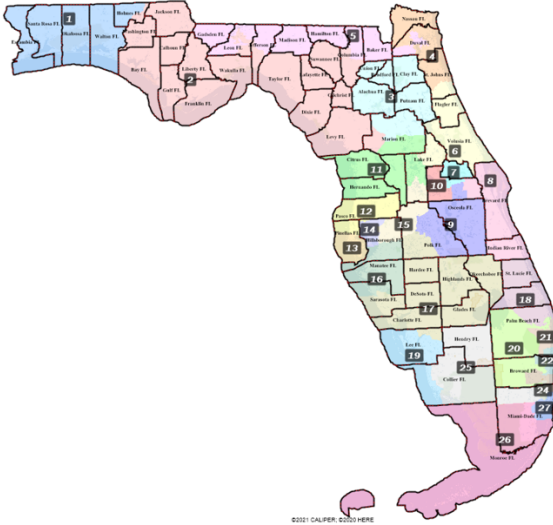


# Florida

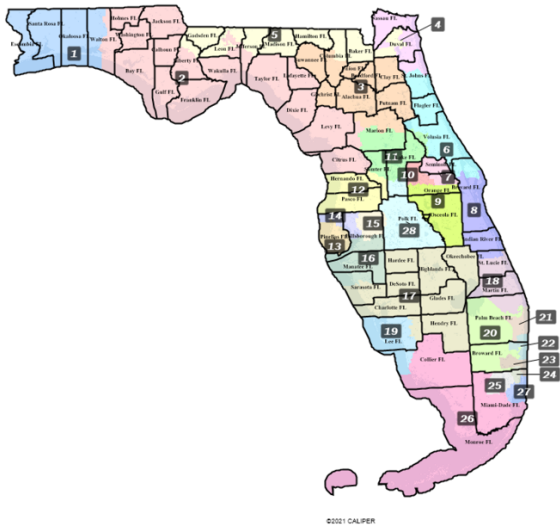
## Least Change and Unpacking Plans

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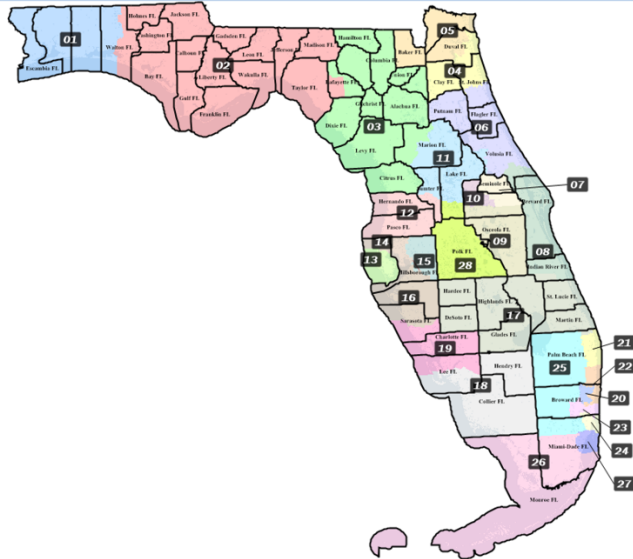
Existing Plan



Least Change Plan



Unpacking Plan



## **I. Introduction**

Florida is a unique state. Nowhere else in the country can you draw a 90% Hispanic district that voted for Donald Trump by more than 30 percentage points. Florida also has some of the strictest redistricting rules in the country and a State Supreme Court that was willing and able to enforce these rules, but the changing composition of the court may yield a different outcome this cycle.

In drawing these maps, the strict constitutional criteria made many choices for me. The State Constitution requires partisan fairness, compactness, respect for political subdivisions, and even prevents retrogression. With that in mind, only a few substantial changes could be made to the prior map, but the additional apportioned district allowed for more deviation than might otherwise be the case.

The two proposed plans here operate under alternative legal assumptions. Rather than presenting two options, these plans may be mutually exclusive: if one is legal, the other might not be. The primary plan (Least Change) works off the State Supreme Court's opinion from last cycle. The Unpacking plan uses a different set of legal assumptions, primarily that the enacted plan used race excessively to link disparate communities in forming non-compact majority-minority districts. And even if these districts were found to be reasonably compact, the Unpacking Plan attempts to draw more compact opportunity districts that satisfy the minority group's Section 2 entitlement rather than non-compact majority-minority districts. The Unpacking Plan also presents a potential remedial plan should a court strike down any of the non-compact districts as racial gerrymanders.

This report is being drafted while the legislature is still considering various options. The State Senate's plan is very similar to mine, disagreeing only in whether some county splits run



North-South versus East-West in Tampa and South Florida and in whether to create a beach district in North Florida. The House plan is a Republican gerrymander and differs substantially from both of my plans, including by readopting the infamous Hillsborough-Pinellas district that crosses the bay, making three of the four districts Republican in an area that voted for Biden by a small majority in 2020.

## **II. Demographics, Partisanship, and Districting Principles**

As discussed in more detail below, Florida's constitution requires all redistricting plans to comply with the federal Voting Rights Act, including the federally-defunct retrogression standard formerly applied under Section 5. The state constitution also requires partisan fairness, minimization of political subdivision splits, and compactness. This section analyzes racial and political demographics in Florida and provides an overview of my plans compliance with traditional districting principles.

Florida is one of the most diverse states in the country. With an over 45% minority population, up from 38% in 2010, Florida has been seen as a potential Democratic pickup for the last few cycles, narrowly voting for the Republican candidate for President in 2020, Governor and Senate in 2018, and President and Senate in 2016. Also unique to Florida is the large Cuban population in South Florida, one of the most conservative non-white voting blocs in the nation. Districts 25 in the Least Change plan exemplifies this point: a 90% Hispanic CVAP district would vote for the Republican candidate by over 30 percentage points according to Planscore.

Overall, Florida's voting age population is 25% Hispanic (up from 21%), 15.5% black (up from 15.0%), 3.7% Asian (up from 2.9%), and 1.7% Native (up from .8%). With 28 congressional districts, it is likely that Hispanic and Black voters will be entitled to districts

under Section 2 of the VRA and could possibly be entitled to an additional district given population growth should they meet the other *Gingles* preconditions discussed below.

Florida is closely divided, with an average partisan lean of R+4 in statewide elections. To meet the partisan fairness requirements in the state constitution, any map should approximate this partisan lean. The Republican gerrymander from the 2010 redistricting cycle was struck down in part for unfairly favoring Republican candidates, but the Florida Supreme Court has shifted from 4-3 Democrat-appointed to 6-1 Republican. If Republicans attempt another partisan gerrymander this cycle, it may be upheld. This is particularly salient because Republicans can erase the entire Democratic five-seat Congressional majority by shifting the state from 16-11 Republican to 19-9 without any Voting Rights Act concerns.

It is unclear that Republicans even need to gerrymander, however. The compactness and splitting requirements under the constitution strongly favor Republicans given the tendency of Democrats to cluster in cities. Drawing majority-minority districts in South Florida also tends to pack Democratic voters into deep blue districts, allowing for more slightly Republican districts in the remaining areas and boosting Republican seat counts. In Northern Florida, the tendency of white voters to back the Republican candidate almost exclusively allows districts that only slightly favor Republicans to remain non-competitive. Both of my plans favor Republicans 17-11 according to Planscore, although in the 2020 Presidential election the split was 15-13. *See* Appendix 2 for images of partisanship by county and by precinct.

On compactness, my plans are slightly more compact than the court-approved plan currently in force. With average Reock and Polsby-Popper scores of .44 and .34 for the Least Change Plan and .45 and .37 for the Unpacking Plan, both plans approximate or improve upon the .43 and .36 scores for the enacted plan. As discussed above, a Republican gerrymander may

score even better on these metrics because of partisan population distributions. For example, the 19-9 State House Redistricting Committee plan scores .45 and .39, partially because jumping Tampa Bay and crossing the Everglades allow for more compact districts, despite linking disparate communities of interest.

My plans split fewer cities and precincts than the court plan. The legislature seems to have adopted a different legal interpretation. While the Fair Districts Amendment explicitly requires plans to “use existing political subdivision lines” when possible, the Florida Supreme Court interpreted that provision to require minimization of subdivision splits. I used the court’s interpretation, but the legislatures’ alternative measure may be upheld by the newly conservative state Supreme Court. Compared to the enacted plan, the Least Change plan splits roughly the same number of counties, 10 fewer precincts, and fewer cities. The Unpacking plan splits fewer counties, more than 100 fewer precincts, and a similar number of cities.

Lastly, when possible, I chose to link communities of interest. This included avoiding crossing the Everglades in District 25, avoiding crossing Tampa Bay despite the bridge between Tampa and St. Petersburg, and creating less-compact beach districts over more compact districts that linked Central Florida with the coast. These districts still are compact and minimize subdivision splits, but they avoid grouping drastically different communities.

### **III. Legal Background: Florida’s Fair Districts Amendment and Federal Law**

#### **A. One Person One Vote**

Article I, § 2 of the U.S. Constitution requires that every vote for the U.S. Congress be given the same weight as all other votes. *Wesberry v. Sanders*, 376 U.S. 1, 8 (1964) (“[T]he command of Art. I, § 2, that Representatives be chosen ‘by the People of the several States’ means that as nearly as is practicable[,] one [person]’s vote in a congressional election is to be

worth as much as another's") (citation omitted). This requires virtually identically sized Congressional districts. *Karcher v. Daggett*, 462 U.S. 725, 730 (1983). Any deviation from absolute population must be justified by the state. *Kirkpatrick v. Preisler*, 394 U.S. 526, 531 (1969).

Florida's population increased from 18,801,310 residents to 21,552,798. This rate of population growth far exceeded the national average, resulting in Florida gaining an additional congressional district (now 28 districts). The ideal district population is now 769,220.96, meaning a plan with minimal deviation from ideal will have 27 districts with 769,221 residents and one district with 769,220 residents. Both plans achieve the minimum deviation.

### **B. The Voting Rights Act and Constitution**

The U.S. constitution prohibits intentional racial discrimination in districting, whether it be by packing or cracking minority groups to dilute their voting power. The federal constitution prohibits the use of race as a predominant factor in districting except when narrowly tailored to advance a compelling state interest. *See Shaw v. Reno*, 509 U.S. 630 (1993). The Supreme Court has assumed (but never decided) compliance with the Voting Rights Act to be one such compelling interest. *Shaw v. Hunt*, 517 U.S. 899 (1996). Section 2's vote dilution framework remains in force despite the recent curtailment of vote denial claims under the section. *Brnovich v. DNC*, 141 S. Ct. 2321 (2021).

Section 2 prohibits elections that are "not equally open to participation by members of a class of citizens protected by subsection (a) in that its members have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice." 52 U.S.C. §10301. This has been interpreted to require the creation of a majority-minority district when the following *Gingles* preconditions are present. *Thornburg v. Gingles*,

478 U.S. 30 (1986). First, the class of citizens must be “sufficiently large and reasonably compact as to constitute a majority” in a district. Next, there must be political cohesion between the class, meaning they vote together in an attempt to elect their candidate of choice.<sup>1</sup> Lastly, there must be white bloc voting historically that would act to defeat the minority class’ preferred candidate. If these conditions are present, the court then performs a totality of the circumstances analysis using the “Senate Factors” to determine whether a district is required. A class of citizens under Section 2 that is sufficiently large and compact has an entitlement under Section 2. *Bartlett v. Strickland*, 556 U.S. 1 (2009).

Given the large and growing Hispanic population, coalition districts might become common in Florida. Many areas throughout the state have integrated Hispanic and Black communities that vote for similar candidates of choice. If coalition districts are required, these areas could have Section 2 entitlements. The 11th Circuit is on the supportive side of the circuit split and has found Section 2 to require these districts when minority groups have similar voting patterns. However, proving political cohesion will be difficult in South Florida, where the large Cuban population generally votes against the black candidate of choice. The Supreme Court has held that even within the Latino community there can be substantial differences, both culturally and based on regional compactness, that cannot justify linking communities to draw a district to comply with the Voting Rights Act. *LULAC v Perry*, 548 U.S. 399 (2006). In Florida, these differences are even more stark. *See Apportionment VIII*, 179 So. 3d 258, 286–87 (Fla. 2015).

Racial proportionality is not a requirement in districting. *Johnson v. De Grandy*, 512 U.S. 997. However, it is probative in determining whether a plan provides minority groups with the

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<sup>1</sup> A full racial bloc voting analysis is beyond the scope of this paper. However, most recent research suggests that there is evidence of bloc voting in black communities statewide and Hispanic communities outside of South Florida. Hispanic bloc voting is likely insufficient in South Florida under the current legal framework to meet *Gingles II*.

fair opportunity to elect their candidate of choice. The previous plan featured three majority-black districts (11% of Total Districts), five majority-Hispanic districts (19%), and five coalition districts (19%). My least-change plan maintains these districts, while the unpacking plan reduces the black population in two districts to improve compactness. District 20 becomes 42% non-Hispanic black and would still easily perform, and District 5 becomes a slightly Democratic district that is less likely to perform and replaces the current district that joins the city with Tallahassee. Districts can satisfy Section 2 entitlements with a white majority population so long as the group with the entitlement can elect its candidate of choice.

### **C. The Florida Constitution**

The Florida constitution has several additional requirements that go beyond federal law. In 2010, the Fair Districts Amendment added two tiers of redistricting criteria to the Florida Constitution. Tier I prohibits districts from being drawn (1) with the intent to favor or disfavor a political party or an incumbent or (2) 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 (3) requires contiguity. Fla. Const. art. III, § 20(a). The State Supreme Court has explained that these are priority criteria that cannot be subverted in favor of any alternative redistricting principles. In addition, the state supreme court has interpreted Tier I(2) to incorporate the federal Voting Rights Act, including the now-defunct Section 5.

Florida's retrogression analysis in redistricting is quite similar to a Section 2 analysis but focuses on whether the minority group is made worse off by the redistricting plan rather than on vote dilution. The first step is to determine whether there is a preliminary showing of political cohesion within the minority group. *League of Women Voters of Florida v. Detzner*, 179 So.3d

258 (Fla. 2015). Next, the court looks at whether the minority candidate of choice is as likely to prevail in the party primary and general elections under the new map as under the currently enacted map. *Id.* If the minority group position is weakened, the plan fails the retrogression test. These analyses are extremely complex and beyond the scope of this paper, but I will perform a cursory analysis using 2020 election data and explain why I believe these plans would pass a test for retrogression under the Florida Constitution. I also assume that compliance with this retrogression analysis would constitute a compelling state interest for districts to satisfy strict scrutiny under *Shaw* as racial gerrymanders, but the Supreme Court has not addressed whether compliance with a state constitution as a compelling interest.

Tier 2 criteria require districts to be (1) as nearly equal in population as is practicable, (2) compact, and (3) to utilize existing political and geographical boundaries where feasible. The State Supreme Court has specifically critiqued districts with low Reock and Convex Hull scores but did not require maximization of these scores in districting. *In re Sen. J. Res. of Legis. Apportionment 1176*, 83 So.3d 597, 632-636 (Fla. 2012). The Court has also critiqued districts that unnecessarily split county and municipal boundaries. Both plans were drawn with these criteria in mind.

#### **IV. Discussion of Plans**

##### **A. South Florida**

South Florida's Congressional map can largely be explained by Section 2 compliance. Drawing two majority-black districts creates a large barrier between the coast and inland areas in Broward and Miami-Dade counties. As I will discuss below, drawing these districts are required by Section 2 of the Voting Rights Act, one in Miami, and the other in Palm Beach. The Palm Beach district links three Broward County black communities through the Everglades. Because

this area is largely unpopulated, the district is fairly compact, but in one of my plans, I attempted to draw a performing alternative district that did not use this “cheat” mechanism.

A major factor in South Florida’s politics, but perhaps less so in redistricting, is the large Hispanic community, particularly those of Cuban descent. Cubans are unique in their conservatism compared to Hispanics of other national origins, and these political divisions might cause cohesion problems under Section 2. Miami and its eastern suburbs are so heavily Hispanic that almost any redistricting plan will include multiple majority-Hispanic districts in that area. However, these districts may not be required under *Gingles*.

## **1. Miami-Dade and Broward County Require Two Majority-Black Districts**

### **i. The Miami-Dade District**

#### **i. History**

The first majority-black district is District 24. It is currently represented by Federica Wilson and is one of the more reliably Democratic districts in the state. This district was first created in 1992 after a court-ordered plan redrew several districts to create majority-black districts in compliance with the VRA. After the 2020 census, District 24 was 3.47% underpopulated, bucking the statewide trend of rapid growth and needing to add 26,679 residents to achieve population equality. The district stretches from Northern Miami to Hollywood in the Least Change

#### **ii. Section 2**

Section 2 requires a district from which the black community in Miami-Dade county can elect its candidate of choice. It has historically been easy to draw a reasonably compact district that is majority-black CVAP, and the black community has consistently voted cohesively to elect



their candidate of choice. Given Florida's history of racial tensions, there is sufficient white bloc voting and history of discrimination to meet the other *Gingles* prongs and Senate Factors.

While a full-blown racial polarization analysis is beyond the scope of this paper, there is substantial evidence that black voters in this area vote cohesively. While Presidential election results aren't probative without a candidate of choice from the respective minority community, the 2020 Presidential elections results fit the same racial bloc voting trends demonstrated in past elections. The images in Appendices 2 and 4 demonstrate the high correlation between Biden's vote share and the racial makeup of a given precinct. The cohesion prong is often the most difficult to prove of the *Gingles* preconditions, and this district is therefore likely required under the VRA. The images below show the 2020 Presidential election vote share by precinct on the left and the Non-Hispanic black CVAP share by precinct on the right.

Under the Least Change Plan, District 24 has a Black Voting Age Population (BVAP) share of 52.23% and Black CVAP share of 51.3%. Under the Unpacking plan, the BVAP and BCVAP shares are 45.5% and 50.8% respectively.

These plans do not use race more than necessary to ensure that black voters can elect their candidate of choice and are thus not racial gerrymanders. They are, however, different. In the Least Change plan, District 24 is fully landlocked and leaves whiter areas in Miami Beach behind for the "leftover" districts. In the unpacking plan, District 24 takes in some of the high black share precincts previously taken in by District 20, allowing it to become more compact by taking in the northern portion of Miami Beach. *See Appendix 7 for Individual District Images.*

### **iii. State Retrogression Test**

This district is also not retrogressive. The district remains majority-black and overwhelmingly majority-minority. Black voters make up a large majority of Democratic

primary voters, and the Democratic primary winner will always win the general election in this district. Under the Least Change plan, this district is almost exactly the same as the court-adopted district from 2015 and only makes changes to adjust for population changes. Under the unpacking plan, the BCVAP is still high enough that there is no concern that black voters will face any diminished opportunity to elect their candidate of choice.

This retrogression analysis may conflict with a racial gerrymandering analysis under *Shaw*. Because this district must be narrowly tailored to comply with the VRA, the BCVAP is only slightly above 50%. However, a district may be considered retrogressive if the BCVAP is reduced so as to harm the ability of a minority group to elect its candidate of choice. My district does reduce the BCVAP from the enacted plan, but this district would perform even at a far lower black population share. Because black voters will still be able to elect their candidate of choice with almost certainty, I believe the Florida Supreme Court would be unlikely to strike down this district as retrogressive

#### **iv. Comparison to Legislative Plan**

The legislature's District 24 resembles that of the unpacking plan. Because District 20 in both of those proposals takes in more black voters up north, District 24 can take in the voters that used to live in 20's third appendage. This allows the district to go out to the coast and remain majority black.

As described below, however, this comes with a tradeoff: an ugly appendage, or a non-majority black District 20. If District 20 must remain majority-black, the Least Change Plan's configuration is far superior in respecting political subdivision lines and compactness. Freed from the constraints of 50% CVAP, the Unpacking Plan's black VRA districts are more compact yet provide a nearly equal opportunity for black voters to elect their candidate of choice.

## **ii. The Broward District**

### **1. History**

The second South Florida majority-black district is District 20. This district was also created by the court-drawn plan in 1992 to provide an opportunity for black voters to elect their candidate of choice.

This district is more controversial. While it may look compact, the western portion of the district is almost completely unpopulated swampland in the Everglades. The district finds a way to link three black communities in Miramar, Fort Lauderdale, and Palm Beach. Previous courts have found this district to be compact, so for the purposes of a least change map, I left the district largely untouched. However, in the Unpacking plan, I drew a compact black-opportunity district and discuss the complicated VRA implications below.

### **2. Section 2**

District 20 in the Least Change plan is 50.8% black, linking the black communities in Miramar, Fort Lauderdale, and Palm Beach to form a second majority-black district. Black voters clearly vote cohesively in this district, and because the Everglades allow it to appear to be reasonably compact, these communities can be linked to meet the first *Gingles* prong.

As mentioned above, District 20 in the Least Change plan links three disparate communities through the swamp. It is possible that this constitutes a *Shaw* violation in linking three disparate black communities together through swampland, much like a past version of District 5 that was struck down for similar features. A Section 2 entitlement need not be majority black, however. The unpacking plan provides an alternative opportunity district with a BCVAP of 41.5%, allowing black voters to elect their candidates of choice from a far more compact

district. As discussed below, this configuration should have little impact on the ability of black voters to elect their candidate of choice because black voters would still make up the substantial majority of the Democratic primary voters in a overwhelmingly Democratic district.

### **3. State Retrogression Analysis**

While a district may not be required under section 2 (as assumed by the Unpacking plan), eliminating it entirely might prove retrogressive. In the Least Change plan, the district is not retrogressive, as the BCVAP remains above 50% and black voters still make up a substantial majority of Democratic primary voters in a strongly Democratic district. For the Unpacking Plan, I instead drew a compact black ability-to-elect district to address these concerns. The district in the Unpacking Plan is majority-minority with a 41.5% BCVAP, and black voters make up a majority of the Democratic primary electorate. The district is strongly Democratic, and this nearly ensures that black voters will be able to elect their candidate of choice despite being below 50% CVAP.

### **4. The Legislature's Sticking Point**

The Least Change plan uses the court's plan for District 20 as a model. The Court previously struck down a narrow south-reaching appendage of the 2012 plan, but it appears the legislature wants that appendage to return. See Appendix 6 with images of Proposed Legislative Plans.

#### **iii. Drawing Compact Districts for the rest of South Florida**

Both plans tried to draw the most compact districts as possible in Miami-Palm Beach area. In doing so, the plans created 2-3 majority Hispanic districts South of Miami, and two

majority-white districts further north. While these majority-Hispanic districts have historically existed in South Florida, it is unclear that they are required.

Florida's Hispanic population presents a difficult analysis under the VRA. South Florida has a large, diverse Hispanic population, but many of these residents aren't citizens. In addition, the large Cuban influence and general trends towards the Republican party within the Hispanic community nationwide have made political cohesiveness more difficult to prove. All plans feature several majority-Hispanic districts, but no plan was drawn to create such a district intentionally. As I will discuss for each district, it is unclear that there is the necessary political cohesion to justify a district under Section 2. I only have 2020 Presidential election data available to demonstrate voting trends, but as discussed above, most research on Hispanic cohesion overall finds it to be lacking. For an example of more cohesive Hispanic voting patterns, see the discussion of Osceola County below.

#### **iv. Districts 25 and 26**

##### **1. History**

Districts 25 and 26 have historically captured the Hispanic suburbs surrounding Miami. The district used to stretch all the way to the Keys, but as the state's population increased, it was split horizontally. In its current configuration, District 25 stretches West to the gulf coast, although most of its population is in the Eastern arm reaching into Miami. In both of my plans, I redrew this district to prevent any districts from crossing the Everglades and linking disparate populations on the Gulf and Atlantic coasts. District 26 captures the Southern tip of the state with some of its population residing in and around Miami. In the Least Change plan, it extends north into Hendry County to allow for a more compact District 25 west of Miami. It is also no longer majority-Hispanic CVAP. As discussed below, this is permissible.

## 2. Section 2

South Florida has a high rate of non-citizenship, so districts with 70-80% Hispanic VAPs will often fall far below that percentage for CVAP. By CVAP, District 25 is 62.2% Hispanic in the Unpacking Plan and 89.9% Hispanic in the Least-Change plan. District 26 is 67.2% Hispanic in the Unpacking Plan and 44.2% Hispanic in the Least-Change plan. These numbers are quite high, but no district was drawn to create a majority-Hispanic district in either plan. Other redistricting principles led to their creation, including compactness and minimizing political subdivision splits.

District 26 is no longer majority-Hispanic CVAP in the Least Change plan. Cuban voters in South Florida often support Republican candidates, while non-Cuban Hispanics often support Democrats. This general divergence within this community requires a more detailed analysis to determine whether Hispanics are cohesive enough to warrant a district, but the basic racial polarization analysis below suggests they do not have a clear candidate of choice.<sup>2</sup> 2020 Presidential election results are an improper measure of cohesion, but as the only data available to me, I use these results to demonstrate the absence of clear voting patterns in the Hispanic community in that election. Similar studies of political cohesion have found limited Hispanic voting cohesion at the local level, but this has never been found in federal elections. *Id.*

In addition, District 25, while highly compact, is nearly 90% Hispanic CVAP. The district is also strongly Republican, but not enough to suggest pure political cohesion. The images below show the 2020 Presidential election vote share by precinct on the left and the Hispanic CVAP share by precinct on the right. The images demonstrate no clear political

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<sup>2</sup> See Nicholas Warren, *Gingles Unraveled: Hispanic Voting Cohesion in South Florida*, 2 N.C. CIV. RTS. L. REV. (forthcoming Spring 2022) (discussing the lack of Hispanic voting cohesion in South Florida and potential reforms to Section 2 to better capture the cohesive voting of subgroups within the Hispanic community)

preference among Hispanic voters in this region, although Presidential election results are not necessarily probative.

While Hispanics as a whole may not be cohesive, Cubans in South Florida almost certainly are. Cuban voters in Hialeah and along the Tamiami trail vote overwhelmingly for Republicans, and district 25 captures this block. If District 25 is thought of more as a majority-Cuban district, rather than majority-Hispanic, the Cuban community likely passes the *Gingles* test for a Section 2 entitlement. It is unlikely that this would be possible under the current structure of the law. District 25 under either of my plans would satisfy this entitlement.

### **3. Retrogression**

The first step in a retrogression analysis is political cohesion. Because Hispanics aren't cohesive in South Florida, District 25 and 26 are not retrogressive in either plan.

Cubans constitute a strong majority in District 25. If the analysis centers around Cuban-Americans being able to elect their candidates of choice, the District will almost certainly perform for the Cuban candidate of choice and is unlikely to be retrogressive. District 26 may be retrogressive in the least change plan because Hispanic voters are no longer a majority after the creation of a compact District 25. However, the Hispanic community in District 26 lacks cohesion, and Cuban-Americans are insufficiently numerous as to constitute a majority on their own in the district. Therefore, this plan is not retrogressive.

#### **v. District 27**

##### **1. History**

District 27 in the enacted plan encompasses the predominantly Hispanic areas of Miami. After the rapid expansion of the conservative, Cuban population, the district sent the first Latina to Congress in a 1989 special election, Ileana Ros-Lehtinen. She held the seat until her

retirement in 2019 when a Cuban Democrat took her place. Rep. Shalala lost her reelection bid in 2020 to another Cuban Republican, Maria Elvira Salazar, despite Joe Biden's 3-point victory in the district. The district, while almost always sending a Republican to Congress, has voted for the Democratic candidate for President in the last three elections.

## **2. Section 2 and Retrogression**

In most South Florida elections, it is nearly impossible to identify a Hispanic candidate of choice. While Hispanic candidates consistently win in the district, there are sharp divisions within the community. This may suggest that Hispanic voters would vote for a similar candidate in an election featuring one Hispanic and one non-Hispanic candidate, but at the time of this writing I have found no such example. According to voter registration data from the four counties making up Miami and South Florida, Hispanic registered voters are closely divided among Republicans (36.5%), Democrats (30.6%), and Independents and Others (32.9%) based on 2014 registration. *See Apportionment VIII*, 179 So. 3d 258, 286–87 (Fla. 2015). The lack of cohesion is further demonstrated in Appendices 2 and 4 where there is no clear correlation between Hispanic share and Presidential vote share. However, even if Hispanics were cohesive, the Hispanic CVAP exceeds 66% under either plan, so the districts are not retrogressive.

The Cuban community is far more cohesive, and as discussed above, an analysis looking at smaller subgroups within the Hispanic community may be more appropriate in South Florida. While the district fails a traditional Gingles analysis, courts may be willing to adopt a more nuanced analysis for Hispanic voters rather than attempting to apply a standard meant for black voters with brute force.

## **3. Legislative Map**



The last sticking point in the legislature appears to be whether Districts 21 and 22 run vertically or horizontally in the empty space between District 20's black communities. Because the horizontal configuration splits fewer counties and subdivisions, I kept the court's configuration. At the time of this writing, the legislature is undecided, but the State Senate Plan in the appendix shows the north-south configuration.

### **B. Tampa**

Working our way North, we turn our focus to the districts surrounding Tampa Bay in Pinellas and Hillsborough Counties. This area was the subject of litigation during the previous redistricting cycle when the Republican gerrymander controversially crossed the bay to form a majority-minority district in Tampa and St. Petersburg. The court found that plan violated the Fair Districts Amendment and, in drawing its own plan, focused on keeping Southern Pinellas county whole. I followed the court's lead, deviating only where necessary for population changes.

The area, much like Florida as a whole, is bitterly divided politically. Pinellas County has long been a swing region and features many working-class whites and a large African American voting block in St. Petersburg. Hillsborough County includes the City of Tampa and its suburbs. Voter registration figures favor Republicans in the area, but each Congressional district narrowly voted for Joe Biden. Any compact configuration in the area will produce four swing districts, and many believed that this area would be the target of Republican efforts to gain seats in Congress. By packing minority voters into a Tampa district and jumping the bay, Republicans could take three of the four seats. The House plan uses this configuration.

The State Senate seems to be working hard to avoid litigation. The only real difference between my plans and the legislative proposals relates to the northern border of the Pinellas

County district. In my plans, Southern Pinellas county is kept whole while the northern portion is joined with Tampa and the Northern Hillsborough County suburbs. The legislative proposal instead extends the Pinellas district north to the county line and has the Tampa district extend further South along the bay, in many ways recreating the previously struck down map but ensuring land contiguity by keeping a narrow strip of land all the way around the bay in the district. There does not appear to be nefarious intent behind this decision, but my plans are more compact and keep Pinellas County's cities together.

### **C. Central Florida**

Central Florida is among the fastest growing regions in the nation. The I-4 corridor, running from Tampa to Daytona Beach, has seen a large population increase from domestic migration. These new residents are split ideologically, most of them Democratic-leaning voters from Puerto Rico and conservative retirees from northern states. This population growth is demonstrated by a consistent feature: almost every proposed map gives Polk County its own district. Most of the population growth has occurred within the vicinity of I-4, with the Southern portion of the county remaining rural.

Large population growth in Osceola County requires even further analysis because much of this growth came from Puerto Rican migration following Hurricane Maria. This large, Hispanic population growth is compounded by the high citizenship rate. In addition, these voters generally prefer Democrats, and a district might be required under the VRA.<sup>3</sup>

#### **i. Section 2**

A majority-Hispanic CVAP district would likely be required if drawing a reasonably compact district was possible. While majority-Hispanic VAP districts are possible, it is not

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<sup>3</sup> No Section 5 analysis is required because no Hispanic opportunity district exists in the enacted maps

possible to make such a district majority-CVAP. Because of the large black population in the area, however, the district would perform for the Hispanic community at much lower levels. Thus, a coalition analysis is required.

When combined, the Hispanic and non-Hispanic black CVAPs nearly reach 60%. District 9 would likely perform for the coalition's candidate of choice. The burden for establishing political cohesion is unclear, but recent courts have looked to cohesion across groups rather than within groups (i.e. do groups within the coalition vote for the same candidates in most elections). It appears that Hispanic and black voters in Osceola county vote cohesively and there is white bloc voting that has historically denied them the opportunity to elect their candidate of choice. The images in Appendices 2 and 4 show the 2020 Presidential election vote share by precinct, the Hispanic VAP share by precinct, and the AP-Black VAP share by precinct.

District 10 is also majority-minority; of the minority groups, the black plurality comprises 26.3% of the CVAP. This district was drawn for compactness and has performed for the minority candidate of choice since its creation in the court-drawn plan, sending Val Demings to Congress in 2016. Rep. Demings had lost a prior attempt to win this district by just three points, showing the power of the white majority to deny the minority coalition the opportunity to elect the candidate of their choice. Few alterations were made to this district, and it does not diminish the opportunity for minority voters to elect their candidate of choice. In addition, the evidence of racial block voting is quite clear, and the district remains required under Section 2.

#### **D. North Florida**

Northern Florida's political demographics differ substantially from those of South and Central Florida. Stretching West to Alabama and riding the Georgia border to the coast, this region is far more similar to the Deep South than the beach cities of the rest of the state. With

that comes a history of racism that would require a VRA district should the *Gingles* preconditions be met, as I will discuss below.

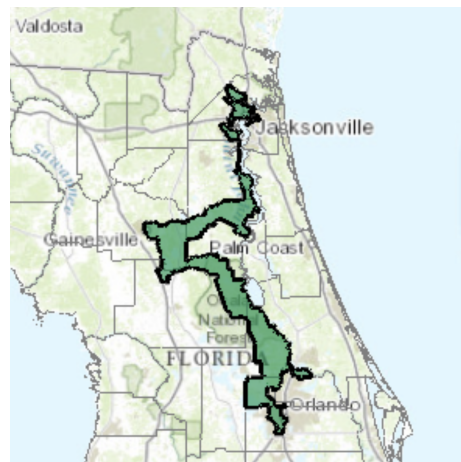
For the rest of the districts, I prioritized compactness with some deviation to preserve communities of interest. For example, District 2 follows the Gulf Coast rather than turning inland, allowing for two compact inland districts and keeping like communities together. District 6 does the same on the Atlantic Coast. This region has also seen rapid population growth. District 1's population, for example, has increased by over 100,000 residents, resulting in a corresponding reduction in size.

However, much of this region's story relates to District 5.

### **i. District 5**

#### **a. History**

District 5 has a more complicated history. The northern Florida majority-black district used to be one of the least compact in the country, stretching from Jacksonville to Orlando by winding its way through unpopulated swampland and narrowing to the width of strips of highway to link the disparate communities. This district was struck down as a racial gerrymander in 2015 and replaced by the current district along the Georgia border. This new district is far more compact than before but still presents its own issues.



Source: National Atlas

First, due to rural black population loss, it is no longer possible to draw a majority-black district in this area. However, the district easily performs, and it seems unlikely that it would be struck down as a racial gerrymander. The district is likely no longer required by Section 2 of the VRA, but Florida's retrogression standard may prohibit its elimination.

**b. Section 2**

In the Least Change plan, District 5 stretches from Tallahassee to Jacksonville, following the Georgia border as a community of interest of sorts. Many of the counties in this area have high black population shares, so this layout is not as egregious as the previous racial gerrymander and is much more compact.

However, northern Florida no longer meets the Gingles preconditions for a district under Section 2. There is obvious white bloc voting in this area, so the third precondition is met. On the first precondition, it is not possible to draw a reasonably compact majority-black district due to population loss. As such, there is no requirement for this district, and drawing it may actually attract scrutiny under *Shaw*. As discussed below, it may still be required to prevent retrogression. The district is majority-minority, but further analysis is necessary regarding political cohesion.

The Unpacking plan assumes District 5 would be struck down as a racial gerrymander because the black community is insufficiently compact as to be entitled to a district. I instead drew a district in Northeast Florida anchored in Jacksonville that would provide some opportunity for black voters to elect a candidate of choice and would be minimally retrogressive. This district is also not required and may still constitute a racial gerrymander because no such district is required under Section 2, but I drew it to demonstrate a reasonable replacement district

should the current configuration be deemed unconstitutional on only compactness grounds, setting aside the lack of numerosity.

### **c. Retrogression Analysis**

Because black voters are politically cohesive and there is white bloc voting, an opportunity district is likely required to avoid retrogression. The Least Change plan District 5 would still almost certainly allow the black community to elect its candidate of choice. Any reduction in this probability is only a result of population shifts.

District 5 in the Unpacking plan would fail a retrogression analysis. While black voters would still have a strong opportunity to elect their candidate of choice, it would be much reduced from the currently enacted map. If a court were to find the current configuration unconstitutional as a racial gerrymander, however, District 5 would provide the best alternative for a compact district with minimal retrogression. There remains a further question regarding whether Florida's retrogression standard is constitutional in light of *Shelby County*. Compliance with the federal VRA is a compelling state interest, but compliance with a state constitutional mandate may not provide similar protection from strict scrutiny.

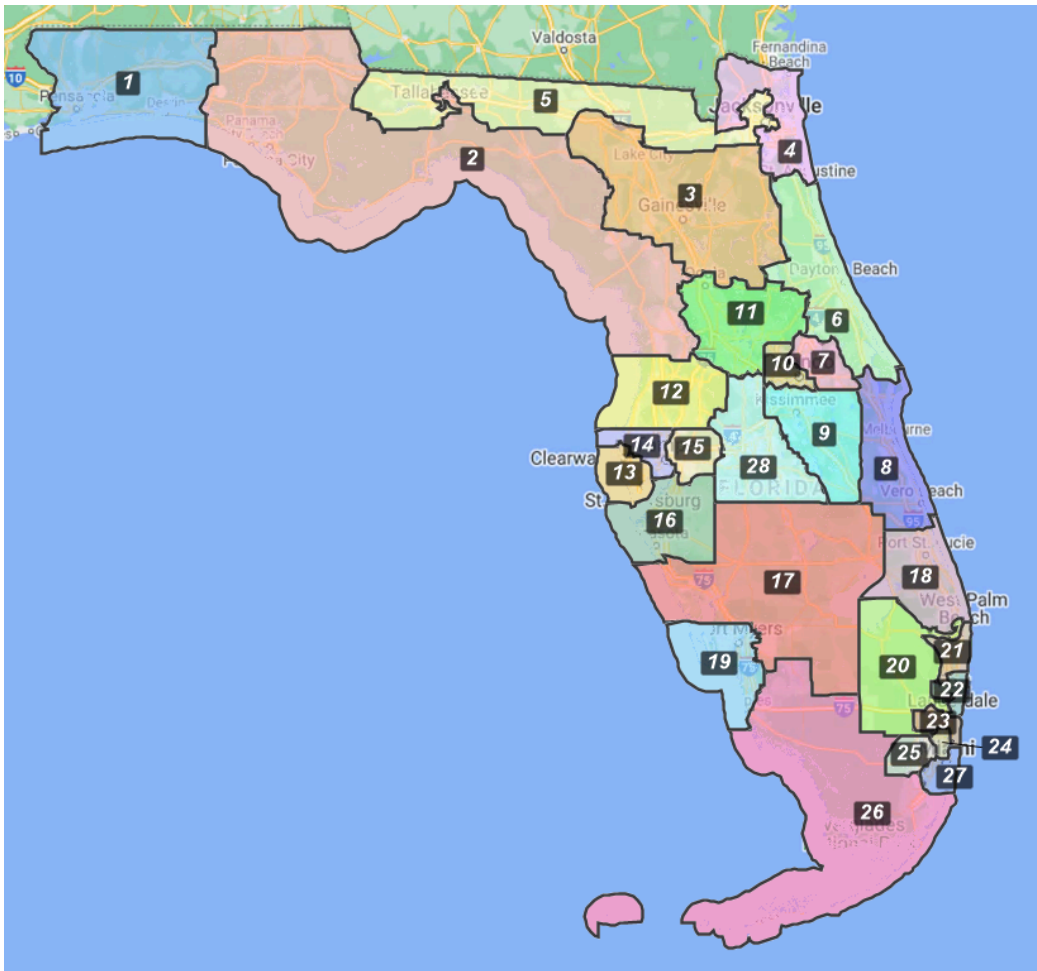
## **V. Conclusion**

Florida presents unique challenges in redistricting. The state's large Hispanic population challenges the norms and assumptions under the VRA. District 25 is one of the few Hispanic VRA in the country districts that votes for conservative candidates, and the other Hispanic districts demonstrate less cohesion than is typically present for language minority groups. If courts adopt a more liberal reading of Section 2 and allow different national-origins within the Hispanic community to constitute their own classes, Cuban-Americans may meet the Gingles preconditions in South Florida. But this is unlikely.

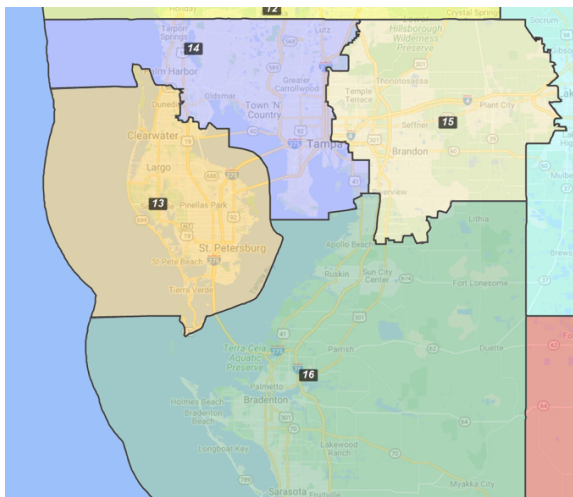
The Florida Supreme Court's plan was a faithful application of the Fair Districts Amendment criteria. Using that plan as a model, working to eliminate subdivision splits, and better linking communities of interest given population shifts allowed me to improve upon this already strong plan. In addition, the Unpacking plan provides an alternative to some of the less compact majority-black districts while still performing for black voters. Whether the legislature adopts the least-change Senate plan or the Republican-gerrymander House plan will determine how different my plans are from the eventually adopted maps. In any case, my plans provide two strong examples of fair maps that comply with relevant state and federal law.

**Appendix 1: Detailed Plan Images**

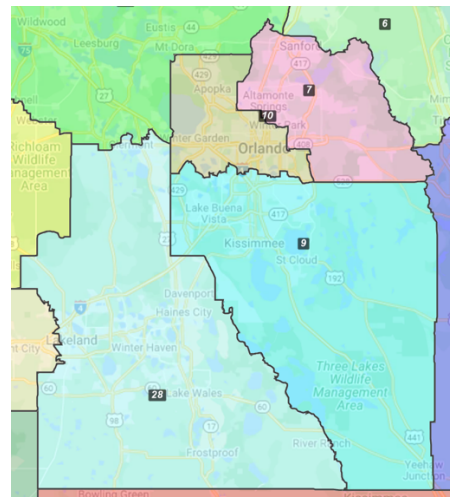
**Least Change Plan**



**Tampa Bay Inset**

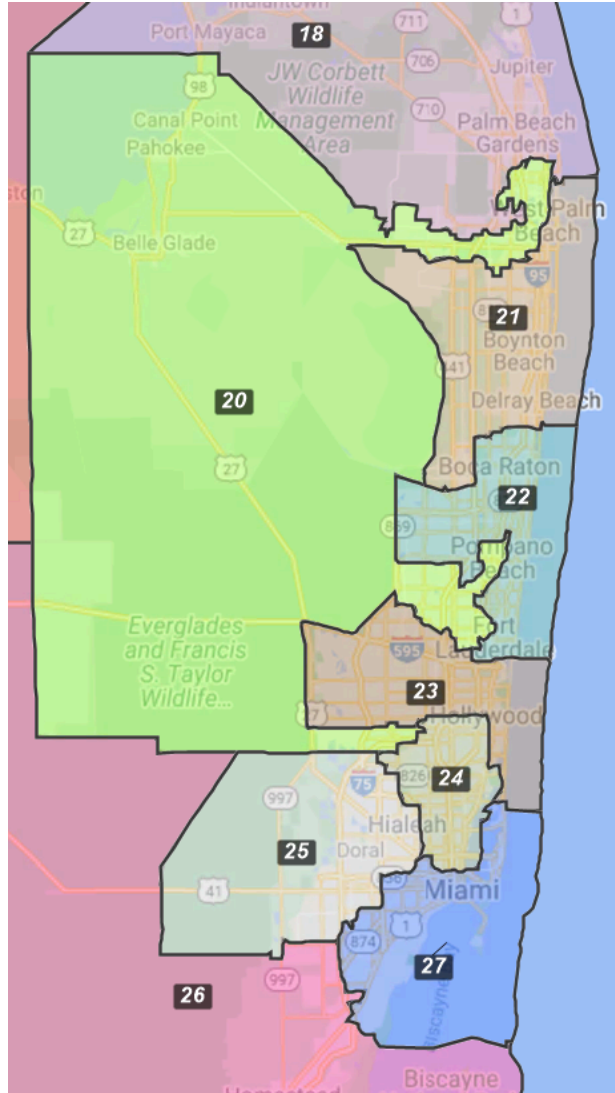


**Central Florida Inset**

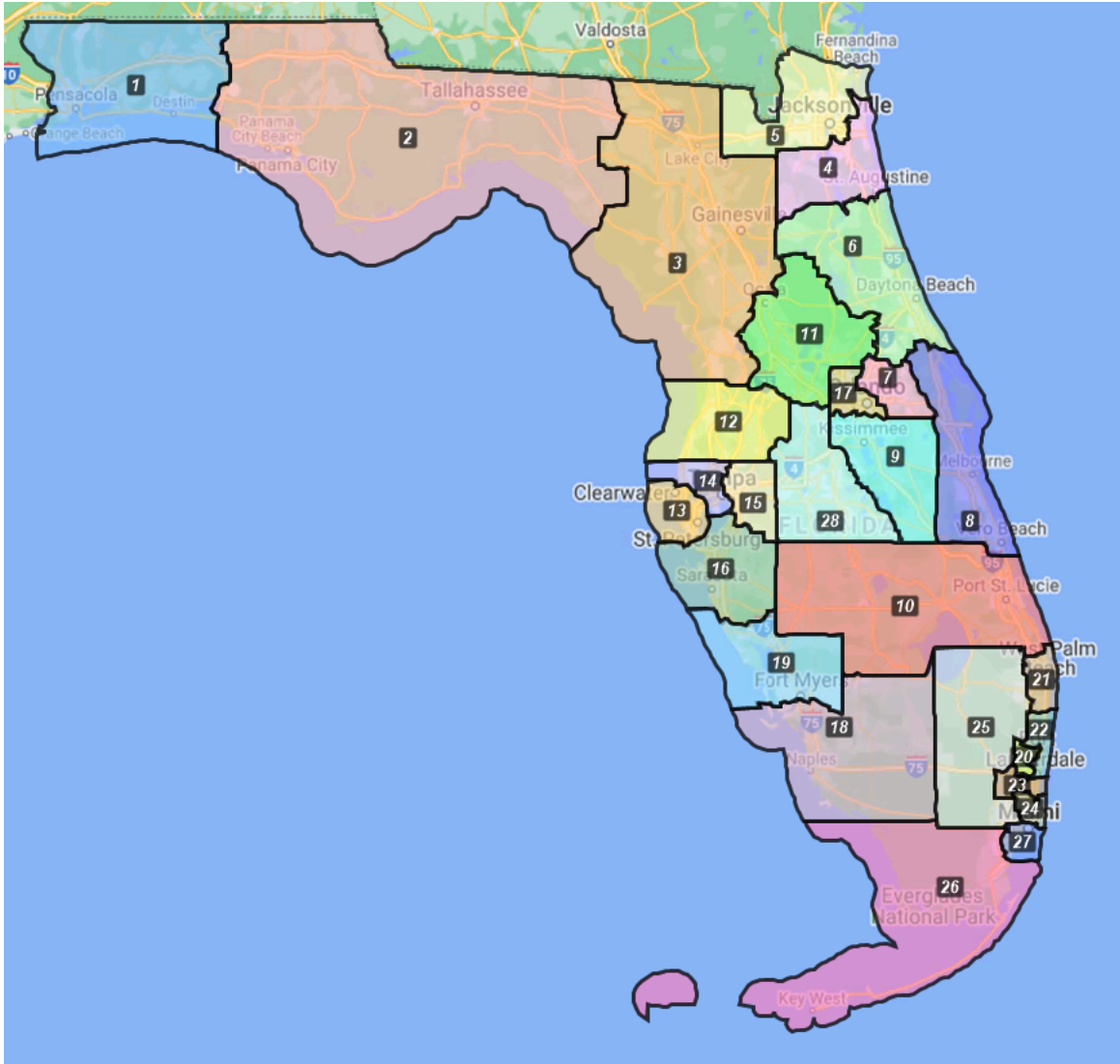




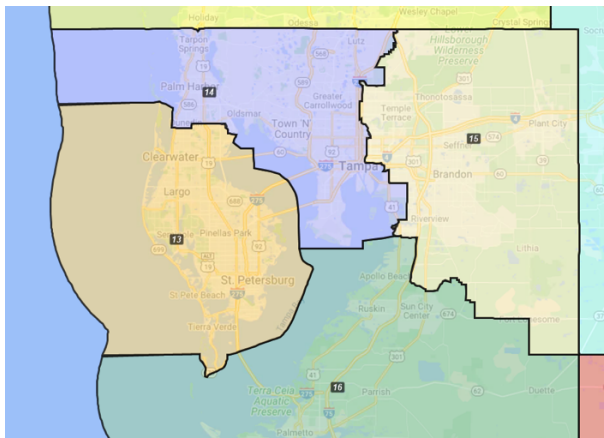
# South Florida Inset



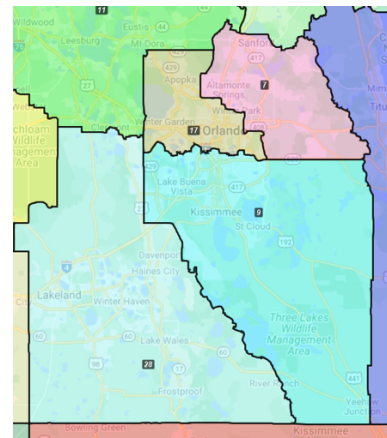
# Unpacking Plan



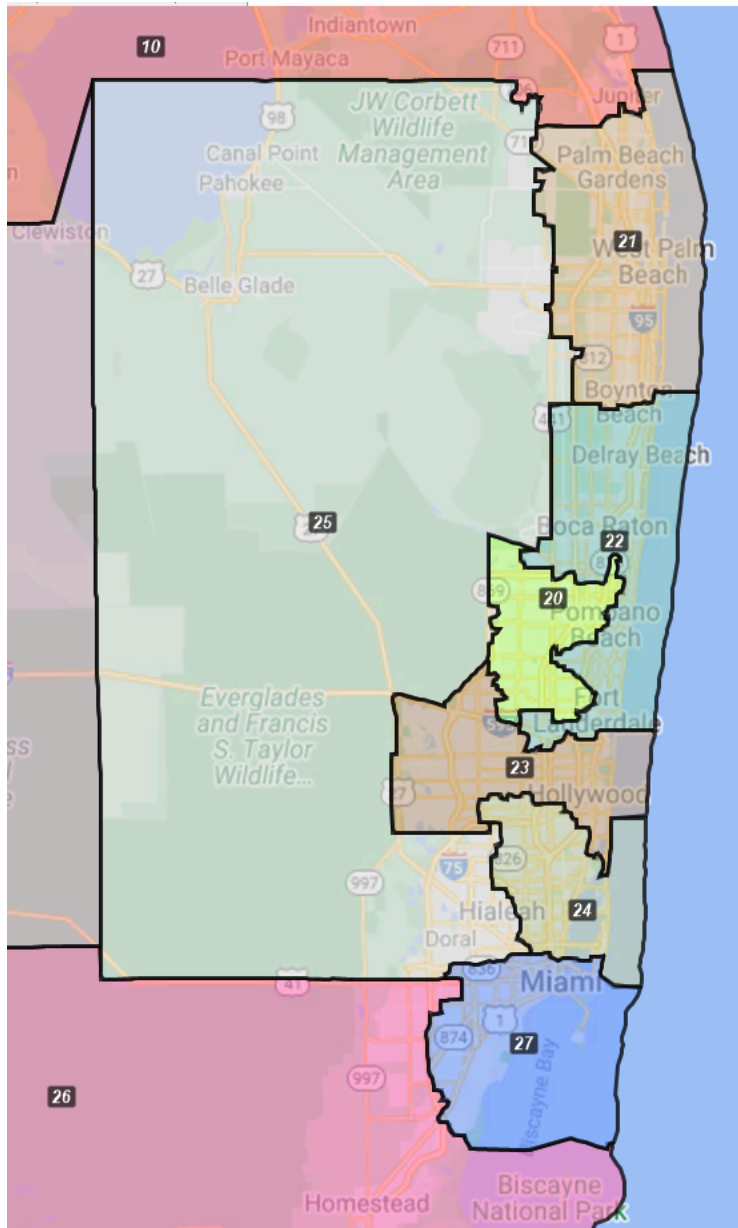
Tampa Bay Inset



Central Florida Inset



# South Florida Inset



**Appendix 2: Partisanship using 2020 Presidential Election Data**

Figure 1: Partisan Lean by County

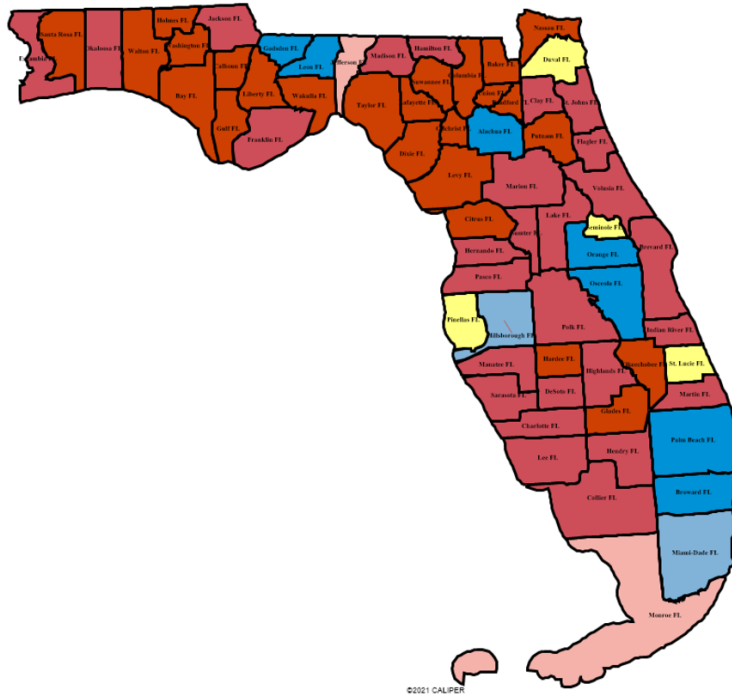


Figure 2: Partisan Lean by Precinct

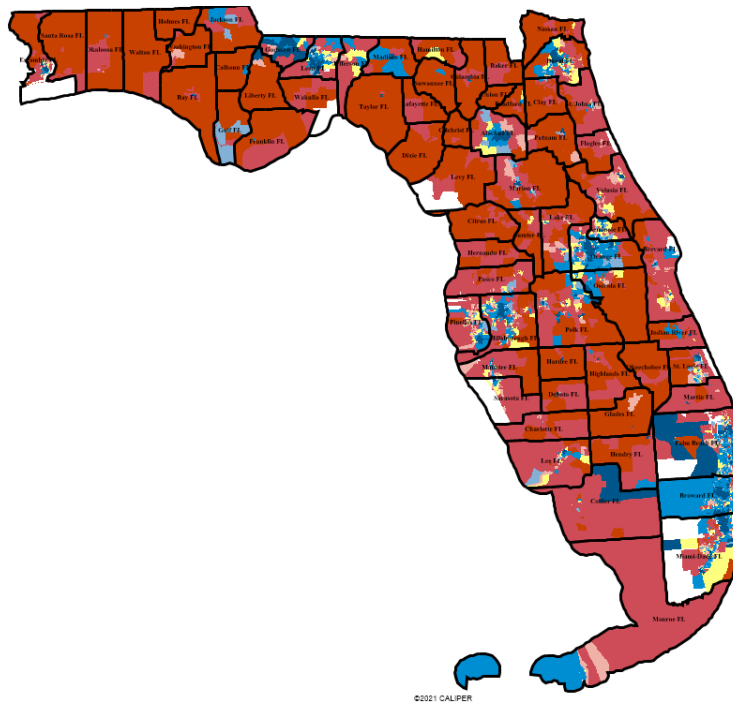


Figure 3: Partisan Lean by Precinct: South Florida

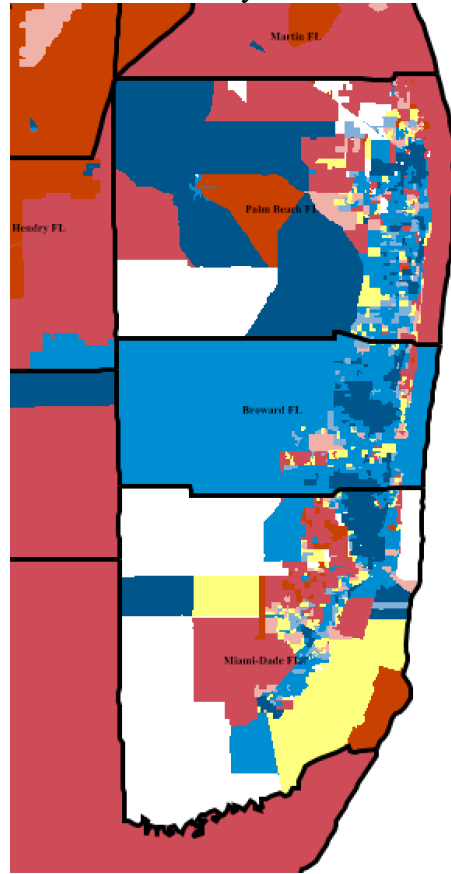


Figure 4: Partisan Lean by Precinct: Tampa Bay

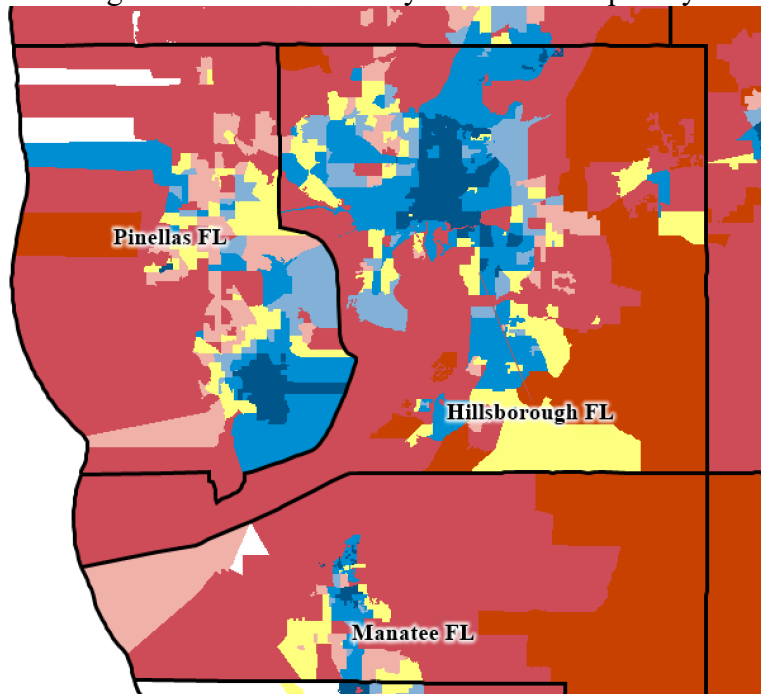
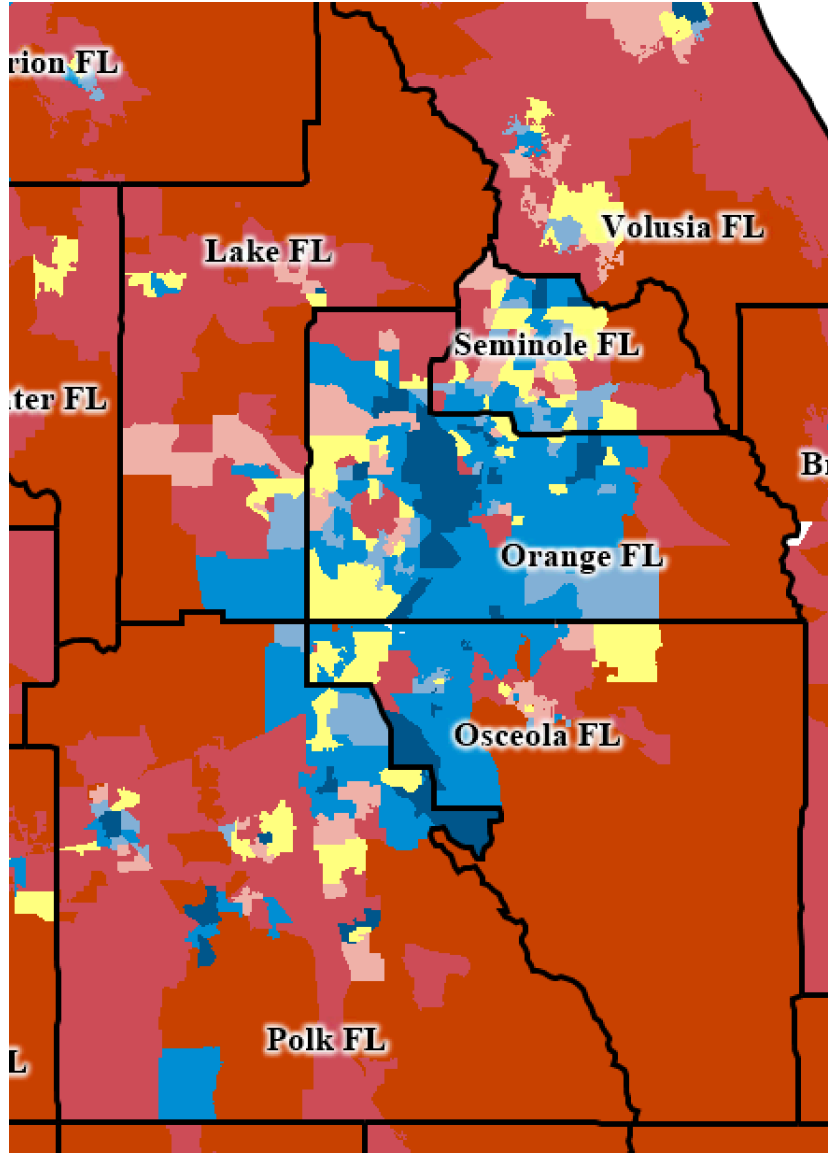


Figure 5: Partisan Lean by Precinct: Central Florida



**Appendix 3: District Tables w/ Racial and Political Demographics**

**Figure 1: Least Change District Dataview**

District	Pop. 2020	Hispanic CVAP 2019	Non-Hisp. Black CVAP 2019	Non-Hisp. Asian CVAP 2019	Non-Hisp. Native CVAP 2019	Chance of Democratic Win	Predicted Vote Shares
1	769,220	5.0%	13.8%	2.9%	1.4%	2%	35% D / 65% R
2	769,221	4.7%	11.0%	1.6%	1.1%	1%	34% D / 66% R
3	769,221	7.3%	15.3%	2.5%	0.8%	5%	41% D / 59% R
4	769,221	6.8%	9.9%	4.3%	0.7%	5%	40% D / 60% R
5	769,221	5.9%	45.0%	2.2%	0.6%	93%	58% D / 42% R
6	769,221	10.1%	9.7%	1.6%	0.7%	9%	42% D / 58% R
7	769,221	23.7%	10.6%	4.3%	0.4%	61%	52% D / 48% R
8	769,221	8.4%	9.8%	2.0%	0.6%	7%	42% D / 58% R
9	769,221	44.0%	10.2%	5.0%	0.4%	84%	55% D / 45% R
10	769,221	23.1%	26.3%	3.9%	0.6%	94%	58% D / 42% R
11	769,221	9.2%	9.5%	1.4%	0.6%	3%	38% D / 62% R
12	769,221	11.9%	5.3%	1.8%	0.7%	4%	39% D / 61% R
13	769,221	7.4%	11.2%	2.9%	0.6%	49%	50% D / 50% R
14	769,221	21.2%	8.4%	3.5%	0.4%	40%	49% D / 51% R
15	769,221	19.9%	21.8%	3.3%	0.6%	58%	51% D / 49% R
16	769,221	10.0%	7.5%	1.7%	0.5%	16%	44% D / 56% R
17	769,221	13.2%	7.4%	1.1%	0.7%	4%	39% D / 61% R
18	769,221	12.2%	10.6%	2.0%	0.4%	17%	45% D / 55% R
19	769,221	10.1%	4.8%	1.6%	0.4%	5%	39% D / 61% R
20	769,221	20.5%	50.8%	2.9%	0.3%	>99%	69% D / 31% R
21	769,221	16.8%	12.9%	2.6%	0.4%	82%	55% D / 45% R

District	Pop. 2020	Hispanic CVAP 2019	Non-Hisp. Black CVAP 2019	Non-Hisp. Asian CVAP 2019	Non-Hisp. Native CVAP 2019	Chance of Democratic Win	Predicted Vote Shares
22	769,221	16.7%	13.2%	2.8%	0.4%	76%	54% D / 46% R
23	769,221	35.4%	12.1%	4.0%	0.4%	80%	54% D / 46% R
24	769,221	34.6%	51.3%	1.3%	0.3%	>99%	69% D / 31% R
25	769,221	89.9%	2.0%	1.1%	0.1%	2%	38% D / 62% R
26	769,221	44.2%	12.1%	1.7%	0.3%	23%	46% D / 54% R
27	769,221	66.1%	6.8%	2.0%	0.2%	51%	50% D / 50% R
28	769,221	16.8%	13.7%	1.9%	0.7%	10%	43% D / 57% R

**Figure 2: Unpacking District Dataview**

District	Pop. 2020	Hispanic CVAP 2019	Non-Hisp. Black CVAP 2019	Non-Hisp. Asian CVAP 2019	Non-Hisp. Native CVAP 2019	Chance of Democratic Win	Predicted Vote Shares
1	769,220	5.0%	13.8%	2.9%	1.4%	2%	35% D / 65% R
2	769,221	4.7%	23.6%	1.7%	1.0%	11%	44% D / 56% R
3	769,221	6.4%	14.1%	2.0%	0.8%	5%	41% D / 59% R
4	769,221	7.7%	9.2%	4.4%	0.7%	4%	38% D / 62% R
5	769,221	6.3%	34.2%	2.8%	0.7%	48%	50% D / 50% R
6	769,221	10.0%	10.2%	1.5%	0.7%	8%	41% D / 59% R
7	769,221	23.7%	10.6%	4.3%	0.4%	61%	52% D / 48% R
8	769,221	8.2%	9.0%	2.1%	0.7%	6%	41% D / 59% R
9	769,221	44.0%	10.2%	5.0%	0.4%	84%	55% D / 45% R
10	769,221	23.1%	26.3%	3.9%	0.6%	94%	58% D / 42% R
11	769,221	9.4%	9.4%	1.5%	0.6%	3%	38% D / 62% R
12	769,221	11.9%	5.3%	1.8%	0.7%	4%	39% D / 61% R



District	Pop. 2020	Hispanic CVAP 2019	Non-Hisp. Black CVAP 2019	Non-Hisp. Asian CVAP 2019	Non-Hisp. Native CVAP 2019	Chance of Democratic Win	Predicted Vote Shares
13	769,221	7.5%	11.3%	3.0%	0.6%	49%	50% D / 50% R
14	769,221	21.1%	8.4%	3.4%	0.4%	39%	49% D / 51% R
15	769,221	20.2%	22.0%	3.4%	0.6%	63%	52% D / 48% R
16	769,221	9.4%	7.0%	1.7%	0.5%	14%	44% D / 56% R
17	769,221	13.3%	11.2%	1.4%	0.6%	8%	41% D / 59% R
18	769,221	13.0%	4.3%	1.5%	0.5%	4%	39% D / 61% R
19	769,221	11.7%	7.3%	1.3%	0.5%	6%	40% D / 60% R
20	769,221	19.0%	41.5%	2.9%	0.3%	>99%	66% D / 34% R
21	769,221	18.7%	20.9%	2.5%	0.4%	84%	55% D / 45% R
22	769,221	13.3%	9.1%	2.2%	0.4%	71%	53% D / 47% R
23	769,221	37.4%	13.5%	4.4%	0.4%	81%	55% D / 45% R
24	769,221	33.0%	50.8%	1.5%	0.3%	>99%	69% D / 31% R
25	769,221	62.2%	8.8%	1.7%	0.1%	12%	44% D / 56% R
26	769,221	67.2%	10.4%	1.8%	0.2%	21%	46% D / 54% R
27	769,221	69.2%	6.9%	1.9%	0.2%	40%	49% D / 51% R
28	769,221	16.7%	13.6%	1.9%	0.6%	8%	43% D / 57% R

**Appendix 4: Racial Demographics using 2020 Census Data**

Figure 1: Legends

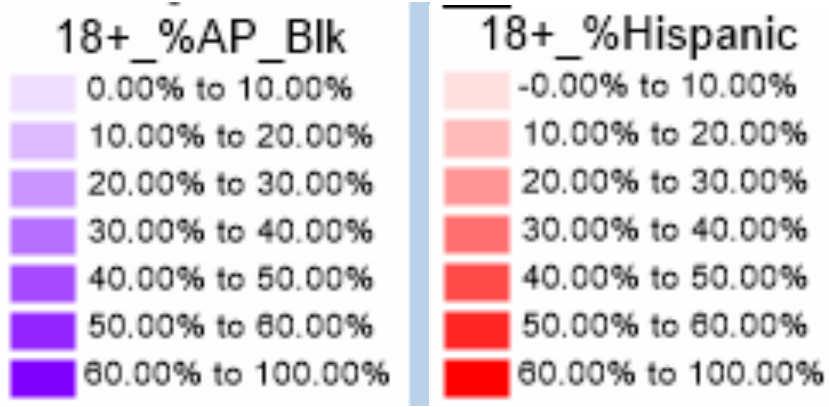


Figure 2: Statewide Demographics by County

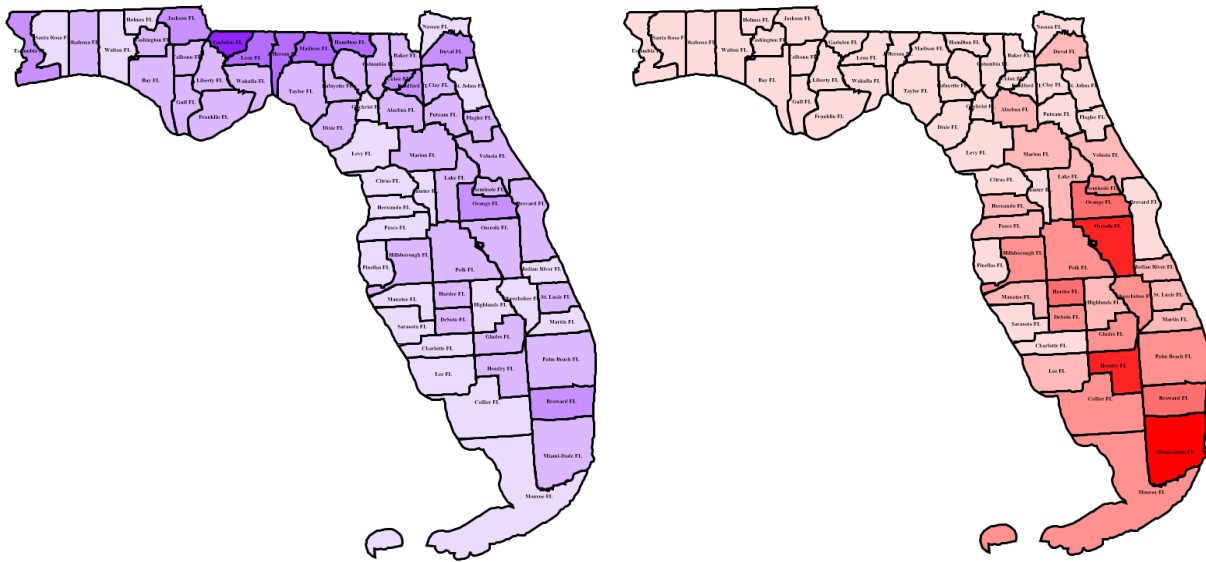


Figure 3: Statewide Demographics by Precinct

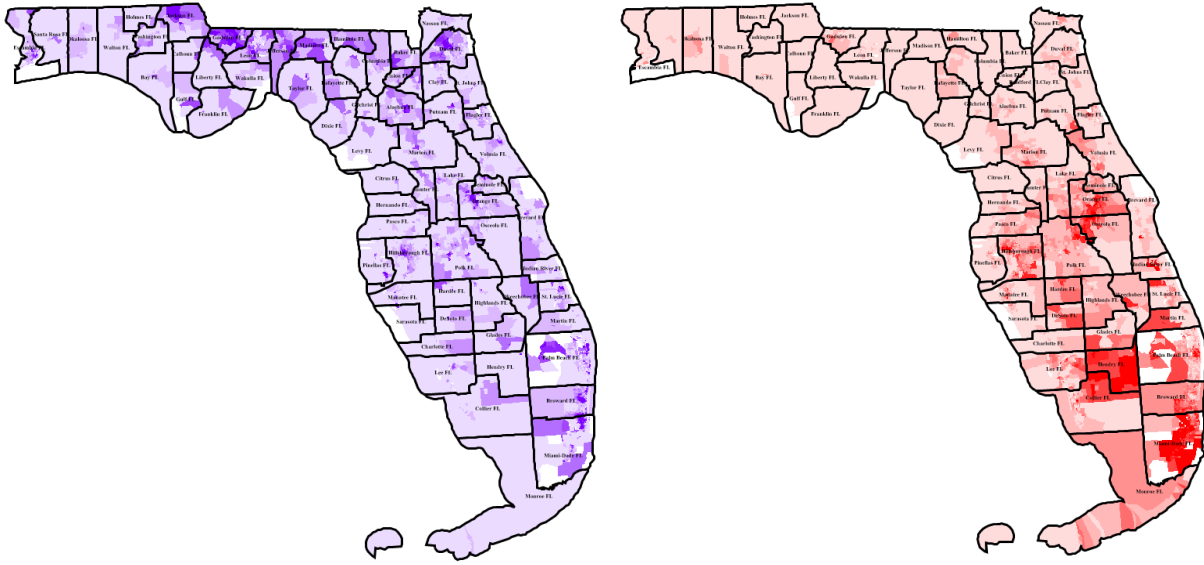


Figure 4: South Florida Demographics by Precinct

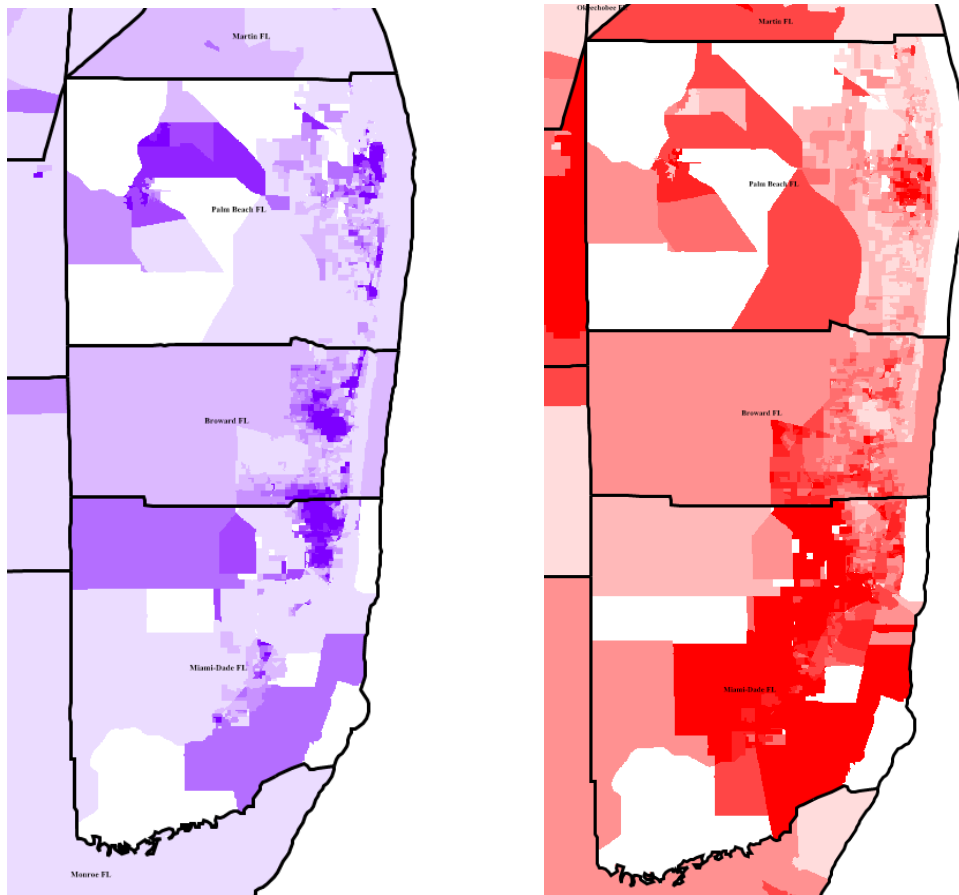


Figure 5: Tampa Bay Demographics by Precinct

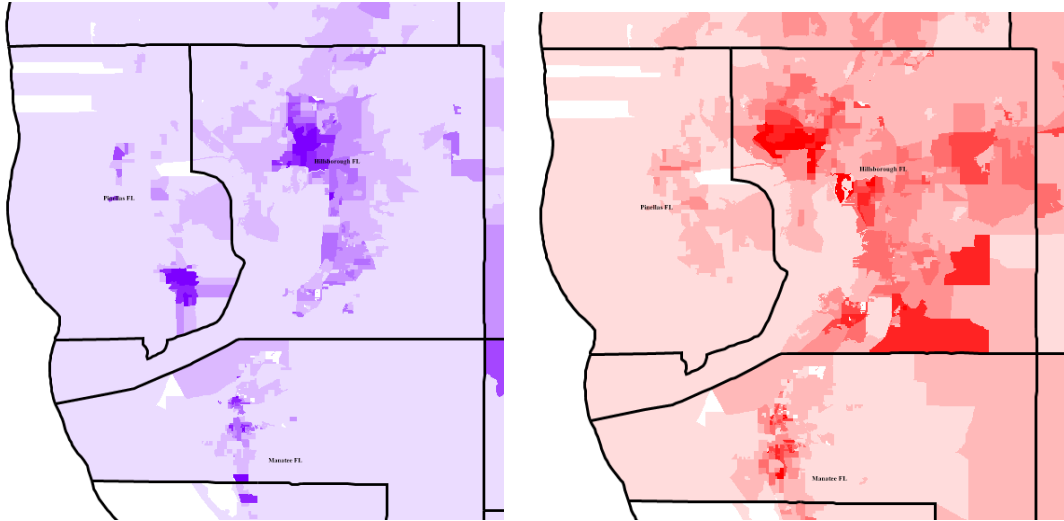
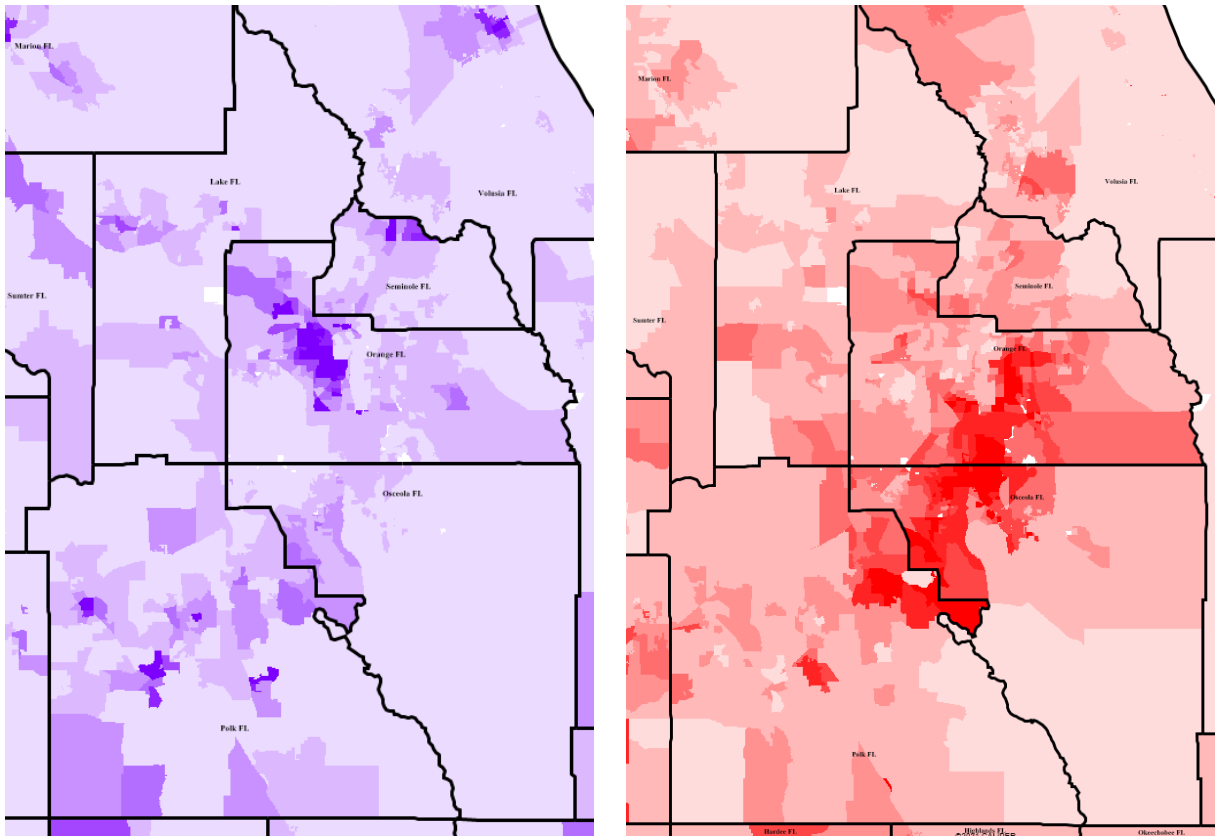


Figure 6: Central Florida Demographics by Precinct



## Appendix 5: Compactness Reports

### Least Change Compactness Scores

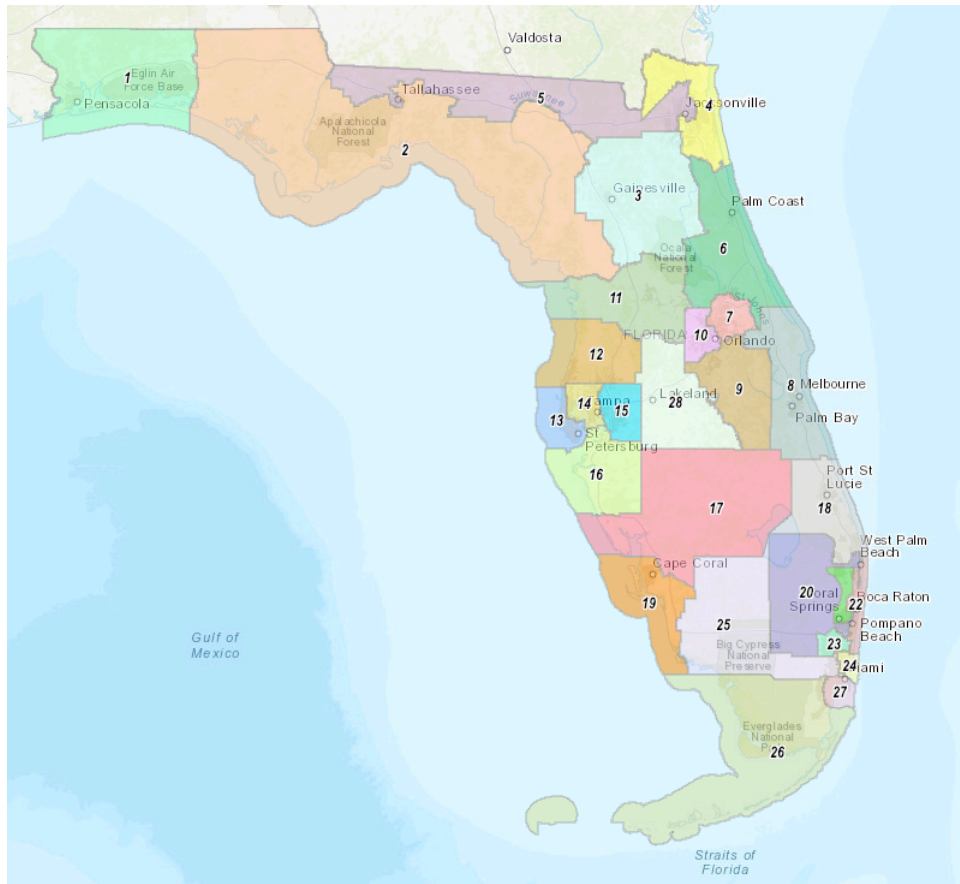
	<b>Reock</b>	<b>Schwartzberg</b>	<b>Alternate Schwartzberg</b>	<b>Polsby- Popper</b>	<b>Population Polygon</b>	<b>Area/Convex Hull</b>	<b>Population Circle</b>	<b>Ehrenburg</b>	<b>Perimeter</b>	<b>Length-Width</b>
Sum	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	7,205.45	N/A
Min	0.22	1.17	1.20	0.19	0.33	0.55	0.16	0.21	N/A	1.33
Max	0.72	2.29	2.32	0.70	0.99	0.93	0.97	0.75	N/A	91.97
Mean	0.45	1.60	1.71	0.37	0.80	0.81	0.51	0.43	N/A	20.99
Std. Dev.	0.11	0.28	0.30	0.13	0.16	0.09	0.19	0.12	N/A	23.86

### Unpacking Compactness Scores

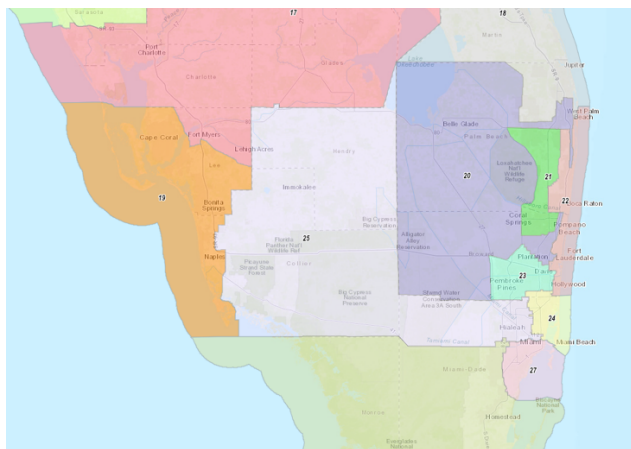
	<b>Reock</b>	<b>Schwartzberg</b>	<b>Alternate Schwartzberg</b>	<b>Polsby- Popper</b>	<b>Population Polygon</b>	<b>Area/Convex Hull</b>	<b>Population Circle</b>	<b>Ehrenburg</b>	<b>Perimeter</b>	<b>Length-Width</b>
Sum	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	8,123.09	N/A
Min	0.12	1.27	1.28	0.10	0.29	0.56	0.24	0.14	N/A	2.07
Max	0.66	2.93	3.22	0.61	0.99	0.95	0.97	0.65	N/A	168.18
Mean	0.44	1.69	1.81	0.34	0.76	0.79	0.50	0.43	N/A	21.93
Std. Dev.	0.13	0.36	0.42	0.12	0.16	0.10	0.21	0.14	N/A	33.79

# Appendix 6: State Legislative Proposed Plans

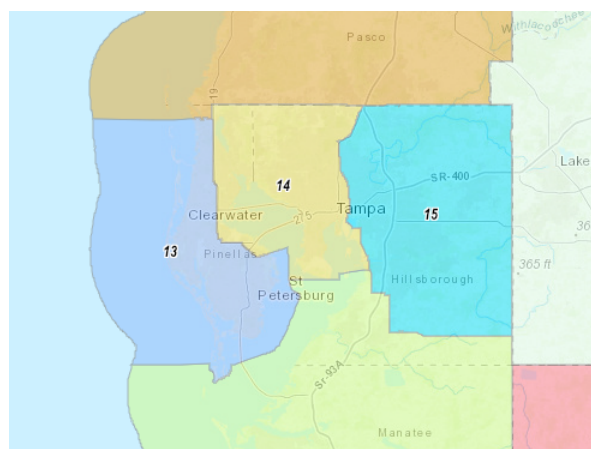
## Senate Plan (very similar to my plan)



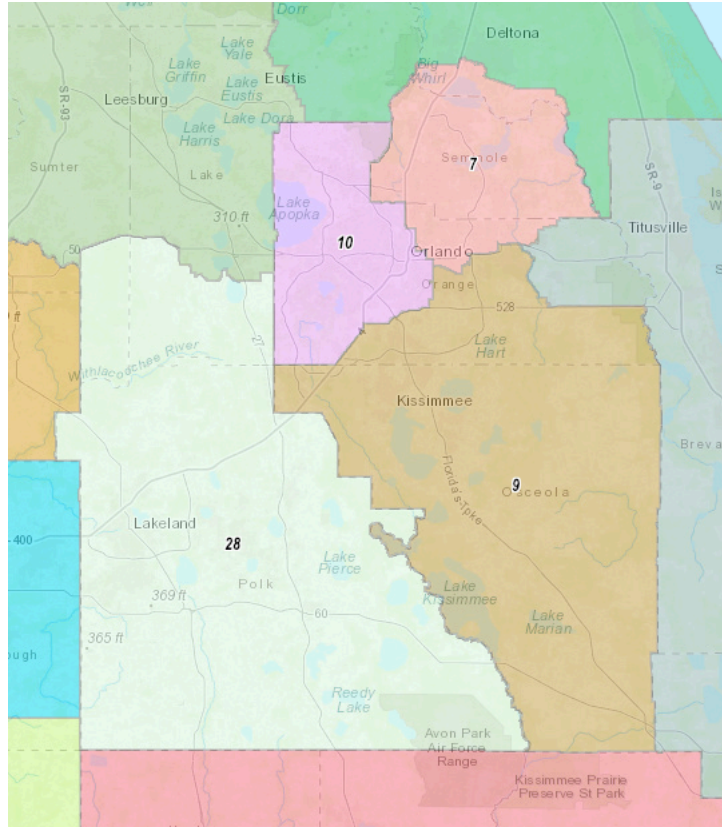
South Florida Inset



Tampa Bay Inset

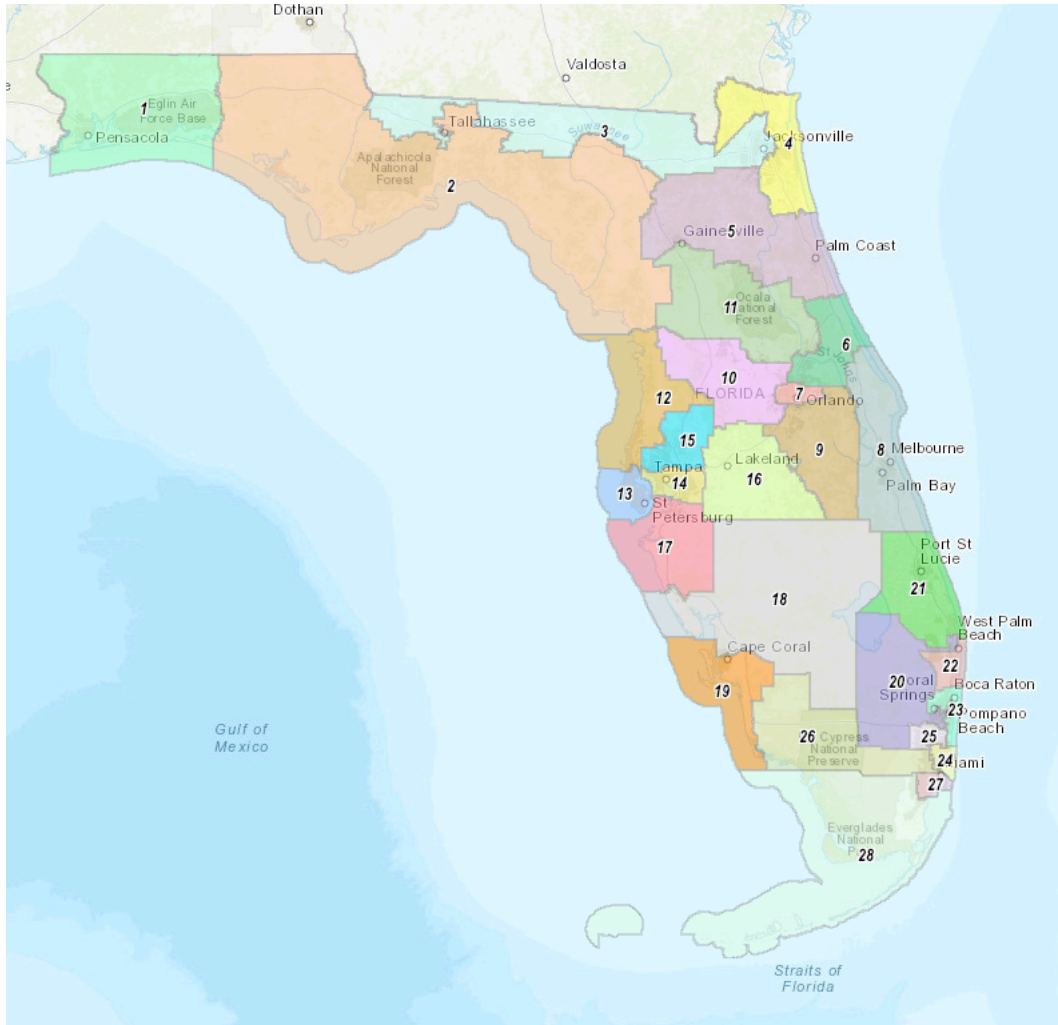


# Central Florida Inset

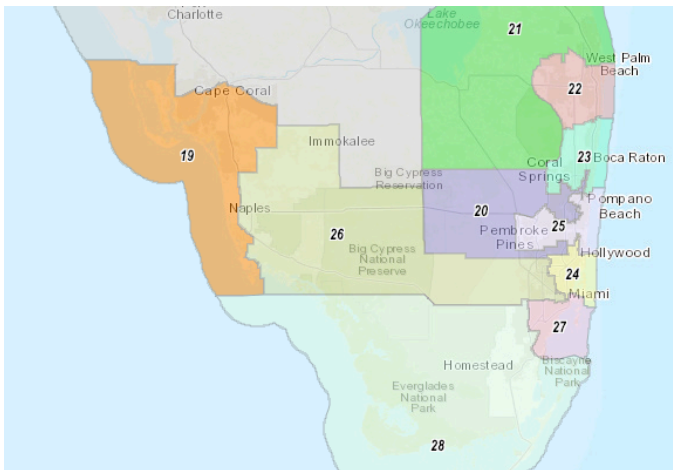




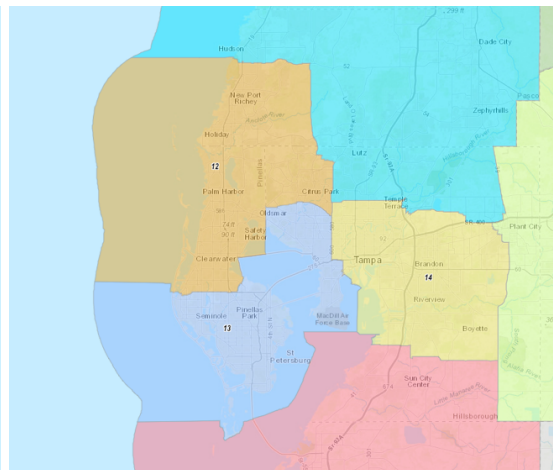
## House Plan (Republican Gerrymander)



South Florida Inset

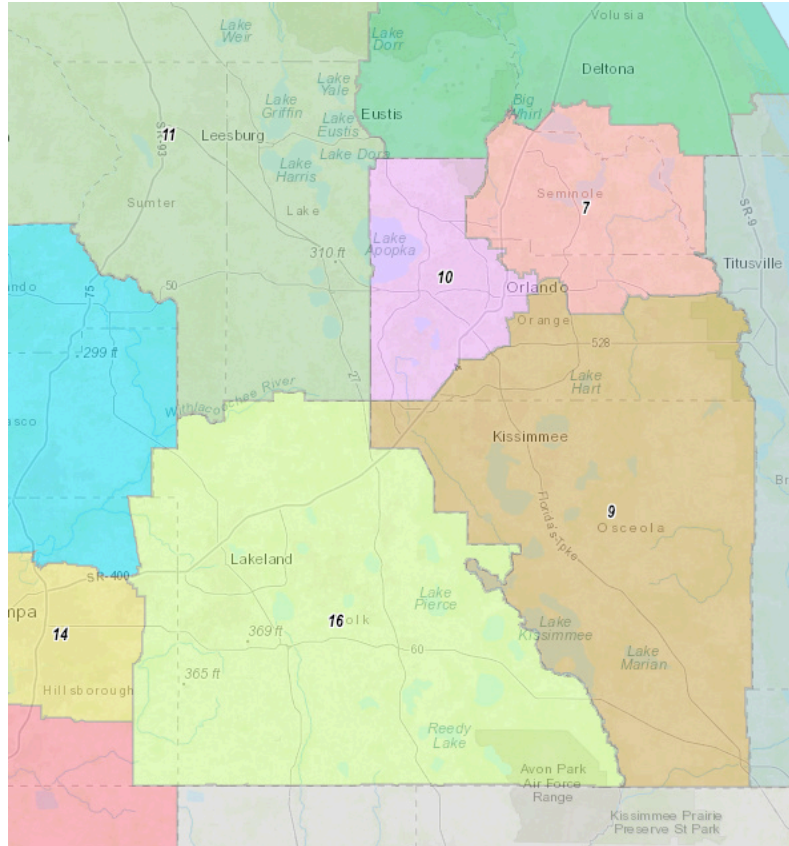


Tampa Bay Inset



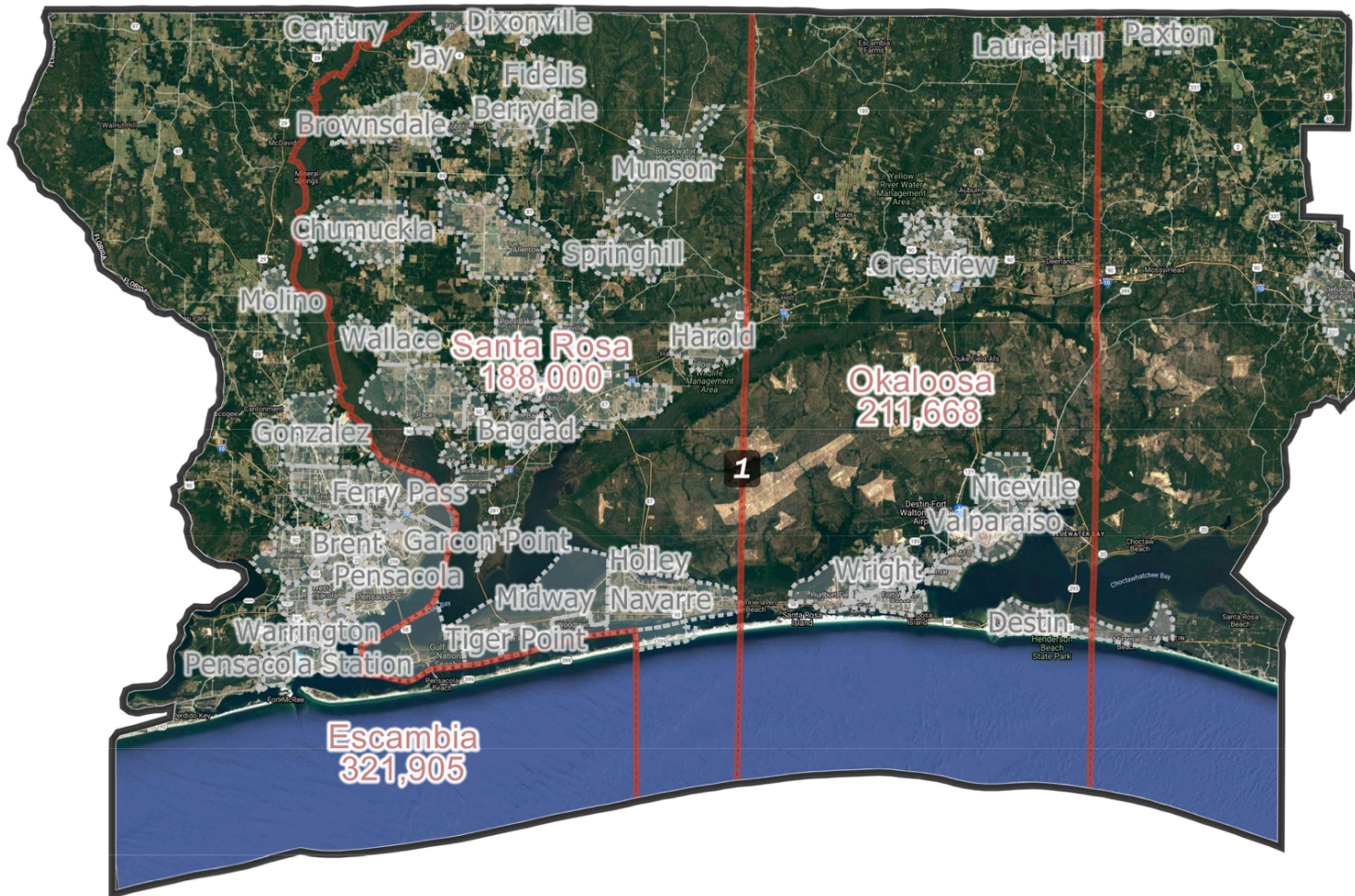


# Central Florida Inset



## **Appendix 7: Individual Districts**

# District 1: Western Panhandle

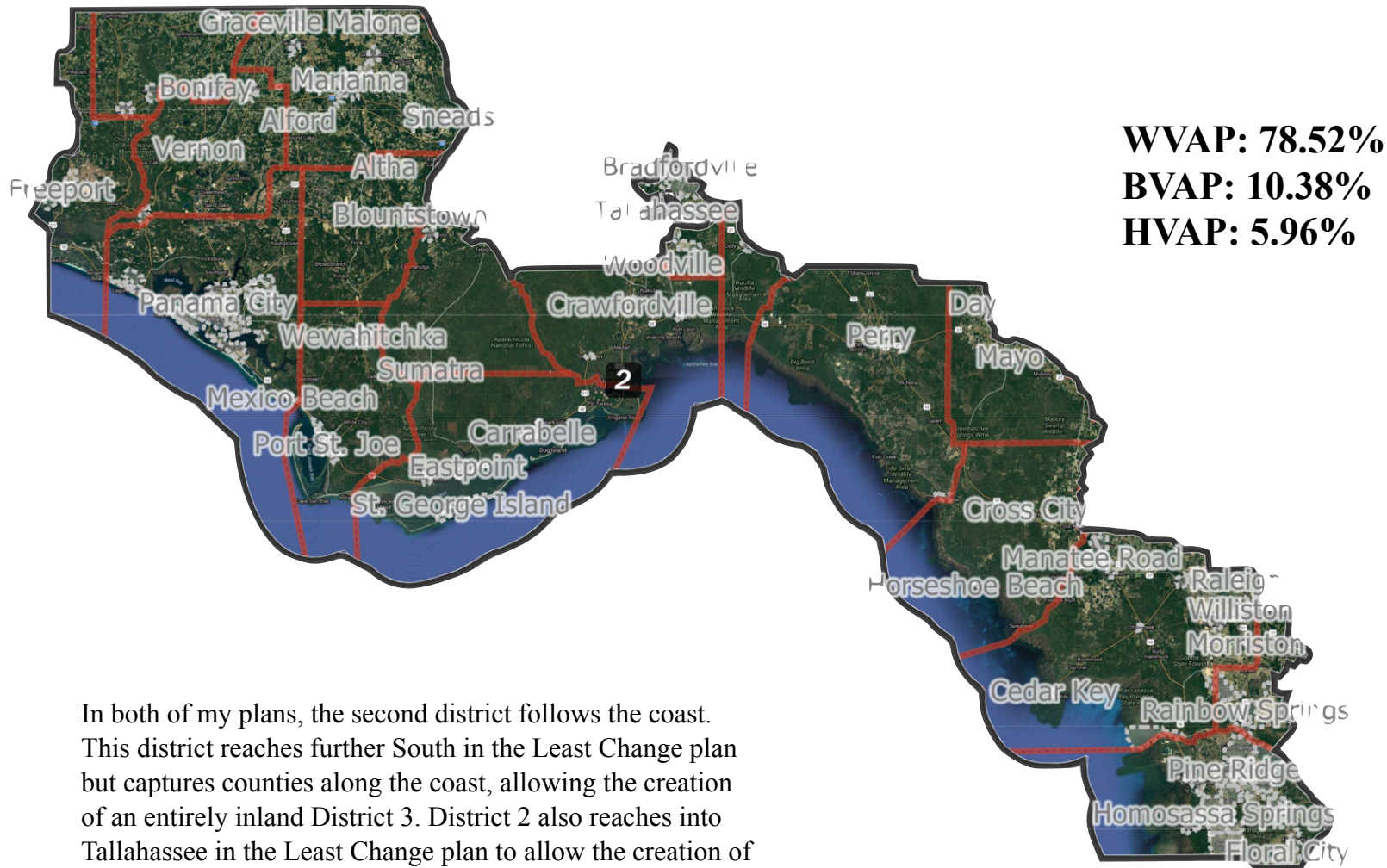


In both of my plans, the first district largely follows the borders of the current first district. The district became smaller due to rapid population growth.

**WVAP: 72.03%**  
**BVAP: 13.67%**  
**HVAP: 6.68%**



# District 2: Gulf Coast (Least Change Only)



In both of my plans, the second district follows the coast. This district reaches further South in the Least Change plan but captures counties along the coast, allowing the creation of an entirely inland District 3. District 2 also reaches into Tallahassee in the Least Change plan to allow the creation of a performing VRA District 5.

# District 2: Gulf Coast (Unpacking Only)

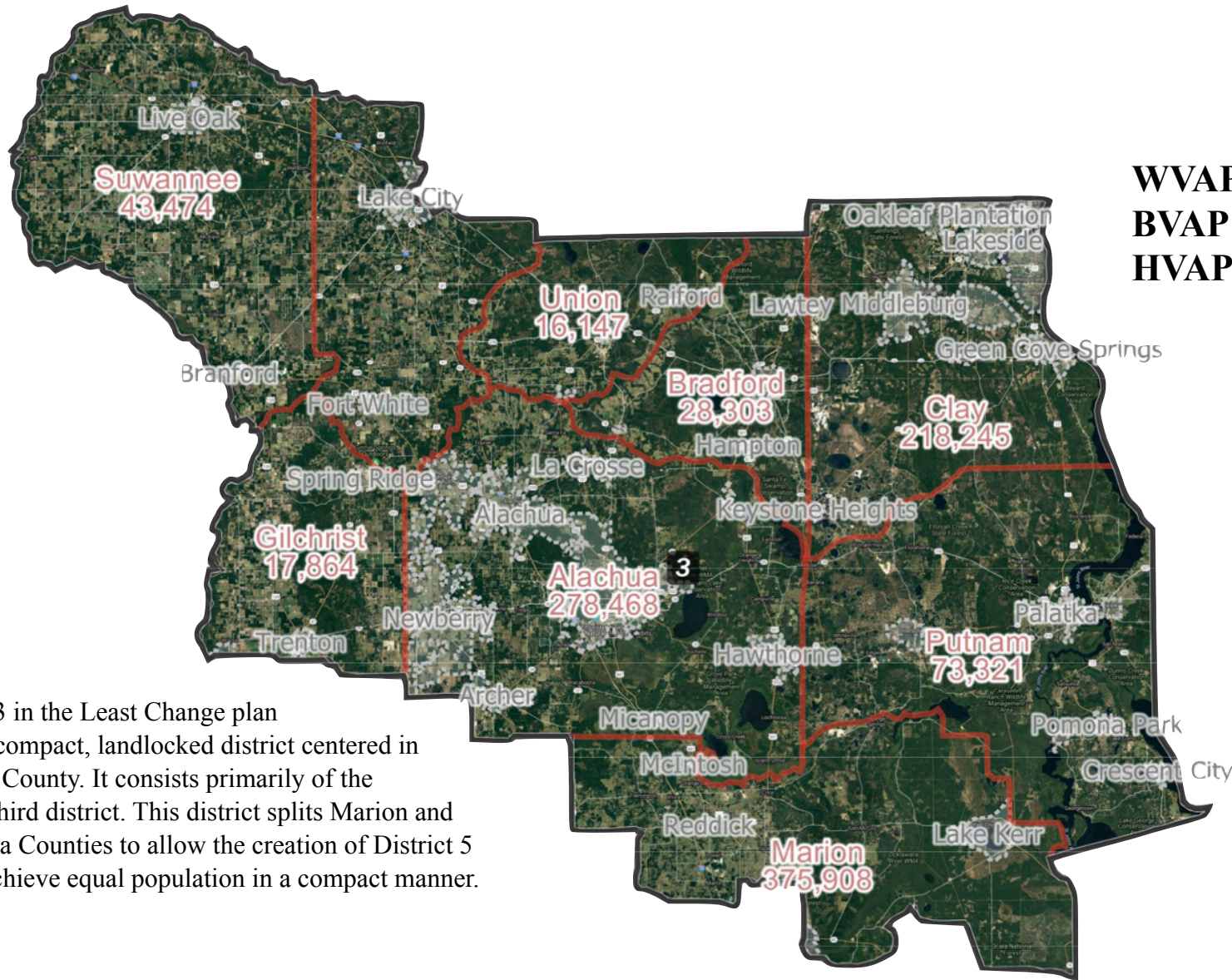


**WVAP: 65.66%**  
**BVAP: 22.91%**  
**HVAP: 6.42%**

In the Unpacking plan, Tallahassee is kept whole. District 2 becomes a more compact District along the Northwest Florida Gulf coast and northern border.



# District 3: Northern Inland (Least Change Only)

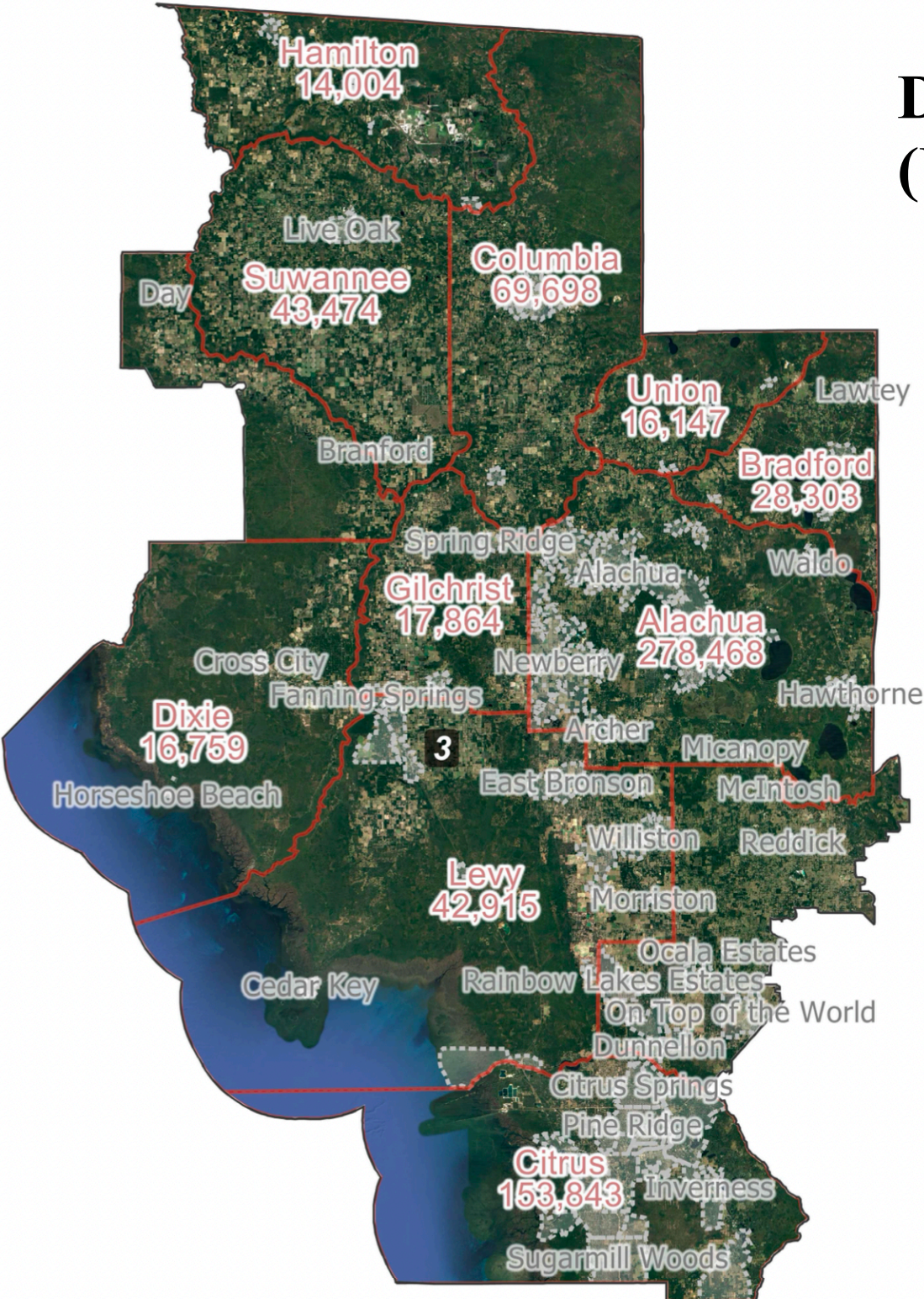


**WVAP: 68.70%**  
**BVAP: 15.29%**  
**HVAP: 9.42%**

District 3 in the Least Change plan forms a compact, landlocked district centered in Alachua County. It consists primarily of the current third district. This district splits Marion and Columbia Counties to allow the creation of District 5 and to achieve equal population in a compact manner.



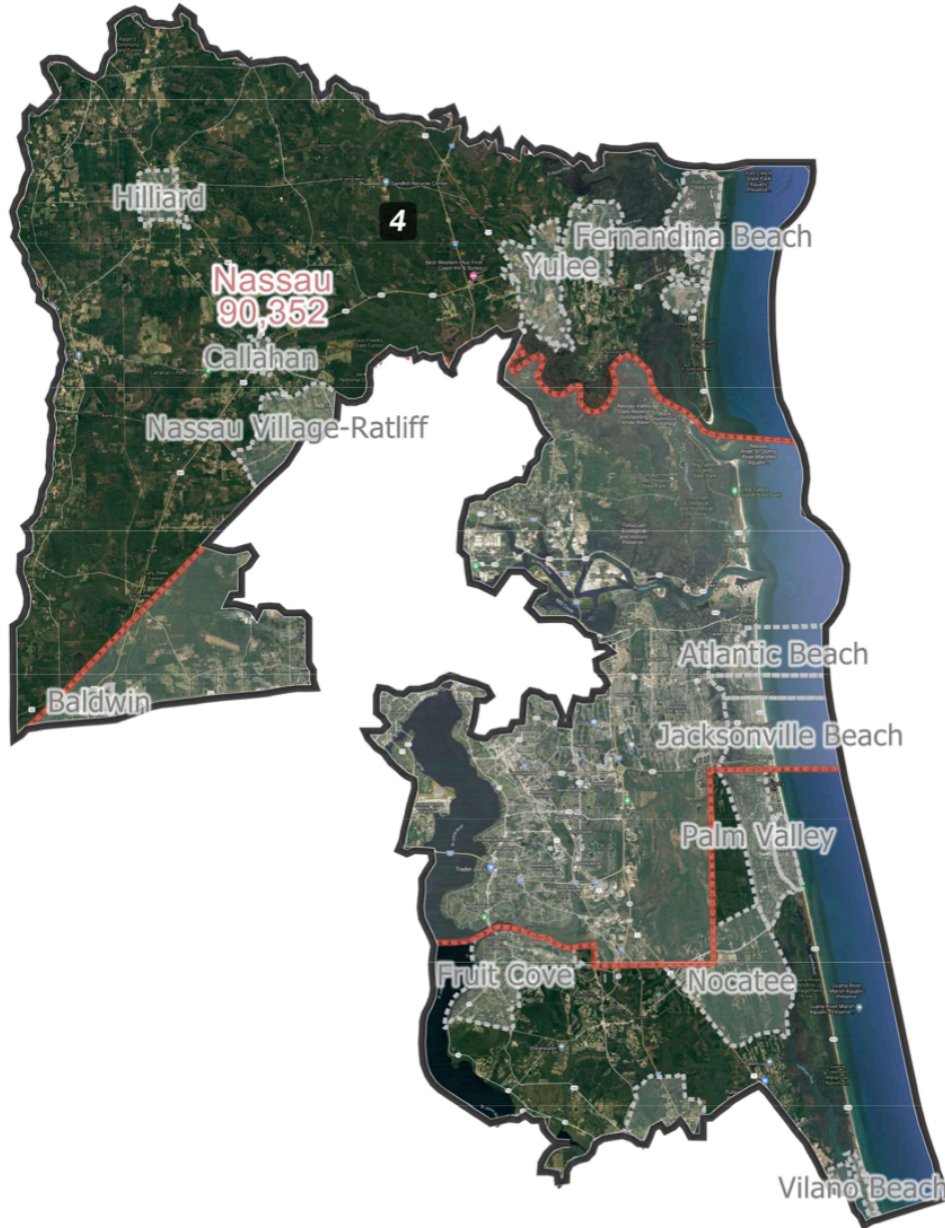
# District 3: Northern Inland (Unpacking Only)



**WVAP: 72.45%**  
**BVAP: 13.19%**  
**HVAP: 8.62%**

District 3 in the Unpacking plan again forms a compact coalition of counties along the northern border and gulf coast. This district is made possible by the elimination of District 5 in the North.

# District 4: Jacksonville (Least Change Only)



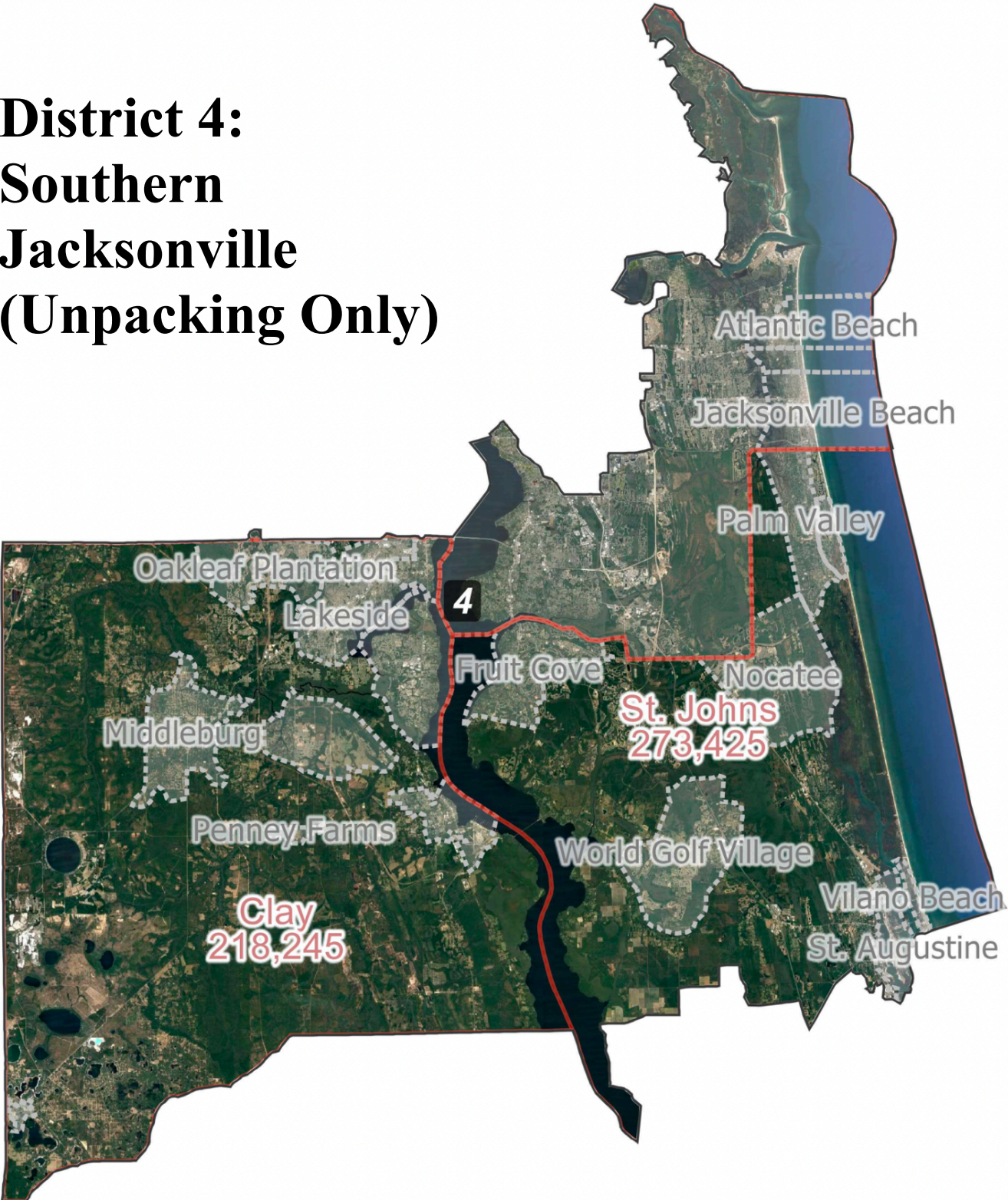
**WVAP: 71.80%**  
**BVAP: 10.29%**  
**HVAP: 9.29%**

District 4 in the Least Change plan captures the Northeast portion of the State in Nassau and Duval counties. District 5 captures the majority-black portion of Jacksonville, leaving the white portions of the region to District 4. The district is quite conservative given it's



# District 4: Southern Jacksonville (Unpacking Only)

**WVAP: 72.07%**  
**BVAP: 10.34%**  
**HVAP: 9.23%**

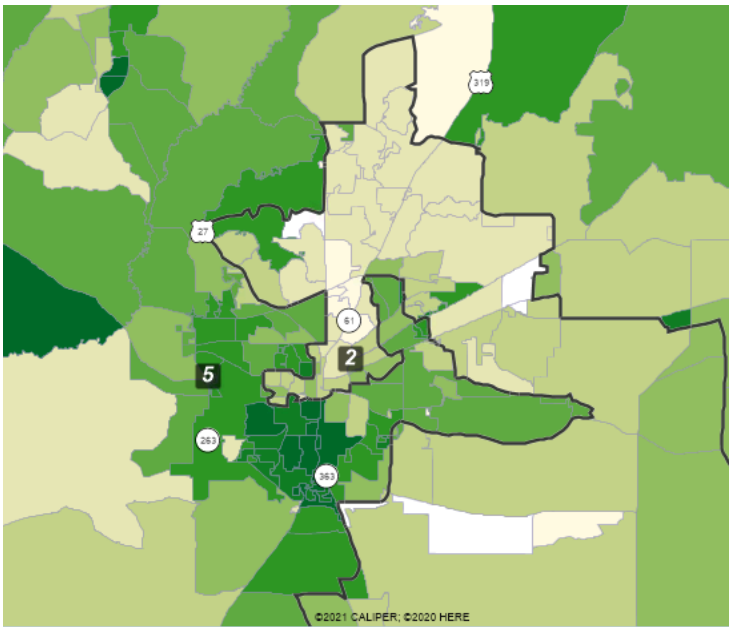


District 4 in the Unpacking plan captures Southern Jacksonville in addition to the northern portions of St. Johns and Clay counties. This district largely captures the white areas around Jacksonville.

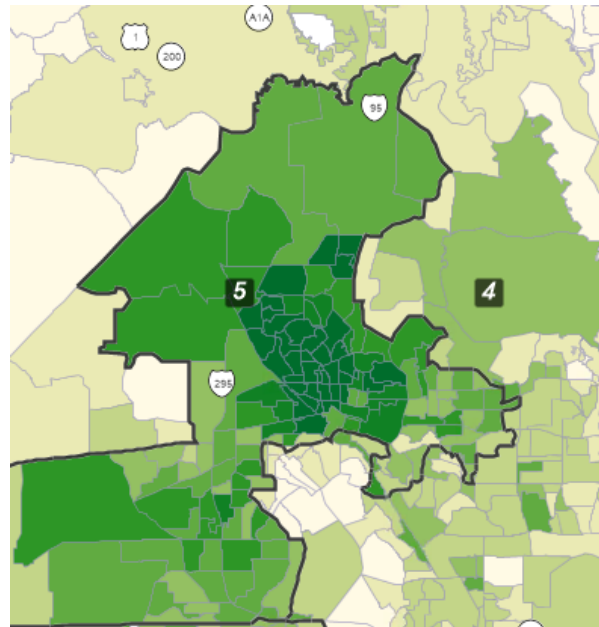
# District 5: Northern Border (Least Change Only)



Tallahassee Zoom



Jacksonville Zoom



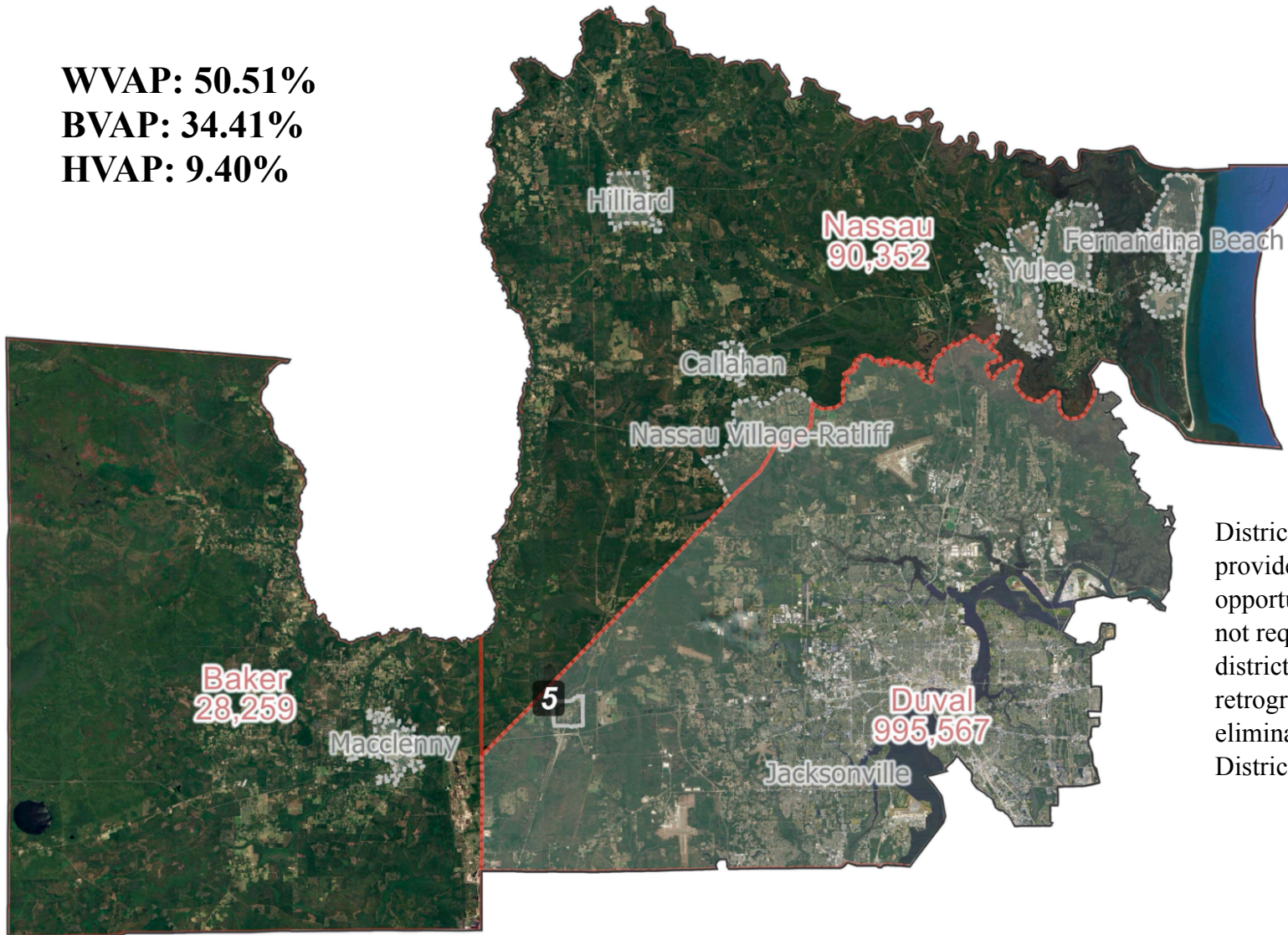
**WVAP: 41.15%**  
**BVAP: 45.73%**  
**HVAP: 8.81%**

The fifth district in the Least Change plan forms the Northern black VRA district. This district links the black portions of Jacksonville and Tallahassee through the rural portions of the state along the Georgia border. While a majority-black district is not possible, eliminating this performing opportunity district would likely be retrogressive. The district is majority-minority, however, so it could probably satisfy *Gingles I* if necessary.



# District 5: Black Opportunity (Unpacking Only)

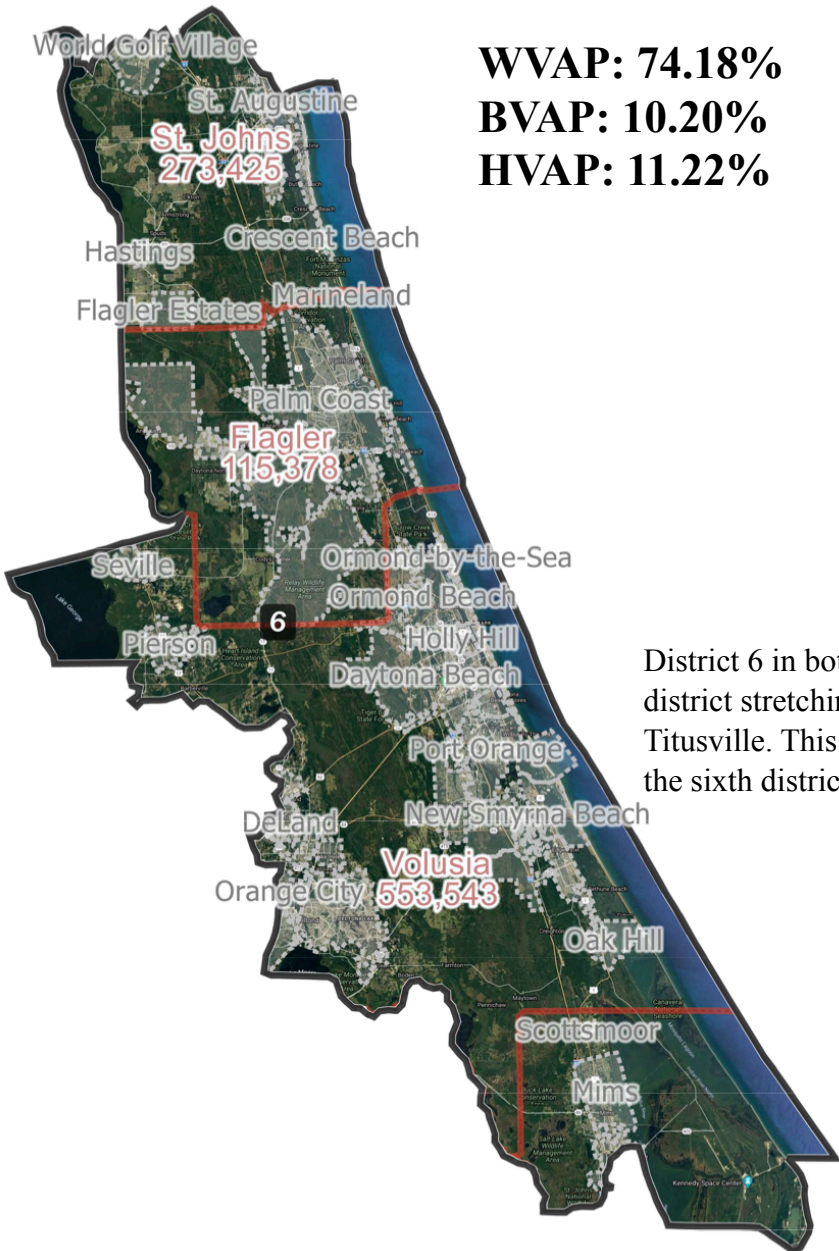
**WVAP: 50.51%**  
**BVAP: 34.41%**  
**HVAP: 9.40%**



District 5 in the Unpacking Plan provides a compact black opportunity district. This district is not required by the VRA, but this district could provide minimal retrogression in the event of the elimination of the non-compact District 5 by a court.

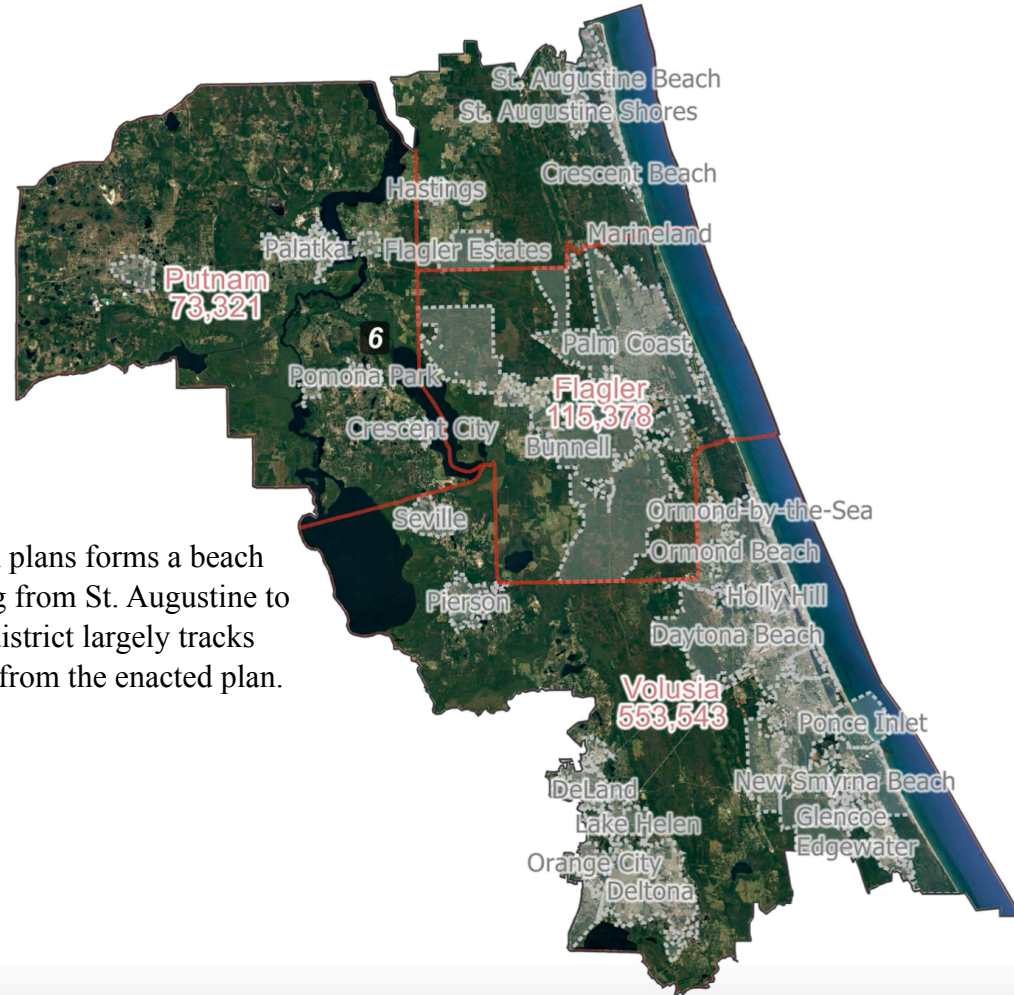
# District 6: Eastern Shoreline

**Least Change Plan**



**WVAP: 74.18%**  
**BVAP: 10.20%**  
**HVAP: 11.22%**

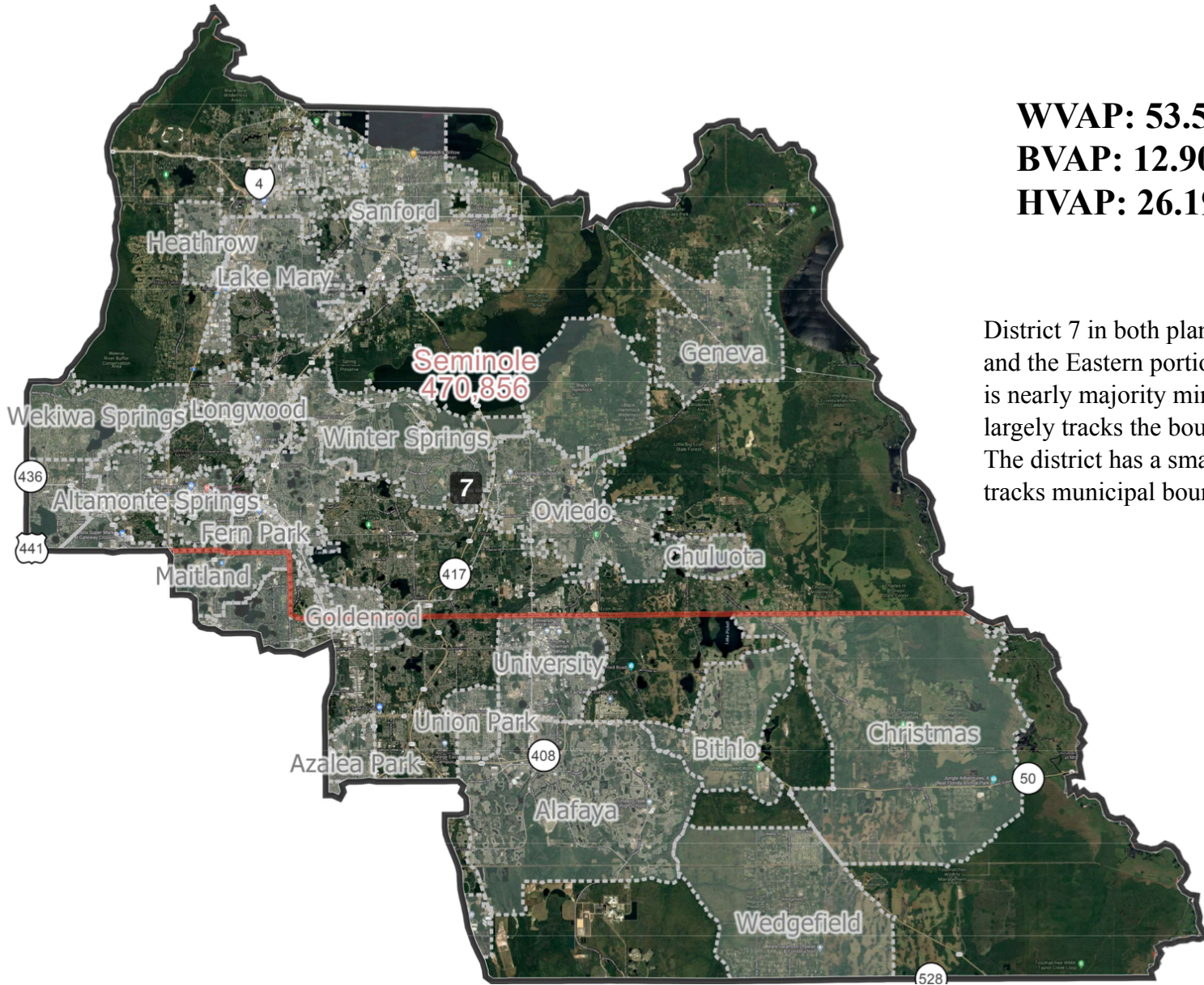
**Unpacking Plan**



District 6 in both plans forms a beach district stretching from St. Augustine to Titusville. This district largely tracks the sixth district from the enacted plan.



# District 7: Seminole and Eastern Orange Counties



**WVAP: 53.54%**  
**BVAP: 12.90%**  
**HVAP: 26.19%**

District 7 in both plans contains all of Seminole County and the Eastern portion of Orange County. The district is nearly majority minority and is quite competitive. It largely tracks the boundaries of the enacted District 7. The district has a small piece of Orlando but otherwise tracks municipal boundaries.

# District 8: Brevard Beach District

**WVAP: 74.29%**  
**BVAP: 10.25%**  
**HVAP: 10.17%**

District 8 in both plans contains all of Brevard County and some portions of counties to the North and South along the beach. Stretching from Titusville to Vero Beach, this district captures the beach cities East of Orlando. As a supermajority-white district, the partisan lean is about R+16, lower than racial demographics alone would suggest.





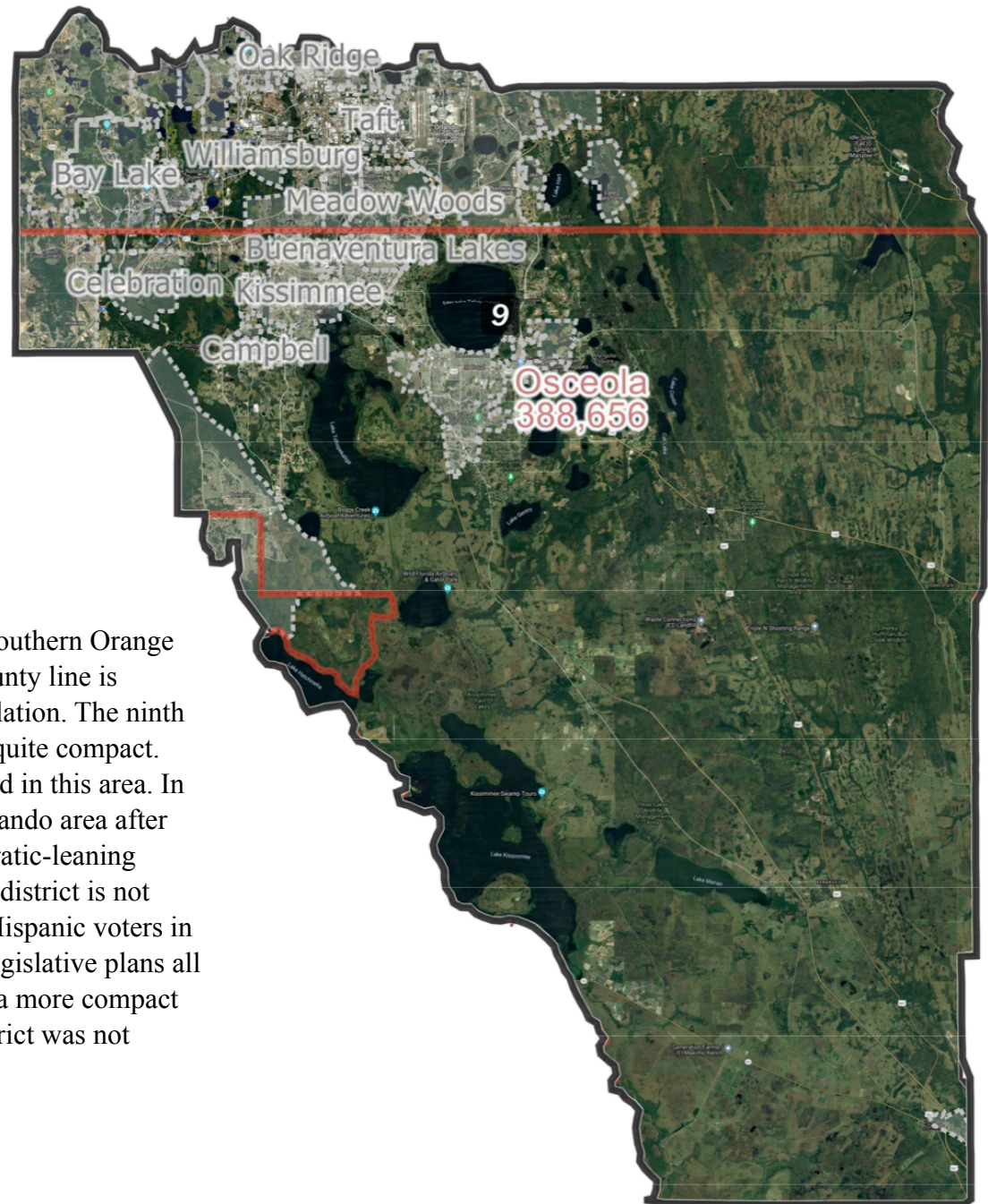
# District 9: Majority-Minority in Osceola County

**WVAP: 33.63%**

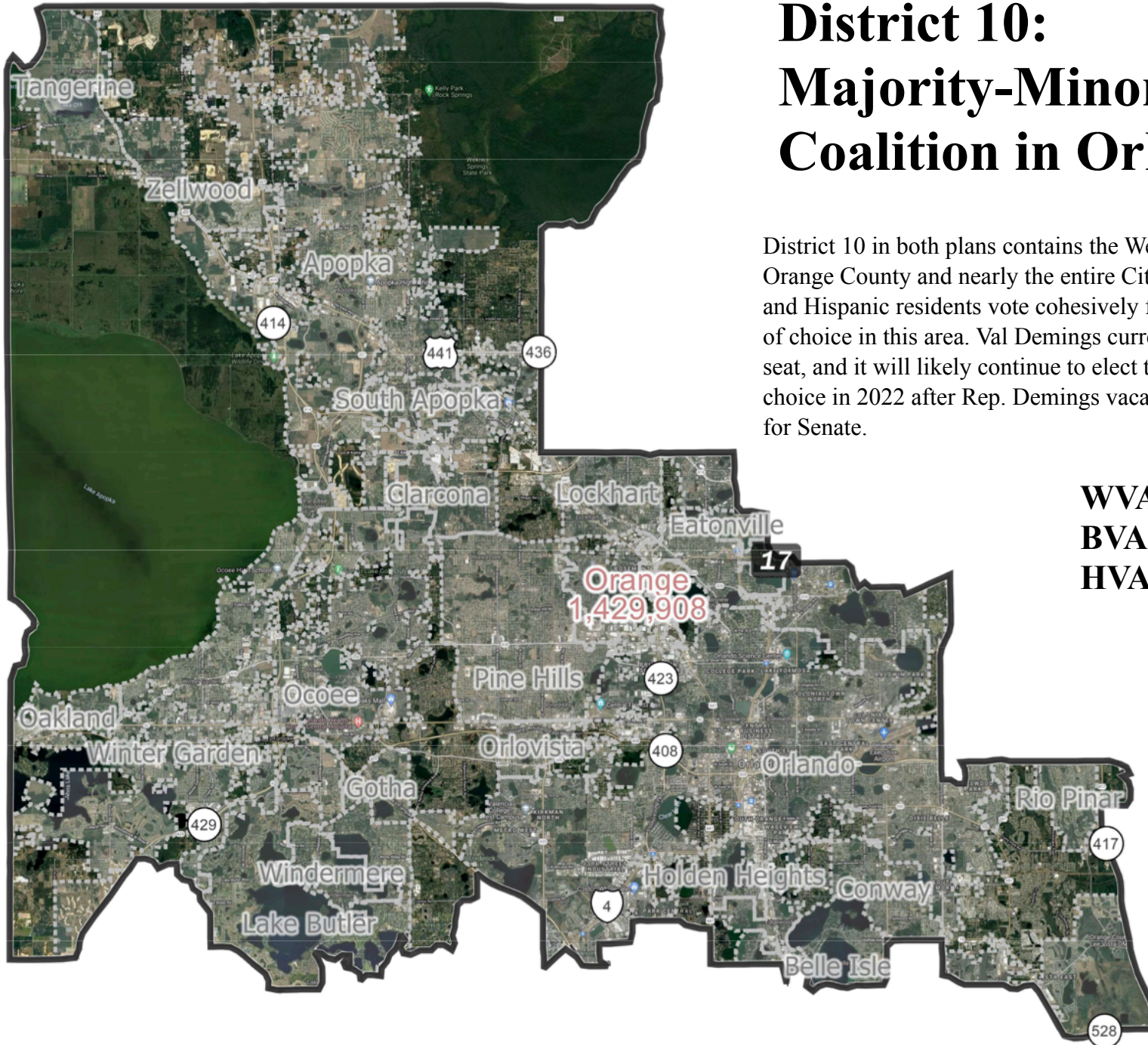
**BVAP: 12.99%**

**HVAP: 46.81%**

District 9 in both plans contains all of Osceola County, Southern Orange county, and a small portion of Polk County where the county line is irregular and a split was necessary to achieve equal population. The ninth district constitutes a Hispanic opportunity district and is quite compact. Much of the population growth in central Florida occurred in this area. In particular, many Puerto Rican residents moved to the Orlando area after Hurricane Maria, adding a substantial number of Democratic-leaning Hispanic citizens to the area. A majority-Hispanic CVAP district is not possible, but because black voters vote cohesively with Hispanic voters in the area, a coalition district is likely justified. The state legislative plans all include a majority-Hispanic VAP district, but I opted for a more compact coalition district because a majority-Hispanic citizen district was not possible.







# District 10: Majority-Minority Coalition in Orlando

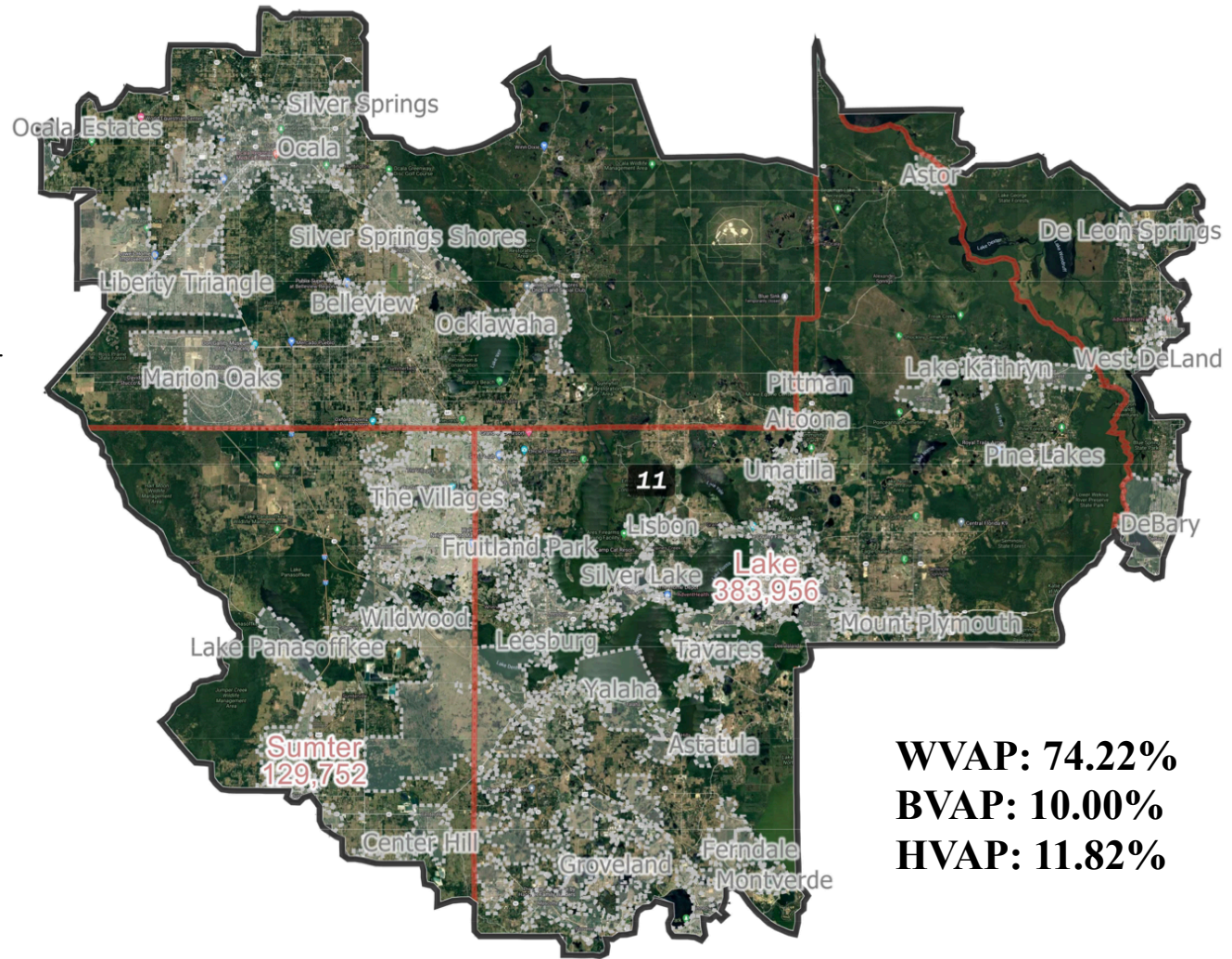
District 10 in both plans contains the Western portion of Orange County and nearly the entire City of Orlando. Black and Hispanic residents vote cohesively for their candidates of choice in this area. Val Demings currently represents the seat, and it will likely continue to elect the coalition's choice in 2022 after Rep. Demings vacated her seat to run for Senate.

**WVAP: 39.47%**  
**BVAP: 27.59%**  
**HVAP: 26.54%**



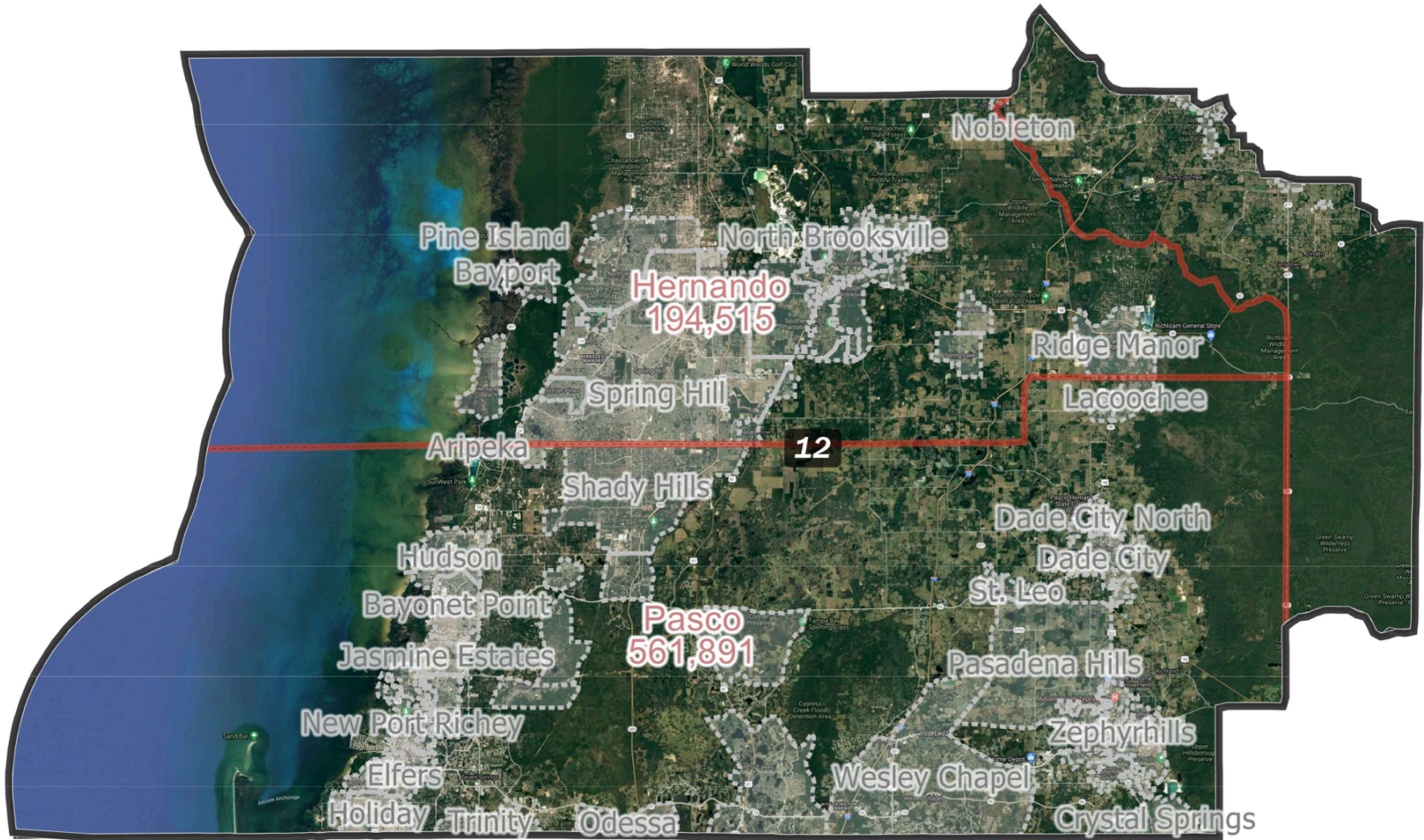
# District 11: A Compact Leftover District

District 11 has seen some of the fastest population growth in the country, particularly in Lake County. This growth has been driven predominantly by conservative, white retirees moving to the district from Northern states. The District also splits Southern Marion County to form a compact inland district.





# District 12: Hernando and Pasco Counties



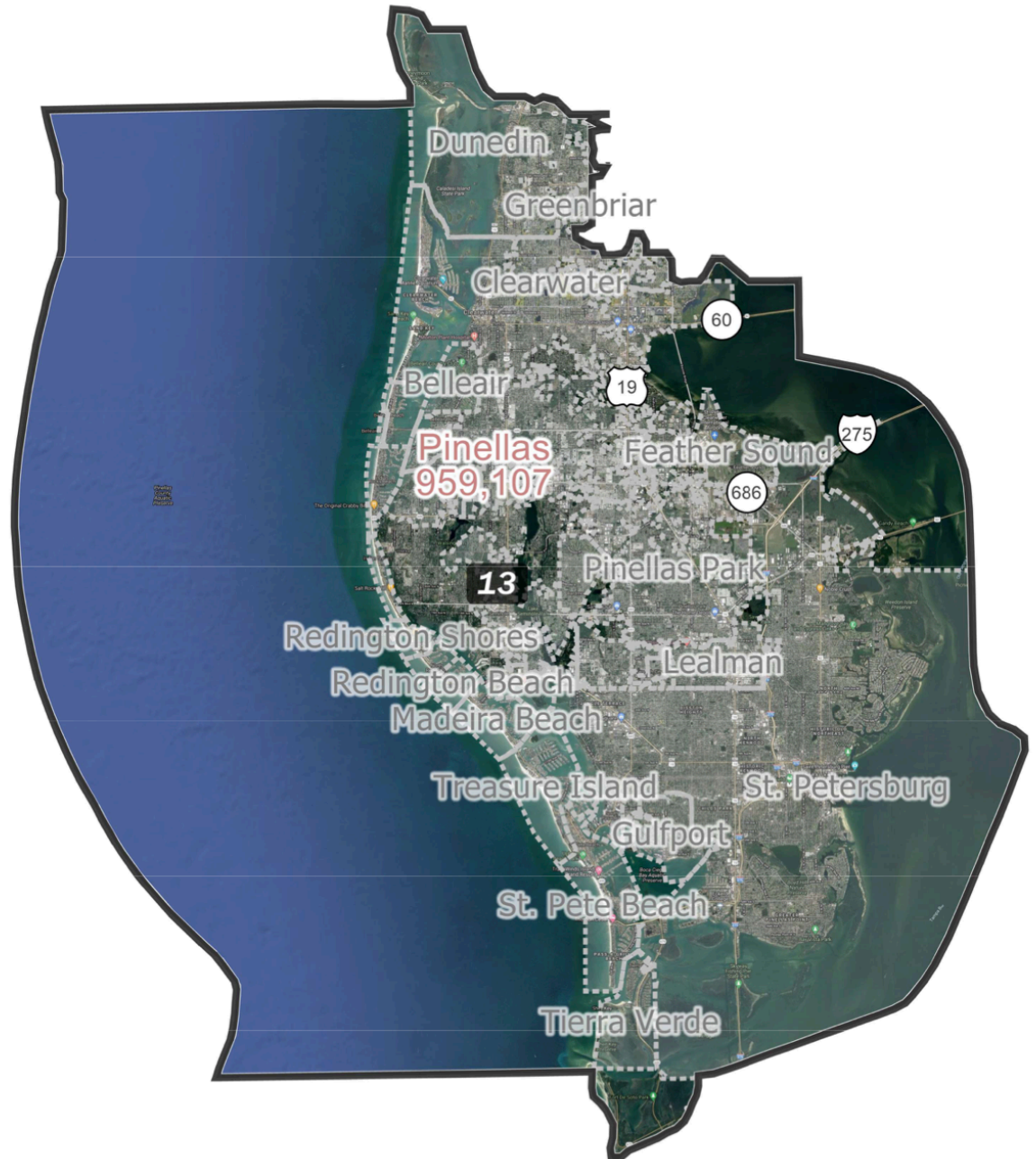
Hernando and Pasco Counties nearly achieve the ideal district population on their own. Almost every plan creates a district featuring these two beach counties. The district also includes a portion of rural Sumter County to the East to achieve population equality.

**WVAP: 74.25%**  
**BVAP: 6.64%**  
**HVAP: 14.06%**

# District 13: Pinellas County

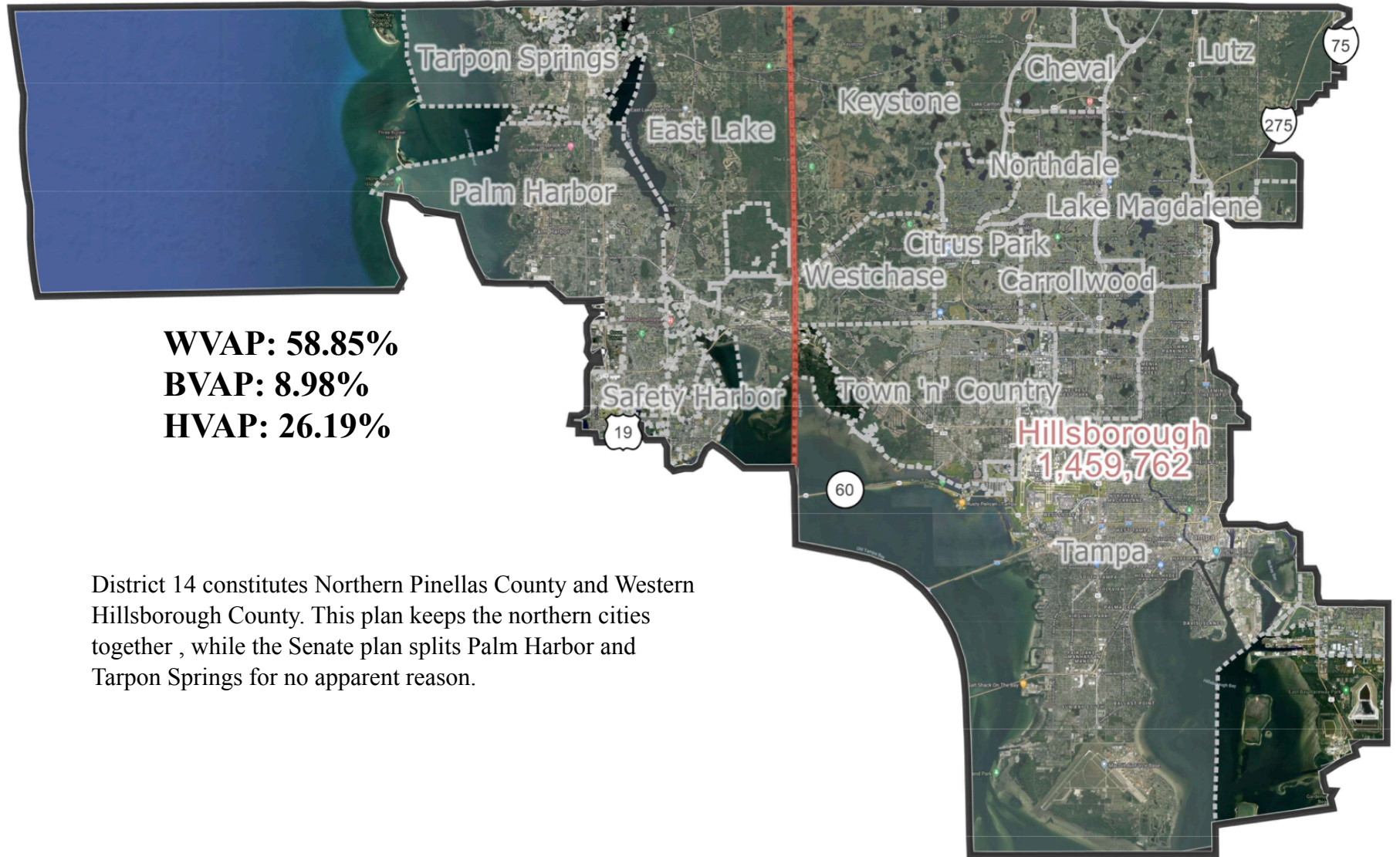
District 13 constitutes the Southern portion Pinellas County, centered in St. Petersburg. Keeping Pinellas County whole better complies with the Fair Districts Amendment criteria, and the Republican Gerrymander instead tries to cross Tampa Bay to form a strongly Democratic district.

**WVAP: 72.58%**  
**BVAP: 11.42%**  
**HVAP: 9.64%**





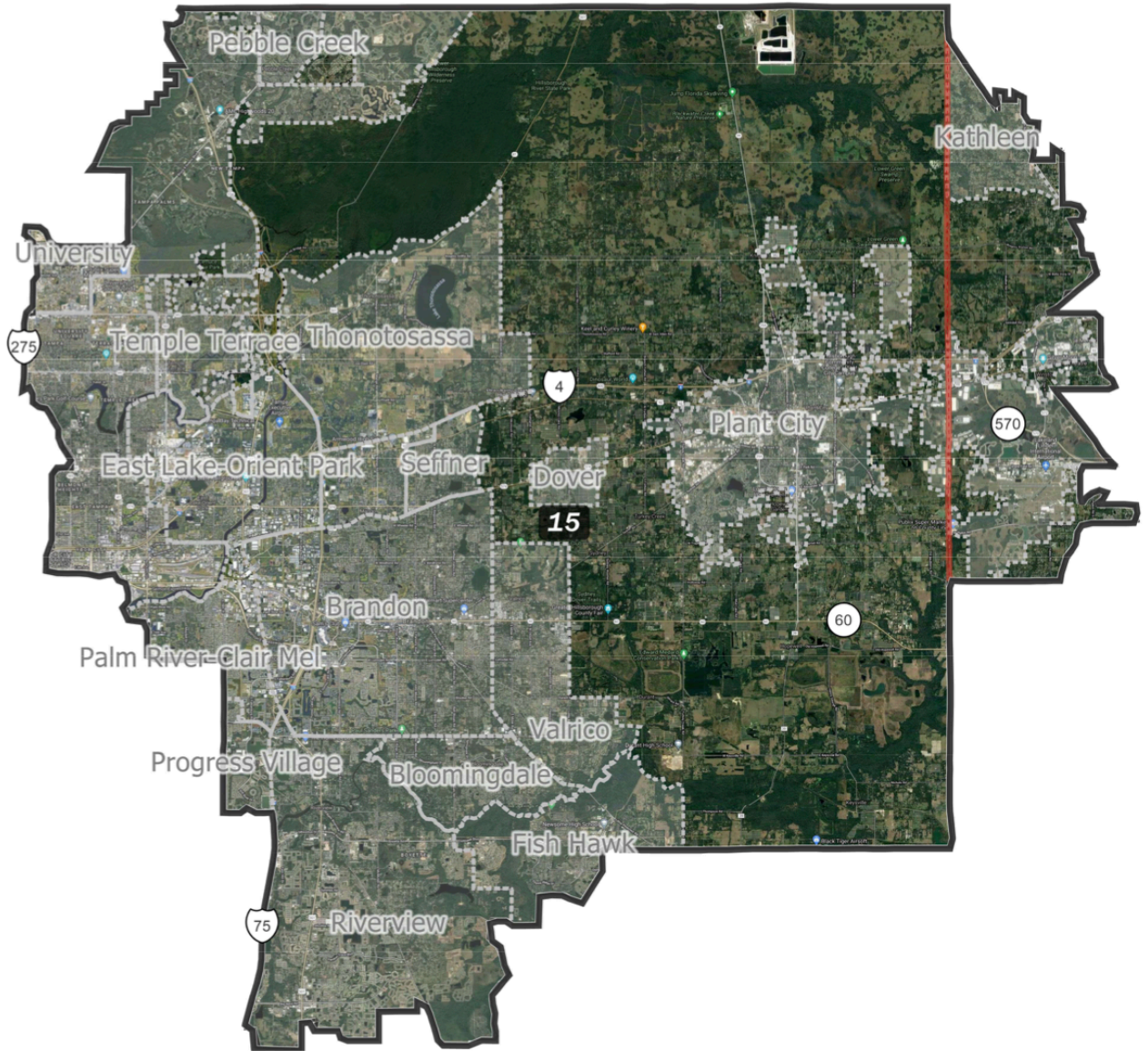
# District 14: Tampa and Northern Pinellas County



# District 15: Eastern Hillsborough County

The fifteenth district contains Eastern Hillsborough County. The district largely follows municipal boundaries and is majority-minority. Like the other Tampa Bay districts, District 15 is very competitive from a partisan perspective.

**WVAP: 46.79%**  
**BVAP: 22.86%**  
**HVAP: 23.88%**

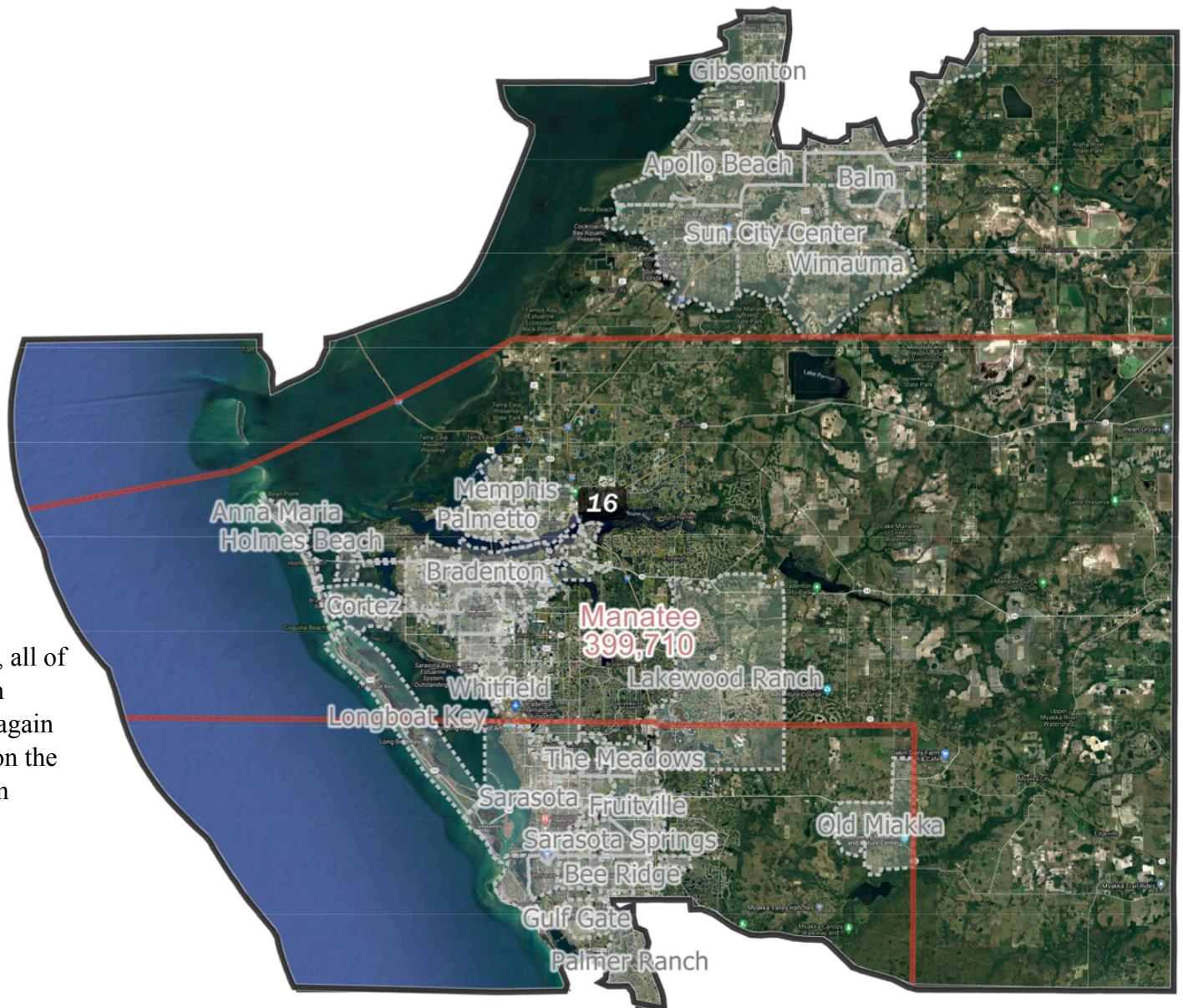




# District 16: Eastern Hillsborough County

**WVAP: 72.09%**  
**BVAP: 8.26%**  
**HVAP: 15.3%**

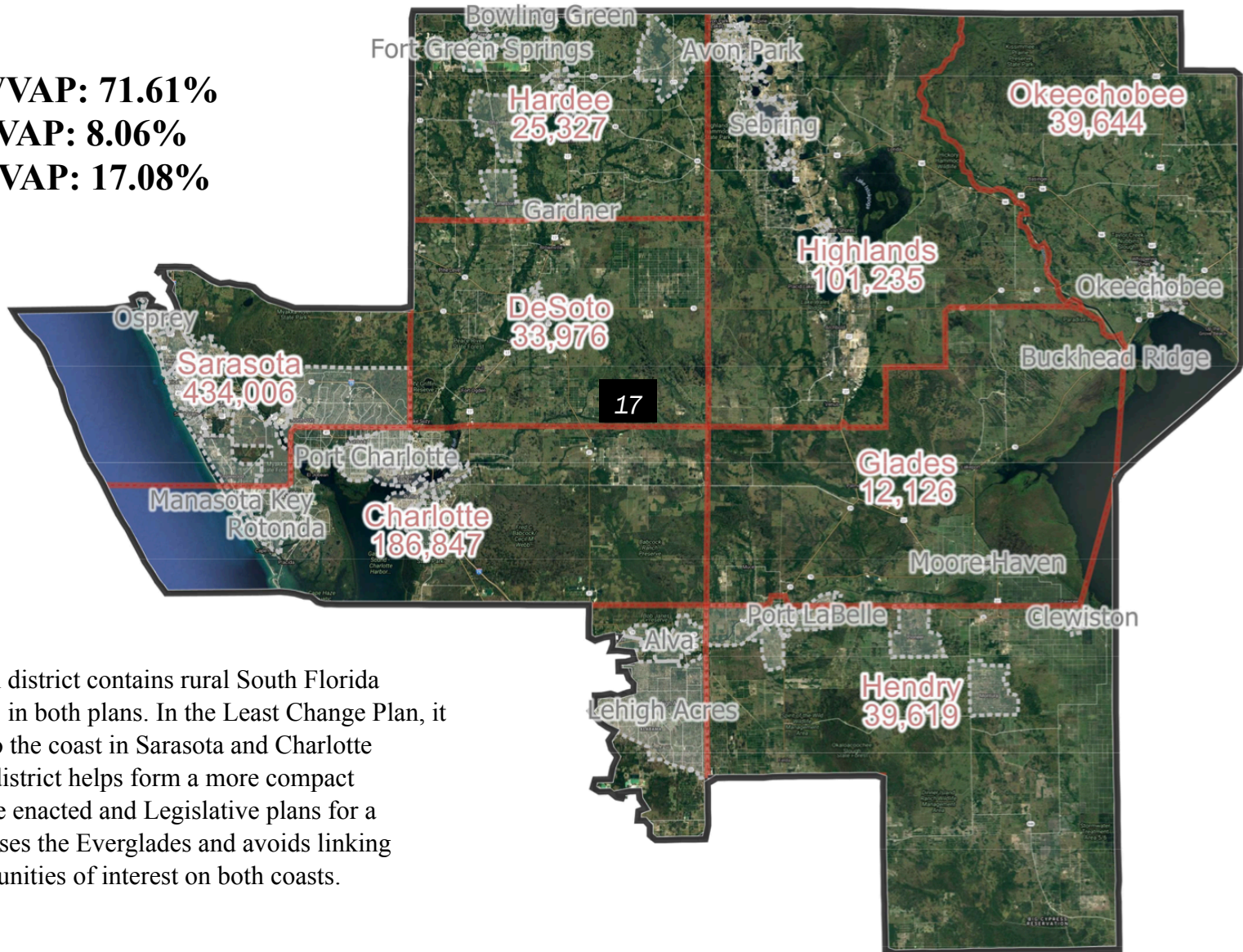
The sixteenth district contains southern Hillsborough County, all of Manatee County, and Northern Sarasota County. This district again links communities of interest on the coast, stretching from Southern Tampa suburbs to the city of Sarasota.





# District 17: Southern Inland District (Least Change)

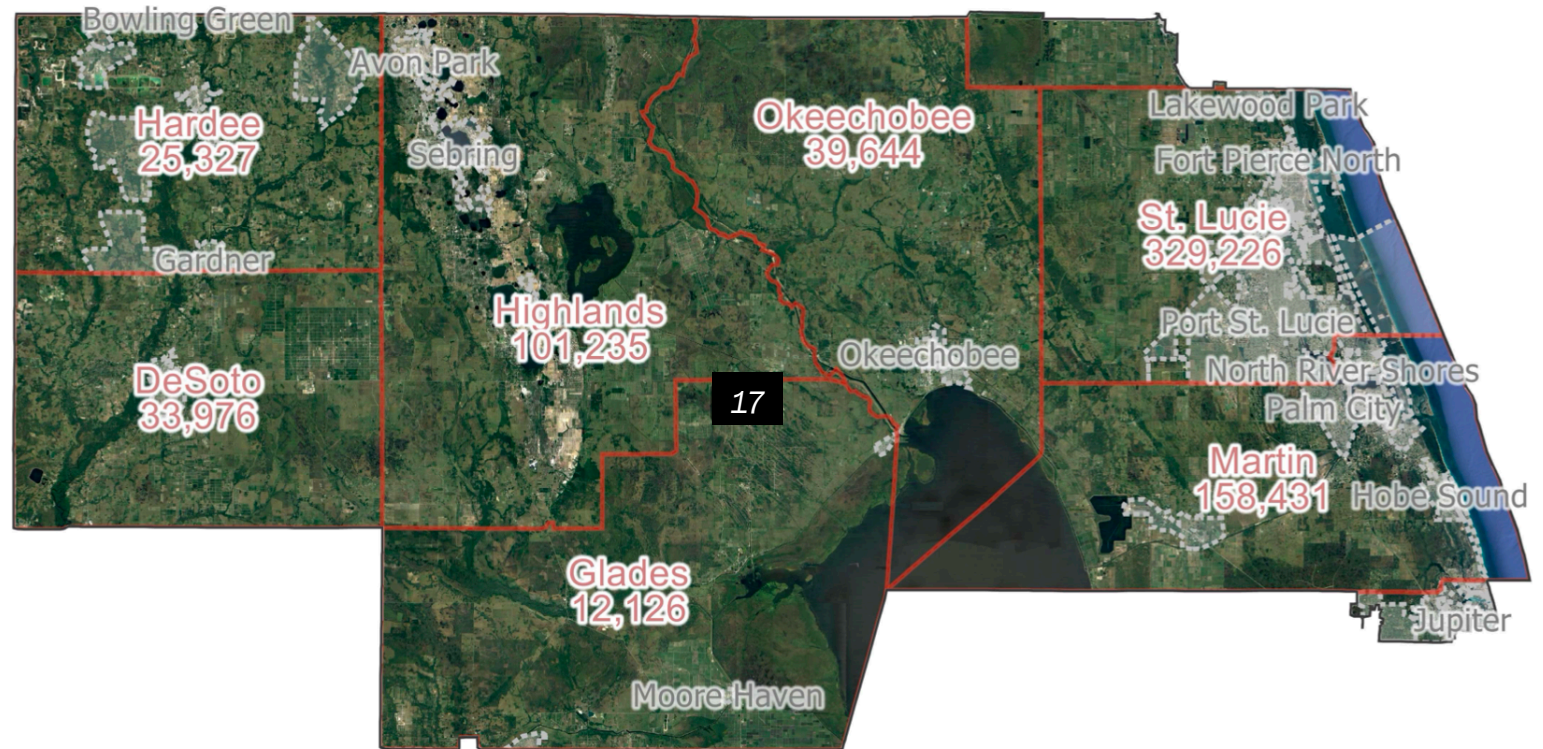
**WVAP: 71.61%**  
**BVAP: 8.06%**  
**HVAP: 17.08%**



The seventeenth district contains rural South Florida interior counties in both plans. In the Least Change Plan, it stretches west to the coast in Sarasota and Charlotte Counties. This district helps form a more compact alternative to the enacted and Legislative plans for a district that crosses the Everglades and avoids linking disparate communities of interest on both coasts.

# District 17: Southern Inland District (Unpacking)

**WVAP: 66.38%**  
**BVAP: 12.66%**  
**HVAP: 17.38%**



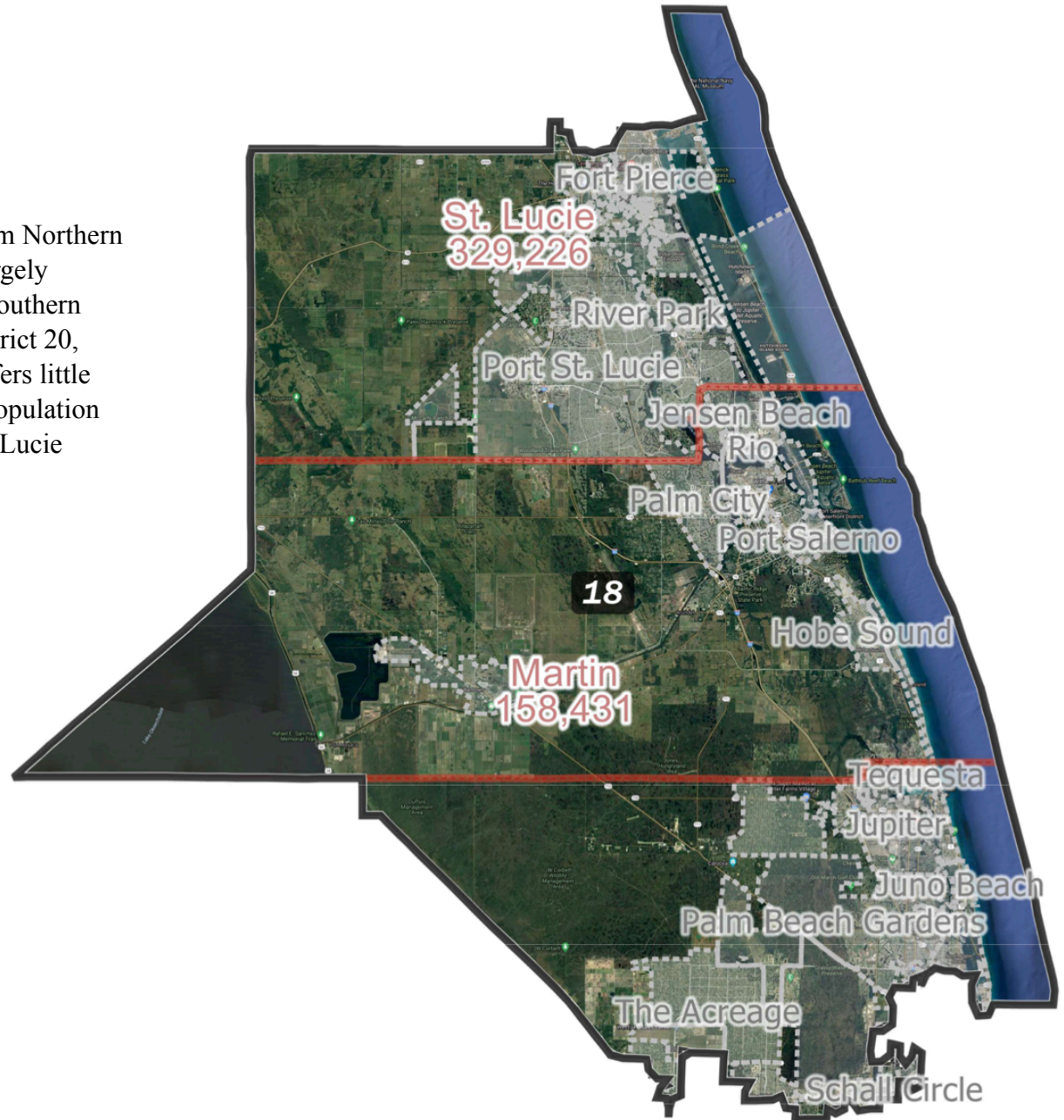
The seventeenth district contains rural South Florida interior counties in both plans. In the Unpacking Plan, it stretches East to the Atlantic coast in St. Lucie and Martin Counties. This district helps form a more compact alternative to the enacted and Legislative plans for a district that crosses the Everglades and avoids linking disparate communities of interest on both coasts.



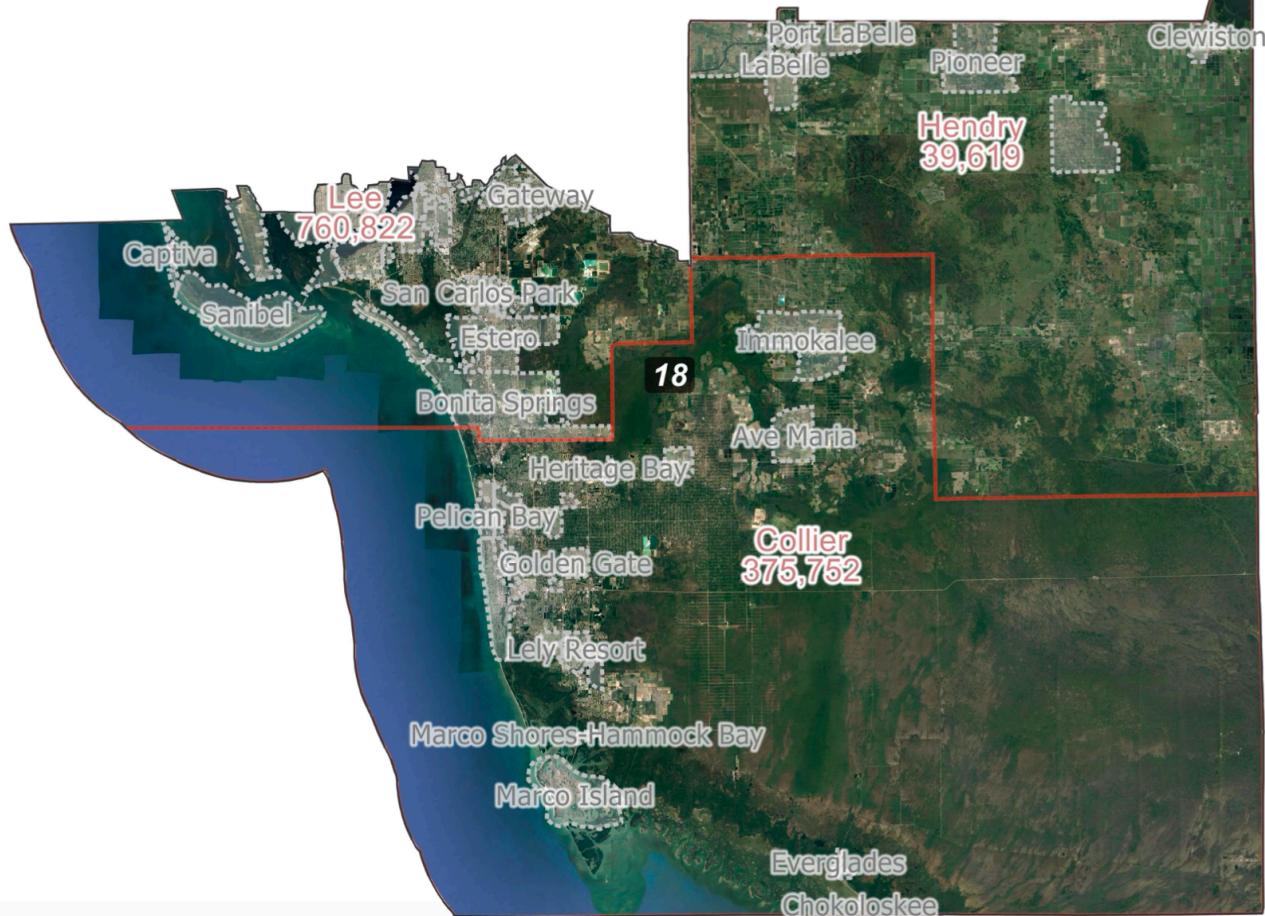
# District 18: Middle Beach Cities (Least Change)

The eighteenth district contains beach cities from Northern Palm Beach to St. Lucie County. The district largely follows municipal lines to avoid splits, but its Southern border is constructed by the majority-black District 20, and some splits were necessary. The district differs little from the current District 18. Because of rapid population growth, the district no longer includes all of St. Lucie county.

**WVAP: 67.37%**  
**BVAP: 12.50%**  
**HVAP: 15.77%**



# District 18: Southwest (Unpacking)



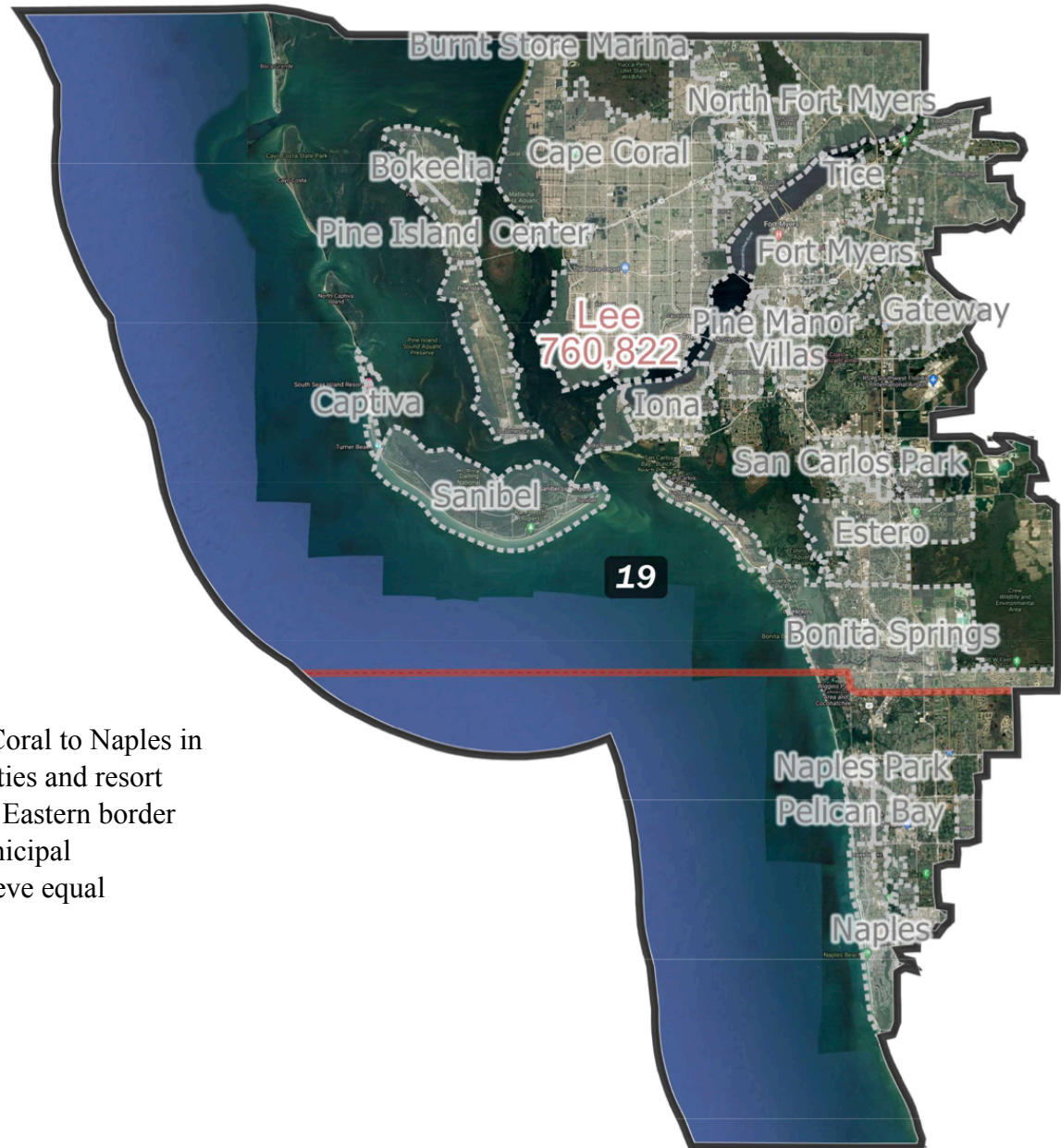
District 18 contains Henry, Collier, and southern Lee counties. The district is compact and minimizes splitting in Western South Florida.

**WVAP: 72.1%**  
**BVAP: 4.98%**  
**HVAP: 19.57%**



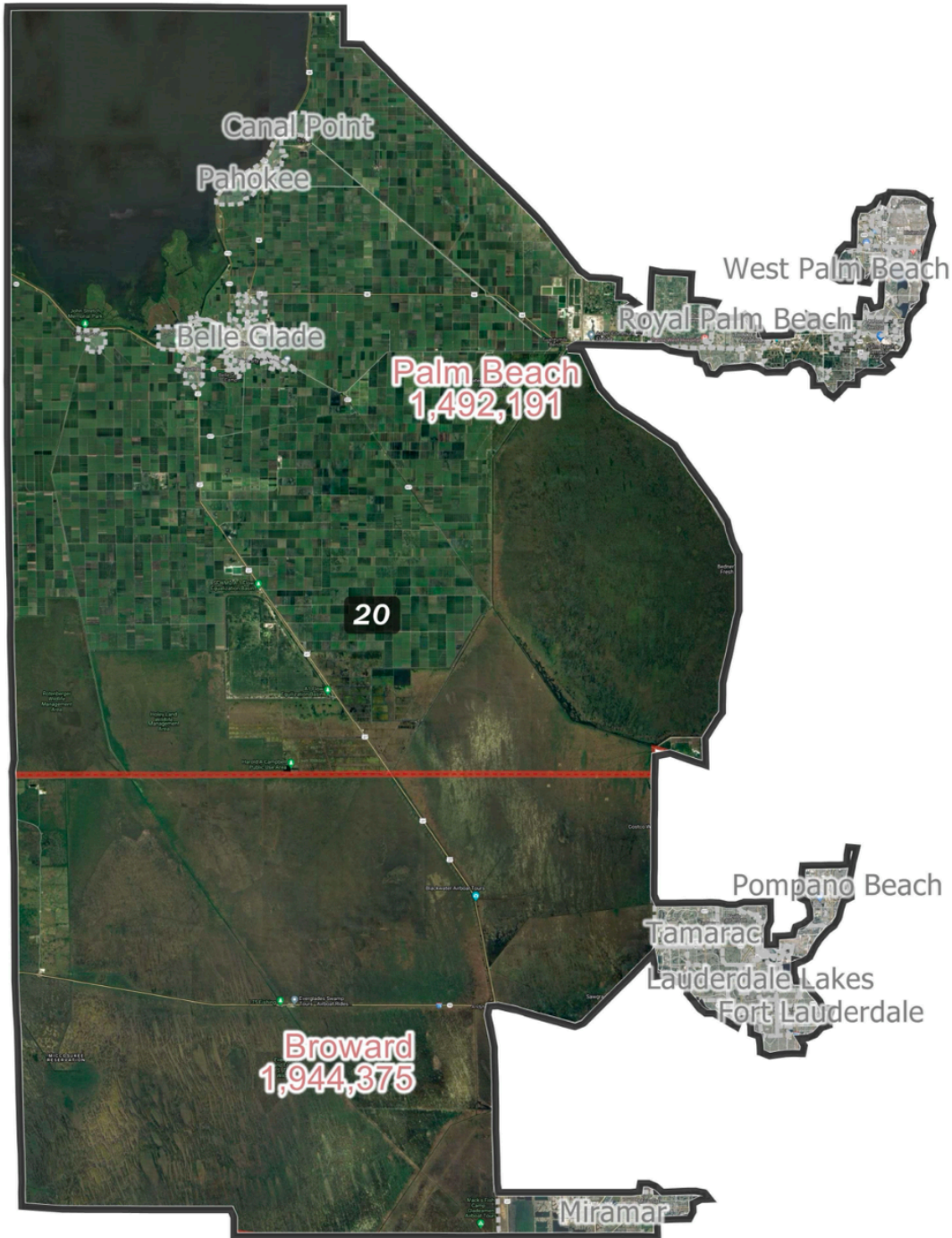
# District 19: Western Beach Cities

**WVAP: 75.98%**  
**BVAP: 5.18%**  
**HVAP: 15.13%**



The nineteenth district spans from Cape Coral to Naples in both plans. This district captures beach cities and resort areas along the Southern Gulf Coast. The Eastern border of this district is mostly composed of municipal boundaries. Splits were necessary to achieve equal population in Lee and Collier counties.

# District 20: Majority-Black (Least Change)

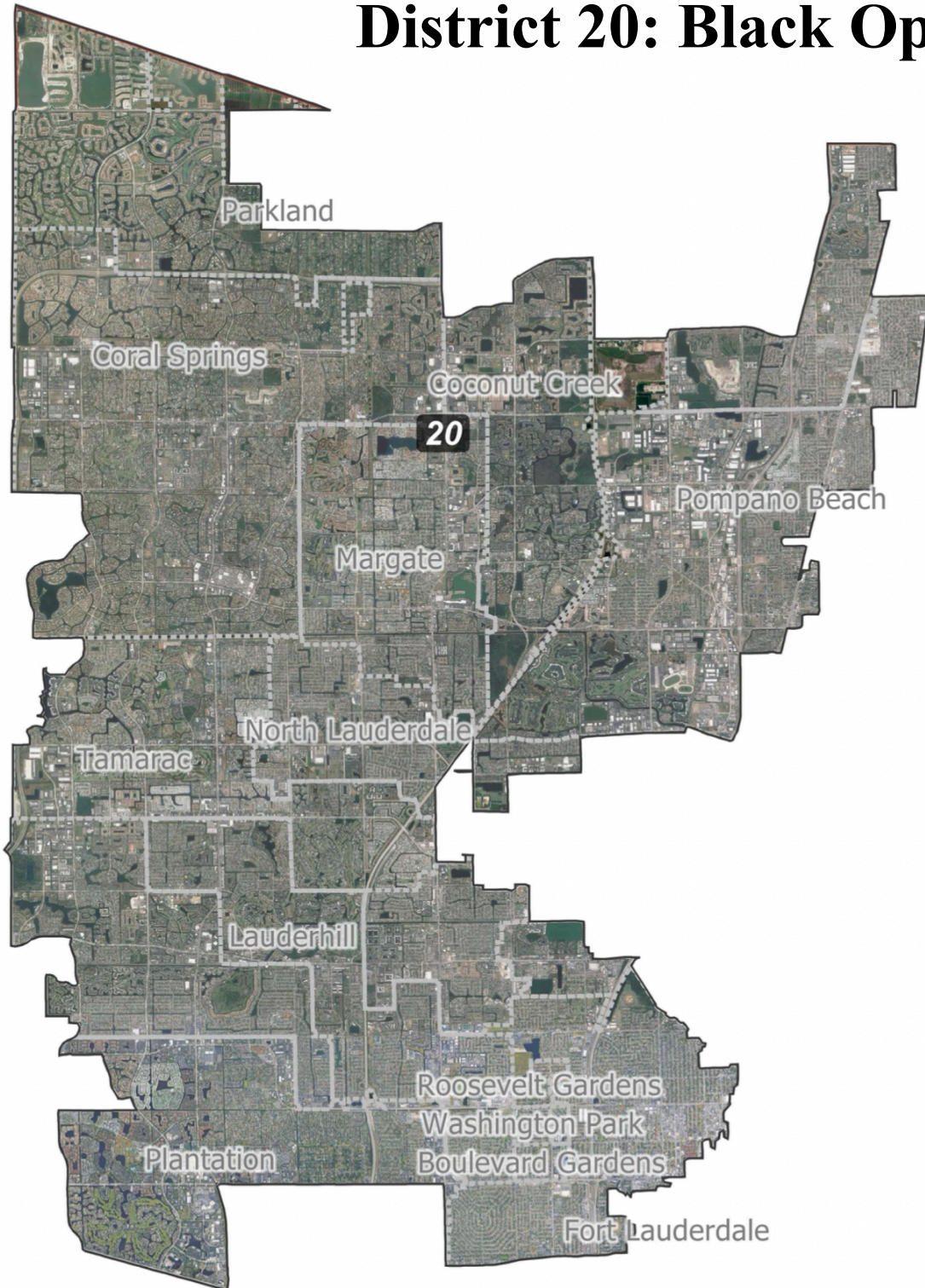


**WVAP: 18.69%**  
**BVAP: 51.59%**  
**HVAP: 26.55%**

The twentieth district in the Least Change plan links black communities in Palm Beach, Ft. Lauderdale, and Miramar to form a majority-black district. Almost no one lives in the western portions of this district, but it becomes somewhat compact by including the Everglades.



# District 20: Black Opportunity (Unpacking)



**WVAP: 28.05%**  
**BVAP: 43.39%**  
**HVAP: 23.28%**

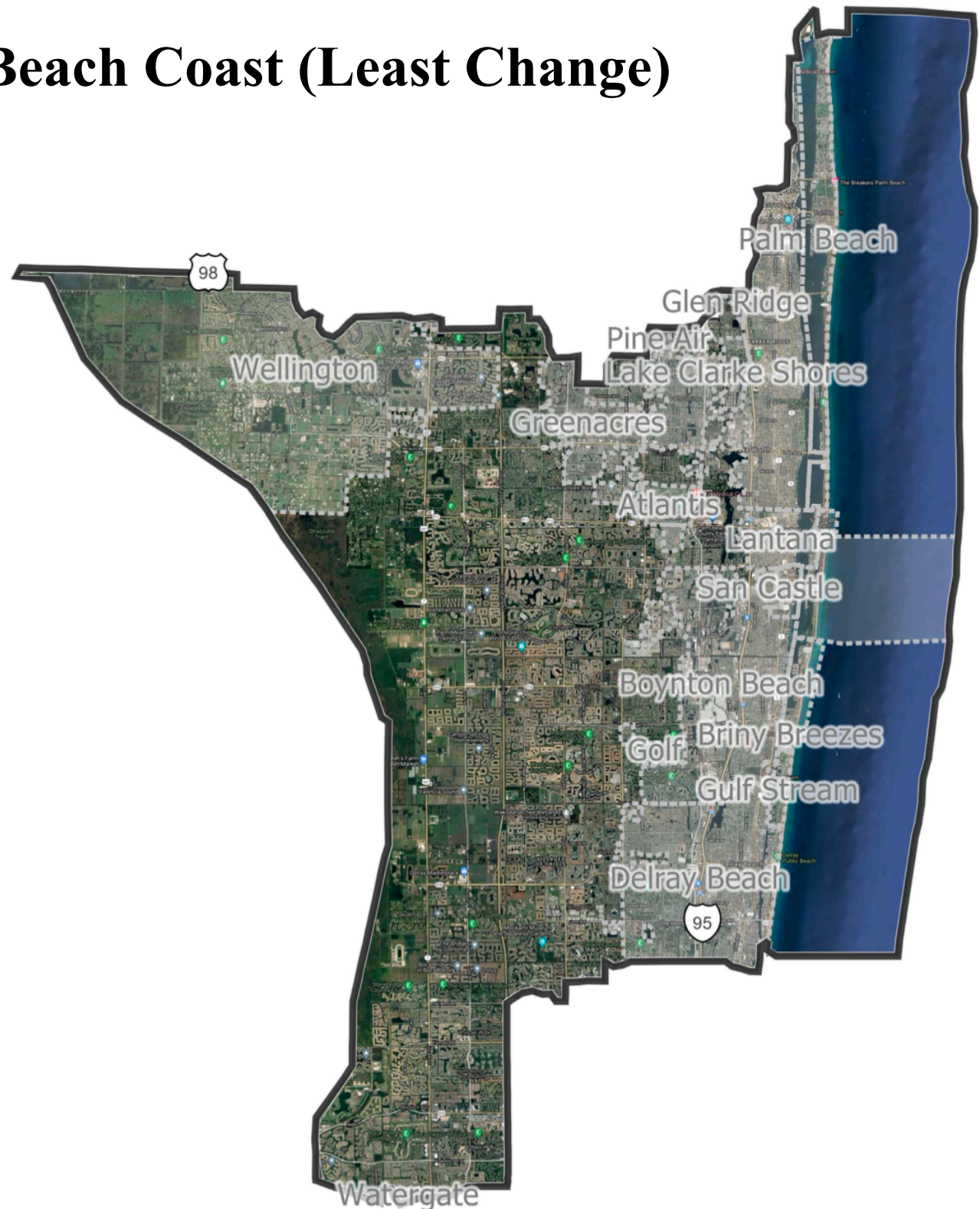
Unpacking District 20 creates a black opportunity district in just the Ft. Lauderdale black community. While the BVAP is under 50%, this district should easily perform for the black candidate of choice. This district is far more compact and avoids using the Everglades to manipulate the compactness score.



# District 21: Palm Beach Coast (Least Change)

**WVAP: 57.30%**  
**BVAP: 15.05%**  
**HVAP: 22.92%**

District 21 contains the beach cities in Palm Beach County in addition to the more interior suburbs. This plan avoids additional county splits by splitting the non-majority-minority area of Palm Beach and Broward Counties east-west rather than north-south.



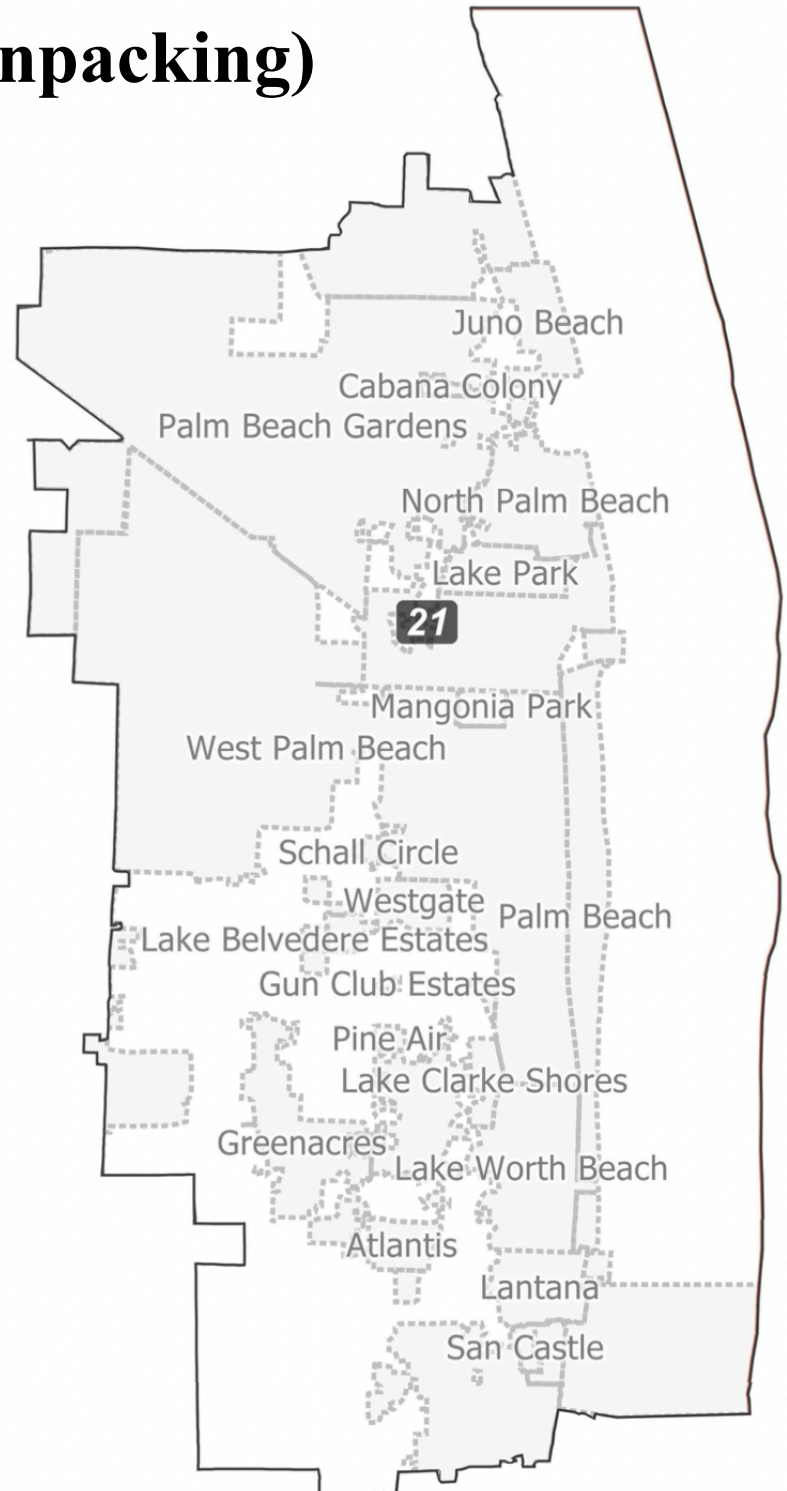
# District 21: Palm Beach Coast (Unpacking)

**WVAP: 47.38%**

**BVAP: 22.07%**

**HVAP: 26.66%**

In the Unpacking plan, District 21 follows largely the same path through the beach cities of Palm Beach County. The district is made more compact by the changes to District 20.

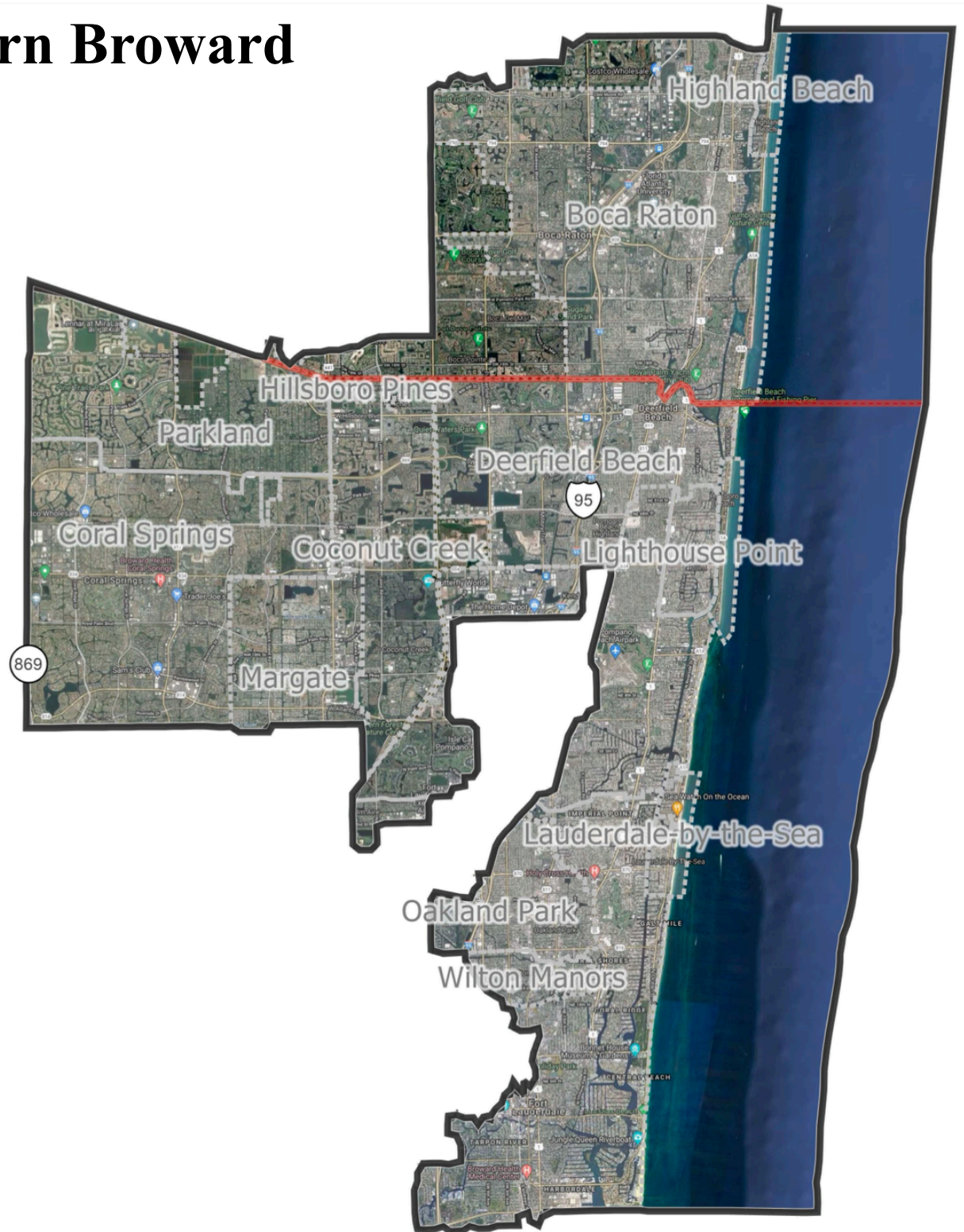




# District 22: Northern Broward

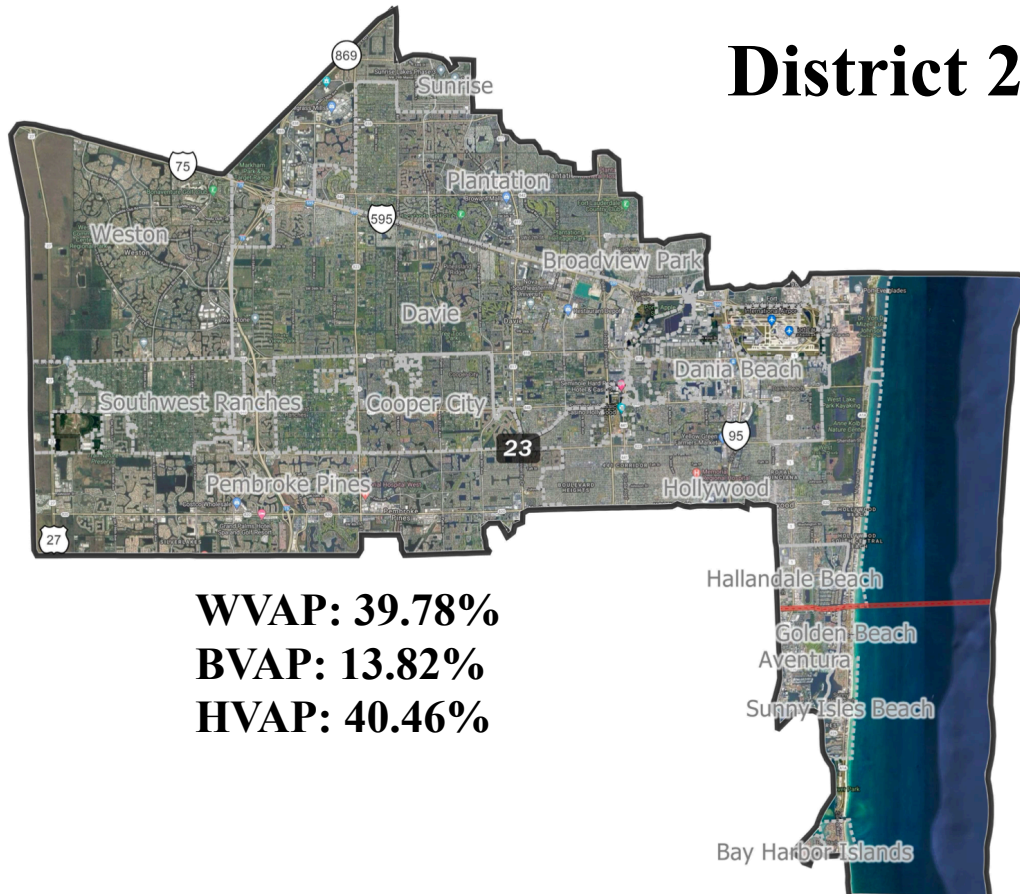
**WVAP: 56.87%**  
**BVAP: 14.77%**  
**HVAP: 20.70%**

District 22 spans from Boca Raton to Ft. Lauderdale, capturing additional beach cities left behind by District 20. The district splits Palm Beach County once as necessary to equalize populations and captures the whiter areas of this region. The district is quite similar in the Unpacking plan, serving the same purpose in allowing VRA district to the West to perform. This district is largely the same in both plans.





# District 23: Southern Broward



**WVAP: 39.78%**  
**BVAP: 13.82%**  
**HVAP: 40.46%**

District 23 again fills in the gaps between the majority-black districts in Southern Broward County. In the Unpacking Plan, this district stretches further West because District 22 needs to run further South. The district, like District 22, is a swing congressional district in both plans that leans slightly Democratic. This fits the general trend of liberal, white retirees populating these areas. Interestingly enough, this district is plurality Hispanic but does not come close to performing as an opportunity district, namely because of the lack of political cohesion necessary for the election of a candidate of choice. This district is largely the same in both plans.

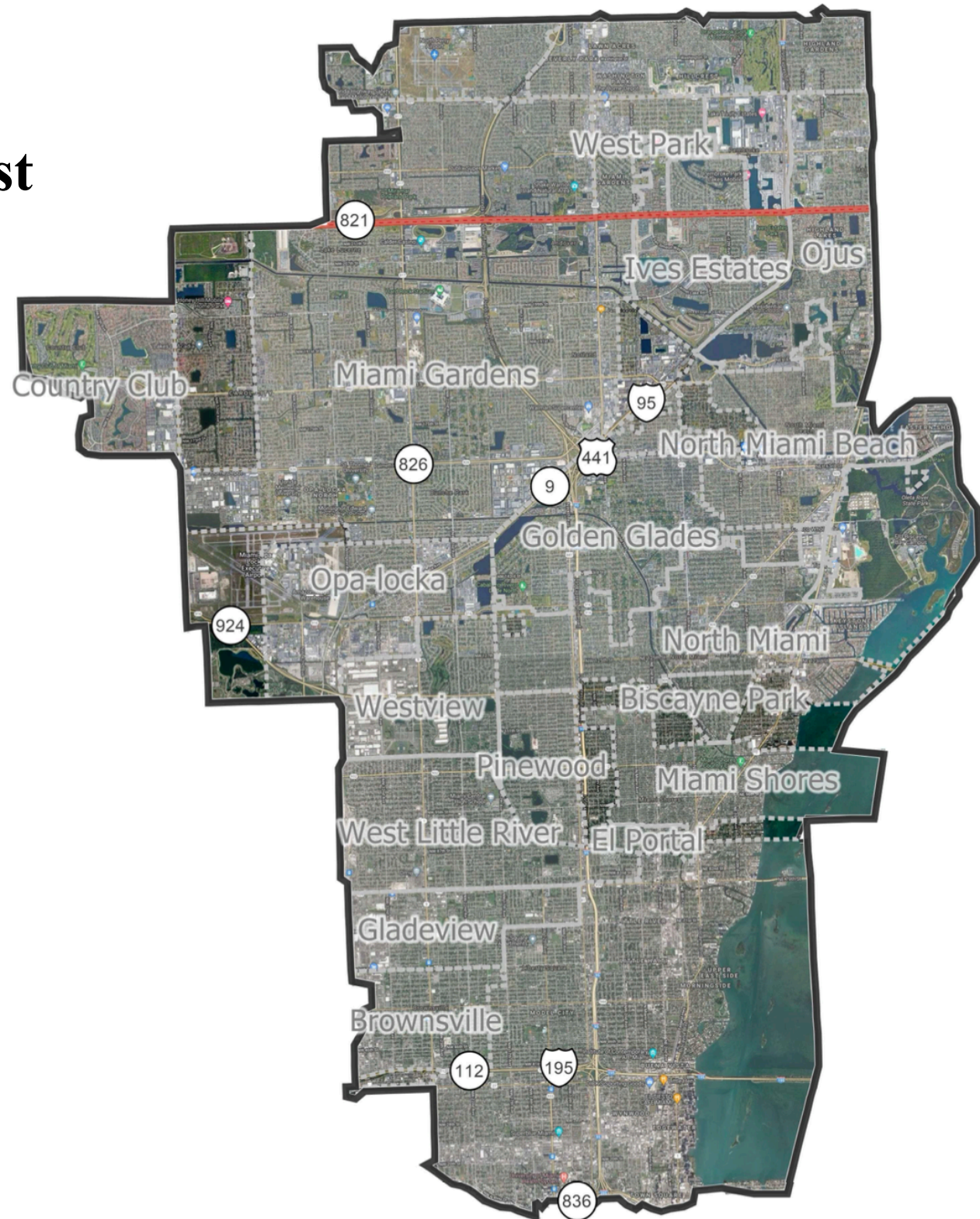
# District 24: Miami Majority-Black (Least Change)

**WVAP: 12.17%**

**BVAP: 45.56%**

**HVAP: 44.34%**

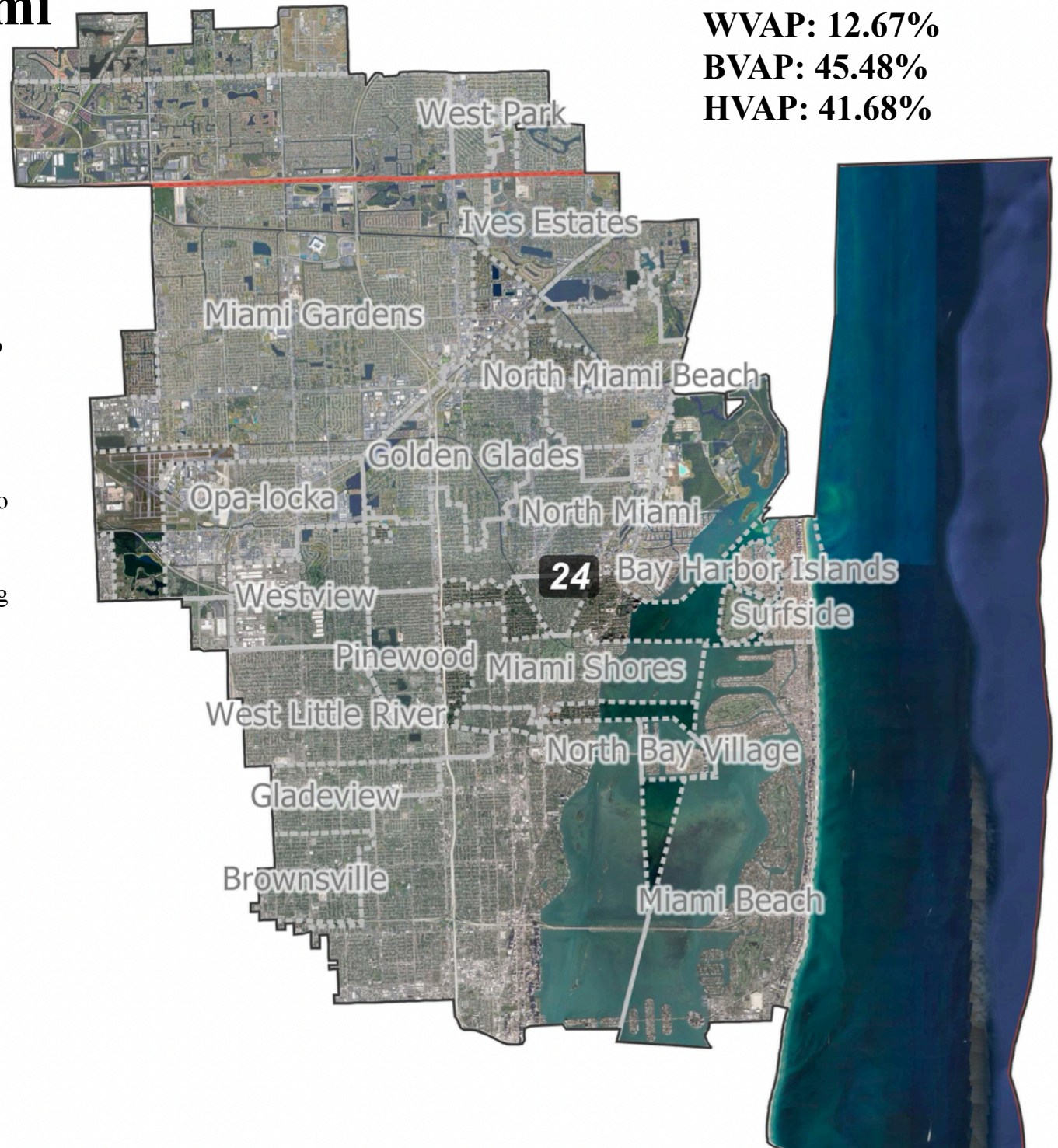
In the Least Change plan, District 24 is almost 90% non-white. While below 50% VAP, the district is above 50% CVAP and will easily perform for black voters at D+40. This district largely follows the borders of the prior District 24 and captures the heavily black communities North of Miami.





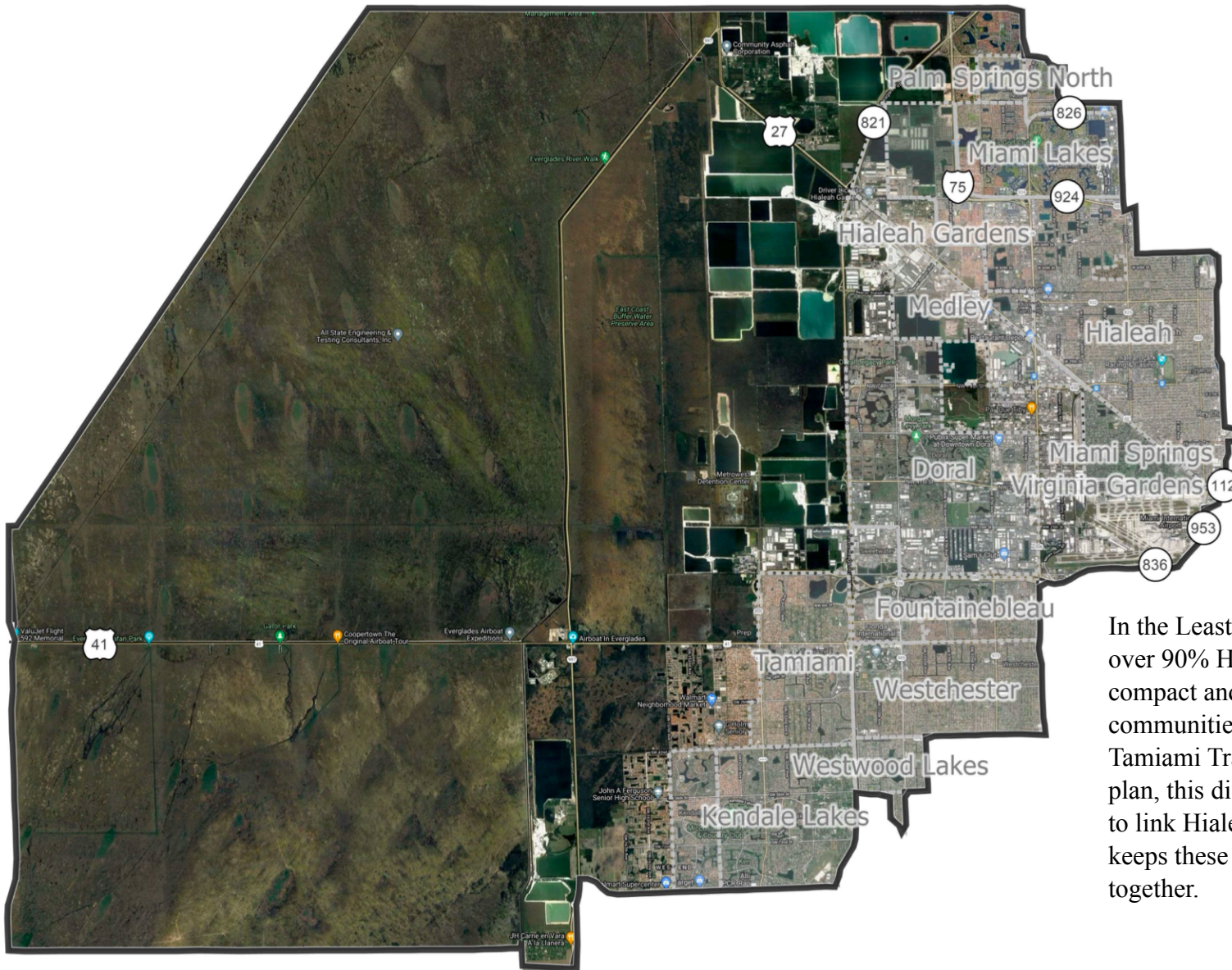
# District 24: Miami Majority-Black (Unpacking)

In the Unpacking plan, District 24 is also almost 90% non-white. While below 50% VAP, the district is above 50% CVAP and will easily perform for black voters at D+40. This district instead captures Miami Beach and pushes East to create a majority-black district in Northern Miami. This new shape helps improve compactness for the surrounding districts.





# District 25: Miami Majority-Hispanic (Least Change)

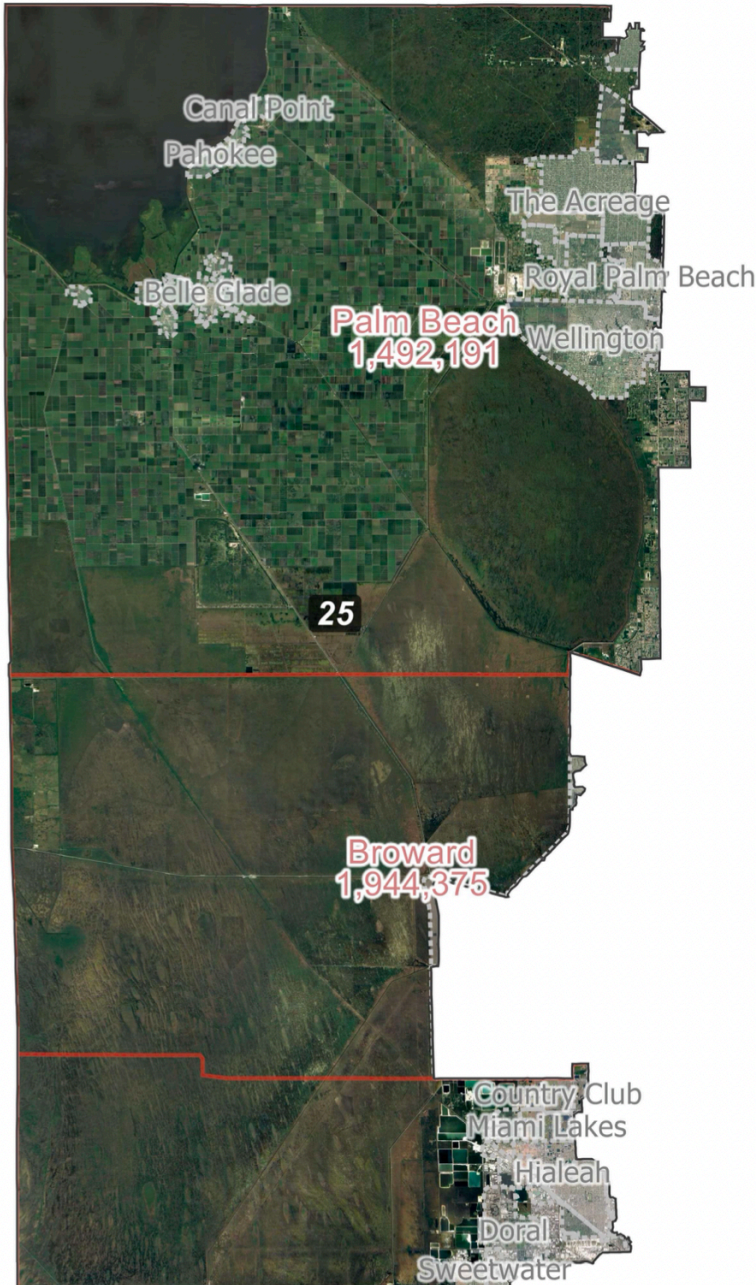


**WVAP: 5.27%**  
**BVAP: 3.31%**  
**HVAP: 91.11%**

In the Least Change plan, District 25 is over 90% Hispanic. The district is quite compact and links the heavily-Cuban communities in Hialeah and along the Tamiami Trail (Route 41). In the enacted plan, this district crosses the Everglades to link Hialeah with Naples. My plan keeps these similar communities together.



# District 25: Miami Majority-Hispanic (Unpacking)



**WVAP: 20.39%**

**BVAP: 8.89%**

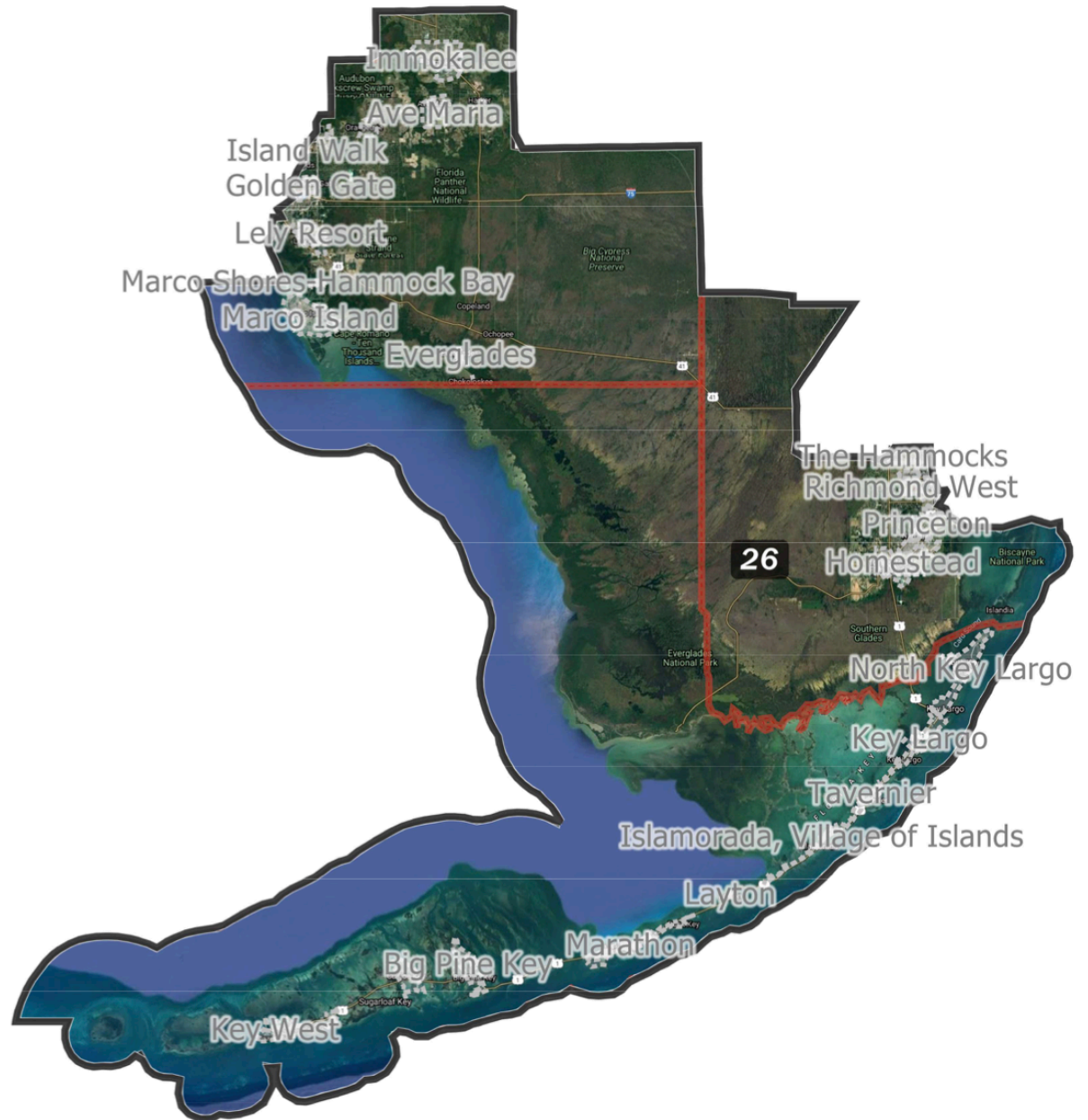
**HVAP: 69.04%**

In the Unpacking District 25, most of the population is in the Southern portion near Hialeah. The district stretches north through the Everglades captures Western cities. The district is overwhelmingly Hispanic, but it was not drawn to create a majority Hispanic district. The district helps prevent the need to cross the Everglades through its shape.

# District 26: The Everglades and Keys (Least Change)

District 26 in the Least Change Plan adds a large portion of Collier County so that District 25 doesn't need to cross the Everglades. This district is R+8 and super-majority minority, but there is little Hispanic voting cohesion. This district exists for compactness and linking communities of interest rather than any VRA compliance purpose.

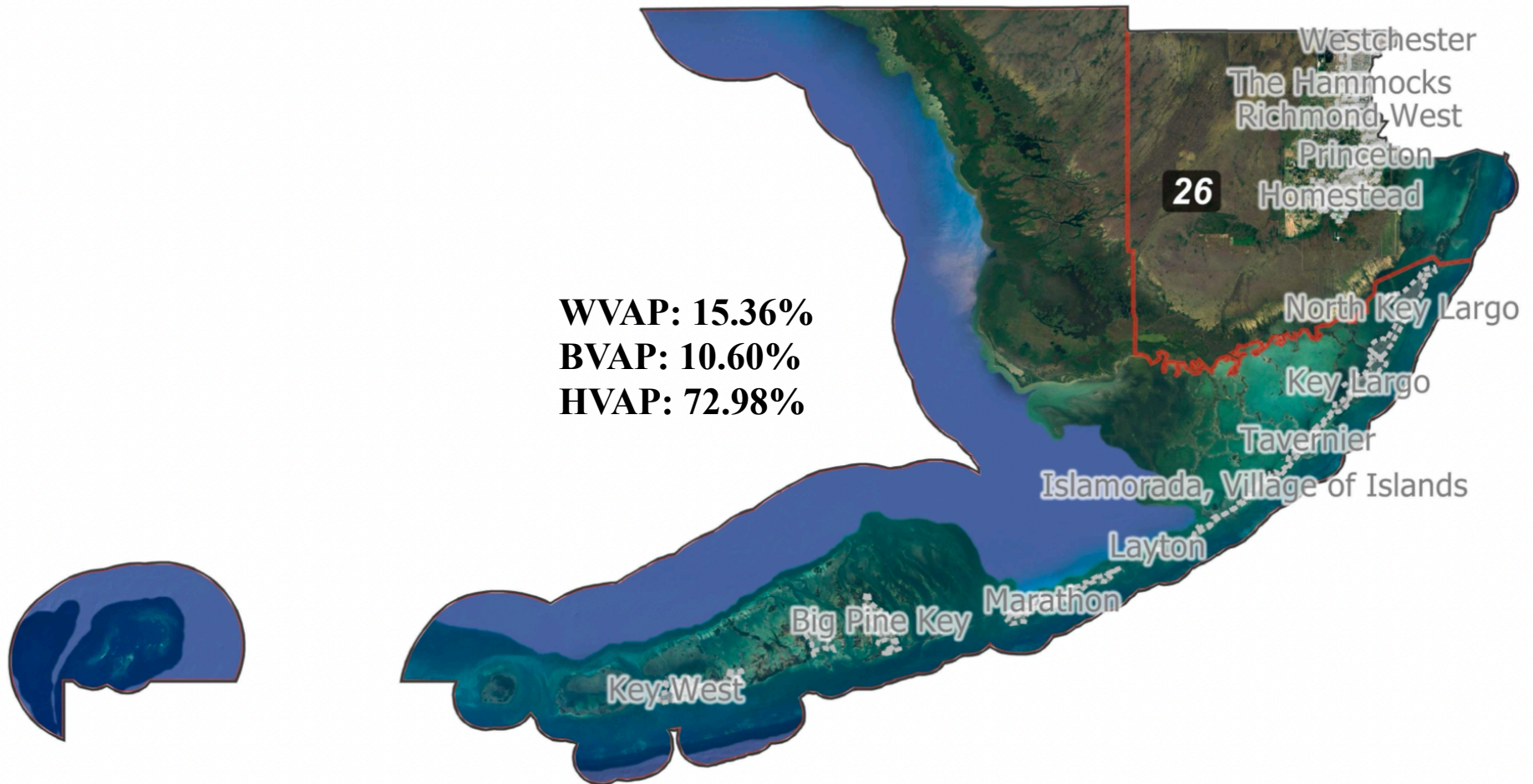
**WVAP: 32.58%**  
**BVAP: 12.16%**  
**HVAP: 53.6%**





# District 26: The Everglades and Keys (Unpacking)

District 26 in the Unpacking Plan captures some South Miami suburbs and all of Monroe County. The district is overwhelmingly majority-Hispanic but is a swing district.

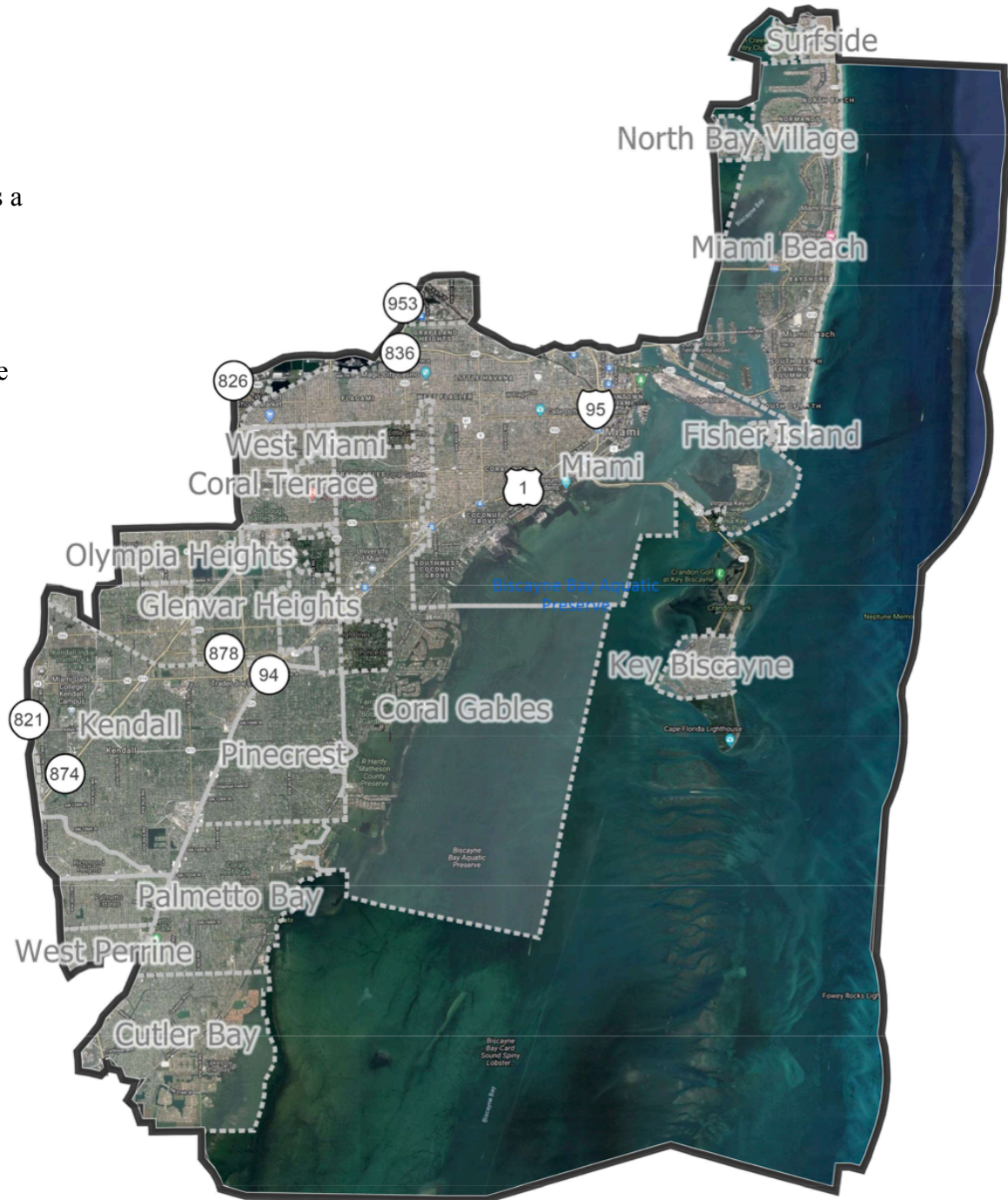




# District 27: Miami and Miami Beach (Least Change)

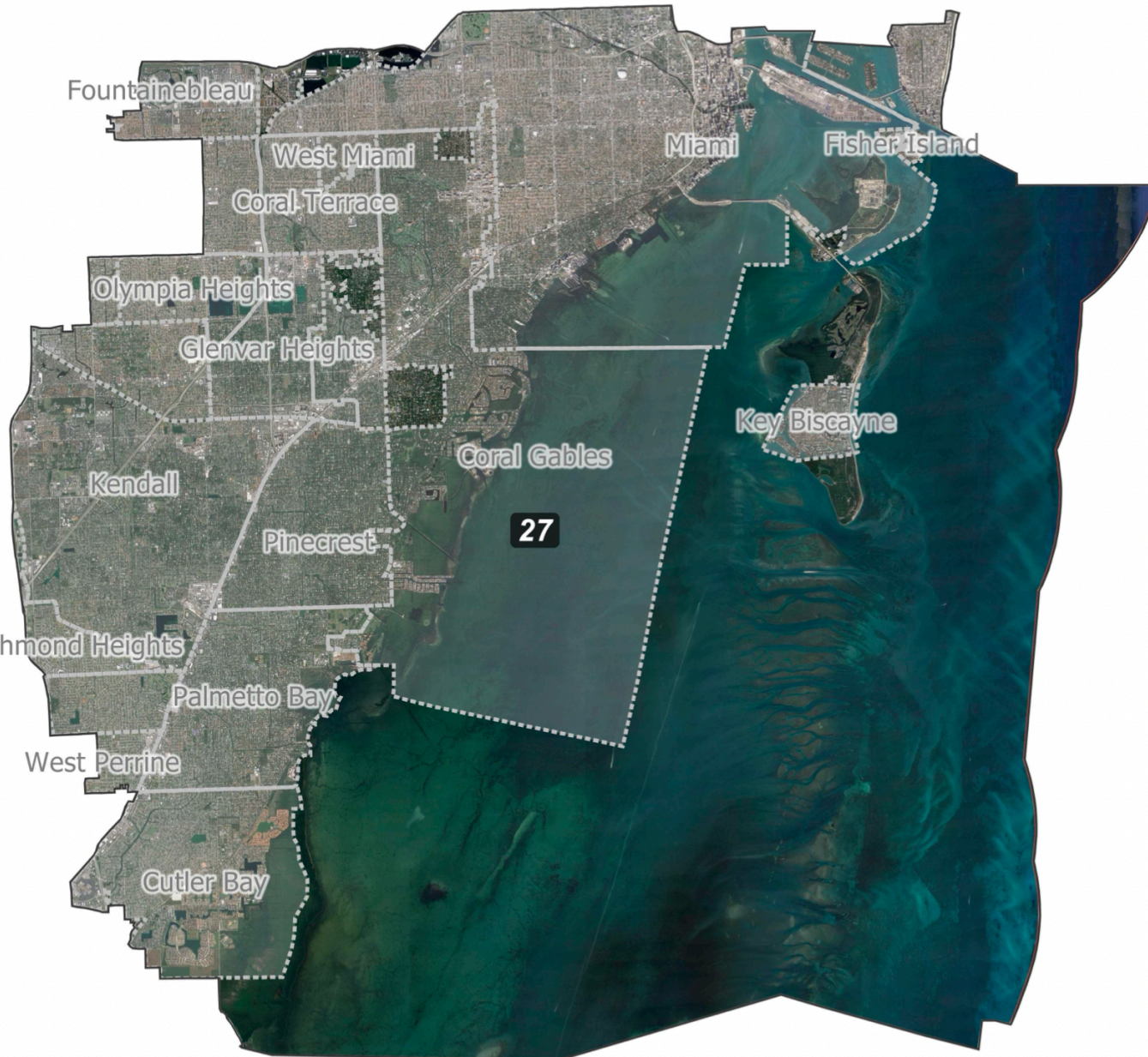
District 27 in the Least Change Plan stretches from Surfside to Cutler Bay, capturing many of the highly Hispanic communities in the area. This district is a swing district, sending a Republican to Congress but supporting Joe Biden for President. This district again demonstrates signs of Cuban cohesive voting for Republican candidates, while other groups within the Hispanic community support Democrats.

**WVAP: 21.37%**  
**BVAP: 12.16%**  
**HVAP: 69.12%**





# District 27: Miami (Unpacking)



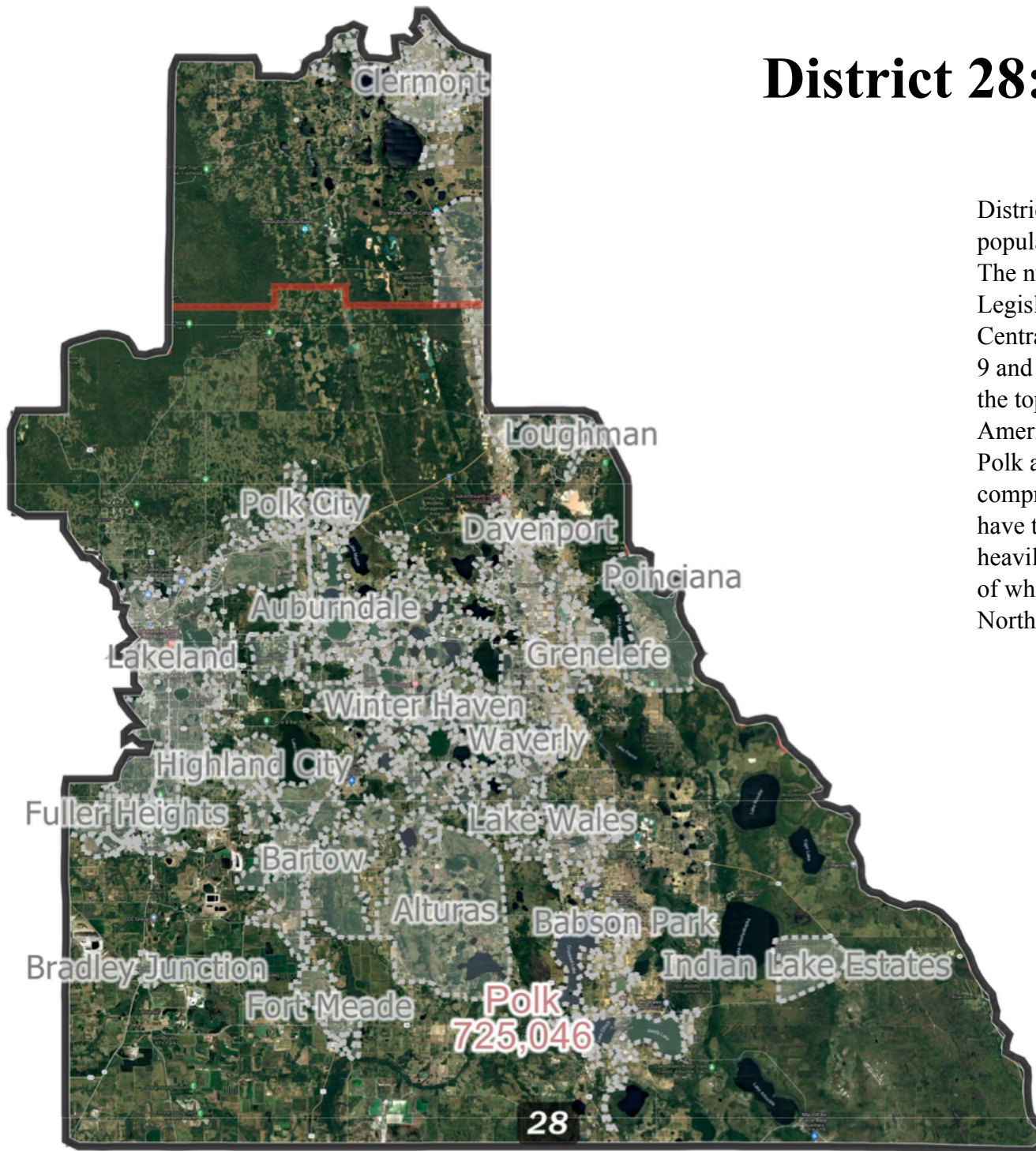
District 27 in the Unpacking Plan is almost identical. Because of the change to District 24, this district swaps Northern Miami for Miami Beach, allowing for a more compact district in Southern Miami. This district is another overwhelmingly-Hispanic swing district.

**WVAP: 18.45%**  
**BVAP: 7.23%**  
**HVAP: 72.30%**



# District 28: Polk County

District 28 recognizes the rapid population growth along the I-4 corridor. The numbering is consistent with the Legislature's numbering scheme, but this Central Florida district borders Districts 9 and 15. Kissimmee, Florida was among the top 10 fastest growing cities in America. While this city is in District 9, Polk and Osceola Counties used to comprise just one district. Now they each have their own. The district is also heavily Republican and reflects that trend of white, conservative migration from Northern states.



**WVAP: 58.79%**

**BVAP: 14.72%**

**HVAP: 22.59%**