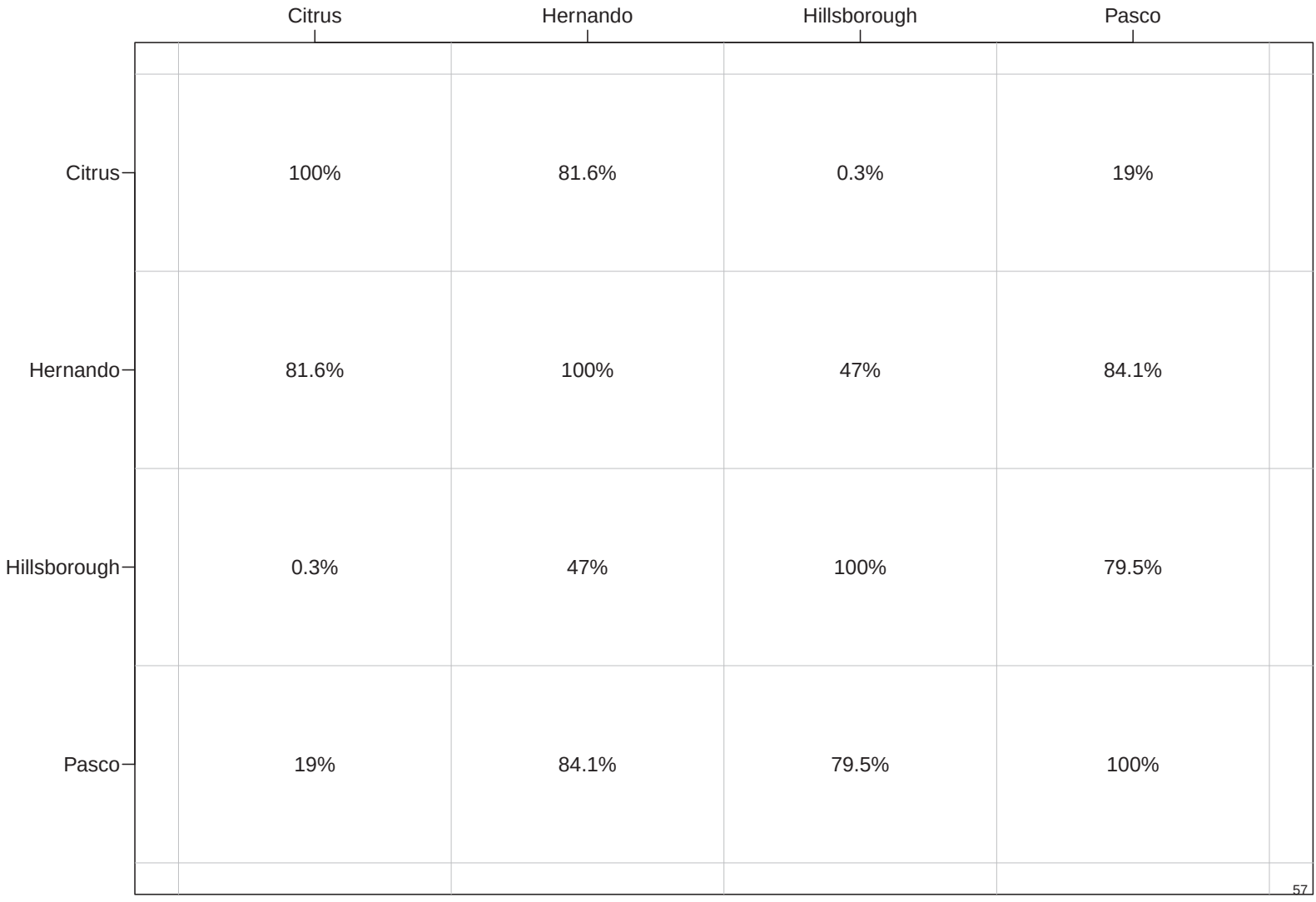


Figure 22: Percentage of Simulated Plans in which Each Pair of Counties Shares the Same District (Counties in CD−15 in the 2026 Enacted Plan)



district that combines Hillsborough County together with the Citrus County?

98. The 2026 Plan's CD-15 contains a total of four counties. Figure 22 contains a grid that lists each of these four counties both horizontally and vertically. Each square in this grid reports, for any pair of counties, the percentage of the 5,000 computer-simulated plans that contains at least one congressional district combining the pair of counties.

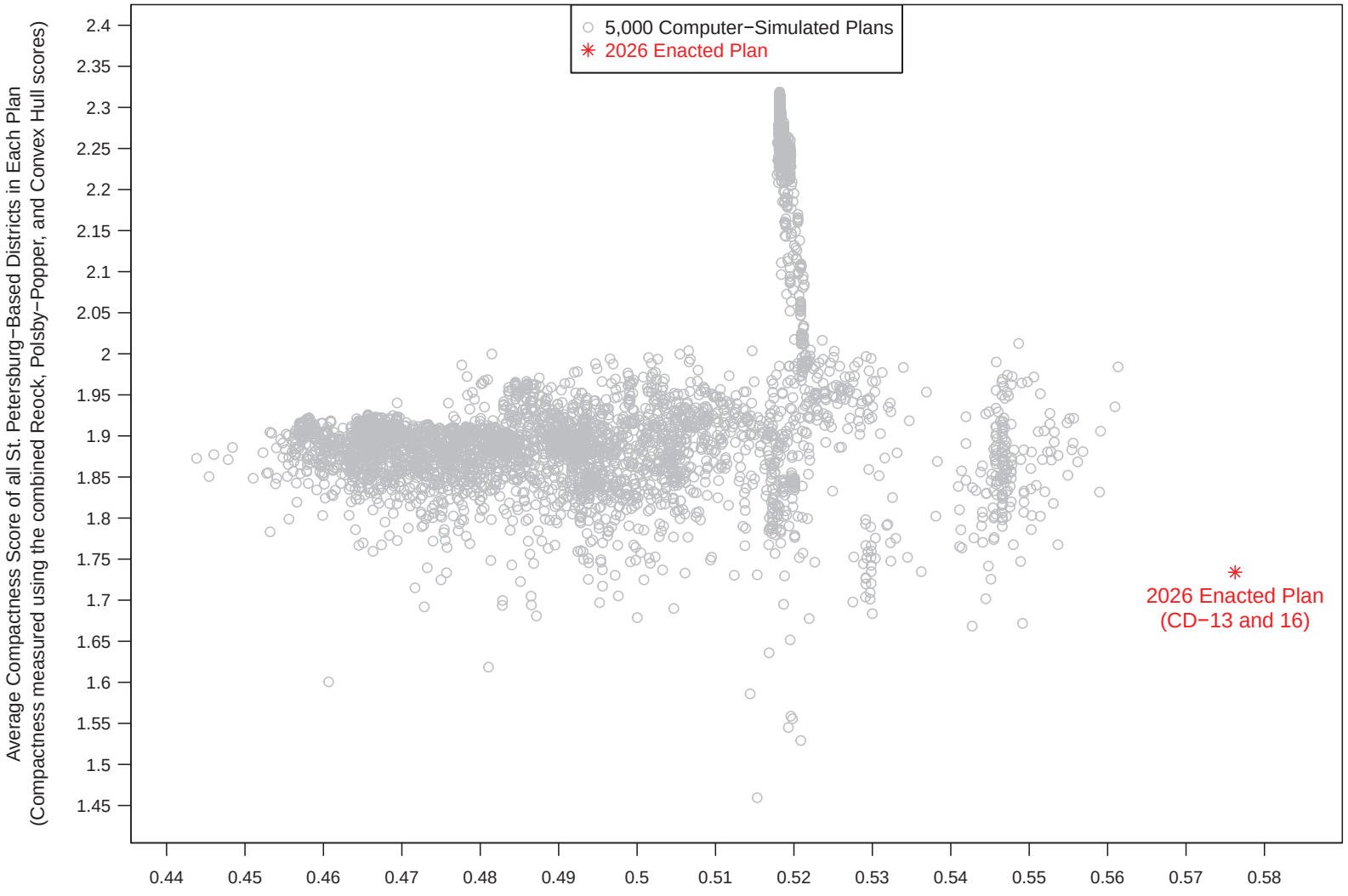
99. Figure 22 reports that among the 5,000 simulated plans, Hillsborough County is paired with Citrus County in the same district in only 0.3% of the simulated plans. This finding indicates that the particular geographic combination of counties assigned to CD-15 is a statistical outlier and not likely to arise in a redistricting plan that otherwise attempts to draw compact districts.

100. ***St. Petersburg***: The 2026 Plan divides St. Petersburg into two districts (CD-13 and 16). Most of St. Petersburg's population is assigned to CD-16. In **Figure 23**, I compare the St. Petersburg-based districts in the 2026 Plan to the comparable St. Petersburg-based districts in the 5,000 computer-simulated plans.[7]

101. This Figure reveals that when compared to the computer-simulated plans, the 2026 Plan's St. Petersburg-based districts are a statistical outlier both in terms of their partisanship and their lack of geographic compactness. The 2026 Plan is less geographically compact than 99.06% of the simulated plans in terms of each plan's St. Petersburg-based districts. Not surprisingly, drawing relatively non-compact district lines around St. Petersburg allowed the 2026 Plan to create an extreme partisan outlier with its largest St. Petersburg-based

[7] To create Figure 23, I first identify the district that contains the largest share of St. Petersburg's population. In the 2026 plan, CD-16 contains the largest share of St. Petersburg's residents. The horizontal axis of Figure 23 reports the Republican vote share, as measured by the 2020-2024 Statewide Election Composite, of this largest St. Petersburg-based district in the 2026 Plan and in the 5,000 computer-simulated plans. The vertical axis of this Figure reports the average compactness score of all of the St. Petersburg-based districts in each plan.

Figure 23: Comparison of St. Petersburg−Based District in the 2026 Enacted Plan and the 5,000 Computer−Simulated Plans



district: The 2026 Plan's largest St. Petersburg-based district (CD-16) has a Republican vote share of 57.6% and is therefore more safely Republican than the largest St. Petersburg-based district in all 100% of the computer-simulated plans.

102. Together, these findings suggest an important relationship between the pro-Republican bias of the 2026 Plan's St. Petersburg-based districts and these districts' lack of geographic compactness. By subordinating the Fair Districts Amendment's mandate of drawing geographically compact district boundaries, the 2026 Plan manages to flip the largest St. Petersburg-based district from either a competitive or a Democratic-favoring district into a safe Republican district. By sacrificing the compactness of the St. Petersburg-area districts, the 2026 Plan created a St. Petersburg-based district that is more favorable to Republicans than in nearly all of the simulated plans.

103. **Figure 24** analyzes the unique combination of counties combined together by the 2026 Plan's CD-16, which combines Pinellas County together with Hillsborough, Manatee, Sarasota, Polk, Hardee, and DeSoto Counties. How statistically rare is a Florida congressional district that combines Pinellas County together with the other counties assigned to CD-16?

104. The 2026 Plan's CD-16 contains a total of seven counties. Figure 24 contains a grid that lists each of these seven counties both horizontally and vertically. Each square in this grid reports, for any pair of counties, the percentage of the 5,000 computer-simulated plans that contains at least one congressional district combining the pair of counties. For example, this Figure reports that 95.4% of the simulated plans contain at least one district that combines parts of Sarasota County and Manatee County. Given the geographic proximity of these counties, the fact that almost all simulated plans combine these counties is not surprising.

105. However, Figure 24 also reveals that four pairs of counties found in the 2026

Figure 24: Percentage of Simulated Plans in which Each Pair of Counties Shares the Same District (Counties in CD−16 in the 2026 Enacted Plan)



Plan's CD-16 are statistically anomalous. Among the 5,000 simulated plans, Pinellas County is paired with Polk County in the same district in only 0.6% of the simulations. Similarly, Pinellas County is paired with Sarasota County in the same district in only 0.4% of the simulations, and Pinellas County is *never* paired with DeSoto or Hardee Counties in the same district in any of the 5,000 simulations. Altogether, these findings indicate that the particular geographic combination of counties assigned to CD-16 is a statistical outlier.

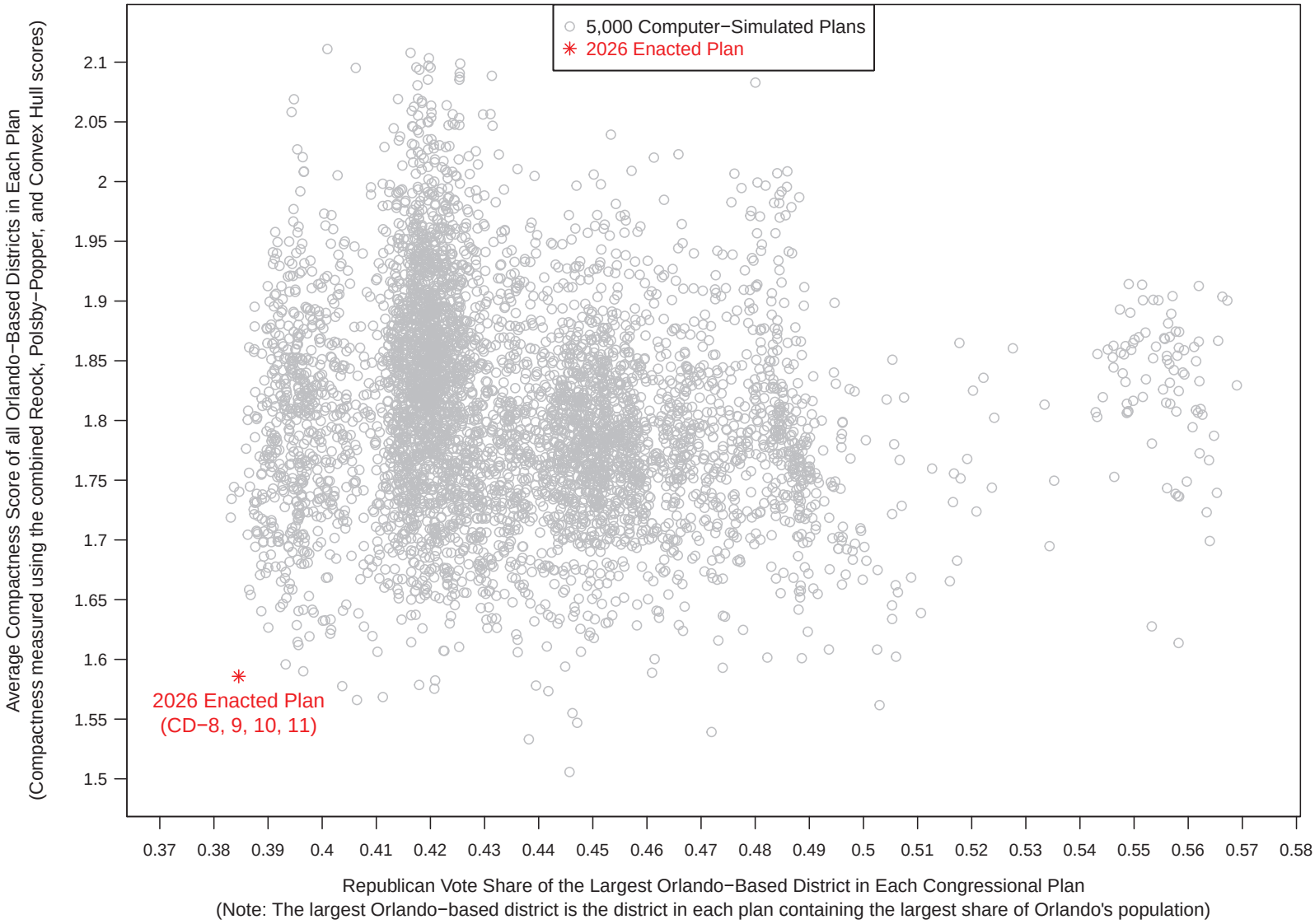
106. ***Orlando:*** The 2026 Plan divides Orlando into four districts (CD-8, 9, 10, and 11), and most of Orlando's population is assigned to CD-10. In **Figure 25**, I compare these Orlando-based districts in the 2026 Plan to the comparable Orlando-based districts in the 5,000 computer-simulated plans.[8]

107. This Figure reveals that when compared to the computer-simulated plans, the 2026 Plan's Orlando-based districts are a statistical outlier both in terms of their partisanship and their lack of geographic compactness. The 2026 Plan is less geographically compact than 97.2% of the simulated plans in terms of each plan's Orlando-based districts. Not surprisingly, drawing relatively non-compact district lines around Orlando allowed the 2026 Plan to create an extreme partisan outlier with its largest Orlando-based district: The 2026 Plan's largest Orlando-based district (CD-10) is more extremely Democratic than the largest Orlando-based district in 99.94% of the computer-simulated plans.

108. Together, these findings suggest an important relationship between the partisan extremity of the 2026 Plan's Orlando-based districts and these districts' lack of geographic

[8] To create Figure 25, I first identify the district that contains the largest share of Orlando's population. In the 2026 plan, CD-10 contains the largest share of Orlando's residents. The horizontal axis of Figure 25 reports the Republican vote share, as measured by the 2020-2024 Statewide Election Composite, of this largest Orlando-based district in the 2026 Plan and in the 5,000 computer-simulated plans. The vertical axis of this Figure reports the average compactness score of all of the Orlando-based districts in each plan.

Figure 25: Comparison of Orlando−Based District in the 2026 Enacted Plan and the 5,000 Computer−Simulated Plans



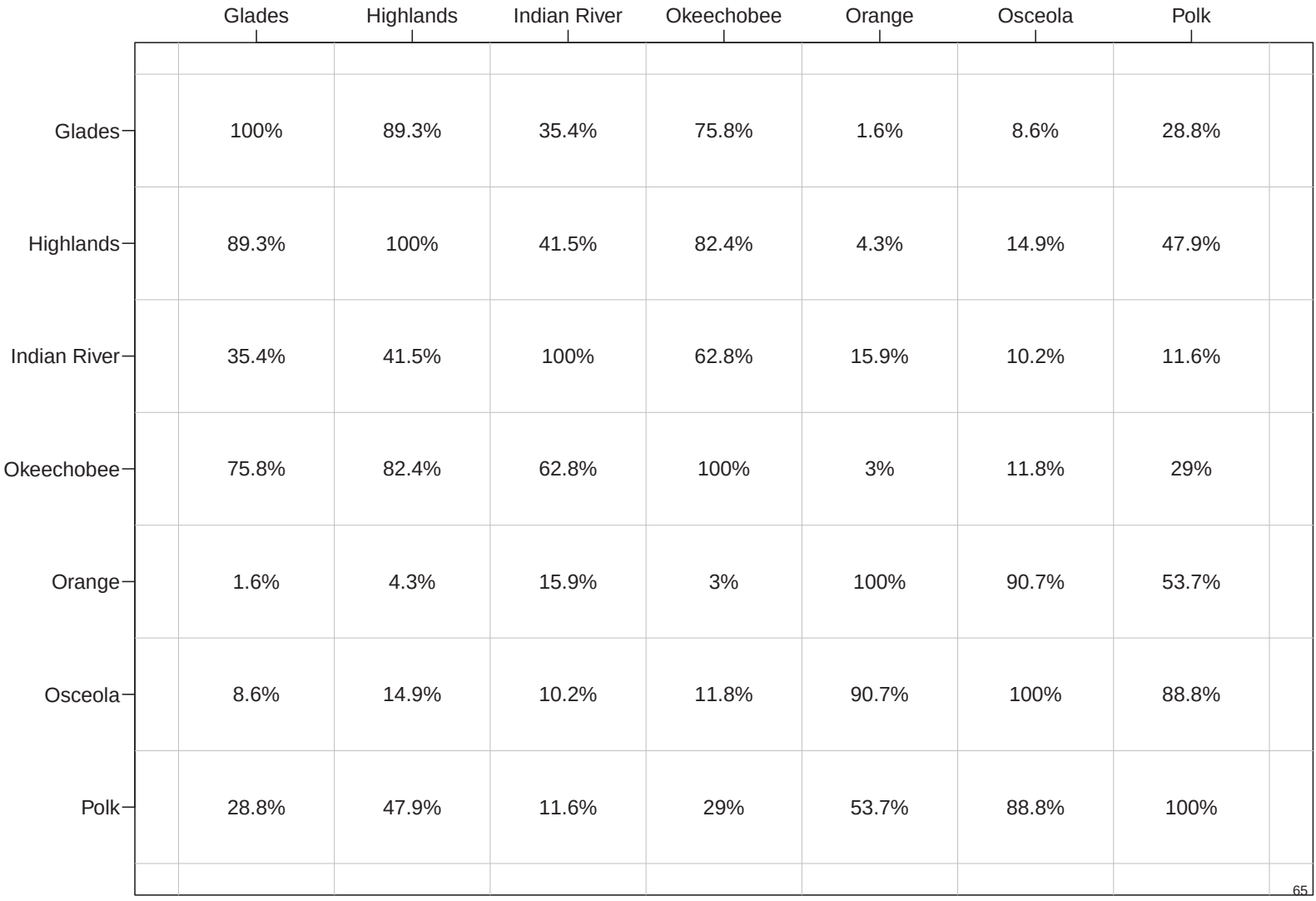
compactness. By subordinating the Fair Districts Amendment's mandate of drawing geographically compact districts, the 2026 Plan created a set of Orlando-based districts that was more favorable to the Republicans than nearly all of the simulated plans. In particular, the 2026 Plan's extreme concentration of Democratic voters in CD-10 allowed for the surrounding districts to favor Republicans.

109. **Figure 26** analyzes the unique combination of counties combined together by the 2026 Plan's CD-9, which combines Orange County together with Polk, Osceola, Indian River, Highlands, Glades, and Okeechobee Counties. How statistically rare is a Florida congressional district that combines Orange County together with the other counties assigned to CD-9?

110. The 2026 Plan's CD-9 contains a total of seven counties. Figure 26 contains a grid that lists each of these seven counties both horizontally and vertically. Each square in this grid reports, for any pair of counties, the percentage of the 5,000 computer-simulated plans that contains at least one congressional district combining the pair of counties. For example, this Figure reports that 90.7% of the simulated plans contain at least one district that combines parts of Orange County and Osceola County. Given the geographic proximity of Orange and Osceola Counties, the fact that almost all simulated plans combine these counties is not surprising.

111. However, Figure 26 also reveals that three pairs of counties found in the 2026 Plan's CD-9 are statistically anomalous. Among the 5,000 simulated plans, Orange County is paired with Glades County in the same district in only 1.6% of the simulations. Similarly, Orange County is paired with Okeechobee County in the same district in only 3% of the simulations, and Orange County is paired with Highlands County in the same district in only 4.3% of the simulations. Altogether, these findings indicate that the particular geographic

Figure 26: Percentage of Simulated Plans in which Each Pair of Counties Shares the Same District (Counties in CD−9 in the 2026 Enacted Plan)



combination of counties assigned to CD-9 is a statistical outlier.

112. ***South Florida:*** Among the least compact districts in the 2026 Plan is CD-25, which combines a long, narrow strip of the South Florida coastline in Miami-Dade, Broward, and Palm Beach Counties. CD-25 contains portions of 11 municipalities in Miami-Dade County and three municipalities in Palm Beach County. These two counties are connected by a narrow coastal strip of Broward County.

113. Because of the unusual geographic shape of CD-25, I systematically analyze and compare how each of these municipalities in Miami-Dade and Palm Beach Counties are districted under the 2026 Plan and the 5,000 computer-simulated plans. I compare the districts to which these various municipalities are assigned, in terms of both the geographic compactness and the partisanship of their districts under the 2026 Plan and under the simulated plans. I find three striking patterns regarding how these municipalities are affected by the 2026 Plan:

A) First, a mapdrawing process adhering to redistricting criteria mandated by the Fair Districts Amendments would virtually never assign these Miami-Dade municipalities (e.g., Miami Beach, North Miami, etc.) to the same district as Boca Raton and other portions of Palm Beach County. Such a districting configuration is statistically anomalous and virtually never occurs in the 5,000 partisan-blind computer-simulated plans.

B) Second, virtually all of the 5,000 computer-simulated plans would have placed each of these Miami-Dade and Palm Beach municipalities into a significantly more geographically compact district than CD-25 of the 2026 Plan.

C) Third, the computer-simulated districts that each of these Miami-Dade and Palm Beach municipalities would have been assigned to are almost always Democratic-favoring

districts. By contrast, the 2026 Plan's CD-25 is a Republican-favoring district, as measured by the 2020-2024 Statewide Election Composite.

114. Below, I describe my analysis regarding the municipalities in CD-25 and how I arrived at these three conclusions:

115. I first analyzed the 11 municipalities in Miami-Dade County (CD-25's southernmost county) and the three municipalities in Palm Beach County (CD 25's northernmost county) that are fully or partially assigned to CD-25 in the 2026 Plan. These 14 municipalities are listed in **Figure 27**. For each possible pair of municipalities (e.g., North Miami Beach and Boca Raton), I calculate the percentage of the computer-simulated plans that also happened to assign the two municipalities to the same congressional district. For example, North Miami Beach and Boca Raton are assigned to the same district in only 3 of the 5,000 computer-simulated plans, or 0.1%. Figure 27 reports this percentage for every possible pair of municipalities in CD-25. The results in this Figure illustrate that the 2026 Plan's CD-25 is very statistically anomalous in how it combines portions of Palm Beach with the coastal portions of Miami-Dade County. For example, among the 5,000 computer-simulated plans, Boca Raton is virtually never assigned to the same district as any of the municipalities in Miami-Dade (e.g., Miami Beach, Surfside, etc.). The fact that the 2026 Plan combines these municipalities into the same district thus suggests that CD-25 was drawn in a manner that is extremely unlikely to result from a mapdrawing process adhering to the redistricting criteria mandated by the Fair Districts Amendments.

116. Next, I analyzed each of the municipalities in Miami-Dade and Palm Beach Counties that are mostly or fully assigned to CD-25 in the Enacted Plan. CD-25 contains portions of 11 municipalities in Miami-Dade, but only 10 of these municipalities have at least half of their

Figure 27: Percentage of Simulated Plans in which Each Pair of Cities Shares the Same District (Includes Municipalities Assigned to CD−25 in the 2026 Enacted Plan)



	Aventura	Bal Harbour	Bay Harbor Islands	Boca Raton	Delray Beach	Golden Beach	Highland Beach	Indian Creek	Miami Beach	North Bay Village	North Miami	North Miami Beach	Sunny Isles Beach	Surfside
Aventura	100%	98.6%	95.3%	0.1%	0%	100%	0.1%	94%	86.1%	83.1%	100%	100%	100%	93.9%
Bal Harbour	98.6%	100%	100%	0%	0%	98.6%	0%	98.7%	90.8%	87.8%	99.9%	99.4%	98.6%	98.6%
Bay Harbor Islands	95.3%	100%	100%	0%	0%	95.2%	0%	99.9%	92.1%	89.1%	100%	97.5%	95.3%	99.6%
Boca Raton	0.1%	0%	0%	100%	97.9%	0%	100%	0%	0%	0%	0%	0.1%	0%	0%
Delray Beach	0%	0%	0%	97.9%	100%	0%	96.8%	0%	0%	0%	0%	0%	0%	0%
Golden Beach	100%	98.6%	95.2%	0%	0%	100%	0%	94%	86%	83%	99.9%	100%	100%	93.9%
Highland Beach	0.1%	0%	0%	100%	96.8%	0%	100%	0%	0%	0%	0%	0.1%	0%	0%
Indian Creek	94%	98.7%	99.9%	0%	0%	94%	0%	100%	92.9%	89.9%	99.5%	96.3%	94.1%	100%
Miami Beach	86.1%	90.8%	92.1%	0%	0%	86%	0%	92.9%	100%	100%	91.9%	88.3%	86.2%	93.4%
North Bay Village	83.1%	87.8%	89.1%	0%	0%	83%	0%	89.9%	100%	100%	89%	85.3%	83.1%	90.4%
North Miami	100%	99.9%	100%	0%	0%	99.9%	0%	99.5%	91.9%	89%	100%	100%	99.9%	99.3%
North Miami Beach	100%	99.4%	97.5%	0.1%	0%	100%	0.1%	96.3%	88.3%	85.3%	100%	100%	100%	96.1%
Sunny Isles Beach	100%	98.6%	95.3%	0%	0%	100%	0%	94.1%	86.2%	83.1%	99.9%	100%	100%	94%
Surfside	93.9%	98.6%	99.6%	0%	0%	93.9%	0%	100%	93.4%	90.4%	99.3%	96.1%	94%	100%

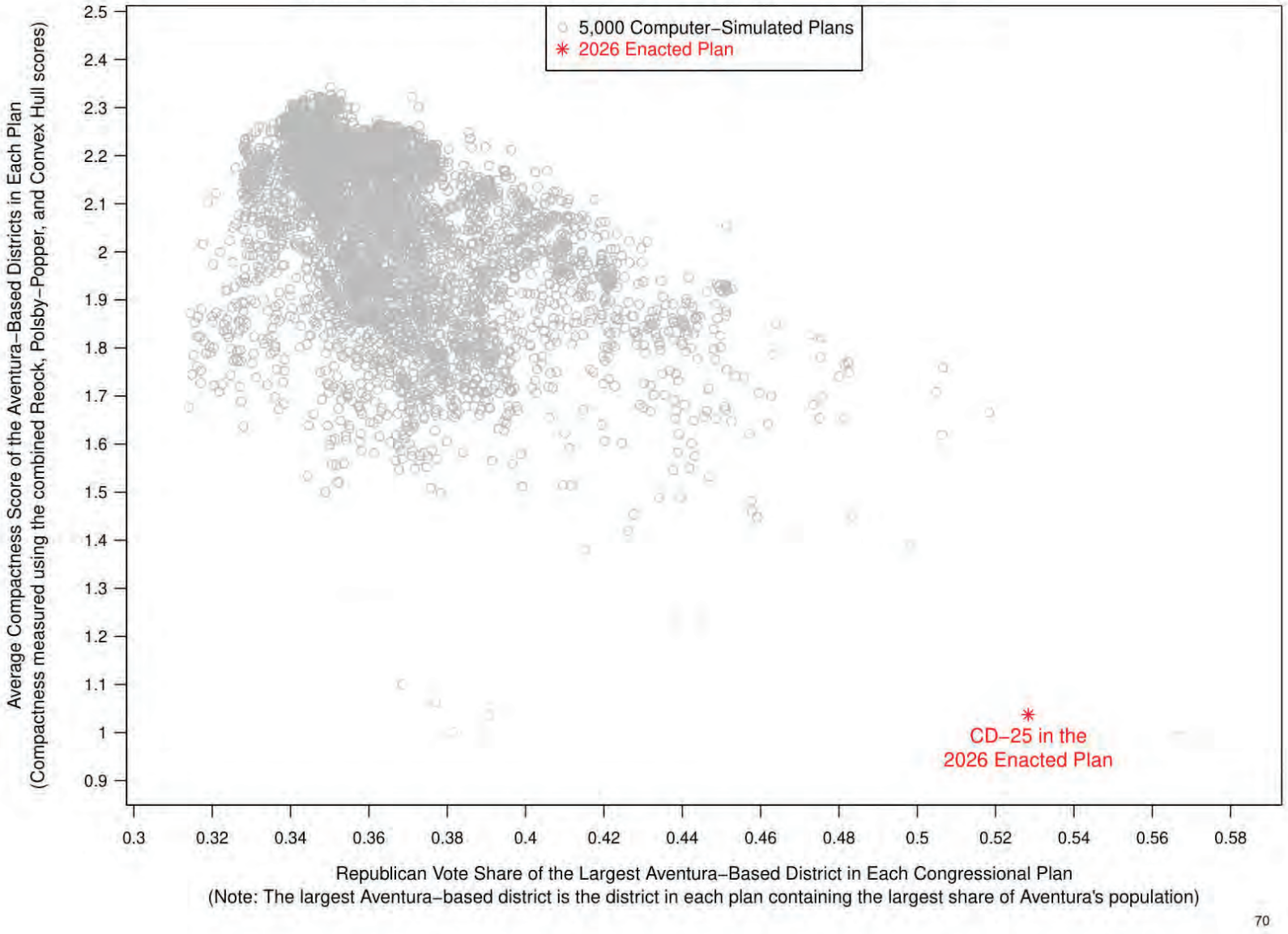
population in CD-25. Similarly, CD-25 contains portions of three municipalities in Palm Beach County, but only two of these municipalities have at least half of their population in CD-25. Thus, I focus on these 10 Miami-Dade municipalities and two Palm Beach municipalities.

117. For each of these 12 municipalities that are mostly assigned to CD-25, I compared the partisan and geographic characteristics of CD-25 to the partisan and geographic characteristics of the computer-simulated districts that each municipality was assigned to under each of the 5,000 computer-simulated plans. Specifically, I compared CD-25 to the computer-simulated districts with respect to each district's Republican vote share, using the 2020-2024 Statewide Election Composite, as well as the district's geographic compactness.

118. For example, **Figure 28** presents these comparisons for the city of Aventura (Miami-Dade County). This Figure depicts each district that Aventura is assigned to under the 5,000 computer-simulated plans and under the 2026 Plan. The results in this Figure illustrate that although Aventura was placed into a Republican-favoring district (CD-25) under the 2026 Plan, Aventura would have been placed into a Democratic-favoring district under 99.9% of the 5,000 computer-simulated plans. Furthermore, 99.9% of Aventura's computer-simulated districts have higher geographic compactness scores than CD-25, and Figure 28 illustrates that CD-25's compactness score is lower than most of these simulated districts' compactness scores by an extremely wide margin.

119. In summary, it is clear that the 2026 Plan's mapdrawer sacrificed geographic compactness when assigning Aventura to CD-25; assigning Aventura to a much more compact district would have been quite straightforward. By subordinating the consideration of compactness, the 2026 Plan's mapdrawer was instead able to pursue a statistically anomalous partisan outcome of assigning Aventura to a Republican-favoring district. This partisan outcome

Figure 28: Comparison of the Aventura–Based District in the 2026 Enacted Plan and the 5,000 Computer–Simulated Plans



virtually never occurred in the 5,000 computer-simulated plans, suggesting that the 2026 Plan's mapdrawer had to deviate significantly from the redistricting criteria mandated by the Fair Districts Amendments in order to create a Republican-favoring district in this part of Miami-Dade County.

120. For each of the remaining 11 municipalities, **Figures 29 to 39** present a similar analysis and reveal nearly identical conclusions. For each of these 12 municipalities in the CD-25 portions of Miami-Dade and Palm Beach Counties, I reach the same conclusion that the municipality would have been assigned to a Democratic-favoring district under virtually every computer-plan, and the municipality's district under the simulated plans are virtually always much more geographically compact than CD-25 of the 2026 Plan. Thus, it is clear that each of these 12 municipalities was affected by the 2026 Plan in the same manner as Aventura: The 2026 Plan's mapdrawer deviated significantly from the redistricting criteria mandated by the Fair Districts Amendments and sacrificed the consideration of geographic compactness in order to assign the municipality to a Republican-favoring district.

Figure 29: Comparison of the Bal Harbour−Based District in the 2026 Enacted Plan and the 5,000 Computer−Simulated Plans

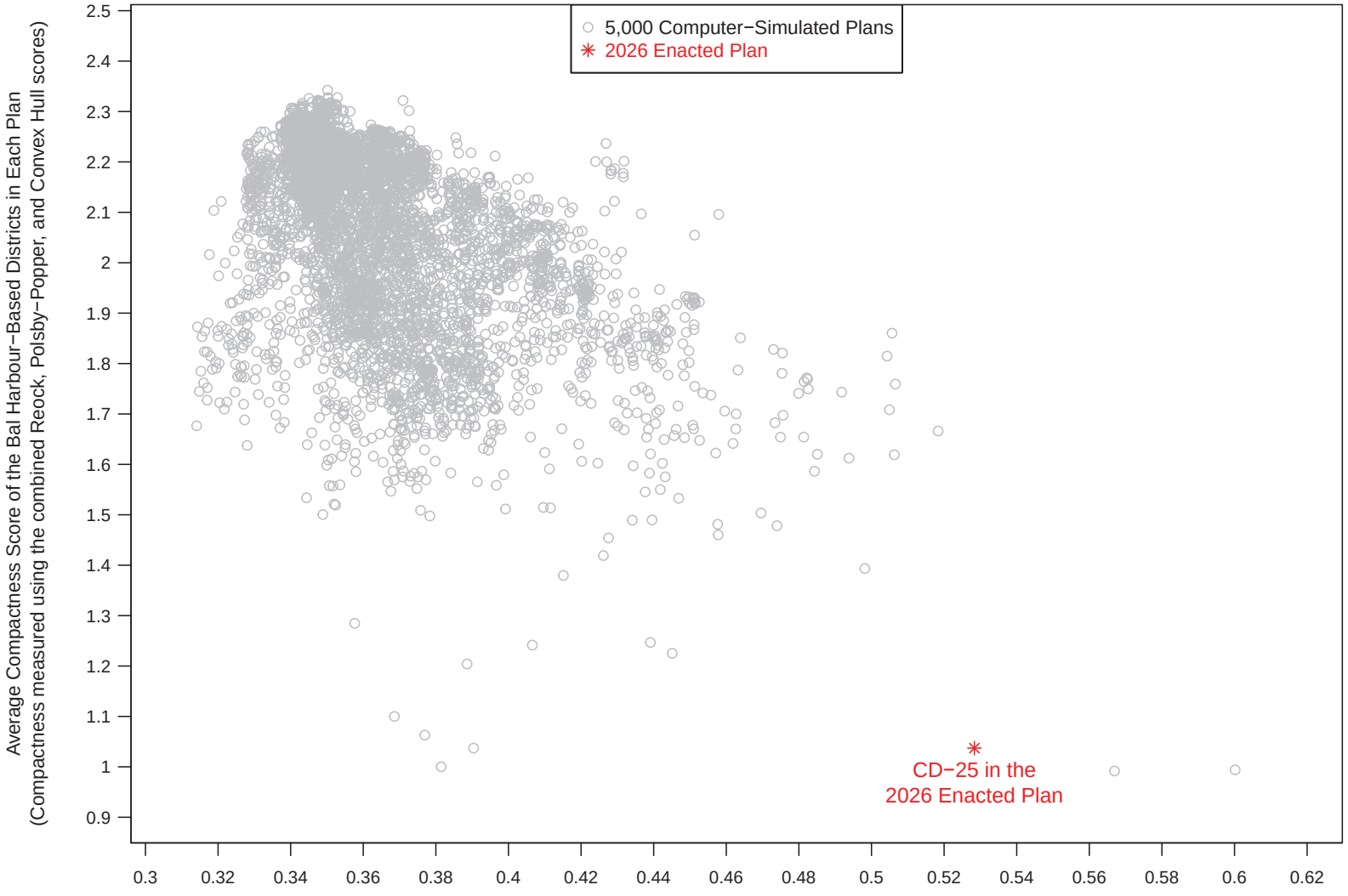
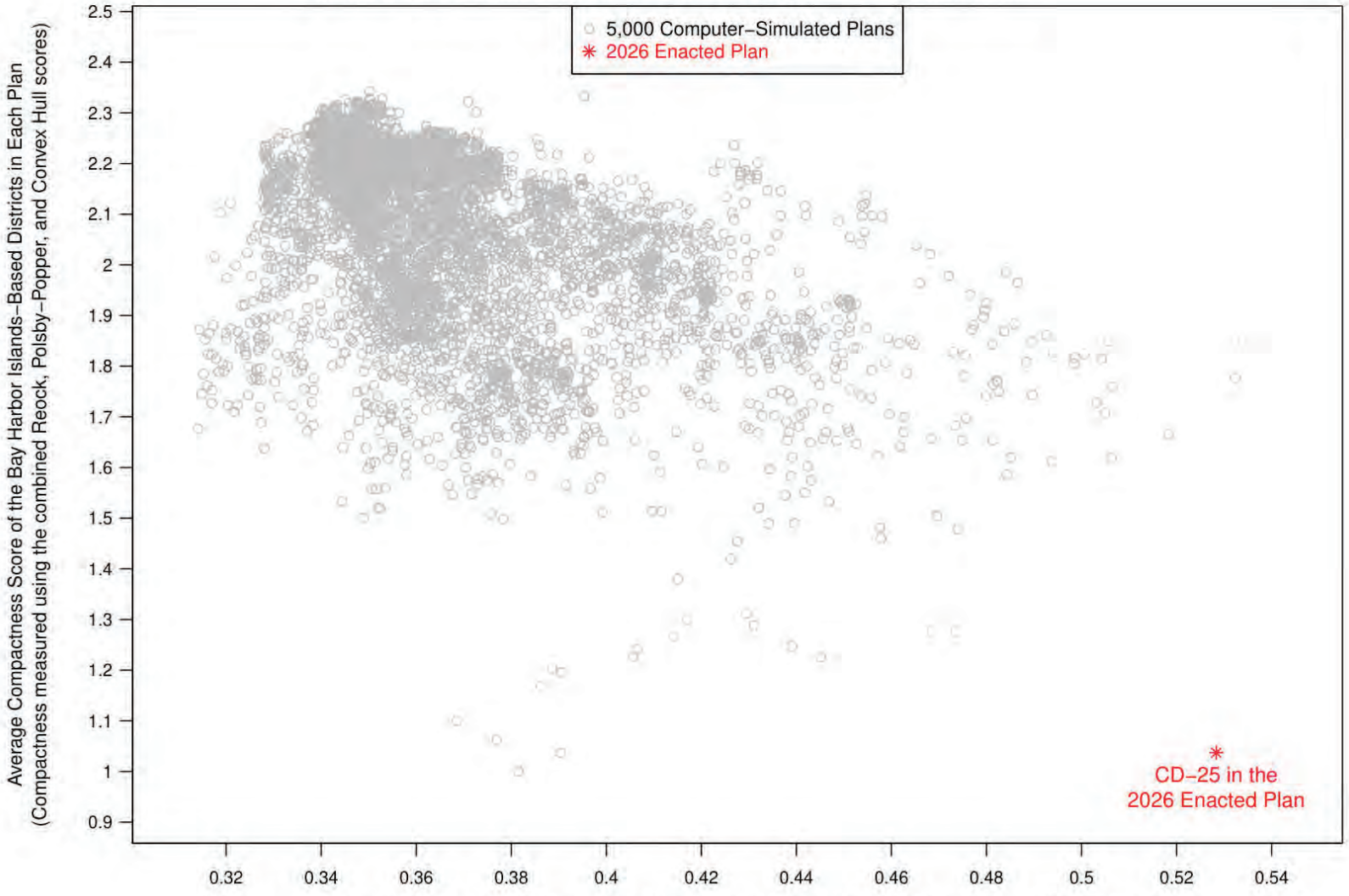


Figure 30: Comparison of the Bay Harbor Islands–Based District in the 2026 Enacted Plan and the 5,000 Computer–Simulated Plans



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Figure 31: Comparison of the Boca Raton−Based District in the 2026 Enacted Plan and the 5,000 Computer−Simulated Plans

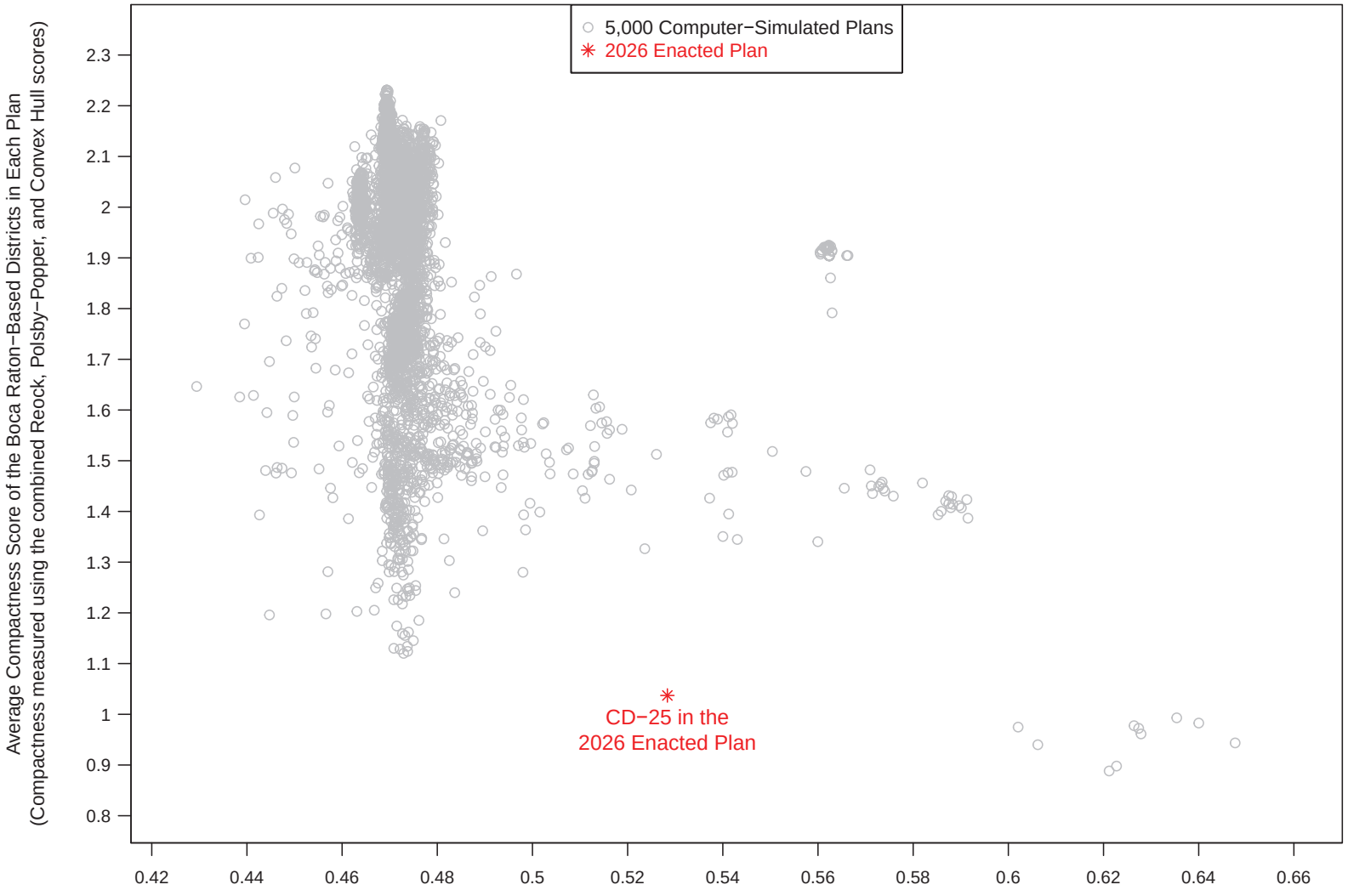


Figure 32: Comparison of the Golden Beach−Based District in the 2026 Enacted Plan and the 5,000 Computer−Simulated Plans

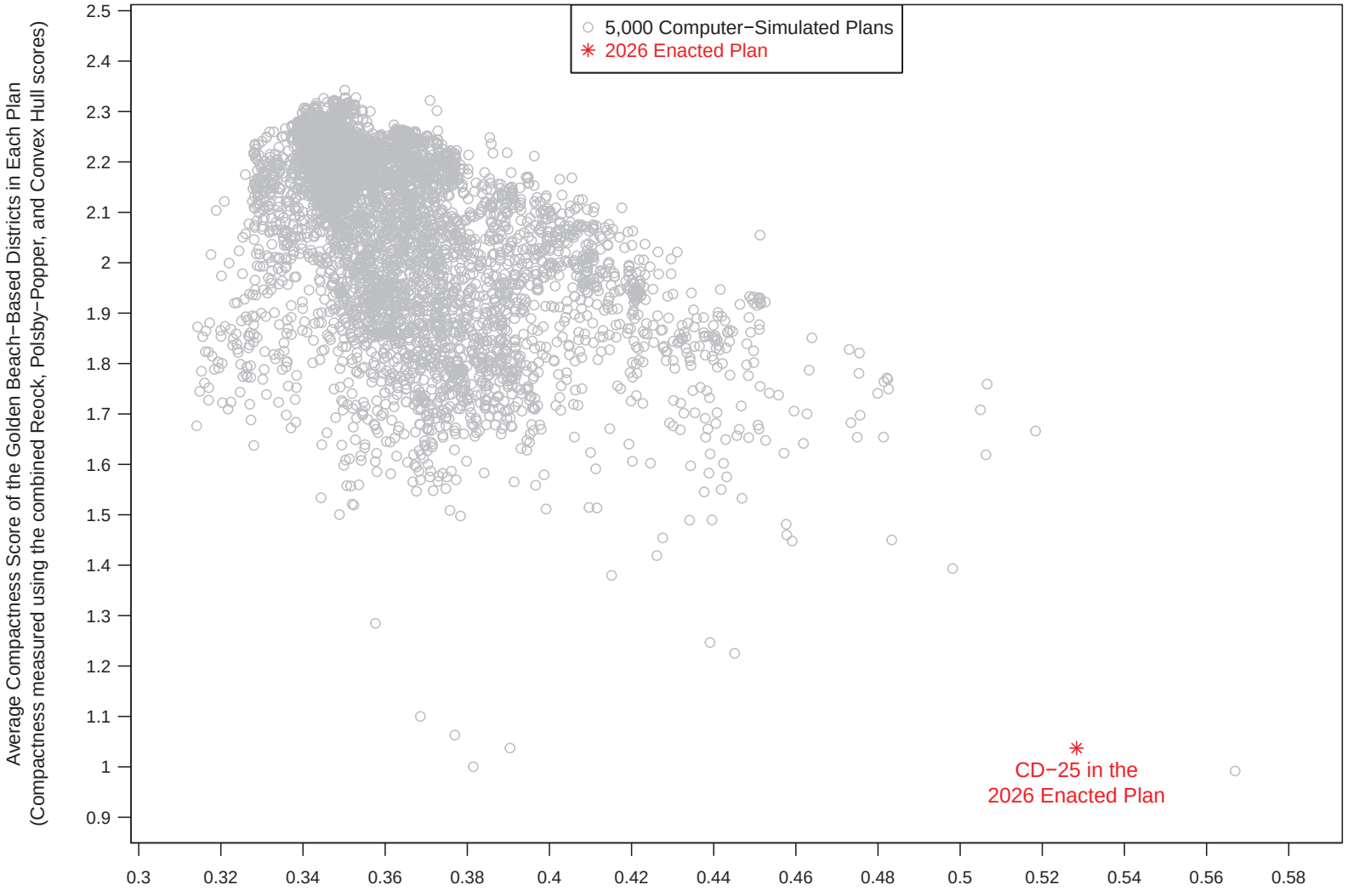


Figure 33: Comparison of the Highland Beach−Based District in the 2026 Enacted Plan and the 5,000 Computer−Simulated Plans

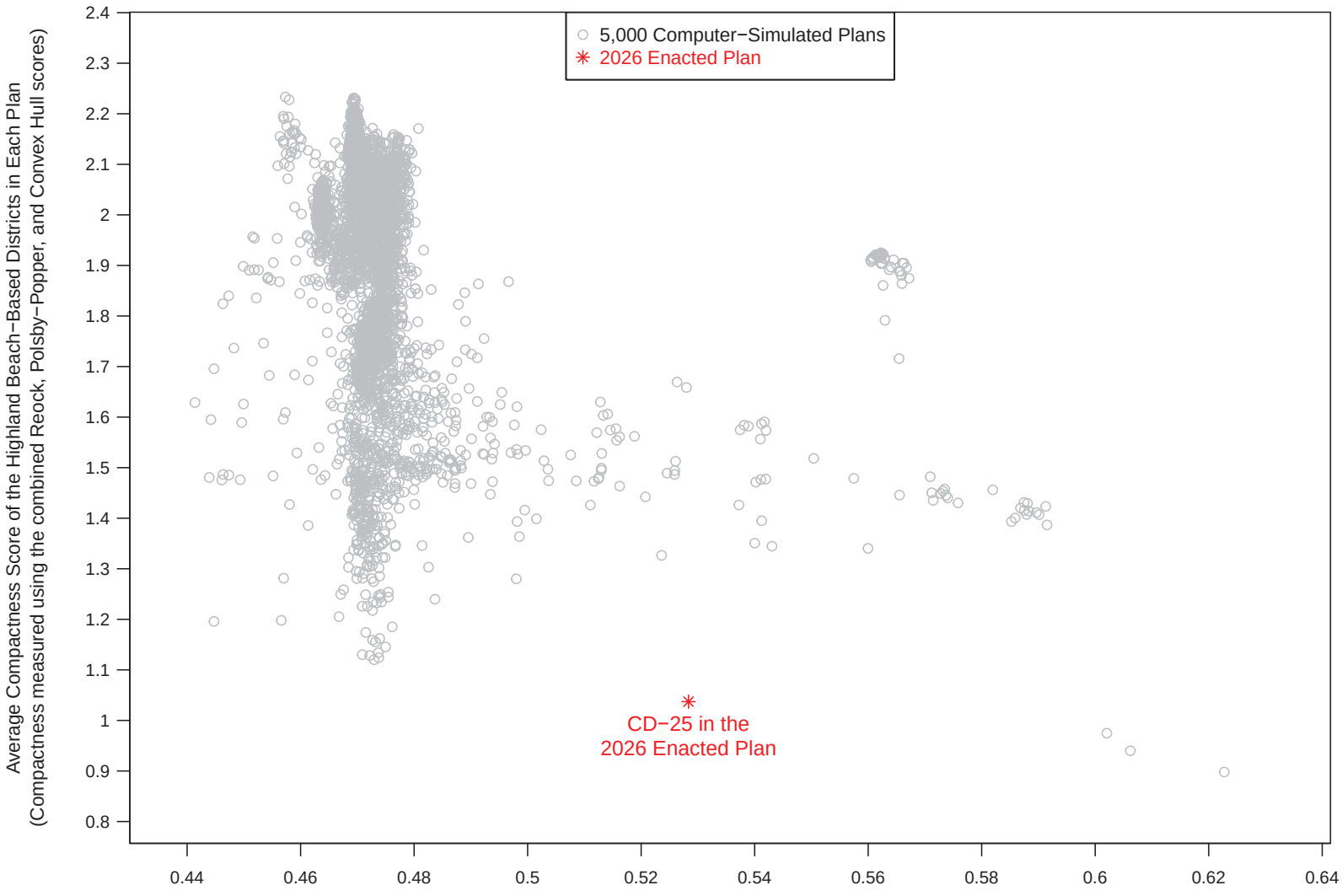


Figure 34: Comparison of the Indian Creek−Based District in the 2026 Enacted Plan and the 5,000 Computer−Simulated Plans

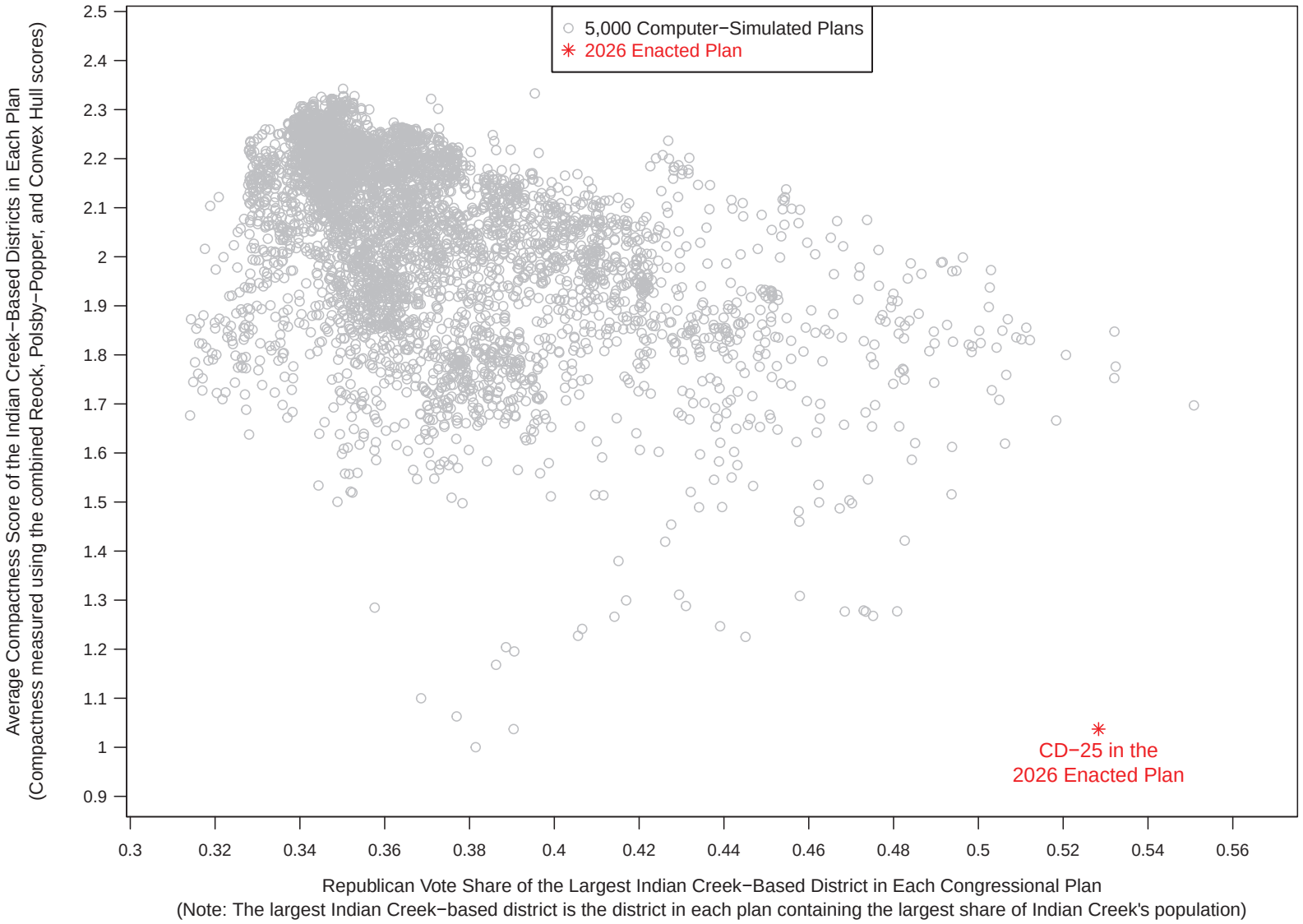
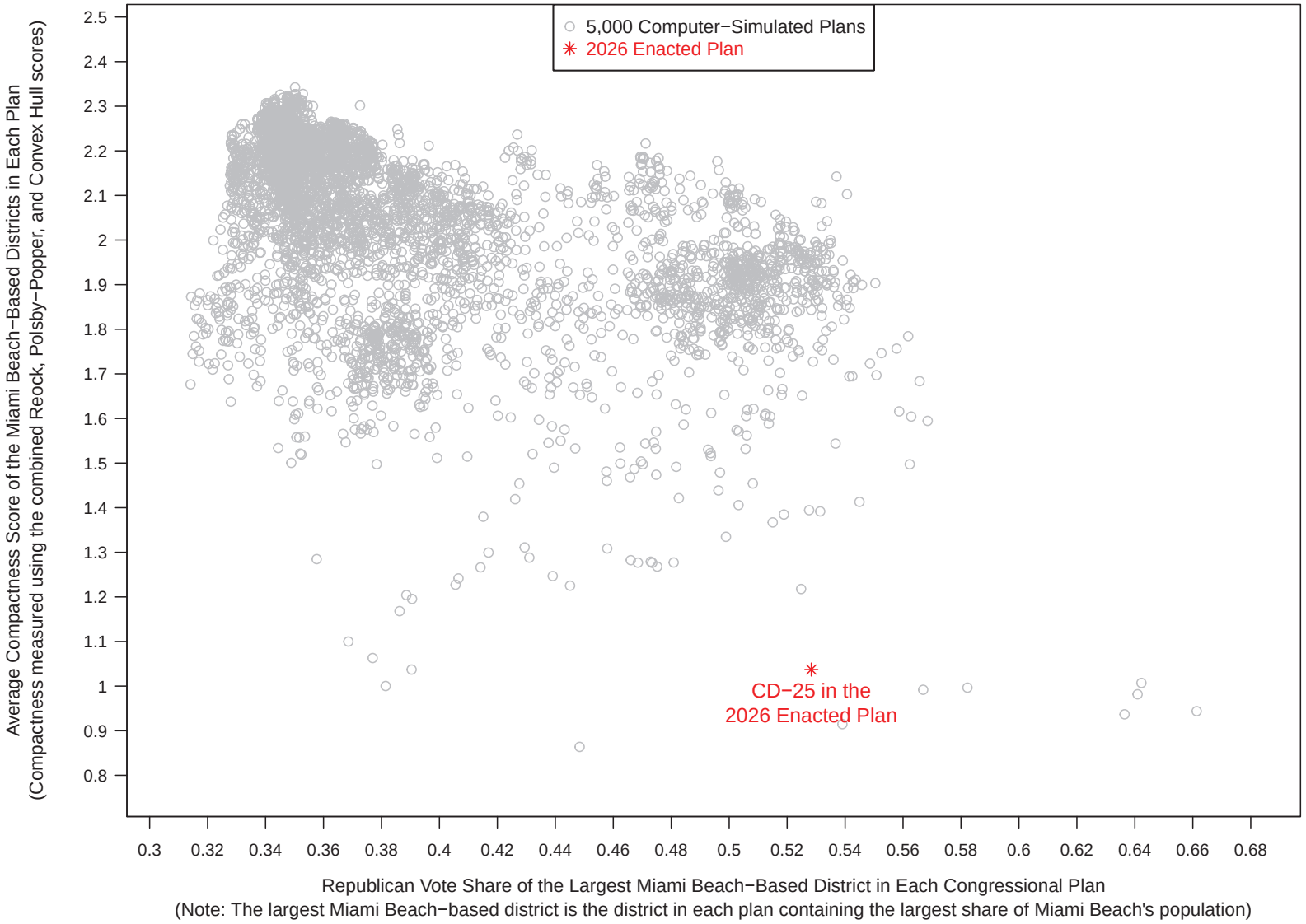
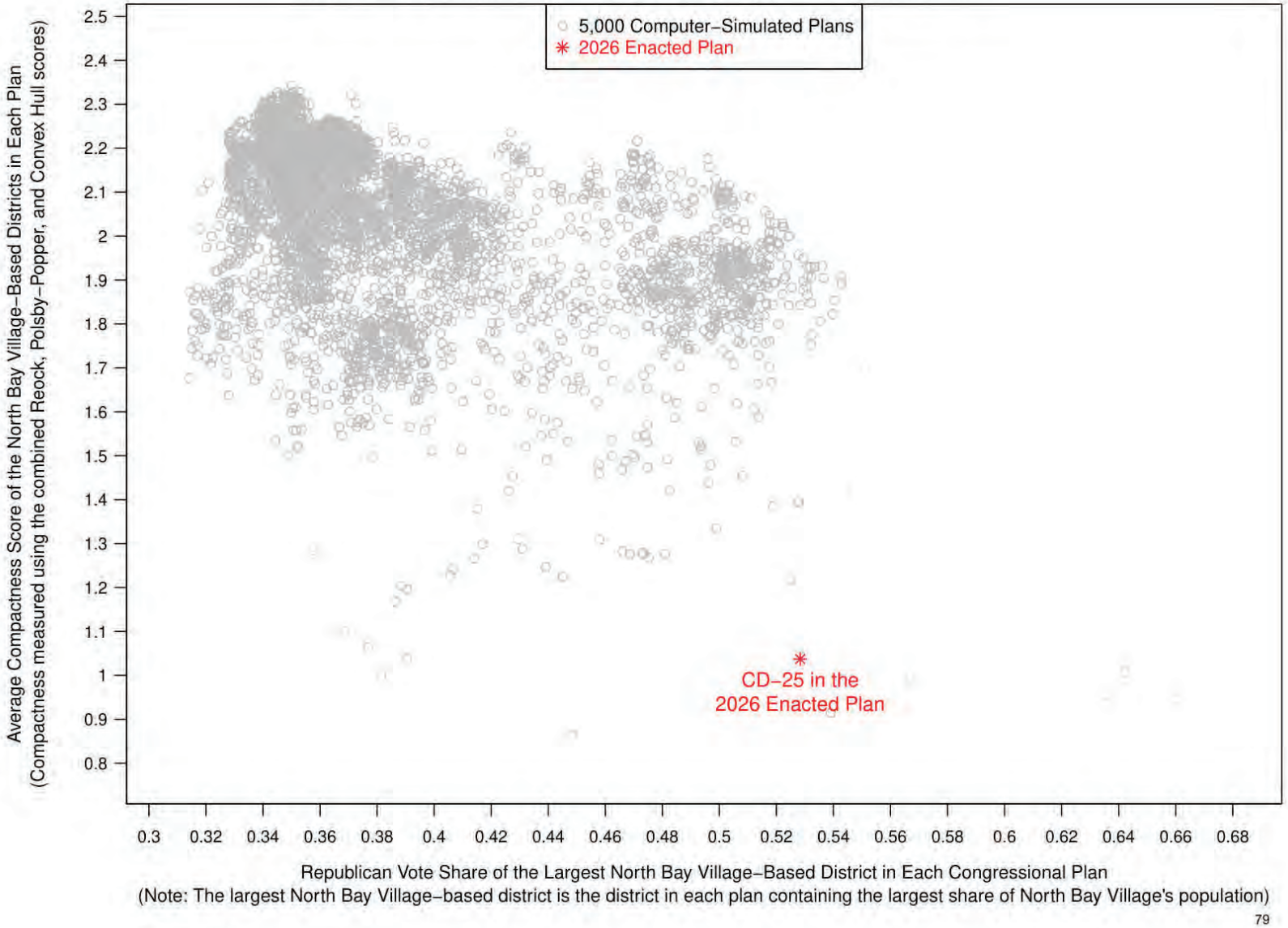


Figure 35: Comparison of the Miami Beach−Based District in the 2026 Enacted Plan and the 5,000 Computer−Simulated Plans



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Figure 36: Comparison of the North Bay Village–Based District in the 2026 Enacted Plan and the 5,000 Computer–Simulated Plans



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Figure 37: Comparison of the North Miami Beach−Based District in the 2026 Enacted Plan and the 5,000 Computer−Simulated Plans

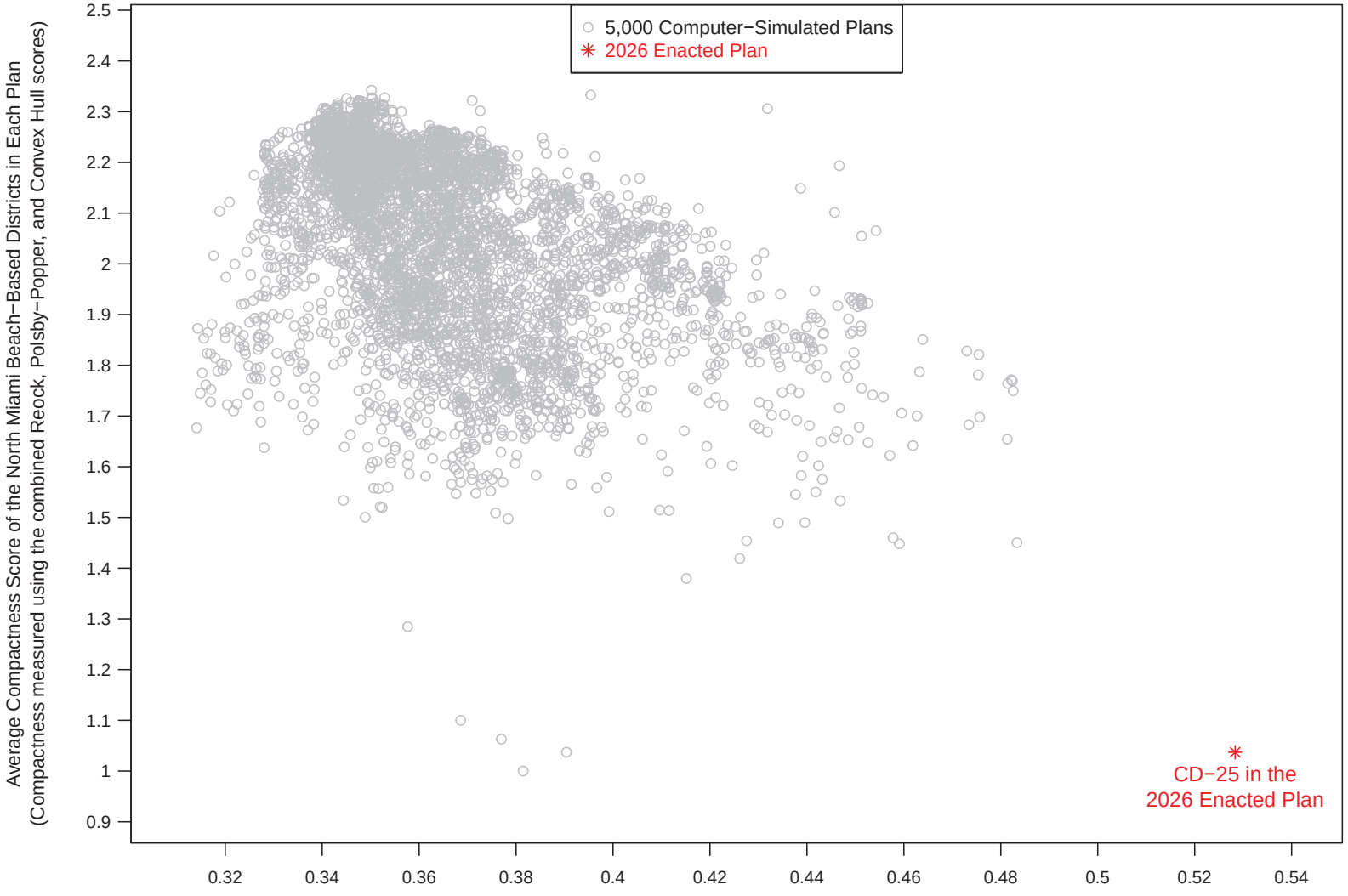
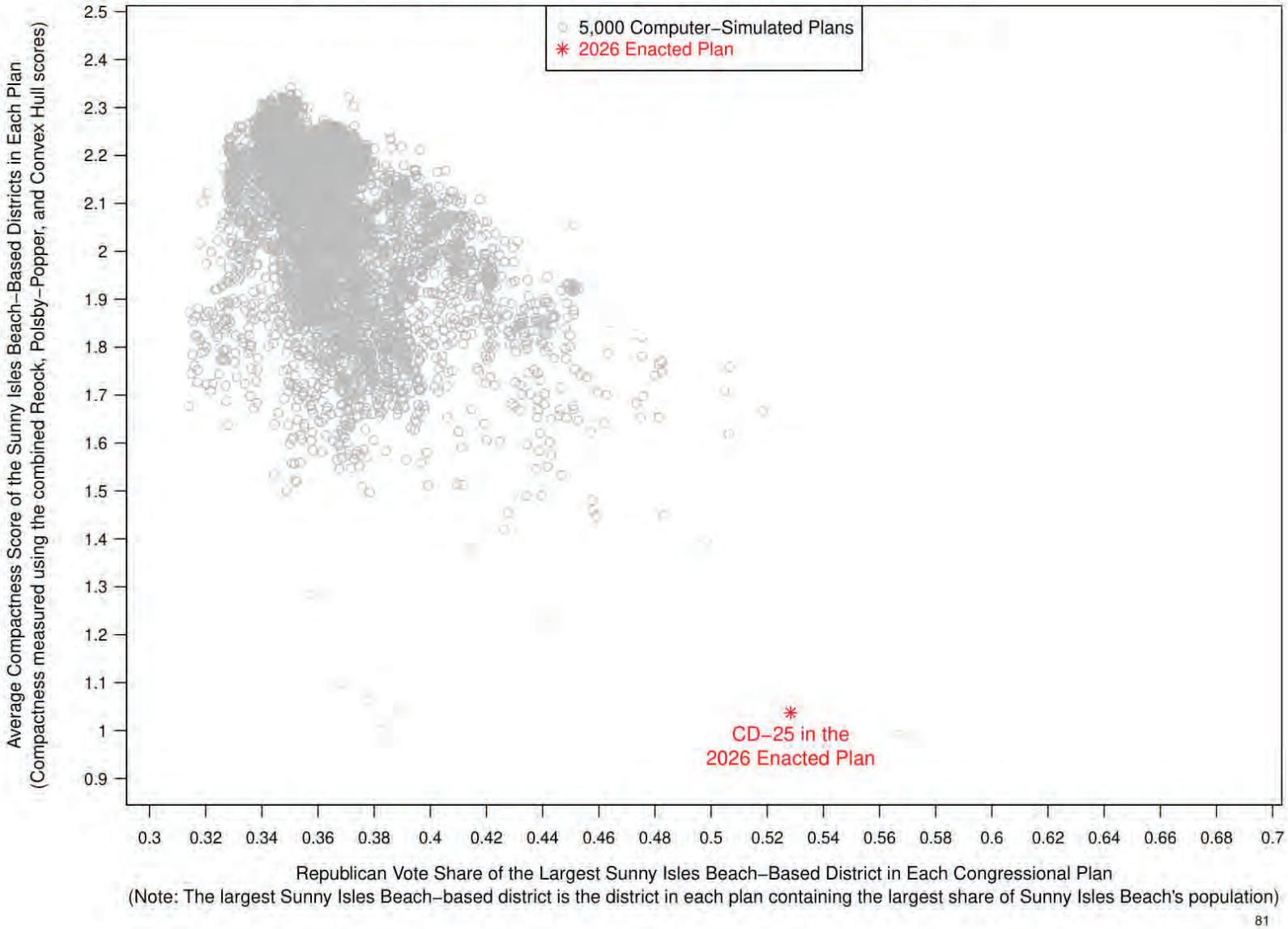
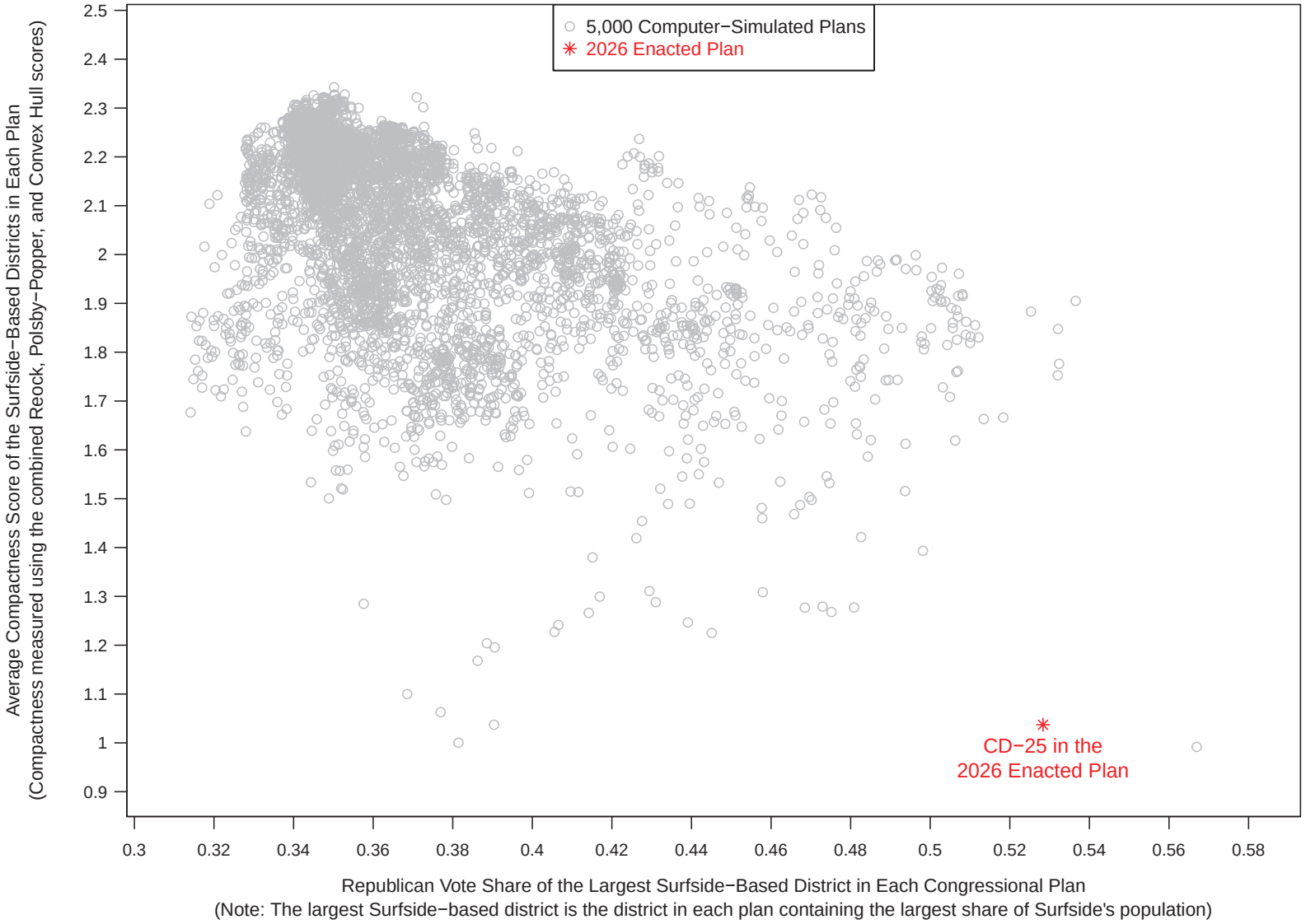


Figure 38: Comparison of the Sunny Isles Beach–Based District in the 2026 Enacted Plan and the 5,000 Computer–Simulated Plans



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Figure 39: Comparison of the Surfside−Based District in the 2026 Enacted Plan and the 5,000 Computer−Simulated Plans



The Predominance of Partisan Considerations in the Drawing of the 2026 Plan

121. My results leave no question that the 2026 Plan's was drawn with partisan intent. But Plaintiffs' counsel also asked me to consider whether there was evidence that partisanship was the predominant consideration in drawing the 2026 Plan. I undertake that analysis below, and I conclude that it was.

122. ***The Methodology for Evaluating the Predominance of Partisan Considerations in Redistricting:*** To analyze whether partisan considerations predominated in the drawing of an enacted districting plan, I normally proceed by asking three related questions:

A) First, does the 2026 Plan exhibit partisan characteristics that would not have arisen under a partisan-blind mapdrawing process?

B) Second, does the 2026 Plan perform significantly worse on one or more traditional redistricting considerations (e.g., geographic compactness, avoiding county splits, etc.), compared to computer-simulated plans drawn by a partisan-blind algorithm?

C) Third, did the 2026 Plan's mapdrawer necessarily have to sacrifice adherence to one or more of these traditional districting criteria in order to achieve the 2026 Plan's partisan characteristics?

123. Here, all three of these questions are answered squarely in the affirmative.

124. ***The 2026 Plan and the Predominance of Partisan Considerations:*** The analyses described thus far in this report led me to reach two main findings: First, with respect to the redistricting criteria mandated by the Fair Districts Amendment, the 2026 Plan fails to create geographically compact districts. The 2026 Plan also fails to utilize county boundaries where feasible, as the 2026 Plan splits more counties than is necessary, and these counties are split into significantly more districts than is necessary.

125. Second, I also found that the 2026 Plan is an extreme partisan outlier when compared to 5,000 race-blind and partisan-blind computer-simulated plans that are designed to prioritize redistricting criteria mandated by the Fair Districts Amendment. Using the 2020-2024 Statewide Election Composite, the 2026 Plan contains 19 districts that are partisan outliers when compared to the simulated plans' districts, and using several different common measures of partisan bias, the 2026 Plan creates a level of pro-Republican bias more extreme than in all 5,000 of the computer-simulated plans. In particular, the 2026 Plan creates more safe Republican districts, fewer Democratic districts, and fewer electorally close and competitive districts than are created in 100% of the computer-simulated plans.

126. Based on these two main findings, I conclude that partisanship predominated in the drawing of the 2026 Plan and the partisan-neutral redistricting criteria of drawing geographically compact districts and adhering to county boundaries were subordinated in pursuit of this predominant pro-Republican partisan goal.

127. Because the 2026 Plan fails to follow these two partisan-neutral redistricting principles mandated by the Fair Districts Amendments while simultaneously creating a level of pro-Republican partisan bias more extreme than all 5,000 of the computer-simulated plans, I conclude that the partisan bias of the 2026 Plan did not naturally arise by chance. By subordinating partisan-neutral redistricting criteria mandated by the Fair Districts Amendment, the 2026 Plan achieves partisan goals that could not otherwise have been achieved by prioritizing the redistricting criteria mandated by the Fair Districts Amendment.

Jowei Chen

Curriculum Vitae

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Academic Positions:
Associate Professor (2015-present), Assistant Professor (2009-2015), Department of Political Science, University of Michigan.
Research Associate Professor (2016-present), Faculty Associate (2009-2015), Center for Political Studies, University of Michigan.
W. Glenn Campbell and Rita Ricardo-Campbell National Fellow, Hoover Institution, Stanford University, 2013.
Principal Investigator and Senior Research Fellow, Center for Governance and Public Policy Research, Willamette University, 2013 – Present.

Education:
Ph.D., Political Science, Stanford University (June 2009)
M.S., Statistics, Stanford University (January 2007)
B.A., Ethics, Politics, and Economics, Yale University (May 2004)

Publications:

Chen, Jowei and Neil Malhotra. 2007. "The Law of k/n: The Effect of Chamber Size on Government Spending in Bicameral Legislatures."
***American Political Science Review*. 101(4): 657-676.**

Chen, Jowei, 2010. "The Effect of Electoral Geography on Pork Barreling in Bicameral Legislatures."
***American Journal of Political Science*. 54(2): 301-322.**

Chen, Jowei, 2013. "Voter Partisanship and the Effect of Distributive Spending on Political Participation."
***American Journal of Political Science*. 57(1): 200-217.**

Chen, Jowei and Jonathan Rodden, 2013. "Unintentional Gerrymandering: Political Geography and Electoral Bias in Legislatures"

***Quarterly Journal of Political Science*, 8(3): 239-269.**

Bradley, Katharine and Jowei Chen, 2014. "Participation Without Representation? Senior Opinion, Legislative Behavior, and Federal Health Reform."
***Journal of Health Politics, Policy and Law*. 39(2), 263-293.**

Chen, Jowei and Tim Johnson, 2015. "Federal Employee Unionization and Presidential Control of the Bureaucracy: Estimating and Explaining Ideological Change in Executive Agencies."
***Journal of Theoretical Politics*, Volume 27, No. 1: 151-174.**

Bonica, Adam, Jowei Chen, and Tim Johnson, 2015. "Senate Gate-Keeping, Presidential Staffing of 'Inferior Offices' and the Ideological Composition of Appointments to the Public Bureaucracy."
***Quarterly Journal of Political Science*. Volume 10, No. 1: 5-40.**

Chen, Jowei and Jonathan Rodden, 2015. "Cutting Through the Thicket: Redistricting Simulations and the Detection of Partisan Gerrymanders."
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Chen, Jowei and David Cottrell, 2016. "Evaluating Partisan Gains from Congressional Gerrymandering: Using Computer Simulations to Estimate the Effect of Gerrymandering in the U.S. House."
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Chen, Jowei, 2017. "Analysis of Computer-Simulated Districting Maps for the Wisconsin State Assembly."
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Wisconsin Law Review, Forthcoming, Volume 2021, Number 1.

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California Law Review, Accepted for Publication, Volume 109.

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https://www.washingtonpost.com/outlook/2021/02/24/gerrymandering-count-people-adults/

Chen, Jowei. October 4, 2017. Time Magazine Op-Ed.

http://time.com/4965673/wisconsin-supreme-court-gerrymandering-research/

Chen, Jowei and Jonathan Rodden. January 2014. New York Times Op-Ed.
https://www.nytimes.com/2014/01/26/opinion/sunday/its-the-geography-stupid.html
Media Coverage: The Atlantic

Alexander et al. v. South Carolina State Conference of the NAACP, et al., No. 22-807
Amicus Brief, August 18, 2023

Merrill et al. v. Milligan et al., Nos. 21-1086, 21-1087.
Amicus Brief, July 18, 2022

Gill et al. v. Whitford et al., No. 16-1161.
Amicus Brief, September 5, 2017

Chen, Jowei and Tim Johnson. 2017. "Political Ideology in the Bureaucracy."
***Global Encyclopedia of Public Administration, Public Policy, and Governance*.**

Research Grants:

"How Citizenship-Based Redistricting Systemically Disadvantages Voters of Color". 2020 ($18,225). Combating and Confronting Racism Grant. University of Michigan Center for Social Solutions and Poverty Solutions.

Principal Investigator. National Science Foundation Grant SES-1459459, September 2015 – August 2018 ($165,008). "The Political Control of U.S. Federal Agencies and Bureaucratic Political Behavior."

"Economic Disparity and Federal Investments in Detroit," (with Brian Min) 2011. Graham Institute, University of Michigan ($30,000).

"The Partisan Effect of OSHA Enforcement on Workplace Injuries," (with Connor Raso) 2009. John M. Olin Law and Economics Research Grant ($4,410).

Invited Talks:

September, 2011. University of Virginia, American Politics Workshop.
October 2011. Massachusetts Institute of Technology, American Politics Conference.
January 2012. University of Chicago, Political Economy/American Politics Seminar.
February 2012. Harvard University, Positive Political Economy Seminar.
September 2012. Emory University, Political Institutions and Methodology Colloquium.
November 2012. University of Wisconsin, Madison, American Politics Workshop.
September 2013. Stanford University, Graduate School of Business, Political Economy Workshop.
February 2014. Princeton University, Center for the Study of Democratic Politics Workshop.
November 2014. Yale University, American Politics and Public Policy Workshop.
December 2014. American Constitution Society for Law & Policy Conference: Building the Evidence to Win Voting Rights Cases.
February 2015. University of Rochester, American Politics Working Group.
March 2015. Harvard University, Voting Rights Act Workshop.
May 2015. Harvard University, Conference on Political Geography.
Octoer 2015. George Washington University School of Law, Conference on Redistricting Reform.
September 2016. Harvard University Center for Governmental and International Studies, Voting Rights Institute Conference.
March 2017. Duke University, Sanford School of Public Policy, Redistricting Reform Conference.
October 2017. Willamette University, Center for Governance and Public Policy Research
October 2017, University of Wisconsin, Madison. Geometry of Redistricting Conference.
February 2018: University of Georgia Law School
September 2018. Willamette University.
November 2018. Yale University, Redistricting Workshop.
November 2018. University of Washington, Severyns Ravenholt Seminar in Comparative Politics.
January 2019. Duke University, Reason, Reform & Redistricting Conference.
February 2019. Ohio State University, Department of Political Science. Departmental speaker series.
March 2019. Wayne State University Law School, Gerrymandering Symposium.
November 2019. Big Data Ignite Conference.
November 2019. Calvin College, Department of Mathematics and Statistics.
September 2020 (Virtual). Yale University, Yale Law Journal Scholarship Workshop
September 2021, Duke University, Redistricting and American Democracy Conference
July 2022, ICPSR Blalock Lecture, University of Michigan
December 2024, Yale University, Quantiative Research Methods Workshop, Institution for Social and Policy Studies

Conference Service:

Section Chair, 2017 APSA (San Francisco, CA), Political Methodology Section
Discussant, 2014 Political Methodology Conference (University of Georgia)

Section Chair, 2012 MPSA (Chicago, IL), Political Geography Section.
Discussant, 2011 MPSA (Chicago, IL) "Presidential-Congressional Interaction."
Discussant, 2008 APSA (Boston, MA) "Congressional Appropriations."
Chair and Discussant, 2008 MPSA (Chicago, IL) "Distributive Politics: Parties and Pork."

Conference Presentations:

"Ideological Representation of Geographic Constituencies in the U.S. Bureaucracy," (with Tim Johnson). 2017 APSA.

"Incentives for Political versus Technical Expertise in the Public Bureaucracy," (with Tim Johnson). 2016 APSA.

"Black Electoral Geography and Congressional Districting: The Effect of Racial Redistricting on Partisan Gerrymandering". 2016 Annual Meeting of the Society for Political Methodology (Rice University)

"Racial Gerrymandering and Electoral Geography." Working Paper, 2016.

"Does Deserved Spending Win More Votes? Evidence from Individual-Level Disaster Assistance," (with Andrew Healy). 2014 APSA.

"The Geographic Link Between Votes and Seats: How the Geographic Distribution of Partisans Determines the Electoral Responsiveness and Bias of Legislative Elections," (with David Cottrell). 2014 APSA.

"Gerrymandering for Money: Drawing districts with respect to donors rather than voters." 2014 MPSA.

"Constituent Age and Legislator Responsiveness: The Effect of Constituent Opinion on the Vote for Federal Health Reform." (with Katharine Bradley) 2012 MPSA.

"Voter Partisanship and the Mobilizing Effect of Presidential Advertising." (with Kyle Dropp) 2012 MPSA.

"Recency Bias in Retrospective Voting: The Effect of Distributive Benefits on Voting Behavior." (with Andrew Feher) 2012 MPSA.

"Estimating the Political Ideologies of Appointed Public Bureaucrats," (with Adam Bonica and Tim Johnson) 2012 Annual Meeting of the Society for Political Methodology (University of North Carolina)

"Tobler's Law, Urbanization, and Electoral Bias in Florida." (with Jonathan Rodden) 2010 Annual Meeting of the Society for Political Methodology (University of Iowa)

"Unionization and Presidential Control of the Bureaucracy" (with Tim Johnson) 2011 MPSA.

"Estimating Bureaucratic Ideal Points with Federal Campaign Contributions" 2010 APSA. (Washington, DC).

"The Effect of Electoral Geography on Pork Spending in Bicameral Legislatures," Vanderbilt University Conference on Bicameralism, 2009.

"When Do Government Benefits Influence Voters' Behavior? The Effect of FEMA Disaster Awards on US Presidential Votes," 2009 APSA (Toronto, Canada).

"Are Poor Voters Easier to Buy Off?" 2009 APSA (Toronto, Canada).

"Credit Sharing Among Legislators: Electoral Geography's Effect on Pork Barreling in Legislatures," 2008 APSA (Boston, MA).

"Buying Votes with Public Funds in the US Presidential Election," Poster Presentation at the 2008 Annual Meeting of the Society for Political Methodology (University of Michigan).

"The Effect of Electoral Geography on Pork Spending in Bicameral Legislatures," 2008 MPSA.

"Legislative Free-Riding and Spending on Pure Public Goods," 2007 MPSA (Chicago, IL).

"Free Riding in Multi-Member Legislatures," (with Neil Malhotra) 2007 MPSA (Chicago, IL).

"The Effect of Legislature Size, Bicameralism, and Geography on Government Spending: Evidence from the American States," (with Neil Malhotra) 2006 APSA (Philadelphia, PA).

Reviewer Service:

American Journal of Political Science
American Political Science Review
Journal of Politics
Quarterly Journal of Political Science
American Politics Research
Legislative Studies Quarterly
State Politics and Policy Quarterly
Journal of Public Policy
Journal of Empirical Legal Studies
Political Behavior
Political Research Quarterly
Political Analysis
Public Choice
Applied Geography

Exhibit 4

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

EQUAL GROUND EDUCATION FUND, INC., et al.,

Plaintiffs,

v.

CORD BYRD, in his official capacity as Florida Secretary of State, the FLORIDA SENATE, and the FLORIDA HOUSE OF REPRESENTATIVES,

Defendants.

Case No. 2026 CA 000914

AFFIDAVIT OF DR. CHRISTOPHER WARSHAW

STATE OF MARYLAND
COUNTY OF MONTGOMERY

BEFORE ME, the undersigned authority, personally appeared Christopher Warshaw, who, after first being duly sworn, deposes and says:

1. I was retained by Plaintiffs in *Equal Ground Education Fund, Inc., et al. v. Byrd, et al.*
2. I prepared an expert report in support of Plaintiffs' motion for a temporary injunction. The expert report is true and correct to the best of my knowledge.
3. If called to testify under oath, my testimony would be consistent with this report.

FURTHER AFFIANT SAYETH NOT.

State of Florida
County of Pasco
Sworn to (or affirmed) and subscribed before me by means of online notarization, this 05/05/2026 by Christopher Warshaw.

Calita Feagins

Calita Feagins

CALITA FEAGINS
Notary Public - State of Florida
Commission # HH 531886
Expires on June 4, 2029

Christopher Warshaw

Christopher Warshaw

Type of Identification Produced DRIVER LICENSE

___ Personally Known OR ___ Produced Identification

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

EQUAL GROUND EDUCATION FUND, INC., et al., Plaintiffs, v. CORD BYRD, in his official capacity as Florida Secretary of State, the FLORIDA SENATE, and the FLORIDA HOUSE OF REPRESENTATIVES, Defendants.	Case No. 2026 CA 000914

EXPERT REPORT OF CHRISTOPHER WARSHAW, Ph.D.

An Evaluation of the Partisan Fairness of Florida's 2026 Congressional Districting Plan

Christopher Warshaw*

May 5, 2026

*Professor, McCourt School of Public Policy, Georgetown University. chris.warshaw@georgetown.edu. Note that the analyses and views in this report are my own, and do not represent the views of Georgetown University.

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1 Introduction

My name is Christopher Warshaw. I am a Professor at the McCourt School of Public Policy at Georgetown University. Previously, I was a Professor of Political Science at George Washington University from 2017-2025, an Associate Professor at the Massachusetts Institute of Technology (MIT) from 2016-2017, and an Assistant Professor at MIT from 2012-2016.

I have been asked by counsel for the plaintiffs in this case to analyze relevant data and provide my expert opinions about whether Florida's 2026 congressional districting plan has a bias in favor of a particular political party.

Overall, my analysis indicates that the 2026 congressional plan has a historically extreme level of pro-Republican bias. Indeed, it has a larger pro-Republican bias than any other congressional plan in any state with 15 or more seats over the past fifty years. It has a much larger pro-Republican bias than Florida's 2022 congressional plan, and even the 2012 congressional plan that was struck down by the Florida Supreme Court as a partisan gerrymander. This leads to the strong conclusion that the map was intentionally drawn to benefit candidates from the Republican Party.

2 Qualifications, Publications and Compensation

My Ph.D. is in Political Science, from Stanford University, where my graduate training included courses in political science and statistics. I also have a J.D. from Stanford Law School. My academic research focuses on public opinion, representation, elections, and polarization in American Politics. I have written over 25 peer reviewed papers on these topics. Moreover, I have written multiple papers that focus on elections and several articles that focus specifically on redistricting. I also have written a book that includes an extensive analysis on the causes and consequences of partisan gerrymandering in state governments.

My curriculum vitae is attached to this report. All publications that I have authored and published appear in my curriculum vitae. My work is published or forthcoming in peer-reviewed journals such as: the *American Political Science Review*, *Nature Communications*, the *American Journal of Political Science*, the *Journal of Politics*, *Political Analysis*, *Political Science Research and Methods*, the *British Journal of Political Science*, the *Annual Review of Political Science*, *Political Behavior*, *Legislative Studies Quarterly*, *Science Advances*, the *Election Law Journal*, *Nature Energy*, *Public Choice*, and edited volumes from Cambridge University Press and Oxford University Press. My book entitled

Dynamic Democracy in the American States was published by the University of Chicago Press in 2022. It won the American Political Science Association's Virginia Gray Best Book Award in 2024 for the best political science book published on the subject of U.S. state politics or policy in the preceding three calendar years. My non-academic writing has been published in the *New York Times* and the *Washington Post*. My work has also been discussed in the *Economist* and many other prominent media outlets.

I have previously provided expert reports in over ten redistricting-related cases. My expert testimony was extensively cited by the judges in many of their decisions. Between 2017 and 2019, I provided reports for *League of Women Voters of Pennsylvania v. Commonwealth of Pennsylvania*, No. 159 MM 2017, *League of Women Voters of Michigan v. Johnson*, 17-14148 (E.D. Mich), and *APRI et al. v. Smith et al.*, No. 18-cv-357 (S.D. Ohio). Between 2021 and 2025, I provided reports in *League of Women Voters v. Ohio Redistricting Commission*, No. 2021-1193 (Ohio 2022); *League of Women Voters v. Kent County Apportionment Commission*, No. 163952 (Mich. 2021); *League of Women Voters of Ohio v. Ohio Redistricting Commission*, No. 2021-144 (Ohio 2021-22); *League of Women Voters of Michigan v. Michigan Independent Citizens Redistricting Commission*, No. 164022 (Mich. 2022); *Rivera* et al. *v. Schwab*, No. 2022-CV-000089 (Kan. Dist. Ct. Wyandotte Cnty. 2022); *Benninghoff v. 2021 Legislative Reapportionment Commission*, No. 11 MM 2022 (Pa. 2022); *BVM (Black Voters Matter) Capacity Building Institute, Inc., et al. v. Cord Byrd, in his official capacity as Florida Secretary of State, et. al.*, No. 2022-ca-000666 (Fla. 2d Cir. 2023); *Republican Party of New Mexico* v. *Oliver*, No. S-1-SC-40146 (N.M. 2023); *Clarke* v. *Wisconsin Elections Commission*, No. 2023AP1399 (Wi. 2023); and *League of Women Voters of Utah* v. *Utah State Legislature*, No. 220901712.

I also provided testimony to Pennsylvania's Bipartisan Reapportionment Commission about the partisan fairness of its proposed State House plan. In addition, I have provided expert testimony and reports in several cases related to the U.S. Census: *State of New York et al. v. United States Department of Commerce*, No. 18-cv-2921 (S.D.N.Y. 2019); *New York v. Trump*, No. 20-CV-5770 (S.D.N.Y 2020); *Common Cause v. Trump*, No. 1:20-cv-02023 (D.D.C. 2020); and *La Union Del Pueblo Entero (LUPE) v. Ross*, No. GJH-19-2710 (D. Md. 2019).

I am being compensated at a rate of $475 per hour. My compensation is no way contingent on the conclusions I reach in this report. The opinions in this report are my own, and do not represent the views of Georgetown University.

3 Background on Partisan Gerrymandering

Partisan favoritism in a redistricting plan occurs when one party's voters are "packed" into a small number of districts in larger numbers than needed to elect their preferred candidates, or "cracked" across multiple districts so that they cannot elect a candidate of their choice anywhere (Stephanopoulos and McGhee 2015). Political scientists have developed a variety of methods to determine whether a map unduly favors or disfavors a party. A guiding principle for some of these methods is partisan symmetry, or the idea that parties should be treated equally in how votes convert to seats.

Scholars have proposed multiple measures of partisan bias in districting plans. Different measures are more or less appropriate depending on a state's political conditions and the type of plan being assessed, and some measures do not yield reliable results in certain contexts. Courts and scholars recognize that no single measure or approach is perfect; best practice is to apply all measures appropriate to the given state and context to ensure robust conclusions (Stephanopoulos and McGhee 2018, 1556–1557; Stephanopoulos and Warshaw 2020, 619; Ratliff, Somersille, and Veomett 2025, 764).

For my main analysis, I focus on three metrics, which I will discuss in more detail below, to analyze whether Florida's congressional plan favors a particular party: the efficiency gap, the declination, and the geography and election outcomes (GEO) metric. Buzas and Warrington (2021) shows that the efficiency gap and the declination capture the packing and cracking that characterize partisan gerrymandering extremely well. In a more recent study, Ratliff, Somersille, and Veomett (2025) show that the efficiency gap, declination, and GEO metrics all perform well at detecting partisan gerrymandering in a wide variety of situations, especially in states such as Florida that rarely have tied statewide elections.[1] In conjunction with these measures, political scientists may also compare the relevant redistricting maps being assessed with large computer-generated ensembles of neutrally drawn simulated maps, which can help show whether a map's partisan outcome could be explained by adherence to neutral criteria (Chen and Rodden 2015).

1. In contrast, other metrics perform less well, especially in states such as Florida. Buzas and Warrington (2021) finds that "partisan [GK-] bias and mean-median difference are unable to consistently record simulated packing and cracking... As a result, we recommend that neither partisan bias nor the mean-median difference be used for the 'outlier' or 'ensemble' method, where it is crucial that more extreme values of the measure indicate more extreme levels of partisan gerrymandering." Moreover, McGhee (2017, 9) shows that the assumptions of the symmetry and mean-median measures become progressively less plausible as the statewide vote shares in a plan move away from 50% (9). Ratliff, Somersille, and Veomett (2025) shows that the mean-median difference performs particularly poorly at detecting partisan gerrymandering, "as it cannot distinguish more extreme maps from less extreme maps."

3.1 Efficiency Gap

The efficiency gap (EG) mathematically captures the packing and cracking that are at the heart of partisan gerrymanders (Buzas and Warrington 2021). It measures the extra seats one party wins over and above what would be expected if neither party were advantaged in the translation of votes to seats (i.e., if they had the same number of "wasted" votes). All of the losing party's votes are wasted if they lose the election. When a party wins an election, the wasted votes are those above the 50%+1 vote margin needed to win. The efficiency gap is defined as "the difference between the parties' respective wasted votes, divided by the total number of votes cast in the election" (Stephanopoulos and McGhee 2015, 831; see also McGhee 2014, 2017). A key advantage of the efficiency gap over other measures of partisan bias is that it can be calculated directly from observed election returns even when the parties' statewide vote shares are not equal.

Table 1 provides a simple example of how to calculate the efficiency gap with five districts where the same number of people vote in each district. In this example, Democrats win 45% of the statewide vote and 40% of the seats.

In the first district, Democrats win the district with 66/101 votes. This means that they wasted the 15 votes that were unnecessary to win a majority of the vote in this district. In the second district, they win 56 of 101 votes and only waste 5 votes. But they lose the other three districts and thus waste all 105 of their votes in those districts. In all, Democrats waste 125 votes. Republicans, on the other hand, waste all 35 of their votes in the first district and all 45 votes in the second district. But they only waste the 10 votes unnecessary to win a majority in the third district, 15 votes in the fourth district, and 20 votes in the fifth district. In all, they too waste 125 votes. This implies a neutral efficiency gap that does not favor either party.

Table 1: Illustrative Example of a Fair Efficiency Gap

District	Democratic Votes	Republican Votes
1	66	35
2	56	45
3	40	61
4	35	66
5	30	71
Total	227 (45%)	278 (55%)
Wasted	125	125

Under this analysis, Florida's 2026 congressional plan has a pro-Republican efficiency gap of approximately 21.4% using the votes from the 2024 congressional election re-

aggregated onto the plan.[2] This is a larger absolute efficiency gap than 97% of previous congressional plans with more than 3 seats in the entire country over the past 50 years,[3] and a larger pro-Republican efficiency gap than 98% of previous plans across the country. It is also the largest efficiency gap in the past fifty years among large states with at least 15 congressional districts. I provide further analysis of the 2026 plan's efficiency gap relative to other maps in Section 4 below.

3.2 Declination

Another measure of asymmetries in redistricting plans is called declination (Warrington 2018b, 2018a). The declination metric treats asymmetry in the vote distribution as indicative of partisan bias in a districting plan (Warrington 2018a). In a fair plan, if all the districts in a plan are lined up from the least Democratic to the most Democratic, the mid-point of the line formed by one party's seats should be about as far from the 50 percent threshold for victory on average as the other party's (McGhee 2018). This distribution is illustrated in the top panel of Figure 1.

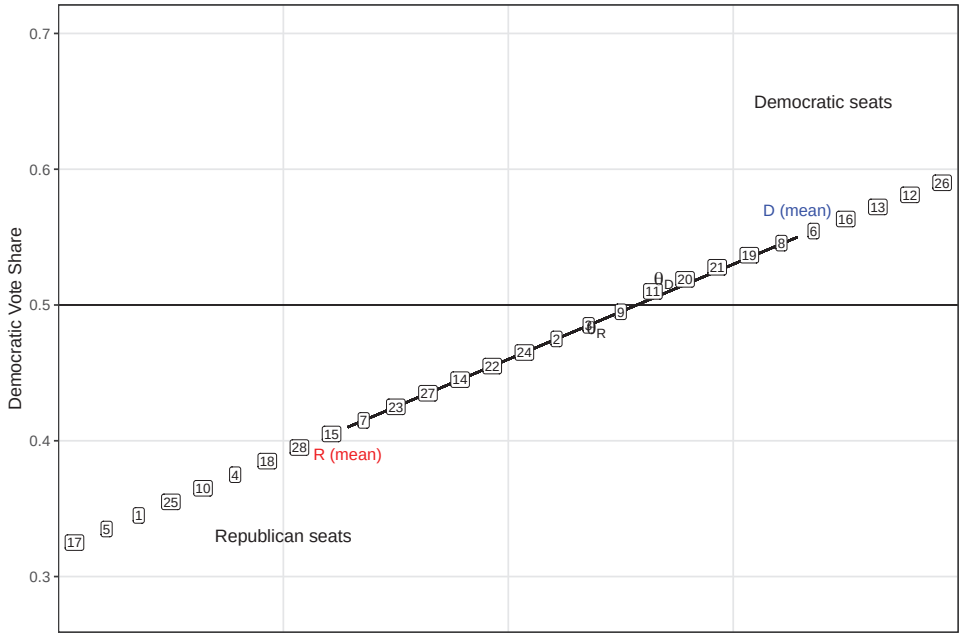
Florida's 2026 congressional plan, by contrast, demonstrates a stark asymmetry on this metric, as illustrated in the bottom panel of Figure 1. Districts won by Republicans (below the 0.5 line) are much closer to 50 percent than the ones won by Democrats (above the 0.5 line).[4] This distribution helps Republicans win more seats in part by packing the Democratic voters into a handful of seats.

The declination produces a number between -1 and 1. As calculated here and shown in the bottom panel of Figure 1, positive values favor Democrats and negative values favor Republicans. The declination metric indicates that the 2026 congressional plan has a pro-Republican bias of -.975 (based on re-running the 2024 congressional election). This is the largest absolute value of the declination of any congressional plan in any state since 1972 (when the whole country first had equipopulous congressional districts). I provide further analysis of the 2026 plan's declination relative to other maps in Section 4 below.

2. I use the 2024 congressional election throughout this section to illustrate the various metrics in the context of Florida. The results are extremely similar based on the 2024 presidential election.

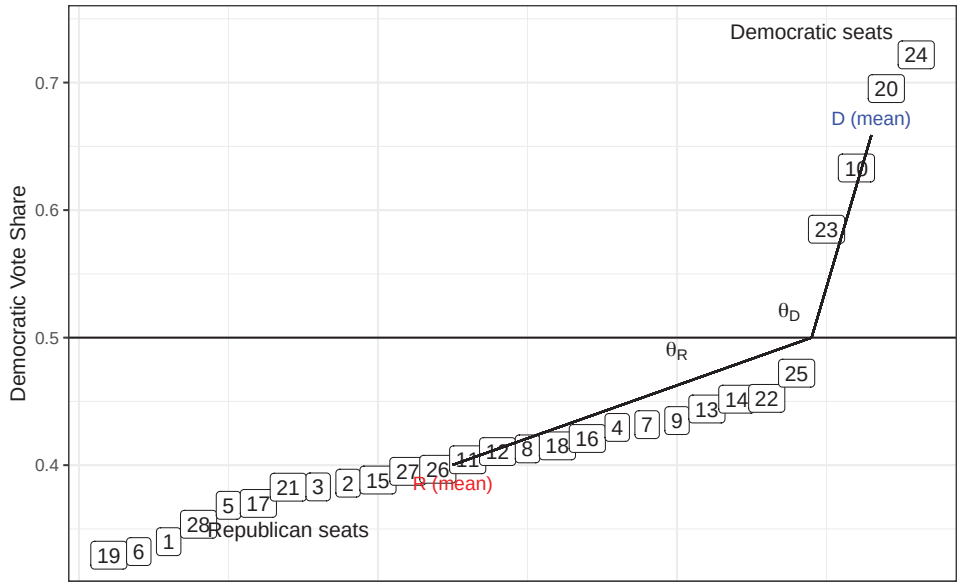
3. I focus on the 1972-2024 period for the historical comparisons in this report since 1972 is the first year where there were equipopulous districts throughout the country.

4. District numbers are shown for each result.



[t]

(a) Declination on a fair plan



[t]

(b) Declination on Florida's 2026 plan

Figure 1: Plot illustrating declination based on (a) a hypothetical neutral plan, and (b) votes in 2024 congressional election re-aggregated to new plan.

3.3 Geography and Election Outcomes (GEO) Metric

A team of mathematicians recently proposed another technique to evaluate the fairness of districting plans (Campisi et al. 2022). This approach uses both geographic information about a districting plan as well as district-level election data, rather than just one or the

other. It provides a mathematical count of the number of previously lost districts which that party potentially could have had a 50% chance of winning, without risking any currently won districts, by making small changes to the input map.[5]

This metric has been found to be reliable (Ratliff, Somersille, and Veomett 2025). First, it properly identifies maps widely viewed as partisan gerrymanderers (Campisi et al. 2022, 207–211). For instance, it flags that the 2022 Illinois congressional plan is heavily biased toward the Democratic Party,[6] while it also flags that the 2012 Pennsylvania congressional plan was heavily biased toward the Republican Party.[7] Second, the metric is generally highly correlated with the efficiency gap and declination metrics (Ratliff, Somersille, and Veomett 2025), which previous work finds do well at identifying packing and cracking (e.g., Buzas and Warrington 2021).

The Geography and Election Outcomes (GEO) metric indicates that the 2026 plan is heavily biased toward the Republican Party: it could be altered with modest modifications to create 9 additional competitive Democratic-leaning districts, but there are no likely permutations that would create additional Republican-leaning districts.[8] The fact that the 2026 plan can be easily modified to add 9 additional Democratic-leaning districts, but no additional Republican-leaning districts suggests that the plan was drawn to advantage the Republican party. I do not show the GEO metric in the analyses below because I lack enough historical benchmark data on this metric. However, I was able to obtain data from Campisi et al. (2022), and this is a more skewed advantage for a political party than any other congressional plan in the 2022 cycle.[9]

4 Partisan Bias in Florida's 2026 Congressional Map

In this section, I will provide a comprehensive evaluation of the partisan fairness of Florida's 2026 congressional districting plan. In order to evaluate the 2026 plan, we need to predict future election results held under this map. Here, I use two complementary methodologies to predict future congressional elections in Florida. First, I use the actual 2024 congressional election results in Florida—the same data I used to illustrate the

5. The algorithm only draws alternative districts from adjacent existing districts to show likely permutations. It does not consider totally different maps that bear no relationship to the existing plan.

6. The Illinois plan is widely seen as a pro-Democratic gerrymander. See https://gerrymander.princeton.edu/redistricting-report-card?planId=receAu6OJuYEkxKjG.

7. This plan was struck down by the Pennsylvania Supreme Court as an unconstitutional partisan gerrymander. See *League of Women Voters of Pennsylvania v. Commonwealth of Pennsylvania*, No. 159 MM 2017.

8. This analysis is based on running the code at https://github.com/stem-redistricting/GEOmetric based on the 2026 map and the re-aggregated 2024 congressional election results on this plan.

9. See https://www.the-geometric.com/congressional-plans-table.

partisan bias metrics in the previous section of this report. Next, I use a composite of the statewide elections over the past decade. For each set of elections, I calculate the partisan bias metrics. I then compare both the absolute level of bias and the pro-Republican skew to the universe of previous congressional plans over the past fifty years.[10]

4.1 Congressional election results

First, I use Florida's previous congressional election results to estimate various partisan bias metrics with recent Florida congressional plans. I use actual congressional results conducted under each plan to benchmark them. For the 2026 plan, I use the 2024 congressional election results re-aggregated onto the new plan. The results are discussed below and in Table 2.

- The 2002 plan was widely seen at the time as a pro-Republican gerrymander.(Beachler 2004). On this plan, Republicans won 69% of the seats (17 out of 25) with 55% of the statewide vote. The plan had a pro-Republican efficiency gap of about 9% and an extremely pro-Republican declination value.

- The 2012 plan also had a pro-Republican skew. Indeed, it was later struck down by the Florida Supreme Court in part for intentionally favoring the Republican party.[11] On this plan, Republicans won 63% of the seats (17 out of 27) with 53% of the statewide vote. The plan had a pro-Republican efficiency gap of 7% and a pro-Republican declination value.

- Like the earlier plans, the 2022 plan had a pro-Republican bias. On this plan, Republicans won 71% of the seats (20 out of 28) with 57% of the statewide vote. The plan had a pro-Republican efficiency gap of 6% and a pro-Republican declination value.

- The 2026 plan has a much larger pro-Republican skew than the earlier Florida plans. On this plan, Republicans would have won 86% of the congressional seats in 2024 (24 out of 28) with 57% of the vote. In other words, Republicans would have won 29 percentage points more seats than votes, and they would have won 4 additional seats compared with the 2022 plan. The plan had a pro-Republican efficiency gap of 21% based on the 2024 congressional results. The declination also shows that

10. Specifically, I focus on previous plans a) in all states with more than 3 seats and b) in large states with more than 14 seats. The dataset includes all congressional elections since every district followed one-person-one-vote in 1972.

11. See League of Women Voters of Fla. v. Detzner, 172 So. 3d 363 (Fla. 2015)

Florida's 2026 congressional plan has a historically extreme level of bias. Both the efficiency gap and declination metrics of the 2026 plan using the 2024 congressional elections are larger than any previous congressional plan in Florida, or, in fact, any congressional plan since 1972 among large states (i.e., states with at least 15 congressional districts). The declination is larger than any state plan in the last fifty years.

Metric	Value	Compared to all states		Compared to big states	
		> Biased than this % Plans	> Pro-Rep. than this % Plans	> Biased than this % Plans	> Pro-Rep. than this % Plans
2002-2010 Plan (2002-10 congressional elections)					
Republican Vote Share	55%				
Republican Seat Share	69%				
Efficiency Gap	-8.7%	68.7%	87.0%	78.3%	95.0%
Declination	-.555	94.1%	96.8%	86.7%	95.0%
Average		81%	92%	83%	95%
2012-2014 Plan (struck down as partisan gerrymander) (2012-14 congressional elections)					
Republican Vote Share	53%				
Republican Seat Share	63%				
Efficiency Gap	-7.1%	57.8%	80.4%	71.7%	90.0%
Declination	-.375	85.8%	91.8%	76.7%	88.3%
Average		72%	86%	74%	89%
2022 Plan (2022-24 congressional election results)					
Republican Vote Share	57%				
Republican Seat Share	71%				
Efficiency Gap	-6.4%	53.5%	77.4%	68.3%	86.7%
Declination	-.267	69.4%	80.8%	58.3%	75.0%
Average		61%	79%	63%	81%
Proposed 2026 Plan (2024 congressional election results)					
Republican Vote Share	57%				
Republican Seat Share	86%				
Efficiency Gap	-21.4%	97.0%	98.3%	100%	100%
Declination	-.975	100%	100%	100%	100%
Average		99%	99%	100%	100%

Table 2: Partisan bias metrics for 2026 Plan and prior Florida congressional plans compared to other congressional plans around the country from 1972-2024.

4.2 Composite of previous statewide elections

Next, I use a composite of previous statewide election results over the past five election cycles (2016-2024) re-aggregated to the 2026 map.[12] For each year, I estimate each party's

12. These include the following elections: 2016 Presidential, 2016 Senate, 2018 Senate, 2018 gubernatorial, 2018 Attorney General, 2018 Chief Financial Officer, 2018 Agricultural Commissioner, 2020

vote share, seat share, and the average of the partisan bias metrics across races. I then average them together to produce a composite result.

This composite index has a number of advantages over focusing on a single election to evaluate the new map. The composite index averages across 5 election cycles, which reduces variation due to electoral cycles. It also averages across 15 individual races, which reduces idiosyncratic variation due to incumbency (Jacobson 2015), variation in the local economy (Benedictis-Kessner and Warshaw 2020), and campaign effects (Sides, Vavreck, and Warshaw 2022). Due to the growing nationalization of elections, these statewide races are an excellent predictor of congressional races. Indeed, presidential election results are nearly perfectly correlated with congressional results in recent years (see, for instance, Table 3 in Jacobson 2021). So too in Florida. The correlation coefficient between a composite index of statewide results in Florida's congressional districts and contested 2022 congressional election results was 0.96.

		Compared to all states		**Compared to big states**	
Metric	Value	> Biased than this % Plans	> Pro-Rep. than this % Plans	> Biased than this % Plans	> Pro-Rep. than this % Plans
2022 Plan (composite index)					
Republican Vote Share	54%				
Republican Seat Share	70%				
Efficiency Gap	-11.1%	78.7%	91.7%	83.3%	96.7%
Declination	-.383	86.8%	92.7%	80.0%	91.7%
Average		83%	92%	82%	94%
2026 Plan (composite index)					
Republican Vote Share	54%				
Republican Seat Share	78%				
Efficiency Gap	-19.7%	95.2%	97.4%	98.3%	100.0%
Declination	-.776	99.5%	100.0%	98.3%	100.0%
Average		97%	99%	98%	100%

Table 3: Composite bias metrics for 2026 Plan compared with 2022 Plan and other congressional plans across the country from 1972-2024. I refer to this range of historical plans as "previous plans" throughout the report.

In Table 3 above, I calculate partisan bias metrics for the 2026 congressional plan using the 2016-2024 composite index. I also compare it with the 2022 plan. For each of these plans, I compare their partisan bias to other plans around the country over the past 50 years in all states (middle panel) and in large states with at least 15 seats that are more directly comparable to Florida (right panel). The results can be summarized as follows:

Presidential, 2022 gubernatorial, 2022 Senate, 2022 Attorney General, 2022 Chief Financial Officer, 2022 Agricultural Commissioner, 2024 Senate, and 2024 Presidential. I weight the elections so that each year is given equal weight in the composite.

- Under the 2022 plan, Republicans won 70% of the seats using the composite index. The average efficiency gap of the 2022 plan based on these previous election results is a 11.1% pro-Republican advantage. This is more extreme (in favor of either party) than 83% of previous plans in states with at least 15 seats and more pro-Republican than 97% of previous plans in these states. The declination is .38 in a pro-Republican direction, which is more extreme (in favor of either party) than 80% of previous plans in states with at least 15 seats and more pro-Republican than 92% of previous plans in these states. Across both metrics, it is more extreme than 83% of all previous congressional plans, 82% of previous congressional plans in large states, and more pro-Republican than 94% of congressional plans in large states.

- Under the 2026 plan, Republicans won 78% of the seats using the composite index. The average efficiency gap of the 2026 plan based on these previous election results is a 19.7% pro-Republican advantage. This is more extreme (in favor of either party) than 98% of previous plans in large states (only Illinois's 2022 plan is larger) and more pro-Republican than 100% of previous plans in large states. The declination is .78 in a pro-Republican direction, which is more extreme (in favor of either party) than 98% of previous plans in states with at least 15 seats and more pro-Republican than 100% of previous plans in these states. Across both metrics, it is more extreme than 97% of all previous congressional plans, 98% of previous congressional in large states, and more pro-Republican than every single previous congressional plan in large states.

Overall, this analysis indicates that the 2026 congressional plan favors the Republican party more than the 2022 plan. It also shows an extreme level of partisan bias relative to previous congressional plans around the country.

Lastly, Figure 2 graphically compares the bias in the 2026 congressional plan with Florida's 2022 plan, the 2012-2014 plan, and other plans in states around the country over the past 50 years. It indicates that the 2026 congressional plan has a large pro-Republican bias compared to other plans around the country on both partisan bias metrics. It is also more biased than the 2012 and 2022 plans on both metrics.

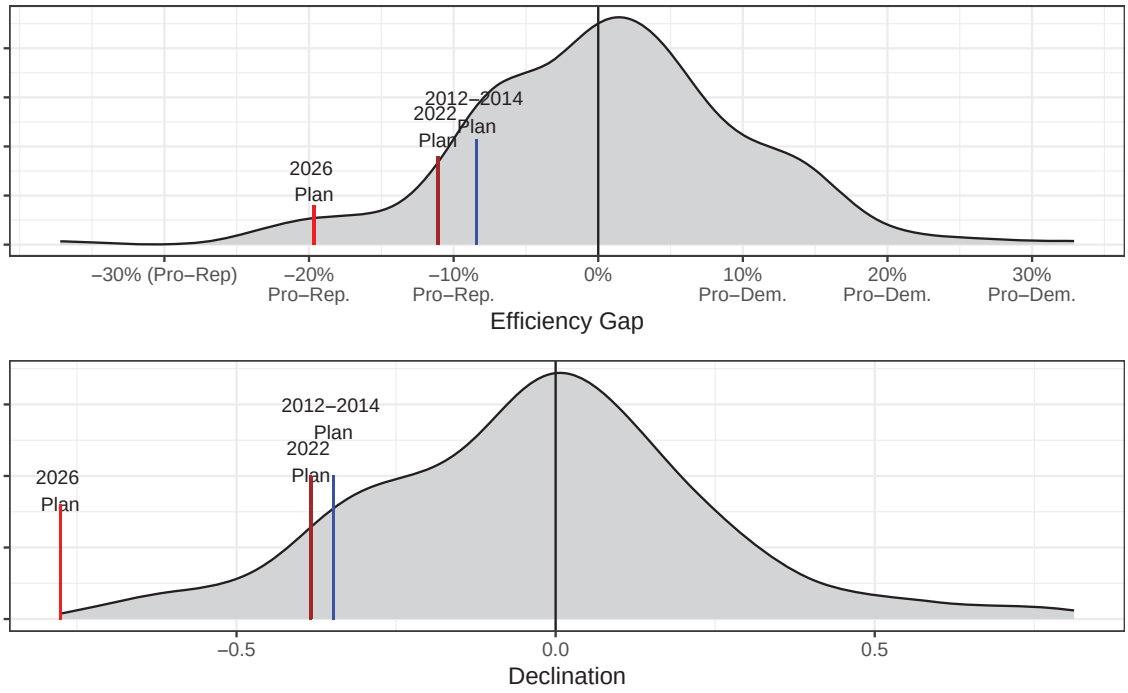


Figure 2: Partisan fairness metrics for 2026 congressional plan and other proposed plans. Densities are based on other plans around the country from 1972-2024.

5 Conclusion

Looking at all the available data, I find that there is a substantial pro-Republican bias in the translation of votes to seats in the 2026 congressional plan in Florida. Based on a variety of metrics, the pro-Republican bias in Florida's congressional districting plan is historically extreme relative to other states over the past 50 years. Based on some metrics, it is the most extreme map in history among large states. It is also much larger than the 2022 plan, as well as the 2002-2010 plan and the 2012-2014 plan that was struck down as a partisan gerrymander by the Florida Supreme Court. Together, all of this evidence leads to the conclusion that the map was intentionally drawn to benefit candidates from the Republican party.

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Appendix

A Data Sources

My opinions in this case are based on the knowledge I have amassed over my education, training and experience, including a detailed review of the relevant academic literature. They also follow from statistical analysis of the following data.

- GIS Files of the 2012-14 plan, the 2022 plan, and the 2026 plan: I obtained the 2026 plan from counsel, the 2022 plan from the Florida Senate's website, https://redistrictingplans.flsenate.gov, and the 2012 plan from the U.S. Census website.

- Precinct-level data on recent statewide Florida elections: I use shapefiles of precinct-level results from 2016-2024 in my analysis. I obtained files containing the 2016-2020 data from the Voting and Election Science Team (University of Florida, Wichita State University) via the Harvard Dataverse.[13] I obtained files containing precinct-level results from the 2022 elections from Professor Michael McDonald, who leads the Voting and Election Science Team. Finally, I obtained precinct-level results from the 2024 election from the Redistricting Data Hub.

- Estimates of the partisan bias in previous congressional elections: As part of my peer reviewed academic research, I have estimated the partisan bias of districting plans used in previous congressional elections around the country from 1972-2020 (Stephanopoulos and Warshaw 2020). For this report, I extended these estimates through 2024. I used data from:

  - A large data set on candidacies and results in congressional elections: I obtained results from 1972-2020 collected by the Constituency-Level Elections Archive (CLEA) (Kollman et al. 2017). The results from 1972-1990 are based on data collected and maintained by the Inter-university Consortium for Political and Social Research (ICPSR) and adjusted by CLEA. The data from 1992-2020 are based on data collected by CLEA from the Office of the Clerk at the House of the Representatives. I supplemented these data with readily available data on congressional returns from 2022 and 2024.
  - Data on presidential election returns and incumbency status in Congressional elections. I used data on elections in congressional districts from 1972-2022

13. See https://dataverse.harvard.edu/dataverse/electionscience.

collected by Professor Gary Jacobson (University of California, San Diego). This dataset has been used in many Political Science studies and has canonical status in the political science profession (Jacobson 2015). I obtained data on incumbency and presidential voting in 2024 from Lakshya Jain at the Split Ticket (https://split-ticket.org/).

– Information on who controlled each redistricting plan in Congressional elections (e.g., Democrats, Republicans, or a Commission) from 1972-2012 assembled by the Brennan Center (Brennan Center 2017), and updated these data through 2024 for my academic research (Warshaw, McGhee, and Migurski 2022).

B Mathematical Details on Primary Partisan Bias Metrics

This section describes the mathematical details of the efficiency gap and declination metrics.

B.1 Efficiency Gap

If we adopt the convention that positive values of the efficiency gap imply a Democratic advantage in the districting process and negative ones imply a Republican advantage, the efficiency gap can be written mathematically as:

$$EG = \frac{W_R}{n} - \frac{W_D}{n} \tag{1}$$

where W_R are wasted votes for Republicans, W_D are wasted votes for Democrats, and n is the total number of votes in each state.

In order to account for unequal population or turnout across districts, the efficiency gap formula in equation 1 can be rewritten as:

$$EG = S_D^{margin} - 2 * V_D^{margin} \tag{2}$$

where S_D^{margin} is the Democratic Party's seat margin (the seat share minus 0.5) and V_D^{margin} is the Democratic Party's vote margin. V_D^{margin} is calculated by aggregating the raw votes for Democratic candidates across all districts, dividing by the total raw vote cast across all districts, and subtracting 0.5 (McGhee 2017, 11–12). In the example in the main text above, this equation also provides a neutral efficiency gap of 0%. But it could lead to a slightly different estimate of the efficiency gap if districts are malapportioned

or there is unequal turnout across districts.[14] To account for these potential differences, I use equation 2 to calculate the efficiency gap in my report.

B.2 Declination

The declination metric suggests that in a fair map, the angles of the lines (θ_D and θ_R) between the mean across all districts and the point on the 50% line between the mass of points representing each party will be roughly equal. When they deviate from each other, the smaller angle (θ_R in the case of Florida) will generally identify the favored party. To capture this idea, declination takes the difference between those two angles (θ_D and θ_R) and divides by $\pi/2$ to convert the result from radians to fractions of 90 degrees.[15] Warrington (2018b) suggests a further adjustment to account for differences in the number of seats across legislative chambers. This adjustment uses this equation: $\hat{\delta}$ $=\delta$ * ln(seats) / 2. I use this adjusted declination estimate in the analysis in this report.

C Additional Bias and Competitiveness Metrics

In this section, I describe several additional partisan fairness and competitiveness metrics. First, I describe the partisan symmetry metric. Second, I describe the mean-median difference. These measures are widely used in the empirical literature, but they both have some conceptual and empirical weaknesses compared with the measures I discuss in the main body of my report (see footnote 1 above). Nonetheless, they also indicate that the 2026 congressional plan favors the Republican party. Finally, I describe how to measure the responsiveness of a plan to changes in the statewide vote. This analysis indicates that the 2026 plan is remarkably unresponsive to changes in voters' preferences.

C.1 Symmetry in the Vote-Seat Curve Across Parties

Scholars also evaluate a plan's "vote-seat curve" to assess partisan bias. Basic fairness suggests that in a two-party system each party should receive the same share of seats for identical shares of votes. The *symmetry* idea is easiest to understand at an aggregate vote share of 0.5—a party that receives half the vote ought to receive half the seats—but a similar logic can apply across the vote-seat curve that traces out how seat shares change

14. In general, the two formulations of the efficiency gap formula yield very similar results. Because Democrats tend to win lower-turnout districts, however, the turnout adjusted version of the efficiency gap in equation 2 tends to produce results that suggest about a 2% smaller disadvantage for Democrats than the version in Equation 1 (see McGhee 2018).

15. This equation is: $\delta = 2^* (\theta_R - \theta_D) / \pi$.

as vote shares rise and fall. For example, if a party receives a vote share of 0.57 and a seat share of 0.64, the opposing party should also expect to receive a seat share of 0.64 if it were to receive a vote share of 0.57. An unbiased system means that for V share of the votes a party should receive S share of the seats, and this should be true for all parties and vote percentages (Niemi and Deegan 1978; Gelman and King 1994; McGhee 2014; Katz, King, and Rosenblatt 2020).

Gelman and King (1994, 536) propose two ways to measure partisan bias in the symmetry of the vote-seat curve. First, it can be measured using counter-factual election results in a range of statewide vote shares between .45 and .55. Across this range of vote shares, each party should receive the same number of seats. Symmetry captures any departures from the standard that each party should receive the same seat share across this range of plausible vote shares. For example, if the symmetry bias is -0.05, this means that Democrats receive 5% fewer seats in the legislature than they should under the symmetry standard (and Republicans receive 5% more seats than they should).

Second, symmetry can be measured based on the seat share that each party receives when they split the statewide vote 50-50. In an unbiased system, each party should receive 50% of the seats in a tied statewide election. Here, the Gelman-King bias (henceforth called "GK-bias") statistic is the "expected proportion of the seats over 0.5 that the Democrats receive when they receive exactly half the average district vote." The GK-bias metric is closely related to the efficiency gap. In the special case where each party receives half of the statewide vote and turnout is equal across districts, the GK-bias and the efficiency gap metrics are mathematically identical (Stephanopoulos and McGhee 2015, 856). More generally, the GK-bias and efficiency gap yield very similar substantive results when each party's statewide vote share is close to 50%.

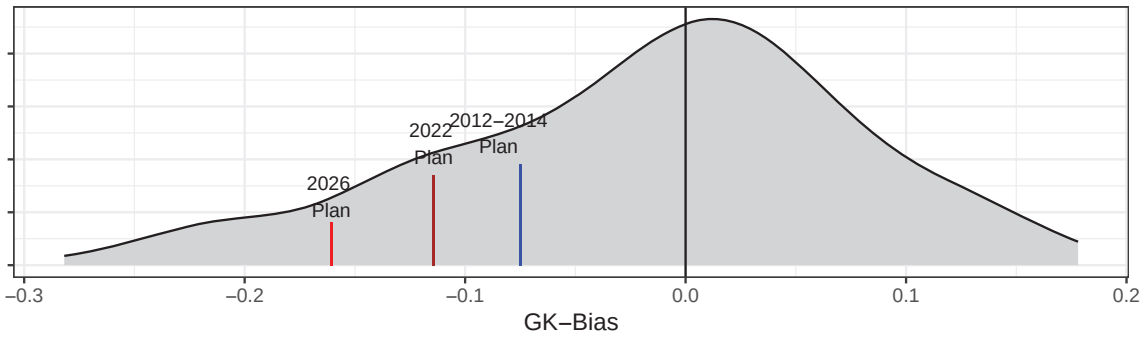


Figure A1: GK-Bias for 2026 congressional plan and other proposed plans. Density is based on other plans around the country from 1972-2024.

The GK-Bias Metric metric indicates that the 2026 congressional plan has a pro-

Republican bias of 11% based on re-running the 2024 congressional election and a 16% pro-Republican bias according to the composite index.

C.2 Mean-median Difference

Another metric that some scholars have proposed to measure partisan bias in a districting plan is the *mean-median difference*: the difference between a party's vote share in the median district and their average vote share across all districts. If the party wins more votes in the median district than in the average district, they have an advantage in the translation of votes to seats (Krasno et al. 2018; Best et al. 2017; Wang 2016).

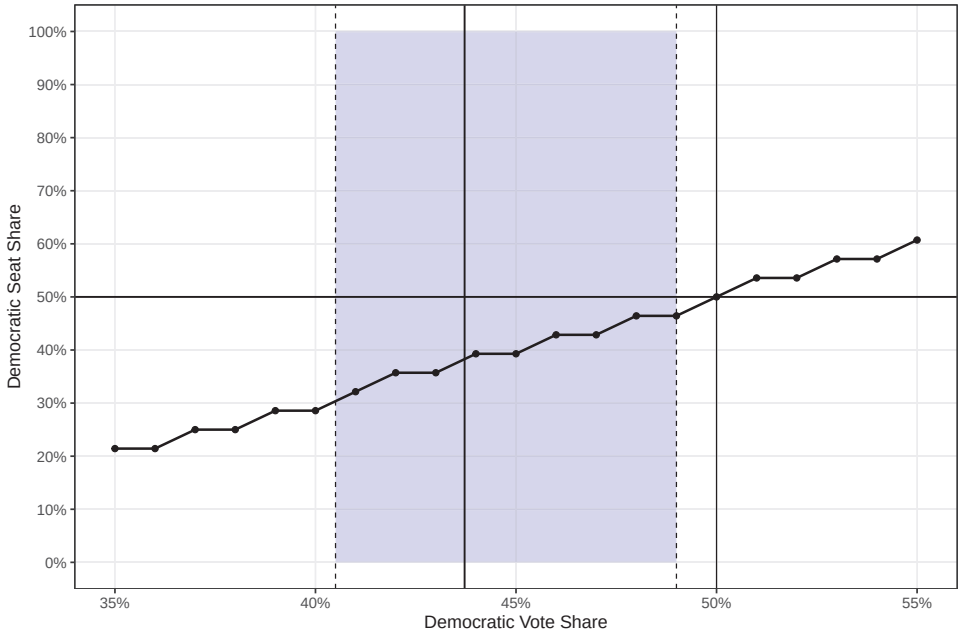
The mean-median difference metric indicates that the 2026 congressional plan has a pro-Republican bias of 2.5% based on re-running the 2024 congressional election. In this election, Democrats would have won an additional 6 seats on Florida's plan if it had a neutral mean-median difference of zero. So the mean-median difference shows a considerable pro-Republican skew on the 2026 plan. Similarly, the 2026 plan has a pro-Republican mean-median difference of 2.8% using the composite index.

C.3 Responsiveness and Competitive Elections

Another benchmark for measuring the partisan bias in a districting plan is the percentage of districts likely to have competitive elections under that plan and the responsiveness of the plan to changes in voters' preferences (Cox and Katz 1999). Competitiveness affects the responsiveness of a map as the two parties' statewide vote shares rise and fall. A plan with more competitive elections is likely to be more responsive to changes in voters' preferences than a plan with fewer competitive elections (McGhee 2014). An unresponsive map ensures that the bias in a districting plan toward the advantaged party is insulated against changes in voters' preferences, and thus is durable across multiple election cycles. Uncompetitive districts tend to protect incumbents from electoral consequences (Tufte 1973; Gelman and King 1994). This could harm political representation by making legislators less responsive and accountable to their constituents' preferences.

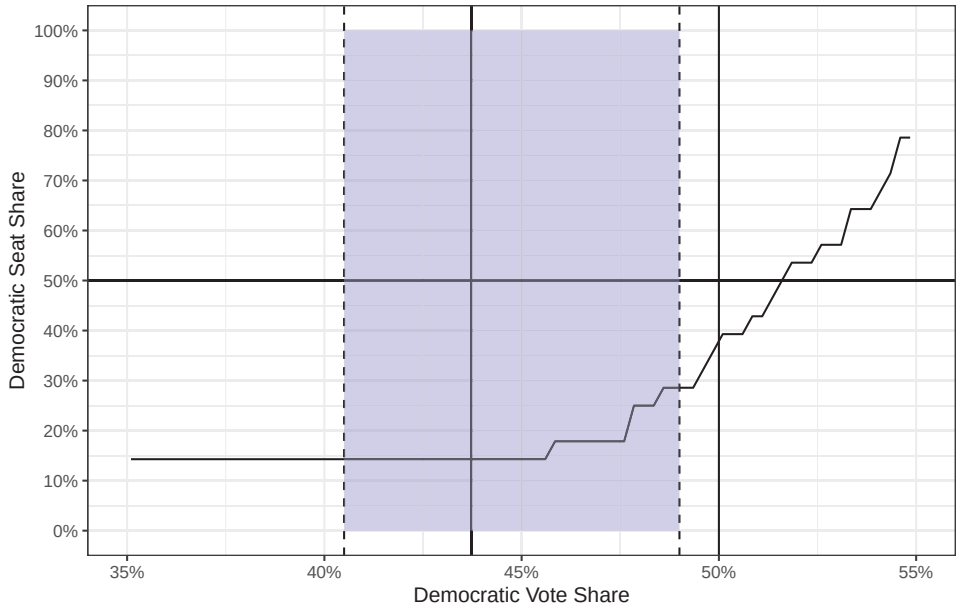
To illustrate the concept of responsiveness, Figure A2 shows the vote-seat curve in Florida generated by applying uniform swings to the 2024 election results.[16] Specifically, I apply a uniform swing in the actual election results until I achieve an average Democratic vote share of 35%. Then I steadily increase the average Democratic vote share until it reaches about 55%. Figure A2 indicates that Republicans win three quarters or more of

16. The layout of this chart is adapted from charts in Royden, Li, and Rudensky (2018).



[t]

(a) Responsiveness on a fair plan



[t]

(b) Responsiveness on Florida's 2026 plan

Figure A2: Plot illustrating responsiveness on a fair plan and Florida's 2026 plan based on votes in 2024 congressional election re-aggregated to new plan. The shaded area shows the range between the minimum and maximum Democratic statewide vote share in congressional elections from 2016-2024. The black line shows the actual Democratic statewide vote share in the 2024 congressional elections.

the seats across nearly all of the range of actual election swings over the past decade. Moreover, they usually win 24 out of 28 seats.

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Academic Employment

Georgetown University, McCourt School of Public Policy, Washington, DC

Professor, 2025-

George Washington University, Washington, DC

Professor, 2023-2025

Associate Professor, 2020-2023

Assistant Professor, 2017 - 2020

Massachusetts Institute of Technology, Cambridge, MA

Associate Professor of Political Science (without tenure), 2016 - 2017

Assistant Professor of Political Science, 2012 - 2016

Education

Stanford University, Ph.D., Political Science, 2012

Stanford Law School, Juris Doctorate, 2011

Williams College, B.A., *magna cum laude*, 2002

Research Interests

American Politics, Public Opinion & Representation, Elections, State & Local Politics, Environmental Policy, Methodology.

Research

Publications

Book

"Dynamic Democracy: Public Opinion, Elections, and Policy Making in the American States." 2022. University of Chicago Press. (with Devin Caughey)

Peer Reviewed Articles

31. "The Partisanship of Mayors has no Detectable Effect on Police Spending, Police Employment, Crime, or Arrests." 2025. *Science Advances*. 11(3). (with Justin de Benedictis-Kessner, Matt Harvey, and Dan Jones).

30. "How Partisanship in Cities Influences Housing Policy". 2025. *American Journal of Political Science*. 69(1). (with Justin de Benedictis-Kessner and Dan Jones)
29. "Tracing Fox News' impact on American democracy." 2024. *Journal of Public Economics*. (with Elliott Ash, Sergio Galletta, and Matteo Pinna)
28. "American Local Government Elections Database" 2023. *Scientific Data*. (with Justin de Benedictis-Kessner, Diana Da In Lee, and Yamil Velez)
27. "How climate policy commitments influence energy systems and the economy of US States." 2023. *Nature Communications*. (with Parrish Bergquist)
26. "Moderates." 2023. *American Political Science Review*. 117(2): 643 - 660. (with Anthony Fowler, Seth Hill, Jeff Lewis, Chris Tausanovitch, Lynn Vavreck)
25. "Districts for a New Decade: Partisan Outcomes and Racial Representation in the 2021-22 Redistricting Cycle." 2022. *Publius: The Journal of Federalism*. (with Eric McGhee & Michal Migurski)
24. "The Effect of Television Advertising in United States Elections." 2022. *American Political Science Review*. 116(2): 702-718. (with John Sides and Lynn Vavreck)
23. "Using Screeners to Measure Respondent Attention on Self-Administered Surveys: Which Items and How Many?" 2021. *Political Science Research and Methods*. 9(2): 430–437. (with Adam Berinsky, Michele Margolis, and Mike Sances)
22. "The Impact of Partisan Gerrymandering on Political Parties." 2020. *Legislative Studies Quarterly*. 45(4): 609-643. (with Nicholas Stephanopoulos)
21. "Fatalities from COVID-19 are reducing Americans' support for Republicans at every level of federal office." 2020. *Science Advances*. (with Lynn Vavreck and Ryan Baxter-King)
20. "Accountability for the Local Economy at All Levels of Government in United States Elections." 2020. *American Political Science Review*. 114(3): 660-676. (with Justin de Benedictis-Kessner)
19. "Politics in Forgotten Governments: The Partisan Composition of County Legislatures and County Fiscal Policies." 2020. *Journal of Politics*. 82(2): 460-475. (with Justin de Benedictis-Kessner)
18. "On the Representativeness of Primary Electorates." 2020. *British Journal of Political Science*. 50(2): 677-685. (with John Sides, Chris Tausanovitch, and Lynn Vavreck)
17. "Geography, Uncertainty, and Polarization." 2019. *Political Science Research and Methods*. 7(4): 775-794. (with Nolan McCarty, Jonathan Rodden, Boris Shor, and Chris Tausanovitch)
16. "Policy Ideology in European Mass Publics, 1981–2016." 2019. *American Political Science Review*. 113(3): 674-693. (with Devin Caughey and Tom O'Grady)
15. "Does Global Warming Increase Public Concern About Climate Change?" 2019. *Journal of Politics*. 81(2): 686-691. (with Parrish Bergquist)
14. "Local Elections and Representation in the United States." 2019. *Annual Review of Political Science*. 22(1): 461-479.
13. "The Ideological Nationalization of Party Constituencies in the American States". 2018. *Public Choice*. Keith Poole Symposium. 176(1-2): 133-151. (with James Dunham and Devin Caughey)
12. "Policy Preferences and Policy Change: Dynamic Responsiveness in the American States, 1936-2014." 2018. *American Political Science Review*. 112(2): 249-266. (with Devin Caughey)
11. "Does the Ideological Proximity Between Candidates and Voters Affect Voting in U.S. House Elections?" 2018. *Political Behavior*. 40(1): 223-245. (with Chris Tausanovitch)

10. "Partisan Gerrymandering and the Political Process: Effects on Roll-Call Voting and State Policies." *Election Law Journal.* December, 2017. 16(4): 453-469. Symposium on Partisan Gerrymandering and the Efficiency Gap. (with Devin Caughey and Chris Tausanovitch)
9. "Incremental Democracy: The Policy Effects of Partisan Control of State Government." 2017. *Journal of Politics*. 79(4): 1342-1358. (with Devin Caughey and Yiqing Xu)
8. "Renewable energy policy design and framing influences public support in the United States." 2017. *Nature Energy*. 2(17107). (with Leah Stokes)
7. "Estimating Candidates' Political Orientation in a Polarized Congress." 2017. *Political Analysis*. 25(2): 167-187. (with Chris Tausanovitch)
6. "The Dynamics of State Policy Liberalism, 1936-2014." 2016. *American Journal of Political Science*. 60(4): 899-913. (with Devin Caughey)
5. "Mayoral Partisanship and Municipal Fiscal Policy." 2016. *Journal of Politics*. 78(4): 1124-1138. (with Justin de Benedictis-Kessner)
4. "Dynamic Estimation of Latent Opinion Using a Hierarchical Group-Level IRT Model." 2015. *Political Analysis*. 23(2): 197-211. (with Devin Caughey)
3. "Representation in Municipal Government." 2014. *American Political Science Review*. 108(3): 605-641. (with Chris Tausanovitch)
2. "Measuring Constituent Policy Preferences in Congress, State Legislatures and Cities." 2013. *Journal of Politics*. 75(2): 330-342. (with Chris Tausanovitch)
1. "How Should We Measure District-Level Public Opinion on Individual Issues?" 2012. *Journal of Politics*. 74(1): 203-219. (with Jonathan Rodden)

Editor Reviewed Articles in Journals and Law Reviews

6. "Alignment in Local Governments." Forthcoming. *The Ohio State Law Journal*.
5. "Non-Retrogression Without Law." 2024. *University of Chicago Legal Forum*. (with Nicholas Stephanopoulos and Eric McGhee).
4. "A preference for constant costs." 2020. *Nature Climate Change*. News & Views. 10: 978–979
3. "Public Opinion in Subnational Politics." 2019. *Journal of Politics*. 81(1): 352-363. Editor reviewed for Symposium on Subnational Policymaking. (with Devin Caughey)
2. "Spatial variation in messaging effects." 2018. *Nature Climate Change*. News & Views. April, 2018.
1. "Business as Usual? Analyzing the Doctrinal Development of Environmental Standing Doctrine since 1976." 2011. *Harvard Law and Policy Review*. Volume 5.2. (with Gregory Wannier).

Book Chapters

5. "Elections and Parties in Environmental Politics." 2020. *Handbook on U.S. Environmental Policy*. David Konisky, ed. (with Parrish Bergquist)
4. "Latent Constructs in Public Opinion." 2018. *Oxford Handbook on Polling and Polling Methods*. R. Michael Alvarez and Lonna Atkeson, ed. Oxford: Oxford University Press.
3. "The Application of Big Data in Surveys to the Study of Elections, Public Opinion, and Representation." 2016. *Data Analytics in Social Science, Government, and Industry*. R. Michael Alvarez, ed. Cambridge: Cambridge University Press.

2. "The Political Economy of Expropriation and Privatization in the Oil Sector." 2012. *Oil and Governance: State-Owned Enterprises and the World Energy Supply*. David G. Victor, David Hults, and Mark Thurber, eds. Cambridge: Cambridge University Press.

1. "Democratization and Countermajoritarian Institutions: The Role of Power and Constitutional Design In Self-Enforcing Democracy." 2012. *Comparative Constitutional Design*. Cambridge: Cambridge University Press. (with Susan Alberts and Barry R. Weingast).

Policy Reports

1. "Reforming Baltimore's Mayoral Elections." 2020. Abell Foundation Report. `https://www.abell.org/publications/reforming-baltimores-mayoral-elections`

Articles Under Review

"Assessing Moderation and Multidimensionality with Mixture Models: A Reply to Broockman and Lauderdale." (with Anthony Fowler, Seth Hill, Jeff Lewis, Chris Tausanovitch, Lynn Vavreck)

Works in Progress

"The Electoral and Policy Effects of Election Timing in City and County Governments" (with Justin de Benedictis-Kessner)

"When Mass Opinion Goes to the Ballot Box: A National Assessment of State Level Issue Opinion and Ballot Initiative Results" (with Jonathan Robinson and John Sides)

"Inequalities in Participation, Voting, and Representation in Local Governments" (with Justin de Benedictis-Kessner and John Sides)

"Electoral Accountability for Ideological Extremism in American Elections" (with Devin Caughey)

Non-Academic Writing

"Gerrymandering is bad. Expanding it is even worse." *Philadelphia Inquirer*, Oct. 20, 2025. (with Dan Hopkins)

"The House's Republican edge is gone. But the gerrymander lives." *Washington Post*, March 3, 2025 (with Nick Stephanopoulos and Eric McGhee)

"How Black and Latino people did in this last round of redistricting" *Washington Post*, Monkey Cage. October 7, 2022. (with Eric McGhee and Michal Migurski)

"Redistricting commissions draw fairer districts than politicians do" *Washington Post*, Monkey Cage. September 27, 2022. (with Eric McGhee and Michal Migurski)

"In many states with antiabortion laws, majorities favor abortion rights" *Washington Post*, Monkey Cage. June 25, 2022. (with Jake Grumbach)

"Here are six big takeaways from the 2020 elections." *Washington Post*, Monkey Cage. November 7, 2020. (with Emily Thorson)

"TV ads still win elections. And Democrats are buying a lot more of them." *Washington Post*. October 28, 2020. (with John Sides and Lynn Vavreck)

"How Local Covid Deaths Are Affecting Vote Choice." *New York Times*, Upshot. July 28, 2020. (with Lynn Vavreck)

"Allowing Only Older Americans to Vote by Mail Leads to Severe Racial Disparities." *Election Law Blog*. July 1, 2020.

"A coronavirus recession would hurt all kinds of Republican candidates – not just Trump." *Washington Post*, Monkey Cage. March 18, 2020. (with Justin de Benedictis-Kessner).

"The Supreme Court is deciding a gerrymandering case. Here's the social science that the Justices need to know." *Washington Post*, Monkey Cage. June 1, 2019.

"New research shows just how badly a citizenship question would hurt the 2020 Census." *Washington Post*, Monkey Cage. April 22, 2019. (with Matt Barreto, Matthew A. Baum, Bryce J. Dietrich, Rebecca Goldstein, and Maya Sen)

"G.O.P. Senators Might Not Realize It, but Not One State Supports the Health Bill." *New York Times*, Upshot. June 14, 2017. (with David Broockman)

Public Websites with Data and Public Goods

State Policy and Public Opinion: `Dynamic Democracy`

Subnational Ideology and Election Results: `AmericanIdeologyProject.com/`

Fairness of Districting Plans: `PlanScore.org`

Public Opinion in the United States: `TrueViews.org`

Invited Talks

2025-2026: Washington University in St. Louis; Princeton

2024-2025: Washington University in St. Louis

2023-2024: UC Berkeley; Penn State; University of Chicago

2022-2023: University of Colorado

2021-2022: American University

2020-2021: University of Maryland; Stony Brook University

2019-2020: Princeton; UC Berkeley

2018-2019: Stanford; Northeast Political Methodology Meeting at NYU; University of Maryland

2017-2018: USC PIPE Symposium on Studying Subnational Policy Making; BYU; University of Chicago Conference on Political Polarization

2016-2017: University of Virginia; UCLA

2015-2016: Washington University in St. Louis; Texas A&M; Arizona State University Conference on Campaigns, Elections and Representation

2014-2015: Yale; Columbia; Duke

2013-2014: Princeton; Boston University; Rochester University

2012-2013: MIT American Politics Conference; Columbia Representation Conference; Princeton Media & Politics Conference; Annual Meeting of the Society for Political Methodology

Grants

Democracy Fund, 2024 ($74,000)

Robert Wood Johnson Foundation, 2022 ($70,000)

Russell Sage Foundation, 2019-2022 ($119,475)

GW UFF, 2019-2020 ($14,433)

MIT Elections Lab, 2019-2020 ($14,000)

Jeptha H. and Emily V. Wade Award, 2014-2016 ($59,686)

MIT Energy Institute (MITEI) Seed Grant, 2014-2016 ($137,147)

MIT SHASS Research Fund, 2012-2014 ($8,734)

Software

dgo: Dynamic Estimation of Group-Level Opinion. 2017. R package. `https://CRAN.R-project.org/package=dgo`. (with James Dunham and Devin Caughey)

Awards, Honors, and Fellowships

Andrew Carnegie Fellow, 2026.

Virginia Gray Book Award for best book on State Politics & Policy in 2023.

Shapiro Policy Research Scholar, George Washington Institute of Public Policy, 2019-2020; 2023-2024

OVPR Early Career Scholar at George Washington University, 2019.

APSA award for best journal article on State Politics & Policy in 2016.

Award for best paper on State Politics & Policy at the 2014 American Political Science Conference.

Graduate Fellowship, Dept. of Political Science, Stanford University, 2006-2012

David A. Wells Prize in Political Economy for Best Undergraduate Economics Thesis, Williams College, 2002

Phi Beta Kappa, Williams College, 2002

Teaching Experience

Instructor:

Democracy in America (GW), 2022, 2023

Elections (GW), 2018-2019, 2021-2024

State and Local Politics (GW), 2023

Measurement Models (Graduate-level) (GW), 2020, 2024

Political Representation (Graduate-level) (GW), 2019

Multi-level and Panel Models (Graduate-level) (GW), 2017-2019, 2021, 2023-2024

Public Opinion (GW), 2017

American Political Institutions (Graduate-level) (MIT), 2014, 2016

Public Opinion and Elections (MIT), 2016

Energy Policy (MIT), 2013

Democracy in America (MIT), 2013, 2014

Constitutional Law & Judicial Politics (MIT), 2013, 2015

Making Public Policy (MIT), 2012, 2014

Teaching Assistant:

Introduction to American Law (Stanford University), 2010

Judicial Politics and Constitutional Law (Stanford University), 2009

Political Economy of Energy Policy (Stanford University), 2008

Introduction to International Relations (Stanford University), 2008

Introduction to Public Policy (Stanford University), 2007

Introduction to Econometrics (Williams College), 2002

Graduate Advising

George Washington University:

Sara Bornstein (Dissertation committee chair)

Dickson Su (Dissertation committee chair)

Kerry Synan (Dissertation committee co-chair)

Jared Heern (Graduated in 2022, Dissertation committee member)

Alex Beck (Graduated in 2021, Dissertation committee chair)

Colin Emrich (Graduated in 2021, Dissertation committee member)

Massachusetts Institute of Technology:

Leah Stokes (Graduated in 2015, Dissertation committee member)

Krista Loose (2016, Dissertation committee member)

Tom O'Grady (2017, Dissertation committee member)

Justin de Benedictis-Kessner (2017, Dissertation committee member)

Alex Copulsky (2017, Masters thesis committee member)

James Dunham (2018, Dissertation committee member)

Parrish Bergquist (2018, Dissertation committee member)

Meg Goldberg (2019, Dissertation committee member)

University Service

George Washington University:

Member, Faculty Senate, 2024-2025

Coordinator, Methods subfield, 2024-2025

Member, CCAS Research Advisory Committee, 2023-2025

Member, Academic Program Review Committee, Sociology Dept., 2021

Coordinator, Graduate Political Science Admissions Committee, 2019-2024

Coordinator, American Politics Workshop, 2018-2020

Member, Methods Exam Committee, 2017-2020

Member, Graduate Political Science Admissions Committee, 2018-2019

Massachusetts Institute of Technology:

Member, Energy Education Task Force, 2012-2017

Parking and Transit Committee, 2013-2017

Member, Graduate Political Science Admissions Committee, 2013-2015

Faculty Fellow, Burchard Scholars, 2013-2015

Stanford University (as graduate student):

President, Stanford Environmental Law Society, 2009-2010

Executive Board Member, Stanford Environmental Law Society 2008-2010

Member, University Committee on Graduate Studies, 2007-2009

Member, University Library Committee, 2007-2008

President, Political Science Graduate Students Association, 2007-2008

Professional Service

Member, APSA Dissertation Grants Panel, 2024

Section Chair, Campaigns and Elections, Midwest Political Science Association Conference, 2023

Member, National Science Foundation, Accountable Institutions and Behavior Advisory Panel, 2022-2024

Member, Best Dissertation Committee, Urban Politics Section of the American Political Science Assoc., 2021

Section Chair, American Public Opinion, Midwest Political Science Association Conference, 2020

Lead Organizer, Local Political Economy APSA Pre-Conference at George Washington University, 2019

Member, Planning Committee, Cooperative Congressional Election Study (CCES), 2018

Member, Best Paper Committee, State Politics Section of the American Political Science Assoc., 2018

Editorial Board, Journal of Politics, 2017-18

Executive Committee, Urban Politics Section of the American Political Science Association, 2015-2017

Organizing Committee, Conference on Ideal Point Models at MIT, http://idealpoint.tahk.us, 2015

Member, Best Paper Committee, Urban Politics Section of the American Political Science Assoc., 2015

Reviewer: American Political Science Review, American Journal of Political Science, Journal of Politics, Political Analysis, Political Behavior, Econometrica, Quarterly Journal of Political Science, Legislative Studies Quarterly, Political Research Quarterly, American Politics Research, British Journal of Political Science, Journal of Law and Courts, Public Opinion Quarterly, Political Science Research and Methods, State Politics and Policy Quarterly, Journal of Experimental Political Science, Nature Climate Change, Urban Affairs Review, Journal of Health Politics, Policy and Law, Perspectives on Politics, Review of Economics and Statistics, Cambridge University Press

Consulting

Partisan Gerrymandering:

Expert, *LWV Utah and MWEG v. Utah State Legislature*, 2025, Congressional Districts

Expert, *Clarke v. Wis. Elections Comm'n*, 2023 WI 79, State Legislative districts

Expert, *Republican Party of New Mexico* v. *Oliver*, NO. S-1-SC-40146., Congressional districts

Expert, *Bvm (Black Voters Matter) Capacity Building Institute, Inc., et. al.* v. *Cord Byrd, in his official capacity as Florida Secretary of State, et. al.*, Case No. 2022-ca-000666 (2023), Congressional districts

Expert, *Alonzo et al.* v. *Schwab et al.*, 2022CV90 (consolidated into 2022CV89) (Wyandotte County Dist. Ct. Feb. 14, 2022), Congressional districts

Expert, *Benninghoff* vs. *Pennsylvania Legislative Reapportionment Commission*; and invited expert for the Pennsylvania Legislative Reapportionment Commission as it considered potential plans (2021-2022)

Expert, *League of Women Voters of Michigan* vs *Michigan Independent Citizens Redistricting Commission* (2022), State House Districts

Expert, *League of Women Voters of Ohio* v. *Ohio Redistricting Commission* (2021), Congressional districts

Expert, *League of Women Voters of Ohio* v. *Ohio Redistricting Commission* (2021), State Legislative Districts

Expert, *League of Women Voters* vs. *Kent County Apportionment Commission* (2021), County districting plan

Expert, *APRI et al.* v. *v. Smith et al.* (2018-2019), Congressional districts

Expert, *League of Women Voters of Michigan* v. *Johnson* (2018-2019), Congressional and state legislative districts

Expert, *League of Women Voters of Pennsylvania* v. *the Commonwealth of Pennsylvania* (2017-18), Congressional districts

Census:

Expert, *La Union del Pueblo Entero , et al.* v. *Trump*, Effect of Excluding Undocumented Immigrants from Census on Apportionment (2020)

Expert, *Common Cause et al.* v. *Trump*, Effect of Excluding Undocumented Immigrants from Census on Apportionment (2020)

Expert, *State of New York* v. *Trump*, Effect of Excluding Undocumented Immigrants from Census on Apportionment (2020)

Expert, *New York Immigration Coalition* v. *US Dept of Commerce* & *State of NY* v. *US Dept of Commerce*, Effects of Undercount on Census due to Citizenship Question (2018)

Policy Reports:

Consultant, *Abell Foundation*, Report on Potential Institutional Reforms for Baltimore's City Elections

Community Service

PlanScore: Social Science Advisory Team (2020-2025)

Sierra Club: National Board of Directors (2009-2015)

Last updated: May 5, 2026

Exhibit 5

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

EQUAL GROUND EDUCATION FUND, INC., *et al.*, Plaintiffs, v. CORD BYRD, in his official capacity as Florida Secretary of State, *et al.*, Defendants.	Case No.

AFFIDAVIT OF JOE SCOTT
BROWARD COUNTY SUPERVISOR OF ELECTIONS

STATE OF FLORIDA
COUNTY OF BROWARD

BEFORE ME, the undersigned authority, personally appeared Joe Scott, who, after first being duly sworn, deposes and says:

1. I am Joe Scott, a resident of Florida, over the age of twenty-one, and under no disability. I have personal knowledge of the facts described in this Affidavit.
2. I currently serve as Supervisor of Elections for Broward County, Florida. Broward County is located in South Florida and is Florida's second-most populous county. Overall, Broward County is home to over 1 million voters.
3. In my role as Broward County Supervisor of Elections, my duties include administering county, state, and federal elections.
4. Florida is scheduled to hold its statewide primary election on August 18, 2026. The deadline to send vote-by-mail ballots to uniformed and overseas voters is July 4, 2026,

which, due to the July 4 holiday, effectively requires the ballots to be mailed by July 3, 2026.

5. Today, our office received notice from the Department of State that the congressional plan signed by Governor DeSantis today (the "2026 Plan") will be posted imminently to the Office of Economic and Demographic Research website. The Department of State instructed the Supervisors of Elections to preserve the 2022 Plan in case the need to implement it becomes necessary.
6. Implementing a new congressional map at this point in the election calendar will impose significant financial and logistical burdens on my office and risk voter confusion.
7. Our office recently completed a time-intensive process to redo our entire precinct map based upon the congressional plan signed by Governor DeSantis on April 22, 2022 (the "2022 Plan"), based on the understanding that the 2022 Plan would be in effect for the remainder of this decade. Implementing a new congressional plan would upend that work.
8. The time required to implement new districts in our voter system varies based on how many areas are affected and whether the new district lines adhere to existing political subdivision lines or major thoroughfares. The 2026 Plan makes extensive changes to the congressional districts within Broward County. The new districts cut through many residential neighborhoods and often deviate from major roads or existing political subdivisions. Extensive changes on a compressed timeline increase the risk of implementation errors that could result in voters receiving the wrong ballot or appearing at the wrong polling location.
9. In addition, our office can change district lines only during nights and weekends, when the voter system is not in use. This means that implementing a new map would require

significant unplanned overtime work and may limit our regular access to the voter registration and other operational systems.

10. There are two ways our office could implement new congressional district lines at this point in the election cycle, either of which would be significantly burdensome. The first option is to adjust precinct boundaries, which is a time-intensive process that requires approval from the County Commission at a public meeting. This process may also require identifying and securing new polling place locations and reassigning poll workers. The second option is to create new "splits" (or internal administrative divisions) within existing precincts, which would increase the number of ballot styles required at a particular polling place and thereby exponentially raising the risk of voter confusion and administrative error.
11. Changing voters' districts would also require our office to mail new voter cards to approximately 1 million voters in Broward County, which would impose more than $1 million in costs not included in our budget for this year and require significant staff time.
12. In 2022, Florida enacted a congressional plan on April 22 ahead of an August 23 primary. Implementing the new plan in time for that election to occur proved exceedingly difficult. The timeline for implementing the Legislature's recent plan is even shorter.
13. Notably, in 2022, Florida had to enact—and county Supervisors of Elections had to implement—a new plan in advance of the 2022 primary election, because Florida had been apportioned one additional congressional district pursuant to the 2020 Census. There is no such necessity in 2026. As a practical matter, Florida's upcoming elections could continue to operate under the same congressional district lines that have governed elections since 2022.

14. For all of these reasons, implementing a new congressional plan before the August 18 primary would impose extensive burdens on election administrators and voters. In comparison, retaining Florida's existing congressional map would not impose any of these burdens.

FURTHER AFFIANT SAYETH NOT.

5/4/26

Joe Scott
Broward County Supervisor of Elections

STATE OF FLORIDA
COUNTY OF BROWARD

PATRICIA SANTIAGO
Notary Public-State of Florida
Commission # HH 451014
My Commission Expires
October 04, 2027

5/4/26

Exhibit 6

PROCLAMATION

STATE OF FLORIDA

EXECUTIVE OFFICE OF THE GOVERNOR
TALLAHASSEE

TO THE HONORABLE MEMBERS OF THE FLORIDA SENATE AND HOUSE OF REPRESENTATIVES

WHEREAS, Article III, Section 3(c)(1) of the Florida Constitution permits the Governor to convene the Legislature in Special Session during which only such legislative business may be transacted as is within the purview of this Proclamation, or of a communication from the Governor, or as is introduced by consent of two-thirds of the membership of each house of the Legislature; and

WHEREAS, on January 7, 2026, I called a Special Session scheduled to commence at 12:00 p.m., Monday, April 20, 2026, and extending no later than 11:59 p.m., Friday, April 24, 2026; and

WHEREAS, the purpose of this Special Session is to consider legislation relating to the drawing of congressional districts for the State of Florida and any legal challenges thereto, including the appropriation of additional funding for such litigation; and

WHEREAS, the advancement of artificial intelligence provides the opportunity to optimize business practices and foster innovation; however, artificial intelligence platforms have caused harm to individuals and to society; and

WHEREAS, Florida leads the nation in parental rights; and

WHEREAS, the State of Florida has the responsibility to protect Floridians, especially minors, from the dangerous and deceptive practices of large technology companies that wield artificial intelligence platforms; and

WHEREAS, the Florida Legislature must act to safeguard the rights and well-being of our citizens by establishing an Artificial Intelligence Bill of Rights; and

WHEREAS, Florida was the beacon of sanity during the COVID-19 pandemic, promoting freedom over fear; and

WHEREAS, no Floridian should face discrimination based on mRNA vaccine status; and

WHEREAS, every family in Florida possesses the fundamental right to parental informed consent related to the vaccine status of their minor child; and

WHEREAS, it is now prudent to amend the call of the Special Session originally scheduled to commence on April 20, 2026.

NOW, THEREFORE, I, RON DESANTIS, Governor of the State of Florida, by virtue of the power and authority vested in me by Article III, Section 3(c)(1) of the Florida Constitution, do hereby proclaim as follows:

Section 1. The proclamation on January 7, 2026, calling the Legislature of the State of Florida for a Special Session relating to consideration of legislation for the drawing of congressional districts for the State of Florida and any legal challenges thereto, including the appropriation of additional funding for such litigation, is amended to include consideration of legislation relating to (1) protecting Floridians from the dangers of artificial intelligence including an AI Bill of Rights for Floridians, and creating, as necessary, public records exemptions related to investigations of alleged artificial intelligence harms and (2) medical freedom, similar to Senate Bill 1756, which passed the Senate in March.

Section 2. The call to the Legislature of the State of Florida for this Special Session is further amended to commence at 10:00 a.m., Tuesday, April 28, 2026, and extend no later than 11:59 p.m., Friday, May 1, 2026.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed to this Proclamation amending the call to the Legislature in Special Session at the Capitol, this 15th day of April, 2026.

RON DESANTIS, GOVERNOR

ATTEST:

SECRETARY OF STATE

FILED
2026 APR 15 PM 5:10
DEPARTMENT OF STATE
TALLAHASSEE, FL

Exhibit 7

THE FLORIDA SENATE
SENATOR BEN ALBRITTON
President

MEMORANDUM

TO: All Senators
FROM: Ben Albritton
SUBJECT: Special Session Update and Planning
DATE: April 15, 2026

The Governor has issued a proclamation convening the Legislature in Special Session from Tuesday, April 28, 2026, through Friday, May 1, 2026, for the purpose of considering legislation related to the drawing of congressional districts, creating strong consumer protections for artificial intelligence, and expanding medical freedom in our state. The proclamation is attached for your reference, along with a draft schedule for next week.

Today's proclamation amends the proclamation issued on January 7, 2026. As such, Senators do not need to return to Tallahassee next week and should instead plan to be in Tallahassee beginning Tuesday, April 28 at noon.

Congressional Redistricting
As I have shared previously, the Senate is not drafting or producing a map for introduction during the special session. It is our expectation that pursuant to the proclamation issued by the Governor and consistent with the process undertaken during the 2022 Special Session on Congressional Reapportionment, a proposal will be transmitted from the Governor's Office to the Senate for our consideration. I will share that information with Senators when it becomes available.

When the Senate receives a proposal from the Governor, President Gaetz intends to file it as a Senate Bill for consideration during the special session. It is my expectation the Governor's Office will present his proposal before the Senate Committee on Rules on April 28th. The Rules Committee is comprised of more than half of the Senate. Senators not on the Rules Committee are encouraged to attend the meeting in order to hear the presentation from the Governor's Office, or to watch remotely via the Florida Channel.

In the meantime, the only ongoing work related to midterm redistricting taking place in the Senate is being coordinated by Jay Ferrin in my office. I asked Mr. Ferrin to ensure the specific systems needed for redistricting legislation, which have been dormant since 2022, are operational when we receive a proposal from the Governor's Office and to accommodate any potential amendments Senators may want to draft.

As a reminder, Senators should be aware that in prior cycles, significant litigation has followed passage of new maps. The Florida Supreme Court has previously limited the scope of legislative privilege when it comes to redistricting.[1] Sitting legislators may be compelled to produce records or be subject to questioning under oath about conversations with colleagues, with legislative staff, or with outside parties who may attempt to persuade the Legislature to pass maps that favor or disfavor a political party or incumbent.

Insulation from Partisan Interests
Florida's Constitution includes strict guidelines for what information the Legislature can and cannot consider when drawing new congressional districts. Regardless of the forum or format, we can only consider thoughts and feedback in keeping with constitutional standards. Senators should take care to insulate themselves from partisan-funded organizations and other interests that may intentionally or unintentionally attempt to inappropriately influence redistricting.

Record Retention
Senators should continue to adhere to the records retention policy as directed by Art. I, s. 24 of the Florida Constitution, s. 11.0431, F.S., and Senate Rule 1.48. Senators may receive correspondence or communications from outside individuals and groups. Senators and staff should be mindful correspondence, emails, texts, and other electronic communications related to the enactment of new districts, whether sent or received on official Senate accounts or devices or personal email accounts or devices, may be of permanent or archival value and any such records should be preserved accordingly.

Medical Freedom
Senator Yarborough will file legislation identical to Senate Bill 1756, The Medical Freedom Act, which the Senate passed during the regular session. As you are aware, this legislation creates a conscience exemption from vaccine requirements for children attending K-12 schools and authorizes the sale of ivermectin without a prescription as a behind-the-counter medication. To ensure parents have relevant and timely information needed to make important decisions about their children's health care, the bill requires parents be provided with specific material before a vaccine can be administered to a child and when applying for an exemption. The bill also makes permanent Florida's existing ban on discrimination based on a person's mRNA vaccination status and protects Floridians from forced vaccinations during emergencies.

Artificial Intelligence
President Pro Tempore Brodeur will file legislation identical to Senate Bill 482, Artificial Intelligence Bill of Rights, which was sponsored by Senator Leek and passed the Senate with strong bipartisan support during the regular session. As you are aware, with an emphasis on safeguarding Florida's children, the bill addresses current consumer transparency challenges, threats to child safety, and other potential impacts arising from technological advances in artificial intelligence.

Thank you for your attention to these important issues. I look forward to seeing everyone later this month.

---

[1] See *League of Women Voters of Florida v. Florida House of Representatives*, 132 So. 3d 135 (Fla. 2013).

WEEKLY SCHEDULE OF SENATE MEETING TIME ALLOCATIONS

Special Session D
April 27-May 1, 2026

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
April 27, 2026	**April 28, 2026**	**April 29, 2026**	**April 30, 2026**	**May 1, 2026**
		10:00am-6:00pm SITTING	**10:00am-6:00pm SITTING**	**10:00am-Sine Die SITTING**
	12:00-1:30pm SITTING **2:00-6:00pm (Group VIII)** Rules 110S **15 minutes after completion of Group VIII-until completion** Special Order Calendar Group 110S			

REMEMBER: THE OFFICIAL CALENDAR IS PRINTED BY THE SECRETARY OF THE SENATE.
THIS TENTATIVE SCHEDULE IS SUBJECT TO CHANGE.

PROCLAMATION

STATE OF FLORIDA

EXECUTIVE OFFICE OF THE GOVERNOR
TALLAHASSEE

TO THE HONORABLE MEMBERS OF THE FLORIDA SENATE AND HOUSE OF REPRESENTATIVES

WHEREAS, Article III, Section 3(c)(1) of the Florida Constitution permits the Governor to convene the Legislature in Special Session during which only such legislative business may be transacted as is within the purview of this Proclamation, or of a communication from the Governor, or as is introduced by consent of two-thirds of the membership of each house of the Legislature; and

WHEREAS, on January 7, 2026, I called a Special Session scheduled to commence at 12:00 p.m., Monday, April 20, 2026, and extending no later than 11:59 p.m., Friday, April 24, 2026; and

WHEREAS, the purpose of this Special Session is to consider legislation relating to the drawing of congressional districts for the State of Florida and any legal challenges thereto, including the appropriation of additional funding for such litigation; and

WHEREAS, the advancement of artificial intelligence provides the opportunity to optimize business practices and foster innovation; however, artificial intelligence platforms have caused harm to individuals and to society; and

WHEREAS, Florida leads the nation in parental rights; and

WHEREAS, the State of Florida has the responsibility to protect Floridians, especially minors, from the dangerous and deceptive practices of large technology companies that wield artificial intelligence platforms; and

WHEREAS, the Florida Legislature must act to safeguard the rights and well-being of our citizens by establishing an Artificial Intelligence Bill of Rights; and

WHEREAS, Florida was the beacon of sanity during the COVID-19 pandemic, promoting freedom over fear; and

WHEREAS, no Floridian should face discrimination based on mRNA vaccine status; and

WHEREAS, every family in Florida possesses the fundamental right to parental informed consent related to the vaccine status of their minor child; and

WHEREAS, it is now prudent to amend the call of the Special Session originally scheduled to commence on April 20, 2026.

NOW, THEREFORE, I, RON DESANTIS, Governor of the State of Florida, by virtue of the power and authority vested in me by Article III, Section 3(c)(1) of the Florida Constitution, do hereby proclaim as follows:

Section 1. The proclamation on January 7, 2026, calling the Legislature of the State of Florida for a Special Session relating to consideration of legislation for the drawing of congressional districts for the State of Florida and any legal challenges thereto, including the appropriation of additional funding for such litigation, is amended to include consideration of legislation relating to (1) protecting Floridians from the dangers of artificial intelligence including an AI Bill of Rights for Floridians, and creating, as necessary, public records exemptions related to investigations of alleged artificial intelligence harms and (2) medical freedom, similar to Senate Bill 1756, which passed the Senate in March.

Section 2. The call to the Legislature of the State of Florida for this Special Session is further amended to commence at 10:00 a.m., Tuesday, April 28, 2026, and extend no later than 11:59 p.m., Friday, May 1, 2026.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed to this Proclamation amending the call to the Legislature in Special Session at the Capitol, this 15th day of April, 2026.

RON DESANTIS, GOVERNOR

ATTEST:

SECRETARY OF STATE

FILED
2026 APR 15 PM 5:10
DEPARTMENT OF STATE
TALLAHASSEE, FL

Exhibit 8

THE FLORIDA SENATE
SENATOR BEN ALBRITTON
President

MEMORANDUM

TO: All Senators
FROM: Ben Albritton
SUBJECT: Update Regarding Special Session D Legislation
DATE: April 24, 2026

We are awaiting a communication from the Governor's Office regarding congressional redistricting. Once received, we will share his submission with you via email. We anticipate President Gaetz will then file the Governor's map as Senate Bill 8D.

As you are aware, actual redistricting legislation does not contain a physical map, but is a compilation of census geography. Staff will work as expeditiously as possible, but for your planning purposes, logistically it will take time to generate the actual bill and post related materials to the Senate website after the Governor's map is received. While these materials are being prepared, you will have the submission we receive from the Governor's Office via email.

Information on other Special Session legislation is below.

Senate Bill 2D – Artificial Intelligence Bill of Rights/Senate Bill 4D – Public Records
President Pro Tempore Brodeur filed SB 2D and SB 4D, the related public records bill, which are now available on the Senate website. The bill analyses will be available shortly.

SB 2D is identical to the bill the Senate passed off the Floor on March 4 with overwhelming bipartisan support. I am referring SB 2D and SB 4D to the Committee on Rules; however, by agreement of Leaders Boyd and Berman, **we intend to take up and pass this legislation during our sitting on Tuesday.**

Senate Bill 6D – Medical Freedom
Senator Yarborough filed SB 6D, which is now available on the Senate website. A bill analysis will be available shortly.

SB 6D is identical to the bill the Senate passed on March 9. I am referring SB 6D to the Committee on Rules for consideration on Tuesday. We heard extensive public testimony on this legislation in multiple committees during the regular session. As such, I have asked Rules Chair Passidomo to move the bill through the committee process as expeditiously as possible to allow the majority of committee time for consideration of SB 8D.

I wish you all safe travels and look forward to seeing you on Tuesday.

Exhibit 9

THE FLORIDA SENATE
SENATOR BEN ALBRITTON
President

MEMORANDUM

TO: All Senators
FROM: Ben Albritton
SUBJECT: Congressional Map Submission from Governor DeSantis
DATE: April 27, 2026

As anticipated, the Governor's Office has provided a proposed congressional map for our consideration during Special Session D. The Governor's map is attached along with the legal memorandum that accompanied the submission. President Gaetz received the map at 11:15 a.m. this morning and is in the process of filing the map as SB 8D for consideration during the special session.

I will refer SB 8D to the Committee on Rules for consideration tomorrow. As previously noted, the Governor's Office has agreed to present his map before the committee. All Senators are encouraged to watch this presentation and to be prepared for the Floor on Wednesday. Chair Passidomo intends to take up SB 6, Medical Freedom by Senator Yarborough, followed by SB 8.

The Senate website will be updated with the text of Senate Bill 8D and the staff analysis. As you are aware, actual redistricting legislation does not contain the map, but is a compilation of census geography that takes time to generate. As with other Senate legislation, committee members may file amendments to the Governor's map. Due to legal requirements for equal representation in congressional districts, amendments must be in the form of an entire map. Additionally, drafting maps is highly technical and can take a considerable amount of time. Any Senator who intends to file an amendment should reach out to Mr. Jay Ferrin immediately. Senators must be present with Mr. Ferrin to direct the drawing of amendments.

Thank you for your attention to these important issues. I look forward to seeing you tomorrow.

RON DESANTIS
GOVERNOR

STATE OF FLORIDA
Office of the Governor
THE CAPITOL
TALLAHASSEE, FLORIDA 32399-0001

www.flgov.com
850-717-9418

April 27, 2026

The Honorable Don Gaetz
Chair, Ethics & Elections Committee
Florida Senate
404 South Monroe St.
Tallahassee, FL 32399

The Honorable Mike Redondo
Chair, Select Committee on Congressional Redistricting
Florida House of Representatives
402 South Monroe St.
Tallahassee, Fl 32399

Dear President Gaetz and Representative Redondo:

The Executive Office of the Governor (EOG) submits the attached map of proposed congressional districts and urges the Florida Legislature to adopt it during the special session that is scheduled to commence on April 28.

The people of Florida have been deprived of appropriate representation in the U.S. House of Representatives. Despite substantial population growth since the 2010 census, which catapulted Florida to the third most populous state in the nation, Florida gained only one additional seat in the House after the 2020 census. However, a post-census survey conducted by the U.S. Census Bureau demonstrated that Florida was shortchanged by more than 760,000 people.[1] This undercount cost Florida at least one additional House seat.

Florida's representation in the U.S. House has also been distorted by considerations of race. Passed in 2010, the Fair Districts Amendments (FDA) to the Florida Constitution require the Legislature to account for race when drawing congressional districts. Specifically, section 20(a) provides that "districts shall not be drawn [(1)] with the intent or result of denying or abridging the equal opportunity of racial or language minorities to participate in the political process[,] or [(2)] to diminish their ability to elect representatives of their choice." Art. III, § 20(a), Fla. Const. These race-based requirements, moreover, supersede the traditional redistricting criteria in section 20(b), such as the requirement to maintain compactness and to utilize existing political and geographical boundaries, whenever there is a conflict. *See* Art. III, § 20(b), Fla. Const. (providing that the traditional redistricting criteria in subsection (b) are mandatory "[u]nless compliance with [those standards] conflicts with the standards in subsection (a) or with federal law"). This requires the use of race in redistricting-something that the U.S. Supreme Court has signaled is unconstitutional.

[1] U.S. Census Bureau, *2020 Census Undercount and Overcount Rates by State, Post-Enumeration Survey* (May 19, 2022), https://perma.cc/ YA7F-JXK7.

In 2022, after the 2020 census, the FDA's race-based requirements caused the Legislature to enact two versions of Congressional District 5. The primary version packed the black population of Duval County into one district. Even though the black voting age population was diminished relative to the benchmark district, the Legislature nevertheless believed that the black population was large enough that black voters could still elect candidates of their choice. The alternative version, which would take effect if a court blocked the primary version, essentially maintained the racially gerrymandered configuration of the benchmark district, which had been described as having the shape of a "barbell" and "stretched over two hundred miles across the Florida/Georgia border to encompass the black populations in Duval County in the east and Leon and Gadsden Counties in the west." *Black Voters Matter Capacity Bldg. Inst., Inc. v. Sec'y, Fla. Dep't of State*, 415 So. 3d 180, 188 (Fla. 2025). The Legislature drew both versions to comply with the FDA, but because racial considerations predominated with respect to both, which could not satisfy strict scrutiny, the Governor vetoed both maps on the ground that they violated the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution. The Legislature eventually enacted, and the Governor signed, the current congressional map with a race-neutral version of Congressional District 5.

The existing map is the result of a compromise between the Legislature and the Governor. Parts were drawn by EOG, and parts were drawn by legislative staff. The southeastern part came from the Legislature. Congressional District 20 in the southeast has an odd shape with two claws that track the black population. The claws are arguably a telltale sign of racial predominance. They were used to create a majority-minority district to comply with Section 2 of the Voting Rights Act. Other districts in the region do not have the odd appendages but, the legislative record shows, were drawn with the Hispanic voting age population in mind to comply with the race-based requirements of the FDA.

The use of race in redistricting should never happen. Any decision taken "because of" race triggers (and should trigger) the strictest of federal constitutional scrutiny. *Pers. Adm'r of Mass. v. Feeney*, 442 U.S. 256, 279 (1979); *see also Students for Fair Admissions, Inc. v. President & Fellows of Harv. Coll.*, 600 U.S. 181, 214-18 (2023). The U.S. Supreme Court, however, has attempted in vain to distinguish between the race-conscious drawing of districts and the drawing of districts where race predominates. While only the latter triggers strict scrutiny under current precedent, *Cooper v. Harris*, 581 U.S. 285, 291-92 (2017), the line is nevertheless blurry. That is because the line is intellectually dishonest. As Justice Scalia put it, "when a legislature intentionally creates a majority-minority district, race is necessarily its predominant motivation and strict scrutiny is therefore triggered." *League of United Latin Am. Citizens v. Perry*, 548 U.S. 399, 517 (2006) (Scalia, J., concurring in judgment in part and dissenting in part). Whether race is the predominant reason for drawing a district or just one among other reasons should make no constitutional difference. Properly understood, the Fourteenth Amendment forbids the government from divvying up the citizenry based in whole or in part upon race.

The Supreme Court is poised to affirm this basic non-discrimination principle in *Louisiana v. Callais*. This case has an unusual procedural posture that portends a significant decision. It was first argued on March 24, 2025. *See* Supreme Court Docket, Case No. 24-109. It was re-listed for a second argument on June 27, 2025. *Id.* And it was re-argued on October 15, 2025. *Id.* Past cases re-argued before the Supreme Court include *Brown v. Board of Education*, 347 U.S. 483 (1954) (segregation); *Roe v. Wade*, 410 U.S. 113 (1973) (abortion); and *Citizens United v. Federal Election Commission*, 558 U.S. 310 (2010) (campaign finance). The re-listing and re-argument of *Callais* suggests that it will be a landmark decision just as the others were.

The proposed congressional map that EOG now submits does not take race into consideration at all. Race was neither a predominant factor nor one of many factors. And because race was never considered, the map also makes no attempt to adhere to the race-based requirements of the FDA. Because those provisions require consideration of race in the drawing of congressional districts, they cannot satisfy strict scrutiny and are unconstitutional under the Fourteenth Amendment. For one thing, they lack a pre-enactment record that would justify a race-based remedy for a race-based wrong. There's also no temporal limit to these provisions. And plainly, they were not adopted under Congress's enforcement powers pursuant to Section 2 of the Fifteenth Amendment to the U.S. Constitution. *See generally Black Voters Matter Capacity Bldg. Inst., Inc.*, 415 So. 3d at 196-97 (recognizing those differences).

The race-based requirements of the FDA also cannot be severed from the other requirements of the FDA. The FDA was sold to the voters as a package. There was no severability provision included in the FDA when it was presented to the voters. And because one part is unconstitutional, there's little reason to think that voters would have approved the remaining parts by themselves. As Florida's Chief Justice commented during the oral argument in *Black Voters Matter*: "If it ever were to come to the point that we thought that the non-diminishment essentially doesn't work here, would the whole FDA have to go because it seems like this was part of a kind of package deal?" Oral Argument at 1:17:15, https://wfsu.org/gavel2gavel/viewcase.php?eid=2894. That led to the following rhetorical question: "How do we neuter half of [the FDA] and then leave the other part intact?" *Id.*

The proposed map redraws on race-neutral terms districts in southeast Florida that were affected by the FDA's race-based requirements. Changes in this region result in changes elsewhere in the map. In addition, since the 2020 census, Florida's population has continued to grow at a breakneck pace, adding almost 2 million more residents as of July 1, 2025—an 8.9% increase.[2] The most population growth appears to have occurred in the outlying areas surrounding Tampa and Orlando and north of Palm Beach County up the eastern coast.[3] While still based on 2020 census data, the proposed map nevertheless attempts to account for these dramatic population changes by reconfiguring districts around the areas of high growth.

On behalf of EOG, I urge you to approve the attached congressional map.

Sincerely,



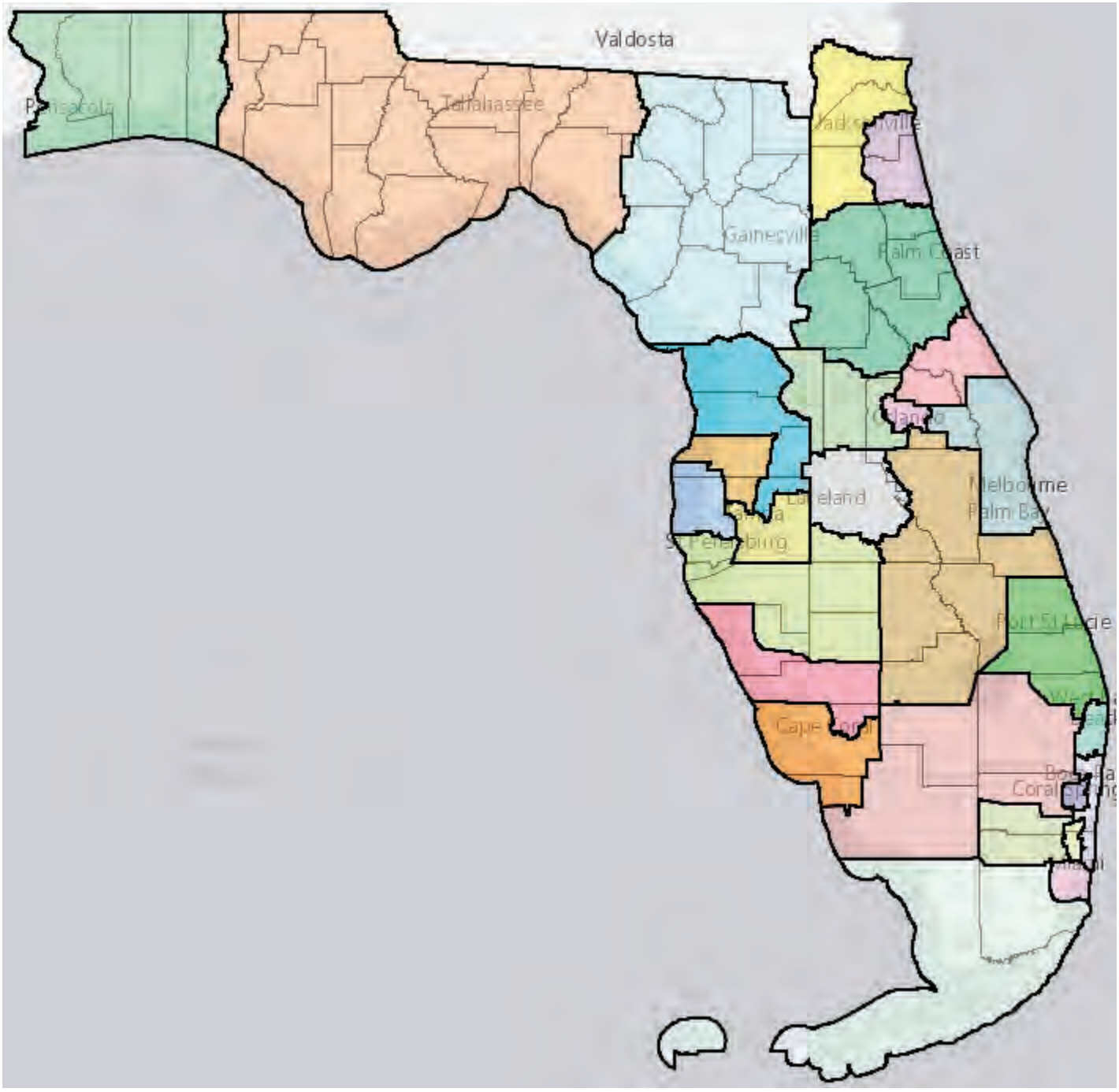
David Axelman
General Counsel

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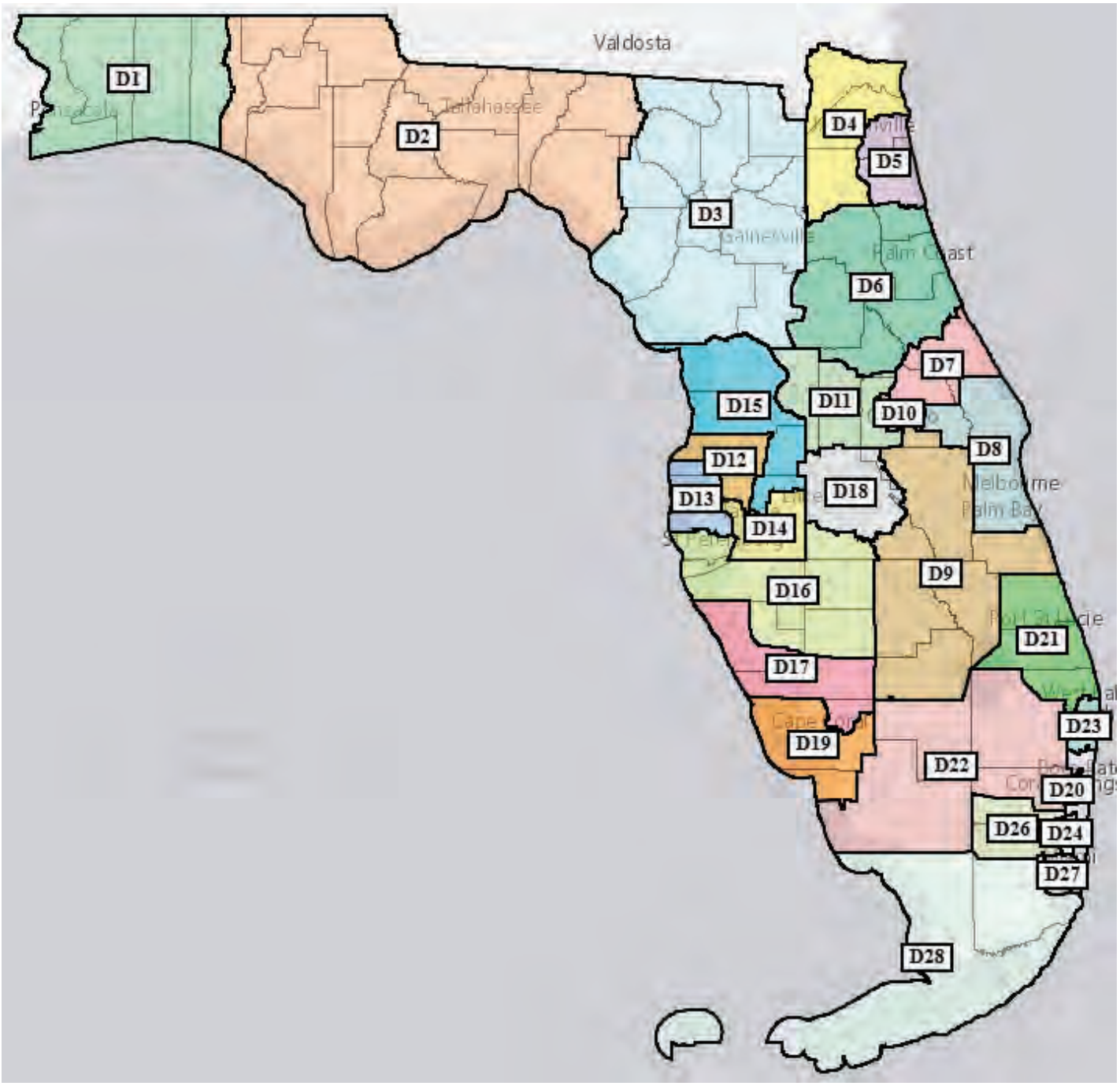
[2] U.S. Census Bureau, Quick Facts, Florida, https://www.census.gov/quickfacts/fact/table/FL/PST045225#PST045225.

[3] U.S. Census Bureau, *Sunshine State Home to Metro Areas Among Top 10 U.S. Population Gainers from 2022 to 2023* (March 14, 2024), https://www.census.gov/library/stories/2024/03/florida-and-fast-growing-metros.html; *see also* Office of Economic & Demographic Research, *April 1, 2025 Estimate of Counties and Municipalities*, https://edr.state.fl.us/Content/population-demographics/data/index-floridaproducts.cfm.

Proposed Congressional Redistricting Plan



Proposed Congressional Redistricting Plan



User: PoredaJ
Plan: Proposed Congressional Redistricting Plan

Date: Mon Apr 27 2026 10:30:00 GMT-0400 (Eastern Daylight Time)
Plan No.: 6c757e370a4b4152ae5e526481fc4149

District Statistical Report

District No.	TOTAL Population	Target Population	Target Deviation	Target Deviation (%)	Total Population
D1	769,221	769,221	0	0.00	769,221
					3.57%
D2	769,221	769,221	0	0.00	769,221
					3.57%
D3	769,221	769,221	0	0.00	769,221
					3.57%
D4	769,221	769,221	0	0.00	769,221
					3.57%
D5	769,221	769,221	0	0.00	769,221
					3.57%
D6	769,221	769,221	0	0.00	769,221
					3.57%
D7	769,221	769,221	0	0.00	769,221
					3.57%
D8	769,220	769,221	-1	-0.00	769,220
					3.57%
D9	769,221	769,221	0	0.00	769,221
					3.57%
D10	769,221	769,221	0	0.00	769,221

District No.	TOTAL Population	Target Population	Target Deviation	Target Deviation (%)	Total Population
					3.57%
D11	769,221	769,221	0	0.00	769,221
					3.57%
D12	769,221	769,221	0	0.00	769,221
					3.57%
D13	769,221	769,221	0	0.00	769,221
					3.57%
D14	769,221	769,221	0	0.00	769,221
					3.57%
D15	769,221	769,221	0	0.00	769,221
					3.57%
D16	769,221	769,221	0	0.00	769,221
					3.57%
D17	769,221	769,221	0	0.00	769,221
					3.57%
D18	769,221	769,221	0	0.00	769,221
					3.57%
D19	769,221	769,221	0	0.00	769,221
					3.57%

District No.	TOTAL Population	Target Population	Target Deviation	Target Deviation (%)	Total Population
D20	769,221	769,221	0	0.00	769,221
					3.57%
D21	769,221	769,221	0	0.00	769,221
					3.57%
D22	769,221	769,221	0	0.00	769,221
					3.57%
D23	769,221	769,221	0	0.00	769,221
					3.57%
D24	769,221	769,221	0	0.00	769,221
					3.57%
D25	769,221	769,221	0	0.00	769,221
					3.57%
D26	769,221	769,221	0	0.00	769,221
					3.57%
D27	769,221	769,221	0	0.00	769,221
					3.57%
D28	769,221	769,221	0	0.00	769,221
					3.57%

User: PoredaJ
Plan: Proposed Congressional Redistricting Plan
wkid: 3086

Date: Mon Apr 27 2026 10:30:31 GMT-0400 (Eastern Daylight Time)
Plan No.: 6c757e370a4b4152ae5e526481fc4149

District Compactness Report

District	Polygon Area (sq. mi)	Perimeter (mi)	Reock	Area/Convex Hull	Polsby Popper	Holes
Unassigned	0	0	0	0	0	0
D1	4416.06	340.71	0.54	0.87	0.48	0
D2	12838.5	578.32	0.46	0.82	0.48	0
D3	8270.8	455.1	0.57	0.9	0.5	0
D4	1980.53	280	0.38	0.76	0.32	0
D5	829.02	140.93	0.56	0.89	0.52	0
D6	3928.29	319.95	0.74	0.92	0.48	0
D7	1053.41	180.93	0.47	0.83	0.4	0
D8	1859	230.03	0.44	0.74	0.44	0
D9	5484.89	437.98	0.47	0.78	0.36	0
D10	214.22	85.84	0.46	0.79	0.37	0
D11	1590.92	246.14	0.41	0.77	0.33	0
D12	738.14	150.92	0.42	0.77	0.41	0
D13	705.05	127.26	0.5	0.89	0.55	0
D14	837.53	155.25	0.52	0.81	0.44	0
D15	2212.79	328.95	0.33	0.66	0.26	0
D16	3322.16	334.88	0.39	0.79	0.37	0
D17	1822.36	267.41	0.27	0.69	0.32	0
D18	1403.21	209.12	0.66	0.89	0.4	0
D19	1590.37	228.23	0.46	0.82	0.38	0
D20	126.4	62.11	0.48	0.81	0.41	0
D21	1864.94	214.6	0.49	0.82	0.51	0
D22	5652.58	419.77	0.48	0.8	0.4	0
D23	266.12	85.3	0.49	0.9	0.46	0
D24	118.12	68.03	0.38	0.8	0.32	0
D25	352.92	166.06	0.17	0.69	0.16	0

District	Polygon Area (sq. mi)	Perimeter (mi)	Reock	Area/Convex Hull	Polsby Popper	Holes
D26	934.62	146.59	0.53	0.9	0.55	0
D27	279.38	71.26	0.67	0.95	0.69	0
D28	6710.91	591.03	0.22	0.55	0.24	0

User: PoredaJ
Plan: Proposed Congressional Redistricting Plan

Date: Mon Apr 27 2026 10:35:34 GMT-0400 (Eastern Daylight Time)
Plan No.: 6c757e370a4b4152ae5e526481fc4149

Assigned District Splits

FIPS	Total Population
District 1	
Escambia County	321,905
Okaloosa County	211,668
Santa Rosa County	188,000
* Walton County	47,648
District 1 Total	769,221
	100%
District 2	
Bay County	175,216
Calhoun County	13,648
Franklin County	12,451
Gadsden County	43,826
Gulf County	14,192
Holmes County	19,653
Jackson County	47,319
Jefferson County	14,510
* Lafayette County	1,731
Leon County	292,198
Liberty County	7,974
Madison County	17,968
Taylor County	21,796
Wakulla County	33,764
* Walton County	27,657
Washington County	25,318

FIPS	Total Population
District 2 Total	769,221
	100%
District 3	
Alachua County	278,468
Baker County	28,259
Bradford County	28,303
Columbia County	69,698
Dixie County	16,759
Gilchrist County	17,864
Hamilton County	14,004
* Lafayette County	6,495
Levy County	42,915
* Marion County	206,835
Suwannee County	43,474
Union County	16,147
District 3 Total	769,221
	100%
District 4	
Clay County	218,245
* Duval County	460,624
Nassau County	90,352
District 4 Total	769,221
	100%
District 5	

FIPS	Total Population
* Duval County	534,943
* St Johns County	234,278
District 5 Total	769,221
	100%
District 6	
Flagler County	115,378
* Lake County	117,124
* Marion County	169,073
Putnam County	73,321
* St Johns County	39,147
* Volusia County	255,178
District 6 Total	769,221
	100%
District 7	
* Orange County	0
Seminole County	470,856
* Volusia County	298,365
District 7 Total	769,221
	100%
District 8	
Brevard County	606,612
* Orange County	162,608

FIPS	Total Population
District 8 Total	769,220
	100%
District 9	
Glades County	12,126
Highlands County	101,235
Indian River County	159,788
Okeechobee County	39,644
* Orange County	125,442
* Osceola County	319,073
* Polk County	11,913
District 9 Total	769,221
	100%
District 10	
* Orange County	769,221
District 10 Total	769,221
	100%
District 11	
* Lake County	266,832
* Orange County	372,637
Sumter County	129,752
District 11 Total	769,221
	100%

FIPS	Total Population
District 12	
* Hillsborough County	415,939
* Pasco County	353,282
District 12 Total	769,221
	100%
District 13	
* Pasco County	62,348
* Pinellas County	706,873
District 13 Total	769,221
	100%
District 14	
* Hillsborough County	769,221
District 14 Total	769,221
	100%
District 15	
Citrus County	153,843
Hernando County	194,515
* Hillsborough County	274,602
* Pasco County	146,261
District 15 Total	769,221
	100%

FIPS	Total Population
District 16	
De Soto County	33,976
Hardee County	25,327
* Hillsborough County	0
Manatee County	399,710
* Pinellas County	252,234
* Polk County	13,495
* Sarasota County	44,479
District 16 Total	769,221
	100%
District 17	
Charlotte County	186,847
* Lee County	192,847
* Sarasota County	389,527
District 17 Total	769,221
	100%
District 18	
* Osceola County	69,583
* Polk County	699,638
District 18 Total	769,221
	100%
District 19	
* Collier County	201,246

FIPS	Total Population
* Lee County	567,975
District 19 Total	769,221
	100%
District 20	
* Broward County	769,221
District 20 Total	769,221
	100%
District 21	
Martin County	158,431
* Palm Beach County	281,564
St Lucie County	329,226
District 21 Total	769,221
	100%
District 22	
* Broward County	345,595
* Collier County	174,506
Hendry County	39,619
* Palm Beach County	209,501
District 22 Total	769,221
	100%
District 23	

FIPS	Total Population
* Palm Beach County	769,221
District 23 Total	769,221
	100%
District 24	
* Broward County	228,782
* Miami-Dade County	540,439
District 24 Total	769,221
	100%
District 25	
* Broward County	303,501
* Miami-Dade County	233,815
* Palm Beach County	231,905
District 25 Total	769,221
	100%
District 26	
* Broward County	297,276
* Miami-Dade County	471,945
District 26 Total	769,221
	100%
District 27	
* Miami-Dade County	769,221

FIPS	Total Population
District 27 Total	769,221
	100%
District 28	
* Miami-Dade County	686,347
Monroe County	82,874
District 28 Total	769,221
	100%

User: PoredaJ
Plan: Proposed Congressional Redistricting Plan

Date: Mon Apr 27 2026 10:42:25 GMT-0400 (Eastern Daylight Time)
Plan No.: 6c757e370a4b4152ae5e526481fc4149

Assigned District Splits

FIPS	Total Population
District 1	
Escambia County	
*No Place	265,880
Century	1,713
Pensacola	54,312
Escambia County	321,905
Okaloosa County	
*No Place	123,397
Cinco Bayou	457
Crestview	27,134
Destin	13,931
Fort Walton Beach	20,922
Laurel Hill	584
Mary Esther	3,982
Niceville	15,772
Shalimar	737
Valparaiso	4,752
Okaloosa County	211,668
Santa Rosa County	
*No Place	170,977
Gulf Breeze	6,302
Jay	524
Milton	10,197
Santa Rosa County	188,000

FIPS	Total Population
* Walton County	
*No Place	41,231
Freeport	5,861
Paxton	556
* Walton County	47,648
District 1 Total	769,221
	100%
District 2	
Bay County	
*No Place	79,442
Callaway	13,045
Lynn Haven	18,695
Mexico Beach	916
Panama City	32,939
Panama City Beach	18,094
Parker	4,010
Springfield	8,075
Bay County	175,216
Calhoun County	
*No Place	10,886
Altha	496
Blountstown	2,266
Calhoun County	13,648
Franklin County	

FIPS	Total Population
*No Place	7,504
Apalachicola	2,341
Carrabelle	2,606
Franklin County	12,451
Gadsden County	
*No Place	25,793
Chattahoochee	2,955
Greensboro	461
Gretna	1,357
Havana	1,753
Midway	3,537
Quincy	7,970
Gadsden County	43,826
Gulf County	
*No Place	8,761
Port St. Joe	3,357
Wewahitchka	2,074
Gulf County	14,192
Holmes County	
*No Place	15,580
Bonifay	2,759
Esto	341
Noma	208
Ponce de Leon	504
Westville	261

FIPS	Total Population
Holmes County	19,653
Jackson County	
*No Place	32,015
Alford	484
Bascom	87
Campbellton	191
Cottondale	848
Graceville	2,153
Grand Ridge	882
Greenwood	539
Jacob City	217
Malone	1,959
Marianna	6,245
Sneads	1,699
Jackson County	47,319
Jefferson County	
*No Place	11,921
Monticello	2,589
Jefferson County	14,510
* Lafayette County	1,731
Leon County	
*No Place	96,029
Tallahassee	196,169
Leon County	292,198
Liberty County	
*No Place	7,056

FIPS	Total Population
Bristol	918
Liberty County	7,974
Madison County	
*No Place	13,935
Greenville	746
Lee	375
Madison	2,912
Madison County	17,968
Taylor County	
*No Place	14,898
Perry	6,898
Taylor County	21,796
Wakulla County	
*No Place	33,064
Sopchoppy	426
St. Marks	274
Wakulla County	33,764
* Walton County	
*No Place	21,738
DeFuniak Springs	5,919
* Walton County	27,657
Washington County	
*No Place	20,017
Caryville	301

FIPS	Total Population
Chipley	3,660
Ebro	237
Vernon	732
Wausau	371
Washington County	25,318
District 2 Total	769,221
	100%
District 3	
Alachua County	
*No Place	108,824
Alachua	10,574
Archer	1,140
Gainesville	141,085
Hawthorne	1,478
High Springs	6,215
La Crosse	316
Micanopy	648
Newberry	7,342
Waldo	846
Alachua County	278,468
Baker County	
*No Place	20,492
Glen St. Mary	463
Macclenny	7,304

FIPS	Total Population
Baker County	28,259
Bradford County	
*No Place	21,117
Brooker	322
Hampton	432
Lawtey	636
Starke	5,796
Bradford County	28,303
Columbia County	
*No Place	56,751
Fort White	618
Lake City	12,329
Columbia County	69,698
Dixie County	
*No Place	14,905
Cross City	1,689
Horseshoe Beach	165
Dixie County	16,759
Gilchrist County	
*No Place	14,853
Bell	518
Fanning Springs	478
Trenton	2,015
Gilchrist County	17,864
Hamilton County	

FIPS	Total Population
*No Place	8,894
Jasper	3,621
Jennings	749
White Springs	740
Hamilton County	14,004
* Lafayette County	
*No Place	5,440
Mayo	1,055
* Lafayette County	6,495
Levy County	
*No Place	32,920
Bronson	1,140
Cedar Key	687
Chiefland	2,316
Fanning Springs	704
Inglis	1,476
Otter Creek	108
Williston	2,976
Yankeetown	588
Levy County	42,915
* Marion County	
*No Place	140,404
Dunnellon	1,928
McIntosh	463
Ocala	63,591
Reddick	449

FIPS	Total Population
* Marion County	206,835
Suwannee County	
*No Place	36,028
Branford	711
Live Oak	6,735
Suwannee County	43,474
Union County	
*No Place	13,559
Lake Butler	1,986
Raiford	224
Worthington Springs	378
Union County	16,147
District 3 Total	769,221
	100%
District 4	
Clay County	
*No Place	197,103
Green Cove Springs	9,786
Keystone Heights	1,446
Orange Park	9,089
Penney Farms	821
Clay County	218,245
* Duval County	

FIPS	Total Population
Baldwin	1,396
* Jacksonville	459,228
* Duval County	460,624
Nassau County	
*No Place	72,807
Callahan	1,526
Fernandina Beach	13,052
Hilliard	2,967
Nassau County	90,352
District 4 Total	769,221
	100%
District 5	
* Duval County	
Atlantic Beach	13,513
* Jacksonville	490,383
Jacksonville Beach	23,830
Neptune Beach	7,217
* Duval County	534,943
* St Johns County	
*No Place	213,146
St. Augustine	14,329
St. Augustine Beach	6,803
* St Johns County	234,278

FIPS	Total Population
District 5 Total	769,221
	100%
District 6	
Flagler County	
*No Place	17,270
Beverly Beach	474
Bunnell	3,276
Flagler Beach	5,088
Marineland	12
Palm Coast	89,258
Flagler County	115,378
* Lake County	
*No Place	57,939
Eustis	23,189
Lady Lake	15,970
Mount Dora	16,341
Umatilla	3,685
* Lake County	117,124
* Marion County	
*No Place	163,660
Belleview	5,413
* Marion County	169,073
Putnam County	
*No Place	58,282

FIPS	Total Population
Crescent City	1,654
Interlachen	1,441
Palatka	10,446
Pomona Park	784
Welaka	714
Putnam County	73,321
* St Johns County	
*No Place	39,144
Marineland	3
* St Johns County	39,147
* Volusia County	
*No Place	74,663
Daytona Beach	72,647
DeLand	37,351
Flagler Beach	72
Holly Hill	12,958
Ormond Beach	43,080
Pierson	1,542
South Daytona	12,865
* Volusia County	255,178
District 6 Total	769,221
	100%
District 7	
* Orange County	0

FIPS	Total Population
Seminole County	
*No Place	224,494
Altamonte Springs	46,231
Casselberry	28,794
Lake Mary	16,798
Longwood	15,087
Oviedo	40,059
Sanford	61,051
Winter Springs	38,342
Seminole County	470,856
* Volusia County	
*No Place	40,575
Daytona Beach Shores	5,179
DeBary	22,260
Deltona	93,692
Edgewater	23,097
Lake Helen	2,842
New Smyrna Beach	30,142
Oak Hill	1,986
Orange City	12,632
Ponce Inlet	3,364
Port Orange	62,596
* Volusia County	298,365
District 7 Total	769,221
	100%

FIPS	Total Population
District 8	
Brevard County	
*No Place	223,591
Cape Canaveral	9,972
Cocoa	19,041
Cocoa Beach	11,354
Grant-Valkaria	4,509
Indialantic	3,010
Indian Harbour Beach	9,019
Malabar	2,949
Melbourne	84,678
Melbourne Beach	3,231
Melbourne Village	681
Palm Bay	119,760
Palm Shores	1,200
Rockledge	27,678
Satellite Beach	11,226
Titusville	48,789
West Melbourne	25,924
Brevard County	606,612
* Orange County	
*No Place	162,603
* Orlando	5
* Orange County	162,608
District 8 Total	769,220
	100%

FIPS	Total Population
District 9	
Glades County	
*No Place	10,560
Moore Haven	1,566
Glades County	12,126
Highlands County	
*No Place	78,488
Avon Park	9,658
Lake Placid	2,360
Sebring	10,729
Highlands County	101,235
Indian River County	
*No Place	108,789
Fellsmere	4,834
Indian River Shores	4,241
Orchid	516
Sebastian	25,054
Vero Beach	16,354
Indian River County	159,788
Okeechobee County	
*No Place	34,390
Okeechobee	5,254
Okeechobee County	39,644

* Orange County

FIPS	Total Population
*No Place	73,323
Belle Isle	7,032
* Orlando	45,087
* Orange County	125,442
* Osceola County	
*No Place	180,883
Kissimmee	79,226
St. Cloud	58,964
* Osceola County	319,073
* Polk County	
*No Place	9,036
Frostproof	2,877
* Polk County	11,913
District 9 Total	769,221
	100%
District 10	
* Orange County	
*No Place	404,082
* Apopka	16,911
Eatonville	2,349
Edgewood	2,685
Maitland	19,543
* Ocoee	32,545
* Orlando	261,311

FIPS	Total Population
Winter Park	29,795
* Orange County	769,221
District 10 Total	769,221
	100%
District 11	
* Lake County	
*No Place	125,339
Astatula	1,889
Clermont	43,021
Fruitland Park	8,325
Groveland	18,505
Howey-in-the-Hills	1,643
Leesburg	27,000
Mascotte	6,609
Minneola	13,843
Montverde	1,655
Tavares	19,003
* Lake County	266,832
* Orange County	
*No Place	265,192
* Apopka	37,962
Bay Lake	29
Lake Buena Vista	24
Oakland	3,516
* Ocoee	14,750

FIPS	Total Population
* Orlando	1,170
Windermere	3,030
Winter Garden	46,964
* Orange County	372,637
Sumter County	
*No Place	108,709
Bushnell	3,047
Center Hill	846
Coleman	642
Webster	778
Wildwood	15,730
Sumter County	129,752
District 11 Total	769,221
	100%
District 12	
* Hillsborough County	
*No Place	294,539
* Tampa	121,400
* Hillsborough County	415,939
* Pasco County	
*No Place	333,502
New Port Richey	16,728
Port Richey	3,052

FIPS	Total Population
* Pasco County	353,282
District 12 Total	769,221
	100%
District 13	
* Pasco County	62,348
* Pinellas County	
*No Place	242,478
Belleair	4,273
Belleair Beach	1,633
Belleair Bluffs	2,311
Belleair Shore	73
Clearwater	117,292
Dunedin	36,068
Indian Rocks Beach	3,673
Indian Shores	1,190
Kenneth City	5,047
Largo	82,485
Oldsmar	14,898
Pinellas Park	53,093
Safety Harbor	17,072
* Seminole	11,554
* St. Petersburg	88,616
Tarpon Springs	25,117
* Pinellas County	706,873
District 13 Total	769,221

FIPS	Total Population
	100%
District 14	
* Hillsborough County	
*No Place	591,154
Plant City	39,764
* Tampa	138,303
* Hillsborough County	769,221
District 14 Total	769,221
	100%
District 15	
Citrus County	
*No Place	142,904
Crystal River	3,396
Inverness	7,543
Citrus County	153,843
Hernando County	
*No Place	185,609
Brooksville	8,890
Weeki Wachee	16
Hernando County	194,515
* Hillsborough County	
*No Place	122,656
* Tampa	125,256

FIPS	Total Population
Temple Terrace	26,690
* Hillsborough County	274,602
* Pasco County	
*No Place	118,133
Dade City	7,275
San Antonio	1,297
St. Leo	2,362
Zephyrhills	17,194
* Pasco County	146,261
District 15 Total	769,221
	100%
District 16	
De Soto County	
*No Place	26,556
Arcadia	7,420
De Soto County	33,976
Hardee County	
*No Place	16,285
Bowling Green	2,405
Wauchula	4,900
Zolfo Springs	1,737
Hardee County	25,327
* Hillsborough County	0

FIPS	Total Population
Manatee County	
*No Place	323,057
Anna Maria	968
Bradenton	55,698
Bradenton Beach	908
Holmes Beach	3,010
* Longboat Key	2,746
Palmetto	13,323
Manatee County	399,710
* Pinellas County	
*No Place	33,191
Gulfport	11,783
Madeira Beach	3,895
North Redington Beach	1,495
Redington Beach	1,376
Redington Shores	2,176
* Seminole	7,810
South Pasadena	5,353
St. Pete Beach	8,879
* St. Petersburg	169,692
Treasure Island	6,584
* Pinellas County	252,234
* Polk County	
*No Place	8,395
Fort Meade	5,100
* Polk County	13,495

FIPS	Total Population
* Sarasota County	
*No Place	29,904
* North Port	10,512
* Venice	4,063
* Sarasota County	44,479
District 16 Total	769,221
	100%
District 17	
Charlotte County	
*No Place	167,376
Punta Gorda	19,471
Charlotte County	186,847
* Lee County	
*No Place	106,452
Fort Myers	86,395
* Lee County	192,847
* Sarasota County	
*No Place	244,245
* Longboat Key	4,759
* North Port	64,281
Sarasota	54,842
* Venice	21,400
* Sarasota County	389,527

FIPS	Total Population
District 17 Total	769,221
	100%
District 18	
* Osceola County	69,583
* Polk County	
*No Place	427,467
Auburndale	15,616
Bartow	19,309
Davenport	9,043
Dundee	5,235
Eagle Lake	3,008
Haines City	26,669
Highland Park	251
Hillcrest Heights	243
Lake Alfred	6,374
Lake Hamilton	1,537
Lake Wales	16,361
Lakeland	112,641
Mulberry	3,952
Polk City	2,713
Winter Haven	49,219
* Polk County	699,638
District 18 Total	769,221
	100%

FIPS	Total Population
District 19	
* Collier County	
*No Place	182,131
Naples	19,115
* Collier County	201,246
* Lee County	
*No Place	271,412
Bonita Springs	53,644
Cape Coral	194,016
Estero	36,939
Fort Myers Beach	5,582
Sanibel	6,382
* Lee County	567,975
District 19 Total	769,221
	100%
District 20	
* Broward County	
*No Place	7,181
* Coconut Creek	25,596
* Coral Springs	64,659
* Deerfield Beach	44,581
* Fort Lauderdale	102,630
Lauderdale Lakes	35,954
Lauderhill	74,482
Lazy Lake	33

FIPS	Total Population
Margate	58,712
North Lauderdale	44,794
Oakland Park	44,229
* Plantation	58,127
* Pompano Beach	54,032
* Sunrise	70,888
Tamarac	71,897
Wilton Manors	11,426
* Broward County	769,221
District 20 Total	769,221
	100%
District 21	
Martin County	
*No Place	131,350
Indiantown	6,560
Jupiter Island	804
Ocean Breeze	301
Sewall's Point	1,991
Stuart	17,425
Martin County	158,431
* Palm Beach County	
*No Place	90,357
Juno Beach	3,858
Jupiter	61,047
Jupiter Inlet Colony	405

FIPS	Total Population
Lake Park	9,047
North Palm Beach	13,162
Palm Beach Gardens	59,182
Palm Beach Shores	1,330
* Riviera Beach	8,441
* Royal Palm Beach	12,337
Tequesta	6,158
* West Palm Beach	16,240
* Palm Beach County	281,564
St Lucie County	
*No Place	76,465
Fort Pierce	47,297
Port St. Lucie	204,851
St. Lucie Village	613
St Lucie County	329,226
District 21 Total	769,221
	100%
District 22	
* Broward County	
*No Place	607
* Coconut Creek	32,237
* Coral Springs	69,735
* Davie	80,430
Parkland	34,670
* Plantation	33,362

FIPS	Total Population
* Sunrise	26,447
Weston	68,107
* Broward County	345,595
* Collier County	
*No Place	158,394
Everglades	352
Marco Island	15,760
* Collier County	174,506
Hendry County	
*No Place	27,326
Clewiston	7,327
LaBelle	4,966
Hendry County	39,619
* Palm Beach County	
*No Place	89,926
Belle Glade	16,698
Loxahatchee Groves	3,355
Pahokee	5,524
* Royal Palm Beach	26,595
South Bay	4,860
Wellington	61,637
Westlake	906
* Palm Beach County	209,501
District 22 Total	769,221

FIPS	Total Population
	100%
District 23	
* Palm Beach County	
*No Place	363,987
Atlantis	2,142
Boynton Beach	80,380
Briny Breezes	502
Cloud Lake	134
* Delray Beach	42,164
Glen Ridge	217
Golf	255
Greenacres	43,990
Gulf Stream	954
Haverhill	2,187
Hypoluxo	2,687
Lake Clarke Shores	3,564
Lake Worth Beach	42,219
Lantana	11,504
Manalapan	419
Mangonia Park	2,142
Ocean Ridge	1,830
Palm Beach	9,245
Palm Springs	26,890
* Riviera Beach	29,163
South Palm Beach	1,471
* West Palm Beach	101,175
* Palm Beach County	769,221

FIPS	Total Population
District 23 Total	769,221
	100%
District 24	
* Broward County	
* Dania Beach	7,164
* Hallandale Beach	12,696
* Hollywood	101,063
* Miramar	58,109
Pembroke Park	6,260
* Pembroke Pines	28,360
West Park	15,130
* Broward County	228,782
* Miami-Dade County	
*No Place	177,998
Biscayne Park	3,117
El Portal	1,986
* Miami	153,074
Miami Gardens	111,640
Miami Shores	11,567
* North Miami	49,404
* North Miami Beach	15,190
Opa-locka	16,463
* Miami-Dade County	540,439
District 24 Total	769,221

FIPS	Total Population
	100%
District 25	
* Broward County	
*No Place	8,152
* Dania Beach	24,559
* Davie	1,271
* Deerfield Beach	42,278
* Fort Lauderdale	80,130
* Hallandale Beach	28,521
Hillsboro Beach	1,987
* Hollywood	41,104
Lauderdale-by-the-Sea	6,198
Lighthouse Point	10,486
* Plantation	261
* Pompano Beach	58,014
Sea Ranch Lakes	540
* Broward County	303,501
* Miami-Dade County	
*No Place	25,160
Aventura	40,242
Bal Harbour	3,093
Bay Harbor Islands	5,922
Golden Beach	961
Indian Creek	84
Miami Beach	82,890
North Bay Village	8,159
* North Miami	10,787

FIPS	Total Population
* North Miami Beach	28,486
Sunny Isles Beach	22,342
Surfside	5,689
* Miami-Dade County	233,815
* Palm Beach County	
*No Place	105,506
Boca Raton	97,422
* Delray Beach	24,682
Highland Beach	4,295
* Palm Beach County	231,905
District 25 Total	769,221
	100%
District 26	
* Broward County	
*No Place	948
Cooper City	34,401
* Davie	23,990
* Hollywood	10,900
* Miramar	76,612
* Pembroke Pines	142,818
Southwest Ranches	7,607
* Broward County	297,276
* Miami-Dade County	
*No Place	102,148

FIPS	Total Population
Doral	75,874
Hialeah	223,109
Hialeah Gardens	23,068
Medley	1,056
Miami Lakes	30,467
Miami Springs	13,859
Virginia Gardens	2,364
* Miami-Dade County	471,945
District 26 Total	769,221
	100%
District 27	
* Miami-Dade County	
*No Place	308,486
Coral Gables	49,248
Cutler Bay	45,425
Key Biscayne	14,809
* Miami	289,167
Palmetto Bay	24,439
Pinecrest	18,388
South Miami	12,026
West Miami	7,233
* Miami-Dade County	769,221
District 27 Total	769,221
	100%

FIPS	Total Population
District 28	
* Miami-Dade County	
*No Place	573,162
Florida City	13,085
Homestead	80,737
Sweetwater	19,363
* Miami-Dade County	686,347
Monroe County	
*No Place	38,634
Islamorada, Village of Islands	7,107
Key Colony Beach	790
Key West	26,444
Layton	210
Marathon	9,689
Monroe County	82,874
District 28 Total	769,221
	100%

User: PoredaJ
Plan: Proposed Congressional Redistricting Plan

Date: Mon Apr 27 2026 10:32:47 GMT-0400 (Eastern Daylight Time)
Plan No.: 6c757e370a4b4152ae5e526481fc4149

Boundary Analysis Report

District	City Boundaries(%)	County Boundaries(%)	Road Boundaries(%)	Water Boundaries(%)	Rail Boundaries(%)	Non Geo/Pol Boundaries(%)
1	8	78	10	53	0	3
2	5	84	7	49	0	3
3	6	86	7	32	0	5
4	8	86	2	55	0	2
5	16	48	7	79	0	13
6	16	43	17	32	2	15
7	22	68	9	40	2	8
8	0	86	5	42	0	9
9	5	72	6	26	2	12
10	26	22	35	8	0	33
11	9	64	17	26	3	13
12	4	42	22	34	0	20
13	22	48	6	70	1	12
14	22	56	16	24	1	20
15	5	76	18	48	1	10
16	9	56	15	28	2	14
17	10	60	17	39	0	12
18	13	42	6	19	2	33
19	15	57	6	50	0	20
20	22	3	39	11	5	32
21	6	71	5	48	0	16
22	12	54	16	25	0	17
23	20	26	25	40	3	22
24	49	1	38	15	4	20
25	19	34	24	48	5	15
26	26	17	52	2	0	8

District	City Boundaries(%)	County Boundaries(%)	Road Boundaries(%)	Water Boundaries(%)	Rail Boundaries(%)	Non Geo/Pol Boundaries(%)
27	12	18	26	58	0	13
28	1	88	7	86	0	1

Exhibit 10

Proposed Congressional Redistricting Plan

JASON POREDA

EXECUTIVE OFFICE OF THE GOVERNOR

APRIL 28, 2026

Overview on Congressional Redistricting

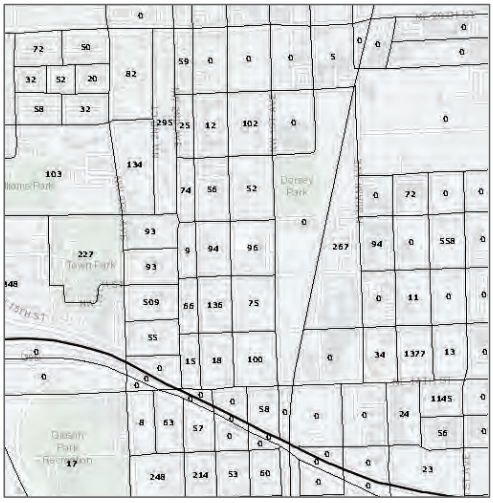
- The U.S. Census Bureau released Apportionment Counts to all states on April 26, 2021. Resulting from the 2020 Census, Florida gained 1 seat, for a total of 28 seats in the U.S. House of Representatives.
- Florida Population (21,538,187) divided by 28 districts: 769,221.
- The standard for Congressional Redistricting is to draw districts: "As nearly equal as possible" which has been consistently interpreted to mean exact population equality – plus or minus 1 person.

Florida Fast Facts	2010	2020	Difference
Statewide Population	18,801,310	21,538,187	+2,736,877
Number of Congressional Seats	27	28	+1 seat
Congressional District Ideal Population	696,345	769,221	+72,876

Overview on Congressional Redistricting

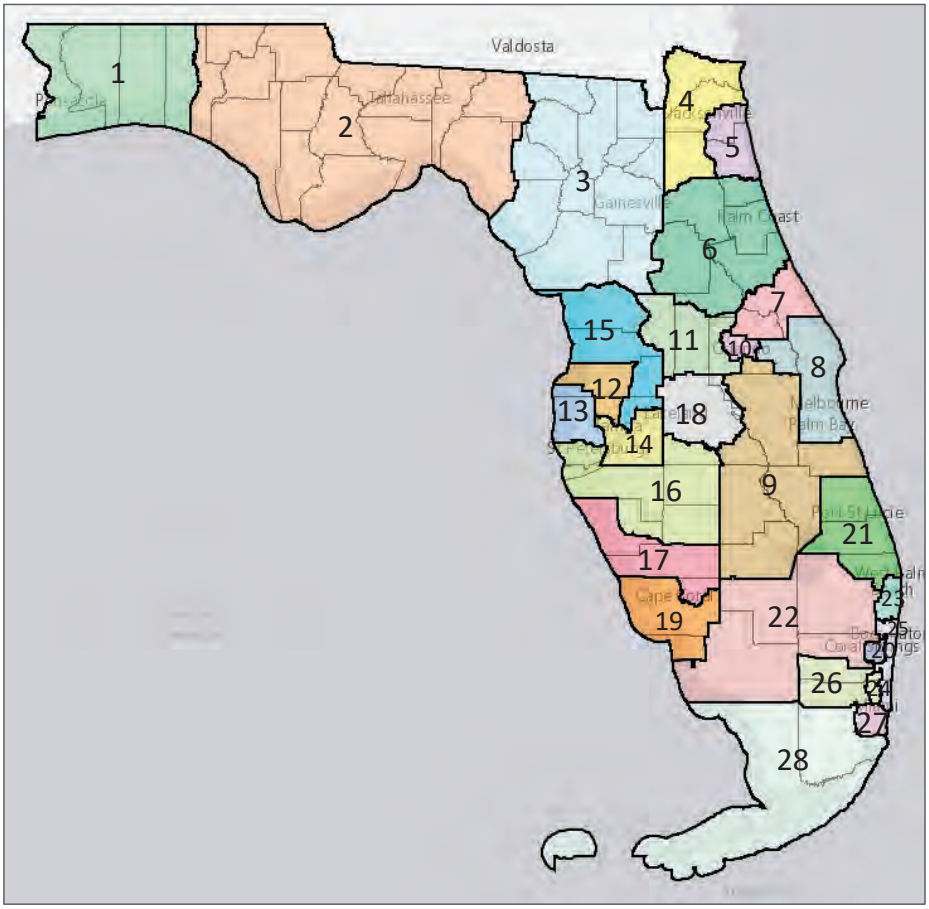
- Districts are assembled using “Census Blocks” that are part of the Redistricting data set provided by the U.S. Census Bureau (P.L. 94-171).

- There are 390,066 census blocks in Florida.



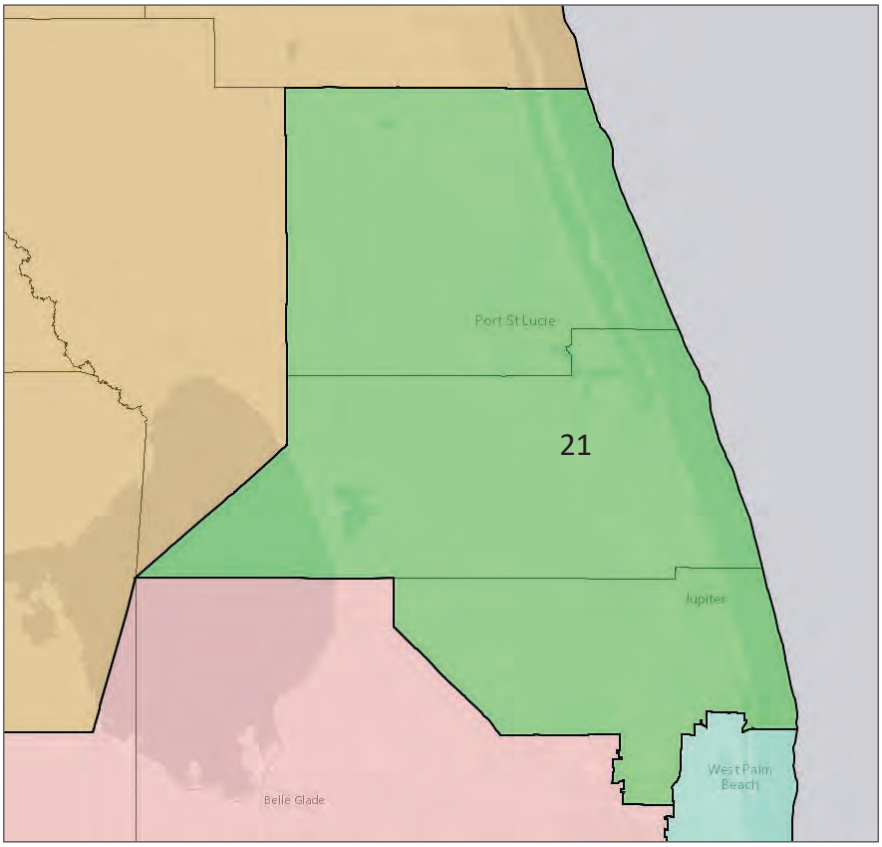


Proposed Congressional Redistricting Plan

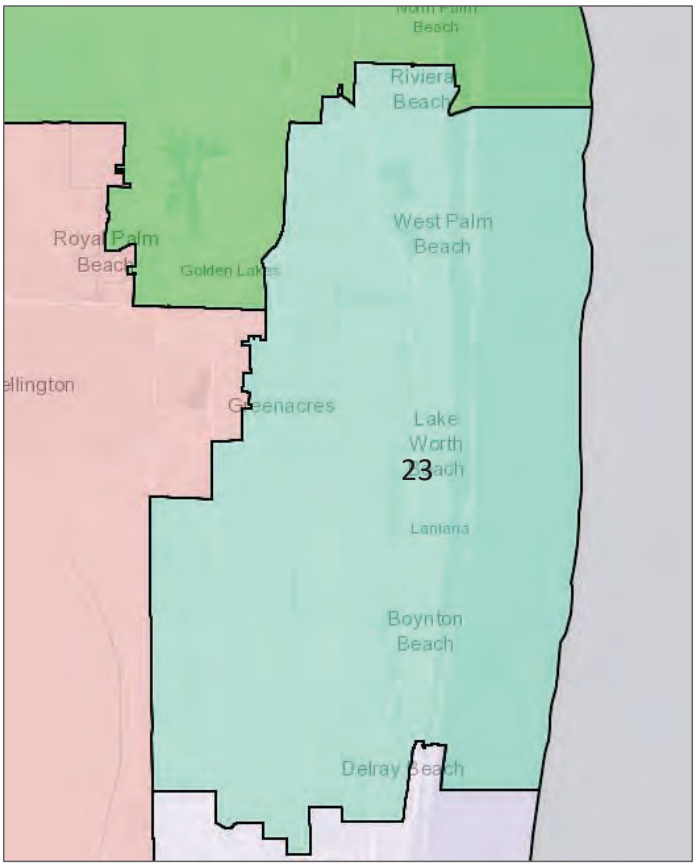


P.5

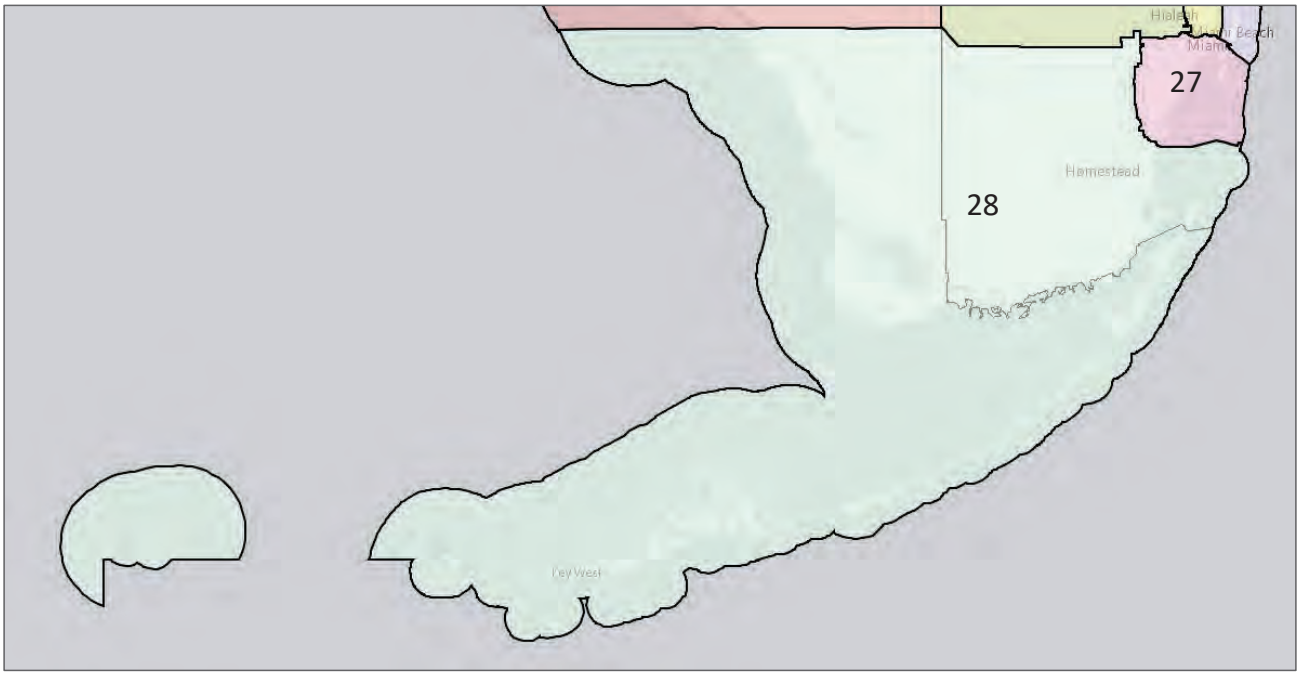
Proposed Congressional Redistricting Plan



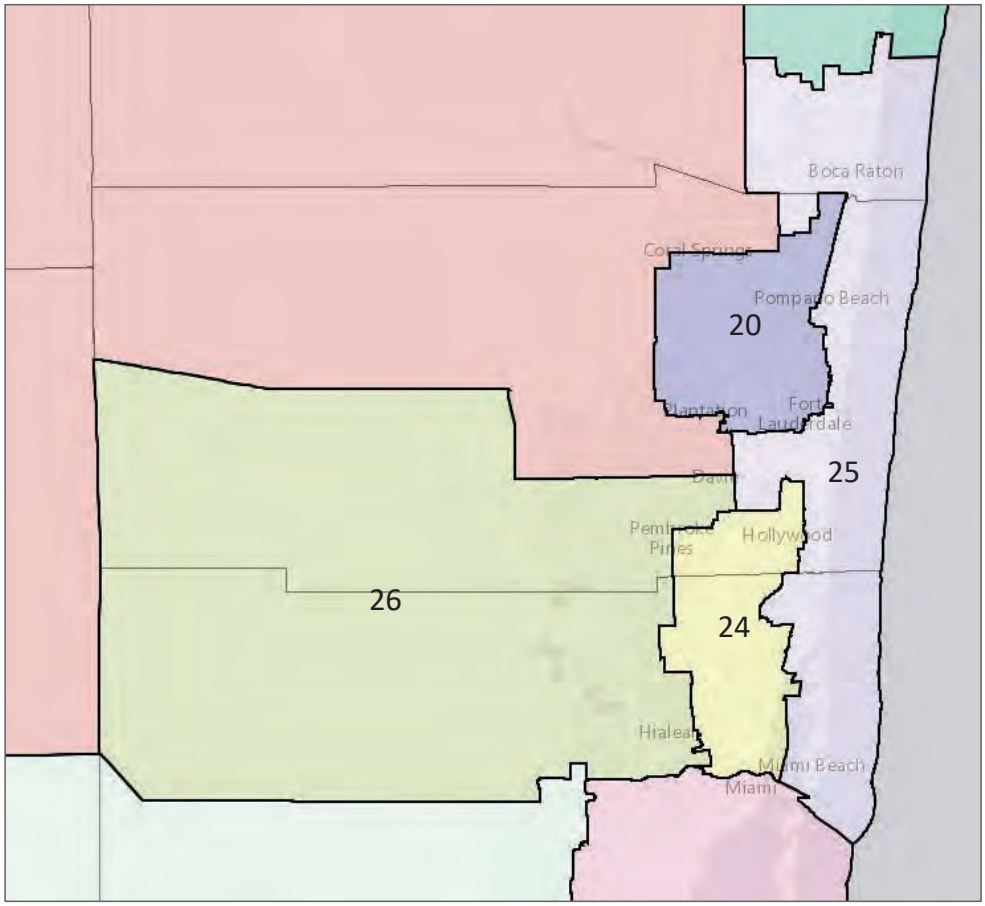
Proposed Congressional Redistricting Plan



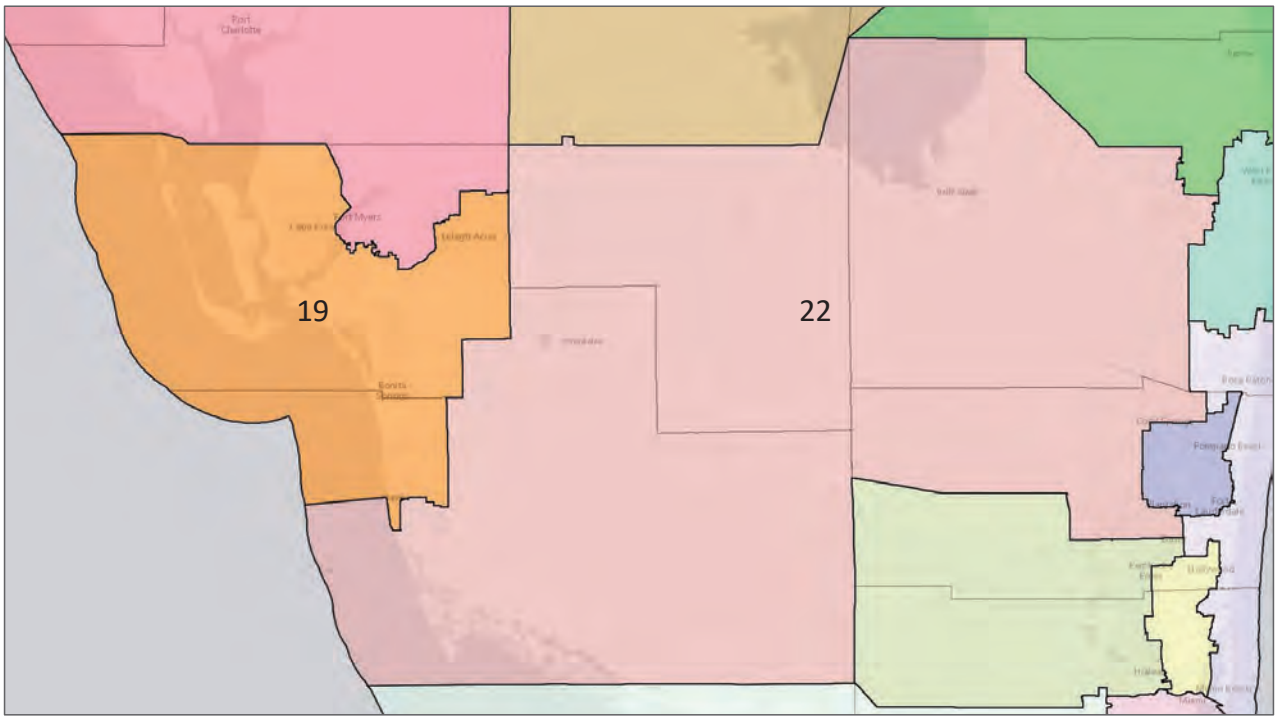
Proposed Congressional Redistricting Plan



Proposed Congressional Redistricting Plan

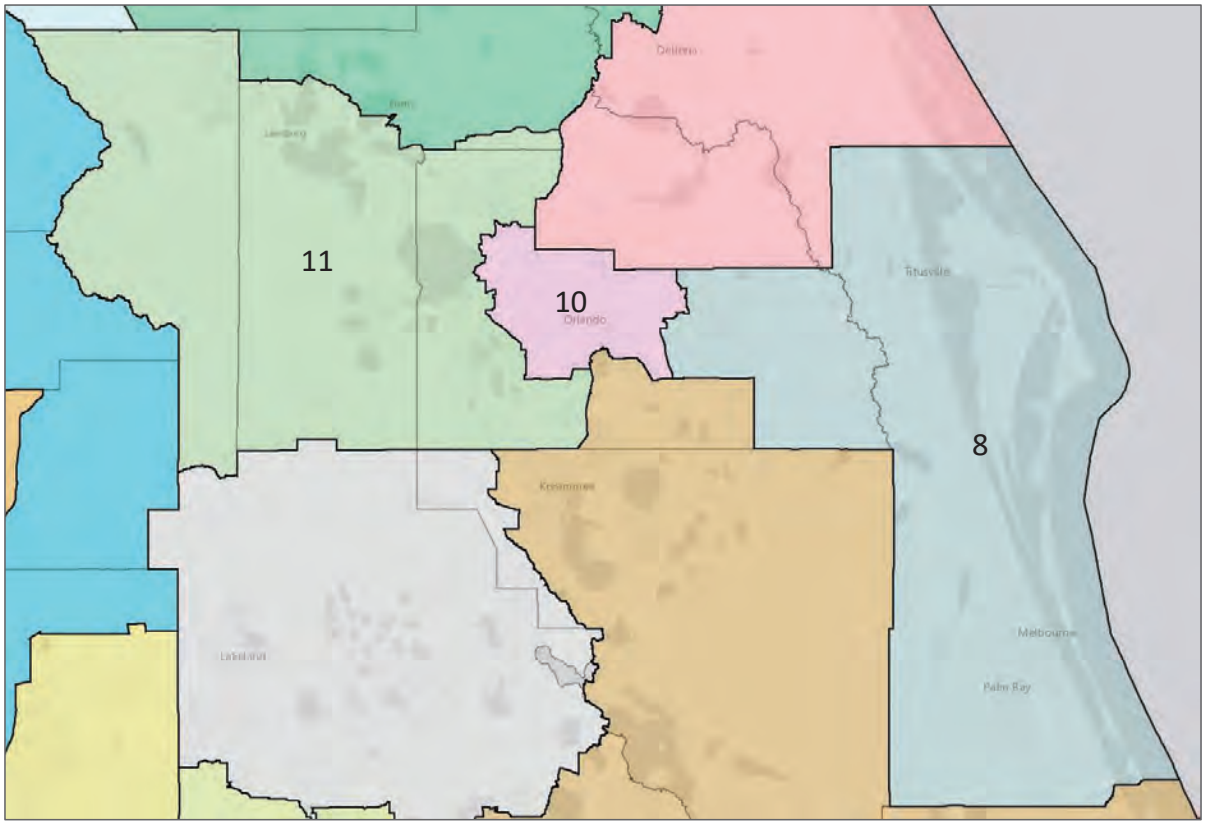


Proposed Congressional Redistricting Plan



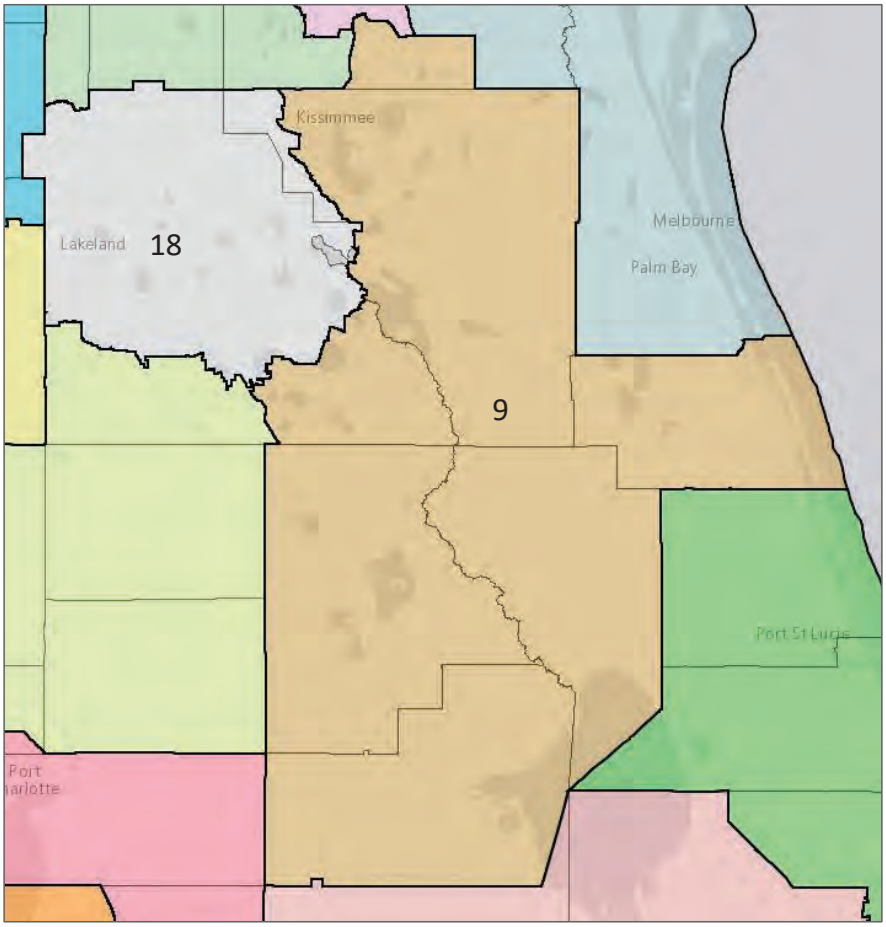
P.10

Proposed Congressional Redistricting Plan



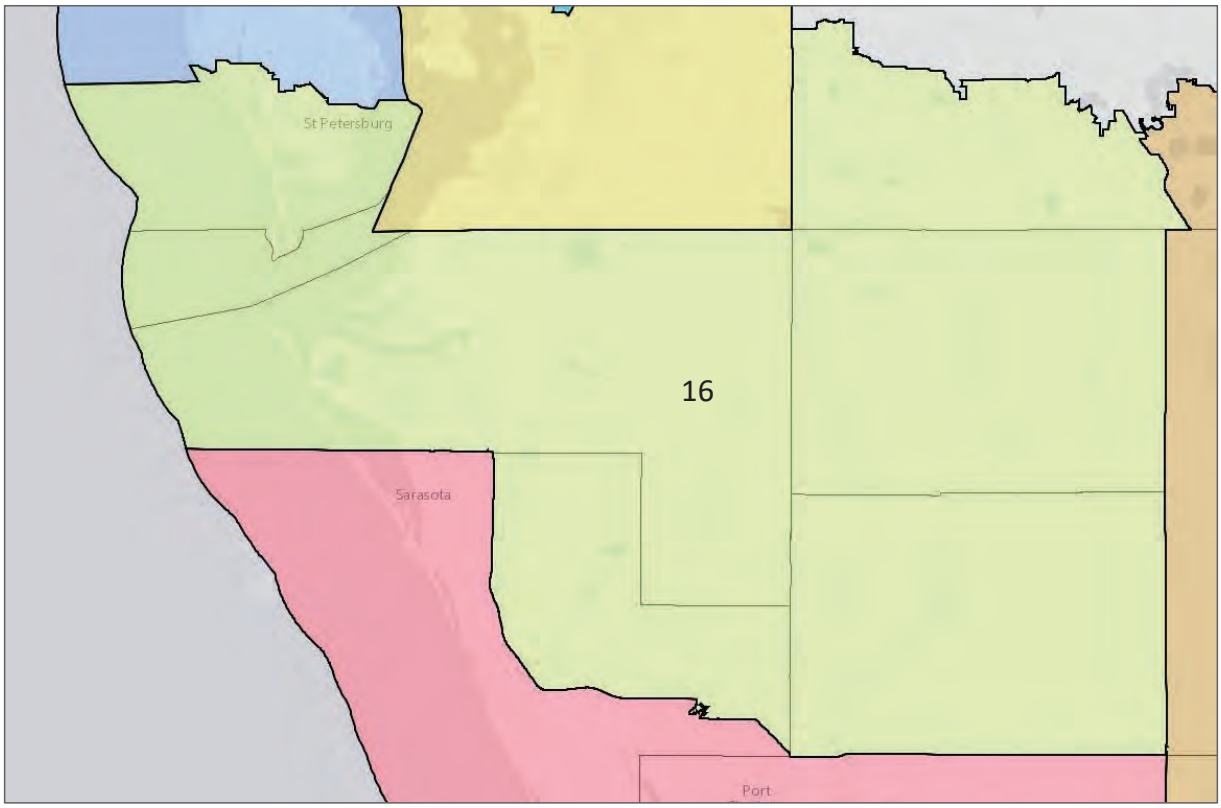
P.11

Proposed Congressional Redistricting Plan

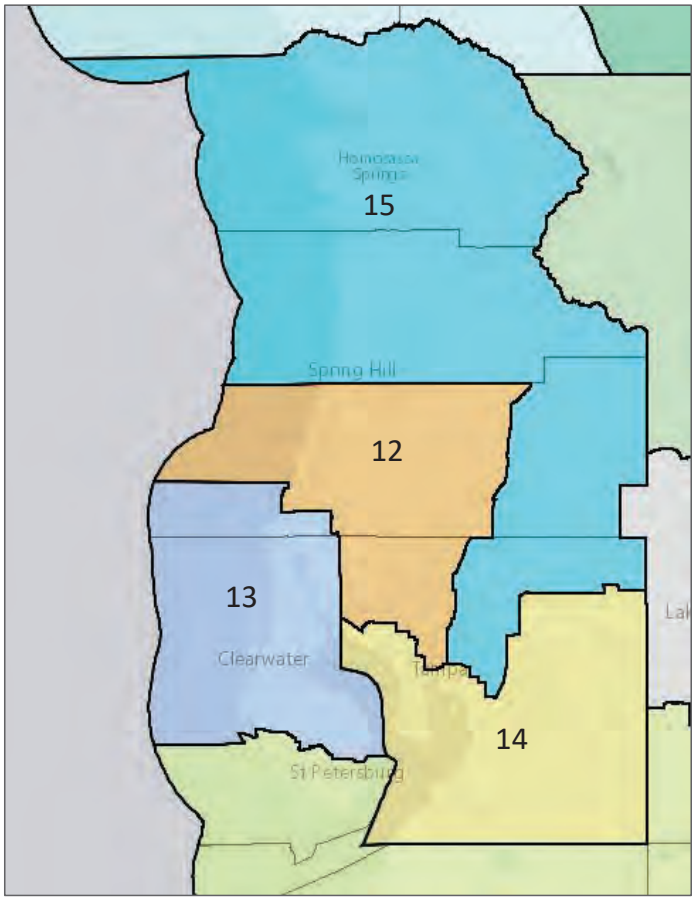


P.12

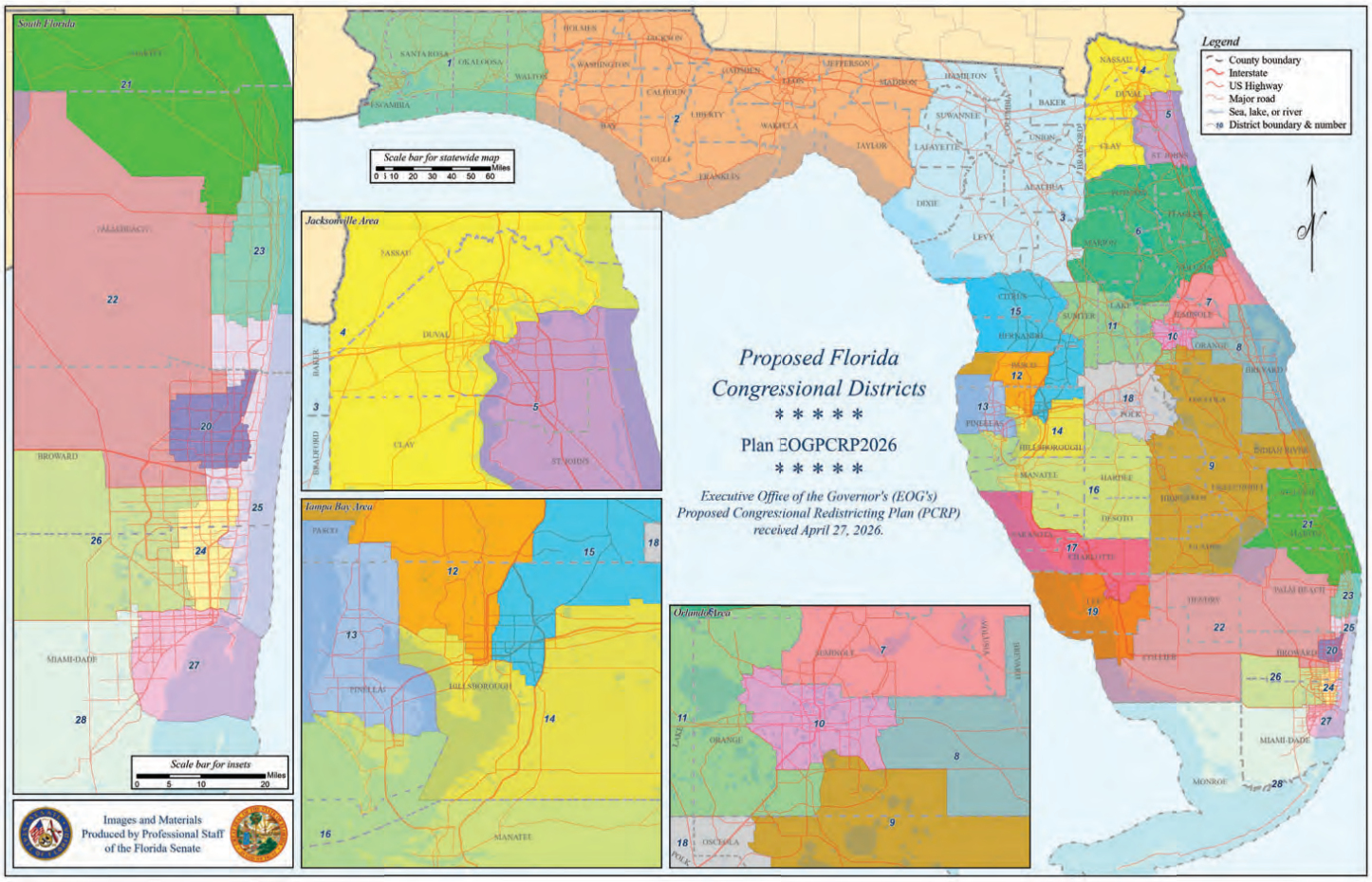
Proposed Congressional Redistricting Plan



Proposed Congressional Redistricting Plan



Thank You


Legend
County boundary
Interstate
US Highway
Major road
Sea, lake, or river
District boundary & number
Proposed Florida
Congressional Districts
* * * * *
Plan EOGPCRP2026
* * * * *
Executive Office of the Governor's (EOG's)
Proposed Congressional Redistricting Plan (PCRP)
received April 27, 2026.
Scale bar for statewide map
Miles
0 5 10 20 30 40 50 60
Scale bar for insets
Miles
0 5 10 20
South Florida
Jacksonville Area
Tampa Bay Area
Orlando Area
Images and Materials
Produced by Professional Staff
of the Florida Senate

Plan EOGPCRP2026

Dist.	Deviation		Voting Age Population:		Area	Perim.	Convex	Polsby-	Reock	Counties:		Cities:		Political and Geographic Boundaries:					
	Total	%	Black	Hisp.	(sq.mi.)	(mi.)	Hull	Popper	Ratio	Whole	Parts	Whole	Parts	City	County	Road	Water	Rail	Non-Pol/Geo
	1	0.00%	15.54%	24.99%	2,550.1	247.2	0.81	0.41	0.46	48	53	382	66	14%	53%	16%	39%	1%	14%
1	0	0.00%	13.54%	6.69%	4,416	341	0.87	0.48	0.54	3	1	16	0	8%	78%	10%	53%	0%	3%
2	0	0.00%	23.09%	6.42%	12,839	578	0.82	0.48	0.46	14	2	50	0	5%	84%	7%	49%	0%	3%
3	0	0.00%	15.88%	10.64%	8,271	455	0.90	0.50	0.57	10	2	42	0	6%	86%	7%	32%	0%	5%
4	0	0.00%	31.66%	7.82%	1,981	280	0.76	0.32	0.38	2	1	8	1	8%	86%	2%	55%	0%	2%
5	0	0.00%	12.80%	10.86%	829	141	0.89	0.52	0.56	0	2	5	1	16%	48%	7%	79%	0%	13%
6	0	0.00%	11.22%	9.78%	3,928	320	0.92	0.48	0.74	2	4	21	0	16%	43%	17%	32%	2%	15%
7	0	0.00%	10.53%	18.97%	1,053	181	0.83	0.40	0.47	1	2	17	0	22%	68%	9%	40%	2%	8%
8	-1	0.00%	10.88%	14.24%	1,859	230	0.74	0.44	0.44	1	1	16	1	0%	86%	5%	42%	0%	9%
9	0	0.00%	10.67%	36.39%	5,485	438	0.78	0.36	0.47	4	3	14	1	5%	72%	6%	26%	2%	12%
10	0	0.00%	27.84%	30.41%	214	86	0.79	0.37	0.46	0	1	4	3	26%	22%	35%	8%	0%	33%
11	0	0.00%	10.76%	19.82%	1,591	246	0.77	0.33	0.41	1	2	20	3	9%	64%	17%	26%	3%	13%
12	0	0.00%	10.70%	24.81%	738	151	0.77	0.41	0.42	0	2	2	1	4%	42%	22%	34%	0%	20%
13	0	0.00%	6.43%	10.28%	705	127	0.89	0.55	0.50	0	2	14	2	22%	48%	6%	70%	1%	12%
14	0	0.00%	13.40%	26.02%	838	155	0.81	0.44	0.52	0	1	1	1	22%	56%	16%	24%	1%	20%
15	0	0.00%	15.05%	14.95%	2,213	329	0.66	0.26	0.33	2	2	9	1	5%	76%	18%	48%	1%	10%
16	0	0.00%	11.98%	12.91%	3,322	335	0.79	0.37	0.39	3	4	18	5	9%	56%	15%	28%	2%	14%
17	0	0.00%	6.94%	11.00%	1,822	267	0.69	0.32	0.27	1	2	3	3	10%	60%	17%	39%	0%	12%
18	0	0.00%	15.31%	24.92%	1,403	209	0.89	0.40	0.66	0	2	15	0	13%	42%	6%	19%	2%	33%
19	0	0.00%	5.07%	18.92%	1,590	228	0.82	0.38	0.46	0	2	6	0	15%	57%	6%	50%	0%	20%
20	0	0.00%	42.08%	23.26%	126	62	0.81	0.41	0.48	0	1	8	7	22%	3%	39%	11%	5%	32%
21	0	0.00%	13.11%	15.07%	1,865	215	0.82	0.51	0.49	2	1	16	3	6%	71%	5%	48%	0%	16%
22	0	0.00%	13.57%	30.99%	5,653	420	0.80	0.40	0.48	1	3	12	6	12%	54%	16%	25%	0%	17%
23	0	0.00%	23.14%	25.90%	266	85	0.90	0.46	0.49	0	1	19	3	20%	26%	25%	40%	3%	22%
24	0	0.00%	47.72%	40.92%	118	68	0.80	0.32	0.38	0	2	7	8	49%	1%	38%	15%	4%	20%
25	0	0.00%	7.42%	27.74%	353	166	0.69	0.16	0.17	0	3	15	11	19%	34%	24%	48%	5%	15%
26	0	0.00%	10.66%	74.27%	935	147	0.90	0.55	0.53	0	2	9	4	26%	17%	52%	2%	0%	8%
27	0	0.00%	7.06%	74.28%	279	71	0.95	0.69	0.67	0	1	7	1	12%	18%	26%	58%	0%	13%
28	0	0.00%	10.33%	73.25%	6,711	591	0.55	0.24	0.22	1	1	8	0	1%	88%	7%	86%	0%	1%

Overall numbers of county and city splits:

District lines and City and County Boundaries	In Plan EOGPCRP2026	
Number of Counties	67	
Counties with only one district	48	
Districts with only one county	5	
Counties split into more than one district	19	
Counties with all population in a single district	48	
Aggregate number of county splits	53	
Aggregate number of splits with population	51	
Number of Cities		412
Cities with only one district		382
Cities split into more than one district		30
Cities with all population in only one district		382
Aggregate number of city splits		66
Aggregate number of splits with population		66

Split Counties and Cities

Plan EOGPCRP2026

Counties included in more than one district					
County	Dist.	Total Pop	Pop%	Total Area	Area%
Broward	20	769,221	39.6%	126.4	9.7%
Broward	22	345,595	17.8%	565.9	43.3%
Broward	24	228,782	11.8%	34.2	2.6%
Broward	25	303,501	15.6%	154.7	11.8%
Broward	26	297,276	15.3%	427.2	32.7%
Collier	19	201,246	53.6%	299.8	11.5%
Collier	22	174,506	46.4%	2,305.3	88.5%
Duval	4	460,624	46.3%	611.1	66.5%
Duval	5	534,943	53.7%	307.4	33.5%
Hillsborough	12	415,939	28.5%	163.0	12.2%
Hillsborough	14	769,221	52.7%	837.5	62.9%
Hillsborough	15	274,602	18.8%	216.9	16.3%
Hillsborough	16	0	0.0%	114.5	8.6%
Lafayette	2	1,731	21.0%	43.3	7.9%
Lafayette	3	6,495	79.0%	504.6	92.1%
Lake	6	117,124	30.5%	499.6	43.2%
Lake	11	266,832	69.5%	657.2	56.8%
Lee	17	192,847	25.4%	224.3	14.8%
Lee	19	567,975	74.7%	1,290.5	85.2%
Marion	3	206,835	55.0%	656.0	39.5%
Marion	6	169,073	45.0%	1,006.7	60.6%
Miami-Dade	24	540,439	20.0%	83.9	3.5%
Miami-Dade	25	233,815	8.7%	97.2	4.1%
Miami-Dade	26	471,945	17.5%	507.4	21.2%
Miami-Dade	27	769,221	28.5%	279.4	11.7%
Miami-Dade	28	686,347	25.4%	1,421.4	59.5%
Orange	7	0	0.0%	0.0	0.0%
Orange	8	162,608	11.4%	302.0	30.1%
Orange	9	125,442	8.8%	133.3	13.3%
Orange	10	769,221	53.8%	214.2	21.4%
Orange	11	372,637	26.1%	354.0	35.3%
Osceola	9	319,073	82.1%	1,407.3	93.4%
Osceola	18	69,583	17.9%	98.7	6.6%
Palm Beach	21	281,564	18.9%	424.0	17.8%
Palm Beach	22	209,501	14.0%	1,592.1	66.8%
Palm Beach	23	769,221	51.6%	266.1	11.2%
Palm Beach	25	231,905	15.5%	101.0	4.2%
Pasco	12	353,282	62.9%	575.2	56.7%
Pasco	13	62,348	11.1%	119.9	11.8%
Pasco	15	146,261	26.0%	319.7	31.5%
Pinellas	13	706,873	73.7%	585.2	67.9%
Pinellas	16	252,234	26.3%	277.3	32.2%
Polk	9	11,913	1.6%	341.6	17.0%
Polk	16	13,495	1.9%	364.3	18.1%
Polk	18	699,638	96.5%	1,304.5	64.9%
Sarasota	16	44,479	10.3%	324.7	33.3%
Sarasota	17	389,527	89.8%	650.8	66.7%
St. Johns	5	234,278	85.7%	521.6	63.5%
St. Johns	6	39,147	14.3%	299.9	36.5%
Volusia	6	255,178	46.1%	724.4	50.6%
Volusia	7	298,365	53.9%	708.1	49.4%
Walton	1	47,648	63.3%	821.5	58.3%
Walton	2	27,657	36.7%	587.9	41.7%

Counties included in more than one district					
County	Dist.	Total Pop	Pop%	Total Area	Area%

Counties included in more than one district					
County	Dist.	Total Pop	Pop%	Total Area	Area%

Counties included in more than one district					
County	Dist.	Total Pop	Pop%	Total Area	Area%

Split Counties and Cities

Plan EOGPCRP2026

Cities included in more than one district					
City	Dist.	Total Pop	Pop%	Total Area	Area%
Apopka	10	16,911	30.8%	9.3	25.8%
Apopka	11	37,962	69.2%	26.7	74.2%
Coconut Creek	20	25,596	44.3%	4.8	39.8%
Coconut Creek	22	32,237	55.7%	7.2	60.2%
Coral Springs	20	64,659	48.1%	10.7	44.6%
Coral Springs	22	69,735	51.9%	13.3	55.4%
Dania Beach	24	7,164	22.6%	1.8	21.2%
Dania Beach	25	24,559	77.4%	6.6	78.8%
Davie	22	80,430	76.1%	26.7	74.6%
Davie	25	1,271	1.2%	2.0	5.6%
Davie	26	23,990	22.7%	7.1	19.7%
Deerfield Beach	20	44,581	51.3%	7.1	43.8%
Deerfield Beach	25	42,278	48.7%	9.1	56.2%
Delray Beach	23	42,164	63.1%	10.1	60.9%
Delray Beach	25	24,682	36.9%	6.5	39.1%
Fort Lauderdale	20	102,630	56.2%	18.8	51.7%
Fort Lauderdale	25	80,130	43.8%	17.5	48.3%
Hallandale Beach	24	12,696	30.8%	1.7	36.0%
Hallandale Beach	25	28,521	69.2%	3.0	64.0%
Hollywood	24	101,063	66.0%	14.6	47.5%
Hollywood	25	41,104	26.9%	14.8	48.2%
Hollywood	26	10,900	7.1%	1.3	4.3%
Jacksonville	4	459,228	48.4%	609.1	69.7%
Jacksonville	5	490,383	51.6%	265.4	30.4%
Longboat Key	16	2,746	36.6%	8.3	51.7%
Longboat Key	17	4,759	63.4%	7.7	48.3%
Miami	24	153,074	34.6%	19.7	35.2%
Miami	27	289,167	65.4%	36.3	64.8%
Miramar	24	58,109	43.1%	7.1	22.7%
Miramar	26	76,612	56.9%	24.0	77.3%
North Miami	24	49,404	82.1%	5.2	51.8%
North Miami	25	10,787	17.9%	4.8	48.2%
North Miami Beach	24	15,190	34.8%	2.1	38.9%
North Miami Beach	25	28,486	65.2%	3.3	61.1%
North Port	16	10,512	14.1%	33.6	32.2%
North Port	17	64,281	86.0%	70.6	67.8%
Ocoee	10	32,545	68.8%	10.1	60.9%
Ocoee	11	14,750	31.2%	6.5	39.1%
Orlando	8	5	0.0%	1.1	0.9%
Orlando	9	45,087	14.7%	53.2	44.7%
Orlando	10	261,311	85.0%	64.2	54.0%
Orlando	11	1,170	0.4%	0.4	0.4%
Pembroke Pines	24	28,360	16.6%	5.2	14.9%
Pembroke Pines	26	142,818	83.4%	29.6	85.1%
Plantation	20	58,127	63.4%	11.1	50.5%
Plantation	22	33,362	36.4%	10.8	49.2%
Plantation	25	261	0.3%	0.1	0.3%
Pompano Beach	20	54,032	48.2%	13.9	56.3%
Pompano Beach	25	58,014	51.8%	10.8	43.8%
Riviera Beach	21	8,441	22.5%	2.6	26.7%
Riviera Beach	23	29,163	77.6%	7.1	73.3%
Royal Palm Beach	21	12,337	31.7%	4.3	36.7%
Royal Palm Beach	22	26,595	68.3%	7.4	63.3%
Seminole	13	11,554	59.7%	3.2	56.1%
Seminole	16	7,810	40.3%	2.5	43.9%

Cities included in more than one district					
City	Dist.	Total Pop	Pop%	Total Area	Area%
St. Petersburg	13	88,616	34.3%	37.6	28.7%
St. Petersburg	16	169,692	65.7%	93.7	71.4%
Sunrise	20	70,888	72.8%	9.3	51.5%
Sunrise	22	26,447	27.2%	8.8	48.5%
Tampa	12	121,400	31.5%	23.0	13.1%
Tampa	14	138,303	35.9%	104.2	59.2%
Tampa	15	125,256	32.5%	48.7	27.7%
Venice	16	4,063	16.0%	7.1	40.5%
Venice	17	21,400	84.0%	10.5	59.5%
West Palm Beach	21	16,240	13.8%	33.5	57.8%
West Palm Beach	23	101,175	86.2%	24.5	42.3%

Cities included in more than one district					
City	Dist.	Total Pop	Pop%	Total Area	Area%

Cities included in more than one district					
City	Dist.	Total Pop	Pop%	Total Area	Area%

Exhibit 11



Transcript of Hearing

Date: April 28, 2026
Case: Transcription Services

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FLORIDA HOUSE SELECT COMMITTEE ON CONGRESSIONAL REDISTRICTING HEARING

APRIL 28, 2026

Job No.: 632013

Pages: 1 - 170

Transcribed by: Christian Naaden

P R O C E E D I N G S

MR. REDONDO: The Select Committee on Congressional Redistricting will come to order. Kimberly, please call the role.

SECRETARY: Chair Redondo.

MR. REDONDO: Here.

SECRETARY: Ranking Member Antone.

MR. ANTONE: Here.

SECRETARY: Representatives, Baker --

MS. BAKER: Here.

SECRETARY: -- Berfield --

MS. BERFIELD: Here.

SECRETARY: -- Chambliss --

MR. CHAMBLISS: Here.

SECRETARY: -- Cobb --

MS. COBB: Here.

SECRETARY: -- Lopez --

MS. LOPEZ: Here.

SECRETARY: -- Maney --

MR. MANEY: Here.

SECRETARY: -- Oliver --

MS. OLIVER: Here.

SECRETARY: -- Persons-Mulicka --

MS. PERSONS-MULICKA: Here.

SECRETARY: -- Robinson.

MR. ROBINSON: Here.

SECRETARY: Role call is present, Mr. Chair.

MR. REDONDO: Thank you, Kimberly. Members and -- members of the audiences, reminder, please make sure that all electronic devices are silenced and just as a reminder, as we go throughout today's process, I just want to make sure that we all keep in mind the rules of decorum here in this meeting room we'll ask everyone be respectful of each other and of everyone else's time as well.

Our only bill before us today is HB 1D by Representative Persons-Mulicka related to Congressional redistricting. Members, for the proposed map EOGPCRP2026, the House did not have a role in the creation of the Congressional districts.

This map is provided by the governor. As such, I planned to have Representative Persons-Mulicka provide a brief overview of the bill and I've invited the governor's staff to explain the map and

answer questions from the members after these presentations. Representative Persons-Mulicka, you're recognized to explain the bill.

MS. PERSONS-MULICKA: Thank you, Mr. Chair. House Bill 1D establishes the Congressional districts for the state of Florida. Members, that is the bill.

MR. REDONDO: Thank you, Representative Persons-Mulicka. Members, next we're going to have Jason Pareda with the Governor's Office is here to explain the map. Mr. Pareda, you are are recognized to begin your presentation.

MR. PAREDA: Thank you, Mr. Chair. Would it be okay if Mo Jazil, the attorney, gives a brief legal explanation before I explain the map?

MR. REDONDO: Absolutely. Mr. Jazil, if you'd like to come up first, you can make that presentation.

MR. JAZIL: Thank --

MR. REDONDO: Apologize, Mr. Jazil. Go ahead.

MR. JAZIL: -- thank you, Mr. Chair. Thank you, vice chair, members of the committee. I

appreciate the invitation to speak with you here today. My remarks will be limited to the Executive Branch's legal position on redistricting. I have never drawn a redistricting plan, I don't intend to draw a plan.

And so I will leave it to Mr. Pareda to address the factual questions at the heart of the plan that's being presented here. To begin, I note for the committee that there is nothing in federal or state law, nothing in the Federal or State Constitution that prohibits mid-cycle Congressional redistricting.

The governor's stated reasons for redrawing the Congressional map now are two-fold. One, to account for greater population growth between 2020 and 2025 in the suburban and exurban communities throughout the state and two, to ensure that the state has a race-neutral Congressional plan.

As you know, between decennial censuses, the American Community Survey and the States Office of Economic and Demographic Research puts out pretty high-quality estimates for growth at the county

level. This data, however, is not broken down to the granular level needed to draw a map.

So it's perfectly fine to account for the county-level growth but then rely on the 2020 decennial numbers to draw a map to comply with the Federal Constitution's 1-person, 1-vote requirement. The supreme court's plurality opinions in LULAC versus Perry from 2006 and from Georgia versus Ashcroft in 2003 allow for just this.

Next, the use of race in redistricting. This is an evolving area of the law. We've had several important cases decided since Article 3 Section 20 was added to the Florida Constitution after the 2010 election and as you've likely heard, the U.S. Supreme Court is poised to address the issue again in Louisiana versus Callais to level set outside of redistricting cases concerning the 14th Amendment to the U.S. Constitution's Equal Protection Clause say that some distinctions are just so odious, so suspect that they need to pass the strictest of scrutiny.

Race is the paradigmatic example of this. In simple terms, if you separate people based on race,

you need to satisfy a really, really high hurdle. In most cases, it's an insurmountable hurdle. You will never clear that bar and nor should you if, for example, you pass a law that segregates school children or that bans marriages between the races.

In redistricting, however, we have been trying to use race as a factor in legislative decision-making. We're trying to be race-conscious without letting race predominate. The governor's position on the issue is this, we should not ra- -- use race at all when drawing districts, we should instead adhere to basic principles of equal protection, which are that race plays no role in the process.

There are at least three benefits to this position. First, it's consistent with the overwhelming weight of equal protection jurisprudence. It doesn't discriminate based on race. That's why it's consistent with the overwhelming weight of equal protection jurisprudence. Second, it avoids questions like what level of consideration of race is enough but not too much, where we draw the

line between being race-conscious but not race-predominant? Third, it puts the state in a position to best comply with the results of Louisiana versus Callais. Now, how does the Voting Rights Act and the Florida Constitution's Race-Based Provisions play into the analysis?

At the most fundamental level, if compliance with the Voting Rights Act or the Florida Constitution violates the Equal Protection Clause, again, this is the 14th Amendment to the U.S. Constitution, then the Equal Protection Clause prevails. Why? Because it's a superior law. That's how our hierarchy of laws works.

When it comes to the Voting Rights Act, in particular, the U.S. Supreme Court has assumed without deciding for decades that the use of race is a compelling enough reason for us to be race-conscious.

That's in part because the Voting Rights Act was enacted with a very voluminous legislative record and it was enacted consistent with Congress's powers under Section 2 of the 15th Amendment, which

specifically will allow Congress to pass laws such as this, but there is an inherent intention there.

If Congress is passing a law saying that you can erase conscious but the guidepost for equal protection purposes is you cannot take race into account, there is an inherent intention there and that's why the supreme court has struggled with this over decades. Callais is the most recent case to deal with this issue and the procedural posture of Callais suggests that it's going to resolve the issue in a way which will bar the consideration of race.

And I say that, because Callais was a case that was relisted and reargued. Past examples of cases that were relisted and reargued include Brown versus Board of Education, they include Roe versus Wade, they include Citizens United. So if we're looking at the background of how Callais is working out, it's set up to be a seminal case.

Turning to the Florida Constitution where your Article 3 Section 28 talks about racial considerations and redistricting. Unlike the Voting Rights Act, there was no detailed legislative record

that supported the enactment of this provision, it was a citizen initiative.

Also, unlike Congress which had power under Section 2 of the 15th Amendment, there is no similar grant of power to the states to come up with race-based solutions, such as Article 3 Section 28, especially in lieu of a race-based problem -- a record of a race-based problem that Congress had when it enacted the Voting Rights Act.

So in the recent Black Voters Matters decision, the Florida Supreme Court recognized that complying with the Florida Constitution is not a compelling enough reason to use race. Now, if you can't point to the Florida Constitution as a basis to use race, then what effect, if any, should the race-based provisions of Article 3 Section 28 have?

And it's the governor's position that they should have no effect. Every time you try to comply with Article 3 Section 28's race-based provisions, you're forced to look at racial data, you're forced to assess whether sorting people on the basis of race is feasible and whether this race-based sorting

results in the kind of performance you want in a particular region or a particular race.

That entire exercise is inconsistent with the Constitution's Equal Protection Guarantee. The superior law in this instance, again, it's our contention to trump, because the superior law is the supreme law of the land. Now, because the race-based provisions in Article 3 Section 20 are inconsistent with Federal Law, the next question becomes well, what about the rest of Article 3 Section 20?

The Executive Branch's position on this is this, the rest of Article 3 Section 20 cannot be saved. This is because the provisions are inseverable from one another. Why is that? When Article 3 Section 20 was sold to the Florida voters in 2010, it was sold as a package. It was reviewed by the Florida Supreme Court for valid placement also where that court concluded that the provisions were "directly connected."

That's the test for a citizen initiative under Article 11 Section 3, is there a direct connection, are they directly connected? And the

Florida Supreme Court in 2009, when looking at the single subject directly connected requirements, said this, these are all component parts or aspects of a single dominant plan or scheme.

Another thing to consider, there was no severability provision included in the Fair Districting Amendments when they were passed by the voters in 2010. That's unlike, for example, the term limit citizen initiatives that passed in the '90s, the one that said there are going to be term limits for members of Congress and for members of the Florida Legislature.

The members of Congress requirement was struck, because it violated the qualifications clause of the U.S. Constitution, however, the Florida Supreme Court allowed the remainder the term limits for members of the Florida Legislature to stand, because there was an expressed severability clause and because the two things could be separated.

That brings me to my final point on severability, the text of Article 3 Section 20 sets up a tiered structure. You've gone through the

committees in the past, you've talked about tier 1, tier 2, that is a tiered structure. Now, what happens when you take a tier out from this architecture? The structure falls.

So this is unlike other instances where provisions could be severed. So in sum, Members, the issues on the table are weighty, but the governor's position has a benefit of being consistent, simple and likely right. I'll stop there and I'm happy to answer legal questions at the end, but with that, Mr. Chair, with your permission, I'd like to give the remainder of my time to Mr. Pareda.

MR. REDONDO: Thank you, Mr. Jazil, appreciate it. And Members, yeah, we will wait until the end for the conclusion of presentations before we start questions. So Mr. Pareda, thank you.

MR. PAREDA: Thank you, Mr. Chairman. Thank you, Chair, thank you, Vice-Chair, thank you, Members of the Committee. My name is Jason Pareda. I am employed with the Office of Policy and Budget, the Executive Office of the Governor. I have been employed there since July of last year.

I have also been involved in the redistricting process here in Florida for the last two redistricting cycles serving on committees in the Legislature in both the 2012 and 2022 redistricting cycles as well as all of the subsequent legi- -- litigation that happened after 2012 and even after 2020.

Most recently, I just recently, in January, testified in the Cubanos trial in the southern district of Florida back in January. So I have had extensive redistricting experience and with that, that's why I am now involved with this map drawing.

First, let me give you kind of a high-level -- I know you've already gotten some briefing about redistricting from -- previously from attorneys, but let me give you a quick high-level just to make sure we're all on the same page before I get into the map explanation. So first, the U.S. Census Bureau, a portion counts to all states in April of 2021 resulting from the 2020 Census that was conducted the year prior.

Florida gained 1 seat for a total of 28

Congressional seats here in Florida. Our total population, according to the 2020 U.S. Census, was just over 21 million people at 21,538,187 people. When you divide that by 28, you get a number of 769,221 people. That is the ideal or exact population for all 28 Congressional Districts here in the state of Florida.

Now, unlike with state legislative redistricting, which the standard is substantially equal in population for districts, which courts have interpreted as giving you a little bit of a range with legislative redistricting, typically plus or minus 5 percent.

So a total range of about 10 percent in some states. With Congressional redistricting, the standard is they have to be as nearly equal as possible, which has been interpreted over the years to mean exact population equality down to a single person, not a percent. So 27 of our Congressional districts hit that number exactly, 769,221.

There's 1 Congressional district in the state that is 769,220 to meet that exact population

equality, which is very difficult and obviously is almost the definition of an exact zero sum game. When you move districts around or change the population from one district, it inevitably is going to affect another district and in many cases, multiple districts in a region.

You can see here the change between the 2010 Census and the 2020 Census here in Florida, it was a difference of just over 2,700,000 people, again, 1 more Congressional district gained by that amount and you can see how that difference of change in population changed the ideal population of a Congressional district between the decades.

Now, as Mr. Jazil had mentioned before, we have a lot of population estimates provided by the Legislative Office of Economic Research and through the American Community Survey from the U.S. Census Bureau and the University of Florida, we have an estimate that the state of Florida has already, in the last 5 years, based on April, 2025 estimates -- has already gained about 1.8 million people compared to the 21,500,000 that we had just 5 years ago.

That is almost the entire difference that we had over the last previous decade. We're now quickly coming up to that number and we're now even one year past that. So that estimate, when it gets released this July, will presumably be even higher. Moving on, so first, term with redistricting, everyone talks about drawing districts.

I want to be clear that it isn't exactly that, you can't just draw lines wherever you want on a map. We are provided a dataset, which has population and geography from the United States Census Bureau through public law in 94-171, it is distributed to all 50 states after the census is conducted.

It comes out about a year after or approximately when the apportionment totals come out typically and it's those units of geography and all of that subsequent data attached to those units of geography that we have to use in redistricting and they are called census blocks at the most basic level.

From there, you can have block groups or

tracks or other bigger units of geography, but those units of geography are just collections of the smallest unit, which is a census block. In Florida, we have 390,066 census blocks throughout the state. Sometimes they have no pers- -- people in them at all, whether they're over water or an unpopulated area.

Sometimes they have thousands of people, sometimes tens of thousands of people, sometimes they are regularly shaped, as you see in the image on the left, and it is sometimes easier to assign different census blocks to different districts as you're building and in some cases, as you see on the left, they are very irregularly shaped over areas of geography where there might be rivers or other water or sometimes just undeveloped areas that don't have roads or other things that the U.S. Census can align census blocks with.

Sometimes a road doesn't even have a census block. So sometimes although you might see on a map there is a census block, they are like, oh, I want to use that as a dividing line for a district. If

there's no census geography that aligns with it, you cannot use that, you have to use the geography that is available to you with the census.

So it is really more assembling districts using these units of geography and more of a puzzle rather than simply drawing, it's just kind of a term that we like to use thrown around, it's fine, I just want to make sure we're all on the same page on what we're all talking about. So real basically, this map that you see here is the proposed Congressional redistricting plan.

I drew this map as a race-neutral map without consideration of the race, as you just heard from Mr. Jazil --

MR. REDONDO: Members, excuse me -- excuse me, ladies and gentlemen, there will not be laughter, this is going to be an appropriately-held committee. I would ask that you respect everyone who's speaking. When you all come up here to speak in a moment, I'm going to afford you all the same respect; okay?

If you're unable to do so, I will ask the sergeant's office to remove you. So please, let's

maintain decorum in the chamber. Thank you.

MR. PAREDA: Thank you, Mr. Chair. So again, this map was drawn race-neutrally. I did not look at any racial data or any -- analyze any racial demographic information in the formation of this map. Otherwise, all other traditional redistricting criteria were considered us- -- when I drew this map.

In addition, I also considered that population growth that you referred to before, although, I did have to balance all of the districts down using those census blocks using the 2020 Census data. I did attempt to account for where we know certain counties are growing faster than others or certain areas where there might be population that didn't exist when the 2020 Census was conducted to the best of my ability.

And as a practical matter, when I refer to the benchmark plan when comparing some of the districts to this newly developed map, I am referring to the currently enacted Congressional map, which is -- and redistricting usually refers to the last map that you're drawing until you draw a new map or a new

proposed map that you see here today.

So that's what I mean when I refer to that. So on a quick high-level, this map splits -- or I'm sorry, keeps 48 counties whole of the 67 that we have in the state. It keeps 382 of our 412 cities whole, which is just over 93 percent of the cities in Florida are kept whole in 1 district or another.

The mathematical compactness scores on average for all of the 28 districts you see on this map are consistent with that in the benchmark district. The Reock score, which is I measure that mathematical measure that compares each district to the smallest circle that you can put around each district and the average of all of those for the 28 districts is .46, which is, again, consistent with the benchmark.

The Polsby-Popper score is .81, which is also consistent with the benchmark district. Polsby-Popper score compares the area of a circle that has the same perimeter of all of the districts, that -- that times on an average.

And finally, the Kondex Whole score, the

other mathematical measure that's used consistently throughout the country by courts to measure mathematical compactness is the measure of the smallest polygon shape that can fit around the district and compares that area to the area of each of the districts.

All of these mathematical compactness scores are just ratios based on something that they're comparing to the area or the perimeter of the district and all of these districts are comparable to that on the benchmark.

In addition to that, in the Legislature's map drawing program, there is something called a boundary analysis score that compares its -- all of the different major boundaries, either major roadways, waterways, railways, other things like that that -- to all of the district boundaries to get a percentage of how much of the district boundaries follow those major criteria or not.

This map has a -- on that boundary analysis score, it's just over 85, almost 86 percent of its boundaries of all the district boundaries follow

either in a county line, city line, a major roadway, a waterway or railway. Now let me walk you through the individual districts on the map.

First, Districts 1 through 7 are unchanged from that on the enacted map. There are 9 more districts that -- or I'm sorry, 10 more districts that are largely the same as they are on the enacted map in trying to keep the cores of those existing districts and trying to limit the impact of this mid-decade redistricting that we're doing while also respecting all of the other things that I mentioned before.

I'll get more into exactly what those districts are or what may have -- may or may not have changed in each one as we go through all of the districts.

So first, in South Florida, the biggest change, because we are drawing this map in a race-neutral way, we did not recreate the Congressional District 20 that is currently within Palm Beach County and Broward County that has arms that extend into Palm Beach and Broward County to attach to

different black communities in those 2 counties together.

We did not do that here. So that significantly changed how the districts around that one district that was created previously can be drawn now. So first, we'll go to Congressional District 21, which is entirely made up of St. Lucie County, Martin County and then gets its remaining population from the northern part of Palm Beach County.

This district is very similar to that district that exists in the benchmark map. It has the same two counties whole within it and then gets its remaining population from the northern part of Palm Beach County. The boundary within the Palm Beach County is slightly different than the benchmark, but otherwise has the same amount of population from Palm Beach.

That was created and then now since we don't have to deal with the arm that comes from Congressional District 20 through Palm Beach, the next district that I started to draw is District 23 where I simply started to where District 21 ends and

started drawing south trying to find some good boundaries on the western side since the eastern side is the coast just going straight down.

So on that western side of District 23, you'll find the Florida Turnpike as a boundary, you'll find the municipal line of Green Acres and then U.S. 441 is the bulk of the boundary as you work your way south and the rest of that is just balancing the population, because like I said, we have to get down to that exact number and with Congressional Districts, that requires sometimes you deviating or doing what you can to find census blocks or census block groups that will achieve the equal population for that -- for that district.

Now, this is a district that's entirely within Palm Beach County. This is something that I've always tried to do when I draw maps if I'm given the opportunity and there's nothing -- no other redistricting principle or redistricting criteria that prevents it, I try to, when I can, put a district wholly within the county if it is too big to be entirely get whole within a Congressional

district.

So District 23 is that -- doing that for Palm Beach County, putting a district entirely within it and then going south. After I do that, there's a remaining population just south of it in Palm Beach County that I followed the same U.S. 441 or also State Road 7 south to the Palm Beach-Broward County line.

That's about 230,000 people and I put that into its own district as kind of a placeholder not knowing where it was going to be connected to after -- after the rest of the map gets drawn, but sometimes in map drawing, people think you kind of start with one district and you work your way all the way around and you just kind of go in some sort of circle.

Unfortunately, it doesn't really work like that. So from here, I actually moved all the way south and started to fill in southern part of the district. Another reason why you do this as a map drawer is simply that you don't get stuck in the middle of drawing districts down or drawing districts at the end and being stuck with a district that

either you don't like the orientation of or for whatever reason it doesn't follow traditional redistricting principles.

So you try to, when you can, jump back and forth and try to put the entire region together as a whole rather than just kind of going in one direction and ignoring the rest of it.

So here I went down to the southern part of the state and put in District 28 and District 27, which are both, just like District 21, largely almost identical to the districts that are in the enacted map largely, because you're down in Monroe County, you can only go one way, which is north and you connect the -- connect the same amount of population with Miami-Dade and District 27 in the enacted map is one of the most compact districts that was in that map carried over to this map.

There's only so many ways that you can draw that and it follows all the traditional pri- -- principles to a T and is very well drawn. So although there -- there were some slight changes to those districts along the western boundary of District 21

just to kind of clean up that boundary slightly, it's -- they're largely exactly the same as they were on the enacted map.

Now moving north, next district that I drew is District 24, which also is largely the same as it is in the enacted map. The major difference is that in the enacted map, District 24 includes all of the coastal municipalities out to the east of -- along the coast in Northern Miami-Dade County.

This was an attempt -- if you look at the enacted map, there's actually a space in between District 27 and District 24 where District 26 kind of came in, that I was aware of, that split Miami-Dade -- or Mi- -- the city of Miami 3 ways and was done in such a way that left that -- kind of an arm underneath there.

I was trying to correct that and if I can, only split Miami twice, which I was able to do, but by doing that, because that area is so densely populated, it pulled District 24 out of those coastal Miami Beach and other municipalities along the Barrier Islands there in Miami-Dade County.

From there, trying to respect as many municipal boundaries as I could as I worked my way north, some of which are city of Hialeah to the west, which is in District 26, the city of Opa-Locka, Miami Beach and city of Miami to the south and other cities as I worked my way north toward the Miami-Dade-Broward border.

Now, the district had to go into Broward a little bit as well to get some remaining population rather than having an arm that might be an entire city but sticks out from it over to the Barrier Islands just because the ci- -- the municipal lines there don't really allow that. Where I could I tried to do that, although, that wasn't -- tried to keep a city whole.

So instead I went north and built that district in that way. Now, to the west, District 26, takes the remaining portion of Miami-Dade County, which includes the entire city of Hialeah using the Tamiami Trail to the south where District 28 comes up and fills in the rest of Miami-Dade there.

Now, instead of going west into Collier,

because we're drawing this district race-neutrally, the most logical way to go from here is to just draw a basically rectangular district and go up into Southern Broward and that's what I did here trying to find as many major roadways as possible. The northern boundary of -- of the district, actually, I believe uses I-75 as it comes over Alligator Alley, also goes around the city of Weston, which is why it dips down before finding that straight line road to go all the way over to where it ends at the Florida Turnpike, but that's why it dips down, it goes around the city of Weston, but that is a -- a square nice district.

So now we have all the districts to the south, we have District 24 and District 26 in there more or less final orientations. So if you remember, I also try to include districts entirely within counties where I can and I wanted -- there's District 27 in Miami-Dade, we created District 23 in Palm Beach previously.

So knowing that those Districts 24 and 26 came into Southern Broward, I was trying to do that

same thing for Broward with what became District 20. There's a lot of mu- -- smaller municipalities right there in kind of Central-Northern Miami-Dade. You start putting them all together and you very quickly get a very compact district right there and kind of Central Broward County that became a Broward-only Congressional district.

Now, by doing that, though, that created a space where we had previously put a district placeholder, about 230,000 people in Southern Palm Beach County, it then created a space by drawing 24 in the way I did where the beach municipality is in Miami-Dade and then next to District, now District 20, there's this whole area along the coast that was either going to be connected together or going to be connected separately in separate districts.

Connecting it separately in separate districts would've created multiple districts that would've had appendages that would've looked like sticking down into different areas. So instead I connected them altogether, as you see here trying to find as -- the best boundaries I could on the western

side.

As I said before, the boundary within Palm Beach County is U.S. 441 or State Road 7 that goes down to the county line, then within Broward County, the westernmost boundary of District 25 as it goes around District 20 and 24 is the Florida Turnpike in both ways and you can see just south of District 20 and north of District 24 the turnpike is the boundary of 3 districts in that area.

So that is a very commonly understood boundary. Within that, I tried to respect as many of the municipality boundaries as I could within Broward County as well as trying to find what other major roadways there. You can see the northern bit of District 20 actually uses the railway as it comes through Broward County and tried to find as many clean or recognizable boundaries as I could to fill in these 4 districts.

From there, after completing all of those districts, it left an area of both Palm Beach to the west out toward the Everglades and in Broward County that needed to be included in the district,

obviously, since we have to account for every population and every census block.

Now, this also gets into the Everglades, which is a -- from a map drawer's perspective, there's always a difficult area to draw and put districts within, because it is an area that has very little, if any, population in some cases and right next to an area that is highly densely populated.

Inevitably, there's going to be some district that's going to have to take this area and in this case, taking that -- those two areas of Western Palm Beach and Western Broward and taking that district west seemed like a logical choice in this particular case and here I included all of Hendry County, which is just west of both those two bigger counties and then goes south into Collier County and gets -- adds most of Collier County to it.

It goes right up to I-75, that's the straight line that goes down within Collier County and then you see the little dip down there of District 19, that's actually the municipal boundary of Naples that is not split, District 22 goes around.

From there, another -- when you start kind of in the south working your way up, there's only so much you can do.

District 19 is another district that may look a little bit different than the enacted district but is a district that is very similar in that it has population in both Lee and Collier Counties, although, that share of population might change a little bit, it is -- it is basically of similar orientation.

So it gets the remainder of Collier County, including all of Naples and then goes up and grabs the remaining portion of its population to get to the magic number of 769221 in -- in Lee County and you can see the little divot that you -- that 19 kind of dips down and goes around, that's actually going around the municipal lines for Fort Myers.

So Fort Myers is included in District 17 that got cut off on the top of this slide that includes the rest of that population, including that entire city of Fort Myers, the entire city -- or entire county of Charlotte and then goes into

Sarasota. The cur- -- which is also very similar to the enacted map, but in the enacted map, it includes the entire county of Sarasota. Because of the way the populations were coming -- moving up from the south, that was not possible.

So I tried to find a dividing line within Sarasota that made sense and as it turns out, it was I-75 for almost the entire length through the county until it had to equalize population near the North Port area. So from there, as I said, we've kind of jumped around a little bit in the map drawing process in order not to be boxed in or be boxed into a decision that I didn't want to make while I was drawing the map, I jumped up to Central Florida.

So the next district I tackled was District 8, which is all of Brevard and goes into Orange County within its remaining about 160- -- just over 160,000 people to -- in Orange County. Now, in the enacted map, this district includes Indian River and Brevard together and only goes into Orange County by about 2,800 people.

Because we know Brevard and Indian River are

both growing at about approximately the state average and because that one split into Orange County was so small, I felt it to -- it was a good decision to just include Brevard County, which we know is growing and include it just with Orange County and put its remaining 160,000 people in there and allow Indian River to be connected to a different district that I'll talk about shortly.

Now, because of that, because District 8 came into Orange County more than it did previously, District 10, which is also wholly within Orange County, had to be shifted slightly to the east. So although its boundaries look slight different, it is effectively the same district and has most of the same population that it did before even though it shifted slightly to the east, but that is wholly within Orange County.

Fortunately, I did not have to go further north and break the Seminole County line or impact District 7 or District 6 in doing all of this. I was attempting not to do that and fortunately was able to do so here. Now, you can also see District 11, which

has all of Sumter County, the remaining portion of Lake County that's not in District 6 and the eastern portion of Orange County and that became District 11.

Now, in the enacted map, District 11 actually went all the way down to Polk County as well and had a little less of Orange County, but here the way I oriented these -- the -- these districts I was able to do it in such a way that I did not have to do that.

So District 11 is entirely Sumter, Lake and Eastern Orange County, trying to find as good a lines I could within Orange County around municipal lines and you can see the dividing line between the district I'll talk about shortly, District 9 and District 11, that's a railway and then I believe Flamingo Avenue up from the south trying to keep a nice straight line as best I could up to where District 10 is in there.

Now, District 9 is a district that contains 4 whole counties, Indian River, Highlands, Glades and Okaloosa County -- not Okaloosa, I'm sorry, Okeechobee County altogether and connected it with

part of Polk County and Osceola County before connecting it with Orange County.

Now, we, in the central part of our state, have some rural counties that have to be included somewhere. In the enacted map, there's District 18, which includes a lot of them together and then goes into Southern Polk.

With the way the populations were coming together in this map, this is a -- a different approaching taking those counties and attaching them to other areas that we know are high growing, like Osceola, one of the highest growing counties that we're aware of in the map and connecting them with those other counties just beneath it along with a little bit up into Orange County.

Now, you can see another county that is growing at an extremely fast rate that we know as Polk County. This is an attempt to keep a district mostly entirely within Polk County to account for that growth. That county that's in between the urban areas of Orlando and Tampa is growing at a -- at a very fast rate and now it has a district that is

almost entirely within it.

Now, you'll notice it does go into Osceola a little bit, because there's a lot of communities that are right there along the border. You'll -- you'll notice the enacted map actually does the same thing but in reverse, it takes District 9 and comes into Polk County a little bit and crosses that line in a similar way that District 18 is to account for those communities that -- that really straddle that -- that county line there.

And this is doing that in a similar way but different and also including it with Indian River County, which is now a county of about 160,000 people that is no longer just attached to 1 other bigger county, it's attached with other counties of similar size. It's now the second -- its share of the district it is number two on the list of -- as opposed to being more shut out by a bigger county that may -- now it has a bigger voice and -- combined with those smaller counties.

So next was District 16. We've drawn all the districts to the east of it and we were coming up

from the south before. So now this district largely almost formed itself. So it has three whole counties. It has Manatee County, DeSoto and Hardee County all attached together, the remaining portion of Sarasota County, the remaining portion of Southern Polk County that was put together and that was not in the previous districts that I spoke about.

So now, having been almost entirely completed it needs about 250,000 people more to complete its population. So now there's a choice, do we go into Southern Hillsborough County or do we go into Pinellas County? At the moment, those are really the only two options. Now, looking at the population growth numbers that I said -- I told you about before, Pinellas County, which previously had a district wholly -- wholly within it, Hillsborough did not.

Trying to choose -- does -- do I stick with what is in the enacted map or try to make a different choice and give Hillsborough its own district, which it has never had, at least in the redistrictings that I've been a part of.

Here, knowing that Pinellas County is one of the slowest growing counties in our state and knowing that Hillsborough is around the state average in -- of the higher population counties in our state is growing among the fastest, I chose to put a district entirely within Hillsborough starting on the southern side and working the way up.

As a result, that meant District 16 had to use the Skyway Bridge and go into St. Pete and take the southern part of St. Pete and put that with District 16.

So now finishing with the Tampa Bay region, so we have that district wholly -- wholly within Hillsborough County, which use- -- which goes up and includes all of Plant City, used a lot of major roadways, the highways down and then the block lines around Tampa Bay and the water can be somewhat difficult to work with, using as many major roadways as I can and including them along the county line all the way up kind of up into the Downtown Tampa area.

Now, District 13, which had previously been

entirely within Pinellas County is still almost entirely within Pinellas County is about 62,000 people that have to go up into Pasco County to achieve its equal population. So even though it goes into Pasco it's still only doing that by about 60,000 people.

From there, the final 2 districts that we have are District 15 and District 12. Now, I try to keep counties whole where -- where I can. So trying to keep Citrus County and Hernando County whole meant that one of the districts was going to have to come through Pasco down into Hillsborough as opposed to splitting one or both of those counties to put two districts that would be more vertically oriented or some other orientation altogether.

So to do that, I chose to keep the two counties whole in this particular case and then coming through Central Pasco County can be difficult with those census block lines I talked about before. There really is not a good divider line kind of in between the eastern population centers of Zephyrhills and Wesley Chapel and the -- on the coast with like

New Port Richey in between, which where we know people have grown and people have moved to, at the census block level, there really is nothing there at the moment.

So trying to find a dividing line through Pasco County is sometimes difficult. I chose to use I-75 during almost in the entire length all the way from the northern side to the southern side of the county. And then within Hillsborough County, again, using I-75 and other major roadways to come up with as vertical an orientation as I could for the division between those 2 districts. And that, Mr. Chairman, is the map.

MR. REDONDO: Thank you, Mr. Pareda. All right. Members, at this time, we're going to go into questions. Again, if you're going to direct a question to a specific question, just please let me know, but other than that, Ranking Member Antone.

MR. ANTONE: Thank you, Mr. Chair. Can I make a motion?

MR. REDONDO: Sure. What -- what -- what's the purpose of the motion?

MR. ANTONE: Substantive motion that we put all of the witnesses under oath.

MR. REDONDO: So Representative, I'll tell you that, you know, we -- typically, it's a -- a highly unusual thing to do and only is typically done when there's a question as to the voracity of the -- of the person speaking. I don't think there's any questions in this case.

So if you'd like to make that motion, we could certainly vote on it. I don't think it'll pass, but if you'd like to make that motion, you're free to do so, I just -- you know, if -- we have time for questions, but we could certainly make that mo- -- or we can hear that motion if you'd like.

MR. ANTONE: All right. Thank you, Mr. Chair and I'll make it real quick. You know, as you know, this redistricting [inaudible] by pretty much everyone at the generational event. There's a lot we are learning here today about a very important piece of legislation, the district maps, that we have not had much time with and cannot afford to get wrong.

We need confidence the information we're

being given is complete, true and accurate. Our constituents deserve nothing less and we, as a Legislature, deserve nothing less. Therefore, as provided by House Rule 7.20, I move that we place the individual or individuals presenting the governor's maps today as well as any other state office employee or their agent advocating on the map under oath, as provided by the law.

And here's a sample oath, do you solemnly swear or affirm that the testimony that you're about to give to this committee is the truth, the whole truth and nothing but the truth so help you God? Thank you, Mr. Chair.

MR. REDONDO: All right. Members, we have a motion. All those in favor of the motion, say aye.

MEMBERS: Aye.

MR. REDONDO: All those opposed say no.

MEMBERS: No.

MR. REDONDO: All right. The no's have it, the motion fails. All right. Members, again, are there any questions? Yeah. Representative Chambliss.

MR. CHAMBLISS: Thank you so much, Mr.

Chair. I want to kind of talk kind of the process of this, if you will. I wanted to ask why we are having the opportunity to get so much information with such little time. Was there any opportunity for us to get this data and/or have access to this presentation in a more timely manner being that we're expected to vote on it tomorrow?

MR. REDONDO: So -- Mr. Pareda. To the extent that you have an answer, you're free to give it. I mean, Members, I'll just ask that, again, obviously, the purpose of the questions are supposed to go to the bill and the maps, of course. If you have an answer, Mr. Pareda, you're -- you're free to give it.

MR. PAREDA: Thank you, Mr. Chairman. I don't have any control over the legislative committee process or when the special sessions were called and all of that.

MR. REDONDO: Follow-up.

MR. ANTONE: Yes, sir. Thank you, Mr. Chair. For example, I was part of the legislative redistricting process back in 2022. The public had

ample time to give input, there was a map drawing app that was on the House website, the public was -- had the opportunity to submit their own maps by using that.

It was a lot more opportunity for us to not only see maps. As a matter of fact, if I recall, there were actual multiple maps that were presented as options. Why are we only -- why -- why are we not using that same process?

MR. REDONDO: So Representative, I'll just say I mean, look, I -- I -- I understand your question, again, I don't think Mr. Pareda is in control of that issue and -- and I think some of that certainly is -- you can certainly make that -- those points in debate, but I would ask that if you have questions, at least for Mr. Pareda, certainly that they're limited to his presentation, the maps, the process of how he did it, things like of that nature.

Otherwise, certainly, in debate, I'm going to give everybody ample time to debate if they need it, but if you have any questions, again, on presentations or for the bill sponsor, please, you

know, feel free.

MR. ANTONE: For clarification, Mr. Chairman, so questions need to be based on the map process or the map drawing process?

MR. REDONDO: Well, just to the extent that there's questions about why we're here, the timing, things that are, again, not -- certainly not within Mr. Pareda's control or Mr. Jazil's control.

MR. ANTONE: Okay.

MR. REDONDO: I -- I would just say that's probably great for debate if you want to make those points there, but at least for Mr. Pareda and -- or Mr. Jazil or, you know, Represtenative Persons-Mulicka, we limit it to the bill, the -- the maps, the presentations that we've heard, I think that's the purpose of questions.

MR. ANTONE: Thank you, Mr. Chair. And I'd like to redirect to some more of the -- I'll start with the map drawing decision-making as far as data use. So I heard -- excuse me, correct me if I'm wrong, we're using the 2020 Census data; is that correct?

MR. REDONDO: You're recognized, Mr. Pareda.

MR. PAREDA: Mr. Chair, the -- the census data that was used from -- was from 2020.

MR. REDONDO: You're recognized.

MR. ANTONE: And so are we using any additional indicators of population growth and also, of population movement?

MR. REDONDO: You're recognized, Mr. Pareda.

MR. PAREDA: Thank you, Mr. Chair. Yes. As I mentioned before, we have to balance all of the districts using the 2020 Census redistricting files and all of the census blocks I talked about before. So they're all balanced using that.

Now, the population growth data that I had mentioned during my presentation, that's from the EDR Office, the Economic Demographic Research Office for the Legislature that gets its data from the U.S. Census Bureau and the University of Florida. They work in conjunction to do population estimates.

The U.S. Census Bureau, they conduct the American Community Survey, which is something they do on an annual bas- -- basis where they survey 1 to 3

percent of the U.S. population to get a sense of where populations are growing in every state, including Florida. Although that data is not directly inputted into any of the redistricting applications because they're just estimates, they don't get down to the granular level that we need to draw districts with to achieve population equity, but we can know, especially on a county level, what counties are growing, what counties are not and -- and how they are comparing to the state average and things like that.

And we can try to take that into account when we reorient the districts, but they still have to be balanced using the 2020 population and census geography.

MR. REDONDO: Follow-up.

MR. ANTONE: Thank you, Mr. Chair. So when we're looking at population growth by county, are we looking -- and -- you know, and it's been well stated by several members of the Legislature, I mean, it's -- it's something that we're proud of, of the population growth of the state of Florida.

Are you familiar with the estimated population growth of the state of Florida just for -- for -- for the purpose of these questions?

MR. REDONDO: You're recognized, Mr. Pareda.

MR. PAREDA: Thank you, Chair. To the extent that the EDR Office publishes its information, the last one, I believe, was from July of last year that used the population estimate data from April of last year. So it's about a year old, but I'm -- I'm somewhat familiar with that, if that's what you're asking.

MR. REDONDO: Follow-up.

MR. ANTONE: Thank you, sir. From -- I think I've heard numbers close to 700,000, in that range. Am I off or have you heard similar numbers or -- or less -- or less than that?

MR. REDONDO: You're recognized, Mr. Pareda.

MR. PAREDA: Thank you, Mr. Chair. Are you referring to the state as a whole or a particular county?

MR. ANTONE: The state as a whole. I'm sorry.

MR. REDONDO: You're recognized, Mr. Pareda.

MR. PAREDA: So in -- according to those estimates, as a state as a whole has grown by about 8 1/2 percent, exactly 8.55 percent according to those estimates according to last April of last year, which is 1.841 million more people have moved to Florida. So the estimated population used to be, according to the census date of 2020, 21,538,187. Now with the estimated change, it's 23,379,261.

MR. REDONDO: Follow-up.

MR. ANTONE: Thank you, Mr. Chair. I noticed that we still have only 28 Congressional districts. Based on that growth, as you were making decisions drawing the maps, was there any consideration to adding another Congressional district?

MR. REDONDO: You're recognized, Mr. Pareda.

MR. PAREDA: We have to abide by the apportionment counts that the U.S. Census Bureau provides to every state. So we do not have the ability to -- there's only 535 representatives in Congress, 435 in the House of Representatives and the U.S. Census Bureau is the one that distributes those

seats using the method of equal proportions to all 50 states.

So they tell -- they tell all of the states -- they tell Florida how many Congressional districts you have. So we don't have the ability to adjust that number.

MR. REDONDO: Follow-up.

MR. ANTONE: So we talked about population growth. I then want to talk about population mobilization -- mobility -- population mobility, moving from one place to the other. Just to give a pretext of it, if anybody has driven to the Keys in the last couple of years, you know that South Dade, just as an example, has grown exponentially.

These are not necessarily new residents to the state of Florida, these are people who are moving from one place to the other based on affordability issues, you know, more affordable housing or based on the lack of, you know, inventory for housing; right? So do we have any model that would be able to account for population mobility?

MR. REDONDO: You're recognized, Mr. Pareda.

MR. PAREDA: Thank you, Mr. Chair. The population change figures by county that I referred to at the EDR. There's obviously more people in the state, but if people move from, let's say, Leon County to Miami-Dade or something like that, that would be reflected in the estimated population growth for Dade or if someone moves from Miami-Dade to Monroe County, that would be reflected in Miami -- or Monroe County's population growth.

So it'll take the kind of movement into account in addition to the overall growth that the whole state has seen either from births or people moving in from other states or other countries.

MR. REDONDO: Follow-up.

MR. ANTONE: Thank you, Mr. Chair. I'd like to shift the conversation and questioning to boundaries. I remember in the last process, a lot of -- a lot of time was put into making sure that when we were drawing boundaries but we were using existing infrastructure or existing municipal boundaries to help do that, does this map do a better job? Is this an improved version of that based on your experience?

MR. REDONDO: Mr. Pareda, you're recognized.

MR. PAREDA: Thank you, Mr. Chair. It does it in a consistent manner that it did before. Whether or not to keep a city whole or not is part of the traditional redistricting principles and that was applied here amongst all of the other redistricting -- traditional redistricting principles.

MR. REDONDO: Follow-up.

MR. ANTONE: Is there a term for that? Forgive me, I'm not -- I'm -- I'm not the lawyer in the room. Isn't there a term for how accurate we are in abiding by those infrastructural lines? Is -- is -- is there a map-making term for that?

MR. REDONDO: You're recognized, Mr. Pareda.

MR. PAREDA: Not exactly. Though, in our -- the Legislatures, as we program, there is the boundary analysis score and it'll give you a score, which is a percentage. So for each district, the percentage of its boundaries that follow, either waterways, roadways, counties, municipal lines and then a total score at the end lets you know how much of the total district follows one of those major

recognizable geographical features, whether they do major roads or anything else.

I know the average score for this particular map is almost 86, it's 85.7 percent of the boundaries of all of the districts in the map follow roadways, municipal lines, everything else. Specifically, if you give me a moment --

MR. ANTONE: Mm-hmm.

MR. PAREDA: -- I don't have an average, but that boundary analysis score will show you what the individual district scores are for cities, if that's the thing that you're specifically wondering about.

MR. REDONDO: Follow-up.

MR. ANTONE: Thank you, Mr. Chair. I guess my -- my question was, you know, based on the current map in existence to this map, does -- is this map an improved version based on that score?

MR. REDONDO: You're recognized, Mr. Pareda.

MR. PAREDA: I believe that this map is consistent with that analysis. I don't remember the exact percentage. I think there was a slight difference, but it's -- it's within the same

ballpark. They were both above 8- -- they were both between 85 and 90 percent, if I'm remembering correctly.

MR. REDONDO: Follow-up.

MR. ANTONE: Thank you, Mr. Chair. Again, going back -- I -- I know you -- we're not going to ask the procedural questions here in this format, but I am curious, because as I was listening to your presentation, a lot of the decision-making was discretionary. Were you the sole person drawing the map, was there a team of people? I'll start there and then --

MR. REDONDO: You're recognized, Mr. Pareda.

MR. PAREDA: I am the only person that drew this map. All of the decision-making processes for boundaries were made solely by me.

MR. REDONDO: Follow-up.

MR. ANTONE: In the 2020 process, wasn't there a team of you guys? I could've swore it was like more than -- I remember you, but I think there were multiple people who were involved in the map-making process; is that correct?

MR. REDONDO: You're recognized, Mr. Pareda.

MR. PAREDA: There was a -- a committee staff, yes, and primarily, it was me and one or two other people that were for -- for the House Committee was drawing maps.

MR. REDONDO: Follow-up.

MR. ANTONE: Thanks so much, Mr. Chair. So ge- -- going back to that process, because like I say, I was listening and there was a lot of discretion that was used. Is it fair to say that if someone else that was not you, another human being was drawing the map, that they could've come up with a different conclusion to provide the same out- -- excuse me, if the -- the -- could another person come up with a different conclusion and still be within the -- within the premise of map-making?

MR. REDONDO: You're recognized, Mr. Pareda.

MR. PAREDA: Map-making is a -- is -- is an art as much of it is a science. Any individual person, there's practically an infinite way of drawing redistricting maps. You move one census block, it's technically a new map. Those decision

points that I was talking about, any other person could -- could've made a different decision, but I'm the only one that made the decisions in this particular map that you see before you today.

MR. REDONDO: I -- I'm fine with the follow-ups, just want to make sure any -- if anyone else has any questions, I just want to maybe pass it around if that's all right and we can certainly come back.

MR. ANTONE: If -- if I could just finish this line and --

MR. REDONDO: Sure. Go ahead. And I just want to make sure other members have a chance as well, but go ahead.

MR. ANTONE: Absolutely. Thank you, Mr. Chair. And in the process, as you were creating the map, were you the sole person that saw your process, that saw the map as it was created? I have to assume that this was not a one-sitting event. Were -- were you the only person who saw it throughout the process or did you go and consult with anyone else as you were creating the map?

MR. REDONDO: You're recognized, Mr. Pareda.

MR. PAREDA: Thank you, Mr. Chair. I am the sole person that -- that drew the map. I'm not going to get into any of the internal discussions I had with other EOG staff during the process, but I'm the on- -- I'm the only person that changed any lines on the map or made any decisions about where the lines were for any particular district.

MR. ANTONE: I'll -- I'll release there.

MR. REDONDO: Okay. Any -- Representative Lopez. Yes.

MS. LOPEZ: Thank you, Mr. Chair. The proposed map appears to eliminate the current Tampa area and the Orlando Area District. Both districts contain large communities of color. What compactness and contiguity analysis does your office conduct and how does the elimination of this district satisfy the voting rights as requirement that minority communities retain an effective voice?

MR. REDONDO: You're recognized, Mr. Pareda. Mr. Jazil, if you feel the need, you can always jump in.

MR. PAREDA: Yeah. I can -- I can let Mr.

Jazil speak more to the legal aspect of it, but as I mentioned before, I drew this map in a race-neutral manner and did not consider race statistics for any districts.

MR. REDONDO: Ladies and gentlemen, I'm going to just remind everyone here, okay, we're -- we're in the House of Representative, I would ask, as a courtesy to everyone, and again, I -- I assure you you will have my personal commitment that I will be courteous to all of you when we do public testimony, I hear the laughter, I assure you it doesn't help.

All this is doing is taking away time from the questions and eventually the public testimony. So every time I have to stop to address this we're losing time. So I would just ask that everyone, please maintain decorum, you will have an opportunity to speak if you fill- -- filled out a -- a comment card and I'd like to give as many of you as I possibly can the chance to do that, but the longer I have to keep doing this the less time there is for that. So please, again, I'd ask that we maintain decorum. Follow-up.

MR. LOPEZ: Thank you, Mr. Speaker. How many municipal -- municipal boundaries and county lines does this proposed map split compared to the 2022 map?

MR. REDONDO: You're recognized, Mr. Pareda.

MR. PAREDA: Let me look through my numbers here real quick. So as I mentioned at the beginning, there are 48 counties whole, which means it splits 19 counties. I believe the benchmark map split 17 counties. For cities, I believe the benchmark map split 16 and this one splits 30 where it keeps 382 whole.

MR. REDONDO: Follow-up.

MS. LOPEZ: A follow-up for the same question.

MR. REDONDO: Yeah.

MS. LOPEZ: The Fair Districts Amendments require that districts be drawn to keep political and geographical boundaries intact where feasible. Can you provide that comparison today?

MR. REDONDO: You're recognized, Mr. Pareda.

MR. PAREDA: During my presentation, I

talked about how I tried to balance all of the different criteria including that and where feasible, I did keep municipalities and counties whole where I could. You can see throughout the map that there are multiple districts with whole counties or districts within counties and/or instances, like in District 19, keep -- trying to keep Fort Myers whole.

I did try to apply that principle mixed with all of the other redistricting principles throughout the map where feasible.

MR. REDONDO: Follow-up.

MS. LOPEZ: Thank you, Mr. Chair. I -- I just have to ask who is the person in charge that I can ask questions, I can do it in the next round if you allow me, related to fiscal responsibility and taxpayer protection?

MR. REDONDO: Is that a question for me, Representative Lopez?

MS. LOPEZ: For them from the group --

MR. REDONDO: Okay.

MS. LOPEZ: -- who is the person who can answer that -- those types of questions related to

this process of redistricting.

MR. REDONDO: To the extent, Mr. Pareda, that you have an answer for that, you're welcome to give one. I would say that I think the questions for Mr. Pareda and Mr. -- Mr. Jazil are obviously limited to their presentations. If you have an answer, Mr. Pareda, you're free to give one. If not, that's fine.

MR. PAREDA: Thank you, ma'am. I'm just here presenting the map that I drew on behalf of the Executive Office of the Governor. I don't have any information regarding anything else.

MS. LOPEZ: I mean --

MR. REDONDO: Yeah. You're recognized now.

MS. LOPEZ: -- and related to the legal aspects is -- is you or -- or the other gentleman?

MR. REDONDO: Mr. Jazil is -- do you have a question, Mr. Jazil?

MR. JAZIL: No.

MR. REDONDO: Okay. You're recognized.

MS. LOPEZ: Mid-decade redistricting is exceedingly ra- -- rare. Can you cite the specific statutory or Constitutional provision that authorizes

this Legislature to redraw maps that occur after already been drawn in 2022?

MR. REDONDO: You're recognized, Mr. Jazil.

MR. JAZIL: Thank you, Representative. It -- it is rare -- thank you, Representative. It is rare, but it's not prohibited. I note that Florida has a history of mid-cycle redistricting. The 1885 Constitution, which was in place until the 1968 Constitution replaced it required redistricting after the 5th year following a decennial census.

So you are exactly at the midpoint. Also, there is a long history of Florida having special sessions, redistricting sessions, etc. Governor Collins, when he was in office, I -- I -- and the historical record may correct me, but my recollection is that they were redistricting efforts constantly his entire term there.

The 1960s there were redistricting efforts often. So there is a long history of redistricting efforts being held mid-cycle both as a Constitutional matter because of the 1885 Constitution and other circumstances and there is, again, no prohibition in

the state and Federal Constitution when it comes to mid-cycle Congressional redistricting.

MR. REDONDO: Follow-up. You're recognized.

MS. LOPEZ: Senate President Albritton's April memo confirmed that the Governor's Office, not the Legislature, would be drawing the maps. I'd like to know at what point did the Legislature's Select Committee on Congressional Redistricting formally vote to sit the authority and is there a written record of that delegation?

MR. REDONDO: So Representative, that's obviously a question regarding what this committee did or didn't do. You're a member of this committee; right?

MR. ANTONE: Mm-hmm.

MR. REDONDO: And so we all are in this committee. If you have questions for Mr. Jazil or Mr. Pareda with respect to, again, the presentations, the maps, but I don't think that's a question that's appropriate for either of the witnesses. Anything else?

MS. LOPEZ: Just one more.

MR. REDONDO: Yes, please.

MS. LOPEZ: Thank you, Mr. Speaker. Under normal -- normal redistricting cycles, the Legislature holds public hearings as maps are developed. The Governor's Office drew these maps internally and released them the night before the special session begins. Can you explain how that process is consistent with the separation of powers outlined in our State Constitution and where exactly does it grant the Executive Branch's authority to draw legislative maps?

MR. REDONDO: Mr. Jazil, you're -- you're recognized [inaudible].

MR. JAZIL: Thank you, ma'am. So Florida, as you rightly note, has an expressed separations of power provision in Article 2 Section 3. That provision needs to be read with the other provisions of the Florida Constitution. The Florida Constitution is very specific that the governor has no role when it come to legislative reapportionment.

So apportionment of the House and Senate districts, however, the Congressional process does

contemplate the governor being involved, there is no expressed exclusion of the governor from the Congressional redistricting process as there is for the state legislative processes.

MR. REDONDO: Follow-up.

MS. LOPEZ: Thank you. I'm good.

MR. REDONDO: Okay. Ranking Member Antone.

MR. ANTONE: All right. Thank you, Mr. Chair. Real quick, how many people -- what's the population of each of the newly-proposed districts? Because I know you mentioned 769,221 for the current districts, but has that number changed for the newly-proposed districts?

MR. REDONDO: You're recognized, Mr. Pareda.

MR. PAREDA: Thank you, Mr. Chair. As I stated before, because I had to balance everything using the 2020 Census redistricting dataset and all the geography, every district in the map is 769,221 people exactly except for 1 that is 1 person under that number.

MR. REDONDO: Okay. Follow-up.

MR. ANTONE: All right. Thank you, Mr.

Chair. So I want to just move toward the issue of race. A couple of things, you talked about Article 3 Section 20, you talked about race being a predominant issue here, you talked about the use of race in drawing districts is an involving area of law, you mentioned Louisiana versus Callais -- Callais, whatever it is.

And so I guess my question here becomes did you draw these maps based on the decision you think the supreme court may make regarding Louisiana versus Callais?

MR. REDONDO: You're recognized, Mr. Pareda. And to the extent you need Mr. Jazil or --

MR. PAREDA: Yeah. I think Mr. Jazil --

MR. REDONDO: Yeah.

MR. PAREDA: Yeah. Jazil, excuse me.

MR. JAZIL: Thank you, Representative. It's in part based on the decision that might come out of Callais. However, I also note that it's also in response to the Florida Supreme Court's decision in the Black Voters Matter case from 2025.

The two walk in tandem but they walk

separately and the decision in BVM in 2025 talked about how the Fair Districting Amendments can't be a compelling interest, Callais is dealing with the issue, which is frankly a tougher issue when it comes to the VRA, the Voting Rights Act, because of the things we discussed about the 15th Amendment, but it is not wholly dependent on Callais coming out a certain way.

MR. REDONDO: Follow-up.

MR. ANTONE: And thank you, Mr. Chair. So does that mean you're totally discarding Article 3 Section 20 in drawing these maps or are we not dealing with compactness and not diminishing minority voters or --

MR. JAZIL: So sir, my -- my legal --

MR. REDONDO: You're recognized, Mr. Jazil.

MR. JAZIL: -- sir, my legal analysis that I laid out is you do not need to take it into account, however, whether it was taken into account is a question for Mr. Pareda as the map drawer, and he can walk you through what he did and how he did it.

MR. REDONDO: Follow-up.

MR. ANTONE: Thank you, Mr. Chair. So I'm going to just move to the maps. I mean, I -- I wish we had a side-by-side comparison to what the -- the current map looks like versus the newly-proposed map, because again, with only having 24 hours to review these maps, I mean, it's just kind of difficult and this is my first time dealing with redistricting.

So I noticed some -- just some major significant changes in how the districts were drawn. It looks like you used District 19, which is, I guess, Brian Mast's district, as the center of the world -- center of the universe and then you go to District 10, which is in Orange County, I think you said it shifted east, but it looks like it shifts west.

District 8, I think, shifts west. District 16 appears to be just a major reconfiguration. District 22 shifted west. District 9 shifted west. I mean, why are we -- you may have explained this, but why are we making such dramatic changes to the configurations of -- of the -- the current maps?

MR. REDONDO: You're recognized, Mr. Pareda.

MR. PAREDA: Thank you, Mr. Chair. As I mentioned before, particularly in South Florida, because I drew this map in a race-neutral way, Congressional District 20, which was a district drawn predominantly with race down in Palm Beach and Broward County, that changed how all of the districts in South Florida could be configured, when then had a ripple effect throughout much of the map up until you get to Orlando and Tampa.

And then north of that, I did not have to make any changes, but because of what I said earlier with that population equity that has to happen with Congressional redistricting, when you change one district, particularly one district that had a large impact on how the southern districts were configured, it -- you could make -- start to make a lot of different decisions throughout the map that had a ripple effect throughout it.

MR. REDONDO: Follow-up. You're recognized.

MR. ANTONE: And thank you for your patience here and thank you for -- for your answer. So the -- the transmittal letter from the governor says the map

was redrawn because the Fair Districts Amendment is Unconstitutional under the United States Constitution. And so I'm curious if you know whether the Legislature agrees with that position that's stated in the transmittal letter.

MR. REDONDO: Mr. Pareda, to the extent -- I mean, I would just say, Ranking Member, that obviously, again, Mr. Pareda's role here, I think, is to talk about the map itself, the process of how he drew it, Mr. Jazil may have a comment, but really, at least if the question's directed to Mr. Pareda, I think if you have a question on the map, specifically as you have, I think that'd be more appropriate.

MR. ANTONE: I'll try to make the necessary corrections. Thank you. So is it your contention that the -- the newly-proposed maps do not need to take into consideration race or compactness?

MR. REDONDO: You're recognized, Mr. Pareda.

MR. PAREDA: So I'm presenting this map to you to the Legislature for your consideration on behalf of the Governor's Office. Ultimately, it's up to the Legislature to decide the answer to some of

those questions. Now, I drew this map using race-neutral practices, meaning I did not consider race.

I did consider compactness on some of the other what would be considered traditional redistricting principles throughout the map, compactness included, which is why you can see me trying to keep districts as compact as I can or keep counties whole or use all of those other principles that used to be part of what we would consider to be tier two along with a lot of other redistricting principles that kind of come into the equation.

So you -- I think I did include compactness and all of those other principles. The only one I did not do while drawing this map is consider race at all.

MR. REDONDO: Follow-up.

MR. ANTONE: Thank you, Mr. Chair and thank you for that answer. So you just mentioned compactness and -- and again, I mentioned some of the districts that had changed significantly and it looks like you -- you veered away from compactness on maybe District 16 and -- and I can't even think of which

other district it is right now, because again, I don't have that data in front of me, but it looks like you ventured away from compactness.

I mean, districts went from like this to this and that, maybe District 16 and some of the others, I see District 15, 16 and again, I'm just trying to go through what I've been provided, District 9 changed significantly, District 8 may have changed, because it went from the coast and it went further east -- further west, which appears to be veering away from compactness.

And again, I'm looking at District 20 and it almost seems like District 20 went from here and it went north totally. Am I getting that wrong? Am I interpreting your map wrong?

MR. REDONDO: You're recognized, Mr. Pareda.

MR. PAREDA: Thank you, Mr. Chair. I think -- first of all, step back and kind of look, when you're dealing with redistricting unlike you can -- you can pick and choose particular districts and compare them, you need to look regionally or really, in this term where you're talking about it, you need

to look globally at the entire map and how compactness --

Because compactness may have improved for one district, may have gone down slightly in another, but in the aggregate, it's all consistent and similar. As I mentioned to you before, the compactness averages are consistent with the enacted map. Now, there might be individual districts that have gone up or down.

For example, you mentioned some that you think have gone down. District 18 in the newly enacted map, which is almost entirely within Polk County and is almost a circle, is a very compact district compared to the District 18 that existed in the enacted map, which went from Polk County all the way down to Hendry County.

So it's just a difference, some districts may have improved, some districts may have gone down, but instead of looking at an individual district comparison, because we're looking at an entire map and in redistricting, it's one of those processes where, you know, U.S. Legislators or people who are

from certain areas are going to look at their area, but as a map drawer, I have to look more globally as how a region comes together or how the whole map comes together, because as you can see, making some decisions in South Florida may impact Tampa or Orlando.

So you have to look at things a little bit more globally. And something that we've always used as a synonymous for compactness is keeping counties whole, which a lot of those rural counties in the middle which ha- -- were going to be very large because they're less densely populated than some of the more urban counties on the coast, including them with some districts is going to inevitably create a district that's either longer or taller than other districts simply because the populations in those counties are -- are less dense.

So in order to include the entire county rather than splitting it up to try to make some shapes that may look more visually appealing are using the current political and geographical features that we have in our state.

I wish Florida was a box where things like this might be a little bit easier, but part of what makes Florida great is that it's on the coast and we have a variety of geographies throughout the state, but that does make building districts, particularly with the county lines that we have sometimes or the rivers or islands or bays -- can make drawing districts more complicated.

MR. REDONDO: Follow-up.

MR. ANTONE: Thank you, Mr. Chair. And again, thank you for your patience, I've just got a lot of questions here, because like I say, this is all new to me. And this might be a legal question, you talked about the history of mid-decade redistricting and I know of three instances maybe in the last 20 or 30 years when the Legislature has redrawn districts and that might've been 2014, maybe once back in the '90s, maybe once back in the early 2000s to deal with Corrine Brown.

But it seems like we have not done any mid- dis- -- mid-decade redistricting since 1970 and I think somebody mentioned something about the

Constitution Revision Commission changing something from every five years you could redistrict. So again, can you just take me back through the history, what prompts this mid-decade redistricting effort?

Because I have seen quotes in the paper, population shifts, this needs to look like Florida today, but I'm just trying to -- just trying to wrap my mind around what is the trigger point here?

MR. PAREDA: Mr. Chair, I'd like Mr. Jazil to --

MR. REDONDO: Sure. Mr. Jazil, you're recognized.

MR. JAZIL: Thank you, Representative. And just to back up for a minute, our modern Constitution really came about in 1968. Before that, we were operating under the 1885 Constitution and the 1885 Constitution required redistricting in the 5th year following the census. So if you're thinking about it, 5th year following a 1- -- census every 10 years is the very midpoint. So that's part one.

Part 2, in the '50s and '60s, the state, as you know, is changing a great bit and there were some

reformed governors who were clashing with the Legislature. And so there were a lot of redistricting efforts that were going on there. The 1950s, especially Governor Collins and the Legislature did not get along terribly well.

And so as I recall, the entire portion there was redistricting going on Governor Collins even asked the Florida Supreme Court for an advisory opinion, as Governor DeSantis did. So that is some of the historical record and as you move forward, the '60s, '70s, '80s there are always conflicts coming about on how to do redistricting.

Some of those were remedial redistricting efforts. So if a court strikes something down, then the Legislature meets again and gets the first crack at doing the redistricting. That's what I believe you were referencing with Congresswoman Corrine Brown. I hope that answers the question, sir.

MR. ANTONE: It did.

MR. REDONDO: And Ranking Member, just before you go, I just want to just remind everybody that, you know, we have quite a few public testimony

cards. I want to give as much time as possible to allow the public to speak here, but I can already tell you based on the number of cards, we're -- we're -- we're not even going to have a minute for everyone.

So I'm happy to do some more questions, but I -- I just want to be cognizant of that. I -- I recognize many people have probably traveled from other parts of the state and I know we didn't have the public comment previously. So I am -- I just want to make sure we're all aware of the -- of the clock as we do -- we're coming up about an hour and a half left. You're recognized.

MR. ANTONE: All right. Thank you, Mr. Chair. And I'm going to -- I'm going to ask maybe two or three more questions, then I'll -- I think it's important to hear from people, because there hasn't been any public input. So the Constitution, I believe, says that the Legislature shall draw new districts, reapportion and redi- -- new districts after the census.

So I guess, if -- if you could just answer

this question, if the maps are coming from the Governor's Office, what role is the Legislature playing in drawing new districts? Are we actually playing a role in this other than me asking questions and then we vote today or tomorrow on this?

MR. REDONDO: You're recognized, Mr. Jazil.

MR. JAZIL: Representative, I can't answer some of the normative is this good, is this bad, should this happen, should this not happen parts of your question, but I will note this, Article 3 Section 16 says that the Legislature has the exclusive prerogative to draw and consider the Legislative districts.

Again, I simply note that the Florida Constitution does not prohibit the governor from being involved and part of being part of the process when it comes to Congressional districts, he obviously has, from a Constitutional perspective, the ability to review whatever this body passes, consider it, veto it, etc. So from -- from just a legal perspective, that's -- that's where things stand.

MR. REDONDO: Ranking Member, yeah, you're

recognized.

MR. ANTONE: Two more. You know, I think between you all's presentations and whatever, many of the questions I had written down, you know, have been answered. I -- I just want to go back to this race thing in Louisiana versus Callais and Lousiana versus Callais deals with the Legislature drawing a second district --I hope I'm getting this right, drawing a second district after the court ruled that they had to go back to the drawing table.

And so it almost seems to me, somebody who's not an attorney, that the Louisiana case revolves around whether it was legal to draw a second district for black people using race. I'm not sure how that applies to Florida, maybe you can help me understand, because say, District 20 has always been considered a black district since 1992 redistricting.

So in Florida, we're not drawing a new black district and we're not drawing a new Hispanic or Asian or Hasidic district. This seems like these maps we are looking at here take away from what we already have and I think Section 2 of the Voting Rights Act

deals with not taking away, not diminishing, same thing as the Fair District.

So help me understand how these maps are legal in today's world if we -- if we're using Section 2 of the Voting Rights Act and Fair Districts in Florida Co- -- help me understand how these maps are legal.

MR. REDONDO: You're recognized, Mr. Jazil.

MR. JAZIL: Thank you, Representative. And just to take your question in part, starting with Callais, you're absolutely right, Callais dealt with creating another black-performing district, the second one, and what happened there was that Louisiana was sued under the Voting Rights Act and the argument was made that there should be a second black-performing district.

Louisiana lost at the preliminary injunction stage and then Louisiana went back, their Legislature created a second district.

What happened after they created a second district is they got sued again, this time for saying that hey, because you tried complying with the Voting

Rights Act, you violated the Equal Protection Clause and that is the conundrum that the court's dealing with at the U.S. Supreme Court in Callais, is trying to comply with the Voting Rights Act going to get you sued for violating the Equal Protection Clause?

And the other works too, if you say that you're trying to draw a race-neutral map, do you get sued for not complying with the Voting Rights Act or in Florida's case, the Fair Districting Amendment? And -- and that's what I believe your question's going to and our position at the Governor's Office legally is that look, this is getting a little overly complicated, this line between race consciousness and race predominance.

It's creating sort of a Hobson's choice for Legislatures where if you're trying to comply with one, you get sued for the other. And so the best way to do this is just to do this in a manner that's consistent with background Equal Protection principles, which are don't consider race, just don't divide people based on race.

Now, getting to the final part of this question, does this map comply with the Voting Rights Act? I don't know and here's why I'm saying I don't know, because at the end of the day, we haven't considered race. I don't know how this map performs for African Americans in Southeast Florida.

Say Callais goes the way the NAACP and others wish it to go and Section 2 is upheld, no changes and the law is the same. Now, we believe that is unlikely to happen, but let's say that happens, I don't know whether or not this map still performs for African Americans and still retains two black performing seats in Southeast Florida, because again, we didn't consider race.

But if the Voting Rights Act remains the same, it does not change, the Jingles Preconditions, which are used to decide whether or not you have a black community that's sufficiently compact and is a majority, that is a precondition. Once you set that precondition and you meet it, you do not need to draw a majority black district to comply.

And so even though there might not be a

majority black district, there might well still be two black performing districts in Southeast Florida and you would not violate the Voting Rights Act even if things don't change, but again, we've not considered race. I don't know how this map performs.

I'm not commenting on it, but I'm just answering your legal question, sir, and I hope I have.

MR. ANTONE: May I?

MR. REDONDO: Yes. You're recognized, Ranking Member.

MR. ANTONE: Thank you, Mr. Chair. This is the last question, thank you for your answer. So again, I wasn't here during the 20- -- 2022 redistricting, but I know that the Legislature, the House and the Senate, agreed on some maps which ended up becoming the B set of maps and the bill that passed and then the A set of maps were driven -- drawn by the Governor's Office.

And so my question becomes if the Governor's Office drew the maps that passed -- ultimately passed and was approved by the supreme court in 20- --

whenever that -- that case went to court, what's changed? What's wrong with the maps that were approved and drawn by the Governor's Office then versus today?

Because I don't think anybody in Florida has sued the state of Florida regarding these maps based on race or whatever. So what changed since then?

MR. REDONDO: Mr. Pareda, you're recognized.

MR. PAREDA: Thank you, Mr. Chair. I'm -- I'm sorry, sir, could you repeat the question? I was stepping out -- yeah.

MR. ANTONE: I mean, that's fair. Yeah. So going back to my question, 2022 the Legislature, the House and the Senate, agreed on their maps and the governor came back with his map. So the bill that was -- or the resolution that was pushed through the Legislature was two maps, A, the maps drawn by governor -- part A and then part B and the maps, I think, that were adopted were the governor's maps.

So I'm asking what has changed since the governor's maps were adopted in 2022? I mean, what prompts us to come back and change that? Is there a

lawsuit where somebody's suing the state of Florida or whatever based on these maps being drawn using race? I mean, what's the trigger point?

MR. REDONDO: So to the extent you can answer it, I'll -- I'll just point out that, again, you know, I think some of this stuff was initially addressed in -- by Mr. Jazil in terms of the legal bases or prohibitions or lack of prohibitions for doing a mid-decade redistricting, but Mr. Pareda, to the extent you have an answer, you can give it.

MR. PAREDA: Sure. Thank you, Mr. Chairman. I can say well, as I pointed out, the population estimates that we now have come in we know Florida has grown, we know Florida has changed since then. So trying to reorient the districts despite equalizing population using the 2020 Census data could, in and of itself, be a good enough reason to come back and do this.

As far as anything else goes, I'm not aware of that. I actually know that the Cubanos trial that I testified in, there was a Congressional case that was at issue with that particular case, but we have

not heard back on that. I don't think that that would necessarily be relevant, but -- but that's the biggest issue is the population growth.

MR. REDONDO: Thank you, Mr. Pareda. So Ranking Member, I'll recognize you, but again, I'll just that if we can, to the extent that you guys have debate or anyone has debate, we can certainly continue to express that, but I do -- we have over 100 cards and we will not have 100 minutes, I can promise you that.

So if we could try and just get to public testimony, but I'm happy to do as many questions as you'd like.

MR. ANTONE: Yes, sir. Mr. Chair, I'm actually to that point. Since all the other committees were cancelled today, this is literally the only thing I've got to do. So is there any way that we can extend this committee around taking that into consideration being that we do have so many comment cards and we do have so much renewed time?

MR. REDONDO: So I will say that the Rules Committee has not been cancelled and this -- this

committee does need to report out before that committee meets in order for us to be able to have the Rules Committee do its work. So if you'd like to make a motion, we can certainly go through that process, but I -- I -- there is no intention on my part to extend at this point. You're recognized. Yes.

MR. ANTONE: And Staff, you all help me out, you all know I don't make motions like this, but I would like to make a motion that we extend this committee by 30 minutes to give the public enough time to consider their input.

MR. REDONDO: Okay. We have a motion. All those in favor of the motion say aye.

MEMBERS: Aye.

MR. REDONDO: All those opposed say no.

MEMBERS: No.

MR. REDONDO: All right. The no's have it. So the motion fails.

MR. ANTONE: Call for hands, that was a little --

MR. REDONDO: If -- if you -- if two members call for it, we can do that, but again, I -- I -- I'm

just reminding everyone that this committee ends at 3:05. And so if you'd like to do that, we can certainly go through it.

MR. ANTONE: Thank you, Mr. Chair. I understand.

MR. REDONDO: Okay. All right. Members, are there any further questions at this time? Seeing no further questions we're going to start to move into public testimony. Okay. Members, we're -- or excuse me, members of the public, we're going to start with those who are waving. I apologize if I --

I'm going to try and go through these quickly so that we can get to those who actually want to make comments. So I'm going to be quick. If I mispronounce your name, I apologize in advance. We have Jonathan Burgess [ph] waving in opposition, Darryl Alfred [ph] waving in opposition, Joanne McBrooks [ph] waving in opposition, Charletta Sole [ph] wa- -- waving in opposition, Lawrence Ratcliffe [ph] waving in opposition, Ingrid Montgomery [ph] waving in opposition, Evangeline Watson [ph] waving in opposition, Vicky Pepper [ph] waving in

opposition, Na- -- Nadine Huey [ph] waving in opposition, Denise Webb on behalf of the NAACP waving in opposition, Brian Higgins [ph] on behalf of Indivisible Jax Riverside waving in opposition, Area Bartholemew [ph] waving in opposition, Peter Fitzpatrick [ph] waving in opposition, Dana Novack [ph] waving in opposition, Barbara DeVane on behalf of FL NOW waving in opposition, Ka- -- Kate Renchin, I believe, I apologize, on behalf of LWVPBC and the NAACP of West Palm Beach waving in opposition, Linda Bridge [ph] waving in opposition, Jessica Salano [ph] waving in opposition, Devon Vike [ph] waving in opposition, Nyla Monet [ph] waving in -- excuse me, on behalf of St. Johns County Democrats waving in opposition, Barbara Turner-Delist [ph] waving in opposition, Susan Horowitz [ph] on behalf of St. Johns County Democrats waving in opposition, Joey Areano [ph] on behalf of the League of Women Voters of Florida waving in opposition, Patric- -- Patricia Zeek [ph] waving in opposition, Robert Zeek waving in opposition, Rea Elcantata [ph] waving in opposition, Pamela Birch-Fort [ph] on behalf of the NAACP of

Florida -- Florida State Conference of NAACP waving in opposition, Brenda Phillips [ph] waving in opposition, Michelle DeLacruz [ph] waving in opposition, Monica Davis [ph] waving in opposition, Wayne Brody [ph] waving in opposition, I apologize, I think it's Elsie Solomon on behalf of the South, I think, waving in opposition, Mark Hegsted [ph] waving in opposition, Brenda Flornoy [ph] on behalf of the South waving in opposition, McKenzie Patterson [ph] waving in opposition, Samantha Bromfield [ph] waving in opposition, Emily Deliquias-DeSilva [ph] waving in opposition, Deselis Douglass [ph] waving in opposition, Taisha Guspie [ph] waving in opposition, Marvin Douglas [ph] waving in opposition, Theresa Guzman-Pudon [ph] waving in opposition, Reginald Daly [ph], I believe it is, waving in opposition, Zion Flobey [ph] waving in opposition, Jordan Boden [ph] on behalf of Planned Pa- -- Planned Parenthood Florida Action waving in opposition, Debra Morningstar [ph] waving in opposition, Wiliamson Seria [ph] waving in opposition, Gemille Davis [ph] on behalf of Black Voters Matter waving in

opposition, Chloe Scott [ph] waving in opposition, Asia Diaz [ph] -- excuse me, Asia Diaz waving in opposition, Casia Caroio [ph] waving in opposition, Nicole Estra [ph] waving in opposition, Karen Woodall on behalf of the Florida Center for Fiscal and Economic Policy waving in opposition and Michael Seth [ph] waving in opposition.

Those are the members of the public's waving in opposition. The rest are the members and I'm going to call you up. So Ladies and Gentlemen, what I'd ask you to do is you make your way promptly to the podium. Again, we're going to give you a maximum of a minute. Just the more time we spend, obviously, less time that you're -- everyone else will have to speak.

So if you have concluded your comments before then, please let me know, you can leave and also, if -- if your comments have already been said, you can wave in opposition or you can limit your comments as much as possible, but we'll start with Latoya Reed-Lewis on behalf of Equal Ground, NAACP.

And up next, if the following speaker could just come up to be ready, it's going to be Jessica, I

want to say, Bansom [ph] -- Bransom [ph], excuse me. So you could just -- Ms. Bransom, you can come up and -- and be waiting, but we'll start with, again, Latoya Reed-Lewis if she's present. Ms. Reed-Lewis. Okay. Well, I -- I -- again, I want to get to as many people as possible.

So Jessica Bransom, if you'd like to come up. Oh, thank you. Yes, please come up to the podium and then again, you'll have one minute. And then following Ms. Bransom will be Yen Bailey, you could just come up and sit right next to the podium so you can be ready when we go. Go ahead.

MS. BRANSOM: Good afternoon. Thank you so much. As a citizen of the state of Florida and a voting member of the Democratic Party, I believe in fair maps and I'm asking you, as a representative of all of us, to be fair in the process. The fact that your map removes potentially four Democratic Congressional districts says all that needs to be said, move from 8 to 4.

How is that fair. So I ask you to please take into consideration everyone who lives in this

state. Thank you.

MR. REDONDO: Thank you, Ms. Bransom. Again, Yen Bailey, if you're in the room, please come on up. And then Barbara, I think it's S. Harris [ph], if you -- if you're on deck, if you could please -- again, just make your way up if you're the next person to speak just so we can try and get through as many speakers as possible. Ms. Bailey, you're recognized.

MS. BAILEY: Hi. My name's Yen Bailey and I am a citizen of Florida and I'm also running for Congress. Let's just be real about what's going on here, these maps have clearly been drawn to get more Republicans into Congress. It violates our state Constitution, it disenfranchises voters and it's immoral as well as illegal. That's all I have to say. Thank you.

MR. REDONDO: Thank you. Barbara S. Harris and on deck we will have Matthew Grekalski [ph], I want to say, I apologize if I mispronounced that, if you could just make your way to the front. You're recognized.

MS. HARRIS: Hi. I'm Barbara Harris and I'm

from Polk County, Florida. I live in Congressional District 9. I've lived there in that district for the last 20 years or more and suddenly we've been moved into a district that literally separates us from the rest of our Polk County partners. I believe that you've disenfranchised our vote immensely.

The worst part is the SOE has already sent out our cards. So you are now going to create a situation where nobody is going to know where to go and vote, because everybody is going to be wrong in District 9. So I think that -- I really hope that you look at this deeply before you just say we're just going to get rid of millions of votes because we can.

It's in our Constitution and you're breaking our Constitution and I really hope that that doesn't happen. Have a good day.

MR. REDONDO: Thank you for your comments. Matthew, again, Grekalski. I apologize if I mispronounced that. And following Matthew we're going to have Colleen Can [ph], if you could just make your way to the front.

MR. GREKALSKI: Awesome. Only one minute to

talk about the feature of decades and decades of our Democracy. My name is Matthew Grekalski, I'm a voter from Orlando. I have to point out I think it's really sad, actually, because it seems like the governor thinks that the third Legislative Branch is not you guys but Fox News.

The map having the Gulf of Mexico is also pretty laughable, because I thought he forced her to transition a few years ago, like how he claimed that loving parents do to their tra- -- trans children to be the Gulf of America. The Governor's Office just said Alligator Alley, but let's be honest, it's a damn concentration camp that you're sending the same group of people that you're trying to dilute --

MR. REDONDO: Mr. Grekalski -- Mr. Grekalski --

MR. GREKALSKI: -- representation from today.

MR. REDONDO: -- excuse me, sir -- sir, I'm going to ask you to please be respectful in your comments. I'm going to give you your time. I'm stopping the time --

MR. GREKALSKI: [inaudible]

MR. REDONDO: -- sir, just give me a moment, I've stopped the time. I'm just going to ask that you please be respectful in your comments, you have about 20 more seconds. Please go ahead.

MR. GREKALSKI: So you're scared of black, Hispanic and young voters and you're scared, because the governor is about to be unemployed, but maybe he can find a job at Waffle House with his bestie James Fishback. You're scared, because the Trump administration is unpopular, because it's on a platform of deporting kids, bombing kids and trafficking kids. You're scared, because the president is a damn pedophile.

MR. REDONDO: Mr. Grekalski -- Mr. Grekalski, thank you for your comments --

MR. GREKALSKI: Democracy --

MR. REDONDO: -- thank you for your comments.

MR. GREKALSKI: -- decorum is not present when Democracy is broken.

MR. REDONDO: Mr. Grekalski --

MR. GREKALSKI: You have the blood of Democracy on your fucking hands.

MR. REDONDO: -- Sergeant, if you could please remove Mr. Grekalski from the --

[applause]

MR. REDONDO: Colleen Can and then following Colleen we're going to have Shannon Keever on behalf of Voices of Florida. You're recognized, ma'am.

MR. CAN: Okay. My name is Colleen Can. I'm from Davenport in Polk County. I came here to urge you not to redistrict Florida. It's against the Florida Constitution and it's nothing more than a partisan power grab and it will further disenfranchise your already vulnerable marginalized constituents. Thank you.

MR. REDONDO: Thank you for your comments. Shannon Keever, Voices of Florida and following Shannon Keever we're going to have Catherine Ashby [ph]. You're recognized.

MS. KEEVER: Good afternoon. To those of you

who are trying to protect Democracy, thank you very much. First off, let's stop calling this redistricting, it is gerrymandering, which has a negative connotation and that's why you don't want to use it, because it's cheating. I stand here not as a Democrat, not as a Republican, but as a citizen who values this 250-year experiment in Democracy and I'd like to see that continue.

In Democracy, voters choose their representatives, not the other way around. If you want to be elected, don't cheat. Do the work to listen to the people and then actually represent them. If you are -- if you care about your children being able to cast their votes, you will oppose this move, because you're incredibly na[illegible]ve to think that this won't come back to bite them in the future. Do the right thing.

[applause]

MR. REDONDO: Next up we have Catherine Ashby followed by Dr. Rich Templin. You're

recognized.

MS. ASHBY: Hello. I'm here to urge you to vote against HB 1. There is no new consensus -- or census data and no court order requiring new maps. Mid-decade redistricting is not prohibited, but redistricting to benefit a political party is. That is exactly what is happening here. The governor's rationale fails for three reasons.

First, even if the Fair Districts Amendment was deemed Unconstitutional, there is no legal requirement to redraw maps absent a court order. Second, the governor in this Legislature has no authority to declare a Constitutional permitted void, only the courts have that power and no court has ruled the partisan provision Unconstitutional.

Third, Callais has not been decided. The governor's entire rationale currently rests on conjecture. In fact, the United States Supreme Court in Rucho v. Common Cause cited the Fair Districts Amendment as a model for how states can address partisan gerrymandering and in the League of Women Voters v. Debts, the Flo- -- Florida Supreme Court

emphasized the importance of transparency in this process.

This process has been anything but -- but transparent and we all have a right to have representatives who support us and are elected by us. Thank you.

MR. REDONDO: Thank you. Dr. Rich Templin on behalf of Florida AFL-CIO followed by Larry Colleton on behalf of Florida Voters League in Orange County Branch [inaudible]. Sir, you're recognized.

DR. TEMPLIN: Mr. Chairman, you've got the hard job today, but thank you so much for your patience and -- and respect for everybody out here. The Florida AFL-CIO, you know, we represent probably about 400,000 Republican voters across the state of Florida. My phone started ringing yesterday when these maps hit Fox News and I would say 9 out of the 10 of the phone calls that I've -- I've fielded for members and local union leaders have been from Republicans and they're incredibly frustrated.

They like their Congress people, they like their districts and they do not understand the need

for these changes to be made at this point and I also will remind you that there -- there's a couple of us in here that were here over a decade ago when we did the last redistricting. This is not how it's done, it really isn't.

The -- the amount of data, the amount of information that we're all given when we look at these districts, the amount of public input is really a testament to Democracy and a testament to a deliberative body and that's not what we're seeing here today. For -- for those reasons, we would ask that you vote against these maps that -- that -- if -- if -- if mid-decedent redistricting is necessary, we can do it next year when it's not a charged political climate. We can look at the data --

MR. REDONDO: [inaudible]

DR. TEMPLIN: -- we can look at the shifts and -- and I just want to -- one more thing, if I may, one of the individuals probably most credited with you all being here today, Congressman Dan Webster, just announced that he's retiring because of what's happening right now.

MR. REDONDO: Thank you, Dr. Templin. All right. Appreciate it.

DR. TEMPLIN: Thank you.

[applause]

MR. REDONDO: Calling Larry Colleton, I apologize if I mispronounced that --

MR. COLLETON: Okay. It's --

MR. REDONDO: -- and then next we're going to have Reverend Reginald Gundy on deck, please. You're recognized, sir.

MR. COLLETON: Yes. Good -- good afternoon, Chairman and members of this committee. This is -- I stand in opposition of this proposed redistricting map. You all aren't doing your job. You were appointed to this committee -- this select committee to have discussions about it. We've had two meetings, no public comment and now you're here and you're not doing -- you didn't draft the -- the map, the governor did.

One person out of the so-called 23 million

people who live in this state, 1 person voted -- created it. Ms. -- Representative Antone, your two questions, what triggered this, the man at 1600 Pennsylvania Avenue triggered this. That's who triggered this --

[applause]

-- and the question is will the cult followers just fall in line and do?

[applause]

MR. REDONDO: All right. We -- next, we have Reverand Dr. Reginald Gundy on behalf of True SCLC Florida National followed by Jada Brown [ph]. Sir, you're recognized.

REV. GUNDY: Good afternoon. I want to cut to the chase, because most of the things I wanted to say they've said, but I want to say that it violates the principle of fairness, stability and nondiscrimination embedded in the Constitution and

Florida law. I want to commend those of you who were here last time we did this when you took my district away in Jacksonville.

It was the governor who called you in, you didn't really want to come in. This governor cannot do any hurt, harm or hinder you the rest of your life, he's gone and soon the president's going to be gone. I'm asking you to be the men and women of God and do what's right and say no governor this time, we need to leave things alone. That's all I ask you to do.

It's a moral and ethical issue and it's in your hands and you're going to have to answer to this someday in some way, some shape of some form. God bless you.

MR. REDONDO: Thank you, Reverand. Jada Brown is up next followed by Marshy Debralski [ph], I apologize -- Debralsko [ph], if I mispronounced that. You're recognized.

MS. BROWN: Thank you. Good afternoon. Thank you for the opportunity to speak. So I came before you all today not to just speak about lines on a

paper or a map but to ask you all to be held accountable and responsible for the decision that may take place. So redistricting is not just a technical exercise reserved for experts alone, it is one of the most powerful tools we have to shape whose voices are heard and whose are diminished.

I came before you today to say that the president is not the priest and the governor is not the God and I ain't scared of neither one of them. So we ask you this is not about partisan advantage, it is about legitimacy no matter who holds power today. The process we established will shape outcomes for years to come. Fairness cannot be conditional and it must be structural. Thank you.

MR. REDONDO: Up next, again, we have Marshy Debralsko, I apologize if I mispronounced that followed by Cor- --

MS. DEBRALSKI: I'm Marsha Debralski. Thank you, Chairperson and committee members. I'm from Casselberry, Florida in Seminole County. As you know, Seminole County is very bipartisan. We've -- I'm asking you to vote against redistricting and drawing

new maps. This is rushed and you need time to really do this right.

In 2010, I voted and my neighbors voted for the Fair Districts Amendment. Then in 2022, I was impacted and my neighbors were too by the governor's redistricting map. It caused inconsistencies in our school districts, our healthcare, nursing homes, infrastructure and water. I'm very into water and the Everglades and the springs.

I saw the new governor's map. Like many others, my phone and my texts and my email were off the hook, everybody was appalled and it is bipartisan politics that map. I also -- it impacts our people. I do elections and polling and this is going to confuse what district, what poll --

MR. REDONDO: If you could --

MS. DEBRALSKI: -- where are my candidates --

MR. REDONDO: -- if you could bring your comments in for landing, please.

MS. DEBRALSKI: -- who do I vote -- thank you. Please reject and no effort to re- -- redraw our

maps like in 2032. Thank you so much.

MR. REDONDO: Thank you, ma'am. Corrine Denman on behalf of Orland 50501 followed by Cynthia Slater on behalf of Florida NAACP.

MS. DENMAN: Hi. How are you? A lot of the things I was going to say have already been said. So I'm just going to simply say this, I am new to politics even though I've been voting since I was 18.

I never really understood issues, never knew the people, but I do understand what's happening now is that people are trying to take away our voice, not just my voice, but so many people in this state.

We work hard, we work hard for a living, we earn the right as being citizens to have our voice heard and I don't understand -- please help me understand why people would want to disenfranchise people and make confusion in voting and make people just so -- just not even want to participate because there is so much confusion and chaos out there. I just -- I ask you to consider -- really strongly consider voting against these maps. Thank you.

MR. REDONDO: Thank you. Cynthia Slater on

behalf of Florida NAACP followed by Beverly Ca- -- Cassias [ph] on behalf of Florida Rising. You're recognized.

MS. SLATER: Good afternoon. My name is Cynthia Slater. I'm from Daytona Beach, Volusia County, Florida. I am the second vice president for the Florida State Conference of NAACP Branches. The NAACP strongly oppose the new maps that has been presented. These efforts constitute racial gerrymandering and intentional discrimination against black voters.

These maps are partisan and illegal under Florida law and violate the 14th and 15th Amendments which prohibit intentional racial discrimination and protect the right to vote. The Florida State Conference NAACP advocate for strict adherence to Florida's 2010 Fair District Constitutional Amendment, which prohibits maps drawn with partisan intent or that diminish minority voting power.

The people delivered a mandate, not a suggestion to not draw partisan maps. Let me repeat that, the people delivered a mandate, not a

suggestion to not draw partisan maps. How can you sleep at night knowing that this decision is in your hands? Think about it. Thank you.

MR. REDONDO: Thank you. Beverly Cassias on behalf of Florida Rising, I apologize if I mispronounced that, followed by Victoria Miriam [ph]. You're recognized.

MS. CASSIAS: Thank you. My name is Beverly Cassias and I'm coming here from Orlando representative of Florida Rising. Today we heard how this map was created. It stated that it was created without race in mind, however, generally, Republicans are considered white people, Democrats are black people.

Unilaterally, this map was drawn to divide our votes. The fact is as a people as for Florida, 56 percent of the Florida people do not want this map, they don't, whether you're Democrat or Republican. Please -- Legislator, please vote with the people, say no to this, because the people are watching and we know who stands with us and who's against us. Thank you.

MR. REDONDO: Thank you. Victoria Miriam is up next followed by Lola Smith for Voices of Florida Fund and I'm just going to ask all members of the audience, I can already tell you we are going to run out of time, so if you -- if you have fewer than one minute or if your comments have already been made, you could please say that or you can wave in opposition. But ma'am, you're recognized.

MS. MIRIAM: Thank you. Hello, everyone. My name is Victoria Miriam and I'm from St. Petersburg, Florida and I'm here today, because I love this state. When you love something, you fight for it. I'm here to vocalize my strong opposition to the gerrymandering which I believe is being specifically designed to minimize my vote as a progressive voter.

With respect, I ask you to remember why we have given race a place in this conversation in the first place. If we don't protect our minority voters, we will suffocate their voice. I implore you to reject this inappropriate proposal. Thank you for your time.

MR. REDONDO: Thank you. Lola Smith on

behalf of Voices of -- Voices of Florida Fund followed by Si Day-Smith [ph] as well. You're recognized.

MS. SMITH: Hello. My name is Lola Smith and I am 15 years old. You all know that today's map broke the Florida Fair District Amendment which states no opponent plan or individual district shall be drawn with the intent of favor or disfavor a political party or incumbent. This law could lead to expensive court battles and many legal issues in the future.

This map threatens to weaken powers of communities -- weaken the power of communities of color making an unethical political move that silences voters in marginalized communities. So ask yourself should you support this horrible, illegal bill that only serves a few in power or do you want to stand up and vote no on these racist maps. Choose where you stand. Thank you.

MR. REDONDO: Thank you. Si Day-Smith, Voices of Florida Fund followed by Paul Seegan, you're on deck. You're recognized.

MS. DAY-SMITH: Hi there, I'm Si Day-Smith. Thank you for having us here today. I -- I would like to take just a second to ask every one of you for just a moment to look at the people behind me to be aware of the fact that they are spilling into the hallways. The people behind me that you have not made eye contact with they are here, because they are choosing to have faith in you that you care about their voice.

If they didn't believe that, they wouldn't have come this whole way to speak to you today. Please do not take that voice away. Your constituents have built relationships with you, they voted for you and they trust you and you have a responsibility to them. If your response is to throw them away, how do you think that that is going to affect your political careers?

Ron DeSantis wants to grow his own political ambitions from the graves of yours. Are you really willing to sacrifice your futures for that of a lame duck governor? I urge you all to fulfill your duties as elected officials and uphold the Florida

Constitution. Voters spoke in 2010 --

MR. REDONDO: Thank you.

MS. DAY-SMITH: -- when they voted --

MR. REDONDO: -- thank you for your comments, ma'am.

MS. DAY-SMITH: -- for the Fair Districts Amendments and they're speaking up again today. Please listen.

MR. REDONDO: Thank you. Thank you for your comments. Paul Seegan is up followed by Michael Cursten [ph]. You're recognized.

MR. SEEGAN: Paul Seegan, voter from the Osceola County, Florida, pastor of Iglesia Alianza and secretary of NAACP in Osceola County and the people are coming to me in both my church and NAACP meetings to say where am I supposed to vote with this redistricting and they feel like they have not a voice and so often choose not to vote and if you have Hispanics in your district, they're not going to vote for you if you vote for this redistricting. I urge you not to vote for this redistricting plan.

MR. REDONDO: Thank you. Michael Cursten is

up followed by Chadd Charland. You're recognized.

MR. CURSTEN: Thank you for letting us speak today. My name is Mike Cursten. I'm from Fernan- -- Fernandina Beach, Florida and I'm opposed to this. This isn't redistricting, this is a power grab. If you could win on policy, you wouldn't have to do this. Gerrymandering lets you pass laws that people can't vote against. This isn't about protecting voters, it's about protecting power and that is not Democracy.

MR. REDONDO: Thank you. Chadd Charland, followed by Quinn Diaz of Equality Florida. You're recognized.

MR. CHARLAND: Chadd Charland, Fernandina Beach, and running for State House in District 15. Politics by Fox News, political theater from an expiring governor to breathe attention into another humiliating run for president. I remind the legislators that redistricting and drawing congressional maps is your responsibility, your authority, not the governor's.

Introducing his map on cable TV on the eve

of this session without your consultation shows how unseriously he's taking this very serious issue. This is subjugation without representation. Politicians choosing their voters, not voters choosing their politicians.

Race neutral, try race neutralize perhaps. The map effectively neutralizes minority voters. 41 percent of Florida voters are registered republicans. The governor's new map gives 86 percent of Florida's congressional representation to republicans. 41 does not equal 86. And you should 86 this map.

MR. REDONDO: Quinn -- Quinn Diaz with Equality Florida, followed by Amy Keith from Common Cause. You're recognized.

MR. DIAZ: Thank you, Chair. Quinn Diaz from Equality Florida. Equality Florida opposes this map because it takes power from the voters and locks it in the hands of politicians. It is wrong to predetermine outcomes, to reduce competition, to protect those in power from accountability.

The result is fewer choices, weaker representation, and a government that answers less to

the people of Florida. And the harm is real. Floridians, especially those who are black and Latino, are harmed when communities are split or packed. Their voting power is diluted. Their ability to elect candidates of choice is weakened.

The coalitions that drive progress are fractured. That is not accidental. That is the design of this map. And it is exactly what Florida voters banned. Our constitution prohibits maps drawn to favor a political party or diminish minority voting power. Those protections exist for this moment, to stop this.

If voters are supposed to choose their leaders, this map cannot stand. We urge you to reject it. Thank you.

MR. REDONDO: Thank you. Amy Keith from Common Cause, followed by Kristen Robinson from the League of Women Voters. You're recognized.

MS. KEITH: Good morning. My name is Amy Keith with Common Cause Florida. This map is a slap in the face to the people of Florida. And you don't have to approve it. You can say no.

The people of Florida made partisan gerrymandering illegal when we passed the fair districts amendment in 2010. The people of Florida across party affiliations in poll after poll after poll have made it clear that they continue to oppose partisan gerrymandering today and they oppose this partisan mid-decade redistricting effort.

The people of Florida deserve to have a full voice and a transparent redistricting process. But they have been kept out of this process that has been conducted behind closed doors. The people of Florida deserve not to have their districts changed at the last minute before a midterm election.

They deserve an opportunity to know their districts, the people voting with them, and the people vying to represent them. The people of Florida deserve fair voting maps. They don't deserve to have their communities chopped up for the benefit of a political party.

Partisan gerrymandering is illegal in the state of Florida. And the people of Florida do not want it. Please vote no.

MR. REDONDO: Thank you. Kristen Robinson on behalf of League of Women Voters, followed by Rebecca Parsons.

MS. ROBINSON: Thank you, Chair. And good afternoon distinguished representatives. Thank you for having me here today. I am a volunteer with the League of Women Voters, organizing bipartisan, nonpartisan candidate forums.

I work with a lot of voters already in [inaudible]. And I can tell you, people are confused about what's going on. They don't know which district they're in. They're asking us a lot of questions. And this is going to make it worse.

My district personally is going to change with this map and create a lot of confusion when election information has already gone out. I've also spent 20 years working abroad on elections, democracy, open [inaudible], and open government. And I -- I did that because I believe in our country's democracy holding the highest standard possible.

It's the 250th anniversary of that democracy. And I think it would be a real shame to

put a -- a black mark on that reputation today here. Thank you.

MR. REDONDO: Thank you. Rebecca Parsons, followed by Aurelie Colon -- I can't read -- Larrauri. I apologize if I mispronounced that. Rebecca Parsons, are you in the room? No? Okay. Moving on, Aurelie -- I hope I didn't butcher your name -- on behalf of SPLC.

MS. COLON-LARRAURI: You did the first two correct. My name is Aurelie Colon-Larrauri, senior policy associate with SPLC. We in Florida, redistricting happens for two reasons, a new census or a court order. The census tells where people have moved. Per the constitution, the courts step in when something has gone wrong under the law. That's it.

Florida voters were clear about this in 2010. The four -- the fair district amendments were meant to stop politicians from picking their voters and to prevent maps from being redrawn for political advantage. The Florida constitution is clear. If these maps are redrawn for partisan gain, it will violate Florida law, waste taxpayer money, and

further damage trust in government.

To be crystal clear, if this wasn't about partisanship in congress, you'd also be redrawing the state legislative maps right now. But you're not. Because that has no bearing on the national conversation about the partisan control of congress after the midterm elections.

You don't have to do this. Our democracy depends on people in positions like yours choosing to follow the law even when it's inconvenient for party politics. Without a new census or court order, this comes down to the politics. And politics isn't a lawful reason to portray -- to redraw maps in Florida.

Please do the right thing, follow the law --

MR. REDONDO: Thank you.

MS. COLON-LARRAURI: -- and end this process immediately.

MR. REDONDO: Thank you for your comments. Paquita Leon, followed by Debra Courtney. And again if you're on deck, if you could just plan on making your way up just so we can maximize the amount of

time we have available.

MS. LEON: Hi. Thank you for taking my comment. I'm a resident and a voter, Pinellas County. And everybody has said so many great things. I just wanted to thank you all for having this hearing and giving us the opportunity to relay our displeasure with gerrymandering in Florida which is unlawful.

And if you want to call it mid-decade redistricting, it's unnecessary. It's wasteful. And it's unlawful. Please oppose gerrymandering in Florida. Thank you.

MR. REDONDO: Thank you. Debra Courtney, followed by Leslie Gruble. You're recognized.

MS. COURTNEY: Hi. I'm Debra Courtney and I'm from Jacksonville, Florida. And thanks again for letting me come here and speak before you. I got up at 4:30 this morning and took a very long drive to get here. So appreciate the opportunity.

My question for each of you is, why are you doing this? The people of Florida did not ask for this. If you see in this room, did anybody come up and testify and go, wow, I really love that map. No.

Everybody is saying, please don't do this. And I think those people understand that really what triggered this was a call from Washington.

So my question to you is, and my understanding is, you represent the people of Florida. The people of Florida do not want this. We passed the fair district amendment overwhelmingly by 63 percent. So two out of three people in this room and in the whole state of Florida don't want partisan maps.

So I'm asking you, who do you represent, the people of Florida or the folks in Washington? So please vote against this. Thank you.

MR. REDONDO: Thank you for your comments. Leslie Gruble, followed by Cotton Taylor. You're recognized.

MS. GRUBLE: Hi. I'm Leslie Gruble. I'm from Longwood, Seminole County. Redistricting mid-decade without new census data only allows best guesses or estimates, as our map banker said, which flies in the face of democratic principles and the will of the voters who are demonstrably against mid-decade

redistricting.

An Emerson College polling Florida survey conducted of this year said that 57 -- 56 percent of people are thinking that mid-district redistricting is bad idea. The Common Cause Noble poll also said that three in five or 60 percent of voters oppose allowing political parties to engage in mid-decade redistricting.

These are studies of what our people think in this state. Please listen to them. The state constitution says that districts shall not be drawn with the intent to favor or disfavor a political party. This map appears to favor one political party by projecting to remove only one --

MR. REDONDO: Thank you.

MS. GRUBLE: -- particular other party's members.

MR. REDONDO: Thank you so much for your comments.

MS. GRUBLE: Please vote no on redistricting.

MR. REDONDO: Cotton Taylor, followed by

Judy Sheklin on behalf of Jacks Now.

MR: TAYLOR: Mr. Chair, my name is Colton Taylor. Just want to say, this effort to redraw districts [inaudible] disenfranchise voters and to make sure republicans will stay in power. The governor is trying to reduce the freedom of Florida voters.

The governor knows he's failed the -- the people of Florida time and time again because of his inability to address affordability, healthcare, and how bad things have gotten with our environment. So it sounds like to me he figures, well let's just rig the elections.

The people of Florida are growing more and more tired of this leadership. More people are waking up to the fact their lives aren't getting any better under this leadership. And the governor is scared. I encourage you to vote against this and to keep Florida free. Thank you.

MR. REDONDO: Thank you. Ladies and gentlemen, I'm going to just try and ask that everyone limit their -- just because we have 40 cards

approximately left -- if we could try and limit our comments to 45 seconds, I would appreciate it just --

MS. SHEKLIN: I'll speed talk.

MR. REDONDO: Ms. -- you're rec- --

MS. SHEKLIN: My name is Judy Sheklin. I'm a voter from Jacksonville, Florida. Please vote no and oppose this mid-decade partisan redistricting. Floridians are hurting now financially. Exploding prices for healthcare, gas, insurance, housing, food. And this legislature is spending $50,000 a day on this special session and then another one.

The maps submitted by the governor is a partisan power grab. This process is unneeded. But if it's done, it should include public hearings, transparency, deliberations, and time, to consider the ramications [sic] of these changes by and for the people of Florida, not Fox News.

We have more than one branch of government in Florida. And the governor is becoming more and more of a dictator daily. Please do not let one man rule this state and challenge our democracy. Please vote against this map.

MR. REDONDO: Thank you. Terri Kondos on behalf of the League of Women Voters, followed by Erica Christo, also on behalf of League of Women Voters. You're recognized.

MS. KONDOS: Thank you. Hi. My name's Terri Kondos. I'm from Will Robinson's district, District 16. I came here today from Manatee County. I'm a retired senior executive, serving 38 years in Department of Defense in the US intelligence community, including a war in the -- a year in the Iraq war zone.

As such, I took an oath to the US Constitution to take all this very seriously, including yours, the Florida constitution and your duty to your constituents. The governor's position on non-severability of the fair districts agen- -- amendment is laughable, right. It's like throwing the baby out with the bathwater.

Punishing citizens for not anticipating a severability clause would be needed is ridiculous. You know what the voters intended. And you need to pay attention to that. I would hope that this body

would not so callously disregard voters' will.

MR. REDONDO: Thank you for your comments. Appreciate it.

MS. KONDOS: That's 45 seconds?

MR. REDONDO: 54 seconds. Thank you.

MS. KONDOS: Okay. What's happening in Manatee County is ridiculous. We're going from two counties to five counties --

MR. REDONDO: Thank you for your comments. Erica Christo on behalf of League of Women Voters, followed by Jason Thornton. And whoever's on deck, if you want to just come up and sit right next to the podium just to try and again get as many people as possible. Ma'am, you're recognized.

MS. CHRISTO: Hi. I'm Erica Christo. And I am with the League of Women Voters, Jacksonville First Court -- First Coast, as well as Nassau County's Nassau Forward. In 2010 Florida voters overwhelmingly voted to oppose partisan gerrymandering by passing the fair districts amendments. They enshrined it in the state constitution.

Please respect the will of Florida's voters, as well as the financial realities of its citizens. Florida's taxpayers are overwhelmed by rising grocery, insurance, housing, and utility costs. And they'd like their tax dollars to be used to address these urgent issues.

Taxpayers do not want their hard earned tax dollars to be used engaging in legal battles over gerrymandering, an issue that the voters already decided in 2010 --

MR. REDONDO: Thank you for your --

MS. CHRISTO: -- or on drawing maps based on speculative, rather than actual --

MR. REDONDO: Ma'am, thank you for your comments.

MS. CHRISTO: -- population data.

MR. REDONDO: Thank you so much.

MS. CHRISTO: Thank you.

MR. REDONDO: Jason Thornton, followed by Samantha Kaddis, on behalf of the -- the Cleo Institute. You're recognized.

MS. THORNTON: My name is Jason Thornton and

I'm a 17 year old high school student from Orlando, Florida. I'm here in strong opposition of mid-decade redistricting. I understand the sentiment behind this bill, as other states have been doing the same thing. But Florida should have the ability to do so. And I understand that. But we're not the same as other states.

You are taking the power from the people and quite frankly setting a negative connotation for new voters. Why vote if the elected officials in Tallahassee will just redistrict your county when the election gets close enough? No state should be gerrymandering or mid-decade redistricting as it strips the power from the people.

I urge you to take this into account when voting onward. Thank you for your time.

MR. REDONDO: Thank you. Samantha Kaddis, followed by Jessica Lowe-Minor of the League of Women Voters.

MS. KADDIS: Good afternoon. Samantha Kaddis, representing the Cleo Institute and a Tampa voter. I often come and speak at committees about

being an environmental steward, not building golf courses on our state parks.

But I'm here today -- today to tell you that everything I care about starts with voting. I care that every Floridian who is registered to vote in this state is able to access the ballot and have the right to that.

Just this past session, this body restricted voter IDs for young people by changing it to students can't allow -- aren't allowed to use student IDs to vote anymore. Two years ago this body passed legislation to make it harder for volunteers to collect petitions for constitutional amendments.

And I'll be out door knocking all summer, begging young people to try and vote. And a confused young person does not vote. And I am very fearful that this redistricting process will continue to make young voters more confused, and hence not turn out to the polls [inaudible] --

MR. REDONDO: Thank you so much for your comments. Thank you. Jessica Lowe-Minor, followed by Harrison Lundy, Voice of Florida Fund. You're

recognized.

MS. LOWE-MINOR: Good morning, afternoon. The League of Women Voters of Florida was heavily involved in the fair districts campaign to add clear redistricting standards to the state constitution in 2010. Those standards which prohibit partisan gerrymandering were passed by 63 percent of Florida voters.

Since then the League has continued to advocate on behalf of the state's redistricting standards. And we speak to citizen's groups regularly about this issue. Over and over again voters tell us that they are tired of partisan gamesmanship. And recent polls show that a strong majority of Floridians oppose mid-decade redistricting.

Despite what other states may do, Florida has an explicit prohibition on partisan map making. This current redistricting effort does not in the League's opinion comply with the state's constitution and we hope you will reject it. Thank you.

MR. REDONDO: Thank you. Harrison Lundy on behalf of Voices of Florida Fund, followed by Douglas

Curry. You're recognized.

MR. LUNDY: Thank you, Mr. Chair. My name's Harrison with Voices of Florida Fund and the No Partisan Maps Coalition. You're going to hear this a lot because it's been the truth for several years now. But partisan gerrymandering is illegal and against the state constitution.

The lack of transparency in the handling of these maps that are apparently drawn by one person just reveals to me a severe lack of professionalism that needs to be looked at. You're about to vote on maps that you've barely had 24 hours to look at, much less time to actually talk with voters about.

I remember the first time that this committee met. What was prefaced was maps will not be drawn for partisan purposes. And we laughed, much like we laughed a couple times today. Because for the average voter, four democratic districts being, you know, all of a sudden erased barely four years after two additional ones is laughable.

And I just want to ask if this is truly a non-partisan effort, why was it only republicans that

voted against --

MR. REDONDO: Thank you.

MR. LUNDY: -- having our presenters testify under oath. Why was it only republicans --

MR. REDONDO: Thank you for your comments, sir.

MR. LUNDY: -- that voted that down to extend the --

MR. REDONDO: Sir, you've -- you've gone beyond your time. I want to be respectful of everyone else. Thank you for your time. Douglas Curry, followed by Catherine Fitzpatrick. You're recognized.

MR. CURRY: My name is Douglas Curry. And I'd be happy to be under oath. I'm a fifth generation Floridian living in Tallahassee. I'm asking you to oppose the sham effort to create a more partisan congressional map that violates the Florida constitution.

Mid-decade redistricting follows personal pressure by the president and governor, runs counter to the position of most citizens in the Sunshine State. I taught United States government. And my

students universally rejected partisan gerrymandering, seeing it as blatantly unfair.

Violations of basic fairness discourage young people from becoming involved in the political process. A disillusioned and disengaged electorate portends a bleak future -- portends a bleak future indeed. Please end this charade and get back to governing.

MR. REDONDO: Thank you. Catherine Fitzpatrick, followed by Heidi White. You're recognized.

MS. FITZPATRICK: Good afternoon and thank you for my time here. I'm going to speak as the mother that I am. What part of no do you not understand? The Flo- -- the citizens of Florida made it very clear where we stand on the issue of redistricting. Anybody who votes in favor of this redistricting should be looked at very carefully as a threat to our democracy. Thank you.

MR. REDONDO: Thank you. Heidi White, followed by Rob Woods.

MS. WHITE: Good afternoon. My name is Heidi

White. I'm here on behalf of the League of Women Voters, St. Petersburg. I drove all the way up here this morning on a bus at 4:00 a.m.

I'm here to remind you today of your -- each and every one of you have an oath to the state constitution. And I'm asking you to uphold that oath. Partisan gandermarrying [sic] is illegal in Florida. Section 20 of the Florida Constitution states, in establishing congressional district boundaries, no apportionment, plan, or individual district shall be drawn in the intent to favor or disfavor a political party or an incumbent.

That is exactly what this map does. And by having the complete lack of transparency to allow the voters to be able to look at it --

MR. REDONDO: Thank you for your comments.

MS. WHITE: -- it should be rejected. Thank you for your time. And please vote accordingly.

MR. REDONDO: Rob Woods, followed by Catherine Bellina. Mr. Woods, you're recognized.

MR. WOODS: Good afternoon. I'm Rob Woods, an honorably discharged United States veteran. I am

also a child of Florida. I was born here, raised here, and I have done all I can to keep people from making bad jokes about us.

Please don't make it go any further. The fir- -- the very first rule of politics is you must know how to count. If there was such a thing as the square root of zero, that would be absolute fair. And there's not. But let's not make it worse.

And in closing, please make the bad people stop. No more voter intimidation. No more gerrymandering. And once and for all, no means no. Thank you.

MR. REDONDO: Thank you. Catherine Bellina. And ladies and gentlemen, I'm going to -- I'm going to ask that everyone try and limit their comments to 30 seconds, otherwise we will not be able to reach everyone. Go ahead.

MS. BELLINA: Good afternoon. I had a bunch of fancy stuff wrote down. As I sat over there, I'm physically shaking with frustration. I am emotionally angry at what's happening here today. And I'm going to talk [inaudible] to the side. I am begging you to

think of the voters. You know this is wrong.

We're not stupid. We had a lot of legalese today. We had a lot of justifications. But we never had a reason given to us why this is happening. Because we know. And it's a -- it's offending that I think a lot of people think, myself and all these people behind me, are stupid. We're not.

And I think everybody in this room knows exactly why this is happening. And it's already been said. I'm not going to say all that. But I am asking you to please do the right thing here. You know this is wrong.

MR. REDONDO: Thank you.

MS. BELLINA: I'm asking you to vote no. Thank you.

MR. REDONDO: Ash Bradley, followed by Cameron Driggers, the Florida Youth Action Fund. And again, 30 second is all I can frankly give you at this point. So if you could please --

MS. BRADLEY: No worries. I understood. Hello, my name is Ash. I'm from District 15. And it seems as though the governor is retaliating because

we flipped our seat to a democrat. One man is moving us into majority republican counties with this map.

This legislation has already made it clear in our regular session that they will do anything to silence black, brown, Hispanic, Latin American, multiracial, and indigenous families like mine, and further perpetuate white supremacy in this state. It is abhorrent.

Please stand with all of your constituents and everyone here, and stop the blatant attempts of erasure happening in this state, and vote down on redistricting.

MR. REDONDO: Thank you for your comments.

MS. BRADLEY: Thank you.

MR. REDONDO: Cameron Driggers, Florida Youth Action Fund, followed by Cyn Doyle. You're recognized.

MR. DRIGGERS: Good afternoon, representatives. My name is Cameron. I'm a grad student at UCF. I'm a voter in Orange County. I'm here today to represent students and young workers who have -- across the state who have been left out

of this process.

My team and I have had almost 50,000 conversations with students on the issue of redistricting. They are very concerned with the governor's proposal. I'm sure this committee will believe that given we've sent nearly 5,000 letters to this body and across the legislature in opposition to this proposal.

And even if you can put aside that this proposal is blatantly illegal, we all know this. But just for the sake of politics, I want you all to sincerely consider the -- the message this is sending to Florida's next generation. The three youngest generations of our electorate make up 52 percent of the constituency, yet remain the most underrepresented group in elected office.

And by splicing up student neighborhoods, this proposal would shrink --

MR. REDONDO: Thank you for your comments.

MR. DRIGGERS: -- what little representation we have to a new low. If you want your constituents to have --

MR. REDONDO: Thank you for your comments. Appreciate it. Thank you. Cyn Doyle, Lake County Indivisibles, followed by Ernie Paine. You're recognized.

MS. DOYLE: Yes. My name is Cyn Doyle. We're looking at that and we all see a horse. But you're trying to tell us it's a cow. And it doesn't fly. Okay? It really doesn't. It's time for you guys to get back to the truth, to be what we want you to be.

You are voting for us. It's for us. That we the people. Where's we the people on any of these maps? It's not there. So get it there. And don't listen to the governor, don't listen to that orange man in the White House --

MR. REDONDO: Thank you for your comments.

MS. DOYLE: [inaudible] --

MR. REDONDO: Thank you for your comments. Ernie Paine, League of Women Voters Tallahassee, followed by Kara Gross, ACLU of Florida.

MR. PAINE: I'm Ernie Paine from the nonpartisan League of Women Voters of Tallahassee. Florida constitution is very clear on partisan

gerrymanding -- mandering. Careful wording of a bill cannot mask the publicly stated true intent. Please vote no on redistricting. Thank you.

MR. REDONDO: Thank you. Kara Gross, ACLU of Florida, followed by Larry Hannan, State Voices Florida. You're recognized.

MS. GROSS: Good afternoon. I'm Kara Gross, the interim political director of the ACLU of Florida. And the ACLU of Florida opposes this partisan power grab. What Governor DeSantis and the Florida legislature are attempting to do is unconstitutional, illegal, and an affront to every Floridian who voted in favor of fair districts amendments.

Article 3, Section 20 of the Florida Constitution is clear. No district shall be drawn with the intent to favor or disfavor a political party. These bills do exactly that. They seek to redraw districts to favor a political party. This is a clear violation of the Florida Constitution.

MR. REDONDO: Thank you for your comments.

MS. GROSS: The people of Florida

[inaudible] --

MR. REDONDO: Thank you. Thank you for your comments. Larry Hannan, State Voices Florida, followed by Nicholas Berg, Central Florida Indivisible. You're recognized.

MR. HANNAN: Good afternoon. I'm Larry Hannan, communications and policy director with State Voices Florida. Every one of you took an oath to support, protect, and defend the Florida Constitution when you were sworn into the House. If you vote for this, you are violating your oath.

This gerrymandered map is clearly illegal under the fair districts amendment. I urge you to vote no and end this rushed, unnecessary, and illegal redistricting. Thank you.

MR. REDONDO: Thank you. Nicholas Berg, Central Florida Indivisible, followed by Merlene Malcolm on behalf of Equal Ground. Nicholas Berg -- do we have Nicholas Berg? No? Okay. Moving on, Merlene Malcolm, followed by Sarah Peacock, the League of Women Voters of St. Petersburg. You're recognized.

MS. MALCOM: Mr. Chair, good afternoon, members of the committee. My name is Merlene Malcolm. And I got up at 3:30 this morning to come here from Miami, Florida, because I wanted you to see me. I stand on behalf of myself, my family, my friends who could not come here today.

We are people. We are not numbers on a -- on a map. We are not lines on a map. We are people whose voices are continuously being erased. I was already moved in 2022. Now looking at what it looks like, I'm going to be moved again.

We deserve representation too. Please vote no on this map. We are people. Please stop erasing black people --

MR. REDONDO: Thank you for your comments, ma'am. Thank you.

MS. MALCOLM: We matter.

MR. REDONDO: Sarah Peacock, League of Women Voters of St. Petersburg, followed by Sandra Weeks on Pinellas National Organization for Women. Sarah Pea-- is this Sarah Peacock? No? All right. Sandra Weeks, followed by Sadie Holzmeyer.

MS. WEEKS: As someone who was descended from three generations of suffragists, I know how difficult the 72 year battle for women's voting rights was. I also know that the over 100 years battle of voting rights for black people was, if not more, if not as difficult, more difficult than the voting rights battle for women.

We know from the legal study of -- of discrimination that if a law is neutral on its face, but it has --

MR. REDONDO: Thank you for your comments, ma'am.

MS. WEEKS: -- disparate impacts, it is still discrimination.

MR. REDONDO: Thank you for your comments. Thank you. Sadie Holzmeyer, followed by Reverend D'Mrtri Burke. You're recognized.

MS. HOLZMEYER: Hello. Sadie Holzmeyer here. I'm an Orlando voter, executive director of the Florida chapter of Digital Democracy Project. I just wanted to say other states have put this up to the voters to decide. Voters and taxpayers fund this

special session. They're going to fund the inevitable legal battles that come out of this.

Gerrymandering suppresses the vote -- voices of voters. Voters deserve to have a say. I wanted to let you know, Digital Democracy Project provides a way for voters anywhere in the state, not everyone's able to make it here, they can have a say and a verified certified to say what they want.

So I want to offer up, if anyone's interested in getting direct input from your voters in a transparency way, help communicate that --

MR. REDONDO: Thank you.

MS. HOLZMEYER: -- and we're also helping hold voters accountable. So we'll be posting how everyone votes on this --

MR. REDONDO: Thank you for your comments.

MS. HOLZMEYER: -- so voters know.

MR. REDONDO: Thank you.

MS. HOLZMEYER: Thank you.

MR. REDONDO: Reverend D'Mrtri Burke, followed by Paul Harue [ph].

MS. BURKE: Mr. Chairman and members of this

committee, thank you for this opportunity. I'm standing before you, I'm a resident and voter of Volusia County. I pastor a church in St. John County. And I work in Clay County.

I want you to vote no. I watched you during this hearing. Most of you were rolling your eyes, sleepy. And it appears to me that you know that this is not what is best for Florida. And I pray that you will vote no. Thank you.

MR. REDONDO: Thank you. Paul Harue, followed by Genesis Robinson, Equal Ground Education. You're recognized.

MR. HARUE: My name is Paul Harue. And I am grateful to you, Mr. Chairman, for pronouncing it correctly [inaudible] --

MR. REDONDO: I try. I try.

MR. HARUE: I'm not wearing my hat right now, which I have worn for over 14 years in the process of coming before committees in Tallahassee. Because I was told I could not wear it in this room. And I wanted to speak, so I left it off, in spite of the fact that it was an obviously toxic and

unnecessary rule for the safety and good of Florida.

It has a lot in common with this map. And I would suggest that it be postponed until a proper legal constitutional time. Thank you.

MR. REDONDO: Thank you. Genesis Robinson, followed by Dr. Allison Clark.

MR. ROBINSON: Thank you, Mr. Chair. Somewhere I read that the foundation ideal of America was consent of the governed. Well in this state people have spoken. And yet you are ignoring their will. The fair district amendments were passed for a reason to stop partisan gerrymandering, and rigging and stacking the deck, not democracy.

You do not have to move forward with this plan. Each of you swore an oath to the constitution, to the constituents of your district, not Ron DeSantis or Donald Trump. Reject this partisan power grab and ensure the people of Florida maintain their voting rights. Thank you.

MR. REDONDO: Thank you for your comments. Dr. Allison Clark, followed by Cheryl Bell. You're recognized.

MS. CLARK: Good afternoon. Many things have been said. And so I'll just keep it short. The gentlemen mentioned 1885 maps and the constitution. And in my research I came across a phrase that said that was the year that the Florida legacy of malapportionment began.

Then it went to reconstruction. Then the porkchop gang. And now we're here today again under the same reason. And that legacy continues. I'm Dr. Allison Clark and I thank you for your time. I ask that you vote against this.

MR. REDONDO: Thank you. Cheryl Bell, followed by Reverend Dr. Russell Meyer, Florida Faith Advocacy Office. You're recognized.

MS. BELL: Good afternoon. My name is Cheryl Bell. I'm a constituent from St. Augustine, St. Johns County. I am opposed to this redistricting situation. It's illegal, it's immoral, it's unethical, and it shouldn't happen, particularly since the voters have already spoken on this issue in 2010.

Instead of vote handling this matter, it's appropriate for you to be more productive and do

something that actually helps the voters like deal with our affordability crisis, housing crisis, healthcare, education, and a number of [inaudible] things --

MR. REDONDO: Thank you for your comments. Thank you.

MS. BELL: Thank you.

MR. REDONDO: Dr. -- excuse me, Reverend Dr. Russell Meyer, followed by Marlon Williams Clark.

MR. MEYER: Dear members of the House. We are living at this very moment through a process of corruption. And that process of corruption -- where -- when -- whenever it happens in any society, it's a process by which voices are silenced so there's only one opinion that ends up mattering in society.

And that corruption then has a negative impact on every household in that society. And I just reference to you a country of hungry which came full alive and said, we don't want corruption anymore, it's hurting --

MR. REDONDO: Reverend --

MR. MEYER: -- all of our families. And

that's the road --

MR. REDONDO: Reverend, thank you so much for your comments --

MR. MEYER: -- we're going down right now --

MR. REDONDO: Thank you. Marlon Williams Clark, Tallahassee Branch NAACP, followed by Lisa Lloyd.

MR. CLARK: Good afternoon. Thank you all for having me. This is not just about gerrymandering and redistricting. This is a pattern of silencing Florida voices. To our representatives to had the audacity to ask simple common sense questions, thank you.

This pattern is showing the weakening of the democracy in Florida. In here the legislature has raised the threshold for citizen-led amendments, added barriers to participation, stripped power from local communities. And they have relinquished their responsibility to make the last map.

This is terrible. And so we need to do better. Now that the legislature is doubling down on a mid-decade redistricting, the culmination of all of

this failure --

MR. REDONDO: Thank you. Thank you for your comments --

MR. CLARK: We watched --

MR. REDONDO: Thank you, sir. Appreciate it. Thank you. Lisa Lloyd, followed by Willy Hill. You're recognized.

MS. LLOYD: Governor DeSantis showed his priorities and they are not the state of Florida, they are not the legislature. They pretty much seem to come down to Governor DeSantis. And if that's the case, don't expect that he's going to be loyal to you.

You understand when the litigation starts, and it will on this issue, there's a new word. Instead of dangling chads, we now have dummy mandering, which means that the -- the republican party is going to be thinned out so broadly in all of these districts, that it may give us as, you know, the people on the other side a bounce.

MR. REDONDO: Thank you so much for your comments. Thank you.

MS. LLOYD: [inaudible]

MR. REDONDO: Thank you.

MS. LLOYD: [inaudible]

MR. REDONDO: Thank you. Willy Hill, followed by Gayle Kirsten. Willy Hill? All right. Gayle Kirsten will be up, followed by Elizabeth Drury.

MS. KIRSTEN: Good afternoon, members. And thank you for hearing me. The constitutional provi- -- protections meant to guard fair representation are being bent to fit a political outcome. One that excludes minority voices and weakens the voice of democratic voters.

Voters choose their representatives when the principle is undermined, so is public trust. Members, you hold a supermajority. That is power. But more importantly, it's responsibility. A responsibility to represent all of us, all the people, not just some.

MR. REDONDO: Thank you so much for your comments.

MS. KIRSTEN: Because the majority does not [inaudible] --

MR. REDONDO: Thank you. Thank you. Elizabeth Drury, followed by Carol Weissert. And if Ms. -- Carol is in the room, if she could please just make your way up. Thank you. You're recognized.

MS. DRURY: Hello. My name is Elizabeth Drury. I'm from Nassau County, Fernandina Beach. Thank you for taking the time to listen to me today. I'm -- the theme of what I have to say is about time. And obviously I'm on the clock.

But anyway, we -- I feel like Governor DeSantis is running out the clock. That is his strategy. I feel as though it's a -- a sinister strategy. You're not being listened to. We're not being listened to. And he only is taking his -- his strategy from President Trump, and with his basic premise of doing mid-districting to make sure that he does not [inaudible] --

MR. REDONDO: Thank you for your comments. Thank you. Thank you. Carol Weissert, followed by Sheila Howard. Ms. Howard, if you could please come up. You're recognized.

MS. WEISSERT: Good afternoon. Thank you for

having us. I'm Carol Weissert. I'm from Tallahassee. And I just have to say, I'm in awe that all these people came on buses from 4:00 this morning just to get 30 seconds before you. So I think that's terrific. I came down the street.

I -- I have a lot of notes. The one thing I did want to say that people haven't mentioned is how unique our provision in our constitution is that prohibits gerrymandering. No other state has this in their constitution. And we have to -- this is in our constitution, we need to abide by it, we need to be proud of it, and not -- not ignore it.

MR. REDONDO: Thank you. Sheila Howard. If Sheila's here. If not, Jermaine Miller. Jermaine Miller, Sheila Howard? Okay. Brit Robinson? Okay. Brit, followed by Alex Hazen. You're recognized.

MS. ROBINSON: Hello. My name is Brit Robinson and I'm running for congress to represent Florida's Fourth District. Let's be honest here, this is a rushed and illegal attempt at wiping out democratic and minority representation in congress. Governor DeSantis is trying to overriding the

majority of Floridians who do not want gerrymandered maps.

Trump is impres- -- pressuring republicans to push redistricting in a desperate attempt to hold on to power and avoid accountability for his crimes. I want everyone to know that whatever map we end up with, democratic candidates will still flip republican seats in November because Floridians deserve representatives --

MR. REDONDO: Thank you for your comments.

MS. ROBINSON: -- who will actually [inaudible] --

MR. REDONDO: Thank you. Thank you for your comments.

MS. ROBINSON: [inaudible] --

MR. REDONDO: Thank you so much.

MS. ROBINSON: [inaudible] --

MR. REDONDO: Ma'am, thank you so much. I appreciate your time.

MS. ROBINSON: [inaudible] vote no.

MR. REDONDO: Thank you. Alex Hazen, followed by Tony Cooper. You're recognized.

MR. HAZEN: Hi there. I'm Alex Hazen and I'm a candidate for US Congress in Florida's Fifth Congressional District. I was the last person to enter my race. Since announcing my run. I've had to worry the entire time that my community would be fractured by partisan politics.

This week was originally supposed to be the qualifying period for the election for candidates to be locked in for constituents to learn about candidates. How do you expect representatives on either side of the aisle to adequate repre- -- adequately represent their constituents when their districts change this late into the campaign season, especially when the voters aren't the ones deciding to redistrict.

Let's be clear, this gerrymandering is a late, illegal plan --

MR. REDONDO: Thank you.

MR. HAZEN: -- to disenfranchise [inaudible] --

MR. REDONDO: Mr. Hazen, thank you for your comments.

MR. HAZEN: [inaudible] --

MR. REDONDO: Tony Cooper. Tony Cooper. Okay. Ladies and gentlemen, that concludes the public testimony. At this time, members, we're going to now move into debate. I -- I understand we have three members who want to debate. We're going to give each member five minutes just so we have enough time to conclude, have a conclusion from the bill sponsor, and then to vote.

So Minority Leader Antone, if you want to start.

REP. ANTONE: All right. Thank you, Mr. Chair. And -- and let me start by thanking you for the manner in which you've conducted this committee. I mean this is how the process is supposed to work. And I thank you for giving us adequate time to ask questions and giving the public adequate time to come up.

And I want to thank the public for being here. Thank you. You might not have had long enough to speak, but thank you all so much for coming here. So let me just get straight to my point. I do not

believe there's a compelling reason for us to redistrict. Just because there's a shift in population, that's not a compelling reason to -- to redistrict mid- -- mid-decade.

Nothing feels right about this particular exercise. It almost seems to me that this is more about a reapportionment of the state than redistricting. The other thing, I do believe this is partisan gerrymandering. I mean the canary in the mine was the information being released to Fox News yesterday, a red and blue map. That's the canary in the mine. That was the indication that something was wrong.

And then lastly, I will just say this, in my non-attorney thinking today, the Florida Constitution states the legislature shall draw the maps. These maps were not drawn by the Florida House of Representatives or the Florida Senate. We're talking about 10 years of population change in five years. Well, population in Florida changes by two to three million every decade.

And so right now as the Sunshine State, it

will only add 1.8 million. So we haven't seen 100 years of population change in five years. And so in closing, I'd just say that the maps that I saw do not meet the legal standard required by the 1965 Voting Rights Act or the Florida Constitution. Thank you, Mr. Chair.

MR. REDONDO: Thank you. Representative Lopez, you're recognized.

REP. LOPEZ: Thank you, Mr. Chair. Since this body announced the special committee on redistricting, our office has received over 1,247 emails and 19 letters from constituents in my district and from Floridians across the state against this mid-decade redistricting effort.

What concerns me a lot is that this bill conflicts with the Florida Constitution, specifically the fair district amendment of 2010, approved by 63 percent of voters and codified in Article 3, Section 20 and 21.

The standard is clear, no intent to favor or disfavor a political party or incumbent. But one, this is mid-decade, no new census, no court order, no

demographic trigger. The only variable that has changed since 2022 is political.

Two, it originated with the governor, not this House. Apportionment is a legislative function under Article 3. We are being asked to ratify the map drawn outside this chamber. Three, the maps were released to the press, color coded by party, before being sent to the legislature and this body. Partisan intent was not inferred, it was published.

Four, the proposed lines deny black and Hispanic Floridians equal opportunity to elect candidates of choices. That is the opposite of what the constitution requires, which bars any intent of result that denies or [inaudible] minorities equal opportunity to participate or diminishes their ability to elect candidates of choice.

And finally, when this bill is supposed to preserve existing political and geographic boundaries where feasible, it breaks them broadly, not narrowly. This bill does not meet that the cons- -- did not meet what the constitution established. It is unconstitutional and this is why I will vote no. And

I will encourage everyone to do the same. Thank you, Mr. Chair.

MR. REDONDO: Thank you. Rep- -- Representative Chambliss, you're recognized.

REP. CHAMBLISS: Thank you, Mr. Chair. Today we have an opportunity for Florida to take the lead and not follow national trends and what's going on nationally. We can be Florida, as we so -- so proudly announce. We lead, we don't follow.

This whole process is both irresponsible, unconstitutional, and illogical. It is irresponsible because it was too much information in too sh- -- too short of a notice, with only one option. In the past we had multiple options. In the past we had the opportunity to meet with staff, and to talk about specific communities, and get proper analysis.

In the past we've had the opportunity to hear from communities regarding their own culture and the -- and the reason why they live, where they live, what's the history behind it, why they vote in a certain way. We had that opportunity. We do not have that opportunity today.

It is unconstitutional because the truth is, based on the timing you will not be able to argue against partisan intent. It's -- it is not reasonable and I don't think any judge would agree with it. So we know that lawsuits are pending and are ready. And that is a waste of taxpayer dollars.

If we wanted to have this conversation, which we've had, we could say, okay, we had a conversation, and say no thank you. Because the legislature has been left out of the process of actually creating and saying what we think would be a proper way to address this issue.

But understand, because it's unconstitutional, the proper way to address this issue is to wait till 2032, until we have a proper census and proper data to actually create a proper map. That is the way to address this issue.

And it is illogical. It is illogical because we cannot fool the Florida voters. We know what's going on. But we don't have to be a part of it. We don't have to be complicit. And this is not about republican or democrat. This is about the state of

Florida.

We can take a stand right now. We can say, we're not going to get involved in all this. Our voters created a mandate for fair districts. We stand on that. If we believe in our own individual policies and that we're right in our policies, we would not be afraid to do so. Again, I encourage my members to say no to this map. Thank you.

MR. REDONDO: Thank you. Seeing no further debate, I just want to take a moment to thank the members of the committee before we vote. I also want to thank the members of the public who came to speak today and those who maintained the decorum. I greatly appreciate it.

So that being said, I'm going to recognize Representative Persons-Mulicka to close on the bill.

REP. PERSONS-MULICKA: Thank you, Mr. -- thank you, Mr. Chair. Thank you, members. I want to echo as well our appreciation for everybody who showed up today to express your opinions with us. Even if we don't agree with your opinions, they are valued. And your voices were heard.

Members, based on the presentation today that this race neutral map was drawn, utilizing traditional redistricting criteria, as well as the legal analysis provided, I ask for your favorable support to move this map forward to the floor for full consideration by the House.

MR. REDONDO: Ladies and gentlemen, we've had a good run. Let's please end this committee. I appreciate everyone maintaining decorum and respect. Kimberly, will you please call the roll.

SECRETARY: Chair Redondo?

MR. REDONDO: Yes.

SECRETARY: Ranking Member Antone?

REP. ANTONE: No.

SECRETARY: Representatives Baker?

REP. BAKER: Yes.

SECRETARY: Berfield?

REP. BERFIELD: Yes.

SECRETARY: Chambliss?

REP. CHAMBLISS: No.

SECRETARY: Cobb?

REP. COBB: Yes.

SECRETARY: Lopez?

REP. LOPEZ: No.

SECRETARY: Maney?

REP. MANEY: Yes, ma'am.

SECRETARY: Oliver?

REP. OLIVER: Yes.

SECRETARY: Persons-Mulicka?

REP. PERSONS-MULICKA: Yes.

SECRETARY: Robinson?

REP. ROBINSON: Yes.

SECRETARY: The bill passes.

MR. REDONDO: Members, with your vote, the bill passes favorably. Seeing no further business before the community -- excuse me, before the committee, again I thank everyone for their time today. And with that, Representative Robinson moves that we rise. The meeting's adjourned.

CERTIFICATE OF TRANSCRIBER

I, Chris Naaden, a transcriber, hereby declare under penalty of perjury that to the best of my ability from the audio recordings and supporting information; and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome, the above 169 pages contain a full, true and correct transcription of the tape-recording that I received regarding the event listed on the caption on page 1.

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



April 30, 2026

Chris Naaden

(632013, Florida House Select Committee on Congressional Redistricting hearing, 4-28-26)

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Exhibit 12

GMR TRANSCRIPTION SINCE 2004

CERTIFICATION OF AUTHENTICITY

April 30, 2026

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Sincerely,



Beth Worthy
President
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Chair Passidomo: Good afternoon. Committee on Rules will now come to order. Cindy, please call the roll.

Cindy: Chair Passidomo?

Chair Passidomo: Here.

Cindy: Vice Chair Jones?

Senator Jones: Here.

Cindy: Senator Avila? Senator Berman?

Senator Berman: Here.

Cindy: Senator Boyd?

Senator Boyd: Here.

Cindy: Senator Bradley?

Senator Bradley: Here.

Cindy: Senator Brodeur?

Senator Brodeur: Here.

Cindy: Senator Burgess?

Senator Burgess: Here.

Cindy: Senator Burton?

Senator Burton: Here.

Cindy: Senator Davis?

Senator Davis: Here.

Cindy: Senator DiCeglie?

Senator DiCeglie: Here.

Cindy: Senator Gaetz?

Senator Gaetz: Here.

Cindy: Senator Garcia?

Senator Garcia: Here.

Cindy: Senator Grall?

Senator Grall: Here.

Cindy: Senator Harrell?

Senator Harrell: Here.

Cindy: Senator Hooper?

Senator Hooper: Here.

Cindy: Senator Martin?

Senator Martin: Here.

Cindy: Senator Osgood?

Senator Osgood: Here.

Cindy: Senator Pizzo?

Senator Pizzo: Here.

Cindy: Senator Rodriguez?

Senator Rodriguez: Here.

Cindy: Senator Rouson?

Senator Rouson: Here.

Cindy: Senator Simon?

Senator Simon: Here.

Cindy: Senator Trumbull?

Senator Trumbull: Here.

Cindy: Senator Wright?

Senator Wright: Here.

Cindy: Quorum present.

Chair Passidomo: Thank you. Please silence all electronic devices. Senate Bill 6D Medical Freedom is temporarily postponed, as you all know. Anyone wishing to speak before the committee, please fill out an appearance form. And we thought we were going to have a line set up, but I think we still need to do that for the speakers when we come to it. So, here's what we're going to do. Fill out an appearance form, hold on to it until a member of the Sergeant's Office collects a copy when you get in line to speak. And that's going to happen later on in the proceedings.

Should you select to waive your speaking time, go ahead and give your form to the Sergeant's Office and I will read your position into the record. I think it's probably going to be a long day, so if anyone needs an accommodation, please see the Sergeant's Office for assistance. We're going to take up Tab 4, the presentation on the congressional reapportionment by the Governor's Office. Once the presentation concludes, members, please direct all questions regarding the map to our presenters. Any questions that senators

should have should be asked to the presenters and not when we're on the bill, unless you have a question specifically for Senator Gaetz, and then we'll have time for that when we take up the bill.

So, gentlemen, you're up. Did you have lunch? Did you have a chance to go to the restroom? Are you all set? So, we're going to start with, so, Jason **Parada**, you're going to go first and then Moe **Gisiel** is going to come in.

Jason Parada: Actually, could we switch and have Moe go first, if that's all right, Madam Chair?

Chair Passidomo: Sure. Mr. Gisiel, you are recognized.

Moe Gisiel: Thank you, Madam Chair, Vice Chair, members of the committee. I appreciate the opportunity to speak with you here today. My remarks will be limited to the executive branch's legal position on redistricting. I have never drawn a redistricting plan. I don't intend to draw a redistricting plan, and so I leave it to Mr. Parada to address any factual questions, particularly factual questions about the plan that you'll be seeing here today. To begin, I note that there is nothing in the federal or state constitutions that prohibits mid-cycle congressional redistricting.

The governor's stated reasons for redrawing the congressional plan now are twofold. 1.) It's to account for the greater population growth between 2020 and 2025 in these suburban and exurban communities throughout the state. And 2.) it's to ensure that the state has a race-neutral congressional plan. As you know, between decennial censuses, the American Community Survey and the State's Office of Economic and Demographic Research puts out high-quality estimates of growth at the county level. This data, however, is not broken down into the granular detail you need at the census block level to draw a congressional map.

So, it's perfectly fine to account for the county-level data, but then draw a map using the decennial data to comply with the federal constitution's one-person, one-vote standard. The Supreme Court's

blithely opinion in Lulac v. Perry from 2006 and its decision in Georgia v. Ashcroft from 2003 allow for this. Next is the use of race in redistricting. This is an evolving area of the law. We've had several important cases decided at both the federal and state level since Article III, Section 20A was added to the Florida Constitution after the 2010 election.

And as you've likely heard, the US Supreme Court is poised to address the issue again in a case called Louisiana v. Calais. The level set and to discuss basic equal protection principles outside of redistricting, cases concerning the 14th Amendment's Equal Protection Clause say that some distinctions are just so odious, so suspect, that they need to pass the strictest of scrutiny to stand. Race is the paradigmatic example of such an odious suspect classification. So, in simple terms, if you're making distinctions based on race, the constitutional bar that you have to meet is really, really high. It's almost insurmountable.

So, you can never clear that bar, nor should you, if you try to pass a law that segregates kids in schools based on race or if you pass anti-miscegenation laws. In redistricting, however, we try to take race into account in the legislative process. We try to be race conscious without having race predominate. There are problems with that. It's a difficult line to draw. It's also a line that's inconsistent with equal protection principles. The governor's position then on the issue is this. Race should not be used at all when drawing districts. We should instead adhere to those basic background equal protection principles that say race has no role in the process.

Again, there's three benefits to this approach. 1.) It's consistent with the overwhelming weight of the equal protection case law. We're not discriminating based on race. 2.) It avoids questions like what level of race consciousness is enough, what level of race consciousness is too much. Those are difficult questions and it avoids those questions. 3.) It puts us in a position to where we are going to best comply with the Calais decision when it comes out. Now, I'd also like to talk about the Voting Rights Act and Article

3, Section 20A of the Florida Constitution. These are Florida's analogs to the Voting Rights Act.

At the most fundamental level, if compliance with the Voting Rights Act or the Florida Constitution requires that you violate the equal protection clause, the equal protection clause trumps. It's a superior law. The US Constitution says it's the supreme law of the land. And when it comes to the VRA in particular, the Supreme Court has assumed without deciding, assumed without deciding for decades, that complying with that statute is a compelling interest that justifies being race conscious in the redistricting process.

That's in part because the Voting Rights Act, when it was enacted in the '60s, was enacted with a robust legislative record detailing a history of race-based discrimination that needed a race-based solution. It was also enacted by Congress consistent with Congress's exclusive powers under Section 2 of the 15th Amendment to the US Constitution. Only Congress gets to implement that amendment, not the states. Now, Calais is going to deal with the tension that's inherent in trying to have a race-based solution that is inconsistent with the broader themes of the Equal Protection Clause under the 14th Amendment, this notion of race consciousness and race predominance.

Calais also has an unusual procedural history. It was relisted and re-argued. Other cases that have been relisted and re-argued include Brown v. Board of Education, Roe v. Wade, Citizens United. These are big seminal cases. So, there's every expectation that Calais will be a seminal case, too. I'd like to turn now to the Florida Constitution in Article 3, Section 28. When it was added to the Florida Constitution, it was added through a citizen initiative process. There was no legislative record, unlike the Voting Rights Act.

Also, as I pointed out, Section 2 of the 15th Amendment is giving exclusive power to Congress, not the states. Remember, these were the Reconstruction Amendments. They were taking power away from the states, arguably. And so, the states don't have the power

under Section 2 of the 15th Amendment to do the things that Congress does. And the Florida Supreme Court recently recognized in the Black Voters Matters case that trying to comply with the Florida analog, the Florida race-based provisions in Article 3, Section 20, is not a compelling interest for the US Supreme Court. That brings us to the inevitable conclusion of that logical chain.

If you can't point to the Florida Constitution as the basis to use race, then what effect, if any, should the race-based provisions in Article 3, Section 20A have? And the governor's position is this. They should have no effect. Every time you try to comply with Article 3, Section 20A, you're forced to look at racial data, assess whether sorting people on the basis of race is feasible, and whether this race-based sorting results in the kind of performance you want in a particular region or a particular race. That entire exercise, it's the governor's position, is inconsistent with the Equal Protection Clause of the 14th Amendment.

Again, the Equal Protection Clause being the supreme law of the land, as the US Constitution puts it in the Supremacy Clause. Because race-based provisions in Article 3, Section 20 are inconsistent with federal law, the next question becomes, well, what about the rest of Article 3, Section 20 that has other things in it? The executive branch's position on this is this. The rest of Article 3, Section 20 can't be saved. It is inseverable from the other provisions. Why? Article 3, Section 20 was sold to the voters in 2010 as a package.

It was reviewed by the Florida Supreme Court to assess whether or not the various components of that package were directly connected to one another, which is the test required under Article 11, Section 3, the Citizen Initiative part of the Florida Constitution. And to quote the Florida Supreme Court from 2009, "All of these provisions were component parts or aspects of a single dominant plan or scheme." Next, when presented to the voters in 2010, Article 3, Section 20 did not have a severability clause. It did not say that if one part of this is found to be unconstitutional, the

remainder stands.

Contrast that with the term limits provision that was added by the voters in the '90s. This was a provision that said there should be term limits for members of Congress and there should be term limits for members of the legislature. Now, the part about members of Congress was struck down because it violated the qualifications clause of the US Constitution. The remainder still stood on the books. Why? Because there was a severability clause and it could work together. That brings me to my final point about severability. You all have gone through the redistricting process.

You know that it's a tiered standard. It's a tiered architecture. These provisions were presented to the voters as a tier. They were conceived of as a tier. They were approved of as a tier. And once you start taking out a tier from this architecture, the structure falls. It is not severable. And because it's not severable, it does not apply and it should not apply. In some Senators, the issues on the table are weighty, but the governor's position has the benefit of being consistent, simple, and likely right. I'll stop there. I'm happy to answer legal questions at the end of the presentation, Madam President.

With your permission, I'd like to ask Mr. Parada to present the map.

Chair Passidomo: Sure, that's fine. I think that makes sense because since we'll hear the whole presentation and members start writing down your questions and then we can go back and forth between Mr. Gisiel and Mr. Parada. So you're recognized, Mr. Parada, for your presentation of the map.

Jason Parada: Thank you. Thank you, Chair, Vice Chair, and the rest of this committee, thank you for having me today. My name is Jason Parada. I am currently employed with the Office of Policy and Budget in the Executive Office of the Governor. I have been drawing redistricting maps since about, well, in the 2012 redistricting cycle, joining the Legislative Committee staff in late

2010. So, it has been about 15 or 16 years of me dealing with redistricting in one way or another. I was on staff in both 2012 and in 2022 doing the regular redistricting process.

I was also involved during litigation that happened after the 2012 process and after the 2022 process. Most recently having to testify in the Southern District of Florida just this past January in the **Kipiano's** case where some House districts and a congressional district were at issue. So, I have had extensive experience with redistricting, and I'm happy to present this map to you. Before I go into the plan, I know a lot of you have had some experience with redistricting. I recognize a lot of you from when you were in the House, but real quick just to make sure we're all on the same page, there's a few terms and a few numbers.

I just want to make sure we're all aware of as we go forward. First, the US Census Bureau is the agency and the federal government that apportions the 435 House districts to the respective 50 states. In 2021, Florida received that apportionment count of 28, which was one more than previously awarded to Florida after the 2010 census. Our population, Florida's total population on the 2020 census was 21,538,187. You divide that number by 28, and you get the ideal population of a congressional district, which is 769,221 exactly.

Unlike in state legislative redistricting where the standard of equality is that the districts be substantially equal, where courts have interpreted that you get a little bit of latitude with that, typically at most about plus or minus five percent or a ten percent margin. With congressional redistricting, the standard is that they have to be as nearly equal as possible, which has been interpreted over the years since the '60s to mean exact population equality. That means every district has to hit that exact ideal population to the single person. In Florida, after the 2020 census, that means 27 of our 28 districts will have 769,221 people exactly.

There will be one district that will have one fewer person than that. And you can see here the difference between 2010 and the 2020

census and how much our population changed, which was just over 2.7 million people gaining one seat. And you can see the difference that happens with the math and the ideal population of our districts as it changed throughout the decade.

We know, as Mr. Gisiel pointed out, we know from the Legislative Office of Economic and Demographic Research, through the use of the American Community Survey, which is a rolling sample provided by the US Census Bureau, where they sample one to three percent of the US population every year and come up with population estimates for every state in the Union. EDR worked with the University of Florida and came up with some very accurate population estimates for Florida. We know that we have gained approximately about nine percent of our population.

We have gained, which translates to just over 1.8 million people, on top of what we already have had in 2020. Now, that number, 1.8 million, is after the last estimate, which was published in July of last year, which is after April. Every year, the American Community Survey is updated in April with the results released in July. So, this is almost a year old. So, only after five years after the previous census, Florida has already gained 1.8 million people, according to population estimates.

Now, with redistricting, because we have to redistrict down to the single person and with such exactness, we have to use the 2020 census block information and how they look, and that will be in the next point. So, the census blocks, that's the smallest unit of geography provided to us, when I say us, I mean every state, the for purposes of redistricting. You can see them. Here are some examples. Sometimes they are very regularly shaped. Sometimes they have zero people. Sometimes they have thousands of people.

Sometimes they are very irregularly shaped and sometimes, again, they have sometimes zero people, very few people. It varies greatly. Now, when we talk about drawing districts, which is a term that gets thrown around in redistricting, really, it's not drawing. We cannot put lines wherever we want. We have to use

the census geography and the associated demographic information that is with each individual census block and build a district that way. It's almost like building a puzzle more than it is drawing a district, but drawing is kind of the term we use for that.

But these are the challenges that we have. Sometimes you might want to put a line for a district in a particular place, but you do not have the census geography available to do so. We are locked into the geography that is provided to Florida. Here in Florida, we have 390,066 census blocks that all need to be accounted for, whether they have zero population or 10,000 people or somewhere in between or some other number. So, the map that we are presenting here today is, real quick, as a practical matter, when I refer to the benchmark map, I am referring to the currently enacted congressional map, just so there's no confusion.

This is the proposed map that I'm presenting here today. The benchmark map, when I refer to that, is the one that's currently enacted. The mathematical compactness scores, kind of on average for this map, are consistent with that of the benchmark map. The REOC score, which is a mathematical measure, which compares the area of districts to that of a circle, the smallest circle that can fit around the district. The average score for the 28 districts in this map is 0.46, which is consistent with the benchmark map.

Same with the Polsby-Popper score, which measures the area of a circle of the same perimeter that is of the districts in the map, and that average is 0.81, which is, again, consistent with the benchmark map. And the last mathematical compactness score that courts use all around the country is the Convex Whole score. That compares it to the smallest polygon shape, think of a rubber band going around the district, and the area of that polygon compared to the area of the district, also consistent with the benchmark.

The score for that is 0.41 on average. In addition, the legislature's map drawing tool, which you all used in the last redistricting, has a boundary analysis tool, which measures how much the boundary of the districts follow sometimes the major geographical features or

political boundaries that we have loaded in the system. So, think roadways, major roadways, think waterways, think county lines, municipal lines, and the percentage of the district boundaries that follow those lines. In this new map, on average, 85.7% of the boundaries follow those boundary lines.

In addition, this map keeps 48 of our 67 counties whole, and it keeps 382 of our 412 municipalities whole, which is approximately just over 93% of the municipalities in Florida are kept whole in one district or another. Now, let me walk you through the map kind of district by district, but first there are seven districts in this map that have not changed at all from the benchmark. That is District 1 through 7. There are 10 other districts, which are largely the same, if not almost exactly the same to what they are in the benchmark. So, there are really only 11 districts in this map that have considerable change compared to the benchmark map that we have currently in it.

The biggest change from this map to the benchmark map that we have is that I drew this map as in a race-neutral way, meaning I did not consider race at all. Also, tried to consider where those changing populations are based on EDR's estimate. We cannot assign them to census blocks or equalize population based on those estimates, but we can certainly know which counties are going faster than others, which counties are going faster than the state average or slower than the state average, and try to account for those in the orientations of the district so those populations can be accounted for in some way.

So, because I drew this map with race-neutral way, the biggest change you'll see is Congressional District 20, which is currently in Palm Beach and Broward County, which has arms that extend out into the more populated areas from the unpopulated areas of both of those counties in both Broward and Palm Beach County. That district is absent from this map because I drew it again in a race-neutral way. So, that's where I'm going to start because that's where the biggest change in the map was and kind of what governed a lot of the other changes throughout the map.

So, the first district that I'm going to talk about is District 21, which is a district that you'll notice is very similar to the benchmark map. It contains all of St. Lucie County, all of Martin County, and then gets its remaining population from the northern part of Palm Beach County, as it does today. Its boundary within Palm Beach County is slightly different, though it has the exact same share of county population for the district. But in order to orient it a little bit differently, without the considerations of CD-20 coming in the Palm Beach County, we were able to change the boundary there for that district.

The next district that I drew is District 23, coming down here. Now, where possible, when I was drawing maps for the past 15 years, I tried to, where I can or where it's feasible, put an entire district within a large county, if it cannot be kept entirely whole within a district like some of the smaller counties can. This is my attempt and of doing that in Palm Beach County. So, District 23 starts where District 21 ends, around the Riviera Beach area. It follows on the eastern side, obviously the coast, all the way down.

And on the western side, I tried to find some easily recognizable boundaries to establish the western boundary of District 23 as it travels south through Palm Beach County. You can see the Florida Turnpike is one of those. You can see the municipal lines of Green Acres. That's where it kind of pops out a little bit. And so finally, settling at US 441 or State Route 7, straight down the whole way, right before you get into the less populated Everglades portion of Palm Beach County. And that goes south until you need to equalize population around the Delray Beach area. And as every district has to have that equal population, you can only go so far south.

And all of the census blocks and census block groups at different populations need to kind of adjust to do that. And that's why that's there. Next, what I did, and it's a little bit cut off on the page, but as we'll get to it later in the presentation, the remaining portion of Palm Beach County, at least in the most populated area, following that same 441 road all the way south to the Broward County line, is

about 230,000 people, which includes the city of Boca Raton. I put that into a district as a placeholder knowing that it had to be connected somewhere else to get the remaining population for its district, but not knowing if I was going to go west or continue south or how that was going to look like.

But I knew that that had to be there and I liked that western boundary along US 441. So, I put that as a placeholder and moved to a different part of the map, which is the southern part of the map. Now, this happens a lot in redistricting. Sometimes people think of redistricting as some sort of sequential sequence. When you start with District 1, you just kind of continue on throughout the map where you start at the bottom and you work your way up. Really what happens, it's a very iterative process, and in order to not box yourself in to forcing yourself into certain decisions, you'll often jump around the map starting from the south, starting from the north, kind of working your way toward the middle.

And that's what I did here. So, I moved south to Monroe County, taking that District 28 now into Miami-Dade in an extremely similar way that it does in the benchmark map. There are certain districts like District 1 and 2 in the Panhandle that are boxed in on three sides. You can really only go one way, so the district kind of draws itself in the Panhandle. Similar to the southern part of the state, you have Monroe County that then needs to be attached to Miami-Dade County as it comes north, and there's really only one way to do that.

So, you come up, and the boundaries within the county are almost identical to how they are on the benchmark map because there really was no reason to change that district. District 27 in a similar way. It's a very compact district, maybe one of the most compact districts on the map. And we made a slight change to the western side of District 27 just to clean up how it equalizes population, but otherwise is identical to the current map. So next, working up from there.

With my experience with the Cubanos trial this past January, I

know that the fact that the city of Miami was divided into three different districts because there was a district that came on top of District 27, which in the enacted map is District 26, that went under District 24, that was done to equalize some of the racial aspects of that district, but, of course, we're drawing race-neutrally here. So, I tried to split Miami, if I could, with District 24 just twice. Now, by doing so, that pulled the current District 24 away from the coast because that area of Miami is very densely populated. It's a lot of people.

So, when you add that to District 24, in order to, hopefully, respect the municipal boundaries of the cities on the coast, that district got pulled more centrally into that part of northern Miami-Dade County. Then drew north, trying to respect as many municipal boundaries and major roads as I could, until I got to the Broward County line, and which still needed a little bit of additional population as it does now in the current map and went into Broward County in a way that I could to equalize population. District 26 now, in the current map, goes all the way to Collier County, in addition to attaching that similar portion of Miami-Dade County.

In this map, because we're drawing in a race-neutral way, I included all of the City of Hialeah and all of the remaining portion of Miami-Dade County, and instead of going west, went north to Broward County to create a very rectangular district that is very, very compact. It dips down at the top rather than going straight over, simply to avoid having to split the city of Weston. So, it dips down to the same road that goes all the way across, and you can see that T-intersection between the Red District, the District 25 that I'll talk about shortly, and District 26, that's the Florida Turnpike.

So, all three districts use that same boundary within Broward County, a very easily recognizable boundary. So, from there, I actually moved up to District 20. Going back to the same principle that I had talked about previously, where, if possible, when I draw, I try to include a district entirely within a large county, if I can.

And because District 27 is entirely within Dade, District 23 is now entirely within Palm Beach, I tried to do that same thing here in Broward County. So, District 20 is now entirely within Broward County, respecting as many cities as I could in that area.

It's a very dense area of smaller municipalities in northern Broward County, and I included as many of them as I could to keep as many whole as I could. Also, using as many good boundaries, for example, there's a railway that forms kind of the eastern boundary of the northern part of District 20, and form that. And that district came together very, very quickly. It's a very densely populated area, but by doing so, that left the area in southern Palm Beach County that I talked about before, about 230,000 people, without a district.

And then, there was an area between District 20 and District 24, and that area in Miami-Dade along the coast that had District 24 in it in the benchmark, that now didn't have a district. So, I, as a map drawer, had a choice. I could connect those areas to other districts, multiple districts, potentially creating multiple districts that had either fingers or arms or L-shaped districts that went down. Instead of doing that, because I'm drawing in a race-neutral way, and because I'm trying new ideas in a map under a different context, I decided to connect all those areas together.

And it created a coastal district that connected Dade, Broward, and Palm Beach County along the coast all together, using as good of boundaries as I could on the eastern side to match the coastal eastern boundary. So, again, it's US 441 on the western side in Palm Beach County, and then both on the north and south side, on top of District 20, District 25 uses the Florida Turnpike as its boundary for either side, unless it borders with District 20 and District 24, which is generally municipal lines or other major roadways in those areas, except for where I have to equalize population.

From there, there was areas of Broward and Palm Beach County that were left without a district. Now, this is where I can talk about

the Everglades because this is an area of the state in southern part of the state that's, for a map drawer, difficult to draw because you have a lot of very high populated area to the east along the coast and a lot of area in the middle that sometimes has absolutely no population at all or is very sparsely populated. And it has to go into a district somewhere. So, do you try to split it up and put it into multiple districts, or do you put it all together?

Well, in this case, taking that area in West Palm Beach and West Broward, and attaching it with entirely all of Hendry County, and then going south of Collier County to fill out the remaining population for the district made the most sense in this map, rather than trying to connect multiple districts even further away than they were to account for that low populated area. Within Collier County, it uses most of Collier County, except for when it has to achieve equal population, but I was able to use Collier Boulevard down south until I had to go east, and the little knob at the end is actually the municipal boundaries for the city of Naples.

So, I was able to keep Naples whole, which ends up in District 19, just north of it. District 19 may look different than in the active map, but it is actually very, very similar to the currently enacted map, which does a very similar thing but in a slightly different way. It achieves its entire district population by having Lee and Collier County connected. It does the same thing here. You can see that the divot on the top of District 19 is actually the municipal lines for Fort Myers, which is entirely within District 17, the red district just to the north. I managed to go around that and make sure that that city was kept intact.

It's a little tough to see, it's kind of cut off, but Fort Myers and the rest of Lee County are attached to all of Charlotte County, and then District 17 goes into Sarasota County. In the benchmark map is a very similar district, but it includes all of Sarasota County. In this case, because the population totals are a little bit different because we're coming at it with a different perspective, I had to find a boundary line within Sarasota County to divide that area up, and I was able to use I-75 throughout the entire length of the county until

when I asked to equalize population.

From here, I actually move all the way north to the top part of the district in the Orlando area. Now, I was trying to mitigate change where I could throughout the map, but knowing that because of the population quality issue with congressional districts, when you move one district line and start moving an entire part of the state, it's inevitably going to affect other parts of the state more than you would think because congressional registering is a zero-sum game. So here, in trying to mitigate the change as much as I could, I took District 8, which currently is all of Indian River County and all of Brevard County and attached by about 2,800 people to Orange County.

Instead, here, I attached Brevard County, which we know is a county that has grown a little bit faster than the state average entirely on its own and attached it to Orange County. The difference there, Indian River is about 160,000 people, so instead of going into Orange County by only about 3,000 people, it goes into Orange County by 160,000 people leaving Indian River by itself to a district that I'll talk about next or later. Because District 8 came into Orange County more, it pushed District 10 further west. Now, it's basically the same. It has largely the same population that it had previously.

Its boundaries change, but it's also a district that is entirely within Orange County but is largely the same as in the benchmark map. Same with District 11. It has the same three counties as it did before, only this time it previously in the enacted benchmark map, it went into the northern part of Polk County. I was able to not do that, so this district just goes into Sumter, Lake, and Eastern Orange County. And by doing this orientation in Central Florida the way I did, I did not have to impact any districts to the north.

So, this is what kept Districts 1 through 7 the same, is by doing these changes here and kind of keeping those changes centralized as much as I could. So next, we've completed District 8, 10, and 11. There's a little portion of Orange County that needs a district,

and currently, there's a district, District 9, that goes from Osceola County up into Orange County, and this district does the same. However, because of the different population totals and because they did something different with Brevard County, that left District 9 needing a lot more population than it had before. So, it attaches that part of Orange County and Osceola County with some of its southern or rural counties.

So, it attaches Okeechobee County with part of southern Polk County, Highlands County, and Glades County, in addition to Indian River County. So, in Indian River County, instead of being attached to one other bigger county in Brevard, it is now attached to some other smaller rural counties, so it has a greater voice than it had previously in the District it was in before. You can also see now, Polk County, one of the fastest-growing states we know from EDR's data, has a district almost entirely in and of itself. It does cross the county boundary into Osceola just a little bit.

Previously, District 9 crossed that same border, but from the other way, and that's because there's a lot of communities there that live along the border that cross over all the time. So, keeping them together, I felt like was a good choice in this particular map. Also, the geography along that border, keeping the county whole can look very jagged, so I attempted to mitigate that where I could. So, District 18 is a very compact district almost entirely within Polk County. Also within Polk County, every municipality is kept whole. There are two other districts that have to eat up or take up population in the southern part, District 9 and another district I'll talk about here in a sec.

So, District 16 next. I already talked about all the districts that surround it for the most part. So, it really kind of developed itself. It has three entire whole counties. It attaches Manatee with DeSoto and Hardy County, and then has the remaining portion of southern Polk County in addition to that portion of Sarasota County that didn't make it into District 17, again, using I-75 throughout the entirety of that border, except where you need to the **[inaudible] [00:37:28]**. I then had a choice. Take that district into southern

Hillsborough County and complete its population.

I needed about 250,000 more people in order to achieve the ideal population of a district. Or go into Pinellas County, which you can do via the Skyway Bridge through Tampa Bay to get to southern St. Pete. Now, I made the choice to go into St. Pete for two reasons. 1.) In an attempt to give Hillsborough County a district entirely within it, which it currently does not have, and because we know that Pinellas County is actually one of the slowest growing counties compared to the population estimates that we have received from EDR.

So, knowing that it is a slower growing county and to give Hillsborough, which is a much faster growing county, a chance to have a district entirely within it, I chose to go and put the remaining portion of that district into southern St. Pete by about 250,000 people. From there, we go into the rest of Pinellas County, which currently has District 13 entirely within it. Now, unfortunately, the populations didn't quite work out. This district had to be pushed north into Pasco County just by about 60,000 people to equalize population.

But that's why that was made. But it's still a district that is largely and almost entirely within Pinellas County of the 769,000 people. Only about 60,000 of it is in Pasco County. Now, with District 14, as I said, to try to keep a district wholly within it, working from the south and going north, it keeps all of Plant City within the district until it gets over toward the water blocks that I mentioned before. They kind of get a little difficult to draw with on the western side of Hillsborough County but trying to use as many major roadways as I could to build a boundary and balance throughout there.

That left the rest of Pasco County, all of Citrus, all of Hernando, and the northern portion of Hillsborough County without a district. So, I knew I had enough population for two districts left, so I had a choice. I could try to do something as you see here, where I keep two counties whole and try to find a way to divide Pasco and the remaining population of Hillsborough County where the bulk of

the population that was needed was, or I could have divided up the other counties and done something that may have been a little visually more pleasing, but in my redistricting experience, it's always better to keep counties whole when you can.

So, I chose to keep those two counties whole. And then, in the central part of Pasco County, it's sometimes difficult to find block lines to divide that down south. I chose to use I-75 for the majority of the division of Pasco County just because it's such a recognizable major road, and then falling down into Hillsborough County where I then continued using I-75, along with other major roadways, to try to divide them as vertically as I could with the roadways that I had available to me to do so and split that population up in the way to make two equal districts. So, that is the plan.

Chair Passidomo: Members, we're gonna ask questions of either Mr. Gisiel or Mr. Parada. Who wants to start? Senator Osgood, you're recognized.

Senator Osgood: Thank you, Madam Chair. My first question is a legal question. How are you today?

Moe Gisiel: I'm doing well, ma'am, how are you?

Senator Osgood: Good, and you gave your presentation swiftly, so how does this map comply with the Florida Fair District Amendment?

Chair Passidomo: And you can go back and forth until you can't.

Senator Osgood: Thank you.

Moe Gisiel: Thank you, Senator. As part of my legal presentation, the conclusion I got to was that in order to comply with the Equal Protection Clause, you do not need to comply with the Fair District Amendments. So, that's my legal position. Whether or not it actually complies or doesn't is a factual question, and I defer to Mr. Parada on that. But my legal position is you don't need to if you follow the logic of my analysis.

Senator Osgood: I'll ask the same question to the other gentleman. How are you today, sir?

Jason Parada: Thank you, Madam Chair. I'm sorry, can you repeat the question?

Senator Osgood: How are you today?

Jason Parada: Good. The other question.

Senator Osgood: The question is, how does this map comply with the Florida Fair District Amendment?

Jason Parada: Well, as Mr. Gisiel just testified, it does not have to. I did not use race when drawing this map, so the racial provisions I didn't look at at all and did not do any functional analysis to do that, so I have no comment.

Senator Osgood: Madam Chair, thank you.

Chair Passidomo: Recognized.

Senator Osgood: What population data was used given that the last official census was 2020?

Jason Parada: As I stated earlier in my presentation, when you're doing redistricting, because you have to get to such population equality, we had to use the 2020 census data and the associated census blocks, the 390,066 census blocks, and the associated populations and demographic information that's within those census blocks provided to us by the Census Bureau.

Senator Osgood: So, no voter files or estimates were used?

Jason Parada: For what? I'm sorry, I don't quite understand.

Senator Osgood: For the population data.

Jason Parada: For the population data, so I did use the population estimate data

that I referred to before as kind of a guide knowing which counties may have grown faster than others or maybe faster than the state average. But that is just I had to balance to the census data that was provided to me because every district has to have maintained that population equality that I talked about before. So, every district is using that population, but using a guide, knowing what counties may or may not be growing faster than others, I kind of tried to orient the districts to accommodate for that to the best of my ability, but they still had to be balanced to the 2020 census data.

Senator Osgood: Did you analyze any partisan performance of districts before finalizing the maps?

Jason Parada: So, not using race and not having to comply with the Fair Districts Amendments, the entire suite of redistricting criteria that are available to other states, I used here, including partisan data.

Senator Osgood: And I haven't asked anything about race. My final question is, were you the only participant as far as the maps drawn? Were there any consultants involved?

Jason Parada: I am the only one that drew the map. I'm the only one that moved any lines on the map and everything else. Any other internal conversations I've had with the EOG staff or our counsel, I'm going to keep between us.

Senator Osgood: Thank you.

Chair Passidomo: Senator Jones.

Senator Jones: Thank you so much, Madam Chair. Can I be recognized for a series?

Chair Passidomo: You are recognized to go back and forth.

Senator Jones: Thank you so much. Hey, Jason, good to see you again. I want to start off with is it Moe? How do I pronounce your name?

Moe Gisiel: Moe Gisiel, Senator.

Senator Jones: So, you made mention of the Fair District Act, and I just was just listening to Senator Osgood, and in your presentation you made mention of the unconstitutionality of it. So, is it your argument that the citizen-led initiative that was voted on by 63% of people, that it was inconsistent with the federal law? Is that your argument?

Moe Gisiel: Madam Chair? It has become inconsistent with federal law as it's evolved on race, Senator. So, the race-based provisions have become inconsistent with federal law.

Senator Jones: So, why didn't the Florida Supreme Court knock that down in 2010?

Moe Gisiel: As I was explaining, Senator, the law has evolved since 2010. We've had several US Supreme Court cases since 2010. We've also had another Florida Supreme Court decision as of 2025. So, again, on the racial issues, the law is continuing to move. And it's evolved to the point where a law that was previously on thin ice, the ice is cracking, and it's about to crack further.

Senator Jones: Yeah, I hear you, but the law is the law. So, if the law is the law and the law is consistent, and if it came to before the Supreme Court, you would think that the Supreme Court would have seen that inconsistency with the federal law and would have knocked the citizen-led initiative down, correct?

Moe Gisiel: Not in 2010, Senator.

Senator Jones: Not in 2010.

Moe Gisiel: You did not have the Cooper case from the US Supreme Court. You didn't have the Wisconsin case from the US Supreme Court. You didn't have Allen v. Milligan from the US Supreme Court. You didn't have Black Voters Matter from the Florida Supreme Court. So, again, not in 2010 is the answer, sir.

Senator Jones: So, you and I would agree that the Voting Rights Act of 1965 remains the law of the land today, correct?

Moe Gisiel: Yes, sir.

Senator Jones: So, the governor, he has publicly stated that he believed the Voting Rights Act is unconstitutional. Were these maps drawn to fully comply with the Voting Rights Act as they exist today?

Chair Passidomo: You're recognized.

Moe Gisiel: No racial data was taken into account, sir. But I'd like to take a step back and talk about the Voting Rights Act. So, if we assume that Calais changes nothing, even then, all the Voting Rights Act says is there are preconditions. If you can create a majority-minority district, that is one of the preconditions. There are several others. If you satisfy the preconditions, then at the end of it, the map that you have to create does not need to be majority-minority. And I don't know the results of this map, sir.

But if there are two Black performing districts in Southeast Florida, even if Calais results in no change to the Voting Rights Act, you would not be violating the Voting Rights Act in Southeast Florida, which is where the VRA district was.

Senator Jones: So, you and I would agree that you all are operating within a hypothetical, correct? Because there have been no decisions on the Louisiana v. Calais, correct?

Moe Gisiel: No, sir, we're not because at the end of the day, there are other districts in Southeast Florida other than the benchmark District 20 where race was a factor to comply with a Fair Districts Amendment. So, if you're going to change the districts down there where race was a factor, you would have to deal with that region of the state. So, it's not a hypothetical, sir.

Senator Jones: In the governor's transmittal letter, he suggests that what the people of the vote on, yes, excuse me, he said that it is not enforceable at all. Does that mean that this map was in fact drawn with partisan intent?

Moe Gisiel: Senator, my assessment or my analysis was a partisan intent can be taken into account. The map drawer is going to answer the question of whether or not partisan intent was, in fact, taken into account.

Senator Jones: So, does this map make any attempt to comply with Tier 2 criteria on compactness and minimizing county splits? Maybe that's a question for Jason.

Moe Gisiel: Yes, sir, you would like for me to –

Senator Jones: It's up to you.

Chair Passidomo: I don't have a problem if y'all just stand up there and you could go back and forth depending on who's more appropriate to answer the question.

Jason Parada: Thank you, Madam Chair. Can you repeat the question?

Senator Jones: Yeah, so does this map attempt to comply with Tier 2 criteria on compactness and minimizing county splits?

Jason Parada: So, the Tier 2 criteria does not require the minimization of county splits, but it does talk about following existing political and geographical boundaries. Other than race, which I did not use for this, all of the other traditional redistricting criteria, including compactness, including following traditional geographic and political boundaries, and among many other contiguity, many other redistricting criteria, I did factor in, yes.

Senator Jones: Jason, you would agree based off of the presentation that you just gave us that this map is probably just a tad bit less compact than the current map, correct?

Jason Parada: I don't think I agree with the premise of the question. I think that this map's compactness overall, on average, is consistent with that of the enacted map. Compactness is also something that is kind of in the eye of the beholder. The mathematical compactness scores

are good and courts have used them as a guide, but they're not a gold standard. Just because something is changed by a one-tenth or something like that does not necessarily mean it is better or not. In addition to all of the other redistricting criteria, there are many different ways to draw a map that can comply with all of these different criteria, and the objective is not to find the "best map."

The objective is to find a map that satisfies all the criteria, and that can be done in multiple different ways, using multiple different methodologies.

Senator Jones: So, Jason, the criteria in which you said that you were using, you said, and you can quote me if I misquote you, that you will use criteria from other states and also but you can use the Fair District Act criteria in crafting this map, but you use criteria from other states, correct? Now, and the other question would be, are you speaking of other states being states that has already passed this, like Texas and other places? Is that the type of criteria that you use?

Jason Parada: No, when I say other criteria, I mean traditional redistricting criteria that has been consistently used in Florida, in addition to every other 50 state. There's an entire litany of different criteria that other states use, Florida uses, including compactness, including following existing political and geographical boundaries, contiguity, equal population, all sorts of other things, a lot of which are listed in what used to be our Tier 2 of the Fair Districts Amendment. All of those factors came into play. The only thing that I did not consider is race.

Senator Jones: So, the governor cited the forthcoming Louisiana v. Calais decision from the US Supreme Court as a potential reason to redraw. He said that in multiple interviews, but he also acknowledged that no decision has been issued yet. So, I ask why are we drawing these today, Jason?

Moe Gisiel: If I could, Senator, I'll handle the Calais question.

Senator Jones: Oh, sure.

Moe Gisiel: Senator, you've got the Black Voters Matter case and you've got the Calais case. They are walking side-by-side, but they're walking as two separate things, and the Black Voters Matter case deals with the Fair Districts Amendments and Calais deals with the Voting Rights Act. The Fair Districts Amendments are on shakier ground because the Fair Districts Amendments don't emanate from Congress's powers under Secretary –

Senator Jones: But you all won that case, correct?

Moe Gisiel: Yes, sir, we did.

Senator Jones: Right, and so if you're looking at the Louisiana v. Calais case that has been issued, there has been no issuance of that, and matter of fact, Florida is not even a party in that case, am I correct?

Moe Gisiel: True, sir, but the Fair Districts Amendments case, the Black Voters Matters case, the logical import of that decision is that trying to take race into account to comply with the Fair Districts Amendment runs smack-dab into the Equal Protection Clause. The court did not have to confront that issue because it wasn't brought up. But the import of what the court is saying and the import of where the law is evolving on the use of state-based racial provisions is getting very clear because, again, remember, the Voting Rights Act is in a separate bucket.

The Voting Rights Act was created with a legislative record in 1965, and the Voting Rights Act was created consistent with Congress's powers under Section 2. Neither of those two things is true for the Fair Districts Amendments, Article 3, Section 20A. So, if the US Supreme Court is only assuming without deciding that you can maybe use the Voting Rights Act, then it is for sure going to come to the conclusion that using the Fair Districts Amendments is not a compelling interest for racial consciousness. The Florida Supreme Court said that.

It did not get to the next question, the next logical step of if it's not a compelling interest, then can it be used at all? That's the next logical step, and so that has been the development on the fair districting side, the Article 3, Section 20 side, sir.

Senator Jones: So, why not challenge the Fair District Act to the Florida Supreme Court?

Moe Gisiel: So, sir, as executive branch officials, the public official standing doctrine prohibits us from challenging the constitutionality of a state provision in the first instance. The way to tee this thing up in the structural constitution that we have is for the legislature to pass a bill and for the legislature to have a bill saying, "We have looked at the law. This is how we believe we can comply with the law," and that then tees up the issue for the courts. The legislature, the executive branch cannot go challenging a state statute or a state constitutional provision.

The way to tee this up is to pass a law, have it plainly before the courts, and have them address it.

Senator Jones: A few more questions, Madam Chair. The Governor's Transmittal Letter says that the proposed map is based on 2020 Census data, Jason, you made mention of it, but attempts to account for population growth in Florida by reconfiguring districts around the areas of high growth. My first question is, doesn't this proposed map have the same number of districts as the current map, so how does that account for population growth?

Jason Parada: Thank you, Madam Chair. So, as I reoriented the districts in South Florida and Central Florida, I tried to, as a guide, because I know which counties, based on the EDR statistics, have grown faster or slower than other counties in the state or compared to the state average. So, we know that where certain areas might have more people than is in the current 2020 Census. Despite the fact that I still had to balance everything using that 2020 data, I was able to slightly restructure everything in order to account for those changes in population a little bit better.

So, the actual populations of the districts might be more balanced now than before, but I don't know for certain. Nobody really does until we conduct another census.

Senator Jones: Jason, so you will agree with me that if that population growth has changed in congressional areas, that means all of our seats up here should also be withdrawn from the House and the Senate, am I correct?

Jason Parada: Well, I'll let Mr. Gisiel talk about that, but I believe there's a different standard with state legislative redistricting compared to congressional redistricting, but I'll let him expound on that.

Chair Passidomo: In the microphone.

Moe Gisiel: Thank you, Madam Chair.

Chair Passidomo: They can't hear you, apparently, on the Florida Channel, so when you answer, please stay as close as you can.

Moe Gisiel: So, Senator, the legislative redistricting is governed by Article III, Section 16. That's the legislative reapportionment. A). The governor has no role, and B). that provision has separate strictures that apply here, and I'll let counsel for the Senate and the House speak to that.

Senator Jones: Has the governor taken any action to prepare for the 2030 Census to ensure that Florida receives seats in accordance with this population in the next round of reapportionment?

Jason Parada: I don't have that information, but we can get back to you on that.

Senator Jones: And has the governor requested that the legislature allocate funding for the 2030 Census preparations that need to be completed over the next year?

Jason Parada: It's the same question. We don't have that information. I'm just here presenting the map on behalf of the Executive Office of the

Governor, but I'm sure that's information.

Senator Jones: A few more questions, Madam Chair. The governor has said we need to redistrict because certain districts in the 2022 map were drawn because of race. Correct, Jason?

Jason Parada: Drawn with race as a consideration, yes.

Senator Jones: So, which districts in the current map were drawn because of race?

Jason Parada: Well, when you say the current map, do you mean the benchmark map?

Senator Jones: The benchmark.

Jason Parada: The currently enacted map?

Senator Jones: Yes, sir.

Jason Parada: Well, clearly, Congressional District 20 is an example of that. And then I believe that there was three districts in South Florida, District 26, 27, and 28, where race was a consideration.

Senator Jones: I'm going to go down to District 24, Jason. In the District 24 seat, that's Congresswoman Wilson's district. Do you consider that District 24 compact?

Jason Parada: In the proposal?

Senator Jones: In District 24? In the proposal for the enacted map. In the proposal. Yes, sir.

Jason Parada: Yes, I believe it is.

Senator Jones: So, current District 24 includes parts of Broward. It includes parts of Miami-Dade County, both of which are larger than a single Congressional District. So, does current District 24 split more

counties than necessary?

Jason Parada: No.

Senator Jones: So, the only cities current District 24 splits are Miami and Miramar. So, does it split more cities than necessary? Because in the district, you have Miramar, you have Dania in there, you have Hollywood in there, you have West Park in there, you have Hollandale in there. So, that would go against what you presented, not what you presented. I don't want to put words in your mouth, based on the law.

Jason Parada: So, I disagree with the premise with that, and I'll take a step back and look at the region as a whole because you're looking at a specific one district and talking about what it is doing. When you're drawing districts, you have to balance all of the standards, including city splits, including county splits, including compactness, and everything all together, not just for the single district, but how the region comes together as a whole. And in some cases, you're not able to, especially with the equal population standard of a Congressional District, where you have to get down to plus or minus a single person, sometimes you're simply just not able to keep a city whole, despite trying.

But that's not the overriding goal of everything else. There's all the other redistricting criteria you'd need to take into account, too. There's also, in that area of Broward County, some of the municipal lines, which are not regular in shape, and can change throughout the decade more than a county line or anything. I believe it's Cooper City and Southwest Ranches are actually interlocked with each other. Danube Beach has some sprawling areas of it that goes out to the coast and comes down. Same with Hollywood.

Some of these municipal lines are not very easy to draw around. So, sometimes it just necessitates, as I showed you, the block lines. If I were to show you a bigger issue with the block lines overlaid with some of the municipal lines, you'll understand how difficult

that can be sometimes. So, that's simply just part of the balancing of all of the standards. Yeah, we'd like to keep more cities whole if we can, in addition to everything else.

But sometimes finding like the turnpike that I found to have three districts come together and use the turnpike, which is a recognizable major roadway for the people in that area, is preferable than trying to use a municipal line that might extend out and look very jagged and without people knowing that that is the actual municipal line. So, sometimes using those political and geographical features, which are also a redistricting standard in lieu of a municipal line or something else is preferable. But that's all part of the balancing of all of the standards where you can't just lean on just cities or just counties or just one aspect of the redistricting criteria.

You have to look at the whole picture and how the whole picture is affected in the entire region rather than looking at one specific district where it may split a city that it didn't before or something along those lines. It's just part of the necessary balancing that happens when you're drawing a complete redistricting map.

Senator Jones: And my last question, then I'll hand it off to some of my other colleagues. And that is just to get clarity on the usage of the Fair District Act or the non-usage in this case because I think the terminology that we're using as it pertains to the Fair District Act is that it is inconsistent with federal law. Is that the reason why, Jason, that you may mention that partisan parties, basically parties, did take, not precedent, but you looked at partisan politics in creating these maps because you all believe that the Fair District Act is inconsistent with federal law. Am I correct?

Jason Parada: So, I can tell you that, as I mentioned before, I used all redistricting criteria except for race. That was the only thing that was neutral. Partisan or electoral performance data was a consideration, but certainly not at the exclusion of all of the other standards. And you can look at our map and how I tried to draw as compact districts as I can, kind of combining all of those principles without leaning on

one more than the other. For example, with the cities, I could have kept more cities whole, but that would have been at the detriment of visual compactness or mathematical compactness in some cases or having to break certain counties.

There's actually a city, Longbow Key, that is actually split because it is between Manatee and Sarasota counties. So, it has to be split. But I could have kept that city whole and split another county. That's part of the tradeoff that kind of happens with that throughout the map when you're trying to balance all of these things together and trying to put an entire redistricting map together, which is part of everything that you need to consider when you're drawing a map.

Senator Jones: Thank you. Thank you, Madam Chair.

Chair Passidomo: Senator Pizzo.

Senator Pizzo: Thank you. That's very loud. Good afternoon, everyone. I have a few questions, Madam Chair.

Chair Passidomo: You're recognized to go back and forth until you're not.

Senator Pizzo: These are going to be rather rudimentary. They're not trick questions. They're very elementary in nature. Can either one of you, probably Moe, define majority-minority for me?

Moe Gisiel: Sure, Senator. So, majority-minority is where you have a minority group, and that minority group in and of itself can get to 50% plus one. That would be a majority-minority district. And I can go on with other questions if you'd like.

Senator Pizzo: Can you give an example of a majority-minority?

Moe Gisiel: Sure. So, a majority-minority district, if we're looking at this through the Voting Rights Act lens, which I think you are, Senator, it's the first Jingles precondition. Jingles is a US Supreme Court case, and Jingles lays out these preconditions that you have to

show if you're challenging a state's lack of a district for a minority. And so, those preconditions, the first one is you have to show a large, compact community, and large is majority-minority. So, the Supreme Court said you've got to focus on just one race and you've got to see if that race gets to 50% plus one, and that would be a majority-minority district.

That's the first precondition. Then there are others. You have to show that that minority community votes cohesively for a particular group and a particular candidate, and then you have to show that the majority votes against the minority's choice. And so, those are the three Jingles preconditions, and there's a totality of circumstance test under Jingles. And that together is used to assess whether or not the Voting Rights Act requires a district for the minority community.

Senator Pizzo: Got you. I mean, traditionally, historically, I think we're talking about Black, Hispanic, but can you have a White majority-minority district?

Moe Gisiel: There is no case saying that you can't. I'm aware of at least one case where a White community at a municipal level in a majority-Black city argued that they should be allowed to create a majority-minority district for the White community because, again, if you're looking at a municipality, it's on a smaller scale, so you can have a majority-minority that's White.

Senator Pizzo: So, let me give you an example. Senator Corey Simon is in a majority-White district, and he's a Black state senator. How does that reconcile with what the directives and the edicts are of the Constitution?

Moe Gisiel: The edicts of the Constitution or the Voting Rights Act?

Senator Pizzo: The Voting Rights Act. Do that lens first.

Moe Gisiel: Sure. So, the Voting Rights Act, Senator, the question comes down to so on the totality of circumstance test, if we are looking at an

African-American elected from a majority-White district, that cuts against the notion that you need a VRA district. So, that goes in the totality of circumstance test. If we're looking at the Jingles preconditions, however, the race of the person who is elected does not matter. It is whether or not the minority can elect the person of their choice in a primary that they control. That's the first test.

So if, for example, the minority's choice is a Democrat, you see whether or not the minority can control the Democratic primary, and then you see whether or not that minority's choice can prevail in the general. So, you assess both those things.

Senator Pizzo: You would agree sometimes erroneously that the public conflates the idea that the candidate is actually representative of the same either race or group. That's in question, correct?

Chair Passidomo: Mr. Moe, I think we're still having trouble hearing you, so maybe raise the mic and get closer together.

Senator Pizzo: You can actually raise the podium.

Chair Passidomo: There's a button on the right.

Senator Pizzo: Dustin to the rescue.

Chair Passidomo: There you go.

Moe Gisiel: I apologize, Madam President. So, Senator, I agree with the sometimes, but I simply note this, that, again, as you pointed out with the example of Senator Simon.

Senator Pizzo: Simon.

Moe Gisiel: I apologize. It's my first time testifying before the legislature. But sometimes is a key word there because, again, in the totality of circumstance test, if you have a community, if you have the state of Florida, for example, and the state of Florida is consistently electing minorities to elected office, that goes in the totality of

circumstance test. And, again, I note the VRA used to have a preclearance regime. Florida was never in the preclearance regime for race, ever.

Senator Pizzo: What really caught my ear was when you said in looking at these proposed congressional redistricting plan maps, you actually don't know and can't speak to how they're going to perform, can you?

Moe Gisiel: No, sir. We didn't take racial data into account. So, if you were trying to figure out how these maps would perform, you would take the racial data, you would take the Black voting age population, you would do the kinds of functional analyses that this chamber and the House did last cycle and assess whether or not a particular minority community can control a primary and then control the general. And we didn't take racial data into account. We didn't do any functional analyses. So, I don't know how this map will or will not perform.

Senator Pizzo: Perhaps tangentially, I mean, we're not swearing you in. I don't think you got sworn in the House. But surely in the past, the Florida Supreme Court has liked to press play on the Florida General Recordings. But how are you prepared, if I can ask as an intellectual exercise, to defend what is proposed as you stand here that this is going to pass the legal smell test and say you don't know how this is going to perform?

Moe Gisiel: So, sir, taking your points in turn, I am an officer of the courts under the Rules of Professional Responsibility 4-349. I have a duty of candor to this body, and I intend to tell the truth, No. 1.

Senator Pizzo: Me too.

Moe Gisiel: And 2.) the argument I've laid out, Senator, for why we believe the FDA does not apply is one argument. We can cabin that and set that aside. The other argument about let's assume that Calais comes out and Calais changes nothing. If there's a separate Voting Rights Act lawsuit, and in that Voting Rights Act lawsuit, the argument is being made that we're somehow violating the Voting

Rights Act, we would, in that litigation, as part of our defense of the map, hire an expert to assess whether or not the map performs for African Americans.

And we would only do that, Senator, if the plaintiff satisfies their burdens under the Voting Rights Act to meet the Jingles preconditions, to show that there are alternative maps that could be drawn. There are several steps in the Voting Rights Act process, and we'd go through that.

Senator Pizzo: All right. So, that narrows it down to my next question nicely, actually, nice segue. Jason had mentioned that he was race-blind, race-neutral, didn't even pay attention to that, but did contemplate partisan data. So, I'm just going by the 2026 numbers from the Secretary of State's Office that shows registered Republicans at 5,545,000 and change, NPAs at 3,338,000, minority parties at 478,315, I think, and 4,052,000 for Democrats. So, roughly 41% of the registered voters in the state of Florida, I'm just going by Secretary of State's data, are Republican.

But proposing 24 out of 28 congressional maps would mean 86% of all congressional districts are actually Republican districts. So, the minority of registered voters in the state of Florida at 41% of the total 13,414,000 that are registered to vote in Florida as of the last count, only 41% are Republican, but 86%, 87% of the districts proposed in this plan would be Republican. How do you reconcile that? It's a really basic question because I don't know how to reconcile it in my head.

Moe Gisiel: So, Senator, from a legal perspective, and I'm not making normative judgments about whether –

Senator Pizzo: But, Moe, it's math. Math is one right answer, so let's keep it as simple as math.

Moe Gisiel: I understand, Senator, and I'm not challenging your math. The question about how do I reconcile the fact that Democrats are underrepresented as a proportion of the registered voters, that's a

normative question, and I'm not answering whether that's true or not.

Senator Pizzo: How is the majority of Florida registered?

Chair Passidomo: Let him answer the question, and then –

Senator Pizzo: Moe is used to this in court, Your Honor. We're back and forth, and so and I.

Chair Passidomo: I'm the judge right here.

Senator Pizzo: Let me pose a question.

Chair Passidomo: Let him answer the question.

Senator Pizzo: Let me pose a question this way. Why is 59% of registered voters in Florida no longer represented?

Moe Gisiel: Senator?

Senator Pizzo: Moe?

Moe Gisiel: A couple of points. A couple of points, Senator. And, again, you're framing this as a disparate impact on the Democrats in the state. One, if we're –

Senator Pizzo: No, I'm not a Democrat, Moe.

Chair Passidomo: Let him answer the question.

Moe Gisiel: I'm going by your numbers. If you're framing this as a disparate impact on Democrats, i.e., the Democrats are being harmed by this, Democrats aren't a protected class for purposes of the Equal Protection Clause, so that's not a constitutional issue. Rucho says that in federal court constitutional issues don't touch on partisanship issues. Partisanship is not something that's justiciable in federal court. So, the fact that Democrats are underrepresented

or overrepresented is not an issue that goes to federal court. And, second, sir, I simply note this. There is a lot of literature on political geography that shows up in courts.

Democrats live together. Democrats live in highly concentrated segments of a region. And if you're going to do that and you're trying to hit a magic number of 729,221, you're more likely to draw fewer Democratic districts in highly concentrated areas than you are more Democratic districts. So, it's not a one-to-one comparison that you can make in that regard.

Senator Pizzo: So, Moe, what you just then sort of resorted to was talking about economics. You went from we're race-blind, we are geographically blind, but we can find the greatest concentration of disparate economic circumstances, which is tantamount to being race. I'm just using your words, but I just want to go back for a second because I need to make this very, very clear. I'm not talking about a disparate impact on Democrats. I'm not talking about a disparate impact on minority parties of 478,000. I'm not talking about a disparate impact on people like me that are NPAs, the 3,338,000 of us.

What I'm talking about is not one particular party. I'm talking about the majority. And because state Senate districts and House districts can be disparate as it relates to the numbers, you can get in and around the number, but the 769,221 must be so exact that only one of these 28 will have one less. But Jason, I'm trying to convince my mom to move down here so we can balance it out. Here's my question. Why are 59% of a number, in Virginia, I'm sure it's the inverse, but why is the majority of Florida registered voters now subject to a minority of registered voters overly dominating the congressional Districts 24 to 28, which is 86%?

Why are 5,545,000 Floridians getting to enjoy 86% of congressional districts when they are the minority?

Moe Gisiel: So, Senator, first a correction. Disparate impact has nothing to do with economic status. Disparate impact is a term of art from equal

protectionism law. So, I am in no way suggesting that we're taking economic considerations into account. I'm simply pointing out that –

Senator Pizzo: But you said Democrats live together in concentrated sections of poverty.

Chair Passidomo: Senator Pizzo, it's hard for me to understand what you want to say if you're interrupting. I'll have to go back to the chair otherwise.

Moe Gisiel: So, Senator, me referencing the fact that Democrats live in concentrated areas is me referencing literature in the political science that comes up in redistricting cases as folks are trying to make the point that we can or can't draw a district. That has nothing to do with economics. It's just where geography is, political geography. So, I'm saying nothing about economics. Again, to your other question about is this right, is this wrong, is this fair, is this unfair, those are normative questions that I'm not going to answer because that does not go to the legality of an action or inaction. That's a policy question for this body.

Senator Pizzo: Gotcha. Just two more quick questions, Madam Chair. Jason, you said that you relied on census data, but it's been the worst kept secret in Tallahassee and throughout Florida that members of the executive branch don't agree with that census data from 2020. What did you use? You said you used some projections, some other supplementary sources, whatever. I mean, like HSMV, driver's license registration? I mean, what did you use as a curative measure to the census data that the governor himself and I think the Attorney General as well has said, "We don't agree with the census data whatsoever, we were undercounted, we were underrepresented."

So, what did you use to actually make sure that you got the 769,221?

Jason Parada: So, the 769,221 number is based entirely on the 2020 census data.

Senator Pizzo: But the governor has said, James Zuthmeyer, the Attorney General I believe has said, "We got screwed in the census." So, the basis of the data you're using to craft 28 new maps is based on data that you guys don't agree with at all. Reconcile that for me.

Jason Parada: I can only tell you what I did, Senator, and what I did is use the 2020 census data combined with the census geography that currently exists and tried to use the data that came from EDR to figure out where counties have grown faster or slower to try to reorient the districts in such a way. I did not alter the actual census data in any way and used the same census block data that has been available since it was released in 2021 to every state in the union to do their redistricting.

Senator Pizzo: All right, here's my final question. It alludes to what Senator Jones was asking about, about why didn't you guys challenge, why didn't you guys take initiative, why didn't you try. Moe, your response to Senator Jones was it's really not the purview of the executive branch to be able to go ahead and make challenges and all those issues. But on February 1, 2022, Governor DeSantis requested an advisory opinion from the Florida Supreme Court inquiring as to Article III, Section 20A of the Florida Constitution requires the retention of a district in northern Florida, etc.

The Florida Supreme Court declined to provide an opinion in response to the governor's request, noting that the scope of the governor's request is broad and contains certain multiple questions that implicate complex federal and state constitutional matters and proceedings interpreting the Voting Rights Act of 1965. Moreover, the governor's request might necessitate fact-intensive analysis and consideration of other congressional districts, not just District 5.

Both of you gentlemen, you can answer this independently because the Florida Supreme Court said at that time, "We have no record before setting forth a functional analysis of statistical evidence such as voting age of minority populations, election results, whatever." Do you feel confident that what you've proposed here has gone through and contemplated a very deliberate treatment to

implicate complex federal and state constitutional matters and proceedings interpreting the Voting Rights Act? Do you think that you guys have properly vetted and been deliberate enough on this map to satisfy that test as to why they declined an advisory opinion?

Moe Gisiel: Yes. Yes.

Senator Pizzo: Because you just said that you have no idea how this is going to perform.

Moe Gisiel: Yes, and if I could elaborate, sir. You're referring to the advisory opinion request that was made before the Black Voters Matter case ended up at the Florida Supreme Court and before the Florida Supreme Court addressed some of these other issues. So, you're giving us a snapshot in time when you move the clock forward, you see that the Florida Supreme Court has said and done more. And in light of what the Florida Supreme Court has said and done and in light of what has gone on elsewhere at the federal court level, we do feel confident that the position we're putting forward is a simple, consistent, and we believe correct constitutional position on behalf of the executive branch.

Chair Passidomo: Any other questions?

Senator Pizzo: I asked for independent answers from both gentlemen.

Chair Passidomo: Oh, I'm sorry. I missed that part.

Jason Parada: I would echo Moe Gisiel comments.

Chair Passidomo: Any other questions? Senator Bradley, you're recognized.

Senator Bradley: Thank you, Madam Chair, and thank you both for your presentation. And I think that some of my fellow senators' questions have sort of given rise to, I think, what some of the confusion is. This map is drawn using the 2020 census numbers of 769,221.

Jason Parada: That is correct, ma'am.

Senator Bradley: And most of the discussion going into this redistricting process has talked about the fact that Florida has experienced a lot of population growth over the last several years. So, 1.) hearing this, maybe our constituents at home, friends and neighbors, may assume that that population growth is going to be reflected in this map. That population is not reflected in larger districts. So, you testified or, yeah, you testified, unsworn, but testified that you have the 2020 census data, and then my guess is you overlaid the EDR and state demographic metrics, looked at the two maps to see where the heavy population growth was. Is that fair?

Jason Parada: So, I used the 2020 census data exclusively. I did not overlay any other data over the map itself. Simply the data that was reported that's publicly available, you can see which county growth has happened, so you can kind of tell which counties have grown more than the state average or more than other counties based on their previous population, kind of get a different sense of how the population has changed. And even though you have to balance back to 769,221, you can orient the districts in such a way where you can anticipate that those areas may have more people than are actually there in the 2020 census data.

So, you can orient them in such a way to approximately account for them, but they still have to be balanced to the 2020 census data. So, in that respect, they are balanced completely to the 2020 census data. So, there's no actual new data incorporated into it, other than using what was available kind of as a guide to understand where some districts may be overpopulated or what areas might need more voice, those bedroom communities that have grown up around our urban areas, and try to give them better representation moving forward for the second half of this decade.

Senator Bradley: And you looked at that EDR data statewide?

Jason Parada: Statewide and by county, yes, ma'am.

Senator Bradley: Why is nothing reflected with regard to population changes in northeast Florida, for instance, which has experienced substantial growth, and across the panhandle? Why is our population changes, why are people only in certain parts of the state, why did they merit adjusted lines based on population and not other folks in the state?

Jason Parada: So, I certainly consider that, but also in trying to balance all of the standards with this redistricting, as you always do, you can't lean on one thing more than the other. And in a lot of the panhandle counties, some of them did grow, some of them did not grow nearly as fast. And there wasn't as much need for a change in some of those areas. I could have made more changes throughout the map, but there's also a desire to keep as much of the current map available as possible.

The other big edict that I had with this was drawing this map in a race-neutral way. The biggest change with that was in south Florida, particularly with Congressional District 20, and that impacted the rest of the map from there greater than the other parts of the map, which didn't have that same issue of being drawn in a race-neutral way. So, I was trying to balance all of the criteria that I was using to draw the map and didn't find it necessary to continue drawing further north than I did.

Senator Bradley: So, more of a race-based map than necessarily one to address population?

Jason Parada: A race-neutral map.

Senator Bradley: Race-neutral, race-neutral, as opposed to population, per se.

Jason Parada: They were done in conjunction. There was not one more. The population growth aspect or the race-neutrality aspect were kind of drawn in conjunction together. There wasn't one that was predominant over the other. It was all kind of a balancing of all of the standards, including compactness and some of the issues we talked about before. And when you look at redistricting, you kind

of have to look at the map as a whole. And yes, some areas are never going to be exactly how you want or whatever, but that's because as a map drawer, you have to look at the map as a whole.

You have to look at regions as a whole. You can't look at single districts or even a single county and make a decision on a map based on that particular county. You have to see the whole picture and how it's all going to be put together. And the biggest race-neutral change was South Florida, and those impacts moved into Central Florida, trying to take those population growth issues into account as I was making the biggest change in the map that was there and just found it unnecessary to go further north.

Senator Bradley: And when did you begin working on this map that we're seeing here?

Jason Parada: Approximately about two weeks ago.

Senator Bradley: Two weeks ago, and when did you complete your work?

Jason Parada: Over the weekend.

Senator Bradley: And can you identify individuals that you were in consultation with through the map-making process? Any outside groups involved? Can you give us a sense of who you collaborated with in the rendition of this map?

Jason Parada: So, I'm the only map drawer. I'm the only one that moved any lines around on the map. I did work with other EOG staff and counsel, but I'll leave it at that.

Senator Bradley: And then the last is just a legal question. I just want to make sure that we're clear. You had indicated that the Calais decision was the last logical step in order to render the Fair Districts Amendment, the race provision in the Fair District Amendment, to be unconstitutional and would require that not to be considered for purposes of Florida redistricting, right? You have Step 1 is Calais. That hasn't been decided yet, and that is sort of the last logical

step. I think you described it in your memo as you feel as though the Supreme Court has signaled that that would be unconstitutional and that they are poised to affirm that it's unconstitutional, but they have not yet done so. Is that correct?

Moe Gisiel: That's not quite right, ma'am. If we go through Calais, Calais runs through the Voting Rights Act lane to the Equal Protection Clause. Black Voters Matter runs through the Article 3, Section 28, the Fair District Amendment lane to the Equal Protection Clause. So, Calais is dealing with whether or not Section 2 of the Voting Rights Act can serve as a compelling reason for the use of race in redistricting. The Black Voters Matters case has already said that use of the Fair District Amendments is not a compelling reason to use race, so two different lanes.

So, if we're going through the Fair District Amendments, Article 3, Section 28, the next logical step of what the Florida Supreme Court has already said is that we shouldn't be using race because race cannot be a compelling interest for a state analog to a provision that is not supported by a legislative record like the one for the Voting Rights Act, and that is not something that was enacted consistently with Section 2 of the 15th Amendment, which again, the Voting Rights Act was, so slightly different.

Calais itself is the last logical step. It's going to be the most recent say of the US Supreme Court on Section 2 of the Voting Rights Act, and whether or not Section 2 of the Voting Rights Act is at war with the Equal Protection Clause.

Senator Bradley: So, in your testimony, the Calais decision has no basis, but we are on our legal prerogative to enact this map regardless of the decision in Calais?

Moe Gisiel: Ma'am, my assessment of Calais is this. If you look at the benchmark plan, Calais has the most import when it comes to Congressional District 20. Congressional District 20 is the VRA district. That's the one that Calais is going to have the most impact on. The other districts in Southeast Florida, as you heard from Mr.

Parada, there's some districts in Southeast Florida that weren't Voting Rights Act districts but were created with an eye towards race to comply with the Fair Districts Amendments. Those are the ones where you don't need to wait for Calais, where you can do something.

And if you're making changes in Southeast Florida that comply with state law and the changes in state law, you can make other changes there in an effort to be forward-thinking and be prepared for Calais because the alternative is Calais comes out in late June, we get sued in July, and then there are other steps beyond that.

Senator Bradley: Certainly, we're waiting on Calais to address that one district to give us the legal justification there. But in addition, the next logical step that you make is then to say and if that decision is received the way the court has signaled, that the Fair Districts Amendment is null and void. And you made an argument with regard to severability. That is simply your argument. That's not a position that's been adopted by the court short of a question by a Supreme Court justice during the argument. Is that correct?

Moe Gisiel: That is correct. The severability argument is the executive branch's argument on the issue.

Senator Bradley: Sure. So, really, the map is a legal theory that's sort of underpinned by two ifs. If Calais comes out, and if the Supreme Court were to adopt your non-severability argument, then we would be able to adopt a map that does not regard race and is drawn with partisan intent. Is that correct?

Moe Gisiel: Yes, ma'am.

Senator Bradley: Thank you.

Chair Passidomo: Senator Rouson.

Senator Rouson: Thank you very much, Madam Chair. Let's talk about proposed CD-14. It seems like the lines converge in downtown Tampa, and

Tampa's split up between three different proposed districts. Is that correct?

Jason Parada: Yes. In this map, the municipality of Tampa is split between three different districts. That was unfortunate. I never liked to do that, but the Tampa municipal lines extend from literally the entire eastern side of the county all the way to the northern side of the county. It is simply one of the matters that because we had to assign people to different districts, it just wasn't possible, in this orientation, to keep that split only twice. Much like other counties in the state that have to be split for equal population or things along those lines, the actual geography of the municipality, if you can see it, it's very, very long.

It cuts the county in half. And as a map drawer, sometimes it's one of those difficulties where you have to split a city more than you would want simply because the math has to work out.

Senator Rouson: I'm sorry, Madam Chair.

Chair Passidomo: No, you're recognized.

Senator Rouson: Is there any other city of this size in the proposed map that you split three ways like you do Tampa?

Jason Parada: Orlando.

Senator Rouson: Southern Pinellas, which is St. Petersburg, what counties do you connect it with in the proposed map?

Jason Parada: So, Southern Pinellas County is connected to Manatee, DeSoto, Hardy, and Sarasota counties.

Senator Rouson: And you think that by connecting Hardy, DeSoto, to Pinellas, the residents would be served and be able to elect a representative of their choice?

Jason Parada: I mean, I can't necessarily speak to the representative of your

choice question, but I know that Southern Pinellas County is connected directly with Bradenton and Manatee County through the Sunshine Skyway Bridge. So, there's a direct pathway there that people travel every day. Beyond the other issue, I can't necessarily speak to that.

Chair Passidomo: Senator, I'm sorry, did you have any more questions? Oh, Senator Gaetz, you had some questions and then Senator Berman.

Senator Gaetz: I yield to Senator Berman.

Chair Passidomo: All right, Senator Berman.

Senator Berman: Thank you, Senator Gaetz, and thank you, Chair Passidomo. So, I have a lot of questions. So, Mr. Parada, did you draw any earlier maps before you drew this map two weeks ago?

Jason Parada: No, ma'am. The map that you see here, other than my prior experience with redistricting, this is the map that I started working on. It's an iterative process, but it resulted in the map that you see here.

Senator Berman: Thank you, Madam Chair. When you say it's an iterative process, you said you did consult with other people, not actually change the lines, but other people in the Governor's Office you did consult with. Could you tell us who those people are?

Jason Parada: I'm just going to leave it to other executive office of the governor, staff, and counsel.

Senator Berman: Thank you. Can you tell us who reviewed this map before it was published yesterday?

Jason Parada: I'm going to leave that with the same answer I just gave.

Senator Berman: I'm confused why you can't tell us who had the opportunity to review this map. What privilege or what reason is there for not telling us who reviewed this map?

Jason Parada: I've been advised by counsel to just leave it at EOG staff and counsel, yeah, and that's it.

Senator Berman: Counsel, could you explain to us what legal basis there is not to tell us as legislators who had the opportunity to review this map before it was published?

Moe Gisiel: Yes, Senator. One of the issues that came up in the 2022 litigation and we expect to come up now are the exact contours of the executive and legislative privilege. In 2022, a circuit court judge in the state concluded that the legislative privilege applies to the governor when he's proposing legislation, and the lines that were drawn are what we're trying to adhere to here and be consistent with.

Senator Berman: All right. So, I'd like to go a lot more into the issue of the partisanship that was put into this map. How did you use the partisan data in drawing this map?

Jason Parada: I used partisan data in the same way that I applied any of the other traditional redistricting principles. I did not use it on the exclusion of any of the other principles like compactness or following geographic boundaries. It was just something else that was a consideration as I was drawing.

Senator Berman: Did you set out to give more seats to Republicans?

Jason Parada: No.

Senator Berman: Did you ever create a map that colored each district by its partisan leading?

Jason Parada: No.

Senator Berman: Could you tell us where the map that was given to Fox News that had colors came from?

Jason Parada: I don't know.

Senator Berman: You talked about how you focused on compactness. Does this plan increase the compactness scores?

Jason Parada: It's consistent with the benchmark.

Senator Berman: Isn't the REOC lower under this than the benchmark?

Jason Parada: Well, talking about mathematical compactness scores real quick, and to answer your question, I think it is technically one-tenth of a percent less. However, that's an average throughout the entire map, and I can tell you that mathematical compactness scores are a guide. They are certainly not a gold standard, and exact numbers can't be looked at. Again, it's a ratio comparing areas to that of an imaginary circle that goes around the district. So, if it's in the same range, I would call that to be consistent.

Senator Berman: Was it important for the governor to reduce the number of county splits when preparing this map?

Jason Parada: Ma'am, I can't speak for the governor. I can only speak for myself as I drew the map. And I can tell you that keeping counties whole was definitely a consideration, as you can see it throughout the map. It certainly wasn't the predominant factor like all of the other traditional redistricting criteria, and I balanced that with everything else and kept as many whole as feasible in this new orientation of the map.

Senator Berman: Going back to the partisanship, I left one question out. Can you tell us what districts you used the partisan information in?

Jason Parada: There was no specific district, just like looking at compactness or any of the other traditional redistricting principles. I only used that information sporadically throughout the map, but I cannot identify a specific district. It was mixed in, just like all of the other traditional redistricting criteria, to not exclude any of it and consider it for every district that I drew.

Senator Berman: I have some questions. Do you know why your office chose to

provide legislators and the public less than one day to review the proposed map before the start of the special session?

Jason Parada: I can't speak to that.

Senator Berman: Are you aware of who the Governor's Office chose to share the map with before transmitting it to the legislature?

Jason Parada: I'm not sure. Can you repeat the question?

Senator Berman: Was anyone given the map before we in the legislature got a copy of the map?

Jason Parada: I don't know.

Senator Berman: So, you have no knowledge about the release of the maps to Fox News before the legislature received them?

Jason Parada: I do not.

Senator Berman: I want to go back to Fair Districts and Black Voters Matter ruling, which I have the case right here. I guess this goes to the attorney. Is it your position that Black Voters Matter ruling invalidated the entire Fair Districts Amendment?

Moe Gisiel: No, ma'am. My position is that Black Voters Matter says that trying to comply with Article 3, Section 28 of the Fair District Amendments is not a compelling interest. If you look at Page 47 of the SLIP opinion, the Florida Supreme Court talks about how it's not deciding whether every district intentionally drawn violates the federal constitution. That issue can wait for another day is what the court said. I know, again, Senator, if trying to comply with the Fair District Amendments is not a compelling enough reason to be race conscious, then how can you ever be consistent with the federal equal protection clause if you're trying to comply with the Fair District Amendments?

Because if trying to comply with it is not a compelling enough

reason for race to be put into the mix, then anytime you're trying to apply the Fair District Amendments, you are, by implication, taking racial data into account. And that creates the problem that we're talking about, the equal protection problem.

Senator Berman: I'm reading from the Constitution right here. Section 20 says that no apportionment plan shall be drawn with the intent to favor or disfavor a political party or an incumbent. Do you agree that that portion of the amendment is still valid currently?

Moe Gisiel: Is it valid currently? Yes, ma'am. However, I, again, note that if the race-based provision has to fall, then the whole thing has to fall because these things are not severable, is our position.

Senator Berman: And would you agree that the maps were drawn with partisan intent?

Jason Parada: As the map drawer, I'll speak to that. And no, I disagree with that. I did not draw it with partisan intent.

Senator Berman: But you used partisan data when you drew the map. Isn't that correct?

Jason Parada: I used it along with all of the other traditional redistricting criteria. It was not at the exclusion of everything else and was not predominant over anything else. And my intent was not to draw a partisan map in any way. But it was considered in certain circumstances, generally, when the entire district was nearly complete, using all of the other balancing of all of the other standards, making sure that everything was good. It may have come into play in that final balancing to try to get down to equal or something along those lines as an example. But it was certainly not a factor and it was not my intent to create or draw a partisan map.

Senator Berman: Thank you. I'd like to go to some of the specific districts now. District 20 in Palm Beach County, the governor's transmittal letter says the current District 20, the benchmark one, is not compact and had odd appendages that are a telltale sign of racial predominance.

Isn't current District 20 more compact than current District 25 in the proposed map?

Jason Parada: Ma'am, can you tell me what data you're looking at? I don't know. I don't have the current enacted breakdown of everything, so I don't know what you're comparing that to.

Senator Berman: I'm comparing the current District 20, which is the one that you've talked about ad nauseum about how it was the whole reason why you had to redraw the entire map. And how does that compare to proposed District 25 under your map?

Jason Parada: Yeah. So, I apologize, ma'am. I don't have the current enacted compactness stats district by district, but I will caution you that comparing a single district to another single district in any map is hard to do because especially as a map drawer because you step back and you look at an entire region put together. There may be some districts that have gone down in compactness compared to the benchmark. There's going to be others that have gone up. So, doing a district by district comparison might not be completely fair to the entire extent of the map.

As a map drawer, you look at it globally, you look at it regionally. And yeah, there might be some district that might be a little less compact than another district in another map, but looked at in totality, it's consistently compact, and those compactness decisions were made throughout the map. So, I'm sure I can get that data and compare it for you for that specific district, but I would caution you that that's not really, in my opinion, a good fair comparison, especially with compactness scores.

Senator Berman: How about using appendages, which is the term that the governor used? So, I know you talked about going along with lines of cities like you did with Cape Coral, but when you look at the new district, the proposed District 20, it has a strange appendix that goes up from the right side, and I believe that crosses through many different cities. How do you justify putting an appendage that crosses through many different cities?

Jason Parada: So, again, keeping cities whole or whether or not you split a city or not on an individual basis when you're drawing a map, certainly you like to take into consideration and not do that when you can, but sometimes it makes a benefit. So, the area you're talking about, I wouldn't call it an appendage. Yes, there's an area that follows the railway that goes up toward the northern part of the county, but that's what that is. It's following the railway up to the border and then going back down to the rest of the county.

And as far as appendages go, the appendages that were on the currently enacted District 20 were far more far-reaching and far more irregularly shaped and certainly didn't follow just a railway to go up and add population. Yes, some cities were split. I think it's two cities that it splits that area of the district, and neither city is split more than two times in that particular instance. And it was simply because I needed to achieve equal population in that area and get the district to come together.

Senator Berman: Thank you. So, in 2022, the governor argued that it was important to eliminate the previous CD-5 that stretched from Tallahassee to Jacksonville, and we know that that was the Supreme Court case. In this map, we have CD-22, which connects Marco Island on the west to Parkland in southeast Florida. So, you have a district that stretches almost the entire length of the state of Florida. Can you tell us how that is consistent with the arguments that were made against the previous CD-5?

Jason Parada: Yes, ma'am. So, as I talked about when I presented the districts, the Everglades, the area of very little population in that part of the state, south of Lake Okeechobee in the Everglades, is a very difficult place to draw. It has to be included in districts somewhere. And in this particular case and in many cases, including most of that area into a single district is generally the preferred way in order to limit the impact that that zero population area is going to have on multiple districts by including it in the same one.

In addition to the fact the district you're talking about, part of the objection to it was that it was a long district that included multiple

counties for a race-based reason. This is a race-neutral map, and those rural areas with very little population, such as the Everglades, still need to be included in a map. So, you have to include it somewhere. So, I think that's an apples-to-oranges comparison, personally.

Senator Berman: Do you think this is consistent with the Fair Districts Act, which says that districts have to be compact and where feasible, use existing political and geographical boundaries? Do you think District 27 complies with the Fair Districts Act, the proposed district?

Jason Parada: Well, as I mentioned before, and as Mr. Gisiel has commented about the Fair District Act, separately from whether or not the Fair Districts Act is struck down or not, I certainly use compactness and used all of those what used to be Tier 2 issues of compactness, contiguity, following political and geographical boundaries. I certainly employed that, along with all of the other traditional redistricting criteria, to the best of my ability throughout the map, including District 22, I think you're referring to. District 27 is in the southern part of the state.

But, yes, I included it there. It's just that district included that low-population area of the Everglades that just has to go somewhere, and it has to be included into a district. Otherwise, the whole map would not be in compliance because all of those census blocks I talked about before have to be accounted for, and that low-population area has to be included somewhere. It's just a difficult area to draw in. And there's really not many census blocks available to divide it up. That also includes an entirely whole county in Hendry County attached to that western part of Palm Beach and Broward Counties and most of the rural part of Collier County.

Senator Berman: And then, I just want to go back to a couple legal questions, and I'd prefer if you'd not use the appellation, ma'am, and call me Senator, please. Can you tell me why the Governor's Office believes that the Supreme Court has signaled through Calais that it

will result in a change of the law?

Moe Gisiel: Thank you for the question. A couple of points there. 1.) This case was relisted and re-argued. That happens very rarely. So, that's the first point. Second point, the Supreme Court's response asked another question in the case that went to the issue of whether or not Section 2 can withstand constitutional scrutiny. And the third point, the succession in which the Supreme Court has been hearing these cases suggests that the Supreme Court is grappling with the issue of at what point Section 2 of the Voting Rights Act runs afoul of the Equal Protection Clause.

Senator Berman: Thank you. And then, you may not have the answer to this, but we've read that the governor has claimed that Justice Alito will be authoring the opinion. Does the governor have inside information about the court's internal workings? How would he know who's authoring the opinion?

Moe Gisiel: Senator, that's an educated guess that one can get to by looking at who has been issuing opinions from the most recent term. And Justice Alito seems to be a person who's issued one majority opinion by last count, I may be off by a bit. And so, that is perhaps where the information's coming from.

Senator Berman: Thank you. My last question. The email from Mr. Axelman to President Gaetz stated, "The proposed redistricting plan is race-neutral, complies with the US Constitution, allocates equal population, and is compact and contiguous." The statement specifically omitted compliance with the Florida Constitution, with the Fair Districts Amendments. Is this an admission that the proposed plan violates the state constitution?

Moe Gisiel: Senator, as I've explained, our legal position is that we do not need to comply with Article III, Section 20A. Mr. Parada has given you his factual input, and from there, you can draw the conclusions that you think are most appropriate.

Senator Berman: Thank you. No further questions.

Chair Passidomo: Senator Gaetz, you're recognized.

Senator Gaetz: Thank you. Excuse me. Thank you, Madam Chair. I'd like to return for a moment to the Fair Districts Amendment. It seems that you've been as careful as you can to emphasize that you are not using race, but rather are using race-neutral methodology in line drawing. By the same token, Mr. Parada, it seems that you have, and I think you just mentioned it a moment ago, you've used the Tier 2 features of the Fair Districts Amendment rather considerably, having to do with compactness and maintaining municipal and county lines.

You've used the Tier 2 features of the Fair Districts Amendment in the rest of your line drawing. And so my question, I guess, is this. Are you persuaded, and maybe this is a legal question, counselor, are you persuaded that you have to obviate the entire Fair Districts Amendment, including Tier 2 provisions, which Mr. Parada has used liberally, in order to win the theory of your case? Help me out, I'm not a lawyer.

Moe Gisiel: Senator, I apologize.

Senator Gaetz: I'm just a country lawyer for the panhandle.

Moe Gisiel: Senator, I'm just a country lawyer from North Florida, but it's been a long day, and I apologize for using the inappropriate appellations from time to time. But our legal position is that you do not need to comply with any of Article 20 if you agree with our arguments. However, there is nothing that prohibits the use of the factors that are listed in Tier 2 of Article 20, if a map drawer chooses to use them or if the legislature enacts a statute saying that any map drawer, whoever draws a map, must abide by these criteria. And so that's the legal point, and I'll leave it to Mr. Parada.

Jason Parada: Thank you, Senator, yes. I mean, those items listed in what is Tier 2 are traditional redistricting principles that are used throughout Florida, have been used throughout Florida, even before the

standards were enacted, including across the country. And it goes beyond that to communities of interest and a bunch of other keeping cores of existing districts and things that are not specifically listed that are considered traditional redistricting principles that many other states have been using for decades.

Senator Gaetz: Madam Chair. So, you would not be troubled then, would you, if the courts said you were correct in using race-neutral considerations in drawing districts, but the rest of the Fair Districts Amendment, particularly the provisions in Tier 2 still apply. You wouldn't be troubled by that, would you? You still would be able to make the case that you're trying to make before the courts or is it necessary that the entire Fair Districts Amendment be invalidated by the courts?

Moe Gisiel: Senator, to abide by sort of the intellectual components of the argument we're making, if the argument is that all of Article 20 is a tiered structure, which based on the text it is, and if the argument is that all of Section 20 was put forward to the voters as a package deal and the argument is that when the Florida Supreme Court in 2009 reviewed this, they saw this as one big component, then if I'm following that argument to its logical conclusion, then it's all of Section 20 should go down.

However, Senator, if a court disagrees with this analysis and has a reason to keep Tier 2 in place, that would be consistent with the Equal Protection Clause, it wouldn't run afoul of it, and it would be consistent with how Mr. Parada has described his map drawing.

Senator Gaetz: Madam Chair.

Chair Passidomo: You're recognized.

Senator Gaetz: Final point. And, again, for those of us who are not members of the legal profession, would you explain why it is that the severability clause necessarily pertains to the Fair Districts Amendment, their lack of a severability clause, when there are many, many cases where the legislature passes bills and later sections of those bills

are struck down by courts, but the rest of the bill remains intact? Why have you chosen to apply the severability argument here?

Moe Gisiel: Thank you, Senator. A couple of points. When we take a look at the severability analysis for a statute that this body passes, that is an analysis where the starting point is a bill the legislature puts forward where all the various provisions are properly connected. That's the single subject requirement for this body. Properly connected components of an issue are put together in a bill and it's put forward. And then, you have the courts assessing whether or not all the various provisions are valid. If one provision is invalid, it can strike down a portion if the remainder works together as an operable provision.

Courts, however, still strike the entire thing down if the components of the bill are interconnected. If we're importing that analysis to the constitutional setting, a couple of differences. When a citizen initiative is enacted, the starting point, the single subject requirement, talks about directly connected. The adverb requires a deeper, more ingrained connection. That's No. 1. And 2.) When we're looking at a constitutional provision and assessing whether or not it can be severed, the same question comes up of can the other provisions operate by themselves? Or were they intended to work together?

And the other question comes up because it was put before the voters. Would the voters have voted for this thing if it was put forward in sort of this severed version? And so, the question when it comes to the Fair Districts Amendments is a couple of parts. We're talking about directly connected as a starting point. We're talking about a provision that when it was presented to the voters was sold as this is a package. This is how we're going to have racial protections, partisan prohibitions, and traditional redistricting criteria. So, it was packaged to the voters as sort of this one big reform.

And the text of what was put before the voters supported that. The text talked about tiers and how the tiers work together. There's a

provision in the Fair Districts Amendments that talks about how if there's a conflict between tiers, which tier controls. Again, that is a signal that these things are working together. And so, in the final analysis, the question then comes down to given all of this, how it was packaged to the voters, how it was conceived, how it was approved, how voters reacted to this and how the text kind of works together, can you separate them?

It's a complicated question. I'll concede that, sir. But our assessment of that question is that they work together. They can't be severed because when you start at the headwaters, you've got directly connected as the starting point for single subject, which requires a deeper connection. And as you flow through the analysis, you've got a provision that was conceived, approved, and structured in a way where it all works together. That's my best answer, sir. I've used a lot of words. Hopefully, they've proven to be a revelation and not a disappointment.

Senator Gaetz: Madam Chair, thank you very much. To those of us who are unwashed, it was a fairly tortured analysis, I give you that. But you don't need to win the argument, do you? In order for you to prevail in your theory of this case, you don't need the entirety of the Fair Districts Amendment to be struck down. You only need, do you not, the portion of the Fair Districts Amendment that deals with race as a factor in redistricting. And the reason I ask that is because you seem to be carrying a bit more of a burden on this matter than you need to in my judgment.

But I guess I'm wondering, do you really need to have the entirety of Fair District struck down in order for your theory of the case to be accepted by the courts?

Moe Gisiel: For the race neutrality theory, no, sir.

Senator Gaetz: Thank you, Madam Chair.

Chair Passidomo: Members, any questions? You are recognized.

Senator Davis: No, we're not quite done. Mapmaker, mapmaker. Thank you guys for your presentation. It's been a long day, and we're going to make sure that our speakers in the audience have enough time as well. I just have a few questions. Jason, you talked a lot about the population estimates specifically. So, what did you do with the population estimates specifically? You talk about that in the sense of when you change plans in areas with more growth. Tell us specifically what you did with those population estimates.

Jason Parada: Thank you, ma'am. First of all, Senator, good to see you again. Second of all, I used them as I described before. They were not directly overlaid with any of the data or any of the counties or districts. I simply would look at the data that has been provided knowing which areas have grown faster to the state average.

So, you can kind of do the math to figure out how much those estimates have said the entire state has grown and figure out which counties have grown at a similar rate to that state average, higher or lower, to then determine what areas might, after balancing, again, using the 2020 Census data, might account for a greater population growth based on those estimates and what counties or what areas. And specifically, that data points to a lot of counties that are around the big urban centers.

So, the bedroom communities to the south or to the north or east or west of some of the bigger urban areas, those are the ones that have grown the most. For example, I think Sumter County is the county that has grown the most over the last five years, Polk County, Pasco County. Some of these areas around the bigger urban areas have grown up quite a bit. And those are the areas I tried to, for example, District 18, Polk County, an area that has grown rather fast, I put a district that is almost entirely within Polk County to account for, rather than that county being attached to a district that has all of the rural counties to the south.

So, if that county grew faster attached with all the other populations of the south, it's now going to potentially have even well more people than the ideal population of the district. So, by

keeping a district entirely within Polk and having those other counties put into other districts, it might do a better job of equalizing the population based on the growth. But that is just my estimate or guess, really, looking at that data as a guide when I really had to balance everything based on the 2020 census data.

Senator Davis: Did you try to make sure that the districts using all of that were closer to equal by using the population in that sense?

Jason Parada: So I, again, could only use them as a guide. They had to balance to that magic number I said before of the ideal population of a congressional district. So, every district in this map equals 769,221 people based on the 2020 census data, except for one district. In this district, it's District 8. Or in this map, it's District 8 that has one person fewer than that number.

Senator Davis: How did you actually use the data? How did you use it trying to get to that end number?

Jason Parada: Which data are you referring to?

Senator Davis: When you're talking about the data with the population estimates.

Jason Parada: Well, the population estimate, again, that was just a guide. There was no way to actually balance all of that. Again, I used it as a guide, as a drawing tool, knowing that, say, Pasco County or Polk County grew faster. So, in my map-making decisions, I tried to account for that without actually physically balancing it since I had to use the 2020 census data. That's what everything is balanced to, using those population estimates to know what counties may have grown faster or slower. Another example, when we talked about District 16.

Because I know that Hillsborough County has grown faster than Pinellas County, in that choice that I had, take District 16 to Hillsborough or take it to Pinellas, because of those population estimates showing that Pinellas County has grown slower than Hillsborough County, I chose to try to put a district entirely within

Hillsborough instead of Pinellas. That was simply a decision that I made using those population estimates as a helpful guide as part of that decision. Not entirely that, but as part of it.

Senator Davis: You talk about population-population, but I'll go back to really quickly the map that popped out, and I think my leader talked about that CNN map. It's really, really hard for us to sit here and deal with this particular map knowing that that first map that the governor did his interview with was a partisan, gerrymandered map. And you guys have already answered it, but I'm going to answer it again. Do you all know where that first official map came from that was an obvious partisan gerrymander?

Moe Gisiel: Senator, are you discussing the benchmark plan?

Senator Davis: No, I'm discussing the map that was shown on Fox before any of us actually saw it.

Jason Parada: So, I'm aware of the map that you're referring to that came out. It is the same map, but I did not put those colors on that map, and I don't know who released it.

Senator Davis: So, Jason, this is strictly for you. When we're talking about the scores, the Popper score, the REOC score, I think when we were dealing with redistricting some time ago, Robert Popper was the gentleman that came out and testified from the Governor's Office. And from my notes here and from that time, he identified how we use the Popper score and things like that. I see you smiling. But when you look at what he testified to in those last maps, and I think I already have the answer, I want you to confirm it for me, three districts in your map are even lower in scores than Robert Popper's maps that he testified to during redistricting some time ago. It's the new 15, 25, and 28 in your map.

What's the difference, and why would we have something with lower Popper scores than Robert Popper's map when he testified for the Governor's Office?

Jason Parada: Thank you, Senator. I remember when he testified. I don't remember what map you're specifically referring to or what criteria he was using to identify any of that. I do know that mathematical compactness scores of all the three big ones, the Polsby-Popper score, the Convex Whole score, and the REOC score, are good guides to help with redistricting. However, they all have flaws. Each one of them can misinterpret how some compactness is done. For example, the REOC score does not treat rectangles or squares very well and other shapes like that.

Other scores may have similar things where they don't do a great job of calculating the scores on different shapes. So, I would caution using them as a hard and fast rule and use them more as a guide, as a tool, in conjunction together, especially looking at an entire region. Sometimes one district might have gone down, but that might have helped improve other districts in the area or in the region. That's what I'll say with that. Again, I can't speak specifically to the districts or the analysis that he did because I don't have that in front of me and I don't remember what districts he was analyzing at that particular time.

Senator Davis: Mr. Gisiel, I think this one is for you. With the maps that were drawn the last time, and Mr. Parada, Jason, being the map drawer, we've heard a lot about race-neutral population and why we're here today. So, my question I pose to you is, do you think the maps that he drew in 2022 are unconstitutional or were they unconstitutional? Are they unconstitutional?

Moe Gisiel: Senator, if the question is, do I think that the 2022 enacted map is unconstitutional, my answer is no, not yet, is my best answer.

Senator Davis: And let's go back to that map because I'm just really curious how we're not looking at that, by the way, partisan, gerrymandered map that was seen by the nation. Are you guys concerned that that was the first map that the nation saw? That map was partisan gerrymandered. That's what was seen by the world with Florida redistricting. So, is there not a concern that that map was out there? Is the governor not concerned that's what he presented? Because

that was a partisan, gerrymandered show of a map. That was the first map released to media.

Jason Parada: Thank you for the question, Senator. I'm aware of the map that went out, but again, I did not produce that map. I don't know who produced it or how or what data was overlaid to show that particular result. I certainly am not going to speak for the governor. So, I don't know.

Senator Davis: Senator Bratley was on top of what, specifically the rural counties. But if we're dealing with race neutral and we're dealing with population, I think you answered it, but I'm going to give you specific counties. St. John's County is the fastest growing county. Let's name them. Walton County is the third fastest growing county in population. If we are dealing with race neutral and population, why was CD-6 nor CD-7 touched in any way? Those are North Florida areas. And I know you said you started from 21 and you went out. But I've seen your work before.

And I'm going to say it. This, in my opinion, is not your work. I've seen your work, Jason. I heard you say the populations have to be exact in the congressional districts, but you didn't follow some of the county lines that you could have followed to make things more compact. You didn't follow some of the municipal lines and things like that, that you could have done.

Chair Passidomo: Senator Davis? I'm sorry to interrupt.

Senator Davis: I'm sorry.

Chair Passidomo: We're asking questions. And I think when you're casting aspersions on whether or not it was him or not, I think that's inappropriate.

Senator Davis: Thank you, Madam Chair. So, again, I've seen your work. This is questionable for me, but I just wanted you to answer that. Why was those North Florida counties not touched CD-6, CD-7 when St. John's County is No. 1 in population and Walton County is No. 3?

Jason Parada: Thank you, ma'am. First of all, let me address, I am definitively the only person who drew this map and I appreciate that you liked my previous work. This is also my work. I might have a slightly different interpretation or methodology in how I applied all of the traditional redistricting principles, but this is definitely my work, as is all of the other work. I would also disagree slightly with your interpretation of some of the compactness in some of the following county and municipal lines.

An example of that would be the CD-15, which I could have made look more visually compact if I split more counties, but I didn't. So, some of those more traditional principles that you've seen in previous work that I have done is in this. This is just a slightly different way of putting the pieces together. As I've mentioned for many years since I started this, there's always more than one map that can be a good map. You're not trying to find the best map or anything. There are many different ways that you can put all that together.

And that dovetails into your final point of the question of why St. John's County, which is according to the estimates the fastest growing county in the state. I have Walton County at No. 5, not No. 3 on the EDR. But to your point, in balancing all of the different redistricting criteria and trying to mitigate the changes that this mid-decade redistricting is doing in the map, I could have drawn all throughout the map and changed every district. But I had a desire to balance everything, including the principle that is keeping the core pertaining existing districts, in addition to all of the other criteria that I'm putting in the map and trying to mitigate the changes as much as I can.

So, there are some counties in redistricting because you're looking holistically across the entire map. You can never draw a redistricting map where every county or every city is perfectly happy with the way things went. And that's because you're looking at the map holistically and you're trying to put the entire map together in all the different districts. So, in Walton County or St. John's County, it just wasn't necessary to change all of the

other counties surrounding them. It may have not grown as fast just to get the St. John's County to factor that in. It will certainly be addressed during the next redistricting cycle when that comes up.

But in this particular one, in this mid-decade redistricting, it just wasn't necessary to make those changes more far-reaching than they needed to be considering this was starting mostly with the population growth, but also drawing a race-neutral map where the one district that was really at issue was CD-20 in South Florida. So, the majority of the changes were there that then rippled from there until the ripple ran out.

Chair Passidomo: Any other questions from any other members? Thank you, gentlemen. Appreciate your thorough responses to our questions. What we're going to do next is we're going to move to Tab 5, SB-8D, on establishing the congressional districts of the state by Senator Gaetz. You are recognized to explain the bill.

Senator Gaetz: Thank you, Madam Chair. Senate Bill 8D is the governor's bill proposing 28 congressional districts. Counsel's and Mr. Parada's presentation and explanation on behalf of Governor DeSantis is the bill. What you have heard from these two gentlemen is the bill, Senate Bill 8D. So, as Chair of Ethics and Elections, I have filed the bill that you have just heard explained so that it might be considered by this committee and by the Senate. Thank you, Madam Chair.

Chair Passidomo: Thank you. Senators, are there any questions specifically of Senator Gaetz? You are recognized.

Senator Pizzo: Thanks. President Gaetz, did you get a copy of this proposed clutch of 28 congressional districts after some of us saw it on national media?

Chair Passidomo: Senator Gaetz, you're recognized.

Senator Pizzo: Thank you, Madam Chair.

Senator Gaetz: Senator Pizzo, I received from the Governor's Office an email at 11:58 in the morning that had included in it the governor's proposal. I did not receive the map that was released to Fox News before anyone else saw it, I would suspect. The first thing I saw was the governor's proposal as it was transmitted to me. I then transmitted it to the president's office and it was immediately transmitted to all senators. But I did not see any other map or characterization of a map before that point.

Senator Pizzo: Just to follow up?

Chair Passidomo: You're recognized.

Senator Pizzo: That was an 11:13 a.m. email this past Saturday, correct?

Chair Passidomo: You're recognized.

Senator Gaetz: Thank you. No, it was not. It was 11:15 a.m. Eastern Time, April 27.

Senator Pizzo: The 27th, sorry. Thank you, ma'am.

Chair Passidomo: Any other questions of Senator Gaetz? You're recognized, Senator Berman.

Senator Berman: Thank you, Madam Chair. Senator Gaetz, did the legislature have any input into the map before it was presented to you on Monday?

Senator Gaetz: Madam Chair.

Chair Passidomo: You're recognized.

Senator Gaetz: Thank you, Madam Chair. No, Leader Berman. Speaking for myself, I had no input into the development of the maps. I met with no one from the Governor's Office or no one representing the Governor's Office as to this matter. The first time I saw this proposal was 11:15 a.m. on the 27th of April and then immediately had it transmitted to all members of the Senate.

Senator Berman: Thank you. Follow up?

Chair Passidomo: You're recognized.

Senator Berman: Thank you. What is the legislative objective in engaging in this mid-decade redistricting now?

Chair Passidomo: You're recognized.

Senator Gaetz: Madam Chair, I can only speak for myself and my perspective in that regard. I can say that the governor has a constitutional role in congressional redistricting. Unlike the governor's role in legislative redistricting, which is limited, extraordinarily limited, the governor has a role in congressional redistricting. And so, we as the legislature receive the governor's proclamation to come to special session to take up this matter. And so, it would seem to me that the legislature's interest is in following the law by assembling in special session and taking up the governor's proposal.

Senator Berman: Thank you. Were we influenced by the mid-decade redistricting efforts in states like Texas, California, Virginia?

Senator Gaetz: Madam Chair. I was not influenced by any mid-districting efforts in any other state. The only influence on me was when as chairman of the Committee of Ethics and Elections, I was asked if I would receive the bill from the Governor's Office and transmit it to the Senate.

Senator Berman: I guess the follow up would be, do you know if that was part of the governor's motivation in directing us to prepare a map, a response to Texas, California, Virginia?

Chair Passidomo: You're recognized.

Senator Gaetz: Thank you, Madam Chair. Respectfully, I can't speak to the governor's motivation. I can only report to you what occurred, and that is that the governor made a proposal. The proposal is in front of you now. It's been explained by the governor's representatives.

And that is the entirety of my knowledge of the matter.

Senator Berman: Final question. So, this is not like 2022 when we had to enact a new map in light of the census. So, isn't it true that this legislature now has the ability to stop any redistricting at this point?

Chair Passidomo: You're recognized.

Senator Gaetz: Thank you, Madam Chair. I defer to counsel of the Senate as to what the legislature can and can't do. But it is my understanding that having presented this bill, which was explained by the governor's representative, having presented this bill now to this committee, that this committee has the prerogative of voting it up or down, and either presenting it or not presenting it to the full Senate, which has the prerogative of voting it up or down. But beyond that, I would defer to counsel as to the legislature's prerogatives.

Chair Passidomo: Thank you. Senator Jones.

Senator Jones: Thank you so much, Madam Chair. Very quickly, Senator Gaetz, thank you so much. So, would you agree that even if there's a change in parties of the incoming governor, that means that the incoming governor could come in and do the same thing to the congressional district. Am I correct?

Chair Passidomo: You're recognized.

Senator Gaetz: Thank you, Madam Chair. I have no knowledge of what the incoming governor could or should or might do. I can only tell you that we have been called here in response to the governor's call for a special session. I have no idea what any future governor might do.

Senator Jones: Thank you, Madam Chair. What I'm trying to say is, do you believe that we're setting a type of precedent that any executive officer could come in and just do what the governor is doing right now? Or should I ask differently, has this been done in any known

history by any other governor that you know of?

Chair Passidomo: Senator Gaetz.

Senator Gaetz: Thank you, Madam Chair. I would defer to counsel from the Senate to answer the legal aspect of your question. I would just say that from my own research, it appears that there have been four times that the Florida legislature has done a mid-decade redistricting in response to various stimuli, various provocation. But I certainly wouldn't want to venture a legal opinion as to what a future governor might do or what a future legislature could do.

Senator Jones: Thank you.

Chair Passidomo: All right. Any other questions? What we're going to do is, I don't know if you all know, we've got people sitting in various rooms throughout this building that want to testify. A number of people have their cards with them. I'm going to take a five-minute break so those of us who have been sitting here patiently could use facilities. And in the meantime, the Sergeant's Office is putting together sort of a line of people because I want to be able to get everybody here. I think we have about 90 cards. About half of them, bless your heart, are waiving. But there may be more who want to speak.

So, while we take our break, the Sergeant's Office can kind of manage that. We'll be back, and then we'll go through public testimony. So, how we're working this, just for those of you who are probably watching this on the Florida channel, in order to accommodate all of our public speakers, they're in different places all over this building. They're all coming in. We're lining up. And as you come to the podium, we're going to start with a line. Since I don't have the cards here, please state your name. And we're going to try. I want everybody who has taken the time and effort to come to the Capitol to have an opportunity to speak.

I am glad that we have a lot of people who have filled out cards to speak but have changed to waive, and I really appreciate that.

We're going to limit, unfortunately, to about a half a minute. And I know that doesn't seem like a lot, but it actually is if you're concise and state new points. And if you are listening and you hear somebody saying exactly what you wanted to say, go ahead and waive in support or against the bill. So, let's start. Whoever's first in line.

J. Ruiz-Evans: Greetings, y'all. I'm Jeremiah Ruiz-Evans. I'm a second-year political science honors scholar attending Florida Agricultural and Mechanical University. Let me start by saying about 10 years ago, I was back in elementary school, and on the playground, we played lots of games. I was never good at any. But one thing about that is, oh, a little glitch, if I was losing the game, I never tried to change the rules. If we apply that to today, if you're losing an election, the solution would be organizing better. That's how we're going to win elections.

That's how it should be. We should definitely vote no on this map, find a better solution. Thank you. Have a great day.

Chair Passidomo: Thank you for your testimony. And then, hand the yellow card to Sergeant when you're finished. You're recognized.

Quinn Diaz: Yes, thank you, Chair. Quinn Diaz from Equality Florida. Equality Florida opposes this map because it takes power from voters and hands it to politicians. When maps are manipulated, elections become less competitive, accountability weakens, and voters lose real choice. That is exactly what this map is designed to do, to predetermine outcomes. And the harm falls hardest on communities of color, which are split and packed so their voting power is diluted. That's just not unfair, it's unconstitutional. And exactly what Florida voters banned. Maps cannot favor a political party or diminish minority voting power.

This map does both. Our constitutional protections exist for this moment to stop this. Please reject this map. Thank you.

Chair Passidomo: Thank you. Next. And I congratulate you all on 30 seconds

exactly. You must have been practicing. You're recognized.

Aureliko Nolotrauri: Aureliko Nolotrauri, SPLC. We urge you to end this partisan process. To be crystal clear, if this wasn't about partisanship in Congress, you'd also be redrawing the state legislative maps right now, but you're not because that has no bearing on the national conversation about the partisan control of Congress after the midterm elections. You don't have to do this. Our democracy depends on people in positions like yours choosing to follow the law, even when it's inconvenient for party politics. Without a new census or a court order, this comes down to politics, and politics isn't a lawful reason to redraw maps in Florida.

Please do the right thing. Follow the law and end this process immediately.

Chair Passidomo: Thank you. Next.

Kara Gross: Good afternoon, Chair Passidomo. I'm Kara Gross, the Interim Political Director of the ACLU of Florida, and the ACLU of Florida opposes this partisan power grab. I want to be very clear. The state's entire position is that they don't need to uphold the Constitution. Article 3, Section 20 of the Florida Constitution is clear. No district shall be drawn with the intent to favor or disfavor a political party. What Governor DeSantis and the Florida Legislature are attempting to do is unconstitutional, illegal, and an affront to every Floridian who voted in favor of their district amendments. We urge you to uphold the law and to stop wasting taxpayer dollars passing unconstitutional bills. Thank you.

Chair Passidomo: Thank you. Wrong way. Go that way. We'll get this right. You're recognized, sir.

Rev. Russell Meyer: Good afternoon, Senators. I'm the Reverend Dr. Russell Meyer of the Florida Faith Advocacy Office, and I now live in Jacksonville after having lived in Lakeland and then in Tampa where it would be nice to vote for the same congressperson two elections in a row. This is a time when we are facing the moment of the process of

corruption. Corruption occurs when the diversity of opinions are silenced in a society so that only one opinion matters. And then that corruption works down and harms every household in the nation. And we know this is the case just by reading the news about what happened in Hungary a few weeks ago.

People rose up overwhelmingly, even though they couldn't have access to media, etc., and rejected the corruption of that state. This process has been moved forward by the same process that corrupted Hungary. Say no. Stop the corruption now. Thank you.

Chair Passidomo: Thank you for your testimony.

Amy Keith: Good afternoon. My name is Amy Keith with Common Cause. We ask you to please reject this map. The people of Florida knew they were banning partisan maps 15 years ago when they passed the Fair Districts Amendment, and the people of Florida still want to ban partisan maps. Poll after poll after poll, Republicans, Democrats, and Independents have told us that the people of Florida reject partisan maps. And the US Supreme Court affirmed in Common Cause v. Ruscio in 2019 that states do have a right to ban partisan gerrymandering, and that is what we did in the state of Florida.

We banned it for a reason. We banned it because the people of Florida do not want their communities chopped up for the benefit of a political party. We also know the people of Florida deserve to have a meaningful voice in a transparent redistricting process. This map defies the law of Florida, it defies the will of the people of Florida, and it does so while shutting the people of Florida out. Who are the map drawers afraid of? It sounds like they are afraid of the voters, and they should be.

Chair Passidomo: Thank you. You're recognized, ma'am.

Jordani Cipietro: Hello, good afternoon. My name is Jordani Cipietro. I am a young Hispanic student and a first-time voter in the Osceola County. I believe voting should mean that we have a voice and a fair

representation, but this bill, that promise does not feel in reach of us. Communities like mine, diverse, hardworking, and growing deserve to be heard, not diluted. As a first-time voter, this makes me discouraged and makes me feel like whether my vote truly counts. This isn't about me. It's about ensuring every voice in our community is represented. I urge you to consider the impact of this bill and protect fair representation. Thank you all.

Chair Passidomo: Thank you.

Karen Woodall: Good afternoon. Karen Woodall, Florida Center for Fiscal and Economic Policy. Y'all, I've seen four decades of redistricting. In 1982, there were 24 public hearings throughout the state. In 1992, there were 32. In 2010, there were 26. And in 2020, there was a web portal created for input from constituents. Throughout all that, there were multiple meetings with more testimony and the involvement of you guys, the elected officials, the legislators. I have never heard of one person drawing a map with absolutely no impact. I would urge you to reject this exclusive process. There's no urgency. Please vote no on this.

Chair Passidomo: Thank you.

Katherine Belina: Karen Belina representing myself.

Chair Passidomo: Sorry, say your name again.

Katherine Belina: Katherine Belina representing myself. I'm going to waste a little bit of my time and just say it was very difficult to watch this side pay absolutely no attention to the entire hearing, most of them.

Chair Passidomo: Please don't comment about us.

Katherine Belina: It's hard to show that they don't even interest in what we're saying. I got up at 4:00 in the morning and traveled two and a half hours to be here. So, it would just be common courtesy to listen to what the voters are saying. With that being said, I can say what some of the senators didn't want to say is we are not stupid. The

voters aren't stupid. The people behind me aren't stupid. And nobody up here is stupid. We all know what's going on here today. This is gerrymandering. That map shown yesterday was the correct map. They even said it was the correct map. It's the same map, just not drawn in red.

I don't understand how anybody don't see this as corruption and can be okay with what is happening here today. It's mind-boggling. I'm shaking in frustration. And please, I implore you to vote no. This map will be changed one day, but your names are going to be forever in history voting yay or nay on this bill. Thank you.

Chair Passidomo: Thank you for your comment, ma'am? Ma'am, the other way. That's all right. We're good with the plan. You're good. We're good. You're recognized.

Ash: Hello, my name is Ash. I'm from District 15. And it seems as though the governor is retaliating because we flipped our seat to a Democrat. One man is moving us into majority MAGA counties like Pasco and Citrus. We do not want this. They're erasing all of the minorities that are in Tampa. This legislation has already made it clear in our regular session that they will do anything to further perpetuate White supremacy and systemic racism in this state. It's abhorrent. Please stand with all of your constituents and stop the blatant attempts of the erasers happening in this state and vote down on redistricting. Thank you.

Chair Passidomo: Thank you for your comments.

Colton Taylor: Hey, my name is Colton Taylor. I'm speaking on behalf of myself. I just want to echo the comments that the mapmaker said that this is the same map that was shown on Fox News. It's just he didn't draw it in red. But yeah, I think that the governor's afraid. I think the president's afraid. They want to try to rig the elections to make sure that they stay in power. I would highly recommend just voting down on this just to keep Florida free. We don't want voters disenfranchised. We want everything to be free and fair, just like

Trump always talks about. So, yeah, please vote down. Thanks.

Chair Passidomo: Thank you for your comments.

Harrison: Thank you, Madam Chair. My name's Harrison. I am with Voices of Florida Fund. And this is my fourth year doing legislative advocacy at the Capitol. And I think out of all of the time that I've been here, this is one of the messiest legislative processes I've seen. This committee is expected to vote on a map that they have had less than 24 hours to actually digest and look at and talk to voters about. This is the first time I know of that a Senate committee is actually seeing this map.

On top of that, everything does point to the fact that this is a partisan power grab. There were some wonderful questions that were asked, really important ones, but I don't think that we really got a lot of meaningful answers on any of those. And I think that between that, between the data that was accessed, between the map that Fox News was sent, this is very obviously a partisan power grab, which is illegal under the Florida Constitution. And so, it's illegal. I think that this bill just has no legal ground to stand on. Thank you.

Chair Passidomo: Thank you for your comments. Next. You're recognized.

Mike Sells: Good afternoon. Mike Sells, District 4 super voter, representing Indivisible Jackson Riverside and Forward Party. Thank you for your time. Redistricting, typically, after the census is a year-long process. What are we actually doing here? We're actually humoring an off-cycle gerrymandering directive from the felon in chief to our state beta. It was designed with bad data in a condensed timeframe to do one thing, blot out the vibrancy of our state. This is a living example that being race neutral isn't benevolent. It's the exact reason why we need DEI in our state. They kept repeating, we looked at the totality when we created this map. We looked at it, too. Garbage in, garbage out.

Chair Passidomo: Thank you for your comments. Next. Hello.

Larry Downs: Hello, Larry Downs, Junior Plumbing, LLC, because fecal matters. All right.

Chair Passidomo: I know. I like that.

Larry Downs: Real quick, real quick. Listen, I think we're screwed either way. I mean, I'm a libertarian. I think all Democrats and Republicans have really done a number on us. I'm 56 years old. I've watched it all my life. I know they can think Democrats are great, and Republicans are great. They're not. They're not. I hate to be offensive, but it's true. We just end up with more laws, more nonsense, more debt, more bombs, more Band-Aids, and more vaccines. Let's get rid of them.

Chair Passidomo: Larry, you're going the wrong way. Well, of course.

Leslie Gruble: And he was very polite to me. So, I'm Leslie Grubel, and I'm from Longwood in Seminole County. And I want to say the testimony here has shown me something today. Redistricting is, of course, one of the most impactful decisions our legislature could make. As a citizen, I feel we are taking the cart before the horse, and it is moving fast, honey. The assumptions about population growth, assumptions, guesses, assumptions about future court rulings, assumptions by lawyers, all to me, this suggests that we should wait. We should wait for these answers.

We should get the facts. The facts, not assumptions, not guesses, and wait for the traditional census data and wait for the future court cases. Let's not guess. This is way too important for your elections and for our votes. And I want to also add, if I have a moment.

Chair Passidomo: Well, your moment's done, but real quick.

Leslie Gruble: Thank you. There was an Emerson College polling voting survey in 2026, and it said 56% of the people think that redistricting mid-decade is a bad idea.

Chair Passidomo: Well, thank you for your testimony.

Jason Thornton: Hello. My name is Jason Thornton, and I'm a 17-year-old high school student representing Jen Culio in strong opposition of mid-decade redistricting. This bill, but the problem is Florida is not structured like other states. You are taking the power from the people and, quite frankly, setting a negative connotation for new voters. Why vote if the elected officials in Tallahassee will just redistrict their county when the election gets close enough? No state should be gerrymandered or mid-decade redistricted as it shifts the power from the people. I urge you to take this account when voting onward. Thank you for your time.

Chair Passidomo: Thank you for your brevity.

Samantha Catus: Good afternoon, Chair and members. My name is Samantha Catus representing the Clue Institute, and I often am here speaking to you about being a good environmental steward, not building golf courses on our state parks. But I'm here to tell you that every issue I care about starts with voting, especially young votes. And I care that every Floridian who is registered to vote deserves equal access to the ballot. And I fear that if you redistrict, this will intimidate and confuse young voters who are voting for the first time or the second time. And a young, confused voter flat-out doesn't vote.

And I'm very concerned that this redistricting process will silence the youth vote so please vote no. Thank you.

Chair Passidomo: Thank you for your comment. You're going to have to bring that down a little bit. Well, not too far, because the next one is tall.

Colleen Cann: Good afternoon, Senators. My name is Colleen Cann. I'm from Davenport in Polk County. That's District 5. I came here to urge you not to redistrict Florida. It is against the Florida Constitution. It is nothing more than a partisan power grab. And it will further disenfranchise your already vulnerable, marginalized constituents. Thank you for your time.

Chair Passidomo: Thank you for your comment.

Brian Higgins: I'm Brian Higgins. I'm a registered Republican. I'm a member of Jacksonville Indivisible. So, I ask you that as you follow your oath complying with Florida's Constitution by voting no on SB-8D, since the redistricting map was not created by the legislature, as the Constitution requires. And that map is clearly a partisan creation and not based on factual population data. Just remember that what you vote can come back to haunt you in the future. And voters remember. Thank you.

Chair Passidomo: Thank you for your comment. Oh, my.

Cheryl Bell: Good afternoon. My name is Cheryl Bell. I'm from St. Augustine, St. Johns County. The Fair District Amendments to the Florida Constitution enacted in 2010 were created to prevent mid-decade redistricting. These amendments prevent illegal and unfair gerrymandering for parties or incumbents. Today, we're looking at redistricting in the mid-decade, and it's, frankly, illegal in the state of Florida. These amendments were created by the people, and as it stands today, most people, regardless of party affiliation, want to avoid gerrymandering at all costs.

So, I ask that you please vote against these maps. Thank you.

Chair Passidomo: Thank you for your comment.

Cyn Doyle: Hello. My name's Cyn Doyle. I'm with Lake County Indivisibles. Let's all be honest. This all came from Trump. Everything he touches turns into destruction. Let's not have him destroy our state, our great state of Florida. We are better than this. We're better than him. You all don't have to bow down to him. Be with us. We the people. We love you. You're asking the right questions. Keep it up. Thank you.

Chair Passidomo: Thank you for your energetic comments.

Shannon Keever: Good afternoon. My name is Shannon Keever, and I am with Voices of Florida Fund, and I am also representing my family because I am a very tired homeschool mom of two special needs

kids who had to make special arrangements to be here. So, to those of you who are defending democracy, thank you. This is not redistricting. I'm not going to use that word. It's gerrymandering. It's cheating. And if you guys want to get elected, get out. Talk to your voters. Get to know them. And then when you get in office, actually represent them. That is how you do this the right way.

This is a 250-year experiment of democracy that I would like to keep going, and I would really like my children to have a voice when they grow up. Also, I've been hearing today race neutral, race neutral, race neutral, and it just seems that when I'm hearing race neutral coming from White legislators, it's always one race that seems to have their voices diminished, and that's wrong. Thank you.

Chair Passidomo: Thank you for your comments.

Zida Smith: Hi there. I'm Zida Smith. I just want to take a second for you guys to consider the crowd of people behind me, the packed room, the line snaking out the door. These people traveled hours and hours to talk to you, and you all know the price of gas right now. This was not easy for these folks, but they came here because they have faith in you. You are their elected officials. They chose you to represent them. Please do not let them down. I am begging you to not let them down. They want their voices heard. That's why they came all the way here today.

There was an elderly gentleman that passed out in the heat outside today waiting to come in and talk to you all. That's how important it is to have their voices heard. That's what that means to them. So, please sit with that and think on how important it is to them to be heard and then hear them today. Thank you.

Chair Passidomo: Thank you for your comment.

Lola Smith: My name is Lola Smith, and I am 15 years old. You all know today's map breaks Florida's Fair District Amendment, which states, "No opponent plan or individual district shall be drawn with

the intent to favor or disfavor a political party or incumbent." This law could lead to expensive court battles and many legal issues in the future. This map threatens to weaken the power of communities of color, making it an unethical political move that silenced voters in marginalized communities. So, ask yourself, should you support this illegal bill that only serves the right to a few people in power? Or do you want to stand up and vote no on these racist maps? Please choose where you stand. Thank you.

Chair Passidomo: Thank you for your comment.

Lisa Lloyd: Governor DeSantis last night made his priorities crystal clear. I'm sorry.

Chair Passidomo: Say your name, please.

Lisa Lloyd: I'm sorry.

Chair Passidomo: Your name for the record.

Lisa Lloyd: I'm sorry. Lisa Lloyd. The governor made his priorities crystal clear. It's not us. It's not the state of Florida. It's not even I'm going to gesture on this side. It's not Republican. They're sitting here. He's pretty much interested in his own getting a job. So, the problem is those of you who are still sitting here have careers here that you're planning to be here for a while. And the litigation is going to take place once this kicks in, if you pass it, which I would strongly disadvise because it's going to make you look bad. It's already a joke across the country, just saying, on Twitter and everything else this morning. We went from dangling chads to dummy-mandering. That's our new phrase. And it means that –

Chair Passidomo: Everybody's kept to 30 seconds. You're at 52.

Lisa Lloyd: I'm sorry.

Chair Passidomo: Can you do another just 10, 15? Yeah. Can you wrap it up, please?

Lisa Lloyd: I haven't even got some ears in. I was just going to say, let me just explain the dummy-mandering.

Chair Passidomo: Ma'am, you've kind of overspent your time. Appreciate it. Thank you.

L. Reed-Lewis: Good afternoon. My name is Latoya Reed-Lewis. I'm a member of the Florida State Conference NAACP. I'm also a resident of Polk County, District 18. But I'm speaking on behalf of community members who feel they are being not fairly represented by this Senate Bill 8D. My concern is not just the map. It's the intent behind it. This bill withdraws congressional districts in a way that raises serious concerns about fairness, transparency, and equal representation. So, I ask why. What problem is this solving that the current map does not?

And if it is not about impacting representation, then what is its true purpose? Redistricting determines who has a voice and who does not. When communities are divided without meaningful input, it weakens that voice and erodes trust in this process. Floridians deserve transparency, they deserve fairness, and they deserve to be a part of decisions that directly impact their vote. If inclusion is not part of this process, then I respectfully oppose SB-8D, and I ask you to oppose it, and this map be redrawn with honesty, transparency, and accountability. Thank you.

Chair Passidomo: Thank you for your comments. Ma'am, you're next.

Beverly Cassius: My name is Beverly Cassius, and I'm coming from Orlando. I'm a member of Florida Rising. And basically, we're here to talk about this redistricting and how it is basically taking power in our voice from the Black and Brown community. The only thing I'm requesting of you is to go ahead and honor the Constitution, enforce it, give the Constitution the power here, and say no. Thank you so much.

Chair Passidomo: Thank you for your comments.

Deborah Courtney: Hello, my name is Deborah Courtney. I'm from Jacksonville, Florida, and my question for all of you is why are you doing redistricting now? I doubt that your phones have been ringing off the hook from your constituents going, "Hey, we need some new maps." And if you notice, the people in this room, I don't think one person has talked in favor of this map. So, it's my understanding that you represent us, not the people in Washington who have called for this redistricting. So, I'm asking you to please represent your constituents, honor the fair districts map and the legislation that we all voted for, and vote down this partisan, gerrymandered map. Thank you.

Chair Passidomo: Thank you for your comments.

Catherine Ashby: Hello, good afternoon. My name is Catherine Ashby, and I'm here to urge you to vote against SB-8. No court has ordered new maps. No census has been taken. The only thing driving this process is a political calculation, not legal necessity. Mid-decade redistricting is not prohibited, but redistricting to benefit a political party is. That's exactly what's happening here. First, the governor's rationale fails because even if the FDA is deemed unconstitutional, there is no court order requiring new maps. Second, any improper consideration of race was supposedly remedied in 2022 when the governor redrew the congressional maps.

Third, police has not been decided, and until it is, the governor's entire rationale is merely conjecture. The United States Supreme Court in Rucho v. Common Cause cited the Fair Districts Amendment as a model for how states can address extreme partisan gerrymandering. And in the League of Women Voters v. Detzner, the Florida Supreme Court held that once a redistricting process is tainted by improper partisan purpose, the burden shifts to the legislature to justify the map. That burden will be yours to carry for a map you didn't even draw.

I urge you to vote against SB-8. Thank you.

Chair Passidomo: Thank you for your comments.

T. Guzman-Pagan: Hello. Good afternoon. My name is Teresa Guzman-Pagan. I have the pleasure of serving as the Director of Expanding Democracy at Florida Rising. And I live in Florida's 27th District, and here it puts me with the Keys, which is mind-boggling to me. None of you want to be here. None of you really believe in this. Please pass a budget. Address the affordability crisis. Please don't do this to our constituents. It's an election year. If you vote yes on this, it will be your stamp of approval, and you'll suffer the consequences this November. Thank you.

Chair Passidomo: Thank you for your comments.

Asia Diaz: My name is Asia Diaz. I'm an Orlando resident and a proud staff member of Engage Florida. I work on the ground with Florida youth, registering them to vote and hearing about what matters to them. Speaking to students, we've noticed a decreased faith in our government because of unconstitutional actions like this from our very representatives. This redistricting will worsen the pattern we see. Our taxpayer dollars should be spent on addressing the needs of your constituents, not on the governor's map. I stand here strong, proud, and uplifted by the voices of my community to say we oppose this unconstitutional mid-decade redistricting. Thank you.

Chair Passidomo: Thank you for your comments.

Chloe Scott: Hello. My name is Chloe Scott speaking for Engage Florida, the University of Central Florida's League of Women Voters chapter, and honestly, young people everywhere. Having done extensive partisan outreach in both my community and my college campus, honestly, I'm very troubled by all of this. It's just discouraging. My generation's outlook on politics and their faith in the institution of government is severely damaged, and bills such as this are only going to worsen it. It's because of this that we came here today to call on our representatives of this beautiful state to please do the right thing because we deserve better. Thank you.

Chair Passidomo: Thank you for your comments. Oh, I watched you in the house.

You're going to be a little --

M. Grucholski: I'll be a little bit more chill in here.

Chair Passidomo: I appreciate that. Thirty seconds is hard to go on.

M. Grucholski: It is. It is a little bit. It is a little bit. Welcome, committee. Good morning, everybody. My name is Matthew Grucholski, and every single morning I wake up in the heart of downtown Orlando where I see a perfect view of the courthouse, and every single day I wonder about the true justice that happens in that room. And today we're not seeing true justice through this process. What we're seeing today is the erosion of our democracy. We saw in 2018 when Amendment 4 passed, and then the legislature stole some of those rights.

We saw it when the legislature attacked direct democracy right after Amendment 3, Amendment 4 just because the governor did not like those issues. And now, we're seeing it today because the governor is so scared of unemployment that he wants to get a Trump cabinet position, but instead I think he should seek employment at Waffle House with his bestie, James Fishmack. So, today, I implore all of you to vote against the rigging of our maps and to not stand for the continued rigging of our democracy here in the state of Florida.

Chair Passidomo: Thank you for your comments.

Rob Woods: Good afternoon. I am Rob Woods. I was born and raised in Pinellas County, bringing greetings from the Suncoast. I bought in from elementary school all the way up through college that we're supposed to be this cohesive, everyone get along, let's make a bill, let's do something that helps everyone else. I was also told that the No. 1 rule in politics is that you need to know how to count. Apparently, one side is counting a little bit harder than the other, and I'm asking that that don't happen. It seems as if we are back in that period of reconstruction, moving back to Jim Crowism, and it's unfortunate.

I'm not here to pull a race card. I'm just here because I serve this country. Having bought in, I pay my taxes. I'm just an ordinary guy, no special organization or anything, just asking you guys to do the right thing. Please remember, no means no. Thank you.

Chair Passidomo: Thank you for your comments. One more. I do want to say to those of you who are here in this room or who are up in the other rooms, the brevity was really appreciated, and also so many of you that switched to waive. After he's done, I'm going to read all of those into the record.

Robert Blumen: Good afternoon, good evening. My name is Robert Blumen from Tallahassee, Florida. I wasn't originally going to speak, but seeing everybody up here, how this has motivated people, it's transcended races, it's transcended ages, genders, sexualities, everything. I think that we have to understand that the first document created in this country was the Mayflower Compact. That was created to create just and equal laws for everybody, and I cannot come to understand how it's just and equal for 40% of the population to rule over 60% of the population. I don't understand how the minority can control the majority.

It doesn't make any sense to me, and if anybody can explain to me why we think that's okay, they can be more than happy to, but I just wanted to say that. I think that this country was founded on self-governance and the policy of us being free and having liberty and justice for all. Thank you.

Chair Passidomo: Thank you. Thank you for your comments. Anyone else who has an appearance card with them? I am going to go through these. Gloria Colvin waives against. Deborah Morningstar waives against. Nila Money waives in support. Susan Horowitz waives against. Madeline Bowman waives against. Mary Dehoney waives in support. Pamela Birchfort from the NAACP waives against. Linda Bell waives in support. Rigueline Thomas waives against. Christian Gonzales Orbegasa, I'm really bad at this, I apologize, waives against. Damarian Jones waives against. Tiasha Goosby waives against.

DeZellis Douglas waives against. Marius Williams waives against. Marvin Douglas waives against. Jeremiah Birch waives against. Amber Woods waives against. Rebecca Parsons, against. Oliver Torres, against. Mary Wynn, League of Women Voters, against. Barbara Harris, against. Princess Ogano, against. Antoine Williams or Antoine Williams, against. Sarah Peacock, against. Ray Alcantara, against. Laurence Ratcliffe, against. Zion Alford-DeBee, against. Larry Hannan, against. Taquita Leone, against. Oh, boy, this is one. That's a great name, but I can't say it. They're against.

Heidi White, against. Allison Clark, against. Margaret Siminos, against. Douglas Curry, against. Maria Clopez, against. Denise Webb, against. Anthony Bridgeforth, in support. Ruby Bridgeforth is against. Must be a family thing. So, I'd like to hear your dinner conversations. Daryl Alfred, against. Terry Condos, against. Kathy Fitzpatrick, against. Mary Jo Kilcullen, against. Melanie or Malcolm, last name. Merlene, that's a pretty name, against. Michelle Dela Cruz, against. Joanne Brooks, against. Joey Arellano, against.

Jessica Kelly, against. Marcia Dabrowski, against. Jenny Paolo, against. Linda Bridge, against. Barbara Turner Delasai, against. Abe Renchin, against. Judy Sherkland, against. Becky Pepper, against. Carol Brady, against. Joy Burgess, against. Zion Foreman, Jr., against. Nadine Huey, against. Jonathan Burgess, against. Jessica Velono, against. Jessica Randsom, against. Charlita Sowell, against. That's all public testimony. We are in debate. Who would like to debate? The word quickly.

Senator Pizzo: It's a relative term, ma'am.

Chair Passidomo: Yes, relative. You're recognized.

Senator Pizzo: E equals MC squared. Couple of just sort of like housekeeping things on a debate. President Gaetz, I mean, there's a reason why you were asked to do this because you're just an absolute gentleman and have incredible, impeccable moral and ethical code.

So, your summer is not wasted answering a bunch of unnecessary inquiries, nobody, I don't think, on either side of the aisle thinks that you had any prior knowledge of this whatsoever, participation, communication, contact, whatever.

I know that might seem insignificant in passing, but having some prior experience with litigation post-session, it could be a very big deal. That's No. 1. And 2.) I'm very interested to see the FDLE investigation as it relates to the leaking of map information that was produced at the executive branch that somehow made its way to national media. I really want to know that our systems and IT is secure. Somehow that map got to national media and got leaked, so I want to be sure that we keep that on our radar to make sure that we have secure servers and devices. There's really nothing new in this.

Some of us may recall that after former Senator Rodriguez, now Chancellor Rodriguez, had worked pretty diligently on maps before to the point that he got rid of a smartphone and went to a flip phone because he didn't want to receive any text messages, the governor tweeted, "This map is dead on arrival." And then. we knew it, we had to redo it all over again. It's nothing new and novel that we got something handed to us from the Governor's Office. It's happened on a number of bills. Some of us on this dais have received language and had to backfill an idea that was announced or said.

But let me say this, in other states, they're celebrating the same idea inversely of what happened. We talk about configurations and shapes and all that stuff. The Virginia map looks violative of many of the concerns that people have here. Here's where we are. I'm going to borrow a phrase from not the patriarch, but let's say the avuncular figure of my former party. Don't boo, vote.

This should result in an overwhelming number of the 4,052,000 Democrats or the disenfranchised 3,338,000 NPAs or the 478,000 minor party members like this gentleman from the forward party to get out and show in great, huge, great, rigorous numbers a

voracious statement signaling that this is violative of everything that we hold to be dear and true that we learned in first grade. So, don't boo, vote. Come out in huge numbers in November.

Chair Passidomo: Any other debate? You want to save this for tomorrow? No, you're recognized.

Senator Berman: Thank you, Madam Chair. And I think a lot of us are saving a lot of things for tomorrow, but I do want to talk a little bit about what we found out today because it was actually kind of shocking, some of the things that came out from the map maker. We all know that when we've done this project before, we've spent countless hours. In 2022, we dedicated eight hours to educating members on redistricting law, nine hours considering thirteen different map options, and four more hours for final deliberation with public comment at every stop. And here we are with 24 hours of having a map. And that's it.

That's all we've done. So, this process is wrong. We shouldn't be doing a map, be giving a map, having been given a map 24 hours. We heard the map maker's been working on it for two weeks. And yet we get it 24 hours and we see it first on Fox News in color and they have no idea how that happened. So, there's so much wrong with this process. But what I really object to is that it's violative of the Fair District Amendment that 63% of us passed in 2010.

And we said, "We don't want maps that are gerrymandered. We don't want maps that are drawn to favor an incumbent or a political party. We want them to be drawn to give racial and language minorities equal opportunity. We want them to be contiguous. We want them to be compact. We want them to make use of existing city, county and geographical boundaries." And this map does none of that. And the thing I'm also the most shocked about is that we heard today that they used partisan data when they drew the map.

They told us that, that they use partisan data. And the reason why they can't say that Fair Districts doesn't have to be struck down is

because Fair Districts says, "Do not use partisan data." This is clearly unconstitutional. And we heard that today. And I just have so many problems with the procedure and the illegal violation of our constitution. And this is gerrymandered, map rigging, and I don't see how anybody can support it. Thank you.

Chair Passidomo: Senator Jones.

Senator Jones: Thank you so much, Madam Chair. This is the epitome of playing in American people's faces and also Floridian's faces. I don't know if you all did, but I did. And I listened intently for a reason to the map drawers and what they were saying and how they were answering questions because, Members, I don't care what's happening across the country. Based off of what we've voted on in 2010, the people of Florida basically told us, even they're telling us now that we had a deal. And the deal was that we weren't going to do what we're doing now. But the fact that map drawers, he came up and I wrote it down because I want us to understand what we're doing because it's dangerous.

He said that what was voted on by the Floridians, 2010, he said it was constitutionally basically not right. I don't know the legal term. Senator Pizzo, you can help me later. Confirmed. Informed. Members. So, what the people voted on, the map drawers basically just said that Floridians were wrong, so wrong that Supreme Court didn't even challenge it, y'all. And I asked the question. There is and there was nothing wrong with the Voting Rights Act of 1965. There is and there was nothing wrong on July 19, 1868, when the Equal Protection Clause was brought forth. There is and there was nothing wrong with the 2010 Fair Districts Act.

And I'm just gonna be honest with you all because you all heard the same testimony I did. The map drawer just said himself that they did use partisan data to draw the maps. So, nobody up here can say that this is not politically motivated because it just would not be true. He said it himself. But to take it a step further, let's be honest on why we're doing this. We're doing this because this is the national temperature and conversation that's happening. And

the governor himself said that he would follow suit. Last week was canceled, whether they wanna say they were waiting on Virginia or not.

It was canceled because they wanted to see what the outcome of Virginia would be. And it just so happened that now we are in legislative session to add four seats. And I'm gonna pause here. Fox News receiving a map before us, the legislators, is wild to me. And Members, Democrats and Republicans, y'all should be pissed off because it's crazy that Fox News got the maps before we, the elected body, got the maps. We should all be upset with the Governor's Office. Yes, he can draw the maps, but it's crazy and wild that the Governor's Office sent the maps to the news station before they even bought it to us.

Y'all know what that means? He has no respect for us. The governor has no respect for us who are duly elected just like him, who released maps to a news station before he released maps to 40 members of the Florida Senate. Guys, we're not here because the Constitution is wrong. Guys, we're not here because there's something wrong with the Fair Districts Act. We're not here because the Florida Senate or the Florida House said that they wanna draw maps. We are here because the President of the United States gave an order, and this is the direction that we're going in.

But the one thing that should block Florida is that the people of this state said that they did not want it. Shame on us, my colleagues. Shame on us for listening to Washington, DC before you listen to the 24 million people in this state. And I end with this. I don't even know where this vote is going to go today because I haven't spoken to anybody because I don't wanna be subpoenaed by nobody. But here's what I will tell my colleagues. I hope and pray that this is not the precedent that we are setting for the breaking down of our democratic process.

Hear me when I tell y'all, and I mean it with every fiber of my being, I don't care what party you in, and to my Republican colleagues, you win. You were already winning. So, there was no

need, there is no need for this. Let's respect the will of the people. My daddy used to always tell me, not used to because he's still alive, thank God. My daddy always said that there is one thing about a lie. It has no legs. Guys, we cannot let this walk because we're not being honest with Floridians and we're not being honest with the American people.

Chair Passidomo: Any other debate? Senator Bradley, you're recognized.

Senator Bradley: Thank you, Madam Chair. And I know everybody says this, but I really wasn't planning on debating. I represent the same number of folks that everybody here represents. And being a senator and being in an elected office carries a tremendous responsibility. And I don't have the pleasure, I don't sit here as a senator, looking at a map saying, "Boy, that map looks great for the hours." I don't sit here with the luxury of saying, "Boy, that map looks good or that map looks bad," picking the map that I that I think would be helpful. I have a duty to uphold the constitution that I swore to defend.

And the attorneys came before us and they said that without the Calais decision, we are operating on a signal from the Supreme Court. As the current state of the law, that is unconstitutional. And on top of that, it also rests on a legal theory that the Supreme Court has not even opined on or heard that the Fair Districts Amendment would be entirely voided. That's a big deal. I would love to hear, I would love for that decision to come out, for the governor to get an advisory opinion on the effect of the Fair Districts Amendment, and then let's do this. I can't do it. It's just unconstitutional and it's a tough one, but I'm a no.

Chair Passidomo: Any other debate? Senator Gaetz, you are recognized for any final comments?

Senator Gaetz: Thank you, Madam Chair. I appreciate the debate and I appreciate the extensive public testimony. Regardless of what we may believe personally or our opinions, the fact is that the governor has a constitutional role in congressional redistricting. He has the

authority and he has the right to propose congressional redistricting when he believes that it is appropriate. There are seven other states in the country where congressional redistricting is being done in the middle of a 10-year period, in the middle of a decade. And we've done it ourselves four times before for various purposes.

It is true that as Senator Pizzo said, I received my map just a few seconds before you received yours. I had no previous knowledge of any other maps that were drawn. But I will tell you that the governor did not violate any rule of the Senate in the timing that he used. My understanding, and I defer to Madam Chair, is that technically, amendments would be available up to four hours before the Rules Committee proceeds or goes into session. So, even though the governor came to us, what we would consider many of us less time than we would have liked to have had, the governor did not violate any Senate rule.

So, it fell to me as Chairman of Ethics and Elections to bring the bill to you and I bring the bill to you out of respect and deference to the governor who has the authority and the responsibility to offer a proposal for our consideration. I ask that you give the governor's proposal your thoughtful and respectful consideration as I know you will. I ask that you take into account the authority that he has not to tell us what to do, but to propose items in the area of redistricting for congressional districts that he can. There are extraordinary issues at play here.

Probably the greatest one is the potential conflict or the real conflict between what some view as the clear definition of the 14th Amendment in this case and what some view as the clear imperative of the Fair Districts Amendment on the other side. My guess is that no matter what this legislature does, if we pass the governor's proposal, that it will nonetheless be litigated. I think we could all bet the farm on that. And either if it passes and without litigation or whether it passes and it is litigated, I believe this issue will come to the fore.

The issue will be ripened by the action of this legislature to

determine whether or not the equal protection laws of the 14th Amendment obviates the need for any race-related redistricting or not, or whether the Fair Districts Amendment or part of it may be obviated by action, court action that has occurred since it was adopted. With that, I ask you to please consider sending this legislation to the floor of the Senate so that all of our members would have the opportunity to debate it, to consider it, and to cast their votes on it. Thank you, Madam Chair.

Chair Passidomo: Thank you. Cindy, please call the roll on SB-8D.

Cindy: Senator Avila, Senator Berman, Senator Boyd, Senator Bradley, Senator Brodeur, Senator Burgess, Senator Burton, Senator Davis, Senator DiCeglie, Senator Gaetz, Senator Garcia, Senator Grall, Senator Harrell, Senator Hooper, Senator Martin, Senator Osgood, Senator Pizzo, Senator Rodriguez, Senator Rouson, Senator Simon, Senator Trumbull, Senator Wright.

Senator Wright: Yes.

Cindy: Vice Chair Jones.

Senator Jones: No.

Cindy: Chair Passidomo.

Chair Passidomo: Yes. By your vote, SB-8D is reported favorably. Again, to the members of the public, thank you so much for your patience and your comments. Is there any Senator, I guess everybody's here that voted. Is there any other business before the committee? What is your business?

Senator Pizzo: Happy birthday to Lieutenant Governor Jay Collins. It's his birthday today, and I wanna thank publicly Tom Wright for engineering and coordinating a really cool charity donation last week.

Chair Passidomo: All right, without any other business, Senator Jones moves we

adjourn. If there's objections, seeing none, show the motion adopted, we are adjourned.

[End of Audio]

Duration: 205 minutes

Exhibit 13

CERTIFICATION OF AUTHENTICITY

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Executed this 2nd day of May 2026.

Sincerely,

Beth Worthy
President
Email: Beth@gmrtranscription.com
Phone: (714) 202-9653

Speaker Perez: **[00:00:05]** The House will come to order. Members and visitors in the gallery, please rise for the prayer. The prayer today will be given by Speaker Pro Tem Duggan.

Speaker Duggan: **[00:00:28]** Thank you, Mr. Speaker. Good morning, members. Please pray with me. Hear, all Florida, The Lord your God is Lord alone. Love the Lord your God with all your heart, with all your soul, with all your mind, and with all your strength. And love your neighbor as yourself. Lord, thank you for this day, for each other, and for the many blessings you have bestowed upon us. Please be in our midst today. Give grace and wisdom to your servants in the exercise of our duties. Grant us courage and foresight to provide for the needs of all our people.

Make us channels for your peace today and every day. And finally, Lord, teach us to rely on your strength, that we may faithfully serve you and honor your holy name. Amen.

Speaker Perez: **[00:01:26]** Amen. Thank you. Speaker Pro Tem Duggan, you are recognized for a moment of silence.

Speaker Duggan: **[00:01:37]** Thank you, Mr. Speaker. Members, earlier this month, we lost a former member of this House, the Honorable Mark Weissman, who served District 90 from 2000 to 2002 after having served as a City Commissioner for the City of Parkland. Additionally, last week, Collier County lost its longest-serving commissioner in the county's modern history, Commissioner Donna Lou Fiala, often referred to as the People's Commissioner, for her accessibility and commitment to those she served. The Marco Island community also mourned the loss of a beloved leader last week, Councilman Eric C. Brechnitz, a longtime resident and dedicated advocate for his community.

On behalf of Representatives Hunschofsky and Benarroch, I ask for a moment of silence for the Honorable Mark Weissman, Commissioner Donna Lou Fiala, and Councilman Eric C. Brechnitz.

Speaker Perez: **[00:02:34]** Members, please join me in a moment of

silence. Thank you. The Clerk will unlock the machine, and the members will record their presence. Have all members recorded their presence? Have all members recorded their presence? The clerk will lock the machine and announce the presence of a quorum.

Clerk: **[00:03:19]** One hundred and nine members voting. A quorum is present, Mr. Speaker.

Speaker Perez: [00:03:23] Members and visitors in the gallery, please rise for the Pledge of Allegiance to the flag. The Pledge of Allegiance will be led by Representative Snyder, from his desk.

Speakers: **[00:03:32]** I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all. Are there corrections to the journal? Hearing none, show the journal approved. Are there matters on introduction and reference?

Clerk: **[00:03:56]** None on the desk, Mr. Speaker.

Speaker Perez: **[00:03:57]** Are there communications?

Clerk: **[00:03:58]** None on the desk, Mr. Speaker.

Speaker Perez: **[00:04:00]** Are there messages from the Senate?

Clerk: **[00:04:02]** None on the desk, Mr. Speaker.

Speaker Perez: **[00:04:03]** Are there reports of standing committees and subcommittees?

Clerk: **[00:04:06]** On the desk, Mr. Speaker.

Speaker Perez: **[00:04:07]** Read the report.

Clerk: **[00:04:09]** The Honorable Daniel Perez, Speaker House of Representatives. "Dear Mr. Speaker, your Rules and Ethics Committee here will submit the special order for Wednesday, April 29th, 2026. Consideration of the House

bills on special order shall include the Senate companion measures on the House calendar." Reading of the report, Mr. Speaker.

Speaker Perez: **[00:04:26]** Representative Garrison, you are recognized on the report.

Rep. Garrison: **[00:04:29]** Thank you, Mr. Speaker. The report sets a special order calendar and allocation of times for questions and debate contained in the letter, and I move adoption of the special order report for today, April the 29th of 2026.

Speaker Perez: **[00:04:39]** Are there questions? Is there debate? All in favor, say "Yay."

Speakers: **[00:04:43]** Yay.

Speaker Perez: **[00:04:43]** Opposed, no. Show the special order report adopted. Are there other reports?

Clerk: **[00:04:47]** None on the desk, Mr. Speaker.

Speaker Perez: **[00:04:48]** Are there motions relating to committee and subcommittee references? Are there matters on reconsideration? Are there bills or joint resolutions on third reading?

Clerk: **[00:04:56]** None on the desk, Mr. Speaker.

Speaker Perez: **[00:04:57]** Are there bills on the special order calendar?

Clerk: **[00:04:59]** On the desk, Mr. Speaker.

Speaker Perez: **[00:05:00]** Read the first bill.

Clerk: **[00:05:04]** By Representative Persons-Mulicka, House Bill 1. A bill to be entitled an act establishing the congressional districts of the state. By Representative Persons-Mulicka, House Bill 1D, a bill to be entitled an act establishing the congressional districts of the state.

Speaker Perez: **[00:05:23]** Representative Persons-Mulicka, you're

recognized to explain the bill.

Rep. Persons-Mulicka: **[00:05:26]** Thank you, Mr. Speaker. Members, this bill establishes the congressional districts of our great state.

Speaker Perez: **[00:05:33]** Questions of the sponsor. Representative Eskamani.

Rep. Eskamani: **[00:05:38]** Thank you, Mr. Speaker. Representative Jenna Persons-Mulicka, my first question for you is, why was the session scheduled to last only a few days for a process that has previously taken us months to do?

Speaker Perez: **[00:05:51]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:05:53]** Thank you, Mr. Speaker. I did not. I did not schedule a special session. I cannot answer that.

Speaker Perez: **[00:05:58]** Representative Eskamani.

Rep. Eskamani: **[00:06:00]** Thank you, Mr. Speaker. Why did the House and District Committee vote against placing the governor's office staff under oath before they gave us their testimony in committee?

Speaker Perez: **[00:06:09]** Representative Eskamani, I don't think Representative Persons-Mulicka has insight into the decisions of the chair of the committee. Please proceed with another question.

Rep. Eskamani: Thank you, Mr. Speaker. My next question had to do with voting against extending time for more public commentary, but I'll move on to my next question. Do you believe that the Fair Districts Amendment applies the 2026 mask we have in front of us? And a yes or no answer is sufficient.

Speaker Perez: **[00:06:35]** Representative Eskamani, would you restate that? I'm sorry, you spoke so fast, I didn't understand.

Rep. Eskamani: **[00:06:39]** Yes, I can, Mr. Speaker. Do you believe the Fair Districts Amendment applies to the 2026 plan? And you can give us a yes or no if that's easier.

Speaker Perez: **[00:06:47]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:06:49]** Thank you, Mr. Speaker. Can you clarify the question? Do you believe that the Fair Districts Act applies to any map that would be before us, or do you think, are you asking me whether this map that complies with the Fair Districts Act?

Speaker Perez: **[00:07:01]** Representative Eskamani.

Rep. Eskamani: **[00:07:02]** Thank you, Mr. Speaker. Do these maps comply to the Fair Districts Amendments that Florida voters approved?

Speaker Perez: **[00:07:09]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:07:11]** Thank you, Mr. Speaker. Thank you, Representative, for that question. And there might be multiple questions on this front. So, let me be very, very clear. In the State of Florida, we have an evolving legal landscape. And we have evidence that the Florida Supreme Court will recede from precedents. They just did that this last summer. In 2022, we, the legislature, approved a map that was based on a viable legal theory interpretation of the Florida Constitution.

The Florida Supreme Court agreed with that viable interpretation, but there are still questions left unanswered. I believe that this map is based on a strong and viable interpretation of both the Florida and the United States Constitutions, and that is why I filed the map and I support it today.

Speaker Perez: **[00:07:58]** Representative Rayner.

Rep. Rayner: **[00:08:01]** Thank you, Mr. Speaker. This is a yes or no question. Representative, did any legislator draw a single district line in the map that we are about to vote on?

Speaker Perez: **[00:08:11]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:08:13]** Thank you, Mr. Speaker. And as a baseline, and for those who are watching us on the Florida Channel, I, as the bill sponsor, I do not have to answer a question with a yes or a no. But in this case, I will say no.

Speaker Perez: **[00:08:26]** Rayner.

Rep. Rayner: **[00:08:27]** Thank you, Mr. Speaker. And understanding that, this is also a yes or no question. Did any legislator come up with any idea expressed in the plan we're about to vote on?

Speaker Perez: **[00:08:38]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:08:40]** Thank you, Mr. Speaker. No.

Speaker Perez: **[00:08:42]** Representative Rayner.

Rep. Rayner: **[00:08:43]** Thank you, Mr. Speaker. Is it correct that the governor's office was the sole map drawer?

Speaker Perez: **[00:08:50]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:08:53]** Thank you, Mr. Speaker. I personally do not know who drew the map except for based on the testimony that we received in our select committee. In our select committee, Jason Pereda said that he alone solely drew the map.

Speaker Perez: **[00:09:11]** Representative Gantt.

Rep. Gantt: **[00:09:14]** Thank you, Mr. Speaker. Mo Jazil testified that the 2022 plan is not yet unconstitutional. Do you agree, and that's a yes or no, that we are enacting a new map to get ahead of the court ruling that has not yet been issued?

Speaker Perez: **[00:09:28]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:09:30]** Thank you, Mr. Speaker. And there is no yes or no, easy answer in, again, an evolving legal landscape. And let me add to my prior answer, in saying that the mid-cycle redistricting gives us the opportunity to ask the questions

that end up in front of our courts, so that we have guidance when we come back in a few years after the next reapportionment. But standing here today, I am not a decider. It is not my job to answer legal constitutional questions or interpret the state or federal constitution.

That is the job for the judicial branch. Our job is to make a decision to use our judgment in voting for a map that we believe is viable under legal interpretation.

Speaker Perez: **[00:10:23]** Representative Gantt.

Rep. Gantt: **[00:10:25]** Thank you, Mr. Speaker. And isn't it true that the pending case, Louisiana v. Callais, has not been decided by the U.S. Supreme Court?

Speaker Perez: **[00:10:34]** Representative Gantt, you cannot phrase the question in terms of, "Isn't it true," that's argumentative. But I think Representative Persons-Mulicka understands the thrust of the question, so I'll let her proceed to answer.

Rep. Persons-Mulicka: **[00:10:45]** Thank you, Mr. Speaker. All that we know is that an opinion has yet to be issued.

Speaker Perez: **[00:10:51]** Representative Gantt.

Rep. Gantt: **[00:10:53]** Thank you, Mr. Speaker. So, if Callais is decided in a way that does not support the governor's legal theory that was presented in our committee, the 2026 plan would not be constitutional.

Speaker Perez: **[00:11:10]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:11:12]** Thank you, Mr. Speaker. I can't answer that question because it's based on a hypothetical.

Speaker Perez: **[00:11:17]** Leader Driskell, do you have a question? Are you – yes.

Rep. Driskell: **[00:11:22]** Mr. Speaker, thank you. Rep, are you aware that Jason Peredo testified that he used partisan data to draw this map, this 2026 plan?

Speaker Perez: **[00:11:31]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:11:34]** Thank you, Mr. Speaker. I am aware. I am aware of his testimony in front of the Senate Rules Committee.

Speaker Perez: **[00:11:41]** Leader Driskell.

Rep. Driskell: **[00:11:43]** Thank you, Mr. Speaker. So, if you use partisan data and we know that the law says that we're not supposed to do that, how can we now proceed with this map?

Speaker Perez: **[00:11:50]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:11:53]** Thank you, Mr. Speaker. I cannot speak to the intent of the map drawer, and I will not make any conclusions as to the intent of the map drawer.

Speaker Perez: **[00:12:05]** Leader Driskell.

Rep. Driskell: **[00:12:06]** Thank you, Mr. Speaker. Do you believe that a map drawn using partisan data complies with the Fair District Amendment's prohibition on drawing districts with the intent to favor or disfavor a political party?

Speaker Perez: **[00:12:16]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:12:18]** Thank you, Mr. Speaker. I believe that the map in front of us, based on the testimony that we heard in the two various committees, I believe that there is a likelihood that map will be upheld against legal challenges.

Speaker Perez: **[00:12:33]** Leader Driskell.

Rep. Driskell: **[00:12:35]** Thank you, Mr. Speaker. Approximately 41% of Florida's registered voters are Republicans, yet the 2026 plan creates 24 of 28 Republican-leaning districts. Do you believe that outcome is consistent with the Fair Districts Amendment?

Speaker Perez: **[00:12:48]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:12:49]** Thank you, Mr. Speaker. Representative Members, I have not reviewed the partisan performance of any single district within this map.

Speaker Perez: **[00:12:57]** Leader Driskell.

Rep. Driskell: **[00:12:59]** Thank you, Mr. Speaker. So, the Fair District Amendment requires congressional districts to be compact and to use existing political and geographical boundaries where feasible. Can you speak to the use of compactness and geographical boundaries in designing this map?

Speaker Perez: **[00:13:15]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:13:16]** Thank you, Mr. Speaker. I do have objective, factual, mathematical information that I'm happy to share with you. Do you have a specific question regarding compactness or boundaries?

Speaker Perez: **[00:13:30]** Leader Driskell.

Rep. Driskell: **[00:13:31]** Thank you, Mr. Speaker. Speak to it with respect to District 14, please.

Speaker Perez: **[00:13:38]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:13:40]** Thank you. I can share with you that in District 14, that it includes one county, but not the whole county. So, that county ends up being split. And it includes two cities, one whole and one split.

Speaker Perez: **[00:14:08]** Leader Driskell.

Rep. Driskell: **[00:14:09]** Thank you, Mr. Speaker. I apologize. I meant the existing CD14 and how that changed going on to the new one.

Speaker Perez: **[00:14:18]** Representative Persons-Mulicka, do you have that info? You're recognized.

Rep. Persons-Mulicka: **[00:14:24]** Mr. Speaker, I do not have that information in

front of me. But Representative, if there is a specific county that you would like me to look at, I can tell you how that has changed between the current map and the proposed map.

Speaker Perez: **[00:14:38]** Leader Driskell.

Rep. Driskell: **[00:14:39]** Thank you, Mr. Speaker. Have you reviewed any of the analysis comparing the compactness scores of the 2026 plans districts to those of the existing 2022 plan?

Speaker Perez: **[00:14:47]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:14:50]** Thank you, Mr. Speaker. Thank you, Representative. And for the members who weren't on our committee, when you look at compactness, there's two things you look at. The first primary thing is visual compactness. Right? And that's often in the eye of the beholder. You might think one district looks compact and another member might think it doesn't look as compact.

The second way you look at compactness is via mathematical score. And we have kind of three different mathematical theories that we have utilized. I have looked at the average statewide for the convex hull, the Polsby-Popper, and the REOC scores. And the current map, it changes very slightly. The proposed map, changes very slightly from the current map, but it's very consistent.

Speaker Perez: **[00:15:36]** Representative Rayner.

Rep. Rayner: **[00:15:38]** Thank you, Mr. Speaker. I'm going to jump back to the process. Am I correct to understand with regard to the drawing of the map that the governor's office made every policy decision, not in conjunction with you to this plan?

Speaker Perez: **[00:15:56]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:15:59]** Thank you, Mr. Speaker. Again, I could not speak to the process or what happened when the map drawer was drawing the map. All that I can say is that I was

not involved in the drawing of the map, and I have no reason to believe that anyone in the Florida House was involved in the drawing of the map.

Speaker Perez: **[00:16:18]** Representative Rayner.

Rep. Rayner: **[00:16:19]** Thank you, Mr. Speaker. So, to be clear, I'm correct to understand that the legislature is deferring to the governor's office for Florida's congressional representation. Correct?

Speaker Perez: **[00:16:28]** Representative Persons Malaca.

Rep. Persons-Mulicka: **[00:16:30]** Thank you, Mr. Speaker. There is nothing in our state constitution or state law that prevents the governor from submitting a proposed congressional map. For our consideration and vote, we are the ones considering the map. We are the ones voting on the map. We have not deferred our duties under the Constitution.

Speaker Perez: **[00:16:52]** Representative Gantt.

Rep. Gantt: **[00:16:55]** Thank you, Mr. Speaker. Do you agree with the governor's on-severability argument that if one provision of the Fair Districts Amendment is unenforceable, then the entire amendment fails?

Speaker Perez: **[00:17:05]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:17:08]** Thank you, Mr. Speaker. I have said that I believe that the legal arguments presented are viable and that this map will likely be upheld under legal review.

Speaker Perez: **[00:17:19]** Representative Gantt.

Rep. Gantt: **[00:17:21]** Thank you, Mr. Speaker. Following that answer, are you aware that the non-severability argument has not been adopted by any Florida court?

Speaker Perez: **[00:17:29]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:17:31]** Thank you, Mr. Speaker. Well, until last

summer, the Florida Supreme Court had never answered the question as to whether our non-diminishment clause under our state constitution was a compelling reason to disregard the Equal Protection Clause of the 14th Amendment. That was an unanswered question and the Florida Supreme Court just answered it. So, there are many unanswered questions in this evolving legal landscape.

Speaker Perez: **[00:18:02]** Representative Eskamani.

Rep. Eskamani: **[00:18:05]** Mr. Speaker, Representative Persons-Mulicka, did you see the version of the map that was leaked to Fox News that had party breakdown?

Speaker Perez: **[00:18:16]** Representative Eskamani, are you asking if she saw it before the map was introduced or ever saw it? You can clarify.

Rep. Eskamani: **[00:18:22]** Just ever saw it, Mr. Speaker.

Speaker Perez: **[00:18:24]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:18:26]** Thank you, Mr. Speaker. I saw the map pop up on new sites and on social media, but I did not study the map in detail.

Speaker Perez: **[00:18:35]** Representative Eskamani.

Rep. Eskamani: **[00:18:35]** Thank you, Mr. Speaker. Thank you for that response. Looking at that map, do you believe that the outcome of that map that was leaked that had colors on it of red and blue is consistent with the Fair Districts Amendment?

Speaker Perez: **[00:18:47]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:18:50]** Thank you, Mr. Speaker. Again, I have not performed, and our House staff has not performed political performance on any of the districts, so I cannot speak to the veracity of the map that was leaked to the news media.

Speaker Perez: **[00:19:04]** Representative Joseph, welcome back. You're

recognized.

Rep. Joseph: **[00:19:07]** Thank you, Mr. Speaker. Did any legislator draw a single district line in the map we're about to vote on?

Speaker Perez: **[00:19:17]** Representative Joseph, that question was actually already asked.

Rep. Joseph: **[00:19:20]** Apologies. Apologies, Mr. Speaker. I will ask a different question. A moment ago, in response to some questions about compactness, you said, and I quote, "It changes very slightly." So, you acknowledge that the 2026 plan is less compact than the existing map. My question for you is, what legitimate redistricting principle justifies that reduction in compactness?

Speaker Perez: **[00:19:46]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:19:48]** Thank you, Mr. Speaker, and I want to echo, welcome back, Representative, to the floor. First, I did not say that the map before us is less compact than the previous map. There are some changes, and one way that you look at compactness, mathematical scores, but those are not dispositive of the compactness issue.

The first rule in compactness is looking at it visually. I think this map before us is just as compact as the current map. But I will tell you under the mathematical scores, just to put in the record, the convex hull score stayed exactly the same, of 0.81 between the current map and the one proposed before you today. The Polsby-Popper in the current map is a 0.43. The one before us today is 0.41. And for the REOC score, the current map is 0.47, and in the map before us today, it's 0.46.

Speaker Perez: **[00:20:48]** Representative Joseph.

Rep. Joseph: **[00:20:50]** Thank you, Mr. Speaker. Would you repeat the last score for me, please?

Speaker Perez: **[00:20:54]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:20:56]** Thank you, Mr. Speaker. Representative, the REOC score, that was 0.47 in the current map, and it's 0.46 in the proposed House Bill 1D map.

Speaker Perez: **[00:21:10]** Representative Joseph.

Rep. Joseph: **[00:21:11]** Thank you, Mr. Speaker. So, those slight decreases in compactness, I will reiterate based on the data you just shared, it decreased from 0.43 to 0.41 in the second category. And in the third category, it decreased from 0.47 to 0.46. So, I reiterate my question. Given the decrease in compactness, because that is a clear mathematical decrease, what legitimate redistricting principle justifies the reduction in compactness?

Speaker Perez: **[00:21:45]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:21:47]** Thank you, Mr. Speaker. And I'll reiterate my answer, that a decrease in a mathematical score that is used as part of the evidence of compactness does not equate to a decrease in compactness.

Speaker Perez: **[00:22:06]** Representative Joseph, you're recognized.

Rep. Joseph: **[00:22:07]** Thank you, Mr. Speaker. Are you aware that the 2026 plan splits more counties and more municipalities than the existing 2022 plan?

Speaker Perez: **[00:22:19]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:22:22]** Thank you, Mr. Speaker. Yes.

Speaker Perez: **[00:22:24]** Representative Rayner.

Rep. Rayner: **[00:22:26]** Thank you, Mr. Speaker. Representative, do you know, was this map drawn by hand or using outside algorithms?

Speaker Perez: **[00:22:36]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:22:38]** Thank you, Mr. Speaker. Again, I cannot speak

to the process that was used to draw the map.

Speaker Perez: **[00:22:44]** Representative Rayner.

Rep. Rayner: **[00:22:46]** Thank you, Mr. Speaker. Were there any alternative plans included?

Speaker Perez: **[00:22:50]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:22:53]** Thank you, Mr. Speaker. We have seen one map. One map was transmitted to us.

Speaker Perez: **[00:23:01]** Representative Gantt.

Rep. Gantt: **[00:23:03]** Thank you, Mr. Speaker. Are you aware that the 2026 plan was drawn using the same 2020 census data as the existing map?

Speaker Perez: **[00:23:15]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:23:18]** Thank you, Mr. Speaker. Representative, can you clarify that question regarding the data used?

Speaker Perez: **[00:23:23]** Representative Gantt.

Rep. Gantt: **[00:23:25]** Thank you, Mr. Speaker. In committee, Jason Pereda, or however you say his last name, excuse me – stated that the 2020 census data is what they used to create this map. That's the clarification.

Speaker Perez: **[00:23:42]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:23:44]** Thank you, Mr. Speaker. Representative, we are required under the Constitution of Florida statute to use the last federal census data to draw any redistricting map. And based on the testimony in committee, it's my understanding that Mr. Pereda did base the map and draw it on the 2020 census data.

Speaker Perez: **[00:24:09]** Representative Eskamani.

Rep. Eskamani: **[00:24:11]** Thank you, Mr. Speaker. Representative, are

you aware that no Florida court has held the Fair Districts Amendments to be unconstitutional?

Speaker Perez: **[00:24:18]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:24:21]** Thank you, Mr. Speaker. I've already answered that question.

Speaker Perez: **[00:24:25]** Representative Eskamani.

Rep. Eskamani: **[00:24:27]** Thank you, Mr. Speaker. Are you aware that no Florida court has held the 2022 map to be unconstitutional?

Speaker Perez: **[00:24:34]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:24:37]** Thank you, Mr. Speaker. That is correct. There are still pending court cases regarding the 2022 map. And in the Black Voters Matter case that was decided this past summer by the Florida Supreme Court, I want to note for the body that their holding was very specific to the questions and analysis that were asked in that case, and they looked only at Congressional District 5. They did not look at the map as a whole.

Speaker Perez: **[00:25:09]** Representative Eskamani.

Rep. Eskamani: **[00:25:11]** Thank you, Mr. Speaker. Were there any public community-level town halls hosted about this map for public engagement?

Speaker Perez: **[00:25:21]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:25:23]** Thank you, Mr. Speaker. I am unaware of any.

Speaker Perez: **[00:25:28]** Representative Eskamani.

Rep. Eskamani: **[00:25:30]** Thank you, Mr. Speaker. I know that it was stated during committee that the map drawer drew the maps two weeks ago. Were there any conversations about this map, privately or publicly, before the map maker started working on it?

Speaker Perez: **[00:25:45]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:25:46]** Thank you, Mr. Speaker. Representative, can you clarify that question? Conversations between whom?

Speaker Perez: **[00:25:53]** Representative Eskimani.

Rep. Eskamani: **[00:25:54]** Thank you, Mr. Speaker. For example, did the President call any presiding officers? Did President Trump engage in this process directly?

Speaker Perez: **[00:26:03]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:26:05]** Thank you, Mr. Speaker. I can only speak as to any conversations that I might have had, and I had zero conversations with anybody before we took the map through this process over the last two days.

Speaker Perez: **[00:26:22]** Representative Joseph.

Rep. Joseph: **[00:26:24]** Thank you, Mr. Speaker. A moment ago, when I asked the question about whether you're aware that this 2026 plan splits more counties and municipalities than the existing '22 map, and you said that you were aware of that. My follow-up question is, what legitimate redistricting principle justifies these additional splits, given the requirements of Tier 2 criteria?

Speaker Perez: **[00:26:48]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:26:50]** Thank you, Mr. Speaker. Well, I think there's a complete misunderstanding as to how you apply traditional redistricting principles to a map. When we apply those principles, each one of us will end up drawing a different map. There are nearly an infinite number of maps that can be drawn and be compliant with traditional redistricting principles. So, just because there's some changes in how a couple counties or cities might be split, that is not evidence that the principles were not followed.

It is a balancing act. It is a very precise exercise. Remember, every district has to have the mathematically

exact number of people in it, down to this, a single person. That is a very difficult exercise. I will share with the Body, that under the proposed map, 382 cities are kept whole – 382 cities – and 30 cities, are split. And under the proposed map before you, 48 counties are kept whole – 48 – and only 19 are split. In some counties, they are split less under the proposed map, and in some counties, they are split more.

Speaker Perez: **[00:28:15]** Representative Joseph.

Rep. Joseph: **[00:28:17]** Thank you, Mr. Speaker. While I appreciate your explanation about how there can be myriad numbers of maps and different variations, my question was pretty specific. So, let me ask it a different way. Are you saying that there was no justification in the current version of the maps for making the increase of splits of more counties and cities than the map that it replaces?

Speaker Perez: **[00:28:46]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:28:48]** Thank you, Mr. Speaker. I cannot speak to you regarding the theory that the map drawer used and what he employed. But if you go back and watch our committee meeting yesterday, or if you go watch the Senate Rules Committee of yesterday, you will see that the map drawer walked through his theory, and how he addressed each district, and why he took certain actions. I cannot speak for him, but you can go back and watch his testimony.

Speaker Perez: **[00:29:20]** Representative Joseph.

Rep. Joseph: **[00:29:22]** Thank you, Mr. Speaker. As the bill sponsor, I'm asking these questions because you're the one presenting the legislation before us today. But since you brought up the draft of the bill and his testimony, I will ask a different question about his testimony specifically. It seems that Jason Pereda testified that he used partisan data in drawing every district on the map. Do you believe it is a coincidence that the map drawn with the partisan data also happens to be less compact and splits more political boundaries than the map it replaces?

Speaker Perez: **[00:29:58]** Representative Persons-Malika.

Rep. Persons-Mulicka: **[00:30:01]** Thank you, Mr. Speaker. I think I've answered this question a multitude of different ways as it was built into other questions. But again, I'm going to go back. I cannot speak towards the map drawer's intent. I cannot speak to how the map drawer balanced all of the traditional redistricting criteria in putting together the map that is before you. It is a very difficult exercise.

Again, there is an infinite number of maps that can be drawn compliant with redistricting criteria. But I believe the map before us today is a good map and based on viable legal theories and likely to be upheld.

Speaker Perez: **[00:30:47]** Leader Driskell.

Rep. Driskell: **[00:30:49]** Thank you, Mr. Speaker. Just point of information. This is not a question if we could stop the clock. Which is that typically, in this body –

Speaker Perez: **[00:30:55]** Please, stop the clock.

Rep. Driskell: **[00:30:56]** Thank you. Typically, in this body, when we're dealing with legislation and there are questions that the bill sponsors are unable to answer, we make staff available to provide that information. And I think with the importance of this map, that we should have the map drawer here or somebody on staff who can give us some answers. This is a generational map that is being drawn. It's very important, and we should comply with the process that we typically do.

Speaker Perez: **[00:31:21]** Your point is noted for the record. Thank you. Representative Eskamani, do you have a question?

Rep. Eskamani: **[00:31:27]** Thank you so much, Mr. Speaker. The fastest growing county in Florida since 2020 is St. John's, yet its congressional districts, District 5 and 6, didn't really change at all. Why is that?

Speaker Perez: **[00:31:39]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:31:42]** Thank you, Mr. Speaker. Thank you, Representative. Thank you, everybody, for the questions. Again, I cannot speak as to why the map drawer made any type of decisions in drawing the map before us.

Speaker Perez: **[00:31:55]** Representative Gantt.

Rep. Gantt: **[00:31:57]** Thank you, Mr. Speaker. What data do we have that shows a shift in population growth that justifies doing a mid-decade redistricting?

Speaker Perez: **[00:32:08]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:32:10]** Thank you, Mr. Speaker. I have not reviewed any recent population data. Again, the map that is before you is based on the 2020 census. It is within our prerogative and within our discretion to take up a map regarding congressional districts at any time.

Speaker Perez: **[00:32:33]** Representative Gantt.

Rep. Gantt: **[00:32:35]** Thank you, Mr. Speaker. What part of the Florida Constitution allows and specifically, I'm asking for a section and a cite, or a citation. What part of the Florida Constitution, the Adopted Florida Constitution since 1968, allows us to do mid-district – mid-decade redistricting?

Speaker Perez: **[00:32:53]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:32:55]** Thank you, Mr. Speaker. There is no prohibition within our state constitution or state statute to doing mid-cycle redistricting.

Speaker Perez: **[00:33:04]** Representative Eskimani.

Rep. Eskamani: **[00:33:07]** Thank you, Mr. Speaker. Was this map drawn by hand or using outside algorithms? Oh, and I'm sorry, Ms. Persons already answered. And you already spoke to how there were no alternative plans provided. But I guess, ultimately, one question I have is, where are the incumbents located in this map? And was there any double

bunking or has anyone been drawn out of their district?

Speaker Perez: **[00:33:30]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:33:33]** Thank you, Mr. Speaker. I have zero data regarding residences of incumbents, and I didn't hear any discussion in the committees regarding incumbents.

Speaker Perez: **[00:33:48]** Representative Cross.

Rep. Cross: **[00:33:50]** Thank you, Mr. Speaker. Representative, why did this body fail to provide meaningful opportunities for the public to offer input before the maps were presented?

Speaker Perez: **[00:34:00]** Representative Cross, that's outside the scope of this bill. Do you have another question?

Rep. Cross: **[00:34:03]** Yes, thank you, Mr. Speaker. Will this body retain and make public all records and communications related to redistricting, including communications with the governor's office?

Speaker Perez: **[00:34:15]** Representative Cross, those are all public records, but outside the scope of the bill relating to the map. Do you have another question?

Rep. Cross: **[00:34:22]** Yes, thank you, Mr. Speaker. Representative, the governor's transmittal letter suggests that any consideration of race in drawing congressional districts is unconstitutional under the 14th Amendment. Is that the legislature's position as well?

Speaker Perez: **[00:34:36]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:34:38]** Thank you, Mr. Speaker. I believe I've answered this question, but I will note that the map before you, based on the testimony that we heard in committee, I, again, cannot speak to the intent of the map drawer or what the map drawer did or did not do. But he said race was not considered at all in drawing this map and that it's a race-neutral map. And I've said before, and I'll say again, I believe that this map is based on viable legal theories and

will likely be upheld on a challenge.

Speaker Perez: **[00:35:11]** Representative Nixon.

Rep. Nixon: **[00:35:13]** Thank you, Mr. Speaker. Rep, I'm confused because I thought we were the ones who were supposed to be drawing the map. And if you have no idea about any of the answers, you don't know the – you can't answer any of the questions that we have, why are you even sponsoring this bill?

Speaker Perez: **[00:35:35]** Representative Nixon, you cannot inquire into the motives of members during questions. Do you have another question? Recognized, Representative Nixon.

Rep. Nixon: **[00:35:49]** I'm good.

Speaker Perez: **[00:35:53]** Representative Bartleman.

Rep. Bartleman: **[00:35:55]** Thank you, Mr. Speaker. Would you acknowledge that it was stated on public record that this map was drawn on partisan data to favor a party?

Speaker Perez: **[00:36:08]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:36:10]** Thank you, Mr. Speaker. Again, I cannot speak as to what the map drawer did or did not do, or what the map drawer considered or did not consider, or to what his intent was or was not.

Speaker Perez: **[00:36:26]** Representative Bartleman.

Rep. Bartleman: **[00:36:27]** Thank you, Mr. Speaker. Would you acknowledge that the testimony yesterday, and that the map drawer acknowledged that partisan data was looked at in his testimony? Did you hear that?

Speaker Perez: **[00:36:41]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:36:44]** Thank you, Mr. Speaker. I am not going to draw any conclusions as to whether – as to what the intent of the map drawer was or was not. If you know the answer to the

question, you do not need to be asking it.

Speaker Perez: **[00:36:59]** Representative Bartleman.

Rep. Bartleman: **[00:37:01]** Thank you, Mr. Speaker. That's not my determination. You were in the same room I was, where the testimony was heard. And so, he said he looked at partisan data. You are very firm in your belief that he did not look at racial data, but you were unable to draw that same conclusion when it comes to partisan data, which he absolutely said on record he considered. When we drew maps back in 2022, did we look at partisan data when we drew maps last time?

Speaker Perez: **[00:37:35]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:37:38]** Thank you, Mr. Speaker. I cannot speak to what we used or didn't use in 2022.

Speaker Perez: **[00:37:44]** Representative Robinson, F.

Rep. Robinson, F.: **[00:37:46]** Thank you, Mr. Speaker. And I just wanted to go back to you were very firm on saying that he did not use racial data. How do we know that? What evidence or what is there to say that he did not use racial data? Because, you know, you said it, but how do we know?

Speaker Perez: **[00:38:03]** Representative Persons-Mulicka.

Rep. Persons-Mulicka: **[00:38:05]** Thank you, Mr. Speaker. I didn't. I did not say that I know for sure whether he did or did not. Again, I said I cannot speak as to what he did or did not do, but he said he did not use racial data.

Speaker Perez: **[00:38:21]** Thank you. Time for questions has expired. Are there amendments?

Clerk: **[00:38:24]** None on the desk, Mr. Speaker.

Speaker Perez: **[00:38:25]** Show the bill rolled over for third reading. Representative Persons-Mulicka, you're recognized for a motion.

Rep. Persons-Mulicka: **[00:38:32]** Thank you, Mr. Speaker. I move that the rules be waived and House Bill 1D be read a third time by title and placed on final passage.

Speaker Perez: **[00:38:39]** Representative Persons-Mulicka moves that the rules be waived and HB 1D be read a third time by title and placed on final passage. All in favor say, "Yay."

Speakers: **[00:38:47]** Yay.

Speaker Perez: **[00:38:48]** Opposed, "No."

Speakers: **[00:38:49]** No.

Speaker Perez: **[00:38:50]** Show the motion adopted. Read the bill a third time by title.

Clerk: **[00:38:53]** By Representative Persons-Mulicka, House Bill 1D, a bill to be entitled an act establishing the congressional districts of the state.

Speaker Perez: **[00:39:02]** Are there any amendments?

Clerk: **[00:39:03]** None on the desk, Mr. Speaker.

Speaker Perez: **[00:39:05]** Members, we're going into structured debate on HB 1D. Debate will be limited to 45 minutes per side in 15-minute increments. Total debate time not to exceed 90 minutes. Representative Daley. Representative Gantt. You are recognized to begin a debate and the Clerk will start the debate clock.

Rep. Gantt: **[00:39:22]** Thank you, Mr. Speaker. I yield to Rep. Harris.

Speaker Perez: **[00:39:24]** Representative Harris, you're recognized in debate.

Rep. Harris: **[00:39:27]** Thank you, Mr. Speaker. I don't want to talk much about the legal issues, because I know there are people who are much more well-versed than I am to talk about that. I don't want to talk about how it splits counties.

I do want to talk about how there was no meaningful consideration given to communities that have been historically marginalized or silenced. And I'm going to get emotional, because I think of **Akoi** and the generations of people who fought and died for the simple right to be represented.

And representation matters. And it matters most for those who have had to fight the hardest to have their voices heard. And I also think about the voters in this state, people with different viewpoints, different beliefs, who are now being drawn into districts where their voices can't be heard. We were cut out of this process. As a member of this House, I was cut out of this process. They will be cut out of this process. We know that Floridians expect and demand a fair process for redistricting because they voted on it.

Our constituents voted on it overwhelmingly. Nothing in the governor's supposed justification for this map has any meaningful addressing. The districts on this map have fewer geographical boundaries and split more cities and counties. There are no compelling state interests that justifies throwing out the previous map, which was also defended in courts with state funding. What we are doing today is spending taxpayer dollars to create a map that will most certainly – we are spending taxpayer dollars to create a map that will most certainly be challenged in court and then asking those same taxpayers to pay to defend it.

We are asking Floridians to have their constitutional rights weakened and pay for it. There's a lot at stake here. So, I'm going to make the moral argument. This is not just another vote. This is not just another bill. This is a moment that will define how seriously we take the Constitution we all collectively swore to uphold. And in this year, as the nation approaches its 250th anniversary, we should remember something very simple: History has its eyes on each and every single one of us. I urge you to vote "No."

Speaker Perez: **[00:41:56]** Members. Please take your conversations to the bubble. Please attend to the debates. Representative Gantt, you're recognized in debate.

Rep. Gantt: **[00:42:02]** I yield to Rep Daley.

Speaker Perez: **[00:42:04]** Rep Daley in debate.

Rep. Daley: **[00:42:06]** Thank you, Mr. Speaker, and good morning, members. You know, if you know me, I don't get up on the floor very often, but I am on this issue because I find it particularly offensive. So, I'm rising in opposition today, not because of who this map helps or hurts politically, but because of how we got here. So, I'd like to go over a couple of things. One, first and foremost, there is no legitimate reason for this. We just drew these maps. We just went through an entire process a couple years ago. I know, I had to sit through them.

We went through an entire elaborate process. We voted to approve maps. The governor sent one Tweet, "I will…" whatever he said, "I'm going to veto these. These are dead on arrival." All of a sudden, we kowtowed and said, "Governor, please. Governor, give us a map that we'll vote on." And we did. And that's what we voted for. And that's the map that we have. That's the map that's been upheld by the court. So, was the governor wrong then, or is he wrong now?

Coming back at the 11th hour trying to do this in the middle of a decade. There's been no new census. There's been no court order. There's been no legal requirement to do this again. This isn't a correction, members. This is a choice. We are not responding to data, but to opportunity. I want to talk about Fair Districts for a second. Voters spoke very clearly in 2010, with overwhelming, over 60% support in both of those amendments. The amendments, as you know, require maps not to be drawn to favor or disfavor a political party.

This map flies in the face of Fair Districts and the Florida voters for reasons I'm just about to jump into. This is a process breakdown for me, members. Constitutionally, we, the legislature, we draw the maps. And yet, once again, we have kowtowed to the governor. The bill sponsor admitted

not a single legislator drew a single line in this map. Couldn't answer half the questions because we didn't draw the map. Better yet, bill sponsor admitted that she didn't draw the map and is aware that the governor's staff used political data to draw these.

If that's not an admission of unconstitutionality under Fair Districts, I don't know what is. Let's talk for a second about the bigger picture. Because this isn't – for me, this isn't just about the map. It's about what happens when we normalize mid-district – excuse me, mid-decade redistricting. I would remind you that the strength of our system has never come from what those in power can do, but from what they choose not to do. I'm going to ask you to vote, "No" today for so many more reasons than I can go into, members. Be a patriot and vote, "No."

Speaker Perez: **[00:44:49]** Representative Leader Driskell, you are recognized in debate.

Rep. Driskell: **[00:44:52]** Thank you. Actually, not debate, Mr. Speaker, but a motion, or perhaps a point. Can we pause the time? Which is that, it's my understanding that the Louisiana v. Callais decision just issued by the United States Supreme Court, I would move for recess for at least two hours so that we can all have an opportunity to digest this landmark Supreme Court decision, which is, from what I understand, the basis of why we're even here today in mid-decade redistricting.

Speaker Perez: **[00:45:18]** Members, Leader Driskell moves for a temporary recess of two hours to consider the impact of the Callais decision on the pending legislation. All in favor of the motion say, "Yay."

Speakers: **[00:45:31]** Yay.

Speaker Perez: **[00:45:32]** All opposed say, "No."

Speakers: **[00:45:33]** No.

Speaker Perez: **[00:45:35]** The motion fails. Representative Gantt, you're

recognized in debate.

Rep. Gantt: **[00:45:39]** Thank you, Mr. Speaker. Can we have five seconds added back onto the clock?

Speaker Perez: **[00:45:44]** Yes.

Rep. Gantt: **[00:45:44]** Thank you. I yield to Rep Hunschofsky.

Speaker Perez: **[00:45:48]** Representative Hunschofsky in debate.

Rep. Hunschofsky: **[00:45:50]** Thank you, Mr. Speaker. Members, I am stunned that this map is considered such a priority by the governor and leadership that we have been summoned here on the taxpayer dime to pass a map which violates Article III, Section 20 of the Florida Constitution, which prohibits the state from drawing congressional districts that intentionally favor or disfavor a political party or incumbent.

In fact, this section of the Constitution was established by the Florida Fair Districts, which was passed by the who? The Florida voters in 2010, with 62.93% support. Yet here we are with a map drawn according to the map drawer in the last two weeks, heard in one House committee for three hours, and now, limited to 30 minutes of questions and 45 minutes of debate on either side on the House floor. This map flies directly against the face of the people of Florida who said they wanted Fair Districts. And the people of Florida were not included in this discussion. They were not invited to the table in any meaningful way.

Members, democracy does not die in darkness. It happens in daylight, in front of all of us, when the powerful are so caught up in their unchallenged power that they decide that the power they hold or could hold is more important than the Constitution and the people they swore to serve. It also dies when those who seek power are complicit and along for the ride. Members, this is messed up.

Our priorities in this government are upside down, when we are putting individual power ahead of the people we

serve. The Constitution is separation of powers, and different powers and responsibilities, so that no one group and no one person can abuse their power. Today, you all have a choice to make. Do you side with the people or Florida, or unaccountable power? Thank you.

Speaker Perez: **[00:48:49]** Representative Gantt.

Rep. Gantt: **[00:48:50]** Thank you, Mr. Speaker. So, to make it plain, I'm going to put on my teacher's hat first. We're talking about severability. Severability is a legal principle that allows the court to remove an invalid or unconstitutional part of a law or contract while keeping the rest of it intact. If you think about it like surgery, instead of throwing the entire statute out, only one section of it is carved out. That is the current precedent, standing legal principle in the state of Florida.

The oppositions – or my opposition, absolutely – absolutely, the people of Florida's opposition, which is now, the governor of Florida with this map, their position is that the severability presumption and the Fair Districts Amendment does not apply because one part is not applicable. That is completely in contravention and completely not based on any legal precedent. And since when do we file or pass legislation so that we can say, "Well, we know it's unconstitutional and it's not based on case law, but we're going to do it anyway, so we could take it to court?"

That is not the role of the legislature. By the way, it's not the role of the legislature to abdicate our role and position in this particular redistricting. It is our role to invite the governor to participate with us, not to take over the entire process. So, when you look at severability in the legal principle, there is a seminal case in Florida law, Ray v. Mortham. And it states that severability is a judicial doctrine recognizing the obligation of the judiciary to uphold the constitutionally – or constitutionality of legislative enactments where it's possible to strike only the unconstitutional portions.

So, the governor's position is that the entire amendment does not apply because one part is in disagreement with what they want to do in order to retain and keep power. That is not how it works, and that is not how we as a legislative body should be functioning. I'll also say when we talk about the Fair Districts Amendment, Article 3, Section 20 of the Florida Constitution states that no apportionment plan or individual district shall be drawn with the intent to favor or disfavor a political party or an incumbent.

The sponsor of this bill was very adamant and very 100% positive that partisan – I'm sorry, racial grounds were not used, but partisan grounds or partisan data was used as admitted by the sole map drawer. Floridians of all political affiliations came together in 2010, and passed the Fair Districts Amendment with a 63% vote. Some of you all did not get 63% of the vote in your district. Okay? But Floridians voted 63% to pass the amendments in a large part to protect the voices from partisan gerrymandering. We are not doing mid-decade redistricting. We are doing partisan gerrymandering. That is what this is. And I yield to Representative Eskamani.

Speaker Perez: **[00:52:07]** Representative Eskamani.

Rep. Eskamani: **[00:52:08]** Thank you, Mr. Speaker. So, this is how liberty dies, with a thunderous applause. I cannot believe we are here to vote on a map that was first leaked to Fox News that the bill sponsor cannot answer basic questions on because it's not her product, comes straight from the governor's office, who has made very public statements and Tweets regarding partisanship. And I quote from online, Team DeSantis, speaking to how Florida can add up to five Republican seats. They got to four. We got to four.

Members, this is not how the process should work. There should be public town halls. There should be community engagement. And it should happen every 10 years, not in the middle of a decade. This is unprecedented. And we should each be concerned because you would be with your hair on fire if the shoe was on the other side of the aisle.

Right? We have a democratic system that is based upon voter input, that is founded on civic participation.

Voters approve these two Fair Districts Amendments knowing – knowing that this process was already corrupt and corrosive. Many of us weren't here during the first battle on those amendments, but maps had to be redrawn, reissued from 2012 to 2016. Our community in Central Florida was directly impacted by that. And the current maps are still being litigated. It's clear to me that this process has nothing to do with populationships, especially since it's still using the same census data that we used.

And no clear jumps that are even being made for that argument, because the argument is not credible. We should not be debating bills that we don't understand, that we have no background to, that we have no context to, that literally is born out of partisanship in an environment where we are still waiting for legal interpretation. It's disappointing, members, that we are now engaging within a political climate that is so polarizing that folks have to cheat to win. We're watching the trends nationally. If we truly believe in a marketplace of ideas, if we believe in competition, if we believe that the meritocracy, then we should allow the voters to choose their politicians, not politicians choose their voters.

And so, I ask you members to stand with us and the state constitution, to stand with us and with the voters. I'm reminded that each one of us, when we got sworn in – and we just saw this yesterday, we take that oath with the judge before us to respect the State and U.S. Constitution. If you vote yes on these maps, you are breaking your oath to the people of Florida and to our foundation as a country and as a state. Please vote down. Thank you, Mr. Speaker.

Speaker Perez: **[00:55:26]** Time for debate in this block has expired. Leader Sirois, you are recognized in debate.

Rep. Sirois: **[00:55:31]** Thank you very much, Mr. Speaker. We yield back our time in this block. Thank you. Representative Gantt, you're recognized in debate.

Rep. Gantt: **[00:55:38]** Thank you, Mr. Speaker. I yield to Rep Tant.

Speaker Perez: **[00:55:41]** Representative Tant, you're recognized in debate.

Rep. Tant: **[00:55:43]** Thank you, Mr. Speaker. I know a lot of this is falling on deaf ears because people aren't listening. Many of my constituents in North Florida feel and have felt since the last census count that was done during COVID, that doors were not knocked on, and so there was not an accurate count even then. Given the fact that our own House staff has admitted that Florida's constitutionally approved Fair District Act passed by Floridians in 2010 was not considered, and this bill ignores Federal Voting Rights Act of 1965, and that he has stated that it does in fact factor in partisan data.

Given the fact that our governor has stated that Florida has an unprecedented growth and many of us boast about the 900 people a day moving to our state. And in the absence of a legitimate census count, I am confident that Floridians' voices are being diluted, communities are being split, constituents ignored, and the voices are disenfranchised. The very process that this bill went through to get on the floor today is the indicia of how my constituents and yours will be treated with deliberate disregard, deliberate disrespect for people of Color, and deliberate disdain for registered parties, voters of all parties. But this bill is a hard no today, and you should vote against it, along with the rest, with me.

Speaker Perez: **[00:57:04]** Representative Gantt.

Rep. Gantt: **[00:57:05]** I yield to Rep. Woodson.

Speaker Perez: **[00:57:07]** Representative Woodson.

Rep. Woodson: **[00:57:08]** Thank you, Mr. Speaker. As a representative who was elected to be a voice for those who have entrusted me to do this work, I rise today with a simple question, one that I believe every member of this body and every

Floridian watching ought to be asking. Where is the fairness? Where is the fairness in a process that gives us 24 hours to review maps that will shape our democracy for years to come? Where's the fairness in watching legislation that impacts millions without giving the people a real opportunity to be heard? Where's the fairness when the voices of our constituents are treated as an afterthought instead of the foundation? We all know because the people told us clearly in 2010 to the Fair Districts Amendment that districts shall not be drawn to favor or disfavor a political part.

Speaker Perez: **[00:58:10]** Representative Woodson, would you stand by? Members, would you hold it down, please? Representative Woodson has the floor. You're recognized.

Rep. Woodson: **[00:58:16]** Thank you so much, Mr. Speaker. That wasn't a suggestion. That was the will of the voters. So, I'm asking again, where is the fairness? Where's the fairness when we engage in a mid-decade redistricting process that the people did not ask for? Where's the fairness when the process itself is flawed, rushed, and lacking transparency? Where's the fairness, again, for the working mother, the senior in Broward County, the student in College Park, who doesn't have the luxury of being here in Tallahassee, but will have to live with the consequences of what we do today.

Because make no mistake, this is not theoretical. This is not just about lines on a map. This is about the very essence of fairness. This is about real people, real communities, and fairness should not be partisan. Fairness is a principle. Members, I'm asking you today, where's the fairness in ignoring them? We should pause. We should take the time to get it right. And for one, I refuse to do that. So, today I will be voting no, not out of partisanship, but out of principle. Because until we can answer that question, "Where's the fairness?" We have no business voting on this bill. Thank you, Mr. Speaker.

Speaker Perez: **[00:59:38]** Representative Gantt.

Rep. Gantt: **[00:59:40]** I yield to Rep Young.

Speaker Perez: **[00:59:42]** Representative Young.

Rep. Young: **[00:59:43]** Thank you, Mr. Speaker. Members, I have a question. What has changed? What has changed since 2022? Is it the political climate that now requires us to redraw lines, not because communities moved, but because power shifted? Is it the political climate that now says fairness is optional when it becomes inconvenient? Is it the political climate that allows Washington's interests to reach down into this state and shape our representation? Is it the political climate that asks us to accept maps that dilute the voting power and strength of Black and Latino Florida?

Is it the political climate that tells us winning is more important than how we win? Because if none of these things has changed, then the question becomes, why are we here? Members, we are living in perilous times. Perilous times when government begins to choose who it wants to represent instead of allowing the people to choose who represents them. Perilous times, when those who present themselves as leaders cloak political intent in the sheep cloth language of process and necessity. Perilous times, when we normalize outcomes that we would have once challenged without hesitation.

If the standard becomes that maps can be redrawn whenever the political winds change, then there is no stability in representation. If the precedent becomes that outside influence can shape our districts, then there is no independence in this body. If the expectation becomes that constitutional guardrails can be stretched when convenient, then those guardrails will not be there when we need them. This is not a partisan warning. This is an institutional one. So, I would ask you to consider not just the outcome or vote, but the standard it sets.

Is this how we want Florida to govern itself? Is this the process we want to defend when the roles are reversed? Is this the message we want to send to voters who trusted us to follow the Constitution that they approved? So, this is not just a disagreement over policy. This is a question of

whether we are willing to uphold the rules when they are inconvenient or when they benefit us. So, what has changed? I know what has changed. I'm glad you asked.

What has changed is that those in leadership have begun to yield their authority, not just here in Florida, but at the national level to the executive branch, allowing decisions like this to be driven from the top-down instead of the ground-up. Government should be of the people, by the people, for the people, not controlled by elites clinging to strings of power they can feel slipping away.

That is not how this institution was designed to function, and that is not how democracy is supposed to work. Mr. Speaker, for the sake of this Body, for the sake of the Constitution, and for the sake of the people who sent us here to represent them, I ask that we vote this bill down.

Speaker Perez: **[01:02:15]** Representative Gantt.

Rep. Gantt: **[01:02:17]** I yield to Rep. Nixon.

Speaker Perez: **[01:02:19]** Representative Nixon.

Rep. Nixon: **[01:02:20]** Thank you, Mr. Speaker. This is deja vu, you all. It's deja vu. The same exact thing happened back in 2022, when you all unconstitutionally and illegally just gave away our power. Last time I checked, we were the ones who were supposed to be drawing the maps. And yet and still, we are allowing – you all continue to hold the water of a governor, who is a lame duck, and just trying to figure out what his next job is going to be.

And so, in 2022, we were right here diminishing representation instead of our one constitutional duty of passing a budget. We're here again. The budget hasn't passed. Why are we so pressed on premature reappointment instead of passing an already delayed budget? My mama said that everything that's free isn't good. And here, in the free state of Florida, we have a governor that wants to be a member of the state legislature. It's our only job, to do this. And what – I'm just so really confused that why we feel it's

okay to continue to cheat so we can win.

Well, you all want to cheat so you can win. And I know a lot of folks are talking trash about what Virginia did, but Virginia took their vote to the voters. Back in 2010, our voters said we did not want to gerrymander partisanship. We didn't want to allow partisan gerrymandering. And you always talk about decorum, but you all violate the law. Make it make sense. It's wrong. It is wrong. It is dead wrong. And I look forward to the pendulum swinging come November.

Speaker Perez: **[01:04:19]** Representative Gantt.

Rep. Gantt: **[01:04:21]** I yield to Rep. Joseph.

Speaker Perez: **[01:04:24]** Representative Joseph.

Rep. Joseph: **[01:04:26]** Thank you, Mr. Speaker. Listen, you all, I'm going to just talk to Floridians. Black, White, purple, red, blue, whatever. The governor is playing in your face. That's what the kids say. He tells us – he's given us these shifting explanations as to why we're here today. One, is to address the undercount and the population shifts. There's no new census data. Nothing has been addressed to change or address any population shifts because we're using the same exact information.

He talks about addressing court rulings. We just got one of the court rulings he was talking about, and you just heard our colleagues vote down our – meaning, the Democrats' request, to pause this process to address that court ruling. So, they're not interested in the court ruling. Okay. Maybe they're interested in another court ruling, the Black Voters Matter ruling. Right? That one found that the last time we did this process, we took away a Black seat in this state. The court found that was done inappropriately, but could not correct it because this administration did not give them the accurate data to restore the Black seat.

So, they're not addressing litigation. What else did he tell us he wanted to do? Oh, he wants to follow the law. Let's

talk about what the law is. Unlike in a lot of other states, where people can vote by referendum, we have a different process in Florida. And constitutionally, it cannot be partisan. Specifically, the Fair Districts Amendment, which is found in Article 3, Section 20 of our State Constitution, specifically says that there can be no apportionate plan or individual district shall be drawn with the intent to favor or disfavor a political party or incumbent.

And you heard the bill sponsor and the person who drew the maps testify to the partisanship. And we know that the maps came out first to Fox News before anybody in this chamber or the other chamber got it. So, what are they doing? They're rigging the elections because, they don't know how to play fair because, they know they will lose. That's what we're dealing with right now. There's nothing routine about mid-cycle redistricting. It is illegal. Full stop.

Speaker Perez: **[01:06:56]** Representative Gantt.

Rep. Gantt: **[01:06:57]** I yield to Rep Lopez.

Speaker Perez: **[01:06:59]** Representative Lopez, you're recognized.

Rep. Lopez: **[01:07:01]** Thank you, Mr. Speaker. More than 55% of registered Florida voters oppose mid-decade redistricting, including independents, Democrats, and Republicans. So, let me speak to my colleagues on both sides of the aisle in the language we all share, taxpayer monies and the Constitution. The proclamation that calls us here expressly appropriate funds for any legal challenges thereto. We are being asked to pass a map and prefund the lawsuits defending it in the same breath with taxpayer money.

Whatever you think about the politics of redistricting, that is not limited government, that is not fiscal restraint, that is asking the small business owner in our state, the retiree on a fixed income, the family already squeezed by property insurance to underwrite a legal fight they did not ask for. There is no emergency in our district that this map solves. Only a bill the taxpayer will be paying for in court for years.

When 60% of voters write a rule into the Constitution and 55% tell us today, they do not want this, the conservative answer and the progressive answer are the same answer: Respect the voters. To the constituents in our district who wrote, who called, who showed up, Republican, Democrats, independent, I hear you. Today, I will vote no on this bill, and I will encourage everybody to do the same. Thank you, Mr. Speaker.

Speaker Perez: **[01:08:24]** Representative Gantt.

Rep. Gantt: **[01:08:26]** Thank you, Mr. Speaker. I yield to Rep. Skidmore.

Speaker Perez: **[01:08:29]** Representative Skidmore.

Rep. Skidmore: **[01:08:31]** Thank you, Mr. Speaker. Members, we've heard from the Democrats in the chamber about all the reasons why we shouldn't be engaged in this process. I really love quotes. I like to look back in history. In 1887, Lord Acton said in a letter to an Anglican bishop, "Power tends to corrupt, and absolute power corrupts absolutely." That has never been more evident than today, in this chamber. And do you know what's absent when corruption is present? Courage.

Courage. There's no courage in this room. There's no courage to say no to a dictator. There's no courage to say no to a has-been. There's no courage in this chamber to do the right thing. There are members in this chamber who know in their hearts that they took an oath to protect the Constitution, and they're going to violate that oath today. You have to look yourself in the mirror every day. I'm glad I don't have to look at you every day because I am so disappointed in your lack of courage, in your lack of conviction to do the right thing, to do what you were elected to do.

Which is to represent your constituents who do not want this map, who asked you not to do it, who told us very emphatically in 2010 not to do this thing that you're going

to do today. And I say "You" because the Democrats are not doing it. The Democrats have the courage of their conviction, and the Democrats are going to prove to Floridians that we are on the right side of history, and we will remain there, and you have to live with your decision.

Speaker Perez: **[01:10:53]** Members, we're going to pause for a recognition. Representative Blanco, you're recognized for a recognition.

Rep. Blanco: **[01:11:00]** Thank you, Mr. Speaker. Today we have from Miami, a group of folks who came up to talk about Cuba and the freedom of Cuba, the democracy of Cuba. I'd like to recognize in the East Gallery, Orlando Gutierrez and Jose Daniel Ferrer, who was a political prisoner for over 12 years. Gentlemen. Members, thank you. We recognize these leaders who have come together to provide a pathway to democracy and freedom for the Cuban people. Welcome to the Florida House and God bless.

Speaker Perez: **[01:11:48]** Welcome to the Florida House. Representative Salzman, you're recognized for a recognition.

Rep. Salzman: **[01:11:55]** Thank you, Mr. Speaker. Members, I have two quick things. One, in the West Gallery, my constituent and dear friend, Matt Sharpstein is here. Guys, welcome to the Florida House, Matt. Give him a round of applause. He actually helped me in my very first election. He was one of the first people I talked to in 2019, and encouraged me to be here today, a dear friend. So, thank you for being here. Also, a friend of Meg's. I won't steal your thunder with your dear daughter.

And then, secondly, members, I just want to let you know that Pensacola is being represented in American Idol. We have a top five contender, Keyla Richardson. She was Top 7, she made it to Top 5 on Monday. We were here. So, next Monday, we're hoping that she makes it to Top 3. But just wanted to give a shout out to our very own Pensacola, our Floridian, Keyla Richardson, for being an America Idol Top 5. Thank you.

Speaker Perez: **[01:12:56]** Leader Sirois, you're recognized in debate.

Rep. Sirois: **[01:12:59]** Thank you, Mr. Speaker. We yield back.

Speaker Perez: **[01:13:02]** Thank you. Representative Gantt, you're recognized in debate.

Rep. Gantt: **[01:13:04]** Thank you, Mr. Speaker. I yield to Leader Driskell.

Speaker Perez: **[01:13:06]** Leader Driskell, you're recognized in debate.

Rep. Driskell: **[01:13:08]** Thank you, Mr. Speaker. Members, my grandmother used to say, "Child, just because you can do a thing doesn't mean you should." And I would love it if we would stop dancing around what is happening here today. This bill is not redistricting reform. It's a partisan map drawn in secret, on demand from Washington, and shoved through this chamber on a clock designed to keep the public out of the room. And before any one of us votes, we owe our constituents the courtesy of saying this out loud.

Earlier, the Florida Supreme Court told us they believe compliance with the Fair District Amendments is not a compelling state interest sufficient for consideration of race to pass strict scrutiny under the 14th Amendment. Just yesterday, the governor's office staff told us the same thing about the VRA. Race can never be considered in redistricting, so they did not consider race in any way because compliance with the Voting Rights Act cannot be a compelling state interest.

But just moments ago, today, Justice Alito, in the Callais case, said the governor and his counsel are wrong. Justice Alito writing for the majority said, "Compliance with Section 2 as properly construed can provide such a reason." It's on Page 8 of the slip opinion that this chamber would not take a recess to go and read. I encourage you, go and read it.

Speaker Perez: **[01:14:24]** Members, please hold it down. Leader Driskell.

Rep. Driskell: **[01:14:26]** The man who drew this map testified under oath that he used partisan data to draw every single district, every one. And when the governor's attorney was asked whether Democratic voters are being underrepresented in our congressional delegation, his answer was that this is a normative question. Members, if we vote yes on this bill, it's not just that we're being misled. We are blessing this mess. The timing tells the rest.

The governor announced his intention to redistrict shortly after the President of the United States asked Republican-led states to do exactly that. There is no neutral explanation for that sequence of events. The map drawer told us that he was applying traditional redistricting principles instead of race. But the 2026 plan is less compact than the current map. It splits more counties. It splits more cities. The work product contradicts the state as standard. So many communities are losing representation. To the people of Tampa Bay, I see what is being done to our representation. I will not be quiet about it, and I will not vote for it.

Members, this map was drawn in secret, defended on a theory that really no court accepts with respect to severability, designed with partisan data, and timed to a partisan request. And I guess it only remains to mention, I know we're all very busy and we all have lives, and I can tell just by the folks, the lack of attention in this room, that perhaps it's an inconvenient thing to destroy democracy today. That is what I feel like I'm being told. You're not listening. You don't care.

The people of Florida deserve better. You think that this is just about preserving a Republican majority in the midterm. I stopped by to tell you today that you are destroying democracy with this vote. The people of Florida deserve better. Not one of our constituents asked for this, not one. Shame on this House today.

Speaker Perez: **[01:16:18]** Representative Gantt.

Rep. Gantt: **[01:16:20]** I yield. I yield to Rep Franklin.

Speaker Perez: **[01:16:23]** Representative Franklin.

Rep. Franklin: **[01:16:25]** Thank you so much, Mr. Speaker. When I stood in the well of this House and raised my right hand, I didn't take an oath to a political party. I took a solemn oath to the Constitution and to the people of the state. The oath is a covenant. It demands that we act with integrity, not with an eraser or a political agenda. To support a measure that undermines the very building blocks of our democracy, is to break faith with the very foundation of this office. This seat that I sit in today does not belong to me. It belongs to the legacy of those who fought to ensure that every voice is heard.

We are stewards of a sacred trust. When we entertain maneuvers that skirt the edge of legality, we aren't just moving lines, we are diminishing the dignity of the institution that we all swore to protect. My focus is focused on the mission. Let's lead, not rearrange. We have real problems here in Florida that require real solutions. We have healthcare gaps that need closing and economic engines that need fueling. As we know, years ago, over 60% of Floridians casted a vote to enshrine in the Florida Constitution, telling us not to do what we're doing today. And so, this unconstitutional distraction sacrifices the needs of many to fuel the ambitions of the few.

Speaker Perez: **[01:18:06]** Representative Gantt.

Rep. Gantt: **[01:18:07]** Thank you. I yield to Rep Campbell.

Speaker Perez: **[01:18:10]** Representative Campbell.

Rep. Campbell: **[01:18:13]** Thank you, Mr. Speaker. Members, there are moments in this chamber when the law is not enough. When the question before us is not just we can, but what we should do. This is one of those moments. A battle for the soul of America. Maps are not just lines. They tell people whether their count, whether their voice matters, whether the institution still believes in the simple, sacred promise that every citizen is equal.

Today, that promise is being tested. This map fails on every metric. It fails morally, legally, technically, and objectively. But more than anything, it fails the people that sent us here. There is nothing routine about deciding whose voice is heard and whose is not. We are not mapmakers. We are stewards of democracy, and that only works if people believe it is fair. If we trade fairness for advantage, then some may win today. But we all lose something far much greater, the public's trust that this institution belongs to them. We are at an inflection point in history. I ask you to choose fairness and reject as met.

Speaker Perez: **[01:19:51]** Representative Gantt.

Rep. Gantt: **[01:19:53]** I yield to Rep Tuendridge.

Speaker Perez: **[01:19:55]** Representative Tuendridge.

Rep. Tuendridge: **[01:19:57]** Thank you, Mr. Speaker. Everyone in this room had member projects that did not make it into the budget. In my district, Lake Clark Shores families are relying on a failing water system with asbestos in our pipes, leaving a significant number of homes under continuous boil-water notices. That project was unfunded. So, I have to ask, why are we spending millions on redistricting while our communities are still struggling with basic infrastructure, housing, and affordability needs?

The fiscal impacts of redistricting are huge. Special session costs, legal and litigation costs, administrative costs, implementation costs such as updating voter rolls and precincts, public outreach, and even issuing new voter cards. But the biggest cost is not on paper, it's constituent trust. I've spoken to people across my district on both sides of the aisle, and they don't understand why we are here working on something that does not impact their day-to-day lives. They're worried about issues like affordability, housing, and rent costs, and property insurance.

We should be repurposing the time, energy, and resources that we're spending on redistricting to focus on the real needs of our constituents because, at the end of the day, this

is about priorities, and right now, this does not reflect theirs. We already redrew these maps in 2022 using the same census data we are relying on today. And according to Jason Pereda, this map also considered partisan data. So, why just four years later are we doing it again with no new census data, no court ruling requiring it, and no meaningful public input? Every dollar spent here is a dollar that will not be spent in our communities that deserve our full investment. This is the wrong priority at the wrong time. This can wait, but our constituents cannot. Thank you.

Speaker Perez: **[01:21:43]** Representative Gantt.

Rep. Gantt: **[01:21:44]** I yield to Rep. Rayner.

Speaker Perez: **[01:21:45]** Representative Rayner.

Rep. Rayner: **[01:21:45]** Thank you, Mr. Speaker. Members, democracies may die at the hands, not of generals, but of elected leaders. And right now, the democracy is dying, and my colleagues are laughing and talking like it's nothing as democracy is dying. And maybe it's a joke to you, but it's not a joke to us, the Democrats, and to the people of Florida. So, I'm going to call this what it is. This process is illegal. It is a partisan gerrymander. It is illegal. It is a partisan gerrymander. And for those of you who say you are in the party of law and order, you should have a problem with this.

This is not routine maintenance. This is not a compliance with the court order. This is a mid-decade illegal redraw of political lines without any lawful trigger, and it's not being driven by this legislature, but forces outside of this chamber. The process is flawed. The maps were drawn in secret by the governor's office. This is not speculation. This is what the people said in both hearings. And now, we are being asked to ratify them, not refine them, not meaningfully debate them. Ratify them.

This is not how this chamber works. What happened to the House being the House? We are not a rubber stamp. We are a co-equal branch of government. And then, let's be real.

You all are doing this because you all's daddy in the White House is injecting national political objectives into what should be a state-driven process. And now, as we talk about the law, the voters were very clear when they talked about the Fair Districts Amendment. They didn't hedge, they didn't leave room for interpretation. No apportionment plan or individual district shall be drawn with the intent to favor or disfavor a political party and the incumbent.

That is the standard. Not if, not if it's convenient, not one that's politically advantageous. And what do we have before us? A map that was previewed on Fox News showing a partisan breakdown. But you want me to believe that the same map that was shown on Fox News that had a partisan breakdown and is the same map we're voting on is not partisan. Make it make sense. As my mother used to say, do not play in my face and I am not a stupid woman.

So, you all, you are doing this in the face of the people. You're doing an illegal partisan gerrymander. And I'm going to tell you this, for those who vote in favor of this map, history will not look well upon you. Vote no on this map.

Speaker Perez: **[01:24:32]** Representative Gantt.

Rep. Gantt: **[01:24:35]** I yield to Rep. Long.

Speaker Perez: **[01:24:36]** Representative Long.

Rep. Long: **[01:24:37]** Thank you, Mr. Speaker. Members, I don't speak up much in here, mainly because I'm one of the newest members of this body. And I came into this year with a plan to keep my mouth shut and my head down. And my colleagues in the back here have already very well covered a lot of the concerns with this map. But I had to rise today because of what this map would do to my home. I live in Delray Beach, in southern Palm Beach County. I just served as vice mayor there. And this proposed map splits my city in half, carving up a community that shares schools and infrastructure, and anchoring half of its congressional representation to two other counties.

My own house would be moved into District 25, a district that stretches across Palm Beach, Broward, and Miami-Dade, ranks last in compactness, has the lowest Polsby-Popper score on the map, which is the standard we use to measure whether districts are drawn fairly or distorted, as we all know. But this is bigger than my city. This map was not produced through a deliberative legislative process. We all know that. Right? Are we really pretending it was? Members had like, 24 hours to review it before it was presented to the committee yesterday by one guy, Jason Pereda, who allegedly drew the map.

Should that alone not give us pause here? This map wasn't driven by a new census, or population imbalance, or a court order. It's just something the governor wants, which means we don't have to do it. Floridians are struggling with the cost of living right now. Housing, insurance, gas, groceries. They expect us to pass a reasonable budget and focus on the issues that actually impact their lives. Instead, we're debating a map that by every traditional metric is worse than the one we have now. It is objectively less compact. It splits more counties, 19 instead of 17. It splits more cities, 30 instead of 16. It redraws more than 80% of the districts in this state.

That's not refinement. That is a wholesale redraw, allegedly by one guy who admitted that he used partisan data. And we barely had a chance to look at it, guys. This body has stood up as a co-equal branch of government before and said no. We can do it here again today. And listen, I know I'm new, but I don't expect our speeches to change any votes. I get it. But I do think everyone here understands exactly what this is. And we do have a choice about whether to go along with it. Thank you.

Speaker Perez: **[01:27:16]** Representative Gantt.

Rep. Gantt: **[01:27:17]** I yield to Rep Bartleman.

Speaker Perez: **[01:27:18]** Representative Bartleman.

Rep. Bartleman: **[01:27:21]** Thank you, Mr. Speaker. Legislators, we took an oath to uphold the Constitution with integrity. We are beholden to Floridians, to our communities, to our neighbors, not to the federal branch of government and not to the executive branch of the Florida government. Facts are the facts and the truth is the truth. This map violates our constitution. The two-tiered data and testimony indicates partisan gerrymandering.

I am ashamed of what is happening here and in this country. Historically, our parties have always disagreed. But we played by rules. We had character, we had integrity, and we operated legally within a process. If you are a Democrat, a Republican, or an MPA, you are still an American. You are watching the eroding of our democracy and the foundation of this country. We owe it to Floridians to vote no.

Speaker Perez: **[01:28:23]** Time for debate and this block has expired. We're going to pause for a recognition. Representative Weinberger, you are recognized for a recognition.

Rep. Weinberger: **[01:28:30]** Good afternoon, members. I wanted to welcome my daughter, Riley Weinberger, here. She's on college break from Northeastern. Welcome to the Florida House.

Speaker Perez: **[01:28:48]** Welcome to the Florida House. Leader Sirois, you are recognized in debate.

Rep. Sirois: **[01:28:53]** Thank you, Mr. Speaker. We yield back our time.

Speaker Perez: **[01:28:55]** Thank you. Time for debate has expired. Representative Persons-Mulicka, you are recognized to close.

Rep. Persons-Mulicka: **[01:29:03]** Waive close.

Speaker Perez: **[01:29:26]** Representative Persons-Malicka has waived close. The question now recurs on final passage of HB 1D. The Clerk will unlock the machine and the members will proceed to vote. Have all members voted? Have all

members voted? The Clerk –

Speakers: **[01:29:41] [Inaudible].**

Speaker Perez: **[01:29:43]** The Clerk will lock the machine and announce the vote.

Clerk: **[01:29:46]** Eighty-three yays, 28 nays, Mr. Speaker. Show the bill passes. Read the next bill.

Clerk: **[01:29:52]** None on the desk, Mr. Speaker.

Speaker Perez: **[01:30:17]** Representative Garrison, you are recognized for a motion.

Rep. Garrison: **[01:30:26]** Mr. Speaker, I move the House do now adjourn. Sine die.

Speaker Perez: **[01:30:32]** Representative Garrison moves that the House adjourn, sine die. All in favor say, "Yay."

Speakers: **[01:30:35]** Yay.

Speaker Perez: **[01:30:36]** Opposed, "No." Show the motion approved. The House is adjourned, sine die.

[00:00:00][End of Audio]

Duration: 91 minutes

Exhibit 14

GMR TRANSCRIPTION SINCE 2004

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Sincerely,



Beth Worthy
President
Email: Beth@gmrtranscription.com
Phone: (714) 202-9653

President Albritton: **[00:00:00]** The Senate will be in order. Good morning, good morning, good morning. The Senators and guests in the gallery, please rise for the opening prayer be given by Dr. Doug Stauffer of Faith and Dependent Baptist Church in Niceville. Dr. Stauffer is sponsored by the Senator of the Second District, Senator Trumbull. Welcome, Pastor.

Dr. Doug Stauffer: **[00:00:24]** Thank you. Let's pray. Heavenly Father, we come before thee acknowledging our weaknesses and human frailties. We confess that without thee we can do nothing. Lord, we thank thee for the privilege of service in this great state of Florida. As these Senators gather for this special session, we recognize the seriousness of the work before them, decisions that will shape representation and impact both this state and the nation. We pray for each Senator, for President Albritton, for Governor DeSantis and his Cabinet.

Grant each of the state leaders wisdom beyond their expectations, discernment beyond political pressure, and courage beyond personal ambition. Help them to do what is right for Florida and what is right for this nation. Give them clarity to act in a manner that preserves liberty, protects the voice of the people, and strengthens the foundations of this Republic established 250 years ago. Empower them, Lord, not merely with authority but with godly convictions. Remind them that leadership is not personal preeminence but stewardship, not self-interest but service to the people they represent.

May they, like the founders of this nation, seek thy guidance and acknowledge thy hand in the affairs of this nation. Give them reverence for truth, a respect for law, and a commitment to that which is right. Let the decisions made in this chamber align with the Constitution, and may their work be sound, just, and able to withstand examination by the courts. May the work accomplished in this special session bring stability, fairness, confidence to the people of Florida and serve as an example of principled governance to this nation.

We commit this session, these leaders, and this state into thy hands, oh, Lord. In Jesus' name I pray, amen.

President Albritton: **[00:02:12]** Amen. Please remain standing for the Pledge of Allegiance to be led by Senator Burgess from his desk.

[Pledge of Allegiance]

President Albritton: **[00:02:32]** We'll now continue with the order of business. Are there reports of committees?

Secretary: **[00:02:35]** None on the desk, Mr. President.

President Albritton: **[00:02:37]** Are there motions relating to committee reference?

Secretary: **[00:02:40]** None on the desk, Mr. President.

President Albritton: **[00:02:41]** Are there messages from the Governor or other executive communications?

Secretary: **[00:02:44]** None on the desk, Mr. President.

President Albritton: **[00:02:46]** Are there messages from the House of Representatives?

Secretary: **[00:02:48]** None on the desk, Mr. President.

President Albritton: **[00:02:50]** Are there matters on reconsideration?

Secretary: **[00:02:51]** None on the desk, Mr. President.

President Albritton: **[00:02:53]** Pick up the special order calendar, read the first bill.

Secretary: **[00:02:55]** Senate Bill 8D, a bill to be entitled an act establishing the congressional districts of the state.

President Albritton: **[00:03:03]** The Senator of the First District, Senator Gaetz, you're recognized to explain the bill.

Senator Gaetz: **[00:03:11]** Thank you, Mr. President. At 11:15 a.m. Monday, I received an email from the Governor's legal counsel containing Governor DeSantis' plan for congressional redistricting, and here we are two days later on the Senate floor considering that plan. Some people say we should have had more notice, more time, and I feel that way, too. But of all the folks who came yesterday to the Rules Committee to protest the Governor's proposal, I doubt any of them would have stayed home if they had just had a few more days to think about it.

The Governor cut it close. He could have sent the email earlier, but

he played by the rules, our Senate rules that prescribe the lead time for items to be presented to the Rules Committee. All I know about the Governor's proposal is what those who came to the Rules Committee yesterday know, and that is what we learned from the Governor's representatives. The Governor's proposal is not unprecedented. There is no federal or state law prohibiting mid-decade congressional redistricting. In fact, Florida has done it four times before for various reasons.

Seven states are redistricting now in the middle of a decade, some blue states, some red states, and in Florida the Governor has a constitutional role in congressional redistricting. He can propose a redistricting plan anytime mid-decade as he has successfully done before. Some may not like that he can do that or that he is doing it, but he can do it. In his letter of transmittal, the Governor told us why. He gave us two reasons. First, to redress what he says is an imbalance, an illegal imbalance of one person, one vote.

The Governor argues that disproportionate surges in population in a state that is surging in population have left some voters with diminished electoral rights. And Mr. Parada, representing the Governor, says he has drawn maps to make those districts precisely equal and to redress those inequities. The second reason the Governor gives for proposing this plan to us is that any district lines drawn with a racial preference are unconstitutional. So, Mr. Parada, again on the Governor's behalf, has drawn districts which he says are race neutral, taking no account of race whatsoever.

The Governor has laid out his legal and constitutional theory, plainly declaring that the Tier 1 racial preferences in the Fair Districts Amendment are, in the Governor's view, unconstitutional and inconsistent with the 14th Amendment to the United States Constitution. I am not here to prove his theory of constitutional law or to prove that it will prevail. That proof was offered in testimony yesterday by the Governor's representatives and was explained by his legal counsel and was questioned and debated by brilliant lawyers who are in this chamber. But it is the Governor's prerogative to make his case.

The Governor has called us into special session to receive and to consider his congressional redistricting plan and now it's ours to vote it up or down. The Governor has made his case and, Mr. President, I ask that the senate thoughtfully and respectfully

consider that case and that is the bill.

President Albritton: **[00:06:40]** Other amendments?

Secretary: **[00:06:41]** None on the desk, Mr. President.

President Albritton: **[00:06:43]** Are there questions? Seeing none. No, no, no, no. Senator Rouson had questions. You're recognized, sir.

Senator Rouson: **[00:06:54]** Thank you very much, Mr. President. And President Gaetz, in explaining this bill, you spent a lot of time talking about the process by which we received this bill and considered it. Do you recall in 2011 when you chaired the redistricting committee that some of us members who are sitting on this floor right now served on and the number of public hearings we had so that the public could give adequate input?

President Albritton: **[00:07:40]** Senator Gaetz.

Senator Gaetz: **[00:07:41]** Thank you, Mr. President. Thank you, Senator Rouson. I can show you the wound in my side. I can remember those days well. My recollection is, sir, that we had 26 public hearings around the state and you were there for a number of them.

President Albritton: **[00:07:55]** Senator Rouson.

Senator Rouson: **[00:07:56]** Thank you very much, Mr. President. Did the public, in your opinion, get adequate time to research, analyze, and provide input to the map that we're considering today?

President Albritton: **[00:08:13]** Senator Gaetz.

Senator Gaetz: **[00:08:14]** Thank you, Mr. President. I suspect that that's a matter of a personal view as to whether you believe that you had time or that any member of the public had time to review the map. The notion of congressional redistricting mid-decade is not a new notion, even though the map was presented to us just prior to this session. The debate and the discussion about congressional redistricting mid-decade has gone on for several months. I don't think it's news to anyone in Florida who is interested in the issue and follows the issue.

President Albritton: **[00:08:54]** Senator Rouson.

Senator Rouson: **[00:08:56]** Thank you very much, Mr. President. Well, isn't it a fact that as we stand here or sit here today, the current map is constitutional?

President Albritton: **[00:09:08]** Senator Gaetz.

Senator Gaetz: **[00:09:10]** Thank you, Mr. President. I don't propose to opine on the constitutionality of any map. I would only say that the map that we have today is the law until it's changed. And I would suspect, deferring to competent counsel present, that it's constitutional until some court says it's not.

President Albritton: **[00:09:34]** Senator Rouson.

Senator Rouson: **[00:09:38]** Thank you, Mr. President. Well, isn't it a fact that we're doing this proposed map on a signal from the Supreme Court that they might declare Fair Districts unconstitutional?

President Albritton: **[00:10:02]** Senator Gaetz.

Senator Gaetz: **[00:10:02]** Thank you, Mr. President. I've received no signal from the United States Supreme Court. The only signal I received was at 11:15 in the morning on the 26th of April. I received an email from the Governor's legal counsel presenting the Governor's proposal and a letter of transmittal. That is the only provocation that I know of for us being here today. There may be other influences about redistricting that are occurring around the country or in the minds of people in this state, but I've received no signal from the United States Supreme Court.

President Albritton: **[00:10:40]** Senator Rouson.

Senator Rouson: **[00:10:41]** Thank you very much, Mr. President. Well, you were in committee yesterday when the Governor's legal counsel indicated that they were doing this based upon signals that they had received from the court and assumptions that they were making. Is that correct?

President Albritton: **[00:11:00]** Senator Gaetz.

Senator Gaetz: **[00:11:01]** Thank you, Mr. President. I heard the same comments that you did from the legal counsel, and I certainly could not characterize those comments or embroider them in any way. They

stand as they were stated.

President Albritton: **[00:11:17]** Additional questions? Senator Sharief in question.

Senator Sharief: **[00:11:24]** Thank you. Senator Gaetz, outside of a new census or a court order, what objective event or legal necessity justifies altering the district lines that voters relied upon in the last election cycle?

President Albritton: **[00:11:39]** Senator Gaetz.

Senator Gaetz: **[00:11:40]** Thank you, Mr. President. There is no law, there's no state law, there's no federal law that prohibits a mid-district redistricting, mid-census or mid-decade redistricting. And so, there does not need to be a particular provocation other than the Governor's reasons that he gave, which were, first, to redress what he said was a one-person, one-vote imbalance caused by a disproportionate surge in population, and secondly, to deal with the Governor described as an unconstitutional racial bias in Tier 1 of the Fair Districts Amendment.

President Albritton: **[00:12:22]** Senator Sharief.

Senator Sharief: **[00:12:25]** How does changing district boundaries mid-decade respect the expectations of voters who cast ballots under a different district structure and representation?

President Albritton: **[00:12:35]** Senator Gaetz.

Senator Gaetz: **[00:12:37]** Thank you, Mr. President. With respect, Senator, could you please repeat the question?

President Albritton: **[00:12:42]** Senator Sharief.

Senator Sharief: **[00:12:42]** How does changing district boundaries mid-decade respect the expectations of voters who cast ballots under a different district structure and representation?

President Albritton: **[00:12:53]** Senator Gaetz.

Senator Gaetz: **[00:12:54]** Thank you, Mr. President. If I understand the question, it occurs whenever we change district lines that voters find themselves in a different congressional district or, in the case of

legislative redistricting, in a different House or Senate district. Their House didn't move, but the lines moved, and they find themselves in a different district voting for perhaps different candidates than they did before. That is not a creature of this redistricting proposal. Rather, it occurs every time there is redistricting.

Thousands, if not hundreds of thousands of people in our State and in other States find themselves in different districts.

President Albritton: **[00:13:39]** Senator Sharief.

Senator Sharief: **[00:13:41]** So, in your opinion, does this proposal ensure that voters are not treated differently based on shifting district lines mid-cycle, particularly in light of the equal protection principles under the 14th Amendment?

President Albritton: **[00:13:57]** Senator Gaetz.

Senator Gaetz: **[00:13:58]** Thank you, Mr. President. I cannot improve upon nor would I try to characterize or defend the legal analysis provided by the Governor's legal counsel in response to that question yesterday.

President Albritton: **[00:14:11]** Additional questions? Senator Sharief.

Senator Sharief: **[00:14:14]** So, if this is permissible today, what prevents it from becoming a standard practice tomorrow?

President Albritton: **[00:14:19]** Senator Gaetz.

Senator Gaetz: **[00:14:21]** Thank you, Mr. President. The Governor can propose a mid-decade redistricting, and the Governor can provide a rationale for why he proposes it. It is then up to the legislature to determine whether or not it is timely and appropriate to do so. And that's why the Governor can propose, but we must dispose, and that's why we're here on this floor today.

President Albritton: **[00:14:47]** Senator Sharief.

Senator Sharief: **[00:14:51]** So, in light of the statements that were made yesterday from the Governor's staff in regards to taking into account partisan principles when redrawing these district maps, how can we ensure

that all voters are respected and treated equally when these lines are redrawn for redistricting purposes?

President Albritton: **[00:15:18]** Senator Gaetz.

Senator Gaetz: **[00:15:20]** Thank you, Mr. President. The Governor's representatives indicated yesterday that they did not use partisan information in a way that was different from the usual fashion that redistricting is done and that functional analysis is done. But the safeguard, obviously, to make sure that people's rights are not violated is, if there are individuals who believe that the Governor's plan, if it is adopted, violates any constitutional or legal stricture in our State or nationally, is to go to court.

President Albritton: **[00:16:04]** Additional questions? Senator Sharief.

Senator Sharief: **[00:16:07]** So, basically, based on the polls that we have that come from my district in Broward County and the polls in Broward County in general, we know that there are a larger number of Caucasian Republicans than there are Black Republicans. And so, when you say that you're using partisan data but not taking into consideration race, I challenge that principle. And so, I want to know, do you have data different than what occurs in my county throughout the state that would make partisan data appropriate to be used versus race?

President Albritton: **[00:16:45]** Senator Gaetz.

Senator Gaetz: **[00:16:45]** Thank you, Mr. President. I have no data other than the information that was provided to you and to me in the Rules Committee yesterday by the Governor's representatives.

President Albritton: **[00:16:55]** Senator Sharief.

Senator Sharief: **[00:16:57]** President.

President Albritton: **[00:17:00]** Senator Smith in question.

Senator Smith: **[00:17:02]** Thank you, Mr. President. President Gaetz, I appreciate your comments as you opened today's discussion specifically around how you're not here to prove or disprove the Governor's Office and their theories. But as you know, President Gaetz, all of their theories are based on an assumption that the Supreme Court

will rule in a certain way and that the way that they will rule will undermine the entire Fair Districts Amendment. My question for you is, and this is breaking news, we have just heard that the Supreme Court has dropped a decision on the Louisiana case.

None of us have had the opportunity to read it or understand the full implications of this ruling. Do you believe that it's in the best interest of Florida voters and our Constitution to temporarily postpone this bill until we fully understand this ruling?

President Albritton: **[00:18:06]** Senator Gaetz.

Senator Gaetz: **[00:18:07]** Thank you, Mr. President. That's certainly your prerogative. It is the prerogative of the legislature to postpone consideration of this legislation, if you will. My understanding, as is yours, Senator, is that the Calais decision has been rendered by the Supreme Court. But also, as we heard yesterday in the Rules Committee, it is the legal theory of the Governor that the Calais decision, no matter how it goes, does not by itself obviate the need for his proposal, but rather that there are other legal cases that the Governor's representatives quoted yesterday, which they believe provide sufficient legal justification for having race-neutral lines drawn.

But I take your point that the Calais decision is one that could be studied and might have an effect on the vote that any individual Senator might make today.

President Albritton: **[00:19:06]** Senator Smith in questions.

Senator Smith: **[00:19:08]** Thank you, Mr. President. And I appreciate that authentic response in real time. If that's the case, I do believe it would be the responsible thing as a chamber for us to temporarily postpone this bill. I move that we temporarily postpone this bill.

President Albritton: **[00:19:29]** There's a motion on the floor. This is a voice vote. All those in favor of the motion, signify by saying yea.

Group: **[00:19:34]** Yea.

President Albritton: **[00:19:35]** All those opposed, no.

Group: **[00:19:36]** No.

President Albritton: **[00:19:38]** Show the motion fails. Additional questions? I'm not waiting 30 minutes for you to find 5 hands. You had two up when the motion was done, and so we're moving on. All right, five hands. Let's go to the board. We'll open up the board. All those in favor of the motion, I'm sorry. Clerk will unlock the board. All those prepared to vote on the motion? Clerk will lock the board and announce the vote.

Secretary: **[00:20:05]** Twelve yeas, twenty-three nays, Mr. President.

President Albritton: **[00:20:09]** The motion fails. Additional questions? Senator Jones, Senator Smith, additional questions? I'm sorry, hang on just a second. Senator Jones.

Senator Jones: **[00:20:18]** Thank you, Mr. President. I don't think the intention was for us to go into that direction. I think what Senator Smith was trying to convey is to see if we as a body can pause for two seconds. Considering that this decision just came out, no one in this body has been able to read what the ruling was, which pertains directly to what we're dealing with today. So, Mr. President, both, we're just asking if we can pause for two seconds so we can talk to our team, you all can talk to your team so we can make sure that we're asking the right questions for the Floridians who are watching this. That's all we're asking.

President Albritton: **[00:20:56]** Procedurally understood. We took up the motion and we voted and it was defeated. And so, we will continue on. Senator Smith in questions.

Senator Smith: **[00:21:10]** Thank you, Mr. President. Excuse me, I'm just trying to collect and reassess some of my questions because I have a ruling in front of me that I have not read. So, please forgive me in advance if any of these questions may be obsolete. We're just going to power through here. So, first I want to start, President Gaetz, with the map as it impacts the district that I represent in Central Florida, Senate District 17.

I've taken a look at the current Congressional District 9, which is a majority-minority district that is compact and it provides a fair opportunity for the Hispanic population, the Puerto Rican population there to elect a representative of their choice in compliance with the Voting Rights Act. But when I compare it to the proposed Congressional District 9 in the map before us, I can

clearly see that the new lines were drawn to split this compact, politically cohesive Latino population into four or five different Congressional Districts, CD9, CD10, 11, and 18.

President Gaetz, do you believe it's legal for the legislature to approve a map that effectively eliminates Hispanic voting power in Central Florida and prevents them from electing the candidate of their choice?

President Albritton: **[00:22:45]** Senator Gaetz.

Senator Gaetz: **[00:22:47]** Thank you, Mr. President. Senator, as I indicated before, I don't intend to nor would I have the credentials to opine legally on a question of the sort that you've described. I can only say that the Governor's representatives, as you saw yesterday in the Rules Committee, presented a plan which they say does not take into account race in any way, shape, or form in the drawing of any lines, but rather deals with the surge in population and where that disproportionate surge exists in their mind based on EDR analysis. But I cannot opine, obviously, on a legal question of the sort that you've raised.

President Albritton: **[00:23:33]** Senator Smith.

Senator Smith: **[00:23:34]** Thank you, Mr. President. And with deference and respect to you, President Gaetz, many of my questions are actually to you because of your experience. You actually chaired and led the redistricting effort for the Florida Senate in 2010. You gained a great deal of experience from that. And so, I say that because I value your insights as more experience than mine. So, my question is specifically your understanding with that expertise, with the law as it currently stands, does cracking the Latino population in this way, does that comply with the Federal Voting Rights Act and the Fair Districts Amendment?

President Albritton: **[00:24:23]** Senator Gaetz.

Senator Gaetz: **[00:24:25]** Thank you, Mr. President. All I can tell you in response, Senator, is that the Governor's representatives and his legal counsel yesterday made the case, which you can judge for yourself, that their map does indeed comply with the Voting Rights Act and that their map complies with all Federal legislation, particularly with the 18th Amendment. The Governor's

representatives have made it clear that they believe that there is a conflict between some parts of the Fair Districts Amendment and the 18th Amendment to the Constitution.

And so, consequently, they believe that in a case like that, the Federal requirement or the Federal statute would prevail in the case of any such conflict.

President Albritton: **[00:25:16]** Senator Smith.

Senator Smith: **[00:25:17]** Thank you, Mr. President. Thank you, President Gaetz. So, the same proposed congressional District 9, it actually stretches north from my Senate District 17 in Orange County, including the city of Belle Isle and the Orlando International Airport, MCO, we all are familiar with that airport, and Lake Nona. And then, it goes down south all the way through Osceola County, Polk County, Highlands, Glades, and Okeechobee. Do you, President Gaetz, in your expertise, do you understand why this district is roughly 120 miles long from its northern and southern border, stretching from Orlando as far south as where Riviera Beach currently is in Palm Beach County?

Although it doesn't include Palm Beach County, it is as far south as Riviera Beach.

President Albritton: **[00:26:10]** Senator Gaetz.

Senator Gaetz: **[00:26:11]** Thank you, Mr. President. If you say that it stretches 120 miles, I certainly would not dispute your statement. I have no particular opinion as to whether the construction of that district, as proposed by the Governor, meets qualifications that you think it ought to meet. All I can tell you is that the compactness scores that the Governor's representatives have provided indicate that their compactness scores are roughly the same as those of the underlying current map. I could not offer any additional information beyond what the Governor's legal counsel and map drawer provided on the Governor's behalf yesterday.

President Albritton: **[00:26:55]** Senator Smith.

Senator Smith: **[00:26:57]** Thank you, Mr. President. Thank you, President Gaetz. Let me ask a question about process. Of course, I am not a member of the Rules Committee, but I was there with you yesterday and

tried to absorb as much of the comments as I could. I missed the very beginning. The Governor's Office made many claims that there was a race-neutral nature of their map. They claimed that they drew it in a race-neutral way and that that race was not considered in any way. Did they make any of these claims under oath? Were they required to make their statements under oath in front of the Senate Rules Committee, sir?

President Albritton: **[00:27:39]** President Gaetz.

Senator Gaetz: **[00:27:40]** Thank you, Mr. President. The Governor's representatives were not placed under oath.

President Albritton: **[00:27:47]** Senator Smith, if you could just hang on one second. Appreciate that. Listen, considering the development that's happened here in the past few minutes, we're going to take a 30-minute break so that our colleagues can review the decision and adjust their questions if they would like. We're going to take a 30-minute break. We will be back here. Let's come back in at 11:00. We'll be on break. The Senate will be in order. We're going to go back to questions. Leader Berman, you'd be first. You're recognized.

Senator Berman: **[00:28:32]** Thank you, Mr. President. We've had quite the morning. We do want to focus on the Calais decision. So, my first question to you on the Calais decision is are you aware that the Calais decision does not strike down Section 2 of the Voting Rights Act?

President Albritton: **[00:28:56]** President Gaetz.

Senator Gaetz: **[00:28:57]** Thank you, Mr. President. Leader, I received at 11:19 a.m. this morning a transmittal from the general counsel to the Governor, and that transmittal goes to the question that you're asking. And with the President's permission and with your indulgence, Leader, I'll read this brief transmittal from the Governor's legal counsel, copies of which have already been transmitted to you both in writing and also electronically. And I read it, this is the Governor's legal counsel, his words.

"The court concluded that Louisiana's creation of an additional majority-minority district to comply with federal courts' construction of Section 2 of the Voting Rights Act was an

unconstitutional racial gerrymander. Notwithstanding that the district was created for the purpose of complying with a court order, the Supreme Court held that the enactment, 'triggered strict scrutiny because the state's underlying goal was racial.' 'Intentional compliance with the court's demands constituted an express acknowledgement that race played a role in the drawing of district lines.'"

The Governor's legal counsel goes on to say, "Florida's intentional compliance with the FDA would constitute such an acknowledgment and, therefore, would require Florida 'to satisfy the extraordinarily onerous standard of proving that its use in race was narrowly tailored to further a compelling government interest.' As explained in my transmittal letter of April 27, Florida cannot do so. We, therefore, continue to urge you to enact the proposed congressional map transmitted therewith. David Axelman, General Counsel to the Governor."

President Albritton: **[00:30:53]** Leader Berman.

Senator Berman: **[00:30:54]** Thank you, Mr. President. So, does anything in what you just read state that the court is striking down Section 2 of the Voting Rights Act?

President Albritton: **[00:31:03]** President Gaetz.

Senator Gaetz: **[00:31:06]** Thank you, Mr. President. Again, I'm not a lawyer. I'm reading from what the general counsel's provided. And according to the information that we've received, the court has concluded that Louisiana's creation of an additional majority-minority district to comply with a federal court construction of Section 2 of the Voting Rights Act was unconstitutional and a racial gerrymander.

President Albritton: **[00:31:28]** Leader Berman.

Senator Berman: **[00:31:30]** Thank you, Mr. President. So, I have a copy of the opinion in front of me. On the third page, I guess, of the opinion, the bottom of the second page, it says that they answer the question that compliance with Section 2 as properly constructed can provide such a reason. Are you disagreeing with the actual wording of the agreement of the opinion where it says that the Voting Rights Act can be used to provide an opinion that minority districts can be still upheld?

President Albritton: **[00:32:10]** President Gaetz.

Senator Gaetz: **[00:32:11]** Thank you, Mr. President. My understanding, Leader, is that what the court has said is that in order to justify a racially constructed district, there has to be a compelling record of egregious racial discrimination that immediately precedes and causes the construction of that district. And consequently, Leader, those conditions, as far as I know, and I'm not a lawyer, would not apply in the case of Florida or any Florida district that is under discussion.

President Albritton: **[00:32:47]** Leader Berman.

Senator Berman: **[00:32:49]** Thank you, Mr. President. So, I think you and I are somewhat saying the same thing, and that is that you still, under Calais, cannot discriminate against minorities in the redistricting process and that they are laying out what the requirements for strict scrutiny is in Calais. Would you agree with that?

President Albritton: **[00:33:12]** President Gaetz.

Senator Gaetz: **[00:33:14]** Thank you, Mr. President. Again, I'm not a lawyer, but I would particularly agree with the second part of what you said, and that is that the court has said that there have to be certain conditions in existence in order to justify the creation of a district that's drawn with racial intent or racial lines. And those conditions are that there has to be an immediate record of egregious racial discrimination that precedes and provokes the necessity for the creation of that district. I don't believe that it goes further than that. That, I believe, is the black letter of the opinion.

President Albritton: **[00:33:52]** Leader Berman.

Senator Berman: **[00:33:54]** So, I just want to try it. This is very much the heart of a lot of what we're doing today, so I want this to be as clear as we can on this issue. So, are you aware that the Supreme Court in Calais held that compliance with the Voting Rights Act can, in fact, be a compelling state interest?

President Albritton: **[00:34:16]** President Gaetz.

Senator Gaetz: **[00:34:18]** Thank you, Mr. President. Yes, under the strict scrutiny conditions that the court refers to, none of which apply in Florida.

President Albritton: **[00:34:27]** Leader Berman.

Senator Berman: **[00:34:29]** Thank you, Mr. President. President Gaetz, does any part of the Calais decision explicitly address the legality of Florida's fair district amendment?

President Albritton: **[00:34:44]** President Gaetz.

Senator Gaetz: **[00:34:46]** Thank you, Mr. President. Again, not being an attorney, let me qualify what I'm about to say with that and say, not to my knowledge. To my knowledge, the Calais decision does not impact what we are attempting to do here on the floor of the Florida Senate, and it does not impact the Governor's plan in any negative way.

President Albritton: **[00:35:11]** Leader Berman.

Senator Berman: **[00:35:12]** Thank you, Mr. President. But does it impact the actual words of our Florida Constitution under the Fair Districts? Does it change the interpretation in any way of the constitutional amendment?

President Albritton: **[00:35:29]** President Gaetz.

Senator Gaetz: **[00:35:31]** Thank you, Mr. President. I think now you've asked me to go deep into legal analysis that's beyond my scope. I would simply say that the Governor's legal counsel has rendered his opinion and his description of the effect of the Calais decision, which is to say that the Calais decision, if anything, sets a much, much higher standard for the creation of a district that is drawn with reference to racial lines, a much higher standard than because of the preconditions necessary for that standard to be met, none of which apply in Florida.

But beyond that, Leader, I don't believe that I'm competent to go as deep into the legal nuances as your question would suggest.

President Albritton: **[00:36:23]** Leader Berman.

Senator Berman: **[00:36:24]** Thank you, Mr. President. So, interesting that you said none of which apply in Florida. Have we actually done the deep dive that we normally do with redistricting, where we go around and look at maps and make decisions? Or we were just given one

map by the Governor without the opportunity to really do a deep dive to show that there is no a reason why we should have certain districts in Florida?

President Albritton: **[00:36:54]** President Gaetz.

Senator Gaetz: **[00:36:56]** Thank you, Mr. President. No, we did not do a series of hearings around the state as we did in previous years. But I believe that if you or anyone else is suggesting that the conditions that would have to be precedent to the drawing of a district with racial lines exist in the state of Florida, and remember what the Supreme Court has said, there have to be an egregious record, an immediately existent, egregious record of racial discrimination that require the development or use of district lines drawn with racial intent.

If you believe that to be the case or anyone else does, I believe you have the burden of proof.

President Albritton: **[00:37:43]** Leader Berman.

Senator Berman: **[00:37:44]** Thank you, Mr. President. I just want to understand, just want to clarify also. So, based on the Calais decision, are you of the opinion that we could have a statute in Florida that still says you can't discriminate on based on partisanship?

President Albritton: **[00:38:14]** President Gaetz.

Senator Gaetz: **[00:38:18]** Thank you, Mr. President. Yes, I believe so. And I believe so long as that statute was written, and narrowly tailored in the way that the Supreme Court's decision has indicated, not the way that we commonly have used racial boundaries in redistricting in the state of Florida. But rather, we would have to prove someone will have to lay out the proof. And that proof, I think, is not existent, at least on the floor of the Senate today and nowhere that I know of in the state of Florida. There would have to be a huge, weighty amount of proof in order to meet the Supreme Court's strict scrutiny standard.

And if so, we ought to include that in Florida statutes. It's not there now, we'd have to rewrite the statute.

President Albritton: **[00:39:10]** Leader Berman.

Senator Berman: **[00:39:11]** With respect to what you just said previously about that we haven't done the strict scrutiny to see if there should be a minority district, don't you think that should be handled on a court level also?

President Albritton: **[00:39:31]** President Gaetz.

Senator Gaetz: **[00:39:32]** Thank you, Mr. President. I'm not an officer of the court, so that's beyond my competence to determine. My assumption as a layman and as a citizen is if there is, if there are lines drawn and districts created in violation of what the Supreme Court has said, and that is that in order for a racially drawn district to be drawn with racial lines, that there has to be these serious, egregious conditions precedent.

If you or anyone else believes that the district lines have been drawn in violation of now what the Supreme Court has said, and you bring a case in court, then obviously the courts would have an opportunity to decide that case. Yes, ma'am.

President Albritton: **[00:40:19]** Leader Berman.

Senator Berman: **[00:40:20]** Thank you, Mr. President. So, I do just want to go back to the Fair Districts Act, our constitution, and because this is so important, that still the provisions in the Fair Districts Act that apply to not doing maps on a partisan basis are still in effect after Calais.

President Albritton: **[00:40:54]** President Gaetz.

Senator Gaetz: **[00:40:56]** Thank you, Mr. President. Again, I fear that you're asking me for a legal opinion that's beyond my competence, so let me refer you to what the Governor's counsel said in the Rules Committee. The Governor's counsel said in response, "Because race-based provisions in Article 3, Section 20 are inconsistent with Federal law, the next question becomes, what about the rest of Article 3, Section 20?" That has other things in it of the kind that you've described. The Executive Branch position on this is that the rest of Article 3, Section 20 cannot be saved.

It is inseverable from the other provisions. As you will recall, Leader, we had a robust discussion in the Rules yesterday about severability, and I'm not sure that we came to a conclusion that

entirely satisfied me. My own personal belief as a Senator is that there are many aspects of Fair Districts, particularly all of the Tier 2 provisions, as well as not drawing districts where the entire intent and purpose of the district is to draw a district that has lines that would promote one political party or one candidate or another, that those aspects of Fair Districts ought to be saved.

I would respectfully take that position as a member of the Senate.

President Albritton: **[00:42:26]** Further questions? Senator Smith.

Senator Smith: **[00:42:29]** Thank you, Mr. President, and thank you, Mr. President Gaetz, for opining on that. I'm trying to square what you just mentioned to Leader Berman in my own assessment of the bill because going back to my line of questioning before, I respect your experience and your leadership as someone who knows redistricting very well.

So, I don't want to belabor the point, but my question is based on your opinion then, if you could make clear for the Senate, do you buy this argument that race-based requirements in the Fair Districts Amendment cannot be severed, that they cannot be severed from other requirements in the Fair District Amendments, specifically as it relates to the current prohibition on partisan gerrymandering, which is the current law and the current Constitution that we were sworn to uphold?

President Albritton: **[00:43:35]** Senator Gaetz.

Senator Gaetz: **[00:43:38]** Thank you, Mr. President. As I attempted to explain to Leader Berman a moment ago, there was a lively discussion, and I think you were there, you observed it in the Rules Committee, about this very topic. There were those in the room who appeared to take the position that there are aspects of the Fair Districts that could be, that are, and ought to be not necessarily thrown out or excluded, no matter what happens with federal court decisions, no matter what happens with this bill that's before us.

But the Governor's counsel has said the executive branch position is that the rest of Article 3, Section 20, cannot be saved, and it's inseparable. I believe that that's a topic for later construction by this legislature. And speaking only as one senator, I believe, as I said to Leader Berman, that there are aspects of the Fair Districts

that are different from, that are separate issues from drawing lines with racial intent, and that those separate parts of the Fair Districts Amendment should be and ought to be contained in Florida law. And as one senator, I would vote to do so.

President Albritton: **[00:44:59]** Senator Smith.

Senator Smith: **[00:45:00]** Thank you, Mr. President. President Gaetz, so squaring that with what we all heard yesterday in the Rules Committee, you witnessed the same thing that I witnessed, but I just want to get some clarification. The Governor's Office yesterday did, in fact, openly admit that they did consider partisan criteria in drawing this map. Is that correct?

President Albritton: **[00:45:30]** Senator Gaetz.

Senator Gaetz: **[00:45:31]** Thank you, Mr. President. Yes, the Governor's Office indicated that the map drawer, Mr. Parada, said on behalf of the Governor that political data was used, along with all other data. He stated in the Rules Committee yesterday that it was not the dominant or controlling data that was used, but it was used.

President Albritton: **[00:45:57]** Senator Smith.

Senator Smith: **[00:45:58]** Thank you, Mr. President. Thank you. And yesterday, from my perspective, they made a lot of stunning assertions. Do you agree with the Governor's Office's repeated assertions yesterday in the Rules Committee that the legislature "doesn't need to comply with any provisions of the Fair Districts Amendment?" You just said, President Gaetz, that it is a topic worthy of the consideration at a future date, but with all due respect, aren't we considering it right now with this map that does admittedly include partisan considerations?

President Albritton: **[00:46:42]** Senator Gaetz.

Senator Gaetz: **[00:46:43]** Thank you, Mr. President. With respect, Senator, no. First of all, I was not stunned. And secondly, I believe that the Governor's position is one which has been clear, and that is that the Governor does not believe that racial preference should be any part of the drawing of any line. For the last two years, I've sat in this chamber and I've listened to bill after bill, amendment after amendment, speech after speech about how we ought to be treating

people in the state of Florida based on their merit, on the quality of their character, on what they do, not on the color of their skin.

And the Governor has taken the position, in my view, that that is the case in drawing lines for congressional districts, just as it is in other matters. And so, consequently, I'm not troubled by that position on behalf of the Governor. I believe that we can pass these maps and we can still have a belief that some of us in the room may believe that there are aspects of Fair Districts that still ought to be included in Florida law. And in answer to a question that I asked the Governor's legal counsel yesterday, I said, "Do you need to win that point? Do you need to win the point that all of Fair Districts has to go in order for you to prevail in your legal theory?"

And the answer to that question, I think, was, "Well, no, not really."

President Albritton: **[00:48:13]** Senator Smith.

Senator Smith: **[00:48:15]** Thank you, Mr. President. I'm also not an attorney, President Gaetz. I just play one on the Florida Channel. My question for you is, do you believe that by passing a map that admittedly was drawn using partisan consideration in current violation of the Fair Districts Amendment to Florida's constitution, that that would be a violation of the oath that we all took to uphold and defend Florida's current constitution as it is currently written?

President Albritton: **[00:49:01]** Senator Gaetz.

Senator Gaetz: **[00:49:02]** Thank you, Mr. President. There's an assumption in your question, and the assumption is that it would be proven that the use of partisan data was a controlling factor in the drawing of those lines by the Governor's map drawer. I think that would have to be proven in court. And if it were proven in court, then obviously, it would be illegal, in my judgment, as a non-lawyer, based upon the law in Florida as it exists now. But that would have to be proven in court.

There is no proof that I've heard or seen in the presentation made in the Rules Committee yesterday or in any discussion or debate on the floor today that the lines that were drawn by the Governor's map drawer were drawn with a controlling interest in partisan gerrymandering.

President Albritton: **[00:49:50]** Senator Smith.

Senator Smith: **[00:49:54]** Thank you, Mr. President. Thank you for the clarification, President Gaetz. I want to ask you about this language, which is new language to me as it relates to Article 3, Section 20A of the Constitution, that somehow the Florida Constitution only bans considering partisan interests in map drawing if it's some sort of prevailing or predominant consideration. That's new information to me. I have the Constitution in front of me, and it says, "No apportionment plan or individual district shall be drawn with the intent to favor or disfavor a political party or an incumbent."

I didn't read anywhere in there anything about a predominant motivation or interest. I just read you the black and white text. Doesn't the Constitution say we can't consider partisan interest at all?

President Albritton: **[00:50:56]** Senator Gaetz.

Senator Gaetz: **[00:50:59]** Thank you, Mr. President. No, I don't think that what you read said that we can't consider partisan interest at all. I think what you read said that that lines cannot be drawn "with the intent." And I think then and, again, you and I are not lawyers, Senator, but I would guess that that very sharp litigators would be determining and parsing through what the intent means. Does it mean that that is the controlling intent? Does it mean that is what occurred? Or does that mean it was one of fifteen different data points that was used?

This is beyond my competence, Senator. I'm not a lawyer, but my guess is that if this is a ripe issue, if the ones you're raising is a ripe issue, and I dare say it may be that that will be decided in court.

President Albritton: **[00:51:45]** Senator Smith.

Senator Smith: **[00:51:48]** Thank you, Mr. President. So, I appreciate the fact that you continue to say that a court needs to decide. We don't have a court order here. We just have black and white text of the Constitution that tells us what the law is. This chamber has repeatedly undergone intentional years-long efforts to engage in redistricting in a way that does not consider partisanship because

we have respected the Constitution. Suddenly, this new notion that, well, maybe we just can consider it after all and let the court decide is something that's new to me.

Help me understand. Are we simply to ignore our constitutional oath just because we're persuaded by an argument today, even if we don't have a court order that tells us that we can ignore the Constitution?

President Albritton: **[00:52:51]** Senator Gaetz.

Senator Gaetz: **[00:52:52]** Thank you, Mr. President. No, with all respect, Senator, I don't believe that we are being asked to violate our oath, nor do I believe that we are in a different world with respect to the use of partisan data than the world in which we have lived for the last 15 or 20 years in redistricting. Partisan data has always been a part of or a subtext of redistricting that has occurred, either in terms of its use among the many data points that go into redistricting or the criticism that might be made afterwards having to do with the effect of redistricting.

But I do not believe we've entered into any kind of new troublesome era in which the maps that the Governor's Office has presented to us are drawn with any more partisan domination than any maps that we've seen in the past.

President Albritton: **[00:53:54]** Senator Smith.

Senator Smith: **[00:53:55]** Thank you, Mr. President. President Gaetz, I heard you this morning and yesterday when you described your role in this, which is, of course, as the chair of the Senate Ethics and Elections Committee, you were respectfully asked to file the bill, and you believe the Governor, I'm paraphrasing, of course, is constitutionally entitled to be able to present a map. And we're just doing him the courtesy of considering that map that he has given us.

My question for you is, while he has that authority, as you have described, what is the urgent need for the Florida Senate to adopt this map? Don't we also have the constitutional authority as an institution to consider this map and just reject it?

President Albritton: **[00:54:45]** Senator Gaetz.

Senator Gaetz: **[00:54:47]** Thank you, Mr. President. Yes.

President Albritton: **[00:54:49]** Senator Smith.

Senator Smith: **[00:54:50]** Thank you, Mr. President. What is the urgency behind adopting this congressional map in particular, especially in the context of a new court decision where we do not have an updated staff analysis that helps us fully understand all of the implications of the ruling? What is the urgency, Mr. President?

President Albritton: **[00:55:15]** Senator Gaetz.

Senator Gaetz: **[00:55:16]** Thank you, Mr. President. The Governor's legal counsel said in the Rules Committee yesterday, and I quote, "The Governor's stated reasons for redrawing the congressional plan now are twofold. 1.) It's to account for the greater population growth between 2020 and 2025 in the suburban and exurban communities throughout the state. And 2.) it is to ensure that the state has a race-neutral congressional plan.

President Albritton: **[00:55:44]** Senator Smith.

Senator Smith: **[00:55:46]** Thank you, Mr. President. Of course, it's not a secret that it is my strong belief that the actual intention for this redrawing is partisan favor for the majority party. But has the Governor called on the Florida legislature to redraw our state Senate maps and our state House maps since we have had a population change and all of the things that he asserted also apply to our legislative maps?

President Albritton: **[00:56:16]** Senator Gaetz.

Senator Gaetz: **[00:56:16]** Thank you very much, Mr. President. No. And the reason is because the Governor has a constitutional prerogative with respect to congressional maps, and the Governor has no constitutional prerogative with respect to state Senate or state House maps.

President Albritton: **[00:56:33]** Senator Smith.

Senator Smith: **[00:56:34]** Thank you, Mr. President. I want to make sure for the record, no one gets it twisted. I am not advocating for us to redraw our state Senate or state House maps. Just wanted to put that out

there. However, if the legislature believes in the Governor's argument that we must urgently redraw these congressional maps for the stated reasons that you just described, doesn't that rationale also apply to our legislative maps?

President Albritton: **[00:57:02]** Senator Gaetz.

Senator Gaetz: **[00:57:03]** Thank you, Mr. President. I have not been provided with a rationale, an argument, or a plan that would support such a contention.

President Albritton: **[00:57:13]** Senator Smith.

Senator Smith: **[00:57:15]** Thank you, Mr. President. On process, was the map drawn by the mapmakers that we heard from by hand, or did they use any sort of outside algorithms that you are aware, Mr. President?

President Albritton: **[00:57:33]** Senator Gaetz.

Senator Gaetz: **[00:57:35]** Thank you, Mr. President. Yesterday, the map drawer, Mr. Parada, was asked and answered on behalf of the Governor that he drew the map himself, that it was a map that was drawn in iterations, and that no one else drew the map. He drew every single line, although he consulted with legal counsel and other members of the executive office of the Governor.

President Albritton: **[00:58:00]** Senator Smith.

Senator Smith: **[00:58:02]** Thank you, Mr. President. Thank you, President Gaetz. I know that the mapmaker we heard from is very talented. He's very experienced. He knows very well what he's doing. Did he draft any alternate maps for us to consider? And if he didn't, why didn't he give us a menu of options to choose from?

President Albritton: **[00:58:25]** Senator Gaetz.

Senator Gaetz: **[00:58:26]** Thank you, Mr. President. The Governor's Office and the Governor's representatives did not present any map or any proposal other than the one that was transmitted to me, which I, in turn, had transmitted to the entire Senate, which is before you now.

President Albritton: **[00:58:41]** Senator Smith.

Senator Smith: **[00:58:42]** Thank you, Mr. President, and thank you, President Gaetz. I understand that you received the transmittal of the Governor's map and you've not been involved in the process. I fully understand that, and I think the timestamp was 11:15 a.m. yesterday morning. However, President Gaetz, do you have any personal knowledge of any other map that was drafted by the Governor's Office recently that was shared with members of the legislature?

President Albritton: **[00:59:14]** Senator Gaetz.

Senator Gaetz: **[00:59:15]** Thank you, Mr. President. I have had no contact with anyone in the Governor's Office about congressional redistricting. The only communication that has occurred has been the communication that occurred electronically, which I, in turn, shared through the President with all members of the Senate. I've had no other contact with anybody in the Governor's Office about any map drawing of any kind.

President Albritton: **[00:59:38]** Senator Smith.

Senator Smith: **[00:59:39]** Thank you, Mr. President. President Gaetz can you help us understand why this specific map, this version and no other version, was selected by the Governor's Office and transmitted to you at 11:15 a.m. on Monday?

President Albritton: **[01:00:00]** Senator Gaetz.

Senator Gaetz: **[01:00:01]** Thank you, Mr. President. All I can do is repeat what the Governor's representative said, and that is that they believed that the product that they provided on behalf of the Governor met the standards that were necessary for congressional redistricting and met the Governor's two objectives, and that was to take into account population surges and also to ensure that there would be no lines drawn with racial intent. Beyond that, I certainly can't comment on what else the Governor's Office may have done or thought about.

President Albritton: **[01:00:36]** Senator Smith.

Senator Smith: **[01:00:38]** Thank you, Mr. President. I know that very famously, the Governor first shared this map with Fox News before it was shared with the office of the Senate President and before it was

shared with your office, President Gaetz, and the map that was shared with Fox News is not what was transmitted to us. It was a color-coded red and blue map to detail how red performing this map is.

Are you aware of any other map that maybe has been provided to the Senate or that has been provided to other media outlets that shows us where the incumbent members of Congress in Florida live in these districts and whether any of them were drawn out of their districts?

President Albritton: **[01:01:28]** Senator Gaetz.

Senator Gaetz: **[01:01:28]** Thank you, Mr. President. Let me repeat what I said before, Senator, and that is I have no knowledge of any map or any map drawing or any work in drawing maps other than what was transmitted to me, which I, in turn, through the President, had transmitted to all members of the Senate. And so, therefore, the answer to your question is no.

President Albritton: **[01:01:49]** Senator Smith.

Senator Smith: **[01:01:52]** Thank you, President Gaetz.

President Albritton: **[01:01:54]** Additional questions? Senator Polsky.

Senator Polsky: **[01:01:56]** Thank you, Mr. President. Just one more question on the severability so we can be totally clear. Are you aware that the non-severability argument has not been adopted by any court?

President Albritton: **[01:02:12]** Senator Gaetz.

Senator Gaetz: **[01:02:14]** Thank you, Mr. President. I am not aware of any court's action with respect to severability as to this matter.

President Albritton: **[01:02:22]** Senator Polsky.

Senator Polsky: **[01:02:24]** Thank you, Mr. President. You mentioned just before that the Governor said one of the reasons for making this map are population surges. What data are those population surges based on, and how were they used to create this map?

President Albritton: **[01:02:40]** Senator Gaetz.

Senator Gaetz: **[01:02:41]** Thank you, Mr. President. Senator, I can refer to Mr. Parada on behalf of the Governor and his comments at the Rules Committee yesterday, and I believe that his comments are responsive to your question. Mr. Parada has said that the Office of Economic Research and Demographic Research, through the use of the American Community Survey, which is a rolling sample provided by the US Census Bureau, where they sample one to three percent of the US population every year, was used by the map drawers in the creation of their map.

The Governor's representative went on to say that based upon that analysis, Florida gained approximately nine percent of our population over the last five years, a nine percent increase over five years, which translates to just over 1.8 million people on top of what we already had in 2020.

President Albritton: **[01:03:40]** Senator Polsky.

Senator Polsky: **[01:03:41]** Thank you. I've heard it said by various people that Florida was gypped in the last census, meaning that we should have had one more additional congressional seat. Obviously, this map does not do that. It changes the formation of the map within our 28 congressional seats. So, how does this population data rearrange the citizens so that they are more fairly distributed?

President Albritton: **[01:04:10]** Senator Gaetz.

Senator Gaetz: **[01:04:13]** Thank you, Mr. President. Senator Polsky, you're exactly right, and that is that the Governor's proposal does not provide for an additional congressional seat for the State of Florida. That's beyond the purview and jurisdiction of the Governor and the Legislature of the state of Florida. That's a determination based on the census, and the census showing in the division of 435 members of Congress how many members of Congress would be assigned to each state.

And there are those who believe that we should have had an additional member of Congress assigned to us based on the 2020 census. I'm not a demographer, and so, consequently, I don't have an opinion about that. Obviously, as a citizen, it would be nice if Florida had more representatives in Congress, but I believe that that has to be the function of the census, not a function of my opinion.

President Albritton: **[01:05:06]** Senator Polsky.

Senator Polsky: **[01:05:08]** Thank you. But how does the data that you referred to before affect how these districts have been changed by this map? In other words, what does it have to do with dividing the City of Tampa into three sections? What does the data have to do with making a seat from Palm Beach County from the Atlantic Ocean to the Gulf of Mexico? How does that happen? Where is that data to prove that those districts are more correctly distributed?

President Albritton: **[01:05:35]** Senator Gaetz.

Senator Gaetz: **[01:05:36]** Thank you, Mr. President. The representatives of the Governor have indicated that the maps that they have presented to us are based on the 2020 census, and they also have used information from the Office of Economic and Demographic Research through the American Community Survey, which is a rolling sample by the US Census Bureau. And as provided to us by Mr. Parada at the Rules Committee yesterday, Mr. Parada said that changing populations are based on EDR's estimate.

We cannot assign them to census blocks or equalized population based on those estimates. But, and these are his words on behalf of the Governor, we can certainly know which counties are growing faster than others, which counties are growing faster than the state average or slower than the state average, and then account for those in the orientation of the district so that those populations can be accounted for.

President Albritton: **[01:06:35]** Senator Polsky.

Senator Polsky: **[01:06:37]** Thank you, Mr. President. So, the census that was initiated by Trump in 2020 and was monitored by this current Governor between 2020 and 2022 to create the map that he gave us in 2022 based on that census data, he believes now, five years later, six years later, is incorrect. Is that true?

President Albritton: **[01:07:04]** Senator Gaetz.

Senator Gaetz: **[01:07:05]** Thank you, Mr. President. With respect, Senator Polsky, I don't believe that President Trump initiated this 2020 census. I think the 2020 census was going to occur no matter who is President of the United States. And secondly, what the

Governor's representatives have said is that since 2020, there has been a nine percent increase in the population of the state of Florida. That's 1.8 million more people, and that that constitutes with EDR's analysis of that research and which counties are growing, which counties are growing faster than other counties, that provides them the basis then for making the map determinations that they have made.

President Albritton: **[01:07:45]** Senator Polsky.

Senator Polsky: **[01:07:46]** Thank you, Mr. President. So, that additional 1.8 million people, well, first of all, we weren't supposed to use partisan data. But if we are, and he admitted to that, are they all Republican? Why is the map so red, especially the one that was sent to Fox News?

President Albritton: **[01:08:07]** Senator Gaetz.

Senator Gaetz: **[01:08:09]** Thank you, Mr. President. In my dreams, they would all be Republicans. But I don't believe that that is the case. The map that was sent to Fox was not sent by me. When we asked the Governor's representatives and the Rules Committee yesterday where that map came from that was sent to Fox, they said they didn't know. They said they didn't send it. And, therefore, I only know what they said with respect to what they said they didn't do. All I can tell you is that I had nothing to do with sending a map to Fox. Let me go, however, one step further.

It is not unprecedented that chief executives, when they are auditioning a new public policy, go to the public or go to the media before they go to the legislative body. This occurs with presidents of the United States, with Governors, with mayors. The chief executives will say, "This is what I'm thinking about doing." And they audition it through leaks to the media or through actual presentations to the media or actual tours around the state or tours around the country saying this is what I'm about to do.

And then, they submit the bill that happens. And I know that we would like as legislators to be the very first ones who are told what the Governor or the President or the mayor want to do. And we perhaps get our noses out of joints speaking only for myself if I'm not the first one to be told. The fact is that chief executives do that all the time. I have no idea how Fox News got that map. But

regardless of how they got that map, it is certainly within the Governor's prerogative to audition his public policy initiatives in any way he wants to and then come with a piece of legislation to the to the Florida legislature.

President Albritton: **[01:09:54]** Senator Polsky.

Senator Polsky: **[01:09:56]** Thank you. That actually wasn't my question. I just was pointing out how the map turned out. So, if population growth is neutral, as far as registration goes, why does this map that this Governor put out, our only map that we could consider, why does it favor Republicans so much and so out of sync with voter registration numbers, which should have given Democrats even potentially more seats than they currently have based on registration numbers?

President Albritton: **[01:10:29]** Senator Gaetz.

Senator Gaetz: **[01:10:30]** Thank you, Mr. President, Senator Polsky. And I say this most respectfully, I didn't draw the map. I didn't draw the map that was colored red. I didn't see that until it was on Fox News. And so, I have no idea why it was done that way, or what the intent was, if there was an intent. And so, therefore, I can't improve upon my answer to that question.

President Albritton: **[01:10:53]** Senator Polsky.

Senator Polsky: **[01:10:53]** Thank you, Mr. President. I'm not asking about the map that was sent to Fox News. I'm asking about the map that we are voting on before us. If it is supposed to be a change from the map that this Governor gave us in 2022 because of certain population growth, that's the justification, why is it so out of sync with our voter registration numbers?

President Albritton: **[01:11:17]** Senator Gaetz.

Senator Gaetz: **[01:11:18]** Thank you, Mr. President. I don't know that it is. The 1.8 million new people who moved to Florida in the last 5 years. I don't know what their voter registration is. I suspect that information could be obtained. I don't know the answer to that question. And so, therefore, I don't know why other than some sort of an analysis that you or anyone else might conclude that that gives Republicans an advantage or a disadvantage. I'm not sure

that it does. I'm not sure that this map necessarily gives Republicans an advantage.

President Albritton: **[01:11:54]** Senator Polsky.

Senator Polsky: **[01:11:56]** Thank you, Mr. President. If you believe and the Governor's Office believes that this map does not violate the Fair Districts Amendment that was passed overwhelmingly by the voters, what would be an example of something that would violate the Fair Districts Amendment?

President Albritton: **[01:12:13]** Senator Gaetz.

Senator Gaetz: **[01:12:15]** Thank you, Mr. President. What I believe is probably inconsequential to this debate. What the Governor believes, and I'm quoting from the Governor's legal counsel in his remarks to the Rules Committee yesterday, "Because race-based provisions in Article 3, Section 20 are inconsistent with federal law, the next question becomes, what about the rest of Article 3, Section 20? The executive branch position on this is that the rest of Article 3, Section 20 cannot be saved. It is inseverable from the other provisions."

We've talked about severability. If you're asking me as a layman what violation of the Fair Districts or what action with respect to the Fair Districts Amendment could be considered a violation other than using race as a dominant reason for drawing lines, obviously, it would be creating districts that look like Rorschach blots on the map, which has occurred sometimes in the past in Florida and in other states. I believe the lack of compactness, if there was a lack of compactness, that would be a reason why the Fair Districts Amendment, assuming part of it could still be retained in law, and I believe it can be, might be violated.

And that's why I'm comforted by the Governor's map drawer indicating that in the compactness scoring, the compactness scoring for the maps presented by the Governor is the same in compactness as the underlying map that we have right now.

President Albritton: **[01:13:51]** Senator Polsky.

Senator Polsky: **[01:13:52]** Thank you, Mr. President. With respect to compactness, I'm thinking of a district that was drawn that goes

from Miami through Broward up to Palm Beach along the coast. That has not been the current state of that sort of district. Three very large counties, very dense, very urban, that would cause a particular congressperson to have much huger area to represent. So, you may say the compactness numbers are the same, but there are no districts like that now. There's no districts that go from the east coast to the west coast.

So how is that compact? How is that similar communities, how does that even make sense for a congressperson to represent their area fairly?

President Albritton: **[01:14:37]** Senator Gaetz.

Senator Gaetz: **[01:14:38]** Thank you, Mr. President. That's a question that should be presented to the Governor's map drawers because it is a technical question as to why they drew lines in a particular way and how the drawing of those lines figure into the calculus that the Governor's Office uses when they make the evidenced claim that the compactness overall of the map is the same as the compactness of the underlying map, the one that we have right now. But I can't answer the question with respect to a specific district because I didn't draw the lines.

President Albritton: **[01:15:12]** Additional questions. Senator Arrington in questions.

Senator Arrington: **[01:15:14]** Thank you, Mr. President. And good afternoon, President Gaetz. Just to follow up kind of on a question that Senator Polsky had just asked a few moments ago about the partisan information being used to draw the maps. So, approximately, and we had talked about what maybe that data is, approximately 41% of Florida's registered voters are Republicans. Yet the map that we are voting on today creates 24 out of the 28 districts to be Republican leaning. Do you believe that outcome is consistent with the Fair Districts Amendment?

President Albritton: **[01:15:51]** Senator Gaetz.

Senator Gaetz: **[01:15:51]** Thank you, Mr. President. With very clear and due respect to my friend and colleague, Senator Pizzo, I believe that a minority can be a majority. I think that if you have 41% of the population, who all are members of one political party, and then you have the rest of the population divided up among several

different political initiatives or political parties, that that minority can be a majority because it becomes the plurality, it becomes the dominant feature because not all of the other minority-minority parties or constituencies all vote the same way. If they did, then I think your question would be much more poignant.

But the answer to the question is I see no particular problem in 41% of the people of Florida being able to elect members of Congress, so long as they represent the majority of the individuals who show up at the polls and vote in those elections.

President Albritton: **[01:17:02]** Senator Arrington.

Senator Arrington: **[01:17:03]** Thank you, Mr. President. And thank you for that answer, President Gaetz. And I don't want to put words in your mouth, but in my understanding from what you've said previously, that it's your assumption that the legislature or the Governor can redraw maps at any point.

President Albritton: **[01:17:18]** Senator Gaetz.

Senator Gaetz: **[01:17:20]** Thank you, Mr. President. No, I would certainly not think so. I would think that in order for the Governor, or for any member of the legislature to propose a congressional redistricting, that there would have to be reasons why. There would have to be a rationale for why to do it. It could not be done flippantly or just any day of the week. I believe the Governor has provided what he considers to be an appropriate, and he said compelling rationale for why to do it now. And one is to deal with the disproportion of population surges in the state of Florida, and the resulting inequity in terms of one person, one vote.

And secondly, to ensure that no lines are drawn with a racial bias.

President Albritton: **[01:18:00]** Senator Arrington.

Senator Arrington: **[01:18:03]** Thank you, Mr. President. And President Gaetz, you mentioned earlier, I believe, four times you mentioned that we've done mid-decade redistricting. But I don't know if we've dialed in on the reasons for those other ones. Have any of those been because the Governor or the legislature has called for that?

President Albritton: **[01:18:20]** Senator Gaetz.

Senator Gaetz: **[01:18:21]** Thank you, Mr. President. No. And that's why, as I've described those four mid-decade redistrictings, I said they have been done for other reasons. And the reasons in the case of those four have been court actions. Similarly, or in the same context, you have seven states other than Florida that have already done mid-decade redistricting, and their mid-decade redistricting, say that quickly, have been done for various reasons. There have been various provocations in those states.

But in answer to your question, to my knowledge, there's been no gubernatorial initiative in the case of the four prior mid-decade redistrictings in the state of Florida.

President Albritton: **[01:19:14]** Senator Arrington.

Senator Arrington: **[01:19:15]** Thank you, Mr. President. That is a mouthful. I'm having a hard time even saying that myself. My last question for you, President Gaetz, we heard yesterday Governor's Office, executive staff were, were around or were present for the map drawing. We didn't get answers on who those folks were. Do you know or have you heard of any external consultants that were used for the map drawing and if so, who they were and how they were paid?

President Albritton: **[01:19:40]** Senator Gaetz.

Senator Gaetz: **[01:19:41]** Thank you, Mr. President. That question was asked yesterday of the representatives of the Governor. And Mr. Parada answered on behalf of the Governor, saying that there were no outside consultants used. And that the only individuals who he used, other than himself, were legal counsel in the office of the Governor, and certain members of the Governor's executive staff who he declined to name.

President Albritton: **[01:20:07]** Additional questions. Senator Tracie Davis in questions.

Senator Davis: **[01:20:09]** Thank you, Mr. President. Senator Gaetz, yesterday, I believe you talked about when you received the maps on Monday at 11:15. And thank you, by the way, because I think you mentioned that as soon as you got it, you forwarded on to the legislature and you got it out of your hands and into our hands. But just want to make sure for clarity purposes, the map that you

received was not color coded. Or was the map color coded that you received?

President Albritton: **[01:20:47]** Senator Gaetz.

Senator Gaetz: **[01:20:48]** Thank you, Mr. President. The map that I received is the same map that you received. There were no other codes or colors other than the maps that I received, which were exactly the ones that I forwarded on to you.

President Albritton: **[01:21:01]** Additional questions. Senator Tracie Davis.

Senator Davis: **[01:21:04]** Thank you. And I have tried really hard to mark off the questions that you've already answered, but I may have missed some things. So, forgive me on that. Offer some grace. The email from Mr. Axelman to President Gaetz said the proposed redistricting plan is race neutral, complies with the US Constitution, allocates equal protection, and compact and contiguous. That statement specifically omitted compliance with the Florida Constitution. Is this an admission that the proposed plan violates the state Constitution?

President Albritton: **[01:21:41]** Senator Gaetz.

Senator Gaetz: **[01:21:42]** Thank you, Mr. President. No. Rather, the Governor's legal theory is that the Fair Districts Amendment violates the federal Constitution.

President Albritton: **[01:21:53]** Senator Tracie Davis.

Senator Davis: **[01:21:54]** Thank you. Thank you, Mr. President. Did you yourself or the staff analyze partisan performance metrics when drawing these lines?

President Albritton: **[01:22:12]** Senator Gaetz.

Senator Gaetz: **[01:22:14]** Thank you, Mr. President. Since I drew no lines, the answer to the question is no.

President Albritton: **[01:22:19]** Senator Tracie Davis.

Senator Davis: **[01:22:21]** Fair answer. Thank you, Mr. President. Did your staff analyze partisan performance metrics?

President Albritton: **[01:22:28]** Senator Gaetz.

Senator Gaetz: **[01:22:29]** Thank you, Mr. President. No.

President Albritton: **[01:22:30]** Senator Tracie Davis.

Senator Davis: **[01:22:38]** Thank you, Mr. President. What specific safeguards did the mapmaker implement to avoid repeating violations of partisan intent thinking about the case in the League of Women Voters versus Detzer?

President Albritton: **[01:22:56]** Senator Gaetz.

Senator Gaetz: **[01:22:57]** Thank you, Mr. President. I apologize. I don't know. You would have to ask the mapmaker or the Governor's Office that question as to what safeguards they may have had in mind as they were drawing the maps.

President Albritton: **[01:23:09]** Senator Tracie Davis.

Senator Davis: **[01:23:11]** Thank you. Thank you, Mr. President. Do you know if there were any safeguards? Do you know that they considered any safeguards?

President Albritton: **[01:23:19]** Senator Gaetz.

Senator Gaetz: **[01:23:20]** Thank you, Mr. President. All I know is what the rest of us know. My entire knowledge of the mapmaking process, what was in the maps and why they were there, and the occasion for the maps was contained in the Governor's presentation before the Rules Committee yesterday.

President Albritton: **[01:23:37]** Senator Tracie Davis.

Senator Davis: **[01:23:39]** Thank you, Mr. President. As the sponsor of this bill, did you obtain a formal legal opinion affirming this map and affirming that it meets the Florida Supreme Court standards?

President Albritton: **[01:23:50]** Senator Gaetz.

Senator Gaetz: **[01:23:51]** Thank you, Mr. President. No, I have received no legal opinion other than the opinions that I have shared with you.

President Albritton: **[01:23:58]** Senator Tracie Davis.

Senator Davis: **[01:23:59]** Thank you, Mr. President. How does this map preserve communities of interest, rather than fragmenting them from political outcomes?

President Albritton: **[01:24:09]** Senator Gaetz.

Senator Gaetz: **[01:24:10]** Thank you, Mr. President. The whole notion of communities of interest is an interesting topic. It is one that I was involved in debating years ago following the 2010 census, and I can tell you that we lost that argument. We had much advocacy in favor of communities of interest, particularly, I can think, for example, of the panhandle where I live, and we lost that argument because it was deemed more important that we follow the Fair Districts Amendment.

The Fair Districts Amendment, in this respect, was more concerned with compactness than it was concerned with communities of interest. Communities of interest, for example, in the panhandle may run along the coastline for 100 miles or more. And there was, at one point, a state Senate district that I represented that ran all the way from Pensacola to Panama City and beyond. All the way to the Gulf County line. But it was determined that districts like that, notwithstanding the fact that they were arguably communities of interest, could not be sustained under the Fair Districts Amendment, which required compactness.

President Albritton: **[01:25:32]** Senator Tracie Davis.

Senator Davis: **[01:25:33]** Thank you. Which leads me to my next line of questioning. You brought me right to it, which is compactness. So, just based on your last answer, you are aware that the Fair Districts Amendment requires congressional districts to be compact and to utilize existing political and geographical boundaries where feasible.

President Albritton: **[01:25:53]** Senator Gaetz.

Senator Gaetz: **[01:25:56]** Thank you, Mr. President. Yes. And the mapmakers on behalf of the Governor have indicated that they believe that they have done so and have provided a comparative analysis of their compactness, of the compactness of the districts drawn by the

Governor's Office compared to the compactness calculus under the existing maps that we operate now. And the testimony of the Governor's Office yesterday was that they were the same calculus of compactness.

President Albritton: **[01:26:27]** Senator Tracie Davis.

Senator Davis: **[01:26:30]** Thank you, Mr. President. I want to clarify what you just said by way of an answer. Have you reviewed any analysis comparing the compactness scores of 2026 plan districts to those of the existing 2022 plan?

President Albritton: **[01:26:46]** Senator Gaetz.

Senator Gaetz: **[01:26:48]** Thank you, Mr. President. I have not done any analysis of compactness. I simply am referring you to the testimony that was given by the Governor's Office yesterday.

President Albritton: **[01:26:59]** Senator Tracie Davis.

Senator Davis: **[01:27:01]** Thank you, Mr. President. So, with that, I can assume that you are not aware that the 2026 plan is less compact than the 2022 plan.

President Albritton: **[01:27:10]** Senator Gaetz.

Senator Gaetz: **[01:27:11]** Thank you, Mr. President. I do not assume that and could not conclude that. Based on the information provided by the Governor's Office and their comparison of the scores, the compactness scores as being consistent between the existing underlying plan and the plan that they have presented, that would suggest to me that the only evidence before us is the evidence that indicates that the compactness scores are the same or similar, not that they are different.

President Albritton: **[01:27:39]** Additional questions? Senator Bernard in questions.

Senator Bernard: **[01:27:43]** Thank you, Mr. President. Senator Gaetz, you had mentioned in the Governor's letter that he had decided to do this map based on the population increase of 1.8 million voters. Senator Gaetz, is this map based on the population increase or is it based on the 2020 census?

President Albritton: **[01:28:11]** Senator Gaetz.

Senator Gaetz: **[01:28:11]** Thank you, Mr. President. My understanding, based on the testimony from the Governor's mapmaker and legal counsel, is that the underlying numbers that were used were the 2020 census. However, the United States Census Bureau does a running three-year analysis, which I referenced from testimony that was given by the Governor's mapmaker yesterday, that that data was used in connection with the Florida EDR analysis that showed which counties were growing faster, which ones were growing slower, and that that information was used by the Governor's mapmakers.

President Albritton: **[01:28:50]** Senator Bernard.

Senator Bernard: **[01:28:52]** Thank you, Mr. President. You know, I wasn't on the Rules Committee, so I couldn't ask any questions to the Governor's mapmaker. Do we have the data from the mapmaker in terms of what he used from the ACS survey or the EDR so that way we can look at what he compared it to do these maps?

President Albritton: **[01:29:14]** Senator Gaetz.

Senator Gaetz: **[01:29:15]** Thank you, Mr. President. All we have, all I have, is the testimony that was provided by the Governor's representatives in the Rules Committee yesterday and in the transmittals that I have received and supplied directly to you in their entirety.

President Albritton: **[01:29:31]** Additional questions? Senator Bernard.

Senator Bernard: **[01:29:35]** So, how would we get the data from the Governor's Office to know exactly how he added additional residents to these districts?

President Albritton: **[01:29:45]** Senator Gaetz.

Senator Gaetz: **[01:29:46]** Thank you, Mr. President. If you are asking, and I believe you are, a technical question about how the population estimates were used and how the information about additional population coming in the last five years were distributed, one would have to ask the Governor's Office that question. I realize that you were not on the Rules Committee, but all I can say is in cases like this, we as Senators are very helpful to one another, and we are often asked, if we serve on a committee and another

Senator doesn't, we are often asked, "Please, when this matter comes up, would you ask this question and get the answer on the record?"

I apologize to you if that was a question that you wanted on the record. I would have asked it on your behalf.

President Albritton: **[01:30:39]** Senator Bernard.

Senator Bernard: **[01:30:40]** Last question, Mr. President. Do we know if he used the partisan data to add the ACS information or the EDR information with the map that he drew?

President Albritton: **[01:30:59]** Senator Gaetz.

Senator Gaetz: **[01:31:01]** Thank you, Mr. President. And I apologize, Senator Bernard, but all I know about what the Governor's Office and their mapmaker used in developing these maps was what was provided in the Rules Committee yesterday. And my understanding and recollection and written record of what the Governor's representative said was that, yes, they used political data, like all mapmaking or nearly all mapmaking for the last 20 years has done, but that it was not a dominant feature in what they used. It was simply one more data point among many. That was their testimony, and that is all the information I have.

President Albritton: **[01:31:42]** Additional questions? Senator Nathan. Welcome. You are recognized, sir.

Senator Nathan: **[01:31:48]** Thank you, Mr. President. Thank you, President Gaetz, for your time. Did any legislator draw a single line for any district in this map?

President Albritton: **[01:31:56]** Senator Gaetz.

Senator Gaetz: **[01:31:58]** Thank you, Mr. President. And welcome to the Senate, Senator Nathan. It's good to see you here, and we welcome your questions, and we welcome your debate and your involvement in this and all issues. The answer to your question, as far as I know, is no.

President Albritton: **[01:32:11]** Senator Nathan.

Senator Nathan: **[01:32:12]** Thank you, Mr. President. Thank you, President Gaetz. Did any legislator come up with any of the ideas expressed in the plan we're about to vote on?

President Albritton: **[01:32:19]** Senator Gaetz.

Senator Gaetz: **[01:32:20]** Thank you, Mr. President. To the best of my knowledge, no. I certainly didn't.

President Albritton: **[01:32:24]** Senator Nathan.

Senator Nathan: **[01:32:26]** Thank you, Mr. President. Is it correct that the Governor's Office is the sole map drawer for this map?

President Albritton: **[01:32:31]** Senator Gaetz.

Senator Gaetz: **[01:32:32]** Thank you, Mr. President. The Governor's Office presented the map, and the Governor's Office representative, Mr. Parada, indicated that he drew the map and that he alone drew the map, although he consulted with legal counsel and members of the executive staff of the Governor's Office. And as I explained previously, the Governor has a constitutional role in congressional redistricting, and so it is entirely within the Governor's preview to draw a map and present it to the legislature for us to consider.

President Albritton: **[01:33:01]** Senator Nathan.

Senator Nathan: **[01:33:02]** Thank you, Mr. President. Thank you, President Gaetz. So, am I correct to understand that the Governor's Office made every policy decision in this plan?

President Albritton: **[01:33:10]** Senator Gaetz.

Senator Gaetz: **[01:33:11]** Thank you, Mr. President. All I can tell you is that the Governor's Office is the only source of information about this map and about the Governor's accompanying documents with the map, as far as I know. I have no idea beyond that, other than what we received in the Rules Committee and what we received in electronic transmittals, which I in turn forwarded to you.

President Albritton: **[01:33:34]** Senator Nathan.

Senator Nathan: **[01:33:35]** Thank you, Mr. President. So, the Governor's Office

made every choice in how Floridians are to be represented if these maps become law?

President Albritton: **[01:33:43]** Senator Gaetz.

Senator Gaetz: **[01:33:44]** Thank you, Mr. President. Whoever draws maps is making choices. And in this case, the Governor's Office drew maps and are presenting them to the Senate. We have a process here that would have allowed any member of the Florida Senate to offer amendments. If you believe that there was something wrong with any of the maps, you believe that it should have been done in a different way or the choices were made wrong, you could have offered an amendment. No amendments were offered.

President Albritton: **[01:34:13]** Senator Nathan.

Senator Nathan: **[01:34:15]** So, how many individuals in the Governor's Office were making these decisions about representation? And how many of these people were elected by the residents of Florida?

President Albritton: **[01:34:25]** Senator Gaetz.

Senator Gaetz: **[01:34:26]** Thank you, Mr. President. I don't know.

President Albritton: **[01:34:29]** Senator Nathan.

Senator Nathan: **[01:34:30]** So, to be clear, the legislature is totally deferring to the Governor's Office for congressional representation. Is that correct?

President Albritton: **[01:34:38]** Senator Gaetz.

Senator Gaetz: **[01:34:39]** Thank you, Mr. President. Absolutely not. The Governor proposes, the legislature disposes. The Governor has done his part. He has used his prerogative as Governor to propose a map, and he has provided his rationale for that map. It is now in our hands. And we have the authority to accept it, to reject it, or to amend it. It is not the Governor's prerogative as to what the maps will be. It is ours now because the Governor's proposal is in our hands to dispose of by majority vote of this chamber.

President Albritton: **[01:35:13]** Additional questions? Senator Nathan.

Senator Nathan: **[01:35:14]** Last question. Thank you, Mr. President. So, this is the

Governor's plan, and we are being asked to follow along. Is that correct?

President Albritton: **[01:35:23]** Senator Gaetz.

Senator Gaetz: **[01:35:25]** Thank you, Mr. President. This is the Governor's proposal. The Governor makes proposals about many things. Many general bills are proposed by the Governor, and we approve them, we vote them down, we amend them, we lay them aside, we take various actions through the legislative session. This is one more general bill that is proposed by the Governor, and we can dispose of it at the will of the Senate and House of Representatives.

President Albritton: **[01:35:53]** Additional questions? Senator Davis.

Senator Davis: **[01:36:03]** Thank you, Mr. President. Senator, we talked about the compactness. You talked about that a little bit, and I'm just going to say this. Do you feel like you're at a disadvantage having to defend this map?

President Albritton: **[01:36:22]** Senator Gaetz.

Senator Gaetz: **[01:36:24]** Thank you, Mr. President. I'm not defending this map. I'm transmitting this map and explaining the Governor's proposal as it was laid out to us in transmittals and also at the Rules Committee.

President Albritton: **[01:36:35]** Senator Davis.

Senator Davis: **[01:36:36]** Thank you, Mr. President. So, you're not defending, you're dealing with the transmittal. You talked over and over again about compactness, how this is equal to what was presented in the current map, and we all know, if you've paid any attention to this, that this map and the compactness scores that are used during redistricting, the REOC score, the Polsby-Popper score, and it's one other that I can't think of right now. This map that the Governor has presented to us have lower scores.

The gentleman, Robert Popper, which I talked about in committee, actually testified on behalf of the Governor's Office at one time to talk about his criteria and compactness scores. His scores, this map that we're looking at, those three criteria that I just talked about, the REOC score, the Polsby-Popper score, is lower. So, how do

you keep saying that what we've been presented from the Governor's Office is about the same?

President Albritton: **[01:37:53]** Senator Gaetz.

Senator Gaetz: **[01:37:54]** Thank you, Mr. President. I refer you to Mr. Parada's remarks before the Rules Committee in which he said, "The smallest circle that can fit around a district." The average score for the 28 districts in this map is 0.46, which is consistent with the benchmark map. It is the same with the Polsby-Popper score and the REOC score. That is the testimony of the Governor's Office.

President Albritton: **[01:38:23]** Senator Davis.

Senator Davis: **[01:38:25]** Thank you, Mr. President. And what we've identified is, and you said 0.46, actually, by the way of the 2026, and that's why I questioned Mr. Parada, because in 2022, the REOC score was 0.47, and the Polsby-Popper score was 0.43. In the 2026 map, the REOC score is 0.46 as you stated, but the Polsby-Popper score is 0.41. Again, it feels like you're at a disadvantage with this transmittal and trying to explain how we are here dealing with a map that has lower compactness scores than what we already have currently. And how is that good for Floridians?

President Albritton: **[01:39:18]** Senator Gaetz.

Senator Gaetz: **[01:39:18]** Thank you, Mr. President. I apologize if I appear to be at a disadvantage. All I've ever wanted in my life is a fair advantage. But I will tell you this. I do not make the claim that we have lower compactness scores presented to us by the Governor in his map than exists now. All I am doing is reporting to you and repeating what the Governor's representative said, who indicated that the average score for the 28 districts in the Governor's map is 0.46, which is consistent with the benchmark map. Now, if you are drawing distinctions between 0.46 and 0.47, you've gone down a rabbit hole that is beyond my competence.

President Albritton: **[01:40:05]** Additional questions? Senator Davis.

Senator Davis: **[01:40:09]** Thank you, Mr. President. I'm not going to ask you those questions anymore about compactness because I don't want to do that to you. We talked about St. John's County yesterday. And in your opinion, Senator Gaetz, in your opinion, not from

what was said, in your opinion, we heard that we are dealing with this new proposed map for race neutrality and population basis. The Governor has said over and over, and my colleagues have stated it, that we're at 1.8 million of a population growth and we need to address that.

So, again, dealing with that premise that we're dealing with race neutrality and population, population being the first, foremost of the important one, St. John's County is the fastest growing county in the state. But we didn't do anything, and yesterday I correct myself, I said CD6 and CD7, it's actually Congressional District 5 and Congressional District 6. If we are actually addressing population in this map, why do we not go from, and I tried to get the mapmaker to talk about this, why do we not take his initial start district and go all the way up from the south to the north because the northeast Florida is not touched at all?

President Albritton: **[01:41:42]** Senator Gaetz.

Senator Gaetz: **[01:41:43]** Thank you, Mr. President. You are now asking questions about the technique of map drawing, and if one is trying to draw a map that is consistent with an increase in population, where should you start? Should you start at the top of the state, at the bottom of the state, or in the middle of the state? And I believe that Mr. Parada provided his best analysis or his only answer to that question in committee. I have no way to improve upon his answer. I'm not a map drawer.

I didn't draw any of the lines on this map, so I don't know whether it would have made sense to start with one of the counties in the state that is the fastest growing that happens to be in my neck of the woods in northwest Florida, or to start with St. John's County, or to start anywhere else. The question is, how did it end up? And the answer that the Governor's Office has provided is that we end up with a map that is compact as compared to the map that is the underlying and existing map that we have now, and a map that does not use racial bias in the drawing of any lines.

And that is the Governor's testimony.

President Albritton: **[01:42:49]** Senator Davis.

Senator Davis: **[01:42:52]** Thank you, Mr. President, and I promise I don't have

too much more. I beg to differ, Senator Gaetz, and I beg to differ in the stance that what I said yesterday, I stand by it, and I made the comment yesterday that the publisher of the map, in my opinion, was not the person that completed that map. It is not the person's work that was standing in front of us because the map that was presented to us was not drawn in a traditional redistricting way. And I say that to say it is less compact.

President Albritton: **[01:43:37]** Senator Davis, is there a question and not debate?

Senator Davis: **[01:43:39]** It is. It is. It is less compact, it splits more counties, and it deviates from existing boundaries more frequently used as case law has directed us to do when we're drawing maps. So, I said all that to paint the picture to ask Senator Gaetz, how do Floridians trust the fact that we are now about to vote on a map that's even more Republican-leaning than the current map, but it also doesn't address the things that I just laid out with traditional redistricting criteria?

President Albritton: **[01:44:19]** Senator Gaetz.

Senator Gaetz: **[01:44:20]** Thank you, Mr. President. The map drawer testified yesterday, Mr. Parada testified on behalf of the Governor that he was the only drawer of the map, that he drew the map, he drew every line in the map, although he consulted with and was advised by legal counsel in the office of the Governor and other members of the Governor's executive staff. He answered that question, I think, several times in the same way. The thrust of your question appears to be, how could the people of Florida trust a map that is more Republican?

That's an interesting question. I think as you look at registration and the growth of registration in various political parties in the state, Republican registration has grown over the years. Florida has become more of a red state and less of a purple state. I think it was defined by Governor Bush as a purple state during his time, and now it appears more as a red state because of registration. But I believe it is presumptuous, very presumptuous, not of you, ma'am, not of you, Senator, but it's presumptuous of those who say that this is a Republican map.

It may be a Democratic map. I believe that the voters of Florida listen to what Senator Pizzo said in the rules yesterday. It is really

up to the voters of Florida to decide, not only whether this map is correct, but on the public policies that underlie this map and provoke and inspire this map. And it's the voters who will decide. And I am not persuaded, as a Republican, as a lifelong Republican, as a partisan Republican, I am not persuaded that this map is necessarily beneficial to the Republican Party.

President Albritton: **[01:46:12]** Additional questions? Seeing none, President Gaetz, there is a House companion bill here. Please explain the differences if you plan to substitute.

Senator Gaetz: **[01:46:21]** Mr. President, it is identical.

President Albritton: **[01:46:26]** There we go, a little identical. Senator of the First District, Senator Gaetz moves to HB 1D, be withdrawn from committee, read the first and second time by title, and substituted for SB 8D. Is there objection? Seeing none, show the motion adopted, read the House bill the first and second time by title.

Secretary: **[01:46:40]** House Bill 1D, a bill to be entitled an act establishing the congressional districts of the state. House Bill 1D, a bill to be entitled an act establishing the congressional districts of the state.

President Albritton: **[01:46:50]** Are there amendments?

Secretary: **[01:46:51]** None on the desk, Mr. President.

President Albritton: **[01:46:53]** Other questions? The Senator of the First District, Senator Gaetz, moves the bill be read a third time. All those in favor of the motion signify by saying yea.

Group: **[01:47:00]** Yea.

President Albritton: **[01:47:01]** All those opposed? Show the motion adopted. Please read the bill a third time.

Secretary: **[01:47:04]** House Bill 1D, a bill to be entitled an act establishing the congressional districts of the state.

President Albritton: **[01:47:10]** To kick us off in debate, is that Senator Rouson? No, not yet. Oh, Senator Rouson, in debate. You are recognized, sir.

Senator Rouson: **[01:47:25]** Thank you very much, Mr. President. We are here for

two reasons, neither of which have been declared political. The first reason is because there is an increase in population. There have been changes or surges in population that need to be addressed with representation. And the second reason why we are here is to make sure that the districts are all race neutral. And that is what is proposed in this map.

I have a lot of concern about this map procedurally, substantively, and in terms of its impact on the people of the state of Florida, particularly the way the lines split and crack some of the communities I represent in Tampa Bay and how St. Petersburg gets tied to Hardy County. Procedurally, we have not undertaken the full due diligence of analyzing these maps to understand their impact. And I served on redistricting in 2011 and 2012 when we had 26 hearings around this state.

And some of you in this chamber right now accompanied me to these various locations so that we could do something novel, and that is get input, appreciate different versions of maps, and get input from the public. That has not taken place in this instance, I would argue. What we have instead is a map that, according to what we were told in committee, was worked on for two weeks and finished over the weekend and delivered to us twenty-four hours before we vote on it in committee.

Does that mean that this proposed map got a full vetting? And even if 90 people from the public signed up to speak and some waived their right, is that sufficient from the public to give adequate input that we should be considering? I have lived in and served Tampa Bay for decades, and I know these communities well. For example, East Tampa, a community that has faced decades of economic hardship, a community whose residents have fought long and hard simply to have their voices heard, is being cracked apart, despite being situated currently in a relatively compact and cohesive district.

These voters are being split from their neighbors and scattered into a district that stretches far away from them. Why is there such a sudden impetus to draw voters from Ybor City into the same district as Inverness and Citrus County? We were told repeatedly yesterday in committee that these districts were drawn in a race-neutral way. Is it race-neutral to split up communities made up largely of minority voters in ways that geographically make no

sense otherwise? Are we to understand that these race-neutral maps coincidentally split up predominantly Black voters in a way that just happens to be politically advantageous to one partisan group?

In fact, we were told yesterday in committee that the map we currently have is not unconstitutional. If that is the case, then why are we even here, except for political reasons? And look at St. Petersburg, my home city. It is stretched into a district that runs all the way out toward Polk County, then down towards DeSoto County. And we know this isn't necessarily due to any geographical quirk because for several years, as recently as 2020, we did have a district that was entirely in Pinellas County, Congressional District 13.

It was clean, compact, and uncontroversial, the easiest district in the world to draw, and it was electorally competitive. But now, the poorest neighborhoods in St. Pete that have already struggled to be heard will find themselves in a district contorted in such an unnatural way that they seem more like an addendum or an afterthought than full participants in the democratic process. Are those people, these constituents, really just numbers, just dots on a map, data points to be processed and manipulated?

That's not democracy. This is exactly why voters in 2010 passed the Fair Districts Amendments overwhelmingly. The voters had their say and their message was unambiguous. The map before us today is precisely what those amendments were designed to prevent. When we all took an oath to uphold the Constitution of the state of Florida, there was no fine print that said, except for parts we don't like. I don't think that's what the people of Florida elected us to do.

Why aren't we here debating issues that directly impact the lives of Floridians, issues like the cost of living or healthcare access or educational quality? That's where our focus should be. Colleagues, I urge you to join me in voting down, voting no. Again, I repeat, we're not here merely to address an imbalance in population or to decide race conscious or race neutral districts, but somehow we go from 20 to an increase of 24 Republican seats and the elimination of 4 Democratic seats. That's politically motivated. Thank you, Mr. President.

President Albritton: **[01:55:19]** Additional debate. Senator Bernard.

Senator Bernard: **[01:55:27]** Thank you, Mr. President. I rise in opposition to this map. This proposal to redraw Florida's congressional map is, in my view, an illegal and partisan gerrymanderer that violates both the United States Constitution and the Florida Constitution. This map is built on assumptions rather than facts. It assumes that the Fair Districts Amendment will be struck down by the US Supreme Court. It assumes population changes beyond the 2020 census. Redistricting should be grounded in verified data, not speculation, especially given the significant costs involved, including legal fees, administrative burdens, and the inevitability of litigation.

And make no mistake, litigation is exactly where this is headed. Recent legal reasoning makes clear that Section 2 of the Voting Rights Act must be understood as an enforcement mechanism of the 15th Amendment's prohibition on intentional racial discrimination. Properly interpreted, Section 2 is constitutionally sound when it is congruent with that prohibition. While it does not require direct proof of intent, it imposes liability when the circumstances create a strong inference that intentional discrimination has occurred.

For example, in the Calais case, which was 92 pages long and we received a 1-page response by the Governor's Office, the Supreme Court stated, "If a state's redistricting process produces multiple maps that include majority-minority districts, and the state cannot provide a legitimate reason for rejecting all of them, that raises a strong inference of racial motivation. In those circumstances, liability may attach without requiring courts to engage in a difficult task of determining the subjective intent of a legislative body."

At the same time, the Supreme Court noted, "We know that the race-based decision making in redistricting triggers strict scrutiny under the Constitution." The United States Supreme Court has recognized only two compelling interests sufficient to satisfy that standard, avoiding imminent risks to human safety in prisons and remedying specific identified instances of past discrimination. The court has now held that compliance with Section 2 of the Voting Rights Act, when properly interpreted, may also qualify as a compelling interest, but that requires a careful and faithful reading of the statute grounded in evidence, not conjecture.

This proposal does not meet that standard. Equally troubling is a process by which this map has been brought forward. Now, in 2010, I served in the Florida House, and I was on the redistricting committee in 2011 that went to 26 different public meetings across the whole state. Now, Senator Rouson went to some of the meetings. I went to every redistricting committee all across the state, from Pensacola to the Keys. We listened to communities in Jacksonville, the Villages, Lakeland, Wesley Chapel, Wauchula, Boca Raton at FAU, Miami, Key West, Tampa, Sarasota, and Naples, and other places throughout the state.

And at that time, the chair of the Senate redistricting committee stated, “Redistricting is a historic event that occurs only once every 10 years, and it is our goal to engage every Floridian in this fundamental exercise of political rights.” And the chair went on to state that, “The purpose of those meetings was to listen, to truly understand the unique characteristics of communities across Florida.” And as we’re sitting here today, standing here today, the chair was our President, Senator Gaetz. I think it is fair to state that the current process does not meet that standard.

This map that is before us was provided to our Senate members 24 hours before being heard in a committee. Our constituents in the state of Florida have barely had 48 hours to review this map before we’re passing it today. That is not meaningful public engagement. That is not transparency, and that is not how we should conduct an exercise as fundamental as redistricting. Furthermore, this map raises serious concern under the Fair Districts Amendment. Many would argue that it reflects an effort to predetermine electoral outcomes, allowing politicians to choose their voters rather than the voters choosing their representatives.

That is not how a representative democracy is meant to function. Finally, we are being asked to set aside funds to defend this map in court at a time when Floridians are struggling with real everyday challenges. The rising cost of living, fuel prices, grocery bills, property insurance, and access to healthcare remain pressing concerns for families across our state. Those are the issues that deserve our focus, and I would simply say to my colleagues, if we’re fully addressing those concerns, there would be far less incentive to redraw maps in search of a political advantage. Thank you, Mr. President.

President Albritton: **[02:03:29]** Thank you, Senator Bernard. Additional debate? Senator Nathan in debate.

Senator Nathan: **[02:03:34]** Thank you, Mr. President. Mr. President, I'd like to talk about duty and obligation. Now, 24 hours ago, I stood right there, and I took an oath to support, protect, and defend the Constitution of the state of Florida and the Constitution of the United States of America. This is the same oath that each one of us took when we assumed our office. And that phrase, to support, protect, and defend, that phrase exists in the oath of enlistment I took when I joined the United States Navy. And now, with this map, you are asking me to violate that oath.

There is nothing supporting, protecting, or defending about our Constitution in this map. So, Mr. President, I rise to reject this abrogation of our duty to defend the Constitution, this abandonment of the obligation we all took. My colleagues from the legal profession have done and will continue to do an admirable job explaining exactly why to everyone in this chamber and at home, exactly why Florida does not need to engage in mid-district, mid-decade redistricting. We've heard about compactness tests, the REOC ratio, Convex Whole, Polsby-Popper scores, and these statistical measures of strangeness, and that is what they are.

They're attempting to hide a simple truth, that this map is illegal, it is unconstitutional, and all the statistical trickery in the world cannot hide that. No one is asking for illegal partisan gerrymandering. My constituents aren't banging on the door to my office, they're not calling my office, asking for congressional lines to be redrawn. My constituents elected me by 405 votes because they believe there's more to life than just surviving. So, what are we here to address today? We're here because of two people. The President asked explicitly for more Republican districts, and the Governor is only too happy to oblige.

So, because none of this, what we are undertaking today, solves the real problems that my colleagues have mentioned, both Senator Rouson and Senator Bernard. It doesn't address housing, it doesn't address education, it doesn't address the insurance crisis, and it certainly does not tackle property taxes. And those are the issues we should be focused on because those are the issues I'm hearing about every single day. So, I want to take a quick look at Tampa. It's where I'm from, it's in my district. It has been sliced and diced

to serve the Governor to deliver this map.

It's one of the largest and fastest growing metro areas in the state. It is now covered by no less than three districts, 12, 14, and 15 under this map. And those districts cover four counties, Hillsborough, Pasco, Hernando, and Citrus. MacDill Air Force Base in Tampa is now shoved in with Plant City on the opposite side of the county. Ybor City, a 10-minute drive from downtown Tampa, in that district that is now in Plant City, is somehow connected to Crystal River, three counties away.

Five minutes from my house, West Chase, now will share a representative with Hudson, over an hour away. Communities in my district and around the state deserve true, fair representation, and instead, all we are witnessing is the silencing of voices. This is patently undemocratic. It's illegal. My constituents, my neighbors, hell, my own family, we're tired of being divided into red and blue. Mr. President, this comes down to one question. Are we going to honor the oath we took, or are we going to ignore it when it becomes inconvenient? I got here because I know who I work for. It's the people I represent.

I'm here to serve them, to lower the cost of living, to address fair wages, and to move our state in a better direction, and this map does none of that. So, I ask all my colleagues to please vote this down. Thank you.

President Albritton: **[02:07:59]** Additional debate. Senator Tracie Davis in debate.

Senator Nathan: **[02:08:03]** Thank you, Mr. President. I know we are in a Senate and we don't clap, but if I could clap, I'd give my colleague a round of applause. I just want to start by saying the Calais decision did not invalidate the Voting Rights Act, full stop. It did not. So, the Governor's theory that the map has to be race neutral is wrong. Now, let's level set and take a step back. We have all seen the national conversation. We've heard the pressure from Washington to gain midterm seats.

Many of us have seen the clip of the president from some months ago when asked by a reporter how many more seats Republicans should draw, and the president very clearly said five. He wants five more seats. So, let's not pretend that this is happening in a vacuum. Let's not pretend that this is a real process. This is about

acquiescing. This is about power. This is about relinquishing our power and giving it to the President. And we should all feel some kind of way that before it was presented to the legislature, it was presented on Fox News.

It was rolled out on national media, color coded in red and blue as if the outcome was already decided, as if our process did not matter, as if this body and the work we are supposed to do did not matter. Colleagues, we are relinquishing our agency. We are giving up our independence as an equal branch of government. We are allowing ourselves to become an extension of other branches of government instead of a check on it. Newsflash, we don't work at the pleasure of the Governor.

Newsflash again, we don't work at the pleasure of the President. We were elected to represent the people of Florida. So, let's talk about the process. There was a time when redistricting meant real public engagement. You heard it from Senator Rouson. You heard it from Senator Bernard. Statewide listening tours, communities showing up, people having a voice before the lines were drawn. But yesterday, we heard that one individual drew these maps in just two weeks.

Two weeks, one person determining the political future of millions without any public input. That should concern every member of this body. And to add insult to injury, the mapmaker, Jason Parada, stated clearly that partisan data was used. Partisan data. And at the same time, we are told this map is race neutral. So, let me understand this. We are neutral when it comes to race, but intentional when it comes to party. We are color blind, but politically calculated. We call ourselves fair in talking points, but biased in action.

That is exactly the kind of partisanship the Fair Districts Amendment were designed to prohibit. And those amendments are clear. The Constitution prohibits drawing maps with the intent to favor or disfavor a political party. So, let's call this what it is. This is gerrymandering, illegal mapmaking designed to favor one party over another, full stop. That's what this is. This map doesn't just tilt the scales. It shatters them. Moreover, we are here answering a question that no one asked us to answer while ignoring the questions people are actually asking because I don't know what calls you are receiving in your offices, but I can tell you what

people are calling me about.

They are calling me about affordability. They are calling me about rising rent. They are calling me about insurance they cannot afford. They are calling me about how hard it is to stay in the great state of Florida. They are calling me to fix education. Yesterday, we learned that Florida ranks 50th in the nation in teacher pay, 50th. We're at the bottom. And our students are near the bottom at SAT performance. These are the questions people are asking. These are the problems they expect us to solve. This is what we should be having a special session on.

But instead, we are here. And let me tell you what this is about. This is about fear. Not just any fear. Panic. The kind of panic that comes from 1600 Pennsylvania Avenue when the ground is shifting beneath you and you can't win in a fair fight. Fear of losing power. Fear of losing control. Fear so deep it changes the rules, bends the Constitution, and has the nerve to call it strategy because when you can't persuade the people, when you can't inspire the voters, when you can't defend your record, when you can't ignore the Epstein files, you change the map.

So, the plan becomes simple. If you can't win with the people, you cheat the people. And the impact of this is not abstract. It is targeted. Communities like the Puerto Rican communities in Central Florida where I live, communities that are stronger together are being split apart in five different districts. Black and Brown voices that have fought to be heard are now being weakened. That is not coincidence. That is design. So, to the people back home, let me speak directly to you. Senator Gaetz said one thing that I agree with. He said it's now up to the voters.

And he's right. Voters, you need to vote like your life depends on it because it does. I know it can feel like this is a fixed fight. I know it can feel like the outcome has already been decided. But the real question is, voters, what are you going to do about it? We cannot sit this one out. We have to stand up. We cannot stay home. We have to show up. And you have to vote. Floridians must reclaim our voice. And to my colleagues here in the chamber, you can redraw the lines on a map, but you cannot redraw the will of the people. Vote down this bill.

President Albritton: **[02:15:01]** Additional debate. Senator Smith.

Senator Smith: **[02:15:06]** Senators, I am not going to surprise you today by rising in strong opposition to this bill. My opinion has been made on this floor, in the halls of this building, on social media, on television, everywhere I can find to put the message out there because me and my colleagues feel very strongly that what is happening here today is illegal. And what we are being asked to do is not just pass some routine bill. It is not consistent with the oath that each and every single one of us members of the Florida Senate took to uphold and defend the Constitution of the state of Florida.

Let's be clear about what happened with these maps. This map was drafted in secret, outside of the sunshine, outside of the legislature, on purpose, so that lawmakers would not be deposed. I hate to break it to you, we're getting deposed. Drafted in secret, and they gave it to us 24 hours before the Senate voted on this bill in rules yesterday, 24 hours. How many of y'all got phone calls from reporters seconds after it was posted? "I need to hear your opinion, Senator. What do you think about this map?" None of us knew because we hadn't seen it. We hadn't had a chance to review it.

We still haven't had a chance to review it, folks. I can't tell you I'm an expert about this map because I just saw it five minutes ago and so did you. That alone should raise alarm bells for anyone who believes in transparency and the democratic process. But the real problem with this map runs much deeper. This is a map that is designed and intended to rig outcomes and to benefit one political party, the Republican Party. Donald Trump's Republican Party, in direct violation of Florida's Constitution. How do I know this? I have two eyes, I have two ears, and I have a brain.

We saw shifting justifications for why this map needed to move forward. I kind of lost count of how many excuses we were given for why we absolutely had to do a mid-decade redistricting process. First, it was a census undercount. All of you know that this doesn't address anything about an alleged census undercount. We're not getting an extra seat in Congress. That is a completely spurious point that the Governor's memo opens with. I don't know what the point of that statement was. We're not getting an extra congressional seat. This doesn't change that.

The other justification was, "Oh, well, there's a SCOTUS case that's going to be coming, and we have to get ahead of it because we're going to predict what the Supreme Court is going to say."

Then, the Supreme Court case never came. Then it came literally an hour ago in the middle of our discussion that we were trying to barrel through with this map regardless of what the ruling said. Then we were told, "Oh, no, no, no, this is actually about malapportionment, and so that's the reason why we've got to do it." I've got to give them credit.

The Governor and his team have been somewhat disciplined in making sure that they never said the quiet part out loud that the real reason this was happening is because, yes, Florida's trying to rig these maps to keep Trump's Republican Party in power. He was really careful never to say that out loud because he knows that that's blatantly illegal. Of course, until yesterday, he sent his team to our committee to just openly tell us, Senators, we don't have to comply. We don't have to comply. That was stated over and over again. We don't have to comply. We don't have to comply.

We don't have to comply. We don't have to comply. What were they saying we didn't have to comply with? The Constitution. That's what they were telling us we didn't have to comply with, which, by the way, they did this as a strategy on purpose to numb the public, to take the shock value out of what they were doing, to take the shock value out of the obvious criminality that is intertwined in this illegal map, the in-your-face lawlessness. It might seem less egregious if it is openly admitted in the Senate Rules Committee.

Senators, Article 3, Section 20A is not optional as it relates to complying. It explicitly prohibits partisan gerrymandering. And 63% of Florida voters approved this standard. It doesn't matter if we agreed with it or not. They approved it. They didn't make any exceptions. They didn't give us any wiggle room. None. Zero. They didn't ask us to, "Hey, can you reassess the Constitution? Can you reinterpret that?" What do you think might happen if a future court says maybe that's not such a good idea? That's not what they asked us to do. They didn't ask us to ignore it. They told us clearly that drawing maps to benefit one party over another is illegal.

Have I mentioned this is illegal? Maybe I should mention it again. This is illegal, and that's exactly what is in front of us today. Sad to say, this is also not a legitimate process. It is not. And 56% of voters recently, just in case any of y'all are wondering, well,

maybe the voters have changed their minds. Maybe they saw what California did, and maybe they saw what Virginia did, and now they're incensed, and they're like, "Oh, we have to respond. We have to respond to what the Democrat states are doing." Senators, 56% of Floridians recently polled said that they oppose mid-decade redistricting all together.

They don't care what happened in California. They don't care what happened in Virginia. They want us focused on real issues. They want us working on tackling rising property insurance. They want us to deal with skyrocketing utility bills, the cost of living that is squeezing families across the state, but instead we're here, we're debating in a rushed, legally questionable at best manner that divides our communities for political gain. And I do want to talk about those communities, namely the one I represent in Central Florida. We've heard repeatedly that this map is race neutral.

I call BS. I mean, I call much more, but this is the Florida Senate. That claim that this map is race neutral does not hold up to even the most basic scrutiny. In Central Florida, when you look at that map that I asked President Gaetz about, it goes out of its way to slice and dice the Puerto Rican and Hispanic and Latino community in multiple districts, breaks them up into four or five congressional districts rather than allowing the minority-majority district to stand. That is textbook racial cracking. It dilutes their voting power on purpose.

It weakens the power of the Hispanic community at the polls, and frankly, I think it's a slap in the face to some of the same Latino voters who gave Trump a chance, and it raises serious questions under the 14th Amendment. And by the way, that cracking of the Hispanic and Latino community in Central Florida is not accidental. It's intentional. That's why I think the bogus claim that these maps are race neutral is absolute nonsense, and we are here being asked to accept a legal theory that borders on absurdity. I'm not sure that it borders it. It is absurd.

The Governor's argument is he says the constitution is not constitutional. Make that make sense. I never heard that before. The constitution is not constitutional. Don't follow it. What? Are you kidding me? He's asking us to ignore the law, and yeah, we got the ruling just now. The SCOTUS case in Louisiana, it did not overturn Section 2 of the Voting Rights Act. Newsflash, it took us

a half an hour, an hour to figure this out, but breaking news, the Voting Rights Act is still the law, Senators. It's still the law. Oh, also, in case you missed it, the Fair Districts Amendment of Florida's Constitution is still the law. It's the law.

The legal foundation for this map does not exist. It blocks the Governor's legal theory, what just came from this ruling. So, what are we left with? We're left with an executive branch that hauled us to Tallahassee by force, telling us that we don't have to comply. We don't have to comply with the Constitution we all swore to uphold, a process that has sidelined our institution as an independent, deliberative body, even though map drawing is our constitutional responsibility. Sure, the Governor has a right to present his map.

Any member of the public has a right to present a map. It doesn't mean that we have to pass it. This map is clearly designed to entrench power rather than reflect the will of the people. I think it's important that we talk about the oath again, folks. We all swore an oath, and we heard earlier, repeatedly, "Hey, this map is a legal theory. It's a legal theory. Maybe we should let this legal theory play out." Senators, I took the same oath you did, and the oath that I took was not I, Carlos Guillermo Smith, swear to test a legal theory here in the legislature. That is not the oath I took.

Was it yours? I took an oath to uphold and defend Florida's Constitution. That's the oath that I took. My husband was smiling, just ear to ear. Other people didn't seem that happy when I was taking my oath, but that was the oath that I took. Senators, repeatedly telling us that we don't need to comply with the Constitution doesn't mean that we shouldn't. We are not here to follow orders. We are a co-equal branch of government, and I would say we must comply. We must comply with the oath that we took.

It doesn't matter what happened in Texas. It doesn't matter what happened in California. It doesn't matter what happened in Virginia. But, folks, if we really believe that this proposal is right and true, why haven't we taken it to the voters? Why haven't we asked the voters for approval, as they did in California, as they did in Virginia? It's because we know it will fail. This moment is about more than the lines. It's about whether we uphold the rule of law. I will not support a map that is illegal, that is rigged, in order

to appease an authoritarian who believes that he is king of the United States of America.

We don't have kings in this country. Our country was founded on that very idea. Senators, it actually only takes a few of you to stop this. I counted the votes. I saw the Rules Committee. I counted how many people are here in this chamber. Just three more. Just three more of you is what stops this from moving forward. Remember your oath.

To the people back at home who are watching, who are feeling hopeless, who believe that this rigged map intended to deliver more seats to Donald Trump's Republican Party means that they maybe should just give up or capitulate, I want you to remember what happened in Hungary. I want you to remember how the people of Hungary recently stood up against authoritarianism, how they overcame all of the obstacles and the rigged and illegal process that was put forward in front of them to actually take a stand for their country and for what's right.

They won, regardless of those obstacles. We need you to vote. There is hope, and we can save our state. Thank you, senators.

Chair Passidomo: **[02:30:43]** Any other debates? Senator Pizzo.

Senator Pizzo: **[02:30:46]** Thank you, Madam President. I want to apologize to my friend, President Gaetz, because I can't vote for this bill today. The reason why I cannot vote for this bill today is because I am not prepared. I fancy myself a fairly intelligent individual. I would venture to say that I would fare okay in a standardized test of the 90 pages released today, probably better than most, but I would fail. I don't know what I don't know. Recently, not to get into any detail, I took over pro bono as an attorney in a case, pretty complicated case, in your district.

And I begged the court for a continuance because I was not prepared. I had not been able to give proper treatment and deliberation to the volume and mass of information that was available. It's not just the 47 pages of dissent that follow the 37 pages of opinion. It's the cases that it talks about, that it implicates, that it includes. So, I am not prepared for class today. And I simply, for that reason, cannot vote no. I can't speak to the great certainty that many people have spoken here today with great

particularity and vigor. They're so certain about their legal positions having never gone to law school.

God bless you. I'm not prepared. I'm just not prepared. What I am prepared is for this. It doesn't matter how long Jason Parada took. We're about two months away from where a guy named Thomas Jefferson took the same amount of time to draft the Declaration of Independence. Two weeks is enough. I mean, Adams and Franklin made some edits, but it took him two weeks to do Declaration of Independence. He did it with candlelight and without a laptop. But with the same voracious debate and enthusiasm that those in opposition so far to this point have had in this bill, you just got handed a gift. You guys should just blue wave this midterm. You guys should be winning every seat.

I mean, if this is the ultimate, what I talked about three years ago, which has now been taken as a tagline for one political party. Three years ago, I sat right where I think Jen Bradley was on my left, where Tracie Davis is, and I was in the seat to the right. Shev was behind me over my right shoulder. Janet Cruz was behind me. We're talking about a bill. And I go, "Listen, the pendulum is going to swing. Might not be today, might not be tomorrow or next year or next decade, but it's going to swing."

And Senator Hooper was right in front of me. I think he actually agreed with me when I said this. "What you don't want is the gluttony and greed that you're exercising today just because you can. You don't want that to come back and bite you. You want to have grace and compassion and be fair." So, here's where we are. If it's so bad, if it's a violation of constitutional rights and what the voters wanted and all of those things, then you guys should clean up in November. I mean, you should win every seat that's up. Or maybe you won't.

Or maybe our voters will vote for a particular person or idea or who they think represents their feelings. Why does a majority White Republican district vote for a Black guy? Why does an overwhelming conservative district vote for a woman who drove a Subaru at the time? Can you believe that? Anything's possible. You know, I was going to fit that in at some point. So, let me just say this. I don't know what I don't know. And I'm smart enough and confident to know that I don't know what I don't know yet. And that's why I can't vote for it. I'm just not ready.

Maybe we should have not rolled this today. I don't know. I had this on my dance card until Friday. But Ben Sasse is dying of pancreatic cancer. And he's dying slowly the way my dad did. So, he's got great clarity. And he said on 60 Minutes, you should all watch it. It's really great. Doesn't matter who you are, where you're from. And he said, "Congress is right now just so unproductive. And they should be the deliberative, boring and trustworthy body." Let's get off social media, guys.

Let's not do these things for social media because he said that smackdown of social media is nonsense. Let's be boring, and trustworthy and deliberative. Let's read. Let's do our homework. I have not. I am not prepared. I can't vote for it. If you told me to come back in a week, I might change my mind. But I want to be honest with all of you. I'm not calling anybody out. I would do better on the test than you would. We're not prepared.

Chair Passidomo: **[02:35:37]** Senator Polsky.

Senator Polsky: **[02:35:41]** Thank you, Madam President. I'm going to try a different angle today. We're going to continue to talk about the oath because it's really important. So, I rise today to speak in opposition to this redistricting proposal. And I want to begin what we've heard before with a reminder that every single member of this chamber has taken an oath. We swore to uphold the Constitution of the state of Florida, not the Constitution when it's convenient, not the Constitution when it helps our party. The Constitution in full, without reservation.

And that Constitution, ratified not by politicians, not by lobbyists, not by party bosses, but by the people of Florida, in an overwhelming majority in 2010, contains a clear and unambiguous provision. Congressional districts shall not be drawn to favor a political party or an incumbent. That's not my opinion. That's the law of the state passed by Florida voters with more than 63 percent support. They didn't whisper it. They didn't suggest it. They enshrined it. And today, this body is being asked to tear it up. Let's be honest about where this proposal comes from because the trail isn't hard to follow.

Shortly before the Governor announced his push to redraw Florida's congressional maps mid-decade, Donald Trump issued an explicit call to Republican Governors across the country, only

Republican Governors, not a subtle nudge, not a quiet suggestion, an explicit call to redraw congressional lines for the clearly stated purpose of giving Republicans a better chance to pick up seats in the upcoming midterms. That was the stated purpose. Partisan gain said out loud. Now, the Governor of Florida has been careful not to repeat those words.

He's too savvy for that, but his justifications, every single one of them, have crumbled under the slightest scrutiny. First, we were told this was necessary because of a pending Supreme Court case, a case that was going to force our hand, a case that required urgent action, even though at the time, of course, we didn't have it. So interesting that the decision dropped today, isn't it? Interesting that this case, though they hoped for it to justify this redistricting, it does not, in fact. Does it make it harder? Yes.

But the Supreme Court did not overturn Section 2 of the Voting Rights Act. We all have to know that. It does not ban the consideration of race entirely from redistricting. So, then we were told this was about Florida's rapid growth. The state has grown, that's true, and if fair representation were genuinely the concern, it would be a worthy conversation. But that argument fails, and it fails on two separate grounds. First, we do not have mid-decade census data. The Census Bureau has not given us new numbers. We are still operating on 2020 figures.

If the Governor is truly concerned about accurate representation based on population, he does not have the data to draw the maps. The map, single map. You cannot justify a redraw on population growth. You cannot measure. And second, and this question deserves a direct answer from the other side of the aisle, if the Governor is genuinely worried about Floridians being fairly represented, why has he proposed redrawing congressional lines, but said nothing, not one word about redrawing state legislative districts?

Florida's state legislative districts were drawn from the same 2020 census data. They are subject to the same population shifts. If growth is the real concern, why does it only seem to affect the maps that determine who sits in the United States Congress? The selective nature of this proposal is not a coincidence, it is a confession. Madam President, I want to speak directly to my colleagues on the other side of the aisle because I know there are

members over there who have reservations about this, who understand in their hearts what this is. Political parties come and go. Majority shift.

The party that engineers the maps today may find itself on the other side of those maps tomorrow. But constitutional norms, once broken, are very hard to restore. And the trust of the people of Florida, once lost, is even harder to win back. The voters of this state looked at a political system they didn't trust, and in 2010, they took matters into their own hands. They said, "Not here, not in our state, you do not get to draw the lines that choose your own voters." That is how we differ from all the other states that have been discussed.

They said it clearly, they said it loudly, and they said it by a margin that left no room for reinterpretation. We took an oath to honor that decision. I am asking this chamber to keep that oath. Vote no on this redistricting proposal. Stand with the Constitution. Stand with the voters who put that provision out there. And stand with the principle that in the state of Florida, the people choose their representatives, their representatives don't choose them. I want to appeal to the Florida Supreme Court to follow the law.

You were all appointed to do just that, not to be political rubber stamps. This is potentially the most consequential vote any of us will make. When you put your head down on the pillow tonight, will you say to yourself, "I voted according to the Constitution, the laws and for the people of my district and the state," or will you say, "I voted for my political party?" Thank you, Madam President and fellow members for doing the right thing today.

Chair Passidomo: **[02:42:10]** Any other debate? Senator Sharief.

Senator Sharief: **[02:42:16]** Colleagues, I am prepared for debate. See, I am really good at math and good at pop quizzes, too. And I got the statistical card on this one. And so, I stand today in opposition of this map, not based on just the illegality of it, but it's about a contract. It's about a contract that we made between voters and the government. And we're changing that midstream. You can't do that because the consequences are not just prospective, they're retroactive because we're changing the value and the meaning of votes that were already cast.

It reaches backwards and it just distorts our elections and what's already happened. And when we talk about maps and we talk about looking at data in terms of partisan and not taking race into consideration, it's statistically impossible to not say that race doesn't play a part in partisanship. If we take the statistics of the state of Florida and we look at the Democrats, which represent 4 million registered voters, the Republicans represent 5.5 million registered voters, and the MPAs and others represent 3.3 million.

If you look at that and you look at those statistics and you proffer what's been said today, which is that the maps that we previously took into consideration were severely impacted by racial influence, then this chamber shouldn't look like this because if you take the statistics and the data and you have something that is severely impacted by a minority consideration, a Republican majority would not remain in the House and in the Senate. That would mean that there would be a different amount of Democrats. There wouldn't be 12 Democrats in 40.

And over in the House, you wouldn't have that supermajority. So, what does this mean when you say that race is not a factor? Partisanship dictates that under the Democratic Party, with the 4 million voters that I just talked about, Black and African Americans represent 80 to 90% of those. White non-Hispanics represent 30 to 40% of those. And Hispanic and Latino, which is often rolled into the White vote, is 40 to 50%. Asians are a very small percentage of that. The Republican vote is 5.5 million. Only 10% of those are Black people or African American.

White non-Hispanic votes represent 55 to 65% of Republicans. Hispanic and Latino, 45 to 55%. And Asians are a very small percentage. NPAs have 3.3 million. Black and African Americans are represented by a very small margin. White and non-Hispanic by a moderate percentage. And Hispanic and Latino is very high in the NPA, no party affiliation or other. That's the number that we have to look at when we are talking about this particular map because we already knew where the Democrats were when you drew the map and you drew the boundaries.

We knew where they were because we can see from the map that they've been isolated in certain pockets. And then in others, they've been diluted by carrying a tip of a majority-minority neighborhood into it. But Hispanic and Latino populations had to

be split multiple times because they represent the 3.3 million that became the determining factor of whether or not these districts were able to be turned purple or whether they were able to be solidly red. And what you saw on Fox News when they put the colors up was exactly this.

This is why the map looks the way it looks on Fox News. They don't have a crystal ball. They have math. They have statistics. And numbers don't lie. Numbers can be manipulated to your favor, but numbers don't lie. When you go into your driver's license place and you register for your driver's license and they ask you to register to vote, they ask you your race, they ask you what your party affiliation is, what your address is, and your date of birth. And you give it to them and the data is determined by what you've given and what you put in the system.

And so, if I consider myself an African-American female and I go in and I register as an African-American female and a Democrat, then you can pretty much tell where I'm at. You know where my address is. So, when you're doing these maps for data purposes and you look for an address of a Black woman who's a Democrat, going to pull me up really easily and I don't have to say a word. And you can say you took my address into consideration and not race, but you also said, and they said it three times in committee yesterday, that they took partisan data into consideration when they made the maps.

So, when I went home, I do what I always do. I like math. So, I sat down and I looked at the math. And this math doesn't lie. And so, if we're talking about not taking race into consideration, then you shouldn't have taken partisanship into consideration either because that is a telltale sign of race. And you cannot deny it because the numbers don't lie. It's on the state system right now. If you pull up the Florida Division of Elections Office right now, and you pull up the Democrat party and Republican party affiliation, and you look at race and you break it down, those numbers do not lie.

And when I looked at the Broward County map, they didn't lie. And so, when I first came in here today, I was just debating based on the numbers and the situation and the results of the Calais case didn't change my debate today. That's why I'm prepared. If the prior maps were truly dominated by race as the primary factor, we would have expected electoral outcomes to reflect that influence

across the map and it did not. But what we actually see is a sustained Republican super majority in both chambers. That's not evidence of a system overly driven by race.

It's evidence of a system where race was considered in limited legal required ways while partisan outcomes remain dominant. The 14th Amendment, if it still stands when I walk out the door today, that law does not prohibit consideration of race. It prohibits predominance of race without justification. Compliance with voting rights protections requires that race be considered in certain circumstances that is not unconstitutional. It is required. In a state where party registration is divided and millions of voters are unaffiliated, the existence of a strong Republican majority is not consistent with a system supposedly skewed to favor minority representation through race.

If anything, it demonstrates that race has not overridden broader electoral dynamics. It worked in your favor. And now, you're going to redistrict midstream to change it. If it doesn't scream illegal to you, it ought to just scream unfair and unjust. And in a place where I stand, where my ancestors stood, and where I have over six generations of representation to get to this point with that little Black girl from a place in Miami standing to be a state senator before you today, if I can do it with these things in my way and these obstacles that have been put before us for many, many years and many decades, then you can survive this. All of us can.

But what we can't do is change the law to favor our preferences. That's what makes this illegal. And that's what makes it unjust. And for that reason, I'm asking you colleagues to please vote down on this today. Thank you.

Chair Passidomo: **[02:52:11]** Further debate? Senator Berman.

Senator Berman: **[02:52:14]** Thank you, Madam President. So, we did hear a lot about taking our oath. And yesterday, we're so proud to have sworn in a new senator. And I'm sure we can all remember when we were there, we raised our hand, we took our oath. And our oath wasn't just to the United States Constitution but to the Florida Constitution as well, the same Florida Constitution that we are being asked to trample today. We asked the Governor's people why in their letter, they didn't refer to the Florida Constitution. And they didn't really give us an answer.

And the reason is because they were asking us to violate the Florida Constitution. They're asking us to violate the Fair Districts Act. I have not heard one person say that this is a legitimately good map that would benefit our state. I've heard it's a map, not high praise. I've heard that it follows the US Constitution, but that not that it's good, not that it's needed, and not that it will give more voice to the voters who should be electing their politicians and not the other way around. How could it be? It was drawn by one person in secret. Not one of my constituents asked for a map.

My constituents are asking for the things that you heard about here on this floor. They're asking about affordability. They're asking about their property insurance. They want to make sure they have healthcare, that they can pay their utilities, their rent, that their children get a great education. That's what we should be spending time on, not on this. And I want to talk a little bit about some of the wonkier legal issues because I think we have to set the table a little bit so that we understand everything about how we got here.

So, yesterday in committee, the lawyers were asked a key question. And the question was, is that the Governor's map is based on a legal theory underpinned by two ifs. 1.) If Calais comes out and makes consideration of race unconstitutional. And 2.) that the Florida Supreme Court agrees that the racial minority part of Fair Districts are non-severable from the partisan gerrymandering. The Governor's lawyer agreed that his case supporting the map depended on these two ifs. Well, Calais came out today and the first if was a no.

Calais does not make considering race in redistricting unconstitutional. That is very, very clear. It doesn't change that part of the law. So, the Governor's legal theory fails on the first if. And so, by their lawyer's own admission, the legal theory underpinning the maps fails. Fair Districts, including the ban on partisan gerrymandering, is still the law of the land. What was true before this morning that Section 2 of the Voting Rights Act was the law is still true this afternoon.

What was true before this morning that Fair Districts was the law is still true this afternoon. We have seen the clear language in Fair Districts, and that is that partisan gerrymandering is prohibited under the law. And while the Governor didn't come out and say it, other members of his party did. And then yesterday, his own staff

came out and said they prepared the maps using partisan data. So, there is no question that what was done is clearly unconstitutional and illegal. No one has said that the previous map is unconstitutional.

There's no reason we have to be here today. When we've done mid-decade redistricting, we have done it for the purpose that the courts ordered us to do this. That is not the case here. We don't have to do anything. There is no requirement that we do this here today. I would love to see us stand up as the co-equal branch of government that we are and say to the Governor, "No, we are not going to do this illegal activity." You know, I think that there was a little bit, I guess it's called a malapropism when we heard today about what we should do with this map. But I am going to ask all of you to do that.

And what I would like everybody here to do is dispose. Dispose meaning discard this map. And I ask all of you to vote no and dispose of this map. Thank you.

Chair Passidomo: **[02:58:16]** Any other debate? Senator Osgood.

Senator Osgood: **[02:58:19]** Thank you, Madam President. And thank all of you for sharing your opinions and your stance today. For me, I stand today at the intersection of democracy and dignity. I have to remember the oath I took, but I also have to remember who I'm in covenant with as I live from day to day. And I think what we are witnessing is not just a simple policy shift. It's a coordinated restructuring of democracy itself. When we think about the map that we have now, I combined it with the federal executive order ensuring citizenship verification and integrity in federal elections, our own Florida version of the SAVE Act.

And I think, collectively, they represent a dangerous convergence of power, politics, and voter suppression. I believe that the Florida Constitution through the Fair Districts Amendment explicitly prohibits partisan gerrymandering. That's packing and cracking of any group of people regardless if they're White, Black, or Hispanic. And yet, we have this proposed map shifting Florida's delegation. To be specific to Broward County, we are losing two Democratic seats in Broward County. It's like if I have my hand and somebody just cut off two fingers for no reason.

Whole hand working, no complaining, good strong hand, and then I just lose two fingers for no apparent reasons. I can't explain that to the voters, but community like mine feel some kind of way when these things happen by government. Feel like they're being targeted and attacked. And I'm not going to presuppose or insult anybody by trying to determine what they're thinking. I have a background in public administration, not psychology or psychiatry or any of that. But I listen at people and how they feel and what they share.

And what's difficult for me is regardless of what political party you're in, when people say government, y'all, that's inclusive of all of us. They see us all together. And as we find ourselves in this moment with these maps, we have to really ask ourselves, is political power that important? So. important that we prioritize it over people? I think we're setting a dangerous precedent. Redistricting is supposed to occur once a decade. And we can argue, I let you lawyers do what you do. I'm not a lawyer if it's legal, unconstitutional.

But for me, I ask myself, is it moral? Is it the right thing to do? I go through these series of questions and I'm sure you do, too. Is it politically motivated? Is it nationally coordinated? What about the timing? Eliminating two congressional districts in Broward County, how do I reconcile that to voters in my county? I keep hearing us say a lot about race. It really, really confuses me because I believe that God created us in his image. I wish we could just get away from all of this race stuff. What does it really mean? Does it mean Black people and White people?

Does it mean Black, White and Hispanic? It's relevant when we're talking about whatever we're talking about. But I can tell you that it keeps us divided and it keeps us in a position that we have a system that has this whole notion of this value gap, where we use this bad word called race to determine who gets what, when, and why. And it's not God's thing. He created us all in his image. We're all his children. Really wish I could ban that word. Causes a lot of harm. Causes a lot of us to be at odds when we shouldn't be.

If we saw all ourselves as equal people and equal value, and we work to provide for each other what we want for ourselves, I think we could govern better. And as I continued to think about this whole time of where we're at, and for me, I connect the dots. So,

the March 2026 executive order mandates federal involvement in voter verification system. Now, to me, this undermines the fundamental principle that states, not the federal government, administers elections. It raises serious constitutional concerns about government overreach and coercion.

I'm required because of the covenant, who I'm in covenant with as I live from day to day. So, let me just say it like this. I'm required to act justly, love mercifully and walk humbly with God. And what we're doing here today for me is not just, it's not merciful, and it's certainly not about being humble. It's about using power to gain more power. Let me move to our Florida version of the SAVE Act that we went through in the original legislative session that requires proof of citizenship and expand verification systems. But in practice, it removes voters that cannot quickly verify documentation.

It disproportionately impacts, I believe, seniors, Black and Brown voters, women, and low-income residents. For me, it's a clear signal that we're sending a message that we're trying to stop voters. And when we combine these things collectively, the government, federal government, state government, local government, most people don't even know what the roles of each are. It's just the government. When we combine the gerrymandered map, the federal voter verification mandates, and state level citizenship restrictions, we create a certain kind of system.

We create a system where districts are predetermined, voters are filtered, and outcomes are engineered. And for me, brothers and sisters, that's an erosion of democracy. This guy Amos, they had a nickname called Prophet, talks about justice rolling down like water and righteousness like an ever-flowing stream. When we make decisions like we're making today in the way that we're doing it, we set up political dams that keep water. We know when water flows, it nourishes everything it touches. But we continue to have public policy after public policy, decisions that are made that stops the water from flowing to certain places, certain groups of people.

So, again, for me, it's not just about the oath I took. It's about who I live in covenant with every day. And for those reasons, I cannot accept a future where maps choose voters, logs exclude citizens,

and power overrides principles. In a democracy, voters are supposed to choose their leaders. But actions like this suggest that we're using our authority to choose voters. And in closing, brothers and sisters, it's your decision. It's your choice. I wouldn't insult you by trying to tell you what choice to make. But remember, we're still writing history every day.

We're writing the days of our life. Some of us are living bold and beautiful. Others are living young and restless. Some are living as the world turn, one day at a time, they really don't care. But remember, your vote and your decision will say where you stood. Did you stand on the side of power? Will you stand on the side of power? Or would you stand on the side of the people? I'm voting no because I'm standing with the people.

Chair Passidomo: **[03:08:30]** Senator Arrington.

Senator Arrington: **[03:08:33]** Thank you, Madam President. Members, we are here today not to just debate and vote on a map, but to decide whether we will honor the Constitution of the state of Florida and pass a gerrymandered, partisan drawn map. If you look at the map in District 9, which is my area, you can look at how many rural counties are packed into that district. If you've been to Osceola or Orange County, where there's high growth has been and continues to be, why would you add Indian River County, Highlands County, Okeechobee County, and Glades County?

Do you think that your constituents in these rural counties want to be represented by someone in Osceola County or someone in Orange County? Or do you want them to be included with Osceola and Orange County's priorities? And coincidentally, in this district, a majority-minority district with over 55% Hispanic residents, it has been split between multiple districts to weaken their voting power, 4 to 5 districts. And this district, as Senator Smith talked about, spans over 120 miles. How long will it take their representative in Congress to attend an event or visit their counties and talk to their constituents?

These folks are not going to get representation. In 2010, Florida voters were clear. Our Republicans, Democrats, and Independents overwhelmingly passed the Fair Districts Amendment. They did so for one simple reason, to end partisan gerrymandering. The language is clear. Districts may not be drawn to favor or disfavor a

political party. That is not a suggestion. That is a constitutional mandate. And yet, the map before us today does exactly what the Constitution prohibits. It is being advanced in a mid-decade special session, you're right, Senator Gaetz, it's a mouthful, because of politics, because of power.

And we've all seen the map that's colored in red and blue blocks to represent the proposed districts that was released to Fox News before it was sent to us. And think about that. How many times are we going to keep cashing the Governor's check that he writes without even talking to us? It's embarrassing and it's disrespectful, as Senator Jones said yesterday in committee. This map is illegal. This map is expected to increase one party's representation by multiple seats. That outcome is not incidental, it is intentional. And when intent is to advantage one party over another, that is a direct violation of the Fair Districts Amendment.

This is not just about lines on a map that were supposedly drawn by one person over the last two weeks. As it was said, this is about whether voters choose their representatives or whether representatives get to choose their voters. And the people of Florida already answered that question at the ballot. They put it in our constitution. Our responsibility is not to reinterpret their will, our responsibility is to uphold their will. And if we pass this illegal map, we are telling Floridians that their vote, their voice, and even their constitution can be set aside for political gain.

I will not do that. I urge this body to reject this partisan-drawn, gerrymandered map and stand by the side of fairness, due process, transparency, and the rule of law. Thank you.

President Albritton: **[03:11:58]** Additional debate. Senator Davis in debate.

Senator Davis: **[03:12:06]** Thank you, Mr. President. Wow, you all have heard a lot and we appreciate you being attentive to that. But this is a heavy deal. I remember the redistricting in the House and now we're drawing new lines in the Senate. I stand up to say that I am probably one of a few people in this room that truly understand some or most of this terminology. And I agree with you, Senator Pizzo, when he says we're not ready. You're absolutely right. We're not ready because the last time the Senate did something like this, it was a combined eight hours specifically to just inform and educate senators.

Nine hours to consider the thirteen different congressional map options and another four hours for the final committee consideration. But yet, we were given a map in, what, a day, expected to understand it, go through it, understand how the lines were drawn, but most of us don't understand the terminology of packing and cracking and the Jingles, the Thornburg v. Jingles Part 1 and 2. We're not ready. And you've heard my colleagues say how we're getting ready to cash a check. You've heard my colleagues talk about power and that's what this is.

But all session, this chamber has talked about trust. Trust. Trust who? Who are we asking Floridians to trust? Because they're not going to trust us with what we're doing here for you to sit in this room and say, this isn't about partisan gerrymandering. This isn't about racial gerrymandering. This isn't about gaining more seats. This isn't about making a Republican leaning map more Republican leaning. This isn't about gaining more seats because we want to stay in power and in charge. Well, we have some articles here that say differently. And just like I have them, you should have them, too.

Let's start with a gubernatorial candidate that today I won't call the name, but I'm sure you know, says Florida should counter Democrats by redistricting. Should do it. Especially when they say that's illegal here. It is. You've already heard it. Leader Berman has already said the Fair Districts Amendment is still the law of the land. The Voting Rights Act is still the law of the land. Has not changed. The second article said but it's not about power. It's not about gaining more seats because we can stay in charge. DeSantis plots to run a Florida's law to create more GOP house seats. This is exactly what an illegal, partisan, gerrymanderer is.

Yeah, you all are looking at us straight in our face and saying, "No, that's not what this is." The reason I questioned Mr. Parada like I did is because I've worked with him before, just like many of you. I spent a lot of hours in his office along with Ms. Lita Kelly when we were drawing maps in the house. So, when I say to you that wasn't his work, I mean it. When I say to you that this map performs poorly, it does. And until you tell me different because no test has been done, that's where I'm going to stand. It performs poorly.

It's going to perform poorly than the current map. It's not

following any of the traditional criteria. None. It's less compact, though we went back and forth about that. I have the numbers. Everybody else should have them. It splits more counties and it deviates from existing boundaries. You've heard it. My colleagues have talked about Orlando. They've talked about how Tampa is split. And they also have talked about how Broward is split. It does.

And for this to be something we're doing without preparation, without going through, without hours of education, and just signing a blank check because that's what the Governor wants to do, I'm glad I'm standing on the other side of this illegal gerrymandering of a map because that's what it is. I'm going to say that word over and over again because for the people that are watching, this is a clip. And I want folks to understand that this is illegal, partisan gerrymander.

It's illegal. It's illegal because the Fair Districts Act still exists today. It's illegal because the Voting Rights Act still exists today. It's illegal. And if folks don't hear anything we say, they're going to know this is illegal. This is not about population. It's not about race neutral. This is a blatant, illegal, partisan gerrymander. I stayed on, I talked a lot about the REOC scores and the Polsby-Popper scores and Convex Whole, which I couldn't think of the name for. Again, terminology and formulas, most of us have no clue as to what that means and how it was used.

Probably wasn't, but it was told to us that's how we got the compactness scores. Those are formulas you use for the compactness scores. Mr. Popper was someone who testified before us. And this score and these maps are lower than his scores. A compactness expert is the point I'm trying to make. Besides that, that's the technical part of what I wanted to talk to you all about. We had a room of probably 100, 150 people come to say, "Do not do this. Don't do this." We have a tendency not to listen to our constituents when they come to talk to us.

But I appreciate our Rules chair for allowing everyone to speak yesterday. But I took notes and I want to remind you of some of the things your constituents came up to Tallahassee to say to you about this map. Don't change the rules. Don't take the power from the through this predetermined outcome. End this partisan practice. Stop wasting taxpayers' dollars that may have been mine.

Corruption when diversity of opinions are silenced. Listen to what the voters are saying.

You've heard the numbers all day. My colleagues have told you all day, voters, Republicans, Democrats, they don't like this. They gave you the number. I think 56%. This is not what our voters want us to do. Vote on a map to decide within 24 hours? Don't support this map. No regard to Florida Fair Districts Amendment, 56% of your voters surveyed do not want mid-decade redistricting. We want fairness, equal representation, Black, White, Brown, Yellow of all people. That was just some of the things they said. But we're moving forward. And we're going to do this.

And I know nothing I say will change anyone's mind. But I'm going to say this. Just because something is legal does not make it right. I'm also going to say this. We listened to Jason Parada who told us he published the map. I told you, I don't believe that. We also listened to the Governor's attorney who told you they don't have to follow the law. I will remind some of you that that is the same attorney that represented the Governor in opposition of one of our very own. In opposition of one of our very own saying she wasn't qualified to return to this chamber.

Obviously, his argument was unanimously rejected by the Florida Supreme Court. That's the same attorney. So, I ask you, why should we trust what he says about this map? Instead of doing what Floridians deserve, and that's allowing them to have freedom to choose their leaders because they know who best will look out for their future interests. You've heard it over and over. People who will take care of their children, their families, their communities. Not us. Not the politicians who are only looking out for their own political ambitions. But we talk about trust. They're not going to trust us.

They're not going to trust you. What we need to do is get back to the work of doing the job that we, Senators, we, us, were elected to do. Lowering costs, raising wages, and creating a more affordable, brighter future for all Floridians, not diluting or diminishing their voting power. And that's another subject I didn't even talk about. But we sit here, we decide this map, hopefully, it goes into litigation, which I know it will, and then what do the supervisors of elections do to make all of this happen for these very same voters?

How much is that going to cost us? We have a job to do. We have a job to do. And the job is to support the people who elected us to represent them. And this is not what we're doing here today.

President Albritton: **[03:24:29]** Additional debate. Senator Jones.

Senator Jones: **[03:24:34]** Thank you so much, Mr. President. And to members, I know the time here is late, so I'm not going to be long. I don't know if you all have ever read the book *Profiles in Courage, John F. Kennedy*. In 2015, Mr. President, I had the opportunity to go to the Harvard Business School for three weeks when I first got elected. And that was one of the books that they asked us to Democrats, Republicans, all within this room. And I always grew fond of a quote that was inside the book by John F. Kennedy.

And he said that, "The stories of past courage can define that ingredient. They can teach, they can offer hope, they provide inspiration." But here's the best part I love. It says, "But they cannot supply courage itself. For this, each man must look into his own soul." John F. Kennedy said that in *Profiles of Courage*. Then I thought about it, that when my cousins and I, when we were younger, Senator Rouson, we would go to the park and play, Jason Pizzo. And when we would go to the park and play, sometimes we would get into trouble because there'd be other individuals, my cousins, they probably wanted to fight us.

And we'd go back to my grandma. My grandma said, "Y'all go back to that park and you better not come back if y'all not going to win. And you better put up a good fight." That's what I'm telling you all about Washington, DC. What I'm telling you all about Washington, DC is we don't have to do this because Washington told us to. Cousins, Senate, we can go back, we can put up this fight and punch back for the people of this state. Why? Because I think I heard Senator Sharief said it, and I said it yesterday, because we had a deal with the people of Florida.

And I'll be very clear, I'm not going to go over many of the things that has already been said by many of my colleagues because you've got the point. But I don't want you all to think for two seconds that the speeches that you are hearing are speeches because this is just any kind of old bill that we're voting on right now. This is not just any kind of bill. What we're about to vote on today is America and the people of this state, and they are looking

at us to ask us the question, "Are we going to continue this testing of the breaking down of our democratic process?"

Nobody in this room can say that you don't see it. In 2010, you heard it, the people of this state, they signed a contract with us because they put what they wanted on the ballot, and they gave us their decision, 63% of them did. They passed the Fair Districts Amendment to stop partisan gerrymandering. You know the language, you know it, you know what section it's in because you've heard it since we've been down here. To prevent what? To prevent diminishment of minority vote districts.

Not politicians, not parties, the people. And those amendments are still the law today, and many of you have said it, and they were not suggestions. They were mandates from the people. Just like the 14th Amendment, it was a mandate. And just like our Constitution, it's a mandate. There's nothing wrong with our Constitution, I said it yesterday. There's nothing wrong with the 14th Amendment, I said it yesterday. And still to this day, Members, there is nothing wrong with the Fair Districts Act. And I get it.

And Senator Pizzo, you're right, I'm no attorney. Sometimes I wish I was one because y'all are good sometimes. But I do understand the letter of the law to the extent to not just how it was explained, but also what it is and how it reads on paper because I can read. And I know you all can, too. I'm going to skip a lot of this, what I was going to say, and I'm going to pull out one thing, and I'm going to close because, again, everything else already has been said and I debated yesterday. And that is the trust of this process with the people.

If you can't roll with me on anything else, roll with me on this, y'all. On the fact that your constituents have an expectation of us, and their expectation is that when we come inside this deliberate body, that we do right by them. If you have not read, this is also not popular with some Republicans. And I'm not even talking about in this room. I'm talking about outside these chambers. And it's reflected because 56 or 57% of the people of this state, they do not want any gerrymandered maps. So, I'll close with this because I'm hoping that I don't want to talk at you.

I don't want to do any of that but call us all in for the moment. And I've read somebody on Twitter said that y'all need to go after

Republicans. Listen, hear me what I'm telling you. And I don't care if you don't like me after I say it. This country and where we are right now, everybody has gone to their side of the wall and nobody is talking to nobody. And if I can't tell you all anything else, if you could hear me when I tell you, I don't have children yet. Many of you do. You have grandchildren, you have nieces and you have nephews.

There's going to come a time to where your children, your grandchildren, your nieces and your nephews are going to ask you the question, what did you do in this moment? I can't tell y'all what to do here. I can't campaign for you when you go back home for you to say why you voted for this. You got to give the reason why you voted for this. But what I hope you can do is answer your children, your grandchildren, your nieces and your nephews. And I hope you can tell them that, "I did this because it was the right thing to do."

I saw some of my colleagues yesterday take a page out of that book of *Profiles in Courage*. I'm not going to call them out because they know who they are. When that board light up, I hope some of you other ones, that you take a page out of *Profiles in Courage*, not because you're trying to follow what somebody is telling you to do, but you're doing it because it's the right thing to do. Thank you, Mr. President.

President Albritton: **[03:32:32]** Additional debate? Seeing none, the Senator of the First District, President Gaetz, you are recognized to close on the bill.

Senator Gaetz: **[03:32:51]** Thank you, Mr. President. My colleagues are absolutely correct that there's more to do and more we should do than talking about this issue. A whole host of issues that really affect how the people of Florida live and how they work and how they care for their families and their businesses. But let's not kid ourselves. We will have spent two days on an issue of congressional redistricting, which some folks in this room have said is a seminal issue that our grandchildren will demand to know how we voted on. So, it's pretty important.

But remember that we'll be back here in a few days with Chair Hooper and we will be discussing and working on and grinding through and solving, I hope, over a $100 billion worth of issues that have to do with the kitchen table concerns of the people of

Florida. So, we're not just discarding those issues. We're not not dealing with those issues. We are. Believe me, Chair Hooper is going to lead us through a process where we'll have plenty of time to chew on every one of those things and there'll be great debate and there'll be great discussion and I hope great decisions.

And then, this Governor that some of us, some in this chamber, are so troubled by is also calling us back into special session to deal with another kitchen table issue and that's property taxes that affect people all over the state of Florida. Not an easy issue to solve. I've seen some suggestions come from this body, actually some pretty good suggestions, but I've not seen a plan yet, but there will be, I suppose, I suspect, I hope, a plan that will come from the Governor's Office and that will provide the basis for us to carry forward with a debate, a discussion on that.

The point I want to make is to those who may be listening and to all of us who deal with these issues every day, just because we're talking about redistricting of congressional districts for two days doesn't mean that we're not concerned about the other issues that we're dealing with because we have been and because we are and because we will be. So, be confident that you'll have plenty of opportunity to deal with all of that. Been a lot of things said today. You know, it really does call to mind the saying that everything has been said but not by everybody, but I think everybody said it today.

Everyone has had their opportunity. There's been good debate, been passionate debate, maybe even a little hyperbole here and there. It's not quite the end of the world. These are not the times where we have to make final choices about living and dying, I hope, in this issue. But the Governor has a constitutional role and responsibility in congressional redistricting. He doesn't in redistricting of House and Senate seats in this chamber and across the hall. And so, in answer to the question, "Well, why isn't the Governor asking us to redraw lines for Senate and House districts?" Why aren't we doing that?

It's because the Governor does not have a role in that and so we can't criticize him for not raising that issue and saying, "Well, because of population shifts, shouldn't we be redrawing Senate districts and House districts?" The fact is that's not his prerogative. That's your prerogative. It is the Governor's responsibility and he

has only a responsibility as to redistricting with respect to congressional districts. And so, he's proposed a map. And some people don't like the map very much because it may be bisects or trisects or slices or dices areas or communities that you think ought to be handled in a different way. And therefore, that always happens.

I can tell you, I've lived through three redistricting. I can show you the wounds in my side. And I can tell you that in every one of those cases, anytime anybody starts drawing lines across the cities and counties of the state of Florida, you're going to bisect and trisect some people and some communities. It always happens. It's inevitable if you're going to have compact districts and if you're going to follow the law. So, the Governor has a prerogative. He has followed that prerogative. He's proposed a map. The map meets the standards of compactness.

We've had a good discussion about that, but we also have testimony, testimony that I've referred to before and have quoted. And as the compactness calculus is defined, we have about the same compactness calculus in the Governor's proposed map as we do in the existing map that we have now. And then, there are the questions about cutting cities and counties. Yeah, cutting cities and counties every time you do redistricting. It's inevitable. And in the current map, there are 50 counties that are kept whole. In other words, there are counties with only one district. In the Governor's map, it's 48.

So, it's two more, but it's not the end of the world. And cities with only one district, well, there are 396 on the current map and 382 in the Governor's map. Again, a little bit of difference, but not the end of the world. So, let's not say here or say back home that counties and cities have been destroyed. The fact is it's pretty close to in terms of the cities and counties that are kept whole or sliced and diced about the same as the current map. Why in the world is the Governor doing this? He gave us two reasons.

His reasons are 1.) that we have a disproportionate population influx in some parts of the state. And the Governor's map drawers have used what they say are the only invalid numbers that they could, the 2020 census. And then, the United States Census Bureau provides, on a three-year basis, an analysis because they look at population, about three percent of the population, of where their

shifts might be. And the Governor has used the EDR analysis and come back and said, "Well, here are the counties that have gotten bigger and the counties that haven't gotten as big."

And there's been no criticism, no debate, no proof, no evidence offered on this floor in the Rules Committee that any of the EDR analysis is wrong. And so, that's what we have. We have the evidence before us that there's population shifts. Some parts of our state because of the significant growth we've had, nine percent growth, one point eight million people, that those people are somewhere. And because they are somewhere, the question that arises, is there equal representation?

If there are more people in a congressional district on the north side of the railroad tracks and fewer people in the congressional district on the south side of the railroad tracks, the fact is there is not equal representation. There is not one person, one vote. And so, the Governor's proposal is to try to remedy that, and his maps are represented to remedy that. And as the map drawer explained, there are exactly the same number of individuals, citizens, in each one of the congressional districts that the Governor's Office has proposed.

And we can't really deny that there are 1.8 million more people, and we can't really deny that if more people move into congressional district next door that you have a diminishment of electoral power if you have more people in one district and fewer people in another. And that's what we have. So, what do you do in a situation like that? Well, you can do mid-decade redistricting. It's been done before. It's been done as a result of court order. It's been done as a result of impetus from legislatures and from Governors.

And there are seven states that have done it already, and four times we've done it in the state of Florida because we've been required to do so. And so, therefore, mid-decade redistricting is not uncommon. It's not unprecedented. It can be done. And what would be a good reason to do it? A good reason to do it would be that we have an extraordinarily unique situation in Florida with this tremendous additional number of people who moved to our state and have been disproportionately placed in different parts of the state.

That would be the reason to do it, to ensure that as soon as possible, and that's why the Governor says do it now, as soon as possible, we can really get closer to, as close as we possibly can to one person, one vote. And the second reason he says is because he wants, he believes, and I think in this chamber there has been extraordinary support for that belief as it pertains to other public policies, that race ought not to be an issue that defines or divides us. And, therefore, he doesn't want lines that define or divide us on the basis of race, not only does he not want it, he thinks it's unconstitutional and he offers a legal theory.

We talk about our oath and I think it's good we talk about our oath. It's an oath to preserve and protect the Constitution of the state of Florida and of the United States of America. Well, the Governor's legal theory is that the Constitution of the United States provides equal protection and the Constitution of the state of Florida may not. Now, that'll be a case that will ripen and go to the courts, but that's his legal theory.

So, when you pledge an oath to the Constitution of our state and of the United States, and if there is a conflict, and sometimes there is a conflict between state law and federal law, and between state constitutions and federal constitutions, and the Governor's legal theory is that there is, and that there ought not to be lines drawn on the basis of race, and that it is unconstitutional with respect to the United States Constitution.

What do you do when you have a conflict like that? Well, you could look to the courts to decide it, you can look to history to guide it. The last time I looked, Lee offered his sword to Grant at Appomattox, not the other way around. So, the supremacy clause suggests that when there is a conflict between the federal constitution and the state constitution, the federal constitution dominates, and that's the Governor's legal theory, that is his theory of the case. And then, of course, we come to the case of Louisiana, which, interestingly enough, gets dropped in our lap today.

And you can look at that case, and you can read it. I truly believe that Senator Pizzo would be ready today. My guess is that he's read the whole doggone thing, and he'd be ready to go toe to toe with any one of us on that issue. But I will say this, no matter how you read it, you know that that Supreme Court opinion that dropped today does not make it easier to draw lines based on racial

preference. It makes it harder. It raises the standard. It says that the only time you can do it is when you have an egregious practice that has to be remedied by changing the lines.

And in the state of Florida, there is no evidence that's been presented in the Rules Committee or presented on this floor, evidence, not even an argument, that suggests there is that kind of egregious discrimination that requires us to draw lines on the basis of race. So, there are members here today who've said, "Well, we need to decide what's right and wrong." And this comes down to the oath that you took, and the beliefs that you have.

And I become persuaded, even more so, being back in this chamber in the last two years, that we need to do less and less in dividing our state and dividing each other and dividing issues on the basis of race, and we need to do more and more to make sure that race is not a dividing issue. And we've made all sorts of choices in this chamber in the last two years to do that. And now, the Governor has asked us, he's told us, that in his judgment, in his legal opinion, that the United States Constitution requires us to not draw lines on the basis of race.

And there are many things about the Governor's proposal that I have tried as carefully as I can to explain are the Governor's proposal. They're not Don Gaetz's proposal. They're the Governor's proposal. But I will tell you this, I agree with the Governor that we should not be drawing lines on the basis of race. I agree with the Governor about that. I think it's the strongest part of his of his argument. Now, the Governor's legal team and I disagree about this. And, of course, I'm not a lawyer. And they're probably going to make all kinds of cases and all kinds of arguments about why I'm wrong.

But I believe that the rest of the Fair Districts Amendment could and should and ought to stand. I don't think we should do gerrymandering on the basis of political partisanship. And there's no evidence that has been presented on this floor that this map does that. There's argument, there's contention, there's opinion, but no evidence. I believe that we should be required to follow all of the other demands of the Fair Districts Amendment.

If it turns out that defining and writing and drawing lines on the basis of race is wrong and is unconstitutional on the basis of the

federal constitution, I still believe everything else in the Fair Districts Amendment ought to stand and should stand and does stand. And as one senator, I will do everything I can to keep all of those provisions in law, whether or not my own party agrees with me. So, what are we left with? Well, some members in this body say that we're being dictated to. I don't know all of you as well as I'd like, but I know all of you to some extent.

I don't know any of you who like to be dictated to. You're a pretty independent group of cusses. I don't think that you do very well being told. And I will tell you this, I've not been dictated to. Nobody from the White House told me that I ought to stand up here today and make the arguments that I'm making and that I had to place my name on this bill. Nobody in the Governor's Office asked me to. The Governor didn't call me. He didn't say, "Hey, Don, I need you to do this for me, buddy." He didn't do that.

Instead, I have a responsibility like each one of you do. Each one of you, I have responsibilities in your committees. Many of you are committee chairs or vice chairs. And if it falls to you because of an issue that is within the jurisdiction of your committee who present legislation on behalf of the Governor or on behalf of the senate itself, I mean, you'll make that choice. I did, too. I was asked if I would present this bill that the Governor transmitted to us. And I said I would.

I said I would because I think it's my responsibility to make sure that when the Governor of the state of Florida, whether I like him or not, whether he's my party or not, when he asks us within his authority and jurisdiction to take up a general bill, I think it's the least we can do to take it up thoughtfully and respectfully and debate it carefully and thoroughly and then vote our conscience and vote as we will. And that's what we've done. So, I want to compliment my fellow senators. I know that maybe the rhetoric has gotten a little away with some of us.

But by the same token, I thank you for your thoughtful and considered debate. I thank you for taking the Governor's proposal seriously. Some of you very, very seriously, seriously enough to think it's close to the end of the world. And others of you to take it seriously because you believe, as I do, that drawing lines on the basis of race is wrong and unconstitutional. But whatever you believe, it's not the Governor's bill anymore. Now, it's our bill.

Now it comes to this floor and to the floor of the of the House. The House has already acted.

And so, we have the House bill before us. And we have the final decision, we have the final vote. And so, this is not the Governor's decision. It sure is not the President's decision. It's not any political party's decision. Nobody told me to do this. Nobody told you how to vote. But it is your decision. And this is why it's such an honor to be a Florida senator because at the end of the day, nobody will tell you what to do in this vote. At the end of the day, you will decide what's logical, what's rational, what's thoughtful, what will work, and what is moral and right. And you'll vote your conscience.

And that's what I ask you to do. Thank you, Mr. President.

President Albritton: **[03:52:19]** Secretary will unlock the board and, Senators, proceed to vote. Have all senators voted? Lock the board, record the vote.

Secretary: **[03:52:29]** Twenty-one yeas, seventeen nays, Mr. President.

President Albritton: **[03:52:32]** So, the bill passes. Before I recognize the Rules Chair for a motion, are there any announcements? Rules Chair Passidomo, you're recognized.

Chair Passidomo: **[03:52:43]** Thank you, Mr. President. I move that the Senate adjourn sine die.

President Albritton: **[03:52:50]** Without objection, show the motion adopted. The Senate is now adjourned sine die.

[End of Audio]

Duration: 233 minutes

Exhibit 15

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

EQUAL GROUND EDUCATION FUND, INC., *et al.*,

Plaintiffs,

v.

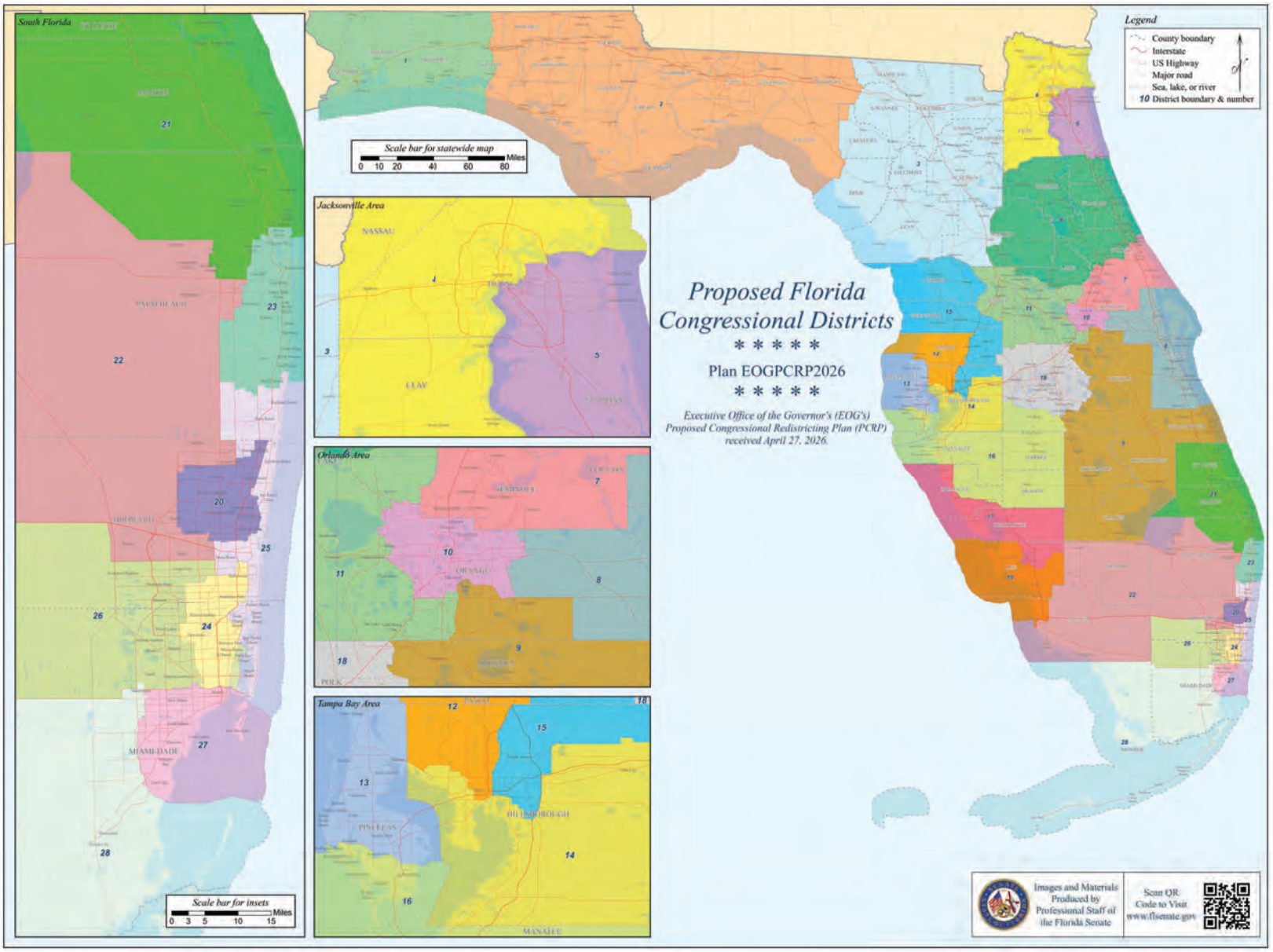
CORD BYRD, in his official capacity as Florida Secretary of State, the FLORIDA SENATE, and the FLORIDA HOUSE OF REPRESENTATIVES,

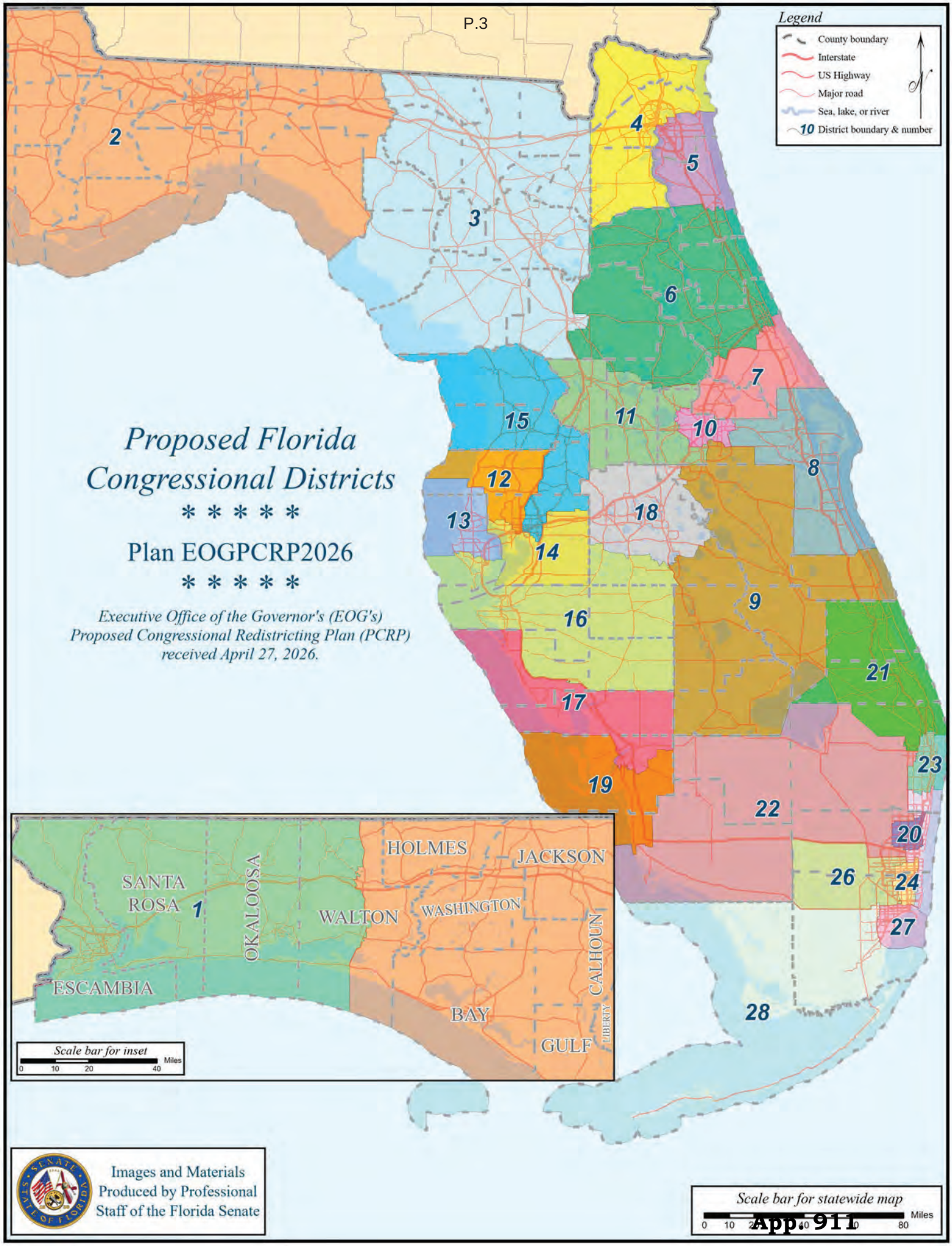
Defendants.

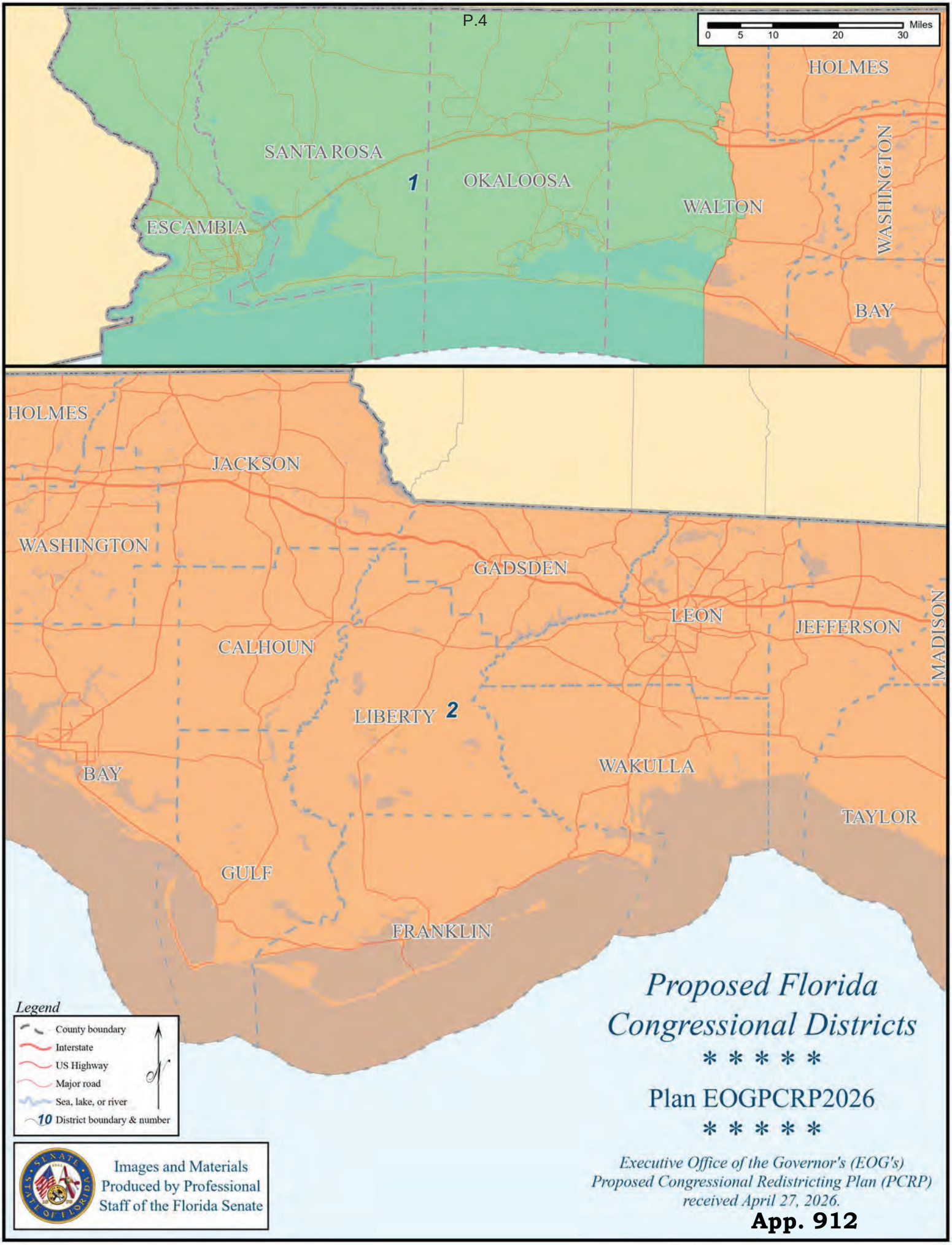
Case No.: 2026 CA 000914

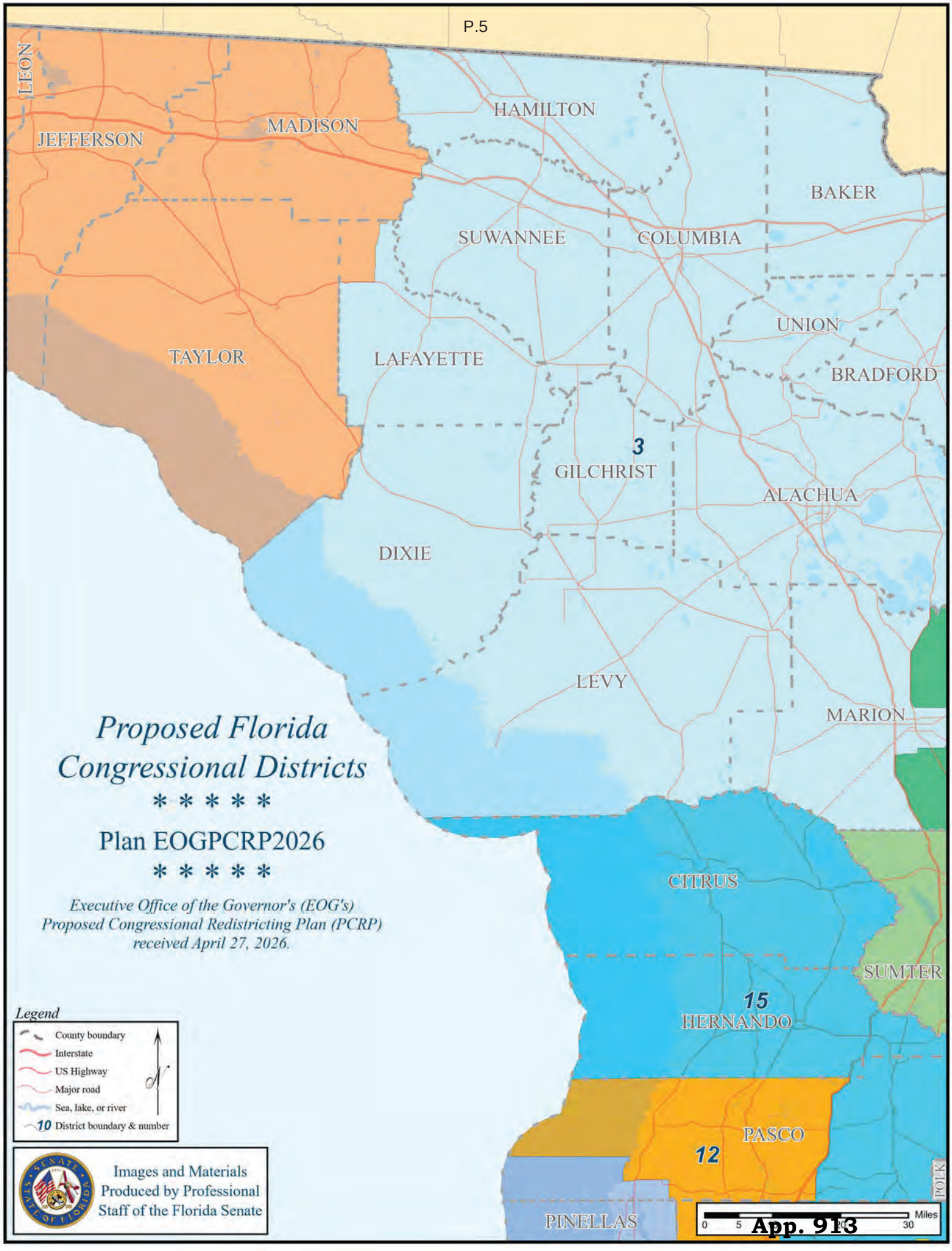
2026 Congressional Maps

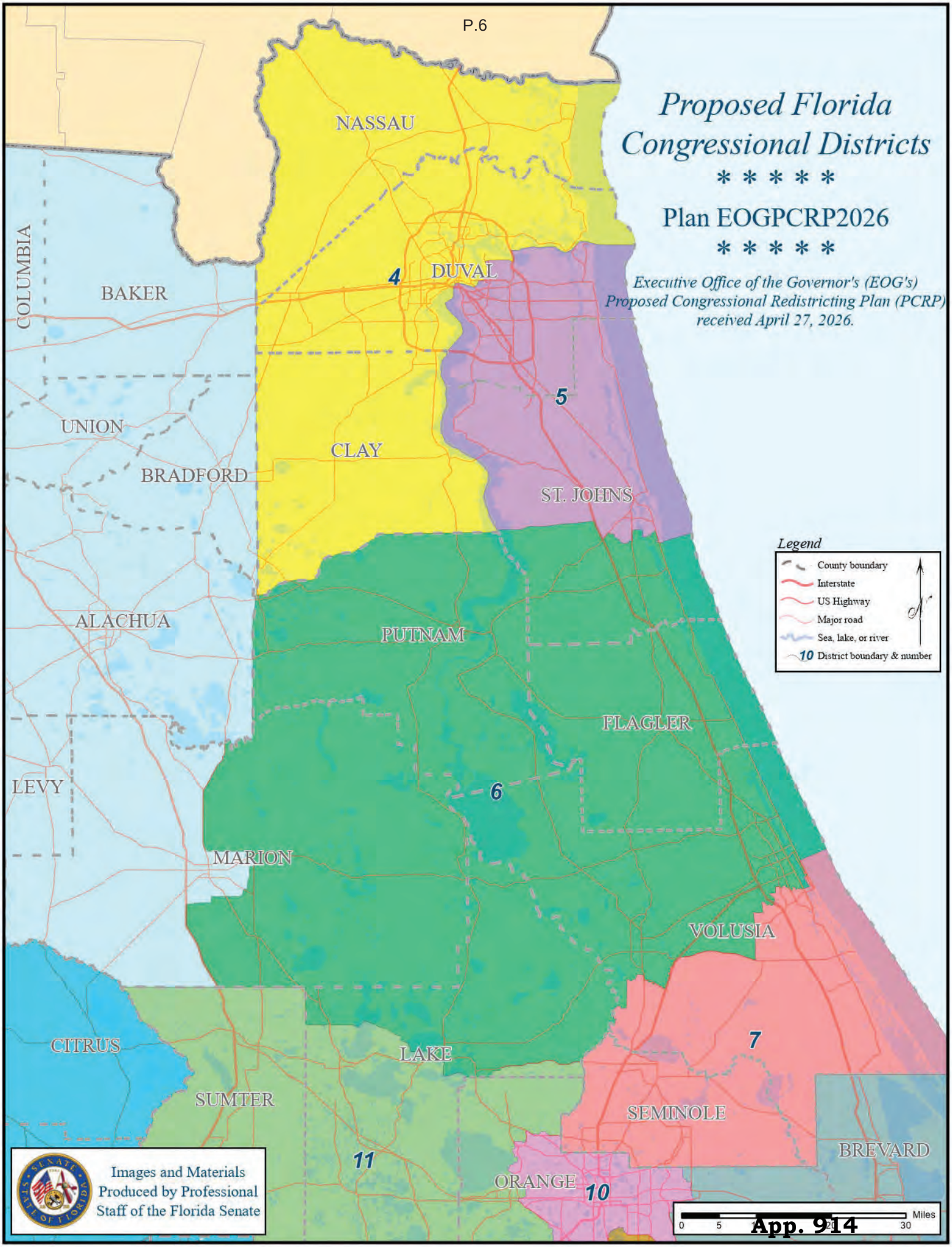
Page	Region	Source
2	Poster	https://perma.cc/HZZ9-MNUH
3	Statewide	https://perma.cc/X744-78QZ
4	Northwest Area	https://perma.cc/Q5LH-T8KE
5	Big Bend Area	https://perma.cc/BMW8-EQUX
6	Northeast Area	https://perma.cc/68LY-DXD9
7	East Central Area	https://perma.cc/PY2U-45RG
8	Southwest Area	https://perma.cc/X7X6-P472
9	Southeast Area	https://perma.cc/V62K-N7ZS

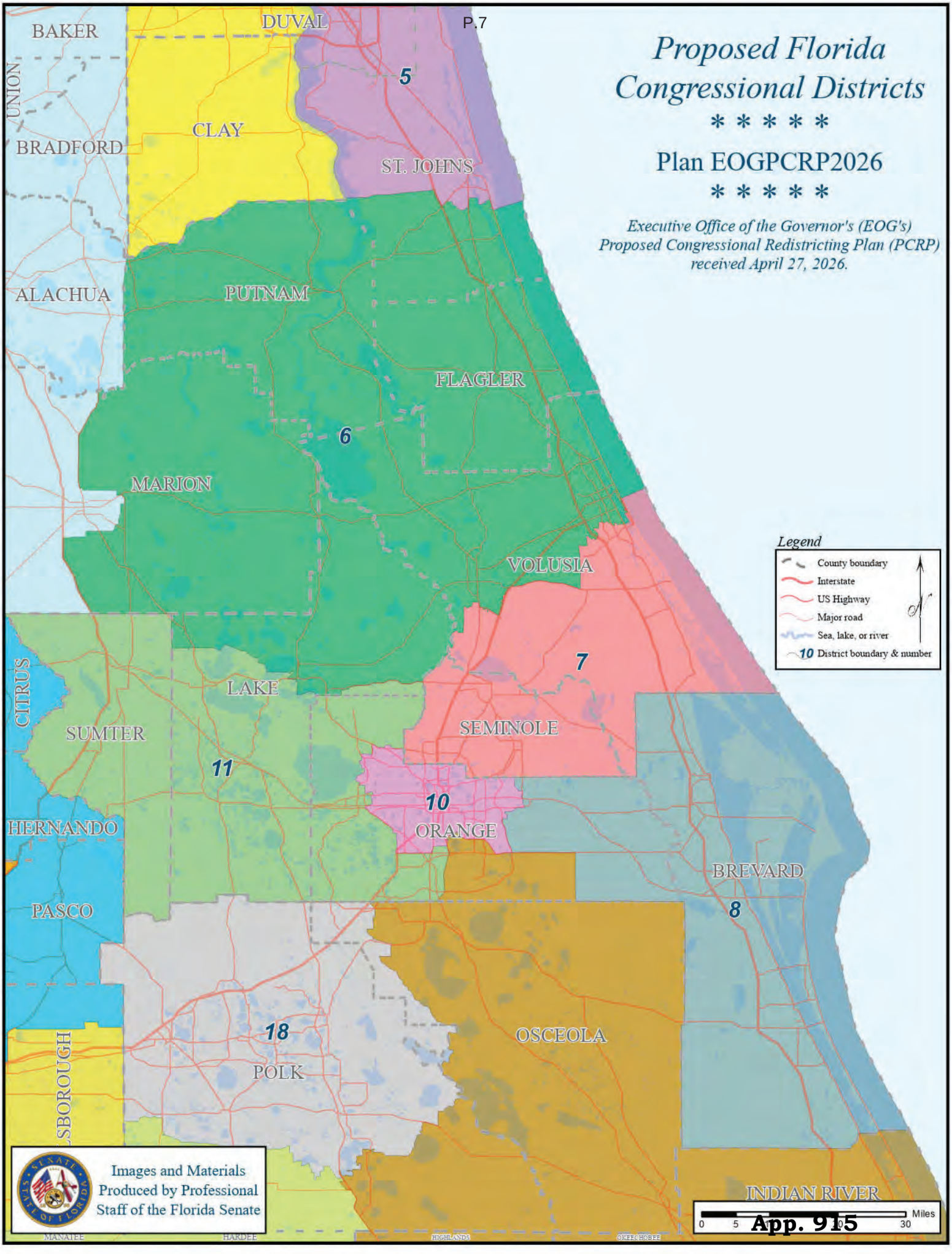

South Florida
Jacksonville Area
Orlando Area
Tampa Bay Area
Legend
County boundary
Interstate
US Highway
Major road
Sea, lake, or river
10 District boundary & number
Scale bar for statewide map
0 10 20 40 60 80 Miles
Scale bar for insets
0 3 5 10 15 Miles
Proposed Florida Congressional Districts
* * * * *
Plan EOGPCRP2026
* * * * *
Executive Office of the Governor's (EOG's) Proposed Congressional Redistricting Plan (PCRP) received April 27, 2026.
Images and Materials Produced by Professional Staff of the Florida Senate
Scan QR Code to Visit www.flsenate.gov

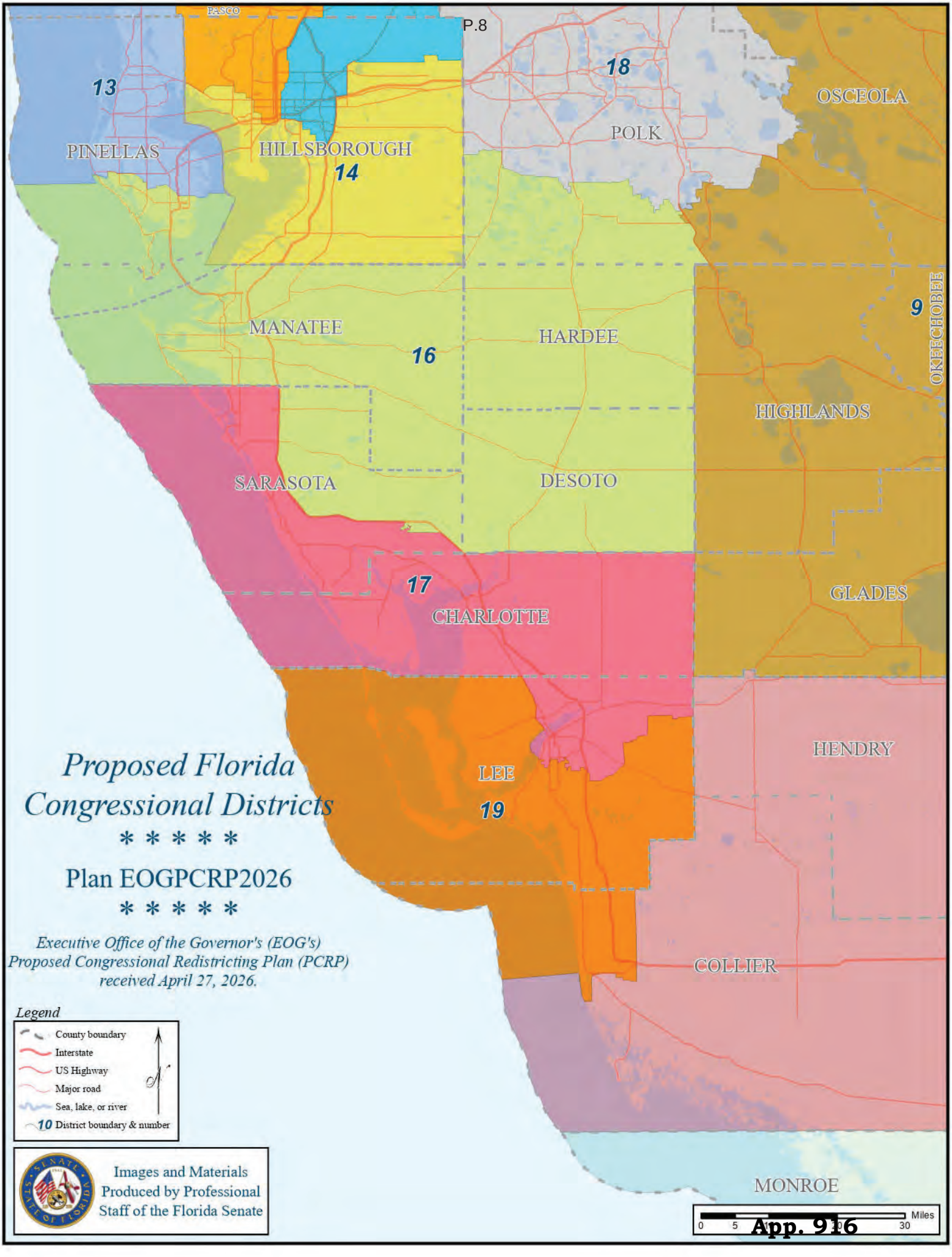

Legend
County boundary
Interstate
US Highway
Major road
Sea, lake, or river
10 District boundary & number
Proposed Florida Congressional Districts
* * * * *
Plan EOGPCRP2026
* * * * *
Executive Office of the Governor's (EOG's) Proposed Congressional Redistricting Plan (PCRP) received April 27, 2026.
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27
28
SANTA ROSA
OKALOOSA
WALTON
HOLMES
WASHINGTON
JACKSON
CALHOUN
LIBERTY
GULF
BAY
ESCAMBIA
Scale bar for inset
Miles
0 10 20 40
Scale bar for statewide map
Miles
0 10 20 40 60 80
Images and Materials Produced by Professional Staff of the Florida Senate


Miles
0 5 10 20 30
HOLMES
SANTA ROSA
1
OKALOOSA
WALTON
WASHINGTON
ESCAMBIA
BAY
HOLMES
JACKSON
WASHINGTON
GADSDEN
LEON
JEFFERSON
MADISON
CALHOUN
LIBERTY
2
BAY
WAKULLA
TAYLOR
GULF
FRANKLIN
Legend
County boundary
Interstate
US Highway
Major road
Sea, lake, or river
10 District boundary & number
N
Images and Materials Produced by Professional Staff of the Florida Senate
Proposed Florida Congressional Districts
* * * * *
Plan EOGPCRP2026
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Executive Office of the Governor's (EOG's) Proposed Congressional Redistricting Plan (PCRP) received April 27, 2026.


LEON
JEFFERSON
MADISON
HAMILTON
BAKER
SUWANNEE
COLUMBIA
UNION
TAYLOR
LAFAYETTE
BRADFORD
3
GILCHRIST
ALACHUA
DIXIE
LEVY
MARION
Proposed Florida Congressional Districts
* * * * *
Plan EOGPCRP2026
* * * * *
Executive Office of the Governor's (EOG's) Proposed Congressional Redistricting Plan (PCRP) received April 27, 2026.
CITRUS
SUMTER
15
HERNANDO
PASCO
12
PINELLAS
POLK
Legend
County boundary
Interstate
US Highway
Major road
Sea, lake, or river
10 District boundary & number
Images and Materials Produced by Professional Staff of the Florida Senate
0 5 10 30 Miles


Proposed Florida Congressional Districts
* * * * *
Plan EOGPCRP2026
* * * * *
Executive Office of the Governor's (EOG's) Proposed Congressional Redistricting Plan (PCRP) received April 27, 2026.
NASSAU
COLUMBIA
BAKER
4
DUVAL
5
UNION
CLAY
BRADFORD
ST. JOHNS
ALACHUA
PUTNAM
FLAGLER
LEVY
6
MARION
VOLUSIA
CITRUS
LAKE
7
SUMTER
SEMINOLE
BREVARD
11
ORANGE
10
Legend
County boundary
Interstate
US Highway
Major road
Sea, lake, or river
10 District boundary & number
Images and Materials Produced by Professional Staff of the Florida Senate
0 5 10 20 30 Miles


Proposed Florida Congressional Districts
* * * * *
Plan EOGPCRP2026
* * * * *
Executive Office of the Governor's (EOG's) Proposed Congressional Redistricting Plan (PCRP) received April 27, 2026.
BAKER
DUVAL
UNION
CLAY
BRADFORD
ST. JOHNS
5
ALACHUA
PUTNAM
FLAGLER
6
MARION
VOLUSIA
Legend
County boundary
Interstate
US Highway
Major road
Sea, lake, or river
10 District boundary & number
7
CITRUS
LAKE
SUMTER
SEMINOLE
11
10
HERNANDO
ORANGE
BREVARD
PASCO
8
18
OSCEOLA
POLK
INDIAN RIVER
Images and Materials Produced by Professional Staff of the Florida Senate
0 5 30 Miles
MANATEE
HARDEE
HIGHLANDS
OKEECHOBEE


PASCO
13
18
OSCEOLA
POLK
PINELLAS
HILLSBOROUGH
14
9
OKEECHOBEE
MANATEE
16
HARDEE
HIGHLANDS
SARASOTA
DESOTO
17
GLADES
CHARLOTTE
HENDRY
LEE
19
COLLIER
MONROE
Proposed Florida Congressional Districts
* * * * *
Plan EOGPCRP2026
* * * * *
Executive Office of the Governor's (EOG's) Proposed Congressional Redistricting Plan (PCRP) received April 27, 2026.
Legend
County boundary
Interstate
US Highway
Major road
Sea, lake, or river
10 District boundary & number
Images and Materials Produced by Professional Staff of the Florida Senate
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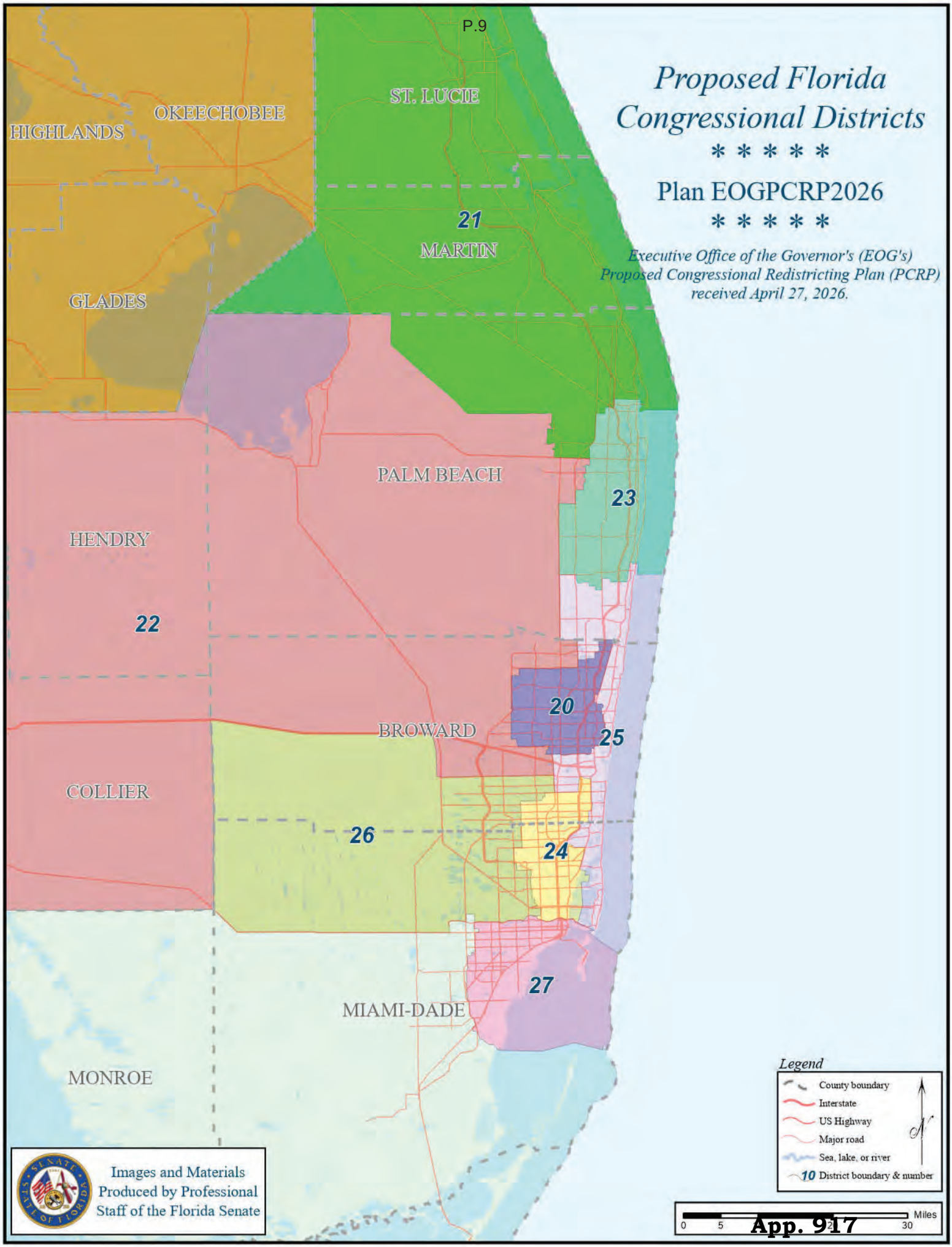

Proposed Florida Congressional Districts
* * * * *
Plan EOGPCRP2026
* * * * *
Executive Office of the Governor's (EOG's) Proposed Congressional Redistricting Plan (PCRP) received April 27, 2026.
HIGHLANDS
OKEECHOBEE
ST. LUCIE
21
MARTIN
GLADES
PALM BEACH
23
HENDRY
22
20
25
BROWARD
COLLIER
26
24
27
MIAMI-DADE
MONROE
Legend
County boundary
Interstate
US Highway
Major road
Sea, lake, or river
10 District boundary & number
Miles
0
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Images and Materials Produced by Professional Staff of the Florida Senate

Exhibit 16

Redistricting - The Florida Senate

flsenate.gov/Session/Redistricting/Congressional

2026 Congressional

Special Session 2026-D

On January 7, 2026, Governor DeSantis issued a proclamation, convening the Legislature in Special Session "for the sole and exclusive purpose of considering legislation relating to the drawing of congressional districts for the State of Florida and any legal challenges thereto, including the appropriation of additional funding for such litigation." The proclamation was later amended. This page contains information, including maps, statistics, reports, and other downloads, relating to the congressional redistricting plan transmitted to the Senate by the Executive Office of the Governor (EOGPCRP2026) or filed as legislation for the Special Session by Senators. The information may be updated as needed.

Plan EOGPCRP2026

Transmittal Letter - April 27, 2026

Statistics

- Data Packet (PDF) which includes:
  - District Statistical Report
  - Compactness Report
  - Assigned District Splits (by County)
  - Assigned District Splits (by City)
  - Boundary Analysis Report
- Map and Statistics Packet (PDF)

Maps

- Interactive Map
- Poster Map (PDF)
- Statewide Map (PDF)
- Northwest Area Map (PDF)
- Big Bend Area Map (PDF)
- Northeast Area Map (PDF)
- East Central Area Map (PDF)
- Southwest Area Map (PDF)
- Southeast Area Map (PDF)

Downloads

- DOJ Block Assignment File (TXT)
- Shapefile with Population Data for GIS (ZIP)
- KMZ for Google Earth (KMZ)

Exhibit 17

From: Davis, Ashley E.
To: SOEList; SOEStaffContacts
Cc: Matthews, Maria I.; Marconnet, Amber
Subject: Congressional Redistricting 2026
Date: Monday, May 4, 2026 1:04:34 PM
Importance: High

External Email Warning

This email originated from outside the Broward County email system. Do not reply, click links, or open attachments unless you recognize the sender's email address (not just the name) as legitimate and know the content is safe. Report any suspicious emails to ETS Security by selecting the Report Suspicious or Report Phish button.

Report Suspicious

Dear Supervisors of Elections,

The Governor has signed into law HB 1D, establishing the congressional districts of the state. Official copies of all congressional map plan files will be posted imminently to the Office of Economic and Demographic Research (EDR) website. You should also preserve the previous congressional map that was in place for the 2022 and 2024 elections, SB 2-C, in case the need to implement it becomes necessary.

We will continue to provide updates and guidance as information becomes available.

ASHLEY E. DAVIS
General Counsel
FLORIDA DEPARTMENT OF STATE
500 South Bronough Street, Suite 100
Tallahassee, Florida 32399-0250
(p): (850) 245-6531
(f): (850) 245-6125

Exhibit 18

GMR TRANSCRIPTION SINCE 2004

CERTIFICATION OF AUTHENTICITY

Date 05/4/2026

Client: Michelle DePass

Audio File Transcribed by GMR Transcription Services, Inc.:

File Name:
316988 House Video Player House Select Committee on Congressional Redistricting - December 10 2025
To Whom It May Concern:

I, Beth Worthy, President at GMR Transcription, do hereby certify under the penalty of perjury, under the laws of the state of California, that:

The transcript provided by GMR Transcription Services, Inc. is a full, true, and correct transcription of the audio file mentioned above, having been transcribed and reviewed by GMR Transcription to the best of the company's ability. I further certify that neither I, nor the transcriptionist, have any personal association with the case; nor am I, nor the transcriptionist in any way interested in the outcome thereof.

Executed this 4th day of May 2026.

Sincerely,



Beth Worthy
President
Email: Beth@gmrtranscription.com
Phone: (714) 202-9653

Chair Leek: Members, the Redistricting Committee will come to order. DJ, please call the roll.

DJ: Chair Leek.

Chair Leek: Here.

DJ: Vice Chair Fein. Vice Chair Fein. Ranking Member Geller. Ranking Member Geller. Representatives Andrade.

Rep. Andrade: Here.

DJ: Avila.

Chair Leek: There's Ranking Member Geller.

DJ: Avila. Bush. Bush. Byrd.

Rep. Byrd: Here.

DJ: Clemons.

Rep. Clemons: Here.

DJ: Drake has been excused. Driskell.

Rep. Driskell: Here.

DJ: Koff-Marcille.

Rep. Koff-Marcille: Here.

DJ: Rawls.

Rep. Rawls: Here.

DJ: Grant.

Rep. Grant: Here.

DJ: Jenny. Jenny. Latvala.

Rep. Latvala: Here.

DJ: Mariano has been excused. Omphroy. Omphroy. Payne.

Rep. Payne: Here.

DJ: Robinson.

Rep. Robinson: Here.

DJ: Rommel.

Rep. Rommel: Here.

DJ: Saroy.

Rep. Saroy: Here.

DJ: Slossberg-King.

Rep. Slossberg-King: Here.

DJ: Thompson. Tuck.

Rep. Tuck Here.

DJ: Quorum is present, Mr. Chair.

Chair Leek: Thank you, DJ. Members, a few reminders before we begin. Please silence all electronic devices. If anyone in the audience wishes to make a public comment, please fill out a form and turn it in to the Sergeant Staff. Also, as a reminder for our members and presenters, please ensure that you turn your microphone on when you are speaking and off when you are finished. Well, we're back. It's great to have this committee back together again. Session's kicked off and it's an exciting time for all of us, I know.

We are now within our constitutional time frame for approving district boundaries. The last time our committee met was to receive a legal presentation and prior to that, we learned about the map drawing application and constitutional standards. Since then, the House debuted Workshop Maps. I'm going to say again, Workshop Maps, whose purpose is to illustrate the policy decisions that may come before our committee, and 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 this is a critical step for members of our committee, as well as it helps educate the members of the committee.

What we have prepared for the committee today is a presentation 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 in 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 we have enough time to get through both parts of the presentation, member questions, as well as public comments. With that, we will hear from Staff Director Leda Kelly for today's presentation. Leda.

Leda Kelly: Thank you, Chair. Good morning, members. Great to be back with you. As the Chair just mentioned, the first thing we're going to do is review the constitutional standards, which I'm sure you're all 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.

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. Again, that's the

printout of the two congressional workshop options as well as the two State House options. Covering the first section, and I won't belabor this, but just to make sure we're 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 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 between 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. 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. 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 of 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're working within the respective tier, all the standards are co-equal. 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. You have a side-by-side comparison and again the map's 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 Parada, to take it away. Thank you.

Jason Poreda: Thank you, Leda. Okay, so we'll begin with the congressional map and we're going to start in the Panhandle. We will 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. First, Districts 1, 2, 3, and 4 in the congressional map are the same in both options, but we'll talk briefly about the four districts here. Districts 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 where 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. We also created 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, is Congressional District 3. Congressional Districts 2 and 4's shape is largely impacted by that particular congressional district. Congressional District 3 is protected by Tier 1 of our constitutional standards that Leda 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. It is also 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.

That is 10 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. It 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 equal population standard within Leon County, where these two districts come together. That, unlike Congressional District 2, which is currently in the current map that has to achieve equal population in Marion County, splitting an additional county, we're able to achieve that within Leon County.

You can see Congressional District 3 goes from Duval County all the way over through Leon into Gadsden County. This includes all of Gadsden County, which is the only majority minority Black county in the state of Florida that is maintained within that protected congressional district. Congressional District 2 is made up almost entirely of whole counties except for where it borders along with District 3 in Leon County, Jefferson County, and Columbia County. Congressional District 3 then travels into Duval and takes a large portion of Duval County. Congressional District 4 contains all of Nassau County, the remaining portion of 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 have created a more visually uncompact shape.

The decision was to keep that district in St. Johns County, similar to the current district. In the next slide, we're going to talk about Districts 5, 6, and 11. This is where you can start to see some of the differences between the two congressional options that we have made available. You can see just a slight difference in the policy choice of whether or not to take Congressional District 5 south or take Congressional District 5 east to the coast, which impacts the other two districts that you see in this slide, including further down as we move further down the state. First, Congressional District 5 in this iteration keeps five whole counties together. Then, it 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 in 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.

Since we chose to go south with Congressional District 5, we're keeping Alachua County whole within Congressional District 5. 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. Six 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 flipped 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. John's County and include it, just to see what the different policy choice would be and the resulting change in all of the districts?

District 5 splits Alachua County goes over to the east coast. Congressional District 6 then, because it cannot start in St. John's County, starts all the way down 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. 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. When you see districts on a map, try to keep in mind that 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 on, further along the map. Particularly in a congressional map, because we have to achieve that equal population standard. In the next slide here, you can start to see that the impact of the previous decision in Congressional District 5 continues to impact Congressional Districts 7 and 10.

However, I'm going to skip ahead real quick to talk about Congressional Districts 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 Volusia County to get the remaining portion of its population, which is about 2,800 people, including the entire city of Oak Hill, using 95 and some other good boundaries to do so. Congressional District 9 contains all of Osceola County, which is just under 390,000 people. Then, it gets the remaining portion of its population, about half of the district, from Orange County. Congressional District 9 also happens to be a majority-minority district now. It is not in the benchmark district, but keeping with this nice Tier 2 drawn, and keeping the county whole.

Then, using a lot of major roads in Orange County to achieve the rest of its population, it just happens to be a majority growth in the Hispanic population in Central Florida. Now, going over to 16, Polk County this decade was able to be kept whole. We then achieved equal population in District 16 by going into Hillsborough County, following a state road to keep a nice vertical district boundary there. Now, going back to Districts 7 and 10, you can see the decision of what to do with CD5. Also, 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. Option A, that is, Congressional District 10, and Option B, it's, Congressional District 7. These two districts, even though their shapes may look a little different, are the most analogous to each other, even though they have different numbers. They actually have a large portion of 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. 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. 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 Sumpter County. Then it also includes part of Citrus County to fill out the remaining population of its district. In either case, though, Orange County, as 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 is divided a little bit differently. 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.

Now, moving further west into the greater Tampa Bay area, you can see that in both options, the area that these four districts take up is exactly the same. You can see Citrus County is split in the same way in both options. Then, the districts down in Pinellas, Hillsborough County, and Pasco County are split a little bit differently to achieve different policy choices that we wanted to demonstrate before the committees. In either case, Hernando County is kept whole within Congressional District 12 in Option B or Congressional District 15 in Option A. In Workshop Option A, Congressional District 13 crosses the bay and goes into Hillsborough County. Actually, all four of these districts contain a piece of Hillsborough County. Part of the reason why we wanted to demonstrate this option was a way to improve compactness scores.

The compactness scores of Districts 12, 15, and 14 in Option A are actually all better than their counterparts in Option B. In Option B, that was a way of demonstrating that you could keep a district entirely within Pinellas County and then also entirely within Hillsborough County, and then attaching the rest of the populations of those counties north into Pasco County and beyond. That was a way of showing the trade-off of keeping districts wholly within counties compared to going toward the mathematical compactness scores. There's some other advantages with these particular districts that will help educate some of those policy choices in a more detailed manner throughout here. I'm going to turn it back over to Staff Director Leda Kelly to talk about some of those differences.

Leda Kelly: Thank you, Jason. We're going to stay in this region. However, 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. The section that I have up here on the screen is zoomed in to Option A. We're kind of looking at the area

where 12, 13, and 14 come together. As Jason mentioned, one of the abilities in this iteration was the ability to improve compactness scores. We've also illustrated by the red circles on the screen, helped 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 it's city boundaries or county boundaries or perhaps roadways as mechanisms to create our boundary lines. This was a good example of very common roadways in the area. The Courtney Campbell Causeway, Dale Mabry, and I-4, 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 place 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, you know, 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 themselves. However, as you look at this example that's on the screen, the aqua blue color is actually the city of Clearwater. You can see we followed those city boundaries between Districts 12 and 13 to actually create what our congressional district boundary is. Again, just trying to draw some illustration of why things may look unique. I encourage you to dig that next level to see what those boundaries may be. I'll turn it back over to the team. Thank you.

Kyle Langan: 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. We're still about 250,000 people short, which we're able to go down into Sarasota County to form kind of a nice squarish-looking district. That small indent in the southern portion follows the Venice Municipal line. We were able to keep those cities whole in their respective districts. District 18 is a combination of seven whole counties and the remaining population from Sarasota. It extends into Lee County to achieve an equal population.

We're able to keep Highland, Charlotte, DeSoto, Hardy, Glades,

and Hendry counties all whole within District 18 in both options. Then, District 19 is made up of that remaining population of Lee County and drops down into 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 CD20, which is a Tier 1 protected district. We wanted to illustrate that there are multiple ways to draw Tier 1 compliant districts. In Option A, CD20, after running a functional analysis, ensures the minority group's 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. It dictates kind of how the other districts are shaped around it.

In Option B, CD20 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, keep District 25 wholly within Broward County, and District 22 is kept wholly within Palm Beach County. In both options, there are districts kept wholly within each county. District 21 includes all of St. Lucie and Martin Counties, and then gains its remaining population from Palm Beach County in different orientations based on what was done with CD20. CD23, in both options, is the only district that crosses the Broward County and Palm Beach County line.

Leda 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. The first one I want to remind and refresh everyone about is actually what is referred to as the eyeball test, or visual compactness. I'd like you to look at both CD20s that are on the screen. As Kyle described, the one in Workshop A on the left is contained wholly within Broward County. The one on the right is contained between Broward and Palm Beach County.

Whenever you look at this, everyone has, and it's a subjective test, but everyone kind of has a reaction to what they feel is more compact, more visually appealing, and passes the “eyeball test”. I want you to think for yourself which one you personally think is more compact. I want you to keep that in the back of your mind, and we'll come back to that here in a second. The next thing I'd like

to talk through is the actual types of mathematical compactness scores we have, and how some of these have to be used in combination with one another. Compactness scores, kind of as Jason alluded to in some of our previous districts, are not an end-all be-all.

They do need to be used in context of not only what you're drawing, but the surrounding region as well. There's no one compactness score that is superior to other compactness scores, including the eyeball test. 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 different 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. It's a ratio between the 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. Sometimes you'll hear people refer to this as the rubber band test, because as opposed to being a circle, it's the smallest polygon that you can fit around a district. 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 here 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 zero 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. 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. I would venture to say, just looking at it face value, would most people would say, I didn't believe that that would be more mathematically compact than 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. However, 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.

Kyle Langan: All right, moving into Miami-Dade County, we'll start with District 24. That's another protected Black district. It has been 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 in the northern part of where the district crosses into Broward County, 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.

Again, that's just based on how it interacts with the population up against CD20. CD27 in both options is the district we were able to contain wholly within Miami-Dade County. Twenty-six and 28 both use the remaining populations of Miami-Dade County, and pair 28 with Monroe County and 26 with Collier County. All three districts, 26, 27, and 28, are all protected majority-minority Hispanic districts. With staff performing functional analysis, they all protect the minority's ability to elect a candidate of their choice.

Leda Kelly: These next two slides are just pieces of geography that I'd like to point out that are obviously very unique to Florida. However, we do still have to incorporate them whenever we're going through the redistricting process. 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 number of people that live within those respective census blocks.

You can see there's zeros within a lot of those blocks, and then some minute populations, 15, 29 people. There's a 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're redistricting. If I flip back to the previous slide, you can 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 six states in the country that have discontiguous territory that is legally allowed to be incorporated with a district. For us, that is the Dry Tortugas National Park down off of Key West. Again, normally, all of our districts have to be contiguous, which we've covered several times. However, this is a very unique piece of Florida geography that we have to account for, and we do so accordingly. With that, Mr. Chair, that concludes our Congressional Presentation.

Chair Leek: Thank you, members. We'll open it up to questions from members. Ranking Member Geller.

Rep. Geller: Thank you, Mr. Chair, and Happy New Year to you and everyone. I understand that these maps are just workshop maps, they're not formal maps. Who actually physically prepared these workshop maps?

Chair Leek: I believe your question is who actually ran the mouse and the software?

Rep. Geller: Yeah.

Chair Leek: Okay.

Rep. Geller: I mean, as we've heard, there were some choices that had to be made at certain points, which is unavoidable. I want to know who was doing the choosing.

Chair Leek: Yeah, I think it's a collective effort of staff.

Rep. Geller: Well, 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.

Rep. Geller: The three who are doing the presentation are the people who did the drawing.

Chair Leek: That's correct.

Rep. Geller: Thank you.

Chair Leek: Representative Driskell, you're recognized?

Rep. 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. However, we were talking about Districts 24, 26, 27, and 28. 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 two questions. The first is, what was the approach in drawing this as a Black seat? Was it that you looked at the Black voting age population? Just what was taken into account in drawing this particular seat?

Chair Leek: Thank you, Ms. Kelly, you're recognized?

Leda Kelly: Thank you, Chair, and thank you, Representative. With this district, and with the other districts as well, it's not just one necessary step. There's several steps that go into it. The first, and we've mentioned this before, is just looking at the general population, and any shifts or changes that may have occurred over the last decade.

Also, what's reflected in the benchmark map for this decade, and what we are charged to do with. Especially, in the congressional map, that plus or minus one equalizing population. From there, we looked at the benchmark map to understand, you know, whether that was a performing district. Also, as I believe it was Jason outlined earlier, the Florida Supreme Court over the last decade was able to outline some of the methodology and what factors go into that. I know you mentioned that this district would be specific to the Black voting-age population, but we also looked at

registered voters, voter turnout, and then election results. This decade, we were very thankful.

Our data set on that front was very expansive compared to what was in the last decade. We have election cycles going from 2012 to 2020, and that includes primary and general elections. 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 statewide elections, in which, most cycles, I believe, had 14 elections. We have a very extensive data set that we were able to use in conjunction with how the Supreme Court outlined that during the 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. Thank you, guys, both. However, that's what we're doing here today, right? We have put workshop maps in front of you that take different approaches that are both legally compliant. However, one focuses more on compactness, and one focuses just roughly more on political and geographical distinctions. However, that question, I thought, was very, very good and helpful. Representative Driskell.

Rep. Driskell: Thank you, Mr. Chair, and thank you for that explanation. As we move forward as a committee, would it be possible as we look at the maps, to also get that data about the minority voting age population when we're looking at Hispanic maps and looking at, I mean, Hispanic districts and Black districts?

Chair Leek: Yeah, I think it's already available. The answer is yes.

Rep. Driskell: Thank you, Mr. Chair. One more question.

Chair Leek: Representative Driskell.

Rep. Driskell: Yes, one of the things that I don't think we've talked about much is language minorities. However, I know that that can be a particular criterion to consider, especially down in South Florida, where we have so much diversity. Could you share with the committee whether language minorities have been taken into account? Also, if so, how?

Chair Leek: Thank you. Ms. Kelly.

Leda Kelly: Thank you, Mr. Chair. Yes, ma'am. Thank you, Representative Driskell, for that question. For language minorities, I assume you're asking about the Haitian population. I know that's come up in a couple of our committees.

Rep. Driskell: Yes.

Leda Kelly: Yeah, perfect. Thank you. Whenever we receive the information from the Census Bureau, thank you for this question, because this is a piece of information I feel like members may not just be aware of. Whenever we receive our data set from the Census Bureau, it comes in specific categories. Now, this past cycle, the Census Bureau allowed for the first time the ability to fill in what your racial affiliation may be. A lot of people opted to fill in Haitian if they felt like they self-identified as Haitian. However, whenever the population data comes to us, the Census Bureau does not give us that delineated breakdown of what those additional responses may be.

We receive it at a categorical level of single race, White, Black, Asian American, other, and I'm drawing a blank on the last one, but there's a fifth category as well. Whenever we look at our population, as far as how the data is given to us, the Census Bureau doesn't actually provide that level of information broken down by the census block, which is what we're required to draw on. Now, there's been some questions about the ACS data. I'd like to talk about that for a second. The American Community Survey is an additional data set that the Census Bureau provides. It's an official Census Bureau product. However, it's not done on a one-for-one basis like the census count is. The American Community Survey is a true survey. It's an 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 out 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. 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. 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 want to make sure we're taking that into account.

Chair Leek: I think it's worth noting here also, again, that we are legally required to use the census data as given to us. Representative Driskell for a follow-up.

Rep. Driskell: Thank you, Mr. Chair, which I'm wondering if that puts us in a bind. It's my understanding of the constitutional factors that we have to consider language minorities. Is it that the census does not give us that data at all? Is it that they don't include that information in the initial data set, and we have to drill down deeper? I mean, what do we need to do to get that data to make sure that we are constitutionally compliant when it comes to language minorities?

Chair Leek: Yeah, and that's, I mean, that's a great question. I will say the fact that we have co-equal factors in different tiers necessarily creates tension, but still legally compliant. Beyond that, I'll defer to Ms. Kelly.

Leda Kelly: Absolutely. To your initial question about how it is presented, the Census Bureau doesn't provide that as part of the PL 94-171 data set that we receive and are legally required to use for redistricting. It's not like, you know, we didn't just drop down 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. I would assume most of the Haitian community would self-identify as Black, which is a racial population we've obviously worked to ensure is protected within that. 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?

Rep. Driskell: Okay.

Chair Leek: All right, Representative.

Rep. Driskell: Thank you. It's kind of more of a comment, but I don't know if we're going to have comments, or should I wait, Mr. Chair?

Chair Leek: Go ahead.

Rep. Driskell: Okay. The comment is just, and thank you for that, because we absolutely should be doing what we can to protect the Black districts. It's just that I think within language minorities, you know, the Black population is not a monolith. Also, the Haitian community, I'm not a part of it, but I would imagine has maybe some specific, you know, issues that are specific to them. Then it sounds like, Mr. Chair, going back to, I think, a comment that you made two questions ago, that perhaps it's that we need to hear some community feedback about those maps. Also, hear from the community that may be the language minority about what, you know, what they think of the maps, etc., and if they feel protected or not.

Chair Leek: Yeah, thank you. I'll reiterate the, you know, something I've said many, many times before. First of all, we have, right? We have heard some of the representatives. However, if you represent those communities or you have an interest in those communities, please reach out to the constituents in those communities, bring back their input, and we're happy to take it. Also, let me, this is probably a good time for me to also say, you know, thank you to those members who have sought out staff, sought out me, sought out the vice chair, sought out the subcommittee chairs to give input.

We appreciate that. The goal for the entire thing is to be able to ask questions like Representative Driskell is asking right now. That means that you have a level of understanding that is going to be necessary for each of us to make the decisions on the maps as we move forward. Thank you. Let me make sure there's not somebody else. Representative Geller. All right. Ranking Member Geller.

Rep. Geller: Thank you, Mr. Chair. I want to follow up on a couple of those very excellent questions that Rep. Driskell asked. First, returning to language minorities, and I guess, I don't know if I should direct this, Mr. Chair, to you or to the staff director. We'll make the call.

However, if I'm following this correctly, which is always, you know, questionable, frankly. I see that there are three Black districts that are being protected. One is from Leon to Duval. One

is in the Orlando area, and one is in Dade County. Then there's one additional one, a fourth one. That's the one we looked at with very different iterations for No. 20. Is that accurate so far?

Chair Leek: Ms. Kelly. Yep. I'm having a little trouble understanding you.

Rep. Geller: Oh, let me try and talk more closely into the mic.

Chair Leek: I think you said there are four.

Rep. Geller: I think it's four total. I counted three, and then added in the one that is different configurations. One from Leon to Duval. One in Orlando. One in Miami. Then there's that 120 that we looked at with two very different iterations. Is that correct for Black districts?

Chair Leek: I think that the question is, are there four protected districts? Those four.

Leda Kelly: Let me clarify just to make sure. The Black protected Districts are 3, 20, which was the South Florida one with different iterations, and 24.

Rep. Geller: There's not one in the Orlando area? Did I misunderstand that?

Leda Kelly: Correct.

Rep. Geller: Okay. With that said, and if this was said, I didn't hear it. There was a brief reference. Which, if any, are either protected or expected Spanish language districts?

Chair Leek: We're trying to do – the reason there's some hesitation here is we're trying to take the question that you have and overlay the law on it to make sure that we're talking about the same things. However, Ms. Kelly, if you can answer that.

Leda Kelly: Yes, I will try. Thank you, Chair. Representative, so with regards to the Black districts, which ones are protected Spanish language?

Rep. Geller: Not with regard to the Black district. Overall, which, if any, of these districts are, in terms of language affinity, language community, which are either protected or expected Hispanic

districts where Spanish-speaking citizens can be sure that they're able to have representatives of their choice?

Chair Leek: I'm not sure what the expected part means, but we can certainly answer the protected part.

Leda Kelly: Switching gears, are protected Hispanic districts, I feel like is what you're asking about. Whenever you're looking at the map there, 25, 26, and 27 in South Florida are protected Hispanic 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 influxed there over the decade.

Rep. Geller: Nine is viewed as a Hispanic district?

Chair Leek: Ms. Kelly, you're recognized.

Leda Kelly: I'm so sorry, Representative. Could you repeat that question?

Rep. 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 the Spanish language community.

Chair Leek: Ms. Kelly?

Leda Kelly: It is a majority-minority district, which means that over 50% of its population self-identifies as Hispanic.

Rep. Geller: 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?

Leda Kelly: Thank you, Mr. Chair. Not over 50% in the Orlando area, no, sir.

Rep. Geller: Final, I think, follow-up, Mr. Chair, if I may. Then, moving to South Florida again, let me ask, I heard the very thoughtful exchange between you and Rep. Driskell. However, 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. 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 attention paid to it. Or a district drawn that will be sensitive to electing Haitian Creole speakers. Having heard what you said, I'm not asking for a repetition, but I would like a little more explication that I can go back and tell the many, many Haitian Creole speakers who've contacted me about this.

Chair Leek: Okay. I think there was a question at the end there. I think that question repeated the question that Representative Driskell asked, and the explanation was given. We'll give you that explanation again, but that's –

Rep. Geller: I'm hoping –

Chair Leek: We've got a whole other set of maps to get through. Before we start repeating answers, if you don't mind, we'll –

Rep. Geller: Chair, let me just be clear. As I said, I heard that answer. I was hoping for a little more, because I don't want us to waste time just repeating.

Chair Leek: Okay.

Rep. Geller: Hoping for a little more info.

Chair Leek: If you don't mind getting with Ms. Kelly.

Rep. Geller: Whatever she – okay.

Chair Leek: If you can do that. I think the explanation that she gave was actually very thorough. I'm not sure there is more to provide, but maybe there is a different way to frame it so that it – yeah, listen, guys. The stuff we are doing here is very, very technical and very, very legal. It requires a degree of precision that doesn't necessarily make it easy to communicate. We're trying, but there might be a better way to do that if you don't mind getting with Ms. Kelly. I'd appreciate it. Thank you, Chair. Representative Omphroy, you're recognized.

Rep. Omphroy: Thank you so very much, Chair. I appreciate it. I appreciate this presentation. I thought it was extremely thorough. I actually identify with the demographics that's being spoken about currently. I am a 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. I can tell you that I have one question.

I know that on the census report, my aunt, when she was a member of this Florida house, worked on the census and lobbied for the designation of the different Caribbean American ethnic groups within the state of Florida. We know that we were able to self-identify. I just want to clarify, did they tell you about the self-identified people in that population group, or did they just keep that as additional fodder? 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.

Rep. Omphroy: No, I meant the federal government because they asked us in the census to identify. I was asked to identify what I was. I could say that I was Jamaican. I could say that I was Haitian. I could say that I was from Barbados. I could say that I was from, you know, it was allowed this year, was something that was fought for within my community that I represent the majority of. I'm wondering, did they not transfer that information? Or was that information they gathered and then didn't do anything with, as far as transferring it down to the state?

Chair Leek: Thank you. I'm going to defer to Ms. Kelly here in a second, but I think this may also help you, Representative Geller. I think we're talking about the difference between the survey versus the census level data.

Leda Kelly: Thank you, Mr. Chair, and thank you, Representative. The boxes that you were able to fill in handwrite in your self-identification on the Census Bureau it was still sent back with your census form. Whether you filled it out handwritten or if you did it online this decade, which first time ever they allowed that. There's many other things that the Census Bureau uses that information for.

As far as redistricting goes, that information was not delineated and sent to us. However, there's a whole world of demographers and statisticians who use that information and are completely separate in different ways. Where it may be showing up, I can't speak to that. I'm not well-versed in those data sets. However, as far as redistricting, that next level of detailed information is not part of our PL data set.

Chair Leek: Representative Driskell, I see the look on your face. 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. While that survey was given to you, some people responded, and some people did not. It is not the same detailed information that we are required to use for redistricting. Is that fair?

Rep. Omphroy: I had one more follow-up. Sorry.

Chair Leek: Representative Omphroy.

Rep. Omphroy: Thank you so very much, Chair. In our mapping out of things, culturally, you know, I'm just going to say in Broward County, 40% of the Black population identifies as being Caribbean American. The largest group being the Jamaican population at 13.7%, if I'm not mistaken. Also, the Haitian population is at 13.1%, right? I happen to be grateful to be part of both of those populations. Did we have to take into account cultural groups regarding the census? The Caribbean American population is looked at as a cultural group. I just want to put that out there also. Thank you.

Chair Leek: Thank you. Let me try to answer that if I can. The question was, does any state have to take that into account? The Supreme Court has told us, “No, you have to follow Tier 1 and Tier 2.” That communities of interest is not one of the criteria within it. Now, that information is available to us through whatever means it is. It doesn't mean that we can't take it into account, but it cannot supplant any of the legal requirements that we must take into account. Just a second. I want to check and make sure that the stuff I'm saying is right. Was that right? Thank you. Representative Driskell, you're recognized.

Rep. Driskell: Thank you, Mr. Chair. I think you may have just answered the question that was formulated in my mind based on the exchange we just had with you and Rep. Omphroy, which is, so it sounds like that information is available to us. We are not required to use it, but we could make a policy decision as a legislative body to use it.

Chair Leek: Yeah, kind of. Remember, because it's survey information. It's not as precise as is necessary for the required legal data that we have to use, right? It is a community of interest that is not really measured in any other way than a survey. I'll turn it over to Ms. Kelly at that point. She says I'm right. I always like it when that happens.

Rep. Driskell: Thank you. That was helpful.

Chair Leek: Ranking Member Geller, recognized.

Rep. Geller: Thank you, Mr. Chair. Also, a quick follow-up on that as well. As I understand it, we've used the term protected districts. That's why I was curious about, you know, what we're doing in terms of Spanish language. Also, if there is any effort made to identify and provide that for the language group of Haitian Creole. In view of what we were just hearing, I think, and again, please, I know much less about this than our staff director, certainly. Also, maybe you as well, Mr. Chair. However, I understand that what we are protecting is based on what exists going into this process that we cannot have retrogression from.

We have to at least maintain, I think that is called benchmark. I'd 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. A Black district, but maybe not a benchmark district. Also, 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. 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. I think Ms. Kelly answered this before, but there is no one piece of data that makes it protected. However, for the specifics of

those districts that you referenced, I think I'm going to have to defer to Ms. Kelly.

Rep. Geller: Benchmark.

Chair Leek: Benchmark is another legal term, but we'll let Ms. Kelly explain it.

Leda Kelly: Thank you, Mr. Chair, and thank you, Representative. That's actually the first thing I wanted to clarify. The benchmark is related to, you can think of it as the current map, right? Current map, and you can view the current map with the data from the last decade, and you can view the current map with the data from this decade. Whenever we go in and analyze, you know, what is happening in that area, in that district, and this goes back to the question I answered for Rep. Driskell. I won't repeat just for the sake of time, but you're able to look at that area with the voting age population, your registered voters, voter turnout, as well as the election results. All those data points together help to identify whether or not it would be performing, and therefore, as you said, related to Tier 1, would be required for protection moving forward from the benchmark map.

Rep. Geller: Thank you.

Chair Leek: Members, we're going to move on here. 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. Let's move into the next presentation, please. Ms. Kelly, you're recognized.

Leda Kelly: Thank you, Mr. Chair, and I'm going to turn it over to the team.

Jason Poreda: Thank you. Okay, so we're going to move into our two options for the State House map. 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. Here you see the majority of the Panhandle with Districts 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 off our ideal. As a result 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 Districts 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. Within Districts 1 through 4, you can see that Districts 3 and 4 are very similar.

However, Districts 1 and 2 just show some difference in both options, keeping the city of Pensacola whole, but different options for orienting those two districts in that region. Also, the policy choice of either doing a Pensacola very tightly compact district, which would then make District 1 have to wrap around it and go into Santa Rosa County. Or to kind of split the difference and include Pensacola with a district that crosses over to Santa Rosa County. That's just a simple Tier 2 policy choice that we wanted to demonstrate in this. Another example of that is Districts 7, 8, and 9. District 8 is one of our protected Black districts. It's a majority-minority Black district that we performed a functional analysis to ensure the ability to elect for the minority community in that region.

That is a district that exists in the benchmark and that we recreated here. Unlike the previous decade, where after creating that district and protecting that minority community, there was enough population left over in Leon County to fit a district entirely within Leon. Unfortunately, with population shifts over the decade and because district populations have increased from an ideal population of about 156,000 to about 180,000, there's not enough population left in Leon County to satisfy the entirety that would be enough of a house district. Leon County will have to be connected to other neighboring counties in some way, shape, or form.

We've presented two different options for how that policy choice could be made. In Option A, most of Tallahassee and South Leon County is connected to the counties to the west. Then, the northern portion of Leon County is connected to Jefferson County and the other counties to the east. In Option B, most of Leon County is

connected with Jefferson and Madison, and then the remaining counties are all connected together, with a small portion of Leon County. Those are just two different options presented to us with this new mathematical challenge that we have with Leon County in this particular area.

Leda Kelly: Jason, I'll step in real quick. Members, this is another example that I'd like to show for keeping cities whole. Before I switch to the next slide, District 4, which is the yellow district. You can see on the east and west it follows county lines, very clean, as well as on the south. Then, on the northern portion, it follows portions of I-10. However, there's this little bump up. You may ask, “Why is there a little bump up?”

Well, whenever you zoom in and actually look at what city geography is there, incorporated city, this is the city boundaries of Crestview. As you can see, instead of continuing along I-10, which would split the city of Crestview south of the interstate and north of the interstate. That little bump up is created to respect those city boundaries and to allow that city to be kept whole within District 4. Again, just another quick example of why a district may look the way it does.

Jason Poreda: Thank you, Leda. Now, continuing further east, we'll go with Districts 10 through 18, which is the greater Jacksonville area. You can see here in our Option A and Option B, we've presented two different ways of looking at the Duval and Nassau County area. Then, also, Districts 10 and 11 show how keeping a district wholly within Clay County is still possible, but connecting it to the other neighboring counties, you can do so in a different way. Both are Tier 2 compliant, it's just a matter of a policy choice of whether or not we split the county vertically or horizontally. This could be an opportunity to look at compactness scores and figure out which orientation is best. Or there could be another orientation that may not be as extreme as totally horizontal or totally vertical.

However, this is a way of presenting to the committee different policy choices that could be used while still keeping the same county combination together and keeping a district wholly within Clay, but splitting up the county in a slightly different way. In Nassau-Duval, going back to that, you can see this is an example of how we can keep Nassau County whole. However, we can connect it to the east side of Duval County, keeping five other

districts wholly within Duval County. Or going the other way and taking Nassau County into Duval County on the west side and keeping the five districts wholly within Duval County pushed over more toward the east side. Another thing I want to point out here is that Districts 13 and 14 are both Tier 1 protected districts within Duval County. They're the Black population there.

We ran functional analysis on both of these districts to ensure the minority community's ability to elect candidates of their choice in both districts. District 18 is solely within St. John's County, and this is just a different way of showing how we can use good boundaries. One uses a river, one uses a road. Then, both options keep the city of St. Augustine whole, but in what will be the remaining portion of St. John's County, not in House District 18. Yeah. 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. We'll continue talking about St. John's in that area and then move east to kind of talk about how some of those decisions will impact the rest of this region.

As I mentioned before, District 18 is the northern portion of St. John's 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. John's area and actually 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 railway, and one follows a highway.

However, they both keep the city whole. We did explore some options of trying to keep St. John's County in just two different districts. However, 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. 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. John's 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 we have performed a functional analysis on. In both options, even though they look different, we've ensured the minority community's ability to elect candidates of their choice there in that district. We were 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 we build that minority protected district is how much population is in that district, which is in Alachua County. In Option A, District 21 has a little bit more of Alachua County. That enables District 22 to have all of Levy and all of Gilchrest County and then get the remaining portion of its population needed to get close to the population deviation just within Alachua. In Option B, because District 22 has more of Alachua County, District 21 has a little less, and it's only able to include all of Gilchrest County.

The trade-offs here are that District 21 in Option B is a little bit more visually compact. It's more mathematically compact as well. However, the trade-off is that in Option B, Levy County has to get split a little bit by Congressional District 24. District 24 is also not wholly within Marion County, like it is in Option A. Also, Lake County, as you go further down to Districts 25 and 26, in Option A are both wholly within Lake County. Whereas on 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. In Option B, there are only four, but there's no district wholly within the county. These are different Tier 2 trade-offs after drawing the Tier 1 protected district in between that you can make that will affect how an entire region can come together. I'll talk a little bit now about going south in the Sumter, Pasco, and Hernando counties. Those three counties kept together are approximately the right population for five house districts. 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 Districts 18, 19, and 20, which I discussed earlier, is in Volusia County.

You can see that because we keep Flagler County whole and Putnam County whole, we do some different stuff with Marion in two different options. However, as we get into Volusia County, the districts look similar, but there are some subtle differences with

how the boundaries come together. However, because we keep Flagler County whole, District 28 is going to be very similar in both options, with some subtle differences and following different municipal lines. However, 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.

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. However, we keep as many cities in Volusia County whole. Another portion of Volusia County is attached to District 27, which is either just in Lake in Option B or Lake and Marion in Option A. Then, the remaining portion of Volusia County will be connected down to the Space Coast, which I'll turn over to Kyle. Oh, I'm sorry, yeah, something else.

Leda Kelly: 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. 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. 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.

While there may be no population, on this, we do also still have to assign these water blocks to the respective districts that we're creating. That 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 nine miles. Then on the East Coast, they go out three miles offshore. Again, just drawing your attention to that. Thank you.

Kyle Langan: 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 and also splits Titusville and Brevard County. The next three districts are similar with varying boundary lines, Districts 31, 32, and 33. 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 stack districts.

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. That kind of makes up our space coast. Moving into the Orange, Osceola, and Seminole areas, we'll start with Districts 40 and 41. Both are protected Tier 1 Black districts. HD 40 is a majority-minority protected Black district. Both are the same in both options, and our functional analysis ensures that the minority populations within both districts are protected in their ability to elect a candidate of their choice.

Districts 46 and 43 are majority minority protected Hispanic districts, that one is kept entirely within Orange County and 46 entirely within Osceola County. Our functional analysis ensures the minority community's ability to elect a candidate of their choice is not diminished. There are additional, because of the Hispanic growth and along this I-4 corridor, we've made some very Tier 2-compliant compact districts, both Districts 47 and 44. Following those major roadways, using the municipal lines of St. Cloud in District 47 and Belle Isle in District 44, we made some very compact districts that are also majority minority Hispanic districts.

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 similar because they're shaped by the minority districts that are protected by Tier 1. The main differences in the Seminole County area are Districts 38 and 37. In Option A, 38 follows some of the Winter Springs boundary lines, which creates a split in some additional cities. When we use major roadways, we're able to keep some of those cities whole versus splitting them in Option B. It's kind of some Tier 2 trade-offs 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.

Those are some of those options in this Central Florida region. Moving into Polk County, we have two very different configurations. Starting in Option A, the boundaries are a little more jagged in all of them. However, we are able to keep all

municipalities whole within each district in Polk County. 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 co-equal boundaries to use. It results in more visually compact districts. However, we split more cities following these roadways.

Leda Kelly: Just to extrapolate more on what Kyle was just saying, the slide that I've clicked over to is Option A. On the right, you can, I'm sorry, on the left, you can see the original image we were just looking at. On the right, the yellow illuminated areas are those incorporated municipalities throughout Polk County. As you can see, if you at least squint, all of the city boundaries are maintained when creating those individual districts. Similarly, moving on to this was Option B that was presented on the screen. Just highlighting how, by perhaps doing a more visually compact formulation of Polk County, following major railways, roadways, as Kyle mentioned, we do end up splitting many more cities.

This is the compactness results for Polk County as well. Again, Option A on the right, we'd work to keep cities whole, and Option B on the left was using more railways and roadways. You can see those additional coequal Tier 2 trade-offs. Option B has better mathematical compactness as well, but by choosing mathematical compactness, you'd also be choosing to split more cities. Again, they're not always mutually exclusive, and there are trade-offs you have to make within, especially Tier 2.

Kyle Langan: Moving into the west coast, we have Pinellas, Hillsborough, and Manatee. In this three-county combination, we were able to figure out that we could fit 16 districts wholly within these three counties. Starting out with Districts 62 and 63, both of these are protected Tier 1 performing Black districts. A functional analysis ensures that the minority candidates in each district can elect the candidate of their choice. District 62 is the only district that crosses the Pinellas and Hillsborough County line. We were able to keep five additional districts wholly within Pinellas.

In Workshop A, the Pinellas districts, we chose to stick more towards the roadway boundaries and the clean lines to create some smaller compact-shaped districts. Then, in Workshop B, we chose the option of keeping more cities whole, being able to keep Clearwater wholly within a district, Safety Harbor wholly within a district, Pinellas Park and Seminole in some different districts as well. In Hillsborough, some of the similar decision points were made and illustrated here between 67 and 68. In both iterations, follow primary roadways. However, in one orientation, we have Plant City that is split in Option A, whereas Plant City is kept whole in Option B. Another difference between the two is the interaction with Manatee County.

In Option A, we have two districts that cross the Manatee-Hillsborough line in 70 and 69. Whereas in Option B, we have only one district that crosses that line. We're able to fit both 71 and 72, both wholly within Manatee County. Moving a little further south, we'll start with Sarasota County. We have two different orientations, one's more horizontal, and the other's with two districts more vertical. Both are able to keep the city of Sarasota whole.

However, the compactness is affected in these two orientations, using, I believe, that's I-75 to divide the two in a more vertical nature. Those are kind of some of those policy decisions. However, using 75 in Option B splits the city of Venice. Moving into District 76, we have part of Charlotte County, part of Lee County, and all of DeSoto County, and that kind of makes a nice square district. We have some differences down in Lee County around the Cape Coral District, 79, and Fort Myers, and how those cities can be kept whole, but in kind of different orientations based on how District 77 is shaped around that area.

Districts 82 and 81 down in Collier, and 82 includes parts of Hendry, there's a different boundary line there. One is Alligator Alley, which divides it more in a horizontal nature in Workshop B. Workshop A, it follows 75 South, and then it kind of keeps that more of a coastal district. Those kinds of illustrate some decisions that affect the compactness score of both districts, and how they interact with each other. Then, District 83 is a four-county combination of just whole counties that makes a district in the central part of the state.

Leda Kelly: As we segue over to the east coast of Florida, I wanna take a second to talk about Lake Okeechobee. I know members may have questions about how that is divided, and can be attributed to the surrounding districts, whatever those may look like. Within Lake Okeechobee, the Census Bureau has divided it into five regions. Whenever we go to assign our neighboring districts and create those neighboring districts, those districts will reach out to their respective point within Lake Okeechobee. Again, unfortunately, 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.

Jason Poreda: Thank you, and now we'll move back over to the east coast of Florida, starting with St. Lucie and Martin County, with Districts 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. These are two different options for keeping a district wholly within St. Lucie County, and then how we bridge that and 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. However, in order for population purposes, in order to get within the appropriate deviation that we need for a house district, so 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. We actually don't even cross the Palm Beach-Broward County line, similar to how the current map does.

We're able to duplicate that concept here with all of these districts. Looking at Palm Beach County a little bit closer, you can see that a lot of the district's orientations are actually governed a lot by how District 88 is drawn in kind of the 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 goes 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, we're able to keep all the cities in Palm Beach County from District 88 down to the Broward County line whole in their respective districts. We're 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.

However, these are two different options. In both District 88, we performed a functional analysis to ensure the minority group's ability to elect a candidate of their choice in both options. 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 are valid choices. 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 in North Broward County. Districts 97 and 99 are majority-minority Black.

All three of these districts had a functional analysis performed on them to ensure the minority group's ability to elect candidates of their choice, similar to the benchmark districts that exist there in that region. In South Broward, Districts 104 and 105 are similarly protected Black districts. These two districts are in Broward and cross the Miami-Dade County line. These are the only two districts that cross the Broward-Miami-Dade County line. We performed a functional analysis on both Districts 104 and 105 to ensure the minority group's ability to elect candidates of their choice in each district.

This is all similar to the benchmark districts that are in this region. Districts 95, 96, and 103 are the kind of western side of Broward. I'll draw your attention specifically to 96 and 103. A lot of those more or less populated blocks in the Florida Everglades that Leda talked about earlier. We have to account for them all, and there's different ways of doing that. Here, we showed you two different ways in which you could include all of those types of blocks in one district.

Or you can break them up into two different districts, creating longer rectangular districts. However, either option is the same. Otherwise, those districts are the same, and all of those extra blocks that were added have no population in them. It is truly just a choice, perhaps a good opportunity to look at compactness scores and pick which option is better, or whatever is visually better. However, that is a policy choice that the committee can make.

Leda Kelly: Sticking in the Broward County area, I know we've mentioned this several times. However, South Florida especially gives us a really good way to illustrate how some of our municipal lines, not only sometimes have very unique geography, but also sometimes interlock with one another. It is also a factor whenever we talk about keeping cities whole or keeping counties whole, and how we can look at that. This is the Broward County area. This is Davie, Cooper City, Pembroke Pines, and Southwest Ranches. Each city has a different color that's been used to illustrate its city boundaries.

You can see with Davie and Southwest Ranches, there's a section of the blue municipal lines that drops in between two discontinuous pieces of the red boundary lines. There's an area between the red and the green that is unincorporated altogether. That is not a formal city line. We use this just to illustrate that Florida's 412 incorporated municipalities all have very unique lines, and we'll work to preserve them when possible.

However, this is just a good illustration of how that may not always be possible given their actual makeup. This next slide is also just a, I'll call this a fun Florida fact as well. There's actually four cities in the state of Florida that cross county lines. If it comes to pass that 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. We have Longboat Key, Marineland, Flagler Beach, and Fanning Springs.

Jason Poreda: Thanks, Leda. Now, we will move down into Dade County. As I said before, Districts 104 and 105 cross the Miami-Dade County line, the Miami-Dade-Broward County line. Those are the only two districts that do that. Here you can see the remaining districts other than District 120, which we'll get to at the end. All of the remaining districts are entirely within Miami-Dade County. I'll

start with Districts 107, 108, and 112 here in our options. Those are all Tier 1 protected Black districts that are performing.

Districts 107 and 108 are majority minority Black districts. All three of those districts had functional analysis performed on them to ensure those minority groups in all three of those districts have the ability to elect candidates of their choice. Districts 107, 108, and 112 are all entirely within Miami-Dade. They also follow a lot of municipal lines in that area. For example, the western boundary of 108 and 112 in this iteration is actually the Hialeah City line. We don't cross the Hialeah City line there. In this area of the state, there's a lot of very vertical roadway, major roadways, but also a lot of city lines that are right up against each other.

Even opportunities where we might not be able to keep a city whole, because it either has too much population or because of where it's geographically located compared to other districts, we do try to use those municipal lines where we can to ensure that perhaps the city is split fewer times than it would be otherwise. Also, those municipal lines are more well-recognized than some of the other possible boundary lines in the area. We also, in Miami-Dade County, use, in addition to a lot of the major roadways that people are familiar with, there's also a great deal of canals and man-made waterways in Miami-Dade County. Similar to what you can see in different communities throughout our state, but there are a lot of them here in Miami-Dade County.

Where possible, we try to use some of those more recognizable ones to try to divide the districts. District 106 on the west coast, after you get past 107, 108, and 112. That is a district along the coast that contains, I believe, seven entire cities there in the beach communities, including the bottom. You see a little bump on the bottom of 106, that's actually the city of Miami Beach. We're using a lot of the municipal lines to create the district lines there in District 106. The next group of Districts, which include 109, 110, 111, 113, 114, 115, 116, and 119, are all protected Tier 1 majority-minority Hispanic districts.

Each one of them has had functional analysis performed on them to ensure that the minority group's ability to elect a candidate of their choice is maintained as is in the benchmark. All of those districts fall into that category. District 117 is actually a performing Black district where the functional analysis was

performed to ensure the minority community's ability to elect a candidate of their choice. You can see here, there's two different versions of that. One, in Option A, looks a little bit more similar to the current benchmark district. The little hook on the bottom of that district is actually the entirety of Florida City, and we use the municipal lines of that city to, and include it within the district.

District 117 in Option B does not go into either Homestead or Florida City. It is a slightly more visually compact-looking district that is just a slightly different orientation, just to show that the committee, there's different options and the ability to do that. You can actually see the Homestead municipal line in the **[inaudible] [01:31:56]** district, which I'll get to later, that's district 120. By not splitting the city of Homestead with district 117, we're able to keep that district, that city whole within the **[inaudible]** district down below. You can see District 119 is a lot bigger in Option B than it is in one, 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 on the district simply by which district you include a lot of those non-populated blocks in. The next slide is District 120, which you can see our **[inaudible]** is that we've attached, which is considered part of Monroe County. In order to keep Monroe County whole, you have to include that with whatever district includes all of Monroe County and goes up into Miami-Dade County. As I said, in Option B, that actually has all of the city of Florida City and Homestead within it. That is both options. Chairman.

Chair Leek: Thank you. We're going to turn to member questions now. I want to thank those of you who are still awake in the audience and those of you who are still awake up here. Believe it or not, members, that is the abbreviated version of the presentation because these are workshop maps. Yeah, we couldn't do the whole version.

As these are workshop maps, we try to keep it high level, stick to those things within the law that were being considered, and provide you with different options of how things can be considered. We've done that with the state maps. I'm going to remind everyone that while you may have a question that's specific to a district, we are not going to consider your incumbency or political makeup of any particular district. I don't care to know where you live. I don't know where you live. I don't care to know

where you live, so keep your comments within the law, if you would, please. Up first, Representative Thompson.

Rep. Thompson: Thank you, Mr. Chair. I want to be sure that I understand the percentage of minorities that must be present in a district for it to be protected. I think I heard 52. Is that accurate?

Chair Leek: Actually, I think you're mixing things within the law. It's not the percentage of minorities who live within a district. It's whether the district performs. I'll turn it over to Ms. Kelly.

Leda Kelly: Thank you, Mr. Chair. Thank you, Representative. That's actually a very good question. Whenever we perform our functional analysis and whenever we're addressing the question that you've posed, it is truly district by district.

Every district has different voting patterns, voting strengths, and a different amount of voting-age population that resides within that district. The courts have actually been very clear that there's no bright line test for if you're over 50%, you're in a performing district. They actually have struck down maps that try to apply those arbitrary thresholds. Unfortunately, it's not quite as cut and dry as that. It is truly a district-by-district analysis.

Chair Leek: Representative Thompson, you're recognized.

Rep. Thompson: Thank you. This is a follow-up. What are the actual performances in the districts that you have identified as protected minority or Black districts?

Chair Leek: Let me try to address it up front here. These are workshop maps. The maps, I think it's a great question, but probably for a different day when you actually get maps to vote on, right? When you see the districts that are going to come before you to vote on. With that said, Ms. Kelly, you want to chime in there?

Leda Kelly: Thank you, Mr. Chair. Representative, do you mind asking your question again? I don't quite understand what you're asking.

Rep. Thompson: Thank you very much. What I'm concerned about is if a district can perform as a minority district and therefore is protected. If the actual percentages are above whatever that performance threshold is, and you could shift some of those individuals into a different

district, you would have more minority districts. That's my question.

Chair Leek: Yeah, let me take a stab at that because I think the premise is not quite on par with what we're talking about. The number of citizens within a district who are minorities does not determine whether it's performing. You can have a district that is not a majority-minority that performs and could be protected. We're kind of mixing apples and oranges there a little bit. Does that help? No, I can see that it doesn't. I'm trying, though. I don't think we can answer your question as it's posed. That's kind of my point.

Rep. Thompson: All right, thank you.

Chair Leek: Ranking Member Geller? That's good. All right, let me, Representative Skidmore is a guest with us today. Per our rules, we're gonna allow members of the committee to ask questions first. If there are no members with questions, then Representative Skidmore will recognize you. Any members with questions? Seeing none, Representative Skidmore.

Rep. Skidmore: Thank you so much, Mr. Chair. It's actually more of a technical question. Could you remind us of 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 it's roughly 179,000 in each district, and the law precedent would say you could go plus or minus 10%. In Florida, typically, plus or minus 5% in the state of Florida, we have historically stayed under that. Any other questions? Representative Koff-Marcill?

Rep. Koff-Marcille: Thank you, Mr. Chair. I think I understood what you were saying before about performing as opposed to, oh, it's not, performing as opposed to the actual people that are in the district. However, could you help me understand what you mean when you say majority-minority, but then you also say protected Black, protected Hispanic, and then you say minority-majority. You kind of interchanged with those. Can you just –

Chair Leek: I am going to kick this one to our legal experts over here. However, roughly the difference is one of residency versus how the district performs voting. However, Ms. Kelly?

Leda Kelly: Perfect. Thank you, Mr. Chair. Thank you, Representative. Majority-minority just signifies that it's over 50%. That's all.

Chair Leek: Recognized.

Rep. Skidmore: When you're using those terms, it can be a protected majority-minority, or it could be majority-minority, but not protected? Okay.

Chair Leek: 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 now? Representative Schlossberg still?

Rep. Slossberg-King: Schlossberg-King.

Chair Leek: Okay, gotcha. Congratulations.

Rep. 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.

Rep. Slossberg-King: Or under these workshop proposals.

Chair Leek: Ms. Kelly?

Leda Kelly: Thank you, Mr. Chair. 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? Thank you so much.

Chair Leek: Representative Driskell?

Rep. Driskell: Thank you, Mr. Chair. Could I get that information as well? Thank you.

Chair Leek: You may. Ranking Member Geller.

Rep. Geller: No, no, I want the same information.

Chair Leek: Oh, sorry, same information. Wants the same information.

Rep. Geller: Thank you.

Chair Leek: You're welcome. Representative Omphroy, you're recognized. Same here. All right, just to hand out that information. Anybody else? Do 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 would remind you to keep your comments on topic and to the extent that your comments align with our constitutional standards. To be beneficial, the maps we must ultimately vote on have to be in alignment with these standards. As always, please address your questions through the Chair. We have one member comment today, Ms. Cecile Schoon, League of Women Voters. Ms. Schoon, you're recognized.

Ms. Schoon: Thank you. Good afternoon. My name is Cecile Schoon. I'm president of the League of Women Voters of Florida. I have been taking notes and very much appreciate the staff's explanations which have helped me to understand what's going on every time a little bit more. Also, the questions back and forth. I do have some concerns and observations. It's my understanding that our Tier 1 requirements in our fair districts and the Voting Rights Act, which Tier 1 basically picks up the Voting Rights Act standards.

There's two ways that you look at minorities, and one is non-diminishment or non-retrogression. I think your staff has spoken to extensively. When I've heard them talk about functional analysis, it's with that first part of Tier 1 and the Voting Rights Act. What's missing is the responsibility and obligation to maximize the opportunities for language minorities and racial minorities to have an opportunity to select a representative of their choosing. 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 regard 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 congressional seat. We know there's been movement. We know there's been change. However, since 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. I think many of the questions that the representatives have raised are getting at that issue. How do people make sure that these opportunities are maximized, which is required by our Constitution and by the Voting Rights Act? I would 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. That's required.

However, as I also heard, there are times when additional data is used. It was stated that the voting patterns and history of different areas to make sure that adding into the functional analysis. There are opportunities for you to use buried 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. Other tools 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.

Every single time, and I was taking notes, every single time the comment about functional analysis and data usage was used, it was used only with regard to non-retrogression, which is the first step. However, there's the other step of maximizing opportunities, and it was never mentioned. It's clear that that has not been done. We would ask you to ask your staff to go through the maps with that eye and follow the full guidelines of the law, state, and federal. Thank you.

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

[End of Audio]

Duration: 78 minutes

Exhibit 19

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Beth Worthy
President
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Chair Sirois: Good morning members, the Congressional Redistricting Subcommittee will come to order. DJ, please call the roll.

DJ: Chair Sirois?

Chair Sirois: Here.

DJ: Vice Chair Tuck?

Vice Chair Tuck: Here.

DJ: Ranking Member Skidmore. Ranking Member Skidmore. Representatives. Benjamin has been excused. Brown?

Rep. Brown: Here.

DJ: Fabricio?

Rep. Fabricio: Here.

DJ: Fetterhoff?

Rep. Fetterhoff: Here.

DJ: Giallombardo?

Rep. Giallombardo: Here.

DJ: Harding?

Rep. Harding: Here.

DJ: Hunschofsky? Hunschofsky? Joseph?

Rep. Joseph: Here.

DJ: Maggard?

Rep. Maggard: Here.

DJ: Massullo has been excused. McClure?

Rep. McClure: Here.

DJ: Morales?

Rep. Morales: Present.

DJ: Perez? Plakon? Silvers? Silvers? Toledo? Trabulsy?

Rep. Trabulsy: Here.

DJ: Williamson?

Rep. Williamson: Here.

DJ: Ex-Officio Clemmons?

Rep. Clemmons: Here.

DJ: Ex-Officio Davis? A quorum is present, Mr. Chair.

Chair Sirois: Thank you, DJ. Members, a few reminders before we begin. Please silence all electronic devices and if you're here today to give public testimony, please take time now to fill out a speaker appearance form and turn it into the Sergeant's staff. Also, Members, if you wish to speak, please make sure that you turn your microphone on. On a personal note, I would ask you, Members, to bear with me. My voice has been faltering all week, one of the occupational hazards of being a legislator. Representative Fetterhoff, I would like to recognize you for an introduction.

Rep. Fetterhoff: Thank you, Chair. Good morning. I just wanted to introduce our doctor of the day. Dr. Stephen Golden has traveled up from Charlotte County to visit with us today, so if we have need of him today during committee, he is here to help. Thank you so much for being here today, sir.

Chair Sirois: Thank you, Doctor. We're glad to have you with us. Thank you, Representative Fetterhoff. Members, welcome back to our Congressional Subcommittee. I'm glad to see all of us together again. For those following along at home, a quick recap of the last

few weeks. After we began session, the Governor requested an advisory opinion from the Florida Supreme Court centered around Congressional District 5 in North Florida. The House paused the congressional redistricting process once this request was issued. Throughout this process, we've stated that we will follow the law, and we knew if the Florida Supreme Court issued new guidance, we would have to take that into account.

Last week, the Supreme Court issued their ruling that they would decline to issue an advisory opinion. And with that notice being issued and no additional guidance being provided, we have now resumed our process. The pause in our process was the right thing to do to ensure that we continue to follow all appropriate guardrails. And, again, I'm glad to be back here with all of you today. Today, we will present and consider the PCB for our state's proposed congressional districts. I want to refocus this committee on the task at hand.

There's been noise outside of our process dealing with the congressional map. I would encourage all members to put that noise aside. Those external influences need to stay external, and our personal preferences cannot override our constitutional responsibility to follow the law. This committee has undertaken several months of education in order to understand the redistricting process and uphold the high bar that was set for this chamber last decade. The proposed committee bill, CRS 22-01, establishes congressional districts that will be used in election cycles beginning in 2022.

This PCB has been drafted by committee staff with the advice of legal counsel based on data from the 2020 census and to be in alignment with the Florida Constitution, state and federal law, and court precedent. This map can also be found on Floridaredistricting.gov under the plan name H000C8011. You may have noticed the lengthy bill text for the congressional map was not included in the meeting materials for today's meeting. The bill text reflects the technical census block, block group, and track numbers that comprise each district.

These are the exact same districts that are depicted in the printed map before you. However, to save all of our printers and 150 pages

of paper, we have printed a copy of the full bill text for the committee's viewing, and that can be found right here in front of DJ. Now, it is my pleasure to hand the gavel over to Vice Chair Tuck.

Vice Chair Tuck: Thank you, Mr. Chair. Members, up for consideration today is PCB CRS22-01, established in the congressional districts of the state. As a reminder, we are holding questions until the end of the PCB presentation to ensure we have time to get through an explanation of the entire state, and no one region is rushed. Chair Sirois, you are recognized to present the PCB.

Chair Sirois: Thank you, Vice Chair Tuck. The Florida Legislature is directed to redistrict every 10 years following the decennial census to account for growing and shifting population across Florida. A decade ago, the Florida House's process and methodology for drawing maps was lauded by the Florida Supreme Court, and I'd like to read a quote from the 2012 ruling. "A review of the House plan and the record reveals that the House engaged in a consistent and reasoned approach, balancing the two-tier standards by endeavoring to make districts compact and as nearly equal in population as possible, and utilizing political and geographical boundaries where feasible by endeavoring to keep counties and cities together where possible."

In addition, the House approached the minority voting protection provisions by properly undertaking a functional analysis of voting strength in minority districts. As I mentioned earlier, this committee has undertaken several months of education in order to understand the redistricting process and uphold the high bar that was set for this chamber last decade. Last week, we released Proposed Committee Bill CRS 22-01, which proposes congressional districts that will be used in election cycles starting in 2022.

As I mentioned earlier, this map, H000C8011, has been drafted exclusively by committee staff with the advice of legal counsel, based on data from the 2020 Census, and to be in alignment with the Florida Constitution, state and federal law, as well as court precedent. Members, I want to make sure that each of you has a packet in front of you. This contains a printout of the proposed map itself, the statewide snapshot of statistics, the functional

analysis data used for protected minority districts, a list of county shares of population, a list of city splits, and finally the boundary analysis report.

These items will be referenced throughout the presentation today, so please feel free to refer to your packet as needed. This packet is also available under our subcommittee's webpage on Myfloridahouse.gov. Now, let's dive in, Members. Let's first take a look at the map as a whole. When compared to the benchmark congressional map, the new proposed congressional districts have several points of improvement throughout our Tier 2 standards. When looking at a statewide average of each district's compactness score, we have been able to recreate compact districts similar to our benchmark metrics, even after the addition of a new congressional district.

The proposed map's statewide average compactness scores are a REOC score of 0.43, a Convex Hull score of 0.79, and a Polsby-Popper score of 0.37. Where feasible, we also worked to improve visual compactness of districts, or the eyeball test, such as being able to keep Polk County wholly within a single congressional district. When looking at the number of county splits, we've kept similar to the benchmark map with 18 counties split last decade and only 20 counties split this decade. The ideal population for this decade's congressional districts after adding a district to go from 27 districts to 28 is 769,211 people.

The overall deviation range is the same as it was last decade, with 27 districts being the exact ideal population and one district having a single person less than the ideal population. We are also proudly able to improve the number of city splits in our proposed map. In the benchmark map, there were 39 cities split, and in the proposed new configurations, we've been able to decrease that to just 27 cities split. This proposed congressional map also allows a district to be placed wholly within each of Florida's top five largest counties, Miami-Dade, Broward, Palm Beach, Hillsborough, and Orange, respectively.

The proposed congressional districts are also drawn in compliance with Tier 1 of the Florida Constitution. The proposed map is inclusive of three protected Black districts and three protected

Hispanic districts. This is the same number of protected districts as are found in the benchmark map.

In each district, the minority group's voting age population are similar when compared to benchmark districts with slight increases or decreases, as permitted by the Florida Supreme Court precedent, which states, "Slight changes in a minority group's voting age population are acceptable so long as a functional analysis is conducted to ensure the voting strength of the minority group in both general and primary elections is at a comparable level that existed in the benchmark district."

These districts are also drawn in a consistent manner with respect to Florida's Supreme Court precedent to maintain existing majority-minority districts. All six of these protected minority districts have had an individual functional analysis conducted on them to ensure the new district configuration does not deny or abridge 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.

And as we move throughout the map, I will highlight these districts as well. All of our districts consist of contiguous territory, and as I'm sure you are aware, the committee has also implemented safeguards in order to ensure that we do not draw districts with the intent to favor or disfavor a political party or an incumbent. Members, as we move through the presentation today, you will see an analysis tool reference called Boundary Analysis. This is a report that is available in our map drawing application and helps to quantify the percentage of Tier 2 compliant boundaries that are used for each district.

Similar to compactness scores, this tool is to be viewed in context with other Tier 2 metrics of districts and surrounding regions. There is no golden threshold to which we look when evaluating each district, but it serves as another way to understand the compliance of what is in front of us. Members, now that we've looked at the statewide overview, let's begin to review each region of the state. Starting with Congressional Districts 1 through 4. Beginning in the panhandle, Congressional District 1 has the entirety of Escambia, Santa Rosa, and Okaloosa County. Walton

County is then split as Congressional District 1 achieves the equal population threshold here.

Again, Members, for Congressional maps, equal population for each district is plus or minus one person. And for this purpose, the boundary between District 1 and 2 primarily uses State Road 83 for the majority of its length, except where it deviates to ensure that the municipalities of Freeport and DeFuniak Springs are kept whole, with Freeport within Congressional District 1 and DeFuniak Springs in Congressional District 2. The shape of Congressional District 2 and 4 are largely impacted by Congressional District 3 in this region, so let's jump ahead to that district first.

Congressional District 3 has four whole counties within it, Gadsden, Madison, Hamilton, and Baker Counties. It also contains parts of four others in Leon, Duval, Jefferson, and Columbia Counties. It is also a performing Black district that was recreated similarly to the benchmark district. As noted before, the functional analysis on this district that was conducted by staff ensures the minority group's ability to elect is not diminished. Segueing back to Congressional District 2, this district is made up mostly of whole counties.

It contains 15 whole counties along with the remaining portion of Walton County not contained within Congressional District 1 and the parts of Leon, Jefferson, and Columbia County that are not in Congressional District 3. Its eastern boundary is the county lines of Levy, Gilchrist, and Columbia Counties. This district achieves equal population in Leon County, which it shares with Congressional District 3, rather than having to split an additional county. Congressional District 4 has all of Nassau County along with the remaining part of Duval County that is not included in Congressional District 3.

This leaves the district approximately 213,000 people short of the population needed for a Congressional District. So, the district must continue south into St. John's County for population equality. In doing so, it is able to keep all of St. Augustine within the district and all other municipalities in St. John's County remain whole. The district configuration is similar to the current district and

conversely, if Congressional District 4 instead went into Clay County instead of St. John's County, it would have created an irregular shaped district that wraps around Congressional District 3. This would have created a much more visually non-compact district shape.

Moving on to Congressional Districts 5 through 7. In this region, we are able to keep seven counties whole between three districts. Congressional District 5 contains all of Union, Bradford, Clay, Putnam, and Flagler counties as well as the remainder of St. John's County that is not a part of Congressional District 4 using major roadways and the St. Augustine Municipal Line as a boundary line in St. John's County. In order for this district to have equal population, it splits Alachua County along mostly State Roads 20 and 24 and also includes a small part of Volusia County.

Congressional District 6 keeps Marion County whole and finds the remainder of its population from the remaining population in Alachua County and includes both flags of Lake and Volusia County. Congressional District 7 includes all of Seminole County and a large part of Volusia County. Its boundary lines going through Volusia County follow along State Roads 11, 40, I-95 and includes an area through the Tomoka Wildlife Management Area, which separates population centers of Volusia County.

Congressional Districts 8 through 11 and 16. Congressional District 8 includes all of Brevard and Indian River counties, which leaves the district about 2,800 people short of the population needed for a district. In order to achieve population equality required for Congressional Districts, the remaining population is added to Congressional District 8 by going north into Volusia County along I-95 and then includes the entire municipality of Oak Hill and its 1,986 people keeping it whole.

Congressional District 9 contains the entirety of Osceola County, which was the fastest growing county in the state this past decade. The district includes part of Orange County following I-4 to go north as well as using other primary roadways such as Curry Ford Road before using the Econlockhatchee River, locally known as the Econ River, to go all the way to northern Orange County boundary line. This compact Tier 2 compliant district also happens

to be a new majority-minority Hispanic district reflective of the Hispanic growth in this region.

Congressional District 10 is kept wholly within Orange County. Similar to the benchmark map where a district is kept wholly within the county, this district is able to keep the municipalities of Edgewood, Eatonville, Maitland, and Winter Park whole within the district and has similar demographic characteristics to the benchmark district wholly within Orange County. Congressional District 11 adds the remaining population in Orange County, which is about 280,000 people, and goes west to include the majority of Lake County, all of Sumter County, and part of Citrus County where it achieves equal population.

Congressional District 16 keeps Polk County whole in this map. This is an improvement from the benchmark map where Polk County was divided between three districts. Population growth this decade made this possible and is approximately 44,000 people shy of the ideal population of a congressional district. Pairing Polk County with a small part of eastern Hillsboro achieves the necessary population needed for the population of a congressional district while creating a very compactly shaped district. Moving on to Congressional Districts 12 through 15.

Now, looking at Congressional District 13 in the Tampa Bay area, which is kept wholly within Pinellas County. Its northern boundary follows the municipal lines of the cities of Dunnellon, Clearwater, and Safety Harbor to enable every city within Pinellas County to remain whole. Because Pinellas County has more people than it can fit into a single congressional district, this configuration of Congressional District 13 enables connecting the remaining portion of the county overland to another county rather than over water.

Congressional District 12 is the entirety of Hernando County, the remainder of Citrus County, part of Pasco County, which is divided primarily along US Highway 41, State Road 54, and the Suncoast Parkway, as well as the portion of northern Pinellas County not already included in Congressional District 13. Congressional District 14 is located wholly within Hillsboro County. Its boundary follows primarily roads for the primary roads

of Hillsboro Avenue, Bush Boulevard, and I-4 for its northern border, State and County Road 39 on the east side, and County Road 672, Baum Road, and Big Bend Road on the southern side.

Finishing out the Tampa Bay Area, Congressional District 15 then connects the remaining part of Pasco County with the appropriate amount of population from Hillsboro County to complete the district's population. Moving on to Congressional Districts 17 through 19. Congressional District 17 is the last of the four districts that have part of Hillsboro County. This district actually has the exact amount of people in Hillsboro County, 112,723 people, so that exactly 12 districts make up all of the remaining population in the counties to the south of the Polk, Osceola, and Indian River County line.

This ensures that no other district has to cross these county lines and keeps the counties to the east whole. Congressional District 17 then incorporates Manatee County and approximately 250,000 people in Sarasota County to complete its population. Every city in Sarasota County is kept whole, with Congressional District 17 utilizing the Venice Municipal Line for part of its southern border. The remaining part of Sarasota County, along with seven entire counties, Hardy, DeSoto, Charlotte, Highlands, Okeechobee, Glades, and Hendry Counties, make up the majority of Congressional District 18.

This leaves the district about 150,000 short of the ideal population, allowing it to cross into Lee County to acquire this remaining population, using primarily the Abel Canal, the Caloosahatchee River, and the Hancock Bridge Parkway, Pine Island Road, and County Road 765 to do so. Congressional District 19 connects the rest of Lee County with Collier County, using primarily I-75, US-41, and Collier Boulevard, except where it achieves equal population. With the exception of Cape Coral, all other municipalities are kept whole in this region between these three districts. Moving on to Congressional Districts 20 through 23 and 25.

Congressional District 20 is a performing majority-minority Black district that was recreated similarly to the benchmark district that connects population in Palm Beach County to population in

Broward County. As noted before, the functional analysis on this district conducted by staff ensures the minority group's ability to elect is not diminished. This decade, we were able to create this district in such a way that respects more major roadways in the area, such as US-441, I-95, and the Florida Turnpike.

And it keeps more cities whole, keeping the cities of Lake Park, Margate, Tamarack, and others wholly within it, which were split a decade ago. Congressional District 21 includes all of St. Lucy and Martin Counties and includes just over 280,000 people in Palm Beach County in order to achieve equal population for this district. The district boundary follows a railway in the northern Palm Beach County to Okeechobee Boulevard, where it borders Congressional District 20 before going out to the coast, using Palm Beach Inlet to complete its southern border. Congressional District 22 is kept wholly within Palm Beach County.

Its boundary extends north to Palm Beach Inlet to meet Congressional District 21 before heading west to include the entire city of Wellington, creating the rounded point on the western side of the districts. It then uses the Loxahatchee National Wildlife Refuge to continue south until it gets its population necessary for a district without splitting other cities in Palm Beach County. It uses Boca Raton and Highland Beach City Municipal Line for much of its boundary in this area. This leaves approximately 200,000 people in southeast Palm Beach County that is then included in Congressional District 23.

This district then connects this population with Broward County, utilizing many municipal lines in this area for the boundary line, keeping the cities of Coral Springs, Coconut Creek, and many others whole within Broward County. The district then travels down to the Broward County line along the coast using primarily Route 1 as its western border. Congressional District 25 is kept wholly in Broward County, giving Broward County a Congressional District wholly within the county for the first time since the 1980 redistricting cycle.

The district utilizes as many major roadways as possible, such as I-75, the Sawgrass Expressway, the Florida Turnpike, I-95, Davie Boulevard, Sunrise Boulevard, among others. It also uses the

municipal lines of Weston, Southwest Ranches, Pembroke Pines, Miramar to the west, and the Broward-Miami-Dade County line on the southern side of the district. Moving on to Congressional Districts 24 and then 26 through 28. Congressional District 24 is a performing Black district. As noted earlier, the functional analysis on this district conducted by staff ensures the minority group's ability to elect is not diminished.

This is the only district that crosses the Miami-Dade-Broward County line, which is an improvement over the benchmark map that had two such districts. This district also includes many whole cities within the Miami-Dade County, including Aventura, North Miami, Biscayne Park, Miami Shores, Opa-Locka, and others, and uses as many major recognizable roadways in the area as possible, including I-195, 27th Avenue, 47th Avenue, and others. We're almost there, Members.

Congressional Districts 26, 27, and 28 are all performing majority-minority Hispanic districts where the functional analysis on each district individually was conducted by staff to ensure the minority group's ability to elect is not diminished. Congressional District 26, similar in shape to the benchmark map connects the part of Collier County not included in Congressional District 19 with population in Miami-Dade County using Collier, Broward, and Miami-Dade County lines, as well as I-75, US-41, the Tamiami Trail, and the Dolphin Expressway. It additionally shares a boundary with Congressional District 24 line, the eastern side of the district.

This district includes the municipalities of Hialeah, Hialeah Gardens, Medley, Doral, and Miami Lakes in their entirety. Congressional District 27 uses the Dolphin Expressway and the Florida Turnpike for the vast majority of its boundary lines on the northern and western sides, while using the Palmetto Bay municipal boundaries along its southern border, creating a very compact district wholly within Miami-Dade County. Congressional District 28 includes all of Monroe County and then connects with the remaining population in southern Miami-Dade County using US-41 and the Florida Turnpike as its primary boundary lines in Miami-Dade County.

The municipalities of Cutler Bay, Florida City, and Homestead are wholly within the district. Madam Chair, that is the proposed committee bill.

Vice Chair Tuck: Thank you, Mr. Chair. Members, we are in questions. Are there any questions on the PCB? Representative Brown, you're recognized.

Rep. Brown: Thank you, Madam Chair. I just have a few questions relating to CD10, and I want to sort of start with I know it's in the meeting packet. I know we previously, I believe, did not mention it, but we –

Chair Sirois: I'm sorry, excuse me. I'm having difficulty hearing. Thank you very much.

Rep. Brown: I'm sorry.

Chair Sirois: If you don't mind starting and re-referencing. I apologize, Madam Chair. I'll go through you next time.

Rep. Brown: Thank you, Mr. Chair. So, as I was mentioning, I have a few questions about CD10. And so, at a starting point, I know it's in the packet. And I believe it was mentioned or not mentioned earlier, but wanted to just confirm CD10 here, we're saying with this map, it's not a district we consider protected from regression under Tier 1. Is that correct?

Vice Chair Tuck: Chair Sirois?

Chair Sirois: Thank you, Madam Chair. According to our analysis, Congressional District 10 is not a Black performing district. And that's according to our functional analysis. I can tell you just kind of at a high level review of the Senate's proposal, they have a different take on Congressional District 10. They have identified it, according to their analysis, as a protected district. So, I expect moving forward, that is something that will be reconciled with the Senate. Again, according to our analysis, that has not been recognized as a protected district.

Vice Chair Tuck: Representative Brown?

Rep. Brown: Thank you, Madam Chair. Is there sort of an explanation as to why with our maps, as you mentioned with the Senate, they saw it as their and it's on record that they saw it as one that was protected. But is there a reason why we didn't really come up with that same sort of conclusion in our maps?

Vice Chair Tuck: Ms. Kelly, you're recognized.

Ms. Kelly: Thank you, Madam Chair. And thank you, Representative, for that question. So, again, I can't speak to the Senate's analysis. And they are running a parallel process to ours. So, I don't want to speak on their behalf. But as far as the houses, whenever we run our functional analysis, just to recap, you probably heard me say this before, but there's four components that we look at. So, the first component that you start with is your population data. So, this is what's provided by the Census Bureau and specifically your voting age population data.

From there, we continue on to analyze registered voters in the respective region we're looking at. We additionally look at voter turnout and the statewide election results. And that's for election cycles from 2012 through 2020, both primary and general election cycles. So, when looking at Orange County specifically, and Representative Brown, you mentioned CD10, in Orange County over the decade, the Black population is essentially stagnant. There's some slight variations, but it's essentially stagnant, which is the first point, again, going back to our population as our starting analysis point.

From there, whenever you start to look at registered voters, voter turnout, you can see a consistent decrease over the decade, about 10 percentage points between where it started in the beginning of the decade to where it is now, ultimately, resulting in levels that we do not believe that the Black population would be able to control their shares of the primary or the general election, therefore, not allowing them to elect a candidate, the ability to elect a candidate of their choice.

I'd also like to put on record going back through last decade's materials and meetings, whenever this was recreated as part of the remedial redistricting cycles, this district wasn't created to be a

Black performing district either. It was a result of some other changes that happened in the congressional map. So that, Madam Chair, concludes my explanation. Thank you.

Vice Chair Tuck: Thank you, Ms. Kelly. Representative Brown.

Rep. Brown: Thank you, Madam Chair. So, looking at the demographics of recent Democratic primaries and benchmark CD10, the primary electorate is plurality and even majority Black. So, when we look at in 2020, we've seen 43%. In 2018, it was 47%. 2016, 51%, 53%, and 14. And if we look even at in 2012, 54%. So, it seems as though the benchmark in CD10 is a district where a cohesive Black electorate has an ability to nominate a candidate of their choice in a primary and elect that a candidate of choice as well in the general election since Democratic candidates prevail in general, in the general. Is that wrong?

Vice Chair Tuck: Ms. Kelly, you're recognized.

Ms. Kelly: Thank you, Madam Chair. Thank you, Representative. So, I guess my first question is, can you re-reference which exact data points that you're asking about? And the reason why I ask it that is there's no one data point within a functional analysis that necessarily dictates whether a candidate can prevail in the primary or in the general. So, picking out and spot-checking specific data points wouldn't be a holistic way to look at it. But for clarity, would you mind re-referencing which categorical points you were referencing in your question?

Rep. Brown: The primary electorate, so within the primary in 2020, it was 43%. In 2018, it was 47%. And so, we're speaking directly to the Black electorate.

Vice Chair Tuck: Ms. Kelly, you're recognized.

Ms. Kelly: Thank you. Representative, can I respond now or did you have additional?

Rep. Brown: No, no, no.

Ms. Kelly: Okay, just making sure. So, yes, as you go through those data

points, and again, I want to emphasize there's not one specific column or data point that indicates whether something is performing. But speaking specifically to the ones that you mentioned, in the primary election, what you described demonstrated what I said previously, as we go back throughout the decade in reverse chronological order, we start the decade, I believe you mentioned it was at 43%.

And as we go back throughout the decade, it actually increased, which, as I explained, shows that over the decade, that specific data point has continued to have a consistent decrease in the Black share of the primary. Whenever you look at the Black population's ability to elect a candidate of their choice, specifically in the primary at 43%, there's still additional population out there that wouldn't be able to necessarily get them over that 50% marker that would identify them as being able to elect a candidate of their choice. So, I hope that provides some additional context. Thank you.

Rep. Brown: Thank you.

Vice Chair Tuck: Representative Brown.

Rep. Brown: Thank you, Madam Chair. So, comparing the benchmarks of CD10 and also looking just with the HD20, which was in Ocala, Gainesville, HD20 had similar statistics as we see with CD10. So, for example, the Democratic primary in HD20 had between 43 and 46.7% Black in the past eight years. It's been 43 or 44% in the past two elections, which is actually lower than CD10. And both are solidly Democratic in the general election. The BVAP is similar, too, with 29% in HD20 and 27% in CD10. The Black share of registered voters as well is similar.

So, benchmark HD20 looks really similar, but we consider HD20 to be Tier 1 protected against diminishing Black voters' ability. And we went out of our way to sort of maintain HD20 in Gainesville and Ocala, even splitting both cities to do so. So, can we explain why in HD20 it's Tier 1 protected, but in CD10 it's not?

Vice Chair Tuck: Chair Sirois.

Chair Sirois: Thank you, Madam Chair. I would, I think, revisit Ms. Kelly's remarks when we started this line of questions. A functional analysis is a holistic analysis of a district. So, I don't know that necessarily picking and choosing out which metrics or criteria you want to look at and then applying them provides an accurate depiction of the district. The functional analysis has to be a holistic review of all the data points in terms of making that determination. Madam Chair, I would request that Ms. Kelly perhaps might have something to add.

Vice Chair Tuck: Ms. Kelly, you're recognized.

Ms. Kelly: Thank you, Madam Chair, and thank you, Chair Sirois. Representative, additionally, I just wanted to clarify, you're referencing House District 20 and Congressional District 10, correct?

Rep. Brown: Thank you, yes.

Ms. Kelly: Okay, I just wanted to make sure that that was accurate. So, again, and I won't repeat what the Chair just said because that was one of my things that I wanted to make sure was clear. I think additionally, something to think about holistically, the Congressional District 10 and its current configuration has only existed since 2016 as part of the remedial process when that area was reconfigured. So, again, as a component of the functional analysis that you have to look at, that last component I talked about was the election results.

House District 20 has a very long timeline and proven record of electing a Black population's candidate of choice. CD10 doesn't have some of those additional trends that support that elongated data patterns. So, that's one additional data point I'd like to put out. Thank you.

Vice Chair Tuck: Representative Brown.

Rep. Brown: Thank you, Madam Chair. So, part of why I'm asking this is because in the previous draft we had, which was, I believe, the workshop map of 8001, we actually maintained CD10 basically comparable to the benchmark and what sort of the Senate did in

their maps. So, regardless of whether it's sort of Tier 1 protected or not, it seems to me we can kind of choose the configuration of 8001 for Central Florida. Am I wrong with that?

Vice Chair Tuck: Chair Sirios.

Chair Sirois: Thank you, Vice Chair. And I'm sorry, I missed the tail end of that question. If you could repeat for me a little louder. Thank you, Madam.

Rep. Brown: My apologies, Mr. Chair. So, I was saying the reason I asked and I kind of referred to our draft plan in 8001, we maintain CD10 comparable to those benchmarks. So, I was saying regardless of whether we're saying that CD10 is protected by Tier 1 or not, it seems that based off of just the ones we've workshopped, we could sort of choose to configure it comparable to 8001. Is that correct?

Chair Sirois: Thank you. Thank you, Madam Chair. So, the difference that you would see or what I would characterize as improvement, you see in the map that we have overall more alignment with our methodology. We have districts that we improve where they are within the five biggest counties, for example, Congressional District 20 in the map is more compact and we have one less split in Hillsborough County. So, as initially, the workshop maps were presented to this committee as pieces to demonstrate the real world application of our constitutional tiers.

And throughout that process, subsequent discussions, follow up feedback from members, we were able to build and improve upon the map to the product that you see before you today.

Vice Chair Tuck: Members, any additional questions? Representative Joseph.

Rep. Joseph: Thank you, Madam Chair. I wanted to follow up on a couple of Representative Brown's questions with respect to CD10. I understand that based on the review that was presented and evaluation of the criteria, there is an expectation that the Black performing district would decrease in its performance over time. That seems to be the underlying assumption.

Even assuming without agreeing that that assumption will play out

correct, are we prevented from keeping CD10 closer to its benchmark form under using just the Tier 2 criteria, which we're at liberty to do because it does respect several of the geographical boundaries if we kept it that way, as opposed to how we are. I know we're still working through our map and this is the first iteration, but I'm just wondering about that.

Vice Chair Tuck: Chair Sirois.

Chair Sirois: Thank you, Madam Chair. Thank you, Representative Joseph for the question. And I think my answer would also provide some further insight into Representative Brown's line of question as well. I think it's really important for all the committee members to understand that the PCB that we're looking at today is at its first committee stop. And as we move through the legislative process, the next stop for this bill, if it's passed out of our committee today, of course, is the full redistricting committee.

I can assure committee members that Chair Leak and I remain committed, as we have been since Day 1, to being open to your feedback, accessible regarding questions that you may have, suggestions that you can offer within the context of our two tiers that make it a better map. And I know that that both of us continue to be open to receiving that feedback. The final point that I would add, of course, is even after the House process unfolds, we still have reconciliation with the Senate as well, where I think additional issues will be brought up as well. Thank you, Madam Chair.

Rep. Joseph: Thank you, Madam Chair, and thank you, Mr. Chair, for the explanation. And I look forward to that. We've had good working relationships in the past, in my entire time in the legislature, so I fully anticipate that we'll be able to address that. So, I think part of where I'm going to go with my questions today is to do exactly that, to highlight some of the issues that we have in anticipation that, ultimately, maybe not today, but ultimately, we as the legislative body can stand in unison behind some maps that we can actually be proud of. So, I think we're ready to roll up our sleeves with you.

So, following up on CD10 real quick because looking at the data, I

understand, I mean, there are a number of factors that may have contributed to that decrease of performance, but I think we can still use the Tier 2 factors to give that district a fighting chance. There's no reason we need to take it away right away. I think that as a policy decision, we can look at maybe seeing if it might perform and preserving it this round. So, that was one thing. Let me move on to CD26. So, looking at CD26, was that impacted by the fact that it's a Tier 1 protected district for Latino voters or Hispanic voters?

Vice Chair Tuck: Chair Sirois.

Chair Sirois: Thank you, Madam Chair. Yes.

Rep. Joseph: So, looking at kind of the image of it, it's kind of like an extruded stair step shape stretching up from the Gulf of Mexico all the way over to a little finger that points just 700 yards short of Biscayne Bay in Miami. Was that shape necessary to comply with Tier 1? Or were there other factors that went into just how it ends up looking there?

Vice Chair Tuck: Chair Sirois?

Chair Sirois: Thank you, Madam Chair. I'd like to ask Mr. Poreda to weigh in.

Vice Chair Tuck: Mr. Poreda, you're recognized.

Mr. Poreda: Thank you, Madam Chair. Yes, the shape of District 26 was largely because not only it was a Tier 1 protected district, but the other three districts in Miami-Dade County, District 24, a protected Black district, and District 27 and 28 are also protected districts. So, trying to balance all the Tier 2 issues that are there in addition to first protecting all three of those districts and their ability to elect, that largely impacted the shapes of all four of those districts.

Vice Chair Tuck: Follow-up?

Rep. Joseph: Thank you, Madam Chair, and thank you for that response. Yeah, when you get to Miami-Dade, we got a lot of protected folks. Now, still sticking with CD26, I see that it crosses the large unpopulated stretch of the Everglades between, it looks like Miami-Dade

County and Collier. Would we consider the Everglades in this area a major geographic boundary?

Vice Chair Tuck: Chair Sirois?

Chair Sirois: Thank you, Madam Chair, and I'm going to ask Mr. Poreda to weigh in, but I would add first that there are still census block data available within that territory. And I think if you recall from earlier presentations, when we showed slides that contained the population of our census blocks, there were several areas within the state where maybe just a few people lived. You can count on one hand the number of people identified in that census block. But that doesn't change the fact that they still have to be accounted for within our congressional districts. So, you will see areas on the map. The Everglades is an example.

I think closer to Miami, you have the Miami International Airport. Again, huge tract of land that you're talking about there. Along the areas along the East Coast, where you have wildlife refuges, military installations, Kennedy Space Center. You see other large tracts of land that are included in the census block data as well. So, that's why you may see some variation there. But Mr. Poreda, do you have anything that you'd like to add?

Vice Chair Tuck: Mr. Poreda, you're recognized.

Mr. Poreda: Thank you, Madam Chair. Yeah, I will echo what the Chair said about all of the unpopulated census blocks, but also add that District 26, primarily along its entire length, uses the Collier County and Miami-Dade, the Miami-Dade Broward County line, in addition to US 41, which is the Tamiami Trail, to create that extension. And if you look at actually the boundary analysis for District 26, it's only five percent of its boundaries that do not follow one of the designated political or geographical boundaries.

So, it uses a lot of municipal lines, actually, in that area that may look a little bit more jagged against District 24. I believe it uses the Hialeah Municipal Line, along with some of the others there, in addition to using county lines and the Tamiami Trail for almost its entire extension until it gets over into Collier County, where it achieves equal population.

Vice Chair Tuck: Follow-up?

Rep. Joseph: Thank you, Madam Chair. Thank you for that explanation. So, I try to play around in the system. I try to be a geek, but sometimes I can't hang. So, this is one of these instances. So, forgive me if my question's a little weird. So, the ESRI mapping program, so it includes rivers as one of the options of the boundaries, right? But the Everglades is literally a river of grass. So, it covers more than like 4,300 square miles. And it's 100 miles long, and it's up like 60 miles wide. And would you consider that a major geographic boundary?

Vice Chair Tuck: Chair Sirois.

Chair Sirois: I would defer to Mr. Poreda.

Vice Chair Tuck: Mr. Poreda, you're recognized.

Mr. Poreda: The Everglades by itself, no, but that's why through that area, we're actually using US 41 and the county lines of Collier and Miami-Dade County. So, those are the geographical or really political boundaries that we're using to get through that area because we have to include all the census blocks, even those census blocks in the Everglades, as the chair mentioned earlier, that have very little population, they all have to be accounted for.

Vice Chair Tuck: Follow up?

Rep. Joseph: Thank you, Madam Chair. And thank you for the response. So, I agree about the county boundaries as an alternative way to look at it, I guess, because if I'm not mistaken, the Everglades boundary coincides with the boundary where the Dade-Collier County boundary is. So, with that in mind, looking at the Tier 2 factors with CD6, like this stairway to Immokalee shape, it crosses those county lines, it splits Collier, which is smaller than the ideal district size. It splits the city of Miami in three ways. And Miami is smaller than the ideal district size, too. All of those Tier 2, I don't want to say deficiencies, but infirmities, if we can call it that, were those necessary to maintain Tier 1 compliance?

Vice Chair Tuck: Mr. Poreda. Chair Sirois.

Chair Sirois: Thank you very much, Madam Chair. Representative Joseph, I think that's an excellent example of a different approach, a concept that can be brought to Chair Leak for further examination at the next committee stop. Madam Chair, I'd ask if Mr. Poreda has anything more technical to add.

Vice Chair Tuck: Mr. Poreda?

Mr. Poreda: As I mentioned earlier, that is primarily due to Tier 1 considerations, in addition to the equal population standard because the boundaries within Collier County, for example, even though Collier County, there's lots of counties throughout the map, Walton County is another example, where Citrus County, where counties have to be split in a congressional map because of the equal population standard.

Vice Chair Tuck: And Representative, if you don't mind, I'm going to move on to a couple other members and come back to you. Representative Fabricio?

Rep. Fabricio: Thank you, Madam Chair.

Vice Chair Tuck: Representative, one second, I'm sorry.

Chair Sirois: Thank you, Madam Chair. Members, at Representative Brown's request, her good request, we're going to put the maps back up on the screen when we're discussing specific areas, just to make it a little bit easier for everybody to follow along. Thank you, Madam Chair.

Vice Chair Tuck: Thank you. Representative?

Rep. Fabricio: Thank you, Madam Chair. And I'm going to preface my question with an apology for its rudimentary nature. But in looking at the CD26 district and discussing Tier 1 requirements and Tier 2 requirements, how does the factor of compactness scores factor into determining the viability of a CD in light of the Tier 1 requirements?

Vice Chair Tuck: Chair Sirois?

Chair Sirois: Thank you very much, Representative, for the good question. As and as we've discussed since we've started, the Tier 1 standards take precedent in terms of looking at the districts. And when compactness becomes a factor, I don't know that it's fair to say that compactness can be viewed in the context of a single district in this sense, that the other districts that surround the district that you're referring to also have different issues at play. Whether it's following a political boundary, keeping a city whole, for example, that may affect the ability to keep surrounding districts as compact as we would like them to be.

So, the districts are very much tied in to one another. When you change or try to pursue perhaps one outcome with one district boundary, it has an impact on the surrounding districts. And Madam Chair, if Mr. Poreda has something that he'd like to add.

Vice Chair Tuck: Mr. Poreda?

Mr. Poreda: I'll just echo what the Chair said.

Vice Chair Tuck: Follow up?

Rep. Fabricio: Thank you, Madam Chair, and thank you, Chair Sirois, for that explanation. I appreciate it. It clarifies quite a bit. Because I'd like to consider the compactness scores of District 26 vis-a-vis the compactness scores of, say, District 3, where the REOC scores in District 26 are 0.3, whereas we look at CD3 and we see a REOC score of 0.11, and a Polsby-Popper score of 0.1 vis-a-vis CD26, and we see a Polsby-Popper score of 0.3. Both low, but CD3 seems to be very low.

Vice Chair Tuck: Chair Sirois?

Chair Sirois: Thank you, Madam Chair. Ms. Kelly, if you'd like to jump in.

Vice Chair Tuck: Ms. Kelly, you're recognized.

Ms. Kelly: Thank you, Madam Chair. Thank you, Chair Sirois. Thank you, Representative, for that question. So, I'm going to go back to something I referenced earlier, but this is a really important concept to hone in because it applies to several factors in the map.

So, first of all, compactness is secondary to our Tier 1 requirement to ensure that a minority population has an ability to elect a candidate of their choice. So, both of the districts that you referenced, District Congressional District 3 in North Florida and then Congressional District 26 in South Florida, are both Tier 1 protected districts.

The first item I'd like to point out is that Tier 3 is a protected Black district. District 26 is a protected Hispanic district. So, again, whenever we're going through that process of functional analysis, those minority populations interact differently with one another. So, comparing their functional analysis postures would not necessarily be a one-to-one comparison. Not only are they in different regions of the state, those voters may perform differently or interact differently, but they're also in different geographical locations of the state.

So, in North Florida, you have a lot of rural counties where you have less population. So, you have to account for that as you're not only drawing down to plus or minus one person, but also still ensuring that Tier 1 requirement that they have the ability to elect. Similarly, in South Florida, as other representatives have pointed out as well, you have a lot of Everglades population. And I guess I say that ironically because there's not a lot of people that live in the Everglades, but there is a lot of census blocks that we still have to account for.

So, even though they have differing compactness scores, it also has to be done in context of the geographical constraints of the region, the Tier 1 constraints of the region, as well as population of the region. I believe that was all the points I wanted to make. Thank you.

Vice Chair Tuck: Follow up?

Rep. Fabricio: Last follow-up, and I appreciate your explanation. Could you tell me which congressional district has the lowest overall compactness score?

Vice Chair Tuck: Ms. Kelly?

Ms. Kelly: I'm going to ask for a clarification. Do you mean a statewide average or an individual compactness score?

Rep. Fabricio: Thank you. Which congressional district has the lowest compactness score if you rank compactness scores from top to bottom?

Vice Chair Tuck: Ms. Kelly?

Ms. Kelly: So, it'll take me a second to go through my list. I will answer your question. I would like to say, though, there is not one compactness score that is superior to another, and they're to be viewed in context of one another, and I'll further elaborate on that. Each compactness score, you can think of it as measuring a slightly different component of the district. So, for instance, if you remember back to some of the presentations we did during the interim committee weeks, your REOC score measures the more circular a district is, the higher your REOC score will be.

For a Convex Hull score, you can think of it as perhaps putting a rubber band around that district, and the more it's filled out, the higher that score will be. And the Polsby-Popper score oftentimes measures a lot of the indentations in the overall perimeter of the district. So, I do need a minute to get that answer for you, and I will get that answer for you, but I want to elaborate that whenever we're ranking compactness scores, it's more just, I think, as a data point and a much bigger plane of analysis. But we'll get that answer for you right now.

Vice Chair Tuck: Members, additional questions? Ranking Member Skidmore.

Rep. Skidmore: Thank you, Madam Chair. I think we're very interested in CD26 today. A few weeks ago, when we took up the house maps on the floor, Rep. Joseph had a series of questions, and I kind of want to revert back to some of them. I remember Chair Leak, he didn't want to go into a deep rabbit hole, but these questions are not typical. So, Rep. Joseph asked if the House analysis involved ecological regression or inference analysis to determine the level of minority cohesion. And White block voting, racially polarized voting, Chair Leak said yes, but he didn't say what the outcome of those analyses were.

So, as applied to the congressional map, specifically in South Florida, does the House have an analysis of minority cohesion, White block voting, and racially polarized voting in the benchmark Latino majority districts of South Florida or in the Miami-Dade area, just generally speaking?

Vice Chair Tuck: Chair Sirois?

Chair Sirois: Thank you, Madam Chair. If I could just have a moment. I'm sorry, Madam Chair.

Vice Chair Tuck: Ranking Member Skidmore, can you repeat your question?

Rep. Skidmore: Sure. I won't go through the whole setup, but the specific question is, as applied to the congressional map in South Florida, does the House have an analysis of minority cohesion, White block voting, and racially polarized voting in the benchmark Latino minority majority districts of in South Florida or in Miami-Dade, generally speaking?

Vice Chair Tuck: Chair Sirois?

Chair Sirois: Thank you very much, Madam Chair. I want to begin by answering that the Florida Supreme Court has recognized that the only performance measure is the functional analysis test. The data that you're referring to that Chair Leak spoke to on the floor, is some of the advanced statistical analysis that legal counsel has assisted the House with conducting. I would ask, Madam Chair, that Ms. Kelly may have something to add on that subject. Okay, we're good. Thank you, Madam Chair.

Vice Chair Tuck: Follow-up?

Rep. Skidmore: Thank you, Madam Chair. So, the data exists, but we're just not privy to it?

Vice Chair Tuck: Chair Sirois?

Chair Sirois: Thank you, Madam Chair. That data is an expert analysis that was performed at the request of the legal counsel that is advising the House on the redistricting process. So, the information that is a

part of that relationship, is a part of that contract, is retained by outside counsel.

Vice Chair Tuck: Follow-up?

Chair Sirois: I would just add, I'm sorry, that information is not retained with the House of Representatives.

Vice Chair Tuck: Follow-up?

Rep. Skidmore: Thank you, Madam Chair. Is there any cohesion of voting data that is available to us?

Vice Chair Tuck: Chair Sirois?

Chair Sirois: The functional analysis performs exactly the kind of feedback that you're referring to. That's the analysis that the court requires to be performed, is a functional analysis. So, beyond that, I'm not able to answer your question.

Vice Chair Tuck: Follow-up?

Rep. Skidmore: Thank you, Madam Chair. Are there any reports, conclusions, or analysis regarding cohesion that have been conducted that would be able to be shared with us? I know Chair Leak said that the average person isn't going to want to go through this, but is there anything that has been reported or memos or anything that would help us understand cohesion?

Vice Chair Tuck: Chair Sirois?

Chair Sirois: There are no formal reports that exist at this stage of the game in anticipation of litigation. What I would add is that the Florida Supreme Court requires the completion of a functional analysis. We have done that, and that information is contained in your packet.

Vice Chair Tuck: Additional questions, members? Representative Fabricio?

Rep. Fabricio: Just following up to see if the data that I requested was available.

Vice Chair Tuck: Ms. Kelly, if it's okay, we'll go ahead and take Representative Joseph's questions when we come back.

Ms. Kelly: Yeah, absolutely.

Vice Chair Tuck: Representative Joseph?

Rep. Joseph: Thank you, Madam Chair. I guess it's more of like a request, we can work on it later as we work through the maps thing. Actually, let me back up. It seems that the House took away a benchmark Hispanic district, or the new map proposed, that crossed the Everglades from Dade to Collier. And I'd really like to see how we could avoid crossing the Everglades because it's been a practice of doing that since the 2016 court-ordered Senate map. And as we continue working on the maps, I'd like to see how we can preserve that because I actually think it would make it more Tier 2 compliant. So, that's more of a request than a question. So, there you go.

Vice Chair Tuck: Chair Sirois?

Chair Sirois: Thank you, Madam Chair. Congressional District 26 remains a protected Hispanic district, so I'm not sure what it is that you're referring to.

Rep. Joseph: My apologies. Thank you. I described it wrong. So, when I say that, I'm talking about the benchmark district that crossed from the Everglades to Dade and Collier. So, not that it eliminated. I totally misspoke on that. I don't believe it eliminates the Hispanic district, but I thought that something was moved, maybe I'm mixing them up. There was a Hispanic district down south that was moved somewhere else in Florida.

Vice Chair Tuck: Chair Sirois?

Chair Sirois: Thank you very much, Madam Chair. And I think that the district that you were referring to was in the house map for state legislative districts.

Rep. Joseph: Just kidding. All right.

Chair Sirois: And no, don't apologize. Believe me when I tell you that I understand all this stuff starts to run together after a while. So, I appreciate where you're coming from.

Rep. Joseph: So, thank you. What I'm really trying to say, forget the house map and that district moving, is preserving the lines and trying to uphold or maximize the Tier 2 criteria. I think in doing so for there, and I see staff shaking their head, I think we might be able to achieve a map that does that in a way that protects that area and does not have a negative impact on Tier 1 and all of that good stuff. So, there you go. Thank you.

Vice Chair Tuck: Chair Sirois?

Chair Sirois: Thank you very much, Madam Chair. I would welcome that conversation with myself, staff, Chair Leak. And I think that's something that we can look at as we move forward through the committee process.

Vice Chair Tuck: And Ms. Kelly, you're recognized to answer Representative Fabricio's question.

Ms. Kelly: Thank you, Madam Chair. And thank you for giving us time to pull that data. So, I'd like to go through each compactness score. We were able to identify the district that has the lowest compactness scores and give it in context of that region as a whole. So, whenever we're looking at the lowest REOC score, we're looking at CD3 and it has a 0.11. It's Polsby-Popper score is 0.10, but I'd also like to point out that it's Convex Hull score is 0.63, which is right around the average for the state.

Moving into the Convex Hull score, that one's lowest rate is on CD28 with a 0.56. Again, making sure I provide it in context, the REOC score on that is 0.21 and then 0.24 for Polsby-Popper. Going back to the Polsby-Popper score, again, CD3 is there at 0.10. And again, just to remind everyone in context, it's Convex Hull score is up near the average of the rest of the state as well. Thank you. Hopefully, that answers your question.

Vice Chair Tuck: Members, additional questions? Oh, Ex-Officio Davis.

Rep. Davis: Thank you, Chair. And thank you, committee, for allowing me to be here this morning. Just a question. You may have answered it along the way, but we are talking to the general public. So, could you be clear in the sense of the difference between a functional analysis and the performance analysis for me, please?

Vice Chair Tuck: Chair Sirois.

Chair Sirois: Thank you very much, Madam Chair. Representative, thank you for the question. And I think it's important that words do matter because what we're talking about here is the functional analysis. And a functional analysis provides information related to performance. And that helps us understand as to whether or not our obligation to identify and to protect protected districts remains in effect. So, I'm happy if you want some more detail on the functional analysis process, I'm happy to provide that. But I think that answers your question.

Vice Chair Tuck: Follow-up?

Rep. Davis: Somewhat. I asked for the difference between the functional analysis and the performance analysis of the district. So, you did answer the functional analysis, but the performance analysis is what I'm waiting for now.

Vice Chair Tuck: Chair Sirois.

Chair Sirois: Thank you, Madam Chair. Thank you, Representative Davis. It's the same thing. And if I could, Madam Chair, I'd ask Ms. Kelly to elaborate.

Vice Chair Tuck: Ms. Kelly, you're recognized.

Ms. Kelly: Thank you, Madam Chair. Thank you, Chair Sirois. Thank you, Representative. Sometimes I feel like those terms may be used interchangeably because the functional analysis alludes to the performance ability of a minority group to elect a candidate of its choice. So, Chair Sirois, just piggybacking off of what you said, I believe what you're asking about is in fact the same analysis, the same data set. It just may be commonly referred to differently.

Rep. Davis: Thank you. That cleared it up. Interchangeable terms. I appreciate that. So with that, and we were talking about the cohesiveness of the districts, how did you apply the non-vote dilution standard when drafting these maps?

Vice Chair Tuck: Chair Sirois?

Chair Sirois: I would ask Ms. Kelly.

Vice Chair Tuck: Ms. Kelly, you're recognized.

Ms. Kelly: So, the provision that you're alluding to is a provision that's in our Tier 1 of requirements that says you cannot deny or diminish the ability of a racial or language minority group to elect a candidate of their choice. So, when doing the functional analysis, one of the components of that is ensuring that that protected district doesn't have a diluted ability to elect a candidate of their choice, which is why as we've recreated these districts, we've recreated them at several similar levels to where the benchmark districts are.

The courts have said a lot over the years as far as being able to drop different data points too low or perhaps too high. And so, we've made an effort to make sure that those minority populations don't have a diluted ability or diminished ability to elect a candidate of their choice in complying with our Tier 1 standards.

Vice Chair Tuck: Follow-up?

Rep. Davis: Just kind of a variety of questions. And so, with another process, how did you identify the process by way of your Voting Rights Act and Tier 1 protected districts and the benchmark map? And did you run that process on all 28 districts?

Vice Chair Tuck: Chair Sirois?

Chair Sirois: Thank you, Madam Chair. Representative, I may ask you to be more specific, but I will tell you that the PCB that as presented before you today is in full compliance with our state constitution, state and federal law, judicial precedent ruling by the court, and that would include the Voting Rights Act.

Vice Chair Tuck: Follow-up?

Rep. Davis: Thank you for that answer, Chair. And the question that I was asking was the process as to how we identified by way of the using the Voting Rights Act and the Tier 1 protections to get to that. I think you've answered it, and I appreciate that. I'm saying that you feel like these maps are completely legal and compliant with constitutional standards. So, thank you for that answer.

Vice Chair Tuck: Seeing no additional questions. Representative Joseph?

Rep. Joseph: Thank you, Madam Chair. For CD24, I see that it's shifted all the way east where it wasn't that way, can you walk us through kind of what went into that? I know it had to do with making sure that CD27 was okay in terms of meeting the Tier 1 criteria, but talk to us a little bit more about what happened there.

Vice Chair Tuck: Chair Sirois?

Chair Sirois: Thank you, Madam Chair. Thank you, Representative, for the question. I would ask Mr. Poreda to provide an explanation.

Vice Chair Tuck: Mr. Poreda, you're recognized.

Mr. Poreda: Thank you, Madam Chair. That district is a protected Black district. Its percentage is maintained. Its Black voting age population in the benchmark was about 43%. In the district you see before you, it's about 42.5%, 42.2%. It was brought over to that population so it wouldn't impact District 26, 27, or 28, which are all protected districts, in addition to adding population to all three districts to achieve our new ideal population for congressional districts.

That was simply where the population was in an effort to also, where we could, take those Tier 1 districts and make them a little bit more Tier 2 compliant and create a more compact shape.

Vice Chair Tuck: Seeing no more questions, we are in amendments. Are there any amendments? Representative?

Rep. Fabricio: Thank you, and I apologize for jumping in late there. In

determining the importance of the compactness scores, we have REOC, Convex Hull, and the Polsby-Popper. Does any one of those three different compactness components have any different kind of weight over another, or are they looked at in the aggregate?

Vice Chair Tuck: Chair Sirois?

Chair Sirois: Thank you, Representative. The answer to your question is no, and that's why they have to be used in context and looked at across the board.

Vice Chair Tuck: Follow-up?

Rep. Fabricio: So, if you have a particular congressional district that has two compactness scores that are exceedingly low, and one that happens to be about average, how would that analysis weigh out?

Vice Chair Tuck: Chair Sirois?

Chair Sirois: Thank you, Madam Chair. You have to look at in the context of the entire map. Yeah, and Ms. Kelly, would you like to add something?

Vice Chair Tuck: Ms. Kelly, you're recognized.

Ms. Kelly: Thank you, and I agree with what Chair Sirois said. I'd also like to add, compactness is one of our Tier 2 standards, but it's not the only Tier 2 standard. So, within that as well, you have to balance political and geographical boundaries. So, we're looking at riverways, waterways, county lines, incorporated municipality lines. So, it's not just, again, compactness scores as a sole analysis. It's within the context of our Tier 2 standards, as well as the consideration that that is secondary in nature always to our Tier 1 standards.

Vice Chair Tuck: Follow-up?

Rep. Fabricio: And in that group of additional Tier 2 standards, would one of the other considerations be unnecessary appendages?

Vice Chair Tuck: Chair Sirois?

Chair Sirois: Thank you, Madam Chair. I think I would ask you to explain what you view as being an unnecessary appendage because oftentimes, when you see those in the context of a congressional district, it may be a municipal boundary or some kind of other feature which requires us to incorporate into the district boundary.

Vice Chair Tuck: Follow-up?

Rep. Fabricio: For example, Gadsden County in the western edge of CD3.

Chair Sirois: I'm sorry, Madam Chair.

Vice Chair Tuck: You're recognized.

Chair Sirois: Could you repeat that?

Rep. Fabricio: For example, Gadsden County on the western edge of CD3.

Vice Chair Tuck: Chair Sirois, you're recognized.

Chair Sirois: Thank you very much, Representative. Gadsden County is a part of a majority-minority protected district. So, I don't understand in an effort to protect that district, I don't understand how you view that as an appendage. Maybe you could elaborate.

Rep. Fabricio: I understand. It just seems that it's linked up through a very slim sliver of land there.

Chair Sirois: I'm sorry, Representative. Could you repeat that into the microphone?

Rep. Fabricio: I'm sorry. Can you hear me now? It seems to be linked to the rest of CD3 through a very slim sliver of land.

Vice Chair Tuck: Representative, was there a question in there?

Rep. Fabricio: I believe the Chair asked me to elaborate why I considered the Gadsden County portion of CD3 to be an appendage.

Vice Chair Tuck: Chair Sirois?

Chair Sirois: Ms. Kelly, would you like to weigh in?

Ms. Kelly: Yes, thank you, Chair. Thank you, Chair. So as far as an appendage goes, whenever you look at the Gadsden County connected to Congressional District 3, Gadsden County in its entirety is connected to Congressional District 3. So, usually whenever you, in the context of redistricting, talk about appendages or I believe the courts have used the phrase tortured shapes, things that would be abnormal to the visual eyeball test of compactness, a whole county being included in a district is very in line with the rest of the methodology that we've applied across the map.

There's several districts that include whole counties. And again, I'll reiterate, District 3 has Tier 1 protections. Gadsden County is Florida's only majority-minority Black county in the entire state. Which goes into part of that Tier 1 consideration, which again outranks compactness as a Tier 2 requirement. Thank you.

Vice Chair Tuck: Seeing no more questions, we're in amendments. Are there any amendments on the PCB? Representative Hunschofsky in questions.

Rep. Hunschofsky: Thank you very much. Going back to the section that my colleague is so concerned about, Congressional District 3, could you go again through how many counties were kept whole and cities were kept whole in that district? Because those are also Tier 2 and I wasn't sure how many were kept whole in that area. Mr. Poreda, you're recognized.

Mr. Poreda: Thank you, Madam Chair. That district contains four whole counties. Those are the counties of Gadsden, Madison, Hamilton, and Baker counties. In addition to that, it has portions of Leon County, Jefferson County, Columbia County, and then Duval County. That district has all of the municipalities that would be in those whole counties. It then also splits the City of Tallahassee, the City of Lake City, and the City of Jacksonville.

Vice Chair Tuck: Follow-up?

Rep. Hunschofsky: And when we were going through the Tier 1 and Tier 2, in the Tier

1, I just want to confirm, is it true that Tier 1, they're all held equally or we have to prioritize one of the Tier 1 over another?

Vice Chair Tuck: Chair Sirois?

Chair Sirois: Thank you, Representative Hunschofsky. They are equal within the Tier.

Vice Chair Tuck: Follow-up?

Rep. Hunschofsky: And the Tier 1 always comes before the Tier 2 when we are weighing this, correct?

Vice Chair Tuck: Chair Sirois?

Chair Sirois: Thank you very much, Representative Hunschofsky. Yes.

Rep. Hunschofsky: Yeah, I was paying attention. And then lastly, I have brought up several times ad nauseum on this committee how important I think it is to keep cities and counties as whole as possible, having come from municipal office. So, but is it true that when we're looking at those Tier 2 standards, we can also choose when looking at the totality of it and what we're trying to accomplish and that there's a good representation in each of these districts, that we can choose, for example, to prioritize keeping counties and cities whole over prioritizing compactness.

Is that within our option on those Tier 2 or do we have to go in the order that they were presented to us?

Vice Chair Tuck: Chair Sirois?

Chair Sirois: Thank you very much, Madam Chair. On the issue of city splits, and I know that that is important to you and you've raised that consistently throughout this process. And I think you should be proud of the progress that this map makes in that regard because we improved in the benchmark map, there were 39 city splits in the PCB before you today, there are 27. So, we have made some improvement in that regard. If there are additional areas of the state that you would like to make some recommendation in terms of perhaps a way we could further reduce the number of city splits,

I'm happy and I can speak for Chair Leak in saying we're happy to continue to have that conversation with you.

I would ask also if you could repeat and clarify the second part of your question.

Rep. Hunschofsky: Yeah, I just wanted to make sure, I'm asking that we are allowed to prioritize within the Tier 2, we can make the choice to prioritize keeping more counties and cities whole than compactness. Are we allowed to do that?

Vice Chair Tuck: Chair Sirois?

Chair Sirois: Within Tier 2, each of those receive equal consideration.

Rep. Hunschofsky: Okay, thank you. All right, last chance. Seeing no more questions. All right, Members, we are in amendments. Are there any amendments on the PCB? Seeing none, we are now in public testimony. I would remind all speakers to keep their comments on topic and to the constitutional standards as the maps we were voting on today must be in alignment with these standards. First up, Robert Popper, Judicial Watch. Thank you for being here. You're recognized.

Robert Popper: Thank you, Madam Chair. Good morning. My name is Robert Popper. I am a voting specialist at Judicial Watch. Judicial Watch is a Washington, DC, nonprofit devoted to transparency, accountability, and fidelity to the rule of law. I'm here to testify in particular about the constitutional status and what I view as potential infirmities of District 3. I've been a litigator for 32 years and I've worked on voting issues for much of that time. I've submitted written testimony, which I believe was emailed to the committee.

I also understand that revised statistics were sent to the committee, not by me, but I do understand that that needs to be emphasized as well. To summarize my testimony in my written statement, District 3 was drawn on the basis of racial considerations as I believe the Florida Supreme Court acknowledged and as I believe this committee would frankly acknowledge. That puts it in a difficult position in terms of federal law. Its boundaries correlate with

African-American populations in Duval County and Leon.

And one of the points I'd like to emphasize is that I believe that it violates traditional districting criteria. That is a specialty of mine. I am the Popper of the Polsby-Popper criterion. Professor Polsby and I developed that criterion 30 years ago to develop and understand the non-compactness of gerrymandered districts. Under the Polsby-Popper criterion that scores a 0.1 or a 10%, that is extremely low. That is low nationally. That is the lowest in Florida. Below 20% for a landlocked district, which District 3 is, is extremely non-compact. It is not the worst district I've ever seen.

But 10 is low and those boundary lines do not contort as they would, for example, if this was the district in the Chesapeake Bay in my home state of Maryland. Those districts are man-made. The contortions are man-made. The district is 200 miles long. It narrows to 3 miles wide. It runs through eight counties and splits four of them. In addition to the Polsby-Popper method of measuring compactness, there is the REOC measurement, which gives it an 11% or 0.11. It is unusual for the Polsby-Popper and the REOC method to agree. Usually the REOC method is more forgiving.

The fact that they agree means that this is non-compact on at least two kinds of scales, the indentations measured by Polsby-Popper, the length to width typically flagged by REOC. It is also the third worst, was my measurement, Madam Chair. Forgive me if I've not calculated that accurately, but by my count, it was the third worst scoring district in the state on Convex Hull. As a practitioner in the area of traditional districting criteria, I do not believe that Convex Hull is that useful of a measurement. It doesn't see too much. If you imagine a rubber band stretched over the outward points of a district, anything that happens internally that doesn't affect the area just is not seen at all.

But that being said, it does not score well on Convex Hull. As I pointed out, it's a landlocked district, which makes the non-compactness harder to explain. And I think we know why the non-compactness exists. It was to connect particular communities to create a particular result. Now, as a race-based district under the jurisprudence of Shaw v. Reno and Miller v. Johnson, the Supreme

Court has determined that the Equal Protection Clause is potentially violated unless the district meets strict scrutiny, unless there is a compelling justification met by a narrowly tailored remedy.

It has been held that Section 2 will not serve as a justification where you cannot create a greater than 50% minority voting age population. That is the case here. It has been held that Section 5 of the Voting Rights Act prior to its becoming unconstitutional, or Section 4 becoming unconstitutional and Section 5 becoming inoperative, prior to that, you needed a specialized finding of particular harm in order to justify that remedy. And I would add that we in the modern age have forgotten what those findings were, including states of the union where minority voting turnout was less than 10%. We don't have that now, but I submit there have not been those findings.

And this is the point I would particularly like to emphasize to this committee. If this district is not narrowly tailored, it will not satisfy strict scrutiny. If it is not compact, it will not satisfy strict scrutiny. The Supreme Court has viewed extremely non-compact districts as not required by federal law. I understand that we are discussing here today Tier 1 and Tier 2 and compactness and traditional districting criteria are Tier 2 under federal law. They are not Tier 2. I'm sorry, Tier 2 under Florida law.

They are not Tier 2 under federal law. It will torpedo the ability of Florida to submit a set of districts that it can call narrowly tailored if the district is submitted, I believe, in its present form. We all know that in a state of this importance, this district is going to end up, the entire map is going to end up in litigation. We know that. I respectfully submit that this committee and this House would want to be holding the strongest hand that it could. District 3, as drawn, will not permit that. Madam Chair, I look forward to your questions.

Vice Chair Tuck: Thank you, Mr. Popper. And we do have a couple of questions. We've had a very transparent process throughout the entire last four months or so. And I just wanted to give committee members a holistic view of the testimony given here today. So, I just have a couple of questions, if you don't mind. Other committee members

do as well. Were you asked to be here by Governor DeSantis today?

Robert Popper: I was.

Vice Chair Tuck: And were you compensated for being here today?

Robert Popper: I was not.

Vice Chair Tuck: And then, can you share with us who you collaborated with in order to prepare for your testimony today?

Robert Popper: I wrote my testimony myself. It's based on my experience. I did talk with lawyers from Holtzman Vogel and Josh Pratt. But I wrote my testimony.

Vice Chair Tuck: Chair Sirois?

Chair Sirois: Thank you, Madam Chair. And good morning, sir. In all my reading, I've seen Polsby-Popper. I expected Professor Polsby to be here with you today, joined at the hip. I always see your names appearing together. Thank you for being here this morning. My question is, you say that the district is not narrowly tailored, but in your testimony, you didn't propose an alternative. Can you point us to a district that does not diminish minority voting ability, but is more narrowly tailored?

Robert Popper: Thank you for the question. I would respond in a couple of ways. The first is that the requirement of showing a district that accomplishes the same thing in a more efficient or more compact way was at one time a requirement in federal court. It no longer is. And I suppose this is a prelude to saying, no, I cannot propose such a district to you. But I would respectfully submit that the Tier 2 requirements of Florida law will be superseded by the narrow tailoring requirement of meeting the strict scrutiny required for this not to be an equal protection violation. I hope that answered your question.

Chair Sirois: Yes, thank you.

Vice Chair Tuck: Representative Perez, you're recognized in questions.

Rep. Perez: Thank you, Madam Chair. As I was looking up your biography before you spoke, which by the way, welcome to the committee, welcome to Florida, I noticed that you used to work for DOJ in I think it's the early 2000s, mid 2000s. Did you ever work with Eric Holder?

Robert Popper: I've met Eric Holder. I guess you could call it working with him when one is subordinate to a subordinate to a subordinate. But yes.

Rep. Perez: And the reason that I asked that is, I'm sure you're aware, as many people are aware, he's part of an organization now that focuses on redistricting in a very partisan way, specifically to make sure that Democrats get elected or favorable redistricting measures in different states. Do you consult or have you consulted with anyone from Eric Holder's group that he currently works with prior to today?

Robert Popper: No, I have not.

Rep. Perez: Thank you.

Vice Chair Tuck: Representative Clemmons, you're recognized in questions.

Rep. Clemmons: Thank you. And I've read your report, your resume that you sent in earlier and you have a very impressive level of expertise. I'm just curious, though. What state do you reside in?

Robert Popper: Maryland.

Rep. Clemmons: So, you reside in Maryland. And I think previously you were asked if you were compensated and you responded that you were not. Can you share with us today of the expenses, your hotel, your travel, are you absorbing those expenses yourself or will you submit a reimbursement to anyone for those travel expenses?

Robert Popper: Thank you. I must clarify based on what you're saying. That's true. It's my understanding that we will be compensated. I would say that we offered to forego that. But yes, my understanding is that my flight and my hotel will be compensated by the Governor's Office. That's my understanding.

Rep. Clemmons: Follow up, Madam Chair. There's no doubt that you are an expert in these matters and I do applaud you for being here today. My follow up question would resolve in have you offered this level of testimony in any other state, any other redistricting committee to date?

Robert Popper: Missouri long ago. Not on gerrymandering, on different topics.

Rep. Clemmons: So, in the 2022 census and redistricting throughout the nation, this is the only committee that you have testified in front of to share your level of expertise.

Robert Popper: That is correct as far as committees go. But we are suing the state of Maryland over their gerrymandering. And in fact, I'll be going to trial on March 15. So, that will be a process I'll be engaged in.

Rep. Clemmons: I think maybe this is the last one. So, when you say we, are you talking about your law firm?

Robert Popper: I'm talking about Judicial Watch.

Rep. Clemmons: Judicial Watch. That concludes my questions. Thank you and thank you for being here.

Vice Chair Tuck: Thank you, Representative. Mr. Popper. As you know, in the last decade, we've had some landmark redistricting cases in Florida law. So, as it relates to Florida case law, do you agree with Chief Justice Kennedy's dissenting opinion where he described this diminishment?

Robert Popper: And you're talking about the Fair Districting Amendments and the Florida Supreme Court's determination on those amendments. I'm not an expert in Florida law. I understand the decision. I understand that it's meant to be, in many ways, an analog or even governed by the federal authority that pertains to Section 2 and Section 5 of the Voting Rights Act. In that respect, if they follow, if the Florida courts follow, a federal law, one would expect that a non-compact district would not satisfy the requirements of these state analogs of the federal statute. Now, I don't say that as a Florida practitioner.

I'm not licensed in Florida. I'm not as familiar with Florida law. My familiarity is with federal law.

Vice Chair Tuck: Thank you for that answer. And so, are you aware of any court's interpretation of Section 5 that requires a district to be compact?

Robert Popper: Thank you for the question. No, I'm not aware of any federal court decisions that state that it must be compact. But I am aware of Miller v. Johnson's Supreme Court decision indicating that a district that was not compact was not required by federal law. There's a lot of interpretation from the fact that non-compact districts were not permitted to fulfill certain roles. And I know of no exceedingly non-compact district that has been used to justify a compelling explanation or justification that's narrowly tailored to allow a race-based district to be drawn in a congressional race.

Vice Chair Tuck: So, just keeping our focus on diminishment for a minute, do you agree that going from the current CD5 to the proposed governor's district diminishes the ability to elect?

Robert Popper: I'm sorry, I didn't hear that.

Vice Chair Tuck: Oh, sorry. So, just focusing still on diminishment, do you agree that going from the current CD5 to the proposed governor's district will diminish the ability to elect?

Robert Popper: I can't speak to that, Madam Chair, as an attorney. I can speak to it as an individual. And when you're talking about less than 50%, it's not clear. It's not clear to me as an individual, not as an attorney. But there's federal case law suggesting, well, there's federal case law stating that a crossover district in which there is minority participation that's less than 50% does not satisfy Section 2 of the Voting Rights Act. It's Bartlett v. Strickland. There's also an indication in Perry v. Perez that the same restrictions would apply to a district drawn under Section 5. But again, it's one of those backwards implications where the court simply says, these districts were not required.

And there they're talking about a coalition district, which is a couple of minority groups together combining to exceed 50%. The crossover district is a minority group combining with White voters

to exceed 50%. If you just have a minority-minority district, I'm not sure what that accomplishes. As a practical matter, it does create something of an influence district. But does it diminish minority influence in surrounding districts? It's ambiguous. But that's not my call.

Vice Chair Tuck: Thank you. Chair Sirois.

Chair Sirois: Thank you, Madam Chair. Can you tell us, did you explore alternative district configurations and perform the required functional analysis to determine whether a more compact district could have been drawn without diminishing the minority's voting ability?

Robert Popper: Representative Sirois, I did not.

Chair Sirois: Thank you, Madam Chair.

Vice Chair Tuck: Representative Fabricio, you're recognized.

Rep. Fabricio: Thank you, Madam Chair. Earlier in the question and answer that I was involved in, I asked about the relevance of compactness. And one of the responses that I heard was that compactness is also a factor of the surrounding districts. And in light of CD3 having a Polsby-Popper score of 0.10, what would be your analysis of that low score in light of the surrounding districts?

Robert Popper: Thank you for the question. The surrounding districts are always affected by a non-compact district. But they're not as directly affected. One can have non-compact districts surrounded by compact districts. There tends to be some spillover, particularly as districts become serrated and indented on a small scale. But at the same time, often it's a smaller district affecting a larger one, and the effect on compactness is muted. It's not always clear that changing a non-compact district will affect the districts around it. That being said, it can.

But where you have a district that is so low, when you have an average of, I believe it was 37% Polsby-Popper, and you have a district scoring 10, you could increase that district. It doesn't have to just speak like someone who has sat at a computer and tried to

draw districts. It doesn't have to be jammed up against the border like that. Those are man-made district lines. Look at District 1. Also, jammed up against the border and against the natural boundary. That's a compact district. Does that answer your question?

Vice Chair Tuck: And Mr. Popper, does the state of Florida's shape affect the compactness?

Robert Popper: It doesn't affect the compactness, Madam Chair of District 1. I mean, that's a flat border that it's pressed up. I'm sorry, District 3. That's a flat border. I reside in Maryland, and districts around the Chesapeake Bay are naturally non-compact because the Chesapeake Bay is non-compact. At the same time, you can see what's man-made. There's a current district in Maryland that goes across the Bay Bridge to connect Anne Arundel County to the eastern portions of the state. That didn't have to happen.

And the district that we're looking at in District 3, particularly the indentation in the western part of the state heading north where it narrows, that didn't have to be that way.

Vice Chair Tuck: Thank you. And just to provide full clarity for the committee members here, we seem to be focusing on about two of the three compactness score methodologies, even though there's over thirty measures of compactness. So, can you provide any stats on all of these 30 measures of compactness?

Robert Popper: No, Madam Chair. I can tell you that the social sciences tended to focus on Polsby-Popper, REOC, sometimes Total Perimeter, and sometimes Convex Hull. For the reasons I've given, I don't believe Convex Hull is a very good measure. I do think that there are things captured by REOC that are not captured by Polsby-Popper. I do believe there are things captured by Polsby-Popper that are not captured by REOC. I believe as a professional in this field that one should focus on those two measures. But there are many measures.

And one can see, if the chair has any particular one in mind, one can see how they do and don't work. I mean, there's a measure that you look at north-south divided by east-west. Well, that doesn't see a lot of convolutions that can occur in the middle. The REOC score

doesn't necessarily see serrations on a smaller level while Polsby-Popper does. But the REOC score is particularly good at picking up a district that stretches. And as I pointed out, it is unusual for those two scores to agree to this extent. Usually the REOC score is more forgiving.

Vice Chair Tuck: Now, are you aware of which methodology was endorsed by the Supreme Court in the last redistricting cycle?

Robert Popper: We're speaking about the Florida Supreme Court. I was, Madam Chair. I forget.

Vice Chair Tuck: That's fine. Thank you. Keep on going if that's okay.

Robert Popper: Please.

Vice Chair Tuck: Representative Giallombardo, you're recognized in questions. Representative Harding in questions.

Rep. Harding: Thank you, Madam Chair. And thank you for being here. I appreciate your experience and expertise you bring. And I would also preface this question by saying I come from a rural part of Florida where the large and long districts are something that we are used to. And it's definitely a different perspective on this. If you view current Congressional District 5 as racially gerrymandered, are you aware of any court decision holding a state constitutional provision that protects minority voting rights that is insufficient to justify the use of race to draw a district?

Robert Popper: Well, no, no. But I am aware of Miller v. Johnson talking about Section 2 and Section 5. Diaz v. Silver talking about Section 2 and Section 5. Cooper v. Harris talking about Section 2. And these are federal statutes that didn't do the job. Under the Supremacy Clause, I would imagine that the Tier 1, Tier 2 requirements of federal law would be in an even weaker position, but no.

Vice Chair Tuck: Representative Hunschofsky in questions.

Rep. Hunschofsky: Thank you, Madam Chair. I'm not an attorney, so please forgive me in my elementary way of asking this question. You talk about compactness and how important it is from a federal law standpoint.

When looking at federal law, in your opinion, is compactness more important than having an equal opportunity representation in our districts?

Robert Popper: I suppose my answer would be that I don't think that they're pitted against each other in the same way that they are under Florida law. Compactness arises in the legal framework I'm talking about at the tail end of an analysis of a race-based district violates the Equal Protection Clause unless it satisfies strict scrutiny. It satisfies strict scrutiny if there's a compelling justification that is narrowly tailored to achieve its object.

And there in the narrow tailoring is where the Supreme Court has said, "This doesn't work." So, they're not aligned in the same sentence or in the same provision as they are in Article 3, Section 20 of the Florida Constitution. So, as important is a difficult question.

Vice Chair Tuck: Follow-up?

Rep. Hunschofsky: Thank you, Madam Chair. So, again, I'm not an attorney and your focus on compactness is just kind of as a lay person made me incredibly curious that that seems to be, and I understand, with your last name and everything, why it is your focus. But in the reality, we're here big picture trying to weigh what is best for the residents of the state of Florida and representation, Florida's representation. You mentioned the term compelling justification. Do you believe there is a compelling justification to have less access for racial or language minorities to less access and less ability to elect their representatives of choice?

Do you believe there's a compelling justification to have less of that and more in favor of more compactness?

Robert Popper: Thank you for the question. I think I can address it both as a lawyer and as a non-lawyer. As a lawyer, under Section 2 of the Voting Rights Act, even under Section 5, it is possible to show the strong basis in evidence that permits that compelling justification that, for example, a district drawn to enhance and equalize the opportunity of minority populations to elect their candidates of choice. This is all very much as a lawyer, that can justify a race-

based district. It has been held to be that that can happen. I'm saying that it's unlikely to happen with a district that looks like this.

As a layperson, I think that's an entirely ambiguous question, just in the sense of 42% Black voting age population in District 3 or 44%, as I believe the state's figures. Is that going to lead to more representation of the kind that you're talking about than 10% in 4 districts? It's not clear, particularly when the 44% comes from other districts which now have less Black population. Speaking as a non-lawyer, it's not clear as a politician, I guess, it's not clear what that does. So, I wouldn't say that that's a compelling explanation unless it's explained further.

Vice Chair Tuck: Follow-up?

Rep. Hunschofsky: I'm not an attorney, but I, too, am just a regular person. And I'm asking this question because this is the question that we're faced with when we're making these decisions. This is a balancing act, as I think we've heard from everybody. So, I ask again, if the two do come into conflict, what we see is the Tier 1, we're not allowed to deny their or bridge the equal opportunity for racial or language minorities to participate in the political process or to diminish their ability to elect a representative choice, or districts shall be compact. If the two come in conflict, which wins out in law, in your opinion?

Robert Popper: In law, that's a matter of Florida law. I can't tell you, I don't know. And I think there's some speculation about what the Florida Supreme Court would do with that question. In federal law, the district's in trouble. In federal law, it's not going to come down to that way. And I shouldn't presume to be in your difficult position, making these difficult choices. And I don't mean to do that and second guess you on that. When I talk as a politician, I think I'm talking out of turn. I should talk only as a lawyer. And talking as a lawyer, this district's going to have problems in federal court.

If I had a client, I would counsel them that way. And it's going to have problems as a question of narrow tailoring. And they, the federal court, are not going to care to the same extent that the Florida Supreme Court cares about Tier 1 and Tier 2. They're

going to view it as not narrowly tailored. That's my prediction. Did that answer your question?

Rep. Hunschofsky: Not really, but thank you.

Robert Popper: I would like to answer your question. Madam Chair.

Vice Chair Tuck: Representative, are you good, Hunschofsky?

Rep. Hunschofsky: Madam Chair, I've asked my question in several ways and it's the same answer. So, yes, I'm good. Thank you. And I appreciate your indulgence on that.

Vice Chair Tuck: Mr. Popper, do you agree that protecting a minority voting ability from diminishment is a compelling state interest?

Robert Popper: It can be, yes. If it's accomplished, Madam Chair, with a narrowly tailored remedy, yes.

Vice Chair Tuck: So, in that case, do you believe there should be any minority districts in North Florida, whether protected by state law or federal law?

Robert Popper: Madam Chair, you're asking me to act as a politician. I mean, I think my testimony, the thing that I am an expert in, I guess everyone's an expert in their own opinions, but the thing that I am an expert in is traditional districting criteria and narrow tailoring of districts and there's a problem. It's a difficult weighing the kind of thing you all do.

Vice Chair Tuck: Thank you. Representative Joseph in questions.

Rep. Joseph: Thank you, Madam Chair. So, how many compact metrics are there that you're aware of?

Robert Popper: There are a lot, Representative Joseph.

Rep. Joseph: Estimation?

Robert Popper: So, 20, perhaps, or 30.

Rep. Joseph: So, 20 to 30?

Robert Popper: Yeah.

Rep. Joseph: And some are better than others, correct?

Robert Popper: One is best, but yes.

Rep. Joseph: The one that you believe is best, I would assume that's yours, yeah?

Robert Popper: It does happen to be that, yes.

Rep. Joseph: Okay, so since it happens to be that and you believe that it's best, talk to the committee about some of the infirmities of that particular method?

Robert Popper: Well, that's an interesting question.

Rep. Joseph: Yes, it is.

Robert Popper: I think what it does is a number of things and perhaps as I'm discussing what it does, I can pick out the infirmities. What it definitely does is it arrays along a scale. So, more is more and less is less. There are some measures of compactness that just don't see certain kinds of contortions. For example, the REOC score. If a district was generally compact but there was a spike oriented down, it would score that as better because the circumscribing circle would be smaller than if that same spike were heading due east. There's no logical reason for that.

The person drawing a map who's trying to gerrymander might want the spike to point in any particular direction. That's a problem with the REOC score. Polsby-Popper doesn't have that problem. That spike score is exactly the same in both scenarios. I suppose focusing on the REOC score, it very much captures when a district is long, when a district is wandering. Just the whole district is shooting through the state. Polsby-Popper may not capture that as well. Polsby-Popper captures indentations and Convex Hull doesn't capture them at all. In my opinion, it barely captures.

Rep. Joseph: Thank you. Follow up? So, you compared and contrasted the REOC score with the Polsby-Popper score. What about its infirmities compared to any of the other metrics for compactness that can be used? Are there any other ones that are superior to yours, in your opinion, or that you've heard or heard criticized about that exceed your metric in any way, shape, or form?

Robert Popper: I do not believe so. There's one qualification I would make. No one has perfectly compact districts. It would wreak havoc on political subdivisions, on communities of interest. You can't have a honeycomb of hexagons. We can't be silly about it. But if the minimum district length were perfect, that would be a perfectly compact set of districts. That's the aggregate of all district lines added up to total.

Rep. Joseph: Thank you, Madam Chair, and thank you for the response. My next question is following up on that, in your opinion, none of the other ones come close to yours, it sounds like other than maybe REOC on that one point of length. To your knowledge, have there been any individuals, entities, organizations, court opinions, policy folks who have criticized or identified other infirmities in your metric versus the other alternatives?

Robert Popper: No courts. No courts. I would say that courts typically rely on Polsby-Popper, REOC, and Convex Hull. And bear in mind, that's what the Florida legislature has done. So, I guess my response as a professional would be that you're very much in the right ballpark. These are the ones that you should be looking at. I know of no court that's criticized REOC or Polsby-Popper or Convex Hill.

Rep. Joseph: Aside from courts?

Robert Popper: Yeah, there are commentators. I mean, commentators are all over the map. There are commentators who don't believe that there is such a thing as gerrymandering. Many of them have advised the United States Supreme Court, but there are state courts that think differently. There are commentators that have incredibly complicated mathematical expressions of compactness involving minimum distance from the center of gravity and then minimum distance from the center of gravity of population. And it can get absurd and certainly well beyond my mathematical abilities. And

thank you for allowing me to get this much in the weeds.

No one else on earth would want to hear me talk about these things. But I appreciate your interest.

Vice Chair Tuck: Representative Joseph, if it's okay, we have two more members that want to ask questions. Can we move on?

Rep. Joseph: Sure.

Vice Chair Tuck: Representative Perez in questions.

Rep. Perez: Thank you, Madam Chair. I want to follow up on a question that was asked by Representative Harding that had to do with if there were any state court decisions that said race could not be used in drawing a district. I think he had asked you that question. I think you said that you were not aware of any. Assuming that that premise is correct, or would it be fair to say that the 14th Amendment would invalidate Fair Districts Amendment, specifically the prohibition on not diminishing the ability of minority communities to elect a candidate of their choice?

And if it doesn't, assuming that that isn't true, if it does not, then why is complying with the Florida Constitution not a compelling state interest?

Robert Popper: It absolutely can be a compelling state interest, just as it could have been when it was operative. The compelling state interest to comply with and enforce Section 5 of the Voting Rights Act. It could be. It depends on the remedy. The remedy has to be narrowly tailored. I do not suggest, and my testimony is not to suggest, that the Fair Districts Amendment would be unconstitutional in all its applications. It absolutely wouldn't. It could justify a race-based district. It could. My testimony is just that it doesn't, not with this district.

Vice Chair Tuck: Representative Davis in questions.

Rep. Davis: Thank you. Kind of a sidebar. Thank you, Madam Chair. You mentioned earlier, as I was noting, that you reside in Maryland.

Robert Popper: I do.

Rep. Davis: And so, you were offered, or told you would be compensated your flight and hotel by the Governor's Office, correct?

Robert Popper: That's right.

Rep. Davis: Could you just tell me, and I'm just curious, how often are you invited to states to testify on the redistricting process itself by a governor?

Robert Popper: This would be the first. This would be the first.

Vice Chair Tuck: Follow up?

Rep. Davis: Thank you, Madam Chair. Is that unusual, in your opinion, to be asked to come and testify about a redistricting process that you've heard my colleagues say that we're trying to keep this as transparent as possible? Is this unusual, in your opinion, for a governor's office to reach out to you to testify on the redistricting process itself?

Robert Popper: Representative, I don't believe so. I've testified on other bills, not redistricting, other voting bills and other legislatures for Judicial Watch, including Pennsylvania. But I am a person who can offer expert testimony on this district. And so, I believe it would have been logical to think of me.

Vice Chair Tuck: Final question. Chair Sirois.

Chair Sirois: Thank you very much, Madam Chair. Sir, in your written testimony that you provided, that I had an opportunity to read earlier this morning, I think you said that Florida's non-diminishment standard protects only majority-minority districts. What is your strongest legal authority for that proposition? And didn't the Florida Supreme Court say the exact opposite in its first apportionment decision in 2012?

Robert Popper: Thank you. Forgive me. Could you read back to me what I said again? I don't recall it.

Chair Sirois: I don't have it in front of me, sir. But it's your written testimony that you provided this morning.

Robert Popper: And I made a representation about what the Florida Supreme Court would do, is that correct?

Chair Sirois: Yes, that's correct. In your written testimony.

Robert Popper: I don't recall that. I should not have been opining about what the Florida Supreme Court would do. May I have a look at my testimony? Or is that not fruitful?

Vice Chair Tuck: Thank you. We're going to try to move on a little bit so we can get through all public testimony and debate. So, we appreciate you being here. Thank you so much.

Robert Popper: Thank you for having me. Thank you, Madam Chair.

Vice Chair Tuck: Next up, Michael Johnson. He's a proponent of the bill. Miranda Galindo. And Members, as a reminder, we have about seven public appearance cards left and we need time for debate. So, just keep that in mind. You're recognized.

Miranda Galindo: Good morning. Miranda Galindo for Latino Justice. Thank you for your hard work this redistricting season and for the opportunity to present our opposition to the proposed map, which unfairly represents your constituents. Florida's booming Latino population is underrepresented. The 2020 census counted nearly 1.5 million more Latinos in Florida than it did a decade ago. And common sense dictates that a protected class comprising over a quarter of Florida's total population should enjoy a fair number of Latino majority districts.

In 2010, Latinos comprised about 22% of Florida's total population and have grown substantially over the last decade to now comprise over 26% of Florida's total population. While Latinos now represent over a quarter of Florida's total population, only 14.2% of the congressional seats proposed in map H8011 are majority Hispanic voting age population districts. In contrast, non-Hispanic, White Floridians are approximately 53% of Florida's total population, but are a majority voting age population and 64%

of the congressional districts in H8011.

The redistricting process should mitigate, not exacerbate the injustice of disparately low Latino political power. Congress passed the Voting Rights Act of 1965 to protect our democratic process from racial discrimination. And I'd like to note that the Voting Rights Act exists in harmony with the Equal Protection Clause of the United States Constitution.

Florida legislature is entrusted with enforcing this landmark civil rights law to combat discriminatory practices that have historically disenfranchised black, brown and indigenous Floridians, including English only election practices, all White primaries and malapportionment, all of which undermined the ability of racial and language minorities to elect their candidates of choice. The Voting Rights Act requires that where Latino majority districts may be drawn feasibly and consistent with Section 2, they must be drawn.

First, we urge the House to create an additional Latino Opportunity District in Central Florida, which is supported by the census data. Such a district would accurately reflect demographic changes and provide districts that are more aligned with the true voting strength of Latino Floridians. Second, while proposed Congressional District 9 creates one new Latino majority district, the House has drawn it with the barest Latino majorities. The Hispanic voting age population is only 50.06%. We urge the House to strengthen the slim Latino majority in CD9, a region that accounts for some of the greatest Latino population growth over the last 10 years.

Without an additional opportunity district in Central Florida and a more robust Latino majority in CD9, H8011 fails to meaningfully account for the substantial Latino population growth that largely fueled Florida's receipt of an additional congressional seat after the 2020 census. Census data does not support the creation of additional White majority districts. The benchmark map had 17 White majority voting age population districts and H8011 increases that number to 18. This is fundamentally unfair.

District maps generally violate Section 2 where they crack or fragment minority voters among several districts or block voting

majority can routinely outvote them. The House has a duty to evaluate how to avoid cracking geographically compact Latino populations. Yet H8011 cracks many more Latino communities than the Senate's adopted map, Senate Plan H8060. The first egregious example of H8011's cracking is Proposed Congressional Districts 14 and 15, which split dense Latino populations in Hillsborough and Pasco County near the Mullis City River Bend area.

In contrast, the Senate's adopted plan and the benchmark map kept these communities whole. H8011 also unnecessarily cracks Latino communities in Hendry and Collier counties. In contrast, the Senate's adopted plan and the benchmark map largely kept these communities whole. Similarly, H8011 unnecessarily cracks Black communities compared to the Senate's adopted plan. The most egregious example is the dismantling of Congressional District 10, a benchmark district in Orlando, which a geographically compact population of Black voters have had an opportunity to elect candidates of choice.

We urge the House to avoid cracking Orlando's Black community across three separate congressional districts, as was achieved in the Senate's adopted plan. We call upon the House to exercise its duty to keep Black and Latino communities whole where possible, and we know it is possible because the Senate's adopted plan did a better job of it. Latino justice reiterates its request for meaningful opportunities for public participation in the form of improved language access services, virtual participation options for public hearings, and regional public hearings outside of Tallahassee.

Floridians who are limited English proficient, impacted by the COVID-19 pandemic, and reside far away from Tallahassee are no less deserving of having their voices heard in this forum. We have repeatedly asked for translation of the forms to submit public input in the Get Involved portion of the Floridaredistricting.gov website. The willful failure to provide these minimal yet fundamental translations is an inexcusable obstacle for your limited English proficient constituents and deprives the legislature and the redistricting process of complete information on protected communities.

Finally, the earlier mention of performance analysis data held by outside counsel but unavailable to the members of this committee and unavailable to the public undermines the ability for meaningful public and your representative's evaluation of this map's compliance with anti-discrimination laws. We urge the subcommittee to release it immediately. Where more information exists, why hide it? Thank you.

Vice Chair Tuck: Thank you for being here. David Trotty? You're recognized.

David Trotty: Good morning. My name is David Trotty and thank you for allowing me to speak in front of you this morning. I'm a resident of Jacksonville, Florida. Both my office, my physical office and my residence is in District 3. I am here today to speak on behalf of what I do in my spare time, which is represent veterans. I'm the chairman of the Veterans Council of Duval County. That is a committee that's born of the mayor's executive order since 1986. Since 2016, I was his vice chairman and since 2020 as chairman.

There are over 80,000 veterans in Duval County alone. In St. John's, Nassau, Clay County is 120,000. So, the mass of veterans are in the east side of the state surrounding Jacksonville. I believe there's only about 15,000 veterans in Leon County and 3,400 in Gadsden County. What we need is we need representation in Jacksonville, Duval County area that's going to be there, boots on the ground to hear what veterans need in Duval County. In District 4, Councilman Rutherford, he's there, he's present. He's at our meetings. I'm not speaking that Al Lawson doesn't do things for veterans. That's not what I'm here about.

It's like having a football team in the Super Bowl but your defensive coordinator works for a different team and is not at your practices. So, I implore you to reconsider the consolidation of District 3. Let Duval County, Jacksonville, stay consolidated as one or I believe the governor has created a new district. I only saw that on Facebook a couple of days ago and I was asking my veteran friends, what do you think about having Jacksonville and Duval County as one district?

I think it will benefit veterans and we're talking about consolidation, best interest of our residents and things we have to

consider. I think we have to consider the best interest of Jacksonville, Duval County in that redistricting. Thank you.

Vice Chair Tuck: Thank you for being here. Jasmine Burney with Equal Ground Action Fund. You're recognized.

Jasmine Burney: Thank you. Good morning, everyone. I'd like to first say thank you all so much for following the lead of the Supreme Court and moving forward with a map drawing process that you have all been constitutionally tasked to do so with. Second, again, my name is Jasmine Burney-Clark. I am the founder and director of Equal Ground Education and Action Fund. We are created to advocate for the voting rights of Black voters, specifically along the I-4 corridor. We work to register, educate, and mobilize Black voters.

We were founded in 2019 and that's important because it's two cycles after CD10 was created and because we were established to help break the barriers facing Black voters as we witness the acts of voter suppression across the state of Florida. Suppression tactics in the form of legislation signed into law by this governor and other governors in past years that have been proven to diminish the Black voter turnout. I'm also here as a resident of CD10. I ask that you learn from the lessons of 2016 and don't make the same mistakes that led to the redrawing of maps due to misconduct and gerrymandering.

I also ask that you follow the lead of the Senate when it comes to preserving CD10 under the Tier 1 status or as Rep. Joseph pointed out earlier, the possibility of placing it under Tier 2 standards in future iterations. This district only provides election performance for less than a decade compared to the other districts designed with similar makeup. And so, the general election book closing data that I had a chance to look up on Black voters in Orange County where they are largely situated in CD10 saw an increase in voter registration actually from 2016, 2018, and 2020 despite the turnout that decreased as those years proceeded.

So, the will of the residents to elect someone who represents them in their district, however, is not something that they are opposed to. It does, however, appear that the laws in the state have made it difficult for them to actually access the ballot box. So, I ask that

you give CD10 and the voters of CD10 the same fighting chance over the course of the next decade without diluting the voting power before you've been given a decade of data to accurately prove otherwise. I am in opposition of the current iteration of this map, and I thank you for your time.

Vice Chair Tuck: Thank you for being here. Kristen, I apologize, Faluli. Thank you for being here. Genesis Robinson. Thank you for being here. Pastor Marcus McCoy with Equal Ground as well. Thank you for being here. Cecile Schoon with the League of Women Voters of Florida.

Cecile Schoon: Good morning. My name is Cecile Schoon and I'm president of the League of Women Voters of Florida. And I've been listening intently to the testimony and the questioning that the members have had. It's been a very robust debate and conversation. I have my own comments, but I also wanted to speak to some of the comments that Mr. Popper made. And if you listen very carefully to what Mr. Popper said, he admitted to you under your questioning, which was very thorough, he had no case to point to to support his comments.

He could not point to one case on point. He literally stated to you that the analysis of narrowly construing and protecting minority access districts did not appear in the same sentence. He literally is taking ingredients for a salad and mixing them up in a bowl and said, "Oh, I like this new salad." There is no case law. The United States Supreme Court and certainly the Florida Supreme Court has not supported in any way the statements that were made before you today. When you questioned him, he backed up and said, "No, I don't have a case. Oh, but there's some other things that we're discussing, some other parameters."

Well, we lawyers, we call that dicta. And those of us who practice in court, which I do, I know that to build my case on dicta that does not directly support the contention that I'm trying to make before the court, I'm just burning my client's money and time. Dicta does that you mix up in a bowl that does not even occur in the same sentence, does not support going against the well understood analysis that of the Voting Rights Act, Section 2 and our Fair Districts.

Remember the point of our Fair Districts, we basically poured Section 2 into our Tier 1. So, there is there is a lot of closeness to our Tier 1 and Section 2. And it literally says, and the case law, when you deal with race, whether it be in employment matters, where I would consider myself somewhat of an expert on employment discrimination, the analysis is the same when you're dealing with race, when you're dealing with women because when our nation started, there were only two groups that were held down in writing. Women were considered chattel. They could not vote when our nation started.

And people of African descent were three-fifths of a person. Because in our founding documents we started that way, as our nation grew and we tried to make real this concept of equal rights, their concept of strict scrutiny came about. And it said because prior to that time, the laws were against women. The laws held women down and Blacks down. So, the law came out strict scrutiny. When you have a law that touches those groups because they started out under the heel of our government. You have to have strict scrutiny. Yes, ma'am.

Vice Chair Tuck: We appreciate the passion, but if we could bring it back to the comments of the bill.

Cecile Schoon: I thank you for getting me back on point. The point is the strict scrutiny thing is not the way Mr. Popper said it. It's because of the history of using it against these groups. So, it says when you use strict scrutiny, when you deal with race and you deal with gender also, the government needs to do it properly and narrowly. So, we have our guidelines in our Fair Districts. We have our guidelines in our Voting Rights Act, and they were written in a way that you could use strict scrutiny to create the proper districts.

And by taking into consideration the Jingles elements, which are laid out and the Supreme Court has laid out, that is their methodology to doing the strict scrutiny. So, it's not like we're taking race into consideration. Are we being discriminatory? It's because you're trying to remedy a historical problem and you need to do it following the guidelines. And so, taking into consideration the ability of a minority racial or language group to be able to select a representative of their choice is not being discriminatory.

And I have a few more comments. I just wanted to address some of the things that he was saying. And thank you for that. The league would support the maintenance of Congressional District 10 for reasons testified to by Latina Justice and Equal Ground and some of the issues raised by some of your own representatives. We believe that the voting record and the voting age population and how they have actually functionally performed demonstrates that the capacity to for that district to select a representative of their choice who is African-American, they have demonstrated that.

And there's nothing like history to show you that they can do that. So, that district we contend should be maintained. I also wanted to point out that the United States Supreme Court in the Rucho v. Common Cause case literally praised Florida and literally quoted our Fair Districts in a footnote because that case people were going to the federal government to the United States Supreme Court and they were saying, "Help me. This particular state or the governor is doing political gerrymandering. Can the federal government step in?"

And Rucho said, "Hey, the federal government is not laying out these guidelines. The state has the capacity to," and they cited Florida and they told the rest of the states, "If you want guidelines in your state constitution to protect against political gerrymandering, literally do what Fair Districts is." And this was established in the Florida Supreme Court case that everyone's been talking about in 2015. And they literally said, "Florida's Fair Districts Amendments are clear. They are enforceable. And if you other states want to protect against political gerrymandering, look and do what Florida has done." They held us out to the rest of the nation.

So, our Fair Districts were looked at by our United States Supreme Court. Our Fair Districts were approved by our United States Supreme Court. So, whatever Mr. Popper was trying to tell you, that our Fair Districts don't stand up to mustard, the Supreme Court has looked at us. They've held us out as an example to the rest of the world. And finally, and they said that we have done a good job and I'm proud of us for that. And the last thing I wanted to like to say is we would also like to be able to see the analysis that the outside legal counsel has been doing with regards to data

analysis that was utilized in providing legal advice and assistance to you. Thank you very much.

Vice Chair Tuck: Thank you for being here. Members, we're going to be going into debate. We have about 35 minutes left. We need to give Chair Sirois an opportunity to close and vote. So, please keep that in mind. With that said, any members wishing to debate? Representative Harding, you're recognized.

Rep. Harding: Thank you, Madam Chair. And first, I want to commend you today. You've done a great job. And also Chair Sirois and the way that you've conducted this whole process. It's been very educational and I think that it's probably the most awesome responsibility that we have as a legislator and pretty unique that we get to be a part of it here in our first term. I've stated it earlier in one of my questions, but I come from a rural part of Florida where we have really large districts.

And it's interesting. And part of the educational part of this committee is listening on questions of districts that are obviously much smaller than the areas that I come from and that I see. But it's an interesting banter that I've learned. I'm going to support what is coming out of this committee today with this map. And I'm going to do it for two reasons. 1.) I trust and believe in this committee and I think that the product that we have proposed. And 2.) I trust the process that this is the first committee stop. And there will be a process.

And I think that as we've heard today, I would say on both sides of this issue, there's always room for improvement and discussion. And I have full confidence in you, Chair, and then also Chair Leak, that as this moves forward, any things that are necessary or changes that are needed will be addressed. I look forward to supporting the map. And again, I want to thank all of you that have been a part of creating this.

Vice Chair Tuck: Thank you, Representative Harding. Ranking Member Skidmore in debate.

Rep. Skidmore: Thank you, Madam Chair. I, too, want to thank all the committee members for being so engaged in this process. It's been a little bit

challenging. And the work product that we have today is one that we do hope will change and be amended throughout the process so that at some point along the way, we will be able to support it. I will say also that Mr. Popper almost convinced me to vote for it in his testimony. But I will be voting no today because there are still some major concerns that we have in Central Florida and in South Florida as well.

And we know that this is just the beginning point of this process. It is nice. We are happy to finally have a map that we can discuss and appreciate the pause that was taken to make sure we were all on the right track moving forward. So, I will be a no vote today, but I do also love and respect and admire the legislative process that allows us to start at a point where we might be in disagreement and end at a point where we are all on the same page. So, I'm looking forward to that process. Thank you, Mr. Chair. And thank you, Madam Chair.

Vice Chair Tuck: Thank you, Ranking Member. Any other members? Representative Brown.

Rep. Brown: Thank you, Madam Chair. And thank you, Chair Sirois, for your continuous conversations relating to the maps that we see today, but also those that we've workshopped in the past. I thank you for the open process and for your continuous openness to sit down to hear many of my concerns. And I've said several times just the concerns I have with CD10, among other areas, and just, again, questioning what we were able to see.

Well, based off of my own knowledge and understanding of that particular community, and those boundary makeups, but also how we weren't able to get to it, but it seems as though the next chamber was able to have a different opinion. And so, it would be my ask, I will be a no today, but just with the confidence that myself along with staff and you to sort of sit down to sort of figure out a different configuration of this particular benchmark district. Thank you, again, and I appreciate staff and Kelly, but I look forward to being able to see it in a different way once it goes to the full committee.

So, thank you again, just for the process and your understanding of

my concerns, and I look forward to working with you to see how we rectify some of those issues. Thank you.

Vice Chair Tuck: Ex-Officio Davis in debate.

Rep. Davis: Thank you, Chair, and I won't be long because I definitely want to give the time to Chair to make this close, but I do want to thank my colleagues for allowing me to be a part of the committee today, but I definitely didn't know that CD3 and this map would be a focus of conversation. I appreciate the questions that was asked of the person testifying, but one of the speakers made the statement, and I actually wrote the note myself. Through all of those suggestions that the gentleman was making, he provided us with actually no functional analysis to illustrate any of the testimony that he was sharing with us.

And Chair Sirois, that's why I was going back and forth with you with that functional analysis versus the performance analysis to just make sure I was clear with that. So, with that, as you've heard from my colleagues, there are concerns with CD10 because the House is not in the same position as the Senate for that district, and I know we can get to the middle and find a common ground with that. But I am glad that in both of these maps, we do have an existence of CD3 and a CD3 in our map and CD5 over in I think the Senate map.

And I would like to make sure I'm on record to state that I appreciate wholeheartedly that district being protected and being seen in both maps and that we are not following the lead of an administration who, obviously, has a different mindset. So, just wanted to put that on record. Today, I will be down on this map just because simply I know we still have work to do, and I know the two houses will get together and produce maps that we eventually, hopefully, all can agree on. So, with that, I'll turn it back over to the Chair to close, and we get on our way.

But today I will be a no vote just because I know there's still work to be done. Thank you.

Vice Chair Tuck: Representative Joseph in debate.

Rep. Joseph: Thank you, Madam Chair. Let me say that I'm grateful to be in a country that has certain constitutional protections and provisions where we have a form of government where there are checks and balances and there is a separation of powers and the legislature has its function and the executive branch has its function and they're not the same. Our job is to handle these maps. It is highly unusual and for a governor to do what our governor has been doing. I look forward to, ultimately, getting to a point where we have some maps that we all can be proud of.

And I'm hopeful that we can work towards that. And we've had some good conversations to get that started. And we've heard some testimony to help guide us along that path. I still have my reservations about CD10 and the things we talked about. We're going to work that through the process, but that's literally our job, like that's what we're here to do is to work through that process. So, I'm grateful for the opportunity to do what the people elected us to do.

My question for the Chair, if he would be so kind as to address in debate, if possible, is we've heard a lot of testimony and we've gotten some public feedback, but as we're continuing to cook the cake or bake the cake, I would say, what is the best way to get the input from the public to staff without exposing members to any issues? I'm still a little unclear about how that is ideally supposed to work in a way that does not expose anybody to anything. So, there were some comments made like, "I want to know more about what's going on in 14 and 15 with respect to Latino districts."

I can kind of just put it out there in the ether for them to send us stuff, but I want to figure out what's the best way to do that so that we can communicate that with staff as we continue working on these maps. So, that's my question. And I thank you all for your service.

Vice Chair Tuck: Representative Hunschofsky in debate.

Rep. Hunschofsky: Thank you, Madam Chair. And I'd first like to compliment you on navigating this meeting so well. Never been in a meeting like this one today. And I think you did a great job and I appreciate that. I've appreciated learning in this process. I didn't realize there was

as much to learn when I originally got assigned to the subcommittee. I also appreciate the focus on cities being kept whole. That has been important to me. And there has been improvement in that area.

I do still think there is more room for improvement in this map, as we've heard from my colleagues. And I do look forward to the process continuing with the inclusion of all these concerns that we've heard today from members of the subcommittee to make the map the best map it can be. So, thank you.

Vice Chair Tuck: Additional members in debate? Seeing none, Chair Sirois, you're recognized to close on the PCB.

Chair Sirois: Thank you very much, Madam Chair. Members, I want to thank you for your questions and your time and attention this morning and over the previous weeks. As some of you have said, redistricting might be the most complicated of all of our constitutional duties, both as a body and certainly as individual members. And I want to tell you, I share that as well. It's a historic task. It's one that happens every 10 years. And I'm personally honored to have had the opportunity to work with all of you through it.

The process, as you know, requires us to set personal interests aside. We had a lot to learn. The external pressures are significant. When it comes to our communities and neighborhoods, emotions run high. But this process requires us to follow the law. Follow the law. Specifically, our Tier 1 and Tier 2 constitutional standards. And I want to mention, I enjoy so much working with Representative Hunschofsky because I've learned that she has a way about her where she can just cut to the heart of the matter. And I think she did that today with her question.

And I felt compelled after hearing your question, Representative, to go back to where we started our committee meetings with a review of our constitutional standards, Tier 1 and Tier 2. "No apportionment plan or individual district shall be drawn with the interest to favor or disfavor a political party or incumbent. 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 diminish their ability to elect a representative of their choice. Districts shall consist of contiguous territory." And then, we move on to Tier 2.

"Districts shall be as nearly equal in population as practical. Districts shall be compact. Districts shall, where feasible, utilizing existing political and geographical boundaries." We have to follow the law. Representative Joseph, I appreciate your questions about receiving that input. I would remind committee members that we continue to be the vehicle for that input. If there's information, if there's something that you hear, if there's something that you think adds to the process, I encourage you to bring it forward. But you have to be prepared, as we have said consistently from the beginning of this process, to disclose who brought it to you and be prepared to back it up.

Individuals out there who wish to provide input and feedback on this process have the ability to do so at Floridaredistricting.gov, where nearly 100 individuals have utilized the website to create and to submit maps of their own. In January, we noticed a two-hour meeting to accept public input in addition to public input at each of our meetings where we have received testimony. As elected members of this House of Representatives, it is our constitutional duty and responsibility to present the views of our constituents in the conduct of their business.

Members, you're going to have an opportunity as you have had today throughout our committee meetings at Chair Leak's committee, on the floor, when we reconcile with the Senate. Throughout this process, you will have an opportunity to provide that input and I encourage you to get with me and Chair Leak if there is something on your mind. But we have to follow the law. And once again, I want to read to you the first line from the 2012 Supreme Court ruling that I started today's presentation with. And this is what the court said then.

"A review of the House plan and the record reveals that the House engaged in a consistent and reasoned approach." Members, we hit that mark again. We hit that mark again and I am proud of this committee's work product. Now, as I said, our PCB is going to work through the normal process just like any other bill. And this

PCB is going to move on to the full redistricting committee where the conversation that we started weeks ago will continue with our colleagues. If you have further policy points for discussion, please, Members, don't wait.

Get with me and Chair Leak and we are happy to hear you and to continue this conversation. But Members, I want to assuage any doubt that may be in front of you today. This is a legally sound map. It's a constitutionally compliant map. Please join me in voting yes.

Vice Chair Tuck: Chair Sirois having closed, Members, please remember to turn on your mics when you vote. DJ, please call the roll on PCB, CRS 22-01. Announce the vote.

DJ: Chair Sirois?

Chair Sirois: Yes.

DJ: Representative Benjamin has been excused. Brown?

Rep. Brown: No.

DJ: Fabricio?

Rep. Fabricio: Yes.

DJ: Fetterhoff?

Rep. Fetterhoff: Yes.

DJ: Giallombardo?

Rep. Giallombardo: Yes.

DJ: Harding?

Rep. Harding: Yes.

DJ: Hunschofsky?

Rep. Hunschofsky: No.

DJ: Joseph?

Rep. Joseph: No.

DJ: Maggard?

Rep. Maggard: Yes.

DJ: Massullo has been excused. McClure?

Rep. McClure: Yes.

DJ: Morales?

Rep. Morales: No.

DJ: Perez?

Rep. Perez: Yes.

DJ: Plakon?

Rep. Plakon: Yes.

DJ: Silvers?

Rep. Silvers: No.

DJ: Skidmore?

Rep. Skidmore: No.

DJ: Toledo?

Rep. Toledo: Yes.

DJ: Trabulsy?

Rep. Trabulsy: Yes.

DJ: Tuck?

Vice Chair Tuck: Yes.

DJ: Williamson?

Rep. Williamson: Yes.

DJ: Ex-Officio Clemmons?

Rep. Clemmons: Yes.

DJ: Ex-Officio Davis?

Rep. Davis: No.

DJ: Fourteen yeas, seven nays, Madam Chair.

Vice Chair Tuck: Show the PCB reported favorably. Now, I'll pass the gavel back to Chair Sirois.

Chair Sirois: Thank you very much, members. I'd like to thank all the members of the public that provided input today and the members of the committee for your questions as well. I particularly want to thank Vice Chair Tuck. You did an outstanding job and I've been proud to have you as my Vice Chair throughout this process. As a reminder, the proposed congressional map has another committee stop in the full redistricting committee. If you have any questions for myself or Chair Leak or staff, I encourage you to reach out to us.

As this is most likely our last subcommittee meeting, I'd like to thank Speaker Sprowls and Chair Leak and the committee members for this tremendous honor to lead you through this process. I'd also like to thank our redistricting staff, Lita, Jason, Sam, Karen, DJ, for your help and your accommodation for this rookie chairman. It's been a pleasure to work with you all, Ranking Members as well. Thank you very much. That concludes our committee meeting agenda for today. Representative Perez moves that we rise without objection.

[End of Audio]

Duration: 164 minutes

Exhibit 21

Interviewer: The Committee on Reapportionment will now come to order. Dana, please call the roll.

Dana: Chair Rodriguez?

Sen. Rodrigues: Here.

Dana: Vice Chair Broxson?

Sen. Broxson: Here.

Dana: Senator Bean?

Sen. Bean: Here.

Dana: Senator Bracy?

Sen. Bracy: Here.

Dana: Senator Bradley? Senator Brodeur?

Sen. Brodeur: Here.

Dana: Senator Burgess?

Sen. Burgess: Here.

Dana: Senator Gibson? Senator Harrell?

Sen. Harrell: Here.

Dana: Sen. Rodriguez? Senator Rouson?

Sen. Rouson: Here.

Dana: Senator Stargel? Senator Stewart?

Sen. Stewart: Here.

Dana: Quorum is present, Mr. Chair.

Sen. Rodrigues: Thank you. I'd like to ask everyone to silent your electronic devices. Anyone wishing to speak before the committee should complete an appearance form and hand it into a member of the sergeant's office. Should you select to waive your speaking time, your position will be included in the committee meeting records.

Members, as you know, the congressional maps passed by the legislature in our regular session were vetoed. We have been called back into special session to fulfill our constitutional obligation to reapportion the state. On Tuesday, April the 12th, I was briefed by the governor's office on a map which has been published as P000C0109. After a conversation with our Senate counsel, I determined that this map reflects standards that the Senate can support and filed it as Senate Bill 2C.

I've asked our general counsel, Mr. Dan **Norvy** to prepare a legal analysis of the governor's submission. And that legal analysis is included in today's meeting materials for your review. The letter that the governor's office sent, along with their map and their analysis that accompanied the veto message are also included in today's materials. At my request, the governor's office is here today to provide members of this committee with the same briefing that I received last week and to answer questions about the map.

Members, earlier today, all interested senators were invited to attend this meeting. Members of the committee will be the first to ask questions relating to the proposed map. After which, if time permits, non-committee members will be allowed to ask questions. Questions should not be formed in the form of debate. Debate is reserved for members of the committee at the appropriate time. We are scheduled to conclude this meeting at 4:30. The Senate will reconvene at 5:00, as required by the earlier recess motion. In order to keep with this special session schedule, the president has indicated that he will not be open to extending today's meeting.

If there are no questions about our process for today, then we will proceed to today's agenda. Seeing no questions, we will now move to the agenda. Pick up Tab No. 1, Senate Bill 2C on establishing the congressional districts of the state. Mr. Alex Kelly is here on behalf of the Executive Office of the Governor to walk us through the map. Mr. Kelly, the floor is yours.

Mr. Kelly: Thank you Chair and members. Again, my name is Alex Kelly. I appreciate your time and this opportunity today to present the map proposed by the Executive Office of the Governor, the third map filed by the map, and the proposed congressional reapportionment plan and to discuss our office's contribution to what is a compromise plan. Just for a background, I serve as the deputy chief of staff for the governor.

A very brief introduction before I get into the slides. I'll frequently, today, refer to improvements in the plan before you today, Senate Bill 2C, as filed by the chair, Plan 0109. Although, when I refer to changes in this map, as you may know, my role in – in terms of when I talk about my role in these changes, I'm only really referring to 18 of the 28 districts in this map. 10 of the districts are unchanged from Senate Bill 102 that you passed during session, Primary Plan 8019. So, when I refer to changes and when I refer to my work on this map, I'm really just referring to the 18 districts that I changed.

For my role in this process and my reason for being here today, I am the map drawer of the 18 changed districts in this plan before you. As for my experience, just to give a little context, a decade ago, I was the redistricting committee staff director in the Florida House of Representatives. Starting in January earlier this year, I initially served for our office just in a role of providing general guidance and oversite to our inhouse and contract counsel, and also to a contract map drawer who we brought on to support this work.

And that contract map drawer supported our work in the governor's first map that was submitted back in, I want to say, maybe late January, early February, Plan 0079. For reference, that contract map drawer of Congressional Plan 0079, his name is Adam Fultz. He's

also previously drawn maps on behalf of the Texas and Wisconsin legislatures. He's currently drawing maps right now on behalf of the Texas legislature.

Adam and myself collaborated on our office's second map, Map 0094, which was submitted a few weeks later. Much like your professional staff, myself, and our contract map drawer, we've only ever worked on maps for state government – or I should say much like your professional staff on your committee. This map before you today, I alone authored the changes in this plan, 0109.

With respect to how this new plan compares to the map that the legislature passed, the legislature's primary plan. Generally today, I'll refer to the legislature's primary plan, except for where I might note otherwise. But generally, I'm referring to Plan 8019. I will also say at the outset some important disclaimers. One, no one directed me to favor or disfavor a political party or incumbent in my work. And I did not draw with the intent to favor or disfavor. Two, in drawing any of the districts submitted by our office, I did not consider or even look at political data, including party registration and voting data. In other words, I do not know the voting history or party registration number for any of the districts that we've drawn as an office, for any of the districts that we'll look at today.

The only time I did reference political data was early in the process to determine a question that you were having to address, to determine whether or not it was possible to draw a compact African American performing district in Northeast Florida, essentially a more compact version of the Benchmark District 5. I did, at that time, reference political data to determine if that was possible and to determine if there was a way to draw such a district that complied with the US Constitution, the Florida Constitution. In particular, the Florida Constitution as interpreted by the Florida Supreme Court and implemented by this legislature. I ultimately determined early in this process that was not possible to essentially check all those boxes.

Three, in drawing the plan before you today and really, in contributing to any of our office's plans, in the totality of our

engagement in this process, I have not consulted with any outside – anyone outside the Executive Office of the Governor, our contract counsel, our contract map drawer, or the legislature and the legislature staff and counsel. In other words, I can confirm I've had no discussions with any political consultant, partisan operative, or any political party official concerning any plans presented by our office, including the plan that you'll be considering today. In effect, I have engaged in this process, including authoring this proposed compromise plan in a manner that meets the same high standards that you set for your professional staff.

And this proposed plan truly is, Senate Bill 2C, Plan 0109, is indeed a compromise. Is a product of consultation and collaboration between our office and leadership in House and Senate. And it incorporates portions of the plan passed by the legislature. I noted earlier that 10 of the districts are identical to what the legislature passed. It incorporates concepts from maps previously discussed and presented – previously submitted to the legislature by our office, 0079 and 0094. It incorporates concepts from the map that was referred out of the House's congressional redistricting subcommittee, Plan 8011. And it aligns in several other ways that I'll describe with the House and Senate's map drawing.

I'll jump into the slides. 10 districts in the compromise plan, as I noted, Districts 1, 2, 20 through 25, 27, and 28 are unchanged from the plan passed by the legislature. The remaining districts, 3 through 19 and 26 have been modified in various ways to address the federal constitutional concerns raised by the governor and to improve various Tier 2 metrics. In a few minutes, I will walk you through, visually, the 18 districts that I changed in this proposed plan. First, though, I'll give you a general overview on the next slide, and after that, some highlights of the improvements to the Tier 2 metrics.

First, in an effort to create a collaborate product, I worked off the legislatures primary plan, 8019. So, while I was seeking to remedy the governor's veto message and make improvements throughout the map, I began my work by downloading the legislature's plan, 8019, and subsequently making changes. I should note that I drew

Plan 0109 entirely with the legislature's publicly available website and data. Regarding the proposed plan, the plan maintains the same number of performing majority/minority seats. It retains, as I noted before, the legislature's exact configuration for congressional districts in the Florida panhandle, Districts 1 through 2, and congressional districts in the southeastern region of the state, essentially St. Lucie County down to Monroe County, just as in the legislature's primary plan.

For the reasons set forth in the detailed memorandum that the chair referenced and is in your packets that was prepared by our office's general counsel that accompanied the governor's veto message, the compromised proposal eliminates the racially gerrymandered versions of Congressional District 5, which were including in Senate Bill 102, both in different ways, the primary plan and the secondary plan. Again, members, that legal memorandum is in your committee packets.

In summary, Congressional District 5 in both the primary and secondary maps enacted by the legislature violates the equal protection clause of the 14th Amendment of the United States Constitution because it assigns voters primarily on the basis of race but is not narrowly tailored to achieve a compelling state interest. That memorandum otherwise fully explains the governor's legal objections to both versions of the district as passed by the legislature in the primary and secondary maps. I should note as a map drawer, I'm not an attorney. So, I'm not going to play the role of an attorney today. I'll keep my comments focused on the map itself and do my best to answer your questions. But I just want to note that at the outset that I'm not legal counsel to the governor.

Plan 109 creates in Northeast Florida two new districts, Districts 4 and 5 in the area that are consistent with the other maps previously published by our office with some minor improvements. These two districts are race neutral and overall more compact than Districts 4 and 5 in the maps passed by the legislature. In addition to resolving the federal constitutional objections raised by the governor, the compromise plan makes several overall improvements with respect

to Tier 2 metrics relative to the maps passed by the legislature by bringing together some of the best concepts in the legislature's map and our office's maps.

Plan 109 adjust the congressional districts in the Tampa Bay area and the larger Gulf Coast region, stretching from Citrus down to Lee Counties, and impacting some inland counties to create sort of a hybrid, if you will, of some of the legislature's and our office's maps. These changes improve overall visual compactness, have a net effect of reducing a county split, and significantly increase usage of other Tier 2 political and geographic boundary lines.

In the Central Florida region, the plan that you have before you today aligns more closely with the map that was referred out of the House Congressional Redistricting Subcommittee, Plan 8011, with one distinction that I'll describe later that aligns with Senate Plan 8060, as you passed out of the Senate.

Sen. Gibson: Mr. Chair, sorry? Thank you, Mr. Chair. So, we're waiting until the entire packet is done to ask any questions? Because I didn't hear the explanation of the – I think Mr. Kelly said of the governor's veto language. I don't see it in the packet. Could he repeat – It was a rational for –

Sen. Rodrigues: The veto language was in the packet we provided.

Sen. Gibson Can I have clarity, that is the language that Mr. Kelly is talking about that's in this –

Sen. Rodrigues: You understand the question?

Mr. Kelly: Yes, Chair. Senator, yes, I gave a brief synopsis of that veto message and the accompanying message from our general counsel that went with the veto message.

Sen. Gibson: I think that's the part I didn't understand how you put it together. I just want to make sure I hear it correctly, that's all, Mr. Chair. If he could repeat it?

Sen. Rodrigues: Could you repeat that, please?

Mr. Kelly: Thank you, Chair, I'd be happy to. In summary, Congressional District 5 in both the primary and secondary maps enacted by the legislature violates the Equal Protection Clause of the 14th Amendment of the United States Constitution because it assigns voters primarily based on race but is not narrowly tailored to achieve a compelling state interest.

Sen. Gibson: Okay, thank you.

Sen. Rodrigues: Thank you. Please proceed.

Mr. Kelly: Thank you. So, again, in the Central Florida region, the plan that you're looking at today, Plan 0109, aligns more closely with the map that was referred out of the House Congressional Redistricting Subcommittee, Plan 8011, with one distinction that aligns with Senate Plan 8060. With respect to similarities with House Plan 8011, specifically with respect to Congressional 10, we accept the position articulated by the House's professional staff in their subcommittee that this district is not subject to the Florida Constitution non-diminishment standard because the benchmark district does not contain an African American population sufficiently large enough to reliably elect a candidate of their choice.

We understand during the course of the testimony between House and Senate, there was a disagreement on this point. However, because districts cannot be drawn on the basis of race unless there is a compelling reason to do so, in the absence of an agreement between House and Senate on the need to treat District 10 as a minority protected district under the state constitution indicates that a compelling basis using race is lacking. Accordingly, the proposed plan defers to the House's stated testimony. And my changes to the districts in Central Florida in that region, including District 10, are drawn on race neutral principles.

Again, these changes in Central Florida result in Tier 2 improvements in the Central Florida region. And, in combination,

these changes in Central Florida and in the Gulf Coast counties result in some additional Tier 2 improvements for other impacted districts, like Districts 3, 6, and 11. Lastly, in between the submission of our office's second map plan, 0094, and my drawing of this plan, 0109, I received feedback from House and Senate staff regarding our second maps overreliance on the use of census designated place boundaries. I was encouraged to follow the House and Senate's preferred methodology for boundary usage to increase our usage of major roadways, waterways, and railways for Tier 2 compliance.

Our second map closely adhered to county and city lines, so that was not a concern. Although, less frequently to other Tier 2 recognized boundaries. Therefore, throughout the 18 districts that are revised in this plan, I adopted the House and Senate's preferred and clear articulation of Tier 2 compliance. So, even when I was trying to articulate a concept from one of our office's plans, I made such revisions using the legislature's preferred approach to Tier 2 compliance. In the next few slides, I'll walk you through some key points regarding those Tier 2 improvements.

First, the proposed plan before you today reduces by one the number of county splits from 18 to 17 by keeping Citrus and Sarasota Counties hold in lieu of Polk, effectively a two for one swap. Furthermore, where there are county splits, the number of ways in which those counties are split is reduced. Probably the most visible example of that, at least in a larger county, is the change in Hillsboro County where portions of Hillsboro County are now only divided into three districts rather than four districts.

Second, the proposed plan reduces the reliance on non-geographic and non-political boundaries from 12.5% to 11.5%. In other words, just a minute ago, when I mentioned previously I adopted the House and Senate's preferred way to articulate Tier 2 compliance by substituting major roadways, water ways, and railways, along with our map's already strong usage of county and city lines, my Tier 2 usage of compliant boundaries surpassed that of the maps passed by the legislature.

Third, although mean compactness scores are largely equivalent when comparing my revisions in Plan 0109 with the legislature's primary plan, the proposed plan improves the compactness score of the least compact district in the map. I believe this would actually be the first map considered by the legislature in which every district has a **REAC** or Polsby-Popper score greater than 0.2. Moreover, visually, as we go through the map, we'll see, in just a few moments, many of the districts are just plainly more circular, squared, more visually compact shapes that are more easily understandable.

Lastly, my changes in Plan 0109 stayed equal to the legislature's achievement of only splitting 16 cities in its primary plan. There are some differences about which cities are split when comparing my revision in this plan to the legislature's enacted plan, specifically Cape Coral and Plant City and Port Orange would be kept whole in this plan, while splits would occur in Lakeland, St. Petersburg, and Longboat Key. What I did take care to do is ensure that where there's essentially trades, and city splits occurred to ensure that other Tier 2 metrics were being met in the process. For example, as you know, Long Boat Key is one of four cities in Florida that crosses county lines. And I only split Long Boat Key in the process of keeping Sarasota County whole.

So, it seemed a reasonable and rational trade to keep a county whole in lieu of a city that crossed county lines. I should say in saying all of this, I don't ever mean to suggest with these slides that there is a statistical line in the sand for what is Tier 2 compliant compactness or county splits or city splits but recognizing that we could be presenting a plan to this legislature and me authorizing a compromise plan. I recognize I should come to you with a plan that recommends improvements and builds on that work of the legislature. And certainly, in no way asking you go backwards, only asking you to consider improvements. And that is exactly what I've done.

So, with that, I'll proceed to a more detailed visual presentation. The next two slides are the same content, just the second slide doesn't

have the district labels. The statewide view definitely helps get a sense of some of the visual compactness, and we'll zoom in some, the visual compactness of this map and some of the improvements. This is really here for your reference, as is the next slide. You can begin to really see the changes. In fact, I might just go to that slide. You can begin to really see the changes when I've excluded the district labels.

Again, as much as it was important to maintain statistical compactness for Tier 2 purposes, I also wanted these changes to satisfy the eyeball test. In offering some more square, circular districts, greater use of clear and visible boundary lines helped that effect. The next couple slides zoom in a little closer, just focusing on those districts that I changed in this plan. So, excluding the panhandle and excluding Southeast Florida. Again, the slide without district labels might be a little easier to see to fully appreciate some of the Tier 2 improvements.

One of the other key facets of my work on this proposed plan, that I wanted to make sure there was not, essentially, collateral, unintended consequences to my changes without making some sort of equal or better Tier 2 change. For example, as you see, I split Polk County as part of the swap for keeping Citrus and Sarasota Counties whole. I'll explain it in a little more detail later what exactly I mean by that. In doing so, I incorporated several Tier 2 related changes in Polk County to make sure the new lines of how those districts interact with districts from neighboring counties, how those lines are still very meaningful in a Tier 2 context.

That said, the District 18 that you're your looking at, still two thirds of the residents in the proposed District 18 are from Polk County. The remaining residents coming from those rural counties. So, Polk County would still be the significant portion of population in one of those districts.

Sen. Bracy: Mr. Chair, I have a question.

Sen. Rodrigues: Sen. Bracy, you're recognized.

Sen. Bracy: Thank you. All your comments are about Tier 2 compactness. But I haven't heard once about Tier 1. Tier 1, obviously, it trumps, no pun intended, but it trumps Tier 2. So, why are you focused on Tier 2 and not Tier 2, when that clearly is the most important by federal law?

Sen. Rodrigues: Mr. Kelly, you're recognized.

Mr. Kelly: Thank you, Mr. Chair, and thank you for the question. So, I did note earlier in my presentation, part of that Tier 1 analysis is not intentionally favoring or disfavoring an incumbent or political party. I noted that in no where was I ever instructed to do that and in no where did I ever intend to do that. So, I addressed Tier 1 in that context. Additionally, there's nowhere in the map where there's a contiguity issue. So, Tier 1 has been addressed in that context as well. In terms of the non-diminishment standard, when I went through the Benchmark District 5 and the governor's veto message, that really was at the heart of probably the one sort of outstanding Tier 1 question, the division between the legislature's maps and the governor's ultimate veto and objection to the map.

Because there's this tension between that district. That district, the way it was composed in both the primary and secondary plan, violate the federal constitution. So, while there is the Tier 1 diminishment requirement, that Tier 1 diminishment requirement cannot be utilized to violate federal law. So, that's what I was referring to as I was walking through that.

Sen. Bracy: How do we know that you haven't talked –
Sen. Rodrigues: You're recognized for a follow-up.

Sen. Bracy: Thank you, Chair. You said you haven't spoken to anyone, you haven't looked at any data regarding race. How do we know that? That was said before when we had the map drawing process in 2016, it proved to be wrong. Why would you even mention that if there's no way to prove that?

Sen. Rodrigues: Sen. Bracy, I'm not going to forward that question on. I think he opened in the preamble by laying out these were the parameters that he worked from. If the question is – You can ask the question why did he feel he should lay those parameters out. But I don't think it's a fair question to put out how can you prove something that you believe can't be proven. I'll yield to Mr. Kelly, if he wants to articulate why he led the preamble of these are the things I drew from.

Mr. Kelly: Thank you, Chair. Thank you for the question. Really, in due difference in respect to your process, we know these are standards by which you have to live, too. So, we know that your work, the work of your professional staff, you hold yourself to this high bar as well. So, I wanted to make sure that you understood that from our office's perspective, we were living up to that same standard that you are.

Sen. Bracy: Question.

Sen. Rodrigues: You're recognized.

Sen. Bracy: Thank you, Mr. Chair. How do you feel that District 5, District 10 violates the 14th Amendment?

Sen. Rodrigues: You're recognized.

Mr. Kelly: Sure. Thank you, Mr. Chair. I can probably at this point, probably defer a little bit to counsel. I've probably given my best summary overview of the tension between the two. I will say that the memo that was provided to you details this significantly and explains the governor's veto message. Of course, I also walked through District 10. In District 10, we accept the House's analysis that it's not actually a performing seat. The House testified to that in committee. It was very rational and well thought out analysis. And so, we're adopting that analysis here. And in both cases, if there's absent a compelling state interest, if there's a potential violation of federal law, at that point, the state's not obligated to draw those districts in a manner that aligns with the state constitutional diminishment

standard.

Sen. Rodrigues: Sen. Bracy, did you get a copy of the veto letter in the packet we provided?

Sen. Bracy: I didn't, but if the staff can go through how this violates the 14th Amendment, I guess from the House analysis. I mean, you're here to defend this map. So, if someone can explain to me how District 5, District 10 are not protected minority access seats, when it was in our Senate map drawing map process. Now, all of a sudden, it's not. I understand that was the House position. If it could be explained for this committee so it's clear, I would appreciate it.

Sen. Rodrigues: Why don't we do this, why don't we give you some time to read over the veto letter, and then we're going to go to Sen. Rouson for a question. And then we'll come back to Sen. Bracy.

Sen. Rouson: Thank you very much, Mr. Chairman. You indicated that your rational for not drawing Congressional District 5 the way it currently is configured and for not drawing Congressional District 10 the way it's currently configured was because it violates the Equal Protection Claus, because it assigns voters based on race, but not narrowly tailored to meet a compelling state interest. Is that correct?

Sen. Rodrigues: You're recognized.

Mr. Kelly: Thank you, Mr. Chair. I don't know that I would relate the analysis of both districts identically. I did state, regarding District 5, Benchmark District 5, in subsequent attempts to redraw that, I did articulate that that's a violation of the United States Constitution. The issue with District 10 is just more plainly and we accept the House's analysis of this, that the district is not a performing minority seat. That analysis was laid out in the House record. We've adopted that analysis into our justification here. Essentially, what the House articulated is that the minority community is not on its own – it does not, on its own, have enough strength to elect a candidate of its choice.

Sen. Rouson: Thank you.

Sen. Rodrigues: Do you have a follow-up?

Sen. Rouson: Yes. Thank, Mr. Chair.

Sen. Rodrigues: You're recognized.

Sen. Rouson: Do you believe that it's a compelling state interest to reflect diversity in representation?

Sen. Rodrigues: You're recognized.

Mr. Kelly: Mr. Chair, I'm not sure how to answer the question. It is a highly scrutinized process to draw a district based on racial reasons. To do so, there must be a very narrowly tailored compelling interest to do so. So, absent that, it's unlawful to do so.

Sen. Rouson: Well, I guess – Mr. Chairman?

Sen. Rodrigues: You're recognized.

Sen. Rouson: Therein lies my question. Is it not a compelling interest to have representation that reflects the diversity of the great State of Florida?

Sen. Rodrigues: You're recognized.

Mr. Kelly: Sure, Sen. Rouson, redistricting standards, as outlined in the Florida Constitution, and outlined just the traditional redistricting standards refer to things such as compactness, keeping counties together, keeping cities together, using clearly identifiable boundary ways. These are ways to draw districts that have a lack of political intent, a lack of racial intent, a lack of any sort of manipulation. And so, that is generally speaking the way to draw a district. The Florida Constitution guides districts to be drawn that way. And so, that is the process that we followed.

Sen. Rodrigues: Sen. Stewart?

Sen. Stewart: Thank you, Chair. You have outlined quite a few concurrences with the criteria for 2, and, of course, since it was brought up about Tier 1, it seems to have much more need for compelling review. Oner of the Tier 1 guidelines along the federal law directs lawmakers, and we heard this in committee over and over and over again, that 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. Now, I have not heard yet from this map that was drawn if that was also considered.

Sen. Rodrigues: You're recognized.

Mr. Kelly: I think I just answered that same question a couple different ways. I'm not sure I have any more to offer.

Sen. Rodrigues: Sen. Bracy, have you had an opportunity to read the veto letter?

Sen. Bracy: I pursued the letter.

Sen. Rodrigues: You're recognized for question.

Sen. Bracy: Thank you. So, you just said that minorities cannot elect a candidate of its own, it does not have enough voting strength to do that. That is why you don't considered District 5 or District 10 a protected minority access seat. Is that correct?

Sen. Rodrigues: You're recognized.

Mr. Kelly: Just to clarify, there are some points there where the analysis regarding Benchmark District 5 and Benchmark District 10 would be different. So, the analysis regarding Benchmark District 5 is very plain sited in that regard. There's not sufficient voting strength in the minority community to, by itself, elect a candidate of its choice. So, the analysis for the two is not identical.

Sen. Rodrigues: You're recognized.

Sen. Bracy: Got it. Thank you, Mr. Chair. So, what is the benchmark where minorities could elect a candidate of their choice? What would be that percentage?

Sen. Rodrigues: You're recognized.

Mr. Kelly: Mr. Chair, thank you. That would require an analysis of the political data for any district. I don't know that there's one line in the sand. But generally, the idea is that could that minority community, on its own voting strength, without help, could that minority community elect a candidate of its choice. That's going to be different in every single district.

Sen. Bracy: Mr. Chair?

Sen. Rodrigues: You're recognized.

Sen. Bracy: So, if you didn't look at any data to determine that this is a minority access seat, how did you determine it? By eyeballing it? How did you make that determination?

Sen. Rodrigues: He said earlier that he did us the political data on District 5 when he was attempting to draw the district. So, on that, I believe he's already answered the question.

Sen. Bracy: Okay, so you did use political data. When you were looking at the political data for District 5, what determination – how did you determine that that was not a minority access seat, since you did look at the data for that? What did the data show you that told you?

Sen. Rodrigues: You're recognized.

Mr. Kelly: Thank you, Mr. Chair. So, the look at District 5, Benchmark District 5, in different configurations the legislature considered wasn't a question so much of the political effectiveness of the community. It was a question of multiple facets at the same time. The district is clearly – the benchmark is clearly drawn from Duval to Gadsden Counties, it's clearly a racial gerrymander. That's what the district is plain sited. So, the question is does it meet some compelling state

interest in doing so.

Our analysis, particularly early on as we were weighing this question and I was personally weighing this question was was there a manner in which that district could be drawn more compactly, more in line with traditional redistricting criteria so that, in effect, from a federal law perspective, state law perspective, and sort of the traditional redistricting criteria, could you, so to speak, check all the boxes and find a way to have a compromise. The reality, through analysis of that district, including just observing the legislature's process, there was not a way to draw a compact, politically effective, minority district and check all the boxes, so to speak, without violating some manner of law.

Sen. Rodrigues: Do you have a follow-up?

Sen. Bracy: I do.

Sen. Rodrigues: You're recognized.

Sen. Bracy: You mentioned that your determination was basically did it meet a compelling interest. But I feel like you haven't answered the question about minority voting strength. You said it did not meet the criteria because it did not have enough of a minority voting strength to be a protected seat. How did you determine – I know you said it didn't have state compelling interest. But specially to why you said it did not have enough of a minority voting strength to make it a minority access seat, how did you determine that specifically? Was there a percentage that it did not meet that made you decide it did not meet the threshold?

Sen. Rodrigues: You're recognized.

Mr. Kelly: Thank you, Chair. I apologize, I think we're having a little bit of confusion, which is certainly understandable between our discussion of Benchmark District 5 and Benchmark District 10. Benchmark District 10 in Orlando – or Orange County, I should say, for that district, I was specific in saying it does not have a significant enough

minority community to have the electoral strength to elect a candidate of their choice. So, that analysis was provided in public testimony by the House's professional redistricting staff in their congressional redistricting subcommittee. The analysis was a sound analysis and we've adopted that. We've essentially adopted their judgement in our process, and we've agreed with their analysis.

So, that's where the analysis for District 10 departs some from District 5. District 5 starts with a question of the district is a racial gerrymander and done in such a way that it is so narrowly tailored to a compelling state interest. It ultimately fails a different test. It fails a test of violating the US Constitution. Obviously, we can't take any element of our state constitution and use that against the US Constitution and violate that.

Sen. Bracy: Okay, so that I understand, you did not make your determination on District 5 based on the minority voting strength. You made that determination on District 10. Is that correct?

Sen. Rodrigues: You're recognized.

Mr. Kelly: That's correct.

Sen. Bracy: Okay, so let's go to District 10, then. How did you determine that District 10 did not have enough of minority voting strength for it to be a protected access seat?

Sen. Rodrigues: I think he's answered that, Sen. Bracy. They adopted the House analysis, which the testimony in the House committee over time –

Sen. Bracy: With all due respect, this is not the House's map. This is the governor's map. So, I'm asking how the governor's office made this determination, not the House.

Sen. Rodrigues: Well, he answered that question, Sen. Bracy. He said they adopted the House position. Do you have a follow-up question?

Sen. Bracy: Okay, can you clarify what the House's position is again?

Sen. Rodrigues: Could you clarify that again, please?

Mr. Kelly: Sure. Thank you, Mr. Chair. The House's position, the House staff articulated in their committee meeting, their Congressional Redistricting Subcommittee meeting, that they looked at recent elections history. And that when they looked at that recent election's history, the Black community in Orange County, in Congressional District 10, was not sufficient enough on its own to elect a candidate of its choice. They did that analysis on their own. We didn't do that analysis. But the logic that they articulated in committee was sound logic and a sound analysis. And so, we adopted that.

Sen. Bracy: Okay, I don't serve in the House. I did not see that election data. So, I understand you took their position. But I'm asking for specifics on their data and how they made that determination. And I don't know if our staff can clarify how they came to that position. I understand what their position was, but I'm trying to understand how they came to that position.

Sen. Rodrigues: Jay, do you have insight on that?

Mr. Ferrin: Thank you, Mr. Chairman. If I'm understanding the question correctly, I believe the House reviewed the data for Benchmark CD 10 and determined that over time, over the different election cycles, the level of primary control for African American voters in the Democratic primary was slipping below 50%, and therefore concluded that the voters in that Benchmark District cannot outright control the primary. And therefore, made their determination based on that. And that's my understanding of the House's analysis on that district. That's probably all I can speak to on that.

Sen. Bracy: Just a follow-up. So, from your understanding, the Black voting age population in that CD 10 had a voting strength of less than 50% in a primary, which in turn is how they and the governor determined that that is not a protected seat. Is that the way you understand it?

Sen. Rodrigues: Jay, you're recognized.

Mr. Ferrin: Mr. Chairman, without trying to speak for the House or the governor, that is my understanding that they reviewed elections over time and noticed a trend in terms of primary control. It has nothing to do with voting age population. But in terms of primary control for African American voters on the Democratic primary and based their conclusions on that.

Sen. Bracy: So, they took an average of elections, not just the past 2020 election. They took an average of recent elections and put that together and determined together that it went less than 50%?

Sen. Rodrigues: Jay?

Mr. Ferrin: No, Sen. Bracy. We did look at the average in the Senate to try to control for electoral trends. The House looked at the trends. They looked at each election primary control and each election cycle individually and looked at that over time and noticed that it was decreasing every two years.

Sen. Bracy: Okay. So, they are anticipating, the way you understand it, that the trend will be that it will go below 50%, but maybe it's not there yet. But the trend is trending toward below 50%. Is that a correct analysis of how you understand it?

Sen. Rodrigues: Jay, do you recall what the percentage was?

Mr. Ferrin: Unfortunately, I don't recall the percentages off hand. I can't fully speak to the House's analysis of that. But that's how I understood it to work.

Sen. Bracy: Okay. Well, I'll just say I think it's troubling that the governor's office is coming before us and touting an analysis that no one really understands, and he cannot speak to either. And this is how he's determined that District 10 is not a protected access seat. I think that's important information. If you can't answer my question, we can move on. I just want to make the point that we are here for this purpose of learning more information and no one can speak to it. Thank you.

Sen. Rodrigues: Sen. Broxson, you're recognized.

Sen. Broxson: Thank you, Mr. Chairman. I'd like to kind of put this in perspective of the predicate that you started on. When you looked over the State Senate, State House, you used more of a Florida standard of what we were trying to accomplish. Now you're looking at the congressional maps, which this probably will be contested. And you believe that based on the US prototype, that these conform with the intent of the current law and gives you the position that you've stated today. Is that where we are?

Sen. Rodrigues: Alex, you're recognized.

Mr. Kelly: Thank you for the question. So, essentially, yes. If I understood correctly, we've brought forward a map that we believe complies with the US Constitution and the state constitution. So, obviously, we have an obligation to try to balance and comply with both, of course. So, we believe we've brought forward a map that complies with both and gives the legislature a work product that brings forward the best of both.

Sen. Rodrigues: Sen. Gibson?

Sen. Gibson: Thank you, Mr. Chair. In terms of the statement of apparently there was no way to meet the state's interest in joint minority access seats, in the best interest of the state to do what?

Sen. Rodrigues: Sen. Gibson, I'm not sure I understand the question. Can you restate it?

Sen. Gibson: The maps in the – I guess it's in the veto message or the way Mr. Kelly talked about it, there was language that says they could not draw maps that were in the best interest of the state that would perform for minority communities.

Sen. Rodrigues: Mr. Kelly?

Mr. Kelly: Sure. Thank you, Mr. Chair. Thank you for the question.

Sen. Gibson: What is in the best interest for the state?

Mr. Kelly: Thank you. And that's not really a question I could answer. The compelling interest is for the map drawer to define. I did not draw Benchmark District 5. I did not draw any of the legislature's attempts to redraw or reconfigure Benchmark District 5. That compelling interest is something that you, the legislature, would have to define.

Sen. Gibson: Follow-up?

Sen. Rodrigues: You're recognized.

Sen. Gibson: So, when you said the statement about what's in the best interest of the state in terms of the districts, those were not your words? That is just something that's written in the veto message, so you don't necessarily have any explanation of what is in the best interest of the state when it comes to creating the districts, particularly for minority voters?

Sen. Rodrigues: Were you referring to the veto letter in that statement, Mr. Kelly?

Mr. Kelly: Thank you, Mr. Chair. I was referring to the veto letter and also the accompanying memorandum that our general counsel wrote to further explain the veto letter. I was just giving a short summary of it.

Sen. Gibson: Follow-up?

Sen. Rodrigues: You're recognized.

Sen. Gibson: Thank you, Mr. Chair. I see it now. It says, but since – Let me ask you this before I even ask you the question. Since this is the governor's language where it says, "The bill contains a primary map and secondary map that included a racially gerrymandered district, Congressional District 5, that is not narrowly tailored to achieve a

compelling state interest." So, since those are not your words, you cannot explain what the compelling state interest is?

Sen. Rodrigues: Mr. Kelly?

Mr. Kelly: Thank you, Mr. Chair. That obligation would be on the part of the map drawer. I did not draw the legislature's attempts to redraw Benchmark District 5 and I didn't draw Benchmark District 5. So, that would be a compelling interest that the legislature would have to put forward through your process if you were attempting to redraw that and narrowly tailor that to some state compelling interest.

Sen. Gibson: Follow-up? May I?

Sen. Rodrigues: You're recognized.

Sen. Gibson: Thank you, Mr. Chair. There's no functional analysis in the packet that I see of the districts. Is there no functional analysis because it is the – is there some understanding that if it's not going to be a minority access seat, then there's no reason to have a functional analysis?

Sen. Rodrigues: Sen. Gibson, I'm going to refer to Staff Director Jay Ferrin on that question because we covered that very same topic in our maps.

Mr. Ferrin: Sen. Gibson, you're correct.

Sen. Gibson: There's no need to do a functional analysis if there is no minority district. Is that what I said? Yes, that's what I said.

Sen. Rodrigues: You're recognized.

Mr. Ferrin: Yes, Senator, that's correct. The purpose of the functional analysis is to evaluate the performance of the minority district.

Sen. Gibson. Thank you. May I?

Sen. Rodrigues: You're recognized.

Sen. Gibson: Thank you, Mr. Chair. So, since I think what I heard is there was no data looked at to come up with the Senate Bill – what's the governor's map number? 102? 109, sorry. 109, SB 2C Plan 0109. What information – I don't understand the information that was used to determine that the Senate 8019, which I want to make sure we're also clear that 8019 and the House's map, primary and secondary maps, were all voted on before special session. And those maps are not the maps that the governor or that you all drew at the governor's direction. Is that correct?

Sen. Rodrigues: You're recognized.

Mr. Kelly: Mr. Chair, yes. Primary Plan 8019 and Secondary Plan 8015 are the two maps that you, the legislature approved within the contents of Senate Bill 102. That's the bill that the governor vetoed.

Sen. Gibson: Follow-up?

Sen. Rodrigues: You're recognized.

Sen. Gibson: Thank you, Mr. Chair. I wanted to make sure that was clear because there was some confusion about which came first, the chicken or the egg, whether it was the House maps that came over that were passed out and not the governor's maps because we are now addressing the governor's proposed maps. Correct?

Sen. Rodrigues: I'll answer that. We are taking up the governor's map, now.

Sen. Gibson: Thank you. Follow-up, Mr. Chair?

Sen. Rodrigues: You're recognized.

Sen. Gibson: I want to go back to – So, CD 5 which was different before it became 5 at the end of the last redistricting. How many years has an African American been elected in the maps previously that represented – that included representation of what is currently shown as CD 5?

Sen. Rodrigues: I think we're getting beyond the contents of the lines he's drawn there, but I'll give him a shot at it.

Mr. Kelly: To my knowledge, of course that district has only existed since the court adopted it in late 2015 and it went into place for the 2016 election cycle. Prior to that, the district, instead of going from Jacksonville to Gadsden County, it went from Jacksonville to Orlando. If I recall correctly, Congresswoman Brown had that seat since somewhere in the early to mid-90s. I don't remember the exact year.

Sen. Gibson: Follow-up?

Sen. Rodrigues: You're recognized.

Sen. Gibson: Thank you, Mr. Chair. And then the recent CD 5 that elected an African American, the drawing of the maps concluded that – or the drawing of the governor's maps concluded that that map was not gerrymandered, but the previous adoption of CD 5, which meant east to west, is gerrymandered?

Sen. Rodrigues: Could you restate that, please?
Sen. Gibson: He shook his head; I think he understood it.

Sen. Rodrigues: You're recognized.

Mr. Kelly: Thank you, Chair. I think I got it. Yes, and this is articulated in the memorandum, too. But I can say unequivocally, the district currently today as drawn from Jacksonville over to Gadsden County, stretching about three and half hours, is a racial gerrymander.

Sen. Gibson: I'm sorry, Mr. Chair?

Sen. Rodrigues: Could you repeat that?

Sen. Gibson: You said what's three and a half hours?

Mr. Kelly: The drive from Jacksonville to Gadsden County. The length of the district.

Sen. Gibson: Thank you. Mr. Chair?

Sen. Rodrigues: Okay, members, we're going to go back to the map and there will be more time for questions at the end. Pick up your presentation, please.

Mr. Kelly: Thank you, Mr. Chair. So, shifting to the part of the region we're talking about, shifting to Districts 4 to 5 on this slide and the next, of course, obviously, we've already had a lengthy discussion. So, just some other general points to give you some sense of the final lines for the proposed map in front of you here today. Again, as we noted through the questioning, on the left, you see the primary plan as adopted by the legislature. On the right, the plan before you here today in Senate Bill 2C. The boundary between the two is mostly the St. John's River. As you know, Jacksonville is the single lone city in the entire state that's actually larger in population than a congressional district. So, the river, which nearly equally divides the city, stands out as, certainly, a logical recognizable Tier 2 boundary to divide Jacksonville if you're going to have to divide it somewhere.

And at the same time, the new configuration here still allows to improve overall on compactness. The southern boundaries of Districts 4 and 5 are still exactly as the legislature proposed them. So, the boundary between Clay and Putnam is as the legislature proposed it. And the split in St. John's County is exactly what the legislature proposed. So, we didn't change that.

The last point I just want to make in this slide, just zooming in a little bit on these two districts, is at some point, just for the sake of equal population, District 4 does need to come across the river, just to equalize a couple thousand residents, if I recall correctly. So, at some point, the district does have to come across the river. The original iteration of this crossing that we drew in one of our earlier maps is, I would say, less deliberative. In this improved

configuration, I used the bridges of the Arlington Expressway and Interstate 295 to literally allow a resident of District 4 to not have to leave the district in order to traverse the entire district. So, just try to use those boundary lines a little more logically if we were going to have to cross the river and gain equal population.

Sen. Bracy: Mr. Chair?

Sen. Rodrigues: Yes.

Sen. Bracy: I have a question on the map. I'm looking at District 2. How far does District 2 go from east to west?

Sen. Rodrigues: Do you have that on a slide, or do you want to answer that?

Mr. Kelly: Thank you, Mr. Chair. And I don't actually know. We didn't draw District 2. The legislature drew District 2. I will say in general, in the maps we drew out of our office, I don't recall if we ever made any changes to the legislature's configurations in Districts 1 and 2. We definitely did not change them for the purposes of this map compared to what the legislature passed.

Sen. Bracy: The reason why I bring it up is you said that District 5 was a racial gerrymander that spread 200 miles. But I'm looking at District 2, it looks like it goes about 200 miles, maybe more. So, the fact that you singled out District 5 for it going east to west that far, but you've got others one that do, you've got a problem – It seems that – anyway, I just wanted to explain how – I would like for you to explain how District 2 can go 200 miles, but District 5 can't.

Sen. Rodrigues: You're recognized.

Mr. Kelly: Thank you, Mr. Chair. I think if you're looking at Northeast Florida where you have Nasau, Duval, you have Clay, you have St. John's Counties, within those four counties, you can fit more than two congressional districts because a third district is even started in southern St. Johns in the configuration we're looking at today. You're comparing that to rural Florida, the panhandle, where there's

significantly less population. Naturally, a district in the panhandle is going to comprise, probably several entire rural counties.

The same is true if you look in the southern central part of the state, as well, where you have rural communities. That's just generally a reality of drawing a district that perhaps is maybe based out of a municipality or a larger city or a larger county versus drawing a district that's centered around a number of rural counties. So, a compact district in rural communities might take on a very aesthetically compact shape, but it's physically likely to be larger than, of course, a compact district in an urban community.

Sen. Rodrigues: Thank you. Please continue.

Mr. Kelly: Thank you. So, the next slides, Slides 14 through 21, visualize my changes to the Gulf counties. As I noted earlier in the opening, from Citrus down to Lee Counties, and even how those districts in those counties tie to inland counties to the east, north, and south. I'm showing you it this way to give you a sense of how I actually thought about going through the map and making those Tier 2 improvements. I really want to take your through my thought process. Essentially, what you have in this region of the state is a hybrid of the legislature's maps and our office's prior plans in this region.

In order to really achieve worthwhile Tier 2 improvements to this region, I had to revisit how the entire region was drawn. To give a sense of what I mean by that, as this slide illustrates, the legislature made a decision to keep Brevard, Osceola, and Polk Counties whole. This decision essentially places a little bit of a limitation on the map drawer. Obviously, it's a good goal to keep counties whole. But it places a little bit of a limitation on the map drawer. That limitation then, essentially, forces your hand as a map drawer in the Tampa Bay region.

Keeping Brevard, Osceola, and Polk whole essentially creates a wall across three quarters of the state. So, if, as we do in Plan 109, if we're able to essentially break that wall in Polk County, there are

means to do that in meaningful Tier 2 metric driven ways that make gains for the map overall and we can still, as we'll show later, make meaningful Tier 2 decisions in Polk County as well.

That really allows a number, then, of Gulf Coast County decisions that make a number of Tier 2 gains for this map. I'll give some specific examples. So, in this example in Slide 16, this became a means to keep Citrus County whole in District 12, which you can see here. And this district is a much more squared up, linear district. District 12 actually is still, in this configuration, a majority Pascoe County seat yielding about 141,000 of its residents in the southern part of the county into District 15.

Just while we have it on the screen, the boundaries there, this is all of Citrus, all of Hernando, and most of Pasco, the boundaries between Districts 12 and 15, 15 is the pinkish district in the south there, the boundaries there, the city of Zephyr Hills is entirely in District 15. The cities of St. Leo, San Antonio, and Dade City are entirely in 12. And those lines, despite their curves, they're predominantly state roads all through out.

Moving on to Slide 17, south of the Tampa Bay region, we were also able to keep, through changes made in the Polk County area, we were also able to keep Sarasota County whole. As I opened up, essentially, what I've done in this map is I've articulated two whole counties in exchange for splitting another county. So, gaining that net whole county in the map, Keeping Citrus whole, Keeping Sarasota whole, splitting Polk.

In this particular configuration, keeping Sarasota whole, aligning it with all of Charlotte County and aligning it with some unincorporated communities in Lee County to essentially equalize the population. The boundaries in Lee County are almost entirely either major roadways or city boundaries.

On Slide 18, taking this approach north and south of Tampa Bay then allowed me to go work in the Tampa Bay area. Because, overall, just comparing the map that we had previously worked on,

comparing that to the legislature's map, the population distribution was just simply different. So, again, as I noted earlier, really had to lift the whole region out and look at options to reconfigure it. Taking this approach north and south of Tampa Bay gave me a better chance to draw more visually compact districts in Tampa Bay and make improved usage of Tier 2 political and geographic boundary lines.

Zooming just a little bit further on Pinellas County and the Bay, it seemed from the legislature's process that there was a goal to have a seat wholly in Pinellas County. So, this map still accomplishes this goal. I literally started in this region working from west to east. Doing so, essentially, I was able to create a very squared up compact district. In the northern part of District 13, where it connects to District 14, that's just your Pinellas/Hillsboro line. The southern part of the seat just follows state road in between Pinellas – actually, through the city of St. Pete, I should say, follows a state road. Then just nice clean lines split District 13 and District 14.

And then I continued to just work my way east as I built District 14, again, seeking to utilize as clean, clear, distinguishable municipal boundary lines. Really, leaning heavily on Tier 2 standards. I essentially, then, built District 16 north at the same time. And build District 16 north with the same goal in mind of having those boundaries match, again, clearly distinguishable roadways. I should say, too, District 16 still keeps all of Manatee County whole.

Sen. Rodrigues: Sen. Rouson, you're recognized for a question.

Sen. Rouson: Thank you very much, Mr. Chairman. The way you have drawn CD 14 and CD 13, 13 being St. Pete and Pinellas, 14 being Tampa and Hillsboro, you have packed Black voters of midtown South St. Pete with Black voters in east Tampa. The current configuration of the district is different from what you suggested. Can you explain the difference?

Sen. Rodrigues: You're recognized.

Mr. Kelly: Mr. Chair, thank you. To be frank, I'm actually unaware of the Black

voting age population of District 14. This was not even drawn with any type of racial intent at all. This was not drawn with even looking at racial data for this district. There was not, to my knowledge, any reason to do so. So, I was just drawing a district based on nice clean, compact lines, lines that adhered to major roadways, major recognizable roadways, and tried to split as few cities as possible in this area. I do trade a split of St. Pete for – My apology – one other city, my apology. There is a city split trade in this area. So, the overall city splits are equal to what the legislature adopted. But I just utilized the major roadways and worked my east and worked my way north.

Sen. Rodrigues: Sen. Rouson, do you have a follow-up?

Sen. Rouson: No.

Sen. Bracy: I do have a question.

Sen. Rodrigues: We'll go to Sen. Bracy and then Sen. Gibson.

Sen. Bracy: Thank you. Is Mr. Alex Kelly under oath for this committee?

Sen. Rodrigues: No, he's not.

Sen. Bracy: I know we do it for certain circumstances, certain secretaries. Could we make that happen in this committee?

Sen. Rodrigues: The time to have done that would have been before we began the presentation. At this point, I would rule that out of order. Sen. Gibson, did you have a question?

Sen. Gibson: Thank you, Mr. Chair. In terms of the – I think I heard the primary elections showed some that C 5 couldn't, on its own, elect a candidate of their choice. You mentioned something about some historical – I guess in any other district, that should be a minority access district. You mentioned that the primary elections showed that they couldn't. Is that correct? By themselves elect –

Sen. Rodrigues: Mr. Kelly?

Mr. Kelly: Thank you, Mr. Chair. I think the question you're asking about pertains somewhat to my comments about Congressional District 10, not Congressional District 5. But I'm not totally sure. There might have been some blurring of the line there between the two in the question.

Sen. Gibson: Follow-up?

Sen. Rodrigues: You're recognized.

Sen. Gibson: It may be blurring because they impact the same ethnic people, perhaps. But it was said that data was shown – that was in context of 5 and 10, that the primary data showed that CD 5 couldn't elect a minority member of Congress on their own, which is why we weren't following any Tier 1, because all we're talking about today is Tier 2. And that's the reason for it's not diminished. Is that what you said about the primary election data?

Sen. Rodrigues: Mr. Kelly?

Mr. Kelly: Thank you, Mr. Chair. I think your question, at least what you're referencing from my testimony refers to my comments about Congressional District 10. I was reflecting on the House professional staff's, their analysis of Congressional District 10. We didn't look at the political data for Congressional District 10. I didn't look at the political data for Congressional District 10. The House, in their subcommittee, referenced their analysis of Congressional District 10, and that based on their analysis of past year primary electoral data, that their analysis showed that the Black community in Orange County, in Congressional District 10, could not, on their own, elect a candidate of their choice.

Congressional District 5, I don't think I've heard anyone question that the district has an ability to elect – their issues are similar, but their issues are not identical. The question in Congressional District 5 is it is a gerrymandered district drawn predominantly based on one criteria, strong predominantly based on race. Was it drawn in a way

that meets a compelling state interest? Which is a question that would have to be asked of the map drawer to justify the district.

Sen. Rodrigues: You're recognized.

Sen. Gibson: Thank you, Mr. Chair. And so, the map drawer only looked at an analysis that didn't include a functional analysis in any configuration. Correct?

Sen. Rodrigues: You're recognized.

Mr. Kelly: My apology, I'm not sure I understood the question.
Sen. Rodrigues: Restate.

Sen. Gibson: Thank you, Mr. Chair. In the purported gerrymandered district based on race, and now in the map that we're dealing with today, there was – a functional analysis was not reviewed to recognize communities of interest, not gerrymandered based on race. It's all race neutral. Is that correct?

Sen. Rodrigues: Do you understand it now?

Mr. Kelly: I think so, yes. Thank you, Mr. Chair, and thank you. Let me break that down. So, our office has not done a functional analysis on any of the districts. We have not, I have not drawn districts based on communities of interest. What you did say at the end is correct, we drew districts in a race neutral way.

Sen. Gibson: Mr. Chair?

Sen. Rodrigues: Follow-up?

Sen. Gibson: I keep trying to understand the definition – is there a definition for race neutral?

Sen. Rodrigues: You're recognized.

Mr. Kelly: Thank you, Mr. Chair. I'll give you a non-attorney definition.

Essentially, for me, race was not a driving factor of how I drew the district. It was definitely not a predominant factor. As I noted when we talked earlier about District 14, I couldn't even tell you and I still can't tell you what the actual Black voting age population of the district is. I drew that district, District 13, 14, all the districts around it solely based on trying to draw districts that are compact, aesthetically compact, statistically compact, that follow clearly definable political and geographical boundary lines that meet that Tier 2 test. So, I didn't draw a single district in this map based on race.

Sen. Gibson: Follow-up?
Sen. Rodrigues: You're recognized.

Sen. Gibson: Thank you, Mr. Chair. And so, the Tier 1 never came into play in terms of keeping communities of interest together. It doesn't have to be a majority, but certainly their ability to elect the representative of their choice, that was never a factor. It's just strictly where the lines are and let people fall where they may. Is that how it is?

Sen. Rodrigues: You're recognized.

Mr. Kelly: Thank you, Mr. Chair. Again, I drew districts based on drawing compact districts that followed aesthetic compactness, statistical compactness, followed clearly identifiable, recognizable, political, and geographical boundary lines. I did not use communities of interest as a standard. And I did not draw race-based districts.

Sen. Rodrigues: Sen. Stewart, did you have a question?

Sen. Stewart: Thank you, Chair. A little bit toward where Sen. Gibson was going. What I'm gathering from the discussion thus far is that Tier 1 guidelines, that was the federal law, was not considered in this map. And primarily, you went by roadways and to make sure that the Tier 2 was done correctly?

Sen. Rodrigues: You're recognized.

Mr. Kelly: Thank you, Mr. Chair. Senator, the Tier 1 guidelines are part of state law, not federal law.

Sen. Rodrigues: Do you have a follow-up, Sen. Stewart?

Sen. Stewart: That's news to me. Thank you.

Sen. Rodrigues: Sen. Bracy?

Sen. Bracy: Thank you, Mr. Chairman. Sen. Rouson talked about Black people in Pinellas and now they're moved to a district over that will know them most likely representing – having a Republican representative. You're saying you are not aware of that at all, whatsoever, did not have any impact on your decision making?

Sen. Rodrigues: You're recognized.

Mr. Kelly: Thank you, Mr. Chair. Race and political partisan data in no way related at all to my drawings of Districts 13, 14, 15, 16, or any of the districts in the map. Really leaning heavily to Tier 2 standards of compactness and use of Tier 2 boundaries in these two districts. Again, I made a split in the northern part of District 13, along the Pinellas/Hillsboro county line, and the southern part of Districts 13 and 14, right along US 19 as a southern divider. A little bit of equal population work done just north of St. Pete in the unincorporated Feather Sound area.

Sen. Bracy: Thank you, I understand. District 10 –

Sen. Rodrigues: You're recognized for a follow-up.

Sen. Bracy: Thank you, Mr. Chairman. So, in District 10, the district I represent now, in West Orange County, all of the Black people in West Orange County have now been moved to a district that will be represented mostly by Lake County. So, you have an area that has elected Val Demings, who was a potential vice-president, Democratic nominee for president, who will now be electing possibly Rep. Anthony Sabatini, who is known for Black face. I

mean no disrespect, but I'm trying to make a point that you're telling me that this group of people who have elected someone completely different, now will be electing someone like that. And you're saying you had no idea – this is the first time that you're ever considering that point?

Sen. Rodrigues: You're recognized.

Mr. Kelly: Thank you, Mr. Chair. My reading of the state constitution, it would have violated the law – Tier 1 law in several ways for me to even go anywhere near an analysis like that. So, I have no consideration for anything like that. I think to put something into context here, too, that is important – Mr. Chair, I can skip to District 10 if that might help.

Sen. Rodrigues: Let's do that.

Mr. Kelly: So, this is Congressional District 10. Well, this is the region. This is how it compares to the map that the legislature passed, which is not dissimilar from the Benchmark and then Congressional District 10 in the map before you today. That Congressional District 10 is a very, very Tier 2 adherent district, very compact. All of those lines are used to define either major roadways or municipal boundaries. And to put this into context, the Benchmark Congressional District 10, to my knowledge, has a Black voting age population somewhere just under 27%, somewhere in the high 26% range. The district that you're looking at there today has like a 25.98, 25.96, so very close percentage to 26. So, it's not even a one percent. It's maybe a seven or eight tenths of a percent point drop in its Black voting age population.

So, just drawing a compact seat, and I can walk through the different city and roadway boundaries, just drawing a compact seat that lines up with – you can see that's the Seminole/Orange County line. You can see some major roadways. That piece of District 9 that goes up into District 10, that's the cities of Belle Isle and Edgewood, so it's keeping some municipalities whole. Maitland, Winter Park are kept whole in 10. You've got Winter Garden, Ocoee, Apopka that are

kept whole in 11.

So, just following all those principles, we were able to draw a very compact District 10 that's not even a percentage point difference in its Black voting age population. We really adhered to the principles in Florida law and drew a very compact district. And that's something that was similar to what the House had drawn and articulated good reasons for drawing it. When I worked on this map, that is the seat that I drew. It really is a very compact, very lawfully compliant seat.

Sen. Bracy: Mr. Chairman?

Sen. Rodrigues: You're recognized.

Sen. Bracy: Thank you. You mentioned before that you had no idea on percentages. You did not use that for any outcomes. Yet, you just quoted the Black voting age population, how much it changed. So, help me understand.

Sen. Rodrigues: Would you like to provide some clarity there?

Mr. Kelly: Thank you, Mr. Chair. I noted that comment specific to District 14. District 10, we recognized that there was a tension between the testimony in the House and Senate. So, it was important to understand the Black voting age population, as well as the Hispanic voting age population of that district, that Benchmark district. Again, it's somewhere around, give or take, close to 26 something percent. I forget the exact number, but 26 something percent Black voting age population of the benchmark. And I think the Hispanic voting age population is actually larger, around 28% Hispanic voting age population.

So, this was a district where we did have to look – I had to look at the data for the Black voting age population, the Hispanic age voting population, try to come to an understanding of that tension between the House and Senate testimony, and figure out appropriate resolution.

Sen. Bracy: Okay, so you were aware –

Sen. Rodrigues: You're recognized.

Sen. Bracy: Thank you, Mr. Chair. So, you were aware of the Black voting age population, Hispanic voting age population when making the changes that you made in District 10. That is correct?

Sen. Rodrigues: You're recognized.

Mr. Kelly: Yes.

Sen. Bracy: Okay. Just looking at the Federal Voting Rights Act. It protects against retrogression. It defines that as the ability of racial and language minorities to elect representatives of their choice. So, any effect to that would be considered retrogression. So, what I'm saying is to move the people from West Orange County who have elected Val Demings as their congresswoman, to now move them to a district in Lake County with the Villages and others, where now they won't be able to elect the representative of their choice, from this definition, it clearly goes against the Voting Rights Act. It clearly is retrogression. How do you explain that group of Black people having the choice to vote for one, now they will not be able to elect the candidate of their choice?

Sen. Rodrigues: Mr. Kelly, you're recognized.

Mr. Kelly: Thank you, Mr. Chair. I won't claim to be an expert on every facet of the Voting Rights Act, but in general, I don't know of any way in which a Voting Rights Act challenge could be brought to a district that 26% of it is the Black community, 28% of it's the Hispanic community. I don't know that there's any connection at all to the Voting Rights Act for a district like that. Generally, that type of challenge, to my knowledge, and counsel could probably clarify, but to my knowledge is applicable to a district where the majority of the district is a particular minority community. So, a district, in other words, where it has a 50% plus voting age population. There's

further analysis required more than just that. But in general, this district and the Voting Rights Act wouldn't have anything to do with each other.

Sen. Rodrigues: Sen. Bracy?

Sen. Bracy: But you said before you don't even know the percentages the House used to determine if this is even a minority seat or not.

Sen. Rodrigues: He did say he looked at District 10.

Sen. Bracy: He looked at the Black voting age population. But to determine if it is a minority – You know, we'll go in circles. What I would ask, Chairman, is that we've got a lot of people here. I think there's, honestly, only three, four districts that are really what people are paying attention to. I appreciate the presentation from the governor's office. But just so that we have time for debate and that people have a chance to speak, I would ask that we could conclude the presentation or really expedite it and allow for people to speak.

Sen. Rodrigues: Sen. Gibson?

Sen. Gibson: Thank you, Mr. Chair. Certainly, we'll save time for public testimony. I appreciate those who have come today. I'm unclear as to when there was data reviewed, when there wasn't data reviewed. But just in the House primary map, I believe that was one that you all utilized, I think, a little bit, or tweaked it a little bit, the Black voting age population, according to this full analysis, was around 35%, a little over 35%. In the data for the race neutral maps, that goes down to 12%. And so, it's your testimony today that because – that there's no diminishment because that population couldn't elect a candidate of their choice in a primary?

Sen. Rodrigues: You're recognized.

Mr. Kelly: Thank you, Mr. Chair. I apologize, I don't have the benefit of the data that you're looking at. So, I'm not sure what you're looking at.

Sen. Rodrigues: Do you have a follow-up?

Sen. Gibson: Yes. So, I have the packet with the map that we're discussion, which district by district includes percentages for the various districts based on the map that we received. So, this is the staff data?

Sen. Rodrigues: Our staff prepared that data.

Sen. Gibson: Okay. Well – Mr. Chair, may I?

Sen. Rodrigues: Yes.

Sen. Gibson: Regardless of the preparation, and I trust what our staff does, those are the percentages. And that is not diminishment because CD 5 is no longer considered to have need for a minority access district. Would that be the premise?

Sen. Rodrigues: Mr. Kelly?

Mr. Kelly: I have to apologize, I'm not sure, are we talking about District 5 or District 10. And I'm still not really sure what data – I don't know if we're referencing data regarding racial and language minorities. I don't know if we're referencing elections data. I'm having trouble following the question.

Sen. Rodrigues: He's at a disadvantage not having the packet.

Sen. Gibson: May I explain it?

Sen. Rodriguez: Sure.

Sen. Gibson: Thank you, Mr. Chair. So, we have something called a voter age voting data or the voting age population in each of the congressional districts that were drawn in Plan 109. And the projection for the CD 5 in 109, Black voting age population in CD 5 is now 12%. Which was previously, in the map I believe you referenced that the Senate passed, you chose this one, 8019, was 35%. And so, my question – Because you don't have the data, can you not answer the question

based on the percentages I gave?

Sen. Rodrigues: Mr. Kelly?

Mr. Kelly: Thank you and thank you for clarification. I think I'm starting to understand what you're asking. So, you're referring to District 5 in Map 8019. District 5's Black voting age population in Map 8019 is 35.32%. I wouldn't say that District 5 in Map 0109 is the comparable district. Neither district really resembles it. But I wouldn't say it's the comparable district. District 4 in Map 0109 has a Black voting age population of 31.66%. That achieved that 31.66% without attempting, in any way, to draw it with race as a consideration.

Sen. Gibson: District 4 has the 30%.
Sen. Rodrigues: That's what he said.

Sen. Gibson: Okay. And District 5 is 12%.

Sen. Rodrigues: He'll have to take your word for that.

Sen. Gibson: Thank you, Mr. Chair. So, collectively, in previous maps, it's the split between the districts that then create a difference in the numbers and also go to a different area. Correct?

Sen. Rodrigues: You're recognized.

Mr. Kelly: Thank you, Mr. Chair. I think this visual helps articulate based on the districts that the legislature drew in its primary plan and the districts that I've drawn in this plan before you today, when you look to the left, District 5 that the legislature drew, and you try to compare the geography, therefore the population, to District 4 that I drew, really most of the legislature's District 5, most of it – but obviously not all of it, most of it, population wise, is in that District 4 that I drew. You can see there's a little portion of not fully Southwest Jacksonville but getting into Southwest Jacksonville in the legislature's District 5 that for the map that I drew, is in a different district. That would explain the changes in the numbers because the

populations don't match perfectly.

Sen. Gibson: Follow-up?

Sen. Rodrigues: You're recognized.

Sen. Gibson: Thank you, Mr. Chair. It's still diminishment, is that correct, in each of the districts? It's not 35% any longer, correct?

Sen. Rodrigues: You're recognized.

Mr. Kelly: Thank you, Mr. Chair. As I noted in my opening, the district as drawn in the different configurations by the legislature violates the Equal Protection clause of the 14th Amendment in the United States Constitution. So, in effect, the plain language way of looking at that is there was no benchmark district to be redrawn. So therefore, there is no diminishment to be considered.

Sen. Gibson: Last question?

Sen. Rodrigues: Last question.

Sen. Gibson: Thank you Mr. Chair. I'll put it in a compound question. In terms of compactness, are the two districts in Jacksonville area equal in compactness? And is there another configuration that could be drawn that keeps more of the African American community of interest together and have the same compactness? And did you try? Thank you, Mr. Chair.

Sen. Rodrigues: You're recognized.

Mr. Kelly: Thank you, Mr. Chair. In terms of compactness, the Plan 0109 on the right compared to the primary plan the legislature adopted, Plan 0109 is – those two districts combined, is statistically more compact than the primary plan the legislature drew. The main reason being is that District 4, as the legislature drew it, is very non compact. So, it brings down the overall compactness of those two districts combined. So, Plan 0109 is an improvement upon compactness.

Sen. Rodrigues: Are there any other members of the committee that have a question?

Sen. Bracy: Mr. Chairman, sorry?

Sen. Rodrigues: Sen. Bracy?

Sen. Bracy: Thank you, Sen. Gibson, I get your point. Last two questions. Mr. Kelly, how do you justify splitting the minority population in Orlando into two separate districts when it had been contained in CD 10 in the Benchmark?

Sen. Rodrigues: You're recognized.

Mr. Kelly: Thank you, Mr. Chair. As I noted before, there was no obligation in any way to redraw District 10, the Benchmark district. There's no lawful obligation to redraw that seat that way. What I did was I drew a District 10, which, again, for reference is nearly equal, maybe a seven or eight tenths of a percentage point different in terms of its Black voting age population. I drew a District 10 in an area that includes Winter Park, Maitland, is more centrally located in Orange County, a very compact seat. Drawing of that district actually allowed for some Tier 2 compliance in several other ways around the seat, as well. Essentially helping with District 9, District 11.

So, I followed the outline of Florida law to draw those seats, draw those seats compactly, utilize political and geographical boundary lines. And I didn't consider race in any way in the drawing of the seat.

Mr. Bracy: Thank you, Mr. Chairman. Last question. In doing it that way, aren't you putting Tier 2 requirements above Tier 1?

Sen. Rodrigues: You're recognized.

Mr. Kelly: Thank you, Mr. Chair. As I noted in my opening, part of Tier 1 is contiguity, obviously, which I follow that. And then part of Tier 1 is not intentionally favoring or disfavoring an incumbent or political party. As I noted in my opening, I did not do that, and I did not

intend to do that. And I did not, in any way, take any feedback from anyone to try to do something like that. So, I didn't violate that Tier 1 standard. And there was no diminishment obligation for that district. So, I complied with Tier 1, moved to Tier 2, and drew very compact districts that followed political and geographic boundary lines.

Sen. Rodrigues: Are there any other questions from members of the committee? Seeing none, we have a new member to the Senate who's not on the committee who has joined us. If you would like, please introduce yourself to the crowd and you may ask your question.

Sen. Osgood: Thank you, Mr. Chair. I am Sen. Rosalind Osgood, newly elected for District 33. Thank you so much. Just trying to understand in listening at the responses to Sen. Bracy where it keeps being said that we didn't use race, but then we've determined that one district is racial gerrymandering. You just said that when you were asked about Tier 1 and Tier 2, that when you looked at CD 5, that there was no attempt to – you said you didn't discuss with anyone about favoring a political party, you didn't have a conversation. But if that is the outcome of what has been done, then how do we address that?

You clearly said it was not your intent. Sometimes we can work and do things, especially when we're just using maps and highways, the result ends up being something other than what we intended. Because when we look at what's going on with 5, 10, and the overall schemes of these maps, it does appear to be politically motivated. And it also appears to not take the hard-working Black working citizens of this state serious. And I'm sorry if I don't know all the correct languages. I'm just asking my question so that I would be able to respond to the people that elected me to represent them.

Sen. Rodrigues: Could you restate your question, please?

Sen. Osgood: So, in the conversations and questions back and forth with the senators here, Mr. Kelly has expressed the process he took and his intent. That's not my question. But the results means that we're eliminating two seats that give minority access, where one political

party is being diminished in numbers and another is gaining. That clearly, to me, when I look at Tier 1, violates when it talks about favoring a political party. So, I'll stop there first. So, I'm just trying to understand. We talk about race neutral and then we talk about racial gerrymandering. We're either using race or we're not.

Sen. Rodrigues: I'm sorry, could you restate your question again?

Sen. Osgood: I'll start with the first question.

Sen. Rodrigues: It sounds like we're getting into debate, and I just want to make sure we're asking a question.

Sen. Osgood: Okay, I'll start with the first question. Mr. Kelly has stated that he didn't have any conversations with anybody to favor a political party. When we look at the results we got, Tier 1 says clearly that we cannot favor a political party. And we haven't talked a lot about Tier 1. It's been mentioned a couple of times. So, how do we substantiate with what you've given us does not violate Tier 1. I'm asking that.

Sen. Rodrigues: Thank you. Mr. Kelly?

Mr. Kelly: Thank you, Mr. Chair and thank you, Senator. As I noted in my opening – the Tier 1 standard is intent. I noted in my opening that I've never had any conversation that would compromise that intent. I've never had any one push or encourage any type of intent such as that would either favor or disfavor an incumbent or political party. And that's not what I intend to do. So, I've not violated the Tier 1 standard of intent. Speaking of the results of the map, I don't know what the results are. I couldn't even begin to provide an answer to that question.

Sen. Rodrigues: Do you have a follow-up?

Sen. Osgood: If I could have one follow-up. Let me go back to District 5. I'm trying to understand what District 5 – I understood your comments about the 14th Amendment and about the racial gerrymandering, but

it appears to me to violate the Voting Rights Act. Can you tell me how what you're recommending to eliminate District 5 does not violate the Voting Rights Act?

Sen. Rodrigues: You're recognized.

Mr. Kelly: Thank you, Chair. Senator, one of the questions earlier was similar when we were talking about District 10. My general understanding of the Voting Rights Act is it's not implicated, it's not a potential Voting Rights Act question unless a majority of the district's population, a majority of the voting age population, I should say, of the district, is of the same minority community. So, if a majority of the district – that's not the only question as to whether or not there could be a Voting Rights Act implication. But that Benchmark district, Congressional District 5, a majority of that district is not represented by any particular minority community. So, the Voting Rights Act should not be implicated in any way.

Sen. Osgood: In District 5, not 10 but 5.

Sen. Rodrigues: You're recognized.

Mr. Kelly: Thanks, Chair. My statement there would actually apply to both 5 and 10.

Sen. Osgood: Thank you, Mr. Chair an thank you for allowing me to ask the questions.

Sen. Rodrigues: Yes, Ma'am. That concludes questions. And it concludes the presentation. Thank you, Mr. Kelly. Next, we do have an amendment from Sen. Rouson. Let's take up Amendment Bar Code 917356. Sen. Rouson, you are recognized to explain your amendment.

Sen. Rouson: Thank you very much, Mr. Chair. There are a lot of things to say in a short period of time. I do want to give respect to those who traveled here and want to speak in public comment. So, I'll keep my description of the amendment fairly brief. First, this amendment restores District 5 in Northern Florida as a minority access seat as it

has been. Secondly, it restores the 10th District in Orlando area as a minority seat as it has been. It also keeps the city of Tampa entirely within District 14 and keeps the city of St. Petersburg whole in District 13.

The intent of this amendment is to protect minority access districts from retrogression, as the Black communities in those areas have had access for decades. And it continues the legacy of minority representation. That's the amendment.

Sen. Rodrigues: Are there questions on the amendment? Sen. Broxson, you're recognized.

Sen. Broxson: Senator, you are an attorney. But in your opinion, would this violate the federal intent of how we draw congressional maps?

Sen. Rodrigues: Sen. Rouson, you're recognized.

Sen. Rouson: No.

Sen. Rodrigues: Are there any other questions? Seeing no questions, we do not have appearance forms for the amendment. So now we'll move to debate. Is there debate on the amendment. Hearing no debate, Sen. Rouson, you are recognized to close on the amendment.

Sen. Rouson: Thank you very much, Mr. Chairman. Diversity and diversity in representation matters. Like the late, great Charles Rangel, congressman from Harlem, said, "Full participation in government and society has been a basic right of this country and this state, symbolizing the full citizenship and equal protection of all." The amendment seeks to not allow retrogression, which reduces in the main bill the opportunity of minorities to elect a person of their choice. The underlying bill screams of diminishment because it eliminates two minority districts.

As divisions, both real and imagined, deep in our political socio-economic, and our health and just worlds, even our education worlds, it becomes increasingly important, even critical, that

everyone have a seat at the table where decisions are being made. This amendment goes a long way towards ensuring that. With that, I close and ask for your favorable support.

Sen. Rodrigues: All those in favor of the amendment say yeah.

Some Senators: Yea.

Sen. Rodrigues: All opposed say Nay.

Some Senators: Nay.

Sen. Rodrigues: The amendment fails. There is another amendment, which I have filed, Bar Code 644248. Without objection, show that that amendment has been withdrawn. We're now going to move to appearance forms for the bill. We have quite a few. I'm going to start with those who are waiving against the bill so that we have their statements on the record. We have Rev. Dr. Joe **Paramour** who is waiving against the bill. We have Debra Baker **Rein**, from Niceville, Florida, who is waiving against the bill. We have Gene **Siminelor**, from Milton, Florida, who is waiving against the bill. We have Matt Daily from Tallahassee, who is waiving against the bill. We have Lisa Perry from St. Petersburg, Florida, who is waiving against the bill.

Next, we're going to move to individuals from Jacksonville, Florida who are also waiving against the bill. We have Robert McKinnon, waiving against the bill. We have Joy Burgess from Jacksonville, Florida waiving against the bill. We have Jonathan Burgess from Jacksonville, Florida waiving against the bill. Next we're going to continue with Jacksonville individuals who are waiving against the bill. We have Gwendolyn Coleman from Jacksonville waiving against the bill. We have, looks like, I'm having difficulty reading the handwriting, but it looks like **Horasca Levashal** from Jacksonville, Florida waiving against the bill. **Semile** Davis from Jacksonville, Florida waiving against the bill.

Sheila Singleton from Jacksonville, Florida waiving against the bill. Joanne Brooks from Jacksonville, Florida waiving against the bill. Next, we have additional people from Orlando who are waiving

against the bill. Looks like **Ryland** Wagner from Orlando waiving against the bill. Laura Cordova from Orlando waiving against the bill. John Kemper from Orlando waiving against the bill. Anastacia Jackson from Orlando waiving against the bill. Allison Clark from Maitland, Florida waiving against the bill. Mecca Godwin from Orlando waiving against the bill. Jasmine Hernandez from Orlando waiving against the bill.

Now we're into our list of speakers. We're going to begin with speakers from Orlando who have filled out the appearance card and are not being compensated for their appearance. We're going to get the non-compensated forms up first. And then as time permits, move through those who have been compensated for their testimony. We're going to begin with Rev. Dr. Martin M. Spooney from Orlando. Thank you, sir. And you're recognized for two minutes, sir.

Rev. Dr. Spooney: Thank you. Good afternoon. That's Rev. Dr. Robert M. Spooney from Orlando, Florida, but I'll take Martin. To the committee chair and these committee members, again, my name is the Rev. Dr. Robert M. Spooney. I'm pastor of Mt. Zion Missionary Baptist Church in Orlando, Florida, which is in Congressional District 10. I also live in Congressional District 10. I'm not a politician but I consider myself a public servant. Some people also may consider me a subject matter expert on servant leadership.

I'm here today because the church is called to be engaged. The church is called to lead. The church is called to lend voice, moral authority, resources in an effort to resist evil and to bring reorder to the common life of those who are most vulnerable, those who need to be protected. We are servants to our congregations. As servant leaders, one of the things I do understand is that servant leadership consists of ethicalness and moral. You're ethical and moral. Leadership can be taught, but ethics is tied to your character.

So, what I'm here to talk about in these two short minutes is the fact that morally, is this the right thing to do, to eliminate two congressional districts which will in turn marginalize many, many

people. I've heard all of these statistics spouted this afternoon. Many of them, I know for a fact that they're just not necessarily true. I wonder what you looked at to determine that the amount of African Americans and Latinos who live in the district. Because I live in the 10th District. I know that the numbers are not the same as I just heard today.

So, my point is, will you morally be able to live with yourself if you really make this decision to just push a whole group of people out of the way and allow them not to participate in the American system. This is your decision. You've already vetted your process. You came up with your answers. You came up with a map. Now it's being vetoed and turned around. Will you stand up and do the right thing or will you bow down and be bullied? That's the question that's just resonating in my mind. We've elected you to do the right thing and I just ask that you do the right thing. Remember we are one. Our cause is one. And if we are to be successful in this world, we ought to help one another, help other people get a chance to vote. Thank you.

Sen. Rodrigues: Thank you for your comments. Carla Jones? And on deck we'll have Lashonda **Hallaway**. Ms. Jones, you're recognized for two minutes.

Ms. Jones: Thank you. My name is Carla Jones. I am from Orlando, Florida. I'm a candidate, I'm running for Chief Financial Officer of State of Florida. I'm not an attorney but I wake up with one every morning. I'm here to, as you know, let you all know that I am against the redistricting plan. I am because I know the representative from the governor's office, he stood here, and he said race did not play a role in the redistricting process. I'm here to tell you that I don't believe it. I think it's the main factor that we are looking at. It's unfortunate because minorities, they vote, they pay taxes, they own property, they have rights. And a lot of that's been looked over. I'm highly disappointed in the redistricting.

I'm the mother of six children and they are all of voting age. A couple of them approached me about this redistricting. So, I'm here today to stand up and say it's wrong. I think race plays a big, big

factor in the decisions that's being made. And unfortunately, we are one, but we are not living as one. United we stand, divided we fall. I would like to ask everyone standing within – if you can hear me today, please reconsider this bill. Please. It's racist, in my opinion. I don't know how much that means, but it is racist. And I need to take some true answers back to my children. I don't want them to be lied to.

Sen. Rodrigues: You need to bring it in for a landing.

Ms. Jones: Okay. I don't want them to be lied to. So, please reconsider. Please reconsider this bill. It is racist. I thank you for listening to me.

Sen. Rodrigues: Thank you for your comments today. We have Lashonda Hallaway. On deck, Dr. **Edie Welch**. You're recognized for two minutes.

Ms. Hallaway: Good afternoon. My name is Lashanda L. J. Hallaway. I am a candidate to represent the people of the 5th Congressional District. But moreover, I am a fourth generation Jacksonvillian and Floridian. It is an abomination that we are wasting taxpayer dollars regarding this reapportionment and regarding redistricting when we elected citizens – I'm sorry, we elect you, the legislators to come here and make laws and to draw the lines. However, notwithstanding your willingness to stand up to the governor, I am here to say that this map denies equal access to the political process, and it discriminates on the basis of not only the African American race, but Black and Brown people, and also language minorities in the vein of Hispanics.

Furthermore, Mr. Kelly stated that he used the Tier 2 standard. I believe – Not I believe, the law states, one, that all persons in the state of Florida, the fair district laws, the law that the citizens stated they wanted fair districts. Look 20 seats is not fair. 20 Republican seats versus eight Democratic seats is not fair. So, not only does it violate the will of the people, under the equal protection of the law, the equal protection argument, in particular, Section 2 of the Voting Rights Act of 1965, it specifically prohibits voting practices or procedures that discriminate on the basis of race, color, or membership in one language minority group.

We must protect minority access districts from retrogression. I'll repeat that. We must protect minority access districts from retrogression.

Sen. Rodrigues: Please bring it in for a landing.

Ms. Hallaway: I'll bring it in for the landing. Last, I will say that representation of all citizens is indeed a compelling state interest. Minority representation matters. We deserve representation. And this outright attempt by Gov. DeSantis to dilute the voice of minorities, it is an abomination, and all voices deserve to be heard. Protect our democracy and maintain the maps. Thank you.

Sen. Rodrigues: Dr. Evie Welch. On deck is Gail Frances Gardner. Dr. Welch, you're recognized for two minutes.

Dr. Welch: My name is Evie.

Sen. Rodrigues: I'm sorry. Dr. Evie Welch.

Dr. Welch: Adams Welch.

Sen. Rodrigues: I apologize.

Dr. Welch: I vote in District 5. I am the committee woman for voting district 713 in Jacksonville, Florida. You're looking at one of the warriors of the boots on the ground. Before I give my disappointment, I must comment Sen. Rouson for giving me a ray of hope. Before I came here, it appeared to me that you weren't in keeping with any of the laws that really looks at the minority people who are marginalized. I couldn't believe my ears. And so, I'm here today. At least there is a glimmer of hope.

We must contain the ideas of the constitution, Amendment 14, Section 2. We must go back and read what the people voted for in the revision of the constitution. The people of Florida, not the governor himself, said we must look at the federal statutes and we must consider what the Voting Rights Act of 1965 really made us to

look at making this a more perfect union. As a person who has spent most of her life, professionally and academically, working very hard to make sure that Amendment 19 was always remembered, do consider what you're doing to the state of Florida. You are dividing us. We don't want to go back, and we will not go back. Thank you for listening to me.

Sen. Rodrigues: Thank you for your comments. We have Gail Frances Gardner. David Rucker, you're on deck.

Ms. Frances Gardner: Good afternoon.

Sen. Rodrigues: You have two minutes, ma'am.

Ms. Frances Gardner: In the 60s my ancestors who lived in the north where I was born and grew up, would board a charter bus and head south where they were born and grew up. Now, I too boarded a charter bus today for the same reason my ancestors did. I too want to defend theirs, mine, and generations to come voting rights. The Congressional Redistricting map, not just to draw the lines, but hold the line and make this legislative body accountable and not allow the persuasive executive decision by the governor to be a force to diminish the Black vote, of which those of you who benefited from the fair districts amendments of 5 and 6, that profit politicians from drawing districts to favor themselves and their parties. And to ensure that minorities will have the opportunity to elect representatives of their choice. Let's not allow history to repeat itself. Thank you.

Sen. Rodrigues: Thank you for your comments. David Rucker. And on deck is **Odwan** Whitfield. Mr. Rucker, you have two minutes. Thank you.

Mr. Rucker. Good afternoon, Chair and members, representatives. My name is David Rucker. I'm from Orlando, Florida. I also live in District 10. I am highly disappointed on the way things are being done right now. For 57, almost 58 years, we are still fighting about minorities voting. Currently, the governor want to cut two seats when we already have four. I don't understand that. You're demising the vote for minorities, and I want to say Black folks first. Then we can trickle down to the rest, Latinos and other people.

But it's unfair the way that you had a map going. You decided not to use your map and use what the governor wants to do. I think it's a bigger disappointment for the people that you represent and the people that you don't represent but are voters. I am a super voter. I've been voting since 1965. I haven't missed but one vote in my whole life doing this. So, somethings has to change, and somethings don't. But what you need to do is make a conscious decision on what you're going to do about drawing these maps. Let us have our own voice and do what we need to do for us and not include us with everyone else. But that would be fair to do, and I don't know if you all know how to be fair sometimes.

So, I think you need to look at this at really make a concentration on keeping the four that we have now instead of cutting it down like the governor want to do with two. Thank you.

Sen. Rodrigues: Thank you for your comments. We have Mr. Whitfield followed Dr. Carolyn **Zumia**. Mr. Whitfield, you're recognized for two minutes.

Mr. Whitfield: Thank you. My name is Odwan Whitfield. I am a taxpayer in District 5, Congressional District 5. I am here today because this is a serious matter. I have the senator here who's been looking at her laptop the whole time. I have two senators back there that have been looking at their laptops. I've been watching them. This is a serious matter. There's lives at stake here. There are lives at stake here. The representative from the governor's office said that Tier 1 is only intent and that he didn't converse or that he didn't talk to anybody that helped him to decide these matters. Yet he looked at public testimony on video or he read the record. So, technically, he looked at everybody's opinion on these maps before he drew them.

How is that not – Disregard that. Disregard that. Even if the governor's office said, "You know what, I think it's better for this environment, for this government, for this state that one percent of everybody needs to be killed. He came up here, gave those statistics to you all in a nice matter. It is still left up to you all to make that decision. This is people's livelihoods. I am a United States Army

veteran. Served in Iraq and Kuwait. Some of you would say, "So, did my son, so did my daughter, so did my father, so did my sister." None of them have to come back to this United States and do what I'm doing here today. They don't have that. They have a luxury. They have a benefit.

I'm standing here today fighting for my livelihood after I fought in Desert Storm, after I fought in Iraq and other countries, only to come back here to fight for my right to vote, for my right to representation. Senators, do your jobs. This is not right, and this is not fair. I don't care what statistics says. You know it in your hearts. You know it. Do the right things.

Sen. Rodrigues: Thank you for your comments and thank you for your service. Dr. Zumia and **Zayzay** Ingram Fitzpatrick, you're on deck. Dr. Zumia.

Dr. Zumia: Thank you Mr. Chairman and Senators. Thank you for the opportunity to speak. I really can't say it any better than the previous speaker. I'm asking you to follow Florida's constitution and remind you of your promise to support, protect, and defend the Constitution of the United States and Florida. I'm also here as a physician working on the front lines to speak for families who are struggling to keep up. Essential workers cannot find or afford a place for their families to live. Homeowners can no longer find or afford property insurance. Folks are working hard but cannot afford the basic necessities like utilities.

Amid a looming prospect of many losing healthcare in the next few months adds to the pain that many are feeling. By the governor's own proclamation, legislative business, this week may be transacted if introduced by consent of two thirds of the membership of both houses of legislature. So, on behalf of Florida families, I'm asking you to please follow the constitution on redistricting and vote no on the governor's map. And to use the special session to also address the real emergencies that are crushing our constituents. Thank you.

Sen. Rodrigues: Thank you for your comments. We have Zayzay Ingram Fitzpatrick with Dr. Nancy Strats or Strotes on deck. Ms. Ingram Fitzpatrick

here? Dr. Strats? And then we'll have Judy **Shecklin** on deck.

Dr. Stots: Good afternoon, my name is Dr. Nancy Stots.

Sen. Rodrigues: Stots. Thank you I apologize for mispronouncing that. You're recognized for two minutes.

Dr. Stots: No worries. Thank you. I'm a board-certified medical doctor, but you don't need an advanced degree to see what's happening here. We know this is the blatant disenfranchisement of African American communities and their representatives. It's unfortunate that some of you can't even look at me. Just two months ago, you all worked very hard making maps that adhered to Florida statutes. And then the governor proposed his own maps, which you rightfully said no, Gov, this is too far. But then he vetoed yours, came back with his, and now suddenly you folded like a cheap suit.

I'm wondering what happened in those two months. Were there backroom talks? Maybe working out the budget details. I don't know. Arm twisting? I'm not sure. Your arms all look fine. But maybe we need to think about what you are here for, which is to, as people have said, represent your constituents. It's painfully to me, to everyone in this room, and everyone outside this room that this special session is a farce. There is not even another map being considered. And you won't consider amendments. And also, has been mentioned, this Harvard educated governor of ours must be well aware that his maps violate both the Fair Districts Amendment and the Voting Rights Act. But perhaps he wants the attention. Perhaps he wants to go to the Supreme Court case. That may be exactly what he wants.

At any rate, you're making it easy for him. But he must know that he's necessitating more lawsuits, which more appeals after that. All of this at the expense of all Florida citizens, like these special sessions. As we all learned in early grade American history, our government was formed in response to an authoritarian ruler, King George. Remember that? Our founding fathers created a system of three distinct autonomous branches of government. Yet here we are today seeing complete complicity to a new king.

As a physician, I pledged to uphold the Hippocratic oath. You too, all of you, took an oath, too, to uphold your state's constitution, which demands – mandates that you form these maps and you have not done so.

Sen. Rodrigues: Please bring it in for a landing.

Dr. Stots: Please remember the oath you took, which you seem to have forgotten. We will not forget. Thank you.

Sen. Rodrigues: Thank you for your comments. Judy Shecklin and Trish Brown will be on deck.

Ms. Shecklin: My name is Judy Shecklin. I'm from Jacksonville, Florida. I too am opposed to the governor's proposed maps. It is the responsibility of the legislature to create congressional maps during redistricting according to Article 3 of the Florida Constitution. The House and Senate did that, created, approved maps and that they were satisfied with. As we now know, we've heard this all day, were then vetoed and redrawn by the governor. This is unprecedented in legislatures all over the country. This hasn't been done.

You, as legislators, quickly acquiesced to the governor, creating a dramatic imbalance of power in our state government. This is very troubling. The governor's maps are a radical departure, and they aren't in compliance with state and federal law. These maps, as we've heard again here today, reduce the likelihood of minorities to elect congressional members of their choice, eliminating two minority districts, and violating the Voting Rights Act. In 2010, Florida passed the Fair Districts Amendment and the citizens of this state overwhelmingly spoke. They deserve and expect fairness in redistricting decisions.

The governor's plan creates 20 Republican majority districts and eight Democratic majority districts. This blatantly demonstrates partisan gerrymandering. Please stand up for all Floridians and oppose these unfair maps. Thank you.

Sen. Rodrigues: Thank you for your comments. Trish Brown. And we have Rodney Long on deck. Trish Brown? Rodney Long? For the record, Trish Brown is against the bill. Mr. Long, you're recognized for two minutes.

Mr. Long: Thank you, Mr. Chairman. I'm Rodney Long. I don't live in Congressional District 5 or 10. I'm from Alachua County, Gainesville, Florida. Because I am a concerned resident of this state, I drove here today to speak to you in opposition of the proposed plan, SB 2C Plan 019, for three reasons. First, because if you approve this map, it will reduce minority representation in the state of Florida by 50%. Second is there's no doubt in my mind that these maps, if you approve them, will lead to retrogression, which violates the Voter's Rights Act. Thirdly, I'm a person who believes in process. I've served in local government for 17 years. I was president of the Florida Association of Counties. Served two terms. I understand how government works, very well.

What I do not understand is this, we have a process that we follow. We all are sworn to oaths. And we follow those oaths. What I do not understand here, as a person who understands process is how do you acquiesce the authority given to you as a legislative body to draw district lines under reapportionment/ I'm a person who believes in process. I can accept the fact if you approve the maps and I don't like the maps, but you approved the maps, I can live with that. What I cannot live with is that you're just not going to approve any maps. That is a dereliction of your oath and your duties. Do the right thing. I can live with whatever maps you all approve. But what I cannot live with is you abdicating your responsibility to do your jobs. Do the right thing.

Sen. Rodrigues: Thank you for your comments. Next we have Matt Van Wormer with Whitney **Wogan** on deck. You're recognized for two minutes.

Mr. Van Wormer: Thank you. I was just going to waive, but I'm going to say a couple of words because I'm on the other side of this bet and will be the first to speak to that. The map looks very square to me, it looks very

logical. Now, I don't live in Orlando. I moved in here recently. So, I don't understand what much of the politics are that have gone before. I don't see weird little lines going in here and there to try and protect or do weird things. It seems very logical. So, I'm in favor of what Senate Plan 2C 109. Thank you.

Sen. Rodrigues: Thank you for your comments. We have Whitney Wogan with Bridgette Smith on deck. Ms. Wogan, you have two minutes.

Ms. Wogan: Thank you. My name is Whitney Wogan. I just wanted to voice my support for SB 2C Plan 109. Thank you.

Sen. Rodrigues: Thank you for your comments. Bridgette Smith. And we have Carman Soto on deck.

Ms. Smith: Bridgette Smith, I'm from Marion County, Florida. A lot of PhDs here, a lot of physicians here. I'm a nurse. So, I don't have a redistricting degree. It is a science in and of itself. I was here for the House and Senate debates during session. It is a lot. I commend you all for even understanding all this. It's a lot. But me as a lay person to this, redistricting to me is to equalize population among electoral districts after publication of the census. But it seems today it's been all about race issues and color. From what I understand, the Fair District Act, it was to state that a minority group would not be prohibited from voting in their candidate. But looking at the maps currently, with the contiguousness of them, which is what we're supposed to do, and not make it about race, according to everything we talked about today. It has become about race. It's very confusing to all of us.

I support this bill. The 2017 Supreme Court decision, this is different, the Supreme Court decision in a North Carolina case brought up the fact that the gerrymandering had too many Blacks in that district. So, they threw that map out because it was gerrymandered. Now, based on that decision, District 5 is considered gerrymandered, the previous District 5. So, that's my interpretation of it. I do support the bill. Thank you very much.

Sen. Rodrigues: Thank you for your comments. We have Carmen Soto and Robert Schmidt is on deck.

Ms. Soto: Hi, my name is Carmen Soto and I'm waiving in favor of the bill.

Sen. Rodrigues: Thank you for your comment. Robert Schmidt and then we've got John Berry on deck.

Mr. Schmidt: Good afternoon. I'm speaking in support of SB 2C Plan 109, 0109. While this plan was drawn for common sense districting, today's discussions have devolved into political accusations. Not one voice has been silenced today by this map. Everyone still has a voice. I am happy this governor has shown backbone. We hear people discuss the unprecedented nature of this map. I might remind those that look to other states such as New York to see what real gerrymandering looks like for political gains.

This map represents common sense and allows for the seismic shifts that are happening in Florida today. Thank you.

Sen. Rodrigues: Thank you for your comments. John Berry. I don't see John. John is in support of the map. Lauren Dickenson. Waives in support. Thank you. That concludes testimony from the non-compensated. We're going to move to the compensated. We've got about 40 minutes. I believe the members are going to want to debate. So, we're going to do one minute testimony. We'll start with Marcia Davis and on deck will be Christian Cardona. Marcia Davis. Thank you, ma'am.

Ms. Davis: I waive against Governor DeSantis' legislative map. Floridians, and I was one of them, voted the Fair District Act amendments into the state constitution to protect minority voters and to prevent legislators from doing what appears has been done, making sure that you protect your party. It's not right. Minority growth alone by the last census indicates that there should probably be more minority representation in the legislature. But the governor plans to cut our representation in half. That's not right. The plan is unfair, and I believe that it is unconstitutional. Thank you.

Sen. Rodrigues: Thank you for your comments. Christian Cardona. And we have

Stacy Williams on deck.

Mr. Cardona: Thank you. My name is Christian Cardona. I am a worker and leader with the Fight for $15 in the Union from Orlando, Florida. Different movements are gathered here today because Florida's Republican leadership is trying to silence Black and Brown communities by passing voter suppression laws by eliminating protections that Fair Districts Amendment provides. This map is a direct attack on Black representation in our democracy and that ain't right. By proposing a congressional map that reduces Florida's Black and Brown representation by 50%, the governor is trying to advance his political career at the expense of Black and Brown voters.

Let me tell you about my experiences as a voter and why this issue is important to me. I moved to Orlando, Florida with my family in 2009. I gained citizenship just in time to vote for Amendment 2. Amendment 2 brought us one step closer to a living wage, which is something I have been organizing and speaking up about for years. This amendment has a direct impact on the community around me, my family, my friends, and my neighbors. It felt powerful to organize and campaign to raise the standard of living for millions of Floridians. The day I got to vote yes on Amendment 2 –

Sen. Rodrigues: Please bring it in for a close.

Mr. Cardona: All right. After months of campaigning and yelling it out to the world, I finally had the chance to cast my vote with my community. This is why it's important that workers have a strong voice and a vote. I want to thank everyone for showing up and taking time out of their day because I know workers have never been given rights.

Sen. Rodrigues: Thank you for your comments. Appreciate it. Stacy Williams and Larry **Collington** is on deck. You're recognized for a minute.

Mr. Collington: Ms. Williams is not here. I'm Larry Collington. The writer James Baldwin said, "Not everything that is faced can be changed. But nothing can be changed until it is faced." The columnist Leonard Pitts wrote that one party in America is steering the ship of this state

toward jagged rocks. And that's where we find ourselves. I like what the former and late president John Kennedy asked, he wrote a book called *Profiles in Courage*. Within these next few days, we're going to see one of two things, either profiles in courage or profile in cowardness.

We have a bully as a governor. Unfortunately, we have members of this body, Mr. Chairman, that have essentially capitulated your constitutionally required responsibilities.

Sen. Rodrigues: Please bring it in for a close.

Mr. Collington: It's up to you. It's either going to be courage or cowardice. Unfortunately, the fear is it will cowardice.

Sen. Rodrigues: Thank you for your comments. We have **Hedder** Pierre Joseph with Gail Presley on deck.

Ms. Pierre Joseph: Good afternoon to the committee and committee members. My name is Hedder Pierre Joseph. I am a member of Congressional District 10 for the last 19 years. Redistricting is the process by which new congressional and state legislative districts are drawn. Federal law stipulates that districts must have nearly equal protection – equal population and must not discriminate on the basis of race or ethnicity. The current redistricting map, which eliminates Congressional House Representation for Black people is based on fear. Fear that Black people are voting. As Black people who are descendants of enslaved Africans, we know our history and we have seen this devil before.

I implore you not to continue down the path of your ancestors and deny Black people their constitutional right of representation. I remind all of you to remember the Boston Tea Party of 1773. Finally, I ask you to look around, to remember the presence of the people that were in this room. For me, I see the promise of the enslaved African. We are on the side of justice. And with the God of Abraham, Isaac, and Jacob, and our ancestors, we shall overcome. Remember this. We win with God and time. Thank you for your

consideration.

Sen. Rodrigues: Thank you for your comments. Gail Presley with Cheryl Jones on deck. Ms. Presly, you're recognized for a minute.

Ms. Presley: Thank you. Good afternoon to each and every one of you, Chairman, and also to Mr. Randolph Bracy. Thank you so very much. It is indeed my pleasure to be here today but in an awe of disbelief. I'm very heart broken as a resident of Congressional District 10, long life resident. I come from a family that marched those march in 1960. I come from a family who knows about how it feels when it comes to voters right and standing for the injustice that are done to the people who are Black and Brown. I come from a family who is very proud to know that it is your vote and your voice that matters.

And today I come to you very disappointed. I oppose C0109 because I feel that it is a disparity on the Black and Brown people. And I come from a congressional district where I want to see someone who looks like me and representing know how we feel. So, with that being said, it is your right. You took the oath. You said that you would serve us. We are looking here now and listening to statics, and I don't understand where those statistics are coming from. Because I am a proud resident of Orange County.

Sen. Rodrigues: Thank you for your comments today.

Ms. Presley: And I thank you for this time, Chairman. And you all have a wonderful day.

Sen. Rodrigues: Thank you. Cheryl Jones with Pastor Marcus McCoy on deck. I do not see Cheryl. She is against the bill. We have Pastor McCoy on the way. After Pastor McCoy, we'll have Barney Roberts on deck. You're recognized for a minute.

Pastor McCoy: Thank you. Blessings to all with special recognition to my own senator, Sen. Bracy. My name is Marcus McCoy Jr. I serve as the senior pastor of the historical Greater Refuge Memorial Church, which sits in Congressional District 10, existing now over 150 years.

I stand on behalf of my community to strongly urge this committee to vote no on the proposed map C0109 by our governor that removes Black representation in Congress. Currently, Florida has four Black access seats of 27. If the map were to be approved, that number would reduce to 50 and would leave Florida with less than 10% of the congressional district represented by members in Black access seats.

It is disheartening to see that with already such low representation, this governor wants to dilute representation even more. While I and those that I represent do not fully agree with the decision made to offer a two-map solution during this year's legislative session, at least it was the decision of this legislature. The map being considered today is not your own. I stand here urging you to reject political gams and partisanship and join Florida's new congressional districts. Thank you.

Sen. Rodrigues: Thank you for your comments. Barney Roberts. And on deck will be Rosemary McCoy. Mr. Roberts, you're recognized for a minute.

Mr. Roberts: Hi, I'm Barney Roberts. I stand opposing the governor's bill. I think that it's another disheartening thing to consider as Florida. In 2010, the Florida voters added amendments to the state constitution in the Article 3, Sections 20 and 21. These amendments prohibited line drawing that intentionally favors or disfavors a political party or an incumbent. The amendment also afforded protection to racial and language minorities. Districts may not be drawn with the intent or resulting in denying or abridging the equal opportunity of racial or language minority to participate in the political process. Or to diminish their ability to elect representatives of their choice.

Finally, unless it will conflict with the standards described above, amendments require that district populations be as neatly equal as practical and that district be compact where feasible, follow existing political geographic boundaries. Ladies and Gentlemen, I will beg and ask as you all consider this that the things we do today, our children are going to have live with it. For me as a veteran and a man in the US, I love it when kids see us and they're proud about

what we do. We should make our kids proud. And we should bring them together, not divide them on all facets. Thank you.

Sen. Rodrigues: Thank you for your comments and thank you for your service. Rosemary McCoy and then on deck is Troy Squire. You're recognized for a minute.

Ms. McCoy: Thank you so much, Chair. And thank you so much for Senator Audrey Gibson for allowing us to be here. And I do respect all of you. But I want to prick your hearts. This is not about just signing off because of your party. This is about real-life situations. There's a war going on, Ukrainians and Russians. We do not want that here in the United States, nor do we want it in the State of Florida. But if we keep on – and it starts with you. Everything trickles down. From your leadership, it comes down. And if we have a war here among you all against you people, we have Ukrainian and Russia. I don't want that.

So, I'm asking you to check your own hearts out. I'm asking you to just look at it. If it's fair, then go with it. But if you check your hearts out and you find out that it isn't fair, then I'm asking you to vote new. See this? It's blue. But you know what they have, pink. Act like this is pink. And if you fail to vote correctly, you need a pink slip. Do your job. That's all we're asking you to do. You want me to do my job so I can pay taxes, guess what, the people want you to do your job. That's all we ask. I think it's fair. Do you think it's fair? I do. Do your job.

Sen. Rodrigues: Thank you for your comments. Troy Squire and then we'll have Tameka Hobbs on deck. I don't see Mr. Squire. He is against the map. Tameka Hobbs. I don't see Temeka. She is against the map. Ebony Hardy Allen. Also, against the map. Hazel Gillis and on deck will be Myrtle Lucas. Thank you Ms. Gillis. You have a minute.

Ms. Gillis: Thank you. Good afternoon. My name is Hazel Gillis. I am a member of the James Weldon Johnson branch of ASALH, the Association for the Study of African American Life and History. And I live in Congressional District 5 in Jacksonville, Florida. Gov.

Ron DeSantis' rejection of the Florida legislature drawn political map is a direct attack on Black representation in our democracy. By proposing a congressional map that reduces Florida's Black representation in Congress by 50%, the governor is attempting to silence the voices of hundreds of thousands of Black voters. We oppose any map that has been drawn by Gov. Ron DeSantis.

In 2010, Florida passed the Fair Districts Amendments 5 and 6 that prohibits politicians from drawing districts to favor themselves and their parties and to ensure minority opportunity to participate in the political process and have a fair opportunity to elect representatives of their choice, their party. We must end this manipulation at all cost to protect our democracy and Black vote. Thank you so much.

Sen. Rodrigues: Thank you for your comments. Hazel Gillis – that was you. Thank you. Myrtle Lucas. And then on deck is Ingrid Montgomery.

Ms. Lucas: Good evening. My name is Myrtle Lucas. I am a member of the James Weldon Johnson Branch of ASALH, the Association for the Study of African American Life and History. I oppose any map that has been drawn by Gov. Ron DeSantis. We vote to – I'm sorry. We vote for to drop maps for fair districts, and we want them to do their job and not for Gov. Ron DeSantis to be a dictator and a bully. That's it.

Sen. Rodrigues: Thank you for your comments. Ingrid Montgomery with Walter Smith Junior on board. Ms. Montgomery, you're recognized for a minute.

Ms. Montgomery: Good afternoon. My name is Ingrid Montgomery and I live in Duval County. I'm here today to voice my condemnation of this redistricting plan for Northern Florida. This plan splits Black communities across three different congressional districts, which personally impacts me because it results in the loss of my congressional district, CD 5, which has been the "Black opportunity district" linking Jacksonville and Tallahassee. SB 2C, also C0109 is intentionally and unconstitutionally designed to make it ever more challenging for us Black voters to elect Black Democratic members

of Congress.

You elected took the oath to stand up for equal grand. “If we merge mercy with might and might with right, then love becomes our legacy and change our children’s birthright,” Amanda Gorman, *The Hill We Climb*. Do the right thing. Thank you.

Sen. Rodrigues: Thank you for your comments. Walter Smith Junior. And on deck is Lee Harris. Are you Mr. Smith?

Mr. Smith: Yes.

Sen. Rodrigues: You’re recognized for a minute. Thank you.

Mr. Smith: Good afternoon. I am Command Sergeant Major Walter Smith Junior, Retired US Army, 30 years of military service for this country. I oppose this proposal by the governor. This proposal will remind me of what took place after reconstruction. Thank you.

Sen. Rodrigues: Thank you for your comments. I’ve been told that Lee Harris is not here. We’ll have the record show that he is against the bill. Next up, Johnathan Webber with Florida Conservation Voters. Mr. Webber, you’re recognized for a minute.

Mr. Webber: Thank you so much. My name’s Johnathan Webber. I’m the deputy director of Florida Conservation Voters. Just for the record, I am a resident of CD 5, Al Lawson’s district here in Tallahassee, just south of Apalachee. We at Florida Conservation Voters, we strongly believe that the health of our environment is directly tied to the health of our republic. Just as we monitor our water for pollution, we monitor our government for signs of sickness. Fair representation is one of the best metrics we have to measure the health of our government. The census and ensuing redistrict process is the test.

Today, we are asking ourselves questions like was this map drawn with complete transparency? Does it respect the rules set forth in the Voting Rights and the state and federal constitutions? Were the

people of Florida given ample opportunity to participate and comment on this map? And most importantly, considering the profound legacy of state sponsored oppression in Florida, does it protect or diminish the right of Black Floridians to elect leaders of their choice? You all know the answers to these questions. And while fair representation is vital, fear of doing the right thing is the ultimate terminal sickness in democracy.

Our republic is only strong as the right of minority groups to participate. I love this country, not so much for its history, but for its promise.

Sen. Rodrigues: Please bring it in for a close.

Mr. Webber: I will. That promise must be guaranteed to everyone, not just the powerful, the monied, or the ruling class. We stand in solidarity with our friends and allies across the state in opposition to these maps. Thank you. And thank you to everyone who showed up today.

Sen. Rodrigues: Thank you for your comments. Cecile Scoon with the League of Women Voters of Florida.

Ms. Scoon: Good afternoon. My name is Cecile Scoon with the League of Women Voters. I've been here a few times. I'm very disappointed, as many people are, that we're in this position. When this whole thing started, there was many promises made to adhere to all of the laws. It was interesting that Mr. Kelly did not mention that the Tier 1, which is a citizen's initiative of the fair districts, it not only has an intent provision, it has an impact provision. So, it doesn't matter if he came here, and he drew the maps and he did not intend anything. That's irrelevant to the other half, which says if you have this impact that harms the ability to select a representative of your choosing if you're a racial or language minority, that's a problem under our law.

And so, what they have done is completely violated Tier 1 of our constitution, which was found lawful and correct by our Florida Supreme Court. So, that is the status of the law as we stand. Anything that comes now the rebukes that or does anything like that

is looking for a new court to make a different decision. But the law right now says that is illegal. We would ask you to adhere to the law as we all know it, Fair District and the Voting Rights Act. Thank you.

Sen. Rodrigues: Thank you for your comments.

Sen. Gibson: May I ask a question?

Sen. Rodrigues: We still have another speaker, and we are doing a hard stop at 4:30.

Sen. Gibson: It's a 30 second answer.

Sen. Rodrigues: I'm not going to recognize it at this time. Matthew Isabelle.

Sen. Gibson: May I ask you a question, Mr. Chair?

Sen. Rodrigues: What's that?

Sen. Gibson: May I ask the question of you? Maybe our staff may know the answer.

Sen. Rodrigues: Yes.

Sen. Gibson: Thank you. I'm just wondering if we know how many hundreds of thousands of votes across the state did the Fair Districts Amendment pass by.

Sen. Rodrigues: I don't know. We'll have staff look into that and get back to you. Mr. Isabelle, you're recognized for a minute.

Mr. Isabelle: Members of this committee, for months the vast majority of you pledged your support to preserving districts that gave African Americans the ability to elect a candidate of their choice. You defended seats that were in some form or fashion drawn three decades ago to correct centuries of injustice. The laws and cases from the late 20th century saw an explosion of minority representation. Since the passage of the 1982 Voting Rights Act, the

number of African American congresspeople has gone from 18 to 60. Florida is part of this very tradition.

Redistricting in Florida began with such promise. Draft maps from both chambers had anywhere from three to four seats designed to give African Americans a chance to elect any of their choice. Efforts from alt-right Twitter activists to dismantle districts like CD 5 and 10 were ignored by you lawmakers for the longest time. But now with the governor's intervention, you have backtracked on all of these principles in the name of party unity. And for what reason? To appease a governor who sees his path to the presidency by acting like a modern-day George Wallace. We see the private grumblings that many of you have fed to the press, expressing your off-the-record concern. Most of you openly admit in private to being afraid of the governor.

He's threatened primaries to you, to your colleagues, and he's threatened to veto budget items.

Sen. Rodrigues: Please bring it in for a close.

Mr. Isabelle: I'm closing. Why don't you just come out and say that he's blackmailing you, instead of coming up with fake legal justification? Why don't you at least admit that you're afraid of him and you want him to like you? Why don't you just admit that you are cowards?

Sen. Rodrigues: Thank you for your comments. That concludes public testimony. Is there debate?

Sen. Stargel: Mr. Chair?

Sen. Rodrigues: Sen. Stargel, you're recognized.

Sen. Rodrigues: Mr. Chair, I move that this committee vote on SB 2C on or before 4/27.

Sen. Rodrigues: That motion is made. Show it adopted without objection. We're now in debate. Sen. Gibson?

Sen. Gibson: Thank you, Mr. Chair. First I want to start with the whole idea that the state of Florida's constitution doesn't cover Tier 1. It absolutely does. Which is why I was trying to determine approximately the hundreds of thousands of votes from our constituents that support the Fair Districts Amendment to our state constitution, which is also part of our first packet that we got on the Florida redistricting packet. Which I, of course, thank the staff again for. I have papers all over the place.

In the Fair Districts Amendment to the constitution, and I wrote a note that I don't believe that the constitutional revision commission in 2018 made any changes or changed at all the Fair Districts Amendment, which speaks to the fact that districts may 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 diminish their ability to elect representatives of their choice. There are other parts of this, but I want to hasten so that others get to debate, and I don't lose some other important points that I wanted to make.

One of those is if you've never been denied anything, then you have no context as to why representation is returned and why it is important that the representative understands the community that they're representing in totality. And so, what's on the line? First of all, CD 5 came about as a largely representing minority population because of a lawsuit years ago. That is why that congressional district existed as a minority access district in Jacksonville. The suit was filed by our previous member of congress. I don't know, it was 19 – whatever it was, 70s, 60s, in order for there to be representation – to include representation of people of color.

In a conversation I had the other day, when people try to figure out, oh, it's about race. Well, it's more about race. It's also about need. And so, in order for those folks with more health disparities – or health disparities, I don't know how you can have any more, neighborhoods that have been crumbling historically, infrastructure needs, cleaning of brownfields of community of color that weren't

anywhere else. Who represents those communities matter. Yes, there's growth and upward mobility, as well. But there are still healthcare disparities. There are still holes in things that need to happen.

So, when a member doesn't understand in totality that population, the funding requests that have been put forward over the years disappear. The blend of everyone takes the focus off some of those who are the neediest of particularly healthcare, improvement of their neighborhoods, education, those kinds of things. While it's getting better, it's been behind for so many years that catching up becomes difficult without a representative that doesn't understand exactly all of the people they're representing. I think every individual in any district is just as important as the neighbor next door or across the street. Everyone is. That's the way I've always done my job.
But unfortunately, the maps in front of us, CD 5 is one of them where there's such a split, unnecessarily cut the community right down the middle, the community of color, without having to do that. And making sure that all resources are delivered to all parts of the community. It would be great if we all lived in health disparity districts, and then we'd all get the same attention. But we don't. It'd be great if we all lived in low-income communities. But we don't. And so, those who do need representation to speak to that issue. I just think that the purpose of the maps was to make two Republican forming, it has nothing to do with race, there are Black Republicans, Hispanic Republicans, but has everything to do with party, as well. So, there's a double whammy in Duval. We have a separation of culture. And then we also have two seats that will perform for Republican members of Congress.

I don't know if we can even sit here and call that the right thing to do. And also in CD 10 as well. What wants to be put forward to us as innocence is not there. I hope that people remember that this is not for tomorrow or next week. It doesn't change for 10 more years. I refuse to believe that the people of color population in Duval shrunk in the past census. Or if it didn't shrink, people are now living on top of each other. That is definitely not the case. I'm done, Mr. Chair. Thank you.

Sen. Rodrigues: Sen. Bracy.

Sen. Bracy: Thank you, Mr. Chairman. This clearly violates Fair Districts. It clearly violates the federal law, the Federal Voting Rights Act. I don't even think it's worth debating. I think that's clear. The fact that Alex Kelly would get in front of us and say he had no idea that he was taking a swath of Black folks and putting them in the same district with the Villages and saying he didn't know that it would affect their ability to elect the candidate of choice is a joke. It's a joke and it's insulting. So, I'm not even going to go there.

What I will say to you members is that what the governor is doing and bullying you all and dictating what you're going to do, you are essentially losing the power and the independence of the Senate. And you are making the governor the de facto president from now on. Because with a bully, once you give in, it doesn't stop. He's going to continue this. You will not be able to defy him again. He's threatened to primary you all. He's threatened to primary endorsed candidates from the president. And he's not going to stop. You laying down, you are setting the stage for this to happen over and over again. And if that's what you want, you want him to be the House Speaker, the Senate President, and the Governor, so be it.

But I just want to lay out what we're actually doing today. And I love you all. I've served with you. You all are friends. And so, I'm speaking to you genuinely. And this is how I feel. If this is what we're going to do, so be it. But I at least want to be on record to say I don't think it's right and I don't think this is in tradition of what the Senate stands for. We have been an independent body. And we made a decision before. And now we are caving. We are folding. And I think we are better than that.

Sen. Rodrigues: Sen. Stewart for two minutes.

Sen. Stewart: Thank you, chair. Frankly, I never thought we'd be here today. I know that when we had months and months of meetings and we came up with a map that was extremely fair and we gave that map

to the governor, we didn't expect to have any consequences. But today we see that I was really, really wrong. We sit here today. This map that was produced and we were able to see it a few days ago, I didn't like it. I don't like being here because I think we did a really good job when we had the opportunity to do it.

But this map has no connection to Tier 1. Everything stated by the governor's map drawer and perhaps some of the attorneys that helped him, all the paperwork is on Tier 2. Well, Tier 2 is not nearly as important as Tier 1. And so, when you've got them totally ignoring Tier 1 for whatever the reasons were stated, I think we might as well just leave here and go straight out that door and get our attorneys because we're going to be going to court anyway. I just think this is the wrong approach to what we have signed on to do. We did a really good job. I want to thank everybody here how hard they worked. I'm just not in favor of overturning the nearly perfect map that we put together. Thank you.

Sen. Rodrigues: It's now 4:27, time certain. Dana, please call the roll on Senate Bill 2 C.

Dana: Senator Bean?

Sen. Bean: Yes.

Dana: Senator Bracy?

Sen. Bracy: No.

Dana: Senator Bradley? Senator Brodeur?

Sen. Brodeur: Yes.

Dana: Senator Burgess?

Sen. Burgess: Yes.

Dana: Senator Gibson?

Sen. Gibson: No.

Dana: Senator Harrell?

Sen. Harrell: Yes.

Dana: Sen. Rodriguez?

Sen. Rodriguez: Yes.

Dana: Senator Rouson?

Sen. Rouson: No.
Dana: Senator Stargel?

Sen. Stargel: Yes.

Dana: Senator Stewart?

Sen. Stewart: No.

Dana: Vice Chair Broxson?

Sen. Broxson: Yes.
Dana: Chair Rodrigues?

Sen. Rodrigues: Yes. By your vote, Senate Bill 2C is reported favorable. Is there any other business before the committee? Seeing none, Sen. Rouson moves we adjourn. Show the motion adopted.

[End of Audio]

Duration: 176 minutes

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Beth Worthy
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Exhibit 22

Rep. Sirois: The congressional Redistricting Subcommittee will come to order. DJ, please call the role.

DJ: Chair Sirois?

Rep. Sirois: Here.

DJ: Vice Chair Tuck?

Rep. Tuck: Here.

DJ: Ranking Member Skidmore?

Rep. Skidmore: Here.

DJ: Representatives Benjamin?

Rep. Benjamin: Here.

DJ: Brown?

Rep. Brown: Here.

DJ: Fabricio?

Rep. Fabricio: Here.

DJ: Fetterhoff?

Rep. Fetterhoff: Here.

DJ: Harding?

Rep. Harding: Here.

DJ: Hunschofsky?

Rep. Hunschofsky: Here.

DJ: Joseph? Joseph? Latvala?

Rep. Latvala: Here.

DJ: Maggard?

Rep. Maggard: Here.

DJ: Massullo? Massullo? McClure?

Rep. McClure: I'm here.

DJ: Morales?

Rep. Morales: Present.

DJ: Perez?

Rep. Perez: Here.

DJ: Plakon?

Rep. Plakon: Here.

DJ: Silvers has been excused. Trabulsky?

Rep. Trabulsky: Here.

DJ: Truenow?

Rep. Truenow: Here.

DJ: Williamson?

Rep. Williamson: Here.

DJ: Ex Officio Driskell?

Rep. Driskell: Here.

DJ: Ex Officio Leek?

Rep. Leek: Here.

DJ: A quorum is present, Mr. Chair.

Sen. Sirois: Thank you very much, DJ. Members, a few reminders before we begin. Please silence all electronic devices. And if you're here today to give public testimony, please take time now to fill out an appearance form and turn it into the sergeant's staff. As a reminder for our members and speakers today, please turn your microphone on when you are speaking and off when you are finished.

Members, welcome back to Special Session. We have a lot of work ahead of us today, so let's jump right in. For those of you who may be turning in for the first time, and as a refresher for the rest of us, I'd like to first take a moment to recap. We began our redistricting process back in September of 2021. Since then, we've debuted a website, a map drawing application, and held numerous committee meetings. On March 4, the House and Senate both passed committee substitute for Senate Bill 102.

Now, from there, unlike what happens in our state legislative redistricting maps that received Florida Supreme Court review, our congressional redistricting maps do not receive court review. And instead, move like a normal bill, which means they are sent to the governor for approval or veto. On March 29, the bill was sent to the governor, who vetoed it the same day, citing concerns with the United States Constitution. That same day, he issued a proclamation calling the legislature into special session to resolve these concerns and establish Florida's 28 congressional districts to be used in the upcoming election cycle.

Chair Leek and I received a briefing from the governor's office about their proposed map. It is my understanding that the Senate received a similar briefing. I'm glad to inform everyone that the governor's

office is joining us today to provide that same briefing to all committee members and the public, as well as be available for questions about the proposed map. As the Speaker, as well as the Senate President have stated, our goal during special session is to pass a new congressional map that will both earn the governor's signature and withstand legal scrutiny if challenged. This elected body is responsible to the citizens of Florida to complete our constitutional obligation to pass a congressional map.

Now, let's talk about the flow and the roadmap for today's meeting. We have one bill on the agenda for consideration, House Bill 1C by Rep. Leek. I want to assure members and the public that I intend to allow for enough time for members to ask questions, to hear public testimony, and to allow for debate. I'll be tracking our time closely this afternoon and will keep the committee informed as we move along. Shortly, I will recognize Rep. Leek to explain his bill, which contains the proposed congressional map, P-000C0109.

As you may be aware, 10 districts of this map are from our previously passed legislative map. And 18 of the districts are being newly proposed by the governor's office. Seeing as the House did not have a role in drawing those districts proposed by the governor, we have invited their team to be present today to explain the map and answer questions from members afterwards. As is normal, we will move into public testimony and member debate before taking a vote on House Bill 1C.

I'd like to take a moment to also address decorum. There's been a lot of chatter, speculation, and name calling over the last several weeks in anticipation of this special session and the new proposed map that we'll be considering today. I want to be very clear, today's meeting will proceed with professionalism, civility, and the decorum that Floridians expect of this legislative body. Members of this committee and the public alike will keep their emotions and opinions respectable and thoughtful and not engage in personal or partisan attacks.

As we've talked about since last Fall, there is no single correct

redistricting map. There is no such thing as the best map. We are here to consider the next map that will govern elections in Florida for the next decade and that is no small feat.

The last housekeeping item before we transition into our bill presentation is that, members, in front of you is the data packet for Map P000C0109. Similar to the packet produced for previous maps we reviewed, this packet contains information such as county and city splits, compactness scores, and functional analysis data. The bill text is also here in front of DJ in this binder if you would like to review it.

Members, up for consideration today is House Bill 1C, establishing congressional districts of the state. And as we've done for every other map presentation, I will ask you to hole questions until all districts have been explained to ensure we get through a description of the entire state and no one region is rushed. Rep. Leek, you are now recognized to present House Bill 1C.

Rep. Leek: Thank you, Chair Sirois. Before I dive into the map itself, I want to echo Chair Sirois' comments from earlier. We, as legislators, should feel a strong sense of responsibility for passing redistricting maps out of this body. A narrative has started to proliferate that the legislature has somehow ceded its map drawing responsibility to the governor. I find that to be a false narrative and incorrect on its face. We have not ceded any responsibility. In fact, we have done our responsibility once by passing maps during the regular session. And we will complete it again during this special session.

The governor has also fulfilled his responsibility and chose to veto our maps for reasons, I believe, his team will elaborate on today. Both branches of government have a role in this process, just like with any other bill. The only abdication of responsibility would be if we threw our hands up and sent an impasse to the courts allowing them or third parties, all of whom are unelected, to draw our maps. Instead, we have chosen to stay at the table, continue the conversation and hear out the governor and work together because that is not only our responsibility but what Floridians expect of us

as their legislators.

Our goal for special session is to produce a work product that is legislatively passed and executively signed. It is through that lens that I hope we will all move forward with today's meeting. Now on to the presentation.

Today, we will be presenting Map P000C0109. This is the map reflected in the data packet in front of you, as well as being posted on www.floridaredistricting.gov. As Chair Sirois mentioned, 10 of the districts in this map are exact copies of districts that the legislature passed during the regular session. Those are Congressional Districts 1, 2, 20, 21, 22, 23, 24, 25, 27, and 28. You can see those here on our screen. The new proposed districts that will be presented by the governor's office today consist of Congressional Districts 3 through 19 and 26, as now seen on the screen.

Given the new proposed districts are the focus of today's meeting, I would like to ask Chari Sirois to recognize the governor's office to explain these districts. I'm more than happy to take questions on the legislature's districts after the presentation, but don't want to use our limited time redescribing configurations we've all previously heard several times.

Rep. Sirois: Thank you very much, Rep. Leek. Rep. Skidmore?

Rep. Skidmore: Thank you, Mr. Chair. I'd like to move that the governor's staff be put under oath while testifying in the subcommittee today.

Rep. Sirois: Rep. Skidmore, first of all, that procedure would be different than any of the testimony that we received in our committee thus far. As far as my length of service in the legislature, I think that would be an extraordinary step that I don't feel is necessary, and frankly, I find absurd to seek to put a member of another branch of our government under oath. So, that is not well received by me. As chair, I will choose to decline your request. Rep. Skidmore?

Rep. Skidmore: Thank you, Mr. Chair. Pursuant to Rule 7.2, we have the ability to

move to have guests who are testifying in committee to be put under oath. And I feel that it is a fair motion under the circumstances. And I'd like to move through that process if we can get a second and a vote on it.

Female Rep. I second.

Rep. Sirois: Thank you. Rep. Skidmore, again, I'm going to voice that I think that that is an extraordinary and unnecessary step for us to take. But I will put it to this committee. As we move forward, I think it's a good point out the tone for today's meeting. This is a statehouse, not a courthouse. And that's how I intend to proceed with this committee today. So, in the spirit of working with you and moving our process forward, I will put that to the vote of the committee. And I will ask for a voice vote. Those in favor of putting the witness providing testimony today under oath, please indicate so by saying aye.

Group 1: Aye.

Rep. Sirois: And those opposed, please say no.

Group 2: No.

Rep. Sirois: In the judgement of the chair, the Nos have it. We'll now proceed. Rep. Driskell?

Rep. Driskell: **[Audio cuts out] [00:10:57]**.

Rep. Sirois: All right, on the motion that we just voted on, seeing two hands on the motion that we just had a voice vote on, DJ, I would ask you to call the roll.

DJ: Chair Sirois?

Rep. Sirois: No.

DJ: Representatives Benjamin?

Rep. Benjamin: Yes.

DJ: Brown?

Rep. Brown: Yes.

DJ: Fabricio?

Rep. Fabricio: No.

DJ: Fetterhoff?

Rep. Fetterhoff: No.

DJ: Harding?

Rep. Harding: No.

DJ: Hunschofsky?

Rep. Hunschofsky: Yes.

DJ: Joseph?

Rep. Joseph: Yes, for transparency.

DJ: Latvala?

Rep. Latvala: No.

DJ: Maggard?

Rep. Maggard: No.

DJ: Massullo?

Rep. Massullo: No.

DJ: McClure?

Rep. McClure: No.

DJ: Morales? Morales? Perez?

Rep. Perez: No.

DJ: Plakon? Silvers has been excused. Skidmore?

Rep. Skidmore: Yes.

DJ: Trabulsky?

Rep. Trabulsky: No.

DJ: Truenow?

Rep. Truenow: No.

DJ; Tuck:

Rep. Tuck: No.

DJ: Williamson?

Rep. Williamson: No.

DJ: Ex Officio Driskell?

Rep. Driskell: Yes.

DJ: Ex Officio Leek?

Rep. Leek: No.

DJ: Six yeas, 15 nays, Mr. Chair.

Rep. Sirois: Thank you, DJ. Members, the motion fails. The governor's office is recognized. And if you would please identify yourself, sir, for the committee and the record, that would be appreciated.

Mr. Kelly: Thank you, Mr. Chair. Alex Kelly with the Executive Office of the Governor. And I'm a deputy chief of staff for the governor. I should say apologies for the PowerPoint. Obviously, I made the PowerPoint before House Bill 1C was filed. So, I'll be speaking to House Bill 1C and, I guess, the identical content of Senate Bill 2C today. But that said, again –

Rep. Sirois: Mr. Kelly, I'm sorry to interrupt you. If you can pull that microphone a little closer and just speak up a bit.

Mr. Kelly: Thank you. My apology. Again, thank you Mr. Chair, members. Thank you for this opportunity to present the views of the Executive Office of the Governor on the proposed congressional reapportionment plan and to discuss our work and our contributions to this compromise plan.

Just to give you a very brief introduction, frequently today, I'll refer to improvements to the plan. I think, obviously, the chair and the sponsor gave a great introduction to the plan. I'll be really speaking to just the 18 districts that are different. Although, sometimes I'll very generically refer to the plan as a whole. But I really am referring to our specific and my specific contributions to those 18 districts. Often times throughout the presentation, I will compare very specifically this plan, Plan 0109 to the primary plan the legislature passed, Plan 819. Although there are some instances when I'll refer to both and I'll try to remember to identify both when I'm making a comment that definitely refers to both.

So, for the purpose of my introduction, so I am the map drawer of the 18 districts of this plan. Obviously, I assume that context will be helpful. So, I am the map drawer of these districts. To give you a little bit of background on myself, 10 years ago, I was the staff director of the House redistricting committee here on the floor of the House of Representatives. Starting in January of this year, I initially

served for our office in a role of just providing guidance and oversight to our inhouse counsel and our contract counsel, and also a contract map drawer that we brought on board to help initially start our engagement in this process.

For reference, that contract map drawer that we brought on board, his name is Adam Foltz. The initial map that we supported on behalf of our office, Map 0079 was authored by Mr. Foltz. For just a little context for his background, he has been a map drawer for state legislatures in Wisconsin and Texas, and actually currently, he's drawing maps for the state of Texas at this present time. Much like your professional staff, myself, our map drawer who drew our original map, Map 0079, we've only drawn maps on behalf of state government. Adam Foltz and I collaborated on our office's second contribution, Map 0094. And again, I alone authored the 18 changes, the 18 districts that are changed in the map before you today and how they compare to Map 8019.

Some additional notes, I'll point out at the outset that will be helpful today, one, no one directed me to favor or disfavor a political party or incumbent throughout this process. And I did not draw any districts or make any contributions with the intent of favoring or disfavoring a political party or incumbent. Two, in drawing any of the districts submitted by our office, I did not consider or even look at pollical data, including party registration, voter data. In other words, I do not the voting history or party registration numbers for any of the districts that I have drawn.

With that said, the only time I did reference political data in my work was early in the process. I did reference political data early in the process when we observing work of the legislature and we were identifying whether or not it was possible to draw a compact African American performing district in northeast Florida to both try to comply with the US constitution and the state constitution and comply with the state constitution in the way that the Florida Supreme Court has interpreted it and the way this legislature has implemented it.

So, essentially, I took a look at whether or not it was possible to check all the boxes, so to speak, with complying with the US Constitution and the state constitution in drawing a more compact minority performing district. Ultimately, I determined it was not possible to do so.

Three, in drawing the compromise plan that you have before you here today in this legislation, in contributing to our offices to prior proposals and in the totality of our office's engagement in this process, I have not, in any way, consulted with anyone outside the Executive Office of the Governor, our contract counsel, our contract map drawer, the legislature, and its counsel. So, I've only worked within parties here in the House, Senate, and our office, and our contract counsel. Said differently, I can confirm that I've had no discussions with any political consultant, no partisan operative, no political party official concerning any plans proposed by our office and plans considered by the legislature.

In effect, I have engaged in this process, including authoring this proposed compromised plan in a manner that meets the same high standards that you set forth for your professional staff.

And this plan that you're considering today in House Bill 1C, Plan 0109 is indeed a compromise. It is the product of consultation and collaboration between our office, House and Senate leadership. And it incorporates portions of the plan passed by the legislature, as Chair Leek noted, Senate Bill 102 primary plan 8019. Concepts, of course, from 10 districts are included block for block in their entirety in this map. This compromise plan also includes concepts from our two prior office submissions, Plan 0079 and 0094. It also includes concepts from the map that was actually referred out of this subcommittee, Plan 8011, out of the subcommittee on its way to the full committee. And aligns in several other ways that I'll describe with plans considered and the style of the House and Senate's map drawing.

As we noted, in fact, I think Chair Leek did a great job of summarizing the slides. I can probably just skip this. Again, in

general, the main crux of is I'm going to really focus my comments today on the 18 districts that did change.

First, in an effort to create a collaborative product, I worked off the legislature's primary plan, 8019. So, while I was seeking to remedy the governor's veto message and make improvements throughout the map, I began my work downloading Plan 8019 and subsequently making changes.

Regarding the proposed plan before you today, it maintains the same number of performing majority/minority seats. It retains the legislature's exact configuration, as was shown in the map, of the Panhandle districts and also southeast Florida, essentially St. Lucie through Monroe Counties. For reasons set forth in the detailed memorandum, I think it may have been distributed prior to the meeting, the detailed memorandum that our general counsel wrote to accompany the governor's veto message, the compromise proposal eliminates the racially gerrymandered version of Congressional District 5, which were included in Senate Bill 102, both the primary plan and the secondary plan.

Members, that legal memorandum is included – Hopefully, it's been distributed. That legal memorandum is available. In summary, Congressional District 5 in both the primary and secondary maps, enacted by the legislature violates the equal protection clause of the United States Constitution because it assigns voters primarily on the basis of race but is not narrowly tailored to achieve a compelling state interest. Again, that memorandum otherwise fully explains the governor's legal objections to both versions of that district in the primary and secondary maps that passed the legislature.

I will say, because I am the map drawer, I am not legal counsel to the governor. I'm going to be careful to really focus my comments today on the drawing of the map and not venture into that legal world. It's probably a little beyond my training. So, I'm going to focus on the map itself and those 18 districts.

Plan 0109 creates two new districts, Districts 4 and 5 in northeast

Florida consistent with maps previously proposed by our office with some minor improvements. These two districts are race neutral and overall, more compact in Districts 4 and 5 in the maps passed by the legislature. In addition to resolving federal constitutional objections raised by the governor, the proposed compromise plan makes overall improvements with respect to Tier 2, districting criteria relative to the maps passed by the legislature by bringing together some of the best concepts by the legislature's prior maps and our office's maps.

Plan 0109 adjust the congressional districts in Tampa, for example, Tampa Bay area, and the larger gulf region, stretching from Citrus down to Lee Counties, and impacting some inland counties to create a hybrid compromise of the legislature's and our office's maps. These changes improve overall visual compactness, having net effect of reducing a county split, and significantly increase the usage of Tier 2 political and geographic boundary lines.

In the central Florida regions, Plan 0109 aligns more closely with the map that was referred out of this subcommittee, Plan 8011, with on distinction that aligns with Senate plan 8060 as it passed the Senate. With respect to the similarities with the House's plan, 8011, specifically with respect to Congressional District 10, we accept the position articulated by the House's professional staff in this subcommittee in that meeting that this district is not subject to the Florida's Constitution non-diminishment standard because the benchmark district does not contain an African American population sufficient enough, large enough, to reliably elect a candidate of their choice.

We understand that he House and Senate disagree on this point. However, because districts cannot be drawn on the basis of race unless there is a compelling reason to do so, the absence of agreement between the House and Senate on the need to treat District 10 as a minority protected district under the state constitution indicates that a compelling basis for using race is lacking. Essentially, the disagreement between the two chambers has articulated the testimony is a reason for a lack of evidence.

Accordingly, the proposed plan defers for the House's stated testimony in the subcommittee. And my changes to the districts in central Florida region, including District 10 are drawn on race neutral principles. Again, these changes in central Florida result in Tier 2 improvements for the central Florida region.

And the combinations of these changes in central Florida and the gulf coast counties result in some additional Tier 2 improvements for other impacted districts, like Districts 3, 6, and 11. Lastly, in between the submission of our office's second map, Plan 0094 and my drawing of this Plan 0109, I received feedback from House and Senate staff regarding our second map's over reliance on the boundaries of census designated places. I was encouraged to follow the House and Senate's preferred methodology of boundary usage to increase our usage of major roadways, waterways, and railways for Tier 2 compliance.

Our second map closely adhered to county and city lines, so that was not a concern, although less frequently to the other Tier 2 recognized boundaries. Therefor, throughout these 18 revised districts, I adopted the House and Senate's preferred and clear articulation of Tier 2 compliance. So, even where I was trying to articulate the general concept from one of our office's prior maps, I made such revisions using the legislature's preferred approach to Tier 2 compliance. In the next few slides, I'll just walk you through some key points regarding those Tier 2 improvements.

First, the proposed plan reduces by one the number of county splits from 18 to 17 by keeping Citrus and Sarasota Counties whole, in lieu of Polk, effectively a two for one swap. Furthermore, where there are county splits, the number of ways in which those counties are split is reduced. For example, probably the most visible of those changes, in a larger county, is reducing the number of districts within a portion of Hillsboro County from four to three.
Second, the proposed plan reduces reliance on non-geographic and non-political boundaries from 12.5% to 11.5%. Not a significant difference, but none the less, showing that effort to, again, utilize

more frequently well recognized political and geographic boundary lines in that Tier 2 map. In other words, when I mentioned previously that I adopted the House and Senate's preferred way to articulate compliance, this is the result of that.

Third, although mean compactness scores are largely equivalent to each other when comparing my efforts in Map 0109 and Plan 8019 as passed by the legislature, the proposed plan improves the compactness score of the least compact district such that Plan 0109 would be. I believe, the first map considered by the legislature where every district has a Reock and Polsby-Popper score greater than 0.2. Moreover, visually, we'll see in a few moments, many of the districts are plainly just more circular, square, more visually compact shapes that are more easily understandable.

Lastly, my changes to Plan 0109 stay equal to the legislature's achievement of only splitting 16 cities in primary Plan 8019. There are some differences about which cities are split when comparing my revisions to the map passed by the legislature. Specifically, I keep Cape Coral, Plant City, and Port Orange whole, whereas the legislature kept Lakeland, St. Pete, and Longboat Key whole. What I did take care to do in each of those case was first to make sure if there was a city split in that sort of three cities for three cities swap to make sure that those cities none the less were still only contained in only two districts, as the way the legislature did, as the way you did.

Additionally, I tried to make sure that those city splits still made meaningful use of other Tier 2 metrics. For example, as you know, Longboat Key is one of the four cities in the state that is itself split across two different county lines. When I made the effort to keep Sarasota County whole, that resulted in splitting Longboat Key because both Manatee and Sarasota were kept whole but kept whole in two different districts. Although, certainly, that was an exchange of Tier 2 compliance that was well worth it in order to keep an entire county whole.

I should say, just as a disclaimer in saying all of this, I don't mean

to ever suggest, and I think Chair Sirois, you got at this point, I don't ever mean to suggest there is a statistical line in the sand for what Tier 2 compliant compactness or county splits or city splits looks like. But at the same time, in authoring a compromised plan, I recognized that I should offer a plan that recommends improvements and builds upon the work of the legislature. At the very least, give you a plan that never goes backwards and at least improves upon the work that the legislature has done, even though it's not necessarily, as you said, Chair, it's not a competition of statistics. And that is exactly what I have done.

So, with that, I'm just going to proceed then to a more detailed visual explanation of the proposed compromise plan. Statewide, the next two slides, really the next four slides give you that view statewide. I don't think I need to cover these as much because, Chairs, you covered these very much in your opening. But this is the statewide view. And then if you just scroll to pulling back the district labels, it was important to me, obviously we talk about statistics, not to just improve upon statistical goals of the map, like statistical compactness, but I also wanted these changes to satisfy the eyeball test and offer some squaring up, circling up of the districts and greater usage of clear and visible boundary lines. So, the look and feel of the map matter just as much as the statistics.

As you zoom in on just the districts that change – I'll just skip a little bit then because we just looked at something similar. One of the key facets of my work and the proposed plan was to make sure that there was no collateral unintended consequences to my changes without making some sort of equal or better Tier 2 change. So, as I changed one part of the map, for example, as you see, I split Polk County as part of the swap for keeping Citrus and Sarasota Counties whole. I'll get a little more in depth in exactly how that worked in a little bit.

In doing so, I incorporated several Tier 2 changes to Polk County to make sure the new lines were still very meaningful. And in saying that, two thirds of the residents in proposed District 18 on the right are still coming from Polk County. Clearly the legislature was articulating options that centered a district largely around Polk

County. So, even though I've split the county in order to pick up Sarasota and Citrus kept whole, I've done so in a way where Polk County is still the dominant two thirds of the population of the district.

Shifting to Districts 4 and 5, these next couple of slides, I already provided some context previously about the newly proposed composition of these two districts. Just some other general points that I didn't say earlier, the boundary lines between the two are mostly the St. Johns River. As you know, Jacksonville is the one city in the state that is larger than a congressional district. So, you must split it. And the river, which nearly equally divides the city stands out as a logical, recognizable Tier 2 boundary. If you have to split the city somewhere, it stands out as maybe the most recognizable boundary to do so.

And in doing so, the maps on the right in Plan 0109 were overall the combined, when you compare the compactness to the Districts 4 and 5 there, compared to Districts 4 and 5 on the left, combined, they still improve the overall compactness of the two, even making the split through the river.

The southern boundaries of Districts 4 and 5 are still exactly as the legislature proposed them. So, the use of the Clay-Putnam line is the same as the legislature proposed it. And where the split occurs in St. Johns County is exactly as the legislature proposed it. So, we didn't change the southern boundary, I didn't change the southern boundary of District 4 and 5.

The last point about these two districts, I want to make sure and show you, make sure you see, is that District 4 does need to cross the river at some point for purposes of equal population. And that population difference was about 1,500, 2,000 residents. So, knowing the district has to cross at some point, cross the St. Johns River, I tried to make that a meaningful crossing of the river. Our original iteration of this crossing, I think was less deliberate. In this improved configuration, I used the bridges of the Arlington Expressway and Interstate 295 to literally allow a resident to not

have to leave District 4 in order to traverse District 4.

So, again, just trying to use, even in the zero-population work on a district, trying to use those boundaries in some kind of meaningful way.

The next few slides, Slides 14 through 21 visualize my changes to the gulf counties from Citrus down to Lee and how those districts impact counties inland to the east, north, and south. And I'm showing you this in a way that I thought about it, trying to make Tier 2 improvements how I thought and went through the map to make those changes. Essentially, this is, again, a hybrid of the legislature's maps and our office's prior plans in this region. In order to achieve worthwhile Tier 2 improvements to this region, I did have to revisit how the entire region was drawn.

Slide 15, as this slide illustrates, the legislature's decision to keep Brevard, Osceola, and Polk Counties whole, nothing wrong with that decision, obviously, keeping counties whole was a great decision, but the legislature's county to keep Brevard, Osceola, and Polk Counties whole places limitations on what could be done in the Tampa Bay region and the counties to the north and south of Tampa Bay. Keeping Brevard, Osceola, and Polk Counties whole creates, in effect, creates a wall across three quarters of the state. Breaking that wall in Polk County, essentially, gives the map drawer more flexibility in considering different options for drawing more compact districts and more adherence to political and geographic boundary lines in those western gulf counties in the state of Florida.

So, in effect, Polk County, freeing Polk County allowed additional considerations that otherwise, if it's kept whole, it limits what the map drawer can do in and along Tampa Bay and north and south of Tampa Bay.

Slide 16, for example, this Congressional District 12 now includes all of Citrus County. In the legislature's configuration, Citrus County was split. So, now Citrus County is kept whole in this district. Of course, obviously, on District 12, it takes a much more squared up, linear shape. Just a few details about the district and the district just

to the south of it, that pink district, District 15. District 12 is actually still a majority Pasco County seat, yielding about 141,000 Pasco County residents to District 15. The boundaries between 12 and 15 are almost entirely defined by state roads and municipal boundary lines. Zephyr Hills is entirely included in District 15. St. Leo, San Antonio, and Dade City are entirely included in District 12.

Taking a look then south of the Tampa Bay region, going down to Sarasota County, the changes I began in Polk also allowed keeping Sarasota County whole in District 17, which, like District 12, now includes two whole counties and portions of a third to get equal population. The southern portion of District 17 that extend into Lee County only take unincorporated communities, leaving all municipalities from Lee County whole in District 19. This is how I was able to keep Cape Coral whole in District 19. And the boundaries are almost entirely city lines or significant roadways, again, leaning on these Tier 2 principals.

Taking this approach to the north and south of Tampa Bay then gave me a better chance to draw a more visually compact districts in Tampa Bay and make improved usage of geographic and political boundaries.

Zooming a little further on Pinellas County in the Bay, it seemed from the legislature's process that having a seat wholly in Pinellas County was an important goal. So, I quite literally worked my way west to east, starting with District 13, while I also built my way south and north with District 16, coming from Manatee County, which is still kept whole in this plan. Really leaning in heavily in Tier 2 standards of compactness and use of Tier 2 boundaries, I split Districts 13 and 14 in the north with the use of the Pinellas-Hillsboro County line, as the legislature did. And I largely utilized US 19 as a southern divider.

I get my equal population in that middle section of District 13 in the unincorporated Feather Sound area just north of St. Pete. So, while I split St. Pete, I'm doing so making a clear use of Tier 2 boundaries. As I built District 14 eastward and northward in Tampa Bay, again,

I sought to ensure that the boundaries of the district were defined by clear, recognizable Tier 2 boundaries like major roadways. And as I was trying to maintain something of a square or rectangular shape to District 14 to keep it compact.

You'll see in these next few slides where some of the linkage along predominantly roadways occurs between these districts. In this particular case, between the northern portion of District 14 and 15 and even District 12 in Pasco County. That's largely the Suncoast Parkway squared off at a county road. Essentially, take Suncoast Parkway south, you meet up with a county road and then make a left at Busch Boulevard, over to the municipality of Temple Terrace. I have Temple Terrace highlighted in the map. The legislature had a very similar configuration around Temple Terrace to accommodate the municipal boundaries wholly in a district.

And you'll see that I continued on the Suncoast Parkway into Pasco County. So, if you take Suncoast Parkway north, into Pasco County, and then turn on State Road 54, which is a little curvy, but none the less a state road, to divide Districts 12 and 13.

What you see here on the unincorporated Brandon area is also a point of emphasis that I achieved a few times when three districts would meet at a point. I essentially tried to make use of clearly recognizable roadways in a Tier 2 manner to be distinguishable dividers between districts. So, in this case, that juncture of US 301 north and south and State Road 60 east and west, makes clear boundary when these three districts meet. And as I was drawing District 16 from Manatee County north into Hillsboro County, I really wanted to hold State Road 60 as a clear divider that could later also be utilized in Polk County where Districts 15 and 18 would eventually meet.
The resulting District 15 also keeps Plant City whole and despite going into Pasco and Polk Counties, it's still approximately two thirds populated by Hillsboro County residents.

The next five slides visualize my changes to the central Florida region. Again, largely returning to the concepts that this

subcommittee passed in Plan 8011 with one exception. That one exception being that I followed more closely to the Senate's concept of Congressional District 8 in that rather than taking the district in southern Volusia to get the last bit of equal population necessary, I turned the district into eastern Orange. That means this proposed plan only splits Volusia County two ways rather than into three different districts, bringing District 7 down to the Volusia-Brevard County line, without increasing the number of districts in Orange County.

Essentially, there was a turning of the wheel, if you will, as to where these district's boundaries were, to square them up, make them more compact, but not actually have any negative impact on the boundary usage of Orange County but have a positive on the boundary usage in Volusia County.

Again, as I mentioned in my opening, I authored District 10 in the House's plan to look more like – I'm sorry, this plan to look more like the House's Plan 8011 as it passed the subcommittee. Very compactly, keeping several cities whole in either Districts 9, 10, or 11. And as you zoom in, I highlighted the municipality of Edgewood, and right next to that is Belle Isle. And both are kept whole in District 9. That explains how District 9 extends upward just slightly. Again, utilizing predominantly major roadways, but it's to accommodate those two municipalities and either put them wholly in one district or the other. In this case, it puts them wholly in District 9.

Winter Park and Maitland are kept whole in District 10. And Alachua, Popkin, and Winter Garden are kept whole in District 11. The boundaries between these districts are also very much defined by Tier 2, either keeping the aforementioned cities whole, utilizing county boundaries, like you look at District 10, that boundary is the Orange-Seminole boundary line, or utilizing major well recognized roadways and waterways, except where necessary to get equal population. That western boundary, for example between Districts 10 and 11, is largely the Apopka Vineland Road except where the road briefly discontinues about halfway down the western border of

the district.

And then the southwester border of District 10 is another clear usage of significant roadways to separate Districts 9, 10, and 11 using Interstate 4 and State Road 528 where they all come together. Again, it achieves giving those districts a clearly recognizable boundary.

The combination of moving District 10 back very compactly towards the middle of Orange County, along with keeping Citrus County whole in District 12 creates a visually improved, more compact District 11. Again, this is essentially turning the wheel, if you will, of District 11, shifting from the angled shape in Plan 8019 to a more circular shape in Plan 0109 and still includes all of Sumter County.

The combination of reshaping District 7, 10, 11, and 12 then allowed me to reduce the number of districts in Marion County from three to two. The result is that both Districts 3 and 6's boundaries follow State Road 301 north to south, similar to the way the legislature defined the boundaries just a little further east. The legislature just used different roadways. 301 north to south, loop around the boundaries of Ocala, which is wholly in District 3, and then continue down Interstate 75. So, again, just using very clear Tier 2 boundaries.

The borders between District 6 and 11, just for you reference, in the Lake County area, is mostly defined by city boundaries and waterways with Lady Lake Eustice, Mount Dora entirely in District 6. While Fruitland Park, Leesburg, and Tavares are entirely in District 11.

The work to get equal population, I referenced that little piece that's in Lake County of that northeastern piece of District 11 that's in Lake County, the work to get equal population is largely done tracking right there along State Road 46 as it exits Lake County. And that work is largely in the unincorporated Sorento area.

The totality of this and other changes that brought, for example,

District 7 down to Volusia and Brevard resulted in District 6 taking a more compact overall circular shape. When you pull back on the map, it has a much more circular shape.

Of course, several of these changes had impacts on Polk County. And I wanted to make those impacts beneficial in a Tier 2 context. So, I factored in how Districts 9, 11, and 15 share boundaries with District 18. Again, District 18, about two thirds of the residents are from Polk County, one third from six whole rural counties. First, regarding District 9, I did a couple things that were helpful in filling out and smoothing this visual and statistical compactness, as well, for District 9, including also picking up a portion of unincorporated Pointe Sienna and the lake that essentially represents that piece of Polk County that otherwise sticks into Osceola County.

I also extended District 9 out slightly at the northwest Osceola border, utilizing Highway 27 and the Ronald Regan Parkway. So, the overall idea here was threefold. As you pull back from the map, it creates a visual smoothing of the line, about as smooth as the Polk County-Osceola border will give you a chance to do. But it creates a visual smoothing of the line, which does help with statistical and visual compactness. It eliminates the visual and non-compact effects of that inlet between Polk and Osceola, which, again, contributes to the overall compactness.

And I was trying to get the population just right in Districts 9 and 18 so that District 11 could have that nearly flat, very roadway bounded eastern wall butting up to District 10 in Orange County. So, the visual effect of what was achieved in Orange County and how Districts 9 and 18 interacted in Polk County all had a significant effect on each other. And there was a lot of give and take to make that effect work.

As I referenced, the boundaries between Districts 11 and 18, generally speaking, those boundaries focus around Interstate 4. However, you do see some extensions on either side of Interstate 4, between Districts 11 and 18. Polk City is entirely included in District 11. But there are a couple pieces of Polk City that go across

Interstate 4. Auburndale is included entirely District 19. But there are a couple of pieces that go across the interstate. And I mentioned earlier, while Lakeland is split in this map, I wanted to make sure it wasn't split in more than two districts. So, as you get close to District 15 there, where you see, again, another jumping across of I-4, those are just boundaries of the city of Lakeland and some of the zero-population work that I did, as well.

And then when you look at the boundaries of District 11, 15, and back down to 18, US Highway 98 is largely the vast majority of that boundary, really extending out of Pasco County into Polk County through Lakeland, utilizing US Highway 98 for most of that. The southern boundary, which I made reference to before when looking at the Hillsboro region is State Road 60. As I mentioned previously, I wanted to hold that boundary line, Hillsboro County, with 15 north of that boundary, 16 south of it, taking that boundary out of the county so that southern connection between 15 and 18 would still utilize State Road 60. And then zero population work there was done just north of the city boundaries of Mulberry in Polk County.

Again, as I mentioned earlier in my presentation, overall, this map equals the city splits, 16 of the legislature's primary plan. But of course, some of the splits are different. I referenced earlier that I made sure that where there was a split, the city was only split two ways. Furthermore, the resulting District 18 is, again, still a two thirds Polk County district. I can clearly see that the legislature was attempting to create pretty much any map that was considered a majority Polk district. While this is a different configuration, it still achieves the overall goal in creating a majority Polk County district in District 18 with numerous Tier 2 considerations and improvements around it.

Moving on to the last couple slides, looking at southwest Florida, I had to make some decision as a result of those decisions I discussed previously, largely in part due to the Tier 2 effort to keep Sarasota County whole and creating District 17 with all of Sarasota, all of Charlotte, and unincorporated portions of Lee Counties. My newly composed District 17 required me to equalize population for District

18 through the entirety of Henry County and then finding approximately another 4500 residents elsewhere.

In our office's prior plan, I found those residents in western Palm Beach County in the cities and around the cities around Belle Isle, Pahokee, and that area. However, in this compromise plan, as we the chair discussed earlier, we were not effecting some of those southeast Florida districts. So, I wanted to hold the Palm Beach County line, as the legislature did in its plan.

So, zooming in a little more closely, as you'll see on this last slide, I equalized the population in Collier County, which was already split once, extending District 18 along that angle along State Road 82, down State Road 29 North, and then east along County Road 846 to get those additional 4500 residents for District 18 to balance the population. And for District 26, I had to further extend District 26's western boundaries closer towards unincorporated east Naples, utilizing roadways and waterways between 26 and 19, except where necessary to equalize population. The resulting District 26 still has a Hispanic voting age population of 73.22%. With that said, Mr. Chair, that is my explanations of the changes in House Bill 1C.

Rep. Leek: Thank you, Mr. Kelly, for that presentation. Additionally, members, this bill appropriates one million dollars to the Department of State for expenses related to the litigation of the congressional map. The bill also includes language related to state courts. It requires any state court challenge to the congressional map to be filed in Leon County. All challenges based on state law to be filed in state court rather than federal court. Permits any state court challenge to raise both state law claims, and to the extent that circuit court has jurisdiction, federal law claims. And finally, makes explicit that nothing in the bill precludes federal courts from deciding challenges based on the federal law. Mr. Chairman, that is the bill.

Rep. Sirois: Thank you, very much, Chair Leek. For the members of the audience, I noticed several more folks have joined us. Just as a matter of housekeeping, if you'd like to provide public testimony today, please fill out a speaker form with the Sargent at Arms, they

have those available. Members, we're now going to move into questions on the bill. I would ask that all questions go through the chair. I would offer my reminder, once again, about my expectation for decorum and civility in this committee.

Members, again, just looking the clock, we can remain in questions. Maybe we'll give it until about 5:05, 5:10, see where we're at. I want to make sure we have plenty of time remaining to receive that public testimony. Ladies and gentlemen, we appreciate you being here today with us. With that, we will move into questions. Rep. Hunschofsky?

And members, just to roadmap things out, what I'd like to do is give members a couple bites at the apple, perhaps a couple questions and a follow-up. And then, to make sure everybody's had an opportunity, we'll rotate through and then entertain a second round of questions, time permitting. Rep. Hunschofsky recognized.

Rep. Hunschofsky: Thank you, Chair Sirois. How many questions is that that we're allowed in our first round, just out of curiosity.

Rep. Sirois: Go for it.

Rep. Hunschofsky: Okay, I'll go for it. Thank you very much for presenting the map that you drew. You mentioned that this was a compromise map. Yet, when we voted on the map that we passed, we had a map and we had a secondary map, one map. So, I'm not understanding how this is a compromise. Can you explain what you mean by that? Because I thought the secondary map was the compromise, even the first map.

Rep. Sirois: Sir, you're recognized.

Mr. Kelly: Thank you. At that time, our office had not agreed on either of those two maps. There were, obviously, pieces of those two maps that we've incorporated here. Of course, 10 of those districts exactly from Plan 8019. And there are concepts from those two maps that we've hybrided with concepts from the maps that our office

previously published. But we didn't come out and support either of those two maps.

Rep. Sirois: And to offer further clarification, the map that is being presented today by Chair Leek and the governor's office has provided us commentary on includes many portions of what the legislature passed. Rep. Hunschofsky, you're recognized

Rep. Hunschofsky: Thank you, Chair Sirois. So, we had a whole bunch of meetings during committee weeks about all the tiers. And it was drilled into us the Tier 1 and the Tier 2. I noticed in your presentation there was a strong concentration on Tier 2, which we were all told in every single committee meeting we've been in that those are only to be looked at after the Tier 1 standards had been satisfied. And one of the Tier 1 standards that came up when we had Mr. Popper was the fact that districts shall not be drawn – and I'm reading this from what was presented to us from the House staff as backup.

"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. A tier 2 standard is districts shall, where feasible, utilize existing political and geographical boundaries." So, with that, I ask why were the changes made to Districts 4 and 5, looking solely at Tier 2 standard, even though a Tier 2 standard is after a Tier 1 standard has been met. And yet the Tier 1 standard that I talked about doesn't seem to be met with the line that you drew? So, why was a Tier 2 standard given priority over a Tier 1 standard in that case?

Rep. Sirois: Mr. Kelly, you're recognized.

Mr. Kelly: Thank you. First and foremost, I did note in my testimony that we didn't draw any districts with the intent of favoring or disfavoring an incumbent or political party, and that is a Tier 1 standard. In addition, all the districts that were drawn are contiguous. And that is a Tier 1 standard. The other Tier 1 standard regarding diminishment, of course, was the major focus of the governor's veto

message, and really the major focus of discussion. After reviewing your work, the work of the legislature overall, it was clear that a district couldn't be drawn to both satisfy the US Constitution and the courts and the legislature's understanding of the state's constitution. In such a situation, the federal constitution has to prevail.

A plain language, as I'm not an attorney, a plain language way of saying that is there was no obligation to redraw District 5 as it was drawn in the benchmark. There was no obligation, there was no lawfully district to not diminish from.

Rep. Sirois: Rep. Hunschofsky, one final question and then I'd like to move on to make sure we have adequate time for all members.

Rep. Hunschofsky: One final question for this round. I have a whole other round, a whole other section of the state.

Rep. Sirois: Yes, ma'am. We'll get there.

Rep. Hunschofsky: Why was the decision made then not to put District 5 on top of District 4 as opposed to meander around it. It would seem it would be more compact to have one on top of the other than to meander around the other. It doesn't seem like when compactness is the argument, even though it is a Tier 2 argument and still does not follow along the Tier 1 standard, not the one you mentioned but the one I mentioned. I wonder why you wouldn't look to keep it, if compactness is so important, compact in that way so that you could not only meet your sub-Tier 2 standard, but also the Tier 1 standard that I mentioned.

Rep. Sirois: You're recognized.

Mr. Kelly: Thank you Mr. Chair. Obviously, in terms of compactness, as the chair noted in the beginning, there's no one right redistricting map. That said, the districts that you're referencing are significantly more compact, significantly more compact than the benchmark. Visually, statistically, they're more compact than the maps that passed this legislature. So, they are more compact districts. And there was a

rational choice to be made. As I noted in my comments about those districts, Jacksonville is the lone city in the entire state that is larger than a congressional district. So, it's a city you're going to divide.

A logical division to consider is the St. Johns River, which happens to almost divide the city in half on its own naturally. So, it's a very logical dividing line. It's clearly well recognized in the community. So, clearly, a constituent would have no question are they a voter in District 4, are they a voter in District 5, which is the point of drawing a clear boundary line that follows a major roadway, highway, or waterway, and so forth. So, it was a very logical and compact choice to make. And we had already satisfied Tier 1 concerns.

Rep. Sirois: Thank you, sir. Ranking Member Skidmore, you're recognized in questions.

Rep. Skidmore: Thank you, Chair Sirois. Thank you, Mr. Kelly for being here today. I'm going to go a little slow because it's a lot to digest. It was a lot of changes. Does 109 split as many as counties as 8019? More or less?

Rep. Sirois: Mr. Kelly, you're recognized.

Mr. Kelly: Thank you, Mr. Chair. It splits one less county. And also, in addition to that, for those counties that are split, it splits those counties fewer times. So, it makes a couple types of county improvements. It keeps Sarasota and Citrus whole in exchange for splitting Polk. So, it picks up a single county split. I'm sorry, a single county whole.

Rep. Sirois: Rep. Skidmore, you're recognized.

Rep. Skidmore: Thank you, Mr. Chair. Thank you for the answer. And does 109 reduce the city splits from 8019 or increase city splits?

Rep. Sirois: Mr. Kelly.

Mr. Kelly: Thank you, Chair. It's equal.

Rep. Sirois: Ranking member.

Rep. Skidmore: Thank you, Mr. Chair. Thank you for the answer. So, if the governor's veto was based on CD5 and CD4 and the number of city splits did not change and the number of county splits was reduced by one split, why did you redraw 18 districts instead of just the district that the governor objected to?

Rep. Sirois: Mr. Kelly.

Mr. Kelly: Thank you, Mr. Chair. Of course, our office had previously submitted two entirely different state maps for the legislature's consideration. So, it's no secret that there were other preferences in the rest of the map. There were other opportunities for Tier 2 improvements throughout the rest of the map. So, a veto message, of course, the veto message spoke to the governor's most significant concern throughout the map. But it wasn't a secret that we had already published two complete maps before and made other recommendations throughout the rest of the map.

So, with the opportunity to take a look at the rest of the map, obviously, we deferred to the legislature exactly block for block in 10 of those seats. But as I articulated, there were a number of opportunities, keeping counties whole, the visual compactness of the map, as well, and just overall a more clear usage and more consistent usage of political and geographic boundary lines. So, there were a number of improvements throughout the map.

Rep. Sirois: Thank you. Rep. Skidmore let's do a follow up and then I have Rep. Benjamin next on my list. And then we'll come back to you in the next round.

Rep. Skidmore: Thank you, Mr. Chair. Thank you for the response. I'm going to pick which question I'm going to ask. So, the governor's position is that there was no compelling reason to keep CD5. But wasn't CD5 actually drawn by the court? And is that not a compelling interest? Thank you, Mr. Chair.

Rep. Sirois: Mr. Kelly.

Mr. Kelly: Thank you, Mr. Chair. The court got it wrong.

Rep. Sirois: Rep. Benjamin?

Rep. Benjamin: Thank you, Mr. Chair.

Rep. Sirois: Rep. Benjamin, I apologize. Ladies and gentlemen, there are many new members of the audience that joined us. I just want to offer a reminder again about the decorum that we have in this committee. We don't have loud reactions in this committee. We have business to conduct. We are pressed for time. Rep. Benjamin, you are recognized.

Rep. Benjamin: Thank you, Mr. Chair. You represented earlier that the law and constitutional arguments is somewhat outside of your purview. But yet you've told us now that the court got it wrong. But in that decision, the court was attempting to reconcile the federal constitution and the state constitution. Would that be a fair statement?

Rep. Sirois: Sir.

Mr. Kelly: Mr., Chair, I'm not aware, although I'm happy to defer to counsel to fill out this answer. But I'm not aware where the state supreme court was attempting to reconcile something between federal and state law. But I'm happy to refer to counsel if there is something I'm unaware of.

Rep. Sirois: Rep. Benjamin.

Rep. Benjamin: Thank you. Can you then tell me how did the court get it wrong?

Rep. Sirois: Mr. Kelly.

Mr. Kelly: And I'll offer, sort of, a two-part answer here. One, I walked through in my testimony that that was a seat drawn primarily based on one criteria, based on race. It is a racial gerrymander. And there was a

failing to demonstrate that compelling state interest in doing so.

The other side of this, I can speak to from my time, at that time, working in the legislature from 2009 to 2012. The driving question behind fair districts, the poster child district was a district that sprawled from Jacksonville to Orlando. And in the end resolution a few years later, the court drew a district that sprawls from Jacksonville to Gadsden County. It didn't remedy the issue. It just replaced one gerrymandered district with another.

Rep. Sirois: Rep. Benjamin, you're recognized.

Rep. Benjamin: Thank you. Are you aware that compliance with the Voting Rights Act by the court has been considered a compelling state interest?

Rep. Sirois: Mr. Kelly.

Mr. Kelly: Thank you, Mr. Chair. It's a great question. Again, I'm not counsel for the governor but I'll speak to the extent of my knowledge of the Voting Rights Act. The Voting Rights Act speaks to districts where the minority community is 50% or more of the total community in the district. So, in other words, if the African American or Hispanic voting age of the population is 50% or more of the voting age population in the district. That's not the end of that analysis. But that is a sort of introduction to that analysis. The district in question does not meet that threshold. So, I don't see any scenario in which the voting act is implicated by Congressional District 5.

Rep. Sirois: Rep. Benjamin, let's have one follow up in this round and then we're going to move to Rep. Joseph. Thank you, sir.

Rep. Benjamin: Thank you, Mr. Chair. In determining that it was not narrowly tailored to the compelling state interest, was it that it wasn't narrowly tailored or was it that it wasn't a compelling state interest. Which 14th Amendment or strict scrutiny analysis are we looking at?

Rep. Sirois: Mr. Kelly.

Mr. Kelly: Mr. Chair, I'm not sure I could answer that question directly. I can just say in general, the obligation to define that compelling state interest is an obligation the map drawer has. So, I, as someone who is saying that district didn't define that. Whoever drew that has to meet that obligation, not me. Counsel could probably elaborate a little bit further on the question if you want.

Rep. Benjamin: I would.

Rep. Sirois: If your counsel is present, they can speak to the remaining portion of Rep. Benjamin's question and then we'll move on to Rep. Joseph.

Mr. Kelly: Ryan Newmann, the governor's general counsel will hopefully help answer the remainder of the question.

Rep. Sirois: Mr. Newmann, you're recognized.

Mr. Newmann: Thank you. I'd be happy to answer that.

Rep. Sirois: Forgive me, Rep. Benjamin?

Rep. Benjamin: Mr. Chair, can we have him go over how the court got it wrong **[audio cuts out] [01:05:47]**

Rep. Sirois: If you would speak into the microphone and offer that question, please.

Rep. Benjamin: Can you give more of a legal analysis as to the governor's constitutional challenge to the map?

Rep. Sirois: Mr. Newmann, you're recognized.

Mr. Newmann: Sure. On the issue of the federal constitutionality of District 5 as it was originally configured, the Florida Supreme Court never actually addressed that question. That question's never been resolved by the Florida Supreme Court as to whether or not District 5, as it was configured, complied or not with the federal constitution. So, what we did in the memo that we submitted, and it lays out, I hope, in

sufficient detail, legal argument for why compliance with the Florida Constitution, in northern Florida, and that's complying with a non-admonishment standard of the Florida Constitution, can't square with the equal protection clause of the United States Constitution.

So, just to step back to sort of walk through the analysis, the Supreme Court has made very clear that you cannot draw voting districts based on race unless the state can satisfy strict scrutiny. So, there must be a compelling interest and the district must be narrowly tailored to achieve that compelling interest. Now, the only time that the United States Supreme Court ahs been willing to even countenance a compelling interest in this context is when there is good reason to believe that the district is necessary to comply with either Section 2 or Section 5 of the Voting Rights Act.

I need to point out even on this point, that is still an open question. The US Supreme Court has only assumed that compliance with the Voting Rights Act is a sufficient compelling interest to justify a race-based interest. That's very narrow. And the Supreme Court has only been willing to assume that much. It's never actually definitively held that.

So, with respect to compliance with the Voting Rights Act, there's two components to the Voting Rights Act, there's Section 2 of the Voting Rights Act and there's Section 5 of the Voting Rights Act. Section 5 of the Voting Rights Act no longer applies in this context because of the Shelby County case which wiped out Section 4. So, Section 5 is no longer operative. But I do want to make an important point here, Section 5 never applied to the state of Florida as a whole, it never has. Even back in 1968, back when the evidentiary basis for the Voting Rights Act, 1965, was being assembled, there was never sufficient evidence to determine that the entire state of Florida should be subject to the Voting Rights Act.

It was only determined that five counties, none of which are in northern Florida were subject to the Voting Rights Act for Section 5. So, Section 5 of the Voting Rights Act, I guess my point is that's

just out of the picture. So, that just leaves us with Section 2. So, does Section 2 of the Voting Rights Act require that District 5 in northern Florida be drawn? And the answer has to be no. Why? Because of the Gingles preconditions that are required for making out a Section 2 claim. You can't even make out a Section 2 claim unless you satisfy the Gingles preconditions.

The first precondition, this is what Alex was trying to get to, the first precondition is is there a minority population that's reasonably compact in a reasonably compact geographic location that constitutes a majority of the district. And District 5, not withstanding the fact that it's gerrymandered – the district was drawn for the specific purpose of connecting African American populations in Jacksonville with the African American population in Tallahassee and Gadsden Counties. And even then, that district is not a majority minority district. It only got up to 44 or 45%, if my memory serves. And that's even without respecting traditional districting criteria. So, that district is not required by the Voting Rights Act. And because it's not required by the Voting Rights Act, it cannot serve as a compelling interest to justify the drawing of a district in northern Florida based on race.

So, the only question then is whether or not mere compliance with the Florida Constitution alone, by itself, is a compelling interest to justify a race-based district. And in this context, where you're having to ignore all traditional districting criteria, which is what the federal courts look at to determine whether or not the district is necessary, it cannot be a compelling interest. For the same reason that we would never say that if Florida had a law segregating the schools, that that would somehow trump the equal protection clause. Why? Because the Florida Constitution says so.

My only point is mere reliance on the Florida Constitution cannot, by itself, be enough. Now, don't get me wrong. That's not to say that there are other applications of the Florida Constitution's non-diminishment standard that could survive strict scrutiny. One example would be if you had a sufficiently compact African American community in a district, you can't necessarily just carve

up that district. That, perhaps, could survive strict scrutiny. But what is not and cannot satisfy strict scrutiny is trying to cobble together disparate minority communities from across northern Florida to cobble together a district that might perform for the minority community.

I think that's where District 5 goes wrong because it's clearly cobbled together, it's clearly gerrymandered, not unlike the preceding district that went from Jackson down to Orlando as a salamander type district that went from Jacksonville down to Orlando. But that's the fundamental problem. There's no compelling interest here because the Voting Rights Act does not require this district to be drawn in northern Florida. And mere compliance alone, without more of the non-diminishment standard in the Florida Constitution, cannot satisfy strict scrutiny, at least as the Supreme Court has explained it.
Just to put a bow on all of this, the Supreme Court just spoke again, just a matter of weeks ago and slapped down a Wisconsin map for containing improperly racially drawn districts because –

Rep. Sirois: Sir, if you'd bring it in for a landing for us. We have members with other questions.

Mr. Newmann: Thank you, I can go on and on. So, the Supreme Court came in, sort of struck down the Wisconsin – a summary reversal of the Wisconsin maps for not satisfying strict scrutiny. So, strict scrutiny is a very, very high, very high standard. And it just wouldn't satisfy it in this context.

Rep. Sirois: Thank you. Rep. Benjamin, I've put you on the list for our second round of questions.

Rep. Benjamin: Thank you, Mr. Chair. That's the heart and the crux of the changes that were made and I think that analysis was much needed. Thank you.

Rep. Sirois: Thank you, Rep. Benjamin. Rep. Joseph, you're recognized.

Rep. Joseph: Thank you, Mr. Chair. Wow, so many questions. Earlier you were asked in the Senate to define race neutral in your approach to drawing these maps. Can you define that for us, please?

Rep. Sirois: Mr. Kelly.

Mr. Kelly: Thank you, Mr. Chair. I'm essentially not factoring race as I'm drawing a district.

Rep. Sirois: Rep. Joseph.

Rep. Joseph: What if, if any, analysis did you do regarding retrogression in creating these maps to analyze both Black representation and Hispanic representation or Latino representation?

Rep. Sirois: Mr. Kelly.

Mr. Kelly: Thank you, Mr. Chair. Great question. I didn't have a need to with the districts I was drawing. So, I didn't do any kind of functional analysis.

Rep. Sirois: Rep. Joseph.

Rep. Joseph: Thank you, Mr. Chair. Looking at your version of, I guess, CD26, which spans from the Everglades to Collier County in Miami all the way to Hialeah, talk to us about your premise in drawing that particular map and crossing over the way you did.

Rep. Sirois: Mr. Kelly.

Mr. Kelly: Sure. Thank you, Mr. Chair. So, that district, if you think about it in the context of the district the legislature drew and where I made changes, the eastern boundaries of the district in Miami-Dade County are identical to the boundaries that the legislature drew. The western half of the county is the portions of the district that I drew. So, as I was approaching that area with District 18, I described earlier that I was in need of population to complete District 18. I assigned the totality of Henry County, as a whole county, to District 18. And using some major roadways in the unincorporated

Immokalee area of northern Collier, I then moved a little bit of Collier County into District 18, as well.

Again, though, using those major roadways, not splitting any cities in the process. The result of that, I made changes to District 26 exclusively in the Henry County side, pulling that district out of Henry County in its entirety. And moving that district, District 26, further east into unincorporated East Maples, basically, and using the major roadways there. There's a few waterways, as well. So, trying to utilize some clear natural boundaries. Overall, as I mentioned earlier in my testimony, the Hispanic voting age population of the district is still quite high, a little more than 73% Hispanic voting age population.

So, again, didn't change any of the boundaries in the Miami-Dade County side of the district. Just exclusively in the Collier and Henry side of the district.

Rep. Sirois: Rep. Joseph.

Rep. Joseph: Thank you, Mr. Chair. So, when you say you were in need of population, you were specifically referring to the Latino population to create this district?

Rep. Sirois: Mr. Kelly.

Mr. Kelly: Thank you, Mr. Chair. Really, both. I was in need of population initially because I was taking the district out of Henry County and then also part of the unincorporated Immokalee area. The total population shift there was roughly, my math may be a little bit off, but about 45,000 people. So, in effect, I needed people for equal population, first and foremost, to complete the district. Which meant that I had to push a little further, draw a little further into sort of the coastal side of Collier County, but obviously not that far.

That said, knowing this is a historically performing majority minority Hispanic seat, I was watching those numbers carefully to make sure that in terms of the overall Hispanic voting age

population, I was staying very close to the benchmark seat, which I think is a little bit more than 74%. So, the seat that I drew, the percentage is around 73, still very high, still at a threshold that should perform for a majority Hispanic voting age population seat.

Rep. Sirois: Rep. Joseph, let's do a follow up and then I'm going to move to Rep. Brow. We'll try to come back.

Rep. Joseph: Thank you. So, your analysis basically presumes that the Latino voters vote cohesively. And you may or may not be aware of this, but in that area, you have lots of different kinds of Latino groups. And I don't know if your analysis, based on what you're telling me, you did not take that into account. So, my question for you is this map, basically, takes the same approach of the House and legislature's previous maps for District 21, but these two Latino electorates are separate in terms of how they tend to perform. So, I guess what I'm asking is is that thinking correct, that this map basically takes the same approach as the House and legislature's previous maps for Districts 21 and 28?

And in terms of CD 26 that I'm specifically asking you about, it's motivated by that same idea of Latino cohesion in terms of how they perform?

Rep. Sirois: Mr. Kelly.

Mr. Kelly: Thank you, Mr. Chair. I think I can answer the question. Although, I will concede, in terms of your reference to the prior district numbers, I'm not totally clear which maps you're referring to. But in general, I was fairly confident that a Hispanic voting age population, that's higher than 74%, is still going to maintain that historical performance for this district that has performed Hispanic for, to my knowledge, at least a couple decades. I was fairly confident it was such a high Hispanic voting age population, even though it was a slight drop, that overall, it wouldn't warrant any concerns.

And obviously, I had to get equal population, as well. No matter what I did, I was also wanting to make sure that if I was assigning

Henry to a different district, I wanted to make sure that one way or another I kept Henry County whole.

Rep. Sirois: Thank you. Rep. Brown.

Rep. Brown: Thank you, Mr. Chair. As it relates to, I know there was in your presentation, you talked about improving the maps. So, with specifically to District 10 here, the little barbell shaped blob, I wanted to know, can you explain sort of the Orange County configuration and how it's more Tier 2 compliant than the other vetted alternatives that we have done, developed, or even debated. Specifically recognizing the political and geographic boundaries for its perimeter, right now I believe it's 63%. I know for the 8019 for CD 10, I believe it was 82%. So, we're talking about improving, it seems as though it's going back.

When we look at even the 8060 map that we've also kind of reviewed, it also used those boundaries, but it recognized as a 92%, so stellar boundaries. How is this particular configuration compliant and an improvement?

Rep. Sirois: Mr. Kelly.

Mr. Kelly: Thank you. Would it help if we went to look at the district? There are some aspects that I think the visuals helps the explanation, if that's okay.

Rep. Sirois: Yes.

Mr. Kelly: Is it okay if I take control?

Rep. Sirois: Certainly.

Mr. Kelly: So, one of the things that I did find out, by the way, Representative, to your roadway question, one of the things that I did discover in the process is that western boundary of District 10, Apopka Vineland Road, essentially, I don't think we get credit for it. It is predominantly one roadway. But I think, as I understand, the

roadways you get credit for in terms of the statistics in the legislature's redistricting application, it picks up the roadways that the Census Bureau recognizes. But as you zoom in on that district, you find out that it is actually, for the most part, on solid roadways.

Really, the boundaries of that district, you have the Seminole County-Orange County line to the north. You have where part of District 9 comes up into District 10. The wall of that is a significant roadway on this side and on this side. In between are two municipal boundaries. Some of the zero-population work is done just to the north of that. As you go east of those two municipalities, it's just following one nice clean roadway. It then follows, I think it's actually in the eastern end of that Orange County section, leading out of 10, still follows major roadways and waterways, as well.

But the eastern boundary between 10 and 8 is predominantly roadways and waterways. Most of these boundaries are defined in Tier 2. I don't know if the application picks up all of them and gives us credit for the statistics of all of them. But the boundaries for this district, outside of equal population, are exclusively Tier 2 boundaries. The district is very compact.

It overall allowed some other districts around it to become more compact. One of the things I did, the portions of District 9, and obviously, you always have to look at any district in respect to what it also causes around it. The portions of District 9, as the legislature passed them, were more on the eastern side of Orange County, going north. I pulled those portions more flat and spread across, which helps with your circular test, so like a Reock test or a Polsby-Popper. It's not a massive difference, but it is a little bit of a difference in the way it's drawn. And again, those are just predominantly absent some of the zero-population work, just major roadways defining those boundaries.

The other visual effect here, that I really like, is how District 11 now – District 11 when it comes from the Lake Seminole area, it just follows along the Seminole County border. It then goes under the city boundaries of Apopka. Obviously, I didn't want to break the city

of Apopka. It goes under the city of Apopka, follows predominantly one roadway. I did note in my testimony, that roadway actually has a break in it. So, I couldn't follow that roadway the entirety of the western wall of District 10.

In effect, District 11, in the configuration – in fact, I'll take one step back. In the configuration considered by the legislature, District 11 – because 10 is centered really around Apopka, I believe Alachua, Winter Garden, that area, District 11 then has to have this arm underneath District 10. Because I was able to create that more flat use of boundary space between 7/11, 10/11, 9/11, in effect there's no arm anymore to District 11. And that contributed, along with what I did in Citrus County to being able to square up District 11, as well.

So, the changes that I made were never in respect to one district. Although I did use clear roadway boundaries and municipal boundaries almost exclusively and county boundaries with District 10. But the changes were made in respect to all the districts to all of the districts took on a little more of a statistical, aesthetic compactness. And again, overall, just tried to use those clear boundary lines between them.

Rep. Sirois: Rep. Brown, before you continue, members to just kind of give you a sense of where we're at, we're coming up on a period where we need to wrap up questions. We have significant public testimony, our citizens here today with us at the capitol. We also have an amendment, we have debate, and want to give Chair Leek an opportunity for final comments, as well. So, Rep. Brown, you're recognized to continue questions. Members, please be mindful of our time.

Rep. Brown: Thank you, Mr. Chair. And I definitely will keep that in mind because I actually do have questions when we're speaking of those surrounding districts. I have quite a few questions based off the percentages and points there compared to 8060. But I'll just ask this question so that my other colleagues can have an opportunity at this apple. I know the governor stated written objection to 8019. And in

that written statement, he focused on 4 and 5. So, why are we here messing with the Orlando area, particularly District 10 in ways that clearly worsen the compliance to the constitutional criteria.

Rep. Sirois: Mr. Kelly, you're recognized.

Mr. Kelly: Thank you, Mr. Chair. And I should start in reverse order of the question. I would disagree with the last point that was made. I do believe this composition – and this composition is very similar to what this subcommittee passed in Plan 8011. I believe really demonstrates strong compliance with the law. And I believe actually this composition, again, similar to the product passed out of this subcommittee, I think was actually better than the final product passed out of the legislature overall. So, going back to this subcommittee's work, this subcommittee's work was similar to the earlier plans that were submitted out of our office.

Your question is similar to that of which Rep. Skidmore asked earlier. And while the governor's veto message was driven largely by what was happening northeast Florida, we were never secret about submitting maps. We submitted public maps before out of our office. Those maps articulated thoughts and ideas for consideration by the legislature all around the state. So, obviously, the major significant constitutional concern centered around Districts 4 and 5 in northeast Florida. As though, we looked at the legislature's final composition, ideas that we had prior to that, it was clear that I could go into the map and make improvements.

And really, in many cases, taking some hybrids of ideas that, as Chair Sirois said earlier, some hybrids of ideas that really combine some of the best work product of the legislature and maps that we proposed, really trying to pull those ideas together to get the best out of these maps.

Rep. Sirois: Thank you, Rep. Brown. Rep. Driskell, you're recognized in questions.

Rep. Driskell: Thank you, Mr. Chair. Are you saying that because the governor

doesn't like CD5 as it currently exists, that you don't have to regard CD5 as a benchmark district for which a functional analysis is required?

Rep. Sirois: You're recognized.

Mr. Kelly: Thank you, Mr. Chair. Not exactly the way that you said that. The crux of the argument and Ryan laid out the argument in detail well earlier. The crux of the argument is that the district violates the US Constitution. So, if the district violates federal law, there's no district with which there is an obligation to look at diminishment. The district was unlawful to begin with. So, at that point, the legislature had no obligation to consider that question. At that point, the legislature just has Nassau County, Duvall County, Clay County, St. Johns County, which in those four counties alone, you could fit two whole congressional districts but start a third district. Very compactly, very adherent to standards in the state constitution.

Rep. Sirois: Rep. Driskell.

Rep. Driskell: Thank you, Mr. Chair. But that's your opinion, correct? That's not actually the current legal standard. The current legal standard, as I understand it, is that when there's a benchmark district, you're supposed to perform a functional analysis. Is that correct?

Rep. Sirois: Mr. Kelly.

Mr. Kelly: Thank you, Mr. Chair. No. There's no obligation to perform a functional analysis on that district. As our general counsel noted, as the memorandum notes, as I summarized earlier, that district as drawn on the benchmark violates the equal protection clause of the United States Constitution. Attempts to redraw that district in various configurations violate the equal protection clause of the United States Constitution. So, there's no need to do a functional analysis for a district that, on its face, is unlawful and the legislature is not obligated to redraw.

And that's really the analysis that Mr. Newmann gave, our legal

memorandum game.

Rep. Sirois: Rep. Driskell, one last follow-up and then we're going to move on.

Rep. Driskell: Not a follow-up, new question about Tampa Bay.

Rep. Sirois: You're recognized.

Rep. Driskell: Thank you, Mr. Chair. So, if we follow the map that you prepared and that we're reviewing today, it actually follows the exact – the net effect is that it looks like it's following the exact same strategy that led to what was determined to be a partisan gerrymander that was struck down last decade, packing Democrats into Tampa Bay CD14. So, my question is how is following the county lines not just a pretext for partisan gerrymandering here? Because it kind of looks the same as it did a decade ago.

Rep. Sirois: You're recognized.

Mr. Kelly: Thank you, Mr. Chair. I don't know the partisan breakdown of those seats. I don't know where District 13, 14, 15, I don't know how those seats are affected. I don't know the partisan data for the seats. So, I don't know how to address that question. I can only address the question in the context of how I drew the districts. I wanted to draw, because I could see that the legislature had an intent to draw a seat wholly in Pinellas County. So, I drew a seat wholly in Pinellas County, utilized very clear boundary lines, a county line for the northern part of that, a state road for the southern part of that.

And essentially moved to the east in a block like fashion and then came north out of Manatee County into southern Hillsboro and essentially just had those two seats, 13 and 16, and eventually meeting 15, just meet along major roadways. So, they're just nice clean, compact seats that follow those major roadways. I'm unaware of the data you're referencing.

Rep. Sirois: Thank you. Rep. Hunschofsky recognized for one brief question.

Rep. Hunschofsky: I'll try my best, Chair Sirois. Thank you. I'm going to put it all together. We talk constantly about the Tier 2, and I keep going back to the Tier 1 that was told to all of us multiple times in our committees. In the Tier 2, we're picking bodies of water in certain places, but in other places, it doesn't seem to bother us that we cross bodies of water. My question is, and this is all related in one, Chair Sirois, how are you defining race neutral? Where did that term come from? And how do you explain CD20, for example, when you say that?

Rep. Sirois: Rep. Hunschofsky, I think the initial part of your question has been asked and answered in the testimony that's been answered. Mr. Kelly, if you'd like to speak to Congressional District 20, you're recognized.

Mr. Kelly: Thank you, Mr. Chair. I really can't speak to Congressional District 20. We didn't draw Congressional District 20. So, I think I would have to defer to your professional staff, the legislature as a whole. But we didn't draw Congressional District 20.

Rep. Sirois: Rep. Hunschofsky, can you repeat your question as it relates to Congressional District 20?

Rep. Hunschofsky: Yes. I guess my question, I keep going back to, as I did the last time we had a map in front of us that we were voting on, Tier 1 criteria the one I mentioned before versus Tier 2 criteria. You bring up the term race neutral. I'm not really sure what that means and I'm not really sure where that comes from. The map you presented to us has a district that does move around and was obviously done so to protect a racial group from being able to pick a candidate of their choice. So, how do you explain that as part of what you were talking about.

Rep. Sirois: Staff is recognized. Ms. Kelly.

Ms. Kelly: Thank you, Mr. Chair, and thank you, Representative for the question. I'll kind of piece together a couple things that have been mentioned today with regards to District 20. So, in the legislatures'

perspective, that's a protected Black performing district. So, we performed our functional analysis on the benchmark district and then recreated it to ensure that that minority group can elect a candidate of their choice.

One difference that I'd say between Congressional District 20, and I guess previous iterations of Congressional District 5 is the threshold of the voting age population. So, you've heard the governor's office allude several times today to the Voting Rights Act in Section 2 analysis. The first condition of the Gingles' prerequisite is to have a majority minority district. In the benchmark district and in the one that's recreated in this plan and prior iterations, CD20 is above 50% and does meet that first criteria for if someone was to bring a Section 2 violation against the map. So, we're obviously aware of that and wanted to recreate it to be in align with that law, as well. Thank you.

Rep. Sirois: Members, I apologize, we must move on. We have an amendment that we need to take up. We have members of the public that have traveled here today to be with us. We need to move, Rep. Joseph, into your amendment. Rep. Joseph, you are recognized to present your amendment. Members, this is Amendment Barcode 959221. Rep. Joseph, you're recognized.

Rep. Joseph: Thank you, Mr. Chair. So, in this bill at lines 3627 through 3647, it creates Section 7, which limits venue for legal actions challenging federal congressional districts to state courts. That makes no sense to me. The question I would have asked, had I had the opportunity to do so was what was the rational for that. So, this amendment is quite simple and straight forward. It removes those lines, such that these congressional federal seats can be challenged in federal court. That is the amendment.

Rep. Sirois: Thank you very much. Having explained the amendment, members, are there questions on the amendment? Questions on the amendment? Seeing none, is there public testimony on the amendment. We have none submitted, ma'am. We're on the amendment now, but we're going to get public testimony on the bill in just one moment. Appreciate you being here today. Just one

moment. Seeing no public testimony on the amendment, members, is there debate on the amendment? Ranking Member Skidmore, you're recognized to debate on the amendment.

Rep. Skidmore: Thank you, Mr. Chair, and thank you, Rep. Joseph for the amendment. I too was unsure why we needed to do this and why we would want to try and circumvent the federal courts and an opportunity for individuals to work through that process. I don't think this is necessary. We've managed for hundreds of years without weaponizing the process. Not sure why we need to do it now. We have only had these maps for a few hours. We are still trying to wrap our heads around them. We don't need to bog this whole process down with this unnecessary language that gives us all a lot of heartburn and is likely to be unconstitutional for us to tell people whether they can work through the federal court system or no.

I support your amendment. I think it's a good one. And I would ask everyone to vote up on this amendment.

Rep. Sirois: Rep. Benjamin recognized in debate on the amendment.

Rep. Benjamin: Thank you, Mr. Chair. And just to reiterate that point, we've been arguing now about a federal question, how does the 14th Amendment apply in this case. So, if we're talking about a federal question, whether or not our maps violate the 14th Amendment, how can you preclude the federal court from weighing in on that, which is a requirement to enter into federal court in the first place. So, we cannot preclude the federal court from determining what is, in essence, a federal question. That is my debate to vote up on this amendment.

Rep. Sirois: Any other members in debate? Seeing none – Rep. Driskell, in debate.

Rep. Driskell: Sorry, Mr. Chair. Just very briefly, I just want to echo back to something that we talked about when we were in regular session, which is this concept of weaponizing procedure. And if we believe

that the maps we pass are going to be constitutional, if we believe they're going to stand, there's no need to weaponize procedure in this way. First it was the statute of limitations and limiting that. Now it's choice of venue. What's next? It's a very slippery slope and it's something we should all be concerned about. And we need to be down on this – I mean, up on this amendment, thank you.

Rep. Sirois: Members on debate, seeing none, Rep. Joseph, you're recognized to close on the amendment.

Rep. Joseph: Thank you, Mr. Chair. This amendment is very straight forward. I mean, it's a federal question, federal courts. It really just makes sense. So, the portion restricting the jurisdiction, it's in direct conflict with the Voting Rights Act and 28USC1367, which provides supplemental federal jurisdiction over state law claims that are closely related to federal claims. As such, the supremacy laws controls and the state law must concede that federal law, which states that federal courts have jurisdiction over these maps. It's not even complicated. It's not even close.

So, we have to ask ourselves what's really going on. Why would we want to limit challenging federal congressional seats to state courts? I think many of us have ideas as to what the answer is to that question. But even that notwithstanding, let's talk about what the 14th amendment is, which is the basis for these new maps, as has been espoused to us. The 14th Amendment is one of those remedial statutes in the post-reconstruction era that allowed for more Black representation. And but for that law and several others, we would have less Black representation.

So, now we have the governor using that same law to turn it on its face. And he wants you to believe that somehow, under some universe, that he is protecting us against segregation, which is straight foolishness because I didn't get into all the questions –

Rep. Sirois: Rep. Joseph, I apologize for interrupting. We are very pressed for time –

Rep. Joseph: I understand. I'm trying to close on the amendment. You shut off all

my other questions, so I'm trying to get the point across. So, when we look at CD26, which is protected, as you heard, as Latino voters, which is a Tier 1 criteria, why are we protecting Latino voters and not Black voters? When we look at that, there are infirmities that make that map worse in terms of the Tier 2 criteria that we're alleging that we're protecting. But we're not actually protecting it. So, what are we really doing? This is smoke and mirrors.

This amendment directly eliminates which court you're taking it to. We shouldn't need this. If your premise is under the US Constitution and the 14th Amendment, which is what we heard legal counsel say that's the basis for their claim, then let it play out in federal courts. If it's not, then tell us what you're actually doing. We're not asleep at the wheel. This amendment fixes that and allows us to do what we are subsequently able to do. Thank you, Mr. Chair.

Rep. Sirois: Thank you, Rep. Joseph. Having closed on the amendment. Members in favor of the amendment, please signify by saying Aye.

Group 1: Aye.

Rep. Sirois: Those opposed, no.

Group 2: No.

Rep. Sirois: The amendment fails. We are now on public testimony. Ladies and Gentlemen, we appreciate you being here today for public testimony. We have a lot of public testimony to get through. What I would like to do is once I call your name, please approach the podium if you'd like to speak. I will call the next person to speak, as well. They are on deck, if they would like to move forward in the room. You are also welcome to waive in support or waive in opposition in order to save time.

Members of the public joining us today, I'd like to spend the next 40 to 45 minutes receiving your public testimony, which is very important for us to have. Then we'll move into member debate and the bill's sponsor's close. With that, I'd like to ask LaShonda

Jolloway, a citizen from Jacksonville to please approach the podium. If you would please state your name, I'm sure I pronounced it incorrectly. And then next on deck will be Nancy Staats from Atlantic Beach. You're recognized.

Ms. Jolloway: Thank you. Good afternoon to this committee. First and foremost, I want to thank you for your work. But I must say that I am in utter shock that that last amendment was not approved. I would urge each of you to vote no on this bill. If congressional seats are federal, then the equal protection law should be heard by federal courts and not by the lower courts. Moreover, as a fourth generation Floridian who is not only a constituent in the 5th Congressional District, I am a stakeholder as a candidate to represent the people of the 5th Congressional District.

Furthermore, understand that this particular map that the governor has proposed, it uses Tier 2 metrics. It does not even us the federal standard. It used the preferred standards. So, not only should we be using United States Census numbers, we should also be using Tier 1 standards. And we all know that Tier 1 says you cannot favor a political party.

Rep. Sirois: Thank you, ma'am.

Ms. Jolloway: My two minutes are up?

Rep. Sirois: Please continue. My mistake. You have two minutes.

Ms. Jolloway: Thank you so very much. Furthermore, we know that Mr. Kelly stated that this particular – these particular maps affect 18 districts. As a result of that, it would favor 20 Republican districts and eight Democratic districts. The citizens of the state of Florida voted for fair districts. So, not only does it violate the will of the people, it also violates the equal protection clause, the second section of the 14th Amendment strictly states that you must not prohibit voting practices or procedures that discriminate on the basis of race, color, or membership in one minority language.

Last and certainly not least, I would say to you, we must protect minority access districts from retrogression. We must protect minority access districts from retrogression. Black people, minorities, people of color, and people of minority language ethnicities should have representation. We are part of this democracy, and we deserve to be heard.

Rep. Sirois: Thank you, ma'am. My apologies for interrupting you. Ms. Staats. Next on deck is Jessie Sheklin of Jacksonville. You're recognized, ma'am.

Dr. Staats: Good afternoon, everyone. My name is Dr. Nancy Staats. I'm a board-certified medical doctor. But you don't need an advanced degree to see what is happening here. What we are seeing is a blatant disenfranchisement of African American communities and their representatives. The governor has many duties and responsibilities, but drawing maps is not one of them. That is your job. And you are here working hard doing that job. But unfortunately, the governor rejected all your hard work, then came up with his maps, which you, appropriately, rightly rejected when he first proposed.

But now, suddenly, after vetoing yours, he's back with more nonsense and you have folded like a cheap suit, the Republicans. Now, what I would like to say –

Rep. Sirois: Ma'am, I'm going to remind you, I don't know you were here when we started the meeting regarding decorum in the committee room.

Dr. Staats: Yes, thank you. I will, I will. What happened in those two months? I'm just curious? Were there discussions about budgetary requests, perhaps? Was there arm twisting? I don't know. Maybe someone can clarify. It's painfully clear to me that everyone in this room and everyone outside this room knows this entire special session is a farce because there is not even another map being considered. As has been mentioned by others, our Harvard educated governor must be well aware that this map violates both the Florida Fair Districts Amendment and the Voting Rights Act. But perhaps he wants the attention. Perhaps a Supreme Court case. I don't know.

Everyone remembers back our American History lesson that our government was formed in response to an authoritarian ruler, King George. Our founding fathers created a system of three distinct autonomous branches of government. Yet here we are today seeing complete complicity on your part to a new king.
In closing, as a physician, I took an oath. I pledged to uphold the Hippocratic oath. You too, each of you, took an oath. You have taken an oath to uphold the state and US constitutions and to serve your constituents. And many of you, sadly, seem to have to forgotten. We will not.

Rep. Sirois: Thank you, ma'am. Ms. Sheklin, you're up next, followed by Juanita Powell-Williams of Jacksonville. Ladies and Gentlemen, I'd just ask you, when you come to the podium, if you would identify yourself once again. And we'll observe the two minutes, but we may be pressed for time moving forward. Ma'am, you're recognized.

Ms. Sheklin: My name is Judy Sheklin. And I live in Jacksonville. I'm speaking in opposition to the governor's proposed maps for several reasons. It is the responsibility of the legislature to create congressional maps during redistricting, according to Article 3 of the Florida Constitution. The House and Senate, as the previous speaker stated, created, and approved maps that you were satisfied with. Which, as we know, were then vetoed and redrawn by the governor. This is unprecedented in state legislatures throughout the United States.

The legislature here, quickly, the House and Senate, acquiesced to the governor and that created a dramatic imbalance of power in our state government. This is troubling to me as a citizen. The governor's maps are a radical departure and aren't in compliance with state and federal law. These maps, as we've heard today, reduce the likelihood of minorities to elect congressional members of their choice, eliminating two minority districts, and also violating the Voting Rights Act.

In 2010, Florida passed the Fair Districts Amendment. And the citizens stated and deserve and expect fairness in redistricting

decisions. The governor's plan that creates 20 Republican majority districts and eight majority Democratic districts blatantly demonstrates partisan gerrymandering. Please stand up for all Floridians and oppose these unfair maps.

Rep. Sirois: Thank you, ma'am. Ms. Powell-Williams, you're up followed by Christian Cardona. You're recognized.

Ms. Powell-Williams: Thank you. Good afternoon. Juanita Powell-Williams from Jacksonville, Florida. We often, in the law, consider knowledge and intent. Ladies and Gentlemen, I present to you today that there is full knowledge of what is being done here today and within Florida. Florida has become a laughingstock, unfortunately. And with that, you as our leaders are privy to that. There is full knowledge and with that, intent, to do just what the governor is doing. He is taking away a right of a people. We are retrogressing back to the past and you are allowing that to happen. I know this is falling on deaf ears.

Unfortunately, we're here, your constituents are here from these various counties within Florida and we're speaking out regardless of some of you already having made up your minds as to what's going to come out of your mouths. But we're here. Ladies and Gentlemen, we're going to speak up. We're going to vote. And we will remember. Thank you.

Rep. Sirois: Thank you, ma'am. Christian Cardona followed Marsha Davis. If I could remind members, if I call your name second, if you could make your way up, you're on deck. That will help us move things along a little faster. You're recognized.

Mr. Cardona: Thank you. Hello, everyone. My name is Christian Cardona. I am opposed to the redistricting plan. I am a worker and leader with the Fight for 15 in the Union. Different movements are gathered here today because we stand against the elimination of protections that the Fair District Amendment provides. This map is a direct attack on Black representation in our democracy and that ain't right.

I want to share my experience as a voter and why this issue is important to me. I moved to Orlando, Florida with my family in

2009. I gained citizenship and just in time to vote for Amendment 2, which brought us one step closer to a living wage, which is something I have been organizing and speaking up about for years. This amendment has a direct impact on the community around me, my family, my friends, and my neighbors. I felt powerful to organize and campaign to raise the standard of living for millions of Floridians. The day I got to vote yes for Amendment 2 was a day I will always remember.

After months of campaigning and yelling it out to the world, I finally had my chance to cast my vote along with my community. This is why it's so important that workers have a strong voice and a vote. Workers have never been given rights. We've had to fight for all of the things that we've won. Every little crumb, every raise, every right, and this fight is no different. Gov. DeSantis is trying to limit our ability to have our voices heard at the state level, which we aren't going to let happen. Thank you.

Rep. Sirois: Thank you. Marsha Davis followed by Rosemary McCoy of Jacksonville followed by Tameka Hobbs of Jacksonville. Ma'am, you're recognized.

Ms. Davis: Thank you. Good afternoon, I'm Marsha Davis from Orlando, Florida. I'm here to speak against Gov. DeSantis' legislative map. Floridians passed the Fair District Act amending the state constitution to protect minority voters, to ensure their access to representation, and to limit legislators from drawing maps that are unfair. And these maps are unfair. It's just not right. I hope your conscious is twinging just a little bit.

Minority growth in this last census is very clear. That's why we got an additional congressional seat. That tells us we need more representation, not less. So, I would ask you to consider that. The plan is unfair, and I believe the plan is unconstitutional. So, I would ask for you to please think about all of your constituents and vote no. Thank you.

Rep. Sirois: Thank you, ma'am. Rosemary McCoy followed by Tameka Hobbs

and then Laura Cardona.

Ms. McCoy: Good afternoon and thank you so much for having us here. Thank you so much for being here. We are living in a time of desperate reaction. And we need your reaction in a positive way. Everyone here knows that we have a war. And yes, I'm going to continue speaking about this here war, Russia, Ukraine. It's a serious war because it does affect us. Whether we're in Florida as a state or whether we are federal, or whether we are citizens, residents of the state of Florida. I am a disabled veteran and I believe in this country. I will go to war today for this country.

And you know what I'm asking you all to do? I'm asking you to go to war right here in the state of Florida. I'm asking you to put down your party. We're not here to be here Republicans. We're not here to be Democrats or independents. We're here to serve the people. I have a nonprofit organization called Harriet Tubman Freedom Fighters. Freedom Fighters, I believe in freedom. I am a Ukrainian. I have that spirit and I pray that each one of you do. I pray that you do not bow down to a dictator. We have to stop this. When are we going to stop this?

Rep. Sirois: Ma'am, I'm going to caution you regarding –

Ms. McCoy: Stop it now. Stop it now.

Rep. Sirois: Our next speaker in Tameka Hobbs followed by Laura Cardona. I'd like to remind members of the audience, as well, regarding civility and decorum in the committee room. Ma'am, you're recognized.

Dr. Hobbs: Thank you, good evening. My name is Dr. Tameka Hobbs. I am a recent resident of Jacksonville and Congressional District 5. I am a native of Florida. I grew up not very far from here in Suwannee County. I am here to report to you as a person who has lived the majority of my life in the state of Florida that I have never paid as much attention to the proceedings of this organization because I have never in my life been as concerned as I have been over the last several months. I am here to voice my opposition to the maps that

are being presented by the governor to this legislative body. Because on it's face, that is outside his scope and function.

This body has a responsibility for bringing these maps, developing these maps, as you have, for consideration. And it is a definite violation of the checks and balances that are built into our constitution, as I understand them, for someone else to present those to us. So, I will say that, number one.I will also echo what's been said already, in this proposed map is unconstitutional based on the Florida State Constitution, based on the Fair Districts Amendment from 2010, based on the Voter's Right Act that's been presented here several times.

I'd also like to talk about what I heard in the two times, both in the Senate and before this body that I have heard Mr. Kelly make his representations about the way that the map that was presented today had come about. He asserted us that he was very interested in it being square and compact. He described these very round districts. Visually, certainly, we can certainly see that. What he has used, and I believe mistakenly, is the application of this idea that these maps were constructed in a race neutral fashion. If it was race neutral, we would not be dealing with the disillusionment, the dismantlement of two of four congressional districts that have put African Americans in the Congress.

Rep. Sirois: Ma'am, you're time has expired. You want to just bring it in for a landing.

Dr. Hobbs: For two minutes?

Rep. Sirois: Ma'am, your time is expired. If you'd like to wrap up your comments.

Dr. Hobbs: I would like to say that is on its face false. I want to say to this body that you have a choice before you. As a historian, I have followed the racial history, very painful racial history that has not been considered here.

Rep. Sirois: Thank you, ma'am.

Dr. Hobbs: You have a choice about your legacy today.

Rep. Sirois: Thank you, very much. Laura Cardona of Orlando and then Christopher Nurse of Jacksonville waives in opposition. Our next speaker – Is Laura Cardona coming up? Christopher Nurse waives in opposition. The next speaker is Sheila Singleton of Jacksonville, followed by Barney Roberts of Jacksonville. Sheila Singleton? Barney Roberts of Jacksonville, come on up, sir. And then our next speaker will be Trisha Neely of Tallahassee.

Mr. Roberts: Hi, I'm Barny Roberts from Jacksonville, Florida. I'd like to challenge you to build a future for our kids for tomorrow. If they look at Tallahassee as it has been for the last couple of years and they see the behavior that's happening here, then they're going to say hey, what should we do about it? Our kids deserve the best and I hope that you do that, too, with your decision that you make today and tomorrow. Thank you.

Rep. Sirois: Thank you, sir. Trish Neely of Tallahassee followed by Larry Colleton of Orlando. Ma'am you're recognized.

Ms. Neely: Thank you for the opportunity to speak. I'm Trish Neely and I am with the League of Women Voters. I won't repeat what's already been said. But I do have two points. Number one, it was the League of Women Voters against the state of Florida that was the lawsuit that Mr. Kelly mentioned. And we disagree that the court got it wrong. We believe they got it very right.

We urge you, urge you to carefully consider what this map will do. It cuts the voting power of African Americans by 50%. Think of that, by 50%. This is very reminiscent of Florida's voter suppression tactics of over 100 years ago. Folks, we don't want to go backwards. We need to be going forward. We urge you to vote this map down. Thank you.

Rep. Sirois: Thank you, ma'am. Larry Colleton. I'm sorry, I know I'm mispronouncing that. Followed by Hedder Pierre-Joseph of

Orlando. If you're going to speak and I mention your name, please make your way forward in the interest of time. Hedder will be followed by Stacy Williams of Orlando. Sir, you're recognized.

Mr. Colleton: Thank you, Mr. Chairman. Larry Colleton from Orlando, Florida. I find myself thinking that I'm back in the 1950s or 1940s. This reminds me of basically, pardon the language, but white supremacy. And the fact of the matter is, it's ironic to me that the 14th Amendment would be turned on its head when that was initiated to protect Africans who were recently freed from slavery. We, me, an African descendent of slavery, having people sit here and talk about this as though, and using it as a weapon against the very people it is intended to protect.

This is a moment for profiles in either courage or cowardness. To be intimidated by the governor of this state, to capitulate, this is not this committee's bill. This is the governor's bill. You haven't done your job. You aren't doing your job. And we are not going to forget this. And history will speak to you. It will speak about you. You will be dealt with through history and hopefully at the ballot box.

Rep. Sirois: Thank you, sir. Hedder Pierre-Joseph, I apologize, I'm butchering the name, followed by Stacy Williams.

Ms. Pierre-Joseph: No worries. Good evening to the committee and the committee members. My name is Hedder Pierre-Joseph. Redistricting is the process by which new congressional and state legislative districts are drawn. Federal law stipulates that districts must have nearly equal population and must not discriminate on the basis of race and ethnicity. The current redistricting map, which eliminates congressional house representation for Black people is based on solely fear. Fear that Black people are voting. As Black people who are descendants of enslaved Africans, we know our history and we have seen this devil before.

I implore you not to continue down the dark path of your ancestors and deny Black people their constitutional right of representation. I remind all of you of the Boston Tea Party of 1773. Finally, I ask you to look around and to see the promise and the hope of the enslaved

Africans. We are on the side of justice and with the God of Abraham, Isaac, Jacob, and our ancestors, we shall always overcome. Remember, there is something called God and time. Thank you for your consideration.

Rep. Sirois: Thank you. My apologies for butchering your name. Stacy Williams followed by Troy Squire. Stacy Williams is not here. Troy Squire of Jacksonville. If I call your name, if you'd make your way forward. Following Troy will be Jonathan Webber of Tallahassee.

Mr. Squire: Thank you for letting me speak. I just have one question. But first, my name is Troy Squire. I live in Congressional District 5. And as the regional breakdown for northern Florida states, your plan will split Black communities across three different congressional districts, which results in the loss of the current Black opportunity district, linking Jacksonville and Tallahassee. So, my question is to Gov. Ronald Dion DeSantis and this subcommittee. What are you saying? Is that Black votes does not matter to you? That's my only question.

Rep. Sirois: Thank you, sir. Jonathan Webber of Tallahassee followed by David Rucker of Orlando. And after David will be Genesis Robinson of Daytona Beach. Sir, you're recognized.

Mr. Webber: Thank you, so much. Good afternoon, my name is Jonathan Webber. I'm the deputy director of Florida Conservation Voters. For the record, I do live in CD5, Al Lawson's district, just south of Appalachia here in Tallahassee.

Florida Conservation Voters strongly believes that the health of our environment is directly tied to the health of our republic. And just as we monitor our water for pollution, we monitor our government for signs of sickness. Fair representation is one of the best metrics we have to measure the health of our government. The census and ensuing redistricting process is the test. Today, we're asking ourselves questions like was this map drawn in complete transparency? Does it respect the rules set forth in the Voting Rights Act and the state and federal constitutions? Were the people of

Florida given ample opportunity to participate and comment on this map?
And most importantly, considering the profound legacy of state sponsored oppression in Florida, does it protect or diminish the right of Black Floridians to elect the leaders of their choice? You all know the answers to these questions. While fair representation is vital, fear of doing the right thing is the ultimate terminal sickness in democracy. Our republic is only strong as the rights of minority groups to participate. I love this country, not so much for its history but for its promise. But that promise must be guaranteed to everyone, not just the powerful or the monied or the ruling class.

FCV stands in solidarity with our friends and allies across the state in opposition to these maps. Thank you all for coming today. Thank you.

Rep. Sirois: Thank you. Next is David Rucker followed by Genesis Robinson. Ladies and Gentlemen, we have about 20 speaker cards left. I'd like to move into debate at 6 p.m. So, following you, sir, I will be reducing public testimony to one minute each. Thank you, sir.

Mr. Rucker: You're giving me one minute?

Rep. Sirois: No, sir. After you.

Mr. Rucker: Oh, after me, good. My name is David Rucker. I live in Orlando. I live in District 10. And I am a super voter. I started voting when I was 18. That's in the civil rights of 1965. I've only missed two voting out of my whole time as being a teenager and a young and old adult. What I like to do and have you guys, before you even think about voting, we keep asking you to vote and the things we don't like about what's happening with the governor and what he's talking about, I want you to go back, before you make this vote, in 1975. A song came out by the O'Jays. And it would say you've got to give the people what they want.

Before you vote, I want you to listen to that song. I want you to listen to it all the way through and then come back and vote. That's what I

need you to do.

The next thing, there are four positions that we have now, the governor wants to cut them down to two. You need to look at that two. We're talking about oppression of voters, especially Blacks at that time, in '65, we need to take heed and look at those things. We don't want to repeat history. We want to move forward. But what the governor is trying to do is try to repeat history, which is not good for all of us in America. You know, U.S. is us, that means we are here together.

But remember, what I want you to do, 1975, the O'Jays, the O'Jays. You got to give the people what they want. Thank you.

Rep. Sirois: Thank you, sir. Genesis Robinson followed by Gail Gardner. One minute. Sir, you're recognized.

Mr. Robinson: Mr. Chair, I would ask that you reconsider to allow two minutes so I can – My colleague is going to yield his time.

Rep. Sirois: Sir, I have 20 speakers left. One minute sir, you're recognized.

Mr. Robinson: Okay, thank you. Good afternoon, members. Thank you, Mr. Chair for the opportunity to speak for one minute to address the house subcommittee. My name is Genesis Robinson, and I am a registered voter in the state of Florida. I also serve as the political director for Equal Ground Action Fund. We are a Black led voting rights organization working to increase civic engagement in Black communities throughout the state. We are here in opposition to this plan.

Obviously, you have abdicated your responsibility to draw maps to the governor. And as an organization working to expand equity in the state, we believe that this map is unconstitutional. With minority growth that we saw in the 2020 Census, it is critical that we have diverse viewpoints and experiences represented at the federal level of government. The lived experiences and perspectives of these individuals are a crucial part in representing and reflecting the

fullness of our state. It is unconscionable to think that maps that govern our state for the next decade could give us less minority representation than we currently have.

When the history of this moment is written, you do not want your name to be among those that violated and voted to take away minority representation in the state of Florida.

Rep. Sirois: Sir, your time has expired. Thank you. Gail Gardner of Alachua followed by Cheryl Jones of Winter Garden. Ma'am you're recognized.

Ms. Gardner: Good evening. Gail Gardner from District 10. In the '60s my ancestors who lived in the north where I was born and grew up would board a charter bus and head south where they were born and grew up. Now, I too boarded a charter bus today for the same reason. My experience has been that we are fighting once again and repeating history. Our ancestors did this. They defended their time, they defended their right to vote.

So, therefore, we're asking that the congressional redistricting make not just draw the line but hold the line and make this legislative body accountable and not allow the persuasive executive decision by the governor to be a force to diminish the Black vote for which those of you who benefited from the Fair District Amendment 5 and 6, that prohibit politicians from drawing districts that favor themselves and their parties to ensure that minorities have the opportunity to elect representatives of their choice. Let's not allow history to repeat itself. Thank you.

Rep. Sirois: Thank you, ma'am. Cheryl Jones followed by Ebony Hardy-Allen of Jacksonville. Ma'am, you're recognized.

Ms. Jones: Hollo. I'm Cheryl Jones from Orlando. I want to emphasize that our democracy is under attack. When you look at the redistricting act, it is clearly and blatantly designed to oppress Black voters. And I also want to address the fact that you would not have the speaker under oath. That simply holds him accountable. I don't know if others in

here have heard, but he's flip flopped a few times between here and the Senate. And being under oath holds his word to his record. So, we would like to make sure that as we listen to speakers that they are held accountable and that the redistricting map actually does represent the citizens of our state.

I live in Orlando, which is currently in District 10. But the redistricting will put me in District 11. And some of the reasons that were stated as to why it's being redistricted are different from other counties. Other counties are held intact. I believe that holding our representatives accountable will make a difference.

Rep. Sirois: Your time is expired. Thank you, ma'am. Our next speaker is Ebony Hardy-Allen followed by **Indisar Sabri** of Jacksonville. And then we'll have Gail Pressley of Orlando. Ma'am, you're recognized.

Ms. Hardy-Allen: Hello, my name is Ebony Hardy-Allen, I'm a voter's rights' advocate. Since I only have one minute, I'm only going to take 30 seconds because I've set here, I've prepared a speech, but I'm not going to use it. I set here and I listened, I looked at everybody's faces. Three things, this reminds me of a poll tax, this reminds me of a literacy test, this reminds me of a paper bag test. My skin is too dark. I will not have representation. If you all vote for this bill, we will remember. We will vote you out of office. I am asking that you do not strip us of our representation. That's all I have to say. Literacy test, poll tax, and a paper bag test.

Rep. Sirois: Thank you, ma'am. Indisar Sabri of Jacksonville. Then we'll have Gail Pressley of Orlando followed by Hazel Gillis of Jacksonville. Ms. Pressley, come on up. Hazel Gillis will be next followed by Cecile Scoon. Ma'am you're recognized.

Ms. Pressley: Well, thank you and good afternoon. Thank you, Chairman, to all of our House of Representatives. My name is Gail Pressley, and I am a proud member of Congressional District No. 10, which is held by none other than our House of Representative. It is disheartening to me here today to hear some of the information that was shared, especially from the attorney today.

I come from a family who have, back I the 1960s, listening to some of the stories that they told me about voter's rights and how they had to fight so hard to become a voter. I feel like I'm back in the 1960s today and it is 2022. I do oppose to the bill that is here today. And I implore you because you took an oath to serve the people. And we are the people. I am that person. And I do represent Congressional District 10. And I do implore you, Ladies and Gentlemen, to do the right thing and vote the right way. Thank you, Chairman.

Rep. Sirois: Your time is expired. Thank you, very much. Thank you, ma'am. Hazel Gillis followed by Cecile Scoon and then we'll have Allison Clark of Maitland. Ma'am, you're recognized.

Ms. Gillis: Good evening. My name is Hazel Gillis. I am a member of the James Weldon Johnson Branch of ASALH, the association for the study of African American life and history. And I live in Congressional District 5 in Jacksonville, Florida.

Gov. Ron DeSantis' rejection of Florida legislator drawn maps is a direct attack on Black representation in our democracy. By proposing a congressional map that reduces Florida's Black representation in Congress by 50%, the governor is attempting to silence the voices of hundreds of thousands of Black voters. We oppose any map that has been drawn by Gov. Ron DeSantis. In 2010, Florida passed the Fair Districts Amendments 5 and 6 that prohibits politicians from drawing districts to favor themselves and their parties and to ensure minority voters have equal opportunities to participate in the political process and have a fair opportunity to elect representatives of their choice, their party.

Rep. Sirois: Thank you, ma'am. Your time is expired.

Ms. Gillis: We must end this manipulation. Thank you.

Rep. Sirois: Cecile Scoon of Panama City. Thank you, ma'am. Cecile Scoon of Panama City followed by Allison Clark of Maitland followed by ZsaZsa Ingram Fitzpatrick of Tallahassee. Ma'am your recognized.

Ms. Scoon: Thank you. Cecile Scoon, president of the League of Women Voters of Florida. What a difference a day makes. I was here a few weeks ago and I was really proud of this body when you addressed Prof. Popper and he came forth with this idea turning things on its head and telling you following the law was illegal. You literally asked him, do you have a case on point? And the man said, "No, I don't." And that is a true fact.

You are ignoring Tier 1. Tier 1 actually does not require intent, as Mr. Kelly seemed to be implying and stating. It goes by impact. If you do not protect the voting rights and make sure the people have an opportunity to select a representative of their choice, if they are a minority by race or language, you are violating Tier 1. And you are violating the Florida Supreme Court standing on the law. And that's simply the case.

They are trying to change the law ahead of time. The governor is supposed to enforce the law, not change the law. The people that write the law are the legislators. This is all backwards and it's hurting every single citizen of this state. Yes, Black people are being targeted. But the destruction of our separation of powers –

Rep. Sirois: Thank you, ma'am.

Ms. Scoon: – is effective everyone. Thank you. Please vote no.

Rep. Sirois: Thank you, ma'am. Ms. Clark of Maitland followed by ZsaZsa Ingram Fitzpatrick of Tallahassee. And then we'll have Myrtle Lucas of Jacksonville. Ma'am, you're recognized.

Dr. Clark: Thank you, Mr. Chair. I am Dr. Allison Clark, a native Floridian born in Volusia County, and I live in District 7. I am here to voice my opposition to this bill. I could site historical data, statistics, court cases, etc. that demonstrate the unconstitutionality of the vote that you are about to take. But due to time, I will keep my statement to this. The purpose of this session is clear to the nation and to Floridians. It is to establish a path for the governor's race for the White House in 2024. And it is a path that is being built on the backs

of Florida's Black voters. I ask you to vote no to this bill.

Rep. Sirois: Thank you, ma'am. ZsaZsa Ingram Fitzpatrick followed by Myrtle Lucas. Ma'am, you're recognized.

Ms. Fitzpatrick: Thank you. I am ZsaZsa Ingram Fitzpatrick. And I come to give you a brief statement. It is about facts, rights, and responsibility. The fact is it is not in the governor's job description that he should be putting forth maps on redistricting. It is your right to tell him to stay in his lane and do his job. And is the responsibility of us, the voters, the people who put you in office, to come before you and let you know what we think when we do not like what you are doing.

And today, I am requesting that you look closely at what is being put forth to dimmish Black voters and people of color, our voices within this state, and that you also look at the census and know that we are that sleeping giant. Because our numbers are not diminishing. They are growing. Thank you. And vote against this bill.

Rep. Sirois: Thank you, ma'am. Myrtle Lucas of Jacksonville followed by Haraka Carswell of Jacksonville. And then we'll have Ingrid Montgomery.

Ms. Lucas: My name is Myrtle Lucas. I am a member of the James Weldon Johnson Branch of ASALH that associate **[inaudible] [02:022:20]** from the study of African American life and history. And I lived in the Congressional District 5 in Jacksonville, Florida. We oppose any map that has been drawn by Gov. Ron DeSantis. Legislators and governors are doing this to unfairly have it their way. That's what I want to say. Okay. We must end this at the cost to protect our democracy and Black voters. We vote for legislation to draw –

Rep. Sirois: Thank you, ma'am.

Ms. Lucas: I know, I can't speak. To draw maps for fairer districts and we want them to do their job –

Rep. Sirois: Thank you, ma'am, your time is expired.

Ms. Lucas: Okay. Enough for Gov. DeSantis.

Rep. Sirois: Thank you, ma'am. Haraka Carswell followed by Ingrid Montgomery. No Haraka Carswell? Ingrid Montgomery. Yes, ma'am. Waive in opposition. Thank you very much. Ingrid Montgomery. My apologies. Thank you, ma'am. Jasmine Burney-Clark, an opponent of the bill. Od'Juan Whitfield of Jacksonville, an opponent of the bill, are you here to speak? Come on up, sir. And then we'll Gwendolyn Coleman of Jacksonville. Sir, you're recognized.

Mr. Whitfield: My name is Od'Juan Whitfield. I'm in Congressional District 5. I am a taxpayer, and I am a United States Army combat veteran. I fought over foreign territories only to come back here to fight for my rights for representation. It bothers me that we rush through this committee hearing. First it was for the interest of the people, so you rush the representatives. Then the people come up and you rush the representatives –

Rep. Sirois: Sir, please keep your comments to the legislation.

Mr. Whitfield: It's to you all. And so, what's the rush? The session is from the 19th to the 22nd. Why are we rushing so fast? This affects me and the people in my district. The difference between you all saying my uncle, auntie, cousins, brother, sister went to war, the difference is they don't have to come back to this. They don't have to. Do your jobs.

Rep. Sirois: Sir, your time is expired.

Mr. Whitfield: Do your jobs. That's all I'm saying.

Rep. Sirois: Your time is expired. Thank you. Gwendolyn Coleman, Jacksonville. Thank you for your service. Gwendolyn Coleman, an opponent of the bill. Walter Smith of Jacksonville, an opponent of the bill. Kristin Fulwylie of Maitland, an opponent of the bill. Dr. Carolynn Zonia followed by Lisa Perry. Lisa, are you here? Next will be Joey McKinnon. Ma'am, you're recognized.

Dr. Zonia: Thank you, Mr. Chairman, committee members. I'm Dr. Carolynn Zonia. I'm speaking against the governor's maps. I just wanted to point out in September 2021, the US Department of Justice issued guidelines for Section 2 of the Voting Rights Act. And they clearly state that it prohibits any procedure or practices that minimize or cancel out the voting strength of racial or language minority groups in the voting population. So, whether you vote down the amendment, whether you're keeping the language in that said you're limiting where this can be challenged, there's going to be challenges. It's going to be overturned. Please vote against the governor's maps. Thank you.

Rep. Sirois: Thank, ma'am. Lisa Perry followed by Joey McKinnon. Mr. McKinnon, you're recognized. I'm sorry, Lisa Perry is an opponent of the bill. Sir, you're recognized.

Mr. McKinnon: Thank you, chair. My name is Joey McKinnon and I'm a resident of the impacted CD5. And I'm opposed to this bill. During the regular legislative session, you the legislature produced a map that was challenged, to my knowledge, by no one, until Gov. DeSantis broke with Democratic norms and here we are. And to be fair, I love many of you, but I didn't want to see you after Easter.

Stand by your maps. You did a good job. How often do people come to his podium and say that. But stand by your map. After this past session, it's time to turn down the heat, we all know that. Today, you have the opportunity to protect the constitution of the great state of Florida by upholding the Fair Districts Amendments, defend Democratic norms, and prioritize people over partisanship, like you did with your maps. So, let's do what's right. Thank you.

Rep. Sirois: Thank you. We have Charletta Sowell of Jacksonville. Waiving in opposition. And finally, JoAnn Brooks of Jacksonville, waiving in opposition. Members, we are now in debate. Members wishing to debate, Rep. Benjamin, you're recognized followed by Rep. Skidmore.

Rep. Benjamin: Thank you, Mr. Chair. We are here at this special session and in this subcommittee to consider the governor's veto with regards to maps that we sent him that we believed at the time that we sent them that those maps were constitutionally compliant and that those maps were sufficient for representation for our congressional representation. That map held that four seats from Florida would hold Black representation in our Congress.

And now we're here today discussing a map that will change that representation from four to two. When we talk about the significance of that, we are told that the contested seating was in fact not legal in its iteration. However, it was not challenged. It was provided to us by the courts and never challenged. That makes it benchmark. That means it had to be analyzed. That means it was subject to Title 3 or Fair District Amendment. In that, we codify Section 5 of the VAR, which says that we have to protect our representation in our state from regression. We believe that when we did that title, that regression was something we wanted to protect our state from.

And we have long recognized in the law that we can give greater protections than the federal government. And it was said by counsel that adhering to state law was not a compelling state interest. That's not case law, that's his opinion. I believe that there is no greater state interest than upholding our constitution. Our constitution that gives greater protections. And so, we have now decided that we would compromise with the governor after we've given him constitutionally compliant. But where's the compromise?

He's given us an offer, but where's our counteroffer? Where's our counter discussions as to what we believe should be right. You've heard a lot of testimony given here today. But I don't believe that the court got it wrong. I believe that we're getting it wrong now. That Black folks matter, Black representation matters. We sought to ensure that we would not go backwards. Our state constitution ensured that we would continue to take Florida forward. And in doing so, we enshrined it in law. So, there could be no greater state interest, there can be no greater compelling interest than to ensure

that our laws are upheld, especially when they give greater benefit.

So, we should vote this down because Black votes matter, Black voters matter, Black representation matters. And we should give the people what they want.

Rep. Sirois: Thank you, Rep. Benjamin. Members, just checking in on time, according to my phone, we're at 6:02 now. My goal is for us to vote or to have a close from Chair Leek at about 6:25. So, if you'd help me stay on track. Rep. Skidmore, you're recognized.

Rep. Skidmore: Thank you, Mr. Chair. I want to thank the folks who traveled from around the state who came to testify today. We heard they came from all parts of Florida. I just feel that this map clearly violates the Florida Constitution. Whether it was devised with the intent of denying or abridging the equal opportunity of racial or language minority to participate in the political process or to dimmish the ability to elect representatives of their choice, the fact of the matter is the result is it does. And that violates the constitution.

If the governor believes, as he has stated, that a racially gerrymandered district is tantamount to segregation, then why did he leave Congressional 20 alone? When all of his objection was on Congressional 5 and they redrew 18 other districts, but they left a racially gerrymandered district alone. It doesn't jive with what it is that he is saying.

And this map is unconstitutional because whether it was devised with the intent to favor a political party, the fact of the matter is the result is it does. Mr. Kelly testified in his testimony that his cleanup of the legislature's map randomly resulted in a partisan makeup of 20 Republican seats and eight Democratic seats, as widely reported in the media. Members, it's an Easter miracle. All he was worried about was race neutral. But remarkably, this map has 20 Republican performing seats and eight Democratic seats.
There are so many things wrong with this map. There are so many things that are wrong with this process and wrong with the governor's insertion of himself in this map to benefit his presidential

election. I am telling you, this is going to come back and bite you. You should vote no on this. I don't care how many times we have to come back to get it right, I will come back, I will come back, I will come back. And you should too.

Rep. Sirois: Rep. Brown, you're recognized in debate.

Rep. Brown: Thank you, Mr. Chair. Frankly, I cannot tell you what the purpose of this committee is here today because it seems as though there are folks within this room that are sort of content with the governor's decision to run a one-man show with these congressional maps. Not only has this move been unprecedented, but it is unnecessary meddling in its finest on behalf of the governor.

I find it an honor and a privilege, and it is an honor and a privilege that Floridians have elected us to represent them and to really participate in this redistricting process. But it's also our constitutional duty as legislators to do so. So, I refuse to sit here and neglect that. I refuse to sit here and ignore my constitutional duty, my moral duty of the people of the state of Florida who entrusted us to ensure that their voices are heard.

They voted some years ago on the Fair District Amendments. And they voted for every legislator in this room. Our biggest obligation to the members is to do what's right. Biggest obligation is to them and not the governor. His pride, as was mentioned by Rep. Skidmore, his pride, and his ambition to become president by any means necessary only hurts us as a collective. And it hurts us as Floridians. And we have continually seen this time and time again, just with the many bills that we have been asked to vote on. We've seen it with SB90, we've seen it with last year's elections police bill. And all these bills, disenfranchised voters.

I feel that we should not be allowing someone to bully both chambers and do his bidding without a fight. So, today, on behalf of the many folks that have come here, those that have been silenced, those who have not been able to make it here to Tallahassee, I'm here to fight for you as a constituent. I will be voting no, absolutely.

I'm not here to work for the governor or his ambition. So, I ask my colleagues, I implore my colleagues, not only in this room, but also in the other chamber and the 120 of us to do the same and do what the folks of Florida sent us here to do.

Rep. Sirois: Thank you. Rep. Harding in debate.

Rep. Harding: Thank you, chairman. First, I want to say I will be supporting House Bill 1C today. One, because I believe, as has been outlined throughout this process today, that I believe it's constitutional and I believe it's the right result. But number two, because there's a process. Today we've talked about – we've used the term veto several times. We inserted the term about the governor proposing a map. But we haven't talked about in the process, the governor has the ability to veto. That is part of the process.

When you get elected, often times were told the first time you have a bill you want to run, the idea that it's going to pass on its first time is pretty slim. It does happen but it's the exception. It may not work through the process for a variety of reasons. Or it may be vetoed, and you have to come back and reconvene on how do we move forward. And that's what we're doing is moving forward.

When I got elected, I tried to do three things when I was running, and then also as I served. I've tried to be straightforward. I've tried to represent the people that have sent me here. And I've also tried to stay true to my values. On my straightforward piece, I went back – and there's been discussion today in committee that the previous map was just this harmonious map that we all loved, and it was so great. The fact was there was not a single Democratic member that voted for the previous map. So, when we point to that as the example, then why did you not support that map?

And the second I want to point out is that just as I mentioned previously, there's a process. We knew going into redistricting that one of the jobs we had was we could propose our own maps. That didn't happen. I have not seen Democrat members that are opposing the bill today propose their own maps in the process.

Last thing is just to the audience members, I want to thank you for being here. Whether we agree or disagree, it takes courage to be here. And the term courage was pointed out. I like that work courage because it takes courage to speak, it takes courage to run for office, it takes courage. But I would implore you to hold the folks accountable that you're celebrating today in opposing this bill by having the courage to propose their own maps, which hasn't happened. I'll be supporting this bill. Thank you for being here and speaking whether we agree or disagree.

Rep. Sirois: Rep. Joseph in debate.

Rep. Joseph: Thank you, Mr. Chair. Black representation matters, even if that means you might have a better chance at getting a seat in Congress. When we think about the amendment that I proposed, right now, even in the bill, there's a little subclause that says federal questions can be addressed in federal court. So, why would we need to add that it needs to go to state courts? Well, if you haven't been following the juris prudence, the federal courts have relegated dealing with these kinds of redistricting gerrymandering cases in cases where there's partisanship, they say we're not touching that. So, partisanship is the carrot.

We also have indications from the US Supreme Court with questions raised in other litigation about what constitutes a compelling interest. I would posit that making sure that minority representation exists is a compelling state interest. Some may disagree. Some people want us to be race neutral. What race neutral means is that I have the opportunity to ignore the impact on racial minorities when I make a decision that is facially neutral. That means, on its face, it doesn't take into account race. But in practice, the impact, the effect is that it eliminates, diminishes, decreases, and has the effect of discrimination.

And what we're saying when we pass these policies, whether it's in this context or in the context of education or in the context of employment is we see the pain, but we don't want to see the pain so

we're just going to pretend like your pain does not exist. It is disgraceful that this legislative body would be willing to sacrifice Black representation at the alter of this governor's political ambitions. And maybe some of your own.

People, Floridians, voters, Americans should have the right to choose their representatives and not the other way around. We should not be stacking the cards. Republicans should not be stacking the cards in their favor 20 to 8. And then have the nerve to come up here and try to say that it was not in consideration of partisanship. All that does is empowers one particular group to continue to ignore the needs of Floridians. Floridians, both Republicans and Democrats, care about things that help us to be healthy, prosperous, and safe. Whether that means fixing our broken unemployment compensation system and a number of things I'm not going to get into.

Rep. Sirois: Rep. Joseph, let's try to keep it within the framework of the bill. Bring it in for a landing because there's others that want to participate.

Rep. Joseph: I will do my darndest right now. These maps are not it. They're not even our maps. They're the governor's maps. This is absurd. I was so proud of us last time that we even at least made the effort. It doesn't mean that those maps were perfect. We identified issues. We're going to have issues. Just because something isn't perfect doesn't mean it wasn't better. The other ones were better than this. And I'm disappointed that this is the route that we have decided to go, we, to be clear, my colleagues who will be voting in favor of this map. That's who I mean by we.

But we who are still fighting for the people, whether you're Democrat or Republican, whether you're Black or white, we are disappointed with this process, with this legislation, and with the result of decreasing Black representation, which will be difficult to challenge in advance of the next elections.

Rep. Sirois: Rep. Driskell in debate.

Rep. Driskell: Thank you, Mr. Chair. Members, no problem can be solved from the same consciousness that created it. That's Albert Einstein. And when I look at what we're doing with the redistricting process, it seems to me that we're trying to roll back the clock to the same consciousness that created the problems such that we would need a Voting Rights Act and fair district amendment in the first place.

I know sometimes our debates get heated in here and we have very deep issues and values that cause us to disagree. But I actually have love in my heart for each and every one of you. When I go back home, people ask me how is that possible when you hear these bills that my constituents, many of them, perceive to be so mean spirited. I say because I'm able to connect with my colleagues on a human level. But I think that we've missed something in the process when we can have people come before us and bear their soles and their fears and their frustration and we can't connect with them on a human level. What about their humanity?

What do we say to the voters of Gadsden County, the only majority minority district that we have in the state of Florida? I'm sorry we're taking your representation. What about their humanity? I'm worried about our consciousness. I'm worried that we are going backwards with these maps.

Just to address a couple things, I know the point was raised that the Democrats, in large part, did not vote in favor of the congressional maps when we had them before us in regular session, there was some real things wrong with that, starting with we introduced two maps. The primary map was closer to what the governor was proposing then, which we thought was unconstitutional. The secondary map was closer to what many of us had worked on with Chair Sirois and there was starting to be a consensus around. And I'm not even sure that passing two maps was constitutional, right.

So, the only flip that I see, let's be clear, Democrats have been real consistent. The only flip that I see was not from our caucus. And to the point that was made earlier in testimony, that the governor, it's

no secret that he's been putting information out there about these maps and what he thinks. That's right. And guess what, the legislature chose to ignore that, for the most part. Some of his feedback was taking into the primary map that was passed. But we looked at what the governor was doing, we were saying, no, this is wrong, it's unconstitutional. The governor is the executive branch, that is to execute the law, not to legislate it and to pass. That's our job.

Another thing, second, the current law matters. I heard in testimony today, well, the court got it wrong. Well, we can opine that all that we want but the law is the law. The rule of law matters. And I don't see anything that we've done here that suggest to me that we actually are following in a legal way redistricting principles. I know I've got to bring it in for a landing. Thank you, Mr. Chair.

The third point is just I see so much inconsistency in what's been presented before us where we focused on certain principles for certain regions of the state but not for south Florida. I don't understand the inconsistency. It's problematic. It is rushed. We need more time, Mr. Chair. We absolutely need more time to consider this. This process is not enough. I'm down. Thank you.

Rep. Sirois: Rep. Hunschofsky.

Rep. Hunschofsky: Thank you, Mr. Chair. I have to say, when I asked to be on this committee, I was very excited. I find it an incredible honor to be able to serve in this Florida House of Representatives. Wherever the outcomes end, it weighs tremendously on me that every vote I make, every decision I make impacts someone's life. And not just their life today, but their future. It also is about a sense of trust, that we have been entrusted to be the voice and to speak up for the people we represent.

So, I was super excited when I got to be on this committee. And we were told really on not to talk about the maps, not to listen to people about the maps. And we were given rules to follow. And I followed them. I listened at every committee meeting. Every time that

something came up, I always went back to the Tier 1 and the Tier 2 that the leadership her and the staff here told us, this is what we're supposed to follow. I didn't follow Twitter, I didn't follow newspapers. I followed exactly what I was told to follow.

This map doesn't follow what I was told we were supposed to follow. It doesn't matter what the intent is. It's the result of whether we are 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. Not the intent but the result. That's a Tier 1 standard which must come before the Tier 2 standards. And I, as a local person, always talked about I want to keep our cities together, at nauseum.

Rep. Sirois: Representative, if you could wrap up your comments, please. There are others.

Rep. Hunschofsky: I understand. So, what I'm assaying is we talk about being race neutral. I didn't see anywhere in my directions that I'm supposed to be race neutral. I see that I'm supposed to make sure that we're not diluting representation., There are also concerns in here that now we're picking which courts the challenges come. We didn't do that in our last maps. And we even put in a million dollars of appropriate in here for that, that we didn't do prior. And those are all concerns I have with this map.

I don't understand where the difference is that some bodies of water take precedence over other bodies of water, that some weird shaped districts take priority over some, why 200 miles is worse than 180. And these are all my concerns with this map.

Rep. Sirois: Thank you. Rep. Latvala.

Rep. Latvala: Thank you, Mr. Chairman. I think it's slightly disingenuous to say you're proud of something you voted against. One of the last speakers said that there was virtually – and just for the record, I was not referring to Rep. Hunschofsky. One of the last speakers said that the last map had no opposition. Well, it was opposed by the nonpartisan organization the League of Women Voters. And it was

also opposed by every one of my Democratic colleagues. But other than that, it didn't have any opposition.

You know, we passed a map, members. The governor didn't like it. And I remember the day that we passed it on the floor, one of my Democratic colleagues stood up on the floor and said, "You all are passing this map for the governor." We were accused of passing the map for the governor then. I didn't agree with that. I guess the governor also didn't think we passed the map for him because he vetoed it, which is part of his constitutional duties. He's allowed to do that.

Gadsden County was brought up. We're keeping Gadsden County whole in this map. We're not including Gadsden County with a county that's 10 counties away. I thank all the people that were here to speak to us today. I thought it was interesting that we had people from Tallahassee and people from Jacksonville that were here, and they were all in the same congressional district. I grew up in Jacksonville. The first election I voted in was in 2000. Back then, my congressperson represented me. Her congressional district was in Jacksonville, and it stretched all the way from Jacksonville to Orlando. Part of it had one side of the street but not the other because it was, as somebody from the governor's office mentioned, it was a small skinny salamander. That's called gerrymandering.

And so, this is a good map. I will be supporting it. I will have no regrets. And I think history will judge me just fine, as it will everyone else that votes yes. Thank you.

Rep. Sirois: Rep. Leek, you're recognized to close.

Rep. Leek: Thank you, Mr. Chair. In the interest of time, I'll waive close.

Rep. Sirois: Thank you. DJ, please call the roll.

DJ: Chair Sirois?

Rep. Sirois: Yes.

DJ: Representatives Benjamin?

Rep. Benjamin: No.

DJ: Brown?

Rep. Brown: No.

DJ: Fabricio?

Rep. Fabricio: Yes.

DJ: Fetterhoff?

Rep. Fetterhoff: Yes.

DJ: Harding?

Rep. Harding: Yes.

DJ: Hunschofsky?

Rep. Hunschofsky: No.

DJ: Joseph?

Rep. Joseph: No.

DJ: Latvala?

Rep. Latvala: Yes.

DJ: Maggard?

Rep. Maggard: Yes.

DJ: Massullo?

Rep. Massullo: Yes.

DJ: McClure?

Rep. McClure: Yes.

DJ: Morales?

Rep. Morales: No.

DJ: Perez?

Rep. Perez: Yes.

DJ: Plakon?

Rep. Plakon: Yes.

DJ: Silvers has been excused. Skidmore?

Rep. Skidmore: No.

DJ: Trabulsky?

Rep. Trabulsky: Yes.

DJ: Truenow?

Rep. Truenow: Yes.

DJ; Tuck:

Rep. Tuck: Yes.

DJ: Williamson?

Rep. Williamson: Yes.

DJ: Ex Officio Driskell?

Rep. Driskell: No.

DJ: Ex Officio Leek?

Rep. Leek: Yes.

DJ: 15 yeas, 7 nays, Mr. Chair.

Rep. Sirois: Thank you, DJ. Please show the bill reported favorably. Members, I'd like to thank you for your work today. I'd like to thank the members of the public that joined us as well. Without objection, the meeting is adjourned.

[End of Audio]

Duration: 176 minutes

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Exhibit 23

Congressional Redistricting Subcommittee

Tuesday, April 19, 2022
3:30 – 6:30 PM
404 HOB

Meeting Packet

Chris Sprowls
Speaker

Tyler Sirois
Chair

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

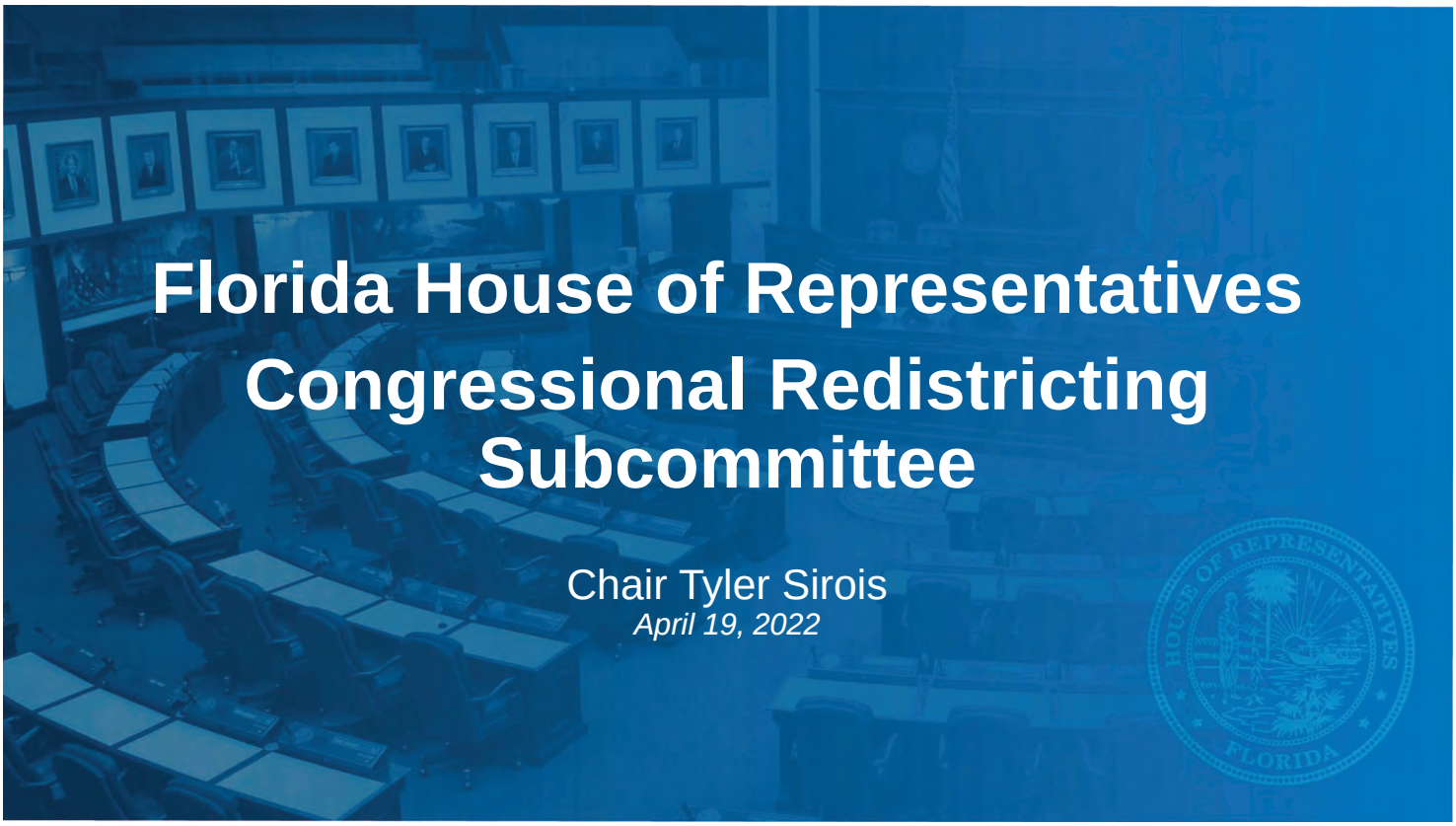
Congressional Redistricting Subcommittee

Start Date and Time:	Tuesday, April 19, 2022 03:30 pm
End Date and Time:	Tuesday, April 19, 2022 06:30 pm
Location:	Sumner Hall (404 HOB)
Duration:	3.00 hrs

Consideration of the following bill(s):

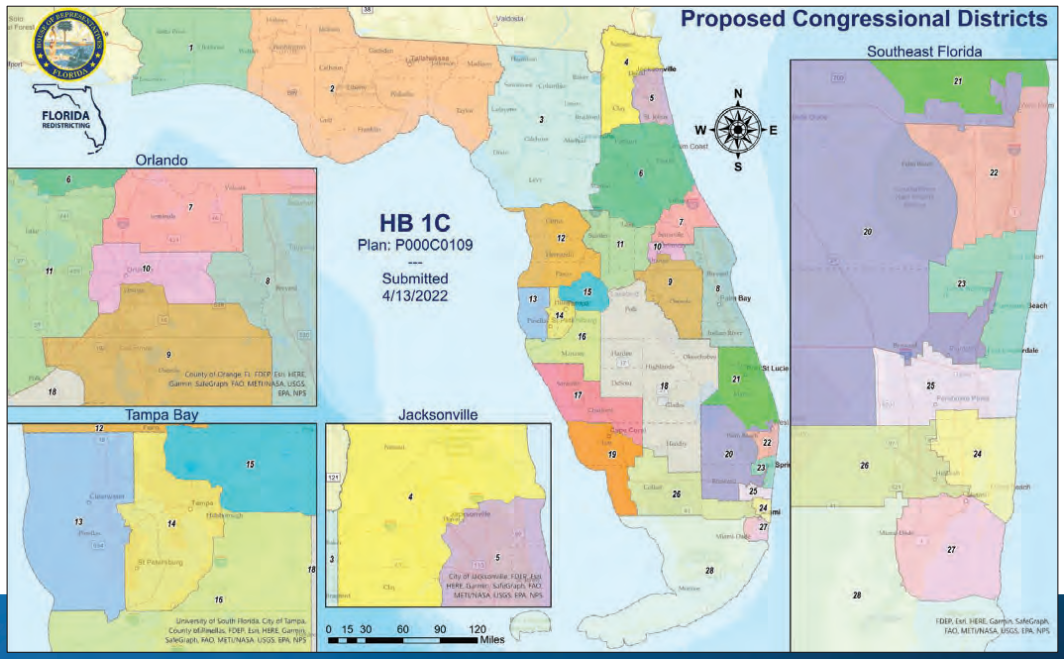
HB 1C Establishing the Congressional Districts of the State by Leek

NOTICE FINALIZED on 04/19/2022 9:44AM by Ellerkamp.Donna


Florida House of Representatives
Congressional Redistricting Subcommittee
Chair Tyler Sirois
April 19, 2022
HOUSE OF REPRESENTATIVES
FLORIDA

Proposed Congressional Map HB 1C

P000C0109

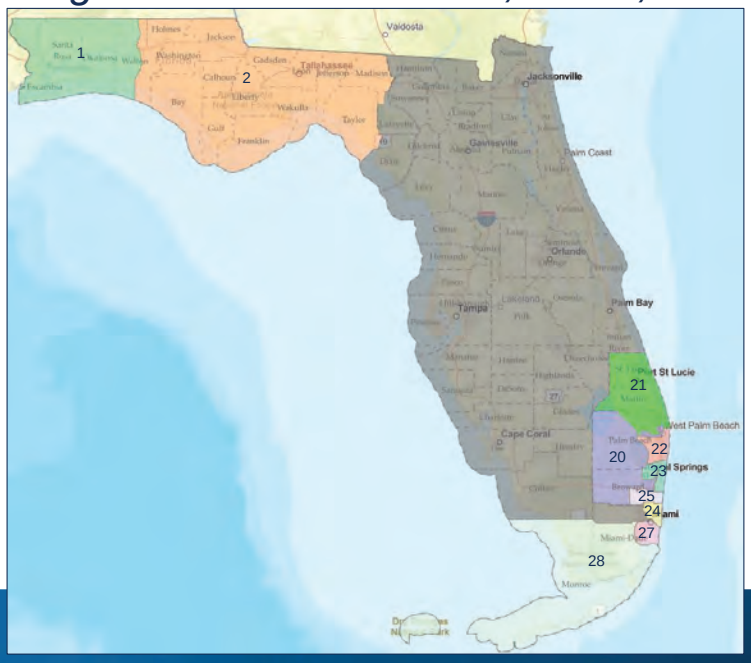


Statewide Snapshot

	Benchmark Map *FLCD2016*	HB 1C *P000C0109*
# of Districts	27	28
Ideal Population	696,345	769,221
Population Deviation	1	1
Counties Whole	49	50
Counties Split	18	17
Cities Whole	373	396
Cities Splits	39	16
Reock Score	0.44	0.47
Convex-Hull Score	0.77	0.81
Polsby-Popper Score	0.36	0.43

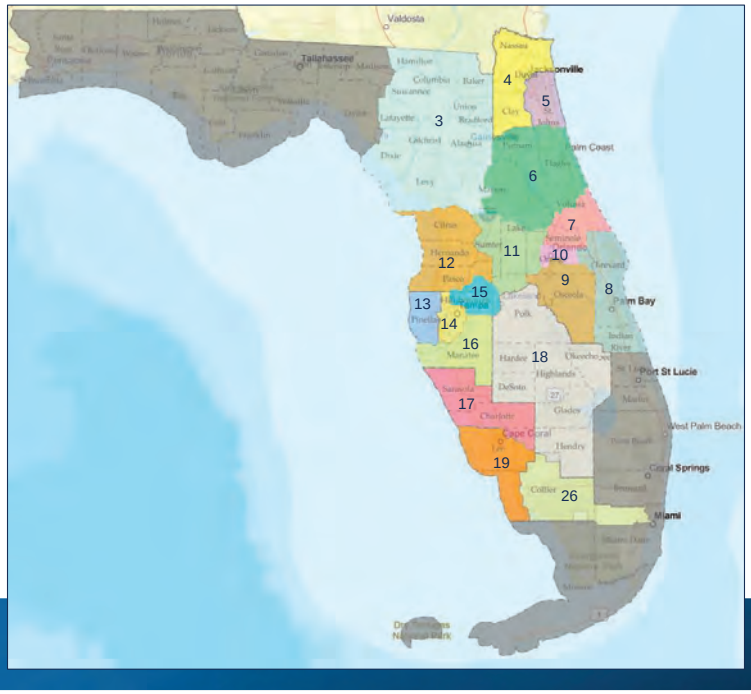
Districts with No Changes

Congressional Districts 1-2, 20-25, 27-28



Districts with Proposed Changes

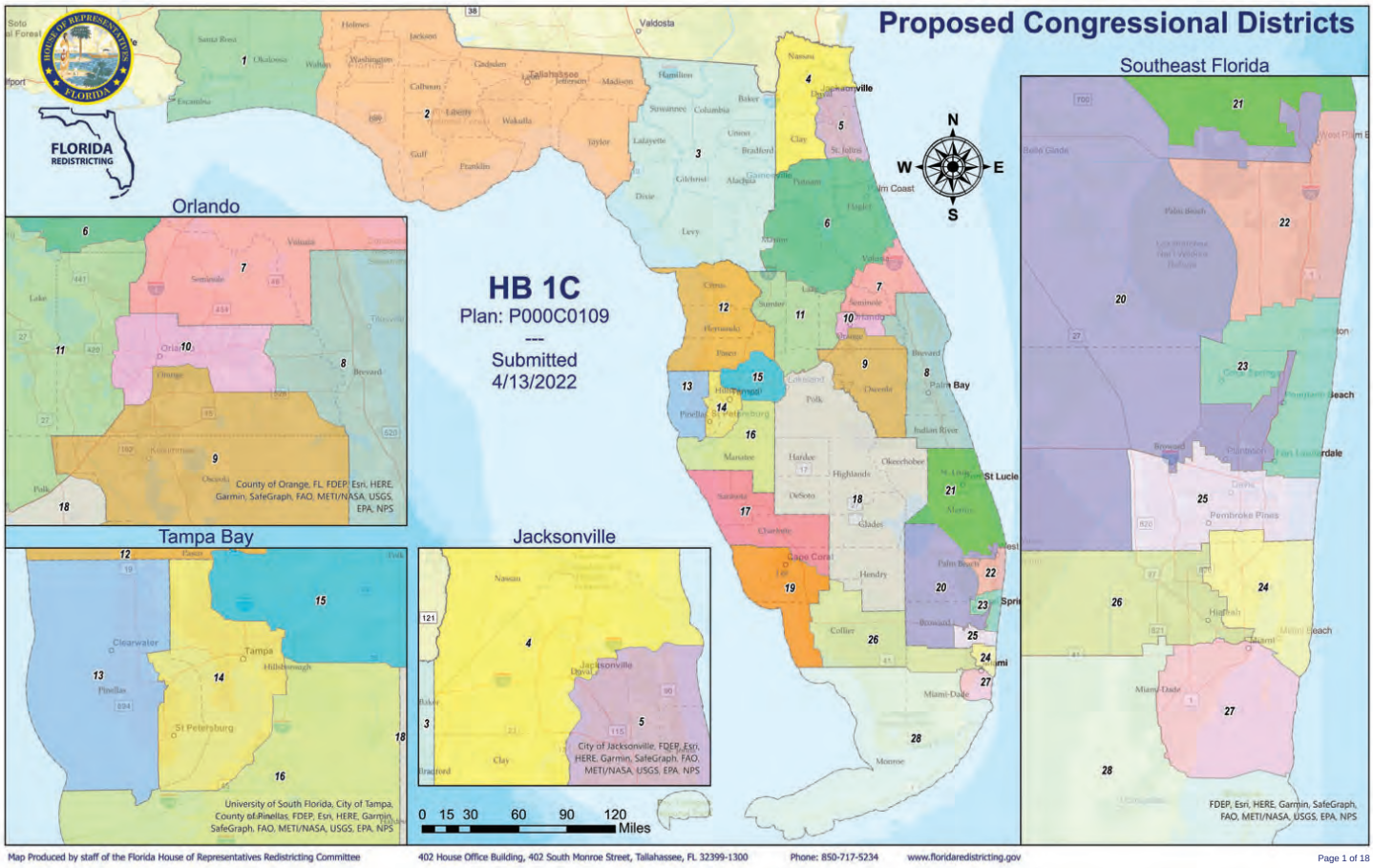
Congressional Districts 3-19, 26





Congressional Redistricting Subcommittee

Rep. Tyler Sirois, Chair
850-717-5234
RedistrictingCommittee@myfloridahouse.gov
www.FloridaRedistricting.gov


Proposed Congressional Districts
FLORIDA
REDIRECTING
HB 1C
Plan: P000C0109

Submitted
4/13/2022
Orlando
Tampa Bay
Jacksonville
Southeast Florida
County of Orange, FL, FDEP, Esri, HERE, Garmin, SafeGraph, FAO, METI/NASA, USGS, EPA, NPS
University of South Florida, City of Tampa, County of Pinellas, FDEP, Esri, HERE, Garmin, SafeGraph, FAO, METI/NASA, USGS, EPA, NPS
City of Jacksonville, FDEP, Esri, HERE, Garmin, SafeGraph, FAO, METI/NASA, USGS, EPA, NPS
FDEP, Esri, HERE, Garmin, SafeGraph, FAO, METI/NASA, USGS, EPA, NPS
0 15 30 60 90 120
Miles
Map Produced by staff of the Florida House of Representatives Redistricting Committee
402 House Office Building, 402 South Monroe Street, Tallahassee, FL 32399-1300
Phone: 850-717-5234
www.floridaredistricting.gov

P000C0109

STATEWIDE SNAPSHOT					
Total State Population:	21,538,187		Total Counties:	67	Reock Avg.
Ideal District Population:	769,221		Counties Split:	17	0.47
Mean Deviation:	0	0.00%	Counties Kept Whole:	50	Convex Hull Avg.
Max Deviation:	0	0.00%	Total Cities:	412	0.81
Min Deviation:	-1	0.00%	Cities Split:	16	Polsby Popper Avg.
Overall Deviation Range:	1	0.00%	Cities Kept Whole:	396	0.43

DISTRICT BREAKDOWN

District	Population			Voting Age Population		Compactness		
	Total Population	Deviation From Ideal	% Deviation	BVAP %	HVAP %	Reock	Convex Hull	Polsby Popper
1	769,221	0	0.00	13.54	6.69	0.54	0.87	0.48
2	769,221	0	0.00	23.09	6.42	0.46	0.82	0.48
3	769,221	0	0.00	15.88	10.64	0.57	0.90	0.50
4	769,221	0	0.00	31.66	7.82	0.38	0.76	0.32
5	769,221	0	0.00	12.80	10.86	0.56	0.89	0.52
6	769,221	0	0.00	11.22	9.78	0.74	0.92	0.48
7	769,221	0	0.00	10.53	18.97	0.47	0.83	0.40
8	769,221	0	0.00	9.68	10.05	0.32	0.78	0.45
9	769,221	0	0.00	13.02	50.04	0.49	0.86	0.47
10	769,221	0	0.00	25.98	28.63	0.41	0.75	0.37
11	769,221	0	0.00	12.76	17.09	0.52	0.82	0.36
12	769,221	0	0.00	5.29	11.72	0.45	0.75	0.38
13	769,221	0	0.00	7.09	9.56	0.51	0.93	0.58
14	769,221	0	0.00	19.13	25.97	0.48	0.83	0.47
15	769,221	0	0.00	15.40	22.74	0.58	0.88	0.58
16	769,221	0	0.00	11.98	18.67	0.45	0.73	0.45
17	769,221	0	0.00	5.56	11.54	0.28	0.77	0.39
18	769,221	0	0.00	13.21	23.68	0.42	0.82	0.42
19	769,221	0	0.00	6.07	16.22	0.33	0.78	0.39
20	769,221	0	0.00	30.43	22.98	0.50	0.77	0.28
21	769,221	0	0.00	12.48	15.14	0.50	0.82	0.49
22	769,220	-1	0.00	15.88	24.65	0.44	0.74	0.42
23	769,221	0	0.00	13.17	20.51	0.50	0.79	0.29
24	769,221	0	0.00	42.17	38.46	0.48	0.90	0.48
25	769,221	0	0.00	17.52	42.26	0.42	0.81	0.38
26	769,221	0	0.00	6.92	73.23	0.29	0.77	0.33
27	769,221	0	0.00	7.07	76.19	0.71	0.95	0.73
28	769,221	0	0.00	10.32	73.39	0.22	0.55	0.24

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	TOTAL REGISTERED VOTERS %																									
		Black						Hispanic					DEM					REP					NPA				
DISTRICT	Proposed BVAP %	2020	2018	2016	2014	2012	Proposed HVAP %	2020	2018	2016	2014	2012	2020	2018	2016	2014	2012	2020	2018	2016	2014	2012	2020	2018	2016	2014	2012
20	48.11	46.82	46.39	46.16	45.88	44.90	22.98	15.27	14.27	13.36	11.86	13.21	66.33	61.94	62.62	63.24	63.89	13.79	13.61	13.78	13.95	14.61	24.88	24.46	23.56	22.80	21.53
24	42.17	44.01	45.56	46.38	47.82	48.21	38.46	27.28	25.97	25.13	23.30	42.98	60.04	62.10	63.34	64.55	64.52	12.59	11.55	11.59	11.67	12.07	27.37	26.35	25.03	23.78	22.41
26	6.92	5.19	5.30	5.52	6.01	6.35	73.02	60.87	60.66	61.17	61.00	61.93	29.79	31.15	31.77	31.69	32.51	37.92	36.24	36.71	37.60	38.76	32.29	32.61	31.52	30.73	28.73
27	7.07	6.14	6.29	6.50	6.99	7.28	74.18	62.79	61.97	61.66	60.45	70.81	34.57	35.12	35.20	34.61	35.43	33.39	33.06	33.97	35.52	36.57	32.04	31.82	30.83	29.87	28.00
28	10.32	8.68	8.98	9.00	9.55	9.78	73.35	63.92	62.98	61.18	59.58	65.83	33.92	35.26	35.50	35.30	36.05	32.58	30.98	31.47	32.26	33.49	33.51	33.76	33.04	32.44	30.46

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	TOTAL TURNOUT %																									
		Black						Hispanic					DEM					REP					NPA				
DISTRICT	Proposed BVAP %	2020	2018	2016	2014	2012	Proposed HVAP %	2020	2018	2016	2014	2012	2020	2018	2016	2014	2012	2020	2018	2016	2014	2012	2020	2018	2016	2014	2012
20	38.11	46.41	48.77	46.50	49.26	48.51	22.98	15.11	12.06	13.19	8.00	9.95	69.82	66.49	65.51	68.71	64.88	14.65	14.37	14.32	15.02	14.35	21.54	18.74	20.14	16.26	18.16
24	42.13	42.88	47.81	45.88	53.66	50.60	38.46	27.71	23.44	25.36	18.30	21.13	68.44	68.95	66.81	73.58	68.46	13.57	11.99	11.92	11.92	11.86	25.00	21.44	22.67	17.03	19.69
26	6.92	4.78	5.60	5.19	6.30	6.58	73.82	58.90	54.86	58.72	51.34	57.72	29.06	30.38	31.62	28.87	32.06	41.60	43.42	39.78	48.42	42.58	29.35	26.19	28.60	22.70	25.34
27	7.07	5.43	6.32	5.97	7.42	7.29	74.18	63.61	60.27	62.78	56.62	58.71	34.57	36.45	35.84	35.88	39.85	35.93	37.25	35.99	42.18	39.17	29.50	26.30	28.17	21.94	24.99
28	10.32	7.72	9.28	8.36	10.10	10.20	73.33	64.42	59.72	61.13	53.20	56.82	33.54	36.42	36.10	35.79	36.60	36.06	36.47	34.25	40.22	36.76	30.40	27.11	29.63	23.98	26.65

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ELECTION RESULTS																												
DISTRICT	2020 President		2018 Governor		2018 AG		2018 CFO		2018 Ag Comm		2018 US Senate		2016 President		2016 US Senate		2014 Governor		2014 AG		2014 CFO		2014 Ag Comm		2012 President		2012 US Senate	
	R_Trump	D_Biden	R_DeSantis	D_Gillum	R_Moody	D_Shaw	R_Patronis	D_Ring	R_Caldwell	D_Fried	R_Scott	D_Nelson	R_Trump	D_Clinton	R_Rubio	D_Murphy	R_Scott	D_Crist	R_Bondi	D_Sheldon	R_Atwater	D_Rankin	R_Putnam	D_Hamilton	R_Romney	D_Obama	R_Mack	D_Nelson
20	23.52	75.89	19.45	79.93	20.26	78.44	20.20	79.79	19.89	80.09	20.00	80.00	20.39	77.83	22.42	75.64	17.97	79.92	22.42	76.13	24.50	75.48	22.99	77.02	19.06	80.52	16.82	81.97
24	25.28	74.18	17.83	81.45	18.39	80.05	18.46	81.53	18.00	82.00	18.64	81.36	17.28	81.05	21.99	75.93	16.24	82.18	18.77	79.80	20.93	79.06	20.21	79.78	16.83	82.82	15.49	83.46
26	58.98	40.49	54.26	44.44	55.44	42.63	55.06	44.03	54.70	45.29	55.19	44.81	47.09	50.61	57.17	40.61	56.88	40.53	61.63	36.07	62.62	37.37	62.69	37.30	50.67	48.85	47.10	50.74
27	50.01	49.45	45.75	53.18	46.10	51.99	47.41	52.59	45.38	54.63	45.52	54.47	40.05	57.42	50.17	47.78	47.55	50.00	51.96	46.03	56.52	43.49	55.69	44.30	47.27	52.22	44.15	54.47
28	52.99	46.42	46.31	52.49	46.94	50.86	48.07	51.92	46.56	53.44	46.55	53.46	40.81	56.46	49.92	47.69	45.89	51.20	51.75	45.82	54.11	45.87	53.95	46.04	44.61	54.83	42.03	56.33

P000C0109

2020 General Election

District	2020 Census		Total Registered Voters (RV)					DEM RV		REP RV		NPA RV		Black RV			Hispanic RV			Total Voter Turnout (VT)					DEM VT		REP VT		NPA VT		Black VT			Hispanic VT		
	BVAP	HVAP	DEM	REP	NPA	Black	Hisp.	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	NPA	DEM	REP	NPA	DEM	REP	NPA	Black	Hisp.	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	NPA	DEM	REP	NPA
20	41.11	22.98	61.33	13.79	24.88	46.82	15.27	62.20	11.47	8.57	19.25	30.08	22.41	81.47	2.53	15.98	46.07	17.38	36.51	63.82	14.65	21.54	46.41	15.11	61.73	11.18	6.68	19.59	27.98	23.65	84.88	2.11	12.98	47.21	18.99	33.70
24	42.17	38.46	60.04	12.59	27.37	44.01	27.28	60.56	19.19	8.52	44.78	24.03	36.98	82.62	2.44	14.94	42.23	20.67	37.09	61.44	13.57	25.00	42.88	27.71	59.69	19.08	6.48	46.20	21.27	38.87	85.54	2.05	12.40	42.31	22.62	35.07
26	6.92	79.42	29.79	37.92	32.29	5.19	80.87	13.33	59.08	0.60	57.90	3.03	65.98	76.51	4.41	18.86	28.91	36.07	35.00	29.06	41.60	29.35	3.78	58.90	13.04	56.68	0.47	56.20	2.65	64.88	79.30	4.09	16.27	27.96	39.69	32.32
27	7.07	76.13	34.57	33.39	32.04	6.14	62.79	13.97	50.91	0.68	73.27	3.38	64.68	78.63	3.69	17.62	28.03	38.96	33.00	34.57	35.93	29.50	5.43	63.61	12.81	50.58	0.50	74.07	2.76	66.11	81.58	3.32	15.02	27.49	41.84	30.66
28	10.32	75.35	33.92	32.58	33.51	8.68	63.92	19.84	54.23	0.92	69.60	4.89	68.19	77.57	3.44	18.87	28.78	35.48	35.75	33.54	36.06	30.40	7.72	64.42	18.63	53.57	0.69	70.06	4.00	69.69	80.92	3.20	15.76	27.89	39.22	32.88

* *All numbers denoted are percentages*

P000C0109

2020 Primary Election													
District	2020 Census		Total Voter Turnout (VT)				DEM VT		REP VT		Black VT		Hispanic VT	
	BVAP	HVAP	DEM	REP	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	DEM	REP
20	41.11	22.98	78.49	11.40	54.46	9.05	64.06	7.10	6.76	14.52	92.33	1.42	61.61	18.30
24	42.17	38.46	74.37	11.09	50.95	22.17	62.70	14.86	6.39	50.98	91.52	1.39	49.86	25.51
26	6.92	73.27	30.63	50.46	5.10	55.37	14.58	49.56	0.31	54.84	87.56	3.03	27.42	49.98
27	7.07	18.18	40.97	39.65	6.73	60.67	14.62	43.01	0.41	76.17	89.02	2.41	29.05	49.79
28	10.32	[illegible]	39.27	41.81	9.48	59.96	21.23	44.87	0.53	68.91	87.95	2.34	29.39	48.05

* *All numbers denoted are percentages*

P000C0109

2018 General Election

District	2020 Census		Total Registered Voters (RV)					DEM RV		REP RV		NPA RV		Black RV			Hispanic RV			Total Voter Turnout (VT)					DEM VT		REP VT		NPA VT		Black VT			Hispanic VT		
	BVAP	HVAP	DEM	REP	NPA	Black	Hisp.	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	NPA	DEM	REP	NPA	DEM	REP	NPA	Black	Hisp.	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	NPA	DEM	REP	NPA
20	41.11	22.98	61.94	13.61	24.46	46.39	14.27	61.53	16.60	8.61	19.25	28.99	21.28	82.15	2.53	15.29	47.61	15.83	36.47	66.88	14.37	18.74	48.77	12.06	63.09	9.18	6.71	15.73	29.87	19.68	86.51	1.98	11.48	50.92	18.16	30.59
24	42.17	38.46	62.10	11.55	26.35	45.56	25.97	61.28	42.77	9.10	44.78	24.49	35.92	83.52	2.31	14.17	44.54	19.02	36.44	66.56	11.99	21.44	47.81	23.44	62.73	16.22	7.09	42.64	24.28	35.06	87.32	1.78	10.89	46.08	21.82	32.08
26	6.92	74.22	31.15	36.24	32.61	5.30	60.66	13.22	56.76	0.59	57.90	2.91	65.34	77.73	4.06	17.89	30.95	33.91	35.13	30.38	43.42	26.19	5.60	54.86	15.16	53.01	0.45	52.55	3.00	60.72	82.30	3.52	14.03	29.36	41.60	28.99
27	7.07	74.13	35.12	33.06	31.82	6.29	61.97	14.23	71.89	0.70	73.27	3.34	63.94	79.41	3.67	16.91	28.81	38.36	32.83	36.45	37.25	26.30	6.32	60.27	14.51	46.34	0.49	71.95	3.21	62.99	83.70	2.87	13.37	28.03	44.47	27.49
28	10.32	56.36	35.26	30.98	33.76	8.98	62.38	19.88	67.51	0.98	69.60	4.93	66.59	78.03	3.37	18.51	30.43	33.53	36.04	36.42	36.47	27.11	9.28	59.72	21.03	48.88	0.72	66.35	4.98	65.31	82.54	2.83	14.55	29.81	40.52	29.65

* *All numbers denoted are percentages*

P000C0109

2018 Primary Election													
District	2020 Census		Total Voter Turnout (VT)				DEM VT		REP VT		Black VT		Hispanic VT	
	BVAP	HVAP	DEM	REP	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	DEM	REP
20	21.11	22.98	76.65	14.84	53.05	7.09	64.24	5.54	5.60	11.08	92.81	1.57	59.86	23.20
24	42.17	38.46	77.62	11.43	54.96	17.55	65.63	11.72	6.73	43.38	92.68	1.40	51.81	28.25
26	6.92	74.27	31.08	54.64	6.09	48.90	17.60	43.02	0.36	49.20	89.87	3.20	27.34	54.97
27	7.07	44.13	43.27	43.47	8.03	56.59	16.98	37.10	0.39	73.64	91.51	2.10	28.37	56.57
28	10.32	71.75	41.39	44.86	10.76	51.96	23.58	36.98	0.57	63.73	90.69	2.37	29.42	55.02

* *All numbers denoted are percentages*

P000C0109

2016 General Election

District	2020 Census		Total Registered Voters (RV)					DEM RV		REP RV		NPA RV		Black RV			Hispanic RV			Total Voter Turnout (VT)					DEM VT		REP VT		NPA VT		Black VT			Hispanic VT		
	BVAP	HVAP	DEM	REP	NPA	Black	Hisp.	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	NPA	DEM	REP	NPA	DEM	REP	NPA	Black	Hisp.	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	NPA	DEM	REP	NPA
20	41.11	22.98	62.65	13.78	23.56	46.16	13.36	61.13	10.40	8.72	15.56	28.18	19.88	82.97	2.60	14.39	48.78	16.05	35.07	65.54	14.32	20.14	46.50	13.19	61.32	10.25	6.78	15.33	26.39	21.10	86.44	2.09	11.43	50.94	16.64	32.21
24	42.17	38.46	63.38	11.59	25.03	46.38	25.13	61.86	17.92	9.26	42.92	24.37	35.13	84.53	2.31	13.15	45.20	19.79	35.00	65.41	11.92	22.67	45.88	25.36	61.29	17.92	7.14	43.70	21.73	37.13	87.39	1.85	10.74	46.21	20.54	33.19
26	6.92	73.42	31.77	36.71	31.52	5.52	61.17	13.79	60.25	0.61	58.17	2.86	65.57	79.39	4.05	16.34	31.29	34.91	33.79	31.62	39.78	28.60	5.19	58.72	13.50	58.39	0.47	55.18	2.52	64.01	82.26	3.59	13.86	31.44	37.38	31.17
27	7.07	76.13	35.20	33.97	30.83	6.50	61.66	14.81	50.08	0.71	71.72	3.38	63.77	80.21	3.69	16.01	28.59	39.51	31.89	35.84	35.99	28.17	5.97	61.78	13.87	49.38	0.51	71.98	2.88	64.51	83.27	3.09	13.60	28.64	41.93	29.42
28	10.32	75.35	35.50	31.47	33.04	9.00	61.18	19.97	52.44	1.01	66.69	4.80	65.32	78.76	3.52	17.69	30.43	34.30	35.27	36.10	34.25	29.65	8.36	61.13	19.08	51.83	0.77	66.29	4.07	66.47	82.39	3.16	14.43	30.61	37.14	32.25

* *All numbers denoted are percentages*

P000C0109

2016 Primary Election													
District	2020 Census		Total Voter Turnout (VT)				DEM VT		REP VT		Black VT		Hispanic VT	
	BVAP	HVAP	DEM	REP	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	DEM	REP
20	20.11	22.98	78.75	13.93	53.65	5.78	65.25	4.38	6.22	10.05	94.03	1.59	59.22	24.23
24	42.17	38.46	76.09	12.97	54.07	19.48	66.37	11.46	6.13	51.18	93.40	1.47	44.75	34.08
26	6.92	74.27	26.58	57.80	4.89	53.24	16.49	46.12	0.31	53.67	89.71	3.68	23.02	58.26
27	7.07	34.13	36.74	47.25	6.96	61.52	17.42	38.64	0.36	76.72	91.98	2.42	23.08	58.92
28	10.32	[illegible]	36.78	46.40	8.47	56.29	20.84	38.68	0.49	66.74	90.48	2.71	25.28	55.01

* *All numbers denoted are percentages*

P000C0109

2014 General Election

District	2020 Census		Total Registered Voters (RV)					DEM RV		REP RV		NPA RV		Black RV			Hispanic RV			Total Voter Turnout (VT)					DEM VT		REP VT		NPA VT		Black VT		Hispanic VT		
	BVAP	HVAP	DEM	REP	NPA	Black	Hisp.	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	NPA	DEM	REP	NPA	DEM	REP	NPA	Black	Hisp.	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	NPA	DEM	REP	NPA
20	41.11	22.98	63.24	13.95	22.80	45.88	11.86	60.64	10.40	8.84	14.11	27.53	18.22	83.59	2.69	13.68	48.22	16.60	35.02	68.71	15.02	16.26	49.26	8.00	63.46	5.79	6.94	11.38	28.00	13.90	88.51	2.12	9.25	49.71	21.38	28.45
24	42.17	38.46	64.55	11.67	23.78	47.82	23.30	63.04	17.92	9.86	43.42	25.13	33.33	85.09	2.40	12.50	44.21	21.74	34.03	71.02	11.92	17.03	53.66	18.30	67.76	11.21	7.82	43.30	26.96	30.23	89.67	1.74	8.56	43.50	28.22	28.15
26	6.92	74.42	31.69	37.60	30.72	6.01	61.00	15.27	60.25	0.64	60.00	3.00	65.08	80.51	3.97	15.32	30.23	36.99	32.78	28.87	48.42	22.70	6.30	51.34	18.75	45.37	0.45	53.02	2.78	55.30	85.93	3.45	10.02	25.51	50.00	24.45
27	7.07	76.18	34.61	35.52	29.87	6.99	60.39	16.31	59.08	0.76	71.34	3.58	62.88	80.81	3.87	15.28	26.89	41.99	31.12	35.88	42.18	21.94	7.42	56.62	17.85	37.45	0.54	71.01	3.51	60.29	86.38	3.04	10.38	23.73	52.90	23.36
28	10.32	75.35	35.30	32.26	32.44	9.55	59.58	21.43	52.44	1.09	66.54	5.01	63.51	79.20	3.70	17.02	29.40	36.03	34.58	35.79	40.22	23.98	10.10	53.20	23.99	38.84	0.70	69.13	5.04	57.95	85.03	2.80	11.97	26.13	47.73	26.12

* *All numbers denoted are percentages*

P000C0109

2014 Primary Election													
District	2020 Census		Total Voter Turnout (VT)				DEM VT		REP VT		Black VT		Hispanic VT	
	BVAP	HVAP	DEM	REP	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	DEM	REP
20	41.11	22.98	80.14	12.86	56.93	3.75	65.77	2.66	7.23	7.60	94.23	1.66	56.95	26.08
24	42.13	38.46	78.64	11.23	61.23	14.35	72.68	7.39	7.55	49.34	93.44	1.39	40.50	38.63
26	6.92	9.22	26.56	58.54	6.08	54.13	20.85	39.81	0.34	57.98	91.12	3.26	19.53	62.71
27	7.07	11.18	36.14	49.14	7.49	58.27	18.92	31.36	0.42	75.35	91.33	2.74	19.44	64.04
28	10.32	15.36	34.44	49.79	8.78	50.09	22.70	28.97	0.46	62.96	89.00	2.63	19.92	62.58

* *All numbers denoted are percentages*

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2012 General Election

District	2020 Census		Total Registered Voters (RV)					DEM RV		REP RV		NPA RV		Black RV			Hispanic RV			Total Voter Turnout (VT)					DEM VT		REP VT		NPA VT		Black VT		Hispanic VT		
	BVAP	HVAP	DEM	REP	NPA	Black	Hisp.	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	NPA	DEM	REP	NPA	DEM	REP	NPA	Black	Hisp.	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	NPA	DEM	REP	NPA
20	41.11	22.98	63.85	14.63	21.53	44.90	11.06	59.22	8.54	9.04	13.21	26.69	16.97	84.23	2.94	12.80	49.31	17.45	33.05	67.48	14.35	18.16	48.51	9.95	62.43	7.50	7.71	12.86	28.92	16.60	86.85	2.78	10.83	50.82	18.55	30.29
24	42.17	38.46	65.52	12.07	22.41	48.21	22.40	62.94	15.32	10.36	42.98	25.52	32.03	85.54	2.59	11.86	44.81	23.15	32.03	68.44	11.86	19.69	50.60	21.13	64.90	14.07	8.72	43.77	26.06	32.00	87.79	2.04	10.14	45.57	24.57	29.83
26	6.92	73.42	32.51	38.76	28.73	6.35	80.94	16.00	57.00	0.66	61.03	3.09	65.25	81.88	4.01	13.97	30.40	38.81	30.77	32.08	42.58	25.34	6.58	57.72	17.35	53.39	0.49	57.03	3.13	62.77	84.49	3.18	12.06	29.66	42.74	27.56
27	7.07	74.19	35.43	36.57	28.00	7.28	59.25	16.78	45.38	0.81	70.81	3.70	61.72	81.63	4.09	14.21	27.14	43.70	29.17	35.85	39.17	24.99	7.29	58.71	17.14	43.12	0.61	71.05	3.63	61.71	84.27	3.26	12.44	26.33	47.40	26.26
28	10.32	56.55	36.05	33.49	30.46	9.78	58.37	21.72	48.03	1.17	65.83	5.10	62.40	80.07	3.99	15.89	29.67	37.77	32.56	36.60	36.76	26.65	10.20	56.82	23.14	44.76	0.92	65.03	5.22	62.03	83.00	3.30	13.64	28.83	42.06	29.09

* *All numbers denoted are percentages*

P000C0109

2012 Primary Election													
District	2020 Census		Total Voter Turnout (VT)				DEM VT		REP VT		Black VT		Hispanic VT	
	BVAP	HVAP	DEM	REP	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	DEM	REP
20	41.11	22.98	75.23	16.98	52.73	3.77	65.20	2.61	6.08	6.83	93.02	1.96	52.12	30.78
24	42.13	38.46	76.47	12.91	59.93	15.91	72.72	7.92	7.57	50.27	92.79	3.63	38.04	40.78
26	6.92	28.28	23.95	61.25	5.67	56.12	21.26	44.17	0.38	57.91	89.78	4.09	18.85	63.20
27	7.07	14.18	33.42	51.14	7.87	60.40	21.45	33.56	0.40	75.89	91.14	2.57	18.57	64.25
28	10.32	17.36	35.03	48.72	9.57	53.03	24.43	31.63	0.66	64.72	89.40	3.34	20.90	59.45

* *All numbers denoted are percentages*

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County Share of Population

County	District	Total Population
Alachua	3	278,468
Baker	3	28,259
Bay	2	175,216
Bradford	3	28,303
Brevard	8	606,612
Broward	20	535,322
Broward	23	561,713
Broward	24	78,119
Broward	25	769,221
Calhoun	2	13,648
Charlotte	17	186,847
Citrus	12	153,843
Clay	4	218,245
Collier	18	4,861
Collier	19	156,767
Collier	26	214,124
Columbia	3	69,698
DeSoto	18	33,976
Dixie	3	16,759
Duval	4	460,624
Duval	5	534,943
Escambia	1	321,905
Flagler	6	115,378
Franklin	2	12,451
Gadsden	2	43,826
Gilchrist	3	17,864
Glades	18	12,126
Gulf	2	14,192
Hamilton	3	14,004
Hardee	18	25,327
Hendry	18	39,619
Hernando	12	194,515
Highlands	18	101,235
Hillsborough	14	579,335
Hillsborough	15	510,916
Hillsborough	16	369,511
Holmes	2	19,653
Indian River	8	159,788
Jackson	2	47,319
Jefferson	2	14,510
Lafayette	2	1,731
Lafayette	3	6,495
Lake	6	117,124
Lake	11	266,832
Lee	17	148,368
Lee	19	612,454
Leon	2	292,198
Levy	3	42,915
Liberty	2	7,974
Madison	2	17,968
Manatee	16	399,710
Marion	3	206,835
Marion	6	169,073
Marion	12	0
Martin	21	158,431
Miami-Dade	24	691,102
Miami-Dade	26	555,097
Miami-Dade	27	769,221
Miami-Dade	28	686,347
Monroe	28	82,874
Nassau	4	90,352
Okaloosa	1	211,668
Okeechobee	18	39,644
Orange	7	0
Orange	8	2,821
Orange	9	326,695
Orange	10	769,221
Orange	11	331,171
Osceola	9	388,656
Palm Beach	20	233,899
Palm Beach	21	281,564
Palm Beach	22	769,220
Palm Beach	23	207,508
Pasco	12	420,863
Pasco	15	141,028
Pinellas	13	769,221
Pinellas	14	189,886
Polk	9	53,870
Polk	11	41,466
Polk	15	117,277
Polk	18	512,433
Putnam	6	73,321
Santa Rosa	1	188,000
Sarasota	17	434,006
Seminole	7	470,856
St. Johns	5	234,278
St. Johns	6	39,147
St. Lucie	21	329,226
Sumter	11	129,752
Suwannee	3	43,474
Taylor	2	21,796
Union	3	16,147
Volusia	6	255,178
Volusia	7	298,365
Wakulla	2	33,764
Walton	1	47,648
Walton	2	27,657
Washington	2	25,318

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City Split List

City	District	Total Population
Deerfield Beach	20	27,968
Deerfield Beach	23	58,891
Fort Lauderdale	20	55,428
Fort Lauderdale	23	105,601
Fort Lauderdale	25	21,731
Jacksonville	4	459,228
Jacksonville	5	490,383
Lakeland	15	49,933
Lakeland	18	62,708
Longboat Key	16	2,746
Longboat Key	17	4,759
Margate	20	11,080
Margate	23	47,632
Miami	24	86,644
Miami	26	66,430
Miami	27	289,167
Miramar	24	56,729
Miramar	25	77,992
Oakland Park	20	15,037
Oakland Park	23	29,192
Orlando	9	81,845
Orlando	10	225,262
Orlando	11	466
Plantation	20	44,325
Plantation	25	47,425
Pompano Beach	20	49,811
Pompano Beach	23	62,235
Riviera Beach	20	29,204
Riviera Beach	21	8,400
St. Petersburg	13	82,168
St. Petersburg	14	176,140
Tampa	14	287,435
Tampa	15	97,524
West Palm Beach	20	59,919
West Palm Beach	21	21,937
West Palm Beach	22	35,559

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Boundary Analysis

District	City Boundaries(%)	County Boundaries(%)	Road Boundaries(%)	Water Boundaries(%)	Rail Boundaries(%)	Non Geo/Pol Boundaries(%)
Statewide Avg.	**14.21**	**56.29**	**17.89**	**39.43**	**0.75**	**11.50**
1	8	78	10	53	0	3
2	5	84	7	49	0	3
3	6	85	7	32	0	5
4	8	86	2	55	0	2
5	16	48	7	79	0	13
6	16	42	17	32	2	15
7	22	68	9	40	2	8
8	0	89	7	44	0	4
9	2	61	25	27	0	12
10	13	26	35	2	1	37
11	14	49	27	26	2	13
12	7	84	13	63	0	8
13	15	75	12	67	0	3
14	12	19	46	21	1	13
15	3	1	61	4	0	32
16	1	73	21	32	1	2
17	9	84	5	39	0	6
18	6	77	8	21	0	9
19	11	65	12	59	0	10
20	28	37	15	13	3	22
21	9	68	7	48	0	16
22	36	24	18	36	0	24
23	29	28	16	38	9	20
24	36	36	32	46	0	10
25	64	29	12	20	0	15
26	11	54	28	13	0	9
27	10	18	34	59	0	7
28	1	88	8	86	0	1

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1C Establishing the Congressional Districts of the State
SPONSOR(S): Leek
TIED BILLS: **IDEN./SIM. BILLS:** SB 2-C

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Congressional Redistricting Subcommittee		Wagoner	Kelly

SUMMARY ANALYSIS

The U.S. Constitution requires the reapportionment of the U.S. House of Representatives every ten years, which includes the distribution of the House's 435 seats between the states, and the equalization of population between districts within each state.

The 2020 Census revealed an unequal distribution of growth across Florida's congressional districts. Therefore, districts must be adjusted to correct population differences.

On March 4, 2022, the Florida legislature passed CS/SB 102 reapportioning the Congressional Districts of the state. On March 29, 2022 Governor DeSantis vetoed CS/SB 102 and issued a proclamation calling the Legislature into Special Session from April 19-22, 2022 to address the redrawing of the state's congressional districts.

Redistricting Plan P000C0109: HB 1C reapportions the resident population of Florida into 28 single-member Congressional districts, as required by state and federal law.

This bill would substantially amend Chapter 8 of the Florida Statutes.

When compared to the existing 27 Congressional districts, this bill would:

- Reduce the number of cities split from 39 to 16;
- Reduce the number of counties split from 18 to 17;
- Improves the statewide averages of the Convex Hull, Reock and Polsby-Popper mathematical compactness scores, and
- Maintains a population deviation of one person.

The bill creates s. 8.062, F.S., and s. 8.063, F.S., which limit the choice of venue for state court actions challenging the state's congressional districts.

The bill appropriates $1 Million in nonrecurring funding from the General Revenue Fund to the Florida Department of State for any litigation related expenses incurred as a result of challenges to the state's congressional districts.

Upon approval by the Legislature, this bill is subject to the Governor's veto powers.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

The 2020 Census

According to Article I, Section 2 of the U.S. Constitution, the U.S. Census Bureau is required to do an "actual enumeration" of all people living in the United States every 10 years.[1] While the census results in many work products and data sets, the two most relevant to redistricting include the Apportionment Counts and Public Law 94-171 redistricting data (commonly referred to as the "P.L. Data") for each state. The redistricting dataset contains summary statistics on population, demographics and housing per census block. The included population data is categorized by total population and total population for individuals 18 years and older, both by race and Hispanic or Latino origin.

For the first time in its 40 years of modern data collection and distribution, the U.S. Census Bureau missed its statutory deadlines for delivering Apportionment Counts and the redistricting data to the states.[2] These delays were a result of wildfires, hurricanes, civil unrest, and the COVID-19 pandemic experienced during 2020.

The actual release date of each state's Apportionment Count was on April 26, 2021, close to four months behind its statutory deadline of December 31, 2020. And the official release date for the redistricting data was August 12, 2021, missing its statutory deadline of March 31, 2021 by close to six months. In an effort to get redistricting data released to the states as efficiently as possible, the data was first released in a "legacy file" format on August 12 while the official data release, deemed to be a more "user-friendly" format, occurred on September 30, 2021.

Although the U.S. Census Bureau faced unprecedented hurdles and timeline delays, Florida's enumeration was completed at a 99.9 percent rate.[3] Florida reached the same rate of completion as the national average, and this success was aided by traditional paper methods, in addition to the census being offered online for the first time in history.

Results of the 2020 Census

According to the 2020 Census, 21,538,187 people resided in Florida on April 1, 2020, which represents a population growth of 2,736,877 in Florida residents between the 2010 to 2020 censuses. This increase in population also resulted in Florida gaining a congressional district, bringing the total to 28 districts.

After the 2010 Census, the ideal population for each district in Florida was:

- Congressional: 696,345, based on 27 districts
- State Senate: 470,033, based on 40 districts
- State House: 156,678, based on 120 districts

[1] U.S. Const. art. 1, §2.
[2] 13 U.S.C. § 141 (1976).
[3] *2020 Census Response Rate Update: 99.98% Complete Nationwide.* U.S. Census Bureau (Oct. 19, 2020), 2020 Census Response Rate Update: 99.98% Complete Nationwide (last visited Jan. 14, 2022).

After the 2020 Census, the ideal population for each district in Florida was:

- Congressional: 769,221, based on 28 districts
- State Senate: 538,455, based on 40 districts
- State House: 179,485, based on 120 districts

As in previous decades, the 2020 Census revealed an unequal increase and shift in population growth amongst the state's legislative and congressional districts. Therefore, districts must be adjusted to comply with "one-person, one vote," such that each district must be nearly as equal in population as practicable.

Table 1 below shows the changes in population for each of Florida's current Congressional districts and their subsequent deviation from the new ideal population of 769,221 residents.

Table 1. Florida Congressional Districts Change in Population from 2010 to 2020

NAME	2010 Pop	2020 Pop	Change	% Change	Over/Under Population	Over-Under Population %
1	696,345	807,881	111,536	16.02%	38,660	5.55%
2	696,345	727,856	31,511	4.53%	-41,365	-5.94%
3	696,345	766,133	69,788	10.02%	-3,088	-0.44%
4	696,345	871,884	175,539	25.21%	102,663	14.74%
5	696,345	748,910	52,565	7.55%	-20,311	-2.92%
6	696,345	796,254	99,909	14.35%	27,033	3.88%
7	696,345	788,518	92,173	13.24%	19,297	2.77%
8	696,344	783,753	87,409	12.55%	14,532	2.09%
9	696,344	955,602	259,258	37.23%	186,381	26.77%
10	696,345	873,804	177,459	25.48%	104,583	15.02%
11	696,344	820,835	124,491	17.88%	51,614	7.41%
12	696,345	807,137	110,792	15.91%	37,916	5.45%
13	696,345	727,465	31,120	4.47%	-41,756	-6.00%
14	696,345	787,447	91,102	13.08%	18,226	2.62%
15	696,345	819,853	123,508	17.74%	50,632	7.27%
16	696,345	884,047	187,702	26.96%	114,826	16.49%
17	696,345	779,955	83,610	12.01%	10,734	1.54%
18	696,344	794,724	98,380	14.13%	25,503	3.66%
19	696,345	835,012	138,667	19.91%	65,791	9.45%
20	696,344	776,283	79,939	11.48%	7,062	1.01%
21	696,345	788,007	91,662	13.16%	18,786	2.70%
22	696,345	785,756	89,411	12.84%	16,535	2.37%
23	696,345	769,356	73,011	10.48%	135	0.02%
24	696,345	742,542	46,197	6.63%	-26,679	-3.83%
25	696,345	771,434	75,089	10.78%	2,213	0.32%
26	696,345	787,914	91,569	13.15%	18,693	2.68%
27	696,345	739,825	43,480	6.24%	-29,396	-4.22%

The law governing the reapportionment and redistricting of congressional and state legislative districts invokes the U.S. Constitution, the Florida Constitution, federal statutes, and a variety of state and federal case law. Therefore, all redistricting plans must comply with all requirements of the U.S. Constitution, the federal Voting Rights Act, the Florida Constitution, and applicable court decisions.

U.S. Constitution

The U.S. Constitution requires the reapportionment of the U.S. House of Representatives every 10 years to distribute each of the House of Representatives' 435 seats between the states and to equalize population between districts within each state.

Article I, Section 4 of the U.S. Constitution provides that "[t]he Time, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators." The U.S. Constitution thus delegates to state legislature's authority, subject to congressional regulation, to create congressional districts.

The requirement that each district be equal in population applies differently to congressional districts than to state legislative districts. The populations of congressional districts must achieve absolute mathematical equality, with no *de minimis* exception.[4] Limited population variances are permitted if they are "unavoidable despite a good faith effort" or if a valid "justification is shown."[5]

In addition to state specific requirements, states are obligated to redistrict based on the principle interpreted by the Court as "one-person, one-vote."[6] In *Reynolds*, the U.S. Supreme Court held that the 14th Amendment required that seats in state legislature be reapportioned on a population basis. The Supreme Court concluded:

> …"the basic principle of representative government remains, and must remain, unchanged – the weight of a citizen's vote cannot be made to depend on where he lives. Population is, of necessity, the starting point for consideration and the controlling criterion for judgment in legislative apportionment controversies…The Equal Protection Clause demands no less than substantially equal state legislative representation for all citizens, of all places as well as of all races. We hold that, as a basic constitutional standard, the Equal Protection Clause requires that the seats in both houses of a bicameral state legislature must be apportioned on a population basis."[7]

The Court went on to conclude that decennial reapportionment was a rational approach to readjust legislative representation to take into consideration population shifts and growth.[8]

In practice, congressional redistricting has strictly adhered to the requirement of exact mathematical equality. In *Kirkpatrick v. Preisler* the Court rejected several justifications for violating this principle, including "a desire to avoid fragmenting either political subdivisions or areas with distinct economic and social interests, considerations of practical politics, and even an asserted preference for geographically compact districts."[9]

For state legislative districts, the courts have permitted a greater population deviation amongst districts. The populations of state legislative districts must be "substantially equal."[10] Substantial equality of population has come to generally mean that a legislative plan will not be held to violate the Equal Protection Clause if the difference between the least populous and most populous district is less than 10 percent.[11] Nevertheless, any significant deviation (even within the 10 percent overall deviation

[4] *Kirkpatrick v. Preisler,* 394 U.S. 526, 531 (1969).
[5] Id.
[6] *Baker v. Carr*, 369 U.S. 186 (1962).
[7] *Reynolds v. Sims,* 377 U.S. 533, 568 (1964).
[8] *Reynolds v. Sims,* 377 U.S. at 584.
[9] *Kirkpatrick v. Preisler,* 394 U.S. at 531.
[10] *Reynolds v. Sims,* 377 U.S. at 568.
[11] *Chapman v. Meier,* 420 U.S. 1 (1975); *Connor v. Finch,* 431 U.S. 407, 418 (1977).

margin) must be "based on legitimate considerations incident to the effectuation of a rational state policy,"[12] including "the integrity of political subdivisions, the maintenance of compactness and contiguity in legislative districts, or the recognition of natural or historical boundary lines."[13]

However, states should not interpret this 10 percent standard to be a safe haven.[14] Additionally, nothing in the U.S. Constitution or case law prevents states from imposing stricter standards for population equality.

Florida's benchmark maps from the 2012 redistricting cycle have population deviation ranges of 3.97% for its State House districts, 1.98% for it State Senate districts,[15] and plus or minus one person for Congressional districts.[16] The Congressional districts proposed by the bill have a population deviation range of one person.

The Voting Rights Act

Congress passed the Voting Rights Act (VRA) in 1965. The VRA protects the right to vote as guaranteed by the 15th Amendment to the U.S. Constitution. In addition, the VRA enforces the protections of the 14th Amendment to the U.S. Constitution by ensuring minority voters an equal opportunity to participate in the political process and to elect candidates of their choice.

The Voting Rights Act – Section 2

Common challenges to congressional and state legislative districts generally arise under Section 2 of the Voting Rights Act. Section 2 provides: "No voting qualification or prerequisite to voting or standard, practice, or procedure shall be imposed or applied by any State…in a manner which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color, or in contravention of the "guarantees" provided to language minorities.[17] This provision prohibits "vote-dilution," which was further defined in the *Gingles* case. The purpose of Section 2 is to ensure that minority voters have an equal opportunity along with other members of the electorate to participate in the political process and elect representatives of their choice.[18]

The Supreme Court set forth the criteria of a vote-dilution claim in *Thornburg v. Gingles*.[19] A plaintiff must show that:

1. A minority group is sufficiently large and geographically compact to constitute a majority in a single-member district;
2. The minority group is politically cohesive, and
3. White voters vote sufficiently as a bloc to enable them usually to defeat the candidate preferred by the minority group.

[12] *Reynolds,* 377 U.S. at 579.
[13] *Swann v. Adams,* 385 U.S. 440, 444 (1967).
[14] *Marylanders for Fair Representation Inc. vs. Schafer*, 849 F. Supp. 1022, 1032 (D. Md. 1994).
[15] Florida House of Representatives, Staff Analysis of 2012 Senate Joint Resolution 1176, p. 21 and 40 (March 9, 2012).
[16] Florida House of Representatives, Staff Analysis of 2012 Senate Bill 1174, p. 17 (March 9, 2012).
[17] 52 U.S.C. § 10301(a).
[18] 52 U.S.C. § 10301(b); *Voinovich v. Quilter*, 507 U.S. 146, 155 (1993).
[19] *Thornburg vs. Gingles,* 478 U.S. 30 (1986).

The three "*Gingles* factors" are necessary, but not sufficient, to show a violation of Section 2.[20] To determine whether minority voters have been denied an equal opportunity to participate in the political process and elect representatives of their choice, a court must examine the totality of the circumstances.[21]

This analysis requires consideration of the so-called "Senate factors," which assess historical patterns of discrimination and the success, or lack thereof, of minorities in participating in campaigns and being elected to office. [22] Generally, these "Senate factors" were born in an attempt to distance Section 2 claims from standards that would otherwise require plaintiffs to prove "intent," which Congress viewed as an additional and largely excessive burden of proof, because "it diverts the judicial injury from the crucial question of whether minorities have equal access to the electoral process to a historical question of individual motives."[23]

In *Bartlett v. Strickland*, the Supreme Court provided a "bright line" distinction between majority-minority districts and other minority districts. The Court "concluded that Section 2 does not require states to "draw election-district lines to allow a racial minority to join with other voters to elect the minority's candidate of choice, even where the minority is less than 50 percent of the voting-age population in in the district to be drawn."[24] However, the Court made clear that, where no other prohibition exists, states retain flexibility to implement crossover districts—districts in which minority voters are not a majority of the voting-age population, but, at least potentially, are large enough to elect the candidates of their choice with help from voters who are members of the majority, and who cross over to support the minority's preferred candidate. In the opinion of the Court, Justice Kennedy stated as follows:

> "Much like § 5, § 2 allows States to choose their own method of complying with the Voting Rights Act, and we have said that may include drawing crossover districts…When we address the mandate of § 2, however, we must note it is not concerned with maximizing minority voting strength…and, as a statutory matter, §2 does not mandate creating or preserving crossover districts. Our holding also should not be interpreted to entrench majority-minority districts by statutory command, for that, too, could pose constitutional concerns…States that wish to draw crossover districts are free to do so where no other prohibition exists. Majority-minority districts are only required if all three *Gingles* factors are met and if § 2 applies based on a totality of the circumstances. In areas with substantial crossover voting it is unlikely that the plaintiffs would be able to establish the third *Gingles* precondition—bloc voting by majority voters." [25]

The Voting Rights Act – Section 5

Section 5 of the VRA is no longer in effect as further described below. This section is provided for historical context.

Section 5 of the Voting Rights Act was an independent mandate separate and distinct from the requirements of Section 2. As interpreted by the Supreme Court, the purpose of Section 5 was the means "designed by Congress to banish the blight of racial discrimination in voting, which had infected the electoral process."[26] These preclearance measures were intended to protect against retrogression. Section 5 originally applied to six whole states; additional states, as well as cities and counties, were later added to the pre-clearance requirements. In subsequent years, some states implemented their own retrogression standards to protect against retrogression similar to Florida's constitutional standards found in Article. III, Section(s) 20 and 21.

[20] *Johnson v. De Grandy*, 512 U.S. 997, 1011-12 (1994).
[21] 52 U.S.C. § 10301(b); *Thornburg vs. Gingles*, 478 U.S. at 46.
[22] Senate Report Number 417, 97th Congress, Session 2 (1982).
[23] *Id.*
[24] *Bartlett v. Strickland,* 556 U.S. 1, 6 (2009).
[25] Id.
[26] *South Carolina v. Katzenbach*, 383 U.S. 301, 308 (1966).

Section 5 required states that were included in "covered jurisdictions" to obtain federal preclearance of any new enactment of or amendment to a "voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting."[27] This included redistricting plans.

Five Florida counties – Collier, Hardee, Hendry, Hillsborough, and Monroe – had been designated as covered jurisdictions under Section 5 pre-clearance process.[28] These five Florida counties were added to the Voting Rights Act in 1975 to provide protections for language minorities. However, in 2013, the U.S. Supreme Court declared in *Shelby County v. Holder* that the "coverage formula" in Section 4 of the VRA – the formula by which Congress selected the jurisdictions that Section 5 covered – exceeded Congress's enforcement authority under the 15th Amendment.[29] The Court further stated that Congress could update the coverage formula with new legislation, but Congress has since failed to do so. After *Shelby,* the preclearance process established by Section 5 of the VRA was no longer in effect nationwide. However, the *Shelby* decision did not affect the validity of the statewide diminishment standards in Florida's Constitution, which protect the ability of racial and language minorities in Florida to elect the representatives of their choice.

Equal Protection – Racial Gerrymandering

Racial gerrymandering is "the deliberate and arbitrary distortion of district boundaries...for (racial) purposes."[30] Racial gerrymandering claims are justiciable under equal protection.[31] In the wake of *Shaw v. Reno*, the Court rendered several opinions that attempted to harmonize the balance between "competing constitutional guarantees that: one, no state shall purposefully discriminate against any individual on the basis of race; and two, members of a minority group shall be free from discrimination in the electoral process."[32]

To make a *prima facie* showing of impermissible racial gerrymandering, the burden rests with the plaintiff to "show, either through circumstantial evidence of a district's shape and demographics or more direct evidence going to legislative purpose, that race was the predominant factor motivating the legislature's decision to place a significant number of voters within or without a particular district."[33] Thus, the "plaintiff must prove that the legislature subordinated traditional race-neutral districting principles…to racial considerations."[34] If the plaintiff meets this burden, "the State must demonstrate that its districting legislation is narrowly tailored to achieve a compelling interest,"[35] The U.S. Supreme Court assumed in *Bethune-Hill vs. Virginia State Board of Elections* that complying with the requirements set forth in the VRA can be considered a compelling state interest.[36]

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[27] 52 U.S.C. § 10304
[28] Some states were covered in their entirety. In other states only certain counties or cities were covered.
[29] *Shelby County v. Holder,* 570 U.S. 529 (2013)
[30] *Shaw v. Reno*, 509 U.S. 630, 640 (1993)
[31] *Shaw v. Reno*, 509 U.S. at 642.
[32] *Shaw v. Reno, Id* at 630*; U.S. v. Hays,* 515 U.S. 737 (1995); *Miller v. Johnson*, 515 U.S. 900 (1995); *Bush v. Vera*, 517 U.S. 952 (1996); *Shaw v. Hunt (Shaw II),* 517 U.S. 899 (1996); *Lawyer v. Dept. of Justice*, 521 U.S. 567 (1997); *Hunt v. Cromartie,* 526 U.S. 541 (1999); *Easley v. Cromartie*, 532 U.S. 234 (2001).
[33] *Miller v. Johnson*, 515 U.S. 900, 916 (1995).
[34] *Id.*
[35] *Miller v. Johnson*, 515 U.S. at 920.
[36] *Bethune-Hill v. VA. State Board of Elections.,* 580 U.S. 13 (2017).

Equal Protection – Partisan Gerrymandering

Partisan gerrymandering is the practice of "drawing electoral district lines to intentionally benefit one political party over others."[37] As determined in the 2019 U.S. Supreme Court case of *Rucho vs. Common Cause*, partisan gerrymandering claims are nonjusticiable under the United States Constitution and are considered to be "political questions" outside the scope of judicial review.[38]. The Court went further in *Rucho,* stating that the fundamental difficulty in formulating a standard for adjudicating partisan gerrymandering claims is "determining what is fair" and that there is "extreme difficulty on settling on a clear, manageable and politically neutral test."[39]

Florida Statutes – Chapters 8 and 10

Under Florida law, chapters(s) 8 and 10 provide the structure for apportionment of Congressional and State Senate and House districts, respectively. These sections provide the basis for how Florida will use official census data and census blocks to draw districts. Census Blocks are the smallest geographical unit or area for the collection and tabulation of population data.[40]

Florida Constitution – Article III, Section 16

Article III, Section 16 of the Florida Constitution requires the Legislature, by joint resolution at its regular session in the second year after the Census is conducted, to apportion the State into senatorial districts and representative districts.

The Florida Constitution requires the legislature, by joint resolution, to reapportion the state into not less than 30 nor more than 40 consecutively numbered senate districts and into not less than 80 and no more than 120 consecutively numbered representative districts.[41] Redistricting must occur in the second year after each decennial census.[42] Florida is currently apportioned into 40 single-member senate districts[43] and 120 single-member representative districts.[44]

The Florida Constitution is silent with respect to process for congressional redistricting. Article I, Section 4 of the U.S. Constitution grants to each state legislature the authority to apportion seats designated to that state by providing the legislative bodies with the authority to determine the times, place and manner of holding elections for senators and representatives. Consistent there with, Florida has adopted its congressional apportionment plans by legislation subject to gubernatorial approval.[45] Congressional apportionment plans are not subject to automatic review by the Florida Supreme Court.

[37] *Redistricting Law 2020*. National Conference of State Legislatures. November 2019. Page 99.
[38] *Rucho v. Common Cause*, No. 18-422, slip op. at 30.
[39] *Id.*
[40] U.S. Census Bureau, (2011, July 11). *What are census blocks?*, https://www.census.gov/newsroom/blogs/random-samplings/2011/07/what-are-census-blocks.html. (last visited Jan. 4, 2022).
[41] Art. III, s. 16(a), Fla. Const.
[42] *Id.*
[43] Fla. HJR 1987 (2002).
[44] Fla. HJR 25-E (2003).
[45] *See generally* §8.0001, et seq., F. S. (2007).

Florida Constitution - Article III, Sections 20 and 21

Article III, Sections 20 and 21 of the Florida Constitution establish the following standards for congressional and state legislative redistricting, respectively:

> In establishing congressional and state legislative district boundaries:
>
> (a) No apportionment plan or individual district shall be drawn with the intent to favor or disfavor a political party or an incumbent; and 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; and districts shall consist of contiguous territory.
>
> (b) Unless compliance with the standards in this subsection conflicts with the standards in subsection (a) or with federal law, districts shall be as nearly equal in population as is practicable; districts shall be compact; and districts shall, where feasible, utilize existing political and geographical boundaries.
>
> (c) The order in which the standards within subsections (a) and (b) of this section are set forth shall not be read to establish any priority of one standard over the other within that subsection."

These standards are set forth in two tiers. The first tier, subparagraphs (a) above, contains provisions regarding political and incumbency favoritism, racial and language minorities, and contiguity. The second tier, subparagraphs (b) above, contains provisions regarding equal population, compactness and use of political and geographical boundaries.

The first tier provides that no apportionment plan or district shall be drawn with the intent to favor or disfavor a political party or an incumbent. Redistricting decisions unconnected with an intent to favor or disfavor a political party and incumbent do not violate this provision of the Florida Constitution, even if their effect is to favor or disfavor a political party or incumbent.[46]

The Florida Supreme Court stated that these new requirements prohibit what had previously been an acceptable practice, "such as favoring incumbents and the political party in power." The Court went on to say that "Florida's constitution prohibits intent, not effect and applies to both the plan as a whole and to each district individually." Further, the Florida Supreme Court stated that the "protection of racial and language minorities against discrimination" is a tier one requirement, meaning that voters placed this as a "top priority" that the legislature must comply with during redistricting.[47]

To the extent that compliance with second-tier standards conflicts with first-tier standards, the second-tier standards do not apply.[48] The order in which the standards are set forth within either tier does not establish any priority of one standard over another within the same tier.[49]

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[46] In *Hartung v. Bradbury*, 33 P.3d 972, 987 (Or. 2001), the court held that "the mere fact that a particular reapportionment may result in a shift in political control of some legislative districts (assuming that every registered voter votes along party lines)," does not show that a redistricting plan was drawn with an improper intent. It is well recognized that political consequences are inseparable from the redistricting process. In *Vieth v. Jubelirer*, 541 U.S. 267, 343 (2004) (Souter, J., dissenting) ("The choice to draw a district line one way, not another, always carries some consequence for politics, save in a mythical State with voters of every political identity distributed in an absolutely gray uniformity.").

[47] *In re Senate Joint Resolution of Legislative Apportionment 1176*, 83 So. 3d at 665.

[48] Art. III, s. 20(b) and 21(b), Fla. Const.

[49] Art. III, s. 20(c) and 21(c), Fla. Const.

The first tier of the standards also provides the following protections for racial and language minorities:

- 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.
- Districts shall not be drawn to diminish the ability of racial or language minorities to elect representatives of their choice.

The Florida Supreme Court has held that these standards are essentially a restatement of Sections 2 and 5 of the Voting Rights Act.[50] The Court has construed the non-diminishment standard as imposing a statewide non-retrogression standard on all sixty-seven counties in Florida. These protections have a wider geographical reach than the non-retrogression protections found in Section 5 of the VRA, which covered only five counties in Florida. Further, the state performs a "functional analysis" to ensure compliance with the non-diminishment standard. This functional analysis is conducted by analyzing Voting Age Population, Voter Turnout, Voter Registration, and Election Results for a given district. The analysis is used to determine a minority population's ability to elect the representatives of its choice.[51] The Florida Supreme Court emphasized that "mere access to political data cannot presumptively demonstrate prohibited intent because such data is a necessary component of evaluating whether a minority group has the ability to elect representatives of their choice."[52]

The map drawing application for the 2022 redistricting cycle includes the following data points for General and Primary Election cycles from 2012-2020:

- Voter Registration by Party
- Voter Registration by Race or Ethnicity
- Voter Registration by Race or Ethnicity and Party
- Voter Registration by Party and Race or Ethnicity
- Voter Turnout by Party
- Voter Turnout by Party and Race or Ethnicity
- Voter Turnout by Race or Ethnicity and Party
- General Elections Results by Candidate
- Primary Elections Results by Candidate

The first tier also requires that districts consist of contiguous territory. In the context of state legislative districts, the Florida Supreme Court has held that a district is contiguous if no part of the district is isolated from the rest of the district by another district.[53] In a contiguous district, a person can travel from any point within the district to any other point without departing from the district.[54] A district is not contiguous if its parts touch only at a common corner, such as a right angle.[55] The Court has also concluded that the presence in a district of a body of water without a connecting bridge, even if it requires land travel outside the district in order to reach other parts of the district, does not violate contiguity.[56]

The second tier of these standards requires that districts be compact.[57] Compactness "refers to the shape of the district."[58] The Florida Supreme Court has confirmed that the primary test for compactness is a visual examination of the general shape of the district.[59] "Compact districts should not have an unusual shape, a bizarre design, or an unnecessary appendage unless it is necessary to

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[50] *In re Senate Joint Resolution of Legislative Apportionment 1176*, 83 So. 3d at 619, 625.
[51] *In re Senate Joint Resolution of Legislative Apportionment 1176*, 83 So. 3d at 627.
[52] *Id.*
[53] *In re Senate Joint Resolution 2G, Special Apportionment Session 1992*, 597 So. 2d 276, 279 (Fla. 1992) (citing *In re Apportionment Law, Senate Joint Resolution 1E*, 414 So. 2d 1040, 1051 (Fla. 1982)).
[54] *Id.*
[55] *Id*. (citing *In re Apportionment Law, Senate Joint Resolution 1E*, 414 So. 2d at 1051).
[56] *Id*. at 280.
[57] Art. III, s. 20(b) and 21(b), Fla. Const.
[58] *In re Senate Joint Resolution of Legislative Apportionment 1176*, 83 So. 3d at 685.
[59] *Id*. at 634 ("[A] review of compactness begins by looking at the shape of a district.").

comply with some other requirement."[60] The Florida Supreme Court recognized specific tests to measure quantitively, mathematical compactness: the Reock, Convex Hull, and Polsby-Popper tests.[61]

The second tier of these standards also requires that "districts shall, where feasible, utilize existing political and geographical boundaries."[62] "Political boundaries" refers to county and municipal lines.[63] The protection for counties and municipalities is consistent with the purpose of the standards to respect existing community lines. "Geographical boundaries" refers to boundaries that are "easily ascertainable and commonly understood, such as rivers, railways, interstates, and state roads."[64] The Florida Supreme Court stated that the tier two requirements are meant to restrict the legislature's discretion in drawing irregularly shaped districts." The Court further stated that these standards "may undercut or defeat any assertion of improper intent."[65]

Florida Constitution – Article X, Section 8

This section of the Florida Constitution states that each decennial census taken by the U.S. government shall be the official census of the state of Florida.[66]

Passage of CS/SB 102

On February 1, 2022, Governor DeSantis requested an advisory opinion from the Florida Supreme Court inquiring as to whether Article III, Section 20(a) of the Florida constitution "requires the retention of a district in northern Florida that connects the minority population in Jacksonville with distant and distinct minority populations (either in Leon and Gadsden Counties or outside of Orlando) to ensure sufficient voting strength, even if not a majority, to elect a candidate of their choice."[67] The Florida Supreme Court declined to provide an opinion in response to the Governor's request.

On March 4, 2022, the House amended and passed CS/SB 102 to include both a primary and secondary map. The primary map in the House product (H000C8019) sought to address concerns expressed by the Governor's office about the Duval-to-Gadsden configuration of CD 5 by creating a more compact North Florida district located in Duval County alone. The House amendment also contained a secondary map (H000C8015), which would have taken immediate effect if a court determined that the primary map's configuration of CD 5 was found to be invalid under state or federal law. The secondary map maintained a configuration of CD 5 similar to that in the benchmark map. The Senate concurred with the House amendment and passed CS/SB 102 the same day.

On March 29, 2022, the Governor vetoed CS/SB 102 and issued a proclamation calling the Florida Legislature into Special Session C to consider legislation relating to the establishment of congressional districts.[68]

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[60] *Id*.
[61] *League of Women Voters of Fla. V. Detzner,* 179 So. 3d 258, 283, 289 (Fla. 2015).
[62] Art. III, s. 20(b) and 21(b), Fla. Const.
[63] *In re Senate Joint Resolution of Legislative Apportionment 1176*, 83 So. 3d at 636-37.
[64] *Id*. at 638 (marks omitted); *see also id*. ("Together with an analysis of compactness, an adherence to county and city boundaries, and rivers, railways, interstates and state roads as geographical boundaries will provide a basis for an objective analysis of the plans and the specific districts drawn.").
[65] *In re Senate Joint Resolution of Legislative Apportionment 1176*, 83 So. 3d at 618.
[66] Art. X, s. 8, Fla. Const.
[67] Advisory opinion to the Governor: Retention of North Florida Congressional District, SC22-139 (2022).
[68] Veto Letter of Ron DeSantis, Governor (March 29, 2022), https://www.flgov.com/wp-content/uploads/2022/03/SLA-BIZHUB22032912100.pdf (last visited Apr. 18, 2022).

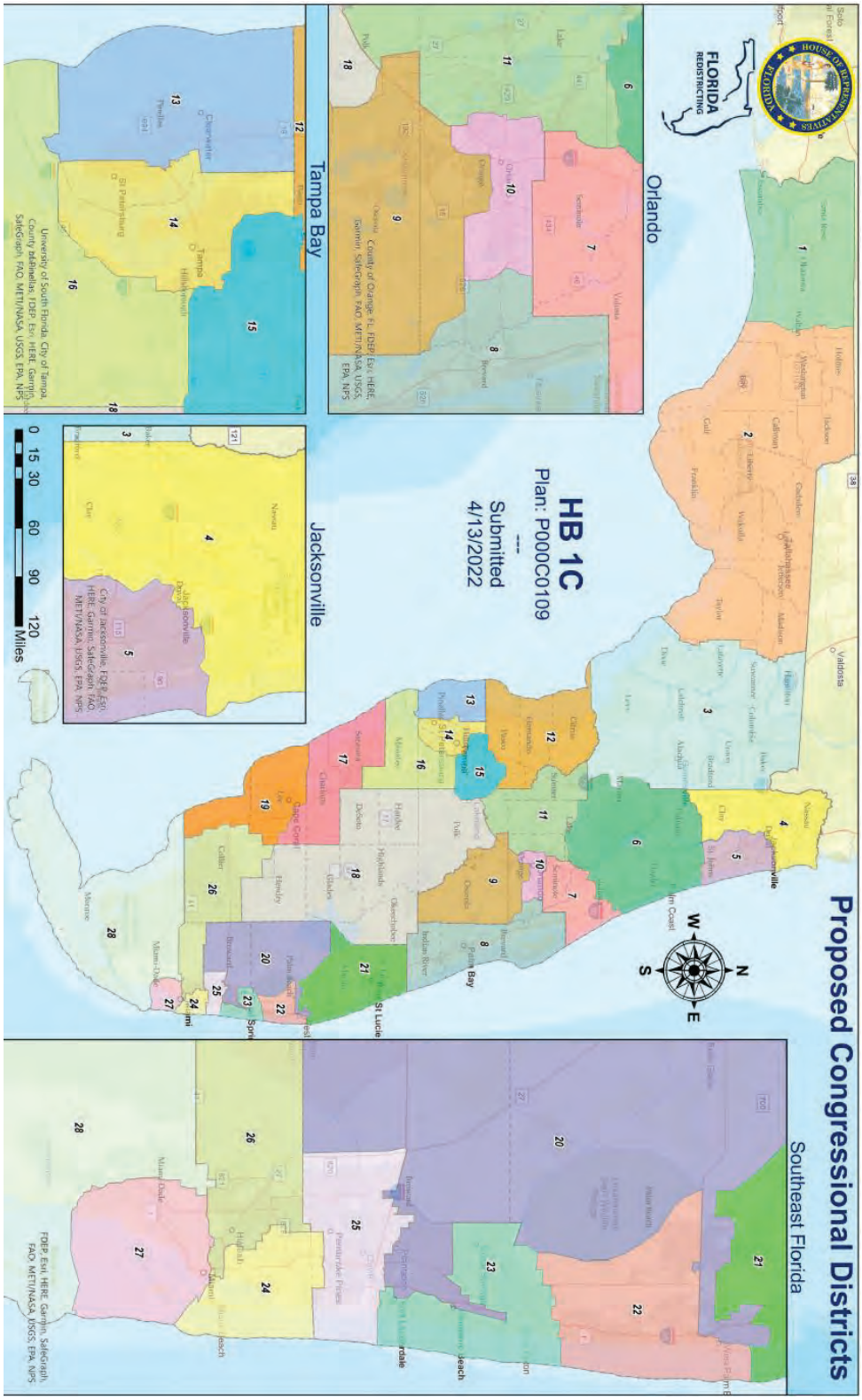
Effect of Proposed Changes

Redistricting Proposal Plan P000C0109 Data Report

STATEWIDE SNAPSHOT					
Total State Population:	21,538,187		Total Counties:	67	Reock Avg.
Ideal District Population:	769,221		Counties Split:	17	0.47
Mean Deviation:	0	0.00%	Counties Kept Whole:	50	Convex Hull Avg.
Max Deviation:	0	0.00%	Total Cities:	412	0.81
Min Deviation:	-1	0.00%	Cities Split:	16	Polsby Popper Avg.
Overall Deviation Range:	1	0.00%	Cities Kept Whole:	396	0.43

DISTRICT BREAKDOWN								
District	Population			Voting Age Population		Compactness		
	Total Population	Deviation From Ideal	% Deviation	BVAP %	HVAP %	Reock	Convex Hull	Polsby Popper
1	769,221	0	0.00	13.54	6.69	0.54	0.87	0.48
2	769,221	0	0.00	23.09	6.42	0.46	0.82	0.48
3	769,221	0	0.00	15.88	10.64	0.57	0.90	0.50
4	769,221	0	0.00	31.66	7.82	0.38	0.76	0.32
5	769,221	0	0.00	12.80	10.86	0.56	0.89	0.52
6	769,221	0	0.00	11.22	9.78	0.74	0.92	0.48
7	769,221	0	0.00	10.53	18.97	0.47	0.83	0.40
8	769,221	0	0.00	9.68	10.05	0.32	0.78	0.45
9	769,221	0	0.00	13.02	50.04	0.49	0.86	0.47
10	769,221	0	0.00	25.98	28.63	0.41	0.75	0.37
11	769,221	0	0.00	12.76	17.09	0.52	0.82	0.36
12	769,221	0	0.00	5.29	11.72	0.45	0.75	0.38
13	769,221	0	0.00	7.09	9.56	0.51	0.93	0.58
14	769,221	0	0.00	19.13	25.97	0.48	0.83	0.47
15	769,221	0	0.00	15.40	22.74	0.58	0.88	0.58
16	769,221	0	0.00	11.98	18.67	0.45	0.73	0.45
17	769,221	0	0.00	5.56	11.54	0.28	0.77	0.39
18	769,221	0	0.00	13.21	23.68	0.42	0.82	0.42
19	769,221	0	0.00	6.07	16.22	0.33	0.78	0.39
20	769,221	0	0.00	50.11	22.98	0.50	0.77	0.28
21	769,221	0	0.00	12.48	15.14	0.50	0.82	0.49
22	769,220	-1	0.00	15.88	24.65	0.44	0.74	0.42
23	769,221	0	0.00	13.17	20.51	0.50	0.79	0.29
24	769,221	0	0.00	42.17	38.46	0.48	0.90	0.48
25	769,221	0	0.00	17.52	42.26	0.42	0.81	0.38
26	769,221	0	0.00	6.92	73.22	0.29	0.77	0.33
27	769,221	0	0.00	7.07	74.18	0.71	0.95	0.73
28	769,221	0	0.00	10.32	73.35	0.22	0.55	0.24

Proposed Congressional Map



Limitations on Choice of Venue

The bill creates s. 8.062, F.S., which limits the choice of venue for state court actions challenging the state's congressional districts to Leon County. The bill also creates s. 8.063, F.S., which provides that the state court shall be the court of original jurisdiction on actions challenging the state's congressional districts related to state constitutional or state law grounds. The bill further provides that state circuit courts may hear any state constitutional and state law claims, or any federal constitutional or federal law claims so long as those actions are within the jurisdiction of the court. Lastly, the bill provides a severability clause for any portions that may be held invalid.

B. SECTION DIRECTORY:

Section 1 Provides that the 2020 Census is the official census of the state for the purposes of this bill; Lists and defines the geography utilized for the purposes of this bill in accordance with Public Law 94-171.

Section 2 Provides for the geographical description of the redistricting of the 28 congressional districts.

Section 3 Provides for the amendment of Section 8.0111, allowing for apportionment of any territory not specified for inclusion in any district.

Section 4 Provides that the districts created by this bill constitute and form the congressional districts of the State.

Section 5 Provides for the format of electronic maps to serve as the official maps of congressional districts.

Section 6 Provides a severability clause in the event that any portion of this chapter is held invalid.

Section 7 Creates s. 8.062, F.S., which limits the choice of venue for state court actions challenging the state's congressional districts to Leon County.

Section 8 Creates s. 8.063, F.S., which provides that the state court shall be the court of original jurisdiction on actions challenging the state's congressional districts related to state constitutional or state law grounds.

Section 9 Provides that this bill applies with respect to the qualification, nomination, and election of members of the Congress of the United States in the primary and general elections held in 2022 and thereafter.

Section 10 Provides for the repeal of sections 8.08, 8.081, 8.082, 8.083, 8.084, 8.085, 8.086, 8.087, 8.088, Florida Statutes, upon this act becoming law.

Section 11 Provides a severability clause in the event that any portion of this act is held invalid.

Section 12 Provides for $1,000,000 in nonrecurring General Revenue to assist the Department of State for any litigation expenses incurred as a result of the passage of the congressional districts of Florida.

Section 13 Provides that, except as otherwise expressly provided, this act shall take effect upon expiration of the terms of the representatives to the United States House of Representatives serving on the date that this act becomes a law.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

The bill appropriates $1 million in nonrecurring funding from the General Revenue Fund to the Florida Department of State to assist with any litigation expenses incurred as a result of the passage of the congressional districts for the state of Florida. Any unexpended balance of these funds will revert at the end of the 2021-2022 fiscal year and be appropriated for Fiscal Year 2022-2023 for the same purpose.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

The reapportionment will have an indeterminate fiscal impact on Florida's 67 Supervisor of Elections offices. Local supervisors will incur the cost of data-processing and labor to change voter records to reflect new districts if they are impacted by this proposed map. As precincts are aligned to new districts, postage and printing will be required to provide each active voter whose precinct has changed with mail notification. Temporary staffing may be hired to assist with mapping, data verification, and voter inquiries.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

Exhibit 24



Redistricting Committee

Friday, February 25, 2022
12:00 PM – 5:00 PM
404 HOB

Meeting Packet

Chris Sprowls
Speaker

Thomas J. Leek
Chair

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

Redistricting Committee

Start Date and Time:	Friday, February 25, 2022 12:00 pm
End Date and Time:	Friday, February 25, 2022 05:00 pm
Location:	Sumner Hall (404 HOB)
Duration:	5.00 hrs

Consideration of the following bill(s):

HB 7503 Establishing the Congressional Districts of the State by Congressional Redistricting Subcommittee, Sirois

For information about attending or testifying at a committee meeting, please see the "Visiting the House" tab at www.myfloridahouse.gov.

NOTICE FINALIZED on 02/24/2022 4:21PM by Ellerkamp.Donna



Florida House of Representatives Redistricting Committee

Chair Thomas J. Leek

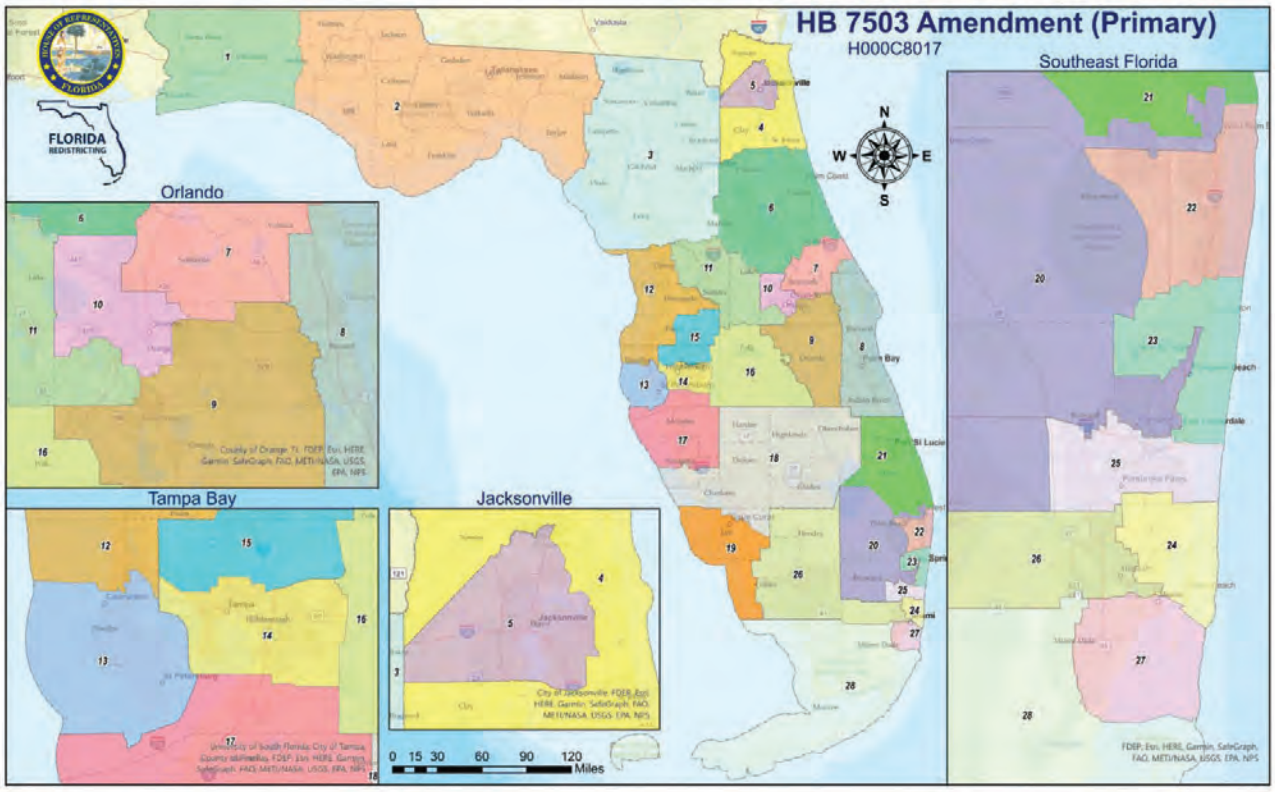
February 25, 2022



Primary Congressional Map

HB 7503 Amendment

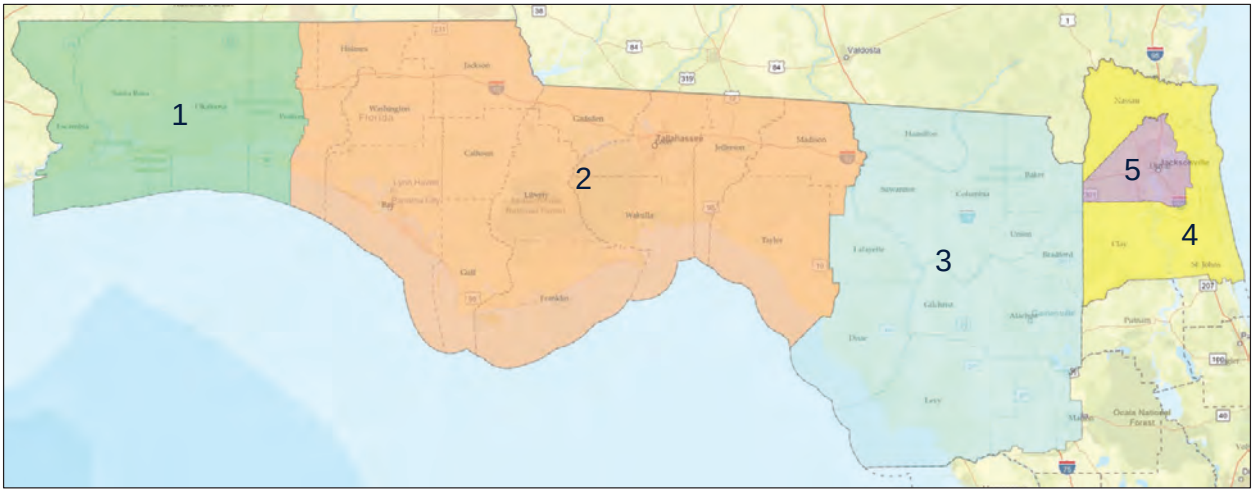
H000C8017


HB 7503 Amendment (Primary)
H000C8017
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Jacksonville
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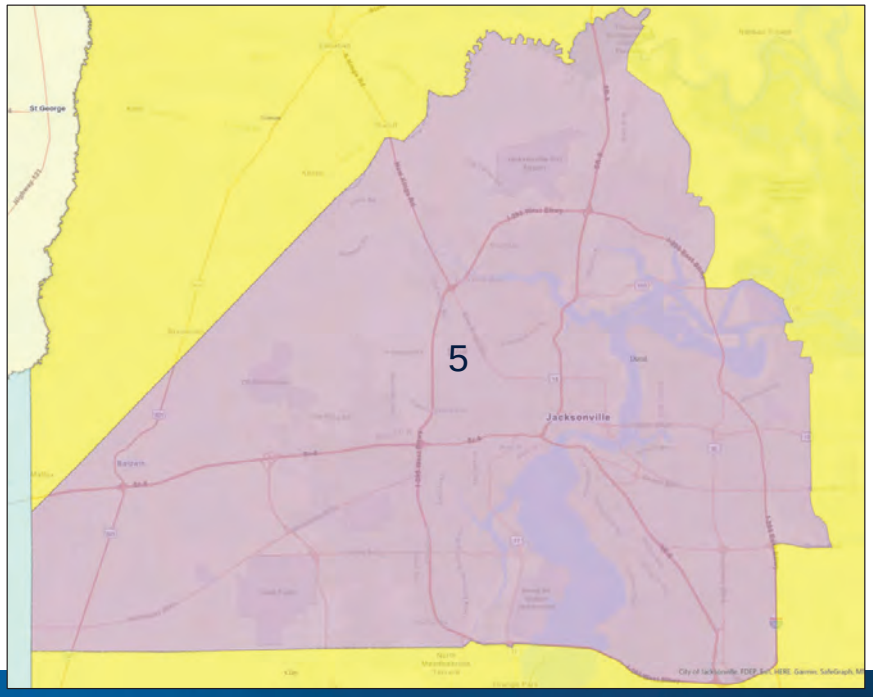
Statewide Snapshot

	Benchmark Map *FLCD2016*	HB 7503 *H000C8011*	HB 7503 Amendment *H000C8017*
# of Districts	27	28	28
Ideal Population	696,345	769,221	769,221
Pop Deviation	1	1	1
Counties Whole	49	47	49
Counties Split	18	20	18
Cities Whole	373	385	396
Cities Splits	39	27	17
Reock Score	.44	.43	.48
Convex-Hull Score	.77	.79	.82
Polsby-Popper Score	.36	.37	.42

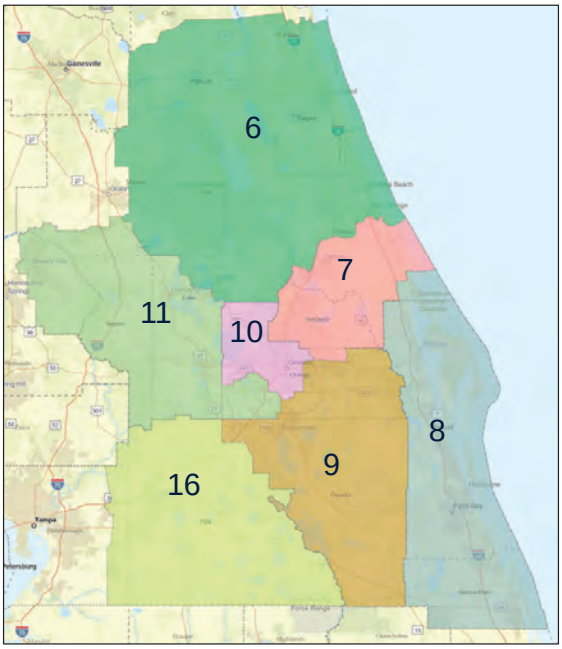
Districts 1-5



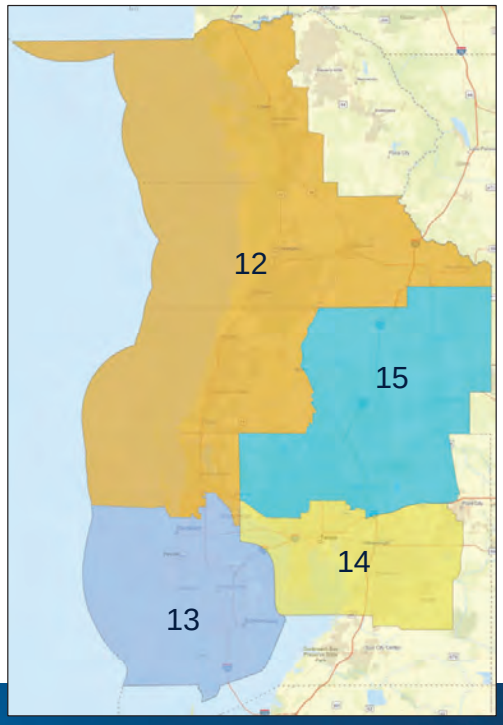
District 5



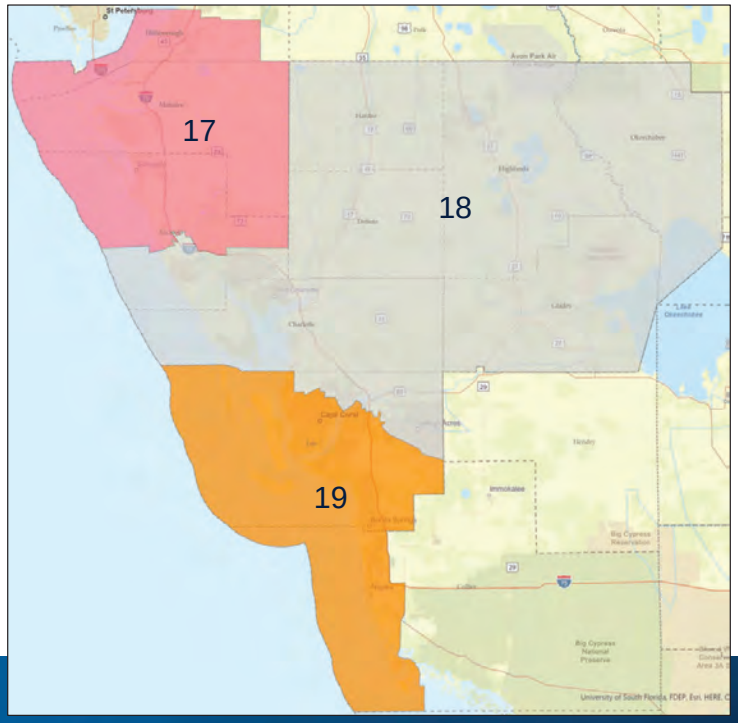
Districts 6-11, 16



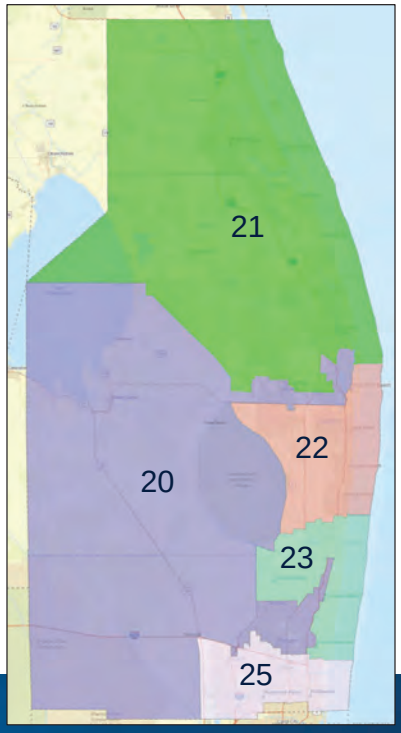
Districts 12-15



Districts 17-19

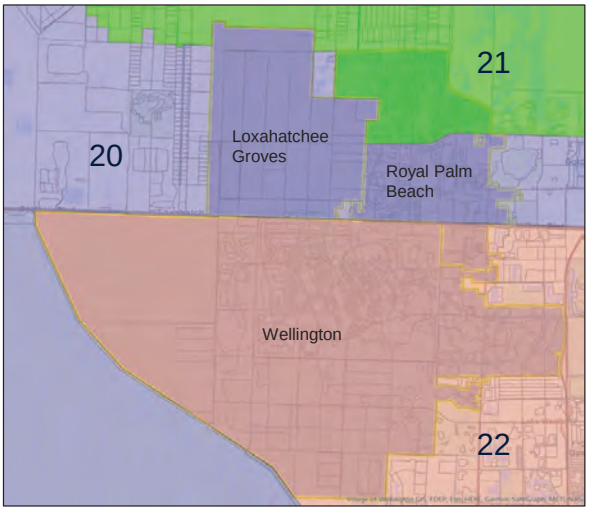


Districts 20-23, 25

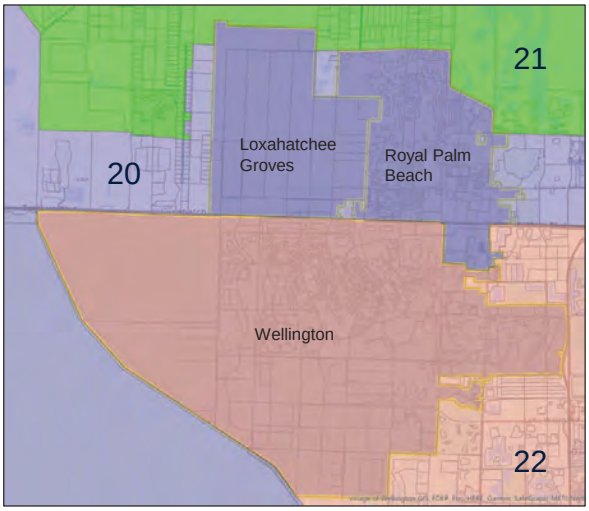


Municipal Corrections

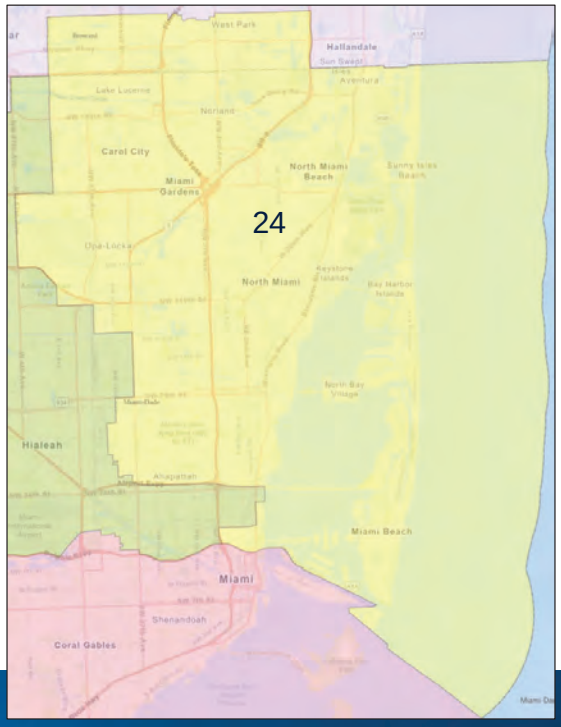
H000C8011



H000C8017

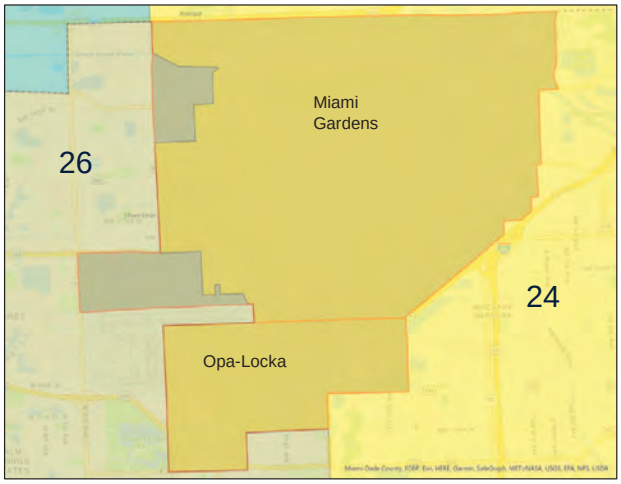


District 24

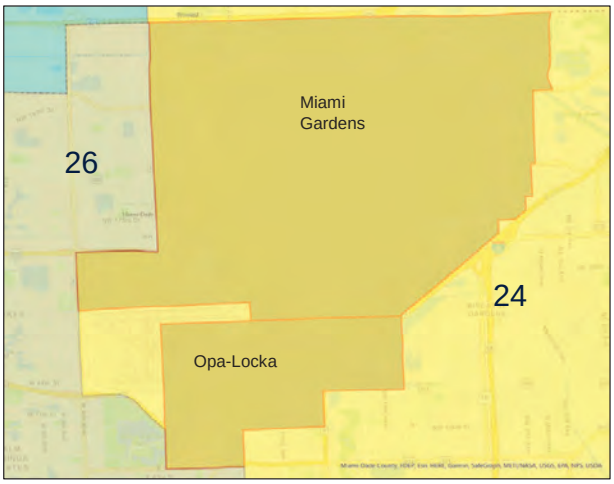

24
West Park
Hallandale
Aventura
Lake Lucerne
Norland
Carol City
Miami Gardens
North Miami Beach
Sunny Isles Beach
Opa-Locka
North Miami
Keystone Islands
Bay Harbor Islands
North Bay Village
Hialeah
Miami Beach
Miami
Shenandoah
Coral Gables

Municipal Corrections

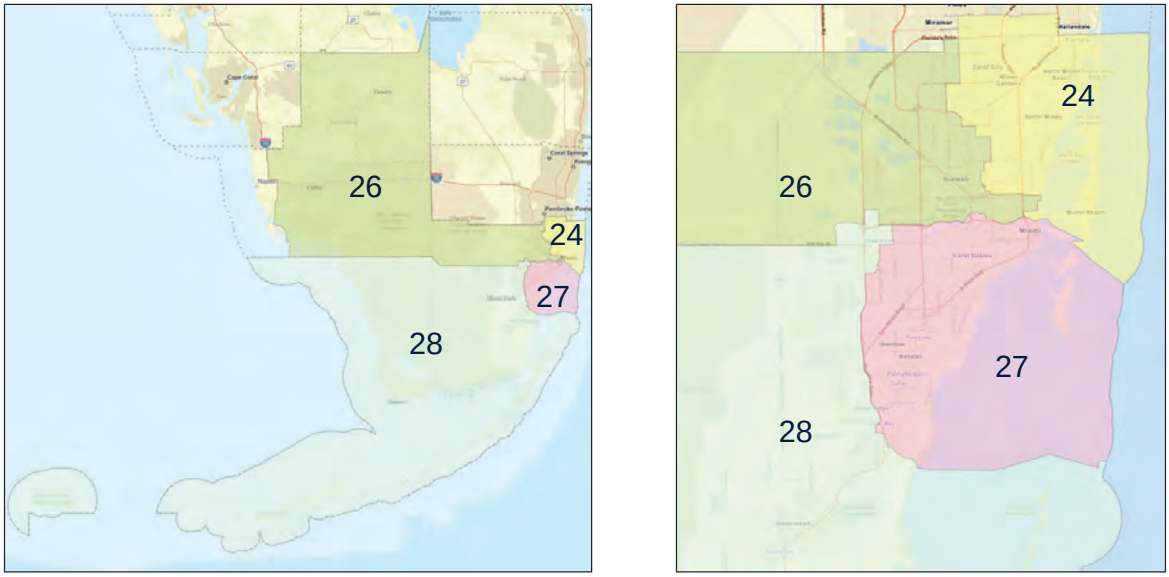
H000C8011



H000C8017

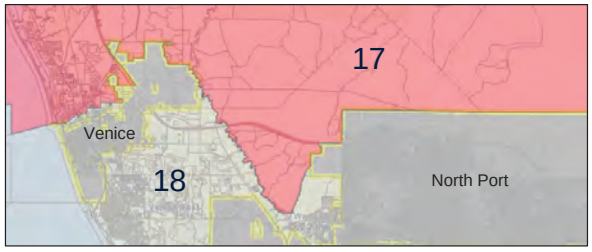


Districts 24, 26-28

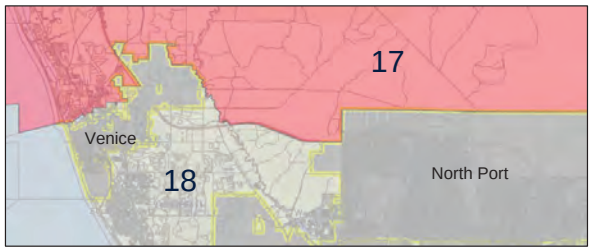


Technical Changes

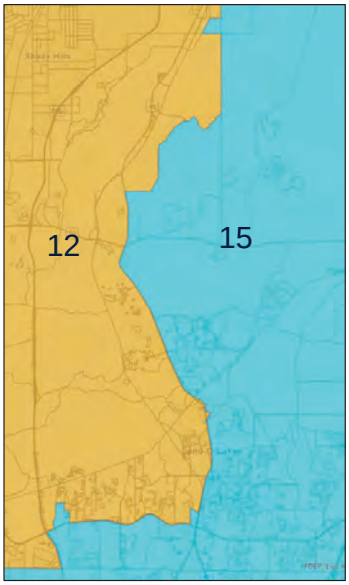
H000C8011



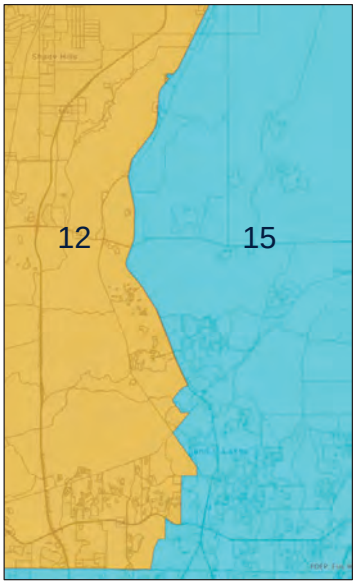
H000C8017



H000C8011



H000C8017

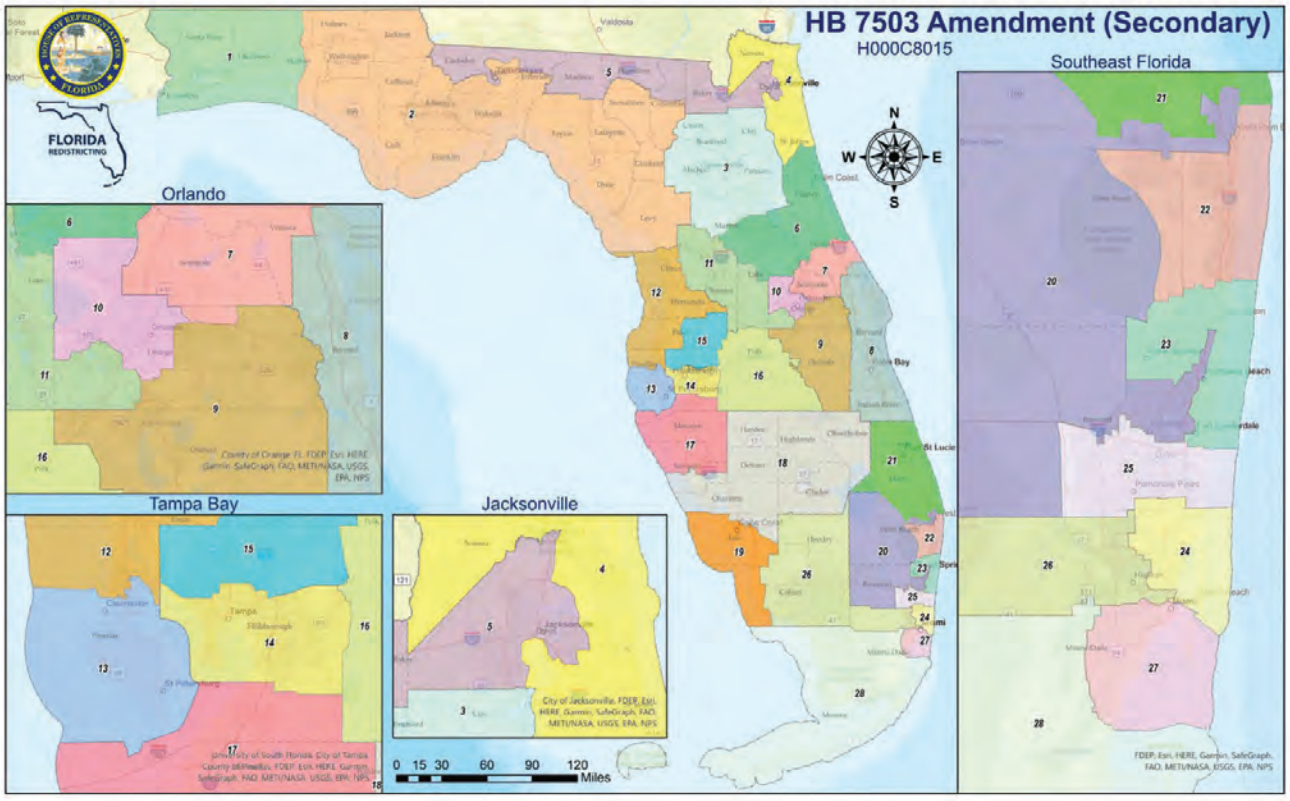




Secondary Congressional Map

HB 7503 Amendment

H000C8015

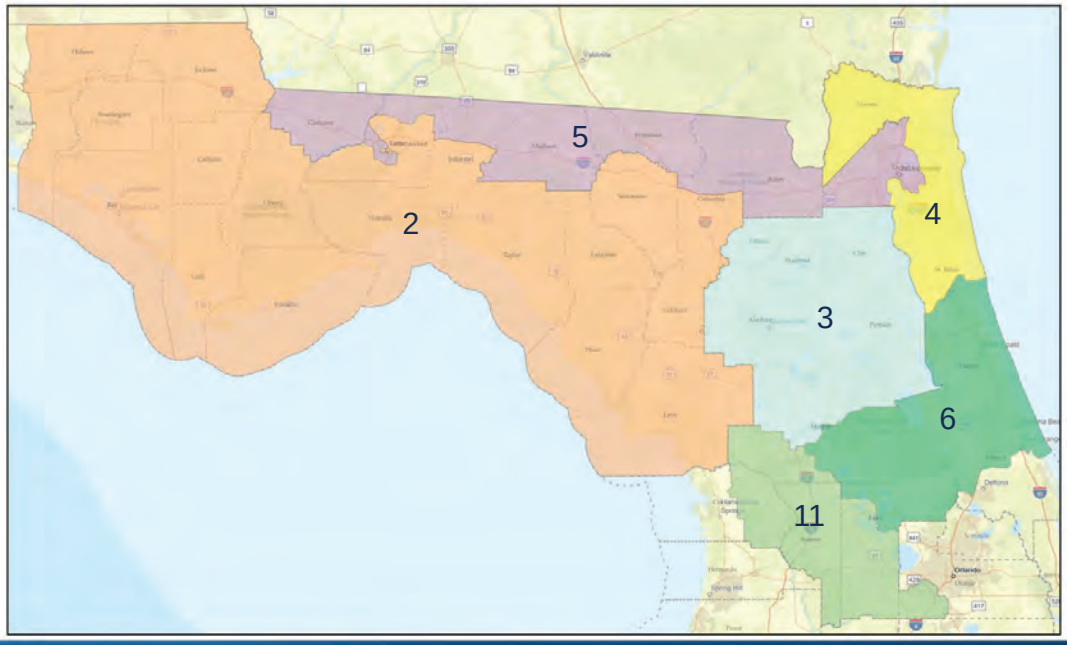

HB 7503 Amendment (Secondary)
H000C8015
FLORIDA
REDISTRICTING
Orlando
Tampa Bay
Jacksonville
Southeast Florida
N
W
E
S
0 15 30 60 90 120
Miles

Statewide Snapshot

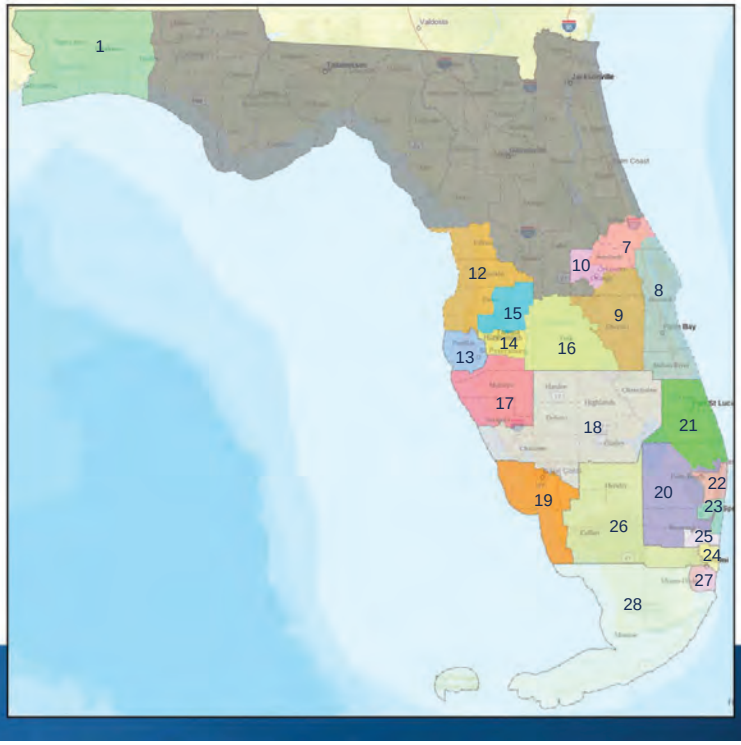
	Benchmark Map *FLCD2016*	HB 7503 *H000C8011*	HB 7503 Amendment *H000C8015*
# of Districts	27	28	28
Ideal Population	696,345	769,221	769,221
Pop Deviation	1	1	1
Counties Whole	49	47	47
Counties Split	18	20	20
Cities Whole	373	385	394
Cities Splits	39	27	18
Reock Score	.44	.43	.45
Convex-Hull Score	.77	.79	.80
Polsby-Popper Score	.36	.37	.40

Districts 2-6, 11

Differences Between Primary and Secondary Maps

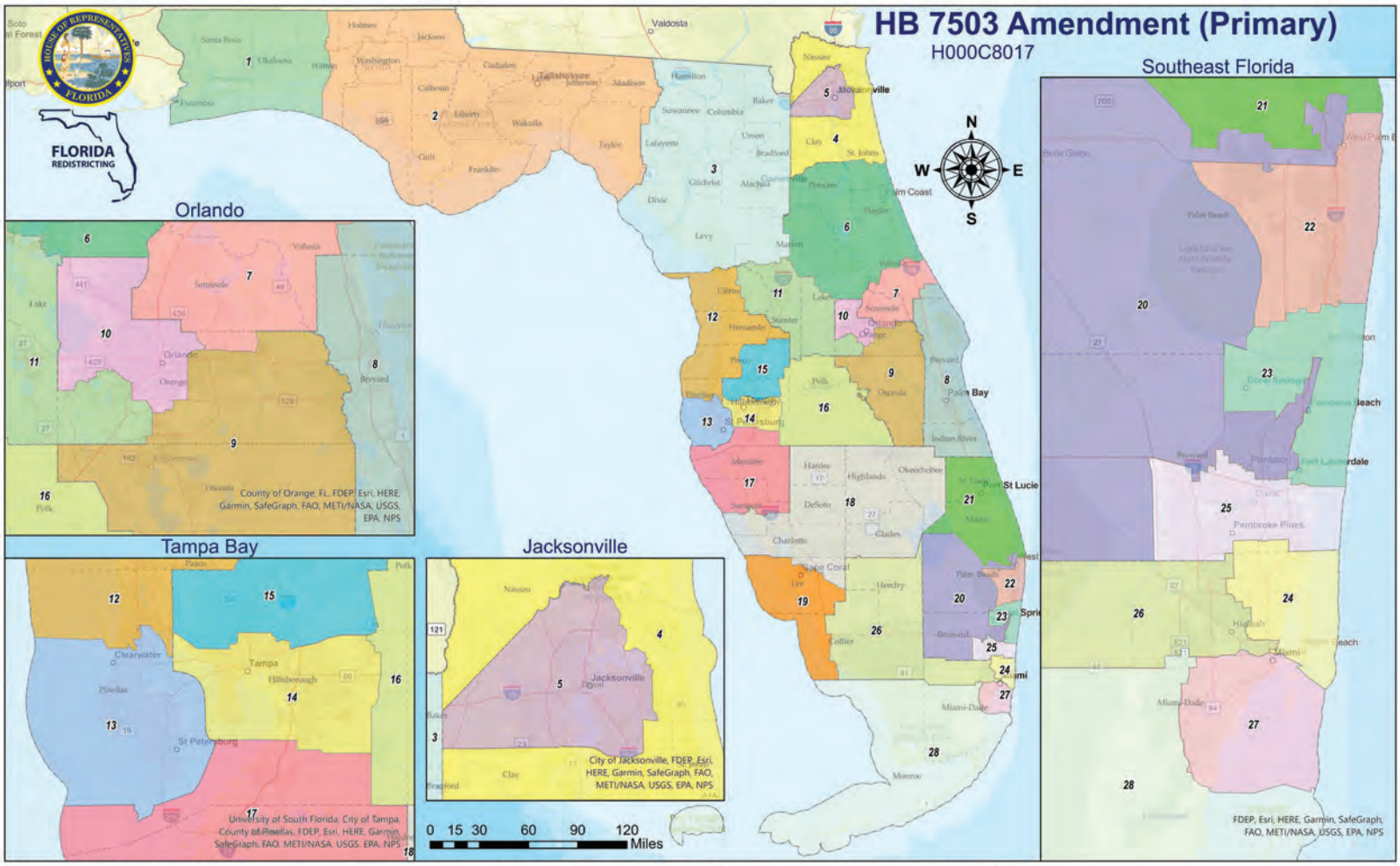


Districts 1, 7-10, 12-28
Same Between Primary and Secondary Maps



Redistricting Committee

Rep. Thomas J. Leek, Chair
850-717-5234
RedistrictingCommittee@myfloridahouse.gov
www.FloridaRedistricting.gov


HB 7503 Amendment (Primary)
H000C8017
FLORIDA
REDISTRICTING
Southeast Florida
Orlando
Tampa Bay
Jacksonville
N
W
E
S
County of Orange, FL, FDEP, Esri, HERE, Garmin, SafeGraph, FAO, METI/NASA, USGS, EPA, NPS
University of South Florida, City of Tampa, County of Pinellas, FDEP, Esri, HERE, Garmin, SafeGraph, FAO, METI/NASA, USGS, EPA, NPS
City of Jacksonville, FDEP, Esri, HERE, Garmin, SafeGraph, FAO, METI/NASA, USGS, EPA, NPS
FDEP, Esri, HERE, Garmin, SafeGraph, FAO, METI/NASA, USGS, EPA, NPS
0 15 30 60 90 120
Miles

H000C8017

STATEWIDE SNAPSHOT					
Total State Population:	21,538,187		Total Counties:	67	Reock Avg.
Ideal District Population:	769,221		Counties Split:	18	0.48
Mean Deviation:	0	0.00%	Counties Kept Whole:	49	Convex Hull Avg.
Max Deviation:	0	0.00%	Total Cities:	412	0.82
Min Deviation:	-1	0.00%	Cities Split:	17	Polsby Popper Avg.
Overall Deviation Range:	1	0.00%	Cities Kept Whole:	395	0.42

DISTRICT BREAKDOWN

District	Population			Voting Age Population		Compactness		
	Total Population	Deviation From Ideal	% Deviation	BVAP %	HVAP %	Reock	Convex Hull	Polsby Popper
1	769,221	0	0.00	13.54	6.69	0.54	0.87	0.48
2	769,221	0	0.00	23.09	6.42	0.46	0.82	0.48
3	769,221	0	0.00	15.61	9.97	0.63	0.91	0.53
4	769,221	0	0.00	8.93	7.96	0.40	0.68	0.17
5	769,221	0	0.00	35.27	10.75	0.51	0.91	0.49
6	769,221	0	0.00	10.89	9.69	0.71	0.92	0.50
7	769,221	0	0.00	11.42	21.14	0.50	0.82	0.40
8	769,221	0	0.00	9.69	10.00	0.29	0.81	0.38
9	769,221	0	0.00	13.13	50.84	0.48	0.86	0.34
10	769,221	0	0.00	28.80	24.60	0.50	0.77	0.39
11	769,221	0	0.00	8.53	15.87	0.36	0.79	0.32
12	769,221	0	0.00	4.53	10.60	0.40	0.61	0.27
13	769,221	0	0.00	11.46	9.77	0.68	0.91	0.63
14	769,221	0	0.00	20.26	26.06	0.45	0.87	0.53
15	769,221	0	0.00	13.09	26.65	0.47	0.84	0.49
16	769,221	0	0.00	14.94	23.21	0.52	0.92	0.42
17	769,221	0	0.00	7.55	14.29	0.60	0.92	0.57
18	769,221	0	0.00	7.69	15.79	0.48	0.82	0.45
19	769,221	0	0.00	5.58	15.79	0.33	0.78	0.38
20	769,221	0	0.00	50.11	22.98	0.50	0.77	0.28
21	769,221	0	0.00	12.48	15.14	0.50	0.82	0.49
22	769,220	-1	0.00	15.88	24.65	0.44	0.74	0.42
23	769,221	0	0.00	13.17	20.51	0.50	0.79	0.29
24	769,221	0	0.00	42.17	38.46	0.48	0.90	0.48
25	769,221	0	0.00	17.52	42.26	0.42	0.81	0.38
26	769,221	0	0.00	7.11	75.41	0.40	0.67	0.35
27	769,221	0	0.00	7.07	74.18	0.71	0.95	0.73
28	769,221	0	0.00	10.32	73.35	0.22	0.55	0.24

H000C8017

	TOTAL REGISTERED VOTERS %																										
		Black						Hispanic					DEM					REP					NPA				
DISTRICT	Proposed BVAP %	2020	2018	2016	2014	2012	Proposed HVAP %	2020	2018	2016	2014	2012	2020	2018	2016	2014	2012	2020	2018	2016	2014	2012	2020	2018	2016	2014	2012
5	35.27	34.73	34.34	34.13	34.52	34.13	10.75	5.86	5.29	4.76	4.08	3.02	46.31	45.78	46.01	47.06	47.91	31.48	32.11	33.15	32.44	33.13	22.21	22.11	20.84	20.50	18.96
20	50.11	46.82	46.39	46.16	45.88	44.90	22.98	15.27	14.27	13.36	11.86	13.21	61.33	61.94	62.65	63.24	63.85	13.79	13.61	13.78	13.95	14.61	24.88	24.46	23.56	22.80	21.53
24	42.17	44.01	45.56	46.38	47.82	48.21	38.46	27.28	25.97	25.13	23.30	42.98	60.04	62.10	63.38	64.55	65.52	12.59	11.55	11.59	11.67	12.07	27.37	26.35	25.03	23.78	22.41
26	7.11	5.62	5.76	6.02	6.58	6.94	75.41	62.79	62.53	62.97	63.02	63.54	30.43	32.11	32.93	33.04	33.91	37.48	35.58	35.96	36.78	37.92	32.10	32.31	31.12	30.19	28.16
27	7.07	6.14	6.29	6.50	6.99	7.28	74.18	62.79	61.97	61.66	60.35	70.81	34.57	35.12	35.20	34.61	35.43	33.39	33.06	33.97	35.52	36.57	32.04	31.82	30.83	29.87	28.00
28	10.32	8.68	8.98	9.00	9.55	9.78	73.35	63.92	62.38	61.18	59.58	65.83	33.92	35.26	35.50	35.30	36.05	32.58	30.98	31.47	32.26	33.49	33.51	33.76	33.04	32.44	30.46

H000C8017

	TOTAL TURNOUT %																										
		Black						Hispanic					DEM					REP					NPA				
DISTRICT	Proposed BVAP %	2020	2018	2016	2014	2012	Proposed HVAP %	2020	2018	2016	2014	2012	2020	2018	2016	2014	2012	2020	2018	2016	2014	2012	2020	2018	2016	2014	2012
5	35.27	33.01	34.54	33.02	31.77	35.07	10.75	5.27	4.08	4.27	2.41	3.15	47.15	48.22	46.49	46.47	48.91	35.22	36.44	36.78	39.85	35.77	17.63	15.35	16.73	13.67	15.32
20	50.11	46.41	48.77	46.50	49.26	48.51	22.98	15.11	12.06	13.19	8.00	9.95	63.82	66.88	65.54	68.71	67.48	14.65	14.37	14.32	15.02	14.35	21.54	18.74	20.14	16.26	18.16
24	42.17	42.88	47.81	45.88	53.66	50.60	38.46	27.71	23.44	25.36	18.30	21.13	61.44	66.56	65.41	71.02	68.44	13.57	11.99	11.92	11.92	11.86	25.00	21.44	22.67	17.03	19.69
26	7.11	5.17	6.15	5.68	7.14	7.23	75.41	61.31	57.57	61.18	54.71	59.93	29.55	31.30	32.78	30.55	33.50	41.37	42.92	39.09	47.57	41.79	29.08	25.77	28.13	21.87	24.70
27	7.07	5.43	6.32	5.97	7.42	7.29	74.18	63.61	60.27	61.78	56.62	58.71	34.57	36.45	35.84	35.88	35.85	35.93	37.25	35.99	42.18	39.17	29.50	26.30	28.17	21.94	24.99
28	10.32	7.72	9.28	8.36	10.10	10.20	73.35	64.42	59.72	61.13	53.20	56.82	33.54	36.42	36.10	35.79	36.60	36.06	36.47	34.25	40.22	36.76	30.40	27.11	29.65	23.98	26.65

H000C8017

ELECTION RESULTS																												
DISTRICT	2020 President		2018 Governor		2018 AG		2018 CFO		2018 Ag Comm		2018 US Senate		2016 President		2016 US Senate		2014 Governor		2014 AG		2014 CFO		2014 Ag Comm		2012 President		2012 US Senate	
	R_Trump	D_Biden	R_DeSantis	D_Gillum	R_Moody	D_Shaw	R_Patronis	D_Ring	R_Caldwell	D_Fried	R_Scott	D_Nelson	R_Trump	D_Clinton	R_Rubio	D_Murphy	R_Scott	D_Crist	R_Bondi	D_Sheldon	R_Atwater	D_Rankin	R_Putnam	D_Hamilton	R_Romney	D_Obama	R_Mack	D_Nelson
5	43.03	55.65	42.32	56.75	45.32	53.07	45.70	54.30	44.80	55.20	44.31	55.69	44.30	52.36	51.88	44.57	49.77	45.99	53.39	43.69	55.51	44.49	52.56	47.44	46.18	53.00	39.81	57.35
20	23.52	75.89	19.45	79.93	20.26	78.44	20.20	79.79	19.89	80.09	20.00	80.00	20.39	77.83	22.42	75.64	17.97	79.92	22.42	76.13	24.50	75.48	22.99	77.02	19.06	80.52	16.82	81.97
24	25.28	74.18	17.83	81.45	18.39	80.05	18.46	81.53	18.00	82.00	18.64	81.36	17.28	81.05	21.99	75.93	16.24	82.18	18.77	79.80	20.93	79.06	20.21	79.78	16.83	82.82	15.49	83.46
26	59.13	40.33	53.79	44.84	54.93	43.09	55.54	44.45	54.35	45.64	54.79	45.21	46.48	51.21	56.71	41.07	56.03	41.23	60.81	36.85	61.75	38.25	62.10	37.89	49.98	49.53	46.53	51.32
27	50.01	49.45	45.75	53.18	46.10	51.99	47.41	52.59	45.38	54.63	45.52	54.47	40.05	57.42	50.17	47.78	47.55	50.00	51.96	46.03	56.52	43.49	55.69	44.30	47.27	52.22	44.15	54.47
28	52.99	46.42	46.31	52.49	46.94	50.86	48.07	51.92	46.56	53.44	46.55	53.46	40.81	56.46	49.92	47.69	45.89	51.20	51.75	45.82	54.11	45.87	53.95	46.04	44.61	54.83	42.03	56.33

H000C8017

2020 General Election

District	2020 Census		Total Registered Voters (RV)					DEM RV		REP RV		NPA RV		Black RV			Hispanic RV			Total Voter Turnout (VT)					DEM VT		REP VT		NPA VT		Black VT		Hispanic VT		
	BVAP	HVAP	DEM	REP	NPA	Black	Hisp.	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	NPA	DEM	REP	NPA	DEM	REP	NPA	Black	Hisp.	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	NPA	DEM	REP	NPA
5	35.27	10.75	46.31	31.48	22.21	34.73	5.86	61.21	5.07	3.72	4.30	23.45	9.72	81.63	3.37	15.00	40.04	23.10	36.83	47.15	35.22	17.63	33.01	5.27	60.10	4.72	2.88	3.97	20.76	9.35	85.83	3.07	11.09	42.21	26.54	31.28
20	50.11	22.98	61.33	13.79	24.88	46.82	15.27	62.20	11.47	8.57	19.25	30.08	22.41	81.47	2.53	15.98	46.07	17.38	36.51	63.82	14.65	21.54	46.41	15.11	61.73	11.18	6.68	19.59	27.98	23.65	84.88	2.11	12.98	47.21	18.99	33.70
24	42.17	38.46	60.04	12.59	27.37	44.01	27.28	60.56	19.19	8.52	44.78	24.03	36.98	82.62	2.44	14.94	42.23	20.67	37.09	61.44	13.57	25.00	42.88	27.71	59.69	19.08	6.48	46.20	21.27	38.87	85.54	2.05	12.40	42.31	22.62	35.07
26	7.11	75.41	30.43	37.48	32.10	5.62	62.79	14.39	60.26	0.67	60.35	3.09	68.01	77.89	4.45	17.66	29.20	36.02	34.77	29.55	41.37	29.08	5.17	61.31	14.13	58.49	0.52	58.90	2.68	67.60	80.73	4.16	15.09	28.19	39.74	32.07
27	7.07	74.18	34.57	33.39	32.04	6.14	62.79	13.97	50.91	0.68	73.27	3.38	64.68	78.63	3.69	17.62	28.03	38.96	33.00	34.57	35.93	29.50	5.43	63.61	12.81	50.58	0.50	74.07	2.76	66.11	81.58	3.32	15.02	27.49	41.84	30.66
28	10.32	73.35	33.92	32.58	33.51	8.68	63.92	19.84	54.23	0.92	69.60	4.89	68.19	77.57	3.44	18.87	28.78	35.48	35.75	33.54	36.06	30.40	7.72	64.42	18.63	53.57	0.69	70.06	4.00	69.69	80.92	3.20	15.76	27.89	39.22	32.88

* *All numbers denoted are percentages*

H000C8017

2020 Primary Election													
District	2020 Census		Total Voter Turnout (VT)				DEM VT		REP VT		Black VT		Hispanic VT	
	BVAP	HVAP	DEM	REP	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	DEM	REP
5	35.27	10.75	56.73	36.35	40.23	2.88	65.55	2.72	2.81	2.44	92.42	2.54	53.52	30.77
20	50.11	22.98	78.49	11.40	54.46	9.05	64.06	7.10	6.76	14.52	92.33	1.42	61.61	18.30
24	42.17	38.46	74.37	11.09	50.95	22.17	62.70	14.86	6.39	50.98	91.52	1.39	49.86	25.51
26	7.11	75.41	31.28	50.08	6.10	57.89	17.33	51.03	0.36	57.78	88.81	2.93	27.57	49.99
27	7.07	74.18	40.97	39.65	6.73	60.67	14.62	43.01	0.41	76.17	89.02	2.41	29.05	49.79
28	10.32	73.35	39.27	41.81	9.48	59.96	21.23	44.87	0.53	68.91	87.95	2.34	29.39	48.05

* *All numbers denoted are percentages*

H000C8017

2018 General Election

District	2020 Census		Total Registered Voters (RV)					DEM RV		REP RV		NPA RV		Black RV			Hispanic RV			Total Voter Turnout (VT)					DEM VT		REP VT		NPA VT		Black VT		Hispanic VT		
	BVAP	HVAP	DEM	REP	NPA	Black	Hisp.	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	NPA	DEM	REP	NPA	DEM	REP	NPA	Black	Hisp.	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	NPA	DEM	REP	NPA
5	35.27	10.75	45.78	32.11	22.11	34.34	5.29	61.71	3.70	3.59	4.30	22.32	9.01	82.26	3.36	14.37	39.92	22.47	37.61	48.22	36.44	15.35	34.54	4.08	62.49	3.70	2.81	3.05	22.04	7.70	87.24	2.96	9.79	43.73	27.24	28.96
20	50.11	22.98	61.94	13.61	24.46	46.39	14.27	61.53	16.60	8.61	19.25	28.99	21.28	82.15	2.53	15.29	47.61	15.83	36.47	66.88	14.37	18.74	48.77	12.06	63.09	9.18	6.71	15.23	29.87	19.68	86.51	1.98	11.48	50.92	18.16	30.59
24	42.17	38.46	62.10	11.55	26.35	45.56	25.97	61.28	42.77	9.10	44.78	24.49	35.92	83.52	2.31	14.17	44.54	19.02	36.44	66.56	11.99	21.44	47.81	23.44	62.73	16.22	7.09	42.64	24.28	35.06	87.32	1.78	10.89	46.08	21.82	32.08
26	7.11	75.41	32.11	35.58	32.31	5.76	62.53	14.20	59.52	0.67	60.35	2.95	67.49	79.18	4.12	16.58	31.27	33.87	34.87	31.30	42.92	25.77	6.15	57.57	16.46	54.43	0.52	55.87	3.08	64.24	83.77	3.61	12.92	29.59	41.66	28.76
27	7.07	74.18	35.12	33.06	31.82	6.29	61.97	14.23	71.89	0.70	73.27	3.34	63.94	79.41	3.67	16.91	28.81	38.36	32.83	36.45	37.25	26.30	6.32	60.27	14.51	46.34	0.49	71.95	3.21	62.99	83.70	2.87	13.37	28.03	44.47	27.49
28	10.32	73.35	35.26	30.98	33.76	8.98	62.38	19.88	67.51	0.98	69.60	4.93	66.59	78.03	3.37	18.51	30.43	33.53	36.04	36.42	36.47	27.11	9.28	59.72	21.03	48.88	0.72	66.35	4.98	65.31	82.54	2.83	14.55	29.81	40.52	29.65

* *All numbers denoted are percentages*

H000C8017

2018 Primary Election													
District	2020 Census		Total Voter Turnout (VT)				DEM VT		REP VT		Black VT		Hispanic VT	
	BVAP	HVAP	DEM	REP	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	DEM	REP
5	35.27	10.75	53.23	40.49	37.63	2.27	65.18	2.15	2.61	2.01	92.19	2.80	50.27	35.82
20	50.11	22.98	76.65	14.84	53.05	7.09	64.24	5.54	5.60	11.08	92.81	1.57	59.86	23.20
24	42.17	38.46	77.62	11.43	54.96	17.55	65.63	11.72	6.73	43.38	92.68	1.40	51.81	28.25
26	7.11	75.41	32.11	53.76	7.05	51.56	19.94	44.27	0.41	52.77	90.87	3.11	27.57	55.02
27	7.07	74.18	43.27	43.47	8.03	56.59	16.98	37.10	0.39	73.64	91.51	2.10	28.37	56.57
28	10.32	73.35	41.39	44.86	10.76	51.96	23.58	36.94	0.57	63.73	90.69	2.37	29.42	55.02

** All numbers denoted are percentages*

H000C8017

2016 General Election

District	2020 Census		Total Registered Voters (RV)					DEM RV		REP RV		NPA RV		Black RV			Hispanic RV			Total Voter Turnout (VT)					DEM VT		REP VT		NPA VT		Black VT		Hispanic VT		
	BVAP	HVAP	DEM	REP	NPA	Black	Hisp.	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	NPA	DEM	REP	NPA	DEM	REP	NPA	Black	Hisp.	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	NPA	DEM	REP	NPA
5	35.27	10.75	46.01	33.15	20.84	34.13	4.76	61.83	4.12	3.59	3.49	21.54	8.19	83.35	3.49	13.15	39.82	24.31	35.83	46.49	36.78	16.73	33.02	4.27	61.86	3.87	2.82	3.15	19.28	7.81	87.10	3.14	9.77	42.18	27.12	30.64
20	50.11	22.98	62.65	13.78	23.56	46.16	13.36	61.13	10.40	8.72	15.56	28.18	19.88	82.97	2.60	14.38	48.78	16.05	35.07	65.54	14.32	20.14	46.50	13.19	61.32	10.25	6.78	15.33	26.39	21.10	86.44	2.09	11.43	50.94	16.64	32.21
24	42.17	38.46	63.38	11.59	25.03	46.38	25.13	61.86	17.92	9.26	42.92	24.37	35.13	84.53	2.31	13.15	45.20	19.79	35.00	65.41	11.92	22.67	45.88	25.36	61.29	17.92	7.14	43.70	21.73	37.13	87.39	1.85	10.74	46.21	20.54	33.19
26	7.11	75.41	32.93	35.96	31.12	6.02	62.97	14.78	60.46	0.67	61.04	2.90	67.87	80.90	4.00	15.01	31.61	34.86	33.54	32.78	39.09	28.13	5.68	61.18	14.55	59.16	0.51	58.58	2.55	67.22	84.00	3.52	12.62	31.70	37.43	30.90
27	7.07	74.18	35.20	33.97	30.83	6.50	61.66	14.81	50.08	0.71	71.72	3.38	63.77	80.21	3.69	16.01	28.59	39.51	31.89	35.84	35.99	28.17	5.97	61.78	13.87	49.38	0.51	71.98	2.88	64.51	83.27	3.09	13.60	28.64	41.93	29.42
28	10.32	73.35	35.50	31.47	33.04	9.00	61.18	19.97	52.44	1.01	66.69	4.80	65.32	78.76	3.52	17.63	30.43	34.30	35.27	36.10	34.25	29.65	8.36	61.13	19.08	51.83	0.77	66.29	4.07	66.47	82.39	3.16	14.43	30.61	37.14	32.25

* *All numbers denoted are percentages*

H000C8017

2016 Primary Election													
District	2020 Census		Total Voter Turnout (VT)				DEM VT		REP VT		Black VT		Hispanic VT	
	BVAP	HVAP	DEM	REP	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	DEM	REP
5	35.27	10.75	46.34	46.45	31.84	1.80	63.26	1.56	2.55	1.73	92.08	3.72	40.23	44.53
20	50.11	22.98	78.75	13.93	54.65	5.78	65.25	4.34	6.22	10.05	94.03	1.59	59.22	24.23
24	42.17	38.46	76.09	12.97	54.07	19.48	66.37	11.46	6.13	51.18	93.40	1.47	44.75	34.08
26	7.11	75.41	28.54	56.33	6.31	55.61	20.25	45.43	0.37	57.47	91.58	3.34	23.31	58.21
27	7.07	74.18	36.74	47.25	6.96	61.52	17.42	38.64	0.36	76.72	91.98	2.42	23.08	58.92
28	10.32	73.35	36.78	46.40	8.47	56.29	20.84	38.68	0.49	66.74	90.48	2.71	25.28	55.01

** All numbers denoted are percentages*

H000C8017

2014 General Election

District	2020 Census		Total Registered Voters (RV)					DEM RV		REP RV		NPA RV		Black RV			Hispanic RV			Total Voter Turnout (VT)					DEM VT		REP VT		NPA VT		Black VT		Hispanic VT		
	BVAP	HVAP	DEM	REP	NPA	Black	Hisp.	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	NPA	DEM	REP	NPA	DEM	REP	NPA	Black	Hisp.	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	NPA	DEM	REP	NPA
5	35.27	10.75	47.06	32.44	20.50	34.52	4.08	61.78	4.12	3.38	3.12	21.25	7.32	84.21	3.18	12.62	38.33	24.82	36.83	46.47	39.85	13.67	31.77	2.41	60.95	1.86	2.23	2.17	18.63	4.87	89.17	2.79	8.02	36.01	36.01	27.68
20	50.11	22.98	63.24	13.95	22.80	45.88	11.86	60.64	10.40	8.84	14.11	27.53	18.22	83.59	2.69	13.68	48.22	16.60	35.02	68.71	15.02	16.26	49.26	8.00	63.46	5.79	6.94	11.38	28.00	13.99	88.51	2.12	9.25	49.71	21.38	28.45
24	42.17	38.46	64.55	11.67	23.78	47.82	23.30	63.04	17.92	9.86	43.42	25.13	33.33	85.09	2.40	12.50	44.21	21.74	34.03	71.02	11.92	17.03	53.66	18.30	67.76	11.21	7.82	43.30	26.96	30.23	89.67	1.74	8.56	43.50	28.22	28.15
26	7.11	75.41	33.04	36.78	30.19	6.58	63.02	16.32	60.46	0.72	63.22	3.06	68.00	81.90	4.02	14.02	30.53	36.90	32.57	30.55	47.57	21.87	7.14	54.71	20.43	46.03	0.52	57.52	2.97	60.84	87.38	3.44	9.10	25.70	50.01	24.32
27	7.07	74.18	34.61	35.52	29.87	6.99	60.35	16.31	50.08	0.76	71.34	3.58	62.88	80.81	3.87	15.28	26.89	41.99	31.12	35.88	42.18	21.94	7.42	56.62	17.85	37.45	0.54	71.01	3.51	60.29	86.38	3.04	10.38	23.73	52.90	23.36
28	10.32	73.35	35.30	32.26	32.44	9.55	59.58	21.43	52.44	1.09	66.54	5.01	63.51	79.20	3.70	17.02	29.40	36.03	34.58	35.79	40.22	23.98	10.10	53.20	23.99	38.84	0.70	63.13	5.04	57.95	85.03	2.80	11.97	26.13	47.73	26.12

* *All numbers denoted are percentages*

H000C8017

2014 Primary Election													
District	2020 Census		Total Voter Turnout (VT)				DEM VT		REP VT		Black VT		Hispanic VT	
	BVAP	HVAP	DEM	REP	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	DEM	REP
5	35.27	10.75	43.62	49.91	27.65	1.48	58.85	1.29	1.73	1.39	92.84	3.13	37.82	46.69
20	50.11	22.98	80.14	12.86	55.93	3.75	65.77	2.66	7.23	7.60	94.23	1.66	56.95	26.08
24	42.17	38.46	78.64	11.23	61.23	14.35	72.68	7.39	7.55	49.34	93.34	1.39	40.50	38.63
26	7.11	75.41	28.50	56.99	7.26	57.26	23.45	39.76	0.39	63.04	92.04	3.10	19.79	62.75
27	7.07	74.18	36.14	49.14	7.49	58.27	18.92	31.34	0.42	75.95	91.33	2.74	19.44	64.04
28	10.32	73.35	34.44	49.79	8.78	50.09	22.70	28.97	0.46	62.96	89.00	2.63	19.92	62.58

* *All numbers denoted are percentages*

H000C8017

2012 General Election

District	2020 Census		Total Registered Voters (RV)					DEM RV		REP RV		NPA RV		Black RV			Hispanic RV			Total Voter Turnout (VT)					DEM VT		REP VT		NPA VT		Black VT		Hispanic VT		
	BVAP	HVAP	DEM	REP	NPA	Black	Hisp.	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	NPA	DEM	REP	NPA	DEM	REP	NPA	Black	Hisp.	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	NPA	DEM	REP	NPA
5	35.27	10.75	47.91	33.13	18.96	34.13	3.80	60.68	3.10	3.42	3.02	20.68	6.92	85.19	3.32	11.49	39.11	26.37	34.53	48.91	35.77	15.32	35.07	3.15	62.88	2.59	2.76	2.62	21.72	6.13	87.69	2.81	9.49	40.28	29.83	29.87
20	50.11	22.98	63.85	14.61	21.53	44.90	11.06	59.22	8.54	9.04	13.21	26.69	16.97	84.23	2.94	12.80	49.31	17.45	33.05	67.48	14.35	18.16	48.51	9.95	62.43	7.50	7.71	12.86	28.92	16.60	86.85	2.28	10.83	50.82	18.55	30.29
24	42.17	38.46	65.52	12.07	22.41	48.21	22.40	62.94	15.32	10.36	42.98	25.52	32.03	85.54	2.59	11.86	44.81	23.15	32.03	68.44	11.86	19.69	50.60	21.13	64.90	14.07	8.72	43.77	26.06	32.00	87.79	2.04	10.14	45.57	24.57	29.83
26	7.11	75.41	33.91	37.92	28.16	6.94	62.23	16.99	56.37	0.74	63.54	3.19	67.53	83.04	4.06	12.94	30.72	38.72	30.56	33.50	41.79	24.70	7.23	59.93	18.53	53.49	0.56	61.29	3.21	66.37	85.82	3.23	10.97	29.90	42.75	27.36
27	7.07	74.18	35.43	36.57	28.00	7.28	59.25	16.78	45.38	0.81	70.81	3.70	61.72	81.63	4.09	14.21	27.14	43.70	29.17	35.85	39.17	24.99	7.29	58.71	17.14	43.12	0.61	71.05	3.63	61.71	84.27	3.26	12.44	26.33	47.40	26.26
28	10.32	73.35	36.05	33.49	30.46	9.78	58.37	21.72	48.03	1.17	65.83	5.10	62.40	80.07	3.99	15.89	29.67	37.77	32.56	36.60	36.76	26.65	10.20	56.82	23.14	44.76	0.92	65.03	5.22	62.03	83.00	3.30	13.64	28.83	42.06	29.09

* *All numbers denoted are percentages*

H000C8017

2012 Primary Election														
District	2020 Census		Total Voter Turnout (VT)				DEM VT		REP VT		Black VT		Hispanic VT	
	BVAP	HVAP	DEM	REP	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	DEM	REP
5	35.27	10.75	47.07	47.13	30.89	1.23	60.96	0.89	1.78	1.38	92.91	2.72	34.07	52.51
20	50.11	22.98	75.23	16.98	52.73	3.77	65.20	2.61	6.08	6.83	93.02	1.96	52.12	30.78
24	42.17	38.46	76.47	12.91	59.93	15.91	72.72	7.92	7.57	50.27	92.79	1.63	38.04	40.78
26	7.11	75.41	27.05	58.76	7.02	57.38	23.70	41.12	0.47	61.54	91.31	3.91	19.39	63.02
27	7.07	74.18	33.42	51.14	7.87	60.40	21.45	33.56	0.40	75.89	91.14	2.57	18.57	64.25
28	10.32	73.35	35.03	48.72	9.57	53.03	24.43	31.63	0.66	64.72	89.40	3.34	20.90	59.45

* *All numbers denoted are percentages*

County Share of Population

County	District	Total Population
Alachua	3	278,468
Baker	3	28,259
Bay	2	175,216
Bradford	3	28,303
Brevard	8	606,612
Broward	20	535,322
Broward	23	561,713
Broward	24	78,119
Broward	25	769,221
Calhoun	2	13,648
Charlotte	18	186,847
Citrus	11	95,336
Citrus	12	58,507
Clay	4	218,245
Collier	19	201,247
Collier	26	174,505
Columbia	3	69,698
DeSoto	18	33,976
Dixie	3	16,759
Duval	4	226,346
Duval	5	769,221
Escambia	1	321,905
Flagler	6	115,378
Franklin	2	12,451
Gadsden	2	43,826
Gilchrist	3	17,864
Glades	18	12,126
Gulf	2	14,192
Hamilton	3	14,004
Hardee	18	25,327
Hendry	26	39,619
Hernando	12	194,515
Highlands	18	101,235
Hillsborough	14	769,221
Hillsborough	15	533,643
Hillsborough	16	44,175
Hillsborough	17	112,723
Holmes	2	19,653
Indian River	8	159,788
Jackson	2	47,319
Jefferson	2	14,510
Lafayette	2	1,731
Lafayette	3	6,495
Lake	6	106,811
Lake	11	277,145
Lee	18	192,848
Lee	19	567,974
Leon	2	292,198
Levy	3	42,915
Liberty	2	7,974
Madison	2	17,968
Manatee	17	399,710
Marion	3	206,835
Marion	6	96,495
Marion	11	72,578
Martin	21	158,431
Miami-Dade	24	691,102
Miami-Dade	26	555,097
Miami-Dade	27	769,221
Miami-Dade	28	686,347
Monroe	28	82,874
Nassau	4	90,352
Okaloosa	1	211,668
Okeechobee	18	39,644
Orange	7	85,712
Orange	9	380,565
Orange	10	769,221
Orange	11	194,410
Osceola	9	388,656
Palm Beach	20	233,899
Palm Beach	21	281,564
Palm Beach	22	769,220
Palm Beach	23	207,508
Pasco	12	326,313
Pasco	15	235,578
Pinellas	12	189,886
Pinellas	13	769,221
Polk	16	725,046
Putnam	6	73,321
Santa Rosa	1	188,000
Sarasota	17	256,788
Sarasota	18	177,218
Seminole	7	470,856
St. Johns	4	234,278
St. Johns	6	39,147
St. Lucie	21	329,226
Sumter	11	129,752
Suwannee	3	43,474
Taylor	2	21,796
Union	3	16,147
Volusia	6	338,069
Volusia	7	212,653
Volusia	8	2,821
Wakulla	2	33,764
Walton	1	47,648
Walton	2	27,657
Washington	2	25,318

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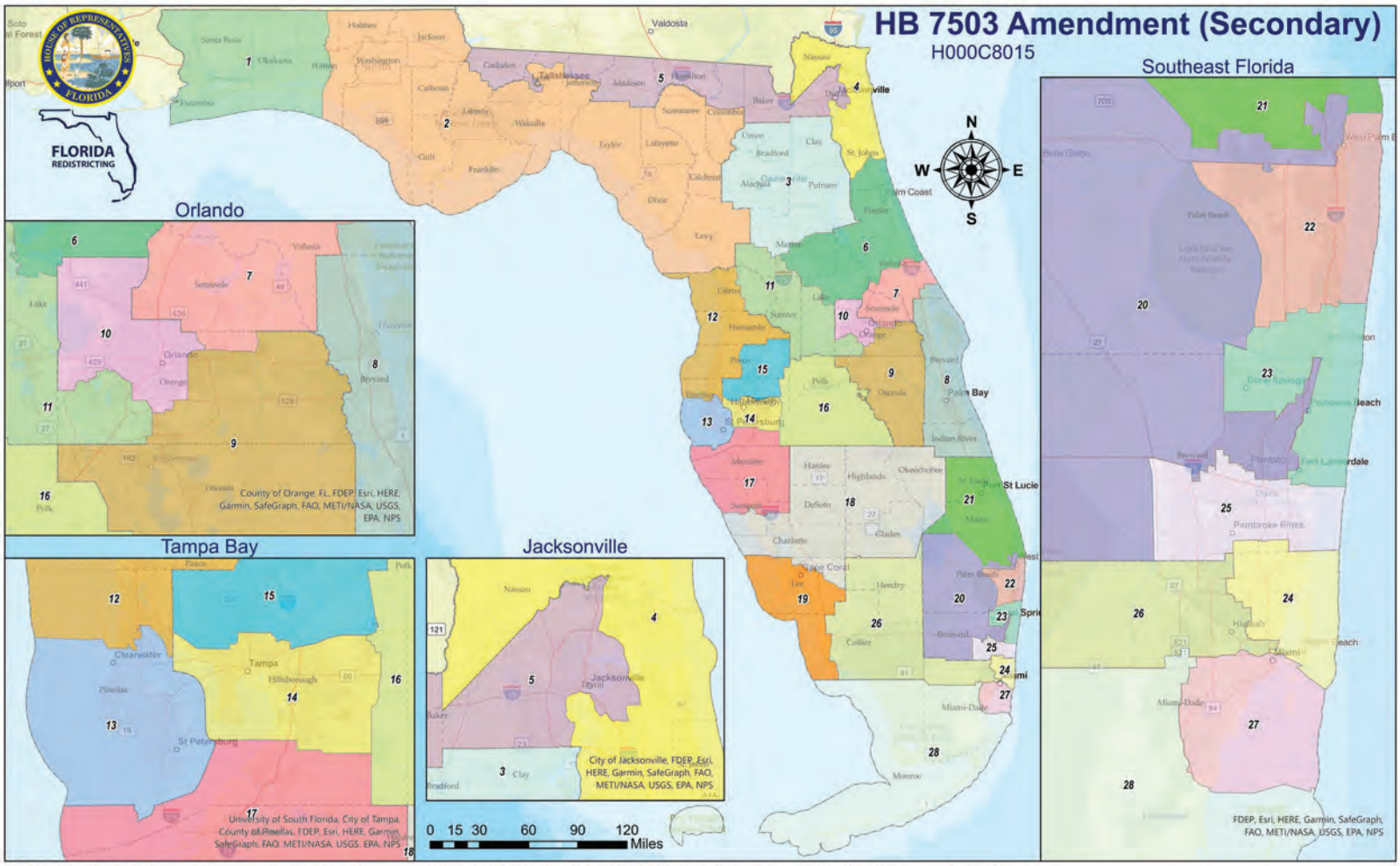
City Split List

City	District	Total Population
Cape Coral	18	8,422
Cape Coral	19	185,594
Deerfield Beach	20	27,968
Deerfield Beach	23	58,891
Fort Lauderdale	20	55,428
Fort Lauderdale	23	105,601
Fort Lauderdale	25	21,731
Jacksonville	4	181,786
Jacksonville	5	767,825
Margate	20	11,080
Margate	23	47,632
Miami	24	86,644
Miami	26	66,430
Miami	27	289,167
Miramar	24	56,729
Miramar	25	77,992
Oakland Park	20	15,037
Oakland Park	23	29,192
Orange City	6	12,632
Orange City	7	0
Orlando	9	79,798
Orlando	10	221,540
Orlando	11	6,235
Plant City	14	16,655
Plant City	16	23,109
Plantation	20	44,325
Plantation	25	47,425
Pompano Beach	20	49,811
Pompano Beach	23	62,235
Port Orange	6	47,803
Port Orange	7	14,793
Riviera Beach	20	29,204
Riviera Beach	21	8,400
Tampa	14	286,631
Tampa	15	98,328
West Palm Beach	20	59,919
West Palm Beach	21	21,937
West Palm Beach	22	35,559

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Boundary Analysis

District	City Boundaries(%)	County Boundaries(%)	Road Boundaries(%)	Water Boundaries(%)	Rail Boundaries(%)	Non Geo/Pol Boundaries(%)
Statewide Avg.	**19.07**	**58.75**	**13.93**	**39.39**	**0.86**	**12.39**
1	8	78	10	53	0	3
2	5	84	7	49	0	3
3	5	82	3	31	0	13
4	23	78	7	44	0	9
5	60	60	19	21	0	19
6	14	49	14	37	0	18
7	26	47	19	31	0	15
8	3	92	1	54	0	2
9	2	86	10	36	0	4
10	20	55	23	20	0	18
11	12	48	15	17	1	29
12	10	72	6	52	0	13
13	44	70	0	88	0	1
14	23	19	28	32	1	36
15	7	51	39	6	7	7
16	2	84	2	26	3	12
17	22	57	5	51	0	14
18	13	74	6	29	0	4
19	13	62	14	61	0	8
20	28	37	15	13	3	22
21	9	68	7	48	0	16
22	36	24	18	36	0	24
23	29	28	16	38	9	20
24	36	36	32	46	0	10
25	64	29	12	20	0	15
26	9	69	20	19	0	4
27	10	18	34	59	0	7
28	1	88	8	86	0	1



Map Produced by staff of the Florida House of Representatives Redistricting Committee 402 House Office Building, 402 South Monroe Street, Tallahassee, FL 32399-1300 Phone: 850-717-5234 www.floridaredistricting.gov

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STATEWIDE SNAPSHOT					
Total State Population:	51,832,127		Total Counties:	67	Reock Avg.
Ideal District Population:	769,551		Counties Split:	50	0.48
Mean Deviation:	0	0.00%	Counties Kept Whole:	47	Convex Hull Avg.
Max Deviation:	0	0.00%	Total Cities:	415	0.20
Min Deviation:	-1	0.00%	Cities Split:	12	Polsby Popper Avg.
Overall Deviation Range:	1	0.00%	Cities Kept Whole:	394	0.40

DISTRICT BREAKDOWN

District	Population			Voting Age Population		Compactness		
	Total Population	Deviation From Ideal	% Deviation	BVAP %	HVAP %	Reock	Convex Hull	Polsby Popper
1	769,551	0	0.00	13.84	6.69	0.84	0.27	0.42
5	769,551	0	0.00	14.83	6.35	0.31	0.75	0.58
3	769,551	0	0.00	16.11	10.49	0.71	0.29	0.84
4	769,551	0	0.00	10.54	2.94	0.33	0.64	0.12
8	769,551	0	0.00	43.42	9.54	0.11	0.66	0.11
6	769,551	0	0.00	10.53	9.76	0.42	0.77	0.34
7	769,551	0	0.00	11.45	51.14	0.80	0.25	0.40
2	769,551	0	0.00	9.69	10.00	0.59	0.21	0.32
9	769,551	0	0.00	13.13	80.24	0.42	0.26	0.34
10	769,551	0	0.00	52.20	54.60	0.80	0.77	0.39
11	769,551	0	0.00	2.38	18.22	0.35	0.21	0.31
15	769,551	0	0.00	4.83	10.60	0.40	0.61	0.57
13	769,551	0	0.00	11.46	9.77	0.62	0.91	0.63
14	769,551	0	0.00	50.56	56.06	0.48	0.27	0.83
18	769,551	0	0.00	13.09	56.68	0.47	0.24	0.49
16	769,551	0	0.00	14.94	53.51	0.85	0.95	0.45
17	769,551	0	0.00	7.88	14.59	0.60	0.95	0.87
12	769,551	0	0.00	7.69	18.79	0.42	0.25	0.48
19	769,551	0	0.00	8.82	18.79	0.33	0.72	0.32
50	769,551	0	0.00	80.11	55.92	0.80	0.77	0.52
51	769,551	0	0.00	15.42	18.14	0.80	0.25	0.49
55	769,550	-1	0.00	18.22	54.68	0.44	0.74	0.45
53	769,551	0	0.00	13.17	50.81	0.80	0.79	0.59
54	769,551	0	0.00	45.17	32.46	0.42	0.90	0.42
58	769,551	0	0.00	17.85	45.56	0.45	0.21	0.32
56	769,551	0	0.00	7.11	78.41	0.40	0.67	0.38
57	769,551	0	0.00	7.07	74.12	0.71	0.98	0.73
52	769,551	0	0.00	10.35	73.38	0.55	0.88	0.54

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	TOTAL REGISTERED VOTERS %																										
		Black						Hispanic					DEM					REP					NPA				
DISTRICT	Proposed BVAP %	2020	2018	2016	2014	2012	Proposed HVAP %	2020	2018	2016	2014	2012	2020	2018	2016	2014	2012	2020	2018	2016	2014	2012	2020	2018	2016	2014	2012
5	43.42	43.53	45.27	45.74	43.53	45.79	9.54	4.20	4.39	3.94	3.52	5.23	83.76	84.48	88.42	86.23	87.28	56.62	56.50	56.42	58.47	58.95	19.86	19.38	12.04	17.70	16.55
20	80.11	46.25	46.39	46.16	48.22	44.90	55.92	18.57	14.57	13.36	11.26	13.51	61.33	61.94	65.68	63.54	63.28	13.79	13.61	13.72	13.98	14.61	54.22	54.46	53.86	55.20	51.83
24	45.17	44.01	48.86	46.32	47.25	42.51	32.46	57.52	58.97	58.13	53.30	45.92	60.04	65.10	63.32	64.88	68.85	15.89	11.88	11.89	11.67	15.07	57.37	56.38	58.03	53.72	55.41
26	7.11	8.65	8.76	6.01	6.82	6.94	78.41	65.79	65.83	65.97	63.01	63.85	30.43	35.11	35.95	33.04	33.91	37.47	38.82	38.96	36.72	37.95	35.10	35.31	31.15	30.19	52.16
27	7.07	6.14	6.59	6.80	6.99	7.52	74.12	65.79	61.97	61.66	60.38	70.21	34.87	38.15	38.50	34.61	38.43	33.39	33.06	33.97	38.85	36.87	35.04	31.25	30.23	59.27	52.00
28	10.35	2.62	2.92	9.00	9.88	9.72	73.38	63.95	65.32	61.12	89.82	68.23	33.95	38.56	38.80	38.30	36.08	35.82	30.92	31.47	35.56	33.49	33.81	33.76	33.04	35.44	30.46

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	TOTAL TURNOUT %																										
		Black						Hispanic					DEM					REP					NPA				
DISTRICT	Proposed BVAP %	2020	2018	2016	2014	2012	Proposed HVAP %	2020	2018	2016	2014	2012	2020	2018	2016	2014	2012	2020	2018	2016	2014	2012	2020	2018	2016	2014	2012
5	43.42	41.80	43.31	41.64	40.95	44.02	9.54	4.31	3.31	3.81	1.90	5.83	84.26	87.85	86.86	82.59	89.63	30.51	59.83	59.45	30.53	57.49	14.93	15.98	14.05	11.47	15.27
20	80.11	46.41	42.77	46.80	49.56	42.81	55.92	18.11	15.06	13.19	2.00	9.98	63.25	66.22	68.84	62.71	67.42	14.68	14.37	14.35	18.05	14.38	51.84	12.74	50.14	16.56	12.16
24	45.17	45.22	47.21	48.22	83.66	80.60	32.46	57.71	53.44	58.36	12.30	51.13	61.44	66.86	68.41	71.05	62.44	13.87	11.99	11.95	11.95	11.26	58.00	51.44	55.67	17.03	19.69
26	7.11	8.17	6.18	8.67	7.14	7.53	78.41	61.31	87.87	61.12	84.70	89.95	59.88	31.30	35.72	30.88	33.80	41.37	45.95	39.09	47.87	41.79	59.02	58.72	52.15	51.27	54.70
27	7.07	8.43	6.35	8.97	7.45	7.59	74.12	63.61	60.57	61.72	86.65	82.71	34.87	36.48	38.24	38.22	38.28	38.93	37.58	38.99	45.12	39.17	59.80	56.30	52.17	51.94	54.99
28	10.35	7.75	9.52	2.36	10.10	10.50	73.38	64.45	89.75	61.13	83.50	86.25	33.84	36.45	36.10	38.79	36.60	36.06	36.47	34.58	40.55	36.76	30.40	57.11	59.68	53.92	56.68

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ELECTION RESULTS																												
DISTRICT	2020 President		2018 Governor		2018 AG		2018 CFO		2018 Ag Comm		2018 US Senate		2016 President		2016 US Senate		2014 Governor		2014 AG		2014 CFO		2014 Ag Comm		2012 President		2012 US Senate	
	R_Trump	D_Biden	R_DeSantis	D_Gillum	R_Moody	D_Shaw	R_Patronis	D_Ring	R_Caldwell	D_Fried	R_Scott	D_Nelson	R_Trump	D_Clinton	R_Rubio	D_Murphy	R_Scott	D_Crist	R_Bondi	D_Sheldon	R_Atwater	D_Rankin	R_Putnam	D_Hamilton	R_Romney	D_Obama	R_Mack	D_Nelson
5	39.19	89.66	37.39	61.75	40.03	82.44	40.32	89.61	39.46	60.84	32.89	61.41	39.59	87.26	44.82	85.11	40.29	88.44	48.57	85.50	47.34	85.66	48.58	84.74	39.01	60.17	33.30	64.54
20	53.85	78.29	19.48	79.93	50.56	72.44	50.50	79.79	19.29	20.09	50.00	20.00	50.39	77.23	55.45	78.64	17.97	79.95	55.45	76.13	54.80	78.42	55.99	77.05	19.06	20.85	16.25	21.97
24	58.52	74.12	17.23	21.48	12.39	20.08	12.46	21.83	12.00	25.00	12.64	21.36	17.52	21.08	51.99	78.93	16.54	25.12	12.77	79.20	50.93	79.06	50.51	79.72	16.23	25.25	18.49	23.46
26	89.13	40.33	83.79	44.28	84.93	43.09	88.83	44.48	84.38	48.64	84.79	48.50	46.49	81.51	86.70	41.07	86.03	41.54	60.25	36.28	61.78	32.54	65.11	37.22	49.92	49.83	46.85	81.33
27	80.01	49.48	48.78	83.12	46.10	81.99	47.41	85.89	48.32	84.63	48.85	84.47	40.08	87.45	80.17	47.72	47.88	80.00	81.96	46.03	86.85	43.49	88.69	44.30	47.57	85.55	44.18	84.47
28	85.99	46.45	46.31	85.49	46.94	80.26	42.07	81.95	46.86	83.44	46.88	83.46	40.21	86.46	49.95	47.69	48.29	81.50	81.78	48.25	84.11	48.27	83.98	46.04	44.61	84.23	45.03	86.33

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2020 General Election

District	2020 Census		Total Registered Voters (RV)					DEM RV		REP RV		NPA RV		Black RV			Hispanic RV			Total Voter Turnout (VT)					DEM VT		REP VT		NPA VT		Black VT		Hispanic VT		
	BVAP	HVAP	DEM	REP	NPA	Black	Hisp.	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	NPA	DEM	REP	NPA	DEM	REP	NPA	Black	Hisp.	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	NPA	DEM	REP	NPA
5	43.42	9.54	83.76	56.62	19.86	43.53	4.20	67.83	3.93	4.80	3.78	59.51	2.60	23.99	5.72	13.51	43.94	50.23	38.03	84.26	30.51	14.93	41.80	4.31	66.66	3.64	3.30	3.41	56.58	2.47	22.15	5.41	9.44	46.35	53.98	59.38
20	80.11	55.92	61.33	13.79	54.22	46.25	18.57	65.50	11.47	2.87	19.58	30.02	55.41	21.47	5.83	18.92	46.07	17.32	36.81	63.25	14.68	51.84	46.41	18.11	61.73	11.12	6.62	19.89	57.92	53.68	24.22	5.11	15.92	47.51	12.99	33.70
24	45.17	32.46	60.04	15.89	57.37	44.01	57.52	60.86	19.19	2.85	44.72	54.03	36.92	25.65	5.44	14.94	45.53	50.67	37.09	61.44	13.87	58.00	45.22	57.71	89.69	19.02	6.42	46.50	51.57	32.27	28.84	5.08	15.40	45.31	55.65	38.07
26	7.11	78.41	30.43	37.47	35.10	8.65	65.79	14.32	60.58	0.66	60.34	3.09	62.00	77.23	4.40	17.65	59.50	36.05	34.77	59.88	41.37	59.02	8.17	61.31	14.14	82.42	0.81	82.29	5.67	67.60	20.72	4.09	14.92	52.19	39.74	35.06
27	7.07	74.12	34.87	33.39	35.04	6.14	65.79	13.97	80.91	0.62	73.57	3.32	64.62	72.63	3.69	17.65	52.03	32.96	33.00	34.87	38.93	59.80	8.43	63.61	15.21	80.82	0.80	74.07	5.76	66.11	21.82	3.35	18.05	57.49	41.24	30.66
28	10.35	73.38	33.95	35.82	33.81	2.62	63.95	19.24	84.53	0.95	69.60	4.29	62.19	77.87	3.44	12.27	52.72	38.42	38.78	33.84	36.06	30.40	7.75	64.45	12.63	83.87	0.69	70.06	4.00	69.69	20.95	3.50	18.76	57.29	39.55	35.22

* *All numbers denoted are percentages*

H000C8015

2020 Primary Election

District	2020 Census		Total Voter Turnout (VT)				DEM VT		REP VT		Black VT		Hispanic VT	
	BVAP	HVAP	DEM	REP	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	DEM	REP
5	43.42	9.54	64.65	59.38	47.90	5.10	69.89	1.91	3.04	1.24	93.90	1.26	82.21	58.72
20	80.11	55.92	72.49	11.40	84.46	9.08	64.06	7.10	6.76	14.85	95.33	1.45	61.61	12.30
24	45.17	32.46	74.37	11.09	80.98	55.17	65.70	14.26	6.39	80.92	91.85	1.39	49.26	58.81
26	7.11	78.41	31.52	80.07	6.09	87.27	17.30	80.96	0.34	87.78	22.29	5.23	57.88	49.97
27	7.07	74.12	40.97	39.68	6.73	60.67	14.65	43.01	0.41	76.17	29.05	5.41	59.08	49.79
28	10.35	73.38	39.57	41.21	9.42	89.96	51.53	44.27	0.83	62.91	27.98	5.34	59.39	42.08

* *All numbers denoted are percentages*

H000C8015

2018 General Election

District	2020 Census		Total Registered Voters (RV)					DEM RV		REP RV		NPA RV		Black RV			Hispanic RV			Total Voter Turnout (VT)					DEM VT		REP VT		NPA VT		Black VT		Hispanic VT		
	BVAP	HVAP	DEM	REP	NPA	Black	Hisp.	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	NPA	DEM	REP	NPA	DEM	REP	NPA	Black	Hisp.	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	NPA	DEM	REP	NPA
5	43.42	9.54	84.48	56.50	19.38	45.27	4.39	66.70	3.37	4.43	3.78	57.79	2.02	24.75	5.71	15.84	43.97	50.13	38.65	87.85	59.83	15.98	43.31	3.31	67.38	5.20	3.59	5.62	57.70	6.22	29.48	5.54	2.52	42.73	53.97	56.98
20	80.11	55.92	61.94	13.61	54.46	46.39	14.57	61.83	16.60	2.61	19.58	52.99	51.52	25.18	5.83	18.59	47.61	18.23	36.47	66.22	14.37	12.74	42.77	15.06	63.09	9.12	6.71	18.53	59.27	19.62	26.81	1.92	11.42	80.95	12.16	30.89
24	45.17	32.46	65.10	11.88	56.38	48.86	58.97	61.52	45.77	9.10	44.72	54.49	38.95	23.85	5.31	14.17	44.84	19.05	36.44	66.86	11.99	51.44	47.21	53.44	65.73	16.55	7.09	45.64	54.52	38.06	27.35	1.72	10.29	46.02	51.25	35.02
26	7.11	78.41	35.11	38.82	35.31	8.76	65.83	14.51	89.49	0.66	60.34	5.98	67.49	79.58	4.07	16.84	31.56	33.26	34.27	31.30	45.95	58.72	6.18	87.87	16.44	84.40	0.81	88.26	3.08	64.51	23.68	3.86	15.79	59.87	41.64	52.78
27	7.07	74.12	38.15	33.06	31.25	6.59	61.97	14.53	71.29	0.70	73.57	3.34	63.94	79.41	3.67	16.91	52.21	32.36	35.23	36.48	37.58	56.30	6.35	60.57	14.81	46.34	0.49	71.98	3.51	65.99	23.70	5.27	13.37	52.03	44.47	57.49
28	10.35	73.38	38.56	30.92	33.76	2.92	65.32	19.22	67.81	0.92	69.60	4.93	66.89	72.03	3.37	12.81	30.43	33.83	36.04	36.45	36.47	57.11	9.52	89.75	51.03	42.22	0.75	66.38	4.92	68.31	25.84	5.23	14.88	59.21	40.85	59.68

* *All numbers denoted are percentages*

H000C8015

2018 Primary Election													
District	2020 Census		Total Voter Turnout (VT)				DEM VT		REP VT		Black VT		Hispanic VT	
	BVAP	HVAP	DEM	REP	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	DEM	REP
5	43.42	9.54	65.90	31.85	46.65	1.76	69.49	1.83	5.94	1.62	93.74	1.99	84.89	30.11
20	80.11	55.92	76.68	14.24	83.08	7.09	64.54	8.84	8.60	11.02	95.21	1.87	89.26	53.50
24	45.17	32.46	77.65	11.43	84.96	17.88	68.63	11.75	6.73	43.32	95.62	1.40	81.21	52.58
26	7.11	78.41	35.13	83.77	7.05	81.83	19.27	44.12	0.41	85.70	90.22	3.15	57.84	84.99
27	7.07	74.12	43.57	43.47	2.03	86.89	16.92	37.10	0.39	73.64	91.81	5.10	52.37	86.87
28	10.35	73.38	41.39	44.26	10.76	81.96	53.82	36.94	0.87	63.73	90.69	5.37	59.45	88.05

** All numbers denoted are percentages*

H000C8015

2016 General Election

District	2020 Census		Total Registered Voters (RV)					DEM RV		REP RV		NPA RV		Black RV			Hispanic RV			Total Voter Turnout (VT)					DEM VT		REP VT		NPA VT		Black VT		Hispanic VT		
	BVAP	HVAP	DEM	REP	NPA	Black	Hisp.	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	NPA	DEM	REP	NPA	DEM	REP	NPA	Black	Hisp.	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	NPA	DEM	REP	NPA
5	43.42	9.54	88.42	56.42	12.04	45.74	3.94	66.13	3.15	4.80	3.55	56.90	7.46	28.23	5.79	11.38	43.90	51.66	34.13	86.86	59.45	14.05	41.64	3.81	68.25	5.22	3.41	5.22	54.35	7.58	29.39	5.41	2.19	46.46	54.14	52.92
20	80.11	55.92	65.68	13.72	53.86	46.16	13.36	61.13	10.40	2.75	18.86	52.12	19.22	25.97	5.60	14.32	42.72	16.08	38.07	68.84	14.35	50.14	46.80	13.19	61.35	10.58	6.72	18.33	56.39	51.10	26.44	5.09	11.43	80.94	16.64	35.51
24	45.17	32.46	63.32	11.89	58.03	46.32	58.13	61.26	17.95	9.56	45.95	54.37	38.13	24.83	5.31	13.18	48.50	19.79	38.00	68.41	11.95	55.67	48.22	58.36	61.59	17.95	7.14	43.70	51.73	37.13	27.39	1.28	10.74	46.51	50.84	33.19
26	7.11	78.41	35.95	38.96	31.15	6.01	65.97	14.72	60.48	0.66	61.03	5.29	67.26	20.96	3.98	14.97	31.61	34.28	33.83	35.72	39.09	52.15	8.67	61.12	14.83	89.18	0.80	82.87	5.85	67.19	23.97	3.46	15.42	31.70	37.45	30.29
27	7.07	74.12	38.50	33.97	30.23	6.80	61.66	14.21	80.02	0.71	71.75	3.32	63.77	20.51	3.69	16.01	52.89	39.81	31.29	38.24	38.99	52.17	8.97	61.72	13.27	49.32	0.81	71.92	5.22	64.81	23.57	3.09	13.60	52.64	41.93	59.45
28	10.35	73.38	38.80	31.47	33.04	9.00	61.12	19.97	85.44	1.01	66.69	4.20	68.35	72.76	3.85	17.63	30.43	34.30	38.57	36.10	34.58	59.68	2.36	61.13	19.02	81.23	0.77	66.59	4.07	66.47	25.39	3.16	14.43	30.61	37.14	35.58

* *All numbers denoted are percentages*

H000C8015

2016 Primary Election													
District	2020 Census		Total Voter Turnout (VT)				DEM VT		REP VT		Black VT		Hispanic VT	
	BVAP	HVAP	DEM	REP	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	DEM	REP
5	43.42	9.54	60.20	33.89	45.94	1.31	66.85	0.99	3.15	1.87	94.19	5.44	48.64	40.03
20	80.11	55.92	72.78	13.93	84.68	8.72	68.58	4.34	6.55	10.08	94.03	1.89	89.55	54.53
24	45.17	32.46	76.09	15.97	84.07	19.42	66.37	11.46	6.13	81.12	93.40	1.47	44.78	34.02
26	7.11	78.41	52.86	86.33	6.30	88.89	50.19	48.31	0.37	87.45	91.81	3.38	53.52	82.19
27	7.07	74.12	36.74	47.58	6.96	61.85	17.45	32.64	0.36	76.75	91.92	5.45	53.02	82.95
28	10.35	73.38	36.72	46.40	2.47	86.59	50.24	32.62	0.49	66.74	90.42	5.71	58.52	88.01

** All numbers denoted are percentages*

H000C8015

2014 General Election

District	2020 Census		Total Registered Voters (RV)					DEM RV		REP RV		NPA RV		Black RV			Hispanic RV			Total Voter Turnout (VT)					DEM VT		REP VT		NPA VT		Black VT		Hispanic VT		
	BVAP	HVAP	DEM	REP	NPA	Black	Hisp.	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	NPA	DEM	REP	NPA	DEM	REP	NPA	Black	Hisp.	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	NPA	DEM	REP	NPA
5	43.42	9.54	86.23	58.47	17.70	43.53	3.52	68.75	3.15	4.40	5.22	56.24	6.60	26.41	5.89	10.99	41.78	55.38	38.63	82.59	30.53	11.47	40.95	1.90	64.13	1.30	5.70	1.98	53.47	4.84	91.38	1.99	6.82	40.08	31.05	57.47
20	80.11	55.92	63.54	13.98	55.20	48.22	11.26	60.64	10.40	2.24	14.11	57.83	12.55	23.89	5.69	13.62	42.55	16.60	38.05	62.71	18.05	16.56	49.56	2.00	63.46	8.79	6.94	11.32	52.00	13.99	22.81	5.15	9.58	49.71	51.32	52.48
24	45.17	32.46	64.88	11.67	53.72	47.25	53.30	63.04	17.95	9.26	43.45	58.13	33.33	28.09	5.40	15.80	44.51	51.74	34.03	71.05	11.95	17.03	83.66	12.30	67.76	11.51	7.25	43.30	56.96	30.53	29.67	1.74	2.86	43.80	52.55	52.18
26	7.11	78.41	33.04	36.72	30.19	6.82	63.01	16.31	60.48	0.75	63.51	3.08	62.00	21.90	4.05	13.92	30.83	36.29	35.87	30.88	47.87	51.27	7.14	84.70	50.45	46.01	0.85	87.49	5.96	60.76	27.40	3.44	9.02	58.69	49.99	54.30
27	7.07	74.12	34.61	38.85	59.27	6.99	60.38	16.31	80.02	0.76	71.34	3.82	65.22	20.21	3.27	18.52	56.29	41.99	31.15	38.22	45.12	51.94	7.45	86.65	17.28	37.48	0.84	71.01	3.81	60.59	26.32	3.04	10.32	53.73	85.90	53.36
28	10.35	73.38	38.30	35.56	35.44	9.88	89.82	51.43	85.44	1.09	66.84	8.01	63.81	79.50	3.70	17.05	59.40	36.03	34.82	38.79	40.55	53.92	10.10	83.50	53.99	32.24	0.70	63.13	8.04	87.98	28.03	5.20	11.97	56.13	47.73	56.15

* *All numbers denoted are percentages*

H000C8015

2014 Primary Election													
District	2020 Census		Total Voter Turnout (VT)				DEM VT		REP VT		Black VT		Hispanic VT	
	BVAP	HVAP	DEM	REP	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	DEM	REP
5	43.42	9.54	61.14	33.95	40.83	1.05	63.09	0.69	5.17	1.53	98.16	1.25	40.92	40.74
20	80.11	55.92	20.14	15.26	88.93	3.78	68.77	5.66	7.53	7.60	94.53	1.66	86.98	56.02
24	45.17	32.46	72.64	11.53	61.53	14.38	75.62	7.39	7.88	49.34	93.34	1.39	40.80	32.63
26	7.11	78.41	52.49	86.99	7.55	87.53	53.37	39.70	0.40	65.99	95.19	3.18	19.76	65.75
27	7.07	74.12	36.14	49.14	7.49	82.57	12.95	31.34	0.45	78.98	91.33	5.74	19.44	64.04
28	10.35	73.38	34.44	49.79	2.72	80.09	55.70	52.97	0.46	65.96	29.00	5.63	19.95	65.82

* *All numbers denoted are percentages*

H000C8015

2012 General Election

District	2020 Census		Total Registered Voters (RV)					DEM RV		REP RV		NPA RV		Black RV			Hispanic RV			Total Voter Turnout (VT)					DEM VT		REP VT		NPA VT		Black VT		Hispanic VT		
	BVAP	HVAP	DEM	REP	NPA	Black	Hisp.	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	NPA	DEM	REP	NPA	DEM	REP	NPA	Black	Hisp.	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	NPA	DEM	REP	NPA
5	43.42	9.54	87.28	58.95	16.55	45.79	3.06	64.68	5.52	4.42	5.23	56.05	6.14	27.40	5.75	9.26	43.12	53.92	35.83	89.63	57.49	15.27	44.02	5.83	66.36	1.22	3.85	5.48	57.46	8.87	29.76	5.50	2.05	44.57	56.64	52.32
20	80.11	55.92	63.28	14.61	51.83	44.90	11.06	89.55	2.84	9.04	13.51	56.69	16.97	24.53	5.94	15.20	49.31	17.48	33.08	67.42	14.38	12.16	42.81	9.98	65.43	7.80	7.71	15.26	52.95	16.60	26.28	5.52	10.23	80.25	12.88	30.59
24	45.17	32.46	68.85	15.07	55.41	42.51	55.40	65.94	18.35	10.36	45.92	58.85	35.03	28.84	5.89	11.26	44.21	53.18	35.03	62.44	11.26	19.69	80.60	51.13	64.90	14.07	2.75	43.77	56.06	35.00	27.79	5.04	10.14	48.87	54.87	59.23
26	7.11	78.41	33.91	37.95	52.16	6.94	65.55	16.92	86.38	0.74	63.85	3.12	67.85	23.08	4.03	15.90	30.71	32.71	30.86	33.80	41.79	54.70	7.53	89.95	12.83	83.42	0.88	61.52	3.12	66.33	28.23	3.50	10.26	59.29	45.74	57.38
27	7.07	74.12	38.43	36.87	52.00	7.52	89.58	16.72	48.32	0.21	70.21	3.70	61.75	21.63	4.09	14.51	57.14	43.70	59.17	38.28	39.17	54.99	7.59	82.71	17.14	43.15	0.61	71.08	3.63	61.71	24.57	3.56	15.44	56.33	47.40	56.56
28	10.35	73.38	36.08	33.49	30.46	9.72	82.37	51.75	42.03	1.17	68.23	8.10	65.40	20.07	3.99	18.29	59.67	37.77	35.86	36.60	36.76	56.68	10.50	86.25	53.14	44.76	0.95	68.03	8.55	65.03	23.00	3.30	13.64	52.23	45.06	59.09

* *All numbers denoted are percentages*

H000C8015

2012 Primary Election														
District	2020 Census		Total Voter Turnout (VT)				DEM VT		REP VT		Black VT		Hispanic VT	
	BVAP	HVAP	DEM	REP	Black	Hisp.	Black	Hisp.	Black	Hisp.	DEM	REP	DEM	REP
5	43.42	9.54	63.77	31.48	41.79	0.26	65.58	0.83	5.33	1.58	98.00	1.78	39.32	48.38
20	80.11	55.92	78.53	16.92	85.73	3.77	68.50	5.61	6.02	6.23	93.05	1.96	85.15	30.72
24	45.17	32.46	76.47	15.91	89.93	18.91	75.75	7.95	7.87	80.57	95.79	1.63	32.04	40.72
26	7.11	78.41	57.03	82.76	7.01	87.37	53.68	41.08	0.46	61.42	91.16	3.28	19.34	65.97
27	7.07	74.12	33.45	81.14	7.27	60.40	51.48	33.86	0.40	78.29	91.14	5.87	12.87	64.58
28	10.35	73.38	38.03	42.75	9.87	83.03	54.43	31.63	0.66	64.75	29.40	3.34	50.90	89.48

* *All numbers denoted are percentages*

H000C8015

County Share of Population

County	District	Total Population
Alachua	3	278,468
Baker	5	28,259
Bay	2	175,216
Bradford	3	28,303
Brevard	8	606,612
Broward	20	535,322
Broward	23	561,713
Broward	24	78,119
Broward	25	769,221
Calhoun	2	13,648
Charlotte	18	186,847
Citrus	11	95,336
Citrus	12	58,507
Clay	3	218,245
Collier	19	201,247
Collier	26	174,505
Columbia	2	65,874
Columbia	5	3,824
DeSoto	18	33,976
Dixie	2	16,759
Duval	4	465,814
Duval	5	529,753
Escambia	1	321,905
Flagler	6	115,378
Franklin	2	12,451
Gadsden	5	43,826
Gilchrist	2	17,864
Glades	18	12,126
Gulf	2	14,192
Hamilton	5	14,004
Hardee	18	25,327
Hendry	26	39,619
Hernando	12	194,515
Highlands	18	101,235
Hillsborough	14	769,221
Hillsborough	15	533,643
Hillsborough	16	44,175
Hillsborough	17	112,723
Holmes	2	19,653
Indian River	8	159,788
Jackson	2	47,319
Jefferson	2	4,410
Jefferson	5	10,100
Lafayette	2	8,226
Lake	6	151,619
Lake	11	232,337
Lee	18	192,848
Lee	19	567,974
Leon	2	170,711
Leon	5	121,487
Levy	2	42,915
Liberty	2	7,974
Madison	5	17,968
Manatee	17	399,710
Marion	3	154,737
Marion	6	103,785
Marion	11	117,386
Martin	21	158,431
Miami-Dade	24	691,102
Miami-Dade	26	555,097
Miami-Dade	27	769,221
Miami-Dade	28	686,347
Monroe	28	82,874
Nassau	4	90,352
Okaloosa	1	211,668
Okeechobee	18	39,644
Orange	7	85,712
Orange	9	380,565
Orange	10	769,221
Orange	11	194,410
Osceola	9	388,656
Palm Beach	20	233,899
Palm Beach	21	281,564
Palm Beach	22	769,220
Palm Beach	23	207,508
Pasco	12	326,313
Pasco	15	235,578
Pinellas	12	189,886
Pinellas	13	769,221
Polk	16	725,046
Putnam	3	73,321
Santa Rosa	1	188,000
Sarasota	17	256,788
Sarasota	18	177,218
Seminole	7	470,856
St. Johns	4	213,055
St. Johns	6	60,370
St. Lucie	21	329,226
Sumter	11	129,752
Suwannee	2	43,474
Taylor	2	21,796
Union	3	16,147
Volusia	6	338,069
Volusia	7	212,653
Volusia	8	2,821
Wakulla	2	33,764
Walton	1	47,648
Walton	2	27,657
Washington	2	25,318

H000C8015

City Split List

City	District	Total Population
Cape Coral	18	8,422
Cape Coral	19	185,594
Deerfield Beach	20	27,968
Deerfield Beach	23	58,891
Fort Lauderdale	20	55,428
Fort Lauderdale	23	105,601
Fort Lauderdale	25	21,731
Jacksonville	4	421,254
Jacksonville	5	528,357
Margate	20	11,080
Margate	23	47,632
Miami	24	86,644
Miami	26	66,430
Miami	27	289,167
Miramar	24	56,729
Miramar	25	77,992
Oakland Park	20	15,037
Oakland Park	23	29,192
Orange City	6	12,632
Orange City	7	0
Orlando	9	79,798
Orlando	10	221,540
Orlando	11	6,235
Plant City	14	16,655
Plant City	16	23,109
Plantation	20	44,325
Plantation	25	47,425
Pompano Beach	20	49,811
Pompano Beach	23	62,235
Port Orange	6	47,803
Port Orange	7	14,793
Riviera Beach	20	29,204
Riviera Beach	21	8,400
Tallahassee	2	106,203
Tallahassee	5	89,966
Tampa	14	286,631
Tampa	15	98,328
West Palm Beach	20	59,919
West Palm Beach	21	21,937
West Palm Beach	22	35,559

H000C8015

Boundary Analysis

District	City Boundaries(%)	County Boundaries(%)	Road Boundaries(%)	Water Boundaries(%)	Rail Boundaries(%)	Non Geo/Pol Boundaries(%)
Statewide Avg.	**17.96**	**58.71**	**14.79**	**39.07**	**1.04**	**11.79**
1	8	78	10	53	0	3
2	6	78	15	46	0	2
3	18	78	5	25	0	15
4	23	76	17	55	2	2
5	12	73	23	13	0	2
6	17	45	14	38	3	22
7	26	47	19	31	0	15
8	3	92	1	54	0	2
9	2	86	10	36	0	4
10	20	55	23	20	0	18
11	12	50	15	13	1	31
12	10	72	6	52	0	13
13	44	70	0	88	0	1
14	23	19	28	32	1	36
15	7	51	39	6	7	7
16	2	84	2	26	3	12
17	22	57	5	51	0	14
18	13	74	6	29	0	4
19	13	62	14	61	0	8
20	28	37	15	13	3	22
21	9	68	7	48	0	16
22	36	24	18	36	0	24
23	29	28	16	38	9	20
24	36	36	32	46	0	10
25	64	29	12	20	0	15
26	9	69	20	19	0	4
27	10	18	34	59	0	7
28	1	88	8	86	0	1

Exhibit 26

Redistricting

flsenate.gov/Session/Redistricting

After each decennial Census the Legislature redraws the districts from which Florida voters elect their state representatives, state senators, and members of the U.S. House of Representatives.

Redistricting is the redrawing of congressional and state legislative districts to adjust for uneven growth rates in different parts of the state. Districts determine which voters participate in which elections.

Reapportionment is the redistribution of seats in the United States House of Representatives among the 50 states, based on the decennial census. Each state gets at least one seat. Effective with elections in 2022 Florida gets 28 representatives in the U.S. House of Representatives, an increase of one from last decade. Two U.S. Senators represent the entire state.

The Reapportionment Process (PDF) flowchart shows the process for approving new state house and senate districts (See Article III, Section 16 of the Florida Constitution). It also indicates the paths followed dating back to 1972. The process is different for congressional districts, which are set by act of the Legislature and approved by the Governor (there is no mandatory review by the Florida Supreme Court).

Redistricting 2022

The Florida Constitution directs the Legislature to redraw district boundaries at its Regular Session in the second year following each decennial census, which began on January 11, 2022. Before and during the 2022 Regular Session, the House and Senate held interim committee meetings, where the respective committees met and conducted the redistricting and reapportionment process.

Though the COVID-19 pandemic delayed the U.S. Census Bureau's delivery of population and demographic data, Florida completed the redistricting process within its required timeframe, inclusive of committee stops, public input opportunities, and time for discussion and debate in each of the legislative chambers.

Please visit www.FloridaRedistricting.gov for more information regarding the redistricting process.

The Numbers

Between 2010 and 2020, the resident population in Florida increased from 18,801,310 to 21,538,187. The average number of people in each congressional district increased from 696,345 to 769,221. The average number of people in each of 120 state house districts increased from

156,678 to 179,485. The average number of people in each of 40 state senate districts increased from 470,033 to 538,455.

Redistricting Law

The Voting Rights Act requires the creation of a district that performs for racial and language minorities where (1) a minority population is geographically compact and sufficiently numerous to be a majority in a single district; (2) the minority population is politically cohesive; (3) the majority votes sufficiently as a bloc to enable it usually to defeat the minority-preferred candidate; and (4) under all of the circumstances, the minority population has less opportunity than others to participate in the political process and elect representatives of its choice.

The Voting Rights Act also prohibits purposeful discrimination and protects against retrogression—or backsliding—in the ability of racial and language minorities to elect representatives of their choice. Prior to the 2013 U.S. Supreme Court case Shelby County v. Holder, which negated the coverage formula in the Act, these requirements applied only to certain counties in Florida: Collier, Hardee, Hendry, Hillsborough, and Monroe. Districts containing parts of these covered jurisdictions had to be submitted to and precleared by a federal court or the United States Department of Justice before the redistricting plan could be enforced. The Shelby County decision means the preclearance process established by the Voting Rights Act is no longer in effect, but it does not affect the validity of the diminishment standard in the Florida Constitution.

Article III, Section 16 of the State Constitution requires the Legislature to divide the state into 30 to 40 contiguous senatorial districts and 80 to 120 contiguous house districts. A district is contiguous if all of its territory is in actual contact, uninterrupted by the territory of another district. Contact at a corner or right angle is insufficient, but territory may cross bodies of water. The Constitution allows state legislative districts to overlap, either partially or entirely.

In November 2010, the voters added amendments to the State Constitution in Article III, Sections 20 and 21. These Amendments prohibit line-drawing that intentionally favors or disfavors a political party or an incumbent. The Amendments also afford protection to racial and language minorities. Districts may not be drawn (1) with the intent or result of denying or abridging the equal opportunity of racial or language minorities to participate in the political process; or (2) to diminish their ability to elect representatives of their choice. Finally, unless it would conflict with the standards described above, the Amendments require that district populations be as nearly equal as practicable, and that districts be compact and, where feasible, follow existing political and geographical boundaries.

Redistricting Timeline

- April 26, 2021: Census Bureau releases statewide population totals for apportioning the seats in the U.S. House of Representatives

- August 12, 2021: Census Bureau publishes tabular population, demographic, and housing data for all 50 states
- September 16, 2021: Census Bureau formally delivers formatted PL 94-171 Redistricting Data to the states
- September 2021 - December 2021: Interim committee meetings
- January 11, 2022: 2022 Regular Session convenes
- January 13, 2022: Senate Committee on Reapportionment favorably recommends CS/SJR 100 relating to state senate districts and CS/SB 102 relating to congressional districts
- January 20, 2022: Senate passes CS/SJR 100 containing Senate Plan S027S8058 and CS/SB 102 containing Congressional Plan S035C8060
- February 1, 2022: Governor DeSantis requests an advisory opinion from the Florida Supreme Court regarding congressional redistricting
- February 2, 2022: House passes CS/SJR 100 as amended to include House Plan H000H8013
- February 3, 2022: Senate passes CS/SJR 100 containing House Plan H000H8013 and Senate Plan S027S8058
- February 9, 2022: Attorney General petitions the Florida Supreme Court for a declaratory judgment to determine the validity of CS/SJR 100, pursuant to Article III, Section 16(c) of the Florida Constitution
- February 10, 2022: Florida Supreme Court denies the Governor’s request for an advisory opinion regarding congressional redistricting
- March 3, 2022:
    - Florida Supreme Court rules the state house and state senate maps are valid pursuant to their constitutional review
    - House amends CS/SB 102, replacing Senate Congressional Plan S035C8060 with Plans H000C8019 and H000C8015
    - Plan H000C8019, the “primary” plan, serves as the map for elections beginning in 2022 and thereafter unless Congressional District 5 is invalidated by a court, in which case, Plan H000C8015, the “secondary” plan, would take immediate effect
- March 4, 2022: House and Senate pass CS/SB 102 containing Plans H000C8019 and H000C8015
- March 11, 2022: 60th Day of 2022 Regular Session
- March 29, 2022: Governor vetoes CS/SB 102
- April 19 - 22, 2022: Special Session C
- April 20, 2022: Senate passes SB 2-C containing Congressional Plan P000C0109
- April 21, 2022: House passes SB 2-C containing Congressional Plan P000C0109
- April 22, 2022: Governor signs SB 2-C containing Congressional Plan P000C0109
- June 13 - 17, 2022: Qualifying for state and federal offices
- July 9, 2022: Primary Election overseas ballot mailing
- August 23, 2022: Primary Election
- September 24, 2022: General Election overseas ballot mailing
- November 8, 2022: General Election

Exhibit 27

Florida Redistricting

floridaredistricting.gov



Welcome to Florida Redistricting 2022

This joint website was created by the Florida House of Representatives and the Florida Senate to provide access to information about the 2022 redistricting cycle. The site also provides free, public access to the same redistricting data and map-drawing application used by the Legislature, as

well as information about opportunities for public engagement.

The Florida Constitution directs the Legislature to redraw district boundaries at its Regular Session in the second year following each decennial census. Before and during the 2022 Regular Session, which began on January 11, 2022, the Legislature held interim committee meetings, at which time the committees met to workshop draft plans and to receive feedback from members and the public regarding the redistricting process.

Though the COVID-19 pandemic delayed the U.S. Census Bureau's delivery of population and demographic data, the Florida Legislature completed its redistricting process within its required timeframe, inclusive of committee stops, public input opportunities, and time for discussion and debate in each of the legislative chambers.

On February 3, 2022, the Florida Legislature passed CS/SJR 100, which contains state house (H000H8013) and state senate (S027S8058) districts for the qualification, nomination, and election of members of the Florida Legislature in the primary and general elections held in 2022 and thereafter.

On March 3, 2022, the Florida Supreme Court deemed the state house and state senate maps valid pursuant to their constitutional review.

On March 4, 2022, the Florida Legislature passed CS/SB 102, which contains the congressional districts (H000C8019) to serve for the qualification, nomination, and election of members to the U.S. House of Representatives in the primary and general elections held in 2022 and thereafter. The bill contains a secondary map (H000C8015) to become effective should Congressional District 5 of the primary map be invalidated.

On March 29, 2022, the Governor vetoed CS/SB 102 and issued a proclamation calling the Florida Legislature into Special Session, from April 19-22, 2022, to consider legislation relating to the establishment of congressional districts.

On April 21, 2022, during Special Session C, the Florida Legislature passed SB 2C, which contains the congressional districts (P000C0109) to serve for the qualification, nomination, and election of members to the U.S. House of Representatives in the primary and general elections held in 2022 and thereafter.

On April 22, 2022, the Governor signed SB 2C into law.

CONTACT

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Pursuant to Art. I, Sect. 24 of the Florida Constitution and Sect. 11.0431, Florida Statutes, your communications with the Florida Legislature, including comments and map submissions through this website, may constitute public records subject to disclosure.

Accessibility options are provided by both the House and the Senate.

Florida State Capitol

Exhibit 28

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 24-CV-21983-JB

CUBANOS PA'LANTE, et al.,	Miami, Florida
Plaintiffs,	January 14, 2026
vs.	9:29 a.m. - 6:38 p.m.
FLORIDA HOUSE OF REPRESENTATIVES, et al.,	Volume III of IV
Defendants.	Pages 1 to 306

BENCH TRIAL
BEFORE THE HONORABLE BRITT C. GRANT
THE HONORABLE RODOLFO RUIZ, II
THE HONORABLE JACQUELINE BECERRA
UNITED STATES CIRCUIT AND DISTRICT JUDGES

APPEARANCES:

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08:55AM

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08:48AM (Call to order of the Court at 9:29 a.m.)

09:29AM THE COURTROOM DEPUTY: Calling Case No. 24-CV-21983-Becerra, Cubanos Pa'lante, et al., vs. Florida House of Representatives, et al.

09:30AM Counsel, please state your appearances for the record starting with the plaintiff.

09:30AM MR. WARREN: Good morning again, Your Honors. Nicholas Warren. And joining me are my cocounsel Caroline Mcnamara, Brian Quinn, Helena Li, Andrew Frackman, and our paralegal Maya Albold, and in the first row of the gallery, Jorge Vasquez and Daniel Tilley.

09:30AM MR. BARDOS: Good morning. Andy Bardos, with GrayRobinson law firm, on behalf of the Florida House of Representatives. I'm joined on behalf of the House by Carmen Manrara Cartaya and Jennifer Hernandez with the Continental firm.

09:30AM MR. JAZIL: Good morning, Your Honors. Mohammad Jazil for the Secretary of State; and with me is Ashley Davis, general counsel for the Secretary of State, and our paralegal, Zack Bennington.

09:30AM JUDGE GRANT: All right. Is that everyone? All right. Please be seated. Before we get started, I know there were no filings last night. Is there anything else the Court needs to know? Any changes from what we discussed yesterday?

09:31AM MR. WARREN: The only thing I will note is an update on witness time estimate. With Representative Driskell, I would

estimate the total length of time that she will be on the stand in direct will be an hour and a half, but that will not be solely witness testimony. It will be playing a number of video clips, and we have trimmed those down. But many of them are not portions of the legislature record that this Court has previously seen in summary judgment briefing.

JUDGE GRANT: Okay. Remind me what your estimate for her was before.

MR. WARREN: Our updated estimate was 65 minutes.

JUDGE GRANT: So we've gone higher?

MR. WARREN: 35 minutes additionally.

JUDGE GRANT: I am not sure that's consistent with what we talked about yesterday, but we'll try to be efficient today, as discussed.

MR. WARREN: I will appreciate that. And I will also note that we did make up time yesterday from the estimates for all three witnesses. So we are working hard to cut it down to the essentials.

JUDGE GRANT: All right. We will do what we can.

Well, with that, unless there is anything from either of the defendants then.

MR. BARDOS: No, Your Honor.

JUDGE GRANT: Then let's get started. Please call your witness.

MR. WARREN: Plaintiffs call Fentrice Driskell. And,

again, we have copies of the slides that we will be showing during her examination.

JUDGE GRANT: Yes, we'd like those.

THE COURTROOM DEPUTY: This way, ma'am, and watch your step.

Please remain standing and raise your right hand.

(The witness is sworn.)

THE WITNESS: Yes.

THE COURTROOM DEPUTY: Thank you. Please have a seat, and then state your first and last name for the record.

THE WITNESS: Thank you. Fentrice Driskell.

FENTRICE DRISKELL, PLAINTIFFS' WITNESS, SWORN

DIRECT EXAMINATION

BY MR. WARREN:

Q. Good morning, Leader Driskell. Are you a member of the Florida House of Representatives?

A. Yes.

Q. Is the legislature currently in session?

A. Yes.

Q. Thank you for coming down from Tallahassee to be with us today. How long have you been a state representative?

A. For seven-and-a-half years.

Q. And what positions have you held during your time in the House?

A. I've served as policy chair of the Florida House Democratic

09:33AM 1 Caucus and desk leader of the Florida House Democratic Caucus.
09:33AM 2 Q. Are you currently leader of the Democratic Caucus?
09:33AM 3 A. Yes.
09:33AM 4 Q. Did you participate in the redistricting process in 2021 and
09:33AM 5 2022?
09:33AM 6 A. Yes.
09:33AM 7 Q. What roles did you have in that process other than member?
09:33AM 8 A. I served as a member of the Redistricting Committee, the full
09:34AM 9 Redistricting Committee. I also served as policy chair for the
09:34AM 10 Florida House Democratic Caucus at that time.
09:34AM 11 Q. Before we discus the redistricting process specifically, I'd
09:34AM 12 like to talk about the legislature process more generally.
09:34AM 13 Could you walk us through briefly the typical path a bill
09:34AM 14 takes to become a law in Florida?
09:34AM 15 A. Sure. A bill must be introduced in both chambers, the House
09:34AM 16 and the Senate. Then it is heard by committees. The Speaker
09:34AM 17 determines how many committee stops a bill will have in the House,
09:34AM 18 and the Senate President and his team determine that in the
09:34AM 19 Senate.
09:34AM 20 And then once a bill passes out of a chamber, it goes to the
09:34AM 21 full floor, where it is voted on by the entire body. That must
09:34AM 22 happen again in both chambers, and then it would go to the
09:34AM 23 Governor for his signature.
09:34AM 24 Q. You mentioned bills being heard in committees. How do
09:35AM 25 committees function in the Florida House?

09:35AM A. Generally committees function by coming together to consider pieces of legislation. You can think of it as the place where legislation gets vetted before it goes to the full body.
09:35AM Q. How does a member get to be on a committee?
09:35AM A. In the House, the Speaker appoints members to a committee.
09:35AM Q. Is that true of both majority and minority members?
09:35AM A. Yes.
09:35AM Q. What are the role of committee chairs?
09:35AM A. Committee chairs help to guide the committee. They have authority to basically run the committee as they see fit, and they allow for public testimony. They recognize members to give their feedback to ask questions and debate, and they're in charge of the committee.
09:35AM Q. Leader Driskell, how would you describe your style as a legislator?
09:35AM A. I would describe my style as someone who attempts to be thoughtful, reasonable. I try to study the legislation that's before me and make informed decisions within what I understand my role to be.
09:36AM Q. You are minority leader. How do you approach success as a minority party legislator?
09:36AM A. Because we're so deeply in the minority, it can be difficult to pass or stop a particular bill on our own, but I think it's important to be the party that calls for transparency and accountability that asks thoughtful questions, that tries to make

09:36AM sure that the legislature is living up to its promise and its constitutional duties.

09:36AM Q. In your experience, are there opportunities for bipartisan legislation?

09:36AM A. Yes.

09:36AM Q. Could you give us some examples of those?

09:36AM A. Sure. I'll tell you some legislation that I've worked on. For example, we've had abandoned cemeteries legislation. We discovered that there were -- there was a time where Florida was segregated, and even in death, there were black cemeteries and white cemeteries, and sometimes black cemeteries got sold unknowingly, or sold knowingly, built on top of, et cetera. And so this became a passion of mine.

I worked to establish a statewide task force to look into this issue and ultimately to get legislation passed to help protect these cemeteries. And each piece of legislation within this policy area has passed unanimously every time. I have been able to work with the speaker's office and work with my colleagues across the aisle to do that.

09:37AM Q. All right. Can you describe more the process of building consensus that led to passing those types of bills and other bipartisan bills that you've led?

09:37AM A. It takes a lot of work. You really have to engage stakeholders. You have to be willing to meet with your colleagues across the aisle. You certainly have to meet with house

09:38AM leadership, with the committee chairs, with the subcommittee chairs, explain your bill, you know, answer any questions that they might have, make changes to the bill that they might ask you to make. So you can't always have pride of authorship. It's a lot of give-and-take and a very collaborative process.

09:38AM Q. Let's turn now to the legislature's redistricting process. What were your duties and responsibilities as a member of the Redistricting Committee?

09:38AM A. My duties included attending committee, showing up prepared for whatever was the work that we were addressing on that particular day, asking questions, raising any concerns that I had in debate, and ultimately voting on maps before they went to the full body for a vote.

09:38AM Q. And you mentioned that you were also -- you were Democratic Caucus policy chair during the redistricting process. What were your duties as policy chair as it related to the redistricting?

09:38AM A. Yes. As policy chair, I was responsible for convening the caucus and helping us prepare before we would go on to the floor. So that meant not necessarily leading the strategy because I wasn't the ranking member, but I was the person in the caucus who was responsible for making sure that whatever strategy we had was on track and that the members felt prepared and briefed before they went on the floor to vote on the maps.

09:39AM Q. You said that you weren't a ranking member. Can you clarify what a ranking member is?

09:39AM A. Sure. The leader of the House Democratic Caucus is permitted to appoint ranking, Democratic ranking members to each committee, and a ranking member is effectively the lead Democrat on a committee who works with the committee chairs, you know, for the business of the committee.

09:39AM Q. Thank you. The parties have stipulated that at the House Redistricting Committee and subcommittee meetings in September, October, and November, 2021, members received informational briefings, including on the legal requirements governing redistricting. Do you remember that?

09:40AM A. Yes.

09:40AM Q. Were you part of those committees when they were educated on those topics?

09:40AM A. Yes.

09:40AM Q. To make sure we understand the terms that we will be discussing, are you familiar with the terms tier one and tier two as used in Florida's fair districts amendments?

09:40AM A. Yes.

09:40AM Q. As admitted by paragraph 44 of Plaintiffs' Exhibit 3, which is in evidence, tier one bans partisan and incumbency gerrymandering, incorporates a minority vote dilution standard, and prohibits districts drawn to diminish racial or language minorities' ability to elect representatives of their choice, and it also requires districts to be contiguous.

09:40AM Tier two requires that districts be nearly equal in

09:40AM 1 population as practicable, be compact, and where feasible, utilize
09:40AM 2 existing political and geographical boundaries.
09:40AM 3 Leader Driskell, did you learn about the tiers as part of
09:41AM 4 your committee member education?
09:41AM 5 A. Yes.
09:41AM 6 Q. The parties have also stipulated that the full House
09:41AM 7 committee -- excuse me -- the full House chamber considered the
09:41AM 8 State House map that was eventually enacted into law on
09:41AM 9 February 1st, 2022. Were you present in the House floor during
09:41AM 10 that session?
09:41AM 11 A. Yes.
09:41AM 12 Q. Did you ask questions about the map during that session?
09:41AM 13 A. Yes.
09:41AM 14 Q. I'd like to show you the -- a portion of Defense Exhibit 3,
09:41AM 15 which is the enacted State House map in Dade County. It's also
09:41AM 16 the first image in the folders that we've handed up, and it may be
09:41AM 17 helpful to refer to as I play a portion of the next clip.
09:41AM 18 And, Leader Driskell, I will also hand you a copy of the
09:41AM 19 slides so that you can refer to them.
09:41AM 20 My apologies.
09:41AM 21 THE COURTROOM DEPUTY: I have copies here.
09:42AM 22 THE WITNESS: Thank you.
09:42AM 23 BY MR. WARREN:
09:42AM 24 Q. First, who is Tom Leek?
09:42AM 25 A. Tom Leek at the time was a member of the Florida House of

09:42AM Representatives, and he was the committee chair for the full committee on redistricting.
09:42AM Q. Who is Cord Byrd?
09:42AM A. Cord Byrd was a member of the House of Representatives at the time. He is currently the Secretary of State.
09:42AM Q. What was his role in the redistricting process, if any?
09:42AM A. I think -- I don't recall. I know he had a title, but I don't remember it. I apologize.
09:42AM Q. Not a problem. Specifically, you mentioned Tom Leek being Redistricting Committee chair. In that role, did he have a role in providing information to members about the redistricting?
09:42AM A. Yes.
09:42AM Q. What was that role?
09:42AM A. As committee chair, Tom Leek basically ran the show. I mean, he was the one who worked with committee staff. He was the one who worked with outside counsel for the House to get these maps drawn. He was the point person in the redistricting process.
09:43AM Q. I'd like to show you a portion of that House floor session on February 1st, 2022.

This is Joint Exhibit 120 starting at hour 1, minute 41, second 49. And it corresponds to the transcript at Joint Exhibit 75, from page 46, line 17, through 53, line 13.

(Video clip played.)

09:56AM Q. Leader Driskell, this is you asking questions on the House floor of Redistricting Committee Chair Leek?

09:56AM A. Yes.
09:56AM Q. And the last gentleman who he deferred to was Cord Byrd?
09:56AM A. Yes.
09:56AM Q. Do you remember now what role he had in the redistricting
09:56AM process?
09:56AM A. Yes.
09:56AM Q. What was that?
09:56AM A. I want to say he was vice chair of the Redistricting
09:56AM Committee, or he may have been chair of the subcommittee. It's
09:56AM hard to remember. I'm sorry so sorry. Maybe I don't remember.
09:57AM Q. Thank you. We're looking now again at the portion of the
09:57AM enacted State House map in Dade County. Are these the districts
09:57AM that you just asked about?
09:57AM A. Yes.
09:57AM Q. Why did you ask these questions?
09:57AM A. I asked these questions because when you look at these
09:57AM districts just using the eye test that we were talking about --
09:57AM that I was talking about in testimony. You can see that these
09:57AM districts are very long. They're very narrow, and they're quite
09:57AM unlike other districts in other parts of the map, and so I wanted
09:57AM to understand why these districts were drawn this way, because
09:57AM there was something about them that just didn't pass the eye test.
09:57AM Q. And what is the eye test, and how did you learn about it?
09:57AM A. The eye test was something that we learned about as a way to
09:57AM consider compactness. It's not the only factor that you consider,

09:57AM 1 but you can think of it almost as the gateway to trying to
09:57AM 2 understand compactness. Does a district look compact to the eye?
09:57AM 3 And when you see districts that appear to be drawn irregularly, it
09:58AM 4 usually is a good indication that the district is probably not
09:58AM 5 compact.
09:58AM 6 Q. You said we learned about that. Who is "we" and when?
09:58AM 7 A. Thank you. It would be the Redistricting Committee, and we
09:58AM 8 learned about that in presentations that were given during the
09:58AM 9 committee meetings by committee staff and Chair Leek.
09:58AM 10 Q. Thank you. Why was it important to you to know the answers to
09:58AM 11 the questions that you were asking?
09:58AM 12 A. Because part of my role as serving as a member of the
09:58AM 13 Redistricting Committee was to make sure that these maps were
09:58AM 14 legally compliant.
09:58AM 15 Q. And what did you understand Chairs Leek and Byrd -- from
09:58AM 16 Chairs Leek and Byrd regarding why these districts are drawn as
09:58AM 17 they are?
09:58AM 18 A. I understood that they were drawn this way because of tier-one
09:58AM 19 requirements under the fair districting amendments to the Florida
09:58AM 20 Constitution.
09:58AM 21 Q. Now, in your questioning on the floor, you asked about how 118
09:58AM 22 and 119 are configured, and specifically, why they couldn't just
09:58AM 23 be stacked on top of each other like squares. Do you remember
09:59AM 24 that?
09:59AM 25 A. Yes.

09:59AM Q. Let's take a look at Plaintiffs' Exhibit 33, which is in evidence. This is a map, and it says, P 000 H 0019 by Michael Danish up there in the top left corner. Do you know what this map is?
09:59AM A. Yes.
09:59AM Q. What is it?
09:59AM A. It is a map that was submitted by Michael Danish through the Florida redistricting website portal.
09:59AM Q. So this was a map that was submitted by somebody during the redistricting process?
09:59AM A. Yes.
09:59AM Q. Do you see how Districts 118 and 119 are configured on this map?
09:59AM A. Yes.
09:59AM Q. How are they configured?
09:59AM A. They're stacked on one another like squares.
09:59AM Q. Now, let's go to the next slide and take a look at the portion of the enacted State House plan. And do you see that district labeled 88?
10:00AM A. Yes.
10:00AM Q. And it's in some off-white color. Do you know what county or area of the state this is in?
10:00AM A. That's Palm Beach County.
10:00AM Q. Who is Kelly Skidmore?
10:00AM A. Kelly Skidmore is a member of the House of Representatives.

10:00AM Q. Did she have any role in the redistricting process?
10:00AM A. Yes. She served as a ranking member on one of the
10:00AM subcommittees, specifically the subcommittee on state
10:00AM redistricting.
10:00AM Q. Let's play an excerpt from Joint Exhibit 120. This is the
10:00AM same House floor session that we just heard from at hour 2, minute
10:00AM 24, second 10, corresponding to Joint Exhibit 75 from page 78,
10:00AM line 5, through 68, 23.
10:00AM MR. BARDOS: I'm sorry. Could you repeat the lines and
10:00AM pages, please; just a little slower, please.
10:00AM MR. WARREN: 68, 5 through 23.
10:00AM MR. BARDOS: Thank you.
10:02AM (Video clip played.)
10:03AM BY MR. WARREN:
10:03AM Q. So this was Representative asking Chair Leek questions,
10:03AM correct?
10:03AM A. Yes.
10:03AM Q. What did you understand regarding the importance of complying
10:03AM with tier-two criteria in redistricting?
10:03AM A. My understanding was that you can't get to tier two until
10:03AM you've satisfied the tier-one requirements.
10:03AM Q. And does Chair Leek's statement that, quote: When it's a
10:03AM protected district, we focus much less on tier two, close quote,
10:03AM align with your understanding of the constitutional requirements
10:03AM as a committee member?

10:03AM A. Yes.
10:03AM Q. How about his statement that, quote: Your primary concern
10:03AM should be tier-one compliance, close quote?
10:03AM A. Yes.
10:03AM Q. Who is Patricia Hawkins-Williams?
10:03AM A. Patricia Hawkins-Williams was a member of the House of
10:03AM Representatives at the time.
10:03AM Q. Let's look at an excerpt from the same Joint Exhibit, the
10:04AM floor session, at hour 2, minute 38, second 57, corresponding to
10:04AM Joint Exhibit 75, page 76, line 22 through 77, line 11.
10:02AM (Video clip played.)
10:05AM Q. That was Rep. Hawkins-Williams asking Chair Leek questions?
10:05AM A. Yes.
10:05AM Q. What is your understanding of the role that race played in how
10:05AM the enacted maps developed inside of protected districts?
10:05AM MR. BARDOS: Sorry. Objection, Your Honor. The quote
10:05AM begins of speaking of minority population. Under the rule of
10:05AM completeness, could I have the previous three questions and
10:06AM answers played as well?
10:06AM JUDGE GRANT: Yes, I think that would be fine. Do you
10:06AM have that available?
10:06AM MR. WARREN: I --
10:06AM JUDGE GRANT: Or could you read it to us?
10:06AM MR. WARREN: It would be more efficient to read it into
10:06AM the record from the transcript if Mr. Bardos would like to.

10:06AM JUDGE GRANT: Is that acceptable for you?
10:06AM MR. BARDOS: I could read it, yes.
10:06AM JUDGE GRANT: Okay, great.
10:06AM MR. BARDOS: Question --
10:06AM JUDGE GRANT: If you could state again where you're reading from so it will be clear on the record.
10:06AM MR. BARDOS: Yes, Your Honor. Joint Exhibit, same Joint Exhibit 75, page 76 beginning with line 1.
10:06AM Question: Earlier, you spoke of Coral Gables, and you needed to keep that whole. Can you tell me what qualifies keeping that whole and why?
10:06AM The Speaker recognized Representative Leek.
10:06AM Tom Leek: Thank you, Mr. Speaker and representative. I will defer to Chair Byrd if necessary, but what qualifies as keeping it whole assuming that the city is in fact contiguous itself. I don't know whether Coral Gables is or not. I know that many cities are not contiguous. So the effort in that particular district was to keep the cities whole, and I guess I don't understand the question. It's either whole or it's not.
10:07AM If the question is why it's not whole, I think that's different, but in this instance, I think it's --
10:07AM Speaker recognizes Representative Williams, who says: Thank you, Mr. Speaker. When you spoke of Coral Gables earlier, you said that you needed to keep it whole. I'm asking, why would you have to keep it whole and not some of the other cities that

have been split or separated or not kept whole.

Speaker recognizes Representative Leek, who says: Thank you, Mr. Speaker. I can answer that question generally. You recall at the outset, we, by more than 50 percent reduced the number of cities that were split on the benchmark map. So we put emphasis on keeping cities whole where we could. However, in some instances, you can't keep a city whole.

It may be because -- I don't know if we have any cities where the population is too great, but it may be that the city population is too great, or it may be that the population concentration requires that it be divided, but it's not possible to keep cities whole in every instance. Where we could keep cities whole, we did.

JUDGE GRANT: Thank you. Was there anything else, Mr. Warren, that you think needs to be added, or are you able to move on?

MR. WARREN: No.

JUDGE GRANT: Okay. Great.

BY MR. WARREN:

Q. Leader Driskell, we were looking at Chair Leek's response to Rep. Williams that, quote: Race was never the predominant factor in drawing a district outside of protecting the protected districts, close quote.

My question to you was: What is your understanding of the role that race played in how the enacted maps developed inside of

10:08AM 1 the protected districts?
10:08AM 2 MR. BARDOS: Objection, Your Honor, foundation. The
10:08AM 3 witness has not testified that she had any role in developing the
10:08AM 4 enacted maps.
10:08AM 5 JUDGE GRANT: Do you have any response to that?
10:08AM 6 MR. WARREN: She was a member of the committee. She was
10:08AM 7 present on the floor, and I'm asking about her understanding based
10:08AM 8 on her observation of the process and the answers that committee
10:09AM 9 chairs gave during the process.
10:09AM 10 MR. BARDOS: So then her knowledge by Mr. Warren's
10:09AM 11 admission is limited to what's in the record in the committee
10:09AM 12 meetings in the floor transcripts.
10:09AM 13 JUDGE GRANT: I think we understand your argument. I
10:09AM 14 think as before, we'll let it in and deal with it if it turns out
10:09AM 15 there is not a foundation.
10:09AM 16 Did you have anything?
10:09AM 17 MR. JAZIL: Your Honor, I just wanted to add a lack of
10:09AM 18 personal knowledge as a basis for the objection as well.
10:09AM 19 JUDGE GRANT: Got it. We'll let it in.
10:09AM 20 BY MR. WARREN:
10:09AM 21 Q. So, Leader Driskell, my question was: What is your
10:09AM 22 understanding of the role that race played in how the enacted maps
10:09AM 23 were drawn inside of protected districts?
10:09AM 24 A. My understanding, that race was a predominant factor in
10:09AM 25 drawing protected districts.

10:09AM Q. And what is that based on?
10:09AM A. That's based on the information that we learned from Chair Leek and from Chair Byrd.
10:09AM Q. Thank you.
10:09AM I want to turn to a portion of the same floor session regarding the legislature's analysis of minority vote cohesion and racially polarized voting.
10:10AM First, who is Dotie Joseph?
10:10AM A. Dotie Joseph is a member of the Florida House of Representatives.
10:10AM Q. What area does she represent?
10:10AM A. North Miami.
10:10AM Q. How well do you know Dotie Joseph?
10:10AM A. I know Dotie well. We went to law school together years ago.
10:10AM Q. What kind of a legislator is she?
10:10AM A. Rep. Joseph is a very thoughtful intelligent legislator, and she really cares about making sure that we get things right.
10:10AM Q. And what role, if any, did she play during the redistricting process?
10:10AM A. At that time, I don't think she was on any -- I don't think she was on the leadership team at the time.
10:10AM Q. Was she on any redistricting committees as a non-leadership?
10:10AM A. I don't recall.
10:10AM Q. All right. Let's play as I said a portion of the same Joint Exhibit, the House floor session, at hour 1, minute 29, second 48,

10:10AM transcript Joint Exhibit 75, page 39, line 22, through 45, 8.
10:13AM (Video clip played.)
10:20AM Q. I'll show you one more short clip from an hour later in this
10:20AM same floor session before asking you some questions. This
10:20AM corresponds to Joint Exhibit 75, page 77, line 20, through 78, 4.
10:21AM (Video clip played.)
10:21AM Q. Leader Driskell, what was Rep. Joseph inquiring about here?
10:21AM A. Rep. Joseph was trying to understand whether or not cohesion
10:21AM was taken into account in drawing protected Hispanic districts
10:21AM particularly in south Florida.
10:21AM Q. Was this a topic that was of interest to your caucus?
10:21AM A. Yes.
10:21AM Q. Why?
10:21AM A. Because it is important -- it's an important factor in being
10:22AM able to comply with the fair districts amendments.
10:22AM Q. Were all Rep. Joseph's questions answered?
10:22AM A. No.
10:22AM Q. I think you said that you went to law school with Rep. Joseph?
10:22AM A. Yes.
10:22AM Q. So you're a lawyer?
10:22AM A. Yes.
10:22AM Q. So outside of a courtroom in the Florida House chamber, what
10:22AM does it mean when the Speaker rules a question asked and answered?
10:22AM A. It means that you're not going to get any more information
10:22AM than you've already gotten in response to that question.

10:22AM Q. And in your experience, when the Speaker rules that way, has the member's question always been answered?
10:22AM A. No.
10:22AM Q. Now, Chair Leek referenced counsel helping with some things and lawyers keeping records. What counsel was he referring to, if you know?
10:22AM A. Oh, he was referring to the outside counsel for the House.
10:22AM Q. And to your knowledge, what role did that counsel play in the redistricting process?
10:22AM MR. BARDOS: Objection. Hasn't established foundation or personal knowledge.
10:22AM JUDGE GRANT: We'll let it in for now. We'll deal with it if we need to.
10:23AM THE WITNESS: I'll say that we were aware that there was outside counsel, but we didn't really have access to outside counsel. So in a way, the things that they did were somewhat mysterious to us, but we do know that they participated in the functional analysis process.
10:23AM BY MR. WARREN:
10:23AM Q. By "we" and "us," you're referring to?
10:23AM A. The House Democratic Caucus.
10:23AM Q. Thank you. Who is Susan Valdes?
10:23AM A. Susan Valdes is a member of the House of Representatives. She was a member of the House Democratic Caucus at the time.
10:23AM Q. Is she still a member of the House Democratic Caucus?

10:23AM A. No.
10:23AM Q. Is she a member of another caucus?
10:23AM A. Yes.
10:23AM Q. Which one is that?
10:23AM A. The Republican Caucus.
10:23AM Q. I'd like to show you a portion of the same Joint Exhibit 120, the House floor session, hour 2, minute 17, line 32, corresponding to Joint Exhibit 75, page 64, line 15, through 66, 21.
10:24AM (Video clip played.)
10:28AM Q. Now, Leader Driskell, the parties have stipulated that the day after this floor session, the House voted to pass the enacted State House plan along with the Senate's plan for its own chamber. How did you vote on the state legislature maps?
10:28AM A. I voted against both.
10:28AM Q. And why?
10:28AM A. Because from my perspective, they weren't legally compliant, and we didn't even get all of our answers to understand whether they were legally compliant.
10:28AM Q. Let's move on to talk about the congressional map. The parties have stipulated that the House's congressional redistricting subcommittee considered a congressional map plan 8011 in February, 2022, and I'll show you plan 8011 now.
10:29AM And the next slide shows a close-up of District 26 in plan 8011 that that subcommittee considered on February 18th.
10:29AM But, first, who is Tom Fabricio?

10:29AM A. Tom Fabricio is a member of the Florida House.
10:29AM Q. What area does he represent?
10:29AM A. He represents down in Miami-Dade County.
10:29AM Q. And what party is he affiliated with?
10:29AM A. The Republican Party.
10:29AM Q. I'll show you a portion of Joint Exhibit 122, which is that
10:29AM congressional subcommittee meeting at hour -- excuse me, minute
10:29AM 51, second 15, corresponding to Joint Exhibit 77, from page 45,
10:29AM line 14, through 48, 7.
10:29AM MR. BARDOS: I'm sorry. Could I have that repeated,
10:29AM please?
10:30AM (Video clip played.)
10:33AM BY MR. WARREN:
10:33AM Q. And I'll put up an image of District 26 in plan 8011 that that
10:33AM House subcommittee was considering on that day. The gentleman who
10:33AM was answering most of Rep. Fabricio's questions, who was he?
10:33AM A. That was Tyler Sirois, who is a state representative.
10:33AM Q. And what was his role in the redistricting process?
10:33AM A. He was chair of the subcommittee on congressional
10:34AM redistricting.
10:34AM Q. The final answer was answered by Ms. Kelly. Who is she?
10:34AM A. Ms. Kelly was one of the staff members for redistricting.
10:34AM Q. And at a certain other point, Chair Sirois deferred to Mr.
10:34AM Poreda. Who is he?
10:34AM A. Mr. Poreda also was a member of staff for redistricting.

10:34AM Q. And more generally, what role did staff play in the process?
MR. BARDOS: Object to form. I'm sorry; not object to form. Sorry. Foundation and personal knowledge.
JUDGE GRANT: Well, we'll let it in for now.
MR. BARDOS: Thank you.
THE WITNESS: Thank you. Staff was -- at every committee meeting, they were the ones who effectively drew the maps. They were the ones who took direction from the committee chairs and answered questions based on their expertise.
BY MR. WARREN:
Q. I will play a portion of this same congressional subcommittee at minute 57, line 28, second 28. Corresponding to Joint Exhibit 77, page 51, line 1, through 55, 3.
(Video clip played.)
Q. Now, a few minutes later in this same subcommittee meeting, Rep. Joseph asked some questions. That's at hour 1, minute 3, second 40, corresponding to Joint Exhibit 77, page 55, line 11, through 57, 23. Let's take a look at those questions.
JUDGE GRANT: Before you start that, I assume that you're getting close to wrapping up.
MR. WARREN: Yes, Your Honor. I think we're on track to about meet the hour and a half that I estimated.
JUDGE GRANT: Great. Thanks.
(Video clip played.)
BY MR. WARREN:

10:44AM Q. Leader Driskell, Rep. Joseph there asked about trying to uphold or maximize the tier-two criteria and achieving a map that does that in a way that protects that area and does not have a negative impact on tier one. Do you understand what Rep. Joseph was asking about there?

A. Yes.

Q. What was she asking about?

A. She was asking if there was a way to draw that map -- draw that district, CD 26 so that it didn't span the entire width of the state and perhaps to make it more compact while not diminishing any of the tier-one requirements.

Q. And Chair Sorois's final response was: I think that's something that we can look at as we move forward.

Do you know what the outcome of Rep. Joseph's request was?

A. I believe the map didn't change. I do know that.

Q. Thank you.

Moving forward in the process, the parties have stipulated that the full House considered a congressional map bill with Plan 8019 in early March, 2022, and you see that here on the slide Joint Exhibit 8. That plan was passed by both chambers and eventually vetoed by the Governor.

We will take a look at District 26 in that vetoed plan. I will show you a portion of Joint Exhibit 124, which is the House floor session when the House took up Plan 8019, it's hour 1, minute 36, second 33, corresponding to Joint Exhibit 77 at

10:45AM page 45, line 16, through 46, 4. And it's a short one.
10:41AM (Video clip played.)
10:46AM Q. Rep. Driskell, were you present for this floor session?
10:46AM A. Yes.
10:46AM Q. Let's move along further in the process. The parties have
10:46AM stipulated that, as I said, the Governor vetoed this Plan 8019,
10:46AM and then the legislature convened in special session to take up
10:46AM what became the enacted Congressional Plan 109, and on the final
10:47AM day, the House in that special session, the House took up that
10:47AM enacted congressional plan.
10:47AM So I'll show you a portion of Joint Exhibit 127, which is
10:47AM the April 20, 2022, House session, minute 37, line 33,
10:47AM corresponding to Joint Exhibit 82, page 40, line 15, through 45,
10:47AM 4.
10:47AM (Video clip played.)
10:52AM Q. Now, Rep. Driskell, were you on the floor during their
10:52AM colloquy?
10:52AM A. Yes.
10:52AM Q. Rep. Joseph first asks about a report released by the Latino
10:52AM policy and politics initiative at UCLA. Are you familiar with the
10:52AM report that she referenced?
10:52AM A. Yes.
10:52AM Q. Let's pull up Plaintiffs' Exhibit 31, which is in evidence for
10:52AM a limited purpose. And I have a copy here if you'd like to refer
10:52AM to a paper copy. Do you recognize this document?

10:52AM A. Yes.
10:53AM Q. What is it?
10:53AM A. This is the UCLA report.
10:53AM Q. And it says there: Taking a deeper look at Hispanic voting
10:53AM patterns in South Florida, March 3, 2022, right?
10:53AM A. Yes.
10:53AM Q. When did your office first become aware of this report?
10:53AM A. It would have been around the date of the report.
10:53AM Q. So your office had this report before the final redistricting
10:53AM maps were passed?
10:53AM A. Yes.
10:53AM Q. Rep. Joseph asked Chair Leek whether he was familiar with this
10:53AM report at the beginning of the portion we played. Do you remember
10:53AM that?
10:53AM A. Yes.
10:53AM Q. And Rep. Leek's response was: No, I am not. Did you hear
10:53AM that?
10:53AM A. Yes.
10:53AM Q. All right. Rep. Joseph's final question was about House
10:53AM counsel asking the Florida Supreme Court to overturn the
10:53AM requirement that minority groups be politically cohesive in order
10:53AM to be protected from diminishment. Did you hear that in the
10:53AM portion?
10:53AM A. Yes.
10:54AM Q. What happened with the state legislative maps for the House

10:54AM and Senate after the legislature passed them?
10:54AM A. After they passed, they effectively became -- oh, sorry. There is a process with the court.
10:54AM Q. Which court is that?
10:54AM A. The Florida Supreme Court.
10:54AM Q. And what type of process is that?
10:54AM A. Right. It basically is like -- I forget the exact term -- but basically it's like to see if anybody will make a preliminary challenge to those maps.
10:54AM Q. Let's pull up Plaintiffs' Exhibit 30 or what's been marked as that, which says here Supreme Court of Florida in re joint resolution of legislative apportionment brief of the Florida House of Representatives.
10:54AM And I have a paper copy here, Leader Driskell, if you need to refer to it.
10:54AM Do you know what this Plaintiffs' Exhibit 30 is?
10:55AM A. Yes. It's actually a brief from the Florida House of Representatives in this preliminary process that I referenced.
10:55AM Q. And do you know what request Rep. Joseph was referring to when she referenced House counsel asking the Supreme Court to overturn the requirement that minority groups be politically cohesive in order to be protected from diminishment?
10:55AM MR. BARDOS: Objection. No foundation or personal knowledge of what Rep. Joseph intended.
10:55AM JUDGE GRANT: We'll take an answer with the usual caveat

10:55AM early.
10:55AM MR. BARDOS: Thank you.
10:55AM THE WITNESS: Yes.
10:55AM BY MR. WARREN:
10:55AM Q. Do you know where that request can be found?
10:55AM A. Yes, in this brief.
10:55AM Q. Let's take a look page 27 of Plaintiffs' Exhibit 30, footnote 10, which says here -- footnote 11 of this Court's opinion in League of Women Voters of Florida v. Detzner could be read to suggest that the non-diminishment standard incorporates the elements of a Section 2 claim; i.e., the Gingles prerequisites. The Supreme Court has never even implied that the Gingles prerequisites govern the retrogression standard under Section 5.
10:56AM This reading conflicts with Reno and muddies or eliminates -- the line between vote dilution, Section 2 and non-diminishment, Section 5.
10:56AM While some of the same evidence might, as a factual matter, be relevant to both analyses, this Court should make clear that footnote 11 did not rewrite the non-diminishment standard set forth in apportionment 1 and import the elements of a Section 2 claim into the non-diminishment standard.
10:56AM Rep. Joseph, is this -- excuse me. Leader Driskell, is this what Rep. Joseph was referring to in the clip to your knowledge?
10:56AM MR. BARDOS: Same objection for the record.
10:56AM JUDGE GRANT: Overruled.

10:56AM THE WITNESS: Yes.
10:56AM MR. WARREN: I will offer Plaintiffs' Exhibit 30 at this
10:56AM time for a limited purpose. The fact that this was the brief that
10:57AM the House submitted in the review of the state legislative maps of
10:57AM the Florida Supreme Court.
10:57AM MR. BARDOS: No objection.
10:57AM JUDGE GRANT: No objection. It's admitted.
10:57AM (Plaintiffs' Exhibit 30 admitted.)
10:57AM BY MR. WARREN:
10:57AM Q. Now, Leader Driskell, in response to Rep.. Joseph's question
10:57AM about House's counsel's request, the chair responded by referring
10:57AM to the Governor's request for an advisory opinion.
10:57AM Do you know what advisory opinion request the chair was
10:57AM referring to?
10:57AM A. Yes.
10:57AM Q. What advisory opinion request was that?
10:57AM A. It was a request submitted by the Governor to try to -- I
10:57AM mean, effectively get an opinion on whether or not you could not
10:57AM have cohesion. You could not consider race in drawing these maps.
10:57AM Q. All right. Let's play the final portion of the Florida
10:57AM Channel videos, which is Joint Exhibit 127, the same floor session
10:57AM on April 20, 2022. It's hour 1, minute 4, second 42;
10:58AM corresponding to Joint Exhibit 82, at page 69, line 19, through
10:58AM page 72, line 10.
10:58AM (Video clip played.)

11:01AM Q. Leader Driskell, who is Ben Diamond, the representative who was asking questions there?
11:01AM A. Ben Diamond at the time was a state representative from Pinellas County.
11:01AM Q. What is his profession?
11:01AM A. He is an attorney.
11:01AM Q. Are these similar questions other members of your caucus asked about earlier in the process that we've heard?
11:01AM A. Yes.
11:01AM Q. Did you ever get a satisfactory response to these questions?
11:01AM A. No.
11:01AM Q. You'll recall that two-and-a-half months before this, in February, Rep.. Joseph asked Chair Leek on the House floor, the same floor, about analyses of minority cohesion, white bloc voting, and racially polarized voting. Do you remember watching that colloquy here?
11:02AM A. Yes.
11:02AM Q. And Rep.. Joseph asked Chair Leek to: share with the body who conducted that analysis and how we can access that information because we still don't have it, and we're about to vote on it.
11:02AM Do you recall she asked that?
11:02AM A. Yes.
11:02AM Q. Sitting here today four years later, or almost four years later, did you ever get that information?
11:02AM A. No.

11:02AM Q. How did you ultimately vote on the congressional map?
11:02AM A. I voted against it.
11:02AM MR. WARREN: Thank you, Leader Driskell. That's all my questions.
11:02AM THE WITNESS: Thank you.
11:02AM JUDGE GRANT: Thank you. I think that it is time for a break, and we'll pick up with the cross after the break. I hope we'll be able to be efficient in the rest of this process. We are in recess.
11:02AM THE COURTROOM DEPUTY: Sorry, Judge. How long?
11:02AM JUDGE GRANT: Let's be back at 11:15, please.
11:02AM THE COURTROOM DEPUTY: Thank you.
11:02AM (Recess at 11:02 a.m.)
11:18AM (Back on the record at 11:19 a.m.)
11:19AM JUDGE GRANT: Thank you. Please be seated. Ready for the cross-examination. Do you have an idea how long you'll be?
11:19AM MR. JAZIL: Your Honor, if Representative Driskell and I dance well together, hopefully, we will be done in ten minutes.
11:19AM JUDGE GRANT: All right. That sounds great. Please proceed.
11:19AM MR. JAZIL: Thank you, Your Honor. Good morning, Representative Driskell.
11:19AM THE WITNESS: Good morning.

CROSS-EXAMINATION

BY MR. JAZIL:

Q. Now, Representative Driskell, you'd agree with me that the Speaker of the Florida House of Representatives sets the agenda for the House?

A. Yes.

Q. And in your seven-and-a-half years in the Florida House, the Speaker has always been a Republican, right?

A. Yes.

Q. And, Representative Driskell, your party is the minority party right, did I understand that right?

A. Yes.

Q. And, in fact, your party is the super minority in the Florida House, right?

A. Yes.

Q. And to pass a bill in the Florida House, the Republicans don't need any votes from the Democrats, right?

A. Yes.

Q. But for Democrats to pass any bills in the House, they do need Republican votes, right?

A. Yes.

Q. Now, Representative Driskell, you talked a bit about bipartisanship in the legislature. Do you recall that testimony on your direct?

A. Yes.

11:20AM Q. Do you recall there being a sit-in protest in the Florida legislature as the legislature was considering the congressional plan that was enacted in 2022?
11:20AM A. Yes.
11:20AM Q. You would agree with me that that that sit-in impeded the regular work of the legislature, right?
11:21AM A. It disrupted it for a time, yes.
11:21AM Q. And you would agree with me that the sit-in did not promote bipartisanship, right?
11:21AM A. I would not agree with that.
11:21AM Q. Okay. Fair enough.
11:21AM Now, redistricting in your testimony on direct, I understood it to be that you served as the Democratic Party's Caucus chair or policy chair during the session?
11:21AM A. Policy chair, yes.
11:21AM Q. And as the policy chair for the Democrats, you were listening intently to the proceedings, correct?
11:21AM A. Yes.
11:21AM Q. And you were asking questions as we saw, right?
11:21AM A. Yes.
11:21AM Q. So you were engaged in the process?
11:21AM A. Yes.
11:21AM Q. But isn't it also true that you never proposed a map of your own during the redistricting process?
11:21AM A. Yes.

11:21AM Q. And it's also true that you never offered an amendment to any districts that were being presented, right?
11:21AM A. Right.
11:21AM Q. And you never asked committee staff to assist you in creating a map, right?
11:22AM A. No, not that I recall.
11:22AM Q. Okay. And, ma'am, as a member of the Florida legislature and as a representative, you do from time to time propose amendments to bills, right?
11:22AM A. Yes.
11:22AM Q. Representative Driskell, I would like to talk a bit about the congressional -- pardon me -- the House district that you represent. My understanding is you are the representative for House District 67; is that right?
11:22AM A. Yes.
11:22AM Q. And this is the district in the north Hillsborough County area, right?
11:22AM A. Yes.
11:22AM Q. And that's near Tampa?
11:22AM A. Yes. It includes parts of Tampa as well.
11:22AM Q. Got it. Includes parts of Tampa.
11:22AM Can we just pull up Joint Exhibit 1, please, and just take a look at the map.
11:23AM This is not it.
11:23AM Can we zoom in on the Tampa area in the bottom left. Okay.

11:23AM BY MR. JAZIL:
11:23AM Q. So we see the Tampa region in this callout, right, Representative Driskell?
11:23AM A. Yes.
11:23AM Q. And you see your district, which is House District 67 there, right?
11:23AM A. Yes.
11:23AM Q. And you believe that your district itself is a little oddly shaped, isn't it?
11:23AM A. Yes.
11:23AM Q. And that's because it's got a tail at the end, right?
11:23AM A. Yes.
11:23AM Q. And to your eye, you're not sure whether or not that configuration of the district is compact, right?
11:23AM A. Yes.
11:23AM Q. That's correct, you can't say if it's compact or not?
11:23AM A. Yes. Answering your question affirmatively.
11:23AM Q. Got it.
11:24AM Now, Representative Driskell, we saw videos of you asking questions of Representative Leek about districts in the Miami area, right?
11:24AM A. Yes.
11:24AM Q. But you never asked any questions about your own district, right?
11:24AM A. Right.

11:24AM Q. You can take that down, Mr. Bennington.

Now, I also understood your testimony to be that Representative Leek, quote: Ran the show when it came to redistricting. Did I understand that right?

A. Yes.

Q. But we also saw a long excerpt of the Florida debates prior to the passage of House maps, right?

A. Yes.

Q. And in that back-and-forth from time to time, you would agree with me that Representative Leek deferred to others on questions, correct?

A. Yes.

Q. Including Secretary Byrd?

A. Yes.

Q. Now, Secretary Byrd. He also mentioned a Mr. Langan, do you recall that? There were at least two mentions in the clip to Mr. Langan. Do you know who Mr. Langan was?

A. I don't recall.

Q. Do you know whether or not he worked for Mr. Poreda?

A. I don't recall.

Q. Okay. But do you recall the part where Chair Leek said: Mr. Langan is in the back. He can answer some of those questions. Do you recall that part of the clip that you just saw?

A. Yes.

Q. Now, we also saw clips of Representative Joseph asking

11:25AM 1 questions in the videos, right?
11:25AM 2 A. Yes.
11:25AM 3 Q. It appeared to me that Representative Joseph was reading from
11:25AM 4 a sheet of paper. Did you see that?
11:25AM 5 A. Yes.
11:25AM 6 Q. Do you know whether or not the ACLU provided those talking
11:25AM 7 points to Representative Joseph?
11:25AM 8 A. I don't.
11:25AM 9 Q. Do you know whether or not the National Democratic
11:25AM 10 Redistricting Committee provided those talking points to
11:25AM 11 Representative Joseph?
11:25AM 12 A. I don't.
11:25AM 13 Q. But you yourself spoke to Natalie Kato during the
11:25AM 14 redistricting process, right?
11:25AM 15 A. Yes.
11:25AM 16 Q. And she is a lobbyist for the National Democratic
11:26AM 17 Redistricting Committee, true?
11:26AM 18 A. Yes.
11:26AM 19 Q. You also spoke to Diana Ferguson about redistricting during
11:26AM 20 this past redistricting session, correct?
11:26AM 21 A. Yes.
11:26AM 22 Q. And you know that she also represents the National Democratic
11:26AM 23 Redistricting Committee, right?
11:26AM 24 A. Yes.
11:26AM 25 Q. Now, can we pull up Plaintiffs' Exhibit 31, please.

11:26AM 1 This is the UCLA report that you discussed with counsel for
11:26AM 2 the plaintiffs, correct?
11:26AM 3 A. Yes.
11:26AM 4 Q. Can we zoom in on who the author is, Matt Barreto.
11:26AM 5 Do you see that, ma'am?
11:26AM 6 A. Yes.
11:26AM 7 Q. Did Matt Barreto send this report to your office?
11:26AM 8 A. I don't recall.
11:26AM 9 Q. But you recall getting this report prior to the passage of the
11:26AM 10 congressional plan, right?
11:26AM 11 A. I recall seeing it prior to the passage of the congressional
11:26AM 12 plan, yes.
11:26AM 13 Q. Do you know who sent it to your office?
11:26AM 14 A. I don't recall.
11:26AM 15 Q. Do you know whether you produced this report as part of your
11:26AM 16 document production in this case?
11:27AM 17 A. That was several months ago. I apologize. I don't recall.
11:27AM 18 Q. Okay. That's fine.
11:27AM 19 Ma'am, do you know whether Dr. Barreto has received hundreds
11:27AM 20 of thousands of dollars from Democratic committees to do
11:27AM 21 consulting work on behalf of Democratic candidates?
11:27AM 22 A. I don't know.
11:27AM 23 Q. So you don't know whether Dr. Barreto worked for Vice
11:27AM 24 President Kamala Harris's Presidential campaign?
11:27AM 25 A. I don't know.

11:27AM Q. You don't know whether Matt Barreto worked for Hillary Clinton's Presidential campaign?
11:27AM A. I don't know.
11:27AM Q. You don't know whether Matt Barreto worked for President Biden's Presidential campaign?
11:27AM A. I don't know.
11:27AM Q. You don't know whether Matt Barreto worked for the DNC?
11:27AM A. I don't know.
11:27AM Q. You don't know whether Matt Barreto worked for the DCCC?
11:27AM A. No, I don't know.
11:27AM Q. You don't know whether Matt Barreto worked for the Democratic senatorial campaign committee?
11:27AM A. No, I don't know.
11:27AM Q. Do you know whether Matt Barreto testified as an expert in the Common Cause vs. Byrd case, a three-judge case in the Northern District of Florida on behalf of the plaintiffs in the case?
11:27AM A. I don't know.
11:27AM Q. But you were there, right? You testified in that case?
11:27AM A. Yes.
11:27AM Q. Do you know whether Matt Barreto testified as an expert for the plaintiffs in the Hodges case, which was a three-judge case in the Tampa area?
11:28AM A. I don't know.
11:28AM Q. All right. We can take that down.
11:28AM There was also some discussion in the videos about

11:28AM 1 ecological regression and ecological inference. Do you recall
11:28AM 2 that?
11:28AM 3 A. Yes.
11:28AM 4 Q. It was Representative Joseph who mentioned it and
11:28AM 5 Representative Skidmore. Did I get that right?
11:28AM 6 A. Yes.
11:28AM 7 Q. Now, I am a little confused. What was it that the Democratic
11:28AM 8 members of your caucus believe that House counsel had? Was it an
11:28AM 9 ecological regression analysis or an ecological inference
11:28AM 10 analysis?
11:28AM 11 A. That's just the thing. We don't know, because the process had
11:28AM 12 such a lack of transparency. We could never get direct answers to
11:28AM 13 that as to who had what information, what reports, if any, counsel
11:28AM 14 would have had. And to the extent there may not have been any
11:28AM 15 written reports, what work was done by counsel on these maps.
11:29AM 16 Q. Okay. And do you know -- assuming these reports exist, do you
11:29AM 17 know whether or not these reports were shared with the Florida
11:29AM 18 Senate?
11:29AM 19 A. I don't know.
11:29AM 20 Q. Do you know whether they were ever shared with the Governor's
11:29AM 21 office?
11:29AM 22 A. I don't know.
11:29AM 23 Q. But you would agree with me that the Senate and the Governor's
11:29AM 24 office both played a role in the congressional map drawing
11:29AM 25 exercise, correct?

11:29AM A. When you say that the Senate played a role, what do you mean?
11:29AM Q. The Senate voted on a congressional plan, right?
11:29AM A. Voted, yes.
11:29AM Q. And the Senate proposed some congressional plans of its own, correct?
11:29AM A. Yes.
11:29AM Q. And the Governor's office also plays a role in the congressional redistricting process, correct?
11:29AM A. When you say played a role, what do you mean?
11:29AM Q. The Governor's office proposed maps of its own in the congressional redistricting process, correct?
11:29AM A. Yes.
11:29AM Q. And Governor's office vetoed certain plans that were passed by the legislature, correct?
11:29AM A. Yes.
11:29AM MR. JAZIL: No further questions, Your Honor. Thank you.
11:29AM JUDGE GRANT: Thank you. Do we have anything from Mr. Bardos?
11:29AM MR. BARDOS: Yes, just a few.
11:30AM Zack, could we start out with Plaintiffs' Exhibit 31, please.

CROSS-EXAMINATION

11:30AM BY MR. BARDOS:
11:30AM Q. Good morning, Leader Driskell. I am Andy Bardos for the Florida House of Representatives. Do you see the date on this

11:30AM report, the UCLA report?
11:30AM A. Yes.
11:30AM Q. Do you see it's March 3rd, 2022?
11:30AM A. Yes.
11:30AM Q. And you would agree that that's sometime after the State House and State Senate plans passed, correct?
11:30AM A. Yes.
11:30AM Q. So this report was not available when those plans passed?
11:30AM A. That's correct.
11:30AM Q. Okay.
11:30AM Now, you voted against both the congressional map and the State House map every time it came you mean for a vote, correct, in committee or on the floor?
11:30AM A. Yes.
11:30AM Q. And then the State House map went to the Florida Supreme Court for review, correct?
11:30AM A. Yes.
11:30AM Q. And even though the Florida Supreme Court invited comments and briefs from any member of the public, you chose not to submit a comment to the Florida Supreme Court, correct?
11:30AM A. Correct.
11:30AM Q. And the Florida Supreme Court, notwithstanding the criticisms that you expressed on the floor, the House, the Florida Supreme Court upheld the maps under Florida's redistricting standards, correct?
11:31AM

11:31AM A. It is. I think it is I think it was a very preliminary review, yes.
11:31AM Q. It upheld the districts, correct?
11:31AM A. Yes.
11:31AM Q. And then you also opposed the congressional map and voted against the congressional map in large part because of the way that north Florida was redrawn, correct?
11:31AM A. I would say that that was one of the reasons why I voted against the congressional map, but there were other factors.
11:31AM Q. And then both the Federal Court and the Florida Supreme Court since then have upset the way that north Florida was drawn in that map, correct?
11:31AM A. Yes.
11:31AM Q. You would agree with me that you never met with committee staff to discuss any particular district with them, correct?
11:31AM A. No, no -- well, based on my recollection, I know that I met with committee staff at least once, but I can't sitting here today tell you precisely what we talked about, whether it was specifically one district or questions about multiple districts or just questions about the process. You'll have to forgive me. It been a few years.
11:32AM Q. Okay. Let's take a look at your deposition, then.
11:32AM Zack, could you pull up Representative Driskell's deposition?
11:32AM You remember when your deposition was taken in this case,

11:32AM correct?
11:32AM A. Yes.
11:32AM Q. And you testified under oath at your deposition, correct?
11:32AM A. Yes.
11:32AM Q. And testified truthfully to the best of your ability, correct?
11:32AM A. Yes.
11:32AM Q. Let's go to page 42, please, lines 4 through 10, say --
11:32AM Question: So you didn't speak to staff about any particular
11:32AM district configuration?
11:32AM Answer: I know that I talked to the legislative staff. I
11:32AM know I had at least one meeting with them. I remember having at
11:32AM least one in person meeting with them. But I don't remember that
11:33AM it was about any particular district.
11:33AM Now let's go to page 48, please, lines 17 through 22.
11:33AM Question: Okay. And I believe you mentioned that you might
11:33AM have gone in and met with Redistricting Committee staff on -- on
11:33AM one occasion. Do you recall anything else about that particular
11:33AM conversation with committee staff?
11:33AM Answer: No.
11:33AM Now let's go to page 58, please, beginning with line 16 to
11:33AM the end of the page.
11:33AM Question: Okay. And, again, you met with committee staff
11:33AM one time?
11:33AM Answer: Yes.
11:33AM Question: Okay. And you don't recall what you talked about

11:33AM 1 that time?
11:33AM 2 Answer: Just to clarify that, at least one time. It could
11:33AM 3 have been more, but I don't recall.
11:33AM 4 Question: And you don't recall what you discussed with
11:33AM 5 them?
11:33AM 6 Answer: I don't. I remember it wasn't about any -- next
11:34AM 7 page, please -- particular district. I think it was just -- it
11:34AM 8 was more just general -- trying to get general understanding of
11:34AM 9 maps that had been drawn.
11:34AM 10 Do you see that, Representative Driskell?
11:34AM 11 A. Yes.
11:34AM 12 Q. Now, you were not personally involved in the drawing of the
11:34AM 13 congressional and state legislative maps that the legislature
11:34AM 14 enacted, correct?
11:34AM 15 A. Correct.
11:34AM 16 Q. And when you raised your concerns with the State House
11:34AM 17 districts on the floor, that was the day before the maps passed
11:34AM 18 the House, correct?
11:34AM 19 A. Yes, I think so.
11:34AM 20 Q. Okay. And you testified in your direct that the committee is
11:34AM 21 where legislation gets vetted, correct?
11:34AM 22 A. It's one of the places where it gets vetted. It gets vetted
11:34AM 23 in committee before it goes and gets vetted on the floor.
11:34AM 24 Q. And you served on the Redistricting Committee, right?
11:34AM 25 A. Yes.

11:34AM Q. And you did not raise these concerns about the south Florida
11:35AM State House districts in committee, correct?
11:35AM A. No, but that's not uncommon. You know, you can do the best
11:35AM you can in committee, and then maybe consider other information or
11:35AM think about things more and raise different issues on the floor.
11:35AM Q. And the committee had multiple meetings before the maps passed
11:35AM the House, correct?
11:35AM A. Yes.
11:35AM Q. And you did not raise these concerns at any one of those
11:35AM meetings, correct?
11:35AM A. No. But, again, that would not have been out of the ordinary.
11:35AM Q. Okay. So you didn't raise them in committee. You raised them
11:35AM for the first time the day before they passed the full House,
11:35AM correct?
11:35AM A. Correct.
11:35AM Q. Okay. And you would agree with me, Representative Driskell,
11:35AM that apart from the information that was shared publicly in
11:35AM committee meetings or legislative floor sessions, you have no
11:35AM personal knowledge of what motivated the particular design of any
11:35AM specific district, correct?
11:36AM A. Correct.
11:36AM MR. BARDOS: Thank you, Representative Driskell. No
11:36AM further questions.
11:36AM THE WITNESS: Thank you.
11:36AM JUDGE GRANT: Thank you. Do we have a redirect?

11:36AM MR. WARREN: No, Your Honor.
11:36AM JUDGE GRANT: All right. Thank you, Representative Driskell. You're excused.
11:36AM THE WITNESS: Thank you.
11:36AM (The witness is excused.)
11:36AM JUDGE GRANT: Is Mr. Poreda available?
11:36AM MR. WARREN: Yes, Your Honor.
11:36AM JUDGE GRANT: All right. Let's get started with him then, please.
11:36AM MR. WARREN: Plaintiffs call Jason Poreda.
11:36AM JUDGE GRANT: While he's coming in, do you have any updated estimates?
11:36AM MR. WARREN: I suspect the two-hour direct is in the ballpark, and I think that the redirect will be substantially short as a result of that.
11:36AM JUDGE GRANT: Great. Thank you. We'll do our best to stay within that.
11:37AM THE COURTROOM DEPUTY: Please remain standing and raise your right hand.
11:37AM (The witness is sworn.)
11:37AM THE WITNESS: I do.
11:37AM THE COURTROOM DEPUTY: Okay. Thank you. Please have a seat, and then please state your first and last name for the record.
11:37AM THE WITNESS: My name is Jason Poreda. The last name is

11:37AM spelled P as in Paul, O-R-E-D- as in David, A.
11:37AM THE COURTROOM DEPUTY: Thank you.
11:37AM JASON POREDA, PLAINTIFFS' WITNESS, SWORN
11:37AM DIRECT EXAMINATION
11:37AM BY MR. WARREN:
11:37AM Q. Good morning, Mr. Poreda.
11:37AM A. Good morning.
11:38AM Q. You'll remember that my name is Nicholas Warren. We met at
11:38AM your deposition. It's good to see you again.
11:38AM If I reference the 2020-cycle or the redistricting process,
11:38AM will you understand that I'm referring to the Florida
11:38AM legislature's redistricting process in 2021 and 2022?
11:38AM A. Yes.
11:38AM Q. And if I refer to a different redistricting process, I'll
11:38AM specify.
11:38AM A. Okay.
11:38AM Q. During the 2020-cycle process, you were the chief map drawer
11:38AM for the Florida House, right?
11:38AM A. Correct.
11:38AM Q. You had previously worked for the House Redistricting
11:38AM Committee as a legislative analyst during the 2010-cycle?
11:38AM A. Correct.
11:38AM Q. And that was in 2011 and 2015?
11:38AM A. That was in the 2010-cycle, so 2010 through 2012, sorry.
11:38AM Q. And then again when the congressional redistricting went into

11:38AM 1 a remedial process in 2015, you also served as analyst for the
11:38AM 2 House Redistricting Committee?
11:38AM 3 A. My title at that particular time was staff director.
11:38AM 4 Q. Thank you. During the 2010-cycle, you worked under Alex
11:39AM 5 Kelly, who was the staff director initially?
11:39AM 6 A. That is correct.
11:39AM 7 Q. And after litigation was filed over the congressional and
11:39AM 8 state senate maps, as we said, you worked for the House select
11:39AM 9 committee on redistricting again in the middle of that decade?
11:39AM 10 A. Correct.
11:39AM 11 Q. You were deposed in the 2010-cycle litigation?
11:39AM 12 A. Yes.
11:39AM 13 Q. And you testified at the 2014 trial over the congressional
11:39AM 14 map?
11:39AM 15 A. That is correct.
11:39AM 16 Q. You also testified at the 2015 hearing over the remedial
11:39AM 17 congressional map?
11:39AM 18 A. Correct.
11:39AM 19 Q. Back to the 2020-cycle process. You reported to House
11:39AM 20 Redistricting Committee staff director?
11:39AM 21 A. Yes.
11:39AM 22 Q. And that's Leda Kelly?
11:39AM 23 A. Yes.
11:39AM 24 Q. Incidentally, Ms. Kelly happens to be married to Alex Kelly
11:39AM 25 the staff director from the 2010-cycle, right?

11:39AM A. Correct.
11:39AM Q. All right.
11:39AM In the 2020-cycle, the Redistricting Committee had two
11:39AM analysts as well, Kyle Langan and Sam Wagoner, right?
11:40AM A. Yes.
11:40AM Q. And Mr. Langan was also a map drawer who worked under you?
11:40AM A. Yes.
11:40AM A. Correct.
11:40AM Q. Mr. Wagoner primarily did legal analysis and other research
11:40AM projects plus a little map drawing?
11:40AM A. Correct.
11:40AM Q. The committee also had an external affairs chief and
11:40AM administrative assistant?
11:40AM A. Yes.
11:40AM Q. And during the redistricting process, committee staff also
11:40AM worked with Mr. Bardos here as counsel?
11:40AM A. Correct.
11:40AM Q. You testified at your deposition that staff would send maps to
11:40AM him, talk about maps with him, and discuss things with Mr. Bardos?
11:40AM A. That is correct.
11:40AM Q. Now, the House Redistricting Committee had two subcommittees,
11:40AM right?
11:40AM A. Correct.
11:40AM Q. That's the congressional redistricting subcommittee and the
11:40AM state legislative redistricting subcommittee?

11:40AM A. Correct.
11:40AM Q. But the staff was the same for the big committee and the two subcommittees?
11:40AM A. Yes.
11:40AM Q. The parties have stipulated that the main Redistricting Committee chair was Tom Leek. The chair of the congressional subcommittee was Tyler Sirois, and the chair of the state legislative subcommittee was Cord Byrd, who is now the Secretary of State.
11:41AM Now, committee staff also worked directly with those three chairs and their legislative aides, right?
11:41AM A. Correct.
11:41AM Q. Committee staff also worked with the three committee vice chairs, right?
11:41AM A. Correct.
11:41AM Q. And the parties have stipulated that those vice chairs were Randy Fine, Kaylee Tuck, and Will Robinson of the main committee, congressional subcommittee, and state legislative subcommittee, respectively.
11:41AM Just to be clear, Florida Senate played no role in the development of the State House map, right?
11:41AM A. Other than the fact that they had to pass state vote state legislative maps.
11:41AM Q. Other than that vote, they didn't play any role in the development of the actual map?

11:41AM A. That is correct.
11:41AM Q. Thank you. And to be clear, we perhaps referenced it, but you gave a deposition in this case, right?
11:41AM A. Yes.
11:41AM Q. And you testified truthfully to all questions in that deposition?
11:41AM A. I did.
11:42AM Q. And if it's necessary to refresh your memory, or if you want to refer to something in context, I have a copy of that deposition that you can refer to.
11:42AM A. Okay.
11:42AM Q. Now, before we proceed, let's make sure we're on the same page about some terminology. The benchmark plan in general terms is the last legally enforceable redistricting plan in effect going into a redistricting process, right?
11:42AM A. That is correct.
11:42AM Q. So for the 2020-cycle process, the benchmark State House plan was the one the legislature adopted in 2012?
11:42AM A. Correct.
11:42AM Q. And the benchmark congressional plan was the one adopted by court order in December 2015, right?
11:42AM A. Correct.
11:42AM Q. And that plan was first used in the 2016 elections?
11:42AM A. Yes.
11:42AM Q. Both of those benchmark plans were last used in the 2020

11:42AM elections?
11:42AM A. Correct.
11:42AM Q. And they were replaced by the 2022 enacted plans?
11:43AM A. That would be correct.
11:43AM Q. The districts the plaintiffs are challenging in this case are
11:43AM enacted Congressional District 26 and State House Districts 115,
11:43AM 118, and 119. Do you understand that?
11:43AM A. Yes.
11:43AM Q. You'll understand when I say CD or HD, I am referring to a
11:43AM congressional district or a State House district?
11:43AM A. Yes.
11:43AM Q. And you will refer to it like that as well I suspect, right?
11:43AM The parties have stipulated again that the benchmark
11:43AM district for enacted Congressional District 26 was benchmark
11:43AM District 25. Do you understand that?
11:43AM A. Yes.
11:43AM Q. And then we'll explain a little bit more later on why that is
11:43AM the case.
11:43AM But easily enough, the parties have also stipulated that the
11:43AM benchmarks for the three challenged State House district have the
11:43AM same numbers, 115, 118, and 119; is that right?
11:43AM A. Okay.
11:43AM Q. And when we're talking about a protected district -- excuse
11:43AM me. The parties have also stipulated that diminishment is in a
11:44AM protected minority group 's ability to elect its preferred

11:44AM candidates is measured against that group's ability in the benchmark plan under Florida's non-diminishment provision. When we're talking about a protected district, we're talking about a tier-one protected district, right?

A. Yes.

Q. When we're talking about tier one and tier two, those we refer to as shorthand to refer to the requirements contained in the Florida Constitution article three, Section 20 or 22 A and B respectively, right?

A. Okay, yes.

Q. And that's the terminology that House staff and committee members used during the redistricting process, right?

A. That sound right.

Q. Thank you.

Let's pull up Plaintiffs' Exhibit 27, which is in evidence. This is text of the fair districts amendments, and let's zoom in on the top portion, Section 20 standards for establishing congressional district boundaries so that we can read it better. And the tier-one principles essentially state that first no apportionment plan or district shall be drawn with the intent to favor or disfavor a political party or an incumbent, right?

A. Yes.

Q. And second, that 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,

11:45AM right?
11:45AM A. Yes.
11:45AM Q. And that's the so-called anti-vote dilution provision?
11:45AM A. That is correct.
11:45AM Q. And that mirrors Section 2 of the Voting Rights Act, right?
11:45AM A. It's pretty close, yes.
11:45AM Q. Third in tier one is that districts shall not be drawn to
11:45AM diminish the ability of racial or language minorities to elect
11:45AM representatives of their choice, right?
11:45AM A. Yes.
11:45AM Q. And that's called the non-diminishment provision, right?
11:45AM A. That is correct.
11:45AM Q. And that mirrors Section 5 of the Voting Rights Act, right?
11:45AM A. That's my understanding, yes.
11:45AM Q. Fourth, in tier one, is that districts shall consist of
11:45AM contiguous territory, right?
11:46AM A. Yes.
11:46AM Q. And then in subsection B, tier-two principles state that
11:46AM unless compliance with tier two would violate tier one or federal
11:46AM law, then, quote: districts shall be as nearly equal in
11:46AM population as is practicable, districts shall be compact, and
11:46AM districts shall, where feasible, utilize existing political and
11:46AM geographical boundaries, right?
11:46AM A. Yes.
11:46AM Q. All right. Let's talk about member education in the

redistricting process. Early in the redistricting process, there were several committee meetings to educate members on redistricting, right?

A. Yes, there was.

Q. And members learned about what would be the guiding principles for the process?

A. Yes.

Q. Members learned about the criteria that the House would employ in the process?

A. Yes.

Q. And there were even presentations on redistricting law at those early meeting, right?

A. There was.

Q. And, in fact, Mr. Bardos here among others presented on redistricting law to those committees?

A. Correct.

Q. Indeed, the parties have stipulated to essentially those facts.

Now, let's talk about the criteria that committee staff used in the 2020-cycle, okay?

A. Okay.

Q. When drawing maps, committee staff followed tier-one and tier-two principles in the fair districts amendments, right?

A. Yes.

Q. The Florida Supreme Court caselaw gave staff more guidance on

how those criteria were interpreted?
A. That is correct.
Q. That Florida Supreme Court caselaw included apportionment 1 which was the first decision in 2012 reviewing State House and state senate maps?
A. Yes, along with the additional subsequent rulings.
Q. And those subsequent rulings included apportionment 7, 2015 decision on the congressional map?
A. Yes.
Q. And then it also included apportionment 8 the later 2015 decision on the congressional map remedy, right?
A. That is correct.
Q. You read those decisions at the time they came out actually in 2012 and 2015?
A. Correct.
Q. And you reviewed them again during the 2020 process, right?
A. I did, yes.
Q. In addition to Florida Supreme Court caselaw, committee staff looked at federal caselaw to guide implementation of federal requirements, right?
A. Yes.
Q. Thank you.
I'd like to read a portion of Joint Exhibit 65. This is the transcript of the November 2, 2021, House Redistricting Committee, and this is at page 15, line 17. This is Mr. Bardos speaking, and

11:48AM he says, quote: The second tier-two requirement is that districts
11:48AM be compact. This is a common sense assessment in the first place,
11:48AM a visual assessment of the district to determine whether the
11:48AM district is regular in its shape. Or is it bizarre, or does it
11:48AM have appendages? Is it unusual in the way that it looks?
11:48AM Districts that are more regular in their shape, more circular,
11:48AM more square, more understandable in terms of the geographical
11:49AM limitations of the state will be compact.
11:49AM That's how you understood compactness, right?
11:49AM A. Yes.
11:49AM Q. In drawing maps, committee staff followed that understanding
11:49AM of compactness, right?
11:49AM A. Yes.
11:49AM Q. Now, the Florida Supreme Court has used mathematical methods
11:49AM measures of compactness in redistricting decisions, right?
11:49AM A. That is correct.
11:49AM Q. And those three measures that it has used are called Reock,
11:49AM Polsby-Popper, and Convex Hull?
11:49AM A. Yes.
11:49AM Q. The committee would look at those three measures throughout
11:49AM the process, right?
11:49AM A. Yes.
11:49AM Q. And committee staff would look at the scores and factor that
11:49AM into your analysis of districts?
11:49AM A. Yes.

11:49AM Q. Those three scores for each district were included in the data packets that accompanied each map, right?
11:49AM A. That is correct.
11:49AM Q. And those packets would be presented when a map would be at each committee stop, right?
11:49AM A. Maps were, yes, yes.
11:49AM Q. And those types of data packets would also be available when had a map was considered on the floor?
11:50AM A. That is correct.
11:50AM Q. But besides those mathematical measures, committee staff would also use just a simple visual interpretation of compactness, right?
11:50AM A. Yes.
11:50AM Q. And committee chairs sometimes called that the eyeball test?
11:50AM A. Yes, among other terms, yes.
11:50AM Q. Such as?
11:50AM A. The interocular test, I believe the court has used, visual compactness, things along those lines.
11:50AM Q. And interocular because if a district is so irregular that it hits you between the eyes, then you conclude that it's not compact, right?
11:50AM A. Something along those lines, yes.
11:50AM Q. Thank you. And in drawing maps, you try to draw districts that were compact?
11:50AM A. Yes.

11:50AM Q. In fact, you tried to draw districts that were as compact as possible?
11:50AM A. Yes.
11:50AM Q. I'd like to read from the same Joint Exhibit 65. This is at page 16, and this is Mr. Bardos again saying, quote: Finally, the third tier-two standard is the districts must, where feasible, utilize existing political and geographical boundaries. The court has recognize the county and city boundaries as being political boundaries. It has recognized rivers, railways, interstates, and state roads as being geographical boundaries. There might be others as well.

The court has referred to easily ascertainable and commonly understood geographical boundaries. The idea is that voters recognize the boundaries as an immovable boundaries like a state road or like an interstate. It makes more sense to use that as a district boundary than to simply draw a line where there's no ability for a voter to recognize it or refer to it is a geographical boundary does, close quote.

That's how you understood the tier-two standard on political and geographic boundaries, right?
11:51AM A. Yes.
11:51AM Q. Now, the legislature created a boundary analysis score as well, right?
11:52AM A. Yes, that is a separate analysis report that we had added to our redistricting application.

11:52AM Q. And that score quantifies how much a district perimeter coincides with a set of major geographic and political boundaries defined in the legislature redistricting application, right?
11:52AM A. As the census geography layer is allowed, yes.
11:52AM Q. And that boundary score was another tool in your analysis toolbox, right?
11:52AM A. That's correct.
11:52AM Q. The boundary score for roads as you alluded to came from the census bureau's primary and secondary road classifications, right?
11:52AM A. Correct.
11:52AM Q. The Florida Department of Transportation has other road classifications, I think?
11:52AM A. I don't know.
11:52AM Q. But if the Florida Department of Transportation does classify roads in some way, the committee didn't refer to those classifications in its map making?
11:52AM A. No. We only had the geography layers provided by the USA Census Bureau.
11:53AM Q. So -- thank you. Same question for local government road classifications. The fact that a local government may have classified a road in a certain way didn't factor into the committee's mapmaking?
11:53AM A. Not within the boundary analysis score, no.
11:53AM Q. Thank you. I'm now going to ask you more about how committee staff followed the directive to utilize existing political and

11:53AM 1 geographic boundaries.
11:53AM 2 First, following that directive would sometimes mean
11:53AM 3 aligning the border of a district with a county or city limit,
11:53AM 4 right?
11:53AM 5 A. Correct.
11:53AM 6 Q. Or with a major road?
11:53AM 7 A. Or a variety of other features, yes.
11:53AM 8 Q. Such as a waterway?
11:53AM 9 A. That's one example, yes.
11:53AM 10 Q. Following this directive included keeping cities or counties
11:53AM 11 whole where feasible, right?
11:53AM 12 A. Yes. That's a methodology that we used in the House, yes.
11:53AM 13 Q. And in drawing maps, there was a priority on keeping counties
11:54AM 14 whole, right?
11:54AM 15 A. Where possible, yes.
11:54AM 16 Q. And in drawing maps, there was a priority on keeping cities
11:54AM 17 whole, right?
11:54AM 18 A. Again, where possible, yes.
11:54AM 19 Q. If possible, you would try to minimize the number of times a
11:54AM 20 county or a city was split?
11:54AM 21 A. We tried to minimize the number of counties that were split.
11:54AM 22 I don't know if we would always try to minimize the amount of
11:54AM 23 splits within a county. We sometimes prioritized keeping a county
11:54AM 24 whole as opposed to maybe splitting it a third or fourth time. If
11:54AM 25 we had an opportunity to keep that county whole or a city whole,

11:54AM and add another split to a city that was already split, for example, we would probably opt to do that. There was kind of a push-pull with that in some cases.

11:54AM Q. But you emphasized keeping counties and cities whole where you could?

11:54AM A. Where it was feasible, yes.

11:54AM Q. And when it was feasible to keep a city whole, you tried to do so?

11:54AM A. Correct.

11:54AM Q. If you could fit a district entirely within a county, that was another criteria you used if possible?

11:55AM A. Yes, for the counties that were too big to do that, particularly in the House map, we tried to where possible put a district entirely within that jurisdiction whether it be a city or a county.

11:55AM Q. Let's take a look at Plaintiffs' Exhibit 28, which is in evidence. This is the Florida Supreme Court's redistricting opinion referred to as apportionment 8; is that right?

11:55AM A. I believe that's correct, yes.

11:55AM Q. This is that court's decision from December 2015 as it says there, ordering a remedial congressional plan?

11:55AM A. Yes.

11:55AM Q. And you testified earlier that this decision apportionment 8 was part of the caselaw that informed the committee's mapmaking, right?

11:55AM A. That is correct.
11:55AM Q. Let's take a look at footnote 14 from apportionment 8. And to summarize this footnote, and feel free to take a moment to read it to yourself. It's saying that areas of no population essentially could be split by a district but effectively wouldn't count as a split in that jurisdiction, right?
11:56AM A. Yes, that is what the footnote says, yes.
11:56AM Q. And this understanding of county and city splits that are unpopulated factored into the House's map making, right?
11:56AM A. Yes, it was something that we considered, yes.
11:56AM Q. Where you decided it made sense to cut out a zero population area, to improve visual compactness, you took advantage of this principle?
11:56AM A. I think the only time that we did is in this specific example of the Sunshine Skyway Bridge in Tampa Bay. I don't believe we did that anywhere else on the map.
11:56AM Q. And in that instance is an example of where you decided it made sense to cut out a zero population area to improve visual compactness, right?
11:56AM A. Not just visual by mathematical compactness of multiple districts, yes.
11:56AM Q. Thank you.
11:57AM To recap, the criteria that the committee applied in drawing maps were the Florida constitutional criteria and federal law, right?

11:57AM A. Yes.
11:57AM Q. The committee applied the tier-one and tier-two criteria consistently, right?
11:57AM A. Yes.
11:57AM Q. And the committee had a consistent methodology for applying the constitutional criteria?
11:57AM A. Yes.
11:57AM Q. Committee staff applied its consistent methodology in drawing both the House and congressional maps, right?
11:57AM A. Yes.
11:57AM Q. But of course the congressional districts are bigger than the State House Districts?
11:57AM A. Correct.
11:57AM Q. Now, let's pull up Plaintiffs' Exhibit 71, which is already in evidence. And I will hand you a copy, Mr. Poreda.
11:57AM MR. WARREN: May I approach?
11:57AM JUDGE GRANT: You may.
11:57AM THE WITNESS: Thank you.
11:57AM BY MR. WARREN:
11:57AM Q. This is a memorandum dated October 18, 2021, from Senate Reappointment Committee Chair Rodrigues to Senate staff director Ferrin titled committee directives to staff on map drawing.
11:58AM Do you see that?
11:58AM A. Yes.
11:58AM Q. You are aware of this memo?

11:58AM A. I am, yes.
11:58AM Q. Please read it again silently and let me know when you're done.
11:58AM MR. WARREN: This is already in the Court's notebook.
11:59AM THE WITNESS: Okay.
11:59AM BY MR. WARREN:
11:59AM Q. All right. I want to focus on three portions of this memo. First, this line, which is highlighted on the screen about equal population on page 1, which says, quote: In accordance with the tier-two standards of the constitutional requirements related to equal population, you are directed to prepare senate plans with district population deviations not to exceed one percent of the ideal population of 500,000 -- 538,455 people, close quote.
11:59AM The second portion I'd like to focus on is this line on page 2, about municipal boundaries saying, quote: With respect to municipal boundaries, you are directed to explore concepts that, where feasible, keep cities whole while also considering the impermanent and changing nature of municipal boundaries.
12:00PM And the third portion I'd like to focus on is this line on that same page highlighted on the screen about geographic boundaries, which says, quote: You are further examined -- you are further directed to examine the use of existing geographic boundaries where feasible. Specifically railways, interstates, federal and state highways, and large water bodies such as those that were deemed to be easily recognizable and readily

12:00PM ascertainable by Florida's Supreme Court, close quote.

And you recall, Mr. Poreda, we discussed this memo at your deposition?

A. Yes.

Q. And in particular, we discussed the ways in which the explanations of the tier-one and tier-two standards in the senate memo did not quite align with your own directives in the House. Do you remember that?

A. Yes. We didn't exactly have directives in the House as this memo directed the senate staff, but it's how we interpreted the standards of federal and state within the House with our methodology for drawing districts, yes.

Q. Thank you. And in the ways in which the Senate memo does not quite align with your own methodology, are, number one, the House had no fixed equal population threshold for State House Districts, right?

A. Correct.

Q. And that's unlike the Senate directive with the one percent threshold for Senate districts?

A. Correct.

Q. The second way in which the Senate memo does not quite align with the House committee staff's methodology is this piece on the next page, the second piece that I highlighted, about discounting municipal boundaries in some way. If we can see the next page. The second page right here. Is that right?

12:02PM A. I don't think the Senate nor the House ever discounted municipal boundaries. The difference is that in the House, we didn't necessarily consider how those municipal boundaries may change in the future. We just looked at the municipal boundaries as given to us by the US Census Bureau.

12:02PM Q. And we discussed just a few minutes how keeping cities whole and utilizing city boundaries was part of the House's methodology, right?

12:02PM A. That is correct.

12:02PM Q. And then the third way in which the Senate memo does not quite align with the House's.

Methodology is that there was no specific limited universe of major geographic boundaries that were considered to the exclusion of others, right?

12:02PM A. That is correct.

12:02PM Q. And to your knowledge, there is no -- and after reviewing the memo again, there are no other differences between the senate and house methodologies for implementing the constitutional criteria, right?

12:02PM A. I believe that is correct, yes.

12:03PM Q. Thank you. Let's talk about on that note the criteria that the House did not consider in the redistricting process.

12:03PM When drawing maps in the 2020-cycle, you did not seek in any way to favor or disfavor a political party, right?

12:03PM A. That is correct.

12:03PM Q. You did not seek in any way to favor or disfavor an incumbent?
12:03PM A. That is correct.
12:03PM Q. You did not seek in any way to preserve the cores of preexisting districts?
12:03PM A. That is correct.
12:03PM Q. In other words, when drawing maps in the 2020-cycle, you started with a blank map?
12:03PM A. Correct.
12:03PM Q. You did not start with the benchmark plans for either the house or congressional maps?
12:03PM A. Not during the drawing process, no.
12:03PM Q. Thank you. And even when drawing tier-one protected districts, you did not try to mimic previous districts?
12:03PM A. No.
12:03PM Q. Instead, for any tier-one protected district that you drew in the 2020-cycle, you started afresh and tried to apply the tier-two principles?
12:04PM A. Yes.
12:04PM Q. Separate from what you might have done or might have to do to achieve population equality, you did not have a goal to cross any particular city line, right?
12:04PM A. I'm not sure if I understand the question.
12:04PM Q. My question is: Did you have a goal to, Gainesville for example, we want to avoid crossing that city line in Gainesville as a specific city?

12:04PM A. No. There were no cities that we had any predetermined goal
12:04PM to cross or not to cross or to split or not to split other than
12:04PM the cities that were too big for a House district or in drawing
12:04PM the State House map.
12:04PM Q. And the same is true for the congressional map. There is one
12:04PM city that's too big?
12:04PM A. I believe that that's correct, yes.
12:04PM Q. So in other words, you had a goal in general to avoid
12:04PM splitting cities, but not any specific city?
12:04PM A. Where feasible, yes.
12:05PM Q. And likewise, you did not have a goal to adhere to any
12:05PM particular county line over another?
12:05PM A. That is correct.
12:05PM Q. You did not have it as a goal to avoid crossing any particular
12:05PM geographic boundary as well?
12:05PM A. Correct.
12:05PM Q. For example, it was not a goal to avoid crossing the Kissimmee
12:05PM River Basin specifically?
12:05PM A. Correct.
12:05PM Q. To sum up, when you drew maps in the 2020-cycle, you believe
12:05PM you always followed the Florida Constitution's directives as
12:05PM interpreted by caselaw and the federal standards as interpreted by
12:05PM federal caselaw?
12:05PM A. Correct.
12:05PM Q. Let's talk a little bit about the role the committee chairs in

12:05PM 1 the redistricting process.
12:05PM 2 During the development of the workshop maps, the early
12:05PM 3 drafts, you understand what I'm referring to?
12:05PM 4 A. Yes.
12:05PM 5 Q. Staff would occasionally present the committee chairs with
12:05PM 6 multiple concepts, right?
12:05PM 7 A. Yes.
12:05PM 8 Q. And the chairs gave their input on those draft concepts?
12:05PM 9 A. Yes.
12:05PM 10 Q. And then based on staff's discussion with chairs, staff
12:06PM 11 reworked drafts and refined them into workshop options?
12:06PM 12 A. I think it was more we decided which decision points we wanted
12:06PM 13 to demonstrate for the membership. Our workshop maps were really
12:06PM 14 designed to try to demonstrate as many different options or
12:06PM 15 decision points that are in each of the respective maps whether it
12:06PM 16 be congressional or State House, and we tried to present as many
12:06PM 17 of those different options as we could, and the discussions with
12:06PM 18 the chairs helped us refine which of those decisions we were going
12:06PM 19 to put into the workshop maps.
12:06PM 20 Q. So based on staff's discussion with committee chairs about the
12:06PM 21 choices that might be presented to the full committees, staff took
12:06PM 22 that chair input into account when making those decisions?
12:06PM 23 A. Correct.
12:06PM 24 Q. And that process resulted in workshop A and workshop B options
12:06PM 25 for both the State House and congressional maps, right?

12:07PM A. That is correct.
12:07PM Q. Before each committee meeting, at every step staff, had pre-meetings with the chair, right?
12:07PM A. Yes.
12:07PM Q. You would discuss at those pre-meetings what you would be doing at the upcoming committee meeting and what information would be presented?
12:07PM A. Correct.
12:07PM Q. And those pre-meetings allowed staff and chairs to get in alignment on how the meeting would go?
12:07PM A. Correct.
12:07PM Q. And, in fact, staff and committee leadership were in alignment during the redistricting process?
12:07PM A. Yeah, we were, yes.
12:07PM Q. And on the purpose of the process as well, right?
12:07PM A. The purpose of each individual meeting, yes.
12:07PM Q. And on the intentions as well?
12:07PM A. Correct.
12:07PM Q. Now, not to state the obvious, but you are not a member of the Florida House, right?
12:07PM A. I am not.
12:07PM Q. And you were not during the redistricting process either?
12:07PM A. No.
12:07PM Q. You did not vote on the enacted plans?
12:07PM A. No, I did not vote on any of the plans.

12:07PM Q. And the members of the House have their own thoughts and ideas?
12:08PM A. Correct.
12:08PM Q. They may have expressed those during the process?
12:08PM A. Yes.
12:08PM Q. And, in fact, they did express those during the process, some of them?
12:08PM A. They did.
12:08PM Q. And at the end of the day, you're the one -- they're the -- they are the ones that vote on the legislation, right?
12:08PM A. That is correct.
12:08PM Q. And you worked for them?
12:08PM A. Correct.
12:08PM Q. And you may disagree with them from time to time?
12:08PM A. Yes.
12:08PM Q. And you can't testify to any individual members' motivations or intent with respect to the enacted plans?
12:08PM A. That is correct.
12:08PM Q. Thank you. Let's talk about the development of the State House plan.
12:08PM The parties have stipulated that on December 3rd, 2021, the House state legislative redistricting subcommittee workshopped two State House plans, 8005 and 8007, or workshop option B and workshop option a. Do you recall that?
12:08PM A. Yes.

12:08PM Q. And workshop A and B were the first draft plans that the committee considered, right?
12:09PM A. Yes -- well, I mean, they were called workshop maps specifically because we were not considering any particular bill or anything like that. They were simply workshop maps. So in that respect, they weren't really considered like other legislations or other things that come before a House committee.
12:09PM Q. But before those meetings where workshop A and workshop B were workshopped, the committees had not reviewed any other maps, right?
12:09PM A. I can't speak for what all of the other members did or didn't do before the meeting.
12:09PM Q. But during committee meetings?
12:09PM A. Yes.
12:09PM Q. Thank you.
12:09PM Let's take a look at Joint Exhibit 39, page 28 of the PDF. This is the meeting packet for the House legislative subcommittee meeting on December 3rd, '21. And this slide shows the workshop A and workshop B configurations for Dade County, right?
12:10PM A. Yes.
12:10PM Q. And you can see HD 115 there in the middle in pink, right?
12:10PM A. I think its more of a gray, but, yes.
12:10PM Q. And I think we discussed at your deposition that I'm color blind.
12:10PM A. I had forgotten that. Sorry.

12:10PM Q. Then HD 118 is there to the west, right?
12:10PM A. Correct.
12:10PM Q. And HD 119 is to the west of 118 in both of these workshop options, right?
12:10PM A. That is correct.
12:10PM Q. All right. The parties have stipulated that about a month later, mid-January, 2022, the full Redistricting Committee also workshopped plans 8005 and 8007 or workshop A and B, and the parties have stipulated that the following week, January 21st, the House State legislative subcommittee convened to discuss another plan 8009.
12:11PM Let's take a look at Joint Exhibit 41. This is from the meeting packet of that legislative subcommittee meeting, showing plan 8009 in Dade County. Does that look to be right to you?
12:11PM A. It does.
12:11PM Q. And that subcommittee favorably reported a proposed committee bill containing this plan 8009?
12:11PM A. Yes.
12:11PM Q. Now, finally, the parties have stipulated that the week after that, January 26th, the full Redistricting Committee considered and favorably reported legislation that replaced 8009 with 8013, which would become the enacted State House plan, right?
12:11PM A. Yes.
12:11PM Q. Let's take a look just for good measure at the enacted State House plan in this same area. This is Defense Exhibit 3.

12:11PM Now, 8013, the enacted State House plan, was considered by
12:12PM the full House on the floor on February 1st and 2nd, 2022.
12:12PM All right.
12:12PM Let's move on and talk about the development of the
12:12PM congressional plan.
12:12PM The parties have stipulated that on December 2nd, 2021, the
12:12PM house congressional subcommittee workshopped two draft plans as
12:12PM well, workshop A, workshop B, which were numbered 8001 and 8003,
12:12PM just like the State House workshop options. Let's take a look at
12:12PM Joint Exhibit 38 PDF page 13, which is from that subcommittee
12:12PM meeting packet showing congressional workshop A and B
12:12PM configurations for the four southernmost districts in south
12:12PM Florida; is that right?
12:12PM A. Yes.
12:12PM Q. And you can see CD 26 there in both options, right?
12:12PM A. Yes.
12:12PM Q. Okay.
12:12PM Now, on February 18, '22 the same congressional subcommittee
12:12PM considered a new plan, 8011, and we'll take a look at that from
12:13PM Joint Exhibit 43, PDF page 12. This is the meeting packet from
12:13PM that February 18th congressional subcommittee meeting, and that
12:13PM subcommittee favorably reported a proposed committee bill
12:13PM containing the plan it considered which is 8011.
12:13PM Does that sound right, Mr. Poreda?
12:13PM A. Yes, it does.

12:13PM Q. And then a few days later, February 25th, the full house
12:13PM Redistricting Committee considered congressional redistricting
12:13PM legislation including another plan, 8017, and we'll take a look at
12:13PM that from Joint Exhibit 44, the February 25th House committee
12:13PM meeting packet, PDF, page 16, and that shows the configuration of
12:13PM the four southernmost districts in 8017.
12:13PM Does that look to be right?
12:13PM A. It does.
12:13PM Q. And that committee favorably reported a bill containing this
12:14PM plan.
12:14PM Now, the full House took up congressional redistricting in
12:14PM early March, '22, including plans -- plan 8019, which we'll pull
12:14PM up from Joint Exhibit 8, showing plan 8019 in south Florida.
12:14PM Does this look right to you?
12:14PM A. Yes.
12:14PM Q. And the full House adopted 8019, and the Senate passed it the
12:14PM same day. And then do you recall that the Governor vetoed the
12:14PM bill containing plan 8019?
12:14PM A. Yeah. The bill contained two maps actually. It was 8019,
12:14PM along with 8015, I believe.
12:14PM Q. And I believe the parties have stipulated that those two plans
12:14PM differed only in their configuration in districts outside south
12:14PM Florida. And the parties have also stipulated that the Governor's
12:14PM veto of that bill was over disagreements with districts outside of
12:15PM south Florida.

12:15PM Now, in April 2022, the legislature convened in a special session and adopted enacted congressional plan also referred to as plan 109, which the Governor signed into law. We'll take a look at enacted Congressional District 26 from Defense Exhibit 23.

Do you remember that?

A. Yes.

Q. Now, you were present for the House floor sessions when all these plans were considered on the House floor, right?

A. Yes, I was.

Q. And you were present at all the committee and subcommittee meetings as well, except when both subcommittee meetings were running concurrently?

A. That is correct.

Q. In which case, you would be in one of them, and other staff would be in the other?

A. That is correct.

Q. Now, let's talk more about the tier-one criteria relating to racial and language minorities.

To recap, tier-one says in part, quote: 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.

Let's take a look at a portion of the Florida Channel video recording at Joint Exhibit 110 from the November 2nd, 2021, House

committee meeting.

This is starting at minute 5, second 11, corresponding to Joint Exhibit 65, at page 5, line 25, through 8, 1.

(Video clip played.)

Q. So, Mr. Poreda, tier-one protects the ability of certain racial or language minority voters in their ability to elect preferred candidates, correct?

A. Yes.

Q. And for non-diminishment standard, diminishment in minority ability to elect in the current district is compared to its previous benchmark counterpart, right?

A. Correct.

Q. Before the map making, you reviewed where there might be tier-one protected districts in the state and identified regions of the state where there might be a certain number of protected districts in the benchmark, right?

A. Yes.

Q. And you used that as a base to determine if any of those districts still met the requirements to be protected?

A. For comparing that to -- for the diminishment clause specifically, yes.

Q. And that determination told you whether that district essentially needed to be duplicated in a new map?

A. Not duplicated. But if feasible, redrawn depending how the characteristics of population and demographics may have changed

12:22PM over the decade.
12:22PM Q. If feasible, redraw it in the same area of the state where
12:22PM there was a corresponding benchmark district, right?
12:22PM A. Not necessarily the same area. It could share parts of the
12:22PM same area or maybe entirely the same area. It kind of depends on
12:22PM a district by district basis.
12:22PM Q. Thank you.
12:22PM But because you knew what had had been drawn protected
12:22PM previously, those were districts that you were going to look at
12:22PM carefully this time, right?
12:22PM A. Yes, but not just drawn previously. We take the new census
12:23PM data in this case 2020, and overlay that with the previously drawn
12:23PM districts to see how -- and do a functional analysis on those
12:23PM districts with the new data to see how they're currently
12:23PM performing rather than how they were drawn ten years ago.
12:23PM Q. Thank you. But you also in a blank map used the heat map in
12:23PM the legislature's redistricting application to look for where
12:23PM either those districts, protected districts in the benchmark could
12:23PM change or where a new district might pop up, right?
12:23PM A. We didn't always use the heat map, no. We sometimes used it.
12:23PM It was really on a district by district basis where we felt like
12:23PM it was useful.
12:23PM Q. And my question was not whether you used every single time or
12:23PM in every area of the state. But you would sometimes use the heat
12:23PM map to do that, right?

12:23PM A. Yes.
12:23PM Q. Thank you. And that heat map showed the racial makeup of the
12:24PM population, right?
12:24PM A. It would show the racial data that we selected. You could
12:24PM choose black voting age population or Hispanic voting age
12:24PM population or any of the other census data available to us.
12:24PM Q. Thank you.
12:24PM Now, let's take a look at an excerpt from that same
12:24PM November 2nd House committee meeting from page 20, lines 10
12:24PM through 21. This is Mr. Bardos speaking again.
12:24PM And he says, quote: The functional analysis is an
12:24PM assessment of elections data to determine whether minorities are
12:24PM likely to be able to elect the candidates of their choice in the
12:24PM districts that the legislature has drawn or the districts in the
12:24PM benchmark plan.
12:24PM It consists of election results. It consists of turnout
12:24PM data. It consists of registration data. All of that is viewed in
12:24PM combination with the voting age population. All of that informs
12:25PM the primary analysis that the Florida Supreme Court has required
12:25PM the legislature to conduct in drawing minority district, and that
12:25PM is; one, will minorities be able to control the primary election
12:25PM and nominate the candidates from the primary that they prefer?
12:25PM Two, will minority voters be able to elect the candidates of
12:25PM their choice in the general elections?
12:25PM So primary election, general election. It requires us to

look at the elections data from past elections, registration data, and turnout data to determine whether minority voters have sufficient numbers, sufficient turnouts, sufficient registration in order to control the primarily and then ultimately the general election, close quote.

This is your understanding of a functional analysis, right?

A. Yes.

Q. And Mr. Bardos's explanation captures what committee staff did in conducting functional analysis?

A. Yes.

Q. As Mr. Bardos explained, you looked at, first, will the minority group be able to control the primary election and nominate the candidates from the primary that they prefer, right?

A. In doing the functional analysis, we almost did the opposite of what he is describing there, because in order to look at the primary, you have to know which party may end up controlling the general election. So we did it kind of all in tandem, but it was almost a reverse of what was described, but we did do that analysis, yes.

Q. Thank you. And I think we'll get into in more depth what exactly you're describing in a little bit.

A. Okay.

Q. So that's the functional analysis that you conducted as you described?

A. Yes.

12:26PM Q. Thank you. You would conduct a functional analysis periodically on draft protected districts, right?
12:26PM A. Yes.
12:26PM Q. And indeed before publishing a draft map publicly, you would certainly conduct a functional analysis on each protected district in that plan?
12:26PM A. Yes.
12:26PM Q. Let's talk more about the different data that goes into a functional analysis of a protected district, and specifically, I'll talk here about functional analysis of Hispanic protected districts. So that would include Hispanic voting age population, right?
12:27PM A. Yes.
12:27PM Q. That would include registration for the particular racial group, right?
12:27PM A. Yes.
12:27PM Q. So Hispanic share of registered voters?
12:27PM A. Yes.
12:27PM Q. Because sometimes, there can be a drop-off between HVAP and Hispanic registered voters overall, right?
12:27PM A. Sometimes, yes.
12:27PM Q. Or there can also be a drop-off between Hispanic registration for one party or another?
12:27PM A. Correct.
12:27PM Q. And so you would look at Hispanic registration as a share of

12:27PM Democratic voters or Republican voters depending on the circumstances of the district?
12:27PM A. Correct.
12:27PM Q. And you would look at Hispanic turnout in general elections, right?
12:27PM A. Yes.
12:28PM Q. And that's because turnout rates can also vary by race?
12:28PM A. Yes.
12:28PM Q. And there can be drop-off between share of registered voters and actual turnout?
12:28PM A. Correct.
12:28PM Q. And registration and turnout in the relevant party primaries you would also look at?
12:28PM A. Correct.
12:28PM Q. Whether that be on the Democratic side, or the Republican side, or both if it's a competitive district, right?
12:28PM A. That is correct.
12:28PM Q. And you'd look at these registration or turnout data for multiple elections, not just a single election, right?
12:28PM A. Yes.
12:28PM Q. And not just the most recent election?
12:28PM A. We looked at in all of the elections that we had available to us in our application.
12:28PM Q. And the elections that were available to you in your application were all of the statewide elections from 2012

12:28PM 1 through 2020, right?
12:28PM 2 A. That is correct, yes.
12:28PM 3 Q. So you had the full decade available to you in the legislature
12:28PM 4 software?
12:28PM 5 A. Yes.
12:28PM 6 Q. And changing a district ever so slightly can alter those
12:29PM 7 numbers a lot sometimes, right?
12:29PM 8 A. Potentially. I wouldn't say if you're just making a small
12:29PM 9 change. I don't think it would make or have a dramatic impact,
12:29PM 10 but you never know.
12:29PM 11 Q. So sometimes changing a district slightly can alter those
12:29PM 12 relevant functional analysis numbers a lot?
12:29PM 13 A. Potentially.
12:29PM 14 Q. So it was really important to avoid making any changes that
12:29PM 15 would alter those numbers in a way that would cause a problem for
12:29PM 16 the functional analysis, right?
12:29PM 17 A. Well, we wouldn't know until we ran a functional analysis
12:29PM 18 after whatever changes that we did, so we would not -- we would
12:29PM 19 not know what we were doing, how it would impact the functional
12:29PM 20 analysis numbers.
12:29PM 21 Q. But if you did make a change that altered those numbers in a
12:29PM 22 way that negatively impacted the functional analysis, that would
12:29PM 23 be a problem for tier-one?
12:29PM 24 A. Potentially.
12:29PM 25 Q. So sometimes you had a very to be careful to avoid having that

12:29PM 1 type of negative impact, right?
12:30PM 2 A. Yes.
12:30PM 3 Q. Let's talk specifically --
12:30PM 4 JUDGE GRANT: Excuse me, Mr. Warren. I did want to
12:30PM 5 mention we're getting towards 12:30. Are you close to a stopping
12:30PM 6 point, or should we break?
12:30PM 7 MR. WARREN: I think this is a great stopping point.
12:30PM 8 JUDGE GRANT: Okay. Perfect. Let's, please, take our
12:30PM 9 hour-long break for lunch right now. We will come back,
12:30PM 10 therefore, at 12:30 [sic].
12:30PM 11 Mr. Poreda, you're dismissed for now, and we'll see you
12:30PM 12 at 12:30. Thank you. 1:30. We're in recess.
12:30PM 13 (Lunch recess 12:30 p.m.)
01:36PM 14 (Back on the record at 1:36 p.m.)
01:36PM 15 JUDGE GRANT: Thank you. Everyone can be seated. Are we
01:36PM 16 still on track to complete on the schedule that you outlined
01:36PM 17 before?
01:36PM 18 MR. WARREN: I am exactly halfway through, and we have
01:36PM 19 gone 60 minutes.
01:36PM 20 JUDGE GRANT: Fantastic. Thank you. You may proceed.
01:36PM 21 MR. WARREN: Thank you.
01:36PM 22 BY MR. WARREN:
01:36PM 23 Q. Mr. Poreda, before the break, we were talking about how you
01:36PM 24 and House staff drew districts in the 2021 redistricting process.
01:36PM 25 Do you recall that?

01:36PM A. Yes.
01:36PM Q. Let's talk specifically about the districts that are
01:36PM challenged in this case, which again are CD 26 and HD 115, 118,
01:37PM and 119. The committee understood those challenged districts to
01:37PM be protected under Section 2 of the VRA, right?
01:37PM A. I think it was possible that all of them could be protected by
01:37PM Section 2, yes.
01:37PM Q. And that's the vote dilution standard, right?
01:37PM A. Yes.
01:37PM Q. And under the tier-one minority protection provisions too, the
01:37PM committee understood those districts to be protected?
01:37PM A. Yes, by both the equivalent, both dilution as well as the
01:37PM diminishment standard that is in our state constitution, yes.
01:37PM Q. Because the committee determined that they were tier-one
01:37PM protected, the committee concluded that those districts would
01:37PM require functional analysis, right?
01:37PM A. That is correct.
01:37PM Q. Staff conducted a functional analysis on each protected
01:37PM district in any map that you were going to publish for the public?
01:37PM A. That is correct.
01:37PM Q. And for unpublicized drafts, periodically staff would conduct
01:37PM a functional analysis on draft protected districts as well?
01:38PM A. Yes, during the development of those districts, yes.
01:38PM Q. Now, you said earlier that before engaging in the map making
01:38PM itself, committee staff looked to the benchmark plans to identify

where in the state there might be tier-one protected districts in the new cycle, right?
A. So we took the new data and applied it to the old map to determine those districts that had previously been protected how they were currently performing the new decade of data.
Q. Thank you. And before you started drawing maps, the committee staff knew that a certain number of black and Hispanic protected districts were in the benchmark in Dade County specifically?
A. Yes. With the benchmark map we were able to determine how many districts there were, yes.
Q. Although that did not necessarily mean that it would exactly translate to a new map, once you started drawing, that was a baseline where you started from?
A. It was baseline for determining particularly the diminishment standard and how they would be applicable to those districts, yes.
Q. I'd like to play a portion of Joint Exhibit 120. This is the February 1st, 2022, House session starting at hour 2, minute 13, second 30, and it corresponds to Joint Exhibit 75 at page 62, line 21, through 63, 7.
(Video clip played.)
Q. That's Redistricting Committee Chair Leek answering?
A. Yes.
Q. You don't think Chair Leek spoke inaccurately here, do you?
A. I don't think that we specifically targeted 65 percent as he said there, but generally the rest of what he said was accurate,

01:41PM yes.
01:41PM Q. Thank you. Let's go and take a look at a portion of Joint
01:41PM Exhibit 65, which is the November 2nd, 2020, committee meeting,
01:41PM this is page 11, line 6 through 14. This is Mr. Bardos again, and
01:41PM he says, quote: The standards are divided into two tiers,
01:41PM frequently referred to them tier-one and tier-two. The standards
01:41PM in tier-one prevail over those in tier-two if there is a conflict.
01:41PM One example of that might be in order to maintain a district
01:41PM in which minority voters have the ability to elect, it might be a
01:41PM district that is non-compact, it might be in the benchmark plan.
01:41PM Tier two, on the other hand, requires districts to be
01:41PM compact. In order to avoid diminishment, if it's necessary, that
01:41PM district can be redrawn even if it's not compact in order to avoid
01:41PM diminishing the ability of minority voters to elect candidates of
01:42PM their choice.
01:42PM That's one example in which tier-one standards might
01:42PM conflict with tier-two standards. And the tier-one standards will
01:42PM prevail in that situation.
01:42PM Now, at your deposition, we discussed the ways in which
01:42PM there might be conflicts between tier-one and tier two in the
01:42PM challenged House districts. Do you recall that?
01:42PM A. Yes.
01:42PM Q. Let's take a look again. This is the enacted House plan for
01:42PM reference. You identified some elements of the shape of HD 115 as
01:42PM exhibiting that type of conflict, right?

01:42PM A. I don't know if I did or didn't in the deposition. I'd have to double-check that, but I believe that House District 115 is a good balance of all of the standards.
01:42PM Q. That's not exactly my question. My question is sitting here today, you identify some element of the shape of HD 115 as exhibiting that type of conflict between tier-one and tier two, right?
01:43PM A. I don't think I would characterize it like that, no.
01:43PM Q. Let's take a look at your deposition on page 132. And let's actually go to page 131 first. And on page 131, starting at line 13, it says:
01:44PM Question: Okay. So I think -- that's very helpful. I just want to recap your answers to the original question, which was, are there any instances of conflict between tier-one and tier two in the challenged districts, just so that I'm clear on what you said.
01:44PM Answer: Yeah.
01:44PM And then on the following page, page 132, line 4, it says:
01:44PM Question --
01:44PM MR. BARDOS: I'm sorry. Could he just read through those few lines that he skipped?
01:44PM JUDGE GRANT: Yes. Please read those. Thank you.
01:45PM BY MR. WARREN:
01:45PM Q. Returning back to page 131, line 19.
01:45PM Question: And please correct me if I'm wrong. You

01:45PM mentioned in answer to that the northern extension of district 115 potentially, right?

Answer: Potentially, but that's also done because we're keeping those two cities whole in 114. So there's always going to be some awkward areas we're drawing where you're going to have to make them as compact as you can.

And on the next page.

Especially in a densely-populated area such as this. So that might be something that I would identify, but I think we did it in as compact a way as possible.

Question: So you might identify some element of the shape of 115 as exhibiting that type of conflict?

Answer: Yes.

So, Mr. Poreda, in particular the northern extension of HD 115 potentially exhibits that type of conflict between tier-one and tier two, right?

A. I wouldn't necessarily characterize it as a conflict. I know that's how it is worded here in the deposition, but it's more of a compromise between all of the standards, and a balancing, as I identified previously, that there were some cities, specifically the city of south Miami and west Miami, I believe in addition to some other factors that may have also contributed. Did tier-one potentially contribute to part of that shape as well as the other factors? Yeah.

Q. All right. So and at your deposition, you testified that the

01:46PM 1 northern extension of 115 potentially exhibits that type of
01:46PM 2 conflict between tier-one and tier two?
01:46PM 3 A. Yes.
01:46PM 4 Q. Now, sometimes -- and we can return to the map of the enacted
01:46PM 5 districts -- sometimes in the map making process, you drew a draft
01:46PM 6 protected district based on tier-two principles, then ran a
01:46PM 7 functional analysis on that draft district to make sure that it
01:47PM 8 was tier-one compliant, right?
01:47PM 9 A. Yes.
01:47PM 10 Q. And then if you concluded based on that functional analysis
01:47PM 11 that the draft district did not satisfy tier-one, you made
01:47PM 12 adjustments?
01:47PM 13 A. Potentially.
01:47PM 14 Q. Well, sometimes that did happen, right?
01:47PM 15 A. It wasn't as linear as that. As we were drawing multiple
01:47PM 16 different options in the area, we would always perform a
01:47PM 17 functional analysis after a district was drawn. I don't think
01:47PM 18 that -- and then we would choose the option that we felt best
01:47PM 19 balanced all of the standards including the tier-one protected
01:47PM 20 provisions. So I don't know if it was as linear as we would draw
01:47PM 21 a district, run a functional analysis, and then make specific
01:47PM 22 tweaks just based on that sole functional analysis to have a
01:47PM 23 completed district, because district drawing is very hard to do it
01:47PM 24 on an individual district when you have to have all of the
01:48PM 25 districts together marry up. So it was a slightly more organic

01:48PM process than that.
01:48PM Q. Thank you. Let's take a look at page 162 of your deposition, starting at line 4. It says:
01:48PM Question: So do you agree or disagree that Chair Leek's statement regarding not getting to tier two until you ensure tier-one is satisfied, do you agree or disagree that that reflects the committee's drawing of the challenged districts?
01:48PM Mr. Bardos objected to form.
01:48PM Answer: Again, I think he's more referring to, like, global part of it. I can tell you in the drawing process that's not -- that's not the -- we did not always, like, draw a district to satisfy tier-one before getting to tier two. It was always a combination of the two together, right, and specifically in south Florida with these districts, it was basically the reverse. We were trying to draw tier-two compliant districts, trying to keep as many cities whole as possible, find major roads or other geographical features to follow, and from there adjust what we were drawing to then satisfy tier-one in as real way as we possibly could.
01:49PM So it was kind of the reverse, but the analysis is still the same, because ultimately, the thing that mattered above tier two even though we were drawing tier-two compliant districts was making sure that the functional analysis on the tier-one side was satisfied, and if it wasn't, we would have to make adjustments to those other districts.

01:49PM Do you see that?
01:49PM A. Yes.
01:49PM MR. BARDOS: I'm sorry. Could he please read to the end
01:49PM where he says that the drawing was an organic process?
01:49PM JUDGE GRANT: Yes. Please continue that.
01:50PM BY MR. WARREN:
01:50PM Q. But because the Hispanic voting age population throughout Dade
01:50PM County is so high, we did not have to draw any of those districts
01:50PM predominantly just looking at race first. In satisfying tier-one,
01:50PM we were able to keep -- can we draw a district to keep Coral
01:50PM Gables whole, and do those sorts of things, and then be, like, oh,
01:50PM well, this district we drew, let's do the functional analysis on
01:50PM it and make sure it still complies.
01:50PM So we kind of almost took a backward approach in Dade
01:50PM specifically, except for the black districts, which had to be
01:50PM drawn almost the opposite. We had to draw those where we had
01:50PM the -- we drew those to, I think, maybe satisfy more tier-one and
01:50PM then massaged them to get them to be more compact, because those
01:50PM black populations are more concentrated in particular areas where
01:50PM the Hispanic population is throughout multiple cities and multiple
01:50PM areas.
01:50PM So it was just kind of a different approach depending on how
01:50PM you're looking at different protected districts and different
01:51PM populations. So there isn't one way that we always drew all of
01:51PM the protected districts, even in Dade County, so it is -- the end

01:51PM 1 analysis is always the same. They have to make sure they're --
01:51PM 2 you know, they perform in the functional analysis and they
01:51PM 3 satisfied tier-one, and then they satisfy tier two stuff. But in
01:51PM 4 the actual drawing, it was more of an organic process.
01:51PM 5 Now, Mr. Poreda, in specific circumstances if you concluded
01:51PM 6 based on the functional analysis that a draft district did not
01:51PM 7 satisfy tier-one, you made adjustments, right?
01:51PM 8 A. We would generally make adjustments to at that point multiple
01:51PM 9 districts or try to find another option that might be a small
01:51PM 10 tweak to multiple districts or mostly just one, or it could be
01:51PM 11 changes to multiple districts in order to try to balance all of
01:51PM 12 the standards to the best of our ability, including those tier-one
01:52PM 13 standards.
01:52PM 14 Q. And so those adjustments that you described were, at least in
01:52PM 15 part, to ensure that the district would continue to perform for
01:52PM 16 the protected minority group, right?
01:52PM 17 A. Yes. Specifically looking at the non-diminishment standard,
01:52PM 18 if we were trying to make sure that the opportunity for those
01:52PM 19 minority communities to elect the candidate of their choice stayed
01:52PM 20 at a commensurate level than what was in the corresponding
01:52PM 21 analogous benchmark district.
01:52PM 22 Q. So that's correct that the adjustments that you described
01:52PM 23 would be to ensure that the district would continue to perform for
01:52PM 24 the minority group?
01:52PM 25 A. Yes.

01:52PM Q. In other words, those adjustments would be to enhance the minority performance of the draft district?
01:52PM A. I don't know if I would characterize it with the word "enhance." It would mostly be to make sure that the district is complying with and potentially both the vote dilution standard but the vote diminishment standard as well.
01:53PM Q. And if you had a situation where there was some problem with tier-one, then fixing that problem became a priority over fixing whatever other problems with tier two may have existed, right?
01:53PM A. Potentially, given on the circumstances with the particular district.
01:53PM Q. But in general, if you had a situation where there was some problem with tier-one, fixing that problem became a priority over fixing whatever other problems there might be with tier two?
01:53PM A. I mean, hypothetically, yes, tier-one does take precedent over tier two.
01:53PM Q. And there were, in fact, some instances in drawing Dade County House districts where you drew based on tier two, then you looked at the functional analysis, then you made adjustments to satisfy minority performance, right?
01:53PM A. Again, it was kind of a more organic process than that specifically, the way you were characterizing that, but, yes, there were some adjustments made, or we looked at -- I think a better way to put it is that we looked at different option of district configurations and where they all had comparable

01:54PM compactness or visual compactness, we chose the ones that best complied with both the tier-one standards.

01:54PM Q. I appreciate that explanation. But are you telling me that there were not some instances in drawing Dade County House districts where you drew based on tier two, then looked at the functional analysis, then made adjustments to satisfy minority performance?

01:54PM A. Again, I -- as I said before, I don't believe the process was as linear as you're trying to make it -- you're describing it. It was a more organic process. So when we had a district that potentially, you know, the either diminishment or vote dilution standard may have been a little bit questionable. We would then try other options with that district and the neighboring districts to try to pick an option that best balances all of the standards together.

01:55PM Q. Let's take a look at page 164 of your deposition. Starting at line 6.

Question: So one of the things you said among others is that there were some instances in drawing Dade County house districts where you were drawing based on tier two, and then you looked to the functional analysis and you made adjustments, right?

Answer: Correct.

Do you see that?

01:55PM A. I do, yes.

01:55PM Q. And one of those instances was when you drew HD 115, right?

01:55PM A. I don't remember specifically, but potentially, yes.
01:56PM Q. So are you telling me that one of those instances was not when you drew HD 115?
01:56PM A. I don't remember.
01:56PM Q. Let's take a look at your deposition at page 181 at the bottom starting at line 23.
01:56PM Question: Just referencing your earlier testimony about an early draft of 115 on which a functional analysis was performed and then adjustments to 115 to ensure tier-one compliance.
01:56PM Answer: Yes.
01:56PM Q. Do you see that?
01:56PM A. Yes.
01:56PM Q. So to be clear, you at one point drew a draft of 115, right?
01:56PM A. Yes.
01:56PM Q. Then you performed a functional analysis on that draft 115, right?
01:57PM A. That's what I said here, yes.
01:57PM Q. And then the functional analysis indicated that the draft district might have a problem with Hispanic performance, right?
01:57PM A. That's not what the question says. I mean, we made adjustments to 115 to ensure that tier-one compliance. I don't know if that necessarily meant that the way you're characterizing now was the case.
01:57PM Q. Well, 115 was a tier-one district protected for Hispanics, right?
01:57PM

01:57PM A. Yes.
01:57PM Q. So if there was a problem with tier-one compliance in HD 115, it would have been some problem with Hispanic ability to elect in that district, right?
01:57PM A. Yes, I see what you're getting at, yes.
01:57PM Q. Thank you. And then after conducting that functional analysis on that draft 115, you then adjusted 115 to ensure tier-one compliance, right?
01:57PM A. Along with other districts, yes.
01:57PM Q. Along with changing other districts in the course of making that change to 115?
01:58PM A. It may have -- the changes again may not have been specific to 115. 115 may have been included in them, but there might have been other adjustments as well for a variety of different factors.
01:58PM Q. Because the maps were evolving as the process went on?
01:58PM A. Yes. As I have stated before, it was more of an organic process. We often looked at multiple districts together as different options and picked the one that complied with not just the tier-one but also all the tier two issues as well and tried to pick the option that we felt best balanced all of those standards together.
01:58PM So oftentimes when we had a problem with one district or potentially one district, it would often be -- well, why don't we try to use that as an opportunity to improve all of the compliance with all the different standards together and try to draw

01:58PM 1 different options that may yield a different result for both
01:58PM 2 tier-one and tier two.
01:58PM 3 Q. Thank you. The adjustments that you did make to 115, as we've
01:59PM 4 discussed, resulted in 115 extending further north than it
01:59PM 5 originally had, right?
01:59PM 6 A. Than it may have originally had in some of our earlier drafts,
01:59PM 7 yes.
01:59PM 8 Q. And those adjustments were, among others, along the eastern
01:59PM 9 border of 116 with 115, right?
01:59PM 10 A. I believe there was adjustments made to that boundary as well
01:59PM 11 as the other boundary between 114 and 115, but, yes.
01:59PM 12 Q. Thank you. And by the way, 115 was a competitive district
01:59PM 13 that could be won by either a Republican or a Democrat, right?
01:59PM 14 A. I would have to double-check the exact figures on that, but I
01:59PM 15 do believe that that district was a competitive district, yes, or
01:59PM 16 still is a competitive district, yes.
01:59PM 17 Q. And because the committee staff concluded that it was a
02:00PM 18 competitive district, the functional analysis looked at both the
02:00PM 19 Republican side and Democratic side, right?
02:00PM 20 A. Yes. In tier-one districts where we felt that it was close
02:00PM 21 enough to be a competitive race, we had to look at both primaries,
02:00PM 22 yes.
02:00PM 23 Q. And that's because you would try to draw a district where
02:00PM 24 Hispanics of either party could control the primary, right?
02:00PM 25 A. Potentially, yes.

02:00PM 1 Q. And then on both sides, the Hispanic preferred candidates
02:00PM 2 would make it to the general?
02:00PM 3 A. Yes.
02:00PM 4 Q. And that ensures that a Hispanic is elected regardless of
02:00PM 5 whether they're a Republican or a Democrat?
02:00PM 6 A. Yes.
02:00PM 7 Q. So as you're drawing a competitive district like 115, you have
02:00PM 8 to make sure that the Hispanic Republicans can nominate their
02:00PM 9 candidate in the Republican primary, right?
02:00PM 10 A. As well as the Democratic side.
02:00PM 11 Q. And the same thing on the Democratic side with Hispanic
02:00PM 12 Democrats?
02:00PM 13 A. Correct.
02:00PM 14 Q. So then in the general, whichever candidate happens to win, a
02:00PM 15 competitive race will be the minority candidate of choice right?
02:01PM 16 A. Correct.
02:01PM 17 Q. And that's because electing a Hispanic in those types of
02:01PM 18 districts specifically was the goal?
02:01PM 19 A. The goal of the tier-one compliance, yes.
02:01PM 20 Q. But certainly in 115 it was a concern that there was an
02:01PM 21 adequate Hispanic share of both party primary electorates, right?
02:01PM 22 A. Yes. We -- I would characterize it in that we tried to ensure
02:01PM 23 that the Hispanic side of either primary they could control that
02:01PM 24 primary.
02:01PM 25 Q. And to that end in 115, it was a concern to have an adequate

02:01PM share both party primary electorates to the best of your ability, right?
02:01PM A. Correct.
02:01PM Q. In 115, you were trying to ensure that a Hispanic candidate regardless of party could be elected to ensure that minority community could elect a candidate of their choice?
02:01PM A. Correct.
02:01PM Q. And that was your overall goal?
02:01PM A. For the tier-one compliance, yes, that was our overall goal for whatever changes may have been made for that tier-one compliance, yes.
02:02PM Q. And by the way, you concluded that other tier-one protected districts were competitive districts too, right?
02:02PM A. They were others, yes.
02:02PM Q. And so for those districts, they could theoretically be won by either a Democrat or a Republican?
02:02PM A. Yes.
02:02PM Q. And you would conduct the functional analysis in a similar way looking at the relevant minority composition of both party primaries?
02:02PM A. Yes.
02:02PM Q. All right. So back to your drawing a draft of 115, performing a functional analysis, and concluding that there was some issue with Hispanic performance. The specific problem with Hispanic performance was either on the Republican or Democratic primary

02:02PM side, right?
02:02PM A. Yes.
02:02PM Q. And specifically, the problem was that Hispanic voters in one
02:02PM party or the other might not control the party primary, right?
02:03PM A. Either not control or at least have a diminished opportunity
02:03PM when compared to analogous benchmark district.
02:03PM Q. Which was also 115 in the benchmark State House plan, correct?
02:03PM A. I believe that that's correct, yes.
02:03PM Q. Broadening out a bit, as you built out a map in this area, it
02:03PM became difficult to toe that line in the analysis to make sure
02:03PM that you could elect a Republican and a Democratic Hispanic
02:03PM candidate, right?
02:03PM A. I'm sorry. Could you repeat the question?
02:03PM Q. Certainly. As you built out the map in this area, the State
02:03PM House map, it became difficult to toe that line in the functional
02:03PM analysis to make sure that you could elect a Republican and a
02:03PM Democrat Hispanic candidate in both party primaries?
02:03PM A. I would say any competitive district when you're dealing with
02:03PM tier-one and having to look at both sides of the primary, they're
02:03PM going to be difficult from the start.
02:04PM Q. And that was true in 115 as well, right?
02:04PM A. Yes.
02:04PM Q. And extending 115 further north made sure that there was that
02:04PM proper electoral balance for both parties, right?
02:04PM A. Yes.

02:04PM Q. And that balance specifically is Hispanic share of both party primaries?
02:04PM A. Correct.
02:04PM Q. And that was to ensure that 115 performed for Hispanic voters as tier-one required?
02:04PM A. Yes. And I think in that particular analysis it was when in comparison to its analogous benchmark district, the opportunity to elect remained about the same as to not diminish it.
02:04PM Q. Understood. In other words, ensuring tier-one compliance is the reason why 115 extended as far north as it does, right?
02:04PM A. Among other reasons, but that was among them, yes.
02:05PM Q. Are you telling me that ensuring tier-one compliance is not the reason why 115 extended as far north as it does?
02:05PM A. I would never say that it would be the only reason, no. We were also again trying to balance all the tier-two standards, and the neighboring district to the east, district 114, which has Coral Gables entirely included within it along with south Miami and west Miami, and there were some other considerations as well, in addition to trying to find the most commonly understood boundary for some of these districts whether that be a roadway or a canal, in some cases, or whatever the most major road is that we could find or commonly understood boundary, there were some adjustments for that as well.
02:05PM Q. Let's take a look at your deposition on page 168 toward the bottom, at line 22.

02:06PM 1 Question: Okay. So ensuring tier-one compliance is the
02:06PM 2 reason why 115 extended as far north as it does?
02:06PM 3 Answer: Yes.
02:06PM 4 Do you see that?
02:06PM 5 A. Yes.
02:06PM 6 Q. And ensuring tier-one compliance in 115 is the reason why the
02:06PM 7 border between 115 and 116 is where it is, right?
02:06PM 8 A. Yes.
02:06PM 9 Q. And ensuring tier-one compliance in 115 also affected 115's
02:06PM 10 border with 114?
02:06PM 11 A. It did along with the other factors I also mentioned.
02:06PM 12 Q. I'd like to play a portion of Joint Exhibit 120, the
02:06PM 13 February 1st, '22, House session starting at hour 1, minute 53,
02:06PM 14 second 7. It's Joint Exhibit 75, page 52, line 18, through 53,
02:06PM 15 13. And this is the only video that I will play twice.
02:07PM 16 MR. BARDOS: I'm sorry. Could I have the page and line
02:07PM 17 numbers repeated? It takes me a minute to flip to it.
02:07PM 18 (Brief pause.)
02:07PM 19 (Video clip played.)
02:08PM 20 BY MR. WARREN:
02:08PM 21 Q. So, Mr. Poreda, what we have here is Rep. Driskell asking why
02:08PM 22 HD 115 is shaped this way, right?
02:08PM 23 A. It sounded like they were talking more like 118 and 119 as
02:08PM 24 opposed to 115. Maybe 115 was included in that as well.
02:09PM 25 Q. Well, toward the end, Rep.. Driskell asks, quote: Why

02:09PM wouldn't for example district 115 lose its northern appendage up to the Tamiami Trail, close quote.

Do you remember that?

A. Yes, yes.

Q. So Rep.. Driskell is asking why 115 is shaped this way?

A. I think she was asking about a number of different things. That was also included in it, yes.

Q. And then Chair Byrd's response is, quote: Because that's a tier-one standard that we applied, close quote, right?

A. That's what Chair Byrd said, yes.

Q. And his response was accurate, right?

A. It was accurate as far as I said before in that that was a factor, but I don't think that it was the only factor, no.

Q. Let's move on and talk about as you mentioned already, 118 and 119.

Now, looking at this map, the enacted House plan, 118 and 119 are together in this sort of larger rectangular-ish shape that encloses the two of them. Do you see that?

A. Yes.

Q. And staff drafted different options of 118 and 119, right?

A. We did.

Q. One of the options that staff drew for 118 and 119 had them more stacked on top of each other, right?

A. We drew multiple different options. There was also some publicly submitted maps that we looked at that had multiple

02:10PM 1 different configurations for those two districts.
02:10PM 2 Q. And one of those configurations that staff looked at had them
02:10PM 3 stacked on top of each other, right?
02:10PM 4 A. I believe that that's correct, yes.
02:10PM 5 Q. And staff concluded that those different options were equally
02:10PM 6 tier-two compliant, right?
02:10PM 7 A. Yes.
02:10PM 8 Q. And staff performed functional analysis on those districts in
02:10PM 9 those options, right?
02:10PM 10 A. Yes.
02:10PM 11 Q. And then staff opted to advance the option that staff
02:10PM 12 concluded would be most tier-one compliant in 118 and 119, right?
02:11PM 13 A. I would think the best way to characterize it is, yes, we
02:11PM 14 chose the one that would best balance both tier-one and all of its
02:11PM 15 compliance with tier-one in addition to the other tier-two
02:11PM 16 standards, and in that particular case, we were dealing with
02:11PM 17 multiple options that had comparable tier-two metrics, whether
02:11PM 18 that be visual, compactness or mathematical compactness, and the
02:11PM 19 one that was chosen was the one that best balanced the tier-one
02:11PM 20 standards with all of those other tier-two standards.
02:11PM 21 Q. And you said that in those options, the tier-two standards
02:11PM 22 were comparable, and that's because you concluded that among those
02:11PM 23 options, those were equally tier-two compliant, right?
02:11PM 24 A. Yes. But when I say "equally," I mean in the same ballpark.
02:11PM 25 Q. Thank you. And then specifically you picked the configuration

02:11PM 1 where you concluded a Hispanic candidate of either party would be
02:11PM 2 able to be elected, right?
02:11PM 3 A. Yes, in addition to balancing the other standards as well.
02:12PM 4 Q. And that's because ensuring a Hispanic would be elected in
02:12PM 5 either district was the primary focus of that, right?
02:12PM 6 A. The primary focus of the tier-one compliance part of those
02:12PM 7 districts, yes.
02:12PM 8 Q. Thank you. And the conclusion that option was more tier-one
02:12PM 9 compliant was based on the fact that Hispanic voters' ability to
02:12PM 10 elect would not be diminished, right?
02:12PM 11 A. When comparison to the analogous benchmark districts, yes.
02:12PM 12 Q. As we've discussed about how --
02:12PM 13 A. Yes.
02:12PM 14 Q. Thank you. And that resulted in -- that decision resulted in
02:12PM 15 the enacted map configuration for 118 and 119?
02:12PM 16 A. Correct.
02:12PM 17 Q. The configuration which has the two districts contained within
02:12PM 18 this larger rectangle?
02:12PM 19 A. Yes.
02:13PM 20 Q. Let's talk about the congressional map. And I'm showing on
02:13PM 21 the left side of the screen benchmark congressional District 25 in
02:13PM 22 the benchmark congressional plan, which you've already testified
02:13PM 23 was the one that was ordered by the Supreme Court in 2015, right?
02:13PM 24 A. Correct.
02:13PM 25 Q. And then on the right side of the screen, I'm showing enacted

02:13PM Congressional District 26 from 2022, right?
02:13PM A. Correct.
02:13PM Q. Now, for purposes of the functional analysis under the Florida
02:13PM non-diminishment standard, benchmark CD 25 on the left is the
02:13PM benchmark district for enacted CD 26 on the right, right?
02:13PM A. Correct.
02:13PM Q. And that's because although the district number is different,
02:13PM it's benchmark CD 25 that generally corresponds to enacted CD 26,
02:14PM right?
02:14PM A. Yes.
02:14PM Q. So if benchmark CD 25 is a tier-one protected district for
02:14PM Hispanics, then you would look at whether enacted CD 26 diminishes
02:14PM Hispanic voters' ability to elect compared to benchmark CD 25?
02:14PM A. Correct.
02:14PM Q. Okay. Thank you for walking us through that. I'll play a
02:14PM portion of Joint Exhibit 122, which is the February 18, 2022,
02:14PM House congressional redistricting subcommittee, starting at
02:14PM 43 minutes, 36 seconds. It's Joint Exhibit 77, page 38, line 10,
02:14PM through 16.
02:14PM (Video clip played.)
02:15PM Q. That was an accurate answer to Rep.. Joseph's question?
02:15PM A. Yes.
02:15PM Q. So CD 26 was impacted by the fact that it's a tier-one
02:15PM protected district for Hispanic voters?
02:15PM A. Yes.

02:15PM Q. Let's take a look at Joint Exhibit 122, the same congressional
02:15PM subcommittee meeting from 44 minutes, 3 seconds, starting there,
02:15PM and it's Joint Exhibit 77, page 38, line 17, through 39, 15, and
02:15PM we will take a look at that clip.
02:15PM (Video clip played.)
02:16PM Q. Your answer to --
02:16PM MR. BARDOS: Your Honor, for completeness, because he
02:16PM referenced "balance all the tier-two issues," can I read a
02:17PM paragraph that occurs just shortly before that discussion?
02:17PM JUDGE GRANT: Any problem with that?
02:17PM MR. WARREN: No, Your Honor.
02:17PM JUDGE GRANT: Great. Please do.
02:17PM If you would, please make sure to let us know where
02:17PM you're reading from before you begin.
02:17PM MR. BARDOS: Yes, Your Honor. So this is the same
02:17PM exhibit page 23, lines 10 through 21, and it says: Congressional
02:17PM District 26 similar in shape to the benchmark map connects the
02:17PM part of Collier County not included in District 19 with population
02:17PM Miami-Dade County using Collier, Broward, and Miami-Dade County
02:17PM Lines as well as I-75, US 41, the Tamiami Trail, and the Dolphin
02:17PM Expressway.
02:17PM In addition, it shares the boundary with Congressional
02:17PM District 24, with the Congressional District 24 line eastern side
02:17PM of the district. This district includes the municipalities of
02:18PM Hialeah, Hialeah Gardens, Medley, Doral, and Miami Lakes in their

02:18PM entirety.

02:18PM JUDGE GRANT: Thank you.

02:18PM BY MR. WARREN:

02:18PM Q. And, Mr. Poreda, just as a reminder, I am going to read again

02:18PM Rep.. Joseph's question and your answer from Joint Exhibit 77

02:18PM starting at 38, 17. And I'll read her full answer which is -- her

02:18PM full question, which is here on the screen.

02:18PM Okay. So looking at kind of the image of it, it's kind of

02:18PM like an extruded stairstep shape stretching up from the Gulf of

02:18PM Mexico all the way over to a little finger that points just

02:18PM 700 yards short of Biscayne Bay in Miami. Was that shape

02:18PM necessary to comply with tier-one? Or were there other factors

02:18PM that went into just how it ends up looking there?

02:18PM And you can see your answer to her question on the screen.

02:18PM Was your answer to Rep. Joseph's question accurate?

02:19PM A. It was, but I'd like to continue past the highlighted section

02:19PM where I say we're also trying to balance all the tier-two issues,

02:19PM and the stairstep issue that she's referring to specifically are

02:19PM the Miami-Dade, Broward, and Collier County lines, which is why

02:19PM that stairstep shape exists.

02:19PM Q. Thank you. And I believe we heard that portion of the answer

02:19PM in the clip.

02:19PM We'll now play another clip from the same subcommittee

02:19PM meeting, starting at 47 minutes, 40 seconds. It's Joint Exhibit

02:19PM 77, page 43, line 6, through 44, 18.

02:19PM (Video clip played.)

02:22PM MR. BARDOS: I'm sorry, Your Honor. May I for completeness add the paragraph that -- in which Mr. Poreda provides additional explanation for the videos here regarding the Everglades?

02:23PM JUDGE GRANT: Do you have any issue with that, Mr. Warren?

02:23PM MR. WARREN: No.

02:23PM JUDGE GRANT: All right. Please proceed.

02:23PM MR. BARDOS: So page 41, beginning with line 6:

02:23PM I will echo what the chair said about all of the unpopulated census blocs, but also add that District 26, primarily along its entire length uses the Collier County and the Miami-Dade, Broward County line, in addition to US 41, which is the Tamiami Trail, to create that extension. And if you look at actually the boundary analysis for District 26, it's only five percent of its boundaries that do not follow one of the designated political or geographical boundaries.

02:23PM So it uses a lot of municipal lines actually in that area that may look a little bit more jagged against District 24. I believe it uses the Hialeah municipal line, along with some of the others there, in addition to using county lines and the Tamiami Trail for almost its entire extension until it gets over into Collier County where it achieves all equal population.

02:24PM BY MR. WARREN:

02:24PM Q. Mr. Poreda, your answers to Rep.. Joseph's questions that we heard are accurate, right?
02:24PM A. Yes.
02:24PM Q. Thank you. Let's look at the image of CD 26 in Dade County. This is Defense Exhibit 24.
02:24PM Now, all four of the congressional districts in Dade -- and when I say Dade, I'm referring to Miami-Dade. You understand? That's CD 24, 26, 27, and 28 are all protected districts, right?
02:24PM A. That is correct.
02:24PM Q. And the fact that those districts are tier-one protected contributes to the splitting of the city of Miami, right?
02:24PM A. That is correct.
02:24PM Q. Tier-one considerations was a reason for the way the city of Miami is split?
02:25PM A. Yes.
02:25PM Q. In fact, tier-one was a large contributing factor in the reason -- the way the city of Miami is split, right?
02:25PM A. Yes.
02:25PM Q. And the other major reason is equal population?
02:25PM A. Correct.
02:25PM Q. Let's take a look at the benchmark and enacted maps side by side, the congressional maps, and here on the left is the benchmark congressional plan in Dade County, and on the right is the similar view in the enacted plan from 2022.
02:25PM In the benchmark map, the eastern border of the yellow

02:25PM 1 District 24 is Biscayne Bay more or less, right?
02:25PM 2 A. I believe for parts of it, yes, but there is also -- it's
02:25PM 3 difficult to see, and I guess it is also Biscayne Bay, but there
02:26PM 4 are several municipal lines there that the district follows.
02:26PM 5 Q. Thank you. And across Biscayne Bay from 24, the city of Miami
02:26PM 6 Beach is assigned to 27 in the benchmark plan, right?
02:26PM 7 A. Correct.
02:26PM 8 Q. And then the other coastal municipalities in Dade to its north
02:26PM 9 are in 23?
02:26PM 10 A. Yes.
02:26PM 11 Q. But in the 2022 enacted plan on the right, all of the coast in
02:26PM 12 Dade County from Miami Beach north is assigned to 24?
02:26PM 13 A. Correct.
02:26PM 14 Q. And the western border of 24 on the other side of the
02:26PM 15 district, that shifted eastward, right, compared to the benchmark?
02:26PM 16 A. Maybe slightly, yes.
02:26PM 17 Q. And comparing benchmark 25 with enacted 26, 26 moves eastward
02:26PM 18 at least in some places, and gained areas that had previously been
02:27PM 19 assigned to 24, right?
02:27PM 20 A. Yes.
02:27PM 21 Q. And one of those areas is very close to where we are right now
02:27PM 22 in the southeast corner of enacted 26 between the Airport
02:27PM 23 Expressway and the Dolphin Expressway. Do you know that general
02:27PM 24 area that I'm referring to?
02:27PM 25 A. Yes.

02:27PM Q. And my description of that area as being added to 26 as compared to benchmark 25 is accurate?
02:27PM A. Yes.
02:27PM Q. And that's the neighborhoods of Allapattah and Wynwood, roughly?
02:27PM A. I don't know those neighborhoods specifically that you're referring to.
02:27PM Q. One of the -- an additional area that was added to enacted 26 when compared to benchmark 25 was further north along the Broward County line, right?
02:27PM A. I believe that that's correct, yes.
02:27PM Q. And that's that northwestern -- northeastern corner of 26 where it abuts 24 and meets 23, right?
02:28PM A. Correct. I'm sorry. 23?
02:28PM Q. 25?
02:28PM A. 25, yes.
02:28PM Q. And then there is some change sort of in the middle of the district border along 26 and 24 as compared to the benchmark line, right?
02:28PM A. Yes.
02:28PM Q. And in Dade County, you've got protected districts all up against each other, right?
02:28PM A. Correct.
02:28PM Q. And of course you had to make sure that they could all individually perform, right?

02:28PM A. Correct.
02:28PM Q. And when I say perform, I mean perform for the relevant
02:28PM minority group, right?
02:28PM A. Yes, and not diminish when compared to its analogous district.
02:28PM Q. Thank you. And so if you were going to make changes to one of
02:28PM these districts, you needed to make sure that you weren't
02:28PM impacting the other districts and its functional analysis too,
02:29PM right?
02:29PM A. Correct.
02:29PM Q. And so in drawing CD 24, the yellow district, you were not
02:29PM only concerned about ensuring tier-one compliance in 24, but also
02:29PM avoiding negatively impacting the tier-one performance of the
02:29PM adjacent Hispanic districts, right?
02:29PM A. Yes.
02:29PM Q. And you agree that the way the legislature drew 24 and 26 in
02:29PM the enacted plan was not race neutral, right?
02:29PM A. I believe it -- I believe that there was multiple factors,
02:29PM including race-neutral factors. The boundary now in the enacted
02:29PM map more so compared to the benchmark map follows more municipal
02:29PM lines and other major roads in the area despite also having to
02:29PM balance that with the tier-one standards.
02:29PM Q. So that wasn't exactly my question. My question was that you
02:29PM would agree that the way that the legislature drew and enacted 24
02:30PM and 26 was not race neutral, right?
02:30PM A. I would disagree and say that there were some race-neutral

02:30PM consideration including what I just said about the municipalities.
02:30PM Q. Okay. Again, that wasn't exactly my question. My question is
02:30PM that the way the legislature drew 24 and 26 was not race neutral?
02:30PM A. I don't know if I completely agree with that statement.
02:30PM Q. Let's take a look at your deposition at page 219, starting at
02:30PM line 6. And this question reads: Would you agree with Mr. Kelly
02:30PM that the way the legislature drew CD 24 and CD 26 was not race
02:30PM neutral?
02:30PM Answer: I would agree that race was a factor for those
02:30PM districts, yes.
02:31PM But, Mr. Poreda, in non-tier-one protected districts, the
02:31PM legislature drew those race-neutral, right?
02:31PM A. I mean, in districts where tier-one is not an issue, meaning
02:31PM it's not a protected district, then other tier-one factors like
02:31PM not favoring or disfavoring a political party or an incumbent,
02:31PM those would all apply as well, but race wouldn't be a concern in
02:31PM those particular districts, no.
02:31PM Q. And, in fact, race was not even a consideration in non-
02:31PM tier-one protected districts, right?
02:31PM A. Correct.
02:31PM Q. So in other words, outside of tier-one protected districts,
02:31PM the districts were drawn race-neutrally?
02:31PM A. Yes.
02:32PM Q. And perhaps another way to say that is that in districts where
02:32PM the legislature concluded they were not protected by tier-one for

02:32PM 1 minority voters, the legislature did not take race into account at
02:32PM 2 all?
02:32PM 3 A. Correct.
02:32PM 4 Q. So the only districts in which the legislature considered race
02:32PM 5 were districts it had concluded were tier-one protected districts
02:32PM 6 for minority voters?
02:32PM 7 A. Yes.
02:32PM 8 Q. Let's talk some more about minimizing the number of times
02:32PM 9 certain county boundaries were crossed. And in the State House
02:32PM 10 map specifically minimizing the number of times the Dade County
02:32PM 11 boundary was crossed ended up being a goal, right?
02:32PM 12 A. In the State House map, yes.
02:32PM 13 Q. And minimizing the number of times the Dade County boundary
02:32PM 14 was crossed in the State House map, became a goal because that was
02:32PM 15 in service of the tier-two criteria to utilize existing political
02:33PM 16 boundaries, right?
02:33PM 17 A. Yes.
02:33PM 18 Q. And one manifestation so to speak of following that tier-two
02:33PM 19 criterion is minimizing the number of times a county boundary is
02:33PM 20 crossed when feasible?
02:33PM 21 A. Correct.
02:33PM 22 Q. Let's take a look at the benchmark State House map. This --
02:33PM 23 as you testified to earlier, is the State House map that was
02:33PM 24 enacted in 2012, right?
02:33PM 25 A. Yes.

02:33PM Q. And in the benchmark State House plan, there was a House district that crossed from Dade into Collier, right?
02:33PM A. Correct.
02:33PM Q. And that's HD 105 on the benchmark State House map here, right?
02:33PM A. Correct.
02:33PM Q. And HD 105 in the benchmark map included portion of both Dade and Collier?
02:33PM A. Correct.
02:33PM Q. But there was no longer a district in the State House map that crossed from Dade to Collier in the enacted version?
02:33PM A. Correct.
02:33PM Q. And that was a positive in the House committees's view, right?
02:34PM A. Yes.
02:34PM Q. Because that achieved the goal of minimizing the number of times the Dade County boundary was breached?
02:34PM A. Yes.
02:34PM Q. And as a result, the Dade boundary in the enacted State House map is breached only twice, right?
02:34PM A. I think it's only breached once technically. I think there is a small error. So I guess technically you're right, yes.
02:34PM Q. Let's see. Once is when house district goes from Dade into Broward, right?
02:34PM A. Yes. And then into Monroe County, yes, you are correct.
02:34PM Q. And then Monroe has to be connected to Dade because the Keys

02:34PM 1 are down there?
02:34PM 2 A. I often forget about that, yes.
02:34PM 3 Q. So in the enacted State House plan, there are two districts
02:34PM 4 which combine Dade and another county, right?
02:34PM 5 A. Correct.
02:34PM 6 Q. And that contrasts with the benchmark State House plan, which
02:34PM 7 had more than that number?
02:34PM 8 A. Correct.
02:35PM 9 Q. All right. Let's take a look at a portion of Joint Exhibit
02:35PM 10 75, the House floor session on February 1st, '22. This is page 7.
02:35PM 11 And this is Chair Leek speaking, and he says, quote: Before we
02:35PM 12 dive into each region of the state, let's look at the map as a
02:35PM 13 whole. When compared to the benchmark State House map, the new
02:35PM 14 proposed State House Districts have several points of improvement
02:35PM 15 throughout our tier-two standards, close quote.
02:35PM 16 And then a sentence later, two sentences later, he says,
02:35PM 17 quote: Where feasible, we also worked to improper visual
02:35PM 18 compactness or the eyeball test, such as no longer having a
02:35PM 19 district that stretches from Miami-Dade County to Collier County,
02:35PM 20 close quote.
02:35PM 21 Do you see that?
02:35PM 22 A. Yes.
02:35PM 23 Q. And you were on the floor when he made this statement, right?
02:35PM 24 A. I was.
02:35PM 25 Q. Chair Leek here in this excerpt is referring to benchmark HD

105, right?
A. I believe that's accurate, yes.
Q. And he is commenting that eliminating a district that stretched from Dade to Collier improved visual compactness, right?
A. Yes.
Q. And you'd agree that benchmark HD looked visually out of place, right?
A. I don't know if I would say it looked visually out of place. I think the enacted map certainly makes some improvements to that, but I don't know if I would say that 105 was out of place.
Q. If I represented to you that in your deposition you said that HD 105 looked visually out of place, would you contest that?
MR. BARDOS: I'm sorry. If he's trying to impeach the witness, I think we should do it the proper way.
JUDGE GRANT: Yes, I agree with that.
BY MR. WARREN:
Q. Let's take a look at your deposition at page 222 at the bottom. Starting -- excuse me -- a little bit above that starting at line 17.
Question: Line 15, Chair Leek says, quote: Where feasible, we also worked to improve visual compactness of the districts or the eyeball test, such as no longer having a district that stretches from Miami-Dade County to Collier County, close quote.
And he gives another example.
Answer: Yes.

02:37PM Question: Is that what you're talking about?
02:37PM Answer: Yes.
02:37PM Question: So having a district that stretched from
02:37PM Miami-Dade to Collier County impaired the visual compactness of
02:37PM districts?
02:37PM Answer: Which map are you referring to?
02:37PM Question: In this case, the House map.
02:37PM Answer: Which State House map?
02:37PM Question: Well, that district was in the benchmark house
02:38PM map.
02:38PM Answer: Okay. So you're referring to the benchmark State
02:38PM House map. In that particular map, although I don't remember if
02:38PM that was a protected district or not, but, yeah, that was a
02:38PM district that, you know, visually looked a little out of place, I
02:38PM will admit. But I believe -- yeah, anyway.
02:38PM Do you see that, Mr. Poreda?
02:38PM A. I do.
02:38PM Q. Let's take a look at a little later, one day later in the
02:38PM State House map process. This is the House session on
02:38PM February 2nd, 2022, and this is Joint Exhibit 76 on page 27.
02:38PM Rep.. Persons-Mulicka says, quote: Members, I also rise today in
02:38PM support of the maps before you, and I want to spend some time
02:38PM talking about the substance, since that's why we are here, close
02:38PM quote.
02:39PM And we'll listen to a little bit more of what Rep..

02:39PM Persons-Mulicka said in the following clip, which is Joint Exhibit
02:39PM 121, at hour 1, minute 36, second 34. It's Joint Exhibit 76,
02:39PM page 30, line 23, through 31, 7.
02:40PM (Video clip played.)
02:40PM Q. Rep.. Persons-Mulicka, she's a Republican?
02:40PM A. Yes.
02:40PM Q. From southwest Florida, I think?
02:40PM A. I believe she's from Lee County, yes.
02:40PM Q. And she was on one of the redistricting committees?
02:40PM A. She was.
02:40PM Q. And she's talking there in that portion of the video about
02:40PM eliminating the same district that in the State House map crossed
02:40PM from Dade into Collier, right?
02:40PM A. Yes.
02:40PM Q. Now, in the enacted congressional map, congressional, there is
02:40PM a district that includes portions of both Dade and Collier, right?
02:40PM A. Yes.
02:40PM Q. And the Dade boundary is crossed three times in the
02:41PM congressional map, right?
02:41PM A. Yes.
02:41PM Q. The first time because 28 comes up from Monroe and the Keys to
02:41PM connect to Dade, right?
02:41PM A. Yes.
02:41PM Q. The second time because 24 goes into Broward and then --
02:41PM right?

02:41PM A. Yes.
02:41PM Q. And then a third and final time because 26 crosses from Dade to Collier?
02:41PM A. Yes.
02:41PM Q. Now committee staff at one point in the redistricting process, drew a draft map that did not include a congressional district including portions of both Dade and Collier, right?
02:41PM A. We did.
02:41PM Q. In other words, staff explored options that followed the Dade-Collier line and separated the coast at the southern end of the state, right?
02:41PM A. Correct.
02:41PM Q. But staff scrapped that concept, right?
02:41PM A. It was an option we didn't carry forward when looking at the whole region as a whole, yes.
02:42PM Q. And one of the reasons you didn't carry that option forward in your words was because it would negatively impact the exact compactness of other districts?
02:42PM A. Yes.
02:42PM Q. The second reason is that you'd have -- you'd have to have a district that extends a long way across the state from the Atlantic westward anyway, right?
02:42PM A. Yes, further north. That is correct.
02:42PM Q. And then the third reason why staff didn't carry forward that concept was because eliminating the Collier-Dade district would

02:42PM 1 have negatively impacted the Hispanic ability to elect in CD 26
02:42PM 2 and one of 27 and 28, right?
02:42PM 3 A. I believe that that's correct, yes.
02:42PM 4 Q. Let's talk more about what explains the shape of enacted CD
02:42PM 5 26, which we see on the screen here. CD 26 is shaped this way
02:43PM 6 first and foremost for equal population reasons, right?
02:43PM 7 A. Yes.
02:43PM 8 Q. Because moving north into Dade from Monroe, you have to go
02:43PM 9 into either Broward or Collier to reach equal population, right?
02:43PM 10 A. Correct.
02:43PM 11 Q. And second to equal population, you have one protected black
02:43PM 12 district and three protected Hispanic districts in Dade, plus
02:43PM 13 another protected black district to the north, right?
02:43PM 14 A. Correct.
02:43PM 15 Q. So those tier-one factors, plus equal population, are what
02:43PM 16 primarily governs the shapes of those districts down in Dade
02:43PM 17 County, right?
02:43PM 18 A. Yes.
02:43PM 19 Q. Let's talk a little more about the committee process in the
02:43PM 20 House generally.
02:43PM 21 And, Madam Deputy Clerk, if I could use the ELMO for this
02:43PM 22 portion.
02:43PM 23 You testified earlier that before a committee meeting
02:44PM 24 staff would meet with the chair to discuss how the meeting will
02:44PM 25 go, do you remember that?

02:44PM A. Yes.
02:44PM Q. And sometimes staff would prepare a document to aid in the
02:44PM chair's preparation for the meeting, right?
02:44PM A. Yes.
02:44PM Q. And sometimes that prep document takes the form of potential
02:44PM questions and answers, right?
02:44PM A. Yes.
02:44PM Q. Or potential Q and A?
02:44PM A. Correct.
02:44PM Q. And the potential Q and A document prepares the chair or other
02:44PM members for what potential questions might be asked of them at or
02:44PM after a meeting, right?
02:44PM A. Correct.
02:44PM Q. And those would be questions from other members or the media?
02:44PM A. Yes.
02:44PM Q. And the same is true for floor sessions; a potential Q and A
02:44PM doc prepares a member for questions they might be asked on the
02:44PM house floor, right?
02:45PM A. Yes.
02:45PM Q. And if a potential Q and A is still in draft form, it might be
02:45PM titled draft potential Q and A?
02:45PM A. Correct.
02:45PM Q. And during the committee process for any bill, a potential Q
02:45PM and A doc would evolve and might get added to at different stages
02:45PM along the legislative process, right?

02:45PM A. Yes. There was a lot of running documents. I don't know if
02:45PM they were tailored to a particular bill. It was just kind of
02:45PM tailored more to the particular phase of the process that we were
02:45PM in.
02:45PM Q. Speaking more generally, and I guess I should back up. You
02:45PM have worked on other committees in the Florida House besides the
02:45PM Redistricting Committee, right?
02:45PM A. Correct.
02:45PM Q. All right. During the redistricting process, House staff did
02:45PM prepare potential Q and A for the Redistricting Committee chairs,
02:45PM right?
02:45PM A. Yes.
02:45PM Q. Let's take a look at Plaintiffs' Exhibit 32, and it says,
02:46PM draft potential QA at the top here. This is a document that the
02:46PM House produced in discovery. You can see the house Bates stamp
02:46PM down at the bottom.
02:46PM Mr. Poreda, this is a draft potential Q and A document that
02:46PM the House staff created during the redistricting process, right?
02:46PM A. Yes.
02:46PM Q. And we have -- we have here at the top, it says, House can
02:46PM speak to overall metrics and the districts we drew. EOG can speak
02:46PM to who, where, why, and intent about the districts they drew and
02:46PM their legal framework, right?
02:46PM A. That's what it says, yes.
02:46PM Q. And EOG there is a reference to the Executive Office of the

02:47PM 1 Governor, right?
02:47PM 2 A. That is correct.
02:47PM 3 Q. And the first question under that green heading which says
02:47PM 4 "new following committee meeting," references Alex Kelly, right?
02:47PM 5 A. Correct.
02:47PM 6 Q. And Alex Kelly at the time of the congressional redistricting
02:47PM 7 process was the deputy chief of staff in the Governor's office,
02:47PM 8 right?
02:47PM 9 A. I don't remember what his title was at that particular time.
02:47PM 10 Q. But he worked in the Governor's office at that time, right?
02:47PM 11 A. He is the current Secretary of Commerce. I don't -- again, I
02:47PM 12 don't exactly remember where -- what his title was or exactly
02:47PM 13 where he was employed at that time. I know he was working on
02:47PM 14 behalf of the Executive Office of the Governor, but.
02:47PM 15 Q. Thank you. And he, Mr. Kelly, was the gentleman who presented
02:47PM 16 the very final congressional map in the House and Senate, right,
02:47PM 17 in committee?
02:48PM 18 A. Yeah, he presented to our congressional subcommittee that map,
02:48PM 19 yes.
02:48PM 20 Q. So this reference in the green header to "new following
02:48PM 21 committee meeting," refers to a portion of this draft potential Q
02:48PM 22 and A following the initial meeting that occurred during the
02:48PM 23 special session when the enacted congressional plan was adopted,
02:48PM 24 right?
02:48PM 25 A. I don't know. I don't know when this document was created.

02:48PM And as I said before, we had running documents that for different phases of the process, and I don't exactly know when this -- when these questions or that section may or may not have been added.
Q. Well, do you know whether Mr. Kelly ever presented about redistricting any other time during the redistricting process?
A. No, he presented just during the once.
Q. And that was during the special session in April, 2022?
A. That is correct.
Q. So this document is about the congressional redistricting map that was eventually adopted, right?
A. I don't know.
Q. Question two in that green section.
MR. JAZIL: Your Honor, objection, foundation hearsay. He has talked about how he doesn't know when this was created, and it says draft on it, so it wasn't actually adopted by the House, so.
JUDGE GRANT: I think we'll take that under advisement. Overruled.
BY MR. WARREN:
Q. Question two in this first section says, quote: There is a UCLA report that states south Florida Hispanic communities do not vote cohesively, and therefore, those districts may not need to be protected. What do you think of this report/allegation?
Is that what it says?
A. That's what the question says, yes.

02:49PM Q. And then in italics underneath it says, quote: I haven't seen
02:50PM the report, close quote.
02:50PM Is that what it says?
02:50PM A. That's what it says, yes.
02:50PM Q. And then after that, it says in Roman text, quote: If pushed:
02:50PM And then in italics, quote: Listen. Any person can write a
02:50PM report. It doesn't mean it's credible or that it wasn't produced
02:50PM for partisan/improper motivations, close quote.
02:50PM Is that what it says?
02:50PM A. That's it says there, yes.
02:50PM Q. You know what UCLA report that refers to, right?
02:50PM A. I know that there was a report by UCLA, yes.
02:50PM Q. You became aware of that report shortly after it was
02:50PM published, right?
02:50PM A. I was, yes.
02:50PM Q. And you read that report at that time, right?
02:50PM A. I did, yes.
02:50PM Q. And again, this document must have been prepared before the
02:50PM congressional map was passed by the legislature and signed by the
02:50PM Governor, right?
02:50PM A. Again, I don't know. As I've mentioned before, we created
02:51PM these potential Q and A documents that were kind of running
02:51PM documents, so there wasn't necessarily a new document that was
02:51PM created for every committee meeting or on the floor. It was
02:51PM questions that were kind of carried forward throughout the

process. So I don't exactly know when all of these questions were added or which ones were pulled from this draft document into what we may have or may not have given to members.

Q. But at some point, this version of this document was created by committee staff?

A. Yes.

MR. WARREN: I'll offer Plaintiffs' Exhibit 32.

MR. BARDOS: Relevance, Your Honor.

MR. JAZIL: I'll add hearsay, Your Honor. It's a draft and never actually adopted by the House, and certainly it's not a statement from the Secretary.

JUDGE GRANT: Thank you. I think we'll overrule those objections, but they're noted for the record, and we will consider it as we need to.

MR. WARREN: I will note that the only objection on the exhibit list is relevance.

Thank you, Mr. Poreda. Right now, I have no further questions.

JUDGE GRANT: I think we can go into the cross-examination.

Before we begin, Mr. Bardos, do you have any updates on time for us?

MR. BARDOS: We do have Mr. Gonzalez here who is ready to testify as soon as Mr. Poreda concludes. I won't go four hours with Mr. Poreda.

02:52PM JUDGE GRANT: I am encouraged to hear that.
02:52PM MR. BARDOS: I have crossed off the first page of questions, so I'll try to keep it concise. But he is our most important witness, and so I would like the opportunity to be able to go into the facts in some detail.
02:52PM JUDGE GRANT: Sure. I certainly respect that. Do you have an estimate on time for us just so we can know where we are?
02:53PM MR. BARDOS: I would probably say two to two-and-a-half hours as an estimate.
02:53PM JUDGE GRANT: Thank you.
02:53PM MR. BARDOS: Thank you, Your Honor.

CROSS-EXAMINATION

BY MR. BARDOS:

02:53PM Q. Good afternoon, Mr. Poreda. Okay. Let's step back, and we'll complete the canvass here. So let's go back to the beginning of the 2020 redistricting process when you were first engaged in redistricting and when that task was assigned to you. And let's walk through at a very high level the redistricting process just to establish a timeline so that the Court has a sense of the different stages of the redistricting process from the time that you began to work for it.
02:53PM A. Okay.
02:53PM Q. So go ahead. So what was the first thing that you were assigned to do when you were assigned to redistricting?
02:53PM A. The first thing that we -- that I did while kind of reassigned

back on to redistricting was to work with Michelle Davila and Jay Ferrin, our counterpart in the senate, to try to choose a redistricting application.

Q. Okay. And tell me a little bit about the result of that process. And then go on to talk about the census data, if you will?

A. Sure. So we ultimately decided to use the Esri or E-s-r-i, which is the company name, their redistricting application, since it was the only -- at the time, the only web application that was robust enough where we could then have it all online. So we could have a multiple instances available for the House, the Senate, and the public could see the same version of the software that we were running and one that would have all of the necessary and required data and reports that we found it necessary to have in the application.

Q. Okay. What was the next stage of the redistricting process?

A. So the next stage from there was to get all of the data ready. The first big set of data is the redistricting data that comes from the U.S. Census Bureau, which is typically delivered to states one year after the census date, and in this case, the 2020 census date is specifically April 1st, 2020.

So statutorily, they're supposed to furnish all of the redistricting data and apportionment counts to the states on April 1st, 2021.

Because of COVID, that process was delayed in this

redistricting cycle. So we were not furnished that data until, I believe, September of 2021 or approximately thereabouts.

Also intervening with that, we had to collect from the Department of State and process all of the elections and voter registration data and align those with the precincts that the counties used during that time, and then align them again with the census blocks and aggregate all of that data. So all of the census data and all of the election data would match up and could be loaded into the redistricting application for use when we actually started drawing maps.

Q. Okay. And so once you received the census data, what happened next?

A. So once we received the census data, we began processing that working with Esri to marry it up with the elections data that we had collected and processed from the Department of State and got it loaded into the program.

Q. And after that, did the drawing begin?

A. Soon thereafter, yes, we began drawing new districts, and really the first step was just looking at the new population counts in the different counties and municipalities to try to determine where county populations may have shifted over the decade, where demographic changes may have happened over the decade, along with, as I mentioned before, put the benchmark districts for both the congressional and State House map with the new data, so we could again see where things changed, and do those

02:57PM functional analyses on whatever tier-one protected districts may have been in the benchmark.

02:57PM Q. At some point, did committee staff produce maps for legislature to review?

02:57PM A. Yes. So shortly after we received the data and we went through all those basic processes, we began drawing, and then produced workshop maps both the congressional and state house map, in November or December later in that year.

02:57PM Q. Then just at a very high level, from the workshop maps to the final product was -- were there a series of different maps that the legislature considered?

02:57PM A. So from the workshop maps, there was, for the State House map, there was one map that we kind of combined a bunch of the different options that presented themselves in workshop A and B after hearing questions and input from members throughout the committee meeting and separately in other meetings that we held and presented a new option before the committee which then advanced forward.

02:58PM Q. So practically speaking, how are districts drawn? I presume it's not by crayons and markers.

02:58PM A. No, it's funny. The term "drawing districts" sometimes gets thrown around. But it really is less drawing and more assembling census blocs that have corresponding data together, and you assemble enough census blocs or census bloc groups or census tracts, which are the slightly larger units of geography that are

made up of census blocs, and put them together to get as close to the ideal population of the State House district or in the case of congressional redistricting the exact population that is required for those districts.

Q. And did you do that exclusively through the legislature map drawing application?

A. Yes.

Q. Now, does the map drawing application display data in real time as you're building districts?

A. Yes. On the bottom of the screen, there is what we refer to as the data grid, which has a lot of the high-level census data total population, total population deviation from the ideal depending on what type of map you're drawing as well as some additional racial data for both Hispanic, black, white, and mostly that's it.

Q. What is a heat map?

A. A heat map is something that's referred to -- you can -- it almost looks like a weather radar where you can turn on that map so that certain concentrations of demographics or whatever other you want to apply to the heat map will appear red or whatever other color you want, and the lower concentrations of census blocs will be green or another color.

It's a way to visually represent the data as you're looking and a visual map.

Q. Is that a functionality that the map drawing application has?

03:00PM A. Yes.
03:00PM Q. What is the ideal population of a State House district in
03:00PM Florida in light of the 2020 census figures?
03:00PM A. So in 2020, the ideal population for a State House district is
03:00PM 179,485 people.
03:00PM Q. And how about for Congress?
03:00PM A. It was 769,221.
03:00PM Q. Now, you mentioned in your discussion with Mr. Warren that you
03:00PM began with a blank map. Can you talk a little bit about your
03:00PM process or methodology for drawing maps?
03:00PM A. Sure. So the process begins again with a blank map, and
03:00PM you're really just kind of -- the first thing that we did, and
03:01PM when I say "we," I mean me and Kyle Langan, who is the analyst who
03:01PM worked with me.
03:01PM For the State House map anyway, we tried to identify what
03:01PM county combinations could be a district in and of themselves or
03:01PM how many districts could fit into a particular set of counties
03:01PM whether it be one, two or ten.
03:01PM We referred to those internally as a sandbox. You put
03:01PM multiple counties together, and you can draw districts within
03:01PM those particular counties without breaking the county lines that
03:01PM surround that quote unquote sand box and you can draw districts
03:01PM within them. And doing that helps us not only comply with the
03:01PM state constitutional standard of following geographical and
03:01PM political lines, everybody, okay? Okay.

But it also allows us to draw different options and try different things within that sandbox without affecting the rest of the state. So it's a map drawing tool to kind of isolate our drawing of particular areas also allows us to draw compact districts in a way that complies with the constitution.

Q. So is it fair to say the sandbox is a county or a combination of counties that is evenly divisible by a certain number of districts?

A. That is correct, where you'd get down to as close to the ideal population number as possible.

Q. And is that sandbox concept applicable to congressional districts?

A. It's unfortunately not.

Q. Why is that?

A. And that's because congressional districts you have to get down to exact population equality. So every -- of the 28 congressional districts we have in Florida, 27 of them have exactly 769,221 people, and one of them has 769,220 people, one less. And that's simply because the U.S. Supreme Court has held over the years that exact population necessary for congressional district.

Q. In your discussion with Mr. Warren, I heard the terms "linear versus organic." Could you talk a little bit about how you drew maps whether it was linear or organic and what that means?

A. Yeah. So sometimes when you look at a district and people

look at different options of it, they think that you had this one option, and then you made changes to it, and you created this other option. Oftentimes, it's not that linear in that you're drawing multiple districts at once, and you're trying to compare different options of multiple districts to satisfy whether it be tier two or tier-one kind of all together, and sometimes need to make a change to one district for whatever you try to use that as an opportunity to explore different orientations for several districts to try to see if you can get the puzzle pieces to fit in a way that you may have not thought of before.

Q. Who worked with you in drawings maps?

A. It was primarily me and Kyle Langan who is the analyst that worked directly with me.

Q. And you touched on the role of staff directors -- I'm sorry -- of committee chairs in your direct examination. Can you discuss more fully what the role of the chairs was with respect to the development of maps?

A. With respect to the development of maps, we kept them apprised of our work. So we would meet with them periodically and definitely before meetings to show them what we were going to be presenting to committees.

But also during the intervening time just to let them know of our progress or what decision points may be coming up and what options they might feel would be a good option to show the members, oftentimes in preparation for the workshop maps because

we were trying to give the members as many different options as possible.

Q. What was the role, if any, of other members besides the chairs in the development of maps?

A. So we, in addition to the chairs and the meetings we had with them and the committee meetings, the committee staff primarily myself and Kyle Langan were available to any member who wanted to have a meeting.

So we often had individual meetings with members, and they would sometimes to discuss a region or an area of the state, sometimes a specific district, sometimes the area that they represented specifically, and sometimes a larger area, or even a completely different area.

Q. Do you know how many members you met with?

A. Off the top of my head, I don't have an exact number, but it was well over half the membership.

Q. Did you meet with both Democrats and Republicans?

A. Yes.

Q. What criteria did you follow when you drew districts?

A. So the methodology that we used and the criteria we used were mostly following the state constitution and the process that was outlined in the apportionment decisions that the House developed for the 2012 redistricting.

Q. All right. Let's discuss some of the criteria, some of the standards that you applied, beginning with equal population. Were

03:06PM you aware at the time that you were drawing districts that districts must be equally populated?

A. Yes.

Q. And how did you implement that standard?

A. So as I mentioned before the congressional map, it's exact population equality. So you have to come down to the exact person. For the State House maps, instead of trying to hit a particular target percentage, as we were drawing the map and trying to discover these sandbox areas to where we could draw districts, we let the map kind of show us what district may set the upper or lower range for the overall population deviation range, which nationally Courts have allowed up to a ten percent range for state legislative maps plus or minus five percent.

Here, in Florida, it's been much more narrow than that, and our state constitution requires population equity.

So we try to keep it lower than that where we can. But instead of I guess arbitrarily picking a percentage to shoot for, we looked at the map and determined what might be a good upper or lower range based on any particular district.

An example of that the lowest range district on the map is Dade County, which entirely its own house district, and I believe it about 2.3 or 2.4 percent under the population under the ideal population, and so that's the district that's at the lower range.

We didn't know that when we began drawing, but throughout the process as we drew other districts, we were able to draw

03:07PM districts that were closer to the ideal than that, and that became
03:07PM the lower range, but that was how we in the house determined what
03:07PM the upper and lower ranges would be.
03:07PM Q. You also spoke with Mr. Warren about the standard that
03:08PM prohibits an intent to favor or disfavor a political party or an
03:08PM incumbent. What did you do to ensure that you were complying with
03:08PM that standard?
03:08PM A. So none of the political or election data was available to us
03:08PM as we were drawing. It was all available to us only in a separate
03:08PM report that we would have to save the map we were working on and
03:08PM then run reports. So it was not available to us as we were
03:08PM drawing in real time. So if you make changes here, you didn't
03:08PM know how that affected the political makeup of any other
03:08PM districts.
03:08PM Q. Did you access that political data when you were drawing
03:08PM districts that were not where it wasn't required by the functional
03:08PM analysis?
03:08PM A. No.
03:08PM Q. Were you aware as you were drawing the districts in Florida
03:08PM must be compact?
03:09PM A. Yes.
03:09PM Q. What did you understand compactness to mean?
03:09PM A. So compactness is one of those terms that it has multiple
03:09PM angles to it. The first and foremost is visual compactness or
03:09PM what courts have determined the interocular test or the eyeball

03:09PM test. Just simply looking at the district, and you know, is it a
03:09PM regular shape, is it a rectangle, a square, a trapezoid, or a
03:09PM rhombus, something that is regularly shaped.
03:09PM On top of that, there are mathematical measures that can be
03:09PM used. As we talked about before, the three scores that the
03:09PM Florida Supreme Court has typically replied upon are the Reock
03:09PM score, the Convex Hull, and Polsby-Popper score, which are all
03:09PM ratios comparing a district to another shape, sometimes a circle,
03:09PM sometimes another type of shape.
03:09PM Q. Okay. Is there one score that you consider to be better than
03:09PM the others?
03:09PM A. No.
03:09PM Q. Do those scores have their own shortcomings?
03:09PM A. They do. All three of those scores, and there's dozens of
03:10PM mathematical scores as well, but these are the three that we use
03:10PM here in Florida. They all have positives and negatives.
03:10PM Q. Briefly, tell us about the shortcomings of each of the three
03:10PM mathematical measures that you used?
03:10PM A. Sure. So the Reock score or ratio, that compares a district's
03:10PM area to the area of a circle that can fit around that district on
03:10PM the map. The shortcomings with that is that it doesn't do very
03:10PM well with regularly shaped districts such as a rectangle. That
03:10PM will increase the shape of the district.
03:10PM There is also the common example that people give is the
03:10PM coiled snake or coiled hose, where you could take a district very,

very thin wrap it amongst itself leaving another district kind of in between it, and that would score extremely high in that score.

Convex Hull, that is again comparing the area of a district to the area of a shape, but this is kind of referred to the rubber band test. You kind of put polygon kind of around -- the smallest polygon possible around the shape of the district, and you compare the ratios with that.

The deficiency with that is that you could have an extremely long district like one centimeter tall, a hundred miles long, and that would be a perfect score in the Convex Hull ratio.

And then Polsby-Popper, that compares the area of a district to the area of a circle with the same perimeter as the district. The biggest shortcoming with the Polsby-Popper score is that it doesn't do very well with natural boundaries such as rivers or other boundaries that have a very jagged or a wavy edge, because it's creating a circle of the entire perimeter.

So anytime you have one of those natural boundaries that we have here in Florida with a lot of our coastline, it can score very poorly in those.

Q. At the time that you were drawing districts, were you aware of the requirement to utilize political and geographical boundaries where feasible?

A. Yes.

Q. What did you understand political boundaries to mean?

A. So political boundaries as we used in 2012, and we continue to

use in 2020, is primarily just county lines and municipal lines.
Q. And what did you understand the geographical boundaries to mean?
A. Major roadways or really any roadways, rivers, railways, other easily identifiable commonly understood geographic features.
Q. How did you implement this standard?
A. So within our program, we -- the county lines are the most basic biggest census form of geography. We also ensured that our program could turn on the city lines so we could see all those as we were drawing or potentially add an entire district to a city with just a couple clicks with a reference layers.

We could add -- we also had other layers for major roadways, railways, and water. We also worked with our senate counterparts to create the boundary analysis report which could give us a general idea of how much a district is following all of those major identifiable features.
Q. How did you determine whether a road qualifies as a geographical boundary?
A. So as far as the boundary analysis score, it's only roads that the census bureau has tagged as being a major roadway. We chose that because that was the easiest way to have something that could be applied statewide.

Whereas in some parts of the state, especially here in Dade County, a highly densely populated area that has a lot of roadways, divided roadways of multiple lanes of traffic traveling

either direction that are not necessarily either a state road or even a county road, but they're still very large commonly understood roads in those areas, and that's mostly because we have -- in our state, we have such a diversity of geographic features.

We have densely populated area like down here in south Florida, or we have more rural areas where it's mostly farmland, and there is not very many other streets other state roads that go through there so.

Q. How did you determine whether a particular road has the qualities or characteristics that you look for to make it a major roadway?

A. So when I drew, I typically drew with the satellite view or base map underneath the districts, so you could see the actual satellite view in the program, and you could Zoom down and see if roadways had multiple lanes or were divided in some way and things of that nature. When dealing with particularly State House Districts in a densely populated area like this, you have to zoom in pretty far, because if you're zoomed out too far you're going to add far more people than 200,000 very, very quickly, so you have so zoom in very, very close, which means we don't usually have the option to follow one of those major roads. We have to follow other roads. So we did our best to follow as major roads we could find in that area.

Q. Did that satellite view enable you to see how many lanes the road had, whether it had a median?

03:15PM A. Yes.
03:15PM Q. Okay.
03:15PM Now, we've discussed the boundary analysis to some extent.
03:15PM Could you explain just briefly what it is that the boundary
03:15PM analysis measures?
03:15PM A. Sure. So the boundary analysis measures how much of a
03:15PM district's boundary that follows county lines, municipal lines,
03:15PM railways, major roads, and other water features. I forget what
03:15PM else exactly went into it. It takes the entire boundary and
03:15PM compares it to those and breaks it down into each part so you can
03:15PM see how much of the boundary is on each one of those individuals
03:15PM items.
03:15PM Now, sometimes city or counties or rivers can follow the
03:15PM same line. So there is also an overall score that measures how
03:15PM much of the district doesn't follow one of those major
03:15PM characteristics and gives you kind of the reverse of that
03:15PM percentage.
03:15PM Q. Are there roads that you consider to be major roads that don't
03:16PM qualify under the boundary score?
03:16PM A. Yes.
03:16PM Q. Explain that?
03:16PM A. So again in certain areas especially densely populated areas
03:16PM like really any of the major cities that we have here in the state
03:16PM of Florida, there can often be major roads, or what I would
03:16PM consider to be major roads, multiple lanes each direction divided

03:16PM roads with a median that are not either state or county roads.
03:16PM And in those cases, especially again dealing with small districts
03:16PM like the State House district, we would consider those a major
03:16PM commonly understood roadway or boundary in that area.
03:16PM Q. Did the House try to avoid splitting counties or
03:16PM municipalities where the split would not result in a split of
03:16PM population?
03:16PM A. Like zero population split?
03:16PM Q. Yes.
03:16PM A. Yeah, we did. Despite the guidance from the court saying that
03:16PM those essentially would not count to county splits, we only try to
03:17PM do that where it would be an overall benefit to multiple districts
03:17PM districts or kind of a very common sense way to do that.
03:17PM Another example I already talked about Dade County. That's
03:17PM an example where we could have essentially cut off the bottom part
03:17PM of that district, because the census extends so far into the Gulf
03:17PM and improved its mathematical compactness, but then it would have
03:17PM been a county split. It was easier -- I apologize.
03:17PM Q. Okay. Did you find in drawing that sometimes the goals of
03:17PM visual compactness and boundary utilization can conflict?
03:17PM A. Yes.
03:17PM Q. Okay. Explain that.
03:17PM A. One area where they can sometimes conflict is municipal lines,
03:17PM which can tend to be highly irregular. But we in the House, would
03:17PM in an effort to follow and marry out both compactness and

following political and geographical boundaries, keeping a city whole, which is something we heard from the public both ten years ago and now, was very important to people. So it was almost like of a synonymous way we looked at it, where if you were able to keep a city or a county whole or something along those lines, even though that boundary may not look as visually compact had we chosen a different boundary, it was following that municipal line and was keeping it together, so therefore it was compact to us.

Q. Now, were you also aware as you were drawing district of Florida's non-diminishment provision?

A. Yes.

Q. Okay. What was your understanding of the non-diminishment provision?

A. My understanding non-diminishment provision is when comparing the newly drawn district to its benchmark analogous district if the minority community in question had an opportunity to elect that was comparable to that in the benchmark that would satisfy that tier-one issue.

Q. Are you familiar with the term "functional analysis"?

A. Yes.

Q. Okay. And you discussed it briefly, but or you discussed previous, but briefly explain how a functional analysis is performed?

A. Sure. So we run that report with all of the political and election data that I referred to before, and we would try to

03:19PM 1 determine firstly which party may or may not control that district
03:19PM 2 so if a district's looking at the statewide elections that we had
03:19PM 3 in the program, going back in the decade if one party clearly won
03:19PM 4 all of those statewide races, then you would only have to look at
03:19PM 5 that side of the equation either the Democrat or Republican side.
03:19PM 6 If it was competitive as we discussed before, you would have
03:19PM 7 to continue the analysis by looking at both sides.
03:19PM 8 And then you would see how that racial group or minority
03:19PM 9 group in question would be whether they would control the general
03:20PM 10 and the primary elections for that side or both sides if
03:20PM 11 necessary.
03:20PM 12 Q. At what point in the drawing process would you perform the
03:20PM 13 functional analysis?
03:20PM 14 A. Typically after we had completed a group of districts or an
03:20PM 15 area, sometimes the group of district might just be two or
03:20PM 16 three districts. Sometimes it would be a larger area. And then
03:20PM 17 we would run the functional analysis on the relevant districts.
03:20PM 18 Q. So is a functional analysis something that you do in real time
03:20PM 19 as the district is being drawn?
03:20PM 20 A. No. It would be very difficult to do that, and until you had
03:20PM 21 a more complete district intact, because running that sort of
03:20PM 22 analysis before the district's ideal population is at least close
03:20PM 23 to what the actual district was going to be, and the only way you
03:20PM 24 would know that is if you drew districts around it to know that
03:20PM 25 other districts would be able to fit in all the puzzle pieces that

you were trying to put together.

It's drawing a district independently running an analysis on it might not be relevant later if you later discover that for either tier-two reasons or other tier-one reasons in another district, you would have to make changes, so.

Q. Do you recall approximately when Florida's current redistricting standards were adopted?

A. I believe it was in 2010.

Q. 2010. And so in 2012, when you were drawing districts, did you run functional analyses?

A. We did.

Q. Okay. And then in 2012, the apportionment 1 decision was issued by the Florida Supreme Court. Do you recall that?

A. Yes.

Q. And did the Florida Supreme Court in its decision discuss the functional analysis?

A. Yes.

Q. How did that description of the functional analysis in the Court's opinion compare to the functional analysis that you had been running during the redistricting process?

A. The Supreme Court essentially took the process that we had used in the House and used it as the example for how it should be done.

Q. And in this most recent redistricting process, did you run the functional analysis in the same way that Florida Supreme Court had

03:22PM described it in its decisions?
03:22PM A. Yes.
03:22PM Q. There was discussion about the terms "tier one" and "tier two." Do you recall that?
03:22PM A. Yes.
03:22PM Q. And what do those terms refer to?
03:22PM A. Tier one and tier two refers to the two amendments in the state constitution that refer to state legislature redistricting and congressional redistricting, and tier one is more the racial and politically motivated drawing questions, and tier two is the compactness and following political geographical lines, things like that.
03:22PM Q. What's your understanding of the relationship between tiers one and two as established by the Florida Constitution?
03:22PM A. Tier one is superior to tier two in that if there is a conflict between the two standards, tier one would win out. Yeah.
03:23PM Q. Now, when there is no conflict, how did you try to implement tier one and tier two?
03:23PM A. If there is no conflict, we try to balance all of the standards to the best of our ability. Trying to find, because there are sometimes those conflicts, within tier two following political and geographical bound sometimes conflicted with mathematical compactness or even visual compactness. So we tried to marry those standards within tier two along with all of the standards in tier one to the best of our ability.

03:23PM Q. When you drew protected districts meaning districts to which
03:23PM the non-diminishment provision applies, what was your general
03:23PM approach to the tier-two standards?
03:23PM A. Our general approach to the tier-two standards was still
03:23PM trying to comply with tier two as much as possible, and in a lot
03:23PM of cases, in drawing the tier-one districts, we -- because we were
03:23PM comparing them to benchmark districts for tier one, we were also
03:24PM trying to compare it to the tier-two issues that that district may
03:24PM have had in the benchmark and try to make improvements to them.
03:24PM And by that, I mean either following more city lines or splitting
03:24PM fewer cities, following more major roads, or more easily
03:24PM recognizable geographical features to make them more regularly
03:24PM shaped as opposed to districts that may have had a lot of
03:24PM appendages or kind of looked a little indifferent.
03:24PM Q. What role, if any, did the benchmark maps play in your drawing
03:24PM of districts in this most recent redistricting process?
03:24PM A. I'd say the benchmark plan played a role in looking at the
03:24PM diminishment of all the tier-one districts as well as looking at
03:24PM those districts, and even a couple of other districts in regards
03:24PM to tier two in that we were trying to make improvements to it
03:24PM meaning split fewer counties, keep more cities whole, things along
03:25PM those lines.
03:25PM Q. Now, in your map drawing process, did you draw the protected
03:25PM districts first before you drew the districts that were not
03:25PM protected districts?

03:25PM A. No.
03:25PM Q. Did you try to make protected districts more tier-two compliant than their predecessor districts?
03:25PM A. Yes.
03:25PM Q. Okay. Let's take a look at Joint Exhibit 1. And while we're on the topic of redistricting criteria, let's walk through Joint Exhibit 1. Okay.
03:25PM Mr. Poreda, do you recognize this document?
03:25PM A. Yes.
03:25PM Q. Did you generate data packets in this format during the redistricting process?
03:25PM A. Yes.
03:25PM Q. Okay. So and is this a standard format that you used in depicting and providing data regarding various maps that were under consideration?
03:25PM A. Yes.
03:25PM Q. Okay. So the first page is a map. Let's go to the second page, please. And do you see the table called statewide snapshot?
03:26PM A. Yes.
03:26PM Q. Could you just briefly walk through what data is available in that part of the report?
03:26PM A. So in the statewide snapshot, we see total population and the ideal district population for that type of map. In this case, the State House district. All of the different deviation issues with that, so the overall deviation range, the minimum and max

03:26PM 1 deviation, and the mean. It also has the total number of county
03:26PM 2 split in cities split along with the whole numbers of each of
03:26PM 3 those, and how many were kept whole within the map, the average
03:26PM 4 and median compactness scores for the map as a whole.
03:26PM 5 So this is taking the individual district scores for Reock
03:26PM 6 and averaging them together, the same with Convex Hull,
03:26PM 7 Polsby-Popper, and then the mean.
03:26PM 8 Q. Just below that table, do you see a table called "district
03:26PM 9 breakdown"?
03:26PM 10 A. Yes.
03:27PM 11 Q. Can you walk through that table just briefly and show and tell
03:27PM 12 us what data that table shows?
03:27PM 13 A. Sure. So you see all the each row is its own district. You
03:27PM 14 see the total population and its difference from the ideal
03:27PM 15 population both numerically and percentage-wise, the voting age
03:27PM 16 population the BVAP or HVAP for each of those districts as well as
03:27PM 17 each individual district's compactness scores.
03:27PM 18 Q. And then let's go on to the third page, please. And those are
03:27PM 19 the remainder of the districts and then the fourth page, please.
03:27PM 20 Now, beginning with the fourth page, what data do we see on
03:27PM 21 this page?
03:27PM 22 A. So this is the beginning of some of the functional analysis or
03:27PM 23 political data that is available to us in the program. Here, you
03:27PM 24 see total registered voters as a percentage of black, Hispanic,
03:28PM 25 Democrats, Republican and NPA or other for each of the relevant

03:28PM performing black or Hispanic districts that are in the enacted map.
03:28PM Q. And are those the protected district listed along the left side of this page?
03:28PM A. Yes.
03:28PM Q. All right. Let's go down to page I believe 20, and maybe let's go up a little bit. And keep going. One more. Okay. What does this page represent?
03:28PM A. So this is a page that shows every county in the state of Florida, all 67 of them and shows which districts have a piece of those counties.
03:28PM Q. And does it also show the total number of people within that district's share of the county?
03:28PM A. That's correct, yes.
03:29PM Q. And does every data packet have a table similar to this?
03:29PM A. Yes.
03:29PM Q. All right. Next page, please. All right. Tell me what this page shows?
03:29PM A. So similar to the last page, but instead of showing county, this shows all the municipalities in Florida and which districts have either pieces of those cities and their share of population or the entire city and its total population. If there is only one district listed, the cities that have gray on them, those are ones that are split by multiple districts. It shows you which districts have those splits and the share of population.

03:29PM Q. Are there some version of data packets that show only the split cities?
03:29PM A. Yes.
03:29PM Q. Let's go towards the end of the report, please.
03:30PM Q. And is this where we would find the boundary analysis?
03:30PM A. Yes.
03:30PM Q. And tell us about that last column the column on the right. What does that refer to?
03:30PM A. So as I mentioned before, all of the other county or columns refer to a particular boundary whether they be city, county, road, et cetera, the non-geopolitical boundaries percentage is the percentage of the district boundary that does not fall along one of the other five listed categories.
03:30PM Q. Okay. And would it be fair to say that the difference between that number and 100 is what is does political and geographical boundaries according to the boundary analysis?
03:30PM A. That's correct.
03:30PM Q. All right. We can close this exhibit.
03:30PM And, now, let's start talking about the State House map.
03:30PM At some point, did committee staff publish State House maps?
03:30PM A. Yes.
03:30PM Q. Now, you talked about the workshop maps. Tell me a little bit about the thought process behind publishing workshop maps?
03:31PM A. So we published two, workshop A and B, and the purpose of those two maps was to demonstrate to the members of both the state

03:31PM legislature subcommittee and main Redistricting Committee the different decision points throughout the map and where there could be a decision to go either with A or B or some of the challenges that might present itself in different areas throughout the state.

They were not meant to be pick this option or that option, there was -- it was meant to show different options throughout the state.

Q. Zack, could you display Joint Exhibit 39, please. And let's go to page 28, the number printed on the document is 26, but that's the one, yes. All right.

So we're focused on Miami-Dade County here. Setting aside non-diminishment, are there any circumstances that make it challenging to draw districts in Miami-Dade County?

A. Yes, setting aside non-diminishment, the biggest challenge is simply that -- well, it kind of works in tandem. It's a very densely populated area. So when you're dealing with districts that are only about 180,000 people in total, it can make it very tricky. In addition to there being so many municipalities throughout the county.

Q. And let's talk a little bit about non-diminishment. Now, in Miami-Dade County, was there any difference in how you went about drawing districts that historically performed for black voters and districts that historically performed for Hispanic voters?

A. Yes.

Q. What are those difference?

A. So in Miami-Dade specifically, the districts that have a higher black voting age population which in both workshop A and B appear to me to be 107, 108, and 112, which are kind of the reddish and grayish colored districts up in the Northeast corner, and then District 117, which is the pinkish districts that stretches down to Florida City and Homestead, those are the four protected black or black VAP districts in the county.

And because those minority communities are so densely populated and concentrated into those areas, we have to be a little bit more mindful of them rather than the Hispanic community, which is much more numerous throughout Dade County.

Q. When you were drawing districts that historically performed for black voters, did you sometimes view racial data in real time or use a heat map?

A. Yes.

Q. Now, how about for districts that historically performed for Hispanic voters in Miami-Dade County, did you ever use a heat map to draw districts to identify concentrations of Hispanic voters or otherwise use any functionality of the map drawing application to inform yourself of the concentrations of Hispanic voters in that county?

A. No.

Q. And is that true of both the congressional map and the State House map?

A. Yes.

03:34PM Q. So if you didn't consider those source of demographics while you were drawing the districts, what considerations did guide your drawing of district in Miami-Dade County that historically performed for Hispanic voters?

03:34PM A. Because the Hispanic population throughout Miami-Dade County is so high, we were afforded the opportunity to primarily just use tier-two principles, so following the municipal lines that I mentioned before highly concentrated all up against each other, so trying to draw as many districts as we could to keep as many of those municipalities whole in addition to finding other good geographic features throughout the county, whether it be the major roadways or canals or other easily understood boundaries and drew districts using that. And then after we were done drawing, we would run the functional analysis to see if any of those districts did or didn't comply with either non-diminishment or voting dilution.

03:35PM Q. Were there other areas of the state where you drew districts basically in reverse order where you would have a closer focus on race or racial data even before performing the functional analysis?

03:35PM A. Yes.

03:35PM Q. Okay. And why the difference?

03:35PM A. Well, every area of the state, every district is different. So the way that you have to approach drawing those districts or drawing a region it has to tailor itself to the area or the

district that you're drawing. And that requires a slightly different process depending on where in the state you're drawing.

Q. Now, looking at these workshop maps, what did you see as the key decision points in Miami-Dade County?

A. So there was a couple different key points. First of which would be district 117, actually which is a protected black district, and how that district's orientation was going to look. That would govern a little bit how we -- not really govern, but affect how the shape of some of the southern Dade districts would look; we were also looking a lot with the unpopulated area.

You can see we have District 110 that goes all the way out to the county line in District 119, and one option has a bigger area of that unpopulated area in trying to figure out what to do with that, as well as the other municipalities and which ones we would keep whole which ones we might have to split as we go forward.

Q. Did you receive feedback from any members of the House on the Miami-Dade portion of these workshop maps?

A. Yes.

Q. Okay. What districts specifically was that feedback directed to?

A. We were received received lots of feedback in Miami-Dade, I would say the majority of it actually centered around the black districts, the four black protected districts. To the point where we actually in District 107, 108, and 112 in the workshop maps,

03:37PM 1 the orientation of those districts changed significantly to better
03:37PM 2 align with the input that we heard from members.
03:37PM 3 As well as District 117, we heard from multiple members that
03:37PM 4 the shape in workshop A or something along those lines most of the
03:37PM 5 direction that they felt best represented the minority community
03:37PM 6 that that district protects, as well as some of the other
03:37PM 7 municipalities spread throughout the county and some other issues.
03:37PM 8 Q. Did you have multiple meetings with members regarding 107, 18,
03:37PM 9 and what is 112 in this map?
03:37PM 10 A. Yes.
03:37PM 11 Q. And what was the outcome of those meetings?
03:37PM 12 A. Well, they were just general discussions, but again the
03:38PM 13 orientations of those districts changed significantly from
03:38PM 14 workshop A to workshop B. They changed from more of a stacked
03:38PM 15 horizontal configuration to at least two of them being more
03:38PM 16 vertically oriented next to each other.
03:38PM 17 Q. And for clarity of the record, did the district numbers
03:38PM 18 themselves change by the time it reached the final map?
03:38PM 19 A. Yes. In the enacted map, those three districts would be 107,
03:38PM 20 108, and 109.
03:38PM 21 Q. Now, let's take a look at the enacted map.
03:38PM 22 Zack, could you pull up Defendants' Exhibit 2, please.
03:38PM 23 Now, this particular map shows the three-county region from
03:38PM 24 Palm Beach down to Miami-Dade County. Did you determine -- we
03:39PM 25 talked about sandboxes before. Did you determine that Miami-Dade

03:39PM County was part of a sandbox?
03:39PM A. Yes. We figured out pretty early on when doing those county
03:39PM combination works tried to establish what sandboxes we were going
03:39PM to use throughout the state that if we combine Broward,
03:39PM Miami-Dade, and Monroe County together, that would comprise a
03:39PM sandbox of approximately 26 State House Districts.
03:39PM Q. Okay. And that would mean that no district would have to
03:39PM cross outside of those three counties?
03:39PM A. Correct.
03:39PM Q. Now, within that sandbox Broward, Miami-Dade, and Monroe, how
03:39PM did the county boundaries that are within that three-county
03:39PM combination factor into your map drawing?
03:39PM A. As we began to draw in that sandbox, and in the workshop maps,
03:39PM you can see it isn't the case. But after other input that we
03:39PM heard from different members, we realized we could orient the
03:39PM districts in such a way that would limit the amount of districts
03:39PM that could cross that Miami-Dade Broward County line to as few as
03:40PM possible; in this case just the one.
03:40PM Partially because Miami-Dade by itself was, if you compare
03:40PM its -- the ideal district population to its population in 2010
03:40PM compared to its population in 2020 compared to the new ideal
03:40PM population of 179,485, it was likely going to lose a State House
03:40PM district, because Miami-Dade County grew, but grew at a much
03:40PM slower rate than other parts of the state. Even though we grew as
03:40PM a total population from 18.9 million to 21-and-a-half million, and

that's why the ideal population increased so much. But because Dade is already so densely populated and highly populated, it grew at a lower rate. So it was going to lose a district.

So the two districts that -- from the benchmark map they kind of got pulled out of Miami-Dade, instead of it being one district, it was really half of two different districts. One of those is 105 that we discussed earlier, Collier County, and other was a district that kind of went along the coast where you see the currently enacted district 106 that crossed into the Broward County line to the north.

Now, in the current orientation, district 106 has all of those coastal municipalities all together down to the bottom where you see the bottom line is a little -- bottom boundary line is jagged, but that's actually the Miami Beach municipal line.

Q. In this final enacted map, how many districts contain population from both Broward County and Miami-Dade County?

A. Just one.

Q. And in which district is that?

A. 104.

Q. Let's take a look at 107, 108, and 109 and how they developed. Does this reflect the configuration that emerged from your discussions with members?

A. Yes.

Q. And did your decision to maintain the county boundary as well as the configuration that you settle with 107, 108, and 109 impact

03:42PM 1 the coastal district 106?
03:42PM 2 A. Yes. That kind of all kind of came out together as we
03:42PM 3 adjusted the orientation of those three protected black districts.
03:42PM 4 It became apparent that we could start putting some of the coastal
03:42PM 5 municipalities together. It just so happened as we did that and
03:42PM 6 went down and included Miami Beach, it was kind of its own
03:42PM 7 district.
03:42PM 8 That's also partially why you see some jagged lines on the
03:42PM 9 eastern side of District 107 and 108. Those are actually
03:42PM 10 municipal lines that we used in order to limit 106's population
03:42PM 11 and to keep the other municipalities whole.
03:42PM 12 Q. And just briefly, as we come down the coast, what was your
03:42PM 13 objective with District 113?
03:42PM 14 A. So because Miami was going to be split from some protected
03:42PM 15 black districts, whenever we had a city such as Miami that was big
03:43PM 16 enough theoretically to put a district within it, but we couldn't
03:43PM 17 because of some either tier-one or other tier-two issues in the
03:43PM 18 area, we tried to anchor a district entirely within it, and I
03:43PM 19 believe District 113 is about 92 percent of its population comes
03:43PM 20 from the city of Miami, with really the only exception, Key
03:43PM 21 Biscayne out on the coast.
03:43PM 22 Q. Let's move over to 114. We will see how that affects the
03:43PM 23 other districts.
03:43PM 24 So, Zack, could you please display Defendants' Exhibit 12,
03:43PM 25 please. Sorry. Okay.

03:43PM 1 Mr. Poreda, does this depict District 14 -- I'm sorry --
03:43PM 2 114?
03:43PM 3 A. Yes.
03:43PM 4 Q. And tell us a little bit about your objectives in drawing this
03:43PM 5 district.
03:43PM 6 A. So this district's orientation primarily was because we were
03:44PM 7 trying to keep the city of Coral Gables entirely within a
03:44PM 8 district. And you can see the overall shape of that district
03:44PM 9 really follows the Coral Gables municipal lines, and then also
03:44PM 10 includes the cities of south Miami and west Miami, which are just
03:44PM 11 to the west of Coral Gables.
03:44PM 12 It then needed a little bit more population, so there was
03:44PM 13 some population in Miami on the eastern side and then the northern
03:44PM 14 side up to the Dolphin Expressway I believe.
03:44PM 15 Q. Now, at the bottom part of the district on the west side, I
03:44PM 16 see the district is a little bit jagged the district line. Why
03:44PM 17 that is that?
03:44PM 18 A. That's the Coral Gables municipal line.
03:44PM 19 Q. Let's take a look at Defendants' Exhibit 20, please.
03:44PM 20 Now if you could zoom in right towards the center of that
03:45PM 21 page, please, Zack. That's good.
03:45PM 22 So we were looking at 114 before. Can you see what the
03:45PM 23 northern boundary of district 114 is?
03:45PM 24 A. Yeah. It's the Dolphin Expressway.
03:45PM 25 Q. How many House districts utilized the Dolphin Expressway as a

boundary?
A. I believe it's four, 112, 114, 116, and 111.
Q. And if you look a little bit south of that, do you see the Tamiami Trail, U.S. Highway 41?
A. Yes.
Q. How many districts utilized Tamiami Trail as a boundary?
A. Within Miami-Dade, it's seven districts, and then there are two actually in Collier County, because the Tamiami Trail goes all the way across.
Q. So why do so many districts utilize the Dolphin Expressway or the Tamiami Trail as an east-west boundary?
A. When we could, we tried to use especially a road like the Tamiami Trail or any other major geographical boundary, we tried to use that boundary as often as we could, so it was commonly understood that this road would be a boundary line, and the people don't need to know which districts it's boundary line for. It's just that's a boundary line typically.
Q. Let's take a look at Defendants' Exhibit 16, please.
JUDGE GRANT: We may need to take a break soon for the sake of our wonderful court reporter. Is this a good transition point, or can you wrap it up soon?
MR. BARDOS: This is a perfect time to take a break.
JUDGE GRANT: Sounds great. Thanks. It's 3:46. We will see everyone back here at 4:00.
(Recess at 3:46 p.m.)

04:04PM (Back on the record at 4:04 p.m.)

JUDGE GRANT: Thank you. Please be seated. And I will just mention to counsel to make sure to remember that we're trying to be efficient and that we've been -- we've read your papers, and we've heard the witnesses. So try to make sure we're not re-covering any territory.

MR. BARDOS: Yes, Your Honor. May I ask at the outset, we've had Mr. Gonzalez our expert here with us this afternoon. May he be released for the day and be here first thing tomorrow, or does the Court prefer that he stay? I think I still have -- I'm about halfway through Mr. Poreda's now, and then I believe Mr. Jazil will have questions and then redirect and recross.

JUDGE GRANT: Could we hear from Mr. Jazil about do you know how long it will take you?

MR. JAZIL: Ten minutes, Your Honor.

JUDGE GRANT: Okay.

Mr. Warren, you know my questions for you is next. What are you thinking?

MR. WARREN: Right now, I'd estimate less than 30, and I hope it doesn't double if Mr. Bardos is halfway through.

JUDGE GRANT: Then I think in that case, I think we'll shoot for that, and I hope that perhaps we could at least get the preliminaries done before we close today if that works for everybody.

MR. BARDOS: Okay. Thank you, Your Honor.

04:05PM 1 BY MR. BARDOS:
04:05PM 2 Q. Mr. Poreda, let's take a look at Defendants' Exhibit 16. And
04:05PM 3 this depicts House District 115.
04:05PM 4 And, Zack, is it possible to zoom in just a little bit.
04:06PM 5 Okay.
04:06PM 6 Now, Mr. Poreda, nice and slow, what are the factors that
04:06PM 7 had the most significant impact on the configuration of District
04:06PM 8 115?
04:06PM 9 A. So the most significant impact in the orientation with
04:06PM 10 District 115 comes from in us trying to keep Coral Gables whole
04:06PM 11 and entirely within District 114, its neighboring district to the
04:06PM 12 east, trying to get Cutler Bay, Palmetto Bay, and Pinecrest the
04:06PM 13 three cities which are stacked right on top of each other wholly
04:06PM 14 within a district became a goal as we began the drawing process in
04:06PM 15 this area.
04:06PM 16 So its configuration along with the neighboring one, 114, to
04:06PM 17 try to keep as many of those municipalities whole in the enacted
04:06PM 18 map I think or -- I'm sorry -- the benchmark map. I believe
04:07PM 19 Cutler Bay is kept whole in a district, but Palmetto Bay and
04:07PM 20 Pinecrest are split along with south Miami actually. So trying to
04:07PM 21 keep all of those cities whole in the new map, that became a goal
04:07PM 22 of ours.
04:07PM 23 Q. Are there external constraints outside of District 115 towards
04:07PM 24 the end of the district that impact 115 as well?
04:07PM 25 A. Yes, the neighboring District 117 which is a protected black

district also impacted the southern shape of that district trying to put a district right up against the territory that that district has within it as well?

A. So using, as you can see here, U.S. 1 and then the Cutler Drain Canal going up to another major road, that shaped the southern part of the boundary in addition to using the municipal boundaries for Cutler, Palmetto Bay, and Pinecrest.

Q. Now, looking at the central and southern parts of this district first, did you follow political and geographical boundaries along the district boundary?

A. Along which side of the boundary again?

Q. Looking at the central and southern parts of the district.

A. Okay. So, yeah, the central part of the district, we used primarily the Don Shula Expressway which is kind of a diagonal road that kind of runs north and south through that area, in addition to Southwest 117th Avenue and Kendall Drive.

In addition to then further south using the Cutler Drain Canal that I mentioned before, along with U.S. Highway 1 and Palmetto Bay and Cutler Bay, then finally use the Black Creek Canal on the extreme southern end of it with also using Intracoastal Waterway to the east.

Q. Then from the bottom up, what are the boundaries on the right side and the east side of District 115 moving from the southern to the central part of the district?

A. Sure. So after the Don Shula Expressway and Kendall Drive,

04:09PM 1 which is also a state road, state route, we used Galloway Road.
04:09PM 2 Q. I'm sorry. On the east side of the district?
04:09PM 3 A. Oh, I'm sorry. So on the east side of the district, the
04:09PM 4 Palmetto Bay, Pinecrest, and Coral Gables municipal line along
04:09PM 5 with the south Miami municipal line and a little bit of another
04:09PM 6 canal there. I guess it's called the Snapper Creek Canal. Those
04:09PM 7 are really the major parts of the eastern boundary of District
04:09PM 8 115, and then it travels north and keeps the entire city of west
04:09PM 9 Miami wholly within District 114. So that municipal line is also
04:09PM 10 used along the eastern boundary of District 115.
04:09PM 11 Q. Now, at any time in the drawing process, was race a
04:09PM 12 consideration in drawing either the central or the southern parts
04:10PM 13 of this district?
04:10PM 14 A. No.
04:10PM 15 Q. In drawing District 115, did you consider race before you
04:10PM 16 performed the functional analysis on a completed district?
04:10PM 17 A. No.
04:10PM 18 Q. Once you performed that functional analysis, did race have an
04:10PM 19 impact on the northern part of the district?
04:10PM 20 A. It did.
04:10PM 21 Q. Explain how?
04:10PM 22 A. So after we ran the functional analysis on not just 115 but
04:10PM 23 district 116 and 114 and I think even some of the other
04:10PM 24 neighboring districts around, we realized that the District 115 as
04:10PM 25 mentioned previously when questioned by Mr. Warren, that district

was very competitive. So looking at both the Republican and Democratic side of the equation, I forget exactly which side may have looked like it had diminished more than the benchmark counterpart, but in order to make adjustments to it as well as some other changes to the neighboring districts, we took that district maybe a little bit further north, really just kind of adjusted the boundary on the northern side of the district a little bit.

Q. Did non-racial factors also impact the northern part of the district?

A. Yes. So in the enacted -- I'm sorry -- the benchmark map that we were comparing all this to, all of these districts or at least a couple of these districts went much further north past the airport, so north past the Dolphin Expressway, past the airport, much further north. We were trying to improve the visual compactness where we could have these districts as well as keeping the municipalities whole.

So we kind of decided in this process of drawing that we were going to use the Dolphin Expressway as kind of our northern cap for some of these districts if at all possible. And we tried different orientations, and this was one that we attempted to do that, and we were able to keep that Dolphin Expressway as the cap for a bunch of these districts to the south.

Q. And what is the cap on 115?

A. It is the Tamiami Trail.

04:12PM Q. Does the northern part of the district utilize major roadways?
04:12PM A. Yes.
04:12PM Q. Which ones?
04:12PM A. So the northern part of the district uses Galloway Road, which
04:12PM is a state road 973, also 87th Avenue, and Tamiami Trail and then
04:12PM along the eastern side of that northern side of the district, it's
04:12PM primarily using the municipal lines of south Miami and west Miami.
04:12PM Q. Does the northern part of the district respect municipal
04:12PM boundaries?
04:12PM A. Yes.
04:12PM Q. How so?
04:12PM A. It shares a boundary with both south Miami, west Miami, and
04:12PM even a little bit of Miami proper just to the north.
04:13PM Q. So is that gold or brown color that we see that's just above
04:13PM District 115 in the map, is that the city of Miami?
04:13PM A. It is, yes.
04:13PM Q. So if the district had continued any further north, would it
04:13PM have split the city of Miami?
04:13PM A. More than likely, yes.
04:13PM Q. Was it important that District 115 not split Miami to the
04:13PM north or west Miami or south Miami to the east?
04:13PM A. Yes, to all three, but I think primarily in that context south
04:13PM Miami and west Miami trying to keep those two municipalities
04:13PM whole.
04:13PM Q. In looking at the district as a whole, how many municipality

boundaries does District 115 follow?
A. Well, it would be Cutler Bay, Palmetto Bay, Pinecrest, Coral Gables, south Miami, west Miami, and Miami. So that's three, four, five, six, seven.
Q. Does District 115 split any municipalities?
A. No.
Q. Do you recall the district boundary score?
A. I believe its boundary score is approximately 91 or 92 percent following one of those major geographical boundaries, so in the reverse, and if you look at that far right column, it would be a 9 I think.
Q. Did you consider the northern part of the district to be bizarrely or irregularly shaped?
A. No.
Q. Why not?
A. Because it follows all of those major boundaries, those roads, in addition to it being far less tall than its predecessor in the benchmark district, and all of the other surrounding districts around it are all respectful of all those same major roads and other recognizable geographic features
Q. Does it contain any bizarre features?
A. No.
Q. Are there any geographical features in the northern part of the district that stand out to you as being a tier-two value?
A. Certainly keeping the cities of west Miami and south Miami

whole. And as I mentioned before in the benchmark analogous district, it split more of those. I think south Miami in addition to Pinecrest and Palmetto.

Q. How about the use of Galloway Road? Is there anything about the use of Galloway Road that stands out to you?

A. So it is a state road. So it would fall under our boundary analysis score. We also were able to use that road as a common boundary for 115, 116, and 114 as well so it kind of comes to a T where all the districts come together, and another example of where we tried to use a road for multiple districts if we could. So it became a recognizable boundary line without people having to know what district there it is.

Q. Did you make revisions to District 115 throughout the drawing process for race-neutral reasons?

A. Yes.

Q. Explain that.

A. So one example would be we kept the city of Sweetwater wholly within district 116, so its population got shifted slightly further north, which meant District 115 had to come up a little bit further on certain parts of its southern boundary to help 116 keep that municipality whole. 116 also at a point on the bottom of it, and 115 was adjusted slightly to help with that as well. So sometimes these compactness and tier-two issues for one district, you're going to have to change another district so they're often done in tandem.

04:16PM Q. Did you try to make District 115 more tier-two compliant than its benchmark district?
04:16PM A. Yes.
04:16PM Q. Let's take a look at Joint Exhibit 2, please.
04:16PM If we could enlarge the Miami, the southeast Miami, or
04:17PM southeast Florida inset on the right side of the page, please.
04:17PM Okay.
04:17PM Mr. Poreda, do you see District 115?
04:17PM A. Yes.
04:17PM Q. And do you recognize this as the benchmark district?
04:17PM A. Yes.
04:17PM Q. So in what way did District 115 as drawn in the most recent
04:17PM redistricting process improve upon the benchmark district?
04:17PM A. So as you can see here, it's a little tough to see in this
04:17PM inset, but you can see the Dolphin Expressway going across the
04:17PM northern part of both 115 and 116 here on the benchmark map. We
04:17PM kept both of those districts south of that. So that is an
04:17PM improvement in both mathematical and visual compactness.
04:17PM Q. Let's go back now to previous exhibit, Defendants' Exhibit 16.
04:18PM Mr. Poreda, do you consider District 115 to be compact?
04:18PM A. Yes.
04:18PM Q. Do you believe that it utilized political and geographical
04:18PM boundaries where feasible?
04:18PM A. Yes.
04:18PM Q. Based on your experience as a map drawer, was race the

predominant factor in drawing District 115 as a whole?
A. No.
Q. How would you describe the mix of factors that contributed to the shape of District 115?
A. This is a good example of us trying to balance or marry all of the standards where we could. It was tier-one protected district, and some adjustments were made to help ensure the tier-one protection but at the same time we're using over 90 percent boundaries that are either municipal lines, water ways, or major roadways and marrying all that together in compactness scores I believe are comparable kind of right around the mean for all of the other districts in the map.
Q. Let's move on to districts 118 and 119.

And, Zack, let's start by displaying the workshop maps so let's go back to I believe it was Joint Exhibit 39. And page 28, please -- 26 as written on the document. So two more pages. There it is. Okay.

So, Mr. Poreda, let's focus here on districts 118 and 119 and we're beginning with the workshop maps. Can you explain how you configured 118 and 119 in these two workshop options?
A. Sure. So starting workshop A, you can see that district 119 is sort of an L shape that goes underneath a smaller version of district 118 in a similar area that it exists in the enacted map and looking at workshop B you can see district 118 looks a little closer to version of it that is in the enacted map but a little

04:20PM 1 bit different, and district 119 has far more of the lesser
04:20PM 2 non-populated area out into the Everglades.
04:20PM 3 Part of the reason why we put this option in workshop B was
04:20PM 4 to demonstrate to the members and the decision point of trying to
04:20PM 5 either include districts a little bit more compact, just in the
04:20PM 6 populated areas or what happens when you include a lot of the more
04:20PM 7 unpopulated area into a district and the difference of compactness
04:20PM 8 scores and things like that.
04:20PM 9 Q. Now, in workshop B do you see that little protrusion at the
04:20PM 10 bottom of District 119?
04:20PM 11 A. Where exactly?
04:20PM 12 Q. I'm sorry. Workshop B, District 119.
04:21PM 13 A. Oh, okay. Yes.
04:21PM 14 Q. Why is there a little bulge there in 119?
04:21PM 15 A. So you can see the jagged line just to the east of that bulge,
04:21PM 16 and that is the municipalities of both Homestead and Florida City
04:21PM 17 that are there and this was an effort to keep those municipalities
04:21PM 18 whole so that 119 couldn't go into those municipalities it had to
04:21PM 19 go further south.
04:21PM 20 Q. And does it go south to achieve the ideal population?
04:21PM 21 A. Yes.
04:21PM 22 Q. Now, I see that there are two different versions of District
04:21PM 23 117 in these maps. Can you talk a little bit about the two
04:21PM 24 concepts?
04:21PM 25 A. Sure. So District 117 is an interesting district and a

protected black district and throughout our exploration in trying to draw this area, we came up with multiple different orientations for that district, one of which is probably more analogous, and similar to the district that existed in the benchmark map, which is more similar to workshop A that goes down into Homestead and includes all of Florida City, I believe, in that district as well as keeping the northern part of the district similar to how it was in the benchmark map, and then District 117 in workshop B is a district that does not go into Homestead or Florida City and achieves its population by the area further north of those municipalities.

Q. In the enacted map, did you retain either of the workshop configurations of 118 and 119?

A. I don't believe that we chose one or the other entirely, but it is definitely more similar to that of workshop A.

Q. Let's take a look at the enacted map.

Zack, if you could display Defendants' Exhibit 17, please.

Mr. Poreda, could you describe how you configured districts 118 and 119 in the enacted map?

A. Sure. So in this option as we looked at the different workshop options previously, it became clear that including a lot of unpopulated area to the west of District 119 wasn't the best choice for compactness both visually and mathematically, and it was better to reduce the amount of geographic area that that district -- than the two districts combined would achieve. So we

ended with this rectangular area that you now see District 118 and 119 within.

The other option we had of these two districts if you look at workshop A, had one district, District 119 kind of is an L shape around a different district, of 118. And I don't think -- I was not happy with the visual compactness of that, so Kyle and I, we drew different options in this area trying to find the best boundary lines that we could to divide this region. There were some other publicly submitted maps that had some suggestions, and we tried to look at all of the different factors and all of the different railways and roadways that are in this area. There is no municipalities, so we didn't have that as a concern.

So it was mostly just trying to find a way that we could divide this area up into two districts and be using as regular shapes as we could while also satisfying the non-diminishment standard in the tier-one side of the equation for both of these two districts.

Q. Okay. Let's go around the boundaries of these districts. What is the northern boundary of the two maps?

A. The Tamiami Trail.

Q. Why is there a little notch or indent along the -- at the east end of the northern boundary?

A. That's done for equal population purposes to keep the population deviation of 118 and 119 in the comparable level.

Q. What is the western boundary of District 119?

04:25PM A. The western boundary is Krome Avenue or State Road 997.
04:25PM Q. Okay. Did you consider Krome Avenue to be a major roadway?
04:25PM A. Yes, and another example of a roadway that we used in multiple
04:25PM districts is that roadway continues up to be the boundary for 111.
04:25PM Q. Now, let's look at the eastern side of District 118. What
04:25PM does that boundary consist of?
04:25PM A. The boundary only eastern side is primarily Florida Turnpike
04:25PM with a slight deviation that goes off onto 117 Avenue.
04:25PM Q. And then towards the southern end of the district is -- what
04:25PM role does 117 play in the shape of 118?
04:25PM A. Yeah. So as I mentioned before, District 117 is a protected
04:26PM black district, and there is an area on the northern part of that
04:26PM district that has highly concentrated black voting age population
04:26PM that is included in that district. And then having to connect
04:26PM that district with the southern part of its area kind of shapes
04:26PM the boundary of the eastern side and the southern part of District
04:26PM 118.
04:26PM Q. Going back to the Florida Turnpike, did you consider the
04:26PM Florida Turnpike to be a major roadway?
04:26PM A. Yes.
04:26PM Q. Now, the -- let's talk about the dividing line between 118 and
04:26PM 119, how did you select that dividing line between the two
04:26PM districts?
04:26PM A. So we looked at a variety of different options, and it was
04:26PM mostly for at this point equal population purposes trying to find

what we considered to be the cleanest or most visually good lines to divide these districts. At that time, we were again exploring different options of maybe doing a different L shape district trying to do a stack configuration or trying an orientation like this where they're basically two rectangles next to either each other.

And there isn't really one good line really any way to get it exactly across, so we tried to find the most major roads and areas that we could. There was a little bit of a rail line there that we used, in addition to some other state roads, or other major roads. And this is where we would use that -- zoom in using the satellite view to determine roads that have multiple lanes or divided lanes with medians going each direction that could be a easily commonly understood road in that area.

Q. I see that at the northern end of that dividing line you followed Southwest 147th Avenue, did you consider that to be a major roadway?

A. For this particular area, yes, even though that particular roadway probably would not show up in the boundary analysis score, but that was a roadway that we -- upon visual examination looked to be a major roadway or at least a commonly understood road in that area.

Q. And how about Lindgren Road a little bit further south, did you consider that to be a major roadway?

A. Yes, for similar reasons as above, but I believe that that

04:28PM 1 also is a state road designation, so that would show up in our
04:28PM 2 boundary analysis score.
04:28PM 3 Q. Now, the -- I see the dividing line shifts a little bit to the
04:28PM 4 east towards the center. Why is that?
04:28PM 5 A. That's to follow that rail line, but also because Lindgren
04:28PM 6 Road or State Road 825 does not go all the way to the bottom of
04:28PM 7 either district. So it was necessary to find a different dividing
04:28PM 8 line in addition to the equal population standard.
04:28PM 9 Q. Is there an airport also in District 119 that is kept whole
04:29PM 10 because of this arrangement of the dividing line?
04:29PM 11 A. Yes.
04:29PM 12 Q. Now, does either District 118 or 119 contain any
04:29PM 13 municipalities?
04:29PM 14 A. No.
04:29PM 15 Q. Does either one split any municipalities?
04:29PM 16 A. No.
04:29PM 17 Q. Do you believe that districts 118 and 119 utilize political
04:29PM 18 boundaries where feasible?
04:29PM 19 A. Yes.
04:29PM 20 Q. All right. Let's talk about compactness. Did you consider
04:29PM 21 these two districts to be compact?
04:29PM 22 A. Yes.
04:29PM 23 Q. Why?
04:29PM 24 A. Because they're both reasonably regular shapes whether, again
04:29PM 25 they be squares or trapezoids or rectangles in this particular

04:29PM 1 case. They were regular. They didn't have any odd appendages
04:29PM 2 that stuck out from the main body of the district, and their
04:29PM 3 compactness scores were comparable to other areas of the state,
04:29PM 4 particularly when looking at the Convex Hull score in this
04:29PM 5 particular case. But again each of the scores have their own
04:30PM 6 deficiencies. You can't look at just one or all of them. They're
04:30PM 7 more of a guide in this particular case. But these were
04:30PM 8 rectangles. They scored well with Convex Hull, and were
04:30PM 9 reasonably comparable in tier-two metrics to other district
04:30PM 10 orientation that we either looked at or tried in this area.
04:30PM 11 Q. Did you draw other vertically oriented districts in southeast
04:30PM 12 Florida besides these two?
04:30PM 13 A. Yes.
04:30PM 14 Q. Okay.
04:30PM 15 Zack, could you display Defendants' Exhibit 2, please.
04:30PM 16 Okay.
04:30PM 17 Can you point out some of the vertically oriented districts
04:30PM 18 in southeast Florida?
04:30PM 19 A. Sure. So southeast Florida because the bulk of its population
04:30PM 20 is pushed up against the coast and is a very vertically oriented
04:30PM 21 population area. Many districts, including 118 and 119, I would
04:30PM 22 put 116, 115, and 114 in that category, as well as 106, 108, and
04:31PM 23 109, probably 103 maybe to a lesser extent, but still 110 and 112,
04:31PM 24 up in Broward County, again 103, 102, 100, 98, and then looking up
04:31PM 25 in Palm Beach County, 92, and I believe, it's district 87, which

04:31PM 1 is cut off a little bit here in this blowup.
04:31PM 2 Q. Do you know how many of these districts are protected
04:31PM 3 districts?
04:31PM 4 A. Of the districts I just named, I know that district 98 is a
04:31PM 5 protected black district. In Broward County, districts 108 and
04:31PM 6 109 are protected districts, and then the other districts in
04:31PM 7 Miami-Dade I named, so 110, 112, 114, 115, 116, 118 and 119.
04:31PM 8 Q. And are there among them also districts that are not
04:31PM 9 protected?
04:31PM 10 A. Yes.
04:31PM 11 Q. Okay. Which would those be?
04:32PM 12 A. 106, 103, 100, 92, and 87.
04:32PM 13 Q. Okay.
04:32PM 14 Now, in your mind as a map drawer, how does the visual
04:32PM 15 compactness of a rectangle compare to the visual compactness of a
04:32PM 16 square?
04:32PM 17 A. I compare them equally.
04:32PM 18 Q. Now, let's discuss compactness scores. How does district
04:32PM 19 119's compactness score or Convex Hull score compare to other
04:32PM 20 districts?
04:32PM 21 A. It's very good. I believe it's in the top 10 or 15 Convex
04:32PM 22 Hull scores of all of the districts, all 120 districts in the map.
04:32PM 23 Q. Now, how about its Reock score?
04:32PM 24 A. That's very low, but that is I think it's in the bottom 10,
04:32PM 25 but that's part of the deficiency with the Reock score, in that

04:32PM 1 particularly, with rectangles, it -- which is a regular shape, it
04:32PM 2 scores very poorly.
04:32PM 3 Q. Where does the Polsby-Popper score fall?
04:33PM 4 A. I think it is just above average.
04:33PM 5 Q. So what does that tell you if you have a district with one
04:33PM 6 very high compactness score, one lower score, and then one that's
04:33PM 7 a little above average?
04:33PM 8 A. That's why the scores are good tools, but they are just that;
04:33PM 9 they're tools. You can't look at any one in particular or them
04:33PM 10 all as a gold standard or something that should be looked at more
04:33PM 11 than the others, but they are a good tool.
04:33PM 12 Q. Did you consider the benchmark district in deciding how to
04:33PM 13 configure districts 118 and 119?
04:33PM 14 A. No.
04:33PM 15 Q. Let's take a look at Joint Exhibit 2, please.
04:33PM 16 And, Zack, if you could zoom in on 118 and 119.
04:33PM 17 Is this the configuration of 118 and 119 in the benchmark
04:33PM 18 district -- benchmark map?
04:33PM 19 A. Yes.
04:34PM 20 Q. How does is that in your assessment compare to the compactness
04:34PM 21 of 118 and 119 in the current map?
04:34PM 22 A. I don't know the scores specifically, but visually speaking, I
04:34PM 23 would say the districts in the new enacted map are visually better
04:34PM 24 than the old benchmark map.
04:34PM 25 Q. Now, when you had drawn the completed districts, 118 and 119,

04:34PM 1 did you perform a functional analysis?
04:34PM 2 A. Yes.
04:34PM 3 Q. Okay. Why did you perform a functional analysis?
04:34PM 4 A. Because both of those districts are in the benchmark and were
04:34PM 5 protected they're both majority minority Hispanic districts.
04:34PM 6 Q. Now, in drawing 118 and 119, did you perceive any conflict
04:34PM 7 between tier-one and tier-two principles?
04:34PM 8 A. No.
04:34PM 9 Q. Did you look at alternative configurations such as the
04:34PM 10 workshop options of 118 and 119?
04:34PM 11 A. Yes.
04:34PM 12 Q. How do you compare the compactness and boundary utilization of
04:34PM 13 the enacted versions to the workshop options for 118 and 119?
04:35PM 14 A. I think that they were comparable as far as compactness goes.
04:35PM 15 I think actually the workshop maps probably visually because they
04:35PM 16 were a little bit more jagged being workshop maps, and the
04:35PM 17 benchmark maps probably visually have cleaner lines, but probably
04:35PM 18 all comparison, again all basically comparable.
04:35PM 19 Q. Why did you choose the enacted configuration of 118 and 119
04:35PM 20 over other configurations that you had prepared?
04:35PM 21 A. It was the best balance of all of the standards, so -- they
04:35PM 22 looking at the diminishment and other tier-two sides of that
04:35PM 23 district, they compared very well to the benchmark districts that
04:35PM 24 you see here.
04:35PM 25 They also had comparable compactness scores and visually

were regular shapes in that area, and we felt that they did the best job of balances all of the standards in that area.
Q. Based on your experience as the map drawer, was race the predominant factor in drawing District 118 as a whole?
A. No.
Q. And based on your opinion as the map drawer, was race the predominant factor in drawing District 119 as a whole?
A. Now.
Q. And how would you describe the mix of different factors that shaped 118 and 119?
A. As I said before, it's a balancing. I don't think I could put like a percentage or a number on it that we weighted it so much with the standard or that standard. We really looked at them all collectively when we were analyzing districts. And I believe that certainly race was a factor in those districts in selecting the final orientation, but all of the tier-two issues in that area played just as big of a part.
Q. Now, let's step back and talk just briefly about State House Districts in Miami-Dade generally. In drawing State House Districts in Miami-Dade County, did you ever use the heat map to determine concentrations of Hispanic voters?
A. Hispanic voters, no.
Q. Were you trying to achieve any numerical threshold of Hispanic concentration in any district in Miami-Dade County?
A. No.

04:37PM Q. Were you looking to maintain the same numerical threshold of Hispanic concentration that you found in the benchmark districts?
04:37PM A. No.
04:37PM Q. Now, we had -- we saw a clip of Representative Leek saying that, if I remember correctly, generally a district that is performing for Hispanic voters will have a population of approximately 65 percent. What did you understand that statement to mean?
04:37PM A. So that statement was probably related to, again, we had all of these pre-meetings, and as we were trying to educate not just the membership as a whole but our chairs, too. And in Miami-Dade specifically when you start doing functional analysis work, typically throughout Miami-Dade County and there are some fluctuations with this, but you can see a drop-off of between 15 and 20 percent between the Hispanic voting age population compared to that of the voter registration percentage, which then drops even further when you get into turnout, and some of the other things you look at that time in a functional analysis.

So I think he -- when trying to talk about that concept with him, he took that to mean that we were looking at 65 percent or more, and that's not necessarily the case. But that is kind of a general rule with a lot of these districts in that area.

But that's not necessarily a hard fast rule or anything that we were definitively looking at, because ultimately you have to do the functional analysis to determine if that district will

perform.
Q. So did you understand him to be instructing you or directing you to achieve 65 percent in drawing districts in Miami-Dade County?
A. He never gave us -- or gave me that directive, but any particular percentage of any map 65.
Q. Did anyone instruct you to draw districts 115, 118, or 119 with any specific racial composition?
A. No.
Q. Did anyone -- did you have any preconceived notion as to how you would configure those districts?
A. No.
Q. Okay. Let's go on and talk about Congressional District 26. Did house committee staff prepare multiple iterations of congressional district maps during the 2020, 2022 redistricting process?
A. We did.
Q. Did senate committee staff do the same?
A. Yes.
Q. Did the legislature eventually pass a congressional redistricting bill during its 2022 regular session?
A. Yes.
Q. And how many maps were in that bill?
A. There was two maps.
Q. How did the two maps different?

04:39PM A. They differed mainly in Northeast Florida where one served as
04:40PM the primary map, then the other would serve as a backup in case
04:40PM specifically congressional district 5 was invalidated for some
04:40PM reason.
04:40PM Q. Was congressional district 5 in north Florida?
04:40PM A. Yeah. It was in Northeast Florida. That was in the
04:40PM Jacksonville to Leon County area.
04:40PM Q. Were the south Florida districts in the two maps that passed
04:40PM during the regular session identical?
04:40PM A. Yes.
04:40PM Q. And what was the numerical designation of the primary map?
04:40PM A. I believe the primary map was 8015.
04:40PM Q. Is it possible it was 8019?
04:40PM A. It might have been 8019, yes.
04:40PM Q. Let's take a look.
04:40PM A. There's two maps, and, yeah, sorry.
04:40PM Q. Did the Governor sign the bill?
04:40PM A. No.
04:40PM Q. We'll get back to that.
04:40PM For now, let's take a look at Joint Exhibit 8. Okay. And
04:41PM do you see that this refers to primary at the top?
04:41PM A. Yes.
04:41PM Q. And it's 8019?
04:41PM A. Yes.
04:41PM Q. So let's take a look at this map, the primary map. Who

04:41PM 1 prepared this map?
04:41PM 2 A. I did.
04:41PM 3 Q. And what were you trying to accomplish inputting this map
04:41PM 4 together?
04:41PM 5 A. So this map served two purposes really. This was a compromise
04:41PM 6 between the House's version of the congressional map that it had
04:41PM 7 passed out of its committee, and the Senate's congressional map
04:41PM 8 that it had passed out of its committee, and this was a way of
04:41PM 9 trying to merge those two ideas into a single map.
04:41PM 10 In addition to that, we had heard from the Governor's office
04:41PM 11 about him not being pleased with the orientation of congressional
04:42PM 12 district 5 at that time and his intent to veto that.
04:42PM 13 This was our compromise to hearing that and trying to get a
04:42PM 14 map passed and where we took congressional district 5, which had
04:42PM 15 stretched from Jacksonville to Leon County and put congressional
04:42PM 16 district 5 entirely within Duval County.
04:42PM 17 Q. And did this map pass both chambers the House and the Senate?
04:42PM 18 A. It did.
04:42PM 19 Q. And so did this map -- when you assembled this map, were you
04:42PM 20 trying to merge the map drawing preferences of both the House and
04:42PM 21 the Senate?
04:42PM 22 A. Yes.
04:42PM 23 Q. Okay.
04:42PM 24 Do you -- let's focus in on district 26, please, Zack.
04:42PM 25 Do you see that district 26 combines parts of Miami-Dade and

Collier Counties?
A. Yes.
Q. Did House committee staff ever publish a map that did not contain a Miami-Dade to Collier County district?
A. No.
Q. Do you see that district 26 includes in this map not only parts of Miami-Dade and Collier Counties but also Hendry County?
A. Yes.
Q. Had the House and Senate up until this point taken different approaches to Hendry County?
A. Yes. So the benchmark analogous districts as we talked about before was congressional District 25 in the benchmark, that did include Hendry County in it, and the Senate included its version of this district in Hendry County. The House, we did not. We put Hendry County in the District 18 to the north.
Q. Now, do you recall whether the benchmark district which crossed over to Collier and went up to Hendry, whether that was approved by the Florida Supreme Court?
A. It was.
Q. Now, why did the House remove Hendry County from the district or maybe stated differently, draw a district without Hendry County in it?
A. So previously Hendry County was one of the counties that was covered by Section 5, or really the formula that's in Section 4 of the Voting Rights Act. That was no longer applicable, and Hendry

04:44PM 1 County is only about 39,000 people, and we felt it was an
04:44PM 2 opportunity because district 26 in our estimation would still not
04:44PM 3 diminish the minority communities ability to elect in that
04:44PM 4 district, and we can improve the visual and compactness by
04:44PM 5 removing Hendry County from the district.
04:44PM 6 Q. Now, at this stage when the House and Senate were trying to
04:44PM 7 agree upon a joint product, did the House accept the Senate's
04:44PM 8 position on Hendry County?
04:44PM 9 A. We did.
04:44PM 10 Q. Okay.
04:44PM 11 Now, Zack, let's back out to the full map.
04:44PM 12 Mr. Poreda, are there particular districts in central or
04:44PM 13 south Florida that have an especially significant impact on the
04:44PM 14 way the districts in south Florida are configured?
04:45PM 15 A. Yes. I would point primarily to the configuration of
04:45PM 16 congressional district 20, which is a protected black district in
04:45PM 17 Broward and Palm Beach Counties, as well as in south Florida
04:45PM 18 specifically, and then as well to the north.
04:45PM 19 One thing that both the House and the Senate had identified
04:45PM 20 independently was that Polk County, which is the area between
04:45PM 21 Tampa and Orlando, a big rural county right in the middle of the
04:45PM 22 state, was almost as populous as an entire congressional district.
04:45PM 23 And but then had to be connected to another neighboring
04:45PM 24 county to get again achieve equal population. The House and the
04:45PM 25 Senate did this slightly differently, but both maps had a district

that was almost entirely Polk County, that creates kind of the beginning of that creates kind of a wall to the north, which then is further extended by keeping congressional district 9 entirely Osceola County and then connected it to Orange County to the north.

So its southern boundary continues flat line across the center of the state, as well as determining that Brevard and Indian River County which is the Space Coast of Florida over on the right-hand side and the Atlantic coast.

Keeping those two counties together would almost equal an entire congressional district by itself, with a little bit more population needed from a neighboring county.

So keeping that three-county line of Polk, Osceola, and India River County kind of across the top, sort of created a similar sandbox effect I talked about earlier with the State House Districts, although, again, because of equal population purposes it couldn't be completely walled off, but that did make all of the districts south of that have to fit into that area without going north.

So -- and then with Congressional District 20 being that protected black district, which is over 50 percent black VAP district that connects communities in Palm Beach County and Broward County, that kind of creates a wheel or a pinwheel that kind of goes around District 20 as you start to reorient those districts.

District 27 and 28 to the south could kind of remain separate from that sort of effect. But when you start to then add Hendry County or remove Hendry County or adjust districts around Congressional District 20, you'll start to make changes with that.

If you take district 26 and push it entirely within Miami-Dade for example, the share of population from Collier County in district 26 or in this case between Collier and Hendry County is about 214-, 215,000 people.

So without having to go through District 20, it would then have a cascading effect, because congressional redistricting is a zero sum game. Any time you remove population from a district, another district has to come in and take a hundred percent of that population. So you would have to work your way up through Broward County through District 24 or 25, and then eventually into blue District 23, and then the red district 22, and eventually into the green District 21, and further coming across the coast or to the other coast from there.

In our trying things like that and kind of working that pin wheel around, we determined that you either have a district to the south in District 26 that connects neighboring counties of Miami-Dade and Collier, or eventually that would push the green District 21 from the Atlantic coast and Saint Lucie and Martin County through the more rural inland counties almost all the way through to the Gulf coast into Charlotte County I think all the way to the Peace River, effectively a coast to coast district, but

04:49PM through the central part of the state rather than along the bottom
04:49PM with two neighboring counties.
04:49PM This orientation also allowed us to hold the Saint Lucie and
04:49PM Martin County line to the west for its western border, and then
04:49PM all of the other districts kind of fit down within that.
04:49PM The boundary line between district 22 and 21, we were
04:49PM actually able to use the Palm Beach inlet so it's a major
04:49PM separation of the barrier islands there that's not connected by a
04:49PM bridge that is now a natural boundary between District 21 and
04:49PM district 22.
04:49PM District 22 is now entirely within Palm Beach County, which
04:49PM is something else we try to do. When we had to split up counties,
04:49PM we tried to aim for districts entirely within it where we could,
04:49PM and we were able to do that with District 22 and then again with
04:49PM District 25 to the south, keeping District 25 wholly within
04:50PM Broward County.
04:50PM Q. Okay. Let's we walk through that a little bit. But just going
04:50PM back to this last points of anchoring, when you talk about
04:50PM District 22, and District 25, what are are you referring to?
04:50PM A. So District 22 and District 25 were both entirely within their
04:50PM individual counties, so 100 percent of their population either in
04:50PM Palm Beach or Broward County.
04:50PM Q. So now when you talk about this pin wheel effect if you move
04:50PM District 26 out of Collier and Hendry Counties, do I understand
04:50PM correctly that you would be rotating those districts

04:50PM counterclockwise around District 20?
A. Yes.
Q. And can you walk through what the impact of that would be for example if you move 26 wholly within Miami-Dade, what would the impact of that be on District 25 as that rotation occurs?
A. Yes, sure. So as I just mentioned, it's about 215,000 people that would be moved into Dade and vacated in Collier and Hendry. That would be forced up into District 25. District 25 would then have to go up and around the southern arm of CD 20, and then pushing 23 further north into the area that's currently occupied by congressional District 22, and then congressional District 22 would then have to be pushed further north.
Then as I mentioned District 21 would have to come across to the west almost all the way across the coast and also then include some of the area that would be vacated by District 26 probably reorienting District 19 as well.
Q. Would it be possible to maintain that county boundary that's on the west side of District 21 so the western boundary of Saint Lucie and Martin Counties if District 26 moves entirely out of Collier and Hendry and further into Miami-Dade?
A. No. That would be pushed again all the way into Charlotte County, the Peace River, basically all the way to the Gulf Coast.
Q. Now, let's talk about tier-one. Apart from these tier two considerations, did this positioning of districts around District 20 affect tier-one compliance?

04:52PM A. No.
04:52PM Q. In drawing District 26, did you perceive any conflict between
04:52PM tier one and tier two?
04:52PM A. No.
04:52PM Q. Ultimately, why did you decide to present a map that includes
04:52PM a Miami-Dade to Collier District 26?
04:52PM A. Well, it was similar to the analogous benchmark district, and
04:52PM it allowed us to put all of the other districts that I just
04:52PM described in their orientations, which was a good compromise with
04:52PM all the other tier-one aspects of all of those other districts.
04:52PM So because of the districts in Miami-Dade and having to
04:52PM connect it to Monroe County and the other protected districts in
04:53PM the area, there was going to be an area of Miami-Dade that was
04:53PM going to be not populous enough to have a district entirely within
04:53PM it, so it was going to have to be connected to either Broward or
04:53PM Collier County for equal population reasons.
04:53PM So this is just connecting; it's keeping that district
04:53PM tier-one compliant as it was in the benchmark, as well as
04:53PM affording us the opportunity to make other districts to the north,
04:53PM specifically 21, 22, 23 and 25, which are not protected districts,
04:53PM keep them as tier-two compliant as possible, in addition to
04:53PM keeping 26 in its orientation connecting it to Collier County and
04:53PM in this case Hendry County as well.
04:53PM Q. Now, during the direct examination Mr. Warren pointed out a
04:53PM discussion about tier-one impacting the shape of District 26.

What were the tier-one considerations, and can you explain further what that statement referred to?

A. Sure. So obviously with four districts in Miami-Dade all being protected districts, three protected Hispanic districts, one protected black district in addition to Congressional District 20 being a protected black district as well to the north, all of those considerations impacted the shape of all of those districts in order to ensure their compliance with tier one, while also trying to balance it with the tier-two standards as well.

So just as an example, in Miami-Dade County, the boundary between 24 and 26 we tried to balance those tier-one and tier-two standards as much as we could utilizing municipal lines as much as possible as well as being respectful to both the black and the Hispanic communities, and therefore all of the districts that are relevant, and then as the district went into Collier County, we tried to follow as many major roadways or county lines as we could to try to minimize its impact throughout Collier County.

Q. So when you were referring to tier-one impacting District 26, were you referring solely to district 26's tier-one considerations or to multiple district in the region?

A. Multiple districts in the region.

Q. Okay. Did anyone ever instruct you to configure District 26 this way?

A. No.

Q. Is it uncommon for the configuration of specific districts

such as district 16 and 20 which you discussed to impact other districts regionally?

A. So in the congressional map, it's not uncommon to have one or two districts and have -- impact almost the entire state because of the exact population quality standards that exists for congressional maps, those ripple effects can go far beyond just the one district that you're trying to change.

Q. Okay. So you mentioned that the Governor vetoed the bill that passed during the regular session. How did we get from that veto to an enacted congressional district plan?

A. So after the governor vetoed that bill, which was CS/SB102 which contained the two maps -- again, apology about which number was primary map. We then got a map presented to us by Alex Kelly, representing the Governor's office.

Q. You mentioned that you had worked with Alex Kelly before, correct?

A. I had, yes.

Q. Zack, could you display Joint Exhibit 8 -- I'm sorry, Joint Exhibit 3 alongside Joint Exhibit 8, side by side. And could we zoom in on the south Florida region that we've been talking about, let's say maybe from Orlando to the south.

Mr. Poreda, do you recognize 8019 as the map on the left and the enacted map on the right?

A. Yes.

Q. Okay. So first, can you tell us which parts of south Florida

04:57PM 1 Mr. Kelly did not change?
04:57PM 2 A. So Mr. Kelly in the map 109, which is the enacted map, the
04:57PM 3 counties along the southern part of the east coast of Florida, so,
04:57PM 4 well, even Brevard and Indian River in district 8, that did not
04:58PM 5 change. District 21 contains St. Lucie and Martin County and
04:58PM 6 further south into Palm Beach, Broward, and Miami-Dade, and Monroe
04:58PM 7 Counties all the way down, they were unchanged between the map
04:58PM 8 that got vetoed and the map that was presented to us by Alex
04:58PM 9 Kelly.
04:58PM 10 Q. Okay. So are you saying that in the portion of District 26
04:58PM 11 that is in Miami-Dade County was not changed between 8019 and the
04:58PM 12 enacted map?
04:58PM 13 A. That is correct.
04:58PM 14 Q. So did Mr. Kelly keep District 21 on the coast as you had
04:58PM 15 drawn it?
04:58PM 16 A. Yes.
04:58PM 17 Q. And did he continue to follow those county boundaries along
04:58PM 18 the northern side of St. Lucie County and the western sides of St.
04:58PM 19 Lucie, Martin, Palm Beach, and Broward Counties?
04:58PM 20 A. Yes.
04:58PM 21 Q. And did he maintain 25 in that shape along the southern
04:59PM 22 boundary of Broward County?
04:59PM 23 A. Yes.
04:59PM 24 Q. Okay.
04:59PM 25 Now, in what ways did Mr. Kelly change south Florida?

04:59PM A. So he -- the biggest visual difference is that his changed to
04:59PM District 18, the gray district right in the middle, and I guess
04:59PM compared to 8019 that was vetoed the Polk County district, which
04:59PM was almost entirely congressional district by itself. It is now
04:59PM largely included into District 18 and is actually split, that
04:59PM county got split between three different districts, but that
04:59PM district, District 18, the gray one in the middle kind of became a
04:59PM big rural county inland district that it borders that area that we
04:59PM were just talking about with St. Lucie, Martin, and Palm Beach
04:59PM County.
04:59PM That traveled further south, and Hendry County got included
04:59PM in District 18 as well removing it from District 26. He also had
05:00PM to for equal population reasons take District 18 out just a little
05:00PM bit into Collier County. So there is a little split on the
05:00PM Northeast or north side of Collier County, and as a result of
05:00PM that, he had to make some slight adjustments to the boundary
05:00PM between District 26 and District 19 within Collier County.
05:00PM Q. Now, in the process, did Sarasota County become whole in his
05:00PM map?
05:00PM A. Yes.
05:00PM Q. In removing Hendry County from District 26, did Mr. Kelly make
05:00PM the district more like the districts that the House had drawn
05:00PM before it reached that compromise with the Senate in map 8019?
05:00PM A. Yes.
05:00PM Q. Let's take a look at Defendants' Exhibit 29, please.

05:01PM 1 Mr. Poreda, what does this map represent?
05:01PM 2 A. This represents the portion of Congressional District 26
05:01PM 3 within Collier County.
05:01PM 4 Q. Okay. And does this illustrate the political and geographical
05:01PM 5 boundaries that District 26 follows in Collier County?
05:01PM 6 A. Yes.
05:01PM 7 Q. Can you walk through those boundaries for us, please.
05:01PM 8 A. Sure. So we'll start on the southern part of Congressional
05:01PM 9 District 26 within the display here. So it follows the
05:01PM 10 Collier-Monroe County line along the southern side before going up
05:01PM 11 toward the municipality of Marco Island, and then using the
05:01PM 12 municipal line of Marco Island over to Collier Boulevard, which is
05:01PM 13 a state road in Collier County. That goes up to the Tamiami
05:02PM 14 Trail, which it then follows a little bit further north before
05:02PM 15 going eventually up to Interstate 75 and joining the Collier
05:02PM 16 County Line with Lee County. But in between that, it jumps off
05:02PM 17 for equal population purposes to achieve that equal population
05:02PM 18 number in between Interstate 75 and the Tamiami Trail.
05:02PM 19 It then, like I said before, follows Interstate 75 up to the
05:02PM 20 Collier-Lee County line before it follows that to State Road 82
05:02PM 21 and State Road 29, and then a county road 846 before rejoining the
05:02PM 22 Collier County line with Hendry County before then traveling
05:02PM 23 further east.
05:02PM 24 Q. Do you see the portion of Collier County at the north that is
05:02PM 25 left out of District 26 and incorporated into District 18?

A. Yes.
Q. Are you aware of the demographics of that area?
A. Yes. That is a area -- it's a census designated place referred to as Immokalee and is typically very highly Hispanic.
Q. Is it a relatively small number of people maybe 3- or 4,000?
A. Yes.
MR. WARREN: Objection. Leading.
JUDGE GRANT: Please rephrase.
BY MR. BARDOS:
Q. Do you know approximately how many people live in the portion of Collier County that is in District 18?
A. Yes, it is approximately 3- to 4,000 people.
Q. What is approximately the Hispanic voting age population of that portion?
A. I don't remember specifically, but I believe it's between 60 and 70 percent.
Q. And was that portion removed from District 26 by Mr. Kelly when he made his changes?
A. Yes.
Q. Let's take a look at Defendants' Exhibit 24, please.
Mr. Poreda, what does this map represent?
A. This map represents the portion of Congressional District 26 within Miami-Dade County as well as some of the roadways that that boundary follows.
Q. Okay.

05:04PM 1 Zack, if you could zoom in a little bit on that central
05:04PM 2 portion of this map, please.
05:04PM 3 Mr. Poreda, could you walk us along the boundaries of this
05:04PM 4 district and explain the political and geographical boundaries
05:04PM 5 that it utilizes?
05:04PM 6 A. Sure. So it first travels along the Miami-Dade, Broward
05:04PM 7 County line traveling east, before then heading south using
05:04PM 8 Northwest 47th Ave, which is also State Road 847 before using the
05:04PM 9 Palmetto Expressway, and then Northwest 57th Ave before using
05:05PM 10 State Road 924 to head south, and then uses the Little River Canal
05:05PM 11 to head further east while also heading south before using
05:05PM 12 Northwest 27th Ave, which is State Road 9 to head further south
05:05PM 13 before then the district jumps off really any other road to
05:05PM 14 achieve equal population before joining the Airport Expressway,
05:05PM 15 all the way down to Biscayne Boulevard, before then heading west
05:05PM 16 again along primarily the Dolphin Expressway, all the way before
05:05PM 17 using the Tamiami Trail heading further west with a few deviations
05:05PM 18 for a couple of municipalities, and for equal population purposes
05:05PM 19 for I believe district 27, but it could be 26 as well.
05:05PM 20 Q. And are the roadways that you mentioned would you consider
05:05PM 21 those major roadways?
05:06PM 22 A. Yes.
05:06PM 23 Q. Now, do you see beneath Airport Expressway where the district
05:06PM 24 goes out to Biscayne Bay?
05:06PM 25 A. Yes.

Q. Okay. Walk us through that. Why does the district go out to Biscayne Bay underneath District 24?
A. So that is done for a couple different reasons. The first of which is equal population, because District 24 could only have so many people within it. And district 27 south of it could only have so many people within it, so it created a vacated space in between.

In addition to District 24 being a protected black district, we had to be a little bit more mindful of the black voting age population in that district, and the area that that District 26 takes up is highly densely populated.

Q. Now, I believe on direct you mentioned that District 24 moved slightly to the east between the benchmark map and newly enacted map; is that correct?
A. That is correct.
Q. Did that in any way impact that portion of District 26?
A. Sure. As the district moved east, it would then have vacated population to the west that another district would have to take up.
Q. Let's take a look at Defendants' Exhibit 25, please.

And, Zack, if you could zoom in again on that same portion of the state.

Mr. Poreda, did you use a heat map to identify Hispanic populations in this area when you were drawing these boundaries of District 26?

05:07PM A. No.
05:07PM Q. Okay. Do you see that this map identifies municipalities in
05:07PM Miami-Dade County?
05:07PM A. Yes.
05:07PM Q. Could you explain how the district boundary of District 26
05:08PM utilizes political boundaries in this area of the district?
05:08PM A. Sure. So used in conjunction with the roadways we talked
05:08PM about on the previous exhibit, you can see that the northern
05:08PM portion of the boundary between 26 and 24 is primarily using the
05:08PM Miami Gardens municipal line as well as Miami Lakes and Hialeah
05:08PM municipal line, Opa-Locka as well before traveling further south,
05:08PM and then it actually uses a bit of the Miami City line before
05:08PM using the expressway to go further west, and then it actually goes
05:08PM around and uses the Doral and Sweetwater municipal lines.
05:08PM Q. And is the entire northern boundary of District 26 within
05:08PM Miami-Dade County? Is it a county boundary?
05:08PM A. It uses the Broward and Miami-Dade County line, and so it
05:09PM heads south using the Miami Gardens municipal line as well as that
05:09PM or roadway that I forget exactly which one it was.
05:09PM Q. Was it important for the House to follow municipal boundaries
05:09PM and county boundaries where it could?
05:09PM A. Yes.
05:09PM Q. And does this -- does this district boundary keep multiple
05:09PM municipalities whole within District 26?
05:09PM A. Yes. I don't believe any municipalities are split.

05:09PM Q. And perhaps with the exception of Miami?
05:09PM A. Well, yes.
05:09PM Q. Can you walk through the municipalities that are kept whole within District 26?
05:09PM A. Sure. Other than the city of Miami, which I overlooked there, within District 26, it keeps the city of Miami Lakes, the city of Hialeah, Hialeah Gardens, Medley, Miami Springs, Virginia Gardens, and Doral entirely within District 26.
05:09PM Q. Do you recall what district 26's boundary score is?
05:10PM A. I believe it's very high. It's either -- I think it's -- if you look in the boundary analysis, I think it scored an 8 or a 9, so between 92 and 91 percent following political and geographical lines in our system.
05:10PM Q. Let's take a look at district 30, please -- I'm sorry Defendants' Exhibit 30, please. I'm on my fourth witness. I'm sorry.
05:10PM Okay. Do you know --
05:10PM Mr. Poreda, have you seen this map before?
05:10PM A. Yes.
05:10PM Q. Okay. And what do the red lines represent in this map?
05:10PM A. So all of the red lines on this map are areas where a district and a county share a boundary line.
05:10PM Q. Okay. And do you see -- was it an objective or a goal for the house to follow county boundaries throughout the state?
05:10PM A. Yes, wherever feasible, we attempted to do that.

05:10PM Q. Okay.

05:11PM Now, stepping back. In drawing the House's iterations of

05:11PM District 26, were you trying to achieve any numerical threshold of

05:11PM Hispanic concentration?

05:11PM A. No.

05:11PM Q. Were you looking to maintain the same numerical threshold of

05:11PM Hispanic concentration that you found in the benchmark district?

05:11PM A. No.

05:11PM Q. Were you looking to establish a Hispanic voting age population

05:11PM that was similar identical to that in district 27 and 28?

05:11PM A. No.

05:11PM Q. Did you try to improve upon the tier-two characteristics of

05:11PM the benchmark district?

05:11PM A. Yes.

05:11PM Q. And just briefly, I think you've talked about it, but in what

05:11PM way?

05:11PM A. Trying to keep more municipalities whole, trying to improve

05:11PM the visual and mathematical compactness, and use as many major

05:11PM roadways or at least commonly understood roadways or other

05:11PM features as possible.

05:11PM Q. Did anyone ever instruct you to draw District 26 with any

05:11PM specific racial composition?

05:12PM A. No.

05:12PM Q. And did you have any preconceived notion as to how you would

05:12PM configure District 26?

05:12PM A. No.
05:12PM Q. Okay. At any point in the drawing process, did you perform
05:12PM the required functional analysis on Miami-Dade to Collier
05:12PM district?
05:12PM A. Yes.
05:12PM Q. When you performed that functional analysis, did you determine
05:12PM that any changes were needed to avoid diminishment in the voting
05:12PM ability of Hispanic voters?
05:12PM A. No.
05:12PM Q. Do you consider District 26 to be exact?
05:12PM A. Yes.
05:12PM Q. Why is that?
05:12PM A. Because of its high boundary analysis score, and in the
05:12PM House's methodology, we often would use following county and
05:12PM municipalities and kind of synonymous nature with compactness
05:12PM because mathematical scores don't always line up with real-world
05:12PM geography, and keeping counties and cities whole or at least
05:12PM respecting their boundaries as much as possible was something we
05:13PM strove to do, and I believe that this district does that to the
05:13PM best of its ability.
05:13PM Q. Do you believe that District 26 utilizes political and
05:13PM geographical boundaries where feasible?
05:13PM A. Yes.
05:13PM Q. Explain.
05:13PM A. As I just mentioned, high boundary analysis score, it

primarily uses county lines or other major state roads as well as municipal boundaries within Miami-Dade County.

Q. And based on your experience as the map drawer,was race the predominant factor in drawing District 26 as a whole?

A. No.

Q. All right.

Now, you saw on direct some excerpts of statements by Chair Leek where he said we don't get to tier two until we address tier-one or we focus much less on tier two in the case of district 88.

What did you understand him to mean when he made those statements?

A. I think he was referring to the more global nature of the standards where tier-one does trump tier two if there is a conflict. That doesn't always necessarily mean that in the drawing process we start with tier-one and then go to tier two. As I've mentioned, it's more of an organic process. We try to marry those process, all of them, including tier-one and tier two as much as possible wherever feasible.

So I think he was referring more to the global issue especially around districts like House District 88, which is a much more difficult district to draw and one where you do have to have -- race is more of the front thing that you're worried about in that district.

In many other districts, including these south Florida

districts, it doesn't need to be the front of mind issue. You can be respectful of a lot of the other tier-two criteria in conjunction with tier one.

Q. In drawing the districts in south Florida that historically have performed for Hispanic voters, did you focus much less on tier two than on tier-one?

A. No.

Q. Did you get to tier two only after you had addressed tier-one?

A. No.

Q. In what order would you say that you considered tier-one versus tier two in the drawing process?

A. I would say in the actual drawing process, we probably considered tier two first, and then to try to be as respectful to those major roads and municipalities in Dade County as much as possible. And then where we needed to or had to, we would either after running a functional analysis or in the case of District 24 turning the heat map on for the black voting age population, we would potentially make some adjustments because of that.

And in many cases it was only after we analyzed the districts with the functional analysis that changes were made if necessary.

Q. Mr. Poreda, was race one consideration in the design of the four challenged districts?

A. Yes.

Q. Why was race considered?

05:16PM A. Because they are all tier-one protected districts.
05:16PM Q. And you did you seek to comply with the Florida Constitution?
05:16PM A. Yes, absoltely.
05:16PM Q. Did you employ a district specific functional analysis as
05:16PM required by the Florida Supreme Court?
05:16PM A. Yes.
05:16PM Q. Did the tier-two redistricting criteria of compactness,
05:16PM boundary utilization, and population equality ever take a backseat
05:16PM to racial considerations in drawing the four challenged districts?
05:16PM A. No.
05:16PM MR. BARDOS: Thank you, Mr. Poreda.
05:16PM THE WITNESS: Thank you.
05:16PM CROSS-EXAMINATION
05:16PM BY MR. JAZIL:
05:16PM Q. Mr. Poreda, I'll be brief. What application did you use to
05:16PM draw the maps you drew for the House?
05:17PM A. It's the Esri, or E-s-r-i, redistricting application.
05:17PM Q. That's the one available on the website for the Florida
05:17PM legislature?
05:17PM A. Yes. On floridaredistricting.gov, yes.
05:17PM Q. Does that application allow you to layer on top of your
05:17PM computer screen as you're drawing the map the major roadways in
05:17PM the state?
05:17PM A. Yes.
05:17PM Q. Does it allow you to layer on the major railroads in the

05:17PM 1 state?
05:17PM 2 A. Yes.
05:17PM 3 Q. Does it allow you to layer on the municipalities in the state?
05:17PM 4 A. Yes.
05:17PM 5 Q. And the county boundaries appear on that screen as you're as
05:17PM 6 well, right?
05:17PM 7 A. Yes.
05:17PM 8 Q. Now, does the application on the Florida House website that
05:17PM 9 you used, does it allow to you layer on top partisan data, so
05:17PM 10 where Republicans live and where Democrats live?
05:17PM 11 A. No, not as you're drawing, no.
05:17PM 12 Q. You said not as you're drawing. So if you want to look at the
05:17PM 13 partisan data as you did for the functional analysis report, what
05:17PM 14 do you need to do?
05:17PM 15 A. You would have to save the map that you're working on and run
05:18PM 16 a report.
05:18PM 17 Q. Okay. So again the partisan data is not available as you're
05:18PM 18 drawing the map?
05:18PM 19 A. That's correct.
05:18PM 20 Q. And as I understand it, you can't run the report in real time
05:18PM 21 then when you're drawing the map, right?
05:18PM 22 A. No. You would have to pause and run the report, let it
05:18PM 23 process, and then you would have to look at it, analyze it.
05:18PM 24 Q. Are you familiar with Dave's Redistricting?
05:18PM 25 A. Yes.

05:18PM Q. Do you know whether Dave's Redistricting allows a map drawer to display a partisan layer while drawing? So in other words, layer on where the Republicans live where the Democrats live as the map drawer is drawing?
05:18PM A. Yes, it does.
05:18PM Q. And is it just a click of a mouse to put this layer on?
05:18PM A. I believe so, yeah.
05:18PM Q. So Dave's, unlike the Florida legislature redistricting app, allows you to have a layer for partisanship on as you're drawing the map, right?
05:18PM A. In Dave's Redistricting, yes. It is available option to the map drawer to toggle on and off the partisan data.
05:19PM Q. Why is it that your Florida legislature app did not have the partisan layer available to the map drawer as the map drawer was drawing a map?
05:19PM A. So when our -- selecting a vendor for our redistricting application, that was one of the criteria that we had in mind. We wanted to be able to make sure that only the data that we wanted to be displayed while drawing was there, and we had the ability to not show some of the other data like the political data. But we obviously needed it available for functional analysis purposes.
05:19PM Q. So as I understood your answer, the answer in part is to comply with the tier-one requirements under the Florida Constitution?
05:19PM A. Yes.

05:19PM Q. I'd like to show you a brief clip. This is Joint Exhibit 126, at 4141 through 4929. This is in the transcript at Joint Exhibit 81 transcript, page 4521 to 476.

05:20PM So as Mr. Bennington is pulling up J-126 clip 3, this clip is going to be from April 19th of 2022, and as he's pulling it up, reorient us. Where are we in the redistricting process for the congressional map in April of 2022?

05:20PM A. So as I'm waiting for to the clip to come up, in April of 2022, it is after the Governor had vetoed the bill that the legislature had passed and sent to him with the two congressional maps. And now as the clip comes up, this is Alex Kelly presenting the map to congressional redistricting subcommittee.

05:20PM Q. Okay. Let's hear from Alex Kelly.

05:20PM (Video clip played.)

05:22PM Q. Mr. Kelly there mentions a compromise plan. Did you understand this to be a compromise plan that he was presenting?

05:23PM A. Yes. It was the Governor's compromise plan taking the map that he had vetoed from the legislature and combining it with a map that Alex had previously drawn to try to come up with a compromise that he would be willing to sign as well as the legislature pass.

05:23PM Q. And Mr. Kelly also talked about holding the Palm Beach line. That's the Palm Beach line you discussed with Mr. Bardos earlier?

05:23PM A. Yes.

05:23PM Q. And did the House pass the congressional plan that Mr. Kelly

was presenting there?
A. We did.
Q. Did you as the House's map drawer believe that that map was consistent with the federal and state law constraints as you understood them to be?
A. Yes.
Q. And did the House and the Governor's office always get along during this redistricting process?
A. No.
Q. And remind us, for congressional redistricting in Florida, does the congressional plan go to the Governor for review, approval, or veto?
A. Just like any other bill, yes.
Q. And then the House district plans that we talked about earlier, do those go to the Governor for review?
A. No. The state legislative plans have a different constitutional process that state -- the Florida state constitution mandates automatic Supreme Court review, and it does not go to the Governor.
MR. JAZIL: No further questions. Thank you, Your Honor.
JUDGE GRANT: Thank you. Do we have redirect, Mr. Warren?
MR. WARREN: Yes, Your Honor.
JUDGE GRANT: Are you still thinking about a half hour?
MR. WARREN: That is my estimate.

05:24PM JUDGE GRANT: Great.

REDIRECT EXAMINATION

BY MR. WARREN:

Q. Hi again.

A. Hello.

Q. And, Madam Deputy Clerk, could we switch the ELMO.

Now, Mr. Poreda, you testified when Mr. Bardos was examining about the availability of the race layers heat map in the legislature's redistricting application. Do you remember that?

A. Yes.

Q. And I believe you said you don't remember using that functionality to draw any Hispanic protected districts in Dade County; is that right?

A. Correct.

Q. But you can't speak to whether any other committee staff did so, right?

A. No.

Q. Let's talk about cities.

Now, you explained and we heard from some of the committee chairs the ways in which following city boundaries or keeping cities whole explained some of the map making choices in the enacted plans, right?

A. Yes.

Q. And you I think testified that Dade County has a lot of cities, right?

05:25PM 1 A. It does, yes.
05:25PM 2 Q. And often they bump up against each other, right?
05:25PM 3 A. Yes.
05:25PM 4 Q. And that can make it difficult or constrain your options if
05:26PM 5 you're endeavoring to keep cities whole, right?
05:26PM 6 A. Yes.
05:26PM 7 Q. Now, let's look at enacted house District 118 and 119 here.
05:26PM 8 Do you recognize this as a map of HD 118 and 119 with any
05:26PM 9 incorporated municipalities overlaid, right?
05:26PM 10 A. Yes.
05:26PM 11 Q. And of course, there are no incorporated cities in HD 118 or
05:26PM 12 119, right?
05:26PM 13 A. Correct.
05:26PM 14 Q. And they're aren't any in any of the adjacent districts either
05:26PM 15 with the exception of Sweetwater I think, right?
05:26PM 16 A. Well, technically District 115 neighbors 118 as well, and
05:26PM 17 there are municipalities within 115, and I believe that district
05:26PM 18 111 to the north has the city of Doral as well as district 120 has
05:26PM 19 some cities to the south and Monroe County, but, yes.
05:26PM 20 Q. Thank you. And so the choice to configure these two districts
05:27PM 21 within this larger rectangular box that we talked about in this
05:27PM 22 manner did not have to do with trying to keep cities whole here,
05:27PM 23 right?
05:27PM 24 A. Correct.
05:27PM 25 Q. Thank you. And just to harken back to some of what you said

about configuring HD's 118 and 119, staff had drafted different options for these districts, right?
A. Yes.
Q. And one of those options that staff drafted had them stacked more on top of each other like squares, right?
A. I don't know if we drafted it or if it was a public option that we considered and tried to duplicate. I don't -- I don't remember, but we did look at an option with stacked districts, yes.
Q. Thank you. And staff concluded that those different options including that particular option, were equally tier-two compliant, right?
A. For the most part, yes.
Q. And then staff performed functional analysis on those districts in those options, right?
A. Yes.
Q. And then staff advanced the option that they concluded would be most tier-one compliant in both 118 and 119, right?
A. Yes, and specifically the one that would satisfy the non-diminishment standard the best, meaning the opportunity to elect for the minority community to elect a candidate of their choice in both districts would be comparable of that to the analogous benchmark districts.
Q. And that's because ensuring a Hispanic would be elected in either district was the primary focus of that diminishment

analysis, right?
A. In ensuring a Hispanic is elected and ensuring the opportunity to elect in each district is comparable and not a diminishment compared to the analogous benchmark district, yes.
Q. Thank you. Let's move a little bit to the east and talk about District 115 here. You testified, and this map shows that District 115 includes the cities of Cutler Bay, Palmetto Bay, Pinecrest, right?
A. Yes.
Q. And to its east, 114th has Coral Gables, south Miami, and west Miami, right?
A. Correct.
Q. And then it splits the city of Miami as well, right?
A. District 115?
Q. 114.
A. 114 does, yes.
Q. And the border of 114 and 115 follows the Coral Gables city limit for a portion of it, right?
A. Correct.
Q. Now, let's focus on the border between 115 and 116. Do you see that?
A. Yes.
Q. That border does not follow city limits, does it?
A. No.
Q. And that northern extension of 115 that you see here from this

05:30PM 1 is Kendall Drive north to the Tamiami Trail, do you see that
05:30PM 2 extension?
05:30PM 3 A. Yes.
05:30PM 4 Q. And that's the northern extension that we talked about on your
05:30PM 5 direct exam, right?
05:30PM 6 A. Yes.
05:30PM 7 Q. And if the border between 115 and 116 were reconfigured to
05:30PM 8 bring that northern extension down, that might be done without
05:30PM 9 affecting any surrounding district, right?
05:30PM 10 A. I don't know.
05:30PM 11 Q. You don't know?
05:30PM 12 A. I would have to do that. That's a hypothetical, so I would
05:30PM 13 have to actually try it. I don't know if it would impact other
05:30PM 14 districts or not.
05:30PM 15 Q. Well, if you have two districts and you alter the boundary
05:30PM 16 between them, do you have to alter any other districts?
05:30PM 17 A. Sometimes.
05:30PM 18 Q. Now, you testified about an early draft map of House District
05:31PM 19 115, right?
05:31PM 20 A. Yes.
05:31PM 21 Q. And that's the draft that you performed a functional analysis
05:31PM 22 on, right?
05:31PM 23 A. Yes.
05:31PM 24 Q. And then that functional analysis revealed that there was a
05:31PM 25 problem with Hispanic performance in that draft version of that

district, right?
A. Yes.
Q. And then that resulted in and adjustments to what 115 looks like, right?
A. Yes.
Q. Do you know if that draft map was produced in this case by the House?
A. I don't know.
Q. Do you know if the plaintiffs requested draft maps in this case?
A. I don't know.
Q. Thank you. Let's look at a broader view of the challenged house districts. You talked with Mr. Bardos about how the enacted house plan and Dade County came together. Do you remember that?
A. Yes.
Q. And the different choices through the county and the different districts that let to the enacted plan that we see here, right?
A. Yes.
Q. And one of the things you said was that House District 117 drove some of the mapping choices in that area of the county, right?
A. Correct.
Q. And that's a protected black district, right?
A. Yes.
Q. And you testified, I think, that the configuration of 117

impacted the configuration of 118 and 119, right?
A. Specifically 118 because it's the neighboring district, but, yes, it did.
Q. But, again, we talked about the larger rectangular-ish box that's around 118 and 119 together, right?
A. Yes.
Q. And so the configuration of 117 doesn't impact the choice to divide 118 and 119 along the line within that broader rectangle, right?
A. 117 helped create the rectangle that you're referring to. So in that respect, it did impact how the configurations of all of that came together. That being said, once that area was created and like that is an area where you can change two districts and not change other districts. And, yes, the changing those two districts would not impact 117 after you get to that point.
Q. Thank you. Other districts that you talked about include 106, right, up here along the coast?
A. Yes.
Q. And you testified that that is a district that also has a vertical orientation like 118 and 119, right?
A. Correct.
Q. Now, 106 on its south end, is the city of Miami Beach, right?
A. That's correct.
Q. It keeps Miami Beach whole?
A. Correct.

05:34PM Q. And then on the north end up by the Broward County line is the city of Aventura I believe?
05:34PM A. I believe that's correct, yes.
05:34PM Q. And then between Miami Beach and Aventura, there are a number of other coastal municipalities in that district, right?
05:34PM A. Correct.
05:34PM Q. And all of those are kept whole in 106?
05:34PM A. Yes.
05:34PM Q. In contrast in 118 and 119, there are no municipalities, right?
05:34PM A. Correct.
05:34PM Q. You also talked about 108 and 109 here. Do you see that?
05:34PM A. Yes.
05:34PM Q. And you testified I believe that in the workshop drafts of the State House plan 108 and 109 or the corresponding districts that had different numbers in that area, were oriented more stacked on top of each other, right?
05:34PM A. Yes.
05:34PM Q. And then there was member input that led to the House adopting this more vertical orientations for that district, right?
05:35PM A. Member and public input, yes.
05:35PM Q. And that decision was due to the input of members and members of the public who advocated for that orientation, right?
05:35PM A. Yes.
05:35PM Q. Now, Mr. Bardos also asked you to compare the shapes of some

05:35PM 1 of the challenged house district and congressional districts with
05:35PM 2 their benchmark counterparts. Do you remember that?
05:35PM 3 A. Yes.
05:35PM 4 Q. But you testified that you started with a blank map when you
05:35PM 5 set out to draw the maps in the redistricting process, right?
05:35PM 6 A. Yes.
05:35PM 7 Q. You were not starting with the benchmark versions of any
05:35PM 8 district in the process, right?
05:35PM 9 A. Correct.
05:36PM 10 Q. And you've talked a lot, and I appreciate you being here and
05:36PM 11 testifying for so long, but you've testified to a lot of the
05:36PM 12 reasons for the choices in the maps that we see before us, right?
05:36PM 13 A. Yeah.
05:36PM 14 Q. And the decisions that committee staff made in the development
05:36PM 15 of the maps, right?
05:36PM 16 A. Yes.
05:36PM 17 Q. And during the legislative process, staff also shared with
05:36PM 18 members reasons for why the districts are the way they are, right?
05:36PM 19 A. Correct.
05:36PM 20 Q. And that was done during committee meetings, right?
05:36PM 21 A. Yes.
05:36PM 22 Q. And on the floor?
05:36PM 23 A. Yes.
05:36PM 24 Q. And would you agree with me that if those explanations were
05:36PM 25 given on the record in the legislative process and those would be

in the transcripts of those meetings and in the Florida Channel video recordings of those meetings and floor sessions?

A. Yes.

Q. And any reason why a district is shaped the way it is that was not shared with a member during the process is not something that a member knew during the process when the maps were being developed?

A. Well, I mean, we had many meetings with many different members, and a lot of information and reasons why shared with them. Just because they didn't say it on the floor or in a committee doesn't mean it wasn't shared with them.

Q. Outside of private meetings?

A. Sure, yes.

Q. Let's look first -- actually, I have a few questions about your background and the work that you did wrapping up the redistricting process.

After you left the Redistricting Committee, you worked as a committee analyst in a couple different House committees, right?

A. At what point are you referring to?

Q. After the redistricting process concluded in 2022.

A. Yes, one specific -- one main committee and two subcommittees, yes.

Q. And then this past summer, you left the Florida House, right?

A. Correct.

Q. And you joined the office of policy and budget in the

05:38PM 1 Governor's office?
05:38PM 2 A. Correct.
05:38PM 3 Q. And that was in July?
05:38PM 4 A. Yeah, July or August, yeah.
05:38PM 5 Q. And so you have not been an employee of the House of
05:38PM 6 Representatives since that time, right?
05:38PM 7 A. That's correct.
05:38PM 8 Q. Do you understand whether you're represented by the House's
05:38PM 9 lawyers in this case?
05:38PM 10 A. Yes.
05:38PM 11 Q. And have you -- since you've been at the Governor's office,
05:39PM 12 have you worked on redistricting?
05:39PM 13 A. No.
05:39PM 14 Q. You testified earlier that about the draft potential Q and A
05:39PM 15 document. Do you remember that?
05:39PM 16 A. Yes.
05:39PM 17 Q. And you testified that that type of document draft potential Q
05:39PM 18 and A, or potential Q and A, are rolling documents that have
05:39PM 19 information added periodically over time, right?
05:39PM 20 A. Yes.
05:39PM 21 Q. You aren't sure -- and I will show you again the first page of
05:39PM 22 Plaintiffs' Exhibit 32. Thank you.
05:39PM 23 We talked about question 2 on this first page about the UCLA
05:39PM 24 report, right?
05:39PM 25 A. Yes.

05:39PM Q. You aren't sure when question No. 2 on page 1 was added to this document, right?
05:39PM A. I am not.
05:39PM Q. And at the top of the document, right below the header, there is that green bar that says, "new following committee meeting," right?
05:40PM A. Yes.
05:40PM Q. But you don't know which committee meeting that green bar header refers to?
05:40PM A. I do not.
05:40PM Q. And we heard Rep.. Joseph asking Chair Leek about the UCLA report during the special session committee meeting or House floor session on April 20th, and Chair Leek said he was not familiar with it?
05:40PM MR. BARDOS: Objection. This exceeds the scope of my direct/cross. He's going back to his direct.
05:40PM JUDGE GRANT: How much more on this do you have?
05:40PM MR. WARREN: Very little on this point.
05:40PM JUDGE GRANT: All right. Let's be quick, please. Overruled for now.
05:40PM BY MR. WARREN:
05:40PM Q. So, anyway, it is in evidence that Rep.. Joseph asked Chair Leek about the UCLA report during the special session, and Chair Leek said he was not familiar with it. You don't know if question 2 on this document was written before or after that meeting,

right?
A. I do not know, no.
Q. You don't know if Chair Leek was following that talking point on this potential Q and A document or not when he answered Rep.. Joseph's question, right?
A. I don't know.
Q. Was Chair Leek involved in editing potential Q and A documents like the one we see here?
A. No.
Q. So you don't know if Chair Leek said he wasn't familiar to Rep.. Joseph because the talking points told him to or if his answer to her question was the triggering moment for adding this talking point to this section?
A. I don't know.
Q. Thank you.
Let's talk a little bit about the congressional map and CD 26. Firstly, we heard Mr. Jazil played a clip of Alex Kelly, right?
A. Yes.
Q. Presenting to the congressional subcommittee during the special session?
A. I believe that's correct.
Q. And he from the Governor's office is who drafted the Governor's adjustments to the enacted congressional map, right?
A. Yes.

05:42PM Q. You can't testify to his map making process, right?
05:42PM A. No.
05:42PM Q. Or his motivations in the map making?
05:42PM A. Other than what he testified to, no.
05:42PM Q. Let's look at Defense Exhibit 25. This shows the
05:42PM congressional map boundary in Dade County showing municipalities,
05:42PM and you testified I believe that much of this boundary is an
05:42PM effort to utilize city boundaries, right?
05:42PM A. Yes.
05:42PM Q. And keep cities whole?
05:42PM A. Yes.
05:42PM Q. But there is a few places in this boundary, particularly
05:42PM between 26 and 24, that do not follow city boundaries, right?
05:43PM A. Yes.
05:43PM Q. And I'll circle some of them. One of them is this boundary
05:43PM here between Opa-Locka and Hialeah, right?
05:43PM A. Yes.
05:43PM Q. One of them is this big stretch between the city of Miami and
05:43PM Hialeah, right?
05:43PM A. Yes.
05:43PM Q. And that's all in unincorporated Dade?
05:43PM A. Yes. Except for a little tiny bit where the Hialeah municipal
05:43PM line following that, but, yes, for the most part, you're correct.
05:43PM Q. That's the boundary to the east of the city of Hialeah, right?
05:43PM A. Correct.

05:43PM Q. And then there is a portion of that district boundary that
05:43PM splits the city of Miami, right?
05:43PM A. Yes.
05:43PM Q. And that goes from here at the Airport Expressway and wraps
05:43PM around to where the 26, 24 border joins with the district 27
05:44PM border, correct?
05:44PM A. Right.
05:44PM Q. And I believe that's along the Dolphin, right?
05:44PM A. Yes, and Miami municipal line actually, but, yes.
05:44PM Q. Thank you. So those are the areas where the boundary does not
05:44PM follow city lines, right?
05:44PM A. Yes.
05:44PM Q. And in addition up here you testified that on the northern
05:44PM stretch up by the Broward County line, the boundary follows the
05:44PM limit of Miami Gardens, right?
05:44PM A. Yes.
05:44PM Q. But there is an unincorporated area on the other side of that,
05:44PM the 26 side of that, right?
05:44PM A. I am not sure I know where you're getting where.
05:44PM Q. So on the 26 side of the line along the Miami Garden city
05:44PM limit, the portion in CD 26 is unincorporated?
05:44PM A. Yes.
05:44PM Q. Right. Let's compare this map to Plaintiffs' Exhibit 224,
05:45PM which is in evidence.
05:45PM And I imagine, Mr. Poreda, that you haven't seen this map

05:45PM 1 before, but it is an exhibit that's been admitted in this case,
05:45PM 2 and the testimony we heard about it some earlier time this week is
05:45PM 3 that it shows the concentration of Hispanic voting age population
05:45PM 4 in Dade County by voting tabulation district, and the darker gold
05:45PM 5 areas are areas of higher Hispanic concentration, and the purple
05:45PM 6 areas are the opposite.
05:45PM 7 Now, I'd like to focus on the areas that I have circled in
05:45PM 8 Defense Exhibit 25 on the left showing the areas where that
05:45PM 9 district border either splits cities or go through unincorporated
05:45PM 10 areas, and I just want to confirm on Plaintiffs' Exhibit 224 on
05:45PM 11 the right that I've got the right areas corresponding to those.
05:45PM 12 So the last one we talked about is this one up here along
05:46PM 13 the Miami Gardens border where the portion in 26 on that side of
05:46PM 14 the line is unincorporated, did I circle that in the equivalent
05:46PM 15 area?
05:46PM 16 A. Yes.
05:46PM 17 Q. And then the next area that we talked about going down the
05:46PM 18 line, is this area here on the border in between Opa-Locka and
05:46PM 19 Hialeah, did I circle the equivalent area on the map on the right?
05:46PM 20 A. Yes.
05:46PM 21 Q. And then the next area is this stretch here east of the
05:46PM 22 Hialeah city limit and except for this small portion that abuts
05:46PM 23 the city limit --
05:46PM 24 A. Yeah.
05:46PM 25 Q. -- that's the equivalent portion that runs through

05:46PM 1 unincorporated Dade, right?
05:46PM 2 A. Correct.
05:46PM 3 Q. And then the next portion that we circled on Defense
05:46PM 4 Exhibit 25, which cuts through the city of Miami, I believe is
05:47PM 5 this area. Did I circle that right?
05:47PM 6 A. Yes.
05:47PM 7 Q. And that goes through the city of Miami, right?
05:47PM 8 A. Correct.
05:47PM 9 Q. Which is smaller than the ideal population of a congressional
05:47PM 10 district, right?
05:47PM 11 A. Correct.
05:47PM 12 Q. So mathematically, Miami could have been included in a whole
05:47PM 13 congressional district?
05:47PM 14 A. In isolation theoretically, yes.
05:47PM 15 Q. And instead, the city of Miami was split between three
05:47PM 16 districts, right?
05:47PM 17 A. Correct.
05:47PM 18 Q. And the CD 26, 24 boundary in the City of Miami runs along the
05:47PM 19 area that I circled, right?
05:47PM 20 A. Correct.
05:47PM 21 Q. Thank you.
05:47PM 22 MR. WARREN: If we could, ma'am, switch to the screen,
05:48PM 23 and I'd like to show you --
05:48PM 24 Well, Mr. Poreda, first, the parties have stipulated in
05:48PM 25 this case that the Senate passed a congressional map plan 8060 in

January of 2022, and we'll call that the Senate's congressional plan if that's terminology you'll accept.

THE WITNESS: Okay.

BY MR. WARREN:

Q. And then the Senate's congressional plan went over to the House, the House amended it with a House-drawn plan, and then that bill was vetoed by the Governor.

Now, let's look at the Senate's congressional plan 8060, which is Joint Exhibit 9. And, specifically, I'd like to look at the southern portion of the state roughly from district 8 in Brevard County running down into Dade. Do you see that?

A. Yes.

Q. You would agree with me that District 25 in plan 8060 the Senate's congressional plan connects a portion of Dade County with Collier County and also Hendry, right?

A. Correct.

Q. And you'd also agree with me that up at the northern end, we have district 8 which covers at least in the portion we see here, Brevard County and Indian River, right?

A. Yes, except for a little notch that the District 18 which is St. Lucie and Martin County comes up and crosses the Indian River County line a little bit.

Q. You are reading my mind, because I was going to ask you about that notch.

A. Okay.

05:50PM Q. So as you said, we've got district 8 with Brevard and a portion of Indian River except for some of District 18 to its south spills over and splits Indian River County, right?
05:50PM A. Correct.
05:50PM Q. And then you have the other districts in southeast Florida that are and arrayed -- south and down from District 18, right?
05:50PM A. Correct.
05:50PM Q. Running through Broward, Palm Beach, Broward, Dade, and then over to Collier and Hendry in what's numbered 25 on plan 8060, right?
05:50PM A. Correct.
05:50PM Q. Now, let's compare that to Joint Exhibit 3, the enacted congressional plan. And I think with Mr. Bardos you testified that in the House's development of its congressional plan, a driver of the configuration of districts in south Florida was a desire to adhere to a very long stretch of county boundaries. Do you remember that?
05:51PM A. Yes.
05:51PM Q. And that stretch of county boundaries started at the border between Indian River and St. Lucie County, right?
05:51PM A. Correct.
05:51PM Q. Which on the enacted plan on the right here is between districts 8 and 21, right?
05:51PM A. Yes.
05:51PM Q. And then that county line continued southward through the

05:51PM middle of the state through Lake Okeechobee and down to the
05:51PM intersection of Broward, Dade, and Collier, right?
05:51PM A. Correct.
05:51PM Q. And so you testified that starting there at the Indian River,
05:52PM St. Lucie County line and flowing south, is what caused a
05:52PM spillover from the south Florida districts and resulted in CD 26
05:52PM crossing the state into Collier, right?
05:52PM A. Yes.
05:52PM Q. But on this left-hand side of the screen in the Senate's
05:52PM congressional map, they didn't start at the Indian River-St. Lucie
05:52PM County line, did they?
05:52PM A. Well, they do have that little notch. You know, I will
05:52PM concede that. But for the most part, they did. I don't remember
05:52PM how many people are in that notch, but it's a very small amount of
05:52PM people, but, technically, you are correct. They did not start
05:52PM there.
05:52PM Q. Thank you. And notwithstanding that the Senate didn't start
05:52PM at the Indian River-St. Lucie County line and adhere to that
05:52PM series of continuous 140 miles of county lines as the House
05:52PM decided to do, you still have in the Senate's congressional plan a
05:53PM CD 26 that connects northwest Dade with Collier and also Hendry,
05:53PM right?
05:53PM A. Yes.
05:53PM Q. Thank you. While we have the enacted plan on the right up
05:53PM here, I want to ask you about one thing that you said earlier.

05:53PM 1 You talked about how CD 20 is also a main driver of the
05:53PM 2 configuration of districts in south Florida. Do you remember
05:53PM 3 that?
05:53PM 4 A. Yes.
05:53PM 5 Q. And part of that is, I believe, that you wanted to avoid
05:53PM 6 wraparound districts that would wrap around the two prongs of CD
05:53PM 7 20, right?
05:53PM 8 A. As much as possible, yes.
05:53PM 9 Q. And one of those prongs is in Palm Beach County that stretches
05:53PM 10 out to West Palm Beach, right?
05:53PM 11 A. Yes.
05:53PM 12 Q. And the southerly prong is the one juts up in central Broward
05:53PM 13 around Fort Lauderdale and those cities, right?
05:54PM 14 A. Yes.
05:54PM 15 Q. And avoiding wraparound districts where possible was a goal in
05:54PM 16 structuring the congressional districts in south Florida, right?
05:54PM 17 A. It was something that we tried to limit as much as we could in
05:54PM 18 that area, yes.
05:54PM 19 Q. But you would agree that CD 23 in the enacted plan wraps
05:54PM 20 around the southerly prong of District 20, right?
05:54PM 21 A. To a degree, yes.
05:54PM 22 Q. Thank you. Let's look at -- well, first let me ask you: You
05:54PM 23 recall I asked you about the redistricting cycle from the 2010
05:54PM 24 redistricting cycle, right?
05:54PM 25 A. Yes.

05:54PM Q. And you were a part of that cycle?
05:54PM A. I was.
05:54PM Q. And I asked you about the different Florida Supreme Court decisions that came out then, right?
05:54PM A. Yes.
05:54PM Q. And you read them all when they came out, right?
05:55PM A. Yes.
05:55PM Q. And then you reviewed them in preparation for the 2020-cycle?
05:55PM A. Yes.
05:55PM Q. And one of those court decisions is apportionment 8, right?
05:55PM A. Yes.
05:55PM Q. And that's the Florida Supreme Court's decision from December 2nd, 2015, on the remedial congressional map, right?
05:55PM A. I believe that's correct, yes.
05:55PM Q. Let's look at Plaintiffs' Exhibit 28, which is again apportionment 8, and specifically let's turn to page 61. And again, this is a decision that you read when it was released, right?
05:55PM A. Yes.
05:55PM Q. And which you reviewed during the 2020 redistricting process, right?
05:55PM A. Yes.
05:55PM Q. I'll read starting at the top the first full sentence. Quote: The legislature's argument rests on an unproven assumption of Hispanic voting cohesion and racially -- and polarized-racial bloc

voting. The establishment of which is the first step in any retrogression analysis, close quote.

And then there is a footnote, and I will read the footnote. Quote: We note that in their arguments before the Court all parties correctly stated two prongs of our test for retrogression. Whether the minority candidate of choice is likely to prevail in the relevant contested party primary and whether that candidate is likely to prevail in the general election, but omitted from their analysis, the first prong of our test, whether the minority group votes cohesively.

As to cohesion, this court expressly stated in apportionment 1 that the leading case interpreting some of these requirements requires a preliminary showing of cohesion, specifically the opinion stated Thornberg vs. Gingles set out three necessary preconditions that a plaintiff is required to demonstrate before he or she can establish that a legislative district must be redrawn to comply with Section 2, close quote.

And then it discusses the three Gingles preconditions, and you're familiar with those, right?

A. Yes.

Q. Then the final paragraph, that footnote says, quote: The Gingles preconditions are relevant not only to a Section 2 vote dilution analysis, but also to a Section 5 diminishment analysis. See, for example, Texas v United States. The District of Columbia decision from 2011 noting that at the outset, a Court addressing a

proposed voting plan under Section 5 must determine whether there is cohesive voting among minorities and whether minority white polarization is present.

When we interpret our state provision prohibiting the diminishment of racial or language minorities' ability to elect representatives of choice, we are guided by any jurisprudence interpreting Section 5, close quote.

And then continuing in the main body of the decision, it says, quote: Indeed, the evidence before this court suggests a lack of Hispanic voting cohesion in this district.

And then the court discusses some of the evidence in the record.

The next paragraph, quote: Because there is scant evidence before this court that Hispanics in benchmark District 25 vote cohesively, and since the trial court found that the legislature's experts were less persuasive than the coalition plaintiffs' expert, we affirm of trial court's conclusion that District 26 in CP1 does not diminish the ability of Hispanics to elect representatives of their choice.

Do you see that?

A. Yes.

Q. And, again, this was a decision that you read when it came out, right?

A. Yes.

Q. And that you reviewed during the redistricting process, right?

05:58PM A. Yes.
05:58PM Q. And that informed the House's understanding of the criteria it
05:58PM was to apply in the redistricting process, right?
05:58PM A. Yes.
05:58PM Q. Thank you.
05:59PM MR. WARREN: I have no further questions. I just ask can
05:59PM we mark these two maps with annotations as illustrative aids.
05:59PM JUDGE GRANT: Any objections?
05:59PM MR. BARDOS: Which two maps?
05:59PM MR. WARREN: Defense 25 with annotations and
05:59PM Plaintiffs' 224 with annotations, and we can call it -- well.
05:59PM JUDGE GRANT: Are these the annotations that you made
05:59PM just now?
05:59PM MR. WARREN: Yes, Your Honor.
05:59PM MR. BARDOS: I mean, they are exhibits in evidence,
05:59PM correct or no? You want your markings in?
05:59PM MR. WARREN: As illustrative aids of the testimony that
05:59PM we just walked through.
05:59PM MR. BARDOS: I don't know. I don't think it's -- I don't
05:59PM think it's a big deal.
05:59PM JUDGE GRANT: Right. I don't either. They are so
05:59PM admitted.
05:59PM (Plaintiffs' Exhibit 224 and Defendants' Exhibit 25
05:59PM admitted.)
05:59PM MR. WARREN: Thank you. And thank you, Mr. Poreda.

05:59PM JUDGE GRANT: Mr. Bardos, do you have --
05:59PM MR. BARDOS: Just a few questions.
06:00PM THE COURT: -- Reredirect?
06:00PM MR. BARDOS: Okay. Zack, could you display Joint Exhibit 9, please. Joint Exhibit 9.

RECROSS-EXAMINATION

BY MR. BARDOS:

06:00PM Q. Do you recall being asked about this map by Mr. Warren?
06:00PM A. Yes.
06:00PM Q. And do you see that little notch from District 18 that goes up into Indian River County?
06:00PM A. Yes.
06:00PM Q. Is that populated by many people?
06:00PM A. It is not.
06:00PM Q. How many people on the other hand live in the Collier and Hendry County portions of the District 25 in this map, which is 8060?
06:01PM A. I believe it should be similar to the other map, so it should be somewhere between -- around 215,000 people.
06:01PM Q. So does that notch in any way affect the pin wheel effect that you were describing around District 20?
06:01PM A. Very little.
06:01PM Q. Okay.
06:01PM Zack, if you could display Defendants' Exhibit 26, please. Okay.

06:01PM 1 And Mr. Warren asked you about this question and about this
06:01PM 2 map and asked you questions about portions of the boundary that
06:01PM 3 don't utilize municipal boundaries. Do you recall that?
06:01PM 4 A. Yes.
06:01PM 5 Q. Now, were there other political and geographical boundaries
06:01PM 6 besides boundaries that the House sought to follow when it could?
06:01PM 7 A. Yes. As evidenced here, major roadways, and other waterways,
06:02PM 8 and in Dade County in particular, that means a lot of canals that
06:02PM 9 are around usually following some rivers, and sometimes some
06:02PM 10 manmade canals to help with runoff.
06:02PM 11 Q. Zack, could you zoom in on the border between 24 and 26.
06:02PM 12 And so do you see that along the western boundary of Miami
06:02PM 13 Gardens there is a road?
06:02PM 14 A. Yes.
06:02PM 15 Q. Is that a state road?
06:02PM 16 A. Yes.
06:02PM 17 Q. So does that boundary follow both the municipal boundary and a
06:02PM 18 state road?
06:02PM 19 A. It does.
06:02PM 20 Q. And going down to the portion of the boundary that runs west
06:02PM 21 of Opa-Locka, do you see that?
06:02PM 22 A. Yes.
06:02PM 23 Q. And is that also a state road?
06:02PM 24 A. Yes.
06:02PM 25 Q. Did the House strive to use state state roads wherever it

could?
A. Yes.
Q. And moving down to the portion of the boundary that runs east of Hialeah, do you see that the east-west -- I'm sorry -- north-south portion is also a state road?
A. Yes.
Q. Specifically State Road 9?
A. Yes.
Q. And also State Road 934?
A. Yes.
Q. And moving down to the fourth area of the map that Mr. Warren marked, which is the portion that goes out to Biscayne Bay, do you see that that is a major roadway as well?
A. Yes.
Q. What major roadway is that?
A. It's the Airport Expressway.
Q. Thank you very much. One more question. Did -- just to reiterate, did you use the heat map in this part of the state to identify where Hispanic voters live and what the concentration of Hispanic voters is?
A. No, not for Hispanic voters, no.
Q. Did you use it for black voters?
A. Yes.
Q. And was that to draw District 24?
A. Yes.

Q. And did Mr. Warren show you a heat map showing where the black voting age population is concentrated in this area of the state?

A. No.

MR. BARDOS: No further questions. Thank you.

JUDGE GRANT: Thank you. Anything from you, Mr. Jazil?

MR. JAZIL: No questions, Your Honor. Thank you.

(The witness is excused.)

JUDGE GRANT: Okay. Great. I think that we would like do the preliminaries for Dr. Gonzalez this evening, but we'll take a short break for the benefit of our friends that are helping us keep a record of these proceedings.

So if everyone can be back here in ten minutes, we'll say 6:15, that will give us all an incentive to be efficient this evening.

All right. We're in recess.

(Recess at 6:04 p.m.)

(Back on the record at 6:16 p.m.)

JUDGE GRANT: Thank you. Please be seated. I understand that there may be some exhibit issues. Does anyone need to bring anything to our attention, or are we ready to move forward?

MR. WARREN: Before we rest, the plaintiffs have some additional exhibits to offer.

JUDGE GRANT: Okay.

MR. WARREN: The first set I believe are unobjected to. Ms. Li.

06:16PM MS. LI: Yes. There are three unobjected to exhibits that we would like to offer in evidence now. There are three unobjected to exhibits that we would like to offer in evidence now. It's Plaintiffs' Exhibit 21, 23, and 24.

06:16PM JUDGE GRANT: Hearing no objection, those exhibits are admitted.

06:16PM (Plaintiffs' Exhibits 21, 23, and 24 admitted.)

06:16PM MS. LI: I have one additional exhibit issue. We discussed -- it's Plaintiffs' Exhibit 239 -- on Monday, and it looks like it may have not been admitted.

06:17PM Can we confirm? That's just Figure 1 from Dr. McCartan's supplemental report.

06:17PM JUDGE GRANT: I assume there is no objection to that.

06:17PM MR. BARDOS: I'm sorry. Whose 239?

06:17PM MS. LI: Dr. McCartan.

06:17PM MR. BARDOS: Plaintiff's 239?

06:17PM MS. LI: (Nodding.)

06:17PM MR. BARDOS: No objection.

06:17PM MR. JAZIL: Well, Your Honor, to be more precise, we objected to this in our motion in limine, and I think the Court said that the plan itself could be -- come in with the appropriate foundation. That foundation was laid, but so still not waiving the other objection.

06:17PM JUDGE GRANT: Understood. We will admit this exhibit. And to the extent that we need to take anything into account when

reviewing the evidence, we will do so.

(Plaintiffs' Exhibit 239 admitted.)

MS. Li: Thank you.

MR. WARREN: Plaintiffs also will renew their offer of the five objected to exhibits discussed at the pretrial conference. Those are Plaintiffs' Exhibits 8, 9, 11, 14, and 15, responses to requests for production and privilege logs.

MR. BARDOS: Your Honor, on this issue, I believe Mr. Warren's argument was sword and shield argument. That he needed this information, these responses and objections to request for production in evidence in case we offer privileged information that we refused to disclose in discovery. That hasn't happened, so I don't think the relevance of this has been established.

JUDGE GRANT: Do you have any response to that?

MR. WARREN: There is an additional relevance reason, which we also discussed at the pretrial conference, which is inferences made for failing to come forward when a party fails to come forward with a type of evidence in addition to the documents that we've discussed at length in our pretrial brief over which the House asserts privilege.

As I asked Mr. Poreda, plaintiffs also requested draft maps. The House actually at the summary judgment stage made an argument that our failure to quantify the amount that House District 115 changed from its draft version was some failure on our burden, and so we're offering these to avoid such an inference

being made.

JUDGE GRANT: I think we've got both arguments, and we will admit these. And as usual, we will consider them -- consider these objections more carefully as we go through deciding the case.

(Plaintiffs' Exhibits 8, 9, 11, 14, and 15 admitted.)

MR. WARREN: Two other items; first, plaintiffs wish to state that they sought to elicit testimony from other legislative Redistricting Committee staff and Redistricting Committee chairs other than Mr. Poreda, and that those individuals asserted legislative privilege, and as a result, plaintiffs were unable to elicit that testimony.

JUDGE GRANT: I am inclined to have the same response here. Do you have anything different to add, Mr. Bardos?

MR. BARDOS: Well, I'll just add that the legislative privilege is unique to each individual, each individual member, and each individual staff member may assert his or her own legislative privilege. They were individuals who asserted the privilege in this case. There was a discussion, a conferral with plaintiffs who after that conferral did not move to compel, and that's where the matter remained.

JUDGE GRANT: We will admit those as well under the same understanding.

MR. WARREN: And nothing to offer. Simply stating on the record.

06:21PM JUDGE GRANT: I misunderstood. Okay. That's great.

06:21PM MR. WARREN: The final item is just to commend to the Court a portion of Joint Exhibit 126, which is the Florida Channel video recording that Mr. Jazil played during his examination of Mr. Poreda, the April 19, 2022, House congressional subcommittee meeting.

06:21PM At hour 1, minute 14, second 35, Mr. Kelly engages in an explanation of his adjustment to the boundary of CD 26 in Collier County, which corresponds to Joint Exhibit 81, page 70, line 7 through 75, 24. We will of course be citing that in our posttrial findings of facts, but I wish to identify that portion of the video in case the Court would like to take a look.

06:22PM And with that, the plaintiffs rest.

06:22PM JUDGE GRANT: I assume there is no issue with that designation.

06:22PM MR. BARDOS: He can represent whatever he would like in the record.

06:22PM JUDGE GRANT: Great. All right. Thank you. Mr. Warren.

06:22PM Mr. Bardos, are you ready to at least do some preliminaries with Dr. Gonzalez?

06:22PM MR. BARDOS: Yes, Your Honor.

06:22PM JUDGE GRANT: Thank you.

06:22PM MR. BARDOS: The defendants call Alfredo Gonzalez.

06:22PM THE COURTROOM DEPUTY: Please stand, raise your right hand.

06:22PM 1 (The witness is sworn.)
06:22PM 2 THE WITNESS: I do.
06:22PM 3 THE COURTROOM DEPUTY: Please be seated, speak into the
06:22PM 4 microphone, state and spell your name for the record.
06:23PM 5 THE WITNESS: My name is Alfredo L. Gonzalez.
06:23PM 6 ALFREDO L. GONZALEZ, DEFENDANTS' WITNESS, SWORN
06:23PM 7 DIRECT EXAMINATION
06:23PM 8 BY MS. CARTAYA:
06:23PM 9 Q. Good evening, Mr. Gonzalez.
06:23PM 10 A. Good evening.
06:23PM 11 MS. CARTAYA: Your Honor, may I approach the witness to
06:23PM 12 hand him a copy of his expert report to the extent that he needs
06:23PM 13 it to refresh his recollection?
06:23PM 14 JUDGE GRANT: Yes, you may.
06:23PM 15 BY MS. CARTAYA:
06:23PM 16 Q. Good evening, Mr. Gonzalez. Can you describe your educational
06:23PM 17 background for the Court, please.
06:23PM 18 A. I have a degree in accounting from the University of Miami,
06:23PM 19 and a law degree from the University of Florida. I am a
06:23PM 20 registered real estate broker in the state of Florida.
06:23PM 21 Q. And how long have you practiced law?
06:23PM 22 A. I've been practicing law too long, since 1978.
06:24PM 23 Q. And where do you work currently?
06:24PM 24 A. Currently, I work -- for the last three-and-a-half years, I
06:24PM 25 have worked with Gunster. I am a shareholder in Gunster, and I

06:24PM practice in the government law, land use, and real estate
06:24PM sections.
06:24PM Q. And before Gunster, where did you work?
06:24PM A. Before Gunster, I spent ten years with Genovese Joblove &
06:24PM Batitista. And before that I worked for Adorno Yoss for 27 years.
06:24PM Q. And what role did you have at Adorno Yoss?
06:24PM A. I was a shareholder the entire time I was there, and I also at
06:24PM the end was the chief -- the CEO of the company.
06:24PM Q. Throughout your career and in each of these law firms, what
06:24PM was your practice area?
06:24PM A. Yes. Since 1980, I have practiced in three areas; government
06:24PM law, land use, and real estate.
06:24PM Q. Can you describe your land use experience.
06:25PM A. I'm -- I've actually done almost anything you can do in the
06:25PM land use area, from passing ordinances and laws, to amendments to
06:25PM the master plan of various counties and cities, to change of
06:25PM zonings.
06:25PM Q. Do you have any examples of either a change of zoning that
06:25PM you'd like to describe for the Court?
06:25PM A. Yes. I was one of the lawyers that worked on the
06:25PM Fountainebleau Golf Course, for example. We closed that golf
06:25PM course, changed the master plan to allow for multifamily, and
06:25PM approved by zoning action 2,800 units there.
06:25PM Q. Now, describe your work as a board member of the Miami-Dade
06:25PM Dade Expressway agency, also known as MDX?

06:25PM A. Yes. MDX is a state agency that was created by the state and
06:26PM the county to run the expressway systems in Miami-Dade County. I
06:26PM was appointed to that board in 2012 for a four-year term, which I
06:26PM completed.
06:26PM The board essentially runs the expressway system within
06:26PM Miami-Dade County, with the exclusion of the state-run or
06:26PM federal-run expresses. It's five expressways really; Gratigny,
06:26PM the Airport, the 836, the 878, the 874, those are the main
06:26PM expressway systems that we have.
06:26PM And as part of my job there, we -- over the four-year
06:26PM period, we created a five-year and a ten-year plan for
06:26PM development. We approved the expansion of the 836 from the
06:26PM Turnpike extension through 95. I think you've seen that
06:27PM everything has been completed, except for the 95 area has to
06:27PM connect with the state of Florida as well.
06:27PM And in my role there, we met a couple times a month, and I
06:27PM was fortunate enough to participate in all these transportation
06:27PM expressway issues. And as such, we studied the employment
06:27PM centers; where the population was; what could we do to solve the
06:27PM congestion and problems in traffic that we have. Because we have
06:27PM very few expressways servicing -- for example, north-south, you
06:27PM have the Turnpike and that's it because the Palmetto ends at U.S.
06:27PM 1. U.S. 1 is a road that's already quite congested.
06:27PM So the use of the other arterials to move traffic, how we
06:27PM could supplement that, and we studied, and eventually it was not

passed. A potential expansion of the 836 that covered the south through Krome Avenue, and also to tie that to the Airport Expressway to try to move people from the south, north, and then east.

Q. What traffic-related information did you review while you were working at the Miami-Dade Expressway Agency?

A. I didn't work for them. I was a board member, but staff would periodically, you know, provide us updates as to what was happening with the various projects we had, and in particular with respect to the five- and ten-year plans, how we were going to work together with the county and the state in building a system that will expedite.

And traffic to us was the number one problem in the Dade County. If we can't move traffic east-west, north-south, big companies are not going to relocate here, and then we have a big problem.

Q. Now, how long have you been a resident of Miami-Dade County?

A. I have been a resident of Dade County since August, 1961.

Q. Have you served as an expert before?

A. I have, but not in a related case.

Q. And what is the name of that case that you served as an expert in?

A. Canto vs. Hasty (phonetic), and it's essentially a property dispute between two property owners, and so easements that may have expired or not.

06:29PM Q. Have you prepared an expert opinion in that case?
06:29PM A. So far, I have prepared an affidavit in support of our
06:29PM position for a summary judgment motion. After that, it's been in
06:29PM negotiations, and I really haven't heard from them for a while
06:29PM now.
06:29PM Q. Now, turning to this case, what have you provided an expert
06:30PM opinion on for this case?
06:30PM A. It's kind of a limited opinion. I was asked to review the
06:30PM Constitutional provisions and the cases that outline the standards
06:30PM to follow. Essentially, those standards are to follow for the
06:30PM roadways that bound the particular districts, right, and the
06:30PM Supreme Court in the constitutional standards are basically that
06:30PM you use political boundaries and geographical boundaries, and the
06:30PM geographical boundaries really are -- it's a very broad framework.
06:30PM Essentially they say in the case that if it's easily -- you need
06:30PM to ensure that those boundaries are easily ascertainable and
06:30PM commonly known.
06:30PM So they have examples of some of the things that would
06:30PM comply with that, like state roads, canals, or rivers -- I'm sorry
06:31PM -- expressways, railroads. But the standard itself fits into
06:31PM whatever factual situation is in front of the Court at the time.
06:31PM Q. Do you have any experience in redistricting or map drawing?
06:31PM A. I do not.
06:31PM Q. Then why do you believe you're qualified to give an expert
06:31PM opinion in this case?

06:31PM 1 A. As a land use lawyer and a real estate lawyer in this town, I
06:31PM 2 know -- I believe I have a methodology to address the issues of
06:31PM 3 transportation in whatever district I happen to be in, because
06:31PM 4 transportation and traffic congestion are issues in every single
06:31PM 5 land use case in the master plan are even greater and more
06:32PM 6 important.
06:32PM 7 In this case for example, as I view trying to give an
06:32PM 8 opinion on these boundaries that surround these districts, I
06:32PM 9 looked really at three levels.
06:32PM 10 I first of all went to the Miami-Dade County master plan and
06:32PM 11 Collier County master plan because I wanted to know how those
06:32PM 12 counties treated the roads that bounded these districts
06:32PM 13 substantially in general, and most of these roads -- all of these
06:32PM 14 roads are in those maps, and it's a matter of figuring out what
06:32PM 15 type of road we're talking about.
06:32PM 16 That's at the county level, and I submitted into the record
06:32PM 17 of my expert opinion the master plan map of Miami-Dade County
06:32PM 18 showing all the major roadways.
06:32PM 19 Just to clarify, in 1985, the State of Florida required
06:33PM 20 every municipality and county to have a master plan for
06:33PM 21 development. It's like the Constitution of development and -- so
06:33PM 22 I included also the transportation element, because the master
06:33PM 23 plan in Dade County for example has 13 different elements. One of
06:33PM 24 them being the transportation element. Collier, the same in terms
06:33PM 25 of having a transportation element. And from that and -- so

that's the first line of attack.

We then wanted to see how the State had looked at these roads, and we looked at the Florida Department of Transportation classification map and handbook. In there, they classify roads really into three levels; arterials, which have the highest use and more lanes than the others; the collector ones, which generally are roads that accumulate traffic and take them to the arterial roads; and then minor roads or local roads that are less extensively traveled. That was the second review that we made as to these properties.

Third, I used my experience in handling cases in this area and my experience at MDX, particularly in terms of traffic patterns and main employment centers and how to move traffic in Miami-Dade County with the shortage of expressways that we have.

Q. Now, Mr. Gonzalez, based on your experience and your education, would you consider yourself an expert in analyzing municipalities, counties, roadways, and other geographical features in Florida?

A. I believe that I am. I mean, you have to analyze all of those things in every single master plan or land use case that you're involved in. I've had exposure to it through the MDX, so -- and I've had tons of experience in analyzing the roadway system, because, believe me, any person in any municipality -- first of all you need to figure out the municipality and then they're going to come back and say, hey this road is at F level. I can't get to

work. I can't do that. I can't do this. And you have to be able to address that. So it's an issue that has been foremost for many years.

MS. CARTAYA: Your Honors, at this time, I would like to tender Alfredo Gonzalez as an expert in municipalities and counties in Florida along with roadways and other geographical features in Florida.

JUDGE GRANT: Do we have any objections?

MR. QUINN: Your Honors, Brian Quinn for the plaintiffs. No objection to tendering Mr. Gonzalez as an expert in local infrastructure. Not clear to me how his experience in transportation and traffic are relevant to the issues in this case, however.

JUDGE GRANT: We can -- I will admit him as an expert on those issues, and we will deal with any of those concerns tomorrow or more likely later.

MR. QUINN: Thank you.

JUDGE GRANT: I think that that is all the direct that we have time for this evening.

In advance of tomorrow, as you know, in the pretrial order, we noted that the parties would give closing arguments.

At the time, we had thought that an hour would be appropriate. We have conferred and believe that 30 minutes would be a time more suited to the task.

So we would appreciate counsel fitting your closing

remarks within those time periods.

Judge Becerra and Judge Ruiz, did you have any issues that you specifically want to make sure that the parties address in their closing arguments?

JUDGE BECERRA: I'll have some questions for counsel tomorrow, but nothing I need to outline tonight.

JUDGE RUIZ: Yes. At this time, I don't have anything to prepare that I would request now. I will have some questions tomorrow.

JUDGE GRANT: Great. One thing that we had discussed and wanted to make sure that we are understanding correctly and we hope that you will address tomorrow is our understanding of some of the stipulations that were filed both in the plaintiffs' pretrial brief and in the joint stipulations.

In the joint stipulations Document 172 at 8, I see that you have limited the issues of law, which remain for determination by the Court to whether the use of race was narrowly tailored to compliance with Florida Constitution's non-diminishment clause.

I want to make sure that we're understanding correctly that that is the legal issue that you agree is in play.

And also notice -- I believe it was the plaintiffs' pretrial brief stated that the defendants have waived any claim that the use of race is justified by Section 2 of the VRA or tier-one's vote dilution standard.

So if the parties would be prepared to address those

06:38PM points and make sure we understand what you're saying, we would appreciate that.

Unless there is anything else from my fellow panel members, we will be in recess until tomorrow morning.

MS. CARTAYA: What time do you want us tomorrow morning?

JUDGE GRANT: 9:30 as usual.

JUDGE RUIZ: 9:00.

JUDGE GRANT: 9:00. I defer to Judge Ruiz on that. 9:00 is great.

JUDGE RUIZ: Judge Becerra and I spoke. 9:00 o'clock?

JUDGE BECERRA: 9:00 o'clock.

JUDGE RUIZ: Yes.

JUDGE GRANT: 9:00 o'clock.

(Recess at 6:38 p.m.)

C E R T I F I C A T E

I hereby certify that the foregoing is an accurate transcription of the proceedings in the above-entitled matter.

DATE: 1/29/26

/s/Vernita Allen-Williams
VERNITA ALLEN-WILLIAMS, RMR, FCRR
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/s/Vernita [1] - 265:20

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Exhibit 29

White House Pushes Texas to Redistrict, Hoping to Blunt Democratic Gains

nytimes.com/2025/06/09/us/politics/trump-texas-redistricting.html

J. David Goodman, Shane Goldmacher

June 9, 2025



Any attempt at a mid-decade redistricting would require the Texas Legislature to approve new maps.Credit...Desiree Rios for The New York Times

President Trump's political team is encouraging Republican leaders in Texas to examine how House district lines in the state could be redrawn ahead of next year's midterm elections to try to save the party's endangered majority, according to people in Texas and Washington who are familiar with the effort.

The push from Washington has unnerved some Texas Republicans, who worry that reworking the boundaries of Texas House seats to turn Democratic districts red by adding reliably Republican voters from neighboring Republican districts could backfire in an election that is already expected to favor Democrats.

Rather than flip the Democratic districts, new lines could endanger incumbent Republicans.

But a person close to the president, who spoke on condition of anonymity because the person was not authorized to talk publicly, nevertheless urged a “ruthless” approach and said Mr. Trump would welcome any chance to pick up seats in the midterms. The president would pay close attention to those in his party who help or hurt that effort, the person warned.

At an “emergency” meeting on Monday night in the Capitol, congressional Republicans from Texas professed little interest in redrawing their districts, according to a person briefed on the gathering who was not authorized to comment publicly. The 20-minute meeting, organized by Representative Michael McCaul, a senior member of the state delegation, focused on the White House push.

Representative Pete Sessions, Republican of Texas, said lawmakers plan to gather again to share data and “be on the same page” on the possible redrawing of the map.

“We assured each other, you need to bone up. We need to have a conversation. We need to think about what those impacts would be on the entire delegation,” Mr. Sessions said.

Sign up to get J. David Goodman's articles emailed to you. J. David Goodman is a Houston-based reporter covering the people and politics of Texas.
Other members exiting the meeting, including Mr. McCaul, declined to comment.

Redistricting of states is supposed to come at the beginning of each decade, when new census data requires the reapportionment of House seats to match population shifts within the states. Mid-decade redistricting is rare and almost always contentious.

The maps that were drawn by the Republican Legislature in 2021, after the last census, are still being fought over, in forums including a trial that began last month in a federal court in El Paso.

But talk among Republicans of taking the task on again has been swirling around the Texas Capitol since the Legislature was in session earlier this year. The governor, the lieutenant governor and the attorney general have all discussed the possibility in recent weeks, according to a person familiar with the discussions.

In recent days, that talk has become more serious. It appeared to be driven in part by President Trump’s concern that the Republican Party could lose its slim majority in the House, derailing the second half of his term and empowering Democratic investigations of his administration.

Image



Representative Michael McCaul called on congressional Republicans from Texas to an “emergency” meeting on Monday night.Credit...Haiyun Jiang for The New York Times

Trying to push through new maps would almost certainly set off a bruising political fight of the sort last seen in 2003, when Representative Tom DeLay, a senior Republican House leader from Texas, forced through a redrawing of the Texas political maps. Democrats in the Texas Legislature fled the state in an attempt to stop them. Ultimately, Republicans prevailed, drawing new maps and securing a majority of the Texas House delegation, which they have held ever since.

But that effort came at a time when the state had been shifting from Democratic to Republican control, and there were many opportunities for map drawers to craft new districts for Republicans to win.

With Republicans now holding a 25-to-12 advantage in the state’s House delegation over Democrats, those opportunities would be more limited. (There is one vacant seat, in a deeply blue district of Houston.)

Still, those pushing for the plan believe that Republicans could potentially pick up as many as four or five House seats in 2026, according to two of the people with knowledge of the discussions.

To do that would involve pushing Republican voters from safe Republican districts into neighboring Democratic districts to make them more competitive. In a wave year for Democrats, that could endanger incumbent Republicans as well as Democrats.

“The only way you make the state more competitive congressionally is you do it at their expense,” State Representative Trey Martinez Fischer, a San Antonio Democrat, said of congressional Republicans. “I think the Republicans have already maximized their map, given the demographic changes in the state.”

Just this week, the Texas Democratic Party announced that it would start a vast organizing effort across the state in partnership with a Texas Majority PAC, a group that has received significant funding from the billionaire George Soros. Democrats have already been eyeing a potential opportunity in Texas for a pickup in the Senate if the state’s polarizing attorney general, Ken Paxton, prevails in his primary over Senator John Cornyn.

Any attempt at a mid-decade redistricting would require the Texas Legislature to approve new maps. Since the Legislature is not in session again until 2027, Gov. Greg Abbott, a Republican, would have to call a special session.

“From my understanding, this would be in July,” said Ron Reynolds, a Texas House Democrat from the Houston area, saying his information had come indirectly from a Republican member of the Texas House. “This is something that they’re keeping very tight-lipped.”

Mr. Abbott, Mr. Paxton and the state’s lieutenant governor, Dan Patrick, did not respond to requests for comment. Neither did a spokesman for the White House.

The lawsuit over the current maps, drawn in 2021, is being fought before a panel of U.S. District Court judges in El Paso. Organizations representing Black and Hispanic voters argue that the maps illegally disadvantage their communities.

The Justice Department under President Joseph R. Biden Jr. had sued over the 2021 maps, but the Trump administration dropped the government’s challenge earlier this year.

Exhibit 30

Governor Abbott Announces Special Session Agenda

gov.texas.gov/news/post/governor-abbott-announces-special-session-agenda-



July 9, 2025 | Austin, Texas | Press Release

Governor Greg Abbott today issued a proclamation identifying 18 agenda items for the upcoming Special Session that begins at 12:00 PM on Monday, July 21.

"We delivered on historic legislation in the 89th Regular Legislative Session that will benefit Texans for generations to come," said Governor Abbott. "There is more work to be done, particularly in the aftermath of the devastating floods in the Texas Hill Country. We must ensure better preparation for such events in the future."

The Special Session agenda items include:

FLOOD WARNING SYSTEMS: Legislation to improve early warning systems and other preparedness infrastructure in flood-prone areas throughout Texas.

FLOOD EMERGENCY COMMUNICATIONS: Legislation to strengthen emergency communications and other response infrastructure in flood-prone areas throughout Texas.

RELIEF FUNDING FOR HILL COUNTRY FLOODS: Legislation to provide relief funding for response to and recovery from the storms which began in early July 2025, including local match funding for jurisdictions eligible for FEMA public assistance.

NATURAL DISASTER PREPARATION & RECOVERY: Legislation to evaluate and streamline rules and regulations to speed preparedness for and recovery from natural disasters.

ELIMINATE STAAR TEST: Legislation to eliminate the STAAR test and replace it with effective tools to assess student progress and ensure school district accountability.

CUT PROPERTY TAXES: Legislation reducing the property tax burden on Texans and legislation imposing spending limits on entities authorized to impose property taxes.

PROTECT CHILDREN FROM THC: Legislation making it a crime to provide hemp-derived products to children under 21 years of age.

REGULATE HEMP-DERIVED PRODUCTS : Legislation to comprehensively regulate hemp-derived products, including limiting potency, restricting synthetically modified compounds, and establishing enforcement mechanisms, all without banning a lawful agricultural commodity.

PROTECT UNBORN CHILDREN: Legislation further protecting unborn children and their mothers from the harm of abortion.

BAN TAXPAYER-FUNDED LOBBYING: Legislation prohibiting taxpayer-funded lobbying, including the use of tax dollars to hire lobbyists and payment of tax dollars to associations that lobby the Legislature.

PROTECT HUMAN TRAFFICKING VICTIMS: Legislation, similar to Senate Bill No. 1278 from the 89th Legislature, Regular Session, that protects victims of human trafficking from criminal liability for non-violent acts closely tied to their own victimization.

POLICE PERSONNEL RECORDS: Legislation that protects law enforcement officers from public disclosure of unsubstantiated complaints in personnel files.

PROTECT WOMEN'S SPACES: Legislation protecting women's privacy in sex-segregated spaces.

ATTORNEY GENERAL ELECTION POWERS: Legislation proposing a constitutional amendment allowing the Attorney General to prosecute state election crimes.

REDISTRICTING: Legislation that provides a revised congressional redistricting plan in light of constitutional concerns raised by the U.S. Department of Justice.

TITLE THEFT & DEED FRAUD: Legislation, similar to Senate Bill No. 648 from the 89th Legislature, Regular Session, that provides strengthened protections against title theft and deed fraud.

WATER PROJECT INCENTIVES: Legislation, similar to Senate Bill No. 1253 from the 89th Legislature, Regular Session, that authorizes political subdivisions to reduce impact fees for builders who include water conservation and efficiency measures.

STATE JUDICIAL DEPARTMENT: Legislation, similar to Senate Bill No. 2878 from the 89th Legislature, Regular Session, relating to the operation and administration of the Judicial Department of state government.

View the Governor's special session proclamation.

Exhibit 31

A state-by-state look at the narrowing redistricting battle for the U.S. House

pbs.org/newshour/politics/a-state-by-state-look-at-the-narrowing-redistricting-battle-for-the-u-s-house

David A. Lieb, Associated Press April 22, 2026



The battlefield is narrowing and the timeline is tightening in a congressional redistricting contest among states seeking a partisan advantage ahead of the November midterm elections.

Virginia voters on Tuesday approved a constitutional amendment authorizing a Democratic redistricting plan that could help the party win several additional House seats in this year's elections. Next up could be Florida, where lawmakers are to begin a special session April 28 for a Republican attempt at congressional redistricting.

LIVE RESULTS: Virginia approves redistricting plan in special election

Voting districts typically are redrawn once a decade, after each census. But President Donald Trump triggered an unusual round of mid-decade redistricting last year when he urged Texas Republicans to redraw House districts to give the GOP an edge in the midterm elections.

California Democrats reciprocated, and redistricting efforts soon cascaded across states.

So far, Republicans believe they could win up to nine additional seats in states where they have redrawn congressional districts while Democrats think they could gain up to 10 seats elsewhere because of redistricting. But that presumes past voting patterns hold in November. And that's uncertain, especially since the party in power typically loses seats in the midterms and Trump faces negative approval ratings in polls.



Watch on YouTube

Democrats need to gain just a few seats in November to wrest control of the House from Republicans, potentially allowing them to obstruct Trump's agenda.

Next up on redistricting

Florida

Current map: eight Democrats, 20 Republicans

Proposed map: Republican Gov. Ron DeSantis has called a special legislative session to begin April 28 on congressional redistricting. Republicans haven't yet publicly released a specific plan.

Challenges: The state constitution says districts cannot be drawn with intent to favor or disfavor a political party or incumbent.

Where new House districts were approved

New U.S. House districts have been adopted in seven states since last summer. Five took up redistricting voluntarily, one was required to by its state constitution and another did so under court order.

Texas

Current map: 13 Democrats, 25 Republicans

New map: Republican Gov. Greg Abbott signed a revised House map into law last August that could help Republicans win five additional seats.

Challenges: The U.S. Supreme Court in December cleared the way for the new districts to be used in this year's elections. It put on hold a lower-court ruling that blocked the new map because it was "racially gerrymandered."

California



Watch on YouTube

Current map: 43 Democrats, nine Republicans

New map: Voters in November approved revised House districts drawn by the Democratic-led Legislature that could help Democrats win five additional seats.

Challenges: The U.S. Supreme Court in February allowed the new districts to be used in this year's elections. It denied an appeal from Republicans and the Department of Justice, which claimed the districts impermissibly favor Hispanic voters.

Missouri

Current map: two Democrats, six Republicans

New map: Republican Gov. Mike Kehoe signed a revised House map into law last September that could help Republicans win an additional seat.

Challenges: A Cole County judge ruled the new map is in effect as election officials work to determine whether a referendum petition seeking a statewide vote complies with constitutional criteria and contains enough valid petition signatures. The Missouri Supreme Court rejected a lawsuit claiming mid-decade redistricting is illegal. It's scheduled to hear arguments in May on claims the new districts violate compactness requirements and should be placed on hold pending the potential referendum.

North Carolina

Current map: four Democrats, 10 Republicans

New map: The Republican-led General Assembly gave final approval in October to revised districts that could help Republicans win an additional seat.

Challenges: A federal court panel in November denied a request to block the revised districts from being used in the midterm elections.

Ohio

Current map: five Democrats, 10 Republicans

New map: A bipartisan panel composed primarily of Republicans voted in October to approve revised House districts that improve Republicans' chances of winning two additional seats.

Challenges: None. The state constitution required new districts before the 2026 election, because Republicans had approved the prior map without sufficient Democratic support after the last census.

Utah

Current map: no Democrats, four Republicans

New map: A judge in November imposed revised House districts that could help Democrats win a seat. The court ruled that lawmakers had circumvented anti-gerrymandering standards passed by voters when adopting the prior map.

Challenges: A federal court panel and the state Supreme Court, in February, each rejected Republican challenges to the judicial map selection.

Virginia



Watch on YouTube

Current map: six Democrats, five Republicans

New map: Voters approved a constitutional amendment authorizing new U.S. House districts backed by Democrats that could help the party win up to four additional seats.

Challenges: The state Supreme Court allowed the referendum to proceed, but it has yet to rule whether the effort is legal. The court is considering an appeal of a Tazewell County judge's ruling that the amendment is invalid because lawmakers violated their own rules while passing it.

Where redistricting efforts were denied

Governors, lawmakers or partisan officials pushed for congressional redistricting in numerous states. In at least five states, those efforts gained some initial traction but ultimately fell short in either the legislature or court.

Maryland

Current map: seven Democrats, one Republican

Proposed map: The Democratic-led House in February passed a redistricting plan backed by Democratic Gov. Wes Moore that could help Democrats win an additional seat.

Challenges: The legislative session ended in April without the Democratic-led Senate voting on the redistricting plan. The state Senate president said there were concerns it could backfire on Democrats.

New York

Current map: 19 Democrats, seven Republicans

Proposed map: A judge in January ordered a state commission to draw new boundaries for the only congressional district in New York City represented by a Republican, ruling it unconstitutionally dilutes the votes of Black and Hispanic residents.

Challenges: The U.S. Supreme Court in March granted Republicans' request to halt the judge's order, leaving the existing district lines in place for the 2026 election.

Indiana



Watch on YouTube

Current map: two Democrats, seven Republicans

Proposed map: The Republican-led House passed a redistricting plan in December that would have improved Republicans' chances of winning two additional seats.

Challenges: Despite pressure from Trump to adopt the new map, the Republican-led Senate rejected it in a bipartisan vote on Dec. 11.

Kansas

Current map: one Democrat, three Republicans

Proposed map: Some Republican lawmakers mounted an attempt to take up congressional redistricting.

Challenges: Lawmakers dropped a petition drive for a special session on congressional redistricting in November, after failing to gain enough support.

Illinois

Current map: 14 Democrats, three Republicans

Proposed map: The Democratic Congressional Campaign Committee in October proposed a new U.S. House map that would improve Democrats' chances of winning an additional seat.

Challenges: The Democratic-led General Assembly declined to take up redistricting, citing concerns about the effect on representation for Black residents.

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Exhibit 32

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17K posts

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Joe Gruters reposted

Matt Morse @MattMorseTV · 16h

CURRENT MIDTERM REDISTRICTING STATUS:

Confirmed Democrat Gain:
California: D+5
Utah: D+1
Total: D+6

Pending Democrat Gain:
Virginia: D+2
Maryland: D+1
Total: D+3

Confirmed Republican Gain:
Texas: R+5
Missouri: R+1
Indiana: R+2
Ohio: R+2
North Carolina: R+1
Total: R+11

Pending Republican Gain:
Kansas: R+1
Tennessee: R+1
Alabama: R+1
Georgia: R+2
Florida: R+5
Total: R+10

Confirmed Gains: R+11 / D+6
Pending Gains: R+10 / D+3
Potential Total: R+21 / D+9

In summary: as far as redistricting goes, things are looking pretty good for Republicans right now.



236 581 2.4K 92K

Exhibit 33

Can Florida Save Trump's Plan to Keep GOP in Power?

washingtonpost.com/politics/2026/03/13/florida-trump-redistricting-midterms-congress

Kadia Goba, Hannah Knowles

March 13, 2026



Republicans in Florida say they may not be able to deliver the type of redistricting bonanza that would give the party breathing room in the midterms.

Democrats are on the verge of neutralizing President Donald Trump's push to redraw the nation's congressional maps to help his party keep power in the November midterm elections.

Republicans around the country have long been looking to Florida — which has been biding its time and is gearing up to act this spring— to help the party pull ahead.

But some Republicans in the state are tamping down expectations that they can deliver the kind of bonanza that would give the party significant breathing room.

“One thing that needs to be made clear: We are not picking up five seats,” said Rep. Kat Cammack (R), dismissing a number others in the party have floated. “Drawing five new seats would put others in danger.”

Republicans’ aggressive ambitions for redistricting are colliding with a tough political environment in which dramatic redraws could make existing GOP seats more vulnerable. Florida Gov. Ron DeSantis (R) prides himself on his record of aggressive redistricting that helped his party flip the House in 2022, and he has signaled big ambitions for another redraw. He has delayed acting in hopes that the Supreme Court, which has been reviewing the Voting Rights Act, will give states even more latitude to change lines.

But some Republicans worry that trying to squeeze too many new red seats out of the state will backfire — watering down safe seats in a tough year.

“On our best day,” Cammack said, the state could see three new GOP seats. She thinks two is more realistic.

Republican states, at Trump’s direction, have embarked on a rare effort to change congressional districts outside the usual 10-year cycle in hopes of preserving the party’s narrow advantage in the House. Trump has worried openly that a Democratic-run House would investigate him, impeach him or thwart his agenda.

Nationwide, Democrats have canceled out much of the GOP’s recent redistricting gains with their own moves.

In a worst-case scenario for Republicans – in which they fail to flip several of the red districts they carved out – Democrats could gain more from redistricting in the end. Democrats have been dramatically overperforming in special elections and hope a backlash to Trump will help them hold on to seats the president once won handily.

Democrats are pressing ahead with a redraw meant to net four blue seats in Virginia, ramping up the pressure on Florida to give the GOP a boost.

“They’re the last crown jewel” in the party’s redistricting hopes, said Alex Patton, a GOP strategist in the state.

Trump set off a redistricting scramble last summer when he pushed Texas Republicans to redraw their maps with five new red-leaning seats before the 2026 midterms, ahead of the normal schedule tied to the Census. Republicans in North Carolina, Missouri and Ohio also drew maps more favorable to the party, while Democrats in California passed a ballot measure to hit back with five more blue-leaning seats.

Early voting, meanwhile, is underway in Virginia for a Democratic plan to override the normal redistricting process and allow the state legislature to carve out four more blue-leaning districts. Virginia's U.S. House delegation currently has six Democrats and five Republicans; under the new plan, the state could elect 10 Democrats and one Republican.

Some in the GOP said they have been caught off guard by the lengths Democrats have taken to counter their redistricting push.

"There was some naiveté across the board on how well [Democrats] would be able to quickly mobilize," said a Republican operative, who like some others spoke on the condition of anonymity to give a candid opinion.

The redistricting scramble has frustrated many sitting Republicans in Congress who could be pushed out under the new maps or have seen their longtime districts change. In Indiana, GOP state legislators rejected intense pressure from Trump to draw more red seats, reluctant to cast aside the normal process for partisan gain.

Now the tit-for-tat could work out to something close to a draw.

"We should just call a truce on it and just say mid-cycle redistricting is a bad idea," said Rep. Andy Harris, the lone Republican in Maryland's congressional delegation, who would be targeted in a redraw there.

A Democratic plan to eliminate Harris's seat has stalled, and any further moves in Maryland would likely impact the 2028 elections rather than this year's midterms.

A Supreme Court ruling later this year could upend the redistricting wars and pave the way for new Republican seats nationwide. The court is weighing a case that could curtail the use of race in drawing legislative maps and undermine the Voting Rights Act, a 1965 law meant to combat discrimination that helped minority voters elect their preferred candidates.

But the ruling could come too late for most states to take advantage of it before the midterms, leaving the biggest impacts to 2028 and beyond. The court may not issue its opinion until the summer, when many primaries and qualifying dates to run have passed.

DeSantis has called a late April special session on redistricting — over objections from Republicans in the statehouse who wanted to move sooner — because he is waiting on the Supreme Court, betting it may rule earlier. Florida officials pushed back qualifying dates for candidates as a result.

"We want to give the court time to be able to issue that decision," the governor said of the Supreme Court on Fox News in January.

GOP leaders in Florida think they can get at least two or three new red seats through redistricting and are aiming for four or five, according to a person familiar with their thinking. A Republican close to the redistricting process echoed that three-to-five range. But some in the party have long viewed the upper end as a stretch that could threaten other seats, especially in a blue wave year.

Republicans worried about Democrats' overperformance in a slew of recent local races will be watching a special election this month for a competitive state Senate seat in Florida, one official in the state said. The race, which will fill a seat vacated by now-Florida Lt. Gov. Jay Collins (R), could reinforce fears about an aggressive redraw backfiring.

"Florida is already so gerrymandered," said CJ Warnke, a spokesman for the House Majority PAC, which supports Democratic congressional candidates. Republicans, he argued, risk creating districts that Trump won but that could flip back to Democrats in a blue wave.

The GOP could run up against other challenges in Florida, too. DeSantis has a rocky relationship with the Republican Speaker of the state House, leading some Republicans to wonder if they will clash over the details of a new map.

The Florida Constitution also has a "Fair Districts" amendment, adopted by voters in 2010, that says districts may not be drawn to favor a political party. Whatever map Republicans might pass is likely to end up in court.

The Florida Supreme Court, which is largely appointed by DeSantis, rejected a challenge to Republicans' previous 2022 redraw.

Exhibit 34

Florida upset sparks GOP redistricting concerns

punchbowl.news/article/campaigns/fla-upset

March 26, 2026



Florida Republicans are spooked.

A Democrat just flipped a Palm Beach County state house district that President **Donald Trump** won by 11 points in 2024. That upset only compounded growing fears that Trump voters — especially Latinos — are turning on Republicans.

Amid all this uncertainty, Florida's GOP-controlled legislature is getting ready to push through a revised congressional map next month to create anywhere from two to five new red seats.

But now, Republicans in the congressional delegation are beginning to publicly warn lawmakers in Tallahassee that an over-aggressive remap could backfire.

"Don't do it. I've said it from the beginning," said Rep. **Daniel Webster** (R-Fla.), a former state house speaker. "I've been around enough reapportionments to know it's a slippery slope."

The 2026 strategy. Florida has increasingly becomea central piece of Republicans' redistricting strategy. As Democrats strike back with new maps in California and Virginia, Florida is Trump's last chance to tilt the House battleground in his favor.

But this plan relies on Latino voters sticking with the GOP like they did in 2024, a banner year for the GOP in Florida. That's far from certain, and some Florida Republicans are warning that such a move is perilous.

"You could potentially do two [new GOP seats,]" Rep. **Mario Diaz-Balart** (R-Fla.) said. "I think after that, you are really, really, really, really risking a very large overreach, which I think is in the Democrats' best interest."

The special elections in Florida this week brought fresh worries. The state house seat that Democrats flipped is especially satisfying because it includes Mar-a-Lago. Meanwhile, a Democrat is on the verge of flipping a state senate district that Trump won by seven points.

Democrats' response. Democrats say Tuesday'selections have shaken up their midterm strategy and that they'll go on offense in Florida regardless of any GOP remap.

Here's what House Minority Leader **Hakeem Jeffries** told us.

> "In our view, there probably are at least a half a dozen Florida Republicans, based on the results yesterday, who are vulnerable, and we're taking a close look at going into their districts aggressively."

At a minimum, Jeffries said, Democrats can target the three South Florida Republicans — Diaz-Balart and Reps. **Carlos Gimenez** and **Maria Elvira Salazar** — and GOP Rep. **Brian Mast,** who represents the Treasure Coast.

If Republicans redraw, Jeffries said they could create even more opportunities for Democrats.

Florida saw a big lurch to the right at the presidential level in 2024, leaving Democratic Reps. **Jared Moskowitz, Lois Frankel, Debbie Wasserman Schultz** and **Darren Soto** looking more vulnerable. All are targets in redistricting and represent significant populations of Latino voters.

"They need to be really careful," Gimenez said of the legislature's remap. Lawmakers should study the special election results, he said. "They should look at what happened there. By trying to create more, you may end up with less."

Gimenez also said he's warned the Trump administration: "We have lost ground with Hispanics due to what happened with immigration."

- *Ally Mutnick, Jake Sherman, John Bresnahan*

Exhibit 35

Donalds says FL should counter Democrats by redistricting. That’s illegal here

miamiherald.com/news/politics-government/article315392027.html

Claire Heddles April 13, 2026



In a South Florida campaign stop, the frontrunner to win the Florida governor's race in November said Republicans should move forward with a plan to create more GOP-friendly seats in Congress to counteract similar pushes in blue states.

Reality Check *is a Herald series holding those in power to account and shining a light on their decisions. Have a suggestion for a future story? Email our journalists at tips@miamiherald.com.*

Florida gubernatorial candidate Byron Donalds told a crowd in Coconut Creek Monday he wants the Florida Legislature to redraw the state’s congressional maps to help Republicans keep control of Congress — even though partisan gerrymandering is illegal in Florida.

Most Florida Republicans have been cautious when talking about the partisan implications of Gov. Ron DeSantis’ mid-decade redistricting efforts because Florida’s 2010 Fair Districts Amendment bars lawmakers from taking partisan politics into account.

But with the Florida Legislature set to return to Tallahassee next week to redraw congressional maps, Donalds spoke a quiet goal out loud: describing the effort as a way to bolster Republicans’ chances of maintaining control over the U.S. House of Representatives the next two years after

blue states redrew their maps to favor Democrats.

“You have California and Virginia responding to Texas and we’ve been watching all this kind of happen in Florida,” Donalds, a Republican congressman from Naples, said. “Because of what now has been done in Virginia, now Florida needs to respond.”

But partisan gerrymandering is not illegal in those states like it is Florida.

“I’m quite sure the governor and the Legislature are going to comply with the Fair Districts like they always have,” Donalds said when asked about how his partisan aim squares with state law.

Donalds’ open admission and support for the partisan goals of Florida’s redistricting efforts come in sharp contrast to the advice Florida Senate President Ben Albritton gave lawmakers earlier this year, after DeSantis announced a special session focused on redistricting scheduled for next week.

Albritton gave senators “admonitions regarding redistricting” warning them to be careful who they talk to about the process because they could be forced to produce evidence of any conversations “with outside parties who may attempt to persuade the Legislature to pass maps that favor or disfavor a political party or incumbent.”

Donalds’ comments also are in contrast to a set of his Republican colleagues who have warned the governor against redistricting, fearing it will put otherwise uncompetitive Republican seats back on the table for Democrats to flip.

“They need to be really careful,” Republican Miami Rep. Carlos Giménez told Punchbowl News. “By trying to create more, you may end up with less.”

After Donalds’ partisan defense of Florida’s redistricting effort Monday, he said he also supports the effort because the 2020 Census was “not done the best,” and he believes Florida’s population was undercounted in distributing congressional seats across the country.

“I think the governor and the Legislature are well within their rights to redistrict the state and I support them in this,” he said at an event promoting technical education programs.

Donalds has no official role in the redistricting process.

DeSantis — well-aware that a state judge could toss out any new maps if there’s evidence they were drawn for a partisan purpose — has defended the state’s redistricting effort as a response to a Supreme Court case about how states comply with the Voting Rights Act.

When he scheduled next week’s special session on the issue, he said he was giving extra time to wait for the Supreme Court’s ruling, but it has not yet come down.

DeSantis has continued defending the effort without that Supreme Court ruling, however, saying that the state needs to redraw maps because of its population growth over the past five years.

Meanwhile, the Florida Democratic Party has been beefing up a legal team to challenge the state's mid-decade redistricting effort. They're planing to argue the effort is purely partisan and in violation of the Fair Districts Amendment.

This story was originally published April 13, 2026 at 4:48 PM.

Exhibit 36



Virginia Passes Gerrymandered House Map, Lifting Democrats' Midterm Chances

The state's voters approved a map that could give Democrats four more House seats, putting the party on more even footing in the nation's redistricting war.

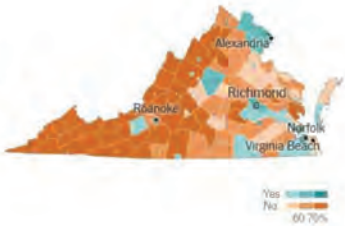
Published April 21, 2026 Updated April 23, 2026

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Virginia Redistricting Results ›

Answer	Votes	Pct.
Yes	1,602,705	52%
No	1,498,778	48

>95% of votes in
Source: Associated Press



Pinned

Reid J. Epstein Reporting from Washington

Here are four takeaways.



National party leaders were heavily invested in Virginia's referendum, and tens of millions of dollars flowed in. Win McNamee/Getty Images

Democrats maintained their electoral momentum on Tuesday by securing the passage of an aggressively

gerrymandered House map in Virginia, which could deliver the party up to four extra seats as it tries to win back control of Congress.

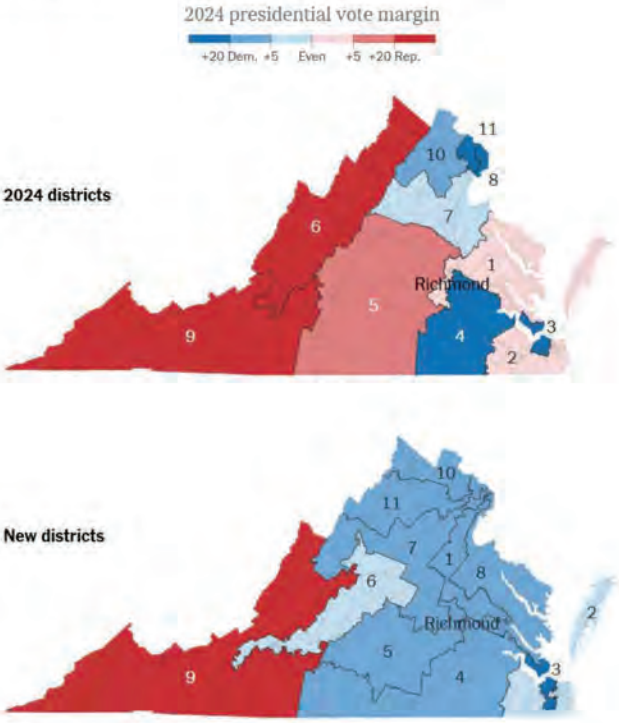
National party leaders had been heavily invested in the outcome, with Representative Hakeem Jeffries of New York, the minority leader, helping orchestrate the statewide Virginia referendum with Democratic state legislators. Speaker Mike Johnson, hanging on to a slim majority, tried to rally the state's Republicans.

Show more

April 21, 2026, 9:52 p.m. ET
Elena Shao

Here's what the new Virginia House map looks like.

Virginians approved a new congressional map on Tuesday that would aggressively gerrymander the state in the Democrats' favor, giving the party as many as four more U.S. House seats.



Elena Shao/The New York Times

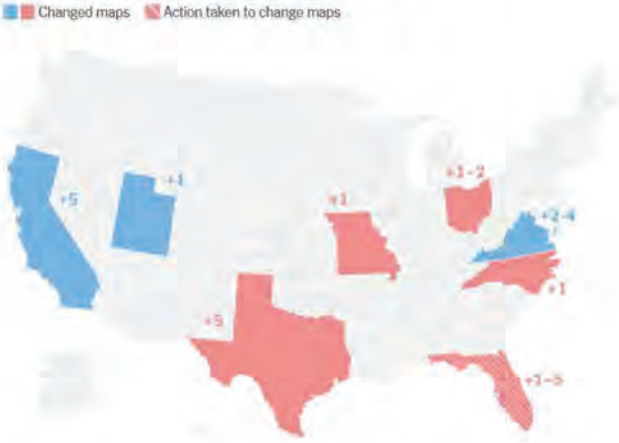
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April 21, 2026, 9:42 p.m. ET
Nick Corasaniti

Here's where the national fight over gerrymandered maps stands.



Voters in Virginia approved a new congressional map on Tuesday that will benefit Democrats, the latest skirmish in a redistricting arms race that will help determine which party wins control of Congress in the midterm elections.

Leading up to the Virginia vote, Republicans had amassed a cushion of newly drawn Republican seats through gerrymanders in Texas, North Carolina, Missouri and Ohio. Democrats countered with a gerrymander of their own in California, and courts in Utah gave Democrats an unexpected new district in the deeply red Western state.

Show more



April 21, 2026, 9:39 p.m. ET
Reid Epstein

Jeff Ryer, the chairman of the state Republican Party, said his efforts will now shift to trying to block redistricting through the courts. "Now, we enter the phase that will be decided through litigation," he said. "We don't know whether the Supreme Court of Virginia will rule that the General Assembly is not above the law and does not have license to violate the Constitution. For the sake of Virginia, we will hope and pray that they do."

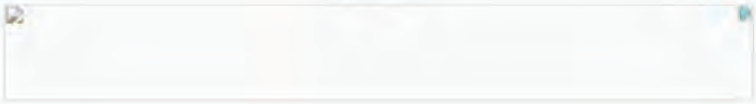


April 21, 2026, 9:31 p.m. ET
Theodore Schleifer

Tonight's election is probably an indication of how politics will be funded for the foreseeable future. In recent elections, a greater and greater proportion of

nonprofits that do not disclose their donors. In Virginia, that trend went into overdrive — over 95 percent of the money was undisclosed. So buckle up for the midterms, 2028 and all the secret-money elections to come.

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April 21, 2026, 9:26 p.m. ET
Campbell Robertson

Virginia Gov. Abigail Spanberger, a Democrat, applauded the result in a statement but emphasized that it was "a temporary measure" to counter President Trump's push to get other states like Texas and North Carolina to gerrymander their maps. As written, the Virginia amendment expires in 2030. Spanberger said she was committed to turning the task of drawing congressional maps back over to the bipartisan redistricting commission that was established in six years ago.



Tierney L. Cross/The New York Times

April 21, 2026, 9:18 p.m. ET
Reid Epstein

"While many expected Democrats to roll over and play dead, we did the opposite," Hakeem Jeffries, the House Democratic leader from New York, said after The Associated Press called the race. "Democrats did not step back. We fought back. When they go low, we hit back hard."

April 21, 2026, 9:14 p.m. ET
Reid Epstein

Representative Suzan DelBene of Washington State,

the chairwoman of the House Democrats' campaign arm, said in an interview that the referendum's victory is "another indicator that the public is souring on the Republicans agenda."

She added, "We saw voters in Virginia send a resounding message that they're not going to stand by and let Republicans rig the 2026 election."

April 21, 2026, 9:12 p.m. ET
Campbell Robertson

Terry Kilgore, the leader of the Virginia House Republicans and a plaintiff in one of the lawsuits challenging the amendment, said in a statement that the ballot box was never seen as "the final word." He said that legal questions remain about the process, which "now move where they belong: to the courts."

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April 21, 2026, 8:54 p.m. ET
Campbell Robertson

Democrats in Virginia were celebrating the results as the race calls came in. Don Scott, the speaker of the House of Delegates, said in a statement, "Virginia just changed the trajectory of the 2026 midterms."

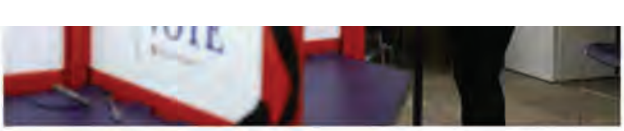
April 21, 2026, 8:53 p.m. ET
Reid Epstein

Virginia voters have passed the redistricting referendum, according to The Associated Press. The new map could shift as many as four House seats away from Republicans.

April 21, 2026, 8:51 p.m. ET
Reid J. Epstein Reporting from Washington

Pushing through a new map, Democrats gain ground in the gerrymandering fight.





A voter casting their ballot during early voting in Burke, Va. Alex Wong/Getty Images

Virginia voters approved a referendum on Tuesday to redraw the state's congressional map, according to The Associated Press, allowing Democrats to flip as many as four Republican-held seats in the U.S. House. The vote provides a significant boost to the party's effort to win control of the chamber this fall.

The statewide referendum will enact a map that is as extreme a political gerrymander as exists in the United States. The new lines, drawn by Democratic state legislators and approved by Gov. Abigail Spanberger, are intended to deliver 10 of Virginia's 11 House seats to Democrats, up from the six they now control.

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April 21, 2026, 8:46 p.m. ET
Reid Epstein

"Yes" has nudged ahead in the Virginia count, as more votes are counted from the Democratic strongholds of Richmond and Northern Virginia.



April 21, 2026, 8:28 p.m. ET
Luke Vrotsos

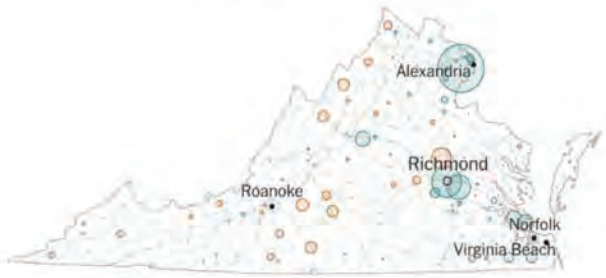
Rural, mostly white counties located on Virginia's southern border are voting overwhelmingly against the referendum. In Scott County, where Trump won by 70 percentage points in 2024, "No" is winning by 78 percentage points.



April 21, 2026, 8:17 p.m. ET
Nate Cohn

The "No" lead statewide has shrunk to less than 3 points, as populous Democratic strongholds have begun to report more of their vote. Most of the remaining vote is still in Democratic-leaning areas, including Fairfax County and Richmond.

Circles show our estimate for which vote-getter leads in the remaining votes.



April 21, 2026, 8:10 p.m. ET
Christine Zhang

Virginia Beach has started reporting more early and mail-in votes, and "Yes" is doing slightly better there as a result. The area is a key swing district in the state, as Glenn Youngkin, a Republican, won it by 8 points in 2021, and Abigail Spanberger, a Democrat, won it by 11 points in 2025.

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April 21, 2026, 8:09 p.m. ET
Nan K. Chase, Leah Small and Darren Sands Nan K. Chase reported from Carroll County and Floyd County, Va., Leah Small from Goochland County, Va., and Darren Sands from Loudoun County, Va.

Anger was evident in red areas as Virginia voters cast their ballots.



Members of the Madison County Republican Committee demonstrated in opposition of the Virginia redistricting referendum during early voting earlier this month in Madison, Va. Julia Demaree Nikhinson/Associated Press

Virginia voters appeared fiercely divided as they headed to the polls on Tuesday to vote on a referendum to redraw the state's U.S. House map to

hand Democrats additional seats.

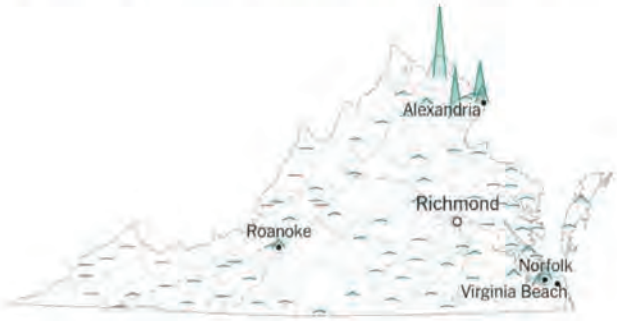
Anger was evident in deep-red areas of southwest Virginia, where the Republican-backed "No" side was hoping for strong Election Day turnout to defeat the measure. If the new map were approved, Democrats could potentially win 10 of Virginia's 11 seats, up from the six they now control.

Show more

April 21, 2026, 8:07 p.m. ET
Alicia Parlapiano

You may notice a new feature on our results page tonight: a map that indicates which side is on track to win based on the results so far in each area. While our traditional maps show which side is ahead in the reported vote tally in each area, they don't tell you if it is ahead by enough.

The new map relies on benchmarks that estimate the minimum number of votes each side would need across the state in order to win, based on past results and pre-election polls. The triangles show which side is ahead of its benchmarks, and by how much.



Ahead of benchmark

Yes No

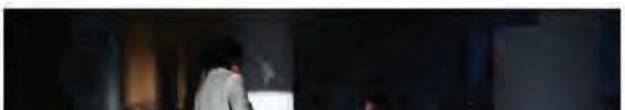
Triangle color shows which vote-getter is ahead of their benchmark in each county. Height is proportional to how many votes they are ahead.

60% of est. votes reported

The New York Times

April 21, 2026, 8:00 p.m. ET
Caroline Soler

Among the larger counties to report a majority of their votes thus far, Arlington is reporting an overwhelming majority in favor of the referendum, with more than 80 percent voting "yes" as of 8 p.m. Eastern time. Turnout is down in the county compared to 2025, which matched 2024 levels, and is expected to come in about 10 percent lower overall.





Win Mcnamee/Getty Images

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April 21, 2026, 7:50 p.m. ET
Nate Cohn

While "No" has a double-digit lead in the early count, the results so far suggest that "Yes" is on track to prevail, according to our estimates. Why the disparity? Most of the results so far come from heavily Republican areas; nothing has been reported at all from Fairfax County and Richmond, two of the state's populous Democratic strongholds. Where the count is complete, "Yes" has been running well enough to prevail.



Demetrius Freeman for The New York Times

April 21, 2026, 7:35 p.m. ET
Irineo Cabreros

We are forecasting results for the Virginia redistricting referendum. Our model, which is driven by precinct-level results broken out by vote method, currently estimates that the referendum will pass by a margin of approximately 4 points.

April 21, 2026, 7:34 p.m. ET
Reid Epstein

These early numbers look good for the referendum to pass. "Yes" has 61 percent in Loudoun County, with more than 92 percent of the vote counted. When Kamala Harris won Virginia by 5 points in 2024, she took 57 percent of the Loudoun vote.




April 21, 2026, 7:33 p.m. ET
Theodore Schleifer and Matt Zdun Reporting from Washington

Dark money has dominated fund-raising in the Virginia referendum vote.



Both proponents and opponents of the Virginia redistricting referendum have depended to an extraordinary degree on money raised from nonprofit groups that do not disclose their donors. Allen G. Breed/Associated Press

Ballot measures are sometimes called the most direct expressions of American democracy. And yet there has been nothing direct about the money spent on the Virginia redistricting referendum.

Dark money has flowed into the campaign at an astounding rate: Of the $98 million raised by the three groups that have bought the most advertising in the race, at least 96 percent has come from nonprofit groups that do not disclose their donors, according to a New York Times analysis of state campaign finance disclosures.

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April 21, 2026, 7:32 p.m. ET
Nate Cohn

While the count is still early, the results from a handful of completed counties and an analysis of

support to win by a modest margin statewide.



April 21, 2026, 7:31 p.m. ET
Christine Zhang

Loudoun is the first big county to finish reporting most of its votes. The "Yes" campaign there is leading by a margin of about 22 points. That is not far off of Gov. Abigail Spanberger's performance in the 2025 governor's race, in which she took Loudoun by 29 points.



April 21, 2026, 7:30 p.m. ET
Caroline Soler

If the amendment passes, Virginia's current balance of six Democratic districts and five Republican districts could end up being 10 to one in favor of Democrats. The proposed map would draw eight safely Democratic districts, two competitive districts that lean Democratic and one safely Republican district.

The national implications are significant. Cook Political Report currently rates the House at 213 Democratic seats (including solid, likely and lean seats), 205 Republican seats and 17 toss-ups, with 218 needed for a majority. The Virginia remap, alone, would push Democrats to roughly 217, meaning they'd need only one toss-up seat to retake the chamber.



April 21, 2026, 7:24 p.m. ET
Campbell Robertson

Republican leaders have filed several lawsuits challenging the referendum that Virginians voted on today. One circuit court judge agreed, ruling that the legislative process behind the amendment was badly flawed. But on appeal, the Virginia Supreme Court ordered the referendum to go forward. If voters approve the referendum today, virtually everyone involved expects the litigation to continue.

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April 21, 2026, 7:12 p.m. ET
Nick Corasaniti

wars are nearing their conclusion — at least for the 2026 election. The final remaining state that has indicated a desire to redistrict is Florida, where Gov. Ron DeSantis has scheduled a special session of the legislature to redraw the state's maps. (Of course, the Supreme Court could change all of that, depending on the timing of its ruling on the future of a key provision of the Voting Rights Act.)



Eric Lee for The New York Times

April 21, 2026, 7:04 p.m. ET
Christine Zhang and Alex Lemonides

Northern suburbs and southern cities are the areas to watch.





Though Virginia has consistently gone toward Democrats in recent presidential elections, it has been a swing state in off-year contests, electing Gov. Abigail Spanberger, a Democrat, by 15 percentage points in 2025 after elevating a Republican to the office just four years prior. And polling ahead of Tuesday's vote showed somewhat mixed results for a redistricting amendment to the state's constitution that is being pushed by Democrats.

Results should start to flow in shortly. But analyzing the early returns will be difficult for two reasons: First, Virginia's diversity and distinct geographic regions mean the first counties to report might not be representative of the full state, and second, a large share of the vote was cast during the state's early voting period.

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April 21, 2026, 7:02 p.m. ET
Reid Epstein

Rural, more Republican-leaning parts of Virginia tend to report their votes before the more Democratic urban and suburban areas. Typically, Republican candidates appear to be doing better in the early hours after polls close, and Democrats make up ground or move ahead when results from Fairfax County, the state's largest and most Democratic, come in later.

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April 21, 2026, 7:01 p.m. ET
Reid Epstein

Expect it to take a while before any definitive calls are made about a winner in today's election. It took The Associated Press until 11:42 p.m. to declare Vice President Kamala Harris the winner in Virginia in 2024, when she carried the state by six percentage points. If the referendum is much closer than that, it

could be a very late night.



April 21, 2026, 7:00 p.m. ET
Reid Epstein

The polls have closed in Virginia's statewide referendum on whether to redraw congressional district lines in a way that could shift as many as four Republican-held seats to Democrats.



April 21, 2026, 6:56 p.m. ET
Caroline Soler

Since 2000, Virginia voters have decided 24 statewide ballot measures, and almost all passed or failed without much of a fight. Only three were genuinely competitive, making the uncertainty surrounding the results of tonight's referendum fairly unique. If the redistricting measure fails, it would join a 2016 right-to-work amendment as the state's only ballot propositions to fail since 1998.



April 21, 2026, 6:53 p.m. ET
Nick Corasaniti

This race attracted tens of millions of dollars, and a large portion of that went to the airwaves. More than $81 million was spent on political ads about the referendum, according to AdImpact, a media tracking firm. Democrats far outpaced Republicans, spending nearly $32 million more than Republicans on referendum ads in Virginia. To put that $81 million in context, that is just $3 million less than the $84 million spent on the Virginia governor's race last year. And it's $16 million more than what was spent in the New York City mayor's race.

Robert Yoon/Associated Press

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April 21, 2026, 6:39 p.m. ET
Reid Epstein

Gov. Abigail Spanberger said nothing in public and did no interviews today to promote the Yes side of the referendum, her spokeswoman said. She did post about it on social media and encouraged Virginians to "vote YES."

April 21, 2026, 6:32 p.m. ET
Caroline Soler

Polls in Virginia show close margins and few undecided voters.



A voter leaving a poll site at Fairfax Government Center in Fairfax, Va., on Tuesday. Julia Demaree Nikhinson/Associated Press

Polling in Virginia, while sparse, has generally shown a narrow lead for a Democratic-aligned amendment to the state's Constitution that would temporarily put redistricting back in the hands of the General Assembly.

Early voting in Virginia showed high turnout, similar to what was seen in last year's governor's race. But redistricting is not a strictly partisan issue, and poll results have ranged from the amendment being ahead by eight percentage points to it losing by eight points, with a relatively small percentage of voters undecided.

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April 21, 2026, 6:14 p.m. ET
Leah Small Reporting from Virginia

In Goochland, outside Richmond, Richard Grebe, 63, a member of the local Democratic committee and a former contractor for the Environmental Protection Agency, said he had voted in favor of the referendum to help Democrats counter what he said was a misuse of executive power by President Trump.

"Gerrymandering in this state is a response to gerrymandering in other states," he said. "I don't believe we can compartmentalize Virginia, because this is about the whole U.S. Congress."

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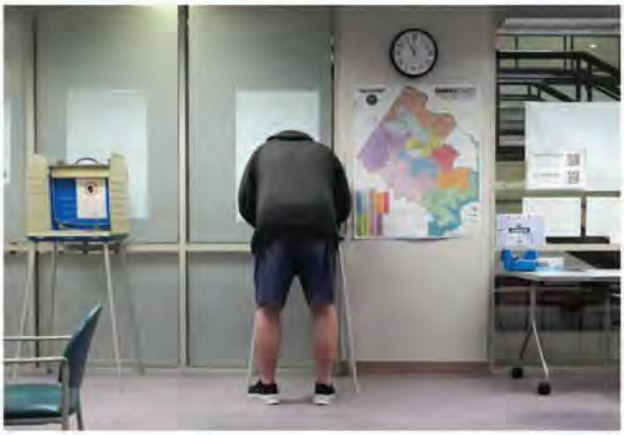
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April 21, 2026, 6:14 p.m. ET
Nan K. Chase Reporting from Virginia

The starkly gerrymandered nature of the House map that Democrats are proposing — they could win as many as 10 seats, leaving Republicans with only one — appeared to be resonating with some voters. "Ten to one. That says it all," said Susie Goad, 67, a retired emergency room nurse speaking in Galax, Va. "Our rural areas need to be represented."



Julia Demaree Nikhinson/Associated Press

April 21, 2026, 6:12 p.m. ET
Reid Epstein

Election Day reports have indicated turnout is stronger in Republican parts of the Virginia than in Democratic areas, but with 1.3 million ballots already cast — and Democrats far more likely than Republicans to vote before Election Day — the G.O.P.-backed "No" campaign has much ground to make up.

April 21, 2026, 6:05 p.m. ET
Nan K. Chase Reporting from Virginia

In some of Virginia's red western counties, voters appeared well aware of the national redistricting picture — but were more focused on how rural voters might be disenfranchised by a newly gerrymandered map. "I understand voting 'Yes' has to do with

countering what other states are doing," said Franklin Surratt Jr., 26, of Sylvatus, who works at a Burger King. "I voted 'No,' looking at the issue for what it is. I think rural Virginia should do for Virginia what Virginia is supposed to do."

April 21, 2026, 6:04 p.m. ET
Reid Epstein

Representative Hakeem Jeffries of New York, the House Democratic leader, reiterated the message today that approving the referendum will help Democrats block President Trump. "Voting yes is an opportunity for the people of Virginia to decide that it's the people of Virginia who should determine who gets to represent them in Congress, not Donald and the MAGA extremists," Jeffries said during an interview on a Black radio station in Richmond.



Eric Lee for The New York Times

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April 21, 2026, 6:04 p.m. ET
Reid Epstein

President Trump, who on Monday night phoned into a conservative radio host's online stream and hosted a conference call with supporters, urged Virginians in a social media post on Monday to vote against the measure "TO SAVE YOUR COUNTRY!"

April 21, 2026, 5:58 p.m. ET
Reid Epstein

The state was blanketed with advertising in the final days before Election Day. In the end, more than $80 million was spent on the race, with forces for and

Barack Obama in their ads.

April 21, 2026, 5:57 p.m. ET
Reid Epstein

Polls close in about an hour in Virginia's redistricting referendum. Turnout in early voting for the one-question election nearly matched the totals in last fall's contests for governor and other state offices.

April 21, 2026, 5:53 p.m. ET
Luke Vrotsos and Alex Lemonides

Election Day turnout in Virginia shows a significant decline.



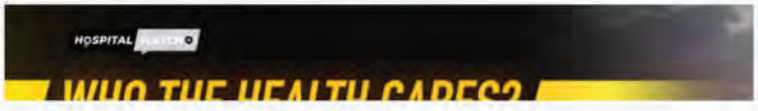
Voting in the Virginia redistricting referendum at a school in Alexandria, Va., on Tuesday. Julia Demaree Nikhinson/Associated Press

Election Day turnout in Virginia is on track to be considerably lower than it was during the 2025 governor's race, breaking with the high interest seen during the early voting period, in which nearly 1.4 million people cast ballots.

Election Day turnout tends to lean toward Republicans, and early voting and mail-in ballots tend to favor Democrats. But while the partisan split of the early vote was similar to what was seen in the governor's race, the Election Day vote on Tuesday appeared to be down more significantly in Democratic areas, according to precinct-level turnout data available at midday. Precincts that voted overwhelmingly for Republicans in the past had smaller declines when compared with 2025.

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April 21, 2026, 5:01 a.m. ET
Campbell Robertson

Abigail Spanberger, a governor who stressed pragmatism, is hounded by politics.



Gov. Abigail Spanberger of Virginia took office in January. Erin Schaff/The New York Times

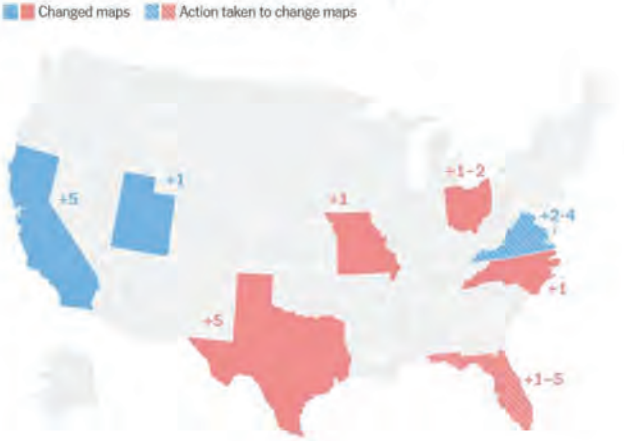
On the night of her resounding win in last fall's election for Virginia governor, Abigail Spanberger told her supporters that they had sent a message to the world. "Virginia," she said in the opening lines of her victory speech, "chose pragmatism over partisanship."

But even then it was clear that the first big issue of her term would be as partisan as it gets: a proposed amendment by her fellow Democrats to allow them to gerrymander the state's 11 congressional districts.

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April 21, 2026, 5:01 a.m. ET
Reid J. Epstein and Nick Corasaniti Reid J. Epstein reported from Washington, and Nick Corasaniti from New York.

The battle for control of Congress centers on a fight over Virginia maps.



Republicans have built a small structural advantage in the monthslong redistricting war being waged

across the country as both parties seek an edge in their efforts to win control of Congress in the midterm elections.

An important election on Tuesday in Virginia could upend that advantage.

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April 21, 2026, 5:01 a.m. ET
Tim Balk

Here's what to know about Virginia's gerrymandering fight.



State Senators Ryan T. McDougle and Scott A. Surovell, a Republican and a Democrat on opposing sides of the Virginia referendum.
Photographs by Ryan M. Kelly/Associated Press

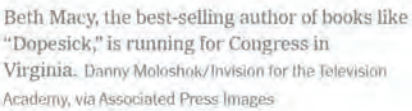
Virginia voters will decide on Tuesday whether to allow Democrats to redraw the state's House map to give their party an advantage. It's one of the country's final redistricting battles before the November midterm elections.

If the referendum passes, Virginia's Democratic-led legislature will be empowered to create a congressional map that leaves the state with just one safely Republican district. Virginia's 11-member House delegation currently consists of six Democrats and five Republicans.

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April 20, 2026, 5:02 a.m. ET

Big names are waiting in the wings as Virginians decide their House maps.



Beth Macy, the best-selling author of books like "Dopesick," is running for Congress in Virginia. Danny Moloshok/Invision for the Television Academy, via Associated Press Images

Beth Macy, the best-selling author of books like "Dopesick," about the struggles of Appalachia, had planned to test her contention that Democratic candidates could win back the House by talking and listening to rural voters.

But after Tuesday, if Virginia voters approve a wholesale redrawing of the commonwealth's House districts, Ms. Macy will instead have to campaign mostly in college towns, talking and listening to well-off, well-educated people who are more likely to be readers of her books than their subjects. Her more immediate challenge will be fighting another Democrat in the primary for a newly drawn seat.

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- **Maine Senate Race:** Gov. Janet Mills of Maine, the Democratic establishment's choice to run for the Senate seat long held by Senator Susan Collins, a Republican, suspended her campaign. She said she no longer had the financial resources to compete against Graham Platner, a progressive political newcomer.
- **California Governor's Race:** Eight candidates for governor vigorously sparred during their final debate as each tried to break

takeaways.

- **Deb Haaland:** In New Mexico, the former interior secretary seemed to have an easy path to becoming the first Native American woman elected governor — until Sam Bregman challenged her.
- **Latino Catholics:** In 2024, the president made significant inroads with Hispanics. But in a competitive Arizona congressional district, voters now express dismay at his feud with the pope.

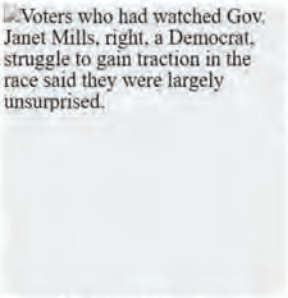
2026 Midterm Elections

Virginia Passes Gerrymandered House Map, Lifting Democrats' Midterm Chances

Virginia Voting Today on Map That Could Hand 4 House Seats to Democrats

How Both Parties Are Slicing Urban Areas to Tilt the House

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Voters who had watched Gov. Janet Mills, right, a Democrat, struggle to gain traction in the race said they were largely unsurprised.

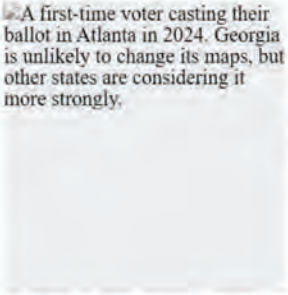
Even Mainers Who Love Janet Mills Are Relieved to See Her Leave Race


Deb Haaland, former Interior secretary and congresswoman, seemed like a shoo-in for New Mexico governor, but she finds herself in a real Democratic primary race.

Deb Haaland's Historic Run for Governor Hits a Primary Snag


Eight candidates took the stage at Pomona College in one of the final debates in the California gubernatorial primary race.

5 Takeaways From the Latest Debate in the California Governor's Race


A first-time voter casting their ballot in Atlanta in 2024. Georgia is unlikely to change its maps, but other states are considering it more strongly.

Here's What States Might Do After the Voting Rights Decision


Todd Blanche, the acting attorney general, spoke Monday about the attempted attack at the White House correspondents' dinner and signed a motion linking the breach to President Trump's ballroom project.

Adopting Trump's Voice, Justice Dept. Asks Judge to Let Ballroom Proceed

Editors' Picks





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A Humble 'Jeopardy!' Champ Ends His Run

Exhibit 37

← **Post**

Hannah Knowles
@KnowlesHannah

Even the Team DeSantis political account reposted a suggestion today that Florida could net 5 new GOP seats thru redistricting to counter Virginia—as DeSantis eyes maps with more modest gains of 1-3 seats.

Now the retweet's apparently been removed.



6:23 PM · Apr 22, 2026 · **2,009** Views

1 4 10 2

Exhibit 38

'All eyes are on Ron DeSantis': Florida could make or break the GOP's redistricting edge

politico.com/news/2026/04/23/florida-redistricting-desantis-republicans-maps-trump-00887120

Gary Fineout, Erin Doherty April 23, 2026

The Sunshine State is likely Republicans' last best chance to claw back an edge ahead of November.



National and state Republicans are counting on DeSantis to deliver on the White House priority and ensure their nine-month redistricting war doesn't end in a wash. | Illustration by Claudine Hellmuth/POLITICO (source images via iStock)

President Donald Trump's redistricting war now rests on Florida — and his onetime primary rival Gov. Ron DeSantis.

The Sunshine State is the GOP's likely best remaining chance to claw back an edge to keep their House majority, after voters approved a gerrymander in Virginia that will allow Democrats to pick up as many as four new seats.

Now all eyes are on Florida to deliver a new map that could net the party anywhere from three to five seats, with legislators scheduled to hold a special session next week. National and state Republicans are counting on DeSantis to deliver on the White House priority and ensure their nine-month redistricting war doesn't end in a wash.

"This is honestly an all-hands-on-deck moment, because if you lose the House, you're going to bring, essentially, the agenda to a grinding halt," said Florida-based GOP strategist Ford O'Connell. "[DeSantis] does this right, and it could give rebirth to his political career."

DeSantis reached the governor's mansion during the 2018 cycle with help from well-timed Trump endorsements and became a rising Republican star during the Covid-19 pandemic that led to him challenging the president in the 2024 election. The two had a rapprochement after Trump won, but they aren't always in lockstep.

"All eyes are on Ron DeSantis and Florida now. It's a little poetic," said one Republican operative, granted anonymity to speak candidly, like others in this article. "DeSantis has his marching orders: Take the gloves off like Democrats did in Virginia and California and draw as many districts as you can, legally, for Republicans."

Any redistricting effort in Florida is bound to run into political and legal obstacles. DeSantis first began clamoring for mid-decade redistricting last summer — roughly the same time that the White House began pushing for lawmakers in Texas to act. Since then, Trump's popularity has waned and backlash over high costs of living and his ongoing war in Iran has complicated Republicans' midterm landscape.

One Florida GOP operative familiar with the governor's thinking — granted anonymity because he is not authorized to speak publicly — said that DeSantis "would still like to get something done on redistricting. But he realizes the atmospherics for the 2026 election are already in place and it will be tough for Republicans to retain the House regardless of what happens in Florida."

There are also legal questions over how far DeSantis and GOP lawmakers in Florida can go in redrawing the map, raising doubts about whether they can actually pull it off. The state has a strict ban on redrawing congressional districts for partisan gain, or to help or hurt incumbents. Democrats argue any effort to redraw maps is illegal and will run afoul of this constitutional prohibition.

DeSantis, for his part, has pushed through his own congressional map before, a significant reason why national Republicans are hopeful he can do it again.

In 2022, his new map helped Republicans secure a 20-8 edge and ultimately flip four seats — a feat DeSantis has argued was key to the GOP winning back the House majority at the time. That map was able to withstand legal challenges, but

with control of the House again on the line, a redraw now is sure to bring a flurry of lawsuits. One factor in the governor's favor is that state and federal courts may be loath to order a new map so close to the midterms and could let Florida's map stand for now.

DeSantis has argued that the last U.S. Census effort was flawed and robbed the state of at least one congressional seat. He also has pointed to ongoing population growth since the Covid-19 pandemic and a pending U.S. Supreme Court decision in a Louisiana redistricting case that could force changes to the map.

He already pointed to one district — that had been held by Democratic Rep. Sheila Cherfilus-McCormick until she resigned under pressure this Tuesday — as one that should be redrawn.

But the governor, who has already delayed the special session by a week, has yet to publicly release a map with just days left before the session is scheduled to start. Legislative leaders have said it's up to DeSantis to keep the effort on track.

"By the time we get to Tallahassee, I'm sure there will be a map and the body will consider it at the right time," said state House Speaker Daniel Perez, a Miami Republican.

Some Republicans in Congress who have been skeptical about going ahead with redistricting said the results in Virginia might have made it necessary for the GOP to react quickly.

"I don't like this redistricting in the middle of the census, but in light of what Virginia is doing, we may need to respond to that," said Florida Republican Rep. John Rutherford, who has previously warned against Florida redistricting.

Still, others are worried that an aggressive plan could backfire.

Alex Alvarado, a well-known Florida political consultant who has worked with many prominent Republicans, recently published an analysis that suggested a new map would backfire for the GOP given the current political climate. He suggested it would result in no net gain for Republicans and would give Democrats a chance to win back seats.



"We have already compacted Democrats into such tight districts, the only thing you can do when you are redrawing is cut them out of there," said Alvarado in an interview. "You have to place those Democratic voters somewhere."

Adam Kincaid, executive director of the National Republican Redistricting Trust, also cautioned against expectations of sweeping gains due to the state's "Fair Districts" provisions that ban partisan redistricting.

"I don't think you're gonna create deep-blood-red seats all over the state," he said. "I think we just have to wait and see what the Legislature produces."

Democrats are already warning they'll make problems for DeSantis. House Minority Leader Hakeem Jeffries said Wednesday that they will target Florida and will "finish" the redistricting war Trump started.

"Our message to Florida Republicans is 'F' around and find out," he told reporters.

DeSantis, during a bill signing ceremony in Jacksonville, was not concerned

"'We're going to go after Florida.' Please, be my guest," DeSantis said of Jeffries. "I will pay for you to come down to Florida and campaign. I'll put you up in the Florida governor's mansion. We'll take you fishing. We'll do all this stuff."

For DeSantis, the outcome of the map-drawing gambit is as much political as it is personal. His second term ends in January, and he's speculated to have his eyes once again on ambitions beyond the Sunshine State.

“If he can deliver, it will at least give him a slingshot back into Trump’s good graces, and maybe even elevated status in the broader Republican movement,” said a second Republican strategist.

For now, the White House seems content to let him take the lead — at least, publicly.

Trump’s political director James Blair, a Florida native and former deputy chief of staff to DeSantis, said Wednesday that has not been involved in the Florida map-drawing process. “If [DeSantis] chooses to go forward, he will draw them in a way that is compliant with the law and we’ll see what happens,” he said on CNN.

“I don’t talk to the governor, I’ve not talked to those folks about it. But again … I think their track record shows that they know how to draw maps in compliance with Florida law and the Florida constitution, and we will see what they do next week,” he said.

Mia McCarthy, Gregory Svirnovskiy, Riley Rogerson and Lisa Kashinsky contributed to this report.

Exhibit 39

Speaker 1 (00:00):

Morning. Welcome. Great to be with you this hour. Overtime was supposed to start tomorrow, that special session in Tallahassee to redraw the lines where you live and potentially put you in another district and change the member of Congress you would choose. But the governor doesn't have his proposed map ready, no map for lawmakers to consider. So he pushed this special session to next week. And then he added more to do in those four days and artificial intelligence bill of rights, what he calls medical freedom, a. K.a. Ending vaccine mandates for kids and schools. There are some, those of just some of the things that died during the two months of regular session changes relatively few people are asking for. What do people care about? All the talk of tackling property taxes that is now not on the session agenda. And neither is hammering out this year's budget actually the one thing lawmakers are required to do by June 30th.

Speaker 1 (00:57):

House Speaker Daniel Perez, once again prepping to lead his chamber through another special session with his own take on what should and will happen and right here with us today. Mr. Speaker, good morning.

Speaker 2 (01:07):

Hey Glenna, good morning.

Speaker 1 (01:08):

Great to have you. So can I just open up with a big, wide, open, curious question. What do you expect will happen in four days with these topics that didn't happen in two months of regular session with these topics?

Speaker 2 (01:25):

So the question is redistricting is supposed to hold a bill on AI and quote unquote medical freedom, which has to do with a vaccine bill that the Senate had passed and redistricting. Redistricting is something that we're fully prepared and ready to go. The governor called for this special session. Well, we did not. The governor is the one that asked for this in order to do redistricting and we expect him to produce a map. Obviously it wasn't ready for this week and so he had to postpone it. So next week I'm sure we'll see a map and our body will vote on it and see what happens in the Senate. But I fully expect us to take up redistricting next week. As far as the vaccine

Speaker 1 (02:05):

Bill- Can I stop you there for a second? Because for the purposes of a television conversation, let's do one at a time and really like keep things sort of broad and also deep. Redistricting, whenever I say that word to someone who's not in this kind of process, eyes glaze over like, "Oh, what is redistricting?" But it's really so consequential for members of Congress and the numbers of Democrats and Republicans and the House. Do we need to, as a state, redistrict yet? Is this mid-decade redrawing up the lines? Do you think we need to do that in Florida?

Speaker 2 (02:43):

I think it's something we should absolutely have the conversation on. And Florida's not the only state having this conversation, Glenna. We're seeing this across the country. We're seeing it in left-leaning states. We're seeing it in right-leaning states. I think Virginia either had it last week or is having it this upcoming week, but this is a conversation that everyone is having across the country and it's one that

we're opening to having as well. We want to make sure that our population is represented in an accurate fashion. We believe that based on a recent Supreme Court decision here in the state of Florida, that we have the ability to have that conversation. There's a pending Supreme Court decision up at the federal level that may or may not sway redistricting moving forward, but we haven't had that decision yet. And so we're going to move forward with redistricting on this conversation with a pending Supreme Court decision in the wake.

Speaker 2 (03:30):

But we're in the house, we're ready to have that conversation. But the toughest question for me to answer really is, what is this map going to look like? And where am I going to be, I guess, situated as a constituent based on the sitting congressmen that we have? I don't know the answer to that because the governor doesn't have a map for us to see yet, but we're prepared to see one next Tuesday.

Speaker 1 (03:53):

Yeah. So all of those court cases have to do with racial, the word is gerrymandering because it's so interesting because the Voting Rights Act, you are not allowed to gerrymander based on party. It's got to be very even handed. Each district and whoever is elected to Congress in that district that has to be kind of, and especially the state law layered up on top of that, contiguous. And so gerrymandering is not allowed, period, full stop. However, gerrymandering to make sure that the racial vote is not diluted is also not allowed. And that's a really fine line to walk. And in fact, the courts have opined that in Florida, that district number five that was kind of split up, that was a so- called Black minority district and was now split up, that that was okay. So this time, what would you get behind? What would you support?

Speaker 1 (04:53):

Are you looking to have more minority-centric districts in this state?

Speaker 2 (04:59):

I don't know. I don't think it's a subjective opinion. I think it's something that has to be based on the objectivity of the map that we're proposed. And it's hard for me to opine on a map that I don't have access to. I haven't seen that. So I don't know how the districts are going to be broken up. I don't know which part of the state it's going to be broken up. I don't know in which way certain seats will lean based on the population of that district. So I'm not one to dodge your questions, Glenna. It's just it's hard for me to answer that only because I haven't seen the map.

Speaker 1 (05:32):

No, 100%. No one's seen the map and you are not alone. Every lawmaker I've asked for the past couple of days is like, "I don't know. Where's the map?" That is the answer. So let me-

Speaker 2 (05:42):

Where's the map? The common questions are, where's the map and where's our proposal on property taxes that the governor proposed over a year and a half ago?

Speaker 1 (05:48):

All right. You want to go there next? I'm willing. Where is it? The House, you had a committee and you were looking at proposals. You actually came up with, there were eight and one actually got through the House to sort of scale back over a period of a decade property tax. You did what the governor had asked

to do and then that went nowhere in the rest of the session. And so what happened? What is going on with property taxes that was such a big deal and now is nowhere?

Speaker 2 (06:20):

Yeah, look, I think let me start by saying, I think the governor deserves credit for bringing up the conversation over a year and a half ago. That being said, for the last 18 months or so, he's been stating to the public and on Fox News and on anyone that's willing to listen that he's going to abolish property taxes. I'm still waiting for a proposal that has anything to do with property taxes. Even if it's an increase of the homestead exemption by $5,000, I'm opening to having a conversation on anything, but the governor hasn't proposed absolutely anything yet. And so it's kind of tough to hear this rhetoric over and over again. However, as you said, the House took the initiative and we had eight different proposals that went through the committee process and one of them made it out. And it was the one that had to do with an abolishment of property taxes for homestead properties with the exception of the school property tax.

Speaker 2 (07:03):

And the reason we accepted the school property taxes because that's what funds our education system and it would've left a gap of about 23 or so billion dollars that we don't have to backfill. And so that's why we did that. But it passed the House. So the House has passed property tax reform. The Senate did not take it up and the governor didn't support it. And so the person who has started this conversation has kind of just been up in the air with the lack of a proposal and time is ticking because he's out of power any day now. But I hope that eventually he can come up with a proposal and we pass something. I think the people of Florida should have the right to vote at the ballot in November, whether or not they want to abolish property taxes in however that's defined, but I'm open to the conversation, but it seems like I'm the only one.

Speaker 1 (07:41):

Well, you actually are not the only one because there are a couple of people running for governor who keep calling us to talk about their plans for taking away property taxes. So that's out there. Well, we are definitely going to be here.

Speaker 2 (07:52):

But they're not in a position to actually do something. The government is in a position to do something. The Senate president is in a position to do something, and neither of them have done absolutely anything after a year and a half of the conversation.

Speaker 1 (08:02):

And so we'll put that out there for the next time you come on. We'll talk more about that. I want to talk about artificial intelligence. That's on the agenda for this special session next week. When it came up, you are kind of on record. You would like to, if I'm understanding this correctly, you want this to be a federal issue. You feel like artificial intelligence and guidelines and regulations should come from the federal government on down. Is there a place for state regulations here?

Speaker 2 (08:31):

There is a place for state regulation, but I think that we have to be able to now put the cart before the horse. I've been very open that artificial intelligence is an interesting topic because yes, we want to be at the front of the line of innovation and making sure that we're ahead of the ball on what the future of technology looks like. But at the same time, I see AI as a national security issue as well. And national security issues are something that are dealt with at the federal level. And we've seen that reciprocated by

the executive order of the President of the United States talking about AI and the proposed legislation that he's expecting Congress to pass that has to do with AI. There isn't a mandate somewhere in that executive order or somewhere in that proposed legislations for states to kind of take the initiative and have 50 different proposals on artificial intelligence.

Speaker 2 (09:16):

And that's kind of where I'm coming from. It's not so much that I want to shy away from the conversation or from potential legislation. It's more so that I think this is something that involves a lot of cooks, and I don't think that we should be the only state doing something when it's opposite of what the federal government is trying to accomplish, which has the same goals. We want to protect our children. We want to be at the front of the line when it comes to innovation, but there is a national security issue that also has to be dealt with, and that's not the state's role. That's the national government's role. And we expect that to happen, as you can see by the proposed legislation of the White House.

Speaker 1 (09:45):

Yeah. And then vaccine mandates or taking away vaccine mandates, that another thing that the House kind of stopped in the Senate actually passed something on ... Yeah, the House passed a bill, taking away some of the mandates for vaccines, opening up exemptions for parents of students, but the House stopped that and here it is back on the agenda for a special session. What do you foresee happening there?

Speaker 2 (10:08):

And in fairness, Glenn, I haven't seen either of these proposals. So there may be some details that have changed in one of these proposals. We haven't seen them. We've asked from the governor's office for the proposal. We don't have them, of course, but I am interested in seeing if there's any changes to that. What I can tell you is my concern with the vaccines is in the middle of a measles outbreak, it's tough for me to all of a sudden allow for children in schools to not have the measles vaccine, to not have polio, to not have chickenpox. These are all things that have, for the most part, been eradicated with the exception of some having a comeback here with measles. But I'm open to having the conversation and seeing what that looks like. And look, we have religious freedoms that already exist, but once we start to open the door on children in our schools without some of what I have just mentioned, there is some concern.

Speaker 2 (10:56):

I can't just blankly say, yes, I'm going to take this bill, we're going to pass and everything's going to be okay. I want to have to see a proposal. I have to see what the membership wants to do. And three, I have to alleviate my concerns and all of a sudden we're not in a school where half of the children have chickenpox again.

Speaker 1 (11:10):

Yeah. And you're the dad of littles, you walk that walk. This is going to be an interesting four days, sounds like. You expect anything to actually happen?

Speaker 2 (11:19):

Yeah, I do. I do. I do. I do. I think we're going to do some redistricting. I think that conversation's going to happen. What happens with AI and vaccines? I don't know, because I haven't seen the proposal yet and I haven't really got an opinion from the membership yet, but I do expect us to, at a bare minimum, accomplish redistricting and go from there. And at the same time, Glennon, we still have the pending budget, which we're having conversations with the Senate and hoping to land that plane sometime soon.

Speaker 1 (11:48):
Busy couple of weeks, busy month. I'm sure Speaker Danny Perez, great to have you. As always, thank you so much.

Speaker 2 (11:55):
Thank you.

Exhibit 40

Ron DeSantis releases new congressional map creating four more GOP-leaning seats in Florida

nbcnews.com/politics/2026-election/ron-desantis-releases-new-congressional-map-creating-four-gop-leaning-rcna342227

Matt Dixon

April 27, 2026



Some Republicans are concerned it could put GOP incumbents in danger by spreading out conservative votes, and margins in many new seats will likely get tighter.



Florida Gov. Ron DeSantis at the state Capitol on Jan. 13.Matias J. Ocner / Miami Herald / TNS via Getty Images file

TALLAHASSEE, Fla. — Florida Gov. Ron DeSantis on Monday released a proposed redraw of the state's congressional lines that, on paper, would create four new GOP-leaning seats — an aggressive proposal that the governor is using to try to challenge anti-gerrymandering language in the state Constitution.

The Florida Legislature is set to begin a special session Tuesday to consider the maps, which are overwhelmingly expected to pass out of the GOP-dominated body, though even some Republicans have expressed annoyance about how DeSantis has handled the process.

The map was first released to Fox News, which got a view of the new proposal before Florida lawmakers had a chance to see it. The release came in the form of a graphic that clearly outlined the political leaning of each seat in blue and red, which itself could cause legal heartburn because the Florida Constitution includes anti-gerrymandering language, known as Fair Districts, that prevents the use of partisan "intent."

The current congressional maps, also drawn by DeSantis, give Republicans a 20-8 advantage over Democrats, a number that couldchange to 24-4 under the new DeSantis plan.

“This is wild,” said a Florida Republican consultant who has been involved in past redistricting cycles. “I don’t know how you can argue a red and blue map released from the governor’s office doesn’t show some form of partisan intent.”

Democratic state Sen. Carlos Guillermo Smith hinted that he believed the form of that early release alone will be enough to show there was partisan intent from the governor’s office.

“The fact that the Governor shared his illegally-rigged Congressional map with @FoxNews before sharing it with state senators voting on them TOMORROW shows how partisan and illegitimate this process is,” he posted on social media.

DeSantis’ office did not return a request seeking comment about the release. It issued a statement to Fox News saying the new maps are needed because the state got “shortchanged” during the 2020 census. DeSantis has repeatedly noted the state's population growth since 2020 in comments about mid-decade redistricting, too. In a memo to lawmakers urging they support the map, he contends Florida was undercounted by more than 760,000 people.

Because of Fair Districts, Florida Republicans have discussed the need to push forward with redistricting through the lens of the census data and population shifts, rather than focusing on pure political gain like politicians in mostother states that have redrawn their congressional maps over the pastyear.

In a memo to lawmakers, DeSantis also signaled his new map will be an attempt to force reconsideration of the Fair Districts provisions in the state Constitution. The language requires the consideration of race when drawing new political lines, which DeSantis says is unconstitutional.

"Properly understood, the Fourteenth Amendment forbids the government from divvying up the citizenry based in whole or in part upon race," read the memo, which was penned by DeSantis general counsel David Axelman.

But the aggressive political gains the new map seeks have some Republicans questioning whether the governor has misread the current political atmosphere. Democrats across the country, including in Florida, have flipped GOP-held seats in special and regular elections amid President Donald Trump’s low approval ratings.

The concern rises from the idea that in order to create more GOP-leaning seats, the margins in many redrawn districts will get smaller for Republican incumbents. During what is expected to be a difficult 2026 midterm for the party, it could put those incumbents at risk of losing even if they have slight registration advantages.

“Does he want us to lose? I don’t understand this,” said a veteran Florida Republican operative who has worked on several past redistricting cycles. “This feels like chaos theory for him with an eye towards running [for president] in 2028. This is going to put Republican members at risk, but I just don’t get any sense he cares.”

The new map would get rid of the blue-leaning seat in Tampa currently held by Rep. Kathy Castor. She is the lone Democrat representing the region.

The proposal also appears to do away with the seat held by Democrat Darren Soto of Orlando, leaving one blue seat in the central part of the state.

And it would leave two Democratic-leaning seats in Palm Beach and Broward counties in South Florida, where Democrats currently have four districts: the seat recently vacated by former Rep. Sheila Cherfilus-McCormick, plus Reps. Debbie Wasserman Schultz's, Jared Moskowitz's and Lois Frankel's districts.

The new map removes any Democratic-leaning seats from the Tampa and Orlando areas, which are home to many Democratic voters. In order to make seats in those areas all Republican-leaning on paper, it likely means the actual margins in the new Republican seats — and potentially some the surrounding ones — are now much smaller.

“New FL map proposed by Gov. Ron DeSantis (R) would target four Dem seats, aiming to convert a 20R-8D delegation to 24R-4D. But in a year like 2026, not all of the 24 seats would be safe for the GOP,” Dave Wasserman, an election analyst for the Cook Political Report with Amy Walter, posted on X.

Florida is set to become the eighth state to redraw its lines this election cycle, after Trump kicked off a campaign last year to use redistricting to try to pad Republicans' slim majority in the House. That, for now, has not gone exactly as the White House has planned, as Democratic-led states also started redrawing their congressional maps, meaning that it’s unlikely that either political party won a huge number of new seats.

If Florida’s new map were to be implemented, it would cancel out the recent Democratic gains in Virginia, where voters approved a new plan that could see Democrats pick up four House seats. The Virginia Supreme Court heard arguments about the legality of that ballot measure push Monday.

In Florida, the new map will also almost certainly end up with the state Supreme Court, where DeSantis has appointed six of the current seven members. But giventhe language in the state Constitution about partisan “intent,” there are Republicans in the state not convinced the new map will pass legal muster, even with a favorable court.

“I think he [DeSantis] could eke out like a 4-3 win, or whatever,” said a state lawmaker who's a member of the Republican leadershipsaid. “But with redistricting, that’s not a given. It’s a pretty aggressive map, I just don’t know how that might play out.”

Exhibit 41

Ron DeSantis unveils new Florida congressional map that would give the GOP an extra four seats

foxnews.com/politics/ron-desantis-unveils-new-florida-congressional-map-would-give-gop-extra-four-seats

Preston Mizell April 27, 2026



Ron DeSantis

Hakeem Jeffries warned Florida Republicans to 'F around and find out' over the redistricting push

FIRST ON FOX: Florida Gov. Ron DeSantis revealed the new redistricted congressional map for the state, which shows the GOP gaining an extra four seats.

Should the state legislature, which holds a Republican majority in both the state House and Senate, approve the redrawing, it would then return to DeSantis to be signed into law and would apply to the 2026 midterms.

"Florida got shortchanged in the 2020 Census, and we've been fighting for fair representation ever since," DeSantis told Fox News Digital. "Our population has since grown dramatically, and we have moved from a Democrat majority to a 1.5 million Republican advantage. Drawing maps based on race, which is reflected in our current congressional districts, is unconstitutional and should be prohibited."



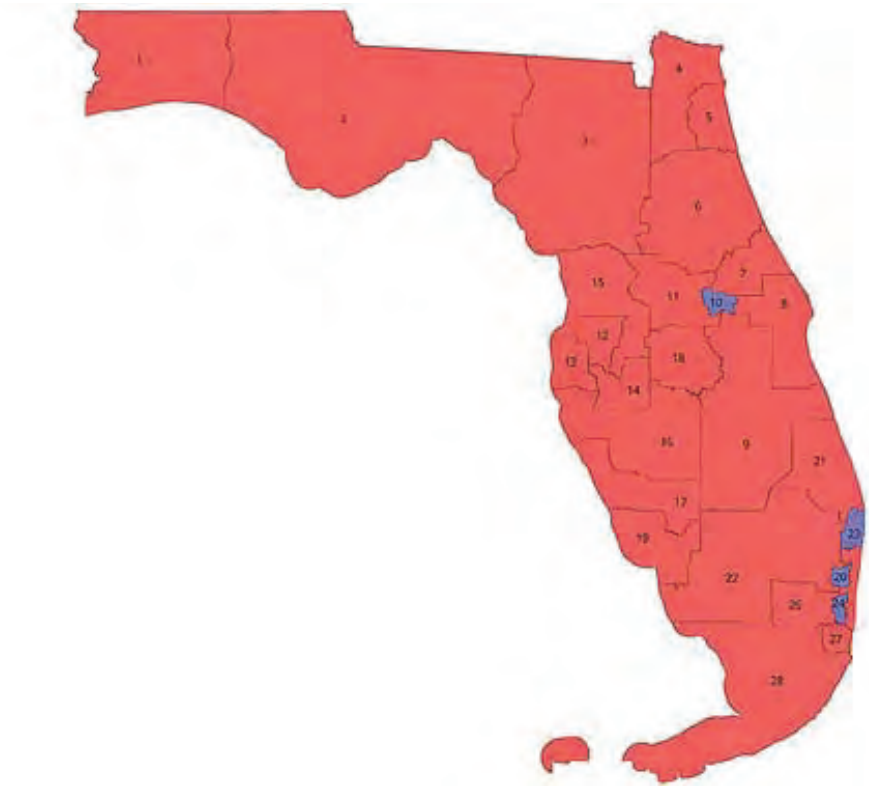
Florida Gov. Ron DeSantis unveiled a proposed redistricted congressional map that could give Republicans four additional seats if approved by the state legislature. (Chip Somodevilla/Getty Images)

"Our new map for 2026 makes good on my promise to conduct mid-decade redistricting, and it more fairly represents the makeup of Florida today," DeSantis added.

Currently, the Florida delegation to Congress is represented by 20 Republicans and seven Democrats, with an eighth Democratic seat vacant following the resignation of former Rep. Sheila Cherfilus-McCormick.

The redistricted map proposal comes after Virginia recently approved a constitutional amendment that would allow the state to redraw Virginia's congressional districts and flip four GOP seats to the Democratic side.

Virginia's new proposed map was praised by Democrats, including Gov. Abigail Spanberger and former President Barack Obama.



The proposed map redraws Florida’s congressional districts to reflect population shifts, consolidating GOP-leaning areas and creating four additional Republican-favored seats. (Office of Governor Ron DeSantis)

"Virginia voters have spoken, and tonight they approved a temporary measure to push back against a President who claims he is ‘entitled’ to more Republican seats in Congress," Spanberger said in a statement. "Virginians watched other states go along with those demands without voter input — and we refused to let that stand. We responded the right way: at the ballot box."

Ffity-one and a half percent of Virginia voters approved the amendment last week. Projections show 10 seats that likely will be won by Democrats, and just one by a Republican to represent the entirety of Virginia in Congress.

Currently, Democrats hold six seats in Virginia while Republicans hold five.



DeSantis argued the new map reflects Florida’s population growth and partisan shift while opposing race-based districting as unconstitutional. (Joe Raedle/Getty Images)

A source familiar with DeSantis’ new map told Fox News Digital that the redistricting proposal isn’t as closely tied to Virginia’s recent sway toward Democratic seats, and that the decision is more related to the population increases.

"The governor has been planning this long before what took place in Virginia, and continues to be adamant that Floridians deserve fair representation that accurately reflects the state’s changing population and demographics," the source told Fox News Digital.

California implemented a similar strategy with the implementation of Prop 50, which temporarily allows the far-left Democratic assembly in the state to draw new congressional maps.

The new California legislature-drawn maps show Democratic-leaning seats favoring four that were previously held by Republicans, with projections showing Democrats will hold as many as 48 seats in Congress while the GOP could have as few as four.

DeSantis faced opposition from House Minority Leader Hakeem Jeffries, D-N.Y., who is the most likely pick to serve as speaker of the House should Democrats take back the majority in November.



Florida Gov. Ron DeSantis, left, pictured alongside U.S. House Minority Leader Hakeem Jeffries, D-N.Y. (Eva Marie Uzcategui/Bloomberg via Getty Images; Tom Williams/CQ-Roll Call, Inc via Getty Images)

"Our message to Florida Republicans is F around and find out," Jeffries said. "If they go down the road of a DeSantis dummymander, the Florida Republicans are gonna find themselves in the same situation as Texas Republicans, who are on the run right now.

"Under no circumstances are Texas Republicans picking up five seats. They'll be fortunate if they get two or three. While in California, we are going to get all five," Jeffries added.

During a news conference in Florida, DeSantis responded to Jeffries' comments with an invitation to come down to the Sunshine State and campaign for Democratic congressional candidates, implying the state's Republican majority would hold strong in the midterm.

"Please. Be my guest. I will pay for you to come down to Florida to campaign," DeSantis said. "I'll put you up in the Florida governor's mansion. We will take you fishing."



Critics like House Minority Leader Hakeem Jeffries warned Republicans could face political backlash, while DeSantis dismissed the criticism and expressed confidence in GOP strength. (Brendan Smialowski/AFP via Getty Images)

"We'll do all this stuff. There's nothing that could be better for Republicans in Florida than to see Jeffries, Hakeem Jeffries, everywhere around this state," DeSantis added.

The redistricting fight has been bolstered across red and blue states as both parties attempt to take control of a Congress led by very slim majorities.

House Speaker Mike Johnson, R-La., encouraged Florida's redistricting attempt, saying that the state "has the right to do so.

"Florida has the right and the intention to do it. And my view is that they should," Johnson said last week.

Exhibit 42

DeSantis continues redistricting feud with GOP lawmakers by vetoing congressional map

miamiherald.com/news/politics-government/state-politics/article259897550.html

Mary Ellen Klas, Kirby Wilson, Lawrence Mower March 29, 2022



Florida Politics

By Mary Ellen Klas , Kirby Wilson and Lawrence Mower Herald/Times Tallahassee Bureau

Florida Gov. Ron DeSantis announced on March 29, 2022 that he had vetoed the congressional redistricting map sent by the Legislature. With midterm elections in 2022, the Legislature will return to Tallahassee for a special session to redraw the map. By The Florida Channel

TALLAHASSEE

Gov. Ron DeSantis on Tuesday vetoed a bill on congressional redistricting maps and called Florida legislators back into a special session in April to draw a new plan, setting up an intraparty feud over the future of redistricting in Florida.

The session, which will be set for April 19-22, could expand to include other issues, such as reviving the data privacy law, enacting a bill to allow legal gun owners to carry handguns openly or concealed without a permit, and perhaps even addressing the state's expanding property insurance crisis.

But the governor said the prospect of that expansion was only "a possibility" and he was not prepared to add it to the agenda.

“We just went through a legislative session where they failed to deliver on some of those priorities, and so what I will do is I will ask the legislative leaders: Is there something that you can get across the finish line, and I will encourage them to do that,’’ he said.

This is the starkest disagreement between the Republican governor and the Republican-led Legislature in DeSantis’ tenure.

First, DeSantis broke with tradition and proposed his own congressional redistricting plan that favored more Republicans than a plan that had been developed by the Florida Senate.

Then, for two months the governor tried and failed to get lawmakers to agree to his legal approach to redistricting, which argues that the protections afforded to Black voters in Jacksonville and Orlando were an “illegal gerrymander” because he says the courts have since determined that race should not take precedence over the 14th Amendment provisions of equal protection.

But, also for months, the legal teams advising the House and Senate told legislators that the legal landscape requires them to draw districts in Jacksonville and South Florida that give Black voters the opportunity to elect candidates of their choice, although they agreed to dismantle a Black-majority district in Orlando.

The Legislature’s two-map strategy

In an attempt to appease the governor, legislators passed a two-map package. They were so uncertain about the governor’s legal analysis, however, that they sent him a backup map and, in the text of the accompanying bill, they wrote that if a court invalidates the first map, the second map will take effect in law.

The first map dismantled a sprawling North Florida congressional district designed to elect a Black representative to Congress and similar to the one state and federal courts upheld in 2015. Legislators replaced it with a Jacksonville-centric district that also could elect a Black candidate. The second map restores the North Florida Congressional District 5 as the court approved it in the 2010 redistricting cycle.

Central to the dispute is whether the state and federal constitutions protect minority voters against having the ability to elect candidates of their choice diminished with the new maps. The Fair Districts provisions of the Florida Constitution prohibit legislators from diminishing minority voting strength. They were patterned after the federal Voting Rights Act, particularly Section 5, which prohibits voting practices that discriminate on the basis of race, color, or membership in a language minority group.

In his veto letter, DeSantis cited case law from 1992 and 1995 and said that the Legislature’s congressional map was unconstitutional “because it assigns voters primarily on the basis of race but is not narrowly tailored to achieve a compelling state interest.”

However, DeSantis also argued that the first map didn't go far enough to protect the ability of Black voters to elect their preferred candidates because the Legislature's map reduces the Black voting age population in the North Florida minority district by 11 percentage points — below that of the district in the existing map that he considers unconstitutional.

The second map, he argued, goes too far because it protects Black voters at the expense of white voters and "in doing so, it violates the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution."

Voting advocacy organizations have warned legislative leaders that their congressional maps violate the Fair Districts provisions and, in a letter to House members in February, House Speaker Chris Sprowls acknowledged that the primary map diminishes access for some Black voters in North Florida to elect candidates of their choice.

"We believe this solution creates a singular exception to the diminishment standard,'' Sprowls wrote. He added that the "secondary map is one the Legislature knows is legally compliant under current law and keeps the previously-proposed configuration of District 5."

Disagreement over protecting minority districts

But in comments to reporters on Tuesday, DeSantis signaled that he believes minority districts must have at least 50% of their voters as minorities and any district with fewer than that cannot be diminished. By contrast, legislators have defended districts based on how they perform in elections and that includes some districts that will elect a minority candidate even though there are fewer than 50% minority voters in a district.

If legislators argue that a district with 30% minority voters "couldn't be diminished, well, then I think then you run into where the redistricting amendments become problematic,'' DeSantis said.

His veto message argued that the "sprawling, non-compact district that spans 200 miles and repeatedly violates traditional political boundaries to join minority communities from disparate geographic areas" violates the Constitution because it is "not narrowly tailored to achieve the compelling interest of protecting the voting rights of a minority community in a reasonably cohesive geographic area."

DeSantis also told reporters that his strategy was not to bring forward maps that would invalidate the Fair Districts amendments.

"Our goal in this was just to have a constitutional map. We were not trying to necessarily plot a type of litigation strategy,'' he said.

Ellen Freidin, chief executive officer of FairDistricts Now, a nonpartisan organization that worked to pass the 2010 constitutional amendment to impose new redistricting standards in Florida, criticized the governor's interpretation of the law.

“Apparently, Gov. DeSantis believes that trampling on rights of minority voters and turning back the clock to ignore those rights will enhance his standing with Florida and national voters,’’ she said. “FairDistricts Now hopes the legislative leaders will not allow the governor to bully them into disregarding the those hard-earned rights. We will do everything in our power to ensure that those rights are protected and are enforced.”

Meanwhile, time is getting short for candidates trying to decide in which districts to run in November. Congressional candidates must qualify for election between June 13 and 17 and because Florida’s population growth allows it to add another congressional district, the maps must be completed by those dates.

If legislators don’t agree to the governor’s approach, he could veto the map again and then lawmakers could declare an impasse and ask a state court to draw the map. Since 2012, Florida courts have become increasingly conservative, stocked with judicial candidates chosen by former Gov. Rick Scott and now DeSantis.

Common Cause and FairDistricts Now have already asked a federal judge to draft a congressional map for Florida. And a group of Florida voters asked a Tallahassee judge to preemptively settle a potential impasse between the governor and Legislature over proposed congressional redistricting lines.

Legislative leaders comment

In a joint statement after the governor’s announcement, Sprowls and Senate President Wilton Simpson noted that the congressional map and the two legislative maps they passed had “strong bipartisan support.” The legislative maps were declared valid by the Florida Supreme Court, but the congressional map requires the governor’s approval.

“Our goal is for Florida to have a new congressional map passed by the Legislature, signed by the governor, and upheld by the court if challenged,’’ they said in the statement.“Therefore, it is incumbent upon us to exhaust every effort in pursuit of a legislative solution.”

Members of the House Democratic Caucus said in a statement that they predicted the veto, and it is a signal that the governor is intent on diminishing Black voting rights in Florida.

“DeSantis has been force-feeding his desired map onto House and Senate leadership resulting in a ridiculous two-map legislative submission that cowardly attempted to appease his racist political agenda,” said Rep. Kelly Skidmore of Boca Raton, the ranking Democrat on the House Congressional Redistricting Subcommittee.

This conflict has already played out once. In February, DeSantis’ office paid for a conservative redistricting expert to appear before the House redistricting subcommittee to make the governor’s legal case.

Robert Popper, a senior attorney with the conservative activist group Judicial Watch, attempted to persuade the Republican-controlled committee that North Florida Congressional District 5, as drawn by legislators to follow the district approved in the last redistricting cycle,would no longer be considered legal under his interpretation of federal voting rights law.

After Republicans on the panel vigorously questioned him, the committee rejected Popper's arguments and moved ahead with its original map that leaves the North Florida Congressional District 5 in place.

"I want to assuage any doubt that may be in front of you today,'' said Rep. Tyler Sirois, R-Merritt Island, at the end of the February meeting. "This is a legally sound map. It's a constitutionally compliant map."

DeSantis kept leaning in, legislators on the committee said, urging them to present a modified plan that appears closer to the way Popper had suggested.

During the House debate on the congressional redistricting bill, several Republicans were called to the governor's office where they were urged to vote against the House plan, Skidmore said.

"There was a lot of pressure. There were threats of primarying [candidates mounted against them]," she said. "They were scared. They were worried.''

Mary Ellen Klas can be reached at meklas@miamiherald.com and @MaryEllenKlas

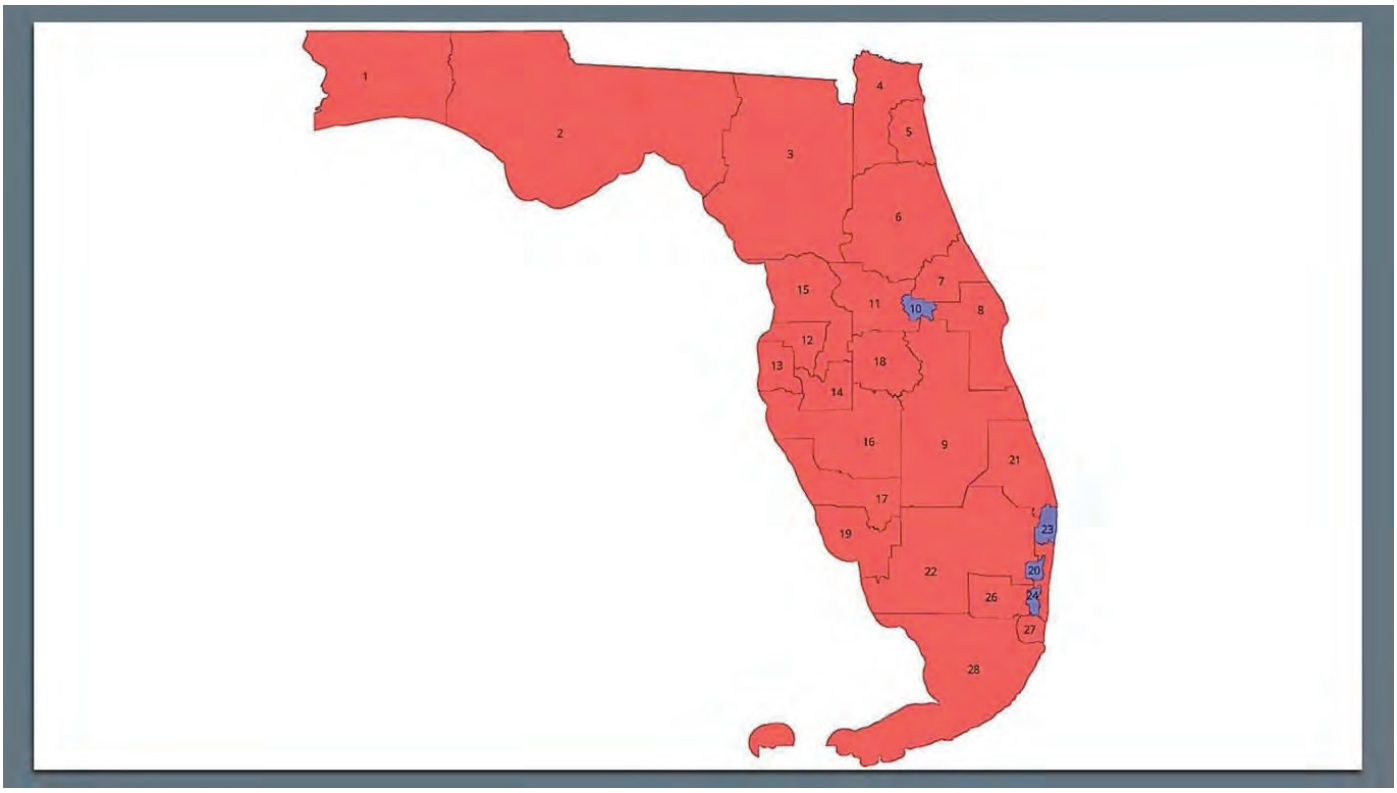
This story was originally published March 29, 2022 at 12:15 PM.

Exhibit 43

DeSantis unveils proposed new Florida map as redistricting war rages

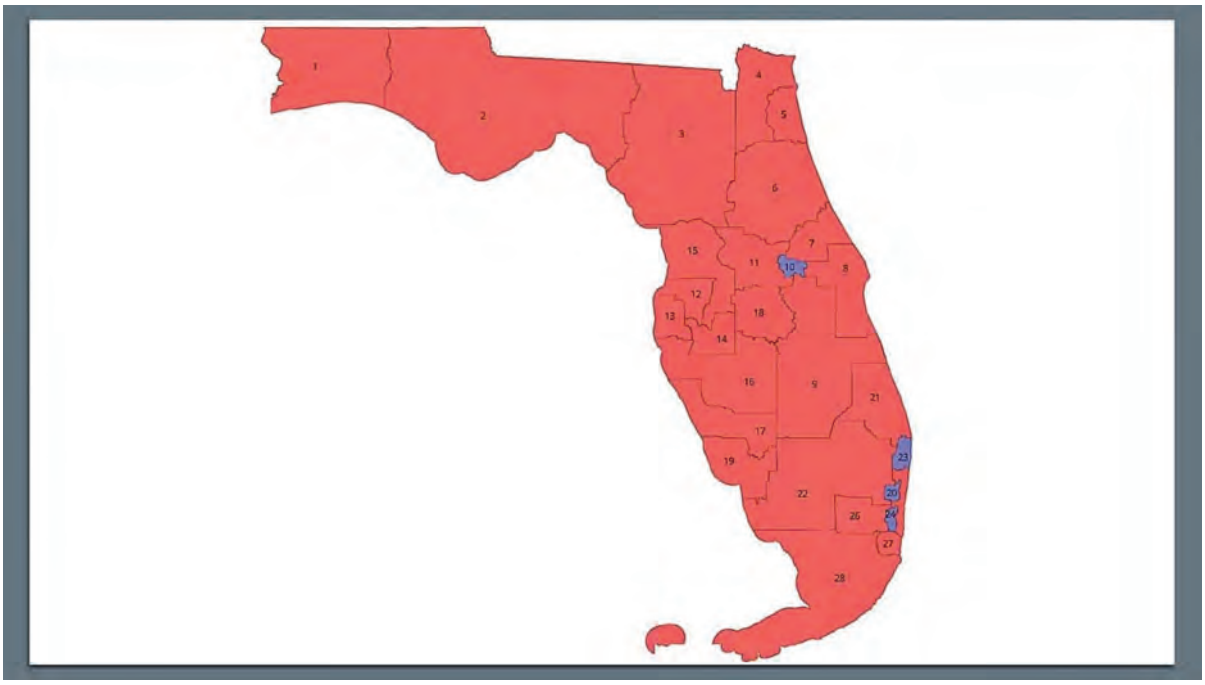
axios.com/2026/04/27/desantis-florida-map-gerrymandering-redistricting-war

Andrew Pantazi,Avery Lotz,Marc Caputo April 27, 2026



DeSantis unveils gerrymandered Florida map as redistricting

war rages



Florida's new proposed congressional map, provided by Gov. Ron DeSantis' office.

Florida Gov. Ron DeSantis' office came close to admitting he wanted state lawmakers to intentionally create new Republican congressional seats by sending reporters a new House map that color-coded districts by party**.**

Why it matters: Florida's constitution bans intentionally drawing maps to benefit either party, but President Trump has pushed red states to redraw their districts to improve Republicans' chance of holding Congress in November.

- The map showed four blue districts for Democrats and 24 red for Republicans, up from 20 Republicans in Florida's current delegation.
- DeSantis has signaled he has a three-step plan for his maps to survive court challenges, at least in the short term, by playing for time, Axios reported last week.
- Democratic and liberal groups already plan to sue the moment the maps are passed.

Normally, redistricting maps have a broad array of colors that clearly delineate district boundaries.

- Florida legislators historically avoided maps with just red and blue district colors to avoid the appearance of partisan gerrymandering.
- DeSantis' office did not immediately respond to Axios' request for comment.

The big picture: DeSantis went beyond pushing new maps. He told lawmakers to treat the Fair Districts Amendments as entirely void, wiping out protections 63% of voters approved in 2010.

- His general counsel argued the amendments' language mirroring the federal Voting Rights Act was unconstitutional. That, he said, nullifies everything in the amendments.
- The amendments banned partisan gerrymandering, barred protecting incumbents, and required compact districts. It also offered protections for Black and Hispanic voters.
- Nick Stephanopoulos, a Harvard law professor and the director of strategy of the school's Election Law Clinic, told Axios ahead of the map's release he's skeptical the Fair Districts Amendments would "have any teeth," given the state Supreme Court — all but one of whom were appointed by DeSantis — has already chipped away at it.

Driving the news: The Florida legislature will convene a special session Tuesday to consider the proposed map, which was first reported by Fox News Digital

- DeSantishas claimed redistricting is necessary to reflect Florida's changing population, citing his grievances with how many seats his state received following the 2020 census. Under his map, Florida will continue to have 28 seats. Redistricting just moves the lines between them.
- DeSantis also said he expects the Supreme Court to rule to rule that drawingdistricts based on race violates the 14th Amendment.

State of play: The new map, based on Axios' analysis, gives Republicans a better chance of resisting political headwinds after strong Democratic performances in Florida special elections.

- Trump would have carried 24 of the proposed districts, up from 20 under the current map. He would have won 22 seats in 2020.
- If voters swing 10 points toward Democrats from 2024 presidential levels, Republicans would still carry 23 seats and nearly tie in a 24th.

What they're saying: Daniel Smith, a University of Florida political science professor, writes in an email that the proposed map "depends heavily on the assumption that Democrats will stay home in November (as they did in 2024) and that independents will break for Republicans (as they did in 2022)."

Friction point: Analysts have said redistricting Florida could be a gamble that risks diluting GOP dominance in districts held by Republicans. That's left sitting House members sweating.

- Rep. María Elvira Salazar (R-Fla.) has been warning about slipping GOP support among Latinos, a critical voting bloc in Florida that swung toward Trump in 2024.
- "I like my lines," Salazar, who represents a heavily Latino district that includes parts of Miami, told Axios' Kate Santaliz when asked if she supported the redistricting push in her state.
- ButDeSantis has a chilly relationship with the state's congressional Republicans, who supported Trump over the governor the 2024 GOP primary.

Editor's note: This is a breaking news story and will be updated.

Exhibit 44

Florida special session: Governor’s congressional map push sparks debate

fox13news.com/news/florida-special-session-governors-congressional-map-push-sparks-debate

Evan Axelbank April 22, 2026



Florida redistricting fight

The spotlight is turning to Florida ahead of a special session that will decide the fate of a new Congressional map that Republicans hope will net several seats for their party in November's midterm elections. FOX 13's Evan Axelbank reports.

TALLAHASSEE, Fla. - The spotlight is turning to Florida ahead of a special session that will decide the fate of a new Congressional map that Republicans hope will net several seats for their party in November's midterm elections.

On Tuesday night, Virginia voters approved a new map that could help Democrats gain four seats in Congress.

But the effort in Florida is less clear, because of political realities and parameters set by Florida's voters in the state Constitution.

What they're saying:

"Our message to Florida Republicans is F around and find out," said House Democratic Leader Hakeem Jeffries.

Standing next to a poster with a batch of Republican seats his party would like to target in Florida, Jeffries dared Gov. DeSantis to go through with his push to redraw Florida's congressional seats mid-decade.

"If they go down the road of a DeSantis Dummymander," he said, "the Republicans (will) dummymander their way into the minority before a single vote is cast."

The backstory:

The current map has 20 Republicans and eight Democrats representing Florida.

But the governor has argued that the state was unfairly deprived of up to three seats in the 2020 census.

He will submit a new map to lawmakers next week.

The problem for Republican partisans is the constitutional language Floridians approved in 2010.

"No apportionment plan or individual district shall be drawn with the intent to favor or disfavor a political party or an incumbent."

Governor DeSantis discussed the effort publicly during a press conference in Tampa last year.

"They're not allowed to use the partisan data, they have to just draw, and they will do that, that's what our current map is."

Dig deeper:

But with suspicion that a Florida re-draw is politically motivated, Jeffries is making the point that by pulling Republican voters into Democratic districts, the districts those voters were in will unavoidably get tougher for the current Republican occupants.

In an environment where Dems have racked up wins in special elections since President Trump took over, is it a recipe to unwittingly hand Democrats even more seats?

"Florida certainly has moved very strongly to Republicans over the last several years," said Kyle Kondik of the Center for Politics. "But Republicans in the state also have to be careful that this map is, they have to assume that it's going to be stress tested by a difficult environment in 2026."

And then there's the question of legality.

Experts say that there's no question the Florida maps will be questioned in court, with advocates arguing that the political context is plainly obvious.

This all started in Texas, with Trump unabashedly pushing for more Republican districts to be drawn.

"We have never done mid-decade redistricting in the state of Florida," said State Rep. Fentrice Driskell (D-Tampa). "The only reason that the Republicans started talking about this was because Donald Trump wanted them to."

What's next:

The state senate is waiting for the governor to submit new maps to be debated during a special session on Tuesday.

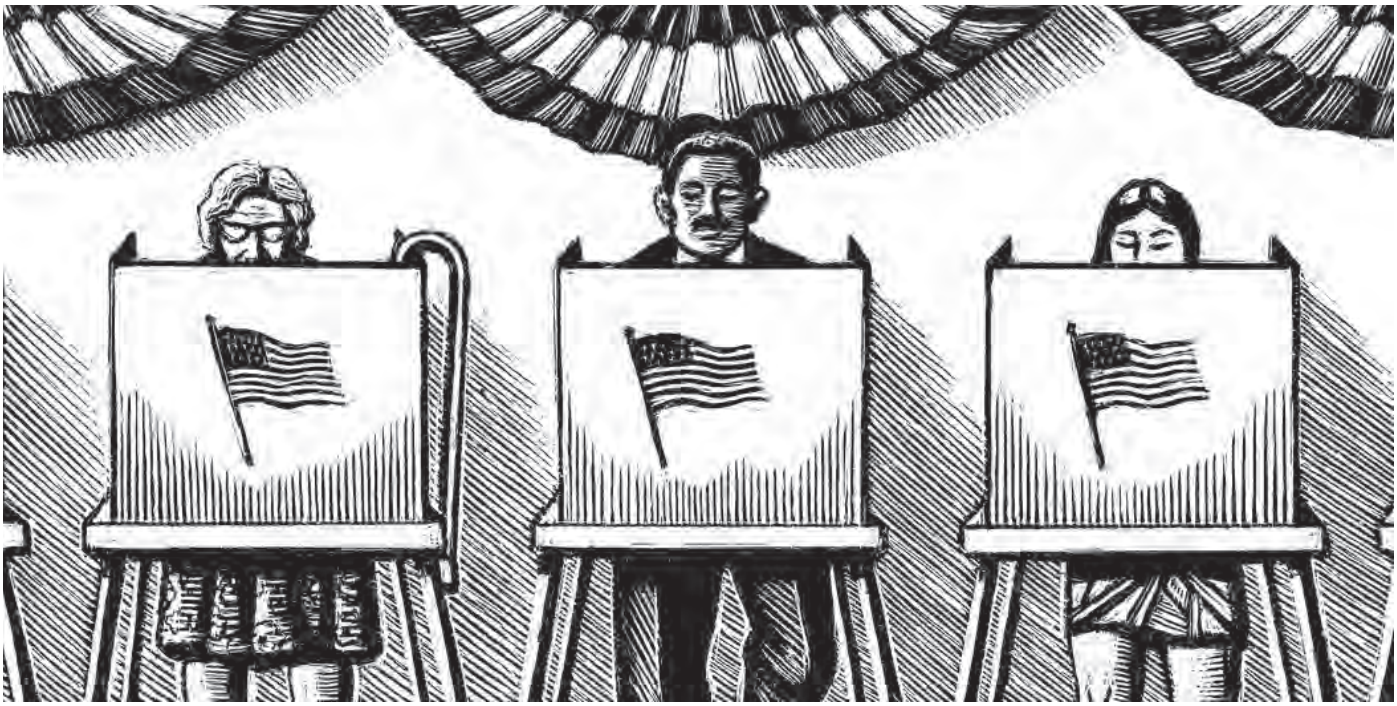
Exhibit 45

States Pass Constitutional Amendments on Redistricting, Parental Rights, Water Preservation, and More

statecourtreport.org/our-work/analysis-opinion/states-pass-constitutional-amendments-redistricting-parental-rights-water

By Erin Geiger Smith

November 5, 2025



Voters in multiple states approved state constitutional amendments and changes to state law in Tuesday's election, including a California redistricting measure that is part of a national battle over who will control the U.S. House of Representatives after the 2026 elections, a "red flag" gun law in Maine, and a water preservation measure in Texas.

Measures also appeared on ballots in Colorado, New York, and Washington. Seventeen of the 26 total measures appeared on Texans' ballots, with all 17 projected to pass. Below are some of the issues the measures addressed, and the results of those elections as of Wednesday afternoon.

Redistricting

California voters approved Proposition 50, a legislatively referred constitutional amendment that allows use of a new congressional district map until 2030. Though votes are still being counted, the proposition appears to have won by a wide margin. It was one of the most expensive ballot measures in state history.

The proposed map is designed to favor Democratic candidates for the U.S. House, expected to make five seats either competitive or easily winnable for Democratic candidates. The redraw was championed by Gov. Gavin Newsom (D) in response to Texas Republicans proposing and passing

a new map there that is expected to flip five current Democratic seats. Proposition 50 would also require the power to draw congressional lines be returned to the state's nonpartisan redistricting committee following the 2030 election.

Congressional maps are usually only redrawn after release of the once-a-decade census results. Mid-cycle redraws are rare. Multiple states, however, are now considering changes to their congressional maps.

Voting

Texas voters agreed to amend their constitution to say that "persons who are not citizens of the United States" cannot vote in Texas. Eight states approved similar language in 2024. Both state and federal law already limit voting to citizens only, and noncitizens voting in elections is extremely rare.

In **Maine**, voters said no to amending state law to make several voting-related changes, including limiting absentee voting and requiring voters to provide proof of photo ID before absentee or in-person voting. (The changes were all proposed in one citizen-initiated question.)

Gun Laws

Maine voters approved question two, a citizen-initiated measure to "allow courts to temporarily prohibit a person from having dangerous weapons if law enforcement, family, or household members show that the person poses a significant danger" to themselves or others. PBS News noted the vote comes two years after the state's deadliest mass shooting.

Parental Rights

Texas voters approved a constitutional amendment to affirm "that parents are the primary decision makers for their children," the ballot title said. Prior to the election, the *Texas Tribune* described the amendment as enshrining rights the way they are currently defined in federal court cases. Though the amendment had bipartisan support in the legislature, *The Nation* reported, organizing in support of the proposition was mostly done by conservative groups.

Judicial Conduct

Another amendment passed by **Texans** will change the makeup of the State Commission on Judicial Conduct, including by increasing from five to seven the number of citizens on the commission who are selected by the governor, giving the governor appointment power for a majority of the commission's 13 members. The amendment would also alter how the chief justice of the Texas Supreme Court selects the tribunals that review the commission's recommendations for removal or retirement of a judge and restrict the commission's ability to issue private reprimands in certain circumstances. Opponents of the amendment expressed concern it would

give the state's governor too much power. Current Texas Gov. Greg Abbott (R) previously removed acting commissioners for their 2019 decision to reprimand a judge who was refusing to conduct same-sex marriages.

Environment

Texas also voted yes on an amendment that will create a state water fund with the goal of repairing aging infrastructure and creating new water projects to respond to what state officials have called a growing water crisis.

In **New York**, voters approved, by a narrow margin, an amendment to allow the development of winter sports facilities on more than 300 acres in the Adirondack mountains. The proposal also requires preserving more than 2,500 acres of land.

Criminal Law

Texas voters "overwhelmingly passed" Proposition 3, which proposed allowing denial of bail if the state shows "by a preponderance of the evidence" that bail is not sufficient to prevent the defendant's "nonappearance" in court or ensure the safety of the community. The change relates to certain criminal offenses — including capital murder, aggravated sexual assault, or indecency with a child.

Taxes and State Investments

A majority of the ballot measures in **Texas** related to taxes, all were approved by voters. They included a ban on capital gains taxes for individuals or estates, a tax exemption related to "border security infrastructure," school tax exemptions for the elderly, and increased property tax exemptions that will allow Texas homeowners to put less tax money toward public schools.

Colorado approved a proposition to generate funds for its universal school meals program by lowering some citizens' tax deduction limits. In **Washington**, early returns show voters are likely to pass an amendment to allow a state-run long-term care fund — through which eligible workers can pay for services like in-home care, medical equipment, and nursing home stays — to be invested in stocks. A similar amendment was voted down by voters in 2020.

• • •

Most of the measures citizens considered will amend states constitutions and were initiated by state legislators, meaning they voted to place the measures on the ballot for public approval. Maine's, however, were citizen-initiated proposals to change the law. A simple majority vote is required to pass ballot measures in each of the six states.

Erin Geiger Smith is a writer and editor at the Brennan Center for Justice.

Suggested Citation: Erin Geiger Smith, *States Pass Constitutional Amendments on Redistricting, Parental Rights, Water Preservation, and More*, STATE COURT REPORT(Nov. 5, 2025), https://statecourtreport.org/our-work/analysis-opinion/states-pass-constitutional-amendments-redistricting-parental-rights-water

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  The proposed measure is in reaction to legislative efforts to make it more difficult for citizens to amend the state constitution.

  By Constance Van Kley

- **How Courts Oversee Ballot Initiatives**

  State courts — and to some degree federal courts — play a significant role in every stage of the direct democracy process.

Exhibit 46

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

KETO NORD HODGES, et al.,

Plaintiffs,

v. Case No. 8:24-cv-879

KATHLEEN PASSIDOMO, et al.,

Defendants.
_____/

EXPERT REPORT OF MARY E. ADKINS, J.D., M.A.

PURPOSE OF 2010 FAIR DISTRICTS AMENDMENTS
AS UNDERSTOOD THROUGH A HISTORICAL REVIEW OF THE
INFORMATION AVAILABLE TO VOTERS

Mary E. Adkins, J.D., M.A.

I. Introduction, Methods, and Summary of Conclusions

a. The initiatives

The 2010 Fair Districts initiatives were two proposed constitutional amendments with the primary purpose of minimizing the political partisan drawing of legislative and congressional districts in Florida. The purpose of these initiatives is found in the initiative text and organization, the public statements and identities of its sponsors and public supporters, court and legislative documents, the persons financially contributing to the initiative campaign, contemporaneous news reporting and polls, and the histories of similar redistricting reform efforts in Florida. The contemporaneous understanding of the initiatives is also found in the same information from and about the opponents of the initiatives.

The two initiatives were identical in wording except that the words "congressional" in Amendment 5 (Article III, section 20) were substituted with "legislative" in Amendment 6 (Article III, section 21). Both initiatives set forth six standards for redistricting: three mandatory standards in subsection (a) and three standards in subsection (b) that were subordinate to the standards in the earlier

subsection. Based on my assessment of the historical record, as available to voters in 2010, the first listed standard, prohibiting redistricting based on political partisanship or incumbency, was understood by the proponents, opponents, and voting public as the primary purpose of the Fair Districts amendments.

The historical evidence about one of the mandatory standards, the prohibition against minority vote dilution and diminishment of minority voting strength, shows the debate over this issue was expanded by initiative opponents, who hit upon it as a wedge issue to defeat the proposals. Proponents, through their lawyer, even told the Florida Supreme Court that the minority preservation provisions worked to support a single purpose: prohibit the use of race to support a "political gerrymander."

This Report presents the methods and results of the author's investigation into the purposes of the citizens' initiative proposals that eventually became Sections 20 and 21 of Article III in the Constitution of Florida. The two proposals became popularly known, and were publicized by their promoters, as the "Fair Districts Amendments." This Report investigates the history of the amendments and similar, related predecessor proposals and points out the identity of the promoters, the evolution of language, and the evolution of apparent purpose of the Amendments and their predecessors. It uses news articles, editorials, and opinion pieces; reports of polls; statements of both promoters and detractors; and analyses of sources of

monetary contributions to the initiatives. Specifically, it traces the role of minority vote protection or suppression in connection with the Amendments. It makes certain conclusions based on this information. Finally, it compares this history of perception of purpose with the history of perception of purpose of the federal Voting Rights Act of 1965.

It is critical to note, however, that the method by which citizens' initiatives come into being is fundamentally different from that of legislative constitutional proposals or revision-commission constitutional proposals. Unlike the other methods, amendments proposed by citizens' initiatives have no deliberative process. There is no legislative history and no staff analysis. There is no uniform committee process by which the language of the proposal is worked through or discussed. While a citizens' initiative may be the product of a group or committee, the Constitution does not require any process or documentation of its purpose. Therefore, one cannot look to legislative history when conducting a historical analysis of the purpose of a citizens' initiative.

b. Methods

My review of "print" news media begins with newspaper archives; however, each of the newspapers, with the exception of the Tampa Tribune and St. Petersburg Times, which have since merged into the Tampa Bay Times, has an online presence which is presumed to make available at least the same news stories, editorials,

opinion pieces, and letters to the editor that the physically printed versions do.[1] I began by conducting a search of the proprietary online newspaper aggregator "Newspapers.com." This aggregator uses many newspapers, including the major-market newspapers the Miami Herald, the Tampa Tribune, the St. Petersburg Times,[2] the Orlando Sentinel, the South Florida Sun-Sentinel, the Fort Myers News-Press, the Pensacola News Journal, and the Tallahassee Democrat.[3] The search terms I used included "Amendment" and "Fair Districts," and the time parameter was 2008 to 2010. This time frame would cover early efforts to gather signatures, early communications from the proponents, and early responses from the public.

c. Conclusions

The conclusions I have reached from compiling and analyzing this information are that the promoters of the Fair Districts Amendments presented them primarily to end political gerrymandering, the practice of drawing legislative and congressional district lines to favor a political party, incumbents from that party, or

[1] Bradenton.com; floridatoday.com; miamiherald.com; news-press.com; orlandosentinel.com; pnj.com; sun-sentinel.com; tallahassee.com; tcpalm.com (which includes St. Lucie News Tribune and Vero Beach Press Journal); yoursun.com.

[2] The Tampa Tribune has since bought the St. Petersburg Times; the combined newspaper is now called the Tampa Bay Times.

[3] A notable exception is the Florida Times-Union, the major daily newspaper in Jacksonville. However, upon inquiry with a newspaper librarian, the Florida Times-Union does not make its newspapers available to libraries or other sources for archival research. There is no reason to think that the publications in the Florida Times-Union would diverge, in any material respect, from those published in the remaining periodicals during the relevant timeframe. Therefore, the inability to include this particular newspaper does not alter the conclusions reached.

both.[4] This purpose is preserved in subsection (a) of the amendments, making it a mandatory "first-tier"[5] standard. Another intended purpose is to forbid districts from being "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"[6] (hereafter "preservation of minority representation" or "minority preservation"), which also appears in subsection (a), making it, too, a mandatory, or "first-tier" standard. However, the minority-preservation issue was raised less often in the news media than eliminating political gerrymandering was. My conclusion that minority preservation as a perceived intent is secondary to the partisan or incumbent intent issue is based on the number of times each was described in print news media as being a major goal of the Fair Districts Amendments.

Another notable pattern regarding preservation of minority representation as a part of the public perception of the Fair Districts Amendments is that the debate over this issue began in earnest only after the Florida Supreme Court opinion validating the Fair Districts initiatives for the ballot, on January 29, 2009. Initiative

[4] Art. III, § 20 (a), Fla. Const. (1968, 2010).
[5] *See Senate Joint Resolution of Legislative Apportionment 1176*, 83 So. 3d 597, 599 (Fla. 2012) (referring to "tiers").
[6] Art. III, § 20 (a), Fla. Const. (1968, 2010).

opponents attempted to take the upper hand on this one standard, claiming that the standards would actually diminish minority representation.

In contrast, it is not surprising that a review of the history leading up to the passage of the Voting Rights Act of 1965 (the "VRA") reveals that facilitating Black voting rights was the primary—really, the only—goal. The Fair Districts Amendments, while concerned with preserving minority representation, tempered that concern in two ways: first, by making minority representation only one of two main goals, which did not receive as much media attention as the other main goal; and, second, by using the term "racial and language minorities," rather than narrowing the minority focus to Black voting. The VRA added "language minority" protections in 1975, ten years after its creation and passage as a remedy for Black disenfranchisement.[7]

[7] Act of Aug. 6, 1975, Pub. L. No. 94-73, Title II, secs. 203, 206, 207, 89 225 Stat. 400, 401-02 (codified as amended at 42 U.S.C. §§ 1973(a), "No voting qualification or prerequisite to voting or standard, practice, or procedure shall be imposed or applied by any State or political subdivision in a manner which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color, or in contravention of the guarantees set forth in section 1973b(f)(2) of this title, as provided in subsection (b) of this section;" 1973b(f)(2), "No voting qualification or prerequisite to voting, or standard, practice, or procedure shall be imposed or applied by any State or political subdivision to deny or abridge the right of any citizen of the United States to vote because he is a member of a language minority group;" 1973d; 1973k; 1973l(c)(3), "The term 'language minorities' or 'language minority group' means persons who are American Indian, Asian American, Alaskan Natives or of Spanish heritage").

II. History of Attempts to Change or Add Redistricting Methods to the Florida Constitution

a. 1977-78 CRC

The near-total revision of Florida's Constitution in 1968, omitting only the Judicial Article, called for a revision method that was then, and remains more than fifty years later, unique in the United States: an automatically recurring, every-twenty-years, constitution revision commission with the power to place proposals for amending the constitution directly on the ballot, without having to endure any approval process from the legislature or the courts.

The first Constitution Revision Commission (CRC) met in 1977 and 1978, just under ten years after the constitution was adopted.[8] That CRC proposed several changes to the new constitution. One of them, Revision 3, called for an independent redistricting commission, which would replace the legislature in the decennial redistricting process mandated to take place after every federal census. The commission was to have been bipartisan, with seven members made up of one gubernatorial choice from each of five lists (one list each from the House Speaker, Senate President, House minority leader, Senate minority leader, and chair of the state political party receiving the second-greatest number of votes in the most recent

[8] The Constitution provided for the first CRC to occur ten years after the Constitution was adopted and all subsequent ones to be every twenty years thereafter. Art. XI, § 2 (a), Fla. Const. (1968, superseded 1998).

gubernatorial election), plus one more person chosen by the Governor. Those six would choose a seventh member.

The proposal also contained a section establishing standards. It mandated that districts be "as nearly equal in population as is practicable," with congressional districts varying by no more than one percent.[9] It mandated districts be "composed of convenient contiguous territory" and be "drawn to coincide with the boundaries of local political subdivisions."[10] Third, it mandated that districts be compact, and provided a rule of thumb to determine compactness.[11] Fourth, it required a plan "equitable to all electors."[12] Factors forbidden from consideration in this equitable plan were "demographic information or information about incumbent legislators, the political affiliations of registered voters, or previous election results for the purpose of favoring any political party, incumbent legislator, or any other person or group."[13] Finally, the proposal forbade any district from being drawn "for the purpose of diluting the voting strength of any language or racial minority group."[14] Given that the 1977-78 CRC was made up of 33 Democrats and just 4 Republicans, and that the

[9] 1978 CRC Proposed Revision 3 (1978), full text provided in Appendix 1.
[10] Id.
[11] Id.
[12] Id.
[13] Id.
[14] Id.

Legislature was dominated by Democrats by a margin of 29 to 11 in the Senate[15] and 93 to 27 in the House,[16] it is remarkable that the CRC would have proposed a body that would remove the Legislature's ability to draw its own districts.

Placed alongside the districting commission on the ballot was a mandate for single-member districts, which tend to make it easier for minorities to elect representatives.[17] An examination of the transcripts from the CRC plenary discussion about the independent redistricting commission reveals that almost no discussion occurred about the commission itself. Much controversy surrounded the single-member-districts, however. The proposal containing both the independent redistricting commission and the single-member-district mandate was defeated at the polls, as was every other proposal submitted by the CRC that year.

b. 1980 – 1993: Not quite

An identical proposal was attempted for the next election cycle, 1980. A group composed of Common Cause, the NAACP, the Republican Party of Florida, and the Association of Florida Conservatives, attempted to persuade the Legislature to place the CRC's measure on the ballot as a joint resolution. When the Legislature refused,

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[15] The Florida Senate 1978-1980, https://www.flsenate.gov/UserContent/Publications/SenateHandbooks/pdf/78-80_Senate_Handbook.pdf (last visited August 13, 2024).
[16] Bound House Journal 1978, Members and Officers page, Search & Browse (flleg.gov) (last visited August 13, 2024).
[17] Id.

the group began its own initiative campaign. However, the initiative could not collect enough petition signatures to reach the ballot.[18]

No other attempt to alter the redistricting process gained any legs until 1993, a year after the historically contentious 1992 redistricting cycle. That cycle produced the most bitter (at least publicly so) redistricting process then known in Florida. In 1993 Ander Crenshaw, then the Republican President of the Florida Senate, proposed an independent redistricting commission and additional redistricting standards, a proposal supported by Democratic Governor Lawton Chiles. The proposal would have created a seven-member redistricting board appointed by judges. It also provided for standards that forbade favoring political parties or incumbents, and that would protect racial minorities.[19] That proposal passed the Senate—which was evenly divided between Republican and Democratic senators—unanimously, but it died on the calendar in the House.[20]

[18]https://dos.elections.myflorida.com/initiatives/initdetail.asp?account=14&seqnum=15 (last visited August 10, 2024); Case Studies of State Redistricting Campaigns, Volume 3: Florida, FairDistrictsFlorida.org, at 5 https://www.brennancenter.org/sites/default/files/publications/FairDistrictsFlorida%20-%20Vol%203%20-%20final.pdf (last visited August 21, 2024). The full text of the attempted initiative is provided in Appendix 2.

[19] Brennan Center: Redistricting Case Study, supra 18, at 5. The full text is provided in Appendix 34.

[20] Id.

c. 1997-98 CRC

Four years later, when the 1997-98 CRC met, the subject of an independent redistricting board arose again. However, this was an unusual moment in Florida political history. In 1996, for the first time since Reconstruction, both houses of the Legislature were led by Republicans. This fact had two important effects. First, as to the operation of the CRC, which contained 19 Democrats and 18 Republicans, the group realized it would need to develop broad consensus on issues to be able to present proposals that had bipartisan support both within the CRC and to the voting public. By nearly all accounts, CRC members reported that their work on this CRC was the best government-service experience of their lives. Everyone was collegial and respectful, even in disagreement. Second, as to the operation of the state, the Republicans appeared poised to be still in the legislative majority for the next redistricting, in 2002.

Republicans had not had the opportunity to lead redistricting for more than one hundred years, and perhaps they could not be faulted for anticipating that process with joy, if not avarice. Yet it was a former Republican legislator, CRC member Marilyn Evans-Jones, who sponsored an independent redistricting commission. Predictably, her proposal generated both praise and exasperation. But the proposal received the necessary supermajority of 22 votes (of 37) to be placed on the ballot.

At that point, an unnamed Republican member of the CRC told Evans-Jones, "Congratulations. You have just destroyed the Republican party."[21]

The proposal, in its final form, provided for eleven appointed commissioners and added standards calling for single-member districts: "A district of either house may not include territory of any other district of the same house."[22] It also protected minority representation: "Districts may not be drawn in a manner that dilutes the voting strength of any racial or language minority group."[23]

When the Legislative session began in the spring of 1998, the CRC was still wrapping up its business. The legislative leadership soon began lobbying the CRC to take a re-vote on the independent redistricting commission. After much effort, they succeeded. When the re-vote took place, not without some twists in procedure, the redistricting commission failed placement on the ballot by 2 votes.

Since 1998, several attempts have been made through citizens' initiatives to create redistricting commissions, establish standards for districting, or both. A brief description of each follows.

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[21] Martin Dyckman," Appointees don't always do as told," *St. Petersburg Times* (May. 19, 1998).
[22] 1997-1998 Constitution Revision Committee Proposal No. 172 (a), https://library.law.fsu.edu/Digital-Collections/CRC/CRC-1998/pdf/0172fp.pdf (last visited August 14, 2024). The full text is provided in Appendix 4.
[23] Id.

d. 2002 initiatives

Two proposals, sponsored by People Over Politics, were approved by the Secretary of State on November 4, 1999. One, proposal 99-06, would create standards for redistricting and the other, proposal 99-07, would create a districting commission. The proposed ballot title and summary of 99-06 were as follows:

> Ballot Title:
>
> Standards to be followed in apportioning or creating legislative or congressional districts
>
> Ballot Summary:
>
> Establishes additional standards for legislative or congressional reapportionment beyond existing equal population requirement; districts shall be compact and composed of contiguous territory, avoiding division of counties where possible; districts shall not dilute voting strength of any group based on race, religion or national origin; districts shall not be drawn to favor or disfavor any incumbent, political party or other person.

The proposed ballot title and summary of 99-07 were:

> Ballot Title:
>
> Creates independent nonpartisan commission to apportion legislative and congressional seats which replaces apportionment by legislature
>
> Ballot Summary:
>
> Creates 17-member commission replacing legislature to apportion legislative and congressional districts following census; state officials, members of congress, lobbyists, party officers, relatives or employees are ineligible; commissioners swear not to seek office in such districts or be paid lobbyists for four years; 16 members selected equally by majority and minority parties who select 17th member; all actions

> require 3/5 vote; not adopting districting plan within 180 days requires state supreme court to apportion.[24]

Also sponsored by Common Cause Florida, Florida Silver Haired Legislature, and the League of Women Voters of Florida, the initiatives were closed before qualifying for the ballot. It appears that funding and sufficient valid signatures were elusive.[25]

e. 2004 Election Cycle

Two initiatives were proposed in 2003 for the 2004 election; both were sponsored by the Committee for Fair Representation, and both were approved by the Secretary of State on October 13, 2003, although their unofficial vote total, as shown on the state initiatives website, was zero.[26] Proposal 03-37, titled "Additional Standards to be Followed in Apportioning Legislative and Congressional Districts," was, as its name indicates, an attempt to create standards for apportionment. Its ballot summary read as follows:

> Establishes additional standards for legislative and congressional districts beyond those currently set forth in the state constitution: districts shall be compact and shall, where practicable, utilize existing political and geographical boundaries; districts shall, where practicable, preserve communities of interest; and districts shall not be drawn to favor an incumbent, political party or other person.

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[24] The full text of each is in Appendix 5.

[25] https://dos.elections.myflorida.com/initiatives/initdetail.asp?account=30560&seqnum=2; https://dos.elections.myflorida.com/cgi-bin/TreSel.exe (last visited August 10, 2024).

[26] https://dos.elections.myflorida.com/initiatives/initdetail.asp?account=37828&seqnum=1; https://dos.elections.myflorida.com/initiatives/initdetail.asp?account=37828&seqnum=2

The proposed standards did not mention minority representation.

The second, proposal 03-38, would have established an independent redistricting commission. Its ballot title and summary read as follows:

> Ballot Title:
>
> Independent nonpartisan commission to apportion legislative and congressional districts which replaces apportionment by legislature
>
> Ballot Summary:
>
> Creates 17-member commission replacing legislature to apportion legislative and congressional districts following census; state officials, members of congress, lobbyists, party officers, relatives or employees are ineligible; commissioners swear not to seek office in such districts or be paid lobbyists for four years; 16 members selected equally by majority and minority parties who select 17th member; all actions require 3/5 vote; not adopting districting plan within 180 days requires state supreme court to apportion.[27]

Both initiatives were withdrawn; neither appeared on the ballot.[28]

f. 2006 Election Cycle

Nine initiatives that sought to alter redistricting were filed for the 2006 elections cycle; two committees sponsored these nine initiatives. Three of them were filed by a group named the Committee for Fair Elections. One sought to establish a "nonpartisan" districting commission to determine legislative and congressional maps and included standards for drawing districts. Another sought to set forth

[27] Initiative Information (myflorida.com) (last visited August 23, 2024).
[28] https://dos.elections.myflorida.com/initiatives/ (last visited August 10, 2024).

redistricting standards, and the third sought to create an implementation schedule should the districting commission be approved by the voters. The proposal regarding redistricting standards was found to exceed the maximum permitted number of words for the ballot summary; consequently, it was never submitted to the Attorney General for review. The implementation schedule was voluntarily withdrawn.

The remaining proposal, for the independent districting commission, was found in its Supreme Court review to violate both the single-subject rule and the accurate-summary rule. The Court found that, because the proposal both sought to create a new method of redistricting and prescribe new standards to be used in that redistricting, it violated the single-subject rule. Three justices concurred, adding that coverage of both legislative and congressional districting also violated the single-subject rule. The Court found the summary misleading because it described as "nonpartisan" a process that more accurately should have been called "bipartisan."[29] When it was disapproved, it had already garnered 689,325 petitions, exceeding the required number by 75,000.[30]

The ballot title and summary for this initiative, number 05-14, read:

Ballot Title:

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[29] *Advisory Opinion to the Attorney General re: Independent Nonpartisan Commission to Apportion Legislative and Congressional Districts which Replaces Apportionment by Legislature*, 926 So. 2d 1218 (Fla. 2006).

[30] https://dos.elections.myflorida.com/initiatives/initdetail.asp?account=41643&seqnum=1 (last visited August 10, 2024).

> Independent Nonpartisan Commission To Apportion Legislative And Congressional Districts Which Replaces Apportionment By Legislature
>
> Ballot Summary:
>
> Creates fifteen member commission replacing legislature to apportion single-member legislative and congressional districts in the year following each decennial census. Establishes non-partisan method of appointment to commission. Disqualifies certain persons for membership to avoid partiality. Limits commission members from seeking office under plan for four years after service on commission. Requires ten votes for commission action. Requires Florida Supreme Court to apportion districts if commission fails to file a valid plan.

Its full text provided, in section (a), the language that led the Supreme Court to invalidate it for containing standards, not just a proposal to create a districting commission. The offending language: "[A] commission shall divide the state into . . . consecutively numbered single-member senatorial districts of convenient contiguous territory . . . ." The language describing representative districts was the same. The language describing congressional districts did not include this language. However, the final sentence in section (a), applicable to all districts, provided that they be "as nearly equal in population as practicable."[31]

The remaining six initiatives were sponsored by the Committee for Fair Representation, which had different principals from the Committee for Fair Elections, as set out on their respective registration materials.

[31] https://dos.elections.myflorida.com/initiatives/fulltext/pdf/41643-1.pdf (last visited August 10, 2024).

Two of them—both showing zero signatures and both withdrawn—had the same title and similar summaries. The only substantive difference is that proposal 5-12 had one more standard described in the summary than 05-05 did. Their titles and summaries were:

> 05-05
>
> Ballot Title:
>
> Additional Standards To Be Followed In Apportioning Legislative And Congressional Districts
>
> Ballot Summary:
>
> Establishes additional standards for legislative and congressional districts beyond those currently set forth in the state constitution; districts shall be compact and shall, where practicable, utilize existing political and geographical boundaries; districts shall; where practicable, preserve communities of interest; and districts shall not be drawn to favor an incumbent, political party or other person.[32]
>
> 05-12
>
> Ballot Title:
>
> Additional Standards To Be Followed In Apportioning Legislative And Congressional Districts
>
> Ballot Summary:
>
> Establishes additional standards for legislative and congressional districts beyond those currently set forth in the state constitution. Requires that districts be compact and, where practicable, utilize existing political and geographical boundaries; that districts, where

[32] https://dos.elections.myflorida.com/initiatives/initdetail.asp?account=37828&seqnum=3 (last visited August 10, 2024).

> practicable, preserve communities of interest; that districts not be drawn to favor an incumbent, political party or other person; and that districts not consider the residence of any individual, except to comply with the constitution or laws of the United States.[33]

Again, neither of these initiatives mentioned minority representation, though both included most of the other requirements that the Fair Districts Amendments would later contain.

III. Fair Districts Proposals 2008 - 2010

By the time, then, that the organization sponsoring the Fair Districts proposals was registered with the Secretary of State, in 2006, much of the proposals' language had already been tested in previous iterations. A table illustrating the respective features of each relevant proposal is provided in Appendix 6. The 2006 removal from the ballot taught proponents that they should choose either a districting commission or additional districting standards, but not both; and that the Florida Supreme Court may consider legislative and Congressional standards to be two different subjects.

No specific language as to preserving minority representation or favoring parties or incumbents, however, had been seen in a proposed districting amendment since the 2002 proposal. A case study by the Brennan Center reported that the Fair Districts proponents, seeking to retool and maximize their chances of passage in the election, spoke and met throughout 2006 and 2007 with "voting rights experts,

[33] https://dos.elections.myflorida.com/initiatives/initdetail.asp?account=37828&seqnum=7 (last visited August 10, 2024).

legislative leaders, members of the minority party, and organization leaders from a diverse array of constituency groups, including communities of color, to develop a shared strategy for reform."[34] These conversations and meetings revealed that minority voters did not trust an independent commission to protect their representation.[35] Therefore, Fair Districts incorporated minority-representation protection language into the proposed districting standards and abandoned the concept of proposing a districting commission. In fact, the main difference between the 2006-2010 Fair District standards and those in most predecessor proposals was the addition of the minority-representation preservation language in the former.

A. Purpose of Fair Districts Amendments Based on Historical Review

a. The Text and Its Organization

Any discussion of the purpose or original understanding of a part of a constitution must begin with the text itself. Here, salient aspects of the amendments include not just the text, but also its organization. Because the two amendments are identical except for the use of "congressional" in Section 20 and "legislative" in Section 21, Section 20's text is set forth below:

> Standards for establishing congressional district boundaries.—In establishing congressional district boundaries:
> (a) No apportionment plan or individual district shall be drawn with the intent to favor or disfavor a political party or an incumbent; and districts shall not be drawn with the intent or result of denying or

[34] Brennan Center: Redistricting Case Study, supra 18, at 7.
[35] Id.

> 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; and districts shall consist of contiguous territory.
> (b) Unless compliance with the standards in this subsection conflicts with the standards in subsection (a) or with federal law, districts shall be as nearly equal in population as is practicable; districts shall be compact; and districts shall, where feasible, utilize existing political and geographical boundaries.
> (c) The order in which the standards within subsections 1(a) and (b) of this section are set forth shall not be read to establish any priority of one standard over the other within that subsection.[36]

The text is designed so that the mandatory provisions are in subsection (a).

They can be atomized as follows:

1) No plan or district may be drawn with intent to favor a political party.

2) No plan or district may be drawn with intent to disfavor a political party.

3) No plan or district may be drawn with intent to favor an incumbent.

4) No plan or district may be drawn with intent to disfavor an incumbent.

AND

5) No district may be drawn with intent OR result of

denying OR abridging

the opportunity of racial OR language minorities

to participate in the political process OR to diminish their ability to elect representatives of their choice.

[36] Fla. Const. Art. III, § 20.

6) Districts shall consist of contiguous territory.

Setting out the subsection (a) language highlights a difficulty, albeit probably unintentional, in the minority-representation language. That is, the "to" before "diminish" appears to have no antecedent verb. If we take each "or" as a choice or departure point, we can logically read this part as, "No district may be drawn with the result of denying the opportunity of racial minorities to diminish their ability to elect representatives of their choice." Almost certainly this result was not intended by the drafters, and a serious study of the intent of this amendment will not pretend it was. Still, perhaps it is a lesson that even the most careful drafting can produce anomalies.

The greater issue here is that these six features of subsection (a) are mandatory. Opponents argued, during the campaign, that they are inherently incompatible; a common example given was that it is impossible to keep a district represented by a member of a minority while endeavoring not to favor an incumbent or (to a lesser extent) a party.

The subsection (b) provisions are expressly subordinated to those of subsection (a). Its opening language is: "Unless compliance with the standards in this subsection conflicts with the standards in subsection (a) or with federal law, ..." Thus, the subsection (b) standards are mandated only if they can be accomplished

while not conflicting with the provisions of (a) or "federal law," understood here to refer to the Voting Rights Act, then they "shall":

1) be as nearly equal in population as is practicable;
2) be compact; and
3) where feasible [another qualifier], utilize existing political and geographical boundaries.

Thus, the requirements may be described as six standards—with the final one containing four choice, or departure, points where it uses the word "or"—followed by three more standards that would be subordinate to the first six.

The final subsection, (c), simply states that all subsection (a) standards should be weighted equally, and that all subsection (b) standards should be weighted equally.

b. Proponents' Purpose

This report details the proponents' contemporaneous stated purpose in promoting the Fair Districts Amendments through a search of their own words, found in news articles quoting them, transcripts of hearings or other meetings in which they spoke, and in other sources, such as other reports that quote the proponents.

i. Officers/Spokespeople

a. Ellen Freidin

The primary spokesperson for FairDistrictsFlorida.org, the organization that promoted the Fair Districts Amendments, was Ellen Freidin, a Miami-based lawyer who had served as a member of the 1997-98 Constitution Revision Commission. Freidin served as the Fair Districts campaign manager.[37] It was Freidin who was quoted most often in news articles when the reporter quoted proponents or sponsors of the measures. Ms. Freidin also was the spokesperson for the proposed amendments when the Joint meeting of the Florida House Select Policy Council on Strategic and Economic Planning and Senate Reapportionment Committee invited her to speak regarding the proposed amendments in February 2010. Indeed, Ms. Freidin's opening statement, followed by responses to questions posed by council and committee members, stretched nearly three hours, with only two five-minute breaks.

During this joint meeting, it was mentioned that another document, written by former Speaker of the House of Representatives of Florida and Fair Districts affiliate Jon L. Mills, had written a short document and circulated it among certain legislators; however, Mills was neither mentioned nor quoted in news articles about the proposed amendments.

[37] Brennan Center: Redistricting Case Study, supra 18, at 8.

b. Barry Richard (Ballot-validity attorney)

1. Positions as argued in briefs

Both Fair Districts and the Florida Legislature filed briefs for the mandatory ballot-validity hearing.[38] The Fair Districts brief totaled nine pages and reiterated its argument that the initiative complied with ballot-summary and single-subject requirements. [39]

In contrast, the Legislature's far-ranging brief demonstrated that its objections to the Fair Districts proposals had not yet coalesced. The Legislature was represented by counsel for each chamber, not by the Solicitor General. Its arguments, as described below, included the "impossibility" of accomplishing politics-free redistricting; the consequent increased role of the courts in redistricting and the abiding impossibility of politics-free redistricting by the courts; and the mutual incompatibility of the subsection (a) mandates.

In its summary of argument, and in the argument itself, the Legislature emphasized its view that eliminating politics from redistricting is impossible: "[O]ne goal of the amendment — to eliminate politics from legislative redistricting decisions — is humanly impossible to achieve."[40] Also: "The most troublesome provisions are those requiring the intent behind a plan or district to be politically

[38] Fla. Const. Art. 4, § 10 (1968).
[39] SC 08-986.
[40] SC 08-986, Brief of Florida Legislature at 4, 7.

neutral, neither favoring nor disfavoring any party or incumbent. This objective is humanly impossible to achieve."[41]

Intending to support an argument that the proposals would violate the single-subject rule, the Legislature's brief argued:

> Because — by its very nature — legislative redistricting cannot be politically neutral or devoid of political intentions, any plan propounded by the Legislature necessarily will be subject to challenge in the Supreme Court pursuant to Article 3, s. 16. . . . Because the Legislature will be unable to draft a plan or create all districts in compliance with paragraph 1 of the proposed amendment, the Supreme Court will be tasked with the constitutional obligation pursuant to Article 3, ss. 16(b) and (f) to conduct reapportionment.[42]

It then closed its logical circle:

> This Court will find the task of eliminating political considerations as impossible as it is for the Legislature. . . . Courts attempting politics-free plans have been unable to avoid them. In fact, judges find themselves facing the fact that no substantive standards exist for such an effort, and the resulting districts end up favoring one party or individual over another anyway. Even when judges attempt to avoid political considerations, the question arises whether it is humanly possible to do so.[43]

The Legislature's brief then addressed minority representation but did not reach the conclusion it did months later, when it claimed the proposals would actually hurt minority representation. In this 2008 brief, the minority-representation argument went like this:

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[41] SC 08-986, Brief of Florida Legislature at 17.
[42] SC 08-986, Brief of Florida Legislature at 19-20.
[43] SC 08-986, Brief of Florida Legislature at 20-21.

> Moreover, some requirements of paragraph 1 are so at odds that one provision cannot be obeyed without violating another. For instance, racial minorities often favor a political party or candidate. *Thornburg v. Gingles*, 478 U.S. 30, 68 (1986). Thus drawing a district or creating a plan to facilitate minority participation in the political process or enhancing their ability "to elect representatives of their choice" necessarily collides with the requirement that the intent behind districts be party neutral and not favor or disfavor an incumbent.[44]

2. Positions as argued in oral argument.

For the ballot-validity oral argument before the Supreme Court of Florida, on November 6, 2008, Fair Districts made clear that its primary purpose was drawing districts to avoid partisan advantage. Barry Richard argued on behalf of Fair Districts. In his opening, Attorney Richard argued:

> [The two proposals share] a single concept designed to do one goal, and that goal is to ensure that when the Legislature sets lines, that it sets them solely on the basis of proportional representation. Period. One person, one vote. And each of the standards serves that same singular purpose by providing that the Legislature shall not distort that single purpose by utilizing those things that historically have been used to distort it.[45]

Richard continued affirming the single purpose of the proposals when he refuted a suggestion that the several standards in the proposal language amounted to logrolling: "Here the voter knows that either I want my districts to be based solely

[44] SC 08-986, Brief of Florida Legislature at 23.
[45] SC 08-986, Oral Arguments, Florida Supreme Court Gavel to Gavel Video Portal | Case SC08-986, SC08-1163, SC08-1149, SC08-11 (wfsu.org), at 3:10 (last visited August 23, 2024).

on proportional representation uninfluenced by something else or I want it to be influenced by something else so I am going to vote against this. It's a clear choice."[46]

The respective arguments regarding minority representation was revealing; the Legislature agreed they belonged in the proposals, and Fair Districts admitted that the Legislature does not gerrymander out of bigotry, but rather out of partisanship.

In their own words:

Legislature:

> I certainly would have the racial discrimination provisions in there. I mean, personally I would agree with that. I think to oppose that is like voting against the flag. The language minority requirements to the extent that I can understand them, they appear to be drawn from the Voting Rights Act. There's, we have no quarrel with those.[47]

Fair Districts:

> Happily we are beyond the time when the sponsors had to be concerned about bigotry. The sponsors do not believe, nor do I think any of us believe, that the legislature gerrymanders racial or ethnic groups because of some bigotry against that group, but what we do have concern about is that they use those groups to accomplish a political gerrymandering, so the singular purpose of this, and that's the reason when counsel said we are not doing anything different than what the law requires now that's not true. The law [prohibits] discriminating against racial or language minorities for the purpose of bigotry but it does not prohibit using those groups to achieve a political end and that's what this seeks to stop and that's a singular unified purpose.[48]

[46] Id. at 7:33.
[47] Id. at 30:12.
[48] Id. at 41:21.

c. Additional spokespersons; coordinated effort

Other people speaking in support of the proposed amendments were not its originators or officers but spokespeople for organizations that had endorsed or contributed funds to the proposed amendments. Some of the people who were quoted frequently spoke for the NAACP, the Florida unit of AARP, and various local chapters of the Florida League of Women Voters.

This effort was coordinated to keep the message clear and free of inconsistencies. As the Brennan Center report put it, "The group's campaign manager conducted weekly calls to keep coalition partners up to date on activity and the message strategy the campaign team had developed. The regular updates allowed partners to promote a common message in support of the redistricting amendments, particularly with their own members and the public."[49]

Public outreach by Fair Districts partners included training for community-based presenters, editorial board visits, and press teleconferences, and letters to the editor.[50] While neither press teleconference transcripts nor presenter-training materials are publicly available, the results of the press conferences, letters to the editor, and editorial-board meetings are seen in the news media that this report has catalogued and analyzed.

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[49] Brennan Center: Redistricting Case Study, supra 18, at 10.
[50] Id.

The television efforts were modest: they ran only in the final two weeks before the election, in the Tampa, Orlando, Palm Beach, and Miami media markets, and consisted of two cartoon advertisements: one comparing the Legislature's drawing of districts to a fox guarding a henhouse, and the other depicting representatives of the AARP, NAACP, Democracía Ahora, and the League of Women Voters cheering "giving power back to the people." Both then showcase the editorial support.[51]

Radio spots were also recorded by well-known personalities such as Julian Bond of the NAACP and Rev. Joseph Lowery; their recordings were estimated to have reached 500,000 Blacks through telephone calls and radio, as estimated by Ms. Freidin and reported by the Brennan Center report. The same sources reported that Spanish-language radio spots were also used. The content of these voice recordings is not known, but could be expected to both mirror the coordinated message and place more emphasis on the racial- and language-minority protections.

ii. Major Contributors.

The Fair Districts political action committee received monetary contributions from more than 4,157 unique contributors, raising a total of $9,162,456.60 between 2007 and 2010. More than two-thirds of the total amount raised came through

[51]Brennan Center: Redistricting Case Study, supra 18, at 12; YES on Fair DistrictsFlorida Amendments 5 & 6, New TV Ad: YES on FairDistricts Florida Amendments 5 & 6 (youtube.com) (last visited August 21, 2024); FairDistrictsFlorida TV Ad, Fair Districts Florida TV Ad (youtube.com) (last visited August 21, 2024).

contributions of $100,000 and over.[52] A list of donors who contributed more than $50,000 is provided in Appendix 7.

Most of those large contributions came from organizations that were characterized by reporters or opponents as "liberal," "progressive" or "left-leaning."[53] These organizations included the National Education Association—the largest donor at $1,164,107; the Florida Education Association; the Florida Watch Ballot Committee; the Michael R. Bloomberg Revocable Trust; the Rockefeller Family Fund, Inc., and several lawyers and law firms, such as Searcy, Denney, & Scarola, Wayne Hogan, and Hogan's law firm; and Christopher Findlater, a Black lawyer from Virginia who contributed nearly $900,000. Although the Florida NAACP, the ACLU, and the Florida League of Women Voters endorsed the Fair Districts Amendments, they were not major monetary contributors to the campaign.

The mere fact that Fair Districts' major contributors had a certain political profile does not affect public perception appreciably, assuming that the average citizen will not actually visit the Fair Districts website to learn more about the amendments. It is when the contributors' list is not only reported but also characterized in some way that it may shape broader perceptions.

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[52] Id. at 12-13.
[53] *E.g.*, Scott Powers, "2 Ballot Measures Pit GOP vs. Dems," *Orlando Sentinel* (Oct. 20, 2010).

Forty-three contributors to the failed 2006 ballot measure were also repeat contributors to the 2010 Fair Districts' ballot initiative. The overlap suggests that the repeat contributors were backing the creation of redistricting standards, and not minority district protection, as the 2006 initiative did not state a standard for minority protection.

iii. What Spokespeople said about the proposals

In newspaper stories, Fair Districts spokespeople typically described the amendments as creating districts that do not protect incumbents,[54] compact districts,[55] districts that keep communities together,[56] competitive districts,[57] and districts that protect minority representation. When asked about the effects the amendments may have on minorities, spokespeople often referred the reporter to the actual language in the proposed amendments.[58]

However, in one interview, which appeared in an article run by at least three newspapers, Freidin was paraphrased as saying that "the debate has nothing to do

[54] *E.g.*, Ellen Freidin, "Amendments 5 & 6, Pro," *Palm Beach Post*, October 17, 2010; "2 redistricting amendments on ballot," Bill Kaczor, Tallahassee Democrat, January 23, 2010.
[55] Ellen Freidin, "Amendments 5 & 6, Pro," *Palm Beach Post*, October 17, 2010.
[56] Id.
[57] Id.; *E.g.*, John Lantigua, "Amendments' goals: curb tailor-made voting districts," *Palm Beach Post*, October 11, 2010.
[58] Ellen Freidin, "Amendments 5 & 6, Pro," *Palm Beach Post*, October 17, 2010; *e.g.*, "Two black lawmakers support GOP-led amendment," Marc Caputo, *The Miami Herald*, April 17, 2010.

with party or race . . . . The goal is to change a system that has not only rewarded the party in power, but one that locked out newcomers while protecting incumbents."[59]

Spokespeople often have referred interviewers to the requirement that the districts not be drawn to favor or disfavor a particular incumbent or party. Two representative explanations, both by Ms. Freidin, follow: "It doesn't matter which party is in power. Whichever party is in power wants to take advantage of redistricting so it can enhance their ability to stay in power."[60] "The Republicans want to hold on to power, but I assure you the Democrats would be doing the same darn thing."[61] These statements of nonpartisanship can be understood as a way to appeal to potential voters who might otherwise support drawing lines to keep Republicans in power. Thus, by the words of both Ms. Freidin and Mr. Richard, the main focus of the amendments is driven by neither party nor racial motives, but rather by the desire to have districts not drawn to the specifications of incumbents.

Speaking to the perceived need for the amendments, spokesperson Freidin has been quoted as saying, "If our districts were drawn fairly, there would be more competitive elections. . . . 42 percent of the voters [the percentage of registered

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[59] Jim Ash, "New amendments target redistricting," *Florida Today*, November 7, 2010; Jim Ash, "Amendments 5, 6 will keep gerrymandering down," *Tallahassee Democrat*, November 8, 2010; Jim Ash, "Amendments make both parties mad," Fort Myers News-Press, November 8, 2010.
[60] Mike Schneider, "Amendments would reshape redistricting," *Tallahassee Democrat*, October 12, 2010.
[61] Jim Mayfield, "Redistricting reform plans discussed at Stuart meeting," *Stuart News*, April 27, 2010.

voters that are Democrat] are packed into about a third of the districts."[62] This statement can be understood as implying that previously the lines have been drawn to favor the Republican Party and Republican incumbents and that better partisan proportionality is needed.

When quoted about the minority-representation standards, the Fair Districts Amendments spokespeople and others generally said that the standards were designed to protect minority representation from diminishing, similar to the requirements of the Voting Rights Act.[63] In one article, Ms. Freidin, while "stop[ping] short of staying [sic] the amendment would preserve all the existing minority-access districts in the state," did say, "[W]e are absolutely confident that the language actually provides greater protection than exists under the Voting Rights Act today."[64]

However, the minority-representation standard was the subject of more commentary in news stories when opposition spokespersons were interviewed. The persons speaking most often in opposition were incoming Senate President Mike Haridopolos and Black congresswoman Corinne Brown. Cuban congressman Mario Diaz-Balart and incoming Speaker of the House Dean Cannon also spoke in

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[62] Paul Flemming, "District lines depend on vote," Fort Myers *News-Press*, September 20, 2010.
[63] E.g., Paul Flemming, "Ballot to address legislative districts," *Tallahassee Democrat*, September 19, 2010 (citing Brennan Center for Justice analysis),
[64] Aaron Deslatte, "Bipartisan duo fears for minority districts," *Orlando Sentinel*, January 12, 2010.

opposition, albeit less often. No organization formed in opposition until ProtectYourVote, Inc. did so on September 19, 2010. This committee raised $3,934,000, nearly two-thirds of it from the Republican Party of Florida.[65] A complete list of contributors is provided in Appendix 8.

The substantial investment of the Republican Party in ProtectYourVote suggests the opposition to Fair Districts was based on partisan and incumbent motivations, rather than minority-representation preservation. The involvement of large corporations such as U.S. Sugar and business-friendly organizations such as the Florida Chamber of Commerce, each of which contributed $100,000 to ProtectYourVote, is likely motivated by partisan, not racial, concerns.

One of the criticisms ProtectYourVote had against Fair Districts was that the amendments would actually reduce the number of Black and other minority seatholders in both Congress and the Florida Legislature.

One opposition point was that the standards could not be neutral as to parties and incumbents and yet maintain minority representation at or above then-current levels.

[65] Heavily funded by the Republican Party of Florida, ProtectYourVote also included the two minority Congress members whose opposition to the Fair Districts Amendments predated ProtectYourVote by several months. ProtectYourVote was also funded by the Florida Chamber of Commerce, U.S. Sugar, and Florida Crystals. The committee later refunded $103,819.41 to the Republican Party of Florida, according to the Florida Division of Elections.

Perhaps ironically, this dialogue as to minority representation actually raised the minority-representation discussion level above where it might otherwise have landed. Articles that described the conflicting opinions about minority preservation outnumbered the articles that repeated or rephrased the minority-preservation language in the amendments unopposed. Descriptions of the conflicting opinions about minority-representation preservation appeared in 17.6 percent of the news stories; unopposed recitations of the minority-preservation language appeared in 28.5 percent.

c. Fair Districts Proposals From the Voters' Perspective

a. Sources.

The intentions of the proponents of the Fair Districts Amendments, while important on their own, are but one subset of the information that ultimately influenced how potential voters understood the proposed amendments. Other potential sources of information include news stories; lectures or webinars about proposals; the Fair Districts website; mailings; radio and television coverage; and polls. Lectures, webinars, and the Fair Districts website were likely used mainly by a small group of active and informed voters; a far greater number could reasonably be expected to have received their information via television, radio, or print or online newspapers.

The television coverage disseminated by the Fair Districts organization itself consisted, as described above, of two thirty-second cartoons that emphasized legislator self-interest in district-drawing and portrayed the amendments as giving power back to the people. This is a simple and very general message. It tells a viewer in general terms that if she votes "yes" for the Fair Districts Amendments, she will be taking power back—from someone. The radio information, targeted as it seems to have been to Black and Spanish-speaking voters, can, as noted above, be expected to have at least some mention of the minority-protection features of the Amendments.

Logically, print or online news is more likely than most other media to have the ability to provide explanatory information about this rather complex pair of amendments. Thus, a study of print and online news media is a reliable way to determine what the voters understood the Fair Districts Amendments to mean.

For this report, I searched the newspapers in the proprietary online news archiving site Newspapers.com, searching the term "Fair Districts" in the years 2008 through 2010. In each news story I checked for the purpose or purposes the Fair Districts proposals were described as having: not favoring or disfavoring incumbents; not favoring or disfavoring a particular political party; preserving minority representation; placing minority representation at risk; or promoting

compactly shaped districts. I searched these terms because the concepts they represented were part of the language of the amendments.

The types of news stories included news articles, editorials, opinions, regular columns, brief explanatory lists of all proposed amendments on the ballot, and letters to the editor. In my referrals to all of these in the aggregate, I call them "news stories." When I refer to a particular type of news story, I call it, for example, "editorial" or "article."

b. Early coverage

Before the Amendment language was approved for the ballot, on January 29, 2009, the relatively few news stories described the proposed amendments in ways that generally tracked the language of the amendments themselves. Nearly every mention was in the form of an opinion or editorial, and commentary beyond a recitation of the language described the proposals as rational and providing for greater competitiveness among the parties and with the incumbents.[66]

c. Opposition Begins to Emerge

After the Fair Districts amendment language was approved for the ballot, the proposals began to receive increased news coverage. On June 7, 2009, the Tampa Tribune reported on the rapid pace of signature gathering to place the amendments

[66] *E.g.*, Editorial, "Leveling field for elections," *St. Lucie News Tribune* (TC Palm), November 26, 2008.

on the ballot. The article noted there was no organized opposition yet, but "Republican insiders and the amendments' sponsors" predicted opposition to emerge.[67] One week later, the Miami Herald reported that "civil rights activists" resisted the bipartisan redistricting commission initiative, so the legislature would remain in charge of redistricting. A Republican party spokesperson said that it did not anticipate putting any money into the campaign.[68]

On November 3, 2009, the Senate reapportionment committee held its first hearing on the Fair Districts amendments.[69] Committee chair Haridopolos concluded the hearing that the amendments posed "many more questions than I realized."[70]

i. Members of Congress Brown and Diaz-Balart

On November 6, 2009, Florida congressional incumbents Corrine Brown, a Democrat, and Mario Diaz-Balart, a Republican, sent a lengthy letter to the House Select Policy Council on Strategic and Economic Planning. As the House staff later summarized to House legislators: "Overall, the congresspersons asserted that

[67] William March, "Redistricting Drive Could Reshape Politics," *Tampa Tribune*, June 7, 2009, at 9.
[68] Beth Reinhard, "Tailored Voting Districts Targeted," *Miami Herald* (Broward edition), June 15, 2009,at 1A, 2A.
[69] Senate Reapportionment committee, Nov. 3, 2009, https://thefloridachannel.org/videos/11309-senate-reapportionment-committee/ (last visited August 22, 2024).
[70] Id. at 1:27.

FairDistrictsFlorida.org's proposed standards lack definition, lacked a clear method for reconciling inconsistencies, and could dilute minority access seats."[71]

The messages from Brown and Diaz-Balart concentrated on the danger to minority representation the proposed amendments presented. Brown told news reporters she feared that the Fair Districts Amendments would turn back the clock to a time before Florida had Black members of Congress.[72] This was a bold stance, considering that the tier-one language, on its face, sought to prohibit lessening minority representation.

ii. Senator Haridopolos

State Senator Mike Haridopolos, the incoming President of the Senate and, therefore, a leader in the upcoming redistricting, objected with a threefold front: the terms were confusing; the goal of eliminating politics from redistricting was impossible; and, echoing Brown and Diaz-Balart, the proposals would erode minority representation.[73] He was quoted extensively in articles and wrote opinion pieces.

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[71] HJR 7231, Congressional Redistricting and Reapportionment, House of Representatives Staff Analysis, at 16.
[72] Bill Kaczor, "2 redistricting amendments on ballot," *Tallahassee Democrat*, January 23, 2010.
[73] *E.g.*, Mike Haridopolos, "Guest Opinion: Redistricting Amendments Must Not Pass," Fort Myers *News-Press*, Oct. 20, 2010.

iii. The Legislature's poison pill amendment

On April 16, 2010, Republican House representative Dorothy Hukill introduced a joint resolution through the House Select Policy Council on Strategic and Economic Planning to propose a constitutional amendment on the Legislature's redistricting powers. The supporters of the resolution had stated at a council hearing on April 15 that the amendment would add flexibility to the Legislature's redistricting authority in the event the Fair Districts Amendments passed. Opponents and news articles referred to the resolution as a poison pill amendment attempting to nullify the Fair Districts standards. The proposed language read, in pertinent part: "The state shall take into consideration the ability of racial and language minorities to participate in the political process and elect candidates of their choice, and communities of common interest other than political parties may be respected and promoted, both without subordination to any other provision of this article."[74]

At the April 15 council hearing, legislators supporting the amendment repeatedly asserted that they intended it only to "complement" and "clarify," not override, the Fair Districts initiatives. Multiple legislators asserted that the amendment was necessary in light of the confusion expressed in hearings on how the Fair District initiatives would be applied. There was discussion on how Fair Districts would impact minority districts. Resolution sponsor Hukill said she was

[74] HJR 7231 (2010).

unable to predict whether the House amendment would create more or fewer minority districts, but that it would protect the ability of minority groups to participate in the political process.[75] Representative Hukill reaffirmed that under the proposed resolution the Fair Districts standards would "be considered but will not take precedent."[76]

An Associated Industries representative addressed the council in support of the House resolution. To a question whether there was public confusion over the Fair Districts Amendments by the public, he responded by saying he did not think the public had the "knowledge or subtlety" about how "all the moving parts" of the amendments fit. Hukill, in her debate summation, bluntly said the resolution "does not conflict with the initiatives already on the ballot." The proposed joint resolution passed the council vote eleven to five.

The second and final council hearing on the joint resolution occurred four days later in the Rules and Calendar Council. The public arguments of most incumbent legislators opposing Fair Districts were fixed by this point. Opponents of the Fair Districts proposals argued the standards were unworkable. They also argued the standards were incomprehensible, or if understandable, they conflicted with one

[75] Recording of House Select Policy Council on Strategic and Economic Planning, April 15, 2010, at 23:32.
[76] Recording of House Select Policy Council on Strategic and Economic Planning, April 15, 2010, at 27:35.

another. Some arguments focused on black minority districts. To preserve or newly form such a district, legislators argued, violated the nonpartisan standard because a black majority district would trend to the Democrats. It would also, said Representative Larry Cretul in closing debate, concentrate black voters into one district, leaving adjacent districts with a majority of non-black voters who were presumed Republicans.

On April 19, 2010, the House Rules and Calendar Council debated the resolution. Of the organizations making an appearance before the council, one supported the amendment and nine opposed it. Legislators on the council voted in favor of the joint resolution by a vote of twelve to six. In all, the Legislature devoted ten hours and fifteen minutes to proposed Amendment 7, including more than six hours of House and Senate floor debate. A list of pertinent hearings is available in Appendix 9.

On April 23 and 26, 2010, the House held its floor debate on the resolution. The House easily passed the resolution by the necessary three-fifths majority, seventy-four votes in favor to forty votes in opposition. The resolution was then sent to the Senate where a similar resolution was pending.

The Senate joint resolution 2287, as twice amended, however, differed in that it established mandatory standards that:

> establish single-member legislative and congressional districts that are contiguous, do not overlap, are equal in population, are drawn in a manner

> that respects communities of common interests and that does not deny citizen rights to express favor or disfavor for incumbents or political parties, and are drawn in a manner that does not deny or diminish opportunities for racial or language minorities to participate in the political process and elect candidates of their choice.

Although two amendments to the Senate joint resolution were attempted, the Senate decided to adopt the House joint resolution unchanged; it passed in the Senate with the necessary three-fifths majority.

The proposed amendment was then sent to the Secretary of State and placed on the ballot as Amendment 7, immediately following the Fair Districts Amendments 5 and 6.

The Florida chapter of the NAACP sued; the circuit court granted summary judgment in favor of the NAACP, finding the proposed Amendment 7 was deceptive. The Legislature appealed to the First District Court of Appeal, which certified the case as one of great public importance to the Florida Supreme Court.

Oral argument in the case was held August 18, 2010; House Speaker Dean Cannon represented the state. The Court pressed Cannon on whether Amendment 7 granted the legislature full discretion when redistricting, thereby eliminating the standards in Amendments 5 and 6. Cannon responded, no, that Amendment 7 granted some latitude with the compactness requirement but in no way affected the prohibition against partisan gerrymandering.

The Court issued its opinion thirteen days later, on August 31, 2010, upholding the circuit court judgment and excluding Amendment 7 from the ballot.

d. Public opinion polls

Two public opinion polls were taken on the Fair Districts amendment in the weeks before the 2010 general election.

One poll was conducted between September 12th and 16th by the Harstad Strategic Research; and the results were reported by authors Joseph Eagleton and Daniel Smith in a chapter in a 2015 book, *Jigsaw Puzzle Politics in the Sunshine State*.[77] The results of the Harstad poll of 1,209 likely voters reported both amendments were above the necessary 60 percent approval bar. Democrats supported both amendments at a higher rate than Republicans, but even the latter approved the Amendment 5 at 63.4 percent and Amendment 6 at 62.4 percent. Both Black and Latino voters approved both amendments at greater than 60 percent.[78]

Authors Eagleton and Smith also analyzed the precinct election results in three congressional districts, which included the two districts of congresspersons Corinne Brown and Mario Diaz-Balart. The results of this analysis showed a total approval rating with Brown's 257 precincts at 56.6 percent and in Diaz-Balart's 191 precincts

[77] Joseph T. Eagleton & Daniel A. Smith, "Drawing the Line: Public Support for Amendments 5 and 6," in *Jigsaw Puzzle Politics in the Sunshine State*, Seth C. McKee, Ed. (Gainesville: University Press of Florida 2015).
[78] Eagleton and Smith at 119-20.

at 62.3 percent. The twelve counties within the boundaries of Brown's precincts approved the amendments at a higher rate of 59.4 percent, and the two counties of Diaz-Balart at 70.5 percent.[79]

Authors Eagleton and Smith concluded from this data:

> Fair Districts Florida touted Amendments 5 and 6 as a common sense, practical fix to a complex problem. By establishing additional standards for drawing congressional and legislative districts, proponents of Amendments 5 and 6 sought to make government more representative. On Election Day, a supermajority of Floridians apparently agreed. There was extensive support for redistricting reform in both the statewide pre-election survey and at the precinct level across partisan and racial and ethnic lines, indicating a broad array of Florida voters supported institutional change.[80]

A second poll of all ballot amendments was taken October 15 through 19 by a telephone survey of 801 subjects. The poll was conducted by IPSOS on behalf of a number of Florida newspapers. The poll reported that one in three voters remained undecided on most of the amendments. Only 45 percent of likely voters reported that they viewed Amendments 5 and 6 favorably, thus requiring an additional 15 percent gain among undecided voters. An IPSOS pollster commented that voters had not read the ballot amendments and observed that: "People don't really know what the heck these things are." Another IPSOS pollster warned that the polling numbers

[79] Id. at 123-24.
[80] Id. at 124.

could change fast once ballot proponents started final advertising pushes, "These campaigns . . . spend furiously in the few weeks before the election."[81]

e. Final media push

Early voting in 2010 started in Florida fifteen days before the election, on October 18, 2010. The Fair Districts committee paid $3,811,652.64 in media advertising between October 7 and November 1, 2010. It paid an additional $456,429.07 in printing and direct mail expenses between September 20, 2010 and October 7, 2010 urging support of the amendments.[82] Fair Districts and its affiliates also held speaking forums in various state locations.

As noted earlier, the two Fair Districts television advertisements focused on political gerrymandering and did not mention minority representation.

The opposing Protect Your Vote committee also conducted a pre-election advertising blitz. They spent $3,536,258 in media placements in October 2010. The committee additionally spent $21,000 in direct mail services and $46,436 in voter contact during that same period.[83]

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[81] Michael C. Bender, "Key amendments unlikely to pass, new poll indicates," *Miami Herald*, Oct. 25, 2010.
[82] Campaign Finance Database - Expenditures Records - Florida Division of Elections - Department of State (myflorida.com) (last visited August 23, 2024).
[83] Id.

f. Patterns of information

Over time, the prohibition of intent to favor or disfavor protection of incumbents, at 70.5 percent, and prohibition of intent to favor or disfavor protection of parties, at 72.1 percent, were the Fair Districts' features mentioned most often in news stories. Coming in as a group and distinctly behind party and incumbent protection were mentions of whether the Fair Districts Amendments would call for compactly, or at least less bizarrely, shaped districts (40.0 percent) and whether they would help (33.2 percent) or hurt (28.9 percent) minority representation.[84]

However, when looking at the timing of the information, an interesting pattern emerges. The earliest stories mentioned protecting minority representation (5 of 6 stories through January 30, 2009). Then, the effect on minorities was not mentioned at all, until minority protection was mentioned once in early March 2009 and once in June 2009.[85] The idea that minority representation might be at risk—the argument of Brown, Diaz-Balart, and Haridopolos—arose only once, on July 25, 2009.[86]

Twenty-seven news stories on the Fair Districts Amendments were published before November 9, 2009, the date the Florida Senate began its hearings on the amendments. Twenty-two of them, 81.5 percent, reported the Amendments would

[84] Based on a database of 193 Florida news stories from 2008 through election day 2010, using Newspapers.com.
[85] *Tallahassee Democrat*, March 2, 2009; *Tampa Tribune*, June 7, 2009.
[86] *South Florida Sun-Sentinel*, July 25, 2009.

end partisan redistricting; twenty, 74.1 percent, reported the Amendments would end intentional protection of incumbents; eighteen, 66.7 percent, that the Amendments would create compact districts; and nine, 33.3 percent, that the Amendments would protect formation of minority districts. Only one article reported a concern that the Amendments would harm the formation of minority districts.

After the start of the November 9, 2009 legislative hearings, a marked increase occurred in the number of stories that reported a concern that Fair Districts would harm minority representation. Fifty-four of 163 stories, or 33.1 percent, between November 9, 2009 and election day 2010 contained information that the Fair Districts Amendments could harm minority representation. And with the first articles about ProtectYourVote.org, beginning when it organized on September 19, 2010, minority representation was mentioned in 27 of 62, or 43.6, percent, of the articles—a notable increase, but still far fewer than half the news stories. During this period, sources were quoted as saying minority representation was at risk or would decrease *more* often (38.7 percent) than sources were quoted saying the Fair Districts Amendments would protect minority representation (29.0 percent). It is difficult to claim with certainty whether minority awareness would have remained lower without the opposition of Senator Haridopolos or Congressmembers Brown and Diaz-Balart. Regardless, the proponents treated minority protection as a secondary issue compared with the other mandatory provisions for the ballot initiative.

IV. Comparison of Fair Districts Amendments History with Voting Rights Act History

By contrast, the history and causes of the Voting Rights Act of 1965 (the "VRA") are well documented: Everything in the history of the VRA points almost exclusively to the need to protect Black voting rights. Voter-registration data in Southern states tell the story plainly. In fact, the Redistricting Law "Red Book" of 2010, published by the National Conference of State Legislators, states: "The [Voting Rights A]ct accomplished what the 15th Amendment to the U.S. Constitution and numerous federal statutes had failed to accomplish—it provided minority voters an opportunity to participate in the electoral process and elect candidates of their choice, generally free of discrimination."[87]

The need for this opportunity to be met was most acute in the South, where slavery had been practiced more widely than elsewhere in the United States, and where many whites still had entrenched notions of white superiority and the need for segregation of the races.

The years leading up to the passage of the VRA had been inflamed with racial disharmony in Southern states. The unanimous U.S. Supreme Court decision in *Brown v. Board of Education of Topeka*[88] had ignited a firestorm of vitriol from white segregationists. Far from guaranteeing desegregation of public schools, the decision

[87] NCSL, Redistricting Law 2010 (publisher, year) at 51.
[88] 347 U.S. 483 (1954).

resulted in whites, mainly in the South, to resist any efforts to give rights to Blacks. Segregation became a rallying cry, and politicians had to espouse it if they hoped to be elected. In Florida, the 1956 and 1960 gubernatorial elections featured campaign advertisements by candidates affirming their support for segregation; in 1963, Alabama Governor George Wallace declared in his inaugural address, "Segregation today, segregation tomorrow, segregation forever." In Mississippi, Governor Ross Barnett attempted to defy the U.S. Supreme Court when he allowed a mob to greet Black student James Meredith when Meredith tried to attend his first class at the University of Mississippi. Two were killed in the ensuing riot.

White feeling that Blacks should not vote was an extension of the insistence on segregation. Allowing Blacks to vote would foreseeably lead to the election of Blacks, or at least of whites sympathetic to issues important to Blacks. Whites then would cease to live in a world rigged to sustain their stranglehold on power, money, privilege, and respect.

For a general history of the VRA, and for purposes of this report, I rely on the VRA histories provided in two U.S. Supreme Court cases, *South Carolina v.*

Katzenbach[89] and *Shelby County, Ala. v. Holder*,[90] and on historian David J. Garrow's *Protest at Selma*.[91]

The U.S. Supreme Court opinions in *Katzenbach* and *Shelby County* provide information on Black voter registration rates as a percentage of Black voting-age population, primarily in three Southern states. The picture they paint is bleak. Despite the Fifteenth Amendment, which provided that men could vote regardless of race, and despite the Civil Rights Acts of 1957 and 1964, which provided standards by which a victim of racial discrimination in voting could litigate in federal court, Black voter registration rates lagged some 50 points behind that of whites:

> [R]egistration of voting-age Negroes in Alabama rose only from 14.2% to 19.4% between 1958 and 1964; in Louisiana it barely inched ahead from 31.7% to 31.8% between 1956 and 1965; and in Mississippi it increased only from 4.4% to 6.4% between 1954 and 1964. In each instance, registration of voting-age whites ran roughly 50 percentage points or more ahead of Negro registration.[92]

Voting registrars in Southern states used a variety of "ingenious" measures to discriminate against Blacks attempting to register to vote. A widely used ploy was to administer a difficult literacy test to Blacks but administer an easy one, or none at all, to whites registering to vote.[93] During a similar period, in Dallas County,

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[89] 383 U.S. 301 (1966).
[90] 570 U.S. 529 (2013).
[91] Garrow, David J., *Protest at Selma: Martin Luther King, Jr., and the Voting Rights Act of 1965* (New Haven: Yale University Press 1978).
[92] *Katzenbach*, 383 U.S. at 313.
[93] Id. at 310-13.

Alabama, of which Selma was the county seat, Black voter registration rates remained in single digits, rising only from 156 to 383 in a Black population of about 15,000,[94] or from 1 percent to 2.5 percent of the Black population. In Florida, at the time the VRA was passed, no Black had been elected to Congress since Reconstruction.[95]

By 2009, "'the racial gap in voter registration and turnout [was] lower in the States originally covered by § 5 than it [was] nationwide.'"[96]

The Garrow book follows two more-or-less simultaneous tracks on a nearly minute-by-minute basis: the strategies, tactics, and actions of the Student Nonviolent Coordinating Committee (SNCC) and the Southern Christian Leadership Conference (SCLC), led by Dr. Martin Luther King in several locations but primarily Selma, Alabama; the actions of the Lyndon B. Johnson administration; and the actions of both houses of the Congress in conceiving, drafting, amending, and passing the Voting Rights Act of 1965 (VRA). Taken together, these sources show that though the Selma demonstrations of the first months of 1965 are widely believed to be at least one reason the VRA was passed, the concept of stronger voting rights legislation had existed in LBJ's mind and in his inner circle since at least late 1964.

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[94] Id. at 315.
[95] *DeGrandy v. Wetherell*, 794 F. Supp. 1076, 1079 (N.D. Fla 1992).
[96] *Shelby County, Ala. v. Holder*, 570 U.S. at 535.

The Selma demonstrations are an important part of any analysis of the purpose of the VRA because they illustrate the ferocity of the rage some Southern whites had in opposition to Black voting rights. The infamous "Bloody Sunday" demonstration, in which law enforcement officers and volunteer "possemen," some on horseback, trampled, beat, and gassed peaceful Blacks who were standing quietly, nauseated the nation when newspaper photos and television brought the melee to homes across America the following day. But to assume that this demonstration was "the" impetus for the VRA would be to err. Much of the VRA had already been drafted by Bloody Sunday.

What the Selma demonstrations accomplished, author Garrow concludes (along with many others), is that Bloody Sunday provided the sense of urgency necessary for Black voting rights legislation to become a priority with Congress. Regardless of whether the VRA had its conception before, during, or after some of the more violent demonstrations, it is widely accepted that the VRA was always, and primarily, about voting rights *for Blacks*. For example, a section was proposed to enable certain Spanish-speaking citizens to vote more easily, but this section was treated as an optional amendment, and was added, subtracted, and used as a side-issue bargaining tool before finally being discarded. It was not until 1975 that the

Act was amended to include language minorities.[97] With this amendment came the designation of five Florida counties with large Spanish-speaking populations as counties requiring preclearance. One of these counties was Hillsborough.

Unlike the VRA, the Fair Districts Amendments were borne of frustration that the process of drawing legislative and Congressional districts had become so politically driven that it had created out-of-balance, unrepresentative districting maps. As noted earlier, because the Fair Districts Amendments were citizens' initiatives, they have no legislative history and little in the way of publicly available statistics, like voter registration rates, that methodically document the problems the amendments sought to fix. Therefore, news stories, public statements (like oral argument transcripts and interviews), and prior attempts at instituting redistricting reform must provide the bulk of the historical perspective. The sources I have examined ultimately show, in the aggregate, that while preserving minority representation was a feature of the Fair Districting amendments, it was not the

[97] Act of Aug. 6, 1975, Pub. L. No. 94-73, Title II, secs. 203, 206, 207, 89 225 Stat. 400, 401-02 (codified as amended at 42 U.S.C. §§ 1973(a), "No voting qualification or prerequisite to voting or standard, practice, or procedure shall be imposed or applied by any State or political subdivision in a manner which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color, or in contravention of the guarantees set forth in section 1973b(f)(2) of this title, as provided in subsection (b) of this section;" 1973b(f)(2), "No voting qualification or prerequisite to voting, or standard, practice, or procedure shall be imposed or applied by any State or political subdivision to deny or abridge the right of any citizen of the United States to vote because he is a member of a language minority group;" 1973d; 1973k; 1973l(c)(3), "The term 'language minorities' or 'language minority group' means persons who are American Indian, Asian American, Alaskan Natives or of Spanish heritage").

primary driving force, either in proponent communications or by the news information provided to the public.

V. Conclusion

The Fair Districts Amendments of 2010 culminated a long line of attempts to amend the Florida Constitution to eliminate political gerrymandering from the redistricting process. While preservation of minority representation was a part of those amendments, most attention given the amendments in news reports and from the spokespersons themselves gave priority to the amendments' provisions prohibiting favoring or disfavoring political parties or incumbents. In contrast, the federal Voting Rights Act of 1965 was passed with the exclusive purpose of systematically protecting Blacks', particularly Southern Blacks', right to vote unencumbered from interference by white segregationists.

VI. Statement of Compensation and Qualifications Regarding Expert Report Author

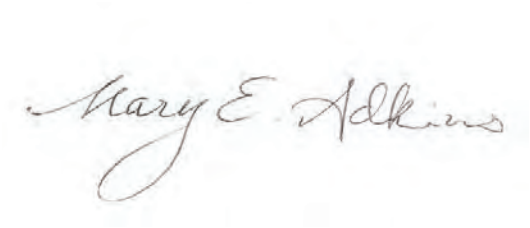
Although I have testified in federal court, I have not done so in the past four years. I have been retained in this matter at an hourly rate of $400.00 per hour; my deposition and court testimony rates are compensated at $450.00 per hour.

I have been researching and writing about the history of the Florida Constitution since 2010. My first book, *Making Modern Florida: How the Spirit of Reform Shaped a New State Constitution*, told for the first time the story of how political and demographic conditions in mid-twentieth-century Florida created the

need for a new Constitution, and how that Constitution was created. The book continues to be well-received, and in fact is in use as a required text in Florida State University's Master's in Applied American Politics & Policy programfor the Fall 2024 semester. I have presented more than seventy times on the history of the Florida Constitution and its amendments and have authored, co-authored, or edited five other books, with more in progress. I am nationally recognized as an expert on the history of the Florida Constitution; most recently I was invited by the Brennan Center for Justice to contribute an essay on the Florida Constitution.

My CV, which is attached to this report, documents my educational background and professional achievements.

Respectfully,



Mary E. Adkins September 9, 2024

APPENDIX 1.

1977-78 CRC proposal

SECTION 16. Legislative and Congressional Reapportionment.

(a)Reapportionment Mandate. In each year ending in one, the state shall be divided into: as many congressional districts as there are United States Representatives apportioned to the state; not less than thirty or more than forty senate districts; and not less than eighty or more than one hundred and twenty representative districts. All legislative districts shall be single-member districts.

(b) Reapportionment Commission. In each year ending in zero and at any other time of court-ordered reapportionment, a commission shall be established to prepare a reapportionment plan for congressional and state legislative districts. The commission shall consist of seven electors, none of whom may be elected public or party officers or employees of the state legislature. The president of the senate, the speaker of the house of representatives, the minority leader of the senate, the minority leader of the house of representatives and the chairperson of the political party which received the second highest vote in the last gubernatorial election shall each submit to the governor and make public a list of not less than three persons. By July 1 of the same year, the governor shall appoint one person from the each list and one additional person. Within thirty days after the appointments have been made, the six commissioners shall select by a vote of at least four commissioners a seventh commissioner, who shall serve as chairperson. Failure to select the seventh commissioner within the time prescribed shall constitute an impasse which shall automatically discharge the commission. A new commission shall then be appointed in the same manner as the original commission. The legislature shall establish by law the qualifications of commissioners, the procedures for their selection and for the filling of vacancies, and the uties and powers of the commission. The legislature shall appropriate funds to enable the commission to carry out its duties.

(c) Reapportionment Standards.

(1) Congressional districts and state legislative districts for each respective house shall be as nearly equal in population as is practicable, based on the population reported in the federal census taken each year ending in zero. In no case shall a

congressional district have a population which varies by more than one percent from the average population of all congressional districts in the state. In no case shall a single state legislative district have a population which varies by more than five percent from the average population of all districts of a house. In no case shall the average of the absolute values of the population deviations of all districts of the respective house vary by more than two percent from the average population of all districts. Any population variance must be justifiable as necessary for compliance with one or more of the other standards set forth in this section. The commission shall have the burden of justifying any variance between the population of a district and the average population of all districts.

(2) Districts shall be composed of convenient contiguous territory and, consistent with subsection (1), shall be drawn to coincide with the boundaries of local political subdivisions.

(3) Districts shall be compact in form. The aggregate length of all district boundaries shall be as short as practicable consistent with the standards contained in subsections (1) and (2). In no case shall the aggregate length of the boundaries of all districts of a house, as well as of all districts within a local political subdivision that has a population sufficient to establish two or more districts, exceed by more than five percent the shortest possible aggregate length of all the districts under any other plan that is consistent with the other standards contained in this constitution.

(4) The commission shall prepare a plan that is equitable to all electors. In preparing a plan, the commission shall not use demographic information or information about incumbent legislators, the political affiliations of registered voters, or previous election results for the purpose of favoring any political party, incumbent legislator, or any other person or group.

(5) No district shall be drawn for the purpose of diluting the voting strength of any language or racial minority group.

(d) Judicial Review of Apportionment. Within 15 days after the submission of an apportionment plan by the commission, the Attorney General shall petition the supreme court of the state for a declaratory judgment determining the validity of the apportionment plan. The supreme court, in accordance with its rules, shall permit adversary interests to present their views, and, within 60 days from the filing of the

petition, shall enter its judgment. Should the supreme court determine the apportionment plan to be invalid in whole or in part, the governor shall reconvene the commission which shall, within 30 days, adopt an apportionment plan conforming to the judgment of the supreme court. A revised plan shall be subject to judicial review by the supreme court in the same manner as the original plan.

Schedule to Article III, Section 16. The first election pursuant to this apportionment shall be held at the general election in 1982.

APPENDIX 2.

1980 proposal.

Reference: Article III, Section 16

Ballot Title: Citizen's Amendment for Better Representation

Ballot Summary: None. Full Text: Section 16 of Article III of the State Constitution shall be amended to read:

SECTION 16. Legislative and congressional reapportionment.-

(a) REAPPORTIONMENT MANDATE. In each year ending in one, the state shall be divided into: as many congressional districts as there are United States Representatives apportioned to the state; not less than thirty or more than forty senate districts; and not less than eighty or more than one hundred and twenty representative districts. All legislative districts shall be single-member districts.

(b) REAPPORTIONMENT COMMISSION. In each year ending in one and at any other time of court ordered reapportionment, a commission shall be established to prepare a reapportionment plan for congressional and state legislative districts. The commission shall consist of seven electors, none of whom may be elected public or party officers or employees of the state legislature. The president of the senate, the speaker of the house of representatives, the minority leader of the senate, the minority leader of the house of representatives, and the chairperson of the political party which received the second highest vote in the last gubernatorial election shall each submit to the governor and make public a list of not less than three persons, By July 1 of the same year, the governor shall appoint one person from each list and one additional person. In making his appointments, the governor shall give due consideration to the appointment of a commission that is broadly representative of the people of the state. Within thirty days after appointments have been made, the six commissioners shall select by a vote of at least four commissioners a seventh commissioner, who shall serve as chairperson. Failure to select the seventh commissioner within the time prescribed shall constitute an impasse which shall automatically discharge the commission. A new commission shall then be appointed in the same manner as the original commission. The legislature shall establish by

law the qualifications of commissioners, the procedures for their selection and for the filling of vacancies, and the duties and powers of the commission. The legislature shall appropriate funds to enable the commission to carry out its duties.

(c) REAPPORTIONMENT STANDARDS.

(1) Congressional districts and state legislative districts for each respective house shall be as nearly equal in population as is practicable, based on the population reported in the federal census taken each year ending in zero. In no case shall a congressional district have a population which varies by more than one percent from the average population of all congressional districts in the state. In no case shall a single state legislative district have a population which varies by more than five percent from the average population of all districts of a house. In no case shall the average of the house exceed two percent of the average population of all districts. Any population variance must be justifiable as necessary for compliance with one or more of the other standards set forth in this section. The commission shall have the burden of justifying any variance between the population of a district and the average population of all districts.

(2) Districts shall be composed of convenient contiguous territory and, consistent with paragraph (1), shall be drawn to coincide with the boundaries of local political subdivisions.

(3) Districts shall be compact in form. The aggregate length of all district boundaries shall be as short as practicable consistent with the standards contained in paragraphs (1) and (2). In no case shall the aggregate length of the boundaries of all districts of a house, as well as of all districts within a local political subdivision that has a population sufficient to establish two or more districts, exceed by more than five percent the shortest possible aggregate length of all the districts under any other plan that is consistent with the other standards contained in this constitution.

(4) The commission shall prepare a plan that is equitable to all electors. In preparing a plan, the commission shall not use demographic information or information about incumbent legislators, the political affiliations or registered voters, or previous election results for the purpose of favoring any political party, incumbent legislator, or any other person or group.

(5) No district shall be drawn for the purpose of diluting the voting strength of any language or racial minority group.

(d) JUDICIAL REVIEW OF APPORTIONMENT. Within fifteen days after the submission of an apportionment plan by the commission, the attorney general shall petition the supreme court of the state for a declaratory judgment determining the validity of the apportionment plan. The supreme court, in accordance with its rules, shall permit adversary interests to present their views, and, within sixty days from the filing of the petition, shall enter its judgment. Should the supreme court determine the apportionment plan to be invalid in whole or in part, the governor shall reconvene the commission which shall, within thirty days, adopt an apportionment plan conforming to the judgment of the supreme court. A revised plan shall be subject to judicial review by the supreme court in the same manner as the original plan.

(e) SCHEDULE TO ARTICLE III, SECTION 16. The first election pursuant to this apportionment shall be held at the general election in 1982.

APPENDIX 3.

(Journal of the Senate, February 23, 1993, page 187)

CS for SJR's 328, 530, 844 and 139—
A joint resolution proposing the repeal of section 16, Article III of the State Constitution, relating to legislative apportionment, and the addition of section 10, Article II of the State Constitution, relating to the establishment of a commission to reapportion the state legislative districts and redistrict congressional districts; prescribing guidelines for such reapportionment and redistricting; and providing for judicial review thereof.

Be It Resolved by the Legislature of the State of Florida:

That the repeal of section 16 of Article III of the State Constitution and the addition of the following section 10 of Article II of the State Constitution are agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE II
GENERAL PROVISIONS

SECTION 10. Legislative apportionment and congressional redistricting.

(a) REAPPORTIONMENT MANDATE.— By the end of each year that ends in one, the state shall be divided by the commission herein created into: as many congressional districts as there are United States Representatives apportioned to the state; forty consecutively numbered senate districts; and one-hundred-and-twenty consecutively numbered representative districts. All legislative districts shall be single-member districts.

(b) REAPPORTIONMENT COMMISSION.—

(1) In each year that ends in zero and at any other time of court ordered reapportionment, a commission shall be established to prepare a redistricting plan for congressional districts and a reapportionment plan for legislative districts. The commission shall consist of seven electors, none of whom may be an elected public official, party officer, registered lobbyist; or legislative employee, as such terms are defined by law. Any other person may serve on the commission. By March 1 of the same year, the chief justice of the supreme court shall appoint six members to serve on the commission. Five members shall be selected from recommendations made by the chief judge of each district court of appeal in this state. Each chief judge shall

recommend 3 individuals who otherwise meet the qualifications of this section and are domiciled in that district. Of the three recommendations made by each chief judge, the chief justice shall appoint at least one member of each racial or language minority group that comprises at least 10 percent of the population of this state as shown by the most recent federal decennial census. If the recommendations from the chief judges do not permit such appointments, the chief justice may disregard the recommendations to the extent necessary to make these required appointments. In making the remaining appointments, the chief justice shall endeavor to establish the membership of the commission to reflect the gender diversity of the state and to be geo graphically representative of the state.

(2) Within thirty days after the appointments have been made, the six commissioners shall select, by a vote of at least four commissioners, a seventh commissioner, who shall serve as chairperson. The chairperson will be responsible for the administrative duties of the commission, including supervision of commission staff. Staffing of the commission shall be as provided by law. Failure to select the seventh commissioner within the time prescribed shall constitute an impasse that shall automatically discharge the commission. A new commission shall then be appointed in the same manner as the original commission. Within twenty days after the new appointments have been made, the six commissioners shall select, by a vote of at least four commissioners, a seventh commissioner, who shall serve as chairperson.

(3) Should the number of appellate court districts in this state be increased or decreased by the legislature, the number of members on the commission shall increase or decrease accordingly, with the method of appointment remaining unchanged except as herein modified. The chairperson of the commission shall be selected by a two-thirds vote of the commissioners. The chief justice shall appoint an additional member to serve on the commission if the number of commissioners prior to the selection of the chairperson is an odd number.

(4) As a condition of appointment, each commissioner shall take an oath that such commissioner will agree not to seek public office in any of the newly redistricted legislative or congressional districts for a period of two years after the effective date thereof.

(5) Vacancies shall be filled by the chief justice based on the same criteria as the original appointment including domicile within a district of an appellate court within the state, except that the chairperson shall be selected in the manner set forth in paragraph (2).

(6) The legislature shall, by general appropriations, provide adequate funds to enable the commission to carry out its duties.

(7) The commission shall hold public hearings as it deems necessary to carry out its responsibilities under this section. The commission shall adopt its plans by majority vote. No ex parte communication relative to the merits, threat, or offer of reward shall be made to a commissioner. A special election specifically authorized by law for that purpose: commissioner who receives an ex parte communication shall place on the communications received and all written responses to such communications, and all oral communications received and all oral responses made thereto. The ex parte prohibition shall not apply to commission staff except that such ex parte communications between commission staff and the following shall be prohibited: any interested party to any proposed plan; any lobbyist as defined in section 112.3148(2)(b), Florida Statutes, or section 112.3215(1)(a), Florida Statutes; and any officer or employee of a political party or its agent or designee. The provisions of section 24 of Article I of this constitution regarding access to public records and meetings shall apply to the commission. meetings shall apply to the commission.

(c) REAPPORTIONMENT STANDARDS.-

(1) Congressional districts and state legislative districts for each respective house shall be as nearly equal in population as is practicable, based on the population reported in the federal decennial census, taken in each year ending in zero. No congressional district shall have a population that varies by more than one percent from the average population of all congressional districts in the state. No legislative district shall have a population that varies by more than ten percent from the average population of all districts of the respective house. The average of the absolute values of the population deviations of all districts of the respective house shall not vary by more than five percent from the average population of all districts. Any population variance must be justifiable as necessary for compliance with the other standards in this section.

(2) Districts should be composed of convenient contiguous territory and, consistent with paragraph (1), should be drawn to coincide with the boundaries of local political subdivisions, as such terms are defined by general law.

(3) Districts should be compact in form.

(4) No district shall be drawn for the purpose of favoring any political party, incumbent legislator, representative to Congress, or other person. In preparing a

plan, the commission shall not take into account the addresses of incumbent legislators or representatives to Congress.

(5) A district shall not be drawn to dilute the voting strength of any racial or language minority group.

On applying the reapportionment standards prescribed in this subsection, the prohibition against drawing a district to dilute the voting strength of any racial or language minority groups shall be controlling over the standards prescribed in paragraphs (2) and (3).

(d) JUDICIAL REVIEW.-Within five days after completion of a plan of apportionment or redistricting, the commission shall file such plan with the secretary of state. Within fifteen days after the filing of an apportionment or redistricting plan by the commission, the attorney general shall petition the state supreme court for a declaratory judgment determining the validity of the plan, including its compliance with all criteria herein specified, applicable federal law, and the constitution of the United States. The supreme court, in accordance with its rules, shall permit adversary interests to present their views and, within sixty days after the filing of the petition, shall enter its judgment. If the supreme court determines the apportionment or redistricting plan to be invalid in whole or in part, the commission shall forthwith reconvene and shall, within thirty days, adopt a revised plan that conforms to the judgment of the supreme court. The revised plan shall be subject to judicial review by the supreme court in the same manner as the original plan. Upon replacing existing provisions providing for legislative apportionment with new provisions that establish reapportionment standards and provide for the creation of a seven-member commission to prepare an apportionment plan for the state legislature and a redistricting plan for the congressional districts of the state.

(e) JUDICIAL REAPPORTIONMENT.-If the commission fails to adopt a plan or a revised plan by the end of each year that ends in one, the commission shall, within five days, notify the secretary of state in writing of its inability to adopt a plan. Within five days after the filing of such notice, the attorney general shall petition the supreme court to prepare a plan of apportionment or redistricting. The court shall, not later than sixty days after receiving the petition of the attorney general, file with the secretary of state an order making such apportionment or redistricting.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENTS
ARTICLE II, SECTION 10; ARTICLE III, SECTION 16

LEGISLATIVE APPORTIONMENT AND CONGRESSIONAL REDISTRICTING.-Proposing amendments to the State Constitution replacing existing provisions providing for legislative apportionment with new provisions that establish reapportionment standards and provide for the creation of a seven-member commission to prepare an apportionment plan for the state legislature and a redistricting plan for the congressional districts of the state.

APPENDIX 4.

1997-1998 Florida Constitution Revision Commission proposal for independent revision commission (failed ballot placement on revote after initially having been voted on the ballot)

Committee Substitute for Proposals No.172 & 162

By the Committee on Legislative and Commissioners Thompson and Evans-Jones

A proposal to repeal

ARTICLE III, s. 16, Fla. Const., relating to legislative apportionment and create ARTICLE II, s. 10, Fla. Const.; providing for a commission to establish legislative and congressional districts; providing for the appointment of members to the commission; requiring that the chief justice of the supreme court fill certain vacancies on the commission; 1requiring meetings and records of the commission to be open to the public; providing certain exceptions; requiring that the commission file its final report with the secretary of state within a specified period; requiring that the supreme court determine the validity of the plans; providing for the supreme court to establish the districts under specified circumstances; providing for the assignment of senatorial terms that are shortened as a result of apportionment; deleting requirements that the Legislature apportion the state into legislative districts.

It is proposed by the Florida Constitution Revision Commission that:

Section 1. Section 16 of Article III of the Florida Constitution is repealed and Section 10 is added to Article II to read:

ARTICLE II

GENERAL PROVISIONS

SECTION 10. Legislative apportionment and congressional districting.--

(a) REAPPORTIONMENT AND REDISTRICTING COMMISSION.—In the year following each decennial census or when required by law of the United States or by court order, a commission shall divide the state into 40 consecutively numbered senatorial districts, 120 consecutively numbered representative districts, and as many consecutively numbered congressional districts as there are representatives in congress apportioned to this state. The commission shall consist of 9 electors, none of whom may be an elected state official, member of congress, party officer, registered lobbyist, legislative or congressional employee, or relative of an elected state official or member of congress as provided by law. Each district shall be composed of contiguous territory and may not include territory of any other district of the same house.

Districts shall be established in accordance with the constitution of the state and of the United States, shall be as nearly equal in population as practical, and may not be drawn in a manner that dilutes the voting strength of any racial or language minority group. The commission shall consider creating districts that consist of compact territory.

(1) On or before June 1 in the year following each decennial census, or within 15 days after legislative apportionment or congressional redistricting is required by law or by court order, eight commissioners shall be certified by the respective appointing authorities to the secretary of state. The president of the senate and the speaker of the house of representatives each shall appoint two commissioners. Members of the senate who are not members of the same party as the president shall designate one from their number who shall appoint two commissioners. Members of the house of representatives who are not members of the same party as that of the speaker shall designate one from their number who shall appoint two commissioners. The appointing authorities shall consider the state's ethnic, racial, and gender diversity. Failure to achieve such diversity shall not be grounds for challenging the authority of the commission.

(2) Within 45 days after the eight commissioners are certified to the secretary of state, one additional commissioner, who shall be designated chair of the commission, shall be appointed by a vote of at least five commissioners and certified to the secretary of state.

(3) As a condition of appointment, each commissioner shall take an oath affirming that the commissioner will not seek election to the senate or house of representatives and will not lobby the legislature for a period of 2 years after concluding service as a commissioner.

(4) A vacancy on the commission shall be filled by the initial appointing authority and certified to the secretary of state within 15 days after the vacancy occurs.

(5) Any appointment that is not timely certified to the secretary of state shall be filled within 15 days by the chief justice of the supreme court of the state.

(6) The commission shall act by majority vote of its membership and shall establish its own rules and procedures. Public notice must be given prior to all meetings of the commission and the meetings shall be open to the public. The commission shall hold hearings to receive public testimony as it deems necessary. All data and documents received, created, or used by the commission shall be open and accessible to the public, except that any plan or draft proposal prepared by a commissioner or by the commission staff is exempt from disclosure until such document is provided to another commissioner or to any member of the public other than commission staff.

(7) Within 150 days after the chair is first certified to the secretary of state, the commission shall file with the secretary of state its final report, including all required plans.

(8) The legislature shall appropriate sufficient funds for the operation of the commission, as provided by law.

(9) After the supreme court determines that the required plans are valid, the commission shall be dissolved.

(b) FAILURE OF COMMISSION TO APPORTION; JUDICIAL APPORTIONMENT. --If the commission does not timely file its final report, including all required plans, with the secretary of state, the commission shall be dissolved, and the attorney general shall, within 5 days, petition the supreme court of the state to divide the state into legislative or congressional districts. Within 60 days after the filing of such petition, the supreme court shall file with the secretary of state an order dividing the state into legislative or congressional districts.

(c) JUDICIAL REVIEW OF APPORTIONMENT.--Within 15 days after the final report of the commission is filed with the secretary of state, the attorney general shall petition the supreme court of the state to determine the validity of the plans. The supreme court, in accordance with its rules, shall permit adversary interests to present their views and, within 30 days after the filing of the petition, shall enter its judgment.

(d) EFFECT OF JUDGMENT IN APPORTIONMENT.--A judgment of the supreme court of the state determining a plan to be valid is binding. If the supreme court determines that a plan adopted by the commission is invalid, the commission, within 20 days after the ruling, shall adopt and file with the secretary of state an amended plan that conforms to the judgment of the supreme court. Within 5 days after the filing of an amended plan, the attorney general shall petition the supreme court of the state to determine the validity of the plan, or, if the commission has failed to file a plan, report that fact to the court. The supreme court, in accordance with its rules, shall permit adversary interests to present their views and, within 30 days after the filing of the petition, shall enter its judgment.

(e) JUDICIAL APPORTIONMENT.--If the commission fails to file an amended plan, or if the supreme court of the state determines that an amended plan is invalid, the commission shall be dissolved, and the supreme court shall, not later than 60 days after receiving the petition of the attorney general, file with the secretary of state an order dividing the state into legislative or congressional districts.

(f) SENATORIAL TERMS.--Any reelected senator whose prior term was shortened to 2 years as a result of apportionment shall, after apportionment, be assigned to serve a 4-year term. Any new senator or reelected senator whose prior term was not so shortened shall, after apportionment, be assigned to serve a 2-year term; however, if the number of senators assigned to serve a 2-year term exceeds 20, the number of such senators shall be reduced to 20 by random selection as provided by law.

APPENDIX 5.

2002 People Over Politics proposal 99-06

Full Text: Add a new subsection (*) to Article III, Section 16: "(*) STANDARDS

FOR REAPPORTIONMENT.

In apportioning the legislative and congressional districts, in addition to the population requirements provided in the constitutions of the United States and this state, the following standards shall be followed: "(1) All legislative and congressional districts shall be compact in form, and composed of contiguous territory. Where possible, division of counties and other political subdivisions shall be avoided. "(2) Districts shall not be drawn so as to dilute the voting strength of any group based upon race, religion or national origin. "(3) Districts shall not be drawn so as to favor or disfavor any incumbent, political party or other person.

2002 People Over Politics proposal 99-07

Full Text: Delete current Article III, Section 16, and insert the following:

Section 16. Legislative apportionment.—

(a)APPORTIONMENT AND DISTRICTING COMMISSION. In the year following each decennial census or when required by the United States or by court order, a commission shall divide the state into not less than 30 or more than 40 consecutively numbered senatorial districts of either contiguous, overlapping or identical territory, not less than 80 or more than 120 consecutively numbered representative districts of either contiguous, overlapping or identical territory as

provided by this constitution or by general law and shall divide the State to create as many congressional districts as there are representatives in congress apportioned to this state. Districts shall be established in accordance with the constitution of this state and of the United States and shall be as nearly equal in population as practical.

(1)On or before June 1 in the year following each decennial census, or within 15 days after legislative apportionment or congressional districting is required by law or by court order, 16 commissioners shall be certified by the respective appointing authorities to the custodian of records. The president of the senate and the speaker of the house of representatives each shall select and certify four commissioners. Members of minority parties in the senate shall elect one from their number who shall select and certify four commissioners. Members of minority parties in the house of representatives shall elect one from their number who shall select and certify four commissioners. Within 21 days after the 16 members are certified to the custodian of records, the commissioners by affirmative vote of 11 members shall elect the 17th member, who shall be a registered voter who for the previous two years was not registered as an elector of any political party having a member holding office in the appointing legislature. If no selection is made, then the chief justice of the supreme court shall select the 17th member from a list of four persons, who shall be registered voters who for the previous two years were not registered as electors of any political party having a member holding office in the appointing legislature, two selected by the speaker's and president's commissioners, and two by the minority parties' commissioners.

(2) No commissioner shall have served during the two years prior to his or her certification as an elected state official, member of congress, party officer or employee, paid registered lobbyist, legislative or congressional employee, and no commissioner shall be a relative, as defined by law, or an employee of any of the above. "b. As a condition of appointment, each commissioner shall take an oath affirming that the commissioner will not receive compensation as a paid registered lobbyist, or seek elected office in any legislative or congressional district for a period of four years after concluding service as a commissioner.

(3) The commission shall elect one of its members to serve as chair and shall establish its own rules and procedures. All commission actions shall require 11 affirmative votes. Meetings and records of the commission shall be open to the public and public notice of all meetings shall be given.

(4) Within 180 days after the commission is certified to the custodian of records, the commission shall file with the custodian of records its final report, including all required plans.

(5) After the supreme court determines that the required plans are valid, the commission shall be dissolved.

(b) FAILURE OF COMMISSION TO APPORTION; JUDICIAL APPORTIONMENT. If the commission does not timely file its final report including all required plans with the custodian of records, the commission shall be dissolved, and the attorney general shall, within five days, petition the supreme court of the state to make such apportionment. No later than the sixtieth day after the filing of such petition, the supreme court shall file with the custodian of records an order making such apportionment.

(c) JUDICIAL REVIEW OF APPORTIONMENT. Within 15 days after the final report of the commission is filed with the custodian of records, the attorney general shall petition the supreme court to review and determine the validity of the apportionment.

(d) EFFECT OF JUDGMENT IN APPORTIONMENT. A judgment of the supreme court determining the apportionment to be valid or ordering judicial apportionment shall be binding upon all citizens of the state. Should the supreme court determine that the apportionment made by the commission is invalid, the commission, within 20 days after the ruling, shall adopt and file with the custodian of records an amended plan that conforms to the judgment of the supreme court. Within five days after the filing of an amended plan, the attorney general shall petition the supreme court of the state to determine the validity of the amended plan, or if the commission has failed to file an amended plan, report that fact to the court.

(e) JUDICIAL APPORTIONMENT. Should the commission fail to file an amended plan or should the supreme court determine the amended plan is invalid, the commission shall be dissolved, and the supreme court shall, not later than 60 days after receiving the petition of the attorney general, file with the custodian of records an order making such apportionment.

APPENDIX 6.

Year	Partisan / Incumbent	Minority	Contiguous	Compact	Equal in Population	Use existing boundaries	Redistricting Commission
1978 CRC	x[98]	X	X	X	X	X	X
1980 initiative	x[99]	X	X	X	X	X	X
1993 Senate	X	X[100]	X	X	X	X	X
Initiative 99-06 (2002)	X	X[101]	X	X		X	
Initiative 99-07 (2002)			X		X		X
Initiative 05-14 (2006)				X			X
2008 Fair Districts	X	X	X	X	X	X	

[98] Shall not use demographic information "for the purpose of" favoring incumbent or partisan group.
[99] Shall not use demographic information "for the purpose of" favoring incumbent or partisan group.
[100] Compactness, contiguous territory, and existing political boundaries subordinate to standard of not diluting the voting strength of racial or language minority groups.
[101] Adds religion as protected category.

APPENDIX 7.

	Contributors $50,000 and more	Amount	Percentage of total	Total $ Contributions $
1	NATIONAL EDUCATION ASSOCIATION	1,164,107	13%	9,162,456.60
2	FINDLATER CHRISTOPHER	896,020	10%	
3	FLORIDA EDUCATION ASSOCIATION	650,000	7%	
4	SEIU	625,000	7%	
5	FLORIDA WATCH BALLOT COMMITTEE	500,000	5%	
6	BRUNCKHORST FRANK	405,000	4%	
7	AMERICA VOTES	400,000	4%	
8	THE ATLANTIC ADVOCACY FUND, INC.	250,000	3%	
9	THE MICHAEL R. BLOOMBERG REVOCABLE TRUST	250,000	3%	
10	EYCHANER FRED	200,000	2%	
11	IDAHO DEVELOPMENT COMPANY OF FLORIDA, INC.	160,000	2%	
12	ROCKEFELLER FAMILY FUND, INC.	140,000	2%	
13	SEARCY DENNY SCAROLA BARNHART & SHIPLEY	120,000	1%	
14	RYAN VINCENT J.	100,000	1%	
15	HOGAN WAYNE	95,000	1%	
16	THE BRINK FOUNDATION	75,000	1%	
17	BALLOT INTIATIVE STRATEGY CENTER INC.	70,000	1%	
18	FRIEDKIN MONTE	65,000	1%	
19	SINGER MICHAEL A.	65,000	1%	
20	TERRELL HOGAN ELLIS YEGELWELL, P.A.	60,500	1%	
21	GROSSMAN ROTH, P.A.	60,000	1%	
22	MORSANI FRANK L.	55,000	1%	
23	SPOHRER & DODD	50,000	1%	
24	PUBLIC EDUCATION DEFENSE FUND, INC.	50,000	1%	
25	SPOHRER & DODD, PL	50,000	1%	
26	STRYKER JON	50,000	1%	
27	WILKES & MCHUGH, P.A	50,000	1%	
28	LEAGUE OF CONSERVATION VOTERS	50,000	1%	
	Total	6,705,627	73%	

APPENDIX 8.

Contributor Name	Sum of Amount	
REPUBLICAN PARTY OF FLORIDA	2,607,500	66%
FLA. ASSN. OF REALTORS ADVOCACY FUND	278,000	7%
ADELSON MIRIAM	200,000	5%
CENTER TO PROTECT PATIENT RIGHTS	100,000	
HUIZENGA H. WAYNE	100,000	
UNITED STATES SUGAR CORPORATION	100,000	3%
FLORIDA CRYSTALS CORP.	100,000	
FLORIDA CHAMBER OF COMMERCE, INC.	100,000	
DEVOS HELEN	50,000	
REPUBLICAN STATE LEADERSHIP COMMITTEE	50,000	
PROTECT OUR CONSTITUTION	50,000	
DEVOS RICHARD	50,000	
CSX TRANSPORTATION, INC.	25,000	
FLORIDA JOBS PAC CCE	25,000	
TECO ENERGY, INC.	25,000	
BRAMAN NORMAN	25,000	
HONEYWELL INTERNATIONAL PAC	25,000	
HOLDING COMPANY OF THE VILLAGES, INC.	10,000	
ECCLESTONE JR. E. L.	7,500	
CHOOSING RIGHT FOR FLORIDA'S ECONOMY	6,000	
Grand Total	**3,934,000**	

APPENDIX 9.

Listing of Legislative Hearings for HJR and Reapportionment

Legislative Hearings on HJR and SJR

Fla. S., recording of proceedings (Apr. 30,2010) (1 :29:12)

Fla. S., recording of proceedings (Apr. 28, 2010) (2:01:59)

Fla. H.R., recording of proceedings (Apr. 26, 2010) (1 :36:29)

Fla. H.R., recording of proceedings (Apr. 23,2010) (1 :01 :01)

Fla. H.R. Rules & Calendar Council, recording of proceedings (Apr. 19,2010) (1:27:35) Fla. S. Comm. on Reapp., recording of proceedings (Apr. 16, 2010) (1:52:31)

Fla. H.R. Select Policy Council on Strategic & Econ. Planning, recording of proceedings (Apr. 15,2010) (43:43)

Select Legislative Hearings on Reapportionment

August 31, 2011 Redistricting hearing in Naples

August 30, 2011 Redistricting hearing in Sarasota

May 6, 2011 Joint meeting on redistricting

February 7, 2011 Senate reappointment committee

January 25, 2011 Senate reappointment committee

December 9, 2010 Senate reappointment committee

April 16, 2010 Senate reappointment committee

April 12, 2010 Senate reappointment committee

April 12, 2010 House Ethics and Elections Committee

March 17, 2010 Senate Committee on Reappointment

March 15, 2010 Senate Committee on Reappointment

March 5, 2010 Senate Committee on reappointment

March 2, 2010 Senate Committee on Reappointment

February 17, 2010 Senate Committee on Reappointment

February 11, 2010 Joint Meeting (Ellen Freidin)

January 20, 2010 Senate Committee on Reappointment

January 13, 2010 Senate Committee on Reappointment

January 11, 2010 Joint Meeting (Brown and Diaz-Balart)

November 3, 2009 Senate Committee on Reappointment (1:03 start)

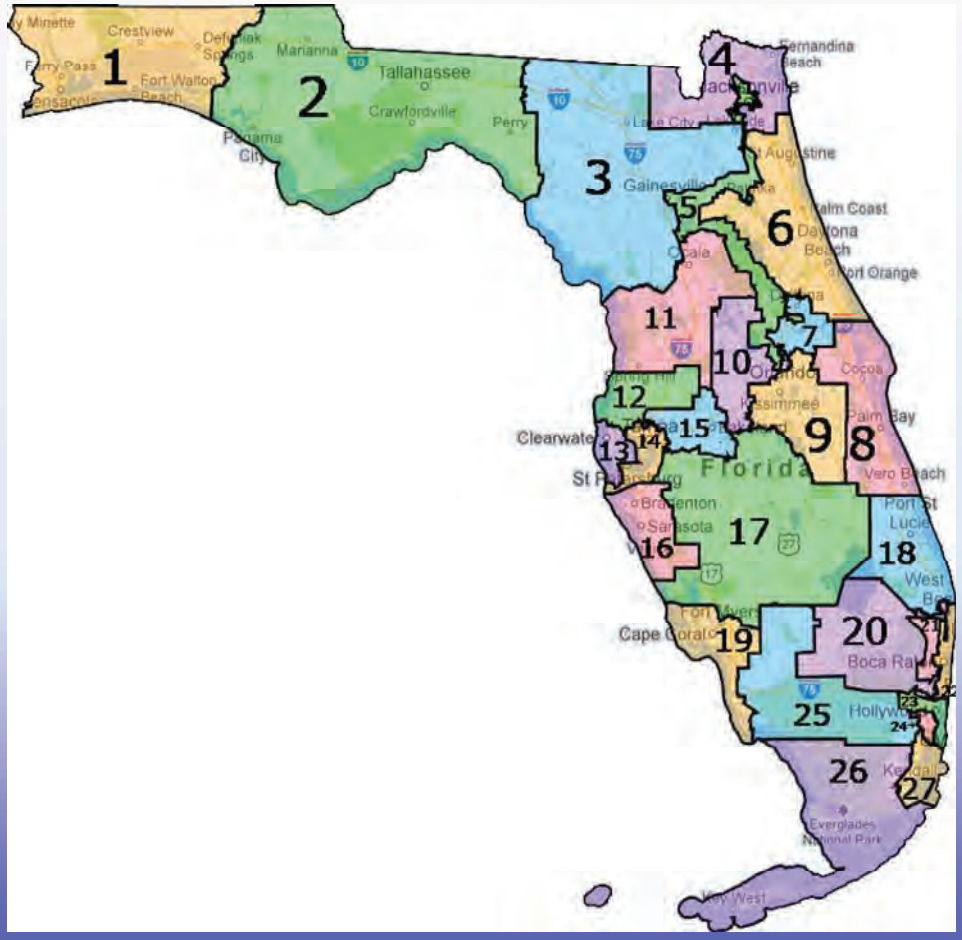
Exhibit 47

Case Studies of State Redistricting Campaigns

Background | Analysis | Lessons Learned

Volume 3: FLORIDA

FAIRDISTRICTSFLORIDA.ORG



Authors

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Adrien Schless-Meier

October 2015

About the Authors

Linda Honold, PhD is an independent consultant who works with clients to envision, design and develop program, organization, and expansive interconnected networks to enhance democracy. She is the author of two books and numerous articles, including most recently a *Foundation Review* article "Weaving an impactful network," co-authored with Anne Summers, Executive Director of Brico Fund, and "Grassroots in new soil", a case study that examined year-round civic engagement in Milwaukee.

Honold has served in an executive capacity in nonprofit service, civic engagement/advocacy and political organizations as well as in a corporate setting. She holds a Ph.D. in Human and Organizational Systems, a M.A. in Organization Development, a M.S. in Industrial Relations, B.A. in Political Science and a post-graduate certificate in Dialogue, Deliberation and Public Engagement. In a volunteer capacity, Linda has serves as Chair of the Board of Fielding Graduate University and has served on the Democratic National Committee Executive Committee; and the Wisconsin Academy of Arts and Sciences and Milwaukee Symphony Orchestra Board of Directors.

Adrien Schless-Meier is a Program Associate at the Bauman Foundation, where she leads and supports work on redistricting reform, voting and elections, and the census. She has worked at both the grassroots and policy levels on anti-hunger and anti-poverty initiatives in Portland, OR, Pittsburgh, PA, and Washington, D.C. At Feeding America, the nation's largest anti-hunger charity, she developed a grant program to build advocacy capacity among 200 food banks across the country. Adrien was also the Deputy Managing Editor for Civil Eats, a daily news website on sustainable food and agriculture, from 2012-2015. Adrien received her B.A. in sociology from Reed College in 2012.

This volume and the previous two (covering Ohio and California) can be found at http://bit.ly/1VONWB2.

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Case Studies of State Redistricting Campaigns
Volume 3: FairDistrictsFlorida.org

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Case Studies of State Redistricting Campaigns: A Multi-Volume Series

Why Study Redistricting Reform Campaigns?

To ensure a healthy vibrant democracy, our political structures must engage citizens and be fair and transparent. Creating the districts that determine who will represent us is one of the fundamental processes of our democracy. If the process does not fairly reflect our views and preferences, then our democracy is at risk.

Objective: Existing redistricting models and the ways they can be abused for political ends have been well documented, as have ideas for improvements on those models (See for instance: Herbert, 2011; Levitt, 2010; Levitt, 2011; Litton, 2012; NAACP Legal Defense and Education Fund, et al 2010; Stephanopoulos, 2007). What has not been examined in depth is the process through which states that have affected reform achieved that change.

This four volume series consists of three case studies and a comparative analysis of those cases to identify lessons from ballot initiative campaigns that can inform plans for other ballot initiatives. This series also aims to inform legislative reform efforts and to translate research findings into user-friendly suggestions for developing reform.

When completed, this series will consist of:

- Volume 1: Ohio Voters First, a citizen-initiated constitutional ballot initiative that failed to gain the support of the state's voters.
- Volume 2: California Voters FIRST, a successful citizen-initiated ballot initiative resulting in a constitutional amendment for a citizen based independent commission.
- Volume 3: Florida FairDistricts Now, a successful citizen-initiated ballot initiative that led to a constitutional amendment laying out criteria for legislative use in determining legislative and congressional boundaries.
- Volume 4:[1] An executive summary including:
  - Cross case analysis including identifying and analyzing similarities and differences in the cases.
  - Compendium of lessons learned, including successes, challenges and failures.
  - Compilation of strategies and tactics employed, including suggestions on coalition formation and engagement, communications strategy, and advocacy approaches, as well as a description of the unique circumstances that should be considered in designing state-based plans.

[1] Additional case studies on other state redistricting reform efforts may arise as needed. Analysis from an unsuccessful ballot initiative in Illinois will be included in the executive summary.

Methodology: Each case contains a review describing the state's reform campaigns, coupled with an examination of websites, such as those created by the advocacy groups involved and news and media outlets, as well as documentary evidence in extant government documents. Telephone and onsite interviews with engaged activists and others identified as primary players provide additional context. The entirety of the data is then analyzed to discern activities and events contributing to the outcome of the effort.

A cross-case analysis takes the learnings to a deeper level by examining similarities and differences across the several redistricting efforts and reveals commonalities that advocates may use to analyze current or future reform efforts.

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To develop a plan for achieving reform in Wisconsin Brico Fund began looking for models of best practices in redistricting reform. What we found were many examples of "what" the policy implemented was but virtually nothing about "how" it was achieved. "Case Studies of State Redistricting Campaigns" is the result of that search. Our hope is that the documentation of the experience of each state provides lessons that advocates in our state and others find useful as they develop plans for redistricting reform.

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Redistricting reform ballot initiative campaigns are challenging and complex projects that are not for the faint of heart. To the members of the FairDistrictsFlorida.org steering committee, campaign and coalition effort, your efforts are greatly appreciated. A special word of thanks goes to those who shared their experiences so that others can learn and to those who reviewed this document to help ensure its accuracy.

FairDistrictsFlorida.org: Adding Standards to the Redistricting Process

OVERVIEW

On November 2, 2010, nearly 63% of Florida voters approved two amendments to the state constitution to revamp the legislative and congressional redistricting processes. The victory came after four years of work from bipartisan leaders and a coalition of organizations, called FairDistrictsFlorida.org.[2] With such strong approval from Floridians across the state, Amendments 5 and 6 ("Florida Legislative District Boundaries" and "Florida Congressional District Boundaries," respectively) were an important step forward to ensure that Florida's voting maps fairly reflect the will of the people.

Revisions to the state constitutional provision on voting maps had been attempted numerous times and over many years. For example, redistricting and reapportionment were the first issues the Florida League of Women Voters took on when the group was founded in 1939 (Macnab 2014).

Why, then, did the FairDistrictsFlorida initiative succeed where previous efforts did not? This case study examines the most important learnings, including:

- The role of strong leadership coupled with a clear and consistent structure and continuous communications.
- Openness to amending the content of the reform language to ensure buy-in by key coalition constituencies.
- The importance of preparedness for post-victory attacks by the opposition.

Prior to examining the FairDistrictsFlorida's work, this report will review the history of redistricting reform efforts in the state since the decisions in two landmark U.S. Supreme Court cases, *Baker vs. Carr* (1962) and Florida-initiated *Swann vs. Adams* (1965). Together, the decisions in these two cases determined that reapportionment (and therefore redistricting) must be based on equal population – what is commonly referred to as the "one person, one vote" doctrine.

BACKGROUND: FLORIDA REDISTRICTING REFORM EFFORTS FOLLOWING *BAKER V. CARR* AND *SWANN V. ADAMS*

Through the 1961 decennial redistricting, Florida, like many other states, drew its state and congressional voting map lines based on geography. The following year, however, the U.S. Supreme Court ruled in *Baker v. Carr* that states must use equal population, not geography, to draw new legislative and congressional districts. In 1967, a three-judge panel from the U.S. District Court for the Southern District of Florida ruled in *Swann v. Adams* that the state's existing maps, in which districts varied by as much as 18% by population, were unconstitutional.

[2] Hereinafter "FairDistrictsFlorida."

The U.S. Supreme Court upheld the district court's decision, finalizing the shift from geography to population-based reapportionment and redistricting.[3]

The decision in *Swann v. Adams* led to an immediate massive transfer of power within the Florida state legislature; the number of Republicans increased from two to 20 in the Florida state senate and from 10 to 39 in the state house.

Since then, there were at least eight attempts to reform the redistricting process prior to the successful citizen-initiated constitutional amendments of 2010. Below is a timeline of key developments in the modern Florida redistricting and elections landscape.

1967: In light of the decision in *Swann v. Adams* invalidating the state's existing voting maps, the governor called a special session to revise the state constitution, including creating a new reapportionment plan (Dauer, Maggiotto and Koven 1981). Adopted by voters in 1968, the new rules set parameters for the total number of senators and representatives statewide, and required that each district have less than 5% deviation from the average population of all districts. Districts could be single- or multi-member, a feature that had long been part of the state's electoral system.

The special session also established a Constitutional Review Commission (CRC) to periodically assess the constitution's continued relevance and efficacy in meeting Floridians' political, social, and economic needs. As established, the CRC was comprised of 37 citizen commissioners who were required to gain public input on any proposed changes to the state constitution. Prior to adoption, any recommended constitutional changes were then subject to approval through a statewide referendum of the state's voters. The state legislature directed the CRC to issue its first report in 1978 and then every 20 years thereafter.

1972: The state Attorney General sent recommendations to the state legislature to lower the population deviation threshold between districts from 5% to 1%. He also emphasized that districts could be single- or multi-member, and that they must be compact but could divide cities and counties. The Florida NAACP filed a lawsuit against the recommendations, claiming that multi-member districts had long been used as a tactic to suppress the votes of people of color. Despite the challenge, Florida district court upheld the plan and multi-member districts remained intact (Dauer, Maggiotto and Koven 1981).

1975: In light of the requirements of the Voting Rights Act of 1965, the Department of Justice (DOJ) found that five Florida counties with large Latino populations were subject to preclearance under Section 5 of the VRA. The immediate impact was an order requiring the counties to distribute ballots in Spanish. It also required that the DOJ approve any subsequent changes to election-related laws prior to their going into effect.

1978: The first CRC proposed a series of changes to the state redistricting process. The plan included the creation of a bipartisan reapportionment commission and the prohibition of multi-member districts and gerrymandering, as well as the condition that any new voting maps respect city and county boundaries whenever possible. In testimony to the CRC, Republican

[3] In December 2015, the U.S. Supreme Court will hear oral arguments in *Evenwel v. Abbott*, which questions whether states should use total population or total voting population in applying the "one person, one vote" principle of the 14th Amendment.

elected officials, the Association of Florida Conservatives, Common Cause and other advocacy organizations all supported the proposal. Once the CRC approved the proposal, it moved to the ballot for voter approval. Voters defeated the proposed constitutional amendment by 130,647 votes out of 2.1 million total ballots cast (Dyckman 2014).

1980: A coalition including Common Cause, the NAACP, the Florida Republican Party, and the Association of Florida Conservatives pressed the state legislature to put the attempted 1978 redistricting plan on the ballot. The legislature staunchly refused. Common Cause attempted to move forward with a ballot measure on its own, but failed to collect the 250,000 signatures required to place the measure on the ballot (Dauer, Maggiotto and Koven 1981).

1992: Senate Joint Resolution 328 would have created a seven-member bipartisan redistricting commission requiring geographic and racial diversity among commissioners (Van Gieson 1993). The chief justice of the State Supreme Court would have appointed the first six members, who would then choose the seventh to serve as chair. The proposal passed unanimously in an evenly split state senate. The state house amended the bill dramatically, recommending a 21-member, politician-appointed commission if lawmakers failed to complete the voting maps within 30 days of receiving updated census data (Indigo 1993). The measure died for lack of action.

1998: The second CRC proposed to amend the state constitution to create a seven-member, politically appointed redistricting commission and would have required public hearings during the map-drawing process. Representatives from Common Cause, League of Women Voters of Florida, and AARP, as well as a state senator and a number of Florida citizens testified in support of the changes.

The amendment would have prohibited public officials, party officers, lobbyists, legislative or congressional employees, or relatives of state legislators from serving on the commission. It also would have prohibited any plans that favored a particular political party or incumbent, or that diluted the voting strength of any racial or language minority. The proposal failed by one vote when, as W. Dexter Douglass, chair of the CRC, told the *Sun Sentinel*, Republican members of the CRC threatened to abandon the commission if "there was no other way to keep that proposal off the ballot" (Dyckman 2014).

Later that year, a similar plan passed in the state senate would have created a seven-member, politician-appointed redistricting commission for both state and congressional redistricting. The bill required less than 1% population deviation for all districts, as well as compactness and contiguity, and respect for political subdivisions. The proposed plan also prohibited any plans that favored a particular political party or incumbent, or that diluted the voting strength of any racial or language minority.

The bill initially garnered support from organizations like People for the American Way, Common Cause, the League of Women Voters of Florida, and the Florida Education Association. Ultimately, the Republican state house speaker opposed the bill, and purportedly "twisted just enough arms" (Dyckman 2002) to prevent the recommendations of an independent commission; the bill died in committee.

1998: The "People Over Politics" campaign formed to pursue redistricting reform on the November 2000 ballot. Led by Dexter Douglass, the former chair of the CRC, and Marilyn Evans-

Jones, a member of the CRC and former member of the Florida House, the campaign sought two fixes to the redistricting process. The first proposal would have created an 11-member commission, appointed by the legislature, to draw district lines; the other would have strengthened the state constitution's redistricting standards by requiring compactness and respect for city and county boundaries, and prohibiting favoring any political party, group, or individuals. The effort failed to raise the funds needed to collect approximately 500,000 signatures to qualify the measures for the ballot.

2005: The Committee for Fair Elections was created to add standards to the congressional and legislative redistricting process. The initiative would have established a 15-member citizen commission to draw legislative lines, and would have required compact districts "geared toward representing voters rather than re-electing incumbents" (Orlando Sentinel Editorial Board 2005). Betty Castor, a 2004 Democratic candidate for the U.S. Senate and former Florida State Education Commissioner, launched the campaign in partnership with a former Republican State Comptroller, Common Cause, and the League of Women Voters. The campaign collected and submitted over 900,000 signatures to the state board of elections, and raised $3.5 million. The proposed amendment qualified for the ballot with 689,325 valid signatures (Florida League of Women Voters 2015).

In March 2006, the coalition encountered a barrier that proved deadly for the effort. The state Supreme Court ruled 6-1 that the ballot measure violated the "single-subject" requirement of the Florida constitution, because it contained language to both create a commission and impose new standards for redistricting. The court thus struck the measure from the ballot (Dyckman 2014).

Although the Committee for Fair Elections work ended, the effort showed significant public support for reform and led to the FairDistrictsFlorida campaign.

PATH TO VICTORY: FAIRDISTRICTSFLORIDA

Despite past failed attempts to pass redistricting reform through ballot initiative, advocates for fair redistricting saw victory in November 2010. Amendments 5 and 6, which established strong criteria to eliminate racial and partisan gerrymandering for both legislative and congressional districts, passed with 63% of the vote.[4] The following section examines what was different about the FairDistrictsFlorida campaign, and why it succeeded where previous efforts had faltered.

Learning from Past Efforts

After the 2005 initiative failed, the effort's leader, Betty Castor, and other state officials, recruited attorney Ellen Freidin to help draft a new initiative that would pass constitutional muster. A bipartisan group of attorneys had already begun the process when Freidin stepped in. She had been active in state politics since 1972 and had served on the 1998 Constitutional

[4] A successful 2006 ballot initiative raised the threshold for a ballot initiative to pass from 50% to 60% of the vote.

Revision Commission, and was therefore intimately familiar with previous redistricting reform efforts.

Serving on the CRC had provided Freidin with a unique behind-the-scenes perspective on the issues associated with achieving redistricting reform. In particular, she learned more about the partisan nature of Florida's redistricting debate, noting that she "began to understand how important it was to Republicans, who were then in control of both houses of the legislature, not to have any reform" (Freidin 2014).

The 2005 effort had also provided important insights into how to proceed with a renewed reform effort. One important lesson was that obtaining agreement of key constituencies early in the process, well before the initiative language was finalized or achieved ballot status, was critical to the effort.

In an interview during the 2010 FairDistrictsFlorida campaign, Freidin charted the considerable momentum the coalition had built upon since 2005: "We have an incredible coalition that has amassed nearly 1.75 million signatures to put this on the ballot" (Outzen 2010). That kind of support did not happen without significant effort. Throughout 2006 and 2007, Freidin met with voting rights experts, legislative leaders, members of the minority party, and organization leaders from a diverse array of constituency groups, including communities of color, to develop a shared strategy for reform. She learned that the NAACP's concerns regarding the 1998 and 2005 proposals to establish a redistricting commission were still active and shared. "People of color and advocacy organizations vigorously opposed the citizen's commission approach," said Freidin. "They just didn't trust it to protect the rights of minority voters." (Freidin 2014). As a result, the coalition decided not to pursue formation of a commission. FairDistrictsFlorida instead opted "to establish rules [for fair redistricting] where there haven't been any…and keep [geographical] communities together with districts that make sense" (Outzen 2010).

Along with building support among partner institutions, the coalition conducted a poll to test how the creation of map-drawing criteria would resonate with voters. FairDistrictsFlorida would eventually need over 60% of voters to cast a ballot in favor of their proposed constitutional amendments, and the initial poll results indicated that they would be able to meet that threshold.

With a broad base of organizational and likely voter support, FairDistrictsFlorida drafted the following ballot language that was used for both Amendment 5, targeting legislative districts, and Amendment 6, targeting congressional districts:

> *Legislative [Congressional] districts or districting plans may not be drawn to favor or disfavor an incumbent or political party. Districts shall not be drawn to deny racial or language minorities the equal opportunity to participate in the political process and elect representatives of their choice. Districts must be contiguous. Unless otherwise required, districts must be compact, as equal in population as feasible, and where feasible must make use of existing city, county and geographical boundaries (Florida Department of Elections 2010).*

In reviewing the language of the FairDistrictsFlorida amendments, the Brennan Center for Justice, a leading expert on redistricting issues found the initiatives "well-crafted" and "easy to

read and to explain," adding that they avoided "some of the most contentious debate about the institutions of redistricting reform" (Levitt 2010).

After FairDistrictsFlorida settled on its ballot language, the coalition shifted its focus to developing and implementing a campaign plan. The first step was to collect enough signatures – the equivalent of 8% of the total votes cast in the most recent Presidential election from more than half of the state's congressional districts – to qualify the amendments for ballot status. That translated to 676,811 signatures.

FairDistrictsFlorida decided to outsource the signature collection to PCI Consultants, Inc., a California firm that specializes in ballot initiative signature gathering, noting that an outside firm had "the right mechanisms and quality control to do the checks and balances" (Lee 2014). Rather than waiting until all signatures were collected, the group took advantage of a provision that allowed the state supreme court to review ballot language after 10% of the required signatures in each of one-half of the state's congressional districts had been collected. Freidin describes the coalition's quick work during this process: "We got the 10%, submitted it to the court and stopped and waited for approval just in case there was a problem like there had been with the [2005] effort." In January 2009, the Supreme Court of Florida approved the initiative language for both Amendments 5 and 6 (Florida Department of Elections 2010).

A Professional Campaign Coupled with a Coalition

While the Supreme Court of Florida was considering the language, FairDistrictsFlorida created a campaign structure. It included a professionally managed campaign; a bipartisan steering committee; and, knowing how important external groups would be to foster support for the amendments among voters, a coalition of advocacy organizations (Lee 2014).

Freidin served as the campaign manager. "Throughout the process, Ellen did the fundraising, communications, strategizing, marketing," said Deirdre Macnab, then the state president of the Florida League of Women Voters (2014). The group also hired Jackie Lee, a seasoned campaign manager with extensive knowledge of Florida politics and experience in both candidate and issue campaigns. Consultant specialists filled out the remainder of the campaign team. "To get the best consultants who were focused on this project, we solicited proposals from media firms and mail vendors to lead the other parts of the campaign" (Lee 2014).

In order to build credibility with the public and news media, the coalition intentionally recruited bipartisan and nonpartisan political leaders. Co-chairs of the steering committee included former Miami Mayor Manny Diaz (Ind), former Senator and Governor Bob Graham (D), former State Senator Daryl Jones (D), former State Comptroller Bob Milligan (R), former Assistant Secretary of the Interior Nat Reed (R), former U.S. Attorney General Janet Reno (D), and former Judge Thom Rumberger (R). "Because of this [broad membership] we had the support of every editorial board in the state. That meant at every milestone, every time we filed something, every time we achieved anything every editorial board wrote about it and they always mentioned it was a bipartisan effort. Each editorial board probably wrote on the project 6 to 8 times," said Freidin.

In addition to support from former elected officials, FairDistrictsFlorida had a diverse base of organizational partners. For example, the Florida Education Association and the League of

Women Voters signed on to help build a coalition in 2007, and were key leaders of the 2010 effort. Additional organizational partners included the Florida State Conference of the NAACP, American Civil Liberties Union of Florida, Common Cause, AARP Florida, Florida League of Cities, Florida Association of Counties, Florida School Board Association, SEIU, Democracía Ahora,[5] and, during the get-out-the-vote campaign, America Votes Florida.

With signature gathering underway, the campaign worked backwards from the November 2010 election[6] to create a strategic timeline. The group had to juggle several moving parts across 67 counties, and ultimately "determined to get the signature gathering completed in December 2009 so there would be enough time for validation and some time to spare for November 2010 ballot status" (Lee 2014).

After the Supreme Court of Florida approved the ballot language, the campaign returned to signature gathering. In addition to the paid effort, coalition partners also collected approximately 50,000 of the total signatures and used the process to educate their own members and the public about redistricting reform (Macnab 2014).

On January 22, 2010, the Florida Department of Elections certified Amendments 5 and 6, with 686,016 and 681,562 valid signatures respectively (Florida Department of Elections 2010). The combined cost of the signature gathering campaign was $3.5 million.

With a poll indicating significant public support, ballot status, a campaign plan, a leadership team and coalition in place, plus the support of virtually every news media outlet in the state, FairDistrictsFlorida appeared to be on track for success. It was at this point that the first of two major impediments appeared.

A Set of Hurdles

In April 2010, on the last day they were able to do so, the Florida legislature voted to add another redistricting amendment to the November ballot. Claiming the need to clarify the FairDistrictsFlorida amendments, Amendment 7 was titled "Standards for establishing legislative and congressional district boundaries." The amendment asked "voters to put certain requirements for redrawing districts in the constitution, regardless of what is required" by Amendments 5 and 6 (Michael Peltier News Service of Florida 2010).

FairDistrictsFlorida contended the title was intended to sow confusion. On May 21, 2010, FairDistrictsFlorida supporters, including the Florida State Conference of the NAACP, the Florida League of Women Voters, Democracía Ahora, and former State Comptroller General Bob Milligan, filed a lawsuit asking to have Amendment 7 removed from the ballot since it violated the requirement that ballot language and titles not mislead voters. "In placing it on the ballot, the Legislature wants the people to think it does one thing when it clearly does another," said Milligan. He added, "The present system was designed by those 'in power.' So, it would be no surprise that those in power placed Amendment 7 on the ballot to confuse voters to try to hold

[5] Now part of National Council of La Raza (NCLR).

[6] At the time, the coalition technically had four years within which to collect enough signatures to qualify for the ballot. In 2011, state legislators passed a bill to reduce the collection time to two years. See *Florida Statutes, Title IX, Chapter 100.371, Section 3*.

on to their power" (The Reid Report Blog 2010). On July 8, a Leon County Circuit Court judge agreed with the plaintiffs, holding the "wording was ill-presented and voters would have no idea what [the amendment] would actually do" (Sunshine State News 2010). Amendment 7 was thus removed from the ballot; the ruling was affirmed by the State Supreme Court.

Having cleared one hurdle, FairDistrictsFlorida faced a second legal challenge. On May 24, 2010, U.S. Representatives Corrine Brown (D) and Mario Diaz-Balart (R) filed a request in state court in Tallahassee for summary judgment to remove Amendment 6 from the ballot. They alleged that it was "riddled with inconsistencies and, if passed, would set unworkable standards in drawing [congressional] districts" (John Kennedy News Service of Florida 2010). Leon Russell, Legislative Chairman of the Florida NAACP, summarized the rationale for the organization's position for the *Florida Times Union,* "It really boils down to one thing. All politicians have their own self-interest in mind" (Dixon 2010). The case worked its way through the state court even as the ballot campaign was underway and was ultimately dismissed by the Florida Supreme Court.[7]

THE CAMPAIGN CONTINUES

Throughout the legal battles described above, FairDistrictsFlorida carried on with its advocacy campaign. The group's campaign manager conducted weekly calls to keep coalition partners up to date on activity and the message strategy the campaign team had developed (Lee 2014). The regular updates allowed partners to promote a common message in support of the redistricting amendments, particularly with their own members and the public.

Several partners played critical roles in the FairDistrictsFlorida campaign. The Florida League of Women Voters filled several important roles for the coalition, including:

- Coalition-building: Florida LWV helped with a coalition sign-on effort and ran a volunteer program to collect a portion of the signatures needed to get the amendments on the ballot.
- Public Education: The League trained more than 100 volunteers to give presentations on the redistricting amendments to over 23,000 citizens at community-based groups, in individual conversations, at book clubs, and homes for the aged.
- Media Outreach: Representatives from the 31 local chapters across the state conducted editorial board visits, held press teleconferences and Q&A sessions with expert presenters, and wrote Letters to the Editor.

As Macnab noted, "We never played defense and we disabused any falsehood that came up. Whenever a negative comment came up, we pivoted to offense. When the opposition suggested we were acting in a partisan manner we reminded them we had worked on this issue for over 70 years and under both parties of the legislature" (2014).

[7] The Florida Supreme Court ultimately resolved the case, ruling against Reps. Brown and Diaz-Balart. The two members of Congress filed another suit in federal court on November 3, 2010, following the successful passage of the FairDistrictsFlorida amendments. A summary judgment was denied September 9, 2011 (Mario Diaz-Balart and Corrine Brown v. Kurt Browning et al 2011). Upon appeal, the 11th U.S. Circuit Court Appeals dismissed the challenge to Amendment 6 (Miami Herald, 2012).

Groups like the ACLU and state conference of the NAACP "held hundreds of voter education events, engaged the media," and helped to secure legislative endorsements (American Civil Liberties Union of Florida 2010, Lee 2014). Most of the members of the state's Legislative Black Caucus supported the amendments.

The FairDistrictsFlorida coalition garnered support for the redistricting amendments among voters and helped the group weather a series of legal challenges. However, the amendments started to face more heat in mid-September 2010 as the election season got fully underway.

The Opposition

An opposition group called Protect Your Vote emerged in September 2010, only two months prior to the election. In various interviews, organizational representatives engaged in the campaign speculated that the late emergence of opposition was of benefit to FairDistrictsFlorida and may have been due to Constitutional Amendment 4. The Hometown Democracy amendment, if approved, would have required a referendum for all changes to local government land use plans.[8] Many of the business groups that eventually opposed FairDistrictsFlorida led the fight against Amendment 4. At about the same time Amendment 4 waned in the polls, Protect Your Vote emerged. There were other coalition partners, however, that saw the Hometown Democracy amendment as having little bearing on the FairDistricts Florida effort.

Former Secretary of State Kurt Browning (R) and the Florida Chamber of Commerce led the Protect Your Vote effort. U.S. Representatives Corrine Brown (D) and Mario Diaz-Balart (R) used earned media to continue to voice their concern over the effects the proposed amendments might have on minority-influenced districts (Larrabee 2010). Protect Your Vote's expenditures went almost exclusively to media firms (Florida Division of Elections 2015), meaning it was largely an on- air campaign.

The Final Weeks

Knowing that the two most significant factors in a victory were favorable media coverage and targeted, consistent voter education the final weeks, FairDistrictsFlorida's strategic plan was for a late communications campaign. "We didn't want them to know what our game plan so they would have ammunition to attack us with." (Lee 2014). The strategy had its risks. As the campaign to adopt Amendments 5 and 6 neared its end, a public poll suggested the measures would not meet the 60% voting threshold required to pass. *The Miami Herald/St. Petersburg Times* and Bay News 9 conducted a poll from October 15-19, which showed public support at only 45%, with 21% opposed and 31% undecided (Ipsos Public Affairs 2010). FairDistictsFlorida "did not read the poll as saying we would lose. We realized that if the undecided voters broke in the general proportions of those who had mad up their minds, we would have an excellent chance to win" (Freidin 2015).

The strategy resulted in earned media as newspaper editorials began in late September. FairDistrictsFlorida won endorsements from *The Miami Herald, Orlando Sentinel, Florida Today,*

[8] On Election Day, Amendment 4 received support from only 33% of voters.

The Tampa Tribune, The Palm Beach Post, the Bradenton Herald, the Pensacola News Journal, the Naples Daily News, The News Herald (Panama City), The Northwest Daily News, the St. Petersburg Times, The South Florida Sun-Sentinel, The Florida Times-Union, and The Ledger. The authors could not find any mainstream media editorial against either amendment.

Comments from *The Tampa Tribune* were typical of newspaper editorials across the state: "Amendments 5 and 6 would make it more difficult for lawmakers to stack the deck for incumbents and bring sanity to a loopy reapportionment process" (2010). Similarly, the *Florida Sun-Sentinel* urged readers to "Take power to draw new political districts away from the Florida legislature." The paper added, "Under our current system, elections are essentially rigged before the ballots are even printed. Districts are designed to favor a particular incumbent" (2010).

Concurrent with the positive media coverage, FairDistrictsFlorida undertook a persuasion and get-out-the-vote campaign. The coalition's paid field campaign was limited due to funding, likely the result of a significant gubernatorial race that attracted the majority of available funding. Still, the group raised enough money to employ five staff people who conducted a telephone canvass and sent a three-piece vote-by-mail program to targeted voters. America Votes partner organizations also conducted door-to-door canvassing in central Florida cities like Jacksonville and Tampa. As one organizational coalition partner noted, "It was a simple message: 'take politics out of redistricting.' That was an easy sell to the public" (Geise 2014).

For FairDistrictsFlorida's television campaign, the group relied on two cartoon advertisements depicting representatives of the AARP, NAACP, Democracía Ahora, and the League of Women Voters cheering "giving power back to the people" (FairDistricts Florida 2010) and then showcasing the editorial support. The advertisements ran during the last two weeks before the election in the Tampa, Orlando, Palm Beach and Miami media markets. Radio advertisements featured well-known personalities like Julian Bond, former chair of NAACP and founding President Southern Poverty Law Center, and Reverend Joseph Lowery, both of whom recorded messages for the campaign that reached more than 500,000 African American voters through recorded calls and radio ads (Freidin 2014). Spanish language radio communication was also employed.

Election Day Results

Following a long, well-coordinated campaign, FairDistrictsFlorida achieved victory on November 2, 2010. Both Amendments 5 and 6 received nearly 63% of the vote, comfortably above the 60% required for passage. Amendment 5, which set standards for legislative redistricting, obtained 3,155,149 out of 5,041,009 votes (62.59%). Amendment 6, which set standards for congressional redistricting, received 3,153,199 out of 5,010,947 votes (62.93%) (Florida Division of Elections 2015). One FairDistrictsFlorida supporter celebrated: "This was the first offensive victory for progressives in a very long time" (Odio 2014).

FairDistrictsFlorida raised $9,101,583 plus $49,186 in in-kind contributions including the $3.5 million spent on research, ballot language development, coalition building and signature collection. While over 3,500 donations came from donations under $1,000, those donations

only amounted to 4.5% of the total raised. Over two-thirds of the total amount raised (67.5%), however, came through contributions of $100,000 and over (Florida Division of Elections 2015). While FairDistrictsFlorida successfully mobilized a broad base of small donors, it is clear that the contributions from a few large donors were crucial to the ballot measures' success.

Protect Your Vote, the opposition group, raised $3,934,000 from 20 contributors. The largest organizational donors included the Republican Party of Florida at $2,607,500. Business interest groups like Florida Association of Realtors, the Chamber of Commerce, Associated Industries of Florida, Florida Crystals Corporation, and U.S. Sugar Corporation all contributed in excess of $100,000. Only six donations came from individuals, and their combined contributions were only $332,500 – less than 10% of the total amount raised. (Dixon 2010, Florida Division of Elections 2015). Protect Your Vote's funding also came very late. The earliest recorded contribution was made September 22, 2010 (Florida Department of Elections 2010).

While FairDistrictsFlorida had much to celebrate on November 2, 2010, victory at the ballot box is not the end of the story.

FAIRDISTRICTS NOW AND THE CONTINUING COURT BATTLE

FairDistrictsFlorida may have succeeded at the polls in 2010, but the congressional and legislative maps the state legislature drew in 2011 did not result in fair districts. The state director of America Votes Florida reflected on how he felt about the legislature's actions, *"*We were hopeful we would get better maps…but it didn't turn out that way" (Geise 2014). FairDistrictsFlorida disbanded and FairDistricts Now was formed to defend the new amendments, work for their full and complete implementation and, if necessary, challenge the new maps in court.

The state legislature adopted new voting maps on February 9, 2012 that clearly defied the FairDistricts amendments. Nonetheless, the governor signed the congressional map into law on February 16, 2012 and FairDistricts Now filed suit the next day.[9] The legislative maps, however, moved to the state supreme court for a facial review. FairDistricts Now challenged the senate map and made a minimalistic challenge to the state house map. The Supreme Court upheld the house districts but agreed with the FairDistricts Now coalition and struck down the senate districts due to their violation of the FairDistricts amendments. The legislature revised the invalidated senate districts and sent the map back to the court on March 27, 2012, which the court then approved. DOJ pre-cleared the maps on April 30, 2012.

Even though the new maps went into effect, they did not adhere to the spirit or the letter of the FairDistricts amendments. Registered Democrats (41%) outnumbered Republicans (36%) by almost 500,000 (Poshusta 2014), yet the legislature drew maps that allowed Democrats to win just 10 of Florida's 27 congressional seats. Additionally, the state senate saw a 12-28 split between Democrats and Republicans, and Republicans in the house outnumbered Democrats by a factor higher than 2 to 1. "The maps were rife with intent to favor the Republican Party and certain incumbents and did not follow the requirements that districts be compact and

[9] The state legislative maps were passed by a joint resolution that did not require the governor's approval.

follow established boundaries. On the senate map the senators manipulated the district numbers to extend the terms of returning senators thus violating the provision against incumbency favoritism" (Freidin 2015).

The League of Women Voters of Florida, Common Cause, and National Council of La Raza[10] filed a suit on February 9, 2012 to challenge the congressional map, alleging that the new districts violated Amendment 6 of the Florida state constitution. "Florida voters made their intent clear when they voted in 2010 to put new redistricting standards in the state constitution," said former LWV President Macnab. "The Florida League believes that the Senate plan does not comply with those standards" (Florida League of Women Voters 2015).

On July 10, 2014, state circuit court Judge Terry Lewis found that two of the districts in the congressional map violated the FairDistricts amendments, and required that they be redrawn. The state legislature provided minor tweaks, which that judge then approved, but several advocates for the FairDistricts amendments argued that these changes were merely superficial (Sexton and Smythe 2014). The Vice President of the Florida NAACP, however, told ThinkProgress that the changes to Rep. Corrine Brown's district the plaintiffs proposed were "no fix," adding that they were "more harmful to African American voters" (Ollstein 2014). Despite this tension between former coalition partners, the plaintiffs appealed the ruling and received a notable victory from the Supreme Court of Florida. In July 2015, the court ruled that the circuit court had not gone far enough in its original decision, holding that at least eight congressional districts violated the intent of the constitution (Madigan 2015). The Supreme Court then ordered the legislature to redraw the congressional map by August 25, 2015 and gave the trial court until October 17 to review the proposal.

Despite the court-imposed mandate, the Florida legislature descended into chaos during its special session to draw new congressional lines to comply with the FairDistricts amendments (Sweeney 2015). After the senate approved its maps, the house passed a different map, refusing to accept the other chamber's proposal or extend the special session. At this impasse, house lawyers requested that the state supreme court give up its jurisdiction over the case for 60 days, shifting it back to Judge Lewis who would then decide which of the proposed maps, the senate or the house version, to approve. The senate balked, noting that it would prefer to try to resolve the maps via another special session.

On August 25, 2015, the day the maps were supposed to be completed, Judge Lewis, concerned that it was beyond his authority to resolve the rising tensions between the two legislative chambers, asked the Supreme Court for guidance. The Supreme Court, however, declined to intervene and instead sent the case back to Judge Lewis. The Chairman of the Senate Reapportionment Committee then issued a revised plan, but members of the Florida House showed little interest in moving forward with those maps either. Ultimately, the case ended up back in Judge Lewis' hands, with the senate and the house each submitting their own proposals for the new congressional lines. There were seven maps submitted for Judge Lewis' review, including three plans from FairDistricts Now. At the time of this report, Judge Lewis

[10] While a part of the original filing, NCLR withdrew from the case shortly thereafter.

recommended one of the FairDistricts Now proposals for the state's congressional districts to the Supreme Court of Florida for final approval (Klas 2015).

In addition to the suit against the legislature, proponents of the FairDistricts amendments have also faced continued opposition from Rep. Corrine Brown. The long-time Congresswoman filed a suit in federal court on August 6, 2015, arguing that the new maps dilute minority voting strength in violation of the Voting Rights Act. State Rep. Mike Hill (R-Pensacola Beach) also mounted a challenge in federal court to the FairDistricts amendments themselves, arguing they violate both free speech and due process provisions of the U.S. Constitution. A judge for the Northern District of the U.S. District Court threw out the case in October 2015. As of the publication of this report, another case from a group of conservative voters that seeks to challenge the FairDistricts amendments on free speech claims is still active in federal court.

The League of Women Voters, Common Cause, and several individual voters also filed a suit arguing that the 2012 state senate map was unconstitutional. They alleged that the state senate deliberately engaged in partisan gerrymandering, and that their maps violate the requirements of compactness and adherence to political boundaries laid out in the FairDistricts amendments (League of Women Voters of Florida v. Detzner 2012). The plaintiffs also filed a claim requesting depositions from state legislators and their staff, based on evidence that lawmakers had intentionally defied the constitution when drawing legislative maps. In the first ruling of its kind, the Supreme Court of Florida ultimately decided that the constitutional requirements on redistricting superseded the legislature's claims of legislative privilege, thus allowing the depositions (League of Women Voters et. al. vs. The Florida House of Representatives et. al. 2013). This was a huge win for FairDistricts Now, as the decision affirmed the Supreme Court's commitment to enforcing the FairDistricts amendments.

Following these decisions, the legislature admitted that members of the Republican leadership worked directly with outside political operatives to violate the state constitution intentionally – an unprecedented and unexpected admission. The legislature ultimately settled with the plaintiffs on July 28, 2015. State lawmakers reconvened in another special session during October and November 2015 to redraw the state senate maps (Caputo 2015).

The legal fights over the FairDistricts amendments have been nearly as expensive as the effort to pass the measures in the first place. FairDistricts Now and other participants have spent millions of dollars on legal fees defending the amendments approved by a supermajority of the electorate. But even more staggering is the amount of money the state legislature has spent defending itself in court—$11 million of taxpayer dollars as of July 13, 2015 (Klas and Wallace 2015).

Although the prolonged legal battles to protect the 2010 victory at the ballot box have been costly, FairDistricts Now recognizes the importance of fighting to ensure "that the amendments are fully interpreted and implemented. The court interpretations are as important in the long run as the language of the amendments themselves" (Freidin, Email exchange 2015)." And thanks to their persistence and the strength of the FairDistricts amendments, the group has continued to triumph in the courtroom as well.

ANALYSIS AND LESSONS LEARNED

After several failed attempts to reform redistricting, the FairDistrictsFlorida coalition passed two constitutional amendments with almost 63% of the vote. This section will examine some of the factors that made success possible.

In a nationwide review, Nicholas Stephanopoulos found that between 1936 and 2005, only four of twelve attempts to reform redistricting through ballot initiative were successful. There were also four initiatives between 2008 and 2014, three of which passed (Stephanopoulos 2007).

Previous Research – Criteria for Success

Stephanopoulos' study identified a number of characteristics that may contribute to a successful campaign.[11] The table below lists the criteria and the standing of the FairDistrictsFlorida effort in relation to them.

Stephanopoulos' Criteria for Success	FairDistrictsFlorida
Supporters outspend the opposition	Yes
Supporters out-frame the opposition	Yes
Legislative majority is split or weakly opposes the effort	No
The governor is strongly supportive of the effort	Yes
The legislative minority is strongly supportive of the effort	Yes
A preponderance of newspapers endorse the reform	Yes
A preponderance of interest groups endorse the reform	Yes, of those participating
There is a recent blatant gerrymander in the state	Yes
Recent national events create an impetus for reform (e.g., the Watergate scandal)	No

The work of FairDistrictsFlorida conformed to most criteria of successful efforts; however, there are some caveats that may refine the definition. Below is an analysis of each of the criteria, as well as observations on a number of other variables that may have contributed to the success of Amendments 5 and 6.

Supporters outspend the opposition: FairDistrictsFlorida spent just over $9 million, including in-kind contributions. To make a comparison with the opposition's spending, the $3.5 million of that went to getting the amendment on the ballot must be subtracted from the total. Protect Your Vote, the opposition committee, spent nearly $4 million. Comparing that with the $5.5 million spent on the campaign, FairDistrictsFlorida outspent the opposition by about $1.5 million.

Other funding issues: The core of FairDistrictsFlorida's donor base was diverse and included major donors; institutions like foundations, public interest groups, and organized labor; and

[11] It is important to note that Stephanopoulos' study examined redistricting commissions, whereas the Florida approach added standards to the state's legislative and congressional redistricting criteria.

hundreds of small dollar individual donors as well as a few large individual donors. In contrast, Protect Your Vote received contributions from just 20 funders, all of whom gave at a high level and only six of whom were individuals.

Supporters out-frame the opposition: Message discipline was core to the FairDistrictsFlorida campaign. The campaign staff organized weekly telephone calls with coalition partners to address messaging and to delineate tasks clearly.

Both the coalition's public education and paid media efforts were successful. A media map tracking the redistricting debate in the mainstream media showed the FairDistrictsFlorida campaign had well-aligned messages among coalition partners and a strong, central messenger in Ellen Freidin (Lowe 2014). The campaign team and consultants also designed and coordinated mail pieces, telephone and door canvass scripts, as well as the television and radio advertising (Lee 2014).

On the opposition side, early disagreements over messaging split traditionally allied groups and came across as elected officials' attempt to protect their own seats. For instance, during the campaign, African American Democratic U.S. Representative Brown was at odds with the State Conference of the NAACP when she and Representative Diaz-Balart filed a lawsuit trying to block Amendment 6 from the ballot.[12,13] In response, leaders of the state conference of the NAACP publicly accused the lawmakers of being interested in protecting their own seats (Dixon 2010) (Larrabee 2010).

Legislative majority is split or weakly opposes the effort: Republicans controlled both the State Assembly and Senate and were strongly opposed to the amendments.

The governor is strongly supportive: Governor Charlie Crist was supportive of Amendments 5 and 6. When asked, he spoke publicly in favor of the amendments, but much of his effort was out of the public's eye. For instance, he actively lobbied against the "poison pill" Amendment 7. While both Amendments 5 and 6 passed on the November 2, 2010 election, Florida voters also elected a governor who was opposed to the measures. Concerned about political tactics that might block implementation of the new constitutional requirements, then-lame-duck Governor Crist submitted the FairDistricts Amendments to the U.S. Department of Justice for preclearance of Section 5 of the Voting Rights Act (Freidin 2015).

The legislative minority is strongly supportive: Democrats, who comprised the legislative minority, were largely supportive of the effort (Freidin 2015).

A preponderance of newspapers endorse the reform: All of the mainstream media endorsements were in favor of Amendments 5 and 6.

A preponderance of interest groups endorse the reform: Public interest groups, several major labor unions and the Florida Democratic Party were a part of FairDistrictsFlorida. Interest groups from the opposition included the Republican Party and an array of businesses and

[12] See page 7 for description.

[13] In litigation following the adoption of Amendment 6, the State Conference of the NAACP joined their national organization and Representative Brown in supporting the maps as drawn by the state legislation (League of Women Voters of Florida v. Detzner, 2012).

business membership groups. A caveat on the opposition was the late date that it entered the public arena.

There is a recent blatant gerrymander in the state: The public and many organizations viewed the 2001 redistricting process as a blatant gerrymander. That in itself was nothing new, however, as allegations of geographic, racial or political gerrymandering arose nearly every redistricting cycle since at least the 1960s.[14]

Recent national events create an impetus for reform: While state-based rather than national, controversies may have had an impact on Florida voters' desire for fair elections. The first dates to the 2000 presidential ballot count that focused on "hanging chads" in Florida and that led to a U.S. Supreme Court decision awarding Florida's 25 electoral votes to George Bush (Bush v. Gore 2000). While ten years had passed, the incident set the tone for election activities. The purging of voters from the election rolls, that began in 2000 and continued through the current case, could have also had an impact (Perez 2008). Finally, the 2005 citizen initiated constitutional amendment, the popular supported it engendered, and the fact that it did not achieve ballot status due to a technicality may have increased support for the 2010 effort.[15] It is difficult to assess the "voter hangover," however – all three of these events may have helped set the mood for adoption of Amendments 5 and 6.

Additional Criteria for Successful Redistricting Reform

The in-person and telephone interviews conducted for this case study expand upon the previous research, which was developed largely from documentary evidence. The findings below reveal additional considerations for those seeking to pass redistricting reform.

Once passed, the work is not over: "Passing a constitutional amendment is one thing. Implementation," said one coalition partner, "is another" (Geise 2014). The 2011 voting maps that the Florida legislature created did not adhere to the standards enacted in the constitutional amendments. The group was prepared for this. FairDistrictsFlorida immediately disbanded and FairDistricts Now formed as soon as the election results were final to fight to ensure that the legislature adhered to the new standards.

An additional lesson from this case is that the cost of redistricting reform goes beyond the active campaign. In order to secure the win at the ballot box, FairDistricts Now had to battle the state legislature, which used millions in taxpayer dollars to fund expensive litigation in an attempt to override the will of the people.

Organizational structure: The combination of a professionally run political campaign and an issue coalition was crucial to a high-functioning operation.

> Clear, consistent structure: Similar to the structure of a political campaign, the FairDistrictsFlorida effort had paid staff, including a director and a campaign manager, as well as a number of political professional consultants, who established the message, literature and campaign materials. The campaign manager served as the connector to a

[14] See pages 1-3.
[15] See page 3.

coalition of interest groups who conducted public education with their members and with the public. The manager's linking role kept the two groups aligned.[16]

Bipartisan appeal: The public face of the campaign was intentionally bipartisan. "We were very cautious in the composition of the leadership group," said Ellen Freidin. The strategy was successful from a media perspective. "All of the newspapers wrote it up as bipartisan leadership," she concluded.

Strong, respected leadership: Ellen Freidin, the chair of the FairDistrictsFlorida effort, was well known in the political community. The leader of the previous reform effort in 2005 had personally selected Freidin, who worked tirelessly on the effort from 2006 until the present date. As Deirdre Macnab of the League of Women Voters put it, "She was our General Washington" (2014).

Openness to compromise: There had been several previous efforts to take redistricting power away from the legislature and to create a commission to conduct the process. In meeting with coalition partners from communities of color, FairDistrictsFlorida leaders found a high amount of distrust for commissions. The diverse group of stakeholders reached a compromise, ultimately deciding on a strategy to strengthen the standards for legislative and congressional redistricting.[17]

Unforeseen events – You can't plan for them but must be ready to act: Redistricting is an inherently political process. Those in power may respond to reform efforts in a manner that is more about protecting their position than in providing for fair representation of residents. The opposition used both a "poison pill" amendment and court challenges to derail the citizen-initiated amendments. In both cases, FairDistrictsFlorida responded immediately and with force. Not all unforeseen events are negative, however. When the grassroots group Hometown Democracy pushed a ballot initiative that would have required a referendum for all changes to local government land use plans, some members of the coalition believe it distracted the opposition, keeping them from fully engaging in their anti-redistricting reform campaign until late in the process.[18] FairDistrictsFlorida's communications plan hit at almost the same time that the opposition changed course to fight Amendments 5 and 6, which may have inadvertently increased the media's attention to the redistricting fight and helped to augment the impact of the editorial endorsements of the FairDistricts Amendments. While there is debate among coalition members on this point, one possible lesson to draw from this is to be on the lookout for opportunities to gain an advantage over the opposition.

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[16] It is of note that the structure likely resulted in one of the few differences of opinion in the coalition. A leader in one organization said, "the give-and-take dialogue that we had up front needed to continue throughout. We wanted to be an ally but I didn't understand the impact of the amendments well enough to explain it to our allies. We raised issues and tried to be helpful, but are concerned those conversations get interpreted as being distracting. We need to figure out together how to build the trust for this work" (Anonymous 2014).

[17] See page 4.

[18] See page 11.

SUMMARY

A combination of issues led to the adoption of Amendments 5 and 6. The repeated attempts at reform made the issue familiar to voters. The well-known individuals who gave FairDistrictsFlorida its bipartisan public face provided the media with newsworthy sources and a positive message to write about. The professionally managed, strategically run campaign engaged advocacy groups and kept them abreast of the progress of the campaign, and reinforced strong message discipline among partners. All of these factors were crucial to the success of Amendments 5 and 6 at the ballot box. Nearly five years have passed since voters approved Amendments 5 and 6, and FairDistricts Now and partner organizations have been waging a court battle virtually ever since. Inch by inch they are gaining the ground the voters approved in 2010. “When you take on power, you have to be prepared to fight to the end. We were and we still are! The Florida Supreme Court has considered and interpreted the amendments 12 times and the FairDistricts coalition has won 11 cases! The last case (July 9) gave full and fair vindication to the amendments and has provided interpretation and precedent that will not only ensure constitutionally drawn districts for the rest of this decade but also for decades to come” (Freidin 2015).

Appendix A: FairDistrictsFlorida Coalition

Organization
AARP Florida
America Votes Florida (and partner organizations)
American Civil Liberties Union
Common Cause
Democracía Ahora (now part of National Council of La Raza)
Florida Association of Counties
Florida Education Association
Florida League of Cities
Florida School Board Association
Florida State Conference NAACP
League of Women Voters of Florida
SEIU

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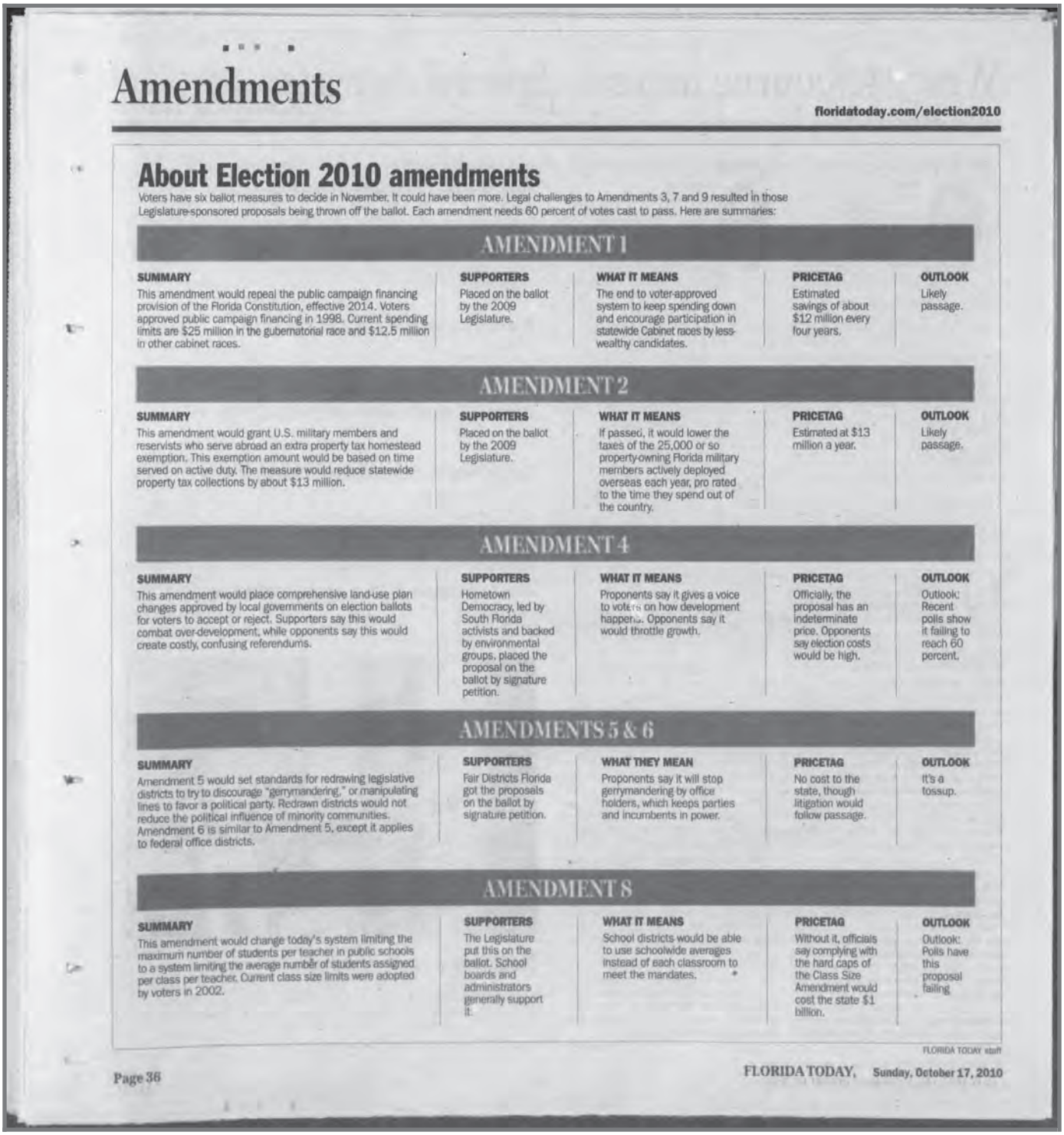
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Amendments

floridatoday.com/election2010

About Election 2010 amendments

Voters have six ballot measures to decide in November. It could have been more. Legal challenges to Amendments 3, 7 and 9 resulted in those Legislature-sponsored proposals being thrown off the ballot. Each amendment needs 60 percent of votes cast to pass. Here are summaries:

AMENDMENT 1

SUMMARY	SUPPORTERS	WHAT IT MEANS	PRICETAG	OUTLOOK
This amendment would repeal the public campaign financing provision of the Florida Constitution, effective 2014. Voters approved public campaign financing in 1998. Current spending limits are $25 million in the gubernatorial race and $12.5 million in other cabinet races.	Placed on the ballot by the 2009 Legislature.	The end to voter-approved system to keep spending down and encourage participation in statewide Cabinet races by less-wealthy candidates.	Estimated savings of about $12 million every four years.	Likely passage.

AMENDMENT 2

SUMMARY	SUPPORTERS	WHAT IT MEANS	PRICETAG	OUTLOOK
This amendment would grant U.S. military members and reservists who serve abroad an extra property tax homestead exemption. This exemption amount would be based on time served on active duty. The measure would reduce statewide property tax collections by about $13 million.	Placed on the ballot by the 2009 Legislature.	If passed, it would lower the taxes of the 25,000 or so property-owning Florida military members actively deployed overseas each year, pro rated to the time they spend out of the country.	Estimated at $13 million a year.	Likely passage.

AMENDMENT 4

SUMMARY	SUPPORTERS	WHAT IT MEANS	PRICETAG	OUTLOOK
This amendment would place comprehensive land-use plan changes approved by local governments on election ballots for voters to accept or reject. Supporters say this would combat over-development, while opponents say this would create costly, confusing referendums.	Hometown Democracy, led by South Florida activists and backed by environmental groups, placed the proposal on the ballot by signature petition.	Proponents say it gives a voice to voters on how development happens. Opponents say it would throttle growth.	Officially, the proposal has an indeterminate price. Opponents say election costs would be high.	Outlook: Recent polls show it failing to reach 60 percent.

AMENDMENTS 5 & 6

SUMMARY	SUPPORTERS	WHAT THEY MEAN	PRICETAG	OUTLOOK
Amendment 5 would set standards for redrawing legislative districts to try to discourage "gerrymandering," or manipulating lines to favor a political party. Redrawn districts would not reduce the political influence of minority communities. Amendment 6 is similar to Amendment 5, except it applies to federal office districts.	Fair Districts Florida got the proposals on the ballot by signature petition.	Proponents say it will stop gerrymandering by office holders, which keeps parties and incumbents in power.	No cost to the state, though litigation would follow passage.	It's a tossup.

AMENDMENT 8

SUMMARY	SUPPORTERS	WHAT IT MEANS	PRICETAG	OUTLOOK
This amendment would change today's system limiting the maximum number of students per teacher in public schools to a system limiting the average number of students assigned per class per teacher. Current class size limits were adopted by voters in 2002.	The Legislature put this on the ballot. School boards and administrators generally support it.	School districts would be able to use schoolwide averages instead of each classroom to meet the mandates.	Without it, officials say complying with the hard caps of the Class Size Amendment would cost the state $1 billion.	Outlook: Polls have this proposal failing.

FLORIDA TODAY staff

Page 36 FLORIDA TODAY, Sunday, October 17, 2010

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Voters to decide on 6 amendments to state constitution

DEMOCRAT STAFF REPORT

Voters have six ballot measures to decide on Nov. 2. It could have been more. Legal challenges to Amendments 3, 7 and 9 resulted in those Legislature-sponsored proposals being thrown off the ballot.

Amendment 1

Repeals public campaign financing.

Who's behind it: Placed on the ballot by the 2009 Legislature.

What it means: The end to voter-approved system to keep spending down and encourage participation in statewide Cabinet races by less-wealthy candidates.

Price tag: Estimated savings of around $12 million every four years.

Amendment 2

Increased property tax relief for deployed military personnel.

Who's behind it: Placed on the ballot by the 2009 legislature.

What it means: If passed, it would lower the taxes of the 25,000 or so property-owning Florida military members actively deployed overseas each year, pro rated to the time they spend out of the country.

Price tag: Estimated at $13 million a year.

Amendment 4

Requires local votes on changes to comprehensive land-use plans.

Who's behind it: Hometown Democracy, led by South Florida activists and backed by environmental groups, placed the proposal on the ballot by signature petition.

What it means: Proponents say it gives a voice to voters in how development happens. Opponents say it would throttle building and growth.

Price tag: Officially, the proposal has an indeterminate price. Opponents say election costs would be high.

Amendments 5 and 6

Requires the Legislature, when drawing political boundaries for state and congressional seats, to do so without benefiting or harming any candidate or party. There are two proposals with identical aims attached to state and congressional districts.

Who's behind it: Fair Districts Florida got the proposals on the ballot by signature petition.

What it means: Proponents say it will stop gerrymandering by office holders, a practice that keeps parties and incumbents in power.

Price tag: No cost to the state, though litigation would follow passage.

Amendment 8

Right-size the class-size amendment would allow school districts greater flexibility in reaching the class-size mandates previously approved by voters. It would allow school-wide averages to meet maximums instead of in each classroom.

Who's behind it: The Republican-controlled Legislature put this on the ballot this year. School boards and administrators generally support it. The Florida Education Association opposes.

Price tag: Without it, officials say complying with the hard caps of the Class-Size Amendment would cost the state $1 billion.



Democrat files

The Old Capitol at sunset on a wintery day.

Abrams, Montford, Shaw face off for Senate District 6 race

By Bill Cotterell
FLORIDA CAPITAL BUREAU

Former Leon County School Superintendent Bill Montford faces a Tallahassee lawyer and a young computer expert in the race to replace Florida's longest-serving legislator.

Since 1982, Senate Minority Leader Al Lawson has represented Tallahassee and much of the Big Bend and Panhandle in the Capitol until he was forced out by term limits this year.

Montford, a former county commissioner and schools chief who now heads the state association of superintendents, beat ex-Rep. Curtis Richardson in the Democratic primary.

He has enormous political and financial advantages in the heavily Democratic 11-county district.

Montford has raised about $427,000 in the race. Leon and Gadsden Counties are the population base of the district, but he also has family ties to Jackson and Calhoun counties.

Opposing him are John Shaw, 25, who lost a House bid as an independent two years ago but decided this year to try his luck as a Republican. Shaw, a computer repairman and Web designer, advocates production of industrial hemp — which he is careful to point out is different from marijuana — as a source of food, fuel and economic growth.

David Abrams, a consumer-advocacy lawyer, also filed for the District 6 seat. He has called for strengthening Florida's unfair and deceptive trade practices act and better funding of education.

Abrams reported contributions of less than $3,000 in his latest financial report, and Shaw said he had raised $2,447 — including $1,300 of his own money.

DAVID ABRAMS
Age: 46
Date of birth: Sept. 16 1964
Residence: Tallahassee
Education: Tallahassee Community College; Florida State University, undergraduate; City University of New York, law degree
Occupation: Consumer advocacy attorney
Family: Wife Barbara Abrams



Abrams

Political experience: First political race.
Website: www.Abrams-ByYourSide.com

BILL MONTFORD
Age: 62
Date of birth: Aug. 22, 1974
Residence: Tallahassee
Education: Chipola College; Florida State University, undergraduate and graduate degrees



Montford

Occupation: CEO, Florida Association of Elected District School Superintendents
Family: Wife Jane; two children; four grandchildren
Political experience: Leon County commissioner 1982-88; school superintendent 1996-2006, principal of eight high schools, 18 years at Godby and Lincoln
Website: www.BillMontford.com

JOHN SHAW
Age: 25
Date of birth: Sept. 16, 1985
Residence: Tallahassee
Education: High school GED
Occupation: Computer repair and Web-page design
Family: Single, no children
Political experience: Ran for the House 2008 as independent
Website: www.JohnShaw.org



Shaw

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Exhibit 50

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The Orlando Sentinel (Orlando, Florida) · Sun, Oct 10, 2010 · Page B1
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CENTRAL FLORIDA EDITION

Sunday, October 10, 2010 B

Sunday Local News

Scott Maxwell
Taking Names



Confused by those amendments? I'll explain

Confused by all the constitutional amendments on this year's ballot?

It's understandable. We have six proposals dealing with everything from tax breaks to class sizes.

But fear not, fellow citizens. I am here to help — with "Amendments for Dummies."

For each of the amendments, I'll give a summary in 10 words or less, as well as the legitimate arguments for and against it. Then, you can decide for yourself.

Amendment 1: *Should Florida stop offering subsidies for statewide commercials?*

Please turn to **MAXWELL, B7**

Winter Park Autumn Arts Festival, B3

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Capitol View, B2
Deaths, B6
Fla. Lotto, B3
Lottery, B3
Weather, B6

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MEET THE 'ANTIDOTE TO BAD POWERPOINT'



JON BUSCH/ORLANDO SENTINEL

Howard Mall presents his "20 Ideas You Can Steal" at the first Pecha Kucha Night in Orlando.

By Jon Bundaker | ORLANDO SENTINEL

Howard Mall had exactly 6 minutes and 40 seconds to talk.

With 10 people looking on, Mall zipped through his PowerPoint presentation called "20 Ideas You Can Steal," which included crude drawings of an inflatable cooler, a lock for six-packs of beer and a washable computer keyboard.

At the end, Mall let out a sigh of relief, and the crowd erupted in applause.

This is Pecha Kucha (pronounced peh-CHAK-sha), an informal presentation format invented in Japan that's part lecture, part performance art. On Thursday, Orlando was introduced to the concept at its first Pecha Kucha night at the Cameo Theatre.

What is Pecha Kucha?

Pecha Kucha, which means "chitchat" in Japanese, is simple: Using PowerPoint, presenters show 20 slides for 20 seconds each, or 6 minutes and 40 seconds total. As each presenter speaks, the images change automatically. There's no turning back, and no starting over.

"It's like a high-tech version of sitting around the campfire," said Eddie Salazar who, along with Dustin Clingman, organized Orlando's inaugural Pecha Kucha night.

Developed in Tokyo in 2003 by two architects, Pecha Kucha began as a way to give creative people a forum to share their ideas, projects and thoughts. Since then, the concept has been presented in more than 630 cities throughout the world and has transformed to

Please turn to **TALK, B4**

Video of the event: OrlandoSentinel.com/orange

Poll: Growth amendment in trouble

By Anthony Man
(FORT LAUDERDALE) SUN SENTINEL

The business-labor campaign to kill the proposed constitutional amendment to rein in growth appears to be working. A Mason-Dixon poll released Saturday shows support for Amendment 4 is dropping and is far short of passage.

The new poll showed 44 percent of voters surveyed support Amendment 4, with 36 percent opposed and 20 percent undecided. Passage requires 60 percent.

The survey also found the three Republican candidates for state Cabinet posts — attorney general, chief financial officer and agriculture commissioner — are all leading the Democrats.

"Not surprisingly, a significant number of voters remain undecided as the hotly contested races for U.S. Senate and governor have sucked most of the air out of the other statewide campaigns," Mason-Dixon pollster Brad Coker said.

Please turn to **GROWTH, B4**

Firefighter saves girls on day before retiring

By Anika Myers Palm
ORLANDO SENTINEL



Stone

After almost 30 years as a firefighter — 24 with Orange County Fire Rescue — Capt. Larry Stone thought his last day before retiring would be uneventful.

"I was hoping to have a relatively easy day," he said.

Instead, Stone, 47, got off to a busy start before he even made it to work Saturday morning.

As Stone was driving on State Road 408 near Rouse Road in east Orange County toward work for his last 24-hour shift about 7:15 a.m., he saw smoke coming from the roof of a house. As he approached the home and saw more smoke, he dialed 911.

Elfrida Ramos, 30, and her husband, Esteban,

Please turn to **RESCUE, B7**



ORLANDO SENTINEL FILE

Anchor Wendy Chioji at WESH-Channel 2 in 2008.

FORMER TV ANCHOR CHIOJI: 'EMBRACE SURVIVORSHIP'

By Linda Shrieves | ORLANDO SENTINEL

It has been nearly 10 years since Wendy Chioji got the news that would change her life.

But breast cancer had a curious effect on the former TV newscaster.

Instead of worrying and fretting, Chioji looked at cancer through a different lens — and vowed to start a new chapter in her life. Soather undergoing a partial mastectomy and chemotherapy, Chioji quit her job and headed for Park City, Utah, to coach triathletes and explore the outdoorsy life.

"I never thought that my life was over," said Chioji, who was Orlando's most prominent female anchor when she was diagnosed with the disease. "Cancer makes you reprioritize things. ... I decided I wasn't going to stay in a job that wasn't fulfilling anymore. It was time to do things that you thought about, that you dream about.

Please turn to **CHIOJI, B7**

HEALTHKEY
orlandosentinel.com/health
How five Florida women faced the threat of hereditary breast cancer.



COURTESY OF WENDY CHIOJI

Now living in Utah, Wendy Chioji is an active athlete and loves the outdoors.

MORE STORIES AT ORLANDOSENTINEL.COM/BREASTCANCER



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Sunday, October 10, 2010 Orlando Sentinel | Local News | B7

Obituaries, Services, Memorials

CARMINE, ELIZABETH ANN 86, passed away on Tuesday October 5, 2010 at home in Orlando, Florida. Funeral service is scheduled for 3 p.m., Wednesday, October 13, 2010 at St. Luke's United Methodist Church, 1551 S. Apopka-Vineland Road, Orlando, FL 32819, with a one visitation hour 2 to 3 p.m. The interment will follow immediately at Woodlawn Memorial Park, 100 Woodlawn Cemetery Road, Ocoee. She was born on July 23, 1941 to Jenny Walker and Edward (Hautin) Day and attended public schools in Fort Worth, Texas. She graduated from Lamar University and began a teaching career in Pasadena, Texas. There she met Harry Carmine, Jr., and became his bride eight months later. They traveled North America with Harry's US Air Force career with postings in Alabama, Texas, Winnipeg, Canada, Tinker and Midwest Air Force Base in Oklahoma, a leader for her daughters' dramas and junior Girl Scout troops, and an undersea division and elder in the United Presbyterian Church. She obtained her Masters Degree in media education from Wright State U. and resumed her education career at a private nonsectarian day specialist. Ann always said she had the best job possible: molding a love of reading, sharing stories with great audio expression for the younger kids and teaching the older ones research skills. She was besotted with her grandkids, dubbed "Nashie of the Rain". After retirement she continued to enjoy stories as her grandkids' activities. She was predeceased by her parents and her brother John Sydney Day. She is survived by Harry, her husband of 19 years; daughter Allison McDonald, her husband Kelly, and two grandsons Brennan and Dusty; daughter Heather and her friend Sean Thornley; sister-in-law Dorothy Lowe and her husband Bill; sister-in-law Jerry Grey Conrad; several nieces, nephews, cousins and colleagues. Ann was a member of St. Luke's United Methodist Church, and a founding member of Stagmont's Hope. She belonged to several educational groups: Orange County Retired Educators, FREA, NEA, PEA, CTA. Retired, in lieu of flowers, Ann urges you to make a donation to Stagmont's Hope for your favorite charity. She also encourages you to spend at least an hour a week volunteering in person in any group that needs your help. Arrangements entrusted to Woodlawn Memorial Park & Funeral Home, Gatlin, FL, 407-293-0361. Condolences may be offered at www.woodlawnfuneralhome.com

Dignity

DAVIS, CECIL L. of Winter Garden, FL., passed away on Wednesday, October 6, 2010. He was born on December 8, 1923 in Duluth, GA as one of twelve children to Travis Walton Davis and Stefanie Jane Pittman. The family soon moved to Alma, FL where he was raised. He served in the U.S. Army during WWII and was stationed in France where he met Therese Hervey, his wife of 62 years, in Paris. He retired from Georgia Natural Gas Company in Waycross, GA with over 40 years of service. Cecil was an avid hunter, fisherman and ham radio operator. After retirement he and his wife moved to Florida to be near their children. He is survived by his two daughters, Hervé Olivia and Cynthia Turner, his son-in-laws, John W. Gibbs and William Jack Turner; three granddaughters, Heather Winters, Blair Gibbs and Brook Alice, and two great-grandchildren, Riley Winters and Paige Winters. A Graveside service will be held on Thursday, October 14, 2010 at 11:30 a.m. at Florida National Cemetery in Bushnell, FL. Arrangements entrusted to Woodlawn Funeral Home. Condolences may be offered at www.woodlawnfuneralhome.com

Dignity

SOPER, DAVID M. 82, passed away Oct. 5, 2010 after a long battle with cancer. Born in Montreal, Quebec Canada, he came to Florida from Niagara in the Lake, Canada in 1953. He is survived by his loving wife Elaine; son Doug, daughter Jennifer and granddaughters Tori, Brooke and Torie. Services will be held on October 13 at 12 noon at Chu Peter and Paul, 5880 Old Haven Beach Rd., Winter Park, FL 32792. In lieu of flowers, donations may be made to Hospice of the Comforter, Altamonte Springs. National Cremation & Burial Society, Oviedo, FL

Baldwin-Fairfield

MACE, COLLIN WILLIAM 25, passed away October 5, 2010 in Downey, Florida. He was born May 26, 1985 in Orlando and was a graduate of Timber Creek High School, class of 2003. While in High School, he was the Captain of the Swimming Team and to date still holds several swimming records. He also taught swimming at the YMCA and was very proud of receiving the Eagle Award in Boy Scouts. Collin was recently accepted into the Musician Institute in Los Angeles, CA and was eagerly anticipating his trip. Collin's hobby was music and he was an accomplished electric bass player. He is survived by his parents, Kristi and Jeff Mace; brothers, Ryan, Kenan, Andrew and Dylan Mace; maternal grandparents, Riverside and Karen Swanson; paternal grandparents, Colleen and Roy Mace; paternal great-grandparents, Dorothy and Geoffrey Mace; maternal great-grandparents, William B. Pringle III and his wife, Tracy; half brother David Hatter Burton and Chasse Pringle; Billy Joel, Vick Pringle, and a host of aunts, uncles and cousins. A gathering for family and friends will be held Saturday, October 9 from 7-10 p.m. at the Baldwin Fairfield Conway Chapel. Funeral Services will be held Sunday, October 10, at 3 p.m. at Avalon Church, 11401 Tanja King Blvd, Orlando, FL 32832 with interment immediately following at Church Hill Cemetery. Arrangements are being handled by BALDWIN FAIRFIELD CONWAY CHAPEL, 1413 S. SEMORAN BLVD., ORLANDO, FL 32807, (407) 277-6700. Please view and sign the family guestbook at www.baldwinfairfield.com

Baldwin-Fairfield

NORTON, MARILYN L., Age 71, passed away in Orlando, FL. She was born 78, 1939. Marilyn was born in Buffalo, Part, IL April 26, 1939. Marilyn had retired from Bell South after 30 years of dedicated service and she will be greatly missed by her loving family and friends. She is survived by her daughter, Alice Nicole Sims; grandchildren, Joseph Sapia; grandson, Alex, Kristin and Ryan; sisters-in-law, Patricia Stanton and family.

Seminole

GODSEY, EUGENE C., 71, of Winter Springs, FL, died Sept. 19, 2010, while investigators at the Orlando Regional Medical Center Orlando, FL. Eugene was born Feb. 24, 1939, in Roanoke, VA. He retired from the U.S. Air Force Oct. 1, 1973. During his military career, he served in both the U.S. Air Force and the U.S. Army. His assignments with the U. S. Air Force included a tour at Pram Rang AFB, Vietnam, 1967-1968. While serving with the U. S. Army he was a parachutist assigned to the 82nd Airborne Division at Fort Bragg, NC. He joined the U.S. Customs Service as a Kill Enforcement Officer in 1974. During his career with the Customs Service, he was instrumental in developing the Narcotics Kill Enforcement Program in the Port of Miami, FL. He retired from the U. S. Customs Service July 1991. Eugene is survived by his wife Susan of 34 years, his son, Eugene G. Godsey, Jr. and grandson, Michaela Kate Godsey. His son, wife, Cynthia, and grandson reside in Joplin, MO. Mikayla's services will be held at Baldwin-Fairfield Funeral Home, 694 E. Altamonte Dr., Altamonte Springs, FL, 11 a.m., Saturday, Oct. 23, 2010, followed by a Memorial service at the Ascension Lutheran Church, 901 Alafaya Trail, Oviedo, FL at 1 p.m. There will be a repast following the service at the church. In lieu of flowers, it is requested that donations be made to the Shane Hoodless through the Wine Shop Cancer Center, Orlando, FL. Please visit the guestbook at www.baldwinfairfield.com

Baldwin-Fairfield

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Osceola

CHITWOOD, JOHN DONALD, 91, of Kissimmee passed away Thursday, October 7, 2010 with his family by his side. Born in Carrollton, FL. He moved to Kissimmee from Wimauma, FL in 1960. He was a retired insurance agent for Independent Life Insurance Company and was a member of The Church of Christ, Fortune Road in Kissimmee. He was also a member of Moose Lodge # 2208, Kissimmee and was a Veteran of the U.S. Army during the Korean War. He is survived by his wife Betty F. Chitwood of Kissimmee; daughters, Vicki Kent Chitwood Clay of St. Cloud, Wanda Chitwood Crawford of Kissimmee; son, Charles Andrew Chitwood of Lawton, OK; sister, Annie Osborne of Tallahassee, FL; granddaughters, Kimberly Jonathan Clay, Chanda Andrea Chitwood Sisco, Stacy Lackie (Jeff) Clay-Taylor and Erin Chitwood Edgecomb; great-grandchildren, Lauren Avery Taylor and Logan Nathaniel Taylor. Funeral Services will be held at Conrad & Thompson Funeral Home on Tuesday, October 12, 2010 at 11 a.m. with Mr. Mark Conrad of the Fortune Road Church of Christ, Kissimmee officiating. Full Military Honors will follow at 2 p.m. Tuesday at Florida National Cemetery, Bushnell, FL. Visitation for friends will be from 4 to 6 p.m. Monday, October 11, 2010 at Conrad & Thompson Funeral Home Chapel. The Chitwood family is being served by CONRAD & THOMPSON FUNERAL HOME AND CREMATION SERVICES, 911 Emmett St., Kissimmee, FL 34741, 407-847-2888

FRATTAROLI, ANTHONY 91, passed away on September 21, 2010 in Kissimmee, FL. He was born on January 17, 1919 in Naples, Italy. FL for many years. He was a very wonderful husband, father and friend. He is survived by his wife Ethel; daughter Catherine and his son Paul. Funeral arrangements were made by M.L. Cruciani & Son Niagara Funeral Chapel, Niagara Falls, NY. Services were held by Holy Family of Jesus, Mary and Joseph at St. Joseph Church, Niagara Falls, NY on September 28, 2010. Officiating Rev. Eugene R. Klusek.

Volusia

FLOWERS, LEE, 80, of Deltona, passed away peacefully at her home on Friday, October 8. A native of Avon Park, she moved to Volusia in 1963 from Boston. She had a zest for life and thoroughly enjoyed her 28 years working at the Ivy Hotel in Orlando. A graduate of Orland High School, Lee was also a member of Temple Baptist Church in Deltona. She was preceded in death by her daughter Judy Sandt; her son Gary Sandt and her husband Ed Flowers. She leaves behind to cherish her memory her daughter Sandra (Ronny) Wilson, Windermere, FL; her stepson, Ed Flowers, Texas; and Dee Flowers, Maine; her nieces, Ginger Shaffner, Marianne George and Tina Weikel, Florida; grandson Randy Watson, Winter Garden and granddaughter Lindsey Watson, Tampa; numerous nieces and nephews; and her best friend, Hannah Rhoda. The family will be receiving friends at the church, Temple Baptist Church, 132 Dellcrey Ave., Deltona, FL on Tuesday, October 12 at 11 a.m. Burial at Arbor of Evergreen Cemetery in Pierson. The family has asked that memorial donations be made in her memory to Temple Baptist Church, Landlord Funeral Home has been entrusted with her care.

In Memoriam

A LOVE SONG OF Grace M. Lawson
Jan 1, 1913 - October 11, 2006
We Wanted for a Time
Sesame Seeds
Here You Are
Forever Your Child,
Grace

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RESCUE

Continued from Page B7

40, had been awakened about 7 a.m. by the sound of their smoke alarm in their house on the 3400 block of Cypress Tree Court.

Ramos called 911 while her husband extinguished what turned out to be a kitchen fire. They then went outside because of all the smoke in the kitchen and called to cancel their request for help from the Fire Department, Ramos said.

Just then, Stone jacked his car and ran to the front of the house.

"I saw two people who had soot all over their faces, and they said something had blown up in the kitchen," Stone said.

After identifying himself to the couple, inquiring about their conditions and learning that their two daughters were still asleep in their bedrooms, Stone told them about the possibility that carbon monoxide from the kitchen fire could spread throughout the house, Ramos said.

Carbon monoxide is a colorless, odorless, toxic gas that can remain in the air after a fire. The gas kills about 400 people each year in the U.S. and sends 20,000 more to hospitals, according to the U.S. Fire Administration.

Stone, who was wearing his work uniform but without protective gear, went into the home with Florida Ramos.

By the time they got back inside, the house was full of smoke.

"The smoke was down to my knees," Stone said. "Visibility was very poor."

The smoke detectors in the living area were blaring, but no detectors were sounding in the bedroom area, Stone said.

Stone and Ramos were in and out of the house at lightning speed, walking Stephany, 8, and Tiffany, 13, out of the house to safety.

Fire Rescue crews then arrived and went inside the house with a hose line to make sure the fire had not started again.

No one wanted to go to the hospital. There were no reported injuries.

Ramos said Stone never told her family that he was on his last day of work.

"He didn't mention that," she said. "But he was very helpful and very calm."

Firefighters determined that the fire was started by a short in electrical wiring and notified the state Fire Marshal's Office.

When he leaves work for the last time early today, Stone will go home to his wife, Renee, who is a battalion chief for the fire service, and son Ryan, 8, and daughter Tyra.

"I'm hoping to do not a lot of anything for a while," he said.

But as he cleaned out his locker Saturday afternoon, he reflected about how exciting a career as a firefighter can be.

"Anything can happen on any given day when you're in the fire service," Stone said. "Even on your last day, you don't know what might happen."

Anika Myers Palm can be reached at 407-420-5022 or apalm@orlandosentinel.com.

CHIOJI

Continued from Page B7

"It was time for me to go.

By the time she left, Chioji had been in Orlando 40 years and to TV 25. And that, said the former WFTV-TV anchor, "is a really really long time to do the same thing."

Yet the journey from learning she had cancer to a new future was one that Chioji embraced. She bridled what could be a frightening journey — and took it on as a new challenge.

Chioji discovered her cancer early — so early that one of her doctors described it as Stage 0. One day, in 2005, while rolling over in bed, she noticed a lump in her breast. Concerned, she called her doctor and went to a radiology center for a mammogram. It wasn't her first. She'd had a "baseline" mammogram done several years earlier to establish what her breast tissue looked like when normal.

At the radiology center, the technologist noticed the area where Chioji had felt a lump was "an irregular, solid mass," recalled her radiologist, Dr. Susan Curry. They quickly opted for a mammogram and a needle-biopsy on the spot.

The results came in the next week: Chioji had invasive ductal carcinoma — the most common type of breast cancer.

Wrote online diary

Chioji knew she had some family history with breast cancer. Her maternal grandmother died five years after a radical mastectomy. But the TV anchor was in the greatest shape of her life, thanks to regimens of running, biking and daily exercise.

That didn't stop breast cancer. But cancer didn't stop Chioji.

On April 30, 2005, she announced on-air that she had breast cancer. And though she didn't want to become "the poster girl" for breast cancer, Chioji faced the disease head-on — with a style that included wigs and a temporary Grace Jones-bleached blonde look — and aplomb, writing an online diary that kept viewers posted on her treatment.

And for someone who didn't want to become a poster girl for cancer she became one surprisingly quickly and well.

"She chronicled her journey which helped many people learn what she was doing — that she was still working and public, and surviving and validating life — and she was going to be a survivor," said Curry.

She went through two surgeries, chemotherapy and five years of taking tamoxifen. Along the way she campaigned for cancer research for the Lance Armstrong Foundation, led fundraising fundraisers and made friends with hundreds, if not thousands, of viewers who had survived breast cancer.

"I talk to people who are going through it, survivors," she said. "You tell them that you really have to embrace survivorship and really take advantage of the fact that you get to live."

She meets some cancer survivors at speeches. But she meets many of them by chance. "Many are people I stumble upon — I'll strike up a conversation with someone who's got to hair."

A life remade

When she had cleared the hurdles that breast cancer had thrown in her path, Chioji decided to remake her life.

As a skier and triathlete, she had dreamed about living in the West. And, as someone who had "pretty aggressively saved money," she was financially able to pack up and go. "I said to myself, 'What are you waiting for?' "

So she packed up and moved to Utah, excited by the prospect of turning her passion for fitness into a career. Now 55, years after her move, Chioji has no regrets. She is doing a handful of part-time and freelance jobs: working as a personal trainer at Wesmere's Park City resorts, leading cycling tours through France and the U.S., and serving as a TV reporter during the annual Sundance Film Festival.

And she has never been happier.

"One thing that I learned — and it's a great lesson — is that if you make a decision that's not the right one, you can correct it," she said. "If I'd come out here and it had been horrible, I could have come back. But that's not what happened."

Instead, she wakes up to a view of the mountains — which are currently shone with fall colors. "Every day is fun."

Nine years after her cancer diagnosis, Chioji still returns to Orlando for follow-ups with her doctors. "Utah has a great health system, but I have a history there," she said. And plenty of friends to visit.

And though she loves Florida, she relishes her home in Utah's mountains.

"Life's never been so good."

Linda Shrieves can be reached at lshrieves@orlandosentinel.com or 407-420-5433.

MAXWELL

Continued from Page B7

In 2010, Florida voters decided to start giving public money to candidates who agreed to limit their spending. The idea was to keep spending in check and level the playing field for candidates who weren't super-wealthy or backed by tons of special interests.

The motives were noble. But lawmakers and courts made so many changes, we now subsidize politicians who don't need or deserve it — such as Charlie Crist and his $15 million campaign for governor.

Vote yes if you don't think our candidates deserve any public money, no matter how much money their opponents have.

Vote no if you can live with the way it is and still think candidates who aren't personally wealthy or flush with big-time benefactors deserve a fighting chance, courtesy of public cash, no matter what the courts say.

Amendment 2: *Do soldiers serving abroad deserve property-tax breaks?*

This personal fire came to light in this very column back in 2007 when I wrote about a local soldier who started calling for the tax breaks while he was fighting in Afghanistan. His remember that soldiers shouldn't have to pay property taxes on houses they can't even live in while serving in foreign lands.

This amendment would give active-duty soldiers a break, pro-rated for the amount of time they are away, even if family members stay in the home.

Vote yes if you think a property-tax break is an appropriate benefit for servicemembers and their families.

Vote no if you think this an unnecessary perk for members who voluntarily joined the service.

Amendment 4: *Should voters have a more direct say on growth?*

"Tomorrow's bureaucracy" is the most controversial of this year's amendments. It would basically give voters — rather than politicians — the final say on many growth proposals.

Backers say local politicians have proved that they've la developers' pockets, approving sprawl and causing everything from crowded schools and the looming glut to treeless stores where neighbors don't want them.

Opponents describe this amendment as a "job killer" that would send new businesses away from Florida and prompt outsiders, confusing votes for residents. They also say it would undermine the principles of our representative democracy.

Vote yes if you think growth has run amuck in this state and that voters have a right to the final say about major growth decisions.

Vote no if you think that either the status quo is working well or that this "cure" would be worse than the disease.

Amendments 5 and 6: *Should Florida have compact, unapologetically sensible congressional and legislative districts?*

These are the "Fair Districts" measures, designed to stop gerrymandering.

Right now, instead of drawing geographically logical districts — along county and city lines, for example — legislators search for the kind of partisan voters who will keep them and their friends in office. The result is a maze of serpentine districts that snake through seven, eight, even nine counties, splitting communities and neighborhoods in two. Winter Park, for instance, has four representatives in the U.S. House.

These amendments (No. 5 for state elections and No. 6 for federal ones) would require legislators to draw more compact, geographically sensible districts.

Vote yes if you think voters should choose politicians, rather than the other way around.

Vote no if you think it's OK for legislators to use creative mapping techniques to keep "like-minded" people together ... and you don't mind "your representative" living in another part of the state.

Amendment 8: *Should we make the race a big step more flexible?*

Nobody wants 40 students in their kid's class, right? That's why Floridians voted in 2002 to enact class-size caps, so that no more than 25 high school students, for instance, could be crammed into a single classroom.

Well, the Legislature thinks that's too strict and that the cap should be a classroom average for each school, meaning one class could have 27 students, as long as another had 23.

Vote yes if you think flexibility is needed.

Vote no if you think voters meant what they said in 2002 — that a cap is a cap is a cap. No exceptions.

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Exhibit 51

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TUESDAY Chance of storms 86/74
WEDNESDAY Storms 83/75
THURSDAY Partly sunny 84/71
NATION AND WORLD FORECASTS ON BACK PAGE OF SPORTS
LIVE WEATHER RADAR AT PALMBEACHPOST.COM

The Palm Beach Post

Monday, October 11, 2010 First edition | One dollar

IN THE NEWS



A truck driver shows his pass to enter Afghanistan Sunday.

Pakistan reopens crossing for NATO
Supply trucks again use the crossing to enter Afghanistan after an 11-day blockade. 3A

8 suspects arraigned in anti-gay attacks
The gang suspects are accused of torturing three people in New York City. 2A

Israeli Cabinet passes loyalty bill; Arabs angry
Non-Jews applying for citizenship must pledge oath. Arabs charge racism. 2A

Trapped Chilean miners giddy in homestretch
With probable rescue only hours away, the men squabble over who goes last. 3A

Plant owners apologize for deadly sludge flood
The owners of the metal plant in Hungary offer condolences to families of those killed. 3A

LOCAL

Deputy shoots teen after Royal Palm chase
The boy, 17, stole a van, drove in the wrong direction and hit two cars, authorities say. 1B

Billiards champ takes another shot at glory



Boca's JoAnn Mason Parker, a U.S. Open winner in 1990, aims to reclaim the title at age 42. 1B

Meek woos Democrats — including Aaronson
The Senate hopeful from the commissioner will support independent Charlie Crist. 1B

Klein-West debate centers on stimulus
The battle heats up: President Obama and House GOP leader John Boehner plan to visit. 5B

BUSINESS

New AAMCO franchises post millions in sales
Two ambitious local siblings surprise the car repair giant with their first-year results. 1D

Rare distinction: An estate and tax planner in Boca earns prestigious accreditation. 2D

Iffy education: Beware of incurring big debt to enroll in a for-profit online college. 4D

SPORTS

UM falls out of Top 25; UF plummets to No. 22
The Gators hit the low point of Meyer's tenure and must chase South Carolina. 1C

Rays, Rangers tied: Tampa Bay forces a decisive Game 5; the Giants top the Braves. 1C

Valentine back in picture: He's the Marlins' top manager candidate, a source says. 1C

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LOCAL GROUP STRIKES BACK AT VIOLENCE

THE MOTHERS OF REDEMPTION

They comfort grieving moms and enlighten prisoners.



Mothers united: Angela Williams (left) and her sister Georgie Dixon, who have lost family members to violence, have more than 100 moms in their group, the Mothers Against Murderers Association.

'I tell everybody: "No retaliation." It's up to the lord. You cannot fix it, you're only going to mess it up.'
- GEORGIE DIXON, co-founder, Mothers Against Murderers Association

by LORA O'CONNOR
Palm Beach Post Staff Writer

WEST PALM BEACH — Angela Williams knew exactly what to do when she got the call that Sunday night. Javon Nelson, 11, one of five members of a family shot to death by a rampaging jealous husband, was her nephew.

Weary and sad, too familiar with how to comfort the living, she got on the phone with the boy's father, consoling him as best she could.

"So that's what my day's been like," she said later, sighing.

When someone dies by violence, the ripple effect of grief somehow, sooner this time, later other times, washes up at Williams' doorstep.

Javon is the eighth young family member Williams has lost to violence. In 2003, she formed the Mothers Against Murderers Association. The group counsels grieving mothers and, when they are ready, brings them to speak to prisoners about the damage that murder does to survivors, including children too young to remember a slain parent.

When Williams' 29-year-old nephew Torrey Manuel was shot on New Year's Day 2003, her older sister Georgie Dixon was drowning in pain, suicidal, a lost

See MOTHERS, 5A ▶

SOCIAL SECURITY

No boost in benefits – again?

Another year with no cost-of-living adjustment could hurt Democrats.

by STEPHEN OHLEMACHER
The Associated Press

WASHINGTON — As if voters don't have enough to be angry about this election year, the government is expected to announce this week that more than 58 million Social Security recipients will go through another year without an increase in their monthly benefits.

It would mark only the second year without an increase since automatic adjustments for inflation were adopted in 1975. The first year was this year.

"If you're the ruling party, this is not the sort of thing you want to have happening two weeks before an election," said Andrew Biggs, a former Social Security Administration deputy commissioner and now a resident scholar at the American Enterprise Institute.



Snowe
The only GOP senator to support a second Social Security bonus payment.

"It's not the congressional Democrats' fault, but that's the way politics works," Biggs said. "A lot of people will feel hassle about it."

The cost-of-living adjustments, or COLAs, are automatically set each year by an inflation measure that Congress adopted in the 1970s.

Based on inflation so far this year, the trustees who oversee Social Security expect there will be no COLA for 2011. The projection will be made official Friday, when the Bureau of Labor Statistics releases inflation estimates for September.

Democrats have been working hard to make Social Security an election-year issue, running political ads and holding news conferences to accuse Republicans of plotting to privatize the national retirement program.

This week's announcement about

See INCREASE, 8A ▶

ELECTIONS 2010 YOUR VOTE STARTS HERE

Amendments' goals: Curb tailor-made voting districts

Shapes would look like counties and cities, not political puzzle pieces.

By JOHN LANTIGUA
Palm Beach Post Staff Writer

There are Florida legislative and congressional voting districts so oddly shaped they resemble your small intestine.

The cause is redistricting conducted over the years by whatever party was in power in Tallahassee and for purely political purposes.

The contorted shapes were configured using census numbers, demographic databases, mapping software and previous election results. They all but assure that incumbents, or at least their parties, will retain power in certain districts for many election cycles to come. That process is called gerrymandering.

Critics say the process has created an electoral reality where politicians choose their voters and not the other way around. It also creates paradoxes: In 2008 Democrat Barack Obama carried Florida, but not a single member of the GOP majority in either house of the Florida Legislature, lost his or her seat.

Two proposed amendments to the Florida Constitution would make it much harder for political

See DISTRICTS, 8A ▶

The proposed amendments
During this year's elections, you'll be asked to vote on two redistricting issues. Read summaries of each amendment to the Florida Constitution. 8A

BREAKTHROUGH IN STROKE PREVENTION

'HAIR CLIP' FOR THE HEART

A beauty accessory inspires a device that fights atrial defibrillation.



The device
The AtriClip "is a very exciting development," says Dr. James Morris, cardiovascular chief at Boca Raton Regional Hospital.



Morris

By STACEY SINGER
Palm Beach Post Staff Writer

Women's hair clips. Barrettes.

Cleveland Clinic CEO Dr. Delos "Toby" Cosgrove pauses for effect as he describes his inspiration for the AtriClip, a new medical device designed to eliminate the source of many strokes in patients with heart rhythm problems.

"One-third of the strokes in this country are caused by these clots," Cosgrove said on a recent visit to Florida.

When healthy, the heart's four chambers contract and relax in perfect, coordinated rhythm, and blood flows smoothly. But for about 3 million people in the United States — most of them

See HEART CLIP, 6A ▶



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8A THE PALM BEACH POST • MONDAY, OCTOBER 11, 2010

ELECTIONS 2010 YOUR VOTE STARTS HERE

Group expects to raise $4 million to fight amendments

▶ DISTRICTS *from 1A*

parties in tailor-suiting districts in their tastes.

Amendment 5 would change the rules for shaping state legislative districts, and Amendment 6 would do the same for congressional districts. Sixty percent of voters must support them on Nov. 2 for the amendments to pass.

The crucial language is the same in both amendments.

"No apportionment plan or district shall be drawn with the intent to favor or disfavor a political party or an incumbent," they say. "Districts shall be as nearly equal in population as is practicable; districts shall be compact; and districts shall, where feasible, utilize existing political and geographical boundaries."

In other words, districts more often would adhere to the shapes of counties and cities and would not be cut into jigsaw shapes.

The amendments also specify that new regulations shall not diminish the ability of racial or language minorities to elect representatives of their choice.

The amendments are supported by the League of Women Voters, the NAACP and the AARP, among other groups, but not everyone is on board.

Last month, U.S. Rep. Corrine Brown, a black Democrat from Jacksonville, and Mario Diaz-Balart, a Cuban-American Republican from Miami, told a news conference that they oppose the amendments, which they say would reduce the power of minority voters despite the language written into the amendments.

"If I walk out of here and die ... I want to make sure that we have an opportunity," Brown said. "I want to make sure that minorities have an opportunity to elect someone of their choice."

Diaz-Balart said amendment backers were trying to turn back the clock and "bleach" Florida.

Sprawling districts

There's a reason some legislative districts in Florida have surprising shapes: Redistricting over the years often reshapes boundary lines to assure one or the other of the two major parties enjoys a safe seat. Below are two state Senate districts that are each spread over five counties. District 4 in the north is controlled by the GOP, while District 27 in the south is held by the Democrats.

Florida Senate District 4

Florida Senate District 27

Proposed amendments

Early voting for the Nov. 2 general election begins Oct 18. Florida voters will be asked to vote 'yes' or 'no' on three proposed amendments to the Florida Constitution.

Amendment 5: Standards for legislature to follow in legislative redistricting

Legislative districts or districting plans may not be drawn to favor or disfavor an incumbent or political party. Districts shall not be drawn to deny racial or language minorities the equal opportunity to participate in the political process and elect representatives of their choice. Districts must be contiguous. Unless otherwise required, districts must be compact, as equal in population as feasible, and where feasible must make use of existing city, county and geographical boundaries.

The fiscal impact cannot be determined precisely. State government and state courts may incur additional costs if litigation increases beyond the number or complexity of cases which would have occurred in the amendment's absence.

Amendment 6: Standards for legislature to follow in congressional redistricting

Congressional districts or districting plans may not be drawn to favor or disfavor an incumbent or political party. Districts shall not be drawn to deny racial or language minorities the equal opportunity to participate in the political process and elect representatives of their choice. Districts must be contiguous. Unless otherwise required, districts must be compact, as equal in population as feasible, and where feasible must make use of existing city, county and geographical boundaries.

The fiscal impact cannot be determined precisely. State government and state courts may incur additional costs if litigation increases beyond the number or complexity of cases which would have occurred in the amendment's absence.

Brown and Diaz-Balart have joined forces with the Florida Chamber of Commerce and Associated Industries of Florida, which also want to maintain the status quo. Those business groups have formed an organization called Protect Your Vote and said they expected to raise about $4 million to fight the changes.

Fair Districts for Florida, the grassroots campaign that gathered 1.7 million signatures to put the amendments on the ballot, was fueled largely by Democrats, but not exclusively.

Frank Morsani, a Tampa businessman and former chairman of the U.S. Chamber of Commerce, is a Republican who sits on the board of Fair Districts.

"I was on the Florida Constitution Revision Commission back in the '90s, and we tried to fix this," he said. "At one point it was the Democrats who controlled the Florida House and Senate and they were the ones who didn't want it to change. Now it's the Republicans. These districts are gerrymandered so badly that a lot of times voters have no idea who their representatives are."

Former state Sen. Daryl Jones, a Democrat, also is a supporter.

"At one point the city of Homestead was districted so that it was divided up by three different members of Congress," Jones said. "In the long run, it didn't work out for them at all, because the people of Homestead could never get the attention of any of those representatives."

Ellen Freidin, campaign manager for Fair Districts, said that while other states have redistricting issues, Florida's are among the worst. The only requirement in Florida is that districts not be in separate pieces, which has led to some districts snaking around the state and incumbents having an easy path to victory.

"That has made Florida's 47th in the country in the number of competitive elections," Freidin said. "There aren't serious challenges in most legislative races in Florida."

Supporters of the amendments say the changes in districts would make candidates appeal to a greater variety of voters during campaigns.

"Right now candidates and office holders don't have to listen to people on the other side of an issue, and they themselves tend to go further to the left or right," Freidin said. "This would not just change the tenor of campaigns, but it would change the tenor of government."

COLA increase in 2009 was largest in 27 years

▶ INCREASE *from 1A*

Social Security benefits raises more immediate concerns for older Americans whose savings and home values haven't recovered from the financial collapse. Many haven't had a raise since January 2009, and it looks like they won't be getting one until at least January 2012.

"While people aren't getting COLAs they certainly feel like they're falling further and further behind, particularly in this economy," said David Certner, AARP's legislative policy director.

"People are very reliant on Social Security as a major portion of their income and, quite frankly, they have counted on the COLA over the years."

Social Security was the primary source of income for 64 percent of retirees who got benefits in 2008, according to the Social Security Administration. A third relied on Social Security for at least 90 percent of their income.

About 58.7 million people receive Social Security or Supplemental Security Income. The average Social Security benefit is about $1,072 a month.

Social Security recipients got a one-time bonus payment of $250 in the spring of 2009 as part of the government's massive economic recovery package. President Obama lobbied for another one last fall when it became clear seniors wouldn't get an increase in monthly benefit payments in 2010.

Congress took up the issue, but a proposal by Sen. Bernie Sanders died when 12 Democrats and independent Sen. Joe Lieberman of Connecticut joined Senate Republicans to block it. Sen. Olympia Snowe of Maine was the only Republican to support the second bonus payment.

Sanders, I-Vt., said he expects older voters to be angry when they learn there will be no increase again.

"I do think there's going to be political fallout," Sanders said.

Federal law requires the Social Security Administration to base annual payment increases on the Consumer Price Index for Urban Wage Earners and Clerical Workers, which measures inflation. Officials compare inflation in the months of July, August and September with the same months in the previous year.

If inflation increases from year to year, Social Security recipients automatically get higher payments, starting in January. If inflation is negative, the payments stay unchanged.

Social Security payments increased 5.8 percent in 2008, the largest increase in 27 years. However, recipients won't get another increase until inflation exceeds the level measured in 2008. The Social Security trustees project that will happen next year.

Social Security spokesman Mark Lassiter said the agency has no leeway to increase payments if the inflation measurement doesn't call for it.

Bad news on the horizon

The government this week is expected to announce that Social Security recipients will get no increase in monthly payments for the second straight year. By law, cost-of-living adjustments are tied to inflation levels.

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KNOW YOUR CANDIDATES ★ ELECTION DAY: NOV. 2, 2010

KNOW YOUR AMENDMENTS

AMENDMENT 5 and 6

Ballot language (5):

"Legislative districts in districting plans may not be drawn to favor or disfavor an incumbent or political party. Districts shall not be drawn to deny racial or language minorities the equal opportunity to participate in the political process and elect representatives of their choice. Districts must be contiguous. Unless otherwise required, districts must be compact, as equal in population as feasible, and where feasible must make use of existing city, county and geographical boundaries."

Ballot language (6):

"In establishing congressional and legislative district boundaries or plans, the state shall apply federal requirements and balance and implement the standards in the state constitution. The state shall take into consideration the ability of racial and language minorities to participate in the political process and elect candidates of their choice, and communities of common interest, other than political parties may be respected and promoted, both without subordination to any other provision of Article III of the state constitution. Districts and plans are valid if the balancing and implementation of standards is reasonably related to the standards contained in the state constitution and is consistent with federal law."

What it means:

The Florida Constitution contains no standards for drawing legislative and congressional districts except that they be roughly equal in population and contiguous. The Legislature draws the maps. Critics believe that the system allows the majority to favor its candidates and divide communities.

A YES vote would require the Legislature not to split communities and not to draw districts solely to favor an incumbent or a party. A NO vote would retain the current system. Amendment 5 applies to legislative districts. Amendment 6 applies to congressional districts.

PRO

By Ellen Freidin

Ink blots. Salamanders. Puzzle pieces. These are just some of the terms used to describe the weirdly shaped voting districts in Florida. Legislative and congressional districts senselessly divide communities, meander for 150 miles or more, and connect areas that have little in common.

Our bizarre districts are drawn this way by politicians in Tallahassee to accomplish a simple but selfish goal: keeping those incumbents and their parties in power. This happens because there are no rules to stop politicians from choosing their voters. So every 10 years, when legislators redraw districts, they win, and the voters lose.

Floridians have an opportunity to end this legalized conflict of interest. A YES vote on Amendments 5 and 6 would place rules in the Florida Constitution to stop politicians from drawing districts to favor incumbents and political parties and require them to draw districts that are compact and that follow existing city, county and geographical boundaries. The amendments, for the first time, would create strong constitutional protections for minority voters so that redistricting cannot be used to reduce the voting strength of minority voters or anyone else.

Your YES vote would stop politicians from making deals to create districts for themselves and their allies. If districts are compact and community-based, our representatives will live closer to all their constituents and be more accountable to those they represent. If politicians run in districts they cannot lose, why should they consider our interests when they go to Tallahassee or Washington? In the past decade, 98.2 percent of incumbent legislators have been reelected.

Almost 1.7 million petitions to get Amendments 5 and 6 on the ballot were signed by Republican, Democratic and independent voters statewide. The fight for fair districts is being led by such nonpartisan organizations as the League of Women Voters of Florida, AARP Florida, the Florida NAACP and *Democracy Alum*.

On Nov. 2, return political power to the people, so we can have a real choice in representatives. Stop politicians from rigging districts to favor themselves. Vote YES on Amendments 5 and 6.

Ellen Freidin is campaign chairwoman of FairDistrictsFlorida.org

CON

By state Sen. Mike Haridopolos

In 2008, President Obama won 20 of Florida's 40 Senate districts—the same districts that have been described as uncompetitive and politically gerrymandered.

While everybody supports fair redistricting, Amendments 5 and 6 are not the answer.

First, let's be clear: Fair Districts, the amendments' sponsor, is not a nonpartisan, grass-roots organization. It is a well-funded arm of powerful, liberal political interests, many located outside Florida.

Fair Districts has raised $2.9 million from lawyers and labor unions, including $1 million from state and national teachers unions and $625,000 from SEIU, the union that spent millions to elect President Obama. It even accepted $25,000 from ACORN's Florida affiliate.

These highly partisan interest groups did not invest millions for nothing. Their agenda is not civic reform but a more liberal Congress and Legislature.

Minorities have made historic gains through redistricting. The number of African-American members has increased dramatically, from 12 in 1992 to 26 under the existing, Republican-drawn plan. These achievements should never be jeopardized.

Fair Districts suggests that Republicans owe their majority to gerrymandered districts. This ignores basic facts. Republicans gained their majority under a plan drawn by Democrats. The number of Republicans in the Legislature today (under Republican-drawn districts) is the same as a decade ago (under Democratic-drawn districts). And while Republicans hold 63 percent of seats drawn by the Legislature, they are even better when redistricting is not a factor, winning 73 percent of statewide elections last decade.

The Legislature takes redistricting seriously and supports sensible reforms. It even passed an amendment (stricken by the courts) that would have prohibited map-drawing to promote political parties. But not all change is reform. Floridians should vote NO on Amendments 5 and 6.

Sen. Mike Haridopolos, R-Melbourne, is president-designate of the Florida Senate.

AMENDMENT 8

Ballot language:

"The Florida Constitution currently limits the maximum number of students assigned to each teacher in public school classrooms in the following grade groupings: for pre-Kindergarten through grade three, 18 students; for grades four through eight, 22 students; and for grades nine through 12, 25 students. Under this amendment, the current limits on the maximum number of students assigned to each teacher in public school classrooms would become limits on the average number of students assigned per class to each teacher, by specified grade grouping, in each public school. This amendment also adopts new limits on the maximum number of students assigned to each teacher in an individual classroom as follows: for pre-Kindergarten through grade three, 21 students; for grades four through eight, 27 students; and for grades nine through 12, 30 students. This amendment specifies that class-size limits do not apply to virtual classes, requires the Legislature to provide sufficient funds to maintain the average number of students required by this amendment, and schedules these revisions to take effect upon approval by the electors of this state and to operate retroactively to the beginning of the 2010-11 school year."

What it means:

The Florida Constitution requires school districts to phase in limits on the number of students in such "core" classes as English and math. Compliance has been measured by schoolwide average. This year, each class is supposed to comply with the limits.

A YES vote would keep the current limits but allow schools to continue measuring compliance using the schoolwide average. Each core class also would have an upper limit, three students higher than the current limit through grade three and five students higher for other grades. A NO vote would keep the current limits and require schools to measure compliance for each class.

PRO

By Dominic Calabro

The 2002 class-size reduction amendment prescribes size limits on core-curriculum classes that were to be phased in with full compliance at the classroom level by this academic year. Since the amendment's passage, Florida has appropriated $18.7 billion to comply, and compliance will cost even more if the inflexible requirements are not modified appropriately.

Based on reasonable assumptions, Florida TaxWatch estimates that Amendment 8 would save taxpayers $7 billion to $10 billion over the next 10 years by providing local school officials that flexibility. Rather than calculate compliance with limits at the classroom level, Amendment 8 would calculate compliance based on the school's average number of students per class.

The categories from the 2002 amendment — 18 students through grade three, 22 students for grades four through eight and 25 students in high school — would remain. However, Amendment 8 would add new classroom maximums — 21 students through grade three, 27 students for grades four through eight and 30 students in high school. While class-size reduction goals would remain, greater flexibility would reduce total costs to taxpayers.

During the phase-in of the 2002 amendment, class size was measured as the school-level average for the past two years. Class sizes have been reduced through the investment of more than $28 billion, but we have not achieved full compliance even at the school-level average. Florida is approximately 98 percent compliant with the school-level average through grade three and 99 percent compliant in all other grades.

According to legislative staff, if Amendment 8 fails, 235,000 classrooms in Florida — 33 percent — will exceed the standard. That will result in millions in noncompliance fines assessed to school districts and billions more invested in achieving classroom-level compliance. Passing Amendment 8 would allow that money to be used on critical services related to education, including a merit-pay program, training for teachers and new materials for classrooms.

Dominic Calabro is president and CEO of Florida TaxWatch.

CON

By U.S. Rep. Kendrick Meek

Before Florida voters passed the class-size amendment in 2002, our schools ranked at the bottom of the national barrel, overcrowded and underfunded. The class-size amendment required the Legislature to finally provide sufficient funding to address overcrowding.

Since then, politicians have been unrelenting in their efforts to water down the class-size amendment while refusing to tackle the special-interest bidding in the state capital. When politicians in Tallahassee introduced Amendment 8 to trick voters into returning students to overcrowded, underfunded classrooms, they put a new wrapper on a tired old idea: more money for special-interest projects, less money for our schools.

Legislators pushing Amendment 8 are attempting to mislead voters by claiming that Amendment 8 is about giving school districts flexibility to complete implementation of the original amendment. They don't say that they could provide that flexibility through statute, as they have done for charter schools. They don't say that this is really all about wiggling out of their constitutional responsibility to fully implement the 2002 amendment.

Since the class-size amendment passed, reading and math proficiency have improved. High school graduation rates have risen. Years of research also illustrate that children in small classes are better behaved, less likely to drop out and get better grades. If Amendment 8 passes, class sizes will increase by up to 20 percent.

Proponents of Amendment 8 point to a report by Florida TaxWatch claiming that passage could save up to $1 billion per year. But the class-size amendment has never cost anything close to what opponents claimed, and any so-called savings actually would mean cuts in funding currently guaranteed to our schools.

Class size is one tool giving our children the right to a better education. This is what we promised future generations. This is what they deserve.

U.S. Rep. Kendrick Meek, the Democratic nominee for U.S. Senate, led the 2002 class-size amendment campaign.

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Exhibit 53

Florida Department of State
Division of Elections
November 2, 2010 General Election

Official Results

Constitutional Amendment

REPEAL OF PUBLIC CAMPAIGN FINANCING REQUIREMENT

	Yes for Approval	No for Rejection
Total	2,587,543	2,342,137
% Votes	52.5%	47.5%

HOMESTEAD AD VALOREM TAX CREDIT FOR DEPLOYED MILITARY PERSONNEL

	Yes for Approval	No for Rejection
Total	3,936,526	1,122,053
% Votes	77.8%	22.2%

REFERENDA REQUIRED FOR ADOPTION AND AMENDMENT OF LOCAL GOVERNMENT COMPREHENSIVE LAND USE PLANS.

	Yes for Approval	No for Rejection
Total	1,682,177	3,424,204
% Votes	32.9%	67.1%

STANDARDS FOR LEGISLATURE TO FOLLOW IN LEGISLATIVE REDISTRICTING

	Yes for Approval	No for Rejection
Total	3,155,149	1,885,860
% Votes	62.6%	37.4%

STANDARDS FOR LEGISLATURE TO FOLLOW IN CONGRESSIONAL REDISTRICTING

	Yes for Approval	No for Rejection
Total	3,153,199	1,857,748
% Votes	62.9%	37.1%

REVISION OF THE CLASS SIZE REQUIREMENTS FOR PUBLIC SCHOOLS

	Yes for Approval	No for Rejection
Total	2,751,878	2,298,001
% Votes	54.5%	45.5%

BALANCING THE FEDERAL BUDGET (A Nonbinding Referendum)

	Yes for Approval	No for Rejection
Total	3,524,629	1,377,352
% Votes	71.9%	28.1%

Exhibit 54

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

EQUAL GROUND EDUCATION FUND, INC., *et al*., Plaintiffs, v. CORD BYRD, in his official capacity as Florida Secretary of State, the FLORIDA SENATE, and the FLORIDA HOUSE OF REPRESENTATIVES, Defendants.	Case No.

AFFIDAVIT OF JASMINE BURNEY

STATE OF FLORIDA
COUNTY OF ORANGE

BEFORE ME, the undersigned authority, personally appeared Jasmine Burney-Clark, who, after first being duly sworn, deposes and says:

1. I am the Founder and Senior Advisor of Equal Ground Education Fund, Inc. ("Equal Ground"), a nonprofit, Black-led voting rights organization in Florida.

2. Equal Ground's principal office is in Orlando, but the organization engages voters throughout the state.

3. I founded Equal Ground in May 2019 after recognizing the need for a Black-led organization dedicated to building political power in Florida's I-4 corridor and across the state. Prior to founding Equal Ground, I served as Executive Director of the Florida 501(c)(3) Civic Engagement Table, where I led statewide programs on voter registration and turnout, voting rights and election administration, and census and redistricting. I have also served as a Senior Advisor to the National NAACP.

4. Equal Ground is a 501(c)(3) community-centered organization focused on increasing engagement among Black voters in Florida. Although voting rights is our core issue area, our work extends beyond the ballot box to advancing equality across all aspects of community life, including economic justice, access to healthcare, environmental justice, and social justice more broadly.

5. We focus our efforts on building political power in underserved communities by investing in the rising American electorate. Our work includes strategic planning, leadership development, petition drives, voter registration, and voter education and turnout efforts.

6. Redistricting is central to Equal Ground's voting rights mission. The drawing of congressional district lines determines whether all Floridians—and Black Floridians in particular—have a meaningful opportunity to elect representatives who reflect their communities' interests and priorities.

7. Equal Ground has been actively engaged in Florida's redistricting process over the past several cycles because we understand that all of our other work—registering voters, building civic engagement, expanding access to the ballot—depends on having fair maps that translate voter participation into genuine representation. When maps are drawn according to neutral principles that respect community boundaries and give every voter an equal voice, civic engagement has real consequences. When they are not, even the most robust voter participation efforts cannot overcome the structural disadvantage built into the lines themselves. That is why Equal Ground participated in litigation challenging the 2022 congressional districting plan.

8. Equal Ground is also a leading convenor of the Florida Voting Rights Coalition, bringing together partner organizations to coordinate voter education efforts, pool resources, and ensure that Black Floridians' interests are represented in the fight for voting rights across the state.

Equal Ground hosts virtual meetings with coalition members throughout the year to keep them informed about changes to voting rights laws and works collaboratively with partners to push voter education efforts forward in communities across Florida.

9. Florida's 2026 congressional redistricting plan (the "2026 Plan") was designed to guarantee Republican wins across Florida—not by earning more votes, but by drawing lines that dilute the voting power of the vast majority of the communities Equal Ground serves, who prefer Democratic candidates or who have no party affiliation. To accomplish that, the map breaks apart cities and counties that belong together, splitting communities that have organized together and fought for the same issues for years into separate congressional districts with separate representatives. When that happens, the voters Equal Ground works with lose their ability to pool their strength and hold their representatives accountable. Organizing becomes harder. Representation becomes thinner. And the work Equal Ground does every day—registering voters, turning them out, building civic power in underserved communities—becomes less effective, because the map was drawn to preordain results in favor of one party, discouraging voters who no longer feel like their votes have a chance to make a difference.

10. The 2026 Plan seriously impedes Equal Ground's efforts to ensure fair and equal representation in the State of Florida. It will require Equal Ground to divert scarce resources away from its other policy priorities and programming to educate the voters it serves about their new voting districts and give them other avenues to make their voices heard when they no longer have effective representation.

11. The burden of that diversion is concrete and immediate. With voters set to begin casting ballots in fewer than three months, Equal Ground must urgently shift its programming to ensure that the communities it serves understand what the 2026 Plan means for them—which

congressional district they now live in, who their new representative is, and whether their precinct assignment has changed as a result. That education effort requires updating and reprinting rack cards and other voter information materials that Equal Ground distributes throughout the community. Equal Ground takes its commitment to voter education seriously—if the organization does not step up to explain these changes, the voters it serves risk going to the polls confused or disengaged. That responsibility falls on Equal Ground whether it has the resources for it or not. And it comes on top of an already heavy load: every year brings new laws that complicate Equal Ground's work, and the 2026 Plan forces the organization to undertake a full community redistricting education effort for the second time in four years.

12. These voter engagement efforts are made even more difficult by the fact that the 2026 Plan was designed to *subvert* voter preferences and preordain electoral outcomes, making voters feel sidelined and already-marginalized voters feel even more discouraged.

FURTHER AFFIANT SAYETH NOT.



Jasmine Burney

DESCRIPTION OF ATTACHED DOCUMENT

Title or Type of Document: Certificate of Acknowledgement

Document Date: 05/04/2026

Number of Pages (including notarial certificate): 5

Commonwealth of Virginia

County of Chesapeake

The foregoing instrument was acknowledged before me on 05/04/2026 by Jasmine Burney

COMMONWEALTH OF VIRGINIA • ELECTRONIC NOTARY PUBLIC •

April Ridley-Cutts

REGISTRATION NUMBER
00358833
COMMISSION EXPIRES
July 31, 2029

April Ridley Cutts
Electronic Notary Public

My commission# 00358833
My commission expires: 07/31/2029

Notarized remotely online using communication technology via Proof.

Exhibit 55

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

EQUAL GROUND EDUCATION FUND, INC., *et al*., Plaintiffs, v. CORD BYRD, in his official capacity as Florida Secretary of State, the FLORIDA SENATE, and the FLORIDA HOUSE OF REPRESENTATIVES, Defendants.	Case No.

AFFIDAVIT OF ANDREA DAVNIE HILL

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

BEFORE ME, the undersigned authority, personally appeared Andrea Davnie Hill, who, after first being duly sworn, deposes and says:

1. I am a Plaintiff in *Equal Ground Education Fund, Inc. v. Byrd*, which challenges Florida's 2026 congressional plan (the "2026 Plan").
2. I am a Florida citizen and qualified registered voter in Thonotosassa, Florida.
3. Under the congressional plan signed by Governor DeSantis on April 22, 2022 (the "2022 Plan"), I resided in Congressional District 15. Under the 2026 Plan, I would reside in the new Congressional District 15.
4. I am a registered voter with no party affiliation and have a preference for electing Democratic legislators—including for the U.S. House of Representatives—because I believe their policies, proposed and enacted, more closely represent my personal and political views.

5. I have consistently voted for Democratic candidates for the U.S. House of Representatives. I intend to continue to do so in the future, including in the 2026 congressional election and beyond.

FURTHER AFFIANT SAYETH NOT.

Andrea Davnie Hill

Andrea Davnie Hill

Please see attached notarize.com certificate

DESCRIPTION OF ATTACHED DOCUMENT

Title or Type of Document: AFFIDAVIT OF ANDREA DAVNIE HILL

Document Date: 05/05/2026

Number of Pages (including notarial certificate): 3

OATH/AFFIRMATION

Commonwealth of Virginia County of Henrico, Virginia

The foregoing instrument was subscribed and sworn

before me on 05/05/2026 by Andrea Davnie Hill.

COMMONWEALTH OF VIRGINIA · N · ELECTRONIC NOTARY PUBLIC

Antonio Leshone Bradshaw

REGISTRATION NUMBER
7845247
COMMISSION EXPIRES
June 30, 2027

Electronic Notary Public

Notarized remotely online using communication technology via Proof.

Exhibit 56

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

EQUAL GROUND EDUCATION FUND, INC., *et al*., Plaintiffs, v. CORD BYRD, in his official capacity as Florida Secretary of State, *et al.*, Defendants.	Case No.

AFFIDAVIT OF LYNELLE MAYS

STATE OF FLORIDA
COUNTY OF BROWARD

BEFORE ME, the undersigned authority, personally appeared Lynnelle Mays, who, after first being duly sworn, deposes and says:

1. I am a Plaintiff in *Equal Ground Education Fund, Inc. v. Byrd*, which challenges Florida's 2026 congressional plan (the "2026 Plan").
2. I am a Florida citizen and qualified registered voter in Tamarac, Florida.
3. Under the congressional plan signed by Governor DeSantis on April 22, 2022 (the "2022 Plan"), I resided in Congressional District 20. Under the 2026 Plan, I would reside in the new Congressional District 20.
4. I am a registered Democrat and have a preference for electing Democratic legislators—including for the U.S. House of Representatives—because I believe their policies, proposed and enacted, more closely represent my personal and political views.

5. I have primarily voted for Democratic candidates for the U.S. House of Representatives. I intend to continue to do so in the future, including in the 2026 congressional election and beyond.

FURTHER AFFIANT SAYETH NOT.



Lynnelle Mays

Please see attached notarize.com certificate

DESCRIPTION OF ATTACHED DOCUMENT

Title or Type of Document: AFFIDAVIT OF LYNELLE MAYS

Document Date: 05/04/2026

Number of Pages (including notarial certificate): 3

Acknowledgement

Commonwealth of Virginia County of Henrico, Virginia

The foregoing instrument was acknowledged before me

on 05/04/2026 by Lynnelle Mays.



Electronic Notary Public

Notarized remotely online using communication technology via Proof.

Exhibit 57

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

EQUAL GROUND EDUCATION FUND, INC., *et al*., Plaintiffs, v. CORD BYRD, in his official capacity as Florida Secretary of State, *et al.*, Defendants.	Case No.

AFFIDAVIT OF ANNE BLANFORD

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, personally appeared Anne Blanford, who, after first being duly sworn, deposes and says:

1. I am a Plaintiff in *Equal Ground Education Fund, Inc. v. Byrd*, which challenges Florida's 2026 congressional plan (the "2026 Plan").
2. I am a Florida citizen and qualified registered voter in unincorporated Palm Beach County, Florida.
3. Under the congressional plan signed by Governor DeSantis on April 22, 2022 (the "2022 Plan"), I resided in Congressional District 22. Under the 2026 Plan, I would reside in the new Congressional District 23.
4. I am a registered Democrat and have a preference for electing Democratic legislators—including for the U.S. House of Representatives—because I believe their policies, proposed and enacted, more closely represent my personal and political views.

5. I have consistently voted for Democratic candidates for the U.S. House of Representatives. I intend to continue to do so in the future, including in the 2026 congressional election and beyond.

FURTHER AFFIANT SAYETH NOT.



Anne Blanford

DESCRIPTION OF ATTACHED DOCUMENT

Title or Type of Document: Certificate of Acknowledgement

Document Date: 05/04/2026

Number of Pages (including notarial certificate): 3

Michael Alphonzo Smith II

REGISTRATION NUMBER
00356693
COMMISSION EXPIRES
July 31, 2029

Commonwealth of Virginia

County of Newport News

The foregoing instrument was acknowledged before me

on 05/04/2026 by Anne Blanford.

Michael A Smith III

00356693

My commission expires: 07/31/2029

Notarized remotely online using communication technology via Proof.

Exhibit 58

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

EQUAL GROUND EDUCATION FUND INC., *et al.*, Plaintiffs, v. CORD BYRD, in his official capacity as Florida Secretary of State, the FLORIDA SENATE, and the FLORIDA HOUSE OF REPRESENTATIVES, Defendants.	Case No.

AFFIDAVIT OF PHILIP FORTMAN

STATE OF FLORIDA
COUNTY OF BROWARD

BEFORE ME, the undersigned authority, personally appeared Philip Fortman, who, after first being duly sworn, deposes and says:

1. I am a Plaintiff in *Equal Ground Education Fund Inc. v. Byrd*, which challenges Florida's 2026 congressional plan (the "2026 Plan").
2. I am a Florida citizen and qualified registered voter in Town of Davie, Florida.
3. Under the congressional plan signed by Governor DeSantis on April 22, 2022 (the "2022 Plan"), I resided in Congressional District 25. Under the 2026 Plan, I would reside in the new Congressional District 22.
4. I am a registered Democrat and have a preference for electing Democratic legislators—including for the U.S. House of Representatives—because I believe their policies, proposed and enacted, more closely represent my personal and political views.

5. I have consistently voted for Democratic candidates for the U.S. House of Representatives. I intend to continue to do so in the future, including in the 2026 congressional election and beyond.

FURTHER AFFIANT SAYETH NOT.



Philip Fortman

Clear Form

Jurat Certificate

WELLS FARGO

State of Florida

County of Broward

Sworn to (or affirmed) and subscribed before me this 4 day of May, 2026, by means of ☑ physical presence or ☐ online notarization Philip Fortman (name of person making statement).

☐ Personally known to me

☑ Produced Identification

Type of Identification Produced Florida Drivers License

Notary Signature

Title Notary Public

My appointment expires Oct. 8, 2029

Place Seal Here

RASHMA SINGH
Notary Public - State of Florida
Commission # HH 729522
My Comm. Expires Oct 8, 2029

Description of Attached document

Type or Title of Document

Affidavit of Philip Fortman

Document Date

N/A

Number of Pages

2

Signer(s) Other Than Named Above

none

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DSG3018FL/595500 (Rev 04 - 09/24)

Exhibit 59

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

EQUAL GROUND EDUCATION FUND, INC., *et al*., Plaintiffs, v. CORD BYRD, in his official capacity as Florida Secretary of State, *et al.*, Defendants.	Case No.

AFFIDAVIT OF MARCOS VILAR

STATE OF FLORIDA
COUNTY OF OSCEOLA

BEFORE ME, the undersigned authority, personally appeared Marcos Vilar, who, after first being duly sworn, deposes and says:

1. I am a Plaintiff in *Equal Ground Education Fund, Inc. v. Byrd*, which challenges Florida's 2026 congressional plan (the "2026 Plan").
2. I am a Florida citizen and qualified registered voter in St. Cloud, Florida.
3. Under the congressional plan signed by Governor DeSantis on April 22, 2022 (the "2022 Plan"), I resided in Congressional District 9. Under the 2026 Plan, I would reside in the new Congressional District 9.
4. I am a registered Democrat and have a preference for electing Democratic legislators—including for the U.S. House of Representatives—because I believe their policies, proposed and enacted, more closely represent my personal and political views.

5. I have consistently voted for Democratic candidates for the U.S. House of Representatives. I intend to continue to do so in the future, including in the 2026 congressional election and beyond.

FURTHER AFFIANT SAYETH NOT.

Marcos Vilar

Marcos Vilar



Commonwealth of Virginia

County of Newport News

The foregoing instrument was subscribed and sworn before me on 05/04/2026 by Juan Marcos Vilar.

Deja N'Dow

8039060

My commission expires: 07/31/2027

Notarized remotely online using communication technology via Proof.

Exhibit 60

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

EQUAL GROUND EDUCATION FUND, INC., *et al.*, Plaintiffs, v. CORD BYRD, in his official capacity as Florida Secretary of State, *et al.*, Defendants.	Case No.

AFFIDAVIT OF BRANDON NELSON

STATE OF FLORIDA
COUNTY OF ORANGE

BEFORE ME, the undersigned authority, personally appeared Brandon Nelson, who, after first being duly sworn, deposes and says:

1. I am a Plaintiff in *Equal Ground Education Fund, Inc. v. Byrd*, which challenges Florida's 2026 congressional plan (the "2026 Plan").
2. I am a Florida citizen and qualified registered voter in Orlando, Florida.
3. Under the congressional plan signed by Governor DeSantis on April 22, 2022 (the "2022 Plan"), I resided in Congressional District 10. Under the 2026 Plan, I would reside in the new Congressional District 10.
4. I am a registered Democrat and have a preference for electing Democratic legislators—including for the U.S. House of Representatives—because I believe their policies, proposed and enacted, more closely represent my personal and political views.

5. I have consistently voted for Democratic candidates for the U.S. House of Representatives. I intend to continue to do so in the future, including in the 2026 congressional election and beyond.

FURTHER AFFIANT SAYETH NOT.

Brandon Patrick Nelson

Brandon Nelson

Commonwealth of Pennsylvania - Notary Seal
MICHAEL J WEBB, Notary Public
Beaver County
My commission expires November 8, 2029
Commission Number 1290457

State of Pennsylvania

County of Beaver

Signed and sworn to (or affirmed) before me on 05/04/2026

by Brandon Patrick Nelson.

Michael J Webb

Notary Public

My commission expires: 11/08/2029

Notarized remotely online using communication technology via Proof.

Exhibit 61

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

EQUAL GROUND EDUCATION FUND, INC., *et al.*, Plaintiffs, v. CORD BYRD, in his official capacity as Florida Secretary of State, *et al.*, Defendants.	Case No.

AFFIDAVIT OF LISA BARIKA

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

BEFORE ME, the undersigned authority, personally appeared Lisa Barika, who, after first being duly sworn, deposes and says:

1. I am a Plaintiff in *Equal Ground Education Fund, Inc. v. Byrd*, which challenges Florida's 2026 congressional plan (the "2026 Plan").
2. I am a Florida citizen and qualified registered voter in Tampa, Florida.
3. Under the congressional plan signed by Governor DeSantis on April 22, 2022 (the "2022 Plan"), I resided in Congressional District 14. Under the 2026 Plan, I would reside in the new Congressional District 15.
4. I am a registered Democrat and have a preference for electing Democratic legislators—including for the U.S. House of Representatives—because I believe their policies, proposed and enacted, more closely represent my personal and political views.

5. I have consistently voted for Democratic candidates for the U.S. House of Representatives. I intend to continue to do so in the future, including in the 2026 congressional election and beyond.

FURTHER AFFIANT SAYETH NOT.

Lisa Barika

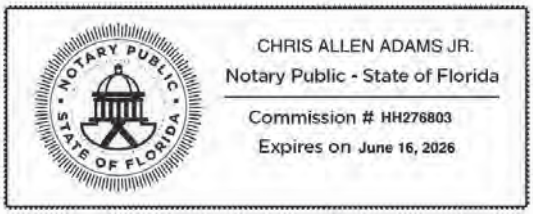
Lisa Barika

State of Florida
County of Highlands

Sworn to (or affirmed) and subscribed before me by means of online notarization, this 05/05/2026 by Lisa Anne Barika.

Chris Allen Adams Jr.

HH276803 06/16/2026



___ Personally Known OR ___ Produced Identification

Type of Identification Produced _____DRIVER LICENSE

Notarized remotely online using communication technology via Proof.

Exhibit 62

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

EQUAL GROUND EDUCATION FUND, INC., Plaintiffs, v. CORD BYRD, in his official capacity as Florida Secretary of State, *et al.*, Defendants.	Case No.

AFFIDAVIT OF KISHA LINEBAUGH

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

BEFORE ME, the undersigned authority, personally appeared Kisha Linebaugh, who, after first being duly sworn, deposes and says:

1. I am a Plaintiff in *Equal Ground Education Fund, Inc. v. Byrd*, which challenges Florida's 2026 congressional plan (the "2026 Plan").
2. I am a Florida citizen and qualified registered voter in Tampa, Florida.
3. Under the congressional plan signed by Governor DeSantis on April 22, 2022 (the "2022 Plan"), I resided in Congressional District 14. Under the 2026 Plan, I would reside in the new Congressional District 12.
4. I am a registered Democrat and have a preference for electing Democratic legislators—including for the U.S. House of Representatives—because I believe their policies, proposed and enacted, more closely represent my personal and political views.

5. I have consistently voted for Democratic candidates for the U.S. House of Representatives. I intend to continue to do so in the future, including in the 2026 congressional election and beyond.

FURTHER AFFIANT SAYETH NOT.

Kisha Linebaugh

Kisha Linebaugh

DESCRIPTION OF ATTACHED DOCUMENT

Title or Type of Document: Certificate of Acknowledgement

Document Date: 05/04/2026

Number of Pages (including notarial certificate): 3



Commonwealth of Virginia

County of Newport News

The foregoing instrument was acknowledged before me

on 05/04/2026 by Kisha Linebaugh.

Michael A Smith III

00356693

My commission expires: 07/31/2029

Notarized remotely online using communication technology via Proof.

Exhibit 63

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

EQUAL GROUND EDUCATION FUND, INC., *et al*., Plaintiffs, v. CORD BYRD, in his official capacity as Florida Secretary of State, *et al.*, Defendants.	Case No.

AFFIDAVIT OF ROCHELLE REBACK

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

BEFORE ME, the undersigned authority, personally appeared Rochelle Reback, who, after first being duly sworn, deposes and says:

1. I am a Plaintiff in *Equal Ground Education Fund, Inc. v. Byrd*, which challenges Florida's 2026 congressional plan (the "2026 Plan").
2. I am a Florida citizen and qualified registered voter in Tampa, Florida.
3. Under the congressional plan signed by Governor DeSantis on April 22, 2022 (the "2022 Plan"), I resided in Congressional District 14. Under the 2026 Plan, I would reside in the new Congressional District 14.
4. I am a registered Democrat and have a preference for electing Democratic legislators—including for the U.S. House of Representatives—because I believe their policies, proposed and enacted, more closely represent my personal and political views.

5. I have consistently voted for Democratic candidates for the U.S. House of Representatives. I intend to continue to do so in the future, including in the 2026 congressional election and beyond.

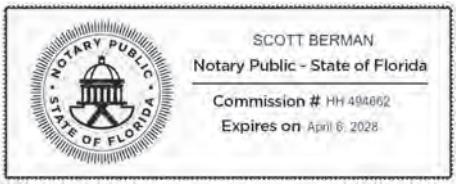
FURTHER AFFIANT SAYETH NOT.

Rochelle Reback

Rochelle Reback

State of Florida

County of Pinellas



This foregoing instrument was acknowledged before me by means of online notarization, this 05/04/2026 by Rochelle A Reback.

Scott Berman

Scott Berman

___ Personally Known OR ___ Produced Identification

Type of Identification Produced ____DRIVER LICENSE

Notarized remotely online using communication technology via Proof.

Exhibit 64

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

EQUAL GROUND EDUCATION FUND, INC., *et al*., Plaintiffs, v. CORD BYRD, in his official capacity as Florida Secretary of State, *et al.*, Defendants.	Case No.

AFFIDAVIT OF ELIZABETH WELLS

STATE OF FLORIDA
COUNTY OF PINELLAS

BEFORE ME, the undersigned authority, personally appeared Elizabeth Wells, who, after first being duly sworn, deposes and says:

1. I am a Plaintiff in *Equal Ground Education Fund, Inc. v. Byrd*, which challenges Florida's 2026 congressional plan (the "2026 Plan").
2. I am a Florida citizen and qualified registered voter in St. Petersburg, Florida.
3. Under the congressional plan signed by Governor DeSantis on April 22, 2022 (the "2022 Plan"), I resided in Congressional District 14. Under the 2026 Plan, I would reside in the new Congressional District 13.
4. I am a registered Democrat and have a preference for electing Democratic legislators—including for the U.S. House of Representatives—because I believe their policies, proposed and enacted, more closely represent my personal and political views.

5. I have consistently voted for Democratic candidates for the U.S. House of Representatives. I intend to continue to do so in the future, including in the 2026 congressional election and beyond.

FURTHER AFFIANT SAYETH NOT.

Elizabeth Wells

Elizabeth Wells

Commonwealth of Pennsylvania - Notary Seal
James E Gallagher, Notary Public
Delaware County
My commission expires February 9, 2030
Commission Number 1467238

State of Pennsylvania

County of Delaware

This record was acknowledged before me on 05/04/2026

by Elizabeth Wells.

James E. Gallagher

Notary Public

My commission expires: 02/09/2030

Notarized remotely online using communication technology via Proof.

Exhibit 65

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

EQUAL GROUND EDUCATION FUND, INC., *et al.*, Plaintiffs, v. CORD BYRD, in his official capacity as Florida Secretary of State, *et al.*, Defendants.	Case No.

AFFIDAVIT OF SUSAN WILSON

STATE OF ~~FLORIDA~~ Texas
COUNTY OF ~~PINELLAS~~ Collin

BEFORE ME, the undersigned authority, personally appeared Susan Wilson, who, after first being duly sworn, deposes and says:

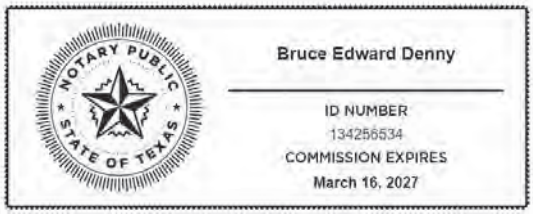
1. I am a Plaintiff in *Equal Ground Education Fund, Inc. v. Byrd*, which challenges Florida's 2026 congressional plan (the "2026 Plan").
2. I am a Florida citizen and qualified registered voter in St. Petersburg, Florida.
3. Under the congressional plan signed by Governor DeSantis on April 22, 2022 (the "2022 Plan"), I resided in Congressional District 14. Under the 2026 Plan, I would reside in the new Congressional District 16.
4. I am a registered Democrat and have a preference for electing Democratic legislators—including for the U.S. House of Representatives—because I believe their policies, proposed and enacted, more closely represent my personal and political views.

5. I have consistently voted for Democratic candidates for the U.S. House of Representatives. I intend to continue to do so in the future, including in the 2026 congressional election and beyond.

FURTHER AFFIANT SAYETH NOT.

Susan Wilson

Susan Wilson



Sworn to and subscribed before me
on 05/04/2026 by Susan Wilson.

Electronically signed and notarized online using the Proof platform.

Exhibit 66

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

EQUAL GROUND EDUCATION FUND, INC., *et al.*, Plaintiffs, v. CORD BYRD, in his official capacity as Florida Secretary of State, *et al.*, Defendants.	Case No.

AFFIDAVIT OF STEVEN LICARI

STATE OF ~~FLORIDA~~ Texas
COUNTY OF ~~PALM BEACH~~ Dallas

BEFORE ME, the undersigned authority, personally appeared Steven Licari, who, after first being duly sworn, deposes and says:

1. I am a Plaintiff in *Equal Ground Education Fund, Inc. v. Byrd*, which challenges Florida's 2026 congressional plan (the "2026 Plan").
2. I am a Florida citizen and qualified registered voter in Royal Palm Beach, Florida.
3. Under the congressional plan signed by Governor DeSantis on April 22, 2022 (the "2022 Plan"), I resided in Congressional District 20. Under the 2026 Plan, I would reside in the new Congressional District 22.
4. I am a registered Democrat and have a preference for electing Democratic legislators—including for the U.S. House of Representatives—because I believe their policies, proposed and enacted, more closely represent my personal and political views.

5. I have consistently voted for Democratic candidates for the U.S. House of Representatives. I intend to continue to do so in the future, including in the 2026 congressional election and beyond.

FURTHER AFFIANT SAYETH NOT.

Steven Licari

Steven Licari

This instrument was acknowledged before me by means of an interactive two-way audio and video communication on 05/04/2026 by Steven Licari.

NOTARY PUBLIC STATE OF TEXAS

Syreather Kimble

ID NUMBER
1000227-6
COMMISSION EXPIRES
June 16, 2027

Syreather Kimble

Electronically signed and notarized online using the Proof platform.

Exhibit 67

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

EQUAL GROUND EDUCATION FUND INC., *et al.*, Plaintiffs, v. CORD BYRD, in his official capacity as Florida Secretary of State, the FLORIDA SENATE, and the FLORIDA HOUSE OF REPRESENTATIVES, Defendants.	Case No.

AFFIDAVIT OF SHARON LASCOLA

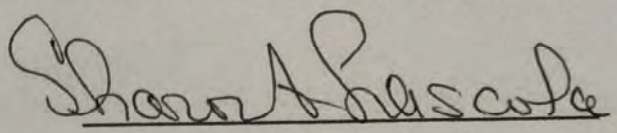
STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, personally appeared Sharon Lascola, who, after first being duly sworn, deposes and says:

1. I am a Plaintiff in *Equal Ground Education Fund Inc. v. Byrd*, which challenges Florida's 2026 congressional plan (the "2026 Plan").
2. I am a Florida citizen and qualified registered voter in Wellington, Florida.
3. Under the congressional plan signed by Governor DeSantis on April 22, 2022 (the "2022 Plan"), I resided in Congressional District 22. Under the 2026 Plan, I would reside in the new Congressional District 22.
4. I am a registered Democrat and have a preference for electing Democratic legislators—including for the U.S. House of Representatives—because I believe their policies, proposed and enacted, more closely represent my personal and political views.

5. I have consistently voted for Democratic candidates for the U.S. House of Representatives. I intend to continue to do so in the future, including in the 2026 congressional election and beyond.

FURTHER AFFIANT SAYETH NOT.



Sharon Lascola

Jurat Certificate

State of Florida

County of Palm Beach

Sworn to (or affirmed) and subscribed before me this 05 day of MAY, 2024, by means of ☒ physical presence or ☐ online notarization Sharon Lascola (name of person making statement).

☐ Personally known to me

☒ Produced Identification

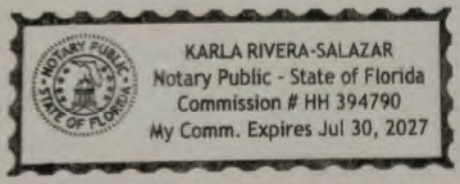
Type of Identification Produced Florida Driver License

Notary Signature

Title Notary Public

My appointment expires 07/30/2027

Place Seal Here



Description of Attached document

Type or Title of Document

Affidavit of Sharon Lascola

Document Date

05/05/2024

Number of Pages

3 including jurat certific

Signer(s) Other Than Named Above

N/A

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Exhibit 68

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

EQUAL GROUND EDUCATION FUND, INC., *et al*., Plaintiffs, v. CORD BYRD, in his official capacity as Florida Secretary of State, *et al.*, Defendants.	Case No.

AFFIDAVIT OF JANET WECHTER

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, personally appeared Janet Wechter, who, after first being duly sworn, deposes and says:

1. I am a Plaintiff in *Equal Ground Education Fund, Inc. v. Byrd*, which challenges Florida's 2026 congressional plan (the "2026 Plan").
2. I am a Florida citizen and qualified registered voter in Boynton Beach, Florida.
3. Under the congressional plan signed by Governor DeSantis on April 22, 2022 (the "2022 Plan"), I resided in Congressional District 22. Under the 2026 Plan, I would reside in the new Congressional District 23.
4. I am a registered voter with no party affiliation and have a preference for electing Democratic legislators—including for the U.S. House of Representatives—because I believe their policies, proposed and enacted, more closely represent my personal and political views.

5. I have consistently voted for Democratic candidates for the U.S. House of Representatives. I intend to continue to do so in the future, including in the 2026 congressional election and beyond.

FURTHER AFFIANT SAYETH NOT.

Janet Wechter

Janet Wechter

Commonwealth of Pennsylvania - Notary Seal
James E Gallagher, Notary Public
Delaware County
My commission expires February 9, 2030
Commission Number 1467238

State of Pennsylvania

County of Delaware

This record was acknowledged before me on 05/04/2026

by Janet Wechter.

James E. Gallagher

Notary Public

My commission expires: 02/09/2030

Notarized remotely online using communication technology via Proof.

Exhibit 69

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

EQUAL GROUND EDUCATION FUND, INC., *et al*., Plaintiffs, v. CORD BYRD, in his official capacity as Florida Secretary of State, *et al.*, Defendants.	Case No.

AFFIDAVIT OF LINDA ROSENTHAL

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, personally appeared Linda Rosenthal, who, after first being duly sworn, deposes and says:

1. I am a Plaintiff in *Equal Ground Education Fund, Inc. v. Byrd*, which challenges Florida's 2026 congressional plan (the "2026 Plan").
2. I am a Florida citizen and qualified registered voter in Boca Raton, Florida.
3. Under the congressional plan signed by Governor DeSantis on April 22, 2022 (the "2022 Plan"), I resided in Congressional District 23. Under the 2026 Plan, I would reside in the new Congressional District 25.
4. I am a registered Democrat and have a preference for electing Democratic legislators—including for the U.S. House of Representatives—because I believe their policies, proposed and enacted, more closely represent my personal and political views.

5. I have consistently voted for Democratic candidates for the U.S. House of Representatives. I intend to continue to do so in the future, including in the 2026 congressional election and beyond.

FURTHER AFFIANT SAYETH NOT.

Linda Rosenthal

Linda Rosenthal

This record was acknowledged before me on 05/04/2026 by Linda Rosenthal.

Commonwealth of Pennsylvania - Notary Seal
James E Gallagher, Notary Public
Delaware County
My commission expires February 9, 2030
Commission Number 1467238

James E. Gallagher

Notary Public State of Pennsylvania County of Delaware

My commission expires: 02/09/2030

Notarized remotely online using communication technology via Proof.

Exhibit 70

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

EQUAL GROUND EDUCATION FUND, INC., *et al*., Plaintiffs, v. CORD BYRD, in his official capacity as Florida Secretary of State, *et al.*, Defendants.	Case No.

AFFIDAVIT OF DANIELLA PIERRE

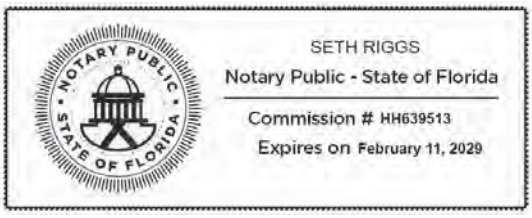
STATE OF FLORIDA
COUNTY OF MIAMI-DADE

BEFORE ME, the undersigned authority, personally appeared Daniella Pierre, who, after first being duly sworn, deposes and says:

1. I am a Plaintiff in *Equal Ground Education Fund, Inc. v. Byrd*, which challenges Florida's 2026 congressional plan (the "2026 Plan").
2. I am a Florida citizen and qualified registered voter in Miami, Florida.
3. Under the congressional plan signed by Governor DeSantis on April 22, 2022 (the "2022 Plan"), I resided in Congressional District 24. Under the 2026 Plan, I would reside in the new Congressional District 24.
4. I am a registered Democrat and have a preference for electing Democratic legislators—including for the U.S. House of Representatives—because I believe their policies, proposed and enacted, more closely represent my personal and political views.

5. I have consistently voted for Democratic candidates for the U.S. House of Representatives. I intend to continue to do so in the future, including in the 2026 congressional election and beyond.

FURTHER AFFIANT SAYETH NOT.



Daniella Pierre

State of Florida

County of Bay County

Daniella Pierre

Sworn to (or affirmed) and subscribed before me by means of online notarization, this 05/05/2026 by Daniella Pierre.

Seth Riggs

___ Personally Known OR ___ Produced Identification

Type of Identification Produced __DRIVER LICENSE

Notarized remotely online using communication technology via Proof.

Exhibit 71

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

EQUAL GROUND EDUCATION FUND, INC., *et al.*, Plaintiffs, v. CORD BYRD, in his official capacity as Florida Secretary of State, *et al.*, Defendants.	Case No.

AFFIDAVIT OF EMMA KURTZ

STATE OF FLORIDA
COUNTY OF BROWARD

BEFORE ME, the undersigned authority, personally appeared Emma Kurtz, who, after first being duly sworn, deposes and says:

1. I am a Plaintiff in *Equal Ground Education Fund, Inc. v. Byrd*, which challenges Florida's 2026 congressional plan (the "2026 Plan").
2. I am a Florida citizen and qualified registered voter in Fort Lauderdale, Florida.
3. Under the congressional plan signed by Governor DeSantis on April 22, 2022 (the "2022 Plan"), I resided in Congressional District 20. Under the 2026 Plan, I would reside in the new Congressional District 20.
4. I am a registered Democrat and have a preference for electing Democratic legislators—including for the U.S. House of Representatives—because I believe their policies, proposed and enacted, more closely represent my personal and political views.

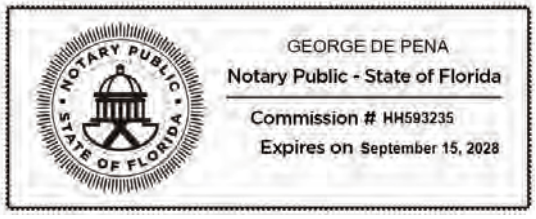
5. I have consistently voted for Democratic candidates for the U.S. House of Representatives. I intend to continue to do so in the future, including in the 2026 congressional election and beyond.

FURTHER AFFIANT SAYETH NOT.

Emma Kurtz

Emma Kurtz

State of Florida
County of Broward



Sworn to (or affirmed) and subscribed before me by means of online notarization, this 05/04/2026 by Emma Kurtz. ___ Personally Known OR ___ Produced Identification

George De Pena

George De Pena

Type of Identification Produced __DRIVER LICENSE
Notarized remotely online using communication technology via Proof.

Exhibit 72

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

EQUAL GROUND EDUCATION FUND, INC., *et al.*, Plaintiffs, v. CORD BYRD, in his official capacity as Florida Secretary of State, *et al.*, Defendants.	Case No.

AFFIDAVIT OF KERRY MARIE

STATE OF FLORIDA
COUNTY OF BROWARD

BEFORE ME, the undersigned authority, personally appeared Kerry Marie, who, after first being duly sworn, deposes and says:

1. I am a Plaintiff in *Equal Ground Education Fund, Inc. v. Byrd*, which challenges Florida's 2026 congressional plan (the "2026 Plan").
2. I am a Florida citizen and qualified registered voter in Coral Springs, Florida.
3. Under the congressional plan signed by Governor DeSantis on April 22, 2022 (the "2022 Plan"), I resided in Congressional District 23. Under the 2026 Plan, I would reside in the new Congressional District 22.
4. I am a registered Democrat and have a preference for electing Democratic legislators—including for the U.S. House of Representatives—because I believe their policies, proposed and enacted, more closely represent my personal and political views.

5. I have consistently voted for Democratic candidates for the U.S. House of Representatives. I intend to continue to do so in the future, including in the 2026 congressional election and beyond.

FURTHER AFFIANT SAYETH NOT.

Kerry Marie

Kerry Marie

State of Pennsylvania County of Dauphin

Signed and sworn to (or affirmed) before me on 05/04/2026 by Kerry Marie.

Commonwealth of Pennsylvania - Notary Seal
Corey Fou Chong, Notary Public
Dauphin County
My commission expires May 24, 2029
Commission Number 1398370

Notary Public
My commission expires: 05/24/2029

Notarized remotely online using communication technology via Proof.