

**Florida Senate Select Committee on
Legislative Reapportionment
November 29, 2021**

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1 Chair Burgess: The Select Committee on Legislative Reapportionment will now come to
2 order. Danna, please call the role.

3 Danna: Chair Burgess.

4 Burgess: Here.

5 Danna: Senator Bracy. Senator Gibson. Senator Rodriguez.

6 Rodriguez: Here.

7 Danna: Senator Stargel. A quorum is present Mr. Chair.

8 Chair: Thank you very much Danna. A quorum is present. Please everybody if you would
9 silence all electronic devices. I'm going to verify that we're good. I silenced by electronic device.
10 And anyone wishing to testify before the subcommittee must fill out an appearance card and hand
11 it to a member of the Sergeant's Office. Should you select to waive your speaking time, your
12 position will be read into the record. Senators, based on the feedback and guidance we gave staff
13 at our last meeting, we have now four additional staff produced maps on our workshop agenda for
14 today. Our feedback should continue to conform to the directives issued unanimously by the full
15 committee. You will find a copy of those directives in your meeting materials. Our feedback and
16 guidance to staff should also continue to be consistent with a caution expressed in the
17 memorandum we received from President Simpson, President Designate Passidomo and Leader
18 Book. I would caution members in their questions, feedback or guidance to staff today to express
19 themselves carefully so that nothing said in the meeting is mis-perceived as motivated by any
20 impermissible purpose.

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

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1 reminder, the maps that we will be workshopping today are not final. Any alterations that are
2 proposed, whether as guidance and feedback to the staff or as an amendment offered in the future,
3 should adhere to the constitutional principles and apply them consistently throughout the state. I
4 have been advised by counsel that these additional plans brought forward by staff today comply
5 with the complex layering of federal and state standards and contain various tradeoffs within the
6 co-equal Tier-Two standards presented in each plan. I would also remind you that members of the
7 public have been continuing to submit plans and comments to floridaredistricting.gov. If you are
8 interested in reviewing them, these plans can be viewed on the Submitted Plans and Get Involved
9 pages of the website. Are there any questions before we proceed to the presentations and public
10 comment portion of the meeting today? Seeing none, Mr. Ferrin you are recognized for a walk-
11 through of our new staff prepared plans.

12 Mr. Ferrin: Thank you Mr. Chairman. Senators, we've been working with the drafts that
13 were published on November 10 and presented on November 17 in our last committee meeting.
14 Specifically, we were looking for improvements in consistency in the application of the various
15 tradeoffs that were presented in those maps. As with the first set of drafts, we set an ambitious goal
16 to publish the maps several days ahead of the Senate's traditional deadline for publications of
17 meeting materials. The maps that we have to workshop today were made publicly available on
18 November 24. That really meant that we had less than a week to look for areas in the map to adjust
19 and improve upon. We took that time to closely review the district boundaries within each
20 redistricting plan. We discovered that by making some very minor adjustments, we were able to
21 achieve some measurable improvements. Although some of these may not be visible from space, the
22 changes were made to most districts in each plan.

23 For example, we took plan 8010 and changed 37 of the 40 districts and that has become

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1 plan 8026. Plan 8012 changed 36 districts and has become 8028. So on and so forth. This was done
2 to ensure that there was consistent boundary usage, including placing district boundaries
3 consistently on a median or specific lane of a primary or secondary road, in the middle of a river
4 instead of using one bank or another, or correcting areas where boundary inadvertently fell on a
5 non-qualifying boundary. In the senate plans we were able to increase the use of political and
6 geographic boundaries throughout and that had the effect of keeping a few more cities while
7 improving some of the visual compactness of the districts. We were also able to draw a couple of
8 examples of a configuration of a minority-majority African American district in Miami-Dade
9 County for the subcommittee's consideration. The next few slides will go through some of these
10 examples.

11 This is an example where we were able to consistently follow a roadway. In the most recent
12 set of senate plans, the boundary of District 10/16 has been drawn to consistently follow the
13 eastbound lane of State Road 52 instead of the median or the shoulder of the roadway. These
14 improvements resulted in an increase of boundary usage for both Districts 10 and 16. This slide
15 shows we were able to alter the boundary of Districts 11 and 12 to better utilize political and
16 geographic boundaries and improve the visual compactness. In the previous configurations that
17 we workshopped last week, the boundary followed State Road 50 and then deviated from political
18 and geographic boundaries until it reached the Florida Turnpike, and that can be seen kind of the
19 right side of each of those images on the screen. The revised version better utilizes easily
20 ascertainable and commonly understood boundaries by following the Florida Turnpike more
21 consistently, departing from at Johns Lake to keep all of the population of the city of Oakland in
22 District 11. As a result, the boundary usage increases for both districts with District 12 increasing
23 its boundary just by 3%.

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1 This is another example of where moving the boundary to a different geographical feature
2 resulted in better utilization of political and geographic boundaries and improve the visual
3 compactness of the districts. In all previous versions of the senate maps, the boundary of Districts
4 20 and 21 followed the Lumsden Road and the CSX Railway. This is in eastern Hillsborough
5 County. The revised versions, it follows Lumsden Road and State Road 60, and this configuration
6 results in more visually compact 20 and 21, also increasing use of political and geographic
7 boundaries for these districts. This example shows the use of municipal boundaries where no other
8 qualifying boundaries existed. In the previous versions, the boundary between Districts 36 and 37
9 follows Northwest 36th Street, which is not classified by the US Census Bureau as a primary or
10 secondary road. So in plans in 8026 and 8028, the boundary deviates from the road to follow the
11 municipal boundary of Virginia Gardens, which keeps it wholly within District 36 and increases
12 the boundary usage for both districts.

13 In circumstances where political and geographic boundaries bordered a large nature
14 preserve or unpopulated area, municipalities were followed where feasible to keep cities whole. In
15 this example, the boundaries of Coral Springs and Tamarac, which border the Everglades, are kept
16 whole. This is in plan 8026. This is an example where we considered the impermanent, changing
17 nature of municipal boundaries and created an unpopulated split in the city of Eagle Lake to follow
18 US Highway 17 in between Districts 22 and 26. This change is reflected in the newly released
19 plans 8028 and 8030. It actually makes this split consistent with the same area in 8026 and 8034.

20 To kind of walk through some of the higher-level metrics on these plans, this shows the
21 changes to 8010 and 8026. Here we can see that we've kept additional cities whole with all of their
22 population in one district. We going up from 360 to 363 cities kept whole. This slide shows the
23 individual districts within plan 8026 as compared to 8010 and their adjustments to the use of non-

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1 political and geographic boundaries. In this circumstance, we would consider a decrease to be a
2 good improvement. Overall, we were able to decrease the use of non-political and geographic
3 boundaries in 16 of the 40 districts. This is the comparison with plans 8012 and 8028. We've got
4 two additional cities with all their population in one district, so that's bringing from 367 to 369
5 whole cities. We've decreased the average use of non-political and geographic boundaries by 1%
6 and made some minor differences in population deviations and compactness of the districts,
7 mathematical compactness of the districts.

8 Here's the slide that shows the individual districts and their usage rates for non-political
9 and geographic boundaries. Here we can see that 13 districts have seen a decrease in the use of
10 non-political and geographic boundaries in plan 8028. Then moving to plan 8030, as compared to
11 plan 8014, we've got two additional cities with all their population kept in all in one district, so
12 that's going from 366 to 368. We've dropped the average use of non-political and geographic
13 boundaries by 1% so we're now down to 5%. Then there's some similar minor differences
14 observed in the population deviation and the mathematical compactness scores for plan 8030. This
15 sees a decrease in the use of non-political and geographic boundaries for 16 of the 40 districts.

16 However, there's a minor increase in two districts, which is 35 and 36. That's a direct result
17 of an adjustment that was made to District 35. As I kind of mentioned before, making that a
18 majority-minority African American district in Miami-Dade County. We'll talk a little bit more
19 about that coming up. Then we'll look real quick at plan 8034 as compared to 8016. This is a plan
20 where we have two additional cities with all their population in one district. We've gone from 364
21 to 366. We've observed negligible differences in the population deviation, so barely measurable.
22 Then finally, plan 8034 sees a decrease in the use of non-political and geographic boundaries for
23 11 of the districts. A minor increase, again, to Districts 35 and 36, which is a direct result of our

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1 redrawing that as an African American majority minority district in plan 8034.

2 The next few slides kind of illustrates some of the more substantial changes. We walked
3 through some of the smaller ones. Just to give you guys a sense of the changes that were made.
4 This one shows the change that we discussed along the Turnpike in the city of Oakland. It shows
5 corresponding changes that occurred to the southeast and then around the cities of Eatonville,
6 Maitland and Winter Park. The changes in these areas help balance the population between
7 Districts 9, 11, 12 and 13 and increase the political and geographic boundary usage and keep all
8 of the city of Eatonville whole in District 11. The slide shows the configuration as it was in 8010
9 and 8014, as it was in 8012 and 8016 and as it is in all four of the plans that we would be
10 workshopping today. This next one shows Districts 35, 36, 37 and 38 as drawn in plan 8014 and
11 is redrawn in plan 8030. In 8014, District 35 had a Black voting-age population of 49.38%. In the
12 revised plan, District 35 is drawn as a majority-minority district with a Black voting-age population
13 of 50.07. District 35 is protected from diminishment under Tier-One of the Florida Constitution.
14 Both plans, the opportunity for African Americans to participate in a political process and to elect
15 candidates of their choice is not diminished. The benchmark senate plan has two African American
16 districts. One in Miami-Dade and one in Broward County. One of those was a majority-minority
17 and the other was an effective minority district. In the effective minority district, which was
18 District 35 in the benchmark, the Black voting-age population is 47.79%.

19 In our plan 8014, which is one on the left on the screen, both African American districts
20 were drawn as effective minority districts. Senate District 33, which is the one in Broward County,
21 was at 46.24 and Senate District 35 was at 49.38%. That's for Black voting-age population. The
22 other plans that we workshopped at our last meeting contained a majority-minority district in
23 Broward. One that was over 50%. Plan 8030 is drawn to provide the select subcommittee with a

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1 configuration that contains the majority-minority district in Miami-Dade and the effective minority
2 district in Broward.

3 Then lastly in Districts 34, 35, 36, 37 and 38, this slide shows us how they were drawn in
4 plan 8016 on the left. Was redrawn in 8034 on the right. In plan 8016, District 35 has a Black
5 voting-age population again of 49.38%. In the revised plan, it's drawn as a majority minority
6 district, again, with the Black voting-age population of 50.07. Both plan 8016 and plan 8034 also
7 have a majority-minority district in Broward County. The select subcommittee now has a
8 configuration to consider that it contains two South Florida African American districts that are
9 drawn as majority-minority districts. One other note, Mr. Chairman, is that in this plan we did have
10 to balance population between Senate District 38 and 34 as a result of the adjustment to District
11 35. Didn't have to do that in the other plan. I will freely admit that we mistakenly published a plan
12 as 8032 that didn't have that executed correctly and so we had to republish 8034. So if anybody's
13 wondering what happened to 32, that one's on me. That, Mr. Chairman, would be the presentation
14 for today.

15 Chair: Thank you Mr. Ferrin. Thank you for the acknowledgement that even our amazing
16 staff are human. That's totally understandable and appreciate that clarification. With these changes
17 Senators, are there any questions or discussion amongst the body? Seeing none, now we will go to
18 public comment. Do we have any public? We do have public comment. Ms. Cecile Scoon,
19 representing the President of the League of Women Voters of Florida. You are welcome to
20 approach the podium.

21 Scoon: Thank you.

22 Chair: You are recognized.

23 Scoon: Thank you very much. Cecile Scoon, President of the League of Women Voters.

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1 Do appreciate the maps and also having them right here in front of me to look at. I would say that
2 the kind of analysis that was presented with the changes is exactly the kind of analysis that I would
3 like to independently look at and verify myself that some of the other benchmark districts and the
4 nearby districts. As was done here, when you adjust for whatever reasons trying to match Tier-
5 One, which are the mandatory requirements of increasing the access for racial minority's and
6 language minority's ability to choose a representative of their choice and in equal opportunity to
7 participate in the process, electoral process. When you do that, as you did in this example, making
8 a small change to get a better number or to decrease going across city boundaries and things like
9 that, by this example you had to make other changes in the surrounding districts. That is one of the
10 reasons why, like 34, 35, 36, 38, 37 and 38 all of them were basically impacted by a relatively
11 modest change to lessen the impacts on the Tier-Two guidelines. Is what I understood was said.

12 In the same manner, we need to be able to check what's going on if we tinker with some
13 of the other benchmark areas and some of the other new growth areas. In order for us to do that,
14 we believe that we need the precinct level information so we can get the voting age population of
15 a Black community and the Hispanic and any other language and racial minorities. We understand
16 that the legislators have access to this information as was provided to them by contract with FSU.
17 We need that information to be able to independently verify and check. I really appreciate your
18 staff mentioning everybody, you're doing your best, you're not always hit the mark right, the
19 bullseye. And you are able to make a change. We think that's a responsibility of citizens to be able
20 to track that and look at it ourselves. Different voting organizations, partisan or non-partisan,
21 believe is non-partisan. Each side should be able to verify that information. You demonstrated the
22 need to do that by your analysis here this afternoon.

23 Because you had to, when you tinkered in one area, again, to improve the splitting cities

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1 and other geographical areas because you wanted to lessen that, which is part of our Tier-Two
2 requirements. You ended up having to tinker all around. We need access to that information so we
3 can see if there's ways that we can tinker in other ways that can benefit increasing the mandatory
4 requirements, which are the increasing the opportunities for the language and racial minorities. So
5 we are not understanding why we're not able to have access to the information when you yourself
6 are using it to confirm and make these changes. The citizens would like that information and citizen
7 groups would like that same information.

8 We make that public request for that data and the analysis that you used to in order to
9 determine the racial voting age groups so that we can basically look with you and see if there's
10 any other changes like the map that you had to change. We just want to look with you and confirm
11 with you. You've given so much of the information already. There's that little missing gap that we
12 would like to be able to do the same kind of tinkering with in-depth data that could assure us that
13 basically fair districts are being abided by, which our read of that is to maximize the opportunities
14 for political involvement and to choose a representative of their choice of these minority groups.
15 We would continue to ask for that information.

16 Chair: Thank you very much Ms. Scoon. I appreciate your testimony today and thank you
17 for your participation. I have been assured by staff and that's why I was leaning over, is that all
18 the data that we are utilizing is available on our software and is accessible to the public. With that
19 said, I don't see any further public testimony. Senator Gibson, you are recognized.

20 Gibson: Thank you. Thank you for that information Mr. Chair. Just for public sake, it's on
21 the website in a particular, is it labeled in a certain way? Just so we can make sure.

22 Chair: I'm going to defer to Mr. Ferrin on that to be able to say specifically where it is on
23 the website. That way everybody could go ahead and access it.

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1 Ferrin: Thank you Mr. Chairman. Specifically, so all the data that we use to analyze our
2 plans, conduct a functional analysis, review the compactness, the boundary analysis scores, all that
3 is built into the redistricting application. That's accessible to anyone that wants to get in there and
4 look at the districts that we've drawn or draw their own districts and run those analyses, they can
5 do that. It's all the same data. If it's specifically precinct-level information, there's links to that on
6 our website that is housed by the Division of Elections. That's the input data that is available there
7 if anyone wants to go download that data directly from the Division of Elections and supervisors
8 of elections, that's available to do so. Publicly available information.

9 Chair: Comments? Nobody else. I'm going to go ahead and recognize Senator Gibson.
10 I'm sure I have some closing comments that I would also like to put down here. As I said before,
11 what we're going to do Senators is reconvene in January. At that point in time, we're hoping that
12 we might be able to make a recommendation or recommendations to the full committee. We do
13 have a good six weeks ahead of us I believe, right around that amount of time, from today to when
14 we would probably reconvene again. With that information and that ability, we're asking staff to
15 kind of take the feedback we've received today and go back to the drawing board and seeing if
16 there's any other necessary changes that we should look at. If so, report back. Seeing no other
17 further questions or comment, I'm going to recognize now Senator Gibson's motion to adjourn.
18 Without objection, we'll stand adjourned.



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