

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

KATE CALVIN, JOHN NELSON,
CHARLES J. PARRISH, LONNIE GRIFFIN
and CONCERNED UNITED PEOPLE,

Plaintiffs,

vs.

CASE NO.: 4:15-CV-00131-MW-CAS

JEFFERSON COUNTY BOARD OF
COMMISSIONERS, JEFFERSON COUNTY
SCHOOL BOARD and MARTY BISHOP,
SUPERVISOR OF ELECTIONS, in his official
capacity,

Defendants.

**DEFENDANT, JEFFERSON COUNTY BOARD OF COUNTY
COMMISSIONERS' NOTICE OF FILING PURSUANT TO ORDER**

Pursuant to the Court's March 19, 2016, Order, the Defendant, Jefferson County Board of County Commissioners submits the following:

1. Affidavit of Stephen Walker, Chair of the Board of County Commissioners – providing the approved proposed Map1a-1 that excludes the inmate population from the census data used to develop the District Map;
2. Affidavit of Kurt Spitzer, the consultant who developed Map 1a-1 – providing the methodology used for developing Map 1a-1; and

3. Affidavit of Marty Bishop, Supervisor of Elections – providing elections data from prior case involving redistricting litigation in Jefferson County.

Respectfully submitted,

/ s / Linda Bond Edwards

LINDA BOND EDWARDS

Florida Bar No. 0057282

BRIAN L. HAYDEN

Florida Bar No. 058987

RUMBERGER, KIRK & CALDWELL

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bhayden@rumberger.com

Attorneys for Defendants Board and Bishop

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 4, 2016, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to the following: **Nancy G. Abudu at nabudu@aclufl.org; Shalini Goel Agarwal at sagarwal@aclufl.org; Randall C. Berg, Jr. at rberg@FloridaJusticeInstitute.org; and Dante P. Trevisani at dtrevisani@FloridaJusticeInstitute.org and Gerald B. Curington at jcurington@ausley.com.**

/ s / Linda Bond Edwards

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Attorneys for Defendants Board and Bishop

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SCHOOL BOARD and MARTY BISHOP,
SUPERVISOR OF ELECTIONS, in his official
capacity,

Defendants.

_____ /

AFFIDAVIT OF STEPHEN WALKER

STATE OF FLORIDA

COUNTY OF LEON

BEFORE ME, the undersigned authority, personally appeared Stephen Walker, who being first duly sworn, deposes and says as follows:

1. I am over the age of 18 and have personal knowledge of the matters set forth herein.

2. I am the elected commissioner for County District 5 for the Board of County Commissioners (BOCC) for Jefferson County and I currently serve as Chair of the BOCC.

3. Upon learning of the March 19, 2016 Order in the above referenced matter, the BOCC contacted Kurt Spitzer, the consultant that provided the redistricting maps for the BOCC in 2013. He was generally advised of the requirement to remove the inmate population from the census data used for redistricting. He was also advised that, in accordance with the Court's order, the map had to meet all state and federal requirements.

4. We also publically noticed BOCC meetings to discuss any proposed map for March 28-31 and April 1, 2016 in order to comply with the Court's order.

5. On March 28, 2016, the BOCC voted not to appeal the Order and engaged Mr. Spitzer to provide proposed maps for our consideration. In discussion of redistricting maps, the BOCC was also mindful of the requirements of earlier litigation that established single member districts in Jefferson County. The BOCC's understanding of the litigation, *Parrish, et al v. Jefferson County, Florida, et al.*, Case No. TCA-83-7481 MMP (N.D. Fla December 18, 1985), was that one district had to remain a majority minority district (which historically has been District 2) and one district had to be a balanced district (which historically has been District 3). The "balanced district" was established so that a candidate of

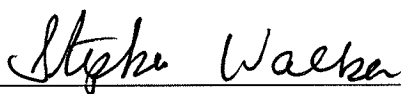
either race could be elected. At the time of the 1985 final order, the Black population in District 3 was 37.3%. (See Exhibit 1.)¹

6. After public meetings on March 28 and March 30 and a joint meeting with the School Board of Jefferson County on March 31 to consider proposed maps, on April 1, 2016, the BOCC for Jefferson County unanimously voted to accept what has been identified as Map 1a-1 as the Map showing county districts. (See Attachment A.)

7. Map 1a-1 excludes the prison population as ordered by the Court and raises the percentage of African American voters in District 3 to just over 40%, the highest in Jefferson County history.

8. In accordance with Florida Statutes Chapter 124.02, upon your approval of the BOCC's proposed map or another map, the BOCC will enter the boundaries established by the maps into the minutes of the BOCC and a certified copy shall be published at least once per week for two consecutive weeks in a newspaper published in Jefferson County.

FURTHER AFFIANT SAYETH NAUGHT.



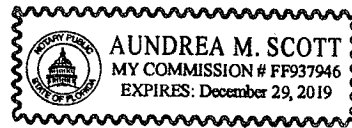
Stephen Walker

¹ This final order was modified on February 28, 1986, but the population numbers did not change.

STATE OF FLORIDA
COUNTY OF JEFFERSON

The foregoing instrument was sworn to and subscribed before me this 4th day of April, 2016, Stephen Walker.

Aundrea M. Scott
Signature of Notary



PRINT, TYPE OR STAMP NAME OF
NOTARY

Personally known _____
OR Produced Identification X _____
Type of Identification Produced FL drivers' license

THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

CHARLES J. PARRISH; GEORGIANA
BARKER, JOHN BYRD; CLARENCE GANZY,
THOMAS B. SCOTT, SR.; ALBERT HALL,
DRESSIE MAE SLOAN; C. W. McQUEEN;
WILLIAM TILLMAN; DOUGLAS TURNER,
JR.; JOHN BARKER; and JAMES JONES,
on behalf of themselves and all
others similarly situated,

Plaintiffs,

vs.

CIVIL ACTION NO.
TCA-83-7481-MMP

JEFFERSON COUNTY, FLORIDA;
WALTER EDWARDS; MORDAUNT
BISHOP; BUTLER WALKER; GEN
COOKSEY; and JOHN WARD,
County Commissioners,
their successors and agents,
all in their official
capacities,

Defendants.

FINAL JUDGMENT

On December 22, 1983, the above named Plaintiffs filed
their Complaint against the above named Defendants alleging
that at-large county-wide voting for members of the Jefferson

OFFICE OF CLERK
U.S. DISTRICT OF
TALLAHASSEE, FLA.
1983 DEC 18 PM 12:35

1983 DEC 18 PM 12:35

FILED



County Commission excludes black representation and participation and minimizes and cancels out black voting strength in violation of their rights secured by the Voting Rights Act of 1965, as amended, Publ. L. No. 97-205, §3, 96 Stat. 134 (1982), amending 42 U.S.C. §1973, et. seq. (hereinafter "Voting Rights Act").

The Court, having reviewed the status of this action, and being aided by the recommendations of the Plaintiffs' and Defendants' counsel, and being of the opinion that the best interest of all the parties and all the citizens of Jefferson County, Florida, would be served by approving the Final Judgment, and the Court having reviewed the Final Judgment tendered by Plaintiffs' and Defendants' counsel, finds that said Judgment was entered into voluntarily by the parties, and that it should be approved.

IT IS THEREFORE, ADJUDGED AND DECREED AS FOLLOWS:

1. This decree extends to all issues set forth in the Complaint in this matter and to the class of Plaintiffs defined as all black residents of Jefferson County, Florida.
2. This Court has jurisdiction over the subject matter of this action and the parties thereto.
3. That pursuant to the Florida Constitution, Art. 8, §5, Jefferson County has provided for the election of all members of the Jefferson County Commission through at-large elections.

4. That due to a series of factors including a past history of official racial discrimination within Jefferson County and the State of Florida, certain socio-economic conditions of black citizens in Jefferson County, the at-large election system for the Jefferson County Commission has had the effect of denying black citizens of Jefferson County an equal opportunity to participate in the political process and elect candidates of their own choice in violation of Plaintiffs' rights as described by the Voting Rights Act.

5. Defendants are enjoined from providing county-wide at-large elections in a manner which violates the Voting Rights Act.

6. The attached "Election Plan," Appendices 1 through 4, contains the election plan for the Jefferson County Commission, Florida to conduct future elections. Appendix 1 sets forth the population by race contained in each of the five single member districts. Appendix 2 contains a copy of the map of Jefferson County depicting the boundaries of each district. Appendix 3 contains a legal description listing the boundaries of each district. Appendix 4 lists each present County Commissioner, the district number from which the Commissioner was elected and the date the Commissioner was elected.

7. The Court has been advised that the parties have not resolved issues pertaining to the timetable for implementation of the five single member district election plan. Accordingly, the Court will enter a separate order which will provide for

the schedule of elections for the Jefferson County Commission in the single member district election system described herein.

8. Therefore, the Court finds that the "Election Plan" as submitted is a proper remedy in this action, and is adopted and incorporated by reference into this Final Judgment as attached. All elections henceforth will proceed on a single district basis; that is, all candidates in future elections must reside in the residence area for which they seek election and only voters in that particular residence area shall cast ballots for the particular candidate running in that area.

9. a. As the prevailing party in this action, Plaintiffs are entitled, pursuant to the Voting Rights Act of 1965, as amended, 42 U.S.C. §1973(e), and Civil Rights Attorney Fees Awards Act of 1976, 42 U.S.C. §1988, to an award of attorney fees and litigation expense reimbursement.

b. The parties will attempt to resolve the attorney fees and litigation expense reimbursement issue. In the event the parties have resolved this issue, the Court shall be so informed and all attorney fees and costs for Plaintiffs' counsel shall be payable to Plaintiffs by Defendants within twenty (30) days after the execution of the Final Judgment.

c. In the event the parties have not agreed on the amount of Plaintiffs' attorney fees and litigation expenses, Plaintiffs shall file with the Court within twenty (30) days from issuance of the Court's Final Judgment appropriate fee/expense submissions and accompanying memoranda as to this

issue. Defendants shall respond within twenty (30) days from Plaintiffs' filing. The Court shall then enter an appropriate Order granting Plaintiffs' attorney fees and litigation expenses consistent with the parties' submissions.

10. This litigation will be deemed closed and will be removed from the pending docket of this Court, upon this Court issuing a separate order scheduling elections under the single member election system as described herein, and after being advised that the attorney fees issue has been resolved or, if not resolved between the parties, the entry of an Order Awarding Attorney Fees.

ORDERED AND ADJUDGED THIS 18th day of December, 1985.

Maurice M. Cave
UNITED STATES DISTRICT JUDGE

AGREED AND CONSENTED TO:

T. Buckingham Bird
T. BUCKINGHAM BIRD, ESQ.
P.O. Box 247
Monticello, Florida 32344

G. GRAHAM CAROTHERS, ESQ.Q
P.O. Box 391
Tallahssee, Florida 31302

ATTORNEYS FOR DEFENDANTS

DATED: December 13 1985
0180P

Robert E. Weisberg
ROBERT E. WEISBERG
DAVID M. LIPMAN,

LIPMAN & WEISBERG
5901 S.W. 74 Street
Suite 304
Miami, Florida 33143-5186
(305) 662-2600

ATTORNEYS FOR PLAINTIFFS

DATED: December 13, 1985

THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

CHARLES J. PARRISH; GEORGIANA
BARKER, JOHN BYRD; CLARENCE GANZY,
THOMAS B. SCOTT, SR.; ALBERT HALL,
DRESSIE MAE SLOAN; C. W. McQUEEN;
WILLIAM TILLMAN; DOUGLAS TURNER,
JR.; JOHN BARKER; and JAMES JONES,
on behalf of themselves and all
others similarly situated,

Plaintiffs,

vs.

CIVIL ACTION NO.
TCA-83-7481-MMP

JEFFERSON COUNTY, FLORIDA;
WALTER EDWARDS; MORDAUNT
BISHOP; BUTLER WALKER; GEN
COOKSEY; and JOHN WARD,
County Commissioners,
their successors and agents,
all in their official
capacities,

Defendants.

APPENDICES TO FINAL JUDGMENT

1. DEMOGRAPHIC DATA REFLECTING POPULATION AND VOTER
REGISTRATION BY DISTRICT
2. MAP OF SINGLE MEMBER DISTRICTS
3. LEGAL DESCRIPTIONS
4. LIST OF PRESENT COMMISSIONERS

APPENDIX 1

DEMOGRAPHIC DATA REFLECTING
POPULATION AND VOTER
REGISTRATION BY DISTRICT

DEMOGRAPHIC DATA REFLECTING POPULATION
AND VOTER REGISTRATION BY DISTRICT

		<u>Population</u>			
<u>District</u>	<u>Total*</u>	<u>White</u>	<u>(%)</u>	<u>Black</u>	<u>(%)</u>
(orange) I	2,198	977	(44.4)	1,217	(55.4)
(yellow) II	2,124	762	(35.9)	1,357	(63.9)
(blue) III	2,061	1,281	(62.2)	769	(37.3)
(green) IV	2,330	1,460	(62.7)	865	(37.1)
(red) V	1,990	1,085	(54.5)	902	(45.3)
Totals	10,703	5,565	(50.8)	5,110	(48.6)

		<u>Voting Age Population</u>			
<u>District</u>	<u>Total</u>	<u>White</u>	<u>(%)</u>	<u>Black</u>	<u>(%)</u>
I	1,416	676	(47.7)	740	(52.3)
II	1,414	582	(41.2)	832	(58.8)
III	1,403	952	(67.9)	451	(32.1)
IV	1,612	1,054	(65.4)	558	(34.6)
V	1,302	762	(57.7)	540	(40.8)
Totals	7,147	4,026	(56.3)	3,121	(43.7)

*Population totals include persons of other origins

APPENDIX 2

MAP OF SINGLE MEMBER DISTRICTS

APPENDIX NO. 3

LEGAL DESCRIPTION

LEGAL DESCRIPTION OF SINGLE MEMBER DISTRICTS FOR
JEFFERSON COUNTY, FLORIDA

DISTRICT 1:

Beginning at a point in the Georgia-Florida line at the intersection of said line and a county road known as Georgia Forks W. Road, thence South along Georgia Forks W. Road to its intersection with First Branch, thence South along First Branch to its intersection with County Road 149-A, thence easterly along County Road 149-A to its intersection with Little Branch, thence South along Little Branch to its intersection with a county road known as Caesar Steen Road, thence South along Caesar Steen Road to its intersection with County Road 146, thence southwesterly along CR 146 to its intersection with a county road known as Cypress Road /Rocky Branch Road; thence West along Cypress Road to its intersection with the East City Limits of Monticello, thence West, North and West, along the City Limits line to its intersection with Dump Street; thence South along Dump Street to its intersection with Rocky Branch Road, thence West along Rocky Branch Road to its intersection with Railroad Street; thence South along Railroad Street to its intersection with Pearl Street/County Road 146; thence East along Pearl Street/CR 146 to its intersection with Simpson Avenue, thence South along Simpson Avenue to its intersection with U.S. 90; thence southeasterly along U.S. 90 to its intersection with a county road known as Big Joe Road, thence South along Big Joe Road to its intersection with County Road 158, thence westerly along CR 158 to its intersection with a county road known as Turkey Scratch Road, thence southeasterly along Turkey Scratch Road to its intersection with the Tallahassee Base Line, thence West along the Tallahassee Base Line to its intersection with a county road known as WPA road, thence South along the WPA Road to its intersection with U.S. 27, thence westerly along U.S. 27 to its intersection with a county road known as Welaunee Road, thence South along Welaunee Road to a county road known as Walker Springs Road, thence East along Walker Springs Road to a county road known as O'Neal Tram Road; thence South along O'Neal Tram Road to the Jefferson County/Taylor County Line, thence North along the Jefferson County/Taylor County Line and Jefferson County/Madison County Line to its intersection with the Georgia-Florida Line; thence West along the Georgia-Florida Line to the Point of Beginning.

City of Monticello municipal limits boundary being those in effect on December 16, 1985.

DISTRICT II.

Beginning at a point on the North City Limits Line of Monticello at the intersection of said line with Dump Street, thence running westerly along the North City Limits Line to its intersection with Jefferson Street/U.S. 19; thence South along Jefferson Street/U.S. 19 to its intersection with the South City Limits at Nacosa Road, also including that portion of Coopers Pond subdivision as annexed to the City of Monticello, thence East and northerly along the City Limits Line to its intersection with Washington Street/U.S. 90; thence North along Simpson Avenue to intersection with Pearl Street, thence West along Pearl Street to its intersection with Railroad Street; thence North along Railroad Street to its intersection with Rocky Branch Road; thence East along Rocky Branch Road to its intersection with Dump Street, thence North along Dump Street to the Point of Beginning.

DISTRICT III.

Beginning at a point on the North City Limits Line of the City of Monticello at the intersection of said line and Jefferson Street/U.S. 19, thence running South along Jefferson Street/U.S. 19 to its intersection with the South City Limits at Nacosa Road, but excluding that portion of Coopers Pond subdivision as annexed to the City of Monticello, thence East and northerly along the City Limits Line to its intersection with U.S. 90, thence southeasterly along U.S. 90 to its intersection with a county road known as Big Joe Road, thence South along Big Joe Road to its intersection with County Road 158, thence westerly along CR 158 to its intersection with a County Road known as Turkey Scratch Road, thence southeasterly along Turkey Scratch Road to its intersection with the Tallahassee Base Line; thence westerly along the Tallahassee Base Line to its intersection with a county road known as WPA Road, thence North and West along WPA Road to its intersection with U.S. 19, thence South along U.S. 19 to its intersection with a county road known as Thomson Road, thence West along Thomson Road to its intersection with CR 259, thence South along CR 259 to its intersection with a county road known as Water Mill Road, thence northwesterly along Water Mill Road to its intersection with Lloyd Creek, thence northwesterly along Lloyd Creek to its intersection with Morris Creek, thence easterly and northerly along Morris Creek to its intersection with CR 158-A, thence easterly along CR 158-A to its intersection with Caney Creek, thence northwesterly along Caney Creek to its intersection with U.S. 90, thence easterly along U.S. 90 to its intersection with Lois Creek, thence southerly along Lois Creek to its intersection with Casa Bianca Creek, thence South, North and East along Casa Bianca Creek to its intersection with Bird Creek, thence easterly along Bird Creek to its intersection with the West City Limits of Monticello, thence North and East along the West City Limits Line, to include Holly Hills subdivision and Pecan Grove Estates subdivision as annexed to the City of Monticello, and to the Point of Beginning.

DISTRICT IV.

Beginning at a point on the Georgia-Florida Line at the intersection of said line and a county road known as Georgia Forks W. Road, thence running South along Georgia Forks W. Road to its intersection with First Branch, thence South along First Branch to its intersection with County Road 149-A, thence easterly along CR 149-A to its intersection with Little Branch, thence South along Little Branch to its intersection with a county road known as Caesar Steen Road, thence South along Caesar Steen Road to County Road 146, thence southwesterly along County Road 146 to its intersection with Cypress Road/ Rocky Branch Road, thence West along Cypress Road to its intersection with the East City Limit Line of Monticello, thence North, West and then southerly along the City Limits Line to its intersection with Bird Creek, thence northwesterly along Bird Creek to its intersection with Casa Bianca Creek, thence South and West along Casa Bianca Creek to its intersection with Lois Creek, thence northwesterly along Lois Creek to its intersection with U.S. 90, thence West along U.S. 90 to its intersection with Caney Creek, thence southeasterly along Caney Creek to its intersection with County Road 158-A, thence West along CR 158-A to its intersection with Morris Creek, thence southerly along Morris Creek to its intersection with U.S. 10, thence West along U.S. 10 to its intersection with Lloyd Creek, thence South on Lloyd Creek to its intersection with County Road 158, thence Easterly along CR 158 to its intersection with the county road known as the Lloyd-Waukeedah Road, thence South along the Lloyd-Waukeedah Road to its intersection with the county road known as the Springfield Road, thence West along the Springfield road to its intersection with State Road 59, thence South along State Road 59 to its intersection with U.S. 27, thence West along U.S. 27 to its intersection with the Jefferson County/Leon County Line, thence North along the Jefferson County/Leon County Line to its intersection with the Georgia-Florida Line, thence East along the Georgia-Florida Line to the Point of Beginning.

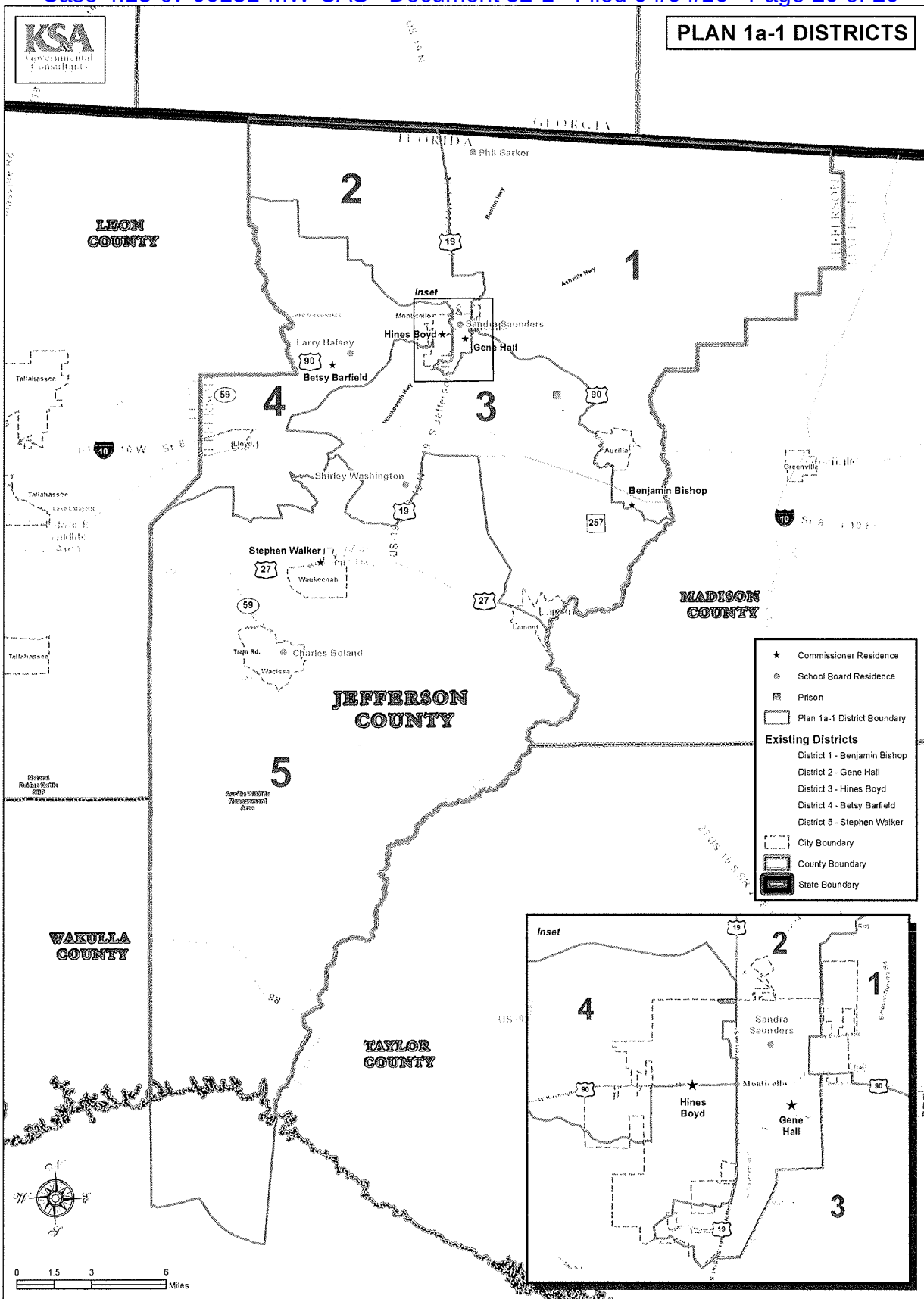
DISTRICT V.

Beginning at a point on the Jefferson County/Leon County Line at the intersection of said line and U.S. 27, thence running southeasterly along U.S. 27 to its intersection with State Road 59, thence north along S.R. 59 to its intersection with a county road known as the Springfield Road, thence westerly along the Springfield Road to its intersection with the county road known as the Lloyd-Waukeenah Road, thence northwesterly along the Lloyd-Waukeenah Road to its intersection with County Road 158, thence west along CR 158 to its intersection with Lloyd Creek, thence northerly along Lloyd Creek to its intersection with U.S. 10, thence east along U.S. 10 to its intersection with Morris Creek, thence southerly along Morris Creek to its intersection with Lloyd Creek, thence southeasterly along Lloyd Creek to its intersection with a county road known as Water Mill Road, thence easterly along Water Mill Road to its intersection with County Road 259, thence north along CR 259 to its intersection with a county road known as Thomson Road, thence easterly along Thomson Road to its intersection with U.S. 19, thence northeasterly along U.S. 19 to its intersection with a county road known as WPA Road, thence easterly and southerly along WPA Road to its intersection with U.S. 27, thence westerly along U.S. 27 to its intersection with a county road known as Welaunee Road, thence south along Welaunee Road to a county Road known as Walker Springs Road; thence east along Walker Springs Road to a county road known as O'Neal Tram Road, thence south along O'Neal Tram Road to its intersection with the Jefferson County/Taylor County Line, thence south along the Jefferson County/Taylor County Line to the Gulf of Mexico, thence westerly along the Gulf of Mexico to the Jefferson County/Wakulla County Line, thence north along the Jefferson County/Wakulla County line and Jefferson County/Leon County Line to the point of beginning.

APPENDIX NO. 4

<u>DISTRICT NUMBER FROM WHICH COMMISSIONER ELECTED</u>	<u>NAME OF COMMISSIONER</u>	<u>YEAR ELECTED</u>
I	MORDAUNT BISHOP	1984
II	JOHN WARD ^{1/}	1982
III	GENE COOKSEY	1984
IV	WALTER EDWARDS	1982
V	BUTLER WALKER	1984

^{1/} Commissioner John Ward does not live in District No. 2 which results in no Commissioner residing in District No. 2 as defined by this Final Judgment. However, Commissioner Ward shall continue as the representative of District No. 2 through the completion of his term in 1986.



DISTRICT #	AVERAGE (MEAN) POPULATION	ACTUAL POPULATION	DEVIATION	PERCENT DEVIATION	WHITE	PERCENT WHITE	BLACK	PERCENT BLACK	HISPANIC	PERCENT HISPANIC	OTHER	PERCENT OTHER
1	2721	2855	134.00	4.69%	1964	68.79%	771	27.01%	117	4.10%	120	4.20%
2	2721	2690	(31.00)	-1.15%	1074	39.93%	1533	56.99%	64	2.38%	83	3.09%
3	2721	2839	118.00	4.16%	1553	54.70%	1144	40.30%	141	4.97%	142	5.00%
4	2721	2611	(110.00)	-4.21%	2010	76.98%	536	20.53%	69	2.64%	65	2.49%
5	2721	2612	(109.00)	-4.17%	1728	66.16%	804	30.78%	71	2.72%	80	3.06%

EXHIBIT

 Blumberg No. 5119

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

KATE CALVIN, JOHN NELSON,
CHARLES J. PARRISH, LONNIE GRIFFIN
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Plaintiffs,

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JEFFERSON COUNTY BOARD OF
COMMISSIONERS, JEFFERSON COUNTY
SCHOOL BOARD and MARTY BISHOP,
SUPERVISOR OF ELECTIONS, in his official
capacity,

Defendants.

_____ /

AFFIDAVIT OF KURT SPITZER

STATE OF FLORIDA

COUNTY OF LEON

BEFORE ME, the undersigned authority, personally appeared Kurt Spitzer, who being first duly sworn, deposes and says as follows:

1. I am over the age of 18 and have personal knowledge of the matters set forth herein.
2. My name is Kurt Spitzer. I hold a Bachelor of Arts degree from the University of South Florida and a Masters in Public Administration from Florida State University.
3. I have served as the consultant in redistricting for the following entities: Boards of County Commissioners and School Boards for Flagler, Brevard, Levy, Pinellas, Nassau, Sumter

and Jefferson counties; the Leon County School Board, the cities of Daytona Beach, Fort Lauderdale, Fort Myers and Pompano Beach.

4. In March 2015, I was engaged by the Board of County Commissioners of Jefferson County as the consultant to redraw the redistricting maps in Jefferson County Florida so that the Board of County Commissioners could comply with the court order dated March 19, 2016 in the matter of *Calvin, et al v. Board of County Commissioners, Jefferson County School Board, and Marty Bishop, Supervisor of Elections of Jefferson County in his Official Capacity*, Case No. 4:15cv131-MW/CAS, pending in the United States District Court for the Northern District of Florida .

5. I drew the redistricting maps based on criteria specified in the Court's order to remove the census blocks that included inmates housed at Jefferson Correctional Institution. I followed the same methodology that I used when I drew the maps in December 2013.

6. Monticello (pop.2,506), the county seat and largest community in Jefferson County, is about 25 miles east of Tallahassee. In addition to Monticello, there are five small unincorporated communities in Jefferson County with boundaries defined by the Census Bureau (called "Census Designated Places") – Wacissa (pop. 386), Waukeenah (pop. 272), Lloyd (pop. 281), Lamont (pop. 178) and Aucilla (pop. 100). The county has a land area of 598 square miles and a water area of about 38 square miles.

7. Excluding the prison population, the county has a total population of 13,607 and a non-Hispanic single-race Black population of 4,788 (35.19%). The 2010 non-Hispanic White population is 8,329 (61.18%). Thus, without taking into account the prison population, the 2010

total minority population in Jefferson County is 5,740 (42.18%) – consisting of all persons who are not single-race, non-Hispanic White.¹

8. At a minimum, all county governments are required to consider the necessity to realign the district boundaries of its legislative body (the County Commission) after each decennial census. The primary purpose of such redistricting exercises is to determine if the population of each district is as close to being equal to one another as is possible, thus furthering the goal of “one person, one vote” and other policy objectives.

9. Population is the dominant criteria to be considered in all districting plans. Districts should be as nearly equal in population as is possible and in most cases, may not be greater than 5% over (or under) the average district size.

10. Other criteria are considered when redistricting commission boundaries. They are intended to preserve communities of interest and create districts and district boundaries that are easily understood by voters. All criteria are considered in total – none are absolute. A variety of factors are “balanced” with each other.

11. In addition to equal population, other criteria include: no discriminatory effect; census blocks; logical boundaries; municipal and neighborhood boundaries; compact district shape; and recognition of existing district boundaries. I will describe each of these more fully below.

12. No Discriminatory Effect – where it is clear that a minority community votes in a cohesive manner, districts should not be drawn in a way that has a discriminatory effect toward that community. District boundaries that have the effect of diluting minority voting strength should be avoided. However, districts that have highly illogical or “bizarre” shapes, that are

¹ The amounts do not equal 100% because some Hispanics may be counted twice in the census data.

drawn exclusively to create minority-influence or minatory-majority districts, should likewise be avoided.

13. Census Blocks – Data from census blocks is presumed to be correct and is an efficient source of population information. Generally, district boundary lines should follow census block boundaries, although splitting one or more census blocks is acceptable when necessary to further a valid policy objective.

14. Logical Boundaries – District boundaries should generally follow significant, existing natural or man-made boundaries when possible and practical to do so, such as major highways, railroads, water bodies, etc., as those types of boundaries are more easily understood by the electorate.

15. Municipal and Neighborhood Boundaries – District boundaries should attempt to avoid splitting neighborhood and municipal boundaries.

16. Compact District Shape – While district shapes will never be perfect circles or squares, they should have a shape that is relatively compact. “Bizarre” or “serpentine” shapes should be avoided.

17. Recognition of Existing District Boundaries – Plans to redistrict count commissions should follow existing boundaries to the extent possible, as such plans recognize the preferences of the voters that elected the incumbents.

18. The consulting team used several sources of data during the course of the project. Population information for 2010 was obtained from the US Bureau of the Census in unites known as “census blocks.” Such blocks are of widely varying shapes and population sizes but generally follow logical boundaries such as city blocks, streets, roads or highways, creek beds, lakes, railroad tracks, etc.

19. Block data includes the total number of persons identified as being residents of the census block. It also includes a wide variety of information concerning the background of each person, such as race and ethnicity. Data concerning the existing district boundary lines was provided to the consultant by the staff of Jefferson County. Additionally, a wide variety of other readily available geographic features (roads, water bodies, etc.) was added into the mapping database.

20. The primary software used for data analysis and mapping purposes was ESRI Corporation's ArcGIS 10.1.

21. Current commission district boundaries were added as a data field. Layering existing districts over the 2010 population data allowed the consultant to determine the current population of each district and whether one or more districts were significantly over or under the population of the average district size, and the racial composition of the population of each district.

22. Generally districts should be less than 5% over or under the average size of a commission district. After adding the current district boundaries to the new population data, it was determined that the populations of the current commission districts were not "as nearly equal in population as possible" as required by the Florida constitution and statutes.

23. Following the guidelines in the above referenced matter, and using the 2010 data, the average or "ideal" population size of the commission districts in Jefferson County is 2721. Current populations of the existing commission districts excluding the inmate population are as follows:

Jefferson Co Population Totals (no Prison)

		<u>Existing (Plan A) Districts</u>							
		WHT	BLK	OTH	HSP	TOT	PCT BLK		
District 1		2,078	790	130	129	2,998	26.3509006	277	9.23
District 2		1,057	1,675	88	73	2,820	59.39716312	99	3.50
District 3		1,069	747	83	81	1,899	39.33649289	-822	-43.31
District 4		2,348	623	102	104	3,073	20.27334852	352	11.44
District 5		1,777	953	87	75	2,817	33.83031594	96	3.39
Jefferson County		8,329	4,788	490	462	13,607	35.187771		

Average Population (no Prison) = 2,721.40 2,721

24. Thus, none of the five districts are within the generally-accepted thresholds for population; two of the five districts deviate significantly from the average district size. Districts 1 and 4 should lose at least a small amount of population. District 3's population has to increase to accommodate for the loss of the prison population. All Districts except 3 will lose population.

25. Redistricting of the County Commission's district boundaries was necessary to comply with the Court's order in order to bring Jefferson's Commission Districts into compliance.

26. Alternative Plan 1a-1 for the new district boundaries meet acceptable criteria and was proposed for discussion and consideration. Demographic and statistical information concerning the plan is included in a table located at the bottom of the map. (See Attachment A)

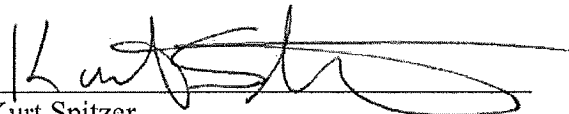
27. To add population to District 3 from the other Districts and to make adjustments to all Districts so that their populations were as nearly equal as practicable and to meet the other criteria as required by state and federal statutes and case law, the following reassignments in census blocks were made. Blocks not listed in the below table were not moved from the District to which they were assigned in 2013.

Block Name	Existing Districts w/o Prison	Plan 1a-1 Districts w/o Prison	Notes
Block 3021	1	3	
Block 3022	1	3	
Block 3023	1	3	
Block 3024	1	3	
Block 3040	1	3	
Block 3055	1	3	
Block 3056	1	3	
Block 3057	1	3	
Block 3058	1	3	
Block 3059	1	3	
Block 3071	1	3	
Block 1069	1	2	
Block 1071	1	2	
Block 1072	1	2	
Block 1074	1	2	
Block 1075	1	2	
Block 1076	1	2	
Block 4055	1	2	
Block 4056	1	3	
Block 4066	1	3	
Block 4068	1	3	
Block 4069	1	3	
Block 1002	1	3	
Block 3006	2	3	Jefferson Arms Apartments
Block 3008	2	3	
Block 3014	2	3	
Block 1024	2	1	
Block 1028	2	1	
Block 1029	2	1	
Block 1059	2	4	
Block 1060	2	4	
Block 1061	2	4	
Block 1062	2	4	
Block 1106	2	4	
Block 1107	2	4	
Block 1108	2	4	
Block 2016	3	4	
Block 3002	0	0	Jefferson Correctional Institution
Block 2058	3	5	
Block 2078	3	5	
Block 2088	3	5	
Block 2093	3	5	
Block 2095	3	5	
Block 2171	3	5	7

Block 1006	4	3
Block 1007	4	3
Block 1008	4	3
Block 1009	4	3
Block 1012	4	3
Block 1023	4	3
Block 1024	4	3
Block 1025	4	3
Block 1026	4	3
Block 1079	4	3
Block 1080	4	3
Block 2021	4	3
Block 2022	4	3
Block 2023	4	3
Block 2024	4	3
Block 2025	4	3
Block 2026	4	3
Block 2036	4	3
Block 2082	4	3
Block 2084	4	3
Block 4036	4	2
Block 4037	4	2
Block 4039	4	2
Block 4040	4	2
Block 4050	4	2
Block 4051	4	2
Block 2003	4	3
Block 1003	5	3
Block 1004	5	3
Block 1005	5	3
Block 1006	5	3
Block 1007	5	3
Block 1008	5	3
Block 1009	5	3
Block 1010	5	3
Block 1011	5	3
Block 1022	5	3
Block 1023	5	3
Block 1024	5	3
Block 1025	5	3
Block 1026	5	3
Block 1027	5	3
Block 1042	5	3
Block 1043	5	3
Block 1044	5	3
Block 1045	5	3
Block 1046	5	3
Block 1056	5	3

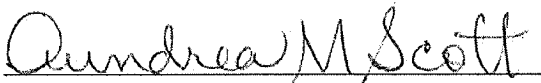
Block 1057	5	3	
Block 1059	5	3	
Block 1068	5	3	
Block 1077	5	3	
Block 1081	5	3	

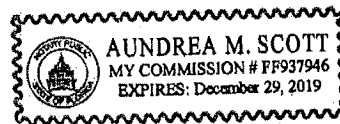
FURTHER AFFIANT SAYETH NAUGHT.


 Kurt Spitzer

STATE OF FLORIDA
COUNTY OF LEON

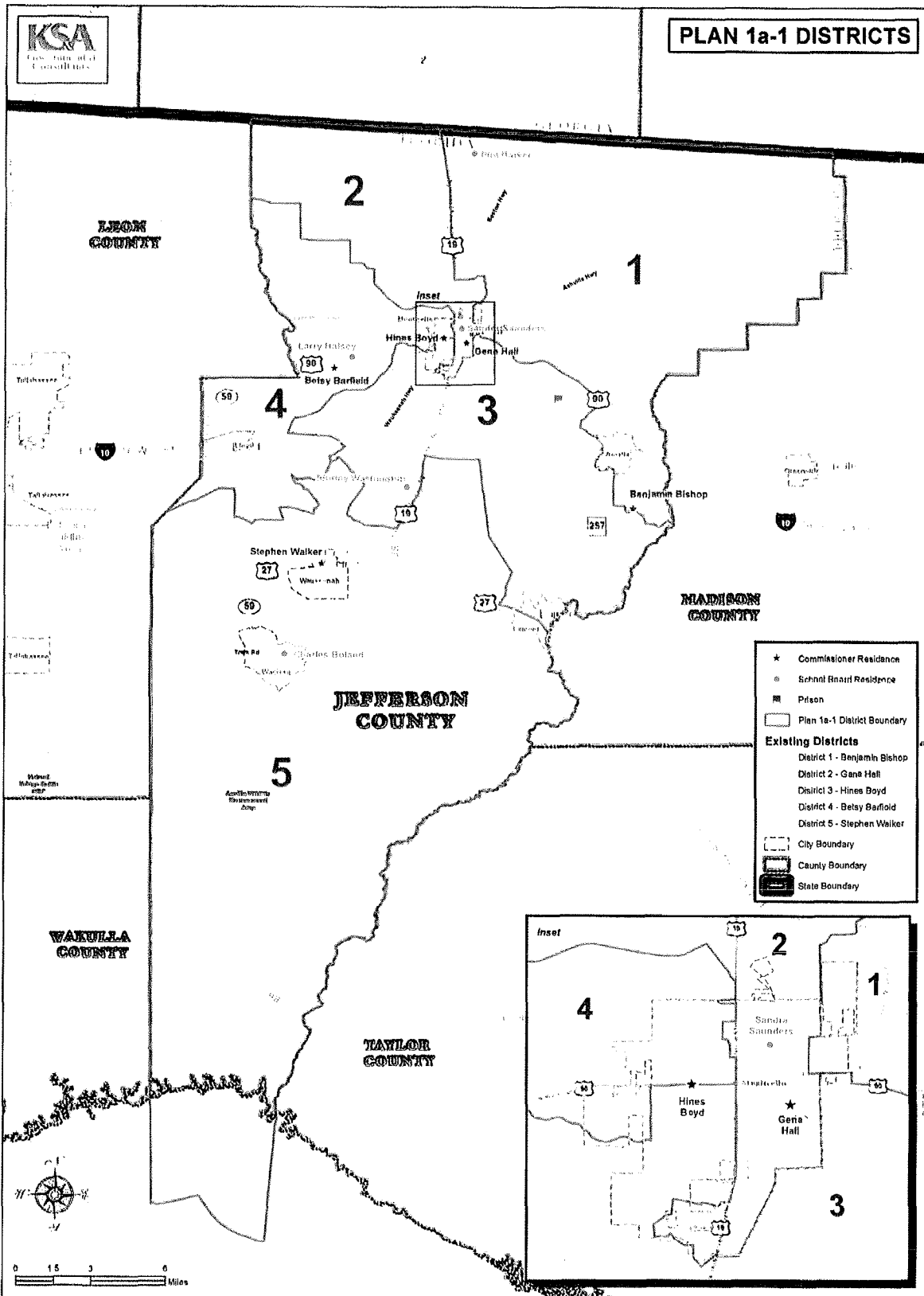
The foregoing instrument was sworn to and subscribed before me this 4th day of April, 2016, by Kurt Spitzer.


 Signature of Notary



PRINT, TYPE OR STAMP NAME OF NOTARY

Personally known _____
 OR Produced Identification X
 Type of Identification Produced FL Drivers' License



DISTRICT #	AVERAGE (MEAN) POPULATION	ACTUAL POPULATION	DEVIATION	PERCENT DEVIATION	WHITE	PERCENT WHITE	BLACK	PERCENT BLACK	HISPANIC	PERCENT HISPANIC	OTHER	PERCENT OTHER
1	2721	2855	134 00	4.69%	1964	68.79%	771	27.01%	117	4.10%	120	4.20%
2	2721	2690	(31 00)	-1.16%	1074	39.93%	1533	56.99%	64	2.38%	83	3.09%
3	2721	2839	118 00	4.16%	1553	54.70%	1144	40.30%	141	4.97%	142	5.00%
4	2721	2611	(110 00)	-4.21%	2010	76.98%	536	20.53%	69	2.64%	65	2.49%
5	2721	2612	(109 00)	-4.17%	1728	66.16%	804	30.78%	71	2.72%	80	3.06%

EXHIBIT
A
 Blumberg No. 6119

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

KATE CALVIN, JOHN NELSON,
CHARLES J. PARRISH, LONNIE GRIFFIN
and CONCERNED UNITED PEOPLE,

Plaintiffs,

vs.

CASE NO.: 4:15-CV-00131-MW-CAS

JEFFERSON COUNTY BOARD OF
COMMISSIONERS, JEFFERSON COUNTY
SCHOOL BOARD and MARTY BISHOP,
SUPERVISOR OF ELECTIONS, in his official
capacity,

Defendants.

AFFIDAVIT OF MARTY BISHOP

STATE OF FLORIDA

COUNTY OF JEFFERSON

BEFORE ME, the undersigned authority, personally appeared Marty Bishop,
who being first duly sworn, deposes and says as follows:

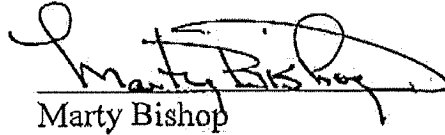
1. I am over the age of 18 and have personal knowledge of the matters
set forth herein.

2. I currently serve as the elected Supervisor of Elections for Jefferson County, Florida. I am also the custodian of voting and election records for Jefferson County.

3. On March 31, 2016, I reviewed a document prepared by Commissioner Hines Boyd entitled "DISTRICT 3 VOTER PERFORMANCE, COUNTY COMMISSION AND SCHOOL BOARD ELECTIONS WITH BLACK AND WHITE CANDIDATES 2002-2014." (See Exhibit A.)

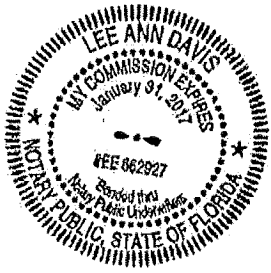
4. The information contained in this document is true and correct based on my review of the election records for Jefferson County.

FURTHER AFFIANT SAYETH NAUGHT.


Marty Bishop

STATE OF FLORIDA
COUNTY OF JEFFERSON

The foregoing instrument was sworn to and subscribed before me this
4 day of April, 2016, by Marty Bishop.



Lee Ann Davis
Signature of Notary

Lee Ann Davis
PRINT, TYPE OR STAMP NAME OF
NOTARY

Personally known ✓

OR Produced Identification _____

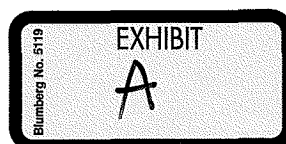
Type of Identification Produced _____

**DISTRICT 3 VOTER PERFORMANCE
COUNTY COMMISSION AND SCHOOL BOARD ELECTIONS
WITH BLACK AND WHITE CANDIDATES, 2002-2014**

		Pct.	Win Margin	Results
SCHOOL BOARD, 2002 NON-PARTISON RACE				
Fred Shofner (W)	483	55.3%	93	Won by white candidate.
Shirley Washington (B)	390	44.7%		
<i>Total</i>	873			
COUNTY COMMISSIONER, 2004 DEMOCRATIC PRIMARY				
Gene Cooksey (W)	343	49.6%	5	Won by black candidate
C. P. Miller (B)	348	50.4%		
<i>Total</i>	691			
COUNTY COMMISSIONER, 2004 GENERAL ELECTION				
Jerry Sutphin (W)	598	53.9%	86	Won by white candidate
C. P. Miller (B)	512	46.1%		
<i>Total</i>	1110			
SCHOOL BOARD, 2006 NON-PARTISON RACE				
Fred Shofner (W)	370	48.4%	25	Won by black candidate
Shirley Washington (B)	395	51.6%		
<i>Total</i>	765			
COUNTY COMMISSIONER, 2008 DEMOCRATIC PRIMARY				
Hines Boyd (W)	340	46.6%	30	Won by white candidate
C. P. Miller (B)	310	42.5%		
Ann Ransom Reddick (B)	79	10.8%		
<i>Total</i>	729			
SCHOOL BOARD, 2010 NON-PARTISON RACE				
Julia McBee	344	47.5%	36	Won by black candidate
Shirley Washington	380	52.5%		
<i>Total</i>	724			
COUNTY COMMISSIONER, 2012 GENERAL ELECTION				
Hines Boyd (W)	409	35.2%	17	Won by white candidate
C. P. Miller (B)	392	33.8%		
Vernie Key (W)	360	31.0%		
<i>Total</i>	1161			
SCHOOL BOARD, 2014 NON-PARTISON RACE				
Julia McBee (W)	270	40.2%	82	Won by black candidate
Herbert Thomas (B)	50	7.4%		
Shirley Washington (B)	352	52.4%		
<i>Total</i>	672			

**SUMMARY: 4 RACES WON BY WHITE CANDIDATES
4 RACES WON BY BLACK CANDIDATES
AVERAGE WINNING MARGIN WAS 47 VOTES**

NOTE: As of March 31, 2016, there were 9297 registered voters in Jefferson County, an average of 1859 per district. A 1% difference in the black:white voter ratio in an average district represents 18.6 registered voters.



		Pct.
SCHOOL BOARD, 2002 NON-PARTISON RACE		
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Shirley Washington (B)	390	44.7%
<i>Total</i>	873	

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Julia McBee (W)	270	40.2%
Herbert Thomas (B)	50	7.4%
Shirley Washington (B)	352	52.4%
<i>Total</i>	672	

RECEIVED
 SUPERVISOR OF REGISTRATION
 JEFFERSON COUNTY, TN
 2016 MAR 31 AM 10:53
 Verified
 Marty Bishop